# Colorado Division of Criminal Justice Adult and Juvenile
# Correctional Populations Forecasts

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

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# 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 most recently developed forecasts for the Colorado adult prison and parole populations across the upcoming seven fiscal years. Additionally, forecasts of the Colorado juvenile commitment, detention and parole populations through the next five fiscal years are presented. Also included are estimates of the average length of stay for inmates admitted to prison during the previous fiscal year. These are used to calculate cost savings resulting from proposed legislation and policy changes.

The Division produces this comprehensive analysis of the adult prison population forecast annually each winter. These figures are adjusted the following summer to accommodate recent trends in admissions and releases, new legislation, and policy changes.

## Organization of this Report

Section 1 of this report describes the Colorado Criminal Justice Forecasting Model (CCJFM). Section 2 provides the adult prison population forecasts for state fiscal years 2024 through 2030, including estimates of prison admissions and releases by type. These are followed by the parole caseload forecasts for fiscal years 2024 through 2030. The next section provides a discussion of factors and assumptions applied to the current projections.

Following the adult population forecasts, estimates of the average lengths of stay by offender category for prisoners admitted during fiscal year 2023 are presented, as well as estimates for the average length of stay on parole for new releases to parole.

The last section presents the juvenile commitment, detention and parole projections for fiscal years 2024 through 2028. The juvenile population estimates include year-end and quarterly average daily population (ADP) forecasts for the committed population statewide, estimated numbers of new commitments, and year-end average daily caseload (ADC) forecasts for the juvenile parole caseload. These are followed by year-end and quarterly ADP forecasts for the detention population.

## Assumptions affecting the accuracy of the DCJ forecast

Forecasting future prison populations is not an exact science. Factors which can affect growth are often unpredictable and somewhat speculative, as they are dependent on the decisions and behaviors of individuals and organizations at multiple points in the criminal and juvenile justice systems. These

include (but are not limited to) law enforcement, prosecutors, judges, probation and parole officers, and correctional officials.

The projection figures for the Colorado Department of Corrections' incarcerated and paroled populations and for the Division of Youth Services' committed, detained, and paroled populations are based on the multiple assumptions outlined below.

- ❑ The Colorado General Assembly will not pass new legislation that impacts the length of time individuals 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 prison sentences or 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 models.

- ❑ The data provided by the Colorado Department of Corrections (DOC) and the Division of Youth Services (DYS) accurately describe the number and characteristics of individuals committed to, released from, and retained in DOC and DYS facilities.

- ❑ Incarceration times and sentencing data provided by DOC and DYS are accurate.

- ❑ Admission, release and sentencing patterns will not change dramatically from the prior year through the upcoming seven years, except in ways that are accounted for in the current year's projection models.

- ❑ Seasonal variations observed in the past will continue into the future.

- ❑ The forecasts of the Colorado population size, gender and age distributions generated by the Colorado Demographer's Office are accurate.

- ❑ District and Juvenile 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. Note this final factor has been particularly relevant during recent years.

# Section 1: 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 offender-based information concerning admissions to and releases from the Colorado Department of Corrections (DOC), as well as the population currently incarcerated. Analysis of these data is conducted by DCJ's Office of Research and Statistics. Colorado population forecasts are provided by the Department of Local Affairs, State Demography Office. Criminal and juvenile case prosecution, conviction, sentencing and probation revocation data are obtained from the Colorado Judicial Branch's information management system, with analysis conducted by DCJ. Additional information comes from [annual reports issued by the Judicial Department](#).

## 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 cohort of new commitments is comprised of estimates of the composition and number of future admissions, including not only those newly sentenced to prison but also those failing probation or community corrections and subsequently incarcerated. These estimates are based on historical trends of prison admissions, crime rates, criminal case filings, conviction rates, sentencing practices, probation placements and probation revocation rates. Recent changes in laws or policies are also taken into account.

The projected future admissions cohort is disaggregated into approximately 70 categories according to governing offense type, felony class and sentence length. The duration of each category's stay in prison is estimated using data concerning the length of stay for those with similar profiles released in prior years, adjusted to reflect recent changes in law or policy. Cumulative survival distributions are applied to each of the profile/sentence length groups to determine a rate of release and the size of the remaining population.

The cohort of currently incarcerated individuals is treated in a similar manner. This cohort is also disaggregated into approximately 70 offense profile and sentence length groups, with cumulative survival distributions applied 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 influencing the future admissions cohort. The release of individuals 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 totaled to estimate the size of the parole caseload at the end of each fiscal year.

# Section 2: Colorado Adult Prison Population and Parole Caseload Projections

## Adult Inmate Population Forecast

After the 12.6% decline in the prison population seen in fiscal year (FY) 2020 in the wake of the COVID-19 pandemic and subsequent criminal justice system responses, the prison population continued to decline throughout FY 2021, falling by an additional 11.6%. Growth in the prison population returned throughout FY 2022 and FY 2023. By the end of FY 2022 the population increased 6.0%, reaching 16,361. By the end of FY 2023, the population increased an additional 4.2%, to 17,054.

The total prison population is expected to continue to increase though at a slowing rate. Overall, the population is expected to increase 2.4% across FY 2024, from 17,054 inmates to 17,461 by year-end. The growth rate is expected to increase slightly in FY 2025, followed by continued slow growth through FY 2030. By the end of FY 2030, the population is expected to reach 20,065 inmates, an increase of 17.7%. Note this rate of growth is substantially less than expected at the time of the December 2022 forecast.

The number of men in prison is expected to increase from 15,618 to 18,348 between FY 2023 and FY 2030, while the number of women in prison is expected to increase from 1,436 to 1,717 across the same time frame.

*The Colorado prison population is expected to increase 2% between the end of FY 2023 and the end of FY 2024, from 17,054 inmates to a projected population of 18,062. Growth is expected to accelerate slightly in FY 2025, followed by continued but moderated rate over the following 6 years. By the end of FY 2030, the population is expected to reach 20,065 inmates, an increase of 18%.*

*Similarly, the number of men in prison is expected to increase 18%, from 15,618 to 18,348 by the end of FY 2030, while the number of women in prison is expected to increase 20%, from 1,436 to 1,717 across the same time frame.*

*The domestic parole caseload is expected to return to growth, increasing 3.5% by the end of FY 2024. By the end of FY 2030, the caseload is predicted to reach 9,149, a 25% increase over the end of FY 2023.*

Figure 1 displays the total prison population at the end of each quarter between the end of FY 2015 through the first half of FY 2023 (December, 2022), and provides comparisons between the current prison forecast and that prepared December 2022. As shown, the growth rate predicted in the current forecast is moderated from that previously projected. The rational for this modification is presented in the section beginning on page 17 in this report. Figure 2 compares the actual and projected trends in the male and female inmate populations through FY 2030.

**Figure 1. Actual prison population FY 2015 through December 2023 with comparison of current DCJ prison population forecast to December 2022 forecast**
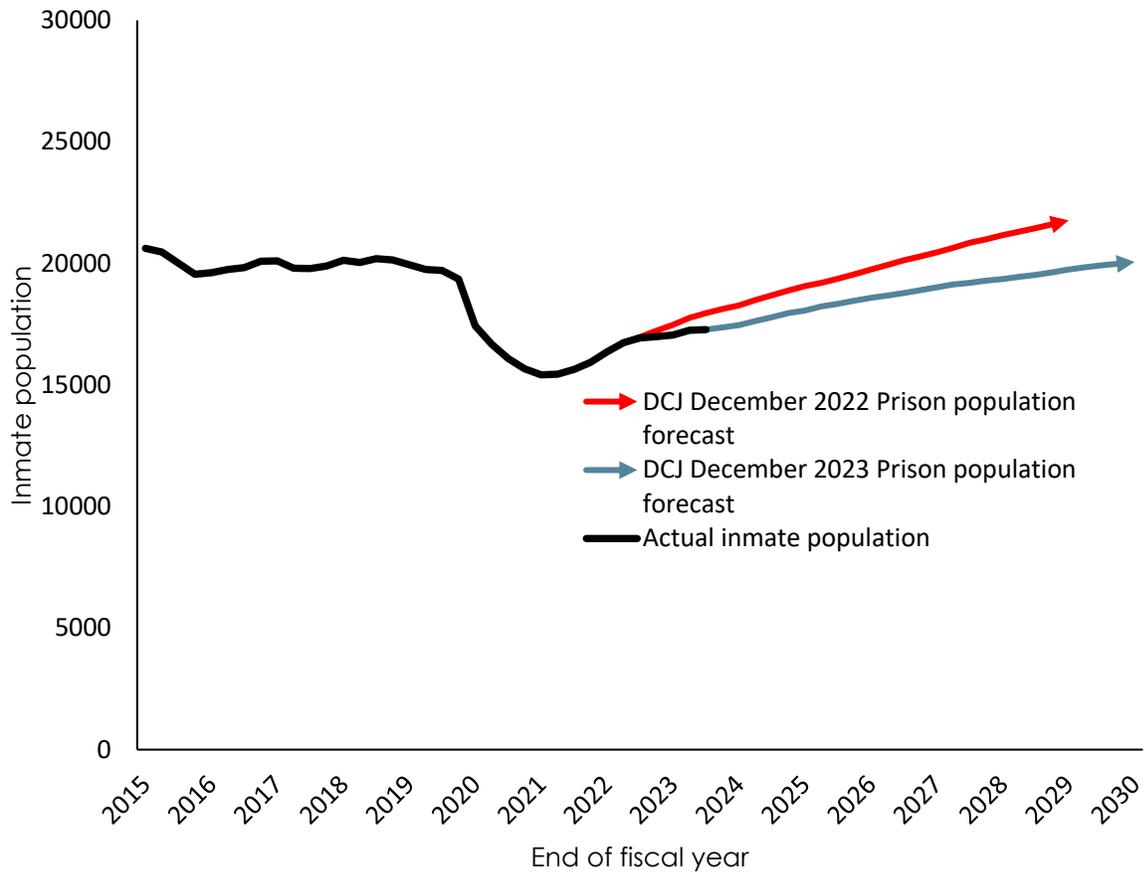


*Data source: Actual population figures FY 2015 through December 2023 Colorado Department of Corrections Monthly Capacity and Population Reports. Available at: https://cdoc.colorado.gov/about/data-and-reports/statistics*

**Figure 2. Actual and projected quarterly male and female prison populations FY 2015 through FY 2030**
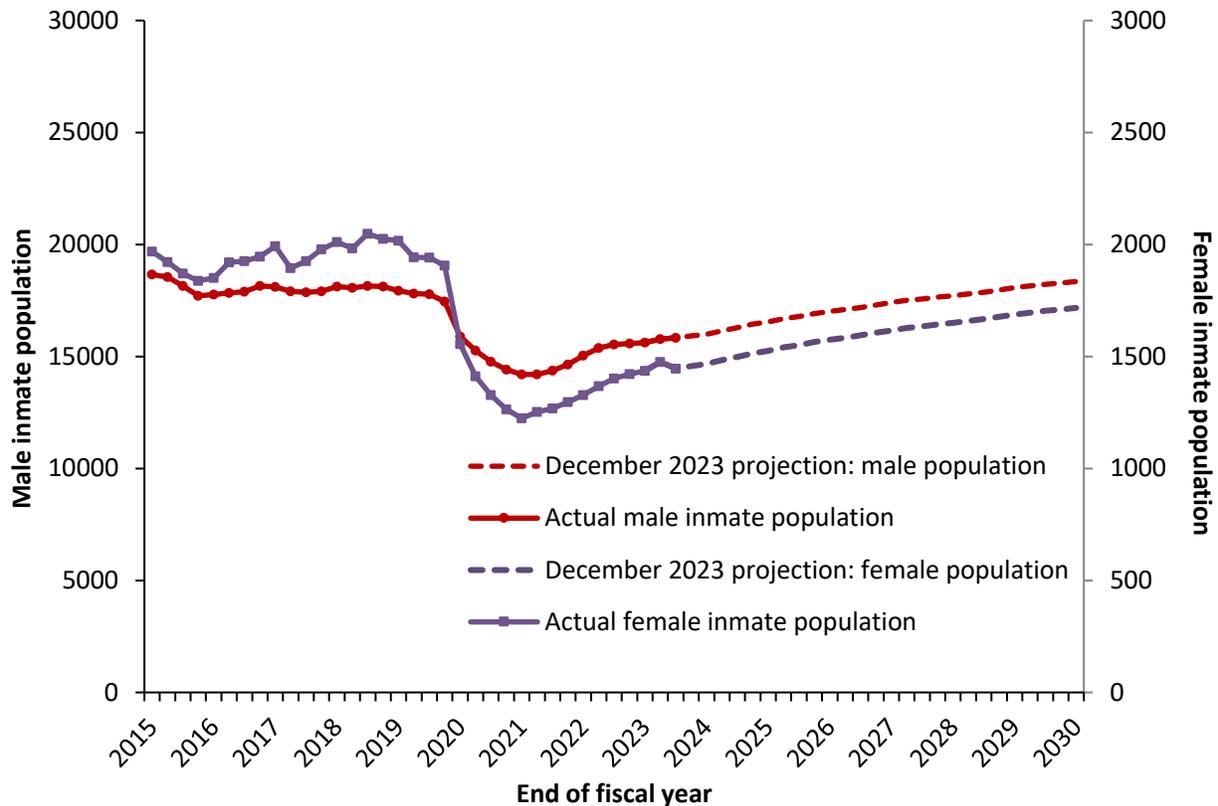


*Data source: Actual population figures FY 2015 through December 2023 Colorado Department of Corrections Monthly Capacity and Population Reports. Available at: https://cdoc.colorado.gov/about/data-and-reports/statistics*

Table 1 displays the historical total and gender-specific growth in the prison population by fiscal year for FY 2005 through FY 2023, as well as the projected population through the end of fiscal year 2030. Table 2 displays total and gender-specific projected quarterly growth in the prison population across fiscal years 2024 through 2030. 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 admissions and releases from prison for fiscal years 2012 through 2030 are graphically displayed in Figure 3. Trends in admissions and releases by type for the same time frame can be found in Figures 4 and 5.

**Table 1. DCJ December 2023 adult prison population projections: actual and projected populations, FY 2005 through FY 2030**

| Fiscal Year End | Total inmate population | | Male population | | Female population | |
|---|---|---|---|---|---|---|
| | Count | % change | Count | % change | Count | % change |
| 2005* | 20,704 | 5.80% | 18,631 | 4.59% | 2,073 | 18.12% |
| 2006* | 22,012 | 6.32% | 19,792 | 6.23% | 2,220 | 7.09% |
| 2007* | 22,519 | 2.30% | 20,178 | 1.95% | 2,341 | 5.45% |
| 2008* | 22,989 | 2.09% | 20,684 | 2.51% | 2,305 | -1.54% |
| 2009* | 23,186 | 0.86% | 20,896 | 1.02% | 2,290 | -0.65% |
| 2010* | 22,860 | -1.41% | 20,766 | -0.62% | 2,094 | -8.56% |
| 2011* | 22,610 | -1.09% | 20,512 | -1.22% | 2,098 | 0.19% |
| 2012* | 21,037 | -6.96% | 19,152 | -6.63% | 1,885 | -10.15% |
| 2013* | 20,135 | -4.29% | 18,355 | -4.16% | 1,780 | -5.57% |
| 2014* | 20,522 | 1.92% | 18,619 | 1.44% | 1,903 | 6.91% |
| 2015* | 20,623 | 0.49% | 18,655 | 0.19% | 1,968 | 3.42% |
| 2016* | 19,619 | -4.87% | 17,768 | -4.75% | 1,851 | -5.95% |
| 2017* | 20,101 | 2.46% | 18,108 | 1.91% | 1,993 | 7.67% |
| 2018* | 20,136 | 0.17% | 18,125 | 0.09% | 2,011 | 0.90% |
| 2019* | 19,951 | -0.92% | 17,935 | -1.05% | 2,016 | 0.25% |
| 2020* | 17,441 | -12.58% | 15,886 | -11.42% | 1,555 | -22.87% |
| 2021* | 15,434 | -11.51% | 14,218 | -10.50% | 1,216 | -21.80% |
| 2022* | 16,361 | 6.01% | 15,033 | 5.73% | 1,328 | 9.21% |
| 2023* | 17,054 | 4.24% | 15,618 | 3.89% | 1,436 | 8.13% |
| 2024 | 17,461 | 2.38% | 15,994 | 2.41% | 1,467 | 2.15% |
| 2025 | 18,062 | 3.45% | 16,538 | 3.40% | 1,525 | 3.95% |
| 2026 | 18,593 | 2.94% | 17,018 | 2.90% | 1,575 | 3.33% |
| 2027 | 19,020 | 2.30% | 17,404 | 2.27% | 1,617 | 2.61% |
| 2028 | 19,358 | 1.78% | 17,709 | 1.75% | 1,650 | 2.04% |
| 2029 | 19,759 | 2.07% | 18,072 | 2.05% | 1,687 | 2.30% |
| 2030 | 20,065 | 1.55% | 18,348 | 1.53% | 1,717 | 1.75% |

*Actual population figures. Data source: 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 2023 end-of-quarter adult prison population projections, FY 2023 through FY 2030**

| Fiscal Year | End of month | Total inmate population | | Male population | | Female population | |
|---|---|---|---|---|---|---|---|
| | | Count | % change | Count | % change | Count | % change |
| *2023* | *June 2023\** | 17,054 | 0.36% | 15,618 | 8.41% | 1,436 | 1.13% |
| 2024 | *September 2023\** | 17,254 | 1.17% | 15,779 | 1.03% | 1,475 | 2.72% |
| | December 2023 | 17,276 | 0.13% | 15,829 | 0.32% | 1,447 | -1.91% |
| | March 2024 | 17,370 | 0.55% | 15,913 | 0.53% | 1,457 | 0.71% |
| | June 2024 | 17,461 | 0.52% | 15,994 | 0.51% | 1,467 | 0.67% |
| 2025 | September 2024 | 17,633 | 0.99% | 16,149 | 0.97% | 1,483 | 1.12% |
| | December 2024 | 17,787 | 0.87% | 16,288 | 0.86% | 1,498 | 1.00% |
| | March 2025 | 17,956 | 0.95% | 16,442 | 0.94% | 1,514 | 1.07% |
| | June 2025 | 18,062 | 0.59% | 16,538 | 0.58% | 1,525 | 0.70% |
| 2026 | September 2025 | 18,228 | 0.92% | 16,688 | 0.91% | 1,540 | 1.02% |
| | December 2025 | 18,337 | 0.59% | 16,786 | 0.59% | 1,551 | 0.69% |
| | March 2026 | 18,476 | 0.76% | 16,912 | 0.75% | 1,564 | 0.85% |
| | June 2026 | 18,593 | 0.63% | 17,018 | 0.63% | 1,575 | 0.72% |
| 2027 | September 2026 | 18,679 | 0.46% | 17,095 | 0.46% | 1,584 | 0.55% |
| | December 2026 | 18,782 | 0.55% | 17,188 | 0.54% | 1,594 | 0.63% |
| | March 2027 | 18,902 | 0.64% | 17,297 | 0.63% | 1,605 | 0.71% |
| | June 2027 | 19,020 | 0.63% | 17,404 | 0.62% | 1,617 | 0.70% |
| 2028 | September 2027 | 19,138 | 0.62% | 17,510 | 0.61% | 1,628 | 0.69% |
| | December 2027 | 19,206 | 0.36% | 17,572 | 0.35% | 1,635 | 0.42% |
| | March 2028 | 19,296 | 0.47% | 17,653 | 0.46% | 1,643 | 0.53% |
| | June 2028 | 19,358 | 0.32% | 17,709 | 0.32% | 1,650 | 0.38% |
| 2029 | September 2028 | 19,450 | 0.47% | 17,792 | 0.47% | 1,658 | 0.53% |
| | December 2028 | 19,537 | 0.45% | 17,870 | 0.44% | 1,667 | 0.50% |
| | March 2029 | 19,641 | 0.54% | 17,965 | 0.53% | 1,677 | 0.59% |
| | June 2029 | 19,759 | 0.60% | 18,072 | 0.60% | 1,687 | 0.65% |
| 2030 | September 2030 | 19,844 | 0.43% | 18,148 | 0.43% | 1,696 | 0.48% |
| | December 2030 | 19,925 | 0.41% | 18,222 | 0.40% | 1,703 | 0.46% |
| | March 2030 | 19,986 | 0.31% | 18,277 | 0.30% | 1,709 | 0.36% |
| | June 2030 | 17,054 | 0.36% | 15,618 | 8.41% | 1,436 | 1.13% |

*\*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 2023 Prison Population Projections: Actual and projected prison admissions, FY 2005 through FY 2030**

| Fiscal Year End | Prison Admissions | | | | Total Admissions |
| | New Court Commitments | Parole Returns with a New Crime | Technical Parole Violations | Other Admits | |
|---|---|---|---|---|---|
| *2005** | *5,789* | *835* | *2,649* | *160* | *9,433* |
| *2006** | *6,149* | *1,034* | *2,792* | *193* | *10,168* |
| *2007** | *6,380* | *1,014* | *3,047* | *188* | *10,629* |
| *2008** | *6,296* | *1,221* | *3,353* | *168* | *11,038* |
| *2009** | *5,922* | *1,131* | *3,776* | *163* | *10,992* |
| *2010** | *5,345* | *1,039* | *4,164* | *156* | *10,704* |
| *2011** | *5,153* | *962* | *3,678* | *142* | *9,935* |
| *2012** | *4,926* | *813* | *3,248* | *129* | *9,116* |
| *2013** | *5,144* | *815* | *3,558* | *103* | *9,620* |
| *2014** | *5,235* | *877* | *4,054* | *103* | *10,269* |
| *2015** | *5,248* | *808* | *3,614* | *86* | *9,756* |
| *2016** | *5,100* | *804* | *2,837* | *62* | *8,803* |
| *2017** | *5,698* | *930* | *2,455* | *66* | *9,149* |
| *2018** | *6,172* | *1,072* | *2,660* | *68* | *9,972* |
| *2019** | *6,217* | *2,214* | *1,245* | *50* | *9,726* |
| *2020** | *5,324* | *1,577* | *1,040* | *44* | *7,985* |
| *2021** | *3,603* | *751* | *698* | *39* | *5,091* |
| *2022** | *4,710* | *792* | *740* | *14* | *6,256* |
| *2023** | *4,795* | *940* | *828* | *10* | *6,573* |
| 2024 | 4,910 | 921 | 732 | 11 | 6,574 |
| 2025 | 4,946 | 969 | 780 | 14 | 6,709 |
| 2026 | 5,040 | 956 | 797 | 18 | 6,810 |
| 2027 | 5,152 | 985 | 793 | 15 | 6,944 |
| 2028 | 5,230 | 1,013 | 814 | 12 | 7,070 |
| 2029 | 5,308 | 1,039 | 828 | 15 | 7,190 |
| 2030 | 5,389 | 1,049 | 842 | 12 | 7,293 |

*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/departmental-reports-and-statistics*

**Table 4. DCJ December 2023 Adult Prison Population Projections: Actual and projected prison releases by type, FY 2005 through FY 2030**

| Fiscal Year End | Releases to Parole | | | Sentence Discharge | Other[2] | Total Discharges |
|---|---|---|---|---|---|---|
| | Mandatory | Discretionary[1] | Total | | | |
| 2005* | 4,688 | 1,598 | 6,286 | 1,576 | 387 | 8,249 |
| 2006* | 4,370 | 2,813 | 7,183 | 1,397 | 374 | 8,954 |
| 2007* | 3,439 | 5,069 | 8,508 | 1,283 | 319 | 10,110 |
| 2008* | 3,279 | 5,596 | 8,875 | 1,367 | 323 | 10,565 |
| 2009* | 4,918 | 4,118 | 9,036 | 1,452 | 315 | 10,803 |
| 2010* | 6,466 | 2,868 | 9,334 | 1,415 | 284 | 11,033 |
| 2011* | 6,413 | 2,095 | 8,508 | 1,427 | 225 | 10,160 |
| 2012* | 5,584 | 3,607 | 9,191 | 1,284 | 183 | 10,658 |
| 2013* | 5,140 | 3,806 | 8,946 | 1,397 | 163 | 10,506 |
| 2014* | 5,020 | 3,220 | 8,240 | 1,510 | 162 | 9,912 |
| 2015* | 5,278 | 2,658 | 7,936 | 1,577 | 146 | 9,659 |
| 2016* | 5,228 | 3,084 | 8,312 | 1,361 | 168 | 9,841 |
| 2017* | 4,793 | 2,557 | 7,350 | 1,191 | 146 | 8,687 |
| 2018* | 5,333 | 3,436 | 8,769 | 1,052 | 123 | 9,944 |
| 2019* | 4,278 | 4,291 | 8,569 | 1,191 | 132 | 9,892 |
| 2020* | 3,400 | 5,710 | 9,110 | 1,280 | 131 | 10,521 |
| 2021* | 2,177 | 4,049 | 6,226 | 763 | 126 | 7,115 |
| 2022* | 1,741 | 2,928 | 4,669 | 563 | 103 | 5,335 |
| 2023* | 2,002 | 3,115 | 5,117 | 667 | 99 | 5,883 |
| 2024 | 1,819 | 3,564 | 5,382 | 680 | 110 | 6,172 |
| 2025 | 1,895 | 3,415 | 5,310 | 694 | 108 | 6,112 |
| 2026 | 1,903 | 3,566 | 5,470 | 705 | 112 | 6,287 |
| 2027 | 1,952 | 3,740 | 5,692 | 716 | 116 | 6,524 |
| 2028 | 1,994 | 3,877 | 5,871 | 742 | 119 | 6,732 |
| 2029 | 2,070 | 3,858 | 5,928 | 762 | 110 | 6,800 |
| 2030 | 2,156 | 3,943 | 6,099 | 765 | 125 | 6,989 |

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/departmental-reports-and-statistics*

**Figure 3. Colorado prison admissions and releases: actual and projected FY 2015 through FY 2030**
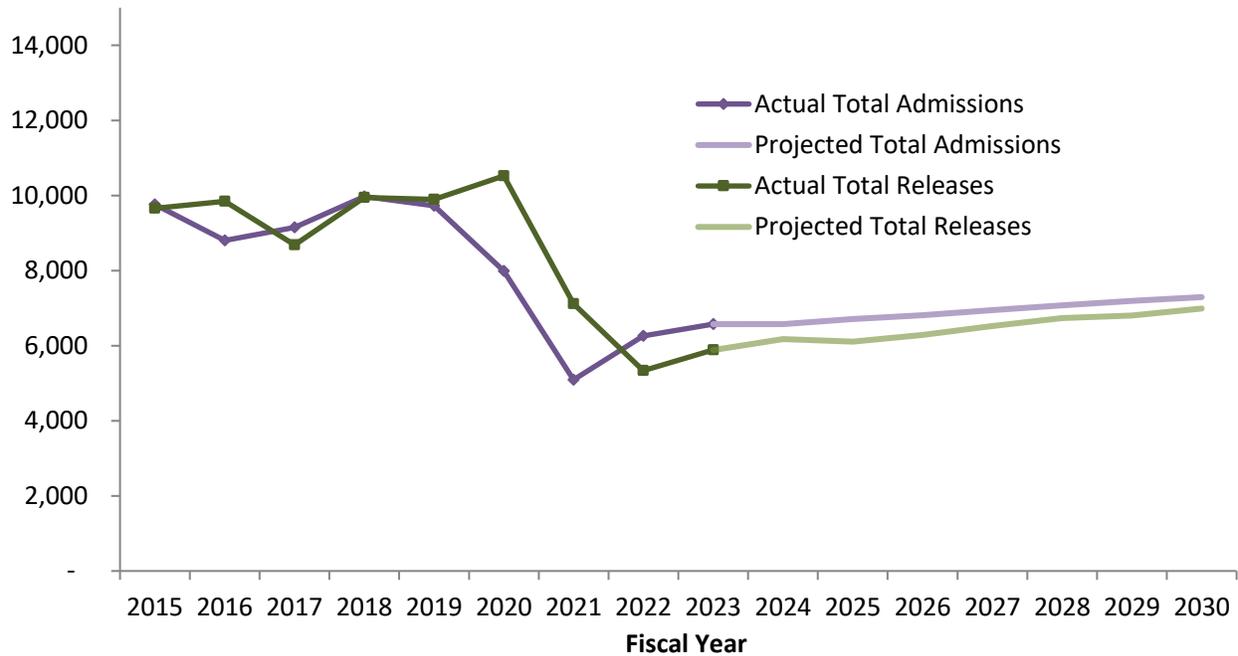


*Data source: Actual prison admission/release figures: Colorado Department of Corrections Monthly Capacity and Population Reports. Available at: https://www.colorado.gov/pacific/cdoc/departmental-reports-and-statistics*

**Figure 4. Colorado prison admission detail: actual and projected FY 2015 through FY 2030**
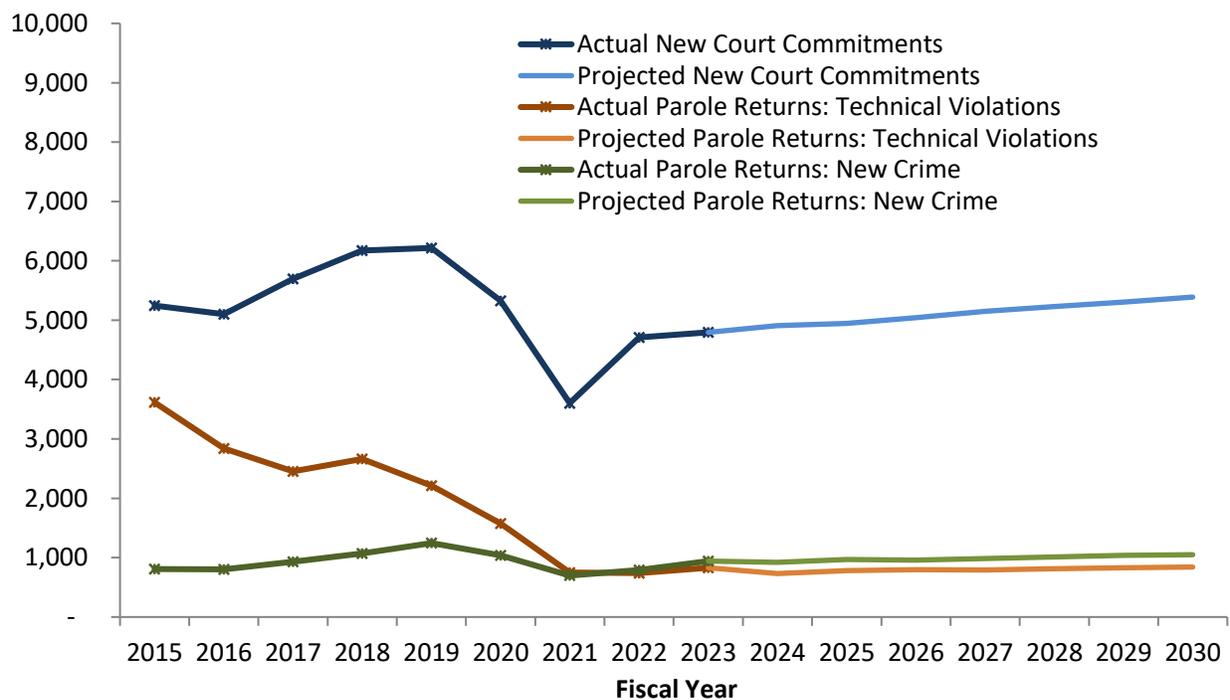


*Data source: Actual prison admission figures: Colorado Department of Corrections Monthly Capacity and Population Reports. Available at: https://www.colorado.gov/pacific/cdoc/departmental-reports-and-statistics*

**Figure 5. Colorado prison release detail: Actual and projected FY 2015 through FY 2030**
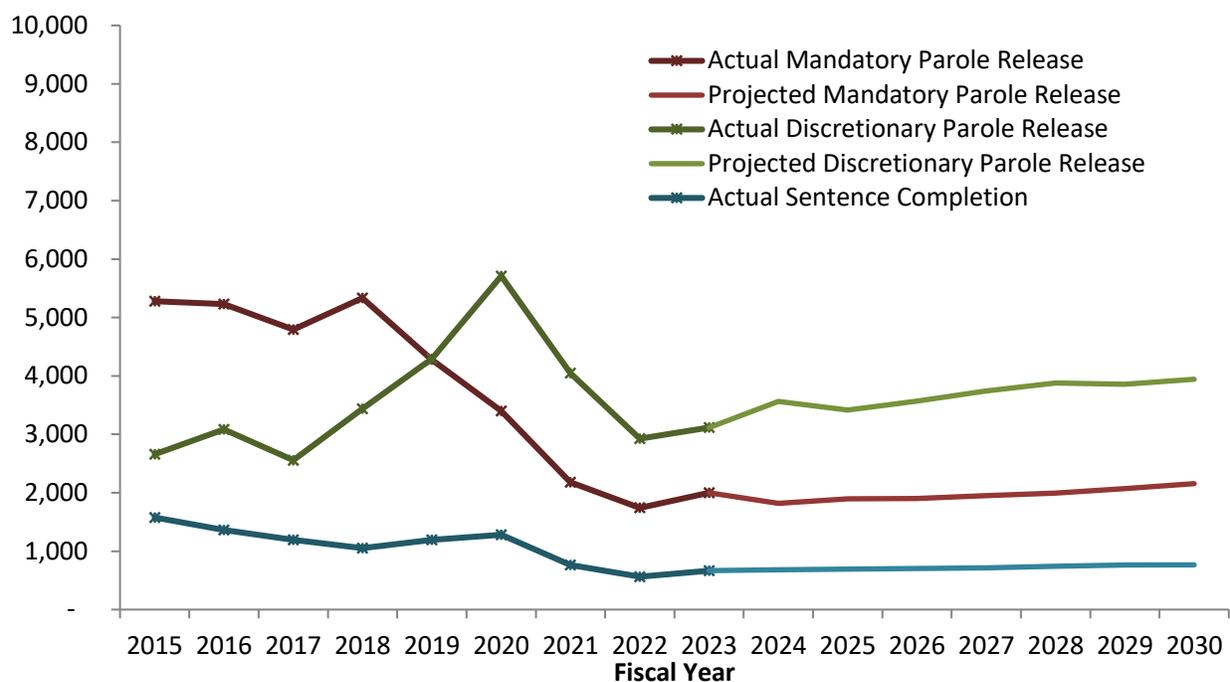


*Data source: Actual prison discharge figures: Colorado Department of Corrections Monthly Capacity and Population Reports. Available at: https://www.colorado.gov/pacific/cdoc/departmental-reports-and-statistics*

## Adult Parole Caseload Forecast

The two components used when forecasting future parole caseloads are the expected numbers of releases to parole, and their length of stay on parole. These may vary greatly depending on a number of factors, such as profiles of releases to parole, legislation, parole board policies, community resources and parole success or failure rates.

Table 5 displays the current DCJ forecast for the domestic parole caseload through the end of FY 2030, while Figure 6 displays the year-end caseloads for fiscal years 2015 through 2023, and the projected year-end caseloads for fiscal years 2024 through 2030.

While the parole caseload forecast developed in December 2022 did indicate a decline in the parole caseload, the degree of decline was overestimated for FY 2023 due to an influx of releases to parole in the second half of the year. While growth is projected in upcoming years, the current forecast adjusts future expectations downward based on modifications to the projected growth of the prison population and additional factors described in the next section.

The caseload is expected to demonstrate slow growth beginning in FY 2024 and continuing throughout the forecast horizon. The forecast indicates an increase of 3.5%, with the caseload reaching 7,558 parolees by the end of FY 2024. Over the upcoming 7 years, the caseload is expected to reach 9,149, an increase of 25.3%.

**Table 5. DCJ December 2023 adult domestic parole caseload projection FY 2023 through FY 2030**

| Fiscal Year End | Domestic Parole Caseload | Annual Growth |
|---|---|---|
| *2023** | *7,300* | *-7.15%* |
| 2024 | 7,558 | 3.54% |
| 2025 | 7,756 | 2.61% |
| 2026 | 8,067 | 4.02% |
| 2027 | 8,258 | 2.37% |
| 2028 | 8,612 | 4.28% |
| 2029 | 8,880 | 3.11% |
| 2030 | 9,149 | 3.03% |

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

**Figure 6. Historical and projected end of fiscal year domestic parole caseload FY 2015 through FY 2030**
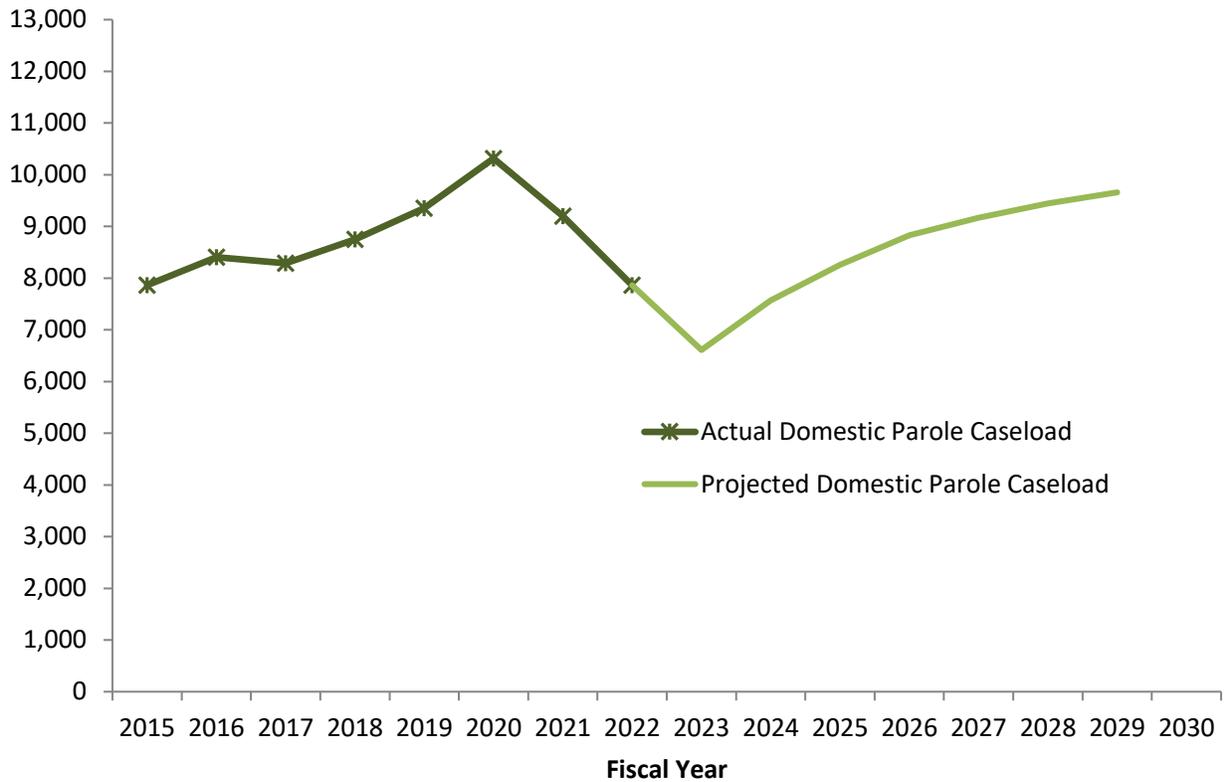


*Data Source: Historical data obtained from the Colorado Department of Corrections Monthly Population and Capacity Reports.*

## Prison population and parole caseload forecasts: trends and factors

Figure 7 displays the quarterly inmate population spanning FY 2012 through FY 2023. After decades of continuous growth, the population began to decrease in FY 2010, largely due to legislation passed in 2010 which diverted a significant number of offenders from prison and shortened sentence lengths (House Bills 2010-1338, 1352, 1413, 1373, 1374). This decline accelerated in FY 2012 and FY 2013, in the wake of additional legislation passed between 2011 and 2012 which expanded earned time, shortened the length of stay in prison for technical parole violators, and provided for the early parole of certain inmates (HB 12-1223 and SB 11-241). However, this decline stabilized in the fourth quarter of FY 2013, and was followed by a period of growth across FY 2014 into early FY 2015.

This interval of growth once again reversed, with the population declining through March of 2016. This decline was attributable to a reduction in parole returns, which in turn was partially due to legislation passed in 2014 and 2015. This legislation directed DOC to provide reentry services to offenders, and required the use of alternative sanctions for parole violations prior to revocation (HB 14-1355 and SB 15-124). Additionally, policies implemented within the Division of Parole lead to further reductions in parole revocations during FY 2016. At the end of this period, the population reached 19,550. At the time, this was the lowest month-end figure observed since 2003. However, the population began increasing through the remainder of FY 2016 and throughout FY 2017. A brief decline occurred in August and September of 2018, coinciding with the appointments of new parole board positions. Subsequently the population remained relatively stable, with small decreases evident across FY 2019 and early FY 2020. However, with the onset of the COVID-19 pandemic at the end of FY 2020, the decline in the population drastically accelerated. In the twelve months following March 2020, the population fell by 19.0%, to 15,670 inmates. By the end of FY 2021, the population fell further to 15,434 inmates. This is the lowest inmate population seen in Colorado in the past 25 years.

Growth in the prison population returned throughout FY 2022 and FY 2023. By the end of FY 2022 the population reached 16,361, a 6.0% increase over the population size at the end of the prior fiscal year. This growth was initially associated with increases in new commitments to prison which increased by 30.7% in FY 2022 alone. This increase was expected with the normalizing of court operations following the disruptions of 2020, and the 42.0% decline in new commitments across fiscal years 2020 and 2021.

**Figure 7. Quarterly inmate population FY 2012 through FY 2023**
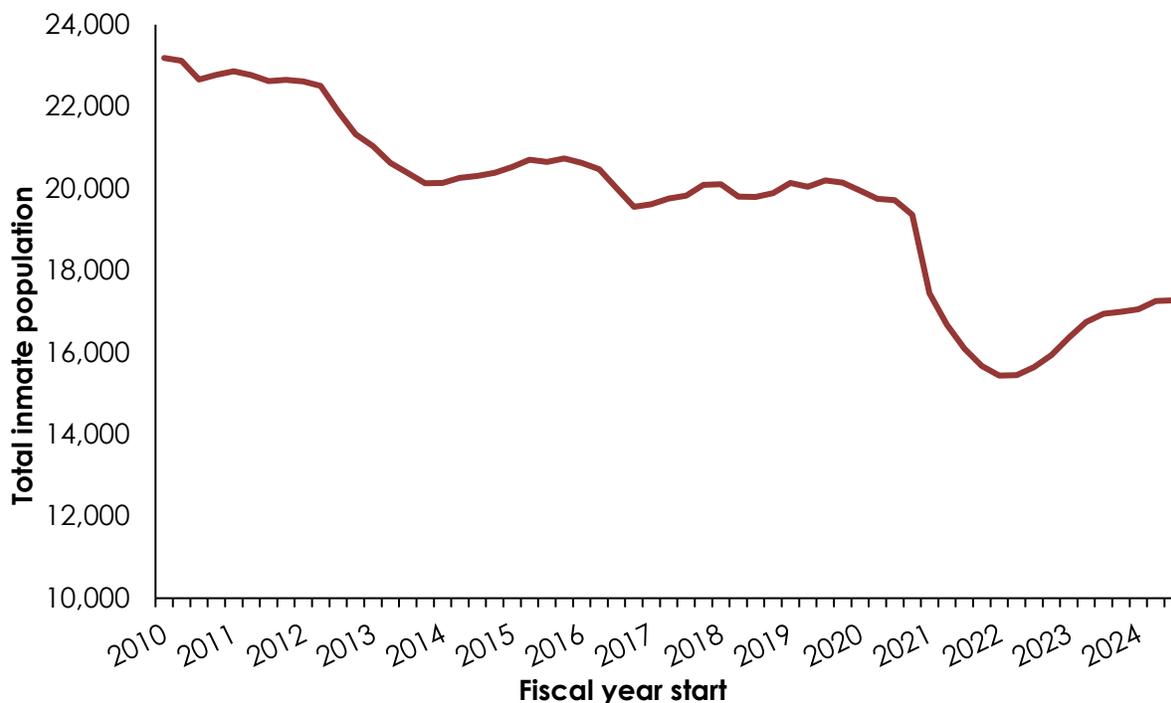


*Data source: Colorado Department of Corrections Monthly Capacity and Population Reports. Available at:*
*https://www.colorado.gov/pacific/cdoc/departmental-reports-and-statistics*

While admissions were increasing, the number of releases from prison declined by 25.1% (See Figure 5). This reduction in releases was expected given the increase in the number of prisoners released in April and May of 2020 in response to efforts to contain the COVID-19 pandemic. By the end of FY 2023, the population reached 17,054, an additional 4.2% increase.

However, the rate of growth in the inmate population consistently slowed throughout the year, particularly in the last half of FY 2023. The first 3 months of FY 2024 demonstrated some indications of a return to growth, but this was short-lived with little or negative growth seen since. Further detail regarding influential factors contributing to this pattern, as well as to expectations for future growth are outlined below.

***Admissions***

Overall admissions remain far below the numbers seen prior to FY 2021. It was previously expected that new commitments would increase and approach levels observed prior to the interruptions in court operations induced by the COVID-19 pandemic. However, while strong growth did appear following November of 2020, this trend dissipated by March 2022 and has remained very flat since.

Monthly new court commitments remained very stable in late FY 2023 and early FY 2024, and actually declined in recent months (September through December of 2023). Thirteen percent fewer new commitments occurred over these 4 months than were seen over the prior 4 months.

The number of criminal court filings, traditionally correlated with the number of new commitments to prison in the future, fell steadily throughout FY 2020, even prior to the events of April 2020. This decline

leveled somewhat in FY 2021 and while the number of monthly filings was expected to rebound somewhat, they have remained at numbers far below those seen in many years.

A major causative factor driving this reduction lies with the passage of HB 2019-1263 and HB 2020-1019, both enacted March 2020. These bills had a substantial impact on the reduction in felony filings and consequently new commitments to prison. The simultaneity of the implementation of this legislation and the onset of the COVID-19 pandemic lead to dramatic reductions in new court prison admissions. However, it has become apparent that the longer-term impact of these two pieces of legislation has outweighed the impact of the pandemic.

The reductions in criminal filing are to a large extent due to the diversion of many drug filings, and to a lesser degree escape filings, from criminal to county courts due to these two pieces of legislation. As shown in Figure 8, the reduction in total criminal filings is directly correlated with the reduction in filings for these two crimes. The numbers of filings for all other crimes has remained very consistent.

Consequently, new commitments for low-level felony drug crimes fell 79.3% over the past 3 years, from 7.4% of all new commitments in FY 2019 to 2.0% in FY 2023. Likewise, new commitments for escape crimes have fallen 96.0% in the same time frame, falling from 6.0% to 0.3% over the same time frame. As many parole returns were formerly associated with new escape convictions, this proportion has fallen from 24.8% to 8.3% of parole returns with new crimes. Overall admissions with escape convictions fell by 87.6%.

**Figure 8. Trends in criminal filings: comparing drug- and escape-related cases to all other case types**
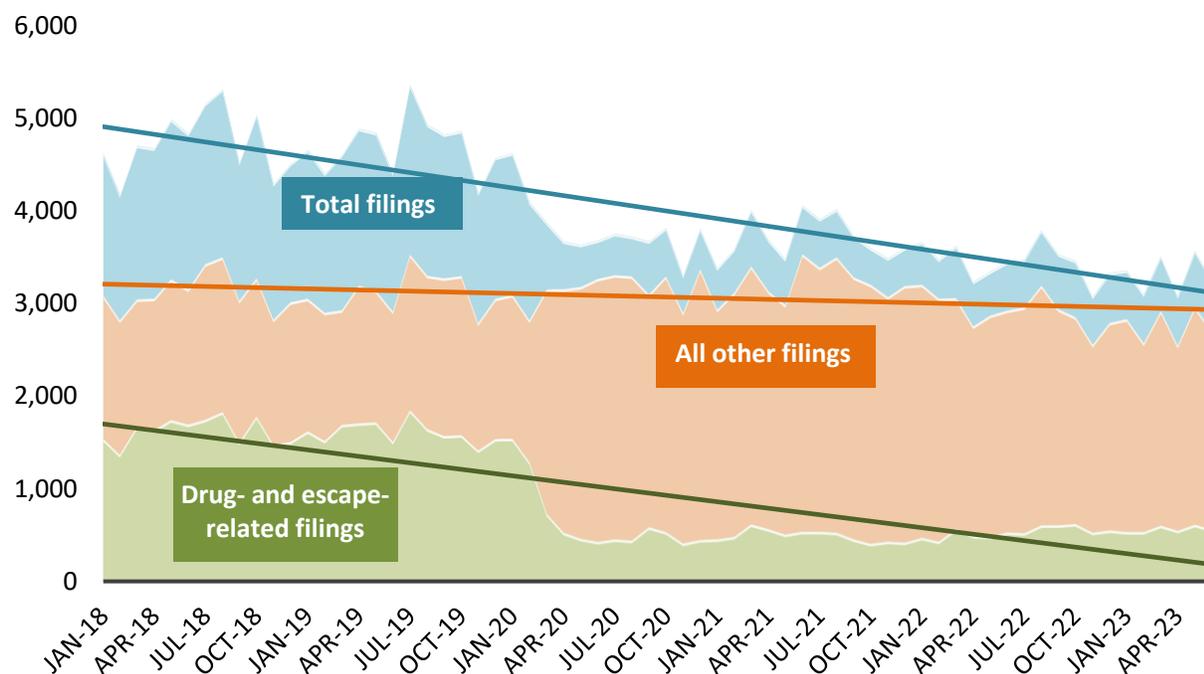


Source: Data concerning criminal court filings are extracted from the Judicial Branch's information management system and analyzed by DCJ's Office of Research and Statistics.

Parole returns also declined greatly in April and May of 2020. While they were expected to increase and return to the levels observed prior to the onset of the pandemic, this has not occurred and the monthly

numbers of revocations has remained below those seen prior to April 2020. This pattern is observed with returns for both technical violations and for new crimes. However, as shown in Figure 9, this is particularly the case with technical violations. It is notable that during this time the parole caseload has remained stable, and this pattern is also observed in the ratio of parole revocations to the parole caseload.

In addition, the proportion of admissions due to parole returns with a new crime has risen in correspondence with the decline in revocations for technical violations, such that they now represent equal proportions of prison admissions. As parole returns with a new crime will remain in prison for a longer time than those returned for a technical violation, the impact of reducing parole revocations on reducing the overall prison population is further moderated.

**Figure 9. Parole returns to prison: 3-month moving average**
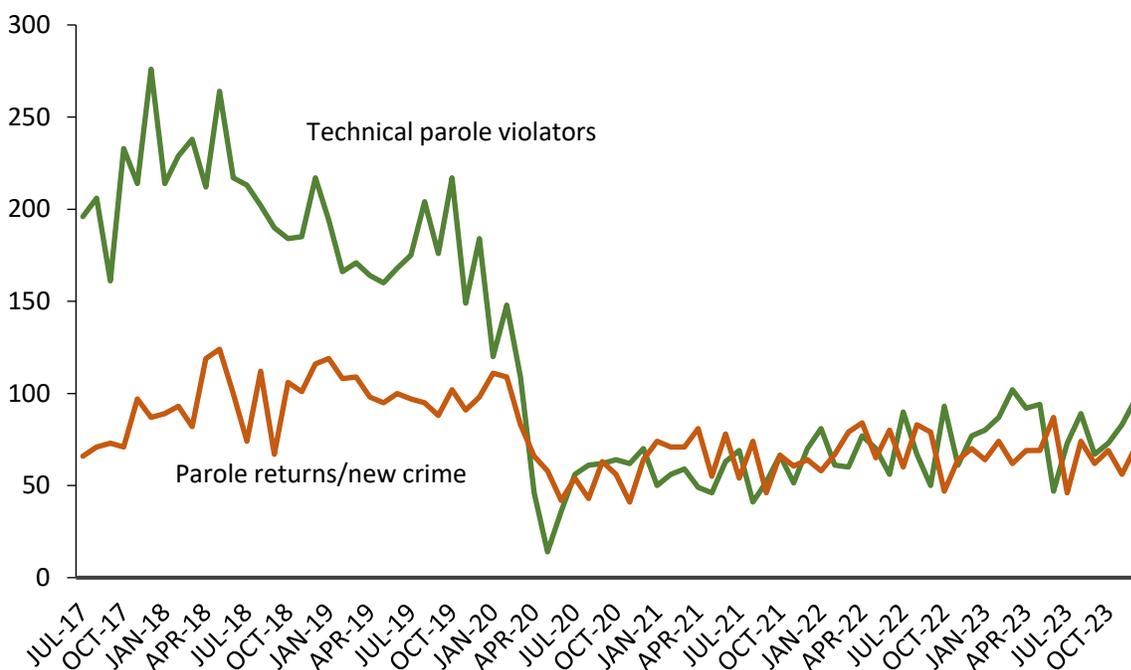


*Data source: Colorado Department of Corrections Monthly Capacity and Population Reports. Available at:*
*https://www.colorado.gov/pacific/cdoc/departmental-reports-and-statistics*

A contributing factor in this reduction of parole returns lies with the passage of SB 19-143, which limited the circumstances under which a parolee may be revoked for a technical parole violation. This legislation also eliminated the determinate periods of time a parolee could be returned to prison. Consequently, while the numbers of revocations dropped, the length of stay in prison for these revocations increased steadily from 6.4 months in FY 2018 to 12.2 months in FY 2022, a 90.6% increase (Figure 10). This average fell slightly in FY 2023, to 11.0 months. However, the impact of reducing parole revocations on reducing the overall prison population is moderated by these increases in the length of stay in prison for these admissions.

**Figure 10. Average months in prison after revocation for technical violations of parole by year of release**
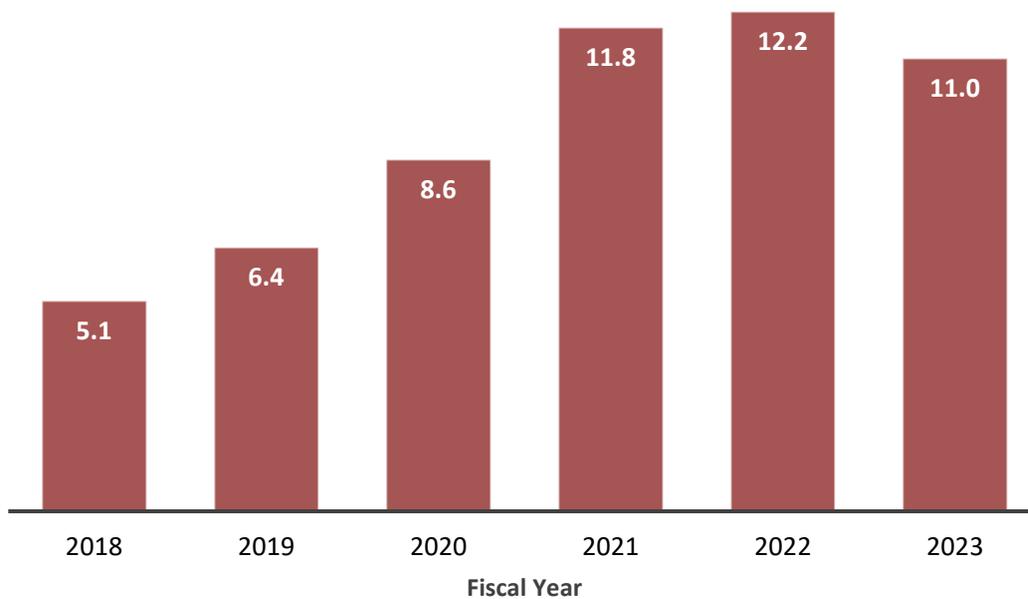


*Data source: Data provided by the Colorado Department of Corrections and analyzed by the Division of Criminal Justice Office of Research and Statistics.*

Even though revocations remain far below the numbers seen prior to FY 2020, the number of admissions due to parole returns for technical violations did increase by 27.0% in FY 2023, contributing to the 4.2% increase in the inmate population.

*Releases*

Releases, particularly discretionary parole releases, decreased across fiscal years 2021 and 2022 (Figure 5). This decline was expected with the pool of parole-eligible inmates depleted in the in the wake of the push to release eligible prisoners in response to the COVID-19 pandemic. During this time the number of discretionary releases jumped 120.5% in April 2020 alone. However, with the return to growth in the prison population in FY 2022, more inmates once again became parole-eligible and such releases consistently increased throughout most of FY 2023.

While the population remained very stable, discretionary releases began to fall in the final quarter of FY 2023. However, an unexpected jump in such releases occurred in early FY 2024, due to changes in parole board decision-making. If the current trend continues, such releases are estimated to increase 22.0% over the number seen in FY 2023.

Additionally, after 3.5 years of decline, mandatory parole releases increased in mid-FY 2023, contributing to a 15.0% increase by year-end. This pattern reversed, demonstrating a decline in early FY 2024 with mandatory releases on track to fall 24.2% by the end of the year. However, this decline is outweighed by the impact of the increase in discretionary releases.

***Women in prison***

While overall growth in the population has been moderated from that expected in the December 2022 forecast, the current projected growth rate for the female population has been curbed to a greater degree over than that of the male prison population. The proportion of the prison population made up of women began to decline slightly in FY2020. This decline was much accelerated in April 2020, falling from 9.9% to 7.9% by the end of FY 2021. This percentage increased sharply in early FY 2022 and at the time of the prior forecast was expected to continue and approach pre-pandemic levels. However, the proportion of the population remained very stable through the end of FY 2022, prior to a return to consistently increasing throughout FY 2023 and reaching 8.5%.

The decline observed in 2020 may have been due to disproportionate responses to the COVID-19 pandemic, as well as to legislation impacting female offenders more than male. Legislation concerning escape and low-level drug crimes has affected admissions of women to a greater degree than male admissions, as these two crimes were formerly major drivers of the female prison population. Prior to the end of FY 2020, escape crimes accounted for approximately 13% of all female admissions, and approximately 8% of all male admissions. These proportions began to fall in late FY 2020, coinciding with the effective date of House Bill 20-1019 which limited conditions under which one could be charged with felony escape. Currently 1.5% of all admissions, both male and female, are for escape.

House Bill 19-1263 reduced a number of level 4 drug felonies to misdemeanors. Low-level drug crimes accounted for approximately 10% of female admissions prior to FY 2020. However, such crimes now account for only 4.4% of all female admissions. In comparison, the proportion of male admissions for these crimes fell from 5.8% to 1.3%. As these two categories of crimes were formerly major drivers of the female prison population, the proportion of the inmate population made up of women is likely to remain somewhat lower than seen prior to 2020.

The proportion of criminal filings involving female defendants remained very consistent, averaging 23.9% over the five years prior to FY 2021, but fell to 20.8% in FY 2022 and FY 2023. It remains to be seen whether this will have any impact on the numbers of women sentenced to prison.

***Parole***

The proportion of the total jurisdictional population comprised of the domestic parole caseload was increasing prior to March of 2020 and the onset of the COVID-19 pandemic. Over the following few months, this ratio increased greatly as the department responded to the need to isolate and provide physical distancing for the inmate population by releasing low-risk inmates to parole.

This effort resulted in a 7.6% increase in the caseload in the last quarter of FY 2020. The caseload began to fall by September 2020, with a consistent decline occurring over the following 28 months. Over this time the caseload fell by 30.3%, reaching 7,183 by December 2022. This is the lowest caseload observed over the last decade.

This decline was expected as the pool of inmates eligible for parole had been depleted. Fewer releases were occurring while at the same time those previously on the caseload were completing their parole terms and discharging from parole.

The caseload grew very slightly throughout the remainder of FY 2023, and has remained very stable over the following few months. To date, the caseload still remains much lower than the figures seen prior to 2020.

The absconder population, which grew 83.7% over calendar year 2020 has remained at this elevated level for the past three years. It was previously believed this was related to the COVID-19 pandemic and that this proportion would normalize and return to the numbers seen prior to 2020, but this appears to be a new standard. This contributes somewhat to a reduction in the domestic parole caseload.

Based on these trends, along with the expectation of slower growth in the prison population, the domestic parole caseload forecast has been moderated from those presented in prior parole caseload forecasts.

***Future trends***

As previously stated, the current DCJ prison population forecasts have been adjusted significantly downward from those previously published. It appears many of the reductions seen in admissions of all anticipated types and increases in releases seen in recent years may be due to systemic changes rather than strictly induced by responses to the COVID-19 pandemic. This may all reverberate from legislation, policy and practice changes, and court operations.

Reductions in parole revocations with a new crime, and to a lesser degree those due to technical violations, are expected in FY 2024 and early FY 2025. This is due to the reductions in releases to parole in the most recent two fiscal years, as well as an increase in criminal court case processing times. As these pick up in the following years, an increase in those discharging their sentences rather than being re-released to parole may be expected.

As previously stated, parole returns of both types fell greatly in FY 2020 due to both the impact of the COVID-19 pandemic and SB 19-143. The number of returns due to technical violations has remained at this lowered level, at least in part due to SB 19-143. The proportion of releases to parole that are expected to return to prison in future years is expected to remain at this lowered level.

The proportion of parole releases that are returned for new crimes, however, has returned to the levels observed in prior years. It is possible an increase in such admissions could be related to the reduction in technical returns.

Even though expectations for overall admissions remain far below the numbers projected in the past, admissions do consistently outpace releases so continued growth is almost assured. The prison population is expected to increase 17.7% by the end of FY 2030.

The ratio of the parole caseload to the inmate population is anticipated to slowly increase to the levels seen prior to FY 2020. This in combination with the expected increase in the prison population leads to the expectation of a 25.3% increase in the parole caseload by the end of FY 2030.

# Section 3: Length of Stay Estimates for Prison and Parole Admissions during FY 2023

Tables 6 through 12 display the estimated average length of stay (ALOS) for admissions to prison during FY 2023. These figures are broken out by crime category and felony class, with separate tables provided for new court commitments and for parole returns with a new crime, for men and for women, and for these populations combined. Parole returns due to technical parole violations are excluded from all tables. Totals by admission type, gender, and overall are presented in Tables 13 and 14.

The average time that these new admissions are expected to remain in prison is estimated using data provided by the Department of Corrections regarding conviction crimes and sentence length for prison intakes during FY 2023, in combination with data concerning time actually served for inmates released during the same year or, in cases with inadequate numbers of releases, prior years.

Estimates for the length of stay on parole are presented in Table 15. These figures include only new admissions to parole, and exclude any parolees who have had their parole revoked and were returned to prison with a new felony conviction. Length of stay on parole is defined as the number of months between initial release to parole and sentence discharge. Thus, time spent in prison following revocation due to technical parole violations is included.

The estimates provided regarding the length of stay on parole for the Sex Offender Act category must be viewed with caution. This category includes those subject to the Sex Offender Supervision Act of 1998, which carries a minimum parole term of 10 years up to the remainder of the offender's life for those convicted of a class 4 felony. For those convicted of class 2 or 3 felonies, the parole term is 20 years to life.

According to data provided by the Department of Corrections, 2,997 individuals subject to the act have been committed as of the end of FY 2023 (54 individuals have been admitted more than once, most often following a court ordered discharge or release to probation). A total of 1,411 of these have been released to parole. A significant number (n=157) have had their parole revoked and were returned to prison with a new crime. Almost half of these (n=73 ) were not subject to lifetime supervision when first committed, but returned with a new conviction prompting this designation.

Of the 1,411 sex offenders under the Act who were paroled, 87 have received an early or mandatory discharge from parole, and an additional 75 died while on parole. There were 283 who were supervised out of state.

Of those who successfully discharged their parole, the average time between admission to prison to parole release was 9 years, with a maximum of 25 years. The average time these offenders spent on parole prior to discharge was 10 years, with a maximum of 14 years. Of those currently on parole, the average time on parole to date has been only 5 years, with a maximum of 16 years.

The average time in prison for those not yet paroled is currently 10 years, with a maximum of 23 years. Three-quarters of this population have been incarcerated for under 15 years. Just over half (52.7%) have served less than 10 years.

Since 2016, two-thirds of those released to parole were convicted of a felony 4 offense, which carries a parole term of 10 years to life. The remaining one-third were convicted of felony 2 and 3 offenses, which carry a parole term of 20 years to life. However, of those remaining in prison at the end of FY 2023, only one-third were convicted of felony 4 offenses, with the remainder convicted of felony 2 and 3 offenses.

While the Act was implemented over 20 years ago, too few of these offenders have been discharged from parole to be representative of those currently being granted parole. With the majority having a 10-year average stay in prison and a 20-year minimum parole term, the pool of these parolees eligible for discharge will remain very small for many years to come. This significantly impairs the ability to make a reliable estimate of how long these offenders will remain on parole. The length of stay estimate provided here was calculated assuming 100% of statutory minimums will be served. It is possible this percentage will be larger, but to what degree is impossible to estimate at this time.

Additional notes and definitional information for Tables 6 through 12 are necessary to accurately interpret the information provided in these tables. The list below provides details that apply to all of the tables and is numbered to coincide with the referenced superscript.

### *Definitions and detail concerning estimates of length of stay in prison*

1. For the calculation of these estimates, length of stay is capped at 40 years.
2. 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. Additionally, offenders sentenced under obsolete laws are excluded.
3. The "Ext" category refers to offenses defined by statute as "extraordinary risk of harm offenses" per C.R.S 18-1.3-401(10)(b) and does not include all crimes that might be considered violent.
4. Convicted sexual offenders typically serve more time, though some sexual crimes are considered extraordinary risk crimes. Therefore, this group is identified separately. Sexual offenders convicted under the Colorado Sex Offender Lifetime Supervision Act of 1998 and subject to lifetime supervision are presented as a separate category and are excluded here.
5. "Other" includes all crimes except sex, drug, and extraordinary risk crimes. Examples include theft, burglary, motor vehicle theft, forgery, and fraud. Additionally, crimes that may be considered violent but are not considered extraordinary risk are included. Examples include (but are not limited to) manslaughter and some assaults and robberies.
6. 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 excluded.
7. Includes admissions convicted of felony 3 sex, drug, extraordinary risk, and other crimes, with the exception of habitual offenders and sex offenders convicted under the sex offender act. These are excluded from the overall felony class categories.
8. Includes admissions convicted of felony 4 sex, drug, extraordinary risk, and other crimes, with the exception of habitual offenders and sex offenders convicted under the sex offender act.
9. Includes admissions convicted of felony 5 sex, drug, extraordinary risk, and other crimes, with the exception of habitual offenders and sex offenders convicted under the sex offender act.
10. Includes admissions convicted of felony 6 sex, drug, extraordinary risk, and other crimes, with the exception of habitual offenders and sex offenders convicted under the sex offender act.

11. Includes admissions sentenced under the Uniform Controlled Substances Act of 2013, which created a new series of drug felony levels described under Article 18 of the Colorado Criminal Code. Drug crimes committed after June 30, 2013 are included in these categories. These do not correspond to the felony classes of non-drug crimes, nor those of drug crimes committed prior to July 1, 2013.

12. As few offenders sentenced under this crime category have been released from prison, little data are available on which to base these estimates. Therefore, the estimated length of stay was calculated using release data from similar crime types with comparable sentence lengths.

13. Includes admissions convicted of crimes under the Uniform Controlled Substances Act of 2013, but which are also defined by statute as "extraordinary risk of harm offenses" per C.R.S 18-1.3-401(10)(b).

14. Includes all admissions sentenced under the Uniform Controlled Substances Act of 2013.

15. Includes all admissions with habitual criminal sentence enhancers per C.R.S. 16-13-101, C.R.S. 18-3-412, and C.R.S. 18-3-401.2. These cases are excluded from the extraordinary risk, sex, drug, and other crime categories as well as the data for each of the overall felony classes.

16. Includes admissions sentenced under the Colorado sex offenders act per C.R.S. 18-1.3-904, or the Colorado Sex Offender Lifetime Supervision Act of 1998 per C.R.S. 18-1.3-1004. These cases are subject to indeterminate sentences, and are excluded from the other sex crime categories as well as from the data for each of the overall felony classes.

**Table 6. Estimated average length of stay for FY 2023 new commitments**

| Offense category | Average length of stay (months)[1] | Number of new commitments[2] | Percent of all new commitments | Average length of stay effect (months) |
|---|---|---|---|---|
| Felony 1 | 480.00 | 53 | 0.99% | 4.73 |
| F2 Ext[3] | 162.47 | 143 | 2.66% | 4.32 |
| F2 Sex[4] | 0.00 | 0 | 0.00% | 0.00 |
| F2 Other[5] | 73.96 | 25 | 0.46% | 0.34 |
| Total Felony 2[6] | 149.30 | 168 | 3.20% | 4.77 |
| F3 Ext | 103.53 | 193 | 3.59% | 3.72 |
| F3 Sex | 85.57 | 61 | 1.13% | 0.97 |
| F3 Other | 46.67 | 147 | 2.73% | 1.28 |
| Total Felony 3[7] | 79.95 | 401 | 7.63% | 6.10 |
| F4 Ext | 38.46 | 548 | 10.19% | 3.92 |
| F4 Sex | 30.41 | 32 | 0.60% | 0.18 |
| F4 Other | 23.59 | 818 | 15.21% | 3.59 |
| Total Felony 4[8] | 29.57 | 1398 | 26.60% | 7.87 |
| F5 Ext | 15.63 | 258 | 4.80% | 0.75 |
| F5 Sex | 27.57 | 73 | 1.36% | 0.37 |
| F5 Other | 13.69 | 1015 | 18.88% | 2.58 |
| Total Felony 5[9] | 14.81 | 1346 | 25.61% | 3.79 |
| F6 Ext | 11.87 | 133 | 2.47% | 0.29 |
| F6 Sex | 9.22 | 19 | 0.35% | 0.03 |
| F6 Other | 7.83 | 486 | 9.04% | 0.71 |
| Total Felony 6[10] | 8.71 | 638 | 12.14% | 1.06 |
| Drug Felony (DF) Level 1[11,12] | 67.31 | 15 | 0.28% | 0.19 |
| DF Level 2[12] | 28.44 | 3 | 0.06% | 0.02 |
| DF Level 3[12] | 10.08 | 3 | 0.06% | 0.01 |
| DF Level 4 | 4.48 | 64 | 1.19% | 0.05 |
| Ext DF Level 1[12,13] | 47.84 | 91 | 1.69% | 0.81 |
| Ext DF Level 2 | 32.42 | 188 | 3.50% | 1.13 |
| Ext DF Level 3 | 18.28 | 98 | 1.82% | 0.33 |
| Ext DF Level 4 | 6.75 | 22 | 0.41% | 0.03 |
| Total Drug Felony[14] | 28.51 | 484 | 9.21% | 2.63 |
| Total excluding Habitual and Sex Offender Act categories | 36.37 | 4488 | 85.39% | 31.06 |
| Habitual15[15] | 127.46 | 12 | 0.22% | 0.28 |
| Sex Offender Act16[16] | 216.08 | 87 | 1.62% | 3.50 |
| Total including Habitual and Sex Offender Act categories | 40.02 | 4587 | 85.31% | 34.14 |

**Table 7. Estimated average length of stay for FY 2023 male new commitments**

| Offense category | Average length of stay (months)[1] | Number of new commitments[2] | Percent of all new commitments | Average length of stay effect (months) |
|---|---|---|---|---|
| Felony 1 | 480.00 | 50 | 0.93% | 4.46 |
| F2 Ext[3] | 163.76 | 126 | 2.34% | 3.84 |
| F2 Sex[4] | 0.00 | 0 | 0.00% | 0.00 |
| F2 Other[5] | 79.53 | 21 | 0.39% | 0.31 |
| Total Felony 2[6] | 151.73 | 147 | 2.80% | 4.24 |
| F3 Ext | 107.15 | 171 | 3.18% | 3.41 |
| F3 Sex | 86.21 | 60 | 1.12% | 0.96 |
| F3 Other | 47.23 | 128 | 2.38% | 1.12 |
| Total Felony 3[7] | 82.28 | 359 | 6.83% | 5.62 |
| F4 Ext | 39.42 | 499 | 9.28% | 3.66 |
| F4 Sex | 30.41 | 32 | 0.60% | 0.18 |
| F4 Other | 24.48 | 657 | 12.22% | 2.99 |
| Total Felony 4[8] | 30.92 | 1188 | 22.60% | 6.99 |
| F5 Ext | 15.84 | 241 | 4.48% | 0.71 |
| F5 Sex | 27.57 | 73 | 1.36% | 0.37 |
| F5 Other | 14.10 | 838 | 15.58% | 2.20 |
| Total Felony 5[9] | 15.32 | 1152 | 21.92% | 3.36 |
| F6 Ext | 11.91 | 127 | 2.36% | 0.28 |
| F6 Sex | 9.22 | 19 | 0.35% | 0.03 |
| F6 Other | 7.83 | 409 | 7.61% | 0.60 |
| Total Felony 6[10] | 8.81 | 555 | 10.56% | 0.93 |
| Drug Felony (DF) Level 1[11,12] | 66.53 | 13 | 0.24% | 0.16 |
| DF Level 2[12] | 28.44 | 3 | 0.06% | 0.02 |
| DF Level 3[12] | 7.55 | 2 | 0.04% | 0.00 |
| DF Level 4 | 4.88 | 42 | 0.78% | 0.04 |
| Ext DF Level 1[12,13] | 48.78 | 84 | 1.56% | 0.76 |
| Ext DF Level 2 | 32.97 | 169 | 3.14% | 1.04 |
| Ext DF Level 3 | 19.26 | 80 | 1.49% | 0.29 |
| Ext DF Level 4 | 7.15 | 15 | 0.28% | 0.02 |
| Total Drug Felony[14] | 30.61 | 408 | 7.76% | 2.38 |
| Total excluding Habitual and Sex Offender Act categories | 38.25 | 3859 | 73.42% | 28.08 |
| Habitual[15] | 127.46 | 12 | 0.22% | 0.28 |
| Sex Offender Act[16] | 216.08 | 87 | 1.62% | 3.50 |
| Total including Habitual and Sex Offender Act categories | 42.43 | 3958 | 73.61% | 31.23 |

**Table 8. Estimated average length of stay for FY 2023 female new commitments**

| Offense category | Average length of stay (months)[1] | Number of new commitments[2] | Percent of all new commitments | Average length of stay effect (months) |
|---|---|---|---|---|
| Felony 1 | 480.00 | 3 | 0.06% | 0.27 |
| F2 Ext[3] | 152.87 | 17 | 0.32% | 0.48 |
| F2 Sex[4] | 0.00 | 0 | 0.00% | 0.00 |
| F2 Other[5] | 44.68 | 4 | 0.07% | 0.03 |
| Total Felony 2[6] | 132.27 | 21 | 0.40% | 0.53 |
| F3 Ext | 75.40 | 22 | 0.41% | 0.31 |
| F3 Sex | 47.00 | 1 | 0.02% | 0.01 |
| F3 Other | 42.96 | 19 | 0.35% | 0.15 |
| Total Felony 3[7] | 60.05 | 42 | 0.80% | 0.48 |
| F4 Ext | 28.73 | 49 | 0.91% | 0.26 |
| F4 Sex | 0.00 | 0 | 0 | 0.00 |
| F4 Other | 19.92 | 161 | 2.99% | 0.60 |
| Total Felony 4[8] | 21.98 | 210 | 4.00% | 0.88 |
| F5 Ext | 12.53 | 17 | 0.32% | 0.04 |
| F5 Sex | 0.00 | 0 | 0 | 0.00 |
| F5 Other | 11.77 | 177 | 3.29% | 0.39 |
| Total Felony 5[9] | 11.84 | 194 | 3.69% | 0.44 |
| F6 Ext | 10.96 | 6 | 0.11% | 0.01 |
| F6 Sex | 0.00 | 0 | 0 | 0.00 |
| F6 Other | 7.78 | 77 | 1.43% | 0.11 |
| Total Felony 6[10] | 8.01 | 83 | 1.58% | 0.13 |
| Drug Felony (DF) Level 1[11,12] | 72.37 | 2 | 0.04% | 0.03 |
| DF Level 2[12] | 0.00 | 0 | 0 | 0.00 |
| DF Level 3[12] | 15.13 | 1 | 0.02% | 0.00 |
| DF Level 4 | 3.72 | 22 | 0.41% | 0.02 |
| Ext DF Level 1[12,13] | 36.54 | 7 | 0.13% | 0.05 |
| Ext DF Level 2 | 27.50 | 19 | 0.35% | 0.10 |
| Ext DF Level 3 | 13.92 | 18 | 0.33% | 0.05 |
| Ext DF Level 4 | 5.89 | 7 | 0.13% | 0.01 |
| Total Drug Felony[14] | 17.26 | 76 | 1.45% | 0.25 |
| Total excluding Habitual and Sex Offender Act categories | 24.85 | 629 | 11.97% | 2.97 |
| Habitual[15] | 0.00 | 0 | 0 | 0.00 |
| Sex Offender Act[16] | 0.00 | 0 | 0 | 0.00 |
| Total including Habitual and Sex Offender Act categories | 24.85 | 629 | 11.70% | 2.91 |

**Table 9. Estimated average length of stay for FY 2023 parole returns with a new crime**

| Offense category | Average length of stay (months)[1] | Number of new crime returns[2] | Percent of all new crime returns | Average length of stay effect (months) |
|---|---|---|---|---|
| Felony 1 | 480.00 | 3 | 0.06% | 0.27 |
| F2 Ext[3] | 65.11 | 20 | 0.37% | 0.24 |
| F2 Sex[4] | 0.00 | 0 | 0 | 0.00 |
| F2 Other[5] | 40.85 | 5 | 0.09% | 0.04 |
| Total Felony 2[6] | 60.26 | 25 | 0.48% | 0.29 |
| F3 Ext | 35.57 | 60 | 1.12% | 0.40 |
| F3 Sex | 38.77 | 7 | 0.13% | 0.05 |
| F3 Other | 36.87 | 91 | 1.69% | 0.62 |
| Total Felony 3[7] | 36.46 | 158 | 3.01% | 1.10 |
| F4 Ext | 35.96 | 110 | 2.05% | 0.74 |
| F4 Sex | 25.92 | 5 | 0.09% | 0.02 |
| F4 Other | 26.80 | 222 | 4.13% | 1.11 |
| Total Felony 4[8] | 29.77 | 337 | 6.41% | 1.91 |
| F5 Ext | 29.59 | 29 | 0.54% | 0.16 |
| F5 Sex | 22.50 | 6 | 0.11% | 0.03 |
| F5 Other | 19.02 | 162 | 3.01% | 0.57 |
| Total Felony 5[9] | 20.68 | 197 | 3.75% | 0.78 |
| F6 Ext | 12.63 | 4 | 0.07% | 0.01 |
| F6 Sex | 9.50 | 2 | 0.00037 | 0.00 |
| F6 Other | 10.72 | 18 | 0.33% | 0.04 |
| Total Felony 6[10] | 10.93 | 24 | 0.46% | 0.05 |
| Drug Felony (DF) Level 1[11,12] | 24.80 | 1 | 0.02% | 0.00 |
| DF Level 2[12] | 0.00 | 0 | 0 | 0.00 |
| DF Level 3[12] | 0.00 | 0 | 0 | 0.00 |
| DF Level 4 | 0.00 | 0 | 0 | 0.00 |
| Ext DF Level 1[12,13] | 24.04 | 8 | 0.15% | 0.04 |
| Ext DF Level 2 | 35.01 | 12 | 0.22% | 0.08 |
| Ext DF Level 3 | 5.40 | 3 | 0.06% | 0.00 |
| Ext DF Level 4 | 0.00 | 0 | 0.00% | 0.00 |
| Total Drug Felony[14] | 27.23 | 24 | 0.46% | 0.12 |
| Total excluding Habitual and Sex Offender Act categories | 30.90 | 768 | 14.61% | 4.51 |
| Habitual[15] | 32.77 | 6 | 0.11% | 0.04 |
| Sex Offender Act[16] | 80.37 | 16 | 0.30% | 0.24 |
| Total including Habitual and Sex Offender Act categories | 31.91 | 790 | 14.69% | 4.69 |

**Table 10. Estimated average length of stay for FY 2023 male parole returns with a new crime**

| Offense category | Average length of stay (months)[1] | Number of new crime returns[2] | Percent of all new crime returns | Average length of stay effect (months) |
|---|---|---|---|---|
| Felony 1 | 480.00 | 3 | 0.06% | 0.27 |
| F2 Ext[3] | 65.11 | 20 | 0.37% | 0.24 |
| F2 Sex[4] | 0.00 | 0 | 0 | 0.00 |
| F2 Other[5] | 40.85 | 5 | 0.09% | 0.04 |
| Total Felony 2[6] | 60.26 | 25 | 0.48% | 0.29 |
| F3 Ext | 36.67 | 54 | 1.00% | 0.37 |
| F3 Sex | 38.77 | 7 | 0.13% | 0.05 |
| F3 Other | 35.98 | 85 | 1.58% | 0.57 |
| Total Felony 3[7] | 36.37 | 146 | 2.78% | 1.01 |
| F4 Ext | 36.70 | 102 | 1.90% | 0.70 |
| F4 Sex | 21.60 | 4 | 0.07% | 0.02 |
| F4 Other | 27.54 | 196 | 3.65% | 1.00 |
| Total Felony 4[8] | 30.56 | 302 | 5.75% | 1.76 |
| F5 Ext | 30.99 | 27 | 0.50% | 0.16 |
| F5 Sex | 22.50 | 6 | 0.11% | 0.03 |
| F5 Other | 18.86 | 145 | 2.70% | 0.51 |
| Total Felony 5[9] | 20.82 | 178 | 3.39% | 0.71 |
| F6 Ext | 12.63 | 4 | 0.07% | 0.01 |
| F6 Sex | 9.50 | 2 | 0.00037 | 0.00 |
| F6 Other | 11.79 | 16 | 0.30% | 0.04 |
| Total Felony 6[10] | 11.73 | 22 | 0.42% | 0.05 |
| Drug Felony (DF) Level 1[11,12] | 24.80 | 1 | 0.02% | 0.00 |
| DF Level 2[12] | 0.00 | 0 | 0 | 0.00 |
| DF Level 3[12] | 0.00 | 0 | 0 | 0.00 |
| DF Level 4 | 0.00 | 0 | 0 | 0.00 |
| Ext DF Level 1[12,13] | 27.36 | 6 | 0.11% | 0.03 |
| Ext DF Level 2 | 37.10 | 11 | 0.20% | 0.08 |
| Ext DF Level 3 | 5.40 | 2 | 0.04% | 0.00 |
| Ext DF Level 4 | 0.00 | 0 | 0.00% | 0.00 |
| Total Drug Felony[14] | 30.39 | 20 | 0.38% | 0.12 |
| Total excluding Habitual and Sex Offender Act categories | 31.69 | 696 | 13.24% | 4.20 |
| Habitual[15] | 32.77 | 6 | 0.11% | 0.04 |
| Sex Offender Act[16] | 80.37 | 16 | 0.30% | 0.24 |
| Total including Habitual and Sex Offender Act categories | 32.78 | 718 | 13.35% | 4.38 |

**Table 11. Estimated average length of stay for FY 2023 female parole returns with a new crime**

| Offense category | Average length of stay (months)[1] | Number of new crime returns[2] | Percent of all new crime returns | Average length of stay effect (months) |
|---|---|---|---|---|
| Felony 1 | 0.00 | 0 | 0 | 0.00 |
| F2 Ext[3] | 0.00 | 0 | 0 | 0.00 |
| F2 Sex[4] | 0.00 | 0 | 0 | 0.00 |
| F2 Other[5] | 0.00 | 0 | 0 | 0.00 |
| Total Felony 2[6] | 0.00 | 0 | 0 | 0.00 |
| F3 Ext | 25.69 | 6 | 0.11% | 0.03 |
| F3 Sex | 0.00 | 0 | 0 | 0.00 |
| F3 Other | 49.46 | 6 | 0.11% | 0.06 |
| Total Felony 3[7] | 37.58 | 12 | 0.23% | 0.09 |
| F4 Ext | 26.43 | 8 | 0.15% | 0.04 |
| F4 Sex | 43.20 | 1 | 0.00019 | 0.01 |
| F4 Other | 21.20 | 26 | 0.48% | 0.10 |
| Total Felony 4[8] | 23.02 | 35 | 0.67% | 0.15 |
| F5 Ext | 10.68 | 2 | 0.04% | 0.00 |
| F5 Sex | 0.00 | 0 | 0 | 0.00 |
| F5 Other | 20.33 | 17 | 0.32% | 0.06 |
| Total Felony 5[9] | 19.31 | 19 | 0.36% | 0.07 |
| F6 Ext | 0.00 | 0 | 0.00% | 0.00 |
| F6 Sex | 0.00 | 0 | 0 | 0.00 |
| F6 Other | 2.17 | 2 | 0.04% | 0.00 |
| Total Felony 6[10] | 2.17 | 2 | 0.04% | 0.00 |
| Drug Felony (DF) Level 1[11,12] | 0.00 | 0 | 0 | 0.00 |
| DF Level 2[12] | 0.00 | 0 | 0 | 0.00 |
| DF Level 3[12] | 0.00 | 0 | 0 | 0.00 |
| DF Level 4 | 0.00 | 0 | 0 | 0.00 |
| Ext DF Level 1[12,13] | 14.10 | 2 | 0.00037 | 0.01 |
| Ext DF Level 2 | 12.07 | 1 | 0.02% | 0.00 |
| Ext DF Level 3 | 5.40 | 1 | 0.02% | 0.00 |
| Ext DF Level 4 | 0.00 | 0 | 0 | 0.00 |
| Total Drug Felony[14] | 11.42 | 4 | 0.08% | 0.01 |
| Total excluding Habitual and Sex Offender Act categories | 23.24 | 72 | 1.37% | 0.32 |
| Habitual[15] | 0.00 | 0 | 0 | 0.00 |
| Sex Offender Act[16] | 0.00 | 0 | 0.00% | 0.00 |
| Total including Habitual and Sex Offender Act categories | 23.24 | 72 | 1.34% | 0.31 |

**Table 12. Estimated average length of stay for FY 2023 combined new court commitments and parole returns with a new crime**

| Offense category | Average length of stay (months)[1] | Number of commitments[2] | Percent of all commitments | Average length of stay effect (months) |
|---|---|---|---|---|
| Felony 1 | 480.00 | 52 | 0.97% | 4.64 |
| F2 Ext[3] | 170.62 | 143 | 2.66% | 4.53 |
| F2 Sex[4] | 142.57 | 1 | 0.02% | 0.03 |
| F2 Other[5] | 59.13 | 22 | 0.41% | 0.24 |
| Total Felony 2[6] | 155.68 | 166 | 3.16% | 4.91 |
| F3 Ext | 84.56 | 245 | 4.55% | 3.85 |
| F3 Sex | 85.66 | 56 | 1.04% | 0.89 |
| F3 Other | 39.96 | 216 | 4.01% | 1.60 |
| Total Felony 3[7] | 66.04 | 517 | 9.83% | 6.49 |
| F4 Ext | 34.81 | 667 | 12.39% | 4.31 |
| F4 Sex | 35.74 | 35 | 0.65% | 0.23 |
| F4 Other | 22.91 | 979 | 18.19% | 4.17 |
| Total Felony 4[8] | 27.90 | 1681 | 31.95% | 8.91 |
| F5 Ext | 18.65 | 217 | 4.03% | 0.75 |
| F5 Sex | 21.47 | 85 | 1.58% | 0.34 |
| F5 Other | 15.08 | 1263 | 23.47% | 3.54 |
| Total Felony 5[9] | 15.93 | 1563 | 29.71% | 4.73 |
| F6 Ext | 9.55 | 186 | 3.46% | 0.33 |
| F6 Sex | 7.31 | 26 | 0.48% | 0.04 |
| F6 Other | 8.07 | 490 | 9.10% | 0.73 |
| Total Felony 6[10] | 8.44 | 704 | 13.38% | 1.13 |
| Drug Felony (DF) Level 1[11,12] | 59.26 | 24 | 0.45% | 0.26 |
| DF Level 2[12] | 29.22 | 2 | 0.04% | 0.01 |
| DF Level 3[12] | 8.49 | 5 | 0.09% | 0.01 |
| DF Level 4 | 5.79 | 93 | 1.73% | 0.10 |
| Ext DF Level 1[12,13] | 46.74 | 75 | 1.39% | 0.65 |
| Ext DF Level 2 | 25.57 | 226 | 4.20% | 1.07 |
| Ext DF Level 3 | 13.73 | 130 | 2.42% | 0.33 |
| Ext DF Level 4 | 5.73 | 23 | 0.43% | 0.02 |
| Total Drug Felony[14] | 22.94 | 578 | 10.99% | 2.52 |
| Total excluding Habitual and Sex Offender Act categories | 33.44 | 5261 | 100.00% | 33.44 |
| Habitual[15] | 107.73 | 14 | 0.26% | 0.28 |
| Sex Offender Act[16] | 186.67 | 107 | 1.99% | 3.71 |
| Total including Habitual and Sex Offender Act categories | 36.68 | 5382 | 100% | 36.68 |

**Table 13. Estimated average length of stay for FY 2023 prison admissions, category totals excluding habitual and sex offender act convictions**

| Admission category* | Average length of stay (months)[1] | Number of commitments[2] | Percent of all commitments | Average length of stay effect (months) |
|---|---|---|---|---|
| Total New Commitments | 36.37 | 4488 | 85.39% | 31.06 |
| Total Parole Returns | 30.90 | 768 | 14.61% | 4.51 |
| Total Male Admissions | 37.25 | 4555 | 86.66% | 32.28 |
| Total Female Admissions | 24.68 | 701 | 13.34% | 3.29 |
| Grand Total | 35.57 | 5256 | 100.00% | 35.57 |

*Parole returns on a technical violation are excluded.*

**Table 14. Estimated average length of stay for FY 2023 prison admissions, category totals including habitual and sex offender act convictions**

| Admission category* | Average length of stay (months)[1] | Number of commitments[2] | Percent of all commitments | Average length of stay effect (months) |
|---|---|---|---|---|
| Total New Commitments | 40.02 | 4587 | 85.31% | 34.14 |
| Total Parole Returns | 31.91 | 790 | 14.69% | 4.69 |
| Total Male Admissions | 40.95 | 4676 | 86.96% | 35.61 |
| Total Female Admissions | 24.68 | 701 | 13.04% | 3.22 |
| Grand Total | 38.83 | 5377 | 100% | 38.83 |

*Parole returns on a technical violation are excluded.*

***Definitions and detail concerning estimates of length of stay on parole***

1. These estimates reflect the length of time individuals are expected to spend on parole from the time of their first release to parole until their successful discharge from parole. Time spent in prison following revocation due to technical parole violations is included. However, returns to prison due to a parole revocation with a new conviction are excluded.
2. The number of new parole intakes reflected here will differ from those reported elsewhere, as cases missing critical data elements such as offense, felony class, or parole sentence length are excluded, as are interstate parolees and parole violators previously returned to prison with new sentences. Additionally, cases sentenced under obsolete laws are excluded.
3. The "Ext" category refers to violent offenses defined by statute as "extraordinary risk of harm offenses" per C.R.S 18-1.3-401(10)(b) and does not include all crimes that might be considered violent.
4. While some sexual crimes are considered extraordinary risk crimes, such crimes are included in this category. Sexual offenders convicted under the Colorado Sex Offender Lifetime Supervision Act of 1998 and subject to lifetime supervision are excluded. Note: This figure is missing because no felony 2 sex offenders were paroled during the year. Very few of these offenders are paroled, as most fall into the lifetime supervision category. Of those that do not, a disproportionate number have been released from prison as sentence discharges, martin/cooper releases, and discharges to charges or detainers rather than being paroled. If an estimate is to be applied, it is recommended to apply the figure provided for the felony 3 sex offender category as this group has same statutory parole term.
5. "Other" includes all crimes except sex, drug, and extraordinary risk crimes. Examples include theft, burglary, fraud. Additionally, crimes that may be considered violent but are not considered extraordinary risk are included. Examples include (but are not limited to) manslaughter and some assaults and robberies.
6. Includes parole intakes convicted of felony 2 sex, drug, extraordinary risk, and other crimes, with the exception of habitual offenders and sex offenders convicted under the sex offender act. These offenders are excluded from the overall felony class categories.
7. Includes parole intakes convicted of felony 3 sex, drug, extraordinary risk, and other crimes, with the exception of habitual offenders and sex offenders convicted under the sex offender act.
8. Includes parole intakes convicted of felony 4 sex, drug, extraordinary risk, and other crimes, with the exception of habitual offenders and sex offenders convicted under the sex offender act.
9. Includes parole intakes convicted of felony 5 sex, drug, extraordinary risk, and other crimes, with the exception of habitual offenders and sex offenders convicted under the sex offender act.
10. Includes parole intakes convicted of felony 6 sex, drug, extraordinary risk, and other crimes, with the exception of habitual offenders and sex offenders convicted under the sex offender act.
11. Includes parole intakes sentenced under the Uniform Controlled Substances Act of 2013, which created a new series of drug felony levels described under Article 18 of the Colorado Criminal Code. Drug crimes committed after June 30, 2013 are included in these categories. These do not correspond to the felony classes of non-drug crimes, nor drug crimes committed prior to July 1, 2013.
12. Includes parole intakes convicted of crimes under the Uniform Controlled Substances Act of 2013, but which are also defined by statute as "extraordinary risk of harm offenses" per C.R.S 18-1.3-401(10)(b).
13. Includes all parole intakes sentenced under the Uniform Controlled Substances Act of 2013.
14. Includes all parole intakes subject to habitual criminal sentence enhancers per C.R.S. 16-13-101, C.R.S. 18-3-412, and C.R.S. 18-3-401.2. These cases are excluded from the extraordinary risk, sex, drug, and other crime categories. as well as the data for each of the overall felony classes.
15. Includes all parole intakes sentenced under the Colorado sex offenders act per C.R.S. 18-1.3-904, or the Colorado Sex Offender Lifetime Supervision Act of 1998 per C.R.S. 18-1.3-1004. These cases are excluded from the other sex crime categories as well as the data for each of the overall felony classes. Note the parole terms for sex offenders subject to the Sex Offender Lifetime Supervision Act range from a minimum of 10 to 20 years (dependent on felony class), up to the remainder of the offender's life. The estimate provided is based on the assumption that at least 100% of statutory minimums will be served.

**Table 15. Estimated average length of stay for new parole intakes during FY 2023**

| Offense Category | Average Length of Stay (Months)[1] | Number of releases to parole[2] | Percent of all parole releases | Average Length of Stay Effect (Months) |
|---|---|---|---|---|
| F2 Ext[3] | 29.66 | 60 | 1.44% | 0.43 |
| F2 Sex[4] | 0.00 | 0 | 0.00% | 0.00 |
| F2 Other[5] | 25.74 | 35 | 0.84% | 0.22 |
| Total Felony 2[6] | 28.21 | 95 | 2.34% | 0.66 |
| F3 Ext | 32.72 | 194 | 4.67% | 1.53 |
| F3 Sex | 36.97 | 39 | 0.94% | 0.35 |
| F3 Other | 35.98 | 161 | 3.87% | 1.39 |
| Total Felony 3[7] | 34.47 | 394 | 9.69% | 3.34 |
| F4 Ext | 24.87 | 478 | 11.50% | 2.86 |
| F4 Sex | 27.70 | 25 | 0.60% | 0.17 |
| F4 Other | 24.94 | 741 | 17.83% | 4.45 |
| Total Felony 4[8] | 24.97 | 1244 | 30.59% | 7.64 |
| F5 Ext | 19.05 | 199 | 4.79% | 0.91 |
| F5 Sex | 18.73 | 77 | 1.85% | 0.35 |
| F5 Other | 18.40 | 1022 | 24.60% | 4.53 |
| Total Felony 5[9] | 18.52 | 1298 | 31.92% | 5.91 |
| F6 Ext | 9.68 | 152 | 3.66% | 0.35 |
| F6 Sex | 9.98 | 23 | 0.55% | 0.06 |
| F6 Other | 9.70 | 447 | 10.76% | 1.04 |
| Total Felony 6[10] | 9.70 | 622 | 15.29% | 1.48 |
| Drug Felony (DF) Level 1[11] | 11.33 | 9 | 0.22% | 0.02 |
| DF Level 2 | 14.14 | 4 | 0.10% | 0.01 |
| DF Level 3 | 8.83 | 3 | 0.07% | 0.01 |
| DF Level 4 | 9.99 | 81 | 1.95% | 0.19 |
| Ext DF Level 1[12] | 14.87 | 46 | 1.11% | 0.16 |
| Ext DF Level 2 | 16.97 | 158 | 3.80% | 0.65 |
| Ext DF Level 3 | 9.50 | 94 | 2.26% | 0.21 |
| Ext DF Level 4 | 10.48 | 19 | 0.46% | 0.05 |
| Total Drug Felony[13] | 13.17 | 414 | 10.18% | 1.34 |
| Total excluding Habitual and Sex Offender Act categories | 20.37 | 4067 | 100% | 20.37 |
| Habitual[14] | 27.93 | 21 | 0.51% | 0.14 |
| Sex Offender Act[15] | 188.06 | 67 | 1.61% | 3.03 |
| Total including Habitual and Sex Offender Act categories | 23.11 | 4155 | 100% | 23.11 |

# Section 4: Division of Youth Services Juvenile Commitment, Detention and Parole Projections

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

*IN BRIEF:*

*The commitment year-to-date average daily population (ADP) is expected to increase 3.8% across FY 2024, reaching 264.3. However, a 20.5% decline is expected over the following four years, falling to 210.5 by the end of FY 2028.*

*The parole caseload is expected to continue to decline in FY 2024, reaching an average daily caseload of 97.9. Some growth is expected across FY 2025, with a return to decline following the trend expected of the commitment ADP.*

*The detention ADP is expected to reach 198.2 by the end of FY 2024, a 10.6% increase over the prior year. By the end of FY 2028, the ADP is expected to increase an additional 31.6%, reaching 260.9.*

## Juvenile Commitment, Detention and Parole Forecasting Methodology

These forecasts are developed utilizing data concerning monthly trends in detention, commitment and parole populations. Time series analyses are applied to data derived from these historical trends, producing a variety of scenarios.[1] 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, probation revocations, and population forecasts prepared by the Colorado State Demography Office provides the basis for the final forecasts.

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[1] 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.

## Juvenile Commitment Population and Parole Caseload Forecasts

The commitment population consists of juveniles adjudicated for a crime and committed to the custody of the Division of Youth Services. Such juveniles may receive a sentence to the DYS for a period ranging between one and seven years, during which they are placed in long-term commitment facilities. These placements provide a variety of services, including education, vocational training, treatment, and transition services. Treatment services may include individual, group and family treatment, substance abuse, and offense-specific treatment.

The two factors driving the size of the population committed to the Division of Youth Services (DYS) are the number of youth sentenced to DYS and the length of their incarceration. After a decade of decline in the number of youth committed to the DYS, followed by declines in the ADP, this decline stabilized in FY 2017, and reversed slightly in FY 2018 with a 3.9% increase in admissions across the year. However, between fiscal years 2019 and 2021, both the number of new commitments and the length of stay declined dramatically. These factors resulted in a 47.2% drop in the year-end ADP by the end of FY 2021.

The decline in admissions slowed somewhat in 2022 (though still demonstrating a 10.8% reduction over the prior year), while simultaneously the length of stay increased across the year. Consequently, the decline in the ADP slowed somewhat.

The juvenile commitment forecast published in January 2023 were 1.4% higher (+3.6 ADP) than the actual ADP realized by the end of FY 2023. However, this reversed over the first 3 months of FY 2024 such that the forecast was 1.5% lower than the actual ADP. Whereas a continuing decline was previously predicted, the opposite occurred and growth has appeared since March of 2023 into the first half of FY 2024. This irregularity makes extrapolation from recent data difficult.

Over the nine months between March and December 2023, the monthly ADP has increased 7.7%. This degree of growth is significant after 20 years of decline in the committed population. The recent upward trend in ADP is expected to continue throughout FY 2024, followed by slow declines across the following four years. The factors contributing to this expectation are discussed below.

New commitments began to increase in mid-FY 2023. By the end of the year, a 10.9% increase over the prior year was realized. As of November 2023, there have been 81 new commitments, a 20.9% increase compared to November of 2022. Again, the degree of these increases is quite notable after years of decline.

In addition to the increase in new commitments, the proportion of youth admitted due to a violent offense has steadily increased. The proportion of youth sentenced as repeat or aggravated offenders increased from 18.0% in FY 2022 to 26.0% in FY 2023. While the length of stay for discharges has been relatively stable, these new commitments are expected to have longer lengths of stay than those recently discharged. As expected, the average length of commitment sentences has demonstrated an upward trend over the past 2 years. The average sentence length increased from 16.6 months to 17.7 months between FY 2022 and FY 2023, a 6.1% increase.

Other precursors contributing to upward pressure on the committed population include the increases in juvenile arrests and delinquency filings seen in recent years. Juvenile delinquency court filings declined every year but one between FY 2000 and FY 2017 (note in 2015 filings increased by 1.7%). Subsequently, this decline slowed such that annual delinquency filings remained very consistent between fiscal years 2017 and 2019. However, a 42.9% drop occurred across 2020 and 2021, at least partially driven by the influence the COVID-19 pandemic exerted throughout the criminal and juvenile justice systems during those years. Since that time, juvenile delinquency court filings have rebounded, increasing 23.9% across 2022 and 2023. The number of filings occurring in early FY 2024 are indicative of a continuing increase.[2]

In addition to increases in filings, the juvenile probation caseload increased in FY 2023 following a decade of decline.[3] This could lead to more probation revocations, resulting in commitments to DYS.

Based on these factors, the annual number of new commitments is expected to continue to increase albeit at a slower pace through FY 2024, increasing by 3.8% by the end of FY 2028. A return to a downward trend is expected throughout FY 2025 and in the following three years. This expectation is based on the historical trends observed over the prior decade. The rate of decline, however, is expected to be moderated due to all of the factors described above. Overall, a 20.5% decline is expected between FY 2025 and FY 2028.

Table 16 summarizes the actual year-end ADP and new commitment figures for fiscal years 2019 through 2023, and the current forecasts through FY 20278. Table 17 presents the projected YTD ADP for the end of each quarter between the ends of FY 2023 and FY 2028. The historical ADP from FY 2019 through FY 2023 and the projected ADP through FY 2028 are depicted in Figure 11. Figure 12 displays historical new commitments to DYS since FY 2019, and projected new commitments through FY 2028.

**Table 16. DCJ January 2024 Forecast: Actual and projected juvenile commitment fiscal year-end average daily population and new admissions, FY 2019 through FY 2028**

| Fiscal Year End | YTD ADP[1] Forecast | Annual Growth | Annual New Commitments | Annual Growth |
|---|---|---|---|---|
| *2019** | *577.6* | *-10.7%* | *291* | *-26.5%* |
| *2020** | *454.8* | *-21.3%* | *259* | *-11.0%* |
| *2021** | *341.2* | *-25.0%* | *185* | *-28.6%* |
| *2022** | *283.0* | *-17.1%* | *165* | *-10.8%* |
| *2023** | *257.5* | *-9.0%* | *183* | *10.9%* |
| 2024 | 264.8 | 2.8% | 190 | 3.8% |
| 2025 | 250.8 | -5.3% | 175 | -7.9% |
| 2026 | 233.7 | -6.8% | 169 | -3.4% |
| 2027 | 220.8 | -5.5% | 159 | -5.9% |
| 2028 | 210.5 | -4.6% | 151 | -5.0% |

[1] *Year to date average daily population.*
**Actual average daily population. Data source: Colorado Department of Human Services Division of Youth Services Monthly Population Report. Available at https://www.colorado.gov/pacific/cdhs/publications-reports*

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[2] Source: Data provided by Colorado Judicial Branch, State Court Administrator's Office.

[3] Colorado State Judicial Branch. *Colorado Judicial Branch Annual Reports.* Denver, CO: Colorado Judicial Branch. Available at http://www.courts.state.co.us/Administration/Unit.cfm?Unit=eval

**Table 17. DCJ January 2024 quarterly juvenile commitment average daily population**

| Fiscal Year | Quarter Ending | YTD ADP[1] Forecast | Quarterly Growth |
|---|---|---|---|
| *2023** | *June, 2023** | *257.5* | *-0.8%* |
| 2024 | *September, 2023** | *262.1* | *1.8%* |
| 2024 | December, 2023 | 262.5 | 0.2% |
| 2024 | March, 2024 | 264.4 | 0.7% |
| 2024 | June, 2024 | 264.8 | 0.1% |
| 2025 | September, 2024 | 261.0 | -1.4% |
| 2025 | December, 2024 | 257.8 | -1.2% |
| 2025 | March, 2025 | 254.4 | -1.3% |
| 2025 | June, 2025 | 250.8 | -1.4% |
| 2026 | September, 2025 | 242.0 | -3.5% |
| 2026 | December, 2025 | 240.6 | -0.6% |
| 2026 | March, 2026 | 237.3 | -1.4% |
| 2026 | June, 2026 | 233.7 | -1.5% |
| 2027 | September, 2026 | 223.5 | -4.4% |
| 2027 | December, 2026 | 223.9 | 0.2% |
| 2027 | March, 2027 | 222.8 | -0.5% |
| 2027 | June, 2027 | 220.8 | -0.9% |
| 2028 | September, 2027 | 215.3 | -2.5% |
| 2028 | December, 2027 | 214.2 | -0.5% |
| 2028 | March, 2028 | 212.8 | -0.7% |
| 2028 | June, 2028 | 210.5 | -1.1% |

[1] Year to date average daily population.

*Actual average daily population figures. Data source: Colorado Department of Human Services Division of Youth Services Monthly Population Report. Available at: https://www.colorado.gov/pacific/cdhs/publications-reports

**Figure 11. Historical and projected year-end juvenile commitment year to date average daily population FY 2019 through FY 2028**
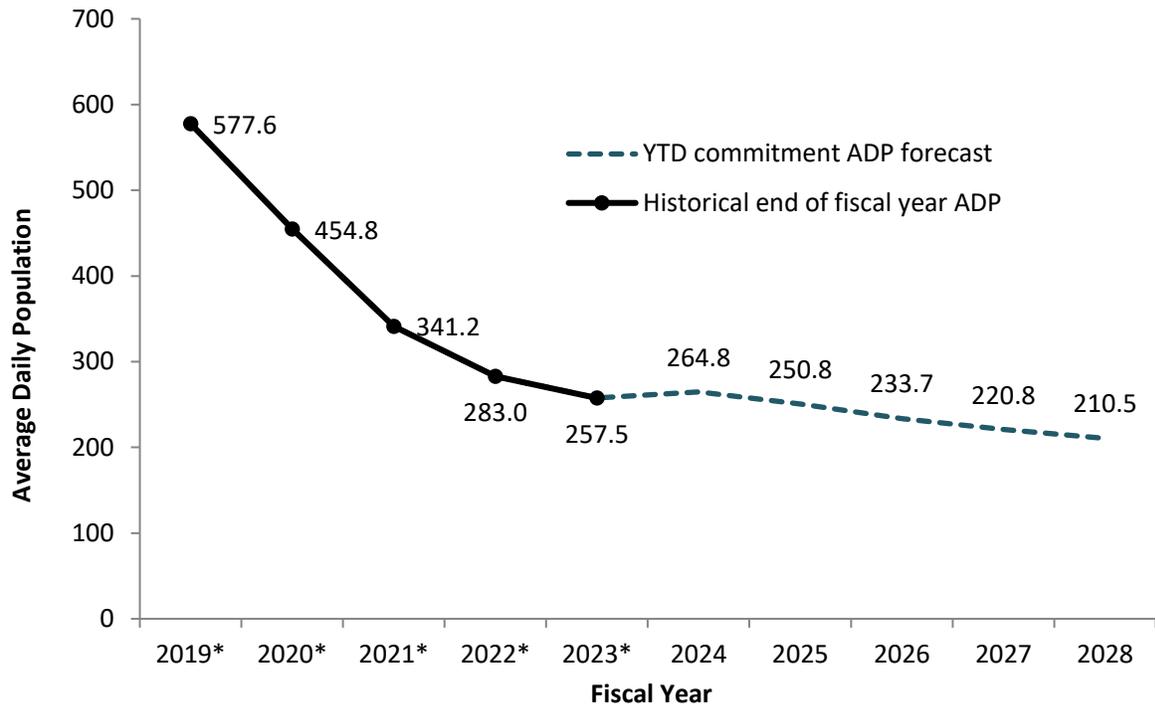


Note: FY 2019 to FY 2023 data points reflect actual year-end average daily population figures.
Data Source: Colorado Department of Human Services Division of Youth Services Management Reference Manuals and Monthly Population Reports. Available at https://www.colorado.gov/pacific/cdhs/publications-reports

**Figure 12. Historical and projected annual new juvenile commitments FY 2019 through FY 2028**
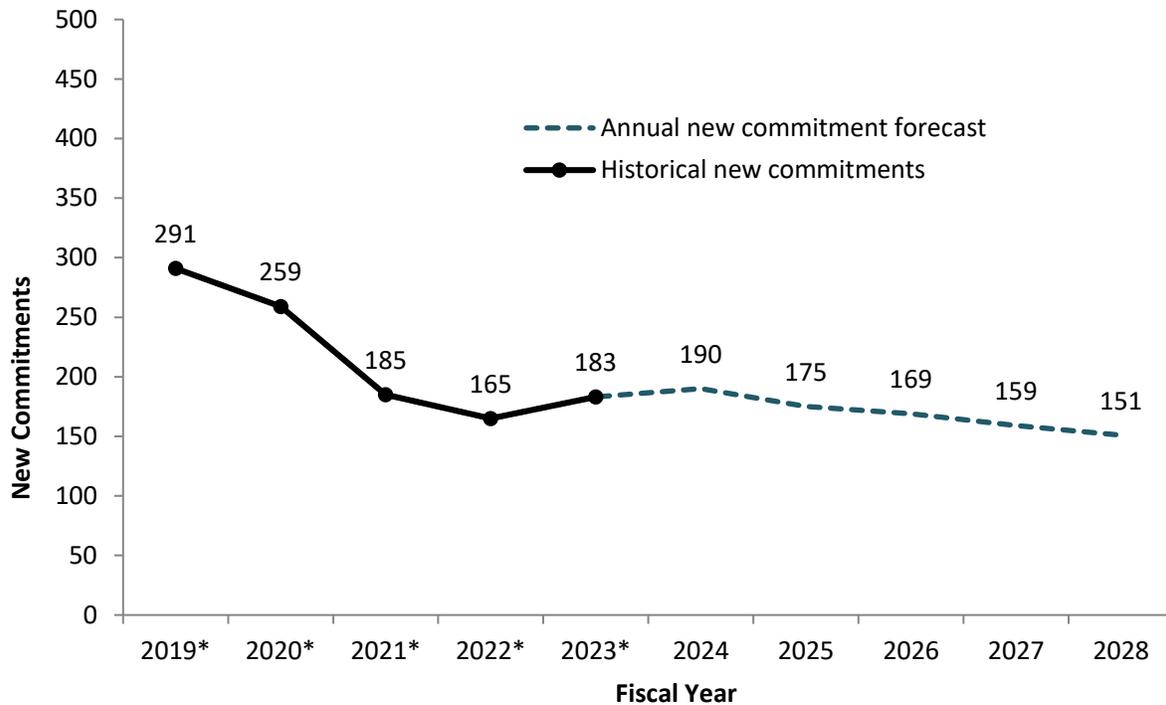


*Note: FY 2019 to FY 2023 data points reflect actual year-end average daily population figures.*
*Data Source: Colorado Department of Human Services Division of Youth Services Monthly Population Report and Management Reference Manuals. Available at https://www.colorado.gov/pacific/cdhs/publications-reports*

In concert with the commitment population, the parole average daily caseload (ADC) consistently declined between fiscal years 2011 and 2018. This was followed by a small increase (+1.8%) in FY 2019, driven by the increase in new commitments seen in the prior year and in late FY 2017.[4]

The parole ADC returned to a downward trend the following year until April of 2020, when the Division responded to orders issued by the Governor on April 11, 2020 which gave DYS the authority to place youth on juvenile parole without approval from the Juvenile Parole Board. An unprecedented number of youth were subsequently released from residential placement to parole, resulting in a brief spike in the monthly ADC.

After peaking in May of 2020, the ADC began to decline. This decline accelerated in FY 2021 with a 21.0% drop in the ADC, followed by a 32.4% decline in FY 2022 due to increases in the numbers of youth discharging from parole and decreases in the number of commitment releases.

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[4]Colorado Department of Human Services (2006-2023). *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://www.colorado.gov/pacific/cdhs/publications-reports

The increase in new commitments in FY 2023 and early 2024 will exert upward pressure on the parole caseload in late FY 2024 and FY 2025. However, following the trend of the committed population, it is expected that the caseload will decline through subsequent years.

The parole caseload is expected to continue to decline 7.8% across FY 2024, reaching an average daily caseload of 97.9. Some growth (2.8%) is expected across FY 2025, with a return to decline following the trend expected of the commitment ADP. Overall, the average daily caseload is expected to decline 24.7% between FY 2023 and the end of FY 2028, reaching 79.9.

Table 18 summarizes the historical ADC since FY 2019 and the projected ADC through FY 2028. These figures are also graphically displayed in Figure 13.

**Table 18. DCJ January 2024 Forecast: Actual and projected juvenile parole fiscal year-end average daily caseload, FY 2019 through 2028**

| Fiscal Year End | YTD ADC[1] Forecast | Annual Growth |
|---|---|---|
| *2019\** | *213.9* | *1.8%* |
| *2020\** | *207.0* | *-3.2%* |
| *2021\** | *163.5* | *-21.0%* |
| *2022\** | *110.5* | *-32.4%* |
| *2023\** | *106.1* | *-4.0%* |
| 2024 | 97.9 | -7.8% |
| 2025 | 100.6 | 2.8% |
| 2026 | 94.0 | -6.5% |
| 2027 | 84.1 | -10.5% |
| 2028 | 79.9 | -5.0% |

[1] *Year to date average daily caseload. * Actual ADC figures. Data source: Colorado Department of Human Services Division of Youth Services Monthly Population Report. Available at: https://www.colorado.gov/pacific/cdhs/publications-reports*

**Figure 13. Historical and projected juvenile parole year-end average daily caseload, FY 2019 through 2028**
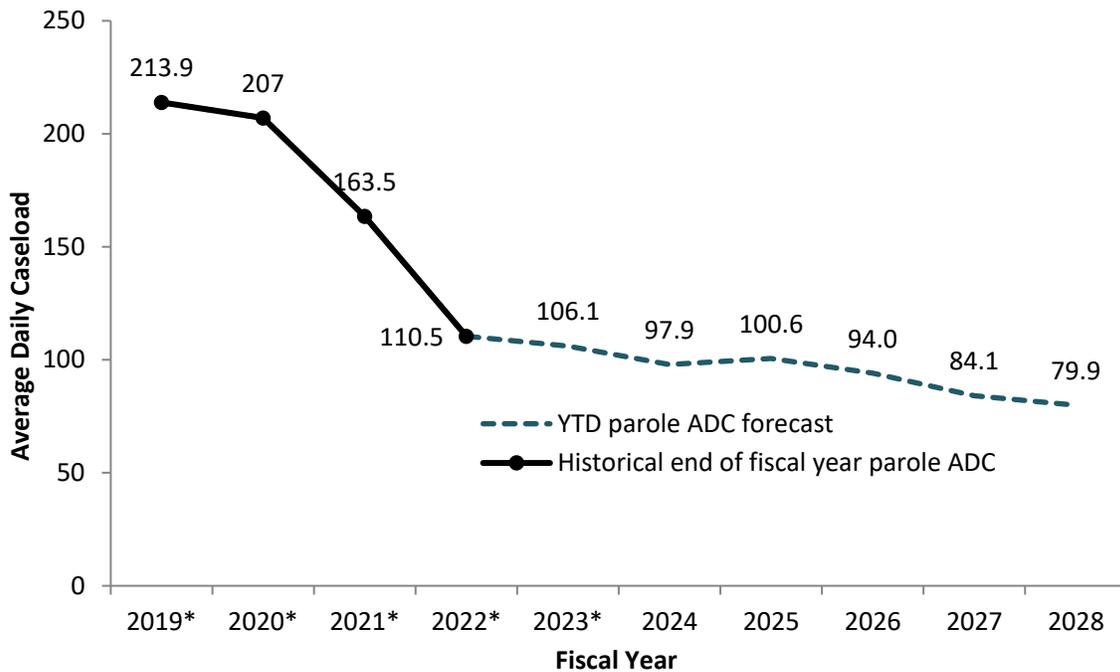


*Note: FY 2019-FY 2023 data points represent actual average daily caseload figures.*
*Data Source: Colorado Department of Human Services Division of Youth Services Monthly Population Report and Management Reference Manuals. Available at: https://www.colorado.gov/pacific/cdhs/publications-reports*

## Juvenile Detention Population Forecast

DYS is responsible for the operation of Colorado's juvenile detention system, which consists of screening to determine needs, community supervision strategies, and secure detention in youth centers operated by or contracting with DYC. In Colorado, detention serves to ensure that a youth accused of a delinquent act appears for court-ordered hearings, and to house adjudicated youth for a period of up to 45 days as a sanction by the court.

As shown in Figure 14, the juvenile detention ADP declined consistently over the decade prior to FY 2020, with the exception of a 2.2% increase in FY 2018. This decline accelerated to 12.0% in FY 2020 and further to 34.6% in FY 2021. These declines occurred between April and August of 2020, driven by the COVID-19 pandemic and subsequent system responses. Data from the first 9 months of FY 2020 indicated a small decline of approximately 3.2%. However, the monthly ADP fell by 34.8% in the final quarter of that year alone.

The population remained stable throughout the remainder of the year, with growth returning in early FY 2022 and continuing through the second quarter of FY 2023.

**Figure 14. Monthly detention year-to date average daily population, FY 2012 through December 2023**
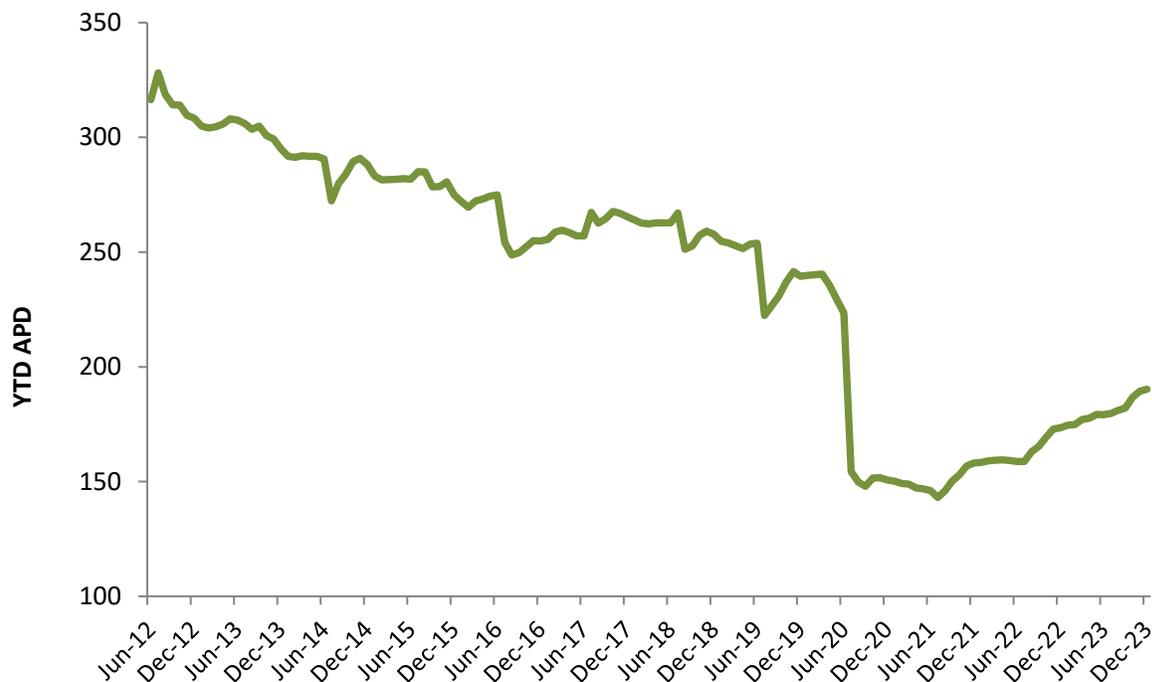


*Data source: Colorado Department of Human Services Division of Youth Services Monthly Population Report. Available at: https://www.colorado.gov/pacific/cdhs/publications-reports*

The level of growth expected at the time of the January 2023 DCJ juvenile detention forecast is expected to be realized during the second quarter of FY 2024, such that the prior DCJ forecast is likely to be on target by the end of December. In spite of this expectation, the current forecast has been adjusted significantly upwards.

While the previous forecast predicted a very flat trend in the detention ADP in upcoming years, the current forecast indicates strong growth throughout the forecast horizon. Note this forecast is made based on the available data and is not limited by the current statutory bed cap of 215. The ADP is expected to reach 198.2 by the end of FY 2024, a 10.6% increase over the prior year. By the end of FY 2028, the ADP is expected to increase an additional 31.6%, reaching 260.9.

This expectation for growth is based on the continued acceleration of trends in the detention population. As can be seen in Figure 15, the monthly ADP has risen steadily since June 2021, from 137.1 to 194.2 in December 2023. Detention admissions increased by 11.8%, and the detention ADP increased by 13.7% across FY 2023. Detention screens and daily maximum counts are increasing as well. All of these figures are expected to continually increase through FY 2024.

Additionally, the length of stay in detention increased from 17.8 days at end of FY 2019 to 19.6 days in FY 2020, and further to 22.8 days in FY 2021. The length of stay has remained at this elevated level since the beginning of FY 2022.

Table 19 summarizes the actual year-end detention ADP for fiscal years 2019 through 2023 and the projected ADP through FY 2028, while Table 20 presents the projected quarterly detention YTD ADP

throughout fiscal years 2023 to 2028. The historical detention year-end ADP from FY 2019 through FY 2023 and the projected ADP through 2028 are graphically depicted in Figure 15.

**Table 19. DCJ January 2024 Forecast: Actual and projected juvenile detention fiscal year-end average daily population, FY 2019 through FY 2028**

| Fiscal Year End | YTD ADP[1] Forecast | Annual Growth |
|---|---|---|
| *2019** | *253.9* | *-3.4%* |
| *2020** | *223.5* | *-12.0%* |
| *2021** | *146.2* | *-34.6%* |
| *2022** | *158.8* | *8.6%* |
| *2023** | *179.2* | *12.8%* |
| 2024 | 198.2 | 10.6% |
| 2025 | 215.0 | 8.5% |
| 2026 | 229.8 | 6.9% |
| 2027 | 245.1 | 6.6% |
| 2028 | 260.9 | 6.5% |

[1] *Year to date average daily population.*
*\*Actual ADP figures. Data source: Colorado Department of Human Services Division of Youth Services Monthly Population Report. Available at: https://www.colorado.gov/pacific/cdhs/publications-reports*

**Table 20. DCJ January 2024 quarterly juvenile detention average daily population forecast, FY 2023 through FY 2028**

| Fiscal Year | Quarter Ending | YTD ADP[1] Forecast | Quarterly Growth |
|---|---|---|---|
| *2023** | *June, 2023** | *179.2* | *1.2%* |
| 2024 | *September, 2023** | *182.0* | *1.6%* |
| 2024 | December, 2023 | 191.9 | 5.4% |
| 2024 | March, 2024 | 195.1 | 1.7% |
| 2024 | June, 2024 | 198.2 | 1.6% |
| 2025 | September, 2024 | 204.4 | 3.1% |
| 2025 | December, 2024 | 210.8 | 3.1% |
| 2025 | March, 2025 | 213.4 | 1.2% |
| 2025 | June, 2025 | 215.0 | 0.8% |
| 2026 | September, 2025 | 221.4 | 3.0% |
| 2026 | December, 2025 | 227.1 | 2.6% |
| 2026 | March, 2026 | 228.7 | 0.7% |
| 2026 | June, 2026 | 229.8 | 0.5% |
| 2027 | September, 2026 | 232.6 | 1.2% |
| 2027 | December, 2026 | 241.1 | 3.6% |
| 2027 | March, 2027 | 243.3 | 0.9% |
| 2027 | June, 2027 | 245.1 | 0.7% |
| 2028 | September, 2027 | 249.0 | 1.6% |
| 2028 | December, 2027 | 257.0 | 3.2% |
| 2028 | March, 2028 | 259.4 | 0.9% |
| 2028 | June, 2028 | 260.9 | 0.6% |

[1] *Year to date average daily population. * Actual ADP figures. Data source: Colorado Department of Human Services Division of Youth Services Monthly Population Report. Available at: https://www.colorado.gov/pacific/cdhs/publications-reports*

**Figure 15. Historical and projected juvenile detention year-end average daily population, FY 2019 through FY 2028**
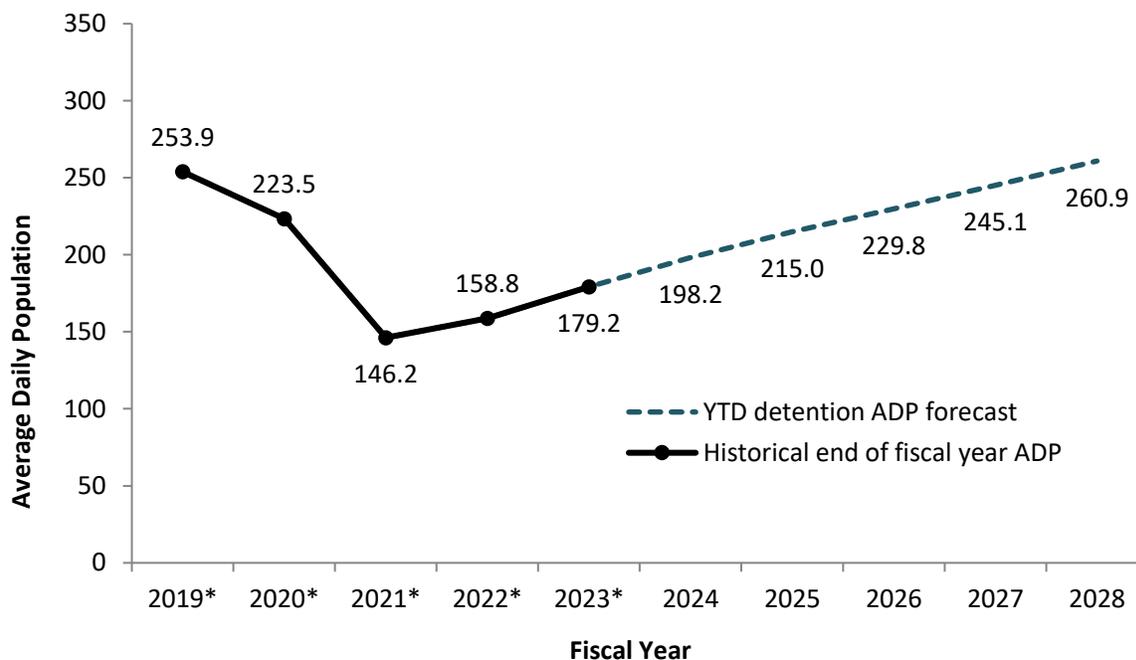


*Note: FY 2019-2023 data points reflect actual year-end average daily population figures.*
*Data Source: Colorado Department of Human Services Division of Youth Services Monthly Population Report and Management Reference Manuals. Available at: https://www.colorado.gov/pacific/cdhs/publications-reports*

With the detention population consistently rising, it is expected to approach the level seen prior to April of 2020 in upcoming years. However, this growth is likely to be moderated by statutory caps set on the number of detention beds allowed. Legislation has repeatedly reduced this number: in 2003 the maximum number of youth allowed in detention was set at 479. The most recent reduction lowered this cap to 215 ADP in 2021. However, the recent passage of House Bill 2023-1307 allows DYS to administer 22 temporary emergency detention beds, effectively increasing this cap to 237 beds statewide.

According to the Division of Youth Services, detention centers are experiencing capacity strains statewide. It is not unusual for certain judicial districts and management regions to exceed their designated cap and require the use of these emergency beds. When examined by maximum daily count data, each of the eight youth centers have operated at or above 100% capacity at some point in early FY 2024.

Local jurisdictions monitor the detention population and hold regular meetings to discuss emergency release lists when they are approaching the cap for their individual regions, which could influence judicial decision-making. The degree to which such decision-making influences placements into detention may slow the expected increase in the detention population, contributing additional uncertainty of the current forecast.

# Appendix A: Legislation Affecting Prison Population Management

**Legislation Affecting Prison Population Management**

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.[5]

❑ 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.

❑ 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.

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[5] 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 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.[6]

- 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.
- 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.

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[6] Affects convictions for crimes of violence defined by CRS § 18-1.3-406.

- o 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.

- o 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:

- o For certain crimes,[7] 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.
- o For crimes of violence,[8] 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.
- o 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 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

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[7] 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.
[8] Defined by CRS § 18-1.3-406.

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.[9] 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 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

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[9] As defined by CRS § 18-1.3-406.

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.

- House Bill 15-1122 stipulated that an offender is ineligible for parole if he or she has been convicted of certain penal discipline violations or failed to participate in required programs.

- Senate Bill 16-180 required CDOC to develop and implement a specialized program for juveniles convicted as adults and sentenced to an adult prison. Additionally, Senate Bill 16-181 allowed juveniles sentenced for a class 1 felony committed on or after July 1, 1990, and before July 1, 2006, to be re-sentenced to life with the possibility of parole.

- House Bill 17-1308 removed the mandatory imposition of certain parole conditions related to changes of residence, drug testing, personal contacts and payment of restitution.

- House Bill 17-1326 lowered parole revocation terms for certain parolees from 180 days to 30 or 90 days, dependent on conviction crimes. Additionally, the bill changed the maximum time a revoked parolee can be held in the preparole release and revocation facility from 180 to 90 days and repealed the Department of Corrections' authority to operate community return-to-custody facilities. Finally, it directed the Parole Board to conduct parole release review in lieu of a hearing for certain low-risk inmates.

- House Bill 18-1029 lowers mandatory parole periods from five years to three years for class 3 felony crimes committed on and after July 1, 2018, and for class 2 felony crimes that are not crimes of violence. This will affect the size of the parole caseload, but not for approximately 8 years from implementation.

- House Bill 18-1109 expands the existing eligibility requirements for special needs parole, and adds a third eligibility category for special needs parole consideration. The bill lowers the age requirement for one of the existing special needs offender categories from 60 to 55 years and older, and adds a category of special needs offenders to include those determined to be incompetent to complete any sentence and not likely to pose a risk to public safety.

- House Bill 18-1410 requires that DOC track the prison bed vacancy rate at in DOC facilities and funded private prisons. If the vacancy rate falls below 2 percent for 30 consecutive days, DOC is required to notify other state government agencies and may request that other agencies take action to increase the vacancy rate.

- Senate Bill 19-143, signed into law May 28, 2019, makes various changes to prison population management options, reentry services, parole, and facility security level designations. Most relevantly, parole revocations to DOC for determinate periods are eliminated, and the circumstances under which a parolee may be revoked for a technical parole violation are severely limited. In addition, the Bill attempts to accelerate releases of low and medium risk parole-eligible inmates by allowing the DOC to submit to the board a list of low and medium risk parole-eligible inmates with an approved parole plan for board review within 30 days. Further, the bill requires a majority vote by the full board to deny parole for an inmate assessed as low or very low risk with an approved parole plan and a recommended release.

❑ House Bill 20-1019, signed March 10, 2020, was drafted for the express purpose of prison population reduction and management. This bill, among other provisions, requires the Department of Local Affairs (DOLA) to convene an advisory group to study future prison bed needs in Colorado, including strategies to safely reduce the prison population, a utilization analysis of all facilities that can be used to house inmates, a program analysis to align with best practices, an analysis of the best practices and programs that are necessary for successful reintegration, alternatives to incarceration, and recidivism reduction strategies. Additionally, the bill creates a new crime of an unauthorized absence, and eliminates the requirement that earned time be awarded in accordance with certain statutory categories, allowing earned time to be awarded when there is positive progress.

❑ Senate Bill 21-146 modified the eligibility criteria for parole for senior and special needs inmates and requires the DOC and the Parole Board to develop policies and procedures to improve the special needs parole process.

❑ House Bill 23-1037 allows inmates sentenced for a nonviolent felony offense to receive additional earned time for completing an accredited degree or other credential awarded by a regionally accredited institution of higher education while the inmate is incarcerated or on parole. Offenders may receive 2 years of earned time for a doctoral degree, 1.5 years for a master's degree, 1 year for an associate or baccalaureate degree, and 6 months for a certificate or other credential that requires at least 30 credit hours.

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.