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MEMORANDUM

Pursuant to section 24-72-202(6.5)(b), research memoranda and other final products of Legislative Council Staff research that are not related to proposed or pending legislation are considered public records and are subject to public inspection.

August 13, 2002

TO: Members of the Interim Committee on Criminal Sentencing

FROM: Jonathan Lurie, Economist, (303) 866-2677

SUBJECT: Overview of Parole Revocations to Prison

Summary

Returns to prison have increased faster than admissions to prison from court commitments. Technical revocations increased an average of 15.8 percent per year and new crime returns increased an average of 7.4 percent per year from FY 1995-96 to FY 2001-02. By comparison, admissions from court convictions increased an average of only 3.4 percent per year. A rising length of stay in prison, particularly for technical revocations, also contributed to significant population growth among prison returns. From June 1997 to June 2002, the prison population of technical revocations more than tripled and the population of new crime revocations increased 72.1 percent, compared with a 27.2 percent increase in the population of court commitments.

This memorandum provides an overview of population in the Department of Corrections (DOC) that represents parole revocations and returns to prison. Supervision revocations, in the form of technical violations and new crime returns, have increased faster than original prison admissions in recent years. Table 1 illustrates the trends in prison admissions by admission type from FY 1995-96 to FY 2001-02. Both technical returns and new crime returns increased at a faster rate than court commitments from FY 1995-96 to FY 2001-02 over the last six years. Figure 1 illustrates the change in the proportions of total admissions to prison by admission type. As a share of total admissions, technical returns have increased from 17.4 percent of total admissions in FY 1995-96 to 29.1 percent

of total admissions in FY 2001-02. One reason for the increase in return admissions is the result of mandatory parole passed by House Bill 93-1302. A mandatory parole period for every inmate has contributed to the growth in the parole population and has increased the chances and opportunities for revocation.

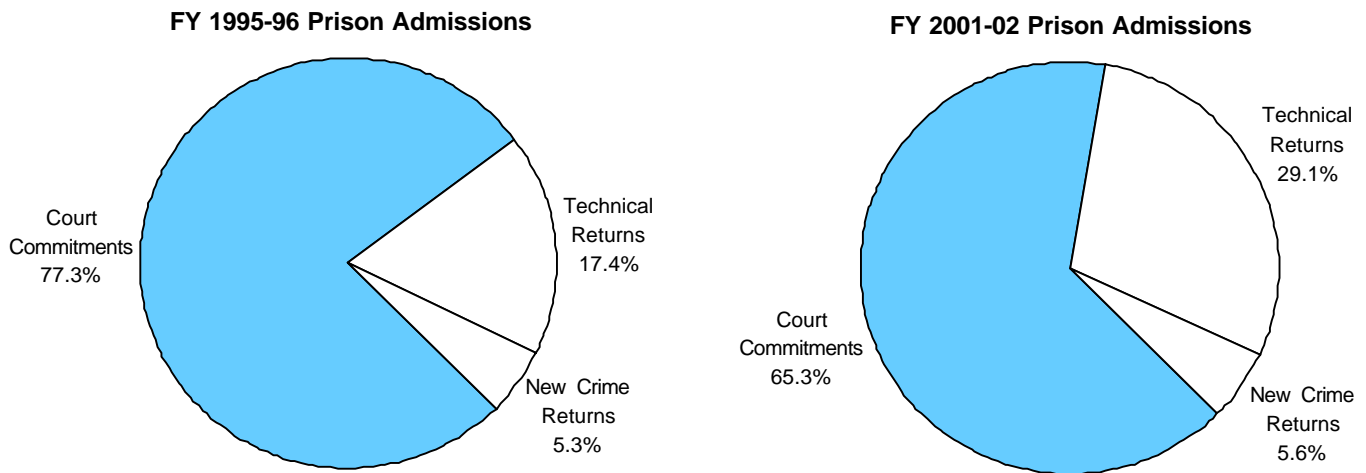
Table 1: Historical Admissions to Prison by Admission type

Fiscal Year	Court Commitments		Technical Returns		New Crime Returns		Total Admissions	
	Admits	Growth	Admits	Growth	Admits	Growth	Admits	Growth
FY 1995-96	4,137		931		282		5,371	
FY 1996-97	4,301	4.0%	1,075	15.5%	377	33.7%	5,765	7.3%
FY 1997-98	4,411	2.6%	1,361	26.6%	409	8.5%	6,192	7.4%
FY 1998-99	4,352	-1.3%	1,751	28.7%	481	17.6%	6,602	6.6%
FY 1999-00	4,235	-2.7%	2,147	22.6%	450	-6.4%	6,853	3.8%
FY 2000-01	4,491	6.0%	1,999	-6.9%	438	-2.7%	6,952	1.4%
FY 2001-02	5,042	12.3%	2,244	12.3%	433	-1.1%	7,759	11.6%
Average Annual Growth Rate	3.4%		15.8%		7.4%		6.3%	

Source: Department of Corrections.

Total admissions include miscellaneous types such as interstate or federal prisoners.

Figure 1: Prison Admission Types from FY 1995-96 to FY 2001-02



The average length of stay in prison has also increased over time. This is partly a result of mandatory parole passed by House Bill 93-1302. Before mandatory parole, the parole board would often choose to grant parole prior to discharge in order to provide an inmate with a supervised placement as a transition to the community. Inmates not receiving parole would complete their sentence in prison and would be discharged to the general public, avoiding supervision altogether. With the implementation of mandatory parole, the parole board was provided the option of deferring parole until an inmate completed the sentence (net earned time and time served in jail), at which point the inmate would still serve a parole period. One consequence of the implementation of mandatory parole has been an

increase in deferring parole applications. In other words, the parole board has been able to use mandatory parole as a “safety net” to postpone an otherwise early parole. Therefore, mandatory parole increased prison length of stay for new commitments.

Mandatory parole also increased the length of stay for parole revocations. Among other placement options for a technical parole violation, the parole board can order a parolee back to prison for a period up to the remaining parole period (up to five years for a class 2 or 3 felony). After serving the revocation period in prison, the inmate must serve another parole period of one year or their remaining parole period, whichever is longer. This has had the effect of increasing the length of stay for technical parole revocations. Table 2 illustrates the change in length of stay by admission type from FY 1995-96 to FY 2000-01. It is important to note that these length of stay figures do not represent the expected time served by new prison admissions. Length of stay estimates based on prison releases reflect those inmates that receive the most earned time for good behavior. Effectively, these figures represent the “cream of the crop” among prison inmates.

Table 2: Prison Length of Stay by Admission Type, FY 1995-96 and FY 2000-01

	FY 1995-96	FY 2000-01	Growth Rate	Average Annual Growth Rate
Court Commitments	24.0 months	27.2 months	13.3%	2.5%
Technical Returns	9.6 months	12.7 months	32.3%	5.8%
New Crime Returns	31.3 months	31.4 months	0.3%	0.1%

Source: Department of Corrections.

Increases in admissions for revocations and a longer length of stay for revocations has increased the population of prison returns. Table 3 shows the history of the prison population by admission type. While the population of original court commitments increased 27.2 percent from June 1997 to June 2002, the population of technical returns increased 218.2 percent and new crime returns increased 72.1 percent per year over the same five-year period.

Table 3: Historical Prison Population by Admission type, June 1997 to June 2002

Year Ending	Court Commitments		Technical Returns		New Crime Returns		Total DOC Population	
	Population	Annual Growth	Population	Annual Growth	Population	Annual Growth	Population	Annual Growth
June 1997	10,658		850		924		12,590	
June 1998	11,020	3.4%	1,123	32.1%	1,041	12.7%	13,663	8.5%
June 1999	11,731	6.5%	1,488	32.5%	1,196	14.9%	14,726	7.8%
June 2000	12,254	4.5%	2,092	40.6%	1,363	14.0%	15,999	8.6%
June 2001	12,574	2.6%	2,365	13.0%	1,415	3.8%	16,833	5.2%
June 2002	13,560	7.8%	2,705	14.4%	1,590	12.4%	18,045	7.2%
Five-year Growth Rate	27.2%		218.2%		72.1%		43.3%	

Source: Department of Corrections.

Total population include miscellaneous types such as interstate or federal prisoners.