

CORRECTIONAL PROGRAM EVALUATION

OFFENDERS PLACED ON PROBATION OR RELEASED FROM PRISON

FISCAL YEAR
2017



THE HONORABLE CHARLIE BROWN
CHAIRMAN

MICHELLE HALL
EXECUTIVE DIRECTOR

CORRECTIONAL PROGRAM EVALUATION

OFFENDERS PLACED ON PROBATION OR RELEASED FROM PRISON IN FY 2017

PROJECT CONDUCTED IN CONJUNCTION WITH THE
DIVISION OF ADULT CORRECTION AND JUVENILE JUSTICE
OF THE NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY

SUBMITTED PURSUANT TO N.C. GEN. STAT. § 164-47 (2019)

APRIL 15, 2020



THE HONORABLE CHARLIE BROWN
CHAIRMAN

MICHELLE HALL
EXECUTIVE DIRECTOR

WWW.NCSPAC.ORG

**NC SENTENCING AND POLICY ADVISORY COMMISSION
MEMBERSHIP**

Hon. Charlie Brown, Chairman
Chief District Court Judge

Frances Battle
Victim Assistance Network

Hon. Maureen Krueger
Conference of District Attorneys

Art Beeler, Jr.
Lieutenant Governor's Appointee

Hon. Tammy Lee
Association of County Commissioners

Sheriff James Clemmons, Jr.
Sheriffs' Association

Dr. Harvey McMurray
Academic Member

Hon. Warren Daniel
State Senator

Hon. Allen McNeill
State Representative

Louise Davis
Community Sentencing Association

Hon. James Mixson, III
Association of Clerks of Superior Court

Danielle Marquis Elder
Attorney General's Office

Luther Moore
Retail Merchants' Association

Hon. Sherri Elliott
District Court Judges' Association

Timothy Moose
Department of Public Safety

Hon. John Faircloth
State Representative

Hon. Fred Morrison, Jr.
Justice Fellowship

Christopher Fialko
Advocates for Justice

Hon. William Richardson
State Representative

Hon. Milton "Toby" Fitch, Jr.
State Senator

Hon. Bob Steinburg, Sr.
State Senator

Willis Fowler
Post-Release Supervision & Parole Commission

Calvin Suber
Commission Chairman's Appointee

Hon. R. Gregory Horne
Conference of Superior Court Judges

Patrick Weede
Bar Association

Susan Katzenelson
Private Citizen, Governor's Appointee

Hon. Valerie Zachary
Court of Appeals

Chief Henry King, Jr.
Association of Chiefs of Police

**NC SENTENCING AND POLICY ADVISORY COMMISSION
STAFF**

Michelle Hall

Executive Director

John Madler

Associate Director for Policy, Staff Attorney

Ginny Hevener

Associate Director for Research

Tamara Flinchum

Senior Research & Policy Associate

Rebecca Dial

Research & Policy Associate

John King

Research & Policy Associate

Jennifer Lutz, Ph.D.

Research & Policy Associate

Meghan Boyd Ward

Research & Policy Associate

Becky Whitaker

Research & Policy Associate

Shelley Kirk

Administrative Secretary

TABLE OF CONTENTS

EXECUTIVE SUMMARY	i
Correctional Program Evaluation: Offenders Placed on Probation or Released from Prison in FY 2017 ..	i
FY 2017 Sample Profile and Outcomes	i
Probation Entries	ii
Prison Releases	ii
Conclusions	iii
CHAPTER ONE: INTRODUCTION	1
Defining Recidivism	2
Structured Sentencing, Correctional Practices, and Recidivism in North Carolina.....	3
Comparison of Recidivism Rates for North Carolina Offenders.....	4
Research Design and Methodology	6
Sample.....	6
Follow-Up Period	7
Criminal Justice Outcomes.....	7
Data Sources	7
Report Outline.....	8
CHAPTER TWO: STATISTICAL PROFILE AND CRIMINAL JUSTICE OUTCOMES OF THE FY 2017 SAMPLE	9
Statistical Profile of the FY 2017 Sample	9
Offender Type.....	9
Personal Characteristics.....	10
Criminal History	11
Most Serious Current Conviction.....	12
Criminal Justice Outcomes.....	14
Recidivist Arrests.....	14
Recidivist Convictions	17
Recidivist Incarcerations.....	18
Criminal Justice Outcomes by Personal, Criminal History, and Offense Characteristics.....	18
Personal Characteristics.....	18
Criminal History	20
Most Serious Current Conviction.....	21
Summary	23
CHAPTER THREE: PROBATION ENTRIES IN FY 2017	25
Statistical Profile of the FY 2017 Probation Entries	25
Personal Characteristics.....	25
Criminal History	26
Most Serious Current Conviction.....	27
Offender Risk and Need Assessments	28
Supervision in the Community.....	31
Interim Outcomes	32
High Risk Delegated Authority.....	32
Violations of Community Supervision.....	33
Technical Violations of Community Supervision.....	34

Responses to Violations of Community Supervision	36
Non-Confinement Responses	36
Confinement Responses	37
Quick Dips	37
Confinement in Response to Violation (Felons Only)	39
Revocations	39
Confinement for Technical Violations and Revocation	41
Criminal Justice Outcomes	41
Recidivist Arrests and Risk and Need Levels	42
Recidivist Arrests and Supervision Level	42
Summary	43
CHAPTER FOUR: CRV OFFENDERS RELEASED IN FY 2017	46
Sample Selection and Comparison Group	46
Statistical Profile	47
Personal Characteristics	47
Criminal History	47
Most Serious Current Conviction and Supervision Length	49
Offender Risk and Need Assessments	50
Supervision in the Community	51
Interim Outcomes	52
Violations of Community Supervision	52
Responses to Violations of Community Supervision	54
Confinement in Response to Violation	54
Revocations	54
Confinement for Technical Violations and Revocation	56
Criminal Justice Outcomes	56
Recidivist Arrests	56
Recidivist Incarcerations	57
CRV Location	59
CRV Offender Profile by CRV Location	59
Criminal Justice Outcomes by CRV Location	62
Summary	62
CHAPTER FIVE: FELONY PRISON RELEASES IN FY 2017	65
Statistical Profile of the FY 2017 Prison Releases	65
Personal Characteristics	65
Criminal History	67
Most Serious Current Conviction	67
Incarceration Profile	68
Type of Prison Entry	68
Time Served	68
Infractions	69
Correctional Job and Program Assignments	70
Custody Classification at Release	72
Released onto PRS	72
Criminal Justice Outcomes	72

Recidivist Arrests and Incarcerations.....	72
Criminal Justice Outcomes by Criminal History and Incarceration Profile	73
Criminal History	73
Most Serious Current Conviction.....	75
Incarceration Profile	76
A Preliminary Examination of Outcomes for Prisoners Released onto Post-Release Supervision	80
Risk and Need Assessment Profile	81
Reason for Exit from Supervision.....	82
Violations of Community Supervision.....	83
Responses to Violations of Community Supervision	84
Outcomes by Supervision Exit Reason.....	86
Criminal Justice Outcome Measures.....	87
Summary	87
CHAPTER SIX: MULTIVARIATE ANALYSIS	90
Logistic Regression Analysis Variables, Results, and Interpretation.....	90
Dependent Variables	90
Independent Variables.....	91
Model Limitations	92
Results.....	92
Recidivist Outcomes for All Offenders.....	92
Recidivism Outcomes for Probationers	94
Recidivism Outcomes for Prisoners	96
Summary	99
CHAPTER SEVEN: CONCLUSIONS.....	101
Conclusions	101
Effects of the Justice Reinvestment Act on Recidivism	105
Probationers.....	105
Prisoners	107
APPENDIX A: FINGERPRINTED ARRESTS BY FISCAL YEAR.....	110
APPENDIX B: GLOSSARY OF MAJOR TERMS AND VARIABLES	112
APPENDIX C: FY 2017 SAMPLE PROFILES	123
APPENDIX D: ADDITIONAL TABLES FOR THE FY 2017 SAMPLE	134
APPENDIX E: ADDITIONAL TABLES FOR THE FY 2017 PROBATION ENTRIES	138
APPENDIX F: ADDITIONAL TABLES FOR FY 2017 CRV OFFENDERS AND FELONY PROBATIONERS.....	142
APPENDIX G: SUMMARIES OF SELECT CORRECTIONAL JOB/PROGRAM ASSIGNMENTS	147

TABLES

Table 1: Criminal Justice Outcomes for North Carolina Offenders: Two-Year Follow-Up.....	i
Table 1.1: Recidivism Defined.....	2
Table 1.2: Recidivist Arrest Rates for North Carolina Offenders: Two-Year Follow-Up	5
Table 2.1: Personal Characteristics.....	10
Table 2.2: Prior Criminal Justice Contacts.....	12
Table 2.3: Recidivist Arrest Rates: Two-Year Follow-Up.....	14
Table 2.4: Recidivist Conviction Rates: Two-Year Follow-Up.....	17
Table 2.5: Recidivist Incarceration Rates: Two-Year Follow-Up	18
Table 2.6: Criminal Justice Outcomes by Personal Characteristics.....	19
Table 2.7: Criminal Justice Outcomes by Prior Criminal Justice Contacts	20
Table 2.8: Criminal Justice Outcomes by Most Serious Current Conviction	22
Table 3.1: Personal Characteristics.....	26
Table 3.2: Prior Criminal Justice Contacts.....	27
Table 3.3: Areas of Need Identified	30
Table 3.4: Supervision Level Distribution Based on Risk and Need Levels	32
Table 3.5: Recidivist Arrest Rates: Two-Year Follow-Up.....	41
Table 4.1: Personal Characteristics.....	48
Table 4.2: Prior Criminal Justice Contacts.....	48
Table 4.3: Most Serious Conviction and Supervision Length Profile	49
Table 4.4: Areas of Need Identified	51
Table 4.5: Recidivist Arrest Rates: Two-Year Follow-Up.....	57
Table 4.6: Recidivist Incarceration Rates: Two-Year Follow-Up	57
Table 4.7: Areas of Need Identified by CRV Location	61
Table 4.8: Criminal Justice Outcomes by CRV Location: Two-Year Follow-Up	62
Table 5.1: Personal Characteristics.....	66
Table 5.2: Prior Criminal Justice Contacts.....	67
Table 5.3: Incarceration Profile.....	69
Table 5.4: Recidivist Arrest Rates: Two-Year Follow-Up.....	73
Table 5.5: Recidivist Incarceration Rates: Two-Year Follow-Up	73
Table 5.6: Criminal Justice Outcomes for Top 5 Convictions by Offense Class: Two-Year Follow-Up.....	76
Table 5.7: Criminal Justice Outcomes by Incarceration Profile	77
Table 5.8: RNA Profile for Prisoners Released onto PRS.....	81
Table 5.9: Type of Revocation for Revocation Exits.....	83
Table 5.10: Most Serious Revocation: Two-Year Follow-Up.....	86
Table 5.11: Outcomes by Supervision Exit Reason for Prisoners Released onto PRS	86
Table 6.1: Effect of Personal and Criminal Justice Factors on Recidivist Arrest	93
Table 6.2: Effect of Personal and Criminal Justice Factors on Recidivism – Probationers	95
Table 6.3: Effect of Personal and Criminal Justice Factors on Recidivism – Prisoners	97
Table A.1: Fingerprinted Arrests by Fiscal Year	111
Table C.1: Profile of the FY 2017 Sample	124
Table C.2.1: Profile of the FY 2017 Probation Entries.....	126
Table C.2.2: Supervision Profile of the FY 2017 Probation Entries	128
Table C.3.1: Profile of the FY 2017 Prison Releases.....	130
Table C.3.2: Incarceration Profile of the FY 2017 Prison Releases	132
Table D.1: Recidivist Arrest Rates by Offense Class.....	135

Table D.2: Recidivist Conviction Rates by Offense Class.....	136
Table D.3: Recidivist Incarceration Rates by Offense Class	137
Table E.1: Recidivist Arrest Rates by Supervision Level for Probation Entries: Two-Year Follow-Up	139
Table E.2: Recidivist Arrest Rates: Two-Year Follow-Up.....	139
Table F.1.1: Profile of FY 2017 CRV Offenders and Felony Probationers with a Technical Violation	143
Table F.1.2: Supervision Profile of FY 2017 CRV Offenders and Felony Probationers with a Technical Violation.....	145
Table G.1: Construction	150
Table G.2: Correction Enterprises.....	152
Table G.3: Work Release	154
Table G.4: All Other Jobs.....	156
Table G.5: Academic Education	158
Table G.6: Academic Education: Community College Programs	160
Table G.7: ACDP	162
Table G.8: ACDP: Intermediate Treatment	164
Table G.9: ACDP: Intensive Treatment	166
Table G.10: SOAR	168
Table G.11: Vocational Education.....	170
Table G.12: All Other Programs	172

FIGURES

Figure 1: Criminal Justice Outcomes by Supervision Level for Probation Entries: Two-Year Follow-Up.....	ii
Figure 2: Criminal Justice Outcomes for FY 2017 Prison Releases: Two-Year Follow-Up.....	iii
Figure 1.1: FY 2017 Recidivism Sample.....	6
Figure 2.1: Age at Probation Entry or Prison Release	11
Figure 2.2: Number of Prior Arrests.....	12
Figure 2.3: Offense Class of the Most Serious Conviction	13
Figure 2.4: Offense Type of the Most Serious Conviction	13
Figure 2.5: Number of Recidivist Arrests for Offenders with Any Arrest: Two-Year Follow-Up.....	15
Figure 2.6: Number of Recidivist Arrests by Offense Type for Offenders with Any Arrest: Two-Year Follow-Up.....	15
Figure 2.7: Months to First Recidivist Arrest for Offenders with Any Arrest.....	16
Figure 2.8: Number of Recidivist Convictions by Offense Type for Offenders with Any Conviction: Two-Year Follow-Up.....	17
Figure 2.9: Recidivist Arrest Rates by Age at Probation Entry/Prison Release: Two-Year Follow-Up	20
Figure 2.10: Recidivist Arrest Rates by Number of Prior Arrests: Two-Year Follow-Up	21
Figure 2.11: Criminal Justice Outcomes: Two-Year Follow-Up	24
Figure 3.1: Number of Prior Arrests for Probation Entries with Any Prior Arrest	27
Figure 3.2: Offense Class of the Most Serious Current Conviction.....	28
Figure 3.3: Offense Type of the Most Serious Current Conviction	28
Figure 3.4: Risk and Need Levels.....	29
Figure 3.5: Offender Supervision Level.....	31
Figure 3.6: Violations: Two-Year Follow-Up.....	34
Figure 3.7: Violation Rates by Supervision Level: Two-Year Follow-Up.....	34
Figure 3.8: Technical Violation Rates: Two-Year Follow-Up	35
Figure 3.9: Most Serious Technical Violation: Two-Year Follow-Up.....	35

Figure 3.10: Responses to Violations of Community Supervision	36
Figure 3.11: Non-Confinement Response Rates: Two-Year Follow-Up	37
Figure 3.12: Months to First Non-Confinement Response: Two-Year Follow-Up	37
Figure 3.13: Quick Dip Rates: Two-Year Follow-Up	38
Figure 3.14: CRV Rates: Two-Year Follow-Up	39
Figure 3.15: Revocations: Two-Year Follow-Up	40
Figure 3.16: Revocation Rates by Supervision Level.....	40
Figure 3.17: Confinement for Technical Violations and Revocation: Two-Year Follow-Up.....	41
Figure 3.18: Recidivist Arrest Rates by Risk and Need Levels: Two-Year Follow-Up	42
Figure 3.19: Recidivist Arrest Rates by Supervision Level: Two-Year Follow-Up.....	43
Figure 3.20: Violation Rates and Confinement Response Rates by Supervision Level: Two-Year Follow-Up.....	44
Figure 3.21: Recidivist Arrest Rates by Supervision Level: Two-Year Follow-Up.....	45
Figure 4.1: A Timeline Comparison of CRV Offenders and Felony Probationers.....	47
Figure 4.2: Number of Prior Arrests.....	49
Figure 4.3: Risk and Need Levels.....	50
Figure 4.4: Offender Supervision Level.....	52
Figure 4.5: Violations: Two-Year Follow-Up.....	53
Figure 4.6: CRV Rates: Two-Year Follow-Up	54
Figure 4.7: Revocations: Two-Year Follow-Up	55
Figure 4.8: Revocation Rates by Supervision Level.....	55
Figure 4.9: CRV or Revocation Rates: Two-Year Follow-Up.....	56
Figure 4.10: Number of Recidivist Arrests for Offenders with Any Arrest: Two-Year Follow-Up.....	57
Figure 4.11: Criminal Justice Outcomes by Supervision Level: Two-Year Follow-Up	58
Figure 4.12: Personal Characteristics by CRV Location.....	59
Figure 4.13: Risk and Need Levels by CRV Location.....	60
Figure 4.14: Offender Supervision Level by CRV Location.....	62
Figure 4.15: Criminal Justice Outcomes: Two-Year Follow-Up	63
Figure 5.1: FY 2017 Prison Releases.....	65
Figure 5.2: Number of Prior Arrests for Prison Releases with Any Prior Arrest	67
Figure 5.3: Offense Type of the Most Serious Current Conviction	68
Figure 5.4: Most Serious Infraction for Prison Releases with Any Infraction during Incarceration	70
Figure 5.5: Correctional Job/Program Assignments during Incarceration.....	71
Figure 5.6: Criminal Justice Outcomes by Number of Prior Arrests: Two-Year Follow-Up.....	74
Figure 5.7: Criminal Justice Outcomes by Offense Type: Two-Year Follow-Up.....	75
Figure 5.8: Criminal Justice Outcomes by Type of Prison Entry: Two-Year Follow-Up.....	78
Figure 5.9: Criminal Justice Outcomes for Prison Releases Assigned to Select Correctional Jobs/Programs	79
Figure 5.10: Criminal Justice Outcomes by Custody Classification at Release: Two-Year Follow-Up.....	80
Figure 5.11: Supervision Exit Reason for Prisoners Released onto PRS.....	82
Figure 5.12: Violations for Prisoners Released onto PRS: Two-Year Follow-Up.....	84
Figure 5.13: Responses to Violations for Prisoners Released onto PRS: Two-Year Follow-Up.....	85
Figure 5.14: Three-Month Confinement and Revocation for Prisoners Released onto PRS: Two-Year Follow-Up.....	85
Figure 5.15: Criminal Justice Outcomes for Prisoners Released onto PRS: Two-Year Follow-Up	87
Figure 5.16: Criminal Justice Outcomes for FY 2017 Prison Releases: Two-Year Follow-Up.....	88
Figure 6.1: Independent Variables.....	91
Figure 6.2: Key Predictors of Adult Recidivism – All Models: Two-Year Follow-Up.....	99

Figure 7.1: Recidivist Arrest Rates for North Carolina Offenders by Sample Year: Two-Year Follow-Up.	102
Figure 7.2: Number of North Carolina Offenders by Sample Year	103
Figure 7.3: Percentage of North Carolina Offenders with a Prior Arrest by Sample Year	104
Figure 7.4: Violation and Revocation Rates for North Carolina Probationers: Two-Year Follow-Up	106
Figure 7.5: Recidivist Arrest Rates for North Carolina Prisoners by Offense Class: Two-Year Follow-Up	107
Figure 7.6: Recidivist Incarceration Rates for North Carolina Offenders: Two-Year Follow-Up.....	109
Figure E.1: Non-Confinement Response Rates	140
Figure E.2: Non-Confinement Response Rates by Supervision Level: Two-Year Follow-Up.....	141

ACRONYMS

ASR	Advanced Supervised Release
CCH	Computerized Criminal History
CRV	Confinement in Response to Violation
DPS	Department of Public Safety
DWI	Driving While Impaired
FDBV	Felony Death by Vehicle
FY	Fiscal Year
G.S.	General Statute
JRA	Justice Reinvestment Act
OPUS	Offender Population Unified System
OTI	Offender Traits Inventory
OTI-R	Offender Traits Inventory-Revised
PRS	Post-Release Supervision
RNA	Risk and Need Assessment
SBI	State Bureau of Investigation
SMCP	Statewide Misdemeanant Confinement Program
SSA	Structured Sentencing Act
TECS	Treatment for Effective Community Supervision

EXECUTIVE SUMMARY

Correctional Program Evaluation: Offenders Placed on Probation or Released from Prison in FY 2017

In 1998, the North Carolina General Assembly directed the Sentencing and Policy Advisory Commission to prepare biennial reports evaluating the effectiveness of the State’s correctional programs (N.C.G.S. § 164-47). This study examines recidivism for Structured Sentencing Act (SSA) offenders who were placed on supervised probation or released from prison in FY 2017 (N=46,094). Recidivism was defined broadly as arrests, convictions, or incarcerations during a fixed two-year follow-up period. The Executive Summary highlights the key findings and policy implications from the 2020 report.

The passage of the Justice Reinvestment Act (JRA) in 2011 resulted in substantial changes to sentencing practices and correctional policies within North Carolina’s criminal justice system. This report offers an examination of outcomes for both probationers and prisoners under the JRA.

FY 2017 Sample Profile and Outcomes

- Sixty-six percent (66%) of the sample were probation entries; 34% were prison releases.
- Overall, 78% were male and 49% were white. Prison releases were more likely than probation entries to be high school dropouts, unemployed, and have a possible substance use problem.
- By sample definition, all prisoners in the sample had a current conviction for a felony offense, while the majority of probationers (56%) had a conviction for a misdemeanor offense.
- Offenders with a current conviction for a felony offense had higher recidivism rates for all three criminal justice outcomes compared to those with a misdemeanor offense. Offenders with a Class H – I felony had higher recidivist arrest, conviction, and incarceration rates than the other offense class groupings (Class B1 – D felons, Class E – G felons, or Class A1 – 3 misdemeanants).
- Compared to probation entries, prison releases had more extensive prior criminal histories, as well as higher recidivism rates for all three criminal justice outcomes (see Table 1).
- Multivariate analysis is a statistical technique used to analyze multiple variables simultaneously and measure their individual relationships to criminal justice outcomes. Overall, these analyses showed that age, gender, marital status, and offense class were predictors of recidivism. The probability of recidivism was highest for younger offenders, males, unmarried offenders, and Class H – I felons.

Table 1
Criminal Justice Outcomes for North Carolina Offenders: Two-Year Follow-Up

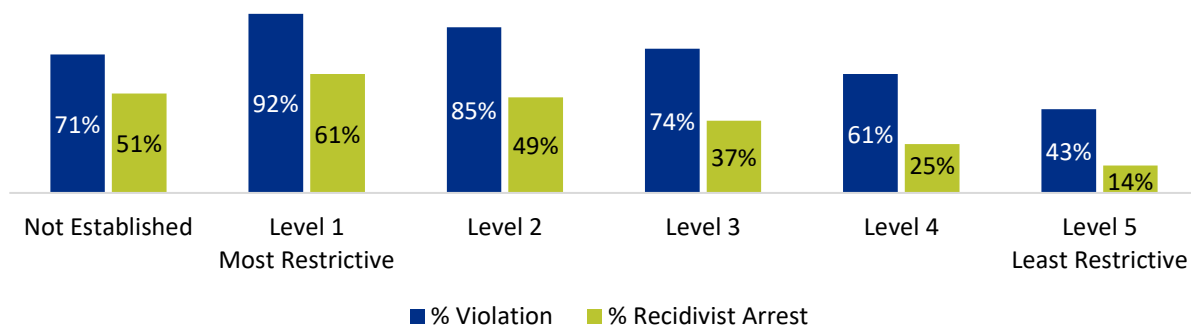
Offender Type	N	% Recidivist Arrest	% Recidivist Conviction	% Recidivist Incarceration
Probation Entries	30,428	41	19	16
Prison Releases	15,666	51	26	38
Total	46,094	44	21	23

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Probation Entries

- Felons had more extensive prior contact with the criminal justice system compared to misdemeanants; felons had slightly higher recidivist arrest rates than misdemeanants (42% and 40% respectively).
- Based on assessed risk and need, a higher percentage of felons were assigned to the most restrictive supervision levels (Levels 1 and 2), while a higher percentage of misdemeanants were assigned to Levels 3, 4, and 5.
- Criminal justice outcomes (e.g., violations of community supervision and recidivist arrests) varied by supervision level, with probationers in Supervision Level 1 having the highest rates and those in Supervision Level 5 having the lowest rates (see Figure 1). This pattern was also found for other interim outcomes (e.g., quick dips, CRVs, revocations).
- Offenders released from a CRV had lower recidivist arrest and recidivist incarceration rates compared to similar felony probationers. Offenders who served their CRV in a CRV center had lower recidivism rates compared to those who served their CRV in prison.
- Multivariate analyses revealed an increased probability of recidivism as risk and need levels increased. Delegated authority, quick dips, and CRVs were associated with a decreased probability of recidivist revocation; however, more study is needed to determine if these findings are reflective of a change in offender behavior or other factors (e.g., decreased time at risk).

Figure 1
Criminal Justice Outcomes by Supervision Level for Probation Entries: Two-Year Follow-Up



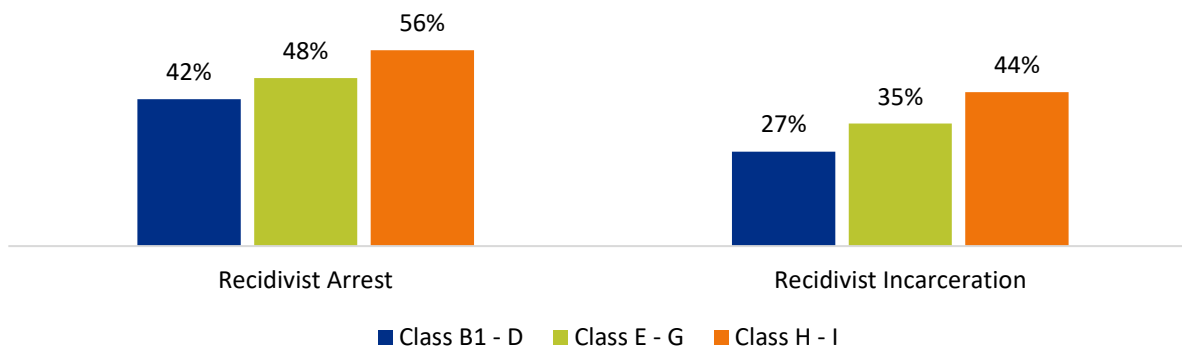
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Prison Releases

- Eighty percent (80%) of the prison releases in the sample were subject to the provisions of the JRA, providing a more comprehensive look at outcomes for prisoners under the law.
- Overall, 16% had a most serious conviction for a Class B1 – D felony, 32% for a Class E – G felony, and 52% for a Class H – I felony. Class H – I prisoners were younger and had more extensive prior criminal histories. Recidivism rates were lowest for prisoners with Class B1 – D felonies and increasingly higher for prisoners with Class E – G felonies and Class H – I felonies (see Figure 2).
- Prisoners who entered prison due to a PRS revocation, who had infractions, or who were classified as close custody at release had the highest recidivism rates. Prisoners assigned to jobs or programs while incarcerated generally had recidivism rates that were similar to the overall rates for prisoners.

- Eighty-three percent (83%) of prisoners were released onto post-release supervision (PRS). Nearly two-thirds (65%) exited supervision with a satisfactory termination of their supervision. Most of the remainder exited due to revocation, with absconding as the most frequent type of revocation.
- Multivariate analyses showed that compared to those entering prison for a new crime, those entering for a PRS revocation had higher probabilities of recidivist arrest and recidivist revocation.

Figure 2
Criminal Justice Outcomes for FY 2017 Prison Releases: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Conclusions

- Following years of stability, the recidivist arrest rate increased to 44% in the current study (up from 41% in FY 2015). The recidivist arrest rate for probationers increased from 37% to 41%; the rate for prisoners increased from 49% to 51%.
- Consistent findings over time point to the relative success of probationers compared to prisoners; however, more complete risk information for all prisoners would allow greater understanding of the magnitude of the effect of prisonization on offender behavior and recidivism.
- Offender risk assessments are a valuable tool in predicting recidivism. Current findings indicate that the RNA accurately identifies those most likely to reoffend and places them in the appropriate, more restrictive supervision levels.
- From FY 2015 to FY 2017, the violation rate for probationers increased from 71% to 75%. The revocation rate also increased during that same time from 21% to 25%.
- The recidivist incarceration rate for prisoners increased substantially from 32% in FY 2015 to 38% in FY 2017, primarily the result of expanding PRS to lower-level felons and the corresponding increase in revocations of PRS in response to violations of supervision.
- The Sentencing Commission’s recidivism studies are limited by the lack of available statewide jail data, affecting both the recidivist incarceration measure and the population of offenders for whom recidivism can be examined. The development of a statewide automated jail database would allow for a more comprehensive study and understanding of offender behavior in North Carolina.

The Sentencing Commission looks forward to continuing its collaborative work with the DPS to combine the lessons learned from previous studies of recidivism and from the empirically measurable effects of the JRA in an effort to evaluate this approach to offender supervision, treatment, and services

CHAPTER ONE

INTRODUCTION

With the enactment of the Structured Sentencing Act (SSA) in 1994, North Carolina embarked on a new penal strategy. Since that time, the SSA has benefited 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 increasing public safety and deterring future crime have continued to be of interest to legislators and policy makers. It is the goal of most programs to sanction and control offenders, to offer them opportunities that will assist in altering negative behavioral patterns, and, consequently, to lower the risk of reoffending.

Studies that measure recidivism are a nationally accepted way to assess the effectiveness of in-prison and community corrections programs in preventing future criminal behavior. The North Carolina General Assembly incorporated the study of recidivism into the Sentencing and Policy Advisory Commission's¹ original mandate in 1990. During the 1998 Session, the General Assembly redrafted the Commission's mandate to study recidivism and expanded its scope to include a more in-depth evaluation of correctional programs. The statute gives the following directive:

The Judicial Department, through the North Carolina Sentencing and Policy Advisory Commission, and the Division of Adult Correction of the Department of Public Safety 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.²

The current study is the eleventh biennial Correctional Program Evaluation Report and it contains information about offender characteristics, correctional programs and sanctions, outcome measures, and an expansive methodological approach to examine the relationship between offender risk factors, correctional programs, and recidivism rates.

¹ Also referred to throughout the report as "Sentencing Commission" or "Commission."

² N.C. Gen. Stat. (hereinafter G.S.) § 164-47.

Defining Recidivism

The North Carolina General Assembly directed the Sentencing Commission to measure the rates of recidivism of criminal offenders involved in state-supported correctional programs. The legislation calling for these measurements made it clear that recidivism meant repeat criminal behavior, and implied that measuring recidivism was to be a way of evaluating correctional programs and sanctions.

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 for convicted offenders. Policy makers such as legislators tend to be concerned with whether the programs ultimately reduce criminal behavior – a program may be successful in supervising, educating, training, or counseling offenders, but if it does not reduce their subsequent criminal behavior, they still pose a threat to public safety.

There is no single official definition of recidivism. Researchers have used a variety of definitions and measurements, including recidivist arrests, convictions, and incarcerations, 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 rates of recidivism.

In its studies of recidivism, the Sentencing Commission uses arrests as the primary measure of recidivism, supplemented by information on convictions and incarcerations, to assess the extent of an offender’s repeat involvement in the criminal justice system (see Table 1.1). Arrests, as used in this research, take into account not only the frequency of repeat offending but also its seriousness and 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.

**Table 1.1
Recidivism Defined**

Recidivism	Definition	Data Source
• Arrest	• Fingerprinted arrest in NC	• State Bureau of Investigation
• Conviction	• Conviction resulting from fingerprinted arrest	• State Bureau of Investigation
• Incarceration	• Incarceration in state prison system (does not include Confinement in Response to Violation for probationers)	• Department of Public Safety

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Structured Sentencing, Correctional Practices, and Recidivism in North Carolina

North Carolina law prescribes the use of guidelines in sentencing its convicted felons and misdemeanants. In theory, the SSA may affect recidivism in a variety of ways. Its penalty framework may alter the deterrent effect of sentencing laws, with different punishments influencing an individual offender's fear of the consequences of crime in different ways and thereby changing his or her likelihood of reoffending. Guidelines might also impact recidivism by altering the characteristics, or "mix," of groups of offenders – for example, probationers or prisoners. Impacting 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.

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 nonviolent crimes less likely to be imprisoned, and to have them serve shorter terms if imprisoned. As a result, guidelines in North Carolina and elsewhere 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. This shift was expected to change recidivism rates by re-mixing not only the offense profile of various groups but, perhaps more importantly, the profile of their criminal histories.

The SSA emphasized not only the diversion of some offenders from prison to probation, but also the creation of a middle option – the use of Intermediate punishments – for those diverted offenders. Intermediate punishments – i.e., enhancements to 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. Intermediate probationers, supervised more closely than Community probationers but not exposed to the detrimental effects of prisonization, tended to have recidivism rates between the rates of the two other groups.

With the passage of the Justice Reinvestment Act (JRA) of 2011, North Carolina again implemented substantial changes to the state's sentencing practices and correctional policies.³ The primary changes to sentencing under the JRA included redefining Community and Intermediate punishments, modifications to the existing habitual felon status offense, the creation of a new status offense for habitual breaking and entering, and the establishment of Advanced Supervised Release (ASR).

In terms of correctional practices, the majority of the changes under the JRA affected how offenders are supervised in the community. The JRA codified the use of a validated risk and needs assessment (RNA) as a strategy in managing offenders and allocating resources in the community. Supervision and other resources are targeted based on offenders' levels of risk and need. The JRA expanded the delegation of authority to probation officers, giving them authority to impose most of the current conditions of probation and the authority to respond to violations by placing probationers in jail for 2- or 3-day periods (quick dips) without a court hearing.

³ For more details on the JRA, see the Sentencing Commission's reports titled *Justice Reinvestment Act Implementation Evaluation Report* at <https://www.nccourts.gov/documents/publications/jra-implementation-evaluation-report>.

Under the JRA, prison time imposed for technical violations of probation was limited. The penalty for a first or second technical violation of probation is a confinement in response to violation (CRV), set at 90 days imprisonment for a felon and up to 90 days for a misdemeanor.⁴ The court is allowed to revoke probation and activate the suspended sentence in response to a third technical violation (i.e., after an offender has served two prior CRVs). Otherwise, revocation is authorized only if the probationer commits a new crime or absconds. Offenders who have their probation revoked and serve their entire suspended sentence are placed on post-release supervision (PRS).

PRS under the JRA is expanded to include all felons. Nine months of supervision is required for Class F – I felons. Twelve months of PRS is required for Class B1 – E felons released from prison. Similar to probation, prison time imposed for technical violations on PRS is limited. The penalty for a first, second, or third technical violation is set at 3 months of imprisonment. Upon the fourth technical violation, the Post-Release Supervision and Parole Commission may revoke PRS and impose the rest of the prison sentence. PRS can also be revoked if the supervisee commits a new crime or absconds, or if the supervisee was originally convicted of a sex offense and subsequently violates a condition of supervision.

The JRA created the Treatment for Effective Community Supervision (TECS) Program, which focuses on providing services and treatment for certain high risk offenders supervised in the community. Programs eligible for TECS funding include substance abuse treatment programs and cognitive-behavioral programming and other evidence-based programming.

Lastly, the JRA shifted misdemeanants out of the state prison system by creating the Statewide Misdemeanant Confinement Program (SMCP). The SMCP finds space to house eligible misdemeanants in local jails participating in the program. Originally under the JRA, misdemeanants with sentences between 91 and 180 days, excluding sentences for impaired driving offenses, were sentenced to the SMCP. The Legislature subsequently amended the statutes to provide that all misdemeanants with sentences greater than 90 days, and all offenders convicted of impaired driving offenses regardless of sentence length, will serve their active sentences in local jails through the SMCP.

By design, the JRA is expected to have the greatest impact on the community corrections population. The JRA intends to improve offender behavior through supervision strategies based on a validated RNA, new sanctions to respond to non-compliance while on probation, supervision of all felons upon release from prison, and evidence-based practices and programming in the community. The recidivism of offenders will serve as one measure of the success of JRA policies in reducing repeat criminality and enhancing public safety, while managing correctional resources in a more cost-effective way.

Comparison of Recidivism Rates for North Carolina Offenders

The Sentencing Commission's previous recidivism reports provide a framework to examine trends in recidivism rates for North Carolina offenders. Table 1.2 presents overall recidivism rates (measured as recidivist arrests) for SSA offenders for the Commission's past seven studies. For this comparison, the

⁴ In 2015, the Legislature eliminated CRV for SSA misdemeanants, providing instead that the court may revoke probation for misdemeanants who have served two separate quick dips imposed by either the court or the probation officer.

prison sample for each of these studies was limited to prison releases with a felony conviction. Recidivist arrests for each sample included all fingerprinted arrests during a two-year follow-up period.⁵

The recidivism rates for the FY 2002 sample through the FY 2006 sample were nearly identical (within one percentage point) across samples. Recidivist arrest rates ranged from 31% to 32% for all offenders, from 27% to 28% for probationers, and from 42% to 43% for prisoners. However, notable increases in the recidivism rates were found for the FY 2009 sample – increasing to a recidivist arrest rate of 38% for all offenders, 35% for probationers, and 47% for prisoners. Since that time, rates have again been stable for probationers, prisons, and all offenders.

Table 1.2
Recidivist Arrest Rates for North Carolina Offenders: Two-Year Follow-Up

Sample Year	Sample Size	Recidivist Arrest Rates		
		Probationers	Prisoners	All Offenders
FY 2002	54,263	27	42	31
FY 2004	52,926	28	43	31
FY 2006	55,780	28	42	32
FY 2009	56,574	35	47	38
FY 2011	52,823	37	49	40
FY 2013	48,976	38	48	40
FY 2015	47,614	37	49	41

Note: The prison sample for each of these studies was limited to prisoners with a felony conviction.

SOURCE: NC Sentencing and Policy Advisory Commission

The increased recidivism rates beginning with the FY 2009 sample prompted further investigation into possible reasons for the change, focusing on whether the increase captured an actual upswing in criminal behavior or reflect a change in the methodology of measuring that behavior, or both.^{6,7} The primary explanation for the increase in recidivism rates points to a change in field technology. Until 2015, law enforcement agencies were required by statute (G.S. 15A-502) to fingerprint felony arrests only. While historically most of these agencies also fingerprinted the more serious misdemeanor arrests, improved fingerprinting technology in sheriffs’ offices and police departments led to a greater number of fingerprinted misdemeanor arrests. Then, in 2015, G.S. 15A-502 was amended to require fingerprinting following arrests for certain misdemeanors in addition to all felonies.⁸ As a result of these changes, a more accurate – and higher – rate of misdemeanor arrest is now captured in North Carolina’s arrest data, significantly increasing the number and proportion of offenders who are consequently categorized as “recidivists” based on these arrests.⁹

⁵ Arrests for impaired driving or other traffic offenses were excluded, as were non-criminal arrests, such as arrests for technical violations of probation.

⁶ See the Sentencing Commission’s technical brief *Increase in Misdemeanor Fingerprinted Arrests*, June 2014, for further details.

⁷ For a discussion of the impact of technology changes on the recidivism of released prisoners, see Bureau of Justice Statistics’ *Recidivism of Prisoners Released in 30 States in 2005: Patterns from 2005 to 2010* at <http://www.bjs.gov/index.cfm?ty=pbdetail&iid=4986>. Published April 2014.

⁸ S.L. 2015-195.

⁹ As shown in Appendix A, the volume of misdemeanor-only fingerprinted arrests increased substantially from FY 2007 through FY 2010. In FY 2006, misdemeanor-only arrests represented 34% of all fingerprinted arrests; they represented 51% of all fingerprinted arrests by FY 2009 and 56% by FY 2010. Misdemeanor arrests have outnumbered felony arrests every year since FY 2009, although the gap has closed in recent years.

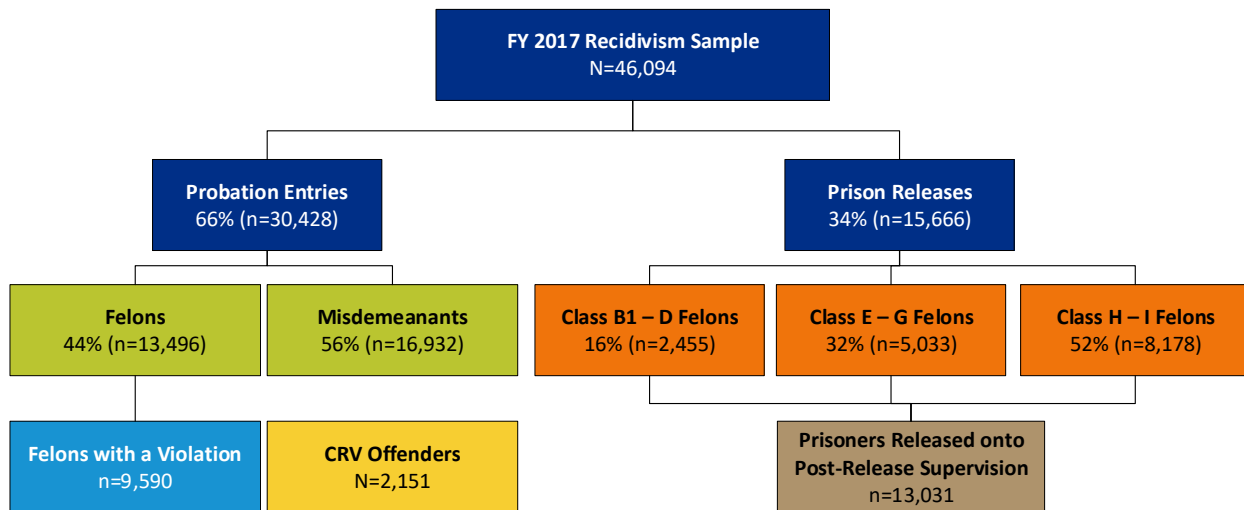
Research Design and Methodology

The Sentencing Commission’s mandate, revised and expanded in 1998, directed the Sentencing Commission to conduct a study with a comprehensive approach in capturing relevant empirical information. The theoretical model 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, correctional sanctions, and correctional program participation; and measures of social reintegration such as arrests, convictions, and incarcerations during follow-up.

Sample

Figure 1.1 provides a visual depiction of the FY 2017 recidivism sample, including the distribution by offender type. The sample selected for the current study included all offenders released from state prison or placed on supervised probation during FY 2017 with some exceptions; offenders with a most serious conviction for Driving While Impaired (DWI), offenders with a most serious conviction for a misdemeanor traffic offense, and offenders released from prison with a misdemeanor conviction were excluded from the study.¹⁰ The final study sample includes 46,094 offenders sentenced under the SSA, affording a comprehensive look at the recidivism of offenders in North Carolina.

Figure 1.1
FY 2017 Recidivism Sample



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

¹⁰ As of January 1, 2015, all misdemeanants serving active sentences are housed in local jails, many through the SMCP. Prior to changes under the JRA in 2011 and in subsequent legislation in 2014, a large number of misdemeanants served their active sentences in state prisons. Recidivism samples prior to FY 2013 included misdemeanants released from prison; however, they have not been included in recent samples due to small numbers and because they are no longer representative of misdemeanants serving sentences in prison.

Follow-Up Period

Recidivism studies utilize varying lengths of time as their follow-up period, depending on the availability of data and other resources. This report provides information on the recidivism of the FY 2017 sample of offenders using a fixed two-year follow-up period following either a release from prison or an entry to probation.

Criminal Justice Outcomes

Recidivism was defined broadly to cover the offender's possible span of reinvolvement in the North Carolina criminal justice system to include arrests, convictions, and incarcerations in the state prison system during the two-year follow-up period.

In addition, for offenders on probation, interim outcomes were examined as indicators of misconduct while under supervision during the follow-up. These interim outcomes included violations of supervision and certain responses to these violations (e.g., delegated authority, CRV, revocations). For prisoners with PRS, information on three-month confinements was examined as an indicator of misconduct while under supervision; for all prisoners, information on infractions was examined as an indicator of misconduct while in prison.

Data Sources

Two automated data sources were used to provide comprehensive data on the sample of offenders:

- The North Carolina Department of Public Safety's (DPS) Offender Population Unified System (OPUS) was used to identify offenders in the FY 2017 sample and to obtain information on demographic characteristics, offender RNA, current convicted offense and sentence,¹¹ correctional sanction and treatment programs, and prior and recidivist probation and incarceration measures.
- The North Carolina State Bureau of Investigation's (SBI) Computerized Criminal History (CCH) system was used to provide fingerprinted arrest records for prior and recidivist arrests, as well as recidivist convictions. As discussed previously, all felony arrests and certain misdemeanor arrests are fingerprinted (G.S. 15A-502). The study excludes arrests for impaired driving or other traffic offenses, as well as non-criminal arrests (e.g., arrests for technical violations of probation).

A case profile was constructed for each sample offender based on the data obtained from OPUS and the CCH. The final data set for this study consists of over 500 items of information (or variables) for the sample of 46,094 offenders placed on probation or released from prison between July 1, 2016 and June 30, 2017 and followed for two years.¹²

¹¹ In the context of this study, "current" refers to the most serious conviction and sentence for which the offender was placed on probation or released from prison within the sample time frame.

¹² Definitions for primary analysis variables and key terms are provided in Appendix B.

Report Outline

This report offers another look at the recidivism of probationers since the provisions of the JRA went into effect, with all probationers in the sample subject to the provisions of the JRA. Most of the prisoners studied in this report were sentenced according to the JRA, offering a more complete examination of outcomes under the law.

Chapter Two presents a descriptive profile of the FY 2017 sample (including demographic, criminal history, and current offense information) and a summary of their subsequent (i.e., recidivist) criminal involvement. The analyses in this chapter provide information on the sample as a whole and also offer a comparative look at the characteristics and recidivism of offenders released from prison and those placed on supervised probation.

Chapter Three provides a more detailed examination of FY 2017 probation entries, with a comparison of misdemeanor and felony probationers. The chapter includes information on risk, need, and supervision levels; a focus on violations of community supervision and specific responses to those violations (including delegated authority, quick dips, CRV, and revocations) as interim outcomes; and a summary of recidivist activity during the two-year follow-up.

Chapter Four provides a separate examination of offenders (not included in the overall sample) who were followed for two years after their release from serving a CRV. This is the second examination of CRV offenders¹³ but the first look at outcomes for those who have served a CRV in specialized CRV centers compared to those in prison. Additionally, a subset of felony probationers was used as a comparison group throughout the chapter.

Chapter Five provides a further examination of FY 2017 prison releases, with a comparison of offenders by offense class groupings. The chapter offers a descriptive comparison of the groups of prisoners in terms of their personal characteristics, prior criminal history, incarceration profile, and recidivism during follow-up. A preliminary examination of outcomes for prisoners with PRS is also provided.

Chapter Six incorporates the information from previous chapters and considers how multiple factors, taken together, affect the probability of recidivism using multivariate analysis. Analyses examine the FY 2017 sample overall, and by group (i.e., probationers and prisoners). Multiple models were created to determine how a variety of independent variables (e.g., sex, race, age) may be related to the probability of recidivism.

Chapter Seven concludes with a discussion of consistent findings across the Sentencing Commission's recidivism reports, as well as updated observations on recidivism in North Carolina following the enactment of the JRA.

¹³ See Sentencing Commission's research brief *A Preliminary Analysis of CRV Offenders Released from Prison in FY 2013*, June 2016.

CHAPTER TWO

STATISTICAL PROFILE AND CRIMINAL JUSTICE OUTCOMES OF THE FY 2017 SAMPLE

Chapter One defines the study sample as SSA offenders who were either placed on supervised probation or were released from prison during FY 2017. Chapter Two examines the FY 2017 sample by offender type (i.e., probation entries and prison releases) and the sample as a whole.¹⁴ A statistical profile of the sample is provided that includes personal characteristics, prior criminal history, and most serious current conviction by offense class and offense type. Criminal justice outcomes for the sample are also examined, with a focus on recidivist arrests, convictions, and incarcerations by offender type, personal characteristics, and most serious current conviction.¹⁵

Chapter One outlines the changes to sentencing and corrections due to the enactment of the JRA in 2011.¹⁶ The effective dates of the JRA and their application have implications related to the internal composition of the FY 2017 sample. The JRA provisions affecting probationers are applicable based on the date of violations of probation (probation violations occurring on or after December 1, 2011). All probationers in the FY 2017 sample were subject to provisions of the JRA related to community supervision (e.g., limits to revocations of probation for technical violations, new sanctions available for probation officers to respond to violations of probation, supervision practices based on a validated RNA). The JRA provisions affecting prisoners are applicable based on the date of offense (offenses committed on or after December 1, 2011). Eighty percent (80%) of the prison releases in the FY 2017 sample were sentenced on or after December 1, 2011 and therefore subject to the provisions of the JRA related to prisoners (e.g., the expansion of PRS to include all felons). While initial outcomes for probationers under the JRA were first examined in the 2016 report, the current report offers a more extensive look at outcomes for prisoners under the JRA.

Statistical Profile of the FY 2017 Sample

Offender Type

There were 46,094 SSA offenders who were placed on supervised probation or released from prison during FY 2017. Offenders with a most serious current conviction for DWI, offenders with a most serious current conviction for a misdemeanor traffic offense, and offenders released from prison with a misdemeanor conviction were excluded from the sample. Two-thirds of offenders entered the sample as a supervised probation entry (66%); the remaining 34% entered the sample as a prison release.

¹⁴ Throughout the report, the term “prisoners” is used interchangeably with “prison releases” and the term “probationers” is used interchangeably with “probation entries.”

¹⁵ See Appendix B for detailed definitions of recidivism and other key terms and Appendix C for summarized descriptions of the sample.

¹⁶ The implementation of the JRA is summarized in the Sentencing Commission’s reports titled *Justice Reinvestment Act Implementation Evaluation Report* at <https://www.nccourts.gov/documents/publications/jra-implementation-evaluation-report>.

Personal Characteristics

Table 2.1 contains information describing the personal characteristics of the FY 2017 sample. Of the 46,094 offenders, 78% were male, 46% were black, 49% were white, 88% were not married, 59% dropped out of high school, 51% were employed, and 71% were identified as having a possible substance use problem. Probationers had a lower percentage of males than prisoners and, on average, were slightly younger (33 years compared to 35 years respectively), as also illustrated in Figure 2.1. Compared to probationers, prisoners were less likely to have graduated from high school and slightly less likely to be employed. A higher percentage of prisoners were identified as having a possible substance use problem.

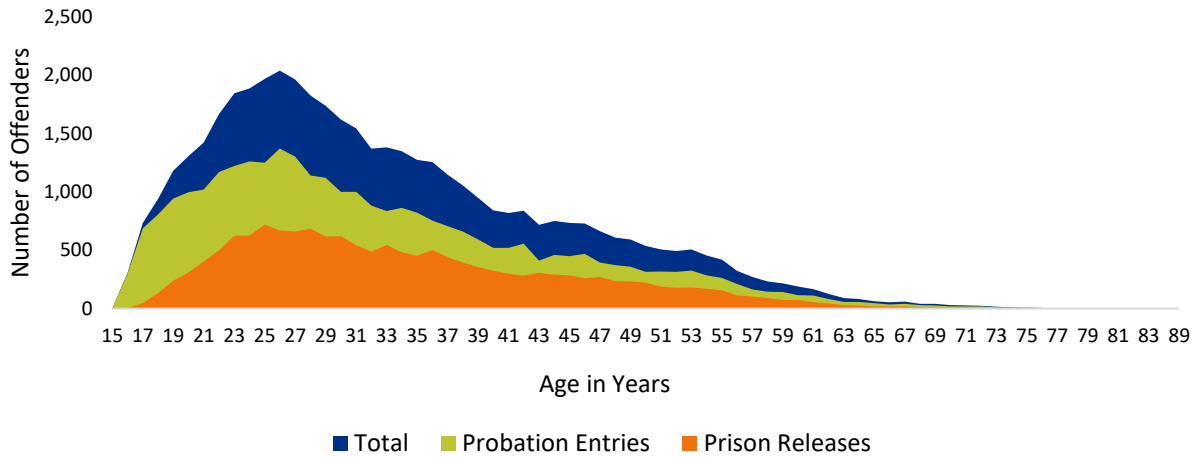
Table 2.1
Personal Characteristics

Personal Characteristics	Probation Entries n=30,428 %	Prison Releases n=15,666 %	Total N=46,094 %
Gender			
Female	27	11	22
Male	73	89	78
Race			
Black	43	51	46
White	52	44	49
Other/Unknown	5	5	5
Age at Probation Entry/Prison Release			
Under 21 Years	12	5	10
21-29 Years	36	35	35
30-39 Years	27	31	28
40-49 Years	15	18	16
50 Years and Older	10	11	11
Marital Status			
Married	13	11	12
Not Married	87	89	88
Education			
High School Graduate	48	27	41
High School Dropout/GED	52	73	59
Employment			
Employed	53	47	51
Unemployed	47	53	49
Substance Use			
None Indicated	34	20	29
Substance Use Indicated	66	80	71

Note: Forty-five (45) offenders were missing education, 1,444 were missing employment, and 3,074 were missing substance use information and were excluded from the table. Of the 46,094 offenders with ethnicity data available, 3% were Hispanic.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

**Figure 2.1
Age at Probation Entry or Prison Release**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Criminal History

Prior criminal justice contacts, including prior arrests, probation entries, probation/PRS revocations, and incarcerations are examined in Table 2.2. Regardless of the measure used to track prior criminal history, prisoners tended to have more extensive prior criminal histories than probationers.

Prior arrests have consistently been found to be a strong predictor of recidivism.¹⁷ As a whole, 85% of the FY 2017 sample had at least one prior fingerprinted arrest. Prisoners were more likely to have a prior fingerprinted arrest than probationers (95% and 81% respectively) and to have a higher average number of prior arrests (8 and 5 respectively). Figure 2.2 further illustrates the differences in number of prior arrests for prisoners and probationers. The 39,342 offenders with a prior arrest accounted for a total of 227,307 prior arrests.¹⁸ Of offenders with prior arrests, 87% had a prior felony arrest.

Overall, 67% of the sample had at least one prior probation entry and averaged 2 prior probation entries. Prisoners were more likely to have a prior probation entry than probationers (87% and 56% respectively) and to have a slightly higher average number of prior probation entries (3 and 2 respectively).

Forty-one percent (41%) of the sample had a prior probation/PRS revocation, with an average of 2 prior revocations. Compared to probationers, prisoners were more likely to have at least one prior probation/PRS revocation, although both groups had an average of 2 prior revocations.

Overall, 36% of the sample had at least one prior incarceration with an average of 3 prior incarcerations. Prior incarcerations may have occurred as a result of an active sentence imposed at initial judgment or due to a probation or PRS revocation. Prisoners were more likely to have a prior incarceration than

¹⁷ See the Sentencing Commission's previous recidivism reports at <https://www.nccourts.gov/documents/publications/adult-recidivismcorrectional-program-evaluation>.

¹⁸ Although probationers were less likely to have a prior arrest than prisoners, they accounted for a higher volume of arrests due to their larger sample size. The 24,495 probationers with a prior arrest accounted for a total of 111,570 prior arrests, while the 14,847 prisoners with a prior arrest accounted for a total of 115,737 prior arrests.

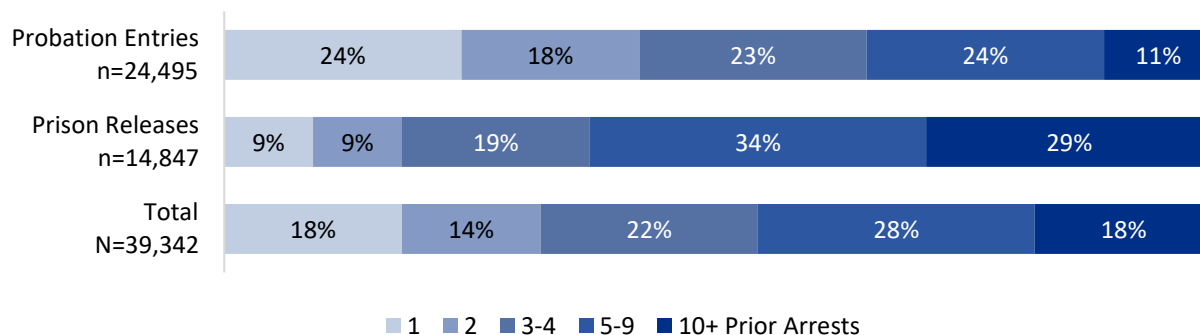
probationers (58% and 26% respectively) and had a slightly higher average number of prior incarcerations (3 and 2 respectively).

Table 2.2
Prior Criminal Justice Contacts

Prior Criminal Justice Contacts	Probation Entries n=30,428 %	Prison Releases n=15,666 %	Total N=46,094 %
Prior Arrest	81	95	85
Prior Probation Entry	56	87	67
Prior Probation/PRS Revocation	32	60	41
Prior Incarceration	26	58	36

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Figure 2.2
Number of Prior Arrests



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Most Serious Current Conviction¹⁹

Figure 2.3 presents information on the offense class of the conviction for the FY 2017 sample. Under the SSA, offenses are classified based on offense seriousness. The type of sentence imposed and the sentence length are based on the offense class for the most serious conviction and on the offender’s prior criminal history.²⁰ Offenders convicted of Class B1 – D felonies are required to receive an active sentence, with limited exceptions.^{21,22} Offenders convicted of Class E – G felonies and Class H – I felonies may receive either an active sentence or probation depending on their prior criminal history; however, sentence lengths for Class E – G felonies are typically in the one to two year range, while those for Class H – I felonies are usually less than one year.²³ Offenders convicted of Class A1 – 3 misdemeanors may receive an active sentence, supervised or unsupervised probation, or a fine; sentence lengths for

¹⁹ For the sake of brevity, the term “most serious current conviction” is often referred to as “conviction.”

²⁰ For further information about Structured Sentencing, see the *Structured Sentencing Training and Reference Manual* and punishment charts (<http://www.NCSPAC.org>).

²¹ Under the SSA, offenders convicted of a Class A felony may receive either a death sentence or a life sentence.

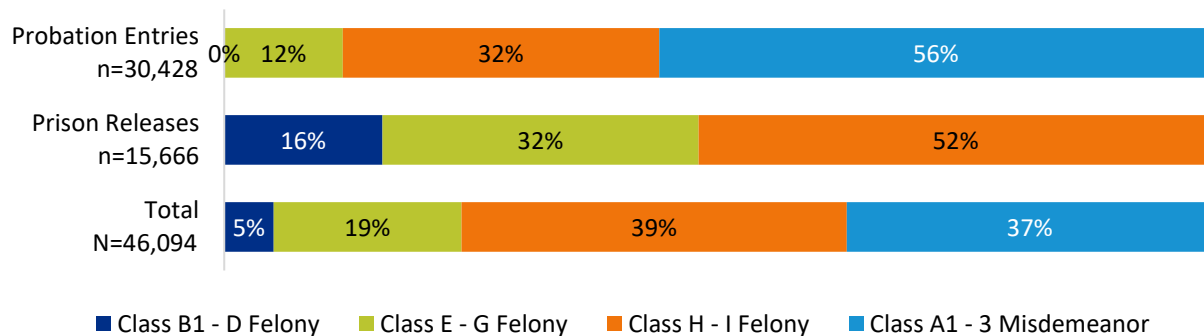
²² See extraordinary mitigation (G.S. 15A-1340.13(g) and (h)) and felony death by vehicle (G.S. 20-141.4(b)(2)).

²³ For further information on sentences imposed for felony and misdemeanor convictions, see <https://www.nccourts.gov/documents/publications/structured-sentencing-statistical-reports>.

misdemeanors are typically around one month. Offenders convicted of a felony offense serve their active sentences in prison, while offenders convicted of a misdemeanor offense serve their active sentences in local jails.²⁴

Overall, 63% of the sample had a conviction for a felony offense and 37% had a conviction for a misdemeanor offense. By sample definition, in FY 2017, all prisoners had a conviction for a felony offense, while the majority of probationers had a conviction for a misdemeanor offense (56%).

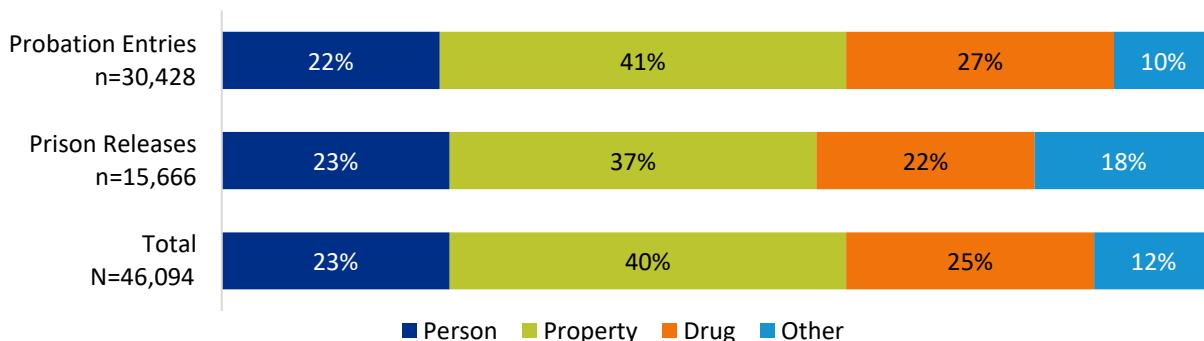
Figure 2.3
Offense Class of the Most Serious Conviction



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Figure 2.4 presents information on the conviction by offense type (i.e., person, property, drug, other). Overall, 40% of the sample had a conviction for a property offense, followed by 25% for drug offenses, 23% for person offenses,²⁵ and 12% for other offenses. The majority of prisoners and probationers had a conviction for property offenses (37% and 41% respectively). A larger percentage of probationers had drug convictions (27% compared to 22%).

Figure 2.4
Offense Type of the Most Serious Conviction



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

²⁴ Misdemeanants who receive a sentence greater than 90 days, and all offenders convicted of impaired driving offenses, serve their time in participating local jails through the Statewide Misdemeanant Confinement Program.

²⁵ Of the 10,488 offenders with a conviction for a person offense, 9% (n=967) had a conviction for an offense which requires registration as a sex offender under Article 27A of Chapter 14 of the NC General Statutes.

Criminal Justice Outcomes

As noted previously, all probationers and 80% of prisoners in the FY 2017 sample were subject to changes to criminal justice laws and practices enacted by the JRA. The effect of the JRA on outcomes for probationers and prisoners will be discussed in more detail in Chapter Three and Chapter Four respectively.

The Sentencing Commission uses recidivist arrests as its primary measure of recidivism, supplemented by information on recidivist convictions and recidivist incarcerations, to assess the extent of an offender’s repeat involvement in the criminal justice system. The following sections examine these criminal justice outcomes by offender type and for the sample as a whole. Regardless of the measure used to capture repeat involvement in the criminal justice system, prisoners had higher recidivism rates than probationers.

Each offender in the FY 2017 sample was followed for a period of two years to determine whether repeat criminal behavior occurred, with one-year and two-year recidivism rates reported.²⁶ 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 recidivate. In actuality, the same window of opportunity was not necessarily available due to periods of prison or jail confinements imposed for a variety of reasons. As a result, offenders without a recidivist arrest in the follow-up may appear to be a success but may have actually experienced another type of criminal justice failure during that period (e.g., revocations of probation or PRS).

Recidivist Arrests

Recidivist arrest rates for the one-year and two-year follow-up are shown in Table 2.3. Of the 46,094 offenders in the FY 2017 sample, 44% (n=20,447) had a recidivist arrest during the follow-up. During the follow-up, prisoners had a higher rate of recidivist arrest than probationers (51% and 41% respectively). Both groups had an average of 2 recidivist arrests during the two-year follow-up; however, a larger proportion of probationers had only one recidivist arrest compared to prisoners (53% and 46% respectively) (see Figure 2.5).

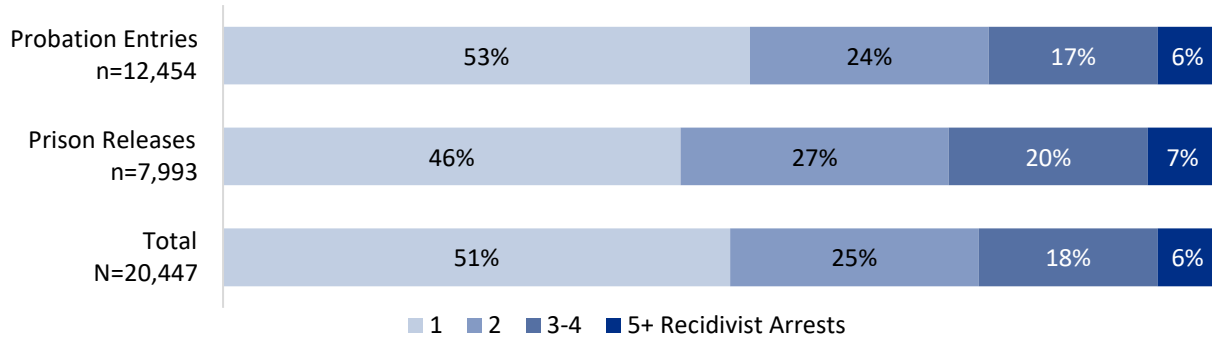
Table 2.3
Recidivist Arrest Rates: Two-Year Follow-Up

Offender Type	N	# with Any Recidivist Arrest	Total # Recidivist Arrests	% Recidivist Arrest	
				One-Year Follow-Up	Two-Year Follow-Up
Probation Entries	30,428	12,454	24,207	29	41
Prison Releases	15,666	7,993	16,902	34	51
Total	46,094	20,447	41,109	30	44

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation

²⁶ Statistics reported for the two-year follow-up period include information on events that occurred during the first year of follow-up. As a result, the recidivism rates reported for each follow-up period cannot be added together across follow-up periods.

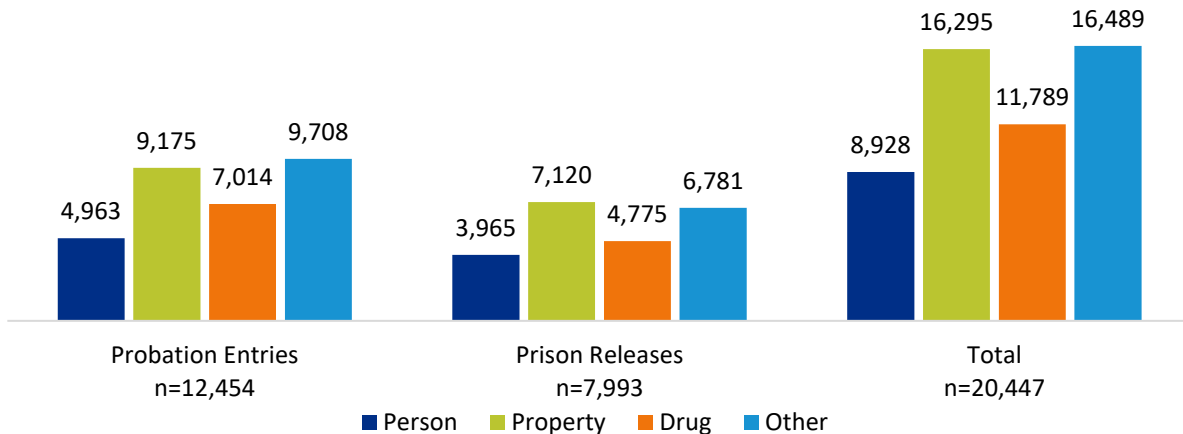
Figure 2.5
Number of Recidivist Arrests for Offenders with Any Arrest: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

The 20,447 offenders who had a recidivist arrest during the follow-up accounted for a total of 41,109 arrests (as shown in Table 2.3). Although probationers were less likely to have a recidivist arrest than prisoners, they accounted for a higher volume of arrests due to their larger sample size. Figure 2.6 provides information on the volume of recidivist arrests by offense type. Prisoners and probationers were most likely to have a recidivist arrest for property and other offense types.²⁷

Figure 2.6
Number of Recidivist Arrests by Offense Type for Offenders with Any Arrest: Two-Year Follow-Up



Note: Multiple offense types may be linked to an arrest record. As a result, the number of recidivist arrests by offense type cannot be added together to equal the total number of arrests.

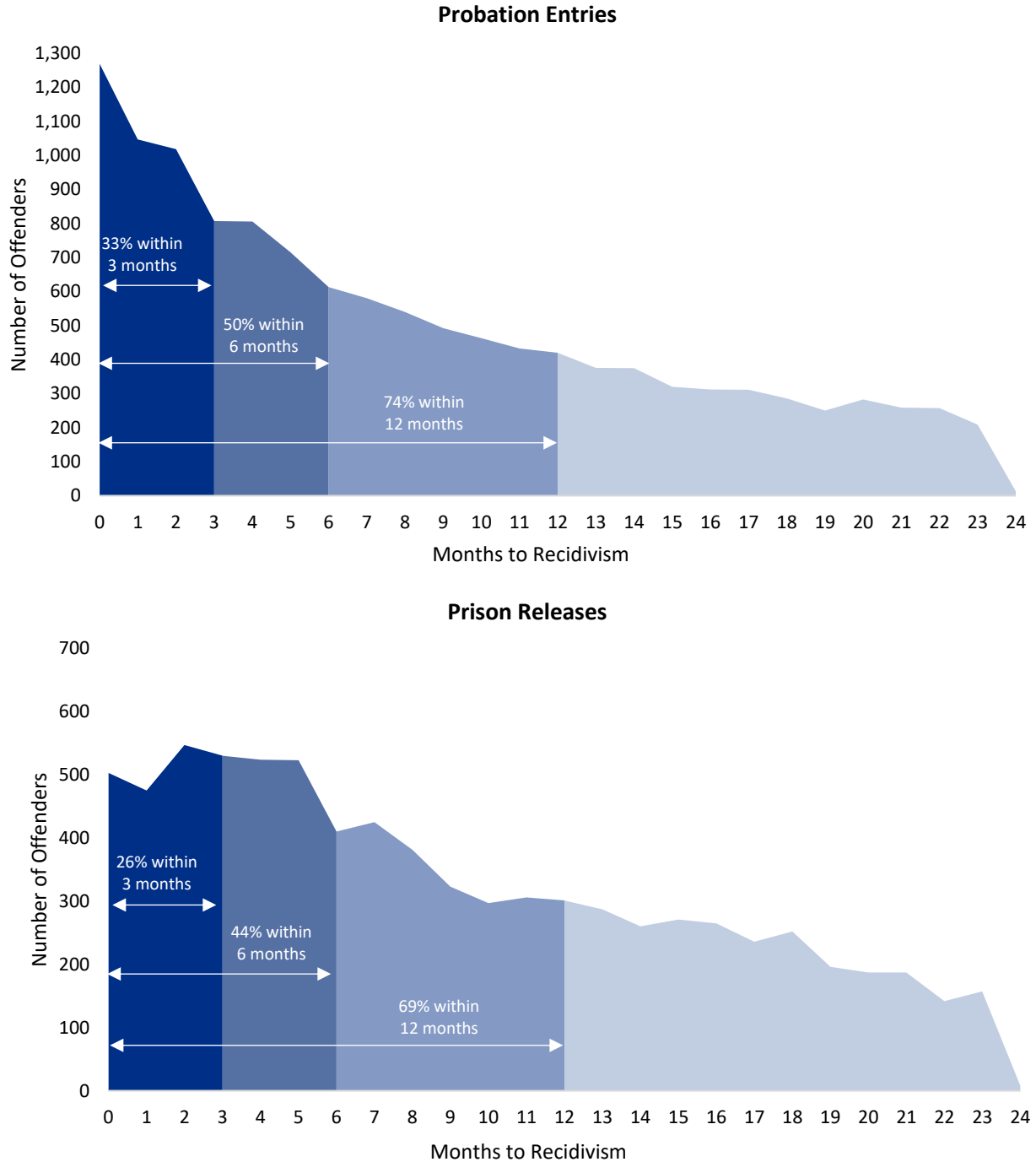
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

For the sample as a whole, the first recidivist arrest occurred, on average, 8 months after entry to probation or release from prison. Of those with a recidivist arrest, 30% were arrested within 3 months, 48% within 6 months, and 72% within 12 months. The first recidivist arrest occurred, on average, at 8 months for probationers and 9 months for prisoners. Figure 2.7 also illustrates this slightly earlier

²⁷ The most common offenses categorized as other include possession of firearm by felon, resisting public officer, second degree trespass, communicating threats, and domestic violence protective order violation.

timeline — a higher percentage of probationers have a recidivist arrest within 3 months (33%) compared to prisoners (25%).

Figure 2.7
Months to First Recidivist Arrest for Offenders with Any Arrest



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation

Recidivist Convictions

Table 2.4 presents information on recidivist conviction rates during the one-year and two-year follow-up. Of the 46,094 offenders in the FY 2017 sample, 21% (n=9,755) had a recidivist conviction during the follow-up with the first recidivist conviction occurring, on average, 12 months after entry to probation or 13 months after release from prison. Although recidivist conviction rates were similar for probationers and prisoners during the one-year follow-up (9% and 11% respectively), prisoners were more likely to have a recidivist conviction than probationers during the two-year follow-up (26% and 19% respectively).

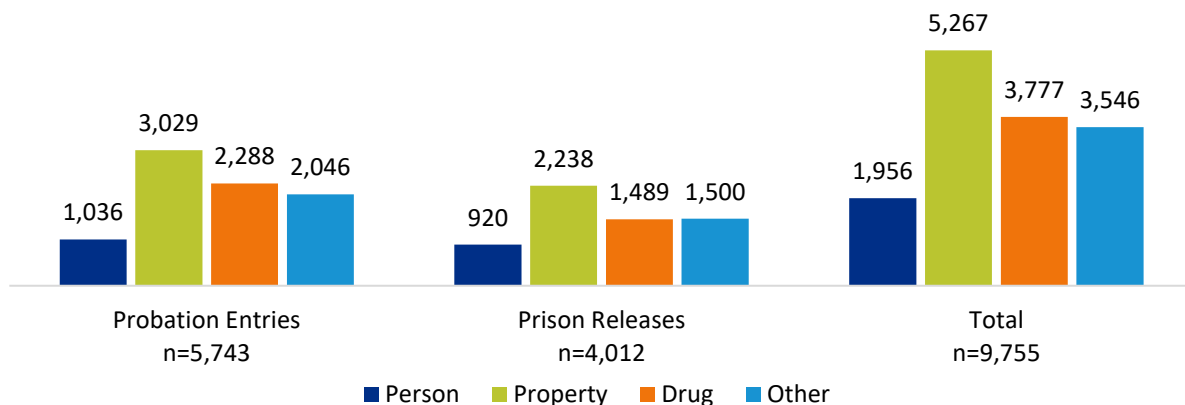
Table 2.4
Recidivist Conviction Rates: Two-Year Follow-Up

Offender Type	N	# with Any Recidivist Conviction	Total # Recidivist Convictions	% Recidivist Conviction	
				One-Year Follow-Up	Two-Year Follow-Up
Probation Entries	30,428	5,743	7,298	9	19
Prison Releases	15,666	4,012	5,137	11	26
Total	46,094	9,755	12,435	10	21

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation

As also shown in Table 2.4, the 9,755 offenders who had a recidivist conviction during the follow-up accounted for a total of 12,435 convictions. Information on the volume of recidivist convictions by offense type is provided in Figure 2.8. Both prisoners and probationers were most likely to have a recidivist conviction for a property offense and averaged 1 recidivist conviction during the follow-up. While a lower percentage of probationers had a recidivist conviction, probationers accounted for a higher number of convictions than prisoners due to the larger number of probation entries in the sample.

Figure 2.8
Number of Recidivist Convictions by Offense Type for Offenders with Any Conviction: Two-Year Follow-Up



Note: Multiple offense types may be linked to a conviction. As a result, the number of recidivist convictions by offense type cannot be added together to equal the total number of convictions.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Recidivist Incarcerations

Recidivist incarceration rates for the one-year and two-year follow-up are shown in Table 2.5. Recidivist incarcerations may have occurred as a result of the sentence imposed for a new crime committed or due to a probation or PRS revocation during the follow-up period.

Overall, 23% of the FY 2017 sample had a recidivist incarceration during the follow-up. The 10,807 offenders who had a recidivist incarceration during the follow-up accounted for a total of 13,688 incarcerations. Prisoners were more likely to have a recidivist incarceration than probationers (38% and 16% respectively) and had a shorter time to recidivist incarceration (an average of 7 months and 11 months respectively). Of those with a recidivist incarceration, the majority of offenders had only 1 recidivist incarceration during follow-up (77%).

Table 2.5
Recidivist Incarceration Rates: Two-Year Follow-Up

Offender Type	N	# with Any Recidivist Incarceration	Total # Recidivist Incarcerations	% Recidivist Incarceration	
				One-Year Follow-Up	Two-Year Follow-Up
Probation Entries	30,428	4,836	6,057	9	16
Prison Releases	15,666	5,971	7,631	31	38
Total	46,094	10,807	13,688	16	23

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation

Criminal Justice Outcomes by Personal, Criminal History, and Offense Characteristics

The next section examines the criminal justice outcomes by personal characteristics (e.g., sex and age), criminal history (as measured by prior arrests, probation entries, revocations, and incarcerations), offense class, and type of conviction (i.e., person, property, drug, other). It also includes recidivism rates for specific groups of offenders (i.e., habitual felons, sex offenders required to register with the sex offender registry).

Personal Characteristics

Table 2.6 provides recidivism rates by the offender's personal characteristics: gender, race, age at sample entry (i.e., prison release or probation entry), marital status, education, employment, and substance use problem. Overall, males, younger offenders, single offenders, high school dropouts, unemployed offenders, and offenders with a possible substance use problem had higher recidivism rates for all three criminal justice outcomes when compared to their counterparts. Recidivism rates were highest for the two youngest age groups of offenders across all three measures of recidivism and declined as an offender's age at probation entry or prison release increased. Figure 2.9 further illustrates the relationship between age and recidivism.

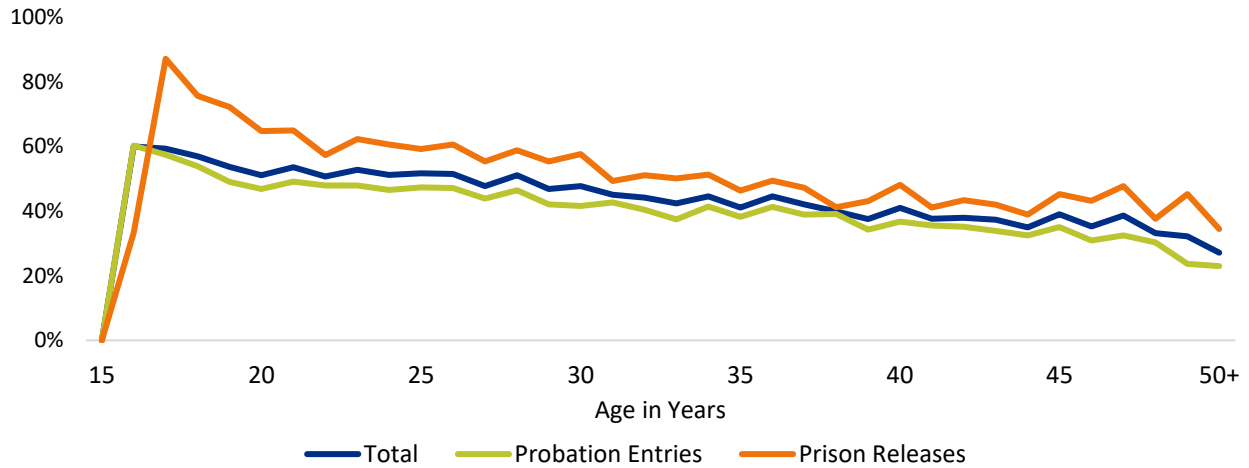
**Table 2.6
Criminal Justice Outcomes by Personal Characteristics**

Personal Characteristics	N	Criminal Justice Outcomes: Two-Year Follow-Up		
		% Recidivist Arrest	% Recidivist Conviction	% Recidivist Incarceration
Gender				
Female	10,065	36	16	15
Male	36,029	47	23	26
Race				
Black	21,001	48	22	23
White	22,654	42	21	24
Other/Unknown	2,439	38	15	20
Age at Probation Entry/Prison Release				
Under 21 Years	4,466	55	30	25
21-29 Years	16,365	51	24	26
30-39 Years	12,953	43	20	24
40-49 Years	7,296	37	17	20
50 Years and Older	5,014	27	13	15
Marital Status				
Married	5,476	34	15	17
Not Married	40,618	46	22	24
Education				
High School Graduate	18,794	38	17	15
High School Dropout/GED	27,255	49	24	29
Employment				
Employed	22,692	42	20	23
Unemployed	21,958	47	22	25
Substance Use				
None Indicated	12,608	38	17	18
Substance Use Indicated	30,412	47	22	25
Total	46,094	44	21	23

Note: Forty-five (45) offenders were missing education, 1,444 were missing employment, and 3,074 were missing substance use information and were excluded from the table.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Figure 2.9
Recidivist Arrest Rates by Age at Probation Entry/Prison Release: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Criminal History

Table 2.7 provides a comparison of recidivism rates for offenders with and without prior criminal justice system contacts. For all three criminal justice outcomes and across all criminal history measures, offenders with prior criminal history had substantially higher recidivism rates than those with no prior criminal history.

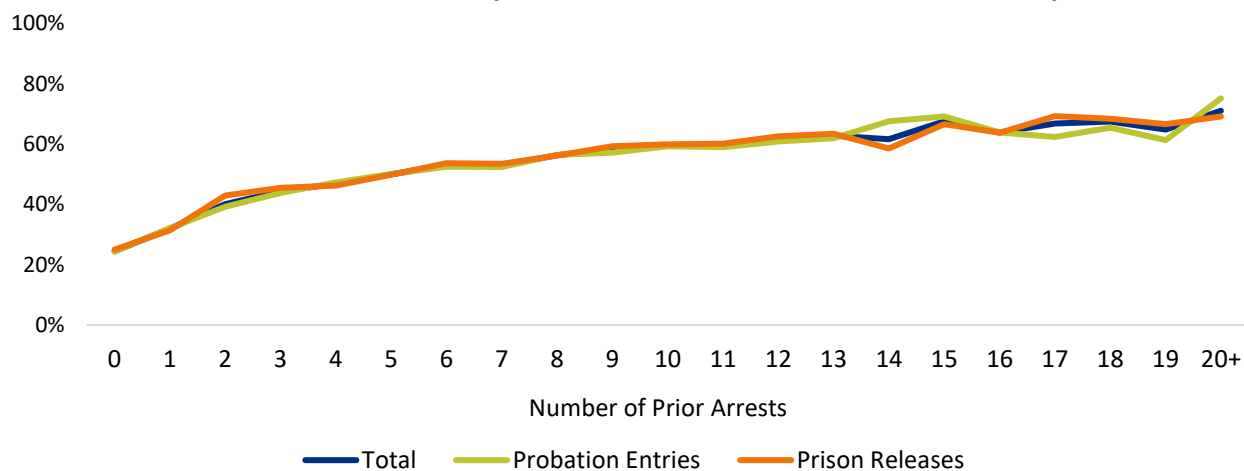
Table 2.7
Criminal Justice Outcomes by Prior Criminal Justice Contacts

Prior Criminal Justice Contacts	N	Criminal Justice Outcomes: Two-Year Follow-Up		
		% Recidivist Arrest	% Recidivist Conviction	% Recidivist Incarceration
Prior Arrest				
None	6,752	24	11	8
One or More	39,342	48	23	26
Prior Probation Entry				
None	15,286	35	16	13
One or More	30,808	49	24	29
Prior Probation/PRS Revocation				
None	27,011	38	17	16
One or More	19,083	54	27	34
Prior Incarceration				
None	29,286	40	18	17
One or More	16,808	53	26	34
Total	46,094	44	21	23

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

A more detailed examination of how the extent of an offender’s prior criminal history affects recidivism is provided in Figure 2.10. Recidivist arrest rates increased as the number of prior arrests increased. Figure 2.10 also illustrates that the difference in recidivism rates between prisoners and probationers is minimized once the number of prior arrests is taken into account.

Figure 2.10
Recidivist Arrest Rates by Number of Prior Arrests: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Most Serious Current Conviction

In Table 2.8, recidivism rates are examined by offense class for the FY 2017 sample of prisoners and probationers. As mentioned in the Criminal Justice Outcomes section, prisoners in the sample had higher recidivism rates than probationers across all three criminal justice outcomes. This pattern is repeated when comparing recidivism rates for prisoners and probationers across offense class groupings.²⁸

Focusing on the sample as a whole, offenders with a current conviction for a felony offense had higher recidivism rates for all three criminal justice outcomes compared to those with a misdemeanor offense. However, it must be noted that the Class A1 – 3 misdemeanor group is comprised only of probation entries. When comparing offenders with a felony, those with a Class H – I conviction had higher recidivism rates for all three criminal justice outcomes than the other two groups of felonies; offenders with a Class B1 – D conviction generally had the lowest recidivism rates.

Represented within Class B1 – E convictions is a specific group of offenders – habitual felons. A habitual felon is an offender with at least three prior felony convictions (each conviction having occurred before he or she committed the next offense) who has currently been convicted of a felony offense and who has been found by a jury to be a habitual felon (G.S. 14-7.1 to -7.6). A habitual felon is sentenced as a Class C felon if the substantive felony offense was committed prior to December 1, 2011. For substantive felony offenses committed on or after December 1, 2011, a habitual felon is sentenced at a felony class that is four classes higher than the substantive felony for which the person was convicted, but under no circumstances higher than Class C.

²⁸ See Appendix D for recidivism rates for offenders in each offense class.

Table 2.8
Criminal Justice Outcomes by Most Serious Current Conviction

Most Serious Current Conviction	N	Criminal Justice Outcomes: Two-Year Follow-Up		
		% Recidivist Arrest	% Recidivist Conviction	% Recidivist Incarceration
Offense Class				
Probation Entries				
Class B1 – D Felony	50	28	8	16
Class E – G Felony	3,687	36	15	22
Class H – I Felony	9,759	44	20	30
Felony Subtotal	13,496	42	19	28
Class A1 – 3 Misdemeanor	16,932	40	19	6
Total	30,428	41	19	16
Prison Releases				
Class B1 – D Felony	2,455	42	18	27
Class E – G Felony	5,033	48	22	35
Class H – I Felony	8,178	56	30	44
Total	15,666	51	26	38
Total Sample				
Class B1 – D Felony	2,505	41	17	26
Class E – G Felony	8,720	43	19	29
Class H – I Felony	17,937	49	25	36
Felony Subtotal	29,162	47	22	33
Class A1 – 3 Misdemeanor	16,932	40	19	6
Total	46,094	44	21	23
Specific Groups of Interest				
Habitual Felons	1,149	50	25	35
Sex Offenders	967	25	10	23
Offense Type				
Person	10,488	42	18	18
Property	18,357	48	24	27
Drug	11,456	42	19	23
Other	5,793	44	19	24

Note: Probation sentences in Class C and Class D could reflect convictions in which extraordinary mitigation was found, convictions for certain drug trafficking offenses, or, in Class D, Felony Death by Vehicle (FDBV) convictions with 0 to 3 prior record points.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

In FY 2017, there were 1,149 offenders released from prison with a habitual felon conviction. Recidivism rates for habitual felons were compared to rates for prison releases with habitual felons excluded in order to assess which felony offense class grouping habitual felons were more similar to in terms of criminal justice outcomes. Although recidivism rates for habitual felons were between those for Class E – G and Class H – I felons, they most closely resembled those for prisoners convicted of a Class E – G felony (48% with a recidivist arrest, 22% with a recidivist conviction, and 35% with a recidivist

incarceration). Generally, most habitual felons have a low-level felony offense (primarily Class H or Class I) as their most serious substantive offense.^{29,30}

Offenders who are required to register as sex offenders under Article 27A of Chapter 14 of the NC General Statutes are also a group of special interest. Those convicted of a reportable offense are required to register as sex offenders. A reportable offense is defined as “an offense against a minor, a sexually violent offense, or an attempt to commit” such offenses. Of the 967 offenders in the sample convicted of an offense for which registration as a sex offender is required, 65% were prisoners and 35% were probationers; 32% were convicted of a Class B1 – D felony, 55% of a Class E – G felony, 8% of Class H – I felony, and 5% of a Class A1 – 3 misdemeanor.³¹ Overall, 25% of the offenders required to register as a sex offender had a recidivist arrest, 10% had a recidivist conviction, and 23% had a recidivist incarceration. Sex offenders generally had lower recidivism rates than most groups.

Table 2.8 also provides information on criminal justice outcomes by offense type of the most serious conviction. Overall, those convicted of property offenses as their most serious conviction had the highest recidivism rates. Limited variation was found in recidivism rates across the other offense types.

Summary

Chapter Two examined the FY 2017 sample by offender type (i.e., probation entries and prison releases) and as a whole. A statistical profile of offenders in North Carolina was provided and included the characteristics of the sample and their prior, current, and recidivist criminal justice contacts.

Compared to probationers, prisoners were less likely to have graduated from high school and slightly less likely to be employed. A higher percentage of prisoners were identified as having a possible substance use problem. These personal characteristics were also linked to higher recidivism rates.

Four measures were used to examine prior criminal justice contacts – prior arrests, prior probation entries, prior probation/PRS revocations, and prior incarcerations. Compared to probationers, prisoners had more extensive prior criminal histories for all four measures. Prisoners were much more likely to have a prior arrest than probationers (95% and 81% respectively) and had more arrests on average (8 and 5 respectively). Offenders with prior criminal history had substantially higher recidivism rates than those with no prior criminal history.

Three measures of recidivism – recidivist arrests, convictions, and incarcerations – were used to assess repeat involvement with the criminal justice system. Compared to probationers, prisoners had higher recidivism rates for all three measures (see Figure 2.11). Nearly three-fourths of those with a recidivist arrest were arrested within the first 12 months of follow-up. Multivariate analyses are used to more

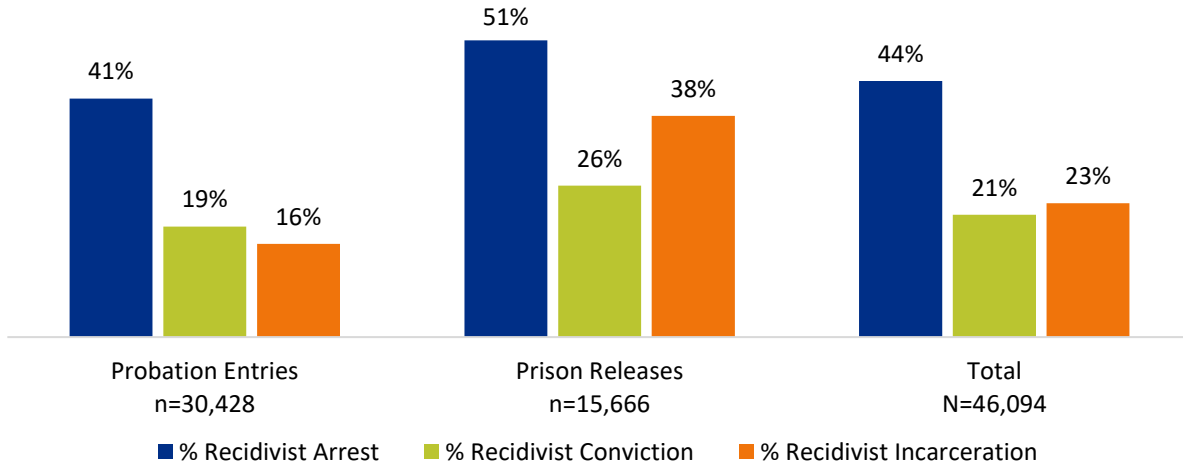
²⁹ In FY 2019, nearly two-thirds of habitual felon convictions had a most serious substantive offense for a Class H or Class I felony. See NC Sentencing and Policy Advisory Commission, *Structured Sentencing Statistical Report for Felonies and Misdemeanors*, 2020.

³⁰ A separate group of habitual felons were also examined – offenders convicted of habitual breaking and entering. In FY 2017 there were 126 offenders released from prison with a conviction for habitual breaking and entering, a Class E felony established under the JRA. Of these, 57% had a recidivist arrest, 22% had a recidivist conviction, and 48% had a recidivist incarceration during the two-year follow-up period.

³¹ The Class A1 – 3 misdemeanor group is comprised only of probation entries. As described previously, no misdemeanor prison releases were included in the sample.

closely examine the effect of multiple factors (e.g., offender type, personal characteristics) on the probability of recidivism (see Chapter Six).

Figure 2.11
Criminal Justice Outcomes: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

A major limitation in the examination of both prior and recidivist incarcerations is the lack of available jail data. Incarceration in county jails, either as a result of new sentences or revocations, is not included as part of the prior or recidivist incarceration measures because there are no statewide automated jail data in North Carolina. Statewide automated jail data would allow for a more complete examination of offender behavior in North Carolina.

As described in this chapter, the JRA affected all probationers and 80% of prison releases in the FY 2017 sample. The effect of the JRA on criminal justice outcomes for probationers and prisoners is examined in more detail in Chapters Three and Four for probationers and Chapter Five for prisoners.

CHAPTER THREE

PROBATION ENTRIES IN FY 2017

Chapter Two provided a sample-wide profile of North Carolina offenders and their recidivism. This chapter turns to a further examination of the probationers in the sample. As discussed in Chapter One, the impact of the JRA is expected to be greatest on the state's community corrections population, and the FY 2017 probation entries are the third recidivism sample to be processed and supervised under the provisions and policies implemented under the JRA. With this special focus, Chapter Three examines the RNA and the determination of supervision level; violations of community supervision and specific responses to those violations (i.e., interim outcomes); and the recidivist arrest rates of those under community supervision.³²

Statistical Profile of the FY 2017 Probation Entries

The DPS provides supervision and services to all offenders in the community based on their risk, need, and supervision level. In FY 2017, there were 30,428 probation entries in the sample.³³ The majority (56%) had a misdemeanor as their most serious current conviction; the remaining probationers (44%) had a felony as their most serious current conviction. The type of conviction guides the length of supervision, which may affect how violations are handled either by the court or through the use of the DPS's delegated authority.³⁴ The supervision period for probationers with a current misdemeanor conviction was shorter (an average of 16 months) compared to probationers with a current felony conviction (an average of 27 months).³⁵

Personal Characteristics

Table 3.1 contains information describing the personal characteristics of the probationers. Of the 30,428 probationers, 73% were male, 52% were white, 36% were aged 21-29 years, 13% were married, 52% had dropped out of high school, 53% were employed, and 66% were identified as having a possible substance use problem. While misdemeanor and felony probationers were similar on many of the personal characteristics examined, felons were more likely than misdemeanants to be male (77% and 69% respectively), to have dropped out of high school (54% and 50% respectively), and to have a possible substance use problem (68% and 63% respectively). Overall, the average age at probation entry was 33 years old.

³² See Appendix B for detailed definitions of recidivism and other key terms.

³³ Overall, 11% (n=3,356) of probation entries did not have an RNA completed and a supervision level assigned. Of probationers missing a completed RNA, most (7%) had a misdemeanor as the most serious conviction while the remainder had a felony conviction (4%). Offenders without a completed RNA are typically offenders who have absconded supervision prior to completion of the RNA process. These offenders are noted throughout this chapter as "not assessed" for RNA analyses and "not established" for supervision level analyses.

³⁴ In addition, felons serve longer active sentences than misdemeanants if probation is revoked; felons serve their sentences in the state prison system while misdemeanants primarily serve their sentences in local jails.

³⁵ Although there are some exceptions, under current law misdemeanor probationers receive a probation sentence of not less than 6 months and not more than 24 months, depending upon whether they receive a Community or Intermediate punishment, while felony probationers receive a probation sentence of not less than 12 months and not more than 36 months, depending upon whether they receive a Community or Intermediate punishment.

**Table 3.1
Personal Characteristics**

Personal Characteristics	Probation Entries		
	Misdemeanants n=16,932 %	Felons n=13,496 %	Total N=30,428 %
Gender			
Female	31	23	27
Male	69	77	73
Race			
Black	42	43	43
White	52	52	52
Other/Unknown	6	5	5
Age at Probation Entry			
Under 21 Years	13	11	12
21-29 Years	36	36	36
30-39 Years	26	28	27
40-49 Years	15	14	15
50 Years and Older	10	11	10
Marital Status			
Married	12	13	13
Not Married	88	87	87
Education			
High School Graduate	50	46	48
High School Dropout/GED	50	54	52
Employment			
Employed	53	53	53
Unemployed	47	47	47
Substance Use			
None Indicated	37	32	34
Substance Use Indicated	63	68	66

Note: Of the 30,428 probation entries, 26 offenders were missing education information, 1,368 were missing employment information, and 2,258 were missing substance use information and were excluded from the table. Overall, 3% of probationers were Hispanic.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Criminal History

The criminal history of probationers is examined in Table 3.2 and Figure 3.1. Overall, 81% of probationers had a prior arrest, 56% had a prior probation entry, 32% had a prior probation or PRS revocation, and 26% had a prior incarceration. Felons were more likely than misdemeanants to have had prior criminal justice contacts for all four measures examined.

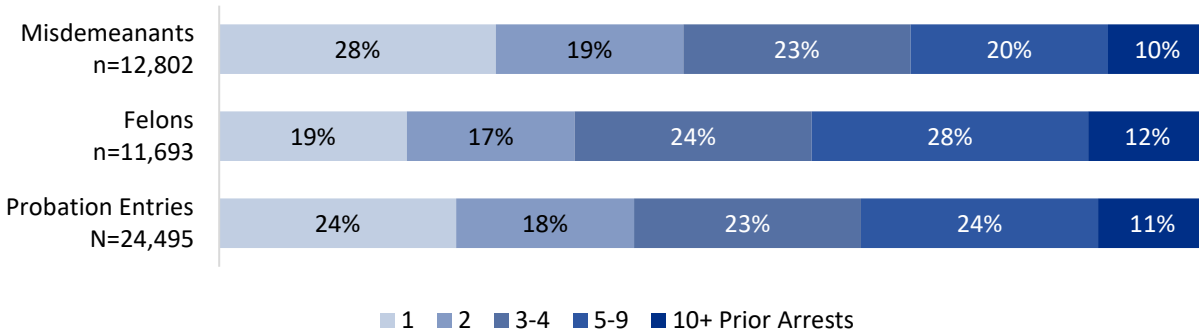
Table 3.2
Prior Criminal Justice Contacts

Prior Criminal Justice Contacts	Probation Entries		
	Misdemeanants n=16,932 %	Felons n=13,496 %	Total N=30,428 %
Prior Arrest	76	87	81
Prior Probation Entry	53	61	56
Prior Probation/PRS Revocation	29	35	32
Prior Incarceration	22	30	26

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Figure 3.1 further illustrates the differences in prior criminal justice contacts between felony and misdemeanor probationers. As mentioned previously, prior arrests have consistently been found to be a strong predictor of recidivism. Among probationers with a prior arrest, 35% had 5 or more prior arrests. Nearly two-thirds (64%) of felons with a prior arrest had 3 or more prior arrests compared to over half (53%) for misdemeanants. A smaller percentage of felons had 1 prior arrest (19%) than misdemeanants (28%). The 24,495 offenders with a prior arrest accounted for a total of 111,570 prior arrests for an overall average of 5 prior arrests per offender.³⁶ Misdemeanants averaged 4 prior arrests and felons averaged 5 prior arrests.

Figure 3.1
Number of Prior Arrests for Probation Entries with Any Prior Arrest



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

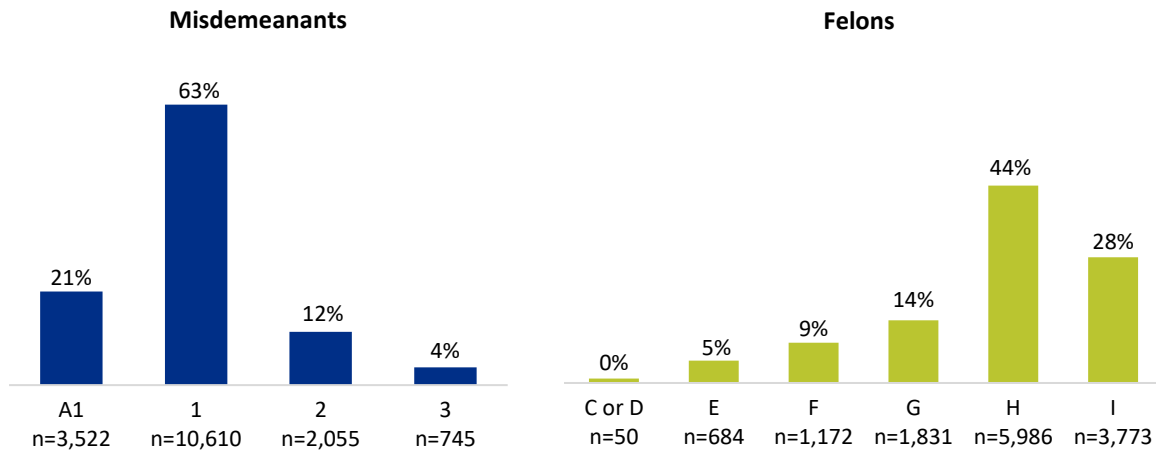
Most Serious Current Conviction

Figure 3.2 shows the majority of felons entered probation following a conviction for a Class H or Class I offense (44% and 28% respectively), while the majority of misdemeanants entered probation following a Class 1 conviction (63%).³⁷

³⁶ Despite their smaller sample size, felons accounted for a larger volume of prior arrests than misdemeanants. The 11,693 felons with a prior arrest accounted for a total of 56,656 prior arrests, while the 12,802 misdemeanants with a prior arrest accounted for a total of 54,914 prior arrests.

³⁷ See Chapter Two for more details regarding the offense class and type of the conviction for probation entries.

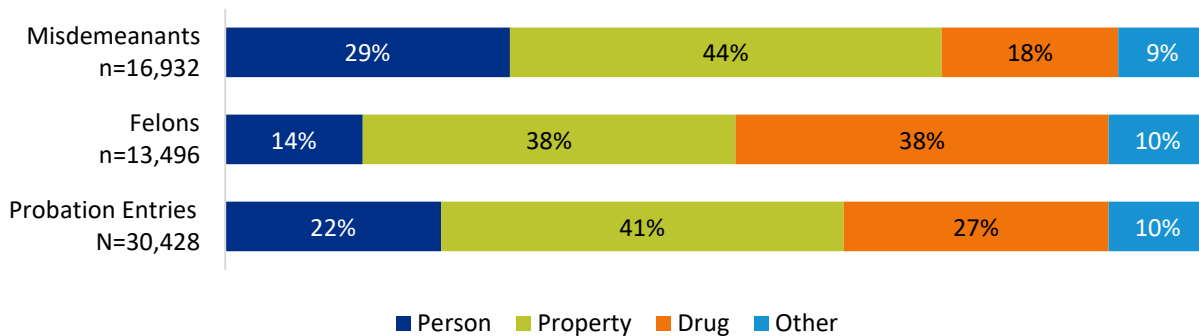
Figure 3.2
Offense Class of the Most Serious Current Conviction



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Overall, most probationers had a property offense as their current conviction (41%). Property offenses were the most common among misdemeanor probationers (44%). Among felony probationers, property and drug offenses were the most common (38% each). (See Figure 3.3.) Felons had lower percentages of person offenses and higher percentages of drug offenses (14% and 38% respectively) compared to misdemeanants (29% and 18% respectively).³⁸

Figure 3.3
Offense Type of the Most Serious Current Conviction



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Offender Risk and Need Assessments

With the passage of the JRA, North Carolina joined a growing number of states that use some measure of risk and need to assess offenders, determine supervision level, and provide rehabilitative and other services. The DPS is required by the JRA to use a validated instrument to assess each probationer’s risk of reoffending and criminogenic needs and to place the probationer in the appropriate supervision level. The DPS currently uses the Offender Traits Inventory-Revised (OTI-R) to assess offender risk and the

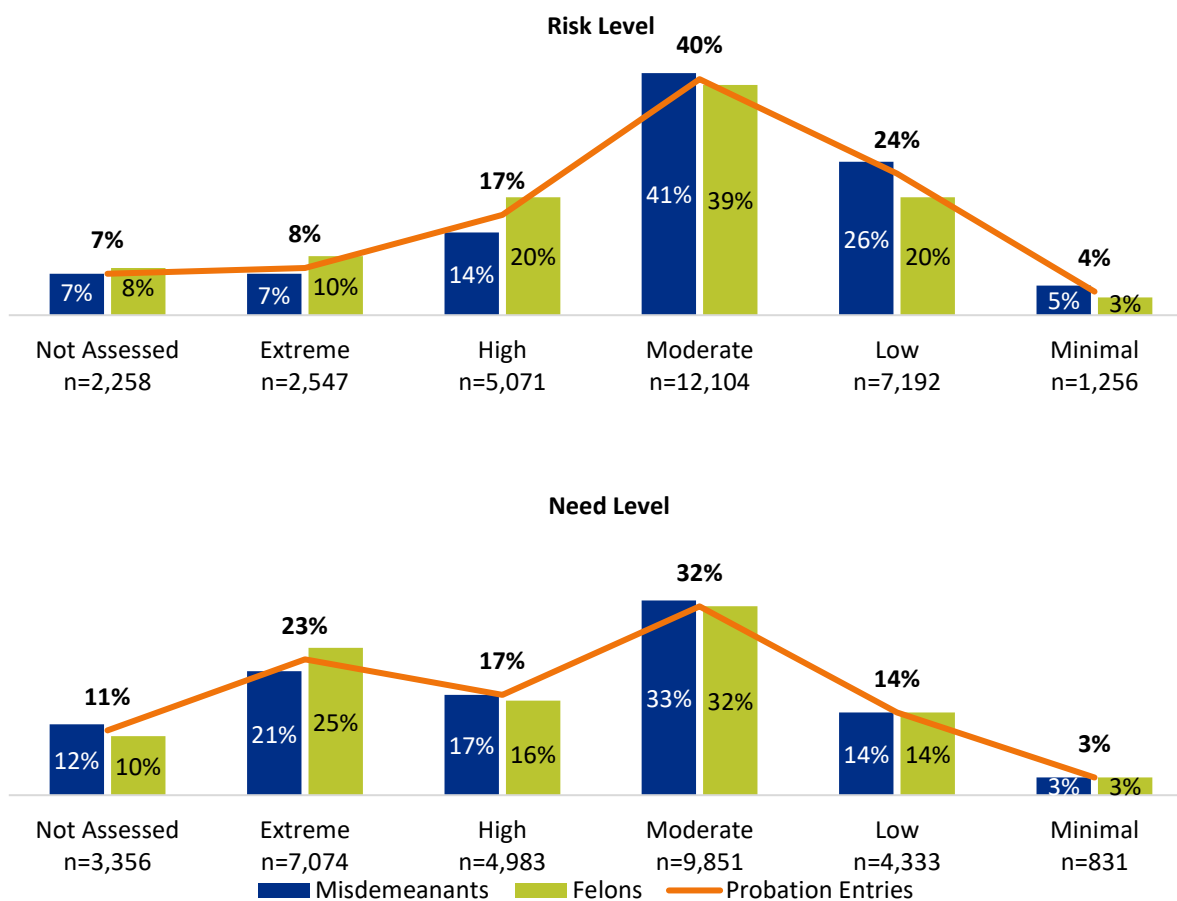
³⁸ Felons who commit person offenses tend to receive an active punishment (i.e., prison) by the court and are not sentenced to probation supervision.

Offender Self-Report instrument and the Officer Interview and Impressions instrument to assess offender need to determine supervision level, program placement, and other interventions for probationers.

The OTI-R is administered within the first 60 days of probation supervision. Each offender is assigned to one of five risk levels based on their score: extreme, high, moderate, low, and minimal. Figure 3.4 provides the risk level distribution for probationers. Overall, 7% were not assessed, 8% were assessed as extreme risk, 17% were assessed as high risk, 40% as moderate risk, 24% as low risk, and 4% as minimal risk. A higher percentage of felons were assessed as extreme or high risk compared to misdemeanants, while a higher percentage of misdemeanants were assessed as low and minimal risk compared to felons.

The need portion of the assessment addresses six criminogenic factors (i.e., dysfunctional family, criminal peers, anti-social personality, anti-social values, substance use problem, and self-control), in addition to other areas of need (e.g., transportation, legal, and mental health). Similar to risk, the need assessment divides the probationers into five need levels: extreme, high, moderate, low, and minimal.

**Figure 3.4
Risk and Need Levels**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Overall, 11% were not assessed,³⁹ 23% were assessed as extreme need, 17% as high need, 32% as moderate need, 14% as low need, and 3% as minimal need (see Figure 3.4). Examination of need level shows little difference between felons and misdemeanants – 21% of misdemeanants and 25% of felons were assessed as extreme need, while misdemeanants and felons were assessed as minimal need at the same rate (3%).

Table 3.3 provides information on the areas of need that were flagged from the need portion of the RNA. The areas identified assist the probation officer in potential referrals or services for the offender. Substance use problem (68%), transportation (61%), and legal (57%) were identified as the top areas of need. Felons and misdemeanants were similar in most areas of need identified. Criminal peers, however, was identified as a need for a larger proportion of felons than misdemeanants (48% and 39% respectively). Dysfunctional family was identified as a need for a larger proportion of misdemeanants than felons (56% and 50% respectively) as was legal (60% and 55% respectively).

Table 3.3
Areas of Need Identified

Areas of Need	Probation Entries		
	Misdemeanants n=14,937 %	Felons n=12,135 %	Total N=27,072 %
Criminogenic Factors			
Anti-social Personality	18	21	19
Anti-social Values	18	18	18
Criminal Peers	39	48	43
Dysfunctional Family	56	50	53
Self-Control	26	24	25
Substance Use Indicated	67	70	68
Health Factors			
Mental Health	54	52	53
Physical	32	32	32
Additional Factors			
Academic/Vocational	42	42	42
Employment	46	49	48
Financial	37	35	36
Housing	29	28	28
Legal	60	55	57
Social Skills	41	42	41
Transportation	60	63	61

Note: Offenders who did not have an RNA completed and a supervision level assigned (n=3,356) were excluded from this table.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

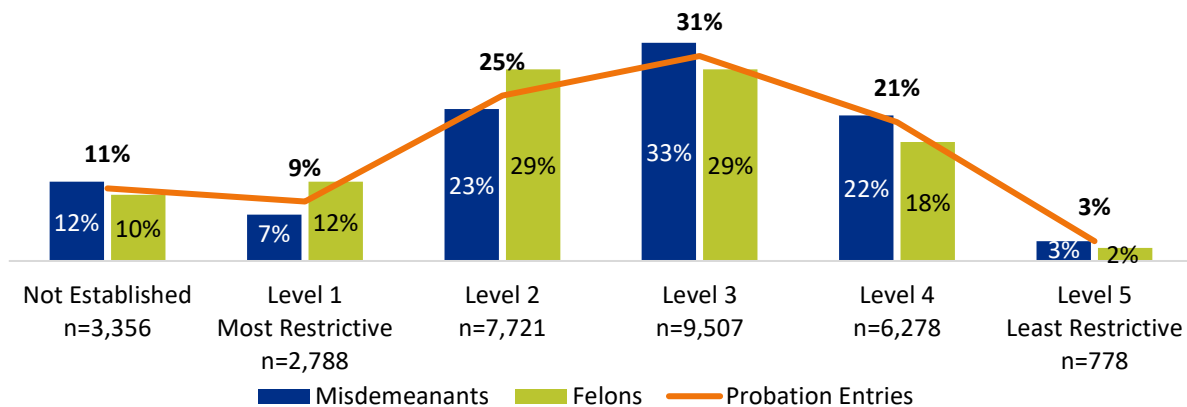
³⁹ The risk assessment and need assessment are administered separately. As a result, it is possible for a probationer to have a completed assessment for one and not the other.

Supervision in the Community

The DPS determines a probationer’s supervision level based on the intersection of the offender’s risk and need levels. The supervision levels range from 1 to 5 with Level 1 being the most restrictive. The supervision level dictates the minimum contact requirements for probationers. Level 1 (the most restrictive) requires one home contact and one offender management contact per month, while Level 5 (the least restrictive) requires remote reporting monthly.

Figure 3.5 provides a distribution of supervision levels for misdemeanants and felons. A greater percentage of felons were placed in the most restrictive supervision levels, Levels 1 and 2 (12% and 29% respectively) than misdemeanants (7% and 23% respectively). Misdemeanants were more likely to be placed in Levels 3 and 4 (33% and 22% respectively) than felons (29% and 18% respectively). A similar proportion of misdemeanants and felons were placed in the least restrictive supervision level, Level 5 (3% and 2% respectively).

**Figure 3.5
Offender Supervision Level**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Table 3.4 combines the distributions of probationers by risk, need, and supervision levels. In addition to providing the distribution by risk level and by need level, the table also provides the distribution for each combination of risk level and need level. The most frequent combinations of risk and need were moderate risk/moderate need (16%) and moderate risk/extreme need (12%). The least common combinations of risk and need involved minimal need offenders who were also extreme or high risk (less than 1% each).

**Table 3.4
Supervision Level Distribution Based on Risk and Need Levels**

Need Level	Risk Level					#/% by Need Level
	Extreme	High	Moderate	Low	Minimal	
Extreme	762 3%	L1 1,427 5%	3,344 12%	1,386 5%	155 1%	7,074 26%
High	599 2%	1,043 4%	2,169 8%	L3 1,046 4%	126 0%	4,983 18%
Moderate	720 3%	1,626 6%	4,265 16%	2,712 10%	528 2%	9,851 36%
Low	240 1%	L2 641 2%	1,643 6%	L4 1,506 6%	303 1%	4,333 16%
Minimal	28 0%	79 0%	239 1%	370 1%	L5 115 0%	831 3%
#/% by Risk Level	2,349 9%	4,816 18%	11,660 43%	7,020 26%	1,227 5%	27,072 100%

Note: 3,356 offenders who did not have an RNA completed and a supervision level assigned were excluded from this table. Percentages may not add to totals due to rounding.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Interim Outcomes

The JRA changed how probation officers supervise offenders by increasing possible responses to violations of supervision, namely through expanding their delegated authority and limiting revocations by establishing CRVs.⁴⁰ The JRA expanded delegated authority in two ways – by adding to the list of conditions a probation officer may impose on a probationer and by broadening the circumstances in which the officer may impose them (particularly for high risk offenders). While the RNA guides the level at which offenders will be supervised and helps probation officers to select programs and services aimed at changing criminogenic needs, delegated authority enables probation officers to graduate sanctions in response to non-compliance by offenders.⁴¹

High Risk Delegated Authority

For probationers with an OTI-R score of 50 or higher (those assessed as extreme or high risk), probation officers have an option to use high risk delegated authority. Those offenders are eligible to have conditions added to their probation without a violation. Officers staff high risk delegated authority cases with their chief probation officers to decide when and which offenders may need additional conditions.

⁴⁰ For more information on the effect of the JRA on the supervision of probationers, see the Sentencing Commission’s reports titled *Justice Reinvestment Act Implementation Evaluation Report* at <http://www.nccourts.gov/Courts/CRS/Councils/spac/Publication/JRIReports.asp>.

⁴¹ As noted previously, of the probation entries in the FY 2017 sample, misdemeanants were sentenced to an average of 16 months of supervised probation, while felons were sentenced to an average of 27 months. As a result, some misdemeanants were not on supervision for the entire two-year follow-up period, while the majority of felons were on supervision for the entire follow-up. The violations of supervision and type of responses to violations presented in this section captured any violations or responses that occurred while on supervision during the two-year follow-up period. However, these violations or responses may have occurred in relation to the offense for which the offender was selected for the study sample or for a new sentence that was imposed during follow-up.

Available conditions include referrals to substance abuse treatment or Cognitive Behavioral Intervention (CBI) classes, electronic house arrest, or other controlling conditions. Quick dips may not be imposed through high risk delegated authority.

Overall, probation officers used high risk delegated authority on 3,001 of the 30,428 probationers in the sample (10%). The rate of high risk delegated authority designation was higher for felons (11%) than for misdemeanants (9%).

For probationers who received the high risk delegated authority designation during the two-year follow-up period, the first high risk delegated authority designation occurred on average 3 months after probation entry; felons had a shorter time before receiving a high risk delegated authority designation at 3 months than misdemeanants at 4 months.

Violations of Community Supervision

For probationers, violations of community supervision were used as an indicator of misconduct while under supervision during the two-year follow-up. The type of violation was examined using the following categories in order of most serious to least serious: criminal,⁴² absconding, or technical. For analysis, examination of the type of violation was based on the most serious violation that occurred during follow-up (hereinafter referred to as the “most serious violation”).

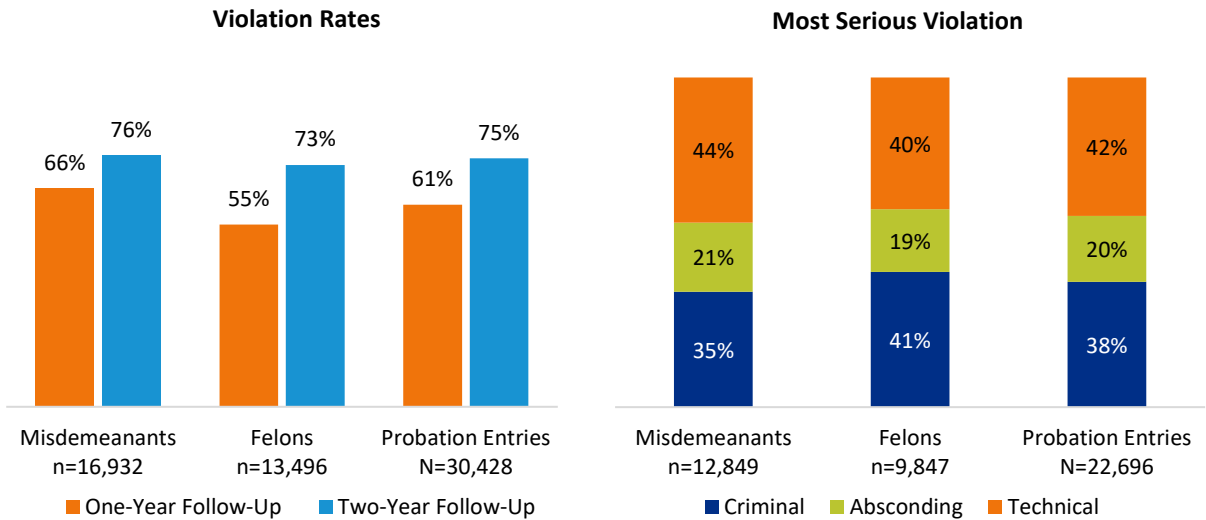
Overall, 61% of probationers had at least one violation during the one-year follow-up period and 75% had at least one violation during the two-year follow-up (see Figure 3.6). A slightly greater percentage of misdemeanants than felons had a violation during the two-year follow-up (76% compared to 73%). The 22,696 probationers with at least one violation accounted for a total of 51,069 violations during follow-up, an average of 2 violations per probationer.

For probationers with any violation, a higher percentage of misdemeanants had only one violation (45%) and a lower percentage had three or more violations (29%) compared to felons (36% and 38% respectively). Among probationers with a violation, the average time to the first violation was 7 months. Misdemeanants had their first violation on average at 6 months, while felons had their first violation on average at 8 months.

Based on the most serious violation for probationers with at least one violation, 38% had a criminal violation, 20% had an absconding violation, and 42% had a technical violation. Felons had criminal and technical violations in nearly equal proportions (41% and 40% respectively). Misdemeanants were most likely to have a technical violation as their most serious violation (44%). Felons had a higher percentage of criminal violations as their most serious violation than misdemeanants (41% and 35% respectively). A similar proportion of felons and misdemeanants had an absconding violation as their most serious violation (19% and 21% respectively).

⁴² While a “criminal” violation may result from pending charges, it is generally the policy of the DPS to only consider criminal charges that result in conviction as a “criminal” violation. In the case of pending charges, probation officers may use elements of pending charges to support a technical violation of probation (e.g., a charge for public intoxication could be used to support a technical violation of the probation condition of not using or possessing alcohol).

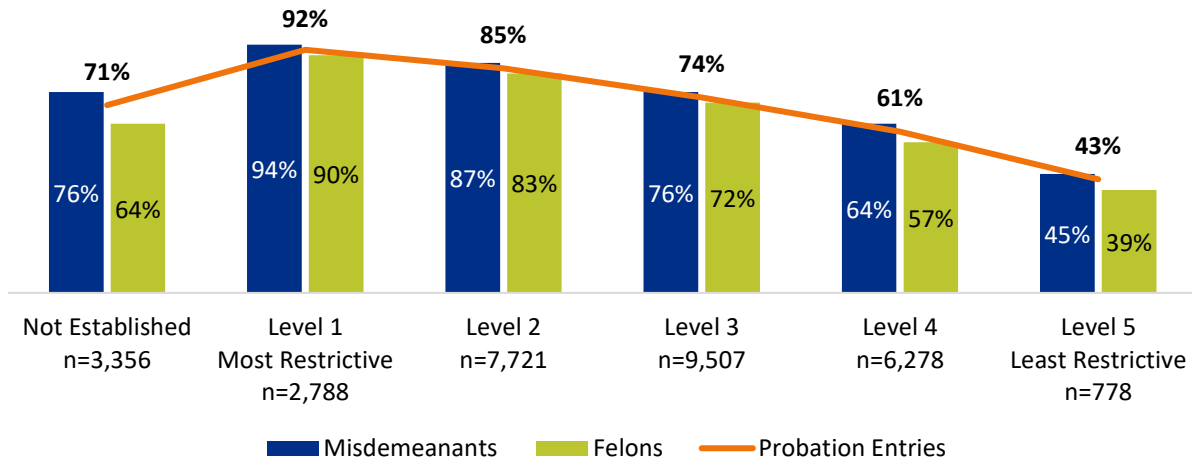
Figure 3.6
Violations: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

When violation rates were examined by supervision level (see Figure 3.7), violation rates decreased in a stair-step pattern as the restrictiveness of the supervision level decreased. When examined separately, misdemeanants had higher violation rates than felons regardless of supervision level.

Figure 3.7
Violation Rates by Supervision Level: Two-Year Follow-Up



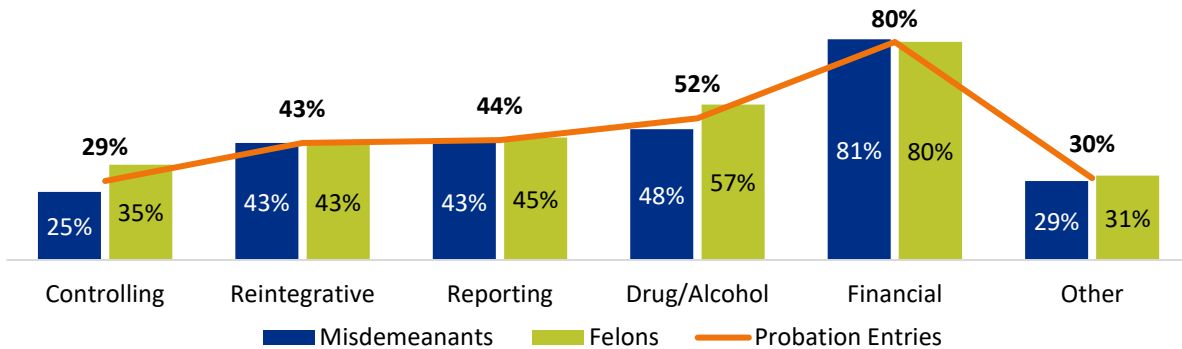
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Technical Violations of Community Supervision

Overall, 22,078 probationers in the sample (73%) had a technical violation during the two-year follow-up. Misdemeanants were slightly more likely to have a technical violation than felons (74% and 71% respectively). To examine the most common types of technical violations, specific violations were categorized as follows: sex offender, controlling, reintegrative, reporting, drug/alcohol, financial, and

other.⁴³ Figure 3.8 presents more detail about the kinds of violations that comprise the technical violation category. Overall, among offenders who received a technical violation, the two most common types of violations were financial (80%) and drug/alcohol (52%). Felons and misdemeanants were similar in the rates at which they received reintegrative, reporting, financial, and other violations. Felons were more likely than misdemeanants to receive controlling violations (35% and 25% respectively) and drug/alcohol violations (57% and 48%).

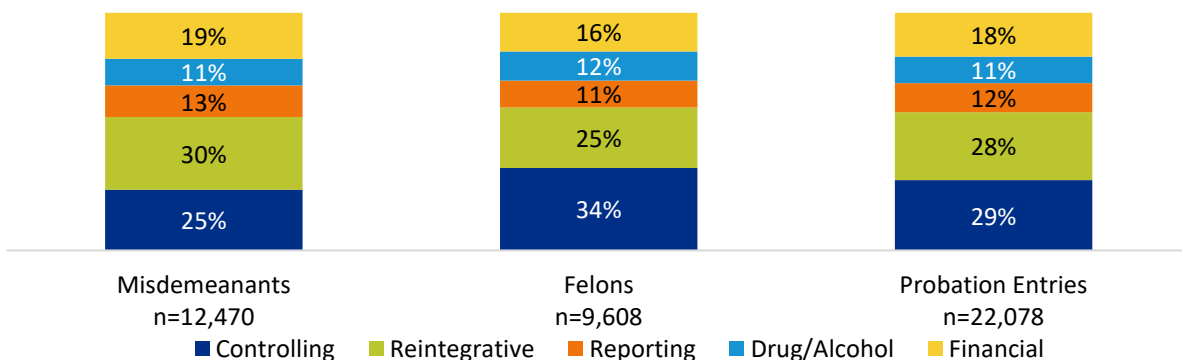
Figure 3.8
Technical Violation Rates: Two-Year Follow-Up



Note: Sex offender technical violations were rare (less than 1%) and were excluded from the figure.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Figure 3.9 examines the distribution of the most serious technical violation that occurred during follow-up, with the following ranking from most serious to least serious: sex offender, controlling, reintegrative, reporting, drug/alcohol, financial, and other. Overall, a majority of probationers with a technical violation (57%) had either a controlling or reintegrative violation as their most serious technical violation (29% and 28% respectively). Misdemeanants were slightly more likely than felons to have financial (19% and 16% respectively) and reintegrative violations (30% and 25% respectively) as their most serious technical violation. Felons, on the other hand, were more likely than misdemeanants to have controlling violations as their most serious technical violation (34% and 25% respectively).

Figure 3.9
Most Serious Technical Violation: Two-Year Follow-Up



Note: Offenders with “other” (n=268) and “sex offender” (n=99) as their most serious technical violation were excluded from the figure due to small numbers.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

⁴³ An example of a controlling violation is failure to submit to electronic house arrest. An example of a reintegrative violation is failure to attend substance abuse treatment. See Appendix B for additional information.

Responses to Violations of Community Supervision

Figure 3.10 summarizes the selected responses to violations of supervision that were analyzed in this study.⁴⁴ These select responses cover many of the most common responses to violations of supervision but do not encompass all possible responses. For analysis, these select responses were divided into two categories – non-confinement responses and confinement responses.

Figure 3.10
Responses to Violations of Community Supervision⁴⁵

Non-Confinement Responses

- Delegated Authority
- Additional Supervision Conditions
- Modified Supervision Conditions
- Continued Supervision

Confinement Responses

- Quick Dip
- CRV (Felons Only)
- Revocation

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Non-Confinement Responses

The rates at which select non-confinement responses to violations of community supervision were ordered are presented in Figure 3.11. Overall, modifications of supervision conditions and orders to continue supervision (16% and 13% respectively) occurred more frequently than delegated authority⁴⁶ and the imposition of additional conditions of supervision (9% each). Misdemeanants and felons received delegated authority and additional supervision conditions at similar rates during the two-year follow-up. Greater percentages of felons received modifications of supervision and continued supervision (18% and 15% respectively) than misdemeanants (14% and 12% respectively).⁴⁷

Figure 3.12 explores the average months to the first non-confinement response to violations of supervision. Overall, delegated authority responses occurred several months earlier than the other three non-confinement responses examined. On average, offenders' first delegated authority response occurred at 6 months, while additional conditions of supervision, modifications of supervision, and continued supervision responses occurred later (10, 12, and 13 months respectively). Regardless of the type of non-confinement response, the first non-confinement response for misdemeanants generally happened earlier during supervision than non-confinement responses for felons.

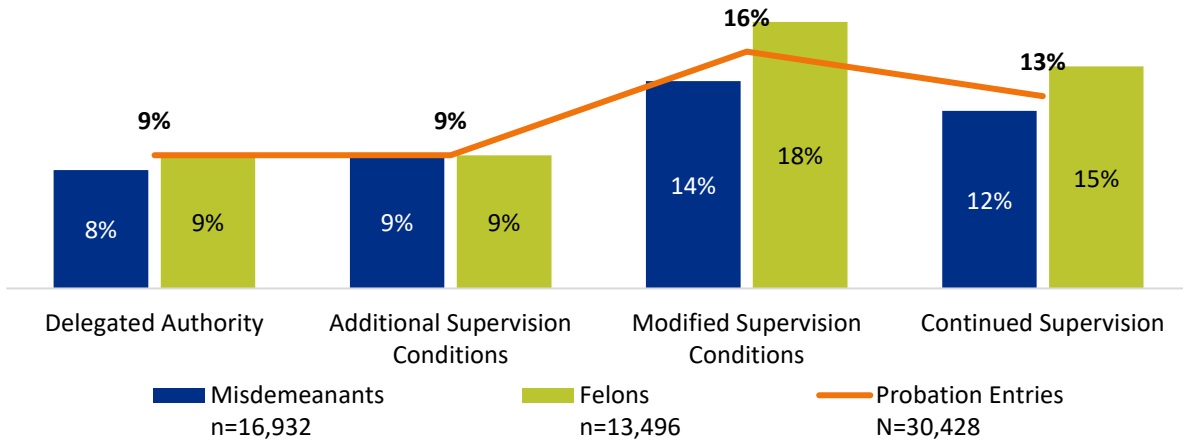
⁴⁴ Responses to violations of supervision are not directly linked to a specific violation committed by the probationer.

⁴⁵ None of the SSA misdemeanants in the FY 2017 sample were eligible for CRV as a sanction for violations of supervision. As a result, analyses of CRV responses to violation in this study were limited to felony probationers.

⁴⁶ Delegated authority allows probation officers to respond to detected probation non-compliance as soon as possible without returning to court. Delegated authority differs from high risk delegated authority in that it can be used for any probationer in response to a violation. Responses may include quick dips, curfews, electronic house arrest, community service, and/or increased reporting requirements. Although quick dips are authorized under delegated authority, they are examined separately in the confinement responses to violation section.

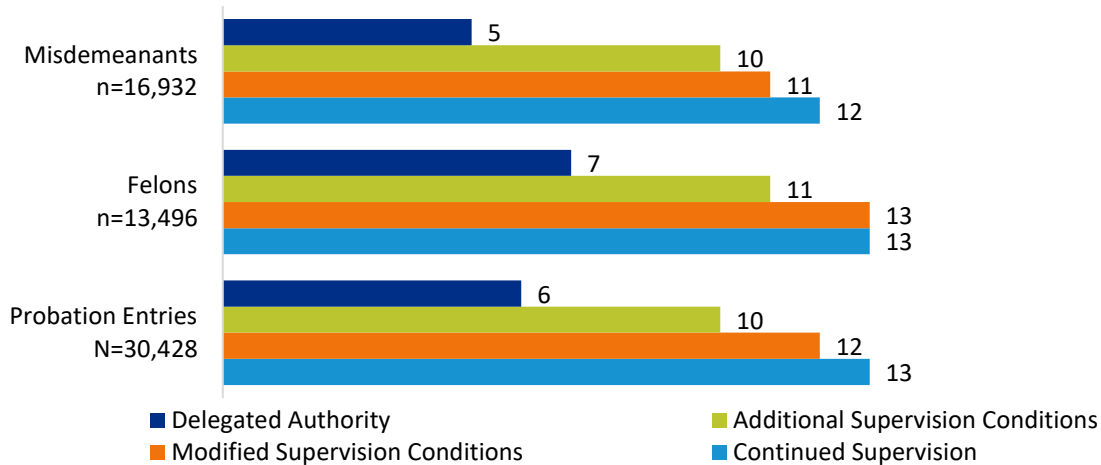
⁴⁷ For additional analyses of non-confinement responses, see Figures E.1 and E.2 of Appendix E.

Figure 3.11
Non-Confinement Response Rates: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Figure 3.12
Months to First Non-Confinement Response: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Confinement Responses

As mentioned previously, confinement responses to violations of supervision include quick dips, CRVs for felons, and revocation. These specific confinement responses are individually analyzed below.

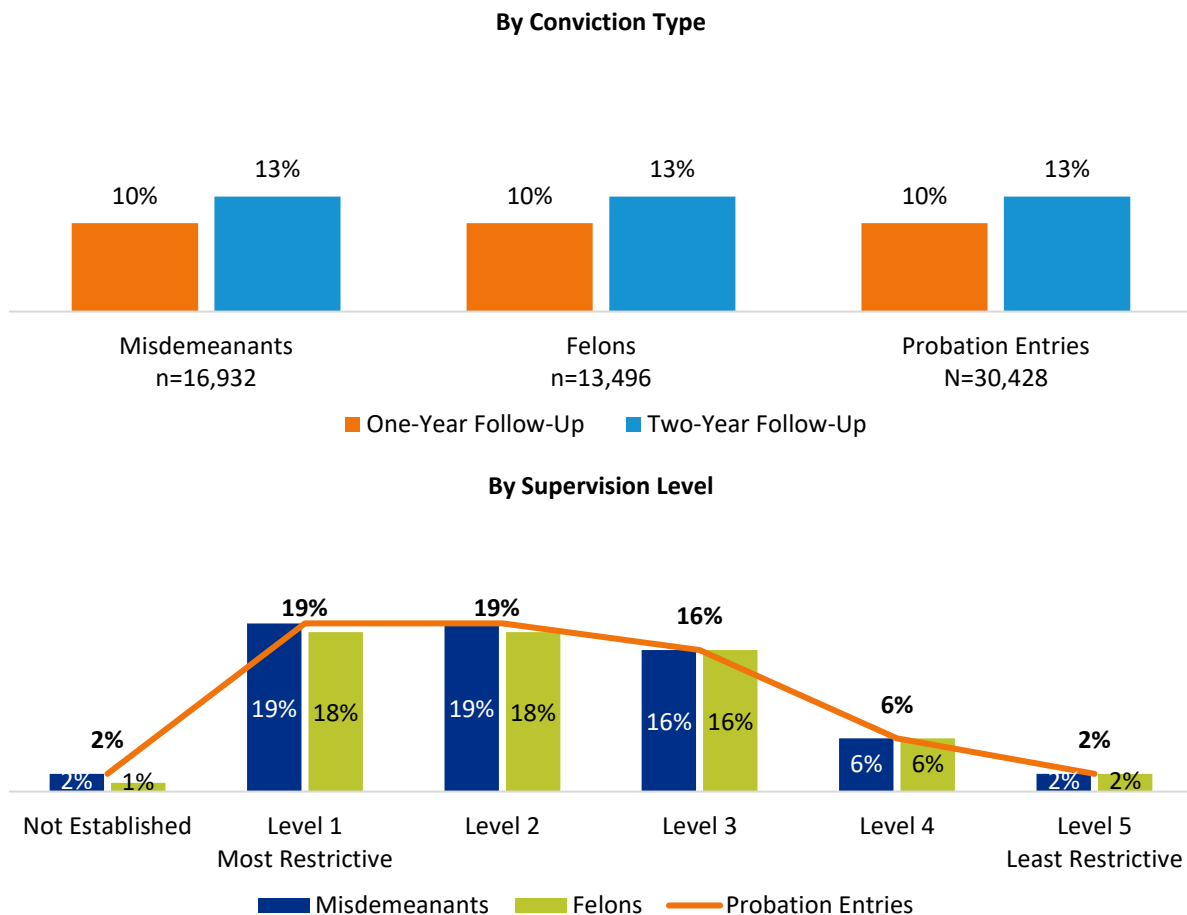
Quick Dips

Quick dips are intended to be used as an immediate response to offender non-compliance and may be used on offenders in any supervision level. They may be imposed through either delegated authority or through the court. Per the DPS's policy, quick dips should not be the first response to non-compliance and cannot be the response for non-willful violations. Quick dips involve confinement in local jails for either two- or three-day periods. More probationers were confined for two-day quick dips (n=1,879)

compared to three-day quick dips (n=1,614), while 421 offenders had both. Hereinafter, two- and three-day quick dips are combined for analysis.

Overall, 10% of probationers had a quick dip during the one-year follow-up period and 13% had a quick dip during the two-year follow-up (see Figure 3.13), with no differences in rates for felons and misdemeanants. When quick dip rates were examined by supervision level, generally the more restrictive the supervision level, the higher the quick dip rate. Quick dip rates were the same for probationers in Levels 1 and 2 (19%) and declined for Levels 3, 4, and 5 (16%, 6%, and 2% respectively). Quick dip rates were similar for felons and misdemeanants regardless of supervision level.

Figure 3.13
Quick Dip Rates: Two-Year Follow-Up



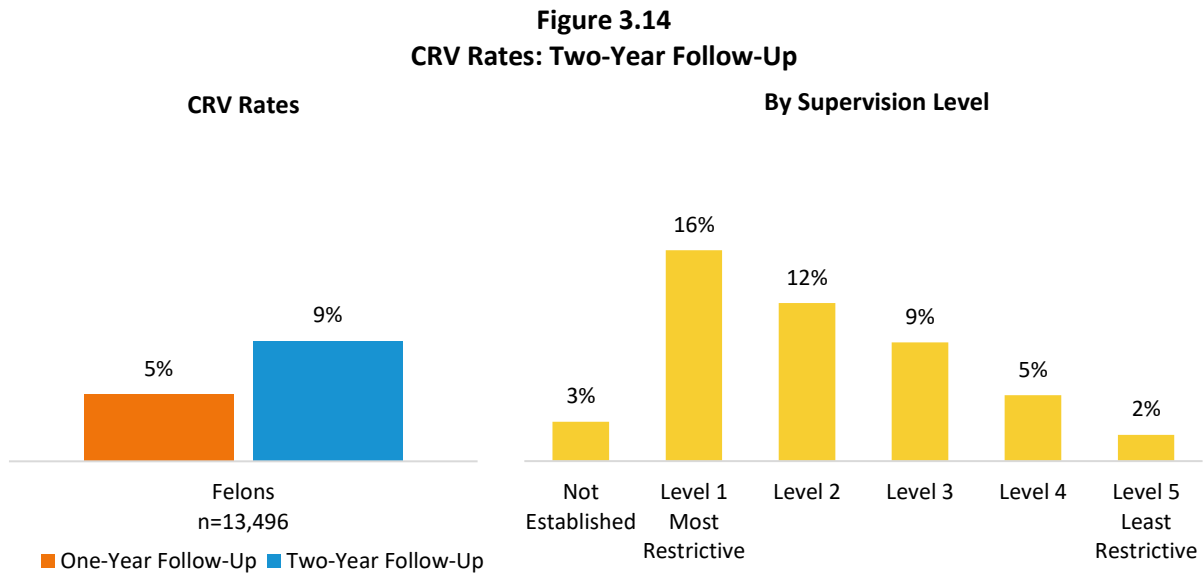
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

For probationers with a quick dip during the two-year follow-up period, the first quick dip occurred on average 7 months after probation entry; misdemeanants had a shorter time to their first quick dip at 7 months than felons at 8 months.

Confinement in Response to Violation (Felons Only)

Under the JRA, revocation and activation of a suspended sentence may only occur for those who abscond supervision or commit a new crime. For felony probationers, a CRV may be imposed for technical violations of supervision, with revocation possible only after the imposition of two prior CRVs. Felons who received a CRV were housed in the state prison system or CRV Centers⁴⁸ for periods of 90 days.

Among felony probationers, 5% had at least one CRV during the one-year follow-up period and 9% had at least one CRV during the two-year follow-up (see Figure 3.14). CRV rates decreased in a stair-step pattern as the restrictiveness of the supervision level decreased from Level 1 at 16% to Level 5 at 2%.



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

For felony probationers with a CRV during the two-year follow-up, the first CRV occurred on average 11 months after probation entry.

Revocations

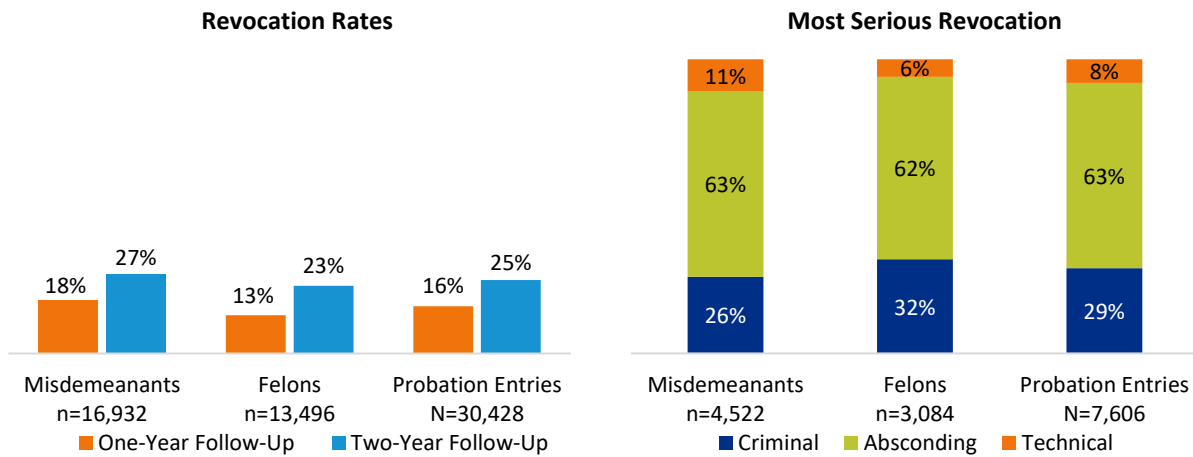
For probationers, revocations of supervision were also examined as an indicator of misconduct during the two-year follow-up. As mentioned above, revocation and activation of the suspended sentence may only occur for those who abscond supervision, commit a new crime, or, for technical violations, after the imposition of two CRVs (felons) or two quick dips (misdemeanants). Similar to violations of supervision, revocations were categorized in order of most serious to least serious: criminal, absconding, or technical. A probationer could have multiple revocations during the follow-up period only if he or she had more than one probation sentence. For analysis, examination of the type of revocation was based on the most serious revocation that occurred during follow-up (hereinafter referred to as the “most serious revocation”).

⁴⁸ The CRV Centers began receiving felons in December 2014. Further information about CRV Centers can be found at <https://www.ncdps.gov/Adult-Corrections/Community-Corrections/Confinement-in-Response-to-Violation-CRV>.

Overall, 16% of probationers had a revocation of supervision during the one-year follow-up period and 25% had a revocation during the two-year follow-up (see Figure 3.15). Misdemeanants were more likely than felons to have a revocation during the one-year follow-up (18% compared to 13%), as well as the two-year follow-up (27% compared to 23%).

As also shown in Figure 3.15, 63% had an absconding revocation, 29% had a criminal revocation, and 8% had a technical revocation. For both felons and misdemeanants, the majority had an absconding revocation as the most serious type of revocation. Felons were more likely to have a criminal revocation and less likely to have a technical revocation than misdemeanants.

Figure 3.15
Revocations: Two-Year Follow-Up

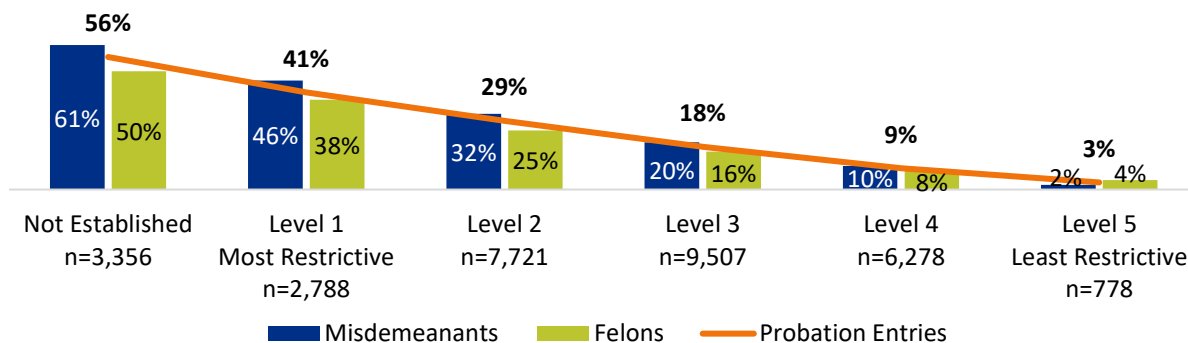


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

For probationers with a revocation during the two-year follow-up period, their first revocation occurred an average of 10 months after probation entry; misdemeanants had a shorter time to revocation at 9 months than felons at 11 months.

As shown in Figure 3.16, revocation rates decreased in a stair-step pattern as the restrictiveness of the supervision level decreased from Level 1 at 41% to Level 5 at 3%. When examined separately, misdemeanants had higher revocation rates than felons at every level of supervision except for Level 5.

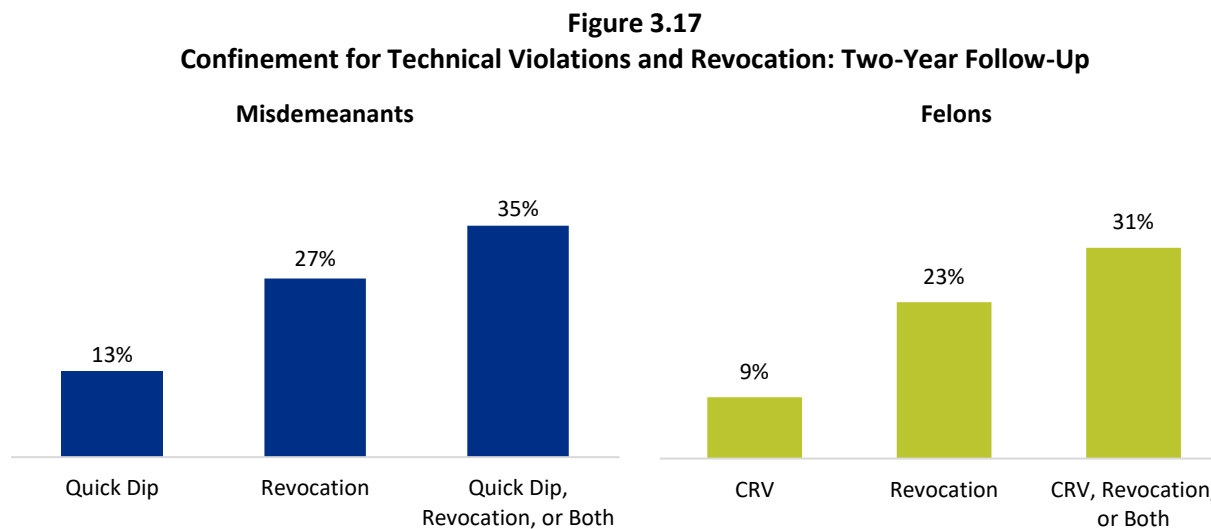
Figure 3.16
Revocation Rates by Supervision Level



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Confinement for Technical Violations and Revocation

Prior to the JRA, revocations of probation could occur following criminal, absconding, or technical violations. After the JRA, revocation remained as a sanction for criminal or absconding violations but could only occur for technical violations after the imposition of two quick dips (misdemeanants) or two CRVs (felons). Figure 3.17 examines the combination of having a quick dip or revocation for misdemeanants and having a CRV or revocation for felons.⁴⁹ Overall, 35% of misdemeanants had a quick dip or a revocation during the two-year follow-up and 31% of felons had a CRV or a revocation during the two-year follow-up.



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Criminal Justice Outcomes

As described in Chapter Two, the Sentencing Commission's main measure of recidivism is fingerprinted arrests. For all probation entries in the sample (N=30,428), the recidivist arrest rate was 29% during the one-year follow-up and 41% during the two-year follow-up (see Table 3.5). Misdemeanants and felons had the same recidivist arrest rate during the one-year follow-up (29%) and felons had a slightly higher recidivist arrest rate than misdemeanants during the two-year follow-up (42% and 40% respectively).

Table 3.5
Recidivist Arrest Rates: Two-Year Follow-Up

Probation Entries	N	% Recidivist Arrest	
		One-Year Follow-Up	Two-Year Follow-Up
Misdemeanants	16,932	29	40
Felons	13,496	29	42
Total	30,428	29	41

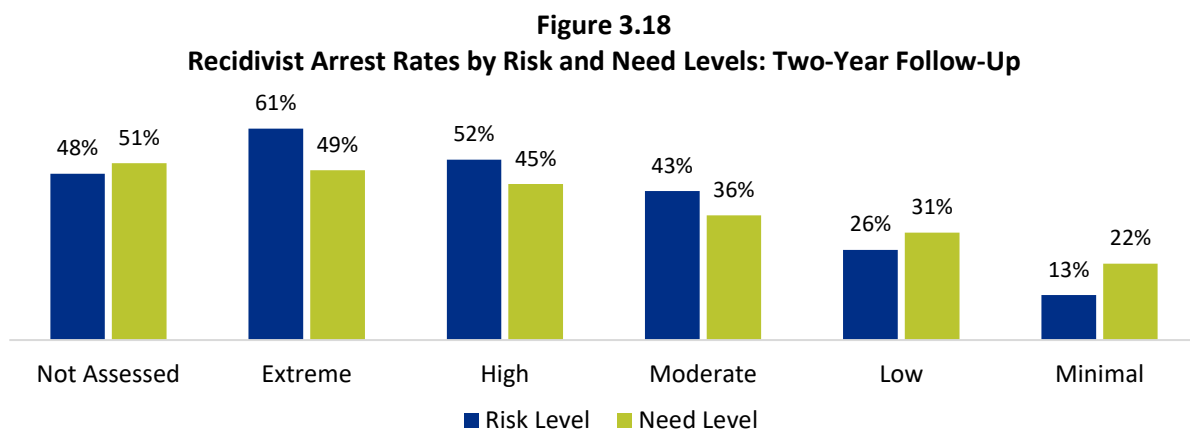
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

⁴⁹ Combining CRV and revocation rates for felons permits comparisons to revocation rates from prior recidivism studies by the Sentencing Commission.

Overall, the 12,454 probationers with at least one recidivist arrest accounted for 24,207 recidivist arrests. For probationers with an arrest during the two-year follow-up period, the first arrest occurred an average of 8 months after probation entry. The average time to the first recidivist arrest was 8 months for both misdemeanants and felons.

Recidivist Arrests and Risk and Need Levels

Figure 3.18 shows the recidivist arrest rates during the two-year follow-up by risk and need level. Probationers assessed as extreme risk had the highest recidivist arrest rates at 61%, while minimal risk had the lowest at 13%. Recidivist arrest and need level show the same stair-step pattern seen with risk level. Probationers assessed at the two lowest levels of need had higher recidivist arrest rates than probationers assessed at the two lowest levels of risk. Few differences were observed between misdemeanants and felons when examining recidivist arrest rates by risk and need levels.⁵⁰



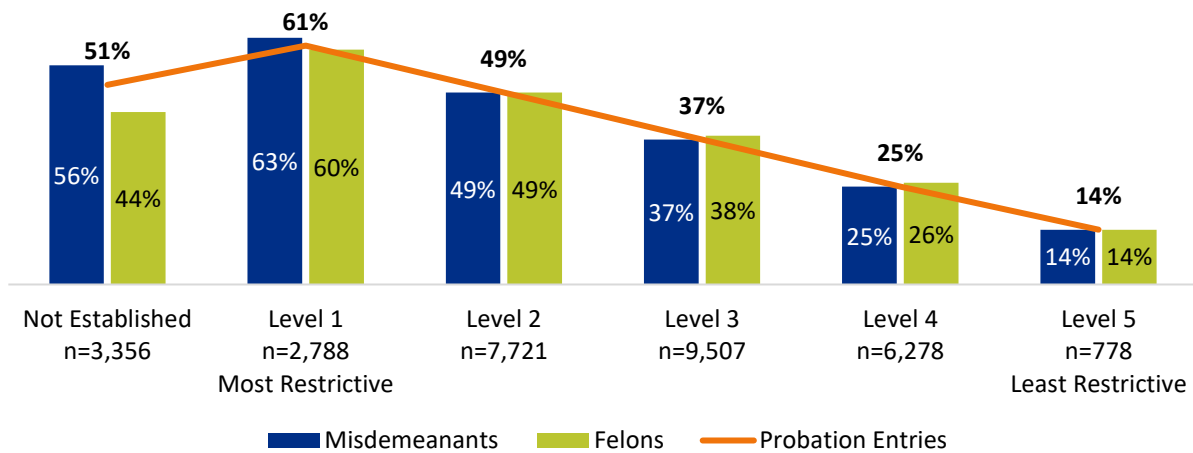
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data
 Probationers averaged 2 arrests during follow-up regardless of risk or need level. As previously mentioned, the average time to the first recidivist arrest was 8 months. Extreme, high, and moderate risk probationers had a first recidivist arrest on average at 8 months compared to 9 months for low and minimal risk probationers. For need level, no distinctive pattern for the time to the first recidivist arrest between the five groups emerged.

Recidivist Arrests and Supervision Level

Similar to the patterns by risk and need level, Figure 3.19 shows the same stair-step pattern in decreasing recidivist arrest rates by supervision level. Overall, the less restrictive the supervision level the lower the recidivist arrest rate, ranging from 61% for Level 1 probationers to 14% for Level 5 probationers. Minimal differences were observed between misdemeanants and felons.

⁵⁰ See Appendix E for recidivist arrest rates by the distribution of the risk and need levels (Table E.1) and by risk, need, and supervision levels for misdemeanants and felons (Table E.2) during the two-year follow-up.

Figure 3.19
Recidivist Arrest Rates by Supervision Level: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Probationers averaged 2 arrests per offender regardless of supervision level. When examining the time to first recidivist arrest, Levels 1, 2, and 3 had the shortest amount of time to recidivist arrest at 8 months; Levels 4 and 5 averaged 10 months.

Summary

Chapter Three provided a closer examination of the FY 2017 sample’s probationers. Under the legal provisions and policies of the JRA, more emphasis is given to risk, need, and supervision levels, as well as violations of supervision and responses to those violations. This chapter looked at the interplay of these factors and how they might affect recidivism.

The FY 2017 recidivism sample of probationers included 30,428 offenders. Eighty-nine percent (89%) of these probationers had a supervision level assigned based on the RNA. The majority of the sample were misdemeanants (56%) based on their current conviction. Felons were more likely to be male, a high school dropout, and have a substance use problem than misdemeanants. Felons were more likely to have prior contact with the criminal justice system (i.e., fingerprinted arrests, probation entries, probation/PRS revocations, incarcerations) than misdemeanants.

Felons were more frequently assessed in the highest two risk levels (i.e., extreme and high) and misdemeanants were more frequently assessed in the lowest two risk levels (i.e., low and minimal). Felons and misdemeanants were similarly distributed across the five need levels, with a majority having either extreme or moderate need. The supervision levels of probationers were normally distributed (i.e., distributed in a bell-shaped curve with most clustering in the middle) with lower percentages of probationers in Supervision Levels 1 (most restrictive) and 5 (least restrictive) and the largest percentage of probationers in Supervision Level 3 (31%).

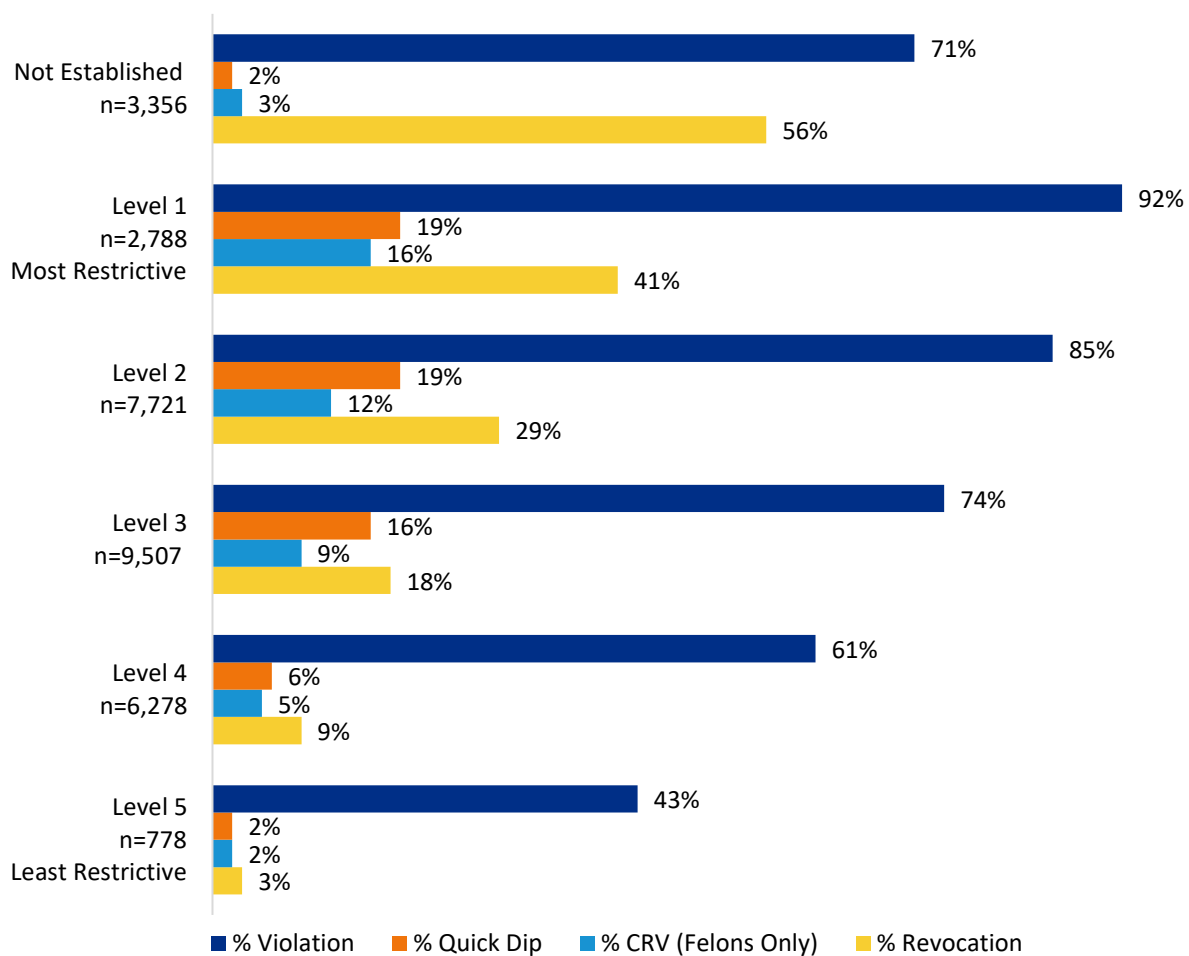
Violations of community supervision and responses to those violations (both non-confinement and confinement) were analyzed as interim outcomes for probationers by conviction type. A slightly greater percentage of misdemeanants than felons violated the conditions of their supervision during follow-up. In terms of type of violations, technical violations were the most common and felons had a greater proportion of criminal violations than misdemeanants. For both felons and misdemeanants, violation

rates decreased as supervision levels decreased. Financial and drug/alcohol violations were the most common technical violations examined; however, for both misdemeanants and felons, the most serious technical violations during follow-up were controlling and reintegrative violations.

Select non-confinement responses to violations of supervision were presented. Responses to modify conditions and continue supervision were more common than delegated authority and imposing additional conditions. Of the different types of non-confinement responses, delegated authority responses occurred earliest during supervision. Misdemeanants tended to have non-confinement responses earlier than felons.

Quick dips, CRVs (for felons), and revocations were examined as confinement responses to violations of supervision. Misdemeanants and felons had similar rates for quick dips. Nine percent (9%) of felons received a CRV during the two-year follow-up. As for revocations, misdemeanants had higher rates of revocation than felons, a finding possibly related to the shorter sentence and supervision lengths of misdemeanants. Nearly two-thirds of revocations involved absconding. As expected, based on the pattern of violation rates, the rates for all confinement responses to violations decreased as supervision levels decreased (see Figure 3.20).

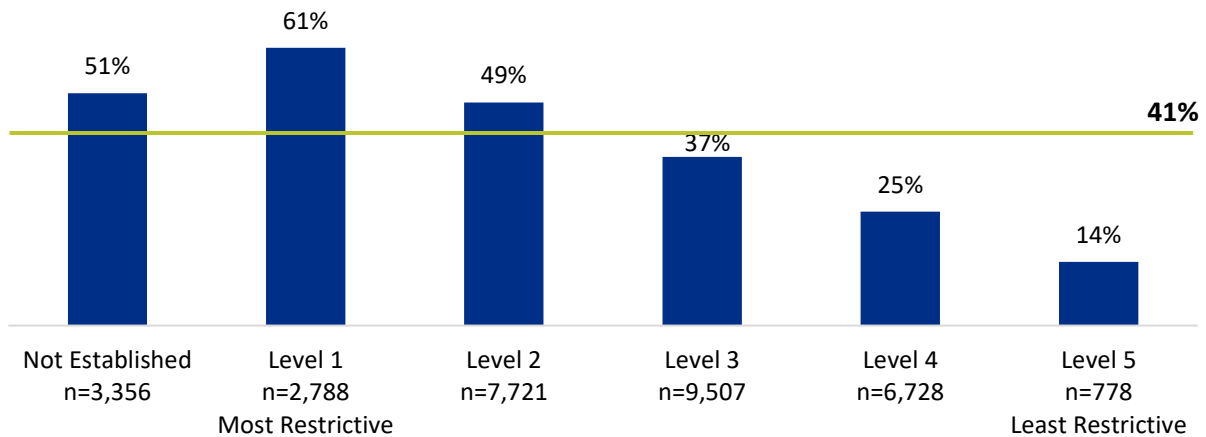
Figure 3.20
Violation Rates and Confinement Response Rates by Supervision Level: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Misdemeanants and felons had the same recidivist arrest rates after one year of follow-up, but misdemeanants had slightly lower recidivist arrest rates than felons after two years of follow-up. As with the interim outcomes examined, recidivist arrest rates decreased as risk, need, and supervision levels decreased (see Figure 3.21). Minimal differences were observed between misdemeanants and felons when examining recidivist arrest rates by supervision level.

Figure 3.21
Recidivist Arrest Rates by Supervision Level: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

The examination of a third sample of probationers subject to the provisions of the JRA provided in this chapter point to the continued accuracy of the RNA in identifying those most likely to reoffend (e.g., violate terms of supervision or have a recidivist arrest). Responses to violations are further examined in the multivariate analysis detailed in Chapter Six, offering greater insight into the relationship between interim and criminal justice outcomes.

CHAPTER FOUR

CRV OFFENDERS RELEASED IN FY 2017

Chapter Three provided an overview of FY 2017 probation entries and the impact of the JRA on the state's correctional population by examining violations, responses to violations, and recidivist arrests. This chapter focuses on a separate group of probationers: offenders with a felony conviction who were released from a CRV center^{51,52} or a state prison facility⁵³ in FY 2017 having served a CRV imposed for a technical violation of probation (hereinafter referred to as CRV offenders). Under the JRA, revocation of probation and activation of a suspended sentence may only occur for those who abscond supervision or commit a new crime. A CRV may be imposed for technical violations of supervision, with revocation possible only after the imposition of two prior CRVs.⁵⁴ Felons who received a CRV were housed in the state prison system or CRV centers for periods of 90 days.

Sample Selection and Comparison Group

The FY 2017 CRV offender sample is comprised of 2,151 offenders with a most serious felony conviction in Class E through Class I. Because the intent of the CRV is for offenders to return to supervision following confinement, felony probation entries in FY 2017 (n=9,590) are used as a comparison group to examine outcomes of these CRV offenders. The comparison group of probation entries was restricted to those offenders with a most serious conviction of a Class E through Class I felony and who committed at least one technical violation during the two-year follow-up period (hereinafter referred to as felony probationers).⁵⁵ Restricting the comparison group to those offenders with a violation allows the felony probationers to more closely resemble the CRV offenders who had at least one technical violation and in response to that violation(s) had received a CRV.

Figure 4.1 provides a timeline comparison of the two groups studied in this chapter. The interim outcome measures (i.e., violations, responses to violation) and the recidivism measures (i.e., arrests, incarcerations) reported are calculated using a fixed two-year follow-up. However, the recidivism clock for these measures begins at different times during the offender's period of supervision for each group.⁵⁶ CRV offenders have already served a portion of their supervision period prior to the recidivism clock starting, while felony probationers start their probation supervision clock and recidivism clock at the same time. While offenders exact time spent on supervision was not calculated for this report, 705 of CRV offenders (33%) had received a terminal CRV and upon release from their CRV, exited

⁵¹ See Appendix B for detailed definitions of recidivism and other key terms.

⁵² The CRV centers began receiving felons in December 2014. Further information about CRV centers can be found at <https://www.ncdps.gov/Adult-Corrections/Community-Corrections/Confinement-in-Response-to-Violation-CRV>.

⁵³ Probationers who received a CRV disposition and are not eligible for the CRV center (e.g., for medical or mental health reasons) serve their CRV in a prison facility.

⁵⁴ For felony probationers as of December 1, 2015, SSA misdemeanor probationers no longer face CRV as a sanction for technical violations of probation. Misdemeanants who commit technical violations of probation are sanctioned by 2- or 3-day quick dips and revocation is possible only after the imposition of two prior quick dips.

⁵⁵ See Chapter Three for more details regarding the entire sample of FY 2017 probation entries.

⁵⁶ Felony probationers receive a probation sentence of not less than 12 months and not more than 36 months, depending upon whether they receive a Community or Intermediate punishment.

probation.⁵⁷ Generally, the supervision period that placed the offender in the sample will end earlier for CRV offenders than probation entries during the two-year follow-up and some felony probationers will continue their probation period after the recidivism clock ends.

Figure 4.1
A Timeline Comparison of CRV Offenders and Felony Probationers

CRV Offenders (N=2,151)			
Probation Entry	CRV Begins	CRV Ends	Probation Exit
		2-Year Recidivism (fixed period)	
		Clock Starts	Clock Ends
Felony Probationers (N=9,590)			
	Probation Entry		Probation Exit
		2-Year Recidivism (fixed period)	
		Clock Starts	Clock Ends

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2015 Correctional Program Evaluation Data

Statistical Profile

Personal Characteristics

Table 4.1 contains information describing the personal characteristics of CRV offenders and felony probationers.⁵⁸ While CRV offenders and felony probationers were similar on many of the personal characteristics examined, CRV offenders were more likely to be younger, were more likely to be a high school dropout or to have received a GED, and were more likely to be employed compared to felony probationers. Overall, the average age for CRV offenders at release was 31 years old, while the average age for felony probationers at probation entry was 32 years.

Criminal History

CRV offenders and felony probationers had similar criminal histories; 90% of both CRV offenders and felony probationers had a prior fingerprinted arrest (see Table 4.2). Of the remaining criminal history measures examined (i.e., prior probation entry, prior revocation of probation or PRS, prior incarceration), CRV offenders and felony probationers were within 3 percentage points of each other. Figure 4.2 also illustrates the similarity in prior criminal justice contacts between CRV offenders and felony probationers by examining the number of prior arrests. Both groups had an average of 5 prior arrests.

⁵⁷ Terminal CRV refers to a CRV period that uses up all of the time on the suspended sentence.

⁵⁸ See Appendix F for a descriptive summary of the two groups studied.

**Table 4.1
Personal Characteristics**

Personal Characteristics	CRV Offenders N=2,151 %	Felony Probationers N=9,590 %
Gender		
Female	21	22
Male	79	78
Race		
Black	46	45
White	50	50
Other/Unknown	4	5
Age at CRV Release/Probation Entry		
Under 21 Years	9	13
21-29 Years	46	39
30-39 Years	26	27
40-49 Years	12	13
50 Years and Older	7	8
Marital Status		
Married	10	10
Not Married	90	90
Education		
High School Graduate	35	42
High School Dropout/GED	65	58
Employment		
Employed	57	51
Unemployed	43	49
Substance Use		
None Indicated	25	28
Substance Use Indicated	75	72

Note: Five (5) offenders were missing education, 477 were missing employment, and 644 were missing substance use information and were excluded from the table. Of the offenders with ethnicity data available, 2% of each group were Hispanic.

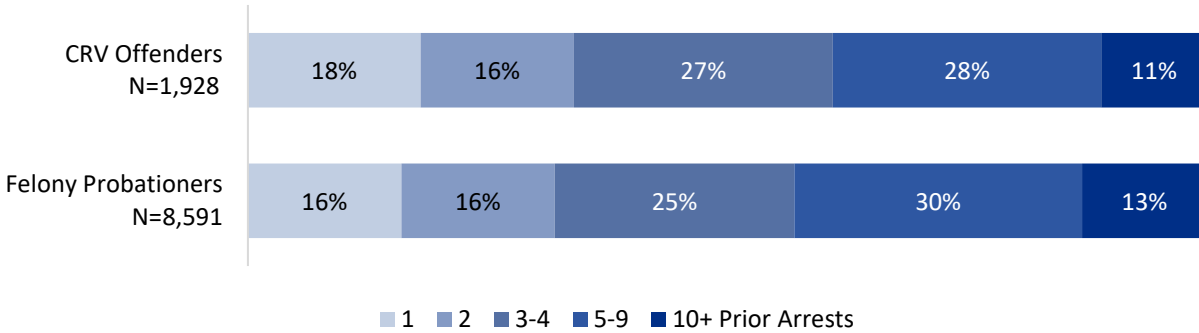
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

**Table 4.2
Prior Criminal Justice Contacts**

Prior Criminal Justice Contacts	CRV Offenders N=2,151 %	Felony Probationers N=9,590 %
Prior Arrest	90	90
Prior Probation Entry	62	65
Prior Probation/PRS Revocation	42	40
Prior Incarceration	35	32

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Figure 4.2
Number of Prior Arrests



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Most Serious Current Conviction and Supervision Length

Table 4.3 shows that CRV offenders and felony probationers were similar in their offense class and offense type distributions. The majority of both groups had a conviction for a Class H or Class I offense (47% and 24% for CRV offenders and 46% and 30% for felony probationers respectively). CRV offenders had slightly more property offenses (45% compared to 41%) and fewer drug offenses (34% compared to 37%) as their current conviction compared to felony probationers.⁵⁹

Table 4.3
Most Serious Conviction and Supervision Length Profile

	CRV Offenders N=2,151 %	Felony Probationers N=9,590 %
Offense Class		
Class E	5	4
Class F	10	7
Class G	14	13
Class H	47	46
Class I	24	30
Offense Type		
Person	12	12
Property	45	41
Drug	34	37
Other	9	10
Supervision Length		
24 or Less Months	52	67
25 or More Months	48	33

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

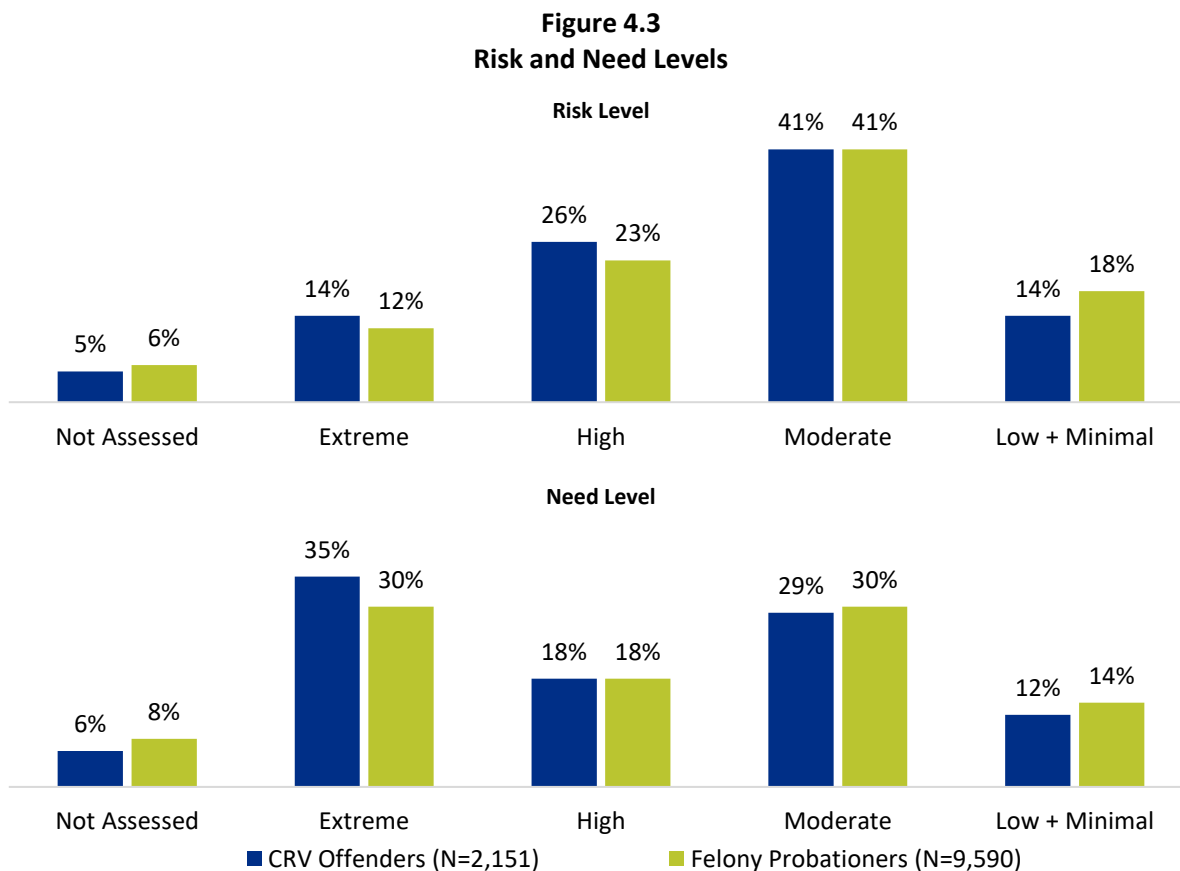
⁵⁹ Felons who commit person offenses tend to receive an active punishment (i.e., prison) by the court and are not sentenced to probation supervision.

CRV offenders had longer periods of supervision than felony probationers (see Table 4.3). Forty-eight percent (48%) of CRV offenders were placed on 25 or more months of supervision, while 33% of felony probationers were placed on supervision for 25 or more months. CRV offenders received an average of 29 months on supervision compared to felony probationers who received an average of 26 months.

Offender Risk and Need Assessments

As described in Chapter Three, the DPS is required by the JRA to use a validated instrument to assess each probationer’s risk of reoffending and criminogenic needs and to place the probationer in the appropriate supervision level. The DPS currently uses the Offender Traits Inventory-Revised (OTI-R) to assess offender risk and the Offender Self-Report instrument and the Officer Interview and Impressions instrument to assess offender need to determine supervision level, program placement, and other interventions for probationers.

The OTI-R is administered within the first 60 days of probation supervision. Each offender is assigned to one of five risk levels based on their score: extreme, high, moderate, low, and minimal. Due to the low numbers in the lowest levels of risk for CRV offenders, low and minimal risk have been combined for analysis purposes. Figure 4.3 provides the risk level distribution and also includes those without an RNA completed. CRV offenders and felony probationers were similar in their distribution of risk level; however, CRV offenders had fewer offenders in the combined low and minimal levels compared to felony probationers (14% and 18% respectively).



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

The need portion of the assessment addresses six criminogenic factors (i.e., dysfunctional family, criminal peers, anti-social personality, anti-social values, substance use problem, and self-control), in addition to other areas of need (i.e., transportation, legal, and mental health). Similar to risk, the need assessment divides the probationers into five need levels: extreme, high, moderate, low, and minimal. Again, low and minimal need have been combined for analysis purposes due to the low numbers in lowest levels of need for CRV offenders. More CRV offenders were assessed as extreme need compared to the felony probationers (35% and 30% respectively).

Table 4.4 provides information on the areas of need that were flagged from the need portion of the RNA. The areas identified assist the probation officer in potential referrals or services that the offender may need. Overall, CRV offenders and felony probationers were similar in their areas of need with the following exceptions: CRV offenders had more offenders identified with anti-social values and criminal peers and with a need for academic or vocational services (25%, 56%, and 51% respectively) compared to felony probationers (20%, 51%, and 45% respectively).

**Table 4.4
Areas of Need Identified**

Areas of Need	CRV Offenders N=2,024 %	Felony Probationers N=8,958 %
Criminogenic Factors		
Anti-social Personality	25	24
Anti-social Values	25	20
Criminal Peers	56	51
Dysfunctional Family	56	55
Self-Control	30	27
Substance Use	75	74
Health Factors		
Mental Health	52	54
Physical	29	30
Additional Factors		
Academic/Vocational	51	45
Employment	57	53
Financial	34	36
Housing	30	32
Legal	58	58
Social Skills	50	46
Transportation	73	71

Note: Offenders who did not have an RNA completed and a supervision level assigned were excluded from this table (n=938).

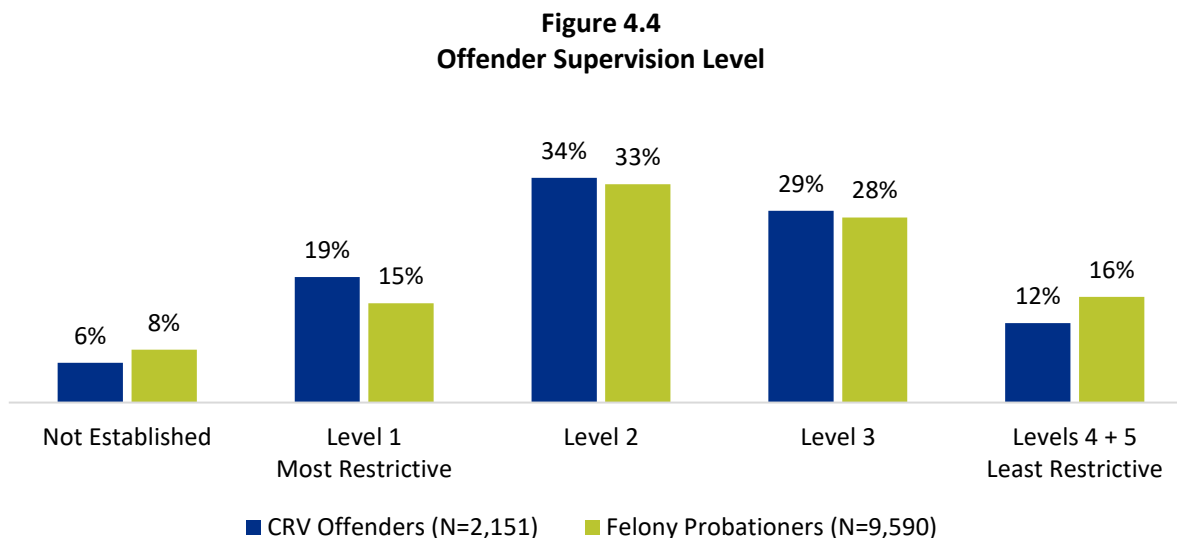
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Supervision in the Community

The DPS determines a probationer's supervision level based on the intersection of the offender's risk and need levels. The supervision levels range from 1 to 5 with Level 1 being the most restrictive. The

supervision level dictates the minimum contact requirements for probationers. Level 1 (the most restrictive) requires one home contact and one offender management contact per month, while Level 5 (the least restrictive) requires remote reporting monthly. Due to the low numbers of CRV offenders in supervision Level 5, Levels 4 and 5 were combined for more meaningful results.

Figure 4.4 provides a distribution of supervision levels for CRV offenders and felony probationers. A greater percentage of CRV offenders were assigned to Level 1 (19%), the most restrictive supervision level, and fewer CRV offenders were assigned to the least restrictive levels (12%) compared to felony probationers (15% and 16% respectively)



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Interim Outcomes

The JRA changed how probation officers supervise offenders by increasing possible responses to violations of supervision, namely through expanding their delegated authority and limiting revocations by establishing CRVs.⁶⁰ Chapter Three summarizes violations of supervision and selected responses to violations of supervision. The select responses cover many of the most common responses to violations of supervision but do not encompass all possible responses. The responses were divided into two categories – non-confinement responses and confinement responses. This chapter focuses primarily on violations of supervision and two confinement responses to violation – CRVs and revocation of supervision during the follow-up period.⁶¹

Violations of Community Supervision

Violations of community supervision were used as an indicator of misconduct while under supervision during the two-year follow-up. The type of violation was examined using the following categories in

⁶⁰ For more information on the effect of the JRA on the supervision of probationers, see the Sentencing Commission’s reports titled *Justice Reinvestment Act Implementation Evaluation Report* at <https://www.nccourts.gov/documents/publications/jra-implementation-evaluation-report>.

⁶¹ For both groups, the interim outcomes reported during the two-year follow-up could be due to a new period of supervision.

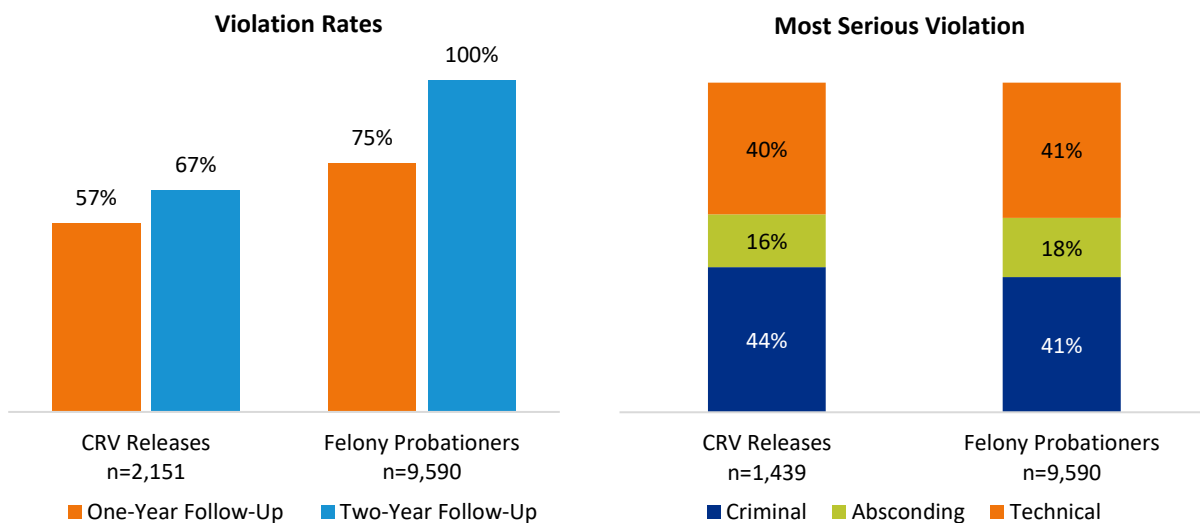
order of most serious to least serious: criminal, absconding, or technical.⁶² For analysis, examination of the type of violation was based on the most serious violation that occurred during follow-up (hereinafter referred to as the most serious violation) on a given day.

Fifty-seven percent (57%) of CRV offenders and 75% of felony probationers had at least one violation during the one-year follow-up period (see Figure 4.5). Two-thirds (67%) of CRV offenders had at least one violation during the two-year follow-up. A comparison to felony probationers is not applicable during the two-year follow-up due to the sampling criteria that all felony probationers must have had a technical violation during the two-year follow-up period.

Of those with a violation, a lower percentage of CRV offenders had only one violation (31% compared to 35%) and a higher percentage had three or more violations (41% compared to 39%) compared to felony probationers. Each group averaged 3 violations during the two-year follow-up. Among offenders who had a violation during the two-year follow-up, CRV offenders had their first violation on average at 6 months, while felony probationers had their first violation on average at 8 months.

Based on the most serious violation for probationers with at least one violation, CRV offenders were slightly more likely to have a criminal violation (44% compared to 41%) and less likely to have an absconding violation (16% compared to 18%) compared to felony probationers.

Figure 4.5
Violations: Two-Year Follow-Up



Note: Due to sample selection, all felony probationers (100%) have a violation during the two-year follow-up.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

⁶² While a “criminal” violation may result from pending charges, it is generally the policy of the DPS to only consider criminal charges that result in conviction as a “criminal” violation. In the case of pending charges, probation officers may use elements of pending charges to support a technical violation of probation (e.g., a charge for public intoxication could be used to support a technical violation of the probation condition of not using or possessing alcohol).

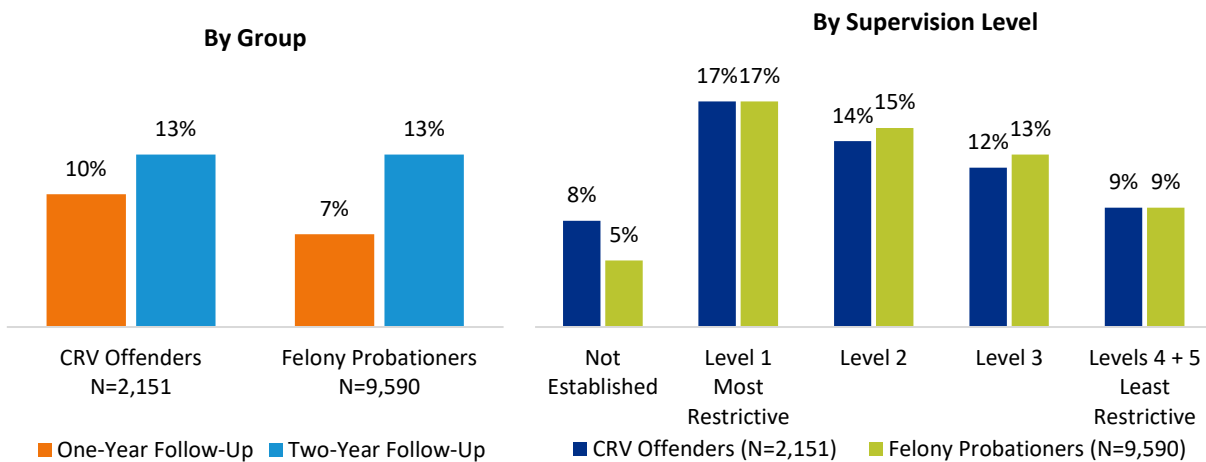
Responses to Violations of Community Supervision⁶³

The following analysis focuses on two types of confinement responses, CRVs and revocation of supervision.

Confinement in Response to Violation

CRV rates were examined as an indicator of misconduct during the follow-up period. Figure 4.6 compares CRV rates for each group and by supervision level.⁶⁴ CRV offenders had a slightly higher CRV rate during first year of follow-up than felony probationers (10% and 7% respectively), while CRV offenders and felony probationers were equally likely to have had a CRV imposed by the end of the second year of follow-up (13% each). There were few differences in the CRV rates by supervision level between the two groups. CRV offenders received a CRV response a few months earlier on average compared to felony probationers (8 months and 11 months respectively).

Figure 4.6
CRV Rates: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Revocations

Revocations of supervision were also examined as an indicator of misconduct during the two-year follow-up. As mentioned above, revocation and activation of the suspended sentence may only occur for those who abscond supervision, commit a new crime, or, for technical violations, after the imposition of two CRVs (felons) or two quick dips (misdemeanants). Similar to violations of supervision, revocations were categorized in order of most serious to least serious: criminal, absconding, or technical.

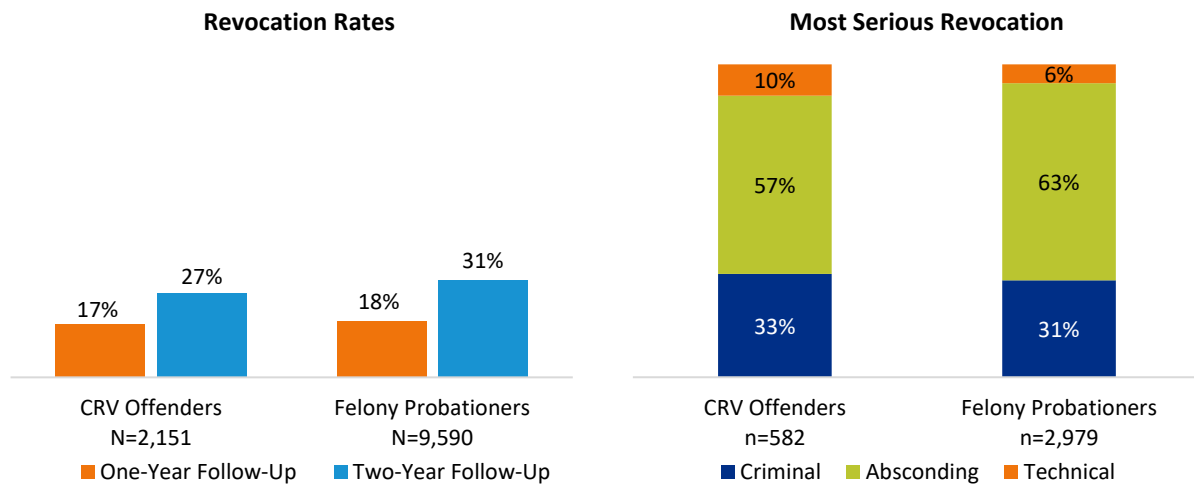
CRV offenders and felony probationers had similar revocation rates during the one-year follow-up (17% and 18% respectively), while CRV offenders had lower revocation rates compared to felony probationers during the two-year follow-up (27% and 31% respectively). (See Figure 4.7.) For both CRV offenders and

⁶³ Responses to violations of supervision are not directly linked to a specific violation committed by the probationer.

⁶⁴ For CRV offenders, a CRV during the two-year follow-up indicates a subsequent CRV. For felony probationers, a CRV during the two-year follow-up indicates at least one CRV.

felony probationers, the majority had an absconding revocation as the most serious type of revocation during the two-year follow-up. CRV offenders had less absconding (57% compared to 63%) and more technical revocations (10% and 6% respectively) compared to felony probationers.

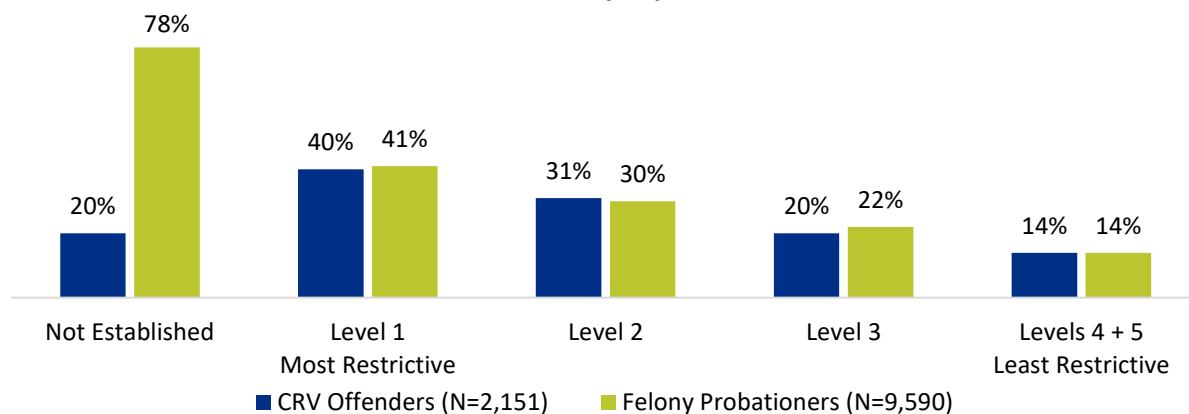
Figure 4.7
Revocations: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

There were few differences in the revocation rates by supervision level between the two groups (see Figure 4.8). CRV offenders who did not have a supervision level established had lower revocation rates than felony probationers (20% and 78% respectively). For those offenders who received a revocation, CRV offenders were revoked slightly earlier on average than felony probationers (10 months and 11 months respectively).

Figure 4.8
Revocation Rates by Supervision Level

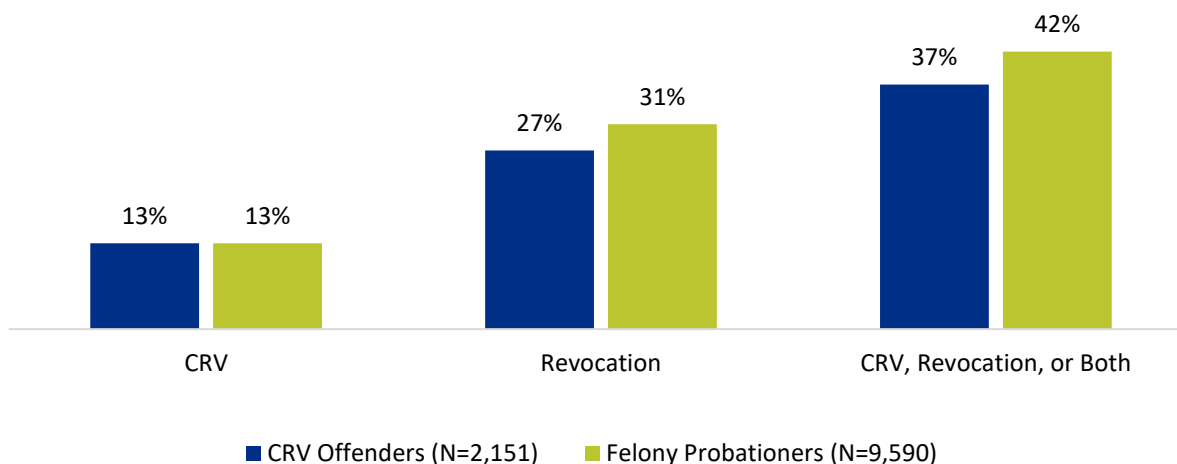


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Confinement for Technical Violations and Revocation

Prior to the JRA, revocations of probation could occur following criminal, absconding, or technical violations. After the JRA, revocation remained as a sanction for criminal or absconding violations but could only occur for technical violations after the imposition of two CRVs for felons. Figure 4.9 examines the combination of having a CRV or revocation for felons.⁶⁵ Overall, 37% of CRV offenders had a subsequent CRV or a revocation during the two-year follow-up, while 42% of felony probationers had a CRV or a revocation.⁶⁶

Figure 4.9
CRV or Revocation Rates: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Criminal Justice Outcomes

As described in Chapter Two, the Sentencing Commission's primary measure of recidivism is fingerprinted arrests. Recidivist incarcerations are also a recidivism measure of particular interest for probationers due to revocations of probation.

Recidivist Arrests

CRV offenders had lower recidivist arrest rates for each year of the follow-up period, 31% during year one and 47% during year two, compared to felony probationers (37% and 52% respectively).⁶⁷ (See Table 4.5.)

⁶⁵ Combining CRV and revocation rates for felons permits comparisons to revocation rates from prior recidivism studies by the Sentencing Commission.

⁶⁶ It should be noted that CRV offenders with a terminal CRV accounted for few of the subsequent CRVs (1% of the 13%), revocations (3% of the 27%), and subsequent CRV or revocation (3% of the 37%) during the two-year follow-up.

⁶⁷ CRV offenders with a terminal CRV accounted for 16% of the 47% of CRV offenders with a recidivist arrest during the two-year follow-up.

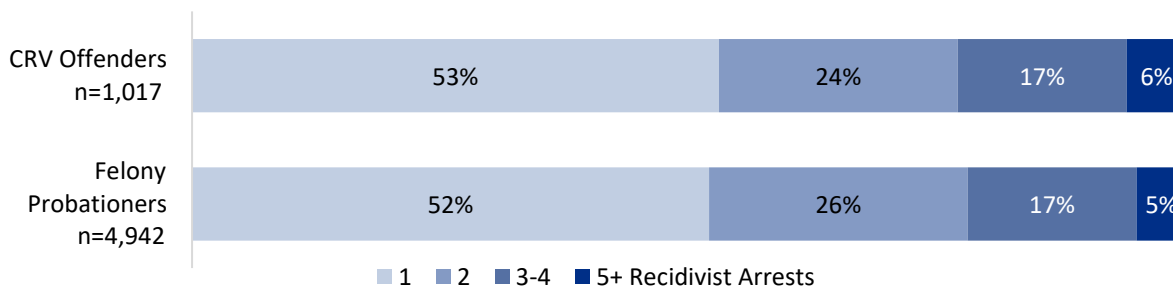
Table 4.5
Recidivist Arrest Rates: Two-Year Follow-Up

Offender Type	N	# with Any Recidivist Arrest	Total # Recidivist Arrests	% Recidivist Arrest	
				One-Year Follow-Up	Two-Year Follow-Up
CRV Offenders	2,151	1,017	1,992	31	47
Felony Probationers	9,590	4,942	9,470	37	52

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation

Figure 4.10 examines the number of recidivist arrests for each group. Just over half of the offenders with a recidivist arrest in each group had 1 recidivist arrest during follow-up, while 6% of CRV offenders and 5% of felony probationers had 5 or more recidivist arrests. The average time to the first recidivist arrest was 9 months for CRV offenders and 8 months for felony probationers.

Figure 4.10
Number of Recidivist Arrests for Offenders with Any Arrest: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Recidivist Incarcerations

Recidivist incarceration rates for the one-year and two-year follow-up are shown in Table 4.6. CRV offenders had lower incarceration rates during the one-year follow-up (18% compared to 21%) compared to felony probationers. They also had lower incarceration rates during the two-year follow-up compared to felony probationers (30%⁶⁸ and 36% respectively). The average time to the first recidivist incarceration was 10 months for CRV offenders and 11 months for felony probationers.

Table 4.6
Recidivist Incarceration Rates: Two-Year Follow-Up

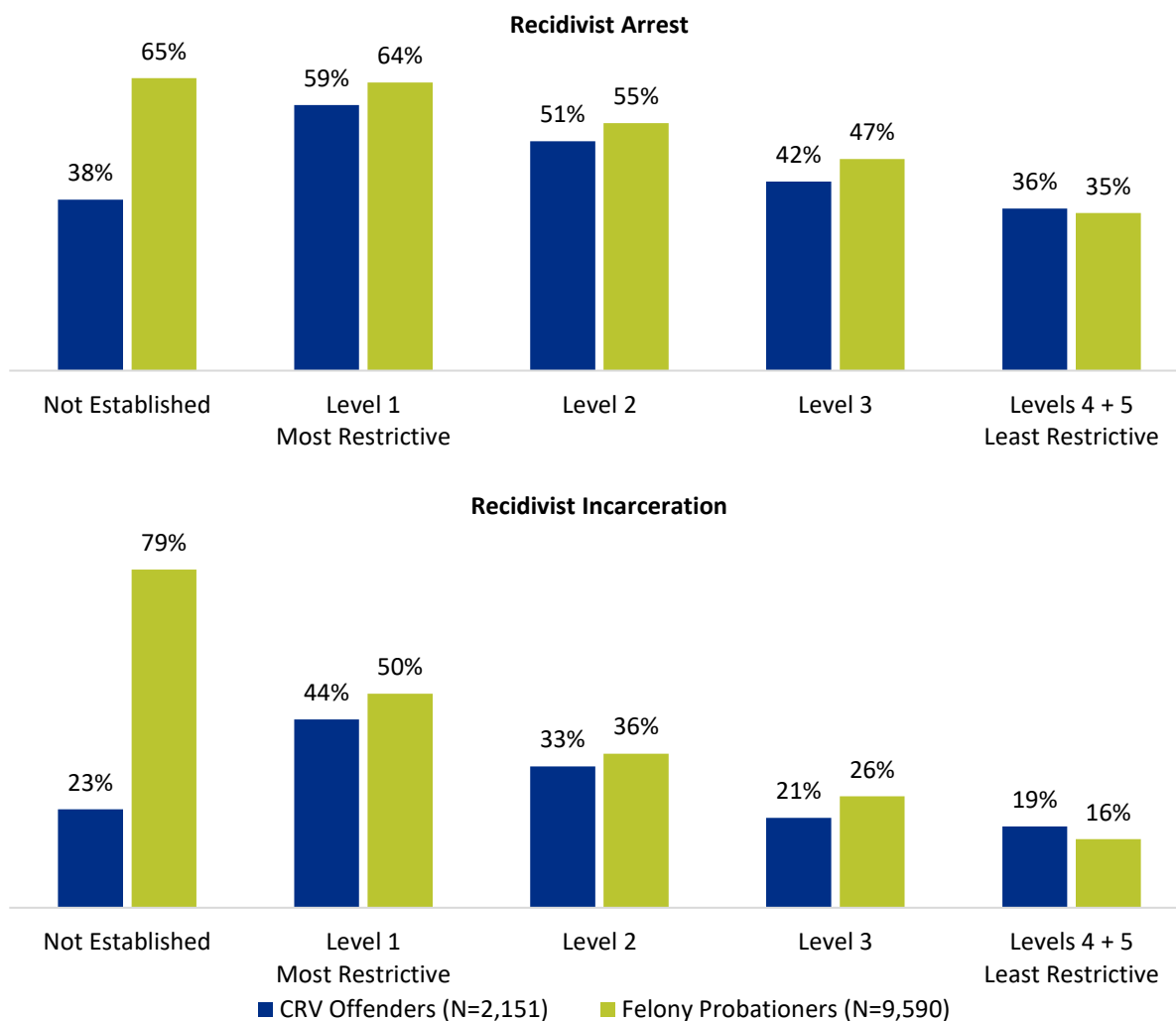
Offender Type	N	# with Any Recidivist Incarceration	Total # Recidivist Incarcerations	% Recidivist Incarceration	
				One-Year Follow-Up	Two-Year Follow-Up
CRV Offenders	2,151	637	802	18	30
Felony Probationers	9,590	3,446	4,453	21	36

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation

⁶⁸ CRV offenders with a terminal CRV accounted for 4% of the 30% of CRV offenders with a recidivist incarceration during the two-year follow-up.

Figure 4.11 examines recidivist arrests and incarcerations by supervision level. CRV offenders had lower recidivist arrest rates during the two-year follow-up for the most restrictive levels of supervision (e.g., Level 1 through Level 3) and for those offenders without a supervision level established. For the least restrictive supervision levels (e.g., combined Level 4 and Level 5), the two groups had similar recidivist arrest and incarceration rates, with CRV offenders' rates being slightly higher. CRV offenders had lower recidivist incarceration rates during the two-year follow-up for the most restrictive and unestablished levels.

Figure 4.11
Criminal Justice Outcomes by Supervision Level: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

CRV Location

CRV offenders, who were released after having served a CRV in FY 2017, may have served their CRV in a CRV center or a state prison facility.⁶⁹ To create the CRV centers, the DPS repurposed two previously closed prison facilities in Burke and Robeson counties.⁷⁰ The CRV centers began receiving offenders in December of 2014. Around the same time, the DPS converted Eastern Correctional Institute into a hybrid facility, with a wing exclusively for female CRV offenders.⁷¹ While serving their CRV period in a CRV center, offenders' days were structured with mandatory programming, chores, free time, and community service projects.⁷² The specialized programming and structured day were not available to offenders serving their CRV in a prison facility.

Of the 2,151 CRV offenders studied, 72% were released from a CRV center, while 28% were released from a prison facility. Forty-one percent (41%) of CRV offenders housed in a CRV center were released from the Robeson CRV center, 37% were released from Burke CRV center, and 22% from Eastern CRV center (female offenders). This section will examine the CRV offenders based on the location of their release after having served a CRV – a CRV center or a non-CRV prison facility (hereinafter referred to as prison).

CRV Offender Profile by CRV Location

Figure 4.12 provides a summary of the personal characteristics of CRV offenders by CRV location. Overall, the CRV offenders had similar characteristics by CRV location. Offenders in a CRV center had a higher percentage of black offenders and were more likely to be employed than those CRV offenders released from prison.⁷³

Figure 4.12
Personal Characteristics by CRV Location

CRV Center n=1,554	Prison n=597
<ul style="list-style-type: none"> •78% Male •49% White •31 Years: Avg. Age at CRV Release •10% Married •65% High School Dropout •59% Employed •75% Substance Use Indicated 	<ul style="list-style-type: none"> •82% Male •53% White •32 Years: Avg. Age at CRV Release •10% Married •66% High School Dropout •50% Employed •75% Substance Use Indicated

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

⁶⁹ All felons ordered to serve a CRV serve it in a CRV center unless they are found ineligible. According to DPS policy, an offender is ineligible for acceptance in a CRV center if any of the following criteria apply: (a) The offender is female for Burke and Robeson CRV centers/male for Eastern Correctional Institute. (b) The offender has pending charges that are a Class E or higher. (c) The offender has a current active sentence they are also serving. (d) The offender has chronic medical issues that are unstable or is under psychotropic medications.

⁷⁰ The Burke CRV center has a capacity of 248 beds for male offenders and the Robeson CRV center has beds for 192 male offenders.

⁷¹ For this analysis, the wing at Eastern Correctional Institute is referred to as a CRV center.

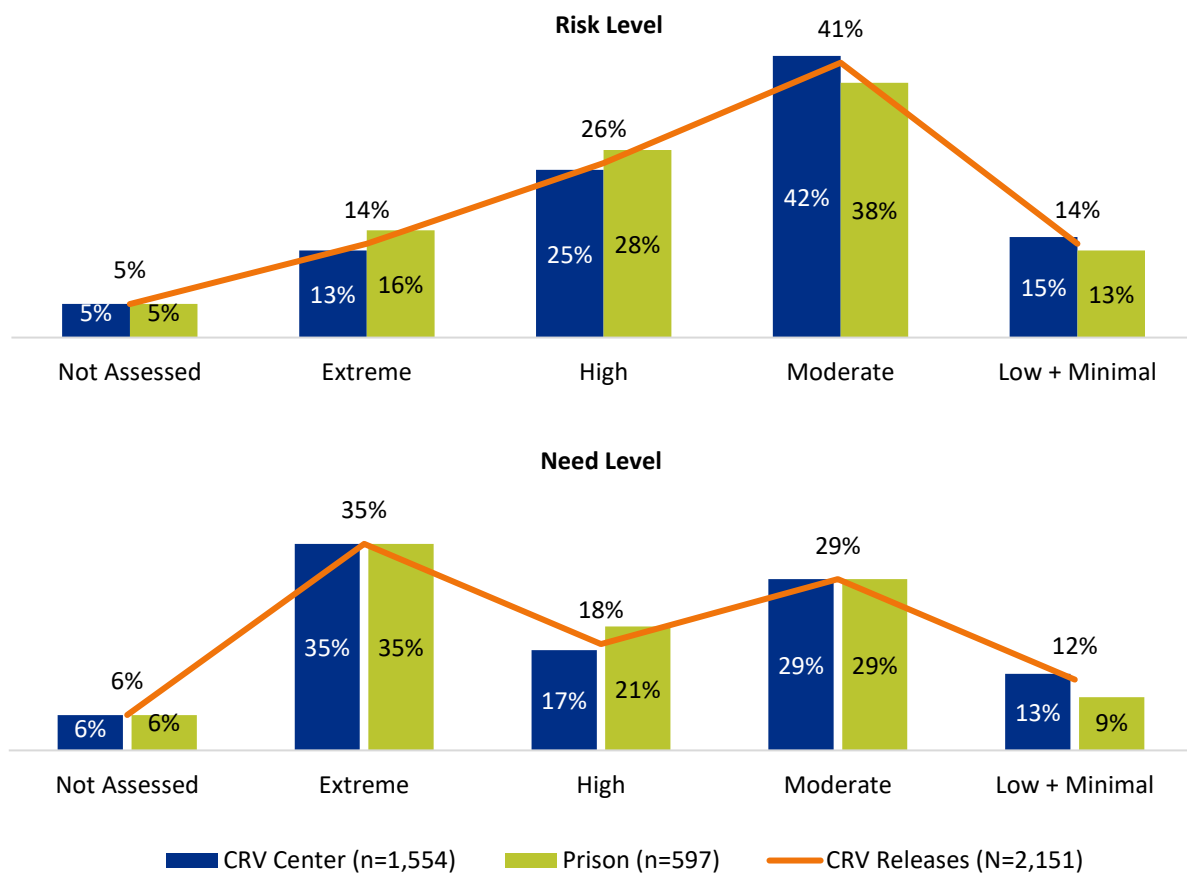
⁷² During FY 2017, females in the CRV wing at Eastern Correctional Institute received a hybrid of the intensive programming available to male offenders at the Burke and Robeson CRV centers.

⁷³ See Appendix F for further information about CRV offenders by CRV location.

CRV offenders had similar criminal histories by CRV location; 89% of CRV center offenders and 90% of CRV prison offenders had a prior fingerprinted arrest. While there were no differences in the offense class between the two groups, the type of offense varied slightly. More offenders released from a CRV center had a drug offense and fewer had an other offense (35% and 8% respectively) compared to CRV offenders released from prison (31% and 12% respectively).

Figure 4.13 examines the risk and need levels by CRV location. While the distribution is similar for both groups, fewer offenders released from a CRV center were in the extreme and high risk levels (38% combined) compared to the CRV offenders released from prison (44% combined). Figure 4.13 also provides information on the assessed need of the CRV offenders. Offenders released from a CRV center had fewer offenders assessed as high need and more offenders assessed as combined low and minimal need (17% and 13% respectively), while CRV offenders released from prison had more high need and less low and minimal need (21% and 9% respectively).

Figure 4.13
Risk and Need Levels by CRV Location



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Table 4.7 provides information on the areas of need that were flagged from the need portion of the RNA. The areas identified assist the probation officer in potential referrals or services for the offender. Across most areas of need, CRV offenders released from prison had a higher percentage of offenders

identified with that specific need compared to offenders released from a CRV center. These results may be a reflection of the eligibility criteria for CRV centers.

Table 4.7
Areas of Need Identified by CRV Location

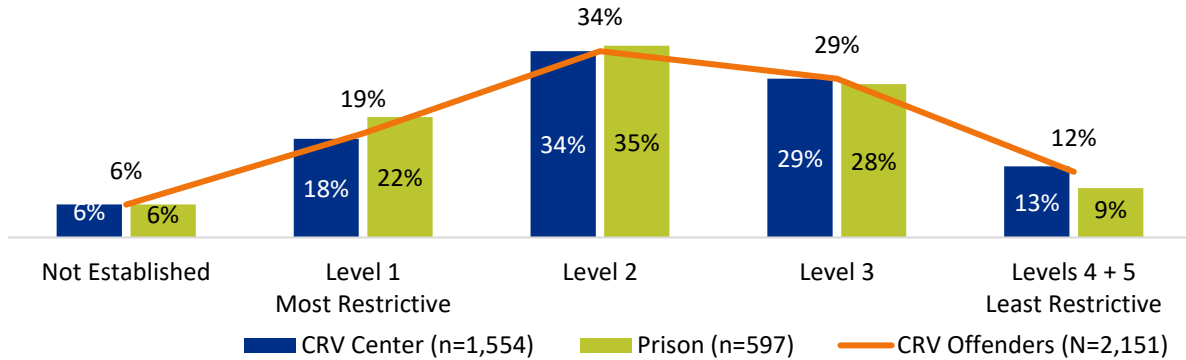
Areas of Need	CRV Center n=1,462 %	Prison n=562 %	CRV Offenders N=2,024 %
Criminogenic Factors			
Anti-social Personality	25	27	25
Anti-social Values	24	26	25
Criminal Peers	56	56	56
Dysfunctional Family	55	59	56
Self-Control	29	34	30
Substance Use	75	75	75
Health Factors			
Mental Health	49	60	52
Physical	25	37	29
Additional Factors			
Academic/Vocational	50	52	51
Employment	56	59	57
Financial	33	39	34
Housing	30	30	30
Legal	57	61	58
Social Skills	49	53	50
Transportation	73	75	73

Note: Offenders who did not have an RNA completed and a supervision level assigned were excluded from this table (n=127).

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Fewer offenders released from a CRV center were supervised in the most restrictive supervision level (i.e., Level 1) than CRV offenders released from prison (18% and 22% respectively), while more offenders released from a CRV center were supervised in the least restrictive supervision levels (i.e., Levels 4 and 5) than CRV offenders released from prison (13% and 9% respectively). (See Figure 4.14.)

Figure 4.14
Offender Supervision Level by CRV Location



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Criminal Justice Outcomes by CRV Location

Finally, Table 4.7 shows the criminal justice outcomes by CRV location during the two-year follow-up. Overall, CRV offenders had similar outcomes regardless of the location in which they served their CRV. However, offenders released from a CRV center had lower recidivist incarceration rates compared to CRV offenders released from prison (28% and 34% respectively).

Table 4.8
Criminal Justice Outcomes by CRV Location: Two-Year Follow-Up

Outcomes	CRV Location		
	CRV Center n=1,554 %	Prison n=597 %	CRV Offenders N=2,151 %
Responses to Violations			
Subsequent CRV	14	11	13
Revocation	27	28	27
Criminal Justice Outcomes			
Recidivist Arrest	47	49	47
Recidivist Incarceration	28	34	30

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Summary

The chapter examined felony offenders who were released from a CRV center or a state prison facility in FY 2017 after having served a CRV (N=2,151). CRV offenders were compared to felony probationers who entered probation in FY 2017 and who had committed at least one technical violation during the two-year follow-up (N=9,590).

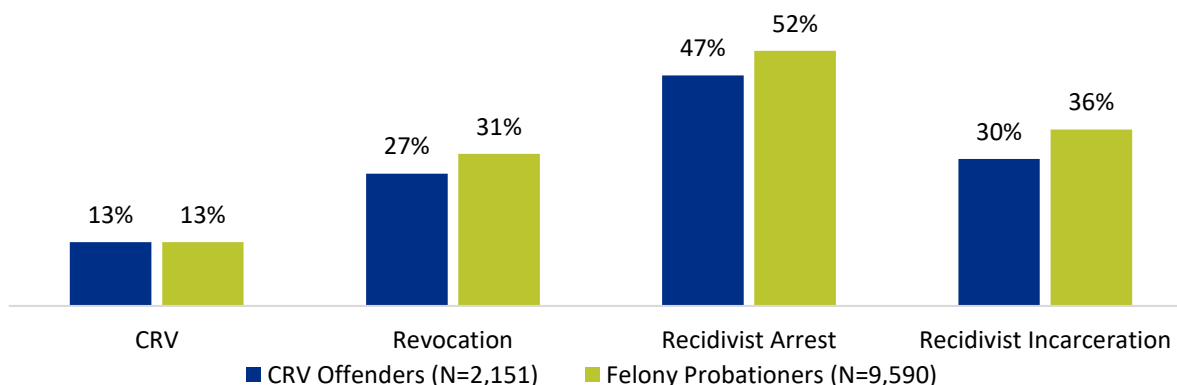
Both groups were similar in terms of personal characteristics, criminal history, and current conviction. The risk distribution was similar for both groups at the higher levels of risk; however, there were fewer CRV offenders in the lowest risk levels (14%) compared to felony probationers (18%). While both groups

were similar in their need level distributions, there were more CRV offenders assessed as extreme need (35%) compared to felony probationers (30%). More CRV offenders were supervised in Level 1 (the most restrictive) and fewer supervised in Levels 4 and 5 compared to felony probationers in the same supervision levels.

Two interim outcomes were examined: CRVs and revocations.⁷⁴ CRV offenders had slightly higher (subsequent) CRV rates compared to felony probationers during the one-year follow-up, while both groups had the same CRV rates by the end of the two-year follow-up (13% each). (See Figure 4.15 for rates during two-year follow-up.) Revocation rates were similar for both groups during the one-year follow-up, while CRV offenders had lower revocation rates during the two-year follow-up compared to felony probationers (27% and 31% respectively). There were no differences in the CRV rates or revocation rates between the two groups when examined by supervision level.

Figure 4.15 also provides the recidivist arrest and recidivist incarceration rates during the two-year follow-up. CRV offenders had lower recidivist arrest rates compared to felony probationers (47% and 52% respectively). CRV offenders also had lower recidivist incarceration rates compared to felony probationers.

Figure 4.15
Criminal Justice Outcomes: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

When examining criminal justice outcomes by supervision level, CRV offenders in the least restrictive levels (4 and 5) had slightly higher recidivist arrest and incarceration rates compared to similar felony probationers. The differences raise a question regarding whether the CRV is too restrictive a sanction for CRV offenders assigned to the least restrictive supervision levels. Future studies will be able to further examine patterns in outcomes over time. If comparative outcomes do not improve for CRV offenders in Levels 4 and 5, it would suggest that less restrictive options may produce better outcomes for these groups.

Taken together, these findings suggest that the establishment of the 90-day CRVs as an alternative for revocation (instead of activation of the entire suspended sentence due to revocation) may produce positive results for these offenders, when compared to similar felony probationers. CRV offenders had

⁷⁴ While information was provided about the violation rates during the two-year follow-up, caution should be used in interpreting the findings since the comparison group of felony probationers were selected with the criteria of having a technical violation during the follow-up period.

lower revocation rates, recidivist arrest rates, and recidivist incarceration rates. However, it is important to consider the timing of supervised probation for both groups. CRV offenders were closer to the end of their supervision periods, while felony probationers were at the beginning. Additionally, one-third of CRV offenders had received a terminal CRV and did not return to supervision. Exiting supervision would potentially explain the lower revocation and recidivist incarceration rates for CRV offenders, but further research is needed into the relationship between the timing of supervision and outcomes for the two groups. Examining a probation exit sample, including the reasons for and timing of exiting supervision, occurrence of violations and responses to those violations (i.e., CRV) and the timing, would provide more insight into these issues.

Finally, this chapter examined CRV offenders by the location that the offender served their CRV – in a CRV center or in a prison facility. Most offenders served their CRV in a CRV center (72%). Generally, offenders in both CRV centers and prisons had similar personal characteristics and criminal histories. Offenders who served their CRV in a prison were higher risk compared to CRV offenders in a CRV center. While revocation rates were similar for both groups, offenders who served their CRV in a CRV center had higher subsequent CRV rates compared to CRV offenders in prison. Recidivist arrest rates were similar for both groups (47% for CRV center offenders and 49% for CRV prison offenders). CRV center offenders had lower recidivist incarceration rates (28%) compared to those offenders who served their CRV in prison (34%). The slightly lower recidivist arrest rates and lower recidivist incarceration rates for CRV center offenders may indicate the CRV centers are affecting outcomes. These findings about CRV centers are preliminary; additional factors should be examined to determine their effectiveness. Future research into eligibility criteria, available programming, sanctions for non-compliance and incentives for compliance, status upon CRV release (i.e., successful or unsuccessful completion), would provide greater understanding of this promising new approach.

CHAPTER FIVE

FELONY PRISON RELEASES IN FY 2017

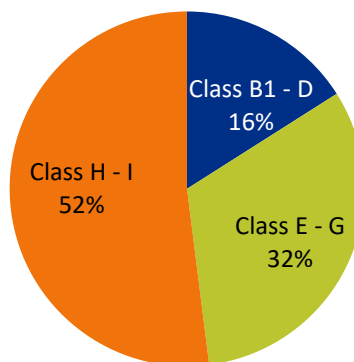
Chapter Three examined probationers in the sample, while Chapter Five turns to a further examination of the prisoners in the FY 2017 sample. This chapter examines the felony prison releases by offense class groupings, provides a description of these offenders, and details their past, current, and recidivist involvement in the criminal justice system.⁷⁵

Overall, 80% of prisoners in the FY 2017 sample were subject to the provisions of the JRA. However, over three-fourths of all prison releases with a Class B1 – D felony (83%) – those in the most serious offense classes and with the longest sentence lengths – had served sentences for offenses committed prior to the JRA. The majority of prison releases with a Class E – G felony (85%) or a Class H – I felony (95%) – those with less serious offenses and shorter sentence lengths – were subject to the provisions of the JRA. It will be some time before the prison release sample is fully representative of the changes under the JRA.

Statistical Profile of the FY 2017 Prison Releases

The FY 2017 sample included 15,666 felony prison releases. Overall, 16% had a most serious conviction for a Class B1 – D felony, 32% for a Class E – G felony, and 52% for a Class H – I felony (see Figure 5.1).

Figure 5.1
FY 2017 Prison Releases



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Personal Characteristics

Table 5.1 contains information describing the personal characteristics of the prison releases by offense class. Class B1 – D prisoners were more likely to be male and more likely to be black than those in the other offense classes. Nearly two-thirds of Class B1 – D prisoners were black; in comparison, over half (51%) of Class H – I prisoners were white. The offense class groupings were similar in terms of marital

⁷⁵ See Appendix B for detailed definitions of recidivism and other key terms.

status and education. Overall, just over half (53%) of prison releases were unemployed; Class E – G prisoners had the highest percentage unemployed (56%). At least 80% of prisoners in each offense class grouping were identified as having a possible substance use problem. As expected based on their sentence lengths, Class B1 – D prisoners had a smaller percentage in the younger age groups and a larger percentage in the older age groups than the other offense classes. Their average age at prison release was 39 compared to 34 for both Class E – G prisoners and Class H – I prisoners.

**Table 5.1
Personal Characteristics**

Personal Characteristics	Prison Releases			
	Class B1 – D n=2,455 %	Class E – G n=5,033 %	Class H – I n=8,178 %	Total N=15,666 %
Gender				
Female	5	9	15	11
Male	95	91	85	89
Race				
Black	65	55	45	51
White	30	39	51	44
Other/Unknown	5	6	4	5
Age at Prison Release				
Under 21 Years	1	4	6	5
21-29 Years	25	37	37	35
30-39 Years	31	31	31	31
40-49 Years	25	16	16	18
50 Years and Older	18	12	10	11
Marital Status				
Married	11	11	10	11
Not Married	89	89	90	89
Education				
High School Graduate	24	27	28	27
High School Dropout/GED	76	73	72	73
Employment				
Employed	51	44	49	47
Unemployed	49	56	51	53
Substance Use				
None Indicated	20	20	19	20
Substance Use Indicated	80	80	81	80

Note: Of the 15,666 felony prison releases, 2% were Hispanic. Nineteen (19) prisoners were missing education, 76 were missing employment, and 816 were missing substance use/abuse information and were excluded from the table.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Criminal History

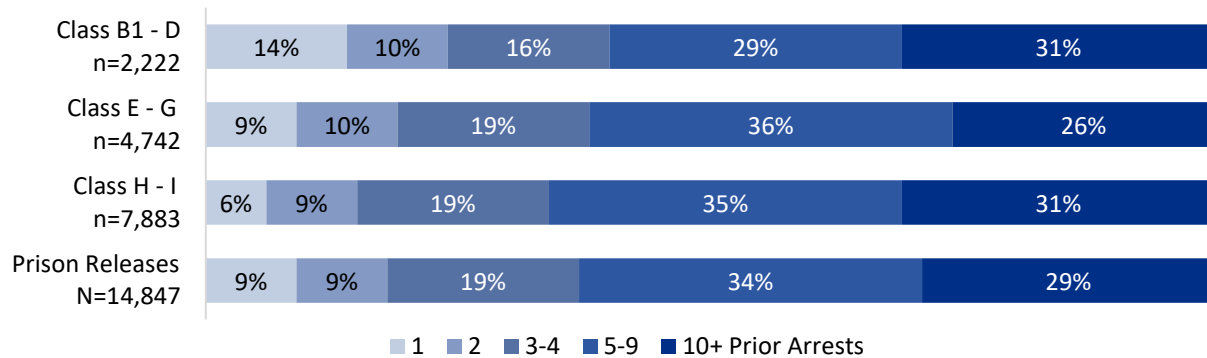
The criminal history of prisoners is examined in Table 5.2. Regardless of the measure, Class H – I prisoners tended to have more extensive prior criminal histories. The majority of prison releases had at least one prior arrest, ranging from 91% in Class B1 – D to 96% in Class H – I. Ninety-five percent (95%) of prison releases with a prior arrest had a prior felony arrest. On average, prisoners had 8 prior arrests, with only slight differences between the groups. Figure 5.2 further illustrates the differences in number of prior arrests by offense class.

Table 5.2
Prior Criminal Justice Contacts

Prior Criminal Justice Contacts	Prison Releases			Total N=15,666
	Class B1 – D n=2,455	Class E – G n=5,033	Class H – I n=8,178	
	%	%	%	%
Prior Arrest	91	94	96	95
Prior Probation Entry	71	84	94	87
Prior Probation/PRS Revocation	58	58	62	60
Prior Incarceration	58	59	57	58

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Figure 5.2
Number of Prior Arrests for Prison Releases with Any Prior Arrest



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

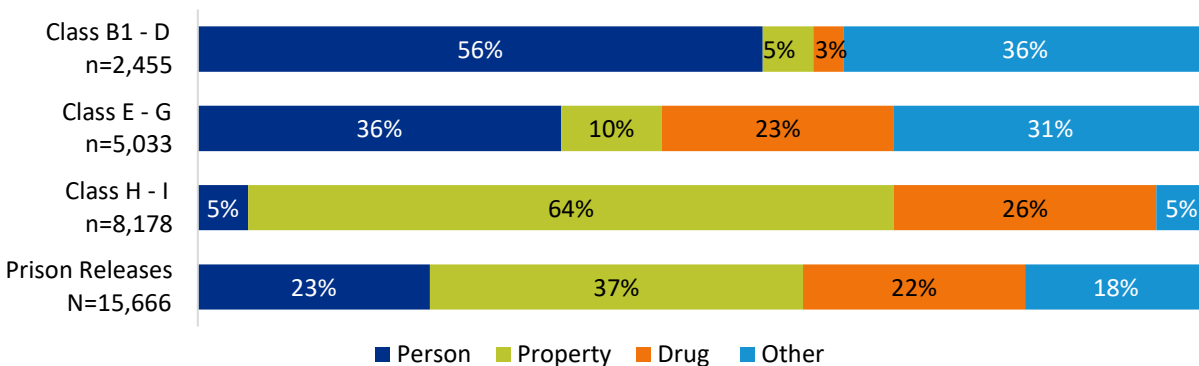
Also in terms of prior criminal history, the greatest difference between groups occurred for prior probation entries; only 71% of Class B1 – D prisoners had a prior probation entry compared to 84% of Class E – G prisoners and 94% of Class H – I prisoners. This finding is not surprising given the number of Class E – G and Class H – I prisoners that entered prison due to a revocation of probation supervision (described further in Table 5.3). The groups were most similar in terms of prior revocations and prior incarcerations.

Most Serious Current Conviction

The offense type (i.e., person, property, drug, other) of the most serious conviction is provided in Figure 5.3. The majority of prisoners with a Class B1 – D felony had convictions for person offenses (56%)

followed by other offenses (36%); nearly all of the other offenses for this group were habitual felon convictions. Prisoners with a Class E – G felony were also most likely to have convictions for person offenses and other offenses,⁷⁶ although at a lower proportion (36% and 31% respectively). Nearly two-thirds of prisoners with a Class H – I felony had a conviction for a property offense, while just over one-fourth had a conviction for a drug offense.

Figure 5.3
Offense Type of the Most Serious Current Conviction



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Incarceration Profile

The incarceration profile for the FY 2017 prison releases is provided in Table 5.3 and includes information on the prisoner’s reason for prison entry, time served in prison, infractions, assignment to correctional jobs or programs, custody classification level, and whether the prisoner was subject to PRS upon release.

Type of Prison Entry

Regardless of offense class, the majority entered prison as a result of a new crime; however, the proportion varied considerably. Class B1 – D prisoners had the largest percentage entering prison as a result of a new crime (83%), consistent with the mandatory active sentence requirement for these offense classes under the SSA; the remaining 17% entered following a revocation of PRS. Just under half (46%) of Class H – I prisoners entered with a new crime, with the remaining entering either due to a revocation of probation (32%) or PRS (22%).

Time Served

Time served varied by offense class, based on the SSA felony punishment chart. Class B1 – D prisoners had the longest time served, with 80% serving longer than 2 years; Class H – I prisoners had the shortest time served, with 83% serving one year or less. Type of prison entry also factored into the length of time served. For example, most Class B1 – D prisoners with time served of 12 months or less entered prison as a result of a PRS revocation.

⁷⁶ Possession of firearm by felon and habitual felon convictions accounted for the majority of convictions in the other category for Class E – G felonies (47% and 17% respectively), followed by habitual impaired driving convictions (14%).

**Table 5.3
Incarceration Profile**

Incarceration Profile	Prison Releases			Total N=15,666 %
	Class B1 – D n=2,455 %	Class E – G n=5,033 %	Class H – I n=8,178 %	
Type of Prison Entry				
New Crime	83	71	46	60
Probation Revocation	0	11	32	20
PRS Revocation	17	18	22	20
Time Served				
12 Months or Less	17	46	83	61
13-24 Months	3	32	12	17
25 Months or More	80	22	5	22
Infractions	89	70	53	64
Number of Infractions (if any)				
1 Infraction	11	27	36	27
2 Infractions	8	18	21	17
3-4 Infractions	15	22	20	20
5 or More Infractions	66	33	23	36
Correctional Jobs/Programs				
Program Only	2	11	16	12
Job Only	1	9	18	13
Both Job and Program	97	75	50	65
No Job or Program	0	5	16	10
Custody Classification at Release				
Close	15	10	6	9
Medium	31	30	24	27
Minimum	54	60	70	64
Released onto PRS				
PRS	89	82	82	83
No PRS	11	18	18	17

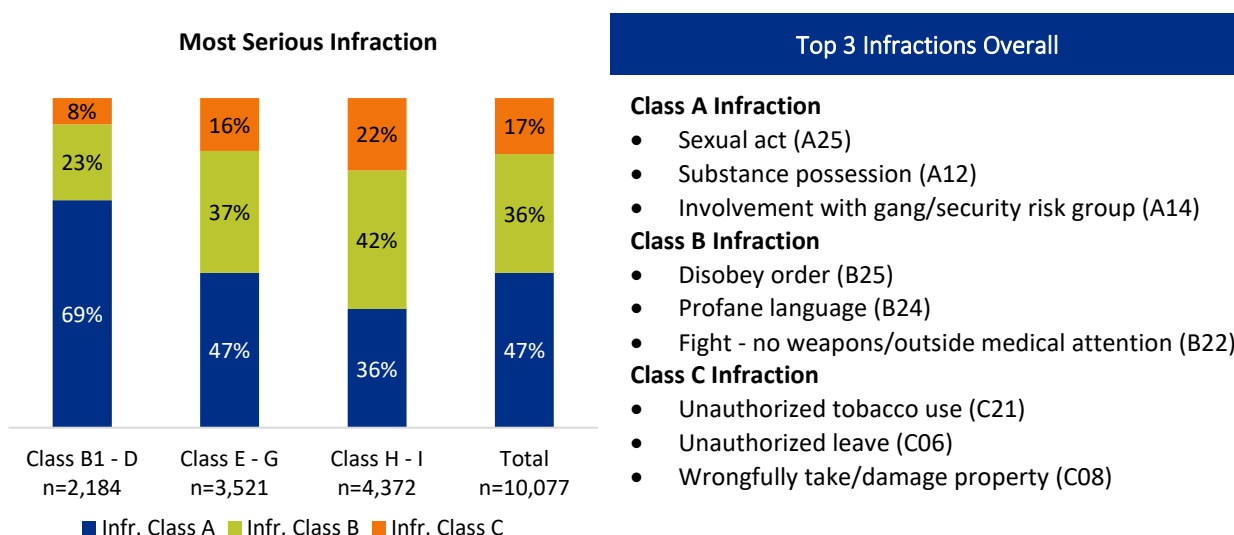
Note: Of Class B1 – D felons, there were 47 with only a program, 28 with only a job, and 5 with no job or program.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Infractions

Whether a prisoner had any disciplinary offenses (i.e., infractions) while incarcerated varied across the offense class groupings, which is not surprising given the linkage between offense class and time served. Overall, 64% of prisoners had infractions while incarcerated. The proportion of prisoners with infractions ranged from 89% for Class B1 – D felons to 53% for Class H – I felons. The DPS categorizes infractions

into three classes – Class A (most serious), Class B, and Class C (least serious).⁷⁷ Of the 10,077 prisoners with infractions, prisoners in Class B1 – D were most likely to have 5 or more infractions, while those in Class H – I were most likely to have only 1 infraction while incarcerated. Class B1 – D prisoners averaged 12 infractions while incarcerated compared to 5 for Class E – G prisoners and 4 for Class H – I prisoners. The highest average number of infractions was for Class B infractions. Figure 5.4 provides information on the most serious infraction class, as well as the top 3 infractions. Class B1 – D and Class E – G felons were most likely to have a Class A infraction as their most serious infraction offense (69% and 47% respectively), while Class H – I felons were most likely to have a Class B infraction offense (42%).

Figure 5.4
Most Serious Infraction for Prison Releases with Any Infraction during Incarceration



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Correctional Job and Program Assignments

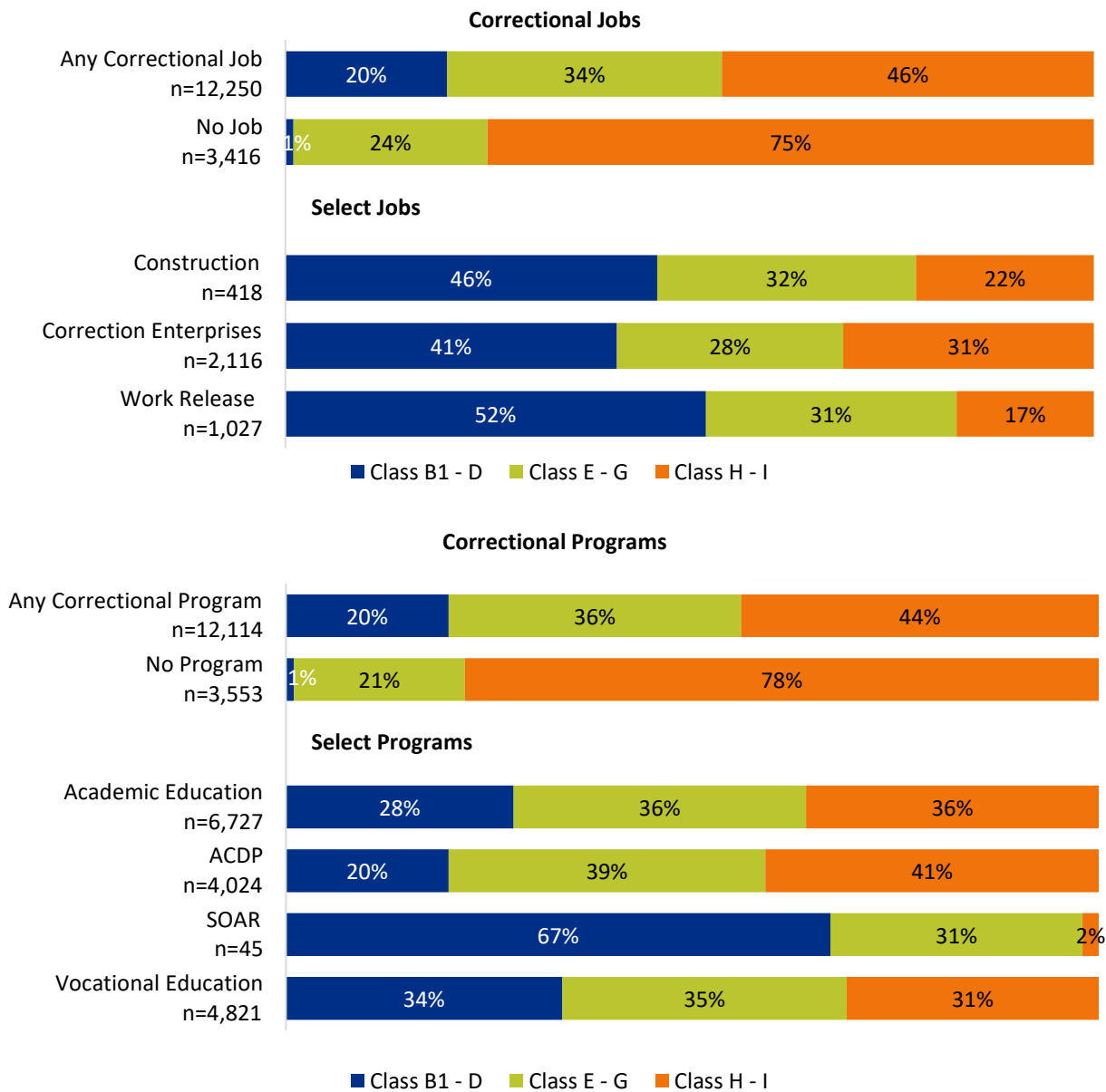
Nearly all Class B1 – D prisoners were assigned to either a job or a program during their incarceration, with most having both. Prisoners with the shortest sentence lengths – Class H and I felons – had the highest percentage with no job or program assignment while incarcerated (16%), as well as the highest proportion with only a job or with only a program assignment compared to the other offense class groupings. Figure 5.5 examines the offense class distribution of select correctional job and program assignments. Certain correctional activity assignments require a minimum amount of time served to be available for participation; the findings reflected for the select jobs and programs were consistent with these requirements. The majority of prisoners in the jobs shown had longer sentence lengths.

Assignments for academic education programs and vocational education programs were more equally distributed across the offense class groupings. SOAR, a treatment program for male inmates who have committed sexual offenses, had the greatest proportion of Class B1 – D prisoners; Alcohol and Chemical

⁷⁷ For this study, infraction offenses were grouped into the infraction classes based on DPS policy and procedures issued August 10, 2018 (https://files.nc.gov/ncdps/B.200%20Offender%20Discip%20Proc%2008_10_18%20Final_1.pdf). Under current policy, unauthorized tobacco use is separated based on the amount (indicating personal versus non-personal use). All unauthorized tobacco use infractions prior to the implementation of the current policy were assumed to be for personal use.

Dependency Programs (ACDP) had the greatest proportion of Class H – I prisoners. See Appendix F for more detailed information relating to these specific jobs and programs.

Figure 5.5
Correctional Job/Program Assignments during Incarceration



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Custody Classification at Release

Overall, 64% of prisoners were classified as minimum custody at release.⁷⁸ Class B1 – D prisoners had the lowest proportion classified as minimum custody at release, while Class H – I prisoners had the highest proportion. These patterns are consistent with the DPS custody classification policy, which takes into account the offense class and sentence length of the current conviction in assessing higher custody levels for more serious prisoners.

Released onto PRS

PRS is the mandatory period of supervision a prisoner serves in the community following an active sentence in prison. PRS was expanded to include Class F – I felonies under the JRA.⁷⁹ Overall, 83% of the FY 2017 prison release sample were subject to PRS upon release (see Table 5.3). The majority of prisoners with no PRS upon release entered prison following a revocation of PRS.

Criminal Justice Outcomes

As described in Chapter Two, the Sentencing Commission’s primary measure of recidivism is fingerprinted arrests. Recidivist incarcerations are also a recidivism measure of particular interest for prison releases. Recidivism rates are only reported when there are more than 25 prisoners in a specific category.

Recidivist Arrests and Incarcerations

Recidivist arrest rates for the one-year and two-year follow-up are shown in Table 5.4. Of the 15,666 prisoners in the sample, 7,993 (or 51%) had a recidivist arrest during the two-year follow-up and accounted for a total of 16,902 recidivist arrests. On average, their first recidivist arrest occurred 9 months after prison release. Recidivist arrest rates were lowest for prisoners with Class B1 – D felonies (42%) and increasingly higher for prisoners with Class E – G felonies (48%) and Class H – I felonies (56%). The average number of months to first recidivist arrest was 10 months for prisoners with Class B1 – D felonies and 9 months for prisoners with Class E – G felonies and Class H – I felonies. Nearly three-fourths of prisoners had one or two recidivist arrests during follow-up (46% and 27% respectively, or a total of 73%). A slightly lower percentage of Class H – I prisoners had only one recidivist arrest (45%) compared to Class B1 – D and Class E – G prisoners (47% and 48% respectively).

⁷⁸ For more information on current custody classification procedures, see https://files.nc.gov/ncdps/C.0100_11_6_17.pdf and <https://www.ncdps.gov/adult-corrections/prisons/classification>.

⁷⁹ For offenses occurring prior to December 1, 2011, a period of nine months of supervision is required for Class B1 – E felons; offenders convicted of a Class F – I felony are released from prison with no supervision. For offenses occurring on or after December 1, 2011 (the effective date of the JRA), PRS is expanded to include all felons. After serving an active sentence, a period of nine months of supervision is required for Class F – I felons; twelve months of PRS is required for Class B1 – E felons. Offenders convicted of a sex offense are required to be supervised for five years.

**Table 5.4
Recidivist Arrest Rates: Two-Year Follow-Up**

Offense Class	N	# with Any Recidivist Arrest	Total # Recidivist Arrests	% Recidivist Arrest	
				One-Year Follow-Up	Two-Year Follow-Up
Class B1 – D	2,455	1,024	2,094	26	42
Class E – G	5,033	2,409	4,984	31	48
Class H – I	8,178	4,560	9,824	38	56
Prison Releases	15,666	7,993	16,902	34	51

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Recidivist incarceration rates for the one-year and two-year follow-up are shown in Table 5.5. Overall, 5,971 prisoners (or 38%) had a recidivist incarceration during the two-year follow-up and accounted for a total of 7,631 recidivist incarcerations. On average, their first recidivist incarceration occurred 7 months after prison release. Again, prisoners with Class H – I felonies had the highest recidivism rates – 44% had a recidivist incarceration compared to 27% of Class B1 – D prisoners and 35% of Class E – G prisoners.

**Table 5.5
Recidivist Incarceration Rates: Two-Year Follow-Up**

Offense Class	N	# with Any Recidivist Incarceration	Total # Recidivist Incarcerations	% Recidivist Incarceration	
				One-Year Follow-Up	Two-Year Follow-Up
Class B1 – D	2,455	654	808	20	27
Class E – G	5,033	1,738	2,219	27	35
Class H – I	8,178	3,579	4,604	36	44
Prison Releases	15,666	5,971	7,631	31	38

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Criminal Justice Outcomes by Criminal History and Incarceration Profile

The next section examines the criminal justice outcomes for the FY 2017 prison release sample by criminal history, offense type, and incarceration profile.

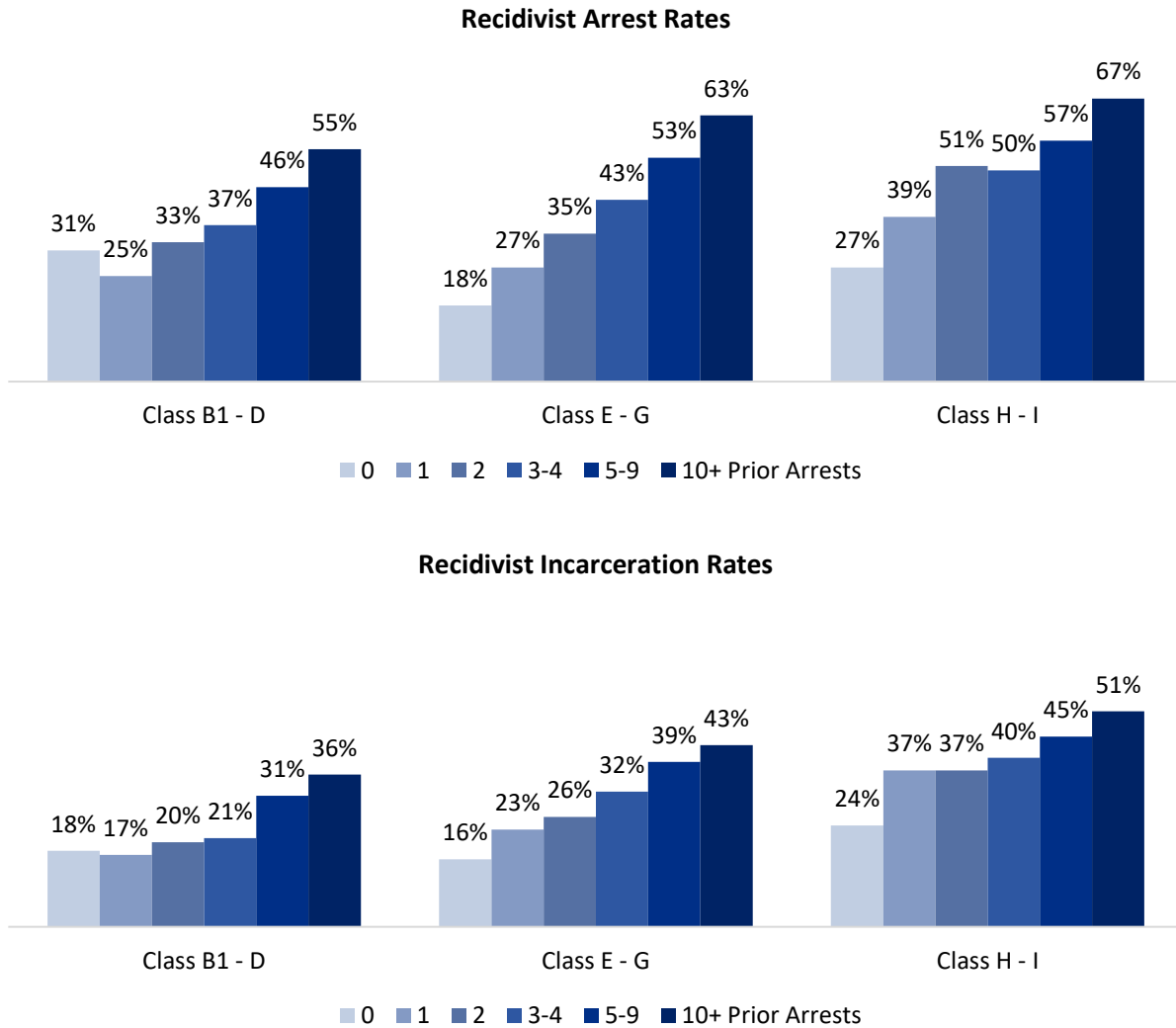
Criminal History

As described in Chapter Two, prior arrests are a strong predictor of recidivism. Offenders who had prior arrests had higher recidivist arrest rates than those who had no prior arrests⁸⁰ and, correspondingly, recidivism rates increased as the number of prior arrests increased (see Table 2.7 and Figure 2.10 in Chapter Two). As indicated in Figure 5.6, these same findings generally hold true for the prisoners in the sample and apply to recidivist incarcerations as well. With few exceptions, a stair-step progression in recidivism rates was found from those with 0 prior arrests to those with 10 or more. Regardless of the

⁸⁰ Recidivism rates for prisoners with one or more prior arrests were nearly two times higher than for prisoners with no prior arrests (52% and 25% respectively for recidivist arrests; 39% and 19% respectively for recidivist incarcerations).

number of prior arrests, prisoners with Class H – I felonies typically had higher recidivism rates than the other offense class groupings. Recidivism rates for prisoners with Class E – G felonies who had a lower number of prior arrests (i.e., 1-2 prior arrests) were more similar to their Class B1 – D counterparts, while those who had a higher number of prior arrests (i.e., 3 or more) had recidivism rates more similar to their Class H – I counterparts.

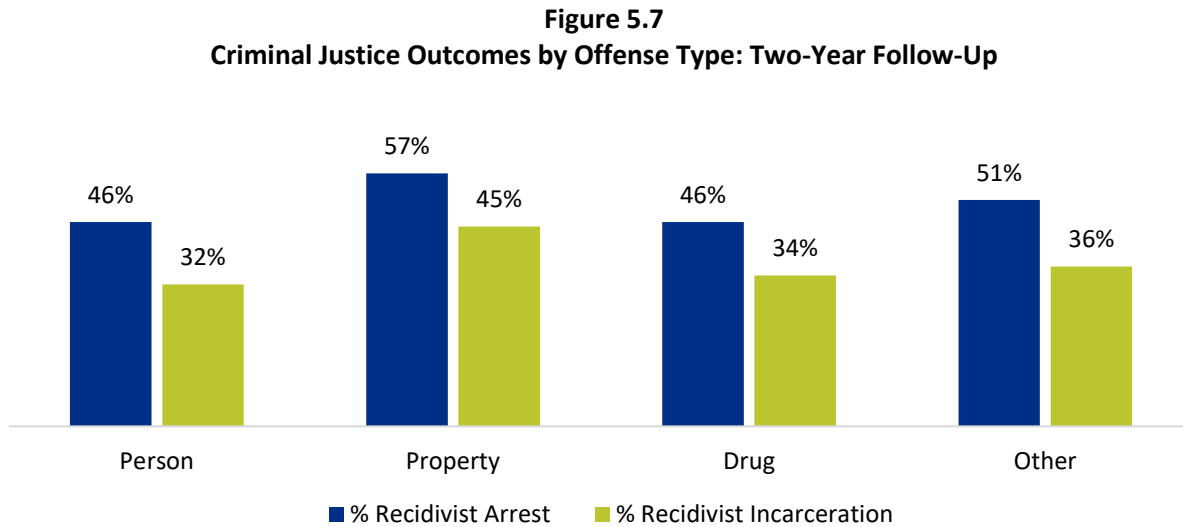
Figure 5.6
Criminal Justice Outcomes by Number of Prior Arrests: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Most Serious Current Conviction

Recidivism rates were highest for prisoners with a most serious conviction for a property offense followed by other offenses (see Figure 5.7).⁸¹ Recidivism rates were lowest for prisoners with person offenses and drug offenses.



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Table 5.6 examines criminal justice outcomes for the most frequent convictions in each of the offense class groupings. Overall, prisoners with a most serious conviction for the listed offenses had recidivism rates that were close to or higher than the recidivism rates for their respective offense class groupings (e.g., prisoners with a most serious conviction for first degree burglary recidivated at higher rates compared to the entire Class B1 – D group). Regardless of offense class grouping, habitual felons had similar recidivist arrest rates; however, recidivist incarceration rates were higher for those sentenced in Class E. Prisoners with a conviction for common law robbery had the highest recidivist arrest rates of the selected convictions (64%), followed by those with a conviction for larceny (60%). Prisoners with a most serious conviction for breaking and entering or for larceny had the highest recidivist incarceration rates (45% each).

⁸¹ As described earlier, the most frequent offenses in the other category include habitual felon, possession of firearm by a felon, and habitual impaired driving.

**Table 5.6
Criminal Justice Outcomes for Top 5 Convictions by Offense Class: Two-Year Follow-Up**

Most Serious Current Conviction	N	% of total	Criminal Justice Outcomes: Two-Year Follow-Up	
			% Recidivist Arrest	% Recidivist Incarceration
Class B1 – D				
Habitual Felon	880	36	50	33
Robbery with Dangerous Weapon	575	23	49	28
Second Degree Murder	165	7	25	10
First Degree Burglary	111	5	46	34
Second Degree Rape	108	4	44	37
Subtotal	1,839	75	n/a	n/a
Total	2,455	100	42	27
Class E – G				
Possession of Firearm by Felon	742	15	56	38
Common Law Robbery	390	8	64	44
Sell Schedule II Contr. Subst.	334	7	48	31
AWDWISI	286	6	51	37
Habitual Felon	267	5	51	41
Subtotal	2,019	41	n/a	n/a
Total	5,033	100	48	35
Class H – I				
Breaking and Entering	1,805	22	57	45
Obtain Property False Pretense	843	10	53	43
Possess Sched. II Contr. Subst	667	8	51	43
Larceny	650	8	60	45
Possess Sched. II Intent to Sell	431	5	54	35
Subtotal	4,396	53	n/a	n/a
Total	8,178	100	56	44
Prison Releases	15,666	100	51	38

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Incarceration Profile

Table 5.7 provides recidivism rates by type of prison entry, time served in prison, infractions, assignment to correctional jobs or programs, and custody classification level. Prisoners with a new crime or probation revocation entry had similar recidivist arrest rates, while recidivist arrest rates for prisoners with a PRS revocation entry were substantially higher. Prisoners with a probation or PRS revocation entry had similar rates of recidivist incarceration; rates were lower for prisoners with a new crime entry. Irrespective of offense class grouping, recidivist arrest rates were highest for prisoners with a PRS revocation entry, with rates ranging from 59% to 68% (see Figure 5.8). Recidivist incarceration rates were highest for prisoners who entered with a probation or PRS revocation; this finding held across offense class groupings. Recidivist incarceration rates were highest for Class H – I prisoners across all types of prison entries, with the exception of Class E – G prisoners with a PRS revocation entry.

**Table 5.7
Criminal Justice Outcomes by Incarceration Profile**

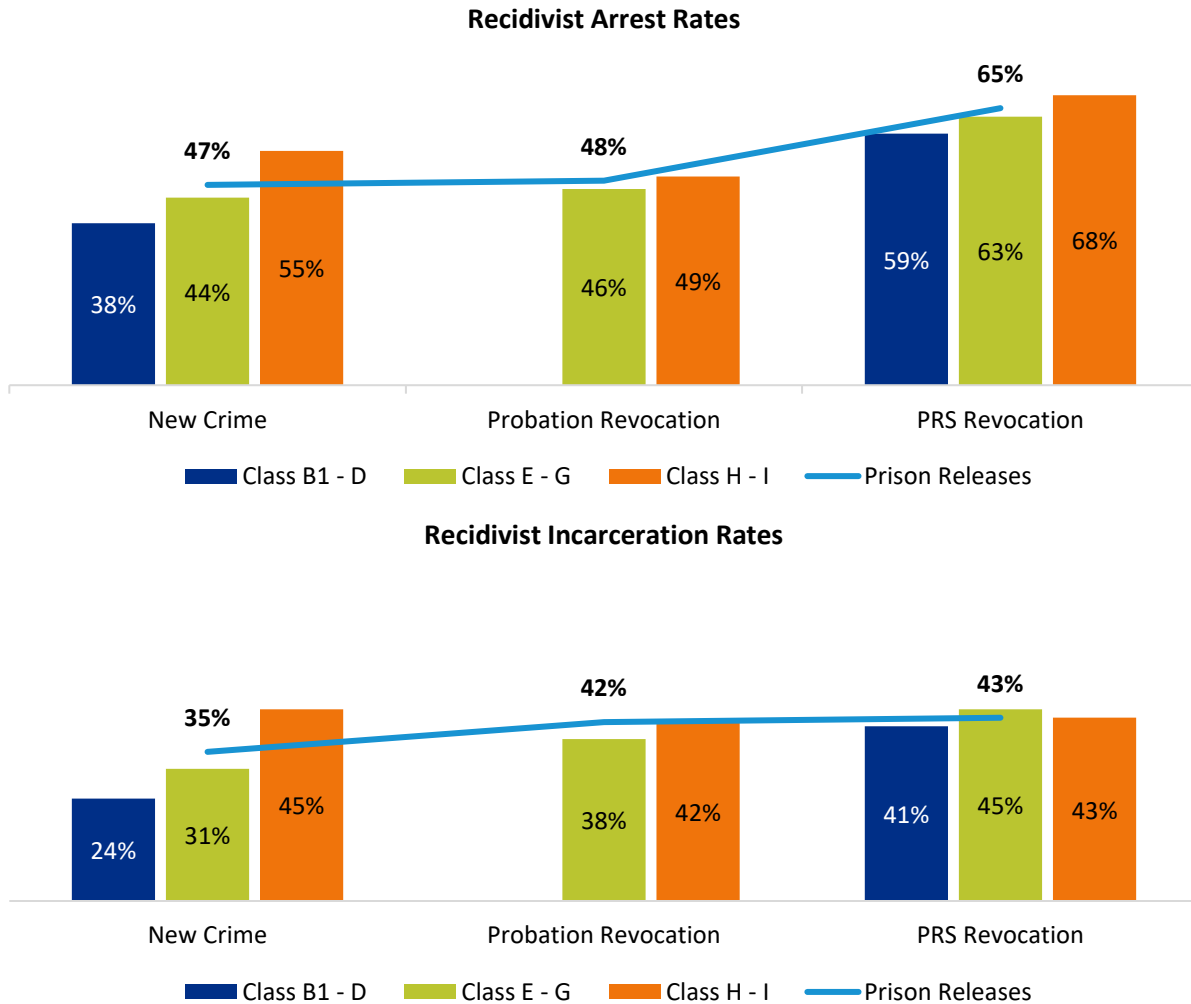
Incarceration Profile	N	Criminal Justice Outcomes: Two-Year Follow-Up	
		% Recidivist Arrest	% Recidivist Incarceration
Type of Prison Entry			
New Crime	9,370	47	35
Probation Revocation	3,194	48	42
PRS Revocation	3,102	65	43
Time Served			
12 Months or Less	9,519	55	42
13-24 Months	2,681	51	38
25 Months or More	3,466	40	27
Infractions			
0 Infractions	5,589	43	34
1 Infraction	2,753	50	37
2 Infractions	1,729	54	39
3-4 Infractions	1,975	55	41
5 or More Infractions	3,620	61	44
Correctional Jobs/Programs			
Program Only	1,863	54	44
Job Only	2,000	52	41
Both Job and Program	10,250	50	35
No Job or Program	1,553	52	47
Custody Classification at Release			
Close	1,382	68	52
Medium	4,210	56	44
Minimum	10,074	47	34
Prison Releases	15,666	51	38

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Recidivism rates by time served were consistent with recidivism rates by the offense class groupings. Prisoners who served 12 months or less (typically Class H – I felons) had the highest recidivism rates, while those who served the longest sentences (typically Class B1 – D felons) had the lowest recidivism rates.

Prisoners who had infractions while incarcerated had higher recidivism rates than those who had no infractions. Recidivism rates increased gradually as the number of infractions increased. The sharpest increases in recidivist arrest rates were for prisoners with no infractions in comparison to those with one infraction and between those with 3-4 infractions in comparison to those with 5 or more infractions.

Figure 5.8
Criminal Justice Outcomes by Type of Prison Entry: Two-Year Follow-Up



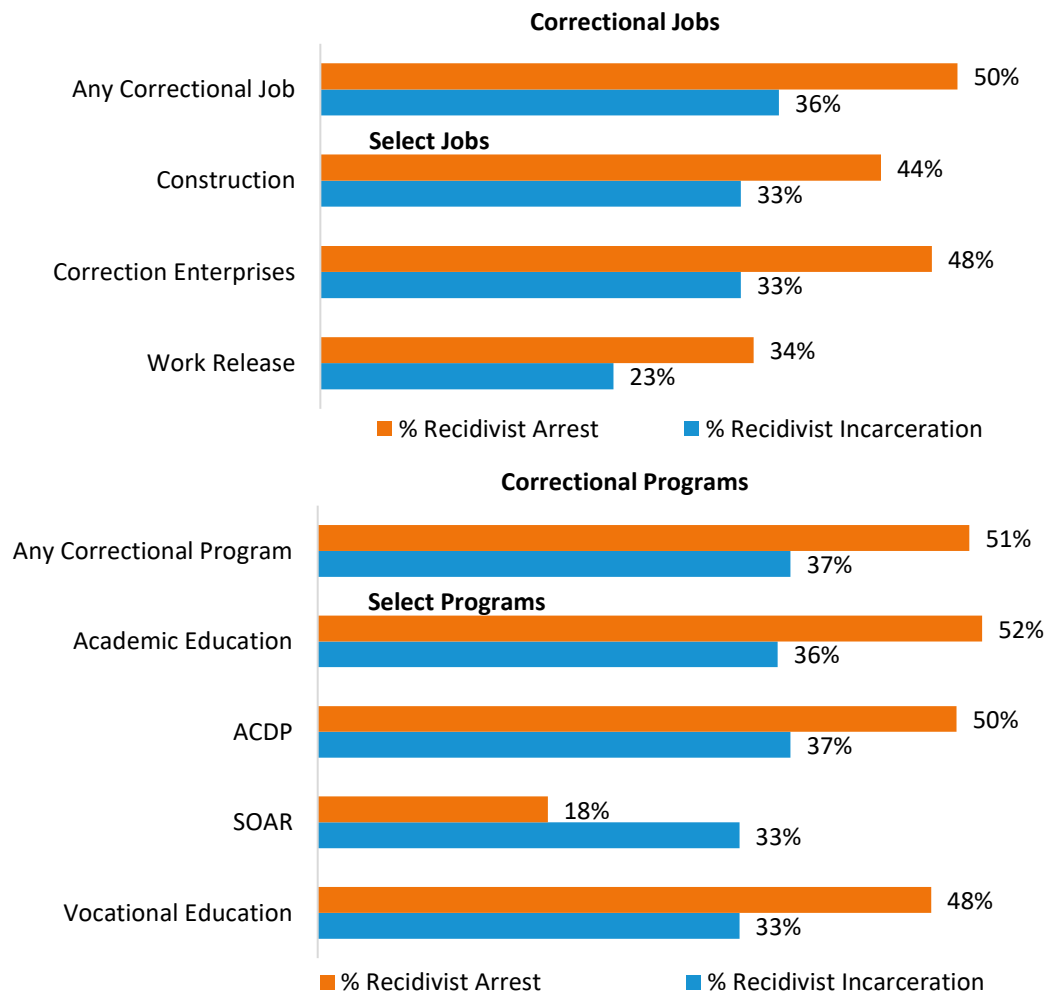
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

As shown in Table 5.7, little variation was found in recidivist arrest rates based on overall assignment to correctional jobs/programs, with most rates similar to the overall rates for the sample; however, prisoners who were assigned to both a job and a program had recidivist incarceration rates that were lower than the other groups and the sample as a whole. Higher recidivism rates for prisoners who were assigned to a program should not be interpreted as ineffectiveness of prison programs. Additional examination of each program, the characteristics of prisoners who were assigned to particular programs and information about their level of involvement (e.g., duration, completion), along with recidivism rates, would need to occur before such a determination could be made.

Figure 5.9 provides recidivism rates for prison releases assigned to select correctional jobs and programs. Prisoners with assignments to Construction, Correction Enterprises, Work Release, SOAR, and Vocational Education generally had lower recidivism rates than the overall prison population. Recidivism rates for prisoners in Academic Education and ACDP were close to those found for the overall prison population. The recidivist incarceration rate for prisoners in SOAR is higher than their recidivist arrest

rate, which is likely related to the extended length of their period of PRS (5 years) and the possibility of recidivist incarceration for violation of the conditions of supervision.

Figure 5.9
Criminal Justice Outcomes for Prison Releases Assigned to Select Correctional Jobs/Programs

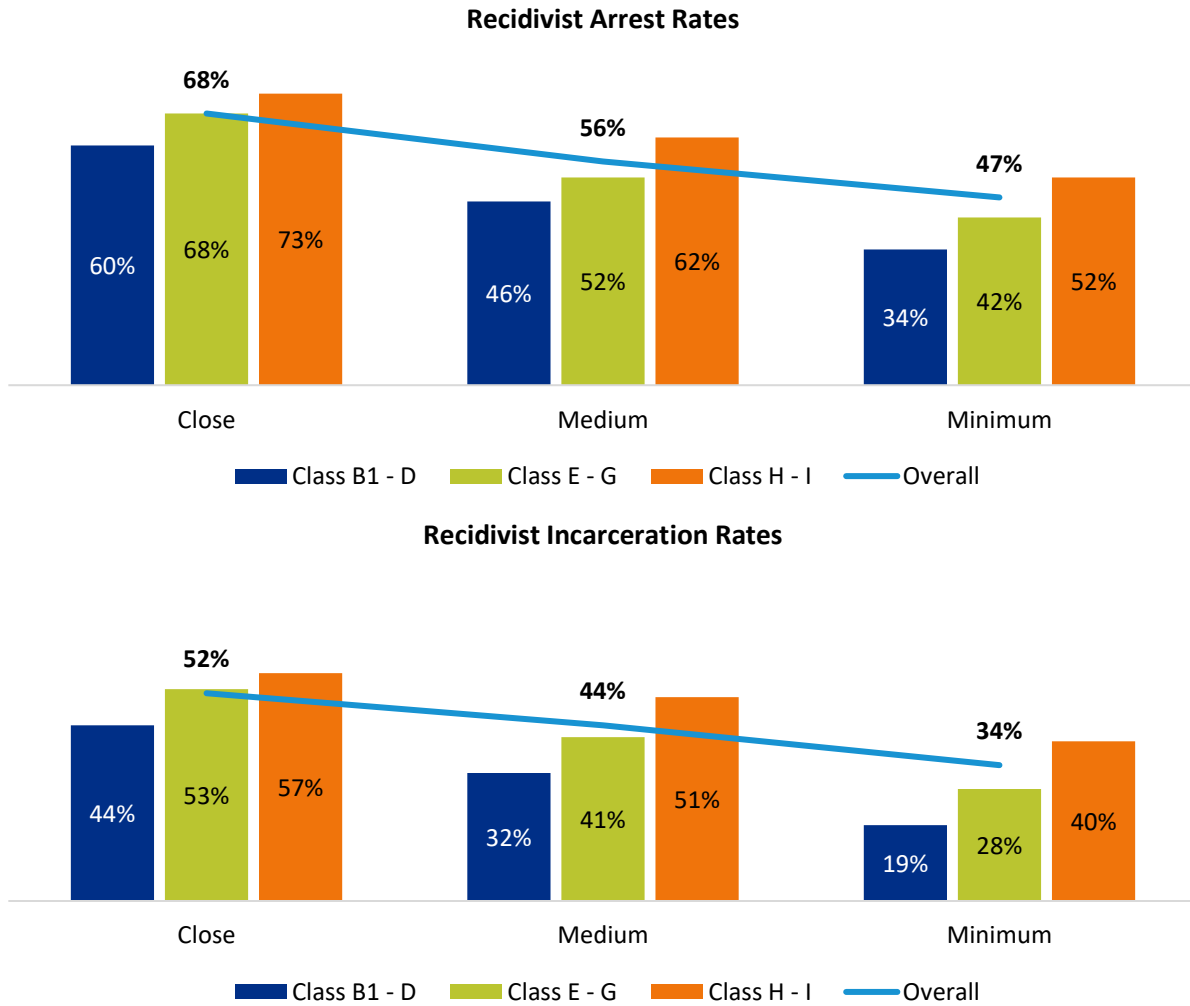


Note: Prisoners can participate in multiple prison programs during their incarceration period and, therefore, may be represented in more than one program.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

As shown in Table 5.7, prisoners who were classified as close custody at release had the highest recidivism rates, while those classified as minimum custody had the lowest. These patterns held when recidivism rates were examined by custody level and offense class (see Figure 5.10).

Figure 5.10
Criminal Justice Outcomes by Custody Classification at Release: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

A Preliminary Examination of Outcomes for Prisoners Released onto Post-Release Supervision

The information provided below offers a preliminary examination of the RNA profile, interim outcomes (i.e., violations and responses to violations), and criminal justice outcomes (i.e., recidivism) for prisoners with PRS. As described earlier in the chapter, the majority of prison releases in the FY 2017 sample (83%) were subject to PRS upon release.

Risk and Need Assessment Profile⁸²

As described in Chapter Three, the DPS uses their RNA to assess offenders, determine supervision level, and provide rehabilitative and other services. Prisoners released onto PRS should receive an RNA within the first 60 days of community supervision. Beginning in 2017, the DPS began administering its RNA to prisoners. With this expansion, the RNA should be available for nearly all offenders under DPS supervision in the future. However, there are several populations that are not assessed using the RNA at prison intake: safekeepers, CRV offenders, offenders with three-month confinement for technical violations of PRS, and offenders serving a split sentence as part of their initial judgment.⁸³ Additionally, an RNA is not available for offenders who abscond supervision or whose PRS is revoked prior to the completion of the RNA process. Along with the RNA implementation time frame for prisoners, these reasons likely contributed to the number of prisoners with PRS who did not have an RNA (see Table 5.8).

Table 5.8
RNA Profile for Prisoners Released onto PRS

RNA Profile	Prisoners with PRS			Total N=13,031 %
	Class B1 – D n=2,196 %	Class E – G n=4,125 %	Class H – I n=6,710 %	
Risk Level				
Not Assessed	14	24	26	23
Extreme Risk	27	30	32	30
High Risk	31	28	28	29
Moderate Risk	24	16	13	16
Low Risk	4	2	1	2
Minimal Risk	0	0	0	0
Need Level				
Not Assessed	17	27	30	27
Extreme Need	19	18	19	19
High Need	16	13	13	14
Moderate Need	30	27	25	26
Low Need	15	13	11	12
Minimal Need	3	2	2	2
Supervision Level				
Not Established	17	27	30	27
Level 1	21	21	22	21
Level 2	38	38	37	38
Level 3	17	10	8	10
Level 4	7	4	3	4
Level 5	0	0	0	0

Note: The RNA may have been completed while the offender was either in prison or on community supervision.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

⁸² Given their large proportion in the sample, the demographic and incarceration profile for prisoners with PRS closely tracked that of the prison release sample as a whole.

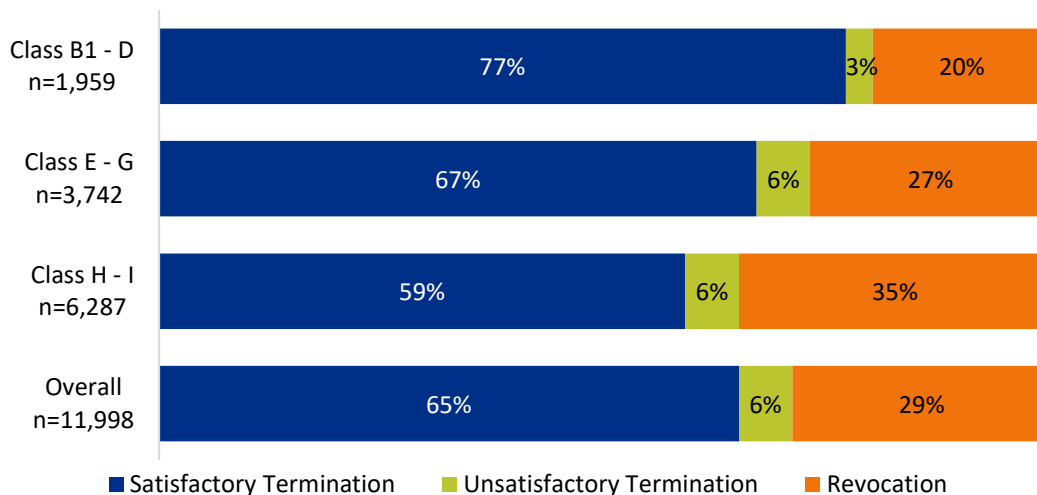
⁸³ CRV offenders, offenders with three-month confinement, and offenders who receive a split sentence in response to a violation should receive an RNA while under community supervision; however, a small percentage violate the conditions of supervision and receive one of these sanctions before the community RNA process is completed.

A preliminary look at the distributions of risk, need, and supervision level for prisoners with PRS is provided in Table 5.8. The data should be interpreted with caution given the percentage of missing data and that portions may be missing for reasons that are not random. Overall, 23% of the prisoners with PRS from the FY 2017 prison release sample did not have a risk assessment completed, 27% did not have a need assessment completed, and, correspondingly, 27% did not have a supervision level assigned. Class H – I prisoners comprised the largest group without RNA data available, followed closely by Class E – G prisoners. In terms of prison entry type, 21% of prisoners with a new crime entry, 26% with a probation revocation entry, and 74% with a PRS revocation entry did not have a supervision level assigned.⁸⁴

Reason for Exit from Supervision

The majority of prisoners with PRS (92%) exited supervision by the end of the two-year follow-up. Examination of data indicated the majority of those who remained on supervision had another period of supervision added. For those who exited supervision, reasons for exit were categorized as follows: satisfactory termination, unsatisfactory termination, and revocation.⁸⁵ As shown in Figure 5.11, the majority who exited supervision during follow-up had a satisfactory termination – over one-half of each offense class grouping. Of the remainder, most exited due to revocation and, as shown in Table 5.9, primarily due to absconding. Class H – I prisoners with PRS had the highest percentage exiting due to revocation and, of those revoked, the highest percentage of revocations due to absconding.

Figure 5.11
Supervision Exit Reason for Prisoners Released onto PRS



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

⁸⁴ Similar percentages did not have a risk assessment completed (18% of new crime entries, 21% of probation revocation entries, and 71% of PRS revocation entries) or a need assessment completed (21% of new crime entries, 26% of probation revocation entries, and 74% of PRS revocation entries).

⁸⁵ Satisfactory termination includes completion or satisfactory termination. Unsatisfactory termination includes all remaining exit reasons other than revocation.

Table 5.9
Type of Revocation for Revocation Exits

Offense Class	N	Criminal	Absconding	Technical
Class B1 – D	386	40	47	13
Class E – G	995	35	55	10
Class H – I	2,167	32	60	8
Prisoners Released onto PRS	3,548	34	57	9

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

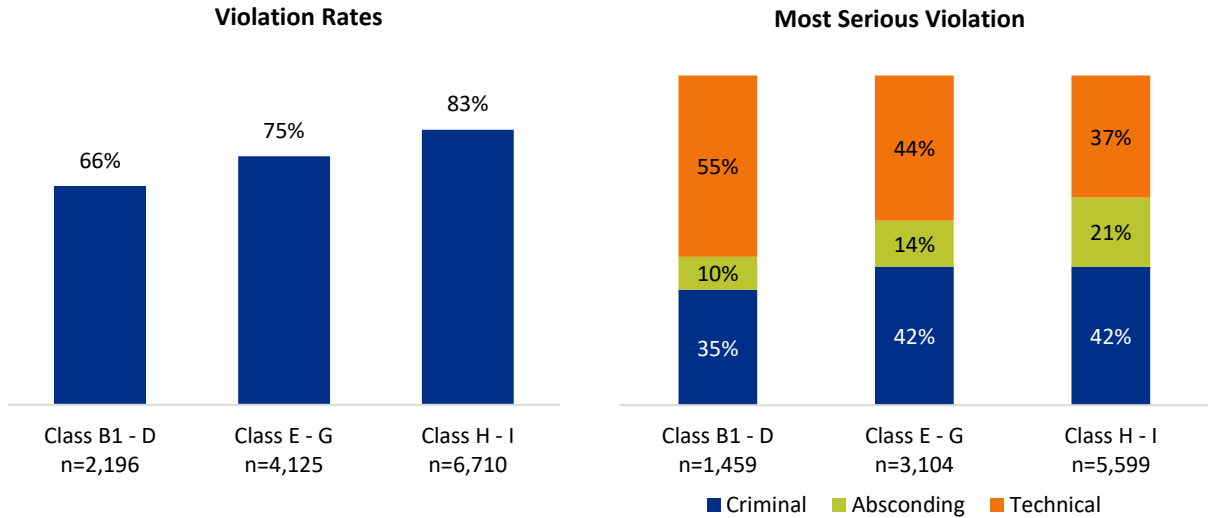
Violations of Community Supervision

Overall, 78% of prisoners with PRS violated the conditions of supervision during the two-year follow-up period, ranging from 66% for Class B1 – D prisoners to 83% for Class H – I prisoners (see Figure 5.12). The average time to the first violation occurred 4 months after release; the average number of violations was 2. Little variation was found between the groups in terms of average time to violation and average number of violations, although Class B1 – D prisoners with PRS had a higher percentage with only 1 violation (57% compared to 45% for Class E – G prisoners and 42% for Class H – I prisoners).

As also shown in Figure 5.12, the type of violation was examined using the following categories in order of most serious to least serious: criminal,⁸⁶ absconding, or technical. Based on the most serious violation for those with at least one violation, 41% had a criminal violation, 17% had an absconding violation, and 42% had a technical violation. Class B1 – D and Class E – G prisoners with PRS were most likely to have a technical violation as their most serious violation (55% and 44% respectively). Class E – G and Class H – I prisoners with PRS were more likely than Class B1 – D prisoners to have a criminal violation as their most serious violation (42% each compared to 35% for Class B1 - D). Class H – I prisoners with PRS had the highest percentage with an absconding violation as their most serious violation (21%).

⁸⁶ While a “criminal” violation may result from pending charges, it is generally the policy of the DPS to only consider criminal charges that result in conviction as a “criminal” violation. In the case of pending charges, probation officers may use elements of pending charges to support a technical violation of probation (e.g., a charge for public intoxication could be used to support a technical violation of the probation condition of not using or possessing alcohol).

Figure 5.12
Violations for Prisoners Released onto PRS: Two-Year Follow-Up



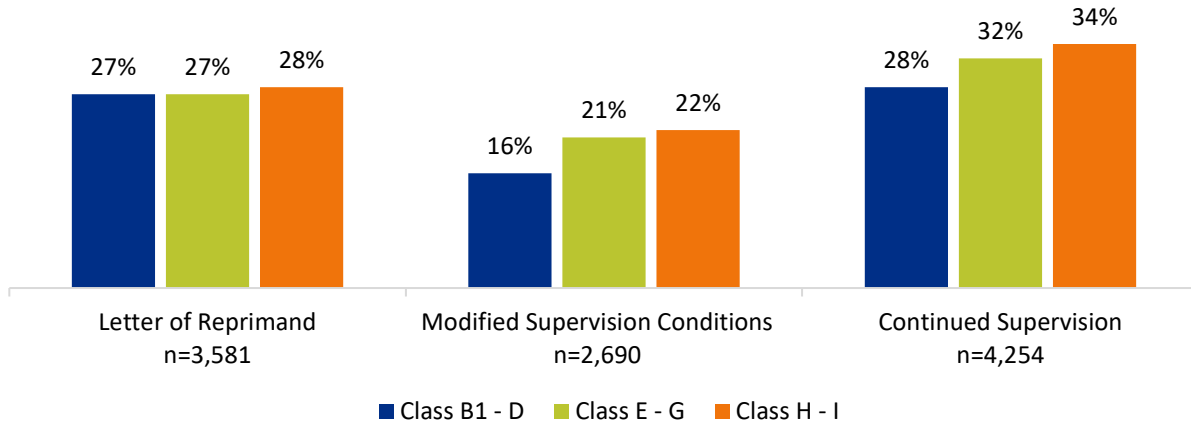
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Responses to Violations of Community Supervision

Information is provided on five responses to violations of community supervision – 1) continuation of supervision, 2) modification of supervision, 3) issuance of letter of reprimand by the Post-Release Supervision and Parole Commission, 4) imposition of three-month confinement for technical violations, and 5) revocation. The information in this section is based on the laws and policies in place at the time of this study (i.e., FY 2017 prison release).

Overall, 27% had a letter of reprimand issued in response to violation of conditions of supervision, 21% had a modification of supervision conditions, and 33% had their supervision continued. Figure 5.13 provides an examination of the use of these responses to violations by offense class groupings. Little variation was found by class with respect to issuance of a letter of reprimand. The percentage with continued supervision varied by offense class with Class B1 – D prisoners with PRS having the lowest percentage and Class H-I prisoners with PRS having the highest percentage.

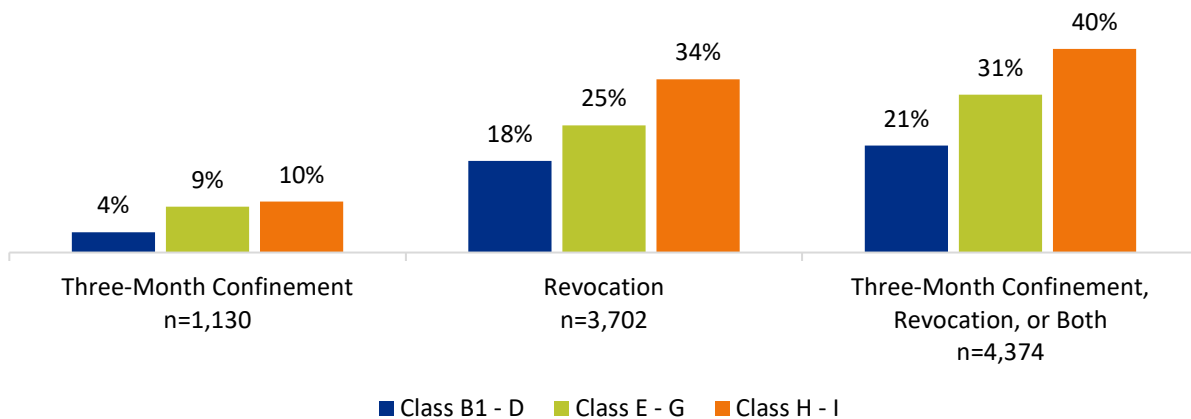
Figure 5.13
Responses to Violations for Prisoners Released onto PRS: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Similar to probationers, under the JRA, revocation of PRS may only occur for those who abscond supervision or commit a new crime. A three-month period of confinement⁸⁷ may be imposed for technical violations of supervision (similar to a CRV period). Overall, 9% of prisoners with PRS had a three-month confinement period ordered, 28% had their supervision revoked, and 34% had a three-month confinement period ordered or revocation. For those with a three-month confinement period ordered, the average time to confinement was 6 months; for those with a revocation, the average time to revocation occurred 8 months after release. As shown in Figure 5.14, three-month confinement and revocation rates were lowest for Class B1 – D prisoners with PRS and highest for Class H – I prisoners with PRS.

Figure 5.14
Three-Month Confinement and Revocation for Prisoners Released onto PRS: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

⁸⁷ For technical violations of PRS, an offender may be subject to a three-month revocation. For the sake of interpretation, a three-month revocation in response to a technical violation is referred to as a three-month confinement.

For those with a revocation, prisoners with PRS were most likely to have an absconding violation as their most serious revocation irrespective of offense class (see Table 5.10). The shift in the distribution for most serious revocation as compared to most serious violation (as shown in Figure 5.12) likely results from the imposition of three-month confinement for technical violations.

Table 5.10
Most Serious Revocation: Two-Year Follow-Up

Offense Class	N	Criminal	Absconding	Technical
Class B1 – D	395	41	47	12
Class E – G	1,035	36	55	9
Class H – I	2,272	33	60	7
Prisoners Released onto PRS	3,702	34	57	8

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Outcomes by Supervision Exit Reason

For prisoners with PRS who were no longer under supervision by the end of the two-year follow-up, Table 5.11 provides an examination of outcomes by supervision exit reason. As expected, 100% of prisoners with PRS who exited with a revocation had a violation during follow-up. Violation rates were similar for those with a satisfactory or unsatisfactory termination. These two groups also were similar in the percentage who had their supervision continued in response to violation and in the percentage who had a revocation.⁸⁸ When compared to prisoners with a satisfactory termination, prisoners with an unsatisfactory termination were slightly more likely to have their conditions of supervision modified and to have a three-month confinement imposed. Notably, prisoners with a satisfactory termination were more than two times more likely to have a letter of reprimand issued in response to a violation, perhaps due to the nature of the violation (i.e., less serious).

Table 5.11
Outcomes by Supervision Exit Reason for Prisoners Released onto PRS

Outcomes	Supervision Exit Reason		
	Satisfactory Termination n=7,748 %	Unsatisfactory Termination n=692 %	Revocation n=3,548 %
Violation	70	72	100
Responses to Violations			
Letter of Reprimand	36	15	14
Modified Supervision Conditions	18	21	25
Continued Supervision	35	35	27
Three-Month Confinement	7	10	13
Revocation	2	1	100

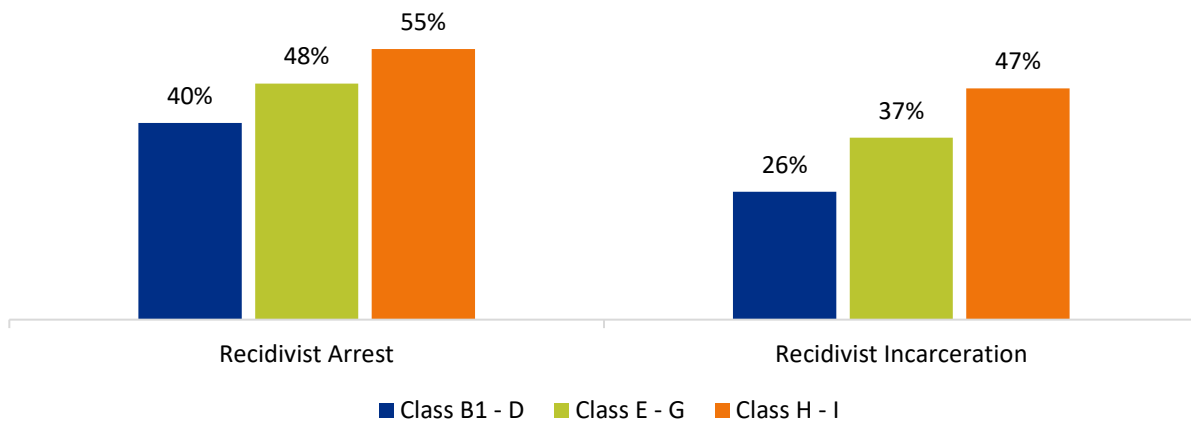
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

⁸⁸ Revocations for those with a satisfactory or unsatisfactory termination may have occurred in relation to another period of community supervision.

Criminal Justice Outcome Measures

Figure 5.15 shows the recidivist arrest and incarceration rates for prisoners with PRS by offense class groupings. Overall, the recidivist arrest rate for prisoners with PRS was 50%; the recidivist incarceration rate was 40%. Consistent with other findings in this chapter, the recidivist arrest and incarceration rates were lowest for prisoners with a Class B1 – D felony (40% and 26% respectively) and highest for prisoners with a Class H – I felony (55% and 47% respectively).

Figure 5.15
Criminal Justice Outcomes for Prisoners Released onto PRS: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Summary

Chapter Five examined the FY 2017 felony prison release sample by offense class groupings. Of the 15,666 felony prison releases, 16% had a most serious conviction for a Class B1 – D felony, 32% for a Class E – G felony, and 52% for a Class H – I felony. The majority of prisoners with a Class B1 – D felony had convictions for person offenses, while the majority of prisoners with a Class H – I felony had convictions for property offenses.

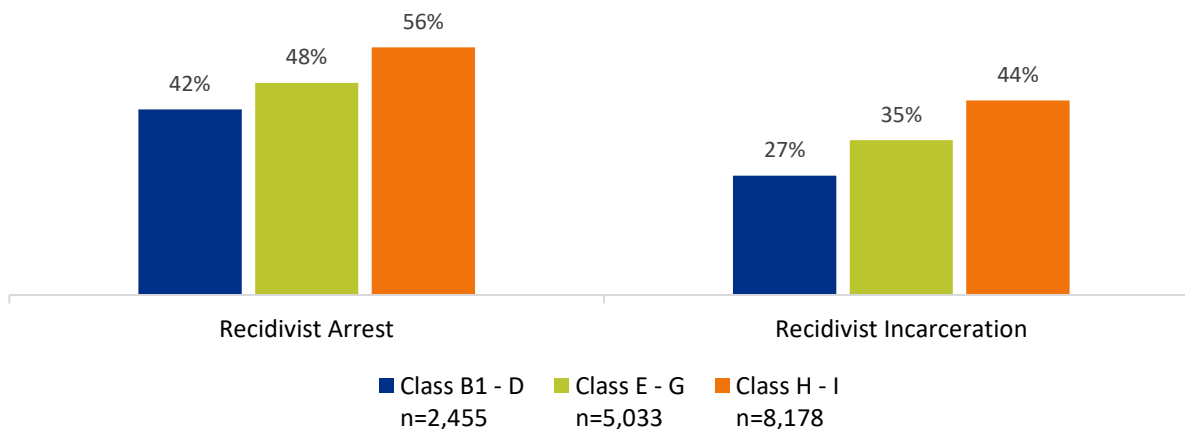
In terms of personal characteristics, Class B1 – D prisoners were more likely to be male, black, and older than their counterparts. The groups were similar in terms of marital status, education, employment, and substance use/abuse; the majority were not married (89% to 90%), did not graduate from high school (72% to 76%), were unemployed (49% to 56%), and were identified as having a possible substance use problem (80% to 81%).

Four measures were used to examine prior criminal history – prior arrests, probation entries, probation/PRS revocations, and incarcerations. With the exception of prior incarcerations, prisoners with Class H – I felonies had more extensive prior criminal histories; there was little variation across the groups with respect to prior incarcerations.

Recidivist arrests and recidivist incarcerations were the primary measures used to assess repeat involvement with the criminal justice system. Regardless of the measure used, recidivism rates were highest for prisoners with a Class H – I felony with progressively lower rates as offense seriousness

increased (see Figure 5.16). It is important to consider how age and offense type factor into these differences. Class B1 – D felons (who were primarily convicted of person offenses) served longer sentences and, as a result, may have “aged out” of criminal activity, resulting in lower recidivism rates. Conversely, Class H – I felons with prison sentences (most commonly convicted of property offenses) tended to have extensive criminal histories (as prescribed by the felony punishment chart) and were also younger, possibly accounting for their higher rates of recidivism.

Figure 5.16
Criminal Justice Outcomes for FY 2017 Prison Releases: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

The chapter also included information specific to a prisoner’s incarceration profile (i.e., type of prison entry, time served, infractions, correctional job/program assignments, custody classification, and PRS). Variations were found for Class B1 – D, Class E – G, and Class H – I prisoners, including differences in recidivism rates. The effect of these factors on the probability of recidivism are further explored in Chapter Six through the use of multivariate analyses.

Type of Prison Entry: While the majority of each offense class grouping entered prison as a result of a new crime, the proportion varied considerably. Consistent with the prioritization of prison resources for violent and repeat offenders under the SSA, Class B1 – D prisoners accounted for the largest percentage entering prison as a result of a new crime, while over half of Class H – I prisoners entered prison due to a revocation of probation or PRS. Recidivist arrest rates were highest for prisoners who entered due to a PRS revocation (65%). This group was primarily comprised of Class H – I felons, who had the highest recidivism rates of the offense class groupings.

Time Served: Time served was longest for prisoners with a Class B1 – D felony (the most serious felony offenses) and shortest for those with a Class H – I felony (the least serious felony offenses), in keeping with the SSA felony punishment chart. Recidivism rates by time served were consistent with the recidivism rates by the offense class groupings – prisoners with the longest time served had the lowest recidivism rates. As mentioned previously, the interplay between age and offense type may also help explain these differences.

Infractions: Infractions served as a measure of offender behavior while incarcerated, and were closely linked to offense class and time served. Prisoners with Class B1 – D felonies had the highest percentage of infractions, which is not surprising given the length of time served. While nearly half

of prisoners (47%) had a Class A infraction as their most serious infraction, the most frequently occurring infractions were Class B infractions (e.g., disobeying an order, using profane language). While prisoners who had infractions had higher recidivism rates than those with no infractions, the relationship between the seriousness of the infraction behavior and recidivism should also be examined.

Correctional Job/Program Assignments: In addition to possible rehabilitative elements, assignment to correctional jobs or programs is an important component for managing inmate behavior by limiting idleness. The vast majority of prisoners were assigned to a job and/or program while incarcerated, ranging from 100% of Class B1 – D felons to 84% of Class H – I felons. As a result, it is not surprising that recidivism rates for prisoners assigned to jobs or programs while incarcerated were generally similar to the overall rates for prisoners. Appendix F contains detailed information for select correctional jobs and programs, including characteristics of prisoners and their level of participation in the program. While length of participation is also a key factor for consideration, it is important to keep in mind that length of participation is likely tied to offense class and, correspondingly, sentence length. In 2017, the DPS began assessing the prison population using the RNA. However, a completed RNA was not available for a substantial number of prisoners for this time period. Once these data are available, risk, need, and other factors such as custody classification level should be considered in the context of assignment to programs and outcomes to offer a more comprehensive examination of program effectiveness.

Custody Classification: Depending on their behavior, inmates should progress through the custody classification levels over the course of incarceration, ideally being released from minimum custody. Prisoners with Class H – I felonies had the highest percentage classified as minimum custody at release followed by Class E – G felonies and Class B1 – D felonies. As might be expected, prisoners who were classified as close custody at release had the highest recidivism rates. With the remissioning of several prisons to specialized reentry facilities,⁸⁹ future studies may be able to examine whether more prisoners are able to progress down through the custody levels and/or whether fewer inmates are released directly from close custody to the community.

This chapter also included an examination of prisoners with PRS. Overall, nearly two-thirds of prisoners with PRS exited with a satisfactory termination of their supervision. Most of the remainder exited due to revocation, with absconding as the most frequent type of revocation. Although limited by available data, a first look at the RNA profile of prisoners on PRS was provided. The availability of RNA data will allow for a more comprehensive examination of PRS, in order to examine the effect of the expansion of PRS to all felons on criminal justice outcomes.

⁸⁹ For more information on specialized reentry facilities, see the Sentencing Commission's reports titled *Justice Reinvestment Act Implementation Evaluation Report* at <https://www.nccourts.gov/documents/publications/jra-implementation-evaluation-report>.

CHAPTER SIX

MULTIVARIATE ANALYSIS

Throughout this report, recidivism (e.g., arrests, incarcerations) is described in association with various single factors (e.g., criminal history, offender risk and need, offense class). These bivariate relationships are examined in Chapter Two for the overall sample by prisoners and probationers, in Chapter Three for probationers by felony and misdemeanor status, and Chapter Five for prisoners by offense class grouping. Chapter Six incorporates the information from those chapters and considers how multiple factors, taken together, affect the probability of recidivism using multivariate analysis.⁹⁰

Multivariate analysis is a statistical tool used to estimate the relationship between a set of independent variables (e.g., sex, race, age) and a dependent variable (i.e., recidivism), while also quantifying the singular contribution of each of the variables in the model.⁹¹ For example, this type of analysis allows for a determination of whether offense class has any relationship with an offender's probability of recidivism, controlling for other factors such as age, gender, race, or number of prior arrests. The reported effects provide information about the strength of the relationship (how strongly the factor affects the probability of recidivism), as well as the direction of the relationship (whether the factor increases or decreases the probability of recidivism). Generally, only estimated effects that are statistically significant – that is, highly unlikely the result of random variation in the sample (or chance) – are discussed in this chapter. *Note that, although these analyses may reveal that a relationship exists, it does not necessarily mean that an independent variable is the cause of the particular outcome. Rather, it indicates a statistical association, which may or may not be due to a causal relationship.*

Using logistic regression, multiple models are created to determine how independent variables may be related to the probability of recidivism.⁹² The probability of recidivist arrest and recidivist incarceration is examined for all offenders (Table 6.1) using variables limited to those found in Chapter Two. Additionally, the probability of recidivist arrest, recidivist incarceration and recidivist revocations are examined for probationers (Table 6.2), and prisoners (Table 6.3). Variables unique to probationers (found in Chapter Three) and prisoners (found in Chapter Five) are used to model the probability of the three recidivism measures.

Logistic Regression Analysis Variables, Results, and Interpretation

Dependent Variables

The logistic regression analyses in this chapter model three dependent variables: recidivist arrests, recidivist incarcerations, and recidivist revocations. Recidivist arrests and recidivist incarcerations are

⁹⁰ See Appendix B for detailed definitions of recidivism and other key terms.

⁹¹ Given that a relationship between *all* variables is modeled in multivariate analysis, findings in this chapter may differ slightly from the bivariate findings summarized previously in the report.

⁹² Logistic regression is a type of multivariate analysis, which estimates the logit (i.e., the logarithm of the odds) of an outcome occurring. This analysis is most appropriate for regression models with a dichotomous dependent variable, such as whether recidivism occurred. Additional information about the methodology and model fit for this study is available upon request.

modeled in each of the tables, while recidivist revocation modeling is limited to the probationer model (Table 6.2) and the prisoner model (Table 6.3).

Independent Variables

As shown in Figure 6.1, independent variables vary based on the sample being modeled. Independent variables in each of the models include an offender’s personal characteristics, criminal history, most serious current conviction, and offender type. Probationers’ supervision profiles highlight information about their supervision period (Table 6.2), while prisoners’ incarceration profiles provide information regarding their active sentence (Table 6.3). JRA-related provisions (e.g., probation/PRS violations; expanded delegated authority, high risk delegated authority, quick dips for probationers; and three-month confinement for prisoners) are examined in Model 5 and Model 8 to provide a preliminary look at the effect of the implementation of the JRA on certain measures of recidivism.

**Figure 6.1
Independent Variables**

All Models	
Personal Characteristics Age at Probation Entry or Prison Release Male Nonwhite Married High School Dropout/GED Employed Substance Use Indicated	Criminal History Under 21 at First Adult Criminal Justice Contact Number of Prior Arrests Most Frequent Prior Arrest Type – Property Prior Incarceration Most Serious Current Conviction Offense Class Offender Type – Prisoner Time at Risk (in days)⁹³
Probationers Only Models	Prisoners Only Models
Probation Supervision Profile Risk Level Need Level Probation Supervision Length High Risk Delegated Authority Violations and Responses to Violations Number of Violations ⁹⁵ Continued Supervision Delegated Authority Quick Dip CRV	Incarceration Profile Risk Score ⁹⁴ Type of Prison Entry Time Served Number of Infractions Most Serious Infraction – Class A Custody Classification at Release Violations and Responses to Violations Number of Violations Continued Supervision Letter of Reprimand Three-Month Confinement ⁹⁶

⁹³ Time at risk during follow-up serves as a statistical control variable, where applicable. Although this variable is not discussed in this chapter’s analysis, it is crucial to hold constant the value of this variable for each offender to enable interpretation of the independent variables that are of substantive interest.

⁹⁴ Given the large percentage of prisoners with missing RNA data, the risk score variable was created by first taking the RNA risk score and then substituting the OTI score for those prisoners missing an RNA risk score.

⁹⁵ A quadratic term for violations was included for better model fit.

⁹⁶ For technical violations of PRS, an offender may be subject to a three-month revocation. For the sake of interpretation, a three-month revocation in response to a technical violation will be identified as a three-month confinement in this chapter. PRS revocation – which does not include three-month confinement – is measured as an outcome variable in Model 8.

Model Limitations

Since observations with missing data on any single variable are excluded from the logistic modeling process, the number of offenders in the sample found in the previous chapters does not match the number of offenders in the multivariate analyses.⁹⁷

Variables related to JRA provisions were included in the recidivist revocation models (Model 5 and Model 8). Temporal order could not be established for JRA-related interventions and all recidivist events; therefore, these variables were excluded from the recidivist arrest and recidivist incarceration models.⁹⁸

Lastly, data were limited for the recidivist revocation model (Model 8) to only those prisoners released onto PRS (because offenders must be on PRS to have their PRS revoked). As such, the number of offenders in this model is smaller than the number of offenders in the other prisoner models.

Results

Recidivist Outcomes for All Offenders

Table 6.1 displays the estimated effect of each independent variable on the probability of recidivist arrest (Model 1) and recidivist incarceration (Model 2) for all offenders during the two-year follow-up period.

Model 1 presents the results of the logistic regression analyses predicting recidivist arrest for all offenders. The overall average probability of recidivist arrest was 44%. Personal characteristics of the offender played a significant role in predicting recidivism. Compared to offenders under 21 at sample entry, the probability of recidivist arrest declined as offender age increased, with offenders aged 50 years and older having the lowest probability of recidivist arrest (-40%). The probability of recidivist arrest was higher for male offenders (+7%), high school dropouts (+2%), and offenders with a substance use problem (+4%). The probability of recidivist arrest was also lower for married offenders (-4%) and employed offenders (-3%).

Number of prior arrests was a strong predictor of recidivist arrest, with each prior arrest increasing the probability of recidivism by 3%. Compared to Class H – I felons, the probability of recidivism was lower for Class B1 – D felons and Class E – G felons and higher for Class A1 – 3 misdemeanants. Additionally, those entering the sample as a prison release had a 1% higher probability of recidivist arrest when compared to probation entries.

Model 2 displays the results of the logistic regression analyses predicting recidivist incarceration for all offenders and shows the average probability of recidivist incarceration was 23%. In terms of personal characteristics, age at probation entry or prison release was a strong predictor of recidivist incarceration with the probability of recidivist incarceration decreasing for each age group when compared to those

⁹⁷ For probationers, the rate of missing observations was largely due to missing information on employment status, substance use/abuse indicated, and risk, need, and supervision level. Substance use/abuse and risk score largely account for missing observations for prisoners.

⁹⁸ Revocations do not present the same temporal order issues as the other recidivism measures. Therefore, violations and the responses to violations variables were included in the recidivist revocation models.

under 21 at sample entry. Male offenders (+5%) and high school dropouts (+7%) had increased probabilities of recidivist incarceration, while nonwhite (-6%) and married (-4%) offenders had lower probabilities of recidivist incarceration.

Table 6.1
Effect of Personal and Criminal Justice Factors on Recidivist Arrest

Independent Variables	Average Recidivist Probability: Two-Year Follow-Up	
	Model 1 Arrest n=41,703	Model 2 Incarceration n=41,703
Personal Characteristics		
Age at Probation Entry or Prison Release		
Under 21 Years	Reference	Reference
21-29 Years	-8%	-8%
30-39 Years	-19%	-16%
40-49 Years	-28%	-21%
50+ Years	-40%	-28%
Male	7%	5%
Nonwhite	N.S.	-6%
Married	-4%	-4%
High School Dropout/GED	2%	7%
Employed	-3%	N.S.
Substance Use Indicated	4%	N.S.
Criminal History		
Under 21 at First Adult Criminal Justice Contact	1%	-2%
Number of Prior Arrests	3%	1%
Most Frequent Prior Arrest Type – Property	2%	5%
Prior Incarceration	N.S.	7%
Most Serious Current Conviction		
Offense Class		
Class B1 – D Felony	-7%	-9%
Class E – G Felony	-5%	-5%
Class H – I Felony	Reference	Reference
Class A1 – 3 Misdemeanor	5%	-32%
Offender Type – Prisoner	1%	6%
Time at Risk (in days)	-0.1%	n/a
R²	16%	18%
Max Rescaled R²	22%	27%

Note: “N.S.” indicates the estimated effects are not statistically significant. Offenders with missing data were excluded from the analysis. For categorical and dichotomous independent variables, the results are interpreted in relation to the reference category.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Most of the criminal history variables predicted an increase in the probability of recidivist incarceration with prior incarcerations having the largest effect (+7%). Examination of offense class revealed that compared to Class H – I felons, the probability of recidivism was lower for Class B1 – D felons (-9%), Class E – G felons (-5%), and Class A1 – 3 misdemeanants (-32%). The lower probability of recidivist incarceration for misdemeanants was expected since the legislative changes under the JRA require misdemeanants to serve their active sentences in county jails.⁹⁹ Finally, when compared to probationers,

⁹⁹ Incarceration in county jails, either as a result of new sentences or revocations, is not included as part of the prior or recidivist incarceration measures because there are no statewide automated jail data in North Carolina.

entering the sample as a prison release increased the probability of recidivist incarceration (+6%), which is not unexpected given that most prisoners were subject to PRS upon release and 34% had a three-month confinement period ordered, their supervision revoked, or both during follow-up (as shown in Chapter Five).

With some exceptions, additional analyses (not included in the table), revealed similar findings when comparing all offenders to reduced probationer only and prisoner only models for recidivist arrests and recidivist incarcerations.

Recidivism Outcomes for Probationers

Table 6.2 examines the estimated effects of independent variables on recidivist arrest (Model 3), recidivist incarceration (Model 4), and recidivist revocation (Model 5) probabilities for probationers.

Model 3 displays the results of the logistic regression analyses predicting recidivist arrest for probationers. On average, 39% of probationers had a recidivist arrest. Of the personal characteristics variables, the probability of recidivist arrest decreased with age at probation entry, for married probationers (-4%), and for employed probationers (-4%). Male probationers and probationers with substance use issues had a higher probability of recidivist arrest (+5% and +3% respectively). Of the criminal history variables, each prior arrest increased the probability of recidivist arrest by 3%. Additionally, compared to Class H – I felons, the probability of recidivist arrest was lower for Class E – G felons (-4%), but higher for Class A1 – 3 misdemeanants (+3%).

As risk level increased in severity from minimal risk to extreme risk, the probability of recidivist arrest generally increased, with probationers assessed as extreme risk having the highest probability of recidivism (+17%) when compared to probationers assessed as minimal risk. Similarly, as need level increased in severity, the probability of recidivist arrest also increased. Compared to probationers with a minimal need level, probationers with an extreme need level had a 13% higher probability of recidivist arrest.

Model 4 shows the results of the logistic regression analysis predicating recidivist incarceration for probationers. On average, 14% of probationers had a recidivist incarceration. Looking at personal characteristics, the probability of recidivist incarceration decreased for each age group when compared to those under 21. Male offenders (+2%) and offenders with substance use issues (+2%) had increased probabilities of recidivist incarceration. Additionally, race and education were significant predictors of recidivist incarceration with nonwhite offenders (-5%) having lower probabilities of recidivist incarceration and high school dropouts (+4%) having higher probabilities of recidivist incarceration.

Moving to the criminal history variables, offenders who had their first contact with the criminal justice system when under the age of 21 (-3%) had a decreased probability of recidivist incarceration. Additionally, each prior arrest increased the probability of recidivist incarceration by 1% and having one or more prior incarcerations increased the probability of recidivist incarceration by 2%. An examination of offense class shows that compared to Class H – I felons, the probability of recidivist incarceration was lower for both Class E – G felons (-3%) and A1 – 3 misdemeanants (-20%). The much lower probability of recidivist incarceration for misdemeanants was expected because the legislative changes under the JRA require misdemeanants to serve their active sentences in county jails.

Table 6.2
Effect of Personal and Criminal Justice Factors on Recidivism – Probationers

Independent Variables	Average Recidivism Probability: Two-Year Follow-Up		
	Model 3 Arrest n=25,878	Model 4 Incarceration n=25,878	Model 5 Revocation n=25,878
Personal Characteristics			
Age at Probation Entry			
Under 21 Years	Reference	Reference	Reference
21-29 Years	-7%	-4%	N.S.
30-39 Years	-16%	-8%	N.S.
40-49 Years	-22%	-11%	N.S.
50+ Years	-34%	-14%	-6%
Male	5%	2%	3%
Nonwhite	N.S.	-5%	-7%
Married	-4%	N.S.	-3%
High School Dropout/GED	N.S.	4%	5%
Employed	-4%	1%	-2%
Substance Use Indicated	3%	2%	4%
Criminal History			
Under 21 at First Adult Criminal Justice Contact	N.S.	-3%	-2%
Number of Prior Arrests	3%	1%	0.2%
Most Frequent Prior Arrest Type – Property	N.S.	3%	2%
Prior Incarceration	-4%	2%	5%
Most Serious Current Conviction			
Offense Class			
Class E – G Felony	-4%	-3%	-2%
Class H – I Felony	Reference	Reference	Reference
Class A1 – 3 Misdemeanor	3%	-20%	6%
Probation Supervision Profile			
Risk Level			
Extreme	17%	24%	20%
High	16%	20%	18%
Moderate	16%	16%	15%
Low	7%	8%	9%
Minimal	Reference	Reference	Reference
Need Level			
Extreme	13%	10%	12%
High	12%	7%	10%
Moderate	7%	5%	6%
Low	5%	N.S.	N.S.
Minimal	Reference	Reference	Reference
Probation Supervision Length	-0.3%	-0.2%	0.2%
High Risk Delegated Authority	n/a	n/a	N.S.
Violations and Responses to Violations			
Number of Violations	n/a	n/a	22%
Number of Violations*Number of Violations	n/a	n/a	-2%
Continued Supervision	n/a	n/a	-16%
Delegated Authority	n/a	n/a	-15%
Quick Dip	n/a	n/a	-14%
CRV	n/a	n/a	-24%
Time at Risk (in days)	-0.1%	n/a	n/a
R²	15%	15%	20%
Max Rescaled R²	20%	27%	32%

Note: "N.S." indicates the estimated effects are not statistically significant. Offenders with missing data were excluded from the analysis. For categorical and dichotomous independent variables, the results are interpreted in relation to the reference category.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

The probation supervision profile variables show that compared to offenders with a minimal risk level, the probability of recidivist incarceration increased as risk level increased, with offenders with extreme risk having the highest probability of recidivist incarceration (+24%). Similarly, as need level increased, the probability of recidivist incarceration also increased.

The final model in Table 6.2, Model 5, displays the results of the logistic regression analyses predicting revocations for probationers. On average, 21% of probationers had a recidivist revocation. Because of the addition of the violations variables into the revocation model, the effects of age at probation entry were no longer significant for most of the age categories. However, the results indicate that the probability of recidivist arrest was higher for male offenders (+3%), high school dropouts (+5%), and offenders with a substance use problem (+4%). The probability of recidivist revocation was lower for non-white offenders (-7%), married offenders (-3%), and employed offenders (-2%).

Examining the criminal history variables, the results indicate that offenders who had their first contact with the criminal justice system when under the age of 21 had a decreased probability of recidivist revocation (-2%), while each prior arrest increased the probability of recidivist revocation by .2% and having one or more prior incarcerations increased the probability of recidivist revocation by 5%. Turning to offense class, compared to Class H – I felons, the probability of recidivist revocation was slightly lower for Class E – G felons (-2%), but higher for Class A1 – 3 misdemeanants (+6%). Additionally, the probability of recidivist revocation increased as risk level and need level increased.

In Model 5, JRA-related provisions (i.e., expanded delegated authority, high risk delegated authority, violations, quick dips, CRV) are examined to assess the effect of the implementation of the JRA on recidivist revocations. Each violation increased the probability of recidivist revocation by 22%, although the probability increased at a decreasing rate. Probationers who had their supervision continued in response to violation of conditions of supervision had a decreased probability of recidivist revocation (-16%). In addition, probationers who had delegated authority imposed (-15%), quick dips (-14%) and CRVs (-24%) had a decreased probability of recidivist revocations.

Recidivism Outcomes for Prisoners

Table 6.3 provides the estimated effects of independent variables on the probability of recidivist arrest (Model 6), recidivist incarceration (Model 7), and recidivist revocation (Model 8) for prisoners.

Model 6 displays the results of the logistic regression analyses predicting recidivist arrest for prisoners. On average, 52% of prisoners had a recidivist arrest. Looking at the personal characteristics variables, the probability of recidivist arrest decreased with age at prisoner release with offenders aged 50 years and older having the lowest probability of recidivist arrest (-40%). Additionally, males (+6%) had a higher probability of recidivist arrest. Of the criminal history variables, each prior arrest increased the probability of recidivist arrest by 2%, as did having one or more prior incarcerations (+2%). Compared to Class H – I felons, the probability of recidivist arrest was lower for both Class B1 – D felons (-7%) and E-G felons (-3%).

The results of the incarceration profile variables indicate that each increase in risk score was associated with a .3% increase in the probability of recidivist arrest. Further, compared to those entering prison for a new crime, recidivist arrest probabilities were 12% higher for PRS revocation entries. Additionally, compared to offenders who served 12 months or less, the probability of recidivist arrest declined as

Table 6.3
Effect of Personal and Criminal Justice Factors on Recidivism – Prisoners

Independent Variables	Average Recidivism Probability: Two-Year Follow-Up		
	Model 6 Arrest n=14,795	Model 7 Incarceration n=14,795	Model 8 Revocation n=12,332
Personal Characteristics			
Age at Prison Release			
Under 21 years	Reference	Reference	Reference
21-29 years	-12%	-18%	-7%
30-39 years	-24%	-26%	-11%
40-49 years	-32%	-30%	-11%
50+ years	-40%	-36%	-12%
Male	6%	6%	N.S.
Nonwhite	N.S.	-6%	-8%
Married	N.S.	-5%	-6%
High School Dropout/GED	N.S.	4%	3%
Employed	N.S.	N.S.	N.S.
Substance Use Indicated	N.S.	N.S.	-4%
Mental Health Indicated	N.S.	N.S.	N.S.
Criminal History			
Under 21 at First Adult Criminal Justice Contact	N.S.	-3%	-4%
Number of Prior Arrests	2%	1%	1%
Most Frequent Prior Arrest Type – Property	N.S.	5%	2%
Prior Incarceration	2%	8%	7%
Most Serious Current Conviction			
Offense Class			
Class B1 – D Felony	-7%	-10%	-9%
Class E – G Felony	-3%	-4%	-5%
Class H – I Felony	Reference	Reference	Reference
Incarceration Profile			
Risk Score	0.3%	0.2%	0.2%
Type of Prison Entry			
New Crime	Reference	Reference	Reference
Probation Revocation	N.S.	3%	N.S.
PRS Revocation	12%	N.S.	9%
Time Served			
12 months or less	Reference	Reference	Reference
13-24 months	-4%	-7%	-5%
24+ months	-11%	-16%	-6%
Number of Infractions	1%	1%	1%
Most Serious Infraction – Class A	6%	4%	N.S.
Custody Classification at Release			
Close	Reference	Reference	Reference
Medium	N.S.	N.S.	-7%
Minimum	N.S.	-10%	-9%
Violations and Responses to Violations			
Number of Violations	n/a	n/a	59%
Number of Violations*Number of Violations	n/a	n/a	-5%
Continued Supervision	n/a	n/a	-67%
Letter of Reprimand	n/a	n/a	-65%
Three-Month Confinement	n/a	n/a	-35%
Time at Risk (in days)	-0.1%	n/a	n/a
R²	20%	11%	35%
Max Rescaled R²	26%	15%	50%

Note: "N.S." indicates the estimated effects are not statistically significant. Offenders with missing data were excluded from the table. For categorical and dichotomous independent variables, the results are interpreted in relation to the reference category.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

time served increased, with offenders serving 24 or more months having the lowest probability of recidivist arrest (-11%). Finally, the probability of recidivist arrest increased as the number of infractions increased (+1% per infraction).

Model 7 presents the results of the logistic regression analysis predicting recidivist incarceration for prisoners. On average, 38% of prisoners had a recidivist incarceration. Compared to offenders under 21 years old at prison release, the probability of recidivist incarceration declined as offender age increased. Additionally, males (+6%) and high school dropouts (+4%) had an increased probability of recidivist incarceration, while nonwhite offenders (-6%) and married offenders (-5%) had a decreased probability of recidivist incarceration. Of the criminal history variables, each prior arrest increased the probability of recidivist incarceration by 1% and a having one or more prior incarcerations increased the probability of recidivist incarceration by 8%. Compared to Class H – I felons, the probability of recidivist incarceration was lower for both Class B1 – D felons (-10%) and E-G felons (-4%).

Turning to the incarceration profile variables, increases in risk score increased the probability of recidivist incarceration by .2%. Further, compared to those entering prison for a new crime, recidivist incarceration probabilities were 3% higher for probation revocation entries. Additionally, compared to offenders who served 12 months or less, the probability of recidivist incarceration declined as time served increased, with offenders serving 24 or more months having the lowest probability of recidivist incarceration (-16%). The probability of recidivist incarceration increased as the number of infractions increased (+1% per infraction). Finally, compared to prisoners classified as close custody classification at release, those classified as minimum custody at release had a decreased probability of recidivist incarceration (-10%).

The final model in Table 6.3, Model 8, displays the results of the logistic regression analyses predicting revocations for prisoners. Because this model is limited to prisoners released to PRS, the sample size is smaller than the sample sizes in the arrest and incarceration models. On average, 28% of prisoners had a recidivist revocation. The probability of recidivist revocation again decreased with age at prisoner release. Additionally, high school dropouts had an increased probability of recidivist revocation (+3%), while nonwhite offenders (-8%) and married offenders (-6%) had a decreased probability of recidivist revocation. Of the criminal history variables, each prior arrest increased the probability of recidivist revocation by 1% and having one or more prior incarceration increased the probability of recidivist revocation by 7%. Compared to Class H – I felons, the probability of recidivist revocation was lower for both Class B1 – D felons (-9%) and Class E - G felons (-5%).

An examination of the incarceration profile variables suggests that the probability of recidivist revocation increased as risk score increased (+.2% with each change in risk score). Further, compared to those entering prison for a new crime, recidivist revocation probabilities were 9% higher for PRS revocation entries. The higher probability for prisoners with a PRS revocation was somewhat expected given these offenders already failed while under supervision and were incarcerated as a result of a violation of supervision. Additionally, compared to offenders who served 12 months or less, the probability of recidivist revocation declined as time served increased. An increase in the number of infractions was also associated with a 1% per infraction increase in the probability of recidivist revocation. Finally, compared to prisoners classified as close custody at release, those classified as medium custody (-7%) and minimum custody (-9%) had a decreased probability of recidivist revocation.

The prisoner revocation model also included violations and responses to violations, which were significant predictors of recidivist revocations. Prisoners with PRS who had their supervision continued

(-67%) or had a letter of reprimand issued by the Post-Release Supervision and Parole Commission (-65%) had a decreased probability of recidivist revocation, as did those who had a three-month confinement imposed in response to a technical violation (-35%).

Summary

Chapter Six examined how multiple factors, taken together, affect the probability of recidivism for the offenders in the FY 2017 sample. Multivariate analyses revealed a significant relationship between an offender’s personal characteristics, criminal history, and most serious current conviction and recidivism in each of the models. Although predictors of recidivism varied somewhat, four variables were fairly consistent in predicting the probability of recidivism for offenders across each of the models: age, gender, criminal history, and offense class of the most serious conviction (see Figure 6.2).

Figure 6.2
Key Predictors of Adult Recidivism – All Models: Two-Year Follow-Up

Age at Probation Entry or Prison Release	Compared to offenders under 21 at sample entry, recidivism probabilities decreased as age increased. Offenders 50 years and older had the lowest probabilities of recidivism (as much as 40% lower).
Gender	Overall, male offenders had a higher likelihood of recidivism than female offenders (as much as 7% higher).
Criminal History	Generally, prior contact with the adult criminal justice system increased the probability of recidivism in each of the models.
Offense Class	Class H – I felons had higher recidivism rates than felons in other offense classes (i.e., Class B1 – D and Class E – G). Results varied for misdemeanants; Class A1 – 3 misdemeanants had higher recidivist arrest probabilities and lower recidivist incarceration probabilities when compared to Class H – I felons.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Analyses conducted using variables unique to probationers and prisoners identified factors with the greatest effect on recidivism. For probationers, these analyses identified a strong relationship between assessed risk and recidivism as well as assessed need and recidivism. Overall, probationers assessed as extreme risk had the highest probability of recidivism (17% to 24% higher) when compared to probationers assessed as minimal risk, with recidivism probabilities decreasing as risk levels decreased. Similarly, probationers assessed with extreme need had the highest probability of recidivism (10% to 13% higher) when compared to probationers assessed with minimal need. The availability of RNA assessments for prisoners (which DPS began implementing in 2017) will allow for a more complete comparison of prisoners and probationers and their recidivism outcomes in future studies.

Notably for prisoners, of the incarceration profile variables, offense class and time served were consistent predictors of recidivism in each of the models. Prisoners with Class H – I felonies had higher recidivism rates in comparison to those with Class B1 – D felonies or Class E – G felonies. Compared to prisoners who served 12 months or less, prisoners who served 13-24 months had a decreased probability of recidivism, as did those who served more than 24 months. Finally, albeit small, the effect

of number of infractions on recidivism was significant across all three prisoner models with the probability of recidivism increasing as the number of infractions increased.

These multivariate analyses also examined violations and responses to violations – such as quick dips, CRVs, and three-month confinements – to provide an examination of the effect of the JRA on recidivist revocations. Violations and responses to violations for both probationers and prisoners consistently predicted recidivist revocation. As intended, CRVs for probationers and three-month confinements for prisoners were associated with decreases in recidivist revocations (-24% and -35% respectively). Future analyses will examine these complex relationships further to provide greater understanding of the effects of violations and responses to violations on recidivism.

CHAPTER SEVEN

CONCLUSIONS

During the 1998 Session, the General Assembly replaced the Sentencing Commission's original mandate to study recidivism with an expanded mandate that included a more in-depth evaluation of correctional programs. This report is the eleventh correctional program evaluation in compliance with the expanded mandate (G.S. 164-47). In its studies of recidivism, the Sentencing Commission uses arrests as the primary measure of recidivism, supplemented by information on convictions and incarcerations, to assess the extent of an offender's repeat involvement in the criminal justice system.

The sample selected for this study included offenders released from prison or placed on probation during FY 2017, followed for a fixed period of two years. Of the 46,094 offenders in the sample, 66% (n=30,428) were placed on probation and 34% (n=15,666) were released from prison. The majority of probationers had a most serious conviction for a misdemeanor offense (56%), while the majority of prisoners had a most serious conviction for a Class H – I felony offense (52%). This report examined probationers by current conviction (i.e., felony, misdemeanor) and supervision level, and prisoners by offense class groupings (i.e., Class B1 – D felons, Class E – G felons and Class H – I felons).

Of the sample as a whole, offenders averaged 33 years of age. The majority were male (78%), 49% were white, 46% were black, 88% were not married, 59% were high school dropouts, 51% were employed, and 71% had a possible substance use problem. Eighty-five percent (85%) of the offenders had one or more prior fingerprinted arrests, accounting for a total of 227,307 prior arrests for the sample. Overall, 44% (n=20,447) of the 46,094 offenders studied had a recidivist arrest during the two-year follow-up period, accounting for a total of 41,109 arrests. Twenty-one percent (21%) of the FY 2017 sample had a recidivist conviction during the two-year follow-up period and 23% had a recidivist incarceration during the two-year follow-up period.

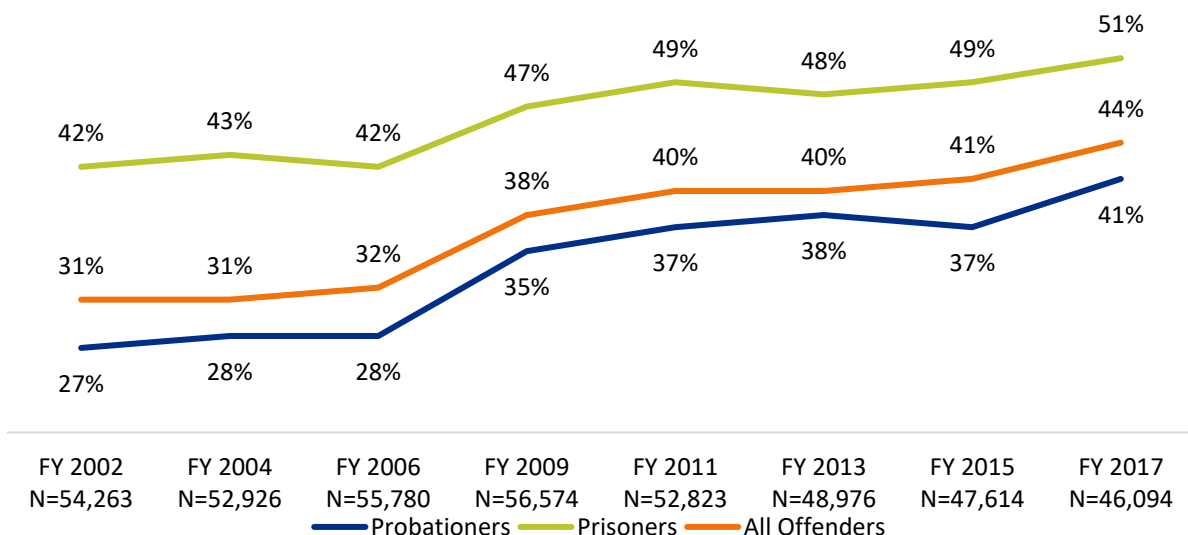
Conclusions

The issue of correctional resources and, specifically, their effectiveness in increasing public safety and deterring future crime have continued to be of interest to legislators and policy makers. It is the goal of most programs to sanction and control offenders, to offer them opportunities that will assist in altering negative behavioral patterns, and, consequently, to lower the risk of reoffending. Studies that measure recidivism are a nationally accepted way to assess the effectiveness of in-prison and community corrections programs in preventing future criminal behavior. In contemplating effective ways to implement or change programs, policies, or practices designed to reduce recidivism, it is important to consider consistent findings related to criminal justice outcomes.

The Sentencing Commission's previous recidivism reports provide a framework to examine trends in recidivism rates and related factors for North Carolina offenders. Figure 7.1 presents overall recidivism rates (measured as recidivist arrests) for SSA offenders for the Commission's past seven studies and the current study.

The series of studies indicate that the statewide recidivism rate has increased 13 percentage points over the past 15 years, with a measurable increase occurring from FY 2006 to FY 2009. Improved fingerprinting technology in sheriffs' offices and police departments led to a greater number of fingerprinted misdemeanor arrests, which coincided with the large increase from FY 2006 to FY 2009. After years of stability (beginning in FY 2011), the recidivism rate experienced a notable increase from FY 2015 to the current study. This increase prompted further investigation. No external factors (e.g., improved technologies, changes in enforcement, etc.) emerged as plausible reasons for an increase in recidivism. Possible explanations for this increase are explored below.

Figure 7.1
Recidivist Arrest Rates for North Carolina Offenders by Sample Year: Two-Year Follow-Up

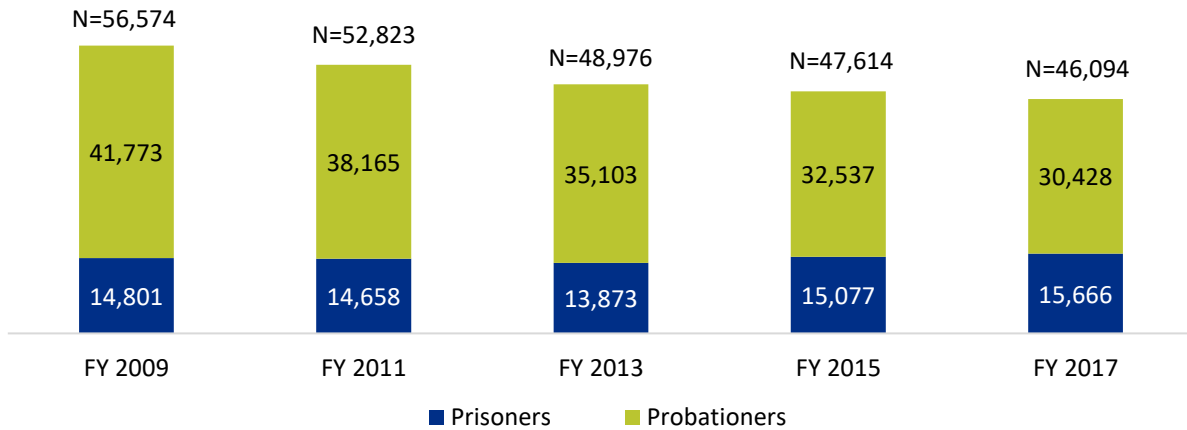


Note: The prison samples for each of these studies was limited to prisoners with a felony conviction.
 SOURCE: NC Sentencing and Policy Advisory Commission, FY 2002 – FY 2017 Correctional Program Evaluation Data

Notably, the sample studied in the Sentencing Commission's series of studies has changed considerably over the past eight studies. Since FY 2009, the number of offenders studied has decreased in each subsequent study, with an overall decrease of over 18%. The decreasing sample size is consistent with other criminal justice indicators showing significant declines in arrests, convictions, and incarcerations (both nationally and in North Carolina) following FY 2009. The change in sample size beginning in FY 2011 can also be attributed in large part to legislative changes implemented under the JRA (i.e., the shifting of all misdemeanants out of prison to local jails and limitations placed on revocations of supervision for technical violations).

Also of significance, is the changing internal composition of the sample in more recent studies (see Figure 7.2). The number of probationers in the sample has declined 13% over the last three studies (35,103 in FY 2013 to 30,428 in FY 2017). The number of prisoners within the sample experienced initial declines due to limits on incarceration for technical violations under the JRA (-5% from FY 2011 to FY 2013), but increased 4% in the current study (primarily the result of PRS expansion and revocations of supervision). These changes offer important context for the increase in recidivism rates (discussed below).

Figure 7.2
Number of North Carolina Offenders by Sample Year



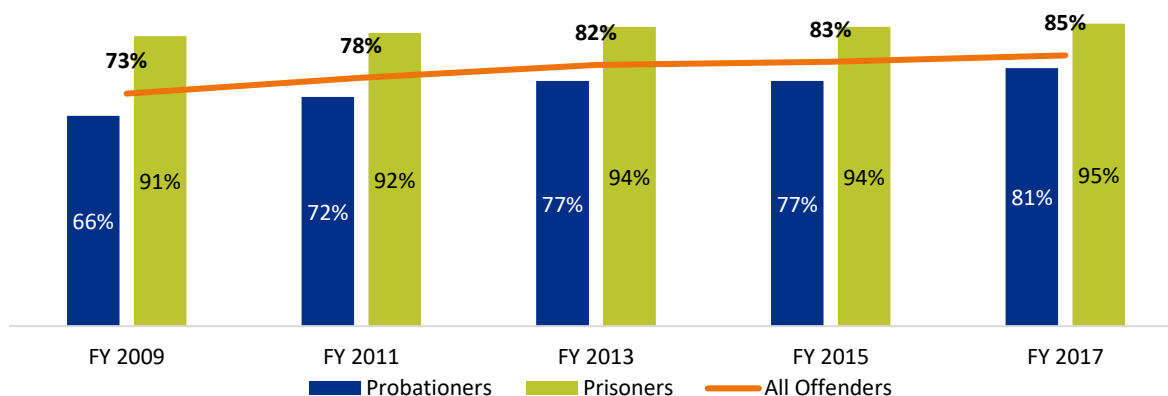
Note: The prison sample for each of these studies was limited to prisoners with a felony conviction.
 SOURCE: NC Sentencing and Policy Advisory Commission, FY 2009 – FY 2017 Correctional Program Evaluation Data

Consistent findings over time point to the relative success of probationers compared to prisoners. For the primary measures of recidivism (arrests, convictions, and incarcerations), probationers have lower rates than prisoners. However, a limitation in the examination of criminal justice outcomes for prisoners is the lack of information for all prison releases on a key predictor of recidivism – risk. For the current study, risk data were available for a large percentage of prisoners; however, risk data were missing for non-random subsets of the prison release group, limiting their use for analysis. Without complete risk data for all prisoners, it is not possible to fully examine factors that might be contributing to recidivist behavior beyond sentence type (i.e., probation versus prison). Controlling for risk would allow for a greater understanding of offender profiles in the context of criminal justice outcomes, as well as the magnitude of the effect of prisonization on offender behavior. Between administering the RNA to prisoners released onto PRS and, beginning in 2017, to most prisoners at intake, the RNA should be available for nearly all offenders under DPS supervision in the future. However, the current data revealed gaps in the availability of RNA data for all prisoners, particularly for those who entered prison as a result of a PRS revocation. Whether performed in the community when prisoners are released onto PRS or if/when they return to prison, the administration of risk assessments to all prisoners would allow a more complete examination of criminal justice outcomes.

Sentencing Commission studies have consistently found that past behavior is a strong predictor of future behavior. Specifically, offenders with more extensive criminal history tend to have worse criminal justice outcomes. As discussed above, prisoners have higher recidivism rates compared to probationers; prisoners also have more extensive prior contact with the criminal justice system compared to probationers. This finding also holds true when examining specific groups of probationers and prisoners. Felony probationers in the FY 2017 sample were found to have more prior contact with the criminal justice system compared to misdemeanor probationers; felony probationers also had higher rates of recidivist arrest. Prisoners in the sample with Class H – I convictions had more extensive prior criminal histories and higher rates of recidivist arrest compared to prisoners in other offense class groupings (i.e., prisoners in Class B1 – D and Class E – G). Also noteworthy, is the dramatic increase in the percentage of the sample studied with at least one prior arrest. As shown in Figure 7.3, the percentage of offenders with a prior arrest has increased from 73% in FY 2009 to 85% in the current study. This increase is driven primarily by probationers, who experienced a 15 percentage point increase during that time period (in

contrast, prison releases with a prior arrest have increased only 4 percentage points). Part of the increase is likely due to fingerprinting improvements for misdemeanor arrests (discussed above), however, a measurable increase for probationers was observed from FY 2015 to FY 2017 (77% had a prior arrest in FY 2015 compared to 81% in the current study). An increasing percentage of offenders with prior arrests may be a partial explanation for increased recidivism. The current sample is comprised of a larger percentage of repeat offenders compared to previous studies; it is not surprising rates of failure would be higher.

Figure 7.3
Percentage of North Carolina Offenders with a Prior Arrest by Sample Year



Note: The prison sample for each of these studies was limited to prisoners with a felony conviction.
 SOURCE: NC Sentencing and Policy Advisory Commission, FY 2009 – FY 2017 Correctional Program Evaluation Data

Of importance to policy makers and the DPS is an understanding of the timeframe when failure or a recurrence of involvement with the criminal justice system will likely occur. The average time to the first recidivist arrest for the current sample was 8 months. This represents a slight decrease from the Sentencing Commission’s other recent recidivism studies which generally found that average time to failure was 9 months. In other words, offenders in the FY 2017 sample who failed, failed more quickly compared to previous studies. For those offenders with any recidivist arrest, 72% occurred within the first 12 months following their entry to probation or release from prison. Taken together, these findings suggest that effective interventions (i.e., controlling sanctions, programs, and services) should take place as soon as possible in order to prevent reoffending.

As noted in this report and previous recidivism reports, a limitation in the Sentencing Commission’s recidivism studies is the lack of available statewide jail data. Consequentially, the recidivist incarceration measure is incomplete as it only accounts for incarcerations in the state prison system. In addition, an offender’s true time at risk (or window of opportunity to recidivate) during the two-year follow-up period cannot be accurately measured, as time in jail cannot be accounted for. Beyond those limitations, an examination of recidivism for a large number of North Carolina offenders – those who serve their sentences in local jails – cannot be measured. Some of those misdemeanants would have been studied in previous Commission studies, but because they are no longer serving active sentences in prison, data are not available for their inclusion in the current study. The development of a statewide automated jail database would allow for a more comprehensive study and understanding of offender behavior in North Carolina.

Effects of the Justice Reinvestment Act on Recidivism

As noted throughout the report, the passage of the JRA in 2011 resulted in substantial changes to sentencing practices and correctional policies within North Carolina's criminal justice system. Part of the intent of the JRA is to reduce recidivism by more effectively targeting correctional resources and utilizing evidence-based supervision practices. It is important to note that changing offender behavior takes time and may be influenced by external factors (e.g., changes in criminal justice trends). As the JRA has been in effect for nearly a decade, multiple Sentencing Commission studies of offenders (particularly probationers) sentenced and supervised under its policies provide an opportunity to inform policy makers as to whether its intent to achieve improved long-term outcomes is being realized. As noted above, the current study indicates a measurable increase in recidivism, raising questions about possible explanations. As discussed below, some strategies and sanctions were associated with slightly improved outcomes (e.g., CRV), while others (e.g., PRS) may be contributing to repeat involvement with the system. It is unclear whether this increase is an aberration or the beginning of a trend; future studies will shed light on this question, as well as offer more data to inform whether policies should be modified to achieve better outcomes.

Probationers

As noted above, the recidivism rate increased for the current sample, with probationers having the larger increase of the two groups (37% recidivist arrest rate in FY 2015 compared to a 41% recidivist arrest rate for the current sample). In trying to understand possible drivers for this increase, outcomes were closely examined by risk and supervision levels, and also compared to previous studies.

The Sentencing Commission's series of reports has consistently confirmed the value of offender risk assessments as a predictive tool for recidivism and noted its potential use at various points in the criminal justice decision making process. The current study, again focusing on the validated RNA and resulting supervision levels for probationers, has confirmed this tool to be a predictor of repeat offender behavior. When probationers were examined by supervision level, a stair-step progression in interim outcomes and recidivism rates was found (i.e., as supervision level became less restrictive, recidivism rates decreased). This finding suggests the RNA accurately identifies those more likely to reoffend and places them in the appropriate, more restrictive supervision levels.

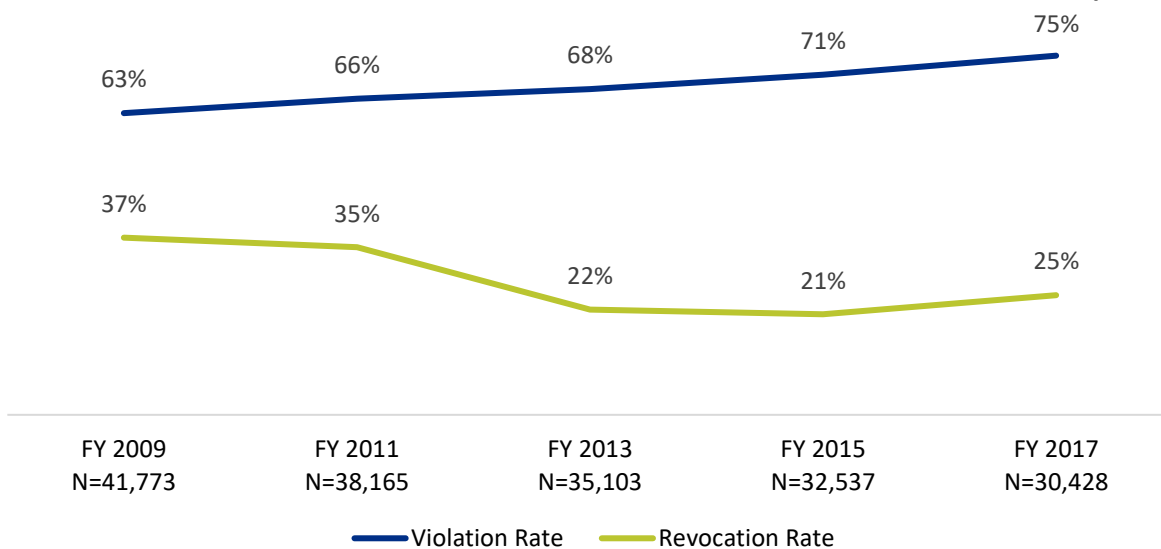
Another consistent finding across studies is the need for effective targeting of correctional resources for certain offenders to control their risk of reoffending and address their needs. Under the JRA, the evidence-based approach to targeting and matching (informed by the RNA and supervision level) is expected to lead to better offender outcomes. The examination of outcomes by supervision levels over time offers insight into whether the tailored approach to supervising decreases the likelihood of reoffending and noncompliant behavior while on supervision. The distribution of probationers by supervision level changed from the FY 2015 study; probationers assigned to the most restrictive levels (Levels 1 and 2) decreased while those assigned to the less restrictive levels (Levels 3 through 5) increased. These changes are driven mostly by changes in the risk level distribution with more probationers assessed in the moderate and low categories compared to the previous sample. However, the examination of interim and criminal justice outcomes showed increases in violation, revocation, and recidivist arrest rates across all supervision levels. This finding is concerning; while more probationers were assessed as lower risk and a greater percentage were assigned to less restrictive supervision levels,

failure rates increased across all outcome measures. If future studies indicate similar results, this may support a revalidation of the RNA.

A recurring theme in the recidivism studies, noted above, points to the fact that offenders who fail to comply with conditions or commit new crimes are likely to do so relatively early in the follow-up period. This finding highlights the importance of not only the targeting of correctional resources, but also their timing, in order to reduce recidivism. Components of the JRA address the timing and graduated severity of responses to probation violations (e.g., delegated authority, CRVs), in order to stop or delay certain behaviors before they lead to further violations of supervision or new criminal behavior. The multivariate analysis detailed in this report indicated that delegated authority and quick dips were associated with a decreased probability of recidivist revocation for probationers. Findings reported for CRV offenders showed lower recidivist arrest and incarceration rates compared to similar felony probationers. CRV offenders released from CRV centers also showed encouraging preliminary findings – compared to CRV offenders in prison, they had lower recidivist arrest rates and incarceration rates. The study of other sample types (e.g., a probation exit sample), examination of program interventions (e.g., cognitive behavioral interventions), and more study of CRV centers (including the recent enhancements to available programming), will offer the opportunity to further examine sanctions and strategies utilized during probation supervision in the context of criminal justice outcomes, while also controlling for the temporal order of these events.

Figure 7.4 provides a comparison of violation and revocation rates for probation entries for the past five recidivism studies. Violation rates have steadily increased from 63% in FY 2009 to 75% in FY 2017; revocation rates initially declined (as intended by the JRA), but increased for the current study. Further examination of violations revealed that a greater percentage of probationers had a most serious violation for a new crime when compared to the previous study. This may partially explain the increase in the revocation rate.

Figure 7.4
Violation and Revocation Rates for North Carolina Probationers: Two-Year Follow-Up



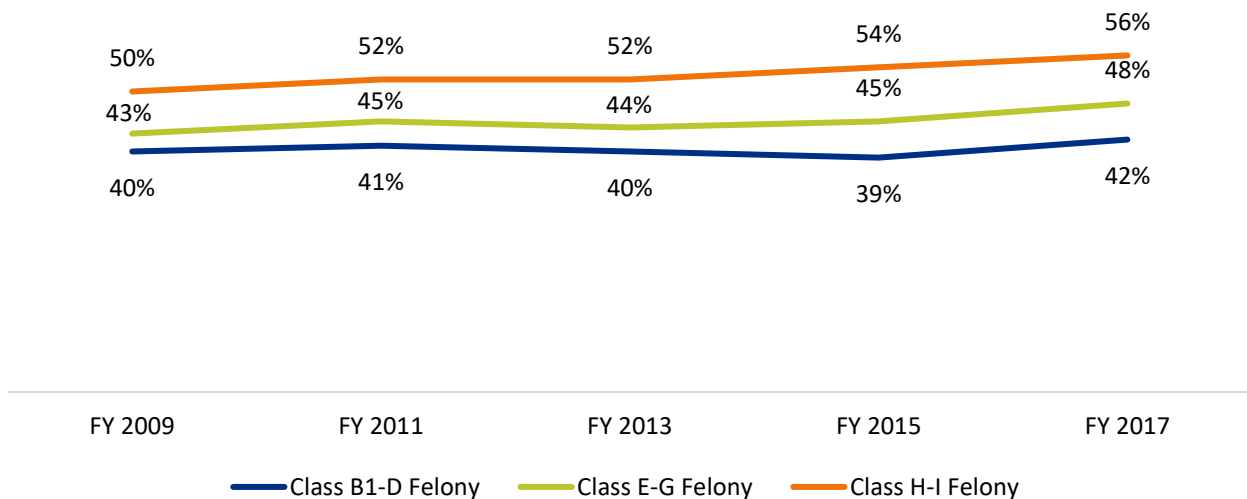
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2009 – FY 2017 Correctional Program Evaluation Data

Prisoners

In the current study, most prisoners were subject to the provisions of the JRA, with 83% exiting prison onto PRS. Overall, nearly two-thirds of prisoners with PRS exited with a satisfactory termination of their supervision. Most of the remainder exited due to revocation, with absconding as the most frequent type of revocation. Although limited by available data, a first look at the RNA profile of prisoners on PRS was provided. As mentioned above, the availability of RNA data will allow for a more comprehensive examination of PRS, in order to examine the effect of the expansion of PRS to all felons on criminal justice outcomes.

Previous Sentencing Commission recidivism studies examined prison releases by PRS status (i.e., PRS, no PRS); however, as every prison release will be subject to PRS, analyses were instead conducted primarily using offense class groupings. Figure 7.5 shows the recidivist arrest rate for prisoners by offense class groups. Class H – I felons had the highest recidivism rates in FY 2017, and also have consistently had the highest rates compared to the other two groups over time. Notably, all three groups had an increase in the recidivist arrest rate compared to the previous study.

Figure 7.5
Recidivist Arrest Rates for North Carolina Prisoners by Offense Class: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2009 – FY 2017 Correctional Program Evaluation Data

As a result of the PRS expansion under the JRA, the distribution of type of entry (i.e., new crime, revocation of probation or PRS) for prisoners has changed substantially. Overall, the majority entered prison as a result of new crime; however, when examined by offense class groupings, the distribution of prison entry types varied considerably. Consistent with the prioritization of prison resources for violent and repeat offenders under the SSA, Class B1 – D prisoners accounted for the largest percentage entering prison as a result of a new crime. Over half of Class H – I prisoners entered prison as a result of a revocation of probation or PRS. Recidivism rates were highest for prisoners who entered due to a PRS revocation (65%). This group was primarily comprised of Class H – I felons, who had the highest recidivism rates of the offense class groupings. Multivariate analysis confirmed that those entering prison for a PRS revocation had higher recidivism probabilities than those entering for a new crime. It

will be important to consider the effects of the large number of entries to prison for short periods of time (i.e., three-month revocations of PRS) and what strategies might be utilized during confinement to elicit a change in behavior upon release.

To examine whether the expansion of PRS to low-level felons (Class F-I prisoners) has had a measurable effect on recidivism rates, the Sentencing Commission used data from its 2014 and 2018 adult recidivism reports, along with propensity score matching (PSM), to compare rearrest rates for Class F-I felons pre- and post-JRA.^{100,101} Results from this study indicated that expanding PRS to low-level felons had no effect on recidivist arrest rates for Class F-I prisoners. The Commission will continue to monitor the relationship between PRS and recidivism as using data further along in implementation may provide more insight on the effectiveness of PRS in reducing recidivist arrests for Class F-I prisoners.

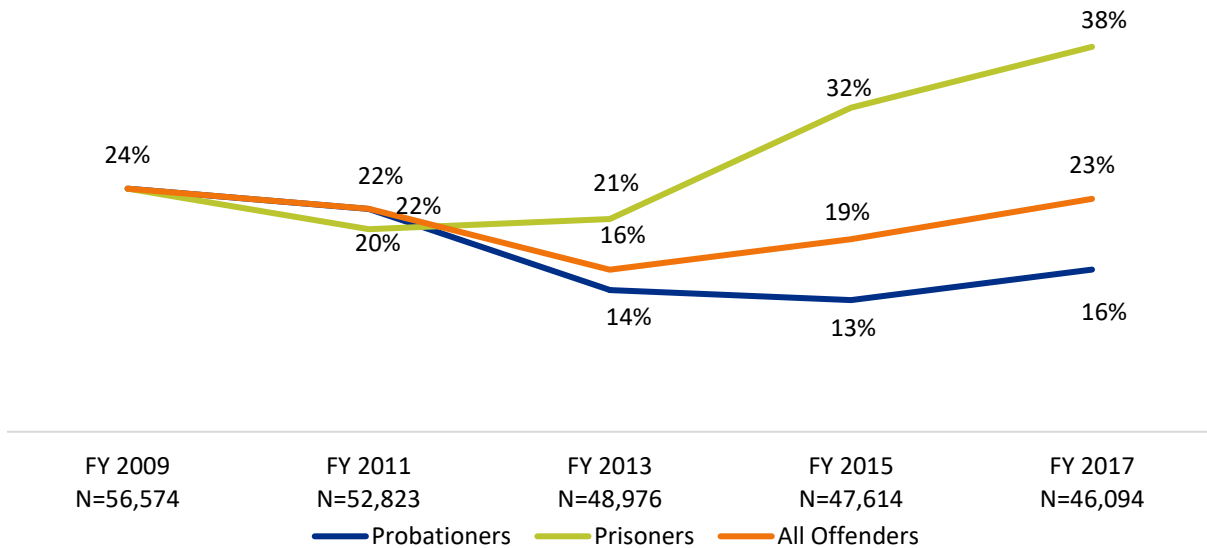
As mentioned previously, ideally, inmates should progress through the custody classification levels over the course of incarceration, and be released from minimum custody. Prisoners with Class H – I felonies had the highest percentage classified as minimum custody at release followed by Class E – G felonies and Class B1 – D felonies. As might be expected, prisoners who were classified as close custody at release had the highest recidivism rates (regardless of offense class). As an expansion of JRA initiatives, the DPS is remissioning its prisons to ensure proper utilization of prison beds and to focus on specific functions (e.g., medical) at different facilities. With the recent remissioning of several prisons to specialized reentry facilities, future studies may be able to examine the success of this heightened focus on release planning and any variation in outcomes between custody levels at release. Future analyses should also examine whether more prisoners are able to progress down through the custody levels and/or whether fewer inmates are released directly from close custody to the community, as well as the effect on criminal justice outcomes.

Initially, the JRA contributed to a decline in the recidivist incarceration rate in North Carolina. Figure 7.6 shows the recidivist incarceration rates for probation entries, prison releases, and all offenders for the past five recidivism studies. The overall recidivist incarceration rate has increased from 16% in FY 2013 to 23% in FY 2017. While the rate for probationers increased in the current study for the first time since FY 2009, the overall increase is primarily driven by the prisoners (likely the result of the expansion of PRS to lower-level felons, and the corresponding increase in revocations of PRS in response to violations of supervision conditions). With a larger (and more recidivistic) population under supervision, it is not surprising that more violations and revocations occurred. This finding suggests that consideration should be given to the effectiveness of options available to respond to PRS non-compliance, short of return to prison (e.g., delegated authority, which is available for probationers but not post-release supervisees).

¹⁰⁰ The full brief can be found at www.NCSPAC.org.

¹⁰¹ Propensity score matching estimates the effect of a treatment or policy and is commonly used in studies where individuals are not randomly assigned to control/test groups in order to minimize selection bias.

Figure 7.6
Recidivist Incarceration Rates for North Carolina Offenders: Two-Year Follow-Up



Note: The prison samples for each of these studies was limited to prisoners with a felony conviction.
 SOURCE: NC Sentencing and Policy Advisory Commission, FY 2009 – FY 2017 Correctional Program Evaluation Data

Expectations for success in preventing future criminality should be viewed realistically. Components of an offender’s criminal history, current offense, and experiences with the correctional system are all elements strongly correlated with continued criminal behavior. The probability of rehabilitative success and recidivism reduction should be articulated in this context. Offenders’ criminogenic factors should be weighed realistically compared to the limited time and resources at the DPS’s disposal to reverse their impact. Notwithstanding this caveat, the Sentencing Commission looks forward to continuing its collaborative work with the DPS to combine the lessons learned from the Commission’s studies of recidivism and from the empirically measurable effects of the JRA in an effort to evaluate this approach to offender supervision, treatment, and services.

APPENDIX A

FINGERPRINTED ARRESTS BY FISCAL YEAR

**Table A.1
Fingerprinted Arrests by Fiscal Year**

Fiscal Year	Total Arrests		Felony Arrests			Misdemeanor-Only Arrests		
	#	% Annual Change	#	% Annual Change	% of Total	#	% Annual Change	% of Total
2000	89,661	n/a	58,826	n/a	66	30,835	n/a	34
2001	96,593	8	64,496	10	67	32,097	4	33
2002	103,125	7	68,843	7	67	34,282	7	33
2003	107,022	4	71,980	5	67	35,042	2	33
2004	109,098	2	71,987	0	66	37,111	6	34
2005	117,416	8	76,373	6	65	41,043	11	35
2006	120,082	2	79,263	4	66	40,819	-1	34
2007	127,264	6	80,000	1	63	47,264	16	37
2008	151,160	19	85,643	7	57	65,517	39	43
2009	187,628	24	92,253	8	49	95,375	46	51
2010	209,083	11	92,575	0	44	116,508	22	56
2011	210,207	1	92,647	0	44	117,560	1	56
2012	216,540	3	96,382	4	45	120,158	2	55
2013	210,055	-3	95,378	-1	45	114,677	-5	55
2014	204,441	-3	94,795	-1	46	109,646	-4	54
2015	203,645	0	94,359	0	46	109,286	0	54
2016	217,701	7	97,134	3	45	120,567	10	55
2017	216,875	0	98,394	1	45	118,481	-2	55
2018	205,295	-5	99,155	1	48	106,140	-10	52
2019	200,266	-2	99,455	0	50	100,811	-5	50

Note: Bolded fiscal years indicate the NC Sentencing and Policy Advisory Commission's Correctional Program Evaluation samples. Years with substantial "% Annual Change" for "Misdemeanor-Only Arrests" are shaded. Traffic/Infraction-Only Arrests are excluded.

SOURCE: State Bureau of Investigation Criminal Information and Identification Section/Division of Criminal Information Network

APPENDIX B

GLOSSARY OF MAJOR TERMS AND VARIABLES

GLOSSARY OF MAJOR TERMS AND VARIABLES

Age: Age (in years) at probation entry or prison release. Age was reported as a mean or categorized by the following age groups: less than 21, 21 to 29, 30 to 39, 40 to 49, and 50 and older. CRV offenders age was calculated at the time of their release after having served a CRV.

Aging Offender: An offender who is 50 years or older at probation entry or prison entry, as reported in Appendix C.

Arrest: A record of a fingerprinted arrest in North Carolina maintained in the SBI's CCH system. An arrest for which an offender was not fingerprinted (e.g., a misdemeanor offense for which fingerprinting is not required), indictment without an arrest, or failure to find a match for an offender in the SBI's CCH database results in the lack of an arrest record. The lack of an arrest record was interpreted as the lack of an arrest. Arrests for impaired driving or other traffic offenses were excluded from analysis, as were arrests that were not for crimes, such as arrests for technical violations of supervision. Arrests associated with the current conviction are excluded. The study examined two types of arrest:

- **Prior Arrest:** Fingerprinted arrest that occurred before the current conviction that placed the offender in this sample.
- **Recidivist Arrest:** Fingerprinted arrest that occurred within the two-year follow-up period. Each recidivist arrest was counted in the category for the offense involved: person, property, drug, and other. If an 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 arrest events (dates) – one arrest event that consisted of a person charge and a property charge and a second arrest event that consisted of a property charge and a drug charge – this situation resulted in a count of one person arrest, two property arrests, and one drug arrest, as well as an overall count of two arrests.

Computerized Criminal History (CCH) System: The management information system containing information on all fingerprinted arrests and convictions of adults (and juveniles waived to adult jurisdiction) from North Carolina law enforcement agencies and courts as maintained by the SBI. It is the source of all prior and recidivist arrest and conviction information for the study sample.

Confinement in Response to Violation (CRV): A sanction imposed for technical violations of probation during the two-year follow-up. CRV data were extracted from OPUS using prison admission data for felons. Effective December 1, 2015, CRVs were eliminated as an available sanction for misdemeanants sentenced to probation under Structured Sentencing; the CRV remains an available sanction for offenders sentenced to probation for impaired driving offenses.

Controlling Violation: A type of technical violation of probation that includes failures to comply with conditions designed to control offender behavior. Examples include failure to comply with conditions to remain in a county or state, quick dip confinement, or not associate with certain people or groups.

Conviction: A conviction for an offense in the North Carolina state court system. Convictions for impaired driving or other traffic offenses were excluded from analysis, as were convictions that were not

for crimes, such as convictions for technical violations of probation/PRS. The study examined three types of convictions:

- **Prior Conviction:** A conviction that occurred before the current conviction that placed the offender in this sample, based on data recorded in the SBI's CCH system.
- **Current Conviction (Most Serious):** The conviction that placed the offender in the sample as a probation entry or prison release during FY 2017, based on information in OPUS. Conviction offenses were ranked in terms of seriousness based on offense class and sentence length. The offense corresponding to the highest offense class was selected as the most serious current conviction for analysis purposes. If the offender had more than one conviction in this class, then the offense with the longest sentence length was selected. In addition, the current conviction was categorized by offense type: person, property, drug, and other.
- **Recidivist Conviction:** A conviction that occurred within the two-year follow-up period, based on data recorded in the SBI's CCH system. The arrest corresponding to the conviction had to have occurred during the follow-up period also. Each conviction was counted in the category for the offense involved: person, property, drug, and other. If a conviction event (a single conviction date) involved more than one type of offense, it was counted in each offense category. For example: if an offender had two conviction events (dates) – one conviction event consisted of a person charge and a property charge, and the second consisted of a property charge and a drug charge – this situation resulted in a count of one person conviction, two property convictions, and one drug conviction, as well as an overall count of two convictions.

Correctional Job/Program Assignment: Correctional job/program assignment was determined by examining the offender's entire incarceration period relating to their current conviction. If the offender entered prison multiple times in relation to his/her conviction (e.g., served the initial active sentence, was released, and subsequently entered prison for a revocation of PRS), then job/program assignment was determined based on all periods of incarceration relating to that conviction. See Appendix F for descriptions of the select correctional jobs/programs analyzed.

Criminal History: Criminal history measures were defined by prior contacts with the adult criminal justice system and did not include any contact the offender may have had with the juvenile justice system. A combination of measures were used to examine the offender's criminal history such as prior arrests, probation entries, revocations of probation/PRS, and incarcerations.

Criminal Justice Outcomes: Measures used to assess the extent of an offender's repeat involvement in the criminal justice system (i.e., recidivism). The primary measure of recidivism was recidivist arrests, supplemented by information on recidivist convictions and recidivist incarcerations.

CRVs and Revocations: A combination measure identifying probation entries with either a CRV or a revocation during the two-year follow-up, which permits comparisons to revocation rates reported in previous recidivism studies by the Sentencing Commission.

CRV Center: A DPS facility that houses felony probationers serving a CRV for a technical violation(s) of probation. The first CRV centers were opened in December 2014. Probationers who received a CRV disposition and are not eligible for a CRV center (e.g., for medical or mental health reasons) serve their CRV in a prison facility.

CRV Offender: An offender with a felony conviction who was released from a CRV center or a state prison facility in FY 2017 having served a CRV imposed for a technical violation of probation. CRV offenders were a separate sample from the FY 2017 sample comprised of probation entries and prison releases. A subset of FY 2017 probation entries (felons with a technical violation) were used as a comparison group to CRV offenders.

Custody Classification Level: Upon prison entry, the DPS processes, evaluates, and assigns prisoners a custody level based on numerous factors, including the crime committed, social background, and criminal history. While incarcerated, inmates may be moved into higher or lower custody levels based on their behavior to maintain order in the prison, protect staff, and provide inmate safety. Inmates in close custody present the highest risk, while inmates in minimum custody present the least risk. Three levels of custody (close, medium, and minimum) were reported for this analysis.

Delegated Authority: Judicial authorities delegated to probation officers that allow the probation officer to impose specific additional conditions without bringing the probationer back to court.

Dependent Variable: A variable whose values are predicted by the independent variable(s). It is the outcome or event under examination (e.g., recidivist arrests, recidivist incarcerations).

Dichotomous Measure: A variable that has two, and only two, distinct categories. It may measure the presence or absence of an event or characteristic, for example, the variable “recidivist arrest” (had a recidivist arrest or did not have a recidivist arrest). Alternatively, it may measure a characteristic that, by its nature, has only two possible values. An example is gender (male or female).

Drug Offense: Violation of laws pertaining to controlled substances. This category includes the possession, sale, delivery, manufacture, and trafficking of controlled substances. This category was used to describe current convictions, recidivist arrests, and recidivist convictions.

Education: A dichotomous measure identifying whether the offender graduated from high school or dropped out of high school/obtained a GED. Education data are updated regularly when the offender comes into contact with the DPS.

Effect: The influence of a specific independent variable on the dependent variable. In the multivariate analyses, it refers to the percentage change in the dependent variable that is attributable to the independent variable being examined.

Employed: A dichotomous measure identifying whether the offender was a part of the work force. Offenders self-reporting as employed or in the military were flagged as employed based on the employment status date closest to the sample entry date (i.e., prison release, probation entry) and its corresponding employment status. Employment status dates were limited to the follow-up period for probationers (from probation entry to the end of their two-year follow-up), while employment status dates for prisoners occurred anytime between prison entry and prior to the end of the two-year follow-up.

Felony Probationer: A subset of the FY 2017 probation entries who were selected as the comparison group for CRV offenders released from a CRV center or a prison facility in FY 2017. The comparison group of probation entries was restricted to those offenders with a most serious conviction of a Class E

through Class I felony and who committed at least one technical violation during the two-year follow-up period.

Follow-Up Period: Each offender was tracked for a period of two years to determine whether recidivist arrests, convictions, or incarcerations occurred in addition to other criminal justice failures (e.g., violations and revocations of probation/PRS). The follow-up period was calculated on an individual basis using the probation entry date plus two years for probationers and the prison release date plus two years for prisoners. Recidivism rates were reported for one-year and two-year follow-up periods. Each follow-up period reported is inclusive of the previous follow-up period. That is, the two-year follow-up period contains information on events that occurred during both the first and second years of follow-up. As a result, recidivism rates reported for each follow-up period cannot be added across follow-up periods.

Gender: A male or female designation.

Graduated Sanctions: Used by the probation officer in response to offender non-compliance while on community supervision. Responses are intended to be graduated, in terms of severity, with probation officers first using less restrictive responses (where appropriate) to address non-compliance before using more restrictive options.

Habitual Felon: A habitual felon is an offender with at least three prior felony convictions (each conviction having occurred before he or she committed the next offense) who has currently been convicted of a felony offense and who has been found by a jury to be a habitual felon. A habitual felon is sentenced as a Class C felon if the substantive felony offense was committed prior to December 1, 2011. For substantive felony offenses committed on or after December 1, 2011, a habitual felon is sentenced at a felony class that is four classes higher than the substantive felony for which the person was convicted, but under no circumstances higher than Class C.

High Risk Delegated Authority: Judicial authorities delegated to probation officers that allow the probation officer to impose specific additional conditions of probation without a violation to probationers with an OTI-R score of 50 or higher. Available conditions include referrals to substance abuse treatment or cognitive behavioral intervention (CBI) classes, electronic house arrest, or other controlling conditions. Quick dips may not be imposed through high risk delegated authority.

Hispanic: A dichotomous measure of ethnicity. Offenders identified as “Hispanic” were defined as Hispanic, while all other ethnicities (e.g., North American/European, Slavic, African) were defined as not Hispanic.

Incarceration: Confinement in North Carolina’s prison system as a result of an active sentence imposed for a criminal conviction or revocation of supervision, based on OPUS data. Does not include incarceration in jails, other states, or Federal facilities. In addition, offenders who served a CRV for technical violations or who entered prison as a safekeeper or a pre-sentence diagnostic were not included in the measure. The study examined three types of incarceration:

- **Prior Incarceration:** An incarceration period that ended before the current probation entry (for probationers) or current prison entry (for prisoners).

- **Current Incarceration:** For prison releases, the incarceration period associated with the current conviction.
- **Recidivist Incarceration:** An incarceration that occurred during the follow-up period.

Independent Variable: A variable that is thought to predict the dependent variable. Examples of independent variables in this study include age, gender, and risk level.

Infractions: Infractions (also referred to as disciplinary offenses) were determined by examining the offender's entire incarceration period relating to their conviction. If the offender entered prison multiple times in relation to their conviction (e.g., served the initial active sentence, was released, and subsequently entered prison for a revocation of PRS), then whether an offender had an infraction, as well as the number and most serious infraction class, was determined based on all periods of incarceration relating to that conviction. For this study, infraction offenses were grouped into the infraction classes based on policy and procedures that were issued by the DPS on January 3, 2018.

Interim Outcomes: Interim outcomes include violations of supervision and specific responses to those violations as indicators of misconduct while offenders are supervised in the community during the two-year follow-up. Interim outcomes for probation violations include delegated authority, quick dips, CRVs, and revocations, while interim outcomes for PRS supervisees include three-month confinements and full revocation.

Justice Reinvestment Act (JRA): The JRA, with initial implementation beginning on December 1, 2011, resulted in substantial changes to sentencing practices and correctional policies within North Carolina's criminal justice system. The JRA provisions affecting probationers are applicable based on the date of violations of probation, while the JRA provisions affecting prisoners are applicable based on the date of offense.

Logistic Regression: A multivariate statistical analysis technique that produces estimates of the association of a set of independent variables with a dichotomous dependent variable, while also quantifying the singular contribution of each of the variables in the model.

Marital Status: Marital status of the offender (i.e., single, divorced, separated, married, widowed, other, and unknown). A dichotomous measure was used for marital status, categorized as married or not married.

Months to: The number of months from sample entry to an offender's first recidivist arrest, conviction, and/or incarceration) or first CRV, quick dip, revocation, and/or violation. Each measure must occur during the two-year follow-up. The number of months to each measure is calculated separately.

Need Level: Using the Offender Self-Report and the Officer's Interview/Impressions Worksheet assessment tools, the offender's need is assessed by addressing six criminogenic factors (dysfunctional family, criminal peers, anti-social personality, anti-social values, substance abuse, and self-control) and is used in combination with the OTI-R to determine supervision level, program placement, and other interventions for probationers and offenders on PRS. The assessment divides the offenders into five need levels: extreme, high, moderate, low, and minimal. Beginning in 2017, the DPS began administering its need assessment to prisoners.

Offender Population Unified System (OPUS): The DPS's management information system containing data about prisoners and probationers. It is the source of all data pertaining to the offender's personal characteristics, criminal history, current offense, and probation supervision profile or incarceration profile.

Offender Traits Inventory-Revised (OTI-R): The OTI-R is a validated instrument used to assess the offender's risk of reoffending administered by probation officers within 60 days of entry to probation or PRS. Each offender is assigned to one of five levels of risk based on their score: extreme, high, moderate, low, or minimal. The OTI-R was fully implemented by the spring of 2012. Beginning in 2017, the DPS began administering its OTI-R to prisoners. OTI-R results are reported for probation entries and offenders released from prison onto PRS in this analysis.

Offender Type: SSA offenders who were either placed on supervised probation or were released from prison during FY 2017. If an offender in the sample was both released from prison and placed on probation during FY 2017, the first event that occurred during that fiscal year determined the offender's identification as a prison release or probation entry.

Offense Class: The offense class associated with the most serious current conviction offense. Ranges from the least serious offense class (a Class 3 misdemeanor) to the most serious offense class (a Class B1 felony). For analysis purposes, offense class was grouped into Class B1 – D felonies, Class E – G felonies, Class H – I felonies, and Class A1 – 3 misdemeanors.

Offense Seriousness: Whether the most serious current conviction was for a felony or misdemeanor, when comparing all offenders. The most serious conviction was identified by offense class groupings for individual analyses of prisoners and probationers.

Offense Type (Category): Offenses were broadly classified into the following categories: person, property, drug, and other. Offense type was used to describe current convictions, recidivist arrests, and recidivist convictions. The most frequently occurring prior arrest type was used to describe prior arrests in the multivariate analyses.

Other Offense: An offense not categorized as a person, property, or drug offense. Examples include habitual felons, prostitution, obscenity, contributing to the delinquency of a minor, and abandonment or non-support of a child. This category was used to describe current convictions, recidivist arrests, and recidivist convictions.

Person Offense: An offense against the person involving force or threat of force. Includes offenses such as murder, rape, voluntary and involuntary manslaughter, kidnapping, robbery, first degree arson, and all types of assault. This category was used to describe current convictions, recidivist arrests, and recidivist convictions.

Post-Release Supervision (PRS): The mandatory period of supervision an offender serves in the community after serving an active sentence in prison. The period of PRS for Class B1 – E felons was nine months prior to the JRA and twelve months following JRA implementation. Prior to the JRA, Class F – I felons were not subject to PRS; following implementation Class F – I felons are subject to nine months of PRS. Offenders convicted of a sex offense are required to be supervised for five years. The revocation period for Class B1 – E sex offenders is five years and the revocation period for Class F – I sex offenders is nine months.

Post-Release Supervision (PRS) Status: PRS status was identified using a prison exit type code.

Prior Probation Entries: Any probation entry that occurred prior to the event that placed the offender in the sample.

Prison Releases: Offenders released from prison with a felony during FY 2017. If the offender had more than one event (i.e., probation entry or prison release) during FY 2017, the first event was selected. Also referred to as “prisoners.”

Probation Entries: Offenders placed on supervised probation during FY 2017. If the offender had more than one event (i.e., probation entry or prison release) during FY 2017, the first event was selected. Also referred to as “probationers.”

Property Offense: Violation of criminal laws pertaining to property. Includes offenses such as burglary, breaking and/or entering, larceny, fraud, forgery and/or uttering, receiving and/or possessing stolen goods, and embezzlement. This category was used to describe current convictions, recidivist arrests, and recidivist convictions. It was also used to identify the most frequently occurring prior arrest type in the multivariate analyses.

Quick Dip: An immediate response to offender non-compliance in which probationers are confined for either two- or three-day periods (no more than six days per month) in a local jail. Quick dips may be imposed through either delegated authority or through the court. Both court-ordered and delegated authority quick dips were included in analyses. Two- and three-day quick dips were combined for analysis purposes.

Race: Race of the offender (i.e., Asian/Oriental, black, American Indian, white, other, and unknown). Generally, race was categorized as black, white, and other/unknown for this analysis; race was categorized as nonwhite in the multivariate analyses.

Recidivism: In general, the reoccurrence of criminal activity. Because it is rarely possible to observe actual criminal activity, researchers typically define recidivism in terms of contacts with the criminal justice system following an initial contact. In this study, recidivism was defined in terms of contacts with the North Carolina criminal justice system during the two-year follow-up period after entry into the sample. Three specific measures of recidivism used were arrests, convictions, and incarcerations. In addition, interim outcomes including probation violations, delegated authority, high risk delegated authority, quick dips, CRVs, and revocations were examined for probationers. Interim outcomes for prisoners included PRS violations, three-month confinements, and revocations.

Reintegrative Violation: A type of technical violation of probation that includes failures to comply with conditions designed to encourage offender reintegration into the community. Examples include failure to comply with conditions to participate in community programming (e.g., drug treatment court, AA/NA meetings), obtain/retain employment, or pay child support.

Responses to Non-Compliance: The JRA changed possible responses to non-compliance of supervision conditions. For this analysis, these include violations, delegated authority, quick dips, CRVs, and revocation for probationers and violations, three-month confinements, and revocations for PRS supervisees.

Responses to Violations: The JRA changed possible responses to violations of supervision conditions. For this analysis, responses for probation violations examined include delegated authority, quick dips, CRVs, and revocations. For PRS supervisees, these include three-month confinements and revocations.

Revocation: A revocation of community supervision due to violation(s) and the activation of the suspended prison sentence. Prior to the implementation of the JRA, revocations of probation or PRS included revocations due to a new crime, absconding, or a technical violation. After the implementation of the JRA, revocations included violations due to a new crime or absconding but only included revocations for technical violations after several periods of confinement have been imposed (two CRVs or quick-dips for probationers, three short-term revocations (or three-month revocations) for PRS offenders). The JRA changes to revocations apply to probationers under supervision in the community effective December 1, 2011 and to prison releases placed on PRS for offenses committed on or after December 1, 2011. The study identifies two types of revocation:

- **Prior Revocation:** Revocation that occurred before the current conviction that placed the offender in the sample.
- **Recidivist Revocation:** Revocation that occurred during the two-year follow-up period. Recidivist revocations were examined with regard to their seriousness and fall into three categories:
 - **Criminal:** Revocation due to a violation entered due to a pending criminal charge(s) or conviction for a new crime(s) during the two-year follow-up period.
 - **Absconding:** Revocation due to absconding supervision during the two-year follow-up period. Absconding occurs when a probation or PRS supervisee avoids supervision by leaving the jurisdiction or otherwise making him/herself unavailable to the probation/parole officer.
 - **Technical:** Revocation due to violation(s) of the conditions of supervision that require probation or PRS supervisees to conform their behavior in a manner not normally applicable to a person who is not under criminal justice system supervision (e.g., possession of a firearm, failure to follow treatment recommendations, failure to obtain employment). A technical violation does not necessarily imply criminal activity.

Risk and Need Assessments (RNA): The DPS uses the Offender Traits Inventory-Revised (OTI-R) to assess offender risk and the Offender Self-Report instrument and the Officer Interview and Impressions instrument to assess offender need in order to determine supervision level, program placement, and other interventions for probationers. These assessments (or RNA) are administered within the first 60 days of probation supervision. Beginning in 2017, the DPS began administering its RNA to prisoners.

Risk Level: The projected probability of recidivist arrest, based on the offender's OTI-R score. Each offender was assigned to one of five risk levels: extreme, high, moderate, low, and minimal. The OTI-R has been validated on probationers, but not on prisoners. However, the DPS began administering the OTI-R to prisoners in 2017.

Sample: Offenders in the recidivism study who were sentenced under the SSA and placed on supervised probation or released from North Carolina's prison system during FY 2017. If an offender had both a probation entry and a prison release during FY 2017, the first event was selected. Offenders with a most

serious conviction for Driving While Impaired (DWI), offenders with a most serious conviction for a misdemeanor traffic offense, and offenders released from prison with a misdemeanor conviction were excluded from the study.

Sex Offender: An offender required to register as a sex offender under Article 27A of Chapter 14 of the NC General Statutes. Those convicted of a reportable offense are required to register as sex offenders. A reportable offense is defined as “an offense against a minor, a sexually violent offense, or an attempt to commit” such offenses. Offenses against a minor and sexually violent offenses are defined in G.S. 14-208.6.

Statewide Misdemeanant Confinement Program (SMCP): Established by the JRA and operated by the NC Sheriffs’ Association, the SMCP finds space to house eligible misdemeanants in participating local jails. All SSA misdemeanants who receive a sentence greater than 90 days and all misdemeanants convicted of impaired driving offenses, regardless of sentence length, serve their time in participating local jails through the SMCP. Originally, the SMCP was limited to SSA misdemeanants who received a sentence of between 91 and 180 days of confinement; it was expanded October 1, 2014, and again January 1, 2015.

Statistically Significant: When the effect of a variable is larger or smaller than expected, rather than the effect expected had it occurred by chance. In large samples, it is common for many variables to achieve statistical significance, but statistical significance does not necessarily imply substantive significance/causation.

Structured Sentencing Act (SSA): The SSA, effective October 1, 1994, is the method of sentencing offenders in North Carolina. It classifies offenders on the basis of the severity of their crime and on the extent and gravity of their prior criminal record. Based on these two factors, the SSA provides judges with sentencing options for the type and length of sentences that may be imposed. The SSA increases consistency, certainty, and truth in the sentencing of offenders, sets priorities for the use of correctional resources, and balances sentencing policies with correctional resources.

Substance Use: A dichotomous measure indicating whether the offender had a possible substance use problem. Either the offender self-reported a history of drug addiction on the OTI and/or the RNA indicated substance use as an area of need for the offender. These measures do not assess alcohol/substance use or addiction. The OTI is usually administered as part of the prison intake process, while the RNA is usually administered within 60 days upon entry to probation or PRS.

Supervision Length: The number of months of probation supervision imposed at conviction (for probationers only).

Supervision Level: The level of supervision ordered for a probationer based on the intersection of the offender’s risk level (determined by the OTI-R) and need level (based on the Offender Self-Report and the Officer’s Interview/Impressions Worksheet). The supervision levels range from Level 1 (most restrictive) to Level 5 (least restrictive). In general, Level 1 probationers need the greatest level of programming compared to Level 5 probationers.

Three-Month Confinement: A three-month revocation imposed for first, second, or third technical violations of PRS during the two-year follow-up. Upon the fourth technical violation, the PRSP Commission may revoke PRS and impose the remainder of the prison sentence.

Time at Risk (in days): The number of days the offender was not incarcerated in North Carolina’s prison system or serving a CRV in a DPS facility during the two-year follow-up period. If the offender was never incarcerated during the follow-up period, the time at risk is 730 days (2 years). If, for example, the offender was incarcerated in prison for three months (90 days), the time at risk is 640 days (730 – 90 = 640). Time spent in jails (including CRVs served in jails), other states, or Federal facilities was not included in the calculation.

Time Served: Number of months served in prison immediately before release (for prisoners only).

Type of Prison Entry: The reason for which an offender entered prison categorized broadly into three categories – conviction for a new crime, probation revocation, and PRS revocation.

Violation: A violation of probation or PRS supervision conditions during the follow-up period. A violation was included in the study if it was a “completed” violation. For probationers the violation was either disposed of by the court in a violation hearing or handled by the DPS using delegated authority. For PRS supervisees, the violation was heard before the PRSP Commission. Violations fall into three categories:

- **Criminal:** A violation entered due to a pending criminal charge(s) or conviction for a new crime(s) during the two-year follow-up period.
- **Absconding:** A violation entered due to absconding supervision during the two-year follow-up period. Absconding occurs when a probation or PRS supervisee avoids supervision by leaving the jurisdiction or otherwise making him/herself unavailable to the probation/parole officer.
- **Technical:** Violation of the conditions of supervision that require offenders to conform their behavior in a manner not normally applicable to a person who is not under criminal justice system supervision (e.g., possession of a firearm, failure to follow treatment recommendations, failure to obtain employment). A technical violation does not necessarily imply criminal activity.

For analysis purposes, probationers were allowed to have more than one type of violation on the same day (e.g., a technical violation for having a positive drug test and a criminal violation for a new conviction) and could have had multiple violations during the follow-up period. However, only one instance of a violation type per day was counted (e.g., multiple technical violations handled on the same day counted as one technical violation).

Youthful Offender: Youthful offenders are defined as offenders less than 21 years old at probation entry or prison entry, as reported in Appendix C.

APPENDIX C

FY 2017 SAMPLE PROFILES

**Table C.1
Profile of the FY 2017 Sample**

		All Offenders N=46,094	Male N=36,029	Female N=10,065	Youthful Under 21 N=5,023	Aging 50 and Up N=4,539
Personal Characteristics						
Male	%	78	n/a	n/a	85	80
Race						
Black	%	46	49	32	58	45
White	%	49	45	64	34	51
Other/Unknown	%	5	6	4	8	4
Age at Probation Entry or Prison Release	Avg.	33	33	34	19	56
Married	%	12	11	14	1	20
High School Dropout/GED	%	49	62	50	72	49
Employed	%	51	53	43	36	51
Substance Use/Abuse Indicated	%	71	72	65	69	63
Prior Criminal Justice Contacts						
Prior Arrest	%	85	87	79	70	86
Prior Probation Entry	%	67	70	57	31	71
Prior Probation/PRS Revocation	%	41	45	28	9	48
Prior Incarceration	%	36	41	19	4	52
Most Serious Current Offense						
Offense Class						
Class B1 – D Felony	%	5	7	1	6	4
Class E – G Felony	%	19	21	12	15	21
Class H – I Felony	%	39	40	35	34	37
Class A1 – 3 Misdemeanor	%	37	32	52	45	38
Offense Type						
Person	%	23	25	14	29	23
Property	%	40	37	51	52	35
Drug	%	25	24	27	11	27
Other	%	12	14	8	8	15
Criminal Justice Outcomes: Two-Year Follow-Up						
Recidivist Arrest	%	44	47	36	55	26
Months to First Recidivist Arrest	Avg.	8	8	9	8	9
Recidivist Conviction	%	21	23	16	30	12
Months to First Recidivist Conviction	Avg.	13	13	12	12	12
Recidivist Incarceration	%	23	26	15	26	14
Months to First Recidivist Incarceration	Avg.	9	9	9	9	9

continued

Table C.1
Profile of the FY 2017 Sample
Recidivist Arrest Rates: Two-Year Follow-Up

		All Offenders N=46,094	Male N=36,029	Female N=10,065	Youthful Under 21 N=5,023	Aging 50 and Up N=4,539
By Personal Characteristics						
Gender						
Female	%	36	n/a	n/a	39	19
Male	%	47	n/a	n/a	58	28
Race						
Black	%	48	51	31	63	31
White	%	42	43	38	44	23
Other/Unknown	%	38	39	33	44	21
Marital Status						
Married	%	34	36	28	64	16
Not Married	%	46	48	37	55	29
Education						
High School Graduate	%	38	40	32	47	24
High School Dropout/GED	%	49	51	39	58	29
Employment						
Employed	%	42	44	34	49	26
Unemployed	%	47	50	36	58	27
Substance Use/Abuse						
None Indicated	%	38	42	28	49	19
Substance Use/Abuse Indicated	%	47	49	38	57	30
By Prior Criminal Justice Contact						
Prior Arrest						
None	%	24	26	21	37	10
1 or More	%	48	50	39	62	29
By Most Serious Current Offense						
Offense Class						
Class B1 – D Felony	%	41	43	15	45	25
Class E – G Felony	%	43	45	31	60	20
Class H – I Felony	%	49	51	41	64	31
Class A1 – 3 Misdemeanor	%	40	43	34	48	25
Offense Type						
Person	%	42	43	32	52	24
Property	%	48	52	36	56	31
Drug	%	42	43	39	55	23
Other	%	44	47	27	56	27

Note: Most offenders with a Class B1 – D felony as their most serious offense are prisoners (only 50 are probationers), while all Class A1 – 3 misdemeanants are probationers.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Table C.2.1
Profile of the FY 2017 Probation Entries

		Probationers N=30,428	Male N=22,152	Female N=8,276	Youthful Under 21 N=3,736	Aging 50 and Up N=3,195
Personal Characteristics						
Male	%	73	n/a	n/a	82	75
Race						
Black	%	43	46	33	54	41
White	%	52	48	62	38	56
Other/Unknown	%	5	6	5	8	3
Age at Probation Entry	Avg.	33	33	33	18	56
Married	%	13	12	14	1	23
High School Dropout/GED	%	52	54	46	67	44
Employed	%	53	56	43	36	53
Substance Use/Abuse Indicated	%	66	68	60	66	56
Prior Criminal Justice Contacts						
Prior Arrest	%	81	82	76	64	82
Prior Probation Entry	%	56	59	50	18	66
Prior Probation/PRS Revocation	%	32	35	23	5	39
Prior Incarceration	%	26	30	15	1	42
Most Serious Current Offense						
Offense Class						
Class B1 – D Felony	%	0	0	0	0	0
Class E – G Felony	%	12	13	9	12	15
Class H – I Felony	%	32	34	28	28	31
Class A1 – 3 Misdemeanor	%	56	53	63	60	54
Offense Type						
Person	%	22	26	14	24	25
Property	%	41	37	52	54	36
Drug	%	27	27	26	13	29
Other	%	10	10	8	9	10
Criminal Justice Outcomes: Two-Year Follow-Up						
Recidivist Arrest	%	41	43	34	52	23
Months to First Recidivist Arrest	Avg.	8	8	8	7	8
Recidivist Conviction	%	19	20	15	28	9
Months to First Recidivist Conviction	Avg.	12	12	12	12	11
Recidivist Incarceration	%	16	17	12	18	9
Months to First Recidivist Incarceration	Avg.	11	11	11	11	10

continued

Table C.2.1
Profile of the FY 2017 Probation Entries
Recidivist Arrest Rates: Two-Year Follow-Up

		Probationers N=30,428	Male N=22,152	Female N=8,276	Youthful Under 21 N=3,736	Aging 50 and Up N=3,195
By Personal Characteristics						
Gender						
Female	%	34	n/a	n/a	39	18
Male	%	43	n/a	n/a	55	25
Race						
Black	%	44	47	30	60	26
White	%	39	40	37	42	21
Other/Unknown	%	35	37	29	42	17
Marital Status						
Married	%	30	31	26	56	14
Not Married	%	43	45	36	52	26
Education						
High School Graduate	%	36	38	31	45	22
High School Dropout/GED	%	45	48	38	56	24
Employment						
Employed	%	38	40	32	45	23
Unemployed	%	43	48	35	54	23
Substance Use/Abuse						
None Indicated	%	35	39	28	46	17
Substance Use/Abuse Indicated	%	43	45	37	54	26
By Prior Criminal Justice Contact						
Prior Arrest						
None	%	24	26	21	36	9
1 or More	%	45	47	39	61	26
By Most Serious Current Offense						
Offense Class						
Class B1 – D Felony	%	28	32	--	--	--
Class E – G Felony	%	36	37	29	55	13
Class H – I Felony	%	44	46	38	60	23
Class A1 – 3 Misdemeanor	%	40	43	34	48	25
Offense Type						
Person	%	39	41	33	51	24
Property	%	43	48	34	52	26
Drug	%	40	40	39	53	20
Other	%	37	40	25	51	19

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

**Table C.2.2
Supervision Profile of the FY 2017 Probation Entries**

		Probationers N=30,428	Male N=22,152	Female N=8,276	Youthful Under 21 N=3,736	Aging 50 and Up N=3,195
Supervision Profile						
Risk Level						
Not Assessed	%	7	8	7	6	7
Extreme Risk	%	8	10	2	4	5
High Risk	%	17	19	10	15	12
Moderate Risk	%	40	41	37	59	30
Low Risk	%	24	20	33	15	34
Minimal Risk	%	4	2	11	1	12
Need Level						
Not Assessed	%	11	11	10	9	9
Extreme Need	%	23	22	27	36	15
High Need	%	17	18	10	19	16
Moderate Need	%	32	31	37	26	38
Low Need	%	14	15	13	9	19
Minimal Need	%	3	3	3	1	3
Supervision Level						
Not Established	%	11	11	10	9	9
Level 1 (Most Restrictive)	%	9	11	5	9	5
Level 2	%	25	28	20	32	17
Level 3	%	31	30	33	36	32
Level 4	%	21	18	28	13	32
Level 5 (Least Restrictive)	%	3	2	4	1	5
High Risk Delegated Authority	%	10	12	5	9	6
Interim Outcomes: Two-Year Follow-Up						
Violation	%	75	75	74	83	58
Months to First Violation	Avg.	7	7	7	6	8
Non-Confinement Responses to Violation						
Delegated Authority	%	9	9	8	13	5
Months to First Delegated Authority	Avg.	6	6	6	6	6
Additional Conditions	%	9	9	9	11	5
Months to First Additional Conditions	Avg.	10	10	10	10	11
Modified Conditions	%	16	16	15	20	10
Months to First Modified Conditions	Avg.	12	12	12	12	12
Continued Supervision	%	13	13	14	14	8
Months to First Cont. Supervision	Avg.	13	13	12	12	13

continued

Table C.2.2
Supervision Profile of the FY 2017 Probation Entries
Recidivist Arrest Rates: Two-Year Follow-Up

		Probationers N=30,428	Male N=22,152	Female N=8,276	Youthful Under 21 N=3,736	Aging 50 and Up N=3,195
Interim Outcomes: Two-Year Follow-Up (continued)						
Confinement Responses to Violation						
Quick Dip	%	13	13	12	18	8
Months to First Quick Dip	Avg.	7	7	7	7	7
CRV (Felons Only)	%	9	9	9	12	5
Months to First CRV	Avg.	11	11	11	11	12
Revocation	%	25	26	22	27	15
Months to First Revocation	Avg.	10	10	10	10	10
Recidivist Arrest Rates by Supervision Profile						
Risk Level						
Not Assessed	%	48	47	50	60	38
Extreme Risk	%	61	62	48	72	44
High Risk	%	52	52	47	63	35
Moderate Risk	%	43	44	40	52	26
Low Risk	%	26	25	26	34	15
Minimal Risk	%	13	12	14	25	9
Need Level						
Not Assessed	%	51	51	51	63	35
Extreme Need	%	49	52	41	58	29
High Need	%	45	48	33	53	30
Moderate Need	%	36	38	30	42	19
Low Need	%	31	33	24	45	17
Minimal Need	%	22	24	19	31	9
Supervision Level						
Not Established	%	51	51	51	63	35
Level 1 (Most Restrictive)	%	61	63	53	68	48
Level 2	%	49	50	44	59	32
Level 3	%	37	39	34	46	21
Level 4	%	25	27	23	36	16
Level 5 (Least Restrictive)	%	14	14	14	21	6
High Risk Delegated Authority	%	58	59	49	70	41

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

**Table C.3.1
Profile of the FY 2017 Prison Releases**

		Prisoners N=15,666	Male N=13,877	Female N=1,789	Youthful Under 21 N=1,287	Aging 50 and Up N=1,344
Personal Characteristics						
Male	%	89	n/a	n/a	95	92
Race						
Black	%	51	55	24	70	56
White	%	44	40	71	23	41
Other/Unknown	%	5	5	5	7	3
Age at Prison Release	Avg.	35	35	35	21	57
Married	%	11	10	14	2	13
High School Dropout/GED	%	73	74	67	87	61
Employed	%	47	48	42	38	45
Substance Use/Abuse Indicated	%	80	80	86	78	80
Prior Criminal Justice Contacts						
Prior Arrest	%	95	95	94	89	95
Prior Probation Entry	%	87	87	91	69	84
Prior Probation/PRS Revocation	%	60	62	50	18	69
Prior Incarceration	%	58	60	41	12	78
Most Serious Current Offense						
Offense Class						
Class B1 – D Felony	%	16	17	6	24	13
Class E – G Felony	%	32	33	25	26	37
Class H – I Felony	%	52	50	69	50	50
Offense Type						
Person	%	23	24	13	42	20
Property	%	37	36	48	46	34
Drug	%	22	20	32	6	21
Other	%	18	20	7	6	25
Criminal Justice Outcomes: Two-Year Follow-Up						
Recidivist Arrest	%	51	52	41	63	35
Months to First Recidivist Arrest	Avg.	9	9	10	8	10
Recidivist Conviction	%	26	26	21	34	19
Months to First Recidivist Conviction	Avg.	13	13	13	13	12
Recidivist Incarceration	%	38	39	32	49	26
Months to First Recidivist Incarceration	Avg.	7	7	7	7	7

continued

Table C.3.1
Profile of the FY 2017 Prison Releases
Recidivist Arrest Rates: Two-Year Follow-Up

		Prisoners N=15,666	Male N=13,877	Female N=1,789	Youthful Under 21 N=1,287	Aging 50 and Up N=1,344
By Personal Characteristics						
Gender						
Female	%	41	n/a	n/a	45	25
Male	%	52	n/a	n/a	64	35
Race						
Black	%	55	55	42	68	40
White	%	48	50	40	53	28
Other/Unknown	%	43	42	50	51	30
Marital Status						
Married	%	45	46	38	72	25
Not Married	%	52	53	41	63	36
Education						
High School Graduate	%	43	44	36	60	32
High School Dropout/GED	%	54	55	43	64	37
Employment						
Employed	%	50	51	41	57	33
Unemployed	%	52	54	40	67	36
Substance Use/Abuse						
None Indicated	%	47	48	38	63	30
Substance Use/Abuse Indicated	%	53	54	42	64	36
By Prior Criminal Justice Contact						
Prior Arrest						
None	%	25	26	22	46	13
1 or More	%	52	54	42	65	36
By Most Serious Current Offense						
Offense Class						
Class B1 – D Felony	%	42	43	15	45	25
Class E – G Felony	%	48	49	33	67	27
Class H – I Felony	%	56	58	46	70	43
Offense Type						
Person	%	46	47	30	55	22
Property	%	57	59	46	68	43
Drug	%	46	47	38	67	31
Other	%	51	52	37	75	36

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

**Table C.3.2
Incarceration Profile of the FY 2017 Prison Releases**

		Prisoners N=15,666	Male N=13,877	Female N=1,789	Youthful Under 21 N=1,287	Aging 50 and Up N=1,344
Incarceration Profile						
Type of Prison Entry						
New Crime	%	60	62	47	64	72
Probation Revocation	%	20	18	36	20	11
PRS Revocation	%	20	20	17	16	17
Time Served						
12 Months or Less	%	61	59	73	59	56
13-24 Months	%	17	18	14	12	24
25 Months or More	%	22	23	13	29	20
Infractions						
1 or more	%	64	66	50	81	43
Total	Avg.	6	6	5	8	4
Class A	Avg.	3	3	2	4	2
Class B	Avg.	4	4	4	6	3
Class C	Avg.	3	3	2	3	2
Correctional Jobs/Programs						
Job Only	%	13	13	11	7	14
Program Only	%	12	11	20	21	13
Both Job and Program	%	65	66	58	59	65
No Job or Program	%	10	10	11	13	8
Custody Classification at Release						
Close	%	9	9	3	21	2
Medium	%	27	27	28	34	16
Minimum	%	64	64	69	45	82

continued

Table C.3.2
Incarceration Profile of the FY 2017 Prison Releases
Recidivist Arrest Rates: Two-Year Follow-Up

		Prisoners N=15,666	Male N=13,877	Female N=1,789	Youthful Under 21 N=1,287	Aging 50 and Up N=1,344
By Incarceration Profile						
Type of Prison Entry						
New Crime	%	47	49	35	61	32
Probation Revocation	%	48	50	41	63	25
PRS Revocation	%	65	66	55	70	49
Time Served						
12 Months or Less	%	55	57	45	71	37
13-24 Months	%	51	52	37	66	40
25 Months or More	%	40	42	22	47	23
Infractions						
None	%	43	44	38	64	30
1 or More	%	56	57	44	63	41
Correctional Jobs/Programs						
Job Only	%	52	53	46	73	39
Program Only	%	54	56	43	71	29
Both Job and Program	%	50	41	39	60	36
No Job or Program	%	52	54	43	63	25
Custody Classification at Release						
Close	%	68	68	63	69	53
Medium	%	56	57	50	65	41
Minimum	%	47	48	36	59	33

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

APPENDIX D

ADDITIONAL TABLES FOR THE FY 2017 SAMPLE

**Table D.1
Recidivist Arrest Rates by Offense Class**

Offense Class	Recidivist Arrest: Two-Year Follow-Up					
	Probation Entries		Prison Releases		Total	
	N	%	N	%	N	%
Felonies						
Class B1	--	--	47	13	47	13
Class B2	--	--	217	21	217	21
Class C	18	50	1,258	45	1,276	45
Class D	32	16	933	44	965	43
Class E	684	38	1,371	49	2,055	45
Class F	1,172	28	1,625	41	2,797	35
Class G	1,831	40	2,037	53	3,868	47
Class H	5,986	44	6,302	57	12,288	51
Class I	3,773	43	1,876	52	5,649	46
Subtotal	13,496	42	15,666	51	29,162	47
Misdemeanors						
Class A1	3,522	41	--	--	3,522	41
Class 1	10,610	41	--	--	10,610	41
Class 2	2,055	38	--	--	2,055	38
Class 3	745	36	--	--	745	36
Subtotal	16,932	40	--	--	16,932	40
Total	30,428	41	15,666	51	46,094	44

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

**Table D.2
Recidivist Conviction Rates by Offense Class**

Offense Class	Recidivist Conviction: Two-Year Follow-Up					
	Probation Entries		Prison Releases		Total	
	N	%	N	%	N	%
Felonies						
Class B1	--	--	47	4	47	4
Class B2	--	--	217	7	217	7
Class C	18	11	1,258	20	1,276	20
Class D	32	6	933	18	965	18
Class E	684	15	1,371	20	2,055	19
Class F	1,172	12	1,625	19	2,797	16
Class G	1,831	16	2,037	24	3,868	21
Class H	5,986	20	6,302	31	12,288	26
Class I	3,773	20	1,876	27	5,649	22
Subtotal	13,496	19	15,666	26	29,162	22
Misdemeanors						
Class A1	3,522	20	--	--	3,522	20
Class 1	10,610	20	--	--	10,610	20
Class 2	2,055	15	--	--	2,055	15
Class 3	745	17	--	--	745	17
Subtotal	16,932	19	--	--	16,932	19
Total	30,428	19	15,666	26	46,094	21

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

**Table D.3
Recidivist Incarceration Rates by Offense Class**

Offense Class	Recidivist Incarceration: Two-Year Follow-Up					
	Probation Entries		Prison Releases		Total	
	N	%	N	%	N	%
Felonies						
Class B1	--	--	47	11	47	11
Class B2	--	--	217	13	217	13
Class C	18	22	1,258	29	1,276	29
Class D	32	13	933	27	965	26
Class E	684	20	1,371	37	2,055	31
Class F	1,172	20	1,625	30	2,797	26
Class G	1,831	24	2,037	36	3,868	31
Class H	5,986	31	6,302	44	12,288	37
Class I	3,773	29	1,876	43	5,649	34
Subtotal	13,496	28	15,666	38	29,162	33
Misdemeanors						
Class A1	3,522	7	--	--	3,522	7
Class 1	10,610	7	--	--	10,610	7
Class 2	2,055	5	--	--	2,055	5
Class 3	745	6	--	--	745	6
Subtotal	16,932	6	--	--	16,932	6
Total	30,428	16	15,666	38	46,094	23

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

APPENDIX E

ADDITIONAL TABLES FOR THE FY 2017 PROBATION
ENTRIES

Table E.1
Recidivist Arrest Rates by Supervision Level for Probation Entries: Two-Year Follow-Up

Need Level	Extreme	High	Risk Level Moderate	Low	Minimal
Extreme	66% L1	57%	49%	33%	19%
High	66%	53%	46% L3	29%	14%
Moderate	54%	47%	39%	23%	14%
Low	46% L2	43%	36% L4	21%	11%
Minimal	39%	32%	28%	19% L5	10%

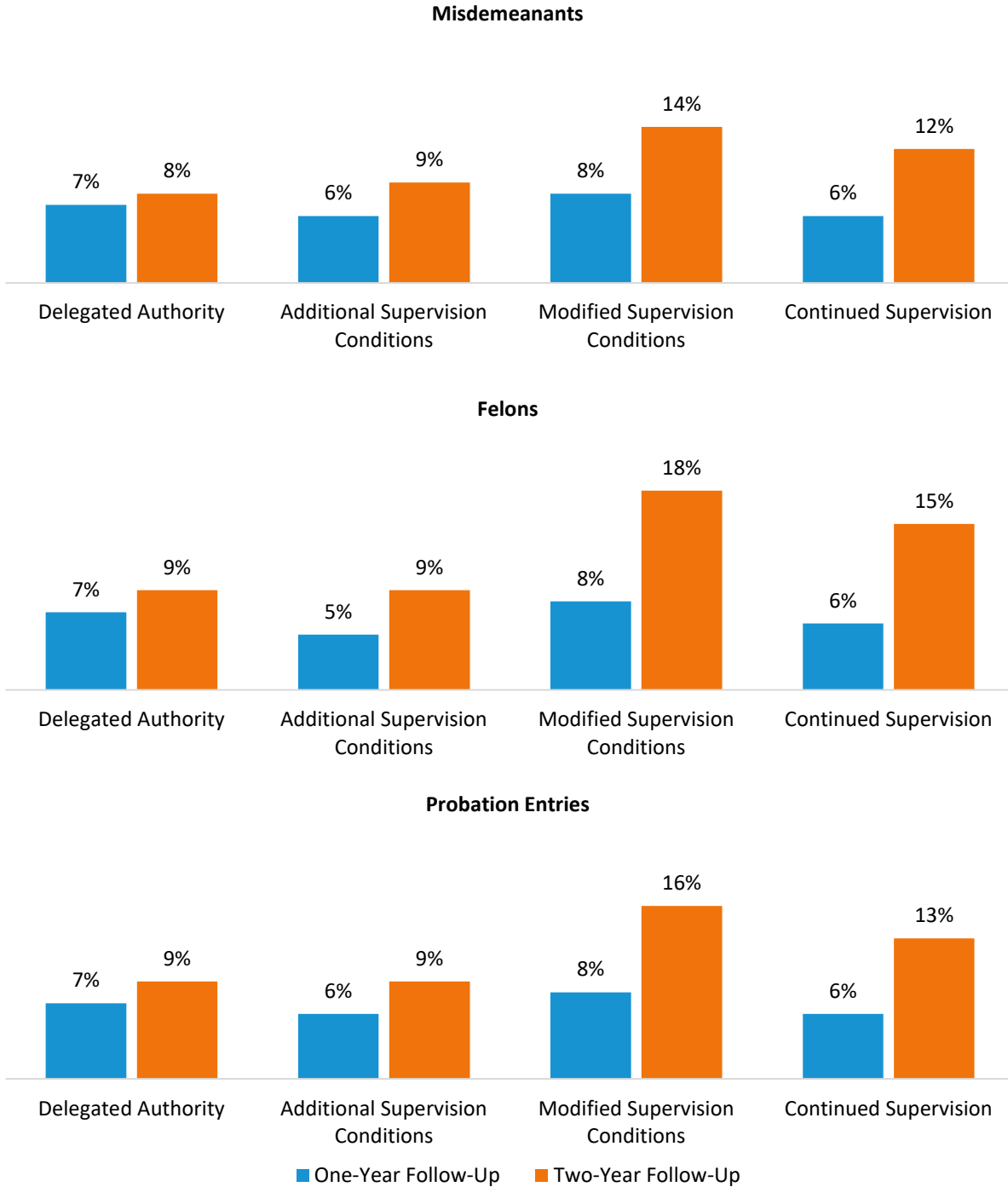
Note: 3,356 offenders who did not have an RNA completed and a supervision level assigned were excluded from this table. See Table 3.4 in Chapter Three for the distribution of probationers by supervision level based on risk and need levels. SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Table E.2
Recidivist Arrest Rates: Two-Year Follow-Up

By Risk Level						
Probation Entries	% Recidivist Arrest					
	Not Assessed	Extreme	High	Moderate	Low	Minimal
Misdemeanants	56	63	53	43	26	14
Felons	38	59	51	43	26	13
Total	48	61	52	43	26	13
By Need Level						
Probation Entries	% Recidivist Arrest					
	Not Assessed	Extreme	High	Moderate	Low	Minimal
Misdemeanants	56	46	45	35	31	20
Felons	44	51	46	37	31	25
Total	51	49	45	36	31	22
By Supervision Level						
Probation Entries	% Recidivist Arrest					
	Not Established	Level 1	Level 2	Level 3	Level 4	Level 5
Misdemeanants	56	63	49	37	25	14
Felons	44	60	49	38	26	14
Total	51	61	49	37	25	14

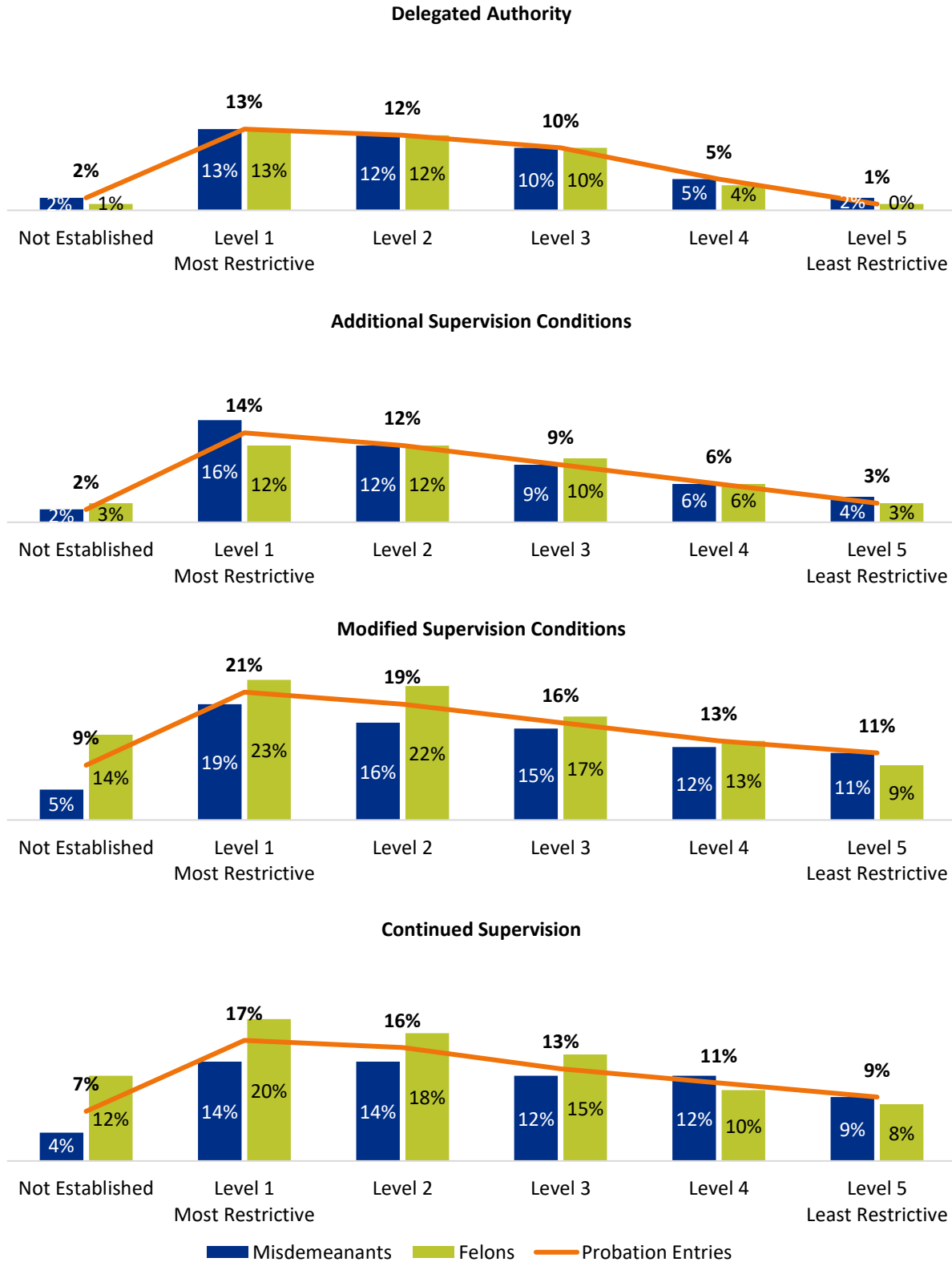
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

**Figure E.1
Non-Confinement Response Rates**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Figure E.2
Non-Confinement Response Rates by Supervision Level: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

APPENDIX F

ADDITIONAL TABLES FOR
FY 2017 CRV OFFENDERS AND FELONY
PROBATIONERS

Table F.1.1
Profile of FY 2017 CRV Offenders and Felony Probationers with a Technical Violation

		CRV Center n=1,554	CRV Prison n=597	CRV Offenders N=2,151	Felony Probationers N=9,590
Personal Characteristics					
Male	%	78	82	79	78
Race					
Black	%	47	43	46	45
White	%	49	53	50	50
Other/Unknown	%	4	4	4	5
Age at CRV Release/Probation Entry	Avg.	31	32	31	32
Married	%	10	10	10	10
High School Dropout/GED	%	65	66	65	58
Employed	%	59	50	57	51
Substance Use Indicated	%	75	75	75	72
Prior Criminal Justice Contacts					
Prior Arrest	%	89	90	90	90
Prior Probation Entry	%	62	62	62	65
Prior Probation/PRS Revocation	%	42	44	42	40
Prior Incarceration	%	34	38	35	32
Most Serious Current Offense					
Offense Class					
Class E Felony	%	4	5	5	4
Class F Felony	%	10	10	10	7
Class G Felony	%	14	14	14	13
Class H Felony	%	48	47	47	46
Class I Felony	%	24	24	24	30
Offense Type					
Person	%	12	14	12	12
Property	%	45	43	45	41
Drug	%	35	31	34	37
Other	%	8	12	9	10
Criminal Justice Outcomes: Two-Year Follow-Up					
Recidivist Arrest	%	47	49	47	52
Months to First	Avg.	9	9	9	8
Recidivist Conviction	%	22	21	22	25
Months to First	Avg.	13	13	13	13
Recidivist Incarceration	%	28	34	30	36
Months to First	Avg.	11	10	10	11

continued

Table F.1.1
Profile of FY 2017 CRV Offenders and Felony Probationers with a Technical Violation
Recidivist Arrest Rates: Two-Year Follow-Up

		CRV Center n=1,554	CRV Prison n=597	CRV Offenders N=2,151	Felony Probationers N=9,590
By Personal Characteristics					
Gender					
Female	%	40	38	40	44
Male	%	48	51	49	54
Race					
Black	%	47	56	50	54
White	%	46	43	45	49
Other/Unknown	%	40	--	45	54
Marital Status					
Married	%	35	40	37	42
Not Married	%	48	50	48	53
Education					
High School Graduate	%	43	43	43	48
High School Dropout/GED	%	49	52	50	54
Employment					
Employed	%	47	53	48	50
Unemployed	%	46	44	46	53
Substance Use					
None Indicated	%	45	50	46	48
Substance Use Indicated	%	48	51	49	52
By Prior Criminal Justice Contact					
Prior Arrest					
None	%	36	35	35	36
1 or More	%	48	50	49	53
By Most Serious Current Offense					
Offense Class					
Class E Felony	%	43	38	42	54
Class F Felony	%	44	42	43	42
Class G Felony	%	50	52	51	50
Class H Felony	%	46	48	47	53
Class I Felony	%	47	54	49	51
Offense Type					
Person	%	52	56	54	52
Property	%	46	51	47	55
Drug	%	46	43	45	48
Other	%	47	46	46	49

Note: Felony probationers with at least one violation are a subset of felony probation entries described in Chapter Three. Five (5) offenders were missing education, 477 were missing employment, and 644 were missing substance use information and were excluded from the table. Of the offenders with ethnicity data available, 2% of each group were Hispanic. Recidivism Rates are only reported when there are more than 25 offenders in a specific category.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Table F.1.2
Supervision Profile of FY 2017 CRV Offenders and Felony Probationers with a Technical Violation

		CRV Center n=1,554	CRV Prison n=597	CRV Offenders N=2,151	Felony Probationers N=9,590
Supervision Profile					
Risk Level					
Not Assessed	%	5	5	5	6
Extreme Risk	%	13	16	14	12
High Risk	%	25	28	26	23
Moderate Risk	%	42	38	41	41
Low + Minimal Risk	%	15	13	14	18
Need Level					
Not Assessed	%	6	6	6	8
Extreme Need	%	35	35	35	30
High Need	%	17	21	18	18
Moderate Need	%	30	29	29	30
Low + Minimal Need	%	13	9	12	14
Supervision Level					
Not Established	%	6	6	6	8
Level 1 (Most Restrictive)	%	18	22	19	15
Level 2	%	34	35	34	33
Level 3	%	29	28	29	28
Level 4 + 5 (Least Restrictive)	%	13	9	12	16
High Risk Delegated Authority		5	6	5	13
Interim Outcomes: Two-Year Follow-Up					
Violation	%	66	68	67	100
Months to First	Avg.	6	5	6	8
Non-Confinement Responses to Violation					
Delegated Authority	%	5	5	5	12
Months to First	Avg.	9	11	10	7
Additional Supervision Conditions	%	7	6	7	12
Months to First	Avg.	10	9	10	11
Modified Supervision Conditions	%	19	16	18	25
Months to First	Avg.	12	12	12	13
Continued Supervision	%	15	15	15	21
Months to First	Avg.	12	13	12	13

continued

Table F.1.2
Supervision Profile of FY 2017 CRV Offenders and Felony Probationers with a Technical Violation
Recidivism Rates: Two-Year Follow-Up

		CRV Center n=1,554	CRV Prison n=597	CRV Offenders N=2,151	Felony Probationers N=9,590
Interim Outcomes: Two-Year Follow-Up (continued)					
Confinement Responses to Violation					
Quick Dip	%	8	8	8	18
Months to First	Avg.	7	7	7	8
CRV (Felons Only)	%	14	11	13	13
Months to First	Avg.	8	8	8	11
Revocation	%	27	28	27	31
Months to First	Avg.	10	9	10	11
Recidivist Arrest Rates: Two-Year Follow-Up					
Risk Level					
Not Assessed	%	39	18	33	62
Extreme Risk	%	56	59	57	63
High Risk	%	51	61	54	56
Moderate Risk	%	46	44	46	51
Low + Minimal Risk	%	34	37	35	35
Need Level					
Not Assessed	%	43	23	38	65
Extreme Need	%	52	56	53	57
High Need	%	48	54	50	54
Moderate Need	%	42	43	42	46
Low + Minimal Need	%	42	46	43	40
Supervision Level					
Not Established	%	43	23	38	65
Level 1 (Most Restrictive)	%	58	61	59	64
Level 2	%	49	56	51	55
Level 3	%	43	40	42	47
Level 4 + 5 (Least Restrictive)	%	36	37	36	35
High Risk Delegated Authority	%	77	64	73	59

Note: While 67% of CRV offenders had at least one violation during the two-year follow-up, a comparison to felony probationers is not applicable due to the sampling criteria that all felony probationers (100%) must have a violation during the two-year follow-up period.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

APPENDIX G

SUMMARIES OF SELECT CORRECTIONAL
JOB/PROGRAM ASSIGNMENTS

APPENDIX G SUMMARIES OF SELECT CORRECTIONAL JOB/PROGRAM ASSIGNMENTS

Appendix G examines FY 2017 prison releases assigned to select correctional jobs and programs during the incarceration period related to their conviction, as well as recidivism during the two-year follow-up. The following summaries are intended to provide an overview of these prison jobs and programs. While the analysis includes an examination of characteristics of prisoners (e.g., age, education, infractions, sentence length) and some information about their level of involvement (e.g., duration, completion), the findings are not intended to be exhaustive.

Recidivism rates of prison assignments cannot be compared to one another for several reasons. Not only does availability of job/program assignments vary by prison, but the capacity of those assignments can be affected by the availability of funding. In addition, prisoners can participate in multiple jobs/programs during their incarceration period and, therefore, may be represented in more than one of the assignments examined. Recidivism measures are only reported when there are more than 25 prisoners in a specific category.

Future examination of these assignments and their effectiveness will include a focus on the DPS's realignment and reconditioning of its prison programs and recent efforts to assign offenders to prison jobs/programs based on a validated risk and need instrument. A more comprehensive analysis will allow for greater understanding of prison jobs and programs and their effect on recidivism. If available, links with additional information are provided with each brief description below.

Select Job Assignments

Length of Job Assignment: For the select job assignments below, each job's duration was combined to create a total length of assignment for the prisoner's entire incarceration period. For example, a prisoner may have been assigned to the Inmate Construction Program more than once while incarcerated, one assignment for 5 months and another for 10 months. The duration (e.g., 5 months or less, 6 months or more) would be based on the total time, 15 months, for the two assignments.

- **Construction:** The Inmate Construction Program is a partnership among the offices of Rehabilitative Programs and Services and Central Engineering within the DPS. The program's purpose is to meet the demands of the prison facility construction, expansion, and renovation projects by using inmate labor to reduce the cost of prison construction projects. The program also provides inmates an opportunity to learn on-the-job marketable skills to help them prepare for their release back into the community. For more information, see <https://www.ncdps.gov/e2200-inmate-construction-program>.
- **Correction Enterprises:** Correction Enterprises is a self-supporting prison industry program operating within the DPS in various prison units across the state. Correction Enterprises provides inmates with opportunities to learn job skills by producing goods and services for the DPS and other tax-supported entities. For more information, see <https://www.correctionenterprises.com/>.
- **Work Release Program:** The Work Release Program provides select inmates the opportunity for employment in the community during imprisonment, addressing the transitional needs of soon-to-be released inmates. 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. For more information, see <https://www.ncdps.gov/e0700-work-release>.

- **All Other Jobs:** Includes analyses of job assignments that are not among the selected assignments above. Examples include jobs in food services, unit services, and road squads.

Select Program Assignments

Program Completion: For the select program assignments below, program completion was categorized into three outcomes: positive (e.g., completion, graduation), neutral (e.g., illness, transferred to another prison, released from prison, program termination), and negative (e.g., removal due to disciplinary action, failure to complete the program). Prisoners may have more than one type of exit within each program category during their incarceration period. For all of the select programs, the type of program exit was determined using the following ranking: positive, neutral, and negative, giving priority to any positive exit.

- **Academic Education:** Academic Education is administered by the Rehabilitative Programs and Services Section within the DPS. Post-secondary education is offered through continuing education (community college) courses of study for adult offenders and/or youthful offenders who have their diploma or high school equivalency credentials. A separate academic education summary of specific community college programs that qualify for Workforce Innovation and Opportunity Act (WIOA) funding is also provided. For more information, see <https://www.ncdps.gov/2015-education-services-annual-report>.
- **Alcoholism and Chemical Dependency Programs (ACDP):** Staff from the ACDP administer and coordinate chemical dependency screening, complete a common assessment and provide intervention, treatment, aftercare, and continuing care services for female and male inmates with substance abuse problems. For the ACDP summary, only prisoners who received prison-based intermediate and long-term intensive treatment were included. For additional information, see the DPS's Substance Use Disorder Treatment Programs Annual Report at https://files.nc.gov/ncdps/FY2017-2018_ACDP_Annual_Legislative_Report.pdf.
- **Sex Offender Accountability and Responsibility (SOAR):** The SOAR program was established in 1991 for the treatment of male inmates who have committed sexual offenses and meet eligibility criteria for the program. The program's goal is to change the offender's cognition, values, and expectations that have supported and maintained their sexually abusive cycle of behavior.
- **Vocational Education:** Vocational Education is administered by the Rehabilitative Programs and Services Section within the DPS and is a collaborative effort with the North Carolina Community College System. Vocational training (e.g., welding, cosmetology, horticulture) is provided through curriculum or continuing education offerings, or a combination of both. For more information, see <https://www.ncdps.gov/2015-education-services-annual-report>.
- **All Other Programs:** Includes analyses of program assignments that are not among the selected assignments above. Examples include alcoholics anonymous, narcotics anonymous, and programs focused on social skills development.

**Table G.1
Construction**

		Total N=597	Length of Job Assignment	
			5 Months or Less n=301	6 Months or More n=296
Personal Characteristics				
Male	%	100	100	100
Race				
Black	%	46	45	46
White	%	50	50	51
Other/Unknown	%	4	5	3
Age at Prison Release	Avg.	41	39	43
Married	%	12	11	14
High School Dropout/GED	%	72	74	70
Employed	%	54	49	59
Substance Use Indicated	%	84	82	85
Prior Criminal Justice Contacts				
Prior Arrest	%	97	97	97
Prior Probation Entry	%	88	90	86
Prior Probation/PRS Revocation	%	74	73	74
Prior Incarceration	%	75	73	77
Most Serious Current Offense				
Offense Class				
Class B1 – D Felony	%	46	39	54
Class E – G Felony	%	32	37	27
Class H – I Felony	%	22	24	19
Offense Type				
Person	%	26	27	24
Property	%	24	26	23
Drug	%	15	18	12
Other	%	35	29	41
Incarceration Profile				
Type of Prison Entry				
New Crime	%	77	75	78
Probation Revocation	%	7	7	7
PRS Revocation	%	16	18	15
Time Served				
12 Months or Less	%	21	23	19
13-24 Months	%	21	28	15
25 Months or More	%	58	49	66

continued

**Table G.1
Construction**

		Total N=597	Length of Job Assignment	
			5 Months or Less n=301	6 Months or More n=296
Incarceration Profile <i>continued</i>				
Infractions				
1 or more	%	79	84	75
Total	Avg.	6	6	5
Class A	Avg.	3	3	3
Class B	Avg.	4	4	4
Class C	Avg.	3	3	3
Custody Classification at Release				
Close	%	3	4	2
Medium	%	15	16	13
Minimum	%	82	80	85
Criminal Justice Outcomes: Two-Year Follow-Up				
Recidivist Arrest	%	44	48	39
Months to First	Avg.	10	10	10
Recidivist Conviction	%	21	24	19
Months to First	Avg.	14	15	14
Recidivist Incarceration	%	33	34	32
Months to First	Avg.	8	9	8
Select Correctional Assignments in Addition to Construction				
Jobs				
Correction Enterprises	#	207	103	104
Work Release	#	179	58	121
All Other Jobs	#	583	293	290
Programs				
Academic Education	#	361	181	180
ACDP	#	220	125	95
SOAR	#	5	3	2
Vocational Education	#	300	156	144
All Other Programs	#	550	270	280

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Table G.2
Correction Enterprises

		Total N=2,116	Length of Job Assignment	
			5 Months or Less n=1,491	6 Months or More n=625
Personal Characteristics				
Male	%	95	95	95
Race				
Black	%	54	54	54
White	%	42	42	40
Other/Unknown	%	4	4	6
Age at Prison Release	Avg.	39	37	43
Married	%	11	11	11
High School Dropout/GED	%	73	75	67
Employed	%	50	50	50
Substance Use Indicated	%	80	81	78
Prior Criminal Justice Contacts				
Prior Arrest	%	96	97	94
Prior Probation Entry	%	86	89	80
Prior Probation/PRS Revocation	%	68	70	64
Prior Incarceration	%	70	70	69
Most Serious Current Offense				
Offense Class				
Class B1 – D Felony	%	41	33	60
Class E – G Felony	%	28	30	23
Class H – I Felony	%	31	37	17
Offense Type				
Person	%	31	27	41
Property	%	27	31	17
Drug	%	15	16	12
Other	%	27	26	30
Incarceration Profile				
Type of Prison Entry				
New Crime	%	71	67	79
Probation Revocation	%	9	11	6
PRS Revocation	%	20	22	15
Time Served				
12 Months or Less	%	37	44	22
13-24 Months	%	13	14	11
25 Months or More	%	50	42	67

continued

**Table G.2
Correction Enterprises**

		Total N=2,116	Length of Job Assignment	
			5 Months or Less n=1,491	6 Months or More n=625
Incarceration Profile <i>continued</i>				
Infractions				
1 or more	%	78	79	77
Total	Avg.	8	8	7
Class A	Avg.	3	4	3
Class B	Avg.	5	5	4
Class C	Avg.	3	3	3
Custody Classification at Release				
Close	%	6	7	4
Medium	%	24	24	25
Minimum	%	70	69	71
Criminal Justice Outcomes: Two-Year Follow-Up				
Recidivist Arrest	%	48	52	39
Months to First	Avg.	9	9	10
Recidivist Conviction	%	23	26	17
Months to First	Avg.	13	13	13
Recidivist Incarceration	%	33	35	25
Months to First	Avg.	8	8	8
Select Correctional Assignments in Addition to Correction Enterprises				
Jobs				
Construction	#	207	121	86
Work Release	#	323	174	149
All Other Jobs	#	1,847	1,300	547
Programs				
Academic Education	#	1,207	831	376
ACDP	#	678	506	172
SOAR	#	17	6	11
Vocational Education	#	1,065	709	356
All Other Programs	#	1,698	1,149	549

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

**Table G.3
Work Release**

		Total N=1,027	Length of Job Assignment	
			5 Months or Less n=358	6 Months or More n=669
Personal Characteristics				
Male	%	93	92	94
Race				
Black	%	54	58	53
White	%	43	40	44
Other/Unknown	%	3	2	3
Age at Prison Release	Avg.	43	42	43
Married	%	16	15	16
High School Dropout/GED	%	67	68	65
Employed	%	56	52	58
Substance Use Indicated	%	81	79	83
Prior Criminal Justice Contacts				
Prior Arrest	%	94	96	94
Prior Probation Entry	%	86	89	85
Prior Probation/PRS Revocation	%	70	74	67
Prior Incarceration	%	72	72	72
Most Serious Current Offense				
Offense Class				
Class B1 – D Felony	%	52	39	58
Class E – G Felony	%	31	39	27
Class H – I Felony	%	17	22	15
Offense Type				
Person	%	22	22	22
Property	%	19	22	17
Drug	%	21	21	21
Other	%	38	35	40
Incarceration Profile				
Type of Prison Entry				
New Crime	%	86	81	89
Probation Revocation	%	6	8	4
PRS Revocation	%	8	11	7
Time Served				
12 Months or Less	%	10	16	6
13-24 Months	%	11	19	7
25 Months or More	%	79	65	87

continued

**Table G.3
Work Release**

		Total N=1,027	Length of Job Assignment	
			5 Months or Less n=358	6 Months or More n=669
Incarceration Profile <i>continued</i>				
Infractions				
1 or more	%	70	75	67
Total	Avg.	4	5	4
Class A	Avg.	2	2	2
Class B	Avg.	3	3	3
Class C	Avg.	2	3	2
Custody Classification at Release				
Close	%	0	1	--
Medium	%	5	6	4
Minimum	%	95	93	96
Criminal Justice Outcomes: Two-Year Follow-Up				
Recidivist Arrest	%	34	41	31
Months to First	Avg.	9	9	10
Recidivist Conviction	%	16	21	14
Months to First	Avg.	14	14	14
Recidivist Incarceration	%	23	25	22
Months to First	Avg.	9	8	9
Select Correctional Assignments in Addition to Work Release				
Jobs				
Construction	#	179	57	122
Correction Enterprises	#	323	103	220
All Other Jobs	#	1,020	355	665
Programs				
Academic Education	#	721	243	478
ACDP	#	370	134	236
SOAR	#	0	0	0
Vocational Education	#	576	198	378
All Other Programs	#	1,010	347	663

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

**Table G.4
All Other Jobs**

		Total N=11,972	Length of Job Assignment	
			5 Months or Less n=5,928	6 Months or More n=6,044
Personal Characteristics				
Male	%	90	86	93
Race				
Black	%	52	47	58
White	%	43	49	37
Other/Unknown	%	5	4	5
Age at Prison Release	Avg.	36	33	38
Married	%	12	11	12
High School Dropout/GED	%	73	72	73
Employed	%	48	48	48
Substance Use Indicated	%	81	82	80
Prior Criminal Justice Contacts				
Prior Arrest	%	95	96	94
Prior Probation Entry	%	88	92	84
Prior Probation/PRS Revocation	%	63	60	67
Prior Incarceration	%	62	56	67
Most Serious Current Offense				
Offense Class				
Class B1 – D Felony	%	20	3	36
Class E – G Felony	%	35	32	37
Class H – I Felony	%	45	65	27
Offense Type				
Person	%	25	17	33
Property	%	35	45	25
Drug	%	20	24	16
Other	%	20	14	26
Incarceration Profile				
Type of Prison Entry				
New Crime	%	62	52	72
Probation Revocation	%	16	26	7
PRS Revocation	%	22	22	21
Time Served				
12 Months or Less	%	52	76	29
13-24 Months	%	20	17	22
25 Months or More	%	28	7	49

continued

**Table G.4
All Other Jobs**

		Total N=11,972	Length of Job Assignment	
			5 Months or Less n=5,928	6 Months or More n=6,044
Incarceration Profile <i>continued</i>				
Infractions				
1 or more	%	71	63	78
Total	Avg.	6	5	7
Class A	Avg.	3	2	4
Class B	Avg.	4	4	5
Class C	Avg.	3	2	3
Custody Classification at Release				
Close	%	8	9	7
Medium	%	26	27	26
Minimum	%	66	64	67
Criminal Justice Outcomes: Two-Year Follow-Up				
Recidivist Arrest	%	51	54	47
Months to First	Avg.	9	9	9
Recidivist Conviction	%	25	28	23
Months to First	Avg.	13	13	13
Recidivist Incarceration	%	36	41	31
Months to First	Avg.	8	7	8
Select Correctional Assignments in Addition to All Other Jobs				
Jobs				
Construction	#	583	146	437
Correction Enterprises	#	1,847	522	1,325
Work Release	#	1,020	130	890
Programs				
Academic Education	#	5,633	2,166	3,467
ACDP	#	3,470	1,562	1,908
SOAR	#	41	7	34
Vocational Education	#	4,302	1,501	2,801
All Other Programs	#	8,164	3,188	4,976

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

**Table G.5
Academic Education**

		Total N=6,727	Program Outcomes		
			Positive n=3,416	Neutral n=1,934	Negative n=1,377
Personal Characteristics					
Male	%	89	90	86	92
Race					
Black	%	57	56	57	58
White	%	37	39	36	36
Other/Unknown	%	6	5	7	6
Age at Prison Release	Avg.	33	35	31	32
Married	%	10	12	9	9
High School Dropout/GED	%	82	76	90	86
Employed	%	47	49	47	43
Substance Use Indicated	%	80	81	80	80
Prior Criminal Justice Contacts					
Prior Arrest	%	94	94	94	96
Prior Probation Entry	%	85	82	87	87
Prior Probation/PRS Revocation	%	58	58	55	63
Prior Incarceration	%	55	57	47	59
Most Serious Current Offense					
Offense Class					
Class B1 – D Felony	%	28	39	14	22
Class E – G Felony	%	36	36	33	39
Class H – I Felony	%	36	25	53	39
Offense Type					
Person	%	32	37	24	30
Property	%	31	23	41	35
Drug	%	17	17	19	15
Other	%	20	23	16	20
Incarceration Profile					
Type of Prison Entry					
New Crime	%	64	71	54	59
Probation Revocation	%	13	9	19	13
PRS Revocation	%	23	20	27	28
Time Served					
12 Months or Less	%	45	33	65	50
13-24 Months	%	18	17	17	22
25 Months or More	%	37	50	18	28

continued

**Table G.5
Academic Education**

		Total N=6,727	Program Outcomes		
			Positive n=3,416	Neutral n=1,934	Negative n=1,377
Incarceration Profile <i>continued</i>					
Infractions					
1 or more	%	80	81	72	88
Total	Avg.	7	7	6	9
Class A	Avg.	3	3	3	4
Class B	Avg.	5	5	4	6
Class C	Avg.	3	3	3	3
Custody Classification at Release					
Close	%	11	7	9	22
Medium	%	32	32	30	34
Minimum	%	57	61	61	44
Criminal Justice Outcomes: Two-Year Follow-Up					
Recidivist Arrest					
Months to First	Avg.	9	9	9	9
Recidivist Conviction					
Months to First	Avg.	13	14	13	13
Recidivist Incarceration					
Months to First	Avg.	8	8	8	7
Select Correctional Assignments in Addition to Academic Education					
Jobs					
Construction	#	361	261	54	46
Correction Enterprises	#	1,207	776	220	211
Work Release	#	721	573	94	54
All Other Jobs	#	5,633	3,102	1,367	1,164
Programs					
ACDP	#	2,005	1,181	475	349
SOAR	#	31	24	4	3
Vocational Education	#	3,110	2,120	505	485
All Other Programs	#	4,857	2,797	1,142	918

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Table G.6
Academic Education: Community College Programs

		Total N=4,391	Program Outcomes		
			Positive n=1,204	Neutral n=1,930	Negative n=1,257
Personal Characteristics					
Male	%	91	91	89	93
Race					
Black	%	60	54	61	64
White	%	33	38	32	30
Other/Unknown	%	7	8	7	6
Age at Prison Release	Avg.	31	31	31	32
Married	%	9	10	9	9
High School Dropout/GED	%	94	96	96	91
Employed	%	45	49	44	42
Substance Use Indicated	%	80	80	80	80
Prior Criminal Justice Contacts					
Prior Arrest	%	94	92	95	95
Prior Probation Entry	%	84	77	86	86
Prior Probation/PRS Revocation	%	56	51	55	60
Prior Incarceration	%	49	45	47	56
Most Serious Current Offense					
Offense Class					
Class B1 – D Felony	%	27	42	18	27
Class E – G Felony	%	35	36	33	38
Class H – I Felony	%	38	22	49	35
Offense Type					
Person	%	35	44	27	36
Property	%	32	23	38	31
Drug	%	16	18	18	13
Other	%	17	15	17	20
Incarceration Profile					
Type of Prison Entry					
New Crime	%	60	68	56	59
Probation Revocation	%	13	9	17	12
PRS Revocation	%	27	23	27	29
Time Served					
12 Months or Less	%	50	34	62	48
13-24 Months	%	17	15	16	21
25 Months or More	%	33	51	22	31

continued

Table G.6
Academic Education: Community College Programs

		Total	Program Outcomes		
		N=4,391	Positive n=1,204	Neutral n=1,930	Negative n=1,257
Incarceration Profile <i>continued</i>					
Infractions					
1 or more	%	82	85	75	90
Total	Avg.	8	8	6	10
Class A	Avg.	4	3	3	4
Class B	Avg.	5	5	5	7
Class C	Avg.	3	3	3	3
Custody Classification at Release					
Close	%	13	9	10	24
Medium	%	34	35	32	34
Minimum	%	53	56	58	42
Criminal Justice Outcomes: Two-Year Follow-Up					
Recidivist Arrest	%	55	49	56	60
Months to First	Avg.	9	9	9	9
Recidivist Conviction	%	27	22	30	28
Months to First	Avg.	13	13	13	13
Recidivist Incarceration	%	39	32	40	43
Months to First	Avg.	7	8	8	7
Select Correctional Assignments in Addition to Academic Education: Community College Programs					
Jobs					
Construction	#	177	74	66	37
Correction Enterprises	#	704	254	246	204
Work Release	#	328	146	111	71
All Other Jobs	#	3,542	1,099	1,386	1,057
Programs					
ACDP	#	1,143	365	463	315
SOAR	#	16	8	4	4
Vocational Education	#	1,704	745	530	429
All Other Programs	#	2,985	974	1,168	843

Note: Data on community college program participation are a select subset of academic programming that focuses on post-secondary educational opportunities that qualify for WIOA funding.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

**Table G.7
ACDP**

		Total N=4,024	Program Outcomes		
			Positive n=2,591	Neutral n=326	Negative n=1,107
Personal Characteristics					
Male	%	82	81	87	84
Race					
Black	%	42	40	48	43
White	%	54	57	46	52
Other/Unknown	%	4	3	6	5
Age at Prison Release	Avg.	36	37	36	35
Married	%	11	11	12	11
High School Dropout/GED	%	74	72	75	79
Employed	%	46	45	50	45
Substance Use Indicated	%	91	92	88	91
Prior Criminal Justice Contacts					
Prior Arrest	%	96	96	97	96
Prior Probation Entry	%	90	90	90	91
Prior Probation/PRS Revocation	%	68	68	64	69
Prior Incarceration	%	68	67	68	68
Most Serious Current Offense					
Offense Class					
Class B1 – D Felony	%	20	20	19	19
Class E – G Felony	%	39	40	32	40
Class H – I Felony	%	41	40	49	41
Offense Type					
Person	%	23	23	22	24
Property	%	33	32	36	35
Drug	%	21	21	21	20
Other	%	23	24	21	21
Incarceration Profile					
Type of Prison Entry					
New Crime	%	63	64	58	62
Probation Revocation	%	13	13	16	13
PRS Revocation	%	24	23	26	25
Time Served					
12 Months or Less	%	47	46	49	47
13-24 Months	%	23	22	21	25
25 Months or More	%	30	32	30	28

continued

**Table G.7
ACDP**

		Total N=4,024	Program Outcomes		
			Positive n=2,591	Neutral n=326	Negative n=1,107
Incarceration Profile <i>continued</i>					
Infractions					
1 or more	%	75	69	79	86
Total	Avg.	5	4	6	7
Class A	Avg.	2	2	2	3
Class B	Avg.	4	3	4	5
Class C	Avg.	3	3	3	3
Custody Classification at Release					
Close	%	5	3	7	9
Medium	%	29	28	36	31
Minimum	%	66	69	57	60
Criminal Justice Outcomes: Two-Year Follow-Up					
Recidivist Arrest	%	50	47	51	58
Months to First	Avg.	9	9	9	9
Recidivist Conviction	%	26	25	27	28
Months to First	Avg.	13	13	12	14
Recidivist Incarceration	%	37	36	38	40
Months to First	Avg.	8	8	8	8
Select Correctional Assignments in Addition to ACDP					
Jobs					
Construction	#	220	142	15	63
Correction Enterprises	#	678	449	46	183
Work Release	#	370	303	23	44
All Other Jobs	#	3,470	2,195	266	1,009
Programs					
Academic Education	#	2,005	1,293	154	558
SOAR	#	17	13	2	2
Vocational Education	#	1,581	1,000	124	457
All Other Programs	#	3,137	2,054	233	850

Note: Of the 4,024 prisoners who were assigned to a prison-based ACDP during his/her incarceration, 82% were assigned to intermediate treatment (duration: 90-120 days), 17% were assigned to long-term intensive treatment (duration: 120-365 days), and 1% were assigned to both. For more information on Intermediate ACDP treatment, see Appendix G, Table G.8; for Intensive ACDP treatment, see Appendix G, Table G.9.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Table G.8
ACDP: Intermediate Treatment

		Total N=3,363	Program Outcomes		
			Positive n=2,302	Neutral n=284	Negative n=777
Personal Characteristics					
Male	%	85	84	88	87
Race					
Black	%	43	41	49	44
White	%	53	56	46	49
Other/Unknown	%	4	3	5	7
Age at Prison Release	Avg.	37	38	37	34
Married	%	12	11	12	12
High School Dropout/GED	%	74	72	73	80
Employed	%	46	45	51	47
Substance Use Indicated	%	91	91	88	90
Prior Criminal Justice Contacts					
Prior Arrest	%	96	97	97	96
Prior Probation Entry	%	90	90	89	91
Prior Probation/PRS Revocation	%	68	68	66	70
Prior Incarceration	%	67	67	70	67
Most Serious Current Offense					
Offense Class					
Class B1 – D Felony	%	22	22	21	23
Class E – G Felony	%	39	40	32	39
Class H – I Felony	%	39	38	47	38
Offense Type					
Person	%	23	23	23	26
Property	%	31	31	32	33
Drug	%	21	21	21	18
Other	%	25	25	24	23
Incarceration Profile					
Type of Prison Entry					
New Crime	%	64	65	61	62
Probation Revocation	%	13	13	14	12
PRS Revocation	%	23	22	25	26
Time Served					
12 Months or Less	%	44	43	48	44
13-24 Months	%	22	23	19	23
25 Months or More	%	34	34	33	33

continued

Table G.8
ACDP: Intermediate Treatment

		Total N=3,363	Program Outcomes		
			Positive n=2,302	Neutral n=284	Negative n=777
Incarceration Profile <i>continued</i>					
Infractions					
1 or more	%	76	71	78	88
Total	Avg.	5	5	6	7
Class A	Avg.	2	2	2	3
Class B	Avg.	4	3	4	5
Class C	Avg.	3	3	3	3
Custody Classification at Release					
Close	%	5	3	6	10
Medium	%	30	27	38	33
Minimum	%	65	70	56	57
Criminal Justice Outcomes: Two-Year Follow-Up					
Recidivist Arrest					
Months to First	Avg.	9	9	8	9
Recidivist Conviction					
Months to First	Avg.	13	13	12	14
Recidivist Incarceration					
Months to First	Avg.	8	8	8	8
Select Correctional Assignments in Addition to ACDP Intermediate Treatment					
Jobs					
Construction	#	201	138	14	49
Correction Enterprises	#	605	432	42	131
Work Release	#	358	301	23	34
All Other Jobs	#	2,885	1,961	227	697
Programs					
Academic Education	#	1,702	1,170	135	397
SOAR	#	17	13	2	2
Vocational Education	#	1,355	919	111	325
All Other Programs	#	2,644	1,847	203	594

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

Table G.9
ACDP: Intensive Treatment

		Total N=714	Program Outcomes		
			Positive n=301	Neutral n=53	Negative n=360
Personal Characteristics					
Male	%	68	60	72	74
Race					
Black	%	36	32	38	40
White	%	61	65	56	57
Other/Unknown	%	3	3	6	3
Age at Prison Release	Avg.	34	34	34	34
Married	%	10	11	13	8
High School Dropout/GED	%	75	71	83	76
Employed	%	43	46	43	40
Substance Use Indicated	%	94	95	94	94
Prior Criminal Justice Contacts					
Prior Arrest	%	97	96	96	97
Prior Probation Entry	%	93	94	98	91
Prior Probation/PRS Revocation	%	66	66	53	67
Prior Incarceration	%	69	68	58	70
Most Serious Current Offense					
Offense Class					
Class B1 – D Felony	%	9	6	6	12
Class E – G Felony	%	39	39	36	40
Class H – I Felony	%	52	55	58	48
Offense Type					
Person	%	20	22	17	19
Property	%	43	44	53	41
Drug	%	23	21	23	24
Other	%	14	13	7	16
Incarceration Profile					
Type of Prison Entry					
New Crime	%	59	55	49	63
Probation Revocation	%	16	18	21	15
PRS Revocation	%	25	27	30	22
Time Served					
12 Months or Less	%	61	71	55	53
13-24 Months	%	26	20	32	30
25 Months or More	%	13	9	13	17

continued

Table G.9
ACDP: Intensive Treatment

		Total N=714	Program Outcomes		
			Positive n=301	Neutral n=53	Negative n=360
Incarceration Profile <i>continued</i>					
Infractions					
1 or more	%	70	55	87	81
Total	Avg.	5	3	5	6
Class A	Avg.	2	2	2	2
Class B	Avg.	4	2	3	4
Class C	Avg.	3	2	3	3
Custody Classification at Release					
Close	%	4	0	11	6
Medium	%	29	34	21	26
Minimum	%	67	66	68	68
Criminal Justice Outcomes: Two-Year Follow-Up					
Recidivist Arrest					
Months to First	Avg.	10	10	9	9
Recidivist Conviction					
Months to First	Avg.	13	13	--	13
Recidivist Incarceration					
Months to First	Avg.	8	8	--	8
Select Correctional Assignments in Addition to ACDP Intensive Treatment					
Jobs					
Construction	#	21	4	1	16
Correction Enterprises	#	81	18	4	59
Work Release	#	14	2	1	11
All Other Jobs	#	632	246	49	337
Programs					
Academic Education	#	329	129	23	177
SOAR	#	0	0	0	0
Vocational Education	#	252	87	18	147
All Other Programs	#	537	219	41	277

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

**Table G.10
SOAR**

		Total N=45	Program Outcomes		
			Positive n=40	Neutral n=0	Negative n=5
Personal Characteristics					
Male	#	45	40	0	5
Race					
Black	#	15	13	0	2
White	#	29	26	0	3
Other/Unknown	#	1	1	0	0
Age at Prison Release	Avg.	44	45	--	43
Married	#	6	6	0	0
High School Dropout/GED	#	18	17	0	1
Employed	#	21	17	0	4
Substance Use Indicated	#	29	26	0	3
Prior Criminal Justice Contacts					
Prior Arrest	#	38	33	0	5
Prior Probation Entry	#	24	22	0	2
Prior Probation/PRS Revocation	#	10	8	0	2
Prior Incarceration	#	17	14	0	3
Most Serious Current Offense					
Offense Class					
Class B1 – D Felony	#	30	28	0	2
Class E – G Felony	#	14	12	0	2
Class H – I Felony	#	1	0	0	1
Offense Type					
Person	#	39	36	0	3
Property	#	2	1	0	1
Drug	#	0	0	0	0
Other	#	4	3	0	1
Incarceration Profile					
Type of Prison Entry					
New Crime	#	31	28	0	3
Probation Revocation	#	1	1	0	0
PRS Revocation	#	13	11	0	2
Time Served					
12 Months or Less	#	11	9	0	2
13-24 Months	#	7	7	0	0
25 Months or More	#	27	24	0	3

continued

**Table G.10
SOAR**

		Total N=45	Program Outcomes		
			Positive n=40	Neutral n=0	Negative n=5
Incarceration Profile <i>continued</i>					
Infractions					
1 or more	#	31	26	0	5
Total	Avg.	4	5	--	2
Class A	Avg.	2	2	--	2
Class B	Avg.	4	4	--	1
Class C	Avg.	2	2	--	2
Custody Classification at Release					
Close	#	3	3	0	0
Medium	#	24	19	0	5
Minimum	#	18	18	0	0
Criminal Justice Outcomes: Two-Year Follow-Up					
Recidivist Arrest	#	8	6	0	2
Months to First	Avg.	--	--	--	--
Recidivist Conviction	#	3	1	0	2
Months to First	Avg.	--	--	--	--
Recidivist Incarceration	#	15	13	0	2
Months to First	Avg.	--	--	--	--
Select Correctional Assignments in Addition to SOAR					
Jobs					
Construction	#	5	5	0	0
Correction Enterprises	#	17	14	0	3
Work Release	#	0	0	0	0
All Other Jobs	#	41	37	0	4
Programs					
Academic Education	#	31	28	0	3
ACDP	#	17	14	0	3
Vocational Education	#	39	34	0	5
All Other Programs	#	41	36	0	5

Note: Due to the small number of SOAR program assignments, table breakdowns show the number of program participants rather than percentages. The offense type is based on the most serious offense, which may or may not be the sex offense for which the offender was assigned to SOAR.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

**Table G.11
Vocational Education**

		Total N=4,821	Program Outcomes		
			Positive n=3,441	Neutral n=482	Negative n=898
Personal Characteristics					
Male	%	87	87	80	92
Race					
Black	%	53	54	46	54
White	%	42	41	50	41
Other/Unknown	%	5	5	4	5
Age at Prison Release	Avg.	35	36	34	32
Married	%	12	12	12	9
High School Dropout/GED	%	72	70	73	76
Employed	%	48	49	48	45
Substance Use Indicated	%	81	80	84	80
Prior Criminal Justice Contacts					
Prior Arrest	%	94	93	96	95
Prior Probation Entry	%	83	81	90	87
Prior Probation/PRS Revocation	%	61	59	66	66
Prior Incarceration	%	61	60	65	63
Most Serious Current Offense					
Offense Class					
Class B1 – D Felony	%	34	39	17	24
Class E – G Felony	%	35	35	33	37
Class H – I Felony	%	31	26	50	39
Offense Type					
Person	%	34	37	22	30
Property	%	26	24	35	32
Drug	%	17	17	20	15
Other	%	23	22	23	23
Incarceration Profile					
Type of Prison Entry					
New Crime	%	69	72	57	61
Probation Revocation	%	11	10	17	12
PRS Revocation	%	20	18	26	27
Time Served					
12 Months or Less	%	36	31	57	46
13-24 Months	%	20	19	18	24
25 Months or More	%	44	50	25	30

continued

**Table G.11
Vocational Education**

		Total N=4,821	Program Outcomes		
			Positive n=3,441	Neutral n=482	Negative n=898
Incarceration Profile <i>continued</i>					
Infractions					
1 or more	%	81	80	75	91
Total	Avg.	7	7	5	9
Class A	Avg.	3	3	2	4
Class B	Avg.	5	5	4	6
Class C	Avg.	3	3	3	3
Custody Classification at Release					
Close	%	9	7	6	21
Medium	%	34	32	38	39
Minimum	%	57	61	56	40
Criminal Justice Outcomes: Two-Year Follow-Up					
Recidivist Arrest					
Months to First	Avg.	9	10	9	9
Recidivist Conviction					
Months to First	Avg.	13	14	13	13
Recidivist Incarceration					
Months to First	Avg.	8	8	7	7
Select Correctional Assignments in Addition to Vocational Education					
Jobs					
Construction	#	300	248	22	30
Correction Enterprises	#	1,065	844	82	139
Work Release	#	576	505	37	34
All Other Jobs	#	4,302	3,134	380	788
Programs					
Academic Education	#	3,110	2,317	258	535
ACDP	#	1,581	1,158	153	270
SOAR	#	39	36	2	1
All Other Programs	#	3,815	2,849	328	638

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data

**Table G.12
All Other Programs**

		Total N=9,303	Program Outcomes		
			Positive n=5,662	Neutral n=2,541	Negative n=1,100
Personal Characteristics					
Male	%	90	93	85	89
Race					
Black	%	52	58	40	50
White	%	43	37	56	46
Other/Unknown	%	5	5	4	4
Age at Prison Release	Avg.	37	38	36	32
Married	%	12	13	11	8
High School Dropout/GED	%	73	73	71	77
Employed	%	48	50	46	43
Substance Use Indicated	%	81	78	86	85
Prior Criminal Justice Contacts					
Prior Arrest	%	95	95	95	95
Prior Probation Entry	%	87	85	90	87
Prior Probation/PRS Revocation	%	65	66	63	60
Prior Incarceration	%	64	67	60	56
Most Serious Current Offense					
Offense Class					
Class B1 – D Felony	%	24	28	18	20
Class E – G Felony	%	36	37	33	34
Class H – I Felony	%	40	35	49	46
Offense Type					
Person	%	27	31	19	25
Property	%	32	28	37	38
Drug	%	19	18	23	18
Other	%	22	23	21	19
Incarceration Profile					
Type of Prison Entry					
New Crime	%	65	67	61	60
Probation Revocation	%	12	9	18	16
PRS Revocation	%	23	24	21	24
Time Served					
12 Months or Less	%	46	42	54	53
13-24 Months	%	20	21	18	20
25 Months or More	%	34	37	28	27

continued

**Table G.12
All Other Programs**

		Total N=9,303	Program Outcomes		
			Positive n=5,662	Neutral n=2,541	Negative n=1,100
Incarceration Profile <i>continued</i>					
Infractions					
1 or more	%	72	73	65	82
Total	Avg.	6	6	5	8
Class A	Avg.	3	3	3	4
Class B	Avg.	5	5	4	6
Class C	Avg.	3	3	3	3
Custody Classification at Release					
Close	%	8	7	6	18
Medium	%	26	28	20	28
Minimum	%	66	65	74	54
Criminal Justice Outcomes: Two-Year Follow-Up					
Recidivist Arrest	%	49	48	49	56
Months to First	Avg.	9	9	9	9
Recidivist Conviction	%	24	23	24	30
Months to First	Avg.	13	13	13	13
Recidivist Incarceration	%	35	34	35	42
Months to First	Avg.	8	8	7	7
Select Correctional Assignments in Addition to All Other Programs					
Jobs					
Construction	#	550	361	166	23
Correction Enterprises	#	1,698	1,106	429	163
Work Release	#	1,010	698	277	35
All Other Jobs	#	8,164	5,113	2,114	937
Programs					
Academic Education	#	4,857	3,081	1,172	604
ACDP	#	3,137	1,843	982	312
SOAR	#	41	35	4	2
Vocational Education	#	3,815	2,542	842	431

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 Correctional Program Evaluation Data