



Tennessee Department of Correction

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Felony Inmate Population Projections

126752

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Planning and Research Section

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TENNESSEE FELONY INMATE POPULATION PROJECTIONS
AUGUST 1990
HIGHLIGHTS

- INCREASED COCAINE COMMITMENTS, ESPECIALLY IN SHELBY COUNTY, ARE DRIVING UP THE INMATE POPULATION
- FUTURE POPULATIONS DEPEND ON THE NUMBER OF DRUG COMMITMENTS
- INMATE POPULATION EXPECTED TO CONTINUE TO GROW, EVEN IF COMMITMENTS STAY CONSTANT
- SERIOUS CLASS A & B FELONS ARE REMAINING IN THE POPULATION AND ADDING TO THE POPULATION GROWTH
- LONGER COCAINE SENTENCES ARE ADDING TO THE INMATE POPULATION GROWTH AND WILL ADD EVEN MORE AS COCAINE COMMITMENTS CONTINUE TO RISE
- PLANNED CORRECTIONAL CAPACITY SHOULD MEET MOST OF THE DEMAND BY JUNE 1992, BUT PROBABLY NOT BEYOND, EVEN WITH CONSTANT COMMITMENTS

**TENNESSEE DEPARTMENT OF CORRECTION
FELONY INMATE POPULATION PROJECTIONS
AUGUST 1990**

The felony inmate population is expected to grow substantially (34 to 47 percent) over the next five years. The felony inmate population is projected to grow from about 12,850 in June 1990 to about 17,800 to 19,600 by June 1995, depending on the extent of new drug offense commitments from the court. Even if commitments stay at the level expected for 1990, the population is expected to increase to 15,300 (15%) by June 1995. Current expansions in prison space, contracts with local facilities, and alternative to incarceration programs should meet most of the correctional demand by June 1992, but probably not beyond, even if commitments from court stay constant.

Projection Methodology

The felony inmate population projections include all felons sentenced to incarceration for a year or more. These includes felons sentenced to the Department of Correction and those sentenced to serve their time in local facilities. The projections are generated through a computer model that simulates the sentencing and release practices of the state. In general, the model assumes that the current sentencing and release policies will continue over the projection period. The number and type of new commitments to incarceration must be estimated and entered into the model. As explained below, the number of commitments has a direct effect on the projected population. Any changes made to the current sentencing and release laws, policies, and practices, will affect the accuracy of these projections. (See Appendix for additional explanation of the assumptions.)

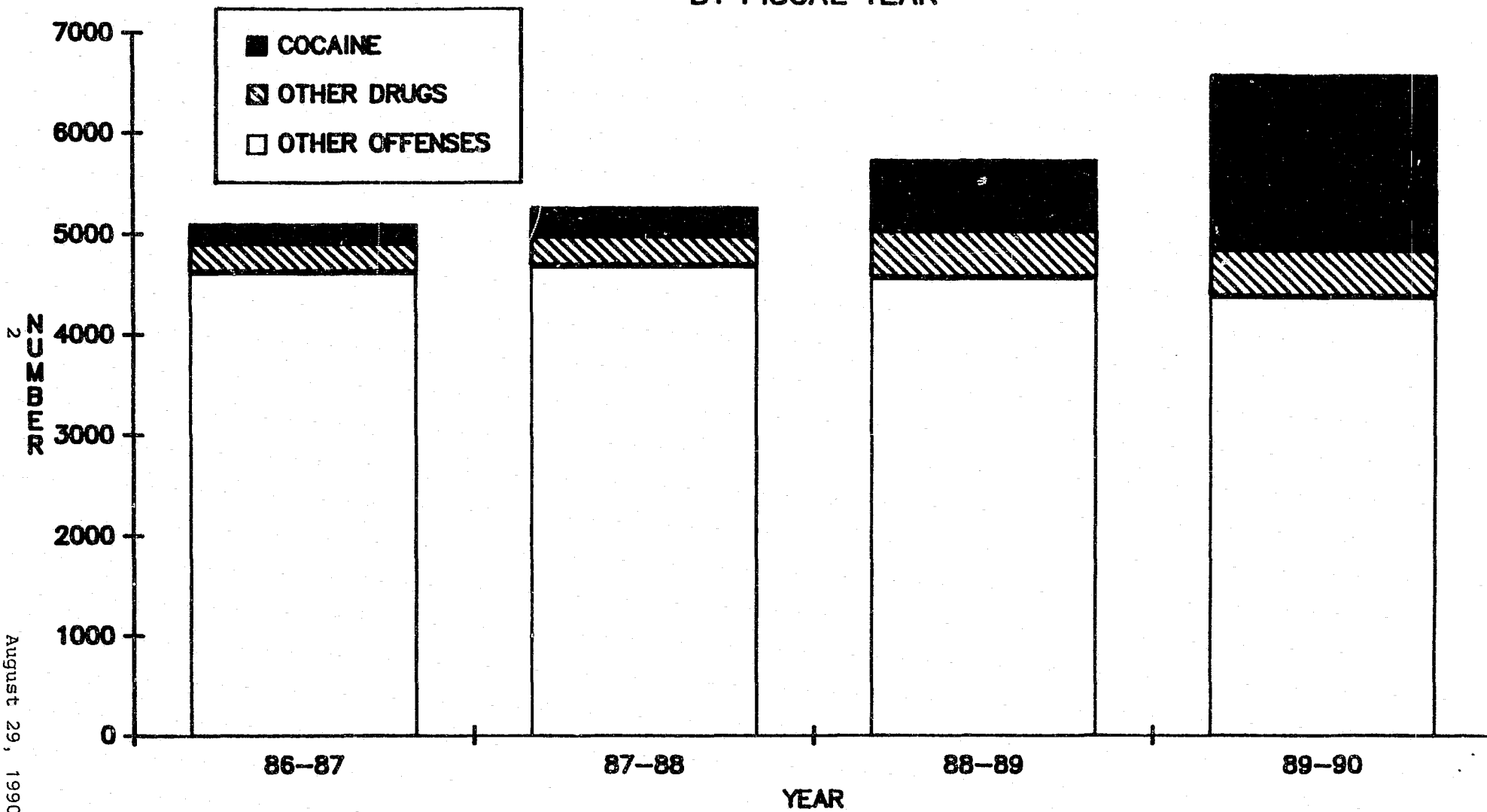
Factors Affecting 1990 Population

The large increase in commitments for cocaine offenders are driving up the incarcerated felon population. New commitments to incarceration increased 15 percent (about 5,700 to 6,600) from fiscal year 1988-89 to 1989-90. Cocaine offenders account for almost all of that increase. (These are offenders whose most serious conviction is a cocaine offense.) Cocaine offenders increased 148 percent (700 to 1,700) from fiscal year 1988-89 to 1989-90. Almost all of the growth in cocaine offenders was in Shelby County: from about 500 to 1,200 commitments. Other offenses actually showed a slight decrease (-4%) over the last fiscal year. (See Exhibit A.)

Despite the large increase in commitments in fiscal year 1989-90, the felony inmate population remained fairly stable during the fiscal year, primarily through the earlier release of a greater number of felons. During fiscal year 1989-90, the incarcerated felon population increased about 400. However, after the effect of the new determinant release law, the incarcerated felon population in July 1990 was about 100 less than the population in July 1989.

Several factors increased the number of releases from incarceration in fiscal year 1989-90. The Parole Board increased the safety valve rate from 30 to 35 percent in January 1990, which allowed offenders to be considered for parole earlier, and the Board released a larger percent of the

EXHIBIT A
SYSTEMWIDE NEW COMMITMENTS
BY FISCAL YEAR



offenders heard. The 1990 Tennessee Public Acts, Chapter 729 (Determinant Release Law), which authorizes felons sentenced to one to two years to be released to probation at their earliest release eligibility date, became effective in July 1990. This law reduces the time that these offenders are incarcerated because of delays in scheduling parole hearings and releases. About 300 incarcerated felons with sentences of one to two years were released in July under the new act; these felons were past their earliest release eligibility date when the law became effective. Future monthly releases under the Determinant Release Law will be less.

The department's expanded capacity in alternative to incarceration programs (Community Corrections and Intensive Probation) has also helped to reduce the number of incarcerated felons. These programs are intended to provide a more cost-effective community alternative to incarceration for prison-bound felons. The Community Corrections program capacity increased from about 1,000 in June 1989 to 1,500 in June 1990; funding has been appropriated to increase the program to 1,675 during fiscal year 1991. The Intensive Probation program capacity increased from about 400 in June 1989 to 600 in June 1990; funding has been appropriated to increase the program to 1,175 during fiscal year 1991.

Projected Commitments

Commitments to incarceration for drug offenses are expected to continue over the next few years. Estimated court filings for drug cases are up 47 percent for fiscal year 1989-90. Federal drug funds for law enforcement will increase 43 percent (\$13.9 million to \$19.9 million) in 1990. A new criminal court has been authorized for Shelby County. Plans are to have this court dedicated to drug cases to decrease the backlog of about 1,400 pending drug cases. Shelby County has a very high incarceration rate, so it is likely that the number of commitments to incarceration will increase significantly.

Tennessee's commitment rate increased 12 percent in fiscal year 1989-90; the state's population only increased about 1 percent. Judges are committing a greater proportion of the population to incarceration.

Law enforcement appears to be continuing to concentrate on drug arrests. The Memphis Police Department had about 2,000 more drug arrests (43% increase) from 1988 to 1989. Drug arrests by the Shelby County Sheriff's Department increased 1,650 (97%) from 1988 to 1989. Metro Nashville - Davidson County also made about 2,000 more drug arrests (30% increase) from 1988 to 1989, however the rate of increase declined from the 80 percent growth between 1987 and 1988. The Governor's Planning Office expects to see the number of drug arrests by the Judicial District Task Forces in rural counties increase over the next few years.

Commitments for other types of offenses are expected to have only slight increases. Although arrest and crime data is only available through 1988 and does not include drug arrests, arrests and the crime rate have actually shown declines. Non-drug court filings increased only 3 percent in fiscal year 1989-90.

New commitment projections in the August 1990 model include a significant increase in cocaine offenders for at least 3 years and only a 1 percent increase in other commitments based on population growth. The major question is how much drug offender commitments will increase each year. Although the number of cocaine offenders is projected to grow significantly over the next five years, the rate of growth of the last two years cannot reasonably continue, especially in Shelby County, because there is a limit to the resources available to arrest and convict offenders over and above the previous year as the number of offenders increases. The three new commitment assumptions used to project the felony inmate populations are presented below. (See Exhibit B.)

Model 1 assumes growing commitments at about the same rate of 9 percent seen over the last calendar year. All offense groups are projected to increase 1 percent per year with the remainder of the increase for cocaine offenders.

Model 2 assumes continuing growth of about 9 percent in 1990, 1991, and 1992, slowing to 4 percent in 1993, 2 percent in 1994, and 1 percent in 1995. All offense groups are projected to increase 1 percent with the remainder of the increase for cocaine offenders.

Model 3 assumes constant commitments at the same level projected for 1990 throughout the period. This model provides analysis of the population growth resulting from current sentencing and release policies. However, commitments are expected to grow over the next five years.

Projected Felony Inmate Populations

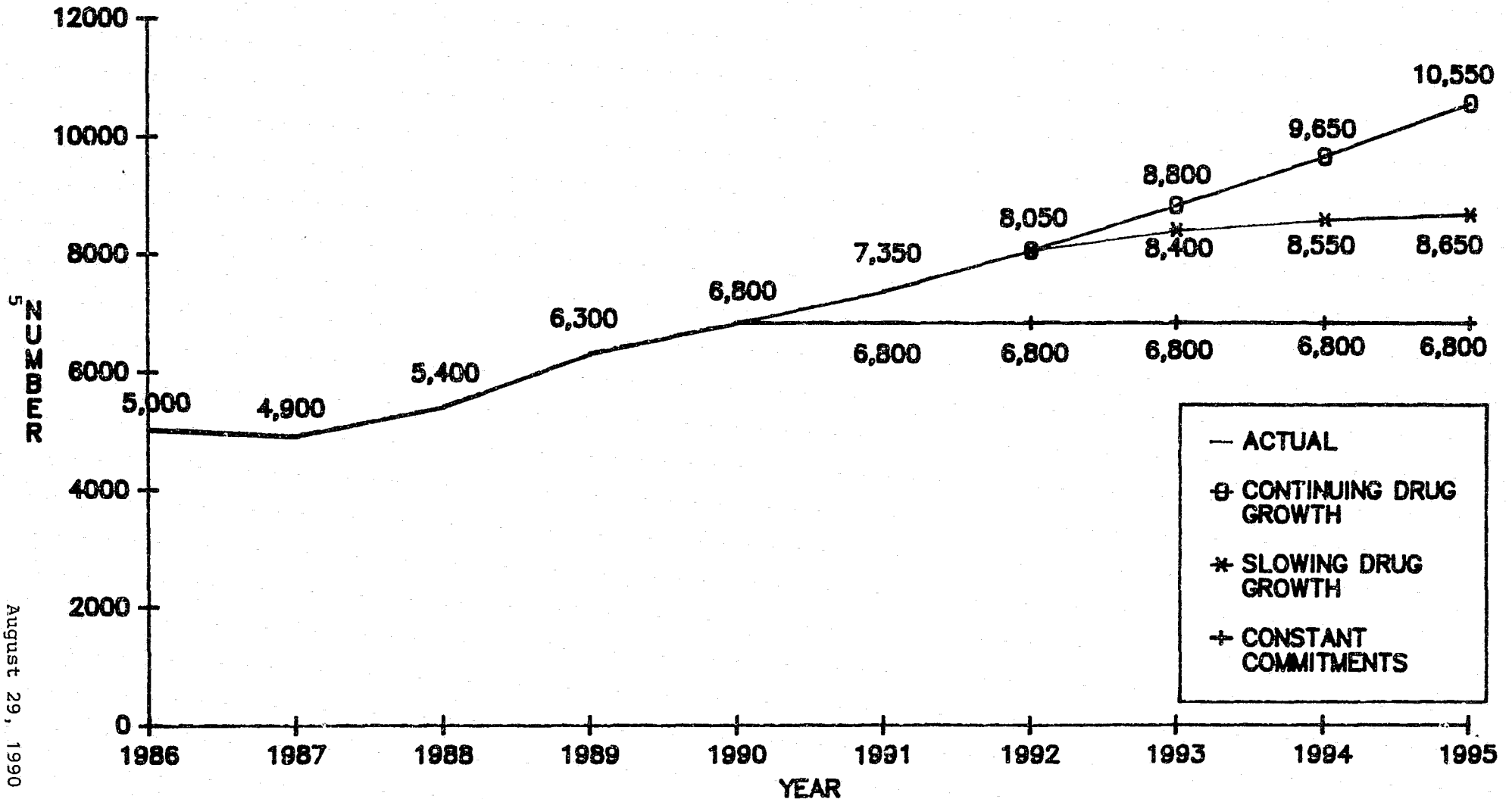
Future felony inmate populations depend on the increase in the number of drug offenders. If drug commitments continue to increase a few years and then slow (the department's best estimate at this point), the felony inmate population is expected to increase to 17,800 by June 1995. The population would be about 4,500 more than the June 1990 population, a 34 percent increase. (See Exhibit C.)

However, if drug commitments continue at about the same increase as the past few years, the felony inmate population is expected to increase to 19,600 by June 1995. The inmate population would be about 6,300 more than the June 1990 population, a 47 percent increase.

Even if commitments stay at the same level and felons with similar offenses and sentences are committed, the population is expected to rise because serious felons are not being released and the sentence length for cocaine offenders was increased from 4 years to 8 years under the new sentencing law.

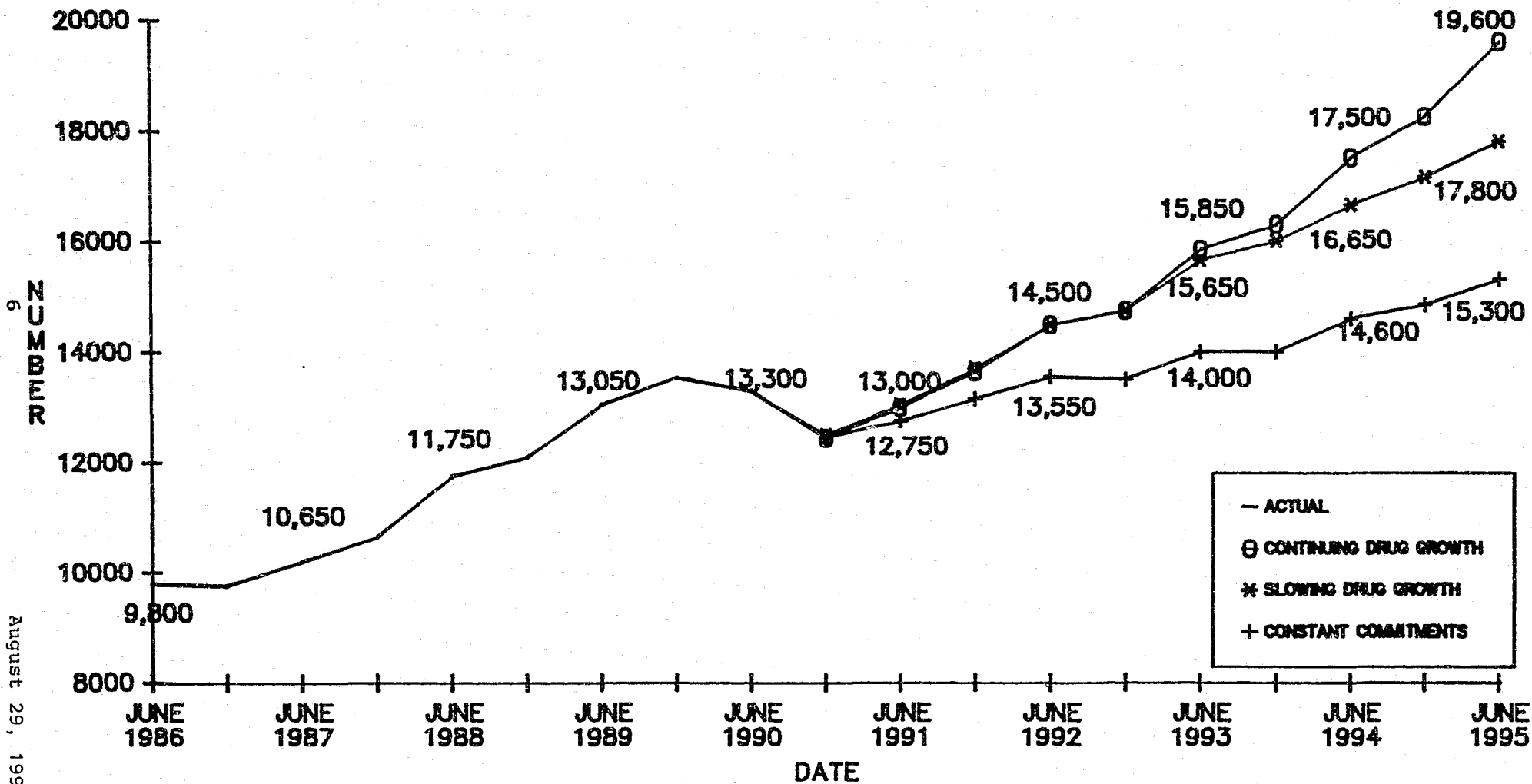
The revised criminal code and sentencing law effective in November 1989 increased the minimum sentence for felony cocaine offenders from 4 to 8 years. However, offenders that committed their crimes prior to November have been sentenced under the old law, which has delayed the effects of the change in sentence length. As cocaine offenders are sentenced under the new law, the longer sentence lengths will increase the incarcerated felon

EXHIBIT B ACTUAL AND PROJECTED COMMITMENTS 1986 - 1995



August 29, 1990

EXHIBIT C FELONY INMATE POPULATION GROWTH 1986 - 1995



population. With no increase in cocaine commitments, the number of incarcerated cocaine offenders will increase from about 1,550 to 2,750 (77%). Under the slowing cocaine commitment growth assumptions, the cocaine offender population increases to 4,750 in 1995 (206%). (See Exhibits D & E.)

The population of serious felons (Class A and B, excluding cocaine offenders) grows substantially over the projection, although the expected growth in commitments of these felons is only projected at 1 percent per year. With no increase in commitments, Class A & B felons increase from 5,450 to 7,000. (See Exhibits D & E.)

Projected Inmate Populations Vs. Planned Correctional Capacity

The planned correctional capacity in prison and jail should meet most of the demand by June 1992 but not beyond, even with constant commitments. (See Exhibit F.) By June 1992, the Department of Correction will have an operating capacity of about 11,000 to 11,500. This assumes that the federal court will rule favorably on the Department's requests to have 240 double cells at Turney Center and to continue double-celling at the four regional prisons. If these higher capacities are not allowed, the state could lose as many as 1,400 beds and other alternatives will have to be considered sooner. The planned correctional capacity also includes an estimated 2,500 to 3,000 beds available in local facilities to house felons.

The unmet correctional demand increases from 1993 to 1995, depending on the increase in the number of commitments from court. However, even if commitments stay constant at the 1990 level, the shortfall in beds increases to 1,300 by June 1995. With slowing growth in cocaine commitments the shortfall is 3,800 beds in 1995; with continuing growth in cocaine commitments the shortfall is 5,600 beds in 1995. (See Exhibit F.)

**EXHIBIT D
PROJECTED FELON INMATE POPULATION BY GROUP
CONSTANT COMMITMENTS
1990 - 1995**

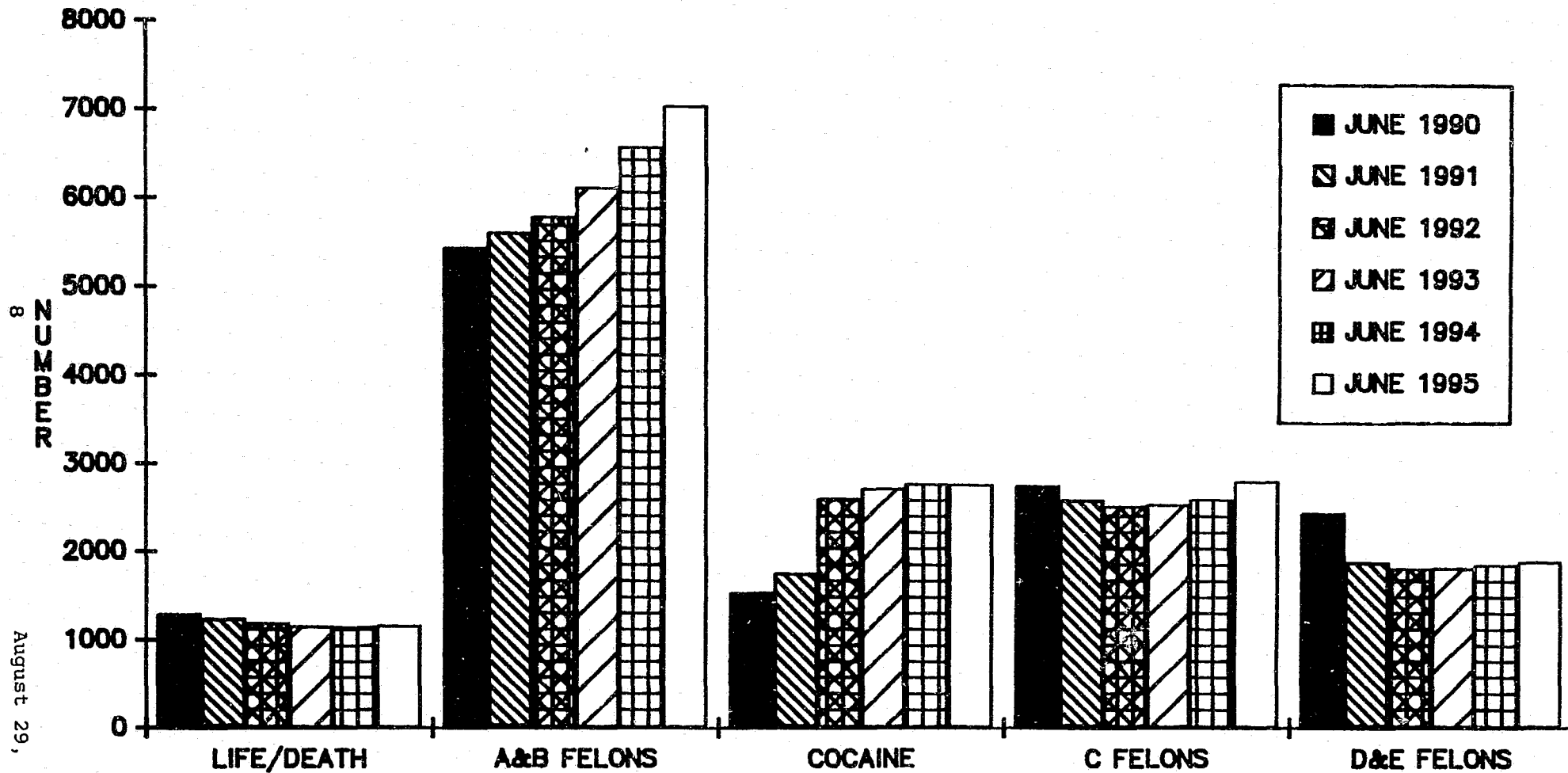


EXHIBIT E
PROJECTED FELON INMATE POPULATION BY GROUP
SLOWING DRUG GROWTH
1990 - 1995

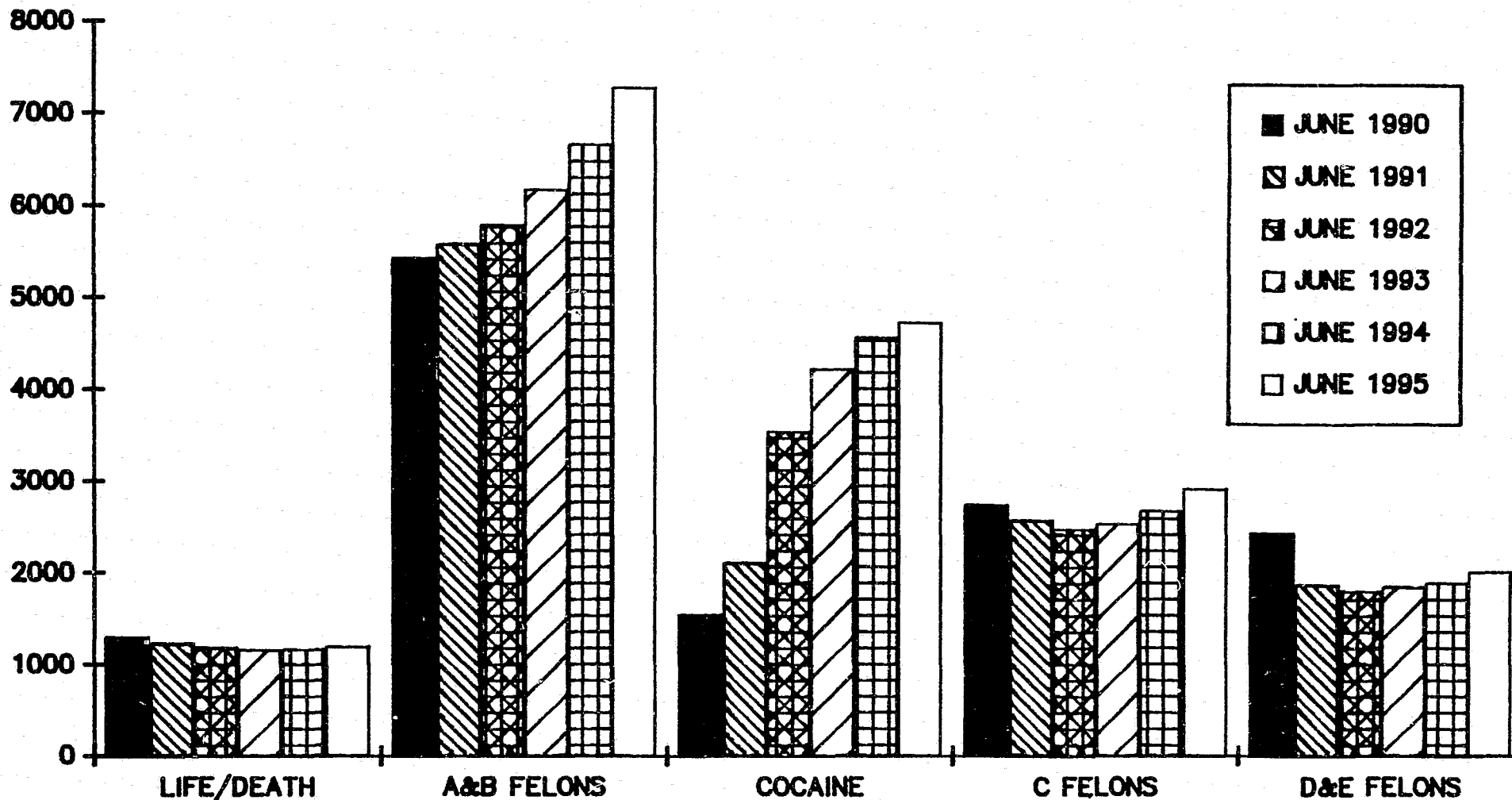
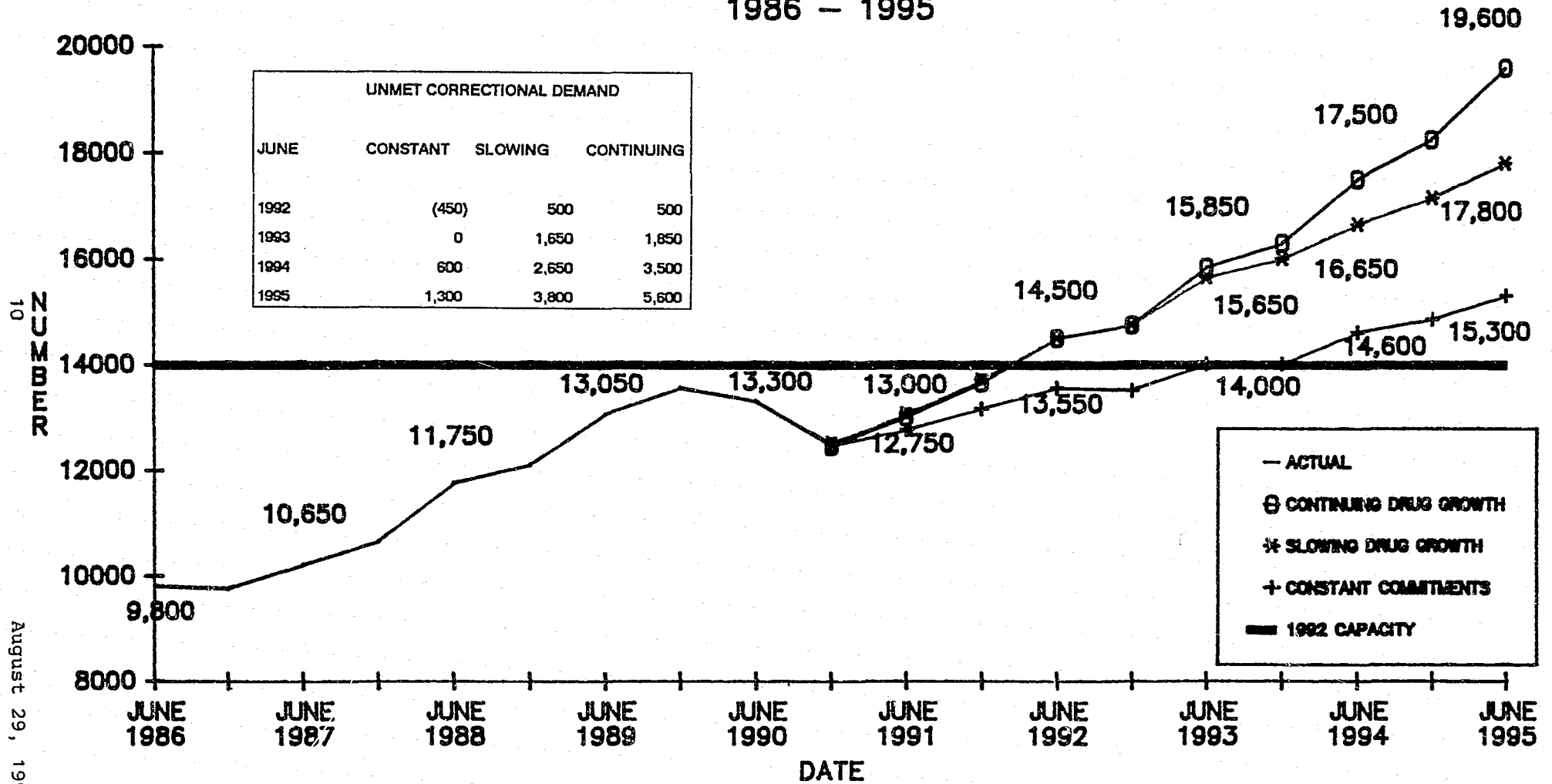


EXHIBIT F FELONY INMATE POPULATION GROWTH VS. 1992 CAPACITY 1986 - 1995



**APPENDIX
TENNESSEE DEPARTMENT OF CORRECTION
FELONY INMATE POPULATION PROJECTION DATA AND ASSUMPTIONS
AUGUST 1990**

The August 1990 projections are for all incarcerated felons in TDOC institutions and local facilities. Changes in the model made from the January 1990 projections include modeling incarcerated felons released to probation and estimating their return rates; and updating the parole probabilities for different types of offenders. Most of the data used for the simulation model are based on data for offenders admitted, incarcerated, or released between November 1989 and March 1990 (the sample period). Specific assumptions are explained below.

New Commitments

Commitments to incarceration are expected to increase over the projection period. The projections assume that almost all of the projected increase in total commitments are for Class B (cocaine) offenders; other offenses are only projected to increase one percent. Three commitment assumptions are explained in the text and exhibit below.

Model 1 assumes growing commitments at about the same rate of 9 percent seen over the last calendar year. All offense groups are projected to increase 1 percent per year with the remainder of the increase for cocaine offenders.

Model 2 assumes continuing growth of about 9 percent in 1990, 1991, and 1992, slowing to 4 percent in 1993, 2 percent in 1994, and 1 percent in 1995. All offense groups are projected to increase 1 percent with the remainder of the increase for cocaine offenders.

Model 3 assumes constant commitments at the same level projected for 1990 throughout the period. This model provides analysis of the population growth resulting from current sentencing and release policies. However, commitments are expected to grow over the next five years.

Model 1 and 2 commitment assumptions were reduced by estimates of increased diversions from incarceration by expansion of alternative to incarceration programs. (See explanation below.)

COMMITMENT ASSUMPTIONS AFTER ADDITIONAL DIVERSIONS
AUGUST 1990

ACTUAL COMMITMENTS	COCAINE	%	TOTAL OTHER OFFENSES	%	TOTAL ALL OFFENSES	%
	-----	---	-----	---	-----	---
1987-88	286		4,975		5,261	
1988-89	703	146%	5,029	1%	5,732	9%
1989-90	1,741	148%	4,836	-4%	6,577	15%

MODEL 1: GROWING DRUG COMMITMENTS

1990	1,950		4,850		6,800	
1991	2,500	28%	4,850	0%	7,350	8%
1992	3,150	26%	4,900	1%	8,050	10%
1993	3,900	24%	4,900	0%	8,800	9%
1994	4,650	19%	5,000	2%	9,650	10%
1995	5,500	18%	5,050	1%	10,550	9%

MODEL 2: SLOWING DRUG COMMITMENT GROWTH

1990	1,950		4,850		6,800	
1991	2,500	28%	4,850	0%	7,350	8%
1992	3,150	26%	4,900	1%	8,050	10%
1993	3,450	10%	4,950	1%	8,400	4%
1994	3,550	3%	5,000	1%	8,550	2%
1995	3,600	1%	5,050	1%	8,650	1%

NOTE: All projection figures were rounded for presentation purposes, which results in some slight differences in the percentages shown in the table and the text.

Offense Group

To better model the varying sentence lengths and other characteristics that affect different offenders' time incarcerated, the offender population is divided into more similar groups. Ten different, mutually exclusive offense groups are used in the model:

- (1) offenders with life or death sentences;
- (2) offenders with a felony class A primary offense;
- (3) offenders with a felony class B primary offense;
- (4) offenders with a felony class C primary offense;
- (5) offenders with a felony class D primary offense;
- (6) offenders with a felony class E primary offense;
- (7) offenders with a 1 to 2 year total sentence;
- (8) offenders with a cocaine primary offense;
- (9) offenders with a aggravated rape primary offense;
- (10) offenders with a rape or aggravated sexual battery primary offense.

The offense group for offenders committed during 1990 is assumed to be the same percentage in each group for commitments from November 1989 through March 1990. The offense group of commitments after 1990 is based on the projected growth for each group, as described above. Commitments in some offense groups are reduced by the expected growth in diversions from incarceration to alternative programs (see explanation below).

The offense groups of parole violators returning to incarceration during the projection period are based on the offenses of parole violators returned from November 1989 through March 1990.

Because no data currently exist on probationers returning to incarceration, the offense group of offenders returned from probation are assumed to be the same distribution as the offense group of offenders released to probation from November 1989 through March 1990.

Seasonality

Commitments to incarceration vary from month to month. The projections assume that the percent of annual commitments per month are in the same proportion as commitments in that month of the previous year.

Sentence Length

Sentence length for offenders committed during the projection period is based on the average sentence for each offense group admitted from November 1989 through March 1990. Sentence length for offenders returned from parole is based on the average sentence for each offense group of those returned from parole from November 1989 through March 1989. Because no actual data is available for offenders returned from probation, sentence length is based on the average sentence length for each offense group for returns from parole. Sentence length for the stock population was the average sentence for each group on December 31, 1989.

About 60 percent of new commitments in the sample period were sentenced under the new law and thus, should reflect most changes in sentence lengths resulting from the new law. However, under the new criminal code and sentencing law, cocaine offenses are now classified as a Class B felony with a minimum sentence of 8 years, unless mitigating factors are present. Cocaine offenders who committed their crimes prior to November 1989, have been sentenced as a Class C felon with a minimum sentence of 4 years. From July 1990 through December 1990, the model assumes that half of the cocaine offenders will have 8 year sentences (average sentence of 6 years for new cocaine commitments). Beginning in January 1990, the model assumes that all cocaine offenders will have 8 year sentences.

Time to First Parole Hearing

The estimated time for a new offender's first parole hearing for each offense group is based on actual data of the time between admission and first parole hearing for offenders incarcerated on December 31, 1989, who had had one parole hearing.

Safety valve affects this variable. The safety valve rate beginning in January 1990 was 35 percent; however, the actual reduction of sentence of those released early was about 25 percent in June 1990. The model assumes that time to first parole eligibility is actually reduced by 25 percent and that safety valve remains in effect at this rate throughout the projection.

Remaining Time Left on Sentence

The remaining time left on the sentences of the existing stock incarcerated and parole populations is based on the time left to expiration for these offenders on December 31, 1989, allowing for the average monthly sentence credits for each offense group based on offenders incarcerated on June 30, 1990 for incarcerated felons.

Type of Release from Incarceration and Parole

An offender's probability for type of release (parole, probation, discharge, other) from incarceration is based on the type of release of offenders for each offense group from November 1989 through March 1990. Almost all offenders incarcerated or admitted after July 1990 with a 1 to 2 year sentence are released to probation, as authorized by the new determinant law affecting these offenders. The average number of months served for each offense group by type of release, except parole, is based on the average time served by offenders released during the sample period.

A parolee's probability of type of release from parole (discharge, returned to incarceration, other) is based on the type of release of all parolees during 1989.

Parole Probabilities and Time Between Parole Hearings

An offender's probability of parole is based on the Parole Board's decisions on hearings held in February 1990. The parole grant probabilities were calculated for each offense group and for an offender's first five hearings. For example, the probability of parole for cocaine

offenders was 63 percent of those having their first hearing. The projection assumes that the Parole Board will consistently grant parole for each offense group at different hearings at the same rate as February 1990. Because of the limited data available, some adjustments were made to the parole grant probabilities for offense groups with limited number of offenders in the sample for particular hearings. The number of releases will be affected by the number and type of offenders becoming eligible for parole each month.

The length of time between each of an offender's first five parole hearings was estimated based on the length of time between hearings for each offense group incarcerated on December 31, 1990. The parole hearing number for this group is based on actual data for these offenders.

Parole Violators

The model assumes the rate of return from parole to incarceration will remain constant and is positively related to the length of time remaining on an offender's sentence. The return rate is based on the average monthly percentage of the average parole population returned from parole. In 1989, about 1.6 percent of the average parole population was returned to incarceration each month, an annual rate of 19.2 percent. Data on returns from parole are not available by offense group; however, the projection assumes that offenders with longer time left to serve on parole are more likely to return to incarceration.

Probation Violators

No data currently exists on felons released from incarceration to probation and then returned to incarceration. About 800 felons were released by judges to probation in fiscal year 1989-90. The number of felons released to probation will increase because of changes in laws releasing felons with sentences of one to two years to probation as well as felons successfully completing Boot Camp. Until data can be developed on these offenders, the model assumes they will return at the same rate as parole violators: 1.6 percent of the average probation population per month. The existing population of probationers that had been released from incarceration on December 31, 1989 was estimated at 1,600.

Space Available

Space available for felons sentenced to incarceration includes space in TDOC institutions and in counties that have agreed to contract with the state. By June 1992, the department's operating capacity will be between 11,000 and 11,500 beds. (Chart of total capacity changes expected by month attached; operating capacity is estimated between 93 and 97 percent of capacity.) This figure also assumes that the federal court allows the state to partially double cell Turney Center (240 beds) and allows for greater capacity at the regional prisons (165 beds). However, if the court rules against the state, the total available capacity could be reduced by as much as 1,447 (about 1,400 operating capacity): 240 at Turney Center, the 165 addition the department is requesting at the regional prisons as well as up to 1,042 at the regionals if no double-celling is allowed.

The projected capacity conservatively assumes that the state will contract with counties to house at least 2,500 and 3,000 felons after June 1992. Beginning in July 1992, only counties that agree to house felons will contract with the state. Those counties will house all felons sentenced to 3 years or less and 6 years or less in Shelby and Davidson counties. After their planned construction is complete, the Shelby County Correctional Center will have approximately 2,800 beds available to house felons with sentences of six years or less. The facility under consideration in Davidson County will provide beds for approximately 640 felons. About 14 other counties have indicated that they plan to contract with the state, which will provide 200 beds for felons.

Diversions to Alternative Programs

The department has expanded community alternative to incarceration programs: Community Corrections and Intensive Probation. These programs provide more intensive supervision and treatment programs and are intended to divert some offenders from incarceration. Estimates of the additional admissions to these programs were based on the additional program space already funded. New commitment and projected inmate populations were adjusted to account for these changes.

Community Corrections is expected to reduce commitments to incarceration an additional 180 offenders in 1990 and 200 per year thereafter. Because of concerns among many that offenders sentenced to community corrections would have been sentenced to regular probation instead if community corrections did not exist, the expected increase in diversions from incarceration to community corrections was estimated conservatively at half of the expected increase in admissions to community corrections. The offense group for increased admissions to community corrections is based on the type of offenders received in early 1990, with the actual diversions being for more serious offenders.

Intensive Probation is expected to reduce commitments to incarceration an additional 150 offenders in 1990 and 240 per year thereafter. Also, the program will reduce the time served by an estimated 50 percent for 200 offenders in 1990 and 300 offenders thereafter; thus, reducing the average incarcerated felon population by 100 in 1990 and 150 each year thereafter.

Intensive probation receives its admissions from (1) releases from jails, (2) probation revocations that would be sent to incarceration, and (3) direct referrals from judges. The first source of admissions reduces the length of incarceration of offenders; the second two sources of admissions are actual diversions.

As with community corrections, half of direct referrals were conservatively estimated as diversions from incarceration. The source of admissions for intensive probation is assumed to be the same percentage as admissions to probation in the first 6 months of 1990. The offense group for increased admissions to intensive probation is based on the types of offenders received in fiscal year 1990, with the actual diversions being the more serious offenders.

An additional 200 offenders will be released from jail to intensive probation instead of parole in 1990 after a shorter period of incarceration and 300 per year thereafter. Assuming that offenders released from jail to intensive probation reduce their time incarcerated in half, the incarcerated felon population should be about 100 less on June 30, 1990 and 150 less each year thereafter.

Effect of Boot Camp on Incarcerated Felon Population

The Department of Correction's boot camp program begun in December 1989 reduces the length of stay of offenders successfully completing the program. This allows more offenders to complete their incarceration in a given time period, and thus decreases the average population of incarcerated felons. The actual time served of boot campers is about one-third of the time they would have served in regular incarceration. Assuming an average daily population of successful boot camp participants of 100, the incarcerated felon population should be about 200 less at the end of each year. Because of some initial problems in placing eligible offenders, the program will only average about 70 participants per day in 1990. This should result in a reduction of about 140 in the December 1990 incarcerated felon population. Until the program is fully implemented and data on the offenders completing the program are available, it is difficult to estimate the impact of the program. Additional information will be developed to better estimate the effect of the Boot Camp for future projections.

DESIGNATED CAPACITY CHANGES IN TDOC FACILITIES

DATE	BMSP	RMSF	BOOT	WTHSF	TSP	TC	FPSP	NECC	CCSC	SCCC	NWCC	SNF	DCI	TPW	MTRC	MLRC	MCRCF	LCRCF	STRCF	CCWC	NCSC	KCSC	TOTAL	CUMULATIVE	DATE
																							CHANGE	CAPACITY	
1990 7	486	608	150	640	850	968	656	0	120	0	0	0	285	366	594	411	791	715	782	180	325	150	0	9,127	7
8																							0	9,127	8
9																							0	9,127	9
10																							0	9,127	10
11																							0	9,127	11
12																							0	9,127	12
1991 /1																							0	9,127	1991 /1
2								98															98	9,225	2
3								300															300	9,525	3
4								300															300	9,825	4
5								300	50														350	10,175	5
6																							0	10,175	6
7														36			54	33	63				186	10,361	7
8																							0	10,361	8
9																							0	10,361	9
10										98													98	10,459	10
11										300													300	10,759	11
12					(200)					300	98												198	10,957	12
1992 /1					(200)					300	300												400	11,357	1992 /1
2					(200)						300												100	11,457	2
3					(250)						300												50	11,507	3
4																							0	11,507	4
5												280											280	11,787	5
6												335	-285										50	11,837	6
7																							0	11,837	7
8																							0	11,837	8
9																							0	11,837	9
10																							0	11,837	10
11																							0	11,837	11
12																							0	11,837	12
1993 /1														90									90	11,927	1993 /1
TOTALS	486	608	150	640	0	968	656	998	170	998	998	615	0	456	630	411	845	748	845	180	325	150	2,800		

TOTAL CUMULATIVE
CHANGE CAPACITY

BMSP RMSF BOOT WTHSF TSP TC FPSP NECC CCSC SCCC NWCC SNF DCI TPW MTRC MLRC MCRCF LCRCF STRCF CCWC NCSC KCSC

18 August 29, 1990