

# Colorado Division of Criminal Justice Correctional Population Forecasts

*Pursuant to 24-33.5-503 (m), C.R.S.*

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# Table of Contents

1	<b>INTRODUCTION</b>
2	<b>THE COLORADO CRIMINAL JUSTICE FORECASTING MODEL</b>
5	<b>COLORADO ADULT PRISON POPULATION AND PAROLE CASELOAD PROJECTIONS</b>
5	<i>Adult Inmate Population Forecast</i>
15	<i>Factors Affecting The Adult Prison Population Projections</i>
22	<i>Adult Parole Caseload Forecast</i>
25	<i>Average Length Of Stay Estimates for FY 2015 Prison Admissions</i>
35	<b>YOUTH CORRECTIONS JUVENILE COMMITMENT AND PAROLE PROJECTIONS</b>
36	<i>Average Daily Juvenile Commitment Population Forecast</i>
40	<i>Average Daily Juvenile Detention Population Forecast</i>
43	<i>Average Daily Juvenile Parole Caseload Forecast</i>
45	<i>Additional Factors Influencing The Juvenile Commitment, Detention And Parole Population Forecasts</i>

## **APPENDIX A: Laws Directly Affecting Prison Sentences and Length of Stay in Prison**

## **APPENDIX B: Infographic from the Pew Charitable Trusts: Juvenile Commitment Rates**

### **FIGURES:**

6	<i>Figure 1: Actual and projected total prison population FY 2005 through FY 2022: Comparison of DCJ December 2014, July 2015 , and December 2015 Prison Population Projections</i>
7	<i>Figure 2: Actual and projected quarterly total and male prison population FY 2012 through FY 2022</i>
8	<i>Figure 3: Actual and projected quarterly female prison population FY 2012 through FY 2022</i>
13	<i>Figure 4: Colorado prison admissions by type: actual and projected FY 2012 through FY 2022</i>
14	<i>Figure 5: Colorado prison releases: actual and projected FY 2011 through FY 2022</i>
14	<i>Figure 6: Colorado prison release detail: actual and projected FY 2011 through FY 2022</i>
16	<i>Figure 7: Colorado criminal court filings 1996-2014 and prison admissions with new court commitments one year later</i>
18	<i>Figure 8: Admissions and releases FY 2013 to December 2015</i>
20	<i>Figure 9: Trends in mandatory and discretionary parole releases, January 2013 through January 2016.</i>
21	<i>Figure 10: Quarterly male and female inmate populations FY 2012 to December 2015</i>
24	<i>Figure 11: Historical and projected end of fiscal year parole caseloads FY 2011 through FY 2021</i>
39	<i>Figure 12: Fiscal year-end year to date juvenile commitment average daily population FY 2002 through FY 2015 and DCJ forecast through FY 2020</i>
39	<i>Figure 13: Annual new juvenile commitments FY 2002 through FY 2015 and DCJ forecast through FY 2020</i>
42	<i>Figure 14: Historical and projected juvenile detention year-end average daily population FY 2002 through FY 2020</i>
44	<i>Figure 15: Historical and projected juvenile parole year-end average daily population FY 2002 through FY 2020</i>

**TABLES:**

- 9**      *Table 1: DCJ December 2015 Adult Prison Population Projections: Actual and projected populations FY 1995 through FY 2022*
- 10**     *Table 2: DCJ December 2015 Quarterly Adult Prison Population Projections June 2015 through June 2022*
- 11**     *Table 3: DCJ December 2015 Adult Prison Population Projections: Actual and projected prison admissions by type, FY 2005 through FY 2022*
- 12**     *Table 4: DCJ December 2015 Adult Prison Population Projections, actual and projected prison releases by type, FY 2005 through FY 2022*
- 22**     *Table 5: DCJ December 2015 Adult domestic and total parole caseload projections FY 2015 through FY 2022*
- 27**     *Table 6: Estimated average lengths of stay for FY 2015 male new commitments*
- 28**     *Table 7: Estimated average lengths of stay for FY 2015 female new commitments*
- 29**     *Table 8: Estimated average lengths of stay for FY 2015 total new commitments*
- 30**     *Table 9: Estimated average lengths of stay for FY 2015 male parole returns with a new crime*
- 31**     *Table 10: Estimated average lengths of stay for FY 2015 female parole returns with a new crime*
- 32**     *Table 11: Estimated average lengths of stay for FY 2015 total parole returns with a new crime*
- 33**     *Table 12: Estimated average lengths of stay for FY 2015 combined new court commitments and parole returns with a new crime*
- 32**     *Table 13: Estimated average length of stay for FY 2015 new court commitments and parole returns with a new crime, category totals*
- 37**     *Table 14: DCJ December 2015 juvenile commitment fiscal year-end average daily population and new admissions forecast, FY 2014 through FY 2020*
- 38**     *Table 15: Quarterly juvenile commitment average daily population forecast, FY 2015 through FY 2020*
- 40**     *Table 16: DCJ December 2015 juvenile detention fiscal year-end average daily population forecast, FY 2014 through FY 2020*
- 41**     *Table 17: Quarterly juvenile detention average daily population forecast, FY 2015 through FY 2020*
- 44**     *Table 18: Juvenile parole year-end average daily caseload forecast, FY 2014 through FY 2020*

# Executive Summary

After decades of continuous growth, the Colorado adult prison population began to decrease in FY 2010. This decline accelerated dramatically in FY 2012 and FY 2013, but reversed sharply beginning in the fourth quarter of FY 2013, with growth continuing through early FY 2015. However, the population began to level mid-year, and resumed a declining trend through the end of the year and into the first half of FY 2016.

During FY 2016, the total population is projected to decline by 2.5%, followed by very slow growth in the following year. During subsequent years, growth is then forecast to accelerate slightly to 1.9% in FY 2018, slowing again to approximately 1.0% per year throughout the projection period. The number of men in prison is expected to increase 3.3% by the end of FY 2022, from 18,655 to 19,273, while the number of women in prison is expected to increase 2.3%, from 1,968 to 2,014.

Both the domestic and overall parole caseloads are anticipated to increase very slightly by the end of FY 2016 (by 0.6% and 0.8%, respectively), with this increase accelerating greatly in FY 2017. The domestic caseload is expected to increase by 5.8% by the end of FY 2017. The total caseload is projected to increase by 6.2% over the same time frame. The caseload is then expected to decline over the next two years, followed by slow growth through FY 2022. Overall, the domestic caseload is projected to increase by 4.6% between the ends of FY 2015 and FY 2022, from 7,865 parolees to 8,226. The total caseload is expected to increase by 8.0% over the same time frame, from 10,026 parolees to 10,823.

The juvenile commitment and detention populations are expected to continue the declining trend observed over the past ten years. The commitment average daily population is projected to decrease 5.1%, reaching 702.0 by the end of FY 2016. By the end of FY 2020, the population is expected to fall to 602.3, an 18.6% decline. New commitments are also anticipated to continue declining, falling 2.4% by the end of FY 2016. The rate of decline in admissions is expected to accelerate somewhat between FY 2017 and FY 2020, averaging 5.6% per year.

The juvenile parole average daily caseload is also predicted to decrease, by 2.8% over the course of FY 2016 and by 14.2% between the ends of FY 2015 and FY 2020, reaching 210.8 by the end of FY 2020. While the juvenile detention population is expected to remain relatively stable across FY 2016, falling by only 2.7%, an overall decrease of 23.2% is expected by the end of the forecast period, resulting in an average daily population of 216.4 by the end of FY 2020.

These projections are based on historical trends in these populations, including criminal and juvenile delinquency court filings, probation revocations, and shifts in all aspects of the criminal and juvenile justice systems. Recent legislation and parole practice reforms also significantly influence these forecasts.



# Introduction

## Background

The Colorado Division of Criminal Justice (DCJ), pursuant to 24-33.5-503(m), C.R.S., is mandated to prepare correctional population projections for the Legislative Council and the General Assembly. Per statute, DCJ has prepared projections of these populations since the mid-1980s. This report presents the December 2015 forecasts for the Colorado adult prison and parole populations and for the Colorado juvenile commitment, detention and parole populations.

The adult prison and parole forecasts estimate the size of these populations across the upcoming seven years. Additionally, they are utilized to simulate alternative future populations based on specific changes in laws, policies, or practices. Also included are estimates regarding average length of stay for future populations, which are used to calculate cost savings resulting from proposed legislation and policy changes.

The juvenile commitment, detention and parole forecasts estimate the average daily populations over the upcoming five years. The inclusion of detention population forecasts is a relatively new addition, as these forecasts were suspended with the enactment of legislation in 2003 which established a limit on the number of detention beds. However, with the recent declines in all juvenile corrections populations including detention, the reintroduction of juvenile detention projections was requested by the Colorado Joint Budget Committee in 2012.

## Organization of This Report

The first section of this report describes the Colorado Criminal Justice Forecasting Model (CCJFM) and the assumptions applied to the current year's projections. Following this discussion, the adult prison and parole population projections for fiscal years 2016 through 2022 are presented, including quarterly inmate population projections and annual admission and release projections. These are followed by annual projections for domestic parole, out-of-state and absconder populations. Also included are estimates of the average lengths of stay by offender category for the fiscal year 2015 cohort of prison admissions.

The last section of the report presents the juvenile commitment, detention and parole projections for fiscal years 2016 through 2020. The juvenile population estimates include year-end and quarterly average daily population (ADP) forecasts for the committed population statewide. These are followed by statewide year-end and quarterly detention ADP forecasts and year-end average daily caseload (ADC) forecasts for the juvenile parole population statewide.

# The Colorado Criminal Justice Forecasting Model

## Justice and Demographic Information

Data from multiple sources are incorporated into the forecasting model to simulate the flow of individuals into the system, as well as the movement of those already in the system. These data include information concerning admissions to and releases from the Colorado Department of Corrections (DOC) and from the Division of Youth Corrections (DYC), as well as the adult and juvenile populations currently incarcerated. Colorado population forecasts are provided by the Demographer's Office of the Department of Local Affairs. Criminal and juvenile case prosecution, conviction, sentencing and probation revocation data are obtained from the Colorado Judicial Branch's information management system and from annual reports issued by the Judicial Department.<sup>1,2</sup>

## Adult Prison Population Forecasting Methodology

Future prison populations are modeled for three cohorts: new court commitments to prison, parole returns to prison, and the population currently incarcerated. The future admissions cohort estimates the composition and number of future admissions, including offenders who fail probation or community corrections and are subsequently incarcerated due to a technical violation of probation. Projected future admissions are based on historical prison admission trends, taking into account crime trends, criminal case filings, conviction rates and sentencing practices. Trends in probation placements and probation revocation rates are also examined.

A variety of statistical models are generated to develop the future admissions projections, incorporating recent changes in laws or policy. This projected future admissions cohort is disaggregated into approximately 70 offender profile groups according to governing offense type, felony class and sentence length.

While the number of offenders admitted to prison each month of the projection period is tracked, the duration of their stay in prison is estimated and the point at which they are expected to be released from prison is also tracked. The length of stay in prison is estimated using data concerning the length of stay for offenders with similar profiles released in prior years, adjusted to reflect recent changes in law or policy.

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<sup>1</sup> Data concerning criminal court filings are extracted from the Judicial Branch's information management system and analyzed by DCJ's Office of Research and Statistics.

<sup>2</sup> Colorado State Judicial Branch (2007-2014). *Colorado Judicial Branch Annual Reports*. Denver, CO: Colorado Judicial Branch, Division of Probation Services; Colorado State Judicial Branch (2007-2014). *Colorado Judicial Branch Annual Recidivism Reports*. Denver, CO: Colorado Judicial Branch, Division of Probation Services. Available at <http://www.courts.state.co.us/Administration/Unit.cfm?Unit=eval>

Cumulative survival distributions are developed and applied to each of the offender profile/sentence length groups to estimate a rate of release and the remaining population on a monthly basis.

The cohort of currently incarcerated offenders is treated in a similar manner. This cohort is also disaggregated into approximately 70 offender profile and sentence length groups, with cumulative survival distributions calculated to estimate their rate of release. These survival distributions are adjusted to reflect changes in law or policy that may impact those currently incarcerated, which may differ from those impacting the future admissions cohort. The release of offenders currently in prison (referred to as the stock population), the estimates of future admissions, and the anticipated release of those admissions are combined to forecast the size of incarcerated populations in the future.

A different approach is used to forecast parole populations. The number of releases to parole each year is estimated in the process of developing the prison population forecast. An average length of stay is applied to determine the number that will remain on parole at the end of each year and the number that will carry over into the following year. These figures are summed to estimate the number of parolees at the end of each fiscal year.

#### **Assumptions Affecting the Accuracy of the DCJ Projections**

The projection figures for the Colorado Department of Corrections' incarcerated and parole populations and for the Division of Youth Corrections' commitment and parole populations are based on the multiple assumptions outlined below.

- ❑ The Colorado General Assembly will not pass new legislation that impacts the length of time offenders are incarcerated or the number of individuals receiving such a sentence.
- ❑ The General Assembly will not expand or reduce community supervision programs in ways that affect commitments.
- ❑ Decision makers in the justice system will not change the way they use their discretion, except in explicitly stated ways that are accounted for in the model.
- ❑ The data provided by the Colorado Departments of Corrections and Human Services accurately describe the number and characteristics of offenders committed to, released from, and retained in DOC and DYC facilities.
- ❑ Incarceration times and sentencing data are accurate.
- ❑ Admission, release and sentencing patterns will not change dramatically from the prior year through the upcoming 7 years, except in ways that are accounted for in the current year's projection model.

- ❑ Seasonal variations observed in the past will continue into the future.
- ❑ The forecasts of the Colorado population size, gender and age distributions provided by the Colorado Demographer's Office are accurate.
- ❑ District court filings, probation placements and revocations are accurately reported in annual reports provided by the Judicial Department.
- ❑ No catastrophic event such as war, disease or economic collapse will occur during the projection period.

# Colorado Adult Prison Population and Parole Caseload Projections

## ADULT INMATE POPULATION FORECAST

The Colorado prison population is expected to increase by 3.2% between fiscal years 2015 and 2022, from an actual year-end population of 20,623 to a projected population of 21,287 inmates. This is substantially less than the 16.6% growth projected last year, a reflection of the decline in the prison population observed in the last half of FY 2015 and early FY 2016, as well as a number of additional factors outlined later in this report.

During FY 2016, the total population is projected to decline by 2.5%, followed by very slow growth in the following year. During subsequent years, growth is then forecast to accelerate slightly to 1.9% by FY 2018, slowing again to approximately 1.0% per year throughout the projection period.

The number of men in prison is expected to increase 3.3% by the end of FY 2022, from 18,655 to 19,273, while the number of women in prison is expected to increase 2.3%, from 1,968 to 2,014.

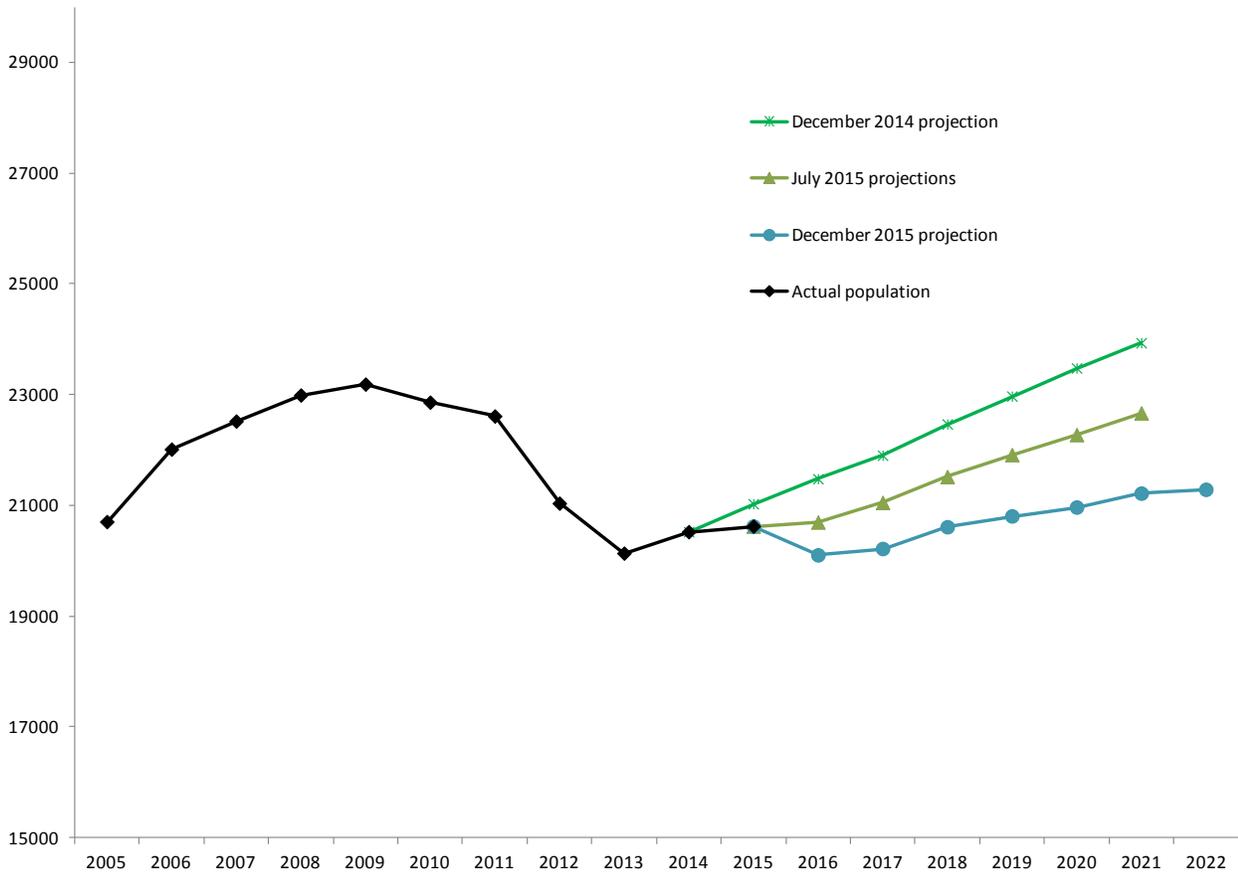
Figure 1 displays the year-end inmate populations each year between FY 2005 and FY 2015, and compares the current projections to the DCJ December 2014 and July 2015 projection figures. As shown, after decades of continuous growth, the population began to decrease in FY 2010. This decline accelerated dramatically in FY 2012 and FY 2013. However, this pattern demonstrated a sharp reversal beginning in the fourth quarter of FY 2013, which continued through November 2014. In December of 2014, this trend was expected to continue throughout the projection period. However, the population stabilized in the following quarter and began a period of sharp decline during the entire first half of FY 2016. This year's projections reflect this decline. The expectation of slow growth throughout the remainder of the projection timeframe is based on a number of factors which are described in the next section.

### **IN BRIEF:**

***The number of adult inmates in Colorado is expected to increase 3.2% between fiscal years 2015 and 2022, from an actual year-end population of 20,623 to a projected population of 21,287 inmates. The number of men in prison is expected to increase 3.3% by the end of FY 2022, from 18,655 to 19,273, while the number of women in prison is expected to increase 2.3%, from 1,968 to 2,014.***

***The domestic parole caseload is projected to remain relatively stable through FY 2016, increasing by 0.8%. This growth will accelerate to 6.2% in FY 2017, followed by two years of decline. In FY 2020 growth is expected to resume and continue through FY 2022. Overall, the domestic caseload is expected to increase by 4.6% by the end of FY 2022, from 7,865 parolees to 8,226. The total caseload is expected to increase by 8.0% over the same time frame, from 10,026 to 10,823 parolees.***

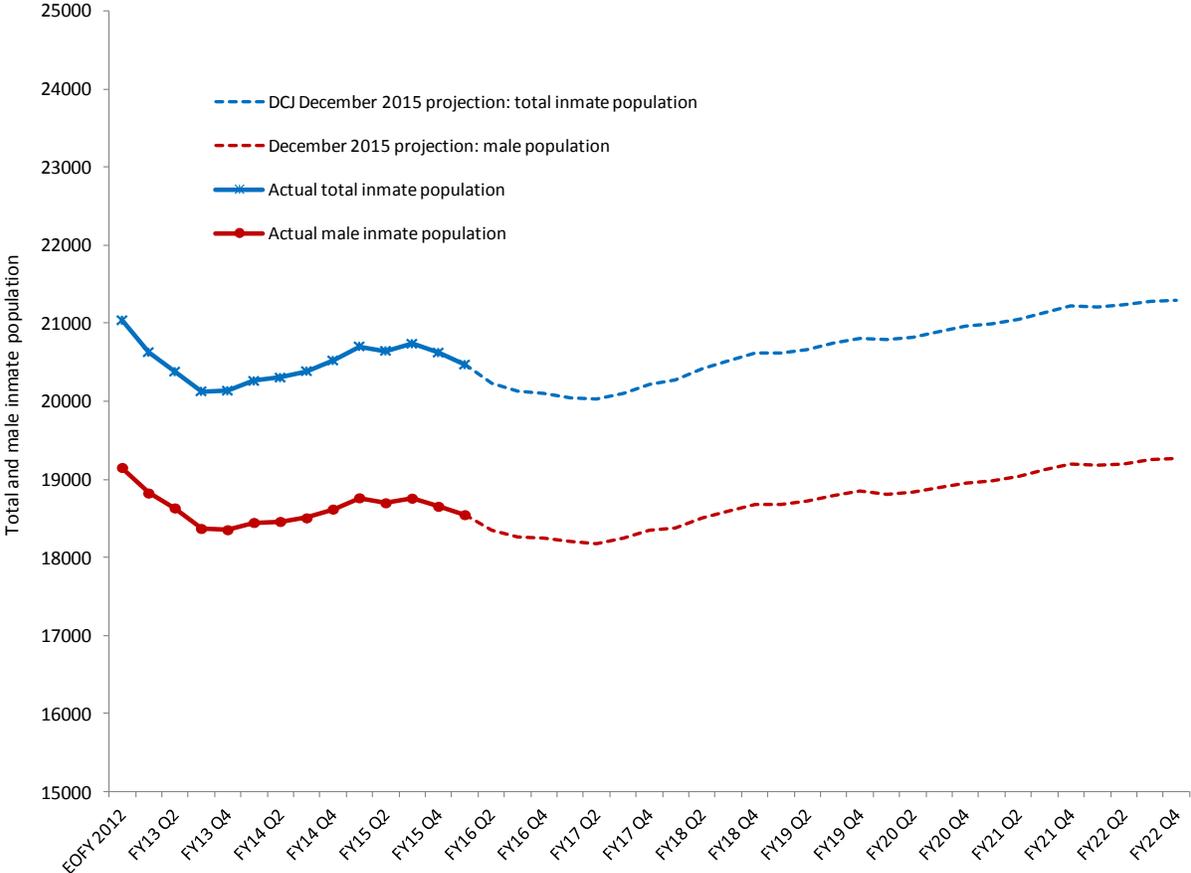
**Figure 1: Actual and projected total prison population FY 2005 through FY 2022: Comparison of DCJ December 2014, July 2015 and December 2015 Prison Population Projections**



Data source: Actual population figures FY 2005 through FY 2015: Colorado Department of Corrections Monthly Capacity and Population Reports. Available at: <https://www.colorado.gov/pacific/cdoc/departmental-reports-and-statistics>

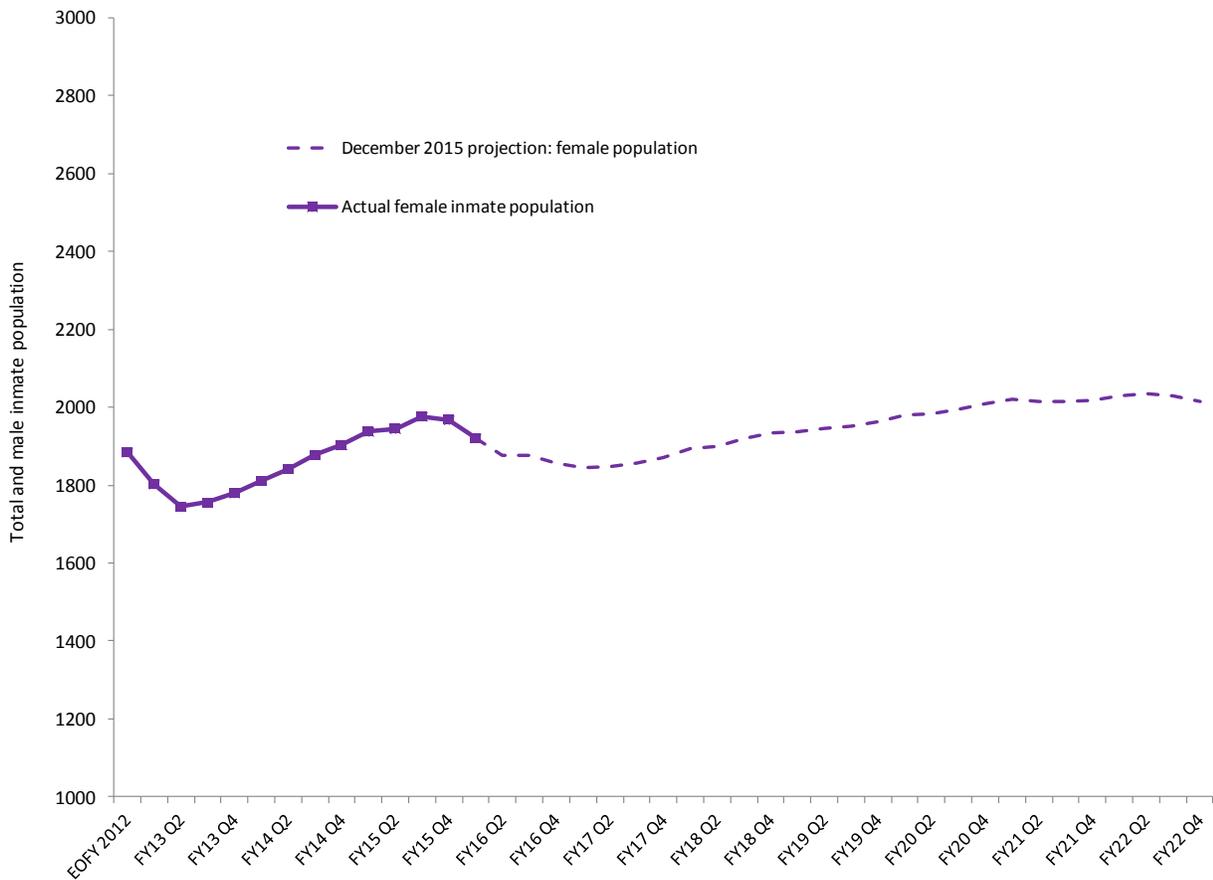
Figure 2, below, displays the quarterly total and male prison populations between the end of FY 2012 through the first quarter of FY 2016 (September, 2015), and the projected population at the end of each quarter through FY 2022. Figure 3 displays the actual and projected trends in the female inmate population over this same time frame.

Figure 2: Actual and projected quarterly total and male prison population FY 2012 through FY 2022



Data source: Actual population figures June 30, 2012 through September 30, 2015 Colorado Department of Corrections Monthly Capacity and Population Reports. Available at: <https://www.colorado.gov/pacific/cdoc/departamental-reports-and-statistics>

**Figure 3: Actual and projected quarterly female prison population FY 2012 through FY 2022**



Data source: Actual population figures June 30, 2012 through September 30, 2015 Colorado Department of Corrections Monthly Capacity and Population Reports. Available at: <https://www.colorado.gov/pacific/cdoc/departamental-reports-and-statistics>

Table 1 displays the historical total and gender-specific growth in the prison population by fiscal year for FY 1995 through FY 2015, as well as the projected population through the end of fiscal year 2022. Table 2 displays total and gender-specific projected growth in the prison population by quarter for fiscal years 2016 through 2022. Annual projected numbers of admissions by type are given in Table 3, followed by the projected number of releases in Table 4.

Historical and projected trends in admission types for fiscal years 2011 through 2022 are graphically displayed in Figure 4. Release trends for the same time frame can be found in Figures 5 and 6.

**Table 1: DCJ December 2015 Adult Prison Population Projections: Actual and projected populations  
FY 1995 through FY 2022**

Fiscal Year End	Total Prison		Male Population		Female Population	
	Population	Annual Growth	Population	Annual Growth	Population	Annual Growth
<b>1995*</b>	10,669	-	10,000	-	669	-
<b>1996*</b>	11,019	3.28%	10,250	2.50%	769	14.95%
<b>1997*</b>	12,590	14.26%	11,681	13.96%	909	18.21%
<b>1998*</b>	13,663	8.52%	12,647	8.27%	1,016	11.77%
<b>1999*</b>	14,726	7.78%	13,547	7.12%	1,179	16.04%
<b>2000*</b>	15,999	8.64%	14,733	8.75%	1,266	7.38%
<b>2001*</b>	16,833	5.21%	15,498	5.19%	1,340	5.85%
<b>2002*</b>	18,045	7.20%	16,539	6.72%	1,506	12.39%
<b>2003*</b>	18,846	4.44%	17,226	4.15%	1,620	7.57%
<b>2004*</b>	19,569	3.84%	17,814	3.41%	1,755	8.33%
<b>2005*</b>	20,704	5.80%	18,631	4.59%	2,073	18.12%
<b>2006*</b>	22,012	6.32%	19,792	6.23%	2,220	7.09%
<b>2007*</b>	22,519	2.30%	20,178	1.95%	2,341	5.45%
<b>2008*</b>	22,989	2.09%	20,684	2.51%	2,305	-1.54%
<b>2009*</b>	23,186	0.86%	20,896	1.02%	2,290	-0.65%
<b>2010*</b>	22,860	-1.41%	20,766	-0.62%	2,094	-8.56%
<b>2011*</b>	22,610	-1.09%	20,512	-1.22%	2,098	0.19%
<b>2012*</b>	21,037	-6.96%	19,152	-6.63%	1,885	-10.15%
<b>2013*</b>	20,135	-4.29%	18,355	-4.16%	1,780	-5.57%
<b>2014*</b>	20,522	1.92%	18,619	1.44%	1,903	6.91%
<b>2015*</b>	20,623	0.49%	18,655	0.19%	1,968	3.42%
<b>2016</b>	20,104	-2.52%	18,248	-2.18%	1,856	-5.71%
<b>2017</b>	20,218	0.57%	18,349	0.55%	1,870	0.75%
<b>2018</b>	20,611	1.94%	18,676	1.78%	1,935	3.48%
<b>2019</b>	20,807	0.95%	18,844	0.90%	1,963	1.47%
<b>2020</b>	20,967	0.77%	18,958	0.60%	2,009	2.34%
<b>2021</b>	21,218	1.20%	19,199	1.27%	2,019	0.50%
<b>2022</b>	21,287	0.33%	19,273	0.39%	2,014	-0.25%

\*Actual population figures. Data sources: Colorado Department of Corrections Annual Statistical Reports and Monthly Capacity and Population Reports. Available at: <https://www.colorado.gov/pacific/cdoc/departmental-reports-and-statistics>

**Table 2: DCJ December 2015 Quarterly Adult Prison Population Projections: June 2015 through June 2022**

Fiscal Year	End of Month	Total Prison		Male Population		Female Population	
		Population	Growth	Population	Growth	Population	Growth
<b>2015*</b>	<i>June 2015</i>	20,623	-0.54%	18,655	-0.55%	1,968	-0.46%
<b>2016*</b>	<i>September 2015</i>	20,469	-0.75%	18,548	-0.57%	1,921	-2.39%
<b>2016</b>	December 2015	20,228	-1.18%	18,352	-1.06%	1,877	-2.32%
<b>2016</b>	March 2016	20,134	-0.47%	18,256	-0.52%	1,878	0.08%
<b>2016</b>	June 2016	20,104	-0.15%	18,248	-0.04%	1,856	-1.20%
<b>2017</b>	September 2016	20,043	-0.30%	18,197	-0.28%	1,846	-0.53%
<b>2017</b>	December 2016	20,022	-0.10%	18,174	-0.13%	1,848	0.14%
<b>2017</b>	March 2017	20,101	0.39%	18,245	0.39%	1,856	0.42%
<b>2017</b>	June 2017	20,218	0.58%	18,349	0.57%	1,870	0.72%
<b>2018</b>	September 2017	20,268	0.25%	18,375	0.14%	1,893	1.25%
<b>2018</b>	December 2017	20,412	0.71%	18,511	0.74%	1,901	0.41%
<b>2018</b>	March 2018	20,515	0.51%	18,596	0.46%	1,919	0.98%
<b>2018</b>	June 2018	20,611	0.47%	18,676	0.43%	1,935	0.80%
<b>2019</b>	September 2018	20,616	0.03%	18,679	0.01%	1,937	0.15%
<b>2019</b>	December 2018	20,661	0.21%	18,716	0.20%	1,945	0.39%
<b>2019</b>	March 2019	20,742	0.39%	18,791	0.40%	1,951	0.31%
<b>2019</b>	June 2019	20,807	0.31%	18,844	0.28%	1,963	0.62%
<b>2020</b>	September 2019	20,793	-0.07%	18,814	-0.16%	1,979	0.82%
<b>2020</b>	December 2019	20,824	0.15%	18,840	0.14%	1,984	0.25%
<b>2020</b>	March 2020	20,891	0.32%	18,896	0.30%	1,995	0.55%
<b>2020</b>	June 2020	20,967	0.36%	18,958	0.33%	2,009	0.70%
<b>2021</b>	September 2020	20,997	0.14%	18,976	0.09%	2,021	0.60%
<b>2021</b>	December 2020	21,052	0.26%	19,036	0.32%	2,016	-0.25%
<b>2021</b>	March 2021	21,140	0.42%	19,125	0.47%	2,015	-0.05%
<b>2021</b>	June 2021	21,218	0.37%	19,199	0.39%	2,019	0.20%
<b>2022</b>	September 2021	21,205	-0.06%	19,175	-0.13%	2,030	0.54%
<b>2022</b>	December 2021	21,236	0.15%	19,202	0.14%	2,034	0.20%
<b>2022</b>	March 2022	21,277	0.19%	19,247	0.23%	2,030	-0.20%
<b>2022</b>	June 2023	21,287	0.05%	19,273	0.14%	2,014	-0.79%

\*Actual population figures. Data source: Colorado Department of Corrections Monthly Population and Capacity Reports.  
Available at: <https://www.colorado.gov/pacific/cdoc/departmental-reports-and-statistics>

**Table 3: DCJ December 2015 Adult Prison Population Projections: Actual and projected prison admissions by type, FY 2005 through FY 2022**

Fiscal Year End	Prison Admissions				Total Admissions
	New Court Commitments	Parole Returns with a New Crime	Technical Parole Violations	Other Admits	
<b>2005*</b>	5,789	835	2,649	160	9,433
<b>2006*</b>	6,149	1,034	2,792	193	10,168
<b>2007*</b>	6,380	1,014	3,047	188	10,629
<b>2008*</b>	6,296	1,221	3,353	168	11,038
<b>2009*</b>	5,922	1,131	3,776	163	10,992
<b>2010*</b>	5,345	1,039	4,164	156	10,704
<b>2011*</b>	5,153	962	3,678	142	9,935
<b>2012*</b>	4,926	813	3,248	129	9,116
<b>2013*</b>	5,144	815	3,558	103	9,620
<b>2014*</b>	5,235	877	4,054	103	10,269
<b>2015*</b>	5,248	808	3,614	86	9,756
<b>2016</b>	5,255	794	3,169	66	9,284
<b>2017</b>	5,452	821	2,940	53	9,266
<b>2018</b>	5,539	840	2,976	54	9,410
<b>2019</b>	5,628	860	2,851	55	9,393
<b>2020</b>	5,707	887	2,911	55	9,561
<b>2021</b>	5,781	913	2,996	56	9,745
<b>2020</b>	5,839	916	3,007	57	9,818

\*Actual prison admission figures. Data source: Colorado Department of Corrections Annual Statistical Reports; Admission and Release Trends Statistical Bulletins; Monthly Capacity and Population Reports. Available at: <https://www.colorado.gov/pacific/cdoc/departamental-reports-and-statistics>

**Table 4: DCJ December 2015 Adult Prison Population Projections: Actual and projected prison releases by type, FY 2005 through FY 2022**

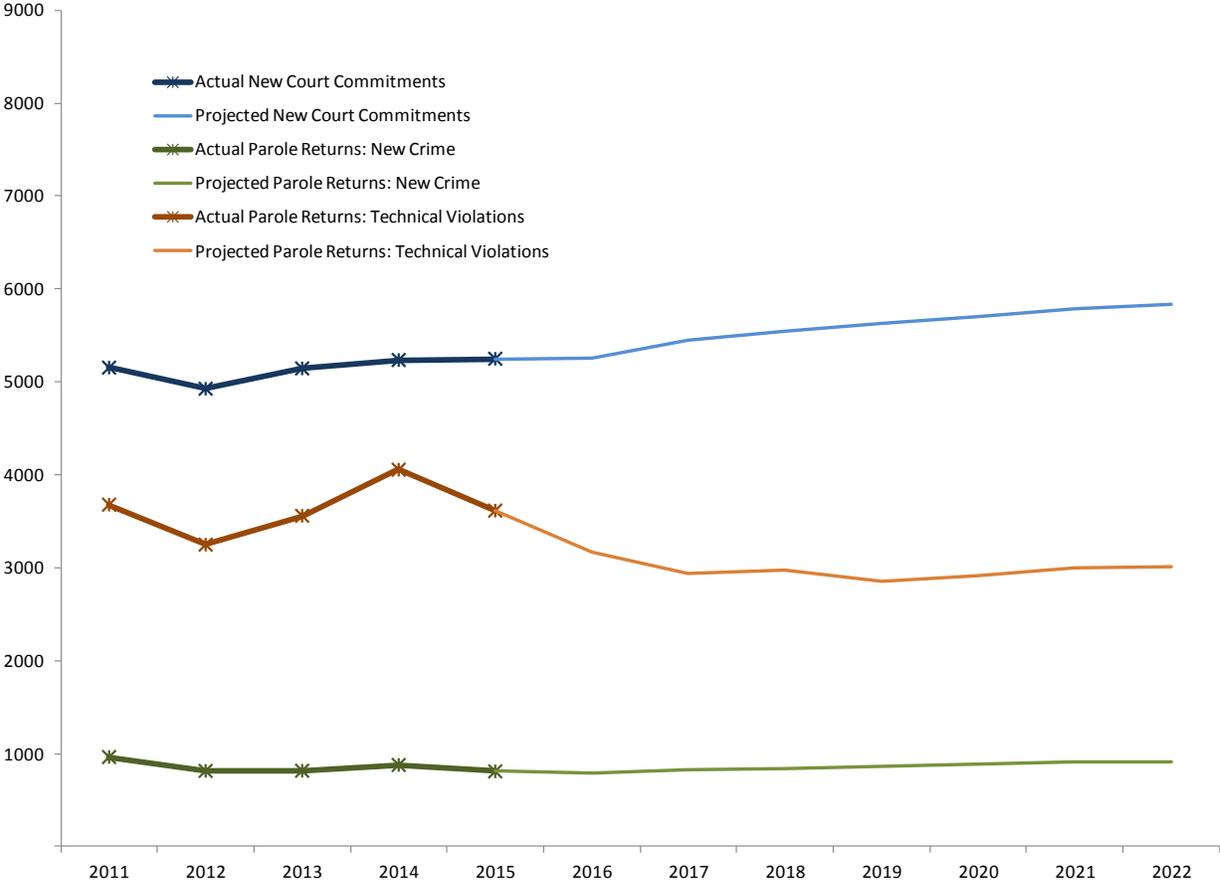
Fiscal Year End	Releases to Parole			Sentence Discharge	Other <sup>2</sup>	Total Discharges
	Mandatory	Discretionary <sup>1</sup>	Total			
<b>2005*</b>	4,688	1,598	6,286	1,576	387	8,249
<b>2006*</b>	4,370	2,813	7,183	1,397	374	8,954
<b>2007*</b>	3,439	5,069	8,508	1,283	319	10,110
<b>2008*</b>	3,279	5,596	8,875	1,367	323	10,565
<b>2009*</b>	4,918	4,118	9,036	1,452	315	10,803
<b>2010*</b>	6,466	2,868	9,334	1,415	284	11,033
<b>2011*</b>	6,413	2,095	8,508	1,427	225	10,160
<b>2012*</b>	5,584	3,607	9,191	1,284	183	10,658
<b>2013*</b>	5,140	3,806	8,946	1,397	163	10,506
<b>2014*</b>	5,020	3,220	8,240	1,510	162	9,912
<b>2015*</b>	5,278	2,658	7,936	1,577	146	9,659
<b>2016</b>	5,449	3,198	8,647	1,407	150	10,204
<b>2017</b>	5,320	3,433	8,754	1,285	141	10,180
<b>2018</b>	5,184	3,416	8,600	1,252	139	9,991
<b>2019</b>	5,249	3,533	8,783	1,231	144	10,158
<b>2020</b>	5,370	3,667	9,037	1,233	149	10,419
<b>2021</b>	5,408	3,661	9,070	1,407	149	10,626
<b>2022</b>	5,502	3,734	9,236	1,275	152	10,663

1. Due to a decrease in community transportation resources in 2005, inmates to be released on their mandatory release date were classified as discretionary releases. A change in the electronic coding of these inmates enabled them to be correctly classified as mandatory parole releases in 2008. The increase in discretionary releases between 2005 and 2008, and the decrease between 2008 and 2010 is an artifact of this change in coding.

2. This category includes, among other things death, releases on appeal, bond release, and court ordered discharges.

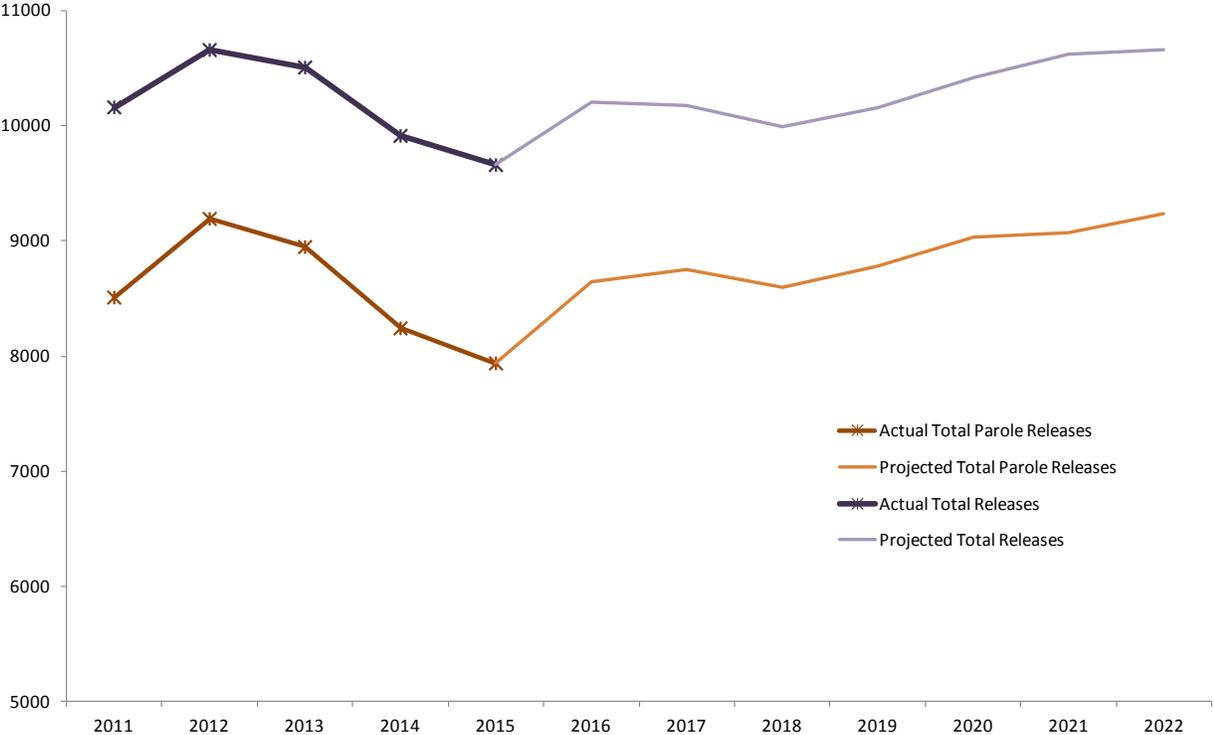
\*Actual prison discharge figures. Data Source: Colorado Department of Corrections Annual Statistical Reports; Admission and Release Trends Statistical Bulletins; Monthly Capacity and Population Reports. Available at: <https://www.colorado.gov/pacific/cdoc/departamental-reports-and-statistics>

Figure 4: Colorado prison admissions by type: Actual and projected FY 2011 through FY 2022



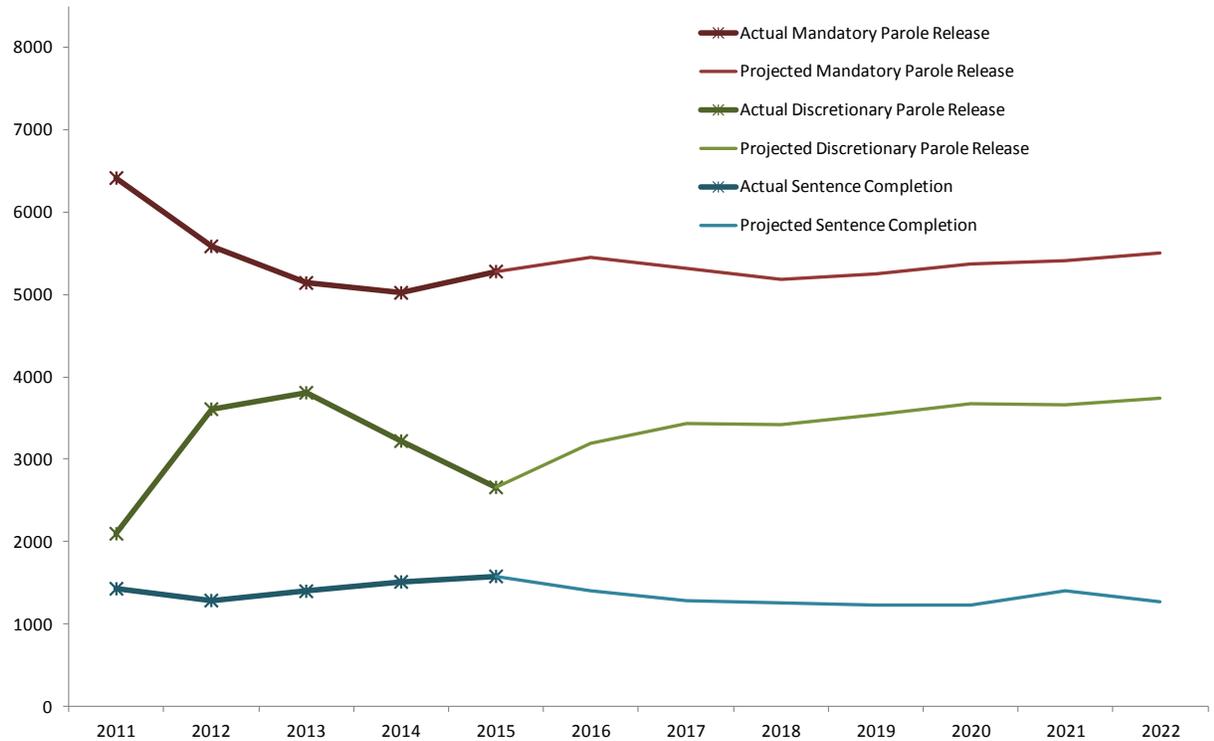
Data source: Actual population figures FY 2011 through FY 2015: Colorado Department of Corrections Monthly Capacity and Population Reports. Available at: <https://www.colorado.gov/pacific/cdoc/departmental-reports-and-statistics>

**Figure 5: Colorado prison releases: Actual and projected FY 2011 through FY 2022**



Data source: Actual population figures FY 2011 through FY 2015: Colorado Department of Corrections Monthly Capacity and Population Reports.

**Figure 6: Colorado prison release detail: Actual and projected FY 2011 through FY 2022**



Data source: Actual population figures FY 2011 through FY 2015: Colorado Department of Corrections Monthly Capacity and Population Reports.

## FACTORS AFFECTING THE ADULT PRISON POPULATION PROJECTIONS

Prison admissions exceeded releases throughout the 2000s, resulting in a continuous growth in the prison population throughout the decade. In early FY 2010, this pattern reversed. In particular, new court commitments began to decline and the prison population began a period of decline which accelerated in fiscal years 2012 and 2013. However, releases were on a downward trend throughout FY 2013, while total admits began trending upward. By the last quarter of FY 2013, admits exceeded releases and the overall prison population began a renewed period of growth. This pattern continued through mid FY 2015. In the second half of FY 2015, once again the ratio of admits to releases reversed and the inmate population began to decline sharply. The pattern of decrease in the population forecast through mid-FY2017, followed by steady growth through FY 2022, is based on projected patterns of admission types and releases, described below.

### Admission trends

While overall monthly admissions declined by 4.6% in FY 2015, this was mainly due to parole returns which fell by 10.3%. Most of these were individuals returned to prison for technical violations (3614 people out of 4422). Note these people will remain in prison a short time, so serve to drive the population down in the short term.

New court commitments, on the other hand, increased throughout FY 2013 through FY 2015. However, the rate of this increase slowed in FY 2014 and further in FY 2015 (to 0.3%). Most of this negligible growth occurred in the first quarter of the year. A downward slope was observed throughout the remainder of FY 2015, accelerating in the first quarter of FY 2016. As in the case of declining parole returns, this will also serve to drive the population down, and will exert downward pressure over a longer period of time.

Large increases in new court commitments are expected in late FY 2016 and FY 2017, due to patterns in criminal court filings, probation revocations, predicted growth in the Colorado population, and legislation. Each of these contributes to the expected growth in the overall population beginning in mid-FY 2017.

There is significant correspondence between the number of cases filed in criminal court and the numbers of new court commitments to prison between one and two years later, as demonstrated in Figure 7. After six years of decline, the number of filings increased by 6.6% in FY 2013, remained stable across FY 2014, and then increased again by 7.7% in FY 2015.<sup>3</sup>

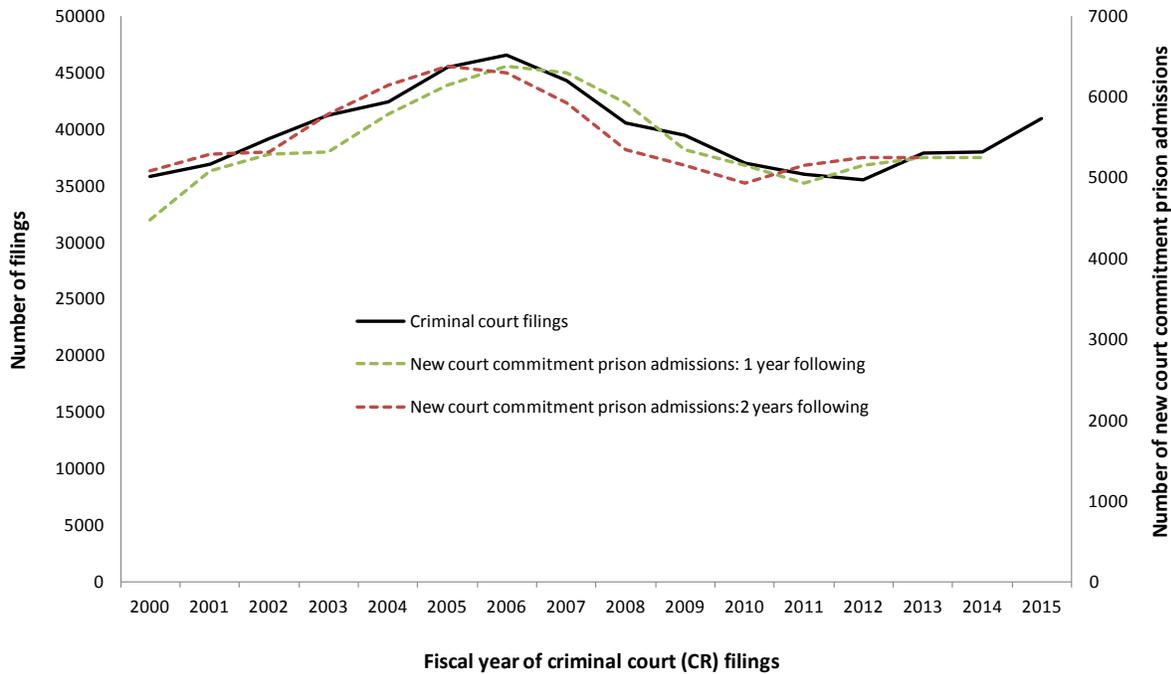
Adult probation revocations also play a role in new court commitments to prison, given that up to 38% of DOC sentences are due to probation revocations. The stabilization of criminal filings during FY 2014, along with a 5.9% decline in probation revocations, served to moderate the increase in new court commitments

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<sup>3</sup> Colorado State Judicial Branch (2007-2015). *Colorado Judicial Branch Annual Reports*. Denver, CO: Colorado Judicial Branch, Division of Probation Services. Available at: <http://www.courts.state.co.us/Administration/Unit.cfm?Unit=annrep>.

in beginning in late FY 2015. However, the significant increase in filings in FY 2015 is expected to exert upward pressure on numbers of new court commitments in late FY 2016 and FY 2017.

**Figure 7: Criminal Filings per fiscal year, with new court commitments one year later**



Data Sources: Colorado Dept. of Corrections Annual Statistical Reports; Colorado Judicial Branch Annual Statistical Reports, FY 2000-FY 2015.

An additional factor influencing the projected increase in new court commitments lies in demographic trends: very strong growth in the Colorado adult population is expected in upcoming years, in particular those within the 24-44 year old age range. This growth is expected to accelerate in FY 2017 through FY 2020 in particular.<sup>4</sup> This may contribute to increases in new court commitments in FY 2017 and throughout the projection timeframe.

Finally, new legislation is expected to introduce approximately 123 new commitments per year beginning in FY 2017. This includes House Bill 2015-1043 related to felony DUI crimes and driving under revocation, and Senate Bill 2015-67 which concerns assault on emergency responders.<sup>5</sup>

<sup>4</sup> Colorado State Demographer’s Office, Department of Labor and Employment. Population forecasts based on the 2010 national census. Available at: [http://www.dola.state.co.us/dlg/demog/pop\\_color\\_forecasts.html](http://www.dola.state.co.us/dlg/demog/pop_color_forecasts.html).

<sup>5</sup> Colorado Legislative Council Staff Fiscal Note (October 13, 2015). Second degree assault injury to emer responders (S.B. 15-067); Colorado Legislative Council Staff Fiscal Note (October 10, 2015). Felony offense for repeat DUI offenders (H.B. 15-1043).

A factor serving to continually exert upward pressure on the overall population, while not necessarily tied to trends in prison admissions, is sentences to life without parole. The number of such admissions remains very low and consistent, at approximately 30 per year. However, even fewer (less than 10) are released per year. The result of this discrepancy has been an 80% increase in the population of such inmates, from 360 in 2005 to 648 in 2015. This population will continue to increase, continually driving the size of the population upwards in the future.

While all of the factors outlined above will drive the prison population up, recent legislation is also expected to divert a number of offenders from prison sentences, thereby slowing the rate of growth. This legislation includes House Bills 14-1266 and 13-1160, which will affect those convicted of property crimes, and Senate Bill 13-250, which revises sentences for drug offenders. These bills are collectively expected to divert approximately 470 offenders per year from prison beginning in FY 2015 and throughout the projection period. In addition to diverting admissions to prison, these bills will lower sentence lengths for up to 600 offenders per year, which will moderate the growth in the overall population beginning in FY 2017.<sup>6</sup>

An additional component which is expected to moderate the projected growth in the population is a decrease in technical parole returns. As mentioned above, such returns fell by 10.9% in FY 2015 after 2 years of increases. This was at least partially due to a decline in the parole caseload (which exhibited a downward trend until leveling in mid-FY 2015). However, the decline in technical parole returns is expected to continue due to recent legislation:

- House Bill 2012-1223 expanded parole earn time.
- Senate Bill 2013-250 lowered penalties for drug crimes, thereby shortening parole periods.
- House Bills 2013-1160 and 2014-1266 reclassified theft offenses, lowering both prison sentences and parole periods.
- House Bill 2014-1355 directs DOC to provide reentry services to offenders.
- Senate Bill 2015-124 requires the use of alternative sanctions for parole violations prior to revocation. This bill is expected to divert 15% of technical parole returns.<sup>7</sup>

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<sup>6</sup> Colorado Legislative Council Staff Fiscal Note (July 11, 2013). Concerning criminal theft, and, in connection therewith, reducing an appropriation (H.B. 13-1160); Colorado Legislative Council Staff Fiscal Note (May 1, 2013). Concerning changes to sentencing of persons convicted of drug crimes, and, in connection therewith, making an appropriation (S.B. 13-250); Colorado Legislative Council Staff Fiscal Note (June 10, 2014). Value-based crime threshold level changes (H.B. 14-1266).

<sup>7</sup> Colorado Legislative Council Staff Fiscal Note (October 13, 2015). Reduce parole revocations for technical violations (S.B. 15-124); Colorado Legislative Council Staff Fiscal Note (July 11, 2013). Concerning changes to sentencing of persons convicted of drug crimes, and, in connection therewith, making an appropriation (S.B. 13-250); Colorado Legislative Council Staff Fiscal Note (July 23, 2014). Reentry programs for adult parolees (H.B. 14-1355); Colorado Legislative Council Staff Fiscal Note (July 26, 2012). Concerning earned time for inmates, and, in connection therewith, making and reducing appropriations (H.B. 12-1223); Colorado Legislative Council Staff Fiscal Note (June 10, 2014). Value-based crime threshold level changes (H.B. 14-1266).

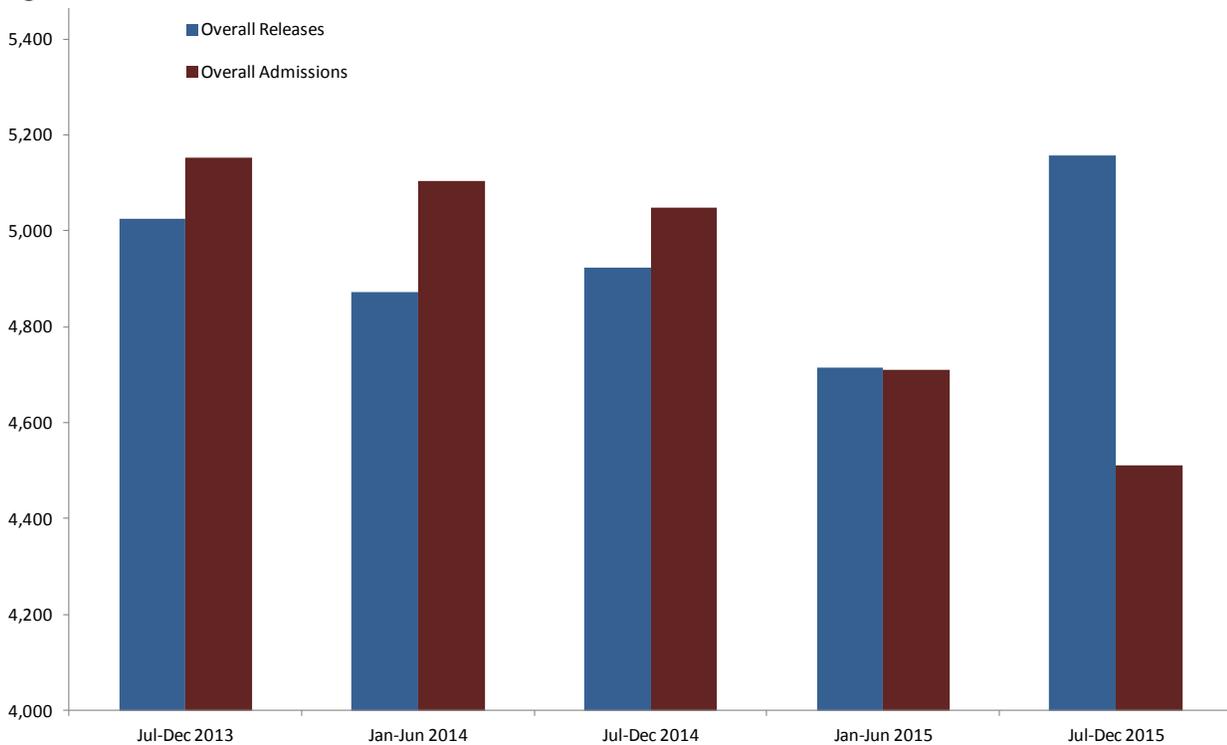
A significant factor in the population forecast lies in the estimated length of stay for FY 2015 admissions, which is notably shorter than observed in the prior two years. Whereas the estimates remained fairly consistent between FY 2013 and FY 2014, the overall figure this year is 11.0% lower than that calculated for admissions in FY 2014. This decline is observed only among new court commitments, as parolees returning with a new crime are estimated to stay 18.8% LONGER in prison than such admissions last year. However, since the ratio of new court commitments to parole returns with a new sentence is approximately 6 to 1, this increase will have minimal impact.

Among new court commitments, the reduction in the length of stay estimates is observed in every crime category and felony class. This is particularly prominent among women, with an overall estimate of 31.0 months for FY 2015 admissions compared to 37.0 months in FY 2014 (a 16.1% reduction). Drug offenders overall are expected to experience a 10.0% decrease in their length of stay. When extraordinary risk and habitual drug offenders are excluded, this group's estimated length of stay was 21.2% shorter than the estimate calculated for the FY 2014 admission cohort.

**Release trends**

Through mid-FY 2014, prison admissions overall far exceeded the number of releases. In mid-FY 2015, this disparity began to equalize. In the following six months, releases far exceeded admissions, as shown in Figure 8.

**Figure 8: Admissions and releases FY 2013 to December 2015**



Data sources: Colorado Department of Corrections Monthly Capacity and Population Reports. Available at: <https://www.colorado.gov/pacific/cdoc/departmental-reports-and-statistics>

As mentioned above, the estimated length of stay for FY 2015 admissions is notably shorter than observed in the prior two years. While sentences declined slightly (5.9%) over the prior year, the main factor in the reduction in length of stay estimates is a decline in the proportions of governing sentences served prior to release. Releases across all crime categories combined served 72.7% of their governing sentences in FY 2014, compared to 69.3% in FY 2015. This reduction may in part be due to the increase in parole releases seen in the last half of FY 2015, which has continued into the first half of FY 2016.

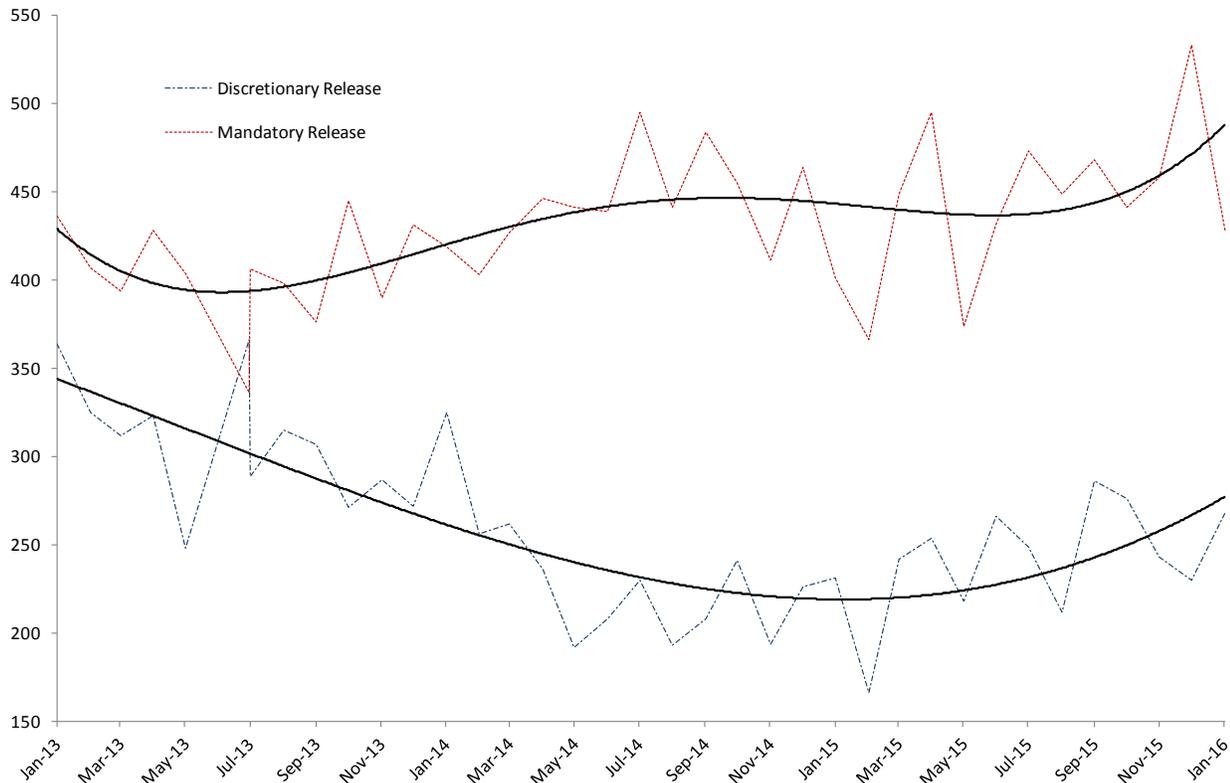
The increase in parole releases is evident in both mandatory and in discretionary releases. As demonstrated in Figure 9, both release types fell in mid-FY 2013. However, mandatory releases had an upward trend throughout FY 2014 while the number of discretionary releases continued downward. In mid-FY 2015 through the present, both release types have trended upward.

The increase in discretionary releases contributed to the reduction observed in the length of stay. In addition to parole board decisions and policies, the number of discretionary releases is driven by the proportion of releases of new court commitment to releases of parole returns. Parole returns of all types are very unlikely to be released on discretionary parole. If the number of admissions due to parole returns goes up, discretionary releases will go down.

Parole returns, due to both new sentences and technical violations, increased by 7.8% in FY 2013 and by 12.8% in FY 2014. Additionally, the proportion of releases of new court commitments to releases of parole returns has fallen since FY 2012. These trends contributed to decline of discretionary releases observed during that time frame through mid-FY 2015.

Throughout 2015, however, parole returns declined by 9.8%. This will push the proportion of discretionary to mandatory releases up in the near future. In addition, the increases in new court commitments between FY 2012 and FY 2015, as well as the projected increases beyond FY 2016 will serve to increase discretionary releases throughout the projection timeframe.

These factors will influence the length of stay through FY 2022, and continue to exert downward pressure on the overall prison population.

**Figure 9: Trends in mandatory and discretionary parole releases, January 2013 through January 2016.**

Data source: Colorado Department of Corrections Monthly Capacity and Population Reports. Available at: <https://www.colorado.gov/pacific/cdoc/departamental-reports-and-statistics>

### Women in prison

While all of the factors described above affect both the male and the female population forecast, additional considerations influenced the pattern of growth forecast for the female inmate population. After a period of decline between the ends of FY 2007 and FY 2013, growth in the female prison population began an upward trend in mid-FY 2013. The number of women in prison increased by 6.9% in FY 2014 and by 3.4% in FY 2015. However, this upward trend stabilized toward the end of FY 2015 and began to sharply decline in the first half of FY 2016 (see Figure 10).

The sharp decline of 5.7% forecast for the female prison population in FY 2016 is based on a number of factors. The length of stay for women released in FY 2015 appears to be shorter than in prior years, particularly among those serving sentences for violent crimes and for drug crimes.

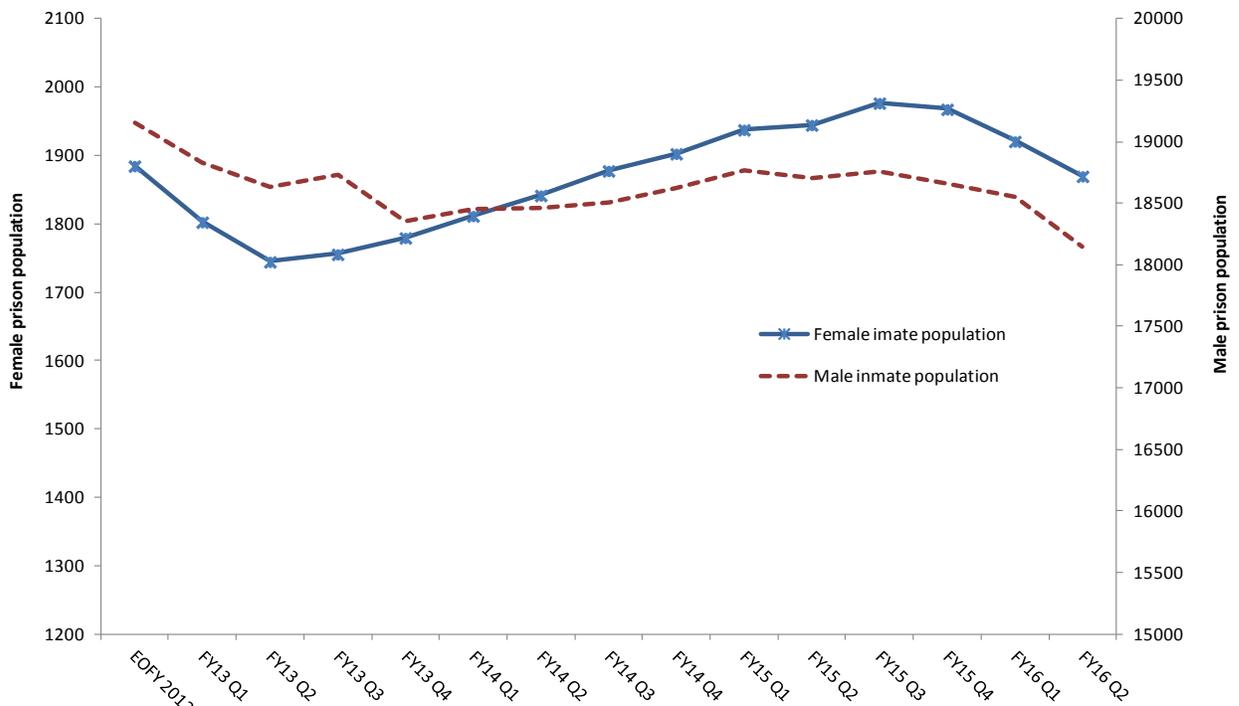
Admissions of women convicted of lower-level felonies has increased (felonies considered lower-level include felony classes 5 and 6, and drug felony classes 3 and 4). In FY 2013, 30.0% of women admitted with new sentences were serving sentences for these lower-level felonies. This proportion increased to 40.4% the following year, and increased further to 43.8% in FY 2015. These admissions will have shorter sentences and be released to parole more quickly. In addition, their parole periods will be shorter, resulting in fewer technical parole violation returns to prison. This will slow the growth of female inmate population.

In contrast, there are a number of items that place upward pressure on the number of women in prison. The numbers of criminal filings with female defendants has grown consistently over the past 3 years, increasing by 10.1% in FY 2013, 4.6% in FY 2014 and by 8.4% in FY 2015. The proportion of all criminal filings with female defendants has increased steadily over past 7 years, from 20.2% in FY 2009 to 23.5% in FY 2015, which is the highest observed in at least the past 15 years.

As previously mentioned, increases in criminal filings are expected to result in increased numbers of new court commitments up to two years later. The growth in the numbers and proportion of filings on women is expected to provide greater influence on the growth of new commitments for women compared to men. This supports the stronger growth projected for the female population beginning in mid-FY 2017.

Though not a factor influencing the forecast but noteworthy is that the majority of the growth in new commitments among women in FY 2014 was for violent crimes, which increased 50.8%. In comparison, male admissions had only a 0.6% increase in admissions for violent crimes. However, this trend reversed in FY 2015, with the number of women admitted with violent crimes falling by 11.3%, while male admissions for violent crimes increased by 3.6%.<sup>8</sup>

**Figure 10: Quarterly male and female inmate populations FY 2012 to December 2015**



Data source: Colorado Department of Corrections Monthly Capacity and Population Reports. Available at: <https://www.colorado.gov/pacific/cdoc/departmental-reports-and-statistics>

<sup>8</sup> The majority of crimes considered violent include murder, other homicide, sexual assault, child abuse, assault, robbery, menacing and reckless endangerment.

## ADULT PAROLE CASELOAD FORECAST

The two components used when forecasting future parole caseloads are the number of releases to parole, and the length of stay on parole. These may vary according to a number of factors, such as individual offender characteristics, legislation, parole board policies, community resources and parole success or failure rates.

Table 5 displays the DCJ projections for the total domestic parole caseload as well as the total caseload, which includes absconders and out-of-state parolees along with the domestic caseload, as of the ends of fiscal years 2015 through 2022. Overall, the domestic caseload is expected to increase by 4.6% by the end of FY 2022, and the total caseload is expected to increase by 8.0% over the same time frame.

**Table 5: DCJ December 2015 adult domestic and total parole caseload projections  
FY 2015 through FY 2022**

Fiscal Year End	Domestic Parole Caseload	Annual Growth	Total Parole Caseload <sup>1</sup>	Annual Growth
2015*	7865	-3.09%	10,026	-3.89%
2016	7910	0.57%	10,102	0.76%
2017	8369	5.81%	10,730	6.21%
2018	7996	-4.45%	10,318	-3.84%
2019	7946	-0.63%	10,286	-0.31%
2020	8140	2.45%	10,572	2.78%
2021	8152	0.14%	10,649	0.73%
2022	8226	0.91%	10,823	1.64%

\* Actual parole caseload figures. Data source: Colorado Department of Corrections Monthly Population and Capacity Reports.

<sup>1</sup> Includes the domestic caseload, out-of-state parolees, and absconders.

Figure 11 displays the actual and the projected domestic and total parole caseloads for fiscal years 2012 through 2022. Both the domestic and overall parole caseloads are expected to increase slightly by the end of FY 2016, with this increase accelerating greatly in FY 2017. The caseload is then expected to decline over the next two years, followed by slow growth through FY 2022. The reasons for this erratic pattern of growth and decline are outlined below.

Though a period of growth in the caseload was observed in FY 2013, a consistent trend of decline began in the last quarter of that year and has continued through the present. This decline is due to multiple factors. Overall parole releases fell by 2.7% in FY 2013, and by another 7.9% in FY 2014. Most recently, this decline has been particularly evident among discretionary parole releases which fell by 15.4% during FY 2014. This decline accelerated in early FY 2015, such that there were 25.8% fewer discretionary releases in the first six months of FY 2015 than occurred during the same time frame of the prior year. Even though mandatory releases increased, the end result was a decline in overall parole releases which served to drive the parole caseload down.

This situation reversed in the last half of FY 2015, with an overall increase in parole releases which has accelerated in the first half of FY 2016. This increase occurred among both mandatory and discretionary releases, and will drive the caseload up through FY 2017.

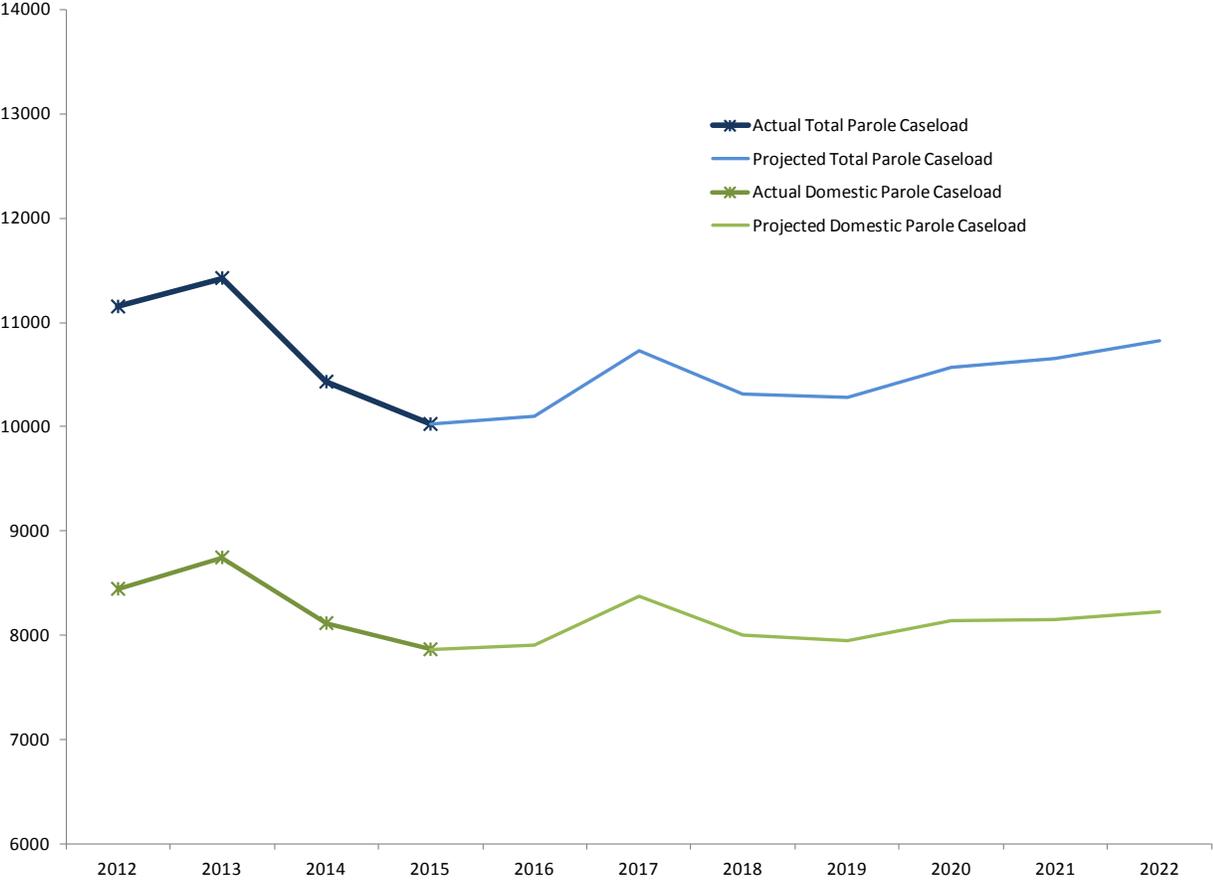
House Bill 2014-1355, which directs DOC to provide reentry services to offenders, and Senate Bill 2015-124, which requires the use of alternative sanctions for parole violations prior to revocation will also exert upward pressure on the parole caseload, by increasing length of stay on the caseload vs. time spent in prison due to a technical return.

Other pieces of legislation described previously in this report are also expected to contribute to an increase in the caseload in FY 2017. An increasing proportion of new sentence admissions with governing crimes involving low-level felonies (including felony 5, 6, D3 and D4) increased very slightly from 42.7% in the 1<sup>st</sup> 6 months of FY 2014 to 43.6% in the 2<sup>nd</sup> half. In FY 2015, the proportion increased to 45.1% in the first half of the year, and to 47.2% in the following six months. These inmates will be released to parole by mid-FY 2017, driving up the caseload.

However, these individuals will also have very short parole periods (from 6 months to 2 years), and will discharge their parole term in FY 2018-FY 2019, driving the caseload down. These shorter parole periods are expected to moderate growth throughout the remainder of the projection timeframe.

The caseload is expected to experience renewed growth in FY 2020, partially due to House Bill 15-1043 which creates felony-level DUI offenses. These DUI offenders are expected to begin to be admitted to prison beginning in FY 2017, increasing in FY 2018. With an expected length of stay of 2.5 years, these individuals will begin to be paroled beginning in late FY 2019, driving the caseload up.

Figure 11: Historical and projected end of fiscal year total parole caseloads FY 2012 through FY 2022



Data Source: Historical data obtained from the Colorado Department of Corrections Monthly Population and Capacity Reports.

# Average Length Of Stay Estimates For FY 2015 Prison Admissions

Tables 6 through 13 below display the estimated average length of stay (ALOS) by crime category and felony class for admissions to prison during FY 2015. Parole returns due to technical parole violations are excluded. This information is presented by admission type and gender, and for these populations combined. Totals by admission type, gender and overall are presented in Table 13. The average time that these new admissions are expected to actually serve in prison is estimated using data provided by DOC regarding conviction crimes, sentence length and time served for inmates released during the same year.

A series of new drug categories have been introduced to the following tables. These include admissions sentenced under Senate Bill 13-250, which created a new series of drug felony (DF) levels. These do not correspond to the felony classes of other crime types, nor of drug crimes committed prior to October 1, 2013. Therefore, these drug crimes are presented separately, under the offense categories of DF levels 1 through 4, and extraordinary risk (EXT) DF levels 1 through 4. However, there were also 556 admissions to prison for drug offenses committed prior to the implementation of this legislation. These admissions are included in the F2 through F6 drug and extraordinary risk offense categories.

The estimated ALOS for FY 2015 admissions is notably shorter than observed in the prior two years. Whereas the estimates remained fairly consistent between FY 2013 and FY 2014, the overall figure this year is 11.0% lower than that reported for admissions in FY 2014. However, this decline is observed only among new court commitments, as parolees returning with a new crime are estimated to stay 18.8% LONGER in prison than admissions last year.

Among new court commitments, the reduction in the ALOS estimates is observed in every crime category and felony class. This is particularly prominent among women, with an overall estimate of 31.0 months for FY 2015 admissions compared to 37.0 months in FY 2014 (a 16.1% drop). Drug offenders overall experienced a 10.0% drop in estimated ALOS. If extraordinary risk and habitual drug offenders are excluded, this group's estimated length of stay was 21.2% shorter than the estimate calculated for the FY 2014 admission cohort.

This decline may be in part due to an increase in parole releases seen in the last half of FY 2015. While sentences declined slightly (5.9%) over the prior year, the main factor appears to be a decline in the proportions of governing sentences served prior to release. Releases across all crime categories combined served 72.7% of their governing sentences in FY 2014, compared to 69.3% in FY 2015.

It is important to note that the methodology applied to derive these estimates was modified in FY 2012, such that the estimates presented here cannot be compared to those provided for prison admissions prior to FY 2012. This change in methodology particularly (but not exclusively) affected admissions sentenced under the Colorado Sex Offender Lifetime Supervision Act of 1998.

The estimation of the length of stay in prison for sexual offenders convicted under the Lifetime Supervision Act is complicated by a number of factors. These offenders receive indeterminate prison sentences, ranging between one year and life. Since implementation, there have been 2,246 new court commitments to prison under the lifetime supervision act. Less than a third (N=687) of these offenders have been released. Additionally, of admissions during FY 2015 (excluding technical parole violators), 21.1% had minimum sentences exceeding 15 years, compared to 8.1% of releases. Due to this disparity, these individuals will continue to increase the prison population.

This situation is further complicated by the requirement that these offenders participate in treatment in order to be considered a candidate for parole. Therefore, their eligibility for parole release may be subject to the availability of and access to treatment services in prison. Given these factors, it is difficult to estimate a length of stay with confidence.

Note any changes in the decision-making process of criminal justice professionals will impact the accuracy of these estimates. For the purposes of calculating these estimates, all sentences are capped at forty years. Admissions with incomplete crime class, status, or sentencing data are excluded from this analysis.

**Table 6: Estimated average length of stay for FY 2015 male new commitments**

<b>Offense Category</b>	<b>Average Length Of Stay (Months)<sup>1</sup></b>	<b>Number of Commitments<sup>2</sup></b>	<b>Percent of all Commitments</b>	<b>Average Length of Stay Effect (Months)</b>
F1	480.00	22	0.36%	1.73
F2 EXT <sup>3</sup>	208.22	65	1.07%	2.22
F2 SEX <sup>4</sup>	224.67	1	0.02%	0.04
F2 DRUG <sup>5</sup>	-	-	0.00%	0.00
F2 OTHER <sup>6</sup>	85.32	20	0.33%	0.28
<b>TOTAL FELONY 2<sup>7</sup></b>	<b>190.27</b>	<b>91</b>	<b>1.49%</b>	<b>2.84</b>
F3 EXT	80.09	293	4.80%	3.85
F3 SEX	83.69	52	0.85%	0.71
F3 DRUG	54.62	6	0.10%	0.05
F3 OTHER	58.23	154	2.53%	1.47
<b>TOTAL FELONY 3<sup>8</sup></b>	<b>101.28</b>	<b>584</b>	<b>9.58%</b>	<b>9.70</b>
F4 EXT	47.99	488	8.00%	3.84
F4 SEX	48.73	31	0.51%	0.25
F4 DRUG	28.39	77	1.26%	0.36
F4 OTHER	33.62	779	12.77%	4.29
<b>TOTAL FELONY 4<sup>9</sup></b>	<b>45.36</b>	<b>1443</b>	<b>23.66%</b>	<b>10.73</b>
F5 EXT	22.52	167	2.74%	0.62
F5 SEX	26.51	147	2.41%	0.64
F5 DRUG	22.74	17	0.28%	0.06
F5 OTHER	21.43	913	14.97%	3.21
<b>TOTAL FELONY 5<sup>10</sup></b>	<b>22.50</b>	<b>1264</b>	<b>20.72%</b>	<b>4.66</b>
F6 EXT	11.73	92	1.51%	0.18
F6 SEX	10.23	48	0.79%	0.08
F6 DRUG	12.23	83	1.36%	0.17
F6 OTHER	12.43	477	7.82%	0.97
<b>TOTAL FELONY 6<sup>11</sup></b>	<b>12.35</b>	<b>704</b>	<b>11.54%</b>	<b>1.43</b>
HABITUAL <sup>12</sup>	160.02	27	0.44%	0.71
SEX OFF ACT <sup>13</sup>	218.13	152	2.49%	5.44
DF4 <sup>14</sup>	9.41	150	2.46%	0.23
EXT DF1 <sup>5</sup>	77.17	34	0.56%	0.43
EXT DF2	49.52	106	1.74%	0.86
EXT DF3	25.59	114	1.87%	0.48
EXT DF4	8.87	20	0.33%	0.03
<b>TOTAL</b>	<b>44.60</b>	<b>4541</b>	<b>74.45%</b>	<b>33.21</b>

Note: Refer to the footnotes at the end of this section.

**Table 7: Estimated average length of stay for FY 2015 female new commitments**

Offense Category	Average Length Of Stay (Months) <sup>1</sup>	Number of Commitments <sup>2</sup>	Percent of all Commitments	Average Length of Stay Effect (Months)
F1	480.00	2	0.03%	0.16
F2 EXT <sup>3</sup>	194.76	7	0.11%	0.22
F2 SEX <sup>4</sup>	-	-	0.00%	0.00
F2 DRUG <sup>5</sup>	-	-	0.00%	0.00
F2 OTHER <sup>6</sup>	80.90	8	0.13%	0.11
TOTAL FELONY 2 <sup>7</sup>	134.03	15	0.25%	0.33
F3 EXT	51.41	38	0.62%	0.32
F3 SEX	74.93	3	0.05%	0.04
F3 DRUG	47.62	3	0.05%	0.02
F3 OTHER	37.48	28	0.46%	0.17
TOTAL FELONY 3 <sup>8</sup>	49.06	73	1.20%	0.59
F4 EXT	36.53	78	1.28%	0.47
F4 SEX	37.43	1	0.02%	0.01
F4 DRUG	25.17	22	0.36%	0.09
F4 OTHER	30.27	199	3.26%	0.99
TOTAL FELONY 4 <sup>9</sup>	31.54	300	4.92%	1.55
F5 EXT	16.73	34	0.56%	0.09
F5 SEX	30.08	4	0.07%	0.02
F5 DRUG	11.37	4	0.07%	0.01
F5 OTHER	19.12	142	2.33%	0.45
TOTAL FELONY 5 <sup>10</sup>	18.74	184	3.02%	0.57
F6 EXT	7.83	8	0.13%	0.01
F6 SEX	12.23	2	0.03%	0.00
F6 DRUG	9.79	37	0.61%	0.06
F6 OTHER	11.45	66	1.08%	0.12
TOTAL FELONY 6 <sup>11</sup>	10.66	113	1.85%	0.20
HABITUAL <sup>12</sup>	218.27	2	0.03%	0.07
SEX OFF ACT <sup>13</sup>	-	-	0.00%	0.00
DF4 <sup>14</sup>	7.93	22	0.36%	0.03
EXT DF1 <sup>5</sup>	68.70	7	0.11%	0.08
EXT DF2	55.95	14	0.23%	0.13
EXT DF3	24.54	16	0.26%	0.06
EXT DF4	10.23	3	0.05%	0.01
TOTAL	30.34	750	12.30%	3.73

Note: Refer to the footnotes at the end of this section.

**Table 8: Estimated average length of stay for FY 2015 total new commitments**

Offense Category	Average Length Of Stay (Months) <sup>1</sup>	Number of Commitments <sup>2</sup>	Percent of all Commitments	Average Length of Stay Effect (Months)
F1	480.00	24	0.39%	1.89
F2 EXT <sup>3</sup>	206.91	72	1.18%	2.44
F2 SEX <sup>4</sup>	224.67	1	0.02%	0.04
F2 DRUG <sup>5</sup>	-	-	0.00%	0.00
F2 OTHER <sup>6</sup>	84.06	28	0.46%	0.39
<b>TOTAL FELONY 2<sup>7</sup></b>	<b>182.32</b>	<b>106</b>	<b>1.74%</b>	<b>3.17</b>
F3 EXT	76.80	331	5.43%	4.17
F3 SEX	83.22	55	0.90%	0.75
F3 DRUG	52.29	9	0.15%	0.08
F3 OTHER	55.03	182	2.98%	1.64
<b>TOTAL FELONY 3<sup>8</sup></b>	<b>95.48</b>	<b>657</b>	<b>10.77%</b>	<b>10.29</b>
F4 EXT	46.41	566	9.28%	4.31
F4 SEX	48.38	32	0.52%	0.25
F4 DRUG	27.68	99	1.62%	0.45
F4 OTHER	32.94	978	16.04%	5.28
<b>TOTAL FELONY 4<sup>9</sup></b>	<b>42.98</b>	<b>1743</b>	<b>28.58%</b>	<b>12.28</b>
F5 EXT	21.54	201	3.30%	0.71
F5 SEX	26.60	151	2.48%	0.66
F5 DRUG	20.57	21	0.34%	0.07
F5 OTHER	21.12	1055	17.30%	3.65
<b>TOTAL FELONY 5<sup>10</sup></b>	<b>22.02</b>	<b>1448</b>	<b>23.74%</b>	<b>5.23</b>
F6 EXT	11.42	100	1.64%	0.19
F6 SEX	10.31	50	0.82%	0.08
F6 DRUG	11.48	120	1.97%	0.23
F6 OTHER	12.31	543	8.90%	1.10
<b>TOTAL FELONY 6<sup>11</sup></b>	<b>12.11</b>	<b>817</b>	<b>13.40%</b>	<b>1.62</b>
HABITUAL <sup>12</sup>	164.04	29	0.48%	0.78
SEX OFF ACT <sup>13</sup>	218.13	152	2.49%	5.44
DF3 <sup>14</sup>	16.05	6	0.10%	0.02
DF4	9.22	172	2.82%	0.26
EXT DF1 <sup>5</sup>	75.72	41	0.67%	0.51
EXT DF2	50.27	120	1.97%	0.99
EXT DF3	25.46	130	2.13%	0.54
EXT DF4	9.05	23	0.38%	0.03
<b>TOTAL</b>	<b>42.58</b>	<b>5291</b>	<b>86.75%</b>	<b>36.94</b>

Note: Refer to the footnotes at the end of this section.

**Table 9: Estimated average length of stay for FY 2015 male parole returns with a new crime**

Offense Category	Average Length Of Stay (Months) <sup>1</sup>	Number of Commitments <sup>2</sup>	Percent of all Commitments	Average Length of Stay Effect (Months)
F1	480.00	2	0.03%	0.16
F2 EXT <sup>3</sup>	136.19	11	0.18%	0.25
F2 SEX <sup>4</sup>	-	-	0.00%	0.00
F2 DRUG <sup>5</sup>	63.37	2	0.03%	0.02
F2 OTHER <sup>6</sup>	136.80	1	0.02%	0.02
TOTAL FELONY 2 <sup>7</sup>	132.47	15	0.25%	0.33
F3 EXT	69.85	109	1.79%	1.25
F3 SEX	167.71	5	0.08%	0.14
F3 DRUG	40.83	1	0.02%	0.01
F3 OTHER	71.59	41	0.67%	0.48
TOTAL FELONY 3 <sup>8</sup>	85.15	169	2.77%	2.36
F4 EXT	45.16	113	1.85%	0.84
F4 SEX	32.75	2	0.03%	0.01
F4 DRUG	31.87	40	0.66%	0.21
F4 OTHER	40.44	163	2.67%	1.08
TOTAL FELONY 4 <sup>9</sup>	44.09	334	5.48%	2.41
F5 EXT	22.15	50	0.82%	0.18
F5 SEX	25.84	9	0.15%	0.04
F5 DRUG	15.13	2	0.03%	0.00
F5 OTHER	25.36	91	1.49%	0.38
TOTAL FELONY 5 <sup>10</sup>	24.76	154	2.53%	0.63
F6 EXT	22.82	6	0.10%	0.02
F6 SEX	11.17	1	0.02%	0.00
F6 DRUG	15.38	8	0.13%	0.02
F6 OTHER	11.20	17	0.28%	0.03
TOTAL FELONY 6 <sup>11</sup>	15.56	34	0.56%	0.09
HABITUAL <sup>12</sup>	145.87	17	0.28%	0.41
SEX OFF ACT <sup>13</sup>	153.01	17	0.28%	0.43
DF4 <sup>14</sup>	9.23	2	0.03%	0.00
EXT DF1 <sup>5</sup>	80.63	1	0.02%	0.01
EXT DF2	63.51	10	0.16%	0.10
EXT DF3	29.77	2	0.03%	0.01
TOTAL	51.45	723	11.85%	6.10

Note: Refer to the footnotes at the end of this section.

**Table 10: Estimated average length of stay for FY 2015 female parole returns with a new crime**

<b>Offense Category</b>	<b>Average Length Of Stay (Months)<sup>1</sup></b>	<b>Number of Commitments<sup>2</sup></b>	<b>Percent of all Commitments</b>	<b>Average Length of Stay Effect (Months)</b>
F1	-	-	0.00%	0.00
F2 EXT <sup>3</sup>	184.33	1	0.02%	0.03
F2 SEX <sup>4</sup>	-	-	0.00%	0.00
F2 DRUG <sup>5</sup>	-	-	0.00%	0.00
F2 OTHER <sup>6</sup>	48.00	1	0.02%	0.01
<b>TOTAL FELONY 2<sup>7</sup></b>	<b>116.17</b>	<b>2</b>	<b>0.03%</b>	<b>0.04</b>
F3 EXT	53.68	8	0.13%	0.07
F3 SEX	-	-	0.00%	0.00
F3 DRUG	-	-	0.00%	0.00
F3 OTHER	43.77	5	0.08%	0.04
<b>TOTAL FELONY 3<sup>8</sup></b>	<b>49.87</b>	<b>13</b>	<b>0.21%</b>	<b>0.11</b>
F4 EXT	31.08	20	0.33%	0.10
F4 SEX	-	-	0.00%	0.00
F4 DRUG	52.45	5	0.08%	0.04
F4 OTHER	33.11	15	0.25%	0.08
<b>TOTAL FELONY 4<sup>9</sup></b>	<b>34.96</b>	<b>41</b>	<b>0.67%</b>	<b>0.24</b>
F5 EXT	22.14	9	0.15%	0.03
F5 SEX	-	-	0.00%	0.00
F5 DRUG	28.33	1	0.02%	0.00
F5 OTHER	16.05	13	0.21%	0.03
<b>TOTAL FELONY 5<sup>10</sup></b>	<b>18.97</b>	<b>23</b>	<b>0.38%</b>	<b>0.07</b>
F6 EXT	-	-	0.00%	0.00
F6 SEX	-	-	0.00%	0.00
F6 DRUG	27.73	1	0.02%	0.00
F6 OTHER	18.63	2	0.03%	0.01
<b>TOTAL FELONY 6<sup>11</sup></b>	<b>21.67</b>	<b>3</b>	<b>0.05%</b>	<b>0.01</b>
HABITUAL <sup>12</sup>	-	-	0.00%	0.00
SEX OFF ACT <sup>13</sup>	53.03	1	0.02%	0.01
EXT DF2	114.80	3	0.05%	0.06
<b>TOTAL</b>	<b>37.17</b>	<b>85</b>	<b>1.39%</b>	<b>0.52</b>

Note: Refer to the footnotes at the end of this section.

**Table 11: Estimated average length of stay for FY 2015 total parole returns with a new crime**

Offense Category	Average Length Of Stay (Months) <sup>1</sup>	Number of Commitments <sup>2</sup>	Percent of all Commitments	Average Length of Stay Effect (Months)
F1	480.00	2	0.03%	0.16
F2 EXT <sup>3</sup>	140.21	12	0.20%	0.28
F2 SEX <sup>4</sup>	-	-	0.00%	0.00
F2 DRUG <sup>5</sup>	63.37	2	0.03%	0.02
F2 OTHER <sup>6</sup>	92.40	2	0.03%	0.03
TOTAL FELONY 2 <sup>7</sup>	130.55	17	0.28%	0.36
F3 EXT	68.74	117	1.92%	1.32
F3 SEX	167.71	5	0.08%	0.14
F3 DRUG	40.83	1	0.02%	0.01
F3 OTHER	68.57	46	0.75%	0.52
TOTAL FELONY 3 <sup>8</sup>	82.63	182	2.98%	2.47
F4 EXT	43.04	133	2.18%	0.94
F4 SEX	32.75	2	0.03%	0.01
F4 DRUG	34.16	45	0.74%	0.25
F4 OTHER	39.82	178	2.92%	1.16
TOTAL FELONY 4 <sup>9</sup>	43.09	375	6.15%	2.65
F5 EXT	22.15	59	0.97%	0.21
F5 SEX	25.84	9	0.15%	0.04
F5 DRUG	19.53	3	0.05%	0.01
F5 OTHER	24.20	104	1.71%	0.41
TOTAL FELONY 5 <sup>10</sup>	24.01	177	2.90%	0.70
F6 EXT	22.82	6	0.10%	0.02
F6 SEX	11.17	1	0.02%	0.00
F6 DRUG	16.76	9	0.15%	0.02
F6 OTHER	11.98	19	0.31%	0.04
TOTAL FELONY 6 <sup>11</sup>	16.06	37	0.61%	0.10
HABITUAL <sup>12</sup>	145.87	17	0.28%	0.41
SEX OFF ACT <sup>13</sup>	147.46	18	0.30%	0.44
DF4 <sup>14</sup>	9.23	2	0.03%	0.00
EXT DF1 <sup>5</sup>	80.63	1	0.02%	0.01
EXT DF2	75.35	13	0.21%	0.16
EXT DF3	29.77	2	0.03%	0.01
TOTAL	49.95	808	13.25%	6.62

Note: Refer to the footnotes at the end of this section.

**Table 12: Estimated average length of stay for FY 2015 combined new court commitments and parole returns with a new crime**

Offense Category	Average Length Of Stay (Months) <sup>1</sup>	Number of Commitments <sup>2</sup>	Percent of all Commitments	Average Length of Stay Effect (Months)
F1	480.00	26	0.43%	2.05
F2 EXT <sup>3</sup>	197.38	84	1.38%	2.72
F2 SEX <sup>4</sup>	224.67	1	0.02%	0.04
F2 DRUG <sup>5</sup>	63.37	2	0.03%	0.02
F2 OTHER <sup>6</sup>	84.61	30	0.49%	0.42
TOTAL FELONY 2 <sup>7</sup>	175.16	123	2.02%	3.53
F3 EXT	74.69	448	7.35%	5.49
F3 SEX	90.26	60	0.98%	0.89
F3 DRUG	51.14	10	0.16%	0.08
F3 OTHER	57.76	228	3.74%	2.16
TOTAL FELONY 3 <sup>8</sup>	92.69	839	13.76%	12.75
F4 EXT	45.77	699	11.46%	5.25
F4 SEX	47.46	34	0.56%	0.26
F4 DRUG	29.70	144	2.36%	0.70
F4 OTHER	34.00	1156	18.95%	6.44
TOTAL FELONY 4 <sup>9</sup>	43.00	2118	34.73%	14.93
F5 EXT	21.68	260	4.26%	0.92
F5 SEX	26.56	160	2.62%	0.70
F5 DRUG	20.44	24	0.39%	0.08
F5 OTHER	21.40	1159	19.00%	4.07
TOTAL FELONY 5 <sup>10</sup>	22.24	1625	26.64%	5.92
F6 EXT	12.07	106	1.74%	0.21
F6 SEX	10.33	51	0.84%	0.09
F6 DRUG	11.85	129	2.12%	0.25
F6 OTHER	12.30	562	9.21%	1.13
TOTAL FELONY 6 <sup>11</sup>	12.28	854	14.00%	1.72
HABITUAL <sup>12</sup>	157.32	46	0.75%	1.19
SEX OFF ACT <sup>13</sup>	210.64	170	2.79%	5.87
DF3 <sup>14</sup>	16.05	6	0.10%	0.02
DF4	9.22	174	2.85%	0.26
EXT DF1 <sup>5</sup>	75.84	42	0.69%	0.52
EXT DF2	52.72	133	2.18%	1.15
EXT DF3	25.53	132	2.16%	0.55
EXT DF4	9.05	23	0.38%	0.03
TOTAL	43.55	6099	100%	43.55

Note: Refer to the footnotes at the end of this section.

**Table 13: Estimated average length of stay for FY 2015 prison admissions, category totals\***

Offense Category	Average Length Of Stay (Months) <sup>1</sup>	Number of Commitments <sup>2</sup>	Percent of all Commitments	Average Length of Stay Effect (Months)
Total New Commitments	42.58	5291	86.75%	36.94
Total Parole Returns	49.95	808	13.25%	6.62
<b>Total Male Admissions</b>				
Total Male Admissions	45.54	5264	86.31%	39.31
<b>Total Female Admissions</b>				
Total Female Admissions	31.04	835	13.69%	4.25
<b>Grand Total</b>				
Grand Total	43.55	6099	100%	43.55

\*Parole returns on a technical violation are excluded.

Note: Refer to the footnotes at the end of this section.

Footnotes:

<sup>1</sup> For the calculation of these estimates, length of stay is capped at 40 years.

<sup>2</sup> The number of new sentences indicated may differ from those reported elsewhere, as cases missing critical data elements such as offense, felony class, or sentence length are excluded.

<sup>3</sup> The "EXT" category refers to violent offenses defined by statute as "extraordinary risk of harm offenses."

<sup>4</sup> Convicted sexual offenders typically serve more time, though some sexual crimes are considered extraordinary risk crimes. Therefore, this group is identified separately.

<sup>5</sup> Drug crimes identified under statutes 18-18-405 and 18-18-412.7, with the exception of simple possession, are considered extraordinary risk crimes. These crimes are included in the 'EXT' categories and are excluded from the drug categories.

<sup>6</sup> "Other" includes all crimes except sex, drug, and extraordinary risk crimes. Examples include theft, burglary, motor vehicle theft, forgery, and fraud.

<sup>7</sup> Includes admissions convicted of felony 2 sex, drug, extraordinary risk, and other crimes. Felony 2 habitual offenders and sex offenders convicted under the sex offender act are included.

<sup>8</sup> Includes admissions convicted of felony 3 sex, drug, extraordinary risk, and other crimes. Felony 3 habitual offenders and sex offenders convicted under the sex offender act are included.

<sup>9</sup> Includes admissions convicted of felony 4 sex, drug, extraordinary risk, and other crimes. Felony 4 habitual offenders and sex offenders convicted under the sex offender act are included.

<sup>10</sup> Includes admissions convicted of felony 5 sex, drug, extraordinary risk, and other crimes. Felony 5 habitual offenders are included.

<sup>11</sup> Includes admissions convicted of felony 6 sex, drug, extraordinary risk, and other crimes. Felony 6 habitual offenders are included.

<sup>12</sup> Includes all admissions with habitual criminal sentence enhancers. These cases are excluded from the extraordinary risk, sex, drug, and other crime categories, but are included in the data for each of the overall felony classes.

<sup>13</sup> Includes admissions sentenced under the Colorado Sex Offender Lifetime Supervision Act of 1998. These cases are excluded from the other sex crime categories, but are included in the data for each of the overall felony classes.

<sup>14</sup> Includes admissions sentenced under Senate Bill 13-250, which created a new series of drug felony classes. These do not correspond to the felony classes of non-drug crimes, and drug crimes committed prior to July 1, 2013.

# Division of Youth Corrections Juvenile Commitment, Detention and Parole Projections

## **IN BRIEF:**

*The average daily population (ADP) of youth committed to the Colorado Division of Youth Corrections is projected to decrease 5.1% by the end of FY 2016, reaching 702.0. By the end of FY 2020, the ADP is expected to fall to 602.3, an 18.6% decline. New commitments are also expected to continue declining, though at a much slower rate than in the past. A 2.4% decrease is expected across FY 2016. The rate of decline in admissions is expected to accelerate somewhat between FY 2017 and FY 2020, averaging 5.6% per year.*

*The juvenile parole average daily caseload (ADC) is anticipated to decrease by 2.8% over the course of FY 2016 and by 14.2% between the end of FY 2015 and FY 2020. The estimated ADC is expected to be 210.8 by the end of FY 2020.*

*While the juvenile detention ADP is expected to fall by only 2.7% in FY 2016, an overall decrease of 23.2% is projected by the end of FY 2020, to an ADP of 216.4.*

## **Organization of this Section**

The juvenile commitment, detention and parole estimates of the average daily populations over the upcoming five years are presented in this section. The juvenile commitment population estimates include year-end and quarterly average daily population (ADP) forecasts for the committed population statewide, along with the projected annual numbers of new juvenile commitments statewide. These are followed by statewide year-end and quarterly detention ADP forecasts and year-end average daily caseload (ADC) forecasts for the juvenile parole population statewide. Finally, a brief discussion regarding factors affecting the overall DYC population is included.

## **Juvenile Commitment, Detention and Parole Forecasting Methodology**

The projection process utilizes data regarding historical monthly trends in detention, commitment and parole populations. Time series analysis was applied to data derived from these historical trends, producing a variety of scenarios.<sup>9</sup> The model displaying both the best fit to the actual data and the most reasonable outcomes given recent changes in laws and policies, trends in juvenile delinquency filings and probation revocations, and population forecasts prepared by the Colorado Demographer's Office provides the basis for the forecasts presented in the following tables.

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<sup>9</sup> Box, G. E. P., G. M. Jenkins, and G. C. Reinsel (1994). *Time series analysis: Forecasting and control*, 3rd ed. Englewood Cliffs, N.J.: Prentice Hall.

## DYC AVERAGE DAILY COMMITMENT POPULATION FORECAST

The number of youth committed to the Colorado Division of Youth Corrections (DYC) has consistently declined over the past ten fiscal years. The most significant declines occurred in fiscal years 2011 and 2012, by 13.2% and 17.2% during each of those two years. This rate of decline slowed to 8.3% in FY 2013, and further to 3.3% in FY 2014. However, this rate has accelerated in early FY 2015. The number of admissions in the first four months of FY 2015 was 24.4% lower than observed during the same time frame last year.<sup>10</sup>

Consequently, the ADP has also declined consistently over the same time frame. The decline averaged 4.6% per year between FY 2007 and FY 2010, and accelerated to an average of 9.1% over the following four years. In FY 2015, the ADP dropped by 7.2 % and trends in early FY 2016 indicate a similar decline across the current year. Overall, the end-of-year ADP fell by 49.1% since the end of FY 2006, from 1453.4 to 740.0 at the end of FY 2015.<sup>11</sup>

An additional point contributing to the current year's forecast is the profile of sentence types for new commitments. Juveniles committed to DYC can be given either non-mandatory or mandatory sentences. While sentence types remained very consistent between FY 2011 and FY2013, non-mandatory sentences increased over the past year from approximately 69% of all commits in the prior 3 years to approximately 76% in fiscal years 2014 and 2015. This corresponds with the increase in the number of juveniles committed due to a probation revocation, which accounted for approximately 58% of new commitments in FY 2013 compared to 73.4% in FY 2015. Sentences for non-mandatory commitments and for probation revocations are generally shorter than for other commitment types, which serves to drive the commitment population down.

Despite the increase in non-mandatory sentences, the length of stay for discharges increased from approximately 19 months in FY 2014 to just over 20 months beginning in mid-FY 2015 and to date in FY 2016. This may very slightly slow the reduction in the commitment population.

Based on the above factors, the DYC commitment ADP is projected to continue to decrease throughout the projection period, but at a slower rate than observed over recent years. The ADP is expected to decrease 2.4% by the end of FY 2016, and by 18.6% by the end of FY 2020.

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<sup>10</sup> Colorado Department of Human Services (2006-2014). *Management Reference Manuals*. Denver, CO: Colorado Department of Human Services, Office of Children, Youth and Family Services, Division of Youth Corrections.; *Monthly Population Reports*. Denver, CO: Colorado Department of Human Services, Office of Children, Youth and Family Services, Division of Youth Corrections. Available at: <https://sites.google.com/a/state.co.us/cdhs-dyc/home/resources-publications/reports-and-evaluations>

<sup>11</sup> Colorado Department of Human Services (2007-2014). *Management Reference Manuals*. Denver, CO: Colorado Department of Human Services, Office of Children, Youth and Family Services, Division of Youth Corrections.; *Monthly Population Reports*. Denver, CO: Colorado Department of Human Services, Office of Children, Youth and Family Services, Division of Youth Corrections. Available at: <https://sites.google.com/a/state.co.us/cdhs-dyc/home/resources-publications/reports-and-evaluations>

New commitments are also expected to continue declining, though at a much slower rate than in the past. After the 14.0% drop in new commitments observed in FY 2015, only a 2.4% decrease is expected across FY 2016. The rate of decline in admissions is expected to accelerate somewhat between FY 2017 and FY 2020, averaging 5.6% per year.

Table 14 summarizes the year-end ADP and new commitment forecasts, while Table 15 presents the projected quarterly year-to-date (YTD) ADP. The historical YTD ADP from FY 2002 through FY 2015 and the projected ADP through 2020 are depicted in Figure 12. Figure 13 displays historical new commitments since FY 2002, and projected new commitments through FY 2020.

**Table 14: DCJ December 2015 juvenile commitment fiscal year-end average daily population and new admissions forecast, FY 2014 through FY 2020**

Fiscal Year End	YTD ADP <sup>1</sup> Forecast	Annual Growth	Annual DYC Admissions	Annual Growth
<b>2014*</b>	<b>797.4</b>	<b>-6.3%</b>	<b>474</b>	<b>-2.9%</b>
<b>2015*</b>	<b>740.0</b>	<b>-7.2%</b>	<b>410</b>	<b>-14.0%</b>
2016	702.4	-5.1%	400	-2.4%
2017	677.2	-3.6%	371	-7.3%
2018	649.7	-4.1%	351	-5.4%
2019	622.8	-4.1%	334	-4.9%
2020	602.3	-3.3%	318	-4.7%

<sup>1</sup> Year to date average daily population.

\* Actual average daily population. Data source: Colorado Department of Human Services Division of Youth Corrections Monthly Population Report. Available at <https://sites.google.com/a/state.co.us/cdhs-dyc/home/resources-publications/reports-and-evaluations>

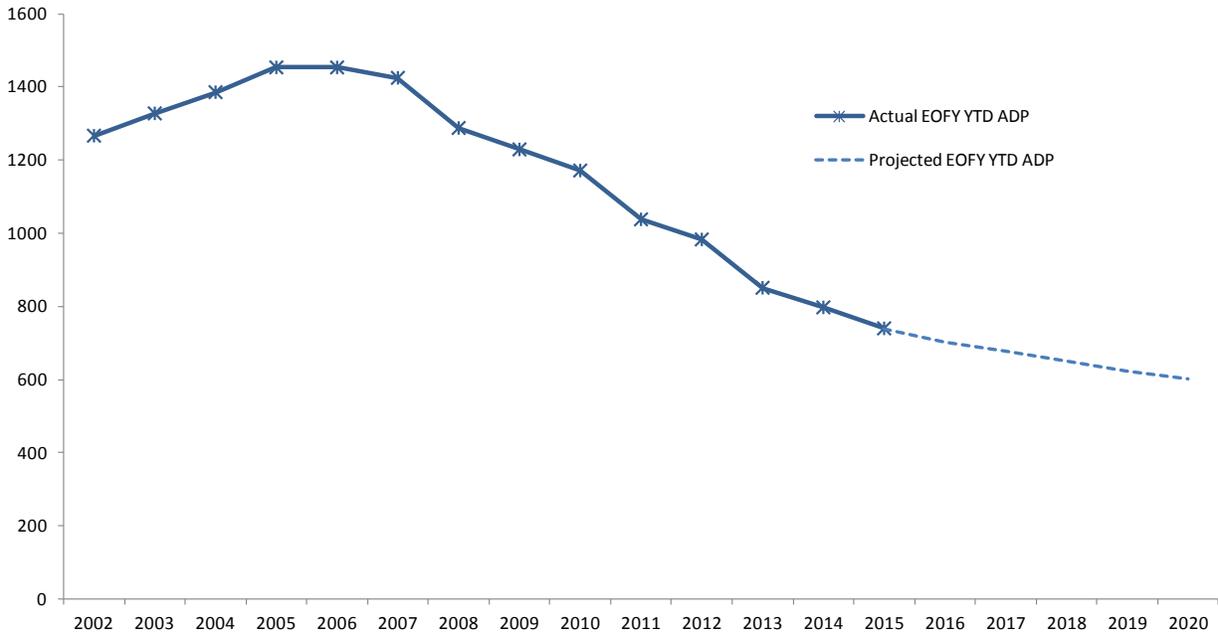
**Table 15: Quarterly juvenile commitment average daily population forecast, FY 2015 through FY 2020**

Fiscal Year	Quarter Ending	YTD ADP <sup>1</sup> Forecast	Quarterly Growth
<b>2015</b>	<b>June, 2015*</b>	<b>740.0</b>	<b>-0.4%</b>
<b>2016</b>	<b>September, 2015*</b>	<b>725.0</b>	<b>-2.0%</b>
2016	December, 2015	712.1	-1.8%
2016	March, 2016	707.1	-0.7%
2016	June, 2016	702.4	-0.7%
2017	September, 2016	688.2	-2.0%
2017	December, 2016	684.5	-0.5%
2017	March, 2017	680.4	-0.6%
2017	June, 2017	677.2	-0.5%
2018	September, 2017	662.3	-2.2%
2018	December, 2017	656.0	-1.0%
2018	March, 2018	652.1	-0.6%
2018	June, 2018	649.7	-0.4%
2019	September, 2018	635.2	-2.2%
2019	December, 2018	628.9	-1.0%
2019	March, 2019	625.0	-0.6%
2019	June, 2019	622.8	-0.4%
2020	September, 2019	614.0	-1.4%
2020	December, 2019	607.9	-1.0%
2020	March, 2020	604.2	-0.6%
2020	June, 2020	602.3	-0.3%

<sup>1</sup> Year to date average daily population.

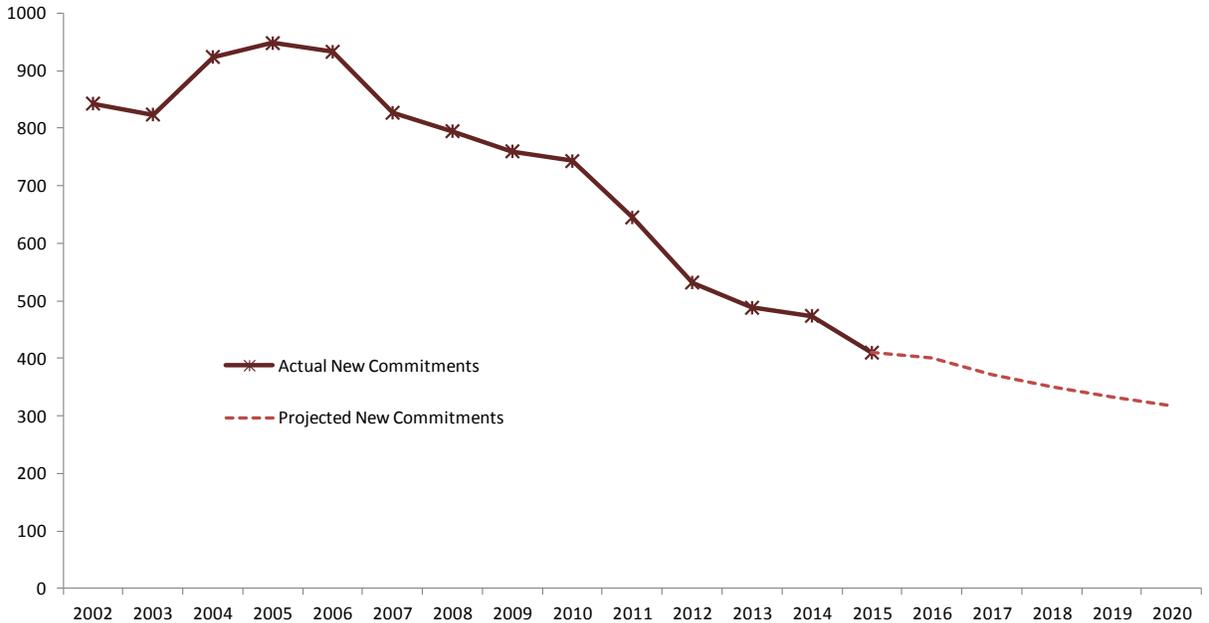
\* Actual average daily population figures. Data source: Colorado Department of Human Services Division of Youth Corrections Monthly Population Report. Available at: <https://sites.google.com/a/state.co.us/cdhs-dyc/home/resources-publications/reports-and-evaluations>

**Figure 12: Fiscal year-end year to date juvenile commitment average daily population FY 2002 through FY 2015 and DCJ forecast through FY 2020**



Note: FY 2000-2015 data points reflect actual year-end average daily population figures.  
 Data Sources: Colorado Department of Human Services Division of Youth Corrections Management Reference Manuals and Monthly Population Reports. Available at <https://sites.google.com/a/state.co.us/cdhs-dyc/home/resources-publications/reports-and-evaluations>

**Figure 13: Annual new juvenile commitments FY 2002 through FY 2015 and DCJ forecast through FY 2020**



Note: FY 2002-2015 data points reflect actual year-end average daily population figures.  
 Data Sources: Colorado Department of Human Services Division of Youth Corrections Monthly Population Report and Management Reference Manuals. Available at <https://sites.google.com/a/state.co.us/cdhs-dyc/home/resources-publications/reports-and-evaluations>

## AVERAGE DAILY JUVENILE DETENTION POPULATION FORECAST

Prior to 2004, juvenile detention projections were included in the annual DCJ correctional population forecasts. The passage of S.B. 03-286 placed a limit of 479 beds for detention placements, so the development of these projections was suspended. In 2011, this bed limit was further lowered to 422 beds in 2011 and to 382 in 2013. However, the detention population has remained well below these caps and has continued to decline each year. Therefore, juvenile detention forecasts were re-introduced to the DCJ projections in 2012.

A decrease in the detention ADP was observed over each of the six years prior to FY 2015. While this trend moderated and appeared to level off in FY 2015, the first few months of FY 2016 indicate a return to a downward trend.

As is the case with the juvenile commitment population, the detention population is expected to continue to decline throughout the forecast period. The ADP is expected to decrease 2.7% in the first year, with the rate of decline accelerating over the following four years resulting in an overall decline of 23.2% by the end of FY 2020.

Table 16 summarizes the year-end detention ADP, while Table 17 presents the projected quarterly detention YTD ADP. The historical detention year-end ADP from FY 2002 through FY 2015 and the projected ADP through 2020 are depicted in Figure 14.

**Table 16: DCJ December 2015 juvenile detention fiscal year-end average daily population, FY 2014 through FY 2020**

Fiscal Year End	YTD ADP <sup>1</sup> Forecast	Annual Growth
<b>2014*</b>	<b>290.6</b>	<b>-5.5%</b>
<b>2015*</b>	<b>281.8</b>	<b>-5.5%</b>
2016	274.1	-2.7%
2017	259.7	-5.3%
2018	245.2	-5.6%
2019	230.8	-5.9%
2020	216.4	-6.2%

<sup>1</sup> Year to date average daily population.

\* Actual ADP figures. Data source: Colorado Department of Human Services Division of Youth Corrections Monthly Population Report. Available at: <https://sites.google.com/a/state.co.us/cdhs-dyc/home/resources-publications/reports-and-evaluations>

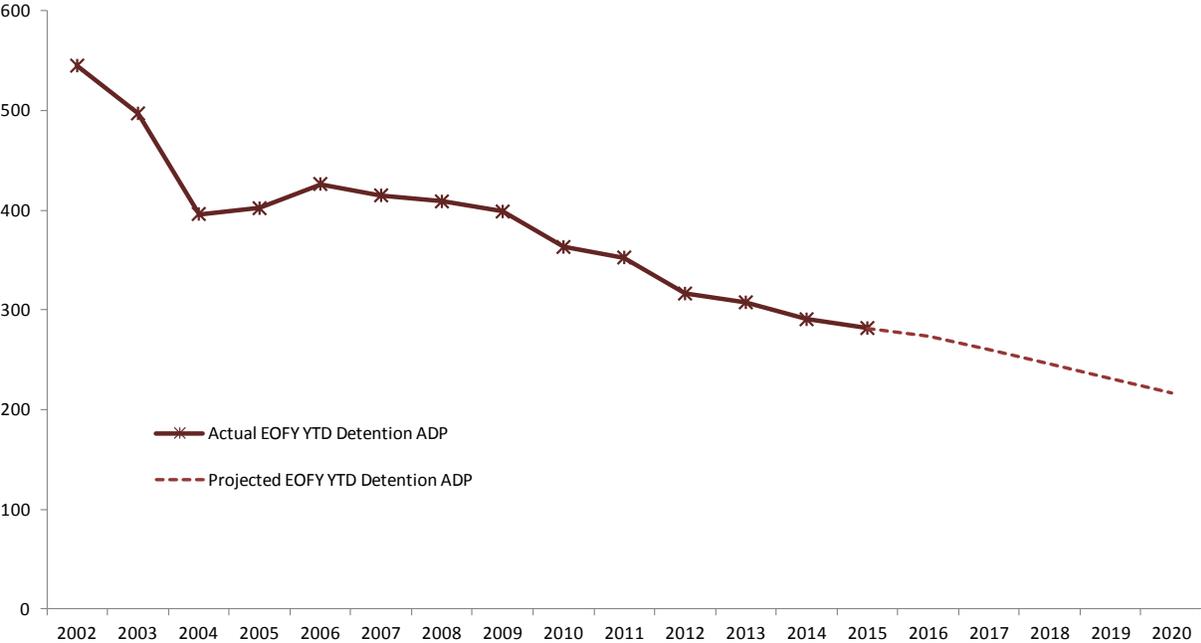
**Table 17: Quarterly juvenile detention average daily population forecast, FY 2015 through FY 2020**

Fiscal Year	Quarter Ending	YTD ADP <sup>1</sup> Forecast	Quarterly Growth
<b>2015</b>	<b>June, 2015*</b>	<b>281.8</b>	<b>-0.1%</b>
<b>2016</b>	<b>September, 2015*</b>	<b>278.4</b>	<b>-1.2%</b>
2016	December, 2015	278.2	-0.1%
2016	March, 2016	271.9	-2.3%
2016	June, 2016	274.1	0.8%
2017	September, 2016	267.2	-2.5%
2017	December, 2016	259.8	-2.8%
2017	March, 2017	257.5	-0.9%
2017	June, 2017	259.7	0.9%
2018	September, 2017	252.7	-2.7%
2018	December, 2017	245.4	-2.9%
2018	March, 2018	243.1	-0.9%
2018	June, 2018	245.2	0.9%
2019	September, 2018	238.3	-2.8%
2019	December, 2018	231.0	-3.1%
2019	March, 2019	228.7	-1.0%
2019	June, 2019	230.8	0.9%
2020	September, 2019	223.9	-3.0%
2020	December, 2019	216.6	-3.3%
2020	March, 2020	214.2	-1.1%
2020	June, 2020	216.4	1.0%

<sup>1</sup> Year to date average daily population.

\* Actual ADP figures. Data source: Colorado Department of Human Services Division of Youth Corrections Monthly Population Report. Available at: <https://sites.google.com/a/state.co.us/cdhs-dyc/home/resources-publications/reports-and-evaluations>

**Figure 14: Historical and projected juvenile detention year-end average daily population  
FY 2002 through FY 2020**



Note: FY 2002-2015 data points reflect actual year-end average daily population figures.  
Data Sources: Colorado Department of Human Services Division of Youth Corrections Monthly Population Report and Management Reference Manuals. Available at: <https://sites.google.com/a/state.co.us/cdhs-dyc/home/resources-publications/reports-and-evaluations>

## AVERAGE DAILY JUVENILE PAROLE CASELOAD FORECAST

The juvenile parole caseload experienced widely varied growth in the past due to multiple factors, particularly changes in mandatory parole terms. In 1997 mandatory one-year parole terms were implemented. Subsequently, the ADC grew sharply through July 2001. In 2001 the mandatory parole term was lowered to nine months,<sup>12</sup> after which the ADC fell rapidly. However, after two years steep growth resumed. In 2003 the mandatory parole term was further lowered to six months,<sup>13</sup> resulting in a significant decline in the ADC for a period of time. The ADC dropped significantly until April of 2004, at which point it began to grow again at a significant rate before leveling off in mid-FY 2005.

The parole population remained relatively stable through mid-FY 2008, with short-term increases corresponding with decreases in the commitment population. Beginning in January 2008, the size of the caseload began a period of significant decline corresponding with the overall decline in the commitment population. A short-lived increase was observed in FY 2010, followed by declines each year since. In FY 2015, the parole ADC fell by 12.7%, slightly less than the 15.2% decline observed in the prior year.<sup>14</sup>

For the past eight years, and to date in the current year, discharges from parole have exceeded intakes. This discrepancy was particularly notable in fiscal years 2013 and 2014. In FY 2013, discharges exceeded intakes by 18.7% and by 13.5% in FY 2014. However, this difference decreased to 7.6% in FY 2015 and to date in FY 2016.<sup>15</sup> The combination of decreasing commitment ADP and the ratio of parole intakes to discharges will continue to force the parole population down. However, with the expected slowing in the rate of decline in the commitment population and the moderation of the discrepancy between parole intakes and terminations, the expected decline in the parole caseload is expected to slow to an average of 3.0% per year throughout the projection timeframe.

The juvenile parole ADC is expected to decrease 2.8% by the end of FY 2016 and by 14.1% between FY 2015 and FY 2020. Table 18 summarizes these estimates, while Figure 15 depicts the historical fluctuations in parole ADC between FY 2002 and FY 2015, along with the projected ADC through FY 2020.

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<sup>12</sup> Senate Bill 2001-77, effective July 1, 2001.

<sup>13</sup> Senate Bill 2003-284, effective May 1, 2003.

<sup>14</sup> Colorado Department of Human Services (2006-2013). *Management Reference Manuals*. Denver, CO: Colorado Department of Human Services, Office of Children, Youth and Family Services, Division of Youth Corrections; *Monthly Population Reports*. Denver, CO: Colorado Department of Human Services, Office of Children, Youth and Family Services, Division of Youth Corrections. Available at: <https://sites.google.com/a/state.co.us/cdhs-dyc/home/resources-publications/reports-and-evaluations>

<sup>15</sup> Ibid.

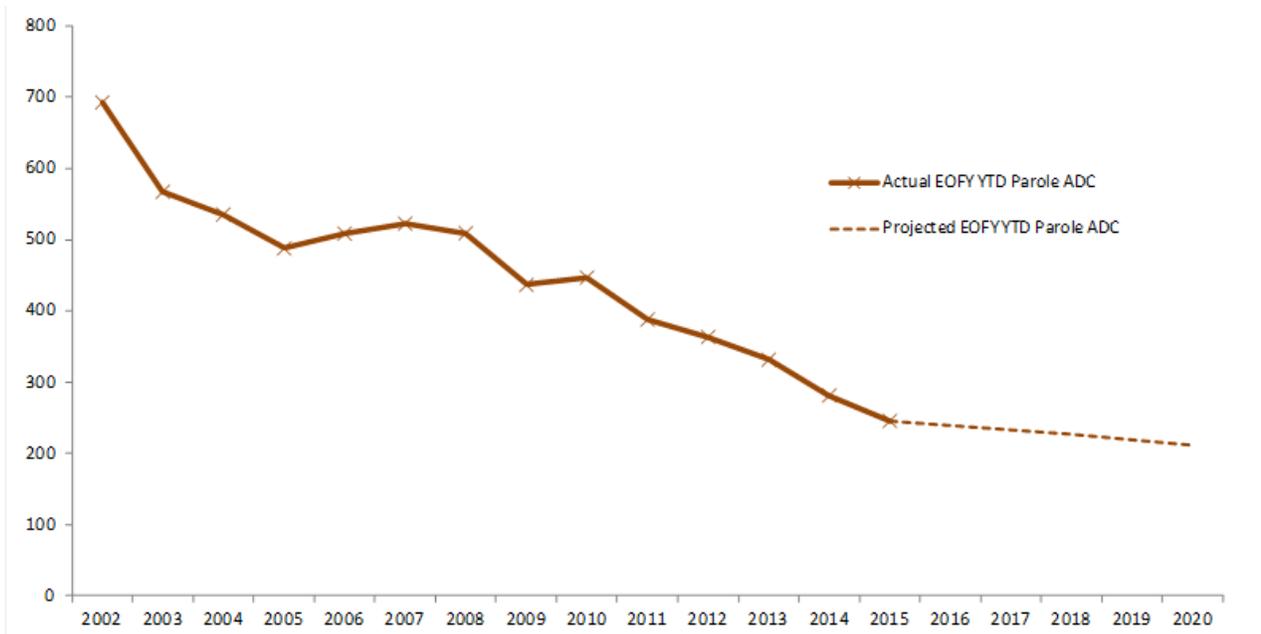
**Table 18: Juvenile parole year-end average daily caseload forecast, FY 2014 through FY 2020**

Fiscal Year End	YTD ADC <sup>1</sup> Forecast	Annual Growth
<b>2014*</b>	<b>281.3</b>	<b>-15.2%</b>
<b>2015*</b>	<b>245.6</b>	<b>-12.7%</b>
2016	238.7	-2.8%
2017	232.9	-2.4%
2018	227.4	-2.4%
2019	219.1	-3.6%
2020	210.8	-3.8%

<sup>1</sup> Year to date average daily caseload.

\* Actual ADC figures. Data source: Colorado Department of Human Services Division of Youth Corrections Monthly Population Report. Available at: <https://sites.google.com/a/state.co.us/cdhs-dyc/home/resources-publications/reports-and-evaluations>

**Figure 15: Historical and projected juvenile parole year-end average daily caseload FY 2002 through FY 2020**



Note: FY 2002-FY 2015 data points represent actual average daily caseload figures.

Data Sources: Colorado Department of Human Services Division of Youth Corrections Monthly Population Report and Management Reference Manuals. Available at: <https://sites.google.com/a/state.co.us/cdhs-dyc/home/resources-publications/reports-and-evaluations>

## ADDITIONAL FACTORS INFLUENCING THE JUVENILE COMMITMENT, DETENTION AND PAROLE POPULATION FORECASTS

The following bullets outline additional factors not previously addressed which influence this year's forecasts of the size of the juvenile commitment and detention populations, new admissions to DYC and the parole caseload in the upcoming five years:

- ❑ For the first time in over a decade, the number of delinquency filings increased, though very slightly (1.9%). In FY 2012 alone, delinquency filings decreased by 11.2%. However, while such filings continued to decrease across the next two years, the rate of decline slowed to 8.9% in FY 2013 and to 5.5% in FY 2014.<sup>16</sup> This recent increase in filings forces very slight upward pressure on the population throughout fiscal years 2016 and 2017.
- ❑ Juvenile probation revocations have continued to fall each year since FY 2010. The number of revocations fell by 9.7% in FY 2014 and by 5.2% in FY 2015.<sup>17</sup> Since the majority of new commitments are the result of a probation revocation, this exerts a significant downward influence on the forecast.
- ❑ Forecasts of the size of the Colorado juvenile population provided by the Colorado Demographer's office indicate continuing growth, to a greater degree than the 2014 demography forecasts indicated. Very strong growth in the 13 to 17 year old population is expected in 2016 and 2017, at 2.5% and 2.2% respectively. Increases in the juvenile population exert some upward pressure on the juvenile justice system as a whole.<sup>18</sup>
- ❑ Significant legislation passed in recent years is expected to reduce the size of the DYC population, particularly those in detention.
  - House Bill 13-1254 created a restorative justice pilot project, which allows a juvenile who is charged with a class 3, 4, 5, or 6 felony and has no prior charges to participate in a restorative justice program as an alternative to adjudication.<sup>19</sup>
  - Senate Bill 13-177 reduced the bed cap for detention facilities from 422 to 382. Note, however, the population has been substantially below 382 since July of 2009 and has

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<sup>16</sup> Colorado State Judicial Branch (2007-2015). *Colorado Judicial Branch Annual Reports*. Denver, CO: Colorado Judicial Branch, Division of Probation Services. Available at <https://www.courts.state.co.us/Administration/Unit.cfm?Unit=annrep>

<sup>17</sup> Ibid.

<sup>18</sup> Colorado State Demographer's Office, Department of Labor and Employment. Available at: <https://www.colorado.gov/pacific/dola/cedis>

<sup>19</sup> Colorado Legislative Council Staff Fiscal Note (July 9, 2013). Concerning restorative justice, and, in connection therewith, making an appropriation (H.B.13-1254).

continued to fall in the interim. Reducing the bed cap appears to have negligible influence on the size of the detention population.<sup>20</sup>

- House Bill 13-1021 limits detention for truants to a maximum of 5 days. Approximately 4% of detention admissions are for truancy charges. In FY 2013, 41% were held for longer than 5 days. In FY 2014, the percentage of those held longer than 5 days dropped to 22%. This trend could serve to slightly reduce the average length of stay in detention.<sup>21</sup>
  - House Bill 14-1023 requires the Office of the State Public Defender to hire social workers to assist in juvenile defense cases. This could lead to fewer juveniles receiving commitment or detention sentences.<sup>22</sup>
  - House Bill 14-1032 requires that a juvenile detained for a delinquent act be represented by counsel at the detention hearing and provided state representation when private counsel is not retained.<sup>23</sup>
  - Senate Bill 15-184 directed chief judges of each judicial district to create a policy for addressing truancy cases through means other than NYC detention. Beginning in FY 2016, this bill is expected to very slightly reduce the NYC average daily detention population.<sup>24</sup>
- The trends in admissions to NYC and the committed population in Colorado reflect those seen on a national scale. Data from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) and reported by the Pew Charitable Trusts indicate that the national juvenile commitment rate dropped 53% from 2001 to 2013.<sup>25</sup> Rates fell in 49 states during this period. The nationwide reduction reflects a 42 percent drop in juvenile violent-crime arrest rates from 2001 to 2012 and comes as a growing number of states are adopting policies that prioritize costly space in residential facilities for higher-risk youth adjudicated for serious crimes.<sup>26</sup> In Colorado alone, the rate of new commitments among the 10 through 17 year old population declined by 60.8% over the past 10 years.

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<sup>20</sup> Colorado Legislative Council Staff Fiscal Note (May 23, 2013). Concerning changes to juvenile corrections programs resulting in cost reductions, and, in connection therewith, reducing the juvenile detention bed cap, reducing the appropriation for Commitment beds and assessment services, and making an appropriation for transportation (SB13-177).

<sup>21</sup> Colorado Legislative Council Staff Fiscal Note (June 25, 2013). Concerning measures to ensure that students comply with compulsory school attendance requirements, and, in connection therewith, limiting the length of detention that a court may impose to enforce compulsory school attendance, allowing students who are under juvenile court jurisdiction to obtain a GED, and specifying minimum requirements for education services provided in juvenile detention facilities (H.B. 13-1021).

<sup>22</sup> Colorado Legislative Council Staff Fiscal Note (June 17, 2014). Social workers for juveniles (H.B. 14-1023).

<sup>23</sup> Colorado Legislative Council Staff Fiscal Note (June 12, 2014). Defense counsel for juvenile offenders (H.B. 14-1032).

<sup>24</sup> Colorado Legislative Council Staff Fiscal Note (August 10, 2015). No detention for failure to attend school (SB15-184).

<sup>25</sup> See Appendix B. Also available at: <http://www.pewtrusts.org/en/multimedia/data-visualizations/2015/juvenile-commitment-rate-drops-53-percent>

<sup>26</sup> U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention (December 2014).

Juvenile Offenders and Victims National Report Series: Juvenile Arrests 2012. See <http://www.ojjdp.gov/pubs/248513.pdf>

**Appendix A**  
**Laws Affecting Prison Sentences and Length Of Stay in Prison**



## LEGISLATION AFFECTING PRISON POPULATION GROWTH

Prisoners in Colorado are subject to many different sentencing laws, the most significant of which dates back to 1979 with H.B. 1589. Many of the ensuing changes in legislation have affected the size of the prison population, particularly House Bill 1320, passed in 1985. Changes to parole laws in the 1990s significantly affected the size of the parole population and the associated number of individuals subject to revocation decisions. Several pieces of legislation were passed in 2010 which are expected to have a significant impact on the size of both the prison and the parole populations. These sentencing laws are outlined below.<sup>27</sup>

- ❑ In 1979, House Bill 1589 changed sentences from indeterminate to determinate terms and made parole mandatory at one-half (the mid-point) the sentence served.
- ❑ In 1981, House Bill 1156 required that the courts sentence offenders above the maximum of the presumptive range for “crimes of violence” as well as for crimes committed with aggravating circumstances.
- ❑ In 1985, House Bill 1320 doubled the maximum penalties of the presumptive ranges for all felony classes and mandated that parole be granted at the discretion of the Parole Board. As a result of this legislation, the average length of stay projected for new commitments nearly tripled from 20 months in 1980 to 57 months in 1989. In addition, parole became discretionary which contributed to increased lengths of stay. After the enactment of H.B. 1320, the inmate population more than doubled over the next five years.
- ❑ In 1988, Senate Bill 148 changed the previous requirement of the courts to sentence above the maximum of the presumptive range to sentencing at a minimum the mid-point of the presumptive range for “crimes of violence” and crimes associated with aggravating circumstances.
- ❑ In 1989, several class five felonies were lowered to a newly created felony class six with a presumptive penalty range of one to two years through the passage of Senate Bill 246.
- ❑ In 1990, House Bill 1327 doubled the maximum amount of earned time that an offender is allowed to earn while in prison from five to ten days per month. In addition, parolees were allowed to accumulate earned time while on parole. This legislation reduced time spent on parole as well as reduced the length of stay for offenders who discharged their sentence.

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<sup>27</sup> Portions of this section were excerpted from: Rosten, K. (2003) *Statistical Report: Fiscal Year 2002*. (pp. 4-22). Colorado Springs, CO: Department of Corrections.

- ❑ In 1990, Senate Bill 117 modified life sentences for first-degree felony convictions to “life without parole.” The previous parole eligibility occurred after 40 calendar years were served. This affected sentences for crimes committed after September 20, 1991.
- ❑ In 1993, House Bill 1302 reduced the presumptive ranges for certain non-violent class 3 through class 6 felonies and added a split sentence mandating a period of parole for all crimes following a prison sentence. This legislation also eliminated earned time awards while on parole.
- ❑ Sentencing for habitual offenders was also changed in 1993 with House Bill 1302. This bill revised the sentence for repeat offenders convicted of class 1 through class 5 felonies. Offenders who have twice been convicted of a previous felony are subject to a term of three times the maximum of the presumptive range of the current felony conviction. Those who have received three prior felony convictions are sentenced to four times the maximum of the presumptive range of the current felony conviction. Additionally, any offender previously sentenced as a habitual offender with three prior convictions, and thereafter convicted of a crime of violence, is subject to a life sentence with parole eligibility after 40 calendar years.<sup>28</sup>
- ❑ In 1993, Senate Bill 9 created the provision for certain juvenile offenders to be prosecuted and sentenced as adults, and established the Youthful Offender System (YOS) within the Department of Corrections (DOC). Initially, 96 beds were authorized, with the construction of a YOS facility with a capacity of 480 beds approved.
- ❑ In 1994, Senate Bill 196 created a new provision for habitual offenders with a current conviction of any class one or two felony, or any class three felony that is defined as a crime of violence, and who have been previously convicted of these same offenses twice. This “three strikes” legislation requires that these offenders be sentenced to a term of life imprisonment with parole eligibility in forty calendar years.
- ❑ In 1995, House Bill 1087 reinstated earned time provisions for certain non-violent offenders while on parole. This legislation was enacted in part as a response to the projected parole population growth resulting from the mandatory parole periods established by H.B. 93-1302.
- ❑ In 1996, House Bill 1005 broadened the criminal charges eligible for direct filings of juveniles in adult court and possible sentencing to the YOS. This legislation also lowered the age limit of juveniles eligible for direct filing and sentencing to YOS from 14 to 12 years of age.

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<sup>28</sup> Affects convictions for crimes of violence defined by CRS § 18-1.3-406.

- House Bill 98-1160 applied to offenses occurring on or after July 1, 1998, mandating that every offender must complete a period of parole supervision after incarceration. A summary of the major provisions that apply to mandatory parole follows:
  - Offenders committing class 2, 3, 4 or 5 felonies or second or subsequent class 6 felonies, and who are revoked during the period of their mandatory parole, may serve a period up to the end of the mandatory parole period while incarcerated. In such a case, one year of parole supervision must follow.
  - If revoked during the last six months of mandatory parole, intermediate sanctions including community corrections, home detention, community service or restitution programs are permitted, as is a re-incarceration period of up to twelve months.
  - If revoked during the one year of parole supervision, the offender may be re-incarcerated for a period not to exceed one year.
  
- House Bill 98-1156 concerned the lifetime supervision of certain sex offenders, and is referred to as the 'Colorado Sex Offender Lifetime Supervision Act of 1998'. A number of provisions in the bill addressing sentencing, parole terms, and parole conditions are summarized below:
  - For certain crimes,<sup>29</sup> a sex offender shall receive an indeterminate term of at least the minimum of the presumptive range specified in 18-1-105, C.R.S. for the level of offense committed and a maximum of the sex offender's natural life.
  - For crimes of violence,<sup>30</sup> a sex offender shall receive an indeterminate term of at least the midpoint in the presumptive range for the level of offense committed and a maximum of the sex offender's natural life.
  - For sex offenders eligible for sentencing as a habitual sex offender against children (pursuant to 18-3-412, C.R.S.), the sex offender shall receive an indeterminate term of at

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<sup>29</sup> Such crimes are defined in CRS § 18-1.3-10, and include the following: Sexual assault, as described in section 18-3-402; sexual assault in the first degree, as described in section 18-3-402 as it existed prior to July 1, 2000; Sexual assault in the second degree, as described in section 18-3-403 as it existed prior to July 1, 2000; Felony unlawful sexual contact as described in section 18-3-404; Felony sexual assault in the third degree, as described in section 18-3-404 (2) as it existed prior to July 1, 2000; Sexual assault on a child, as described in section 18-3-405; Sexual assault on a child by one in a position of trust, as described in section 18-3-405.3; Aggravated sexual assault on a client by a psychotherapist, as described in section 18-3-405.5(1); Enticement of a child, as described in section 18-3-305; Incest, as described in section 18-6-301; Aggravated incest, as described in 18-6-302; Patronizing a prostituted child, as described in section 18-7-406; Class 4 felony internet luring of a child, in violation of section 18-3-306(3); Internet sexual exploitation of a child in violation of section 18-3-405/4/; Attempt, conspiracy, or solicitation to commit any of these offenses if such attempt, conspiracy, or solicitation would constitute a class 2, 3, or 4 felony.

<sup>30</sup> Defined by CRS § 18-1.3-406.

least the upper limit of the presumptive range for the level of offense committed and a maximum of the sex offender's natural life.

- o The period of parole for any sex offender convicted of a class 4 felony shall be an indeterminate term of at least 10 years and a maximum of the remainder of the sex offender's natural life.
  - o The period of parole for any sex offender convicted of a class 2 or 3 felony shall be an indeterminate term of at least 20 years and a maximum of the sex offender's natural life.
- ❑ In 2003, Senate Bill 252 allowed the Parole Board to revoke an individual who was on parole for a nonviolent class 5 or class 6 felony, except in cases of menacing and unlawful sexual behavior, to a community corrections program or to a pre-parole release and revocation center for up to 180 days. This bill also allowed DOC to contract with community corrections programs for the placement of such parolees. Additionally, the bill limited the time a parolee can be revoked to the DOC to 180 days for a technical revocation, provided that the parolee was serving parole for a nonviolent offense. Finally, this bill repealed the requirement of an additional year of parole if a parolee is revoked to prison for the remainder of the parole period (originally effected by H.B. 98-1160).
  - ❑ House Bill 04-1189 lengthened the amount of time that must be served prior to parole eligibility for violent offenders.<sup>31</sup> First time offenders convicted of a violent offense must serve 75% of their sentence less any earned time awarded. If convicted of a second or subsequent violent offense, the full 75% of their sentence must be served.
  - ❑ Also in 2004, Senate Bill 04-123 recognized the YOS as a permanent program by eliminating the repeal date.
  - ❑ In 2008, House Bill 1352 modified the revocation placement options available to the Parole Board for offenders whose parole has been revoked based on a technical violation, who have no active felony warrants, and who were on parole for a class 5 or class 6 nonviolent felony offense other than menacing or unlawful sexual behavior by precluding such offenders from being placed in community return-to-custody facilities.
  - ❑ Also in 2008, House Bill 1382 modified the law regarding offenders for whom the Department of Corrections can mandate sex offender treatment, and also expanded the population of offenders

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<sup>31</sup> As defined by CRS § 18-1.3-406.

who are eligible for earned time by allowing earned time eligibility while on parole or after re-parole following a parole revocation.

- ❑ House Bill 09-1351 increased the maximum monthly earned time from 10 days to 12 days per month for certain inmates convicted of class 4, 5, or 6 felonies and changed the maximum earned time reduction from 25% to 30% of an offender's total sentence. In addition, the bill created 'earned release time' for inmates meeting certain qualifications. Inmates convicted of class 4 or class 5 felonies who meet these qualifications may earn their release 60 days prior to their mandatory release date, while eligible class 6 felons may earn release 30 days prior to their mandatory release date.
- ❑ In 2010, House Bill 1374 clarified eligibility criteria for the enhanced earned time that was created the prior year in House Bill 09-1351 and made substantial changes to the statutory parole guidelines in C.R.S. § 17-22.5-404. A statement of legislative intent was added, with the requirement that the Division of Criminal Justice (DCJ) develop a risk assessment scale for use by the Parole Board that includes criteria shown to be predictors of recidivism risk. The DCJ, DOC, and the Parole Board were also required to develop the Parole Board Action Form, to document the rationale for decisions made by the Board. The Parole Board is required to use the risk assessment scale and the administrative guidelines for both release and revocation decision making.
- ❑ Also in 2010, House Bill 1360 allows the Parole Board to modify the conditions of parole and require the parolee to participate in a treatment program in lieu of a parole revocation. A parolee who commits a technical parole violation, and was not on parole for a crime of violence, may have his or her parole revoked for a period of no more than 90 days if assessed as below high risk to reoffend, or up to 180 days if assessed as high risk. Additionally, placement in a community return to custody facility for a technical parole violation was expanded to include people convicted of a non-violent class 4 felony. The bill also specified that the Division of Adult Parole provide the judiciary committees of the House and Senate with a status report regarding parole outcomes and the use of money allocated pursuant to the bill. A portion of the savings are required to be allocated for re-entry support services for parolees including obtaining employment, housing, transportation, substance abuse treatment, mental health treatment, and other services.
- ❑ House Bill 11-1064 created a presumption favoring the granting of parole to certain qualifying inmates serving sentences for drug possession or drug use offenses.
- ❑ Senate Bill 11-241 expands the definition of special needs offenders, and permits the inclusion of offenders convicted of certain felony 1 and felony 2 crimes qualifying for a special needs parole consideration. Additionally, the bill creates a presumption in favor of granting parole for certain inmates with a detainer from the United States Immigration and Customs Enforcement Agency (ICE).

- ❑ House Bill 12-1223 restores eligibility for earned time to people re-incarcerated for a parole revocation and expands earned time for major program completion or extra-ordinary conduct by an inmate that promotes the safety of staff, volunteers or other inmates. Additionally, the bill allows prisoners re-incarcerated for technical parole violations to accrue earned time. Any cost savings are to be reinvested into vocational and educational programming inside prison and re-entry support services for people on parolee.
- ❑ House Bill 14-1355 provided over \$8 million in funding and 78.4 FTE per year for reentry programs for adult parolees. These funds are to develop and implement programs to assist inmates to prepare for release to the community as well as provide equipment, training, and programs to better supervise offenders in the community.
- ❑ Senate Bill 15-124 narrows the scope of behavior warranting arresting a parolee for a technical violation, and requires the use of intermediate and alternative sanctions to address noncompliance with conditions of parole. Such sanctions can include a short term period of jail confinement and referral to treatment or other support services.

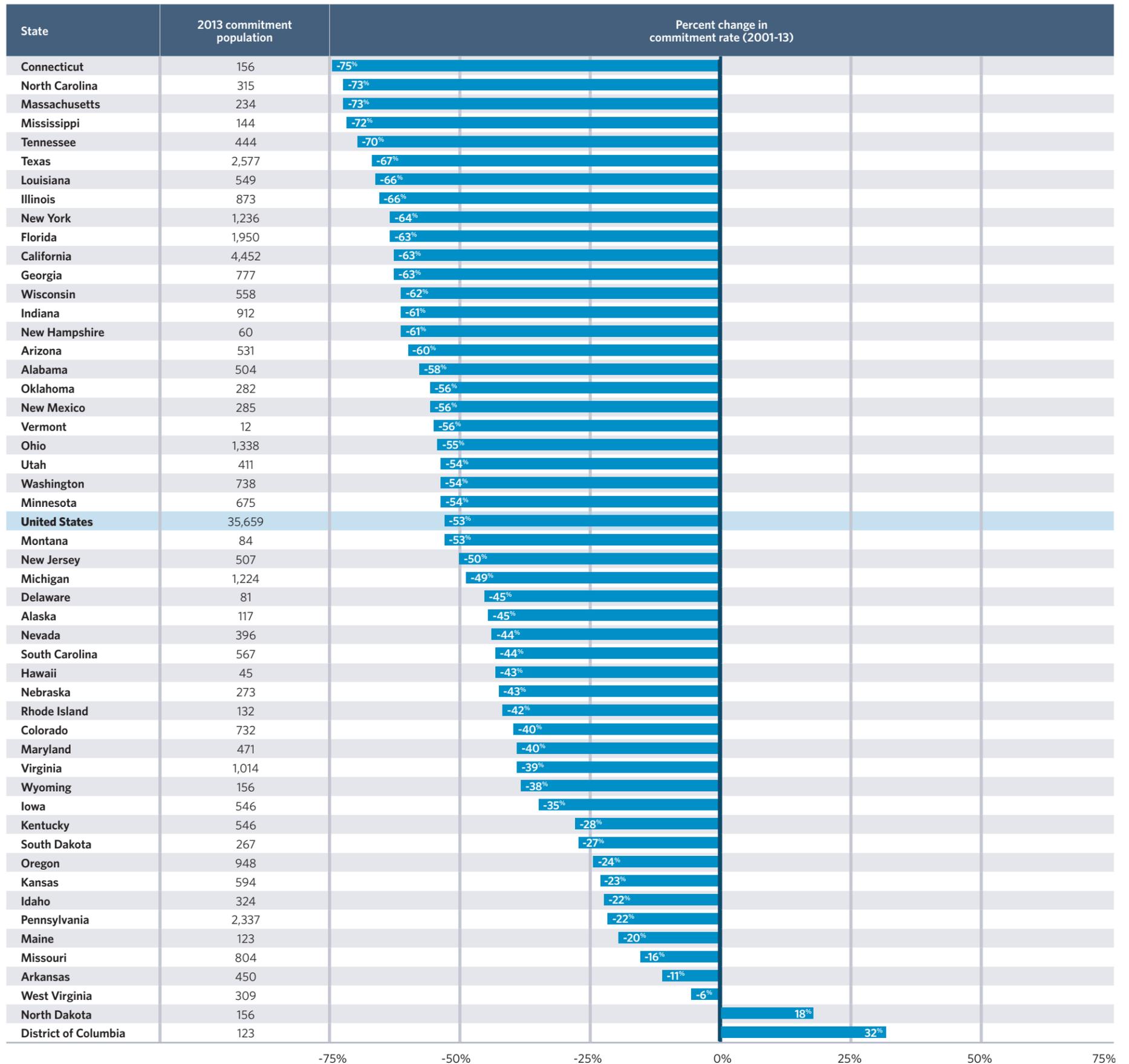
In addition to legislation specifically impacting sentencing laws and parole requirements, new laws affecting prison admissions and sentence lengths are introduced every year. Many of these may result in an increase or a decrease in the number of individuals sentenced to DOC, or the length of their prison sentences. Collectively they may have a significant impact on the size of future prison populations. These changes in legislation are taken into account in the development of prison population forecasts.

**Appendix B**  
**Infographic from the Pew Charitable Trusts:**  
**Juvenile Commitment Rates**



# Juvenile Commitment Rate Drops 53%

From 2001 to 2013, the U.S. juvenile commitment rate declined 53 percent, according to data recently released by the Department of Justice's Office of Juvenile Justice and Delinquency Prevention.<sup>1</sup> Rates fell in 49 states during this period, including decreases of over 50 percent in more than half of the states. The nationwide reduction reflects a 42 percent drop in juvenile violent-crime arrest rates from 2001 to 2012 and comes as a growing number of states are adopting policies that prioritize costly space in residential facilities for higher-risk youth adjudicated for serious crimes.<sup>2</sup>



Source: Office of Juvenile Justice and Delinquency Prevention

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## Endnotes

- 1 Data come from the Census of Juveniles in Residential Placement, <http://www.ojjdp.gov/ojstatbb/ezacjrp/>. The census was first administered in 1997, and the most recently published results are from 2013. Pew's analysis includes only youth committed to a facility as part of a court-ordered disposition. The commitment rate is the number of committed juvenile offenders in residential placement per 100,000 youth in the population (ages 10 through the upper age of original juvenile court jurisdiction in each state).
- 2 Charles Puzzanchera, "Juvenile Arrests 2012" (2014), Office of Juvenile Justice and Delinquency Prevention, <http://www.ojjdp.gov/pubs/248513.pdf>; Howard N. Snyder, "Juvenile Arrests 2001" (2003), Office of Juvenile Justice and Delinquency Prevention, <https://www.ncjrs.gov/pdffiles1/ojjdp/201370.pdf>.

Project website: [pewstates.org/publicsafety](http://pewstates.org/publicsafety)

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