

TIMELY RELEASE REPORT

2026

Report to the Idaho Legislature

A joint report between:
Idaho Department of Correction and
Idaho Commission of Pardons and Parole



**IDAHO COMMISSION of
PARDONS & PAROLE**

Background

In March 2014, Idaho Governor C.L. “Butch” Otter signed into law Senate Bill 1357, also known as the Justice Reinvestment Initiative (JRI), to help address three major challenges facing Idaho’s criminal justice system: a revolving door of recidivism from supervision and diversion programs, inefficient use of prison space, and insufficient oversight of recidivism-reduction investments.

Idaho Code §20-223, Section 11, mandates the Idaho Department of Correction (IDOC) and the Idaho Commission of Pardons and Parole (COPP) submit an annual report that provides the length of time incarcerated individuals serve up to their first release from prison. While the original bill stipulated a focus on property and drug offenses, and set a benchmark of 150%, this language was amended in 2017 with Senate Bill 1113 to remove the offense types and 150% benchmark. Despite this, IDOC and COPP continue to use these markers to enable consistent comparisons of the data.

Unified Sentencing Act

To understand the 150% calculation, one requires an understanding of the current sentencing structure in Idaho. The legislature passed the Unified Sentencing Act in 1986. Idaho Code §19-2513 created a sentencing system with two parts: a fixed term followed by an optional indeterminate term. The fixed portion ensures the individual serves a period of time in prison without eligibility for parole.

Idaho’s criminal statutes typically provide a penalty for each crime and the judge has full discretion to set the minimum, or “fixed,” portion. Once the fixed portion is completed, COPP has the discretion to release the individual at any time. The first parole eligibility date takes into consideration the fixed term of possibly several sentences running concurrently or consecutively, minus any credit for time served.

150% Calculation

Several variables are used to determine whether an individual has served over 150% of their fixed term:

1. **Sentence Effective Date.** The date an individual’s sentence goes into effect as determined by the court.
2. **Parole Eligibility Date.** The earliest date an individual can be released from incarceration to the community taking into consideration any consecutive or concurrent sentences or sentence enhancements.
3. **First Parole Release.** The date the individual was released to parole from an institution into the community for the first time while serving time on a sentence.
4. **Credit for Time Served.** Time spent either in county jail or previously incarcerated prior to a prison term (i.e., on a Rider²).

Each individual’s fixed sentence length was multiplied by 1.5 to determine the number of days necessary to reach 150% of the fixed term.

Example

The 150% calculation for 2 years equals 3 years. (1.5 x 730 days = 1,095 days). Any time spent over 1,095 days (three years) on a two-year sentence is considered past 150% of parole eligibility. If released prior to 1,095 days, the individual is considered released prior to 150% of their fixed term.

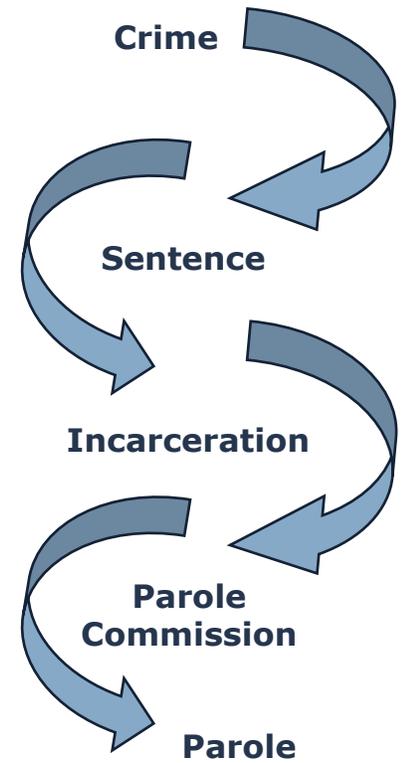
$$\frac{\text{Total Time Served}}{\text{Fixed Sentence Length}} = \% \text{ of Fixed Sentence Served}$$

² Rider (Retained Jurisdiction): An individual committed to an IDOC Rider program. The courts will retain jurisdiction of this individual until the completion of the Rider program. The courts will subsequently determine whether to place this individual on Probation or Term status or to withhold judgment.

Roles in the Process

Three separate entities are responsible for the processes by which people convicted of a felony offense enter prison, are housed and treated while in prison, and are released from prison. These entities include the Idaho Supreme Court, IDOC, and COPP. Five major steps occur during this process:

1. A felony crime is committed;
2. The individual charged with a felony crime is convicted and sentenced by the courts;
3. Once sentenced, the individual is incarcerated in prison under the jurisdiction of IDOC;
4. The individual goes before COPP; and
5. If granted parole, the individual is released to parole to serve the remainder of their sentence in the community supervised by IDOC.



Compiling Data

Over the course of the year, records were collected for all people sentenced to a term in prison for a property or drug offense conviction who were released to parole for the first time between January 1, 2025 and December 31, 2025. The percentage of people serving below or above 150% of the fixed portion of the sentence was calculated and the reasons for individuals whose release was delayed or denied were documented. Reasons for parole release delays were documented for those who were past 150% at the time of release. Of these reasons, the factor that occurred first was marked as being the most influential reason for delay. These findings are discussed in this report.



2025 Releases at a Glance

- A total of 912 individuals under IDOC jurisdiction serving time in prison on a property or drug conviction¹ were released to parole for the first time between January 1, 2025 and December 31, 2025.0
- 83% (N=754) were released **before** 150% of the fixed portion of their term sentence
- 17% (N= 158) were released **after** 150% of the fixed portion of their term sentence

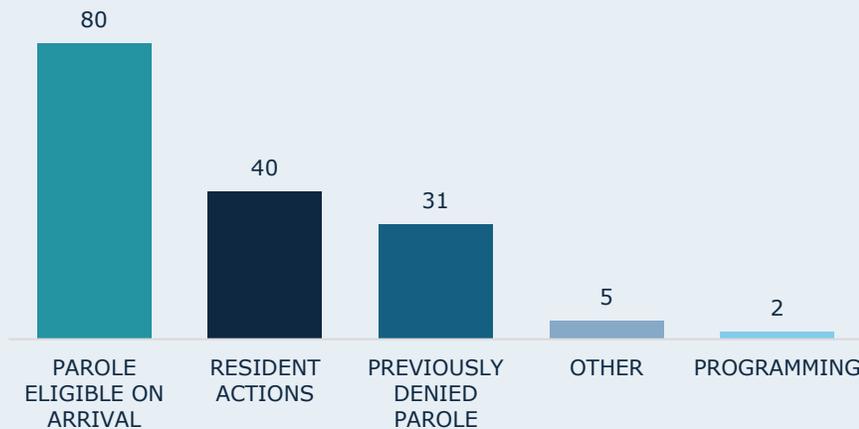
Figure 1



Primary Delay Reasons

- 51% (N=80) of delays were a result of credit for time served, with a person being parole eligible on arrival or parole eligible within six months of arrival at IDOC.
- 25% (N=40) of delays were a result of an incarcerated individual's own actions, including institutional behavior
- 20% (N=31) of delays were a result of having been previously denied parole on this sentence.
- 1% (N=2) of delays were a result of program-related issues.
- 3% (N=5) of delays were for other reasons

Figure 2, Delay Reason



¹ To determine an individual's crime of conviction for those serving multiple sentences, the sentence requiring the longest amount of time is used for the purpose of this report.

Credit for Time Served

On average, 6 out of every 10 were delayed release to parole because of credit for time served – either parole eligible upon arrival or parole eligible within six months of arrival.

Credit for time served – a person who is parole eligible upon arrival or parole eligible within six months of arrival (50.6%, N=80) remained the most prevalent cause for those held past 150% of their fixed sentence. This is a decrease from (56.0%, N=96) in 2024. Those eligible upon arrival or within six months of arrival stayed an average of 1.3 years (median 1.0 years) past their parole eligibility date. The total average time spent incarcerated, including credit for time served, was 2.5 years (median 2.1 years).

Own Actions

On average, more than 1 out of every 4 were delayed release to parole because of the individual's own actions – institutional behavior/ or disciplinary offense reports (DORs).

The second most common reason for parole delay (25.3%, N=40) was the individual's own actions, including institutional behavior and/or DORs. Examples include receiving DORs (including Class A – the most serious) and lack of positive behaviors. Individuals who had a delayed parole release due to their own actions spent an average of 1.4 years (median 1.1 years) past their parole eligibility date. They spent an average of 2.7 years (median 2.1 years) incarcerated when credit for time served is included. This was a slight increase from 2024 (23.0%, N=40).

Previously Denied Parole

On average, 1 out of every 5 were delayed release to parole because of previously being denied parole.

The third most common reason for parole delay (19.6%, N=31) was due to previous denial of parole on this sentence. This is an increase from (16.0%, N=27) in 2024. Reasons for parole denial included a risk to reoffend, public safety concerns, and prior criminal history. Those previously denied parole stayed an average of 1.4 years (median 1.1 years) past their parole eligibility date. The total average time spent incarcerated, including credit for time served, was 2.7 years (median 2.1 years).

Programming

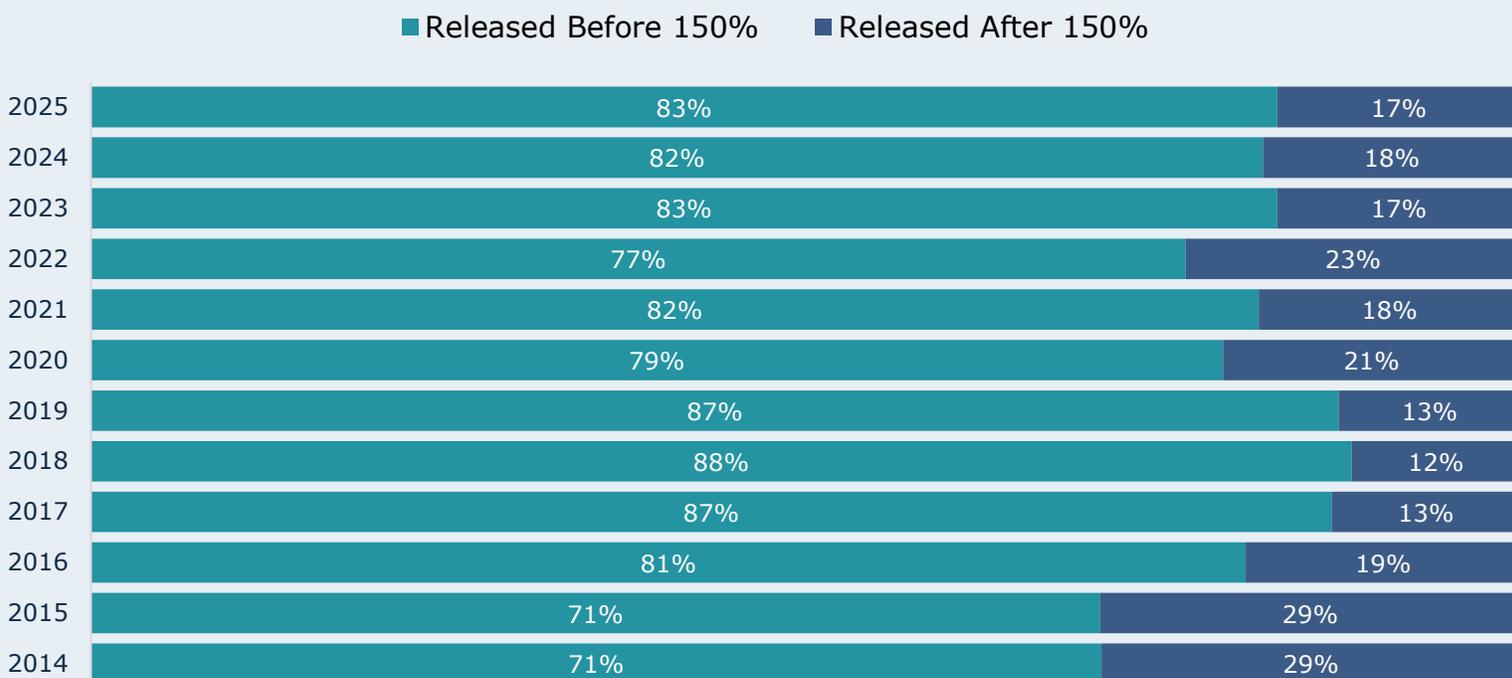
On average, fewer than 1 out of every 10 were delayed release to parole because of programming not being completed.

The final identified reason for parole delay (1.3%, N=2) was due to programming. This is a decrease from (4.5%, N=11) in 2021. Reasons for delay were due to residents' inability to successfully complete the requirements. Those whose release was delayed due to programming were held an average of 1.4 years (median 1.1 years) past parole eligibility. When including credit for time served, their average time in incarceration was 2.6 years (median 2.1 years).

Findings and Conclusions

Between January 1, 2025 and December 31, 2025, 912 people sentenced to a term in prison for a property or drug offense conviction were released to parole for the first time. This is a decrease of 2% when compared to 926 individuals in 2024. In addition, the overall number of first-time parolees decreased, but the number of parolees released before serving 150% of their fixed time remained the same.

Figure 3, Releases Before and After 150%



Despite the significant changes in 2021, since 2023 there has been relatively little change in percentages of individuals released before 150% of their fixed sentence.



Questions regarding this report:

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