



# Colorado Legislative Council Staff

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## MEMORANDUM

July 13, 2017

**TO:** Members of the County Courthouse and County Jail Funding and Overcrowding Solutions Interim Study Committee

**FROM:** Juliann Jenson, Research Analyst, 303-866-3264

**SUBJECT:** Overview of County Jails

### Summary

This memorandum provides an overview of county jails, including their function, population served, cost per day, and relationship with the state Department of Corrections.

### Differences between Prison and Jail

The terms “prison” and “jail” are often used interchangeably, but there are notable differences between the two. Prisons are state or federally run facilities that typically house people with sentences over a year. Prisons are built to hold more serious criminal offenders and also provide rehabilitative programs. In contrast, jails are temporary or short-term facilities that generally operate under the authority of a county government or an independently elected sheriff. Fifty-seven of the 64 counties in Colorado maintain a jail facility. Kiowa, Philips, Hinsdale, Mineral, Delores, Ouray, and San Juan counties contract with other county jails.

### Types of Jail Detainees

Jails accommodate a broad category of individuals with relatively short lengths of stay. Jails detain individuals awaiting trial, as well as incarcerated offenders who have been sentenced to jail, are awaiting transfer to prison, or are serving time for a probation or parole violation. In some localities, jails also house inmates held under state or federal jurisdiction. They may also temporarily detain juveniles, persons waiting for a mental competency examination or transfer to a psychiatric facility, and defendants awaiting transfer to another county. Some county jails accommodate an overflow of state inmates and others hold, through contract, federal and Immigration and Customs Enforcement prisoners.

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## County Jail Capacity and Population in Colorado

Presently, there is no statewide database for the purpose of collecting, maintaining, and analyzing jail population information or sentencing trends for county jails. In the absence of a statewide database, Colorado Counties, Inc. (CCI) surveyed counties in the spring of this year about a number of issues, including capacity and daily population. Twenty out of 64 counties responded for a response rate of 31%. Of the 20 responding counties, seven reported daily populations that exceeded capacity. The largest overcrowding disparity was reported in Pueblo County (See Table 1).

Denver did not participate in the survey, but a *Denver Post* article from April 11, 2017, reported capacity to be at 2,330 with an average daily population of 2,221.

**Table 1**  
**County Jail Capacity and Daily Population**

<b>County</b>	<b>Capacity</b>	<b>Daily Population</b>
Adams	1,205	938
<b><i>Alamosa</i></b>	<b>95</b>	<b><i>130-140</i></b>
Arapahoe	1,458	1,009
Archuleta	8	2
Boulder	557	400
Chaffee	105	85
Eagle	114 (staffing for 75)	87
El Paso	1,753	1,627
<b><i>Gilpin</i></b>	<b>53</b>	<b><i>56-60</i></b>
Grand	50	20
<b><i>Jackson</i></b>	<b>5</b>	<b>13</b>
Jefferson	1,326	1,256
Kiowa	0	0
<b><i>Lake</i></b>	<b>10</b>	<b>23</b>
Larimer	617	580
Las Animas	105	55
<b><i>Mesa</i></b>	<b>440</b>	<b>476</b>
Moffat	125	-
Montrose	135	76
<b><i>Morgan</i></b>	<b>72</b>	<b>83</b>
Pitkin	22	16
Prowers	57	46-50
<b><i>Pueblo</i></b>	<b>509</b>	<b>770</b>
Rio Blanco	34	11
Rio Grande	64	55-66
Saguache	21	17
Summit	94	55
Yuma	42	15-20

Source: Colorado Counties, Inc.

\*Bold Italics indicate exceeded capacity

## Cost of Jail in Colorado

County general funds primarily pay for jail costs, and jails are a significant expenditure in county budgets. In addition to the building and maintenance of the facility itself, there are staff,

food, clothing, health care, programming, and other overhead expenses such as intake, detoxification, diagnostic assessments, pre-trial services, and release procedures that account for total jail costs.

The County Sheriffs of Colorado (CSOC) recently gathered information about the average daily cost of jail in a sampling of counties (see Table 2). The CSOC noted that these figures are estimates, and costs may vary based on a number of factors. For example, the Montrose County Sheriff's Office based their cost per day on utilities, three meals, and a bed, but did not include medical expenses. Mesa County's estimate included food and medical services only.

**Table 2  
County Daily Jail Cost**

<b>County</b>	<b>Average Daily Cost</b>
Arapahoe	\$89.87
Archuleta	\$53.64
Clear Creek	\$100.00
Eagle	\$50.00
El Paso	\$88.72
Garfield	\$100.97
Jefferson	\$65.34
Larimer	\$119.89
La Plata	\$117.00
Mesa	\$53.60
Moffat	\$113.42
Montezuma	\$50.00
Montrose	\$85.00
Pitkin	\$250.00
Pueblo	\$64.23
Sedgwick	\$20.00
San Miguel	>\$100.00
Teller	\$50.00
Weld	\$100.00

*Source: County Sheriffs of Colorado*

### **Department of Corrections Inmates in County Jails**

State inmates are housed in county jails for a number of reasons, including but not limited to: parole violations resulting in residential sanctions; overcrowding; upcoming intake into the prison system; or transitions to another type of residential facility.

The Department of Corrections (DOC) categorizes and counts state inmates who are in county jails. They also identify the number of parolees who are in jail, but have not yet been revoked (and thus have not been sent back to prison for failure to comply with the conditions of parole).

On June 1, 2017, there were 1,672 DOC offenders in county jails. Over three-fourths (77 percent) of these offenders were jailed parolees. The remaining were state inmates, with the largest percentage of this subset awaiting transfer to prison.

**Reimbursement.** For fiscal year 2016-17, the DOC reimbursement rate to county jails for housing state inmates was set at \$53.64 per day, beginning 72 hours after sentencing.