



MINUTES

NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION MEETING December 12, 2025

The North Carolina Sentencing and Policy Advisory Commission met on Friday, December 12, 2025, at the North Carolina Judicial Center in Raleigh, North Carolina.

Members Present: Chairman Charlie Brown, Dr. Heidi Bonner, Lindsey Granados, Tamera Hill, Joe Houchin, Honorable Jim Mixson, Luther Moore, Haley Phillips, Judge Scott Ussery, Honorable Michael Waters, Patrick Weede, Chief A.Z. Williams, and Judge Valerie Zachary.

Guests: Kim Quintus (for William Lassiter), Kristin McCrary (for Sherri Lawrence), Julianna Kirschner (AOC RPP), Meagan Pittman (AOC RPP), Marie Evitt (NCSA), Courtney Goodwin (NCSA), and Tracey Johnson (departing Commissioner).

Staff: John Madler, Ginny Hevener, Tamara Flinchum (and GEB Grover), John King, Julio Cazares, Mel Lugo, Sierra Satterfield, and Shelley Kirk.

INTRODUCTIONS AND RECOGNITION OF NEW/OUTGOING COMMISSIONER

Chairman Brown called the meeting to order at 10:00 a.m. and asked members and guests to introduce themselves. He introduced the newest Commissioner, Dr. Heidi Bonner, representing the Academic Community, and read her biography.

Chairman Brown presented a resolution recognizing outgoing Commissioner Tracey Johnson. Luther Moore moved to adopt the resolution; Jim Mixson seconded the motion and it carried. Ms. Johnson made remarks upon receiving her resolution.

Chairman Brown informed Commissioners of the 2026 Sentencing Commission meeting dates of March 13, June 5, September 11, and December 11, and the subcommittee meeting dates of January 30 for the Drug Offense Classification Subcommittee and February 20 for the Sentencing Practices Subcommittee (tentative). He reviewed the agenda.

JUVENILE RESOURCE (YOUTH DEVELOPMENT CENTER) PROJECTIONS

Chairman Brown recognized Dr. Mel Lugo, staff, to present the Youth Development Center (YDC) Population Projections for FY 2026 to FY 2030. Dr. Lugo reminded the Commission of its mandate to project YDC population for the next five years on an annual basis. She outlined the two core components of the projections – the disposition data from FY 2025 and the resident YDC population as of June 30,

2025. She noted that 16- and 17-year-olds with Class A–E felonies are excluded from the projection based on House Bill 834.

Dr. Lugo then reviewed the five-year YDC projections (*see* Handout, Table 1) and highlighted that the YDC population is projected to be 220 in FY 2026 then decrease to 214 in FY 2030. She noted that while projected YDC population is greater than the YDC capacity, the Department of Public Safety’s Division of Juvenile Justice and Delinquency Prevention (DJJDP) has flex space available for both YDC and detention center use. Dr. Lugo also discussed a change in methodology related to length of stay for juveniles that may have contributed to an increase in the YDC projections relative to the previous year. The previous methodology used an average across offense class groupings, however, the new methodology mirrors the length of stay distribution by each offense class. While this may have contributed to an increase in the projections compared to last year, the data for this year were already trending towards a higher projection.

Dr. Lugo discussed the key assumptions used in the projection (*see* Table 2). Specifically, growth rates, YDC admission type, lag-time to YDC admission, and length of stay factored into the projections. Dr. Lugo addressed the increases in length of stay (*see* Table 6) by noting that the overall length of stay increased by 2 months for FY 2025 (not due to rounding), which prompted the refinement in the methodology.

Chairman Brown invited Ms. Kimberly Quintus from DJJDP if she can provide any insights on why length of stay has increased. Ms. Quintus replied that while the YDC population is smaller compared to the past; the type of juveniles that are in YDC facilities have higher risk and needs that require more intensive services across the system. These comprehensive services require more time to promote successful reentry. Ms. Quintus discussed that DJJDP is working with the Council of State Governments to identify ways to reduce the length of stay in YDC facilities.

Judge Zachary asked why juveniles are more complex in their needs today compared to the past. Ms. Quintus replied that in the early 2000s, the YDC population was much higher; however, efforts were made to limit the population to those with high risk and high needs, which is consistent with research. She emphasized that YDC juveniles have a higher number of mental health diagnoses as well. Mr. Waters commented that he sees jails being used as holding places for people with mental health issues and asked if this was an issue for YDC facilities. Ms. Quintus replied that there are instances where juveniles have both severe mental health issues and serious delinquency history. She continued by noting that DJJDP is trying to create a 20-bed crisis unit to serve juveniles with severe behavioral health needs.

Ms. Hevener noted that while the minimum length of stay in a YDC facility is 6 months, there is still flexibility on how long a juvenile stays in a YDC facility, unlike the prison population. A juvenile’s length of stay is ultimately determined by their rehabilitation needs. Chairman Brown asked if there is an objective way to calculate length of stay for YDC juveniles based on offense seriousness and criminal history. Ms. Quintus replied that these components matter such that juveniles with more serious felonies and higher risk and needs have longer length of stays.

In response to the two month increase in length of stay, Mr. Houchin noted one area of possible exploration is the potential delay due to the unavailability of long-term placement for juveniles ready to be discharged.

Chairman Brown asked about the 6% admission type from a revocation of PRS (*see* Table 2) and whether this was a notable change. Dr. Lugo stated that it has been pretty stable over time, however, the

composition of the delinquent dispositions itself has shifted, as well as the profile of juveniles in YDCs. Dr. Lugo then discussed delinquent dispositions by offense classification and delinquency history level (see Figure 2). Compared to last year, the percentage of dispositions for Minor offenses decreased and the percentage of Serious offenses increased in FY 2025, which could contribute to the higher projection. She noted that out of the 110 Level 3 dispositions, 56% were for Violent offenses in FY 2025 compared to 47% in FY 2024, which could also contribute to the higher projected numbers. For the resident YDC population data (see Figure 4), she highlighted a higher percentage of Violent offenses and the downward shift in delinquency history level for FY 2025 compared to FY 2024.

Dr. Lugo next reviewed disposition trends, reaffirming the shift to a higher percentage of dispositions for Violent offenses in FY 2025 as well as the composition of FY 2025 Level 3 dispositions being a higher percentage of Violent offenses. She also noted that, except for FY 2022, YDC admissions have been relatively stable, however, there is more fluctuation for YDC exits.

In response to Chairman Brown's question about key takeaways, Dr. Lugo noted that the YDC population for FY 2026 reached 220 juveniles in July, which tracks with the current projection, illustrating that the higher projected values compared to the previous projection are more in line with reality.

SUBCOMMITTEE UPDATES

Chairman Brown recognized John Madler, staff, to provide updates on the work of the Sentencing Practices Subcommittee and the Drug Offense Classification Subcommittee (see Presentation). Mr. Madler began by reviewing the principles of Structured Sentencing. He explained that both subcommittees were primarily focusing on the idea of ensuring sentencing policies were consistent, that similar offenders who commit similar offenses are treated similarly.

Beginning with the Sentencing Practices Subcommittee, Mr. Madler reminded the members that the staff performed a study of sentencing practices in North Carolina to see if the sentencing policies were being applied consistently. The Commission reviewed the Sentencing Practices Study and created the Subcommittee to look at the findings in more detail. The Subcommittee reviewed the findings, asked additional questions, and then received additional data from the staff. Mr. Madler summarized the topics discussed at the most recent Subcommittee meeting and their conclusions.

Mr. Madler stated that the Subcommittee will look at criminal history next. Judge Zachary asked if staff had access to the prior record level worksheets. Mr. Madler replied that some are available as scanned sheets in Odyssey but that the information is not contained in a database. Staff is working with the Government Data Analytics Center (GDAC) to put together a dataset that will allow them to look at the individual offenses that make up an offender's criminal history. The Administrative Office of the Courts' General Counsel's Office has been helping to determine the legal requirements for obtaining such a dataset. Ms. Hevener explained that the dataset has not been created yet but that the list of offenders is ready to be sent to GDAC and they have already developed the necessary programming. She hopes the process will be quick once the legal requirements are settled. Judge Ussery asked if staff would be looking at individual prior record level worksheets for a sample of offenders. Ms. Hevener responded that they will look at all offenders with a felony or misdemeanor conviction in FY 2019 (the year of the Study) and FY 2024 (the most recent year), GDAC will provide each offender's criminal history (a function they provide for district attorneys on a case-by-case basis). Staff will be able to calculate prior record points and check it against their prior record level score in the AOC dataset. She noted that staff will not know whether the

court assigned a point for committing the same offense as a prior conviction or for criminal justice status at the time of the offense.

Mr. Madler noted that the next Sentencing Practices Subcommittee meeting is tentatively scheduled for Friday, February 20, 2026, depending upon whether staff is able to get the dataset and analyze it by then.

Turning to the Drug Offense Classification Subcommittee, Mr. Madler stated that they held its first meeting in November. He reviewed the mandate, the topics covered at that meeting, and the goals for the meeting. First, the Subcommittee reviewed the three different methods the Commission uses for classifying offenses (felony, homicide, and drug) and their development. Chairman Brown asked Mr. Moore for his recollection about why drug offenses were originally excluded from the Felony Offense Classification Criteria. Mr. Moore recalled that the Commission had a short deadline for developing Structured Sentencing and were not in agreement on how to handle drug offenses. Mr. Madler next explained that the members applied the three different methods to sample offenses and decided that the current method of classifying drug offenses (by comparison) was the most difficult because the lack of a framework was causing inconsistency among the offenses and uncertainty regarding classifying new offenses. Mr. Waters pointed out that possessing fentanyl, for example, could be classified more seriously than possessing other controlled substances because of the potential harm it represents.

Second, the Subcommittee defined the scope of their task by reviewing the different types of drug and drug-related offenses. Professor Phil Dixon from the UNC School of Government provided an overview of the elements of the offense and staff reviewed how the Commission had reviewed the various offenses in the past (*see* Presentation). Judge Zachary asked about the First Step Act for trafficking offenses. Mr. Madler explained that it allows the judge, after making certain findings, to sentence a trafficker to a sentence from the felony punishment chart for the class of the offense and the offender's prior record level. Mr. Waters added that it is primarily for the lowest level trafficker who delivered, transported, or possessed the controlled substance. Mr. Madler continued by explaining that the Subcommittee decided to focus on developing a classification system for trafficking offenses, non-trafficking offenses, non-trafficking offenses with special circumstances, and offenses involving immediate precursor chemicals.

Based on those two decisions, the Subcommittee decided to try to develop a classification system that is a combination of the elements of the offense and the harm that results from them. Mr. Madler stated that the next Subcommittee meeting was scheduled for Friday, January 30, 2026 and will look at how controlled substances are scheduled in North Carolina and how drug offenses are classified in other jurisdictions with sentencing guidelines.

RECIDIVISM SNAPSHOT: WORK RELEASE

Chairman Brown recognized Sierra Satterfield, staff, to present findings from the Recidivism Snapshot: Work Release (*see* Handout). Ms. Satterfield stated that one of the Commission's mandates is to prepare biennial reports evaluating the effectiveness of the State's correctional programs through measuring recidivism. She reminded the Commission this is a joint project with the Department of Adult Correction (DAC). Last year, after staff completed the 2024 Correctional Program Evaluation Report, they partnered with DAC to look more closely at certain prison programs and jobs and recidivism. The effort was multi-pronged. First, staff worked with DAC to recategorize prison programs and jobs. Staff then worked with DAC to determine their next priority, which was a closer examination of the prison job work releasee and its effect on recidivism.

Ms. Satterfield explained that the Work Release Program is a prison job that connects businesses with motivated, pre-screened individuals transitioning back into the workforce. The program is available at the majority of the state's minimum custody prisons. Offenders are allowed to leave the prison each day to work and are required to return to the prison when their workday is finished. Work release participation is based on factors such as the sentence received and the offender's behavior record. Participating offenders must be in the final stage of imprisonment and are carefully screened by prison managers.

As part of closer examination, staff completed propensity score matching (PSM); a statistical method to estimate the effect of a treatment or intervention when there was no random assignment, by creating a control group that is similar to the treatment group. Staff tried a variety of different models; unfortunately, the results from PSM were not statistically significant. The work release group is a very hand-selected group, so staff were not surprised that PSM did not yield statistically significant results. Ms. Satterfield said she would instead be sharing the results from their bivariate and multivariate analyses.

To better understand the work release program and participants' recidivism rates, staff examined the Fiscal Year 2021 prison release sample (which was published in the 2024 Correctional Programs Evaluation Report). Overall, there were 12,889 prisoners released in fiscal year 2021. Seven percent (7%), or 917, were assigned to work release while incarcerated, while sixty-one percent (61%) were assigned to work release for 6 months or more. The demographics of work release prisoners were very similar to the entire prison release sample. Work release prisoners had higher percentage of Class B1-D felony convictions, served a sentence greater than 25 months, and minimal custody at release compared to all prisoners.

Tammera Hill stated there were not as many prisoners in work release in the fiscal year 2021 sample because of the COVID-19 pandemic. Mr. Houchin asked what the incentive was for participating in work release and how DAC motivates offenders. Ms. Hill responded that work release is an incentive because there are opportunities for future employment once an offender is released from prison. She believes this motivates them to keep their good behavior record and perform well on the job. Mr. Moore asked what work release prisoners are paid. Ms. Hill responded at least minimum wage, but some make more. She explained it depends on the industry they are working in. Chairman Brown asked if DAC planned to expand the industries of work release opportunities to which Ms. Hill responded yes. Judge Zachary asked if DAC has partnered with community college. Ms. Hill responded yes and then she discussed Reentry 2030 and how work release fits into that initiative.

Next, Ms. Satterfield discussed outcomes for prisoners assigned to work release. She reminded the Commission the primary measure of recidivism is measured as finger-printed arrests two-years following release from prison. The finger-printed arrest data is from the State Bureau of Investigation's Computerized Criminal History System. Recidivism is also measured as an incarceration in a state prison during the two-years following release, and this recidivism measure is received from DAC.

Prisoners assigned to work release had lower recidivism rates than all prisoners; 28% had a recidivist arrest as compared to 44% of all prisoners, and 18% of prisoners assigned to work release had a recidivist incarceration compared to 33% of all prisoners. Ms. Satterfield then reviewed the results from multivariate analyses. Multivariate analysis is a statistical technique used to analyze how multiple factors taken together affect the probability of recidivism. The multivariate analysis was largely similar to what was published in the 2024 report, but was tailored to specifically examine work release. The multivariate results revealed that while controlling for personal and criminal justice factors, prisoners assigned to work release had a 6% lower probability of a recidivist arrest and an 8% lower probability of recidivist incarceration compared to those not assigned to work release.

Staff also examined employment outcomes for work release prisoners received from the Department of Commerce. Prisoners assigned to work release had more favorable employment outcomes as compared to all prisoners. Specifically, 72% of prisoners assigned to work release were employed in at least one quarter during the two-year follow-up period compared to 54% of all prisoners. The difference in the annual median wage was \$23,478 for prisoners who had work release as compared to \$8,569.

Ms. Satterfield concluded by explaining that staff are working with DAC to determine their next priority for examination and staff look forward to continuing the partnership.

INSTRUCTIONS TO STAFF AND ADJOURNMENT

Chairman Brown thanked the Commissioners and guests for attending and reminded them of the 2026 meeting dates: March 13, June 5, September 11, and December 11, for the Sentencing Commission, January 30 for the Drug Offense Classification Subcommittee, and February 20 for the Sentencing Practices Subcommittee (tentative).

He adjourned the meeting at 12:31 p.m.

Respectfully submitted,

Shelley Kirk
Administrative Secretary