

CORRECTIONAL PROGRAM EVALUATION

OFFENDERS PLACED ON
PROBATION OR
RELEASED FROM PRISON

FISCAL YEAR
2015



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CORRECTIONAL PROGRAM EVALUATION

OFFENDERS PLACED ON PROBATION OR RELEASED FROM PRISON IN FY 2015

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ACRONYMS

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

EXECUTIVE SUMMARY

Correctional Program Evaluation: Offenders Placed on Probation or Released from Prison in FY 2015

In 1998, the North Carolina General Assembly directed the Sentencing and Policy Advisory Commission to prepare biennial reports evaluating the effectiveness of the State’s correctional programs (N.C.G.S. § 164-47). This study examines recidivism for Structured Sentencing Act (SSA) offenders who were placed on supervised probation or released from prison in FY 2015 (N=47,614). Recidivism was defined broadly as arrests, convictions, or incarcerations during a fixed two-year follow-up period. The Executive Summary highlights the key findings and policy implications from the 2018 report.

The passage of the Justice Reinvestment Act (JRA) in 2011 resulted in substantial changes to sentencing practices and correctional policies within North Carolina’s criminal justice system. While initial outcomes for probationers under the JRA were first examined in the 2016 report, the current report offers a first look at outcomes for prisoners under the JRA.

FY 2015 Sample Profile and Outcomes

- Sixty-eight percent of the sample were probation entries; 32% were prison releases.
- Overall, 78% were male and 48% were black. Prison releases were more likely than probation entries to be high school dropouts, unemployed, and have a possible substance use/abuse problem.
- By sample definition, all prisoners in the sample had a current conviction for a felony offense, while the majority of probationers (60%) had a conviction for a misdemeanor offense.
- Offenders with a current conviction for a felony offense had higher recidivism rates for all three criminal justice outcomes compared to those with a misdemeanor offense. Offenders with a Class H – I felony had higher recidivist arrest, conviction, and incarceration rates than the other offense class groupings (Class B1 – D felons, Class E – G felons, or Class A1 – 3 misdemeanants).
- Compared to probation entries, prison releases had more extensive prior criminal histories, as well as higher recidivism rates for all three criminal justice outcomes (see Table 1).
- Multivariate analysis is a statistical technique used to analyze multiple variables simultaneously and measure their individual relationships to criminal justice outcomes. These analyses confirmed that age, gender, criminal history, and offense class were consistent predictors of recidivism. The probability of recidivism was highest for younger offenders, males, offenders with extensive criminal histories, and Class H – I felons.

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

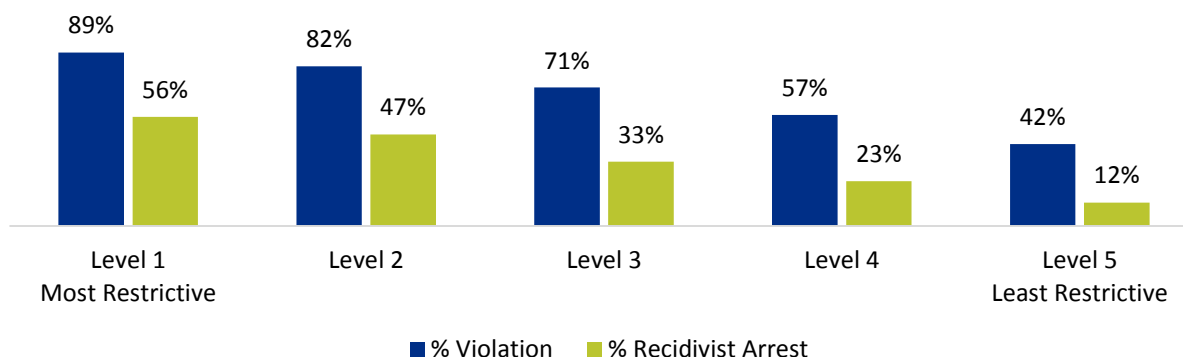
Offender Type	N	% Recidivist Arrest	% Recidivist Conviction	% Recidivist Incarceration
Probation Entries	32,537	37	17	13
Prison Releases	15,077	49	24	32
Total	47,614	41	19	19

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

Probation Entries

- All probationers in the sample were subject to provisions and policies implemented under the JRA.
- Based on assessed risk and need, a higher percentage of felons were assigned to the most restrictive supervision levels (Levels 1 and 2), while a higher percentage of misdemeanants were assigned to Levels 3 and 4.
- Felons had more extensive prior contact with the criminal justice system compared to misdemeanants; felons had slightly higher recidivist arrest rates compared to misdemeanants (37% and 35% respectively).
- Criminal justice outcomes (e.g., probation violations and recidivist arrests) varied by supervision level, with probationers in Supervision Level 1 having the highest rates and those in Supervision Level 5 having the lowest rates (see Figure 1). This pattern was also found for other interim outcomes (e.g., quick dips, CRVs, revocations).
- Multivariate analyses confirmed an increased probability of recidivism as risk and need levels increased. Delegated authority, quick dips, and CRVs were associated with a decreased probability of recidivist revocation; however, more study is needed to determine if these findings are reflective of a change in offender behavior or other factors (e.g., decreased time at risk).

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



Note: This analysis is based on the 29,279 probationers with a supervision level assigned.

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

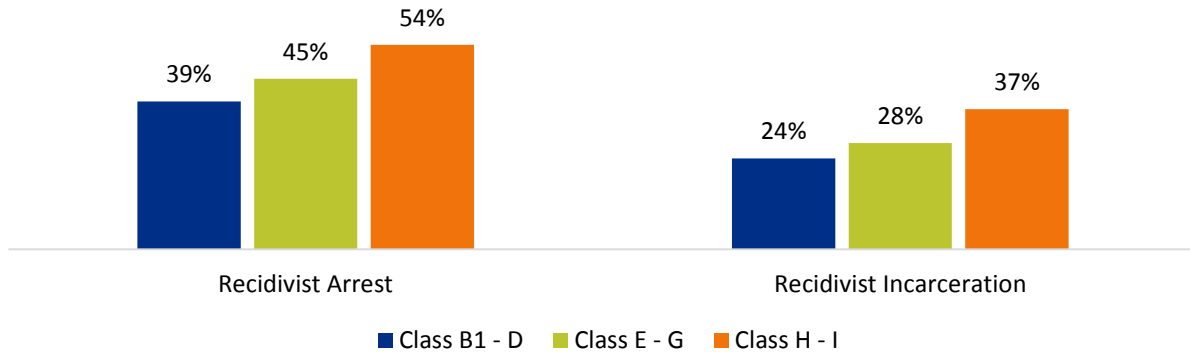
Prison Releases

- Sixty-one percent of the prison releases in the sample were subject to the provisions of the JRA, providing a first look at outcomes for prisoners under the law.
- Overall, 15% had a most serious conviction for a Class B1 – D felony, 32% for a Class E – G felony, and 53% for a Class H – I felony. Class H – I prisoners were younger and had more extensive prior criminal histories. Recidivism rates were lowest for prisoners with Class B1 – D felonies and increasingly higher for prisoners with Class E – G felonies and Class H – I felonies (see Figure 2).
- Prisoners who entered prison due to a PRS revocation, who had infractions, or who were classified as close custody at release had the highest recidivism rates. Prisoners assigned to jobs or programs while incarcerated generally had recidivism rates that were similar to the overall rates for prisoners.
- Just over three-fourths of prisoners were released onto post-release supervision (PRS). Recidivist arrest rates were similar for prisoners with and without PRS (49% and 47% respectively); however,

the recidivist incarceration rate for prisoners with PRS was twice as high compared to those without PRS (37% and 18% respectively).

- Multivariate analyses confirmed that those entering prison for a PRS revocation had higher recidivism probabilities than those entering for a new crime. Having PRS upon release was associated with an increased probability of recidivist incarceration (likely linked to violations of PRS), but had no effect on recidivist arrest probabilities.

Figure 2
Criminal Justice Outcomes for FY 2015 Prison Releases: Two-Year Follow-Up



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

Conclusions

- Following a significant increase in recidivist arrest rates in FY 2009 (due to an increase in the fingerprinting of misdemeanor arrests), statewide recidivism rates have generally been consistent.
- Consistent findings over time point to the relative success of probationers compared to prisoners; however, more complete information is needed to understand the magnitude of the effect of prisonization on offender behavior. As risk data become available for all prisoners, future research should allow for greater understanding of offender profiles in the context of recidivism.
- Offender risk assessments are a valuable tool in predicting recidivism. Current findings indicate that the RNA accurately identifies those most likely to reoffend and places them in the appropriate, more restrictive supervision levels.
- The recidivist incarceration rate for prisoners increased from 21% in FY 2013 to 32% in FY 2015, primarily the result of expanding PRS to lower-level felons and the corresponding increase in revocations of PRS in response to violations of supervision.
- There were substantial differences in recidivist incarceration rates for prisoners with and without PRS; the rate for prisoners with PRS was two times higher (37% compared to 18% respectively).
- The Sentencing Commission’s recidivism studies are limited by the lack of available statewide jail data, affecting both the recidivist incarceration measure and the population of offenders for whom recidivism can be examined. The development of a statewide automated jail database would allow for a more comprehensive study and understanding of offender behavior in North Carolina.

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

CHAPTER ONE INTRODUCTION

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

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

The Judicial Department, through the North Carolina Sentencing and Policy Advisory Commission, and the Division of Adult Correction of the Department of Public Safety shall jointly conduct ongoing evaluations of community corrections programs and in-prison treatment programs and make a biennial report to the General Assembly. The report shall include composite measures of program effectiveness based on recidivism rates, other outcome measures, and costs of the programs. During the 1998-99 fiscal year, the Sentencing and Policy Advisory Commission shall coordinate the collection of all data necessary to create an expanded database containing offender information on prior convictions, current conviction and sentence, program participation, and outcome measures. Each program to be evaluated shall assist the Commission in the development of systems and collection of data necessary to complete the evaluation process. The first evaluation report shall be presented to the Chairs of the Senate and House Appropriations Committees and the Chairs of the Senate and House Appropriations Subcommittees on Justice and Public Safety by April 15, 2000, and future reports shall be made by April 15 of each even-numbered year.²

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

Defining Recidivism

The North Carolina General Assembly directed the Sentencing Commission to measure the rates of recidivism of criminal offenders involved in state-supported correctional programs. The legislation

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

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

calling for these measurements made it clear that recidivism meant repeat criminal behavior, and implied that measuring recidivism was to be a way of evaluating correctional programs and sanctions.

Correctional programs do not affect crime directly; rather, they are designed to change offenders' attitudes, skills, or thinking processes, in the hope that their social behavior will change as a result. The punitive aspect of criminal sanctions might also serve as an individual deterrent for convicted offenders. Policy makers such as legislators tend to be concerned with whether the programs ultimately reduce criminal behavior – a program may be successful in supervising, educating, training, or counseling offenders, but if it does not reduce their subsequent criminal behavior, they still pose a threat to public safety.

There is no single official definition of recidivism. Researchers have used a variety of definitions and measurements, including recidivist arrests, convictions, and incarcerations, depending on their particular interests and the availability of data. Therefore, in comparing recidivism of various groups of offenders, readers are well advised to be sure that the same definitions and measurements are used for all groups. Official records from police, courts, and correctional agencies are the source of most research on adult recidivism. For offenders involved in a recidivism study, different types of records will indicate different rates of recidivism.

In its studies of recidivism, the Sentencing Commission uses arrests as the primary measure of recidivism, supplemented by information on convictions and incarcerations, to assess the extent of an offender's repeat involvement in the criminal justice system. Arrests, as used in this research, take into account not only the frequency of repeat offending but also its seriousness and the nature of the victimization (for example, crimes against the person, crimes involving theft or property damage, or crimes involving illegal drugs). The volume of repeat offending is handled by recording the number of arrests for crimes of various types.

Structured Sentencing, Correctional Practices, and Recidivism in North Carolina

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

Sentencing guidelines have sought to make offenders convicted of violent crimes, as well as repeat offenders, more likely to receive active prison sentences and to serve longer prison terms. At the same time, guidelines were intended to make first-time offenders charged with nonviolent crimes less likely to be imprisoned, and to have them serve shorter terms if imprisoned. As a result, guidelines in North Carolina and elsewhere have tended to shift some offenders to probation who formerly would have gone to prison, and others to prison who formerly might have received probation. This shift was expected to change recidivism rates by re-mixing not only the offense profile of various groups but, perhaps more importantly, the profile of their criminal histories.

The SSA emphasized not only the diversion of some offenders from prison to probation, but also the creation of a middle option – the use of Intermediate punishments – for those diverted offenders. Intermediate punishments – i.e., enhancements to probation such as intensive supervision, special probation (split sentences), and day reporting centers – were meant to control the recidivism of offenders diverted from prison to probation. Intermediate probationers, supervised more closely than Community probationers but not exposed to the detrimental effects of prisonization, tended to have recidivism rates between the rates of the two other groups.

With the passage of the Justice Reinvestment Act (JRA) of 2011, North Carolina has again implemented substantial changes to the state’s sentencing practices and correctional policies.³ The primary changes to sentencing under the JRA included redefining Community and Intermediate punishments, modifications to the existing habitual felon status offense, the creation of a new status offense for habitual breaking and entering, and the establishment of Advanced Supervised Release (ASR). Under the JRA, the distinction between Community and Intermediate punishments was drastically diminished. An Intermediate punishment still requires supervised probation, but all other conditions are optional. Special probation (i.e., a split sentence) and drug treatment court are the only conditions that are limited to Intermediate punishments. The JRA created a habitual breaking and entering status offense; offenders who commit their second felony breaking and entering offense are sentenced in Class E. The existing habitual felon law was modified under the JRA; habitual felons are sentenced four classes higher than the class of the current offense, but no higher than Class C. ASR was created under the JRA for offenders receiving active sentences. ASR allows judges to decide at sentencing (without objection from the prosecutor) whether an eligible offender will be ordered to the program. ASR entitles an offender, upon successful completion of programming during incarceration, to be released from prison at a reduced minimum sentence.

In terms of correctional practices, the majority of the changes under the JRA affected how offenders are supervised in the community. The JRA codified the use of a validated risk and needs assessment (RNA) as a strategy in managing offenders and allocating resources in the community. Supervision and other resources are targeted based on offenders’ levels of risk and need. The JRA expanded the delegation of authority to probation officers, giving them authority to impose most of the current conditions of probation and the authority to respond to violations by placing probationers in jail for 2- or 3-day periods (quick dips) without a court hearing. Under the JRA, prison time imposed for technical violations of probation was limited. The penalty for a first or second technical violation of probation is a confinement in response to violation (CRV), set at 90 days imprisonment for a felon and up to 90 days for a misdemeanor.⁴ The court is allowed to revoke probation and activate the suspended sentence in response to a third technical violation (i.e., after an offender has served two prior CRVs). Otherwise, revocation is authorized only if the probationer commits a new crime or absconds. Offenders who have their probation revoked and serve their entire suspended sentence are placed on post-release supervision (PRS).

PRS under the JRA is expanded to include all felons. Nine months of supervision is required for Class F – I felons. Twelve months of PRS is required for Class B1 – E felons released from prison. Similar to probation, prison time imposed for technical violations on PRS is limited. The penalty for a first, second,

³ For more details on the JRA, see the Sentencing Commission’s reports titled *Justice Reinvestment Act Implementation Evaluation Report* at <http://www.nccourts.org/Courts/CRS/Councils/spac/Publication/JRIReports.asp>.

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

or third technical violation is set at 3 months of imprisonment. Upon the fourth technical violation, the Post-Release Supervision and Parole Commission may revoke PRS and impose the rest of the prison sentence. PRS can also be revoked if the supervisee commits a new crime or absconds, or if the supervisee was originally convicted of a sex offense and subsequently violates a condition of supervision.

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

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

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

Comparison of Recidivism Rates for North Carolina Offenders

The Sentencing Commission's previous recidivism reports provide a framework to examine trends in recidivism rates for North Carolina offenders. Table 1.1 presents overall recidivism rates (measured as recidivist arrests) for SSA offenders for the Commission's past six studies. For this comparison, the prison sample for each of these studies was limited to prison releases with a felony conviction. Recidivist arrests for each sample included all fingerprinted arrests during a two-year follow-up period.⁵

The recidivism rates for the FY 2002 sample through the FY 2006 sample were nearly identical (within one percentage point) across samples. Recidivist arrest rates ranged from 31% to 32% for all offenders, from 27% to 28% for probationers, and from 42% to 43% for prisoners. However, notable increases in the recidivism rates were found for the FY 2009 sample – increasing to a recidivist arrest rate of 38% for all offenders, 35% for probationers, and 47% for prisoners. Smaller increases in recidivism rates were found for the FY 2011 sample; the recidivism rates for the FY 2013 sample were nearly identical to the FY 2011 sample.

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

Table 1.1
Recidivist Arrest Rates for North Carolina Offenders: Two-Year Follow-Up

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

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

SOURCE: NC Sentencing and Policy Advisory Commission

The increases in recidivism rates for the FY 2009 and FY 2011 samples prompted further investigation into possible reasons for the change, focusing on whether the increases capture an actual upswing in criminal behavior or reflect a change in the methodology of measuring that behavior, or both.^{6,7} The primary explanation for the increase in recidivism rates points to a change in field technology. Until 2015, law enforcement agencies were required by statute (G.S. 15A-502) to fingerprint felony arrests only. While historically most of these agencies also fingerprinted the more serious misdemeanor arrests, improved fingerprinting technology in sheriffs' offices and police departments led to a greater number of fingerprinted misdemeanor arrests. Then, in 2015, G.S. 15A-502 was amended to require fingerprinting following arrests for certain misdemeanors in addition to all felonies.⁸ As a result of these changes, a more accurate – and higher – rate of misdemeanor arrest is now captured in North Carolina's arrest data, significantly increasing the number and proportion of offenders who are consequently categorized as "recidivists" based on these arrests.⁹

Research Design and Methodology

The Sentencing Commission's mandate, revised and expanded in 1998, directed the Sentencing Commission to conduct a study with a comprehensive approach in capturing relevant empirical information. The theoretical model adopted to study recidivism pointed to data collection in three time frames for each offender: preexisting factors such as demographic characteristics and criminal history; current criminal justice involvement including current conviction, sentence, correctional sanctions, and correctional program participation; and measures of social reintegration such as arrests, convictions, and incarcerations during follow-up.

⁶ See the Sentencing Commission's June 2014 technical brief *Increase in Misdemeanor Fingerprinted Arrests* for further details (http://www.nccourts.org/Courts/CRS/Councils/spac/Documents/Recid_0809n.pdf).

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

⁸ S.L. 2015-195.

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

Sample

The sample selected for the current study included all offenders released from state prison or placed on supervised probation during FY 2015, with some exceptions; offenders with a most serious conviction for Driving While Impaired (DWI), offenders with a most serious conviction for a misdemeanor traffic offense, and offenders released from prison with a misdemeanor conviction were excluded from the study.¹⁰ The final study sample includes 47,614 offenders sentenced under the SSA, affording a comprehensive look at the recidivism of offenders in North Carolina.

Follow-Up Period

Recidivism studies utilize varying lengths of time as their follow-up period, depending on the availability of data and other resources. This report provides information on the recidivism of the FY 2015 sample of offenders using a fixed two-year follow-up period following either a release from prison or an entry to probation.

Criminal Justice Outcomes

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

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

Data Sources

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

- The North Carolina Department of Public Safety's (DPS) Offender Population Unified System (OPUS) was used to identify offenders in the FY 2015 sample and to obtain information on demographic characteristics, offender RNA, current convicted offense and sentence,¹¹ correctional sanction and treatment programs, and prior and recidivist probation and incarceration measures.
- The North Carolina State Bureau of Investigation's (SBI) Computerized Criminal History (CCH) system was used to provide fingerprinted arrest records for prior and recidivist arrests, as well as recidivist convictions. As discussed previously, all felony arrests and certain misdemeanor arrests are

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

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

fingerprinted (G.S. 15A-502). The study excludes arrests for impaired driving or other traffic offenses, as well as non-criminal arrests (e.g., arrests for technical violations of probation).

A case profile was constructed for each sample offender based on the data obtained from OPUS and the CCH. The final data set for this study consists of nearly 400 items of information (or variables) for the sample of 47,614 offenders placed on probation or released from prison between July 1, 2014 and June 30, 2015 and followed for two years.¹²

Report Outline

This report offers a second look at the recidivism of probationers since the provisions of the JRA went into effect, with all probationers in the sample subject to the provisions of the JRA. Although it is too soon to examine the full effect of the JRA on criminal justice outcomes for prisoners, this report does contain a preliminary examination of outcomes for prisoners under the JRA.

Chapter Two presents a descriptive profile of the FY 2015 sample (including demographic, criminal history, and current offense information) and a summary of their subsequent (i.e., recidivist) criminal involvement. The analyses in this chapter provide information on the sample as a whole and also offer a comparative look at the characteristics and recidivism of offenders released from prison and those placed on supervised probation.

Chapter Three provides a more detailed examination of FY 2015 probation entries, with a comparison of misdemeanor and felony probationers. The chapter includes information on risk, need, and supervision levels; a focus on violations of community supervision and specific responses to those violations (including delegated authority, quick dips, CRV, and revocations) as interim outcomes; and a summary of recidivist activity during the two-year follow-up.

Chapter Four provides a further examination of FY 2015 prison releases, with a comparison of offenders by offense class groupings. The chapter offers a descriptive comparison of the groups of prisoners in terms of their personal characteristics, prior criminal history, incarceration profile, and recidivism during follow-up. A preliminary examination of outcomes for prisoners with PRS is also provided.

Chapter Five incorporates the information from previous chapters and considers how multiple factors, taken together, affect the probability of recidivism using multivariate analysis. Multiple models were created to determine how a variety of independent variables (e.g., sex, race, age) may be related to the probability of recidivism.

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

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

CHAPTER TWO

STATISTICAL PROFILE AND CRIMINAL JUSTICE OUTCOMES OF THE FY 2015 SAMPLE

Chapter One defines the study sample as SSA offenders who were either placed on supervised probation or were released from prison during FY 2015. Chapter Two examines the FY 2015 sample by offender type (i.e., probation entries and prison releases) and the sample as a whole.¹³ A statistical profile of the sample is provided that includes personal characteristics, prior criminal history, and most serious current conviction by offense class and offense type. Criminal justice outcomes for the sample are also examined, with a focus on recidivist arrests, convictions, and incarcerations by offender type, personal characteristics, and most serious current conviction.¹⁴

Chapter One outlines the changes to sentencing and corrections due to the enactment of the JRA in 2011.¹⁵ The effective dates of the JRA and their application have implications related to the internal composition of FY 2015 sample. The JRA provisions affecting probationers are applicable based on the date of violations of probation (probation violations occurring on or after December 1, 2011). All probationers in the FY 2015 sample were subject to provisions of the JRA related to community supervision (e.g., limits to revocations of probation for technical violations, new sanctions available for probation officers to respond to violations of probation, supervision practices based on a validated RNA). The JRA provisions affecting prisoners are applicable based on the date of offense (offenses committed on or after December 1, 2011). Sixty-one percent of the prison releases in the FY 2015 sample were sentenced on or after December 1, 2011 and therefore subject to the provisions of the JRA related to prisoners (e.g., the expansion of PRS to include all felons). While initial outcomes for probationers under the JRA were first examined in the 2016 report, the current report offers a first look at outcomes for prisoners under the JRA.

Statistical Profile of the FY 2015 Sample

Offender Type

There were 47,614 SSA offenders who were placed on supervised probation or released from prison during FY 2015. Offenders with a most serious current conviction for DWI, offenders with a most serious current conviction for a misdemeanor traffic offense, and offenders released from prison with a misdemeanor conviction were excluded from the sample. Just over two-thirds of offenders entered the sample as a supervised probation entry (68%); the remaining 32% entered the sample as a prison release.

Personal Characteristics

Table 2.1 contains information describing the personal characteristics of the FY 2015 sample. Of the 47,614 offenders, 78% were male, 48% were black, 47% were white, 88% were not married, 59% dropped out of high school, 50% were employed, and 70% were identified as having a possible substance use/abuse problem. Probationers had a lower percentage of males than prisoners and, on

¹³ Throughout the report, the term “prisoners” is used interchangeably with “prison releases” and the term “probationers” is used interchangeably with “probation entries.”

¹⁴ See Appendix C for summarized descriptions of the sample.

¹⁵ The implementation of the JRA is summarized in the Sentencing Commission’s reports titled *Justice Reinvestment Act Implementation Evaluation Report* at <http://www.nccourts.org/Courts/CRS/Councils/spac/Publication/JRIReports.asp>.

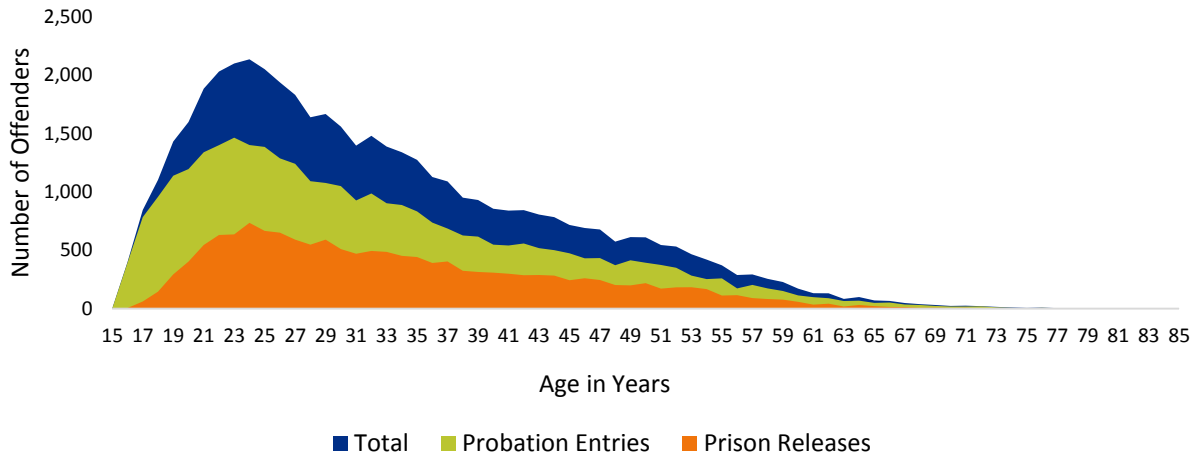
average, were slightly younger (32 years compared to 34 years respectively), as also illustrated in Figure 2.1. Compared to probationers, prisoners were less likely to have graduated from high school and slightly less likely to be employed. A higher percentage of prisoners were identified as having a possible substance use/abuse problem.

Table 2.1
Personal Characteristics

Personal Characteristics	Probation Entries n=32,537 %	Prison Releases n=15,077 %	Total N=47,614 %
Gender			
Female	28	10	22
Male	72	90	78
Race			
Black	46	54	48
White	49	41	47
Other/Unknown	5	5	5
Age at Probation Entry/Prison Release			
Under 21 Years	14	6	11
21-29 Years	36	37	36
30-39 Years	25	29	26
40-49 Years	15	17	16
50 Years and Older	10	11	11
Marital Status			
Married	13	11	12
Not Married	87	89	88
Education			
High School Graduate	48	26	41
High School Dropout/GED	52	74	59
Employment			
Employed	51	47	50
Unemployed	49	53	50
Substance Use/Abuse			
None Indicated	34	22	30
Substance Use/Abuse Indicated	66	78	70

Note: Five hundred six (506) offenders were missing education, 2,185 were missing employment, and 3,483 were missing substance use/abuse information. Of the 47,614 offenders with ethnicity data available, 3% were Hispanic. SOURCE: NC Sentencing and Policy Advisory Commission, FY 2015 Correctional Program Evaluation Data

Figure 2.1
Age at Probation Entry or Prison Release



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

Criminal History

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

Prior arrests have consistently been found to be a strong predictor of recidivism.¹⁶ As a whole, 83% of the FY 2015 sample had at least one prior fingerprinted arrest. Prisoners were more likely to have a prior fingerprinted arrest than probationers (94% and 77% respectively) and to have a higher average number of prior arrests (7 and 4 respectively). Figure 2.2 further illustrates the differences in number of prior arrests for prisoners and probationers. The 39,291 offenders with a prior arrest accounted for a total of 206,860 prior arrests.¹⁷ Of offenders with prior arrests, 86% had a prior felony arrest.

Overall, 65% of the sample had at least one prior probation entry and averaged 2 prior probation entries. Prisoners were more likely to have a prior probation entry than probationers (86% and 55% respectively) and to have a slightly higher average number of prior probation entries (3 and 2 respectively).

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

Overall, 35% of the sample had at least one prior incarceration with an average of 3 prior incarcerations. Prior incarcerations may have occurred as a result of an active sentence imposed at initial judgment or due to a probation or PRS revocation. Prisoners were more likely to have a prior incarceration than

¹⁶ See the Sentencing Commission’s previous recidivism reports at <http://www.nccourts.org/Courts/CRS/Councils/spac/Publication/Recidivism/AdultRec.asp>.

¹⁷ Although probationers were less likely to have a prior arrest than prisoners, they accounted for a higher volume of arrests due to their larger sample size. The 25,125 probationers with a prior arrest accounted for a total of 106,215 prior arrests, while the 14,166 prisoners with a prior arrest accounted for a total of 100,645 prior arrests.

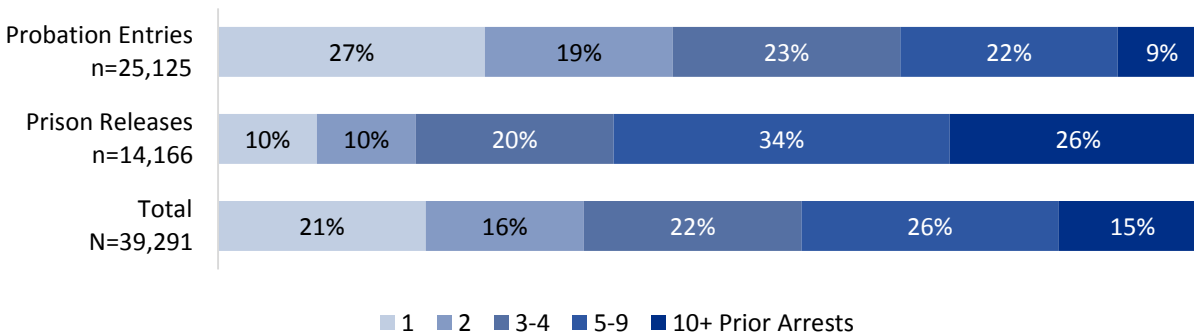
probationers (56% and 26% respectively) and had a slightly higher average number of prior incarcerations (3 and 2 respectively).

Table 2.2
Prior Criminal Justice Contacts

Prior Criminal Justice Contacts	Probation Entries n=32,537 %	Prison Releases n=15,077 %	Total N=47,614 %
Prior Arrest	77	94	83
Prior Probation Entry	55	86	65
Prior Probation/PRS Revocation	31	59	40
Prior Incarceration	26	56	35

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

Figure 2.2
Number of Prior Arrests



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

Most Serious Current Conviction¹⁸

Figure 2.3 presents information on the offense class of the conviction for the FY 2015 sample. Under the SSA, offenses are classified based on offense seriousness. The type of sentence imposed and the sentence length are based on the offense class for the most serious conviction and on the offender’s prior criminal history.¹⁹ Offenders convicted of Class B1 – D felonies are required to receive an active sentence, with limited exceptions.^{20,21} Offenders convicted of Class E – G felonies and Class H – I felonies may receive either an active sentence or probation depending on their prior criminal history; however, sentence lengths for Class E – G felonies are typically in the one to two year range, while those for Class H – I felonies are usually less than one year.²² Offenders convicted of Class A1 – 3 misdemeanors may receive an active sentence, supervised or unsupervised probation, or a fine; sentence lengths for

¹⁸ For the sake of brevity, the term “most serious current conviction” is often referred to as “conviction.”

¹⁹ For further information about Structured Sentencing, see the *Structured Sentencing Training and Reference Manual* and punishment charts (<http://www.NCSPAC.org>).

²⁰ Under the SSA, offenders convicted of a Class A felony may receive either a death sentence or a life sentence.

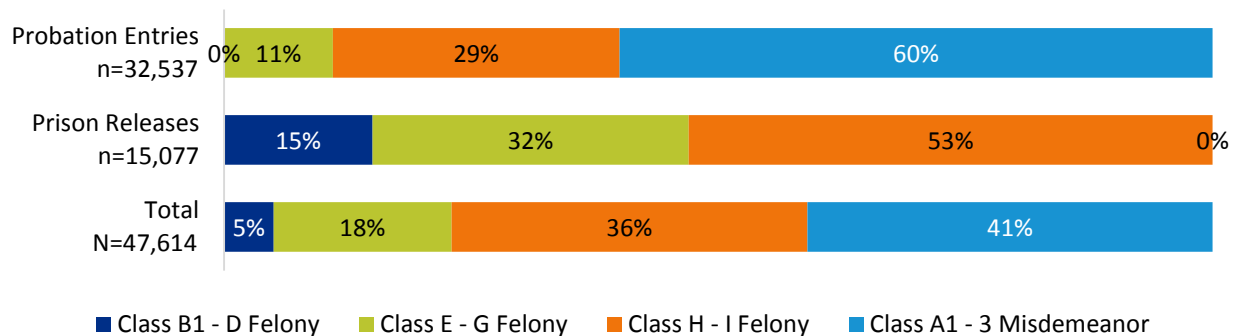
²¹ See extraordinary mitigation (G.S. 15A-1340.13(g) and (h)) and felony death by vehicle (G.S. 20-141.4(b)(2)).

²² For further information on sentences imposed for felony and misdemeanor convictions, see <http://www.nccourts.org/Courts/CRS/Councils/spac/Publication/Statistical/Annual/Default.asp>.

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

Overall, 59% of the sample had a conviction for a felony offense and 41% had a conviction for a misdemeanor offense. By sample definition, in FY 2015, all prisoners had a conviction for a felony offense, while the majority of probationers had a conviction for a misdemeanor offense (60%).

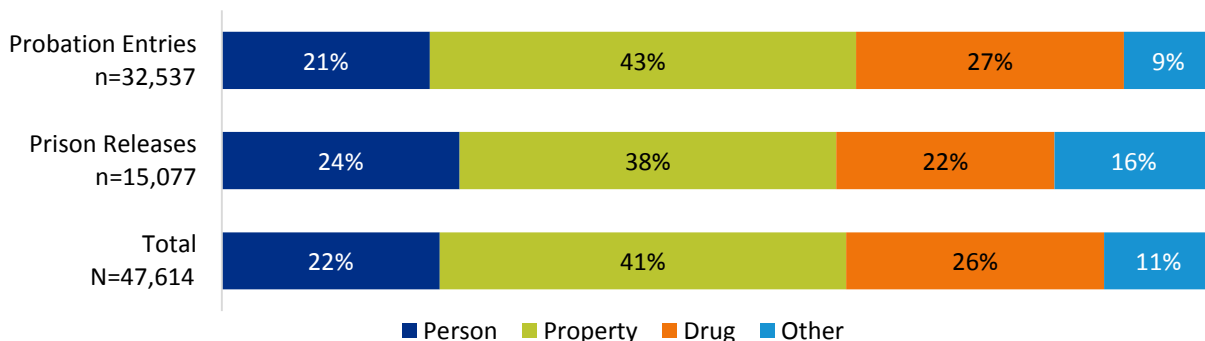
Figure 2.3
Offense Class of the Most Serious Conviction



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

Figure 2.4 presents information on the conviction by offense type (i.e., person, property, drug, other). Overall, 41% of the sample had a conviction for a property offense, followed by 26% for drug offenses, 22% for person offenses,²³ and 11% for other offenses. The majority of prisoners had a conviction for property and person offenses (38% and 24% respectively), while the majority of probationers had a conviction for property and drug offenses (43% and 27% respectively).

Figure 2.4
Offense Type of the Most Serious Conviction



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

²³ Of the 10,490 offenders with a conviction for a person offense, 9% (n=927) had a conviction for an offense which requires registration as a sex offender under Article 27A of Chapter 14 of the NC General Statutes.

Criminal Justice Outcomes

As noted previously, all probationers and 61% of prisoners in the FY 2015 sample were subject to changes to criminal justice laws and practices enacted by the JRA. The results for the FY 2015 sample are reflective of the early years of implementation of the JRA. The effect of the JRA on outcomes for probationers and prisoners will be discussed in more detail in Chapter Three and Chapter Four respectively.

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

Each offender in the FY 2015 sample was followed for a period of two years to determine whether repeat criminal behavior occurred, with one-year and two-year recidivism rates reported.²⁴ The two-year follow-up period was calculated on an individual basis using the prison release date plus two years for prison releases and using the probation entry date plus two years for probation entries. A fixed follow-up period was used in an attempt to obtain the same "window of opportunity" for each offender to recidivate. In actuality, the same window of opportunity was not necessarily available due to periods of prison or jail confinements imposed for a variety of reasons. As a result, offenders without a recidivist arrest in the follow-up may appear to be a success but may have actually experienced another type of criminal justice failure during that period (e.g., revocations of probation or PRS).

Recidivist Arrests

Recidivist arrest rates for the one-year and two-year follow-up are shown in Table 2.3. Overall, 41% of the FY 2015 sample had a recidivist arrest during the follow-up. During the follow-up, prisoners had a higher rate of recidivist arrest than probationers (49% and 37% respectively). Both groups had an average of 2 recidivist arrests during the two-year follow-up; however, a larger proportion of probationers had only one recidivist arrest compared to prisoners (54% and 45% respectively) (see Figure 2.5).

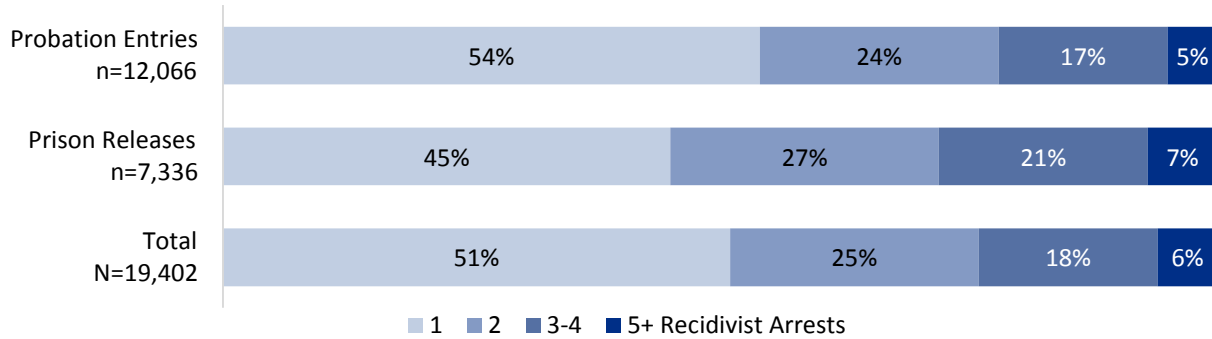
Table 2.3
Recidivist Arrest Rates: Two-Year Follow-Up

Offender Type	N	# with Any	Total # Arrests	% Recidivist Arrest	
				One-Year Follow-Up	Two-Year Follow-Up
Probation Entries	32,537	12,066	23,403	25	37
Prison Releases	15,077	7,336	15,523	31	49
Total	47,614	19,402	38,926	27	41

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

²⁴ Statistics reported for the two-year follow-up period include information on events that occurred during the first year of follow-up. As a result, the recidivism rates reported for each follow-up period cannot be added together across follow-up periods.

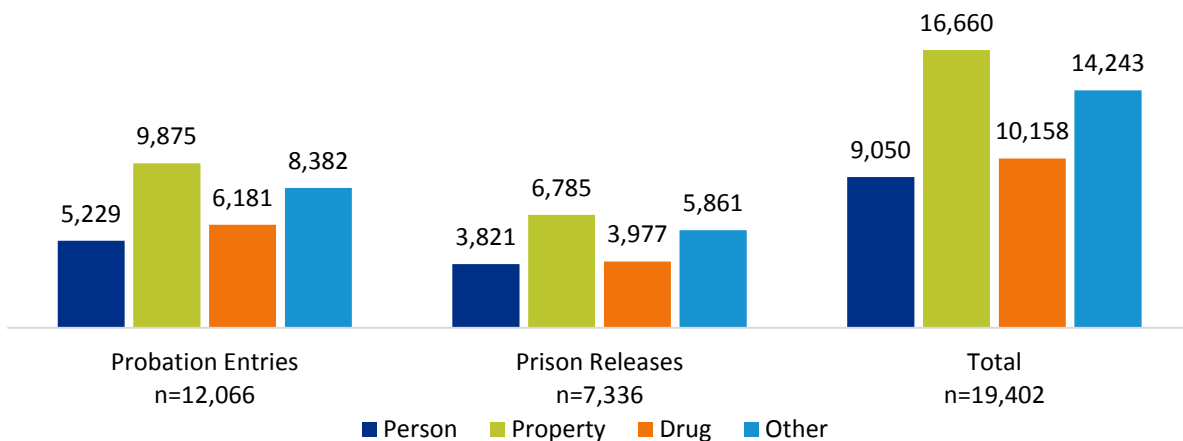
Figure 2.5
Number of Recidivist Arrests for Offenders with Any Arrest: Two-Year Follow-Up



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

The 19,402 offenders who had a recidivist arrest during the follow-up accounted for a total of 38,926 arrests (as shown in Table 2.3). Although probationers were less likely to have a recidivist arrest than prisoners, they accounted for a higher volume of arrests due to their larger sample size. Figure 2.6 provides information on the volume of recidivist arrests by offense type. Prisoners and probationers were most likely to have a recidivist arrest for property and other offense types.

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

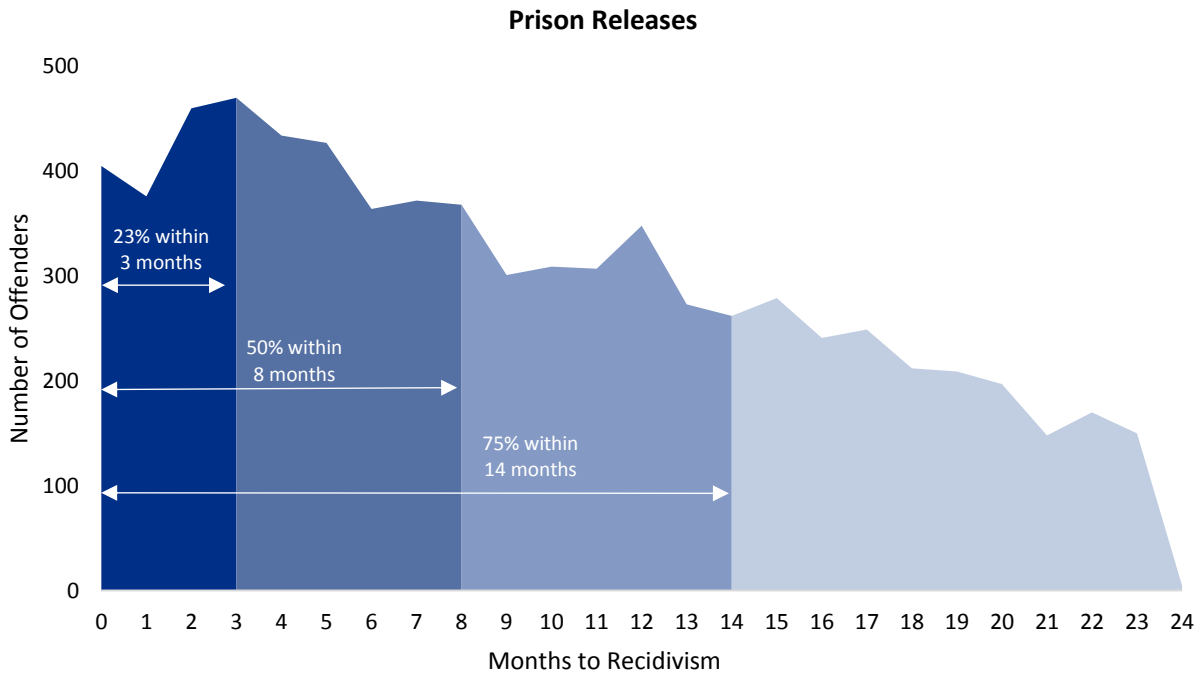
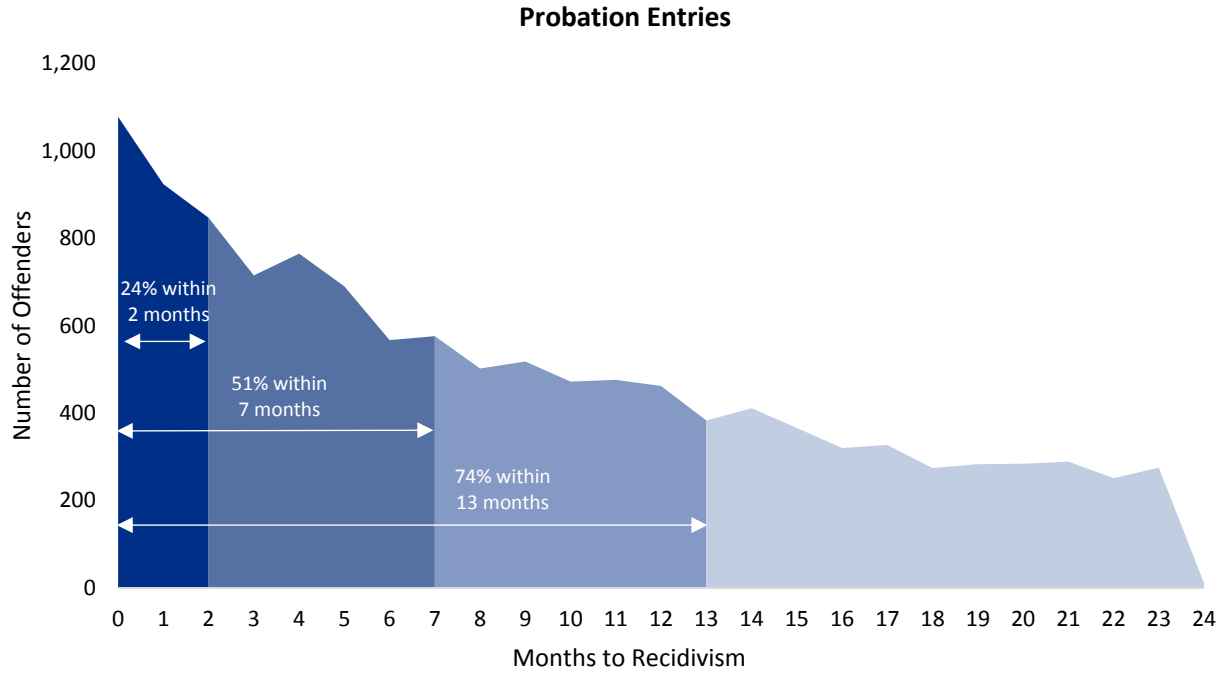


Note: Multiple offense types may be linked to an arrest record. As a result, the number of recidivist arrests by offense type cannot be added together to equal the total number of arrests.

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

For the sample as a whole, the first recidivist arrest occurred, on average, 9 months after entry to probation or release from prison. Of those with a recidivist arrest, 27% were arrested within 3 months, 49% within 7 months, and 73% within 13 months. Although the first recidivist arrest occurred, on average, at 9 months for both probationers and prisoners, Figure 2.7 suggests a slightly earlier timeline for probationers.

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



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

Recidivist Convictions

Table 2.4 presents information on recidivist conviction rates during the one-year and two-year follow-up. Overall, 19% of the FY 2015 sample had a recidivist conviction during the follow-up with the first recidivist conviction occurring, on average, 13 months after entry to probation or release from prison. Although recidivist conviction rates were similar for probationers and prisoners during the one-year follow-up (8% and 9% respectively), prisoners were more likely to have a recidivist conviction than probationers during the two-year follow-up (24% and 17% respectively).

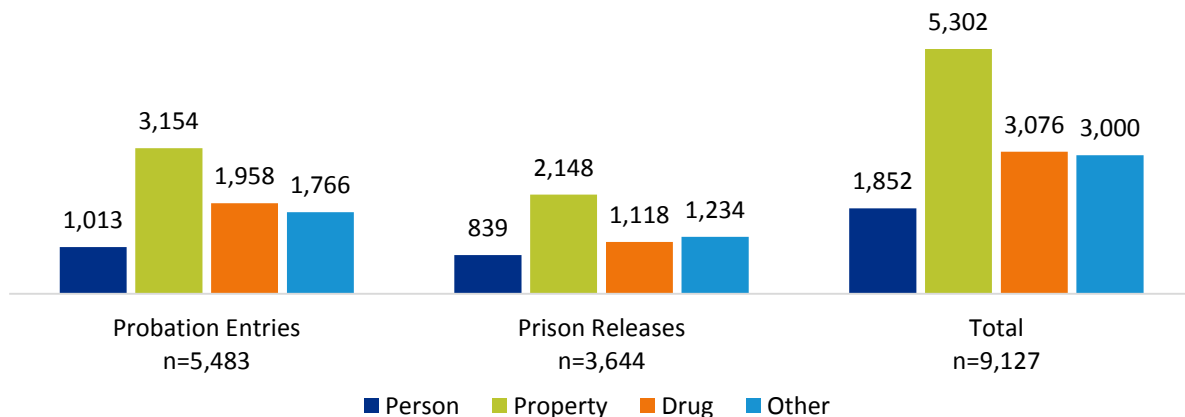
Table 2.4
Recidivist Conviction Rates: Two-Year Follow-Up

Offender Type	N	# with Any	Total # Convictions	% Recidivist Conviction	
				One-Year Follow-Up	Two-Year Follow-Up
Probation Entries	32,537	5,483	6,893	8	17
Prison Releases	15,077	3,644	4,589	9	24
Total	47,614	9,127	11,482	8	19

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

As also shown in Table 2.4, the 9,127 offenders who had a recidivist conviction during the follow-up accounted for a total of 11,482 convictions. Information on the volume of recidivist arrests by offense type is provided in Figure 2.8. Both prisoners and probationers were most likely to have a recidivist conviction for a property offense and averaged 1 recidivist conviction during the follow-up. While a lower percentage of probationers had a recidivist conviction, probationers accounted for a higher number of convictions than prisoners due to the larger number of probation entries in the sample.

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



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

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

Recidivist Incarcerations

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

Overall, 19% of the FY 2015 sample had a recidivist incarceration during the follow-up. The 9,020 offenders who had a recidivist incarceration during the follow-up accounted for a total of 10,968 incarcerations. Prisoners were more likely to have a recidivist incarceration than probationers (32% and 13% respectively) and had a shorter time to recidivist incarceration (an average of 8 months and 12 months respectively). Of those with a recidivist incarceration, the majority of offenders had only 1 recidivist incarceration during follow-up (81%).

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

Offender Type	N	# with Any	Total # Incarcerations	% Recidivist Incarceration	
				One-Year Follow-Up	Two-Year Follow-Up
Probation Entries	32,537	4,146	4,843	7	13
Prison Releases	15,077	4,874	6,125	25	32
Total	47,614	9,020	10,968	12	19

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

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

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

Personal Characteristics

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

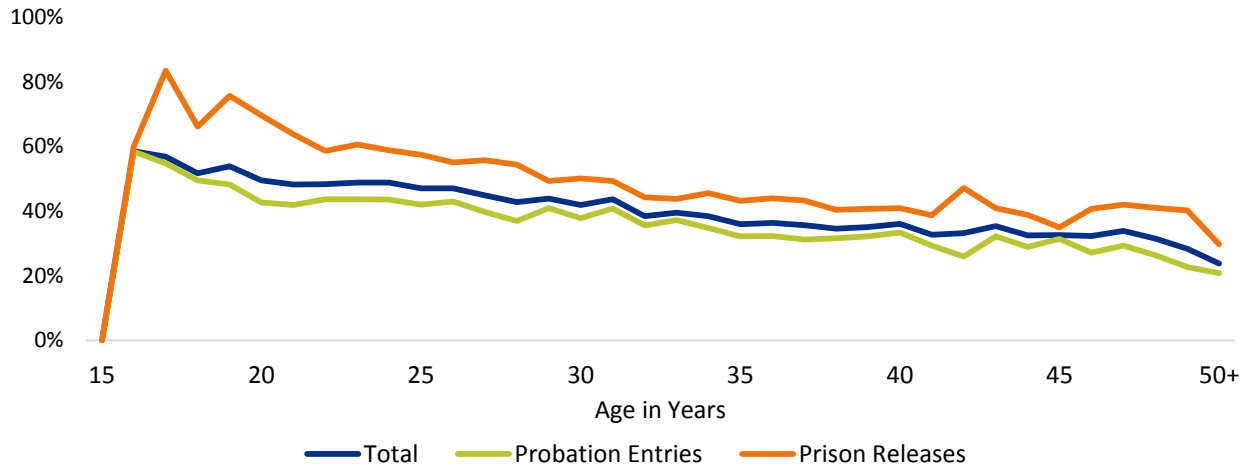
**Table 2.6
Criminal Justice Outcomes by Personal Characteristics**

Personal Characteristics	N	Criminal Justice Outcomes: Two-Year Follow-Up		
		% Recidivist Arrest	% Recidivist Conviction	% Recidivist Incarceration
Gender				
Female	10,575	31	13	10
Male	37,039	43	21	21
Race				
Black	23,002	44	20	20
White	22,279	38	19	19
Other/Unknown	2,333	34	13	16
Age at Probation Entry/Prison Release				
Under 21 Years	5,378	53	28	21
21-29 Years	17,286	47	22	22
30-39 Years	12,542	38	17	18
40-49 Years	7,403	33	15	16
50 Years and Older	5,005	24	10	11
Marital Status				
Married	5,856	30	13	13
Not Married	41,758	42	20	20
Education				
High School Graduate	19,210	33	15	11
High School Dropout/GED	27,898	47	22	25
Employment				
Employed	22,592	38	18	18
Unemployed	22,837	43	20	20
Substance Use/Abuse				
None Indicated	13,133	33	14	13
Substance Use/Abuse Indicated	30,998	43	20	21
Total	47,614	41	19	19

Note: Five hundred six offenders were missing education, 2,185 were missing employment, and 3,483 were missing substance use/abuse information.

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

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



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

Criminal History

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

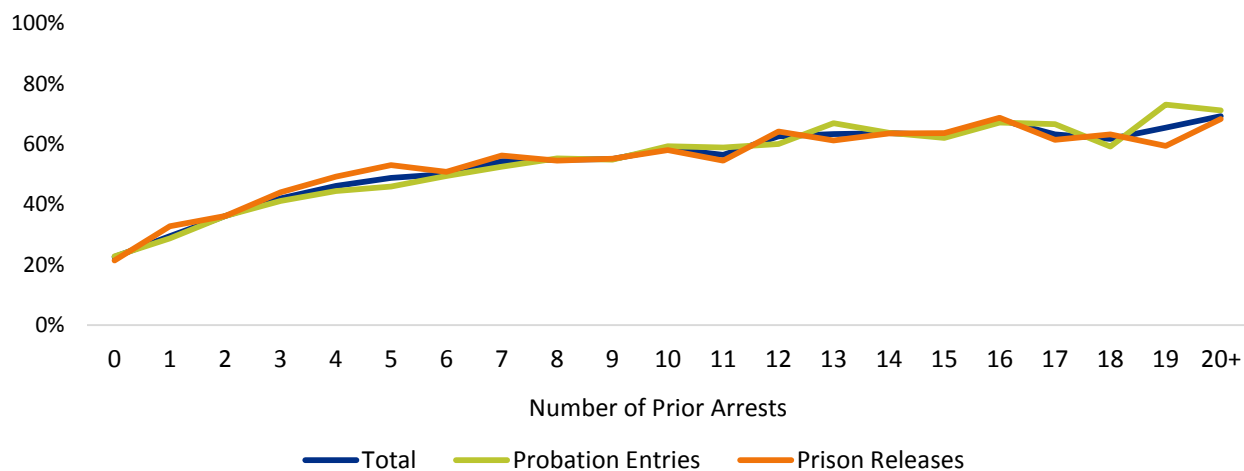
Table 2.7
Criminal Justice Outcomes by Prior Criminal Justice Contacts

Prior Criminal Justice Contacts	N	Criminal Justice Outcomes: Two-Year Follow-Up		
		% Recidivist Arrest	% Recidivist Conviction	% Recidivist Incarceration
Prior Arrest				
None	8,323	23	10	6
One or More	39,291	45	21	22
Prior Probation Entry				
None	16,761	32	14	10
One or More	30,853	46	22	24
Prior Probation/PRS Revocation				
None	28,468	34	15	13
One or More	19,146	50	25	29
Prior Incarceration				
None	30,714	36	16	14
One or More	16,900	50	24	29
Total	47,614	41	19	19

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

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

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



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

Most Serious Current Conviction

In Table 2.8, recidivism rates are examined by offense class for the FY 2015 sample of prisoners and probationers. As mentioned in the Criminal Justice Outcomes section, prisoners in the sample had higher recidivism rates than probationers across all three criminal justice outcomes. This pattern is repeated when comparing recidivism rates for prisoners and probationers across offense class groupings.²⁵

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

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

²⁵ See Appendix D for recidivism rates for offenders in each offense class.

**Table 2.8
Criminal Justice Outcomes by Most Serious Current Conviction**

Most Serious Current Conviction	N	Criminal Justice Outcomes: Two-Year Follow-Up		
		% Recidivist Arrest	% Recidivist Conviction	% Recidivist Incarceration
Offense Class				
Probation Entries				
Class B1 – D Felony	41	24	17	17
Class E – G Felony	3,547	32	13	20
Class H – I Felony	9,349	39	18	25
Felony Subtotal	12,937	37	17	24
Class A1 – 3 Misdemeanor	19,600	37	17	5
Total	32,537	37	17	13
Prison Releases				
Class B1 – D Felony	2,245	39	16	24
Class E – G Felony	4,798	45	20	28
Class H – I Felony	8,034	54	29	37
Total	15,077	49	24	32
All Offenders				
Class B1 – D Felony	2,286	39	16	24
Class E – G Felony	8,345	40	17	25
Class H – I Felony	17,383	46	23	31
Felony Subtotal	28,014	43	21	28
Class A1 – 3 Misdemeanor	19,600	37	17	5
Total	47,614	41	19	19
Specific Groups of Interest				
Habitual Felons	861	50	24	32
Sex Offenders	927	24	11	27
Offense Type				
Person	10,490	38	17	16
Property	19,607	45	23	22
Drug	12,246	37	17	16
Other	5,271	41	17	20

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

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

In FY 2015 there were 861 offenders released from prison with a habitual felon conviction.²⁶ Recidivism rates for habitual felons were compared to rates for prison releases with habitual felons excluded in order to assess which felony offense class grouping habitual felons were more similar to in terms of

²⁶ In FY 2015 there were 70 offenders released from prison with a conviction for habitual breaking and entering, a Class E felony. Of these, 60% had a recidivist arrest, 27% had a recidivist conviction, and 50% had a recidivist incarceration during the two-year follow-up period.

criminal justice outcomes. Although recidivism rates for habitual felons were between those for Class E – G and Class H – I felons, they most closely resembled those for prisoners convicted of a Class H – I felony (54% with a recidivist arrest, 29% with a recidivist conviction, and 37% with a recidivist incarceration). This is not surprising since most habitual felons have a low-level felony offense (primarily Class H or Class I) as their most serious substantive offense.²⁷

Offenders who are required to register as sex offenders under Article 27A of Chapter 14 of the NC General Statutes are also a group of special interest. Those convicted of a reportable offense are required to register as sex offenders. A reportable offense is defined as “an offense against a minor, a sexually violent offense, or an attempt to commit” such offenses. Of the 927 offenders in the sample convicted of an offense for which registration as a sex offender is required, 64% were prisoners and 36% were probationers; 30% were convicted of a Class B1 – D felony, 59% of a Class E – G felony, 5% of Class H – I felony, and 6% of a Class A1 – 3 misdemeanor.²⁸ Overall, 24% of the offenders required to register as a sex offender had a recidivist arrest, 11% had a recidivist conviction, and 27% had a recidivist incarceration. Sex offenders generally had lower recidivism rates than most groups.

Table 2.8 also provides information on criminal justice outcomes by offense type of the most serious conviction. Overall, those convicted of property offenses as their most serious conviction had the highest recidivism rates. Little variation was found in the recidivism rates for those convicted of person offenses and drug offenses.

Summary

Chapter Two examined the FY 2015 sample by offender type (i.e., probation entries and prison releases) and as a whole. A statistical profile of offenders in North Carolina was provided and included the characteristics of the sample and their prior, current, and recidivist criminal justice contacts.

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

Four measures were used to examine prior criminal justice contacts – prior arrests, prior probation entries, prior probation/PRS revocations, and prior incarcerations. Compared to probationers, prisoners had more extensive prior criminal history for all four measures. Prisoners were much more likely to have a prior arrest than probationers (94% and 77% respectively) and had more arrests on average (7 and 4 respectively). Offenders with prior criminal history had substantially higher recidivism rates than those with no prior criminal history.

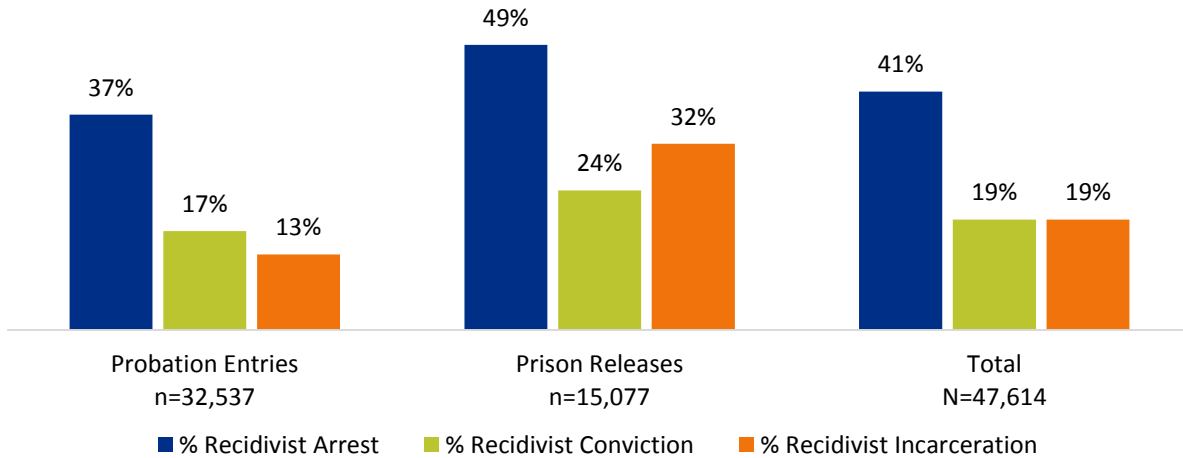
Three measures of recidivism – recidivist arrests, convictions, and incarcerations – were used to assess repeat involvement with the criminal justice system. Compared to probationers, prisoners had higher recidivism rates for all three measures (see Figure 2.11). Nearly three-fourths of those with a recidivist arrest were arrested within the first 13 months of follow-up. Multivariate analyses are used to more

²⁷ In FY 2017, nearly two-thirds of habitual felon convictions had a most serious substantive offense for a Class H or Class I felony. See NC Sentencing and Policy Advisory Commission, *Structured Sentencing Statistical Report for Felonies and Misdemeanors*, 2018.

²⁸ The Class A1 – 3 misdemeanor group is comprised only of probation entries. As described previously, no misdemeanor prison releases were included in the sample.

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

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



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

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

As described in this chapter, the JRA affected all probationers and 61% of prison releases in the FY 2015 sample. The effect of the JRA on criminal justice outcomes for probationers and prisoners is examined in more detail in Chapter Three and Chapter Four respectively.

CHAPTER THREE PROBATION ENTRIES IN FY 2015

Chapter Two provided a sample-wide profile of North Carolina offenders and their recidivism. This chapter turns to a further examination of the probationers in the sample. As discussed in Chapter One, the impact of the JRA is expected to be greatest on the state's community corrections population, and the FY 2015 probation entries are the second recidivism sample to be processed and supervised under the provisions and policies implemented under the JRA. With this special focus, Chapter Three examines the RNA and the determination of supervision level; violations of community supervision and specific responses to those violations (e.g., interim outcomes); and the recidivist behavior of those under community supervision (e.g., criminal justice outcomes).

Statistical Profile of the FY 2015 Probation Entries

The DPS provides supervision and services to all offenders in the community based on their risk, need, and supervision level. In FY 2015, there were 32,537 probation entries in the sample. In order to examine the changes implemented under the JRA (e.g., the interim outcomes), Chapter Three focuses on the 29,279 probationers who had a RNA completed and a supervision level assigned based on that RNA.²⁹ Prior to the JRA, the Sentencing Commission's recidivism studies focused on the type of punishment for probationers (e.g., Community or Intermediate punishment). With Community and Intermediate punishments redefined under the JRA, this chapter instead compares probationers as felons or misdemeanants based on their current conviction. The majority (60%) had a misdemeanor as their most serious current conviction; the remaining probationers (40%) had a felony as their most serious current conviction. The type of conviction guides the length of supervision, which may affect how violations are handled either by the court or through the use of the DPS's delegated authority.³⁰ The supervision period for probationers with a current misdemeanor conviction was shorter (an average of 16 months) compared to probationers with a current felony conviction (an average of 27 months).³¹

Personal Characteristics

Table 3.1 contains information describing the personal characteristics of the probationers. Of the 29,279 probationers, 72% were male, 49% were white, 36% were aged 21-29 years, 13% were married, 51% had dropped out of high school, 52% were employed, and 66% were identified as having a possible substance use/abuse problem. Felons were more likely to be male compared to misdemeanants (77% and 69% respectively). Felons also were more likely to be 21 years of age or older at probation entry or to have dropped out of high school. Overall, the average age at probation entry was 32 years old.

²⁹ Of the 10% of the probationers missing a completed RNA, most (7%) had a misdemeanor as the most serious conviction while the remainder had a felony conviction (3%). Offenders without a completed RNA are typically offenders who have absconded supervision prior to completion of the RNA process. See Table E.1 in Appendix E for interim and criminal justice outcomes for those offenders.

³⁰ In addition, felons serve longer active sentences than misdemeanants if probation is revoked; felons serve their sentences in the state prison system while misdemeanants serve their sentences in local jails.

³¹ Although there are some exceptions, under current law misdemeanor probationers receive a probation sentence of not less than 6 months and not more than 24 months, depending upon whether they receive a Community or Intermediate punishment, while felony probationers receive a probation sentence of not less than 12 months and not more than 36 months, depending upon whether they receive a Community or Intermediate punishment.

**Table 3.1
Personal Characteristics**

Personal Characteristics	Probation Entries		
	Misdemeanants n=17,454 %	Felons n=11,825 %	Total N=29,279 %
Gender			
Female	31	23	28
Male	69	77	72
Race			
Black	45	47	46
White	49	49	49
Other/Unknown	6	4	5
Age at Probation Entry			
Under 21 Years	15	11	14
21-29 Years	36	36	36
30-39 Years	24	27	25
40-49 Years	15	15	15
50 Years and Older	10	11	10
Marital Status			
Married	13	14	13
Not Married	87	86	87
Education			
High School Graduate	50	46	49
High School Dropout/GED	50	54	51
Employment			
Employed	51	52	52
Unemployed	49	48	48
Substance Use/Abuse			
None Indicated	35	32	34
Substance Use/Abuse Indicated	65	68	66

Note: 426 offenders were missing education information and 1,860 were missing employment information.

Overall, 3% of probationers were Hispanic.

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

Criminal History

The criminal history of probationers is examined in Table 3.2 and Figure 3.1. Overall, 77% of the probationers had a prior arrest, 54% had a prior probation entry, 30% had a prior probation or PRS revocation, and 25% had a prior incarceration. Felons were more likely than misdemeanants to have had prior criminal justice contacts on all four measures examined.

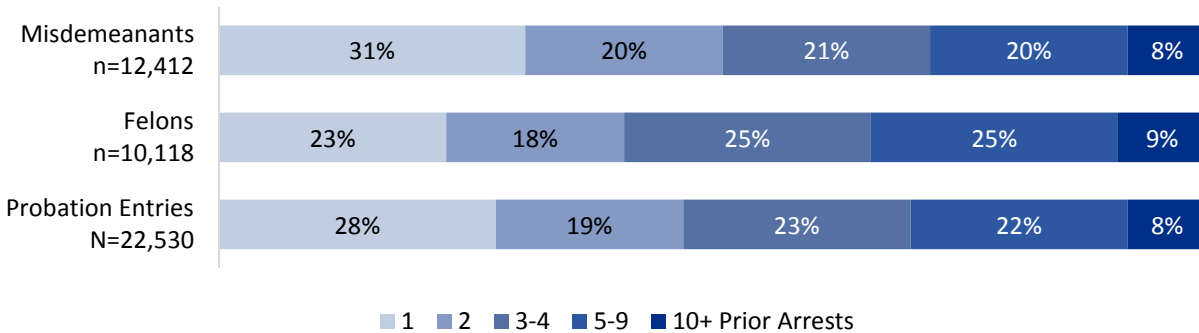
Table 3.2
Prior Criminal Justice Contacts

Prior Criminal Justice Contacts	Probation Entries		
	Misdemeanants n=17,454 %	Felons n=11,825 %	Total N=29,279 %
Prior Arrest	71	86	77
Prior Probation Entry	51	59	54
Prior Probation/PRS Revocation	27	34	30
Prior Incarceration	22	30	25

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

Figure 3.1 further illustrates the differences in prior criminal justice contacts between felony and misdemeanor probationers. As mentioned previously, prior arrests have consistently been found to be a strong predictor of recidivism. Among probationers with a prior arrest, 30% had 5 or more prior arrests. Over half (59%) of felons with a prior arrest had 3 or more prior arrests compared to 49% for misdemeanants. A smaller percentage of felons had 1 prior arrest (23%) than misdemeanants (31%). The 22,530 offenders with a prior arrest accounted for a total of 91,218 prior arrests for an overall average of 4 prior arrests per offender.³² Both felons and misdemeanants averaged 4 prior arrests.

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



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

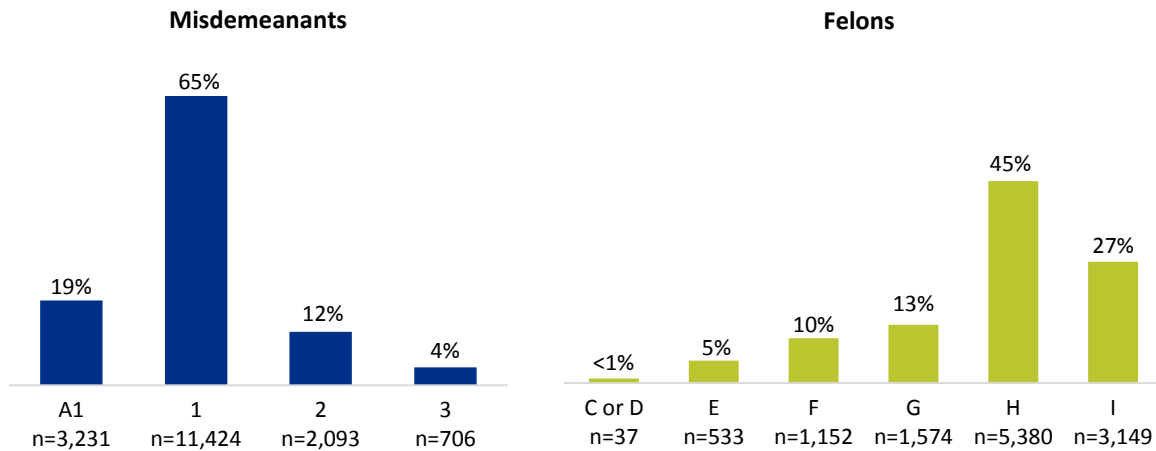
Most Serious Current Conviction

Figure 3.2 shows the majority of felons entered probation following a conviction for a Class H or Class I offense (45% and 27% respectively), while the majority of misdemeanants entered probation following a Class 1 conviction (65%).³³

³² Although misdemeanants were less likely to have a prior arrest than felons, they accounted for a higher volume of arrests due to their larger sample size. The 12,412 misdemeanants with a prior arrest accounted for a total of 47,715 prior arrests, while the 10,118 felons with a prior arrest accounted for a total of 43,503 prior arrests.

³³ See Chapter Two for more details regarding the offense class and type of the conviction for probation entries.

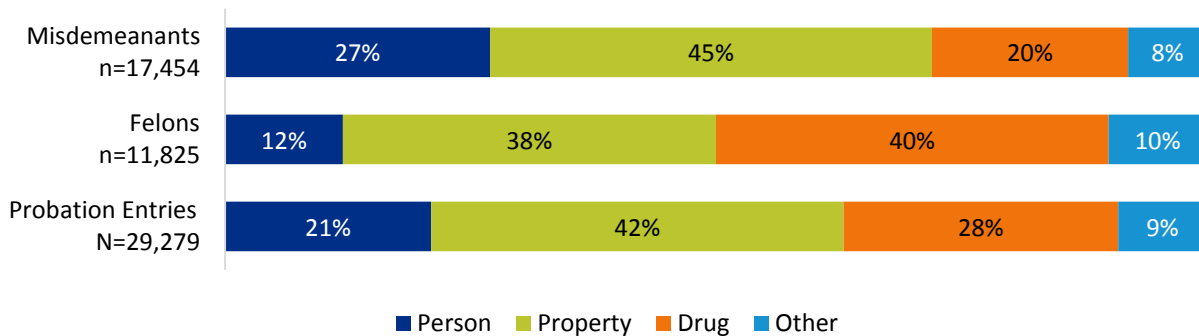
Figure 3.2
Offense Class of the Most Serious Current Conviction for Probation Entries



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

Overall, most probationers had a property offense as their current conviction (42%). Property offenses were the most common among misdemeanor probationers (45%), while drug offenses were the most common among felony probationers (40%). (See Figure 3.3.) Felons had lower percentages of person offenses and higher percentages of drug offenses (12% and 40% respectively) compared to misdemeanants (27% and 20% respectively).³⁴

Figure 3.3
Offense Type of the Most Serious Current Conviction



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

Offender Risk and Need Assessments

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

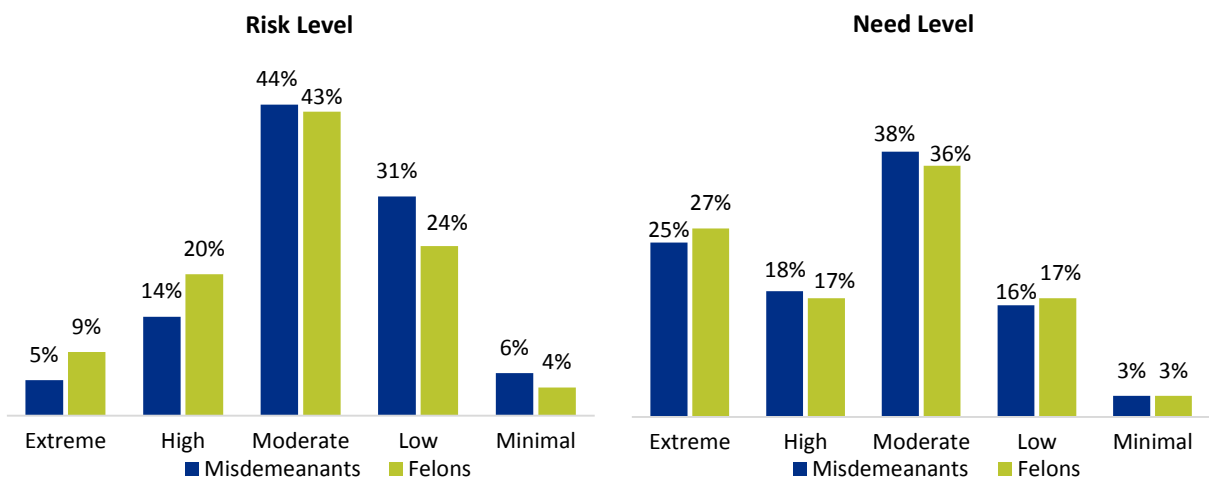
³⁴ Felons who commit person offenses tend to receive an active punishment (i.e., prison) by the court and are not sentenced to probation supervision.

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

The OTI-R is administered within the first 60 days of probation supervision.³⁵ Each offender is assigned to one of five risk levels based on their score: extreme, high, moderate, low, and minimal. Figure 3.4 provides the risk level distribution for probationers. Overall, 7% were assessed as extreme risk, 16% were assessed as high risk, 44% as moderate risk, 28% as low risk, and 5% as minimal risk. A higher percentage of felons were assessed as extreme or high risk compared to misdemeanants, while a higher percentage of misdemeanants were assessed as low and minimal risk compared to felons.

The need portion of the assessment addresses six criminogenic factors (i.e., dysfunctional family, criminal peers, anti-social personality, anti-social values, substance use/abuse, and self-control), in addition to other areas of need (e.g., transportation, legal, and mental health). Similar to risk, the need assessment divides the probationers into five need levels: extreme, high, moderate, low, and minimal. Overall, 26% were assessed as extreme need, 18% as high need, 37% as moderate need, 16% as low need, and 3% as minimal need (see Figure 3.4). Examination of need level shows little difference between felons and misdemeanants – 25% of misdemeanants and 27% of felons were assessed as extreme need, while misdemeanants and felons were assessed as minimal need at the same rate (3%).

Figure 3.4
Risk and Need Levels for Probation Entries



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

Table 3.3 provides information on the areas of need that were flagged from the need portion of the RNA. The areas identified assist the probation officer in potential referrals or services that the offender may need. Substance use/abuse (66%), transportation (59%), legal (54%), and mental health (54%) were identified as the top areas of need. Felons and misdemeanants were similar in most areas of need identified. Criminal peers, however, was identified as a need for a larger proportion of felons than misdemeanants (49% to 41% respectively) and dysfunctional family was identified as a need for a larger proportion of misdemeanants than felons (55% to 47% respectively).

³⁵ For this report, RNA data were based on the first assessment completed after the probation entry that placed the offender in the sample, and could have occurred at any point during the two-year follow-up period.

**Table 3.3
Areas of Need Identified**

Areas of Need	Probation Entries		Total N=29,279 %
	Misdemeanants n=17,454 %	Felons n=11,825 %	
Criminogenic Factors			
Anti-social Personality	15	19	17
Anti-social Values	19	18	19
Criminal Peers	41	49	44
Dysfunctional Family	55	47	52
Self-Control	26	24	25
Substance Use/Abuse	65	68	66
Health Factors			
Mental Health	56	53	54
Physical	32	32	32
Additional Factors			
Academic/Vocational	44	44	44
Employment	49	52	51
Financial	41	40	40
Housing	28	26	27
Legal	56	50	54
Social Skills	40	40	40
Transportation	59	61	59

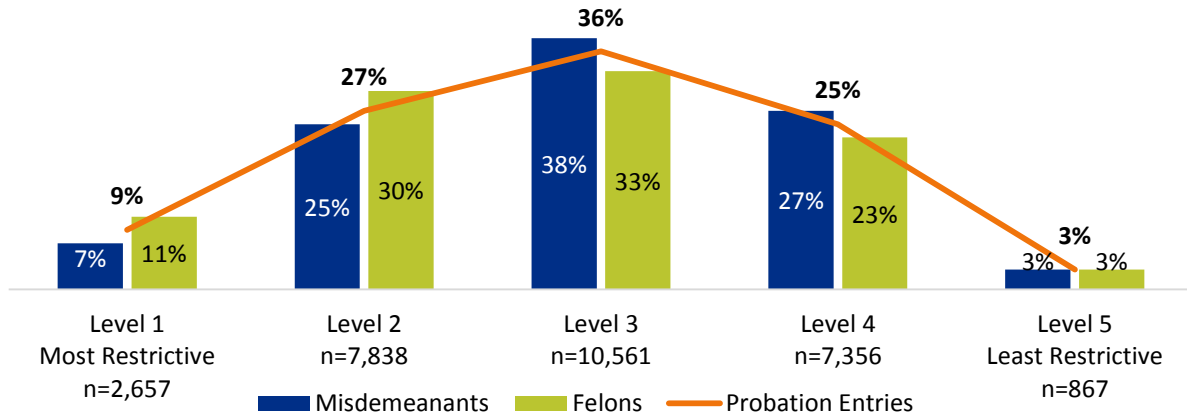
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2015 Correctional Program Evaluation Data

Supervision in the Community

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

Figure 3.5 provides a distribution of supervision levels for misdemeanants and felons. A greater percentage of felons were placed in the most restrictive supervision levels, Levels 1 and 2 (11% and 30% respectively) than misdemeanants (7% and 25% respectively). Misdemeanants were more often placed in Levels 3 and 4 (38% and 27% respectively) than felons (33% and 23% respectively). Felons and misdemeanants were placed in the least restrictive supervision level, Level 5, at the same rate (3%).

**Figure 3.5
Offender Supervision Level**



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

Table 3.4 shows the distribution of probationers by risk, need, and supervision levels. As categorized according to the DPS’s risk instrument, the majority of probationers were moderate or low risk (44% and 28% respectively). For need level, the majority of probationers were moderate or extreme need (37% and 26% respectively). In addition to providing the distribution by risk level and by need level, the table also provides the distribution for each combination of risk level and need level. The most frequent combinations of risk and need were moderate risk/moderate need (16%) and moderate risk/extreme need (13%).

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

Need Level	Risk Level					#/% by Need Level
	Extreme	High	Moderate	Low	Minimal	
Extreme	679 2%	1,446 5%	3,680 13%	1,560 5%	179 1%	7,544 26%
High	521 2%	988 3%	2,266 8%	1,246 4%	168 1%	5,189 18%
Moderate	607 2%	1,553 5%	4,728 16%	3,370 12%	616 2%	10,874 37%
Low	228 1%	666 2%	1,801 6%	1,753 6%	355 1%	4,803 16%
Minimal	15 0%	86 0%	246 1%	378 1%	144 0%	869 3%
#/% by Risk Level	2,050 7%	4,739 16%	12,721 44%	8,307 28%	1,462 5%	29,279 100%

Note: Percentages may not add to totals due to rounding.

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

Interim Outcomes

The JRA changed how probation officers supervise offenders by increasing possible responses to violations of supervision, namely through expanding their delegated authority, limiting revocations, and establishing CRVs.³⁶ The JRA expanded delegated authority in two ways – by adding to the list of conditions a probation officer may impose on a probationer and by broadening the circumstances in which the officer may impose them (particularly for high risk offenders). While the RNA guides the level at which offenders will be supervised and helps probation officers to select programs and services aimed at changing criminogenic needs, delegated authority enables probation officers to graduate sanctions in response to non-compliance by offenders. For this analysis, only four responses to violations of supervision were examined – delegated authority, quick dips, CRV, and revocations – those created by or most directly impacted by the JRA.³⁷

High Risk Delegated Authority

For probationers with an OTI-R score of 50 or higher (those assessed as extreme or high risk), probation officers have an option to use high risk delegated authority. Those offenders are eligible to have conditions added to their probation without a violation. Officers staff high risk delegated authority cases with their chief probation officers to decide when and which offenders may need additional conditions. Available conditions include referrals to substance abuse treatment or Cognitive Behavioral Intervention (CBI) classes, electronic house arrest, or other controlling conditions. Quick dips may not be imposed through high risk delegated authority.

Overall, probation officers used high risk delegated authority on 1,348 of the 6,591 probationers (20%) who received a score of 50 or higher on the OTI-R. The rate of high risk delegated authority designation was the same for misdemeanants and felons.

Violations of Community Supervision

For the 29,279 probationers examined in this chapter, violations of community supervision were used as an indicator of misconduct while under supervision during the two-year follow-up. Data on violations were analyzed based on “completed” violations. Completed violations either have been disposed by the court at a violation hearing or handled by the DPS through the use of delegated authority. In addition, the type of violation was examined using the following categories in order of most serious to least serious: criminal (pending criminal charge(s) or a new conviction), absconding (excludes criminal or other technical violations), or technical (excludes criminal or absconding violations).³⁸ Probationers may

³⁶ For more information on the effect of the JRA on the supervision of probationers, see the Sentencing Commission’s reports titled *Justice Reinvestment Act Implementation Evaluation Report* at <http://www.nccourts.org/Courts/CRS/Councils/spac/Publication/JRIReports.asp>.

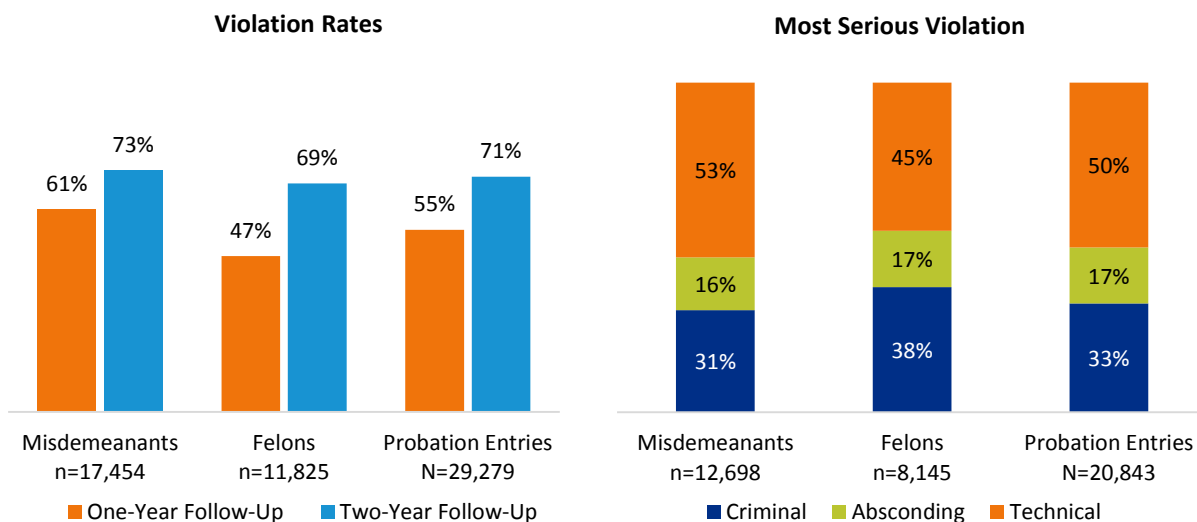
³⁷ As noted previously, of the probation entries in the FY 2015 sample, misdemeanants were sentenced to an average of 16 months of supervised probation, while felons were sentenced to an average of 27 months. As a result, some misdemeanants were not on supervision for the entire two-year follow-up period, while the majority of felons were on supervision for the entire follow-up. The violations of supervision and type of responses to violations (i.e., delegated authority, quick dips, CRV, and revocation) capture any violations or responses that occurred while on supervision during the two-year follow-up period. However, these violations or responses may have occurred in relation to the offense for which the offender was selected for the study sample or for a new sentence that was imposed during follow-up.

³⁸ While a “criminal” violation may result from pending charges, it is generally the policy of the DPS to only consider criminal charges that result in conviction as a “criminal” violation. In the case of pending charges, probation officers may use elements

have more than one type of violation on the same day (e.g., a technical violation for having a positive drug test and a criminal violation for a new conviction) and may have multiple violations during the follow-up period. For analysis, examination of the type of violation was based on the most serious violation that occurred during follow-up (hereinafter referred to as the “most serious violation”).

Overall, 55% of the probationers had at least one violation during the one-year follow-up period and 71% had at least one violation during the two-year follow-up (see Figure 3.6). A greater percentage of misdemeanants than felons had a violation during the two-year follow-up. Based on the most serious violation for probationers with at least one violation, 33% had a criminal violation, 17% had an absconding violation, and 50% had a technical violation. Both felons and misdemeanants were most likely to have a technical violation as their most serious type of violation. Felons had a higher percentage of criminal violations (38%) and a lower percentage of technical violations (45%) as their most serious violation compared to 31% of misdemeanants with a criminal violation and 53% with a technical violation as their most serious violation.

Figure 3.6
Violations: Two-Year Follow-Up



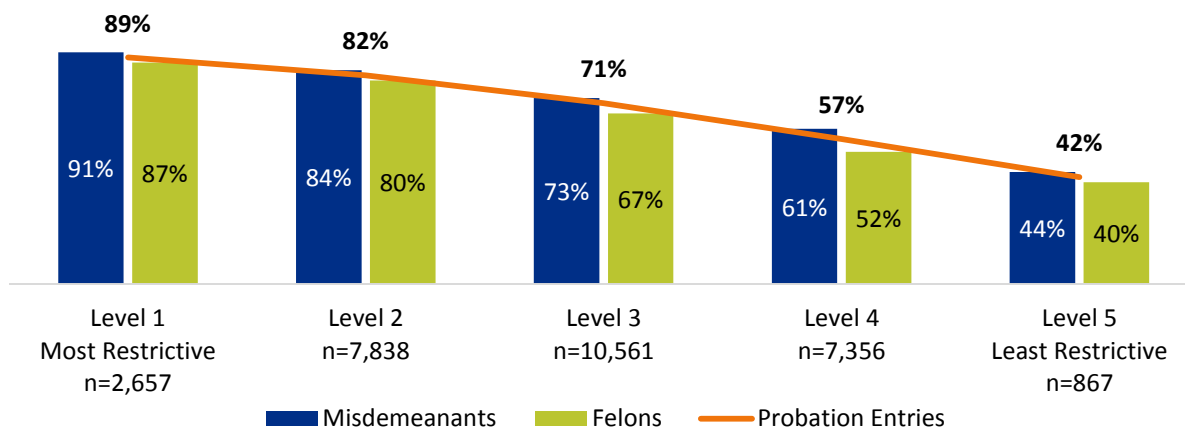
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2015 Correctional Program Evaluation Data

For analysis purposes, only one violation per violation hearing date (or date the violation was handled by the DPS) was counted. The 20,843 probationers with at least one violation accounted for a total of 42,316 violations during follow-up, with an average of 2 violations. For probationers with any violation, a higher percentage of misdemeanants had only one violation (49%) and a lower percentage had three or more violations (24%) compared to felons (42% and 32% respectively). Among probationers who had a violation, the first violation tended to occur early in the supervision period, generally by the eighth month. Misdemeanants had their first violation on average at 7 months, while felons had their first violation on average at 9 months.

of pending charges to support a technical violation of probation (e.g., a charge for public intoxication could be used to support a technical violation of the probation condition of not using or possessing alcohol).

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

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



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

Responses to Violations of Community Supervision³⁹

Information is provided on four responses to violations of community supervision – 1) delegated authority, 2) quick dips in local jail facilities, 3) CRV in prisons or CRV Centers (felons) or jail facilities (most misdemeanants), and 4) revocations. In the implementation of the JRA, several laws and policies have changed that affect probationers who violate the conditions of their supervision.⁴⁰ The information in this section is based on the laws and policies in place at the time of this study (i.e., FY 2015 probation entries).

Delegated Authority

Delegated authority allows officers to respond to all detected probation non-compliance as soon as possible by imposing additional requirements without returning to court.⁴¹ These requirements may include quick dips, curfews, electronic house arrest, community service, and/or increased reporting requirements. Responses are intended to be graduated in terms of severity, with officers first using less restrictive responses (where appropriate) to address non-compliance before using more restrictive options. Delegated authority as examined in this section includes all responses to violations except for quick dips, which are analyzed separately below.

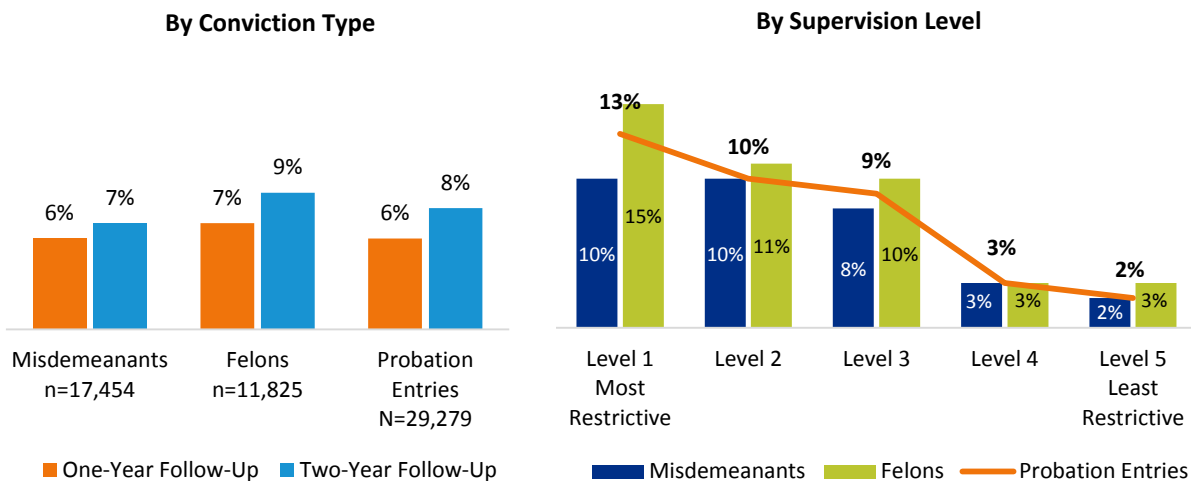
³⁹ Responses to violations of supervision are not directly linked to a specific violation committed by the probationer.

⁴⁰ For example, SSA misdemeanants placed on probation on or after December 1, 2015 no longer face CRV as a sanction for technical violations of probation; quick dips have become the path to revocation. All SSA misdemeanants in the FY 2015 sample were eligible for CRV as a sanction for violations of supervision; however, this legislative change may have affected how often CRV was used as a response to violations by misdemeanants.

⁴¹ Delegated authority differs from high risk delegated authority in that it can be used for any probationer in response to a violation. As mentioned previously, high risk delegated authority may be used only on high risk probationers and can be used without a violation.

Overall, delegated authority was used on 6% of probationers during the one-year follow-up period and 8% during the two-year follow-up (see Figure 3.8). Felons were slightly more likely than misdemeanants to receive additional sanctions through delegated authority during the two-year follow-up (9% and 7% respectively). When delegated authority rates were examined by supervision level, the more restrictive the supervision level, the higher the delegated authority rate. Delegated authority rates decreased in a stair-step pattern as the restrictiveness of the supervision level decreased: Level 1 at 13%, Level 2 at 10%, Level 3 at 9%, Level 4 at 3%, and Level 5 at 2%. Felons had slightly higher delegated authority rates than misdemeanants in every supervision level except for Level 4.

Figure 3.8
Delegated Authority Rates: Two-Year Follow-Up



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

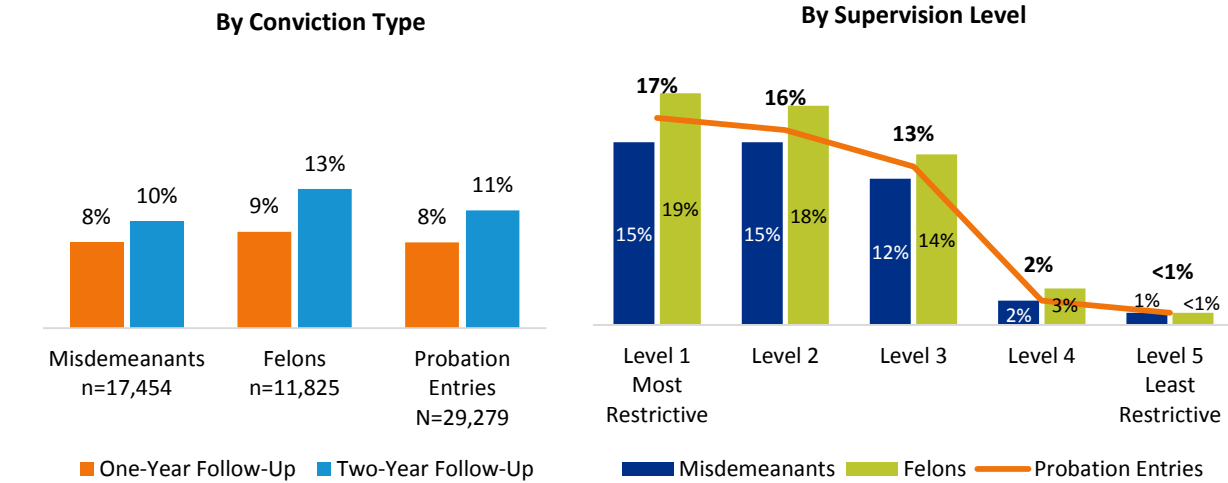
Quick Dips

Quick dips are a tool of delegated authority used as an immediate response to offender non-compliance.⁴² Per the DPS’s policy, quick dips are not the first response to non-compliance and cannot be the response for non-willful violations (e.g., non-payment of fines). Quick dips involve confinement in local jails for either two- or three-day periods. More probationers were confined for two-day quick dips (n=1,786) compared to three-day quick dips (n=1,172) while 282 offenders had both. Hereinafter, two- and three-day quick dips are combined for analysis.

Overall, 8% of the probationers had a quick dip during the one-year follow-up period and 11% had a quick dip during the two-year follow-up (see Figure 3.9). Misdemeanants and felons had similar rates of quick dip during the one-year follow-up (8% and 9% respectively). Felons were slightly more likely than misdemeanants to receive a quick dip during the two-year follow-up (13% and 10% respectively). When quick dip rates were examined by supervision level, the more restrictive the supervision level, the higher the quick dip rate. Quick dip rates decreased in a stair-step pattern as the restrictiveness of the supervision level decreased: Level 1 at 17%, Level 2 at 16%, Level 3 at 13%, Level 4 at 2%, and Level 5 at less than 1%. With the exception Supervision Level 5, felons had slightly higher quick dip rates than misdemeanants.

⁴² Although quick dips were originally limited to those supervised in Levels 1, 2, and 3, in December 2015, the DPS changed its policy to allow probation officers to use quick dips for all supervision levels.

Figure 3.9
Quick Dip Rates: Two-Year Follow-Up



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

For probationers with a quick dip during the two-year follow-up period, the first quick dip occurred on average 9 months after probation entry; misdemeanants had a shorter time to their first quick dip at 8 months than felons at 9 months.

Confinement in Response to Violation

Under the JRA, revocation and activation of a suspended sentence may only occur for those who abscond supervision or commit a new crime. A CRV may be imposed for technical violations of supervision, with revocation possible only after the imposition of two prior CRVs. Felons who received a CRV were housed in the state prison system or CRV Centers⁴³ for periods of 90 days, while misdemeanants who received a CRV were housed primarily in jail facilities for periods of up to 90 days.

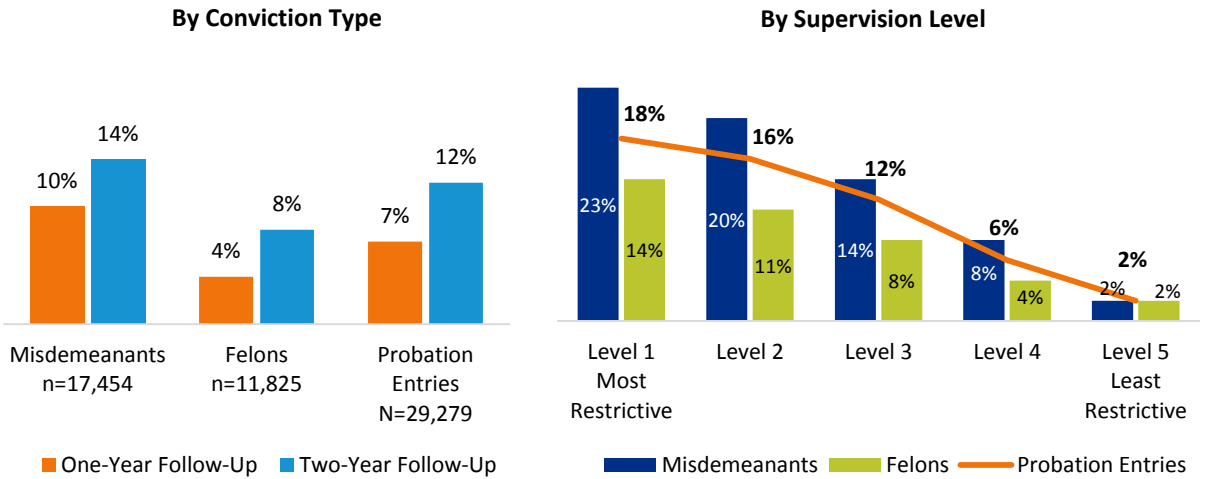
Overall, 7% of probationers had at least one CRV during the one-year follow-up period and 12% had at least one CRV during the two-year follow-up (see Figure 3.10). Misdemeanants had a higher percentage who received a CRV compared to felons during the one-year follow-up (10% and 4% respectively) and for the two-year follow-up (14% and 8% respectively). This may be attributed to the shorter supervision length of misdemeanants compared to felons and the use of terminal CRVs⁴⁴ for misdemeanants.

CRV rates decreased in a stair-step pattern as the restrictiveness of the supervision level decreased: Level 1 at 18%, Level 2 at 16%, Level 3 at 12%, Level 4 at 6%, and Level 5 at 2% (see Figure 3.10). When examined separately, misdemeanants had higher CRV rates than felons in Supervision Levels 1 through 4. The CRV rate was the same (2%) for both felons and misdemeanants in Supervision Level 5.

⁴³ The CRV Centers began receiving felons in December 2014. Further information about CRV Centers can be found at <https://www.ncdps.gov/Adult-Corrections/Community-Corrections/Confinement-in-Response-to-Violation-CRV>.

⁴⁴ A terminal CRV occurs when the probation period is terminated following the period of confinement, either because the period of confinement “used up” the remainder of the offender’s sentence or the court modified the sentence and ordered probation to terminate after the completion of the period of confinement.

Figure 3.10
CRV Rates: Two-Year Follow-Up



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

For probationers with a CRV during the two-year follow-up, the first CRV occurred on average 10 months after probation entry; misdemeanants had a shorter time to their first CRV at 9 months than felons at 13 months.

Quick Dips and Confinement in Response to Violation

The DPS encourages the graduating of sanctions with the shorter confinement period of quick dips used before seeking the longer confinement period of CRVs. Table 3.5 examines the rates at which quick dips and CRVs were used, independently and together, during the two-year follow-up. Overall, 9% of probationers received a quick dip only, 10% received a CRV only, and 2% received both. Felons were more likely than misdemeanants to receive a quick dip only (11% and 8% respectively); misdemeanants were more likely than felons to receive a CRV only (12% and 6% respectively). A similar proportion of felons and misdemeanants received both a quick dip and CRV (2% each).

Table 3.5
Quick Dip and CRV Rates: Two-Year Follow-Up

Probation Entries	N	% Quick Dip Only	% CRV Only	% Quick Dip and CRV
Misdemeanants	17,454	8	12	2
Felons	11,825	11	6	2
Total	29,279	9	10	2

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

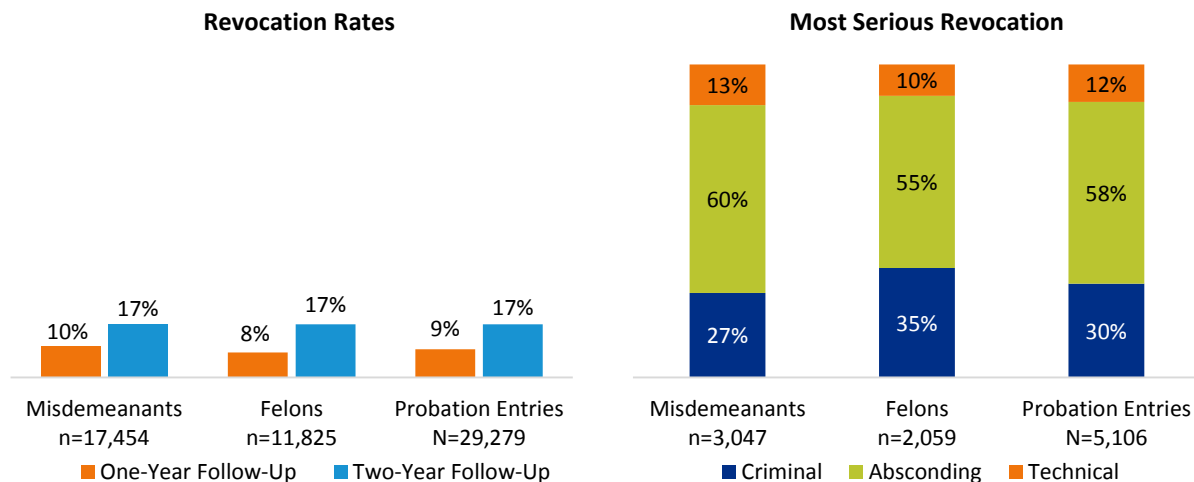
Revocations

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

Overall, 9% of probationers had a revocation of supervision during the one-year follow-up period and 17% had a revocation during the two-year follow-up (see Figure 3.11). Misdemeanants were slightly more likely to have a revocation during the one-year follow-up than felons with felons “catching up” to misdemeanants by the two-year follow-up.

Based on the most serious revocation, 58% had an absconding revocation, 30% had a criminal revocation, and 12% had a technical revocation. For both felons and misdemeanants, the majority had an absconding revocation as the most serious type of revocation. Felons were more likely to have a criminal revocation and less likely to have a technical revocation than misdemeanants. For probationers with a revocation during the two-year follow-up period, their first revocation occurred an average of 12 months after probation entry; misdemeanants had a shorter time to revocation at 11 months than felons at 13 months.

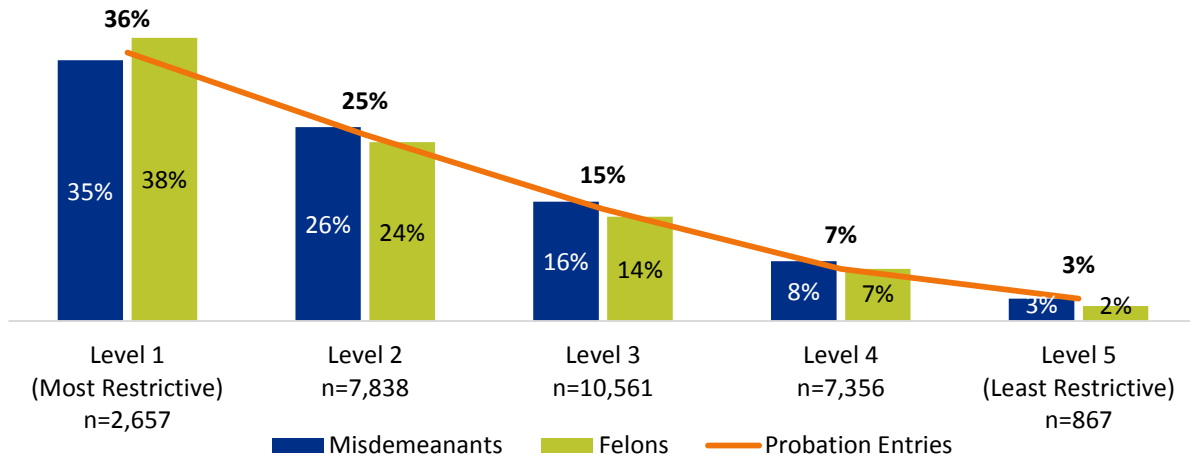
Figure 3.11
Revocations: Two-Year Follow-Up



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

As shown in Figure 3.12, revocation rates decreased in a stair-step pattern as the restrictiveness of the supervision level decreased: Level 1 at 36%, Level 2 at 25%, Level 3 at 15%, Level 4 at 7%, and Level 5 at 3%. When examined separately, misdemeanants had higher revocation rates than felons at every level of supervision except for Level 1.

Figure 3.12
Revocation Rates by Supervision Level



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

Confinement in Response to Violation and Revocation

Prior to the JRA, revocations of probation could occur following criminal, absconding, or technical violations. After the JRA, revocation remained as a sanction for criminal or absconding violations, but could only occur for technical violations after the imposition of two CRVs. Table 3.6 examines the combination of having a CRV or a revocation during the two-year follow-up for the FY 2015 probation entries. Combining CRV and revocation rates permit comparisons to revocation rates from prior recidivism studies by the Sentencing Commission. Overall, 28% of probationers had a CRV or a revocation during the two-year follow-up. Twenty-five percent of felony probationers and 30% of misdemeanants had at least one CRV or revocation.

Table 3.6
CRV and Revocation Rates: Two-Year Follow-Up

Probation Entries	N	% CRV	% Revocation	% CRV or Revocation
Misdemeanants	17,454	14	17	30
Felons	11,825	8	17	25
Total	29,279	12	17	28

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

Criminal Justice Outcomes

As described in Chapter Two, the Sentencing Commission’s main measure of recidivism is fingerprinted arrests. For all probation entries in the sample (N=32,537), the recidivist arrest rate was 25% during the one-year follow-up and 37% during the two-year follow-up (see Chapter Two). For the 29,279 probationers examined in this chapter with a completed RNA and assigned a supervision level, the overall recidivist arrest rate was 24% for the one-year follow-up and 36% for the two-year follow-up (see Table 3.7). Misdemeanants had lower recidivist arrest rates than felons. The average time to the first recidivist arrest was 9 months for both misdemeanants and felons.

Table 3.7
Recidivist Arrest Rates: Two-Year Follow-Up

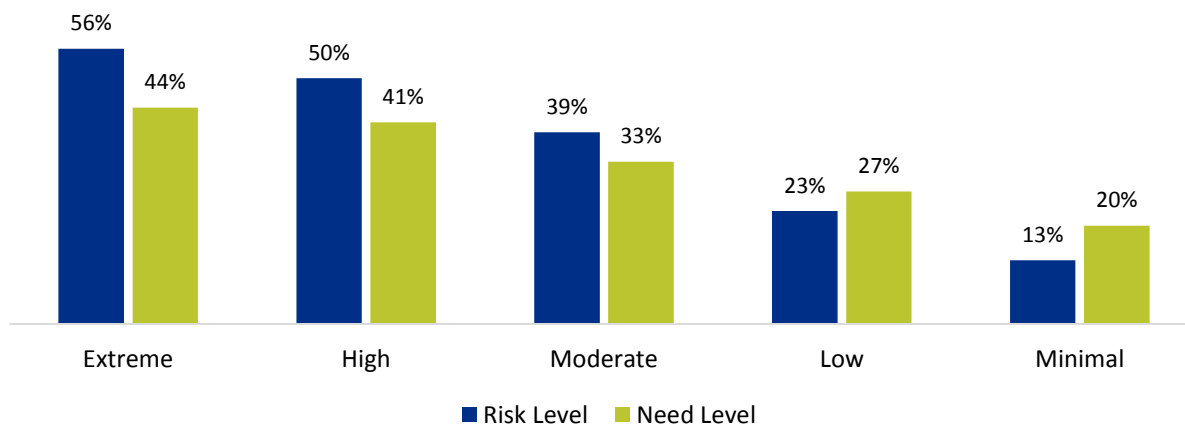
Probation Entries	N	% Recidivist Arrest	
		One-Year Follow-Up	Two-Year Follow-Up
Misdemeanants	17,454	23	35
Felons	11,825	25	37
Total	29,279	24	36

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

Recidivist Arrests and Risk and Need Levels

Figure 3.13 shows the recidivist arrest rates during the two-year follow-up by risk and need level. Probationers assessed as extreme risk had the highest recidivist arrest rates at 56% followed by high risk at 50%, moderate risk at 39%, low risk at 23%, and minimal risk at 13%. Recidivist arrest and need level show the same stair-step pattern seen with risk level. Probationers assessed at the two lowest levels of need had higher recidivist arrest rates than probationers assessed at the two lowest levels of risk. Few differences were observed between misdemeanants and felons when examining recidivist arrest rates by risk and need levels.⁴⁵

Figure 3.13
Recidivist Arrest Rates by Risk and Need Levels for Probation Entries: Two-Year Follow-Up



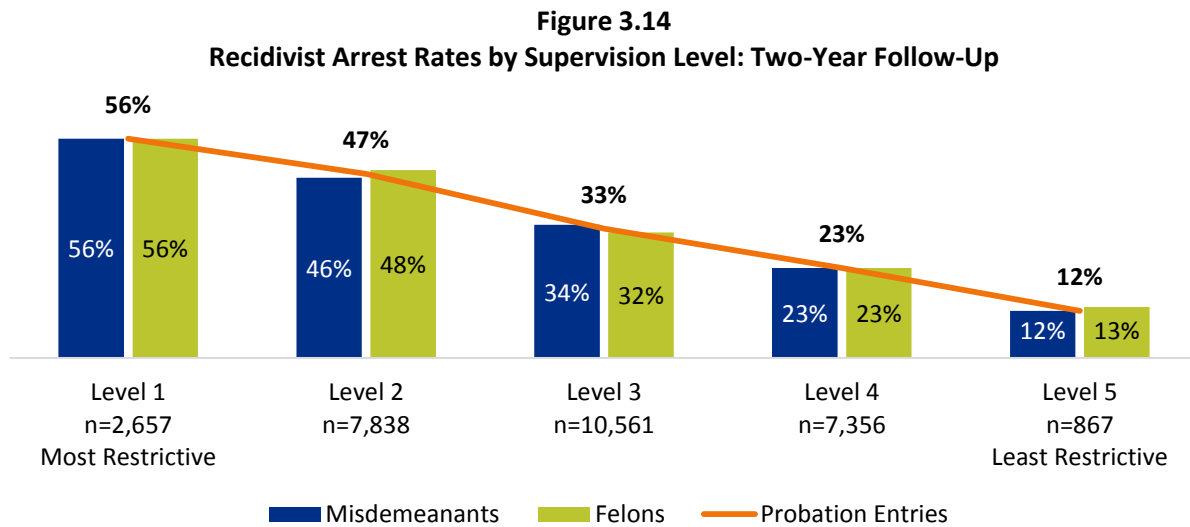
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2015 Correctional Program Evaluation Data

The 10,486 probationers with at least one recidivist arrest accounted for 19,637 recidivist arrests. Probationers averaged 2 arrests during follow-up regardless of risk or need level. The average time to the first recidivist arrest was 9 months. Extreme risk probationers had a first recidivist arrests on average at 8 months, compared to 9 months for high and moderate risk probationers and 10 months for low and minimal risk probationers. For need level, no distinctive pattern for the time to the first recidivist arrest between the five groups emerged.

⁴⁵ See Appendix E for recidivist arrest rates by the distribution of the risk and need levels (Table E.2) and by risk, need, and supervision levels for misdemeanants and felons (Table E.3) during the two-year follow-up.

Recidivist Arrests and Supervision Level

Similar to the patterns by risk and need level, Figure 3.14 shows the same stair-step pattern in decreasing recidivist arrest rates by supervision level. Overall, the less restrictive the supervision level the lower the recidivist arrest rate, with 56% of Level 1 probationers having a recidivist arrest, 47% of Level 2, 33% of Level 3, 23% of Level 4, and 12% of Level 5. Minimal differences were observed between misdemeanants and felons.



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

Probationers averaged 2 arrests per offender regardless of supervision level. When examining the time to first recidivist arrest, Level 1 had the shortest amount of time to recidivist arrest at 8 months, Level 4 had the longest at 10 months, and the remaining three supervision levels averaged 9 months.

Summary

Chapter Three provided a closer examination of the FY 2015 sample’s probationers. Under the legal provisions and policies of the JRA, more emphasis is given to risk, need, and supervision levels, as well as violations of supervision and responses to those violations. This chapter looked at the interplay of these factors and how they might affect recidivism.

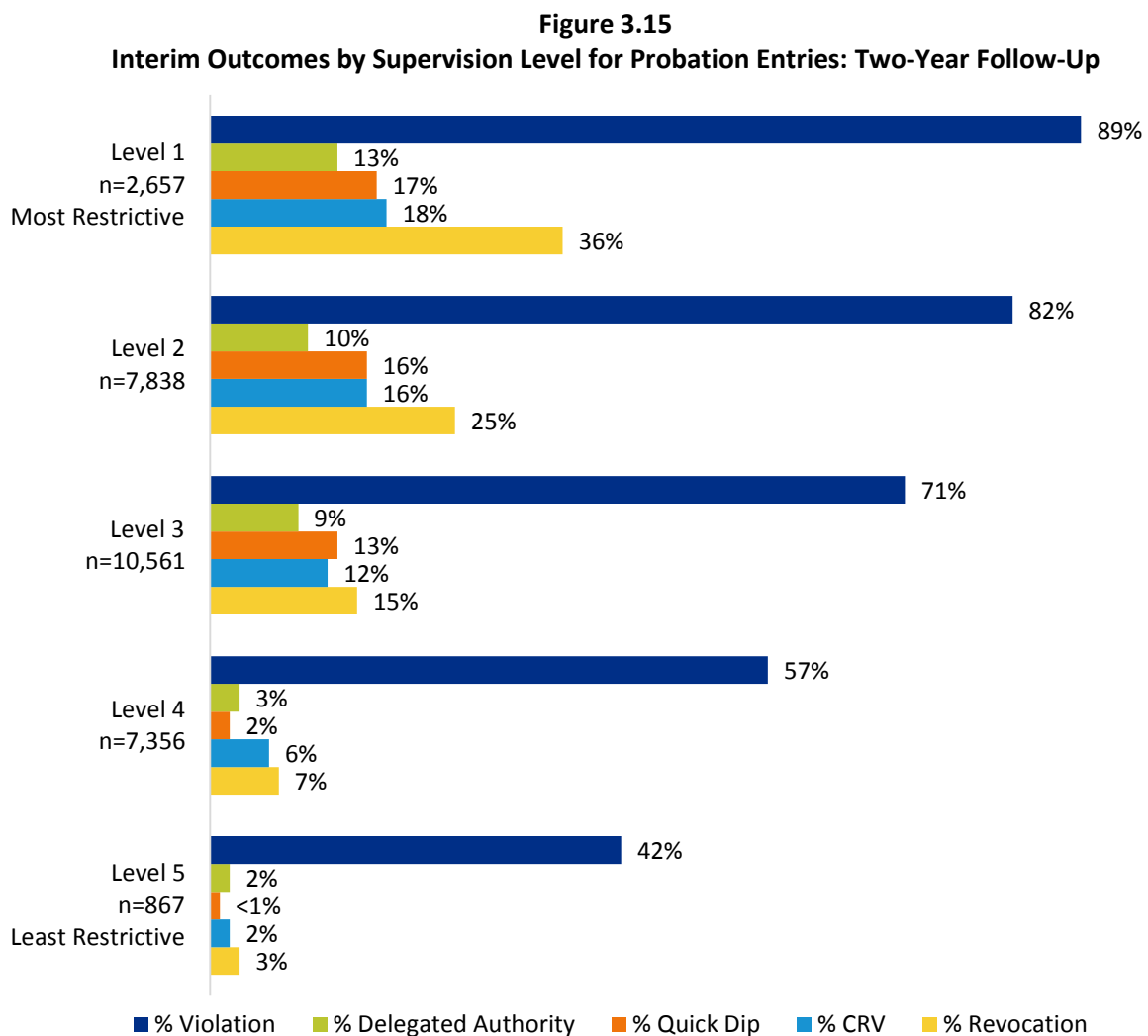
Ninety percent of the probationers in the FY 2015 sample (n=29,279) had a supervision level assigned based on the RNA and were the focus of this chapter. The majority were misdemeanants (60%) based on their current conviction. Felons were more likely to be male, 21 years of age or older, a high school dropout, and have a possible substance use/abuse problem than misdemeanants. Felons were more likely to have prior contact with the criminal justice system (i.e., fingerprinted arrests, probation entries, probation/PRS revocations, incarcerations) than misdemeanants.

Felons were more frequently assessed in the highest two risk levels (i.e., extreme and high) and misdemeanants were more frequently assessed in the lowest two risk levels (i.e., low and minimal). Felons and misdemeanants were similarly distributed across the five need levels, with a majority having either extreme or moderate need. The supervision levels of probationers were normally distributed (i.e.,

distributed in a bell-shaped curve with most clustering in the middle) with lower percentages of probationers in Supervision Levels 1 (most restrictive) and 5 (least restrictive) and the largest percentage of probationers in Supervision Level 3 (36%).

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

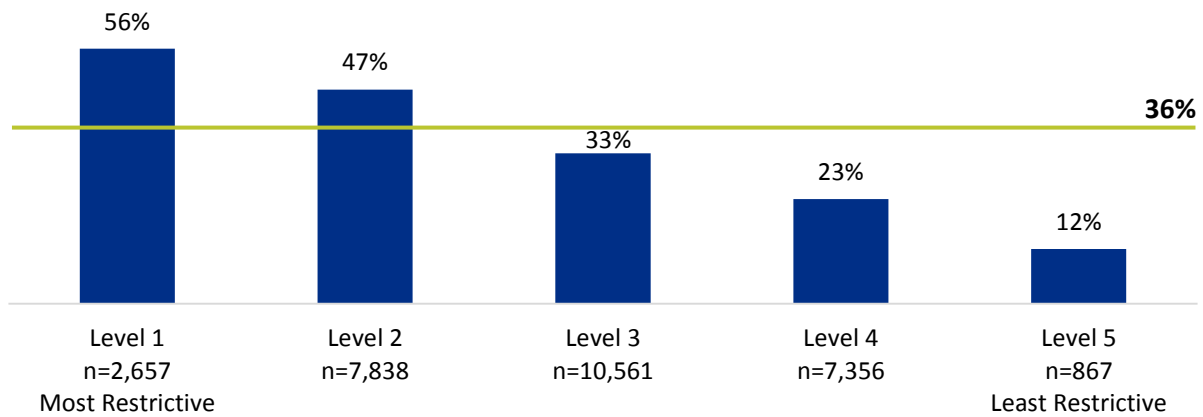
As for responses to violations, felony probationers had slightly higher rates of delegated authority and quick dips than misdemeanants. Conversely, misdemeanants had higher rates of CRV and revocation than felons, a finding possibly related to the shorter sentence and supervision lengths of misdemeanants. As expected based on the pattern of violation rates, the rates for all four interim outcomes examined decreased as supervision levels decreased (see Figure 3.15).



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

Misdemeanants had slightly lower recidivist arrest rates than felons. As with the interim outcomes examined, recidivist arrest rates decreased as risk, need, and supervision levels decreased (see Figure 3.16). Minimal differences were observed between misdemeanants and felons when examining recidivist arrest rates by supervision level.

Figure 3.16
Recidivist Arrest Rates by Supervision Level for Probation Entries: Two-Year Follow-Up



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

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

CHAPTER FOUR FELONY PRISON RELEASES IN FY 2015

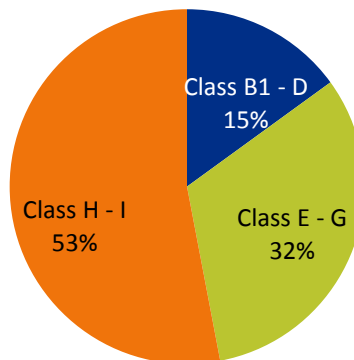
Chapter Three examined probationers in the sample, while Chapter Four turns to a further examination of the prisoners in the FY 2015 sample. This chapter examines the felony prison releases by offense class groupings, provides a description of these offenders, and details their past, current, and recidivist involvement in the criminal justice system.

Overall, 61% of prisoners in the FY 2015 sample were subject to the provisions of the JRA. However, nearly all prison releases with a Class B1 – D felony (99%) – those in the most serious offense classes and with the longest sentence lengths – had served sentences for offenses committed prior to the JRA. The majority of prison releases with a Class E – G felony (59%) or a Class H – I felony (79%) – those with less serious offenses and shorter sentence lengths – were subject to the provisions of the JRA. However, it will be some time before the prison release sample is fully representative of the changes under the JRA.

Statistical Profile of the FY 2015 Prison Releases

The FY 2015 sample included 15,077 felony prison releases. Overall, 15% had a most serious conviction for a Class B1 – D felony, 32% for a Class E – G felony, and 53% for a Class H – I felony (see Figure 4.1).

**Figure 4.1
FY 2015 Prison Releases**



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

Personal Characteristics

Table 4.1 contains information describing the personal characteristics of the prison releases by offense class. Class B1 – D prisoners were more likely to be male and more likely to be black than those in the other offense classes. Over two-thirds of Class B1 – D prisoners were black; in comparison, nearly an equal proportion of Class H – I prisoners were black (49%) and white (47%). The offense class groupings were similar in terms of marital status and education. Overall, half of prison releases were unemployed; Class E – G prisoners had the highest percentage unemployed (56%). Over three-fourths of prisoners in each offense class grouping were identified as having a possible substance use/abuse problem. As expected based on their sentence lengths, Class B1 – D prisoners had a smaller percentage in the younger age groups and a larger percentage in the older age groups than the other offense classes. Their

average age at prison release was 37 compared to 34 for Class E – G prisoners and 33 for Class H – I prisoners.

**Table 4.1
Personal Characteristics**

Personal Characteristics	Prison Releases			Total N=15,077 %
	Class B1 – D n=2,245 %	Class E – G n=4,798 %	Class H – I n=8,034 %	
Gender				
Female	5	8	13	10
Male	95	92	87	90
Race				
Black	68	56	49	54
White	26	38	47	41
Other/Unknown	6	6	4	5
Age at Prison Release				
Under 21 Years	2	5	8	6
21-29 Years	29	39	38	37
30-39 Years	30	29	28	29
40-49 Years	22	16	17	17
50 Years and Older	17	11	9	11
Marital Status				
Married	10	12	10	11
Not Married	90	88	90	89
Education				
High School Graduate	26	27	26	26
High School Dropout/GED	74	73	74	74
Employment				
Employed	50	44	47	47
Unemployed	50	56	53	53
Substance Use/Abuse				
None Indicated	23	25	20	22
Substance Use/Abuse Indicated	77	75	80	78

Note: Of the 15,077 felony prison releases, 3% were Hispanic. Forty-seven prisoners were missing education, 78 were missing employment, and 225 were missing substance use/abuse information.

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

Criminal History

The criminal history of prisoners is examined in Table 4.2. Regardless of the measure, Class H – I prisoners tended to have more extensive prior criminal histories. The majority of prison releases had at least one prior arrest, ranging from 89% in Class B1 – D to 96% in Class H – I. Ninety-four percent (94%) of prison releases with a prior arrest had a prior felony arrest. On average, prisoners had 7 prior arrests,

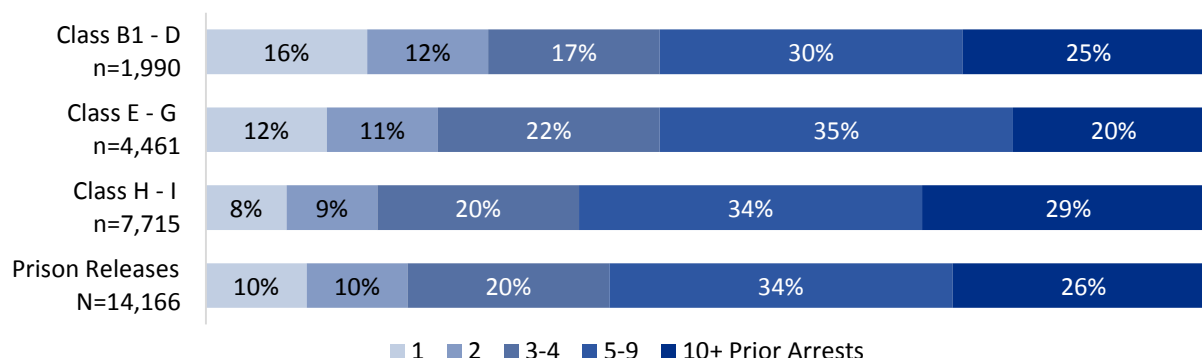
with only slight differences between the groups. Figure 4.2 further illustrates the differences in number of prior arrests by offense class.

Table 4.2
Prior Criminal Justice Contacts

Prior Criminal Justice Contacts	Prison Releases			Total N=15,077
	Class B1 – D n=2,245	Class E – G n=4,798	Class H – I n=8,034	
	%	%	%	%
Prior Arrest	89	93	96	94
Prior Probation Entry	69	83	93	86
Prior Probation/PRS Revocation	55	56	62	59
Prior Incarceration	53	56	58	56

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

Figure 4.2
Number of Prior Arrests for Prison Releases with Any Prior Arrest



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

Also in terms of prior criminal history, the greatest difference between groups occurred for prior probation entries; only 69% of Class B1 – D prisoners had a prior probation entry compared to 83% of Class E – G prisoners and 93% of Class H – I prisoners. This finding is not surprising given the number of Class E – G and Class H – I prisoners that entered prison due to a revocation of probation supervision (described further in Table 4.3). The groups were most similar in terms of prior revocations and prior incarcerations.

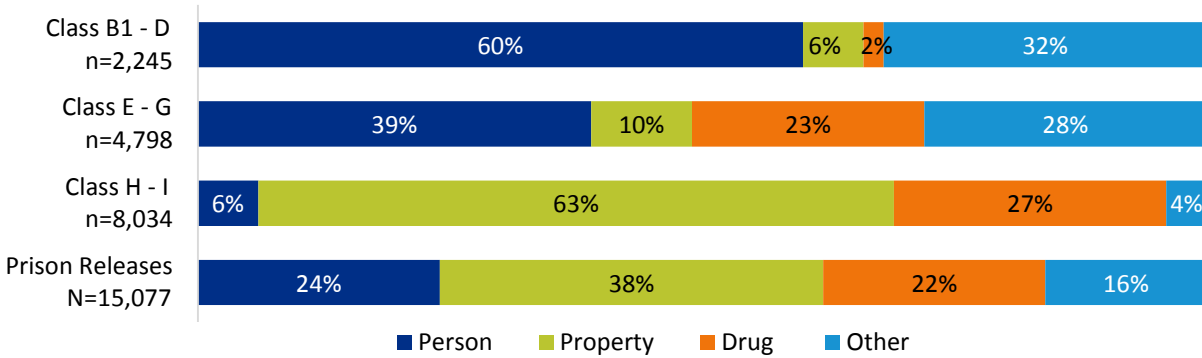
Most Serious Current Conviction

The offense type (i.e., person, property, drug, other) of the most serious conviction is provided in Figure 4.3. The majority of prisoners with a Class B1 – D felony had convictions for person offenses (60%) followed by other offenses (32%); nearly all of the other offenses for this group were habitual felon convictions. Prisoners with a Class E – G felony were also most likely to have convictions for person offenses and other offenses,⁴⁶ although at a lower proportion (39% and 28% respectively). Nearly two-

⁴⁶ Possession of firearm by felon and habitual impaired driving accounted for the majority of convictions in the other category for Class E – G felonies (45% and 19% respectively), followed by habitual felon convictions (10%).

thirds of prisoners with a Class H – I felony had a conviction for a property offense, while 27% had a conviction for a drug offense.

Figure 4.3
Offense Type of the Most Serious Current Conviction



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

Incarceration Profile

The incarceration profile for the FY 2015 prison releases is provided in Table 4.3 and includes information on the prisoner’s reason for prison entry, time served in prison, infractions, assignment to correctional jobs or programs, custody classification level, and whether the prisoner was subject to PRS upon release. Regardless of offense class, the majority entered prison as a result of a new crime; however, the proportion varied considerably. Class B1 – D prisoners had the largest percentage entering prison as a result of a new crime (86%), consistent with the mandatory active sentence requirement for these offense classes under the SSA; the remaining 14% entered following a revocation of PRS. Just over half (53%) of Class H – I prisoners entered with a new crime, with the remaining entering either due to a revocation of probation (34%) or PRS (13%).

Time Served

Time served varied by offense class, based on the SSA felony punishment chart. Class B1 – D prisoners had the longest time served, with 82% serving longer than 2 years; Class H – I prisoners had the shortest time served, with 83% serving one year or less. Type of prison entry also factored into the length of time served. For example, nearly all Class B1 – D prisoners with time served of 12 months or less entered prison as a result of a PRS revocation.

**Table 4.3
Incarceration Profile**

Incarceration Profile	Prison Releases			
	Class B1 – D n=2,245 %	Class E – G n=4,798 %	Class H – I n=8,034 %	Total N=15,077 %
Type of Prison Entry				
New Crime	86	76	53	65
Probation Revocation	0	14	34	23
PRS Revocation	14	10	13	12
Time Served				
12 Months or Less	15	44	83	60
13-24 Months	3	33	12	18
25 Months or More	82	23	5	22
Infractions	91	67	50	62
Number of Infractions (if any)				
1 Infraction	11	31	43	32
2 Infractions	9	20	21	18
3-4 Infractions	19	24	19	21
5 or More Infractions	61	25	17	29
Correctional Jobs/Programs				
Job Only	1	9	18	12
Program Only	2	12	16	13
Both Job and Program	97	74	52	66
No Job or Program	0	5	14	9
Custody Classification at Release				
Close	18	11	7	10
Medium	34	34	25	29
Minimum	48	55	68	61
Released onto PRS				
PRS	91	71	75	76
No PRS	9	29	25	24

Note: Of Class B1 – D felons, there were 22 with only a job, 49 with only a program, and 5 with no job or program.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2015 Correctional Program Evaluation Data

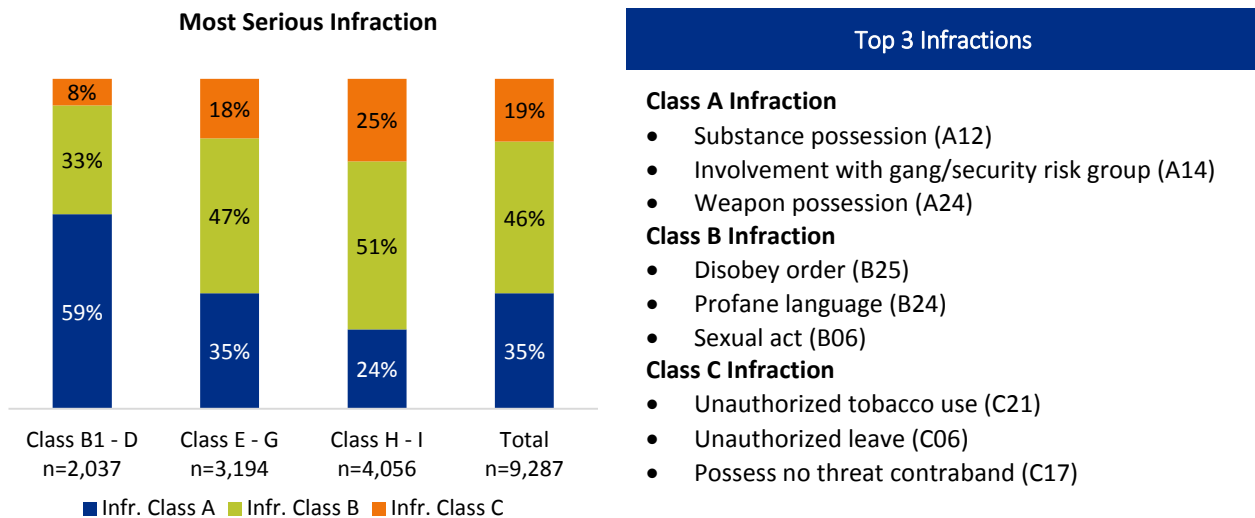
Infractions

Whether a prisoner had any disciplinary offenses (i.e., infractions) while incarcerated varied across the offense class groupings, which is not surprising given the linkage between offense class and time served. The proportion of prisoners with infractions ranged from 91% for Class B1 – D felons to 50% for Class H – I felons. The DPS categorizes infractions into three classes – Class A (most serious), Class B, and Class C (least serious).⁴⁷ Of the 9,287 prisoners with infractions, prisoners in Class B1 – D were most likely to

⁴⁷ For this study, infraction offenses were grouped into the infraction classes based on DPS policy and procedures that were issued January 3, 2018 (https://files.nc.gov/ncdps/Offender%20Disciplinary%20Procedures%2001_03_18.pdf). Under current

have 5 or more infractions, while those in Class H – I were most likely to have only 1 infraction while incarcerated. Class B1 – D prisoners averaged 10 infractions while incarcerated compared to 4 for Class E – G prisoners and 3 for Class H – I prisoners. The highest average number of infractions was for Class B infractions. Figure 4.4 provides information on the most serious infraction class, as well as the top 3 infractions. Class B1 – D felons were most likely to have a Class A infraction as their most serious infraction offense (59%), while Class E – G and Class H – I felons were most likely to have a Class B infraction offense (47% and 51% respectively).

Figure 4.4
Most Serious Infraction for Prison Releases with Any Infraction during Incarceration



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

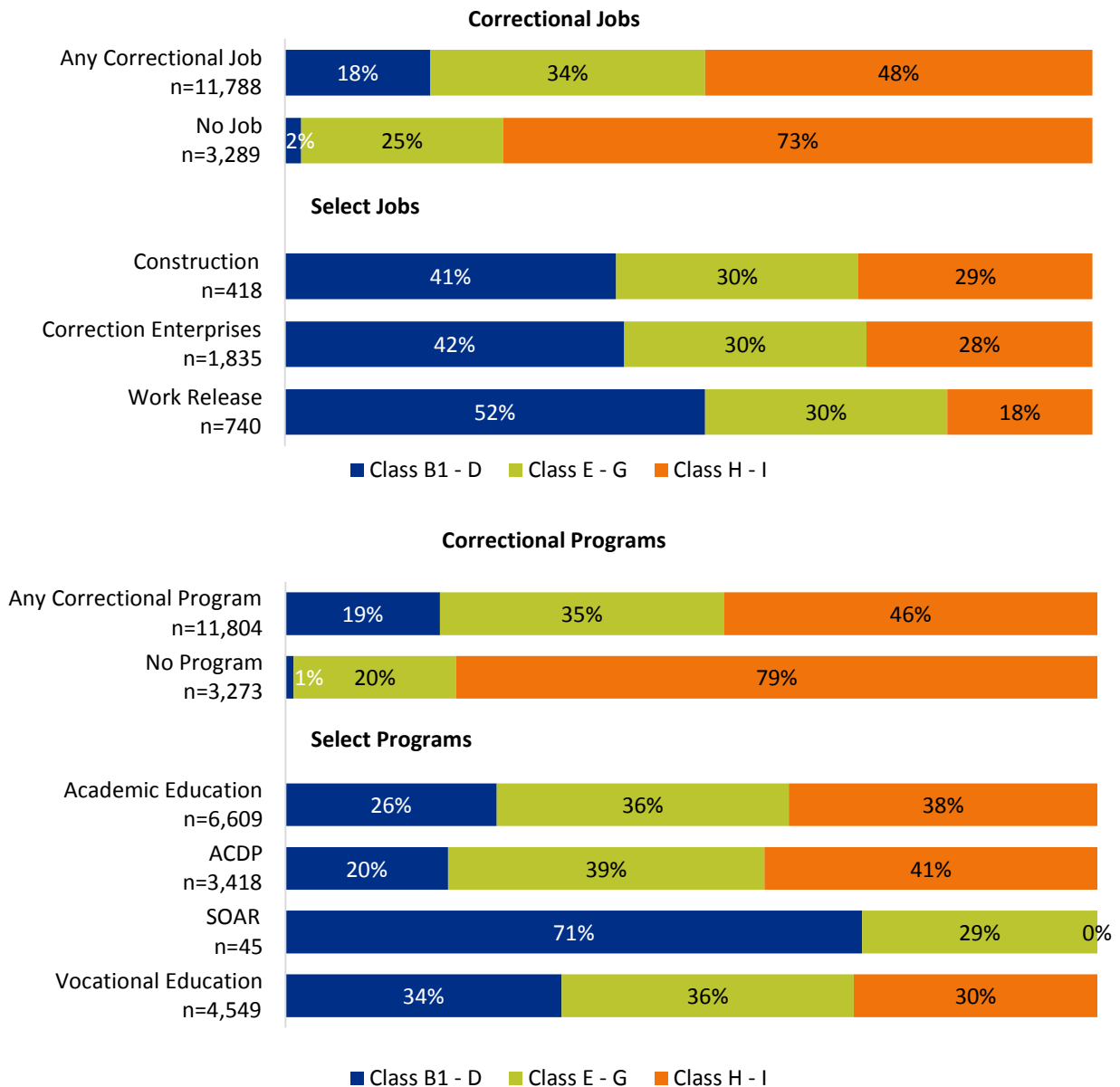
Correctional Job and Program Assignments

Nearly all Class B1 – D prisoners were assigned to either a job or a program during their incarceration, with most having both. Prisoners with the shortest sentence lengths – Class H and I felons – had the highest percentage with no job or program assignment while incarcerated (14%), as well as the highest proportion with only a job or with only a program assignment compared to the other offense class groupings. Figure 4.5 examines the offense class distribution of select correctional job and program assignments. Certain correctional activity assignments require a minimum amount of time served to be available for participation; the findings reflected for the select jobs and programs were consistent with these requirements. The majority of prisoners in the jobs highlighted had longer sentence lengths.

Assignments for academic education programs and vocational education programs were more equally distributed across the offense class groupings. Alcohol and Chemical Dependency Programs (ACDP) had the greatest proportion of Class H – I prisoners. See Appendix F for more detailed information relating to these specific jobs and programs.

policy, unauthorized tobacco use is separated based on the amount (indicating personal versus non-personal use). All unauthorized tobacco use infractions prior to this change were assumed to be for personal use.

Figure 4.5
Correctional Job/Program Assignments for Prison Releases during Incarceration



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

Custody Classification at Release

Overall, 61% of prisoners were classified as minimum custody at release.⁴⁸ Class B1 – D prisoners had the lowest proportion classified as minimum custody at release, while Class H – I prisoners had the highest proportion. These patterns were consistent with the DPS custody classification policy, which

⁴⁸ For more information on current custody classification procedures, see http://www.doc.state.nc.us/dop/policy_procedure_manual/C.0900_09_24_07.pdf and <https://www.ncdps.gov/Adult-Corrections/Prisons/Classification>.

takes into account the offense class and sentence length of the current conviction in assessing higher custody levels for more serious prisoners.

PRS is the mandatory period of supervision a prisoner serves in the community following an active sentence in prison. PRS was expanded to include Class F – I felonies under the JRA.⁴⁹ Overall, 76% of the FY 2015 prison release sample were subject to PRS upon release (see Table 4.3). The majority of prisoners without PRS in Class E – G and Class H – I had offense dates prior to the JRA. As time elapses, most prisoners released from prison will be subject to PRS.

Criminal Justice Outcomes

As described in Chapter Two, the Sentencing Commission’s main measure of recidivism is fingerprinted arrests. Recidivist incarcerations are also a recidivism measure of particular interest for prison releases.

Recidivist Arrests and Incarcerations

Recidivist arrest rates for the one-year and two-year follow-up are shown in Table 4.4. Overall, 49% of prison releases had a recidivist arrest during the follow-up, with the first recidivist arrest occurring, on average, 9 months after prison release. Recidivist arrest rates were lowest for prisoners with Class B1 – D felonies (39%) and increasingly higher for prisoners with Class E – G felonies (45%) and Class H – I felonies (54%). The average number of months to first recidivist arrest was 10 months for prisoners with Class B1 – D and Class E – G felonies and 9 months for prisoners with Class H – I felonies. Nearly three-fourths of prisoners had one or two recidivist arrests during follow-up (46% and 27% respectively, or a total of 73%). A lower percentage of Class H – I prisoners had only one recidivist arrest (44%) compared to Class B1 – D and Class E – G prisoners (49% and 48% respectively).

**Table 4.4
Recidivist Arrest Rates: Two-Year Follow-Up**

Offense Class	N	# with Any	Total # Arrests	% Recidivist Arrest	
				One-Year Follow-Up	Two-Year Follow-Up
Class B1 – D	2,245	881	1,739	22	39
Class E – G	4,798	2,156	4,503	28	45
Class H – I	8,034	4,299	9,281	34	54
Prison Releases	15,077	7,336	15,523	31	49

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

Recidivist incarceration rates for the one-year and two-year follow-up are shown in Table 4.5. Overall, 32% of prison releases had a recidivist incarceration during the follow-up, with the first recidivist incarceration occurring, on average, 8 months after prison release. Again, prisoners with Class H – I

⁴⁹ For offenses occurring prior to December 1, 2011, a period of nine months of supervision is required for Class B1 – E felons; offenders convicted of a Class F – I felony are released from prison with no supervision. For offenses occurring on or after December 1, 2011 (the effective date of the JRA), PRS is expanded to include all felons. After serving an active sentence, a period of nine months of supervision is required for Class F – I felons; twelve months of PRS is required for Class B1 – E felons. Offenders convicted of a sex offense are required to be supervised for five years.

felonies had the highest recidivism rates – 37% had a recidivist incarceration compared to 24% of Class B1 – D prisoners and 28% of Class E – G prisoners.

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

Offense Class	N	# with Any	Total # Incarcerations	% Recidivist Incarceration	
				One-Year Follow-Up	Two-Year Follow-Up
Class B1 – D	2,245	539	695	18	24
Class E – G	4,798	1,327	1,680	21	28
Class H – I	8,034	3,008	3,750	29	37
Prison Releases	15,077	4,874	6,125	25	32

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

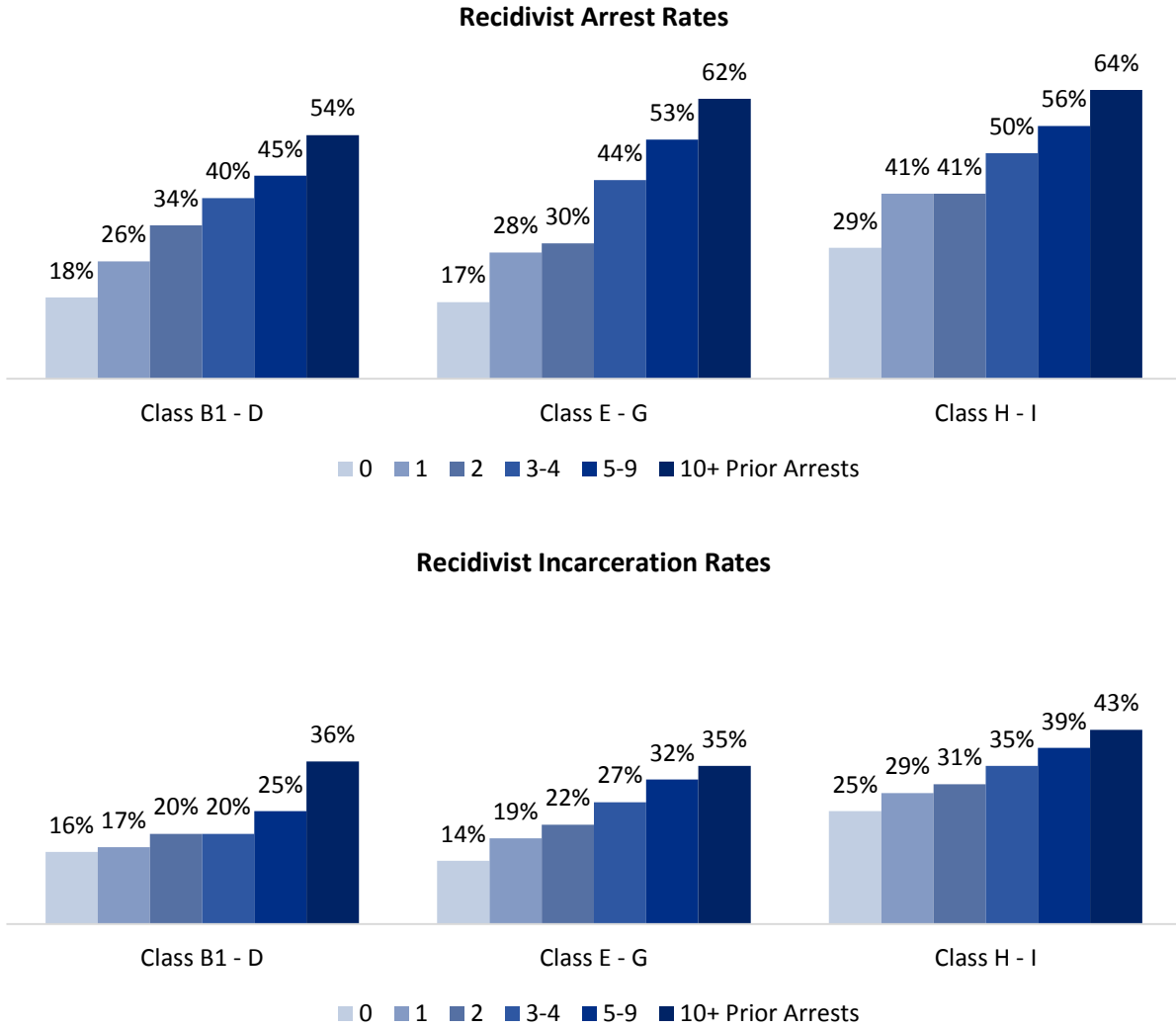
Criminal Justice Outcomes by Criminal History and Incarceration Profile

The next section examines the criminal justice outcomes for the FY 2015 prison release sample by criminal history, offense type, and incarceration profile.

Criminal History

As described in Chapter Two, prior arrests are a strong predictor of recidivism. Offenders who had prior arrests had higher recidivist arrest rates than those who had no prior arrests and, correspondingly, recidivism rates increased as the number of prior arrests increased (see Table 2.7 and Figure 2.10 in Chapter Two). As indicated in Figure 4.6, these same findings hold true for the prisoners in the sample and generally apply to recidivist incarcerations as well. A stair-step progression in recidivism rates was generally found for those with 0 prior arrests to those with 10 or more. Regardless of the number of prior arrests, prisoners with Class H – I felonies had higher recidivism rates than the other offense class groupings. However, recidivism rates for prisoners with Class E – G felonies who had a lower number of prior arrests (i.e., 0-2 prior arrests) were more similar to their Class B1 – D counterparts, while those who had a higher number of prior arrests (i.e., 3 or more) had recidivism rates more similar to their Class H – I counterparts.

Figure 4.6
Criminal Justice Outcomes by Number of Prior Arrests for Prison Releases: Two-Year Follow-Up

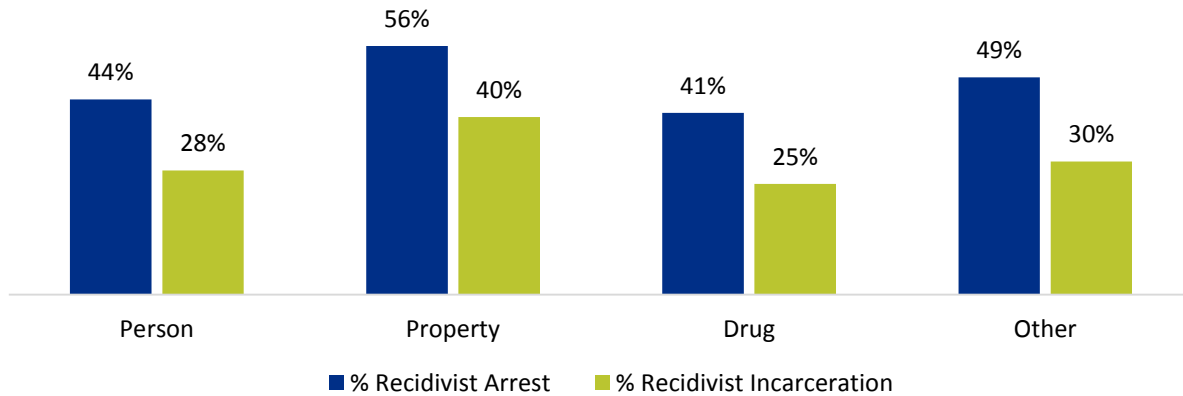


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2015 Correctional Program Evaluation Data

Most Serious Current Conviction

Recidivism rates were highest for prisoners with a most serious conviction for a property offense followed by other offenses (see Figure 4.7).⁵⁰ Recidivism rates were lowest for prisoners with drug offenses.

Figure 4.7
Criminal Justice Outcomes by Offense Type for Prison Releases: Two-Year Follow-Up



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

Table 4.6 examines criminal justice outcomes for the most frequent convictions in each of the offense class groupings. Generally, prisoners with a most serious conviction for the listed offenses had higher recidivism rates than the overall recidivism rates for their respective offense class groupings (e.g., habitual felons recidivated at higher rates compared to the entire Class B1 – D group). Of note, the recidivist incarceration rate for second degree rape is higher than the recidivist arrest rate. This is possibly explained by violations of registration requirements that may lead to incarceration. While prisoners with a most serious conviction for habitual impaired driving had the lowest recidivist arrest rate of the highlighted Class E – G offenses, it must be noted that the recidivist arrest rate does not include arrests for DWI. Overall, 9% of prisoners with a most serious conviction for habitual impaired driving had a recidivist arrest for DWI during the two-year follow-up period compared to 3% of the FY 2015 prison release sample as a whole.

⁵⁰ As described earlier, the most frequent offenses in the other category include habitual felon, possession of firearm by a felon, and habitual impaired driving.

**Table 4.6
Criminal Justice Outcomes for Top 5 Convictions by Offense Class: Two-Year Follow-Up**

Most Serious Current Conviction	N	% of total	Criminal Justice Outcomes: Two-Year Follow-Up	
			% Recidivist Arrest	% Recidivist Incarceration
Class B1 – D				
Habitual Felon	719	32	48	29
Robbery with Dangerous Weapon	646	29	46	22
Second Degree Murder	149	7	20	7
First Degree Burglary	112	5	42	17
Second Degree Rape	111	5	35	48
Subtotal	1,737	78	n/a	n/a
Total	2,245	100	39	24
Class E – G				
Possession of Firearm by Felon	616	13	55	31
Common Law Robbery	415	9	59	36
Sell Schedule II Contr. Subst.	364	8	39	18
AWDWISI	315	7	44	26
Habitual Impaired Driving	256	5	26	16
Subtotal	1,966	42	n/a	n/a
Total	4,798	100	45	28
Class H – I				
Breaking and Entering	1,927	24	57	41
Obtain Property False Pretense	820	10	50	35
Larceny	656	8	56	41
Possess Sched. II Contr. Subst.	621	8	53	35
Possess Sched. II Intent to Sell	477	6	43	26
Subtotal	4,501	56	n/a	n/a
Total	8,034	100	54	37
Prison Releases	15,077	100	49	32

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

Incarceration Profile

Table 4.7 provides recidivism rates by type of prison entry, time served in prison, infractions, assignment to correctional jobs or programs, custody classification level, and whether the prisoner was subject to PRS. Overall, prisoners with a new crime entry and prisoners who entered prison due to a probation revocation had similar recidivism rates, while recidivism rates for prisoners with a PRS revocation were substantially higher. As shown in Figure 4.8, recidivism rates by offense class grouping for prisoners with a new crime entry were nearly identical to the recidivism rates presented in Table 4.4 (recidivist arrests) and Table 4.5 (recidivist incarcerations). Prisoners with a PRS revocation entry had the highest recidivism rates irrespective of offense class grouping and were generally similar across offense classes with the exception of the lower recidivist arrest rates for Class B1 – D prisoners.

**Table 4.7
Criminal Justice Outcomes by Incarceration Profile**

Incarceration Profile	N	Criminal Justice Outcomes: Two-Year Follow-Up	
		% Recidivist Arrest	% Recidivist Incarceration
Type of Prison Entry			
New Crime	9,870	46	30
Probation Revocation	3,418	49	34
PRS Revocation	1,789	63	41
Time Served			
12 Months or Less	9,047	53	37
13-24 Months	2,658	48	32
25 Months or More	3,372	38	20
Infractions			
0 Infractions	5,790	41	29
1 Infraction	2,945	49	32
2 Infractions	1,696	51	33
3-4 Infractions	1,914	53	35
5 or More Infractions	2,732	59	37
Correctional Jobs/Programs			
Job Only	1,874	48	32
Program Only	1,890	53	38
Both Job and Program	9,914	47	30
No Job or Program	1,399	54	44
Custody Classification at Release			
Close	1,466	65	45
Medium	4,405	51	37
Minimum	9,206	45	28
Released onto PRS			
PRS	11,507	49	37
No PRS	3,570	47	18
Prison Releases	15,077	49	32

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

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

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

Figure 4.8
Criminal Justice Outcomes by Type of Prison Entry: Two-Year Follow-Up



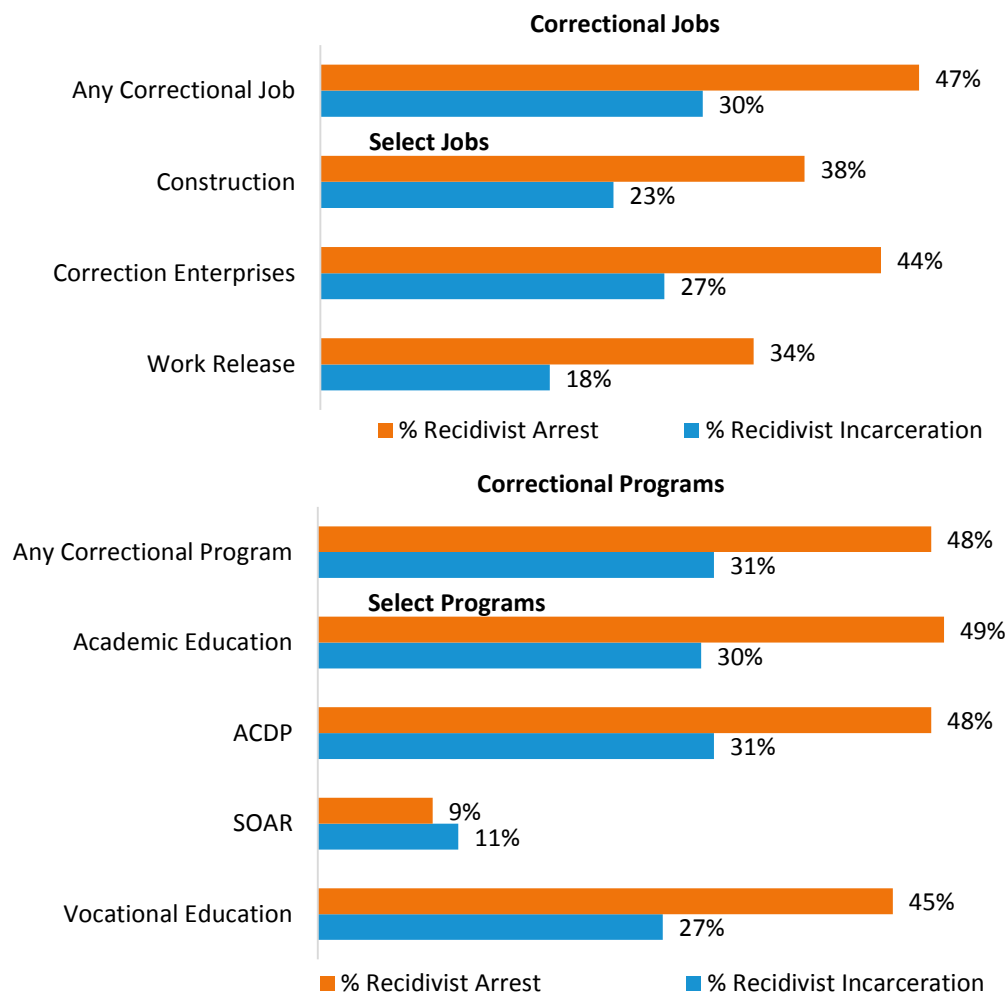
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2015 Correctional Program Evaluation Data

Recidivism rates for prisoners who were assigned to a job only or who were assigned to both a job and a program were similar to the overall rates for the FY 2015 prison release sample, while those for prisoners assigned only to a program and those with no job or program assignment (primarily those in the lower offense classes) had higher recidivism rates. Higher recidivism rates for prisoners who were assigned to a program should not be interpreted as ineffectiveness of prison programs. Additional examination of each program, the characteristics of prisoners who were assigned to particular programs, information about their level of involvement (e.g., duration, completion), and recidivism rates would need to occur before such a determination could be made.

Figure 4.9 provides recidivism rates for prison releases assigned to select correctional jobs and programs. Recidivism rates for prisoners in Academic Education, ACDP, and Vocational Education were fairly similar or slightly lower than those found for the overall prison population. Prisoners in Correction Enterprises, SOAR, and Work Release generally had lower recidivism rates than the overall prison population.

As shown in Table 4.7, prisoners who were classified as close custody at release had the highest recidivism rates, while those classified as minimum custody had the lowest. Recidivist arrest rates were slightly higher for prisoners with PRS compared to those with no PRS (49% and 47% respectively), while recidivist incarceration rates were two times higher (37% and 18% respectively). The higher recidivist incarceration rates for prisoners released onto PRS may be attributable to their supervision; offenders on PRS can be revoked and subsequently incarcerated for violations of the terms of their supervision.

Figure 4.9
Criminal Justice Outcomes for Prison Releases Assigned to Select Correctional Jobs/Programs



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

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

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

The information provided below offers a preliminary examination of outcomes for a subset of prisoners – those with PRS. The analysis includes a look at both interim outcomes (e.g., violations) and criminal justice outcomes (i.e., recidivism) for prisoners with PRS. As noted in Chapter One, the primary change under the JRA affecting prisoners was the expansion of PRS from only those in Classes B1 – E to all felons

exiting prison. A large percentage of prisoners in the sample were released from prison onto PRS (76%), with a significant portion of the sample (61%) being subject to the changes under the JRA.

Interim Outcomes

In the FY 2015 sample, 11,507 prisoners were released onto PRS, with roughly half of those with PRS in Classes H – I. Overall, 74% violated the conditions of supervision during the two-year follow-up period. The average time to the first violation occurred 5 months after release; the average number of violations was 2. Similar to probationers, under the JRA, revocation of PRS may only occur for those who abscond supervision or commit a new crime. A three-month period of confinement⁵¹ may be imposed for technical violations of supervision (similar to a CRV period). Table 4.8 shows that overall, 4% of prisoners with PRS had a three-month confinement period ordered, 26% were revoked, and 28% had either a three-month confinement period or revocation. Of those with a three-month confinement period ordered, the average time to confinement was 6 months; for those with a revocation, the average time to revocation occurred 8 months after release.

Table 4.8
Three-Month Confinement and Revocation: Two-Year Follow-Up

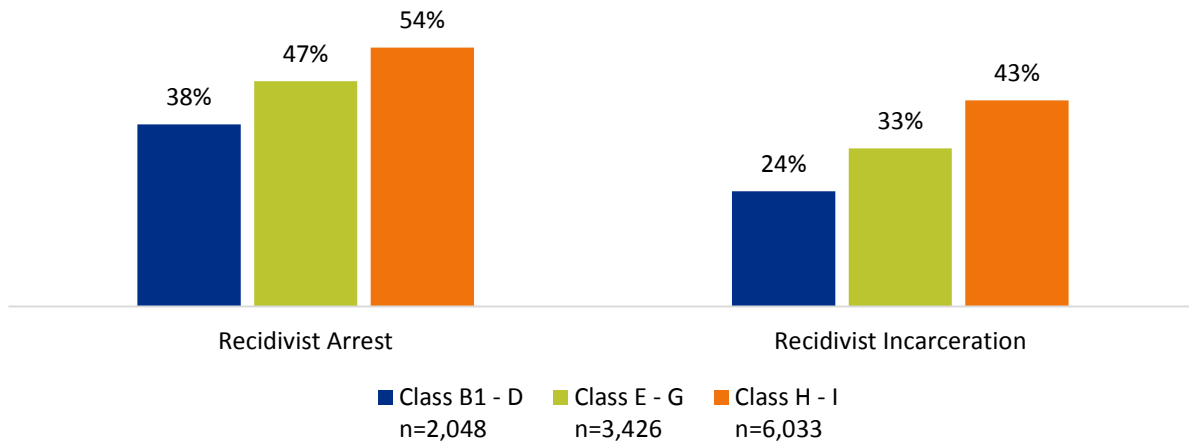
Offense Class	N	% Three-Month Confinement	% Revocation	% with Either
Class B1 – D	2,048	2	15	16
Class E – G	3,426	4	23	26
Class H – I	6,033	5	32	34
Prisoners Released onto PRS	11,507	4	26	28

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

Figure 4.10 shows the recidivist arrest and incarceration rates for prisoners with PRS by offense class groupings. Overall, the recidivist arrest rate for prisoners with PRS was 49%; the recidivist incarceration rate was 37%. Consistent with other findings in this chapter, the recidivist arrest and incarceration rates were lowest for prisoners with a Class B1 – D felony (38% and 24% respectively) and highest for prisoners with a Class H – I felony (54% and 43% respectively).

⁵¹ For technical violations of PRS, an offender may be subject to a three-month revocation. For the sake of interpretation, a three-month revocation in response to a technical violation is referred to as a three-month confinement.

Figure 4.10
Criminal Justice Outcomes for Prisoners Released onto PRS: Two-Year Follow-Up



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

Summary

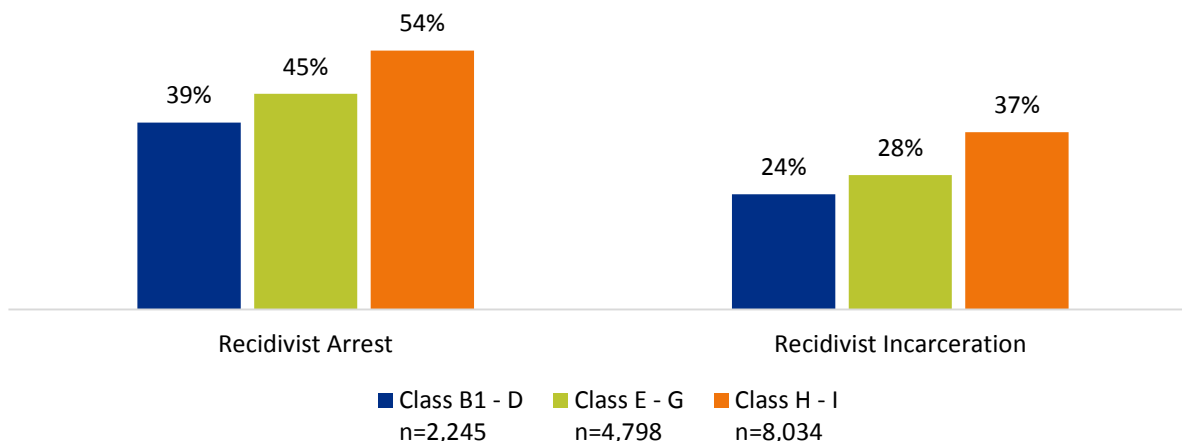
Chapter Four examined the FY 2015 felony prison release sample by offense class groupings. Of the 15,077 felony prison releases, 15% had a most serious conviction for a Class B1 – D felony, 32% for a Class E – G felony, and 53% for a Class H – I felony. The majority of prisoners with a Class B1 – D felony had convictions for person offenses, while the majority of prisoners with a Class H – I felony had convictions for property offenses.

In terms of personal characteristics, Class B1 – D prisoners were more likely to be male, black, and older than their counterparts. The groups were similar in terms of marital status, education, employment, and substance use/abuse; the majority were not married (88% to 90%), did not graduate from high school (73% to 74%), were unemployed (50% to 56%), and were identified as having a possible substance use/abuse problem (75% to 80%).

Four measures were used to examine prior criminal history – prior arrests, probation entries, probation/PRS revocations, and incarcerations. Prisoners with Class H – I felonies had more extensive prior criminal histories for all four measures.

Recidivist arrests and recidivist incarcerations were the primary measures used to assess repeat involvement with the criminal justice system. Regardless of the measure used, recidivism rates were highest for prisoners with a Class H – I felony with progressively lower rates as offense seriousness increased (see Figure 4.11). It is important to consider how age and offense type factor into these differences. Class B1 – D felons (who were primarily convicted of person offenses) served longer sentences and, as a result, may have “aged out” of criminal activity, resulting in lower recidivism rates. Conversely, Class H – I felons with prison sentences (most commonly convicted of property offenses) tended to have extensive criminal histories (as prescribed by the felony punishment chart) and were also younger, possibly accounting for their higher rates of recidivism.

Figure 4.11
Criminal Justice Outcomes for FY 2015 Prison Releases: Two-Year Follow-Up



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

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

Type of Prison Entry: While the majority of each offense class grouping entered prison as a result of a new crime, the proportion varied considerably. Consistent with the prioritization of prison resources for violent and repeat offenders under the SSA, Class B1 – D prisoners accounted for the largest percentage entering prison as a result of a new crime, while Class H – I prisoners were nearly equally likely to enter prison as a result of a new crime or due to a revocation of probation or PRS. Recidivism rates were highest for prisoners who entered due to a PRS revocation (63%). This group was primarily comprised of Class H – I felons, who had the highest recidivism rates of the offense class groupings.

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

Infractions: Infractions served as a measure of offender behavior while incarcerated, and were closely linked to offense class and time served. Prisoners with Class B1 – D felonies had the highest percentage of infractions, which is not surprising given the length of time served. The most frequently occurring infractions were Class B infractions, such as disobeying an order and using profane language. While prisoners who had infractions had higher recidivism rates than those with no infractions, future research should examine the relationship between the seriousness of the infraction behavior and recidivism.

Correctional Job/Program Assignments: In addition to possible rehabilitative elements, assignment to correctional jobs or programs is an important component for managing inmate behavior by limiting idleness. The vast majority of prisoners were assigned to a job and/or program while incarcerated, ranging from 97% of Class B1 – D felons to 86% of Class H – I felons. As a result, it is not surprising that recidivism rates for prisoners assigned to jobs or programs while incarcerated were generally similar to the overall rates for prisoners. Appendix F contains detailed information for select correctional jobs and programs, including characteristics of prisoners and their level of participation in the program. While length of participation is also a key factor for consideration, it is important to keep in mind that length of participation is likely tied to offense class and, correspondingly, sentence length. A validated RNA for prisoners was not available for this time period, which would offer a more comprehensive examination of program effectiveness. Once these data are available, risk, need, and other factors such as custody classification level should be considered in the context of assignment to programs and outcomes.

Custody Classification: Depending on their behavior, inmates should progress through the custody classification levels over the course of incarceration, ideally being released from minimum custody. Prisoners with Class H – I felonies had the highest percentage classified as minimum custody at release followed by Class E – G felonies and Class B1 – D felonies. As might be expected, prisoners who were classified as close custody at release had the highest recidivism rates. With the recent remissioning of several prisons to specialized reentry facilities,⁵² future studies may be able to examine whether more prisoners are able to progress down through the custody levels and/or whether fewer inmates are released directly from close custody to the community.

Post-Release Supervision: While it will be some time before the prison release sample is fully representative of the JRA, 61% of the FY 2015 prisoners were subject to the provisions of the JRA. Overall, 76% of prisoners had PRS upon release. Recidivist arrest rates were similar for prisoners with and without PRS (49% and 47% respectively). There were substantial differences in recidivist incarceration rates for prisoners with and without PRS; the rate for prisoners with PRS was two times higher (37% compared to 18% respectively). Prisoners released onto PRS can be revoked and subsequently incarcerated for violations of PRS, likely accounting for their higher recidivist incarceration rate. In turn, such incarcerations have an effect on recidivist arrest rates by limiting the opportunity for arrests to occur.

This chapter also included a preliminary examination of interim outcomes (i.e., violations, three-month confinement, and revocation) and criminal justice outcomes (i.e., recidivism) for prisoners with PRS following implementation of the JRA. Future analyses will include a more comprehensive examination of PRS, including a comparison of pre- and post-JRA samples, in order to examine the effect of the expansion of PRS to all felons on criminal justice outcomes.

⁵² For more information on specialized reentry facilities, see the Sentencing Commission's reports titled *Justice Reinvestment Act Implementation Evaluation Report* at <http://www.nccourts.org/Courts/CRS/Councils/spac/Publication/JRIRReports.asp>.

CHAPTER FIVE MULTIVARIATE ANALYSIS

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

Multivariate analysis is a statistical tool used to estimate the relationship between a set of independent variables (e.g., sex, race, age) and a dependent variable (i.e., recidivism), while also quantifying the singular contribution of each of the variables in the model.⁵³ For example, this type of analysis allows for a determination of whether offense class has any relationship with an offender's probability of recidivism, controlling for other factors such as age, gender, race, or number of prior arrests. The reported effects provide information about the strength of the relationship (how strongly the factor affects the probability of recidivism), as well as the direction of the relationship (whether the factor increases or decreases the probability of recidivism). Generally, only estimated effects that are statistically significant – that is, highly unlikely the result of random variation in the sample (or chance) – are discussed in this chapter. *Note that, although these analyses may reveal that a relationship exists, it does not necessarily mean that an independent variable is the cause of the particular outcome. Rather, it indicates a statistical association, which may or may not be due to a causal relationship.*

Using logistic regression, multiple models were created to determine how a variety of independent variables may be related to the probability of recidivism.⁵⁴ The probability of recidivist arrest (Table 5.1) and recidivist incarceration (Table 5.2) is examined for probationers, prisoners, and all offenders, using variables limited to those found in Chapter Two. Additional variables unique to probationers (also found in Chapter Three) and prisoners (also found in Chapter Four) are used to model the probability of three recidivism measures and are examined in Table 5.3 and Table 5.4.

Logistic Regression Analysis Variables, Results, and Interpretation

Dependent Variables

The logistic regression analyses in this chapter model three dependent variables: recidivist arrests, recidivist incarcerations, and recidivist revocations. Recidivist arrests and recidivist incarcerations are modeled in each of the tables, while recidivist revocation modeling is limited to Table 5.3 and Table 5.4.

⁵³ Given that a relationship between *all* variables is modeled in multivariate analysis, findings in this chapter may differ slightly from the bivariate findings summarized previously in the report.

⁵⁴ Logistic regression is a type of multivariate analysis, which estimates the logit (i.e., the logarithm of the odds) of an outcome occurring. This type of analysis is most appropriate for regression models with a dichotomous dependent variable, such as whether recidivism occurred. Additional information about the methodology and model fit for this study is available upon request.

Independent Variables

As shown in Figure 5.1, independent variables vary based on the sample being modeled. Independent variables in each of the models include an offender’s personal characteristics, criminal history, and most serious current conviction. Probationers’ supervision profiles highlight information about their supervision period, (see Table 5.3) while prisoners’ incarceration profiles provide information regarding their active sentence (see Table 5.4). JRA-related provisions (e.g., probation/PRS violations; expanded delegated authority, high risk delegated authority, and quick dips for probationers; three-month confinement for prisoners) were examined in Model 9 and Model 12 (recidivist revocation) to provide a preliminary look at the effect of the implementation of the JRA on certain measures of recidivism.

**Figure 5.1
Independent Variables**

All Models	
<p>Personal Characteristics</p> <ul style="list-style-type: none"> Age at Probation Entry or Prison Release Male Nonwhite Married High School Dropout/GED Employed Substance Use/Abuse Indicated 	<p>Criminal History</p> <ul style="list-style-type: none"> Under 21 at First Adult Criminal Justice Contact Number of Prior Arrests Most Frequent Prior Arrest Type – Property Prior Incarceration <p>Most Serious Current Conviction</p> <ul style="list-style-type: none"> Offense Class Offender Type – Prisoner <p>Time at Risk (in days)⁵⁵</p>
Probationers Only Models	Prisoners Only Models
<p>Probation Supervision Profile</p> <ul style="list-style-type: none"> Risk Level Need Level Supervision Level⁵⁶ High Risk Delegated Authority Probation Supervision Length <p>Violations and Responses to Violations</p> <ul style="list-style-type: none"> Delegated Authority Quick Dip CRV Number of Violations⁵⁸ 	<p>Incarceration Profile</p> <ul style="list-style-type: none"> Offender Traits Inventory (OTI) Score Type of Prison Entry Time Served Number of Infractions Most Serious Infraction – Class A Custody Classification at Release Released onto PRS <p>Violations and Responses to Violations</p> <ul style="list-style-type: none"> Three-Month Confinement⁵⁷ Number of Violations

⁵⁵ Time at risk during follow-up serves as a statistical control variable, where applicable. Although it is not interpreted in the discussion, it is crucial to hold constant the value of this variable for each offender to enable interpretation of the independent variables that are of substantive interest.

⁵⁶ Although the effect of supervision level on recidivism for probationers is excluded from Table 5.3, findings are discussed in the text.

⁵⁷ For technical violations of PRS, an offender may be subject to a three-month revocation. For the sake of interpretation, a three-month revocation in response to a technical violation will be identified as a three-month confinement in this chapter. PRS revocation – which does not include three-month confinement – is measured as an outcome variable in Table 5.4, Model 12.

⁵⁸ A quadratic term for violations was included for better model fit.

Model Limitations

Since observations with missing data on any single variable (e.g., employment status, risk level) are automatically excluded from the logistic modeling process, the number of offenders in the probation and prison sample found in the previous chapters does not match the number of probationers and prisoners in the multivariate analyses.⁵⁹

Variables related to JRA provisions were included in the recidivist revocation models (see Model 9 and Model 12). Temporal order could not be established for JRA-related interventions and all recidivist events; therefore, these variables were excluded from the recidivist arrest and recidivist incarceration models.⁶⁰

Lastly, data were limited for the recidivist revocation model (Table 5.4, Model 12) to only those prisoners released onto PRS (because offenders must be on PRS to have their PRS revoked). As such, the number of offenders in this model is significantly smaller than the number of offenders in the other prisoner models.

Results

Recidivist Arrests

Table 5.1 provides the estimated effect of each independent variable on the probability of recidivist arrest during the two-year follow-up period for probationers (Model 1), prisoners (Model 2), and all offenders (Model 3). The overall average probability of recidivism was 40% (Model 3). Probationers had a lower probability of recidivism, while prisoners had a higher probability of recidivism (35% and 49% respectively).

The effect of the personal characteristic variables on recidivism was similar across each of the models. Age at probation entry or prison release played a notable role in predicting recidivism. Compared to offenders under 21 at sample entry, the probability of recidivist arrest declined as offender age increased for all models, with offenders aged 50 years and older having the lowest probability of recidivist arrest (between -37% and -54%). The probability of recidivist arrest was slightly higher for male offenders (5% to 6%), high school dropouts/GED (3% each), and offenders with a possible substance use/abuse problem (4% to 5%), and was slightly lower for married offenders (-3% each). Employment decreased the probability of recidivist arrest for probationers (-4%) and all offenders (-3%), but had a non-significant effect for prisoners.

Of the criminal history variables, the number of prior arrests was the most consistent predictor of recidivist arrest across the three models, with each prior arrest increasing the probability of recidivism between 2% to 4%. A clear pattern emerged when examining the offense class of the most current conviction; compared to Class H – I felons, the probability of recidivism was lower for Class B1 – D felons

⁵⁹ For probationers, the rate of missing observations was largely due to missing information on employment status, substance use/abuse indicated, and risk, need, and supervision level. Substance use/abuse and OTI score largely account for missing observations for prisoners.

⁶⁰ Revocations do not present the same temporal order issues as the other recidivism measures. Therefore, violations and the responses to violations variables were included in the recidivist revocations models found in Table 5.3 and Table 5.4.

and Class E – G felons and higher for Class A1 – 3 misdemeanants.⁶¹ Those entering the sample as a prison release had a 3% higher probability of recidivist arrest when compared to probation entries (see Model 3).

Table 5.1
Effect of Personal and Criminal Justice Factors on Recidivist Arrest

Independent Variables	Average Recidivist Arrest Probability: Two-Year Follow-Up		
	Model 1 Probationers n=26,974	Model 2 Prisoners n=14,762	Model 3 All Offenders n=41,736
Personal Characteristics			
Age at Probation Entry or Prison Release			
Under 21 Years	Reference	Reference	Reference
21-29 Years	-9%	-19%	-9%
30-39 Years	-18%	-34%	-20%
40-49 Years	-28%	-43%	-30%
50+ Years	-37%	-54%	-40%
Male	6%	5%	6%
Nonwhite	N.S.	N.S.	N.S.
Married	-3%	-3%	-3%
High School Dropout/GED	3%	3%	3%
Employed	-4%	N.S.	-3%
Substance Use/Abuse Indicated	5%	4%	5%
Criminal History			
Under 21 at First Adult Criminal Justice Contact	N.S.	4%	2%
Number of Prior Arrests	4%	2%	3%
Most Frequent Prior Arrest Type – Property	3%	N.S.	3%
Prior Incarceration	N.S.	5%	N.S.
Most Serious Current Conviction			
Offense Class			
Class B1 – D Felony	n/a	-5%	-4%
Class E – G Felony	-3%	-3%	-3%
Class H – I Felony	Reference	Reference	Reference
Class A1 – 3 Misdemeanor	6%	n/a	5%
Offender Type – Prisoner	n/a	n/a	3%
Time at Risk (in days)	-0.1%	-0.1%	-0.1%
R²	14%	19%	17%
Max Rescaled R²	19%	26%	23%

Note: "N.S." indicates the estimated effects are not statistically significant. Offenders with missing data were excluded from the analysis.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2015 Correctional Program Evaluation Data

Recidivist Incarcerations

Table 5.2 provides the estimated effect of each independent variable on the probability of recidivist incarceration during the two-year follow-up period for probationers (Model 4), prisoners (Model 5), and all offenders (Model 6). For all offenders, the average probability of recidivist incarceration was 19%.

⁶¹ Class B1 – D felony probationers were excluded from the analyses (n=41). As described previously, no misdemeanor prison releases were included in the sample.

Probationers had a lower probability of recidivist incarceration (12%), while prisoners had a higher probability of recidivist incarceration (32%).

Age at probation entry or prison release was a strong predictor of recidivist incarceration in each of the models; the probability of recidivist incarceration decreased for each age group when compared to those under 21 at sample entry. Male offenders, high school dropouts/GED, and offenders with a possible substance use/abuse problem had increased probabilities of recidivist incarceration, while nonwhite and married offenders had lower probabilities of recidivist incarceration. Age at probation entry or prison release and gender had a greater effect in Model 5 (prison releases) than in Model 4 (probation entries); male prisoners had an 11% higher probability of recidivist incarceration compared to male probationers at 3%. There was little variation found when examining the remaining personal characteristic variables across the three models.

Table 5.2
Effect of Personal and Criminal Justice Factors on Recidivist Incarceration

Independent Variables	Average Recidivist Incarceration Probability: Two-Year Follow-Up		
	Model 4 Probationers n=26,974	Model 5 Prisoners n=14,762	Model 6 All Offenders n=41,736
Personal Characteristics			
Age at Probation Entry or Prison Release			
Under 21 Years	Reference	Reference	Reference
21-29 Years	-5%	-15%	-7%
30-39 Years	-8%	-28%	-14%
40-49 Years	-12%	-33%	-19%
50+ Years	-17%	-44%	-26%
Male	3%	11%	6%
Nonwhite	-4%	-2%	-3%
Married	-3%	-5%	-4%
High School Dropout/GED	6%	6%	7%
Employed	2%	-3%	N.S.
Substance Use/Abuse Indicated	4%	3%	4%
Criminal History			
Under 21 at First Adult Criminal Justice Contact	N.S.	N.S.	N.S.
Number of Prior Arrests	1%	1%	1%
Most Frequent Prior Arrest Type – Property	4%	6%	5%
Prior Incarceration	5%	9%	7%
Most Serious Current Conviction			
Offense Class			
Class B1 – D Felony	n/a	-7%	-4%
Class E – G Felony	-1%	-7%	-4%
Class H – I Felony	Reference	Reference	Reference
Class A1 – 3 Misdemeanor	-18%	n/a	-28%
Offender Type – Prisoner	n/a	n/a	3%
R²	13%	9%	16%
Max Rescaled R²	26%	12%	26%

Note: "N.S." indicates the estimated effects are not statistically significant. Offenders with missing data were excluded from the analysis.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2015 Correctional Program Evaluation Data

Criminal history variables consistently predicted an increase in the probability of recidivist incarceration with prior incarcerations having the greatest effect (5% for probationers, 9% for prisoners, and 7% for all offenders). Examination of offense class revealed that Class H – I felons had the highest recidivism probabilities compared to the other offense classes, with Class A1 – 3 misdemeanants having the lowest probability of recidivist incarceration for probationers and all offenders (-18% and -28% respectively). The much lower probability of recidivist incarceration for misdemeanants was expected since the legislative changes under the JRA require misdemeanants to serve their active sentences in county jails.⁶² When compared to probationers, entering the sample as a prisoner increased the probability of recidivist incarceration (3%). (See Model 6).

Recidivism Outcomes for Probationers

Table 5.3 examines the estimated effect of each independent variable on recidivist arrest (Model 7), recidivist incarceration (Model 8), and recidivist revocation (Model 9) probabilities for probationers. On average, 35% of probationers had a recidivist arrest, 12% had a recidivist incarceration, and 18% had a recidivist revocation. Findings related to personal characteristics, criminal history, and most serious current conviction variables are included in Table 5.3 and were generally similar to those found for probationers in Table 5.1 (Model 1) and Table 5.2 (Model 4). Differences for these characteristics were limited. Being married and having a Class E – G felony were no longer non-significant predictors of recidivist arrest. Prior incarcerations became a significant predictor of recidivist arrest (-4%), while being a youthful offender became a significant predictor of recidivist incarceration (-2%).

Overall, risk level consistently predicted recidivism in each of the models. As risk level increased in severity from minimal risk to extreme risk, the probability of recidivism was more likely in each of the models, with probationers assessed as extreme risk generally having the highest probability of recidivism when compared to probationers assessed as minimal risk (from 13% to 22% higher). A probationer's RNA determines his/her appropriate supervision level. Additional analyses (not included in the table) revealed that recidivism probabilities generally increased when comparing the more restrictive supervision levels to the least restrictive supervision level (Level 5); no statistically significant difference was found between Level 4 and Level 5 (least restrictive) for recidivist incarcerations and revocations when compared to Level 1 (most restrictive). The effect of supervision level was the greatest for the recidivist arrest model (not shown); compared to probationers in Level 5 (least restrictive), the probability of recidivist arrest was 21% higher in Level 1 (most restrictive).⁶³

In Model 9, JRA-related provisions (i.e., expanded delegated authority, high risk delegated authority, violations, quick dips, CRV) were examined to provide a preliminary look at the effect of the implementation of the JRA on recidivist revocations. Probationers with delegated authority imposed had lower probabilities of recidivist revocation (-8%), with no statistically significant differences noted for those with high risk delegated authority imposed. Each violation a probationer received increased the probability of recidivist revocation 9%, although the probability increased at a decreasing rate. Quick dips and CRVs were associated with a decreased probability of recidivist revocation (-10% and -27% respectively).

⁶² Incarceration in county jails, either as a result of new sentences or revocations, is not included as part of the prior or recidivist incarceration measures because there are no statewide automated jail data in North Carolina.

⁶³ The removal of risk and need level and the addition of supervision level resulted in little variation in the effect of other variables in the model on recidivism.

Table 5.3
Effect of Personal and Criminal Justice Factors on Recidivism – Probationers

Independent Variables	Average Recidivism Probability: Two-Year Follow-Up		
	Model 7 Arrest n=26,974	Model 8 Incarceration n=26,974	Model 9 Revocation n=26,974
Personal Characteristics			
Age at Probation Entry			
Under 21 Years	Reference	Reference	Reference
21-29 Years	-8%	-4%	-2%
30-39 Years	-16%	-7%	-4%
40-49 Years	-25%	-9%	-4%
50+ Years	-33%	-13%	-10%
Male	4%	1%	2%
Nonwhite	N.S.	-4%	-5%
Married	N.S.	-2%	-3%
High School Dropout/GED	2%	5%	6%
Employed	-3%	2%	N.S.
Substance Use/Abuse Indicated	3%	2%	4%
Criminal History			
Under 21 at First Adult Criminal Justice Contact	N.S.	-2%	N.S.
Number of Prior Arrests	4%	1%	0.3%
Most Frequent Prior Arrest Type – Property	2%	4%	2%
Prior Incarceration	-4%	2%	6%
Most Serious Current Conviction			
Offense Class			
Class E – G Felony	N.S.	-2%	N.S.
Class H – I Felony	Reference	Reference	Reference
Class A1 – 3 Misdemeanor	5%	-17%	5%
Probation Supervision Profile			
Risk Level			
Extreme	13%	22%	13%
High	16%	19%	10%
Moderate	13%	15%	9%
Low	6%	9%	N.S.
Minimal	Reference	Reference	Reference
Need Level			
Extreme	13%	6%	9%
High	10%	4%	7%
Moderate	8%	N.S.	N.S.
Low	N.S.	N.S.	N.S.
Minimal	Reference	Reference	Reference
Probation Supervision Length	-0.1%	-0.1%	0.1%
High Risk Delegated Authority	n/a	n/a	N.S.
Violations and Responses to Violations			
Number of Violations	n/a	n/a	9%
Number of Violations*Number of Violations	n/a	n/a	-0.3%
Delegated Authority	n/a	n/a	-8%
Quick Dip	n/a	n/a	-10%
CRV	n/a	n/a	-27%
Time at Risk (in days)	-0.1%	n/a	n/a
R²	15%	14%	23%
Max Rescaled R²	20%	28%	38%

Note: "N.S." indicates the estimated effects are not statistically significant. Offenders with missing data were excluded from the analysis.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2015 Correctional Program Evaluation Data

Recidivism Outcomes for Prisoners

Table 5.4 provides the estimated effect of each independent variable on the probability of recidivist arrest (Model 10), recidivist incarceration (Model 11), and recidivist revocation (Model 12) for prisoners. On average, 49% of prisoners had a recidivist arrest, 32% had a recidivist incarceration, and 26% had a recidivist revocation. Findings related to personal characteristics, criminal history, and most serious current conviction were generally similar to those found for prisoners in Model 2 (Table 5.1) and Model 5 (Table 5.2). As such, the findings discussed below are limited to notable effects of these characteristics and to the effect of variables associated with a prisoner's incarceration profile, as well as violations and responses to violations.

The addition of variables capturing a prisoner's incarceration profile and violations and responses to violations weakened the effect of many of the personal characteristic variables in comparison with results for prisoners in Model 2 and Model 5.⁶⁴ These shifts seen in Table 5.4 may indicate that prisoners' incarceration profiles and violations and responses to violations (in Model 12) have a greater overall effect on their probability of recidivism than most of the personal characteristic variables. Notably, the inclusion of these variables did not change the effect of criminal history on the probability of recidivism and increased the effect of offense class on recidivism.

Having PRS upon release was associated with a 29% higher probability of recidivist incarceration (likely linked to violations of PRS), but had no effect on recidivist arrest probabilities. Type of prison entry consistently predicted recidivism, with the largest effect noted in Model 11; compared to those entering prison for a new crime, recidivist incarceration probabilities were 5% more likely for probation revocation entries and 14% more likely for PRS revocation entries. The higher probability for prisoners with a PRS revocation was somewhat expected given these offenders already failed while under supervision and were incarcerated as a result of a violation of supervision. Additionally, prisoners on PRS can receive multiple periods of three-month confinement for technical violations.

In each of the models, the number of infractions slightly increased the probability of recidivism as the number of infractions increased (1% to 2% per infraction). Prisoners with a Class A infractions had a 4% higher probability of recidivist arrest when compared to those without an infraction or those with a Class B or Class C infraction, as well as a 3% higher probability of recidivist incarceration. Compared to prisoners classified as close custody at release, recidivist incarceration was 8% less likely for those classified as minimum custody at release. Recidivist revocation rates were lower for those classified as medium and minimum custody at release (-6% and -5% respectively) when compared to those classified as close custody at release.

Time served affected recidivist arrest and incarceration probabilities, which was expected given the relationship between time served and offense class of the most serious conviction. Sentences greater than 12 months are typically associated with convictions in more serious offense classes (i.e., higher than Class H – I). Recidivist arrests and incarcerations were less likely for active sentences of 13 to 24 months (-4% to -7%) and more than 24 months (-9% to -15%) when compared to active sentences of 12 months or less. Corresponding decreases for these recidivism measures when comparing Class B1 – D and Class F – G with Class H – I are also shown in Model 10 and Model 11.

⁶⁴ A variable that is no longer statistically significant or has a change in the strength of a relationship typically indicates there is another variable that more strongly predicts the dependent variable.

Table 5.4
Effect of Personal and Criminal Justice Factors on Recidivism – Prisoners

Independent Variables	Average Recidivism Probability: Two-Year Follow-Up		
	Model 10 Arrest n=14,510	Model 11 Incarceration n=14,510	Model 12 Revocation n=10,982
Personal Characteristics			
Age at Prison Release			
Under 21 years	Reference	Reference	Reference
21-29 years	-18%	-12%	-5%
30-39 years	-33%	-21%	-7%
40-49 years	-40%	-23%	-7%
50+ years	-50%	-32%	-10%
Male	4%	10%	N.S.
Nonwhite	N.S.	-3%	-3%
Married	N.S.	N.S.	-5%
High School Dropout/GED	N.S.	3%	3%
Employed	N.S.	N.S.	N.S.
Substance Use/Abuse Indicated	4%	N.S.	-3%
Mental Health Indicated	N.S.	N.S.	N.S.
Criminal History			
Under 21 at First Adult Criminal Justice Contact	3%	N.S.	-3%
Number of Prior Arrests	2%	1%	0.4%
Most Frequent Prior Arrest Type – Property	N.S.	5%	3%
Prior Incarceration	6%	10%	8%
Most Serious Current Conviction			
Offense Class			
Class B1 – D Felony	-9%	-10%	-9%
Class E – G Felony	-2%	-4%	-5%
Class H – I Felony	Reference	Reference	Reference
Incarceration Profile			
OTI Score	N.S.	0.4%	0.3%
Type of Prison Entry			
New Crime	Reference	Reference	Reference
Probation Revocation	N.S.	5%	3%
PRS Revocation	7%	14%	5%
Time Served			
12 months or less	Reference	Reference	Reference
13-24 months	-4%	-7%	N.S.
24+ months	-9%	-15%	N.S.
Number of Infractions	2%	1%	1%
Most Serious Infraction – Class A	4%	3%	N.S.
Custody Classification at Release			
Close	Reference	Reference	Reference
Medium	N.S.	N.S.	-6%
Minimum	N.S.	-8%	-5%
Released onto PRS	N.S.	29%	n/a
Violations and Responses to Violations			
Number of Violations	n/a	n/a	16%
Number of Violations*Number of Violations	n/a	n/a	-1%
Three-Month Confinement	n/a	n/a	-13%
Time at Risk (in days)	-0.1%	n/a	n/a
R²	21%	14%	27%
Max Rescaled R²	27%	20%	39%

Note: "N.S." indicates the estimated effects are not statistically significant. Offenders with missing data were excluded from the table.
 SOURCE: NC Sentencing and Policy Advisory Commission, FY 2015 Correctional Program Evaluation Data

Violations and responses to violations were a significant predictor of recidivist revocations. Having a three-month confinement reduced probability of recidivist revocation (-13%). The probability of recidivist revocation increased 16% with each violation received, but increased at a decreasing rate (-1% for each violation).

Summary

Chapter Five examined how multiple factors, taken together, affected the probability of recidivism for the offenders in the FY 2015 sample. Multivariate analyses revealed a direct relationship between an offender’s personal characteristics, criminal history, and most serious current conviction and recidivism in each of the models. Although predictors of recidivism varied somewhat, four variables consistently predicted the probability of recidivism for offenders across each of the models: age, gender, criminal history, and offense class of the most serious conviction (see Figure 5.2).

**Figure 5.2
Key Predictors of Adult Recidivism – All Models: Two-Year Follow-Up**

Age at Probation Entry or Prison Release	Compared to offenders under 21 at sample entry, recidivism probabilities decreased as age increased. Offenders 50 years and older had the lowest probabilities of recidivism (as much as -54% lower).
Gender	Overall, male offenders had a higher likelihood of recidivism than female offenders (as much as 11% higher).
Criminal History	Generally, prior contact with the adult criminal justice system increased the probability of recidivism in each of the models.
Offense Class	Class H – I felons had higher recidivism rates than felons in other offense classes (i.e., Class B1 – D and Class E – G). Results varied for misdemeanants; Class A1 – 3 misdemeanants had higher recidivist arrest probabilities and lower recidivist incarceration probabilities when compared to Class H – I felons.

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

Additional analyses were conducted using variables unique to probationers and prisoners to identify factors with the greatest effect on recidivism. For probationers, these analyses identified a direct relationship between assessed risk and recidivism. Overall, probationers assessed as extreme risk had the highest probability of recidivism (from 13% to 22% higher) when compared to other risk levels, with recidivism probabilities decreasing as risk levels decreased. The addition of RNA assessments for prisoners (which are currently being implemented by the DPS) will allow for a more complete comparison of prisoners and probationers and their recidivism outcomes in future studies.

Notably for prisoners, the effect of variables unique to prisoners had a greater effect on recidivism than the variables unique to probationers. Many of the effects for prisoners found in Model 2 (Table 5.1) and Model 5 (Table 5.2) were weakened or disappeared completely with the addition of variables associated with a prisoner’s incarceration profile and violations and responses to violations (in Model 12 only). Of the incarceration profile variables, type of prison entry was most the consistent predictor of recidivism in each of the models. Compared to those with a new crime prison entry, prisoners with a PRS

revocation had increased probabilities of recidivist arrest (7% higher), incarceration (14% higher), and revocation (5% higher).

These multivariate analyses also examined violations and responses to violations – such as quick dips, CRVs, and three-month confinements – to provide a preliminary examination of the effect of the JRA on recidivist revocations. Violations and responses to violations for both probationers and prisoners consistently predicted recidivist revocation. The number of violations received predicted an increase in recidivist revocations; for each violation, the probability of recidivist revocation increased 9% for probationers and 16% for prisoners.

The preliminary results presented in these analyses are promising. As intended, CRVs for probationers and three-month confinements for prisoners were associated with decreases in recidivist revocations (-27% and -13% respectively). Future analyses will examine these complex relationships further to provide greater understanding of CRVs and three-month periods of confinement.

CHAPTER SIX CONCLUSIONS

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

The sample selected for this study included offenders released from prison or placed on probation during FY 2015, followed for a fixed period of two years. Of the 47,614 offenders in the sample, 68% (n=32,537) were placed on probation and 32% (n=15,077) were released from prison. The majority of probationers had a most serious conviction for a misdemeanor offense (60%), while the majority of prisoners had a most serious conviction for a Class H – I felony offense (53%). This report examined probationers by current conviction (i.e., felony, misdemeanor) and supervision level, and prisoners by offense class groupings (i.e., Class B1 – D felons, Class E – G felons and Class H – I felons).

Of the sample as a whole, 78% were male and 48% were black. Eighty-three percent of the offenders had one or more prior fingerprinted arrests, accounting for a total of 206,860 prior arrests for the sample. Overall, 41% (n=19,402) of the 47,614 offenders studied had a recidivist arrest during the two-year follow-up period, accounting for a total of 38,926 arrests. Nineteen percent of the FY 2015 sample had a recidivist conviction during the two-year follow-up period and 19% had a recidivist incarceration during the two-year follow-up period.

Conclusions

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

The Sentencing Commission's previous recidivism reports provide a framework to examine trends in recidivism rates and related factors for North Carolina offenders. Table 6.1 presents overall recidivism rates (measured as recidivist arrests) for SSA offenders for the Commission's past six studies and the current study.

The series of studies indicate that the statewide recidivism rate has increased 10 percentage points over the past 13 years, with a measurable increase occurring from FY 2006 to FY 2009. The primary explanation for the increase in recidivism rates is a change in field technology. Improved fingerprinting technology in sheriffs' offices and police departments has led in recent years to a greater number of fingerprinted misdemeanor arrests, which coincides with the large increase. However, prior to and

following this increase, the recidivism rate has been stable. The overall recidivist arrest rate for the FY 2015 sample is within 1% of the rate from the previous study.

Table 6.1
Recidivist Arrest Rates for North Carolina Offenders: Two-Year Follow-Up

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

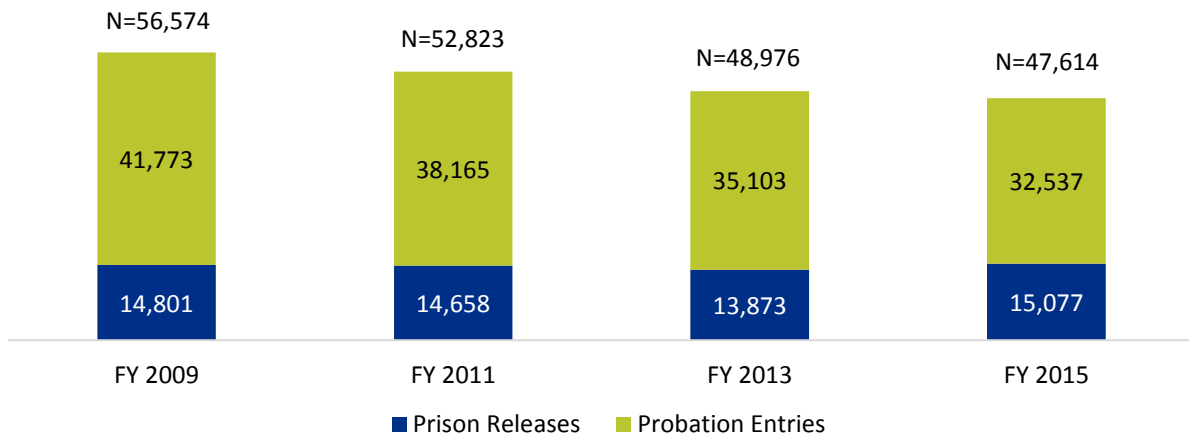
Note: The prison samples for each of these studies was limited to prisoners with a felony conviction.

SOURCE: NC Sentencing and Policy Advisory Commission

Notably, the sample studied in the Sentencing Commission’s series of studies has changed considerably over the past seven studies. From FY 2002 to FY 2009 the number of offenders studied increased, but decreased in each subsequent study, with an overall decrease of 12% over the past 13 years. The decreasing sample size is consistent with other criminal justice indicators showing significant declines in arrests, convictions, and incarcerations (both nationally and in North Carolina) following FY 2009. The change in sample size beginning in FY 2011 can be attributed in large part to legislative changes implemented under the JRA (i.e., the shifting of all misdemeanants out of prison to local jails and limitations placed on revocations of supervision for technical violations). Also of note is the changing internal composition of the sample in more recent studies (see Figure 6.1). The number of probationers in the sample has declined 15% over the last three studies (38,165 in FY 2011 to 32,537 in FY 2015). During that same time, the number of prisoners within the sample experienced initial declines due to the JRA (-5% from FY 2011 to FY 2013), but increased nearly 9% in the current study (primarily the result of PRS expansion and revocations of supervision). These trends will continue to be monitored for potential effects on recidivism.

Consistent findings over time point to the relative success of probationers compared to prisoners. For the primary measures of recidivism (arrests, convictions, and incarcerations), probationers have lower rates than prisoners. However, a major limitation in the examination of criminal justice outcomes for prisoners is the lack of information for all prison releases on a key predictor of recidivism – risk. Without comparable risk data for prisoners, it is not possible to examine an important factor that might be contributing to recidivist behavior beyond sentence type (i.e., probation versus prison). Controlling for risk would allow for a greater understanding of offender profiles in the context of criminal justice outcomes, as well as the magnitude of the effect of prisonization on offender behavior. The DPS now administers its RNA to all prisoners. As data from these assessments become available, the analysis of risk and need for all offenders will be possible.

Figure 6.1
Number of North Carolina Offenders by Sample Year



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2009 – FY 2015 Correctional Program Evaluation Data

Sentencing Commission studies have consistently found that past behavior is a strong predictor of future behavior. Specifically, offenders with more extensive criminal history tend to have worse criminal justice outcomes. As discussed above, prisoners have higher recidivism rates compared to probationers; prisoners also have more extensive prior contact with the criminal justice system compared to probationers. This finding also holds true when examining specific groups of probationers and prisoners. Felony probationers in the FY 2015 sample were found to have more prior contact with the criminal justice system compared to misdemeanor probationers; felony probationers also had higher rates of recidivist arrest. Prisoners in the sample with Class H – I convictions had more extensive prior criminal histories and higher rates of recidivist arrest compared to prisoners in other offense class groupings (i.e., prisoners in Class B1 – D and Class E – G). While past behavior is an important component in understanding criminal justice outcomes, complete risk information would allow for the study of the totality of offenders’ characteristics as summarized into risk, as well as the magnitude of its effect on recidivism rates.

Of importance to policy makers and the DPS is an understanding of the timeframe when failure or a recurrence of involvement with the criminal justice system will likely occur. The average time to first arrest for both prisoners and probationers in the current sample was 9 months – a finding that has held steady over time. For those offenders with any recidivist arrest, 73% occurred within the first 13 months following their entry to probation or release from prison. Taken together, these findings suggest that effective interventions (i.e., controlling sanctions, programs, and services) should take place as soon as possible in order to prevent reoffending.

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

the current study. The development of a statewide automated jail database would allow for a more comprehensive study and understanding of offender behavior in North Carolina.

Effects of the Justice Reinvestment Act on Recidivism

As noted throughout the report, the passage of the JRA in 2011 resulted in substantial changes to sentencing practices and correctional policies within North Carolina's criminal justice system. Part of the intent of the JRA is to reduce recidivism by more effectively targeting correctional resources and utilizing evidence-based supervision practices. It is important to note that changing offender behavior takes time and may be influenced by external factors (e.g., changes in criminal justice trends). Outcomes reported for probationers in this report offer a second look at the effect of the JRA, while those reported for prisoners offer the first opportunity to examine the effect of the JRA for the portion of the sample subject to the changes under the law.

Probationers

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

Another consistent finding across studies is the need for effective targeting of correctional resources for certain offenders to control their risk of reoffending and address their needs. Under the JRA, the evidence-based approach to targeting and matching (informed by the RNA and supervision level) is expected to lead to better offender outcomes. The examination of outcomes by supervision levels over the past two studies provides a preliminary understanding of whether the tailored approach to supervising decreases the likelihood of reoffending and noncompliant behavior while on supervision. Interestingly, while the distribution of probationers by supervision level is almost identical to the FY 2013 sample, some notable differences in interim and criminal justice outcomes were found in the current study. Violation rates increased for all supervision levels (except Level 5), and revocation rates decreased slightly for all supervision levels (except Level 5). Recidivist arrest rates by supervision level were similar to those reported in the previous study; however, a 4 percentage point decrease was found for those in Level 1 (the most restrictive level). These findings are promising; while violation rates have increased (possibly indicating greater instances of non-compliance under supervision), no corresponding increase in either revocation rates or recidivist arrest rates was found.

A recurring theme in the recidivism studies, noted above, points to the fact that offenders who fail to comply with conditions or commit new crimes are likely to do so relatively early in the follow-up period. This finding highlights the importance of not only the targeting of correctional resources, but also their timing, in order to reduce recidivism. Components of the JRA address the timing and graduated severity of responses to probation violations (e.g., delegated authority, CRVs), in order to stop or delay certain behaviors before they lead to further violations of supervision or new criminal behavior. The multivariate analysis detailed in this report indicated that delegated authority and quick dips were associated with a decreased probability of recidivist revocation for probationers. The study of other

sample types (e.g., a probation exit sample), will provide the opportunity to further examine sanctions and strategies utilized during probation supervision in the context of criminal justice outcomes, while also controlling for the temporal order of these events.

As intended, the JRA reduced revocation rates for probationers. Table 6.2 provides a comparison of violation and revocation rates for probation entries for the past four recidivism studies. While violation rates have increased, revocation rates for probationers have decreased substantially, including a 2 percentage point decrease from FY 2013 to FY 2015.

Table 6.2
Violation and Revocation Rates for North Carolina Probationers: Two-Year Follow-Up

Sample Year	Sample Size	Violation Rates	Revocation Rates
FY 2009	40,156	63	36
FY 2011	33,900	66	31
FY 2013	31,832	68	19
FY 2015	29,279	71	17

Note: The probation samples for each of the studies was limited to probationers with a risk assessment completed.
SOURCE: NC Sentencing and Policy Advisory Commission

Prisoners

In the current study, 61% of prisoners were subject to the provisions of the JRA, with 76% exiting prison onto PRS. Recidivist arrest rates were similar for prisoners with and without PRS (49% and 47% respectively). There were substantial differences in recidivist incarceration rates for prisoners with and without PRS; the rate for prisoners with PRS was twice as high (37% compared to 18% respectively). Prisoners released onto PRS can be revoked and subsequently incarcerated for violations of PRS, likely accounting for their higher recidivist incarceration rate. In turn, such incarcerations have an effect on recidivist arrest rates by limiting the opportunity for arrest to occur. Multivariate analysis confirmed that having PRS upon release was associated with an increased probability of recidivist incarceration, but had no effect on recidivist arrest probabilities. Future analyses will include a more comprehensive examination of PRS, including a comparison of pre- and post-JRA samples, in order to examine the effect of the expansion of PRS to all felons on criminal justice outcomes.

As a result of the PRS expansion under the JRA, the distribution of type of entry (i.e., new crime, revocation of probation or PRS) for prisoners has changed substantially. When examined by offense class groupings, the majority entered prison as a result of a new crime; however, the proportion varied considerably. Consistent with the prioritization of prison resources for violent and repeat offenders under the SSA, Class B1 – D prisoners accounted for the largest percentage entering prison as a result of a new crime. Class H – I prisoners were nearly equally likely to enter prison as a result of a new crime or due to a revocation of probation or PRS. Notably, recidivism rates were highest for prisoners who entered due to a PRS revocation (63%). This group was primarily comprised of Class H – I felons, who had the highest recidivism rates of the offense class groupings. Multivariate analysis confirmed that those entering prison for a PRS revocation had higher recidivism probabilities than those entering for a new crime. It will be important to consider the effects of the large number of entries to prison for short periods of time (i.e., three-month revocations of PRS) and what strategies might be utilized during confinement to elicit a change in behavior upon release.

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

Initially, the JRA contributed to a decline in the recidivist incarceration rate in North Carolina. Table 6.3 shows the recidivist incarceration rates for probation entries, prison releases, and all offenders for the past four recidivism studies. Decreases in the recidivist incarceration rates for FY 2011 and FY 2013 are primarily the result of two JRA provisions – the limits to revocations of probation for technical violations replaced by the use of CRVs and the shifting of misdemeanants out of the state prison system. FY 2015 saw the first uptick in recidivist incarceration rates (up 3 percentage points since FY 2013). Notably, the recidivist incarceration rate for prisoners increased 11 percentage points, primarily the result of the expansion of PRS to lower-level felons (i.e., Class F – I), and the corresponding increase in revocations of PRS in response to violations of supervision conditions. With a larger (and more recidivistic) population under supervision, it is not surprising that more violations and revocations will occur. However, any increases in the rate of offenders returning to prison will have an effect on resources.

Table 6.3
Recidivist Incarceration Rates for North Carolina Offenders: Two-Year Follow-Up

Sample Year	Sample Size	Recidivist Incarceration Rates		
		Probationers	Prisoners	All Offenders
FY 2009	56,574	24	24	24
FY 2011	52,823	22	20	22
FY 2013	48,976	14	21	16
FY 2015	47,614	13	32	19

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

SOURCE: NC Sentencing and Policy Advisory Commission

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

APPENDIX A

FINGERPRINTED ARRESTS BY FISCAL YEAR

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

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

Note: Bolded fiscal years indicate the NC Sentencing and Policy Advisory Commission's Correctional Program Evaluation samples. Years with substantial "% Annual Change" for "Misdemeanor-Only Arrests" are shaded. SOURCE: State Bureau of Investigation Criminal Information and Identification Section/Division of Criminal Information Network

APPENDIX B

GLOSSARY OF MAJOR TERMS AND VARIABLES

GLOSSARY OF MAJOR TERMS AND VARIABLES

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

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

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

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

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

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

Conviction: A conviction for an offense in the North Carolina state court system. Convictions for impaired driving or other traffic offenses were excluded from analysis, as were convictions that were not for crimes, such as convictions for technical violations of probation/PRS. The study examined three types of convictions:

- **Prior Conviction:** A conviction that occurred before the current conviction that placed the offender in this sample, based on data recorded in the SBI's CCH system.

- **Current Conviction (Most Serious):** The conviction that placed the offender in the sample as a probation entry or prison release during FY 2015, based on information in OPUS. Conviction offenses were ranked in terms of seriousness based on offense class and sentence length. The offense corresponding to the highest offense class was selected as the most serious current conviction for analysis purposes. If the offender had more than one conviction in this class, then the offense with the longest sentence length was selected. In addition, the current conviction was categorized by offense type: person, property, drug, and other.
- **Recidivist Conviction:** A conviction that occurred within the two-year follow-up period, based on data recorded in the SBI's CCH system. The arrest corresponding to the conviction had to have occurred during the follow-up period also. Each conviction was counted in the category for the offense involved: person, property, drug, and other. If a conviction event (a single conviction date) involved more than one type of offense, it was counted in each offense category. For example: if an offender had two conviction events (dates) – one conviction event consisted of a person charge and a property charge, and the second consisted of a property charge and a drug charge – this situation resulted in a count of one person conviction, two property convictions, and one drug conviction, as well as an overall count of two convictions.

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

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

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

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

CRV Center: A DPS facility that houses felony probationers serving a CRV for a technical violation(s) of probation. The first CRV Centers were opened in December 2014. As a result, very few of the FY 2015 CRV sample entries served their CRV in a CRV Center.

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

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

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

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

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

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

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

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

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

Gender: A male or female designation.

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

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

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

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

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

- **Prior Incarceration:** An incarceration period that ended before the current probation entry (for probationers) or current prison entry (for prisoners).
- **Current Incarceration:** For prison releases, the incarceration period associated with the current conviction.
- **Recidivist Incarceration:** An incarceration that occurred during the follow-up period.

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

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

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

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

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

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

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

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

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

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

Offender Type: SSA offenders who were either placed on supervised probation or were released from prison during FY 2015. If an offender in the sample was both released from prison and placed on probation during FY 2015, the first event that occurred during that fiscal year determined the offender's identification as a prison release or probation entry.

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

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

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

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

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

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

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

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

Prison Releases: Offenders released from prison with a felony during FY 2015. If the offender had more than one event (i.e., probation entry or prison release) during FY 2015, the first event was selected. Also referred to as “prisoners.”

Probation Entries: Offenders placed on supervised probation during FY 2015. If the offender had more than one event (i.e., probation entry or prison release) during FY 2015, the first event was selected. Also referred to as “probationers.”

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

Quick Dip: An immediate response to offender non-compliance in which probationers are confined for either two- or three-day periods (no more than six days per month) in a local jail. Two- and three-day quick dips were combined for analysis purposes.

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

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

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

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

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

- **Prior Revocation:** Revocation that occurred before the current conviction that placed the offender in the sample.
- **Recidivist Revocation:** Revocation that occurred during the two-year follow-up period. Recidivist revocations were examined with regard to their seriousness and fall into three categories:
 - **Criminal:** Revocation due to a violation entered due to a pending criminal charge(s) or conviction for a new crime(s) during the two-year follow-up period.

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

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

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

Sample: Offenders in the recidivism study who were sentenced under the SSA and placed on supervised probation or released from North Carolina's prison system during FY 2015. If an offender had both a probation entry and a prison release during FY 2015, the first event was selected. Offenders with a most serious conviction for Driving While Impaired (DWI), offenders with a most serious conviction for a misdemeanor traffic offense, and offenders released from prison with a misdemeanor conviction were excluded from the study.

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

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

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

Structured Sentencing Act (SSA): The SSA, effective October 1, 1994, is the method of sentencing offenders in North Carolina. It classifies offenders on the basis of the severity of their crime and on the

extent and gravity of their prior criminal record. Based on these two factors, the SSA provides judges with sentencing options for the type and length of sentences that may be imposed. The SSA increases consistency, certainty, and truth in the sentencing of offenders, sets priorities for the use of correctional resources, and balances sentencing policies with correctional resources.

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

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

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

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

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

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

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

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

- **Criminal:** A violation entered due to a pending criminal charge(s) or conviction for a new crime(s) during the two-year follow-up period.
- **Absconding:** A violation entered due to absconding supervision during the two-year follow-up period. Absconding occurs when a probation or PRS supervisee avoids supervision by leaving the jurisdiction or otherwise making him/herself unavailable to the probation/parole officer.

- **Technical:** Violation of the conditions of supervision that require offenders to conform their behavior in a manner not normally applicable to a person who is not under criminal justice system supervision (e.g., possession of a firearm, failure to follow treatment recommendations, failure to obtain employment). A technical violation does not necessarily imply criminal activity.

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

APPENDIX C

FY 2015 SAMPLE PROFILES

**Table C.1
Profile of the FY 2015 Sample**

		All Offenders N=47,614	Male N=37,039	Female N=10,575	Youthful Under 21 N=6,258	Aging 50 and Up N=4,497
Personal Characteristics						
Male	%	78	n/a	n/a	85	79
Race						
Black	%	48	52	36	59	47
White	%	47	43	60	34	50
Other/Unknown	%	5	5	4	7	3
Age at Probation Entry or Prison Release	Avg.	33	33	33	19	56
Married	%	12	12	14	2	22
High School Dropout/GED	%	59	62	50	74	48
Employed	%	50	52	43	32	51
Substance Use/Abuse Indicated	%	70	72	63	71	63
Prior Criminal Justice Contacts						
Prior Arrest	%	83	85	74	68	83
Prior Probation Entry	%	65	68	53	33	69
Prior Probation/PRS Revocation	%	40	44	28	11	43
Prior Incarceration	%	35	40	19	5	49
Most Serious Current Offense						
Offense Class						
Class B1 – D Felony	%	5	6	1	7	3
Class E – G Felony	%	18	19	11	15	20
Class H – I Felony	%	36	38	30	30	33
Class A1 – 3 Misdemeanor	%	41	37	58	48	44
Offense Type						
Person	%	22	24	13	28	22
Property	%	41	38	54	51	36
Drug	%	26	26	26	13	29
Other	%	11	12	7	8	13
Criminal Justice Outcomes: Two-Year Follow-Up						
Recidivist Arrest	%	41	43	31	53	23
Months to First Recidivist Arrest	Avg.	9	9	9	8	9
Recidivist Conviction	%	19	21	13	28	10
Months to First Recidivist Conviction	Avg.	13	13	13	12	13
Recidivist Incarceration	%	19	21	10	23	10
Months to First Recidivist Incarceration	Avg.	10	10	10	10	9

continued

Table C.1
Profile of the FY 2015 Sample
Recidivist Arrest Rates: Two-Year Follow-Up

		All Offenders N=47,614	Male N=37,039	Female N=10,575	Youthful Under 21 N=6,258	Aging 50 and Up N=4,497
By Personal Characteristics						
Gender						
Female	%	31	n/a	n/a	38	17
Male	%	43	n/a	n/a	56	24
Race						
Black	%	44	47	28	60	27
White	%	38	40	33	44	20
Other/Unknown	%	34	35	29	42	22
Marital Status						
Married	%	30	32	25	46	16
Not Married	%	42	45	32	54	25
Education						
High School Graduate	%	33	35	27	43	22
High School Dropout/GED	%	47	49	35	57	25
Employment						
Employed	%	38	39	30	48	23
Unemployed	%	43	47	31	55	22
Substance Use/Abuse						
None Indicated	%	33	37	23	45	16
Substance Use/Abuse Indicated	%	43	45	35	55	26
By Prior Criminal Justice Contact						
Prior Arrest						
None	%	23	25	18	36	9
1 or More	%	45	47	36	62	26
By Most Serious Current Offense						
Offense Class						
Class B1 – D Felony	%	39	41	13	48	17
Class E – G Felony	%	40	42	25	60	17
Class H – I Felony	%	46	48	35	63	26
Class A1 – 3 Misdemeanor	%	37	40	31	46	24
Offense Type						
Person	%	38	40	28	52	21
Property	%	45	49	33	55	29
Drug	%	37	38	31	50	18
Other	%	41	43	26	52	21

Note: Most offenders with a Class B1 – D felony as their most serious offense are prisoners (only 41 are probationers), while all Class A1 – 3 misdemeanants are probationers.

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

Table C.2.1
Profile of the FY 2015 Probation Entries

		Probationers N=32,537	Male N=23,541	Female N=8,996	Youthful Under 21 N=4,471	Aging 50 and Up N=3,329
Personal Characteristics						
Male	%	72	n/a	n/a	81	75
Race						
Black	%	46	49	37	54	45
White	%	49	46	59	38	52
Other/Unknown	%	5	5	4	8	3
Age at Probation Entry	Avg.	32	32	33	18	56
Married	%	13	13	14	1	24
High School Dropout/GED	%	52	54	47	69	44
Employed	%	51	55	42	31	52
Substance Use/Abuse Indicated	%	66	69	58	67	57
Prior Criminal Justice Contacts						
Prior Arrest	%	77	79	71	60	79
Prior Probation Entry	%	55	58	48	19	63
Prior Probation/PRS Revocation	%	31	34	24	6	36
Prior Incarceration	%	26	30	16	1	41
Most Serious Current Offense						
Offense Class						
Class B1 – D Felony	%	0	0	0	0	0
Class E – G Felony	%	11	12	8	9	14
Class H – I Felony	%	29	31	24	24	26
Class A1 – 3 Misdemeanor	%	60	57	68	67	60
Offense Type						
Person	%	21	24	13	22	24
Property	%	43	38	55	54	36
Drug	%	27	29	25	15	29
Other	%	9	9	7	9	11
Criminal Justice Outcomes: Two-Year Follow-Up						
Recidivist Arrest	%	37	40	30	49	21
Months to First Recidivist Arrest	Avg.	9	9	9	8	8
Recidivist Conviction	%	17	18	13	25	8
Months to First Recidivist Conviction	Avg.	13	13	13	12	12
Recidivist Incarceration	%	13	15	8	15	6
Months to First Recidivist Incarceration	Avg.	12	12	11	12	12

continued

Table C.2.1
Profile of the FY 2015 Probation Entries
Recidivist Arrest Rates: Two-Year Follow-Up

		Probationers N=32,537	Male N=23,541	Female N=8,996	Youthful Under 21 N=4,471	Aging 50 and Up N=3,329
By Personal Characteristics						
Gender						
Female	%	30	n/a	n/a	37	17
Male	%	40	n/a	n/a	52	22
Race						
Black	%	40	43	27	56	24
White	%	35	37	32	41	18
Other/Unknown	%	32	33	29	40	20
Marital Status						
Married	%	27	29	24	36	15
Not Married	%	39	41	31	49	23
Education						
High School Graduate	%	31	33	27	41	20
High School Dropout/GED	%	43	46	34	53	22
Employment						
Employed	%	34	35	28	41	22
Unemployed	%	39	43	30	50	18
Substance Use/Abuse						
None Indicated	%	30	33	22	42	15
Substance Use/Abuse Indicated	%	39	41	34	50	23
By Prior Criminal Justice Contact						
Prior Arrest						
None	%	23	25	18	36	10
1 or More	%	41	43	35	58	24
By Most Serious Current Offense						
Offense Class						
Class B1 – D Felony	%	24	32	8*	50*	0*
Class E – G Felony	%	32	35	23	54	13
Class H – I Felony	%	39	41	31	56	18
Class A1 – 3 Misdemeanor	%	37	40	31	46	24
Offense Type						
Person	%	35	37	28	48	21
Property	%	40	45	31	50	24
Drug	%	35	36	31	47	18
Other	%	34	37	25	47	17

Note: Percentages with an asterisk (*) are based on 25 or fewer observations.

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

**Table C.2.2
Supervision Profile of the FY 2015 Probation Entries**

		Probationers N=29,279	Male N=21,086	Female N=8,193	Youthful Under 21 N=4,034	Aging 50 and Up N=2,994
Supervision Profile						
Risk Level						
Extreme Risk	%	7	9	2	3	4
High Risk	%	16	19	9	14	10
Moderate Risk	%	44	46	37	64	30
Low Risk	%	28	24	39	17	41
Minimal Risk	%	5	2	13	2	15
Need Level						
Extreme Need	%	26	25	29	38	16
High Need	%	18	20	12	20	18
Moderate Need	%	37	36	40	31	41
Low Need	%	16	16	16	10	21
Minimal Need	%	3	3	3	1	4
Supervision Level						
Level 1 (Most Restrictive)	%	9	11	5	9	4
Level 2	%	27	29	20	32	16
Level 3	%	36	36	36	43	37
Level 4	%	25	22	34	15	36
Level 5 (Least Restrictive)	%	3	2	5	1	7
High Risk Delegated Authority	%	5	6	2	4	3
Interim Outcomes: Two-Year Follow-Up						
Delegated Authority	%	8	8	7	11	4
Violation	%	71	71	70	81	52
Months to First Violation	Avg.	8	8	8	7	9
Quick Dip	%	11	12	9	18	5
Months to First Quick Dip	Avg.	9	9	8	8	8
CRV	%	12	12	11	17	7
Months to First CRV	Avg.	10	10	10	10	10
Revocation	%	17	19	14	23	7
Months to First Revocation	Avg.	12	12	11	12	12

continued

Table C.2.2
Supervision Profile of the FY 2015 Probation Entries
Recidivist Arrest Rates: Two-Year Follow-Up

		Probationers N=29,279	Male N=21,086	Female N=8,193	Youthful Under 21 N=4,034	Aging 50 and Up N=2,994
By Supervision Profile						
Risk Level						
Extreme Risk	%	56	58	38	70	36
High Risk	%	50	51	44	61	34
Moderate Risk	%	39	39	36	49	24
Low Risk	%	23	23	23	29	14
Minimal Risk	%	13	11	13	19	11
Need Level						
Extreme Need	%	44	48	37	56	23
High Need	%	41	43	32	47	25
Moderate Need	%	33	35	26	43	19
Low Need	%	27	30	21	35	15
Minimal Need	%	20	22	17	24	4
Supervision Level						
Level 1 (Most Restrictive)	%	56	58	44	67	32
Level 2	%	47	48	42	55	33
Level 3	%	33	34	31	44	20
Level 4	%	23	25	20	30	13
Level 5 (Least Restrictive)	%	12	13	12	3	7
High Risk Delegated Authority	%	54	55	49	60	27

Note: Probationers with missing or incomplete RNA and Supervision Level (10%) were excluded.

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

**Table C.3.1
Profile of the FY 2015 Prison Releases**

		Prisoners N=15,077	Male N=13,498	Female N=1,579	Youthful Under 21 N=1,787	Aging 50 and Up N=1,168
Personal Characteristics						
Male	%	90	n/a	n/a	95	91
Race						
Black	%	54	57	28	71	52
White	%	41	38	67	23	45
Other/Unknown	%	5	5	5	6	3
Age at Prison Release	Avg.	34	34	35	21	57
Married	%	11	10	14	2	16
High School Dropout/GED	%	74	75	66	87	61
Employed	%	47	46	49	35	46
Substance Use/Abuse Indicated	%	78	77	87	79	78
Prior Criminal Justice Contacts						
Prior Arrest	%	94	94	91	89	93
Prior Probation Entry	%	86	86	86	68	84
Prior Probation/PRS Revocation	%	59	60	50	23	65
Prior Incarceration	%	56	58	40	13	72
Most Serious Current Offense						
Offense Class						
Class B1 – D Felony	%	15	16	7	25	10
Class E – G Felony	%	32	32	26	29	36
Class H – I Felony	%	53	52	67	46	54
Offense Type						
Person	%	24	26	15	45	16
Property	%	38	37	45	44	36
Drug	%	22	20	33	6	28
Other	%	16	17	7	5	20
Criminal Justice Outcomes: Two-Year Follow-Up						
Recidivist Arrest	%	49	50	38	64	29
Months to First Recidivist Arrest	Avg.	9	9	11	8	10
Recidivist Conviction	%	24	25	19	34	15
Months to First Recidivist Conviction	Avg.	14	13	14	13	13
Recidivist Incarceration	%	32	33	23	43	19
Months to First Recidivist Incarceration	Avg.	8	8	8	7	7

continued

Table C.3.1
Profile of the FY 2015 Prison Releases
Recidivist Arrest Rates: Two-Year Follow-Up

		Prisoners N=15,077	Male N=13,498	Female N=1,579	Youthful Under 21 N=1,787	Aging 50 and Up N=1,168
By Personal Characteristics						
Gender						
Female	%	38	n/a	n/a	49	18
Male	%	50	n/a	n/a	65	30
Race						
Black	%	52	53	38	68	32
White	%	45	46	38	57	25
Other/Unknown	%	38	39	28	49	26
Marital Status						
Married	%	39	40	30	61	19
Not Married	%	50	51	39	64	31
Education						
High School Graduate	%	39	41	33	56	26
High School Dropout/GED	%	52	53	41	66	31
Employment						
Employed	%	46	47	39	62	26
Unemployed	%	51	53	37	66	32
Substance Use/Abuse						
None Indicated	%	43	44	28	58	23
Substance Use/Abuse Indicated	%	50	52	39	66	31
By Prior Criminal Justice Contact						
Prior Arrest						
None	%	21	23	13	43	8
1 or More	%	50	52	40	67	31
By Most Serious Current Offense						
Offense Class						
Class B1 – D Felony	%	39	41	13	48	18
Class E – G Felony	%	45	46	29	64	21
Class H – I Felony	%	54	55	44	73	37
Offense Type						
Person	%	44	45	31	56	20
Property	%	56	58	45	71	42
Drug	%	41	43	32	69	17
Other	%	49	49	32	75	28

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

**Table C.3.2
Incarceration Profile of the FY 2015 Prison Releases**

		Prisoners N=15,077	Male N=13,498	Female N=1,579	Youthful Under 21 N=1,787	Aging 50 and Up N=1,168
Incarceration Profile						
Type of Prison Entry						
New Crime	%	65	67	55	59	79
Probation Revocation	%	23	21	35	22	14
PRS Revocation	%	12	12	10	19	7
Time Served						
12 Months or Less	%	60	59	69	63	52
13-24 Months	%	18	18	16	12	25
25 Months or More	%	22	23	15	25	23
Infractions						
1 or more	%	62	63	47	81	41
Total	Avg.	5	5	4	7	3
Class A	Avg.	2	2	1	3	2
Class B	Avg.	4	4	4	5	3
Class C	Avg.	2	2	2	3	2
Correctional Jobs/Programs						
Job Only	%	12	12	11	8	12
Program Only	%	13	12	20	18	16
Both Job and Program	%	66	67	58	63	63
No Job or Program	%	9	9	11	11	9
Custody Classification at Release						
Close	%	10	10	5	22	2
Medium	%	29	29	34	36	18
Minimum	%	61	61	61	42	80
Released onto PRS	%	76	77	74	82	74

continued

Table C.3.2
Incarceration Profile of the FY 2015 Prison Releases
Recidivist Arrest Rates: Two-Year Follow-Up

		Prisoners N=15,077	Male N=13,498	Female N=1,579	Youthful Under 21 N=1,787	Aging 50 and Up N=1,168
By Incarceration Profile						
Type of Prison Entry						
New Crime	%	46	47	32	62	28
Probation Revocation	%	49	51	40	67	29
PRS Revocation	%	63	63	61	68	47
Time Served						
12 Months or Less	%	53	54	43	69	32
13-24 Months	%	48	50	34	68	30
25 Months or More	%	38	40	17	50	21
Infractions						
None	%	41	42	35	59	24
1 or More	%	53	54	42	65	36
Correctional Jobs/Programs						
Job Only	%	48	49	38	63	27
Program Only	%	53	54	45	75	27
Both Job and Program	%	47	48	34	60	30
No Job or Program	%	54	56	43	70	32
Custody Classification at Release						
Close	%	65	66	55	72	46
Medium	%	51	52	46	63	31
Minimum	%	45	46	32	61	28
Released onto PRS	%					
PRS	%	49	50	38	63	31
No PRS	%	47	48	37	68	23

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

APPENDIX D

ADDITIONAL TABLES FOR THE FY 2015 SAMPLE

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

Offense Class	Recidivist Arrest: Two-Year Follow-Up					
	Probation Entries		Prison Releases		Total	
	N	%	N	%	N	%
Felonies						
Class B1	--	--	44	14	44	14
Class B2	--	--	194	16	194	16
Class C	20	30	1,074	42	1,094	42
Class D	21	19	933	42	954	42
Class E	578	31	1,280	48	1,858	43
Class F	1,270	29	1,514	37	2,784	34
Class G	1,699	35	2,004	49	3,703	43
Class H	5,904	40	6,195	54	12,099	47
Class I	3,445	37	1,839	52	5,284	42
Subtotal	12,937	37	15,077	49	28,014	43
Misdemeanors						
Class A1	3,613	36	--	--	3,613	36
Class 1	12,775	38	--	--	12,775	38
Class 2	2,386	35	--	--	2,386	35
Class 3	826	33	--	--	826	33
Subtotal	19,600	37	--	--	19,600	37
Total	32,537	37	15,077	49	47,614	41

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

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

Offense Class	Recidivist Conviction: Two-Year Follow-Up					
	Probation Entries		Prison Releases		Total	
	N	%	N	%	N	%
Felonies						
Class B1	--	--	44	7	44	7
Class B2	--	--	194	5	194	5
Class C	20	10	1,074	19	1,094	18
Class D	21	24	933	17	954	17
Class E	578	12	1,280	21	1,858	18
Class F	1,270	13	1,514	17	2,784	15
Class G	1,699	14	2,004	21	3,703	18
Class H	5,904	19	6,195	30	12,099	24
Class I	3,445	17	1,839	27	5,284	20
Subtotal	12,937	17	15,077	24	28,014	21
Misdemeanors						
Class A1	3,613	16	--	--	3,613	16
Class 1	12,775	18	--	--	12,775	18
Class 2	2,386	14	--	--	2,386	14
Class 3	826	13	--	--	826	13
Subtotal	19,600	17	--	--	19,600	17
Total	32,537	17	15,077	24	47,614	19

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

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

Offense Class	Recidivist Incarceration: Two-Year Follow-Up					
	Probation Entries		Prison Releases		Total	
	N	%	N	%	N	%
Felonies						
Class B1	--	--	44	18	44	18
Class B2	--	--	194	10	194	10
Class C	20	10	1,074	29	1,094	29
Class D	21	24	933	21	954	21
Class E	578	21	1,280	31	1,858	28
Class F	1,270	20	1,514	24	2,784	22
Class G	1,699	21	2,004	28	3,703	25
Class H	5,904	27	6,195	37	12,099	33
Class I	3,445	22	1,839	37	5,284	27
Subtotal	12,937	24	15,077	32	28,014	28
Misdemeanors						
Class A1	3,613	5	--	--	3,613	5
Class 1	12,775	6	--	--	12,775	6
Class 2	2,386	4	--	--	2,386	4
Class 3	826	5	--	--	826	5
Subtotal	19,600	5	--	--	19,600	5
Total	32,537	13	15,077	32	47,614	19

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

APPENDIX E

ADDITIONAL TABLES FOR THE FY 2015 PROBATION ENTRIES

Table E.1
Probation Entries without a RNA Completed and Supervision Level Assigned: Two-Year Follow-Up

Probation Entries		Total N=32,537	Misdemeanants n=19,600	Felons n=12,937
Missing RNA and Supervision Level	#	3,258	2,146	1,112
	%	10	11	9
Interim Outcomes				
% Violation		70	76	58
% Delegated Authority		2	2	2
% Quick Dip		2	2	1
% CRV		11	15	2
% Revocation		52	56	43
Criminal Justice Outcome				
% Recidivist Arrest		49	54	39

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

Table E.2
Recidivist Arrest Rates by Supervision Level for Probation Entries: Two-Year Follow-Up

Need Level	Risk Level					Rate by Need Level
	Extreme	High	Moderate	Low	Minimal	
Extreme	61% L1	54%	45%	29%	19%	44%
High	58%	54%	41% L3	26%	15%	41%
Moderate	53%	48%	36%	21%	13%	33%
Low	43% L2	41%	31% L4	20%	11%	27%
Minimal	60%*	40%	26%	16% L5	8%	20%
Rate by Risk Level	56%	50%	39%	23%	13%	36%

Note: Percentages with an asterisk (*) are based on 25 or fewer observations. See Table 3.4 in Chapter Three for the distribution of probationers by supervision level based on risk and need levels.

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

**Table E.3
Recidivist Arrest Rates: Two-Year Follow-Up**

By Risk Level						
Probation Entries	N	% Recidivist Arrest				
		Extreme	High	Moderate	Low	Minimal
Misdemeanants	17,454	56	50	39	23	13
Felons	11,825	56	49	38	22	11
Total	29,279	56	50	39	23	13
By Need Level						
Probation Entries	N	% Recidivist Arrest				
		Extreme	High	Moderate	Low	Minimal
Misdemeanants	17,454	43	41	32	26	18
Felons	11,825	47	40	33	29	23
Total	29,279	44	41	33	27	20
By Supervision Level						
Probation Entries	N	% Recidivist Arrest				
		Level 1	Level 2	Level 3	Level 4	Level 5
Misdemeanants	17,454	56	46	34	23	12
Felons	11,825	56	48	32	23	13
Total	29,279	56	47	33	23	12

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

APPENDIX F

SUMMARIES OF SELECT CORRECTIONAL JOB/PROGRAM ASSIGNMENTS

APPENDIX F SUMMARIES OF SELECT CORRECTIONAL JOB/PROGRAM ASSIGNMENTS

Appendix F examines FY 2015 prison releases assigned to select correctional jobs and programs during the incarceration period related to their conviction, as well as recidivism during the two-year follow-up. The following summaries are intended to provide an overview of these prison jobs and programs. While the analysis includes an examination of characteristics of prisoners (e.g., age, education, infractions, sentence length) and some information about their level of involvement (e.g., duration, completion), the findings are not intended to be exhaustive.

Recidivism rates of prison assignments cannot be compared to one another for several reasons. Not only does availability of job/program assignments vary by prison, but the capacity of those assignments can be affected by the availability of funding. In addition, prisoners can participate in multiple jobs/programs during their incarceration period and, therefore, may be represented in more than one of the assignments examined.

Future examination of these assignments and their effectiveness will include a focus on the DPS's realignment and reemissioning of its prison programs and recent efforts to assign offenders to prison jobs/programs based on a validated risk and need instrument. A more comprehensive analysis will allow for greater understanding of prison jobs and programs and their effect on recidivism. If available, links with additional information are provided with each brief description below.

Select Job Assignments

Length of Job Assignment: For the select job assignments below, each job's duration was combined to create a total length of assignment for the prisoner's entire incarceration period. For example, a prisoner may have been assigned to the Inmate Construction Program more than once while incarcerated, one assignment for 5 months and another for 10 months. The duration (e.g., 5 months or less, 6 months or more) would be based on the total time, 15 months, for the two assignments.

- **Construction:** The Inmate Construction Program is a partnership among the offices of Rehabilitative Programs and Services and Central Engineering within the DPS. The program's purpose is to meet the demands of the prison facility construction, expansion, and renovation projects by using inmate labor to reduce the cost of prison construction projects. The program also provides inmates an opportunity to learn on-the-job marketable skills to help them prepare for their release back into the community. For more information, see <https://www.ncdps.gov/e2200-inmate-construction-program>.
- **Correction Enterprises:** Correction Enterprises is a self-supporting prison industry program operating within the DPS in various prison units across the state. Correction Enterprises provides inmates with opportunities to learn job skills by producing goods and services for the DPS and other tax-supported entities. For more information, see <https://www.correctionenterprises.com/>.
- **Work Release Program:** The Work Release Program provides select inmates the opportunity for employment in the community during imprisonment, addressing the transitional needs of soon-to-be released inmates. Inmates are carefully screened for participation and can only be approved for

the program by prison managers or the Post-Release Supervision and Parole Commission. For more information, see https://files.nc.gov/ncdps/documents/files/E.0700_06_15_17.pdf.

Select Program Assignments

Program Completion: For the select program assignments below, program completion was categorized into three outcomes: positive (e.g., completion, graduation), neutral (e.g., illness, transferred to another prison, released from prison, program termination), and negative (e.g., removal due to disciplinary action, failure to complete the program). Prisoners may have more than one type of exit within each program category during their incarceration period. For all of the select programs (excluding ACDP), the type of program exit was determined using the following ranking: positive, neutral, and negative, giving priority to any positive exit. For ACDP, the most recent prison-based program was analyzed; therefore, a ranking of program completion was unnecessary.

- **Academic Education:** Academic Education is administered by the Rehabilitative Programs and Services Section within the DPS. Post-secondary education is offered through continuing education (community college) courses of study for adult offenders and/or youthful offenders who have their diploma or high school equivalency credentials. A separate academic education summary of specific community college programs that qualify for Workforce Innovation and Opportunity Act (WIOA) funding is also provided. For more information, see <https://files.nc.gov/ncdps/documents/files/2015%20EDSvcsAnnual%20Report.pdf>.
- **ACDP:** Staff from the ACDP administer and coordinate chemical dependency screening, complete a common assessment and provide intervention, treatment, aftercare, and continuing care services for female and male inmates with substance abuse problems. For the ACDP summary, only prisoners who received prison-based intermediate and long-term intensive treatment were included. For additional information, see the DPS's Substance Use Disorder Treatment Programs Annual Report at https://files.nc.gov/ncdps/DPS_Substance_Abuse_Program_Annual_Report_2018_03_01.pdf.
- **SOAR:** The SOAR program was established in 1991 for the treatment of male inmates who have committed sexual offenses and meet eligibility criteria for the program. The program's goal is to change the offender's cognition, values, and expectations that have supported and maintained their sexually abusive cycle of behavior.
- **Vocational Education:** Vocational Education is administered by the Rehabilitative Programs and Services Section within the DPS and is a collaborative effort with the North Carolina Community College System. Vocational training (e.g., welding, cosmetology, horticulture) is provided through curriculum or continuing education offerings, or a combination of both. For more information, see <https://files.nc.gov/ncdps/documents/files/2015%20EDSvcsAnnual%20Report.pdf>.

**Table F.1
Construction**

		Total N=418	Length of Job Assignment	
			5 Months or Less n=261	6 Months or More n=157
Personal Characteristics				
Male	%	100	100	100
Race				
Black	%	47	50	41
White	%	47	45	53
Other/Unknown	%	6	5	6
Age at Prison Release	Avg.	41	40	43
Married	%	13	12	15
High School Dropout/GED	%	70	71	68
Employed	%	53	50	58
Substance Use/Abuse Indicated	%	80	80	80
Prior Criminal Justice Contacts				
Prior Arrest	%	96	96	96
Prior Probation Entry	%	87	87	86
Prior Probation/PRS Revocation	%	72	71	72
Prior Incarceration	%	74	73	75
Most Serious Current Offense				
Offense Class				
Class B1 – D Felony	%	41	33	53
Class E – G Felony	%	30	32	28
Class H – I Felony	%	29	35	19
Offense Type				
Person	%	28	24	34
Property	%	25	29	19
Drug	%	20	24	13
Other	%	27	23	34
Incarceration Profile				
Type of Prison Entry				
New Crime	%	87	85	90
Probation Revocation	%	6	8	3
PRS Revocation	%	7	7	7
Time Served				
12 Months or Less	%	16	19	11
13-24 Months	%	24	30	15
25 Months or More	%	60	51	74

continued

**Table F.1
Construction**

		Total N=418	Length of Job Assignment	
			5 Months or Less n=261	6 Months or More n=157
Incarceration Profile <i>continued</i>				
Infractions				
1 or more	%	73	72	74
Total	Avg.	4	4	4
Class A	Avg.	2	2	1
Class B	Avg.	3	3	2
Class C	Avg.	3	3	3
Custody Classification at Release				
Close	%	1	1	2
Medium	%	18	15	23
Minimum	%	81	84	75
Released onto PRS	%	77	77	78
Criminal Justice Outcomes: Two-Year Follow-Up				
Recidivist Arrest				
	%	38	40	34
Months to First Recidivist Arrest	Avg.	10	10	10
Recidivist Conviction				
	%	18	20	16
Months to First Recidivist Conviction	Avg.	14	14	12
Recidivist Incarceration				
	%	23	23	24
Months to First Recidivist Incarceration	Avg.	9	9	10
Select Correctional Assignments in Addition to Construction				
Jobs				
Correction Enterprises	#	109	69	40
Work Release	#	97	42	55
Programs				
Academic Education	#	253	157	96
ACDP	#	124	86	38
SOAR	#	8	5	3
Vocational Education	#	224	136	88

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

Table F.2
Correction Enterprises

		Total N=1,835	Length of Job Assignment	
			5 Months or Less n=1,290	6 Months or More n=545
Personal Characteristics				
Male	%	94	94	94
Race				
Black	%	58	57	60
White	%	36	38	32
Other/Unknown	%	6	5	8
Age at Prison Release	Avg.	37	35	42
Married	%	12	12	12
High School Dropout/GED	%	73	75	70
Employed	%	51	50	51
Substance Use/Abuse Indicated	%	75	76	72
Prior Criminal Justice Contacts				
Prior Arrest	%	93	95	91
Prior Probation Entry	%	84	87	77
Prior Probation/PRS Revocation	%	65	67	61
Prior Incarceration	%	64	65	63
Most Serious Current Offense				
Offense Class				
Class B1 – D Felony	%	42	33	64
Class E – G Felony	%	30	32	24
Class H – I Felony	%	28	35	12
Offense Type				
Person	%	38	33	50
Property	%	23	27	13
Drug	%	16	18	10
Other	%	23	22	27
Incarceration Profile				
Type of Prison Entry				
New Crime	%	74	72	81
Probation Revocation	%	12	15	5
PRS Revocation	%	14	13	14
Time Served				
12 Months or Less	%	29	35	16
13-24 Months	%	16	18	11
25 Months or More	%	55	47	73

continued

**Table F.2
Correction Enterprises**

		Total N=1,835	Length of Job Assignment	
			5 Months or Less n=1,290	6 Months or More n=545
Incarceration Profile <i>continued</i>				
Infractions				
1 or more	%	82	81	83
Total	Avg.	7	7	7
Class A	Avg.	3	3	2
Class B	Avg.	5	5	5
Class C	Avg.	3	3	3
Custody Classification at Release				
Close	%	9	10	5
Medium	%	31	31	32
Minimum	%	60	59	63
Released onto PRS	%	75	74	79
Criminal Justice Outcomes: Two-Year Follow-Up				
Recidivist Arrest	%	44	47	37
Months to First Recidivist Arrest	Avg.	10	10	11
Recidivist Conviction	%	21	24	16
Months to First Recidivist Conviction	Avg.	13	13	14
Recidivist Incarceration	%	27	28	23
Months to First Recidivist Incarceration	Avg.	9	9	8
Select Correctional Assignments in Addition to Correction Enterprises				
Jobs				
Construction	#	109	69	40
Work Release	#	225	124	101
Programs				
Academic Education	#	1,101	744	357
ACDP	#	588	437	151
SOAR	#	21	8	13
Vocational Education	#	1,000	669	331

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

**Table F.3
Work Release**

		Total N=740	Length of Job Assignment	
			5 Months or Less n=274	6 Months or More n=466
Personal Characteristics				
Male	%	92	91	92
Race				
Black	%	58	59	58
White	%	39	36	40
Other/Unknown	%	3	5	2
Age at Prison Release	Avg.	42	43	41
Married	%	18	18	18
High School Dropout/GED	%	64	64	65
Employed	%	65	58	70
Substance Use/Abuse Indicated	%	80	78	81
Prior Criminal Justice Contacts				
Prior Arrest	%	93	95	92
Prior Probation Entry	%	86	87	86
Prior Probation/PRS Revocation	%	68	71	67
Prior Incarceration	%	72	73	72
Most Serious Current Offense				
Offense Class				
Class B1 – D Felony	%	52	45	56
Class E – G Felony	%	30	34	28
Class H – I Felony	%	17	21	16
Offense Type				
Person	%	24	22	26
Property	%	19	22	16
Drug	%	21	22	20
Other	%	36	34	38
Incarceration Profile				
Type of Prison Entry				
New Crime	%	89	88	90
Probation Revocation	%	5	5	5
PRS Revocation	%	6	7	5
Time Served				
12 Months or Less	%	8	11	7
13-24 Months	%	11	16	7
25 Months or More	%	81	73	86

continued

**Table F.3
Work Release**

		Total N=740	Length of Job Assignment	
			5 Months or Less n=274	6 Months or More n=466
Incarceration Profile <i>continued</i>				
Infractions				
1 or more	%	74	77	73
Total	Avg.	4	4	3
Class A	Avg.	1	1	2
Class B	Avg.	2	3	2
Class C	Avg.	2	3	2
Custody Classification at Release				
Close	%	1	2	0
Medium	%	7	10	5
Minimum	%	92	88	95
Released onto PRS	%	70	67	71
Criminal Justice Outcomes: Two-Year Follow-Up				
Recidivist Arrest	%	34	35	33
Months to First Recidivist Arrest	Avg.	10	11	10
Recidivist Conviction	%	15	15	15
Months to First Recidivist Conviction	Avg.	13	14	13
Recidivist Incarceration	%	18	19	17
Months to First Recidivist Incarceration	Avg.	10	10	10
Select Correctional Assignments in Addition to Work Release				
Jobs				
Construction	#	97	32	65
Correction Enterprises	#	225	90	135
Programs				
Academic Education	#	498	179	319
ACDP	#	246	93	153
SOAR	#	0	0	0
Vocational Education	#	448	169	279

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

**Table F.4
Academic Education**

		Total N=6,609	Program Outcomes		
			Positive n=3,586	Neutral n=1,824	Negative n=1,199
Personal Characteristics					
Male	%	89	88	88	94
Race					
Black	%	58	55	61	63
White	%	36	39	32	31
Other/Unknown	%	6	6	7	6
Age at Prison Release	Avg.	33	34	31	31
Married	%	10	11	9	8
High School Dropout/GED	%	83	78	91	84
Employed	%	46	48	44	42
Substance Use/Abuse Indicated	%	78	78	78	78
Prior Criminal Justice Contacts					
Prior Arrest	%	93	92	93	95
Prior Probation Entry	%	83	81	84	87
Prior Probation/PRS Revocation	%	56	57	52	60
Prior Incarceration	%	52	53	47	56
Most Serious Current Offense					
Offense Class					
Class B1 – D Felony	%	26	33	16	22
Class E – G Felony	%	36	37	34	36
Class H – I Felony	%	38	30	50	42
Offense Type					
Person	%	34	37	30	33
Property	%	31	27	36	36
Drug	%	18	18	20	13
Other	%	17	18	14	18
Incarceration Profile					
Type of Prison Entry					
New Crime	%	70	75	61	67
Probation Revocation	%	16	13	22	17
PRS Revocation	%	14	12	17	16
Time Served					
12 Months or Less	%	44	33	62	48
13-24 Months	%	19	20	17	22
25 Months or More	%	37	47	21	30

continued

**Table F.4
Academic Education**

		Total N=6,609	Program Outcomes		
			Positive n=3,586	Neutral n=1,824	Negative n=1,199
Incarceration Profile <i>continued</i>					
Infractions					
1 or more	%	76	78	66	85
Total	Avg.	6	6	5	8
Class A	Avg.	2	2	2	3
Class B	Avg.	5	4	4	6
Class C	Avg.	3	3	3	3
Custody Classification at Release					
Close	%	12	9	10	23
Medium	%	34	34	34	35
Minimum	%	54	57	56	42
Released onto PRS	%	75	74	75	77
Criminal Justice Outcomes: Two-Year Follow-Up					
Recidivist Arrest	%	49	45	52	58
Months to First Recidivist Arrest	Avg.	9	10	9	9
Recidivist Conviction	%	24	21	26	31
Months to First Recidivist Conviction	Avg.	13	14	14	13
Recidivist Incarceration	%	30	26	33	40
Months to First Recidivist Incarceration	Avg.	8	9	8	8
Select Correctional Assignments in Addition to Academic Education					
Jobs					
Construction	#	253	193	35	25
Correction Enterprises	#	1,101	734	193	174
Work Release	#	498	402	60	36
Programs					
ACDP	#	1,769	1,152	362	255
SOAR	#	37	31	3	3
Vocational Education	#	3,001	2,091	492	418

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

Table F.5
Academic Education: Community College Programs

		Total N=4,535	Program Outcomes		
			Positive n=1,562	Neutral n=1,803	Negative n=1,170
Personal Characteristics					
Male	%	91	90	89	95
Race					
Black	%	60	52	64	65
White	%	33	40	28	28
Other/Unknown	%	7	8	8	7
Age at Prison Release	Avg.	31	30	32	31
Married	%	9	9	9	10
High School Dropout/GED	%	95	97	95	90
Employed	%	44	45	45	43
Substance Use/Abuse Indicated	%	78	79	77	77
Prior Criminal Justice Contacts					
Prior Arrest	%	93	91	93	95
Prior Probation Entry	%	82	76	84	86
Prior Probation/PRS Revocation	%	54	50	52	60
Prior Incarceration	%	47	41	47	55
Most Serious Current Offense					
Offense Class					
Class B1 – D Felony	%	26	35	19	26
Class E – G Felony	%	35	36	34	35
Class H – I Felony	%	39	29	47	39
Offense Type					
Person	%	36	42	32	34
Property	%	32	27	35	35
Drug	%	17	17	19	13
Other	%	15	14	14	18
Incarceration Profile					
Type of Prison Entry					
New Crime	%	66	71	61	68
Probation Revocation	%	18	14	22	16
PRS Revocation	%	16	15	17	16
Time Served					
12 Months or Less	%	49	36	60	47
13-24 Months	%	18	19	17	20
25 Months or More	%	33	45	23	33

continued

Table F.5
Academic Education: Community College Programs

		Total N=4,535	Program Outcomes		
			Positive n=1,562	Neutral n=1,803	Negative n=1,170
Incarceration Profile <i>continued</i>					
Infractions					
1 or more	%	77	80	69	86
Total	Avg.	6	6	5	8
Class A	Avg.	2	2	2	3
Class B	Avg.	5	4	4	6
Class C	Avg.	3	3	2	3
Custody Classification at Release					
Close	%	14	10	11	24
Medium	%	35	36	34	35
Minimum	%	51	54	55	41
Released onto PRS	%	76	75	75	78
Criminal Justice Outcomes: Two-Year Follow-Up					
Recidivist Arrest	%	52	47	51	59
Months to First Recidivist Arrest	Avg.	9	10	9	9
Recidivist Conviction	%	26	22	26	30
Months to First Recidivist Conviction	Avg.	13	14	13	13
Recidivist Incarceration	%	32	25	34	41
Months to First Recidivist Incarceration	Avg.	8	9	8	8
Select Correctional Assignments in Addition to Academic Education: Community College Programs					
Jobs					
Construction	#	118	63	34	21
Correction Enterprises	#	681	293	202	186
Work Release	#	254	137	69	48
Programs					
ACDP	#	1,081	475	353	253
SOAR	#	22	13	5	4
Vocational Education	#	1,697	835	471	391

Note: Data on community college program participation are a select subset of academic programming that focuses on post-secondary educational opportunities that qualify for WIOA funding.

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

Table F.6
Alcohol and Chemical Dependency Programs (ACDP)

		Total N=3,418	Program Outcomes		
			Positive n=2,307	Neutral n=187	Negative n=924
Personal Characteristics					
Male	%	83	83	78	84
Race					
Black	%	46	44	52	51
White	%	50	53	46	44
Other/Unknown	%	4	3	2	5
Age at Prison Release	Avg.	36	36	38	34
Married	%	11	12	11	9
High School Dropout/GED	%	73	72	75	78
Employed	%	45	47	42	42
Substance Use/Abuse Indicated	%	90	90	85	89
Prior Criminal Justice Contacts					
Prior Arrest	%	95	95	93	97
Prior Probation Entry	%	90	89	88	91
Prior Probation/PRS Revocation	%	67	66	65	71
Prior Incarceration	%	66	64	64	68
Most Serious Current Offense					
Offense Class					
Class B1 – D Felony	%	20	21	25	17
Class E – G Felony	%	39	39	34	40
Class H – I Felony	%	41	40	41	43
Offense Type					
Person	%	25	24	27	28
Property	%	33	32	29	36
Drug	%	20	21	23	17
Other	%	22	23	21	19
Incarceration Profile					
Type of Prison Entry					
New Crime	%	72	72	67	72
Probation Revocation	%	14	15	15	13
PRS Revocation	%	14	13	18	15
Time Served					
12 Months or Less	%	42	43	41	39
13-24 Months	%	26	24	21	31
25 Months or More	%	32	33	38	30

continued

**Table F.6
Alcohol and Chemical Dependency Programs (ACDP)**

		Total N=3,418	Positive n=2,307	Neutral n=187	Negative n=924
Incarceration Profile <i>continued</i>					
Infractions					
1 or more	%	72	66	72	86
Total	Avg.	4	4	5	5
Class A	Avg.	2	2	2	2
Class B	Avg.	3	3	4	4
Class C	Avg.	2	2	3	3
Custody Classification at Release					
Close	%	6	3	8	12
Medium	%	34	34	37	36
Minimum	%	60	63	55	52
Released onto PRS	%	74	74	70	74
Criminal Justice Outcomes: Two-Year Follow-Up					
Recidivist Arrest	%	48	45	41	56
Months to First Recidivist Arrest	Avg.	10	10	9	9
Recidivist Conviction	%	25	23	24	29
Months to First Recidivist Conviction	Avg.	13	13	15	14
Recidivist Incarceration	%	31	28	27	39
Months to First Recidivist Incarceration	Avg.	9	9	9	8
Select Correctional Assignments in Addition to ACDP					
Jobs					
Construction	#	124	86	7	31
Correction Enterprises	#	588	382	39	167
Work Release	#	246	202	6	38
Programs					
Academic Education	#	1,769	1,181	96	492
SOAR	#	8	8	0	0
Vocational Education	#	1,402	919	84	399

Note: Of the 3,418 prisoners who were assigned to a prison-based ACDP during his/her incarceration, 84% were assigned to intermediate treatment (duration: 90-120 days) and 16% were assigned to long-term intensive treatment (duration: 120-365 days).

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

Table F.7
SOAR

		Total N=45	Program Outcomes		
			Positive n=41	Neutral n=3	Negative n=1
Personal Characteristics					
Male	#	45	41	3	1
Race					
Black	#	13	11	1	1
White	#	30	28	2	0
Other/Unknown	#	2	2	0	0
Age at Prison Release	Avg.	49	49	56	49
Married	#	5	4	1	0
High School Dropout/GED	#	22	20	2	0
Employed	#	24	23	1	0
Substance Use/Abuse Indicated	#	23	21	2	0
Prior Criminal Justice Contacts					
Prior Arrest	#	38	35	2	1
Prior Probation Entry	#	19	16	2	1
Prior Probation/PRS Revocation	#	7	5	2	0
Prior Incarceration	#	8	5	2	1
Most Serious Current Offense					
Offense Class					
Class B1 – D Felony	#	32	30	1	1
Class E – G Felony	#	13	11	2	0
Class H – I Felony	#	0	0	0	0
Offense Type					
Person	#	42	39	2	1
Property	#	1	1	0	0
Drug	#	0	0	0	0
Other	#	2	1	1	0
Incarceration Profile					
Type of Prison Entry					
New Crime	#	33	31	2	0
Probation Revocation	#	0	0	0	0
PRS Revocation	#	12	10	1	1
Time Served					
12 Months or Less	#	11	9	1	1
13-24 Months	#	3	2	1	0
25 Months or More	#	31	30	1	0

continued

**Table F.7
SOAR**

		Total N=45	Program Outcomes		
			Positive n=41	Neutral n=3	Negative n=1
Incarceration Profile <i>continued</i>					
Infractions					
1 or more	#	28	25	2	1
Total	Avg.	3	3	2	1
Class A	Avg.	2	2	1	N/A
Class B	Avg.	3	3	1	1
Class C	Avg.	2	2	N/A	N/A
Custody Classification at Release					
Close	#	0	0	0	0
Medium	#	29	25	3	1
Minimum	#	16	16	0	0
Released onto PRS	#	37	34	2	1
Criminal Justice Outcomes: Two-Year Follow-Up					
Recidivist Arrest	#	4	4	0	0
Months to First Recidivist Arrest	Avg.	13	13	N/A	N/A
Recidivist Conviction	#	0	0	0	0
Months to First Recidivist Conviction	Avg.	N/A	N/A	N/A	N/A
Recidivist Incarceration	#	5	4	0	1
Months to First Recidivist Incarceration	Avg.	7	8	N/A	2
Select Correctional Assignments in Addition to SOAR					
Jobs					
Construction	#	8	7	1	0
Correction Enterprises	#	21	20	0	1
Work Release	#	0	0	0	0
Programs					
Academic Education	#	37	34	2	1
ACDP	#	8	6	1	1
Vocational Education	#	40	37	2	1

Note: The offense type is based on the most serious offense, which may or may not be the sex offense for which the offender was assigned to SOAR.

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

**Table F.8
Vocational Education**

		Total N=4,549	Program Outcomes		
			Positive n=3,373	Neutral n=419	Negative n=757
Personal Characteristics					
Male	%	87	86	83	91
Race					
Black	%	54	54	47	58
White	%	41	41	48	37
Other/Unknown	%	5	5	5	5
Age at Prison Release	Avg.	35	36	34	33
Married	%	12	12	11	10
High School Dropout/GED	%	70	69	71	75
Employed	%	48	49	47	43
Substance Use/Abuse Indicated	%	78	77	79	79
Prior Criminal Justice Contacts					
Prior Arrest	%	93	92	96	94
Prior Probation Entry	%	81	80	88	85
Prior Probation/PRS Revocation	%	57	55	64	63
Prior Incarceration	%	56	54	64	59
Most Serious Current Offense					
Offense Class					
Class B1 – D Felony	%	34	38	17	27
Class E – G Felony	%	36	35	35	37
Class H – I Felony	%	30	27	48	36
Offense Type					
Person	%	38	40	26	38
Property	%	26	23	34	31
Drug	%	17	17	22	12
Other	%	19	20	18	19
Incarceration Profile					
Type of Prison Entry					
New Crime	%	74	77	63	71
Probation Revocation	%	12	11	20	14
PRS Revocation	%	13	13	17	15
Time Served					
12 Months or Less	%	32	28	53	36
13-24 Months	%	20	19	24	24
25 Months or More	%	48	53	23	40

continued

**Table F.8
Vocational Education**

		Total N=4,549	Program Outcomes		
			Positive n=3,373	Neutral n=419	Negative n=757
Incarceration Profile <i>continued</i>					
Infractions					
1 or more	%	79	78	73	90
Total	Avg.	6	6	5	9
Class A	Avg.	2	2	2	3
Class B	Avg.	5	4	4	7
Class C	Avg.	3	3	2	3
Custody Classification at Release					
Close	%	12	9	9	23
Medium	%	35	34	38	38
Minimum	%	53	57	53	39
Released onto PRS	%	75	75	69	75
Criminal Justice Outcomes: Two-Year Follow-Up					
Recidivist Arrest	%	45	42	54	57
Months to First Recidivist Arrest	Avg.	10	10	9	9
Recidivist Conviction	%	21	20	26	26
Months to First Recidivist Conviction	Avg.	14	14	14	14
Recidivist Incarceration	%	27	24	37	35
Months to First Recidivist Incarceration	Avg.	8	8	9	8
Select Correctional Assignments in Addition to Vocational Education					
Jobs					
Construction	#	224	178	26	20
Correction Enterprises	#	1,000	800	65	135
Work Release	#	448	391	29	28
Programs					
Academic Education	#	3,001	2,314	215	472
ACDP	#	1,402	1,089	126	187
SOAR	#	40	39	1	0

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