



## Colorado Independent Redistricting Commissions Staff

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## MEMORANDUM

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August 6, 2021

**TO:** Colorado Independent Legislative Redistricting Commission

**FROM:** Louis Pino, GIS Specialist, Colorado Independent Redistricting Commissions Staff

**SUBJECT:** 2020 Census Incarcerated Persons Adjustments for Colorado Redistricting Purposes

### Summary

Following the decennial census, the U.S. Census Bureau provides population data to all of the states for redistricting congressional and state legislative boundaries. The U.S. Census Bureau will provide this data in a file named Public Law (P.L.) 94-171. The P.L. 94-171 redistricting data will contain several tables that provide population counts for the total population, and for the population 18 years and over by race and by Hispanic or Latino origin, and for the total group quarters population by major group quarters type. The official titles of the six tables in the P.L. 94-171 redistricting data are:

Table Number	Description
P1	Race
P2	Hispanic or Latino, and Not Hispanic or Latino by Race
P3	Race for the Population 18 years and Over
P4	Hispanic or Latino, and Not Hispanic or Latino by Race for the Population 18 years and Over
P5	Group Quarters Population by Major Group Quarters Type
H1	Occupancy Status

Reallocating incarcerated persons will require the nonpartisan staff of the Colorado Independent Legislative Redistricting Commission (nonpartisan staff) to adjust tables P1 through P5. This memorandum provides a summary of the report (the DOC report) provided to nonpartisan staff by the Department of Corrections (DOC) in accordance with section 2-2-902 (2)(b), C.R.S., and the data adjustments nonpartisan staff will need to make to tables P1 through P5 in the P.L. 94-171 redistricting

data to reallocate persons incarcerated in Colorado correctional facilities as of April 1, 2020 to their last known address.

## THE COLORADO DEPARTMENT OF CORRECTIONS INCARCERATED PERSONS REPORT

On April 1, 2020, the DOC informed the U.S. Census Bureau that there were 17,506 incarcerated persons in Colorado’s 26 correctional facilities. In accordance with section 2-2-902 (2)(b), C.R.S., the DOC provided nonpartisan staff the DOC report on these incarcerated persons. The DOC report included information about the state correctional facility where these incarcerated persons were located as of April 1, 2021, the last known addresses of these incarcerated persons prior to incarceration, whether these incarcerated persons are of Hispanic origin, the age of these incarcerated persons, and a unique identifier (not including the names of the incarcerated persons) for each one of these incarcerated persons.

Table 1 shows the total number of incarcerated persons, as provided in the DOC report, in a state correctional facility as of April 1, 2020.

**Table 1: Total Number of Incarcerated Persons by Colorado Correctional Facility**

<b>Facility</b>	<b>County</b>	<b>Total</b>
ARKANSAS VALLEY CORRECTIONAL FACILITY	Crowley	1,059
ARROWHEAD CORRECTIONAL CENTER	Fremont	513
BENT COUNTY CORRECTIONAL FACILITY	Bent	1,382
BUENA VISTA CORRECTIONAL COMPLEX	Chaffee	908
BUENA VISTA MINIMUM CENTER	Chaffee	290
BUENA VISTA TRANSITIONAL WORK CENTER	Chaffee	10
CENTENNIAL CORRECTIONAL FACILITY	Fremont	403
COLORADO CORRECTIONAL CENTER (CAMP GEORGE WEST)	Jefferson	123
COLORADO STATE PENITENTIARY	Fremont	706
COLORADO TERRITORIAL CORRECTIONAL FACILITY	Fremont	910
CROWLEY COUNTY CORRECTIONAL FACILITY	Crowley	1,786
DELTA CORRECTIONAL CENTER	Delta	480
DENVER RECEPTION AND DIAGNOSTIC CENTER	Denver	529
DENVER WOMENS CORRECTIONAL FACILITY	Denver	933
FOUR MILE CORRECTIONAL CENTER	Fremont	511
FREMONT CORRECTIONAL FACILITY	Fremont	1,605
LA VISTA CORRECTIONAL FACILITY	Pueblo	656
LIMON CORRECTIONAL FACILITY	Lincoln	908
PAROLE FACILITY CCC	Denver	7
PAROLE FACILITY DWCF	Denver	2
RIFLE CORRECTIONAL CENTER	Garfield	194
SAN CARLOS CORRECTIONAL FACILITY	Pueblo	219
SKYLINE CORRECTIONAL CENTER	Fremont	250
STERLING CORRECTIONAL FACILITY	Logan	2,443
TRINIDAD CORRECTIONAL FACILITY	Las Animas	498

YOUTHFUL OFFENDER SYSTEM-PUEBLO	Pueblo	181
Grand Total		17,506

Table 2 provides a summary of the ethnic description, as provided in the DOC report, for all incarcerated persons in a state correctional facility on April 1, 2020.

**Table 2: Ethnic Description of Incarcerated Persons (All)**

<b>Ethnic Description</b>	<b>Total</b>	<b>Percent of Total</b>
White	7,922	45.3 percent
Hispanic	5,561	31.8 percent
Black	3,122	17.8 percent
American Indian	681	3.9 percent
Asian	220	1.3 percent
Total	17,506	

### **LIMITATIONS ON THE REALLOCATION OF INCARCERATED PERSONS**

Nonpartisan staff will make the following adjustments to the DOC report before reallocating incarcerated persons to their last known address:

- Nonpartisan staff will not reallocate incarcerated persons with a previous known address outside Colorado and will instead leave these persons in the state correctional facility census block they are listed under in the DOC report. Section 2-2-902 (4), C.R.S. requires only an incarcerated person with an in-state address (in-state incarcerated persons) to be counted at their last known address. Per the DOC report, there were 1,270 incarcerated persons in a Colorado correctional facility on April 1, 2020 with a last known address outside Colorado.
- Nonpartisan staff will not reallocate in-state incarcerated persons with an in-state but unusable last known address prior to incarceration and nonpartisan staff will leave these incarcerated persons in the state correctional facility census block they are listed under in the DOC report. Examples of in-state incarcerated persons with unusable addresses include incarcerated persons who provided addresses with no or incomplete street address information or who reported that they were experiencing homelessness prior to incarceration. As of August 4, 2021, nonpartisan staff has identified 1,872 in-state incarcerated persons with an unusable address.

### **SUMMARY OF IN-STATE INCARCERATED PERSONS WITH A USEABLE PREVIOUS ADDRESS**

There are 14,364 in-state incarcerated persons with usable addresses after nonpartisan staff made the adjustments described in the previous section to the DOC report. Nonpartisan staff assigned these incarcerated persons to the 2020 census blocks that contain the address listed for the incarcerated person in the DOC report.

Table 3 provides a summary of the “ethnic descriptions,” as provided in the DOC report, for the in-state incarcerated persons that nonpartisan staff will reallocate.

**Table 3: Ethnic Description of Incarcerated Persons (Reallocated)**

<b>Ethnic Description</b>	<b>Total</b>	<b>Percent of Total</b>
White	6,410	44.6 percent
Hispanic	4,754	33.1 percent
Black	2,509	17.5 percent
American Indian	517	3.6 percent
Asian	174	1.2 percent
Total	14,364	

Table 4 shows the county where nonpartisan staff will reallocate incarcerated persons based on their last known address.

**Table 4: Reallocated Population Sorted by County and City**

<b>County</b>	<b>Number of Incarcerated Persons to be Reallocated</b>
Denver	2742
El Paso	2415
Adams	1624
Arapahoe	1391
Jefferson	1195
Weld	814
Pueblo	804
Mesa	664
Larimer	594
Boulder	369
Douglas	194
Alamosa	97
Fremont	94
Logan	93
La Plata	92
Morgan	83
Otero	77
Garfield	74
Montrose	72
Montezuma	63
Broomfield	61
Moffat	58
Las Animas	51
Prowers	50
Rio Grande	44

Teller	44
Delta	42
Eagle	37
Chaffee	33
Summit	32
Conejos	29
Elbert	26
Lake	22
Clear Creek	22
Lincoln	21
Archuleta	21
Bent	21
Huerfano	20
Yuma	19
Park	14
Routt	14
Baca	12
Kit Carson	12
Gunnison	11
Saguache	11
Costilla	10
Grand	10
Phillips	8
Washington	7
Rio Blanco	7
Pitkin	7
Cheyenne	6
Gilpin	5
San Miguel	5
Sedgwick	5
Crowley	4
Dolores	3
Ouray	3
Kiowa	2
Jackson	2
Custer	1
Hinsdale	1
Total	14,364

## RACIAL AND ETHNICITY COMPONENT ASSUMPTIONS

The U.S. Census Bureau treats race and Hispanic origin as two separate and distinct concepts. The racial categories included in the census questionnaire generally reflect a social definition of race and not a biological, anthropological, or genetic definition of race<sup>1</sup>. The U.S. Census Bureau is required to report on the following five race categories at a minimum, but individuals may choose to report more than one race, such as “White” and “Black or African American.”

- White
- Black or African American
- American Indian
- Alaska Native
- Native Hawaiian or Pacific Islander

Hispanic origin can be the heritage, nationality, lineage, or country of birth of the individual or the individual’s parents or ancestors before arriving in the United States. Individuals who identify as Hispanic, Latino, or Spanish may be any race<sup>2</sup>. Thus, people who are of Hispanic origin may be of any race, and individuals in each race group may be of Hispanic origin.

The DOC report classifies incarcerated persons as either of Hispanic origin or not Hispanic. The DOC report classifies incarcerated persons who are “not Hispanic” into one of the census race categories. However, the DOC report classifies incarcerated persons of Hispanic origin as “of Hispanic origin”, but does not assign them a census race category. Accordingly, nonpartisan staff will need to modify the ethnic description data provided in the DOC report to make adjustments to redistricting tables P1 through P4. More specifically, nonpartisan staff will need to assign a race category to the incarcerated persons classified as “of Hispanic origin” in the DOC report. In order to achieve this, nonpartisan staff will assign incarcerated persons classified as “of Hispanic origin” in the DOC report a census race category based on the distribution of the 2020 Census block race and ethnicity information in which the correctional facility is located. Table 5 shows an example by how this adjustment will be made based on the correctional facility the incarcerated person was at on April 1, 2020.

**Table 5: Hispanic or Latino Origin by Race**

Category	Estimate	Share of Hispanic or Latino Origin
Hispanic or Latino		
White Alone	934,250	74.3 percent
Black or African American Alone	12,726	1.0 percent
American Indian	25,727	2.0 percent
Asian Alone	4,668	0.4 percent
Native Hawaiian	1,029	0.1 percent
Some other Race Alone	200,176	15.9 percent
Two or More Races	78,327	6.2 percent
Total	1,256,903	

<sup>1</sup> <https://www.census.gov/topics/population.html>

<sup>2</sup> <https://www.census.gov/topics/population/hispanic-origin.html>

Nonpartisan staff will apply these census block shares to all the incarcerated persons in that correctional facility that are classified as “of Hispanic origin” in the DOC report at.. For example, if there are 100 incarcerated persons identified as “of Hispanic origin” in the DOC report, nonpartisan staff will assign approximately 74 of these incarcerated persons as White, one as Black, two as American Indian, none as Asian, none as native Hawaiian, 16 as some other race alone, and six as two or more races.

*(Note: Nonpartisan staff cannot make adjustments to the P1 and P3 tables without making these assumptions.*

### ADJUSTING THE PL 94-171 Redistricting Data Tables

In order to protect the privacy of respondents, the U.S. Census Bureau has begun using a new privacy protection method, known as differential privacy. Put simply, differential privacy injects noise into the raw census data to maintain the respondents’ privacy; therefore, the PL 94-171 redistricting data census block data for the state correctional facilities will not match the DOC report. Until the U.S. Census Bureau publishes the PL 94-171 redistricting data, it will be uncertain to what extent the Census tables (P1-P5) and the DOC report will vary. Nonpartisan staff has identified three possible categories of discrepancies that might occur between the PL 94-171 redistricting data and the DOC report in any census block that contains a state correctional facility. The table below provides a brief description of these different scenarios and the procedures nonpartisan staff will use to adjust the PL 94-171 redistricting data.

<b>Scenario 1</b>	<b>Scenario 2</b>	<b>Scenario 3</b>
U.S. Census Bureau data states that there are <i>more</i> people in a census block than the DOC report.	U.S. Census Bureau data states that there are <i>fewer</i> people in a census block than the DOC report.	U.S. Census Bureau data states that there are the <i>same</i> number of people in a census block as in the DOC report
<b>EXAMPLE</b>	<b>EXAMPLE:</b>	<b>EXAMPLE</b>
Census block data: 10,000 incarcerated persons	Census block data: 9,000 incarcerated persons	Census block data: 10,000 incarcerated persons
DOC report data: 9,000 incarcerated persons	DOC report data: 10,000 incarcerated persons	DOC report data: 10,000 incarcerated persons
<b>STAFF PROCEDURE:</b>	<b>STAFF PROCEDURE</b>	<b>STAFF PROCEDURE:</b>
Nonpartisan staff will reallocate all 9,000 incarcerated persons, so long as the incarcerated persons meet the requirements described above, to their last known address, and the remaining 1,000 incarcerated persons will be left in the state correctional facility census block data.	Nonpartisan staff will reallocate all 10,000 incarcerated persons, so long as the incarcerated persons meet the requirements described above, as reported by the DOC and leave a negative value in the correctional facility census block.	Nonpartisan staff will reallocate all 10,000 incarcerated persons to their last known address.

## **Conclusion**

Reallocating incarcerated persons will require nonpartisan staff to modify the information in the DOC report to meet the criteria in section 2-2-902 (4), C.R.S. Nonpartisan staff will also need to modify the ethnic description data provided in the DOC report in order to conform the data in the DOC report to the ethnic and race tables in the P.L. 94-171 redistricting data. Finally, given the U.S. Census Bureau's new privacy protection method, it will be uncertain to what extent the P.L. 94-171 redistricting data and the DOC report will vary and nonpartisan staff will need to evaluate each census block that contains a correctional facility and adjust the P.L. 94-171 redistricting data accordingly.