



North Carolina Department of Public Safety

Adult Correction and Juvenile Justice

Roy Cooper, Governor
Erik A. Hooks, Secretary

Timothy D. Moose, Chief Deputy Secretary

MEMORANDUM

TO: Chairs of the Joint Legislative Oversight Committee on Justice and Public Safety
Chairs of Senate Appropriations Committee on Justice and Public Safety
Chairs of House Appropriations Subcommittee on Justice and Public Safety

FROM: Erik A. Hooks, Secretary *EAH*
Timothy D. Moose, Chief Deputy Secretary *TDM*

RE: Mutual Agreement Parole Program Report

DATE: March 1, 2020

Pursuant to NC General Statute 143B-707.2(a), the Department of Public Safety and the Post-Release Supervision and Parole Commission shall report by March 1 of each year to the Chairs of the House of Representatives and Senate Appropriations Subcommittees on Justice and Public Safety and to the Chairs of the Joint Legislative Oversight Committee on Justice and Public Safety on the number of inmates enrolled in the mutual agreement parole program, the number completing the program and being paroled, and the number who enrolled but were terminated from the program. The information should be based on the previous calendar year.

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Post Release Supervision and Parole Commission

Mutual Agreement Parole Program Report

S.L. 2007-323

February 28, 2020

Handwritten signature of Willis J. Fowler in cursive.

Willis J. Fowler
Chairman

Handwritten signature of Graham H. Atkinson in cursive.

Graham H. Atkinson
Commissioner

Handwritten signature of Eric A. Montgomery in cursive.

Eric A. Montgomery
Commissioner

Handwritten signature of Angela R. Bryant in cursive.

Angela R. Bryant
Commissioner

INTRODUCTION

The Mutual Agreement Parole Program (MAPP) helps to prepare selected parole-eligible inmates for release through structured activities, scheduled progression in custody levels, participation in community-based programs and conditional parole dates. The offenders, the Division of Prisons and the Post-Release Supervision and Parole Commission sign a written agreement that sets forth a plan for the inmate's eventual parole. * The inmate agrees to meet certain conditions set by the Division of Prisons and the Post-Release Supervision and Parole Commission (Parole Commission). In turn, the Parole Commission agrees to consider paroling the offender if those conditions are met. Although they are not legally enforceable contracts, MAPP agreements have proven to be useful tools in influencing and promoting positive inmate behavior.

The Mutual Agreement Parole Program (MAPP) began in North Carolina in 1975 as a pilot project and went statewide a year later. In the early years, the program focused on committed youthful offenders and adult inmates involved in certain highly regarded vocational training programs such as the Iredell Furniture Program, the Cleveland Comprehensive Education Program and vocational training at North Carolina Correctional Institution for Women. Gradually, the Parole Commission began to use MAPP to encourage improved behavior and to structure a gradual release from prison for a broader range of inmates. Today, MAPP is an effective management tool that encourages behavioral change, rewards appropriate behavior, evaluates an offender's readiness for release, and prepares the offender for successful re-entry into society.

Section 17.1 of Session Law 2007-323 provides as follows:

MUTUAL AGREEMENT PAROLE PROGRAM

SECTION 17.1 The Department of Correction and the Post-Release Supervision and Parole Commission shall report by March 1 of each year to the Chairs of the House of Representatives and Senate Appropriations Subcommittees on Justice and Public Safety and to the Joint Legislative Corrections, Crime Control, and Juvenile Justice Oversight Committee on the number of inmates enrolled in the program, the number completing the program and being paroled, and the number who enrolled but were terminated from the program. The information should be based on the previous calendar year.

As mandated by the special provision, this report presents statistical information regarding MAPP based on the 2019 calendar year.

*Official signatories include offender, the DOP MAPP Director, three Parole Commissioners and the MAPP Coordinator at the facility where the inmate is housed.

ELIGIBILITY FOR THE PROGRAM

An inmate is eligible for the MAPP Program if he or she meets the following criteria:

- The inmate has reached his regularly scheduled parole review date;
- The inmate is in medium or minimum custody;
- The inmate is not subject to a detainer or pending court action which may result in further confinement;
- The inmate has not had an infraction within the past 90 days;
- The inmate was convicted of a felony under pre-Structured Sentencing laws; and
- The inmate recognizes a need for involvement in MAPP and expresses an interest in one or more of the following: learning a skill, improving educational achievements, modifying specific behaviors or engaging in personal growth program.

THE PROCESS

Offenders are reviewed for MAPP/parole regularly. Once the review process begins, the Parole Commission sends notifications to victims, district attorneys and the media. Stakeholders have a 30-day period in which to provide information regarding the case. The Parole Commission reviews all information obtained through the investigation and makes a final decision.

If the case receives a favorable vote, the case is forwarded to the Division of Prisons for development. During the development process, a case manager at the facility housing the inmate develops a case plan to prepare the inmate to transition back into the community. The plan includes activities and assignments that will address various needs identified by the case manager. In addition, a majority of offenders will be required to undergo a psychological assessment as part of the development process.

Cases that have completed the development stage return to the MAPP Office to be scheduled for negotiations. During the negotiations process, the DOP MAPP Director, a Parole Commissioner and the MAPP Coordinator from the facility where the inmate is housed sit down with the inmate, review the development plan and formulate the final agreement. Once all parties agree to the terms of the MAPP Plan, the parties sign the document and the inmate is enrolled in MAPP. The average MAPP Agreement takes 65 days from referral to completion.

On January 1, 2019, 97 inmates were participating in the Mutual Agreement Parole Program (MAPP). An additional 100 inmates were enrolled in the program during the calendar year, bringing the total to 197. Twenty-seven (27) completed the program and were released, 4 were terminated from the program. At the end of the year, a total of 166 inmates were actively participating in MAPP. The number of inmates eligible for MAPP on 12/31/19 was 1,331. In situations where MAPP participation was suspended or terminated, it was the position of the Commission that these cases could not safely be paroled or participate in MAPP because of the nature of their offenses, their prison conduct and/or unfavorable psychological information.

The Post-Release Supervision and Parole Commission has granted MAPP participation to 14.8% of the eligible population for the year. With the passage of time, the pool of qualified candidates has diminished. In identifying offenders for MAPP, we consider the needs of the system, the rights of the individual and the safety of the public. As the number of eligible offenders' declines, the decisions become more difficult and more important.

It is important that inmates who are participating in MAPP be placed in and satisfactorily complete programs that have been agreed upon as part of their MAPP contract by the Commission, DOP and the inmate. Participation in community-based programs allows the inmate to demonstrate that he/she has matured and can safely handle responsibility in the community. It also provides authorities additional time to determine the inmate's suitability for release. If the offender does not participate in the agreed upon community-based programs, the Commission has no alternative but to suspend the agreement due to public safety concerns.

The Mutual Agreement Parole Program has proven to be an effective management tool in preparing inmates for a successful re-entry to society. The Department of Public Safety and the Post-Release Supervision and Parole Commission continues to work toward increasing MAPP participation without jeopardizing public safety.