

MINUTES
NORTH CAROLINA SENTENCING AND POLICY ADVISORY
COMMISSION MEETING
RALEIGH, NC
June 4, 2010

The North Carolina Sentencing and Policy Advisory Commission met on Friday, June 4, 2010, in the Board Room at the North Carolina Judicial Center in Raleigh, North Carolina.

Members Present: Chairman W. Erwin Spainhour, Mark Allred (representing Moe McKnight), Honorable Alice Bordsen, Honorable Charlie Brown, Joe Cheshire, Louise Davis, Honorable Richard Elmore, Garry Frank, Paul Gibson, Bill Hart, Secretary Linda Hayes, Larry Hines, Honorable Eleanor Kinnaird, Tracy Little (representing Secretary Alvin Keller, Jr.), Honorable Jimmy Love, Honorable Floyd McKissick, Jr., Dr. Harvey McMurray, Honorable Fred Morrison, Tony Rand, Rhonda Raney, and June Ray.

Guests: David Edwards (Division of Research, Department of Correction), Michelle Hall (Youth Accountability Task Force), Kathy Johnson (Sentencing Services), Jamie Markham (UNC School of Government), Tim Moose (Division of Community Corrections), Melissa Radcliff (Our Children's Place), Susan Sitze (Research Division, General Assembly), Facelys Soero (Intern, Sentencing and Policy Advisory Commission), and Cynthia Williams (Division of Community Corrections).

Staff: Susan Katzenelson, Ginny Hevener, John Madler, Karen Calhoun, Amy Craddock, Vicky Etheridge, Tamara Flinchum, Ashleigh Gallagher, David Lagos, and Sara Perdue.

INTRODUCTION

Judge Spainhour called the meeting to order at 10:00 a.m. After welcoming everyone, Judge Spainhour asked those in attendance to introduce themselves. He introduced the newest staff member to the Commission, Dr. Amy Craddock. Senator Kinnaird moved to adopt the minutes from the March 26, 2010 Sentencing Commission meeting; the motion was seconded and carried. Judge Spainhour then reviewed the agenda.

IMPLEMENTATION OF EVIDENCE-BASED PRACTICES IN COMMUNITY SUPERVISION

Judge Spainhour recognized Tim Moose, Director of the Division of Community Corrections, to present Evidence-Based Practices. Mr. Moose began with progress updates on providing corrections data to law enforcement officers in their vehicles, implementing one Probation Officer and Judicial Services Class, addressing vacant positions, and working with the National Institute of Corrections (NIC) on training and supervision practices.

Evidence-Based Practices involve using practices that, based on empirical research, have been proven to reduce offender recidivism. The eight principles of evidence-based practices are: assess actuarial risk of rearrest; enhance intrinsic motivation (internal decisions); target

interventions (right level of treatment); skill train with directed practice; increase positive reinforcement; engage ongoing support in natural communities; measure relevant processes/practices; and provide measurement feedback. The first major issue of evidence-based practices is risk assessment. Research suggests that rearrest is the most appropriate risk measure, and that offenders are most likely to be rearrested in the first 150 days of supervision. Average risk scores range from a minimum level of 9% to a high level of 31%. Second, needs assessments that must be considered are antisocial values, criminal peers, antisocial personality, dysfunctional family, substance abuse, and self-control. The Offender Self Report and the Officer Interview Impression assist in determining offender needs. By combining risk and needs, the supervision level is determined.

All offenders are supervised the same within the first 60 days of supervision. Active supervision occurs for the remainder of the supervision period. In stage four (or 120 days prior to the end of supervision), the offender goes through a transition period. There are three types of contacts: (1) offender management contact, (2) remote report, and (3) home contact. The remote report will allow the offender to check in by computer. Beginning June 7, 2010, DCC will be piloting the remote report in Durham, Beaufort, Washington, Martin, Hyde, and Tyrrell counties. There are five severity levels of noncompliance that match up with the five supervision levels. DCC is transitioning to one class of officer with a caseload of 60:1.

Louise Davis asked how they validate dysfunctional families. Mr. Moose answered that several questions are aimed at assessing it. Ms. Davis asked if they did criminal background check on the families. Mr. Moose responded that DCC is not authorized to do that, but that the probation officer may know the family and know this kind of thing. Representative Bordsen mentioned that the first Justice Reinvestment Task Force meeting would be meeting Monday, June 7th in the afternoon and would be going over some of these issues. They will be going over areas in which they are doing well and areas in which they are not doing well. There will be room of others wanting to attend. Mr. Moose explained that what they are looking at is the first step in the Justice Reinvestment process.

Senator Kinnaird commented on the “anti-social” values mentioned in identifying needs. Sometimes offenders do not define social the same way society does. Mr. Moose answered that research has shown that if they do the same thing with the low risk group as they do with the high risk group, they might actually end up hurting the low risk group. This is a cultural change for his staff. They are looking at the criminogenic side to get a broader picture of the offender, and to come up with different ways to supervise offenders. In some cases, the probation officer has to be more law enforcement and in other cases, more a helper. Dr. McMurray asked if they had studied the effect of prison recidivism. Mr. Moose said that his division had not, but called on David Edwards of the Research Division. Mr. Edwards said that they had looked at offenders who had been in prison prior to being placed on community supervision and that this factor did not add value to the assessment. Dr. McMurray asked if they would be looking at areas of housing and employment during the transition stage. Mr. Moose said that the case plan includes thirteen life areas – among them are housing and employment.

Tracy Little thanked Tim Moose and his staff for all the work they have done. The

presentation ended with a mention that the statewide implementation date is September 1, 2010.

**CORRECTIONAL PROGRAM EVALUATION: OFFENDERS PLACED ON
PROBATION OR RELEASED FROM PRISON IN FISCAL YEAR 2005/06**

Ms. Flinchum began the presentation on the Correctional Program Evaluation Report, which is also known as the Commission's recidivism report. Legislatively mandated, the recidivism report is prepared every two years and follows offenders for a three-year follow-up period. There are three measures of recidivism that are tracked during follow-up: (1) arrest, (2) conviction, and (3) incarceration in North Carolina's state prison system. Overall, the sample included 41,091 probation entries and 17,733 prison releases during FY 2005/06.

The majority of the population was male with an average age of 31. Property offenses comprised the highest volume of offenses followed by drug offenses, and 48% had felony convictions as the most serious current conviction. She stated that for the second time since the Sentencing Commission began doing recidivism reports, the entire sample population for FY 2005/06 was sentenced under Structured Sentencing laws. Of the 60,824 offenders studied, 4% had a B1-E felony as their most serious current conviction, 44% had an F-I felony, and 52% had misdemeanors as their most serious current conviction.

Ms. Flinchum reviewed the components of a composite risk score developed for the recidivism study and explained that an offender's risk level was defined as an offender's probability of rearrest during the follow-up period. Offenders were categorized into low, medium, and high risk based on their risk scores. Overall, 42% of the sample were low risk, 48% were medium risk, and 10% were high risk. Ms. Flinchum reported the recidivist arrests rates for each year of the three-year follow-up period with 21% rearrested during the first year, 33% rearrested during the second year, and 40% rearrested during the third year. Ms. Flinchum continued with her report by stating that the first rearrest occurs, on average, 13 months after release from prison or start of the probationary supervision period. When controlling for the offender's risk level, the type of punishment and offense class of the sample offense are less predictive of rearrest than the offender's risk level.

Ms. Flinchum stated that the type of prison entry for the prison releases (n=19,733) was examined for the first time in the Sentencing Commission's recidivism studies. Forty percent of the prison releases entered prison for a new crime; 37% entered prison for a technical revocation of probation; and 23% entered prison for both a new crime and a technical revocation of probation.

Finally, Ms. Flinchum summarized the arrest, conviction, and incarceration rates for the sample during the three-year follow-up period – 40%, 27%, and 30%, respectively – and discussed differences in recidivism rates among the subgroups of prison releases and probation entries.

Tony Rand asked where GED fit in the demographic of 39% with 12 or more years of education. Ms. Flinchum and Ms. Hevener both concurred that GED was part of the 12 or more

years. Senator Kinnaird reminded the group that although 39% of prisoners had completed 12 or more years of education, they tested at the 3rd to 8th grade skill level. Ms. Flinchum explained that the data only captured years of education. Senator Kinnaird asked if those who had drug arrests had been identified as having drug treatment. Ms. Flinchum said no, but in the Appendix, there is a list of drug treatment programs. Senator Kinnaird asked if there had been any study of specific drug treatment programs and their impact on rearrest. Susan Katzenelson answered that the staff has studied this in previous reports. Senator McKissick wanted to know how it was determined that 40% were substance abusers. Ms. Flinchum explained that the DOC uses the SASSI to assess substance abuse problems in prisoners and the OTI, which includes a self-reported substance abuse question, for probationers. Dr. McMurray asked why race was used and not income. Ms. Katzenelson explained that this is a retrospective analysis. Race is not included in the risk score that the staff has been working on as a result of the request of the Research Subcommittee. Dr. McMurray said that there are unintended consequences of race in that instance. Ms. Hevener stated that income was not available in the data used. Secretary Linda Hayes said that race is an identifier and not a risk factor. Ms. Katzenelson explained that it has been used in the risk score, but the staff ran data with race and without race and found equally satisfying results with both.

Rhonda Raney asked how the rearrest rate in this report compared to the rearrest statement by Tim Moose. Ms. Hevener stated that most prisoners were rearrested in the first year just as Mr. Moose had stated. Dr. McMurray asked how many prisoners were released without post-release supervision (PRS). Tracy Little answered that 87% of prisoners were released with no PRS – most with F-I felonies. She said that information will be presented at the Justice Reinvestment meeting that those higher risk prisoners need more reentry services. Senator Kinnaird stated that the General Assembly had tried to do something last year. They tried to take three months off the beginning of the sentence and put it on the end for post-release supervision. Ms. Katzenelson said that it is really more complicated than that. Post-release supervision helps both groups for different reasons.

Judge Spainhour explained that judges dislike the term technical revocation since anything other than a new crime falls into that category. Personally, he does not revoke anyone for not paying fines as most of these offenders are unemployed. Judge Brown mentioned that being an absconder was something that judges definitely revoke. Judge Brown asked for clarification on the slide that said if a high risk offender commits a crime, he will commit another crime in the future. If it's not a finger-printed arrest, it's not counted. Ms. Hevener said that this captures rearrests. Ms. Katzenelson clarified that if an offender commits a very serious crime, it only adds to his risk score, not the type of crime he will probably commit in the future due to the high risk score.

Tony Rand asked if a person was arrested for six breaking and enterings, was that counted as six arrests or one. Ms. Hevener answered that it would be counted as one arrests, but they do look at rearrests as well.

Ashleigh Gallagher presented the multivariate statistics of the report which indicate factors that are statistically significant in predicting recidivism. Offender characteristics, criminal history, and current offense factors that significantly increased or decreased the likelihood of recidivism

were presented. Next, Dr. Gallagher presented the special focus area of the report. Since 2000, staff has focused on special populations including female inmates, youthful offenders, and aging offenders; and correctional programs including substance abuse, work, and community supervision. This year's focus was mental health problems in FY 2005/06 prison releases. In this sample of prisoners, 28% or 5,452 prisoners were identified as having a mental health problem. The definition of mental health problem was any inmate with a mental disorder diagnosed during the current period of incarceration, or who had been identified by DOP assessment as having some degree of mental problem. Overall, prisoners with a mental health problem were more likely to have a felony conviction than were prisoners without a mental health problem; prisoners with a mental health problem were also less likely to be characterized as a high risk and more likely to be characterized as low risk relative to those without a mental health problem. Prisoners with a mental health problem had a higher average number of infractions while in prison, but a lower rate of recidivist arrest during the three-year follow-up period. The most frequently diagnosed category of mental disorder was substance-related disorders, and so further information was provided about the co-occurrence of mental health problems and substance abuse problems. Recidivist arrest rates were highest for prisoners who had only a substance abuse problem. The lowest recidivist arrest rates were observed in prisoners who had only a mental health problem.

Mr. Rand wanted to know if the factors used to predict an increase or decrease in an offender's probability to rearrest were added together. Dr. Gallagher answered no, that each factor estimates probability of rearrest separately. Dr. McMurray reiterated his concern of using race as a predictor of rearrest. Judge Morrison wanted to know what would be considered white. Dr. Gallagher explained that the categories were black and non-black (Caucasian, Asian, Hispanic). Dr. McMurray asked about education and Dr. Gallagher explained that those who had not had at least 12 years of education were more likely to be rearrested. Dr. Gallagher explained that the data are simply numbers that indicate associations – the data do not answer the reasons why those associations exist.

Paul Gibson asked about age. Dr. Gallagher answered that as offender's age, their probability of committing crime is lower. Judge Brown asked if it could be that these older offenders might still be in prison. Ms. Hevener answered that the data begin with a prisoner being released from prison and then following that offender for three years. Senator Kinnaird asked how reliable the data were. Ms. Hevener answered that they are automated databases that staff get from the Department of Correction and the Department of Justice.

Tony Rand asked what time at risk meant. Dr. Gallagher answered that it indicates the time that the offender had available to commit a crime. Ms. Hevener further explained that if an offender was in prison for the first 160 days of the year, he/she only had the rest of the year to commit a crime.

Louise Davis asked if the Department of Correction used PULHEAT to measure substance abuse, and Dr. Gallagher answered that PULHEAT does not measure substance abuse, but measures many other things such as mental health and other aspects of physical impairment. Senator Kinnaird if there was a correlation between how they deal with infractions and the mental health issues. Ms. Little said that she had never seen any data on this. Ms. Davis asked how many

clinical psychologists were in the Department of Correction. Ms. Little said that the Department was having severe difficulty hiring and retaining psychiatrists and psychologists. Mr. Rand asked if that had anything to do with salaries. Ms. Little answered yes. Secretary Hayes said that it is complicated by the fact that they are having the exact same problem in the Department of Juvenile Justice and Delinquency Prevention.

CORRECTIONAL PROGRAM EVALUATION: POLICY IMPLICATIONS

Ginny Hevener summarized recurring themes and potential policy implications from the Sentencing Commission's recidivism studies (handout: Correctional Program Evaluation: Recurring Themes and Policy Implications). Since the 1998 expanded recidivism directive, the Sentencing Commission has conducted six recidivism studies and has examined the recidivism of nearly 300,000 offenders. The studies provide statewide information about the recidivism of offenders placed on probation or released from prison. Consistent findings include: 1) the correlation of offender background (personal, prior record, and current offense), offender risk level, and type of punishment with recidivism; 2) remarkably consistent recidivism rates over time; and 3) the varying degrees of effect that correctional assignments and specific programs have on the diverse offender population. Ms. Hevener described potential policy implications, including some considered by the Research and Policy Subcommittee from 2008 to 2009. With relation to a recommendation regarding the value of risk assessment instruments, she noted the Commission's directive for staff to develop risk assessment tools for discretionary use statewide by criminal justice officials at the decision points prior to sentencing.

Judge Brown asked if the same risk factors applied to non-Structured Sentencing offenses; e.g., DWI. Ms. Hevener answered yes. One of the best predictors is past criminal behavior. Would DWI, which is considered in the category of substance abuse, raise the score? Ms. Hevener said that it might. Bill Hart said that the numbers from the morning indicated that the recidivism rates decrease over time. Mr. Hart asked what reasons would explain this decrease since some of the offenders may have already been arrested and are no longer out in the community. Mrs. Hevener responded that the overall rearrest rates do not take into account an offender's opportunity to reoffend during follow-up; however, this issue is taken into account in the multivariate analyses using a measure of time at risk. Senator McKissick wanted to know how North Carolina compares to other states. Ms. Hevener explained that every state has different definitions for recidivism, making it harder for comparison. Ms. Katzenelson, however, stated that revocations and recidivism are two drivers are similar throughout the states. North Carolina has wonderful data and produces a very comprehensive study of recidivism. Senator McKissick asked if other states use a wider window of time instead of the three-year window North Carolina uses. Ms. Hevener explained that in 2004, four years were studied, but the decrease in recidivism was not that great. Also, in some instances, programs no longer existed in the same format, so timing of the information for policy decisions becomes a factor. Some states use a two-year follow-up. Mr. Hart asked if the numbers from other states were consistent over time. Ms. Hevener said it was hard to tell due again to the definitions.

LEGISLATIVE UPDATE AND REVIEW OF PROPOSED LEGISLATION

Judge Spainhour called on John Madler to present the legislative update. Mr. Madler informed the members that the General Assembly convened on May 12, 2010 and was still in session. He summarized the Justice and Public Safety portion of the budgets proposed by the Governor, the Senate, and the House. Mr. Madler noted that all three versions proposed cuts for FY 2010/11 ranging from 2.9% to 3.8%. These cuts included reducing administrative costs, eliminating vacant positions, and establishing management reserves that would allow department management to determine where additional cuts could be made.

Mr. Madler pointed out that a final budget bill had not passed yet but that there were three special provisions in the different versions that would be of interest to the Commission. In the Senate version of the budget, a special provision required the Department of Correction to develop a plan for implementing a pilot program on the privatization of probation services. (*See* Section 19.2) In the House version of the budget, a special provision authorized the Department of Correction to contract with a community-based residential facility to pilot a two-year reentry program for selected inmates. (*See* Section 19.7) Finally, the House version contained a special provision that required the Sentencing Commission to review all Class 3 misdemeanor offenses and provide recommendations to the 2011 General Assembly for reclassifying each Class 3 misdemeanor as either an infraction or a Class 2 misdemeanor. (*See* Section 19.5) Mr. Madler told the members that staff would keep them informed as the budget progressed.

Mr. Madler briefly explained the Sentencing Commission's statutory duty to review all proposed legislation which creates a new criminal offense, changes the classification of an offense, or changes the range of punishment or dispositional level for a classification. He listed the different types of recommendations the Commission makes to the General Assembly. Finally, he reviewed the offense classification criteria that the Commission would use to perform the review.

Proposed Felony Bills

HB 1690 [Ed. 1]/SB 254 [Ed. 2] – Susie's Law

(GS §14-360, Subsection (a)). Mr. Gibson moved to find the provision consistent with the Offense Classification Criteria. Mr. Hart seconded the motion, and the motion carried.

(GS §14-360, Subsection (b)). Judge Elmore moved to find the provision consistent with the Offense Classification Criteria. Mr. Gibson seconded the motion, and the motion carried.

HB 2027 – Car Theft to Steal Motor Parts [Ed.1] (GS §14-72, Subsection (b)). Bill Hart moved to find the provision consistent with the Offense Classification Criteria. Judge Brown seconded the motion, and the motion carried.

HB 1729/SB 1132 – Motor Vehicle Law Changes [Ed. 2]

(G.S. §20-79.2, Subsection (b2)). Mr. Hart moved to find the provision consistent with

the Offense Classification Criteria. Judge Elmore seconded the motion, and the motion carried.

(G.S. §20-79.2, Subsection (e)). Senator McKissick moved to find the provision inconsistent with the Offense Classification Criteria. Judge Elmore seconded the motion, and the motion carried.

HB 1724/SB 1199 – NC Biotechnology and Agriscience School [Ed. 1]

(G.S. §115C-229I, Subsection (h)). Mr. Hart moved to find the provision inconsistent with the Offense Classification Criteria. Representative Bordsen seconded the motion, and the motion carried.

(G.S. §115C-229F, Subsection (5)). Tony Rand moved to find the provision inconsistent with the Offense Classification Criteria. Mr. Hart seconded the motion, and the motion carried.

HB 1855 – Clarify Legislative Confidentiality [Ed. 1] (G.S. §120-134). Mr. Hart moved to find the provision consistent with the Offense Classification Criteria. Joe Cheshire seconded the motion, and the motion carried.

HB 1870 – Safe Artificial Slope Construction Act [Ed. 1] (G.S. §113A-268, Subsection (b)). Mr. Hart moved to find the provision consistent with the Offense Classification Criteria. Mr. Rand seconded the motion, and the motion carried.

HB 2023 – Corporate/Union Money in Campaigns [Ed. 1] (G.S. §163-278.27, Subsection (a)). Mr. Rand moved to find the provision consistent with the Offense Classification Criteria. Mr. Hart seconded the motion, and the motion carried.

HB 1393 – Enhance Protection of Victims & Witnesses [Ed. 1] (G.S. §14-226, Subsection (a)). Senator McKissick moved to find the provision consistent with the Offense Classification Criteria. Judge Elmore seconded the motion, and the motion carried. Bill Hart amended the motion that this is consistent with a Class C or Class F.

HB 2005/SB 1422 – Sex Offender Registry/Name Changes [Ed. 1]

(G.S. §14-208.7, Subsection (b) (1a)). Judge Elmore moved to find the provision consistent with the Offense Classification Criteria. Mr. Hart seconded the motion, and the motion carried.

(G.S. §14-208.9, Subsection (f)). Mr. Hart moved to find the provision consistent with the Offense Classification Criteria. Mr. Rand seconded the motion, and the motion carried.

(G.S. §14-208.9A, Subsection (a) (3)c). Mr. Hart moved to find the provision consistent

with the Offense Classification Criteria. Mr. Rand seconded the motion, and the motion carried.

Misdemeanor Bills Proposed

HB 1979/SB 1197 – Reinstate Cigarette Tax Stamps [Ed. 1]. Mr. Harts moved to find the following 12 provisions consistent with the Offense Classification Criteria. Judge Elmore seconded the motion, and the motion carried.

(G.S. §105-113.8A, Subsection (b))

(G.S. §105-113.8A, Subsection (b))

(G.S. §105-113.8A, Subsection (b))

(G.S. §105-113.9)

(G.S. §105-113.10)

(G.S. §105-113.10)

(G.S. §105-113.18, Subsection (1))

(G.S. §105-113.18, Subsection (2))

(G.S. §105-113.18, Subsection (3))

(G.S. §105-113.27, Subsection (a))

(G.S. §105-113.33)

HB 1866/SB 1136 – Regulate Towing from Private Lots [Ed. 1]

(G.S. §29-219.2, Subsection (a1)). Mr. Hart moved to find the provision consistent with the Offense Classification Criteria. Judge Elmore seconded the motion, and the motion carried.

(G.S. §29-219.2, Subsection (a2)). Mr. Hart moved to find the provision consistent with the Offense Classification Criteria. Judge Elmore seconded the motion, and the motion carried.

SB 1383 – Safer Streets/DNA Initiatives [Ed. 1]

(G.S. §15A-266.11, Subsection (a)). Judge Brown moved to find the provision inconsistent with the Offense Classification Criteria. Mr. Hart seconded the motion, and

the motion carried.

(G.S. §15A-266.11, Subsection (b)). Mr. Hart moved to find the provision inconsistent with the Offense Classification Criteria. Judge Brown seconded the motion, and the motion carried.

(G.S. §15A-266.11, Subsection (c)). Mr. Hart moved to find the provision inconsistent with the Offense Classification Criteria. Mr. Rand seconded the motion, and the motion carried.

HB 2008/SB 1403 – Modify Renewable Energy Property Credit [Ed. 1]

(G.S. §105-129.16A, Subsection (f)). Judge Brown moved to find the provision consistent with the Offense Classification Criteria. Mr. Hart seconded the motion, and the motion carried.

(G.S. §105-129.16A, Subsection (i)). Judge Brown moved to find the provision consistent with the Offense Classification Criteria. Mr. Hart seconded the motion, and the motion carried.

YOUTH ACCOUNTABILITY PLANNING TASK FORCE – STATUS REPORT

Judge Spainhour recognized Michelle Hall, Coordinator of the Youth Accountability Planning Task Force, to give a status report on the Task Force's efforts. Ms. Hall explained that the Task Force was mandated in the 2009 budget to study the feasibility of raising the juvenile age from 16 to 18. Meetings began in October and followed in December, February, April and June. Representative Alice Bordsen and Senator Eleanor Kinnaird co-chair the Task Force. Three work groups were created: Legal Issues, System Costs, and Programs and Benefits. Each of these work groups meet monthly and will be coming up with recommendations that they will present to the full Task Force. Senator Kinnaird and Representative Bordsen identified three critical areas for the Task Force to consider: mental health and substance abuse services; educational needs and the link between school systems and the juvenile justice system, with a focus on short and long-term suspension and dropout rates; and disproportionate minority contact. During the last two meetings, the Task Force heard from some North Carolina agencies and also national experts on the first two issues. At the next meeting on June 11, the Task Force will hear from an expert on disproportionate minority contact, the Juvenile Detention Alternative Initiative, the loss of federal dollars due to North Carolina's non-compliance with the National Juvenile Justice and Delinquency Prevention, and the Legal Issues working group will begin presenting their recommendations to the Task Force. Nothing will be voted on until the August meeting.

The Programs and Benefits working group is in the preliminary stage of producing their recommendations. The members have been looking at evidence-based programs and effective best practices for juvenile offenders in North Carolina and other states, including community programs, court services, detention and youth development centers, substance abuse services, mental health services and educational services. The Systems Costs working group had heard

from State Agencies such as the Department of Correction, the Department of Juvenile Justice and Delinquency Prevention and the Administrative Office of the Courts. They also heard from the agency that prepared the cost benefit analysis for Connecticut. With assistance from the State Bureau of Investigation, the Department of Juvenile Justice and Delinquency Prevention and the Administrative Office of the Courts, the Sentencing Commission produced a data set capturing the juvenile and youthful offender population in North Carolina so that this group can cost out different scenarios based on the recommendations of the other working groups.

A preliminary report is due before the General Assembly adjourns this session, and the final report is due January 15, 2011. More details including the minutes of all meetings are on the Task Force web site which is a part of the Department of Juvenile Justice and Delinquency Prevention web site.

JUSTICE REINVESTMENT IN NORTH CAROLINA – STATUS REPORT

Susan Katzenelson gave a brief report on the Justice Reinvestment Advisory Group. North Carolina applied to the Council of State Governments (CSG) Justice Center for technical assistance to reduce the cost of corrections and to reinvest in programs that would promote public safety, hoping to join the 10-12 other states already a part of this effort. The CSG had certain requirements that had to be met, including a bi-partisan, bi-chamber and tri-branch request for North Carolina's participation. Since NC had a Sentencing Commission, Judge Spainhour invited them in with the support of the Governor and Chief Justice Sarah Parker. They had to be assured that all agencies would cooperate fully with each other. North Carolina was accepted for this project because it is a state that has good data providing a variety of information. The CSG will work with the Advisory Group during the entire process. They will work in three phases: data collection and analysis, recommendation, and implementation/monitoring of adopted changes. During the process, the CSG will help make recommendations for reinvesting the money that will be saved into other resources to improve public safety.

Senator Kinnaird commented that this is a micro approach to a macro problem. She noted that she will look forward to seeing what this group can accomplish.

Judge Spainhour reminded the Commission that the next meeting would be September 17th. He adjourned the meeting at 2:30.

Respectfully submitted,

Vicky Etheridge
Administrative Assistant