

*North Carolina
Sentencing and Policy Advisory Commission*

**CORRECTIONAL PROGRAM
EVALUATION:
OFFENDERS PLACED ON PROBATION
OR RELEASED FROM PRISON
IN FISCAL YEAR 1998/99**

Prepared By

*Debbie Dawes Ginny Hevener
Rebecca Ebron Karen Jones
Lorrin Freeman Susan Katzenelson*



*Project Conducted in Conjunction with the
North Carolina Department of Correction*

Submitted Pursuant to Session Law 1998-212, Section 16.18

April 15, 2002

**CORRECTIONAL PROGRAM
EVALUATION:
OFFENDERS PLACED ON PROBATION
OR RELEASED FROM PRISON
IN FISCAL YEAR 1998/99**



Project Conducted in

North Carolina Department of Correction

Conjunction with the

North Carolina Sentencing and Policy Advisory Commission

**P.O. Box 2472
Raleigh, NC 27602
(919) 733-9543
www.aoc.state.nc.us/spac**

The Honorable W. Erwin Spainhour

Chairman

Susan Katzenelson

Executive Director

NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION

W. Erwin Spainhour, Chairman
Superior Court Judge

Hon. Frank W. Ballance, Jr.
North Carolina Senate

Locke T. Clifford
North Carolina Bar Association

Honorable Dan G. Crawford
North Carolina Sheriffs' Association

Honorable William T. Culpepper, III
North Carolina House of Representatives

William A. Dudley
Department of Crime Control and Public Safety

Honorable Linda Dew Garrou
North Carolina Senate

Bobby Greer
N.C. Association of County Commissioners

Melita Groomes
N.C. Post-Release Supervision & Parole Commission

Honorable Wib Gulley
North Carolina Senate

Honorable R. Phillip Haire
North Carolina House of Representatives

William P. Hart
Attorney General's Designee

Mary Y. "Larry" Hines
Governor's Appointee

Honorable Jonathan L. Jones
N.C. Association of District Court Judges

Honorable Larry T. Justus
North Carolina House of Representatives

Honorable Linda McGee
North Carolina Court of Appeals

Moe McKnight
North Carolina Retail Merchants' Association

Luther Moore
Lieutenant Governor's Appointee

Honorable Ronald L. Moore
North Carolina Conference of District Attorneys

Honorable Diana R. Morgan
N.C. Association of Clerks of Superior Court

Honorable Fred G. Morrison, Jr.
Justice Fellowship, Chairman's Appointee

Chief Frank Palombo
North Carolina Association of Chiefs of Police

Honorable Ronald K. Payne
N.C. Conference of Superior Court Judges

Sandy C. Pearce
North Carolina Department of Correction

Katherine Prescott
North Carolina Victim Assistance Network

Lao E. Rubert
N.C. Community Sentencing Association

Billy J. Sanders
Private Citizen, Chairman's Appointee

Secretary George Sweat
Office of Juvenile Justice

Dr. George P. Wilson
Academic Community Member

Lyle J. Yurko
NC Academy of Trial Lawyers

NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION

STAFF MEMBERS

Susan Katzenelson
Executive Director

John Madler
Associate Director for Policy, Staff Attorney

Karen Jones
Senior Research & Policy Associate

Debbie Dawes
Senior Research & Policy Associate

Rebecca Ebron
Research & Policy Associate

Ginny Hevener
Senior Research & Policy Associate

Fannie Peele
Administrative Assistant

Michelle Moore
Secretary

ACKNOWLEDGMENTS

The staff of the North Carolina Sentencing and Policy Advisory Commission offers its sincerest appreciation to the various individuals and agencies whose knowledge and cooperation greatly enhanced this report. At the forefront of this group are Sandy Pearce and her staff at the Department of Correction's Office of Research and Planning who offered their assistance in the planning, data analysis, and review of information contained in this report. We also wish to thank the following persons who were helpful in providing information and assisting in the numerous site visits that were made by Sentencing Commission staff during the course of the project: Robert Guy, Director of the Division of Community Corrections, and his central office and field staff; Anne Tew, Director of Educational Services for the Division of Prisons, and the prison educational field staff; Jim Godwin, Director of Correction Enterprises, and his staff; Ray Harrington and Delane Boyer of the North Carolina Community College System; and UNC-CH Law School intern, Nancy Coppola.

TABLE OF CONTENTS

EXECUTIVE SUMMARY	i
I. INTRODUCTION	1
Introduction	1
Defining Recidivism	2
Guidelines Sentencing and Recidivism	3
Research Design and Methodology	4
Sample	4
Data Sources	5
Analysis	6
II. STATISTICAL PROFILE OF FY 1998/99 SAMPLE	8
Type of Supervision in the Community	8
Demographic Characteristics	10
Criminal History	10
Most Serious Current Conviction	13
Recidivist Arrests	14
Patterns of Offenses	18
Assignment to Correctional Programs	21
Comparison of Recidivism Rates with Previous Recidivism Studies	23
III. MULTIVARIATE ANALYSIS OF OUTCOME MEASURES	26
Offender Risk and Recidivism	26
Multivariate Analysis: What is a Regression Model?	29
Regression Analysis: Rearrest	32
Regression Analysis: Prison Behavior	38
Regression Analysis: Employment	39
Summary	46
IV. PROGRAM PROFILES	48
Introduction	48
Community Corrections Program	48
Prison Programs	56
V. SUMMARY AND CONCLUSIONS	76

APPENDICES

APPENDIX A: INDIVIDUAL PROGRAM SUMMARIES

APPENDIX B: GLOSSARY OF MAJOR VARIABLES, MEASURING OFFENDER RISK,
AND MULTIVARIATE TABLES

Appendix B-1: Glossary of Major Variables

Appendix B-2: Measuring Offender Risk

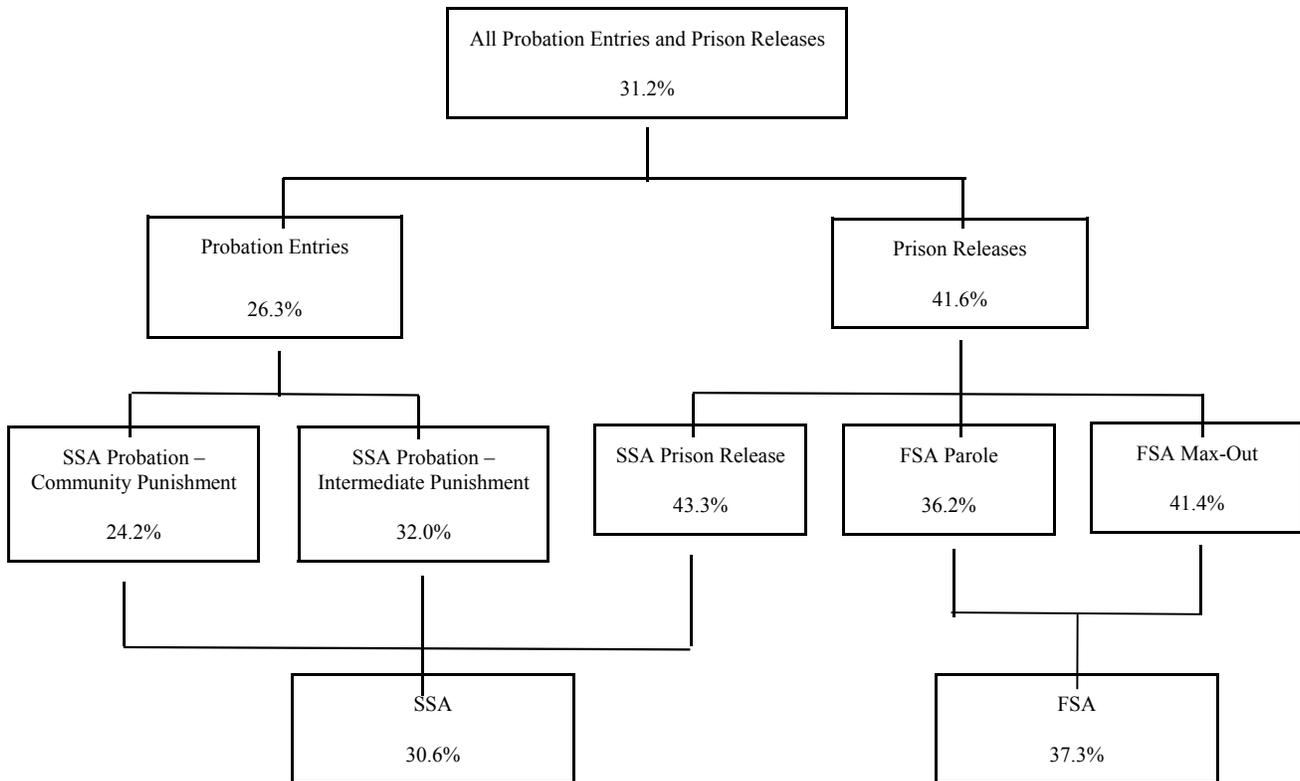
Appendix B-3: Multivariate Tables

EXECUTIVE SUMMARY

The North Carolina General Assembly directed the Sentencing Commission (1998 Session Law 212, Section 16.18) to assess, in a series of biennial studies, the effectiveness of correctional programs through their impact on offender recidivism. This report successfully meets the legislative mandate by utilizing an expansive methodological approach and offering knowledge about offender characteristics, specific correctional programs, recidivism, and additional outcome measures. It is the goal of future reports to continue to refine and expand upon these methods and findings.

With the enactment of Structured Sentencing on October 1, 1994, North Carolina has undergone a change in its sentencing philosophy which has affected criminal penalties, prosecutorial practices, judicial decisions, and the approach in the use of correctional resources. Structured Sentencing has been fully implemented, allowing an analysis of sentencing patterns, correctional impact, and the redistribution of offender populations within the system. As intended, Structured Sentencing increased the certainty of an active sentence for serious, violent and repeat offenders, with no parole available. At the same time, it shifted a large group of offenders -- with non-violent felonies and non-serious prior records -- into probation with intermediate or community punishments. Figure 1 displays the recidivism rates for a sample of 58,238 offenders placed on probation or released from prison during FY 1998/99.

Figure 1
Recidivism Rates by Types of Supervision in the Community



Recidivism was defined as a fingerprinted rearrest for any criminal offense (excluding DWI's and traffic offenses), and was measured by the frequency and seriousness of these arrests. Offenders were followed for a period of 24 months. Data on all cases were obtained from the Department of Correction's Offender Population Unified System (OPUS) database, the State Bureau of Investigation's Division of Criminal Information (DCI), and the Employment Security Commission (ESC).

Within the 24-month follow-up period, 31.2% of the 58,238 offenders had one or more rearrest. This rate varied from a low of 24.2% for community probationers, to 32.0% for intermediate probationers, to a high of 41.6% for all prisoners. For offenders who recidivated, the average time to rearrest was nine months. Overall, 26% had a recidivist conviction.

A comparison of recidivism rates with rates in previous studies indicated that recidivism in North Carolina has remained relatively stable in the past decade, fluctuating between 31%-37%, with slight variations due to different follow-up periods. Rates were consistently higher for released prisoners than for probationers.

The FY 1998/99 sample of offenders was 80% male and 56.7% black. Their average age was 29, about 15% were married, and 48% had twelve or more years of education. As indicated in Figure 2, nearly 77% of all offenders in the sample had one or more prior arrest -- 63.2% of those on community probation, 85.5% of those on intermediate probation, and 93.5% of those released from prison. Over half (57%) of all offenders had one or more prior conviction. Their most common current conviction was for property offenses (41.7%), followed by drug offenses and violent offenses (27.8% and 23.1%, respectively).

While property and drug offenses were the most common offense categories for prior arrests, current convictions, and rearrests, offenders were most likely to be rearrested in the category of their current offense. Most notably, of offenders whose current conviction was a crime against the person

Figure 2
Key Findings: Descriptive Statistics

The typical offender was a 29 year old, single, black male who was on probation with a community punishment. Of the 58,238 offenders placed on probation or released from prison in FY 1998/99:

Prior Criminal History

- ' Almost 77% had at least one prior arrest, with an average of 2.8 prior arrests.
- ' 57% had at least one prior conviction, with an average of two prior convictions.

Most Serious Current Conviction

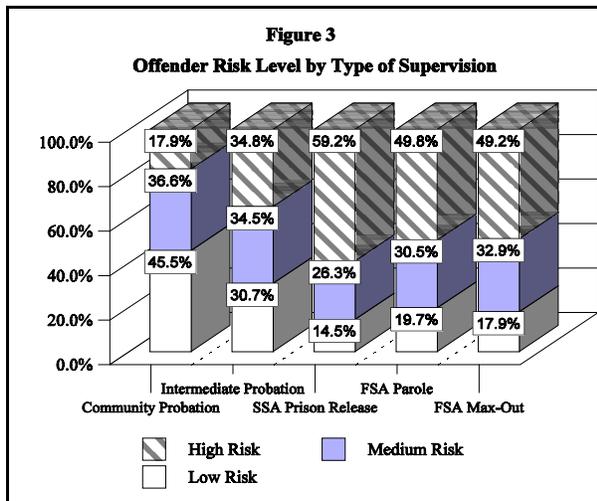
- ' 49% had a most serious current conviction for a felony offense.
- ' 41.7% had a most serious current conviction for a property offense, 27.8% for drug offenses, 23.1% for violent offenses, and 7.4% for "other" offenses (*i.e.*, not in the property, drug, or violent categories).

Recidivist Arrests

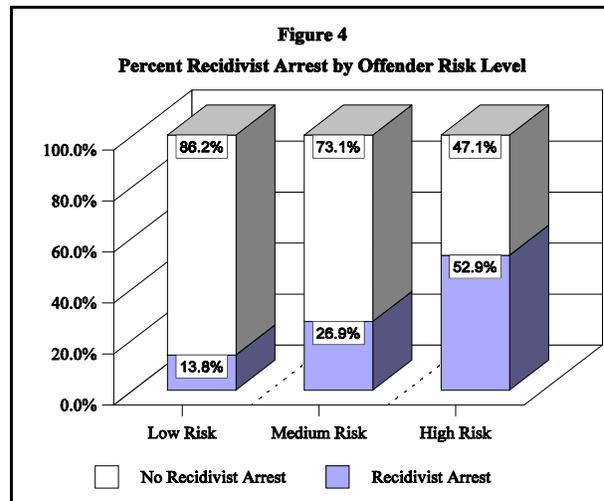
- ' 31% were rearrested within the two-year follow-up, with an average of 0.6 recidivist arrests.
- ' The first recidivist arrest occurred an average of 9.3 months after being placed on probation or released from prison.
- ' 26% had a recidivist conviction, with an average of 0.4 recidivist convictions.

(violent offenses), 52% had a prior arrest and 12% had a rearrest for a crime against a person.

Offenders varied considerably in their recidivism rates by their level of supervision upon release to the community. However, from the start, these groups were also composed of offenders who were very different in their potential to reoffend, as measured by a risk assessment instrument developed for the study (see Figure 3). Risk levels were found to be closely related to recidivism rates (see Figure 4). Consequently, much of the variation in the probability to be rearrested disappeared when comparing rearrests for all offenders by the type of supervision in the community while controlling for levels of risk, as shown in Figure 5.

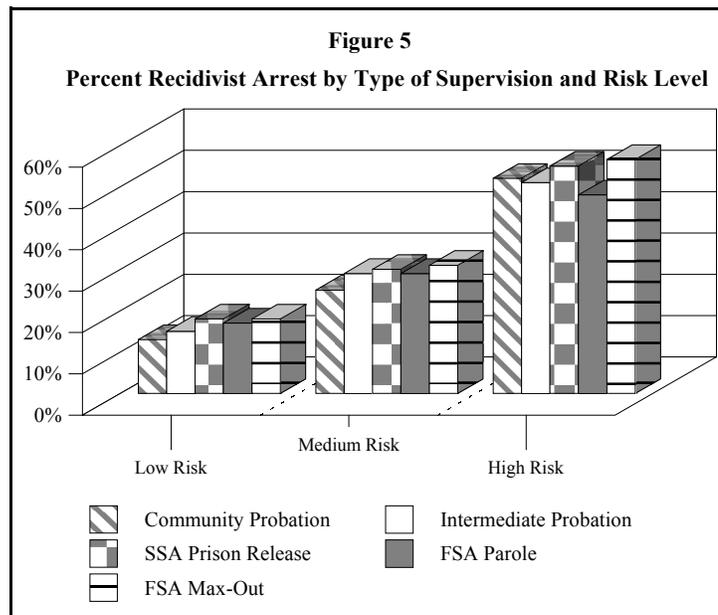


SOURCE: NC Sentencing and Policy Advisory Commission, FY 1998/99 Correctional Program Evaluation Data



SOURCE: NC Sentencing and Policy Advisory Commission, FY 1998/99 Correctional Program Evaluation Data

Probing further to identify the correlates of recidivism, a number of factors in addition to risk level were found to increase an offender's probability of rearrest, including: being male, black, a substance abuser, having a drug arrest, having a greater number of prior arrests, or having a greater number of probation or parole revocations. Conversely, being older, married, employed, or having a current conviction for a felony offense reduced the probability of recidivism. Some of the summary findings of the risk level and multivariate analyses are presented in Figure 6.



SOURCE: NC Sentencing and Policy Advisory Commission, FY 1998/99 Correctional Program Evaluation Data

Figure 6
Key Findings: Risk and Multivariate Analysis

Risk

- ' Recidivism rates varied considerably by risk level. High risk offenders had a recidivism rate over three times higher than that of low risk offenders.
- ' Risk level varied by the type of supervision in the community. Probationers with community punishment were much more likely to be low risk than offenders on other types of supervision.
- ' Most of the differences in recidivism rates between offenders on different types of supervision disappeared when controlling for their risk level, but remained on average 3%-5% higher for released prisoners than for probationers.
- ' While risk provides a useful explanation for recidivism, other characteristics also play an important role in explaining differences in recidivism rates. Offenders are sentenced and targeted for correctional programs based on legal factors which can be thought of as a type of risk classification (although not necessarily risk of rearrest).

Multivariate Analysis

- ' The regression analysis modeled three outcome measures: recidivism, prison infractions, and employment. Independent variables in the analysis included a variety of personal offender characteristics, offender risk score, current offense information, and criminal history variables.
- ' Controlling for all other relevant factors, being older, married, employed, or having a current conviction for a felony decreased the chance of rearrest. Being male, black, a substance abuser, having a prior drug arrest, having a greater number of prior arrests, or having a greater number of probation or parole revocations increased the probability of rearrest.
- ' Many of the same factors that influenced recidivism had a similar effect on prison infractions. When holding all other variables constant, being older, married, employed, a substance abuser, having a current conviction for a felony, having fewer placements on probation/parole, and having fewer revocations from probation/parole decreased the number of infractions. However, as the number of prior arrests or prior incarcerations increased, the number of infractions increased. In addition, the more time an offender spent in prison, the more infractions he/she was likely to incur.
- ' Employment rates were nearly identical for all groups of prisoners and probationers. Rates ranged from 62.5% for FSA max-outs to 70.8% for FSA parolees. Those offenders who worked in the year following release to the community worked an average of 2.9 quarters and had average wages of \$8,330.
- ' Controlling for all other factors, being older, black, or married were characteristics most associated with increases in the probability of employment. Being male, a substance abuser, having a current conviction for a felony, or having a greater number of prior incarcerations decreased the probability of employment.

T
ype of supervision in the community and assignment to correctional programs also affected the probability of an offender to recidivate. Relative to FSA parolees, offenders released from prison with no supervision following release (SSA releases and FSA max-outs) were more likely to be rearrested. Of the specific correctional programs studied, only community service parole seemed to reduce recidivism; other correctional programs serving probationers, such as intensive supervision probation, special probation, community service, IMPACT, and house arrest with electronic monitoring, were all associated with higher rates of rearrest compared to regular probation.

In addition to recidivism, this study also looked at employment as an outcome measure of offenders' reintegration into the community. Employment rates for the sample were relatively high, ranging from 63% to 71% for the various groups, probably due in part to employment being a condition of probation and parole. Offenders who were employed worked an average of 2.9 quarters within the year following their release. Their mean annual wages were \$8,330.

While demographic factors such as being older, black or married increased the probability of employment, being male, a substance abuser, having a current conviction for a felony, or having a greater number of prior incarcerations decreased that probability. Offenders sentenced to an intermediate punishment had a lower probability of employment than offenders sentenced to a community punishment. Offenders sentenced to prison had a lower probability of employment than offenders sentenced to an intermediate punishment. Multivariate analysis revealed that three correctional programs had a positive impact on the probability of employment -- intensive supervision parole, community service parole, and community service involving probationers.

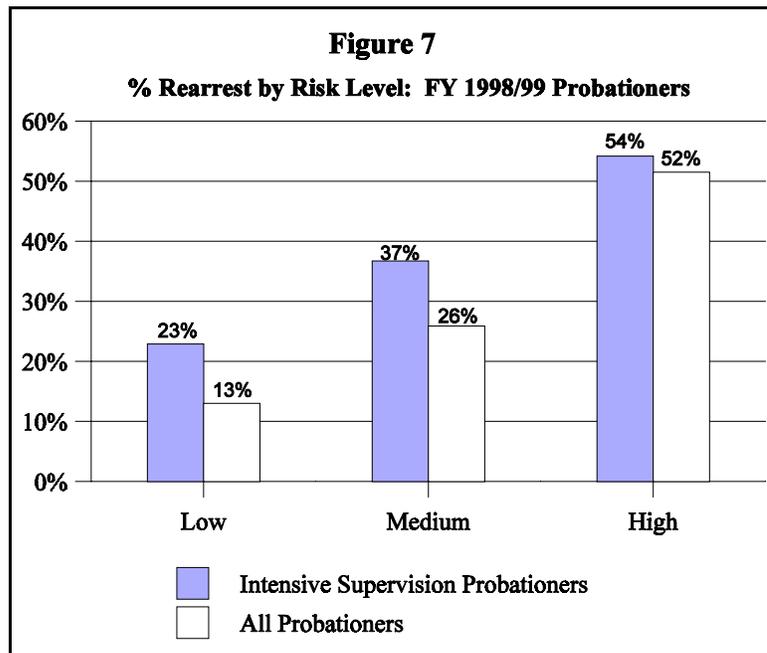
For offenders released from prison, information was obtained on another interim outcome measure: prison infractions. Both an indicator of institutional adjustment and possibly a predictor of future behavior, analysis found that many of the same variables that affected the probability of recidivism also influenced the number of infractions an offender incurred.

This report also includes detailed descriptive information and more in-depth analysis of the three correctional programs highlighted in this study:

- < Intensive Supervision Probation (ISP)
- < Correctional Education (academic education programs)
- < C o r r e c t i o n
- Enterprises

Offenders sentenced to intermediate sanctions and placed on ISP in the community were much more high risk than all probationers. As seen in Figure 7, recidivism rates varied by risk level, with low risk participants much less likely to recidivate than high risk participants. However, even when comparing probationers within the same risk level, the rate of recidivism was consistently higher for ISP participants than for all probationers.

When controlling for relevant personal and criminal



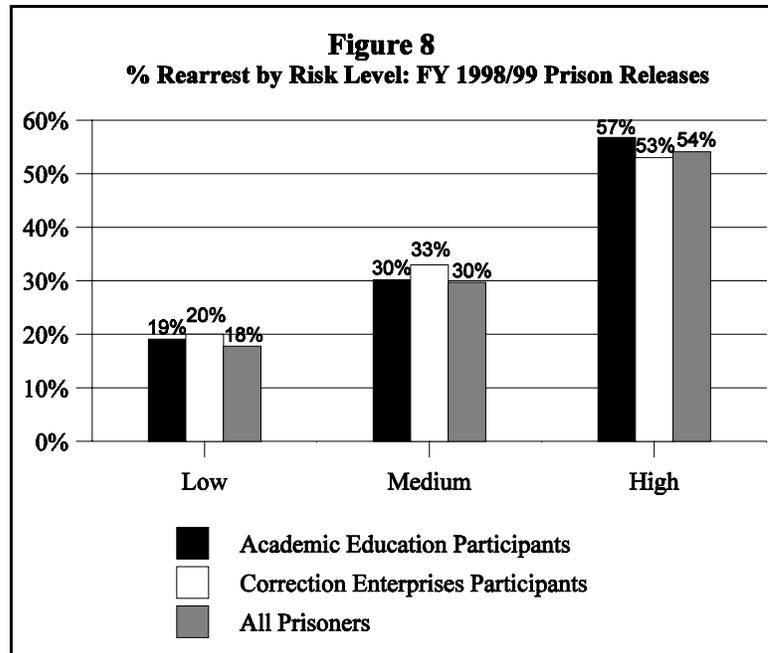
SOURCE: NC Sentencing and Policy Advisory Commission, FY 1998/99 Correctional Program Evaluation Data

justice factors (such as age, race, and type of current offense), participation in ISP was associated with a higher likelihood of recidivism.

There was no significant difference in employment between ISP participants and non-participants. In addition, no difference in recidivism rates was found between employed and unemployed ISP participants.

The majority of prisoners in the academic education programs were high risk (60%). They were also a younger group of offenders as compared to all prisoners. Prison infractions, an interim outcome measure of behavior, were slightly higher for offenders in academic education programs compared to all prisoners, even when controlling for length of stay in prison. In addition to the large percentage of high risk offenders, another possible explanation for the higher number of infractions for academic education participants is that they are closely supervised by education staff and, as a result, may have more opportunity to be cited for infractions.

Recidivism rates for academic education participants varied by risk level, with low risk participants much less likely to recidivate than high risk participants (see Figure 8). When comparing prisoners within the same risk level, the rate of recidivism for program participants was almost identical to that of all prisoners. When controlling for relevant personal and criminal justice factors, participation in academic education programs was associated with a higher likelihood of rearrest. Obtaining a General Education Development (GED) high school equivalency diploma did not have an impact on recidivism for academic education program participants.



SOURCE: NC Sentencing and Policy Advisory Commission, FY 1998/99 Correctional Program Evaluation Data

Academic education participants were somewhat more likely to be employed at least one quarter in the year following their release from prison than all prisoners. However, after controlling for relevant personal and criminal justice factors, there was no significant difference in employment between participants and non-participants. Employed participants had a slightly higher recidivism rate than unemployed participants.

The majority of prisoners participating in Correction Enterprises were high risk (56%).

There were few differences between participants and all prisoners with regard to prison infractions when controlling for length of stay in prison. Consistent with findings from the other two programs, high risk participants were more likely than low risk participants to be rearrested (*see* Figure 8). When comparing program participants with all prisoners within each risk level, the rate of recidivism for program participants was almost identical to that of all prisoners. When relevant personal and criminal justice factors were accounted for, there was no significant difference in recidivism for program participants and non-participants.

Participants in Correction Enterprises were more likely to be employed at least one quarter in the year following their release from prison and had slightly higher average total wages than prisoners overall. However, after controlling for relevant personal and criminal justice factors, there was no significant difference between participants and non-participants with regards to employment. In addition, there was no difference in recidivism rates between employed participants and unemployed participants.

It is interesting to note that for both of the prison programs, offenders who also participated in Work Release had noticeably lower recidivism rates and higher employment rates than their counterparts who did not participate in Work Release.

Some of the summary findings for the three correctional programs highlighted in this study are presented in Figure 9.

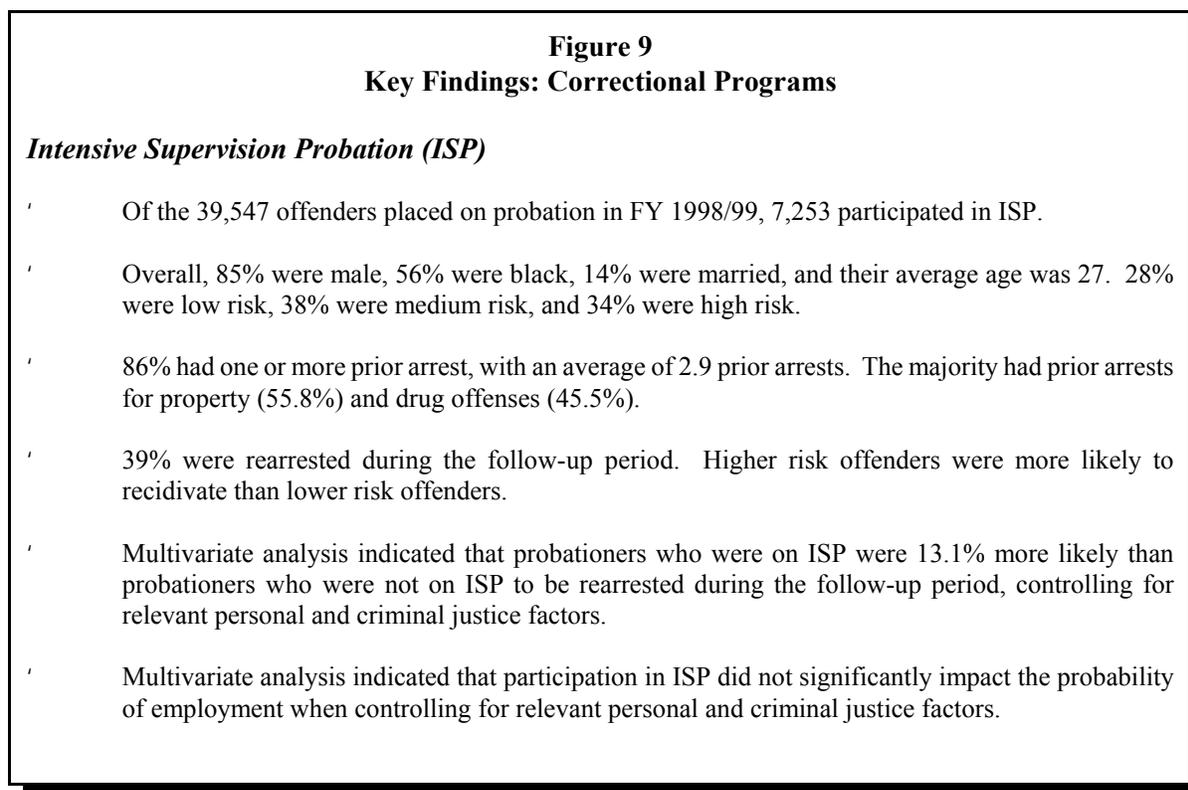


Figure 9 (cont.)
Key Findings: Correctional Programs

Correctional Education

Of the 18,691 prisoners released in FY 1998/99, 5,208 participated in academic education programs. Of those who participated, 1,140 (21%) received their GED.

89% were male, 66% were black, 12% were married, and their average age was 28. The majority (60%) were high risk.

93% had at least one prior arrest, with an average of 4.3 prior arrests. 90% had a most serious conviction for a felony offense, primarily for property and drug offenses.

45% were rearrested during the follow-up period. Higher risk offenders were more likely to recidivate than lower risk offenders.

Multivariate analysis indicated that academic education participants were 2.8% more likely than non-participants to recidivate during the follow-up period, controlling for relevant personal and criminal justice factors. Receiving a GED did not significantly impact the probability of rearrest for academic education participants.

Multivariate analysis indicated that participation in academic education programs did not significantly impact the probability of employment when controlling for relevant personal and criminal justice factors.

Recidivism rates were lower and employment rates were higher for participants who also participated in Work Release.

Correction Enterprises

Of the 18,691 prisoners released in FY 1998/99, 3,639 had participated in Correction Enterprises.

94% were male, 69% were black, 15% were married, and their average age was 32. 56% were high risk, 28% were medium risk, and 16% were low risk.

96% had at least one prior arrest, with an average of 5.1 prior arrests. 94% had a most serious conviction for a felony offense, 39% for property felonies, and 28% for violent felonies.

42% were rearrested during the follow-up period. Higher risk offenders were more likely to recidivate than lower risk offenders.

Multivariate analysis indicated that participation in Correction Enterprises did not significantly impact the probability of rearrest when controlling for relevant personal and criminal justice factors.

Multivariate analysis indicated that participation in Correction Enterprises did not significantly impact the probability of employment when controlling for relevant personal and criminal justice factors.

Recidivism rates were lower and employment rates were higher for participants who also participated in Work Release.

Based on the findings of this study, several conclusions may be drawn:

- < Recidivism rates for probation entries and prison releases in North Carolina have remained fairly stable over the past decade. Recidivism rates for the FY 1998/99 sample were slightly lower than those found for the FY 1996/97 sample both overall (31% and 33%, respectively) and within groups (prisoners: 42% and 43%, respectively; probationers: 26% and 28%, respectively).
- < The FY 1998/99 sample indicated a significant shift in the mix of prison releases. Seventy-two percent of the prison releases in the FY 1998/99 sample were SSA offenders compared to only 39% of the FY 1996/97 prison releases. This second SSA cohort also represents a mix of inmates sentenced for more serious offenses and for longer periods of incarceration than the first cohort.
- < An offender's criminal background and risk score were more significantly related to the probability of rearrest than either the type of supervision the offender was placed on in the community or the variety of correctional programs to which the offender was assigned. Put differently, the type of supervision in the community and correctional program assignment made little or no difference in the probability to recidivate, once controlling for preexisting factors. This finding might point to a recommendation for targeting the medium risk offender as the most likely to benefit from correctional programming.
- < Even when controlling for risk level and a host of other relevant factors, prison releases were more likely to be rearrested than offenders sentenced to community sanctions, possibly indicating a "prisonization" effect.
- < There were some indications that when two or more correctional programs are utilized during an offender's sentence, the interaction between programs results in a moderate impact on outcome measures. Work Release (a prison-based program), when coupled with assignment to Correction Enterprises or academic education programs, was associated with a reduced chance of rearrest and an increased probability of employment. The fact that Work Release occurs towards the end of the incarceration period and, thus, closer to release into the community, might possibly affect the outcome. This might indicate the need for a closer examination of minimum custody program offerings, since assignment to a program (whether it be academic or vocational education, work, or substance abuse) at this point in the incarceration period could help with the transitioning of an inmate into the community. With regard to community-based programs, it may be that coupling another supervision tool with Intensive Supervision (*e.g.*, electronic monitoring; substance abuse treatment) could positively affect outcome measures.

One of the lessons that can be gleaned from this study of correctional programs is a better understanding of the relationship between correctional programs, expected results, and recidivism.

In general, the findings show that preexisting personal and criminal history factors greatly affect both an offender's correctional sanction/program assignment *and* the offender's probability of reoffending and rearrest. Therefore, expectations should be modest about the ability of relatively short term programs and sanctions (often occurring many months prior to release) to reverse the impact of criminogenic forces on an offender's probability of reoffending.

CHAPTER ONE INTRODUCTION

Introduction

In 1994, with the enactment of the Structured Sentencing Act, North Carolina embarked on a new penal strategy. Since that time, Structured Sentencing has proven to be of benefit to the criminal justice system by increasing consistency, certainty and truth in the sentencing of offenders; setting priorities for the use of correctional resources; and balancing sentencing policies with correctional resources. The issue of correctional resources and, specifically, their effectiveness in deterring future crime and increasing public safety has continued to be of interest to legislators and policy makers. It is the goal of most programs to sanction and control offenders and to offer them opportunities that will assist in altering negative behavioral patterns, and consequently, lower the risk of reoffending.

Studies which measure recidivism became a nationally accepted way to assess the effectiveness of in-prison and community corrections programs in preventing future criminal behavior by offenders reentering the community. The North Carolina General Assembly, aware of this trend, incorporated the study of recidivism into the North Carolina Sentencing and Policy Advisory Commission's mandate from the start. The first recidivism study that was prepared for the Commission was completed in 1992 by Stevens Clarke and Anita Harrison of the Institute of Government. This recidivism study was followed by one that was conducted in 1996 by Mark Jones and Darrell Ross of the School of Social Work at East Carolina University. In 1997 and 1998, the Commission produced the third and fourth recidivism reports in conjunction with the Department of Correction's Office of Research and Planning.

During the 1998 Session, the General Assembly redrafted the Commission's original mandate to study recidivism and expanded its scope to include a more in-depth evaluation of correctional programs. This legislation (1998 Session Law 212, Section 16.18) gives the following directive:

The Judicial Department, through the North Carolina Sentencing and Policy Advisory Commission, and the Department of Correction shall jointly conduct ongoing evaluations of community corrections programs and in-prison treatment programs and make a biennial report to the General Assembly. The report shall include composite measures of program effectiveness based on recidivism rates, other outcome measures, and costs of the programs. During the 1998-99 fiscal year, the Sentencing and Policy Advisory Commission shall coordinate the collection of all data necessary to create an expanded database containing offender information on prior convictions, current conviction and sentence, program participation and outcome measures. Each program to be evaluated shall assist the Commission in the development of systems and collection of data necessary to complete the evaluation process. The first evaluation report shall be presented to the Chairs of the Senate and House Appropriations Committees and the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety by April 15, 2000, and future reports shall be made by April 15 of each even-numbered year.

The first evaluation report, as required by law, was delivered to the General Assembly on April 15, 2000. This current study is the second biennial Correctional Program Evaluation Report, and it contains information, in compliance with the mandate, about offender characteristics, specific correctional programs, outcome measures, and an expansive methodological approach to tease out the relationship between offender risk factors, correctional programs, and recidivism rates. It is the goal of future reports to continue to refine and expand upon these methods.

Defining Recidivism

The North Carolina General Assembly directed the Sentencing and Policy Advisory Commission to measure the rates of recidivism of criminal offenders involved in various kinds of state-supported correctional programs. The legislation calling for these measurements made it clear that recidivism meant repeated criminal behavior, and implied that measuring recidivism was to be a way of evaluating correctional programs -- that is, programs designed or used for sanctioning and, if possible, rehabilitating convicted criminal offenders.

Correctional programs do not affect crime directly; rather, they are designed to change offenders' attitudes, skills, or thinking processes, in the hope that their social behavior will change as a result. The punitive aspect of criminal sanctions might also serve as an individual deterrent with convicted offenders. Policy makers such as legislators tend to be concerned with whether the programs ultimately reduce criminal behavior. This concern is understandable. A program may be successful in educating, training, or counseling offenders, but if it does not reduce their subsequent criminal behavior, the result will simply be repeat offenders who are better educated or have greater self-confidence.

There is no single "official" definition of recidivism. Researchers have used a variety of definitions and measurements, including rearrest, reconviction or reincarceration, depending on their particular interests and the availability of data. Therefore, in comparing recidivism of various groups of offenders, readers are well advised to be sure that the same definitions and measurements are used for all groups. Official records from police, courts, and correctional agencies are the source of most research on adult recidivism. For offenders involved in a recidivism study, different types of records will indicate different amounts of crime.

The Sentencing Commission, in its studies of recidivism and as mandated by the Legislature, uses arrest data rather than data on conviction or other events occurring later in the criminal justice process. The advantages of arrest data, compared with other criminal justice system data, outweigh the disadvantages. Rearrests, as used in this research, take into account not only the frequency of repeat offending but also its seriousness by using classifications based on the legal punishments (for example, felony versus misdemeanor) or on the nature of the victimization (for example, crimes against the person, crimes involving theft or property damage, or crimes involving illegal drugs). The volume of repeat offending is handled by recording the number of arrests for crimes of various types.

Guidelines Sentencing and Recidivism

North Carolina law prescribes the use of guidelines in sentencing its convicted felons and misdemeanants. In theory, Structured Sentencing may affect recidivism in a variety of ways. Its penalty framework may alter the deterrent effect of sentencing laws, with different punishments influencing differently an *individual* offender's fear of the consequences of crime and thereby changing his or her likelihood of recidivism. Another way in which guidelines might impact recidivism is by altering the characteristics, or "mix," of *groups* of offenders -- for example, probationers or prisoners. Altering the composition of groups of offenders has been, from the start, one of the changes contemplated by the guidelines sentencing movement, and this alteration may well affect group recidivism rates. The 1996 "National Assessment of Structured Sentencing" conducted by the U.S. Department of Justice (Austin et al., 1996:31-34) identifies the following goals of the guidelines movement: to increase sentencing fairness, to reduce unwarranted disparity, to establish "truth in sentencing," to reduce or control prison crowding, and to establish standards that facilitate appellate review of sentences. To meet these objectives and still control spending on prisons, guidelines have tended to shift some offenders to probation who formerly would have gone to prison, and others to prison who formerly might have received probation. Sentencing guidelines have sought to make offenders convicted of violent crimes, as well as repeat offenders, more likely to receive active prison sentences and to serve longer prison terms. At the same time, guidelines were intended to make first-time offenders charged with property crimes less likely to be imprisoned, and to have them serve shorter terms if imprisoned (Austin et al., 1996:125).

The National Assessment's description of the guidelines movement and its tendency to reallocate offenders from prison to probation is consistent with the history of North Carolina's Structured Sentencing legislation. Ronald Wright, in an article on "Managing Growth in North Carolina through Structured Sentencing" (1998:7-8), notes that the proposed sentencing guidelines were acceptable to the General Assembly in 1993 because they combined three features: (1) they increased the percentage of serious felons receiving prison terms and the length of time they would serve; (2) they brought the time actually served in prison much closer to the sentence imposed than under former law; and (3) they limited costly increases in the state's prison capacity. The only way, Wright points out, to accomplish all three objectives was to send fewer people to prison but for longer terms. As a result, he observes, the proposed guidelines prescribed diversion of most misdemeanants and the least serious felons (non-violent felons with little or no prior record) from prison terms to community and intermediate sanctions -- that is, to some form of probation. While the initially adopted guidelines became somewhat more severe in the 1994 and 1995 legislative sessions, the original objective of diversion of less dangerous offenders from prison persisted.

With this kind of shift from prison to probation actually occurring following the implementation of Structured Sentencing, one possible hypothesis would be to expect the recidivism of released prisoners to increase over time. This is because the percentage of prisoners with prior records would increase, and prior criminal record is the strongest predictor of recidivism. It is less clear what would happen to the recidivism of probationers.

It is important to remember that guidelines sentencing emphasized not only the diversion of some offenders from prison to probation, but also the use of intermediate punishments for those diverted offenders. Intermediate punishments -- *i.e.*, enhanced forms of probation such as intensive supervision, special probation (split sentences), and day reporting centers -- were meant to control the recidivism of offenders diverted from prison to probation. Wright, in his history of North Carolina's sentencing guidelines legislation, notes that despite the strong get-tough-on-crime sentiment in the 1994 session, the General Assembly approved full funding for probation personnel to support new intermediate sanctions (Wright, 1998:10).

As documented in the literature, the rate differential in recidivism between probationers and prisoners is largely -- but not fully -- accounted for by differences in the two groups' criminal history. These results, by themselves, suggest that diverting offenders with little or no criminal history to probation might not make much difference in the group recidivism rate for probationers. This, however, might not hold true for the group placed on intermediate sanctions, targeting offenders with more serious offenses and prior records than those sentenced to community sanctions. Two other factors may tend to prevent increased recidivism among North Carolina probationers. One factor is that intermediate punishment programs may help control the recidivism. Whether they in fact do so must be established through careful evaluation of the programs. Another factor is that diversion of some offenders from prison to probation might prevent "prisonization" -- detrimental effects of imprisonment -- that would otherwise increase the propensity to repeat.

Research Design and Methodology

The Sentencing Commission's expanded legislative mandate translated to a more comprehensive approach in capturing relevant empirical information. The theoretical model (*see* chart) adopted to study recidivism pointed to data collection in three time frames for each offender: preexisting factors such as demographic characteristics and criminal history; current criminal justice involvement including current conviction, sentence and correctional program participation; and future measures of social reintegration such as rearrest and employment.¹

Sample

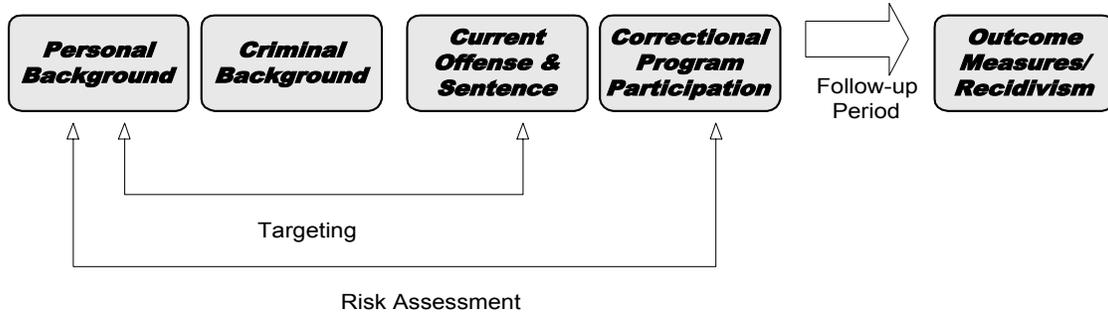
The sample selected for study included all offenders released from prison by the North Carolina Department of Correction (DOC) or placed on probation during Fiscal Year 1998/99. The final study sample includes 58,238 offenders.²

Ninety-one percent of the sample cohort consists of Structured Sentencing cases, affording

¹ Preexisting factors and current criminal justice involvement are also the components in targeting offenders for different correctional sanctions and treatment programs, and assessing their risk levels.

² Due to relatively small numbers, pre-FSA cases, FSA probationers, and SSA post-release supervision cases were excluded from the sample. Also excluded from analysis were all DWI and traffic offenders.

Evaluation of Correctional Programs



for the first time a comprehensive look at the recidivism of Structured Sentencing offenders.

Data Sources

(A) **Aggregate Data:** Three automated data sources were utilized to collect information on the sample of offenders:

- < The DOC's Offender Population Unified System (OPUS) provided demographic and prior record information, current convicted offense and sentence,³ correctional program assignment, and type of release into the community.
- < The Department of Justice's Division of Criminal Information (DCI) data set was used to provide (fingerprinted) rearrest records. The sample of offenders released to the community in 1998/99 was followed for a fixed 24-month period to track recidivism.
- < Records of the Employment Security Commission (ESC) were used to collect employment information about the sample of offenders following their current involvement with the criminal justice system.

The final data set for this study consists of close to 300 items of information (or variables) for the sample of 58,238 offenders released to the community between July 1, 1998, and June 30, 1999, and followed for 24 months.⁴

(B) **Program Specific Descriptive Data:** To provide a descriptive context for the study, data

³ "Current" in the context of this study refers to the most serious conviction and sentence for which the offender was released to the community within the sample time frame.

⁴ A glossary of all the variables is included in the Technical Appendix.

were also collected during a series of site visits. During a six-month period in 2001, Sentencing Commission staff visited eleven prison facilities and probation offices in five judicial districts statewide. The locations were selected to represent regional variations, both urban and rural, and diverse target populations (*e.g.*, male/female; youth/adult). The survey instrument developed and pretested for the previous biennial report served, with some revisions, as the basis for interviews with program staff. Topics addressed included program history and philosophy, clients, staffing and administration, and programmatic components. Information on each site was also collected through direct observation of service delivery, interviews with offenders, and written program materials.

In a collaborative decision, the DOC and the Sentencing Commission selected three specific correctional programs for more in-depth analysis: community corrections program (Intensive Supervision), prison-based academic education programs, and prison-based industries (Correction Enterprises).⁵ The selection of these programs was guided by substantive and pragmatic considerations. The relationship between education, employment and social reintegration makes continuing education and prison industries programs of interest in any correctional setting. These selections were also necessitated by data availability – OPUS, a complex and evolving system, has more complete information on prison inmates than on probationers for the FY 1998/99 cohort. Finally, this study also focused on Intensive Supervision, the intermediate sanction most widely imposed by the courts. With continuing improvements in the collection of OPUS data, future biennial reports will be able to select a broader spectrum of community-based programs of interest.

Analysis

A case profile was constructed for each sample offender, comprised of personal and criminal history characteristics, the most serious current offense of conviction, sentence type imposed, correctional program assignments, nature of the offender’s release to the community, subsequent employment and rearrests.

Chapter Two presents a descriptive statistical profile of the sample and aggregate figures on the incidence and type of prior and subsequent (*i.e.*, recidivistic) criminal behavior. This profiling also allows for some comparisons between the recidivism of FSA and SSA offenders, and of offenders released after a prison stay compared to those placed on some form of probation.

Chapter Three utilizes multivariate techniques such as logistic regression to assess the relationship between recidivism and various disposition types and correctional programs, while controlling for other relevant preexisting factors. A composite Risk Factor Score is developed and assigned to each case in order to isolate the impact of correctional dispositions and programs on the probability of rearrest while holding constant the “risk level” of the offender.⁶

⁵ A more detailed description of these programs is provided in the “Program Monographs” accompanying this report.

⁶ A detailed description of the multivariate techniques used and the Risk Factor Score is provided in Chapter Three and the Technical Appendix.

Chapter Four presents short descriptions and statistical information on three specific programs: Intensive Supervision, Correctional Education, and Correction Enterprises. Special emphasis is placed on outcome measures for these correctional programs, and some cost components.

Finally, Chapter Five offers a short summary of the study's approach and main findings, and closes with some concluding thoughts on recidivism in North Carolina following the enactment of Structured Sentencing.

CHAPTER TWO STATISTICAL PROFILE OF FY 1998/99 SAMPLE

Type of Supervision in the Community

As described in Chapter One, the study sample is comprised of 58,238 offenders who either entered probation or were released from prison during FY 1998/99.

FY 1998/99 Sample

The sample is comprised of all offenders who entered supervised probation or were released from prison during FY 1998/99, with the following exclusions:

- ' unsupervised probation entries;
- ' FSA probation entries;
- ' pre-FSA cases;
- ' offenders with a most serious current conviction for driving while impaired; and
- ' offenders with a most serious current conviction for a misdemeanor traffic offense.

As shown in Figure 2.1, 91% (n=52,956) of the 58,238 offenders were convicted and sentenced under the Structured Sentencing Act (SSA).⁷ The remaining 9% (n=5,282) were convicted and sentenced under the Fair Sentencing Act (FSA).⁸ There were 39,547 probationers and 18,691 prisoners in the FY 1998/99 sample. These can be further subdivided into the following five categories based on type of supervision in the community:

Probation Entries

- ' SSA probationers who received a community punishment;
- ' SSA probationers who received an intermediate punishment;

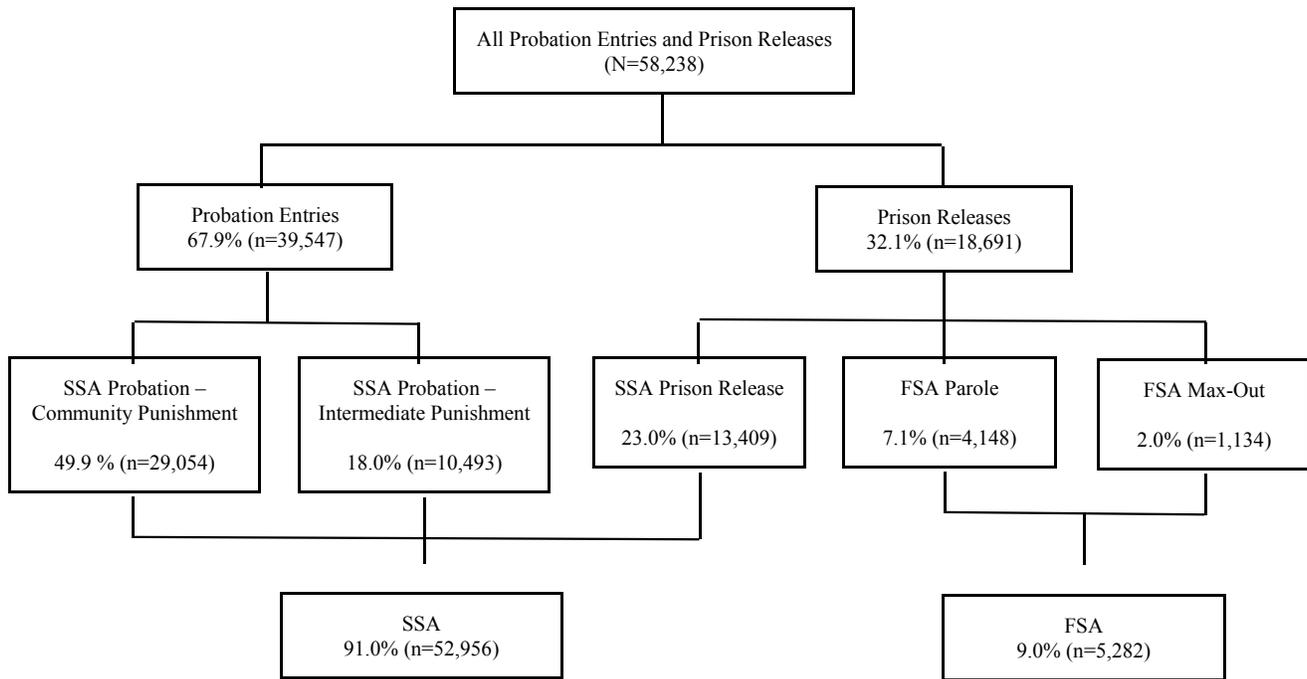
Prison Releases

- ' SSA prison releases;
- ' FSA parole releases; and
- ' FSA max-out releases.

⁷ Offenders whose offenses were committed on or after October 1, 1994, were sentenced under the Structured Sentencing Act.

⁸ Felony offenders whose offenses were committed prior to October 1, 1994, were sentenced under the Fair Sentencing Act. Misdemeanor offenders whose offenses were committed prior to October 1, 1994, were sentenced under the Trial and Appellate Procedure Act of 1977.

Figure 2.1
Type of Supervision in the Community



Definitions for the Types of Supervision in the Community

SSA Probation Entries with a Community Punishment: An offender who was sentenced under the Structured Sentencing Act and received a community punishment. Community punishments may consist of a fine, unsupervised probation (although unsupervised probationers were excluded from the sample), or supervised probation, alone or with one or more of the following conditions: outpatient drug/alcohol treatment, community service, assignment to TASC, payment of restitution, or any other conditions of probation that are not considered an intermediate punishment. Offenders with little or no prior criminal history who commit the lowest class felonies (Class H or I) and all misdemeanants may receive a community punishment.

SSA Probation Entries with an Intermediate Punishment: An offender who was sentenced under the Structured Sentencing Act and received an intermediate punishment. An intermediate punishment requires a period of supervised probation with at least one of the following conditions: special probation, assignment to a residential treatment program, house arrest with electronic monitoring, intensive probation, and assignment to a day reporting center. Generally, offenders who have a significant prior record and commit Class H or I felonies and offenders who have little or no prior record and commit more serious non-violent felonies may receive an intermediate punishment.

SSA Prison Releases: An offender who was sentenced under the Structured Sentencing Act, served his/her maximum sentence minus earned time and time for pre-conviction confinement, and was released back into the community without any supervision. Note: A small number (n=399 or 3%) of offenders in this category received post-release supervision.

FSA Parole Releases: An offender who was sentenced under the Fair Sentencing Act and was given an early, conditional release back into the community with supervision.

FSA Max-Out Releases: An offender who was sentenced under the Fair Sentencing Act and was unconditionally released from prison (*i.e.*, with no supervision in the community) after serving his/her entire sentence, minus credit for good time, gain time, or pre-conviction confinement.

See Appendix A for further descriptions of the types of supervision in the community and for many of the programs that fall under them.

This is the second correctional program evaluation report (*i.e.*, recidivism report) that includes offenders sentenced under the SSA. Although it is tempting to do so, any comparative look at SSA and FSA offenders should be done with caution. Specifically, it is not appropriate to contrast SSA prison releases with FSA parole releases and max-outs because they are not comparable in terms of offense seriousness and time served. The sample year for this study is FY 1998/99, only five years after the implementation of Structured Sentencing. As a result, most of the serious offenders who were sentenced to prison under SSA were still in prison. For the most part, only less serious offenders sentenced to prison under SSA (primarily non-violent Class E-I offenders) had been released by 1999. Because they were a less serious offender population in this sample, SSA prison releases have served substantially less time in prison than both categories of FSA prison releases (an average of 8.5 months for SSA prison releases versus 51.8 months for FSA prison releases). Many of the tables in this chapter present information by probation or prison status, for individual categories of probationers and prisoners (also referred to as type of supervision in the community), and for the sample as a whole. The following comparisons are appropriate to make: (1) a comparison of all probationers with all prisoners; (2) a comparison of SSA probationers with SSA prison releases; (3) a comparison of FSA parolees with FSA max-outs; and (4) a comparison of individual categories of probationers or prisoners with the sample as a whole. Comparisons of findings between this study and previous recidivism studies will be discussed later in this chapter.

Demographic Characteristics

Table 2.1 contains information describing the personal characteristics of the FY 1998/99 sample. Of the 58,238 offenders, 80.4% were male, 56.7% were black, 15.2% were married, 47.9% had twelve or more years of education, and their average age was 29. Probationers (and, in particular, probationers with community punishments) had a higher percentage of females than prisoners. On average, offenders who were placed on probation were slightly younger than the offenders who were released from prison.

Criminal History

It is important to look at the number of prior arrests for the offenders in the sample since previous research indicates that prior arrests are a strong predictor of recidivism (Clarke and Harrison, 1992; Ross and Jones, 1996; NC Sentencing and Policy Advisory Commission, 1997; NC Sentencing and Policy Advisory Commission, 1998; NC Sentencing and Policy Advisory Commission, 2000). Information on prior arrests for the FY 1998/99 sample is provided in Table 2.2.⁹ Overall, nearly 77% of offenders had one or more prior arrest, with an average of 2.8 prior arrests. Nearly 94% percent of prisoners had prior arrests compared to only 69% of probationers. Compared to the other types of supervision, probationers sentenced to a community punishment had a considerably lower percentage of prior arrests (63.2%). For all comparisons, the highest mean number of prior arrests was for property offenses. For all groups except FSA max-outs, the next

⁹ Fingerprinted arrest data from DCI were used to determine prior arrests. Prior arrests were defined as fingerprinted arrests that occurred before the conviction that placed the offender in this sample. The average number of prior arrests included offenders who had no prior arrests.

Table 2.1
Demographic Characteristics by Type of Supervision in the Community

Type of Supervision in the Community		N	% Male	% Black	Mean Age	Median Age	% Married	% With Twelve Years of Education or More
SSA Probation Entries	Community Punishment	29,054	72.7	50.4	28	26	16.1	49.7
	Intermediate Punishment	10,493	85.5	57.6	29	27	15.1	46.5
	PROBATION SUBTOTAL	39,547	76.1	52.3	28	26	15.8	48.8
Prison Releases	SSA Prison Release	13,409	88.3	66.0	30	29	13.0	44.8
	FSA Parole	4,148	91.9	65.5	32	31	16.4	49.3
	FSA Max-Out	1,134	94.0	66.3	32	31	13.1	47.9
	PRISON SUBTOTAL	18,691	89.5	65.9	30	30	13.8	45.9
TOTAL		58,238	80.4	56.7	29	28	15.2	47.9

NOTE: There are missing values for self-reported years of education.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1998/99 Correctional Program Evaluation Data

Table 2.2
Prior Arrests by Type of Supervision in the Community

Type of Supervision in the Community		N	% Any Prior Arrest	Mean Number of Prior Arrests	Mean Number of Prior Arrests by Type			
					Violent	Property	Drug	Other
SSA Probation Entries	Community Punishment	29,054	63.2	1.6	0.3	0.8	0.4	0.2
	Intermediate Punishment	10,493	85.5	3.0	0.6	1.5	0.9	0.5
	PROBATION SUBTOTAL	39,547	69.1	2.0	0.4	1.0	0.5	0.3
Prison Releases	SSA Prison Release	13,409	93.1	4.4	0.8	2.5	1.2	0.6
	FSA Parole	4,148	95.3	4.6	0.9	2.9	0.9	0.5
	FSA Max-Out	1,134	91.9	4.5	0.9	2.7	0.8	0.6
	PRISON SUBTOTAL	18,691	94.5	4.5	0.8	2.6	1.1	0.6
TOTAL		58,238	76.9	2.8	0.5	1.5	0.7	0.4

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1998/99 Correctional Program Evaluation Data

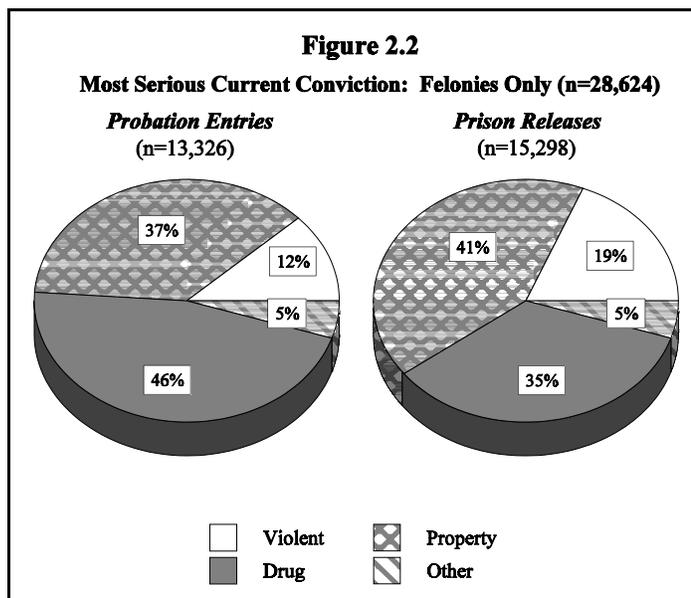
highest mean number of prior arrests was for drug offenses, followed by violent offenses, and “other” offenses. Fifty-seven percent (n=33,216) of offenders had at least one prior conviction, with an average of two prior convictions.

Intermediate punishment probationers fell in between community punishment probationers and the three categories of prisoners with regard to their arrest history. For example, they fell in between the two groups when comparing the percent having prior arrests (85.5%) or a history of past violence (an average of 0.6 prior violent arrests). As expected, all categories of prisoners had a considerably higher average number of violent prior arrests than probationers. These findings confirm the philosophy behind Structured Sentencing that probationers who receive intermediate punishments are more serious offenders than those who receive community punishments, but less serious than those who receive prison sentences.

Most Serious Current Conviction

Overall, 49% (n=28,624) of the FY 1998/99 sample had a most serious current conviction for a felony offense and 51% (n=29,614) had a most serious current conviction for a misdemeanor offense.¹⁰ Figures 2.2 and 2.3 present the category of conviction (violent, property, drug, or “other”) for probation entries and prison releases by felony/misdemeanor status.

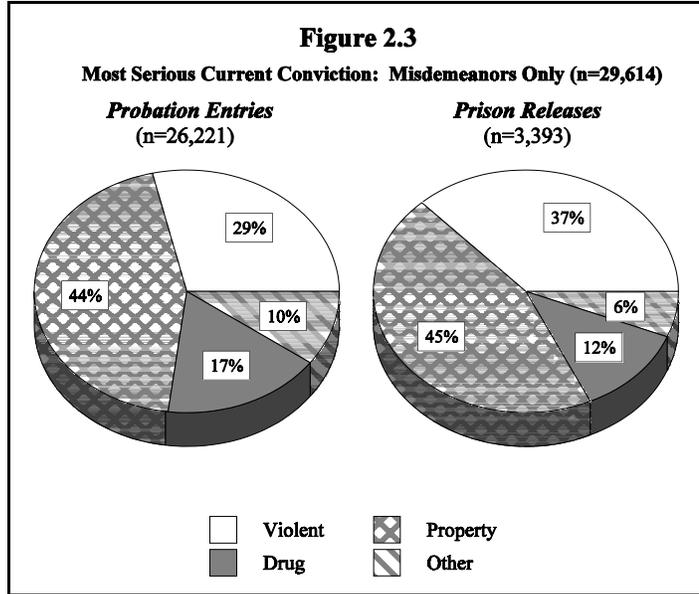
As shown in Figure 2.2, the majority of probationers with current felony convictions had convictions for drug offenses (46%), followed by property offenses (37%). For prisoners with felony convictions, the majority had current convictions for property offenses (41%), followed by convictions for drug offenses (35%). As anticipated, prisoners were more likely to have current convictions for violent offenses (19%) than probationers (12%).



SOURCE: NC Sentencing and Policy Advisory Commission, FY 1998/99 Correctional Program Evaluation Data

¹⁰ Each offender’s conviction(s) that placed him/her in the sample as a prison release or probation entry during FY 1998/99 were ranked in terms of seriousness and only the most serious conviction was used for analysis. For the sake of brevity, the term “most serious current conviction” is often referred to as “current conviction.”

The majority of probationers and prisoners with current convictions for misdemeanor offenses were convicted of property offenses -- 44% and 45% respectively (see Figure 2.3). Probationers had a higher percentage of drug convictions (17%) compared to prisoners (12%). As expected, prisoners had a higher percentage of violent convictions (37%) compared to probationers (29%).



SOURCE: NC Sentencing and Policy Advisory Commission, FY 1998/99 Correctional Program Evaluation Data

The most serious current conviction by type of supervision in the community is presented in Table 2.3. Overall, 41.7% of the sample had a most serious current conviction for a property offense, followed by 27.8% for drug offenses, 23.1% for violent offenses, and 7.4% for “other” offenses. Community punishment probationers were more likely to have a most serious current conviction for a misdemeanor offense (80.1%) and the current conviction was most likely to be for a misdemeanor property offense (36.1%). Seventy-two percent of intermediate punishment probationers had a most serious current conviction for a felony offense and the current conviction was most likely to be for a felony drug offense (28.8%) or a felony property offense (25.5%). Almost 78% of SSA prison releases had a most serious current conviction for a felony offense, with 31.1% for property offenses and 30.6% for felony drug offenses.¹¹ The majority of FSA parolees (94.3%) had current convictions for felony offenses. FSA parolees were most likely to have a current conviction for felony property offenses (43.1%) and violent offenses (25.8%). Almost 86% of FSA max-outs had a current conviction for a felony offense. About 31% had a most serious current conviction for felony property offenses, with violent felony offenses as the second highest category at 30.3%. The average time served for prisoners was 8.5 months for SSA prison releases, 50.4 months for FSA parolees, and 56.8 months for FSA max-outs.

Recidivist Arrests

As part of the correctional program evaluation, each offender in the FY 1998/99 sample was

¹¹ As noted previously, it is not appropriate to compare SSA prisoners with either category of FSA prisoners because they are not comparable in terms of offense seriousness and time served. The data presented in Table 2.3 illustrate how the SSA prisoners differ from FSA prisoners in terms of offense seriousness and, therefore, are not comparable categories of offenders.

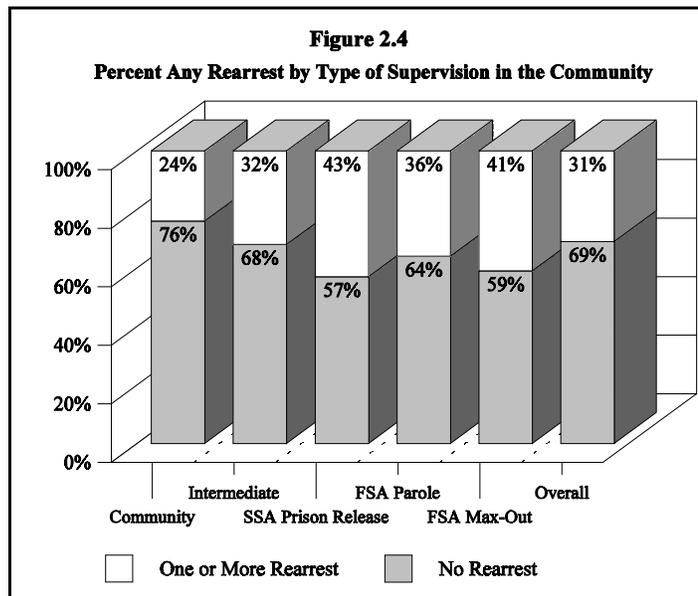
Table 2.3
Most Serious Current Conviction by Type of Supervision in the Community

Type of Supervision in the Community		N	Type of Conviction								% Total	
			% Violent		% Property		% Drug		% Other			
			Fel.	Misd.	Fel.	Misd.	Fel.	Misd.	Fel.	Misd.	Fel.	Misd.
SSA Probation Entries	Community Punishment	29,054	0.6	21.7	7.9	36.1	10.7	13.9	0.7	8.4	19.9	80.1
	Intermediate Punishment	10,493	13.8	12.7	25.5	9.5	28.8	3.3	3.9	2.5	72.0	28.0
	PROBATION SUBTOTAL	39,547	4.1	19.3	12.6	29.0	15.5	11.1	1.6	6.8	33.8	66.2
Prison Releases	SSA Prison Release	13,409	11.2	8.7	31.1	9.4	30.6	2.8	4.8	1.4	77.7	22.3
	FSA Parole	4,148	25.8	1.2	43.1	3.9	24.1	0.3	1.3	0.3	94.3	5.7
	FSA Max-Out	1,134	30.3	3.4	31.4	8.6	19.4	1.2	4.5	1.2	85.6	14.4
	PRISON SUBTOTAL	18,691	15.6	6.7	33.8	8.1	28.5	2.1	4.0	1.2	81.9	18.1
TOTAL		58,238	7.8	15.3	19.4	22.3	19.6	8.2	2.4	5.0	49.2	50.8

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1998/99 Correctional Program Evaluation Data

followed for a period of two years to determine whether recidivist arrests or convictions occurred.¹² The two-year follow-up period was calculated on an individual basis using the prison release date plus two years for prison releases and using the probation entry date plus two years for probation entries. A fixed follow-up period was used in an attempt to obtain the same “window of opportunity” for each offender to reoffend. However, in actuality, the same window of opportunity was not necessarily available due to probation or parole revocation. With the exception of SSA prison releases who were not placed on post-release supervision and FSA max-outs, all other types of supervision in the community were eligible for revocation for technical violations.¹³ Revocation may artificially reduce recidivism since the offender no longer has the same amount of time in the community to reoffend. As a result, the effect of revocation on recidivism rates should be kept in mind when comparing recidivism rates of the different categories of offenders. While beyond the scope of this study, it is hoped that further analysis of the relationship between revocation and recidivism will be conducted for future reports.

Overall, 31% (n=18,172) of the FY 1998/99 sample were rearrested with an average of 0.6 recidivist arrests (see Figure 2.4 and Table 2.4). Nearly 42% (n=7,775) of prisoners were rearrested, compared to 26% (n=10,397) of probationers. Probationers with community punishments were least likely to be rearrested (24% or n=7,042), followed by probationers with intermediate punishments (32% or n=3,355). All categories of prisoners had higher rearrest rates and overall mean number of rearrests than either category of probationers. About 43% (n=5,805) of SSA prison releases, 36% (n=1,501) of FSA parolees, and 41% (n=469) of FSA max-outs were rearrested. SSA prison releases and FSA max-outs had the highest mean number of rearrests (0.9). For all offenders, the highest average number of rearrests was for property offenses. Overall, 26% (n=15,043) of the FY 1998/99 sample had a recidivist conviction with an average of 0.4 recidivist convictions.



SOURCE: NC Sentencing and Policy Advisory Commission, FY 1998/99 Correctional Program Evaluation Data

¹² Fingerprinted arrest data from DCI were used to determine recidivism. Recidivist arrests were defined as fingerprinted arrests that occurred after an offender was released from prison or placed on probation for the conviction that placed him/her in the sample. The average number of recidivist arrests included offenders who had no recidivist arrests.

¹³ Technical violations result from failure to comply with the conditions of probation or parole (as opposed to a new violation of the law), such as having positive drug tests, failing to attend treatment as ordered, or violating curfew.

Table 2.4
Recidivist Arrests by Type of Supervision in the Community

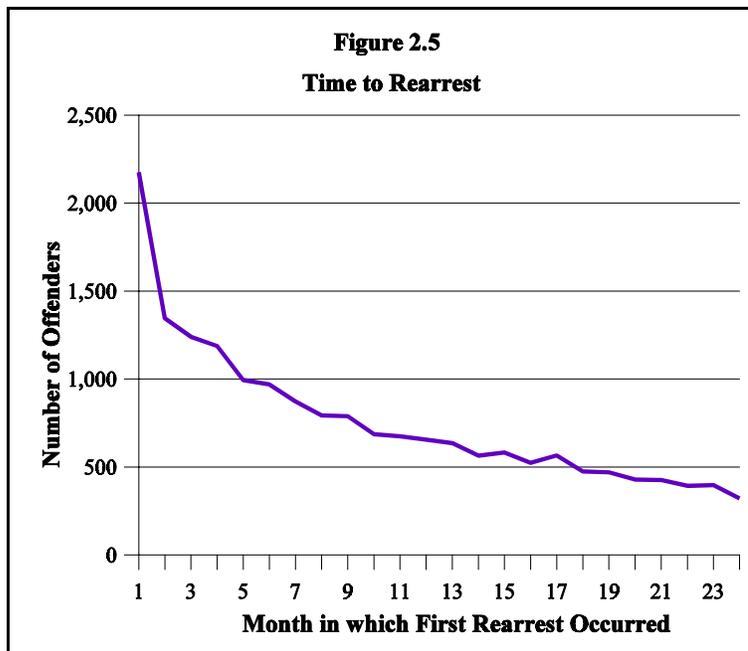
Type of Supervision in the Community		N	% Any Rearrest	Mean Number of Rearrests	Mean Number of Rearrests by Type			
					Violent	Property	Drug	Other
SSA Probation Entries	Community Punishment	29,054	24.2	0.4	0.1	0.2	0.1	0.1
	Intermediate Punishment	10,493	32.0	0.6	0.1	0.3	0.2	0.2
	PROBATION SUBTOTAL	39,547	26.3	0.5	0.1	0.2	0.1	0.1
Prison Releases	SSA Prison Release	13,409	43.3	0.9	0.2	0.4	0.3	0.2
	FSA Parole	4,148	36.2	0.7	0.1	0.3	0.2	0.2
	FSA Max-Out	1,134	41.4	0.9	0.2	0.4	0.2	0.3
	PRISON SUBTOTAL	18,691	41.6	0.9	0.2	0.4	0.2	0.2
TOTAL		58,238	31.2	0.6	0.1	0.3	0.2	0.2

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1998/99 Correctional Program Evaluation Data

For those who were rearrested, their first rearrest occurred an average of 9.3 months after entry to probation or release from prison. There was little variation in the time to first rearrest among the five groups. The average number of months to rearrest was 9.1 for community punishment probationers, 9.0 for intermediate punishment probationers, 9.2 for SSA prison releases, 10.5 for FSA parolees, and 10.1 for FSA max-outs. Figure 2.5 illustrates that most offenders were rearrested early in the follow-up period, which is consistent with results from other recidivism studies (NC Sentencing and Policy Advisory Commission, 2000; Beck and Shipley, 1989; Clarke et al., 1988; Maltz, 1984; Petersilia and Turner, 1986; Sechrest et al., 1979; Waldo and Griswold, 1979).

Patterns of Offenses

This section examines the relationship between an offender's past offense history and future offenses in several ways: (1) by comparing prior arrests with recidivist arrests (*see* Table 2.5); (2) by comparing offenders' most serious current conviction with their most serious prior arrest (*see* Table 2.6) and with their most serious recidivist arrest (*see* Table 2.7); and (3) by examining the relationship between prior and recidivist arrests and a current conviction for crimes against the person (*see* Figure 2.6).



SOURCE: NC Sentencing and Policy Advisory Commission, FY 1998/99 Correctional Program Evaluation Data

Prior and recidivist arrest rates by type of supervision in the community are presented in Table 2.5. Of the 58,238 offenders in the FY 1998/99 sample, almost 77% had at least one prior arrest and about 31% had a recidivist rearrest. The majority of offenders had prior and recidivist arrests for property offenses (52.9% and 16.4%, respectively). For each type of supervision in the community, the majority had prior arrests and recidivist arrests for property offenses. Prior and recidivist arrests for drug offenses were the second highest category for community probationers, intermediate probationers and SSA releases. A different pattern emerged for FSA parolees and FSA max-outs, with violent offenses representing the second highest category of prior arrests (46.5% and 50.7%, respectively) and "other" offenses representing the second highest category of recidivist arrests (13.6% and 18%, respectively).

Table 2.6 indicates that there is a relationship between most serious prior arrest and most serious current conviction for offenders who had prior arrests. Offenders with current convictions for violent offenses were most likely to have prior arrests for violent offenses (74.4%). A similar pattern holds true for property and drug convictions.

Table 2.5
Prior and Recidivist Arrests by Type of Supervision in the Community

Type of Supervision in the Community		% Any Arrest		Type of Prior and Recidivist Arrests							
				% Violent Arrest		% Property Arrest		% Drug Arrest		% Other Arrest	
		Prior	Recid	Prior	Recid	Prior	Recid	Prior	Recid	Prior	Recid
Probation Entries	Community Punishment (n=29,054)	63.2	24.2	18.0	6.7	40.9	12.8	27.7	8.9	16.1	7.3
	Intermediate Punishment (n=10,493)	85.5	32.0	34.9	8.9	55.4	16.2	44.2	12.5	30.0	10.6
	PROBATION SUBTOTAL	69.1	26.3	22.5	7.3	44.7	13.7	32.1	9.9	19.8	8.2
Prison Releases	SSA Prison Release (n=13,409)	93.1	43.3	40.7	12.8	69.3	22.9	53.9	18.8	36.4	15.5
	FSA Parole (n=4,148)	95.3	36.2	46.5	11.2	73.0	19.1	44.3	13.3	33.9	13.6
	FSA Max-Out (n=1,134)	91.9	41.4	50.7	16.2	69.4	23.9	40.1	14.6	34.3	18.0
	PRISON SUBTOTAL	94.5	41.6	42.6	12.6	70.1	22.1	50.9	17.3	35.7	15.2
TOTAL (N=58,238)		76.9	31.2	28.9	9.0	52.9	16.4	38.1	12.3	24.9	10.4

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1998/99 Correctional Program Evaluation Data

Table 2.6
Current Conviction by Most Serious Prior Arrest for Offenders
with Any Prior Arrest (n=44,804)

Most Serious Current Conviction	Most Serious Prior Arrest				Total
	% Violent	% Property	% Drug	% Other	
Violent	74.4	14.0	4.4	7.1	9,350
Property	26.8	70.3	2.1	0.8	18,948
Drug	26.8	27.0	45.9	0.3	13,881
Other	40.8	38.9	11.2	9.1	2,625

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1998/99 Correctional Program Evaluation Data

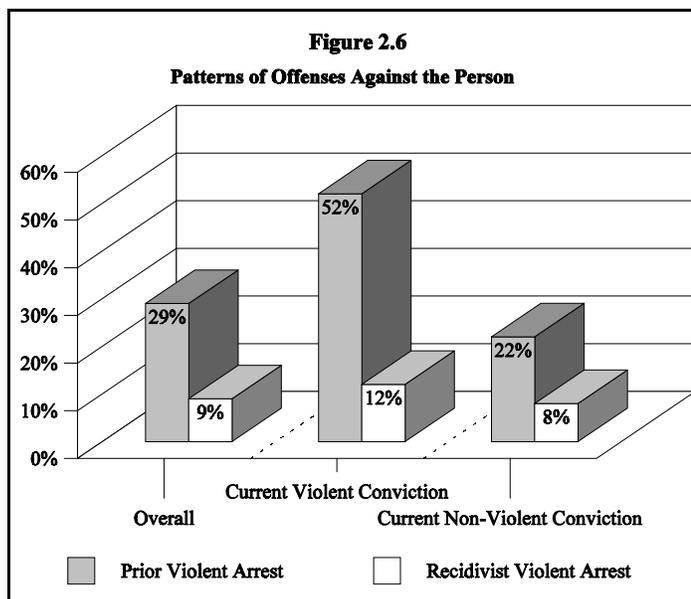
Table 2.7
Current Conviction by Most Serious Recidivist Arrest for Offenders with
Any Recidivist Arrest (n=18,172)

Most Serious Current Conviction	Most Serious Recidivist Arrest				Total
	% Violent	% Property	% Drug	% Other	
Violent	42.8	28.4	17.8	11.1	3,609
Property	25.0	56.6	13.5	5.0	8,105
Drug	24.7	26.0	42.3	7.0	5,302
Other	31.8	36.9	24.1	7.4	1,156

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1998/99 Correctional Program Evaluation Data

A similar pattern is evident for most serious current convictions compared to most serious recidivist arrests for offenders with recidivist arrests, as shown in Table 2.7. Offenders with current convictions for violent offenses were most likely to have recidivist arrests for violent offenses (42.8%). Property offenders were most likely to have a recidivist property arrest (56.6%) and drug offenders were most likely to have a recidivist drug arrest (42.3%).

It is also interesting to look at the pattern of violence when comparing prior, current, and recidivist offense behavior (as shown in Figure 2.6). Overall, 29% of the sample had a prior arrest for a violent offense (also referred to as offenses against the person) and 9% had a rearrest for a violent offense. However, these percentages were considerably higher for offenders whose most serious current conviction was for a violent offense -- 52% had a prior arrest and 12% had a rearrest within the same offense category. Of offenders whose current conviction was for a non-violent offense, only 22% had a prior arrest and 8% had a rearrest for an offense against the person.



SOURCE: NC Sentencing and Policy Advisory Commission, FY 1998/99 Correctional Program Evaluation Data

Assignment to Correctional Programs

The majority of offenders sentenced to probation or released from prison were also ordered to participate in *one or more* correctional programs.¹⁴ As indicated in Table 2.8, of the 39,547 probationers, 32.9% were ordered to perform community service, 18.3% were placed on intensive supervision probation, 11.1% were placed on special probation, 2.4% were ordered to participate in IMPACT, and 3.5% were ordered to house arrest with electronic monitoring. Of the 18,691 prisoners, 2.7% were placed on intensive supervision parole and 8.2% were placed on community service parole.¹⁵

¹⁴ For the purposes of this study and to be consistent methodologically, all program participation information for probationers was programmed using the Special Conditions and Sanctions table in OPUS. The DOC has used the External Movements table in OPUS for their studies of IMPACT, which yields a higher number of IMPACT participants. Appendix A contains further information on correctional program participation, including a description of each program and data for each program (*e.g.*, demographic characteristics, recidivism rates, etc.).

¹⁵ Under Structured Sentencing, only Class B1-E felons receive post-release supervision and would be eligible for intensive supervision. SSA felons on post-release supervision are not eligible for community service. Due to the small number of felons on post-release supervision during our sample period, post-release supervision releases were categorized with SSA prison releases. FSA max-out releases have completed their sentences, are not under supervision in the community, and are, therefore, ineligible for post-prison correctional programs in relation to the conviction and sentence that placed them in the FY 1998/99 sample.

Table 2.8
Offender Participation in Correctional Programs (N=58,238)

Correctional Programs		Number	Percent
Probation Entries (n=39,547)	Community Service	12,999	32.9
	Intensive Supervision Probation	7,253	18.3
	Special Probation	4,377	11.1
	IMPACT	947	2.4
	House Arrest with Electronic Monitoring	1,382	3.5
Prison Releases (n=18,691)	Intensive Supervision (FSA parole only)	500	2.7
	Community Service (FSA parole only)	1,540	8.2

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1998/99 Correctional Program Evaluation Data

Comparison of Recidivism Rates with Previous Recidivism Studies

The Sentencing Commission’s six recidivism reports provide a framework to look at trends in recidivism rates. However, it should be noted that there are differences in the recidivism studies that make comparisons difficult. For example, the FY 1996/97 and FY 1998/99 samples include offenders sentenced under the SSA. Also, the various studies have different follow-up periods. Nonetheless, overall comparisons may be made as long as these factors are taken into consideration.

Table 2.9 presents the overall recidivism rate for each of the Sentencing Commission’s recidivism reports. The table indicates that the recidivism rates for offenders have been fairly similar over the six sample years, taking into account differences in follow-up time. The 1989 study, the FY 1996/97 study, and the current study (FY 1998/99) had a similar follow-up period and similar recidivism rates. No separate recidivism rates are available for prisoners and probationers from the first four reports. However, this information is provided in the current study and will continue to be provided in future studies for comparative purposes.

Table 2.9
Recidivism Rates for NC Offenders

Sample Year	Sample Size	All Offenders	
		Recidivism Rate	Follow-Up Time*
1989	37,933	31.2%	26.7 months
1992/93	33,111	32.6%	36.7 months
1993/94	48,527	36.8%	32.8 months
1994/95	45,836	37.3%	35.1 months
1996/97	51,588	32.6%	24 months
1998/99	58,238	31.2%	24 months

* Variable follow-up periods were used for sample years 1989 through FY 1994/95. A fixed follow-up period of two years was used for sample year 1996/97 and 1998/99.

SOURCE: NC Sentencing and Policy Advisory Commission

The enactment of Structured Sentencing changed who is sentenced to prison and who is placed on probation. Due to differences in the characteristics of FSA and SSA prisoners, a comparison of these groups is premature.¹⁶ Trends in the recidivism rates for the different FSA prison categories (regular parole, parole and terminate, and max-out), however, can emerge from

¹⁶ In future studies, when those in the SSA prison release category are more similar to those in the FSA prison categories in terms of offense seriousness and time served, comparisons of recidivism rates for SSA prisoners and FSA prisoners may be made across years.

comparing the previous studies.¹⁷ The recidivism rates for FSA regular probationers can be compared across the previous recidivism studies and with the SSA community punishment probationers in the current study.¹⁸ Table 2.10 provides a comparison of recidivism rates for prisoners and probationers for the six recidivism studies. There were slight differences in recidivism rates within each category, which may have resulted from differences in the follow-up periods. SSA probationers with community punishments had recidivism rates that were similar to those of FSA regular probationers.

Table 2.10
A Comparison of Recidivism Rates for Probationers and Prisoners

Sample Year	Probationers	FSA Prisoners		
	Regular Probation	Regular Parole	Parole and Terminate	Max-Out
1989	26.5%	41.3%	39.8%	27.5%
1992/93	22.8%	45.9%	46.0%	43.3%
1993/94	30.7%	48.8%	39.6%	32.7%
1994/95	31.3%	47.8%	40.5%	40.5%
1996/97	26.3%*	39.5%	N/A	43.5%
1998/99	24.2%*	36.2%	N/A	41.4%

* Recidivism rate for SSA probationers with community punishments, who were considered to be most comparable to the category of regular probationers in previous studies.

SOURCE: NC Sentencing and Policy Advisory Commission

One question that policy makers and criminal justice practitioners may have is: Will recidivism rates change with the implementation of Structured Sentencing? As discussed in Chapter One, there are several ways in which Structured Sentencing might have an impact on recidivism rates: by altering the deterrent effect of sentencing laws and by altering the characteristics, or “mix,” of groups of offenders. It is possible that while the recidivism of different groups of offenders will change, the overall recidivism rate will stay about the same. Future studies will continue to examine these issues.

The FY 1996/97 and FY 1998/99 cohorts consisted primarily of SSA offenders. While it is

¹⁷ Parole and terminate refers to offenders who are released from prison by the Post-Release Supervision and Parole Commission and are not subject to community supervision or any other conditions of parole.

¹⁸ Since intermediate punishment probationers most likely would have gone to prison under the FSA, community punishment probationers were thought to be most comparable to FSA regular probationers.

too soon to call it a trend, it is worth noting that recidivism rates were slightly lower for the FY 1998/99 sample for all forms of supervision. This finding also held true for a variety of correctional programs (see Appendix A). Decreases in recidivism rates ranged from 2% for community punishment probation and intermediate punishment probation to a decrease of 12% for IMPACT.

Figure 2.7 summarizes the primary findings of this chapter, highlighting differences between offenders in their prior records, current offenses, and recidivist arrests. Chapter Three examines these differences in more depth using multivariate analysis.

**Figure 2.7
Key Findings**

The typical offender was a 29 year old, single, black male who was on probation with a community punishment. Of the 58,238 offenders placed on probation or released from prison in FY 1998/99:

Prior Criminal History

- ' Almost 77% had at least one prior arrest, with an average of 2.8 prior arrests.
- ' 57% had at least one prior conviction, with an average of two prior convictions.

Most Serious Current Conviction

- ' 49% had a most serious current conviction for a felony offense.
- ' 41.7% had a most serious current conviction for a property offense, 27.8% for drug offenses, 23.1% for violent offenses, and 7.4% for "other" offenses (*i.e.*, not in the property, drug, or violent categories).

Recidivist Arrests

- ' 31% were rearrested within the two-year follow-up, with an average of 0.6 recidivist arrests.
- ' The first recidivist arrest occurred an average of 9.3 months after being placed on probation or released from prison.
- ' 26% had a recidivist conviction, with an average of 0.4 recidivist convictions.

CHAPTER THREE MULTIVARIATE ANALYSIS OF OUTCOME MEASURES

Offender Risk and Recidivism

Evaluations of correctional programs using recidivism as the outcome measure of “success” are fairly commonplace today. However, a frequent problem encountered by both researchers and policy makers using the results of these studies is that most have no way to control for different levels of offender risk. Offenders vary in their risk of recidivating, independent of any intervention provided. This finding has been confirmed repeatedly in research, and is being applied in correctional policy to classify inmate custody levels and in risk assessments used for sentencing and parole decisions.

In a perfect research setting, offenders would be randomly selected into the various correctional programs to be evaluated. In the reality of corrections this is not possible because of practical, public safety, and legal considerations. Instead, this study attempts to control statistically for types of offenders by developing a risk model that divides offenders into three levels of risk: high, medium and low. While this does not entirely remove bias from the study, prior research shows that it improves the robustness of findings. Using risk level as an independent control variable allows for a comparative analysis of the recidivism rates of offenders who did and did not participate in a particular program or intervention.

Components of Risk

Variables used to create the “risk” measure for this study are those identified by the literature as increasing or decreasing a person’s risk of being arrested.¹⁹ For the purposes of this study, risk is defined as *the projected probability of rearrest*, and is not intended to measure seriousness of future offenses or offender dangerousness.

A composite measure, risk is made up of a number of factors that can be loosely divided into the following three categories:

1. **Personal Characteristics**

- < *Offender’s age when placed on probation or released from prison*
- < *Sex*
- < *Race²⁰*

¹⁹ Previous recidivism studies conducted by the North Carolina Sentencing and Policy Advisory Commission have used a measure of risk control in the analysis, and found that many of the differences between programs diminished when risk was controlled for (Clarke and Harrison, 1992; NC Sentencing and Policy Advisory Commission, 1998; NC Sentencing and Policy Advisory Commission, 2000). See the section in Appendix B-2 on risk for a more in-depth discussion of how the risk score was developed for this study.

²⁰ Race was collapsed into two categories, black and non-black. White, Asian and Indian offenders as well as offenders with an “other” or “unknown” race were included in the non-black category.

- < *Marital status*
- < *Employment status at time of arrest for the offense that placed the offender in the sample*
- < *History of substance abuse*

2. Criminal History

- < *Age at first arrest*
- < *Length of criminal history*
- < *Number of prior arrests*
- < *Number of prior drug arrests*
- < *Number of probation/parole revocations*
- < *Number of probation sentences*
- < *Number of prison sentences*

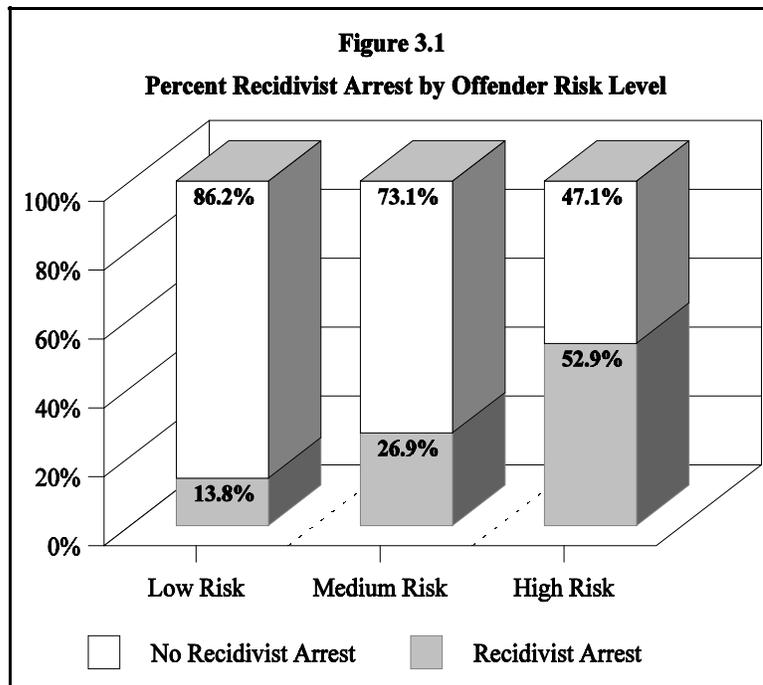
3. Current Sentence Information

- < *Offense class*
- < *Maximum sentence length*

A risk score was computed for all offenders in the sample based on these factors. The offenders were then divided into three groups of approximately equal size according to their risk score, with the lowest third as “Low Risk,” the middle third as “Medium Risk,” and the top third as “High Risk.”

As shown in Figure 3.1, recidivism rates varied considerably by risk level. High risk offenders had a recidivism rate of 52.9% -- over three times higher than the recidivism rate of low risk offenders (13.8%).

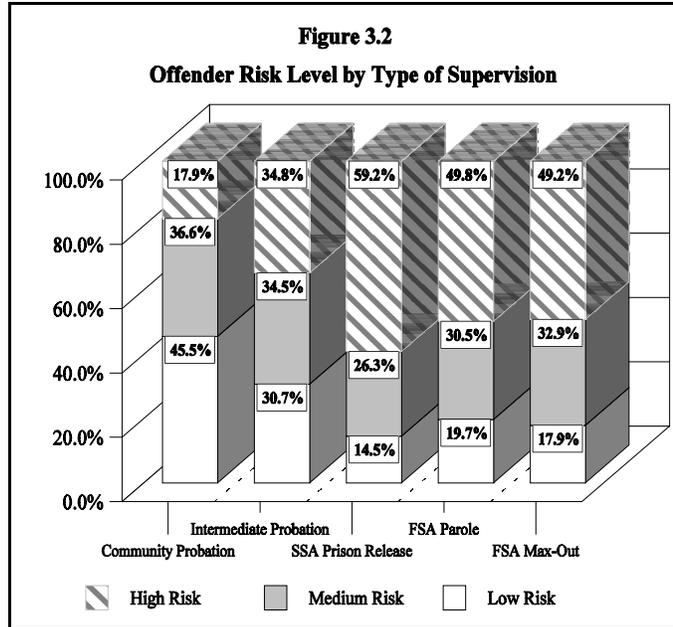
Risk level also varied by the type of supervision in the community (see Figure 3.2). Probationers sentenced to a community punishment were much more likely to be low risk than offenders supervised in other ways. For instance, only 14.5% of SSA prison releases were low risk compared to 45.5% of probationers sentenced to a community punishment. Conversely, offenders released from prison were much



SOURCE: NC Sentencing and Policy Advisory Commission, FY 1998/99 Correctional Program Evaluation Data

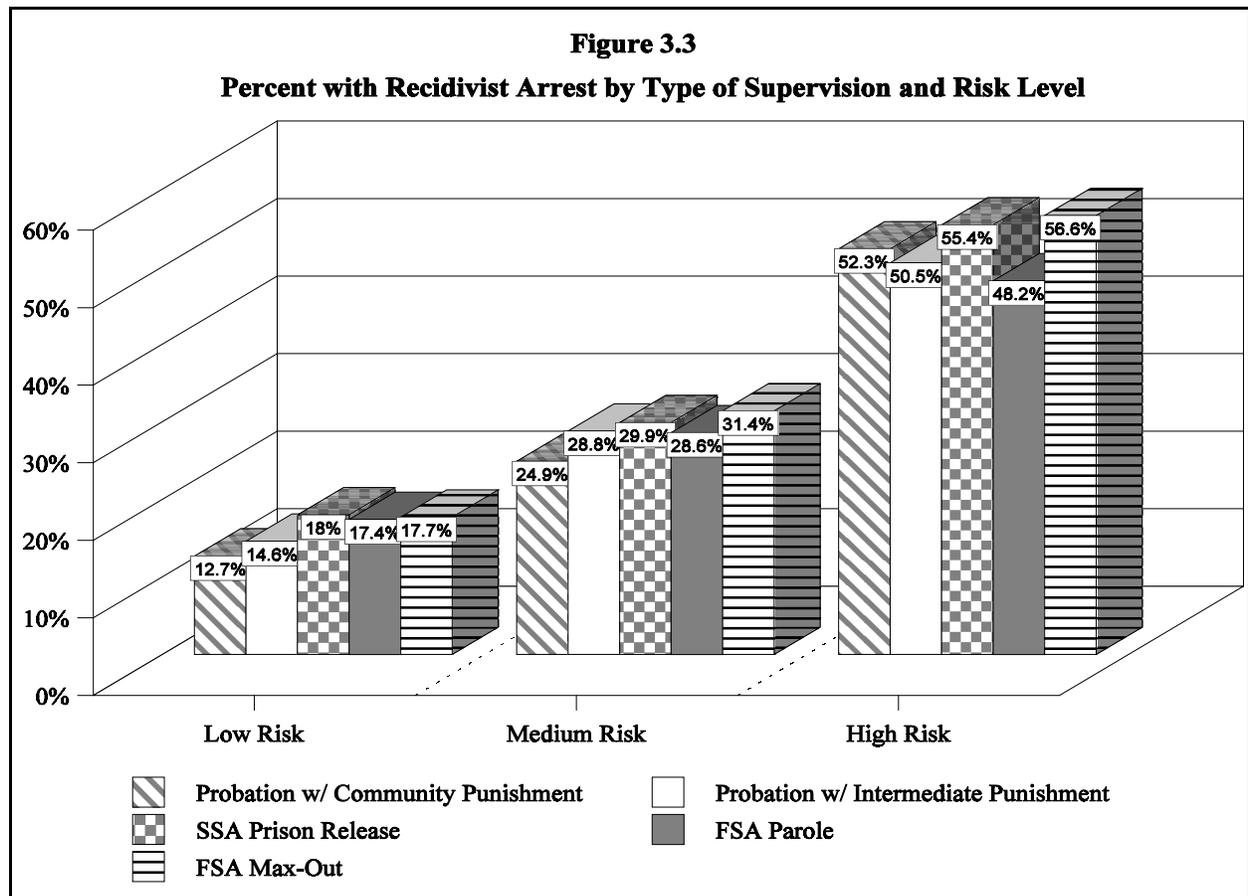
more likely to be high risk than offenders entering probation.

Of even greater interest, however, is the relationship between type of release and recidivism when controlling for risk level, as illustrated in Figure 3.3. Once risk level is controlled for, most of the differences in recidivism rates between offenders on different types of supervision disappear. Recidivism rates for low risk offenders ranged from 12.7% for probation with community punishment to 18.0% for SSA prison releases and FSA max-outs. Recidivism rates for high risk offenders ranged from 48.2% for FSA parolees to 56.6% for FSA max-outs.



SOURCE: NC Sentencing and Policy Advisory Commission, FY 1998/99 Correctional Program Evaluation Data

While risk provides a useful



SOURCE: NC Sentencing and Policy Advisory Commission, FY 1998/99 Correctional Program Evaluation Data

explanation for recidivism (*i.e.*, high risk offenders are more likely to recidivate), other characteristics also play an important role in explaining differences in recidivism rates. Offenders are sentenced and targeted for correctional programs based on legal factors such as the seriousness of their offense and prior record. This pre-selection can also be seen as classifying offenders according to some notion of risk, although not necessarily risk of re-offending. This makes determining the relative importance of risk level (as used in this study) versus type of supervision upon release to the community difficult to ascertain.

The next section expands the search for correlates of recidivism by including the type of correctional supervision and sanctions imposed to the list of factors analyzed. The multivariate analysis employed is a statistical method to account (or “control”) for and assess the net impact of important factors on outcome measures such as the probability of recidivism or employment.

Multivariate Analysis: What is a Regression Model?

A regression model is a statistical tool used to estimate the association of a number of independent variables (*e.g.*, age, sex, offense seriousness) with a dependent variable (*e.g.*, rearrest), apart from the contribution of any of the other variables in the model. This analysis allows for a determination of whether the type of supervision in the community and program participation, for example, have any relationship with an offender’s probability of being rearrested, controlling for other factors such as age, race or criminal history. It also indicates the relative importance of other factors.

Using logistic regression, several models were developed to determine how a variety of independent variables (*e.g.*, sex, race, criminal history, program participation) may be related to the probability of rearrest and employment for three groupings of offenders in the FY 1998/99 Correctional Program Evaluation data: (1) all offenders (N=58,238), (2) prisoners (n=18,691), and (3) probationers (n=39,547).²¹ In addition, another model was developed which looked at prison infractions as an interim measure of prisoners’ behavior. *Although the analyses may reveal a relationship exists, it does not necessarily mean that an independent variable (e.g., sex) is the cause of the particular outcome (e.g., rearrest). Rather, it indicates a statistical association, which may or may not be due to a causal relationship.*²²

²¹ Logistic regression involves regression using the logit (*i.e.*, the logarithm of the odds) of an outcome occurring. This type of analysis is most appropriate for regression models with a dichotomous dependent variable such as being rearrested or not.

²² The effects were converted from logistic model coefficients and indicate the estimated increase or decrease in the probability of an outcome occurring which is associated with each independent variable for the average offender. See Aldrich and Nelson (1984: 41-44) for further information on converting logistic coefficients to “effects.” See Appendix B-3 for logistic coefficients for each model.

Dependent Variables (Outcome Measures) Modeled

The regression analyses in this section model three dependent variables:

- < *Recidivism* -- one or more fingerprinted rearrest for any criminal offense;
- < *Prison infractions* -- the number of infractions, applicable as an interim outcome measure for prison releases only; and
- < *Employment* -- any (or no) income reported to the Employment Security Commission in any of the first four quarters of the year following release from prison or placement on probation.

Independent Variables Used in the Regression Models

The independent variables used in the regression models can be loosely grouped into five categories.²³

1. Personal Characteristics

- < *Age at the time of entry into the follow-up period*²⁴
- < *Race*²⁵
- < *Sex*
- < *Marital status*
- < *Employment status at the time of arrest for the offense that placed the offender in the sample*
- < *History of substance abuse problems*
- < *Risk level*

2. Current Offense Information

- < *Offense seriousness* - whether the current offense was a felony
- < *Offense type* - violent, property, drug, or “other” type of offense²⁶

²³ Six regression models are presented in this chapter -- three models related to the likelihood of rearrest and three models related to the likelihood of employment. Note that not all of the independent variables listed were appropriate to use in all of the models. For example, when modeling the likelihood of employment for probationers, it was not appropriate to include the number of prison infractions as an independent variable.

²⁴ The square of the offender’s age at the time of entry into the follow-up period was used as a control variable.

²⁵ Race was collapsed into two categories, black and non-black. White, Asian and Indian offenders as well as offenders with an “other” or “unknown” race were included in the non-black category.

²⁶ These variables were used in the employment models.

- < *Severity of sentence* - whether the offender was sentenced to community probation (the least restrictive sentence), intermediate probation or prison (the most restrictive sentence)
- < *Maximum sentence length imposed*
- < *Length of time spent in prison (in months) immediately prior to release was included for offenders released from prison²⁷*

3. Criminal History

- < *Age at first arrest*
- < *Number of prior fingerprinted arrests*
- < *Number of prior drug arrests*
- < *Number of times an offender was placed on probation or parole*
- < *Number of revocations*
- < *Number of prison terms served*

4. Type of Community Supervision

- < *SSA probation with Community punishments*
- < *SSA probation with Intermediate punishments*
- < *FSA parole*
- < *No supervision (SSA and FSA prison releases)*

5. Correctional Programs

- < *Intensive Supervision Parole*
- < *Community Service Parole*
- < *Intensive Supervision Probation*
- < *Special Probation*
- < *Community Service*
- < *IMPACT*
- < *House Arrest with Electronic Monitoring*

For purposes of discussion, only estimated effects that are statistically significant -- that is, it is highly unlikely they are the result of random variation in sampling or chance -- are reviewed.

²⁷ The square of the length of time spent in prison was also included in the models as a control variable.

Regression Analysis: Rearrest²⁸

Chapter Two of this report presented rearrest rates for the entire FY 1998/99 sample and for groups of offenders classified by their type of supervision in the community. The regression analyses in this chapter isolate the net impact of factors such as type of supervision or personal characteristics on recidivism, and thus help identify relationships not apparent when simply looking at recidivism rates. Table 3.1 presents analyses of the likelihood of rearrest for all offenders (Model 1), prisoners (Model 2), and probationers (Model 3).

Model 1: Probability of Rearrest for All Offenders

Model 1 in Table 3.1 presents the estimated effects of each independent variable on an offender's probability of being rearrested. All offenders in the FY 1998/99 sample were included in this analysis. It should be noted again that only statistically significant findings are discussed in this section and presented in Table 3.1.

Overall, the analysis revealed that about 31% of all offenders were rearrested and that this outcome was related to a number of personal, offense-related and criminal history factors. The values presented for Model 1 indicate the approximate change in the probability of rearrest associated with each independent variable relative to a reference category. For example, offenders who were married were 1.3% less likely than those who were not married to be rearrested. Other personal characteristics that decreased an offender's chance of recidivating included age and being employed. Personal characteristics that increased an offender's chance of being rearrested included sex, race, and being a substance abuser. Male offenders were about 5% more likely to be rearrested than females. Black offenders were nearly 6% more likely to be rearrested than non-blacks. Offenders with a history of substance abuse were almost 3% more likely to recidivate than those offenders with no such history. Finally, the analysis also took into account individual offender risk levels. As expected, increases in risk level also increased the probability of rearrest. Medium risk offenders were 7.7% more likely to recidivate than low risk offenders and high risk offenders were 7.7% more likely to recidivate than medium risk offenders.

Controlling for all other factors, offenders convicted of a felony were about 2% less likely to be rearrested than those convicted of a misdemeanor. The severity of an offender's sentence also affected the probability of rearrest. Offenders sentenced to an intermediate punishment were about 2% more likely to recidivate than offenders sentenced to a community punishment. Offenders sentenced to prison were about 2% more likely to recidivate than offenders sentenced to an intermediate punishment. In general, the more restrictive the punishment, the greater the chance of recidivism. Although the effects were small, sentence length and time spent in prison also impacted an offender's chance of being rearrested.

²⁸ More complete results of the regression analyses on rearrest, including logistic coefficients for various offense types, are presented in Appendix B-3.

Table 3.1
Effect of Personal and Criminal Justice Factors on Recidivism

Estimated Effect on Probability of Rearrest for:

	Model 1: All Offenders (N=58,238) Average rearrest probability=31.2%	Model 2: All Prison Releases (n=18,691) Average rearrest probability=41.6%	Model 3: All Probation Entries (n=39,547) Average rearrest probability=26.3%
Independent Variables			
Personal Characteristics			
Age (each year)	-0.9%	-1.8%	-0.7%
Black	5.8%	7.5%	5.2%
Male	5.1%	6.2%	4.2%
Married	-1.3%	NS	NS
Employed	-3.1%	-2.3%	-4.1%
Substance Abuser	2.8%	3.9%	3.0%
Risk Level	7.7%	5.2%	6.9%
Current Offense Information			
Felony	-2.1%	NS	-4.4%
Severity of Sentence	2.1%	N/A	N/A
Maximum Sentence Imposed (in months)	< -0.1%	< -0.1%	N/A
Time Spent in Prison (in months)	< -0.1%	NS	N/A
Criminal History			
Age at First Arrest	0.3%	0.4%	0.3%
# Prior Arrests	3.4%	3.1%	4.2%
Prior Drug Arrest	2.9%	3.7%	2.5%
# Times on Probation/Parole	0.7%	0.9%	NS
# Probation/Parole Revocations	1.5%	2.2%	1.7%
# Prior Incarcerations	-0.9%	NS	-2.2%
# Prison Infractions	N/A	0.4%	N/A

**Table 3.1 (cont.)
Effect of Personal and Criminal Justice Factors on Recidivism**

Estimated Effect on Probability of Rearrest for:

	Model 1: All Offenders (N=58,238) Average rearrest probability=31.2%	Model 2: All Prison Releases (n=18,691) Average rearrest probability=41.6%	Model 3: All Probation Entries (n=39,547) Average rearrest probability=26.3%
Independent Variables			
Type of Community Supervision			
SSA Probation with Community Punishments	N/A	N/A	<i>reference category</i>
SSA Probation with Intermediate Punishments	N/A	N/A	-4.6%
FSA Parole	N/A	<i>reference category</i>	N/A
No Supervision (SSA and FSA Prison Release)	N/A	3.2%	N/A
Correctional Programs			
Intensive Supervision Parole	N/A	<i>NS</i>	N/A
Community Service Parole	N/A	-5.7%	N/A
Intensive Supervision Probation	N/A	N/A	13.1%
Special Probation	N/A	N/A	6.1%
Community Service	N/A	N/A	2.0%
IMPACT	N/A	N/A	6.7%
House Arrest with Electronic Monitoring	N/A	N/A	3.5%

NS indicates that the effect is not statistically significant.

Notes

1. For purposes of this study, recidivism is defined as one or more fingerprinted arrests during the 24-month follow-up period starting at the time the offender was placed on probation or released from prison.
2. The figures in the table show the effect on the probability of rearrest compared with mean probability in data set.
3. The square of the offender's age and time served in prison were also included in the model as control variables.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1998/99 Correctional Program Evaluation Data

As expected, criminal history impacted the probability of rearrest. All of the criminal history factors included in the analysis, except for the number of prior incarcerations, increased an offender's chance of being rearrested. Offenders who had a prior drug arrest were nearly 3% more likely to recidivate than those who did not have a prior drug arrest. Generally speaking, the more times an offender was arrested, placed on probation or parole, or revoked from probation or parole, the greater the chance of being rearrested.

Model 1 Summary

Regression analysis revealed positive and negative effects of a number of personal, offense-related and criminal history factors on the probability of rearrest for all offenders in the FY 1998/99 Correctional Program Evaluation sample. Factors influencing the probability of rearrest included:

- < age at the time of entry into the follow-up period
- < race
- < sex
- < marital status
- < employment status at time of the arrest for the offense that placed the offender in the sample
- < substance abuser
- < risk level
- < current felony conviction
- < severity of sentence
- < maximum sentence imposed
- < time spent in prison
- < age at first arrest
- < number of prior arrests
- < prior drug arrest
- < number of times on probation/parole
- < number probation/parole revocations
- < number of prior incarcerations

Model 2: Probability of Rearrest for Prisoners

Model 2 in Table 3.1 focuses on the probability of rearrest for the 18,691 prison releases in the FY 1998/99 sample. Overall, nearly 42% of prison releases were rearrested. Note that only statistically significant findings are discussed in this section and presented in Table 3.1.

As found in the analysis for all offenders, older prisoners and those who were employed prior to incarceration were less likely to recidivate. Personal characteristics adversely affecting a prisoner's chance of rearrest included being black, male, or a substance abuser. Black prisoners were 7.5% more likely to recidivate than non-blacks. Similar to the findings for all offenders, risk level affected the probability of rearrest for prisoners. Medium risk offenders were 5.2% more likely to recidivate than low risk offenders while high risk offenders were 5.2% more likely to recidivate than medium risk offenders. Generally speaking, the higher the risk, the greater the likelihood of

rearrest.

When controlling for all other factors, current offense information, when significant, had a very small effect. Criminal history tended to have a greater impact on the probability of rearrest. Except for the number of prior incarcerations which was not statistically significant, all of the criminal history factors included in the model were associated with an increased probability of rearrest. This analysis also included an interim outcome measure for prisoners -- the number of prison infractions. In general, the more infractions committed by a prisoner, the greater the probability of rearrest.

Model 2 also considered the type of supervision in the community and participation in correctional programs upon release. Relative to FSA parolees, prisoners released with no supervision (SSA releases and FSA max-outs) were 3.2% more likely to be rearrested. One possible explanation is that some parolees may have been removed from the community due to a technical revocation, essentially eliminating their potential to recidivate. Considering correctional program participation, FSA parolees who were placed on community service parole were nearly 6% less likely to recidivate than prisoners who were not placed in this program. There was no significant difference in the probability of rearrest for those FSA parolees placed on intensive supervision parole.

Model 2 Summary

Regression analysis revealed positive and negative effects of a number of personal, offense-related and criminal history factors on the probability of rearrest for offenders released from prison during FY 1998/99. Factors influencing the probability of rearrest included:

- < age at the time of entry into the follow-up period
- < race
- < sex
- < employment status at time of the arrest for the offense that placed the offender in the sample
- < substance abuser
- < risk level
- < maximum sentence imposed
- < time spent in prison
- < age at first arrest
- < number of prior arrests
- < prior drug arrest
- < number of times on probation/parole
- < number probation/parole revocations
- < number of prison infractions
- < no supervision upon release
- < community service parole

Model 3: Probability of Rearrest for Probationers

Model 3 in Table 3.1 analyzes the probability of rearrest for the 39,547 probationers in the FY 1998/99 sample. Overall, about 26% of probationers were rearrested. Note that only statistically significant findings are discussed in this section and presented in Table 3.1.

As found in the previous models, personal characteristics affected the probability of rearrest for probationers. Being black, male, or having a history of substance abuse were associated with being rearrested. Black probationers were about 5% more likely to be rearrested than non-blacks. Male probationers were 4.2% more likely to recidivate than females. Relative to probationers with no history of substance abuse, probationers with a history of substance abuse were 3% more likely to recidivate. Risk level was also a statistically significant factor. Generally speaking, the higher the risk level, the greater the probability of rearrest.

Controlling for all other factors, probationers convicted of a felony were 4.4% less likely to be rearrested than probationers convicted of a misdemeanor. Similar to the previous models, criminal history impacted a probationer's chance of being rearrested. The probability of rearrest for probationers increased by 4.2% with each prior arrest, by 2.5% for having a prior drug arrest, and by 1.7% for each probation or parole revocation. However, the probability of rearrest for probationers decreased by 2.2% with each prior incarceration.

Model 3 also looked at the impact of the type of community supervision on the probability of rearrest. As a group, probationers sentenced to an intermediate punishment had a higher recidivism rate than those sentenced to a community punishment (32% versus 24%), as discussed in Chapter Two. However, once factors other than the type of supervision (*e.g.*, age, sex, criminal history) were taken into account, probationers sentenced to an intermediate punishment were actually 4.6% less likely than probationers sentenced to a community punishment to recidivate. It is not clear from the analysis whether increased supervision or other factors not included in the model resulted in the decreased likelihood of rearrest for probationers sentenced to an intermediate punishment. One factor not included in the model which may explain this finding is revocation to prison for technical violations of probation. Revocations, which are more likely with increased supervision, may artificially reduce recidivism since the offender is removed from the community and does not have the opportunity to reoffend.

Finally, Model 3 analyzed the effects of five community-based sanctions on the probability of rearrest²⁹: intensive supervision probation, special probation, community service, IMPACT and house arrest with electronic monitoring. Each of these sanctions' effects were compared to regular community (supervised) probation. All sanctions were associated with an increased probability of rearrest, ranging from 2.0% (community service) to 13.1% (intensive supervision probation).³⁰

²⁹ It should be noted that it is possible for an offender to participate in more than one of these programs.

³⁰ In some cases, DOC practice involves moving rearrested offenders from their original intermediate sanction to a different, and possibly more controlling, intermediate sanction while awaiting adjudication. This practice might serve as partial explanation for some programs' increased rearrest rates.

Model 3 Summary

Regression analysis revealed positive and negative effects of a number of personal, offense-related and criminal history factors on the probability of rearrest for offenders placed on probation during FY 1998/99. Factors influencing the probability of rearrest included:

- < age at the time of entry into the follow-up period
- < race
- < sex
- < employment status at time of the arrest for the offense that placed the offender in the sample
- < substance abuser
- < risk level
- < current felony conviction
- < age at first arrest
- < number of prior arrests
- < prior drug arrest
- < number probation/parole revocations
- < number of prior incarcerations
- < SSA probation with intermediate punishments
- < intensive supervision probation
- < special probation
- < community service
- < IMPACT
- < house arrest with electronic monitoring

Regression Analysis: Prison Behavior

A regression model was developed to analyze the relationship between misbehavior in prison and recidivism for the 18,691 prisoners included in the FY 1998/99 sample. The analysis revealed that as the number of prison infractions increased, the probability of rearrest increased.

To further explore this relationship, another regression model was used to analyze which variables had an effect on prison infractions.³¹ (See Appendix B-3, Table 4.) Many of the same variables that affected the probability of recidivism also influenced the number of infractions incurred by an offender. When holding all other variables constant, being older, being married, being employed, having a history of substance abuse, having a current felony conviction, having fewer placements on probation/parole and having fewer revocations from probation/parole decreased the number of infractions incurred by an offender. However, as the number of prior arrests and prior incarcerations increased, the number of infractions increased. In addition, the more time an offender spent in prison, the more infractions he was likely to incur.

Regression Analysis: Employment

³¹ Ordinary Least Squares (OLS) regression was used for this part of the analysis since the number of prison infractions is a continuous variable.

While this report primarily examines recidivism, whether an offender is a “success” can be measured in additional ways. One of these is whether or not the offender was able to secure legitimate employment following release into the community. Being employed serves several functions, including a legitimate income, increased stability and “stakes in conformity,” which, in turn, may ultimately decrease recidivism (Bonta et al., 1995; Pritchard, 1979). Employment is also important since it leaves less time for illegal behavior and decreases dependency on illegal sources of income.

Table 3.2 provides descriptive information on employment outcomes for the year following the offender’s release to the community. Employment rates were nearly identical for all groups of prisoners and probationers. Rates ranged from 62.5% for FSA max-outs to 70.8% for FSA parolees. It should be noted that some offenders (most likely a younger sub-sample of probationers), while not gainfully employed, might have been involved in educational programs during the follow-up period.³²

The last two columns of Table 3.2 provide information on employment stability (measured by the number of quarters worked during the year) and wages earned during the year. (Note that these numbers only reflect offenders who actually worked during the year following release to the community.) Offenders who were employed worked an average of 2.9 quarters during the year, with only slight variations by type of supervision in the community. Average wages were \$8,330 for all employed offenders but varied by type of supervision. Prisoners earned an annual average of \$1,239 less than probationers; SSA prisoners earned the least (\$7,007), while probationers with community punishment earned the most (\$8,905).

Three logistic regression models were developed to analyze the effects of a variety of independent variables on the probability of employment during the twelve months following release to the community for all offenders (Model 4), prisoners (Model 5) and probationers (Model 6).³³ As in the previous models analyzing the probability of rearrest, the independent variables are divided into five categories: personal characteristics, current offense information, criminal history, type of

³² A commonly imposed condition of probation or parole is employment, active search for employment, or participation in an educational program.

³³ The data available were limited to wages reported to the North Carolina Employment Security Commission (ESC). “Employment” is a dichotomous variable indicating whether an offender was employed or not employed during the 12 months following release into the community. Any wages reported to the ESC in at least one of the four quarters following release were used as an indicator of “employed.”

Table 3.2
Employment in the Year Following Release to the Community: All Offenders FY 1998/99

Probation versus Prison	Type of Probation Entry or Prison Release	N	Number Employed	% Employed	Mean # of Quarters Worked ¹	Mean Total Wages ¹
Probation Entries	Community Punishment	29,054	19,841	68.3%	3.0	\$8,905
	Intermediate Punishment	10,493	6,652	63.4%	2.8	\$8,160
	All Probation Entries	39,547	26,493	67.0%	3.0	\$8,718
Prison Releases	SSA Prison Release	13,409	8,432	62.9%	2.7	\$7,007
	Parole	4,148	2,937	70.8%	2.9	\$8,538
	Max-Out	1,134	709	62.5%	2.9	\$8,695
	All Prison Releases	18,691	12,078	64.6%	2.8	\$7,479
TOTAL		58,238	38,571	66.2%	2.9	\$8,330

1. Mean number of quarters worked and mean total wages only includes offenders who worked during the 12 months following release to the community.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1998/99 Correctional Program Evaluation Data

community supervision, and sentence to a community-based sanction (where applicable).³⁴ Table 3.3 presents the results of the analyses.

Model 4: Probability of Employment for All Offenders

Model 4 in Table 3.3 presents the estimated effects of each independent variable on an offender's probability of employment in the year following release to the community. All 58,238 offenders in the FY 1998/99 sample were included in this analysis. Note that only statistically significant findings are discussed in this section and presented in the table.

Overall, the analysis indicated that 66.2% of all offenders were employed in the year following release to the community and that this outcome was related to a number of personal, offense-related and criminal history factors. In general, older offenders, black offenders or married offenders were more likely to be employed in the year following release to the community. Black offenders were nearly 2% more likely than non-blacks to be employed. Married offenders were about 3% more likely than those who were not married to be employed. Factors that were negatively associated with employment included being male and having a history of substance abuse. Male offenders were 3.9% less likely to be employed than their female counterparts. Relative to offenders with no substance abuse history, offenders with a history of substance abuse were 1% less likely to gain employment.

All of the current offense factors, except for length of the maximum sentence imposed, affected an offender's chance of being employed during the year following release. Relative to offenders convicted of a misdemeanor, offenders convicted of a felony were nearly 3% less likely to be employed. The type of offense also negatively affected an offender's probability of employment. These effects ranged from a 1.3% decrease in the probability of employment for those offenders convicted of a violent offense to a 5% decrease for offenders convicted of an "other" type of offense. Finally, the severity of the sentence impacted the likelihood of employment. Offenders sentenced to an intermediate punishment were 2.3% less likely to be employed than offenders sentenced to a community punishment. Offenders sentenced to prison were 2.3% less likely to be employed than offenders sentenced to an intermediate punishment. Generally speaking, the more severe the punishment, the less likely employment becomes.

While the effects were small, the analysis revealed that criminal history impacted an offender's probability of employment. Factors that negatively affected an offender's chance of gaining employment included age at first arrest, number of probation or parole revocations, and the number of prior incarcerations. The only criminal history factor positively affecting the probability of employment was the number of times placed on probation or parole.

³⁴ One difference between this and the previous analyses should be noted. The "Employed" variable found under Personal Characteristics in Table 3.1 has been deleted from analysis. While, theoretically, previous employment should predict future employment, for probationers in the sample prior employment was equal to future employment since the probation risk assessment was done following their placement on probation.

Table 3.3
Effect of Personal and Criminal Justice Factors on Employment

Estimated Effect on Probability of Employment for:

	Model 4: All Offenders (N=58,238) Average employment probability=66.2%	Model 5: All Prison Releases (n=18,691) Average employment probability=64.6%	Model 6: All Probation Entries (n=39,547) Average employment probability=67.0%
Independent Variables			
Personal Characteristics			
Age (each year)	2.2%	3.2%	1.9%
Black	1.8%	NS	2.6%
Male	-3.9%	NS	-4.3%
Married	3.3%	3.4%	3.2%
Substance Abuser	-1.0%	NS	NS
Risk Level	NS	2.1%	-1.4%
Current Offense Information			
Felony	-2.8%	2.3%	-5.3%
Violent	-1.3%	NS	NS
Drug	-4.7%	-7.3%	-3.3%
Other	-5.0%	NS	-5.3%
Property	<i>reference category</i>	<i>reference category</i>	<i>reference category</i>
Severity of Sentence	-2.3%	N/A	N/A
Maximum Sentence Imposed (in months)	NS	NS	N/A
Time Spent in Prison (in months)	0.2%	NS	N/A
Criminal History			
Age at First Arrest	-0.2%	-0.5%	NS
# Prior Arrests	NS	NS	NS
Prior Drug Arrest	NS	NS	1.7%
# Times on Probation/Parole	1.1%	1.6%	0.9%
# Probation/Parole Revocations	-0.8%	NS	-1.7%
# Prior Incarcerations	-1.9%	-2.1%	-1.8%
# Prison Infractions	N/A	-0.3%	N/A

**Table 3.3 (cont.)
Effect of Personal and Criminal Justice Factors on Employment**

Estimated Effect on Probability of Employment for:

	Model 4: All Offenders (N=58,238) Average employment probability=66.2%	Model 5: All Prison Releases (n=18,691) Average employment probability=64.6%	Model 6: All Probation Entries (n=39,547) Average employment probability=67.0%
Independent Variables			
Type of Community Supervision			
SSA Probation w/ Community Punishments	N/A	N/A	<i>reference category</i>
SSA Probation w/ Intermediate Punishments	N/A	N/A	-2.4%
FSA Parole	N/A	<i>reference category</i>	N/A
No Supervision (SSA & FSA Prison Release)	N/A	NS	N/A
Correctional Programs			
Intensive Supervision Parole	N/A	10.8%	N/A
Community Service Parole	N/A	5.3%	N/A
Intensive Supervision Probation	N/A	N/A	NS
Special Probation	N/A	N/A	NS
Community Service	N/A	N/A	3.8%
IMPACT	N/A	N/A	NS
House Arrest with Electronic Monitoring	N/A	N/A	NS

NS indicates that the effect is not statistically significant.

Notes

1. Employment is defined as having any recorded earnings during the 12 months immediately following release to the community.
2. The figures in the table show the effect on the probability of employment compared with mean probability in data set.
3. The square of the offender's age and time served in prison were also included in the model as control variables.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1998/99 Correctional Program Evaluation Data

Model 4 Summary

Regression analysis revealed positive and negative effects of a number of personal, offense-related and criminal history factors on the probability of employment for all offenders placed on probation or released from prison during FY 1998/99. Factors influencing the probability of employment included:

- < age at the time of entry into the follow-up period
- < race
- < sex
- < marital status
- < substance abuse history
- < current felony conviction
- < current violent conviction
- < current drug conviction
- < current "other" conviction
- < severity of sentence
- < time spent in prison
- < age at first arrest
- < number of times on probation/parole
- < number of probation/parole revocations
- < number of prior incarcerations

Model 5: Probability of Employment for Prisoners

Model 5 in Table 3.3 analyzed the probability of employment in the year following release to the community for the 18,691 prisoners in the FY 1998/99 sample. Overall, nearly 65% of prisoners were employed in the year following release. Note that only statistically significant findings are presented in the table.

Generally speaking, being older or married were characteristics that were positively associated with a prisoner's chance of gaining employment in the year following release to the community. Risk level was also positively associated with employment. Medium risk offenders were 2.1% more likely than low risk offenders to be employed while high risk offenders were 2.1% more likely to be employed than medium risk offenders. Note that neither race nor sex had an effect in this analysis.

Only two of the current offense factors affected an offender's probability of employment. Prisoners convicted of a felony were 2.3% more likely to be employed than prisoners convicted of a misdemeanor. Looking at type of offense, prisoners convicted of a drug offense were about 7% less likely to be employed than offenders convicted of a property offense. Note that neither a conviction for a violent offense nor a conviction for an "other" type of offense were statistically significant in this analysis.

Criminal history factors negatively affecting a prisoner's chance of being employed included age at first arrest and the number of prior incarcerations. In this analysis, the number of prison infractions was added to estimate the impact of prison behavior on future employment. In general, as the number of prison infractions increased, the chance of employment decreased. The only criminal history factor that was positively associated with employment was the number of placements on probation or parole.

Model 5 also looked at the impact of being assigned to intensive supervision parole or community service parole on the probability of employment. FSA parolees who were placed on community service parole were 5.3% more likely to be employed relative to prisoners who were not placed in this program. FSA parolees who were placed on intensive supervision parole were nearly 11% more likely to be employed than prisoners who were not placed in this program.

Model 5 Summary

Regression analysis revealed positive and negative effects of a number of personal, offense-related and criminal history factors on the probability of employment for offenders released from prison during FY 1998/99. Factors influencing the probability of employment included:

- < age at the time of entry into the follow-up period
- < marital status
- < risk level
- < current felony conviction
- < current drug conviction
- < age at first arrest
- < number of times on probation/parole
- < number of prior incarcerations
- < number of prison infractions
- < Intensive Supervision Parole
- < Community Service Parole

Model 6: Probability of Employment for Probationers

Model 6 in Table 3.3 analyzed the probability of employment in the year following placement on probation for the 39,547 probationers in the FY 1998/99 sample. Overall, 67% of probationers were employed during this period. Note that only statistically significant findings are presented in the table.

Generally speaking, probationers who were older, black or married were more likely to gain employment. Older probationers were nearly 2% more likely than younger probationers to be employed. Relative to non-black probationers, black probationers were 2.6% more likely to gain employment. Married probationers were about 3% more likely than those not married to be employed. While risk level was positively associated with employment for prisoners, it was negatively associated for probationers. As risk level increased, the probability of employment for

probationers decreased.

Controlling for all other factors, criminal history still impacted the probability of employment. The number of probation or parole revocations and the number of prior incarcerations both negatively affected a probationer's chance of gaining employment. In general, with each revocation or prior incarceration, the probability of employment decreased. Having a prior drug arrest was positively associated with probability of employment. Probationers with a prior drug arrest were 1.7% more likely to be employed than those with no prior drug arrest.

Model 6 also looked at the impact of the type of community supervision and being sentenced to community-based sanctions on the probability of employment. Relative to probationers sentenced to a community punishment, probationers sentenced to an intermediate punishment were 2.4% less likely to be employed. Looking at community-based sanctions, probationers ordered to perform community service were nearly 4% more likely to be employed than other offenders on regular community (supervised) probation. Note that none of the other sanctions had a statistically significant impact on employment.

Model 6 Summary

Regression analysis revealed positive and negative effects of a number of personal, offense-related and criminal history factors on the probability of employment for offenders placed on probation during FY 1998/99. Factors influencing the probability of employment included:

- < age at the time of entry into the follow-up period
- < race
- < sex
- < marital status
- < risk level
- < current felony conviction
- < current drug conviction
- < current "other" conviction
- < prior drug arrest
- < number of times on probation/parole
- < number of probation/parole revocations
- < number of prior incarcerations
- < SSA Probation with Intermediate Punishment
- < Community Service

Summary

Multivariate analysis revealed that personal, offense-based, and criminal history factors were related to the two outcomes studied in this chapter: rearrest and employment in the year following

release to the community. Common themes that emerged from the analyses include the following:

- < In all three models on rearrest, being black, male, having a greater number of prior arrests, or having a higher risk score increased in the probability of rearrest. In other words, pre-existing factors seem to play an important role in determining future criminal behavior.
- < With regard to employment, being older, black, or married were the characteristics most associated with increases in the probability of employment. While these demographic characteristics had a positive impact on an offender's chance of gaining employment, most of the offense-related and criminal history factors included in the models negatively affected the probability of employment.
- < The rearrest and employment models also looked at the impact of being sentenced to community-based sanctions. When statistically significant, being sentenced to community-based sanctions for prisoners and probationers appears to be positively associated with increases in the probability of employment. This may be due to the fact that most sanctions require offenders to be employed, actively looking for employment, or attending school. With regard to rearrest, the effects for being sentenced to community-based sanctions for probationers are less promising. While being sentenced to a sanction appears to increase a probationer's chance of recidivating, other factors not included in the models may be affecting this finding. For example, data were not available to account for two important factors: the level and frequency of supervision provided as part of each sanction. Probationers who are sentenced to community-based sanctions may be more likely to be observed engaging in criminal behavior because, in general, these sanctions are designed to provide a higher level of scrutiny and require more frequent contact with the offender. In addition, a more meaningful analysis of the probability of rearrest for these sanctions would focus on those probationers who completed them. However, it was not possible to identify probationers who completed these sanctions or to determine length of participation. Finally, probationers sentenced to a community-based sanction in addition to regular supervised probation are, by legal definition, a more challenging population. For the most part, these offenders, by virtue of their criminal history and the seriousness of their current offense, might otherwise have been sentenced to prison. As such, expectations about the impact these community-based sanctions can have on this difficult population should be lowered.

CHAPTER FOUR PROGRAM PROFILES

Introduction

The ability to control for specific factors, including risk of rearrest, combined with the wealth of information that has been collected during the course of this study, has afforded an excellent opportunity for analyses of offenders who were assigned to various programs. The Department of Correction and the Sentencing Commission selected the following programs for more in-depth analysis: prison-based academic education programs; prison-based industries (Correction Enterprises); and a community corrections program (Intensive Supervision Probation). These programs were selected both due to substantive interest and data availability.³⁵

To develop a program context in which the statistical results could be interpreted, Sentencing Commission staff visited a variety of sites statewide to conduct interviews and directly observe the daily operation of selected programs within their correctional settings, or in the case of Intensive Supervision Probation, their community setting. Sites were selected to represent different geographic locales, both urban and rural, within the state, as well as different target populations (male versus female, youthful offender versus general population). A standardized protocol was used to interview program staff and gather specific information about program history, program components, client characteristics, and program administration. Staff members also toured facilities and attended program activities. When available, written materials, descriptions, and statistics on the specific programs were also collected.

This chapter presents both descriptive and statistical information on the programs mentioned above. It should be noted that the program descriptions reflect a 2001 reality. Any major changes that have occurred in the programs since FY 1998/99 are noted. The statistics provided in this chapter are based on probationers sentenced and prisoners released in FY 1998/99.

Community Corrections Program

Intensive Supervision Probation (ISP)

Under Structured Sentencing, Intensive Supervision Probation (ISP) is currently one of the five intermediate punishment options that can be ordered by the court for an offender as a condition of supervised probation if the offender qualifies for an Intermediate sanction. ISP is the Intermediate sanction that is most frequently used by the court. The sanction combines close monitoring of offenders with programmatic elements. Judges may order offenders into ISP at the beginning of their probationary term or may order offenders into the program as a sanction for

³⁵ Programs were chosen for more in-depth analysis, in large part, due to the availability of data. With the implementation of the DOC's computerized Offender Population Unified System (OPUS) in 1995, programmatic information for probationers has increased. There was limited data on program participation and completion and more reliable data on program assignment; therefore, any offender assigned to a specific program is referred to as a participant.

violating conditions of probation from a less restrictive supervision level. Additionally, offenders being released from prison on post-release supervision or parole can enter ISP if the Post-Release Supervision and Parole Commission designates ISP as a condition of their release.

ISP in North Carolina arose out of a national trend that developed in the early 1980's which emphasized an increased level of supervision for high risk offenders who were placed on probation. Legislation relative to ISP was enacted by the General Assembly in 1983. It originated within the Department of Correction's Division of Adult Probation and Parole (now called the Division of Community Corrections) and was modeled after ISP programs in Georgia and Florida. Eight sites were selected to be pilot locations for ISP: Buncombe, Cumberland, Forsyth, Guilford (Greensboro and High Point), Mecklenburg, New Hanover, and Wake. During the beginning years of ISP, emphasis was placed more on the surveillance of the offender to ascertain violations of probation conditions (such as noncompliance with curfew) than on assisting the offender to function successfully in the community.

From the beginning, ISP operated under a team approach consisting of an Intensive Case Officer coupled with a Surveillance Officer. An Intensive caseload has always been set at 25 cases. Throughout the 1980's there was a gradual expansion of ISP teams, and by the late 1980's, there was at least one Intensive team in each of the judicial districts.

The Structured Sentencing laws, which went into effect in 1994, included an emphasis on incarcerating the most serious offenders and expanding community corrections sanctions to address the needs of offenders remaining in the community. Consequently, ISP became an Intermediate sanction which addressed the high risk offenders who remained in the community. With the change in sentencing laws, the original screening process which involved probation officers using a risk assessment questionnaire to determine an offender's appropriateness for ISP ceased. Judges began ordering offenders directly onto ISP if offenders were eligible for an Intermediate sanction, or if offenders were brought back to court for violating a Community or other Intermediate sanction. For the first time, misdemeanants became eligible for ISP. The change in the law resulted in a major expansion of ISP which led to the funding of more Intensive Case Officers and Surveillance Officers. By the late 1990's, there were 363 Intensive teams throughout the state, with most districts having more than one team.

Another significant change to ISP occurred in September 1999 with the implementation of a new case management system by the Division of Community Corrections (DCC). The position of Intermediate Probation Officer was created to supervise offenders who were given an Intermediate sanction by the court. Another significant change to Intensive Supervision occurred in September 1999 with the implementation of a new case management system by the Division of Community Corrections. The position of Intermediate Probation Officer was created to supervise offenders who were given an Intermediate sanction by the court. There are three levels of intermediate supervision, with intensive cases being assigned to the highest supervision level (Level I) and supervised by the most experienced intermediate probation officers (Intensive Case Officer or Probation Officer III). The Intensive Case Officer has a target caseload of 25. Upon successful completion of the conditions of Intensive Supervision, these cases can be administratively stepped

down from Level I to the next level of intermediate supervision, Level II, which offers less rigid conditions. These cases are supervised by a Probation Officer II, who has the same qualifications as a Probation Officer III but has a different type of caseload. The Probation Officer II also handles cases with other Intermediate sanctions as well as other offenders in Intermediate levels 2 and 3. Their target caseload is 60. (Note: Offenders who are placed on Intermediate probation or on Community probation can be “stepped up” to Intensive Supervision by a judge through the violation process.)

It should be noted that, although there have been changes to the selection process and administrative structure of ISP, the policies governing the supervision of offenders placed on this program (*e.g.*, the number of offender contacts made by the intensive team) have remained basically unchanged.

ISP presently has 9,075 slots with a yearly capacity of 18,150 offenders, given an average six month period of supervision. There are currently 361 Intensive teams statewide (state budget cuts resulted in two teams being eliminated in November 2001), consisting of an Intensive Case Officer and a Surveillance Officer. The goal is for each team to carry no more than 25 cases. Offenders remain on ISP from 6 to 9 months. Offenders were on ISP an average of 195 days during FY 2000/01. During ISP, offenders must follow the conditions of their probationary term by working through the two phases of the program as well as paying a monthly supervision fee of \$20.00 (which is collected by the each county’s Clerk of Court within the Administrative Office of the Courts and deposited into the state’s General Fund). The majority of offenders exit the sanction in one of two ways: successful completion resulting in transfer to a less restrictive level of Intermediate supervision, or violation of conditions (including committing a new offense) resulting in revocation to prison.

The underlying goal of ISP has changed somewhat since its inception. It has evolved from primarily a control-based supervision of offenders to its present philosophy of incorporating a treatment element into the supervision plan. Treatment involves the probation officer making referrals to community resources (*e.g.*, mental health, substance abuse assessment/treatment) and subsequently following through to ensure that the resources are being utilized by the offender. An Intensive team uses multiple contacts between the officers and offender to monitor compliance and balance control with treatment. It is important to note that the Division of Community Corrections encourages balancing treatment with control; however, ensuring public safety through the control of offenders continues to be the major focus of the program.

The target population for ISP may include, but is not limited to, offenders with split sentences, drug offenders, substance abusers, developmentally disabled offenders, Levels I and II DWI offenders, and community punishment violators. (Note: Offenders in this study’s sample who were in boot camp aftercare were also part of the target population. However, this aftercare program was eliminated by the General Assembly effective June 30, 2000.) As previously noted, offenders can also enter ISP as a condition of their release from prison onto parole or post-release supervision. The Post-Release Supervision and Parole Commission makes the decision regarding which prison releasees will receive ISP. The only cases in which the Commission finds it mandatory to make ISP

a condition of release are those offenders who are released from a close custody prison and/or who have committed a felony offense against another person.

When an offender is ordered by a judge to ISP, the offender is assigned that day by a supervisor in the probation office (Chief Probation/Parole Officer--CPPO) to an Intensive team who works in the area where the offender resides.³⁶ The offender is seen by a member of the Intensive team by the end of the day. It is the responsibility of the Post-Release Supervision and Parole Commission to advise the probation office in the district in which the offender will be residing upon his/her release from prison of the status (parole or post-release) and conditions of his/her release. If offenders are entering ISP as a condition of their release from prison, the CPPO assigned to the area where the offender will be residing contacts the Intensive team who will be receiving the case. Probation staff are responsible for transporting these offenders from prison. ISP begins as soon as the offender is released from prison, with contact being made by a member of the Intensive team on the day that the offender returns to the community.

An ISP team consisting of an Intensive Case Officer and a Surveillance Officer are responsible for the Intensive cases assigned to them. There are two phases of ISP (Level I of Intermediate Probation) through which an offender must progress before they can successfully exit ISP. An offender must remain in Phase I for a minimum of three months before progressing to Phase II. The phases that must be completed and the responsibilities of the Intensive Case Officer and the Surveillance Officer are as follows:

Phase I: Personal contact five times per week - day and night hours consisting of two personal contacts (one must be a field contact) by the Intensive Case Officer and three personal contacts by the Surveillance Officer (one of which must be on the weekend after curfew per month); initial contact with the offender's family within the first five days of supervision; employment and/or school verification one time per week; two contacts per month to assess school performance; arrest records checked twice weekly; and community service verification coordinated with the agency.

Phase II: Personal contact three times per week consisting of one personal contact by the Intensive Case Officer and two personal contacts after curfew (one weekend curfew check per month) by the Surveillance Officer.

According to the DCC policy, a mandatory curfew (usually 7:00 p.m. to 6:00 a.m.) is set which requires offenders to be present at the approved residence during a period of time established to accommodate individual employment, treatment, and /or school schedules. Any combination of one or more of the following supervision tools may also be utilized as needed for offenders on ISP:

³⁶ Within the last several years, the DCC has endorsed the community policing concept in which probation officers are assigned to a certain area of a county (or counties) of the judicial district. This not only allows for the centralization of a caseload, but also allows a probation officer to know the law enforcement officers who are working in that particular area.

warrantless searches, substance abuse screening and treatment, electronic monitoring, and vocational training.

Intensive Case Officers must discuss (“staff”) a case with their CPPO and receive his/her approval before a case can be transferred to another phase or level of supervision. If there are serious or repeated technical violations of the ISP conditions, Intensive Case Officers schedule a violation staffing with their CPPO to determine if there are other alternatives that can be pursued before filing a violation and returning the offender to court where a judge can decide to revoke the offender’s probation. If parolees or post-release supervisees are technically violating the conditions of ISP, the Intensive Case Officer notifies the Post-Release Supervision and Parole Commission who decides what the course of action will be. Probation staff report that the most common technical violations include: positive drug screens, noncompliance with curfew, non-participation in a court-ordered program, and noncompliance with paying restitution. Any offenders on ISP who commit a new offense are usually arrested and brought back to court. Probation staff indicated that the offenders who are presently on ISP are less compliant than in previous years.

Intensive Case Officers who have cases involving offenders who comply with their conditions and successfully complete the two phases of ISP request that these cases be reviewed by their CPPO. If the CPPO is in agreement that the offenders have successfully completed their period of ISP, offenders are then administratively “stepped down” to Level II of Intermediate probation.

As a result of the state’s budget crisis, DCC’s overall budget was reduced during FY 2000/01. The amount that was budgeted for ISP was \$5,204,967. It was also estimated that the cost per day per offender for ISP for FY 2000/01 was \$12.69.

Of the 39,547 probationers in the FY 1998/99 sample, 7,253 were placed on ISP.³⁷ Of those, 5,335 (74%) were sentenced to an intermediate punishment and placed on ISP as a sanction. The remaining 1,928 (26%) were originally sentenced to a community punishment and were later “stepped up” by the court to ISP due to probation violations.

Demographic Characteristics: Eighty-five percent of ISP participants were male, 56% were black, 14% were married, and 46% had 12 or more years of education. The average age of ISP participants was 27 (see Table 4.1).

³⁷ During FY 1998/99, FSA offenders released from prison and placed on parole were supervised on ISP (N=500). Also, SSA offenders released from prison and placed on post-release supervision were supervised on ISP (N=32). Because these groups comprised such a small number of the offenders, they were not included in the analysis.

Table 4.1
Profile of ISP Participants: FY 1998/99 Probation Entries

<u>Number</u>	<u>Total</u>
	7,253
 <u>Demographic Characteristics</u>	
% Male	84.5
% Black	56.4
Mean Age	27
% Married	14.1
% with 12 or More Years of Education	45.8
 <u>Risk Level</u>	
% Low Risk	28.2
% Medium Risk	37.8
% High Risk	34.0
 <u>Criminal History</u>	
% With Any Prior Arrest	86.0
Mean Number Any Prior Arrests	2.9
% With Violent Prior Arrest	31.3
Mean Number Violent Prior Arrests	0.5
% With Property Prior Arrest	55.8
Mean Number Property Prior Arrests	1.5
% With Drug Prior Arrest	45.5
Mean Number Drug Prior Arrests	0.8
% With Other Prior Arrest	27.3
Mean Number Other Prior Arrests	0.4
 <u>Most Serious Current Conviction</u>	
% Felony	70.5
% Violent	11.6
% Property	24.8
% Drug	30.6
% Other	3.5
% Misdemeanor	29.5
% Violent	9.2
% Property	13.6
% Drug	4.0
% Other	2.7

Table 4.1 (cont.)
Profile of ISP Participants: FY 1998/99 Probation Entries

<u>Number</u>	<u>Total</u>
	7,253
<u>Recidivist Arrests</u>	
% Any Recidivist Arrest	38.8
Mean Number Any Recidivist Arrests	0.7
% With Violent Recidivist Arrest	9.8
Mean Number Violent Recidivist Arrests	0.1
% With Property Recidivist Arrest	19.9
Mean Number Property Recidivist Arrests	0.3
% With Drug Recidivist Arrest	16.0
Mean Number Drug Recidivist Arrests	0.2
% With Other Recidivist Arrest	11.4
Mean Number Other Recidivist Arrests	0.2
Mean Time to 1 st Recidivist Arrest in Months	8.5

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1998/99 Correctional Program Evaluation Data

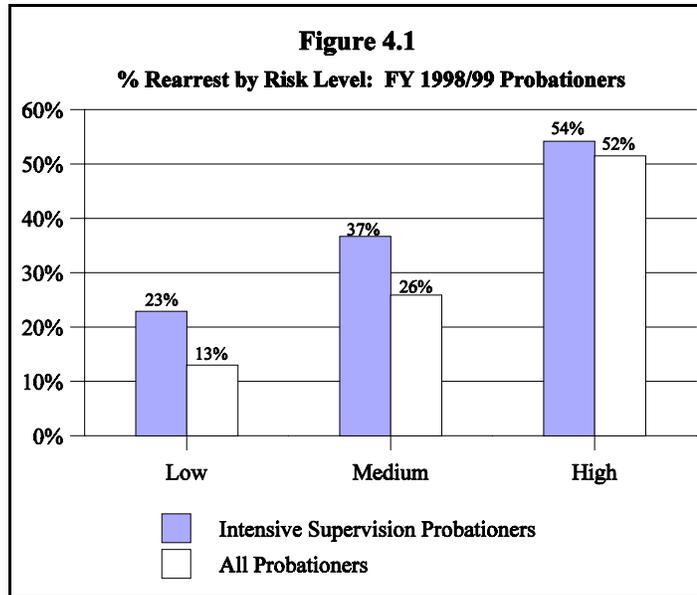
Risk Level: Twenty-eight percent of ISP participants were low risk, 37.8% were medium risk, and 34.0% were high risk, whereas the majority of all probationers were low risk (41.6%) and much fewer were high risk (22.4%).

Criminal History: Eighty-six percent of offenders on ISP had at least one prior arrest (with an average of 2.9 prior arrests) compared to 69% for all probationers (with an average of 2.0 prior arrests). The majority had prior arrests for property (55.8%) and drug offenses (45.5%).

Most Serious Current Conviction: Seventy-one percent of offenders on ISP had a most serious current conviction for a felony offense, compared to 34% for all probationers. Drug (31%) and property offenses (25%) were the most common current offenses of conviction.

Recidivist Arrests: Overall, 39% of ISP participants were rearrested during the follow-up period (with an average of 0.7 recidivist arrests), compared to 26% of all probationers who were rearrested (with an average of 0.5 recidivist arrests). High risk offenders were more likely than low risk offenders to be rearrested (*see* Figure 4.1). When comparing probationers within the same risk level, the rate of recidivism was consistently higher for ISP participants than for all probationers. The mean time to first rearrest for offenders on ISP was 8.5 months compared to 9.1 months for all probationers.

As mentioned in Chapter Three, multivariate analysis indicated that, when accounting for relevant personal and criminal justice factors, participation in ISP was associated with a higher likelihood of recidivism. Probationers who were on ISP were 13.1% more likely than probationers who were not on ISP to be rearrested, controlling for other factors (e.g., age, race, type of current offense, etc.).



SOURCE: NC Sentencing and Policy Advisory Commission, FY 1998/99 Correctional Program Evaluation Data

Employment: As seen in Table 4.2, 66% of ISP participants were employed at least one quarter in the year following their placement on probation, compared to 67% employment for all probationers. The average total wages for employed ISP participants were lower than that of all employed probationers (\$7,435 compared to \$8,718, respectively).

Table 4.2
Employment in the Year Following Placement on Probation:
ISP Participants and All Probationers

A Comparison of ISP Participants with All Probationers	% Employed	Mean # of Quarters Worked¹	Mean Total Wages¹
ISP Participants	65.9%	2.8	\$7,435
All Probationers	67.0%	3.0	\$8,718

1. Mean number of quarters worked and mean total wages only includes offenders who worked during the 12 months following placement on probation.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1998/99 Correctional Program Evaluation Data

There was no difference in recidivism rates between ISP participants who were employed at least one quarter in the year following their placement on probation and unemployed participants.

As mentioned in Chapter Three, multivariate analysis showed probationers on ISP did not significantly differ from all other probationers with regard to employment.

Prison Programs

Correctional Education (Academic Education Programs)

This part of the study focuses on whether there is a relationship between inmates who participate in prison-based academic education programs (especially those who receive their General Education Development (GED) high school equivalency diploma) and their rate of recidivism and probability of employment. The academic curriculum which prepares an inmate for the opportunity to achieve his/her GED was examined. The academic component of the correctional education program is administered by the Educational Services section within the Division of Prisons (DOP). The academic education program includes the following curriculums: Adult Basic Education (ABE), GED, Exceptional Student Program (ESP), Title I Program, and English as a Second Language (ESL). The ABE and GED curriculums are the major components of the academic education program (the other three curriculums are remedial programs) and provide the coursework which prepares an inmate for the GED tests.

The mission of the prison system's educational services is "to provide services to those inmates who participate in education activities so that they may become responsible and productive persons who can effectively manage their incarceration and make contributions to their community upon release." The philosophy of correctional educational services is that "correctional education is an integral part of the correctional process" and that "education is capable of changing inmate behaviors so that offenders become law-abiding, productive members of the community."

Educational services have been offered to inmates within the DOC for over forty years. Beginning in 1960, a three hour literacy education class was offered to felons as a result of a Prison Commission policy requiring felons to attend these classes if they had less than a 4th grade achievement level and were under thirty-five years old. In 1965, the North Carolina Community College System (NCCCS) became involved in administering educational services to certain groups of inmates within the prison system.

Until 1987, the DOC and NCCCS had an informal working relationship with regard to meeting the educational (*i.e.*, academic and vocational) needs of inmates. During the 1987 Session, the General Assembly enacted legislation which required the DOC and the NCCCS to jointly develop a comprehensive education plan for adult inmates and to submit it to the legislative Special Committee on Prisons. An Interagency Committee on Correctional Education composed of representatives from the DOC and NCCCS was formed to carry out the mandates of the legislation. The Interagency Committee is still in existence and continues to meet biannually. The relationship between the DOC and the NCCCS was formalized when the Cooperative Agreement on the Programming of Correctional Education was signed by the two agencies and became effective on October 22, 1992. This cooperative agreement was updated in 2001 and is awaiting final approval.

The 1993 General Assembly enacted a special provision concerning prison education in North Carolina which directed the State Board of Community Colleges to develop a plan for the delivery of appropriate education in correctional facilities and to address length and type of courses,

taking into consideration the transiency of the prison population. In response to this provision, NCCCS President Robert W. Scott formed a statewide Prison Education Task Force composed of representatives from the DOC and NCCCS. The result was the report, “A Plan for Appropriate Community College Education in North Carolina’s Correctional System” (now known as the Correctional Education Plan or CEP), which was adopted by the State Board of Community Colleges in September, 1994.

The cornerstone of the CEP is the matrix classification system, a joint DOC/NCCCS initiative designed to increase student completion rates by ensuring that course and program lengths are appropriate for the inmate population at any given prison. Under the matrix system, which the DOP began using in 1996, the DOP assigns each correctional facility to one of five matrix categories which define educational programming options at the units. The matrix category to which a prison is assigned is based on the length of stay and the abilities of inmates who are given an education assignment at each facility.

A final significant change that occurred within the academic part of correctional education began around 1995 and involved DOP teachers being replaced by NCCCS instructors in all prisons with the exception of the six facilities serving youth (including North Carolina Correctional Institution for Women). DOP teachers have remained in these facilities because of the age of the inmates as well as the fact that exceptional students (*i.e.*, students who have a disability) must be served until age 21 and must be instructed by a teacher who is certified by the Department of Public Instruction (a requirement for DOP teachers which is not a requirement for NCCCS instructors). There are some NCCCS instructors who teach at the six facilities serving youth. By 1999, DOP instructors had been phased out of the academic education program in the adult prisons.

By 1999, more than 90% of the prison units offered educational programs (including vocational education) either on a part-time or full-time basis for inmates, ranging from ABE to GED to college courses. Prison facilities which do not offer educational services either have too few inmates to be able to fill even part-time classes or are involved in the processing of inmates upon their entry into the prison system prior to an inmate being assigned on a more permanent basis to another prison unit.

When inmates enter the prison system, they are initially processed through a diagnostic center before being assigned to a facility. During this diagnostic period, inmates are given the most updated version of the Wide Range Achievement Test (WRAT) which determines their math and reading levels. DOC statistics show that the average WRAT score for all inmates has remained fairly constant over the past four years with reading being at the 8th grade level and math at nearly the 7th grade level. Once inmates are assigned to a prison, program staff at the respective facility select inmates that they believe are appropriate for the ABE or GED programs. The main factors that are considered are: WRAT scores, age of inmate, interest in academics, length of sentence, and history of infractions. With regard to the age of the inmate, an educational assignment is generally a priority for inmates in youth facilities who have not obtained their high school diploma or GED. It is federally mandated for inmates who are under the age of 21 and have been identified with a disability to be educationally served in the exceptional student program. Within the adult facilities,

an educational assignment is encouraged by the DOP central office for inmates of any age who are functioning below the 6th grade level. However, superintendents have the discretion to choose either an educational or job assignment for this group of inmates.

If a student is viewed by prison program staff as being appropriate for the ABE or GED programs, the inmate's case is presented to the classification committee for a final review. Once final approval is given, the inmate is given an education assignment and is placed in either the ABE or GED program, depending on his/her level of academic functioning. Inmates can be enrolled in classes on a full-time (at least four classes per day) or a part-time basis (if the inmate has another assignment within the prison).

The ABE program is designed for individuals whose WRAT scores indicate that they are functioning below the 9th grade level. The ABE Program is usually divided into two groups: one which addresses the educational needs of the inmates testing between the 6th grade/5 months level and up to the 9th grade level and the other which is designed for inmates who have tested below the 6th grade/5 months level. The ratio of inmates to teacher is maintained at 15:1. Inmates at the lower level are taught reading, writing, math, speaking, and problem solving skills. Various methods of instruction are used by those teaching ABE students. Some of the methods are based on the instructor's preference and may include traditional lecturing, class participatory exercises, or working through a series of workbooks. Inmates are tested by their instructors periodically to determine if they are placed at the correct educational level. Once inmates have tested above the 9th grade level, they are moved to the GED level classes. Although the ABE/GED programs can be viewed as progressing from one level to the next level as educational skills are mastered, many of the inmates do not fit neatly into an ABE or GED profile. Therefore, they may often be taking coursework in both curriculums, depending on their needs in a particular subject.

When an inmate's test scores indicate that he/she is functioning above a 9th grade level, the inmate can progress to the GED curriculum. As is the case with the ABE classes, the ratio of inmates to teacher is 15:1. An inmate who is in the GED program must successfully complete tests in five different competencies (subjects) before being awarded the GED. The competencies are reading, writing (essay), social studies, math, and science, all of the which are objective except for the essay competency.

There is no set time for an inmate to progress through the GED program. Emphasis is placed on the inmate working individually at his/her own pace through a series of workbooks for each competency. The traditional form of lecturing occurs less frequently in the GED program; however, there is always an instructor in the classroom to answer questions and check completed materials in the workbooks. When the instructor and/or inmate believe that the inmate is prepared to take one of the competencies, the teacher will give a preliminary test. If inmates score at a certain level on the pre-test, then they are allowed to take the specific competency. The inmate must score at least a total of 225 points on the five competencies, with no score on an individual competency test being less than 40 points. If inmates do not score the required 40 points on the competency test, they are

allowed to retake the test after a set period of time. Once the inmate has successfully completed the five competency tests, he/she is awarded the GED high school equivalency diploma.³⁸

The most measurable area of success for inmates with an educational assignment is successful completion of the GED. However, another area which indicates success for an inmate is consistent class attendance and compliance. Attendance can be affected by an inmate's behavior. The educational staff at the various prisons try several different forms of disciplinary action (*e.g.*, isolating the student from others in the classroom) before suspending an inmate from school. There is zero tolerance for assaultive behavior, and a student is generally given an immediate suspension for that type of behavior. It should be noted that there is at least one correctional officer who is assigned to the educational area. Inmates who are involved in infractions both inside and outside of the educational setting which result in them being placed in segregation are counted as absent from school. In many instances, students who are suspended or have been placed in segregation are allowed to return to classes.

The DOP and the NCCCS have joint budgetary responsibilities for educational services (both academic and vocational) within prisons. The DOP only has a budget for educational services at the facilities which serve youth (over \$1,000,000 of which are federal grant monies). The main expenditure in this budget item is for the salaries of the educational staff and remaining DOP teachers at these prisons, since the NCCCS' budget covers the salary of teachers at the adult prisons. The other prisons receive a recommended allocation of Inmate Welfare Fund monies (profit that is generated from the prisons' canteen operations and the use of telephones by inmates) for educational and library services. This money is used for items for which the DOC is responsible: books, basic supplies for students (including the GED tests), and materials for teachers at all of the prisons. The total expenditure for all of the DOP's education programs, including vocational education, at all facilities for FY 1999/00 was \$7,138,189 (this total excludes the federal grant monies).

Per state legislation, a portion of the budget for the NCCCS is to be used to provide educational services to prisons. These monies are primarily used for salaries for NCCCS instructors who are teaching at prisons. This part of the NCCCS budget is determined, in part, by a formula known as the Full Time Equivalency (FTE), which is the amount of time that an inmate is actually in class. The total amount of NCCCS' expenditures for correctional academic education for FY 1999/00 was \$11,285,737.

Of the 18,691 prisoners released during FY 1998/99, 5,208 were assigned to academic education programs at some point during their current incarceration. Of these offenders, 1,140 completed their GED either in prison or following their release.

³⁸ The content of the GED workbooks and tests were updated effective January 1, 2002 to more accurately reflect the current high school curriculum as well as to more accurately match the skills currently needed in the workplace. If inmates did not complete the five competency tests by December 31, 2001, they will be required to start the GED curriculum again and any of the "old" competencies that they may have passed (prior to January 1, 2002) will not count toward the new version of the GED.

Participation in Academic Education: As seen in Table 4.3, of the 5,208 participants in academic education programs, 1,140 offenders (21.9%) received their GED either before their release from prison or after their release.³⁹ Just under two-thirds of offenders participated in only one education program, and, on average, offenders participated in 1.7 education programs. The average amount of time offenders participated was a total of 13 weeks. About 50% of offenders were in the programs a total of ten weeks or less, and of these, a quarter participated for three weeks or less. On average, approximately 13 months elapsed from the time an offender's last academic education assignment ended until their release from prison. As stated before, participants work at their own pace, so it is not appropriate to compare offenders who participated for a longer period of time with those who participated for a shorter period of time.

Demographic Characteristics: Eighty-nine percent of academic education participants were male, 66% were black, 12% were married, and 25% had 12 or more years of education.⁴⁰ The average age of academic education participants was 28, slightly younger than the average age of all prisoners (30 years old). With regard to demographic characteristics, academic education participants who received their GED and those who did not differed somewhat. Slightly over half of those who received their GED (53.4%) were black compared to 69% of those who did not receive their GED. Thirty percent of those who received their GED had 12 or more years of education compared to 23% of those who did not receive their GED. Those who received their GED were a younger group, with an average age of 26, compared to an average age of 29 for offenders who did not receive their GED.

Risk Level: Sixty percent of academic education participants were high risk, somewhat higher than that of all prisoners (56.6%). With regard to risk, there was very little difference between participants who received their GED and participants who did not receive their GED.

Criminal History: Ninety-three percent of offenders in academic education programs had at least one prior arrest, with an average of 4.3 prior arrests. Seventy percent had prior arrests for felony property offenses, with an average of 2.5 prior felony property arrests. As seen in Table 4.3, there were only slight differences between offenders who received their GED and offenders who did not with regard to criminal history.

³⁹ Certificate data maintained in OPUS were not reliable for the FY 1998/99 sample and were supplemented by information from the North Carolina Community College System. The GED information provided was available until the end of Calendar Year 2001, with a minimum follow-up time of 2.5 years and a maximum of 3.5 years.

⁴⁰ These participants apparently received 12 years of education but failed to graduate from high school and receive their diploma. Also, some offenders may have returned to prison after having received their GED and this would be reflected in OPUS as the offender's current level of education.

Table 4.3
Profile of Academic Education Participants: FY 1998/99 Prison Releases

<u>Number</u>	<u>Total</u>	<u>Received GED</u>	<u>Did Not Receive GED</u>
	5,208	1,140	4,068
<u>Demographic Characteristics</u>			
% Male	89.1	89.6	88.9
% Black	65.6	53.4	69.0
Mean Age	28	26	29
% Married	11.9	11.4	12.1
% with 12 or More Years of Education	24.7	29.7	23.2
<u>Risk Level</u>			
% Low Risk	12.9	12.3	13.0
% Medium Risk	27.1	26.7	27.3
% High Risk	60.0	61.0	59.7
<u>Criminal History</u>			
% With Any Prior Arrest	93.0	94.9	92.4
Mean Number Any Prior Arrests	4.3	3.9	4.4
% With Violent Prior Arrest	45.3	42.2	46.2
Mean Number Violent Prior Arrests	0.8	0.7	0.9
% With Property Prior Arrest	70.1	68.0	70.7
Mean Number Property Prior Arrests	2.5	2.2	2.6
% With Drug Prior Arrest	46.4	47.8	45.9
Mean Number Drug Prior Arrests	1.0	1.0	0.9
% With Other Prior Arrest	34.0	30.4	35.0
Mean Number Other Prior Arrests	0.6	0.5	0.6
<u>Most Serious Current Conviction</u>			
% Felony	90.3	92.6	89.6
% Violent	23.3	26.9	22.3
% Property	37.8	37.2	37.9
% Drug	25.4	24.0	25.7
% Other	3.8	4.5	3.7
% Misdemeanor	9.7	7.4	10.4
% Violent	3.6	2.1	4.0
% Property	4.5	3.6	4.8
% Drug	1.0	0.8	1.1
% Other	0.6	0.9	0.5
Average Time Served in Months	31.3	24.2	33.2

Table 4.3 (cont.)
Profile of Academic Education Participants: FY 1998/99 Prison Releases

	<u>Total</u>	<u>Received GED</u>	<u>Did Not Receive GED</u>
<u>Number</u>	5,208	1,140	4,068
<u>Average # of Prison Infractions</u>	4.2	3.5	4.4
<u>Recidivist Arrests</u>			
% With Any Recidivist Arrest	44.7	46.2	44.3
Mean Number Any Recidivist Arrests	0.9	0.9	0.9
% With Violent Recidivist Arrest	15.2	14.5	15.4
Mean Number Violent Recidivist Arrests	0.2	0.2	0.2
% With Property Recidivist Arrest	23.4	23.2	23.4
Mean Number Property Recidivist Arrests	0.4	0.5	0.4
% With Drug Recidivist Arrest	18.6	19.5	18.3
Mean Number Drug Recidivist Arrests	0.3	0.3	0.3
% With Other Recidivist Arrest	17.4	17.5	17.3
Mean Number Other Recidivist Arrests	0.3	0.3	0.3
Mean Time to 1 st Recidivist Arrest in Months	9.9	9.9	9.9

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1998/99 Correctional Program Evaluation Data

Most Serious Current Conviction: Ninety percent of offenders in academic education programs had a most serious conviction for a felony offense. Thirty-eight percent had convictions for felony property offenses followed by felony drug offenses (25.4%). On average, these offenders served 31 months for their current conviction (average time served for all prisoners was 21 months). There was a difference in the average time served between those who did and did not receive their GED (24 months and 33 months, respectively).

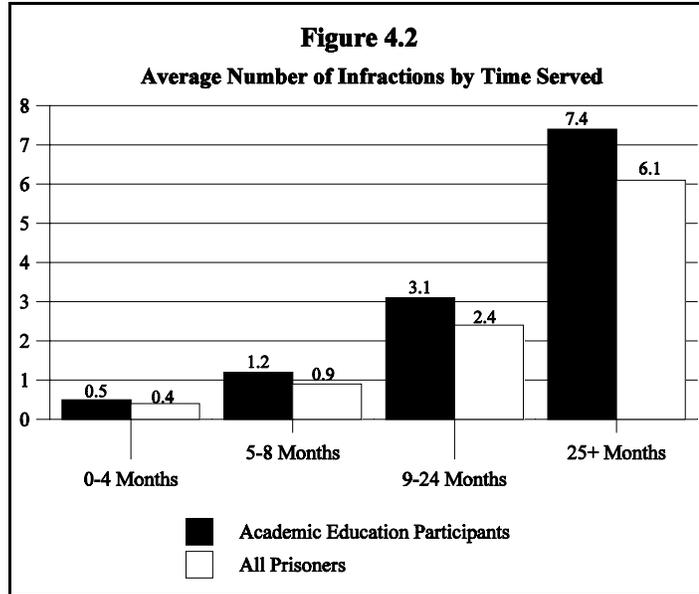
*Prison Infractions*⁴¹: Overall, the average number of prison infractions for academic education participants was 4.2, while all prisoners only averaged 2.4 infractions. Participants who received their GED had fewer infractions than participants who did not receive their GED. However, when looking at the number of prison infractions for offenders, it is important to control for the length of stay in prison. As seen in Figure 4.2, as time served increased, the number of prison infractions increased for all prisoners. It is also evident that, even when controlling for time served, academic education participants had somewhat more prison infractions on average than all prisoners. One possible explanation for this could be that so many of the participants were high risk.

⁴¹ It was not possible to identify when prison infractions occurred due to data constraints. Therefore, infractions may or may not have occurred during an offender's participation in the program.

Another factor could be the young age of this population as compared to prisoners overall (an average age of 28 versus an average age of 30, respectively). In addition, participants in academic education programs are closely supervised by educational staff and there is a zero tolerance for assaultive behavior. With this close supervision, offenders in these programs may have more opportunity to be cited for infractions.

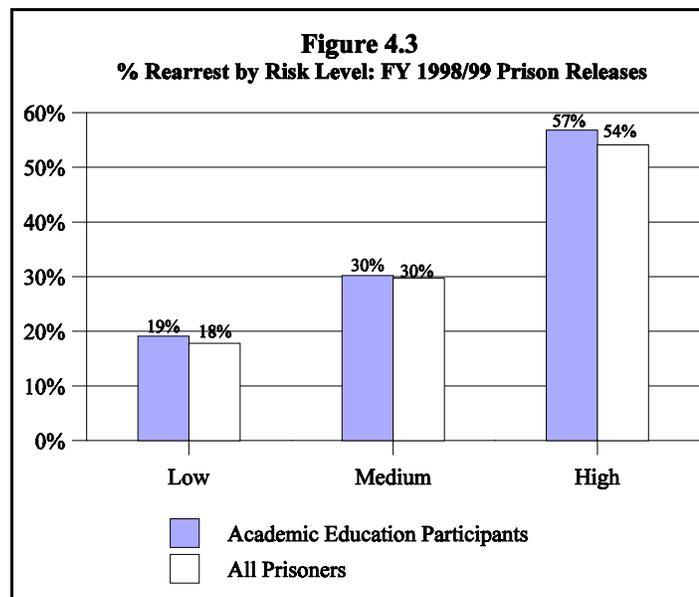
Recidivist Arrests: Overall, 45% of offenders in academic education programs were rearrested during the follow-up period, with an average of 0.9 recidivist arrests for all academic education offenders (compared to 42% of all prisoners rearrested and averaging 0.9 recidivist arrests).

Of those rearrested, 23% of offenders in academic education programs had recidivist arrests for property offenses and about 19% had recidivist arrests for drug offenses. Forty-six percent of participants who received their GED were rearrested compared to 44% of participants who did not receive their GED. The mean time to first rearrest for all academic education participants was 9.9 months, with no difference between those who received their GED and those who did not. There was only a slight difference in the mean time to first rearrest between academic education participants (9.9 months) and all prisoners (9.5 months).



SOURCE: NC Sentencing and Policy Advisory Commission, FY 1998/99 Correctional Program Evaluation Data

A very important factor to consider when examining recidivism is the offenders' level of risk. As discussed above, the majority of all academic education participants were high risk. Figure 4.3 shows recidivism rates for offenders who participated in academic education programs and all prisoners by risk level. Recidivism rates for participants varied by risk level, with low risk participants much less likely to recidivate than high risk participants. There were only slight differences between academic education participants and all prisoners with regard to recidivism rates by risk level.



SOURCE: NC Sentencing and Policy Advisory Commission, FY 1998/99 Correctional Program Evaluation Data

Participants who received their GED and those who did not also showed slight differences with regard to recidivism rates by risk level.

Thirteen percent of the offenders who participated in the education program later participated in Work Release during their period of incarceration. These offenders had a much lower recidivism rate than their counterparts who did not participate in Work Release (37% compared to 46%, respectively).

Multivariate analysis indicated that, when accounting for relevant personal and criminal justice factors, participation in academic education programs was associated with a higher likelihood of recidivism. Prisoners who participated in academic education programs were 2.8% more likely than prisoners who did not participate in academic education programs to be rearrested, controlling for other factors (e.g., age, race, type of current offense, etc.). Multivariate analysis showed that receiving a GED did not significantly impact recidivism when compared to all academic education participants.

Employment: As indicated in Table 4.4, 66% of offenders who participated in academic education programs were employed at least one quarter in the year following their release from prison, with a noticeable difference between those who received their GED (70.1%) and those who did not receive their GED (64.5%). There was no difference in the average number of quarters worked between these offenders; however, the average total wages for offenders who received their GED were somewhat lower than that of offenders who did not receive their GED.

Table 4.4
Employment in the Year Following Release to the Community:
A Comparison of Academic Education Participants and All Prisoners

A Comparison of Academic Education Participants with All Prisoners	% Employed	Mean # of Quarters Worked¹	Mean Total Wages¹
All Academic Education Participants	65.8%	2.8	\$7,177
Received GED	70.1%	2.8	\$6,616
Did Not Receive GED	64.5%	2.8	\$7,347
All Prisoners	64.6%	2.8	\$7,479

1. Mean number of quarters worked and mean total wages only includes offenders who worked during the 12 months following release to the community.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1998/99 Correctional Program Evaluation Data

Academic education participants who also participated in Work Release had higher employment rates than their counterparts who did not participate in Work Release (80.3% compared to 63.5%, respectively). In addition, participants who also participated in Work Release averaged

3 quarters worked and \$10,084 in annual wages compared to 2.7 quarters worked and only \$6,606 in annual wages for the participants who did not participate in Work Release.

Academic education participants who were employed at least one quarter in the year following their release from prison actually had a slightly higher recidivism rate (45.8%) than unemployed participants (42.7%). However, employed GED recipients had a lower recidivism rate than unemployed GED recipients (45.2% compared to 48.7%, respectively).

Multivariate analysis indicated that, when accounting for other factors (such as age, race, and type of current offense), academic education participants did not differ significantly from all other prisoners with regard to employment.

Correction Enterprises

Correction Enterprises is a conglomerate of for-profit industries operated by the DOC in various prison units across the state. The mission of Correction Enterprises is to “provide meaningful work experience and rehabilitative opportunities for inmates and provide quality goods and services to tax supported entities at a savings to the taxpayer.” Correction Enterprises seeks to provide a savings to tax supported agencies through manufacturing goods or providing services that they need at reduced costs using inmate labor. It strives to operate like a business with emphasis placed on inmate employment, production, quality and profits. Under N.C. Gen. Stat. 148-70, all departments, institutions, and agencies that receive any financial support from the State must purchase from Correction Enterprises if they produce the needed item, unless it does not meet the purchaser’s standard specifications and reasonable requirements. At the same time, through providing employment experience to inmates, it aims to instill a work ethic in inmates and to teach or upgrade inmates’ job skills so that they have a greater chance of maintaining stable employment upon their release from prison. The profits from Correction Enterprises sales are used for multiple purposes, including contributions to the Victims’ Compensation Fund and the General Fund receipts for the DOC.

Historically, Correction Enterprises operations within North Carolina’s prison system were established as needs for products arose. The earliest recorded use of inmate labor to produce goods occurred during the 1890's as inmates were put to work at the farm at Caledonia, the state’s second prison and first prison farm. The food they produced was used to feed the prison population. The next industries were located at Central Prison in Raleigh and included printing (begun in 1919) to meet the demands of the Prison Commission and making license tags (begun in 1927) for the Highway Commission. Operations for many of the industries fell under the Highway Commission until 1957 when they were transferred to the Prison Commission.

Until the late 1960's, each industry fell under the supervision of the superintendent of the prison where the operation was located. The industries were consolidated under the Prison Commission and the first executive director was named at the end of that decade. In 1972, the Prison Commission was made a part of the Department of Social Rehabilitation and Control, from which today’s DOC originated in the mid-1970's. Correction Enterprises was removed from under

the Division of Prisons and reorganized as a division of the DOC in 1981.

Correction Enterprises has experienced tremendous growth and change in the past ten years. Currently there are 13 enterprise industries operating at over 30 sites within prison facilities across the state. Most of these industries were opened to meet demand or for programmatic purposes such as creating additional work opportunities for inmates. While it is still operationally important to increase inmate employment, current industry development must also be based upon profitability and market openings. By statute, Correction Enterprises may not enter into a new industry without the approval of the Governor. There currently is no enabling legislation for Correction Enterprises. There are no statutes that establish Enterprises as a Division within the DOC or that create guidelines for the operation of the program.

Enterprises industries which are presently in existence vary significantly in the type of product produced and in the level of skill required. The major industries include:

Metals	Furniture
Textiles	Chemicals
Optical	Food Production
Farming Operations	Laundry Services
Printing and Duplicating Services	Sign and License Tag Production
Manpower Services	Packaging and Duplication
	Warehousing

For each industry, inmates provide the necessary labor under the supervision of Correction Enterprises staff. Approximately 2,000 inmates may be employed at any given time. The sewing plants and laundry facilities employ the greatest number of inmates. Most of the industry plants are set up based on stages of the manufacturing process and operate by assembly line. Inmates are typically assigned to one area or stage of the process.

Although any tax supported entity may purchase from Correction Enterprises, the DOC is Enterprises' largest client. During FY 2000/01, 48% of all Correction Enterprises' sales were to the DOC. The Department of Transportation was the second largest purchaser, accounting for 28% of total sales. A goal of Correction Enterprises management is to expand the percentage of its overall sales to other entities beyond the 24% that was reported during FY 2000/2001.

The inmates who work at Correction Enterprises plants come from all custody levels, except maximum, depending on the prison where the industry is located. In recent years, a shift towards the employment of more close and medium custody inmates and less minimum custody inmates has occurred. This shift is in large part due to the declining number of minimum facilities and to other programmatic demands on the minimum custody inmate labor pool (for example, work release). This shift may benefit Correction Enterprises as medium and close custody inmates have longer sentences which result in lower turnover. Currently, most of the plants are located in medium custody facilities that house male inmates. There are only three plants that employ female inmates. According to Correction Enterprises staff, today's inmate is younger, more difficult to supervise and has less respect for the staff than his/her counterpart twenty years ago who was typically older and

more likely to have had some work experience. For many inmates, this is their first job.

Selection of inmates for the industry site depends on the type of work being performed. For lower skill labor jobs, the plant manager informs the unit's program staff of how many inmates they need. Unit staff then identify which inmates to send. For more technical industries, such as the printing operation, skilled inmates are located and recruited. Program staff at a unit will evaluate inmate skill level and assign them accordingly to Correction Enterprises. Plant managers usually interview inmates prior to hiring them in order to gauge their willingness to work. Requirements for specific skills or education vary from industry to industry. In most instances, inmates are receptive to receiving a work assignment so that they can earn money, learn a job skill and occupy their time.

Upon arriving at a plant, each inmate undergoes a brief orientation during which he is informed of the rules of the facility, is given safety instructions, and receives general training. Once an inmate is assigned to a stage of the process, he receives training specific to the task. For some industries, inmates must receive significant training. For both the sewing and woodworking industries, inmates may receive vocational training through a class offered at the prison by the local community college before being employed in the plant. Correction Enterprises contacts the local community college and facilitates, in cooperation with the prison superintendent and his staff, regarding the offering of these vocational courses at a correctional facility. For other industries requiring highly skilled labor, such as printing and manufacturing of eyeglasses, inmates must learn on the job over a significant period of time. When specific jobs require extensive training, it is important to reduce turnover and maximize inmate availability for employment. Correction Enterprises cooperates with prison management to retain trained and skilled inmates at the facility as long as feasible, as well as to coordinate the transfer of skilled inmates to the unit when the inmates are available.

The hours that inmates work vary somewhat between plants. Typically they begin work around 7:30 a.m. and work until around 4:00 p.m. with two breaks and a thirty to forty-five minute lunch period. Some industries also work a second shift, depending on the demand. Inmates are responsible for reporting to work regularly and on time. Inmate workers are supervised by Correction Enterprises staff and treated as employees of the respective industry or service.

Inmates start a job making thirteen cents an hour. If they remain on a job and their work is satisfactory, their incentive wage may be increased. There are three levels of wages awarded to an inmate: thirteen cents per hour, twenty cents per hour and twenty-six cents per hour. In addition to an hourly wage, two bonuses related to production level and quality may be awarded each week to inmates in most industries.

Inmates can earn only \$3 per day or \$21 per week and are not allowed to work over 61 hours per week. The money the inmates earn is deposited into their trust fund account from which restitution can be paid, costs deducted for medical expenses, fines deducted for disciplinary action and money may be sent to their families. Money from the trust fund account also goes into the inmate's canteen account. An inmate can draw no more than \$40 per week from the trust fund

account. On average, inmates draw \$17 per week.

Inmates are expected to be compliant with prison rules and regulations, and to work diligently at tasks assigned to them. Inmates are under supervision of Enterprises employees and in instances where the manufacturing operation is within a prison, correctional officers also supervise inmates working in the plant. Enterprises plant personnel monitor an inmate's work habits in compliance with work responsibilities such as safety standards. Failure to perform acceptably or comply with safety requirements could result in the inmate being removed from the job. It is important that Correction Enterprises operate as a business, and as a result, it cannot retain inmates who are not willing to meet work demands. Sanctions less serious than dismissal from the plant include pay reduction or reassignment to a lower paying position.

Inmates who commit more serious violations of the rules, such as fighting with co-workers, are subject to more formal disciplinary actions. In these instances, Enterprises staff will document the noncompliant behavior through a written statement of the charge. The most common occurrence where written charges are made by Enterprises staff involves an inmate refusing to work. The written charge is reported to institutional staff who investigate the alleged violation of the rule, and depending upon the outcome of the investigation, could result in additional disciplinary action beyond removal from the plant. From time to time, previously dismissed workers are allowed to return to work in various Enterprises operations. The willingness of Correction Enterprises to rehire dismissed workers represents their recognition that inmate attitudes and behavior may change during periods of confinement.

Correction Enterprises does not receive any appropriations from the General Assembly. The entire program (including capital needs, inmate wages, and central staff salaries) is funded from sales revenues. Sales revenues equaled \$71.3 million in FY 2000/01 (\$71.0 million in FY 1999/00; \$74.3 million in FY 1998/99). As with any other business, the continuous objective of Correction Enterprises is to expand its sales revenue. Sustaining current sales levels will be a challenge in consideration of the current state budget crisis which has resulted in state agencies reducing their level of purchases from Correction Enterprises.

Approximately 8% of revenue is reinvested into the industries to replace machines, build facilities, buy raw materials or otherwise meet capital needs. For example, revenues will go toward a continuation of upfitting the new Janitorial Products Plant and upfitting new industry building included in the three new 1,000 bed prisons. Revenues are also used to pay the incentive wages of all non-Enterprises inmate workers (for example, inmates who work as janitorial and kitchen staff in the prisons). By statute, Correction Enterprises contributes 5% of its net profits to the North Carolina Victim's Compensation Fund. Excess revenues are contributed to the General Fund receipts for the DOC. Under the current budget crisis, Correction Enterprises contributed approximately \$7.7 million to the General Fund receipts for the DOC during FY 2000/01 as compared to \$1.5 million during FY 1999/00.

Of the 18,691 prisoners released in FY 1998/99, 3,639 were assigned to Correction Enterprises at some point during their current incarceration.

Participation in Correction Enterprises: The total amount of time offenders spent in one or more Correction Enterprises assignments varied greatly among the 3,639 participants. The average participation time was 17 weeks, and half of the participants spent a total of 10 weeks or less in Correction Enterprises. However, about a quarter of the participants in Correction Enterprises only participated for two weeks or less, and 10% participated in Correction Enterprises for 44 weeks or more. On average, approximately 16 months elapsed from the time an offender's last Correction Enterprises assignment ended until their release from prison.

Demographic Characteristics: As seen in Table 4.5, 94% of Correction Enterprises participants were male, 69% were black, 15% were married, and slightly over half had 12 or more years of education. The average age of Correction Enterprises participants was 32.

Risk Level: The distribution of participants in Correction Enterprises across the three risk levels were comparable to that of all prisoners. Sixteen percent of participants were low risk, 28% were medium risk, and 56% were high risk.

Criminal History: The majority of offenders in Corrections Enterprises (95.9%) had at least one prior arrest, with an average of 5.1 prior arrests. Close to three-fourths had prior arrests for property offenses (74.5%). Just over half had prior arrests for violent offenses (52%), followed closely by drug offenses (48%).

Most Serious Current Conviction: Ninety-four percent of offenders in Correction Enterprises had a most serious conviction for a felony offense. Almost 39% had convictions for felony property offenses followed by violent felony offenses (27.6%). On average, Correction Enterprises participants served close to 46 months for their current conviction, more than twice that of all prisoners (21 months). It is interesting to note that 62% of Correction Enterprises participants were FSA offenders (48% parolees and 14% max-outs) and 38% were SSA prison releases. This is quite a different make-up of offenders as compared to all prisoners (72% were SSA prison releases and 28% were FSA offenders). It is clear that these offenders differ in their offense seriousness and prior criminal history.

Table 4.5
Profile of Correction Enterprises Participants: FY 1998/99 Prison Releases

	<u>Total</u>
<u>Number</u>	3,639
 <u>Demographic Characteristics</u>	
% Male	93.7
% Black	68.7
Mean Age	32
% Married	15.0
% with 12 or More Years of Education	50.7
 <u>Risk Level</u>	
% Low Risk	15.7
% Medium Risk	28.0
% High Risk	56.3
 <u>Criminal History</u>	
% With Any Prior Arrest	95.9
Mean Number Any Prior Arrests	5.1
% With Violent Prior Arrest	52.0
Mean Number Violent Prior Arrests	1.0
% With Property Prior Arrest	74.5
Mean Number Property Prior Arrests	3.1
% With Drug Prior Arrest	48.0
Mean Number Drug Prior Arrests	1.0
% With Other Prior Arrest	38.0
Mean Number Other Prior Arrests	0.6
 <u>Most Serious Current Conviction</u>	
% Felony	93.6
% Violent	27.6
% Property	38.5
% Drug	23.5
% Other	4.0
% Misdemeanor	6.4
% Violent	2.5
% Property	3.1
% Drug	0.6
% Other	0.2
Mean Time Served in Months	45.7

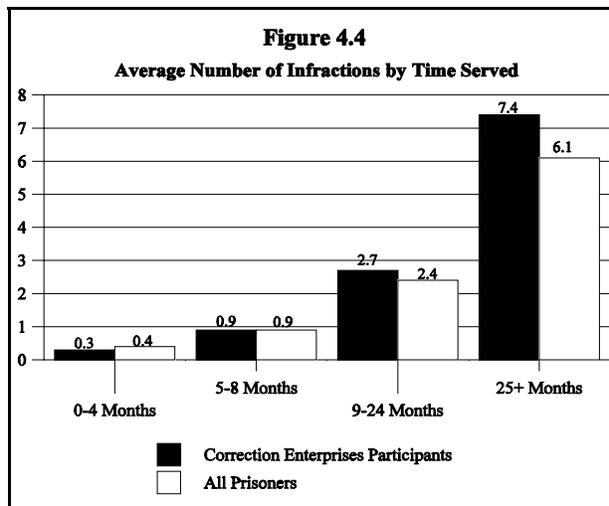
Table 4.5 (cont.)

Profile of Correction Enterprises Participants: FY 1998/99 Prison Releases

	<u>Total</u>
<u>Number</u>	3,639
<u>Average # of Prison Infractions</u>	5.3
<u>Recidivist Arrests</u>	
% With Any Recidivist Arrest	42.4
Mean Number Any Recidivist Arrests	0.9
% With Violent Recidivist Arrest	13.5
Mean Number Violent Recidivist Arrests	0.2
% With Property Recidivist Arrest	23.3
Mean Number Property Recidivist Arrests	0.4
% With Drug Recidivist Arrest	16.6
Mean Number Drug Recidivist Arrests	0.2
% With Other Recidivist Arrest	16.0
Mean Number Other Recidivist Arrests	0.2
Mean Time to 1 st Recidivist Arrest in Months	10.1

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1998/99 Correctional Program Evaluation Data

Prison Infractions: Overall, the average number of prison infractions for Correction Enterprises participants was 5.3, more than double that of all prisoners (2.4 infractions). As stated previously, when looking at the number of prison infractions for offenders, it is important to control for the length of stay in prison. As seen in Figure 4.4, as time served in prison increased, the number of prison infractions increased for all prisoners. Also, there was little difference between Correction Enterprises participants and all prisoners, except where offenders were in prison for at least 25 months (participants averaged 7.4 infractions compared to only 6.1 infractions for all prisoners). A possible explanation for the higher number of infractions for Correction Enterprises participants is that they are closely supervised while on the job and, as a result, may have more opportunity to be cited for infractions.

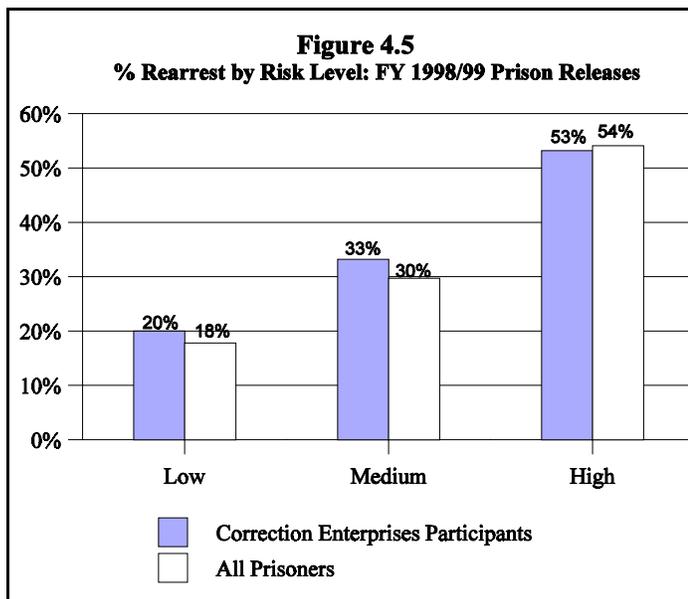


SOURCE: NC Sentencing and Policy Advisory Commission, FY 1998/99 Correctional Program Evaluation Data

Recidivist Arrests: Similar to all prisoners, 42% of Correction Enterprises participants were rearrested during the follow-up period, with an average of 0.9 recidivist arrests. Correction Enterprises participants were most likely to have recidivist arrests for property offenses (23.3%). The mean time to first rearrest for these offenders was 10.1 months, slightly longer than that of all prisoners (9.5 months).

Figure 4.5 provides the recidivism rates for Correction Enterprises participants and all prisoners by risk level. Consistent with other findings in this report, high risk offenders were much more likely to recidivate than low risk offenders. As seen in Figure 4.5, there were only minimal differences between participants and all prisoners with regard to recidivism rates across risk levels.

As mentioned previously, participants in Correction Enterprises, for the most part, are in medium custody facilities. However, as offenders are nearing their release from prison, they are transferred to minimum custody facilities, where some offenders go on to participate in Work Release. Of those offenders who participated in Correction Enterprises, 18% later also participated in Work Release. These offenders had a noticeably lower recidivism rate than their counterparts who did not participate in Work Release (38% compared to 43%, respectively).



SOURCE: NC Sentencing and Policy Advisory Commission, FY 1998/99 Correctional Program Evaluation Data

Multivariate analysis indicated that, when accounting for other factors (such as age, race, and type of current offense), Correction Enterprises participants did not differ significantly with regard to recidivism from prisoners who did not participate in Correction Enterprises. The amount of time an offender spent in Correction Enterprises overall did not have a significant effect on recidivism.

Employment: Sixty-nine percent of offenders who participated in Correction Enterprises were employed in the year after their release from prison, averaging close to three quarters worked in that year. Table 4.6 compares employment information for participants with all prisoners. The average annual wages for these offenders were higher when compared to that of all prisoners who were employed in the year following their release (\$8,626 compared to \$7,479, respectively).

Table 4.6
Employment in the Year Following Release to the Community:
Correction Enterprises Participants and All Prisoners

A Comparison of Correction Enterprises Participants with All Prisoners	% Employed	Mean # of Quarters Worked¹	Mean Total Wages¹
Correction Enterprises Participants	69.1%	2.9	\$8,626
All Prisoners	64.6%	2.8	\$7,479

1. Mean number of quarters worked and mean total wages only includes offenders who worked during the 12 months following release to the community.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1998/99 Correctional Program Evaluation Data

Correction Enterprises participants who also participated in Work Release had higher employment rates than their counterparts who did not participate in Work Release (82.4% compared to 66.2%, respectively). In addition, Correction Enterprises participants who participated in Work Release averaged 3.2 quarters worked and \$11,033 in annual wages compared to 2.9 quarters worked and only \$7,965 in annual wages for the participants who did not participate in Work Release.

There was no difference between Correction Enterprises participants who were employed at least one quarter in the year following their release from prison and unemployed participants with regard to recidivism rates.

Multivariate analysis indicated that, when accounting for other factors (such as age, race, and type of current offense), Correction Enterprises participants did not differ significantly from prisoners who did not participate in this program with regard to employment.

Findings that have been presented in the chapter are summarized in Figure 4.6. It is hoped that with improved data future reports will provide more program participation and completion information for program participants.

Figure 4.6 Key Findings

Intensive Supervision Probation (ISP)

- ' Of the 39,547 offenders placed on probation in FY 1998/99, 7,253 participated in ISP.
- ' Overall, 85% were male, 56% were black, 14% were married, and their average age was 27. 28% were low risk, 38% were medium risk, and 34% were high risk.
- ' 86% had one or more prior arrest, with an average of 2.9 prior arrests. The majority had prior arrests for property (55.8%) and drug offenses (45.5%).
- ' 39% were rearrested during the follow-up period. Higher risk offenders were more likely to recidivate than lower risk offenders.
- ' Multivariate analysis indicated that probationers who were on ISP were 13.1% more likely than probationers who were not on ISP to be rearrested during the follow-up period, controlling for relevant personal and criminal justice factors.
- ' Multivariate analysis indicated that participation in ISP did not significantly impact employment when controlling for relevant personal and criminal justice factors.

Academic Education Programs

- ' Of the 18,691 prisoners released in FY 1998/99, 5,208 participated in academic education programs. Of those who participated, 1,140 (21%) received their GED.
- ' 89% were male, 66% were black, 12% were married, and their average age was 28. The majority (60%) were high risk.
- ' 93% had at least one prior arrest, with an average of 4.3 prior arrests. 90% had a most serious conviction for a felony offense, primarily for property and drug offenses.
- ' 45% were rearrested during the follow-up period. Higher risk offenders were more likely to recidivate than lower risk offenders.
- ' Multivariate analysis indicated that academic education participants were 2.8% more likely than non-participants to recidivate during the follow-up period, controlling for relevant personal and criminal justice factors. Receiving a GED did not significantly impact recidivism for academic education participants.
- ' Multivariate analysis indicated that participation in academic education programs did not significantly impact employment when controlling for relevant personal and criminal justice factors.
- ' Recidivism rates were lower and employment rates were higher for participants who also participated in Work Release.

Figure 4.6 (cont.)
Key Findings

Correction Enterprises

' Of the 18,691 prisoners released in FY 1998/99, 3,639 had participated in Correction Enterprises.

' 94% were male, 69% were black, 15% were married, and their average age was 32. 56% were high risk, 28% were medium risk, and 16% were low risk.

' 96% had at least one prior arrest, with an average of 5.1 prior arrests. 94% had a most serious conviction for a felony offense, 39% for property felonies, and 28% for violent felonies.

' 42% were rearrested during the follow-up period. Higher risk offenders were more likely to recidivate than lower risk offenders.

' Multivariate analysis indicated that participation in Correction Enterprises did not significantly impact recidivism as compared to all prisoners when controlling for relevant personal and criminal justice factors.

' Multivariate analysis indicated that participation in Correction Enterprises did not significantly impact employment when controlling for relevant personal and criminal justice factors.

' Recidivism rates were lower and employment rates were higher for participants who also participated in Work Release.

CHAPTER FIVE SUMMARY AND CONCLUSIONS

The second biennial report of the Sentencing Commission mandate to evaluate correctional programs in North Carolina (1998 Session Law 212, Section 16.18) focused on offenders released from prison and placed on probation in FY 1998/99. Data to analyze rearrests and other outcome measures for offenders in the sample were provided by the Department of Correction's OPUS database, the State Bureau of Investigation's Division of Criminal Information, and the Employment Security Commission. Additional information was obtained from interviews and written materials collected during visits to a representative set of correctional program sites in the state.

Three specific programs were selected for more thorough description and statistical analysis in this report. They included prison-based Correction Enterprises and Correctional Education, and the community-based Intensive Supervision sanction.

Offenders with different types of supervision in the community (i.e., community probation, intermediate probation, SSA prison release, FSA parole, and FSA prison max-out) also differed considerably in the length and type of their prior record, their current offense, and their likelihood of rearrest. The recidivism rate for the 24-month follow-up period was 31.2% for the entire sample, in line with rates reported in five prior North Carolina studies of recidivism in the past decade. The rate for the FY 1998/99 sample was considerably lower for probationers with community or intermediate punishments (24.2% and 32.0%, respectively) and higher for released prisoners (41.6%).

Using a multi-factor scoring instrument to measure the risk to recidivate, each offender was characterized as low-, medium-, or high-risk. Significantly for this study, the risk score and other preexisting offender characteristics explained most of the variation in an offender's likelihood of rearrest and employment upon release. Put differently, the type of supervision in the community and correctional program assignments made little or no difference in the probability to recidivate, once controlling for preexisting factors. At the same time, independent of the risk score (i.e., even within the same risk level) prison releases were somewhat more likely to be rearrested than offenders sentenced to community sanctions.

This study provided no reason to predict major changes in North Carolina's overall recidivism rate as the State shifts from an offender population sentenced under Fair Sentencing to one sentenced almost exclusively under Structured Sentencing (implemented in 1994). Our current analysis revealed an important shift that occurred in the prison release group since the previous study: while both years' prisoners constituted about 32% of the sample, the percentage of SSA offenders rose from 39% to 72% of all released prisoners between those years.⁴² The change in sentencing laws is expected to continue to alter the mix of offenders sentenced to prison and

⁴² In FY 1996/97, 6,233 (or 39%) of the 16,165 prison releases were SSA offenders; in FY 1998/99 13,409 (or 72%) of the 18,691 prison releases were SSA offenders. This second SSA cohort also represents a mix of inmates sentenced for more serious offenses and for longer periods of incarceration than the first cohort.

probation, and possibly these groups' respective recidivism rates. Of particular interest to track will be the group of offenders sentenced to probation with intermediate sanctions, many of whom might have received an active prison sentence prior to the 1994 sentencing reform. Offenders singled out for a prison term under Structured Sentencing, on the other hand, are a higher risk group convicted of more violent offenses and possessing a longer and more serious criminal record. Their future recidivism (especially hypothesizing some additional "prisonization" effect) might be higher than that of past cohorts of released prisoners.

While describing it as a trend might be premature, it might nevertheless be noteworthy that the overall recidivism rates for the FY 1996/97 and FY 1998/99 samples were almost identical (32.6% and 31.2%, respectively), with only slight shifts in rates within each sample mix of probationers and prison releases. Rates of rearrest decreased somewhat between FY 1996/97 and FY 1998/99 in all the categories of supervision for both prison and probation releases. Recidivism for SSA prisoners decreased from 46.4% to 43.3%. A slight decrease in rearrest rates was also noted for probationers on Intermediate Punishment (from 33.7% to 32.0%), possibly reflecting changes in supervision and staffing implemented by the DOC's Division of Community Corrections.

One of the lessons that can be gleaned from a detailed look at North Carolina's correctional system is a better understanding of the relationship between correctional programs, expected results, and rates of rearrest. In general, the findings show that preexisting personal and criminal history factors greatly affect both an offender's correctional sanction/program assignment and the offender's probability of reoffending and rearrest. Many offenders bring a host of issues and problems with them when they reach the sentencing phase. And as previously noted in the study, a large percentage of offenders who are given an active sentence are in a high risk category. The offenders who are given community-based intermediate sanctions are serious offenders who might have been incarcerated prior to the implementation of Structured Sentencing and its emphasis on expanding community corrections programming. A consistent finding in our study indicated that, even when controlling for risk level and a host of other relevant factors, incarceration seems to increase an offender's probability to recidivate. Therefore, both the sentence and the program assignment given to an offender are a criminal justice response to the offender's "package" (prior and current criminality and personal factors) which, in turn, is highly correlated with future recidivism. This finding might point to a recommendation for targeting the medium risk offender as the most likely to benefit from correctional programs.

It is also important to understand that the relatively short amount of time that the offender spends under correctional supervision and programmatic offerings might – but should not be expected to – make a measurable difference in the offender's post release behavior. The length of various programs and sanctions, and their timing within the duration of an offender's punishment, may also be important elements. For example, this study shows that inmates in the sample who participated in Correction Enterprises remained in this assignment for a total of approximately four months. Academic education participants remained in the program for a total of approximately three months, while offenders stayed on Intensive Supervision Probation for about six and one-half months. Many of these same inmates have long sentences and still have a significant period of time before their release. For example, an average of 13 months elapsed between program assignment

and release for academic education participants; 16 months for Correction Enterprises participants. Similarly, offenders on Intensive Supervision Probation had additional probationary time following their exit from the sanction. While correctional programs co-vary with recidivism, they should not be expected to have a major impact on preventing or reducing recidivism. Expectations should be modest about the ability of relatively short term programs and sanctions, often occurring many months prior to release, to reverse the impact of criminogenic forces on an offender's probability of reoffending.

While the primary intent of sentences is to impose punishment ("just desert"), some programs might be beneficial for some offenders, whether or not they affect their recidivism or other harder-to-measure aspects of their social reintegration. This is certainly the case when looking at the three programs which were highlighted in our study. The opportunity for offenders to improve themselves through educational or work opportunities can serve to instill, among other things, self-esteem, social skills and a work ethic. Prison programs also have added benefits as they provide internal management tools for staff as well as assist in countering some of the negative effects of prisonization for inmates.

There were some indications that when two or more correctional programs are utilized during an offender's sentence, the interaction between programs results in a moderate impact on outcome measures. Work Release (a prison-based program), when coupled with assignment to Correction Enterprises or academic education programs, was associated with a reduced chance of rearrest and an increased probability of employment. The fact that Work Release occurs towards the end of the incarceration period and, thus, closer to release into the community might possibly affect the outcome. This might indicate the need for a closer examination of minimum custody program offerings, since assignment to a program (whether it be academic or vocational education, work, or substance abuse) at this point in the incarceration period could help with the transitioning of an inmate into the community. With regard to community-based programs, it may be that coupling another supervision tool with Intensive Supervision (e.g., electronic monitoring; substance abuse treatment) could positively affect outcome measures. Additional amassing of data by the DOC would be needed in order to analyze this effect.

Finally, we would like to encourage further improvements in the DOC's data collection efforts. For the FY 1998/99 sample, OPUS data were incomplete on program participation, completion, and reasons for exit. A comparison of program completers with non-completers, as well as accounting for offenders removed from the community due to technical revocations, would allow for a more accurate evaluation of various correctional sanctions and programs. The availability and quality of data will be a major determining factor for the focus and design of the 2004 biennial correctional evaluation report.

APPENDIX A:
INDIVIDUAL PROGRAM
SUMMARIES

ALL PRISON RELEASES AND PROBATION ENTRIES

The FY 1998/99 sample is comprised of 58,238 offenders who either entered probation or were released from prison during that period.

FY 1998/99 Sample

The sample is comprised of all offenders who entered supervised probation or were released from prison during FY 1998/99, with the following exclusions:

- ' unsupervised probation entries;
- ' FSA probation entries;
- ' pre-FSA cases;
- ' offenders with a most serious current conviction for driving while impaired; and
- ' offenders with a most serious current conviction for a misdemeanor traffic offense.

Overall, 80.4% were male, 56.7% were black, 64.4% were single, and less than half (47.9%) had twelve years or more of education. Over three-quarters (76.9%) of the sample had at least one prior fingerprinted arrest, with an average of 2.8 prior arrests. Forty-nine percent of the sample had a most serious current conviction (*i.e.*, the conviction which placed them in the sample) for a felony offense. The majority of current convictions were for three categories of offenses: misdemeanor property offenses (22.3%), felony drug offenses (19.7%), and felony property offenses (19.4%). Overall, 31.2% of the sample had a recidivist arrest for any offense, with an average of 0.6 recidivist arrests. For those who were rearrested, the first rearrest occurred an average of 9.3 months after entry to probation or release from prison. Many offenders in the sample were ordered to participate in various correctional programs. The programs are divided into two categories -- those for probation entries and those for prison releases. Also included are the three prison programs that were highlighted in the 2000 Correctional Program Evaluation: SOAR (Sex Offender Accountability and Responsibility), DART (Drug Alcohol Recovery Treatment), and Work Release. *For this table and the remainder of tables presented in this appendix, please note that due to offender participation in multiple programs the numbers presented for program participation do not equal the number of clients and that the percentages presented for program participation do not equal 100%.*

All Prison Releases & Probation Entries Fiscal Year 1998/99
--

Number of clients (N): 58,238

Age in years:		Current offense:	%
Mean	29	Violent felony	7.8
Median	28	Property felony	19.4
		Drug felony	19.6
Gender:	%	Other felony	2.4
Male	80.4	Violent misdemeanor	15.3
Female	19.6	Property misdemeanor	22.3
		Drug misdemeanor	8.2
Race:	%	Other misdemeanor	5.0
Black	56.7		
Non-Black	43.3	Mean prison time served for current offense in months (prison releases only):	27.1
Marital Status:	%		
Single	64.4	Rearrest rates (fingerprinted rearrest):	%
Divorced/Separated	18.3	Any offense	31.2
Married/Widowed	16.1	Violent offense	9.0
Other/Unknown	1.2	Property offense	16.4
12 years of education or more:	47.9	Drug offense	12.3
		Other offense	10.4
Percentage with at least one prior fingerprinted arrest:	76.9	Mean number of subsequent arrests	0.6
		Average time to first recidivist arrest (months)	9.3
Mean number of prior fingerprinted arrests:		Participation in programs:	
Any offense	2.8	<i>Probation Entries</i>	
Violent offense	0.5	SSA Probation - Community Punishment	29,054
Property offense	1.5	SSA Probation - Intermediate Punishment	10,493
Drug offense	0.7	Intensive Supervision Probation	7,253
Other offense	0.4	Special Probation	4,377
		Community Service	12,999
		IMPACT	947
		House Arrest with Electronic Monitoring	1,382
		<i>Prison Releases</i>	
		SSA Prison Release	13,409
		FSA Max-Out	1,134
		FSA Parole	4,148
		Intensive Supervision (FSA parole only)	500
		Community Service (FSA parole only)	1,540

SSA PROBATION - COMMUNITY PUNISHMENT

Probation is considered a community punishment except when certain conditions (known as intermediate punishments) are imposed. The purposes of probation supervision are to control the offender in the community, provide opportunities for substance abuse and mental health treatment, ensure compliance with the conditions of probation, and enforce the conditions of probation through the violation process. Unless the court makes a specific finding that a longer or shorter term of probation is necessary, the court imposes a term which is no less than twelve and no more than thirty months for a felon sentenced to a community punishment. Special conditions may be imposed to further restrict freedom and limit movement in the community, to add more punitive measures, or to establish a complete individual treatment plan addressing the special needs and risk of the offender and providing realistic opportunities for behavioral changes which will ultimately lead to the successful completion of the supervision period. If the offender violates the conditions of probation, certain restrictive conditions that are considered intermediate punishments may be utilized at that time by the court (*i.e.*, Intensive Supervision, Special Probation, IMPACT, House Arrest with Electronic Monitoring, Day Reporting Centers).

Probation is administered by the Division of Community Corrections within the Department of Correction. Probation varies in intensity and restrictiveness depending on the level of supervision. Community probation is the lowest level of supervised probation. The court and the probation officer match the offender to the appropriate level of supervision. The Division of Community Corrections' Field Operations Policies and Procedures advocate that probation/parole officers approach the supervision of each case by balancing the elements of treatment and control. Officers may serve as brokers of community treatment and educational resources as they supervise the conduct of offenders to ensure compliance with conditions of probation or parole. For each level of supervision, the Department of Correction requires that officers adhere to minimum contact standards.

A case management plan, which has been in effect since September 1, 1999, incorporates two new classes of officers: the community punishment officer who fulfills the more traditional basic probation/parole officer role and the intermediate punishment officer who supervises intermediate punishment level cases and community punishment level probation violators. Community officers (PPO I) supervise community punishment level cases which require less field contacts with offenders. The goal for the community punishment officer is to carry a caseload of 90.

**SSA Probation - Community Punishment
Fiscal Year 1998/99**

Number of clients (N): 29,054

Age in years:		Current offense:	%
Mean	28	Violent felony	0.6
Median	26	Property felony	7.9
		Drug felony	10.7
Gender:	%	Other felony	0.7
Male	72.7	Violent misdemeanor	21.7
Female	27.3	Property misdemeanor	36.1
		Drug misdemeanor	13.9
Race:	%	Other misdemeanor	8.4
Black	50.4		
Non-Black	49.6	Mean prison time served for current offense in months (prison releases only):	N/A
Marital Status:	%		
Single	64.2	Rearrest rates (fingerprinted rearrest):	%
Divorced/Separated	16.8	Any offense	24.2
Married/Widowed	17.1	Violent offense	6.7
Other/Unknown	1.9	Property offense	12.8
		Drug offense	8.9
12 years of education or more:	49.7	Other offense	7.3
Percentage with at least one prior fingerprinted arrest:	63.2	Mean number of subsequent arrests	0.4
Mean number of prior fingerprinted arrests:		Average time to first recidivist arrest (months)	9.1
Any offense	1.6		
Violent offense	0.3	Participation in programs:	%
Property offense	0.8	<i>Probation Entries</i>	
Drug offense	0.4	Intensive Supervision Probation	6.6
Other offense	0.2	Special Probation	4.6
		Community Service	30.7
		IMPACT	1.3
		House Arrest with Electronic Monitoring	1.6

SSA PROBATION - INTERMEDIATE PUNISHMENT

Under Structured Sentencing, an intermediate punishment requires the offender to be placed on supervised probation with at least one of the following conditions: Special Probation, assignment to a residential community corrections program, House Arrest with Electronic Monitoring, Intensive Supervision, assignment to a Day Reporting Center, or comply with a Community Penalty Plan (which is no longer considered an intermediate punishment effective January 1, 2000). Unless the court makes a specific finding that a longer or shorter term of probation is necessary, the court imposes a term which is no less than eighteen and no more than thirty-six months for a felon sentenced to an intermediate punishment.

The purposes of probation supervision are to control the offender in the community, provide opportunities for substance abuse and mental health treatment, ensure compliance with the conditions of probation, and enforce the conditions of probation through the violation process. Special conditions may be imposed to further restrict freedom and limit movement in the community, to add more punitive measures, or to establish a complete individual treatment plan addressing the special needs and risk of the offender and providing realistic opportunities for behavioral changes which will ultimately lead to the successful completion of the supervision period. Offenders may also be placed on the sanction from a less restrictive supervision level (*i.e.*, community punishment probation) as a result of the probation violation process.

Probation is administered by the Division of Community Corrections within the Department of Correction. Probation varies in intensity and restrictiveness depending on the level of supervision. The court and the probation officer match the offender to the appropriate level of supervision. The Division of Community Corrections' Field Operations Policies and Procedures advocate that probation/parole officers approach the supervision of each case by balancing the elements of treatment and control. Officers may serve as brokers of community treatment and educational resources as they supervise the conduct of offenders to ensure compliance with conditions of probation or parole. For each level of supervision, the Department of Correction requires that officers adhere to minimum contact standards.

A case management plan, which has been in effect since September 1, 1999, incorporates two new classes of officers: intermediate punishment officers who supervise intermediate punishment level cases and community punishment level probation violators, and community punishment officers who fulfill the more traditional basic probation/parole officer role. The intermediate punishment officers (PPO III and PPO II) are required to conduct the vast majority of offender contacts in the field, away from the relative safety of the office. This intermediate punishment officer (PPO II) has a caseload goal of 60. The intermediate punishment officers specializing in intensive supervision cases (PPO III) carry 25 intensive cases.

**SSA Probation - Intermediate Punishment
Fiscal Year 1998/99**

Number of clients (N): 10,493

Age in years:		Current offense:	%
Mean	29	Violent felony	13.8
Median	27	Property felony	25.5
		Drug felony	28.8
Gender:	%	Other felony	3.9
Male	85.5	Violent misdemeanor	12.7
Female	14.5	Property misdemeanor	9.5
		Drug misdemeanor	3.3
Race:	%	Other misdemeanor	2.5
Black	57.6		
Non-Black	42.4	Mean prison time served for current offense in months (prison releases only):	N/A
Marital Status:	%		
Single	64.3	Rearrest rates (fingerprinted rearrest):	%
Divorced/Separated	18.5	Any offense	32.0
Married/Widowed	15.9	Violent offense	8.9
Other/Unknown	1.3	Property offense	16.2
		Drug offense	12.5
12 years of education or higher:	46.5	Other offense	10.6
Percentage with at least one prior fingerprinted arrest:	85.5	Mean number of subsequent arrests	0.6
Mean number of prior fingerprinted arrests:		Average time to first recidivist arrest (months)	9.0
Any offense	3.0		
Violent offense	0.6	Participation in programs:	%
Property offense	1.5	<i>Probation Entries</i>	
Drug offense	0.9	Intensive Supervision Probation	50.8
Other offense	0.5	Special Probation	29.0
		Community Service	39.0
		IMPACT	5.4
		House Arrest with Electronic Monitoring	8.6

INTENSIVE SUPERVISION PROBATION

Intensive Supervision Probation is considered an intermediate punishment and is the most frequently used of the intermediate punishments. Under Structured Sentencing, an intermediate punishment requires the offender to be placed on supervised probation with at least one of the following conditions: Special Probation, assignment to a residential community corrections program, House Arrest with Electronic Monitoring, Intensive Supervision, assignment to a Day Reporting Center, or comply with a Community Penalty Plan (which is no longer considered an intermediate punishment effective January 1, 2000). Since Intensive Probation is the most restrictive level of supervision, its purpose is to target high risk offenders. If the offender's class of offense and prior record level authorize an intermediate punishment as a sentence disposition, the judge has the discretion to place an offender on intensive supervision. Offenders may also be placed on the sanction from a less restrictive supervision level (*i.e.*, community punishment) as a result of the probation violation process. Offenders remain on intensive probation for an average of six to eight months before completing their probationary term on a less restrictive level of intermediate supervision.

Intensive Supervision Probation is administered by the Division of Community Corrections within the Department of Correction. Intensive probation is available in all judicial districts within the State of North Carolina for probation, post-release supervision, and parole. In FY 2000/01, the Intensive Probation/Parole Program had 363 teams statewide. An intensive team is comprised of an intensive probation officer and a surveillance officer, with each team member having a specific set of minimum standards to fulfill for each case. The Division of Community Corrections' Field Operations Policies and Procedures advocate that probation/parole officers approach the supervision of each case by balancing the elements of treatment and control. Officers may serve as brokers of community treatment and educational resources as they supervise the conduct of offenders to ensure compliance with conditions of probation or parole.

A case management plan, which has been in effect since September 1, 1999, incorporates two new classes of officers: intermediate punishment officers who supervise intermediate punishment level cases and community punishment level probation violators, and community punishment officers who fulfill the more traditional basic probation/parole officer role. The intermediate punishment officers specializing in intensive supervision cases (PPO III) carry 25 intensive cases.

**Intensive Supervision Probation
Fiscal Year 1998/99**

Number of clients (N): 7,253

Age in years:		Current offense:	%
Mean	27	Violent felony	11.6
Median	26	Property felony	24.8
		Drug felony	30.6
Gender:	%	Other felony	3.5
Male	84.5	Violent misdemeanor	9.2
Female	15.5	Property misdemeanor	13.6
		Drug misdemeanor	4.0
Race:	%	Other misdemeanor	2.7
Black	56.4		
Non-Black	43.6	Mean prison time served for current offense in months (prison releases only):	N/A
Marital Status:	%		
Single	66.8	Rearrest rates (fingerprinted rearrest):	%
Divorced/Separated	17.2	Any offense	38.8
Married/Widowed	14.8	Violent offense	9.8
Other/Unknown	1.2	Property offense	19.9
		Drug offense	16.0
12 years of education or more:	45.8	Other offense	11.4
Percentage with at least one prior fingerprinted arrest:	86.0	Mean number of subsequent arrests	0.7
Mean number of prior fingerprinted arrests:		Average time to first recidivist arrest (months)	8.5
Any offense	2.9	Participation in programs:	%
Violent offense	0.5	<i>Probation Entries</i>	
Property offense	1.5	SSA Probation - Community Punishment	26.4
Drug offense	0.8	SSA Probation - Intermediate Punishment	73.6
Other offense	0.4	Special Probation	20.7
		Community Service	60.4
		IMPACT	8.2
		House Arrest with Electronic Monitoring	8.4

SPECIAL PROBATION

Special probation (also known as a split sentence) is an intermediate punishment. Under Structured Sentencing, an intermediate punishment requires the offender to be placed on supervised probation with at least one of the following conditions: Special Probation, assignment to a residential community corrections program, House Arrest with Electronic Monitoring, Intensive Supervision, assignment to a Day Reporting Center, or comply with a Community Penalty Plan (which is no longer considered an intermediate punishment effective January 1, 2000). In cases utilizing the condition of Special Probation, an offender is required to submit to a period or periods of incarceration in prison or jail during the probationary term. The period of incarceration cannot exceed one-fourth of the minimum sentence or six months, whichever is less. The term of probation may include special conditions, such as recommendation for work release or serving the active term in an inpatient facility.

As a highly restrictive form of probation, special probation is used primarily for offenders in need of a high level of control and supervision while remaining in the community. Offenders may be placed on Special Probation from a less restrictive supervision level as a result of the probation violation process. Offenders that are given this sanction are supervised by probation officers of the Division of Community Corrections within the Department of Correction. DCC's Field Operations Policies and Procedures advocate that probation/parole officers approach the supervision of each case by balancing the elements of treatment and control. Officers may serve as brokers of community treatment and educational resources as they supervise the conduct of offenders to ensure compliance with conditions of probation or parole. For each level of supervision, the Department of Correction requires that officers adhere to minimum contact standards.

A case management plan, which has been in effect since September 1, 1999, incorporates two new classes of officers: intermediate punishment officers who supervise intermediate punishment level cases and community punishment level probation violators, and community punishment officers who fulfill the more traditional basic probation/parole officer role. The intermediate punishment officers (PPO III and PPO II) are required to conduct the vast majority of offender contacts in the field, away from the relative safety of the office. This intermediate punishment officer (PPO II) has a caseload goal of 60. The intermediate punishment officers specializing in intensive supervision cases (PPO III) carry 25 intensive cases.

**Special Probation
Fiscal Year 1998/99**

Number of clients (N): 4,377

Age in years:		Current offense:	%
Mean	29	Violent felony	10.9
Median	28	Property felony	18.6
		Drug felony	18.0
Gender:	%	Other felony	2.8
Male	85.4	Violent misdemeanor	20.5
Female	14.6	Property misdemeanor	17.9
		Drug misdemeanor	5.4
Race:	%	Other misdemeanor	5.9
Black	54.1		
Non-Black	45.9	Mean prison time served for current offense in months (prison releases only):	N/A
Marital Status:	%		
Single	62.2	Rearrest rates (fingerprinted rearrest):	%
Divorced/Separated	19.6	Any offense	34.0
Married/Widowed	16.9	Violent offense	9.8
Other/Unknown	1.3	Property offense	18.7
12 years of education or more:	47.7	Drug offense	12.3
		Other offense	11.0
Percentage with at least one prior fingerprinted arrest:	77.2	Mean number of subsequent arrests	0.7
		Average time to first recidivist arrest (months)	8.5
Mean number of prior fingerprinted arrests:		Participation in programs:	%
Any offense	2.6	<i>Probation Entries</i>	
Violent offense	0.5	SSA Probation-Community Punishment	30.5
Property offense	1.4	SSA Probation-Intermediate Punishment	69.5
Drug offense	0.7	Intensive Supervision Probation	34.2
Other offense	0.4	Community Service	40.4
		IMPACT	3.4
		House Arrest with Electronic Monitoring	6.8

COMMUNITY SERVICE WORK PROGRAM - PROBATION

In existence in North Carolina since 1981, the Community Service Work Program offers offenders an opportunity to repay the community for damages resulting from their criminal acts. Community service work requires the offender to work for free for public and nonprofit agencies. It also requires each offender to pay a fee of \$100 to participate in the program. This fee goes to the General Assembly.

Community service work is a community punishment. It can be imposed as the sole condition of probation if the offender's offense class and prior record or conviction level authorize a community punishment as a sentence disposition, or it can be used in conjunction with other sanctions.

Community service staff interview offenders, assign them to work at various agencies, and monitor their progress in the program. After the initial interview, staff are required to have monthly contact with the offender, the agency, or, in the case of supervised probation, the supervising officer. This contact is usually achieved by the offender reporting in person or by telephone to the community service staff or by the staff contacting the agency to check on the offender. If the offender is placed on basic supervised probation or intensive probation, community service staff must report compliance or noncompliance to the probation/parole officer who will take appropriate actions.

Community service work is a statewide program administered by the Division of Victim and Justice Services in the Department of Crime Control and Public Safety. Effective January 1, 2002, the community service work program was moved to the Department of Correction and will be directly administered by the Division of Community Corrections.

Community Service – Probation Entries Fiscal Year 1998/99
--

Number of clients (N): 12,999

Age in years:		Current offense:	%
Mean	26	Violent felony	4.7
Median	24	Property felony	16.8
		Drug felony	19.8
Gender:	%	Other felony	1.8
Male	76.2	Violent misdemeanor	11.7
Female	23.8	Property misdemeanor	29.8
		Drug misdemeanor	9.2
Race:	%	Other misdemeanor	6.2
Black	52.0		
Non-Black	48.0	Mean prison time served for current offense in months (prison releases only):	N/A
Marital Status:	%		
Single	69.8	Rearrest rates (fingerprinted rearrest):	%
Divorced/Separated	14.4	Any offense	30.1
Married/Widowed	14.4	Violent offense	8.0
Other/Unknown	1.4	Property offense	16.1
		Drug offense	11.4
12 years of education or more:	47.2	Other offense	8.6
Percentage with at least one prior fingerprinted arrest:	72.1	Mean number of subsequent arrests	0.6
Mean number of prior fingerprinted arrests:		Average time to first recidivist arrest (months)	8.9
Any offense	2.0		
Violent offense	0.3	Participation in programs:	%
Property offense	1.1	<i>Probation Entries</i>	
Drug offense	0.5	SSA Probation - Community Punishment	68.5
Other offense	0.3	SSA Probation - Intermediate Punishment	31.5
		Intensive Supervision Probation	33.7
		Special Probation	13.6
		IMPACT	3.8
		House Arrest with Electronic Monitoring	5.1

IMPACT PROGRAM (BOOT CAMP)⁴³

The Intensive Motivational Program of Alternative Correctional Treatment (IMPACT) is a condition of special probation (split sentence) in which the offender must serve an active sentence of ninety to 120 days, and then remain on supervised probation. (Effective December 1, 1998, IMPACT is no longer a condition of special probation but is considered a residential program.) The goal of the IMPACT program is to instill self-confidence, discipline, and a work ethic through a strictly regimented paramilitary program. Boot camps are commonly referred to as shock incarceration programs.

IMPACT is an intermediate punishment for male and female offenders between the ages of sixteen and thirty, who are convicted of a Class 1 misdemeanor, Class A1 misdemeanor, or a felony, and who are medically fit. If the offender's class of offense and prior record or conviction level authorize an intermediate punishment as a sentence disposition, the judge has the discretion to place an offender in the IMPACT program. Judges may also sentence an offender to IMPACT from a less restrictive supervision level in response to violations of the conditions of probation.

There are two facilities that offer the IMPACT Program: IMPACT East and IMPACT West. At IMPACT East and West, a maximum of thirty male offenders enter the first of three phases of the IMPACT Program every fourteen days, and every four months a maximum of thirty female offenders enter IMPACT West. Offenders are required to exercise, drill, work, and attend school. In their first two weeks, they devote more than thirty minutes a day to marching drills and are required to march wherever they go for the entire ninety days. They spend more than seven hours a day at work. Much of the work involves clearing land or cleaning property for federal, state, and local government agencies. Offenders receive a battery of tests upon arrival at IMPACT. A determination is then made of their educational level and needs by testing that is performed by community colleges. Individualized instruction is offered by teachers from Richmond Community College for those who do not possess a high school diploma. Offenders who have graduated from high school are put into a tutoring program. They also receive counseling. Instructors help them develop social, job, and budget management skills. Participants normally graduate after successfully completing the ninety day program; however, they can be required to stay for up to 120 days for disciplinary reasons. After graduation from IMPACT, the offender is released to the custody of his probation officer to complete his probation period.

IMPACT has been administered by various divisions within the Department of Correction. At the onset of FY 1999/00, administration was placed under the Secretary's Office within the Department of Correction. Effective November 1, 2001, the female component of IMPACT was abolished.

⁴³ For the purposes of this study and to be consistent methodologically, all program participation information for probationers was programmed using the Special Conditions and Sanctions table in OPUS. The DOC has used the External Movements table in OPUS for their studies of IMPACT, which yields a higher number of IMPACT participants.

IMPACT Fiscal Year 1998/99

Number of clients (N): 947

Age in years:		Current offense:	%
Mean	18	Violent felony	12.9
Median	18	Property felony	30.5
		Drug felony	22.4
Gender:	%	Other felony	3.0
Male	93.6	Violent misdemeanor	6.4
Female	6.4	Property misdemeanor	18.1
		Drug misdemeanor	3.4
Race:	%	Other misdemeanor	3.3
Black	54.7		
Non-Black	45.3	Mean prison time served for current offense in months (prison releases only):	N/A
Marital Status:	%		
Single	94.3	Rearrest rates (fingerprinted rearrest):	%
Divorced/Separated	2.2	Any offense	45.1
Married/Widowed	2.9	Violent offense	12.7
Other/Unknown	0.6	Property offense	26.7
		Drug offense	16.9
12 years of education or more:	22.2	Other offense	11.9
Percentage with at least one prior fingerprinted arrest:	81.2	Mean number of subsequent arrests	0.9
		Average time to first recidivist arrest (months)	8.5
Mean number of prior fingerprinted arrests:		Participation in programs:	%
Any offense	1.9	<i>Probation Entries</i>	
Violent offense	0.3	SSA Probation - Community Punishment	40.8
Property offense	1.0	SSA Probation - Intermediate Punishment	59.2
Drug offense	0.5	Intensive Supervision Probation	62.8
Other offense	0.3	Special Probation	15.5
		Community Service	52.2
		House Arrest with Electronic Monitoring	12.9

HOUSE ARREST WITH ELECTRONIC MONITORING

House arrest with electronic monitoring is a special condition of supervised probation, parole, or post-release supervision. The purposes of house arrest with electronic monitoring are to restrict the offender's freedom and movement in the community, increase supervision of convicted offenders, ease prison overcrowding, and save taxpayers money. House arrest with electronic monitoring is available statewide through the Division of Community Corrections within the Department of Correction.

House arrest with electronic monitoring as a condition of supervised probation is an intermediate punishment. If the offender's class of offense and prior record or conviction level authorize an intermediate punishment as a sentence disposition, the judge has the discretion to place an offender on house arrest with electronic monitoring. Judges may also use this sanction in response to an offender's violation of the conditions of probation.

The Post-Release Supervision and Parole Commission may impose house arrest with electronic monitoring for offenders on parole or post-release supervision. They may also modify the conditions for offenders on parole or post-release supervision to reflect the addition of house arrest with electronic monitoring in response to violations.

All house arrest with electronic monitoring cases are supervised by probation and parole officers who respond to violations during regular work hours. Designated electronic house arrest response officers respond to violations after regular work hours.

House arrest with electronic monitoring uses computer technology to monitor and restrict the offender's movement. Other than approved leave to go to work or to receive rehabilitative services, the offender is restricted to his/her home. Through the use of a transmitter strapped to an offender's ankle and linked by telephone lines to a central computer, a continuous signal is emitted. If this signal is interrupted by the offender going beyond the authorized radius of the receiver, the host computer records the date and time of the signal's disappearance. The computer will also record the date and time the signal resumes. If a signal interruption occurs during a period when the probationer or parolee should be at home, the violation is checked by the probation/parole officer or by a designated electronic house arrest response officer. The average stay on house arrest is ninety days, after which the offender is initially supervised as a high-risk case on regular probation, parole, or post-release supervision.

House Arrest With Electronic Monitoring Fiscal Year 1998/99
--

Number of clients (N): 1,382

Age in years:		Current offense:	%
Mean	27	Violent felony	11.1
Median	25	Property felony	21.5
		Drug felony	22.6
Gender:	%	Other felony	2.2
Male	80.3	Violent misdemeanor	11.7
Female	19.7	Property misdemeanor	20.3
		Drug misdemeanor	6.1
Race:	%	Other misdemeanor	4.5
Black	54.5		
Non-Black	45.5	Mean prison time served for current offense in months (prison releases only):	N/A
Marital Status:	%		
Single	67.8	Rearrest rates (fingerprinted rearrest):	%
Divorced/Separated	16.7	Any offense	33.9
Married/Widowed	14.7	Violent offense	7.5
Other/Unknown	0.8	Property offense	18.0
12 years of education or more:	45.7	Drug offense	14.6
		Other offense	7.2
Percentage with at least one prior fingerprinted arrest:	79.0	Mean number of subsequent arrests	0.6
		Average time to first recidivist arrest (months)	9.2
Mean number of prior fingerprinted arrests:		Participation in programs:	%
Any offense	2.3	<i>Probation Entries</i>	
Violent offense	0.4	SSA Probation - Community Punishment	34.5
Property offense	1.2	SSA Probation - Intermediate Punishment	65.5
Drug offense	0.6	Intensive Supervision Probation	43.9
Other offense	0.3	Special Probation	21.4
		Community Service	47.7
		IMPACT	8.8

PRISON RELEASES (STRUCTURED SENTENCING ACT)

Under the Structured Sentencing Act (SSA), which became effective for those offenses committed on or after October 1, 1994, offenders are released after serving their maximum sentence minus earned time and/or credit for pre-trial (or pre-conviction) confinement.

Since parole was eliminated when Structured Sentencing was enacted, offenders are not subject to any community supervision unless they have been incarcerated for a felony in the range from Class B1 (excluding those offenders sentenced to life without parole) through Class E. Offenders who fall into this range are placed on post-release supervision by the Post-Release Supervision and Parole Commission upon the completion of their prison sentence. Offenders who are placed on post-release supervision are generally supervised for a period of nine months by a probation officer of the Division of Community Corrections within the Department of Correction. Revocation of this term of supervision is authorized only by the Post-Release Supervision and Parole Commission.

SSA Prison Release Fiscal Year 1998/99

Number of clients (N): 13,409

Age in years:		Current offense:	%
Mean	30	Violent felony	11.2
Median	29	Property felony	31.1
		Drug felony	30.6
Gender:	%	Other felony	4.8
Male	88.3	Violent misdemeanor	8.7
Female	11.7	Property misdemeanor	9.4
		Drug misdemeanor	2.8
Race:	%	Other misdemeanor	1.4
Black	66.0		
Non-Black	34.0	Mean prison time served for current offense in months (prison releases only):	8.5
Marital Status:	%		
Single	65.5	Rearrest rates (fingerprinted rearrest):	%
Divorced/Separated	20.7	Any offense	43.3
Married/Widowed	13.7	Violent offense	12.8
Other/Unknown	0.1	Property offense	22.9
		Drug offense	18.8
12 years of education or more:	44.8	Other offense	15.5
Percentage with at least one prior fingerprinted arrest:	93.1	Mean number of subsequent arrests	0.9
		Average time to first recidivist arrest (months)	9.2
Mean number of prior fingerprinted arrests:		Participation in programs:	%
Any offense	4.4	<i>Prison Releases</i>	
Violent offense	0.8	Not applicable	
Property offense	2.5		
Drug offense	1.2		
Other offense	0.6		

PRISON RELEASES: MAX-OUTS (FAIR SENTENCING ACT)

Under the Fair Sentencing Act, offenders are considered to “max-out” when they are unconditionally released from prison after serving their entire sentence (minus credit for good time, gain time, or pre-conviction confinement). These offenders are not subject to any community supervision or other conditions of parole.

FSA Max-Out Fiscal Year 1998/99
--

Number of clients (N): 1,134

Age in years:		Current offense:	%
Mean	32	Violent felony	30.3
Median	31	Property felony	31.4
		Drug felony	19.4
Gender:	%	Other felony	4.5
Male	94.0	Violent misdemeanor	3.4
Female	6.0	Property misdemeanor	8.6
		Drug misdemeanor	1.2
Race:	%	Other misdemeanor	1.2
Black	66.3		
Non-Black	33.7	Mean prison time served for current offense in months (prison releases only):	56.8
Marital Status:	%		
Single	66.1	Rearrest rates (fingerprinted rearrest):	%
Divorced/Separated	19.8	Any offense	41.4
Married/Widowed	14.0	Violent offense	16.2
Other/Unknown	0.1	Property offense	23.9
12 years of education or more:	47.9	Drug offense	14.6
		Other offense	18.0
Percentage with at least one prior fingerprinted arrest:	91.9	Mean number of subsequent arrests	0.9
		Average time to first recidivist arrest (months)	10.1
Mean number of prior fingerprinted arrests:		Participation in programs:	%
Any offense	4.5	<i>Prison Releases</i>	
Violent offense	0.9	Not applicable	
Property offense	2.7		
Drug offense	0.8		
Other offense	0.6		

PAROLE (FAIR SENTENCING ACT)

Parole is a conditional, early release from a prison sentence to community supervision. Offenders who committed their offense prior to October 1, 1994, were sentenced under the Fair Sentencing Act (FSA) and are eligible to be considered for parole by the Post-Release Supervision and Parole Commission. Under FSA, the Post-Release Supervision and Parole Commission determines parole release and sets the conditions of parole supervision. Parole eligibility depends on the laws under which the offender was sentenced and the type of offense for which the offender was sentenced. With the onset of Structured Sentencing on October 1, 1994, parole was eliminated for all offenses except for impaired driving offenses, which are not sentenced according to the Structured Sentencing laws.

The purposes of parole are to protect the public and assist the offender in reintegration into the community. The Post-Release Supervision and Parole Commission is responsible for establishing the conditions of parole for eligible offenders. These conditions are often similar in nature to probation conditions and may be imposed to further restrict freedom and limit movement in the community, or establish a complete individual treatment plan which addresses the special needs and risk level of the offender (*e.g.*, Intensive Supervision, Community Service).

Probation/parole officers of the Division of Community Corrections within the Department of Correction supervise offenders while they are on parole. Officers may serve as brokers of community treatment and educational resources as they supervise the conduct of offenders to ensure compliance with conditions of parole. It is ultimately the Post-Release Supervision and Parole Commission that has the authority to revoke or terminate an offender from parole.

FSA Parole Fiscal Year 1998/99

Number of clients (N): 4,148

Age in years:		Current offense:	%
Mean	32	Violent felony	25.8
Median	31	Property felony	43.1
		Drug felony	24.1
Gender:	%	Other felony	1.3
Male	91.9	Violent misdemeanor	1.2
Female	8.1	Property misdemeanor	3.9
		Drug misdemeanor	0.3
Race:	%	Other misdemeanor	0.3
Black	65.5		
Non-Black	34.5	Mean prison time served for current offense in months (prison releases only):	50.4
Marital Status:	%		
Single	61.9	Rearrest rates (fingerprinted rearrest):	%
Divorced/Separated	20.2	Any offense	36.2
Married/Widowed	17.7	Violent offense	11.2
Other/Unknown	0.2	Property offense	19.1
12 years of education or more:	49.3	Drug offense	13.3
		Other offense	13.6
Percentage with at least one prior fingerprinted arrest:	95.3	Mean number of subsequent arrests	0.7
		Average time to first recidivist arrest (months)	10.5
Mean number of prior fingerprinted arrests:		Participation in programs:	%
Any offense	4.6	<i>Prison Releases</i>	
Violent offense	0.9	Intensive Supervision Parole (FSA parole only) ..	12.1
Property offense	2.9	Community Service (FSA parole only)	37.1
Drug offense	0.9		
Other offense	0.5		

INTENSIVE SUPERVISION PAROLE (FAIR SENTENCING ACT)

Parole is a conditional, early release from a prison sentence to community supervision. Offenders who committed their offense prior to October 1, 1994, were sentenced under the Fair Sentencing Act (FSA) and are eligible to be considered for parole by the Post-Release Supervision and Parole Commission. Under FSA, the Post-Release Supervision and Parole Commission determines parole release and sets the conditions of parole supervision. Parole eligibility depends on the laws under which the offender was sentenced and the type of offense for which the offender was sentenced. With the onset of Structured Sentencing on October 1, 1994, parole was eliminated for all offenses except for impaired driving offenses which are not sentenced according to the Structured Sentencing laws.

The Post-Release Supervision and Parole Commission can authorize as a condition of parole that an offender be placed on Intensive Supervision in order to provide more restrictive, limited parameters within the community. Probation officers of the Division of Community Corrections within the Department of Correction supervise offenders while they are on parole. If offenders are placed on Intensive Supervision, they are assigned to an intensive team which is comprised of an intensive probation officer and a surveillance officer. Each team member has a specific set of minimum standards to fulfill for each case.

The purposes of parole are to protect the public and assist the offender in reintegration into the community. Probation/parole officers may also serve as brokers of community treatment and educational resources as they supervise the conduct of offenders to ensure compliance with conditions of parole. It is ultimately the Post-Release Supervision and Parole Commission that has the authority to revoke or terminate an offender from parole.

Intensive Supervision Parole - FSA Parole Fiscal Year 1998/99
--

Number of clients (N): 500

Age in years:		Current offense:	%
Mean	33	Violent felony	38.8
Median	32	Property felony	40.0
		Drug felony	18.0
Gender:	%	Other felony	1.2
Male	95.2	Violent misdemeanor	0.4
Female	4.8	Property misdemeanor	1.6
		Drug misdemeanor	0.0
Race:	%	Other misdemeanor	0.0
Black	61.4		
Non-Black	38.6	Mean prison time served for current offense in	
		months (prison releases only):	56.1
Marital Status:	%		
Single	61.2	Rearrest rates (fingerprinted rearrest):	%
Divorced/Separated	19.4	Any offense	36.2
Married/Widowed	19.2	Violent offense	10.6
Other/Unknown	0.2	Property offense	18.8
		Drug offense	10.8
12 years of education or more:	46.2	Other offense	13.4
Percentage with at least one prior	%	Mean number of subsequent arrests	0.6
fingerprinted arrest:	95.0		
		Average time to first recidivist arrest	11.3
Mean number of prior fingerprinted		(months)	
arrests:			
Any offense	4.7	Participation in programs:	%
Violent offense	1.1	<i>Prison Releases</i>	
Property offense	2.8	FSA Parole	100.0
Drug offense	0.8	Community Service (FSA parole only)	52.8
Other offense	0.5		

FSA COMMUNITY SERVICE PAROLE

Felons sentenced to prison under the Fair Sentencing Act for an active sentence of more than six months (except those convicted of a sex offense, kidnapping, abduction of children and drug trafficking) are eligible for community service parole. The parolee must perform, as a condition of parole, community service in an amount and over a period of time to be determined by the Post-Release Supervision and Parole Commission.

Community service work is a statewide program that is administered by the Division of Victim and Justice Services in the Department of Crime Control and Public Safety. Effective January 1, 2002, the community service work program was moved to the Department of Correction and will be directly administered by the Division of Community Corrections.

Community service staff interview offenders, assign them to work at various agencies, and monitor their progress in the program. After the initial interview, staff are required to have monthly contact with the offender, the agency, or, in the case of parole, the supervising officer. This contact is usually achieved by the offender reporting in person or by telephone to the community service staff or by the staff contacting the agency to check on the offender. If the offender is placed on parole, community service staff must report compliance or noncompliance to the probation/parole officer who will take appropriate actions.

**Community Service – FSA Parole
Fiscal Year 1998/99**

Number of clients (N): 1,540

Age in years:		Current offense:	%
Mean	32	Violent felony	11.3
Median	31	Property felony	56.6
		Drug felony	29.3
Gender:	%	Other felony	1.0
Male	90.2	Violent misdemeanor	0.3
Female	9.8	Property misdemeanor	1.4
		Drug misdemeanor	0.1
Race:	%	Other misdemeanor	0.0
Black	64.0		
Non-Black	36.0	Mean prison time served for current offense in months (prison releases only):	42.0
Marital Status:	%		
Single	61.2	Rearrest rates (fingerprinted rearrest):	%
Divorced/Separated	18.9	Any offense	32.7
Married/Widowed	19.8	Violent offense	8.7
Other/Unknown	0.1	Property offense	18.5
		Drug offense	10.6
12 years of education or more:	51.1	Other offense	10.4
Percentage with at least one prior fingerprinted arrest:	96.6	Mean number of subsequent arrests	0.6
Mean number of prior fingerprinted arrests:		Average time to first recidivist arrest	10.8
Any offense	4.9	(months)	
Violent offense	0.7	Participation in programs:	%
Property offense	3.2	<i>Prison Releases</i>	
Drug offense	1.0	FSA Parole	100.0
Other offense	0.5	Intensive Supervision Parole (FSA parole only) ..	17.1

SOAR (SEX OFFENDER ACCOUNTABILITY AND RESPONSIBILITY)

The SOAR (Sex Offender Accountability and Responsibility) program, which began in 1991, serves incarcerated male felons who are in need of treatment for sexual crimes. Inmates who are selected to participate in the program must meet certain criteria. These criteria include inmates who: have a felony conviction, are age 21 or older, are in medium or minimum custody, volunteer for the program, admit to committing a sexual offense, do not have a severe mental illness, have at least a 6th grade reading level, and are willing and able to participate in highly confrontational groups as part of the treatment. Inmates who are eligible are identified in their units by the Director of Psychological Services and referred directly to SOAR staff, who then make the final selection of participants.

The program spans two separate 20 week cycles that serve approximately 40 inmates per cycle, or 80 inmates per year. When participants have completed the SOAR program without any significant violations, they are returned to the regular inmate population. By 1999, SOAR aftercare programs existed in approximately 23 units.

In an effort to create a continuum of care, a Pre-SOAR program exists in a limited number of prisons. Pre-SOAR is not a treatment modality, but an introductory orientation to the program that presents SOAR concepts and vocabulary to inmates. The program requires one to two hours of work per week for a total of 10-16 weeks. Pre-SOAR is directed toward those inmates who qualify for SOAR treatment but who are not chosen due to limited space, or who have special needs (*e.g.*, Attention Deficit Disorder, hearing impaired).

The SOAR program has been funded by the Department of Correction and housed at Harnett Correctional Institution from its inception.

SOAR Fiscal Year 1998/99

Number of clients (N): 68

Age in years:		Current offense:	%
Mean	35	Violent felony	92.7
Median	34	Property felony	7.3
		Drug felony	0.0
Gender:	%	Other felony	0.0
Male	100.0	Violent misdemeanor	0.0
Female	0.0	Property misdemeanor	0.0
		Drug misdemeanor	0.0
Race:	%	Other misdemeanor	0.0
Black	35.3		
Non-Black	64.7	Mean prison time served for current offense in months (prison releases only):	63.4
Marital Status:	%	Rearrest rates (fingerprinted rearrest):	%
Single	41.2	Any offense	19.1
Divorced/Separated	33.8	Violent offense	1.5
Married/Widowed	25.0	Property offense	5.9
Other/Unknown	0.0	Drug offense	0.0
12 years of education or more:	48.5	Other offense	16.2
Percentage with at least one prior fingerprinted arrest:	94.1	Mean number of subsequent arrests	0.3
Mean number of prior fingerprinted arrests:		Average time to first recidivist arrest (months)	12.4
Any offense	2.5	Participation in programs:	%
Violent offense	0.7	<i>Prison Releases</i>	
Property offense	1.0	SSA Prison Release	23.5
Drug offense	0.1	FSA Max-Out	16.2
Other offense	1.2	FSA Parole	60.3
		Intensive Supervision Parole (FSA parole only)	8.8

DART (DRUG ALCOHOL RECOVERY TREATMENT) - PRISON

The DART program is a five week term of intensive treatment for female and male inmates with alcohol and/or drug addiction problems. The DART program was implemented in 1988 and is operated by the Division of Alcohol and Chemical Dependency of the Department of Correction. DART is based on a modified version of the Minnesota model of treatment which provides inmates with drug and/or alcohol problems an initial opportunity to engage in treatment and early recovery. Programs are generally offered in a medium security prison or area of the prison, so residential and program space is separate from the prisons' other programs or inmate housing. In 2001, DART programs were offered at approximately 17 prisons.

In each prison, the division of Alcoholism and Chemical Dependency Program Director is responsible for administering the in-patient treatment program while the warden or superintendent is responsible for all matters pertaining to custody, security and administration of the prison. Inmates generally enter the program by having scored at a certain level on either of the two alcohol and chemical dependency tests which are given to each inmate entering the prison system through a Diagnostic and Reception center. Inmates may also be referred to DART by the sentencing judge, other prison staff, or self-referral.

After inmates have completed DART and have returned to the regular prison population, they are involved in follow-up. A specific plan is developed for each inmate's follow-up, including active involvement with Alcoholics Anonymous, Narcotics Anonymous, community resources and personal sponsorship.

DART-Prison
Fiscal Year 1998/99

Number of clients (N): 5,886

Age in years:		Current offense:	%
Mean	32	Violent felony	15.4
Median	32	Property felony	40.8
		Drug felony	36.0
Gender:	%	Other felony	6.3
Male	89.5	Violent misdemeanor	0.3
Female	10.5	Property misdemeanor	1.0
		Drug misdemeanor	0.1
Race:	%	Other misdemeanor	0.1
Black	62.2		
Non-Black	37.8	Mean prison time served for current offense in	
		months (prison releases only):	21.2
Marital Status:	%	Rearrest rates (fingerprinted rearrest):	%
Single	59.8	Any offense	42.7
Divorced/Separated	24.5	Violent offense	11.9
Married/Widowed	15.6	Property offense	23.5
Other/Unknown	0.1	Drug offense	18.0
12 years of education or more:	49.5	Other offense	15.9
Percentage with at least one prior	%	Mean number of subsequent arrests	0.9
fingerprinted arrest:	96.2	Average time to first recidivist arrest	
Mean number of prior fingerprinted		(months)	9.5
arrests:		Participation in programs:	%
Any offense	4.9	<i>Prison Releases</i>	
Violent offense	0.8	SSA Prison Release	70.4
Property offense	2.8	FSA Max-Out	5.2
Drug offense	1.3	FSA Parole	24.4
Other offense	0.6	Intensive Supervision Parole (FSA parole only) ..	2.6
		Community Service (FSA parole only)	9.7

WORK RELEASE

The Work Release Program provides selected inmates the opportunity for employment in the community during imprisonment, consequently addressing the transitional needs of soon-to-be released inmates. The opportunity for Work Release participation is based on factors such as the sentence received, the sentencing laws under which the offender was sentenced, and the inmate's record of behavior. Work Release is only available to minimum custody inmates who are in the final stage of imprisonment. Inmates are carefully screened for participation and can only be approved for the program by prison managers or the Post-Release Supervision and Parole Commission.

In the Work Release program, inmates are allowed to leave the prison each day to work and are required to return to the prison when their work is finished. The job plan and job site must be reviewed and approved by prison managers. Inmates must work in a supervised setting and cannot work for family members or operate their own businesses. The Work Release employer must receive an orientation from Division of Prison staff, agree to the rules of the program and have Worker's Compensation insurance. Inmates must earn at least minimum wage. Earnings from Work Release wages are used to pay restitution and fines, family support, prison housing and Work Release transportation costs. Any remaining money can be set aside for the inmates to use upon their release from prison.

Work Release Fiscal Year 1998/99

Number of clients (N): 2,074

Age in years:		Current offense:	%
Mean	33	Violent felony	27.1
Median	34	Property felony	33.2
		Drug felony	25.4
Gender:	%	Other felony	8.6
Male	91.1	Violent misdemeanor	1.8
Female	8.9	Property misdemeanor	3.2
		Drug misdemeanor	0.5
Race:	%	Other misdemeanor	0.2
Black	63.7		
Non-Black	36.3	Mean prison time served for current offense in months (prison releases only):	41.6
Marital Status:	%		
Single	55.1	Rearrest rates (fingerprinted rearrest):	%
Divorced/Separated	25.3	Any offense	34.5
Married/Widowed	19.5	Violent offense	9.6
Other/Unknown	0.1	Property offense	18.3
12 years of education or more:	52.5	Drug offense	13.4
		Other offense	14.1
Percentage with at least one prior fingerprinted arrest:	95.5	Mean number of subsequent arrests	0.7
		Average time to first recidivist arrest (months)	10.3
Mean number of prior fingerprinted arrests:		Participation in programs:	%
Any offense	4.9	<i>Prison Releases</i>	
Violent offense	0.9	SSA Prison Release	48.3
Property offense	2.9	FSA Max-Out	10.9
Drug offense	1.1	FSA Parole	40.8
Other offense	0.6	Intensive Supervision Parole (FSA parole only)	6.1
		Community Service (FSA parole only)	16.3

APPENDIX B:
GLOSSARY OF MAJOR
VARIABLES,
MEASURING OFFENDER RISK,
AND
MULTIVARIATE TABLES

APPENDIX B-1 GLOSSARY OF MAJOR VARIABLES

Age: Age at release from prison or entry to probation.

Current Conviction (Most Serious): Each offender's conviction(s) that placed him/her in the sample as a prison release or a probation entry during FY 1998/99 were ranked in terms of seriousness based on offense class and sentence length. The most serious current conviction, based on these criteria, was used for analysis purposes.

Drug Offenses: This category included trafficking of controlled substances and other offenses involving the sale, delivery, possession, or manufacture of controlled substances.

Education: Self-reported educational status (highest grade level claimed). Education was categorized as a dichotomous variable, with the two categories being less than 12 years of education and 12 years of education or more.

Employment: Based on wages reported to the North Carolina Employment Security Commission (ESC), employment was defined as a dichotomous variable indicating whether an offender was employed or not employed during the 12 months following release into the community (*i.e.*, upon release from prison or entry to probation). Any wages reported to the ESC in at least one of the four quarters following release were used as an indicator of being employed.

Follow-Up Period: Each offender was tracked for a period of two years to determine whether recidivist arrests or convictions occurred. The two-year follow-up period was calculated on an individual basis using the prison release date plus two years for prisoners and using the probation entry date plus two years for probationers.

Marital Status: Marital status was defined in two ways. In the body of the report, marital status was categorized as married or not married. In Appendix A, marital status was categorized as follows: single, divorced/separated, married/widowed, and other/unknown (to be consistent with previous reports).

Max-Out Releases (FSA): An offender who was sentenced under the Fair Sentencing Act and was unconditionally released from prison (*i.e.*, with no supervision in the community) after serving his/her entire sentence, minus credit for good time, gain time, or pre-conviction confinement. Also referred to as max-outs.

Mean Number of Prior Arrests: The calculation of the mean (also referred to as average) number of prior arrests included offenders who had no prior arrests.

Mean Number of Recidivist Arrests: The calculation of the mean (also referred to as average) number of recidivist arrests included offenders who had no recidivist arrests.

Offense Type: Offenses were broadly classified into the following categories: violent, property, drug, and other. A definition for each type of offense is also provided in this glossary.

“Other” Offenses: This category consisted of offenses that were not categorized as violent, property, or drug offenses. Examples include prostitution, obscenity, contributing to the delinquency of a minor, and abandonment or non-support of a child.

Parole Releases (FSA): An offender who was sentenced under the Fair Sentencing Act and was given an early, conditional release back into the community with supervision. Also referred to as parolees.

Prior Arrests: Division of Criminal Information (DCI) fingerprinted arrest data were used to determine prior arrests. Prior arrests were defined as fingerprinted arrests that occurred before the conviction that placed the offender in this sample. Each prior arrest was counted in the category for the offense involved: violent, property, drug, and other. If a prior arrest event (a single arrest date) involved more than one type of offense, it was counted in each offense category. For example: if an offender had two prior arrest events, one arrest event that included a violent charge and a property charge, and another arrest event that included a property charge and a drug charge, that resulted in a count of one prior violent arrest, two prior property arrests, and one prior drug arrest, as well as an overall count of two prior arrests. Arrests for impaired driving or other traffic offenses were excluded from analysis, as were arrests that were not for crimes – for example, arrests for technical violations of probation or parole.

Prison Releases (SSA): An offender who was sentenced under the Structured Sentencing Act, served his/her maximum sentence minus earned time and time for pre-conviction confinement, and was released back into the community without any supervision. Note: A small number of offenders (n=399 or 3%) in this category received post-release supervision.

Probation Entries with a Community Punishment (SSA): An offender who was sentenced under the Structured Sentencing Act and received a community punishment. Community punishments may consist of a fine, unsupervised probation (although unsupervised probationers were excluded from the sample), or supervised probation, alone or with one or more of the following conditions: outpatient drug/alcohol treatment, community service, assignment to TASC, payment of restitution, or any other conditions of probation that are not considered an intermediate punishment. Also referred to as probationers with a community punishment or community punishment probationers.

Probation Entries with an Intermediate Punishment (SSA): An offender who was sentenced under the Structured Sentencing Act and received an intermediate punishment. An intermediate punishment requires a period of supervised probation with at least one of the following conditions: special probation, assignment to a residential treatment program, house arrest with electronic monitoring, intensive probation, or assignment to a day reporting center. Also referred to as probationers with an intermediate punishment or intermediate punishment probationers.

Property Offenses: This category included offenses such as burglary, breaking and/or entering, larceny, fraud, forgery and/or uttering, receiving and/or possessing stolen goods, and embezzlement.

Race: Race was categorized as black or non-black. Due to the very small number of offenders who were Hispanic, Asian/Oriental, or Other, these offenders were included with white offenders in the non-black category.

Recidivist Arrests: Division of Criminal Information (DCI) fingerprinted arrest data were used to determine recidivism. Recidivist arrests (also referred to as rearrests) were defined as fingerprinted arrests that occurred after an offender was released from prison or placed on probation for the conviction that placed him/her in the sample. Each rearrest was counted in the category for the offense involved: violent, property, drug, and other. If a rearrest event (a single arrest date) involved more than one type of offense, it was counted in each offense category. For example: if an offender had two rearrest events, one arrest event that included a violent charge and a property charge, and another arrest event that included a property charge and a drug charge, that resulted in a count of one violent rearrest, two property rearrests, and one drug rearrest, as well as an overall count of two rearrests. Arrests for impaired driving or other traffic offenses were excluded from analysis, as were arrests that were not for crimes – for example, arrests for technical violations of probation or parole.

Risk: Risk was defined as the projected probability of rearrest. The definition of risk used in this study does not measure seriousness of future offenses or offender dangerousness.

Substance Abuser: Any offender who was identified as having a substance abuse problem by either a prison assessment or a probation assessment. This variable was used in the multivariate analyses.

Time to Rearrest: Applicable only for offenders who have rearrests. Time to rearrest was defined as the period of time between the offender's date of release from prison or entry to probation and the date of their first rearrest.

Type of Supervision: Type of supervision was defined as an offender's status at entry into the study sample. The five categories of supervision were as follows: SSA probation entries with a community punishment, SSA probation entries with an intermediate punishment, SSA prison releases, FSA parole releases, and FSA max-out releases. A definition for each category is also provided in this glossary.

Violent Offenses: This category included offenses such as murder, rape, voluntary and involuntary manslaughter, kidnaping, robbery, arson, and other burning offenses.

APPENDIX B-2 MEASURING OFFENDER RISK

This section discusses the development of the risk variable used in a number of multivariate analyses in Chapters Three and Four.

Prediction of Risk

Various recidivism risk scales have been developed in the past, mainly for use by parole commissions and similar agencies. Two examples of these risk scales include the Statistical Information on Recidivism (SIR) scale used by Canadian Federal correctional authorities and the Salient Factor Score used by the United States (Federal) Parole Commission. Both risk scales are used to assess parole risk and are quite similar in the type of risk factors they include. Current offense, age, number of prior arrests and/or convictions, number of previous incarcerations, number of times on probation or parole, number of probation/parole revocations, history of escape, and drug dependence are among the factors considered in these scales. A risk score for each offender is computed using these scales.

Previous Sentencing Commission program evaluations have also considered risk (Clarke and Harrison, 1992; NC Sentencing and Policy Advisory Commission, 1998; NC Sentencing and Policy Advisory Commission, 2000). These earlier studies found that many of the differences between programs diminished when controlling for risk.

Individual level prediction of risk can be addressed in two basic ways: prospectively or retrospectively. A prospective instrument assigns a risk classification to offenders without making use of recidivism data. This is usually done as a temporary tool prior to the collection of recidivism data (and generally before the offender has the opportunity to recidivate). The North Carolina Department of Correction uses two prospective risk instruments, the inmate classification instrument and the probation risk instrument, primarily to assign appropriate levels of security/supervision to offenders. On the other hand, retrospective risk prediction has the advantage of using known recidivism as the dependent variable. Thus, using regression analysis we can assign a weight to items correlated with recidivism a weight based on their relative effects on the dependent variable. This is the type of risk prediction developed for the current study.

Measuring Risk

In this study risk is a composite measure based on individual characteristics identified in the literature as increasing or decreasing an offender's risk of being rearrested. Developing the risk model was a multi-step process. Once variables to consider were identified, tests for collinearity were performed to exclude variables with multicollinearity. The final list of variables selected to measure risk is shown in Figure B-1.

Figure B-1
Variables Included in Risk

In this study risk is a composite measure based on individual characteristics identified in the literature as increasing or decreasing an offender's risk of being rearrested. These characteristics include:

Social Factors

- Age when placed on probation or released from prison
- Race
- Sex
- Marital Status
- Employment Status at time of arrest for the offense that placed the offender in the sample
- History of substance abuse

Criminal Record Factors

- Age at first adult arrest
- Length of criminal history
- Number of prior arrests
- Prior drug arrest
- Number of prior incarcerations
- Number of prior probation/parole sentences
- Number of probation/parole revocations
- Current offense class
- Current maximum sentence length

Logistic regression was used to determine the impact of the factors shown in Figure B-1 on recidivism. This method allows prediction of a dependent variable that has two categories, in this case, recidivism or no recidivism. The regression model predicted a risk score for each offender and each variable included in the model was weighted based on its relative contribution to recidivism.

In order to differentiate the scores into low-, medium-, and high-risk categories, the scale was divided into terciles. This results in more arbitrary cut-off points and is considered more conservative than other methods (such as visual inspection of scales and division using optimal cut-off points). Offenders in the lowest third were categorized as low risk, the middle third as medium risk, and the highest third as high risk. The risk categories were then used in the multivariate analyses.

Caution should be used in interpreting the results of the risk analysis. The risk model shows the statistical relationship, if any, between the factors included in the model and the probability of rearrest. This does not necessarily mean that the factors used to predict the risk of recidivism are therefore the “causes” of recidivism. Risk prediction is also based on regression coefficients, which only roughly approximate causal ordering among variables. Indirect effects of variables tend to be ignored by regression analyses, identifying only part of the effect of any given variable. Correlations among predictor items, unless they are unduly high, are also ignored in risk instruments but cannot be ignored when determining causality. The recidivism prediction literature clearly shows that multicollinearity exists between the predictor characteristics of recidivism, but, if the magnitude of the correlations is not excessive, researchers are typically content to interpret the coefficients as indicative of a causal effect.

Appendix B-3, Table 1
Logistic Regression Results of Personal and Criminal Justice Factors on Recidivism: All Offenders
FY 1998/99 (n=58,238)

Independent Variables	Any Offense		Violent Offense		Property Offense		Drug Offense		Other Offense	
	b	se	b	se	b	se	b	se	b	se
Personal Characteristics										
Age (each year)	-.0430**	.0069	-.0407**	.0113	NS		-.0836**	.0092	-.0307**	.0106
Black	.2572**	.0233	.4149**	.0369	-.2105**	.0276	.7236**	.0348	.3533**	.0350
Male	.2285**	.0294	.5361**	.0535	NS		.3233**	.0437	.4093**	.0490
Married	-.0630*	.0300	NS		NS		-.2184**	.0457	NS	
Employed	-.1484**	.0224	-.1005**	.0333	-.0717**	.0267	-.2340**	.0297	-.1115**	.0317
Substance Abuser	.1271**	.0232	NS		.1021**	.0277	.1828**	.0308	NS	
Risk Level	.3584**	.0252	.4262**	.0370	.5485**	.0292	.2003**	.0340	.4374**	.0355
Current Offense Information										
Felony	-.0998**	.0252	-.3214**	.0387	NS		NS		NS	
Severity of Sentence	.0978**	.0166	.1226**	.0251	.0616**	.0201	.0793**	.0224	NS	
Maximum Sentence Imposed (months)	-.0023**	.0005	NS		-.0028**	.0006	-.0030**	.0007	-.0014*	.0007
Time Spent in Prison (months)	NS		NS		NS		NS		NS	
Criminal History										
Age at First Arrest	.0144**	.0025	NS		.0186**	.0031	.0075*	.0035	.0112**	.0038
# Prior Arrests	.1573**	.0057	.0791**	.0059	.1314**	.0054	.0756**	.0056	.1319**	.0058
Prior Drug Arrest	.1326**	.0230	NS		-.4407**	.0281	1.012**	.0324	.1690**	.0328
# Times on Probation/Parole	.0345**	.0128	.0405*	.0186	NS		NS		NS	
# Probation/Parole Revocations	.0719**	.0179	NS		.0569**	.0201	.0974**	.0226	.0644**	.0232

Appendix B-3, Table 1 (continued)

Independent Variables	Any Offense		Violent Offense		Property Offense		Drug Offense		Other Offense	
	b	se	b	se	b	se	b	se	b	se
# Prior Incarcerations	-.0429**	.0099	-.0304*	.0132	<i>NS</i>		-.0517**	.0124	-.0520**	.0124
Likelihood Ratio	8554.7500		2930.3354		4612.1543		5638.2544		4155.9083	

* Significant at $p > .05$ ** Significant at $p > .01$

Notes

1. For purposes of this study, recidivism is defined as one or more arrests during the fixed 24-month follow-up period starting at the time the offender was placed on probation or released from prison.
2. The square of the offender's age and time spent in prison were also included in the model as control variables.

Appendix B-3, Table 2
Logistic Regression Results of Personal and Criminal Justice Factors on Recidivism: Prisoners
FY 1998/99 (n=18,691)

Independent Variables	Any Offense		Violent Offense		Property Offense		Drug Offense		Other Offense	
	b	se	b	se	b	se	b	se	b	se
Personal Characteristics										
Age (each year)	-.0729**	.0126	-.0761**	.0196	NS		-.1008**	.0157	-.0626**	.0178
Black	.3042**	.0381	.3604**	.0563	-.2438**	.0431	.8309**	.0561	.3907**	.0531
Male	.2509**	.0577	.5129**	.0990	NS		.2262**	.0777	.3404**	.0873
Married	NS		NS		NS		-.1569*	.0682	NS	
Employed	-.0971**	.0360	NS		NS		-.1619**	.0452	NS	
Substance Abuser	.1605**	.0344	.1086*	.0486	.1590**	.0402	.1540**	.0442	NS	
Risk Level	.2138**	.0403	.2105**	.0582	.4555**	.0463	.1844**	.0549	.2189**	.0554
Current Offense Information										
Felony	NS		-.2505**	.0643	NS		NS		.3454**	.0671
Maximum Sentence Imposed (months)	-.0013*	.0006	NS		-.0024**	.0007	NS		NS	
Time Spent in Prison (months)	NS		NS		NS		NS		NS	
Criminal History										
Age at First Arrest	.0167**	.0039	-.0205**	.0065	.0301**	.0049	NS		NS	
# Prior Arrests	.1273**	.0072	.0563**	.0076	.1099**	.0069	.0644**	.0072	.1036**	.0073
Prior Drug Arrest	.1525**	.0355	NS		-.4042**	.0411	.9756**	.0487	.1553**	.0475
# Times on Probation/Parole	.0354*	.0176	NS		.0391*	.0198	NS		NS	
# Probation/Parole Revocations	.0897**	.0225	NS		NS		.1156**	.0280	.0778**	.0283
# Prior Incarcerations	NS		NS		.0313*	.0131	NS		NS	
Number of Prison Infractions	.0174**	.0030	.0224**	.0033	.0123**	.0031	NS		.0124**	.0032

Appendix B-3, Table 2 (continued)

Independent Variables	Any Offense		Violent Offense		Property Offense		Drug Offense		Other Offense	
	b	se								
Type of Community Supervision	<i>reference category</i>									
FSA Parole	<i>reference category</i>									
No Supervision (SSA and FSA Prison Releases)	.1286*	.0610	.1824*	.0854	.1800*	.0738	NS		NS	
Correctional Programs										
Intensive Supervision Parole	NS									
Community Service Parole	-.2398**	.0741	-.2503*	.1131	NS		-.4309**	.1062	-.4337**	.1052
Likelihood Ratio	2455.9303		923.1786		1572.3330		1981.1358		1292.0537	

* Significant at p>.05 ** Significant at p>.01

Notes

1. For purposes of this study, recidivism is defined as one or more arrests during the fixed 24-month follow-up period starting at the time the offender was placed on probation or released from prison.
2. The square of the offender’s age and time spent in prison were also included in the model as control variables.
3. Results for FSA prison releases who participated in intensive supervision parole or community service parole are compared to FSA max-outs.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1998/99 Correction Program Evaluation Data

Appendix B-3, Table 3
Logistic Regression Results of Personal and Criminal Justice Factors on Recidivism: Probationers
FY 1998/99 (n=39,547)

Independent Variables	Any Offense		Violent Offense		Property Offense		Drug Offense		Other Offense	
	b	se	b	se	b	se	b	se	b	se
Personal Characteristics										
Age (each year)	-.0372**	.0087	-.0388**	.0142	<i>NS</i>		-.0780**	.0119	-.0355**	.0136
Black	.2538**	.0302	.4628**	.0496	-.1703**	.0368	.6830**	.0458	.3375**	.0475
Male	.2075**	.0354	.5229**	.0650	-.0858*	.0432	.3528**	.0542	.4100**	.0606
Married	<i>NS</i>		<i>NS</i>		<i>NS</i>		-.2631**	.0619	<i>NS</i>	
Employed	-.2239**	.0303	-.1059*	.0477	-.1628**	.0369	-.3251**	.0425	-.1801**	.0459
Substance Abuser	.1513**	.0328	<i>NS</i>		.0839*	.0401	.2549**	.0442	<i>NS</i>	
Risk Level	.3546**	.0342	.4670**	.0509	.5148**	.0401	.1626**	.0465	.4748**	.0497
Current Offense Information										
Felony	-.2412**	.0320	-.4321**	.0526	-.1717**	.0398	-.1950**	.0451	-.2005**	.0491
Criminal History										
Age at First Arrest	.0159**	.0032	<i>NS</i>		.0134**	.0042	<i>NS</i>		.0229**	.0051
# Prior Arrests	.2155**	.0093	.1180**	.0096	.1732**	.0091	.0956**	.0091	.1847**	.0099
Prior Drug Arrest	.1255**	.0309	<i>NS</i>		-.4465**	.0390	1.041**	.0439	.1932**	.0462
# Times on Probation/Parole	<i>NS</i>		<i>NS</i>		<i>NS</i>		<i>NS</i>		<i>NS</i>	
# Probation/Parole Revocations	.0889**	.0312	<i>NS</i>		.1228**	.0358	.0892*	.0399	<i>NS</i>	
# Prior Incarcerations	-.1153**	.0178	-.1079**	.0251	-.0910**	.0204	-.0753**	.0227	-.0936**	.0235

Appendix B-3, Table 3 (continued)

Independent Variables	Any Offense		Violent Offense		Property Offense		Drug Offense		Other Offense	
	b	se								
Type of Community Supervision										
SSA Probation with Community Punishments	<i>reference category</i>									
SSA Probation with Intermediate Punishments	-.2510**	.0372	NS		-.2424**	.0458	-.2308**	.0520	NS	
Correctional Programs										
Intensive Supervision Probation	.6020**	.0370	.2569**	.0583	.4506**	.0447	.6065**	.0508	.2453**	.0561
Special Probation	.2930**	.0399	.2276**	.0609	.3186**	.0473	.1537**	.0557	.2067**	.0588
Community Service	.1003**	.0273	NS		.1251**	.0336	NS		NS	
IMPACT	.3215**	.0729	NS		.4065**	.0813	NS		NS	
House Arrest w/Electronic Monitoring	.1727**	.0641	NS		.1532*	.0766	.3114**	.0844	-.3123**	.1103
Likelihood Ratio	5460.6253		1828.6155		2785.9026		3288.8031		2492.5592	

* Significant at p>.05 ** Significant at p>.01

Notes

1. For purposes of this study, recidivism is defined as one or more arrests during the fixed 24-month follow-up period starting at the time the offender was placed on probation or released from prison.
2. The square of the offender's age was also included in the model as a control variable.
3. Results for probationers who participated in intensive supervision probation, special probation, community service, IMPACT, or house arrest with electronic monitoring are compared to probationers placed on regular community (supervised) probation.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1998/99 Correction Program Evaluation Data

Appendix B-3, Table 4
Logistic Regression Results of Personal and Criminal Justice Factors on Prison Infractions: Prisoners
FY 1998/99 (n=18,691)

Independent Variables	b	se
Personal Characteristics		
Age (each year)	-.1175**	.0272
Black	NS	
Male	NS	
Married	-.5504**	.1178
Employed	-.3966**	.0892
Substance Abuser	-.2634**	.0841
Current Offense Information		
Felony	-.2361*	.1130
Maximum Sentence Imposed (months)	-.0009**	.0002
Time Spent in Prison (months)	.1240**	.0039
Criminal History		
Age at First Arrest	NS	
# Prior Arrests	.0911**	.0140
Prior Drug Arrest	-.3927**	.0872
# Times on Probation/Parole	-.2014**	.0434
# Probation/Parole Revocations	-.1287*	.0559
# Prior Incarcerations	.1013**	.0298

* Significant at $p > .05$ ** Significant at $p > .01$

Notes

1. The square of the offender's age and time served in prison were also included in the model as control variables.

Appendix B-3, Table 5
Logistic Regression Results of Personal and Criminal Justice Factors on Employment

Independent Variables	All Offenders (N=58,238)		Prison Releases (n=18,691)		Probation Entries (n=39,547)	
	b	se	b	se	b	se
Personal Characteristics						
Age (each year)	.0962**	.0059	.1384**	.0118	.0880**	.0073
Black	.0829**	.0210	NS		.1223**	.0258
Male	-.1697**	.0252	NS		-.1908**	.0292
Married	.1495**	.0262	.1528*	.0474	.1463**	.0317
Substance Abuser	-.0454*	.0218	NS		NS	
Risk Level		NS	.0932*	.0368	-.0631*	.0280
Current Offense Information						
Felony	-.1225**	.0233	.1007*	.0452	-.2298**	.0289
Violent	-.0576*	.0242	NS		NS	
Property		<i>reference category</i>		<i>reference category</i>		<i>reference category</i>
Drug	-.2052**	.0266	-.3082**	.0459	-.1479**	.0331
Other	-.2166**	.0354	NS		-.2303**	.0409
Severity of Sentence	-.1049**	.0155	N/A		N/A	
Maximum Sentence Imposed (months)		NS	NS		N/A	
Time Spent in Prison (months)	.0093**	.0014	NS		N/A	
Criminal History						
Age at First Arrest	-.0103**	.0020	-.0213**	.0035	NS	
# Prior Arrests		NS	NS		NS	
Prior Drug Arrest		NS	NS		.0785*	.0330
# Times on Probation/Parole	.0496**	.0119	.0716**	.0173	.0405*	.0169

Appendix B-3, Table 5 (continued)

Independent Variables	All Offenders (N=58,238)		Prison Releases (n=18,691)		Probation Entries (n=39,547)	
	b	se	b	se	b	se
# Probation/Parole Revocations	-.0379*	.0172	NS		-.0790**	.0285
# Prior Incarcerations	-.0832**	.0092	-.0918**	.0118	-.0833**	.0157
# Prison Infractions	N/A		-.0119**	.0028	N/A	
Type of Community Supervision						
SSA Probation w/Community Punishments	N/A		N/A		<i>reference category</i>	
SSA Probation w/Intermediate Punishments	N/A		N/A		-.1055**	.0331
FSA Parole	N/A		<i>reference category</i>		N/A	
No Supervision (SSA and FSA Prison Release)	N/A		NS		N/A	
Participation in Correctional Programs						
Intensive Supervision Parole	N/A		.5206**	.1198	N/A	
Community Service Parole	N/A		.2420**	.0757	N/A	
Intensive Supervision Probation	N/A		N/A		NS	
Special Probation	N/A		N/A		NS	
Community Service	N/A		N/A		.1783**	.0249
IMPACT	N/A		N/A		NS	
House Arrest w/Electronic Monitoring	N/A		N/A		NS	
Likelihood Ratio	1659.8324		633.9542		1319.0175	

* Significant at p> .05 ** Significant at p> .01

Notes

1. The square of the offender's age and time served in prison were also included in the models as control variables.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1998/99 Correction Program Evaluation Data