Chapter 12 — Parole Board / Supervision of Parolees / Parole Population Profile / Ten-Year Funding History

This chapter provides an overview of the various operations involved in the parole system including the operations of the Colorado Parole Board and the Division of Adult Parole Services.

Specifically, this chapter covers the following topics under two sections:

The Parole Process, including:

- parole eligibility;
- pre-parole procedures;
- the Parole Board;
- parole hearings;
- release to parole;
- parole supervision; and
- revocation of parole.

The Parole Population, including:

- parole population profile;
- parole population projections; and
- parole funding history.

PAROLE ELIGIBILITY

Colorado law specifies that any person sentenced for a class 2, class 3, class 4, class 5, or class 6 felony, or any unclassified felony, is eligible for parole after serving 50 percent of the imposed sentence, less earned time. Assuming an inmate earns 100 percent of allowable earned time, the earliest possible parole date is after serving 38 percent of the sentence. (Inmates may not reduce their sentence through earned time by more than 25 percent.)

Offenders convicted of more serious violent crimes, however, are not eligible for parole after serving 50 percent of their sentence. Certain violent offenders must serve 75 percent of their sentence, less earned time. These include offenders convicted of:

- second degree murder;
- first degree assault;
- first degree kidnapping unless the first degree kidnapping is a class 1 felony;
- first or second degree sexual assault;
- first degree arson;
- first degree burglary;
- aggravated robbery, and
- a prior crime which is a crime of violence as defined in Section 16-11-309, C.R.S.

The following crimes are included in the list of crimes of violence:

- any crime against an at-risk adult or at-risk juvenile;
- murder;
- first or second degree assault;
- kidnapping;
- sex assault;
- aggravated robbery;
- first degree arson;
- first degree burglary;
- escape; or
- criminal extortion.

"Crime of violence" also means any unlawful sexual offense in which the defendant caused bodily injury to the victim or in which the defendant used threat, intimidation, or force against the victim. It should be noted that class 1 felony offenders are not eligible for parole.

Any offender convicted and sentenced for a crime enumerated above who twice previously was convicted for a crime which would have been a crime of violence is eligible for parole after serving 75 percent of the sentence, but no earned time is granted.[1]

Table 12.1 illustrates the earliest possible parole date, based on the sentence imposed versus the time served when parole is denied. Both the 50 percent and 75 percent thresholds are illustrated. The table assumes that offenders earn 100 percent of their earned time, which is ten days per month.

Table 12.1: Overview of Earliest Possible Parole Eligibility Date (PED)

	Assumes Offender Eligible after Serving:				Maximum Time Served — Assumes Discretionary Parole Denied and 100% Earned Time	
	50% of Sentence, Less Earned Time		75% of Sentence, Less Earned Time			
Sentence/ Years	Total Earned Time, Years	Earliest Possible PED, Years	Total Earned Time, Years	Earliest Possible PED, Years	Total Earned Time, Years	Discharge Date, Years
1	0.12	**0.38**	0.19	**0.56**	0.25	**0.75**
5	0.62	**1.88**	0.93	**2.82**	1.25	**3.75**
10	1.24	**3.76**	1.86	**5.64**	2.50	**7.50**
15	1.86	**5.64**	2.78	**8.47**	3.75	**11.25**
20	2.47	**7.53**	3.71	**11.29**	5.00	**15.00**
25	3.09	**9.41**	4.64	**14.11**	6.25	**18.75**
30	3.71	**11.29**	5.57	**16.93**	7.50	**22.50**
35	4.33	**13.17**	6.49	**19.76**	8.75	**26.25**

PRE-PAROLE PROCEDURES

All eligible inmates are scheduled to be seen by the Parole Board at least 90 days prior to their parole eligibility date. Before an inmate can be released from a DOC facility or community corrections program, the inmate must have a parole plan that details where he or she will live and work, and who will be responsible for the inmate upon release. DOC case managers are responsible for preparing an inmate's parole plan. The plan then is submitted to the Division of Adult Parole Services for investigation by a parole officer. A parole officer in the appropriate regional office is assigned to verify information in the parole plan. Ideally, the parole officer visits the inmate's

1. As of November 1, 1998, the parole of sex offenders will be governed by the "Colorado Sex Offender Lifetime Supervision Act of 1998," codified in Section 16-13-806, C.R.S. Among other things, the legislation sets a minimum parole period of 20 years for a sex offender convicted of a class 2 or 3 felony, and a minimum of ten years for a sex offender convicted of a class 4, 5, or 6 felony. A sex offender can be placed on parole for the remainder of his natural life if the Parole Board believes indefinite supervision is necessary to protect public safety.

proposed residence, employer, family members, and all other persons identified as potential parole resources. The investigation must be completed within 15 days of the plan's receipt by the division. At the release hearing (discussed further in the next section), the board reviews the inmate's file, hears from the inmate's case manager, and makes a determination of whether parole will be granted.

THE PAROLE BOARD

Size and composition of the Parole Board. The Colorado State Board of Parole consists of seven members who are appointed by the Governor and confirmed by the Senate. Parole Board members perform their duties full-time.

The seven-member board is composed of *two* representatives from law enforcement, *one* former parole or probation officer, and *four* citizen representatives. The statutes require that Parole Board members have knowledge of parole, rehabilitation, correctional administration, the functioning of the criminal justice system, and the issues associated with victims of crime. The statutes further require the three designated Parole Board members (law enforcement and probation representatives) each have at least five years education or experience, or a combination thereof, in their respective fields.

Hearings of the Parole Board. The Parole Board's primary responsibility is to conduct inmate release hearings. Parole Board members conduct four types of hearings:

- **release hearings** – the board, by a single member, considers an inmate's parole application, interviews the inmate, decides whether the inmate should be released on parole, and determines the conditions of parole. This personal interview may be a face-to-face interview or a live telephone or speaker phone interview at the board's discretion. Release hearings are held at the institution or in the community where the offender is physically incarcerated. If the board member decides to release the offender, the approval by signature is required by an additional board member;
- **full board reviews** – the board meets as a full board to consider all cases involving a violent crime, cases with a history of violence, and all other matters recommended for full board review by board members conducting the release hearing. Four board members constitute a quorum and four affirmative votes are necessary to grant parole;
- **rescission hearings** – the board, by a single member, may suspend an established parole release date upon receipt of information not previously considered by the board, or upon receipt of information reflecting improper conduct by the inmate including disciplinary violations. A rescission hearing is then held by a single board member to determine if a decision to parole should be rescinded prior to the inmate actually going out on parole; and

- **revocation hearings** – revocation hearings are held to determine whether parole should be revoked and whether the parolee should be returned to a DOC facility. A revocation hearing is conducted either by a single member of the Parole Board or by an Administrative Hearings Officer (AHO). The single board member or AHO conducting the hearing also makes the decision to revoke or not.

PAROLE RELEASE HEARINGS AND THE DECISION-MAKING PROCESS

The Parole Board considers a number of variables when deciding whether to release an inmate to parole: the inmate's criminal record; the nature and circumstances of the offense for which the inmate was committed to the DOC; the inmate's behavioral history while incarcerated; participation in treatment and programs; and current psychological and medical evaluations. The Parole Board also must consider the inmate's risk assessment score and apply the current parole guidelines, as set out in statute.

The parole guidelines law sets out nine mitigating factors the board may consider when deciding whether to parole an inmate:

- the offender was a passive or minor participant in the crime;
- the victim precipitated the crime or somehow provoked it;
- there was substantial justification for offense;
- the crime was committed under duress or coercion;
- the offender has no past record or a long crime-free period;
- the offender voluntarily acknowledges wrongdoing;
- the offender has family obligations and further incarceration would cause undue hardship on dependents; and
- the offender has attempted compensation to the victim.

The presence of one or more mitigating factors can result in an earlier release date provided there are no aggravating circumstances associated with the current crime.

The parole guidelines legislation lists 15 aggravating factors. The Parole Board divides the factors into two categories: first degree aggravation and second degree aggravation. First degree factors are most likely to result in a delayed release. First degree aggravating factors include:

- the offender inflicted serious bodily injury and high degree of cruelty;
- the offender was armed with deadly weapons;

- the crime involved multiple victims;
- the crime involved particularly vulnerable victims;
- the victim was a judicial or law enforcement officer;
- the offender displays a pattern of violent conduct;
- the offender was on parole or probation for another felony at commission; and
- the offender was in confinement or on escape status at commission.

Second degree factors may delay release, but for a shorter period. Second degree aggravating factors include:

- offender induced others in commission of offense;
- offender took advantage of a position of trust;
- offender either paid to have the crime committed or was paid to commit the crime;
- crime was premeditated;
- crime was drug or contraband related;
- offender was on bond for previous felony during commission; and
- offender has increasingly serious convictions, juvenile or adult.

SUPERVISION ON PAROLE – DIVISION OF ADULT PAROLE

Statutory duties and powers. The Division of Adult Parole is responsible for supervising adult parolees who have been released to the community by the Parole Board. The division is organized into four state-wide regions (Denver, Northeast, Southeast, and Western) and operates 12 offices throughout the state. As of June 30, 1999, sixty-five parole officers supervised just over 3,600 parolees in Colorado. Parole officers are level Ia peace officers and therefore have arrest powers and may carry firearms.

General statutory duties. The Division of Adult Parole is statutorily responsible for the following:

- establishing and administering appropriate programs of education and treatment to assist in offender rehabilitation; and
- keeping a complete record of all domestic and interstate parolees.

Supervision of parolees. The statutes also outline the responsibilities of parole officers. Whenever a parole officer has reasonable grounds to believe that a parolee has violated a condition of parole, he *may* issue a summons requiring the parolee to answer the charges before the Parole Board. Because the statute gives discretion to the parole officer to decide how to proceed after a suspected parole violation, the administrative procedure after a violation is for the parole officer to meet with a supervisor to decide on a response. Administrative rules provide a range of actions which may be taken by a parole officer:

- take no action;
- verbal reprimand;
- increase the level of supervision;
- refer to community corrections;
- refer to DOC contract beds;
- refer to Intensive Supervision Program (ISP);
- issue a summons; or
- arrest the parolee.

The statutes provide that if the parole officer makes an arrest rather than issuing a summons, the parolee is to be held in a county jail. After completing an investigation, the parole officer has the following options:

- file a complaint with the Parole Board and continue to hold the parolee in the county jail;
- order the release of the parolee and request that any warrant be quashed and that any complaint be dismissed and parole restored; or
- order the release of the parolee and issue a summons requiring the parolee to appear before the Parole Board to answer the charges.

The statutes additionally spell out when a parole officer may arrest a parolee in order to begin revocation proceedings. A parole officer may make an arrest when:

- he or she has a warrant for the parolee's arrest;
- he or she has probable cause to believe that an arrest warrant has been issued for the parolee in this or another state for a crime or for violation of a condition of parole;
- the parolee has committed a crime in the presence of the parole officer;
- the parole officer has probable cause to believe that the parolee has committed a crime;

- the parole officer has probable cause to believe that the parolee has violated a condition of parole, or that the parolee is leaving or is about to leave the state, or that the parolee will fail to appear before the board to answer charges of violations of the conditions of parole; or
- the parolee has been tested for illegal controlled substances and the test was positive.

Parolees and drug testing. The General Assembly has statutorily required that all convicted felons in the criminal justice system be assessed for drug use. As a condition of parole, every parolee is required to submit to random drug and alcohol testing.

The statutes spell out specific parole officer responsibilities when a parolee tests positive for illegal controlled substances. For the *first* positive test, the parole officer may:

- make an immediate warrantless arrest;
- immediately increase the level of supervision including intensive supervision;
- begin random screenings for detecting illegal controlled substance use, which may serve as the basis for any other community placement; or
- refer the parolee to a substance abuse treatment program.

For a *second* or subsequent positive test for illegal controlled substances, in addition to making an immediate arrest, increasing the level of supervision, or referring the parolee to a substance abuse treatment program, the parole officer may:

- seek parole revocation; or
- increase the number of drug screenings for the presence of illegal controlled substances.

Parolee supervision classification. A final responsibility of the division is to classify inmates in order to determine the level of parole supervision. The division uses a supervision classification instrument which provides parole officers with a tool to develop an appropriate supervision plan and establish and administer appropriate education and treatment programs and other productive activities to assist in offender rehabilitation. Supervision classification tools also provide parole officers with a prediction as to the risk of reoffending while on parole.

Offenders are generally assessed within the first 30 days of their release from prison and are reassessed every six months. The division classifies inmates in four levels: intensive supervision, maximum, medium, and minimum. Under the Intensive Supervision Program, parolees have one personal contact with the parole officer per week, daily phone contact, and weekly urinalysis tests. Under maximum supervision, parolees must have two personal contacts per month. Under medium supervision, parolees have one personal contact per month. Under minimum supervision,

parolees have no personal contacts per month. Parole officers are required to prepare one written report per month on each parolee classified at the maximum, medium and minimum supervision levels. Parolees classified at the maximum, medium, and minimum supervision levels are also required to undergo periodic random testing for drugs and alcohol. The frequency of such tests is according to the results of an initial assessment of drug and alcohol use.

REVOCATION

Revoking an inmate's parole necessitates interaction between the Division of Adult Parole Services and the Parole Board. The Division of Adult Parole Services is responsible for monitoring the inmate while in the community on parole and for reporting that inmate to the Parole Board when the inmate violates a condition of parole. The Parole Board is responsible for providing the inmate with a hearing and deciding whether the inmate should remain on parole.

Parole officers and the revocation process. Parole officers are generally the starting point for the revocation process. Statutes dictate that a parole officer may arrest a parolee for specific reasons (see page 160).

Pursuant to administrative regulations of the Parole Board, revocation complaints filed by parole officers are either mandatory or discretionary. When a parolee commits certain offenses, the parole officer is required to file a complaint in order to begin revocation proceedings (this does not mean the offender's parole is required to be revoked). For other offenses, the parole officer uses discretion in deciding whether to begin revocation proceedings.

Mandatory complaint offenses include the following:

- possession or use of a firearm or deadly weapon;
- an arrest and charge for any felony;
- a crime of violence as defined in 16-1-104 (8.5), C.R.S.;
- a misdemeanor assault involving a deadly weapon or resulting in bodily injury to the victim;
- third degree sexual assault;
- refusal to submit to urinalysis to determine the presence of drugs or alcohol;
- an arrest for a criminal offense for which the parolee is being held in a county jail;
- an arrest and charge or conviction for any misdemeanor offense against the person;
- an arrest and charge or conviction for any other misdemeanor offense relating to assault, robbery, alcohol possession or use of controlled substance, or arson;

- failure to make an initial report to a parole officer upon release to parole supervision;
- absconding from parole supervision; and
- failure to make restitution payments in accordance with DOC policy governing restitution ordered by the Parole Board.

Parole officers have the discretion to file or not to file a complaint for a parole violation, based on the circumstances, that do not require mandatory action. Administrative regulations provide that discretionary decisions are determined on a case-by-case basis. Such discretionary decisions are made for offenses including but not limited to the following:

- technical parole violations such as failure to file a change of address, refusing to allow a search, or refusing to comply with a special condition of supervision;
- a positive test for the presence of drugs or alcohol; and
- charges or convictions, class 1 or 2 traffic offenses, or misdemeanors which are not crimes against persons and are not otherwise subject to a mandatory arrest.

In making a discretionary decision to file or not to file a complaint for a parole violation, parole officers are required to consider several factors:

- the offender's risk assessment data;
- prior arrests or technical parole violations;
- the history of prior parole or probation failures;
- a pattern or repetitive criminal behavior;
- a history of alcohol/drug use and dependency;
- the likelihood of positive response to counseling/treatment for the observed behavior problems;
- the availability of appropriate community treatment resources;
- family needs and employment status; and
- sentencing structure and the expiration of the sentence.

The Parole Board and revocation hearings. Statutes and administrative regulations provide that revocation hearings are to be conducted by a single Parole Board member or by an Administrative Hearings Officer (AHO). In practice, the AHO conducts nearly all revocation hearings in the state, approximately 87 percent. The board member or the AHO has the authority to issue subpoenas upon request of the parolee, the parole officer, or the district attorney and also has the authority to deny a request for a subpoena when the evidence would be irrelevant to any material issue involving the parole revocation or would be unduly burdensome.

During the hearing, the board member or AHO advises the parolee of his or her statutory rights. After explaining the plea options to the parolee, the board member or AHO requests a separate plea for each count of the complaint. If the parolee enters a plea of "not guilty," witnesses are sworn in and the burden of proof is on the DOC to prove each count of the complaint. If the parolee enters a plea of "guilty," the DOC presents aggravating or mitigating factors and the parolee presents mitigating factors. If the alleged violation is technical in nature, the burden of proof is by a preponderance of the evidence. If the alleged violation is criminal in nature, the burden of proof is beyond a reasonable doubt.

The board member or AHO then makes a verbal or written finding of facts and may take five days to make a decision. In general, if the board member or AHO determines that the parolee committed a condition of parole violation he or she may either revoke the parole, continue the parole in effect, or continue the parole with modified parole conditions. If parole is revoked, the board member or AHO is required to provide the parolee with a written statement of the evidence relied on and the reasons for revoking parole. Specifically, the board member or AHO may make a decision as follows:

- if the board member or AHO determines that the parolee has violated parole by committing a crime, the board member or AHO may revoke the parole and have the parolee transported to a place of confinement designated by the DOC Executive Director;
- if the board member or AHO determines the parolee violated any condition of parole, other than a new crime, he or she may:
  - revoke parole and have the parolee confined in a place designated by the executive director; or
  - revoke parole for a period of up to 180 days and place the offender in a community corrections program, a DOC facility, or any private facility under contract to the DOC; or
  - revoke parole for up to 90 days and confine the parolee in a county jail or in a private facility under contract to the DOC;
- when the board member or AHO finds the parolee guilty of the mandatory complaint charge but decides not to revoke parole, the decision is reviewed by two other members of the board within 15 days of the original decision. The two other members may overturn the original decision and order the parole revoked.

THE PAROLE POPULATION

After a period of decline in the late 1980s and early 1990s, the parole population is increasing and is expected to continue to increase significantly. From 1988 through 1994, the parole population decreased 30 percent. This decrease was primarily due to legislation adopted in 1990 which awarded earned time to offenders while on parole. However, this legislation was amended since that time as reflected by variations in the parole population. Currently, only non-violent offenders may receive earned time while on parole.

Based on parole population projections by Legislative Council Staff, populations are expected to steadily increase. This increase will primarily be due to legislation adopted in 1993 which mandates that all offenders serve a period of parole. Table 12.2 illustrates that parole populations are expected to increase 25.8 percent from June 2000 to June 2005.

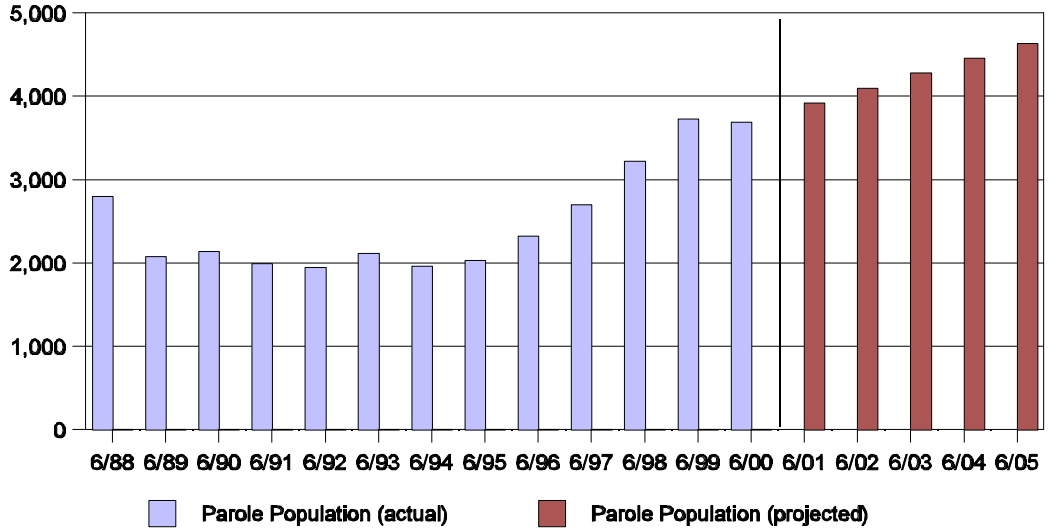
Table 12.2: History of Adult Parole Population and Five-Year Projections

Date	Population	Cumulative Percent Increase Over June 1988	Annual Percentage Growth
June 30, 1988 (actual)	2,796	NA	NA
June 30, 1989 (actual)	2,073	(25.9)%	(25.9)%
June 30, 1990 (actual)	2,137	(23.6)%	3.1%
June 30, 1991 (actual)	1,990	(28.8)%	(6.9)%
June 30, 1992 (actual)	1,943	(30.5)%	(2.4)%
June 30, 1993 (actual)	2,116	(24.3)%	8.9%
June 30, 1994 (actual)	1,958	(30.0)%	(7.5)%
June 30, 1995 (actual)	2,026	(27.5)%	3.5%
June 30, 1996 (actual)	2,322	(17.0)%	14.6%
June 30, 1997 (actual)	2,695	(3.6)%	16.1%
June 30, 1998 (actual)	3,219	15.1%	19.4%
June 30, 1999 (actual)	3,722	33.1%	15.6%
June 30, 2000 (actual)	3,685	31.8%	(1.0)%
June 30, 2001 (projected)	**3,915**	**40.0%**	**6.2%**
June 30, 2002 (projected)	**4,095**	**46.5%**	**4.6%**
June 30, 2003 (projected)	**4,275**	**52.9%**	**4.4%**
June 30, 2004 (projected)	**4,455**	**59.3%**	**4.2%**
June 30, 2005 (projected)	**4,635**	**65.8%**	**4.0%**

NA: Not Applicable.
Source: Legislative Council Staff

Table 12.2 is further illustrated by Graph 12.1 which highlights the expected growth in the parole caseload which is projected for the next five years.

Graph 12.1: Adult Parole Population
Actual and Projected



Source: Legislative Council Staff

Two primary factors affect the parole population: changes in the parole board's discretionary releases to parole, and the implementation of mandatory parole.

Changes in discretionary releases to parole. The parole board decides whether to grant inmates early release to parole (before sentence discharge date) or whether to revoke parole. These decisions can increase or decrease the size of the parole population and have an opposite effect on the size of the prison population. In FY 1999-00, the Parole Board released 23.4 percent of those who appeared before the board for release decisions. This compares with a 30.9 percent release rate in FY 1998-99 and a 29.5 percent release rate in FY 1997-98.

Mandatory parole. A significant reason for the growth in the long-term projected parole population is the implementation of mandatory parole. House Bill 93-1302 created mandatory parole for all inmates released from prison who committed a crime on or after July 1, 1993. Before mandatory parole, the Parole Board was encouraged to grant parole for those near the end of their sentences in order to continue providing a supervised placement. Otherwise, inmates could discharge their sentence in prison and could avoid supervision altogether. With mandatory parole, the Parole Board can defer parole until the sentence is complete, at which point the inmate still has a supervision period. One consequence of the implementation of mandatory parole has been that parole is deferred more often. The Parole Board has been able to use mandatory parole as a "safety net" to defer an early parole. Increased parole deferrals have increased the prison length of stay for new commitments.

In FY 1999-00, 33.0 percent of total prison releases were to mandatory parole, compared with 24.9 percent in FY 1998-99, 19.2 percent in FY 1997-98, and 13.2 percent in FY 1996-97. This share of releases is expected to continue increasing throughout the forecast period. Mandatory parole affects all new commitments after FY 1992-93 and increases the number of parolees and their lengths of stay on parole. We are now just beginning to encounter the effects of mandatory parole.

Population profile. Table 12.3 is a profile of the parole population by region as of June 30, 1999. The data reveal the following with regard to the parole population:

- the Denver region accounts for the greatest number of parolees with 1,512 offenders. This represents 41 percent of the entire parole population;
- males comprise 89 percent of the entire parole population. For comparison, males comprise 92 percent of the entire prison population in Colorado;
- parolees aged 20 to 39 comprise 73 percent of the entire parole population. Parolees aged 20 to 29 comprise 34 percent of the parole population and parolees aged 30 to 39 comprise 39 percent of the parole population. Parolees aged 40 to 49 comprise 21 percent of the parole population (up from 18 percent two years ago, further evidence of the aging corrections population);
- the bulk of parolees, 83 percent, were new commitments to the DOC when they were released to parole;
- the bulk of parolees were convicted of class 4 felonies (46 percent), class 5 felonies (27 percent), and class 3 felonies (19 percent) for a total of 92 percent of the parole population; and
- the majority, 24 percent (up from 16 percent two years ago), of parolees were convicted of drug offenses, followed by offenders convicted of theft at 15 percent, and offenders convicted of burglary and escape, each at 10 percent of the parole population.

Table 12.3: Parole Population Profile by Region as of June 30, 1999

CATEGORY	DENVER No.	DENVER % of Reg.	NORTHEAST No.	NORTHEAST % of Reg.	SOUTHEAST No.	SOUTHEAST % of Reg.	WESTERN No.	WESTERN % of Reg.	TOTAL No.	TOTAL % of State
TOTAL OFFENDERS*	1,512		1,127		686		332		3,657	
Percent of Total		41.3%		30.8%		18.8%		9.1%		100.0%
Average Age	*35 years*		*34 years*		*34 years*		*33 years*		*34 years*	
GENDER										
Male	1,310	86.6%	1,010	89.6%	618	90.1%	301	90.7%	3,243	88.7%
Female	202	13.4%	117	10.4%	68	9.9%	31	9.3%	418	11.4%
AGE GROUP										
18-19	2	0.1%	4	0.4%	2	0.3%	1	0.3%	9	0.2%
20-29	451	29.8%	399	35.4%	250	36.4%	146	44.0%	1,246	34.1%
30-39	600	39.7%	469	41.6%	257	37.5%	100	30.1%	1,426	39.0%
40-49	358	23.7%	195	17.3%	139	20.3%	62	18.7%	754	20.6%
50-59	88	5.8%	50	4.4%	29	4.2%	21	6.3%	188	5.1%
60 +	13	0.9%	10	0.9%	9	1.3%	2	0.6%	34	0.9%
PRISON STATUS TYPE										
New Commitments	1,198	79.2%	959	85.1%	574	83.7%	293	88.3%	3,024	82.7%
Parole Returns	142	9.4%	74	6.6%	49	7.1%	12	3.6%	277	7.6%
Parole Returns/ New Crime	103	6.8%	54	4.8%	36	5.2%	16	4.8%	209	5.7%
Other	69	4.6%	40	3.5%	27	3.9%	11	3.3%	147	4.0%
FELONY CLASS										
Class 1	1	0.1%	0	0.0%	1	0.1%	0	0.0%	2	0.1%
Class 2	16	1.1%	6	0.5%	11	1.6%	3	0.9%	36	1.0%
Class 3	287	19.0%	198	17.6%	144	21.0%	56	16.9%	685	18.7%
Class 4	701	46.4%	496	44.0%	339	49.4%	133	40.1%	1,669	45.6%
Class 5	422	27.9%	326	28.9%	141	20.6%	99	29.8%	988	27.0%
Class 6	83	5.5%	101	9.0%	50	7.3%	41	12.3%	275	7.5%
Habitual	2	0.1%	0	0.0%	0	0.0%	0	0.0%	2	0.1%
OFFENSE TYPE										
Homicide	37	2.4%	24	2.1%	17	2.5%	5	1.5%	83	2.3%
Robbery	87	5.8%	48	4.3%	47	6.9%	5	1.5%	187	5.1%
Kidnapping	13	0.9%	7	0.6%	6	0.9%	2	0.6%	28	0.8%
Assault	111	7.3%	110	9.8%	46	6.7%	26	7.8%	293	8.0%
Sex Assault	14	0.9%	18	1.6%	8	1.2%	1	0.3%	41	1.1%
Sex Assault/Child	26	1.7%	33	2.9%	19	2.8%	12	3.6%	90	2.5%
Drug Offenses	454	30.0%	231	20.5%	140	20.4%	66	19.9%	891	24.4%
Burglary	136	9.0%	117	10.4%	64	9.3%	43	13.0%	360	9.8%
Theft	189	12.5%	193	17.1%	108	15.7%	56	16.9%	546	14.9%
Forgery	38	2.5%	26	2.3%	13	1.9%	17	5.1%	94	2.6%
Fraud	8	0.5%	19	1.7%	9	1.3%	7	2.1%	43	1.2%
Traffic	27	1.8%	57	5.1%	33	4.8%	24	7.2%	141	3.9%
Escape	173	11.4%	91	8.1%	72	10.5%	18	5.4%	354	9.7%
Habitual	2	0.1%	0	0.0%	0	0.0%	0	0.0%	2	0.1%
Other	197	13.0%	153	13.6%	104	15.2%	50	15.1%	504	13.8%

* Profile number includes absconders not normally reported in parole caseload and excludes most interstate parolees supervised in Colorado.

Source: Department of Corrections' Annual Statistical Report, Fiscal Year 1999.

PAROLE AND COMMUNITY CORRECTIONS FUNDING HISTORY

This section compares appropriations, FTE, and populations for parolees. As pointed out in the prior section outlining offenders in community corrections, certain offenders in community corrections facilities are under the jurisdiction of the Division of Adult Parole Supervision. The population under the jurisdiction of the Division compared in this section is broken out into: parolees being supervised under "regular" parole; and parolees housed in community transition programs. These community transition parolees include residential transition parolees, parolees in community corrections as a condition of parole, parolees in the DOC's intensive supervision program, and nonresidential transition parolees (see prior section on community corrections for definitions of these populations).

Table 12.4 is a ten-year history of the funding and caseload for parole and community transition services. Table 12.4 illustrates that while the average caseload per FTE decreased by 80 percent from FY 1989-90 until FY 1993-94, the average caseload per FTE steadily increased by 18 percent from FY 1993-94 to FY 1998-99.

Table 12.5 illustrates that total parole and community transition populations increased (82 percent) at a much lower rate than the increase in long bill appropriations (195 percent). One explanation for this increase in funding in the face of decreasing populations is that additional funding was needed for additional parole officers in order to reduce caseloads (caseloads decreased from 43 offenders per FTE in FY 1989-90 to 29 offenders per FTE in FY 1998-99). Another explanation is that additional funding was needed to provide enhanced parole services such as intensive supervision programs for an increasing ISP population. Further explanation is that additional funding was needed to provide expanded aftercare services for the Youth Offender System population which is funded from the community transition budget.

Table 12.5 and Graph 12.2 also adjust long bill appropriations for inflation. In prior years, comparing the inflation-adjusted appropriations has shown that in ten years, appropriations increased at a rate nearly 3 times that of the parole and community transition populations. This difference in growth rates could be attributed to additional funding needed to decrease caseloads and to provide enhanced parole services. However, even though caseloads are beginning to creep back up (see Table 12.4), the gap between inflation-adjusted appropriations and the parole and community transition populations is beginning to close. Between FY 1989-90 and FY 1998-99, inflation-adjusted appropriations increased 111 percent and the parole and community transition population increased 83 percent.

Table 12.4: Overview of Parole and Community Corrections Transition Appropriations and Caseload

	Parole Population (June 30)	Long Bill Appropriation	FTE	Community Transition Population (June 30)	Community Transition Appropriations	FTE	Total Population (June 30)	Total Appropriations	Total FTE	Average Caseload Per FTE Employee
FY 1989-90	2,137	$2,576,758	66.0	690	NA	NA	2,827	$2,576,758	66.0	42.8
FY 1990-91	1,990	3,847,619	85.0	756	NA	NA	2,746	3,847,619	85.0	32.3
FY 1991-92	1,943	4,519,841	83.5	778	NA	NA	2,721	4,519,841	83.5	32.6
FY 1992-93	2,116	4,327,393	80.0	730	NA	NA	2,846	4,327,393	80.0	35.6
FY 1993-94	1,958	5,270,549	93.8	977	$1,211,931	29.5	2,935	6,482,480	123.3	23.8
FY 1994-95	2,026	5,258,118	93.8	1,009	1,361,442	31.5	3,035	6,619,560	125.3	24.2
FY 1995-96	2,322	5,620,340	93.8	924	1,958,164	39.1	3,246	7,578,504	132.9	24.4
FY 1996-97	2,695	5,777,844	95.8	1,063	2,725,624	42.7	3,758	8,503,468	138.5	27.1
FY 1997-98	3,219	6,720,987	104.5	1,170	4,868,663	47.7	4,389	11,589,650	152.2	28.8
FY 1998-99	3,722	7,589,987	114.2	1,433	7,667,267	64.8	5,155	15,257,254	179.0	28.8

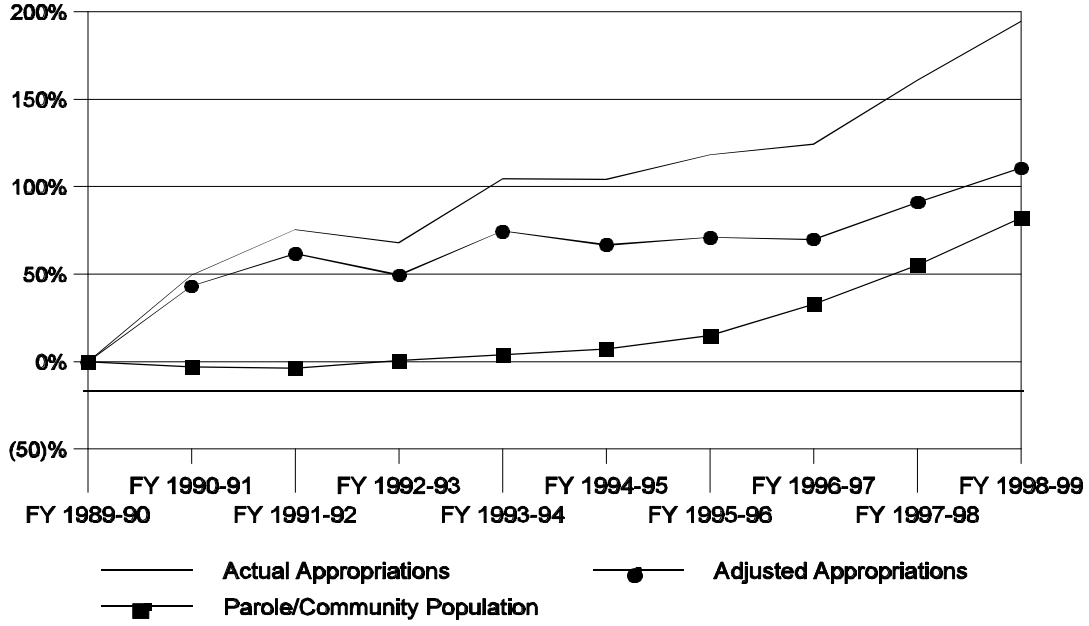
NA: Not Available.

Note: Until FY 1993-94, Parole and Community Transition appropriations and employees were combined.

Source: Legislative Council Staff.

Table 12.5: Parole and Community Corrections Appropriations, Adjusted for Inflation, vs. Caseload

Fiscal Year	Long Bill Appropriations	Percent Increase Over FY 1989-90	CPI-Adjusted Appropriations (FY 1989-90 Dollars)	Percent Increase Over FY 1989-90	Parole and Community Transition Population (June 30)	Percent Increase Over FY 1989-90
FY 1989-90	$2,576,758	0.0%	$2,576,758	0.0%	2,827	0.0%
FY 1990-91	3,847,619	49.3%	3,685,312	43.0%	2,746	(2.9)%
FY 1991-92	4,519,841	75.4%	4,167,178	61.7%	2,721	(3.8)%
FY 1992-93	4,327,393	67.9%	3,845,834	49.3%	2,846	0.7%
FY 1993-94	5,270,549	104.5%	4,494,327	74.4%	2,935	3.8%
FY 1994-95	5,258,118	104.1%	4,294,006	66.6%	3,035	7.4%
FY 1995-96	5,620,340	118.1%	4,400,510	70.8%	3,246	14.8%
FY 1996-97	5,777,844	124.2%	4,370,849	69.6%	3,758	32.9%
FY 1997-98	6,720,987	160.8%	4,922,772	91.0%	4,389	55.3%
FY 1998-99	7,589,987	194.6%	5,428,786	110.7%	5,155	82.3%

NA: Not applicable.
Note: The Denver-Boulder consumer price index was used to adjust for inflation.
Source: Legislative Council Staff.

Graph 12.2: Parole/Community Corrections Appropriations vs. Population Cumulative Percentage Increase Over FY 1989-90