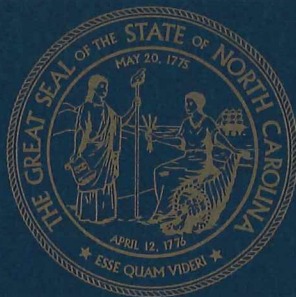*North Carolina*
Sentencing and Policy Advisory Commission

CORRECTIONAL PROGRAM EVALUATION: OFFENDERS PLACED ON PROBATION OR RELEASED FROM PRISON IN FISCAL YEAR 1996/97

Prepared By

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Project Conducted in Conjunction with the
North Carolina Department of Correction

April 15, 2000

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North Carolina Sentencing and Policy Advisory Commission

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EXECUTIVE SUMMARY

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

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

Figure 1
Recidivism Rates by Types of Supervision in the Community
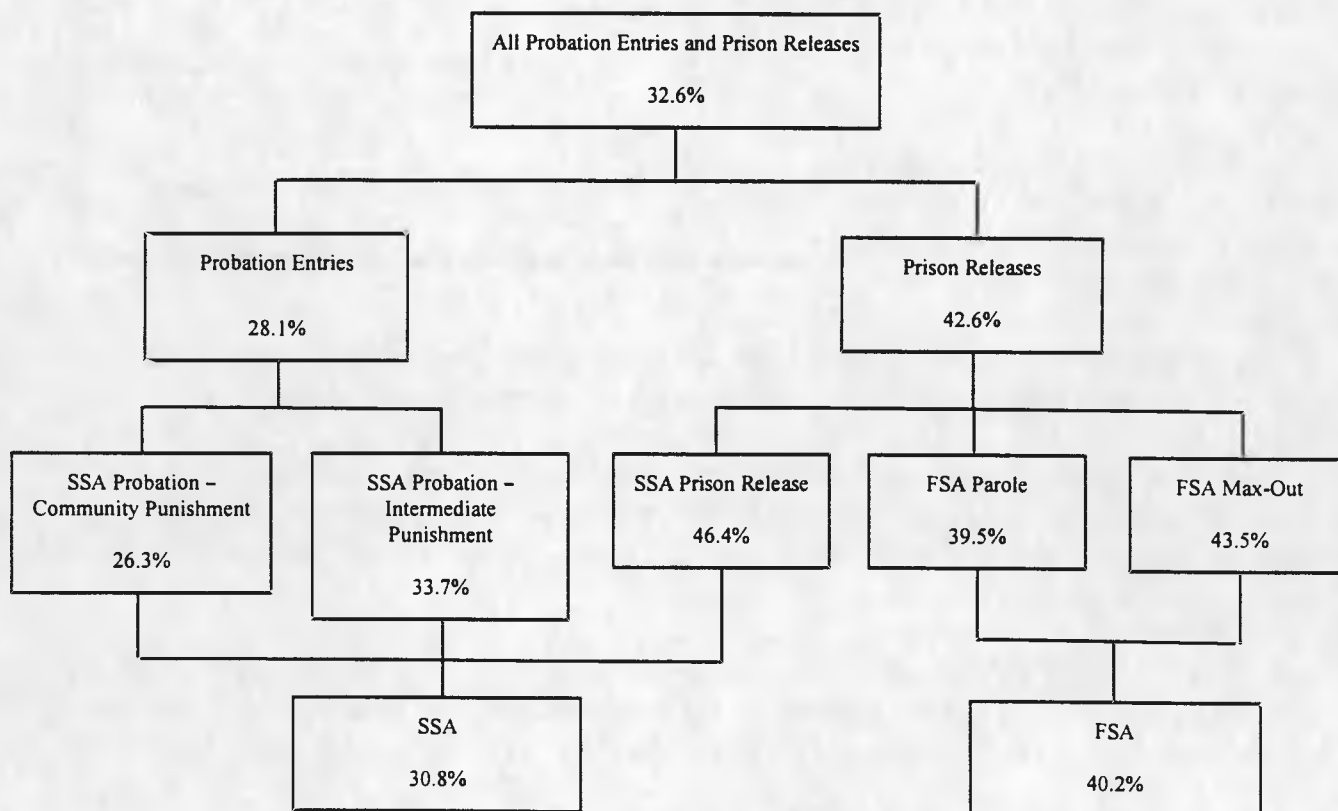
Figure 1 displays the recidivism rates for a sample of 51,588 offenders placed on probation or released from prison during FY 1996/97. With that time frame, the study affords a first look at the impact of Structured Sentencing on recidivism, at least in regard to the 35,423 probationers in the sample who were sentenced under the new law.

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

Within the 24-month follow-up period, 32.6% of the 51,588 offenders had one or more rearrest. This rate varied from a low of 26.3% for community probationers, to 33.7%

Figure 2
Key Findings: Descriptive Statistics

The typical offender was a 29 year old, single, black male who was on probation with a community punishment. Of the 51,588 offenders placed on probation or released from prison in FY 1996/97:

Prior Criminal History

❑   Almost 78% had at least one prior arrest, with an average of 2.5 prior arrests.

❑   55% had at least one prior conviction, with an average of 1.8 prior convictions.

Most Serious Current Conviction

❑   48% had a most serious current conviction for a felony offense.

❑   43.7% had a most serious current conviction for a property offense, 28.7% for drug offenses, 19.3% for violent offenses, 1.9% for sex offenses, and 6.4% for "other" offenses (*i.e.*, not in the property, drug, violent, or sex categories).

Recidivist Arrests

❑   33% were rearrested within the two-year follow-up, with an average of 0.6 recidivist arrests.

❑   The first recidivist arrest occurred an average of 9.2 months after being placed on probation or released from prison.

❑   27% had a recidivist conviction, with an average of 0.5 recidivist convictions.

---

for intermediate probationers, to a high of 42.6% for all prisoners. The overall reconviction rate was 27%. For offenders who recidivated, the average time to rearrest was nine months.

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

The FY 1996/97 sample of offenders was 80% male and 57.7% black (*see* Figure 2). Their average age was 29, close to 15% were married, and 47% had twelve or more years of education. Seventy-eight percent of all offenders in the sample had one or more prior arrest -- 64.4% of those

on community probation, 87.4% of those on intermediate probation, and 95.2% of those released from prison. Over half (55%) of all offenders had one or more prior conviction. Their most common current conviction was for property offenses (43.7%), followed by drug offenses and violent offenses (28.7% and 19.3%, respectively).

While property and drug offenses were the most common offense categories for prior arrests, current convictions, and rearrests, offenders were most likely to be rearrested in the category of their current offense. Most notably, of offenders whose current conviction was a crime against the person (violent or sex offenses), 52% had a prior arrest and 13% had a rearrest for a crime against a person.
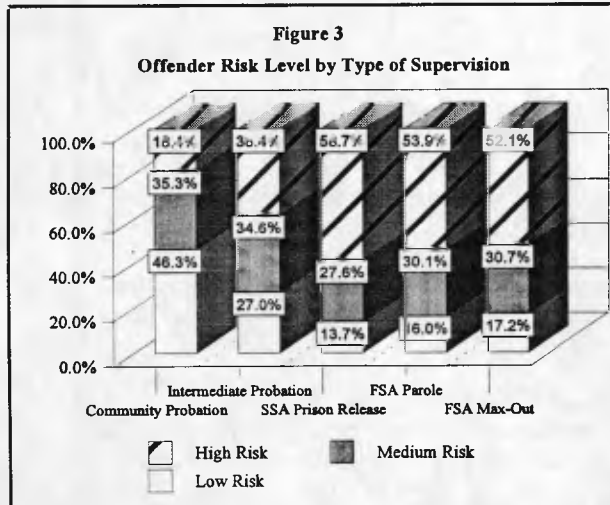
Figure 3
Offender Risk Level by Type of Supervision

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1996/97 Correctional Program Evaluation Data

Figure 4
Percent Recidivist Arrest by Offender Risk Level
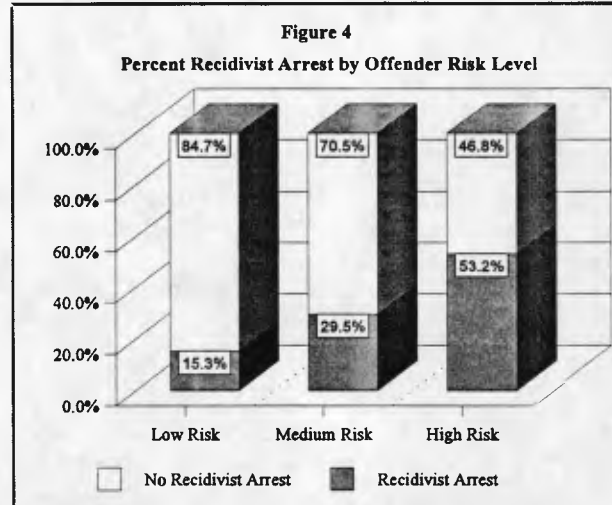
SOURCE: NC Sentencing and Policy Advisory Commission, FY 1996/97 Correctional Program Evaluation Data

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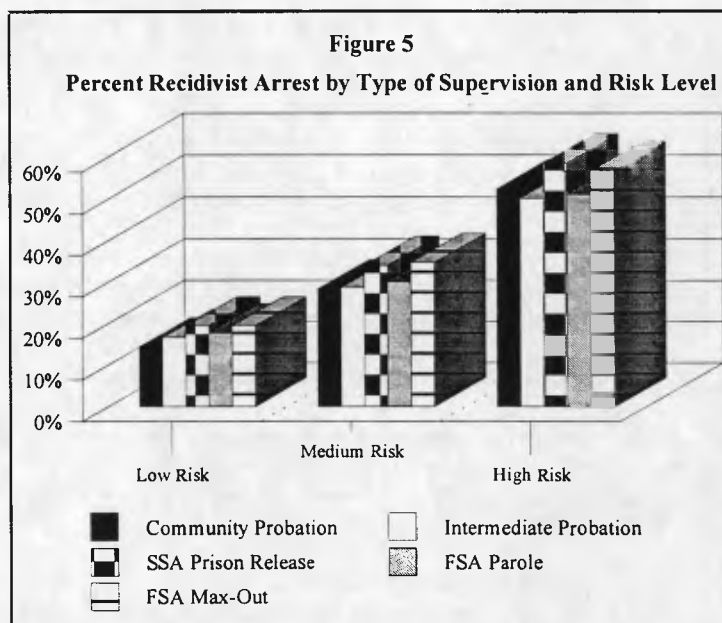
Figure 5
Percent Recidivist Arrest by Type of Supervision and Risk Level

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1996/97 Correctional Program Evaluation Data

Probing further to identify the correlates of recidivism, a list of factors in addition to risk level were found to increase an offender's probability of rearrest, including: being male, being black, being a substance abuser, number of prior arrests, and prior drug arrests. Conversely, being married, employed, and having a current conviction for a crime other than a property offense reduced the probability to recidivate. Some of the summary findings of the risk level and multivariate analyses are presented in Figure 6.

Figure 6
Key Findings: Risk and Multivariate Analysis

Risk

❑ Recidivism rates varied considerably by risk level. High risk offenders had a recidivism rate over three times higher than that of low risk offenders.

❑ Risk level varied by the type of supervision in the community. Probationers with community punishment were much more likely to be low risk than offenders on other types of supervision.

❑ Most of the differences in recidivism rates between offenders on different types of supervision disappeared when controlling for their risk level, but remained on average 3%-4% higher for released prisoners than for probationers.

❑ While risk provides a useful explanation for recidivism, other characteristics also play an important role in explaining differences in recidivism rates. Offenders are sentenced and targeted for correctional programs based on legal factors which can be thought of as a type of risk classification (although not necessarily risk of rearrest).

Multivariate Analysis

❑ The regression analysis modeled three outcome measures: recidivism, prison infractions, and employment. Independent variables in the analysis included a variety of personal offender characteristics, offender risk score, current offense information, and criminal history variables.

❑ Controlling for all other relevant factors, age, being married , being employed, and being under parole supervision decreased the chance of rearrest Being male, black, a substance abuser, having prior drug arrests, and being released from prison with no supervision increased the probability of rearrest.

❑ Many of the same factors that influenced recidivism had a similar effect on prison infractions. When holding all other variables constant, age, employment, having a current felony, a current drug offense, and the number of times on probation/parole decreased the number of infractions. Several other factors increased the number of prison infractions including having a current violent offense, number of prior arrests, and number of prior incarcerations.

❑ Employment rates were nearly identical for all groups of prisoners and probationers, ranging from 60.5% for probationers with intermediate punishment to 68.1% for FSA parolees. Those offenders who worked in the year following release to the community, worked an average of 2.9 quarters and had average wages of $7,407.

❑ Controlling for all other factors, increased age, having a current felony or a drug conviction, each additional probation/parole revocation, and each additional incarceration decreased the chance of employment in the year following release to the community. Being black, married, and each additional period of probation/parole increased the probability of employment.

Type of supervision in the community and assignment to correctional programs also affected the probability of offenders to reoffend. Parole supervision reduced the probability of rearrest, while release from prison with no supervision increased it, when compared to probation supervision with community or intermediate punishments. Of the specific programs studied, only community service parole seemed to reduce recidivism; probation-based programs such as intensive supervision probation, special probation, TASC, and IMPACT were all associated with higher rates of rearrest compared to regular probation.

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

For the first time in the Sentencing Commission's studies of recidivism, information was available on employment as an outcome measure of offenders' reintegration into the community. Employment rates for the sample were relatively high, ranging from 60% to 68% for the various groups, probably due in part to employment being a condition of probation and parole. Offenders who were employed worked an average of 2.9 quarters within the year following their release. Their mean annual wages were $7,407.

While demographic factors such as being black or being married somewhat increased the probability of employment, higher risk scores, current and prior criminal involvement with drugs, and the number of prior incarcerations seemed to decrease that probability. Offenders on parole supervision had a higher probability of employment and offenders released from prison without supervision or on intermediate probation had a lower probability of employment than did offenders on community probation. Based on multivariate analysis results, participation in most programs, with the exception of IMPACT, seemed to increase the probability of employment.

This report also includes detailed descriptive information and more indepth analysis of three specific prison-based programs:

▸ Substance abuse treatment -- Drug Alcohol Recovery Treatment (DART) and private treatment facilities,

▸ Work Release, and

▸ Sex Offender Accountability and Responsibility (SOAR).

As detailed in Figure 7, prisoners with an identified substance abuse problem had a higher rate of rearrest than those without a problem. Among offenders referred to treatment, recidivism was considerably lower for those in private treatment facilities than for those in DART, with the highest rates of rearrest occurring in the group of DART referrals who did not complete the 35-day treatment program.

Figure 7
Recidivism Rates for FY 1996/97 Prison Releases
Substance Abuse and Treatment Programs

```
                        ┌─────────────────────────────┐
                        │      Prison Releases        │
                        │        (n=16,165)           │
                        │ Percent with Any Rearrest: 43%│
                        └─────────────────────────────┘
                 ┌───────────────────┴────────────────────┐
        ┌─────────────────────┐              ┌─────────────────────┐
        │   Do Not Have a     │              │ Have a Substance Abuse│
        │ Substance Abuse Problem│            │      Problem        │
        │      (n=5,564)      │              │     (n=10,601)      │
        │Percent with Any Rearrest: 40%│     │Percent with Any Rearrest: 44%│
        └─────────────────────┘              └─────────────────────┘
                                      ┌────────────────┴─────────────────┐
                          ┌─────────────────────┐         ┌─────────────────────┐
                          │     Received        │         │   Did Not Receive   │
                          │ Treatment Referral  │         │ Treatment Referral  │
                          │     (n=6,708)       │         │     (n=3,893)       │
                          │Percent with Any Rearrest: 45%│ │Percent with Any Rearrest: 43%│
                          └─────────────────────┘         └─────────────────────┘
         ┌────────────────────┼──────────────────────────┐
┌─────────────────┐  ┌─────────────────┐      ┌─────────────────┐
│   DART Prison   │  │ Other Treatment │      │ Private Prison  │
│   (n=4,648)     │  │    Referral     │      │   Treatment     │
│  Percent with   │  │   (n=1,768)     │      │    (n=436)      │
│ Any Rearrest: 44%│ │  Not Analyzed   │      │  Percent with   │
└─────────────────┘  └─────────────────┘      │ Any Rearrest: 32%│
                                              └─────────────────┘
   ┌──────────┴──────────┐               ┌──────────┴──────────┐
┌──────────┐      ┌──────────┐       ┌──────────┐      ┌──────────┐
│Completed │      │ Did Not  │       │Completed │      │ Did Not  │
│(n=3,923) │      │ Complete │       │ (n=143)  │      │ Complete │
│Percent with│    │ (n=725)  │       │Percent with│    │ (n=293)  │
│Any Rearrest:│   │Percent with│     │Any Rearrest:│   │Percent with│
│   43%    │      │Any Rearrest:│     │   31%    │      │Any Rearrest:│
└──────────┘      │   53%    │       └──────────┘      │   32%    │
                  └──────────┘                         └──────────┘
```

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1996/97 Correctional Program Evaluation Data

Prison inmates in general, and offenders with a substance abuse problem in particular, were a high risk group, and multivariate analysis showed that completion of either of the substance abuse programs had no significant impact on the recidivism of this population (*see* Figure 8). Early findings indicate, however, that programs with different timing, length, and treatment modalities might prove to be more effective for different types of offenders.

Figure 8
Key Findings: Substance Abuse Treatment

Drug Alcohol Recovery Treatment (DART)

❑　Of the 16,165 prisoners released during FY 1996/97, 4,648 participated in DART and, of those, 84% completed DART.

❑　88% were male, 69% were black, 15% were married, and their average age was 33. The majority were high (59%) or medium (29%) risk. Their primary drug of choice was alcohol (62%).

❑　98% had at least one prior arrest, with an average of 4.8 prior arrests. 98% had a most serious current conviction for a felony offense, primarily for drug and property offenses.

❑　Overall, 44.4% of DART offenders were rearrested. 43% of program completers were rearrested compared to 53% of non-completers. Higher risk offenders were more likely to recidivate than lower risk offenders.

❑　Multivariate analysis indicated that completion of DART did not significantly impact recidivism for prisoners with an identified substance abuse problem. This does not mean that DART has no effect on behavior but rather that when controlling for other factors (i.e., age, race, gender, etc.) completing treatment did not significantly impact recidivism. No data were available on the impact of DART on future substance abuse.

Private Substance Abuse Treatment Programs

❑　Of the 16,165 prisoners released in FY 1996/97, 436 received substance abuse treatment from one of the four private substance abuse treatment programs. The completion rate was 33%.

❑　52% were male, 63% were black, 15% were married, and their average age was 32. 37% were high risk, 41% were medium risk, and 22% were low risk. Over half considered alcohol to be their first drug of choice.

❑　95% had at least one prior arrest, with an average of 4.0 prior arrests. 79% had a most serious current conviction for a felony offense, primarily drug and property offenses.

❑　32% were rearrested during the follow-up period. Program completers and non-completers differed little in their overall rearrest rate. Higher risk offenders were more likely to recidivate than lower risk offenders.

❑　Multivariate analysis indicated that completion of private treatment did not significantly impact recidivism. However, this does not mean that private substance abuse treatment did not have an effect on other behaviors (such as reducing drug use) that were not included as outcomes in this analysis.

Offenders participating in the Work Release program were a somewhat lower risk group, had a lower probability of rearrest, and had a higher probability to be employed within the first year following their release from prison. Participants in the SOAR program presented a different offender profile and a much lower recidivism rate than prisoners in general. The small size of this group did not allow for an indepth statistical analysis. (These two programs are profiled in Figure 9.)

Figure 9
Key Findings: Work Release and SOAR

Work Release

❑　　Of the 16,165 prisoners released in FY 1996/97, 1,505 had participated in Work Release.

❑　　90% were male, 65% were black, 19% were married, and the average age was 34. 42% were high risk, 30% were medium risk, and 28% were low risk.

❑　　The majority (96%) had at least one prior arrest, with an average of 4.3 prior arrests. Nearly 94% had a most serious current conviction for a felony offense, 31% for violent felonies and 29% for property felonies.

❑　　35% were rearrested during the follow-up period. Higher risk offenders were more likely to recidivate than lower risk offenders.

❑　　Multivariate analysis indicated that Work Release participants had a 4.6% decreased probability of being arrested during the follow-up period, controlling for other factors. Early analysis of Employment Security Commission data suggests that being on Work Release increases the probability of employment following release from prison.

Sex Offender Accountability and Responsibility (SOAR)

❑　　Of the 16,165 prisoners released in FY 1996/97, 39 had participated in SOAR. Of those who participated in SOAR, 74% completed SOAR.

❑　　Consistent with program guidelines, all participants were male. 41% were black, 41% were married, and their mean age was 38. Based on the risk assessment instrument, the majority of SOAR offenders were low risk (72%).

❑　　92% had one or more prior arrest, with an average of 2.5 prior arrests. Consistent with program requirements, all participants had a most serious current conviction for a felony offense (primarily for sex offenses).

❑　　10% of SOAR participants had a recidivist arrest. 5% were rearrested for violent offenses and 3% were rearrested for sex offenses.

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

▸　　An offender's criminal background and risk score were more significantly related to the probability of rearrest than either the type of supervision the offender was placed on in the community or the variety of correctional programs to which the offender was assigned.

- Assignment to and completion of at least some of the correctional programs did have a modest impact on the probability of rearrest, even after controlling for risk scores and a host of other relevant factors.

- Factors similar to those that affect recidivism rates were also found to impact an offender's probability to be employed in the year following release to the community.

- While participation in DART prison programs was associated with higher recidivism rates than participation in private prison-based treatment facilities, differences in client profiles and in the timing and duration of these two treatment approaches might explain the rearrest differential. Of further notice was the finding that offenders who did not complete the DART program were considerably more likely to recidivate than their counterparts who completed the program.

- Work Release appeared to reduce the probability of rearrest and increase the probability of employment for participating prisoners.

Early indications from the study point to a realignment in the mix of offenders sentenced to prison and probation under Structured Sentencing, and a change in their corresponding recidivism rates. While it is too soon to draw any conclusions, intermediate probationers clearly place between prisoners and community probationers on a series of indicators, such as their prior criminality, risk level, and probability to recidivate. Offenders sentenced to prison under the new law seem to be more serious offenders, and possibly more prone to recidivism, than their old law counterparts.

While this first effort in the series of biennial reports provides a blueprint for the Sentencing Commission's and the Department of Correction's correctional program evaluations, the two agencies will continue in their efforts to collect more complete information (especially for probationers) for the 2002 biennial report. More comprehensive data collection and analysis are planned for offenders on probation; program participation and completion; the window of opportunity to recidivate (taking into account revocations); interim outcome measures; and multi-program participation.

CHAPTER ONE
INTRODUCTION AND REVIEW OF RECIDIVISM RESEARCH[1]

Introduction

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

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

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

> *The Judicial Department, through the North Carolina Sentencing and Policy Advisory Commission, and the Department of Correction shall jointly conduct ongoing evaluations of community corrections programs and in-prison treatment programs and make a biennial report to the General Assembly. The report shall include composite measures of program effectiveness based on recidivism rates, other outcome measures, and costs of the programs. During the 1998-99 fiscal year, the Sentencing and Policy Advisory Commission shall coordinate the collection of all data necessary to create an expanded database containing offender information on prior convictions, current conviction and sentence, program participation and outcome measures. Each program to be evaluated shall assist the Commission in the*

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[1] This chapter was prepared with the help of Stevens H. Clarke and Ann G. Bobb as part of a contract between the North Carolina Sentencing and Policy Advisory Commission and the Institute of Government of the University of North Carolina at Chapel Hill.

development of systems and collection of data necessary to complete the evaluation process. The first evaluation report shall be presented to the Chairs of the Senate and House Appropriations Committees and the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety by April 15, 2000, and future reports shall be made by April 15 of each even-numbered year.

The information contained in this study successfully meets the mandate in the legislation and generates a report that contains increased knowledge about offender characteristics, more information about specific correctional programs, additional outcome measures, and a more expansive methodological approach. It is the goal of future reports to continue to refine and expand upon these methods.

Recidivism: Use, Definition, and Measurement

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

Correctional programs do not affect crime directly; rather, they are designed to change offenders' attitudes, skills, or thinking processes, in the hope that their social behavior will change as a result. Policy makers such as legislators tend to be concerned with whether the programs ultimately reduce criminal behavior. This concern is understandable. A program may be successful in educating, training, or counseling offenders, but if it does not reduce their subsequent criminal behavior, the result will simply be repeat offenders who are better educated or have greater self-confidence (Sechrest et al., 1979:71).

There is no single "official" definition of recidivism. Researchers have used a variety of definitions and measurements, including rearrest, reconviction or reincarceration, depending on their particular interests and the availability of data. Therefore, in comparing recidivism of various groups of offenders, readers are well advised to be sure that the same definitions and measurements are used for all groups.

It is virtually impossible to observe offenders' repeated criminal conduct directly. Those who wish to measure recidivism must rely on indirect measures. Waldo and Griswold (1979:225-250) provide a good discussion of issues in definition and measurement. Any serious attempt to define and measure recidivism must consider the following questions:

- ▸ For what purpose will the measurement be made?
- ▸ What kinds of criminal behavior will be included?
- ▸ What sources of data will be used?

      ▸   Over what period of time will measurement be made?

      ▸   How will the frequency and seriousness of the criminal activity be recorded?

For what purpose will the measurement be made? Measuring recidivism most often has two purposes. One purpose is to determine the amount of repeated crime by offenders who have passed through the criminal justice system. Another is to compare the relative effectiveness of different kinds of correctional programs. These two purposes should not be confused.

Measurement of recidivism in a group of offenders -- for example, all offenders placed on probation or all offenders released from prison during a recent period of time -- tells us something about how often offenders repeat, or at least how often their repeated crime comes to the attention of the criminal justice system. It tells us nothing, however, about the effectiveness of the correctional programs in which they may have participated.

Determining the effects of a correctional program on recidivism requires more than a measurement of the recidivism of its clients. It requires an evaluation design that compares the program's participants with other similar offenders who did not participate in the program. Without a comparison, simply measuring the participants' recidivism rate can be misleading. If their rate is high, this does not necessarily mean the program was ineffective, because the participants may have been at a high risk for recidivating to begin with. Conversely, if their rate is low, this does not always indicate that the program was effective, because the participants may have been low-risk to begin with. Unless the groups being compared are similar in important respects, any observed differences may be due to the characteristics of the members of the groups rather than to program participation.

What kinds of criminal behavior will be included? Some kinds of crime may be of interest in a particular study while others may not. For example, in a study of child sexual abuse, research might be concerned primarily with repeat instances of crimes against children and not at all with other kinds of crime (Maltz, 1984:54-55; Sechrest et al., 1979:74). A number of broad-based studies of recidivism reviewed in this chapter have included all crimes of a certain level of seriousness (in terms of punishment) -- all felonies, for example. Even with this broad definition, there are some technical problems when comparing results among states because of differences in how state laws classify particular crimes.

What sources of data will be used? The following list provides a spectrum of data sources arranged in temporal proximity to an actual crime: a reliable observer's report of the crime; the offender's self-report of the crime; a police report of the crime; a police record of an arrest of a suspect for the crime; a court record of a conviction for the crime; or a court record of a sentence for the conviction (for example, probation or imprisonment).

The first source, a reliable observer's report, is unavailable to researchers as a practical matter. The second source, a report by the offender himself or herself, is rarely available. Researchers often use self-report data in studies of juvenile delinquency (for example, Dunford and

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Elliott, 1984). However, it is generally much more difficult to follow up a group of adult offenders and to obtain answers to questions about subsequent offending, even if their responses are treated as confidential, than to track the offenders in official records. Because of such difficulties, Waldo and Griswold (1979:246-247), in their work for the National Research Council's Panel on Research on Rehabilitative Techniques, recommend that recidivism research continue to rely on official records.

Official records from police, courts, and correctional agencies are the source of most research on adult recidivism. Whether a crime actually generates such records depends on a complex series of decisions and actions, most of which involve the exercise of discretion by justice system officials. Even when a person commits a crime with an identifiable victim (or witness), the victim may or may not report the crime to the police. The National Crime Victimization Survey of the U.S. Department of Justice estimated that in 1994, only 34% of all property crimes were reported to police, while 41% of crimes involving violence or other personal contact were reported (U.S. Department of Justice, 1997:84). If the victim reports the crime to the police, what happens thereafter involves the skills and the exercise of discretion by a variety of criminal justice officials. The police may not necessarily report the crime officially. Whether they do depends on their ability to take the information from the victim, to investigate it, and to process it so that it becomes an official crime report.

If police report the crime, it usually lacks the name of a suspect and therefore cannot be attributed to an individual offender. Only if the police make an arrest, or otherwise "clear" (solve) a crime, can it be attributed to a likely perpetrator. In North Carolina in 1998, 54% of reported violent index crimes were cleared by police, while only 19% of reported property index crimes were cleared (North Carolina Department of Justice, 1999:154).[2] Other suspects are arrested as a result of direct police contact and other law enforcement efforts.

If an arrest is made, the offender may not be formally charged with a crime (this occurs more often in other jurisdictions than in North Carolina, where almost all arrested suspects are formally charged). If charged, the offender may not be convicted. If convicted, the sentence may involve incarceration, probation supervision, a fine, or some other sanction.

The sequence of events just described means that for offenders involved in a recidivism study, different types of records will indicate different amounts of crime. For example, in a three-year follow-up study of offenders released from prisons in eleven states in 1983, 63% were arrested for alleged new crimes, 47% were convicted of new crimes, and 41% were incarcerated for new crimes (Beck and Shipley, 1989:3). In the study by Petersilia et al. (1985:20-21) of felony probationers in two urban areas of California, 65% were arrested for new crimes, 51% were convicted, and 34% were incarcerated. These studies and others like them do not try to determine

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[2] Index Crimes, a term used in the FBI's Uniform Crime Reports employed by all law enforcement agencies in the U.S., include four violent crimes (murder, rape, robbery and aggravated assault) and four property crimes (burglary, larceny, auto theft and arson).

what proportion of the offenders committed new crimes without being arrested.

Two additional sources of recidivism data not listed above are official records of probation or parole violation or revocation and official records of return to prison. These records are essential if one is interested simply in whether an offender violates conditions of probation or parole. However, if the interest is in measuring repeated crime, these records are not the best source due to confusion with "technical violations" of probation or parole. A technical violation is not a crime, but rather a violation of the restrictions or requirements imposed as a condition of probation or parole -- for example, failing to show up for an appointment with the supervising probation or parole officer or failing to pay restitution to the crime victim. Often, new criminal charges accompany technical violations and are difficult to identify in the records of technical violations.[3] The fact that the offender returns to prison may mean that he or she has committed a new crime, but it may also mean that only a technical violation occurred. Technical violations and revocation nevertheless impact recidivism by lessening the offender's time in the community and the opportunity to reoffend.

The Sentencing Commission, in its studies of recidivism and as mandated by the Legislature, uses arrest data rather than data on conviction or other events occurring later in the criminal process. The advantages of arrest data, compared with other criminal justice system data, outweigh the disadvantages. The following is a brief discussion of weaknesses and strengths of arrest data.

Arrest records are an incomplete measure of recidivism because they do not include crimes for which no suspect is arrested. Also -- and probably much less often -- they may include crimes that the arrested person is not guilty of, thus exaggerating recidivism. Furthermore, police practices and capabilities influence arrest records. Police agencies vary in their ability to solve crimes and make arrests, as well as in their policies regarding when to make arrests and when not to make arrests. Thus, arrest records, like conviction records and other justice system records, reflect the response of the justice system to crime as much as they indicate the actual extent of repeated crime.

Waldo and Griswold (1979:226-227) agree that the distortion caused by the exercise of officials' discretion makes arrest records and other justice system records of doubtful value in measuring the "true" rate of recidivism. However, they believe that using criminal justice records is acceptable as a *comparative* measure -- for example, in comparing various groups of offenders or clients of various correctional programs. Distortion is inherent in justice system records, but ordinarily it should not affect different programs differently. Only if a correctional program itself affects justice system actions or record-keeping will the comparison of criminal justice records be biased. For example, if the staff of a particular correctional program somehow convinced police to refrain from charging program clients with new crimes that they are suspected of committing, it would be misleading to compare the clients' rearrest rates with those of other offenders. Influencing

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[3] For example, in a three-year follow-up study of 79,000 persons placed on probation in 1986 in seventeen states, 62% were rearrested for either new felonies or technical violations or both; 13% for a new felony alone; 19% for a technical violation alone; and 30% for both a felony and a technical violation (Langan and Cunniff, 1992:5).

the actions of law enforcement agencies in this way seems unlikely where adult offenders are concerned, because of the usual organizational separation between corrections and law enforcement.

Researchers generally prefer to work with arrest data rather than with data on convictions and other official actions occurring after arrest. Michael Maltz (1984:55-58), a leading analyst of techniques of measuring and analyzing recidivism, compares these types of data, citing work by Blumstein and Cohen (1979:565) and by Thorsten Sellin (1931:346). He observes that Type I error (falsely classifying a person as a recidivist) is more of a problem with arrest data than with data from conviction or later stages of the criminal process. Prosecutors tend to screen out those who are falsely arrested or against whom evidence is weak, and courts tend to dismiss weak charges. However, Type II error (failing to identify a person as a recidivist who in fact is a recidivist) is much worse for conviction and post-conviction data than with arrest data. An actual crime leads to a conviction much less often than it leads to an arrest. Furthermore, it is generally believed that guilty persons escape conviction much more frequently than innocent persons are convicted. For these reasons, Maltz (1984:58) concludes "arrest is a better indicator of offender conduct than conviction." Allen Beck and Bernard Shipley (1989:2), researchers for the Bureau of Justice Statistics of the U.S. Department of Justice, conclude that " . . . in the aggregate rearrest is the most reliably reported measure of recidivism."

Over what period of time will measurement be made? There is no standard in research for the follow-up period -- the period of time over which repeated crime is measured. Follow-up periods vary depending on the issues addressed and the data available. The National Research Council's Panel on Research on Rehabilitative Techniques does not recommend a standard period of time. However, the panel's report (Sechrest et al., 1979) provides much support for using a period of two to four years, as in the recidivism studies of the Sentencing Commission and in a variety of others discussed in later sections. The rate of probationers and released prisoners charged with new crimes usually rises very steeply at first and then levels off at about 24 months (Petersilia and Turner, 1986:20-21). Nearly 80% of these California felons who became recidivists did so within the first twelve months of follow-up. Waldo and Griswold (1979:232) note that the greatest risk of recidivism usually occurs in the first year or two of follow-up. Michael Maltz (1984:172), in his definitive work on the dynamics of recidivism, bases his calculations on the assumption that about 90% of recidivists will have committed a new crime within the first thirty months of follow-up.[4]

One concern in recidivism studies is to capture as much as possible of the repeated crime in the groups being studied. For this purpose, the follow-up must be long enough to encompass the initial period when recidivism is increasing rapidly. Another concern, when evaluating the effects of correctional programs, is a follow up period that will measure both immediate effects of the

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[4] This assumption is supported by two recidivism studies that Maltz discusses (Maltz, 1984:97-105), in which the number of offenders who became recidivists leveled off at about thirty months. However, Maltz notes this is not true in all studies. For a discussion of why recidivism increases quickly at first, then more slowly as time passes, see Clarke et al., 1988:5-6.

programs, and capture their delayed and long term effects[5]. The above discussion, on balance, suggests a follow-up period of two or more years. In fact, much of the research reviewed in this chapter that deals with large samples of offenders has used a follow-up period of about two to three years, and the Sentencing Commission's recent studies have done the same.

How will the frequency and seriousness of the criminal activity be recorded? Thus far recidivism has been described as if it were "either-or," that is, the offender either is, or is not, a recidivist. While many studies treat recidivism this way, the procedure has been criticized as over-simplified: "[a] great deal of information is lost when something as complex as possible criminal activity . . . is finally expressed as a simple dichotomy." (Sechrest et al., 1979:71.)

The Sentencing Commission's studies of recidivism, as well as other research in this area, have taken into account the seriousness of repeat offending by using classifications based on the legal punishments (for example, felony versus misdemeanor) or on the nature of the victimization (for example, crimes against the person, crimes involving theft or property damage, or crimes involving illegal drugs). Frequency of repeat offending can be handled by recording the number of arrests for crimes of various types.

Comparative Recidivism Rates of Probationers and Released Prisoners

Four previous studies on recidivism in North Carolina in the 1980s and 1990s report rearrest rates ranging from 31.2% to 37.3%, with the rates for probationers being considerably and consistently lower than the rates for released prisoners. These findings are similar to results in other states, and place North Carolina approximately in the middle of the range of recidivism rates nationwide. For a review of comparative recidivism rates of probationers and released prisoners in the United States, *see* Appendix A.

Prediction of Recidivism

Serious efforts at treatment or other intervention to reduce recidivism require some means of predicting recidivism or at least of estimating its probability. One purpose of estimating the likelihood of recidivism is to identify offenders who are at high risk of repeating, and therefore, are most in need of treatment. Andrews et al. (1990), in a review of forty-five studies of correctional treatment, found support for the principle of providing rehabilitative services to higher risk cases. Another purpose, discussed later in this report, is to estimate the effect that a particular treatment or intervention has on the recidivism of the offenders who participate in it, controlling for other factors that may affect recidivism.

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[5] Waldo and Griswold (1979:232, 246) believe that the advantages of a longer follow-up period may outweigh the disadvantages, and recommend a minimum of three years to make sure that most of the recidivists have been identified, to detect delayed effects of the program being evaluated, and to detect extinction or weakening of early, short-lived effects of the program. They also recommend a maximum period of five years, on the grounds that virtually all recidivism will have occurred within that time.

In predicting recidivism, researchers generally use a statistically derived instrument known as a model. A recidivism model uses information about an offender to estimate the probability that a particular offender will become a recidivist over a certain period of time. Information commonly used in models includes the offender's past criminal behavior, age when research follow-up begins, type of most recent offense, sex, race, marital status, drug use, and education (Gottfredson and Gottfredson, 1986:239-244). The Sentencing Commission has used some of this information in its recidivism models, from its first effort (Clarke & Harrison, 1992) to the model developed for the present study (*see* Chapter Four of this report).

Recidivism models have proven useful in making decisions in criminal justice, such as selection of offenders for treatment, supervision, or confinement. Typically, this is done by turning the results of the model into a score, which is the sum of points assigned for various factors -- for example, prior criminal record, seriousness of current offense, and whether the offender is a substance abuser. The result may be called a "risk assessment" or an "offender profile." One use of such risk assessment has been in making parole decisions, at a time when parole boards still had broad discretion to release offenders (subsequently, North Carolina and many other states have abolished parole discretion).[6] Another use is to target offenders for a specific kind of treatment or intervention intended to reduce their recidivism. The model, then, also allows for a comparative analysis of the recidivism rates of offenders who did and did not participate in a particular intervention, while controlling for their risk levels.

Statistical models, whether used prospectively to predict recidivism or retrospectively to explain it, can also serve as important tools to weigh the relative effects of correctional interventions while controlling for a variety of preexisting factors (*e.g.,* personal characteristics and criminal history of the offender).

While recidivism models can be quite useful, it is important to understand the limitations of their accuracy, and to apply them with caution when prospectively predicting offense behavior. As criminologists Stephen Gottfredson and Don Gottfredson concluded in their review, researchers' ability to predict behavior of offenders (or any human behavior, for that matter) "can most politely be called 'modest'" (Gottfredson and Gottfredson, 1986:271). Nevertheless, statistically derived recidivism models, although they typically involve considerable inaccuracy, are more accurate than guesswork. They also are generally more accurate than clinical classifications based on individual judgments by psychologists or other professionals (Gottfredson and Gottfredson, 1986:247).

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[6] The determinate sentencing movement has brought the idea of risk-scoring of offenders to the forefront, in the form of sentencing guidelines such as those of North Carolina's Structured Sentencing Act (SSA), which uses a score for the offender's criminal history. However, sentencing guidelines usually are not directly based on recidivism models, and usually are more *normative* than *predictive.* They are normative in the sense that the guidelines state what the legislature believes is a proper punishment for each offender, based on the type of offense, the offender's criminal history and sometimes other factors. Sentencing guidelines are predictive in the sense that they incorporate the frequency and seriousness of prior convictions, which are well known to be correlated with recidivism, and generally provide for longer confinement of offenders with more extensive criminal histories.

Possible Effects of Guidelines Sentencing on Recidivism

How might guidelines sentencing, of which North Carolina's Structured Sentencing Act is one example, affect recidivism? One way is by altering the deterrent effect of sentencing laws: different punishments may affect an *individual* offender's fear of the consequences of crime and thereby affect his or her likelihood of recidivism. In the theory or ideas underlying the guideline sentencing movement, improved deterrence of crime has not been a principal concern. In any event, it would be difficult to determine whether structured sentencing has a deterrent effect on crime because so many other factors are involved.[7]

Another way in which guidelines might impact recidivism is by altering the characteristics, or "mix," of *groups* of offenders -- for example, probationers or prisoners. Altering the composition of groups of offenders has been, from the start, one of the changes contemplated by the guidelines sentencing movement, and this alteration may well affect group recidivism rates. The recent National Assessment of Structured Sentencing conducted by the U.S. Department of Justice (Austin et al., 1996:31-34) identifies the following goals of the guidelines movement: to increase sentencing fairness, to reduce unwarranted disparity, to establish "truth in sentencing," to reduce or control prison crowding, and to establish standards that facilitate appellate review of sentences. To meet these objectives and still control spending on prisons, guidelines have tended to shift some offenders to probation who formerly would have gone to prison, and others to prison who formerly might have received probation. Sentencing guidelines have sought to make offenders convicted of violent crimes or drug crimes, as well as repeat offenders, more likely to receive active prison sentences and to serve longer prison terms. At the same time, guidelines were intended to make first-time offenders charged with property crimes less likely to be imprisoned, and to have them serve shorter terms if imprisoned (Austin et al., 1996:125).

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

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[7] The National Assessment of Structured Sentencing concluded that the adoption of sentencing guidelines "has had little measurable impact on overall crime rates," but cautioned that this lack of impact "should not be viewed as a failure of sentencing reform or guidelines" (Austin et al., 1996:116). Austin et al. dealt mainly with the prevention of crime through incapacitation of offenders rather than through deterrence, but the same can be said about deterrence.

Assembly sessions, the original objective of diversion of less dangerous offenders from prison persisted.

If this kind of shift from prison to probation actually occurred, one would expect the recidivism of released prisoners to increase over time. This is because the percentage of prisoners with prior records would increase, and prior criminal record is the strongest predictor of recidivism. It is less clear what would happen to the recidivism of probationers.

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

As documented in the literature[8], the rate differential in recidivism between probationers and prisoners is largely -- but not fully -- accounted for by differences in the two groups' criminal history. These results, by themselves, suggest that diverting offenders with little or no criminal history to probation might not make much difference in the group recidivism rate for probationers. Two other factors may tend to prevent increased recidivism among North Carolina probationers. One factor is that intermediate punishment programs may help control the recidivism. Whether they in fact do so must be established through careful evaluation of the programs. Another factor is that diversion of some offenders from prison to probation might prevent "prisonization" -- detrimental effects of imprisonment -- that would otherwise increase the propensity to repeat.

To summarize, this chapter provided a general context for discussing the terminology, measurement options and uses of recidivism. The chapters that follow include detailed descriptions and statistical analyses of a FY 1996/97 cohort of offenders, and afford a first look at the recidivism patterns of offenders sentenced under the Structured Sentencing Act.

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[8] *See*, for examples, studies by Langan (1998), and Clarke and Harrison (1992).

CHAPTER TWO
METHODOLOGY AND DATA COLLECTION

The Sentencing Commission's expanded legislative mandate translated to a more 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 and correctional program participation; and future measures of social reintegration such as rearrest and employment.[1]

Evaluation of Correctional Programs
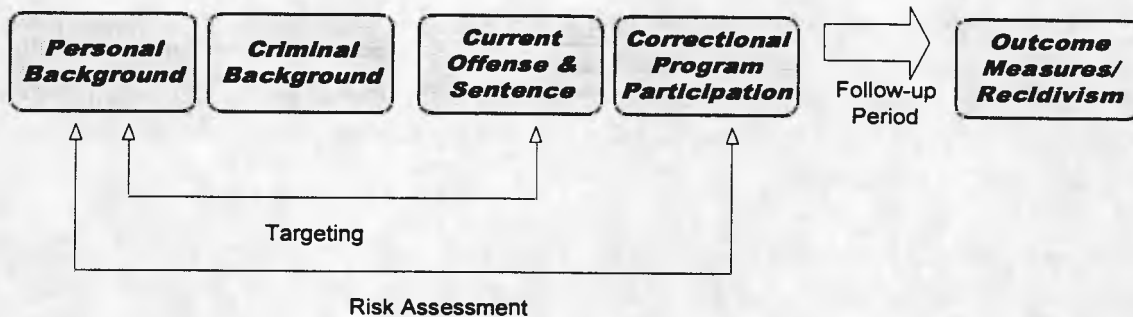
Sample

The sample selected for study included all offenders released from prison by the North Carolina Department of Correction (DOC) or placed on probation during Fiscal Year 1996/97. The final study sample includes 51,588 offenders.[2]

Eighty-one percent of the sample cohort consists of Structured Sentencing cases, affording a first comparative look at the recidivism of Fair Sentencing and Structured Sentencing offenders.[3]

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

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

[3]   Prior to the Structured Sentencing Act, criminal cases were governed by two sets of laws: the Fair Sentencing Act covering felonies, and the Trial and Appellate Procedure Act (TAPA) covering misdemeanors.

Data Sources

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

- ▶   The DOC's Offender Population Unified System (OPUS) provided demographic and prior record information, current convicted offense and sentence,[4] correctional program assignment, and type of release into the community.
- ▶   The Department of Justice's Division of Criminal Information (DCI) data set was used to provide (fingerprinted) rearrest and reconviction records. The sample of offenders released to the community in 1996/97 was followed for a fixed 24-month period to track recidivism.
- ▶   Records of the Employment Security Commission (ESC) were used to collect employment information about the sample of offenders following their current involvement with the criminal justice system.

The final data set for this study consists of close to 300 items of information (or variables) for the sample of 51,588 offenders released to the community between July 1, 1996, and June 30, 1997, and followed for 24 months.[5]

(B)   Program Specific Descriptive Data: To provide a descriptive context for the study, data were also collected during a series of site visits. During a six month period in 1999, Sentencing Commission staff visited ten prison facilities, five probation offices, and two private substance abuse treatment facilities statewide. The locations were selected to represent regional variations, both urban and rural, and diverse target populations (*e.g.*, male/female; youth/adult). A survey instrument was developed and pretested to serve as the basis for interviews with program staff. Topics addressed included program history and philosophy, clients, staffing and administration, and programmatic components. Information on each site was also collected through direct observation of service delivery, interviews with offenders, and written program materials.

In a collaborative decision, the DOC and the Sentencing Commission selected three specific prison programs for more in-depth analysis: Drug Alcohol Recovery Treatment (DART) and private substance abuse treatment programs; Sex Offender Accountability and Responsibility (SOAR); and

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There were no offenders sentenced under TAPA in the FY 1996/97 study sample.

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

[5] A glossary of all the variables is included in the Technical Appendix.

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Work Release.[6] The selection of these programs was guided by substantive and pragmatic considerations. The treatment of drug abuse is a high priority in North Carolina and elsewhere due to the social cost of drug addiction and the proven relationship between drugs and crime. Due to the serious and often chronic nature of their offenses, sex offenders are also a highly targeted group for rehabilitative efforts. Finally, the relationship between employment and social reintegration makes work release and other related programs of interest in any correctional setting. Pragmatically, these selections were also necessitated by data availability. OPUS, a complex and evolving system, has more complete information on prison inmates than on probationers for the FY 1996/97 cohort. Continuing improvements in the collection of OPUS data will allow the subsequent biennial report to focus also on community based programs of interest.

Analysis

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

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

Chapter Four utilizes multivariate techniques such as logistic regression to assess the relationship between recidivism and various disposition types and correctional programs, while controlling for other relevant preexisting factors. A composite Risk Factor Score is developed and assigned to each case in order to isolate the impact of correctional dispositions and programs on the probability of rearrest while holding constant the "risk level" of the offender.[7]

Chapter Five presents short descriptions and statistical information on three specific programs: prison substance abuse treatment (DART and private facilities), SOAR, and Work Release. Special emphasis is placed on outcome measures for these correctional prison programs, and some cost components for a variety of treatment options.

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

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[6] These programs are profiled in detail in three separate descriptive monographs available from the North Carolina Sentencing and Policy Advisory Commission.

[7] A detailed description of the multivariate techniques used and the Risk Factor Score is provided in Chapter Four and the Technical Appendix.

CHAPTER THREE
STATISTICAL PROFILE OF FY 1996/97 SAMPLE

Type of Supervision in the Community

As described in Chapter Two, the study sample is comprised of 51,588 offenders who either entered probation or were released from prison during FY 1996/97.

FY 1996/97 Sample

The sample is comprised of all offenders who entered supervised probation or were released from prison during FY 1996/97, with the following exclusions:

- ❏ unsupervised probation entries;
- ❏ FSA probation entries;
- ❏ post-release supervision prison releases;
- ❏ pre-FSA cases;
- ❏ offenders with a most serious current conviction for driving while impaired; and
- ❏ offenders with a most serious current conviction for a misdemeanor traffic offense.

As shown in Figure 3.1, almost 81% (41,656) of the 51,588 offenders were convicted and sentenced under the Structured Sentencing Act (SSA).[1] The remaining 19% (9,932) were convicted and sentenced under the Fair Sentencing Act (FSA).[2] There were 35,423 probationers and 16,165 prisoners in the FY 1996/97 sample. These can be further subdivided into the following five categories based on type of supervision in the community:

Probation Entries
- ❏ SSA probationers who received a community punishment;
- ❏ SSA probationers who received an intermediate punishment;

Prison Releases
- ❏ SSA prison releases;
- ❏ FSA parole releases; and
- ❏ FSA max-out releases.

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

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

Figure 3.1
Type of Supervision in the Community

All Probation Entries and Prison Releases
(N=51,588)

Probation Entries
68.7% (n=35,423)

Prison Releases
31.3% (n=16,165)

SSA Probation –
Community Punishment

52.0 % (n=26,803)

SSA Probation –
Intermediate Punishment

16.7% (n=8,620)

SSA Prison Release

12.1% (n=6,233)

FSA Parole

15.8% (n=8,174)

FSA Max-Out

3.4% (n=1,758)

SSA
80.7% (n=41,656)

FSA
19.3% (n=9,932)
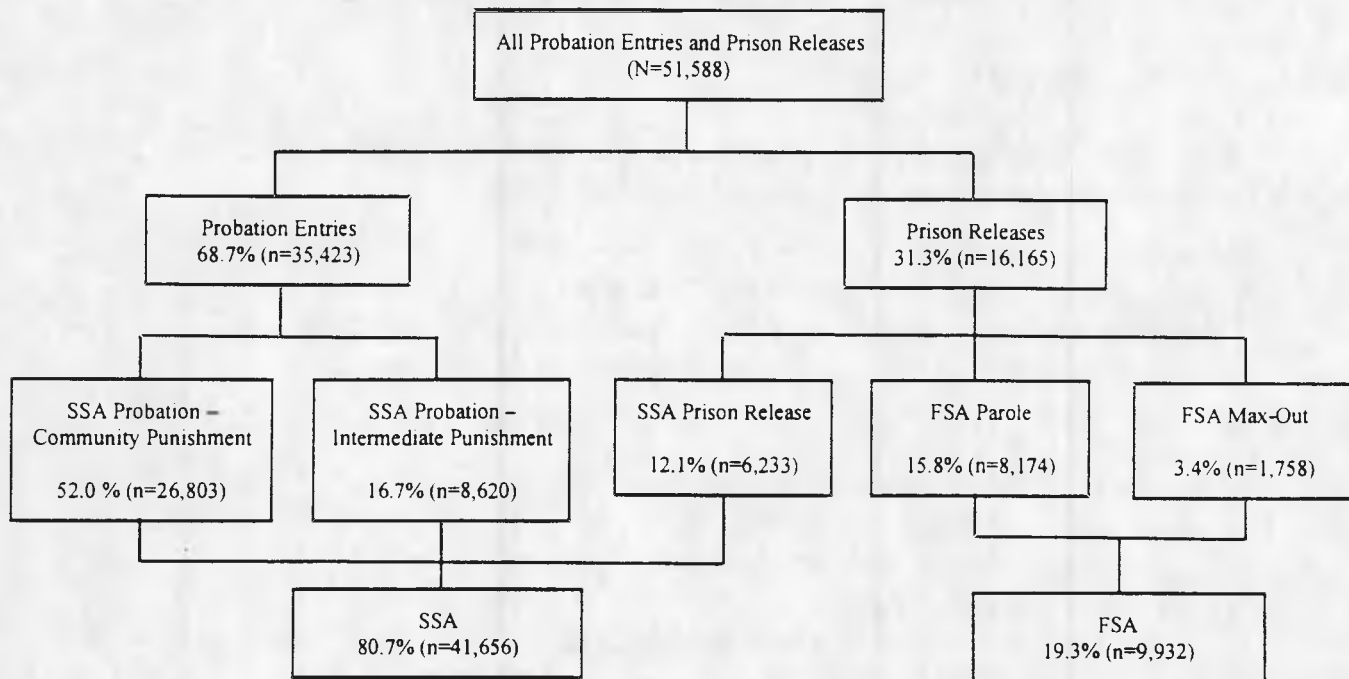
Definitions for the Types of Supervision in the Community

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

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

SSA Prison Releases: An offender who was sentenced under the Structured Sentencing Act, served his/her maximum sentence minus earned time and time for pre-conviction confinement, and was released back into the community without any supervision. (Note: Due to small numbers, offenders who received post-release supervision were excluded from this category.)

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

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

For further descriptions of the types of supervision in the community and for many of the programs that fall under them, *see* Appendix C.

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This is the first correctional program evaluation report (*i.e.*, recidivism report) that includes offenders sentenced under the SSA. Although it is tempting to do so, any comparative look at SSA and FSA offenders should be done with caution. Specifically, it is not appropriate to contrast SSA prison releases with FSA parole releases and max-outs because they are not comparable in terms of offense seriousness and time served. The sample for this study was taken during FY 1996/97, only three years after the implementation of Structured Sentencing. As a result, serious offenders who were sentenced to prison under SSA were still in prison. Only less serious offenders sentenced to prison under SSA (primarily Class F-I offenders) had been released by 1997. Because they were a less serious offender population in this sample, SSA prison releases have served substantially less time in prison than both categories of FSA prison releases (an average of 6 months for SSA prison releases and 30 months for FSA prison releases). Many of the tables in this chapter present information by probation or prison status, for individual categories of probationers and prisoners (*i.e.*, type of supervision in the community), and for the sample as a whole. The following comparisons are appropriate to make: (1) a comparison of all probationers with all prisoners; (2) a comparison of SSA probationers with SSA prison releases; (3) a comparison of FSA parolees with FSA max-outs; and (4) a comparison of individual categories of probationers or prisoners with the sample as a whole. Later in this chapter, comparisons of findings between this study and previous recidivism studies will be discussed.

Demographic Characteristics

Table 3.1 contains information describing the personal characteristics of the FY 1996/97 sample. Of the 51,588 offenders, 80.1% were male, 57.7% were black, 14.8% were married, 47% had twelve or more years of education, and their average age was 29. Probationers (and, in particular, probationers with community punishments) had a higher percentage of females than prisoners. On average, offenders who were placed on probation were slightly younger than the offenders who were released from prison.

Criminal History

It is important to look at the number of prior arrests for the offenders in the sample since previous research indicates that prior arrests are a strong predictor of recidivism (Clarke and Harrison, 1992; Herrin, 1997; Herrin and Sutton, 1998; Ross and Jones, 1996). Information on prior arrests for the FY 1996/97 sample is provided in Table 3.2.[3] Overall, nearly 78% of offenders had one or more prior arrest, with an average of 2.5 prior arrests. Ninety-five percent of prisoners had prior arrests compared to only 70% of probationers. Compared to the other types of supervision, a considerably lower percentage of probationers with a community punishment had prior arrests (64.4%). For all comparisons, the highest mean number of prior arrests was for property offenses. For all groups except max-outs, the next highest mean number of prior arrests

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

Table 3.1

Demographic Characteristics by Type of Supervision in the Community

Type of Supervision in the Community		N	% Male	% Black	Mean Age	Median Age	% Married	% With Twelve Years of Education or More
SSA Probation Entries	Community Punishment	26,803	73.2	50.7	28	26	15.5	48.4
	Intermediate Punishment	8,620	85.6	59.4	29	27	15.3	44.5
	PROBATION SUBTOTAL	35,423	76.2	52.8	28	26	15.4	47.4
Prison Releases	SSA Prison Release	6,233	86.8	66.8	30	29	11.9	44.0
	FSA Parole	8,174	89.3	70.0	31	30	14.6	47.6
	FSA Max-Out	1,758	91.1	68.4	31	30	13.7	45.1
	PRISON SUBTOTAL	16,165	88.5	68.6	31	30	13.4	45.9
TOTAL		51,588	80.1	57.7	29	27	14.8	47.0

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

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1996/97 Correctional Program Evaluation Data

Table 3.2
Prior Arrests by Type of Supervision in the Community

Type of Supervision in the Community		N	% Any Prior Arrest	Mean Number of Prior Arrests	Mean Number of Prior Arrests by Type				
					Violent	Sex	Property	Drug	Other
SSA Probation Entries	Community Punishment	26,803	64.4	1.4	0.2	<0.1	0.8	0.4	0.2
	Intermediate Punishment	8,620	87.4	2.9	0.5	<0.1	1.5	0.8	0.4
	PROBATION SUBTOTAL	35,423	70.0	1.8	0.3	<0.1	1.0	0.5	0.2
Prison Releases	SSA Prison Release	6,233	93.8	4.3	0.7	<0.1	2.4	1.1	0.5
	FSA Parole	8,174	96.5	4.1	0.7	0.1	2.4	0.9	0.5
	FSA Max-Out	1,758	93.7	4.2	0.8	0.1	2.6	0.7	0.5
	PRISON SUBTOTAL	16,165	95.2	4.2	0.7	<0.1	2.4	1.0	0.5
TOTAL		51,588	77.9	2.5	0.4	<0.1	1.4	0.6	0.3

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1996/97 Correctional Program Evaluation Data

was for drug offenses, followed by violent offenses, "other" offenses, and sex offenses.[4] Fifty-five percent (n=28,387) of offenders had at least one prior conviction, with an average of 1.8 prior convictions.

Intermediate punishment probationers fell in between community punishment probationers and the three categories of prisoners with regard to their arrest history. For example, they fell in between the two groups when comparing the percent having prior arrests (87.4%) or a history of past violence (an average of 0.5 prior violent arrests). As expected, all categories of prisoners had a considerably higher average number of violent prior arrests than probationers. These findings confirm the philosophy behind Structured Sentencing that probationers who receive intermediate punishments are more serious offenders than those who receive community punishments, but less serious than those who receive prison sentences.

Most Serious Current Conviction

Overall, 48% (n=24,715) of the FY 1996/97 sample had a most serious current conviction for a felony offense and 52% (n=26,873) had a most serious current conviction for a misdemeanor offense.[5] Figures 3.2 and 3.3 present the category of conviction (violent, sex, property, drug, or "other") for probation entries and prison releases by felony/misdemeanor.

As shown in Figure 3.2, the majority of probationers with current felony convictions had convictions for drug offenses (48%), followed by

Figure 3.2

Most Serious Current Conviction: Felonies Only (n=24,715)

Probation Entries   *Prison Releases*

Violent   ■ Sex   Property   Drug   Other

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1996/97 Correctional Program Evaluation Data

property offenses (36%). For prisoners with felony convictions, the majority had current convictions for property offenses (40%), followed closely by convictions for drug offenses (38%). As anticipated, prisoners were more likely to have current convictions for violent offenses (15%) than probationers (9%).
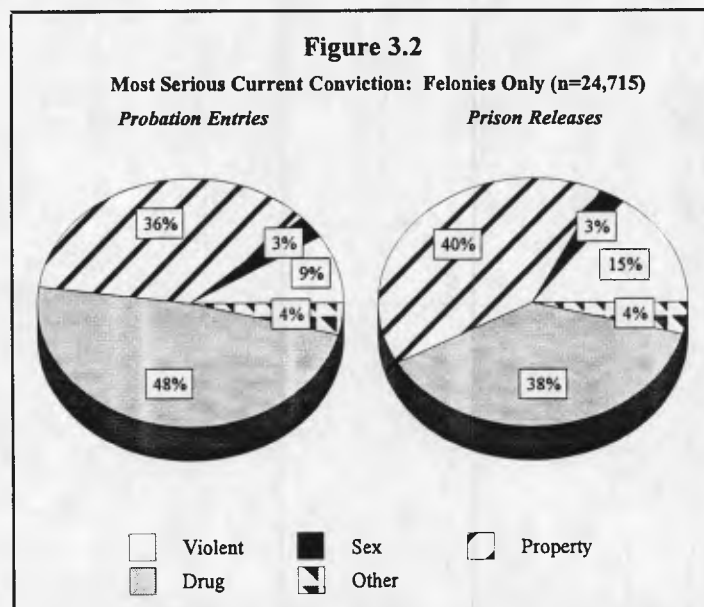
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[4] The classification of offenses as violent, sex, property, drug, and "other" was a very broad categorization. For example, felony assaults and misdemeanor assaults were both considered violent offenses. Violent sex offenses, such as first degree rape, were categorized as sex offenses. The "other" category consisted of offenses that were not in the violent, sex, property, and drug categories. For further information on the categorization of offenses, *see* Appendix B-1.

[5] Each offender's conviction(s) that placed him/her in the sample as a prison release or probation entry during FY 1996/97 were ranked in terms of seriousness and only the most serious conviction was used for analysis. For the sake of brevity, the term "most serious current conviction" is often referred to as "current conviction."

The majority of probationers and prisoners with current convictions for misdemeanor offenses were convicted of property offenses -- 48% and 57% respectively (*see* Figure 3.3). Probationers had a higher percentage of drug convictions (17%) compared to prisoners (10%). Misdemeanor sex offenses represented less than one percent of current convictions for probationers as well as for prisoners.

The most serious current conviction by type of supervision in the community is presented in Table 3.3. Overall, 43.7% of the sample had a most serious current conviction for a property offense, followed by 28.7% for drug offenses, 19.3% for violent offenses, 6.4% for "other" offenses, and 1.9% for sex offenses. Community punishment probationers were more likely to have a most serious current conviction for a misdemeanor offense (78.5%) and that current conviction was most likely to be for a property offense (38.2%). Intermediate punishment probationers were more likely to have a most serious current conviction for a felony offense (70.4%), and that current conviction was most likely to be for a drug offense (27.8%) or a property offense (25.1%). Almost 71% of SSA prison releases had a most serious current conviction for a felony offense, with 30.5% for drug offenses and 28.4% for property offenses. The majority of FSA parolees (88%) had current convictions for felony offenses. Similar to SSA prison releases, FSA parolees were most likely to have a current conviction for felony property offenses (35.5%) and felony drug offenses (32.1%). Almost 74% of FSA max-outs had a current conviction for a felony offense. Nearly 27% had a most serious current conviction for felony property offenses, with violent felony offenses as the second highest category at 19.7%. The average time served for prisoners was 6.4 months for SSA prison releases, 28.7 months for FSA parolees, and 38.2 months for FSA max-outs.

Recidivist Arrests

As part of the correctional program evaluation, each offender in the FY 1996/97 sample was followed for a period of two years to determine whether recidivist arrests or convictions occurred.[6] The two-year follow-up period was calculated on an individual basis using the prison release date

Figure 3.3
Most Serious Current Conviction: Misdemeanors Only (n=26,873)
Probation Entries   *Prison Releases*

Violent   Sex   Property
Drug   Other

NOTE: Less than one percent of misdemeanor convictions were for sex offenses.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1996/97 Correctional Program Evaluation Data

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

Table 3.3
Most Serious Current Conviction by Type of Supervision in the Community

Type of Supervision in the Community		N	Type of Conviction										% Total	
			% Violent		% Sex		% Property		% Drug		% Other			
			Fel.	Misd.	Fel.	Misd.	Fel.	Misd.	Fel.	Misd.	Fel.	Misd.	Fel.	Misd.
SSA Probation Entries	Community Punishment	26,803	0.5	18.6	0.3	0.3	8.0	38.2	12.1	13.9	0.6	7.5	21.5	78.5
	Intermediate Punishment	8,620	10.2	12.4	3.8	0.1	25.1	11.3	27.8	3.4	3.5	2.4	70.4	29.6
	PROBATION SUBTOTAL	35,423	2.9	17.1	1.2	0.3	12.2	31.5	15.8	11.4	1.3	6.3	33.4	66.6
Prison Releases	SSA Prison Release	6,233	6.2	10.1	1.3	0.1	28.4	14.5	30.5	3.2	4.3	1.4	70.7	29.3
	FSA Parole	8,174	15.0	2.1	3.8	0.0	35.5	8.2	32.1	1.1	1.6	0.6	88.0	12.0
	FSA Max-Out	1,758	19.7	7.4	4.4	0.1	26.5	16.0	17.9	1.6	5.0	1.4	73.5	26.5
	PRISON SUBTOTAL	16,165	12.1	5.8	2.9	<0.1	31.8	11.5	29.9	2.0	3.0	1.0	79.7	20.3
TOTAL		51,588	5.8	13.5	1.7	0.2	18.3	25.4	20.3	8.4	1.8	4.6	47.9	52.1

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1996/97 Correctional Program Evaluation Data

plus two years for prison releases and using the probation entry date plus two years for probation entries. A fixed follow-up period was used in an attempt to obtain the same "window of opportunity" for each offender to reoffend. However, in actuality, the same window of opportunity was not necessarily available due to probation or parole revocation. With the exception of SSA prison releases and FSA max-outs, all other types of supervision in the community were eligible for revocation for technical violations.[7] Revocation may artificially reduce recidivism since the offender no longer has the same amount of time in the community to reoffend. As a result, the effect of revocation on recidivism rates should be kept in mind when comparing recidivism rates of the different categories of offenders. While beyond the scope of this study, it is hoped that further analysis of the relationship between revocation and recidivism will be conducted for future reports.

Overall, 33% of the FY 1996/97 sample were rearrested with an average of 0.6 recidivist arrests (*see* Figure 3.4 and Table 3.4). Forty-three percent of prisoners were rearrested, compared to only 28% of probationers. Probationers with community punishments were least likely to be rearrested (26%), followed by probationers with intermediate punishments (34%). All categories of prisoners had higher rearrest rates and overall mean number of rearrests than either category of probationers. Of the three groups of prisoners, SSA prison releases had the highest percentage of rearrests (46.4%) and the highest mean number of rearrests (1.0).[8] For all offenders, the highest average number of rearrests was for property offenses

Figure 3.4
Percent Any Rearrest by Type of Supervision in the Community

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1996/97 Correctional Program Evaluation Data

followed by drug offenses. The three groups of prisoners had the highest average number of rearrests for violent offenses. Twenty-seven percent (n=13,798) had a recidivist conviction with an average of 0.5 recidivist convictions.
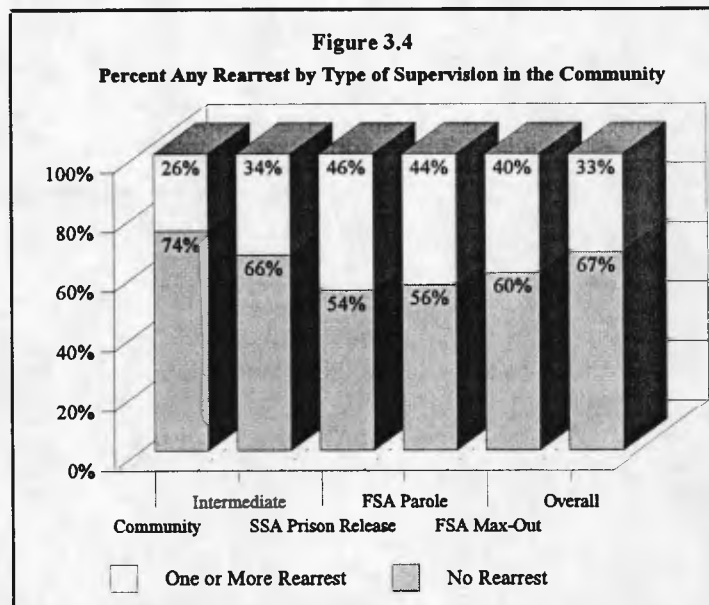
For those who were rearrested, their first rearrest occurred an average of 9.2 months after

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

[8] As discussed above, SSA prison releases were one of the categories for which revocation due to a technical violation was not a possibility, which may explain their higher recidivism rate compared to prisoners who were supervised in the community after their release from prison.

Table 3.4
Recidivist Arrests by Type of Supervision in the Community

Type of Supervision in the Community		N	% Any Rearrest	Mean Number of Rearrests	Mean Number of Rearrests by Type				
					Violent	Sex	Property	Drug	Other
SSA Probation Entries	Community Punishment	26,803	26.3	0.5	0.1	<0.1	0.2	0.1	0.1
	Intermediate Punishment	8,620	33.7	0.6	0.1	<0.1	0.3	0.2	0.1
	PROBATION SUBTOTAL	35,423	28.1	0.5	0.1	<0.1	0.2	0.1	0.1
Prison Releases	SSA Prison Release	6,233	46.4	1.0	0.2	<0.1	0.5	0.3	0.2
	FSA Parole	8,174	39.5	0.8	0.2	<0.1	0.3	0.2	0.2
	FSA Max-Out	1,758	43.5	0.9	0.2	<0.1	0.4	0.3	0.2
	PRISON SUBTOTAL	16,165	42.6	0.9	0.2	<0.1	0.4	0.3	0.2
TOTAL		51,588	32.6	0.6	0.1	<0.1	0.3	0.2	0.1

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1996/97 Correctional Program Evaluation Data

entry to probation or release from prison. There was little variation in the time to first rearrest among the five groups. The average number of months to rearrest was 9.0 for community punishment probationers, 9.1 for intermediate punishment probationers, 8.9 for SSA prison releases, 10.0 for FSA parolees, and 9.7 for FSA max-outs. Figure 3.5 illustrates that most offenders were rearrested early in the follow-up period, which is consistent with results from other recidivism studies (Beck and Shipley, 1989; Clarke et al., 1988; Maltz, 1984; Petersilia and Turner, 1986; Sechrest et al., 1979; Waldo and Griswold, 1979).

Patterns of Offenses

This section examines the relationship between an offender's past offense history and future offenses in several ways: (1) by comparing prior arrests with recidivist arrests (see Table 3.5); (2) by comparing offenders' most serious current conviction with their most serious prior arrest (see Table 3.6) and with their most serious recidivist arrest (see Table 3.7); and (3) by plotting the relationship between prior and recidivist arrests and a current conviction for crimes against the person (see Figure 3.6).
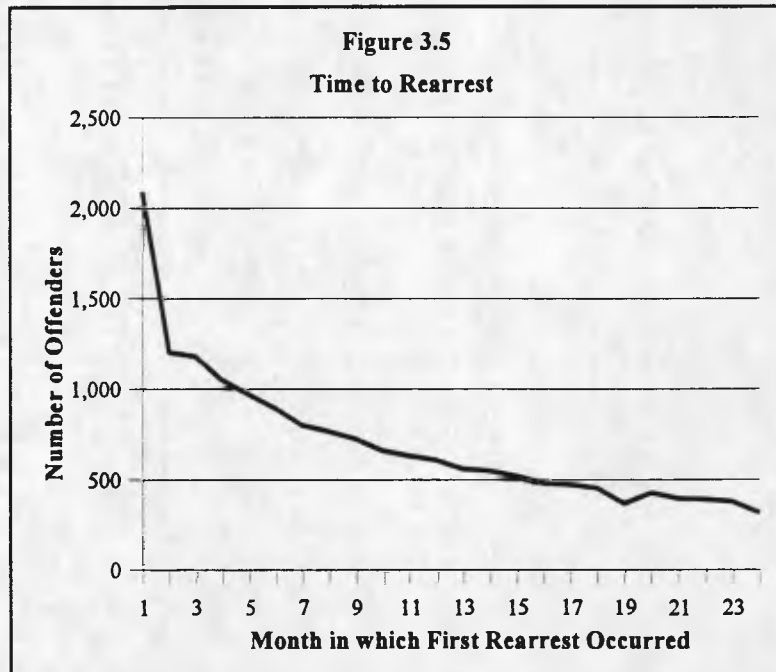
Figure 3.5

Time to Rearrest

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1996/97 Correctional Program Evaluation Data

Prior and recidivist arrest rates by type of supervision in the community are presented in Table 3.5. Of the 51,588 offenders in the FY 1996/97 sample, almost 78% had at least one prior arrest and nearly 33% had a recidivist rearrest. The majority of offenders had prior and recidivist arrests for property offenses (52.7% and 17.3%, respectively), while very few had prior and recidivist arrests for sex offenses (2.5% and 0.6%, respectively). For each type of supervision in the community, the majority had prior arrests and recidivist arrests for property offenses. Prior and recidivist arrests for drug offenses were the second highest category for all types of supervision, with the exception of FSA max-outs.

Table 3.6 indicates that there is a relationship between most serious prior arrest and most serious current conviction for offenders who had prior arrests. Offenders with current convictions for violent offenses were most likely to have prior arrests for violent offenses (76.3%). A similar pattern holds true for property and drug convictions. The exceptions are sex offenses and "other" offenses.

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Table 3.5
Prior and Recidivist Arrests by Type of Supervision in the Community

Type of Supervision in the Community		% Any Arrest		Type of Prior and Recidivist Arrests									
				% Violent Arrest		% Sex Arrest		% Property Arrest		% Drug Arrest		% Other Arrest	
		Prior	Recid	Prior	Recid	Prior	Recid	Prior	Recid	Prior	Recid	Prior	Recid
Probation Entries	Community Punishment (n=26,803)	64.4	26.3	15.6	6.8	1.3	0.4	40.8	14.2	27.8	9.9	13.6	7.4
	Intermediate Punishment (n=8,620)	87.4	33.7	32.8	8.5	3.5	0.5	56.2	17.2	42.0	13.4	25.6	10.0
	PROBATION SUBTOTAL	70.0	28.1	19.8	7.2	1.8	0.4	44.5	14.9	31.2	10.7	16.5	8.1
Prison Releases	SSA Prison Release (n=6,233)	93.8	46.4	37.8	13.3	3.4	0.8	70.7	25.2	51.4	20.5	31.8	15.2
	FSA Parole (n=8,174)	96.5	39.5	39.8	11.6	4.5	0.8	70.6	20.2	48.6	16.8	30.3	13.4
	FSA Max-Out (n=1,758)	93.7	43.5	46.6	13.4	5.5	1.2	71.4	24.3	38.1	17.6	32.7	15.3
	PRISON SUBTOTAL	95.2	42.6	39.8	12.4	4.2	0.9	70.7	22.6	48.6	18.3	31.1	14.3
TOTAL (N=51,588)		77.9	32.6	26.0	8.8	2.5	0.6	52.7	17.3	36.7	13.1	21.1	10.0

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1996/97 Correctional Program Evaluation Data

Table 3.6
Current Conviction by Most Serious Prior Arrest for Offenders with Any Prior Arrest (n=40,171)

Most Serious Current Conviction	Most Serious Prior Arrest					Total
	% Violent	% Sex	% Property	% Drug	% Other	
Violent	76.3	1.5	14.9	3.9	3.4	6,797
Sex	19.5	26.7	12.3	2.9	38.6	893
Property	24.4	1.0	71.7	2.0	0.9	17,482
Drug	23.9	0.7	26.4	48.7	0.3	13,073
Other	34.9	1.3	41.6	12.7	9.5	1,926

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1996/97 Correctional Program Evaluation Data

Table 3.7
Current Conviction by Most Serious Recidivist Arrest for Offenders with Any Recidivist Arrest (n=16,840)

Most Serious Current Conviction	Most Serious Recidivist Arrest					Total
	% Violent	% Sex	% Property	% Drug	% Other	
Violent	42.6	1.2	30.4	18.9	6.9	2,938
Sex	28.9	8.6	24.9	16.8	20.8	197
Property	22.2	1.2	57.1	14.2	5.3	7,585
Drug	25.0	0.5	25.9	42.7	5.9	5,227
Other	29.3	1.0	40.4	21.6	7.7	893

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1996/97 Correctional Program Evaluation Data

A similar pattern is evident for most serious current convictions compared to most serious recidivist arrests for offenders with recidivist arrests, as shown in Table 3.7. Offenders with current convictions for violent offenses were most likely to have recidivist arrests for violent offenses (42.6%). Property offenders were most likely to have a recidivist property arrest (57.1%) and drug offenders were most likely to have a recidivist drug arrest (42.7%). Similar to the pattern for the current conviction/prior arrest comparison, offenders convicted of sex offenses and offenses falling within the "other" category did not fit this pattern. Sex offenders were most likely to be rearrested for violent crimes (28.9%), followed closely by property crimes (24.9%).

It is also interesting to look at the pattern of violence when comparing prior, current, and recidivist offense behavior (as shown in Figure 3.6). Overall, 27% of the sample had a prior arrest for a violent or sex offense (also referred to as offenses against the person) and 9% had a rearrest for a violent or sex offense. However, these percentages were considerably higher for offenders whose most serious current conviction was for an offense against the person -- 52% had a prior arrest and 13% had a rearrest within the same offense category. Of offenders whose current conviction was for a non-person offense, only 21% had a prior arrest and 8% had a rearrest for an offense against the person.
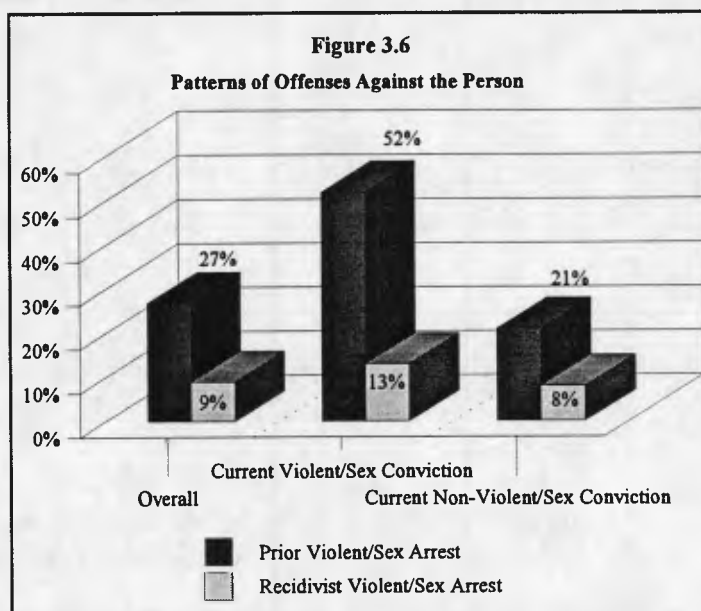
Figure 3.6
Patterns of Offenses Against the Person

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1996/97 Correctional Program Evaluation Data

Participation in Correctional Programs

The majority of offenders sentenced to probation or released from prison were also ordered to participate in *one or more* correctional programs.[9] As indicated in Table 3.8, of the 51,588 offenders, 12.2% were ordered to intensive supervision probation, 8.2% were ordered to special probation, less than one percent were ordered to participate in IMPACT, 2.6% were ordered to house

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[9] For the purposes of this study and to be consistent methodologically, all program participation information for probationers was programmed using the Special Conditions and Sanctions table in OPUS (with the exception of TASC and Community Penalties for which additional data were provided by the programs themselves). The DOC has used the External Movements table in OPUS for their studies of IMPACT, which yields a higher number of IMPACT participants. Appendix C contains further information on correctional program participation, including a description of each program and data for each program (*e.g.*, demographic characteristics, recidivism rates, etc.).

Table 3.8
Offender Participation in Correctional Programs (N=51,588)

Correctional Programs		Number	Percent
Probation Entries	Community Service	12,935	25.1
	TASC	646	1.3
	Intensive Supervision Probation	6,291	12.2
	Special Probation	4,253	8.2
	IMPACT	448	0.9
	House Arrest with Electronic Monitoring	1,325	2.6
	Community Penalties	384	0.7
Prison Releases	Intensive Supervision (FSA parole only)	437	0.8
	Community Service (FSA parole only)	2,630	5.1

NOTE: Percentages do not add to 100% due to offender participation in multiple programs.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1996/97 Correctional Program Evaluation Data

arrest with electronic monitoring, and less than one percent received intensive supervision parole.[10]

Comparison of Recidivism Rates with Previous Recidivism Studies

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

Table 3.9 presents the overall recidivism rate for each of the Sentencing Commission's recidivism reports. The table indicates that the recidivism rates for offenders have been fairly similar over the five sample years, taking into account differences in follow-up time. The 1989 study and the current study (FY 1996/97) had a similar follow-up period and similar recidivism rates. No separate recidivism rates are available for prisoners and probationers from the first four reports. However, this information is provided in the current study and will continue to be provided in future studies for comparative purposes.

Table 3.9
Recidivism Rates for NC Offenders

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

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

SOURCE: NC Sentencing and Policy Advisory Commission

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[10] Under Structured Sentencing, only Class B1-E felons receive post-release supervision and would be eligible for intensive supervision. SSA felons on post-release supervision are not eligible for community service. Due to the small number of felons on post-release supervision during our sample period, post-release supervision releases were excluded from the sample. FSA max-out releases have completed their sentences, are not under supervision in the community, and are, therefore, ineligible for post-prison correctional programs in relation to the conviction and sentence that placed them in the FY 1996/97 sample.

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The enactment of Structured Sentencing changed who is sentenced to prison and who is placed on probation. Due to differences in the characteristics of FSA and SSA prisoners, a comparison of these groups is premature.[11] Trends in the recidivism rates for the different FSA prison categories (regular parole, parole and terminate, and max-out), however, can emerge from comparing the previous studies. The recidivism rates for FSA regular probationers can be compared across the previous recidivism studies and with the SSA community punishment probationers in the current study.[12] Table 3.10 provides a comparison of recidivism rates for prisoners and probationers for the five recidivism studies. There were slight differences in recidivism rates within each category, which may have resulted from differences in the follow-up periods. SSA probationers with community punishments had recidivism rates that were similar to those of FSA regular probationers.

Table 3.10
A Comparison of Recidivism Rates for Probationers and Prisoners

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

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

SOURCE: NC Sentencing and Policy Advisory Commission

One question that policy makers and criminal justice practitioners may have is: Will recidivism rates change with the implementation of Structured Sentencing? As discussed in Chapter One, there are several ways in which Structured Sentencing might have an impact on recidivism rates: by altering the deterrent effect of sentencing laws and by altering the characteristics, or "mix," of groups of offenders. Shifting more serious offenders from probation and into prison might increase the recidivism rate for prisoners. It is less certain what this might mean for the recidivism

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

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

of probationers. It is possible that while the recidivism of different groups of offenders will change, the overall recidivism rate will stay about the same. Future studies will continue to examine these issues.

Figure 3.7 summarizes the primary findings of this chapter, highlighting differences between offenders in their prior records, current offenses, and recidivist arrests. Chapter Four examines these differences in more depth using multivariate analysis.

Figure 3.7
Key Findings

The typical offender was a 29 year old, single, black male who was on probation with a community punishment. Of the 51,588 offenders placed on probation or released from prison in FY 1996/97:

Prior Criminal History

❏ Almost 78% had at least one prior arrest, with an average of 2.5 prior arrests.

❏ 55% had at least one prior conviction, with an average of 1.8 prior convictions.

Most Serious Current Conviction

❏ 48% had a most serious current conviction for a felony offense.

❏ 43.7% had a most serious current conviction for a property offense, 28.7% for drug offenses, 19.3% for violent offenses, 1.9% for sex offenses, and 6.4% for "other" offenses (*i.e.*, not in the property, drug, violent, or sex categories).

Recidivist Arrests

❏ 33% were rearrested within the two-year follow-up, with an average of 0.6 recidivist arrests.

❏ The first recidivist arrest occurred an average of 9.2 months after being placed on probation or released from prison.

❏ 27% had a recidivist conviction, with an average of 0.5 recidivist convictions.

CHAPTER FOUR
MULTIVARIATE ANALYSIS OF OUTCOME MEASURES

Offender Risk and Recidivism

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

In a perfect research setting, offenders would be randomly selected into the various correctional programs to be evaluated. In the reality of corrections this is not possible because of practical, public safety, and legal considerations. Instead, this study attempts to control statistically for types of offenders by developing a risk model that divides offenders into three levels of risk: high, medium and low. While this does not entirely remove bias from the study, prior research shows that it improves the robustness of findings (Andrews and Bonta, 1994; Bonta, Pang and Wallace-Capretta, 1995; Hoffman and Stone-Meierhoefer, 1979). Using risk level as an independent control variable allows for a closer examination of whether the relationship between program participation and recidivism is uniform throughout the sample or whether it varies when certain background characteristics are taken into account.

Components of Risk: Variables used to create the "risk" measure for this study are those identified by the literature as increasing or decreasing a person's risk of being arrested.[1] For the purposes of this study, risk is defined as *the projected probability of rearrest,* and is not intended to measure seriousness of future offenses or offender dangerousness.

A composite measure, risk is made up of a number of factors that can be loosely divided into demographic characteristics (age, gender, race, marital status, employment status, and history of substance abuse), prior criminal behavior (age at first arrest and first incarceration, length of criminal history, number of prior arrests, prior drug arrests, probation/parole revocations, number of probation sentences, and number of prison sentences), and current sentence information (offense class and maximum sentence length). A risk score was computed for all offenders in the sample based on these factors. The offenders were then divided into three groups of approximately equal size according to their risk score, with the lowest third as "Low Risk," the middle third as "Medium Risk," and the top third as "High Risk."

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

As shown in Figure 4.1, recidivism rates varied considerably by risk level. High risk offenders had a recidivism rate of 53.2% -- over three times higher than the recidivism rate of low risk offenders (15.3%).

Risk level also varied by the type of supervision in the community (*see* Figure 4.2). Probationers with community punishments were much more likely to be low risk than offenders supervised in other ways. For instance, only 13.7% of SSA prison releases were low risk compared to 46.3% of probationers with community punishment. Conversely, offenders released from prison were much more likely to be high risk than offenders entering probation.

Of even greater interest, however, is the relationship between type of release and recidivism when controlling for risk level, as illustrated in Figure 4.3. Once risk level is controlled for, most of the differences in recidivism rates between offenders on different types of supervision disappear. Recidivism rates for low risk offenders ranged from 14.4% for probation with community punishment to 19.5% for SSA prison releases and FSA max-outs. Recidivism rates for high risk offenders ranged from 50.2% for probationers with intermediate punishment to 58.5% for SSA prison releases. At all three risk levels, recidivism rates for released prisoners were three to four percent higher than the rates for probationers, possibly due to the added
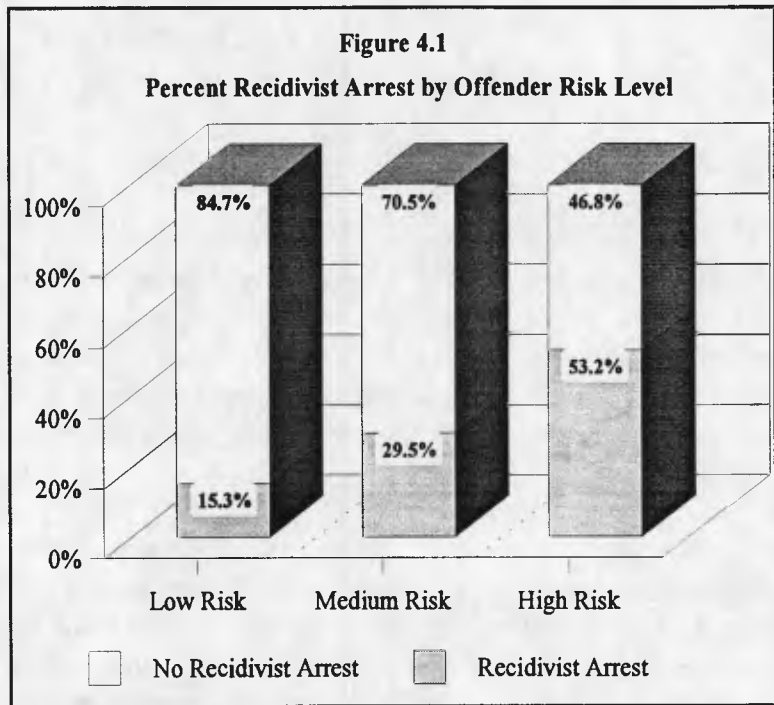
Figure 4.1
Percent Recidivist Arrest by Offender Risk Level

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1996/97 Correctional Program Evaluation Data

Figure 4.2
Offender Risk Level by Type of Supervision

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1996/97 Correctional Program Evaluation Data

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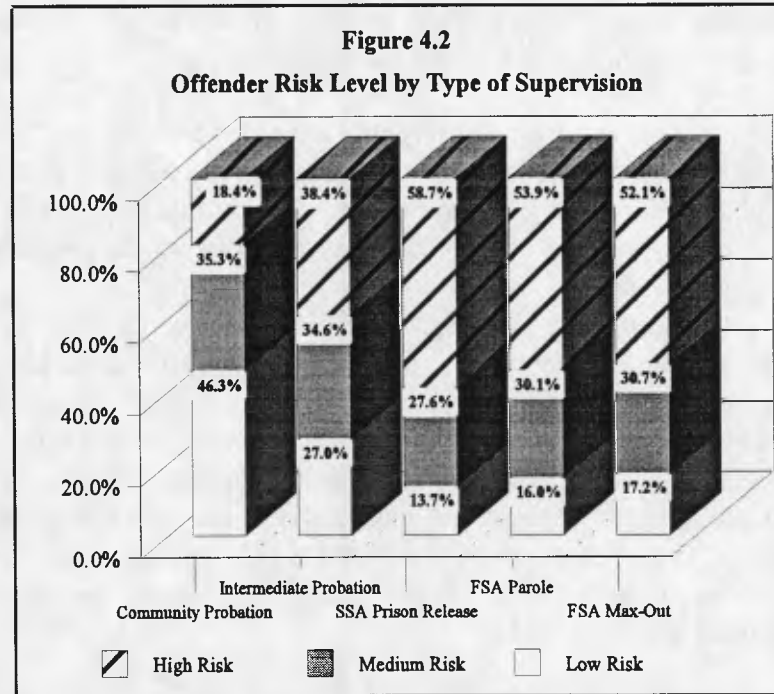
effect of prisonization.

While risk provides a useful explanation for recidivism (*i.e.*, high risk offenders are more likely to recidivate), other characteristics also play an important role in explaining differences in recidivism rates. Offenders are sentenced and targeted for correctional programs based on legal factors such as the seriousness of their offense and prior record. This pre-selection can also be seen as classifying offenders according to some notion of risk, although not necessarily risk of re-offending. This makes determining the relative importance of risk level (as used in this study) versus type of supervision upon release to the community difficult to ascertain.
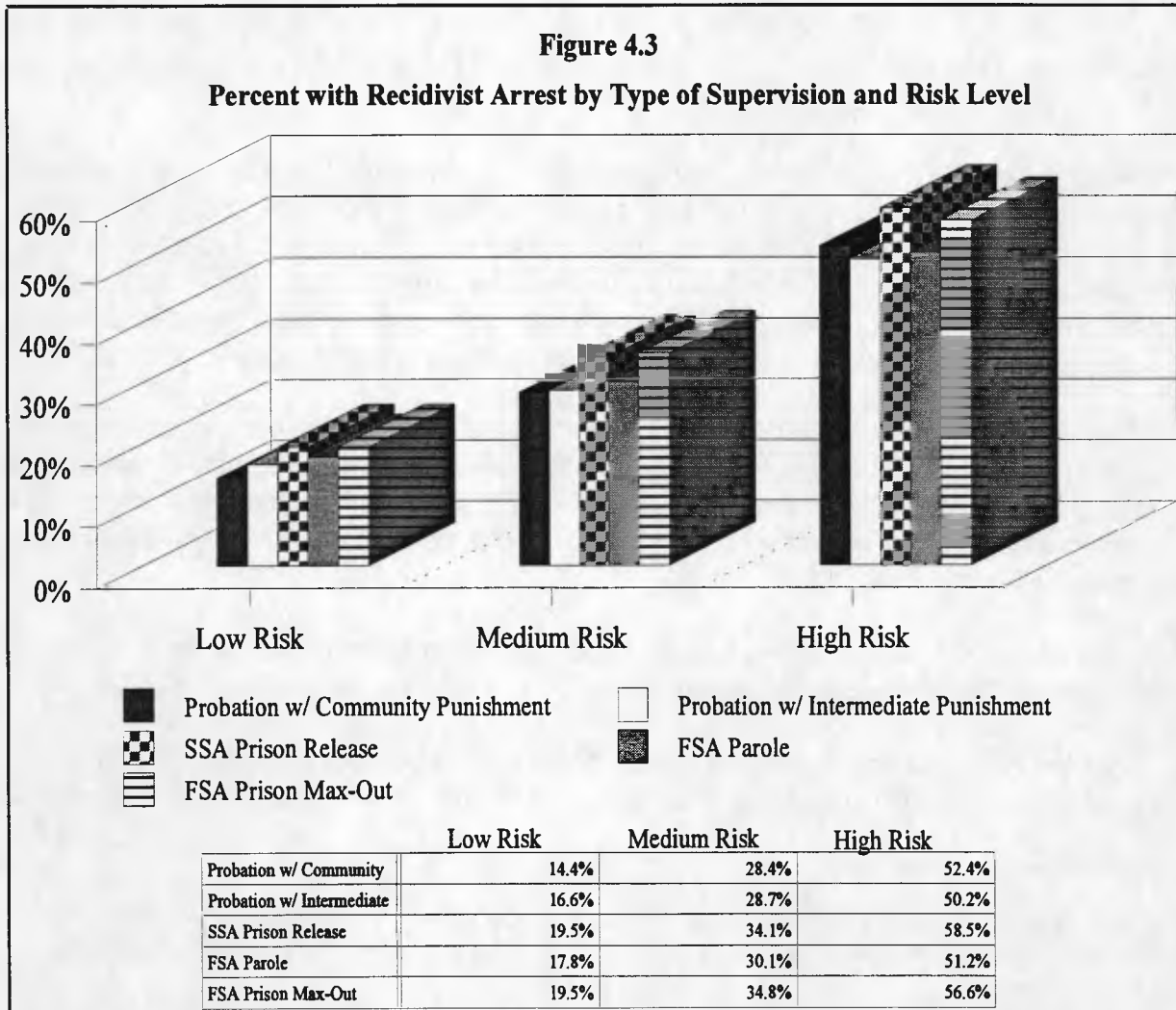
Figure 4.3

Percent with Recidivist Arrest by Type of Supervision and Risk Level

Legend:
- Probation w/ Community Punishment
- Probation w/ Intermediate Punishment
- SSA Prison Release
- FSA Parole
- FSA Prison Max-Out

	Low Risk	Medium Risk	High Risk
Probation w/ Community	14.4%	28.4%	52.4%
Probation w/ Intermediate	16.6%	28.7%	50.2%
SSA Prison Release	19.5%	34.1%	58.5%
FSA Parole	17.8%	30.1%	51.2%
FSA Prison Max-Out	19.5%	34.8%	56.6%

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1996/97 Correctional Program Evaluation Data

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

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Multivariate Analysis: What is a Regression Model?

A regression model is a statistical tool used to estimate the association of a number of independent variables (like age, gender, or type of offense) with a dependent variable (like recidivism), apart from the contribution of any of the other variables in the model. Thus, the analysis allows for a determination of whether the type of supervision in the community and program participation have any relationship with an offender's probability of rearrest, controlling for other factors such as current offense, marital status, and gender. It also indicates the relative importance of other factors.

Using the FY 1996/97 sample, the probability of rearrest was modeled for three groups of offenders: (1) all 51,588 offenders; (2) 16,165 prisoners; and (3) 35,423 SSA probationers. Logistic regression was used to develop the models.[2]

The regression models in this chapter provide the estimated "effects" of the variables considered in the study on the probability of rearrest. *The estimated effect of a variable does not necessarily mean that the variable is the cause of rearrest.* Rather, it indicates a statistical association, which may or may not be due to a causal relationship.[3] Estimated effects are reported in the following discussion (Table 4.1 and Table 4.3) only if they are statistically significant -- that is, if it is highly unlikely they are the result of random variation in sampling (*i.e.,* chance).

Independent Variables Used in the Regression Models. Six personal offender characteristics were included as independent variables in all models: the offender's age at the time of entry into the follow-up period; race; gender; marital status; employment status; and whether the offender had a documented history of substance abuse problems. The models also incorporate individual offender risk scores (high, medium or low).

The offender's current offense was included in the regression models as a felony or misdemeanor within five categories: violent, property, drug, sex and other offense.[4]

Several criminal history variables were included in the models to account for differences in the offenders' prior criminal justice involvement: age at first arrest, the number of prior fingerprinted

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[2] Logistic regression involves regression using the logit (*i.e.,* the logarithm of the odds) of rearrest. This type of analysis is most appropriate for regression models with a dichotomous dependent variable such as having a recidivist arrest or not.

[3] The effects were converted from logistic model coefficients and indicate the estimated increase or decrease in the probability of rearrest associated with each independent variable for the average offender. See Aldrich and Nelson (1984: 41-44) for further information on converting logistic coefficients to "effect."

[4] Property offenses were used as the reference category in the models because they were the largest current offense category (43.6% of all offenders). Therefore, the effect of each offense category on the probability of rearrest was compared with what that probability would be if the crime had been a property offense.

arrests, prior drug arrests, the number of times an offender was placed on probation or parole, the number of revocations, and the number of prison terms served. In addition, length of time spent in prison (in months) immediately prior to release was included for offenders released from prison.

In the model for prisoners, an interim measure of behavior -- prison infractions -- was included. Finally, each model also indicates the type of supervision in the community and correctional assignments to prison or probation programs.[5]

Dependent Variables -- or Outcome Measures -- Modeled. The regression analyses in this section model three dependent variables:

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

Regression Analysis: Rearrest[6]

Chapter Three of this report presented rearrest rates for the entire 1996/97 sample, and for groups of offenders classified by their type of supervision in the community. The regression analysis in this chapter, by controlling for the effects of a host of relevant variables, can isolate the net impact of factors such as type of supervision or demographic characteristics on recidivism, and thus identify relationships not apparent from straight recidivism rates. Table 4.1 presents rearrest probabilities for all offenders (both probationers and prisoners), controlling for four clusters of variables: demographic characteristics, current offense, criminal history, and type supervision in the community.

All Offenders: The following discussion of findings from the regression analysis centers on all offenders in the FY 1996/97 sample, as presented in the first column of Table 4.1.

Personal Characteristics and the Probability of Rearrest: The regression analysis indicated that, controlling for all other factors, personal characteristics significantly impacted an offender's probability of rearrest. Age, being married, and being employed decreased the chance of rearrest. These effects, all significant and ranging from a 0.9% decrease for each additional year of age to a 4.1% decrease for employment, are in line with national findings (U.S. Department of Justice

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[5] The effects of type of supervision and correctional program assignment are measured compared to the reference category. The reference category for all offenders and probationers is the community probation group; the reference category for released prisoners is the parole group.

[6] More complete results of the regression analysis, including probabilities of rearrest for various offense types, are presented in Appendix B-3.

Table 4.1
Effect of Personal and Criminal Justice Factors on Recidivism[1]

Estimated Effect[2] on Probability of Rearrest for:

Independent Variables	All Offenders (N=51,588) Average rearrest probability=32.6%	All Prison Releases (n=16,165) Average rearrest probability=42.6%	All Probation Entries (n=35,423) Average rearrest probability=28.1%
Personal Characteristics:			
Age (each year)	-0.9%	-1.3%	-0.7%
Black (vs. all other ethnic groups)	8.8%	13.6%	7.3%
Male	7.6%	4.4%	7.7%
Married	-2.4%	*NS*	-2.8%
Employed	-4.1%	*NS*	-5.5%
Substance Abuser	4.5%	3.0%	4.5%
Number Prison Infractions	N/A	0.6%	N/A
Risk Level	6.7%	4.2%	6.3%
Current Offense:[3]			
Felony	*NS*	3.3%	-3.6%
Violent	-3.2%	-3.1%	-3.3%
Drug	-5.7%	-4.4%	-5.7%
Sex	-8.7%	-6.8%	-11.3%
Other	-4.5%	-9.6%	-3.2%
Criminal History:			
Age at First Arrest	0.2%	0.3%	0.1%
# Prior Arrests	2.7%	2.5%	3.2%
Prior Drug Arrest	5.9%	4.1%	6.0%
# Times on Probation/Parole	1.1%	1.7%	*NS*
# Probation/Parole Revocations	1.1%	*NS*	1.6%
# Prior Incarcerations	-0.7%	*NS*	-1.8%
Time Spent in Prison (in months)	0.1%	*NS*	N/A

Table 4.1 (cont.)
Effect of Personal and Criminal Justice Factors on Recidivism[1]

	Estimated Effect[2] on Probability of Rearrest for:		
Independent Variables	**All Offenders** (N=51,588) Average rearrest probability=32.6%	**All Prison Releases** (n=16,165) Average rearrest probability=42.6%	**All Probation Entries** (n=35,423) Average rearrest probability=28.1%
Type of Community Supervision:[4]			
SSA Probation with Intermediate Punishments	*NS*	N/A	-7.8%
No Supervision (SSA and FSA Prison Release)	2.9%	6.5%	N/A
FSA Parole Supervision	-3.6%	N/A	N/A
Participation in Programs			
Intensive Supervision Parole	N/A	*NS*	N/A
Community Service Parole	N/A	-4.3%	N/A
Intensive Supervision Probation	N/A	N/A	14.3%
Special Probation	N/A	N/A	9.3%
Community Service	N/A	N/A	2.6%
IMPACT	N/A	N/A	12.9%
House Arrest with Electronic Monitoring	N/A	N/A	*NS*
TASC	N/A	N/A	6.7%
Community Penalties	N/A	N/A	*NS*

NS indicates that the effect is not statistically significant.

1. One or more fingerprinted arrest during 24-month follow-up period.
2. Effect on probability for offender with mean probability in dataset.
3. Effect compared with property offense.
4. Effect compared with probation with community punishments in column for All Offenders; compared to FSA parole for All Prison Releases column and compared to probation with community punishments for All Probation Entries column.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1996/97 Correctional Program Evaluation Data

Statistics,1988:42). Being male, black, or a substance abuser, on the other hand, increased the probability of rearrest, often considerably. This effect was consistently significant and high: for example, males had a 7.6% higher probability of rearrest than females; blacks had a 8.8% higher probability of rearrest than non-blacks; substance abusers were 4.5% more likely to recidivate than non-substance abusers. These findings too are consistent with previous research (Beck and Shipley, 1989; Lattimore, Visher and Linster, 1995).

Risk Level and Probability of Rearrest: The regression analysis controlled for individual offender risk levels. As expected, increases in risk level also increased the probability of rearrest. A medium risk offender has a 6.7% higher probability of rearrest than a low risk offender, and a high risk offender had a 6.7% higher probability of rearrest than a medium risk offender.

Current Offense and the Probability of Rearrest: This section examines the relationship between offense seriousness and future criminality. Having a current felony conviction (versus a misdemeanor) had no significant impact on rearrests when controlling for all other factors in the model. A current conviction for a violent, sex, drug or any "other" offense decreased the probability of any rearrest when compared to the rearrest of offenders currently convicted of property offenses.

Criminal History and the Probability of Rearrest: Components of an offender's criminal history were all found to have a significant impact on the probability of rearrest, ranging from a 5.9% increase with a history of prior drug arrests to a 0.7% decrease with the number of times in prison. These findings are consistent with previous research findings (Beck and Shipley, 1989; Lattimore, et al., 1995).

Type of Supervision and the Probability of Rearrest: When compared to community probation (the reference group), prison releases with no supervision (a combination of FSA max-outs and SSA prison releases) had a 2.9% higher probability of rearrest. In comparison, being on parole decreased an offender's probability of rearrest by 3.6%. Offenders on intermediate probation did not differ significantly from other probationers in their probability to recidivate.

Prisoners: The second column of effects shown in Table 4.1 only applies to the 16,165 released prisoners. Most of the variables in this model had approximately the same effect on rearrest as in the model for "all offenders." The following section highlights only effects with appreciable changes in magnitude or direction (as compared to the first column of "All Offenders").

For prisoners, being black (as compared to non-black) affected adversely the probability of rearrest, increasing it by 13.6%. The literature suggests that African-Americans have a particularly difficult time re-assimilating into mainstream society (especially in finding legitimate work) after release from prison (Bridges and Beretta, 1994). Being male (as compared to female) had a lessened impact on rearrest for prisoners than for all offenders (4.3% compared to 7.6%). However, this may be due to the increased percentage of male offenders in the prison sample. The effect of being a substance abuser on rearrest decreased for released prisoners versus all offenders (from 4.5% to 3.0%), perhaps due to treatment while in prison or due to the high incidence of prisoners with a

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substance abuse problem. (For further information on the impact of substance abuse on recidivism, *see* Chapter Five.)

The interim measure of prison infractions indicated a 0.6% increase in the probability of rearrest for each additional infraction.

Having a current felony conviction became statistically significant for prisoners, increasing the probability of rearrest by 3.3% compared to misdemeanor convictions. Unlike in the "All Offender" sample, prior revocations, prior incarcerations and time in prison were not significant.

Prisoners who had no supervision following release were 6.5% more likely to be rearrested than those who had parole supervision. One possible explanation is that some parolees may have been removed from the community due to a technical revocation, essentially eliminating their potential to recidivate faster than for offenders without any supervision following release from prison.

The model for prison releases also looked at two programs that FSA parolees participated in: intensive supervision and community service. Each of these program's effects were compared with straight parole supervision. Intensive supervision had no statistically significant effect but community service was associated with a 4.3% lower probability of rearrest. This is similar to findings in previous studies by the Sentencing Commission (Clarke and Harrison, 1992:25-26).

Probationers: The third column of effects shown in Table 4.1 describes the 35,423 probationers in the sample. Most of the variables in this model also had similar effects on rearrest as in the model for "All Offenders." The following discussion mentions only effects with appreciable changes in magnitude or direction (as compared to the first column on "All Offenders").

Having a current felony offense was statistically significant for probation entries in decreasing the probability of rearrest (by 3.6%), a finding similar to the Clarke and Harrison study (1992:24). The number of prior incarcerations decreased the probability of rearrest by 1.8% for each time in prison, probably due at least in part to aging.

Being on probation with intermediate punishments versus probation with community punishments was associated with a lower (7.8% less) probability of rearrest. It is difficult to ascertain whether the increased supervision or other factors not in the model (such as probation revocation for technical violations, which are more likely with increased supervision) explain this decrease. This is an instance where multivariate analysis provides findings that differ from descriptive statistics such as those shown in Chapter Three. In Chapter Three, offenders on intermediate probation actually had a higher recidivism rate than those on community probation (33.7% versus 26.3%). However, once factors other than the type of supervision (such as age, gender and prior criminal history) were controlled for, probationers with community punishments were actually more likely to recidivate.

The models for probation entries also looked at several specific correctional programs[7]: intensive supervision probation, special probation, community service, IMPACT, house arrest with electronic monitoring, TASC and Community Penalties. Each of these programs' effects were compared with straight community probation. All programs, with the exception of house arrest with electronic monitoring and Community Penalties, were associated with an increased probability of rearrest, ranging from 2.6% (for community service) to 14.3% (for intensive supervision probation).[8]

Regression Analysis: Prison Behavior

For the 16,165 prisoners, the number of prison infractions was used as an interim outcome measure of behavior. Rules governing inmate behavior are necessary to ensure the safe and orderly operation of the institution. However, failing to obey prison rules is fairly common. A national survey of inmates found that 53% of inmates had been charged with a rule violation, with an average of 1.5 violations per inmate per year (Stephan, 1989). Research also supports the relationship between misbehavior in prison and recidivism (Beck and Shipley, 1989). This study shows a similar result: as the number of prison infractions increased, the probability of rearrest increased.

To shed further light on this issue, a regression model was used to analyze which variables had an effect on prison infractions.[9] (*See* Appendix B-3, Table 4.) Many of the same variables that affected the probability of recidivism also influenced the number of infractions an offender had. When holding all other variables constant, age, employment, having a current felony, a current drug offense and the number of times on probation/parole decreased the number of infractions incurred by an offender. However, several other variables increased the number of infractions, including a current violent offense, number of prior arrests, and number of prior incarcerations. The findings from this analysis are similar to those found in the literature on prison misbehavior (Stephan, 1989).

Regression Analysis: Employment

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

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

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

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

Table 4.2 provides descriptive information on employment outcomes for the year following the offender's release to the community. Employment rates were nearly identical for all groups of prisoners and probationers, ranging from 60.5% for probationers with intermediate punishment to 68.1% for FSA parolees. It should be noted that some offenders (most likely a younger sub-sample of probationers), while not gainfully employed, might have been involved in educational programs during the follow-up period.[10]

The last two columns of Table 4.2 provide information on employment stability (measured by the number of quarters worked during the year) and wages earned during the year. (Note that these numbers only reflect offenders who actually worked during the year following release to the community.) Offenders who were employed worked an average of 2.9 quarters during the year, with only slight variations by type of supervision in the community. Average wages were $7,407 for all employed offenders but varied by type of supervision. Prisoners earned an annual average of $826 less than probationers; SSA prisoners earned the least ($6,473), while probationers with community punishment earned the most ($7,833). This is not unexpected since offenders with a prison record have more difficulty securing well-paying employment (Sampson and Laub, 1993). Several reasons for this have been suggested, including weaker ties to the local community, the stigma of the "ex-con" label, the regulation of prison life which fails to prepare inmates for stable employment, and fewer work skills among those sentenced to prison compared to others (Reiman, 1998). Even the highest average annual wages were low compared to per capita income averages in the North Carolina; however, most likely they do not reflect wages for a full year's employment for most offenders in the sample.

Table 4.3 presents the results of the logistic regression models for employment[11] during the twelve months following release to the community. As in Table 4.1, the independent variables are divided into several clusters: demographics, number of infractions (for prisoners only), risk level, current offense, criminal history, type of community supervision, and program participation (where applicable).[12]

Personal Characteristics and Employment Probability: The regression analysis indicated that, controlling for all other factors, personal offender characteristics significantly impacted an offender's probability of employment. Age decreased the chance of employment in the year

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

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

[12] One difference between this and the previous analyses should be noted. The "Employed" variable found under Personal Characteristics in Table 4.1 has been deleted from analysis. While, theoretically, previous employment should predict future employment, for probationers in the sample prior employment was equal to future employment since the probation risk assessment was done following their placement on probation.

Table 4.2

Employment in the Year Following Release to the Community: All Offenders FY 1996/97

Probation versus Prison	Type of Probation Entry or Prison Release	N	Number Employed	% Employed	Mean # of Quarters Worked[1]	Mean Total Wages[1]
Probation Entries	Community Punishment	26,803	17,757	66.3%	3.0	$7,833
	Intermediate Punishment	8,620	5,212	60.5%	2.8	$7,093
	All Probation Entries	35,423	22,969	64.8%	2.9	$7,665
Prison Releases	SSA Prison Release	6,233	3,807	61.1%	2.7	$6,473
	Parole	8,174	5,567	68.1%	2.8	$7,042
	Max-Out	1,758	1,079	61.4%	2.8	$7,084
	All Prison Releases	16,165	10,453	64.7%	2.8	$6,839
TOTAL		51,588	33,422	64.8%	2.9	$7,407

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

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1996/97 Correctional Program Evaluation Data

Table 4.3
Effect of Personal and Criminal Justice Factors on Employment[1]

Estimated Effect[2] on Probability of Employment for:

Independent Variables	All Offenders (N=51,588) Average employment probability=64.8%	All Prison Releases (n=16,165) Average employment probability=64.7%	All Probation Entries (n=35,423) Average employment probability=64.8%
Personal Characteristics:			
Age (each year)	-0.5%	*NS*	-0.7%
Black (vs. all other ethnic groups)	4.6%	3.5%	5.5%
Male	*NS*	*NS*	*NS*
Married	3.4%	4.8%	2.8%
Substance Abuser	1.6%	*NS*	2.9%
Number Prison Infractions	N/A	-0.4%	N/A
Risk Level	-6.1%	*NS*	-8.4%
Current Offense:[3]			
Felony	-1.7%	*NS*	-2.9%
Violent	*NS*	*NS*	*NS*
Drug	-4.3%	-5.1%	-4.2%
Sex	*NS*	*NS*	*NS*
Other	-5.8%	*NS*	-7.0%
Criminal History:			
Age at First Arrest	-0.3%	-0.4%	-0.1%
# Prior Arrests	*NS*	-0.4%	*NS*
Prior Drug Arrest	-1.9%	-3.2%	*NS*
# Times on Probation/Parole	3.4%	3.5%	3.3%
# Probation/Parole Revocations	-2.1%	-2.6%	-1.6%
# Prior Incarcerations	-1.5%	-1.7%	-1.5%
Time Spent in Prison (in months)	*NS*	0.1%	N/A

Table 4.3 (cont.)
Effect of Personal and Criminal Justice Factors on Employment[1]

Estimated Effect[2] on Probability of Employment for:

	All Offenders (N=51,588) Average employment probability=64.8%	All Prison Releases (n=16,165) Average employment probability=64.7%	All Probation Entries (n=35,423) Average employment probability=64.8%
Independent Variables			
Type of Community Supervision:[4]			
SSA Probation with Intermediate Punishments	-3.4%	N/A	-4.7%
No Supervision (SSA and FSA Prison Release)	-2.1%	-5.5%	N/A
FSA Parole Supervision	4.6%	N/A	N/A
Participation in Programs			
Intensive Supervision Parole	N/A	*NS*	N/A
Community Service Parole	N/A	4.9%	N/A
Intensive Supervision Probation	N/A	N/A	2.5%
Special Probation	N/A	N/A	*NS*
Community Service	N/A	N/A	2.9%
IMPACT	N/A	N/A	-7.1%
House Arrest with Electronic Monitoring	N/A	N/A	*NS*
TASC	N/A	N/A	11.0%
Community Penalties	N/A	N/A	8.0%

NS indicates that the effect is not statistically significant.

1. Having any recorded earnings during the 12 months immediately following release to the community.
2. Effect on probability for offender with mean probability in dataset.
3. Effect compared with property offense.
4. Effect compared with probation with community punishments in column for All Offenders; compared to FSA parole for All Prison Releases column and compared to probation with community punishments for All Probation Entries column.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1996/97 Correctional Program Evaluation Data

following release to the community for all offenders and probationers; being black or married, on the other hand, increased the probability of employment. For all offenders, blacks were 4.6% more likely than non-blacks to be employed in the year following release to the community; married offenders were 3.4% more likely than non-married offenders to be employed during the same time period. Similar results were found when looking at prison releases and probation entries separately.

For prisoners, the number of infractions had a small negative effect on employment in the year following release (0.4% for each infraction). Risk level had the anticipated effect for all offenders and probationers -- that is, higher risk offenders were less likely to secure employment in the year following release from prison. Notice, however, that risk level had no statistically significant effect on the employment of prison releasees.

Current Offense and Employment Probability: Having a current felony conviction (versus a misdemeanor) or a drug conviction decreased the probability that an offender would be employed. Across prison releases and probation entries, the effects were similar although conviction for a felony was non-significant for prison releases, possibly attributable to the fact that nearly all prisoners were felons.

Criminal History and Employment Probability: Components of an offender's criminal history were found to have a significant impact on the probability of employment, ranging from a 3.4% increase for each additional period of probation or parole to a 2.1% decrease for each additional probation/parole revocation. Each additional incarceration resulted in a 1.5% decrease in the probability of employment.

Type of Community Supervision and the Probability of Employment: When compared to community probation (the reference group), all other types of supervision with the exception of FSA parole were associated with a decreased probability of employment. These effects ranged from 2.1% less for prisoners who received no community supervision to 3.4% less for probationers with intermediate punishments. Again, similar results can be seen for the specific types of release applicable to the prison and probation subsamples.

Program Participation and the Probability of Employment: In the prison model, being ordered to participate in community service parole was associated with a 4.9% increase in the probability of employment when compared to offenders on regular parole. Similarly, for probationers, being ordered to participate in intensive supervision probation, community service probation, TASC, or Community Penalties increased the probability of employment by 2.5%, 2.9%, 11.0%, and 8.0% respectively. These findings are expected since employment or attending school are generally requirements of probation, and may be particularly enforced when participating in programs. It should be noted, however, that participating in IMPACT actually decreased the probability of employment by 7.1%, possibly due to the considerably younger age of IMPACT offenders.

Conclusion: In reviewing the multivariate analyses in this chapter, the conclusion that seems to emerge is that pre-existing factors play the most important role in determining which offenders

recidivate, with offender risk found to be especially predictive of reoffending behavior. While the type of supervision in the community and program participation were found to have some impact on the probability of rearrest and employment, the criminal justice system cannot expect to change the behavior of all offenders in the same way or to a great degree.

Figure 4.4
Key Findings

Risk

❑   Recidivism rates varied considerably by risk level. High risk offenders had a recidivism rate over three times higher than that of low risk offenders.

❑   Risk level varied by the type of supervision in the community. Probationers with community punishment were much more likely to be low risk than offenders on other types of supervision.

❑   Most of the differences in recidivism rates between offenders on different types of supervision disappeared when controlling for their risk level, but remained on average 3%-4% higher for released prisoners than for probationers.

❑   While risk provides a useful explanation for recidivism, other characteristics also play an important role in explaining differences in recidivism rates. Offenders are sentenced and targeted for correctional programs based on legal factors which can be thought of as a type of risk classification (although not necessarily risk of rearrest).

Multivariate Analysis

❑   The regression analysis modeled three outcome measures: recidivism, prison infractions, and employment. Independent variables in the analysis included a variety of personal offender characteristics, offender risk score, current offense information, and criminal history variables.

❑   Controlling for all other relevant factors, age, being married, being employed, and being under parole supervision decreased the chance of rearrest. Being male, black, a substance abuser, having prior drug arrests, and being released from prison with no supervision increased the probability of rearrest.

❑   Many of the same factors that influenced recidivism had a similar effect on prison infractions. When holding all other variables constant, age, employment, having a current felony, a current drug offense, and the number of times on probation/parole decreased the number of infractions. Several other factors increased the number of prison infractions including having a current violent offense, number of prior arrests, and number of prior incarcerations.

❑   Employment rates were nearly identical for all groups of prisoners and probationers, ranging from 60.5% for probationers with intermediate punishment to 68.1% for FSA parolees. Those offenders who worked in the year following release to the community, worked an average of 2.9 quarters and had average wages of $7,407.

❑   Controlling for all other factors, increased age, having a current felony or a drug conviction, each additional probation/parole revocation, and each additional incarceration decreased the chance of employment in the year following release to the community. Being black, married, and each additional period of probation/parole increased the probability of employment.

CHAPTER FIVE
PROGRAM PROFILES

Introduction

The ability to control for specific factors, including risk, as discussed in Chapter Four, combined with the wealth of information that has been collected during the course of this study has afforded an excellent opportunity for analyses of offenders who were assigned to various programs. As discussed in Chapter Two, the Department of Correction and the Sentencing Commission selected the following prison programs for more in-depth analysis: two prison-based substance abuse treatment programs, Drug Alcohol Recovery Treatment (DART) and the private substance abuse treatment programs; Sex Offender Accountability and Responsibility (SOAR); and Work Release. These programs were selected both due to substantive interest and data availability.[1]

To develop a program context in which the statistical results could be interpreted, Sentencing Commission staff visited a variety of sites statewide to conduct interviews and directly observe the daily operation of selected programs within their correctional settings. For programs with more than one site (such as DART), sites were selected to represent different geographic locales, both urban and rural, within the state, as well as different target populations (male versus female, youthful offender versus general population). A standardized protocol was used during interviews with directors and personnel from each program to gather specific information about program history, program components, client characteristics, and program administration. Staff members also toured facilities and attended program activities (such as instructional sessions or group therapy). When available, written materials, descriptions, and statistics on the specific programs were also collected.

This chapter presents both descriptive and statistical information on the programs mentioned above. It should be noted that while the program descriptions reflect a 1999 reality, the statistics provided in this chapter are based on prisoners released in FY 1996/97. The programs have not undergone any major changes since FY 1996/97.

Substance Abuse

Figure 5.1 provides an overview of prisoners released in FY 1996/97 who had identified substance abuse problems, whether they were referred to substance abuse treatment while in prison, the type of treatment they received, and whether they completed treatment. Of the 16,165 prisoners released in FY 1996/97, nearly 66% (n=10,601) were identified as having a substance abuse

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[1] Prison programs were chosen for more in-depth analysis, in large part, due to the availability of data. With the implementation of the DOC's computerized Offender Population Unified System (OPUS) in 1995, programmatic information for probationers has increased. However, for the FY 1996/97 sample, prison data are much more complete than probation data. It is anticipated that future studies will also focus on community-based programs for probationers.

Figure 5.1
Recidivism Rates for FY 1996/97 Prison Releases
Substance Abuse and Treatment Programs

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                        ┌─────────────────────────────────┐
                        │        Prison Releases          │
                        │          (n=16,165)             │
                        │ Percent with Any Rearrest: 43%  │
                        └─────────────────────────────────┘
                           │                          │
        ┌──────────────────────────────┐   ┌──────────────────────────────┐
        │      Do Not Have a           │   │    Have a Substance Abuse     │
        │  Substance Abuse Problem     │   │          Problem              │
        │        (n=5,564)             │   │         (n=10,601)            │
        │ Percent with Any Rearrest:   │   │ Percent with Any Rearrest: 44%│
        │           40%                │   │                               │
        └──────────────────────────────┘   └──────────────────────────────┘
                                              │                        │
                        ┌──────────────────────────┐   ┌──────────────────────────┐
                        │        Received          │   │     Did Not Receive      │
                        │   Treatment Referral     │   │   Treatment Referral     │
                        │        (n=6,708)         │   │        (n=3,893)         │
                        │ Percent with Any         │   │ Percent with Any         │
                        │   Rearrest: 45%          │   │   Rearrest: 43%          │
                        └──────────────────────────┘   └──────────────────────────┘
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| DART Prison (n=4,648) Percent with Any Rearrest: 44% | Other Treatment Referral (n=1,768) Not Analyzed | Private Prison Treatment (n=436) Percent with Any Rearrest: 32% |

| Completed (n=3,923) Percent with Any Rearrest: 43% | Did Not Complete (n=725) Percent with Any Rearrest: 53% | Completed (n=143) Percent with Any Rearrest: 31% | Did Not Complete (n=293) Percent with Any Rearrest: 32% |

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1996/97 Correctional Program Evaluation Data

problem.[2] Prisoners with substance abuse problems had a higher recidivism rate than those who were not identified as having substance abuse problems (44% and 40% with any recidivist arrest, respectively). Sixty-three percent (n=6,708) of prisoners with an identified substance abuse problem received a treatment referral.[3] Of these, nearly 70% (n=4,648) were referred to DART for treatment, 7% (n=436) were referred to private prison substance abuse treatment, and 26% were referred to some other prison substance abuse activity (e.g., Alcoholics Anonymous, Narcotics Anonymous, etc.). Of those referred to DART, 84% completed treatment. Those who completed DART had a much lower recidivism rate than those who did not complete DART (43% and 53% with any rearrest, respectively). Thirty-three percent of private substance abuse treatment participants completed treatment, with no substantial differences in recidivism between those who completed treatment and those who did not. In-depth descriptions and additional statistical information for DART and the private prison substance abuse treatment programs are provided below.

Drug and Alcohol Recovery Treatment (DART)

The DART program is the primary prison-based chemical dependency treatment program operated by the Division of Alcohol and Chemical Dependency of the North Carolina Department of Correction. DART consists of a continuum of chemical dependency treatment services. The core component of DART is a 35-day intensive residential treatment program (DART IRT). While enrolled in DART IRT, inmates live together in specific areas of the prison unit apart from the general population and participate in daily chemical dependency treatment and counseling. DART IRT primarily operates in medium-custody facilities but there is a program at Central Prison. The DART continuum of care also includes access to pre-treatment orientation, aftercare, a community reintegration group called Winners' Circle and self-initiated involvement in Alcoholics Anonymous and Narcotics Anonymous meetings.

The first DART program was implemented on January 1, 1988 at Wayne Correctional Institute in Goldsboro, North Carolina with 100 beds. Programs for women and youthful offenders were implemented in 1989 and 1993, respectively. In 1994, the General Assembly approved a major expansion of the DART IRT program. Currently, there are 983 DART IRT treatment beds in fifteen prison units statewide. The program's format has remained essentially unchanged since its inception.

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[2] For the purposes of this study a prisoner was determined to have an identified substance abuse problem if: (1) prison assessments indicated a substance abuse problem; (2) he/she was referred to any prison substance abuse program or activity (e.g., DART, private prison treatment, AA/NA meetings, etc.); or (3) he/she scored three or higher on the SMAST (Short Michigan Alcoholism Screening Test) or CDST (Chemical Dependency Screening Test).

[3] For the purposes of this study a prisoner was determined to have a substance abuse treatment referral if he/she was ever assigned to any prison substance abuse program or activity (e.g., DART, private prison treatment, AA/NA meetings, etc.) during the incarceration period(s) for the conviction that placed him/her in the sample, regardless of whether he/she participated or the length of participation. Also, prisoners may have been referred to more than one treatment program.

DART is based on a modified version of the Minnesota Model of treatment. This model recognizes addiction as a primary, progressive and potentially fatal disease, and treatment as an introduction to life-long recovery. The keys to recovery within this model are maintaining complete abstinence from controlled substances, following the twelve steps of Alcoholics and Narcotics Anonymous and taking active responsibility for one's own recovery. As participants continue in the program, there are decreasing levels of formal intervention and an increasing reliance on self-help. The specific goals of the program are to:

- Introduce the participant to the disease of chemical dependency.
- Engage the participant in the treatment process.
- Break through the participant's denial.
- Develop a recovery and aftercare plan for the participant.
- Help the participant make the transition from treatment to aftercare and recovery.

The DART program targets self-admitted alcoholics or addicts at the front-end of their sentences. Each inmate enters the prison system through a Diagnostic and Reception center. During the Diagnostic and Reception process, the Short Michigan Alcoholism Screening Test (SMAST) and the Chemical Dependency Screening Test (CDST) are administered to each inmate. These instruments are dependent on how an inmate interprets a question and on the accuracy of self-reporting. Each of these tests is composed of fourteen items geared to gauge the use of chemical substances by the inmate. For each of thirteen of the questions answered in the affirmative, a point is assigned. The point total is then interpreted based on a nationally accepted scale. By division policy (in accordance with nationally accepted practices), a score of three or more on either the SMAST or the CDST will result in a referral of that inmate to the DART program. Inmates may also be referred by the sentencing judge, by other prison staff, or by self-referral. Inmates referred to DART usually gain entry to the program within four to six weeks of entering the prison system. Inmates who do not qualify for the DART IRT program (such as minimum custody level misdemeanants with short sentences) may be referred to DART 24, a 24-hour educational program.

Upon beginning DART IRT, each client is assigned to a group of approximately twenty participants with a primary counselor and, in many instances, at least one peer counselor (an inmate selected by the Program Director who has previously completed the DART program, is successfully maintaining his recovery and has received counselor training). The primary counselor facilitates and supervises the participant's treatment, addresses disciplinary problems and engages the participant in counseling sessions. The peer counselor plays an essential role in the DART model; providing help to the primary counselor and acting as a role model both during treatment and in the living quarters.

During DART IRT each participant undergoes thirty hours of treatment a week, for a total of one hundred and twenty hours. Of those thirty treatment hours per week, the following time allotments are mandated by the Division of Alcohol and Chemical Dependency:

- Group therapy conducted daily for a minimum of one hour Monday through Friday.

- Lectures and audiovisual material addressing the DART approach to treatment and recovery delivered for a minimum of one hour Monday through Friday.
- Recreation scheduled daily for a minimum of one hour Monday through Friday.
- AA and NA specific lectures, reading material, study groups and/or discussions held daily for a minimum of one hour Monday through Friday.
- Daily morning meditation conducted for thirty minutes Monday through Friday.
- AA and NA demonstration meetings held once each week.
- DART Family Orientation available each week for a minimum of one hour.

In order to achieve successful completion of the DART IRT program, clients must fulfill certain minimum requirements. They must attend at least 90 percent of their session hours, do their homework, participate in group discussions and provide feedback to their fellow participants. Throughout the treatment program, clients must be sincere about entering recovery. Immediate expulsion of a client may occur if he or she becomes violent, acts sexually inappropriately or possesses or uses controlled substances. Successful completion of the program earns an inmate a completion certificate and six days earned time.

According to the Division of Alcohol and Chemical Dependency, the daily cost per participant for DART IRT is $14.58. This cost is calculated by dividing the annual program budget by the number of beds in that program, divided by 365 days.

Once a client has successfully completed DART IRT, he or she is assigned to an aftercare program. Those individuals who complete DART 24 are also eligible for aftercare. The purpose of aftercare is to provide therapeutic support during post-residential treatment adjustment and to help strengthen the participant's recovery by engaging him/her in community groups. Aftercare is composed of eight scheduled 1-1.5 hour group sessions and at least one AA/NA meeting and typically fits into an eight week format.

Of the 16,165 prisoners released during FY 1996/97, 4,648 were assigned to DART IRT while in prison for their current conviction. Of those assigned to DART, 84.4% (n=3,923) completed DART.[4] Table 5.1 provides demographic characteristics, substance abuse history, criminal history, current conviction offense, and recidivist arrest information for the 4,648 prisoners assigned to DART. Information is presented for the entire DART sample, as well as by program completion categories. Generally, prisoners who completed DART did not differ substantially from prisoners who did not complete DART except with regard to length of time spent in DART and recidivist arrests.

Demographic Characteristics: Of those assigned to DART, the majority (88.0%) were male, 68.5% were black, 15.0% were married, and their average age was 33.

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[4] As a result of data limitations, DART IRT completion was defined as participating in the program for 21 or more days.

Table 5.1
Profile of DART Prison Participants: FY 1996/97 Prison Releases

	Total	Completed	Did Not Complete
Number	4,648	3,923	725
Demographic Characteristics			
% Male	88.0	87.5	91.2
% Black	68.5	68.1	70.9
Mean Age	33	33	32
% Married	15.0	15.1	14.6
% with 12 or More Years of Education*	50.3	51.3	44.7
Risk Level			
% Low Risk	12.3	12.8	9.4
% Medium Risk	28.8	29.5	25.4
% High Risk	58.9	57.7	65.2
Substance Abuse History*			
First Drug of Choice			
% Alcohol	62.2	62.1	63.2
% Marijuana	9.4	9.3	10.0
% Cocaine	10.7	10.6	11.2
% Crack	11.9	12.1	10.4
% Other Drug	5.8	5.9	5.2
Mean Age at 1st Use (1st Drug of Choice)	19	19	19
% Using Drugs/Alc. at Time of Offense	46.4	47.6	40.0
Criminal History			
% With Any Prior Arrests	97.6	97.5	98.1
Mean Number Any Prior Arrests	4.8	4.7	5.0
% With Violent Prior Arrests	37.9	37.3	41.0
Mean Number Violent Prior Arrests	0.7	0.7	0.7
% With Property Prior Arrests	73.8	73.1	77.9
Mean Number Property Prior Arrests	2.7	2.7	3.0
% With Drug Prior Arrests	60.4	60.7	58.9
Mean Number Drug Prior Arrests	1.3	1.3	1.2

Table 5.1 (cont.)
Profile of DART Prison Participants: FY 1996/97 Prison Releases

	Total	Completed	Did Not Complete
Number	4,648	3,923	725
Most Serious Current Conviction			
% Felony	97.5	97.4	97.7
% Violent	8.2	8.1	8.8
% Sex	1.4	1.4	1.1
% Property	39.7	39.3	41.9
% Drug	43.1	43.5	40.8
% Other	5.1	5.1	5.1
% Misdemeanor	2.5	2.6	2.3
% Violent	0.3	0.4	0.3
% Sex	0.0	0.0	0.0
% Property	1.9	1.9	1.9
% Drug	0.2	0.2	0.1
% Other	0.1	0.1	0.0
Average Time Served in Months	17.5	17.3	19.0
Mean Days in DART	33	37	10
Recidivist Arrests			
% With Any Recidivist Arrests	44.4	42.9	52.7
Mean Number Any Recidivist Arrests	0.9	0.9	1.1
% With Violent Recidivist Arrests	11.0	10.4	14.3
Mean Number Violent Recid. Arrests	0.1	0.1	0.2
% With Property Recidivist Arrests	23.7	22.8	28.4
Mean Number Property Recid. Arrests	0.4	0.4	0.5
% With Drug Recidivist Arrests	20.2	20.0	21.5
Mean Number Drug Recid. Arrests	0.3	0.3	0.3
Mean Time to 1st Recid. Arrest (months)	9.5	9.6	8.9

* Excludes cases with missing values for these variables.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1996/97 Correctional Program Evaluation Data

Risk Level:[5] The majority of DART participants were high risk (58.9%) or medium risk (28.8%). Offenders who did not complete DART were more likely to be high risk (65.2%) and less likely to be low risk (9.4%) than those who completed DART.

Substance Abuse History: The first drug of choice for almost two-thirds (62.2%) of the DART participants was alcohol. Eleven percent indicated cocaine, 12% indicated crack, and 9% indicated marijuana as their first drug of choice. The mean age at initial use of their first drug of choice was 19. Slightly under half (46.4%) indicated that they were using drugs or alcohol at the time of their conviction offense.

Criminal History: The majority of DART participants (97.6%) had at least one prior arrest, with an average of 4.8 prior arrests. Seventy-four percent had prior arrests for property offenses and 60% had prior arrests for drug offenses.

Most Serious Current Conviction: Almost all DART participants had a most serious current conviction for a felony offense (97.5%), with, as one might expect, the majority of convictions for drug and property offenses (43.1% and 39.7%, respectively). On average, DART participants served almost 18 months for their current conviction.

Mean Days in DART: Prisoners who completed DART were in the program for an average of 37 days compared to an average of 10 days for non-completers. The average time spent in DART by program completers indicates that DART is meeting its goal of maintaining a 35-day substance abuse treatment program.

Recidivist Arrests: Overall, 44.4% of DART participants were rearrested, with an average of 0.9 rearrests. Of those rearrested, almost 24% had recidivist arrests for property offenses and about 20% had recidivist arrests for drug offenses. Program completers and non-completers differed substantially in their rates of rearrest (*see* Table 5.1 and Figure 5.2). Forty-three percent of program

Figure 5.2
% Rearrest for DART Participants: FY 1996/97 Prison Releases

■ Completed DART   □ Did Not Complete DART
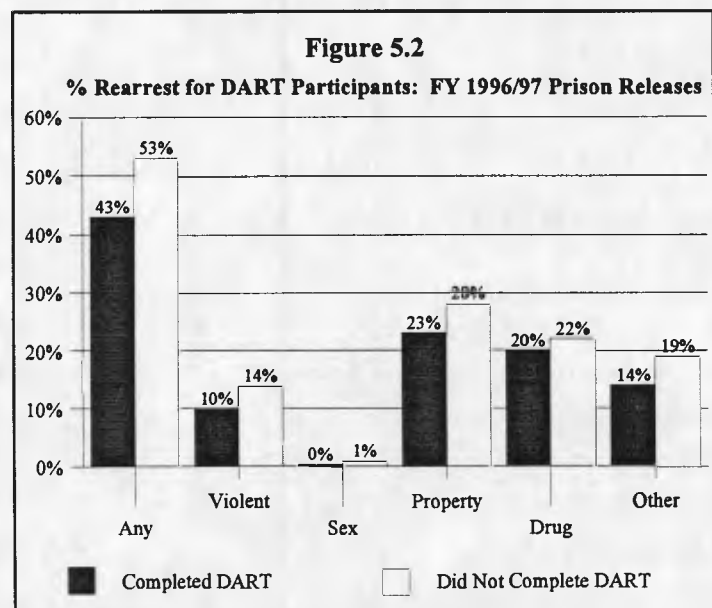
NOTE: Less than 0.1% of offenders who completed DART had recidivist arrests for sex offenses.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1996/97 Correctional Program Evaluation Data

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[5] As determined using a composite measure of the estimated probability of rearrest. For more information on risk, see Chapter Four and Appendix B-2.

completers were rearrested compared to 53% of non-completers. (The overall rearrest rate for prisoners was 42.6%.)

As seen in Chapter Four, one important consideration when evaluating programs is the participants' level of risk. As discussed above, DART participants were overwhelmingly high risk. Figure 5.3 shows recidivism rates for offenders who participated in DART by program completion and level of risk. While recidivism rates varied by level of risk, the difference in recidivism rates for medium and high risk offenders who completed DART compared to medium and high risk offenders who did not complete DART was particularly noticeable, with completers recidivating much less than non-completers (even when controlling for risk).
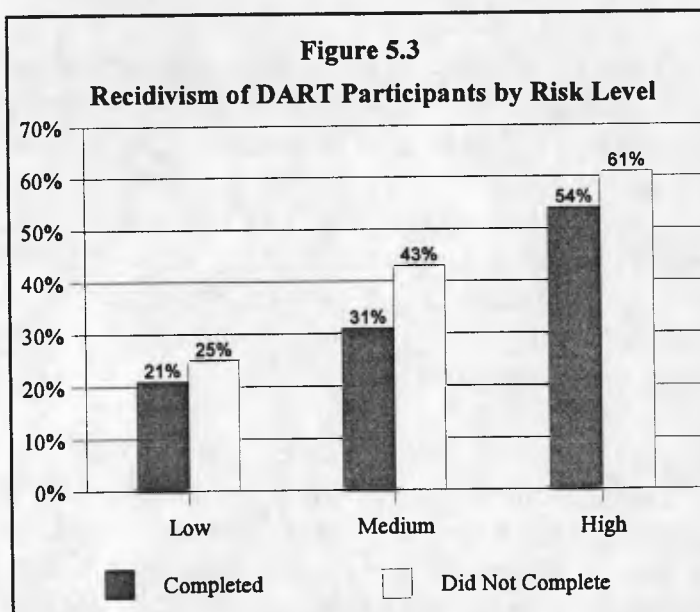
Figure 5.3
Recidivism of DART Participants by Risk Level

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1996/97 Correctional Program Evaluation Data

Multivariate analysis indicated that completion of DART did not significantly impact recidivism compared to all prisoners with an identified substance abuse problem. This does not mean that DART has no effect on behavior but rather that when controlling for other factors (*i.e.*, age, race, gender, type of current offense, etc.) completing chemical dependency treatment did not significantly impact recidivism. No data were available on the impact of DART on future substance abuse.

Private Substance Abuse Treatment

Under the private treatment program, the Department of Correction contracts with private companies for housing, custody, treatment and alcohol/drug abuse services. Contracts with private providers are for five years. Beginning in March 1995, the Department of Correction contracted with the following four private substance abuse treatment centers:

Facility Name	Location	Date opened	Beds/Gender
Evergreen Rehabilitation Center	St. Pauls	March 16, 1995	75/ male
Mary Frances Center	Tarboro	March 16, 1995	100/female
Right Turn of NC	Charlotte	September 22, 1995	100/male
Cornell Corrections, Inc.	Durham	December 17, 1996	75/male

These programs target inmates who have been identified during their incarceration as having a substance abuse problem and who are within six to twelve months of release from prison. Inmates are selected for assignment to these programs by personnel in the Division of Alcohol and Chemical Dependency's central office in Raleigh. Referrals for assignment are made by the Division of Prisons, the Parole Board and the DART program. To be eligible, inmates must be assigned to minimum custody, must have a minimum of six months remaining on their sentence, must be physically and mentally capable of participation, must have an identifiable history of substance abuse and cannot have any history of escape. Approximately one third of clients in the private programs have also been through DART.[6]

Generally, the private treatment programs last from six months to one year.[7] There is no single treatment model followed by all four programs. However, there are some similarities among the programs. Upon entry to a program, participants undergo a comprehensive assessment following which an individualized treatment plan is developed. Due to the extended length of the program, participants may receive education, and life skills and job training, in addition to substance abuse treatment. Each program has a strong Alcoholics Anonymous and Narcotics Anonymous Twelve Step component. Because a goal of these programs is to ease transition back into the community for the inmate, they all involve components which are designed to engage the participant in the community. As participants progress in the program, their contact with the community increases through Work Release, community service or supervised attendance at community AA or NA meetings.

Of the 16,165 prisoners released in FY 1996/97, 436 received substance abuse treatment from one of the four private substance abuse treatment programs. Thirty-three percent (n=143) completed private substance abuse treatment.[8] Table 5.2 provides a profile of the private substance abuse treatment participants.

Demographic Characteristics: Overall, 52.1% of private substance abuse treatment participants were male, 63.1% were black, 15.4% were married, and about half (51.3%) had 12 or more years of education. With the exception of gender, program completers and non-completers were very similar with regard to demographic characteristics.

Risk Level: Thirty-seven percent of offenders who participated in private treatment were high risk, 41.1% were medium risk, and 21.6% were low risk. Program completers and non-

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[6] Data for this study indicated that 144 offenders were assigned to DART and to one of the private substance abuse treatment programs, representing 3% of DART offenders and 33% of private substance abuse treatment offenders.

[7] Mary Frances Center receives some female offenders for as little as 90 days due to the fact that women typically serve short sentences.

[8] For private substance abuse treatment programs, completion was defined as being in the program for at least 6 months.

Table 5.2
Profile of Private Prison Treatment Participants: FY 1996/97 Prison Releases

	Total	Completed	Did Not Complete
Number	436	143	293
Demographic Characteristics			
% Male	52.1	62.2	47.1
% Black	63.1	60.8	64.2
Mean Age	32	33	32
% Married	15.4	15.4	15.4
% with 12 or More Years of Education*	51.3	53.5	50.2
Risk Level			
% Low Risk	21.6	27.3	18.8
% Medium Risk	41.1	33.6	44.7
% High Risk	37.4	39.1	36.5
Substance Abuse History*			
First Drug of Choice			
% Alcohol	53.7	60.7	50.0
% Marijuana	9.1	6.5	10.5
% Cocaine	12.7	10.3	14.0
% Crack	15.3	12.1	17.0
% Other Drug	9.2	10.4	8.5
Mean Age at 1st Use (1st Drug of Choice)	20	18	20
% Using Drugs/Alc. at Time of Offense	49.2	56.9	45.1
Criminal History			
% With Any Prior Arrests	94.7	95.1	94.5
Mean Number Any Prior Arrests	4.0	3.8	4.0
% With Violent Prior Arrests	22.0	18.2	23.9
Mean Number Violent Prior Arrests	0.4	0.3	0.4
% With Property Prior Arrests	66.7	68.5	65.9
Mean Number Property Prior Arrests	2.3	2.4	2.3
% With Drug Prior Arrests	59.9	52.4	63.5
Mean Number Drug Prior Arrests	1.2	1.0	1.3

Table 5.2 (cont.)
Profile of Private Prison Treatment Participants: FY 1996/97 Prison Releases

	Total	Completed	Did Not Complete
Number	436	143	293
Most Serious Current Conviction			
% Felony	79.1	81.1	78.1
% Violent	0.7	0.7	0.7
% Sex	0.0	0.0	0.0
% Property	31.0	32.9	30.0
% Drug	40.5	39.1	41.3
% Other	6.9	8.4	6.1
% Misdemeanor	20.9	18.9	21.9
% Violent	1.4	1.4	1.4
% Sex	0.0	0.0	0.0
% Property	15.8	14.7	16.4
% Drug	2.3	2.1	2.4
% Other	1.4	0.7	1.7
Average Time Served in Months	19.3	24.0	17.1
Mean Months in Treatment	4.8	9.2	2.7
Recidivist Arrests			
% With Any Recidivist Arrests	31.9	30.8	32.4
Mean Number Any Recidivist Arrests	0.6	0.6	0.6
% With Violent Recidivist Arrests	5.0	5.6	4.8
Mean Number Violent Recid. Arrests	0.1	0.1	0.1
% With Property Recidivist Arrests	19.0	21.0	18.1
Mean Number Property Recid. Arrests	0.3	0.4	0.3
% With Drug Recidivist Arrests	14.4	12.6	15.4
Mean Number Drug Recid. Arrests	0.2	0.2	0.2
Mean Time to 1st Recid. Arrest (months)	9.8	10.1	9.7

* Excludes cases with missing values for these variables.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1996/97 Correctional Program Evaluation Data

completers differed with respect to risk level, with higher percentages of low and high risk offenders and lower percentages of medium risk offenders for program completers.

Substance Abuse History: The first drug of choice for over half (53.7%) of participants was alcohol. The second highest category for first drug of choice was crack (15.3%) followed by cocaine (12.7%). Compared to non-completers, program completers were more likely to choose alcohol as their first drug of choice and less likely to choose cocaine or crack as their first drug of choice. Almost half of all participants reported using alcohol or drugs at the time of the offense for which they were incarcerated.

Criminal History: Most participants had at least one prior arrest (94.7%), with an average of 4.0 prior arrests. The majority had prior arrests for property (66.7%) and drug offenses (59.9%). Those who completed treatment had slightly fewer prior arrests for violent offenses and drug offenses.

Most Serious Current Conviction: Seventy-nine percent of private substance abuse treatment participants had a most serious current conviction for a felony offense. The majority were convicted of felony drug offenses (40.5%) followed by felony property offenses (31.0%). There were only slight differences between program completers and non-completers with regard to current conviction categories.

Mean Months in Treatment: On average, participants spent 4.8 months in private substance abuse treatment. Consistent with the requirements of the four private treatment programs, those who completed spent an average of 9.2 months in the program. Non-completers spent an average of 2.7 months in treatment.

Recidivist Arrests: Thirty-two percent of private treatment participants had one or more recidivist arrest, with an average of 0.6 recidivist arrests. Nineteen percent had recidivist arrests for property offenses and 14% had recidivist arrests for drug offenses. As shown in Table 5.2 and Figure 5.4, program completers and non-completers differed little in their overall rearrest rates (30.8% and 32.4%, respectively) and in their rearrest rates by type of offense. Figure 5.5 shows recidivism rates for program completers and non-completers while controlling for risk. Consistent with other findings in this report, low risk

Figure 5.4

% Rearrest for Private Prison Treatment Participants

Legend: Completed Treatment; Did Not Complete Treatment
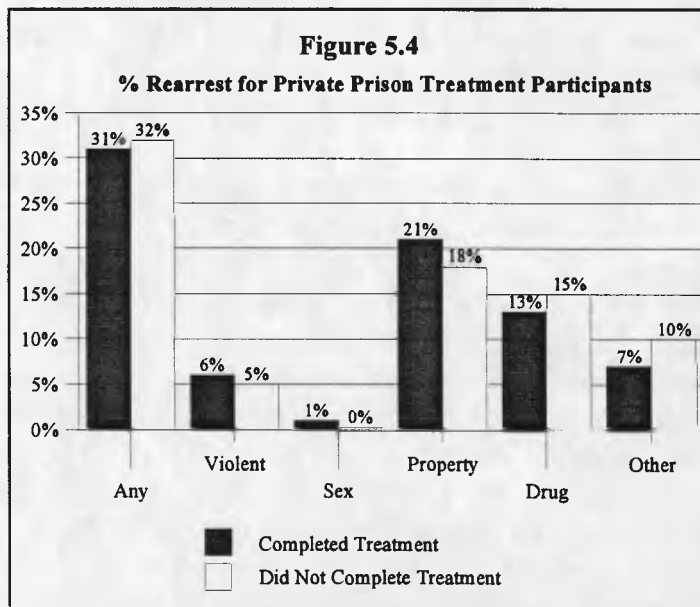
NOTE: Less than 0.1% of offenders who did not complete private prison treatment had recidivist arrests for sex offenses.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1996/97 Correctional Program Evaluation Data

offenders were much less likely to recidivate than high risk offenders; however, completion of private substance abuse treatment was not as clearly related to recidivism as it was for DART offenders.

Multivariate analysis indicated that, controlling for all other factors (such as gender, race, and age), prisoners who completed private substance abuse treatment did not differ significantly from all prisoners with a substance abuse problem with regard to recidivism; however, this does not mean that private substance abuse treatment did not have an effect on other behaviors (such as reducing substance use) that were not included as outcomes in this analysis.

Figure 5.5
Recidivism of Private Treatment Participants by Risk Level

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1996/97 Correctional Program Evaluation Data

A Comparison of Programs

The data provided for DART and the private substance abuse treatment programs indicate a considerable difference in the recidivism rates of their participants (*see* Figure 5.6). These differences, however, might be explained at least in part by comparing programmatic elements and offender characteristics of the two types of programs. DART offers front-end treatment (*i.e.*, occurs early in an offender's prison stay), whereas the private substance abuse treatment programs are back-end programs (*i.e.*, occur shortly before an offender is released). Related to this is the fact that DART treats offenders in a medium custody setting; private treatment is offered at minimum custody facilities. In addition to the timing of treatment, the programs also differ in length -- DART is a 35-day program, while the private treatment programs last from six months to one year.

Offenders in the two types of treatment also differed in important ways
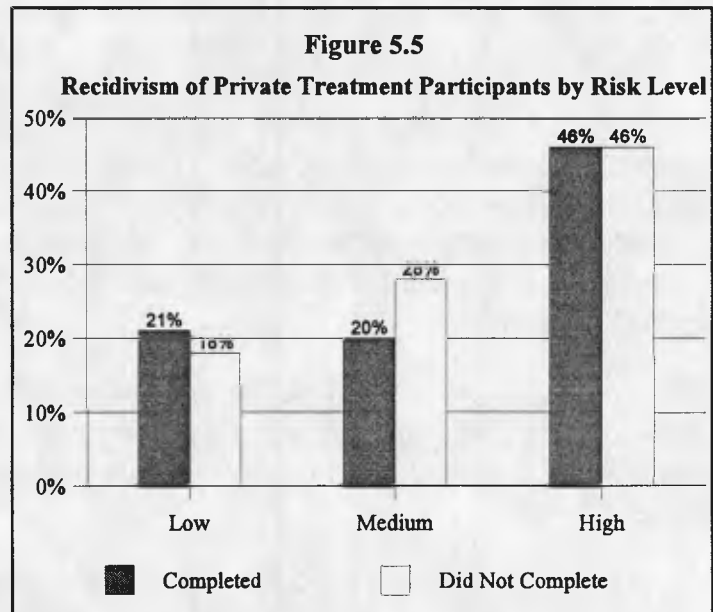
Figure 5.6
% Rearrest by Substance Abuse Treatment Program

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1996/97 Correctional Program Evaluation Data

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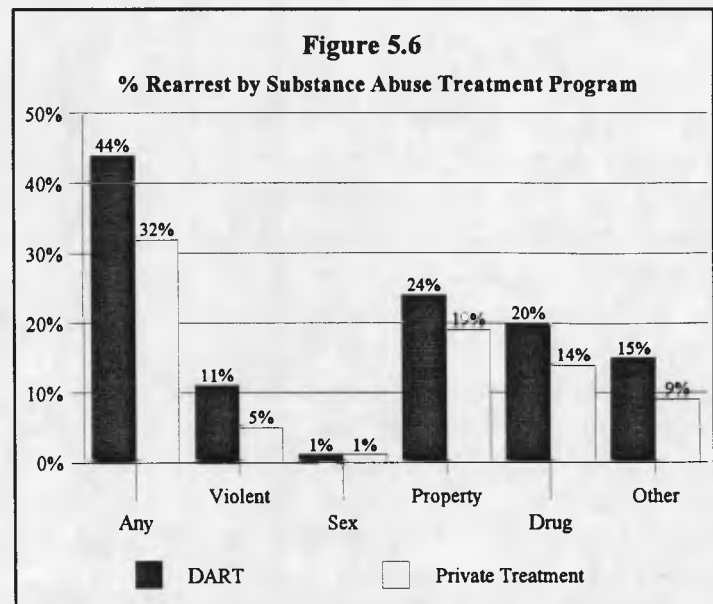
(*see* Table 5.1 and Table 5.2). DART participants were primarily male (88.0%) compared to only about half of private treatment participants (52.1%). Offenders in DART were more likely to be felons and to indicate alcohol as their first drug of choice. DART offenders were higher risk than private treatment offenders (58.9% high risk compared to 37.4% high risk, respectively), a factor strongly associated with recidivism. DART offenders were also much more likely to complete their substance abuse treatment than those in private treatment (84% compared to 33%, respectively), possibly due to shorter program length.[9]

Other Prison Programs

Work Release

The Department of Correction began its Work Release Program in 1957. Since most inmates are assigned to some type of job while they are incarcerated, it is important to distinguish between the Work Release Program and other job assignments that are also operated by the DOC. The Work Release Program in North Carolina is best defined by its participants: inmates who meet certain DOC eligibility requirements, who temporarily leave the prison unit <u>unsupervised</u> by correctional officers, and who earn at least hourly minimum wages by being employed in the community. Upon completion of the work day, the offender returns to his or her prison facility.

The manner in which the Work Release Program operates has remained basically unchanged since its inception. The program has never had more than 2,000 inmates employed at any given time. Generally, the program maintains approximately 1,300 slots for Work Release. Work Release is a job assignment in the Division of Prisons. The Chief of Program Services oversees the program. The day-to-day operation of the program is decentralized. Superintendents administer the program locally.

According to its statement of purpose, "the Work Release Program provides selected inmates the opportunity for employment in the community during the period of incarceration." The Department of Correction operates the Work Release Program to: "1) respond to statutory requirements; 2) respond to the transitional needs of soon to be released inmates and the program and maintenance needs of longer term inmates; 3) respond to community labor needs; 4) respond to the need to support inmate families and to reduce the economic costs of prison." Work Release is a privilege given to inmates who present a low risk to public safety.

There are two basic factors that determine the initial eligibility of an inmate for the Work Release Program. First, the offender must be within three years or less of his or her release date (parole or sentence maximum). It should be noted that inmates who are ordered by a court to be placed on Work Release and who have a sentence of five years or less are immediately placed on Work Release upon being incarcerated, unless there are conditions that would preclude such

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[9] In addition, during the site visits, private substance abuse treatment staff indicated that a number of participants do not complete treatment because they are released from prison.

placement. The law under which the offender was sentenced (Fair Sentencing vs. Structured Sentencing) as well as the type(s) of offense and length of sentence are also considered in determining when and whether an inmate can be considered for Work Release. Second, the offender must have a custody classification of minimum security level 3, which is the lowest custody level assigned in the prison system.

It is notable that the seriousness of the crime for which an inmate is sentenced does not exclude him or her from being considered for Work Release. For example, there are presently inmates assigned to the Work Release Program who have committed offenses ranging from misdemeanors to murder. Currently the decision to approve an inmate to Work Release is made by the Division of Prisons or by the Post-Release Supervision and Parole Commission, depending on the sentence length and the sentencing laws in effect at the time the inmate was sentenced. For those offenders sentenced under the FSA who received a sentence length of thirty years or greater, the Division of Prisons may recommend Work Release but it is the Post-Release Supervision and Parole Commission who has the authority to approve the recommendation. In the cases of FSA inmates who received a sentence length of thirty years or less, the Division of Prisons is the approving authority. For inmates sentenced under the SSA, the Division of Prisons has the authority to approve Work Release for all inmates except those sentenced to Life Without Parole. In the instances that involve SSA inmates sentenced to Life Without Parole, the Division of Prisons may recommend Work Release but the Post-Release Supervision and Parole Commission has the authority to approve it. With the exception of the two cases in which the final approving authority is the Post-Release Supervision and Parole Commission, the final decision of whether or not an offender is assigned to the Work Release Program is made by the superintendent at the local prison facility.

When approval for Work Release is made by either the Post-Release Supervision and Parole Commission, a screening process is initiated. Certain factors relative to the offender are scrutinized either by a prison classification specialist (in the larger facilities) or a committee of selected prison personnel (in the smaller facilities). These factors include: ensuring that the inmate meets the aforementioned requirements delineated in the DOP policy manual; determining the inmate's risk potential; reviewing the correctional plan that was completed during the diagnostic period of the inmate's incarceration; and ascertaining that the inmate does not have pending charges or recent infractions.

If the offender passes the initial phase of the screening process, the designated prison staff at the local facility completes a Work Release Action Form and forwards it to the unit's superintendent for approval. If the superintendent declines the action, the inmate is returned to the regular prison population and is otherwise assigned within the prison. If the superintendent approves the inmate for the Work Release Program, then the inmate is allowed to leave the prison unit unsupervised for the day in order to work with an approved employer in the community.

When an inmate is approved for Work Release, employment can commence as soon as a suitable job is secured and transportation arrangements have been made. With regard to the issue of transporting inmates to and from their work sites, the DOP has gradually shifted this responsibility from the prison personnel to the inmates themselves. The vast majority of inmates on Work Release

find their own employment by having worked previously at a site or by having used other inmates, family or friends to assist in locating work opportunities. In less populated areas, the more typical job would be found in manufacturing plants or in construction, while a typical Work Release job in a metropolitan section of North Carolina would be in the food services business.

Just as there are eligibility requirements for Work Release participants, there are also certain criteria that Work Release employers must meet. Employers must offer worker's compensation, at least a minimum wage salary, and a supervised work setting in which the employer can check on the offender approximately every 20 minutes. The staff person who is coordinating the program at the local prison (usually the program supervisor for the unit) always visits the potential Work Release site and meets with the employer before approving it. It is also this staff member who periodically checks in with the employer following the hiring of the inmate, and who maintains records on the work record and salary of the offender.

When an inmate is paid, he or she gives the paycheck to designated prison personnel who place the money in the offender's account. The funds are then dispersed to categories that are ranked by statute (North Carolina General Statute §148-33.1) from highest to lowest priority in the following order: 1) payment of $14.00 towards the prison per diem (this is for each 8 hours that the offender worked, not to exceed 5 days weekly); 2) cost of transportation associated with going to and from work; 3) inmate's personal draw of $45.00 per week; 4) any dependent support -- *i.e.,* child support; 5) restitution/fines/court costs; 6) judgments; and 7) requests for special payments -- *i.e.,* mortgage.

According to the policies/procedures for the Work Release Program, "inmates are routinely terminated from the Work Release Program for many reasons including parole termination or release, lost job, disciplinary action, escape, etc." Conversely, an offender's compliance with Work Release can be measured by the absence of problems at the work site. If there are difficulties with the inmate's work performance, it is reported to the prison's program supervisor, who periodically checks in with the work sites to determine how an offender is performing. It is generally standard practice that when inmates return to the prison facility after work, they are given "pat and frisk" searches to determine if there is any type of contraband on their person. Strip searches and drug testing are done on a random basis.

Offenders removed from the Work Release Program are allowed to return to the program if they have 90 days of being "infraction free" and if they have the approval of the superintendent at their prison unit. Examples of infractions within the work site or the prison that could result in the removal of an inmate from Work Release include using/possessing drugs, having unauthorized time away from the work site, and engaging in violent acts. Information provided by the Division of Prisons shows a low rate of escapes for those offenders involved in Work Release. During the three year time period from October 1996 to October 1999, there were 29 inmates who escaped from their respective Work Release sites out of a total of 7,230 inmates who were in the program.

Work Release is not a special program within the Division of Prisons; it is one of many job/program assignments. Therefore, costs are part of staff's routine jobs. The only additional

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program cost results from the funding of five positions within DOC's Office of the Controller, responsible for processing Work Release earnings and disbursements. The total annual expense for these positions ($156,721) was divided by the number of inmates who were admitted to Work Release during CY 1999 (3,472) to arrive at the program cost of $45.14 per year per participant or $.12 per day per participant.

Of the 16,165 prisoners released during FY 1996/97, 1,505 participated in Work Release during their incarceration for their current conviction. Table 5.3 provides demographic characteristics, criminal history, current conviction, and recidivist arrest information for these 1,505 offenders.

Demographic Characteristics: Ninety percent of Work Release participants were male, 65% were black, 19% were married, and slightly over half had 12 or more years of education.

Criminal History: The majority of offenders on Work Release (96.4%) had at least one prior arrest, with an average of 4.3 prior arrests.

Most Serious Current Conviction: Almost 94% of Work Release participants had a most serious current conviction for a felony offense. Thirty-one percent had convictions for violent felony offenses, followed closely by felony property offenses (29%) and felony drug offenses (22%).

Recidivist Arrests: Thirty-five percent of Work Release offenders were rearrested during the follow-up period, with an average of 0.7 recidivist arrests. Figure 5.7 shows prior and recidivist arrest rates for these offenders by crime category. The majority had prior arrests for property offenses (65.9%), followed by violent offenses (51.3%). Work Release participants were most likely to have recidivist arrests for property offenses (18.7%). The mean time to first rearrest for offenders on Work Release was 10.8 months.

Figure 5.7

Work Release Participants: FY 1996/97 Prison Releases

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1996/97 Correctional Program Evaluation Data

As shown in Table 5.4, 28% of offenders on Work Release were low risk compared to 15.2% of all prisoners, and 42.3% were high risk compared to 55.5% of all prisoners. Table 5.4 also provides recidivism rates for Work Release participants and all prisoners by level of risk. The data in this table indicate that, even when controlling for risk level, Work Release participants were less likely to recidivate than all prisoners. However, while risk provides a useful explanation for recidivism,
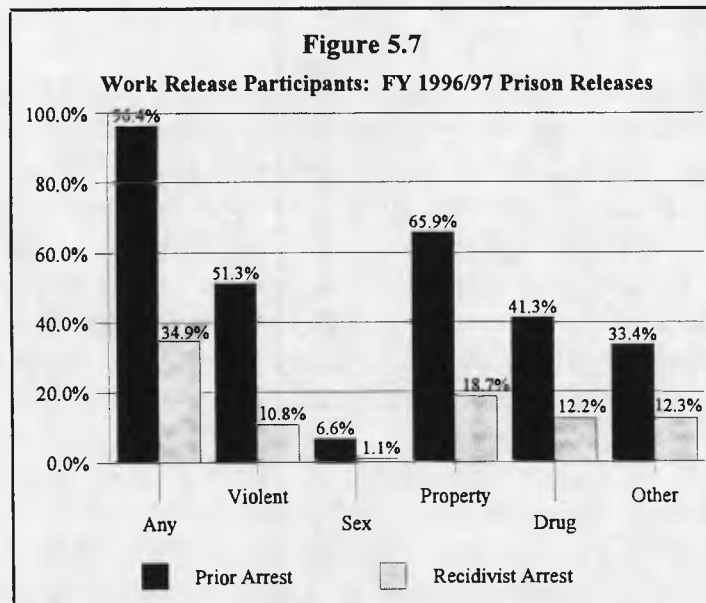
Table 5.3
Profile of Work Release Participants: FY 1996/97 Prison Releases

	Total
Number	1,505
Demographic Characteristics	
% Male	89.7
% Black	64.5
Mean Age	34
% Married	19.1
% with 12 or More Years of Education	51.8
Criminal History	
% Any Prior Arrest	96.4
Mean Number Prior Arrests	
Any	4.3
Violent	0.9
Sex	0.1
Property	2.5
Drug	0.8
Other	0.5
Most Serious Current Conviction	
% Felony	93.5
% Violent	30.5
% Sex	6.9
% Property	28.5
% Drug	22.1
% Other	5.5
% Misdemeanor	6.5
% Violent	1.6
% Sex	0.0
% Property	4.1
% Drug	0.5
% Other	0.3
Recidivist Arrests	
% Any Recidivist Arrest	34.9
Mean Number Recidivist Arrests	
Any	0.7
Violent	0.1
Sex	<0.1
Property	0.3
Drug	0.2
Other	0.2

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1996/97 Correctional Program Evaluation Data

other characteristics also play an important role in explaining differences in recidivism rates. Multivariate analysis helps determine the effects of these other characteristics. Multivariate analysis indicated that Work Release reduces the probability of recidivism, controlling for personal and criminal justice factors. Work Release participants had a 4.6% lower probability of rearrest during the 24-month follow-up period than prisoners who did not participate in Work Release. Not surprisingly, all other effects were similar to those seen in the analysis for all prisoners discussed in Chapter Four (*see* Table 4.1). In addition, early analysis of Employment Security Commission data suggest that being on Work Release also increases the probability of employment following release from prison.

Table 5.4
Risk Level and Recidivism for Work Release Participants and All Prisoners

A Comparison of Work Release Participants with All Prisoners	N	Risk Level		
		Low	Medium	High
Work Release Participants				
% Falling within the Risk Levels	1,505	28.0%	29.7%	42.3%
% Rearrest by Risk Level		15.0%	31.8%	50.2%
All Prisoners				
% Falling within the Risk Levels	16,165	15.2%	29.2%	55.5%
% Rearrest by Risk Level		18.6%	32.1%	54.7%

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1996/97 Correctional Program Evaluation Data

Sex Offender Accountability and Responsibility Program (SOAR)

Following a proposal to the North Carolina General Assembly in 1990 that a residential treatment program for sex offenders be established, the Sex Offender Accountability and Responsibility (SOAR) program began in January 1991. The SOAR program serves incarcerated male felons who are in need of treatment for sexual crimes. The program currently spans two separate 20 week cycles that serve approximately 40 inmates per cycle, or 80 inmates per year. The SOAR program has been funded by the DOC and housed at Harnett Correctional Institute from its inception. Since its beginning, the program has grown particularly in length of treatment provided for its participants and the number of inmates served.

The basic admission criteria have remained the same throughout the program's existence. In order to be eligible for the SOAR program, an inmate must meet the following criteria:

- ▸ Have a felony conviction for a sexual offense.
- ▸ Be age 21 or over.
- ▸ Be in minimum or medium custody.
- ▸ Volunteer to participate in the program.
- ▸ Admit guilt for his sexual offense.
- ▸ Not have a severe mental illness.
- ▸ Have at least a sixth grade reading level.
- ▸ Be willing and able to participate in highly confrontational groups.

Currently, inmates are identified in their units by the Director of Psychological Services and referred directly to SOAR staff, who then make the final selection of participants. Efforts to recruit new participants are also made by SOAR graduates who discuss the benefits of the program with other offenders.

The overall mission of the SOAR program is "No more victims." SOAR utilizes a Cognitive-Behavioral/Relapse Prevention treatment modality to accomplish this goal. The model seeks to identify the participant's deviant offending cycle and break it. This is accomplished by the offender learning to: identify precursors; identify historical events which lead to specific thoughts, feelings, and behaviors; identify daily occurrences in the offender's life which trigger specific responses; and identify times and situations in which to insert appropriate coping responses. Accountability and responsibility are stressed in each of the program modules from day one. In this process, developing victim empathy is a major component.

A director, two full-time psychologists, and a part-time contractual psychologist comprise the treatment team that administers the SOAR program. In addition to the paid staff, nine former SOAR participants are utilized as peer counselors. Offenders participating in the SOAR Program spend a total of 600 hours in treatment, with one-half of the time spent in classroom instruction and the remainder in laboratory work. SOAR participants are engaged in the program for five days per week. The classroom instruction component is composed of an integrated curriculum of 15-20 lesson modules that are directed toward one or more of the 15 goal areas. Some of the subjects addressed by the modules include anger management, life skills, relationships and communication, stress management, empathy training, and relapse prevention. The laboratory facet of the program involves completing five workbooks, viewing instructional videos, and completing various homework assignments. Participants are primarily self-directed during laboratory work, although peer counselors provide assistance when necessary.

Each participant is evaluated by SOAR staff on their progress throughout the program and upon completion of the program. The penalty for violating any of the program guidelines can result in disciplinary action or dismissal from the program. Unsatisfactory completion of assignments, insufficient positive participation in the program, breach of the participation contract, or violation of particular SOAR rules (no contact with victim, no sexually stimulating material, no pictures of people, no sexual contact with other participants, etc.) is grounds for disciplinary action. Dismissals are made by the staff team. Participants who have been dismissed from the program may be admitted

at a later date, but completion rates for this secondary group are generally low.

When participants have completed the SOAR program without any significant disciplinary violations, they are returned to the regular inmate population. SOAR aftercare programs are available for some inmates. Aftercare programs currently exist in approximately 23 units. This represents an increase from six aftercare units in FY 1996/1997. SOAR staff recommend that graduating participants attend an aftercare program for 15-20 sessions after completion. Participation in aftercare programs is voluntary. If an inmate's sentence is completed shortly after his participation in SOAR and he is unable to attend an aftercare program prior to his prison release, then attendance in a community-based Sex Addicts Anonymous (SAA) program is recommended.

In an effort to create a continuum of care, a Pre-SOAR program currently exists in five units, with about 100 inmates participating. Pre-SOAR is not a treatment modality, but an introductory orientation to the program that exposes inmates to SOAR concepts and vocabulary. The program requires one to two hours of work per week for a total of 10-16 weeks. Pre-SOAR is directed toward those inmates who qualify for SOAR treatment but who are not chosen due to limited space, or who have special needs (*e.g.*, Attention Deficit Disorder, hearing impaired, etc.).

According to SOAR staff, the cost of the program is $7.16 daily per SOAR participant. This cost is arrived at by dividing the expenditures for the SOAR program by the number of participants who complete the program per year and then dividing that number by 365.

Due to the small number of slots available for participation in SOAR, only 39 prisoners released in FY 1996/97 had participated in SOAR during their incarceration for their current offense. *Due to the very small number of participants, the profile of SOAR participants presented in Table 5.5 should be interpreted with caution.*

Demographic Characteristics: Consistent with program guidelines, all participants in SOAR were male. Forty-one percent were black, 41% were married, 59% had 12 or more years of education, and their mean age was 38. It should be noted that SOAR participants were very different from the overall sample of prisoners in this study with regard to demographic characteristics. For example, SOAR participants were much more likely to be married (compared to 13.4% of all prisoners) and had a much higher mean age (compared to an average age of 31 for all prisoners).

Risk Level: The majority of SOAR participants were low risk (71.8%) compared to only 15.2% of all prisoners.

Criminal History: Ninety-two percent of SOAR participants had one or more prior arrest, with an average of 2.5 prior arrests.

Table 5.5
Profile of SOAR Participants: FY 1996/97 Prison Releases

	Total
Number	39
Demographic Characteristics	
% Male	100.0
% Black	41.0
Mean Age	38
% Married	41.0
% with 12 or More Years of Education	59.0
Risk Level	
% Low Risk	71.8
% Medium Risk	15.4
% High Risk	12.8
Criminal History	
% Any Prior Arrest	92.3
Mean Number Prior Arrests	
Any	2.5
Violent	0.3
Sex	0.4
Property	0.8
Drug	0.1
Most Serious Current Conviction	
% Felony	100.0
% Violent	5.1
% Sex	92.3
% Property	2.6
Mean Time Served in Months	58.3
Participation in SOAR	
% Completed SOAR	74.4
Recidivist Arrests	
% With Any Recidivist Arrests	10.3
Mean Number Recidivist Arrests	
Any	0.2
Violent	0.1
Sex	<0.1
Property	0.1
Drug	0.0
Other	0.1
Mean Time to 1st Recidivist Arrest (months)	12.1

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1996/97 Correctional Program Evaluation Data

Most Serious Current Conviction: All participants had a most serious current conviction for a felony offense, with 92% for a felony sex offense.[10]

Participation in SOAR: Seventy-four percent of the 39 participants released in FY 1996/97 completed SOAR.[11]

Recidivist Arrests: Only 10.3% of SOAR participants had any recidivist arrests compared to 26.1% of the 472 prisoners who had a most serious conviction for a felony sex offense. Figure 5.8 presents the percentage of prior arrests and recidivist arrests for SOAR‹ participants. About 39% of SOAR participants had prior arrests for sex offenses and nearly 3% (n=1) had recidivist arrests for sex offenses. Multivariate analysis to determine whether participation in SOAR reduced the likelihood of rearrest was not possible due to the small number of participants.
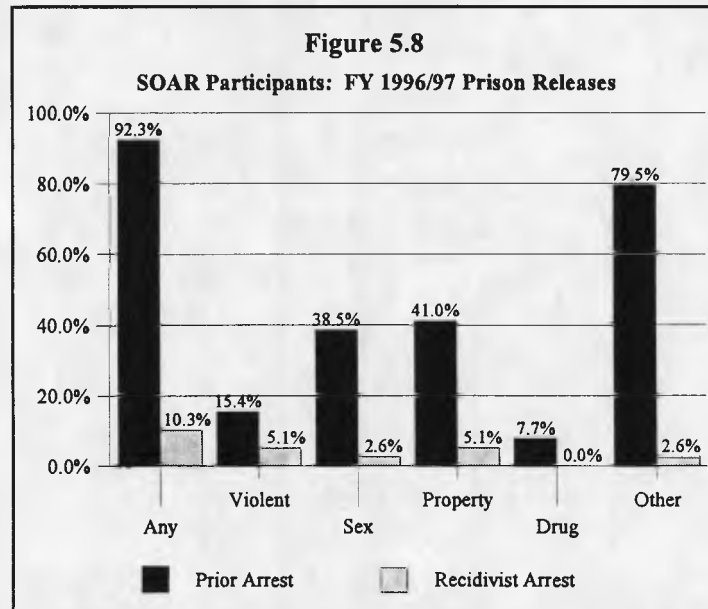
Figure 5.8
SOAR Participants: FY 1996/97 Prison Releases

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1996/97 Correctional Program Evaluation Data

The findings presented in the chapter are summarized in Figure 5.9. While this chapter studies several prison-based programs in depth, it is hoped that with improved data future reports will also focus on programs for probationers.

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[10] As discussed previously, SOAR requires its participants to have a felony conviction for a sexual offense. Three of the 39 offenders had a non-sexual offense as their *most serious* current conviction. It is possible that they also had a current conviction for a felony sexual offense, but that it was not their most serious offense (as defined in this study).

[11] SOAR completion data maintained in OPUS were not reliable for the FY 1996/97 sample due to conversion problems, and were supplemented by information from the SOAR program.

Figure 5.9
Key Findings

Drug Alcohol Recovery Treatment (DART)

❑ Of the 16,165 prisoners released during FY 1996/97, 4,648 participated in DART and, of those, 84% completed DART.

❑ 88% were male, 69% were black, 15% were married, and their average age was 33. The majority were high (59%) or medium (29%) risk. Their primary drug of choice was alcohol (62%).

❑ 98% had at least one prior arrest, with an average of 4.8 prior arrests. 98% had a most serious current conviction for a felony offense, primarily for drug and property offenses.

❑ Overall, 44.4% of DART offenders were rearrested. 43% of program completers were rearrested compared to 53% of non-completers. Higher risk offenders were more likely to recidivate than lower risk offenders.

❑ Multivariate analysis indicated that completion of DART did not significantly impact recidivism for prisoners with an identified substance abuse problem. This does not mean that DART has no effect on behavior but rather that when controlling for other factors (i.e., age, race, gender, etc.) completing treatment did not significantly impact recidivism. No data were available on the impact of DART on future substance abuse.

Private Substance Abuse Treatment Programs

❑ Of the 16,165 prisoners released in FY 1996/97, 436 received substance abuse treatment from one of the four private substance abuse treatment programs. The completion rate was 33%.

❑ 52% were male, 63% were black, 15% were married, and their average age was 32. 37% were high risk, 41% were medium risk, and 22% were low risk. Over half considered alcohol to be their first drug of choice.

❑ 95% had at least one prior arrest, with an average of 4.0 prior arrests. 79% had a most serious current conviction for a felony offense, primarily drug and property offenses.

❑ 32% were rearrested during the follow-up period. Program completers and non-completers differed little in their overall rearrest rate. Higher risk offenders were more likely to recidivate than lower risk offenders.

❑ Multivariate analysis indicated that completion of private treatment did not significantly impact recidivism. However, this does not mean that private substance abuse treatment did not have an effect on other behaviors (such as reducing drug use) that were not included as outcomes in this analysis.

Figure 5.9 (cont.)
Key Findings

Work Release

❑   Of the 16,165 prisoners released in FY 1996/97, 1,505 had participated in Work Release.

❑   90% were male, 65% were black, 19% were married, and the average age was 34. 42% were high risk, 30% were medium risk, and 28% were low risk.

❑   The majority (96%) had at least one prior arrest, with an average of 4.3 prior arrests. Nearly 94% had a most serious current conviction for a felony offense, 31% for violent felonies and 29% for property felonies.

❑   35% were rearrested during the follow-up period. Higher risk offenders were more likely to recidivate than lower risk offenders.

❑   Multivariate analysis indicated that Work Release participants had a 4.6% decreased probability of being arrested during the follow-up period, controlling for other factors. Early analysis of Employment Security Commission data suggests that being on Work Release increases the probability of employment following release from prison.

Sex Offender Accountability and Responsibility (SOAR)

❑   Of the 16,165 prisoners released in FY 1996/97, 39 had participated in SOAR. Of those who participated in SOAR, 74% completed SOAR.

❑   Consistent with program guidelines, all participants were male. 41% were black, 41% were married, and their mean age was 38. The majority were low risk (72%).

❑   92% had one or more prior arrest, with an average of 2.5 prior arrests. Consistent with program requirements, all participants had a most serious current conviction for a felony offense (primarily for sex offenses).

❑   10% of SOAR participants had a recidivist arrest. 5% were rearrested for violent offenses and 3% were rearrested for sex offenses.

CHAPTER SIX
SUMMARY AND CONCLUSIONS

As the first of its biennial reports mandated to evaluate correctional programs in North Carolina, the Sentencing Commission conducted a study of offenders released from prison and placed on probation in FY 1996/97. (1998 Session Law 212, Section 16.18.) Data to analyze rearrests and other outcome measures for offenders in the sample were provided by the Department of Correction's OPUS system, the State Bureau of Investigation's Division of Criminal Information, and the Employment Security Commission. Additional information was obtained from interviews and written materials collected during visits to a representative set of correctional program sites in the state.

Three specific programs were selected for more thorough description and statistical analysis in this report. They included prison-based substance abuse programs (private treatment facilities and Drug Alcohol Recovery Treatment, or DART), Work Release, and the Sex Offender Accountability and Responsibility (SOAR) program.

Offenders with different types of supervision in the community (*i.e.,* community probation, intermediate probation, SSA prison release, FSA parole, and FSA prison max-out) also differed considerably in the length and type of their prior record, their current offense, and their likelihood of rearrest. The recidivism rate for the 24-month follow up was 32.6% for the entire sample, in line with rates reported in four prior North Carolina studies of recidivism in the past decade. The rate for the FY 1996/97 sample was considerably lower for probationers with community or intermediate punishments (26.3% and 33.7%, respectively), and higher for released prisoners (42.6%).

Using a multi-factor scoring instrument to measure the risk to recidivate, each offender was characterized as low-, medium-, or high-risk. Significantly for this study, the risk score and other preexisting offender characteristics explained most of the variation in an offender's likelihood of rearrest and employment upon release. Put differently, the type of supervision in the community and correctional program assignments made little or no difference in the probability to recidivate.

There were some indications that certain correctional programs may have a moderate impact on outcome measures. Work Release (a prison-based program) was associated with reducing the chance of rearrest and increasing the probability of employment for participating offenders. Longer term treatment provided at the back end of incarceration may have been more beneficial to control the recidivism of substance abusing offenders (although no information was available about their subsequent success in abstaining from substance abuse). And, even when controlling for risk level and a host of other relevant factors, incarceration seemed to increase an offender's probability to recidivate.

While the study provided no reason to predict major changes in North Carolina's overall recidivism rate, Structured Sentencing laws implemented in 1994 are expected to alter the mix of offenders sentenced to prison and probation, and these groups' respective recidivism rates. Of particular interest to track will be the group of offenders sentenced to probation with intermediate

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

Based on the availability of data, the Sentencing Commission and the Department of Correction are planning to include the following in the next (year 2002) biennial report:

- Further analysis and review of the trends and issues addressed in the current report;

- Detailed analysis of offenders assigned to correctional programs for community and intermediate sanctions, based on the future availability of more comprehensive data in OPUS for probationers;

- Information on completion rates and interim outcome measures for correctional programs;

- Assessment of the impact of technical revocations on the window of opportunity to recidivate;

- Analysis of the impact of multi-program participation by offenders; and

- An indepth look at a number of community based correction programs selected for description and analysis in conjunction with the Department of Correction.

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APPENDIX A:

RECIDIVISM RATES FOR PROBATIONERS AND RELEASED PRISONERS

APPENDIX A
RECIDIVISM RATES FOR PROBATIONERS AND RELEASED PRISONERS

The purpose of this appendix is to sketch the extent of and variation in the recidivism of convicted offenders. Readers interested in North Carolina will be able to get a general idea of how its recidivism rates compare with those of other states. The discussion focuses on recidivism research in the U.S. in the 1980s and 1990s, involving large samples of offenders who were, at the beginning of the research follow-up, either released from prison (on parole or otherwise) or sentenced to probation. The results reported do not distinguish between offenders in terms of the various correctional treatment programs in which they participated (for example, treatment for drug abuse or electronic monitoring).

Comparability of recidivism studies. The studies considered are similar in that researchers were familiar with each other's work, used generally similar methods and definitions, and extracted data from official records of arrest, conviction, and incarceration for their measurements. However, it should be kept in mind that *results from different studies and jurisdictions are never fully comparable.* Inevitably, there are differences in laws and official record-keeping procedures as well as in research methods. Studies may, for instance, differ with respect to: (1) the length of the follow-up, which ranged from 24 months to 102 months in the studies discussed in this section; (2) the type of repeat offenses that each study treats as recidivism -- for instance, a felony, an index crime, or a serious misdemeanor; and (3) the legal status of the offenders as the follow-up began. Examples of such statuses are: probation for any offense, probation for a felony, parole (supervised release) from prison, and unsupervised release from prison.

Recidivism by probationers. Table 1 summarizes the results of three studies of recidivism in North Carolina and ten studies involving other states.[1] Looking first at studies involving both felons and misdemeanants on probation, the rate of rearrest for a new crime varied from a low of 22% in Kentucky and Missouri to a high of 65% in Los Angeles and Alameda Counties, California. The latter rate is unusually high perhaps due to a high level of crime in urban areas.

The next highest rate, 50% for New Orleans, also reflects the influence of a high-crime city, and in addition is due to an unusually long follow-up averaging about 102 months. Other probation rearrest rates ranged from 22 to 42%.

North Carolina's probation rearrest rates -- 26.5 to 38.8% in the three studies summarized in Table 1 -- were somewhere near the middle of the range. The 38.8% rate included felons released from prison as well as felons on probation. Presumably the rate for felon probationers only was somewhat less, because probationers generally recidivate less often than released prisoners.

Recidivism by released prisoners. For offenders who had just been released from prison, with or without parole supervision, rearrest rates were generally higher than for probationers. The

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[1] Actually, Beck and Shipley's (1989) study of prisoners released from eleven states, did include North Carolina.

rates ranged from 39.8% for offenders released from prison without parole supervision in one of the North Carolina studies to 72% for released prisoners from Los Angeles and Alameda Counties, California. The fact that recidivism was higher for released prisoners than for probationers probably in part reflects the fact that offenders sentenced to prison tended to be more high-risk than those placed on probation.

Probationers compared with released prisoners. Petersilia and Turner (1986) performed an interesting analysis with samples of prisoners and probationers in Los Angeles and Alameda Counties, California. From the 672 offenders in their original probationer recidivism study (Petersilia et al., 1985), they selected 511 probationers and matched these with 511 offenders sentenced to prison in the two counties. All were male; were convicted of felonious assault, robbery, burglary, theft or drug sale or possession; and were sentenced in 1980. The two samples were matched on other characteristics as well that had been shown to be correlated with the risk of being sentenced to prison (for example, number of prior convictions). The prisoners had served an average of 12.5 months before release. Most of the probationers, too, had served a short term in jail as part of their probation, averaging 3.3 months. Each sample was followed up for 24 months after release from jail or prison.

Petersilia and Turner's comparative study, as shown in Table 1, reported a significantly higher rearrest rate for released prisoners than for probationers (72 versus 63%), and a higher rate of reconviction (49 versus 35%). Further analysis showed that a significant difference between probationers and prisoners persisted after statistically controlling for prior convictions, current offense, and other characteristics of the offenders. Did this mean that imprisonment actually made offenders worse? The researchers reached no conclusion on this question because they felt their results had several possible interpretations. One was that "the prison experience is criminogenic in itself" -- "that prisons breed crime." A second possible explanation was that prisoners and probationers, despite the matching design and statistical controls, still differed in attitudes or other important ways that affected their propensity to commit repeat crimes. A third was that society's response might have been harsher to ex-prisoners than to probationers, thus increasing ex-prisoners' chances of recidivism (Petersilia and Turner, 1986:36-37).

From their work, Petersilia and Turner (1986:37) concluded that some offenders on probation needed to be better restrained to control recidivism, but that imprisonment was not necessarily the best way to restrain them. They recommended that probation be enhanced with intermediate sanctions such as intensive supervision, electronic monitoring, and house arrest. This recommendation influenced the growth of intermediate sanctions, which have been emphasized in a variety of determinate sentencing laws since the 1980s, including North Carolina's Structured Sentencing Act of 1993. However, later work by Petersilia, Turner, and others has raised some doubts about the effectiveness of these sanctions.

Appendix A, Table 1

Comparison of Recidivism Studies Involving Released Prisoners, Parolees, and Probationers[1]

Author (Year)	Subject of Study	Area from Which Sample Taken (Sample Size)	Follow-Up Period	Offense for Which Probation or Prison Imposed	Type of Offense Treated as Recidivism	Correctional Status (Sample Size)	% Rearrest for New Crime	% Convicted of New Crime	% Reincar-cerated
Beck & Shipley (1989)	Prisoners released in 1983	11 states (16,000)	36 months	Felony or serious misdemeanor	Felony or serious misdemeanor	Released from prison (on parole or otherwise)	62.5	46.8	41.4
Langan & Cunniff (1992)	Felons sentenced to probation in 1986	32 counties in 17 states (79,000)	36 months	Felony	Felony	Probation	43	NR	36
Alter et al. (1997)	Felons sentenced to probation or released from prison in 1992	Minnesota (*see* subsample sizes below)	36 months	Felony		Probation			
		Felons sentenced to probation in 1992 (6,791)	36 months	Felony	Felony or serious misdemeanor	Probation	42	28	11
		Felons released from prison in 1992 (1,879)	36 months	Felony	Felony or serious misdemeanor	Released from prison	59	45	28

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[1] NR=Not Reported. Most studies measure recidivism only within the area from which the sample was drawn.

Author (Year)	Subject of Study	Area from Which Sample Taken (Sample Size)	Follow-Up Period	Offense for Which Probation or Prison Imposed	Type of Offense Treated as Recidivism	Correctional Status (Sample Size)	% Rearrest for New Crime	% Convicted of New Crime	% Reincarcerated
Arizona Admin. Office of the Courts (1995)	Offenders sentenced to probation in 1989-90 (excluding intensive probation)	Arizona (2113)	Approx. 48 months	All	All	Probation	33	NR	[unclear]
Geerken & Hayes (1993)	Offenders *convicted of burglary or armed robbery* and sentenced to probation or released on parole, 1974-1981	New Orleans, Louisiana (total 4,487; see subsample sizes below)							
		(Probationers 4,160)	60 to 144 months years (est. average 102 months)	Burglary or armed robbery	Index crime[2]	Probation	50.0	NR	31.0
		(Parolees 327)	60 to 144 months years (est. average 102 months)	Burglary or armed robbery	Index crime[3]	Parole	45.6	NR	20.8

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[2] Index crimes include murder, rape, robbery, aggravated assault, burglary, larceny and motor vehicle theft.

[3] Id.

Comparison of Recidivism Studies Involving Released Prisoners, Parolees, and Probationers

Author (Year)	Subject of Study	Area from Which Sample Taken (Sample Size)	Follow-Up Period	Offense for Which Probation or Prison Imposed	Type of Offense Treated as Recidivism	Correctional Status (Sample Size)	% Rearrest for New Crime	% Convicted of New Crime	% Reincar-cerated
Vito (1986)	Felons sentenced to probation in 1982	Kentucky	36 months	Felony	Any offense Felony	Probation	22 16	18 11	12 5
McGaha et al. (1987)	Felons sentenced to probation	Missouri	40 months	Felony	Any offense	Probation	22	NR	NR
Petersilia et al. (1985)	Felons sentenced to probation in 1980	Los Angeles and Alameda Counties, California (including cities of Los Angeles and Oakland) (672)	Maximum 40 months; est. average 38 months[4]	Felony	Any offense Serious violent offense	Probation	65 18	51	22

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[4] The authors reported a mean follow-up time of 31 months, which they calculated by first subtracting any time the offender spent in jail as part of probation. Jail time averaged about 7 months in their sample (*see* Petersilia et al., 1985:18). Jail time is a common condition of probation. Because most studies do not subtract jail time, we have estimated the actual average follow-up time as 38 months for comparability with other studies.

Comparison of Recidivism Studies Involving Released Prisoners, Parolees, and Probationers

Author (Year)	Subject of Study	Area from Which Sample Taken (Sample Size)	Follow-Up Period	Offense for Which Probation or Prison Imposed	Type of Offense Treated as Recidivism	Correctional Status (Sample Size)	% Rearrest for New Crime	% Convicted of New Crime	% Reincarcerated
Petersilia and Turner (1986)	*Matched samples* of felons sentenced to probation and felons sentenced to prison in 1980[5]	**Los Angeles and Alameda Counties, California (including cities of Los Angeles, Berkeley, and Oakland)**	24 months	Felony	Any offense	Felon probationers matched with released prisoners (511)	63	35	NR
						Felon released prisoners matched with probationers (511)	72	49	NR
Whitehead (1991)	Felons sentenced to probation in 1976-77	**New Jersey (2,694)**	36 months	Felony	Any offense	Probation	36	NR	NR
			48 months	Felony		Probation	40	NR	NR
Herrin & Sutton (1998)	All offenders sentenced to supervised probation or released from prison in 1994-95	**North Carolina**	29.1 to 41.1 months (average 35.1 months)	Any offense	Felony or serious misdemeanor	Probation (31,081)	32.8		
						Parole (12,512)	48.1		
						Unsupervised release from prison (2,243)	40.5		
				Felony		Felons, any status (sample size NR)	38.8		

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[5] All prisoners were released by July 1, 1982.

Author (Year)	Subject of Study	Area from Which Sample Taken (Sample Size)	Follow-Up Period	Offense for Which Probation or Prison Imposed	Type of Offense Treated as Recidivism	Correctional Status (Sample Size)	% Rearrest for New Crime	% Convicted of New Crime	% Reincar-cerated
Clarke & Harrison (1992)	All offenders sentenced to supervised probation or released from prison in 1989	North Carolina (see subsample sizes below)	20.5 to 32.5 months (average 26.7 months)	All offenses	Felony or serious misdemeanor	Probation or release from prison	31.2	NR	NR
		Regular probation subsample (22,681)[6]	20.5 to 32.5 months (average 26.7 months)	All offenses	Felony or serious misdemeanor	Regular probation	26.5	NR	NR
		Regular parole subsample (6,514)[7]	20.5 to 32.5 months (average 26.7 months)	All offenses	Felony or serious misdemeanor	Regular parole	41.3	NR	NR
		Unsupervised release from prison subsample (4,398)	20.5 to 32.5 months (average 26.7 months)	All offenses	Felony or serious misdemeanor	Unsupervised release from prison	39.8	NR	NR
Clarke et al. (1988)	All offenders sentenced to supervised probation Feb. 1982-Jan. 1983	North Carolina (21,789)	30 to 42 months (average 36 months)	All offenses	Felony or serious misdemeanor	Probation	31.5	NR	NR

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[6] Excludes intensive supervision, special probation and electronic supervision.

[7] Id.

APPENDIX B:

GLOSSARY OF MAJOR VARIABLES, MEASURING OFFENDER RISK, AND MULTIVARIATE TABLES

APPENDIX B-1
GLOSSARY OF MAJOR VARIABLES

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

Current Conviction (Most Serious): Each offender's conviction(s) that placed him/her in the sample as a prison release or a probation entry during FY 1996/97 were ranked in terms of seriousness based on offense class, offense type (felony versus misdemeanor, as well as violent, sex, property, drug, or other), and sentence length. The most serious current conviction, based on these criteria, was used for analysis purposes.

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

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

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

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

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

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

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

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

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

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

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

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

Prison Releases (SSA): An offender who was sentenced under the Structured Sentencing Act, served his/her maximum sentence minus earned time and time for pre-conviction confinement, and was released back into the community without any supervision. (Note: Due to small numbers, offenders who received post-release supervision were excluded from this category.)

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

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

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

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

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

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

Sex Offenses: This category included violent sex offenses, such as rape, indecent liberties with a child, and other sexual assaults.

Substance Abuse Problem: Applicable only for prisoners. For the purposes of this study, a prisoner was determined to have an identified substance abuse problem if: (1) prison assessments indicated a substance abuse problem; (2) he/she was referred to a prison substance abuse program or activity (*e.g.*, DART, private prison treatment, AA/NA meetings, etc.); or (3) he/she scored three or higher on the SMAST (Short Michigan Alcoholism Screening Test) or CDST (Chemical Dependency Screening Test). This variable was used in analyses for Chapter Five.

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

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

Treatment Referral: Applicable only for prisoners. For the purposes of this study a prisoner was determined to have a substance abuse treatment referral if he/she was ever assigned to a substance abuse activity during the incarceration period(s) for the conviction that placed him/her in the sample, regardless of whether he/she participated or the length of participation. Also, prisoners may have been referred to more than one treatment program.

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

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

MEASURING OFFENDER RISK

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

Prediction of Risk

Various recidivism risk scales have been developed in the past, mainly for use by parole commissions and similar agencies. Two examples of these risk scales include the Statistical Information on Recidivism (SIR) scale used by Canadian Federal correctional authorities and the Salient Factor Score used by the United States (Federal) Parole Commission. Both risk scales are used to assess parole risk and are quite similar in the type of risk factors they include. Current offense, age, number of prior arrests and/or convictions, number of previous incarcerations, number of times on probation or parole, number of probation/parole revocations, history of escape, and drug dependence are among the factors considered in these scales (see Blumstein et al., 1986). Scores and a risk level for each offender are computed using these scales. Risk scales such as these have been validated in several studies (Bonta, Hann, Harman and Cormier, 1995; Hann and Harman, 1989; Hoffman and Beck, 1976; Hoffman, Stone-Meierhoefer and Beck, 1977; Janus, 1985).

Previous Sentencing Commission program evaluations have also considered risk, although in a more limited way than in this report (Clarke and Harrison, 1992; Herrin and Sutton, 1998). These earlier studies found that many of the differences between programs diminished when controlling for risk.

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

Measuring Risk

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

Age is perhaps the most consistent predictor of recidivism risk. Studies have found that recidivism is inversely related to the age of the prisoner at the time of release (Beck and Shipley, 1989), most likely due to "aging out." A related factor is age at first adult arrest. Individuals who begin offending at an earlier age are more likely to have longer criminal careers (Greenberg, 1985),

and those whose offending gains official attention are the most likely to become chronic offenders (Shannon, 1982; West and Farrington, 1977; Wolfgang, Figlio and Sellin, 1972). Males and minorities are also more likely to be arrested than females and whites (Bonta, Pang and Wallace-Capretta, 1995; Gottfredson and Hirschi, 1986).

In addition, several factors related to stability and increased "stakes in conformity" have been identified as correlates of recidivism. These include marital status (Petersilia, 1985; Petersilia and Turner, 1990) and employment (Bonta, Pang, and Wallace-Capretta, 1995; Pritchard, 1979). For instance, Bonta and colleagues found that being unemployed at the time of arrest was predictive of increased recidivism for offenders released from prison on parole (Bonta, Pang, and Wallace-Capretta, 1995) and Pritchard (1979) found that probationers with poorer employment records[1] had increased rates of recidivism.

Several criminal history factors have also been found to significantly impact recidivism in prior research. These include the number of prior felony convictions (Petersilia, 1985), number of prior adult arrests (Beck and Shipley 1989), length of criminal history[2] (Beck and Shipley, 1989), number of times on probation or parole (Petersilia, 1985) and number of prior incarcerations (Beck and Shipley, 1989). Beck and Shipley (1989) found that prisoners who had been incarcerated before their most recent admission to prison were nearly 20% more likely to recidivate than prisoners who had been incarcerated for the first time. Research indicates that substance abuse and prior drug arrests also affect recidivism (Benedict and Huff-Corzine, 1997; Lattimore, Visher and Linster,1995).

Behavior while under correctional supervision such as prior arrests or probation/parole revocations seems to have some effect on rates of rearrest (Beck and Shipley,1989). Longer probation sentences have also been found to increase the likelihood a person will be caught committing another offense (Benedict and Huff-Corzine, 1997).

Developing the risk model was a multi-step process. Once variables to consider were identified, tests for collinearity were performed to exclude variables with multicollinearity. The final list of variables selected to measure risk is shown in Figure 1.

Logistic regression was used to determine the impact of these factors on recidivism. This method allows prediction of a dependent variable that has two categories, in this case, recidivism or no recidivism.[3] Tests for model robustness[4] and influential cases found no significant problems.

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[1] Operationalized as percent time employed in the past 12 months.

[2] Defined as the time between the first adult arrest and the most recent prison admission.

[3] A detailed description of logistic regression is beyond the scope of this report. For further information see Knoke and Bohrnstedt (1994).

[4] Robustness was checked by using Cook's D, DFITS and DFBetas as recommended by Bollen and Jackman (1990:280-285)

The regression models predicted a risk score for each offender and each variable included in risk was weighted based on its relative contribution to recidivism.

In order to differentiate the scores into low-, medium-, and high-risk categories, the scale was divided into terciles. This results in more arbitrary cut-off points and is considered more conservative than other methods (such as visual inspection of scales and division using optimal cut-off points).[5] Offenders in the lowest third were categorized as low risk, the middle third as medium risk, and the highest third as high risk. The risk categories were then used in the multivariate analyses.

Caution should be used in interpreting the results of the risk analysis. We should not conclude that the variables used to predict recidivism risk are therefore the "causes" of recidivism. Items used for prediction instruments tend to be simplified measures, while the social and individual factors which contribute to recidivism tend to be complex (Smith and Aloisi, 1998). Risk prediction is also based on regression coefficients, which only roughly approximate causal ordering among variables. Indirect effects of variables tend to be ignored by regression analyses, identifying only part of the effect of any given variable. Correlations among predictor items, unless they are unduly high, are also ignored in risk instruments but cannot be ignored when determining causality. The recidivism prediction literature clearly shows that multicollinearity exists between the predictor characteristics of recidivism, but, if the magnitude of the correlations is not excessive, researchers are typically content to interpret the coefficients as indicative of a causal effect.

Figure 1
Variables Included in Risk

Social Factors	**Criminal Record Factors**
Age	Age at first Adult Arrest
Race	Age at First Incarceration
Gender	Number of adult arrests
Marital Status	Number of Prior Incarcerations
Employment Status	Number of Prior Probation Sentences
Substance Abuse Problem	Number of Probation/Parole Revocations
	Current Offense Class
	Length of Criminal History
	Prior Drug Arrest

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[5] For a discussion of the relative merits of these methods, *see* Smith 1996.

Effect of Personal and Criminal Justice Factors on Recidivism[1]: All Prison Releases and Probation Entries FY 1996/97 (N=51,588)

Independent Variables	Estimated Effect[2] on Probability of Rearrest for:					
	Any[3] Offense	Violent Offense	Property Offense	Drug Offense	Sex Offense	Other[4] Offense
Personal Characteristics:						
Age (each year)	-.0087**	-.0027**	-.0047**	-.0040**	-.0001	-.0027**
Black (vs. all other ethnic groups)	.0880**	.0663**	-.0121**	.1172**	.0025*	.0528**
Male	.0757**	.0661**	.0181**	.0271**	.0472**	.0484**
Married	-.0242**	.0028	-.0103	-.0203**	.0007	-.0059
Employed	-.0413**	-.0049	-.0179**	-.0253**	-.0003	-.0165**
Substance Abuser	.0451**	.0135**	.0233**	.0221**	-.0006	.0130**
Risk Level	.0673**	.0289**	.0601**	.0276**	.0011	.0230**
Current Offense:[5]						
Felony	-.0074	-.0047	-.0095*	-.0097*	-.0010	.0139**
Violent	-.0317**	.0612**	-.0705**	.0059	.0012	.0156**
Drug	-.0572**	-.0047	-.0922**	.0456**	-.0010	-.0060
Sex	-.0874**	.0017	-.1122**	-.0336*	.0212**	.0364**
Other	-.0448**	.0145*	-.0645**	.0184*	-.0017	.0199**
Criminal History:						
Age at First Arrest	.0020**	-.0007*	.0012**	.0008*	-.0001	-.0004
# Prior Arrests	.0268**	.0057**	.0135**	.0077**	.0001	.0084**
Prior Drug Arrest	.0585**	.0038	-.0063	.1121**	-.0026**	.0254**
# Times on Probation/Parole	.0113**	.0033	.0074**	.0019	.0003	.0065**
# Probation/Parole Revocations	.0106*	.0013	.0042	.0074**	.0002	.0037
# Prior Incarcerations	-.0074**	-.0021	-.0006	-.0047**	.0002	-.0053**
Time Spent in Prison (in months)	.0010**	.0004**	.0006**	.0005**	<.0001*	.0006**
Type of Community Supervision:[6]						
SSA Probation with Intermediate Punishment	.0001	-.0090*	.0013	-.0034	-.0004	-.0118**
No Supervision (SSA and FSA Prison Release)	.0288**	.0097*	.0158*	.0180**	.0026	-.0038
FSA Parole Supervision	-.0361**	-.0064	-.0257**	-.0088	.0005	-.0221**

*p> .05   **p> .01

1. One or more fingerprinted arrest during 24-month follow-up period.
2. Effect on probability for offender with mean probability in dataset.
3. Any offense means crime of any type included in this study.
4. Other offense means crime other than violent, property, drug, or sex.
5. Effect compared with property offense.
6. Effect compared with probation with community punishments.

The average rearrest probabilities for all offenders: Any rearrest 32.6%; violent rearrest 8.8%; property rearrest 17.3%; drug rearrest 13.1%; sex rearrest 0.6%; and other rearrest 10.0%. (Note that the sum of the last 5 categories exceeds 32.6% because an offender could be charged with more than one type of offense in a single arrest.)

Appendix B-3, Table 2
Effect of Personal and Criminal Justice Factors on Recidivism[1]: All Prison Releases
FY 1996/97 (n=16,165)

Estimated Effect[2] on Probability of Rearrest for:

Independent Variables	Any[3] Offense	Violent Offense	Property Offense	Drug Offense	Sex Offense	Other[4] Offense
Personal Characteristics:						
Age (each year)	-.0126**	-.0052**	-.0065**	-.0066**	-.0001	-.0046**
Black (vs. all other ethnic groups)	.1359**	.0961**	.0126	.1852**	.0001	.0841**
Male	.0435**	.0636**	-.0133	.0053	.0928*	.0613**
Married	-.0217	.0054	.0002	-.0208*	-.0001	-.0061
Employed	.0079	.0142*	.0123	-.0075	-.0011	-.0012
Substance Abuser	.0302**	.0090	.0157*	.0160*	-.0009	.0124*
# Prison Infractions	.0062**	.0031**	.0025**	.0021**	.0000	.0023**
Risk Level	.0416**	.0191*	.0524**	.0268**	.0020	.0121
Current Offense:[5]						
Felony	.0326**	.0150	.0120	.0113	.0006	.0350**
Violent	-.0314**	.0669**	-.0873**	.0248*	.0007	.0024
Drug	-.0435**	.0062	-.1190**	.0693**	-.0007	.0101
Sex	-.0677*	.0302	-.1360**	-.0436	.0218**	.0431*
Other	-.0957**	-.0036	-.1097**	.0008	-.0039	.0143
Criminal History:						
Age at First Arrest	.0030**	-.0012	.0013	.0020*	-.0000	-.0014
# Prior Arrests	.0250**	.0065**	.0125**	.0096**	.0000	.0104**
Prior Drug Arrest	.0414**	-.0078	-.0116	.1213**	-.0034*	.0187*
# Times on Probation/Parole	.0168**	.0059	.0134**	.0036	.0003	.0086**
# Probation/Parole Revocations	.0108	.0005	.0034	.0084	.0006	.0037
# Prior Incarcerations	.0039	.0017	.0052*	-.0018	.0002	-.0018
Time Spent in Prison (in months)	-.0002	-.0002	.0000	.0000	.0001*	.0003
Type of Community Supervision:[6]						
No Supervision (SSA and FSA Prison Release)	.0652**	.0121	.0514**	.0260**	.0025	.0204**

Source: NC Sentencing and Policy Advisory Commission, FY 1996/97 Correctional Program Evaluation Data

Independent Variables	Estimated Effect[2] on Probability of Rearrest for:					
	Any[3] Offense	Violent Offense	Property Offense	Drug Offense	Sex Offense	Other[4] Offense
Participation in Programs						
Intensive Supervision Parole	.0242	.0033	.0041	.0318	-.0013	.0033
Community Service Parole	-.0425**	-.0319**	-.0256*	-.0352**	-.0018	-.0307**

*p> .05   **p> .01

1. One or more fingerprinted arrest during 24-month follow-up period.
2. Effect on probability for offender with mean probability in dataset.
3. Any offense means crime of any type included in this study.
4. Other offense means crime other than violent, property, drug, or sex.
5. Effect compared with property offense.
6. Effect compared with FSA parole.

> The average rearrest probabilities for prison releases:
> Any rearrest 42.6%; violent rearrest 12.4%; property
> rearrest 22.6%; drug rearrest 18.3%; sex rearrest
> 0.9%; and other rearrest 14.3%. (Note that the sum
> of the last 5 categories exceeds 42.6% because an
> offender could be charged with more than one type of

Appendix B-3, Table 3
Effect of Personal and Criminal Justice Factors on Recidivism[1]: All Probation Entries
FY 1996/97 (n=35,423)

Independent Variables	Estimated Effect[2] on Probability of Rearrest for:					
	Any[3] Offense	Violent Offense	Property Offense	Drug Offense	Sex Offense	Other[4] Offense
Personal Characteristics:						
Age (each year)	-.0066**	-.0018**	-.0040**	-.0025**	-.0002	-.0018**
Black (vs. all other ethnic groups)	.0726**	.0526**	-.0150**	.0925**	.0042**	.0386**
Male	.0770**	.0596**	.0225**	.0295**	.0341**	.0385**
Married	-.0278**	-.0000	-.0175**	-.0211**	.0012	-.0070
Employed	-.0554**	-.0091**	-.0271**	-.0288**	.0002	-.0196**
Substance Abuser	.0446**	.0151**	.0214**	.0202**	-.0003	.0126**
Risk Level	.0628**	.0268**	.0504**	.0217**	.0003	.0221**
Current Offense:[5]						
Felony	-.0357**	-.0088*	-.0255**	-.0197**	-.0015	.0077
Violent	-.0331**	.0528**	-.0635**	-.0036	.0012	.0178**
Drug	-.0565**	-.0090*	-.0781**	.0365**	-.0010	-.0116**
Sex	-.1133**	-.0384*	-.1054**	-.0313	.0225**	.0241
Other	-.0323**	.0161**	-.0496**	.0189*	-.0011	.0189**
Criminal History:						
Age at First Arrest	.0015*	-.0006	.0014**	.0002	-.0002	-.0002
# Prior Arrests	.0315**	.0061**	.0169**	.0070**	.0003	.0081**
Prior Drug Arrest	.0601**	.0075	-.0069	.1039**	-.0023**	.0280**
# Times on Probation/Parole	.0046	.0011	.0022	-.0003	.0003	.0054*
# Probation/Parole Revocations	.0157*	.0039	.0073	.0108*	-.0003	.0058
# Prior Incarcerations	-.0178**	-.0044*	-.0054*	-.0079**	.0003	-.0101**
Type of Community Supervision:[6]						
Prob. w/ Intermediate Punishments	-.0775**	-.0133**	-.0458**	-.0335**	-.0006	-.0197**

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1996/97 Correctional Program Evaluation Data

Independent Variables	Estimated Effect[2] on Probability of Rearrest for:					
	Any[3] Offense	Violent Offense	Property Offense	Drug Offense	Sex Offense	Other[4] Offense
Participation in Programs						
Intensive Supervision Probation	.1433**	.0093*	.0927**	.0759**	.0019	.0117*
Special Probation	.0926**	.0125**	.0592**	.0424**	.0001	.0262**
Community Service	.0257**	-.0005	.0148**	.0129**	-.0001	.0016
IMPACT	.1293**	-.0003	.1124**	.0420**	-.0010	.0261*
House Arrest with Electronic Monitoring	.0100	-.0075	.0254*	-.0106	-.0010	-.0136
TASC	.0673**	.0349**	.0572**	.0252*	-.0022	-.0114
Community Penalties	-.0153	-.0213	.0039	-.0380**	-.0012	-.0002

*p> .05   **p> .01

1. One or more arrest during 24-month follow-up period.
2. Effect on probability for offender with mean probability in dataset.
3. Any offense means crime of any type included in this study.
4. Crime other than violent, property, drug, or sex.
5. Effect compared with property offense.
6. Compared to probation with community punishments.

The average rearrest probabilities for probation entries: Any rearrest 28.1%; violent rearrest 7.2%; property rearrest 14.9%; drug rearrest 10.7%; sex rearrest 0.4%; and other rearrest 8.1%. (Note that the sum of the last 5 categories exceeds 28.1% because an offender could be charged with more than one type of offense in a single arrest.)

SOURCE: NC Sentencing and Policy Advisory Commission, FY 1996/97 Correctional Program Evaluation Data

Appendix B-3, Table 4
Effect of Personal and Criminal Justice Factors on Prison Infractions: All Prison Releases
FY 1996/97 (N=16,165)

Independent Variables	b	sb	t
Personal Characteristics:			
Age (each year)	-.1159**	.0073	-15.787
Black (vs. all other ethnic groups)	.0165	.0839	0.197
Male	.1596	.1202	1.327
Married	-.4274**	.1107	-3.860
Employed	-.3952**	.0802	-4.927
Substance Abuser	-.0317	.0767	-0.413
Current Offense:[1]			
Felony	-.3975**	.1031	-3.855
Violent	.3887**	.1079	3.601
Drug	-.4435**	.1148	-3.863
Sex	.0783	.2296	0.341
Other	.3816	.1954	1.952
Criminal History:			
Age at First Arrest	.0154	.0085	1.820
# Prior Arrests	.0971**	.0144	6.750
Prior Drug Arrest	.0313	.1018	0.307
# Times on Probation/Parole	-.2364**	.0419	-5.647
# Probation/Parole Revocations	-.0274	.0541	-0.507
# Prior Incarcerations	.1455**	.0295	4.928
Time Spent in Prison (in months)	.1044**	.0019	54.089

*p> .05   **p> .01

1. Compared to current property offense.

Appendix B-3, Table 5
Effect of Personal and Criminal Justice Factors on Employment[1]: All Prison Releases and Probation Entries FY 1996/97 (N=51,588)

Independent Variables	Estimated Effect[2] on Probability of Employment for:		
	All Offenders (N=51,588) Average employment probability=64.8%	Prison Releases (n=16,165) Average employment probability=64.7%	Probation Entries (n=35,423) Average employment probability=64.8%
Personal Characteristics:			
Age (each year)	-.0048**	-.0012	-.0067**
Black (vs. all other ethnic groups)	.0458**	.0347**	.0554**
Male	-.0076	-.0166	.0000
Married	.0339**	.0477**	.0281**
Substance Abuser	.0160**	-.0080	.0288**
Number Prison Infractions	N/A	-.0041**	N/A
Risk Level	-.0606**	-.0048	-.0843**
Current Offense:[3]			
Felony	-.0167**	-.0143	-.0287**
Violent	.0038	.0111	.0076
Drug	-.0427**	-.0512**	-.0423**
Sex	.0021	.0301	-.0040
Other	-.0581**	-.0096	-.0703**
Criminal History:			
Age at First Arrest	-.0025**	-.0038**	-.0015*
# Prior Arrests	.0000	-.0037*	.0016
Prior Drug Arrest	-.0194**	-.0317**	-.0117
# Times on Probation/Parole	.0343**	.0352**	.0325**
# Probation/Parole Revocations	-.0205**	-.0257**	-.0155*
# Prior Incarcerations	-.0152**	-.0167**	-.0147**
Time Spent in Prison (in months)	.0003	.0007**	N/A
Type of Release to Community:[4]			
SSA Probation with Intermediate Punishments	-.0344**	N/A	-.0468**
No Supervision (SSA and FSA Prison Release)	-.0214**	-.0547**	N/A
FSA Parole	.0462**	N/A	N/A

Source: NC Sentencing and Policy Advisory Commission, FY 1996/97 Correctional Program Evaluation Data

Effect of Personal and Criminal Justice Factors on Employment[1]: All Prison Releases and Probation Entries FY 1996/97 (N=51,588)

Independent Variables	Estimated Effect[2] on Probability of Employment for:		
	All Offenders (N=51,588) Average employment probability=64.8%	Prison Releases (n=16,165) Average employment probability=64.7%	Probation Entries (n=35,423) Average employment probability=64.8%
Participation in Programs			
Intensive Supervision Parole	N/A	-.0173	N/A
Community Service Parole	N/A	.0486**	N/A
Intensive Supervision Probation	N/A	N/A	.0254**
Special Probation	N/A	N/A	.0122
Community Service	N/A	N/A	.0285**
IMPACT	N/A	N/A	-.0707**
House Arrest w/ Electronic Monitoring	N/A	N/A	.0262
TASC	N/A	N/A	.1097**
Community Penalties	N/A	N/A	.0798**

*p> .05   **p> .01

1. Having any recorded earnings during the 12 months immediately following release to the community.
2. Effect on probability for offender with mean probability in dataset.
3. Effect compared with property offense.
4. Effect compared with probation with community punishments in column for All Offenders; compared to FSA parole for Prison Releases column and compared to probation with community punishments for Probation Entries column.

Source: NC Sentencing and Policy Advisory Commission, FY 1996/97 Correctional Program Evaluation Data

APPENDIX C:
INDIVIDUAL PROGRAM SUMMARIES

ALL PRISON RELEASES AND PROBATION ENTRIES

The FY 1996/97 sample is comprised of 51,588 offenders who either entered probation or were released from prison during that period.

FY 1996/97 Sample

The sample is comprised of all offenders who entered supervised probation or were released from prison during FY 1996/97, with the following exclusions:

- ❏   unsupervised probation entries;
- ❏   FSA probation entries;
- ❏   post-release supervision prison releases;
- ❏   pre-FSA cases;
- ❏   offenders with a most serious current conviction for driving while impaired; and
- ❏   offenders with a most serious current conviction for a misdemeanor traffic offense.

Overall, 80.1% were male, 57.7% were black, 64.2% were single, and less than half (47.0%) had twelve years or more of education. Over three-quarters (77.9%) of the sample had at least one prior fingerprinted arrest, with an average of 2.5 prior arrests. Forty-eight percent of the sample had a most serious current conviction (*i.e.*, the conviction which placed them in the sample) for a felony offense. The majority of current convictions were for three categories of offenses: misdemeanor property offenses (25.3%), felony drug offenses (20.3%), and felony property offenses (18.3%). Overall, 32.6% of the sample had a recidivist arrest for any offense, with an average of 0.6 recidivist arrests. For those who were rearrested, the first rearrest occurred an average of 9.2 months after entry to probation or release from prison. Many offenders in the sample were ordered to participate in various correctional programs. The programs are divided into two categories -- those for probation entries and those for prison releases. *For this table and the remainder of tables presented in this appendix, please note that due to offender participation in multiple programs the numbers presented for program participation do not equal the number of clients and that the percentages presented for program participation do not equal 100%.*

All Prison Releases & Probation Entries
Fiscal Year 1996/97

Number of clients (N): 51,588

Age in years:
Mean 29
Median 27

Gender: %
Male 80.1
Female 19.9

Race: %
Black 57.7
Non-Black 42.3

Marital Status: %
Single 64.2
Divorced/Separated 19.1
Married/Widowed 15.8
Other/Unknown 0.9

12 years of education or more: 47.0

Percentage with at least one prior %
fingerprinted arrest: 77.9

Mean number of prior fingerprinted arrests:
Any offense 2.5
Violent offense 0.4
Sex offense .... <0.1
Property offense 1.4
Drug offense 0.6
Other offense 0.3

Current offense: %
Violent felony 5.8
Sex felony 1.7
Property felony 18.3
Drug felony 20.3
Other felony 1.8
Violent misdemeanor 13.5
Sex misdemeanor 0.2
Property misdemeanor 25.4
Drug misdemeanor 8.4
Other misdemeanor 4.6

Mean prison time served for current offense in months (prison releases only): 21.1

Rearrest rates (fingerprinted rearrest): %
Any offense 32.6
Violent offense 8.8
Sex offense 0.6
Property offense 17.3
Drug offense 13.1
Other offense 10.0

Mean number of subsequent arrests 0.6

Average time to first recidivist arrest (months) 9.2

Participation in programs:
Probation Entries
SSA Probation - Community Punishment 26,803
SSA Probation - Intermediate Punishment 8,620
Intensive Supervision Probation 6,291
Special Probation 4,253
Community Service 12,935
IMPACT 448
House Arrest with Electronic Monitoring 1,325
TASC 646
Community Penalties 384
Prison Releases
SSA Prison Release 6,233
FSA Max-Out 1,758
FSA Parole 8,174
Intensive Supervision (FSA parole only) 437
Community Service (FSA parole only) 2,630

SSA PROBATION - COMMUNITY PUNISHMENT

Probation is considered a community punishment except when certain conditions (known as intermediate punishments) are imposed. The purposes of probation supervision are to control the offender in the community, provide opportunities for substance abuse and mental health treatment, ensure compliance with the conditions of probation, and enforce the conditions of probation through the violation process. Unless the court makes a specific finding that a longer or shorter term of probation is necessary, the court imposes a term which is no less than twelve and no more than thirty months for a felon sentenced to a community punishment. Special conditions may be imposed to further restrict freedom and limit movement in the community, to add more punitive measures, or to establish a complete individual treatment plan addressing the special needs and risk of the offender and providing realistic opportunities for behavioral changes which will ultimately lead to the successful completion of the supervision period. If the offender violates the conditions of probation, certain restrictive conditions that are considered intermediate punishments may be utilized at that time by the court (*i.e.,* Intensive Supervision, Special Probation, IMPACT, House Arrest with Electronic Monitoring, Day Reporting Centers, Community Penalty Plan–which is no longer considered an intermediate punishment effective January 1, 2000).

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

During FY 1998/99, the "DCC Case Management Task Force" was established to develop a detailed and thorough case management plan that includes the policies and procedures for field operations. This plan aligns the Division's supervision structure with the community corrections strategy envisioned in the Structured Sentencing Act. The new case management plan is being fully implemented during FY 1999/00, with the updated supervision structure and requirements effective September 1, 1999.

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

SSA Probation - Community Punishment
Fiscal Year 1996/97

Number of clients (N): 26,803

Age in years:
Mean 28
Median 26

Gender: %
Male 73.2
Female 26.8

Race: %
Black 50.7
Non-Black 49.3

Marital Status: %
Single 63.9
Divorced/Separated 18.3
Married/Widowed 16.5
Other/Unknown 1.3

12 years of education or more: 48.4

Percentage with at least one prior %
fingerprinted arrest: 64.4

Mean number of prior fingerprinted arrests:
Any offense 1.4
Violent offense 0.2
Sex offense .... <0.1
Property offense 0.8
Drug offense 0.4
Other offense 0.2

Current offense: %
Violent felony 0.5
Sex felony 0.3
Property felony 8.0
Drug felony 12.1
Other felony 0.6
Violent misdemeanor 18.6
Sex misdemeanor 0.3
Property misdemeanor 38.2
Drug misdemeanor 13.9
Other misdemeanor 7.5

Mean prison time served for current offense in
months (prison releases only): .... N/A

Rearrest rates (fingerprinted rearrest): %
Any offense 26.3
Violent offense 6.8
Sex offense 0.4
Property offense 14.2
Drug offense 9.8
Other offense 7.4

Mean number of subsequent arrests 0.5

Average time to first recidivist arrest
(months) 9.0

Participation in programs: %
Probation Entries
Intensive Supervision Probation 6.1
Special Probation 4.8
Community Service 35.4
IMPACT 0.7
House Arrest with Electronic Monitoring 1.5
TASC 1.5
Community Penalties 0.4

SSA PROBATION - INTERMEDIATE PUNISHMENT

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

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

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

During FY 1998/99, the "DCC Case Management Task Force" was established to develop a detailed and thorough case management plan that includes the policies and procedures for field operations. This plan aligns the Division's supervision structure with the community corrections strategy envisioned in the Structured Sentencing Act. The new case management plan is being fully implemented during FY 1999/00, with the updated supervision structure and requirements effective September 1, 1999.

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

SSA Probation - Intermediate Punishment
Fiscal Year 1996/97

Number of clients (N): 8,620

Age in years:
Mean 29
Median 27

Gender: %
Male 85.6
Female 14.4

Race: %
Black 59.4
Non-Black 40.6

Marital Status: %
Single 64.7
Divorced/Separated 17.8
Married/Widowed 16.4
Other/Unknown 1.1

12 years of education or higher: 44.5

Percentage with at least one prior %
fingerprinted arrest: 87.4

Mean number of prior fingerprinted arrests:
Any offense 2.9
Violent offense 0.5
Sex offense .... <0.1
Property offense 1.5
Drug offense 0.8
Other offense 0.4

Current offense: %
Violent felony 10.2
Sex felony 3.8
Property felony 25.1
Drug felony 27.8
Other felony 3.5
Violent misdemeanor 12.4
Sex misdemeanor 0.1
Property misdemeanor 11.3
Drug misdemeanor 3.4
Other misdemeanor 2.4

Mean prison time served for current offense in months (prison releases only): .... N/A

Rearrest rates (fingerprinted rearrest): %
Any offense 33.7
Violent offense 8.4
Sex offense 0.5
Property offense 17.2
Drug offense 13.4
Other offense 10.0

Mean number of subsequent arrests 0.6

Average time to first recidivist arrest (months) **9.1**

Participation in programs: %
Probation Entries
Intensive Supervision Probation 54.0
Special Probation 34.5
Community Service 40.1
IMPACT 2.9
House Arrest with Electronic Monitoring 10.8
TASC 2.9
Community Penalties 3.2

INTENSIVE SUPERVISION PROBATION

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

Intensive Probation is administered by the Division of Community Corrections within the Department of Correction. Intensive probation is available in all judicial districts within the State of North Carolina for probation, post-release supervision, and parole. In FY 1998/99, the Intensive Probation/Parole Program had 363 teams statewide. An intensive team is comprised of an intensive probation officer and a surveillance officer, with each team member having a specific set of minimum standards to fulfill for each case. The Division of Community Corrections' Field Operations Policies and Procedures advocate that probation/parole officers approach the supervision of each case by balancing the elements of treatment and control. Officers may serve as brokers of community treatment and educational resources as they supervise the conduct of offenders to ensure compliance with conditions of probation or parole.

During FY 1998/99, the "DCC Case Management Task Force" was established to develop a detailed and thorough case management plan that includes the policies and procedures for field operations. This plan aligns the Division's supervision structure with the community corrections strategy envisioned in the Structured Sentencing Act. The new case management plan is being fully implemented during FY 1999/00, with the updated supervision structure and requirements effective September 1, 1999.

The new case management plan incorporates two new classes of officers: the intermediate punishment officer who will supervise intermediate punishment level cases and community punishment level probation violators, and community punishment officers who fulfill the more traditional basic probation/parole officer role. The intermediate punishment officers specializing in intensive supervision cases (PPO III) continue to carry 25 intensive cases.

Intensive Supervision Probation
Fiscal Year 1996/97

Number of clients (N): 6,291

Age in years:
Mean 28
Median 25

Gender: %
Male 85.4
Female 14.6

Race: %
Black 58.0
Non-Black 42.0

Marital Status: %
Single 67.6
Divorced/Separated 16.4
Married/Widowed 15.3
Other/Unknown 0.7

12 years of education or more: 44.0

Percentage with at least one prior %
fingerprinted arrest: 89.4

Mean number of prior fingerprinted arrests:
Any offense 2.9
Violent offense 0.5
Sex offense .... <0.1
Property offense 1.5
Drug offense 0.8
Other offense 0.3

Current offense: %
Violent felony 10.1
Sex felony 3.4
Property felony 25.0
Drug felony 29.0
Other felony 3.3
Violent misdemeanor 7.5
Sex misdemeanor 0.1
Property misdemeanor 14.0
Drug misdemeanor 5.1
Other misdemeanor 2.5

Mean prison time served for current offense in months (prison releases only): .... N/A

Rearrest rates (fingerprinted rearrest): %
Any offense 42.9
Violent offense 9.4
Sex offense 0.6
Property offense 23.4
Drug offense 18.4
Other offense 11.5

Mean number of subsequent arrests 0.8

Average time to first recidivist arrest (months) 8.2

Participation in programs: %
Probation Entries
SSA Probation - Community Punishment 26.0
SSA Probation - Intermediate Punishment 74.0
Special Probation 23.5
Community Service 56.6
IMPACT 5.1
House Arrest with Electronic Monitoring 9.2
TASC 3.0
Community Penalties 3.0

SPECIAL PROBATION

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

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

During FY 1998/99, the "DCC Case Management Task Force" was established to develop a detailed and thorough case management plan that includes the policies and procedures for field operations. This plan aligns the Division's supervision structure with the community corrections strategy envisioned in the Structured Sentencing Act. The new case management plan is being fully implemented during FY 1999/00, with the updated supervision structure and requirements effective September 1, 1999.

The new case management plan incorporates two new classes of officers: the intermediate punishment officer who will supervise intermediate punishment level cases and community punishment level probation violators, and community punishment officers who fulfill the more traditional basic probation/parole officer role. Intermediate officers (PPO III and PPO II) are required to conduct the vast majority of offender contacts in the field. The intermediate punishment officers specializing in intensive supervision cases (PPO III) continue to carry 25 intensive cases. The other type of intermediate punishment officer (PPO II) has a caseload goal of 60.

Number of clients (N): 4,253

Age in years:
Mean 29
Median 28

Gender: %
Male 85.3
Female 14.7

Race: %
Black 55.3
Non-Black 44.7

Marital Status: %
Single 61.7
Divorced/Separated 20.1
Married/Widowed 17.3
Other/Unknown 0.9

12 years of education or more: 47.3

Percentage with at least one prior   %
fingerprinted arrest: 79.0

Mean number of prior fingerprinted
arrests:
Any offense 2.5
Violent offense 0.5
Sex offense .... <0.1
Property offense 1.3
Drug offense 0.6
Other offense 0.3

Current offense: %
Violent felony 7.5
Sex felony 2.3
Property felony 17.7
Drug felony 18.7
Other felony 2.8
Violent misdemeanor 20.3
Sex misdemeanor 0.2
Property misdemeanor 19.7
Drug misdemeanor 5.7
Other misdemeanor 5.1

Mean prison time served for current offense in
months (prison releases only): .... N/A

Rearrest rates (fingerprinted rearrest):   %
Any offense 36.6
Violent offense 9.1
Sex offense 0.5
Property offense 19.9
Drug offense 14.3
Other offense 11.0

Mean number of subsequent arrests 0.7

Average time to first recidivist arrest
(months) **8.7**

Participation in programs: %
Probation Entries
SSA Probation-Community Punishment 30.0
SSA Probation-Intermediate Punishment 70.0
Intensive Supervision Probation 34.7
Community Service 39.2
IMPACT 1.8
House Arrest with Electronic Monitoring 7.5
TASC 2.2
Community Penalties 2.2

COMMUNITY SERVICE WORK PROGRAM - PROBATION

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

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

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

Community Service – Probation Entries
Fiscal Year 1996/97

<u>Number of clients (N): 12,935</u>

Age in years:
Mean 26
Median 23

Gender: %
Male 76.5
Female 23.5

Race: %
Black 49.7
Non-Black 50.3

Marital Status: %
Single 69.9
Divorced/Separated 14.9
Married/Widowed 14.3
Other/Unknown 0.9

12 years of education or more: 45.1

Percentage with at least one prior %
fingerprinted arrest: 71.5

Mean number of prior fingerprinted arrests:
Any offense 1.7
Violent offense 0.2
Sex offense .... <0.1
Property offense 0.9
Drug offense 0.5
Other offense 0.2

Current offense: %
Violent felony 3.3
Sex felony 1.3
Property felony 14.9
Drug felony 19.2
Other felony 1.4
Violent misdemeanor 10.9
Sex misdemeanor 0.1
Property misdemeanor 33.3
Drug misdemeanor 9.6
Other misdemeanor 6.0

Mean prison time served for current offense in months (prison releases only): .... N/A

Rearrest rates (fingerprinted rearrest): %
Any offense 31.6
Violent offense 7.2
Sex offense 0.4
Property offense 17.4
Drug offense 12.3
Other offense 8.5

Mean number of subsequent arrests 0.6

Average time to first recidivist arrest (months) 8.7

Participation in programs: %
Probation Entries
SSA Probation - Community Punishment 73.3
SSA Probation - Intermediate Punishment 26.7
Intensive Supervision Probation 27.5
Special Probation 12.9
IMPACT 2.0
House Arrest with Electronic Monitoring 5.1
TASC 1.8
Community Penalties 1.5

IMPACT PROGRAM (BOOT CAMP)[1]

The Intensive Motivational Program of Alternative Correctional Treatment (IMPACT) is a condition of special probation (split sentence) in which the offender must serve an active sentence of ninety to 120 days, and then remain on supervised probation. The goal of the IMPACT program is to instill self-confidence, discipline, and a work ethic through a strictly regimented paramilitary program. Boot camps are commonly referred to as shock incarceration programs.

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

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

The first class of IMPACT for females began in June, 1998. Beginning on December 1, 1998, IMPACT is no longer a condition of special probation but is considered a residential program. IMPACT has always been administered by various divisions within the Department of Correction. At the onset of FY 1999/00, administration was placed under the Secretary's Office within the Department of Correction.

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[1] For the purposes of this study and to be consistent methodologically, all program participation information for probationers was programmed using the Special Conditions and Sanctions table in OPUS (with the exception of TASC and Community Penalties for which additional data were provided by the programs themselves). The DOC has used the External Movements table in OPUS for their studies of IMPACT, which yields a higher number of IMPACT participants.

IMPACT
Fiscal Year 1996/97

Number of clients (N): 448

Age in years:
Mean 18
Median 18

Gender: %
Male 98.2
Female 1.8

Race: %
Black 53.6
Non-Black 46.4

Marital Status: %
Single 94.0
Divorced/Separated 1.6
Married/Widowed 4.0
Other/Unknown 0.4

12 years of education or more: 24.0

Percentage with at least one prior %
fingerprinted arrest: 86.4

**Mean number of prior fingerprinted
arrests:**
Any offense 1.9
Violent offense 0.3
Sex offense .... <0.1
Property offense 1.1
Drug offense 0.4
Other offense 0.2

Current offense: %
Violent felony 16.1
Sex felony 2.5
Property felony 30.6
Drug felony 17.2
Other felony 1.3
Violent misdemeanor 7.4
Sex misdemeanor 0.0
Property misdemeanor 20.5
Drug misdemeanor 3.1
Other misdemeanor 1.3

**Mean prison time served for current offense in
months (prison releases only):** .... N/A

Rearrest rates (fingerprinted rearrest): %
Any offense 56.5
Violent offense 11.4
Sex offense 0.7
Property offense 39.5
Drug offense 21.7
Other offense 15.8

Mean number of subsequent arrests 1.2

**Average time to first recidivist arrest
(months)** 8.0

Participation in programs: %
Probation Entries
SSA Probation - Community Punishment 43.5
SSA Probation - Intermediate Punishment 56.5
Intensive Supervision Probation 71.7
Special Probation 17.4
Community Service 56.5
House Arrest with Electronic Monitoring 14.1
TASC 0.4
Community Penalties 3.3

HOUSE ARREST WITH ELECTRONIC MONITORING

House arrest with electronic monitoring (known as electronic monitoring prior to December 1, 1997) is a special condition of supervised probation, parole, or post-release supervision. The purposes of house arrest with electronic monitoring are to restrict the offender's freedom and movement in the community, increase supervision of convicted offenders, ease prison overcrowding, and save taxpayers money. House arrest with electronic monitoring is available statewide through the Division of Community Corrections within the Department of Correction.

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

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

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

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

House Arrest With Electronic Monitoring
Fiscal Year 1996/97

Number of clients (N): 1,325

Age in years:
Mean 28
Median 25

Gender:	%
Male	83.2
Female	16.8

Race:	%
Black	57.1
Non-Black	42.9

Marital Status:	%
Single	66.0
Divorced/Separated	16.7
Married/Widowed	16.2
Other/Unknown	1.1

12 years of education or more: 44.5

Percentage with at least one prior	%
fingerprinted arrest:	80.6

Mean number of prior fingerprinted arrests:

Any offense	2.2
Violent offense	0.4
Sex offense	<0.1
Property offense	1.2
Drug offense	0.6
Other offense	0.2

Current offense:	%
Violent felony	10.0
Sex felony	3.1
Property felony	23.1
Drug felony	19.3
Other felony	3.1
Violent misdemeanor	12.8
Sex misdemeanor	0.1
Property misdemeanor	18.6
Drug misdemeanor	5.4
Other misdemeanor	4.5

Mean prison time served for current offense in months (prison releases only): .... N/A

Rearrest rates (fingerprinted rearrest):	%
Any offense	33.2
Violent offense	7.2
Sex offense	0.4
Property offense	19.8
Drug offense	11.2
Other offense	7.8

Mean number of subsequent arrests 0.6

Average time to first recidivist arrest (months) 9.0

Participation in programs:	%
Probation Entries	
SSA Probation - Community Punishment	30.0
SSA Probation - Intermediate Punishment	70.0
Intensive Supervision Probation	43.8
Special Probation	24.0
Community Service	50.0
IMPACT	4.8
TASC	1.9
Community Penalties	2.3

TREATMENT ALTERNATIVES TO STREET CRIME (TASC)[1]

Treatment Alternatives to Street Crime (TASC) is a community punishment which is used by the courts as a condition of probation, deferred prosecution, or pretrial release/detention. TASC is an intervention program for certain drug dependent criminal offenders. TASC programs identify, assess, refer to treatment, and monitor treatment participation of criminal offenders. Since TASC is a community punishment, drug-involved offenders who have been charged with or convicted of possession of controlled substances (except trafficking) are eligible for involvement in TASC programs.

In cases where TASC is used as a condition of probation, the TASC coordinator serves as a liaison between the supervising probation officer and the treatment professional. In both pretrial and post-trial cases, TASC coordinators use a standardized assessment instrument during an interview to determine if the offender has a substance abuse problem. If a problem is documented, a referral is made to a treatment agency. The TASC coordinator then monitors the offender's participation in treatment and reports the offender's progress to the probation officer. If the offender fails to comply with treatment, the TASC coordinator reports the violation to the probation officer who determines the next course of action. TASC coordinators are required to have a minimum of one contact per month per client; however, the frequency may be higher based on the individual case. Offenders ordered to participate in TASC are also required to submit to regular urinalysis screening which is usually the responsibility of the TASC coordinator. TASC coordinators are in frequent contact with treatment professionals to ascertain that the offender is attending treatment on a regular basis. Each month TASC submits a form to the probation officer reporting the treatment status of the offender. The average length of stay in the TASC program is four to six months.

TASC is administered by the Division of Mental Health, Developmental Disabilities and Substance Abuse Services in the Department of Health and Human Services. There are currently twenty-four TASC programs covering twenty-five judicial districts and fifty counties. These programs are operated by private nonprofit agencies or area mental health, developmental disabilities and substance abuse facilities.

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[1] Additional data were provided by individual TASC programs.

Number of clients (N): 646

Age in years:	
Mean	29
Median	28

Gender:	%
Male	79.3
Female	20.7

Race:	%
Black	60.5
Non-Black	39.5

Marital Status:	%
Single	63.5
Divorced/Separated	20.8
Married/Widowed	14.9
Other/Unknown	0.8

12 years of education or more: 49.9

Percentage with at least one prior fingerprinted arrest:	%
	85.9

Mean number of prior fingerprinted arrests:	%
Any offense	2.6
Violent offense	0.4
Sex offense	<0.1
Property offense	1.2
Drug offense	0.9
Other offense	0.3

Current offense:	%
Violent felony	3.6
Sex felony	0.5
Property felony	12.7
Drug felony	29.6
Other felony	2.3
Violent misdemeanor	10.2
Sex misdemeanor	0.3
Property misdemeanor	14.2
Drug misdemeanor	22.1
Other misdemeanor	4.5

Mean prison time served for current offense in months (prison releases only): N/A

Rearrest rates (fingerprinted rearrest):	%
Any offense	38.7
Violent offense	11.5
Sex offense	0.2
Property offense	20.1
Drug offense	18.0
Other offense	8.5

Mean number of subsequent arrests 0.7

Average time to first recidivist arrest (months) 8.3

Participation in programs:	%
Probation Entries	
SSA Probation - Community Punishment	61.5
SSA Probation - Intermediate Punishment	38.5
Intensive Supervision Probation	29.1
Special Probation	14.2
Community Service	35.4
IMPACT	0.3
House Arrest with Electronic Monitoring	3.9
Community Penalties	4.0

COMMUNITY PENALTIES PROGRAM[1]

In 1983 the General Assembly enacted the Community Penalties Program Act to reduce prison overcrowding. The Act authorizes state operated programs and programs operated through contractual agreements with local agencies. The community penalties programs provide sentencing plans "to be used in lieu of and at less cost than imprisonment."

The Community Penalties Program is administered by the Administrative Office of the Courts and operates in all one hundred counties. These programs identify offenders charged with misdemeanors and felonies who, if convicted of their charges, are eligible to receive an intermediate punishment based on their class of offense and prior record or conviction level and who are facing an imminent and substantial threat of imprisonment. A criterion for presentation of a community penalty plan in court is agreement by the defendant to plead guilty to his/her charges. Any client who decides to plead not guilty is released as a client.

The responsibilities of a community penalties program include: (1) identifying offenders who face an imminent and substantial threat of imprisonment; (2) preparing detailed community penalty plans for presentation by the defendant to the sentencing judge; (3) contracting or arranging with public or private agencies for services described in the community penalty plan; and (4) monitoring the progress of offenders under community penalty plans. Program staff work with members of the justice system (law enforcement, defense counsel, prosecutors, judges, probation officers) and community agencies to identify resources to meet the offender's needs. Typically, community penalty plans include recommendations for regular probation or intensive supervision probation, victim restitution, community service work, and involvement in treatment. Prior to January 1, 2000, a community penalty plan accepted by a judge qualified as an intermediate punishment.

Because the Community Penalties Program is a pre-adjudication service, its relationship with an offender terminates when the judgment is entered in court. Monitoring the progress of offenders under community penalty plans involves tracking the offender's completion of court-ordered sanctions. Program staff do not maintain clinical contact with the offender because supervision of offenders following sentencing is within the jurisdiction of the Department of Correction.

Beginning January 1, 2000, the Community Penalties Program became known as the Sentencing Services Program and the General Assembly amended Sentencing Services so that the plans themselves are no longer considered an intermediate punishment. Also, the program now provides sentencing information directly to the judge.

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[1] Additional data were provided by the Community Penalties Program.

Community Penalties
Fiscal Year 1996/97

Number of clients (N): 384

Age in years:
Mean 28
Median 26

Gender: %
Male 82.8
Female 17.2

Race: %
Black 56.0
Non-Black 44.0

Marital Status: %
Single 68.3
Divorced/Separated 16.9
Married/Widowed 13.8
Other/Unknown 1.0

12 years of education or more: 48.7

Percentage with at least one prior %
fingerprinted arrest: 90.6

Mean number of prior fingerprinted %
arrests:

Any offense 2.9
Violent offense 0.4
Sex offense .... <0.1
Property offense 1.8
Drug offense 0.8
Other offense 0.3

Current offense: %
Violent felony 11.5
Sex felony 2.3
Property felony 37.1
Drug felony 31.0
Other felony 2.6
Violent misdemeanor 1.6
Sex misdemeanor 0.0
Property misdemeanor 11.5
Drug misdemeanor 1.6
Other misdemeanor 0.8

Mean prison time served for current offense in
months (prison releases only): .... N/A

Rearrest rates (fingerprinted rearrest): %
Any offense 34.1
Violent offense 6.0
Sex offense 0.3
Property offense 20.1
Drug offense 9.6
Other offense 10.2

Mean number of subsequent arrests 0.7

Average time to first recidivist arrest
(months) 7.2

Participation in programs: %
  Probation Entries
SSA Probation - Community Punishment 29.2
SSA Probation - Intermediate Punishment 70.8
Intensive Supervision Probation 49.0
Special Probation 24.5
Community Service 50.3
IMPACT 3.9
House Arrest with Electronic Monitoring 7.8
TASC 6.8

PRISON RELEASES (UNDER STRUCTURED SENTENCING ACT)

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

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

SSA Prison Release
Fiscal Year 1996/97

Number of clients (N): 6,233

Age in years:
Mean 30
Median 29

Gender: %
Male 86.8
Female 13.2

Race: %
Black 66.8
Non-Black 33.2

Marital Status: %
Single 65.4
Divorced/Separated 21.8
Married/Widowed 12.6
Other/Unknown 0.2

12 years of education or more: 44.0

Percentage with at least one prior %
fingerprinted arrest: 93.8

Mean number of prior fingerprinted arrests:
Any offense 4.3
Violent offense 0.7
Sex offense .... <0.1
Property offense 2.4
Drug offense 1.1
Other offense 0.5

Current offense: %
Violent felony 6.2
Sex felony 1.3
Property felony 28.4
Drug felony 30.5
Other felony 4.3
Violent misdemeanor 10.1
Sex misdemeanor 0.1
Property misdemeanor 14.5
Drug misdemeanor 3.2
Other misdemeanor 1.4

**Mean prison time served for current offense in
months (prison releases only):** 6.4

Rearrest rates (fingerprinted rearrest): %
Any offense 46.4
Violent offense 13.3
Sex offense 0.8
Property offense 25.2
Drug offense 20.5
Other offense 15.2

Mean number of subsequent arrests 1.0

**Average time to first recidivist arrest
(months)** 8.9

Participation in programs: %
Prison Releases
Not applicable

PRISON RELEASES: MAX-OUTS (UNDER FAIR SENTENCING ACT)

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

FSA Max-Out
Fiscal Year 1996/97

Number of clients (N): 1,758

Age in years:
Mean 31
Median 30

Gender: %
Male 91.1
Female 8.9

Race: %
Black 68.4
Non-Black 31.6

Marital Status: %
Single 64.2
Divorced/Separated 21.3
Married/Widowed 14.3
Other/Unknown 0.2

12 years of education or more: 45.1

Percentage with at least one prior %
fingerprinted arrest: 93.7

Mean number of prior fingerprinted arrests:
Any offense 4.2
Violent offense 0.8
Sex offense 0.1
Property offense 2.6
Drug offense 0.7
Other offense 0.5

Current offense: %
Violent felony 19.7
Sex felony 4.4
Property felony 26.5
Drug felony 17.9
Other felony 5.0
Violent misdemeanor 7.4
Sex misdemeanor 0.1
Property misdemeanor 16.0
Drug misdemeanor 1.6
Other misdemeanor 1.4

Mean prison time served for current offense in months (prison releases only): 38.2

Rearrest rates (fingerprinted rearrest): %
Any offense 43.5
Violent offense 13.4
Sex offense 1.2
Property offense 24.3
Drug offense 17.6
Other offense 15.3

Mean number of subsequent arrests 0.9

Average time to first recidivist arrest (months) 9.7

Participation in programs: %
Prison Releases
Not applicable

PAROLE (UNDER FAIR SENTENCING ACT)

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

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

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

FSA Parole
Fiscal Year 1996/97

Number of clients (N): 8,174

Age in years:
Mean 31
Median 30

Gender: %
Male 89.3
Female 10.7

Race: %
Black 70.0
Non-Black 30.0

Marital Status: %
Single 63.8
Divorced/Separated 20.6
Married/Widowed 15.3
Other/Unknown 0.3

12 years of education or more: 47.6

Percentage with at least one prior %
fingerprinted arrest: 96.5

Mean number of prior fingerprinted arrests:
Any offense 4.1
Violent offense 0.7
Sex offense 0.1
Property offense 2.4
Drug offense 0.9
Other offense 0.5

Current offense: %
Violent felony 15.0
Sex felony 3.8
Property felony 35.5
Drug felony 32.1
Other felony 1.6
Violent misdemeanor 2.1
Sex misdemeanor .... <0.1
Property misdemeanor 8.2
Drug misdemeanor 1.1
Other misdemeanor 0.6

Mean prison time served for current offense in months (prison releases only): 28.7

Rearrest rates (fingerprinted rearrest): %
Any offense 39.5
Violent offense 11.6
Sex offense 0.8
Property offense 20.2
Drug offense 16.8
Other offense 13.4

Mean number of subsequent arrests 0.8

Average time to first recidivist arrest (months) 10.0

Participation in programs: %
Prison Releases
Intensive Supervision Parole (FSA parole only) 5.3
Community Service (FSA parole only) 32.2

INTENSIVE SUPERVISION PAROLE (UNDER FAIR SENTENCING ACT)

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

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

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

Intensive Supervision Parole - FSA Parole
Fiscal Year 1996/97

Number of clients (N): 437

Age in years:
Mean 31
Median 30

Gender: %
Male 93.1
Female 6.9

Race: %
Black 71.9
Non-Black 28.1

Marital Status: %
Single 62.9
Divorced/Separated 19.7
Married/Widowed 17.2
Other/Unknown 0.2

12 years of education or more: 50.3

Percentage with at least one prior %
fingerprinted arrest: 98.4

Mean number of prior fingerprinted arrests:
Any offense 5.2
Violent offense 0.9
Sex offense .... <0.1
Property offense 3.4
Drug offense 1.0
Other offense 0.5

Current offense: %
Violent felony 14.2
Sex felony 0.9
Property felony 50.0
Drug felony 31.1
Other felony 1.1
Violent misdemeanor 0.2
Sex misdemeanor 0.0
Property misdemeanor 2.3
Drug misdemeanor 0.0
Other misdemeanor 0.2

Mean prison time served for current offense in months (prison releases only): 47.5

Rearrest rates (fingerprinted rearrest): %
Any offense 49.4
Violent offense 14.2
Sex offense 0.9
Property offense 27.0
Drug offense 21.7
Other offense 17.4

Mean number of subsequent arrests 1.0

Average time to first recidivist arrest 9.2
(months)

Participation in programs: %
  Prison Releases
FSA Parole 100.0
Community Service (FSA parole only) 33.2

FSA COMMUNITY SERVICE PAROLE

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

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

Community Service – FSA Parole
Fiscal Year 1996/97

Number of clients (N): 2,630

Age in years:
Mean 31
Median 30

Gender: %
Male 88.9
Female 11.1

Race: %
Black 69.7
Non-Black 30.3

Marital Status: %
Single 63.8
Divorced/Separated 20.8
Married/Widowed 15.1
Other/Unknown 0.3

12 years of education or more: 49.4

Percentage with at least one prior %
fingerprinted arrest: 98.0

Mean number of prior fingerprinted
arrests:
Any offense 4.5
Violent offense 0.6
Sex offense .... <0.1
Property offense 2.7
Drug offense 1.2
Other offense 0.4

Current offense: %
Violent felony 7.6
Sex felony 0.3
Property felony 48.0
Drug felony 39.7
Other felony 1.5
Violent misdemeanor 0.6
Sex misdemeanor 0.0
Property misdemeanor 2.1
Drug misdemeanor 0.2
Other misdemeanor .... <0.1

Mean prison time served for current offense in
months (prison releases only): 24.1

Rearrest rates (fingerprinted rearrest): %
Any offense 37.9
Violent offense 8.9
Sex offense 0.6
Property offense 19.5
Drug offense 15.5
Other offense 11.5

Mean number of subsequent arrests 0.7

Average time to first recidivist arrest 10.4
(months)

Participation in programs: %
Prison Releases
FSA Parole 100.0
Intensive Supervision Parole (FSA parole only) 5.5