

**NORTH CAROLINA SENTENCING AND POLICY ADVISORY
COMMISSION**

CURRENT POPULATION PROJECTIONS
FISCAL YEAR 2006/07 to FISCAL YEAR 2015/2016

**Prepared in Conjunction with the
Department of Correction's Office of Research and Planning**

RELEASED: DECEMBER 2006

INTRODUCTION:

The attached table shows ten-year prison population projections by fiscal year. The prison population projections were completed in two parts. The Sentencing Commission prepared prison population projections for all offenders sentenced on or after July 1, 2006 (new population). The Department of Correction prepared projections for all offenders in prison as of June 30, 2006 (resident prison population). The final combined projections take into account the decline of the resident prison population (Structured Sentencing Act releases, Fair Sentencing Act releases, and pre-Fair Sentencing Act releases) and the buildup of the new inmate population (new sentences, probation revocations, parole revocations, and post-release supervision revocations). Added to these figures is the estimated number of "safekeepers" and DWI offenders held in the state prison system.

ASSUMPTIONS:

- On average, all Fair Sentencing Act (FSA) and pre-FSA prisoners will serve 43% of their sentence imposed (the average percentage served by FSA and pre-FSA prisoners released in FY 2005/06).
- On average, all Structured Sentencing Act (SSA) felons will serve 109% of their minimum Active sentences and all SSA misdemeanants will serve 95% of their Active sentences (the average percentages served by SSA offenders released from prison during FY 2005/06).
- Rates of Active sentences will match rates during FY 2005/06 for all SSA offenders. Overall, 37% of felons received an Active sentence, with an average estimated time served of 38 months. These rates assume no changes in judicial or prosecutorial behavior regarding convictions and sentencing.
- The distribution of prison admissions resulting from Active sentences for a new conviction and resulting from technical revocations of probation will match rates during FY 2005/06. While 56% of felony admissions to prison in FY 2005/06 resulted from Active sentences for a new conviction, 44% of the admissions resulted from technical

revocations of probation. In FY 2005/06, 49% of misdemeanor admissions to prison resulted from Active sentences for a new conviction and 51% resulted from technical revocations of probation.

- Technical probation revocation rates will match rates during FY 2005/06. For the fiscal year, 42% of the felony exits from probation and 34% of the misdemeanor exits from probation were for technical revocation of probation. The median lag-time between the imposition of a probation sentence and revocation to prison was 16 months for felons and 12 months for misdemeanants.

CHANGES FROM PREVIOUS PROJECTIONS:

The projected prison populations for the ten-year period represent an increase from last year’s projections, although the projected increase for 2007 is moderate. The projected increase can be attributed primarily to an increase in the number of convictions, as well as an increase in the number of active sentences imposed.

- After consideration of a variety of criminal justice and population trends, the Sentencing Commission’s *Forecasting Advisory Group* found no compelling reasons to adjust the projected growth rates for felony and misdemeanor convictions.¹

<u>Time Period</u>	Felony Convictions		Misdemeanor Convictions	
	<u>Previous Growth Rate</u>	<u>Current Growth Rate</u>	<u>Previous Growth Rate</u>	<u>Current Growth Rate</u>
FY 2006/07	2%	2%	1%	1%
FY 2007/08	2%	2%	1%	1%
FY 2008/09	2%	2%	1%	1%
FY 2009/10	2%	2%	1%	1%
FY 2010/11	2%	2%	1%	1%

- This projection does not account for any increases in the prison population from legislative changes to criminal penalties from the 2006 Session of the General Assembly, since the legislative changes either created new offenses for which there are no historical data or amended penalties for existing offenses with elements that could not be modeled.
- Prison population projections continue to be affected by parole practices due to the number of FSA and pre-FSA offenders currently in prison. On October 31, 2006, there were 3,988 FSA and pre-FSA offenders in prison (including 2,590 with life sentences and 75 with death sentences), representing about 11% of the state’s inmates. The percent of sentence served by FSA and pre-FSA prison releases (excluding those with life or death

¹ The *Forecasting Advisory Group* convenes annually and consists of representatives from the Sentencing Commission, Administrative Office of the Courts, Office of Indigent Defense Services, Department of Correction, Department of Juvenile Justice and Delinquency Prevention, State Bureau of Investigation, Governor’s Crime Commission, and Office of State Budget and Management. The group forecasts growth rates after reviewing recent crime trends, arrest trends, court filing trends, state demographic trends, and prison admission trends.

sentences) has been increasing (from 37% in FY 2000/01 to 43% in FY 2005/06), as has their average time served (from an average of 84 months in FY 2000/01 to 147 months in FY 2005/06).

PROJECTED PRISON POPULATION:

Projected Prison Population and Capacity

The population projected by the Commission's simulation model for June 2006 was **37,898**. The actual average population for June 2006 was **37,595**, a difference of 303 (or less than one percent). The first table and following chart present the projected prison population and capacity for FY 2006/07 through FY 2015/16.

Updated prison capacity projections were provided by the Department of Correction's Division of Prisons in December 2006.² These projections include both the Expanded Operating Capacity (EOC) and the Standard Operating Capacity (SOC) of all prison facilities. Based on these figures, the projected prison population will exceed both standard and expanded operating prison capacity for all ten years of the projection.

Projected Prison Population by Offense Class

The Sentencing Commission also provides data on the distribution of the projected prison population of felons by offense class, as shown in the second table.

² The capacity figures do not include the additional beds to be transferred to the Department of Correction from the Department of Juvenile Justice and Delinquency Prevention's Swannanoa Valley Youth Development Center facility.

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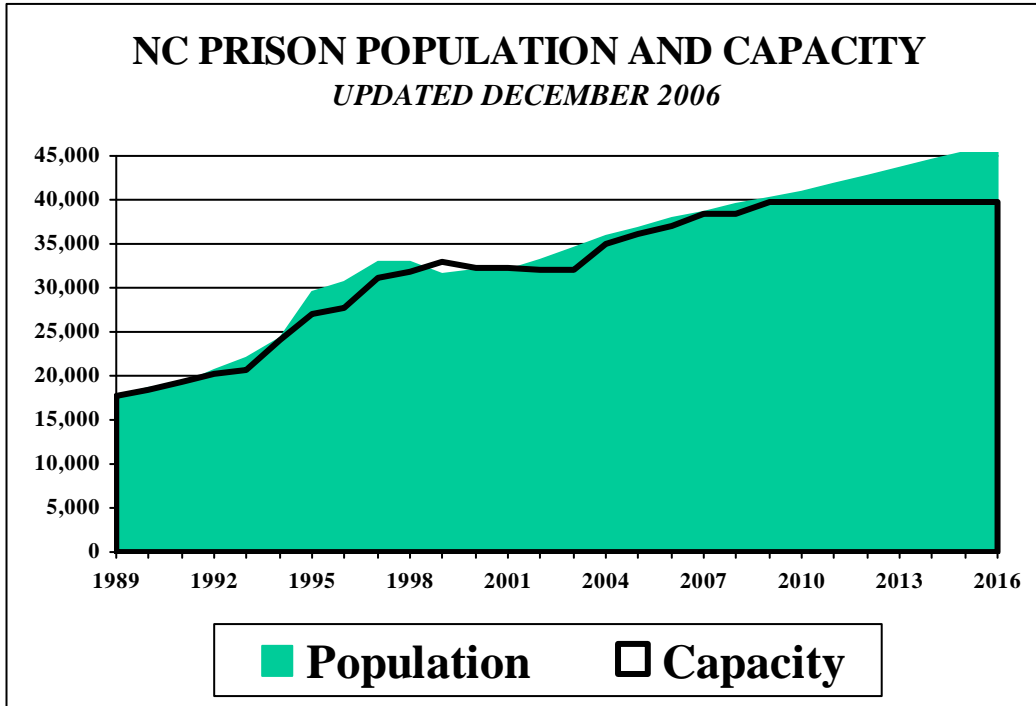
**PRISON POPULATION PROJECTIONS:
 UPDATED DECEMBER 2006**

**PREPARED IN CONJUNCTION WITH THE DEPARTMENT OF CORRECTION'S
 OFFICE OF RESEARCH AND PLANNING**

FISCAL YEAR	PREVIOUS PROJECTION as of June 30	CURRENT PROJECTION as of June 30	ESTIMATE OF EXPANDED OPERATING PRISON CAPACITY¹	ESTIMATE OF STANDARD OPERATING PRISON CAPACITY²
2007	38,616	38,677	38,505	33,366
2008	39,114	39,621	38,505	33,366
2009	39,674	40,236	39,853	34,214
2010	40,444	41,021	39,853	34,214
2011	41,276	41,848	39,853	34,214
2012	42,076	42,718	39,853	34,214
2013	42,977	43,587	39,853	34,214
2014	43,896	44,470	39,853	34,214
2015	44,765	45,349	39,853	34,214
2016	N/A	46,219	39,853	34,214

¹ Expanded Operating Capacity (EOC) is the number of inmates housed in dormitories that operate at varying percentages (not to exceed 130%) beyond their Standard Operating Capacity (SOC), plus the number of single cells with one inmate per cell, plus the number of single cells that house two inmates per cell that meet American Correctional Association (ACA) standards for space per inmate.

² Standard Operating Capacity (SOC) is the number of single cells with one inmate per cell plus the number of inmates who can be housed in dormitories by dividing the gross square feet of each dormitory by 50 square feet and rounding to the closest double bunk configuration.



Note: Prison capacity figures reflect Expanded Operating Capacity.

SOURCE: NC Sentencing and Policy Advisory Commission and NC Department of Correction

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**DISTRIBUTION OF THE PROJECTED PRISON POPULATION BY OFFENSE CLASS
FELONIES ONLY**

Offense Class	Average Estimated Time Served in Months ¹	Percent by Fiscal Year		
		2007	2011	2016
A	600	4.3	4.8	5.4
Viol. Hab. Felon	600	0.0	0.0	0.0
B1	295	5.8	6.7	7.6
B2	182	7.8	9.0	9.8
C	96	21.6	21.1	20.3
D	79	13.7	13.4	12.8
A-D Subtotal	133	53.2	55.0	55.9
E	33	5.5	6.2	6.1
F	25	8.3	8.1	7.9
G	19	11.3	11.1	11.0
E-G Subtotal	23	25.1	25.4	25.0
H	10	15.8	14.0	13.7
I	6	4.4	4.2	4.1
H-I Subtotal	9	20.2	18.2	17.8
Unknown	N/A	1.5	1.4	1.2
TOTAL	38	100.0	100.0	100.0

NOTE: Percentage may not add to 100.0% due to rounding.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2005/06 Structured Sentencing Simulation Model

¹ For analysis purposes, the sentence length imposed for convictions resulting in life or death sentences was estimated at 600 months.