

NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION

CURRENT POPULATION PROJECTIONS *FISCAL YEAR 2003/2004 to FISCAL YEAR 2012/2013*

Prepared in Conjunction with the
Department of Correction's Office of Research and Planning

RELEASED: DECEMBER 2003

INTRODUCTION:

The attached table shows ten-year prison population projections by fiscal year. The prison population projections were completed in two parts. The Sentencing Commission prepared prison population projections for all offenders sentenced on or after July 1, 2003 (new population). The Department of Correction prepared projections for all offenders in prison as of June 30, 2003 (resident prison population). The final combined projections take into account the decline of the resident prison population (structured sentencing releases, parole releases, and "max-outs") and the buildup of the new inmate population (new sentences, probation revocations, parole revocations, and post-release supervision revocations). Added to these figures is the estimated number of "safekeepers" and DWI offenders held in the state prison system.

ASSUMPTIONS:

- On average, all Fair Sentencing Act (FSA) and pre-FSA prisoners will serve 43 percent of their sentence imposed (the average percentage served by FSA and pre-FSA prisoners released in FY 2002/03).
- On average, all Structured Sentencing Act (SSA) felons will serve 109 percent of their minimum Active sentences and all SSA misdemeanants will serve 95 percent of their Active sentences (the average percentages served by SSA offenders released from prison during FY 2002/03).
- Rates of Active sentences will match rates during FY 2002/03 for all SSA offenders. Overall, 36 percent of felons received an Active sentence, with an average estimated time served of 40 months. These rates assume no changes in judicial or prosecutorial behavior regarding convictions.
- Probation revocation rates will match rates during FY 2002/03. Technical revocations accounted for 42 percent of felony prison admissions and 49 percent of misdemeanor prison admissions in FY 2002/03.

CHANGES FROM PREVIOUS PROJECTIONS:

The current population projections are very similar to last year’s projections for the first five years of the projection period, and indicate a projected increase in the prison population for the last five years of the projection period. The increase in the latter years of the projection period can be attributed primarily to a significant increase in the number of habitual felon convictions (from 638 convictions in FY 2001/02 to 761 convictions in FY 2002/03).

While the Sentencing Commission’s *Forecasting Advisory Group* found no reason to adjust the projected growth rate for misdemeanor convictions, the group adjusted the projected growth rate for felony convictions downward for the first year of the projection period.¹ Factors considered by the *Forecasting Advisory Group* included a slowing rate of population growth for North Carolina, the effect of Hurricane Isabel on the court system, and the state of North Carolina’s economy and the resulting resource constraints.

<u>Time Period</u>	Felony		Misdemeanor	
	<u>Previous Growth Rate</u>	<u>Current Growth Rate</u>	<u>Previous Growth Rate</u>	<u>Current Growth Rate</u>
FY 2003/04	2%	1%	1%	1%
FY 2004/05	2%	2%	1%	1%
FY 2005/06	2%	2%	1%	1%
FY 2006/07	2%	2%	1%	1%
FY 2007/08	2%	2%	1%	1%

- Prison population projections are and will continue to be affected by parole practices, due to a still-sizeable inmate population of FSA and pre-FSA offenders. On November 30, 2003, there were 5,590 FSA and pre-FSA offenders in prison (including 2,816 with life sentences and 95 with death sentences), representing almost 17 percent of the state’s inmates. The percent of sentence served by FSA and pre-FSA prison releases (excluding those with life or death sentences) has been increasing (from 32 percent in FY 1997/98 to 43 percent in FY 2002/03), as has their average time served (from an average of 43 months in FY 1997/98 to 107 months in FY 2002/03).
- This projection accounts for impact from several legislative changes to criminal penalties from the 2002 Session of the General Assembly, including increasing punishments for financial identity fraud, incest, stalking, and several misdemeanor offenses. However, it does not account for any increases in the prison population from legislative changes to criminal penalties from the 2003 Session of the General Assembly since the legislative changes either created new offenses for which there are no historical data or amended penalties for existing offenses with elements that could not be modeled.

¹ The *Forecasting Advisory Group* convenes annually and consists of representatives from the Sentencing Commission, Administrative Office of the Courts, Department of Correction, Department of Juvenile Justice and Delinquency Prevention, State Bureau of Investigation, Governor’s Crime Commission, and Office of State Budget and Management. The group forecasts growth rates after reviewing recent crime trends, arrest trends, court filing trends, state demographic trends, and prison admission trends.

PROJECTED PRISON POPULATION:

Projected Prison Population and Capacity

The population projected by the Commission's simulation model for June 30, 2003 was **34,570**. The actual average population for June 2003 was **34,519**, a difference of **51** prison beds (or less than one half of a percent). The first table and the following chart present the projected prison population and capacity for FY 2003/04 through FY 2012/13.

Updated prison capacity projections were provided by the Department of Correction's Division of Prisons in December 2003. These projections include both the Expanded Operating Capacity (EOC) and the Standard Operating Capacity (SOC) of all prison facilities. Based on these figures, the projected prison population will exceed both standard and expanded operating prison capacity for all ten years of the projection.

Projected Prison Population by Offense Class

The Sentencing Commission also provides data on the distribution of the projected prison population of felons by offense class, as shown in the second table. This distribution might serve as an indication of changing custody level needs.

NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION

PRISON POPULATION PROJECTIONS: *UPDATED DECEMBER 2003*

PREPARED IN CONJUNCTION WITH THE DEPARTMENT OF CORRECTION'S
OFFICE OF RESEARCH AND PLANNING

FISCAL YEAR	PREVIOUS PROJECTION as of June 30	CURRENT PROJECTION as of June 30	<i>ESTIMATE OF EXPANDED OPERATING PRISON CAPACITY¹</i>	<i>ESTIMATE OF STANDARD OPERATING PRISON CAPACITY²</i>
2004³	35,851	35,861	34,910	31,399
2005	36,787	36,973	35,055	31,544
2006	37,739	37,705	35,951	32,440
2007	38,687	38,613	36,847	33,336
2008	39,557	39,567	37,743	34,232
2009	40,345	40,498	37,743	34,232
2010	41,068	41,396	37,743	34,232
2011	41,768	42,304	37,743	34,232
2012	42,413	43,197	37,743	34,232
2013	N/A	44,094	37,743	34,232

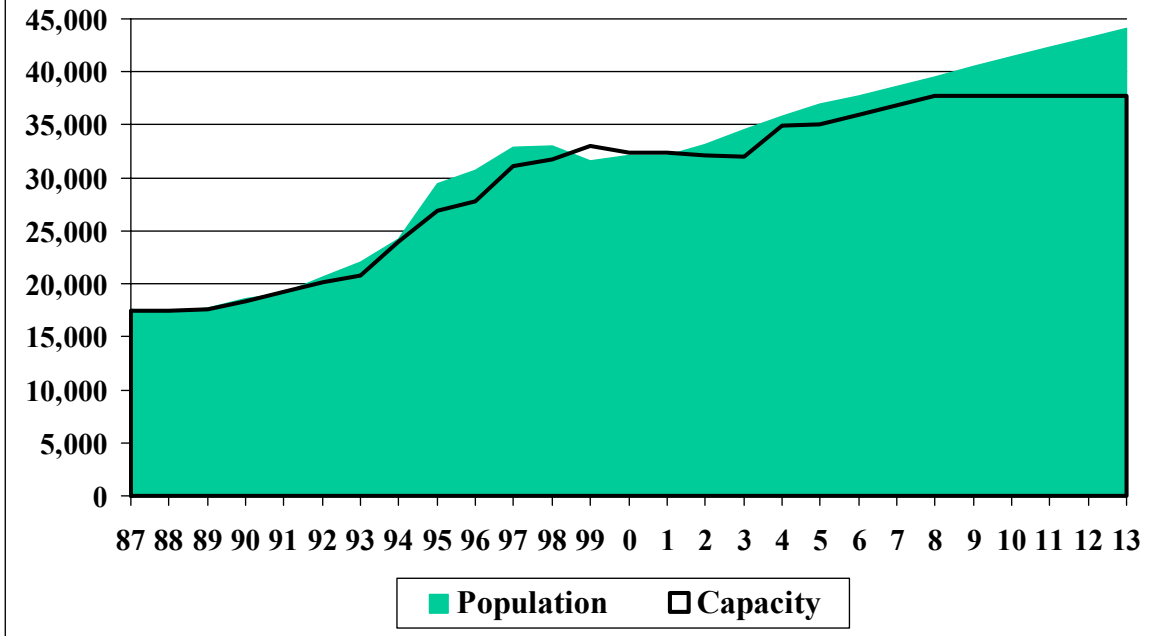
¹ Expanded Operating Capacity (EOC) is the bed space count yielded by calculating the number of general population single cells with one inmate per cell and the number of inmates in dormitories operating at varying percentages beyond their Standard Operating Capacity (SOC) which is rounded up to the closest double bunk configuration.

² Standard Operating Capacity (SOC) is the bed space count yielded by calculating the number of general population single cells with one inmate per cell plus the number of inmates who can be housed in dormitories by dividing the gross square feet of each dormitory by 50 square feet and rounding to the closest double bunk configuration.

³ The projected capacity for June 30, 2004 is dependent upon the planned opening of both Lanesboro Correctional Institution and Alexander Correctional Institution. The capacity might be several hundred less if either one is delayed for one or two months. However, those several hundred beds would come on line in July and August at the latest. The estimates of prison capacity include the three new prisons (Greene County, Bertie County, and Columbus County) that are scheduled to come on line in FY 2006, FY 2007, and FY 2008, respectively.

NC Prison Population and Capacity

Updated December 2003



Note: Prison capacity figures reflect Expanded Operating Capacity.

SOURCE: NC Sentencing and Policy Advisory Commission and NC Department of Correction

NORTH CAROLINA SENTENCING AND POLICY ADVISORY COMMISSION

**PRISON POPULATION PROJECTIONS:
UPDATED DECEMBER 2003**

**PREPARED IN CONJUNCTION WITH THE DEPARTMENT OF CORRECTION'S
OFFICE OF RESEARCH AND PLANNING**

**DISTRIBUTION OF THE PROJECTED PRISON POPULATION BY OFFENSE CLASS
FELONIES ONLY**

Offense Class	Average Estimated Time Served in Months ¹	Percent by Fiscal Year		
		2004	2008	2013
A	600	3.8	4.3	4.9
3 Strikes	600	0.0	0.0	0.1
B1	304	5.1	5.9	6.7
B2	195	6.5	7.8	8.7
C	99	21.7	23.2	23.0
D	78	15.4	15.1	14.7
A-D SUBTOTAL	130	52.5	56.3	58.1
E	30	5.3	5.4	5.2
F	25	8.1	8.1	7.8
G	19	11.3	10.6	10.3
E-G SUBTOTAL	23	24.7	24.1	23.3
H	11	16.6	14.0	13.3
I	7	4.2	3.8	3.8
H-I SUBTOTAL	10	20.8	17.8	17.1
Unknown	N/A	2.0	1.7	1.5
TOTAL	40	100.0	100.0	100.0

NOTE: Percentages may not add to 100% due to rounding.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2002/03 Structured Sentencing Simulation Model

¹ For analysis purposes, the sentence length imposed for convictions resulting in life or death sentences was estimated at 600 months.