

Colorado Division of Criminal Justice

The Status of Parole Returns To Prison in Colorado

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Executive Summary

This report presents data compiled in statistical reports issued by DOC and a special analysis of DOC data obtained annually by DCJ's Office of Research and Statistics (ORS). These data are used in the annual prison and parole population projections prepared by the ORS. This analysis presents data on those incarcerated in Colorado prisons between FY 2000 and FY 2007, with special focus on the parole revocation population.

- In FY 2007, approximately 8,500 offenders were released on parole in Colorado.
- In FY 2007, almost 40% of admissions to prison in Colorado were parole returns; this totaled about 4,000 offenders.
 - One quarter of the parolees who were returned to prison returned with a new crime; the remainder was returned for technical violations of their parole (just over 3,000 people).
 - Of those returning with a new crime, about 15% had a violent crime as their most serious offense, compared to 28% of new court commitments.*
 - In FY 2007, a third, or approximately 330 parolees who returned to prison with a new crime had escape as their most serious offense. This proportion is much higher than that found in other admission types, indicating that the escape charge was incurred while on parole. Only 7% of all other admissions have escape as their most serious offense.
 - Women were less likely than men to return to prison with a new crime while on parole.
- In FY 2007, approximately 20% of the DOC population was comprised of individuals who failed parole due to either technical violations or convictions for new crimes.
- In FY 2007, nearly 2,100 individuals were in prison for technical parole violations only (without a new crime).
- In FY 2007, Blacks were more likely to return to prison for both technical violations alone and for parole returns associated with a new crime than were Hispanics and Whites.

*Note: The 'most serious offense' is the most serious crime for which they are currently incarcerated, and is not necessarily the crime for which they were returned to prison.

The Status of Parole Returns to Prison in Colorado

In Colorado, parole returns increased by 58.5 percent between July 1999 and June 2007 (fiscal years 2000-2007). During the same time period, new court commitments increased by 51.5 percent. However, parole returns on a technical violation alone increased by only 41.5 percent, while parole returns with a new felony conviction increased 147.0 percent.¹ Colorado prison admissions by admission type over these years can be seen in Table 1. The variation in these percentages is graphically displayed below in Figures 1 and 2.

In the case of female admissions to prison, new court commitments increased by 121.4 percent, while parole returns increased by 107.4 percent. Female admission overall increased by 117.3 percent.² Admissions of women to prison between FY 2000 and FY 2007 by type are shown in Table 2. The trends in female admissions are displayed in Figure 3.

Table 1: Colorado Prison Admissions by Type FY 2000 through FY 2007

Fiscal Year (FY)	New Court Commitments	Parole Returns with a New Crime	Technical Parole Violations	Other Admits	Total	Total N Admissions
2000	61.46%	6.03%	31.33%	1.18%	100%	6853
2001	64.37%	5.78%	28.75%	1.09%	100%	6952
2002	61.46%	6.03%	31.33%	1.18%	100%	7802
2003	67.74%	5.55%	26.05%	0.65%	100%	7799
2004	61.46%	6.03%	31.33%	1.18%	100%	8165
2005	61.37%	8.85%	28.91%	0.87%	100%	9433
2006	60.47%	10.17%	28.35%	1.00%	100%	10168
2007	60.03%	9.60%	28.59%	1.78%	100%	10626

Sources: Colorado Department of Corrections. Office of Planning and Analysis. *Admission and Release Trends Statistical Bulletins*, Bulletin number OPA 08-08. Available at: <http://www.doc.state.co.us/Statistics/4StatisticalBulletins.htm>. These numbers are considered preliminary until the annual statistical report becomes available.

Rosten, Kristi. Statistical Reports, Fiscal Years 2001, 2003, 2004, 2006. Office of Planning and Analysis, Colorado Department of Corrections. Available at: <https://exdoc.state.co.us/Statistics/3StatisticalReports.htm>

'Other' admit types include: bond return, dual commit, probation return (with or without a new crime), court ordered discharge return (with or without a new crime), YOS failure (with or without a new crime), and YOS resentence.

The increase observed in parole returns with a new crime beginning in FY 2004 is possibly due to the passage of SB 03-252 which (among other things) limits the time a parolee can be revoked for a technical violation to 180 days, provided that the parolee was incarcerated for a nonviolent offense. Additional factors that occurred during the same time frame include the election of District Attorneys and system-wide budget cuts that affected programming for this population.

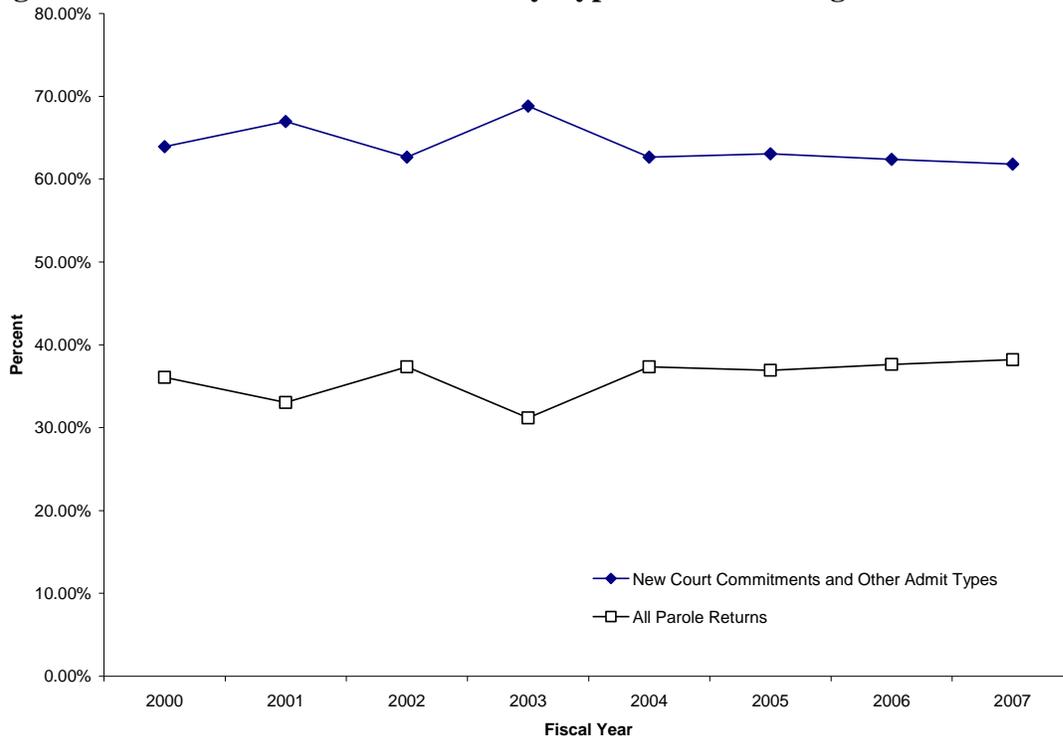
¹ Colorado Department of Corrections. Office of Planning and Analysis. *Admission and Release Trends Statistical Bulletins*, Bulletin number OPA 08-08. Available at: <http://www.doc.state.co.us/Statistics/4StatisticalBulletins.htm>

Rosten, Kristi. Statistical Reports, Fiscal Years 2001, 2003, 2004, 2006. Office of Planning and Analysis, Colorado Department of Corrections. Available at: <https://exdoc.state.co.us/Statistics/3StatisticalReports.htm>

² Ibid.

The small decline in parole returns with a new crime in FY 2007 may be due to the lack of resolution of some of the new cases. That is, the length of time required for the processing of a new felony case in court. Once the case has been resolved, it may be re-classified from a technical violation to a parole return with a new crime.

Figure 1: Colorado Prison Admissions by Type FY 2000 through FY 2007



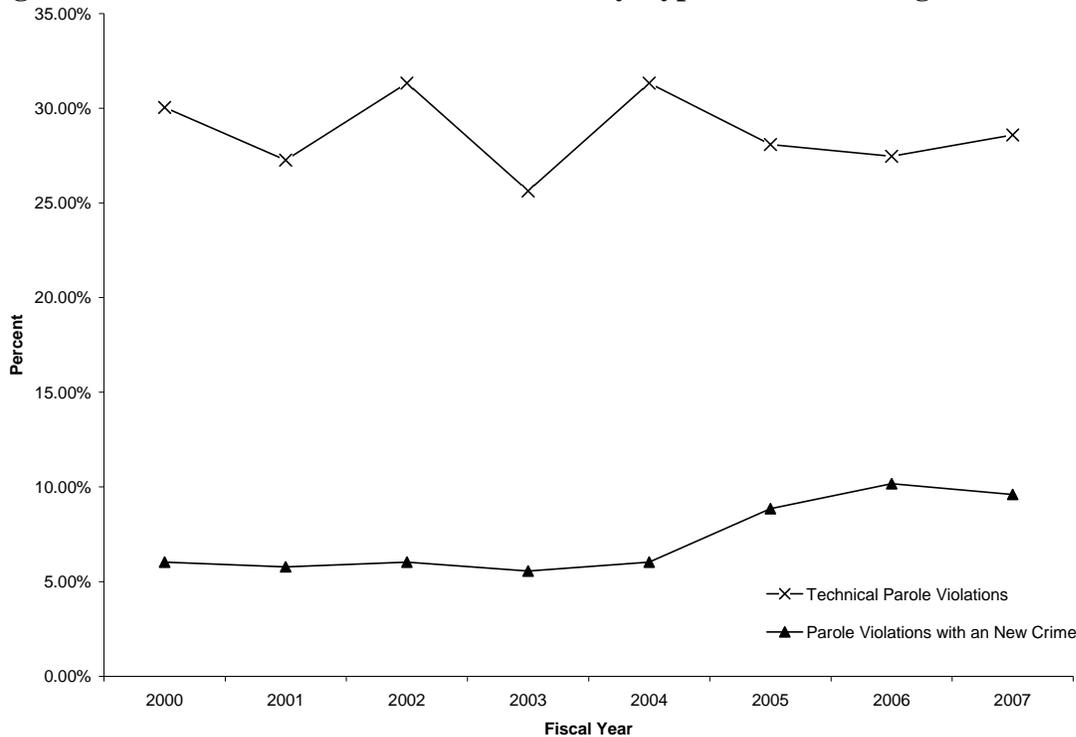
Sources:

Colorado Department of Corrections. Office of Planning and Analysis. *Admission and Release Trends Statistical Bulletins*, Bulletin number OPA 08-08. Available at: <http://www.doc.state.co.us/Statistics/4StatisticalBulletins.htm>. These numbers are considered preliminary until the annual statistical report becomes available.

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'Other' admit types include: bond return, dual commit, probation return (with or without a new crime), court ordered discharge return (with or without a new crime), YOS failure (with or without a new crime), and YOS resentence.

Figure 2: Colorado Parole Returns to Prison by Type FY 2000 through FY 2007



Sources: Colorado Department of Corrections. Office of Planning and Analysis. *Admission and Release Trends Statistical Bulletins*, Bulletin number OPA 08-08. Available at: <http://www.doc.state.co.us/Statistics/4StatisticalBulletins.htm>. These numbers are considered preliminary until the annual statistical report becomes available.

Rosten, Kristi. Statistical Reports, Fiscal Years 2001, 2003, 2004, 2006. Office of Planning and Analysis, Colorado Department of Corrections. Available at: <https://exdoc.state.co.us/Statistics/3StatisticalReports.htm>

Table 2: Colorado Female Prison Admissions by Type FY 2000 through FY 2007

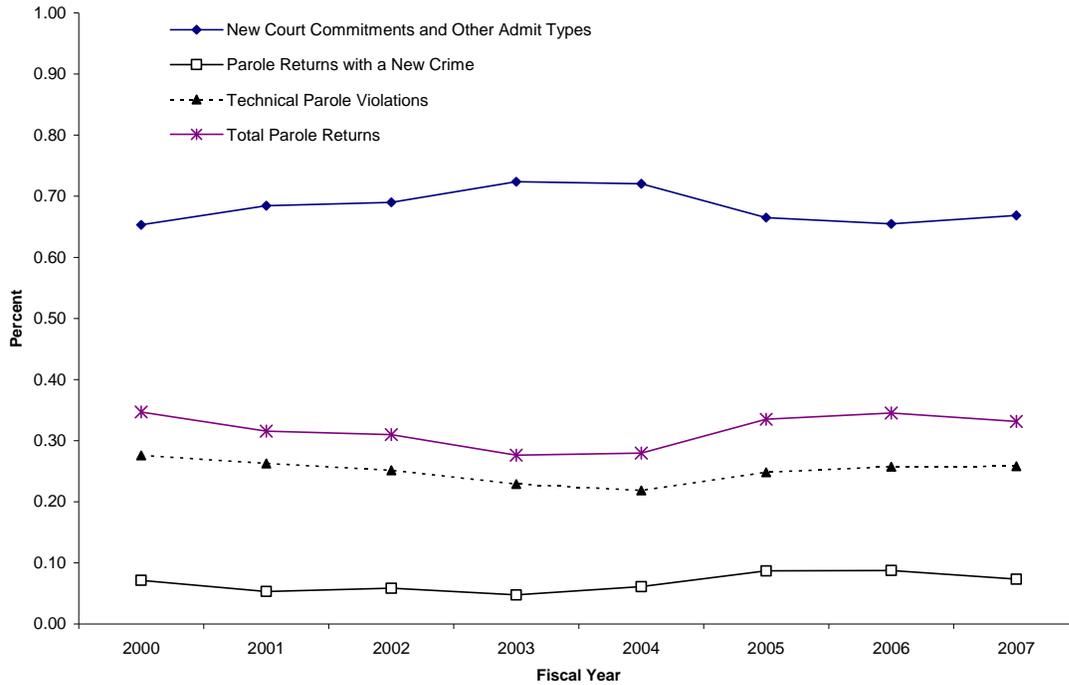
Fiscal Year (FY)	New Court Commitments	Technical Parole Violations	Parole Returns with a New Crime	Other Admit Types*	Total N Admissions
2000	63.79%	27.58%	7.12%	1.52%	660
2001	65.92%	26.26%	5.31%	2.51%	716
2002	67.46%	25.15%	5.84%	1.55%	839
2003	71.21%	22.89%	4.74%	1.16%	865
2004	71.24%	21.85%	6.10%	0.81%	984
2005	64.79%	24.82%	8.67%	1.72%	1281
2006	64.50%	25.76%	8.76%	0.98%	1324
2007	64.99%	25.80%	7.32%	1.88%	1434

Sources: Colorado Department of Corrections. Office of Planning and Analysis. *Admission and Release Trends Statistical Bulletins*, Bulletin number OPA 08-08. Available at: <http://www.doc.state.co.us/Statistics/4StatisticalBulletins.htm>. These numbers are considered preliminary until the annual statistical report becomes available.

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* 'Other' admit types include: bond return, dual commit, probation return (with or without a new crime), court ordered discharge return (with or without a new crime), YOS failure (with or without a new crime), and YOS resentence

Figure 3. : Colorado Female Prison Admissions by Type FY 2000 through FY 2007



Sources:

Colorado Department of Corrections. Office of Planning and Analysis. *Admission and Release Trends Statistical Bulletins*, Bulletin number OPA 08-08. Available at: <http://www.doc.state.co.us/Statistics/4StatisticalBulletins.htm>. These numbers are considered preliminary until the annual statistical report becomes available.

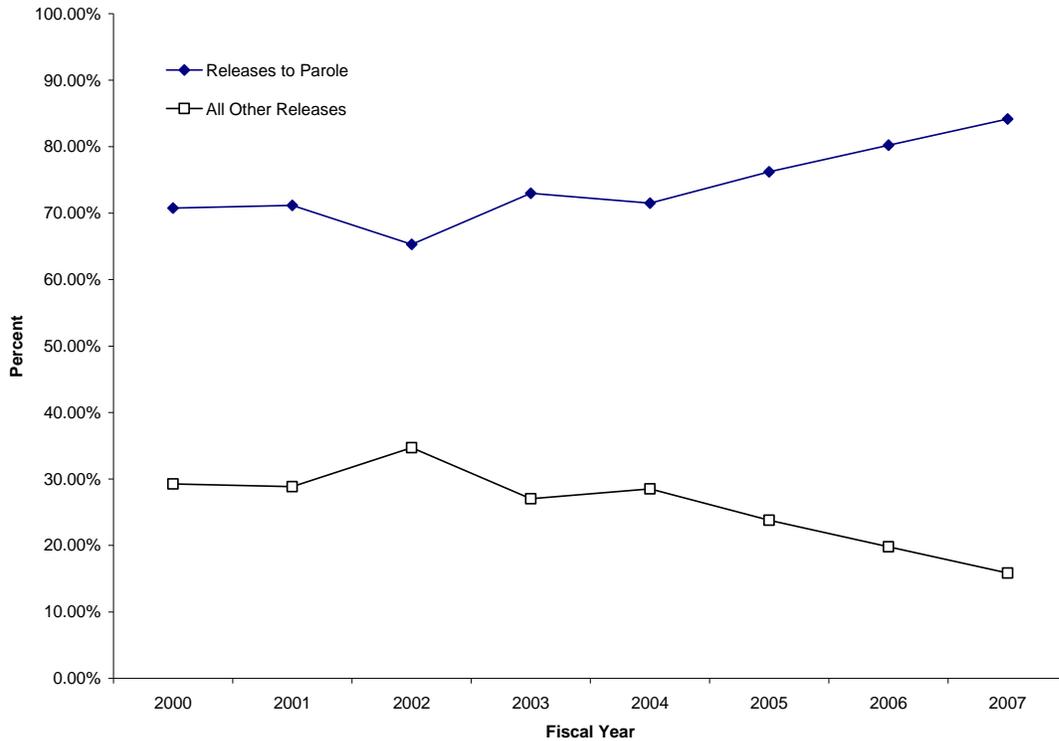
Rosten, Kristi. Statistical Reports, Fiscal Years 2001, 2003, 2004, 2006. Office of Planning and Analysis, Colorado Department of Corrections. Available at: <https://exdoc.state.co.us/Statistics/3StatisticalReports.htm>

The increase in parole returns must be viewed in light of the increasing numbers of releases to parole, consequently increasing the pool of offenders at risk of parole revocation. In FY 2000, 70.8 of all releases were to parole. This percentage increased to 84.3 percent in FY 2007. In sum, parole releases increased 117.3 percent between FY 2000 and FY 2007, while overall releases have increased by only 82.8 percent. Prison releases other than to parole have actually declined by almost a percentage point.³ This is at least partially due to the increasing proportion of prisoners falling under mandatory parole statutes. The trend in prison releases is displayed in Figure 4 below. Prison releases by type across fiscal years 2000 through 2007 are presented in Table 3.

³ Colorado Department of Corrections. Office of Planning and Analysis. *Admission and Release Trends Statistical Bulletins*, Bulletin number OPA 08-08. Available at: <http://www.doc.state.co.us/Statistics/4StatisticalBulletins.htm>. These numbers are considered preliminary until the annual statistical report becomes available.

Rosten, Kristi. Statistical Reports, Fiscal Years 2001, 2003, 2004, 2006. Office of Planning and Analysis, Colorado Department of Corrections. Available at: <https://exdoc.state.co.us/Statistics/3StatisticalReports.htm>

Figure 4: Colorado Prison Releases by Type FY 2000 through FY 2007



Sources:

Colorado Department of Corrections. Office of Planning and Analysis. *Admission and Release Trends Statistical Bulletins*, Bulletin number OPA 08-08. Available at: <http://www.doc.state.co.us/Statistics/4StatisticalBulletins.htm>. These numbers are considered preliminary until the annual statistical report becomes available.

Rosten, Kristi. Statistical Reports, Fiscal Years 2001, 2003, 2004, 2006. Office of Planning and Analysis, Colorado Department of Corrections. Available at: <https://exdoc.state.co.us/Statistics/3StatisticalReports.htm>

Table 3: Colorado Prison Releases by Type FY 2000 through FY 2007

Fiscal Year (FY)	Releases to Parole	All Other Releases	Total N Releases
2000	70.77%	29.23%	5532
2001	71.16%	28.84%	6114
2002	65.30%	34.70%	6554
2003	72.98%	27.02%	6977
2004	71.53%	28.47%	7504
2005	76.41%	23.59%	8249
2006	80.27%	19.73%	8954
2007	84.15%	15.85%	10110

Sources: Colorado Department of Corrections. Office of Planning and Analysis. *Admission and Release Trends Statistical Bulletins*, Bulletin number OPA 08-08. Available at: <http://www.doc.state.co.us/Statistics/4StatisticalBulletins.htm>. These numbers are considered preliminary until the annual statistical report becomes available.

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Data concerning the “stock population”, also known as the “decay population”, are provided to DCJ by DOC for preparing the annual prison population projections. These data represent the current prison population as measured annually on a given date in October.⁴ Table 4 displays the trends in the composition of the stock population over the past 8 fiscal years. Figure 4 graphically displays the composition of the population comprised of parole returns by type. As shown, the proportion of the stock population that is comprised of parole returns has declined slightly, from 23.5 percent in 2000 to 21.7 percent in 2007, even though the actual population increased. The proportion of individuals in prison due to a technical parole violation only has declined from 14.6 percent of the October 2000 stock population to 9.3 percent in October 2007.⁵

Table 4: Annual Composition of the Stock Population by Admission Type

Year	New Court Commitments	Technical Parole Violations	Parole Returns with a New Crime	Other Admit Types*	Total N
2000	73.94%	14.55%	8.94%	2.57%	15299
2001	74.97%	14.16%	8.55%	2.32%	16454
2002	75.46%	14.48%	8.25%	1.82%	17850
2003	75.98%	14.11%	8.36%	1.55%	18599
2004	78.52%	10.67%	9.20%	1.60%	19079
2005	78.41%	9.68%	10.38%	1.53%	20025
2006	77.07%	9.18%	11.85%	1.90%	21287
2007	76.62%	9.32%	12.08%	1.98%	22357

Source: Data extracts provided by DOC. Data are considered preliminary, and may vary from that published by DOC.

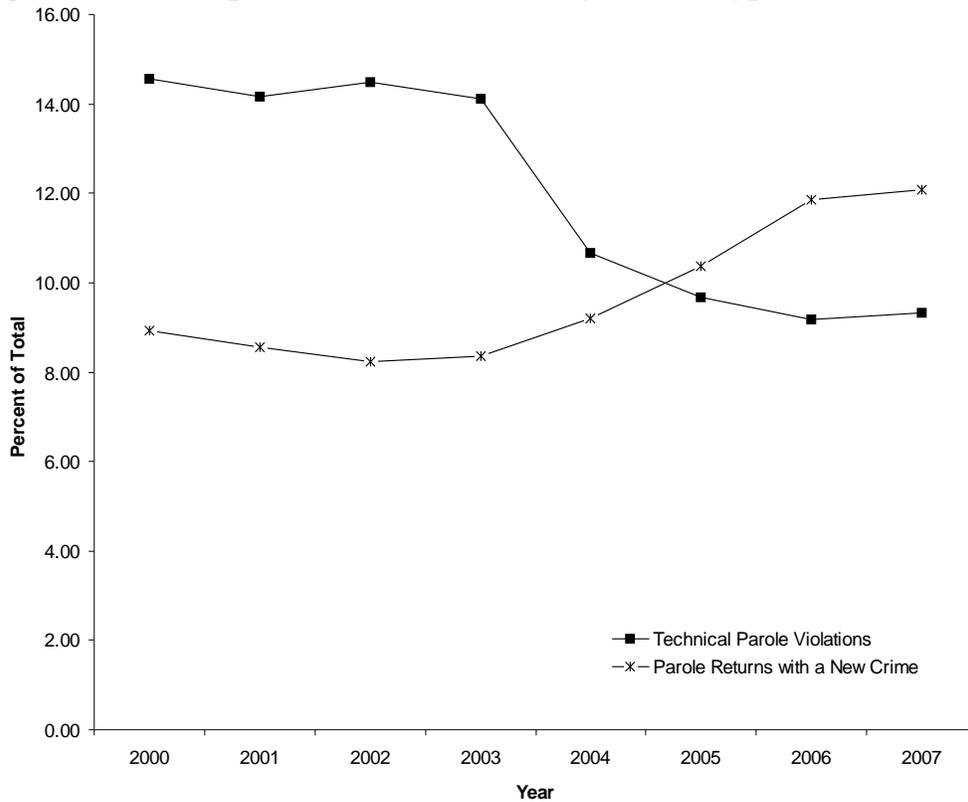
* 'Other' admit types include: bond return, dual commit, probation return (with or without a new crime), court ordered discharge return (with or without a new crime), YOS failure (with or without a new crime), and YOS resentence.

As far as the overall increase in the stock population since FY 2000, 81.6 percent is attributable to the increase in new court commitments. The increase in parole returns with a new crime contributes 19.8 percent, while there has been a 2.2 percent decline in the overall stock pop that is due to technical parole violators.

⁴ These data are considered preliminary and some statements made in this portion of the report may change slightly once the data are cleaned. However, they still provide a general overview of the system.

⁵ Based on data extracts provided by DOC. Data are considered preliminary, and may vary from that published by DOC. These numbers exclude a certain number of inmates with life sentences and fugitives.

Figure 5: Stock Population Parole Returns by Return Type FY 2000 through FY 2007



Source: Data extracts provided by DOC. Data are considered preliminary, and may vary from that published by DOC.

DEMOGRAPHIC PROFILE OF COLORADO PRISON ADMISSIONS BY ADMISSION TYPE

Table 5 displays the demographic characteristics of Colorado prison admissions during FY 2007 only. As shown, the average age varies little between prison admission types. The largest proportion of female admissions is among new court commitments, at 14.7 percent. The smallest is among parole returns with a new crime, at 10.3 percent. Technical parole returns fall in between these two, at 12.2 percent.

In terms of ethnicity, black offenders are more highly represented among parole returns than among new court commitments. Black offenders represent 23.3 percent and 23.8 percent of technical violations and returns with a new crime, respectively, compared to 15.9 percent of new court commitments. Correspondingly, fewer Hispanic offenders are seen among parole returns than are seen among new court commitments (see Table 5).

Table 5: Demographics by Admission Type FY 2007 Admissions Only (N=10,588)

	New Court Commitments	Technical Parole Violations	Parole Returns with a New Crime	Other Admit Types*	All Admissions
Average Age	33.02	35.62	33.81	28.99	33.78
Female	14.74%	12.18%	10.32%	13.79%	13.56%
Male	85.26%	87.82%	89.68%	86.21%	86.44%
Total	100%	100%	100%	100%	100%
White	47.22%	45.59%	45.34%	40.80%	46.46%
Hispanic	33.12%	27.54%	27.98%	36.21%	31.08%
Black	15.93%	23.33%	23.81%	20.69%	18.89%
Native Amer.	2.66%	3.09%	2.58%	1.72%	2.76%
Asian	1.07%	0.46%	0.30%	0.57%	0.81%
Total	100%	100%	100%	100%	100%

Source: Data extracts provided by DOC. Data are considered preliminary, and may vary from that published by DOC. These data are based on sentencing data which differ slightly from strict admission numbers.

* 'Other' admit types include: bond return, dual commit, probation return (with or without a new crime), court ordered discharge return (with or without a new crime), YOS failure (with or without a new crime), and YOS resentence.

TRENDS IN GOVERNING SENTENCE AND OFFENSE TYPES

Table 6 displays average governing sentences by admission type for all admissions between FY 2000 and FY 2007. As shown, the governing sentence for new court commitments is much longer than for either type of parole return, at 64.5 months (total) compared to 34.3 months for technical returns and 43.3 months for returns with a new crime. There has been some variation across the years, with overall governing sentences mainly declining between FY 2000 and FY 2005. This trend reversed over the next two fiscal years (FY 2006 and FY 2007).

Table 6: Minimum Governing Sentence Length by Admission Type: Average Months FY 2000 – FY 2007

Fiscal Year (FY)	New Court Commitments	Technical Parole Violations	Parole Returns with a New Crime	Other Admit Types*	All Admissions	N
2000	67.33	39.19	41.73	71.62	57.15	6658
2001	65.58	35.03	44.69	69.00	55.88	6774
2002	66.83	35.88	46.62	69.92	56.92	7609
2003	63.67	34.40	50.66	82.82	55.38	7600
2004	61.01	34.24	41.67	77.63	52.37	7972
2005	57.92	32.90	40.97	65.57	49.46	9355
2006	61.13	33.03	40.65	75.85	51.64	10211
2007	65.01	31.83	45.92	70.46	53.75	10588
Total	64.55	34.32	44.31	72.70	54.61	66767

Source: Data extracts provided by DOC. Data are considered preliminary, and may vary from that published by DOC. These data are based on sentencing data which differ slightly from strict admission numbers.

* 'Other' admit types include: bond return, dual commit, probation return (with or without a new crime), court ordered discharge return (with or without a new crime), YOS failure (with or without a new crime), and YOS resentence.

Table 7 displays the proportions of admissions across fiscal years 2000 through 2007 by type of offense within admission types. The offenses listed are considered to be the most serious crime associated with each offender's current governing sentence, and are categorized according to crimes against persons, violent offenses, drug offenses, escapes, and all other offenses. Figure 6 graphically presents these trends for new court commitments only, while figures 7 and 8 display the same for technical parole returns and parole returns with a new crime.⁶

As can be seen in figures 6 and 7, the most serious offenses have remained relatively stable over the past 9 years. As expected, fewer technical returns have a crime against a person as their most serious offense as such offenders are released to parole, and therefore placed at risk of a technical parole violation, less frequently than those with a property, drug or escape offense.

It is noteworthy that while just over 5 percent of new court commitments are admitted with an escape as their most serious offense, approximately 12 percent of technical violators have escape given as their most serious offense. This is significant because technical violators will have the same offense given as their most serious on their return as they did during their prior incarceration period. This increase in the proportion of escape offenses could be indicative of the number of parolees returned with a new escape conviction and who are subsequently released on parole again, only to have their parole revoked again with a technical violation.

As shown in figure 7, the situation is much different in the case of parole returns with a new crime. A small but increasing percentage of such admissions have a person crime as their most serious offense. Approximately 35.0 percent return with a property offense, and between 19.9 percent and 29.4 percent return with a drug governing offense. However, the percentage returning with an escape conviction is much higher than for other admission types. This percentage has increased, from 23.4 percent in FY 2001 to 40.2 percent in FY 2006. This proportion dropped slightly in FY 2007 to 33.1 percent. **It is important to note that the offense listed is the most serious crime associated with the current incarceration. It is likely that many more escape convictions occur with this population, but the offense data available for this analysis are limited to only the single most serious crime.** All of the offenses involved in an inmate's prison sentence were not available for the analysis presented in this report. More complete data concerning conviction crimes and associated sentences would be required to ascertain the prevalence of prior escape convictions among parole returns.

Almost one third (31.8 percent) of parole violators with a new crime since FY 2000 have returned to prison with escape as their governing crime, compared to only 5.4 percent of new court commitments. New court commitments with escape conviction charges must originate from a criminal justice placement other than parole, since parolees would be counted in the "parole returns with a new crime" category. New court commitments with escape charges are diversion community corrections clients, jail work release walk-aways, and miscellaneous escape from custody charges such as running away from a police car.⁷ However, it appears that relatively few offenders in these placements receive escape charges resulting in a prison sentence.

⁶ For a more detailed breakdown of governing crimes by admission type, see Appendix A.

⁷ Reference: Examples of escape behavior are from data compiled from the Colorado Division of Criminal Justice Court Data Collection 2007 Database, Colorado Department of Public Safety, Denver, Colorado.

**Table 7: Most Serious Offense Category within Admission Types
Fiscal Years 2000 through 2007**

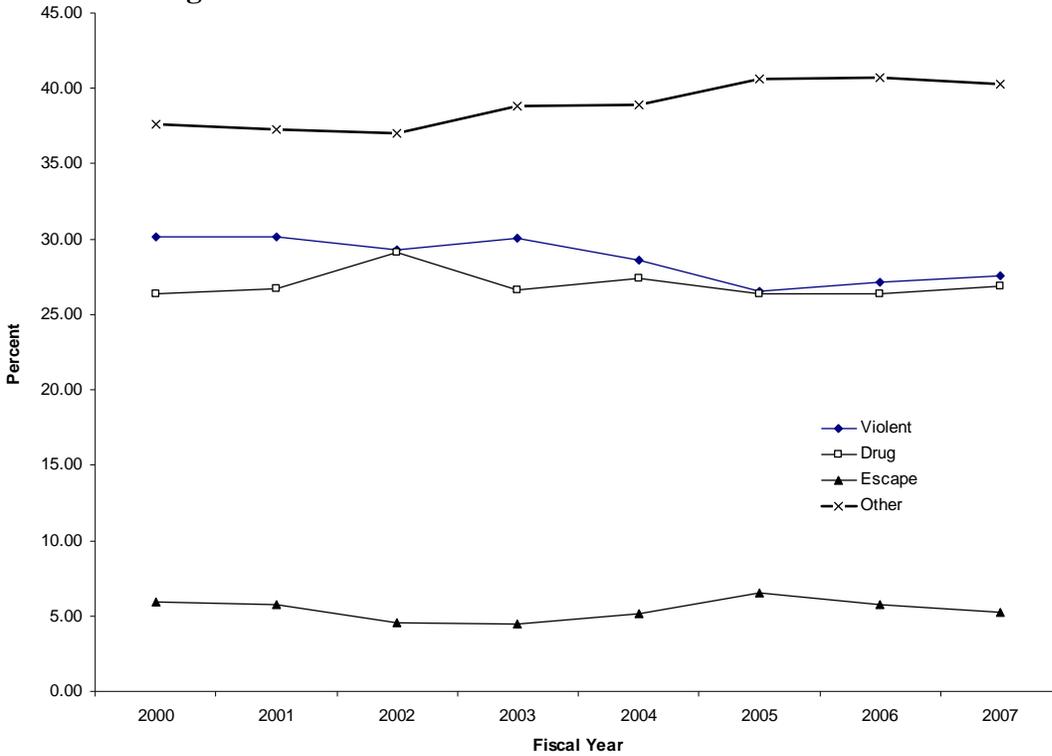
	2000	2001	2002	2003	2004	2005	2006	2007	Total
New Court Commitments									
N Cases	4044	4324	4905	5107	5146	5755	6201	6359	41841
	%	%	%	%	%	%	%	%	%
Violent	30.12	30.18	29.28	30.06	28.60	26.52	27.16	27.61	28.51
Drug	26.34	26.73	29.13	26.65	27.36	26.36	26.38	26.84	26.96
Escape	5.96	5.78	4.55	4.48	5.13	6.53	5.79	5.25	5.44
Other	37.59	37.30	37.04	38.81	38.90	40.59	40.67	40.30	39.09
Total	100	100	100	100	100	100	100	100	100
Technical Violation Parole Returns									
N Cases	2056	1895	2181	1999	2298	2649	2793	3047	18918
	%	%	%	%	%	%	%	%	%
Violent	22.03	20.42	18.75	19.66	21.50	19.86	19.62	20.91	20.34
Drug	23.25	26.33	28.01	25.46	25.98	28.54	27.75	26.09	26.54
Escape	13.38	12.03	11.88	13.36	12.18	12.04	11.31	11.98	12.21
Other	41.34	41.21	41.36	41.52	40.34	39.56	41.32	41.02	40.92
Total	100	100	100	100	100	100	100	100	100
Parole Returns with a New Crime Returns									
N Cases	413	402	410	433	449	824	1034	1008	4973
	%	%	%	%	%	%	%	%	%
Violent	9.20	8.46	9.27	10.62	10.47	11.29	11.61	15.18	11.44
Drug	27.85	29.35	29.27	27.48	27.62	22.33	20.79	19.94	24.05
Escape	27.60	23.88	25.12	24.48	27.62	35.19	40.23	33.13	31.83
Other	35.35	38.31	36.34	37.41	34.30	31.19	27.37	31.75	32.68
Total	100	100	100	100	100	100	100	100	100
Other Admit Types*									
N Cases	149	156	113	61	80	140	185	174	1058
	%	%	%	%	%	%	%	%	%
Violent	35.57	24.36	26.55	37.70	31.25	22.86	30.81	31.61	29.58
Drug	28.86	34.62	33.63	36.07	36.25	25.00	24.32	21.84	28.73
Escape	6.71	8.33	8.85	1.64	5.00	5.00	8.65	7.47	6.99
Other	28.86	32.69	30.97	24.59	27.50	47.14	36.22	39.08	34.69
Total	100	100	100	100	100	100	100	100	100

Source: Data extracts provided by DOC. Data are considered preliminary, and may vary from that published by DOC. These data are based on sentencing data which differ slightly from strict admission numbers.

Note: Violent crimes include homicide, assault, kidnap, child abuse, sexual assault, robbery, extortion, intimidation, retaliation and riots in detention facilities. Escape also includes aiding escape, attempted escape, attempted escape while in custody, escape insanity law, escape pursuant to extradition, offenses relating to custody and contraband and violation of a bail bond. The 'other' crimes category includes burglary, theft, forgery, fraud, motor vehicle theft, arson, weapons violations, parental custody violations, contributing to the delinquency of a minor, offenses against public peace, dueling, criminal libel, false reporting, possession of contraband, unspecified inchoate offenses, obstructing law enforcement, vandalism, criminal trespassing, criminal mischief, bribery, criminal negligence, non-support of family, perjury, tampering, traffic-related violations, workers' compensation fraud, social services fraud, destruction of wildlife, hazardous waste violations, habitual criminal, organized crime control act.

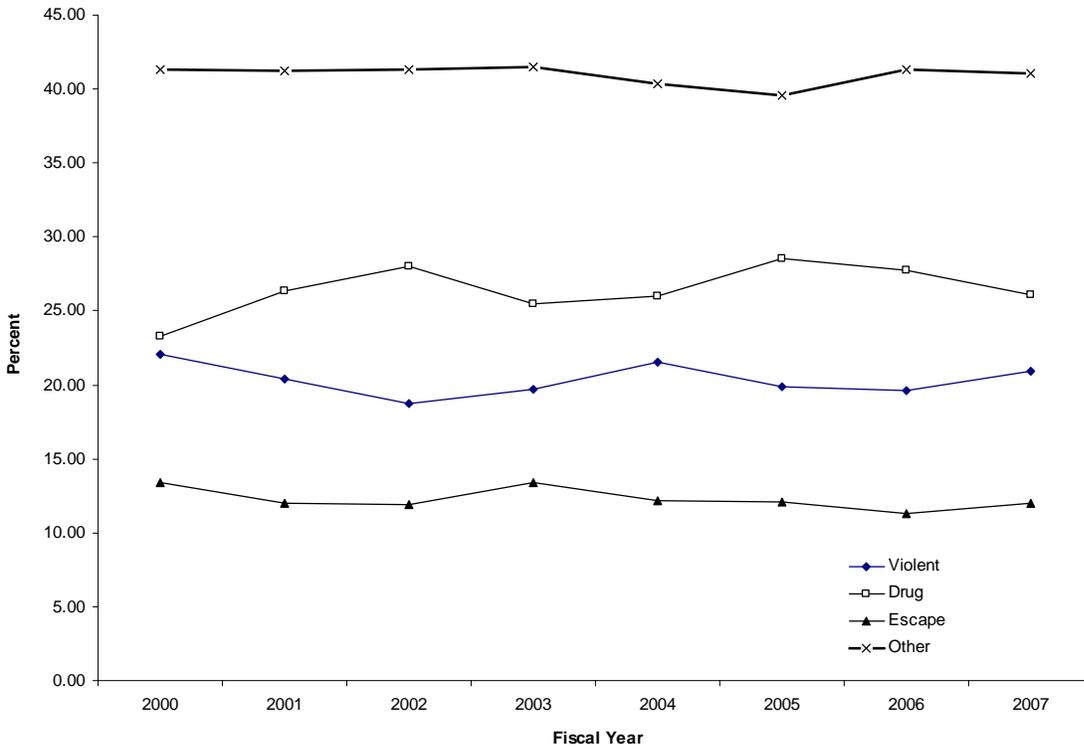
* 'Other' admit types include: bond return, dual commit, probation return (with or without a new crime), court ordered discharge return (with or without a new crime), YOS failure (with or without a new crime), and YOS resentence.

**Figure 6. Most Serious Offense Category for New Court Commitments
FY 2000 through FY 2007**



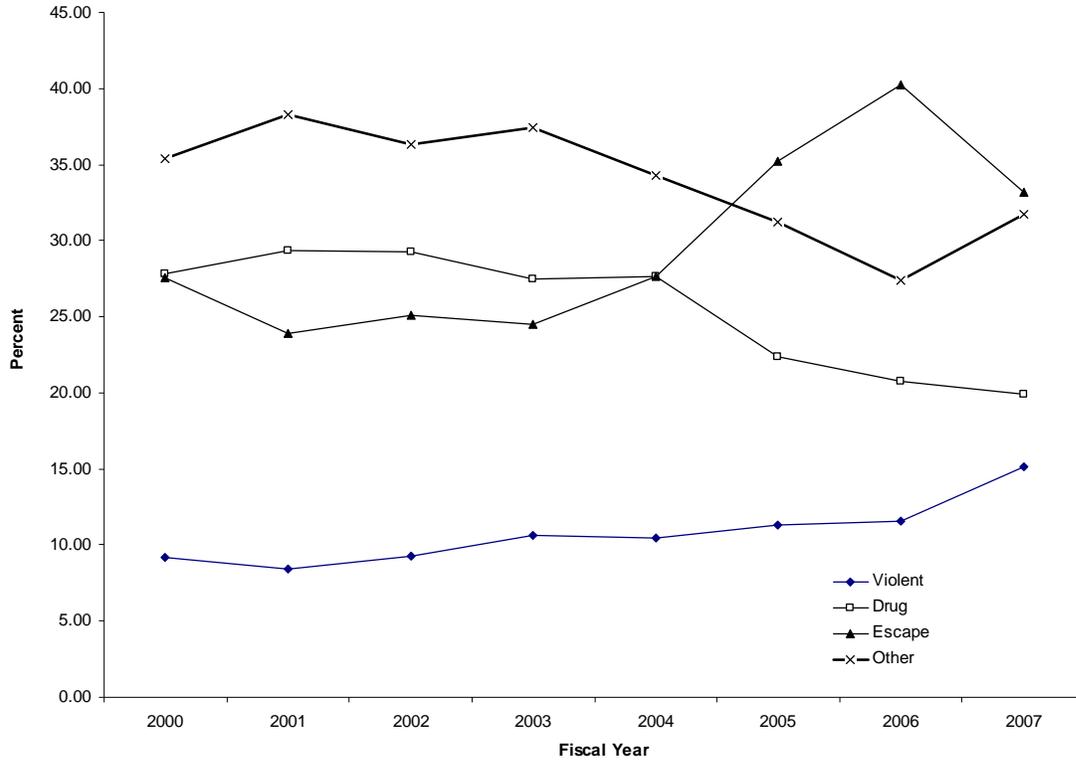
Source: Data extracts provided by DOC. Data are considered preliminary, and may vary from that published by DOC.

**Figure 7. Most Serious Offense Category for Technical Violation Parole Returns
FY 2000 - FY 2007**



Source: Data extracts provided by DOC. Data are considered preliminary, and may vary from that published by DOC.

**Figure 8. Most Serious Offense Category for Parole Returns with a New Crime
FY 2000 - FY 2007**



Source: Data extracts provided by DOC. Data are considered preliminary, and may vary from that published by DOC.