

CORRECTIONAL PROGRAM EVALUATION

OFFENDERS PLACED ON
PROBATION OR RELEASED
FROM PRISON

FISCAL YEAR
2019



NORTH CAROLINA
SENTENCING AND
POLICY ADVISORY
COMMISSION

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CORRECTIONAL PROGRAM EVALUATION

OFFENDERS PLACED ON PROBATION OR RELEASED FROM PRISON IN FY 2019

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ACRONYMS

ACDP	Alcohol and Chemical Dependency Programs
ASR	Advanced Supervised Release
CBI	Cognitive Behavioral Intervention
CCH	Computerized Criminal History
CRV	Confinement in Response to Violation
DES	Division of Employment Security
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
NAICS	North American Industry Classification System
OPUS	Offender Population Unified System
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
SMI	Serious Mental Illness
SOAR	Sex Offender Accountability and Responsibility
SSA	Structured Sentencing Act
TDU	Therapeutic Diversion Unit
TECS	Treatment for Effective Community Supervision

EXECUTIVE SUMMARY

2022 CORRECTIONAL PROGRAM EVALUATION

OFFENDERS PLACED ON PROBATION OR RELEASED FROM PRISON IN FY 2019

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 2019 (N=47,090), and also offers an examination of outcomes for offenders under the Justice Reinvestment Act (JRA). 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 2022 report.

FY 2019 SAMPLE PROFILE AND OUTCOMES

- Sixty-six percent (65%) of the sample were probation entries; 35% were prison releases.
- Overall, 78% were male and 51% were white. Prisoners were more likely than probation entries to be high school dropouts, have a substance use problem, and to be assessed as extreme risk.
- Probationers were more likely than prisoners to have prior employment, work more quarters during the two years prior to entry, and have a higher average wage earned per quarter.
- By sample definition, all prisoners in the sample had a current conviction for a felony offense, while the majority of probationers (58%) 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).
- Probationers and prisoners assessed as extreme risk and need had the highest recidivism rates.
- 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. The probability of recidivism was highest for younger offenders, males, unmarried offenders, high school dropouts, unemployed offenders, and offenders with substance use issues.

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

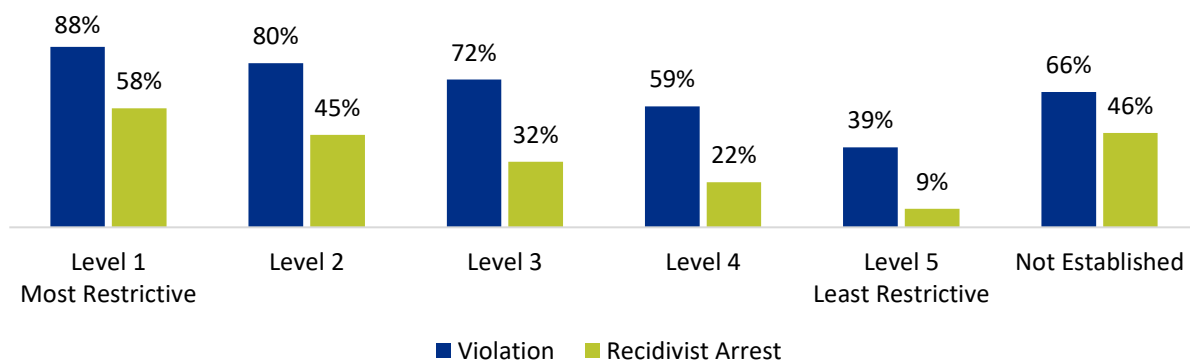
Offender Type	N	% Recidivist Arrest	% Recidivist Conviction	% Recidivist Incarceration
Probation Entries	30,750	37	14	12
Prison Releases	16,340	49	20	36
Total	47,094	41	16	21

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

PROBATION ENTRIES

- Felons had more extensive prior contact with the criminal justice system compared to misdemeanants and had higher recidivist arrest rates (40% compared to 35%).
- 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, 4, and 5.
- Probationers in Supervision Level 1 had the highest violation and recidivist arrest rates while those in Supervision Level 5 had the lowest (see Figure 1). This pattern was also found for other interim outcomes (e.g., quick dips, CRVs, revocations).
- CRV offenders had lower recidivist arrest and recidivist incarceration rates compared to similar felony probationers. Offenders who served their CRV in prison had higher recidivist incarceration rates compared to those who served their CRV in a CRV center (24% and 21% respectively).
- Multivariate analyses revealed 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
Outcomes by Supervision Level for FY 2019 Probation Entries: Two-Year Follow-Up



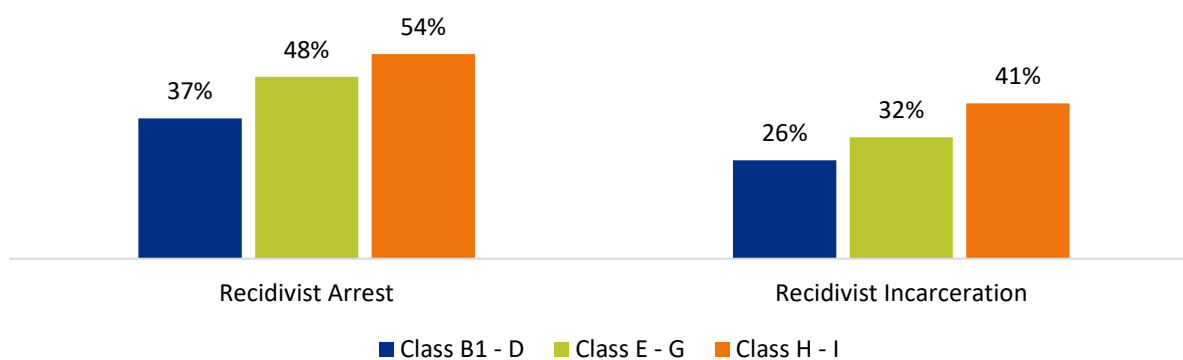
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

PRISON RELEASES

- Overall, 14% had a most serious conviction for a Class B1 – D felony, 33% 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 post-release supervision (PRS) revocation, who had infractions, who were placed in restrictive housing while incarcerated, 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.
- Class B1 – D prisoners had the lowest percentage assessed as either extreme or high risk and the highest percentage assessed in the lower levels. The three groups had a similar percentage assessed at the two highest need levels.

- Prisoners assessed as extreme risk or extreme need had the highest recidivism rates. Differences in recidivism rates between the groups were minimized slightly for those assessed as extreme or high risk; however, differences between the groups were more pronounced in some of the other levels.
- Over two-thirds exited PRS with a satisfactory termination of their supervision. Most of the remainder exited due to revocation, with absconding as the most frequent type of revocation. The majority of prisoners with PRS were assigned to the most restrictive supervision levels; recidivist arrest rates were also highest for those in the most restrictive supervision levels.
- Multivariate analyses unexpectedly showed that across all recidivism outcomes, risk level was not a significant predictor of recidivism. Only in the recidivist incarceration model was need level a consistent predictor of recidivism, with recidivism probabilities decreasing as need levels decreased.

Figure 2
Criminal Justice Outcomes by Offense Class for FY 2019 Prison Releases: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

CONCLUSIONS

- While the COVID-19 pandemic was not a factor for the FY 2019 sample entry, it affected the follow-up period and, correspondingly, recidivism rates. Recidivism rates decreased compared to the previous study; an examination of recidivism rates by sample entry and follow-up months revealed that measures declined over the course of the follow-up compared to those in FY 2017 (which were stable over the course of the follow-up).
- Consistent findings over time point to the relative success of probationers compared to prisoners.
- Offender risk assessments are a valuable tool in predicting recidivism. Current findings indicate that the risk and needs assessment (RNA) accurately identifies those most likely to reoffend and places them in the appropriate, more restrictive supervision levels. However, RNA data for prisoners reveals a potential need to validate the instrument for this population.
- 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 policymakers. 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 twelfth 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.

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

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

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 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. Policymakers 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 (see Table 1.1). 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 (e.g., 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.

Table 1.1
Recidivism Defined

Recidivism	Definition	Data Source
• Arrest	• Fingerprinted arrest in NC	• State Bureau of Investigation
• Conviction	• Conviction resulting from fingerprinted arrest	• State Bureau of Investigation
• Incarceration	• Incarceration in state prison system (does not include Confinement in Response to Violation for probationers)	• Department of Public Safety

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

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 remixing 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 again implemented substantial changes to the state's sentencing practices and correctional policies.³ The majority of the changes under the JRA affected how offenders are supervised in the community, such as requiring the use of a validated risk and needs assessment (RNA) to guide supervision and other resources. Delegated authority to probation officers was expanded, giving them authority to impose most of the current conditions of probation and 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 first and second technical violations of probation was limited to 90 days of imprisonment for felons, referred to as confinement in response to violation (CRV)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 (felons) or two prior quick dips (misdemeanants)). Otherwise, revocation is authorized only if the probationer commits a new crime or absconds.

³ For more details on the JRA, see the Sentencing Commission's reports titled *Justice Reinvestment Act Implementation Evaluation Report* at <https://www.nccourts.gov/documents/publications/jra-implementation-evaluation-report>.

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.

Post-release supervision (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, 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.

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. All misdemeanants with sentences greater than 90 days, and all offenders convicted of impaired driving offenses regardless of sentence length, 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 noncompliance 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 1.2 presents overall recidivism rates (measured as recidivist arrests) for SSA offenders for the Commission's past seven 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. Rates were stable again until FY 2017 when a measurable increase was observed for both prisoners and probationers (discussed below).

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

Table 1.2
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
FY 2017	46,094	41	51	44

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 increased recidivism rates beginning with the FY 2009 sample prompted further investigation into whether the increase captured an actual upswing in criminal behavior or reflected a change in the methodology of measuring that behavior, or both.⁶ The primary explanation for the increase was due to a change in field technology, with improved fingerprinting technology in sheriffs' offices and police departments resulting in more 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.⁷ As a result of both 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.⁸ The increases for the FY 2017 sample were also explored; no external factors (e.g., improved technologies, changes in enforcement) were found to account for the increases. The primary explanations for the increase included a change in the internal composition of the sample under the JRA to include a higher proportion of prisoners as probation entries have declined, as well as an increase in offenders with more extensive criminal history – both of which are associated with increased recidivism.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 timeframes for each offender: preexisting factors such as demographic characteristics and criminal

⁶ 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.

⁷ S.L. 2015-195.

⁸ 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, although the gap has closed in recent years.

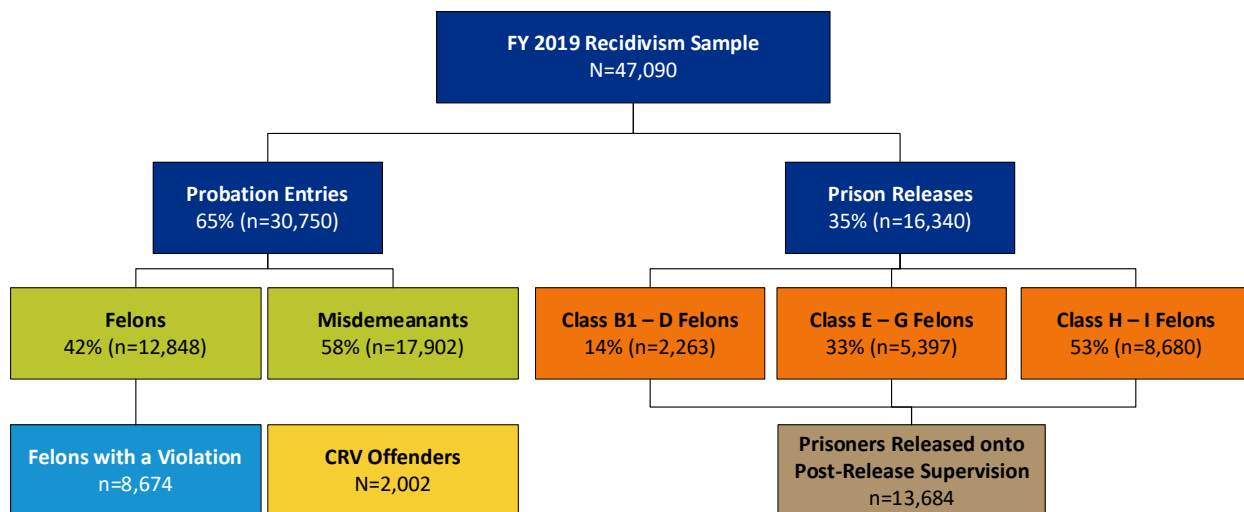
⁹ See the Sentencing Commission's 2020 recidivism report, Chapter 7, for an extended discussion of recidivism rates for the FY 2017 sample at <https://www.nccourts.gov/documents/publications/adult-recidivismcorrectional-program-evaluation>.

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.

SAMPLE

Figure 1.1 provides a visual depiction of the FY 2019 recidivism sample, including the distribution by offender type. The sample selected for the current study included all offenders released from state prison or placed on supervised probation during FY 2019 with two exceptions; offenders with a most serious conviction for Driving While Impaired (DWI) and offenders released from prison with a misdemeanor conviction were excluded from the study.¹⁰ The final study sample includes 47,090 offenders sentenced under the SSA, affording a comprehensive look at the recidivism of offenders in North Carolina.

Figure 1.1
FY 2019 Recidivism Sample



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Of note for the FY 2019 sample is the addition of probationers with a most serious conviction for a Class 2 or Class 3 traffic offense (n=2,480). In previous samples, these offenders were excluded. An extensive investigation was conducted to determine if the addition of these probationers had any effect on information presented in this report – impact on sample characteristics, interim outcomes, or criminal justice outcomes. Minimal differences were found with their inclusion when comparing to a sample excluding these offenders. The only notable difference was an increased proportion in the “other” category for the most serious current conviction given that Class 2 and Class 3 traffic offenses are classified as “other.”

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.

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 2019 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 (e.g., delegated authority, CRV, 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.

COVID-19 PANDEMIC AND THE CRIMINAL JUSTICE SYSTEM

The onset of the COVID-19 pandemic beginning in March 2020 had immediate effects on the criminal justice system. In response to the public health crisis, many criminal justice processes were temporarily halted, dramatically slowed, or altered to accommodate emergency directives put in place by the Governor and Chief Justice. While the pandemic was not a factor for sample entry (FY 2019), it affected the follow-up period. The individually calculated two-year fixed follow-up period ranged from July 1, 2018 to June 30, 2021, with the pandemic beginning in March 2020. The number of follow-up months affected by the pandemic varied based on when the offender entered the sample as either a probation entry or a prison release, ranging from an impact of 4 months to 15 months. These differences in the months of follow-up affected by the pandemic prompted further examination to explore the impact on criminal justice outcomes for the FY 2019 sample, which are discussed in Chapter Seven. Future reports will offer additional opportunities to examine the pandemic's effect on recidivism rates.

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 2019 sample and to obtain information on demographic characteristics, offender RNA data, current convicted offense and sentence,¹¹ correctional sanction and treatment programs, and prior and recidivist probation and incarceration measures.

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.

- 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 fingerprinted (G.S. 15A-502). The study excludes arrests for impaired driving or other minor traffic offenses, as well as noncriminal arrests (e.g., arrests for technical violations of probation).
- The North Carolina Department of Commerce, Division of Employment Security's (DES) data management system was used to obtain employment information for offenders in the FY 2019 sample including wages, industry codes, and quarters employed. These data provide a record of formal employment for jobs covered by North Carolina's state unemployment insurance (UI) program and, therefore, may not include earnings from informal employment, self-employment, federal government employment, out-of-state employment, and other non-covered work.

A case profile was constructed for each sample offender based on the data obtained from OPUS, CCH, and DES. The final data set for this study consists of over 600 items of information (or variables) for the sample of 47,090 offenders placed on probation or released from prison between July 1, 2018 and June 30, 2019 and followed for two years.¹²

REPORT OUTLINE

This report examines recidivism for SSA offenders who were placed on supervised probation or released from prison in FY 2019, and also provides an examination of outcomes for offenders under the JRA. Importantly, risk and need information was available for most prisoners in the FY 2019 sample, offering the first complete examination of these offenders using RNA data. The addition of employment data, as noted above, is new to this report and provides more detailed information about prior employment and employment during follow-up for prisoners and probationers.

Chapter Two presents a descriptive profile of the FY 2019 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 (including risk and need levels) and recidivism of offenders released from prison and those placed on supervised probation.

Chapter Three provides a more detailed examination of the FY 2019 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 separate examination of offenders (not included in the overall sample) who were followed for two years after their release from serving a CRV. A subset of similar felony probationers was used as a comparison group throughout the chapter. CRV centers are also examined, comparing outcomes between those CRV offenders serving their CRV in centers versus in prison.

Chapter Five provides a further examination of the FY 2019 prison releases, with a comparison of offenders by offense class groupings. The chapter offers a descriptive comparison of the groups of

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

prisoners in terms of their personal characteristics, risk and need levels, prior criminal history, incarceration profile, and recidivism during follow-up. An examination of outcomes for prisoners with PRS is also provided.

Chapter Six incorporates the information from previous chapters and considers how multiple factors, taken together, affect the probability of recidivism using multivariate analysis. Analyses examine the FY 2019 sample overall, and by group (i.e., probationers and prisoners). 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 Seven concludes with a discussion of consistent findings across the Sentencing Commission's recidivism reports, as well as updated observations on the effect of JRA on recidivism. The COVID-19 pandemic is also discussed in terms of its potential effect on the FY 2019 sample and recidivism measures.

CHAPTER TWO

STATISTICAL PROFILE AND CRIMINAL JUSTICE OUTCOMES OF THE FY 2019 SAMPLE

Chapter One defines the study sample as primarily SSA offenders who were either placed on supervised probation or were released from prison during FY 2019. Chapter Two examines the FY 2019 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, most serious current conviction by offense class and offense type, and offender risk and needs. Employment outcomes during the two-year follow-up period are examined for the sample. Criminal justice outcomes for the sample are also examined, with a focus on recidivist arrests, convictions, and incarcerations by offender type, personal characteristics, most serious current conviction, and risk and need levels.¹⁴

Chapter One summarizes 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 some implications related to the internal composition of the FY 2019 sample. Based on the effective date of the JRA (December 1, 2011), all probationers in the FY 2019 sample and most prisoners were subject to the provisions of the JRA.

STATISTICAL PROFILE OF THE FY 2019 SAMPLE

Offender Type

There were 47,090 offenders who were placed on supervised probation (65%) or released from prison (35%) during FY 2019. Offenders with a most serious current conviction for DWI and offenders released from prison with a misdemeanor conviction were excluded from the sample.

Personal Characteristics

Table 2.1 contains information describing the personal characteristics of the FY 2019 sample. Of the 47,090 offenders, 78% were male, 44% were black, 51% were white, 88% were not married, 58% dropped out of high school, 56% were employed, and 76% were identified as having a possible substance use problem. Probationers had a lower percentage of males than prisoners and, on average, were slightly younger (34 years compared to 35 years respectively), as also illustrated in Figure 2.1. Compared to probationers, prisoners were less likely to have graduated from high school and had a lower percentage with prior employment. A higher percentage of prisoners were also identified as having a possible substance use problem.

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 B for definitions of recidivism and other key terms and 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 <https://www.nccourts.gov/documents/publications/jra-implementation-evaluation-report>.

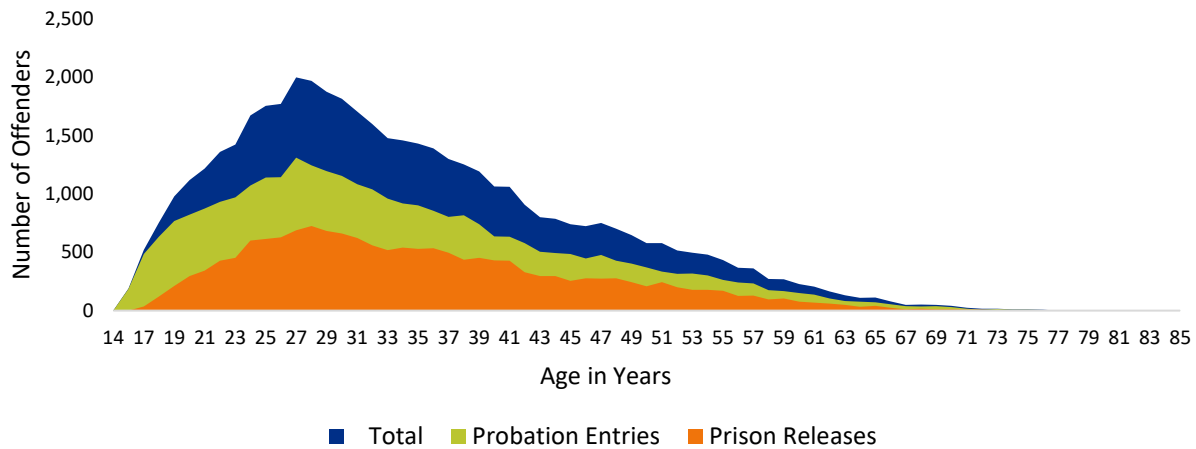
Table 2.1
Personal Characteristics

Personal Characteristics	Probation Entries n=30,750 %	Prison Releases n=16,340 %	Total N=47,090 %
Gender			
Female	27	13	22
Male	73	87	78
Race			
White	53	47	51
Black	42	48	44
Other/Unknown	5	5	5
Age at Probation Entry/Prison Release			
Under 21 Years	9	4	8
21-29 Years	32	31	32
30-39 Years	30	33	31
40-49 Years	17	19	17
50 Years and Older	12	13	12
Marital Status			
Married	13	11	12
Not Married	87	89	88
Education			
High School Graduate	48	30	42
High School Dropout/GED	52	70	58
Prior Employment			
Employed	61	47	56
Not Employed	39	53	44
Substance Use			
None Indicated	25	23	24
Substance Use Indicated	75	77	76

Note: Sixty-one (61) offenders were missing education and 5,867 were missing substance use information. Of the 47,090 offenders with ethnicity data available, 3% were Hispanic.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Figure 2.1
Age at Probation Entry or Prison Release



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Table 2.2 presents quarterly wages earned and number of quarters worked for the 26,421 offenders who were employed in the two years prior to probation or prison entry.¹⁶ Probationers had a higher average wage earned per quarter than prisoners (\$3,137 and \$2,122 respectively). To account for extreme values the median is also reported. Probationers had a median quarterly wage earned that was 58% higher than the median quarterly wage earned by prisoners. Probationers, on average, worked more quarters during the two years prior compared to prisoners (5 and 3 respectively).

Table 2.2
Prior Employment Profile

Employment in Two Years Prior	Probation Entries n=17,797	Prison Releases n=6,728	Total n=24,525
Quarterly Wages Earned			
Average	\$3,137	\$2,122	\$2,858
Median	\$2,285	\$1,443	\$2,016
Number of Quarters Worked			
Average	5	3	4
Median	5	3	4

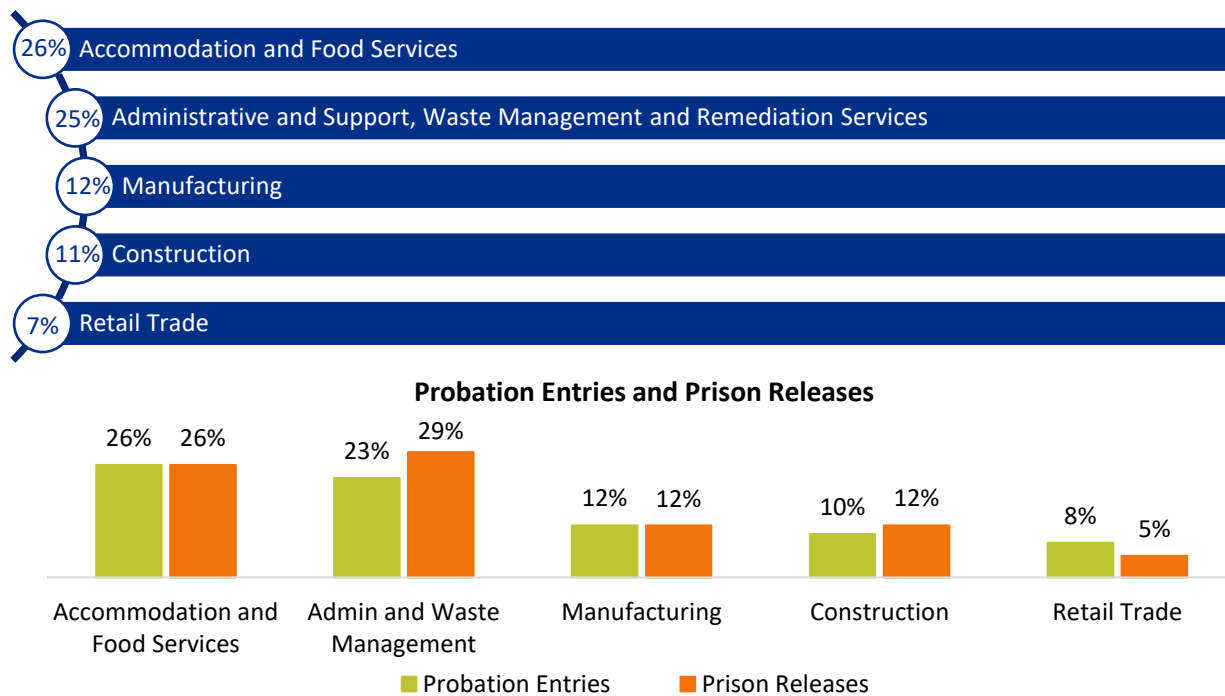
Note: Of the 26,421 offenders with prior employment, 1,896 had discrepant quarterly data and were excluded from the table.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

¹⁶ The number of quarters worked is based on whether an offender was paid during the quarter. It is important to note that the total number of quarters worked are not consecutive quarters, but rather the total number of quarters worked over the span of eight quarters (or two years).

Figure 2.2 shows the top 5 industries for the last quarter worked prior to probation or prison entry.¹⁷ Accommodation and Food Services¹⁸ was the most common industry worked (26%). Administrative and Support, Waste Management and Remediation Services¹⁹ closely followed the top industry with 25% offenders working in this industry. Overall, the top 5 industries accounted for 81% of the industries worked for the sample. The top industry for probationers and prisoners differed with Accommodation and Food Services being the most common industry worked for probationers (26%) while prisoners most frequently worked in Administrative and Support, Waste Management and Remediation Services (29%).

Figure 2.2
Top 5 Prior Employment Industries
FY 2019 Sample



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Criminal History

Prior criminal justice contacts, including prior arrests, probation entries, probation/PRS revocations, and incarcerations are examined in Table 2.3. Regardless of the measure used to track prior criminal history, prisoners tended to have more extensive prior criminal histories than probationers.

¹⁷ Industry information is based on a federal classification system, the North American Industry Classification System (NAICS). More information regarding NAICS industry codes can be found at <https://www.census.gov/naics/>. A description of industries is provided at <https://www.bls.gov/iag/>.

¹⁸ Accommodation and Food Services activities include providing customers with lodging and/or preparing meals, snacks, and beverages for immediate consumption.

¹⁹ Administrative and Support, Waste Management and Remediation Services activities include office administration, hiring and placing of personnel, document preparation and similar clerical services, solicitation, collection, security and surveillance services, cleaning, and waste disposal services.

Prior arrests have consistently been found to be a strong predictor of recidivism.²⁰ As a whole, 86% of the FY 2019 sample had at least one prior fingerprinted arrest. Prisoners were more likely to have a prior fingerprinted arrest than probationers (95% and 82% respectively) and to have a higher average number of prior arrests (8 and 5 respectively). Figure 2.3 further illustrates the differences in number of prior arrests for prisoners and probationers. The 40,589 offenders with a prior arrest accounted for a total of 249,396 prior arrests.²¹ Of offenders with prior arrests, 88% had a prior felony arrest.

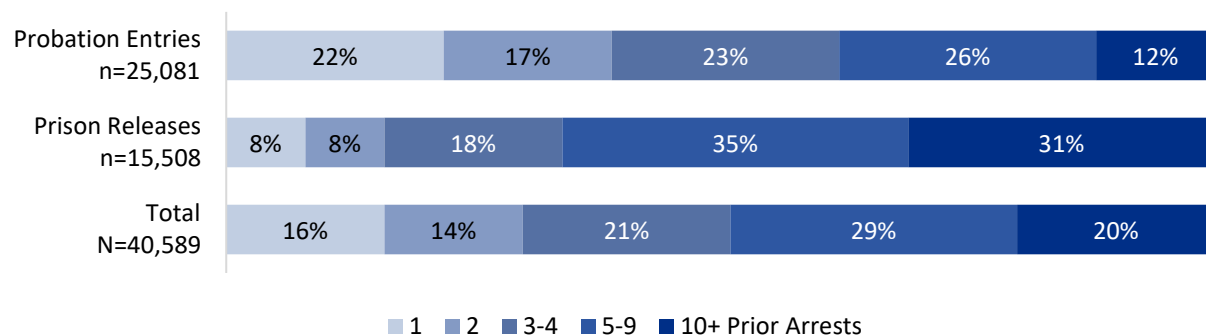
In addition to prior arrests, when compared to probationers, prisoners had substantively higher rates of prior contacts for all measures – prior probation entry (88% compared to 59%), prior probation/PRS revocation (59% compared to 34%), and prior incarceration (56% compared to 28%).

Table 2.3
Prior Criminal Justice Contacts

Prior Criminal Justice Contacts	Probation Entries n=30,750 %	Prison Releases n=16,340 %	Total N=47,090 %
Prior Arrest	82	95	86
Prior Probation Entry	59	88	69
Prior Probation/PRS Revocation	34	59	43
Prior Incarceration	28	56	37

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Figure 2.3
Number of Prior Arrests



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Most Serious Current Conviction²²

Figure 2.4 presents information on the convicted offense class for the FY 2019 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

²⁰ See the Sentencing Commission's previous recidivism reports at <https://www.nccourts.gov/documents/publications/adult-recidivismcorrectional-program-evaluation>.

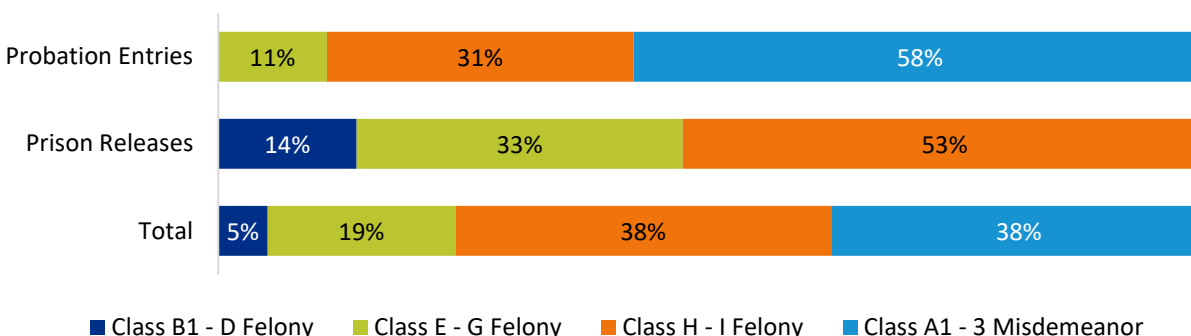
²¹ The 25,081 probationers with a prior arrest accounted for a total of 123,014 prior arrests and the 15,508 prisoners with a prior arrest accounted for a total of 126,382 prior arrests.

²² For the sake of brevity, the term "most serious current conviction" is often referred to as "conviction."

criminal history.²³ Offenders convicted of Class B1 – D felonies are required to receive an active sentence, with limited exceptions.^{24,25} 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.²⁶ Offenders convicted of Class A1 – 3 misdemeanors may receive an active sentence, supervised or unsupervised probation, or a fine; sentence lengths for 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.²⁷

Overall, 62% of the sample had a conviction for a felony offense and 38% had a conviction for a misdemeanor offense. By sample definition, in FY 2019, all prisoners had a conviction for a felony offense, while the majority of probationers had a conviction for a misdemeanor offense (58%).

Figure 2.4
Offense Class of the Most Serious Conviction



Note: Less than 1% of probationers had a Class B1 – D felony as their most serious conviction.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Figure 2.5 presents information on convictions by offense type (i.e., person, property, drug, other). Overall, 35% of the sample had a conviction for a property offense, followed by 26% for drug offenses, 21% for person offenses,²⁸ and 18% for other offenses. The majority of prisoners and probationers had a conviction for property offenses (35% each). A larger percentage of probationers had drug convictions (27% compared to 24%).

²³ For further information about Structured Sentencing, see the *Structured Sentencing Training and Reference Manual* and punishment charts at <https://www.nccourts.gov/documents/publications/structured-sentencing-training-and-reference-materials>.

²⁴ Under the SSA, offenders convicted of a Class A felony may receive either a death sentence or a life sentence.

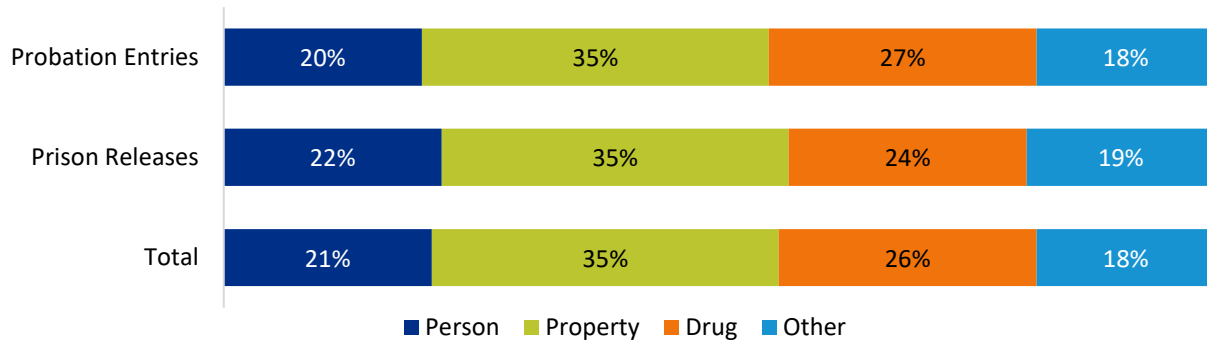
²⁵ See extraordinary mitigation (G.S. 15A-1340.13(g) and (h)) and felony death by vehicle (G.S. 20-141.4(b)(2)).

²⁶ For further information on sentences imposed for felony and misdemeanor convictions, see <https://www.nccourts.gov/documents/publications/structured-sentencing-statistical-reports>.

²⁷ Misdemeanants who receive a sentence greater than 90 days, and all offenders convicted of impaired driving offenses, serve their time in participating local jails through the Statewide Misdemeanant Confinement Program.

²⁸ Of the 9,946 offenders with a conviction for a person offense, 10% (n=974) had a conviction for an offense which requires registration as a sex offender under Article 27A of Chapter 14 of the NC General Statutes.

Figure 2.5
Offense Type of the Most Serious Conviction



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Offender Risk and Needs Assessments

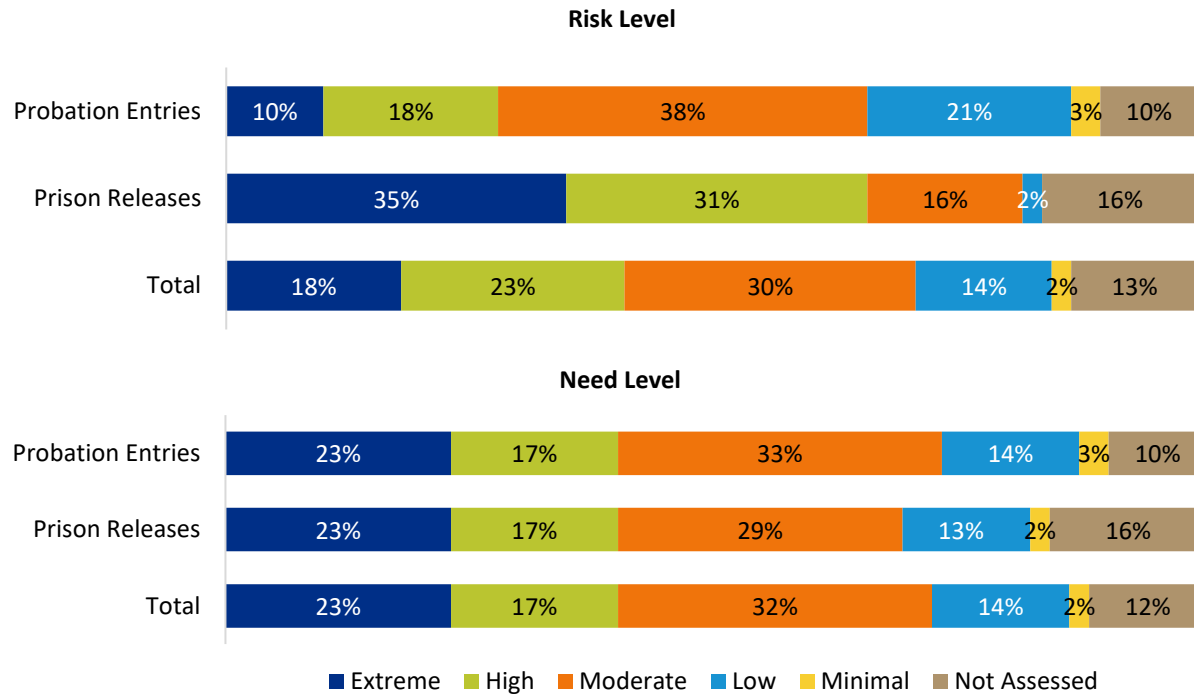
The DPS is required by law to use a validated instrument to assess each offender's risk of reoffending and criminogenic needs and to place the offender in the appropriate supervision level. The DPS currently uses the Offender Traits Inventory-Revised (OTI-R) to assess offender risk and the Offender Self-Report instrument and the Officer Interview and Impressions instrument to assess offender need to determine supervision level, program placement, and other interventions for offenders.

Information presented in this section comes from the OTI-R administered during community supervision. Specifically, the OTI-R is administered within the first 60 days of supervision. Each offender is assigned to one of five risk levels based on their score: extreme, high, moderate, low, and minimal. Figure 2.6 provides the risk level distribution for probationers and prisoners. Overall, 13% were not assessed,²⁹ 18% were assessed as extreme risk, 23% were assessed as high risk, 30% as moderate risk, 14% as low risk, and 2% as minimal risk. A higher percentage of prisoners were assessed as extreme or high risk compared to probationers, while a higher percentage of probationers were assessed as low and minimal risk compared to prisoners.

The need portion of the assessment addresses six criminogenic factors (i.e., dysfunctional family, criminal peers, anti-social personality, anti-social values, substance use problem, and self-control), in addition to other areas of need (e.g., transportation, legal, and mental health). Similar to risk, the need assessment divides offenders into five need levels: extreme, high, moderate, low, and minimal.

²⁹ The "not assessed" category may include those who were only partially assessed (i.e., an incomplete assessment).

Figure 2.6
Risk and Need Levels



Note: Less than 1% of prisoners were assessed as minimal risk.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Overall, 12% were not assessed, 23% were assessed as extreme need, 17% as high need, 32% as moderate need, 14% as low need, and 2% as minimal need (see Figure 2.6). Examination of need level showed little difference between probationers and prisoners – 23% of probationers and prisoners were assessed as extreme need. Probationers and prisoners were also assessed as minimal need at the same rate (2%).

Table 2.4 provides information on the areas of need that were flagged from the need portion of the RNA. The areas identified assist probation officers in potential referrals or services for the offender. Substance use problem (76%), transportation (71%), and legal (62%) were identified as the top areas of need. Probationers and prisoners were similar in most areas of need identified. Employment, however, was identified as a need for a larger proportion of prisoners than probationers (58% and 44% respectively). Transportation was identified as a need for a larger proportion of prisoners than probationers (82% and 66% respectively) as was anti-social personality (30% and 20% respectively).

Table 2.4
Areas of Need Identified

Areas of Need	Probation Entries n=27,539 %	Prison Releases n=13,684 %	Total n=41,223 %
Criminogenic Factors			
Anti-social Personality	20	30	24
Anti-social Values	18	18	18
Criminal Peers	41	45	42
Dysfunctional Family	54	51	53
Self-Control	25	25	25
Substance Use	75	77	76
Health Factors			
Mental Health	52	47	50
Physical	32	27	30
Additional Factors			
Academic/Vocational	41	43	42
Employment	44	58	49
Financial	34	31	33
Housing	30	28	29
Legal	59	67	62
Social Skills	42	48	44
Transportation	66	82	71

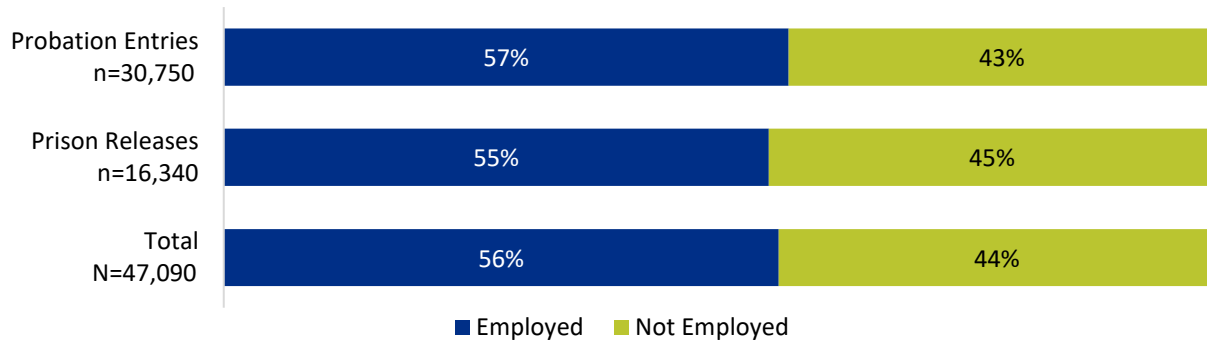
Note: Offenders who did not have an RNA completed and a supervision level assigned (n=5,867) were excluded from this table.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

EMPLOYMENT OUTCOMES

In addition to recidivism measures, employment status during the two-year follow-up period was examined as an outcome. If an offender was paid for any of the eight quarters during the two-year follow-up period, they were considered employed. Figure 2.7 shows that a little over half of probationers and prisoners were employed during the two-year follow-up period (57% and 55% respectively).

Figure 2.7
Employment Status: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Table 2.5 provides information on quarterly wages earned and number of quarters worked for the 26,593 offenders who were employed during the two-year follow-up period. Probationers had a higher average quarterly wage earned than prisoners (\$3,421 and \$3,056 respectively). To account for extreme values, the median is also reported. Probationers had a median quarterly wage earned that was 12% higher than the median quarterly wage earned by prisoners. As for the number of quarters worked, probationers, on average, worked one more quarter than prisoners during the two-year follow-up (5 and 4 respectively).

Table 2.5
Employment Outcomes: Two-Year Follow-Up

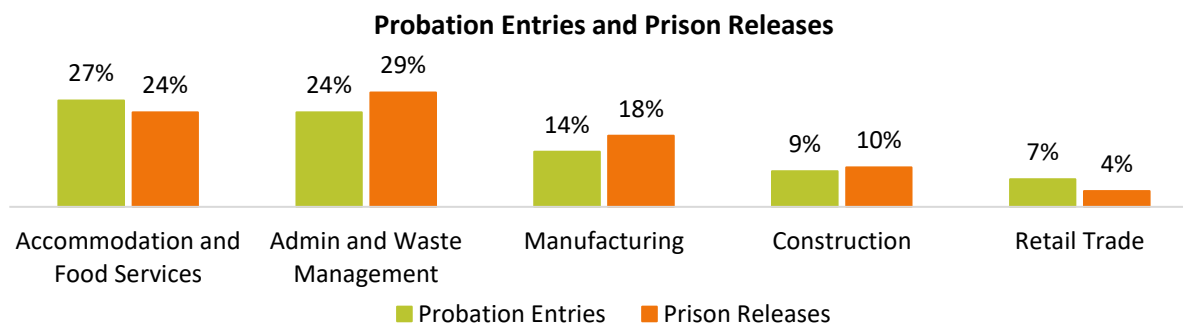
	Probation Entries n=16,603	Prison Releases n=8,064	Total n=24,667
Quarterly Wages Earned			
Average	\$3,421	\$3,056	\$3,302
Median	\$2,563	\$2,293	\$2,468
Number of Quarters Worked			
Average	5	4	4
Median	5	3	4

Note: Of the 26,593 offenders with employment in the two-year follow-up, 1,926 had discrepant quarterly data and were excluded from the table.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Figure 2.8 lists the top 5 industries for the first full quarter worked during the two-year follow-up for both the overall sample and by probationers and prisoners. Both Accommodation and Food Services and Administrative and Support, Waste Management and Remediation Services were the most common industry worked (accounting for 26% each). A larger proportion of offenders worked in Manufacturing during the two-year follow-up (15%) compared to those who worked in this industry during the two years prior (12%) (see Figure 2.2). Overall, the top 5 industries accounted for 81% of the employment industries for the sample. The top industry for probationers and prisoners differed with Accommodation and Food Services being the most common industry for probationers (27%), while prisoners most frequently worked in the Administrative and Support, Waste Management and Remediation Services (29%).

Figure 2.8
Top 5 Employment Industries: Two-Year Follow-Up
FY 2019 Sample



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

CRIMINAL JUSTICE OUTCOMES

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 higher recidivism rates than probationers.

Each offender in the FY 2019 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.³⁰ 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

³⁰ 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.

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 2.6. Of the 47,090 offenders in the FY 2019 sample, 41% (n=19,484) had a recidivist arrest during the follow-up. During 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 (53% and 47% respectively) (see Figure 2.9).

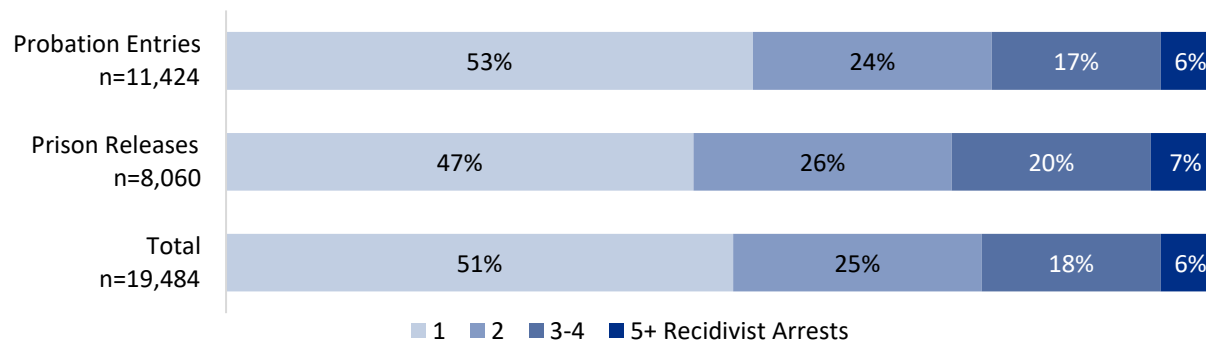
The 19,484 offenders who had a recidivist arrest during follow-up accounted for a total of 39,440 arrests (as shown in Table 2.6). Although probationers were less likely to have a recidivist arrest than prisoners, they accounted for a higher volume of arrests due to their larger sample size. Figure 2.10 provides information on the volume of recidivist arrests by offense type. Recidivist arrests for property and other offense types were the most common for both groups.³¹

Table 2.6
Recidivist Arrest Rates: Two-Year Follow-Up

Offender Type	N	# with Any Recidivist Arrest	Total # Recidivist Arrests	% Recidivist Arrest	
				One-Year Follow-Up	Two-Year Follow-Up
Probation Entries	30,750	11,424	22,436	27	37
Prison Releases	16,340	8,060	17,004	33	49
Total	47,090	19,484	39,440	29	41

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation

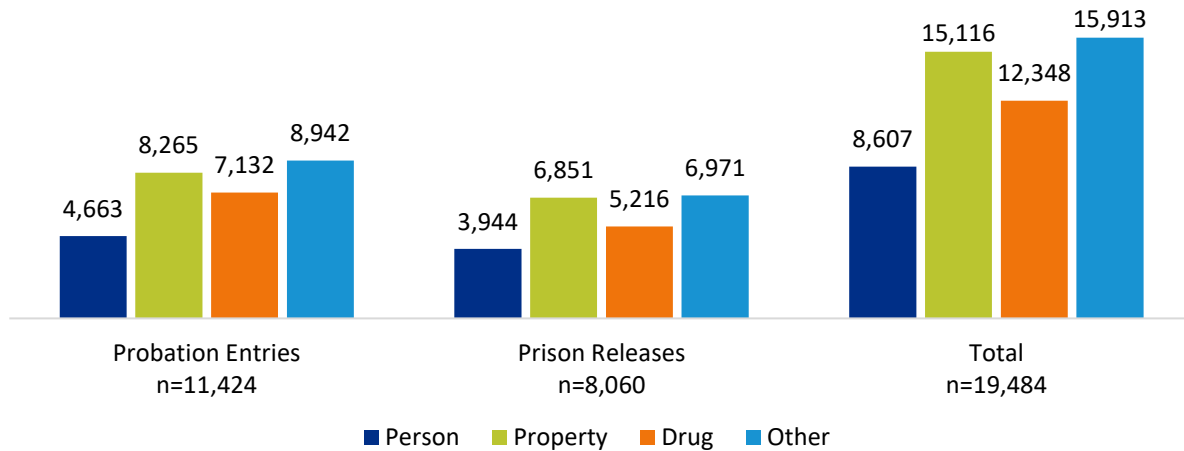
Figure 2.9
Number of Recidivist Arrests for Offenders with Any Arrest: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

³¹ The most common offenses categorized as other include possession of firearm by felon, resisting public officer, second degree trespass, communicating threats, and domestic violence protective order violation.

Figure 2.10
Number of Recidivist Arrests by Offense Type for Offenders with Any Arrest: Two-Year Follow-Up

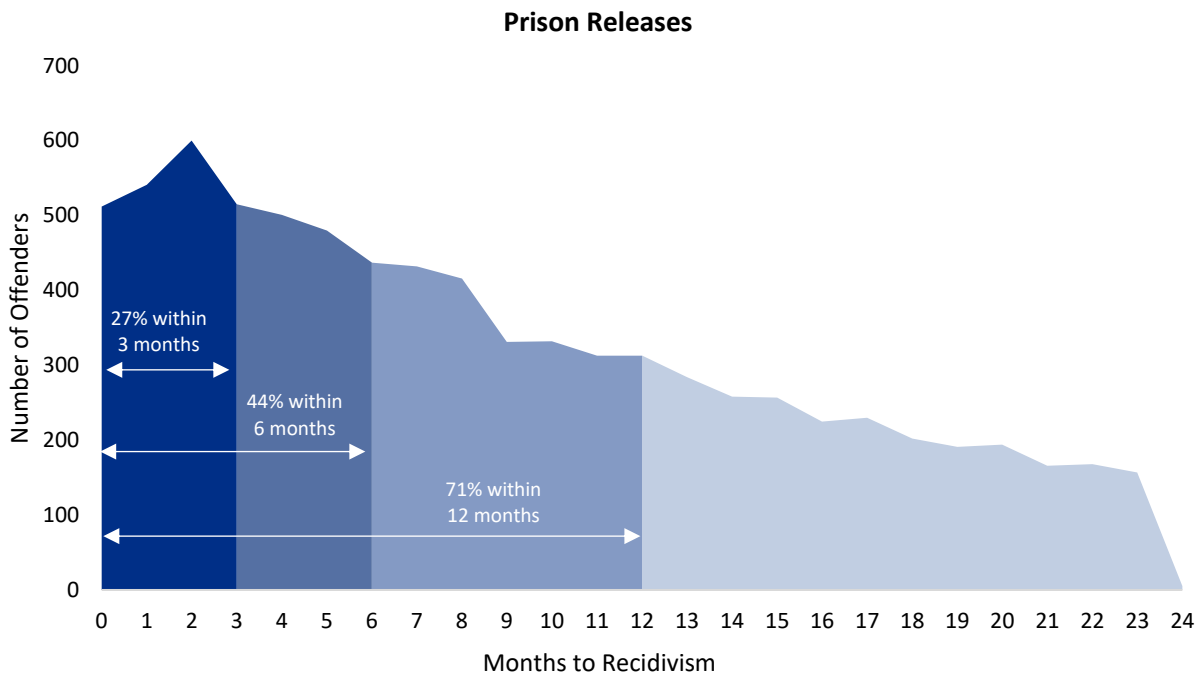
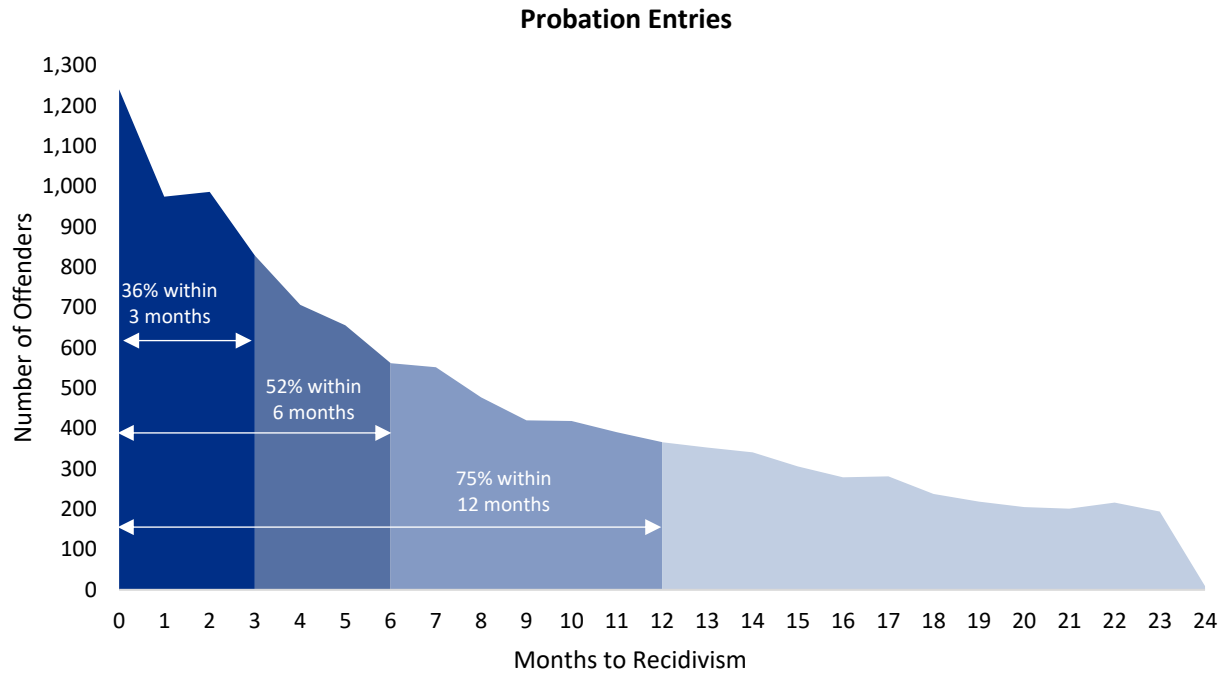


Note: Multiple offense types may be linked to an arrest record. As a result, the number of recidivist arrests by offense type cannot be added together to equal the total number of arrests.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

For the sample as a whole, the first recidivist arrest occurred, on average, 8 months after entry to probation or release from prison. Of those with a recidivist arrest, 32% were arrested within 3 months, 49% within 6 months, and 73% within 12 months. The first recidivist arrest occurred, on average, at 8 months for probationers and 9 months for prisoners. Figure 2.11 also illustrates this slightly earlier timeline — a higher percentage of probationers had a recidivist arrest within 3 months (35%) compared to prisoners (27%).

Figure 2.11
Months to First Recidivist Arrest for Offenders with Any Arrest



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation

Recidivist Convictions

Table 2.7 presents information on recidivist conviction rates during the one-year and two-year follow-up. Of the 47,090 offenders in the FY 2019 sample, 16% (n=7,708) had a recidivist conviction during follow-up with the first recidivist conviction occurring, on average, 12 months after entry to probation or after release from prison. Although recidivist conviction rates were similar for probationers and prisoners during the one-year follow-up (8% and 10% respectively), prisoners were more likely to have a recidivist conviction than probationers during the two-year follow-up (20% and 14% respectively).

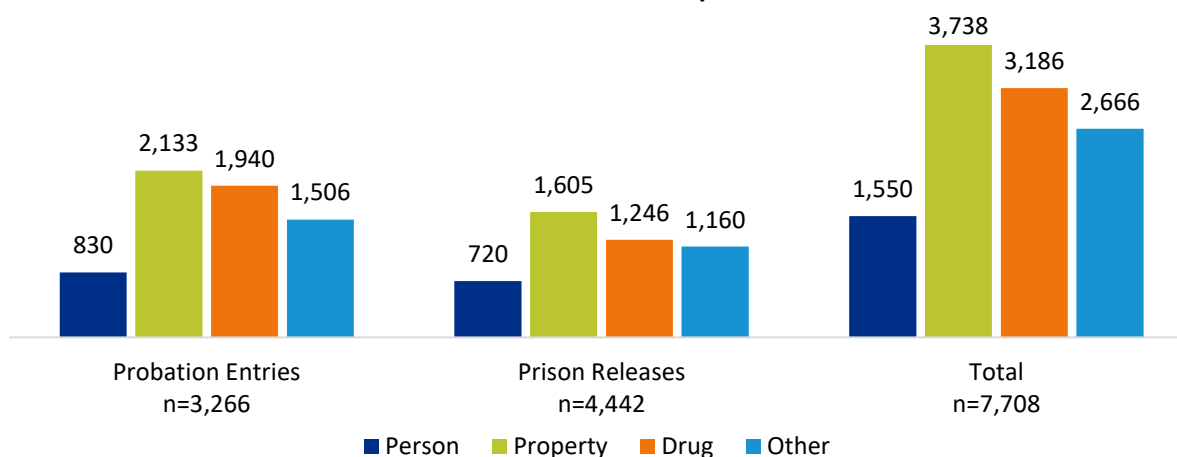
Table 2.7
Recidivist Conviction Rates: Two-Year Follow-Up

Offender Type	N	# with Any Recidivist Conviction	Total # Recidivist Convictions	% Recidivist Conviction One-Year Follow-Up	% Recidivist Conviction Two-Year Follow-Up
Probation Entries	30,750	3,266	5,464	8	14
Prison Releases	16,340	4,442	3,952	10	20
Total	47,090	7,708	9,416	8	16

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation

Also shown in Table 2.7, the 7,708 offenders who had a recidivist conviction during the two-year follow-up accounted for a total of 9,416 convictions. Information on the volume of recidivist convictions by offense type is provided in Figure 2.12. Both prisoners and probationers were most likely to have a recidivist conviction for a property offense and averaged 1 recidivist conviction during 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 2.12
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 2019 Correctional Program Evaluation Data

Recidivist Incarcerations

Recidivist incarceration rates for the one-year and two-year follow-up are shown in Table 2.8. Recidivist incarcerations may have occurred as a result of a sentence imposed for a new crime committed or due to a probation or PRS revocation during the follow-up period.

Overall, 21% of the FY 2019 sample had a recidivist incarceration during follow-up. The 9,681 offenders who had a recidivist incarceration during follow-up accounted for a total of 12,248 incarcerations. Prisoners were more likely to have a recidivist incarceration than probationers (36% and 12% respectively) and had a shorter time to recidivist incarceration (an average of 7 months and 10 months respectively). Of those with a recidivist incarceration, the majority of offenders had only 1 recidivist incarceration during follow-up (78%).

Table 2.8
Recidivist Incarceration Rates: Two-Year Follow-Up

Offender Type	N	# with Any Recidivist Incarceration	Total # Recidivist Incarcerations	% Recidivist Incarceration	
				One-Year Follow-Up	Two-Year Follow-Up
Probation Entries	30,750	3,838	4,758	8	12
Prison Releases	16,340	5,843	7,490	30	36
Total	47,090	9,681	12,248	16	21

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation

Criminal Justice Outcomes by Statistical Profile Characteristics

The next section examines 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, type of conviction (i.e., person, property, drug, other), and risk and need levels. 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 2.9 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 problem. Overall, males, younger offenders, single offenders, high school dropouts, unemployed offenders, and offenders with a possible substance use problem had higher recidivism rates for all three criminal justice outcomes when compared to their counterparts. Recidivism rates were generally highest for the two youngest age groups of offenders across all three measures of recidivism. For recidivist arrests and convictions, rates declined as an offender's age increased. For recidivist incarcerations, rates were fairly uniform for offenders under 40 while more substantive decreases were found for those 40 years or older. Figure 2.13 further illustrates the relationship between age and recidivism.

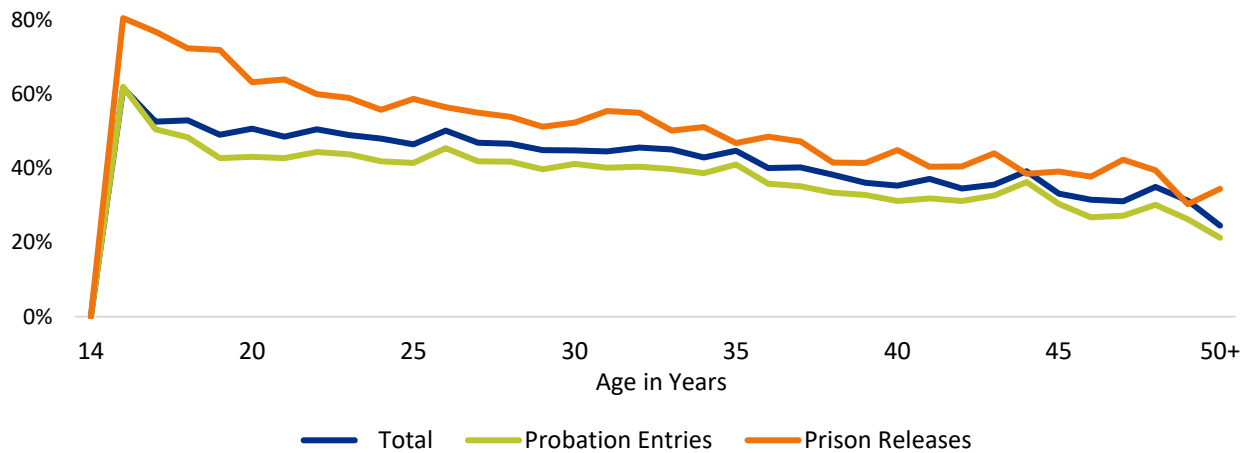
Table 2.9
Criminal Justice Outcomes by Personal Characteristics

Personal Characteristics	N	Criminal Justice Outcomes: Two-Year Follow-Up		
		% Recidivist Arrest	% Recidivist Conviction	% Recidivist Incarceration
Gender				
Female	10,452	33	12	14
Male	36,638	44	17	22
Race				
White	23,865	40	18	22
Black	20,629	44	15	19
Other/Unknown	2,596	34	12	17
Age at Probation Entry/Prison Release				
Under 21 Years	3,561	52	23	21
21-29 Years	15,045	48	19	23
30-39 Years	14,622	43	17	22
40-49 Years	8,185	35	13	19
50 Years and Older	5,677	25	10	14
Marital Status				
Married	5,647	32	12	15
Not Married	41,443	43	17	21
Education				
High School Graduate	19,792	34	13	13
High School Dropout/GED	27,237	46	19	26
Prior Employment				
Employed	26,421	40	16	18
Unemployed	20,669	43	17	24
Substance Use				
None Indicated	10,031	32	10	12
Substance Use Indicated	31,192	43	17	21
Total	47,090	41	16	21

Note: Sixty-one (61) offenders were missing education and 5,867 were missing substance use information.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Figure 2.13
Recidivist Arrest Rates by Age at Probation Entry/Prison Release: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Criminal History

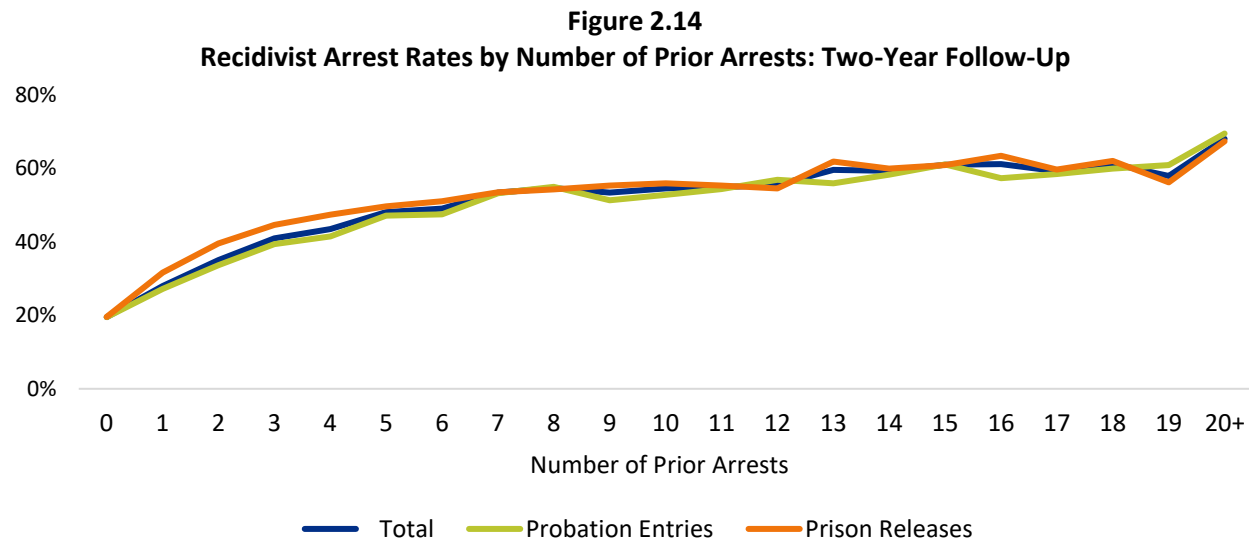
Table 2.10 provides a comparison of recidivism rates for offenders with and without prior criminal justice system contacts. For all three criminal justice outcomes and across all criminal history measures, offenders with prior criminal history had substantially higher recidivism rates than those with no prior criminal history.

Table 2.10
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	6,501	20	7	6
One or More	40,589	45	18	23
Prior Probation Entry				
None	14,524	32	12	10
One or More	32,566	46	18	25
Prior Probation/PRS Revocation				
None	27,012	35	13	14
One or More	20,078	50	21	30
Prior Incarceration				
None	29,445	37	14	15
One or More	17,645	49	20	30
Total	47,090	41	16	21

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 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 2.14. Recidivist arrest rates increased as the number of prior arrests increased. Figure 2.14 also illustrates that the difference in recidivism rates between prisoners and probationers is minimized once the number of prior arrests is taken into account.



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Most Serious Current Conviction

In Table 2.11, recidivism rates are examined by offense class for the FY 2019 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.³²

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. 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. However, only a small proportion of probationers had a Class B1 – D conviction (n=46).

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 a habitual felon (G.S. 14-7.1 to -7.6).

³² See Appendix D for recidivism rates for offenders in each offense class.

Table 2.11
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	46	22	2	11
Class E – G Felony	3,356	34	11	19
Class H – I Felony	9,446	42	16	25
Felony Subtotal	12,848	40	15	24
Class A1 – 3 Misdemeanor	17,902	35	14	5
Total	30,750	37	14	12
Prison Releases				
Class B1 – D Felony	2,263	37	13	26
Class E – G Felony	5,397	48	17	32
Class H – I Felony	8,680	54	23	41
Total	16,340	49	20	36
Total Sample				
Class B1 – D Felony	2,309	37	13	26
Class E – G Felony	8,753	42	15	27
Class H – I Felony	18,126	47	20	33
Felony Subtotal	29,188	45	18	30
Class A1 – 3 Misdemeanor	17,902	35	14	5
Total	47,090	41	16	21
Specific Groups of Interest				
Habitual Felons	1,058	48	18	35
Sex Offenders	974	23	11	25
Offense Type				
Person	9,946	39	15	17
Property	16,373	46	20	24
Drug	12,055	41	16	21
Other	8,716	37	13	17

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 2019 Correctional Program Evaluation Data

In FY 2019, there were 1,058 offenders released from prison with a habitual felon conviction. 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 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 E – G felony (48% with a recidivist arrest, 17% with a recidivist conviction, and 32% with a recidivist

incarceration). Generally, most habitual felons have a low-level felony offense (primarily Class H or Class I) as their most serious substantive offense.^{33,34}

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 974 offenders in the sample convicted of an offense for which registration as a sex offender is required, 67% were prisoners and 33% were probationers; 29% were convicted of a Class B1 – D felony, 58% of a Class E – G felony, 8% of Class H – I felony, and 5% of a Class A1 – 3 misdemeanor.³⁵ Overall, 23% of the offenders required to register as a sex offender had a recidivist arrest, 11% had a recidivist conviction, and 25% had a recidivist incarceration. Sex offenders generally had lower recidivism rates than most groups.

Table 2.11 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. Limited variation was found in recidivism rates across the other offense types.

Risk and Need Levels

Figure 2.15 examines recidivist arrest rates during the two-year follow-up by risk and need level for the FY 2019 sample. For both probationers and prisoners with a risk assessment, those assessed as extreme risk had the highest recidivist arrest rates (54% and 59% respectively). Probationers assessed as minimal risk had the lowest recidivist arrest rate at 9% compared to prisoners who their respective lowest recidivist arrest rate when assessed as low risk (14%). The difference in recidivist arrest rates between prisoners and probationers (37% and 49% respectively, a 12 percentage-point difference) was minimized once offender risk level is taken into consideration.

Recidivist arrest rates by need level show the same stair-step pattern seen with risk level. Probationers and prisoners assessed as extreme need had the highest recidivist arrest rates (46% and 58% respectively), while those assessed as minimal need had the lowest (17% and 32% respectively). At all need levels, prisoners had higher recidivist arrest rates than probationers.

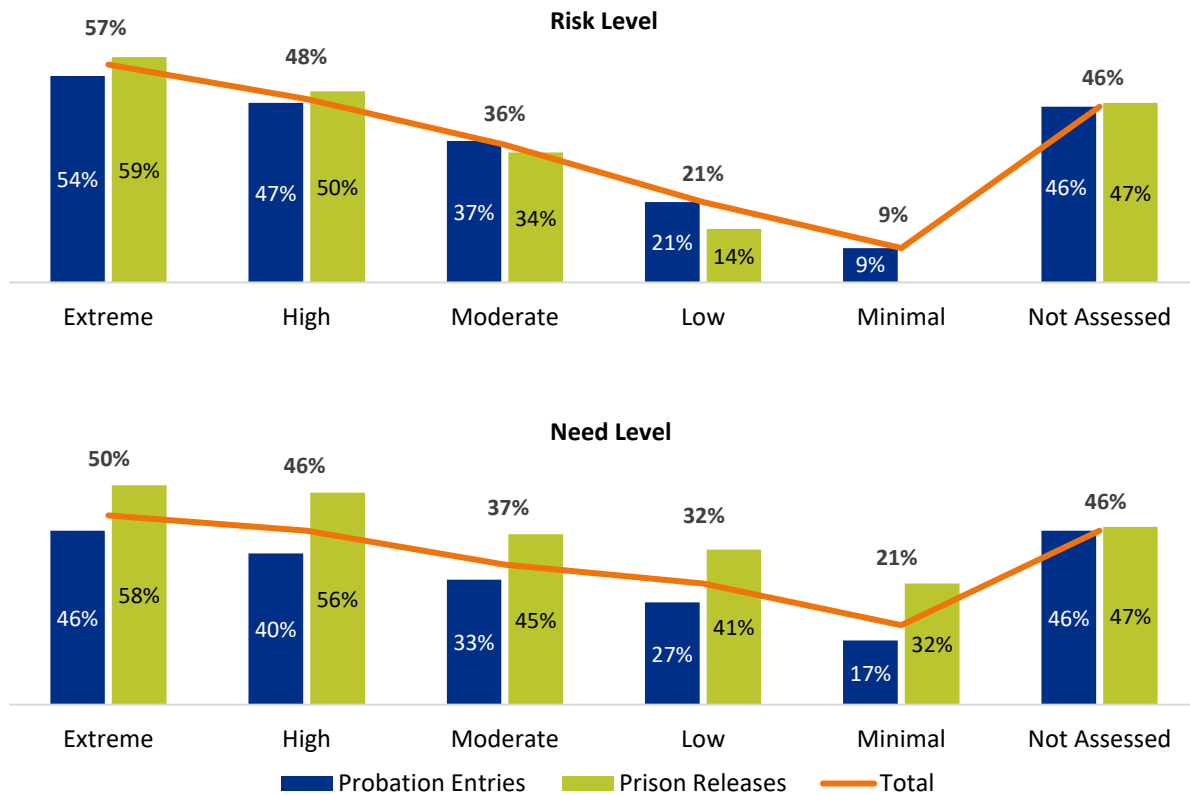
Recidivist conviction and incarceration rates were also examined by risk and need level and exhibited the same stair-step pattern for both prisoners and probationers. (See Appendix D for more information).

³³ In FY 2019, 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*, 2022.

³⁴ A separate group of habitual felons was also examined – offenders convicted of habitual breaking and entering. In FY 2019, there were 138 offenders released from prison with a conviction for habitual breaking and entering, a Class E felony established under the JRA. Of these, 53% had a recidivist arrest, 20% had a recidivist conviction, and 46% had a recidivist incarceration during the two-year follow-up period.

³⁵ The Class A1 – 3 misdemeanor group is comprised only of probation entries. As described previously, no misdemeanor prison releases were included in the sample.

Figure 2.15
Recidivist Arrest Rates by Risk and Need Level



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

SUMMARY

Chapter Two examined probation entries and prison releases, and the FY 2019 sample as a whole. A statistical profile of offenders in North Carolina was provided and included the personal characteristics of the sample along with their prior criminal justice contacts, most serious current conviction, and risk and need levels. Employment during the two-year follow-up was also examined as an outcome in addition to recidivism. For recidivism, three measures – recidivist arrests, convictions, and incarcerations – were used to assess repeat involvement with the criminal justice system.

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 problem. These personal characteristics were also linked to higher recidivism rates.

An examination of employment during the two years prior to probation or prison entry revealed that, on average, probationers had higher quarterly wages earned and worked more quarters compared to prisoners. The top industry for worked for probationers was Accommodation and Food Services (27%) while prisoners most frequently worked in the Administrative and Support, Waste Management and Remediation Services (29%).

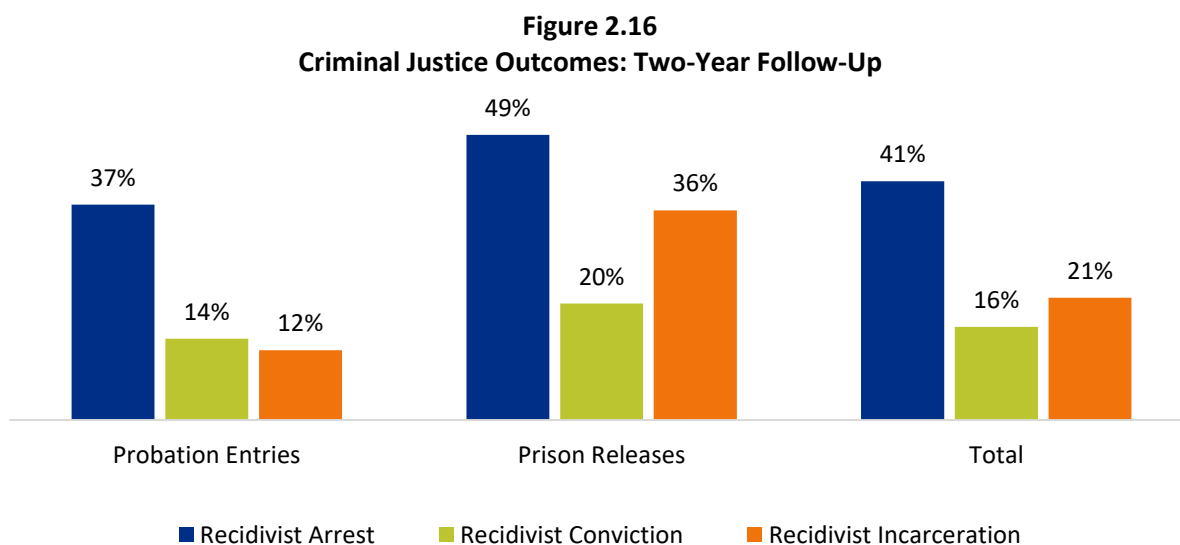
Four measures were used to examine prior criminal justice contacts – prior arrests, prior probation entries, prior probation/PRS revocations, and prior incarcerations. Compared to probationers, prisoners

had more extensive prior criminal histories for all four measures. Prisoners were much more likely to have a prior arrest than probationers (95% and 82% respectively) and had more arrests on average (8 and 5 respectively). Offenders with prior criminal history had substantially higher recidivism rates than those with no prior criminal history.

For offender risk and need levels, a higher percentage of prisoners were assessed as extreme or high risk compared to probationers. Conversely, a higher percentage of probationers were assessed as low and minimal risk compared to prisoners. Little difference was found for probationers and prisoners across all five need levels. Recidivist arrest rates were highest among probationers and prisoners assessed as extreme risk and need while those assessed as minimal risk and need had the lowest recidivist arrest rates. The same pattern was found for recidivist conviction and incarceration.

Minimal differences were found in employment status during the two-year follow-up between probationers and prisoners. A little over half of probationers and prisoners were employed during the two-year follow-up (57% and 55% respectively). Similar to the findings for prior employment, probationers had a higher average quarterly wage earned and worked more quarters during the two-year follow-up compared to prisoners.

During the two-year follow-up, prisoners had higher recidivism rates for all three measures (arrests, convictions, incarcerations) compared to probationers (see Figure 2.16). Nearly three-fourths of those with a recidivist arrest were arrested within the first 12 months of follow-up. Multivariate analyses are used to more closely examine the effect of multiple factors (e.g., offender type, personal characteristics) on the probability of recidivism (see Chapter Six).



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 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 due to 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.

CHAPTER THREE

PROBATION ENTRIES IN FY 2019

Chapter Two provided a sample-wide profile of North Carolina offenders and their recidivism. This chapter turns to a further examination of offenders who entered supervised probation in FY 2019. 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 2019 probation entries are the fourth 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 (i.e., interim outcomes); and the recidivist arrest rates of those under community supervision.³⁶ Additional analyses focus on employment, wage, and industry data for the sample, both before and after probation entry.

STATISTICAL PROFILE OF THE FY 2019 PROBATION ENTRIES

The DPS provides supervision and services to all offenders in the community based on their risk, need, and supervision levels. In FY 2019, there were 30,750 probation entries in the sample.³⁷ The majority (58%) had a misdemeanor as their most serious current conviction; the remaining probationers (42%) 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.³⁸ The supervision period for probationers with a current misdemeanor conviction was shorter (an average of 15 months) compared to probationers with a current felony conviction (an average of 26 months).³⁹

Personal Characteristics

Table 3.1 contains information describing the personal characteristics of sample probationers. Of the 30,750 probationers, 73% were male, 53% were white, 32% were aged 21-29 years, 13% were married, 52% had dropped out of high school, 61% were employed within 2 years prior to their sample probation entry, and 75% were identified as having a possible substance use problem. While misdemeanor and felony probationers were similar on many of the personal characteristics examined, felons were more likely than misdemeanants to be male (77% and 70% respectively), to have dropped out of high school

³⁶ See Appendix B for detailed definitions of recidivism and other key terms.

³⁷ Overall, 10% (n=3,211) of probation entries did not have an RNA completed and a supervision level assigned. Of probationers missing a completed RNA, most (63%) had a misdemeanor as the most serious conviction while the remainder had a felony conviction (37%). Offenders without a completed RNA are typically offenders who have absconded supervision prior to completion of the RNA process. These offenders are noted throughout this chapter as "not assessed" for RNA analyses and "not established" for supervision level analyses.

³⁸ In addition, felons serve longer active sentences than misdemeanants if probation is revoked; felons serve their sentences in the state prison system while misdemeanants primarily serve their sentences in local jails.

³⁹ 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.

(54% and 50% respectively), and to have a possible substance use problem (79% and 73% respectively). Overall, the average age at probation entry was 34 years old.

Table 3.1
Personal Characteristics

Personal Characteristics	Probation Entries		
	Misdemeanants n=17,902 %	Felons n=12,848 %	Total N=30,750 %
Gender			
Female	30	23	27
Male	70	77	73
Race			
White	53	52	53
Black	41	43	42
Other/Unknown	6	5	5
Age at Probation Entry			
Under 21 Years	10	9	9
21-29 Years	32	33	32
30-39 Years	29	31	30
40-49 Years	17	16	17
50 Years and Older	12	11	12
Marital Status			
Married	13	12	13
Not Married	87	88	87
Education			
High School Graduate	50	46	48
High School Dropout/GED	50	54	52
Prior Employment			
Employed	64	57	61
Not Employed	36	43	39
Substance Use			
None Indicated	27	21	25
Substance Use Indicated	73	79	75

Note: Of the 30,750 probation entries, 26 offenders were missing education information and 3,211 were missing substance use information. Overall, 3% of probationers were Hispanic.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Table 3.2 presents the quarterly wages earned and the number of quarters worked for the 17,797 offenders who were employed in the two years prior to their probation entry and for whom wage data were available.⁴⁰ Misdemeanants had higher average wages earned per quarter than felons (\$3,267 and \$2,929 respectively). To account for extreme values, the median is also reported. Misdemeanants had

⁴⁰ The number of quarters worked is based on whether an offender was paid during the quarter. It is important to note that the number of quarters worked were not necessarily consecutive quarters, but rather the total number of quarters worked over the span of eight quarters.

median quarterly wages earned that were 20% higher than the median quarterly wages earned for felons. Misdemeanants, on average, worked more quarters during the two years prior compared to felons (5 and 4 respectively).

Table 3.2
Prior Employment Profile

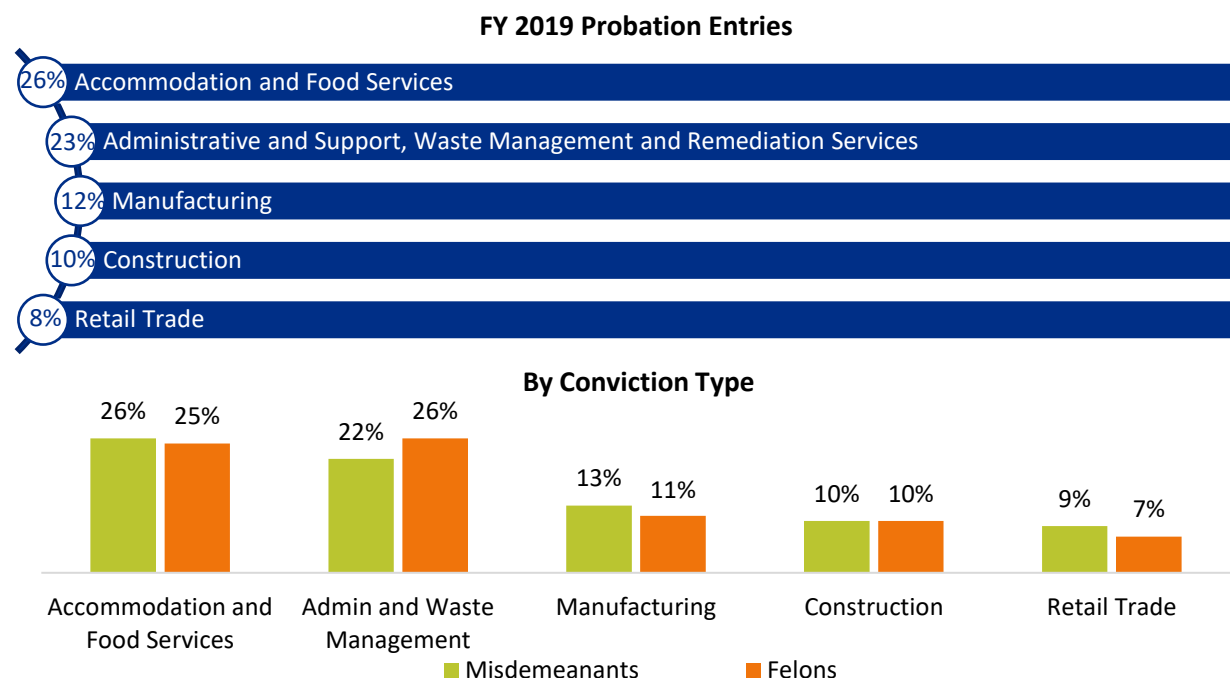
Employment in Two Years Prior	Misdemeanants n=10,960	Felons n=6,837	Probation Entries n=17,797
Quarterly Wages Earned			
Average	\$3,267	\$2,929	\$3,137
Median	\$2,436	\$2,036	\$2,285
Number of Quarters Worked			
Average	5	4	5
Median	5	4	5

Note: Of the 18,808 probationers with prior employment, 1,011 had discrepant quarterly data and were excluded from the table.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Figure 3.1 shows the top 5 industries for the last quarter worked prior to probation entry.⁴¹ Accommodation and Food Services was the most common industry (26%). Administrative and Support, Accommodation and Food Services was the most common industry (26%). Administrative and Support,

Figure 3.1
Top 5 Prior Employment Industries



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

⁴¹ Industry information is based on a federal classification system, the North American Industry Classification System (NAICS). More information regarding NAICS industry codes can be found at <https://www.census.gov/naics/>. A description of industries is provided at <https://www.bls.gov/iag/>.

Waste Management and Remediation Services closely followed with 23% of offenders working in this industry. Overall, 79% of offenders with prior employment worked in these 5 industries.

The top industry for misdemeanants and felons differed with Accommodation and Food Services being the most common industry for misdemeanants (26%) while felons most frequently worked in Administrative and Support, Waste Management and Remediation Services (26%). About half of all misdemeanants and felons with prior employment worked in these 2 industries (48% for misdemeanants and 51% for felons).

Criminal History

The criminal history of probationers is examined in Table 3.3 and Figure 3.2. Overall, 82% of probationers had a prior fingerprinted arrest, 59% had a prior probation entry, 34% had a prior probation or PRS revocation, and 28% had a prior incarceration. Felons were more likely than misdemeanants to have had prior criminal justice contacts for all four measures examined.

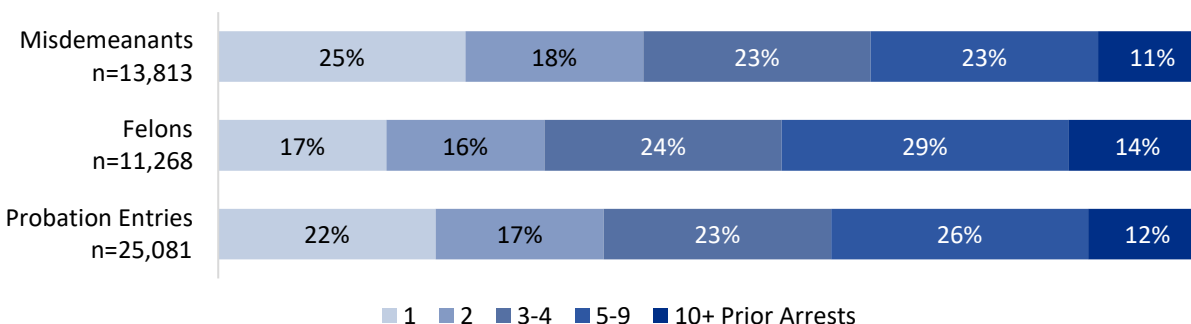
Table 3.3
Prior Criminal Justice Contacts

Prior Criminal Justice Contacts	Probation Entries		
	Misdemeanants n=17,902 %	Felons n=12,848 %	Total N=30,750 %
Prior Arrest	77	88	82
Prior Probation Entry	57	63	59
Prior Probation/PRS Revocation	31	38	34
Prior Incarceration	25	32	28

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Figure 3.2 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, 38% had 5 or more prior arrests. Two-thirds (67%) of felons with a prior arrest had 3 or more prior arrests compared to over half (57%) of misdemeanants. A smaller percentage of felons had 1 prior arrest (17%) than misdemeanants (25%).

Figure 3.2
Number of Prior Arrests for Probation Entries with Any Prior Arrest

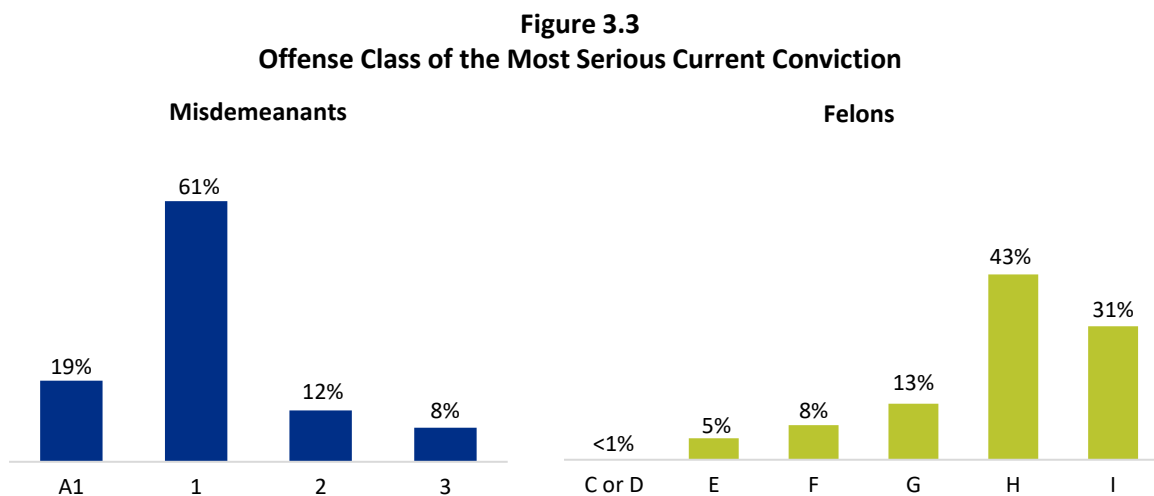


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

The 25,081 offenders with a prior arrest accounted for a total of 123,014 prior arrests for an overall average of 5 prior arrests per offender.⁴² Both misdemeanants and felons averaged 5 prior arrests.

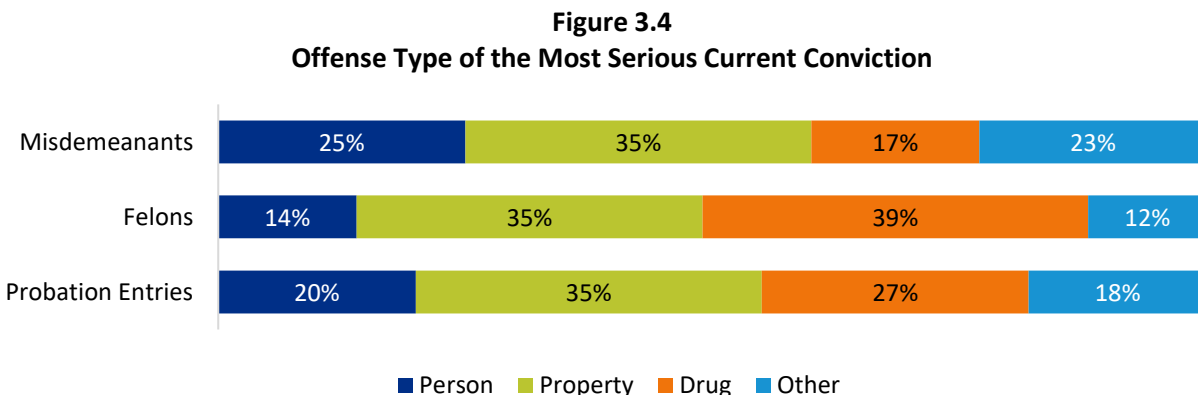
Most Serious Current Conviction

Figure 3.3 shows the majority of misdemeanants entered probation following a Class 1 conviction (61%) while the majority of felons entered probation following a conviction for a Class H or Class I offense (43% and 31% respectively).



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Overall, most probationers had a property offense as their current conviction (35%) (see Figure 3.4). Drug offenses were the most common among felony probationers (39%), but least common for misdemeanor probationers (17%).⁴³ A lower percentage of felons had person offenses (14% compared to 25%).⁴⁴



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

⁴² The 11,268 felons with a prior arrest accounted for a total of 58,747 prior arrests and the 13,813 misdemeanants with a prior arrest accounted for a total of 64,267 prior arrests.

⁴³ Of the 4,024 misdemeanants with a most serious current conviction in the "Other" category, 62% (n=2,480) were traffic offenses.

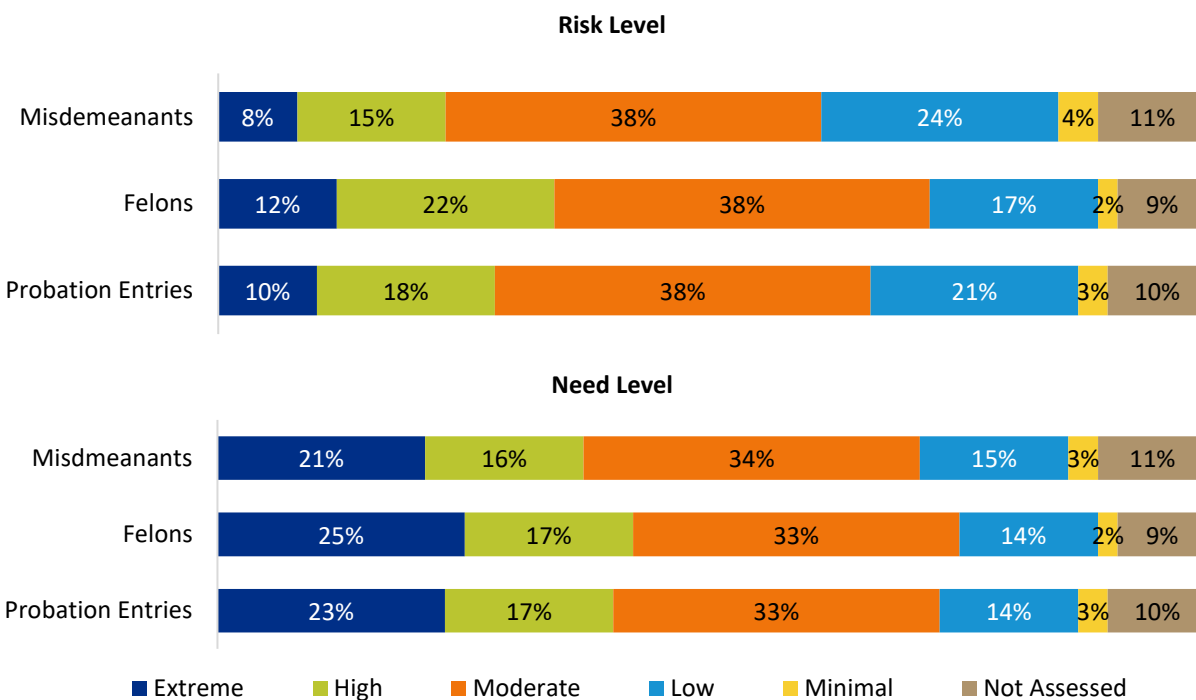
⁴⁴ Felons who commit person offenses tend to receive an active punishment (i.e., prison) by the court and are not sentenced to probation supervision.

Offender Risk and Need Assessments

As mentioned in Chapter Two, the RNA is administered within the first 60 days of probation supervision.⁴⁵ Each offender is assigned to one of five risk levels based on their score: extreme, high, moderate, low, and minimal. Figure 3.5 provides the risk level distribution for probationers. Overall, 10% were assessed as extreme risk, 18% as high risk, 38% as moderate risk, 21% as low risk, 3% as minimal risk, and 10% were not assessed.⁴⁶ A greater percentage of felons were assessed as high risk compared to misdemeanants (22% and 15% respectively), while a higher percentage of misdemeanants were assessed as low risk compared to felons (24% and 17% respectively).

Similar to risk, the need assessment divides probationers into five need levels: extreme, high, moderate, low, and minimal. Overall, 23% were assessed as extreme need, 17% as high need, 33% as moderate need, 14% as low need, 3% as minimal need, and 10% were not assessed (see Figure 3.5). Examination of need level shows little difference between felons and misdemeanants – 21% of misdemeanants and 25% of felons were assessed as extreme need, while misdemeanants and felons were assessed as minimal need at nearly the same rate.

Figure 3.5
Risk and Need Levels



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Table 3.4 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 for offenders.

⁴⁵ RNA data were generally 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. However, if corrections were made within 60 days of an initial assessment, the RNA data included those corrections.

⁴⁶ "Not assessed" category may include those who were only partially assessed (i.e., incomplete assessment).

Overall, substance use (75%), transportation (66%), and legal (59%) 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 (46% and 37% respectively), as were substance use (79% compared to 73%) and employment (48% and 42%). A larger proportion of misdemeanants (61%) were assessed as having legal needs than felons (57%).

Table 3.4
Areas of Need Identified

Areas of Need	Probation Entries		
	Misdemeanants n=15,890 %	Felons n=11,649 %	Total n=27,539 %
Criminogenic Factors			
Anti-social Personality	19	23	20
Anti-social Values	17	18	18
Criminal Peers	37	46	41
Dysfunctional Family	55	53	54
Self-Control	25	25	25
Substance Use	73	79	75
Health Factors			
Mental Health	52	52	52
Physical	32	31	32
Additional Factors			
Academic/Vocational	40	42	41
Employment	42	48	44
Financial	34	33	34
Housing	29	31	30
Legal	61	57	59
Social Skills	41	44	42
Transportation	65	67	66

Note: Offenders who did not have an RNA completed and a supervision level assigned (n=3,211) were excluded from this table.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

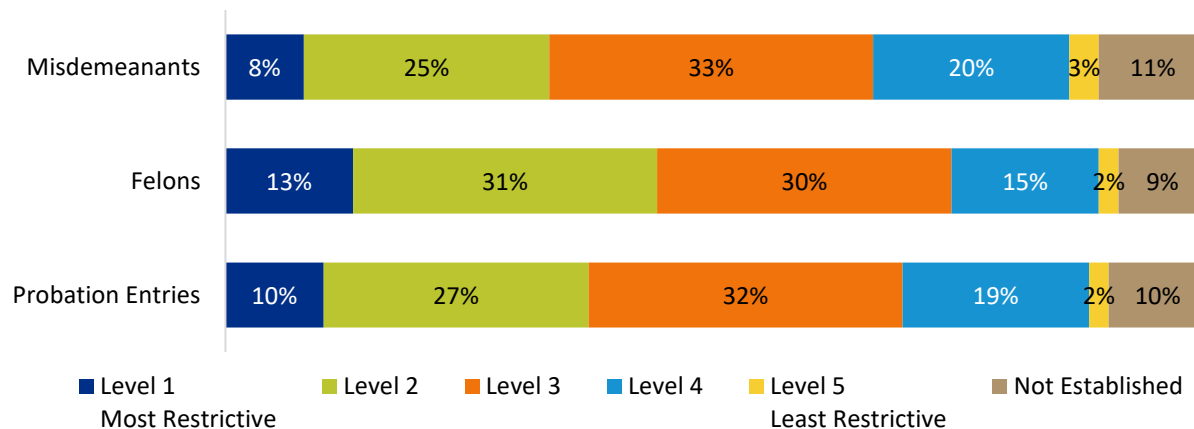
Supervision in the Community

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. The supervision level dictates the minimum contact requirements for probationers. 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.⁴⁷

⁴⁷ Offenders with an incomplete RNA have often absconded and have been revoked prior to completion of the RNA process and therefore did not have a supervision level established.

Figure 3.6 provides the 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 (13% and 31% respectively) than misdemeanants (8% and 25% respectively). Misdemeanants were more likely to be placed in Levels 3 and 4 (33% and 20% respectively) than felons (30% and 15% respectively). A similar proportion of misdemeanants and felons were placed in the least restrictive supervision level, Level 5 (3% and 2% respectively).

Figure 3.6
Offender Supervision Level



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Table 3.5 combines the distributions of probationers by risk, need, and supervision levels. In addition to providing the overall distribution by risk and need levels, the table also provides the distribution for each combination of risk level and need level (which determines the supervision level). The most

Table 3.5
Supervision Level Distribution Based on Risk and Need Levels

Need Level	Risk Level					#/% by Need Level
	Extreme	High	Moderate	Low	Minimal	
Extreme	863 3%	1,555 6%	3,119 11%	1,274 5%	134 <1%	6,945 25%
High	739 3%	1,118 4%	2,061 7%	1,070 4%	124 <1%	5,112 19%
Moderate	890 3%	1,867 7%	4,657 17%	2,473 9%	411 1%	10,298 37%
Low	385 1%	854 3%	1,558 6%	1,340 5%	252 1%	4,389 16%
Minimal	40 <1%	96 <1%	233 1%	322 1%	104 <1%	795 3%
#/% by Risk Level	2,917 11%	5,490 20%	11,628 42%	6,479 23%	1,025 4%	27,539 100%

Note: Offenders who did not have an RNA completed and a supervision level assigned (n=3,211) were excluded from this table. Percentages may not add to totals due to rounding.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

frequent combinations of risk and need were moderate risk/moderate need (17%) and moderate risk/extreme need (11%). Several risk/need combinations were rare, and each involved less than 1% of probationers. Among these were minimal need offenders who were also extreme or high risk; minimal risk offenders with extreme or high needs; and minimal risk offenders with minimal needs.

INTERIM OUTCOMES

The JRA changed how probation officers supervise offenders by increasing possible responses to violations of supervision, namely through expanding their delegated authority and limiting revocations by establishing CRVs.⁴⁸ This section focuses on violations of probation and specific responses to those violations as indicators of misconduct during community supervision within the two-year follow-up⁴⁹; probation violations and responses to those violations are collectively referred to as “interim outcomes”.

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 use 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.

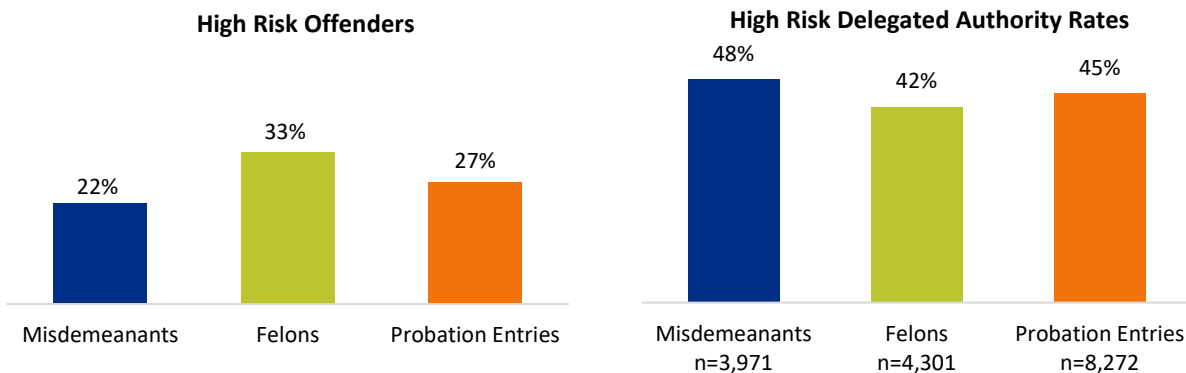
Figure 3.7 shows the percentage of probationers who were eligible for high risk delegated authority due to their OTI-R score being 50 or higher. Overall, 27% of probationers were eligible for high risk delegated authority, including 22% of misdemeanants and 33% of felons.

Figure 3.7 also shows that, among the 8,272 probationers who were assessed as high risk, 45% received at least one condition through the high risk delegated authority process. A greater proportion of high risk misdemeanants (48%) than high risk felons (42%) received at least one high risk delegated authority condition.

⁴⁸ 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 <https://www.nccourts.gov/documents/publications/jra-implementation-evaluation-report>.

⁴⁹ As noted previously, of the probation entries in the FY 2019 sample, misdemeanants were sentenced to an average of 15 months of supervised probation, while felons were sentenced to an average of 26 months. As a result, some misdemeanants were not on probation for the entire two-year follow-up period, while the majority of felons were on probation for the entire follow-up. The violations of probation and type of responses to violations presented in this section captured any violations or responses that occurred while on probation 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.

Figure 3.7
High Risk Delegated Authority Rates



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

For probationers who received at least one high risk delegated authority condition during the two-year follow-up period, the first condition occurred on average 2 months after probation entry. Similarly, both felons and misdemeanants averaged 2 months before receiving any high risk delegated authority conditions.

Violations of Community Supervision

For probationers, violations of community supervision were used as an indicator of misconduct while under supervision during the two-year follow-up. The type of violation was examined using the following categories in order of most serious to least serious: criminal,⁵⁰ absconding, or technical. 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, 61% of probationers had at least one violation during the one-year follow-up period and 72% had at least one violation during the two-year follow-up (see Figure 3.8). A slightly higher percentage of misdemeanants than felons had a violation during the two-year follow-up (74% compared to 70%). The 22,148 probationers with at least one violation accounted for a total of 44,382 violations during follow-up, an average of 2 violations per probationer.

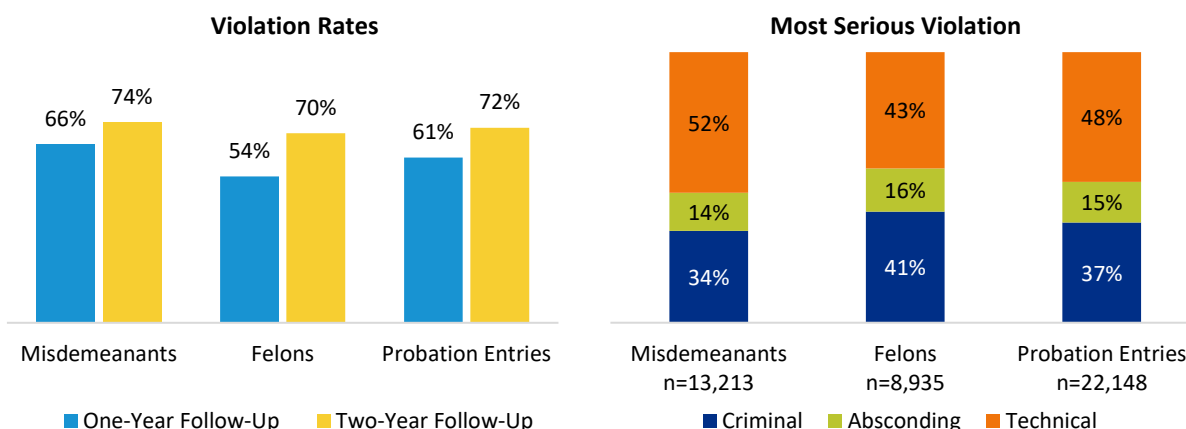
For probationers with any violation, a higher percentage of misdemeanants had only one violation (50%) and a lower percentage had three or more violations (24%) compared to felons (45% and 28% respectively). Among probationers with a violation, the average time to the first violation was 6 months. Misdemeanants had their first violation on average at 6 months, while felons had their first violation on average at 7 months.

Based on the most serious violation for probationers with at least one violation, 37% had a criminal violation, 15% had an absconding violation, and 48% had a technical violation (see Figure 3.8). Felons had criminal and technical violations in nearly equal proportions (41% and 43% respectively).

⁵⁰ 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 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).

Misdemeanants were most likely to have a technical violation as their most serious violation (52%). Felons had a higher percentage of criminal violations as their most serious violation than misdemeanants (41% and 34% respectively). A similar proportion of felons and misdemeanants had an absconding violation as their most serious violation (16% and 14% respectively).

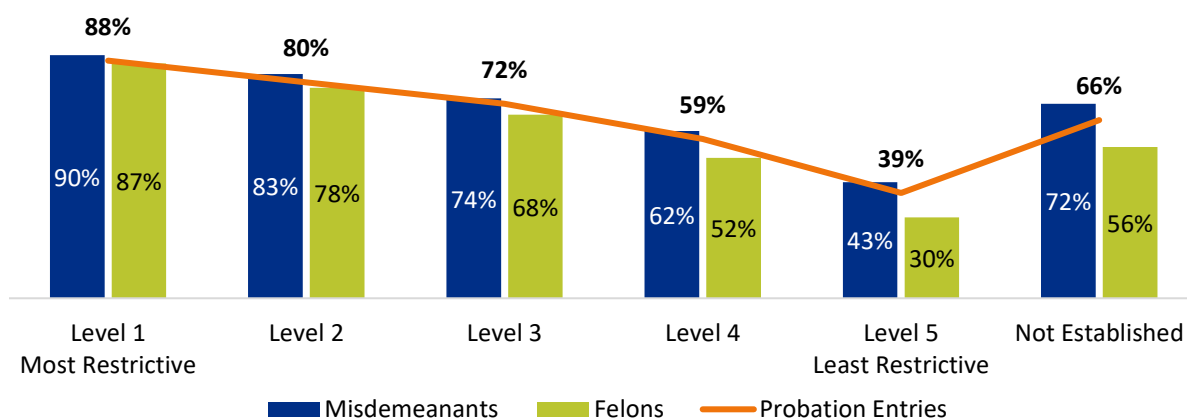
Figure 3.8
Violations: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

When violation rates were examined by supervision level (see Figure 3.9), 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 supervision level.

Figure 3.9
Violation Rates by Supervision Level: Two-Year Follow-Up



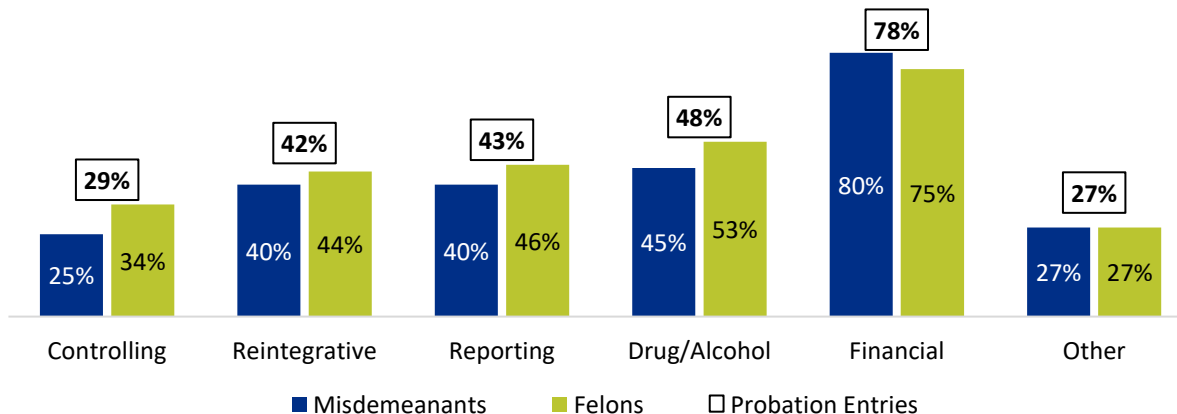
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Technical Violations of Community Supervision

Overall, 21,578 probationers in the sample (70%) had a technical violation during the two-year follow-up. Misdemeanants were slightly more likely to have a technical violation than felons (72% and 68% respectively). To examine the most common types of technical violations, specific violations were categorized as follows: sex offender, controlling, reintegrative, reporting, drug/alcohol, financial, and

other.⁵¹ Figure 3.10 presents more detail about the kinds of violations that comprise the technical violation category. Overall, among offenders who had a technical violation, the two most common types of violations were financial (78%) and drug/alcohol (48%). Felons and misdemeanants were generally similar in the rates at which they had reintegrative, reporting, financial, and other violations. Felons were more likely than misdemeanants to have controlling violations (34% and 25% respectively) and drug/alcohol violations (53% and 45%).

Figure 3.10
Technical Violation Rates: Two-Year Follow-Up



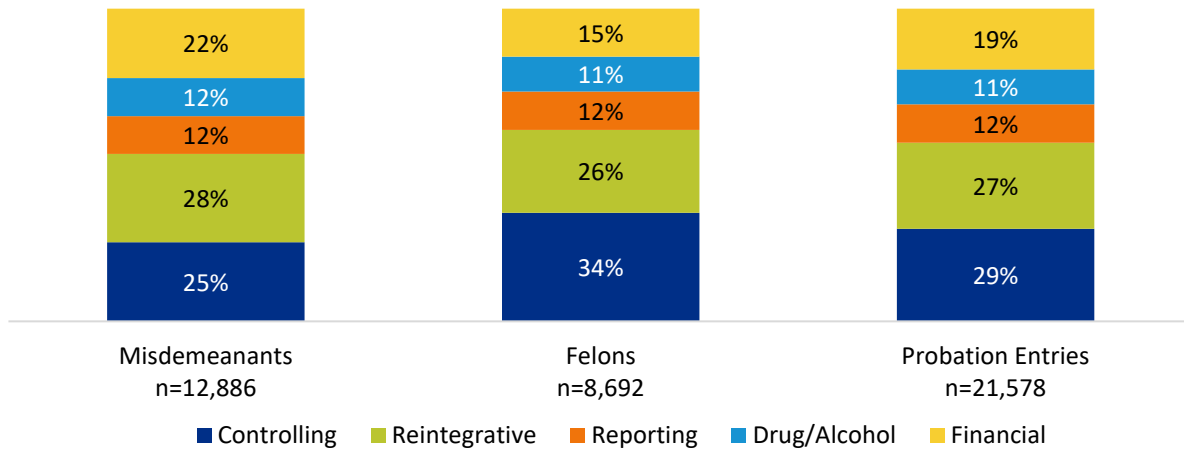
Note: Offenders with sex offender technical violations (n=96) were excluded from the figure due to small numbers.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Figure 3.11 examines the distribution of the most serious technical violation that occurred during the two-year follow-up, with the following ranking from most serious to least serious: sex offender, controlling, reintegrative, reporting, drug/alcohol, financial, and other. Offenders with “other” and “sex offender” as their most serious technical violation were excluded from the figure due to small numbers.

Overall, a majority of probationers with a technical violation had either a controlling or reintegrative violation as their most serious technical violation (29% and 27% respectively, a total of 56%). Misdemeanants were more likely than felons to have financial violations as their most serious technical violation (22% and 15% respectively). Felons, on the other hand, were more likely than misdemeanants to have controlling violations as their most serious technical violation (34% and 25% respectively).

⁵¹ An example of a controlling violation is failure to submit to electronic house arrest. An example of a reintegrative violation is failure to attend substance use treatment. See Appendix B for additional information.

Figure 3.11
Most Serious Technical Violation: Two-Year Follow-Up



Note: Offenders with “other” (n=256) and “sex offender” (n=96) as their most serious technical violation were excluded from the figure due to small numbers.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Responses to Violations of Community Supervision

Figure 3.12 summarizes the selected responses to violations of probation that were analyzed in this study.⁵² These select responses cover many of the most common responses to probation violations but do not encompass all possible responses. For analysis, these select responses were divided into two categories – nonconfinement responses and confinement responses.

Figure 3.12
Responses to Violations of Probation⁵³

Nonconfinement Responses

- Delegated Authority
- Additional Probation Conditions
- Modified Probation Conditions
- Continued Probation

Confinement Responses

- Quick Dip
- CRV (Felons Only)
- Revocation

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Nonconfinement Responses

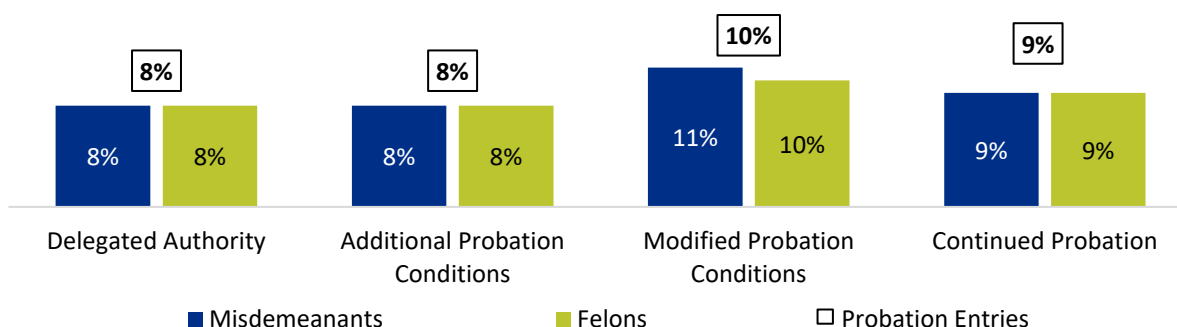
The rates at which select nonconfinement responses to probation violations were ordered are presented in Figure 3.13. Overall, modifications of conditions of probation occurred slightly more

⁵² Responses to violations of probation are not directly linked to a specific violation committed by the probationer.

⁵³ None of the SSA misdemeanants in the FY 2019 sample were eligible for CRV as a sanction for violations of probation. As a result, analyses of CRV responses to violation in this study were limited to felony probationers.

frequently than the other types of nonconfinement responses.⁵⁴ Nonconfinement response rates were similar for both misdemeanants and felons.⁵⁵

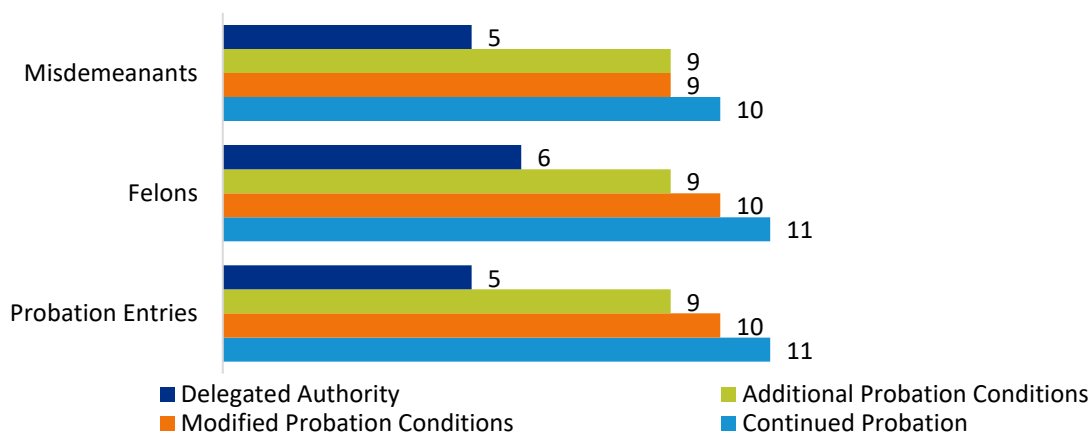
Figure 3.13
Nonconfinement Response Rates: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Figure 3.14 explores the average months to the first nonconfinement response to violations of probation. Overall, delegated authority responses occurred several months earlier than the other three nonconfinement responses examined. On average, offenders' first delegated authority response occurred at 5 months, while additional conditions of probation, modifications of probation, and continued probation responses occurred later (9, 10, and 11 months respectively). Generally, the time to the first nonconfinement response averaged 1 month earlier for misdemeanants than felons.

Figure 3.14
Months to First Nonconfinement Response: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

⁵⁴ Delegated authority allows probation officers to respond to detected probation noncompliance as soon as possible without returning to court. Delegated authority differs from high risk delegated authority in that it can be used for any probationer in response to a violation. Responses may include quick dips, curfews, electronic house arrest, community service, and/or increased reporting requirements. Although quick dips are authorized under delegated authority, they are examined separately in the confinement responses to violation section.

⁵⁵ For additional analyses of nonconfinement responses, see Figures E.1 and E.2 of Appendix E.

Confinement Responses

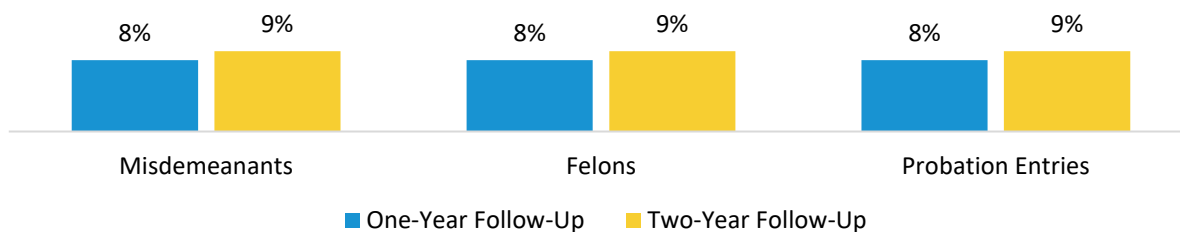
As mentioned previously, confinement responses to violations of supervision include quick dips, CRVs for felons, and revocation. These specific confinement responses are individually examined below.

Quick Dips

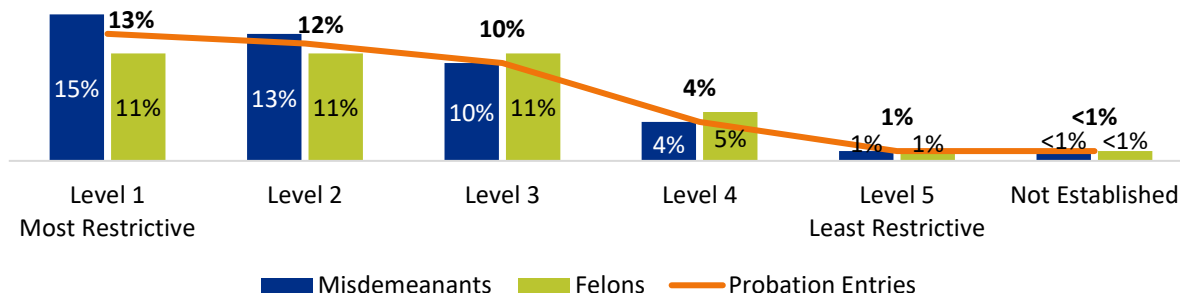
Quick dips are intended to be used as an immediate response to offender noncompliance and may be used on offenders in any supervision level. For misdemeanants, two prior quick dips may lead to revocation of probation following any subsequent technical violations. Quick dips may be imposed through either delegated authority or through the court. Per the DPS's policy, quick dips should not be the first response to noncompliance and cannot be the response for non-willful violations. Quick dips involve confinement in local jails for either two- or three-day periods. More probationers were confined for two-day quick dips (n=1,312) compared to three-day quick dips (n=1,117), while 228 offenders had both. Hereinafter, two- and three-day quick dips are combined for analysis.

Overall, 8% of probationers had a quick dip during the one-year follow-up period and 9% had a quick dip during the two-year follow-up (see Figure 3.15), with no differences in rates for felons and misdemeanants. When quick dip rates were examined by supervision level, generally the more restrictive the supervision level, the higher the quick dip rate. Quick dip rates were highest for offenders in Levels 1, 2, and 3 (13%, 12%, and 10% respectively) and lower for offenders in Levels 4 and 5 (4% and

Figure 3.15
Quick Dip Rates: Two-Year Follow-Up
By Conviction Type



By Supervision Level



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

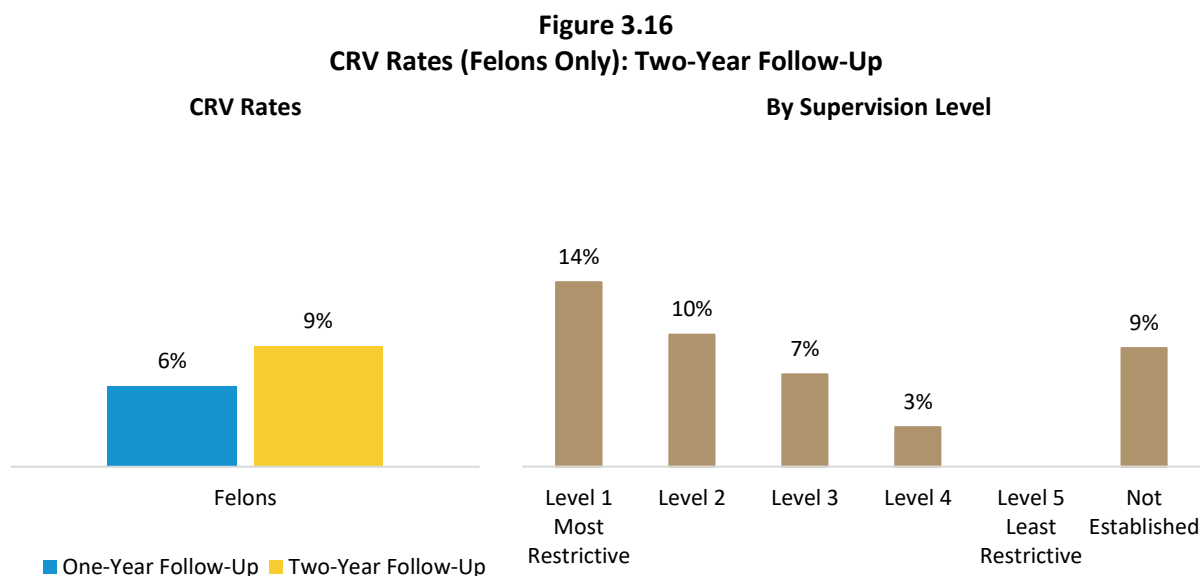
1% respectively). Misdemeanants supervised in Levels 1 and 2 were more likely to receive a quick dip than felons (15% and 13% compared to 11% and 11%). Quick dip rates were similar for felons and misdemeanants in Levels 3 through 5.

For probationers with a quick dip during the two-year follow-up period, the first quick dip occurred on average 6 months after probation entry; both misdemeanants and felons averaged 6 months to their first quick dip.

Confinement in Response to Violation (Felons Only)

Under the JRA, revocation and activation of a suspended sentence may only occur for those who abscond supervision or commit a new crime. For felony probationers, a 90-day 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 in a CRV Center.

Among felony probationers, 6% had at least one CRV during the one-year follow-up period and 9% had at least one CRV during the two-year follow-up (see Figure 3.16). CRV rates decreased in a stair-step pattern as the restrictiveness of the supervision level decreased from Level 1 at 14% to Level 5, which had no offenders with a CRV during follow-up.



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

For felony probationers with a CRV during the two-year follow-up, the first CRV occurred on average 10 months after probation entry.

Revocations

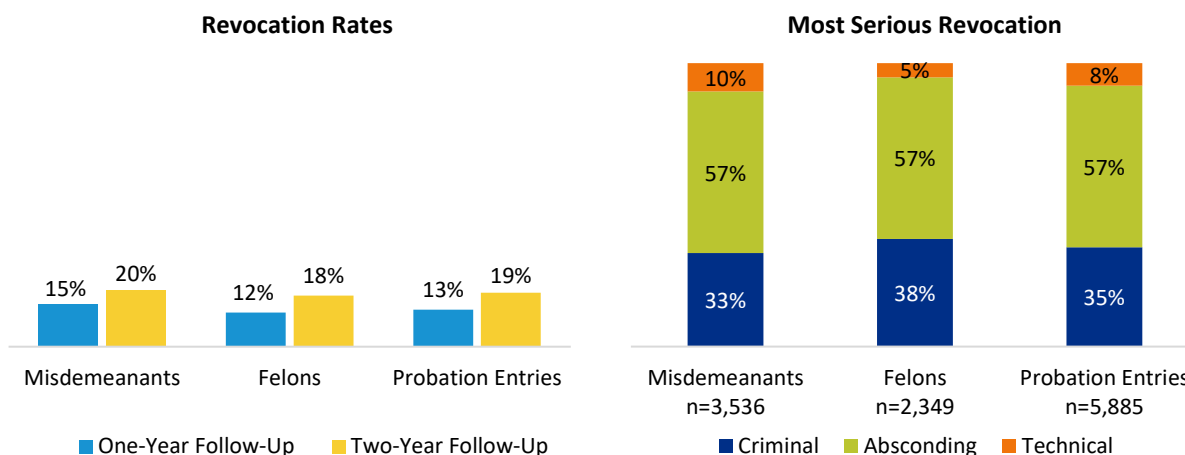
For probationers, revocations of supervision were also examined as an indicator of misconduct during the two-year follow-up. As mentioned above, revocation and activation of the suspended sentence may only occur for those who abscond supervision, commit a new crime, or, for technical violations, after the imposition of two CRVs (felons) or two quick dips (misdemeanants). Similar to violations of probation,

revocations were categorized in order of most serious to least serious: criminal, absconding, or technical. A probationer could have multiple revocations during the follow-up period only if he or she had 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, 13% of probationers had a revocation of supervision during the one-year follow-up period and 19% had a revocation during the two-year follow-up (see Figure 3.17). Misdemeanants were more likely than felons to have a revocation during the one-year follow-up (15% compared to 12%), as well as the two-year follow-up (20% compared to 18%).

As also shown in Figure 3.17, 57% had an absconding revocation, 35% had a criminal revocation, and 8% 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.

Figure 3.17
Revocations: Two-Year Follow-Up

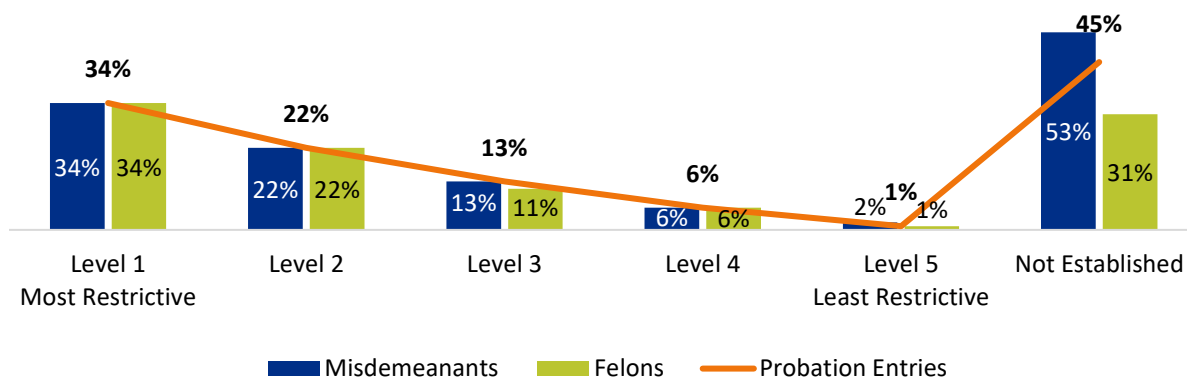


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

For probationers with a revocation during the two-year follow-up period, their first revocation occurred an average of 9 months after probation entry; misdemeanants had a shorter time to revocation at 8 months than felons at 10 months.

As shown in Figure 3.18, misdemeanants without a supervision level established had the highest revocation rates of all probationers examined (53%). The rate of revocation for felons who did not have a supervision level established was similar to offenders in Supervision Level 1 (31% and 34% respectively). Among offenders with an established supervision level, revocation rates decreased in a stair-step pattern as the restrictiveness of the supervision level decreased from Level 1 at 34% to Level 5 at 1%. When supervision levels were established, misdemeanants and felons had similar revocation rates at every level of supervision.

Figure 3.18
Revocation Rates by Supervision Level

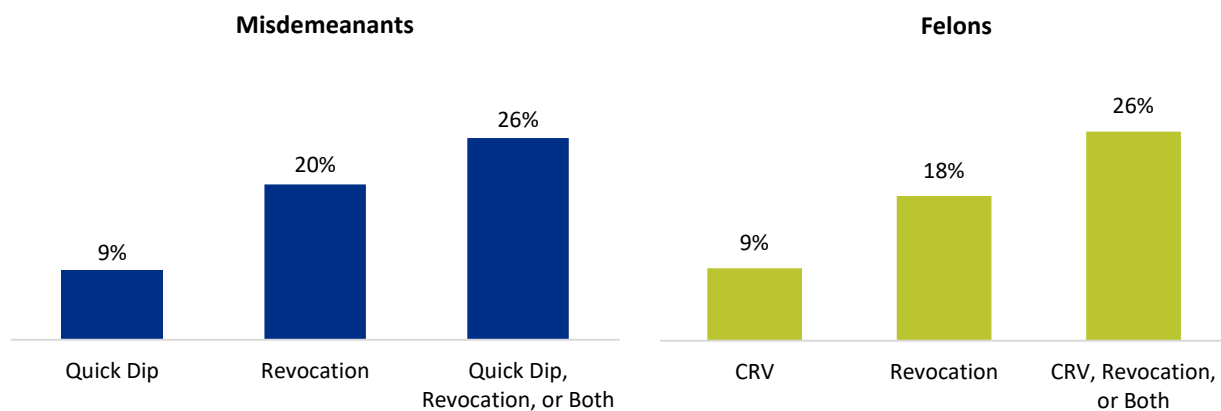


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Confinement for Technical Violations 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 quick dips (misdemeanants) or two CRVs (felons). Figure 3.19 examines the combination of having a quick dip or revocation for misdemeanants and having a CRV or revocation for felons. Overall, 26% of misdemeanants had a quick dip or a revocation during the two-year follow-up and 26% of felons had a CRV or a revocation during the two-year follow-up.⁵⁶

Figure 3.19
Confinement for Technical Violations and Revocation: Two-Year Follow-Up



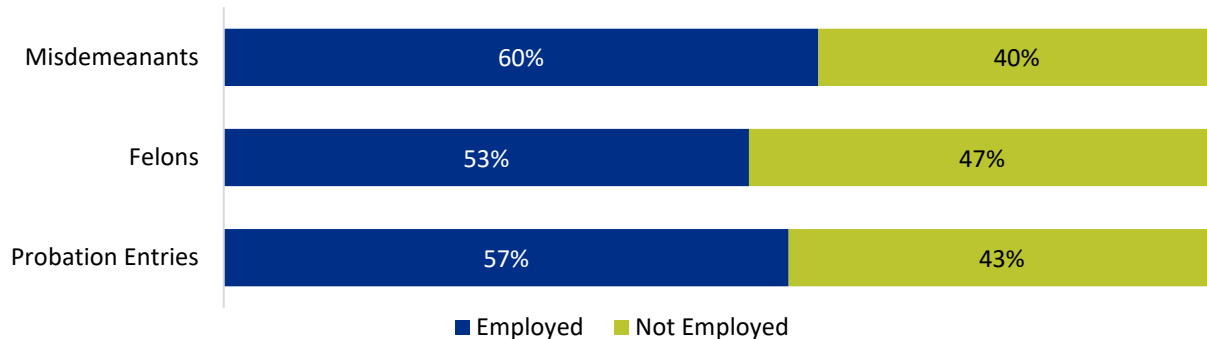
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

⁵⁶ The third category (i.e., Quick Dip, Revocation, or Both for misdemeanants and CRV, Revocation, or Both for felons) is less than the two confinement responses combined because a small percentage of probationers are represented in both of the first two categories.

EMPLOYMENT OUTCOMES

In addition to recidivism measures, employment status during the two-year follow-up period was examined as an outcome. If offenders were paid for any of the eight quarters during the two-year follow-up period, they were considered employed. Figure 3.20 shows that 60% of misdemeanants and 53% of felons were employed during the two-year follow-up.

Figure 3.20
Employment Status: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Table 3.6 provides information on quarterly wages earned and the number of quarters worked for the 16,603 offenders who were employed during the two-year follow-up period and for whom wage data were available. Misdemeanants had higher average quarterly wages earned than felons (\$3,545 and \$3,225 respectively). To account for extreme values, the median is also reported. Misdemeanants had median quarterly wages earned that were 14% higher than the median quarterly wages earned by felons. Misdemeanants, on average, worked one more quarter than felons during the two-year follow-up (5 and 4 respectively).

Table 3.6
Employment Outcomes: Two-Year Follow-Up

	Misdemeanants n=10,202	Felons n=6,401	Probation Entries n=16,603
Quarterly Wages Earned			
Average	\$3,545	\$3,225	\$3,421
Median	\$2,681	\$2,361	\$2,563
Number of Quarters Worked			
Average	5	4	5
Median	5	4	5

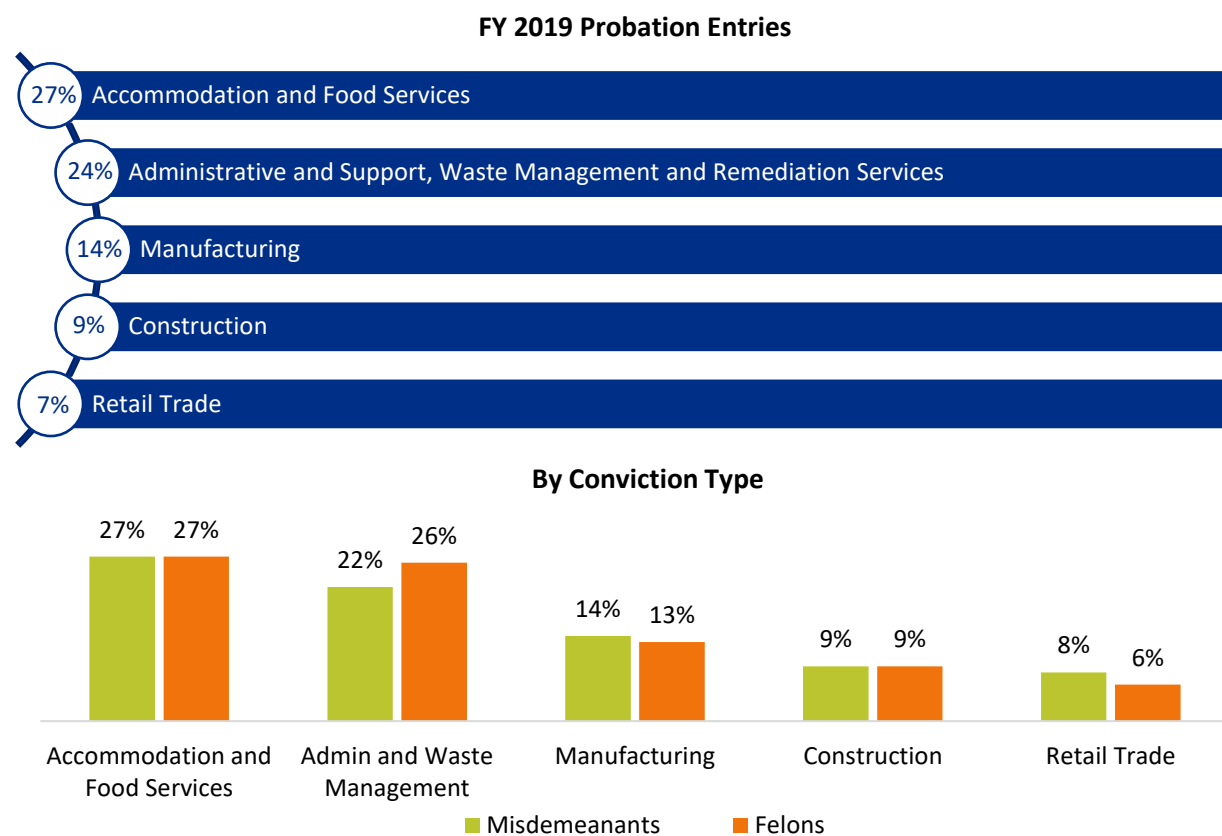
Note: Of the 17,564 probationers with two-year follow-up employment, 961 had discrepant quarterly data and were excluded from the table.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Figure 3.21 lists the top 5 industries for the first full quarter worked during the two-year follow-up. Accommodation and Food Services was the most common industry (27%). Administrative and Support, Waste Management and Remediation Services closely followed with 24% of offenders working in this industry. Overall, 81% of offenders who were employed during the two-year follow-up worked in these 5 industries.

The most common industry for misdemeanants and felons was Accommodation and Food Services (27% each). Additionally, 26% of felons worked in Administrative and Support, Waste Management and Remediation Services. About half of all misdemeanants and felons who were employed during the two-year-follow-up worked in these 2 industries (49% for misdemeanants and 53% for felons).

Figure 3.21
Top 5 Employment Industries: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 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=30,750), the recidivist arrest rate was 27% during the one-year follow-up and 37% during the two-year follow-up (see Table 3.7). During the one-year follow-up, felons had a slightly higher recidivist arrest rate than misdemeanants (28% and 26% respectively). By the end of the second year of follow-up, 40% of felons had a recidivist arrest compared to 35% of misdemeanants.

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

Probation Entries	N	# with Any Recidivist Arrest	Total # Recidivist Arrests	% Recidivist Arrest	
				One-Year Follow-Up	Two-Year Follow-Up
Misdemeanants	17,902	6,341	12,758	26	35
Felons	12,848	5,083	9,678	28	40
Total	30,750	11,424	22,436	27	37

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Overall, the 11,424 probationers with at least one recidivist arrest accounted for 22,436 recidivist arrests. For probationers with an arrest during the two-year follow-up period, the first arrest occurred an average of 8 months after probation entry. The average time to the first recidivist arrest was 8 months for both misdemeanants and felons. Of offenders with a recidivist arrest, 68% of misdemeanants and 81% of felons had a recidivist felony arrest.

Recidivist Arrests and Risk and Need Levels

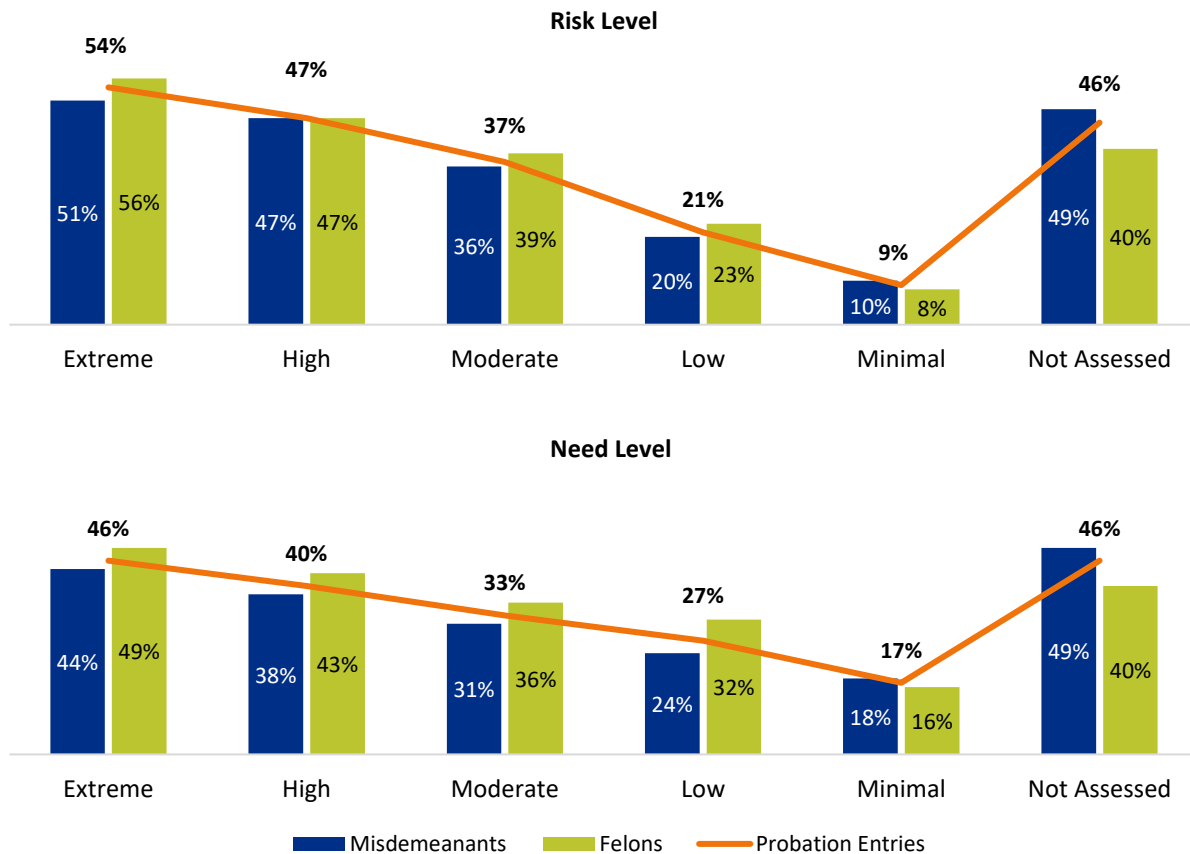
Figure 3.22 shows the recidivist arrest rates during the two-year follow-up by risk and need level. Probationers without a risk or needs assessment had recidivism rates most similar to those assessed as high risk or extreme need. Among this group, misdemeanants had higher recidivist arrest rates than felons (49% compared to 40%).

Of probationers with a risk assessment, those assessed as extreme risk had the highest recidivist arrest rates at 54%, while those assessed as minimal risk had the lowest at 9%. In each risk level, felons generally had the same, or slightly higher, recidivist arrest rates than misdemeanants.

Recidivist arrest rates by need level show the same stair-step pattern seen with risk level; however, the differences by need level are less pronounced than risk. Notably, those with minimal need had a higher recidivist arrest rate (17%) compared to those with minimal risk (9%). In each need level, felons generally had higher recidivist arrest rates than misdemeanants.⁵⁷

⁵⁷ See Appendix E for recidivist arrest rates by risk and need levels (Table E.1) during the two-year follow-up.

Figure 3.22
Recidivist Arrest Rates by Risk and Need Level



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

With the exception of minimal risk offenders with a recidivist arrest who averaged 1 arrest during the two-year follow-up, all other probationers averaged 2 arrests during follow-up regardless of risk or need level.

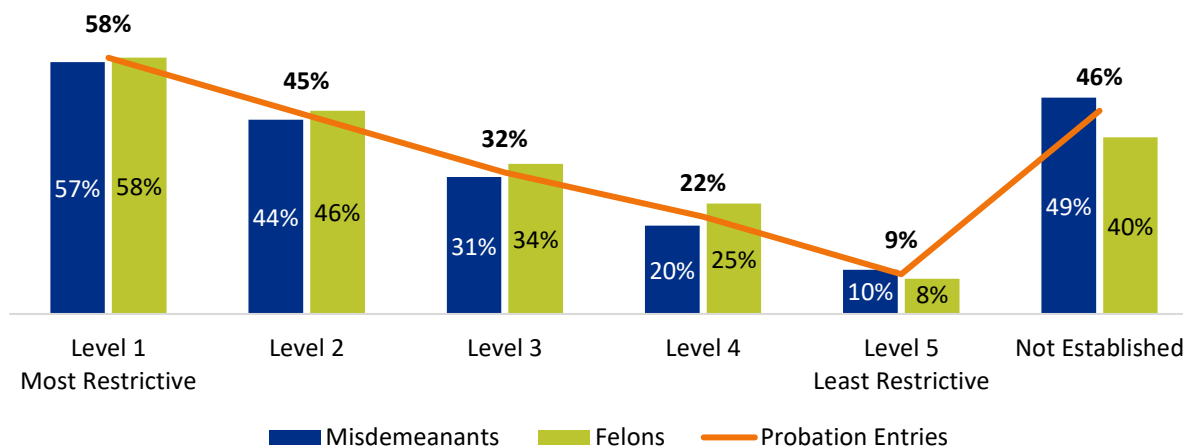
As previously mentioned, the average time to first recidivist arrest was 8 months; however, probationers who were not assessed averaged 6 months to first recidivist arrest. Among offenders with an assessment, the average time to first recidivist arrest increased as risk and need levels decreased. Extreme risk probationers averaged 7 months to first recidivist arrest. High and moderate risk probationers had a first recidivist arrest on average at 8 months compared to 9 months for low and minimal risk probationers. For need level, extreme, high, and moderate need offenders averaged 8 months to first recidivist arrest, while low and minimal need offenders averaged 9 months.

Recidivist Arrests and Supervision Level

Similar to the patterns by risk and need level, Figure 3.23 shows the same stair-step pattern in decreasing recidivist arrest rates by supervision level. For probationers with a supervision level assigned, the less restrictive the supervision level the lower the recidivist arrest rate, ranging from 58% for Level 1 probationers to 9% for Level 5 probationers. In each supervision level, felons generally had the same or

slightly higher recidivist arrest rates as misdemeanants. Recidivism rates for probationers without a supervision level assigned were most similar to those found for probationers in Level 2.

Figure 3.23
Recidivist Arrest Rates by Supervision Level: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

With the exception of Level 5 offenders with a recidivist arrest who averaged 1 arrest during the two-year follow-up, all other probationers averaged 2 arrests regardless of supervision level.

When examining the time to first recidivist arrest, offenders without a supervision level assigned averaged 6 months to recidivist arrest. Among offenders with a supervision level assigned, the average time to first recidivist arrest increased as the supervision level increased. Probationers in Level 1 averaged 7 months to first recidivist arrest. Level 2 and 3 probationers had a first recidivist arrest on average at 8 months. Level 4 offenders averaged 9 months and Level 5 offenders averaged 10 months.

SUMMARY

Chapter Three provided a closer examination of the offenders who entered supervised probation in FY 2019. 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. Employment data were also presented, providing information on employment rates and wages earned both before and after probation entry.

The FY 2019 sample of probationers included 30,750 offenders. Ninety percent (90%) of these probationers had a supervision level assigned based on the RNA. The majority of the sample were misdemeanants (58%) based on their current conviction. Felons were more likely to be male, a high school dropout, be unemployed, have a substance use problem, and earn less money 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.

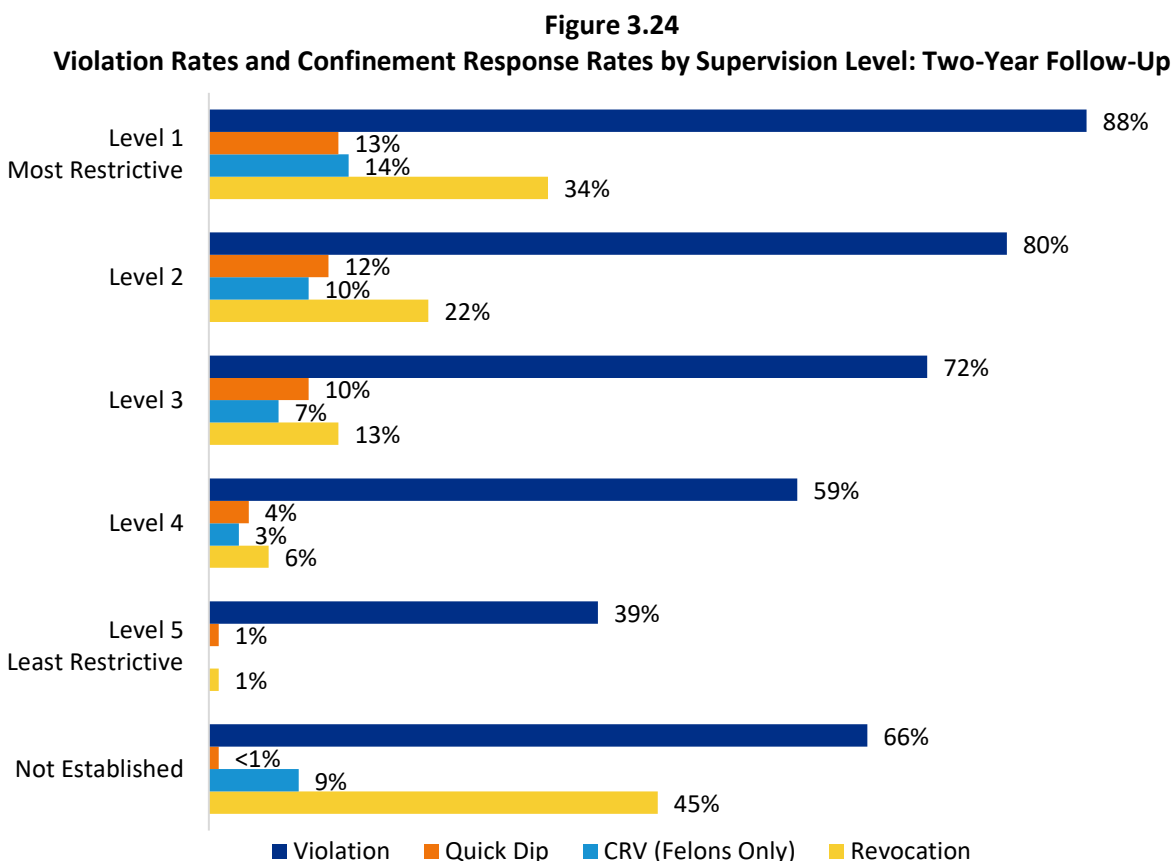
Felons were more frequently assessed in the highest two risk levels (i.e., extreme and high) than misdemeanants; misdemeanants were more frequently assessed in the lowest two risk levels (i.e., low

and minimal) than felons. 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 (32%).

Violations of community supervision and responses to those violations (both nonconfinement and confinement) were analyzed as interim outcomes for probationers by conviction type. A slightly higher percentage of misdemeanants than felons violated the conditions of their supervision during follow-up. Technical violations were the most common; felons had a higher proportion of criminal violations than misdemeanants. For both felons and misdemeanants, violation rates decreased as supervision levels decreased. Financial and drug/alcohol violations were the most common technical violations examined; however, for both misdemeanants and felons, a majority had controlling and reintegrative violations as the most serious technical violations during follow-up.

Select nonconfinement responses to violations of supervision were presented. Responses to modify conditions and continue probation were slightly more common than delegated authority and imposing additional conditions. Of the different types of nonconfinement responses, delegated authority responses occurred earliest during supervision. The time to first nonconfinement response to a violation was similar for misdemeanants and felons.

Quick dips, CRVs (for felons), and revocations were examined as confinement responses to violations of supervision. Misdemeanants and felons had similar rates for quick dips. Nine percent (9%) of felons



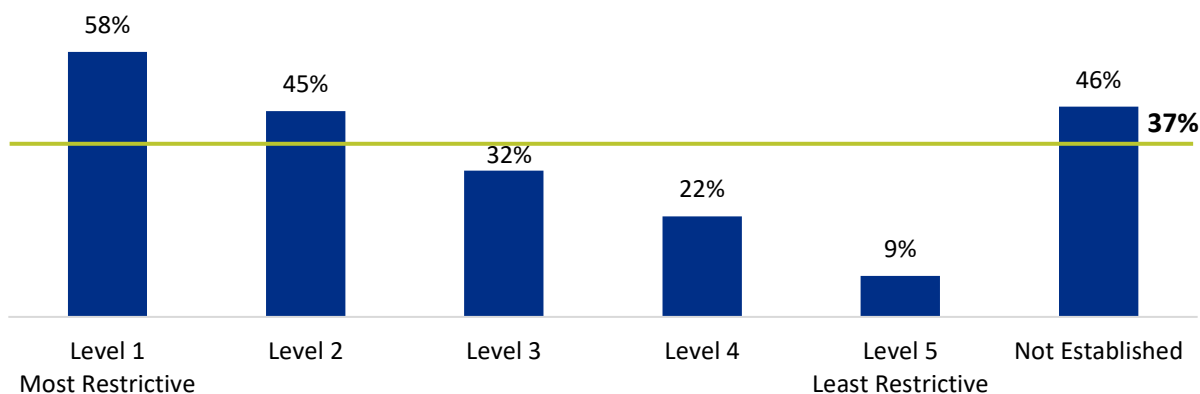
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

received a CRV during the two-year follow-up. Misdemeanants had higher rates of revocation than felons. Fifty-seven (57%) of revocations involved absconding. As expected, based on the pattern of violation rates, the rates for all confinement responses to violations decreased as supervision levels decreased (see Figure 3.24).

Over half of probationers (57%) worked at least 1 quarter during the two-years following their probation entry. On average, misdemeanants worked 5 quarters and felons worked 4 quarters during the two-year follow-up. The median quarterly wage for misdemeanants was 14% higher than the median quarterly wage for felons. The top 5 industries employing misdemeanants and felons were the same.

Misdemeanants and felons had similar recidivist arrest rates after one year of follow-up, but misdemeanants had lower recidivist arrest rates than felons after two years of follow-up (35% and 40% respectively). As with the interim outcomes examined, recidivist arrest rates decreased as risk, need, and supervision levels decreased (see Figure 3.25). Felons generally had the same or slightly higher recidivist arrest rates as misdemeanants when examining recidivist arrest rates by supervision level.

Figure 3.25
Recidivist Arrest Rates by Supervision Level: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

The examination of probationers 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 Six, offering greater insight into the relationship between interim and criminal justice outcomes.

CHAPTER FOUR

CRV OFFENDERS RELEASED IN FY 2019

Chapter Three provided an overview of FY 2019 probation entries and examined violations, responses to violations, and recidivist arrests. This chapter focuses on a separate group of probationers: offenders with a felony conviction who were released from a CRV center^{58,59} or a state prison facility⁶⁰ in FY 2019 having served a CRV imposed for a technical violation of probation (hereinafter referred to as CRV offenders). Under the JRA, revocation of probation 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.⁶¹ Felons who received a CRV were housed in the state prison system or CRV centers for periods of 90 days.

SAMPLE SELECTION AND COMPARISON GROUP

The FY 2019 CRV offender sample is comprised of 2,002 offenders with a most serious felony conviction in Class E through Class I. Because the intent of the CRV is for offenders to return to supervision following confinement, felony probation entries in FY 2019 (n=8,674) were used as a comparison group to examine outcomes of these CRV offenders. The comparison group of probation entries was restricted to those offenders with a most serious conviction of a Class E through Class I felony and who committed at least one technical violation during the two-year follow-up period (hereinafter referred to as felony probationers).⁶² Restricting the comparison group to those offenders with a violation allowed the felony probationers to more closely resemble the CRV offenders who had at least one technical violation and in response to that violation(s) had received a CRV.

Figure 4.1 provides a timeline comparison of the two groups studied in this chapter. The interim outcome measures (i.e., violations, responses to violation) and the recidivism measures (i.e., arrests, incarcerations) reported are calculated using a fixed two-year follow-up. However, the two-year follow-up for these measures began at different times for each group.⁶³ Recidivism for CRV offenders is tracked upon release from their CRV, while recidivism for felony probationers is tracked beginning at probation entry. Not all CRV offenders continued on supervision following their CRV; 35% (n=710) received a terminal CRV and, upon release from their CRV, exited probation.⁶⁴

⁵⁸ See Appendix B for detailed definitions of recidivism and other key terms.

⁵⁹ 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>.

⁶⁰ Probationers who receive a CRV disposition and are not eligible for the CRV center (e.g., for medical or mental health reasons) serve their CRV in a prison facility.

⁶¹ As of December 1, 2015, SSA misdemeanor probationers no longer face CRV as a sanction for technical violations of probation. Misdemeanants who commit technical violations of probation are sanctioned by 2- or 3-day quick dips and revocation is possible only after the imposition of two prior quick dips.

⁶² See Chapter Three for more details regarding the entire sample of FY 2019 probation entries.

⁶³ 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.

⁶⁴ Terminal CRV refers to a CRV that is equal to the amount of time left in the offender's suspended period of incarceration. After serving a terminal CRV, the offender will be discharged from probation.

Figure 4.1
A Timeline Comparison of CRV Offenders and Felony Probationers

CRV Offenders (N=2,002)			
Probation Entry	CRV Begins	CRV Ends	Probation Release
		2-Year Recidivism (fixed period)	
		Follow-Up Begins	Follow-Up Ends
Felony Probationers (N=8,674)			
		Probation Entry	Probation Release
		2-Year Recidivism (fixed period)	
		Follow-Up Begins	Follow-Up Ends

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

STATISTICAL PROFILE

Personal Characteristics

Table 4.1 contains information describing the personal characteristics of CRV offenders and felony probationers.⁶⁵ While CRV offenders and felony probationers were similar on many of the personal characteristics examined, CRV offenders were more likely to be a high school dropout or to have received a GED, and were less likely to be employed compared to felony probationers. A greater percentage of felony probationers were identified as having a possible substance use problem than CRV offenders (84% and 76% respectively). Overall, the average age for CRV offenders at release and the average age for felony probationers at probation entry was 33 years old.

Table 4.2 presents the quarterly wages earned and the number of quarters worked for the 984 CRV offenders and 4,670 felony probationers who were employed in the two years prior to their probation entry and for whom wage data were available.⁶⁶ Felony probationers had higher average wages earned per quarter than CRV offenders (\$2,447 and \$2,250 respectively). To account for extreme values, the median is also reported. Felony probationers had median quarterly wages earned that were 9% higher than the median quarterly wages earned for CRV offenders. Felony probationers, on average, worked more quarters during the two years prior compared to CRV offenders (4 and 3 respectively).

⁶⁵ See Appendix F for a descriptive summary of the two groups studied.

⁶⁶ The number of quarters worked is based on whether an offender was paid during the quarter. It is important to note that the number of quarters worked were not necessarily consecutive quarters, but rather the total number of quarters worked over the span of eight quarters.

Table 4.1
Personal Characteristics

Personal Characteristics	CRV Offenders N=2,002 %	Felony Probationers N=8,674 %
Gender		
Female	24	23
Male	76	77
Race		
White	54	53
Black	42	43
Other/Unknown	4	4
Age at CRV Release/Probation Entry		
Under 21 Years	7	10
21-29 Years	38	34
30-39 Years	35	32
40-49 Years	14	15
50 Years and Older	6	9
Marital Status		
Married	9	10
Not Married	91	90
Education		
High School Graduate	38	42
High School Dropout/GED	62	58
Prior Employment		
Employed	54	58
Not Employed	46	42
Substance Use		
None Indicated	24	16
Substance Use Indicated	76	84

Note: Four (4) offenders were missing education and 723 were missing substance use information. Of the offenders with ethnicity data available, 2% of CRV offenders and 3% of felony probationers were Hispanic.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

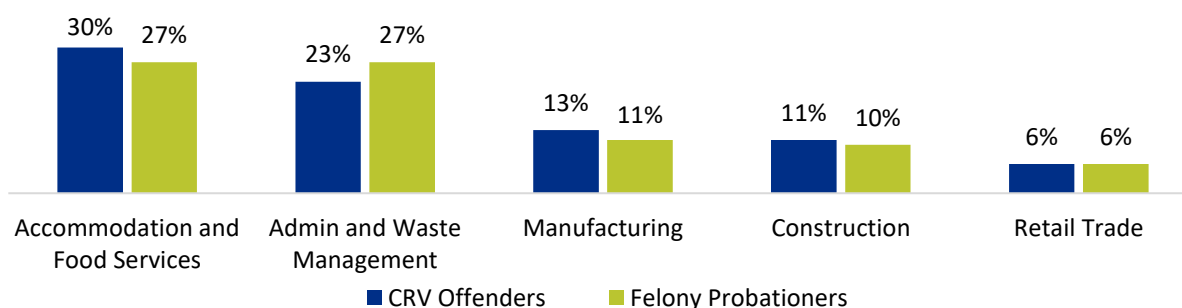
Table 4.2
Prior Employment Profile

Employment in Two Years Prior	CRV Offenders n=984	Felony Probationers n=4,670
Quarterly Wages Earned		
Average	\$2,250	\$2,447
Median	\$1,586	\$1,756
Number of Quarters Worked		
Average	3	4
Median	3	4

Note: Overall, 443 offenders had discrepant quarterly data and were excluded from the table.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Figure 4.2 shows the top 5 industries for the last quarter worked prior to probation entry.⁶⁷ Overall, 83% of CRV offenders and 81% of felony probationers with prior employment worked in these 5 industries. The top industry for CRV offenders was Accommodation and Food Services (30%), which, along with Administrative and Support, Waste Management and Remediation Services, were the most common industries for felony probationers (27% each). Over half of all CRV offenders and felony probationers with prior employment worked in these 2 industries (53% for CRV offenders and 54% for felony probationers).

Figure 4.2
Top 5 Prior Employment Industries



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Criminal History

CRV offenders and felony probationers had similar criminal histories; 91% of both CRV offenders and felony probationers had a prior fingerprinted arrest (see Table 4.3). Of the remaining criminal history measures examined (i.e., prior probation entry, prior revocation of probation or PRS, prior incarceration), CRV offenders and felony probationers were within 3 percentage points of each other. Figure 4.3 also illustrates the similarity in prior criminal justice contacts between CRV offenders and felony probationers by examining the number of prior arrests. On average, felony probationers had 1 more prior arrest than CRV offenders (6 and 5 respectively).

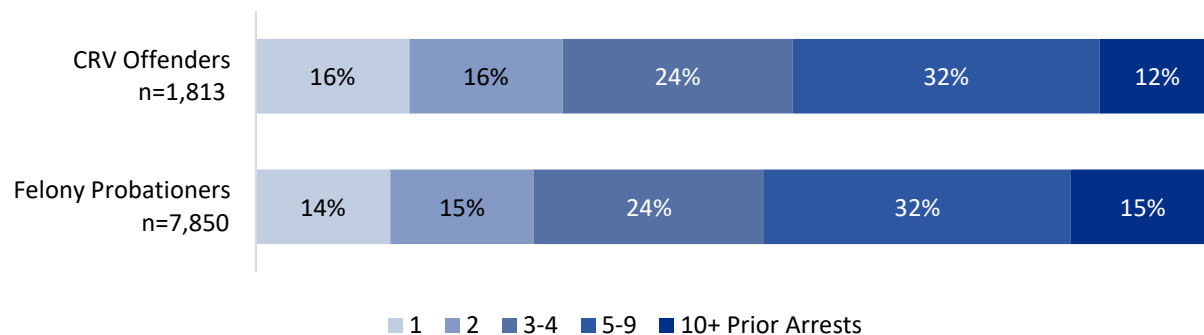
Table 4.3
Prior Criminal Justice Contacts

Prior Criminal Justice Contacts	CRV Offenders N=2,002 %	Felony Probationers N=8,674 %
Prior Arrest	91	91
Prior Probation Entry	65	68
Prior Probation/PRS Revocation	43	43
Prior Incarceration	36	34

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

⁶⁷ Industry information is based on a federal classification system, NAICS. More information regarding NAICS industry codes can be found at <https://www.census.gov/naics/>. A description of industries is provided at <https://www.bls.gov/iag/>.

Figure 4.3
Number of Prior Arrests



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Most Serious Current Conviction and Supervision Length

Table 4.4 shows the distribution of CRV offenders and felony probationers by offense class and offense type. Over 70% of offenders in each group had a conviction for a Class H or Class I felony (47% and 24% for CRV offenders and 45% and 33% for felony probationers respectively). A greater percentage of CRV offenders had property offenses (44% compared to 37%) and a lower percentage of drug offenses (33% compared to 41%) than felony probationers.⁶⁸

Table 4.4
Most Serious Conviction and Supervision Length

	CRV Offenders N=2,002 %	Felony Probationers N=8,674 %
Offense Class		
Class E	5	4
Class F	10	6
Class G	14	12
Class H	47	45
Class I	24	33
Offense Type		
Person	14	11
Property	44	37
Drug	33	41
Other	9	11
Supervision Length		
24 or Less Months	51	72
25 or More Months	49	28

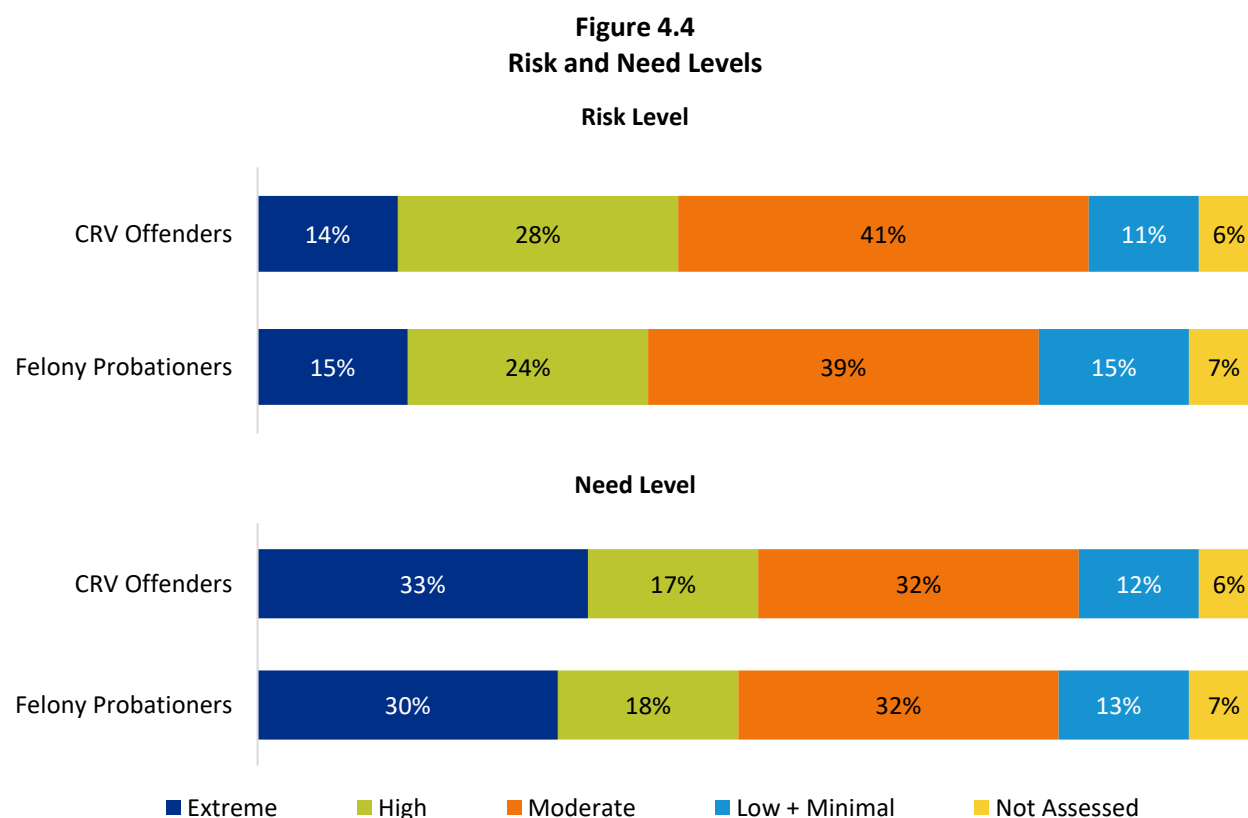
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

⁶⁸ Felons who commit person offenses tend to receive an active punishment (i.e., prison) by the court and are not sentenced to probation supervision.

CRV offenders had longer periods of supervision than felony probationers (*see* Table 4.4). Forty-nine percent (49%) of CRV offenders were placed on 25 or more months of supervision, while 28% of felony probationers were placed on supervision for 25 or more months. CRV offenders received an average of 29 months on supervision compared to felony probationers who received an average of 25 months.

Offender Risk and Need Assessments

As described in Chapter Two, the RNA is administered within the first 60 days of probation supervision.⁶⁹ Each offender is assigned to one of five risk levels based on their score: extreme, high, moderate, low, and minimal. Due to the low numbers in the lowest levels of risk for CRV offenders, low and minimal risk were combined for analysis purposes. Figure 4.4 provides the risk and need level distributions, including the percentages in each group without an RNA completed.⁷⁰ CRV offenders and felony probationers were similar in their distribution of risk level; however, a smaller proportion of CRV offenders were assessed in the combined low and minimal levels compared to felony probationers (11% and 15% respectively).



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Similar to risk, the need assessment divides the probationers into five need levels: extreme, high, moderate, low, and minimal. Again, low and minimal need were combined for analysis purposes due to

⁶⁹ RNA data were generally 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. However, if corrections were made within 60 days of an initial assessment, the RNA data included those corrections.

⁷⁰ "Not assessed" category may include those who were only partially assessed (i.e., incomplete assessment).

the low numbers in lowest levels of need for CRV offenders. A somewhat greater percentage of CRV offenders were assessed as extreme need compared to felony probationers (33% and 30% respectively).

Table 4.5 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 for offenders. Overall, CRV offenders and felony probationers were similar in their areas of need with the following exceptions: a greater percentage of CRV offenders were identified with criminal peers and with a need for academic or vocational services (55% and 50% respectively) compared to felony probationers (49% and 45% respectively). A greater percentage of felony probationers were identified as having a substance use need than CRV offenders (84% compared to 76%).

Table 4.5
Areas of Need Identified

Areas of Need	CRV Offenders n=1,889 %	Felony Probationers n=8,064 %
Criminogenic Factors		
Anti-social Personality	25	25
Anti-social Values	21	21
Criminal Peers	55	49
Dysfunctional Family	55	57
Self-Control	30	29
Substance Use	76	84
Health Factors		
Mental Health	54	54
Physical	29	31
Additional Factors		
Academic/Vocational	50	45
Employment	56	52
Financial	36	35
Housing	31	35
Legal	62	60
Social Skills	49	49
Transportation	76	73

Note: Offenders who did not have an RNA completed and a supervision level assigned were excluded from this table (n=723).

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

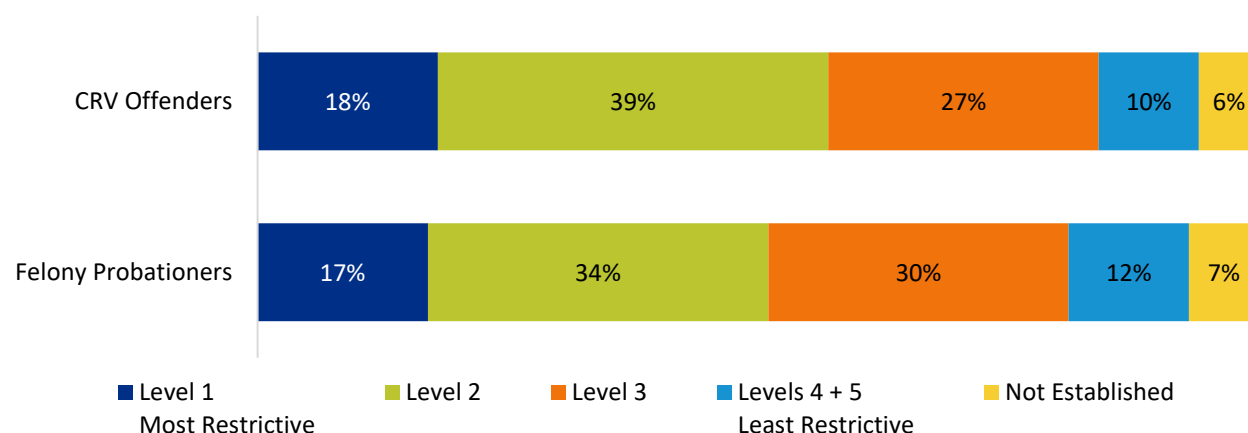
Supervision in the Community

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. The supervision level dictates the minimum contact requirements for probationers. 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.⁷¹ Due to the low numbers of CRV offenders in Level 5, Levels 4 and 5 were combined for more meaningful results.

Figure 4.5 provides a distribution of supervision levels for CRV offenders and felony probationers. CRV offenders and felony probationers were similar in their distribution of supervision level; however, a greater proportion of CRV offenders were assigned to Level 2 (39%) and a smaller percentage in Level 3 (27%) compared to felony probationers (34% and 30% respectively).

Figure 4.5
Offender Supervision Level



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

INTERIM OUTCOMES

Chapter Three summarized violations of supervision and selected responses to violations of supervision. The select responses cover many of the most common responses to violations of supervision but do not encompass all possible responses. The responses were divided into two categories – nonconfinement responses and confinement responses. This chapter, however, focuses primarily on violations of supervision and two confinement responses to violation – CRVs and revocation of supervision during the follow-up period.⁷²

Violations of Community Supervision

Violations of community supervision were used as an indicator of misconduct while under supervision during the two-year follow-up. The type of violation was examined using the following categories in order of most serious to least serious: criminal, absconding, or technical.⁷³

⁷¹ Offenders with an incomplete RNA have often absconded and have been revoked prior to completion of the RNA process and therefore did not have a supervision level established.

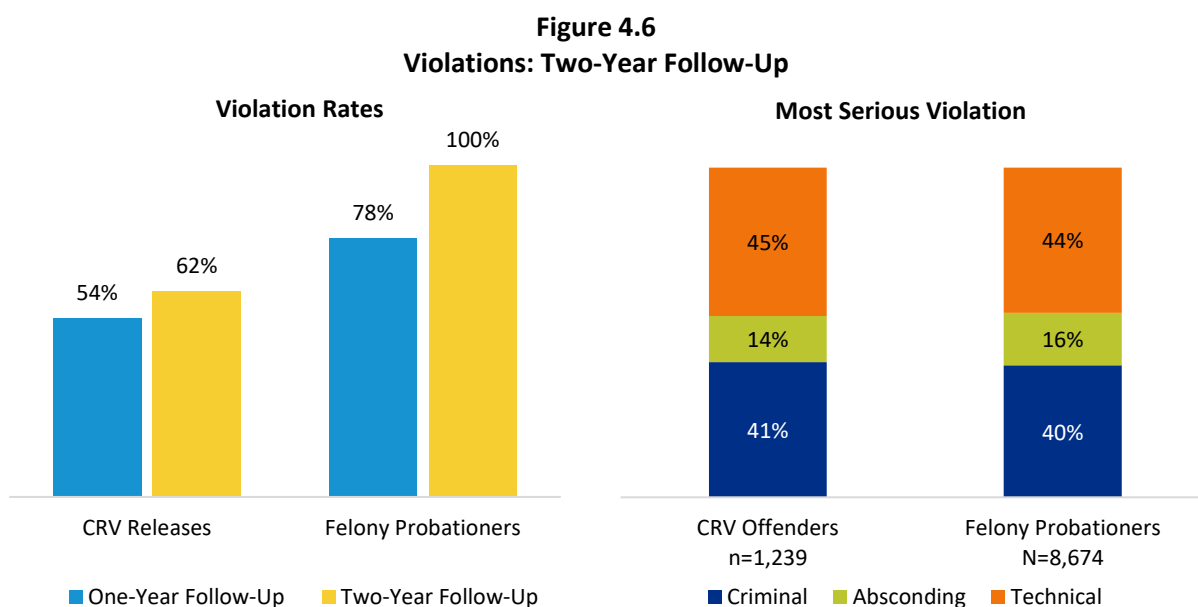
⁷² For both groups, the interim outcomes reported during the two-year follow-up could be related to a new period of supervision.

⁷³ 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 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).

Fifty-four percent (54%) of CRV offenders and 78% of felony probationers had at least one violation during the one-year follow-up period (see Figure 4.6). Over 60% of CRV offenders had at least one violation during the two-year follow-up. A comparison to felony probationers is not applicable during the two-year follow-up due to the sampling criteria that all felony probationers must have had a technical violation during the two-year follow-up period.

Of those with a violation, a slightly lower percentage of CRV offenders had only one violation (41% compared to 43%) and a slightly higher percentage had three or more violations (31% compared to 29%) compared to felony probationers. Each group averaged 2 violations during the two-year follow-up. Among offenders who had a violation during the two-year follow-up, CRV offenders had their first violation on average at 5 months, while felony probationers had their first violation on average at 7 months.

When examining the most serious violation, very little difference was observed between CRV offenders and felony probationers.



Note: Due to sample selection, all felony probationers (100%) had a violation during the two-year follow-up.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Responses to Violations of Community Supervision

The following analysis focuses on two types of confinement responses, CRVs and revocation of supervision.⁷⁴

Confinement in Response to Violation

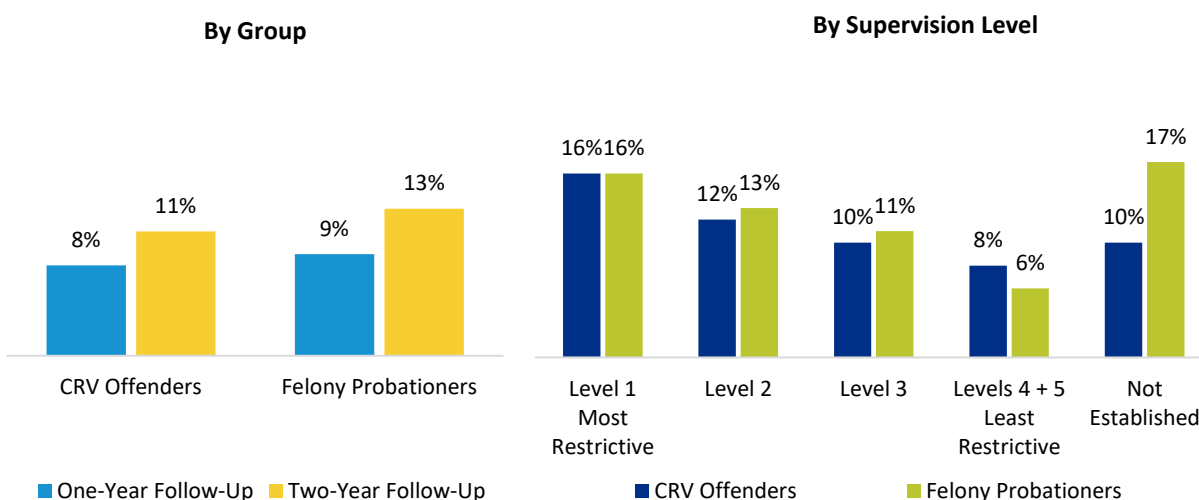
CRV rates were examined as an indicator of misconduct during the follow-up period. Figure 4.7 compares CRV rates for each group and by supervision level.⁷⁵ CRV offenders and felony probationers

⁷⁴ Responses to violations of supervision are not directly linked to a specific violation committed by the probationer.

⁷⁵ For CRV offenders, a CRV during the two-year follow-up indicates a subsequent CRV. For felony probationers, a CRV during the two-year follow-up indicates at least one CRV.

had similar CRV rates during the first year of follow-up (8% and 9% respectively), while felony probationers were slightly more likely to have had a CRV imposed by the end of the second year of follow-up than CRV offenders (13% and 11% respectively). Generally, there were few differences in the CRV rates by supervision level between the two groups; however, felony probationers without an established supervision level had a higher CRV rate (17%) than CRV offenders without an established supervision level (10%). CRV offenders received a CRV response 1 month earlier on average compared to felony probationers (9 months and 10 months respectively).

Figure 4.7
CRV Rates: Two-Year Follow-Up



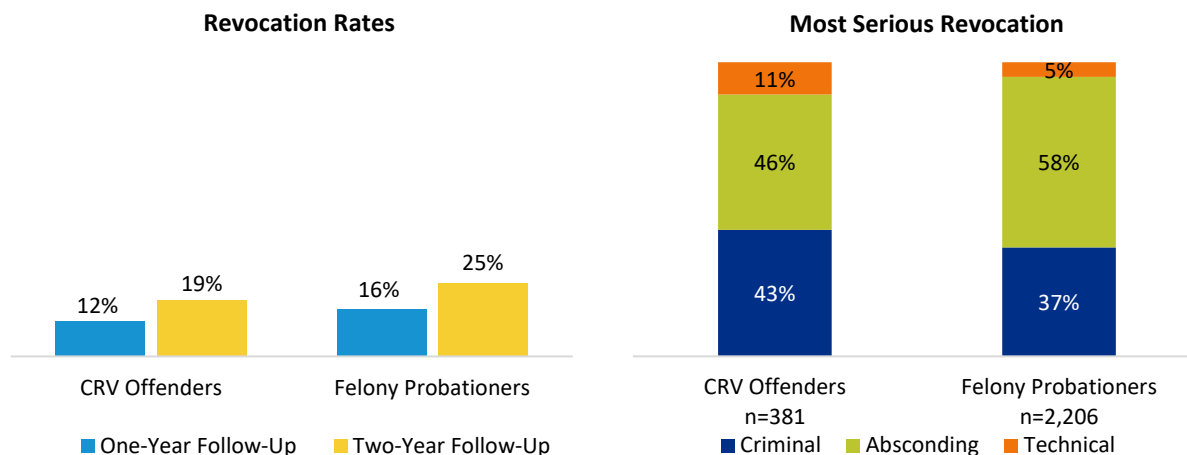
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Revocations

Revocations of supervision were also examined as an indicator of misconduct during the two-year follow-up. As mentioned in Chapter Three, revocation and activation of the suspended sentence may only occur for those who abscond supervision, commit a new crime, or, for technical violations, after the imposition of two CRVs (felons) or two quick dips (misdemeanants). Similar to violations of supervision, revocations were categorized in order of most serious to least serious: criminal, absconding, or technical.

Felony probationers had higher revocation rates than CRV offenders during the one-year follow-up (16% and 12% respectively), as well as during the two-year follow-up (25% and 19% respectively) (see Figure 4.8). The most serious revocation distribution differed between CRV offenders and felony probationers. A greater proportion of CRV offenders had a criminal revocation than felony probationers (43% and 37% respectively); however, a greater proportion of felony probationers had an absconding revocation than CRV offenders (58% and 46% respectively). A greater percentage of CRV offenders had a technical revocation than felony offenders (11% and 5% respectively).

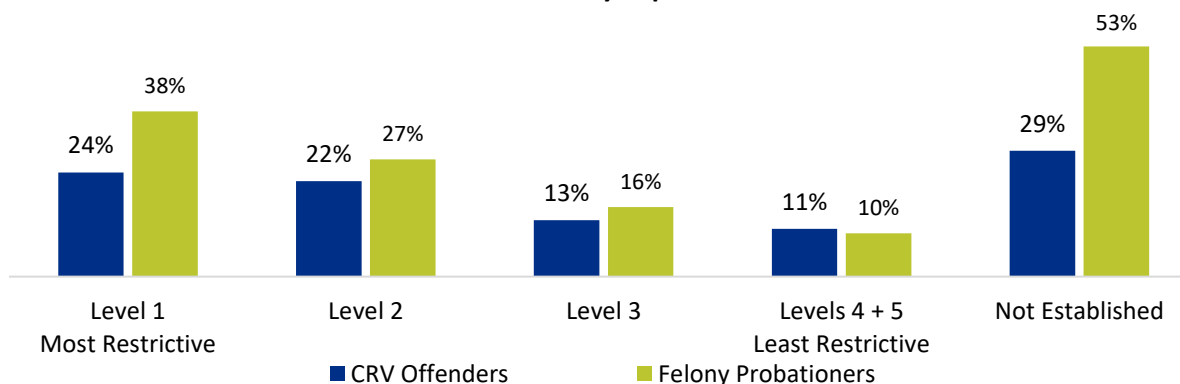
Figure 4.8
Revocations: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Felony probationers in Supervision Levels 1 and 2 had higher revocation rates than CRV offenders (38% and 27% compared to 24% and 22%). (See Figure 4.9). CRV offenders who did not have a supervision level established had lower revocation rates than felony probationers (29% and 53% respectively). For those offenders who received a revocation, both CRV offenders and felony probationers were revoked at 10 months on average.

Figure 4.9
Revocation Rates by Supervision Level



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

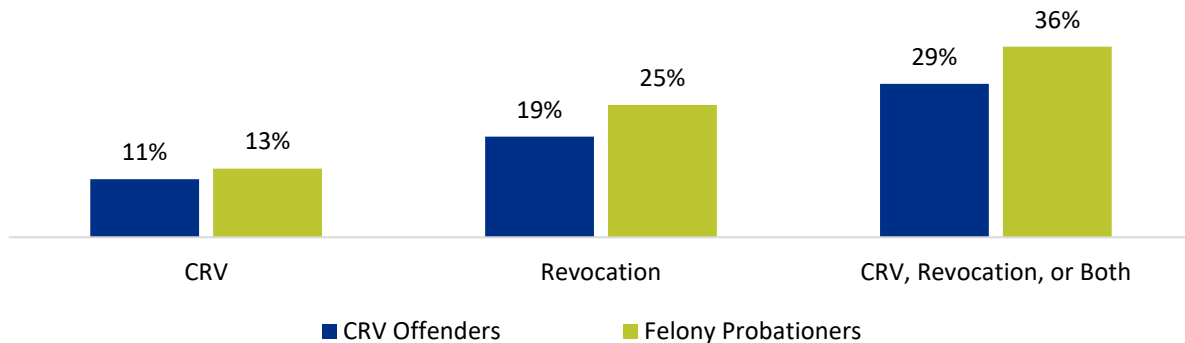
Confinement for Technical Violations and Revocation

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 for felons. Figure 4.10 examines the combination of having a CRV or revocation for felons.⁷⁶ Overall, 29% of CRV offenders had

⁷⁶ Combining CRV and revocation rates for felons permits comparisons to revocation rates from prior recidivism studies by the Sentencing Commission.

a CRV or a revocation during the two-year follow-up, while 36% of felony probationers had a CRV or a revocation.⁷⁷

Figure 4.10
CRV or Revocation Rates: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

EMPLOYMENT OUTCOMES

In addition to recidivism measures, employment status during the two-year follow-up period was examined as an outcome. If offenders were paid for any of the eight quarters during the two-year follow-up period, they were considered employed. A slightly greater percentage of felony probationers were employed during the two-year follow-up than CRV offenders (55% and 53% respectively).

Table 4.6 presents the quarterly wages earned and the number of quarters worked for the 970 CRV offenders and 4,404 felony probationers who were employed during the two-year follow-up and for whom wage data were available. Felony probationers had higher average wages earned per quarter than CRV offenders (\$2,665 and \$2,560 respectively). To account for extreme values, the median is also reported. Felony probationers had median quarterly wages earned that were slightly higher than the median quarterly wages earned for CRV offenders. Both CRV offenders and felony probationers averaged 4 quarters of employment during the two-year follow-up.

Table 4.6
Employment Outcomes: Two-Year Follow-Up

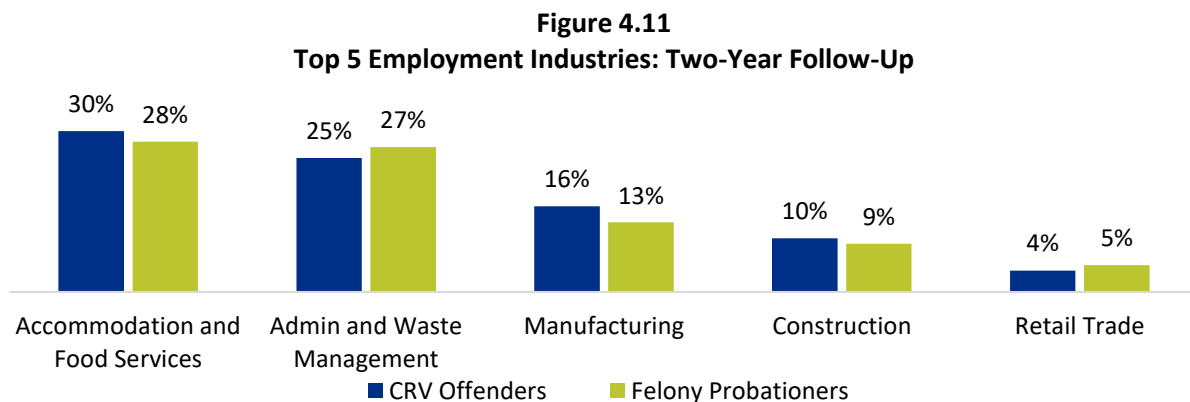
	CRV Offenders n=970	Felony Probationers n=4,404
Quarterly Wages Earned		
Average	\$2,560	\$2,665
Median	\$1,976	\$2,002
Number of Quarters Worked		
Average	4	4
Median	3	4

Note: Overall, 437 offenders had discrepant quarterly data and were excluded from the table.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

⁷⁷ It should be noted that CRV offenders with a terminal CRV accounted for few of the subsequent CRVs (5%), revocations (12%), and subsequent CRV or revocation (10%) during the two-year follow-up.

Figure 4.11 shows the top 5 industries for the first full quarter worked during the two-year follow-up. Overall, 85% of CRV offenders and 82% of felony probationers who were employed during the two-year follow-up worked in these 5 industries. The top industry for CRV offenders and felony probationers was Accommodation and Food Services (30% and 28%). A large percentage of felony probationers (27%) and CRV offenders (25%) also worked in Administrative and Support, Waste Management and Remediation Services. Of those offenders who were employed during the two-year follow-up, over half worked in these 2 industries (55% for both groups).



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

CRIMINAL JUSTICE OUTCOMES

As described in Chapter Two, the Sentencing Commission's primary measure of recidivism is fingerprinted arrests. Recidivist incarcerations are also a recidivism measure of particular interest for probationers due to revocations of probation.

Recidivist Arrests

CRV offenders had lower recidivist arrest rates for each year of the follow-up period, 29% during year one and 44% during year two, compared to felony probationers (36% and 49% respectively)⁷⁸ (see Table 4.7). Over 80% of CRV offenders and felony probationers with a recidivist arrest were arrested for a felony offense (81% and 82% respectively).

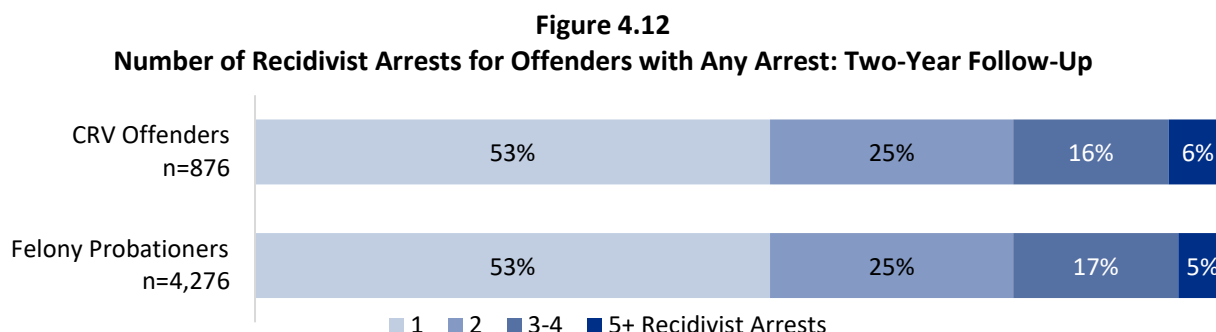
Table 4.7
Recidivist Arrest Rates: Two-Year Follow-Up

Offender Type	N	# with Any Recidivist Arrest	Total # Recidivist Arrests	% Recidivist Arrest	
				One-Year Follow-Up	Two-Year Follow-Up
CRV Offenders	2,002	876	1,708	29	44
Felony Probationers	8,674	4,276	8,214	36	49

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation

⁷⁸ CRV offenders with a terminal CRV accounted for 36% of the CRV offenders with a recidivist arrest during the two-year follow-up.

Figure 4.12 examines the number of recidivist arrests for each group. Just over half of the offenders with a recidivist arrest in each group had 1 recidivist arrest during follow-up. The distribution of the number of recidivist arrests was similar for both groups. The average time to the first recidivist arrest was 9 months for CRV offenders and 8 months for felony probationers.



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Recidivist Incarcerations

Recidivist incarceration rates for the one-year and two-year follow-up are shown in Table 4.8. CRV offenders had lower recidivist incarceration rates than felony probationers during the one-year follow-up (14% compared to 18%). They also had lower incarceration rates during the two-year follow-up compared to felony probationers (22%⁷⁹ and 30% respectively). The average time to the first recidivist incarceration was 10 months for CRV offenders and 11 months for felony probationers.

Table 4.8
Recidivist Incarceration Rates: Two-Year Follow-Up

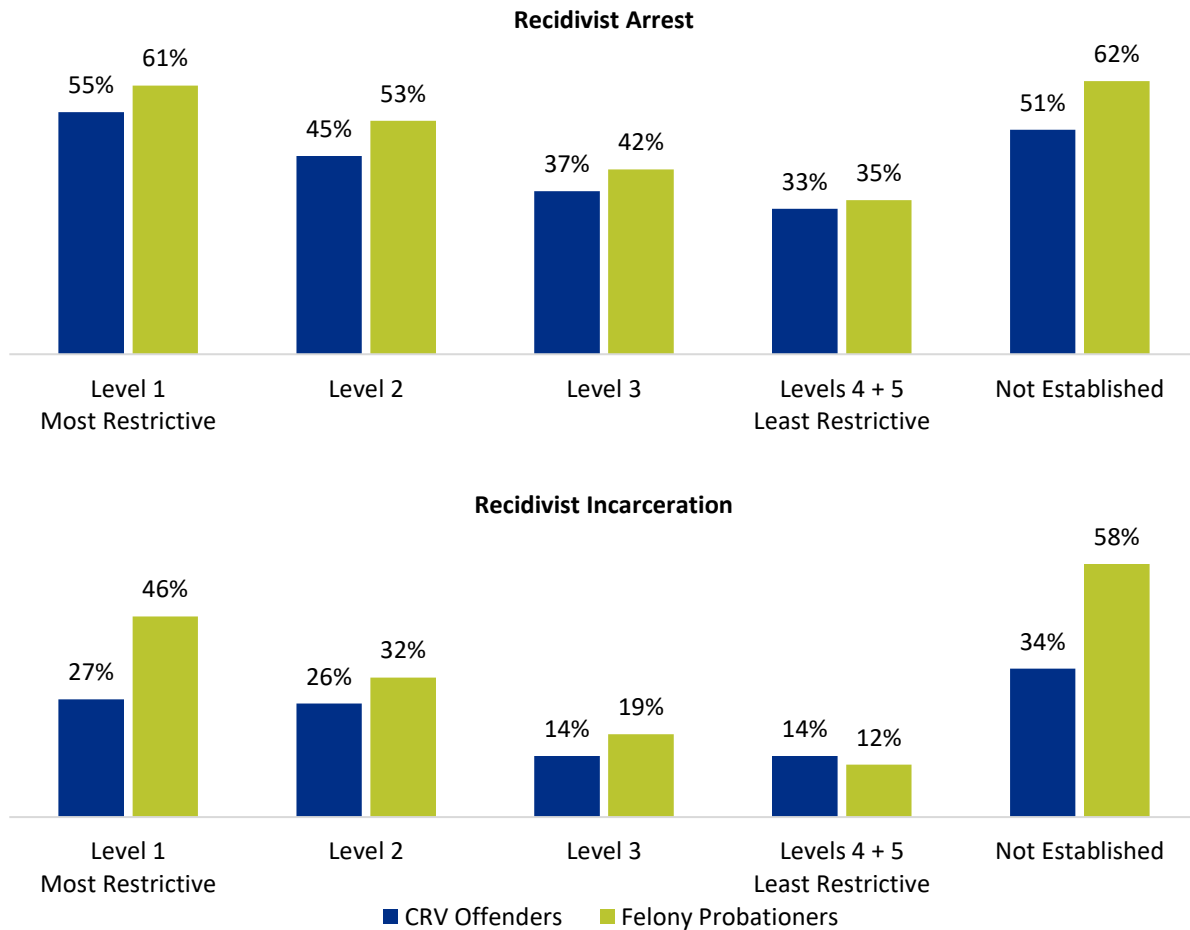
Offender Type	N	# with Any Recidivist Incarceration	Total # Recidivist Incarcerations	% Recidivist Incarceration One-Year Follow-Up	% Recidivist Incarceration Two-Year Follow-Up
CRV Offenders	2,002	446	551	14	22
Felony Probationers	8,674	2,600	3,338	18	30

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation

Figure 4.13 examines recidivist arrests and incarcerations by supervision level. CRV offenders had lower recidivist arrest rates during the two-year follow-up for all levels of supervision and for those offenders without a supervision level established. For the least restrictive supervision levels (e.g., combined Level 4 and Level 5), both groups had similar recidivist arrest and incarceration rates. CRV offenders had lower recidivist incarceration rates during the two-year follow-up for all levels except for the combined Level 4 and Level 5.

⁷⁹ CRV offenders with a terminal CRV accounted for 14% of the CRV offenders with a recidivist incarceration during the two-year follow-up.

Figure 4.13
Criminal Justice Outcomes by Supervision Level: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

CRV LOCATION

CRV offenders, who were released after having served a CRV in FY 2019, may have served their CRV in a CRV center or a state prison facility.⁸⁰ CRV centers provide a structured day and specialized programming for offenders serving CRVs – such programming was not available to those serving their CRV in prison.

In FY 2019, the DPS operated two CRV centers, both of which housed male offenders: Burke CRV Center and Robeson CRV Center. Between July 2018 and July 2019, which closely coincided with the FY 2019 sample year of this report, female CRV offenders served their CRV in the North Carolina Correctional Institute for Women. As a result, for the following analyses, female CRV offenders are reported among the offenders who served their CRV in prison.

⁸⁰ All felons ordered to serve a CRV serve it in a CRV center unless they are found ineligible. According to DPS policy, an offender is ineligible for acceptance in a CRV center if any of the following criteria apply: (a) The offender has pending charges that are a Class E or higher, (b) The offender has a current active sentence they are also serving, and (c) The offender has chronic medical issues that are unstable or is under psychotropic medications.

Of the 2,002 CRV offenders studied, 51% were released from a prison facility (male and female offenders only) and 49% were released from a CRV center (male offenders only). Fifty-two percent (52%) of CRV offenders housed in a CRV center were released from the Burke CRV center and 48% were released from Robeson CRV center. This section examines the CRV offenders based on the location of their release after having served a CRV – a CRV center or a non-CRV prison facility (hereinafter referred to as prison).

CRV Offender Profile by CRV Location

Figure 4.14 provides a summary of the personal characteristics of CRV offenders by CRV location. For many personal characteristics examined, the CRV offenders had similar characteristics by CRV location. A higher percentage of offenders released from a CRV center were black (46% compared to 38%) and employed (58% compared to 50%) than CRV offenders released from prison.⁸¹

Figure 4.14
Personal Characteristics by CRV Location

CRV Center n=984	Prison n=1,018
<ul style="list-style-type: none"> •100% Male •49% White, 46% Black •32 Years: Avg. Age at CRV Release •7% Married •64% High School Dropout/GED •58% Employed •77% Substance Use Indicated 	<ul style="list-style-type: none"> •54% Male •59% White, 38% Black •33 Years: Avg. Age at CRV Release •11% Married •60% High School Dropout/GED •50% Employed •76% Substance Use Indicated

Note: Two (2) offenders were missing education and 113 were missing substance use information.

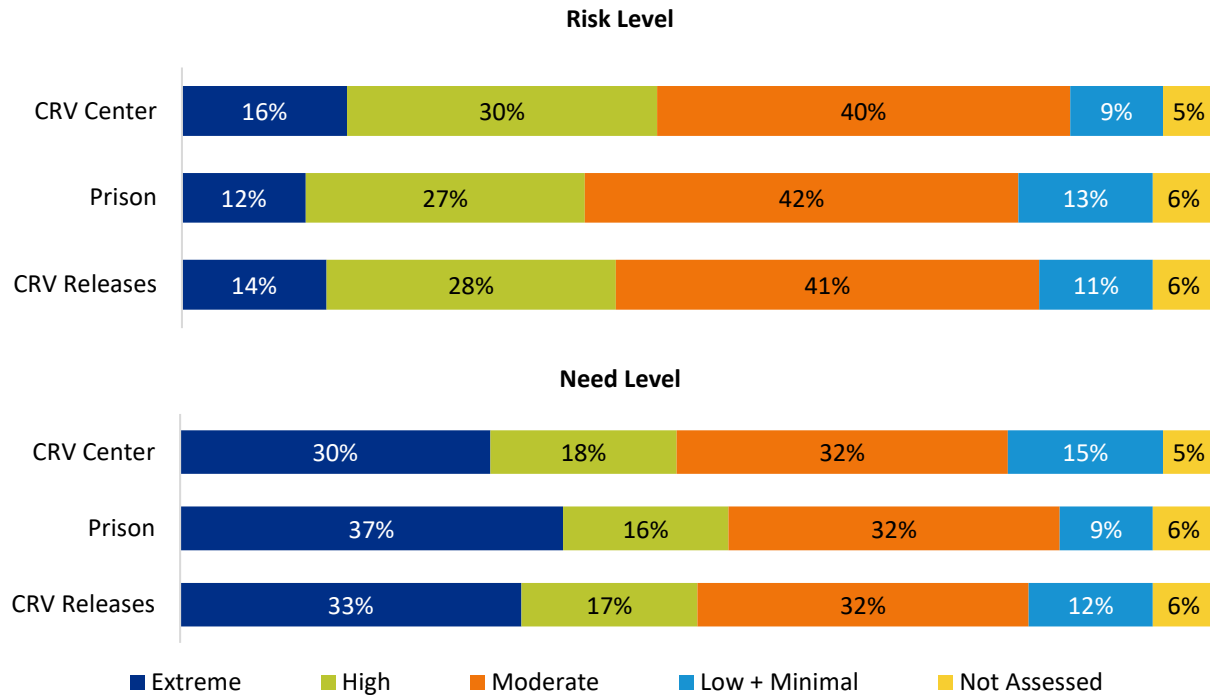
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

CRV offenders had similar criminal histories by CRV location; 91% of CRV center offenders and 90% of CRV prison offenders had a prior fingerprinted arrest. CRV offenders released from a CRV center were slightly more likely to have had a Class H felony as their sample offense compared to CRV offenders released from prison (48% and 45% respectively). A greater proportion of CRV offenders released from prison had a Class I felony as their sample offense compared to CRV offenders released from CRV centers (26% and 23% respectively).

Figure 4.15 examines the risk and need levels by CRV location. While the distribution is similar for both groups, a larger percentage of offenders released from a CRV center were in the extreme risk level (16%) compared to the CRV offenders released from prison (12%). A larger percentage of offenders released from prison were in the low and minimal risk category (13%) compared to offenders released from a CRV center (9%). Figure 4.15 also provides information on the assessed need of the CRV offenders. Compared to offenders released from a CRV center, a larger percentage of CRV offenders released from prison were assessed as extreme need (37% compared to 30%) and a lower percentage were assessed as combined low and minimal need (9% compared to 15%).

⁸¹ See Appendix F for further information about CRV offenders by CRV location.

Figure 4.15
Risk and Need Levels by CRV Location



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Table 4.9 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 for the offender. Across most areas of need, CRV offenders released from prison had a higher percentage of offenders identified with that specific need compared to offenders released from a CRV center. Some of the differences observed between groups, particularly those related to health factors, may be a reflection of the eligibility criteria for CRV centers.

As shown in Figure 4.16, CRV offenders released from a CRV and those released from prison had similar supervision level distributions.

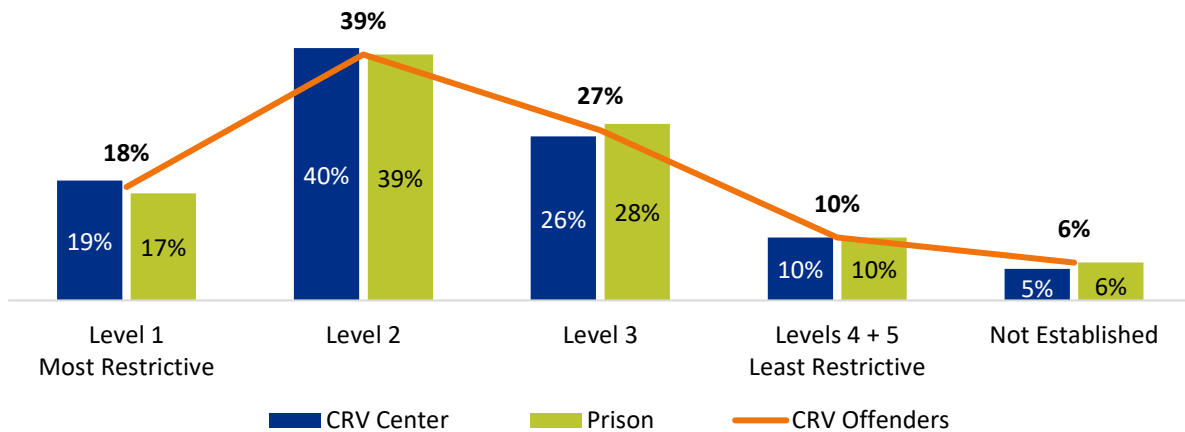
Table 4.9
Areas of Need Identified by CRV Location

Areas of Need	CRV Center n=930 %	Prison n=959 %	CRV Offenders N=1,889 %
Criminogenic Factors			
Anti-social Personality	31	20	25
Anti-social Values	19	23	21
Criminal Peers	55	55	55
Dysfunctional Family	47	62	55
Self-Control	22	36	30
Substance Use	77	76	76
Health Factors			
Mental Health	43	65	54
Physical	18	39	29
Additional Factors			
Academic/Vocational	50	51	50
Employment	53	59	56
Financial	28	43	36
Housing	26	35	31
Legal	61	62	62
Social Skills	46	52	49
Transportation	76	76	76

Note: Offenders who did not have an RNA completed and a supervision level assigned were excluded from this table (n=113).

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Figure 4.16
Offender Supervision Level by CRV Location



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Interim and Criminal Justice Outcomes by CRV Location

Finally, Table 4.10 shows the criminal justice outcomes by CRV location during the two-year follow-up. Overall, CRV offenders had similar outcomes regardless of the location in which they served their CRV. However, offenders released from a CRV center had lower recidivist incarceration rates compared to CRV offenders released from prison (21% and 24% respectively).

Table 4.10
Interim and Criminal Justice Outcomes by CRV Location: Two-Year Follow-Up

Outcomes	CRV Location		CRV Offenders N=2,002 %
	CRV Center n=984 %	Prison n=1,018 %	
Interim Outcomes			
Subsequent CRV	12	11	11
Revocation	19	20	19
Criminal Justice Outcomes			
Recidivist Arrest	44	43	44
Recidivist Incarceration	21	24	22

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

SUMMARY

This chapter examined felony offenders who were released from a CRV center or a state prison facility in FY 2019 after having served a CRV (N=2,002). CRV offenders were compared to felony probationers who entered probation in FY 2019 and who had committed at least one technical violation during the two-year follow-up (N=8,674).

Both groups were similar in terms of personal characteristics, criminal history, and current conviction. For offenders with prior employment, median quarterly wages were 9% higher for felony probationers than CRV offenders. The risk distribution was similar for both groups at the higher levels of risk; however, a smaller percentage of CRV offenders were assessed in the lowest risk levels (11%) compared to felony probationers (15%). While both groups were similar in their need level distributions, a greater percentage of CRV offenders were assessed as extreme need (33%) compared to felony probationers (30%). A greater percentage of CRV offenders were supervised in Level 2 and a smaller percentage were supervised in Level 3 compared to felony probationers.

Two interim outcomes were examined: CRVs and revocations.⁸² CRV offenders and felony probationers had similar CRV rates during the one-year follow-up. Felony probationers were slightly more likely to have had a CRV imposed by the end of the second year of follow-up than CRV offenders (13% compared to 11%). (See Figure 4.17 for a summary of criminal justice rates during two-year follow-up.) Felony probationers had higher revocation rates than CRV offenders in both one-year follow-up (16% compared

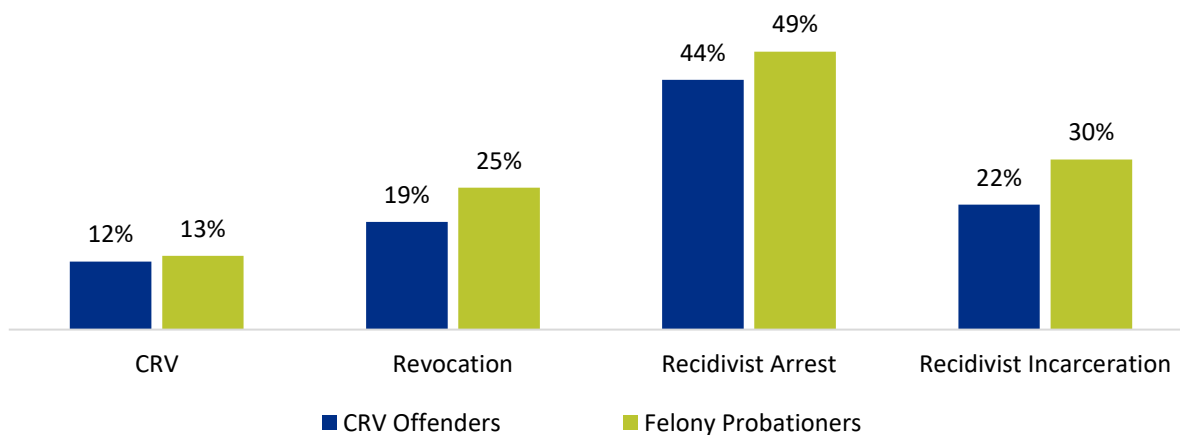
⁸² While information was provided about the violation rates during the two-year follow-up, caution should be used in interpreting the findings since the comparison group of felony probationers was selected with the criteria of having a technical violation during the follow-up period.

to 12%) and the two-year follow-up (25% compared to 19%). Few differences were observed in CRV rates when examined by supervision level. However, felony probationers had higher revocation rates in each supervision level except for the Level 4 and 5 combined (“least restrictive”) category.

Employment status during the two-year follow-up period was examined as an outcome. A slightly greater percentage of felony probationers were employed during the two-year follow-up than CRV offenders (55% and 53% respectively). The median quarterly wages earned by felony probationers were slightly higher than the median quarterly wages earned for CRV offenders (\$2,002 and \$1,976 respectively).

Figure 4.17 provides the recidivist arrest and recidivist incarceration rates during the two-year follow-up. CRV offenders had lower recidivist arrest rates compared to felony probationers (44% and 49% respectively). CRV offenders also had lower recidivist incarceration rates compared to felony probationers.

Figure 4.17
Interim and Criminal Justice Outcomes: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

When examined by supervision level, CRV offenders had lower rates of recidivist arrests in every level, compared to similar felony probationers. Notably, and different from the other supervision levels, the rates for recidivist arrests between the two groups were the closest in the combined Levels 4 and 5 (33% for CRV offenders and 35% for felony probationers). Rates of recidivist incarcerations by supervision level were also lower for CRV offenders, with the exception of the combined Levels 4 and 5, where CRV offenders had slightly higher rates compared to felony probationers. Similar to recidivist incarcerations, CRV rates and revocation rates were also higher for CRV offenders in the combined Levels 4 and 5. These findings suggest that particular attention be given to the CRV sanction for those offenders in the least restrictive supervision levels – differences in the rates of interim and criminal justice outcomes were either very close (arrests) or greater when compared to similar felony probationers (CRVs, revocations, incarcerations).

Taken together, these findings suggest that the establishment of the 90-day CRVs as an alternative for revocation (instead of activation of the entire suspended sentence due to revocation) may produce positive results for these offenders, when compared to similar felony probationers. With some exceptions, as discussed above, CRV offenders had lower revocation rates, recidivist arrest rates, and

recidivist incarceration rates. However, it is important to consider the timing of supervised probation for both groups. CRV offenders were closer to the end of their supervision periods, while felony probationers were at the beginning. Additionally, 35% of CRV offenders had received a terminal CRV and did not return to supervision. Exiting supervision would potentially explain the lower revocation and recidivist incarceration rates for CRV offenders, but further research is needed into the relationship between the timing of supervision and outcomes for the two groups.

Finally, this chapter examined CRV offenders by the location that the offender served their CRV – in a CRV center or in a prison facility. A majority of offenders (51%) served their CRV in prison, due, in part, to the transitioning of female CRV offenders from Eastern Correctional Institution to the North Piedmont CRV Center during FY 2019. Very few differences were observed between those CRV offenders that served their CRVs in centers compared to prisons. CRV center offenders had lower recidivist incarceration rates (21%) compared to those offenders who served their CRV in prison (24%), however all other measures (CRV, revocation, arrest) were within one percentage point. Given the sample timeframe, the fluctuation of operations in male CRV centers due to the pandemic and staffing shortages, and the transition of operations for female CRV offenders to a standalone facility, findings presented about CRV centers should be interpreted with caution. Future research will provide greater understanding of the differences between CRVs served in prison compared to those in centers.

CHAPTER FIVE

FELONY PRISON RELEASES IN FY 2019

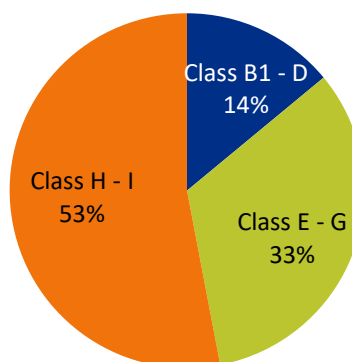
Chapter Five examines FY 2019 felony prison releases by offense class groupings and summarizes their personal characteristics, risk and need levels, prior criminal history, and incarceration profile. Employment outcomes are examined in addition to criminal justice outcomes (i.e., recidivist arrests and incarcerations) during the two-year follow-up period.⁸³ Additionally, the chapter includes an examination of prisoners released onto PRS – with a focus on PRS exit reason and supervision level, as well as recidivist arrests by PRS exit reason and supervision level.

Overall, 89% of prisoners in the FY 2019 sample were subject to the provisions of the JRA. Most prison releases with a Class E – G felony (94%) or a Class H – I felony (98%) – those with less serious offenses and shorter sentence lengths – had served sentences for offenses committed following the implementation of the JRA; conversely, less than half (44%) of Class B1-D prison releases – those in the most serious offense classes and with the longest sentence lengths – had served sentences for offenses committed following implementation of the JRA.

STATISTICAL PROFILE OF THE FY 2019 PRISON RELEASES

The FY 2019 sample included 16,340 felony prison releases. Overall, 14% had a most serious conviction for a Class B1 – D felony, 33% for a Class E – G felony, and 53% for a Class H – I felony (see Figure 5.1).

Figure 5.1
FY 2019 Prison Releases



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Personal Characteristics

Table 5.1 contains information describing the personal characteristics of prison releases by offense class. The groups differed in terms of gender, race, and age. Class B1 – D prisoners had the highest percentage of male offenders (94%) compared to the other groups (91% for Class E – G and 83% for Class H – I).

⁸³ See Appendix B for detailed definitions of recidivism and other key terms.

While the majority of Class B1 – D and Class E – G prisoners were black (60% and 54% respectively), the majority of Class H – I prisoners were white (55%). 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 39 compared to 35 for both Class E – G prisoners and Class H – I prisoners. The groups were similar in terms of marital status and education. Overall, over half (53%) of prison releases were not employed in the two years prior to prison entry; Class E – G prisoners had the highest percentage who were not employed (56%). At least two-thirds prisoners in each group were identified as having a possible substance use problem, ranging from 66% for Class B1 – D to 82% for Class H – I.

Table 5.1
Personal Characteristics

Personal Characteristics	Prison Releases			
	Class B1 – D n=2,263 %	Class E – G n=5,397 %	Class H – I n=8,680 %	Total N=16,340 %
Gender				
Female	6	9	17	13
Male	94	91	83	87
Race				
White	33	40	55	47
Black	60	54	40	48
Other/Unknown	7	6	5	5
Age at Prison Release				
Under 21 Years	1	4	5	4
21-29 Years	23	35	32	31
30-39 Years	30	32	34	33
40-49 Years	24	17	19	19
50 Years and Older	22	12	10	13
Marital Status				
Married	12	11	10	11
Not Married	88	89	90	89
Education				
High School Graduate	29	29	31	30
High School Dropout/GED	71	71	69	70
Prior Employment				
Employed	39	44	50	47
Not Employed	61	56	50	53
Substance Use				
None Indicated	34	26	18	23
Substance Use Indicated	66	74	82	77

Note: Of the 16,340 felony prison releases, 3% were Hispanic. Thirty-five (35) prisoners were missing education, and 2,656 were missing substance use information.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Table 5.2 presents quarterly wages earned and number of quarters worked for the 6,728 prisoners who were employed in the two years prior to prison entry and for whom wage data were available. To account for extreme values, the median is also reported. Overall, prisoners had an average quarterly wage of \$2,122 and a median wage of \$1,443. Class B1 – D prisoners had the highest average and median wages earned, while Class H – I prisoners had the lowest. Overall, the average and median number of quarters worked in the two years prior to prison entry was 3, with little to no variation between the groups.

Table 5.2
Prior Employment Profile

Employment in Two Years Prior	Prison Releases			
	Class B1 – D n=774	Class E – G n=2,113	Class H – I n=3,841	Total n=6,728
Quarterly Wages Earned				
Average	\$2,396	\$2,233	\$2,005	\$2,122
Median	\$1,563	\$1,481	\$1,408	\$1,443
Number of Quarters Worked				
Average	3	3	3	3
Median	2	3	3	3

Note: Of the 7,613 prisoners with prior employment, 855 had discrepant quarterly data and were excluded from the table.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Figure 5.2 shows the top 5 industries for the last quarter worked prior to prison entry. Administrative and Support, Waste Management and Remediation Services was the most common industry worked for all three offense class groupings followed by Accommodation and Food Services; these two industries accounted for an increasing percentage of industries worked across offense groupings (from 47% for Class B1 – D prisoners to 58% for Class H – I prisoners). The top 5 employment industries were the same for the three groups, although with differences in the order of the most common beyond the first two.

Figure 5.2
Top 5 Prior Employment Industries

Class B1 – D	Class E – G	Class H – I
<ul style="list-style-type: none"> •25% Administrative and Support, Waste Management and Remediation Services •22% Accommodation and Food Services •13% Manufacturing •11% Retail Trade •10% Construction 	<ul style="list-style-type: none"> •28% Administrative and Support, Waste Management and Remediation Services •25% Accommodation and Food Services •13% Manufacturing •12% Construction •6% Retail Trade 	<ul style="list-style-type: none"> •30% Administrative and Support, Waste Management and Remediation Services •28% Accommodation and Food Services •12% Construction •11% Manufacturing •4% Retail Trade

Note: The top 5 industries accounted for 81% of the industries worked for Class B1 – D prisoners, 84% for Class E – G prisoners, and 85% for Class H – I prisoners.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Criminal History

The criminal history of prisoners is examined in Table 5.3. Regardless of the measure, Class H – I prisoners tended to have more extensive prior criminal histories; this is consistent with the prioritization of prison resources for repeat offenders under the SSA. The majority of prison releases had at least one prior arrest, ranging from 89% in Class B1 – D to 97% in Class H – I. Ninety-five percent (95%) of prison releases with a prior arrest had a prior felony arrest. On average, prisoners had 8 prior arrests, with only slight differences between the groups. Figure 5.3 further illustrates the differences in the number of prior arrests by offense class.

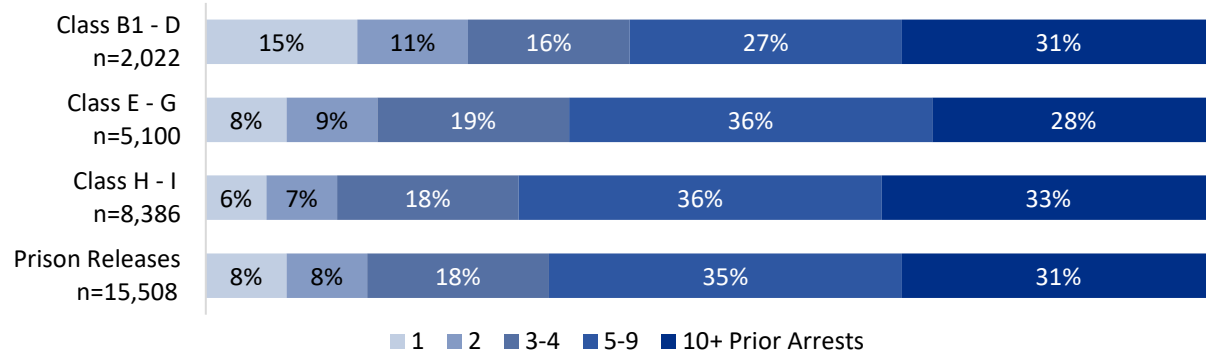
The greatest difference between groups occurred for prior probation entries; only 67% of Class B1 – D prisoners had a prior probation entry compared to 85% of Class E – G prisoners and 95% of Class H – I prisoners. This finding is not surprising given the number of Class E – G and Class H – I prisoners that entered prison due to a revocation of probation supervision (described further in Table 5.5). The groups were most similar in terms of prior revocations and prior incarcerations.

Table 5.3
Prior Criminal Justice Contacts

Prior Criminal Justice Contacts	Prison Releases			
	Class B1 – D n=2,263 %	Class E – G n=5,397 %	Class H – I n=8,680 %	Total N=16,340 %
Prior Arrest	89	95	97	95
Prior Probation Entry	67	85	95	88
Prior Probation/PRS Revocation	54	57	62	59
Prior Incarceration	54	57	56	56

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Figure 5.3
Number of Prior Arrests for Prison Releases with Any Prior Arrest



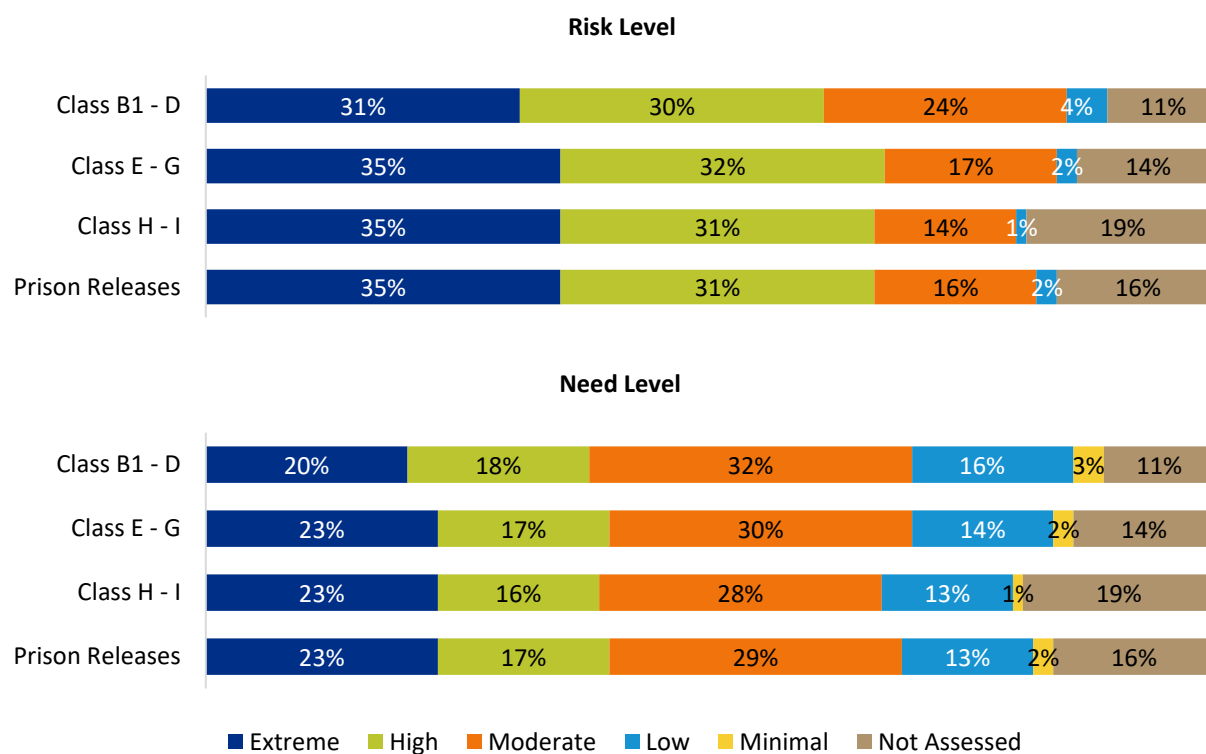
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Offender Risk and Needs Assessments

As described in Chapter Two, the DPS uses their RNA to assess offenders, determine supervision level, and provide rehabilitative and other services. Prisoners released onto PRS should receive an RNA within the first 60 days of community supervision.⁸⁴ For the FY 2019 prison sample, RNAs completed while the offender was on supervision were used for analysis due to data quality issues with RNAs completed while the offender was in prison.⁸⁵ Overall, 84% of prisoners in the FY 2019 sample had an RNA.

The distributions of risk and need levels for prisoners are provided in Figure 5.4. Overall, 16% of prisoners were not assessed;⁸⁶ Class H – I prisoners comprised the largest group without an assessment. For all prisoners, 35% were assessed as extreme risk, 31% were assessed as high risk, 16% were assessed as moderate risk, 2% were assessed as low risk, and less than 1% were assessed as minimal risk. Of the groups, Class B1 – D prisoners had the lowest percentage assessed as either extreme or high risk (61%) compared to Class E – G and Class H – I prisoners (67% and 66% respectively). Correspondingly, Class B1 – D prisoners had the highest percentage assessed in the lower risk levels.

Figure 5.4
Risk and Need Levels



Note: Less than 1% of prisoners were assessed as minimal risk overall and for each group.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

⁸⁴ Prisoner RNA data were generally based on the first assessment completed within 1 year after release. However, for prisoners released after incarceration for a PRS violation or revocation, the RNA completed after serving their original sentence was used in some instances. If corrections were made to an assessment, attempts were made to include those corrections.

⁸⁵ Beginning in 2017, the DPS began administering its RNA to prisoners.

⁸⁶ "Not assessed" category may include those who were only partially assessed (i.e., incomplete assessment).

In terms of need level, 16% were not assessed, 23% were assessed as extreme need, 17% as high need, 29% as moderate need, 13% as low need, and 2% as minimal need. A similar percentage of prisoners were assessed at the two highest need levels – 38% of Class B1 – D prisoners, 40% of Class E – G prisoners, and 39% of Class H – I prisoners.

Table 5.4 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 for the offender. Transportation (82%), substance use (77%), legal (67%), employment (58%), and dysfunctional family (51%) were identified as the top 5 areas of need for prisoners overall. The top 5 areas of need identified for Class E – G and Class H – I prisoners were the same as found overall and in the same order. For Class B1 – D prisoners, the top 5 areas identified were transportation, legal, substance use, employment, and criminal peers.

Table 5.4
Areas of Need Identified for Prisoners Released onto PRS

Areas of Need	Class B1 – D n=2,009 %	Class E – G n=4,623 %	Class H – I n=7,052 %	Total n=13,684 %
Criminogenic Factors				
Anti-social Personality	32	30	30	30
Anti-social Values	15	19	19	18
Criminal Peers	48	46	44	45
Dysfunctional Family	42	49	55	51
Self-Control	19	24	28	25
Substance Use	66	74	82	77
Health Factors				
Mental Health	45	46	48	47
Physical	28	27	27	27
Additional Factors				
Academic/Vocational	34	44	45	43
Employment	55	59	59	58
Financial	31	30	32	31
Housing	20	24	32	28
Legal	73	69	64	67
Social Skills	44	47	49	48
Transportation	76	81	84	82

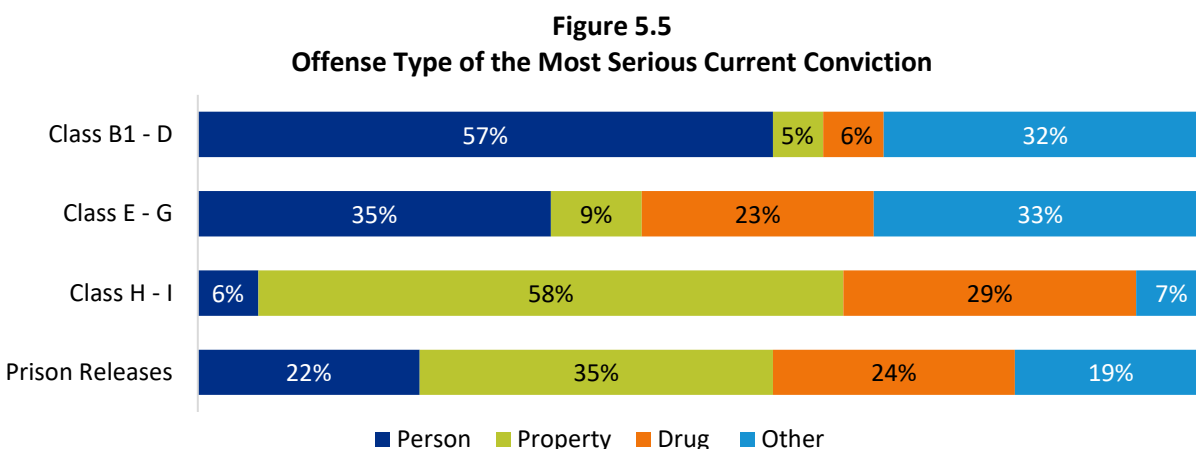
Note: Offenders who did not have an RNA completed (n=2,656) were excluded from this table.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Most Serious Current Conviction

The offense type (i.e., person, property, drug, other) of the most serious conviction is provided in Figure 5.5. The majority of prisoners with a Class B1 – D felony had convictions for person offenses (57%) followed by other offenses (32%); nearly all of the offenses in the other category 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,⁸⁷ although with a lower proportion of person offenses (35%) compared to Class B1 – D offenders. The majority (58%) of prisoners with a Class H – I felony had a conviction for a property offense, followed by 29% with a conviction for a drug offense.



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Incarceration Profile

The incarceration profile for the FY 2019 prison releases is provided in Table 5.5 and includes information on the prisoner's reason for prison entry, time served in prison, infractions, assignment to restrictive housing, assignment to correctional jobs or programs, custody classification level, and whether the prisoner was subject to PRS upon release.

Type of Prison Entry

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 for a new crime (83%), consistent with the mandatory active sentence requirement for these offense classes under the SSA; the remaining 17% entered following a revocation of PRS. Forty-two percent (42%) of Class H – I prisoners entered with a new crime, with the remaining entering either due to a revocation of probation (32%) or PRS (26%).

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 81% serving longer than 2 years; Class H – I prisoners had the shortest time served, with 84% serving 1 year or less. Type of prison entry also factored into the length of time served. For example, most Class B1 – D prisoners with time served of 12 months or less entered prison due to a PRS revocation.

⁸⁷ Possession of firearm by felon and habitual felon convictions accounted for the majority of convictions in the other category for Class E – G felonies (48% and 18% respectively), followed by habitual impaired driving convictions (10%).

**Table 5.5
Incarceration Profile**

Incarceration Profile	Prison Releases			
	Class B1 – D n=2,263 %	Class E – G n=5,397 %	Class H – I n=8,680 %	Total N=16,340 %
Type of Prison Entry				
New Crime	83	66	42	56
Probation Revocation	<1%	13	32	21
PRS Revocation	17	21	26	23
Time Served				
12 Months or Less	17	50	84	63
13-24 Months	2	29	11	16
25 Months or More	81	21	5	21
Infractions	89	69	49	61
Number of Infractions (if any)				
1 Infraction	12	27	37	28
2 Infractions	9	18	20	17
3-4 Infractions	16	22	20	20
5 or More Infractions	63	33	23	35
Restrictive Housing	86	62	44	56
Correctional Jobs/Programs				
Program Only	2	12	16	13
Job Only	1	13	21	16
Both Job and Program	96	68	43	59
No Job or Program	1	7	20	12
Custody Classification at Release				
Close	17	13	8	11
Medium	27	29	24	26
Minimum	56	58	68	63
Released onto PRS				
PRS	88	85	82	84
No PRS	12	15	18	16

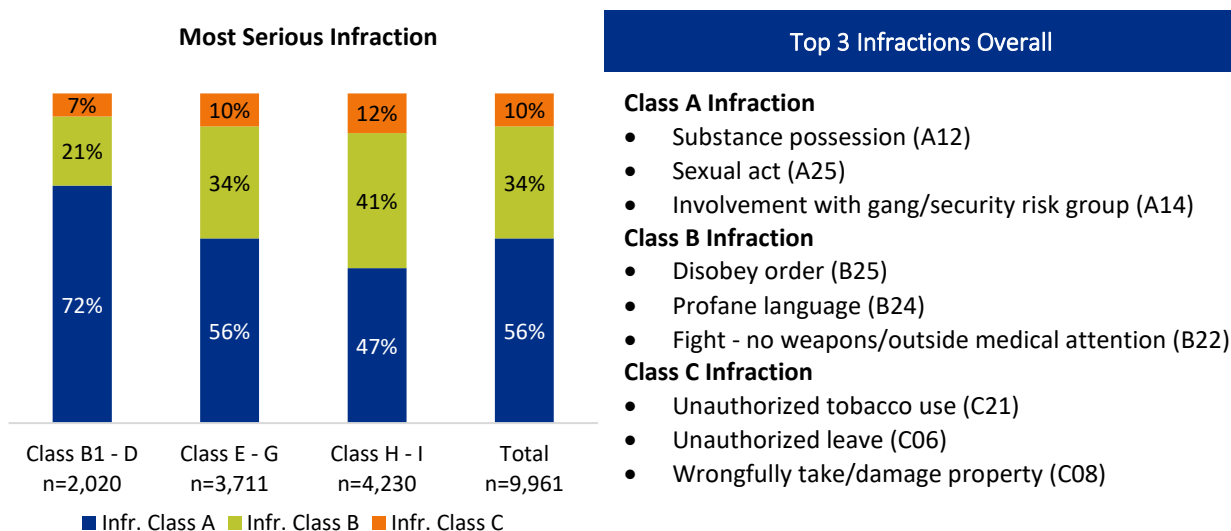
Note: Of Class B1 – D felons, there were 49 with only a program, 28 with only a job, and 12 with no job or program.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Infractions

Whether a prisoner had any disciplinary offenses while incarcerated (i.e., infractions) varied across the offense class groupings, which is not surprising given the linkage between offense class and time served. Overall, 61% of prisoners had infractions while incarcerated. The proportion of prisoners with infractions ranged from 89% for Class B1 – D felons to 49% for Class H – I felons. The DPS categorizes infractions

into three classes – Class A (most serious), Class B, and Class C (least serious).⁸⁸ Of the 9,961 prisoners with infractions, prisoners in Class B1 – D were most likely to have 5 or more infractions, while those in Class H – I were most likely to have only 1 infraction (see Table 5.5). Class B1 – D prisoners averaged 11 infractions while incarcerated compared to 5 for Class E – G prisoners and 4 for Class H – I prisoners. Figure 5.6 provides information on the most serious infraction class, as well as the top 3 infractions. All three groups were most likely to have a Class A infraction as their most serious infraction offense.

Figure 5.6
Most Serious Infraction for Prison Releases with Any Infraction during Incarceration



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Restrictive Housing

Restrictive housing is a housing assignment that removes certain inmates from the general prison population to confinement in a secure area either for administrative or control purposes,⁸⁹ with the primary purposes being to control offenders who are disruptive or who threaten the safety of staff or other inmates.⁹⁰ In this report, the two types of restrictive housing were combined for analysis. As expected based on sentence length, a higher percentage of Class B1 – D prisoners were assigned to restrictive housing compared to prisoners with shorter sentences.

⁸⁸ For this study, infraction offenses were grouped into the infraction classes based on DPS policy and procedures issued August 10, 2018 (https://files.nc.gov/ncdps/B.200%20Offender%20Discip%20Proc%2008_10_18%20Final_1.pdf). Under current policy, unauthorized tobacco use is separated based on the amount (indicating personal versus nonpersonal use). All unauthorized tobacco use infractions prior to the implementation of the current policy were assumed to be for personal use.

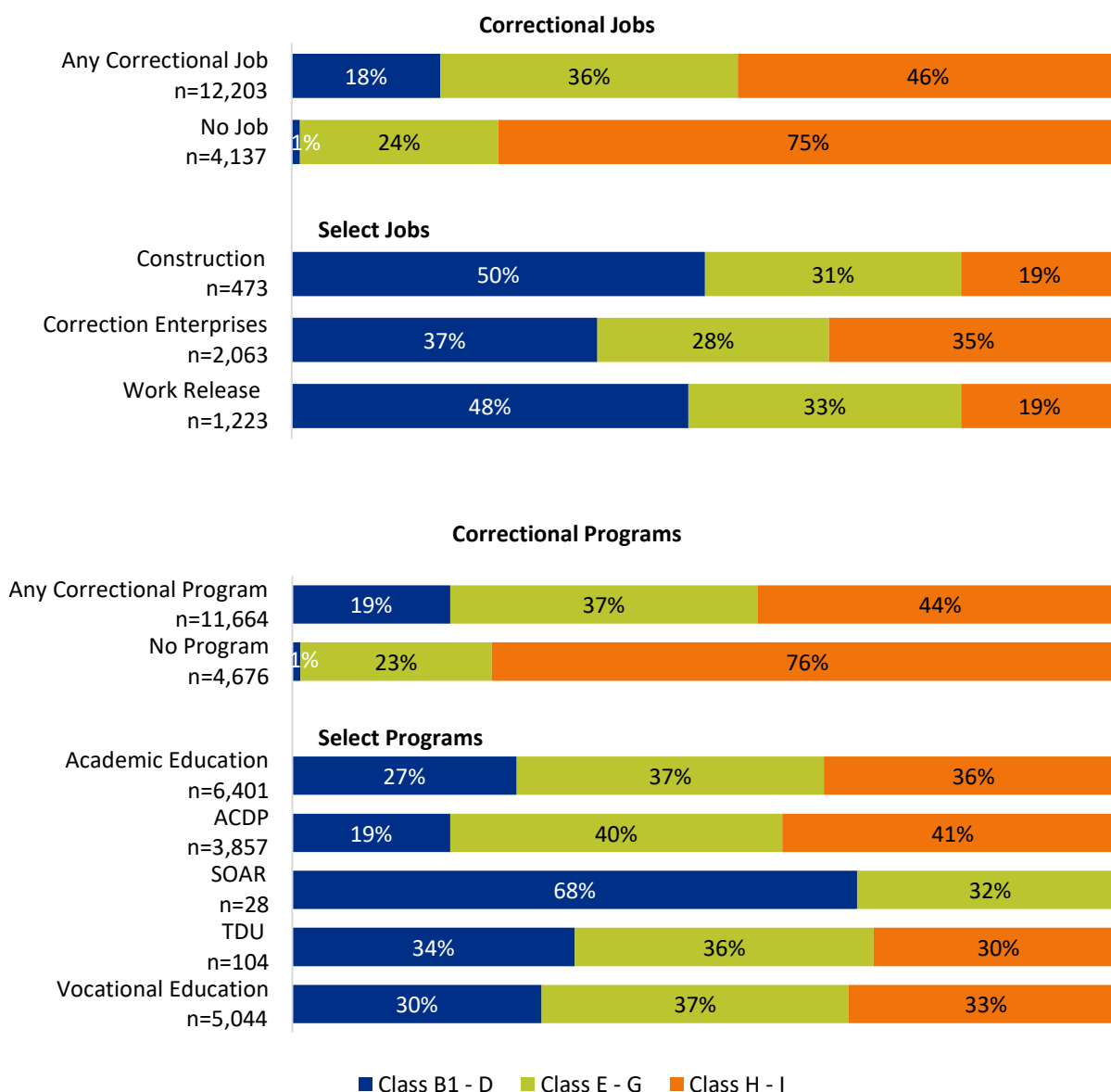
⁸⁹ Restrictive housing for administrative purposes is a temporary housing assignment, while restrictive housing for control purposes is a long-term housing assignment; both require 22 or more hours per day in a single cell.

⁹⁰ See https://files.nc.gov/ncdps/O-0100-05_10_16.pdf for more information on restrictive housing for administrative purposes and https://files.nc.gov/ncdps/O-0400-08_14_18.pdf for more information on restrictive housing for control purposes.

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 (20%), as well as the highest proportion with only a job or with only a program assignment compared to the other offense class groupings (see Table 5.5). Figure 5.7 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 shown had longer sentence lengths.

Figure 5.7
Correctional Job/Program Assignments during Incarceration



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Assignments for academic education programs, vocational education programs, and Therapeutic Diversion Units (TDUs) were more equally distributed across the offense class groupings. SOAR (Sex Offender Accountability and Responsibility), a treatment program for male inmates who have committed sexual offenses, had the greatest proportion of Class B1 – D prisoners; Alcohol and Chemical Dependency Programs (ACDP) had the greatest proportion of Class H – I prisoners. See Appendix G for more detailed information relating to these specific jobs and programs.

Custody Classification at Release

Overall, 63% of prisoners were classified as minimum custody at release.⁹¹ 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 are consistent with the DPS custody classification policy, which takes into account the offense class and sentence length of the current conviction in assessing higher custody levels for more serious prisoners.

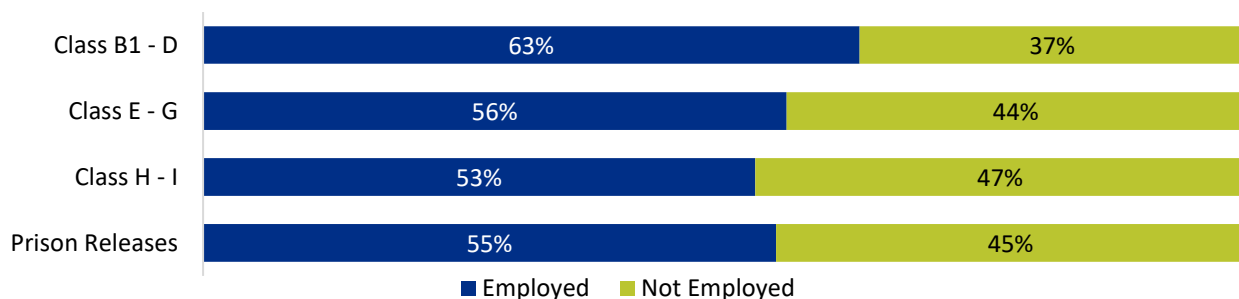
Released onto PRS

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.⁹² Overall, 84% of the FY 2019 prison release sample were released onto PRS (see Table 5.5). The majority of prisoners with no PRS upon release entered prison following a revocation of PRS.

EMPLOYMENT OUTCOMES

In addition to recidivism measures, employment status during the two-year follow-up was examined as an outcome. If offenders were paid for any of the eight quarters during the two-year follow-up period, they were considered employed. As shown in Figure 5.8, more than half (55%) of prisoners were employed during the two-year follow-up period. A higher percentage of B1 – D prisoners were employed during follow-up than the other two groups.

Figure 5.8
Employment Status: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

⁹¹ For more information on current custody classification procedures, see https://files.nc.gov/ncdps/c-0100_03_10_21.pdf and <https://www.ncdps.gov/adult-corrections/prisons/classification>.

⁹² Under current law, after serving an active sentence, a period of 9 months of PRS is required for Class F – I felons; 12 months of PRS is required for Class B1 – E felons. Offenders convicted of a sex offense are required to be supervised for five years.

Table 5.6 presents quarterly wages earned and number of quarters worked for the 8,064 prisoners who were employed during the two-year follow-up period and for whom wage data were available. To account for extreme values, the median is also reported. Overall, prisoners had an average quarterly wage of \$3,056 and a median wage of \$2,293 during follow-up. Class B1 – D prisoners had the highest average and median wages earned, while Class H – I prisoners had the lowest. Class B1-D prisoners also had the highest average and median quarters worked.

Table 5.6
Employment Outcomes: Two-Year Follow-Up

Employment	Prison Releases			
	Class B1 – D n=1,303	Class E – G n=2,710	Class H – I n=4,051	Total n=8,064
Quarterly Wages Earned				
Average	\$4,123	\$3,166	\$2,640	\$3,056
Median	\$3,414	\$2,363	\$1,968	\$2,293
Number of Quarters Worked				
Average	5	4	3	4
Median	5	3	3	3

Note: Of the 9,029 prisoners who were employed in the two-year follow-up, 965 had discrepant quarterly data and were excluded from the table.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Figure 5.9 shows the top 5 industries for the first quarter worked during the two-year follow-up period. As with prior employment, Administrative and Support, Waste Management and Remediation Services was the most common industry worked for all three offense class groupings. The top 5 employment industries were the same for the three groups; however, the second most common industry for Class B1 – D prisoners was Manufacturing compared to Accommodation and Food Services for the other two groups. The order of the top 5 industries during follow-up differed from the order found during the two years prior (see Figure 5.2) with, for example, a greater proportion employed in Manufacturing.

Figure 5.9
Top 5 Employment Industries: Two-Year Follow-Up

Class B1 – D	Class E – G	Class H – I
<ul style="list-style-type: none"> •29% Administrative and Support, Waste Management and Remediation Services •23% Manufacturing •17% Accommodation and Food Services •10% Construction •4% Retail Trade 	<ul style="list-style-type: none"> •30% Administrative and Support, Waste Management and Remediation Services •23% Accommodation and Food Services •18% Manufacturing •9% Construction •4% Retail Trade 	<ul style="list-style-type: none"> •28% Administrative and Support, Waste Management and Remediation Services •28% Accommodation and Food Services •15% Manufacturing •10% Construction •4% Retail Trade

Note: The top 5 industries accounted for 83% of the industries worked for Class B1 – D prisoners, 84% for Class E – G prisoners, and 85% for Class H – I prisoners.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

CRIMINAL JUSTICE OUTCOMES

As described previously, the Sentencing Commission's primary measure of recidivism is fingerprinted arrests. Recidivist incarcerations are also a measure of particular interest for prison releases. Recidivism rates are only reported when there are 25 or more prisoners in a specific category.

Recidivist Arrests and Incarcerations

Recidivist arrest rates for the one-year and two-year follow-up are shown in Table 5.7. Of the 16,340 prisoners in the sample, 8,060 (or 49%) had a recidivist arrest during the two-year follow-up and accounted for a total of 17,004 recidivist arrests. Eighty-three (83%) of prison releases with a recidivist arrest had a recidivist felony arrest. On average, their first recidivist arrest occurred 9 months after prison release. Recidivist arrest rates were lowest for prisoners with Class B1 – D felonies (37%) and increasingly higher for prisoners with Class E – G felonies (48%) and Class H – I felonies (54%). The average number of months to first recidivist arrest was 9 months for each group. A slightly lower percentage of Class H – I prisoners had only one recidivist arrest during follow-up (46%) compared to Class B1 – D and Class E – G prisoners (52% and 49% respectively).

Table 5.7
Recidivist Arrest Rates: Two-Year Follow-Up

Offense Class	N	# with Any Recidivist Arrest	Total # Recidivist Arrests	% Recidivist Arrest	
				One-Year Follow-Up	Two-Year Follow-Up
Class B1 – D	2,263	847	1,709	25	37
Class E – G	5,397	2,569	5,209	32	48
Class H – I	8,680	4,644	10,086	36	54
Prison Releases	16,340	8,060	17,004	33	49

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Recidivist incarceration rates for the one-year and two-year follow-up are shown in Table 5.8. Overall, 5,843 prisoners (or 36%) had a recidivist incarceration during the two-year follow-up and accounted for a total of 7,490 incarcerations. On average, their first recidivist incarceration occurred 7 months after prison release. Again, prisoners with Class H – I felonies had the highest recidivism rates – 41% had a recidivist incarceration compared to 26% of Class B1 – D prisoners and 32% of Class E – G prisoners.

Table 5.8
Recidivist Incarceration Rates: Two-Year Follow-Up

Offense Class	N	# with Any Recidivist Incarceration	Total # Recidivist Incarcerations	% Recidivist Incarceration	
				One-Year Follow-Up	Two-Year Follow-Up
Class B1 – D	2,263	586	718	20	26
Class E – G	5,397	1,735	2,215	27	32
Class H – I	8,680	3,522	4,557	35	41
Prison Releases	16,340	5,843	7,490	30	36

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

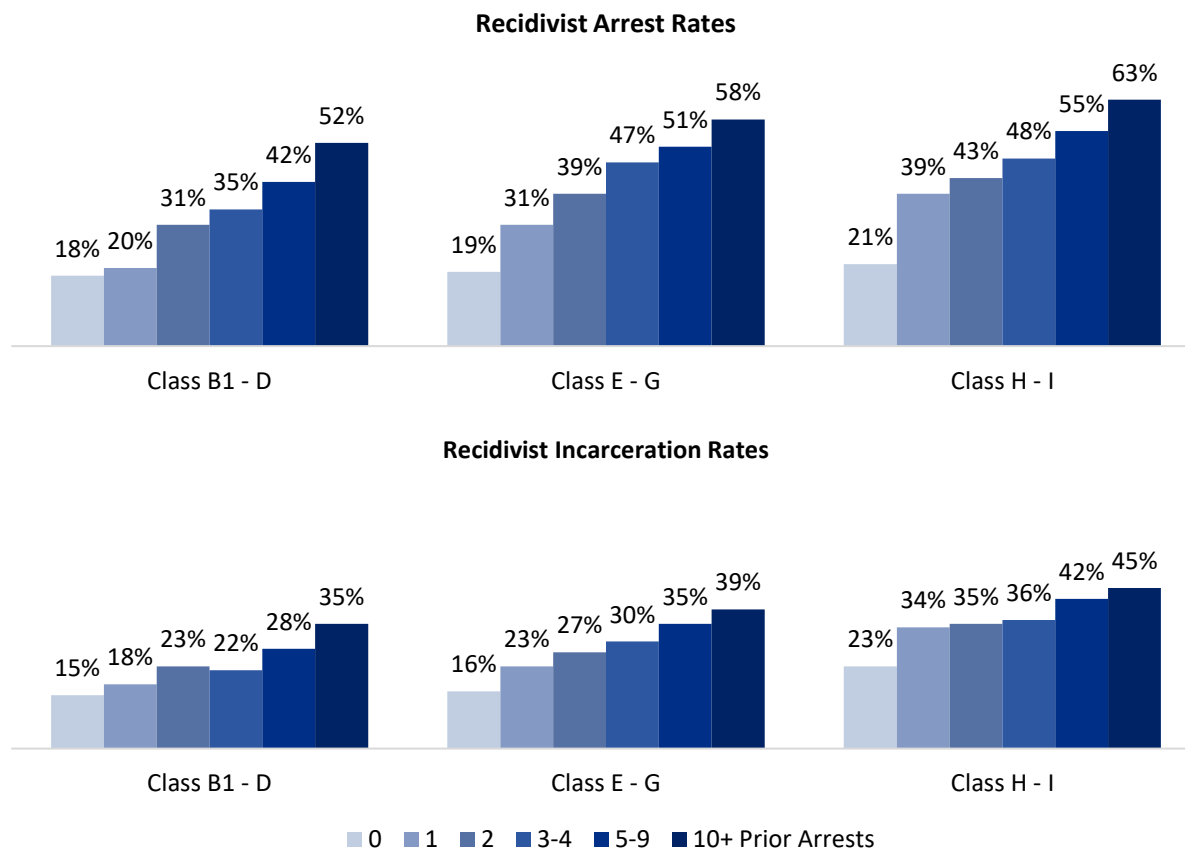
Criminal Justice Outcomes by Criminal History, Risk and Need Level, and Incarceration Profile

The next section examines the criminal justice outcomes for the FY 2019 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 arrests⁹³ and, correspondingly, recidivist arrest rates increased as the number of prior arrests increased (see Table 2.10 and Figure 2.14 in Chapter Two). As indicated in Figure 5.10, these same findings held true for prisoners by offense class grouping and, overall, applied to recidivist incarcerations as well. While there were a few exceptions for recidivist incarcerations, a stair-step progression in recidivist arrest and incarceration rates was found from those with 0 priors to those with 10 or more. Regardless of the number of priors, prisoners with Class H – I felonies typically had higher recidivism rates than the other offense class groupings.

Figure 5.10
Criminal Justice Outcomes by Number of Prior Arrests: Two-Year Follow-Up

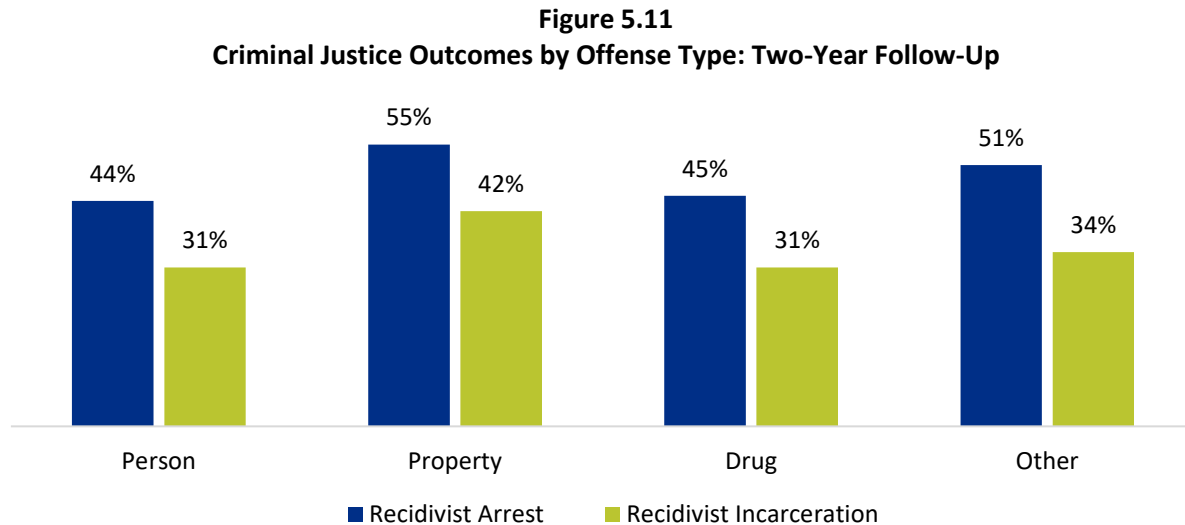


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

⁹³ Recidivism rates for prisoners with one or more prior arrests were at least two times higher than for prisoners with no prior arrests (51% and 20% respectively for recidivist arrests; 37% and 18% respectively for recidivist incarcerations).

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 5.11).⁹⁴ Recidivism rates were lowest for prisoners with person offenses and drug offenses.



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Table 5.9 examines criminal justice outcomes for the most frequent convictions in each of the offense class groupings. Although there were a few exceptions, prisoners with a most serious conviction for the listed offenses had recidivism rates that were close to or higher than the recidivism rates for their respective offense class groupings (e.g., prisoners with a most serious conviction for common law robbery recidivated at higher rates compared to the entire Class E – G group). Prisoners with a conviction for common law robbery had the highest recidivist arrest rates of the selected convictions (64%), followed by those with a conviction for larceny (58%). Prisoners with a most serious conviction for common law robbery had the highest recidivist incarceration rates (46%), followed by those with a conviction for larceny (45%).

⁹⁴ 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 5.9
Criminal Justice Outcomes for Top 5 Convictions by Offense Class: Two-Year Follow-Up

Most Serious Current Conviction			Criminal Justice Outcomes: Two-Year Follow-Up	
			% Recidivist Arrest	% Recidivist Incarceration
Class B1 – D				
Habitual Felon	725	32	47	33
Robbery with Dangerous Weapon	479	21	46	29
Second Degree Murder	183	8	19	8
First Degree Burglary	95	4	42	26
Second Degree Rape	90	4	41	40
Subtotal	1,572	69	n/a	n/a
Total	2,263	100	37	26
Class E – G				
Possession of Firearm by Felon	874	16	57	33
Common Law Robbery	449	8	64	46
Sell Schedule II Contr. Subst.	368	7	37	26
Habitual Felon	333	6	52	40
Trafficking Schedule I Contr. Subst.	280	5	31	16
Subtotal	2,304	42	n/a	n/a
Total	5,397	100	48	32
Class H – I				
Breaking and Entering	1,546	18	57	42
Possess Sched. II Contr. Subst	997	11	52	42
Obtain Property False Pretense	856	10	47	38
Larceny	601	7	58	45
Possess Sched. II Intent to Sell	455	5	52	33
Subtotal	4,455	51	n/a	n/a
Total	8,680	100	54	41
Prison Releases	16,340	100	49	36

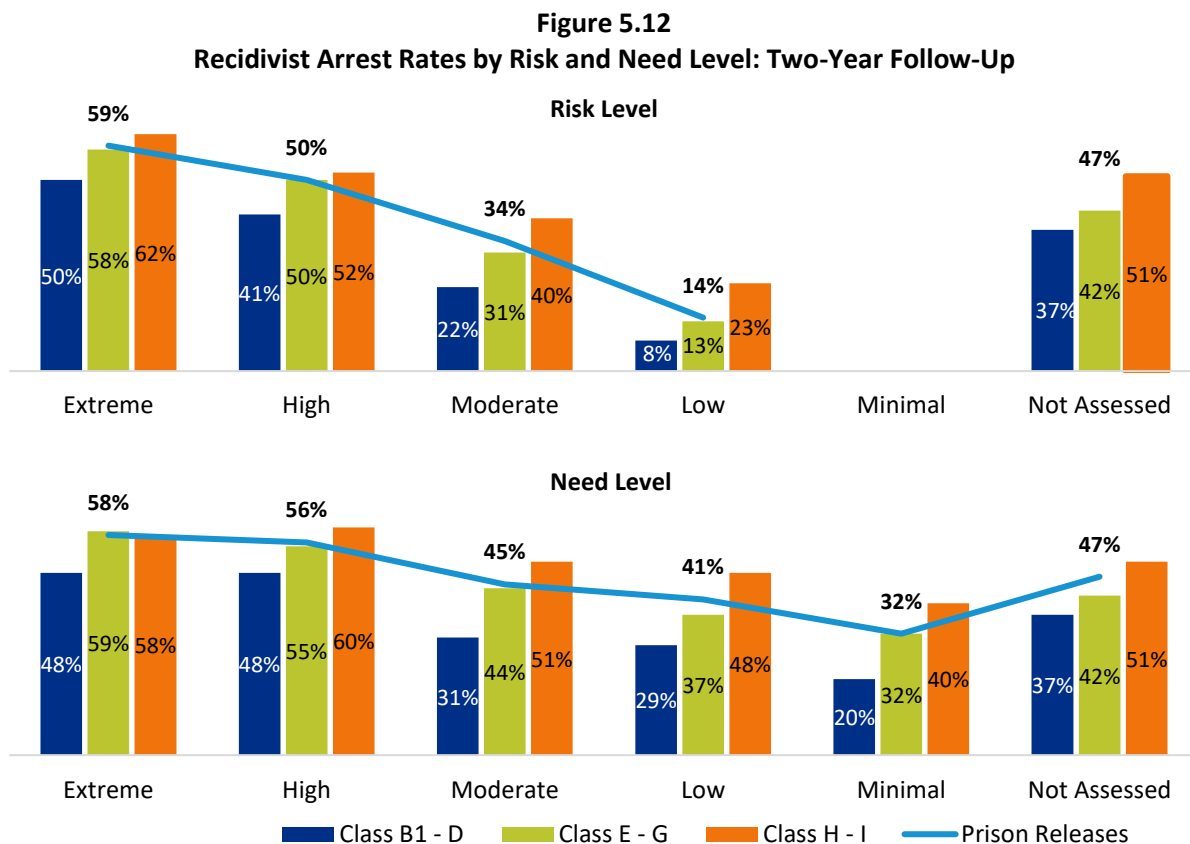
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Risk and Need Level

Figure 5.12 examines recidivist arrest rates during the two-year follow-up by risk and need level for FY 2019 prison releases. For all prisoners with a risk assessment, those assessed as extreme risk had the highest recidivist arrest rates (59%) and those assessed as low risk had the lowest recidivist arrest rates (14%). As previously shown in Table 5.7, the recidivist arrest rate was 37% for Class B1 – D prisoners, 48% for Class E – G prisoners, and 54% for Class H – I prisoners; the differences in rates calculate to an 11 percentage-point difference between Class B1 – D and Class E – G prisoners and to a 6 percentage-point difference between Class E – G and Class H – I prisoners. The differences in recidivist arrest rates between groups were minimized somewhat for prisoners assessed as extreme or high risk but not as much for the other levels and, for some levels, the differences between groups were more pronounced.

Recidivist arrest rates by need level also show a stair-step pattern in recidivist arrest rates from extreme need to minimal need; however, it is much less pronounced. Again, differences in recidivist arrest rates were only minimized between groups for prisoners assessed as extreme or high need.

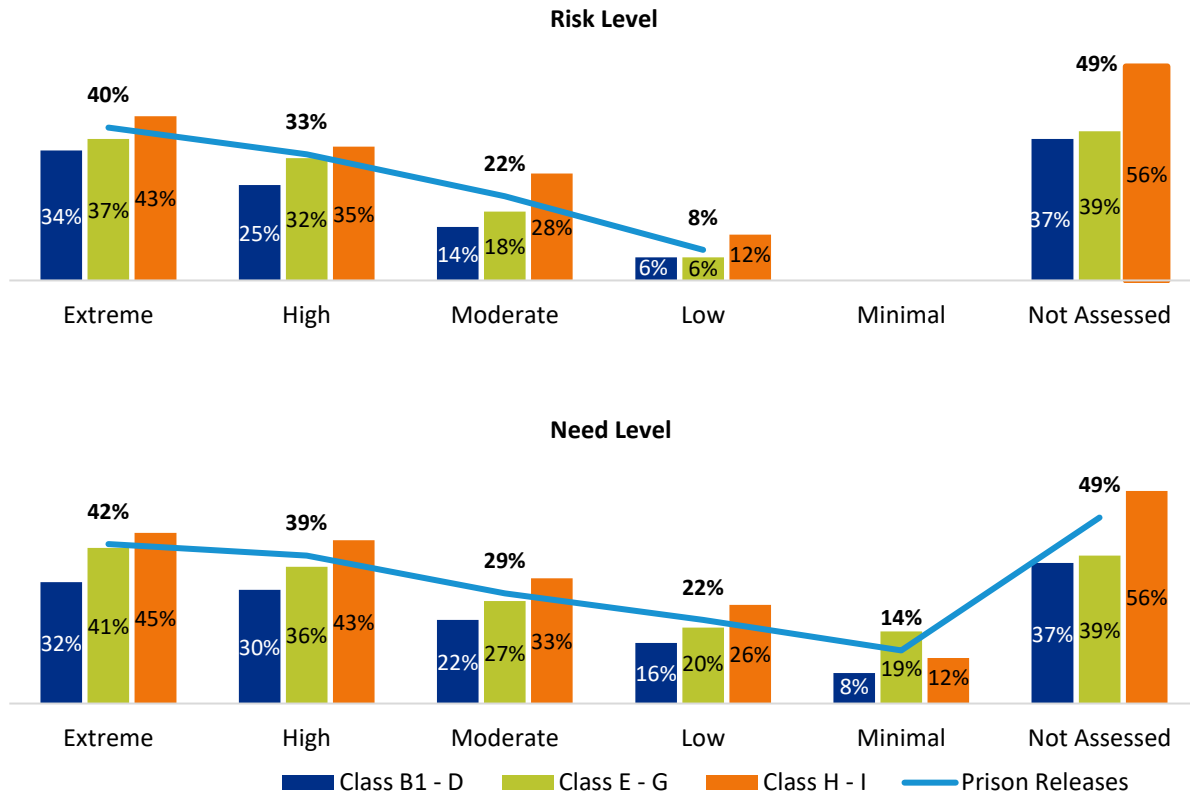
Recidivist incarceration rates were also examined by risk and need level and exhibited similar patterns (see Figure 5.13).



Note: Less than 1% of prisoners were assessed as minimal risk overall and for each group; consequently, recidivism rates were not reported for this group.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Figure 5.13
Recidivist Incarceration Rates by Risk and Need Level: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Incarceration Profile

Table 5.10 provides recidivism rates by type of prison entry, time served in prison, infractions, assignment to restrictive housing, assignment to correctional jobs or programs, and custody classification level. Prisoners with a new crime or probation revocation entry had similar recidivist arrest rates, while recidivist arrest rates for prisoners with a PRS revocation entry were substantially higher. Rates of recidivist incarceration were highest for prisoners with a probation revocation entry. As shown in Figure 5.14, recidivist arrest rates were highest for prisoners with a PRS revocation entry, with minimal differences in rates for the offense class groupings (56% for Class B1 – D, 61% for Class E – G, and 62% for Class H – I). Minimal differences in recidivist arrest rates also were found for Class E – G and Class H – I prisoners with a probation or PRS revocation. Recidivist incarceration rates were highest for Class H – I prisoners who entered with a probation revocation (44%) followed by those who entered with a new crime (42%). Of prisoners with a PRS revocation, Class B1 – D prisoners had the highest recidivist incarceration rates (42%) with a stairstep decrease in rates for the other two groups (38% for Class E – G and 34% for Class H – I).

Table 5.10
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	9,109	46	33
Probation Revocation	3,495	47	42
PRS Revocation	3,736	61	36
Time Served			
12 Months or Less	10,369	53	39
13-24 Months	2,607	50	38
25 Months or More	3,364	38	25
Infractions			
0 Infractions	6,379	42	33
1 Infraction	2,799	49	34
2 Infractions	1,681	52	36
3-4 Infractions	1,978	53	37
5 or More Infractions	3,503	60	42
Restrictive Housing			
Yes	9,120	55	39
No	7,220	42	32
Correctional Jobs/Programs			
Program Only	2,072	55	43
Job Only	2,611	49	37
Both Job and Program	9,592	48	33
No Job or Program	2,065	49	42
Custody Classification at Release			
Close	1,788	65	48
Medium	4,256	55	41
Minimum	10,296	44	31
Prison Releases	16,340	49	36

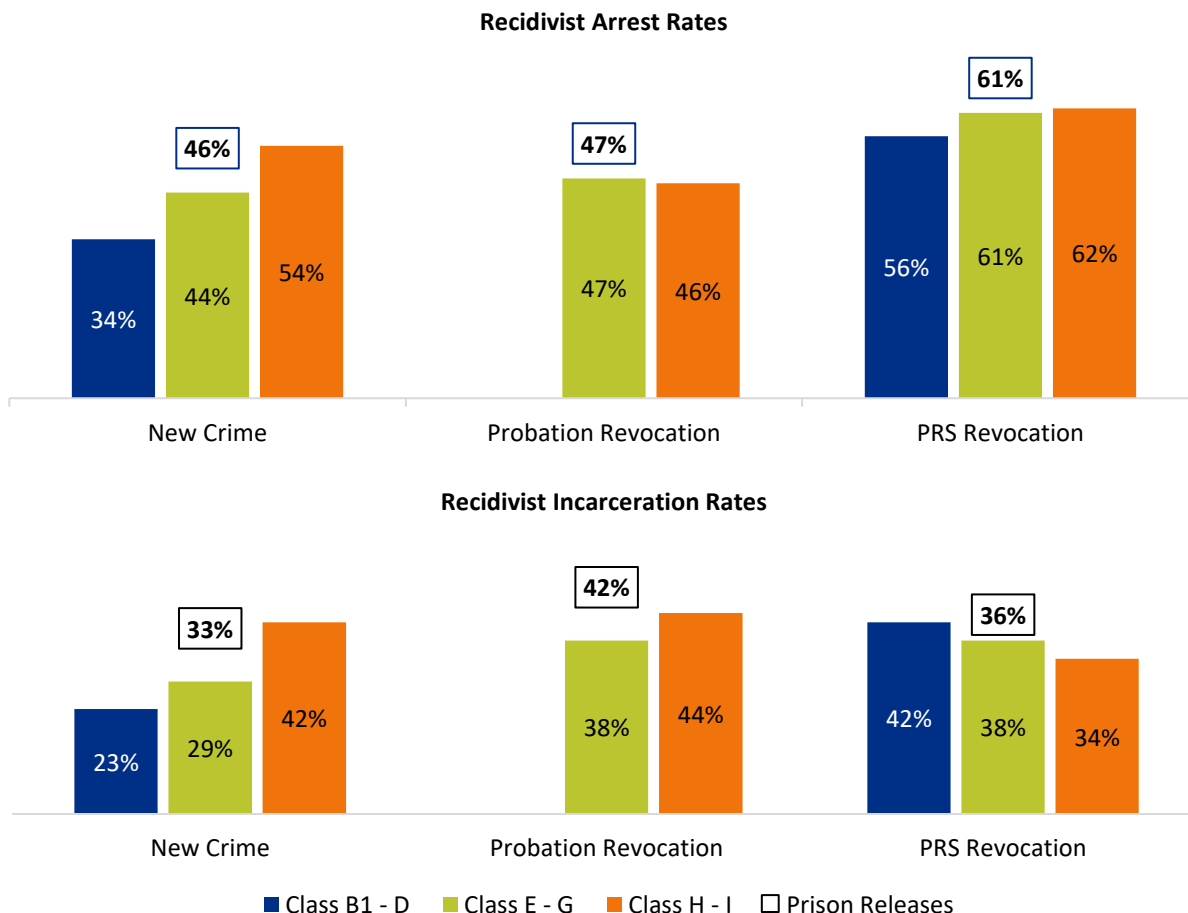
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Recidivism rates by time served were consistent with recidivism rates for 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 1 infraction and between those with 3-4 infractions in comparison to those with 5 or more infractions.

Prisoners who were assigned to restrictive housing while incarcerated had higher recidivism rates than those with no assignment to restrictive housing while incarcerated.

Figure 5.14
Criminal Justice Outcomes by Type of Prison Entry: Two-Year Follow-Up



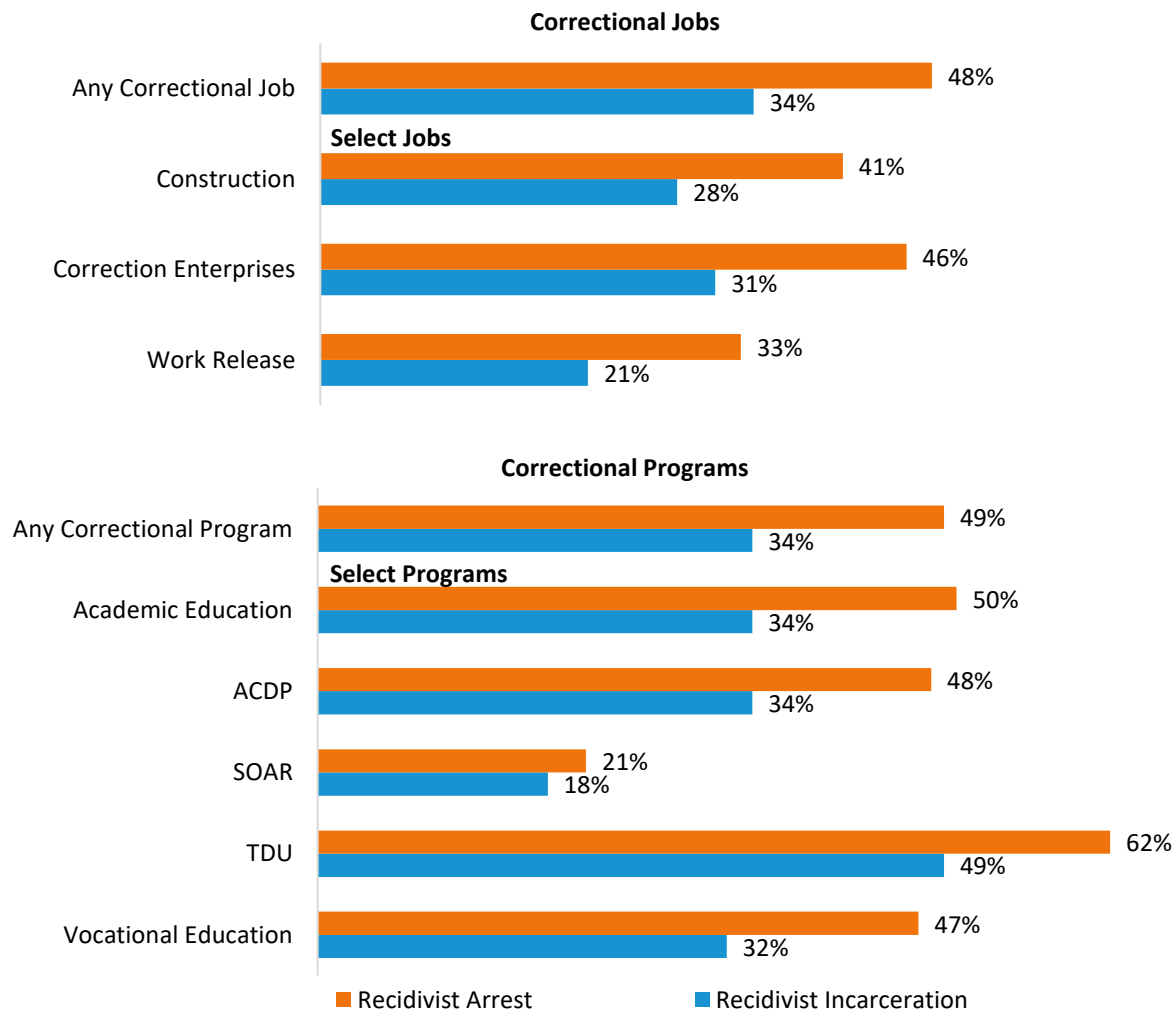
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

As shown in Table 5.10, little variation was found in recidivist arrest rates based on overall assignment to correctional jobs/programs, with most rates similar to the overall rates for the sample; however, prisoners who were assigned to a program only had recidivist arrest rates that were higher than the other groups and the sample as a whole. Higher recidivism rates for prisoners who were assigned to a program only should not be interpreted as ineffectiveness of prison programs. Additional examination of each program, the characteristics of prisoners who were assigned to particular programs and information about their level of involvement (e.g., duration, completion), along with recidivism rates, would need to occur before such a determination could be made.

Figure 5.15 provides recidivism rates for prison releases assigned to select correctional jobs and programs. Prisoners with assignments to Construction, Correction Enterprises, Work Release, SOAR, and Vocational Education generally had lower recidivism rates than the overall prison population. Recidivism rates for prisoners in Academic Education and ACDP were close to those found for the overall prison

population. Prisoners who were in a TDU while incarcerated had the highest recidivism rates of the select programs.

Figure 5.15
Criminal Justice Outcomes for Prison Releases Assigned to Select Correctional Jobs/Programs

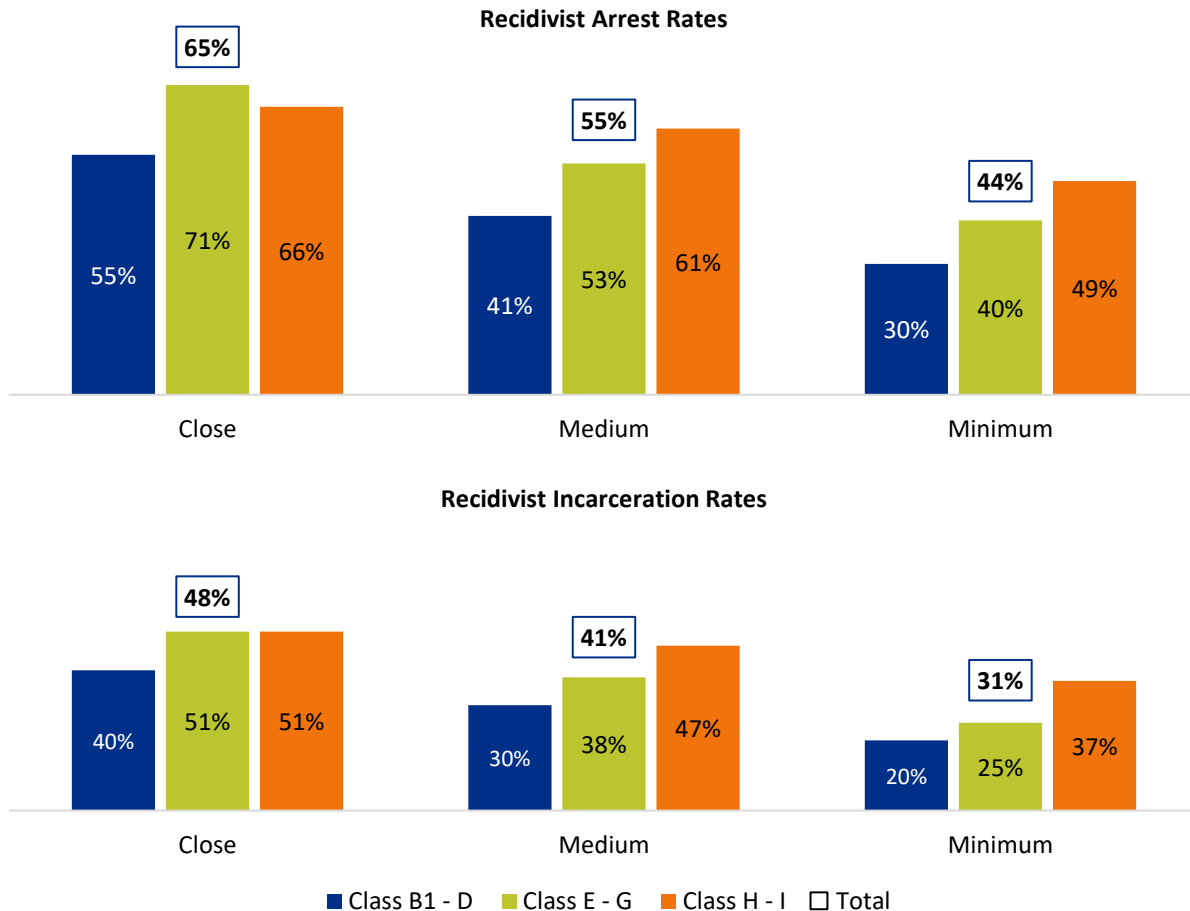


Note: Prisoners can participate in multiple prison programs during their incarceration period and, therefore, may be represented in more than one program. Due to the low number of SOAR participants, results for this program should be interpreted with caution.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

As shown in Table 5.10, prisoners who were classified as close custody at release had the highest recidivism rates, while those classified as minimum custody had the lowest. These patterns held when recidivism rates were examined by custody level and offense class (see Figure 5.16).

Figure 5.16
Criminal Justice Outcomes by Custody Classification at Release: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

OUTCOMES FOR PRISONERS RELEASED ONTO PRS

This section examines only those prisoners released on PRS (n=13,697) and includes information on offense class groupings, supervision level, PRS exit reason, and criminal justice outcomes (i.e., recidivism).⁹⁵ As noted previously, the majority of prison releases in the FY 2019 sample (84%) were subject to PRS upon release. Overall, 14% (or 1,982) had Class B1 – D felony offenses, 34% (or 4,578) had Class E – G felony offenses, and 52% (or 7,137) had Class H – I felony offenses.

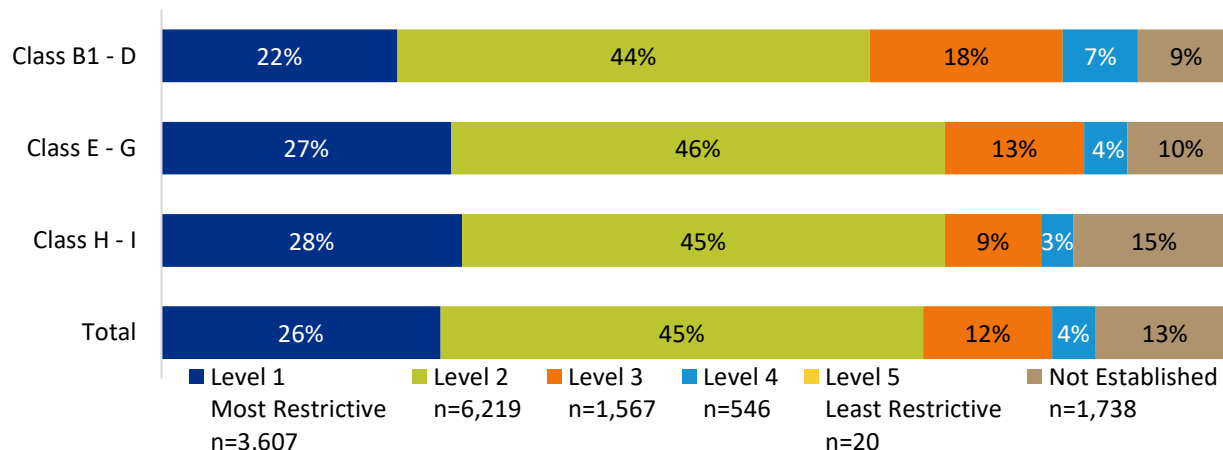
Supervision Level

Figure 5.17 shows the supervision level distribution for prisoners with PRS. Two-thirds (66%) of Class B1 – D prisoners and nearly three-fourths (73% each) of Class E – G and Class H – I prisoners were placed in the most restrictive supervision levels (Levels 1 and 2). Less than 1% of prisoners overall, and by offense

⁹⁵ Given their large proportion in the sample, the demographic and incarceration profile for prisoners with PRS closely tracked that of the prison release sample as a whole.

class grouping, were placed in Level 5, the least restrictive supervision level. Overall, 13% of prisoners with PRS did not have a supervision level established, with Class H – I having the largest proportion.⁹⁶

Figure 5.17
Supervision Level for Prisoners Released onto PRS



Note: Less than 1% of prisoners with PRS were placed in Supervision Level 5 overall and for each group.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

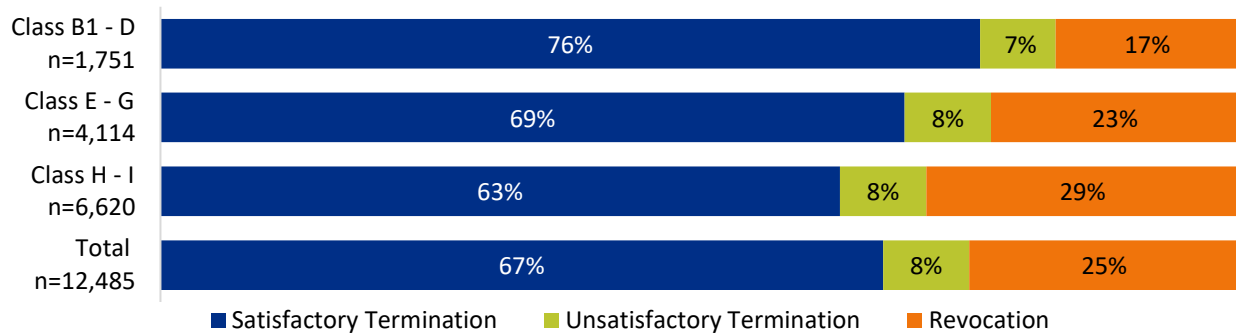
Reason for Exit from PRS

The majority of prisoners with PRS (91% or 12,485) exited supervision by the end of the two-year follow-up. Most of those who remained on supervision had another period of supervision added. For those who exited supervision, exit reasons were categorized as follows: satisfactory termination, unsatisfactory termination, and revocation.⁹⁷ As shown in Figure 5.18, the majority who exited supervision during follow-up had a satisfactory termination, ranging from 63% for Class H – I prisoners to 76% for Class B1 – D prisoners. Of the remainder, most exited due to revocation (n=3,192). Class H – I prisoners had the highest rates of revocation (29%) while Class B1 – D prisoners had the lowest (17%).

⁹⁶ Offenders with an incomplete RNA often have absconded and have been revoked prior to completion of the RNA process and therefore did not have a supervision level established.

⁹⁷ Satisfactory termination includes completion or satisfactory termination. Unsatisfactory termination includes all remaining exit reasons other than revocation.

Figure 5.18
PRS Exit Reason for Prisoners Released onto PRS

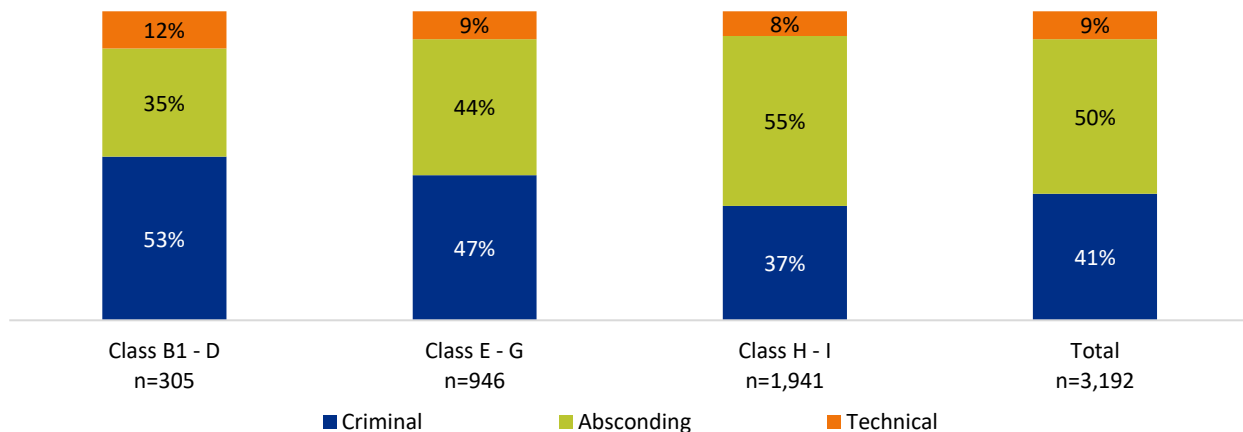


Note: This figure excludes 1,212 prisoners with PRS who were still on supervision at the end of the two-year follow-up period.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

As shown in Figure 5.19, those exiting PRS due to revocation were primarily due to absconding (50%). While Class H – I prisoners were most likely to exit due to absconding (55%), Class B1 – D and Class E – G prisoners were more likely to have a criminal revocation (53% and 47% respectively). Overall and by offense class groupings, technical revocations comprised the smallest percentage of revocation exits.

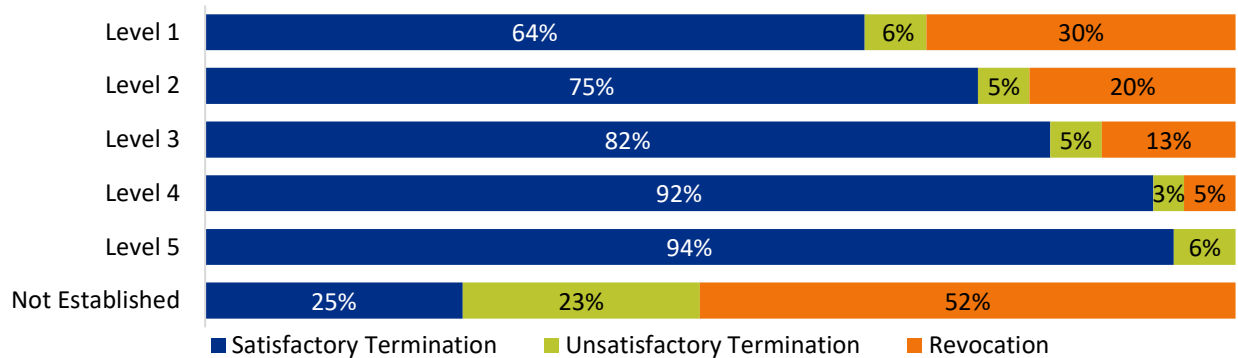
Figure 5.19
Type of Revocation for Revocation Exits



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Figure 5.20 examines the PRS exit reason by supervision level for those prisoners released onto PRS. Percentages by exit reason for each supervision level followed expected patterns, with prisoners in the less restrictive supervision levels having higher rates of satisfactory termination compared to those in the more restrictive levels. While the majority of prisoners within each supervision level exited with a satisfactory termination, the percentage ranged from a low of 64% (Level 1) to a high of 94% (Level 5). Notably, prisoners without an established supervision level had the highest rate of revocation (52%) as their PRS exit reason, followed by those in Level 1 (30%).

Figure 5.20
PRS Exit Reason by Supervision Level for Prisoners Released onto PRS

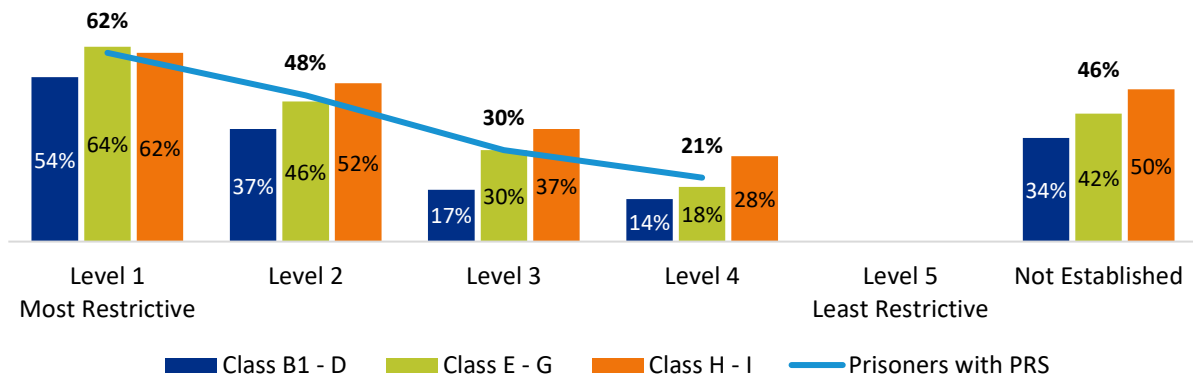


Note: This figure excludes 1,212 prisoners with PRS who were still on supervision at the end of the two-year follow-up period. Also, it is important to note that there were only 17 prisoners with PRS in Level 5.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Recidivist Arrests

Overall, 48% of prisoners with PRS had a recidivist arrest during the two-year follow-up period; 35% of Class B1 – D prisoners, 47% of Class E – G prisoners, and 53% of Class H – I prisoners. Figure 5.21 shows recidivist arrest rates for prisoners with PRS by offense class grouping and supervision level. For those with an established supervision level, recidivist arrest rates were highest for prisoners assigned to the most restrictive supervision levels – ranging from 62% for Level 1 to 21% for Level 4. Recidivist arrest rates for Level 5 are not reported due to the small number in this supervision level. Prisoners in Level 1 with a Class E – G or a Class H – I offense had the highest recidivist arrest rates (64% and 62% respectively), while prisoners with a Class B1 – D offense in Level 4 had the lowest recidivist arrest rate (14%). When examined by offense class and supervision level, recidivist arrest rates for prisoners without an established supervision level most closely aligned with those in Level 2. Except for Level 1, Class H – I prisoners had the highest recidivist arrest rates by supervision level compared to the other offense class groupings.

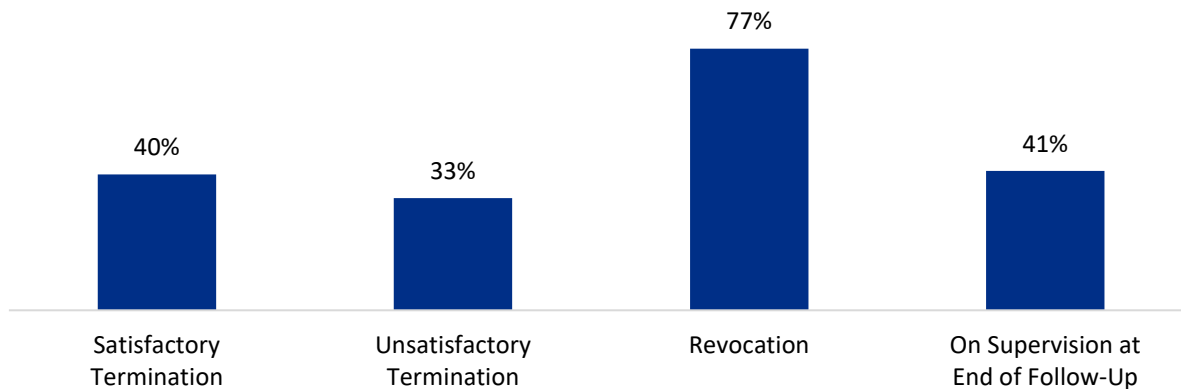
Figure 5.21
Recidivist Arrest Rates by Supervision Level for Prisoners Released onto PRS



Note: Recidivism rates are not reported for Level 5 due to the small number of prisoners with PRS in this supervision level (n=20).
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

The relationship between recidivism and PRS exit reason is examined in Figure 5.22. Recidivist arrest rates varied by PRS exit reason from a high of 77% for those with a revocation to 33% for those with unsatisfactory termination. Those with a satisfactory termination and those still on supervision at the end of follow-up had nearly identical rates of recidivist arrest (40% and 41% respectively).

Figure 5.22
Recidivist Arrest Rates by PRS Exit Reason for Prisoners Released onto PRS: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

SUMMARY

Chapter Five examined the FY 2019 felony prison release sample by offense class groupings. Of the 16,340 felony prison releases, 14% had a most serious conviction for a Class B1 – D felony, 33% 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.

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 and education; the majority were not married (88% - 90%) and did not graduate from high school (69% - 71%). The groups differed in terms of prior employment and substance use with Class B1 – D prisoners having the highest percentage who were not employed in the two years prior to prison entry (61%) and Class H – I having the highest percentage identified as having a possible substance use problem (82%).

For the FY 2019 prison release sample, RNAs completed while the offender was on supervision were used for analysis. Overall, 84% had an RNA completed with Class H – I prisoners comprising the largest group without an assessment. Compared to the other groups, Class B1 – D prisoners had the lowest percentage assessed as either extreme or high risk (61%) and the highest percentage assessed in the lower levels. Overall, very few prisoners were assessed as minimal risk. The three groups had a similar percentage assessed at the two highest need levels, ranging from 38% to 40%.

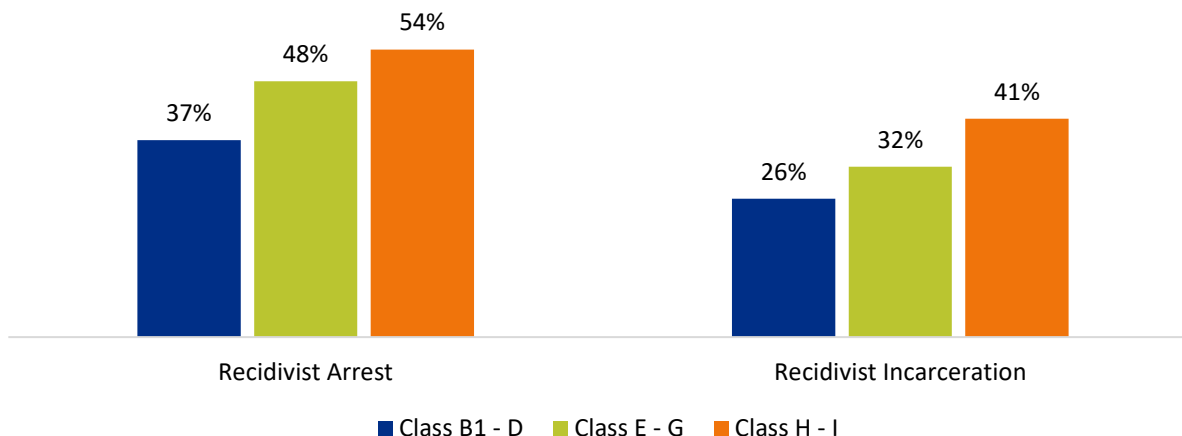
During the two-year follow-up period, over half of prisoners (55%) worked at least 1 quarter, with Class B1 – D felons having the highest employment rates. Class B1 – D prisoners had the highest average and median wages earned, while Class H – I prisoners had the lowest. Although the order differed across offense class groupings, the top 5 employment industries were Administrative and Support, Waste

Management and Remediation Services; Accommodation and Food Services; Manufacturing; Construction, and Retail Trade.

Four measures were used to examine prior criminal history – prior arrests, probation entries, probation/PRS revocations, and incarcerations. With the exception of prior incarcerations, prisoners with Class H – I felonies had more extensive prior criminal histories; the three groups had similar rates of prior incarceration.

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 5.23). 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 5.23
Criminal Justice Outcomes for FY 2019 Prison Releases: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

A stair-step pattern in recidivism rates was found by risk level and need level, with those assessed as extreme risk or extreme need having the highest recidivism rates. The differences in recidivism rates between offense class groupings were minimized slightly for prisoners assessed as extreme or high risk but not as much for the other levels and, in some instances, the differences between groups were more pronounced. A similar pattern was found by need level.

The chapter also included information specific to a prisoner’s incarceration profile (i.e., type of prison entry, time served, infractions, assignment to restrictive housing, 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 Six 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 over half of Class H – I prisoners entered prison due to a revocation of probation or PRS. Recidivist arrest rates were highest for prisoners who entered due to a PRS revocation (61%). 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. Over half of prisoners (56%) had a Class A infraction (e.g., substance possession, sexual act, involvement with gang/security risk group) as their most serious infraction. Prisoners who had infractions had higher recidivism rates than those with no infractions, with rates increasing gradually as the number of infractions increased.

Restrictive Housing: Restrictive housing is a housing assignment that removes certain inmates from the general prison population to confinement in a secure area either for administrative or control purposes, typically to control offenders who are disruptive or who threaten the safety of staff or other inmates. Similar to infractions, prisoners with Class B1 – D felonies had the highest percentage assigned to restrictive housing compared to prisoners with shorter sentence lengths. Prisoners who were assigned to restrictive housing while incarcerated had higher recidivism rates than those with no assignment to restrictive housing.

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 99% of Class B1 – D felons to 80% 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 G 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. While DPS began administering RNAs in prison in 2017, prison RNAs were not used for analysis due to data quality issues. Once more complete 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 to offer a more comprehensive examination of program effectiveness.

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 remissioning of several prisons to specialized reentry facilities,⁹⁸ 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.

This chapter also included an examination of prisoners with PRS. The majority of prisoners with PRS were placed in the most restrictive supervision levels (Levels 1 and 2); recidivist arrest rates were also highest for those in the most restrictive supervision levels. Overall, about two-thirds of prisoners with PRS exited with a satisfactory termination of their supervision. Most of the remainder exited due to revocation, with absconding as the most frequent type of revocation. Over three-fourths of prisoners who exited PRS due to revocation had a recidivist arrest.

⁹⁸ For more information on specialized reentry facilities, see the Sentencing Commission's reports titled *Justice Reinvestment Act Implementation Evaluation Report* at <https://www.nccourts.gov/documents/publications/jra-implementation-evaluation-report>.

CHAPTER SIX

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 are examined in Chapter Two for the overall sample by prisoners and probationers, in Chapter Three for probationers by felony and misdemeanor status, and Chapter Five for prisoners by offense class grouping. Chapter Six incorporates the information from those chapters and considers how multiple factors, taken together, affect the probability of recidivism using multivariate analysis.⁹⁹

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.¹⁰⁰ 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 assess the relationship between independent variables and the probability of recidivism.¹⁰¹ The probability of recidivist arrest and recidivist incarceration is examined for all offenders (Table 6.1) using variables found in Chapter Two. Additionally, the probability of recidivist arrest, recidivist incarceration, and recidivist revocations are examined for probationers (Table 6.2) and prisoners (Table 6.3). Variables unique to probationers (found in Chapter Three) and prisoners (found in Chapter Five) are used to model the probability of these recidivism measures.

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

⁹⁹ See Appendix B for detailed definitions of recidivism and other key terms.

¹⁰⁰ 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.

¹⁰¹ Logistic regression is a type of multivariate analysis, which estimates the logit (i.e., the logarithm of the odds) of an outcome occurring. This 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.

modeled in each of the tables, while recidivist revocation modeling is limited to the probationer model (see Table 6.2) and the prisoner model (see Table 6.3).

Independent Variables

As shown in Figure 6.1, independent variables are adjusted based on the sample being modeled. Independent variables in each of the models include an offender's personal characteristics, risk and need levels, criminal history, most serious current conviction, and offender type. Probationers' supervision profiles highlight information about their supervision period, while prisoners' incarceration profiles provide information regarding their active sentence. JRA-related provisions are examined in Model 5 and Model 8 to provide a look at the effect of the implementation of the JRA on certain measures of recidivism.

Figure 6.1
Independent Variables

All Models	
Personal Characteristics Age at Probation Entry or Prison Release Male Nonwhite Married High School Dropout/GED Employed Substance Use Indicated ¹⁰²	Criminal History Under 21 at First Adult Criminal Justice Contact Number of Prior Arrests Most Frequent Prior Arrest Type – Property Prior Incarceration Most Serious Current Conviction Offense Class Offender Type – Prisoner Time at Risk (in days) ¹⁰³
Supervision Profile Risk Level Need Level	
Probationers Only Models	Prisoners Only Models
Probation Supervision Profile Probation Supervision Length High Risk Delegated Authority Violations and Responses to Violations Number of Probation Violations ¹⁰⁴ Continued Probation Supervision Delegated Authority Quick Dip CRV	Incarceration Profile Type of Prison Entry Time Served Number of Infractions Most Serious Infraction – Class A Restrictive Housing Custody Classification at Release Violations and Responses to Violations Number of PRS Violations Continued PRS Supervision Letter of Reprimand Three-Month Confinement ¹⁰⁵

¹⁰² Substance use indicated is based on the need portion of the OTI-R administered to offenders during community supervision.

¹⁰³ Time at risk during follow-up serves as a statistical control variable, where applicable. Although this variable is not discussed in this chapter's analysis, 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.

¹⁰⁴ A quadratic term for violations was included for better model fit.

¹⁰⁵ 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 Model 8.

Model Limitations

Since observations with missing data on any single variable are excluded from the logistic modeling process, the number of offenders in the sample found in the previous chapters does not match the number of offenders in the multivariate analyses.¹⁰⁶

Variables related to JRA provisions were included in the recidivist revocation models (Model 5 and Model 8). Temporal order could not be established for JRA-related interventions, recidivist arrests, and recidivist incarcerations; therefore, these variables were excluded from those models.¹⁰⁷

Lastly, data were limited for the recidivist revocation model (Model 8) 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 smaller than the number of offenders in the other prisoner models.

Results

Recidivism Outcomes for All Offenders

Table 6.1 displays the estimated effect of each independent variable on the probability of recidivist arrest (Model 1) and recidivist incarceration (Model 2) for all offenders during the two-year follow-up period.

Model 1 presents the results of the logistic regression analyses predicting recidivist arrest. Personal characteristics of the offender played a significant role in predicting recidivist arrest. Compared to offenders under 21 at sample entry, the probability of recidivist arrest declined as offender age increased, with offenders aged 50 years and older having the lowest probability of recidivist arrest (-38%). The probability of recidivist arrest was higher for male offenders (+5%), high school dropouts (+2%), and offenders with a substance use problem (+4%). The probability of recidivist arrest was lower for married offenders (-2%) and employed offenders (-2%).

Number of prior arrests was a significant predictor of recidivist arrest, with each prior arrest increasing the probability of recidivism by 2%. Compared to Class H – I felons, the probability of recidivism was lower for Class B1 – D felons and Class E – G felons and higher for Class A1 – 3 misdemeanants. Additionally, those entering the sample as a prison release had a 2% higher probability of recidivist arrest when compared to probation entries.

As risk level increased in severity from minimal risk to extreme risk, the probability of recidivist arrest also increased, with offenders assessed as extreme risk having the highest probability of recidivism (+25%) when compared to offenders assessed as minimal risk. Similarly, as need level increased in severity, the probability of recidivist arrest also increased. Compared to offenders with a minimal need level, probationers with an extreme need level had a 15% higher probability of recidivist arrest.

¹⁰⁶ The rate of missing observations was largely due to missing information on substance use indicated and risk and need level. Sensitivity analysis using missing indicator models confirm the robustness of these models.

¹⁰⁷ 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 revocation models.

Table 6.1
Effect of Personal and Criminal Justice Factors on Recidivism – All Offenders

Independent Variables	Average Recidivist Probability: Two-Year Follow-Up	
	Model 1 Arrest n=41,178	Model 2 Incarceration n=41,178
Personal Characteristics		
Age at Probation Entry or Prison Release		
Under 21 Years	Reference	Reference
21-29 Years	-8%	-5%
30-39 Years	-16%	-9%
40-49 Years	-26%	-14%
50+ Years	-38%	-18%
Male	5%	1%
Nonwhite	N.S.	-6%
Married	-2%	-2%
High School Dropout/GED	2%	4%
Employed	-2%	-2%
Substance Use Indicated	4%	5%
Criminal History		
Under 21 at First Adult Criminal Justice Contact	N.S.	-3%
Number of Prior Arrests	2%	1%
Most Frequent Prior Arrest Type – Property	2%	2%
Prior Incarceration	-3%	2%
Most Serious Current Conviction		
Offense Class		
Class B1 – D Felony	-9%	-3%
Class E – G Felony	-4%	-3%
Class H – I Felony	Reference	Reference
Class A1 – 3 Misdemeanor	3%	-27%
Supervision Profile		
Risk Level		
Extreme	25%	32%
High	24%	29%
Moderate	21%	20%
Low	11%	N.S.
Minimal	Reference	Reference
Need Level		
Extreme	15%	15%
High	12%	12%
Moderate	8%	9%
Low	4%	5%
Minimal	Reference	Reference
Offender Type – Prisoner	2%	3%
Time at Risk (in days)	-0.1%	n/a
R²	16%	18%
Max Rescaled R²	22%	29%

Note: “N.S.” indicates the estimated effects are not statistically significant. Offenders with missing data were excluded from the analysis. For categorical and dichotomous independent variables, the results are interpreted in relation to the reference category.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Model 2 displays the results of the logistic regression analyses predicting recidivist incarceration for all offenders. In terms of personal characteristics, age at probation entry or prison release was a strong predictor of recidivist incarceration with the probability of recidivist incarceration decreasing for each age group when compared to those under 21 at sample entry. Male offenders (+1%), high school dropouts (+4%), and those with a reported substance use problem (+5%) had increased probabilities of recidivist incarceration, while nonwhite (-6%), married (-2%), and employed (-2%) offenders had lower probabilities of recidivist incarceration.

Most of the criminal history variables predicted an increase in the probability of recidivist incarceration. Examination of offense class revealed that compared to Class H – I felons, the probability of recidivism was lower for Class B1 – D felons (-3%), Class E – G felons (-3%), and Class A1 – 3 misdemeanants (-27%). The 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.¹⁰⁸ When compared to probationers, entering the sample as a prison release increased the probability of recidivist incarceration (+3%).

As risk level increased in severity from minimal risk to extreme risk, the probability of recidivist incarceration generally increased, with offenders assessed as extreme risk having the highest probability of recidivism (+32%) when compared to offenders assessed as minimal risk. Similarly, as need level increased in severity, the probability of recidivist incarceration also increased. Compared to offenders with a minimal need level, probationers with an extreme need level had a 15% higher probability of recidivist arrest.

Recidivism Outcomes for Probationers

Table 6.2 examines the estimated effects of independent variables on recidivist arrest (Model 3), recidivist incarceration (Model 4), and recidivist revocation (Model 5) probabilities for probationers.

Model 3 displays the results of the logistic regression analyses predicting recidivist arrest for probationers. Of the personal characteristic variables, the probability of recidivist arrest decreased with age at probation entry and for employed probationers (-3%). Male probationers and probationers with a substance use problem had a higher probability of recidivist arrest (+4% and +5% respectively). Of the criminal history variables, each prior arrest increased the probability of recidivist arrest by 3% while having one or more prior incarcerations decreased the probability of recidivist arrest (-4%). Additionally, compared to Class H – I felons, the probability of recidivist arrest was lower for Class E – G felons (-3%).

As risk level increased in severity from minimal risk to extreme risk, the probability of recidivist arrest generally increased, with probationers assessed as extreme risk and high risk having the highest probability of recidivism (+22% and +23% respectively) when compared to probationers assessed as minimal risk. Similarly, as need level increased in severity, the probability of recidivist arrest also increased. Compared to probationers with a minimal need level, probationers with an extreme need level had a 16% higher probability of recidivist arrest.

Model 4 shows the results of the logistic regression analysis predicting recidivist incarceration for probationers. Looking at personal characteristics, the probability of recidivist incarceration decreased

¹⁰⁸ 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.

for each age group when compared to those under 21. High school dropouts (+3%) and offenders with a substance use problem (+4%) had increased probabilities of recidivist incarceration. Additionally, race and employment were significant predictors of recidivist incarceration with nonwhite offenders (-6%) and employed offenders (-2%) having lower probabilities of recidivist incarceration.

Moving to the criminal history variables, offenders who had their first contact with the criminal justice system when under the age of 21 (-3%) had a decreased probability of recidivist incarceration. Additionally, each prior arrest increased the probability of recidivist incarceration by 1%. An examination of offense class shows that compared to Class H – I felons, the probability of recidivist incarceration was lower for both Class E – G felons (-2%) and Class A1 – 3 misdemeanants (-17%). The much lower probability of recidivist incarceration for misdemeanants was expected because the legislative changes under the JRA require misdemeanants to serve their active sentences in county jails.

The probation supervision profile variables show that compared to offenders with a minimal risk level, the probability of recidivist incarceration increased as risk level increased, with offenders with extreme risk having the highest probability of recidivist incarceration (+25%). Similarly, as need level increased, the probability of recidivist incarceration also increased.

The final model in Table 6.2, Model 5, displays the results of the logistic regression analyses predicting revocations for probationers. The results of the analysis show that the probability of recidivist incarceration decreased for each age group when compared to those under 21. Additionally, the probability of recidivist arrest was higher for male offenders (+2%), high school dropouts (+5%), and offenders with a substance use problem (+4%). The probability of recidivist revocation was lower for nonwhite offenders (-8%), married offenders (-3%), and employed offenders (-2%).

Examining the criminal history variables, the results indicate that offenders who had their first contact with the criminal justice system when under the age of 21 had a decreased probability of recidivist revocation (-2%), while each prior arrest increased the probability of recidivist revocation by 0.3% and having one or more prior incarcerations increased the probability of recidivist revocation by 2%. Turning to offense class, compared to Class H – I felons, the probability of recidivist revocation was lower for Class E – G felons (-4%). Further, offenders with extreme risk and extreme need had the highest probability of recidivist incarceration compared to offenders with minimal risk and offenders with minimal need (+24% and +10% respectively).

In Model 5, JRA-related provisions (i.e., expanded delegated authority, high risk delegated authority, violations, quick dips, CRV) are examined to assess the effect of the implementation of the JRA on recidivist revocations. Each violation increased the probability of recidivist revocation by 17%, although the probability increased at a decreasing rate. Probationers who had their probation continued in response to violation of conditions of supervision had a decreased probability of recidivist revocation (-19%). In addition, probationers who had delegated authority imposed (-9%), quick dips (-9%), and CRVs (-19%) had a decreased probability of recidivist revocations.

Table 6.2
Effect of Personal and Criminal Justice Factors on Recidivism – Probationers

Independent Variables	Average Recidivism Probability: Two-Year Follow-Up		
	Model 3 Arrest n=27,494	Model 4 Incarceration n=27,494	Model 5 Revocation n=27,494
Personal Characteristics			
Age at Probation Entry			
Under 21 Years	Reference	Reference	Reference
21-29 Years	-9%	-4%	-2%
30-39 Years	-16%	-6%	-4%
40-49 Years	-24%	-8%	-7%
50+ Years	-35%	-10%	-9%
Male	4%	N.S.	2%
Nonwhite	N.S.	-6%	-8%
Married	N.S.	N.S.	-3%
High School Dropout/GED	N.S.	3%	5%
Employed	-3%	-2%	-2%
Substance Use Indicated	5%	4%	4%
Criminal History			
Under 21 at First Adult Criminal Justice Contact	-2%	-3%	-2%
Number of Prior Arrests	3%	1%	0.3%
Most Frequent Prior Arrest Type – Property	N.S.	2%	2%
Prior Incarceration	-4%	N.S.	2%
Most Serious Current Conviction			
Offense Class			
Class E – G Felony	-3%	-2%	-4%
Class H – I Felony	Reference	Reference	Reference
Class A1 – 3 Misdemeanor	N.S.	-17%	N.S.
Probation Supervision Profile			
Risk Level			
Extreme	22%	25%	24%
High	23%	20%	20%
Moderate	20%	13%	14%
Low	11%	N.S.	7%
Minimal	Reference	Reference	Reference
Need Level			
Extreme	16%	9%	10%
High	12%	7%	8%
Moderate	9%	6%	6%
Low	N.S.	N.S.	N.S.
Minimal	Reference	Reference	Reference
Probation Supervision Length	-0.2%	0.1%	N.S.
High Risk Delegated Authority	n/a	n/a	-2%
Violations and Responses to Violations			
Number of Violations	n/a	n/a	17%
Number of Violations*Number of Violations	n/a	n/a	-2%
Continued Probation	n/a	n/a	-19%
Delegated Authority	n/a	n/a	-9%
Quick Dip	n/a	n/a	-9%
CRV	n/a	n/a	-19%
Time at Risk (in days)	-0.1%	n/a	n/a
R²	14%	14%	16%
Max Rescaled R²	19%	28%	28%

Note: “N.S.” indicates the estimated effects are not statistically significant. Offenders with missing data were excluded from the analysis. For categorical and dichotomous independent variables, the results are interpreted in relation to the reference category.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Recidivism Outcomes for Prisoners

Table 6.3 provides the estimated effects of independent variables on the probability of recidivist arrest (Model 6), recidivist incarceration (Model 7), and recidivist revocation (Model 8) for prisoners.

Model 6 displays the results of the logistic regression analyses predicting recidivist arrest for prisoners. Looking at the personal characteristics variables, the probability of recidivist arrest decreased with age at prisoner release with offenders aged 50 years and older having the lowest probability of recidivist arrest (-47%). Additionally, offenders with a substance use problem (+3%) had a higher probability of recidivist arrest. Of the criminal history variables, each prior arrest increased the probability of recidivist arrest by 2%. Compared to Class H – I felons, the probability of recidivist arrest was lower for both Class B1 – D felons (-11%) and E – G felons (-5%).

The results of the incarceration profile variables indicate that risk level and need level were not significant predictors of recidivist arrests. Further, compared to those entering prison for a new crime, recidivist arrest probabilities were 3% higher for PRS revocation entries. Additionally, compared to offenders who served 12 months or less, the probability of recidivist arrest declined as time served increased, with offenders serving 24 or more months having the lowest probability of recidivist arrest (-11%). Finally, the probability of recidivist arrest increased as the number of infractions increased (+1% per infraction) and the probability of recidivist arrest increased for offenders in restrictive housing (+3%).

Model 7 presents the results of the logistic regression analysis predicting recidivist incarceration for prisoners. Compared to offenders under 21 years old at prison release, the probability of recidivist incarceration declined as offender age increased. Additionally, males (+3%), high school dropouts (+5%), and those with a substance use problem (+6%) had an increased probability of recidivist incarceration, while nonwhite offenders (-6%) and married offenders (-4%) had a decreased probability of recidivist incarceration. Of the criminal history variables, offenders who had their first contact with the criminal justice system when under the age of 21 had a decreased probability of recidivist incarceration (-2%) while each prior arrest increased the probability of recidivist incarceration by 1% and having one or more prior incarcerations increased the probability of recidivist incarceration by 5%. Compared to Class H – I felons, the probability of recidivist incarceration was lower for E – G felons (-3%).

Turning to the incarceration profile variables, generally, as need level increased in severity, the probability of recidivist incarceration also increased. Compared to prisoners with a minimal need level, prisoners with an extreme need level had an 18% higher probability of recidivist incarceration. Further, compared to those entering prison for a new crime, recidivist incarceration probabilities were 5% higher for probation revocation entries and 4% lower for PRS revocation entries. Additionally, compared to offenders who served 12 months or less, offenders serving 24 or more months had a lower probability of recidivist incarceration (-13%). The probability of recidivist incarceration increased as the number of infractions increased (+1% per infraction) and increased for those offenders in restrictive housing (+3%). Finally, compared to prisoners classified as close custody classification at release, those classified as medium custody at release had a lower probability of recidivist incarceration (-6%).

Table 6.3
Effect of Personal and Criminal Justice Factors on Recidivism – Prisoners

Independent Variables	Average Recidivism Probability: Two-Year Follow-Up		
	Model 6 Arrest n=13,678	Model 7 Incarceration n=13,678	Model 8 Revocation n=11,953
Personal Characteristics			
Age at Prison Release			
Under 21 years	Reference	Reference	Reference
21-29 years	-16%	-11%	-7%
30-39 years	-24%	-17%	-11%
40-49 years	-35%	-23%	-14%
50+ years	-47%	-28%	-16%
Male	8%	3%	N.S.
Nonwhite	N.S.	-6%	-8%
Married	N.S.	-4%	N.S.
High School Dropout/GED	N.S.	5%	4%
Employed	N.S.	N.S.	N.S.
Substance Use Indicated	3%	6%	N.S.
Mental Health Indicated	N.S.	N.S.	N.S.
Criminal History			
Under 21 at First Adult Criminal Justice Contact	N.S.	-2%	N.S.
Number of Prior Arrests	2%	1%	0.3%
Most Frequent Prior Arrest Type – Property	N.S.	3%	N.S.
Prior Incarceration	N.S.	5%	4%
Most Serious Current Conviction			
Offense Class			
Class B1 – D Felony	-11%	N.S.	-4%
Class E – G Felony	-5%	-3%	-3%
Class H – I Felony	Reference	Reference	Reference
Incarceration Profile			
Risk Level			
Extreme	N.S.	N.S.	N.S.
High	N.S.	N.S.	N.S.
Moderate	N.S.	N.S.	N.S.
Low	N.S.	N.S.	N.S.
Minimal	Reference	Reference	Reference
Need Level			
Extreme	N.S.	18%	9%
High	8%	16%	N.S.
Moderate	N.S.	11%	N.S.
Low	N.S.	N.S.	N.S.
Minimal	Reference	Reference	Reference
Type of Prison Entry			
New Crime	Reference	Reference	Reference
Probation Revocation	N.S.	5%	N.S.
PRS Revocation	3%	-4%	9%
Time Served			
12 months or less	Reference	Reference	Reference
13-24 months	-4%	N.S.	N.S.
24+ months	-11%	-13%	N.S.
Restrictive Housing	3%	3%	N.S.
Number of Infractions	1%	1%	1%
Most Serious Infraction – Class A	N.S.	N.S.	N.S.
Custody Classification at Release			
Close	Reference	Reference	Reference
Medium	N.S.	-6%	N.S.
Minimum	N.S.	N.S.	4%

continued

Violations and Responses to Violations			
Number of Violations	n/a	n/a	43%
Number of Violations*Number of Violations	n/a	n/a	-4%
Continued Supervision	n/a	n/a	-39%
Letter of Reprimand	n/a	n/a	-46%
Three-Month Confinement	n/a	n/a	-31%
Time at Risk (in days)	-0.1%	n/a	n/a
R²	19%	10%	31%
Max Rescaled R²	26%	14%	49%

Note: "N.S." indicates the estimated effects are not statistically significant. Offenders with missing data were excluded from the table. For categorical and dichotomous independent variables, the results are interpreted in relation to the reference category.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

The final model in Table 6.3, Model 8, displays the results of the logistic regression analyses predicting revocations for prisoners. Because this model is limited to prisoners released onto PRS, the sample size is smaller than the sample sizes in the arrest and incarceration models. The probability of recidivist revocation again decreased with age at prisoner release. Additionally, high school dropouts had an increased probability of recidivist revocation (+4%), while nonwhite offenders (-8%) had a decreased probability of recidivist revocation.

Of the criminal history variables, each prior arrest increased the probability of recidivist revocation by 0.3% and having one or more prior incarcerations increased the probability of recidivist revocation by 4%. Compared to Class H – I felons, the probability of recidivist revocation was lower for both Class B1 – D felons (-4%) and Class E – G felons (-3%).

The results of the incarceration profile variables indicate that risk level and need level were not significant predictors of recidivist arrests. Further, compared to those entering prison for a new crime, recidivist revocation probabilities were 9% higher 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. An increase in the number of infractions was associated with a 1% per infraction increase in the probability of recidivist revocation. Finally, compared to prisoners classified as close custody at release, those classified as minimum custody (+4%) had an increased probability of recidivist revocation.

The prisoner revocation model also included violations and responses to violations, which were significant predictors of recidivist revocations. Prisoners with PRS who had their supervision continued (-39%) or had a letter of reprimand issued by the Post-Release Supervision and Parole Commission (-46%) had a decreased probability of recidivist revocation, as did those who had a three-month confinement imposed in response to a technical violation (-31%).

SUMMARY

Chapter Six examined how multiple factors, taken together, affect the probability of recidivism for the offenders in the FY 2019 sample. Generally, multivariate analyses revealed a significant relationship between an offender's personal characteristics, criminal history, and most serious current conviction and recidivism. Although predictors of recidivism varied somewhat, five variables were fairly consistent in predicting the probability of recidivism for offenders across each of the models: age, gender, substance use, education, and offense class of the most serious conviction (see Figure 6.2).

Figure 6.2
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 47% lower).
Gender	Overall, male offenders had a higher likelihood of recidivism than female offenders (as much as 8% higher).
Substance Use	Offenders with substance use problems had a greater probability of recidivism compared to those without substance use problems (as much as 5% higher).
Education	Generally, high school dropouts had a higher probability of recidivism compared to high school graduates (as much as 5% higher).
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. ¹⁰⁹

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Separate analyses of probationers and prisoners identified the nuanced differences in factors that affect the recidivism of these two groups. For probationers, these analyses identified a strong relationship between assessed risk and recidivism as well as assessed need and recidivism. Overall, probationers assessed as extreme risk had the highest probability of recidivism (22% to 25% higher) when compared to probationers assessed as minimal risk, with recidivism probabilities decreasing as risk levels decreased. Similarly, probationers assessed with extreme need had the highest probability of recidivism (9% to 16% higher) when compared to probationers assessed with minimal need. Further, as probation supervision length increased, the probability of recidivist arrest decreased. However, as probation supervision length increased, the probability of recidivist incarceration increased.

Notably for prisoners, offense class was a consistent predictor of recidivism. Prisoners with Class H – I felonies had higher recidivism rates in comparison to those with Class B1 – D felonies or Class E – G felonies. Across recidivism outcomes, as the number of prior arrests increased, the likelihood of recidivism also increased. Similarly, the effect of number of infractions on recidivism was significant across all three recidivism outcomes with the probability of recidivism increasing as the number of infractions increased. The availability of RNA assessments for prisoners this cycle allowed for the examination of the relationship between assessed risk and recidivism and assessed need and recidivism. Unexpectedly, across all recidivism outcomes, risk level was not a significant predictor of recidivism. Only in the recidivist incarceration model was need level a consistent predictor of recidivism, with recidivism probabilities decreasing as needs levels decreased. The lack of significant findings may speak to a need for further validation of the RNA assessment instruments with the prison population.

These multivariate analyses also examined violations and responses to violations – such as quick dips, CRVs, and three-month confinements – to provide an examination of the effect of the JRA on recidivist

¹⁰⁹ As mentioned above, the 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.

revocations. Violations and responses to violations for both probationers and prisoners consistently predicted recidivist revocation. As intended, CRVs for probationers and three-month confinements for prisoners were associated with decreases in recidivist revocations (-19% and -31% respectively). Future analyses will examine these complex relationships further to provide greater understanding of the effects of violations and responses to violations on recidivism.

CHAPTER SEVEN

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 twelfth 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 2019, followed for a fixed period of two years. Of the 47,090 offenders in the sample, 65% (n=30,750) were placed on probation and 35% (n=16,340) were released from prison. The majority of probationers had a most serious conviction for a misdemeanor offense (58%), 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, offenders averaged 34 years of age. The majority were male (78%), 51% were white, 44% were black, 88% were not married, 58% were high school dropouts, 56% were employed, and 76% had a possible substance use problem. Eighty-six percent (86%) of offenders had one or more prior fingerprinted arrests, accounting for a total of 249,396 prior arrests for the sample. Overall, 41% (n=19,484) of the 47,090 offenders studied had a recidivist arrest during the two-year follow-up period, accounting for a total of 39,440 arrests. Sixteen percent (16%) of the FY 2019 sample had a recidivist conviction during the two-year follow-up period and 21% had a recidivist incarceration during the two-year follow-up period.

New for this report, risk and need information was available for most prisoners in the FY 2019 sample, offering the first complete examination of these offenders using RNA data and enabling a comparison of prisoners and probationers by risk and need level. Additionally, the study included wage and industry data from the NC Department of Commerce, DES.

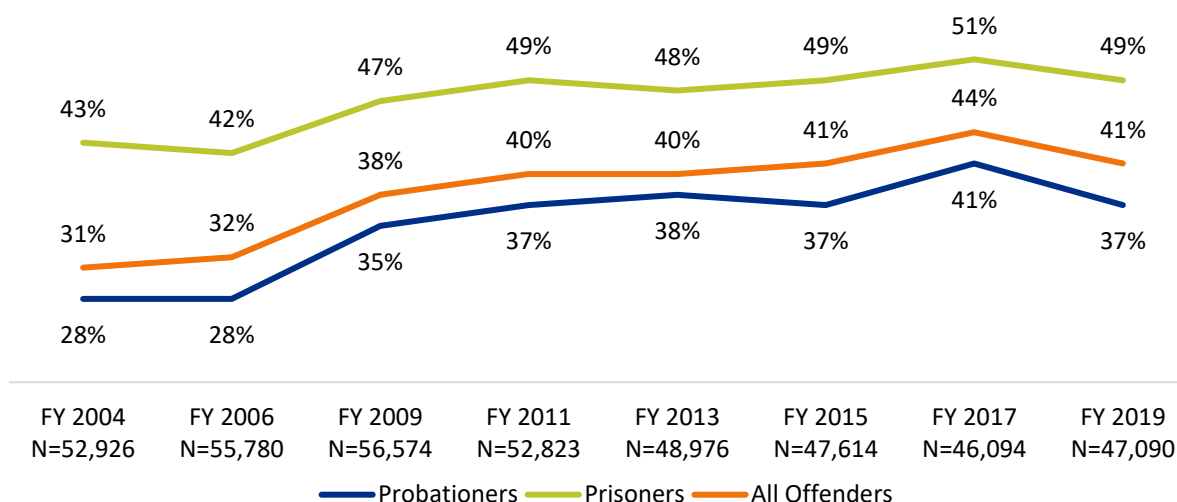
CONCLUSIONS

The issue of correctional resources and, specifically, their effectiveness in increasing public safety and deterring future crime has continued to be of interest to legislators and policymakers. 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 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. Figure 7.1 presents overall recidivism rates (measured as recidivist arrests) for SSA offenders for the Commission’s past seven studies and the current study.

The series of studies indicate that the statewide recidivism rate has increased 10 percentage points over the past 15 years. There were two notable increases during that time, the first occurring from FY 2006 to FY 2009 as a result of improved fingerprinting technology in sheriffs’ offices and police departments that led to a greater number of fingerprinted misdemeanor arrests. After years of stability (beginning in FY 2011), the recidivism rate experienced a second increase from FY 2015 to FY 2017, which prompted further investigation. No external factors (e.g., improved technologies, changes in enforcement, etc.) emerged as plausible reasons for an increase in recidivism. For the current study (FY 2019), recidivism rates have returned to FY 2015 levels. Of note, however, is the COVID-19 pandemic, which began in March 2020; its potential effects are explored below, along with other key findings from the current study.

Figure 7.1
Recidivist Arrest Rates for North Carolina Offenders by Sample Year: Two-Year Follow-Up



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

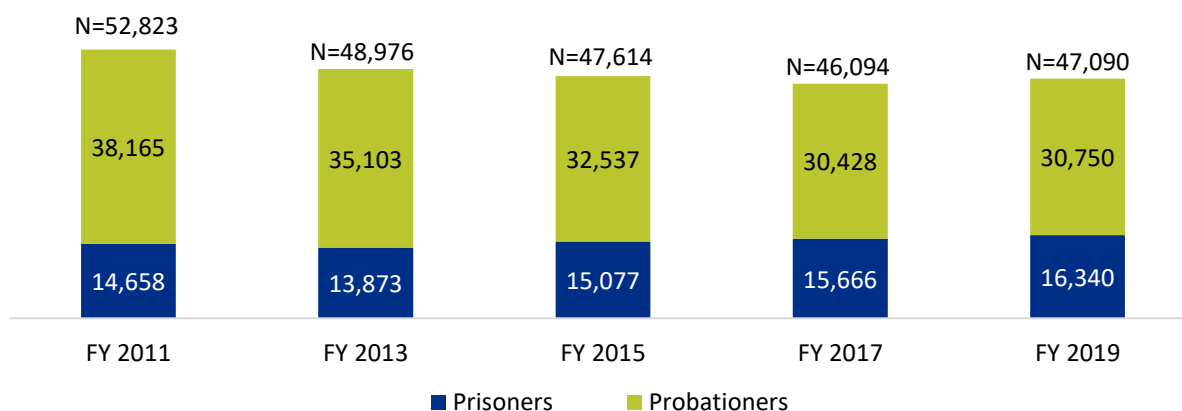
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2002 – FY 2019 Correctional Program Evaluation Data

Following a methodological change to add probationers with a most serious Class 2 or 3 traffic offense to the sample, the overall sample size for the current study increased by 2% compared to the previous study. This reverses a trend of decreasing sample sizes since FY 2009 (consistent with other criminal justice indicators showing significant declines in arrests, convictions, and incarcerations both nationally and in North Carolina). However, it is worth noting that, but for the methodological change, the total number of offenders studied would have again decreased (by 3%).

Also of significance, is the changing internal composition of the sample in more recent studies (*see* Figure 7.2). Except for the current study (as discussed above) the number of probationers in the sample has generally declined (overall, down nearly 19% since FY 2011). This trend is driven primarily by decreases in the number of misdemeanants; misdemeanor convictions in North Carolina have

experienced significant declines for over a decade. Conversely, while the number of prisoners within the sample experienced initial declines due to JRA limits on incarceration for technical violations (-5% from FY 2011 to FY 2013), the number increased 4% in the current study, and 18% since FY 2013. This trend is driven primarily by revocations of PRS, which was expanded under the JRA. These changes offer important context for recidivism rates (discussed below).

Figure 7.2
Number of North Carolina Offenders by Sample Year



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

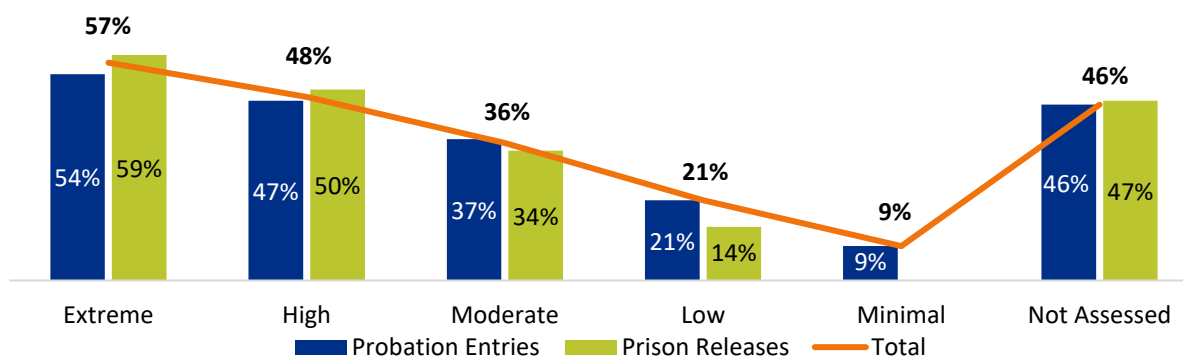
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2009 – FY 2019 Correctional Program Evaluation Data

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. When compared to probationers, prisoners in the sample had a higher percentage of males, younger offenders, high school drop outs, without employment, with a possible substance use problem, and prior arrests. Confirmed by multivariate analysis in this report, these factors (i.e., sex, age, education, unemployment, substance use, criminal history) have also been repeatedly found to be associated with higher rates of recidivism. Given the difference in sample characteristics in these key measures, it is not surprising that prisoners tended to fare worse during follow-up compared to probationers. Also critical to understanding recidivism outcomes for both groups, both separately and comparatively, is information on assessed risk.

Available for the first time following implementation of the JRA and a new RNA process is risk and need information for most prisoners. This allows for 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. Compared to probationers, a much higher percentage of prisoners were assessed as either extreme (35% compared to 10%) or high risk (31% compared to 18%). Most probationers were assessed as moderate or low risk (38% and 21% respectively) while those risk levels were demonstrably smaller for prisoners (16% and 2%). For both prisoners and probationers, as risk level decreased, so did recidivism. When comparing the two groups by risk level and recidivism (see Figure 7.3), prisoners had higher recidivist arrest rates compared to probationers in the extreme and high risk levels. Surprisingly, probationers had higher recidivist arrest rates compared to prisoners in the moderate and low risk levels; however, this could be due to the substantial differences in distribution with only 252 prisoners assessed as low risk. Notably, while the overall difference between the recidivist arrest rate for prisoners and probationers was 12 percentage points (49% for prisoners and 37% for probationers), the rates

between groups were much closer (with differences ranging between 3 and 7 percentage points) when examined by risk level. This study offered the first comparison in recidivism between probationers and prisoners by risk level following the implementation of the JRA; future studies will inform whether these patterns continue and if so, what policy implications emerge as a result.

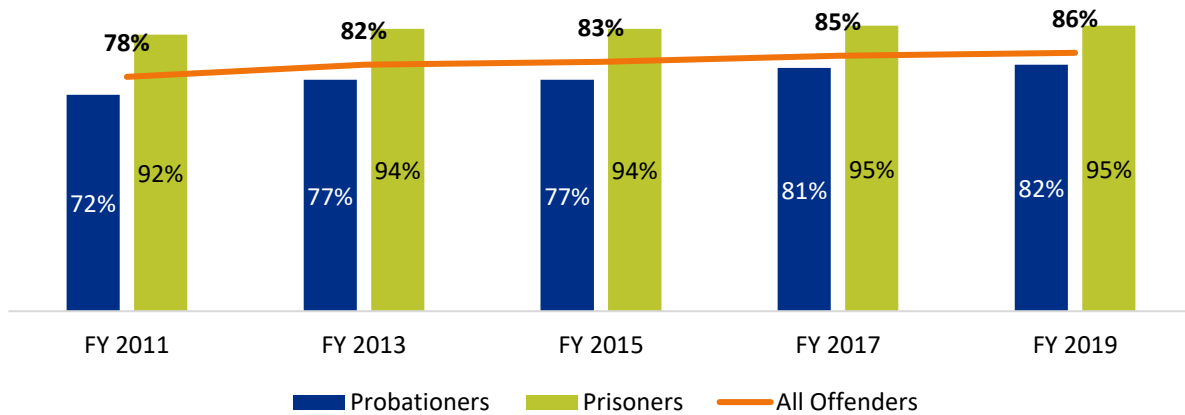
Figure 7.3
Recidivist Arrest Rates by Risk Level



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 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 2019 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). Also noteworthy is the increasing percentage of the sample studied who had at least one (any) prior arrest. As shown in Figure 7.4, the percentage of offenders with any prior arrest has increased from 78% in FY 2011 to 86% in the current study. This increase is driven primarily by probationers, who experienced a 10 percentage-point increase during that time period; in contrast, prison releases with any prior arrest have increased only 3 percentage points. In demonstration of the strong association between prior and recidivist arrests, when examining recidivist arrest rates by number of prior arrests, there is virtually no difference between prisoners and probationers (see Figure 2.14, Chapter Two). This suggests that the extent of prior criminal history outweighs the current punishment type (i.e., probation or incarceration) in the context of future criminality.

Figure 7.4
Percentage of North Carolina Offenders with Any Prior Arrest by Sample Year



Note: The prison sample for each of these studies was limited to prisoners with a felony conviction.
 SOURCE: NC Sentencing and Policy Advisory Commission, FY 2009 – FY 2019 Correctional Program Evaluation Data

Of importance to policymakers 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 the first recidivist arrest for the current sample was 8 months. For those offenders with any recidivist arrest, 73% occurred within the first 12 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.

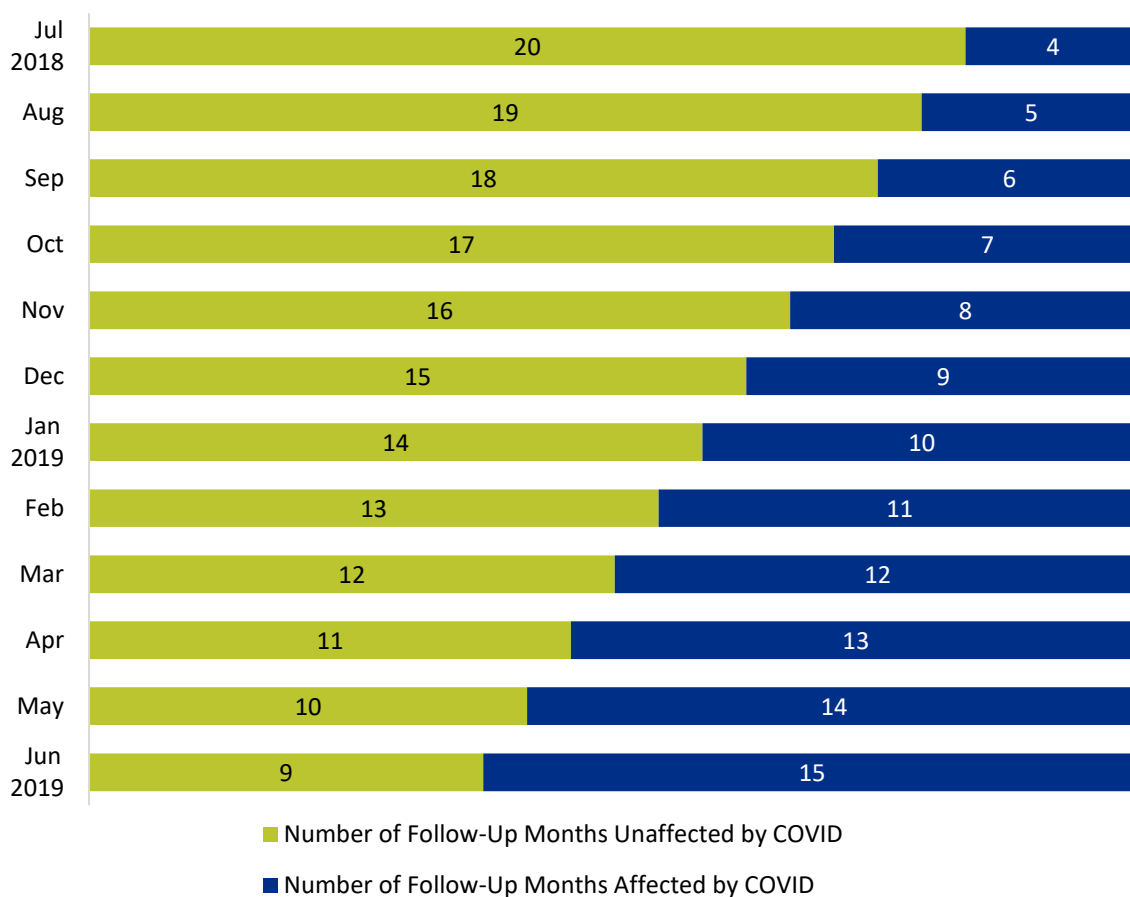
As noted in the series of Sentencing Commission recidivism studies, the lack of available statewide jail data is a significant limitation. Consequently, the recidivist incarceration measure is incomplete as it only accounts for incarcerations in the state prison system. In addition, an offender’s true time at risk (or window of opportunity to recidivate) during the two-year follow-up period cannot be accurately measured, as time in jail cannot be accounted for. 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.

Possible Effects of the COVID-19 Pandemic on Recidivism

The potential effect of the COVID-19 pandemic on recidivism rates for the FY 2019 sample was introduced in Chapter One. The pandemic had significant effects on the criminal justice system and processes, including (but not limited to) changes to court operations (reduced court sessions), community corrections practices (increased use of virtual options), and prison release policies (changes to sentence reduction credits). While the pandemic was not a factor for sample entry (FY 2019), it affected the follow-up period. The individually-calculated two-year fixed follow-up period (24 months) ranged from July 1, 2018 to June 30, 2021, with the pandemic beginning in March 2020. The number of follow-up months affected by the pandemic varied based on when the offender entered the sample as either a probation entry or a prison release, ranging from an impact of 4 months to 15 months (as

shown in Figure 7.5).¹¹⁰ These differences in the number of months of follow-up affected by the pandemic prompted further examination to explore the impact of the pandemic on criminal justice outcomes for the FY 2019 sample.

Figure 7.5
Impact of the COVID-19 Pandemic on the Two-Year Follow-Up Period by Sample Entry Month



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

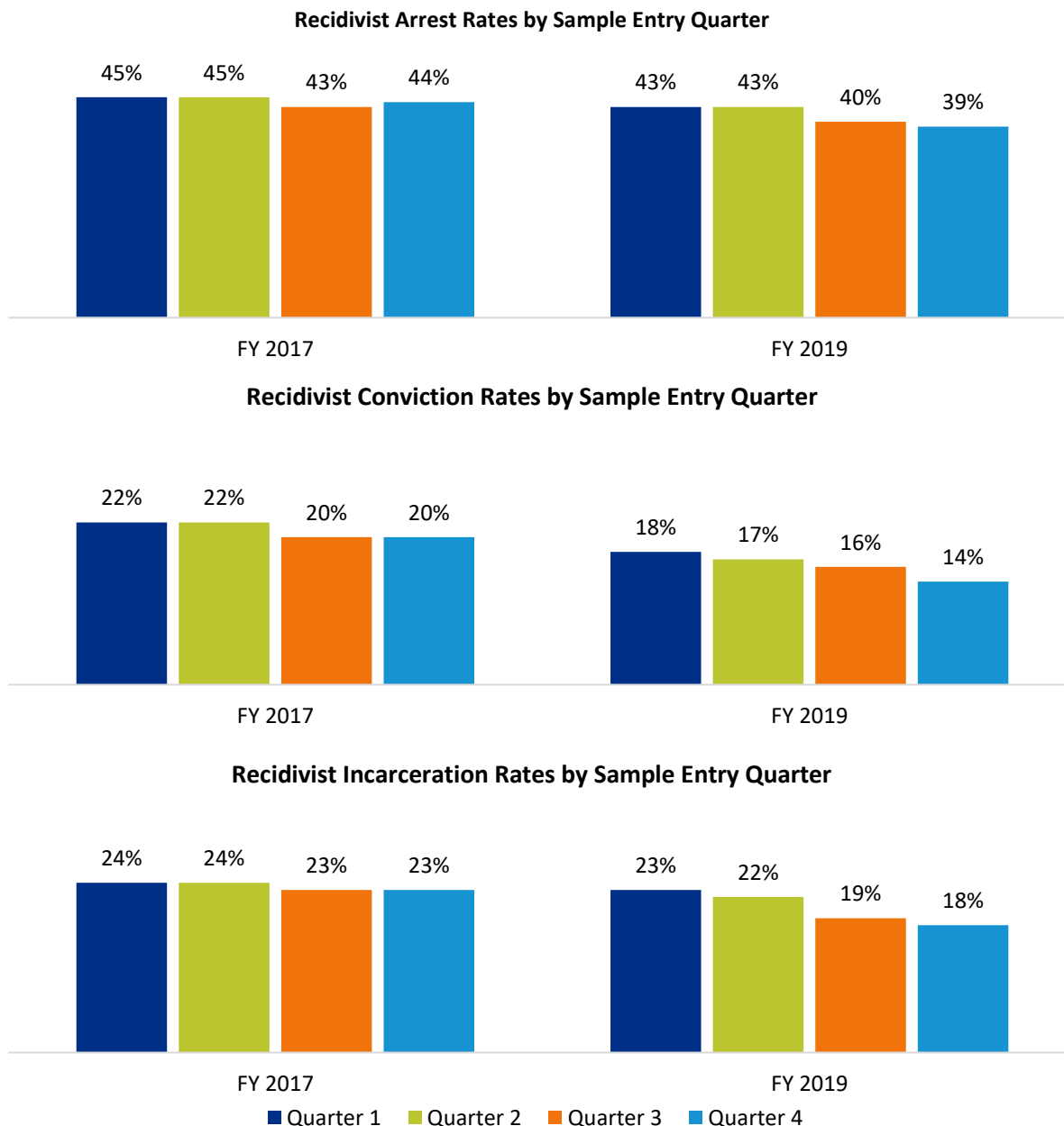
Recidivism rates for the previous (FY 2017) and current (FY 2019) samples were compared to examine the impact of the pandemic on offender outcomes. Noticeable reductions in all three measures of recidivism for the current sample were observed when compared to the FY 2017 sample (see Figure 7.6). All measures were lower for the FY 2019 sample when compared to the FY 2017 sample – 41% compared to 44% for recidivist arrests, 16% compared to 21% for recidivist convictions, 21% compared to 23% for recidivist incarcerations, respectively. To further examine these differences, recidivism rates for the FY 2017 and FY 2019 samples were compared based on the quarter in which they entered their respective sample (see Figure 7.6).¹¹¹ Regardless of the measure, recidivism rates were mostly stable

¹¹⁰ The two-year follow-up period was from July 1, 2018 to June 30, 2020 for an offender who entered the sample on July 1, 2018; the follow-up period was from June 30, 2019 to June 29, 2021 for an offender who entered the sample on June 30, 2019.

¹¹¹ For FY 2017, the quarters are defined as follows: quarter 1 covers July to September 2016, quarter 2 covers October to December 2016, quarter 3 covers January to March 2017, and quarter 4 covers April to June 2017. For FY 2019, the quarters are

across quarters for the FY 2017 sample, whereas there was a downward trend in rates across quarters for the FY 2019 sample. Notably, the recidivism rates for quarter 4 entries from the FY 2017 sample and quarter 1 entries from the FY 2019 sample were similar.

Figure 7.6
Possible Effects of the COVID-19 Pandemic on Criminal Justice Outcomes: Two-Year Follow-Up



Note: For the FY 2019 sample, the number of months of the two-year follow-up period affected by the COVID-19 pandemic ranged from 4 months to 15 months depending on when the offender entered the sample as a probation entry or prison release.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2017 – FY 2019 Correctional Program Evaluation Data

defined as follows: quarter 1 covers July to September 2018, quarter 2 covers October to December 2018, quarter 3 covers January to March 2019, and quarter 4 covers April to June 2019.

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). As the JRA has been in effect for over a decade, multiple Sentencing Commission studies of offenders (particularly probationers) sentenced and supervised under its policies provide an opportunity to inform policymakers as to whether its intent to achieve improved long-term outcomes is being realized.¹¹² As discussed below, some strategies and sanctions were associated with slightly improved outcomes (e.g., CRV), while others (e.g., PRS) may be contributing to repeat involvement with the system.

Probationers

The Sentencing Commission's series of reports have highlighted the use and utility of offender risk assessments in predicting future reoffending and informing the targeting of correctional resources. In considering offender outcomes over time, it is also important to consider how risk and supervision level distributions may have changed. Figure 7.7 shows the trends for risk and supervision levels for the past four samples, all samples assessed and supervised based on the RNA process used following the implementation of the JRA. Strikingly, the distributions of both risk and supervision levels for probationers have been changing over time. While offenders assessed as moderate risk have continually represented the largest (and the most consistent percentage of the samples), notable shifts have occurred at the upper and lower ends of the scale. An increasing percentage of probationers have been assessed in the extreme and high levels, while a decreasing percentage have been assessed in the low and minimal levels. Correspondingly, an increasing percentage of probationers are being placed in the most restrictive supervision levels (Levels 1 and 2), while a decreasing percentage are assigned to the least restrictive levels (Levels 4 and 5).

¹¹² For more information, see the Sentencing Commission's Justice Reinvestment Implementation Evaluation Reports, 2012 through 2022, at <https://www.nccourts.gov/documents/publications/jra-implementation-evaluation-report>.

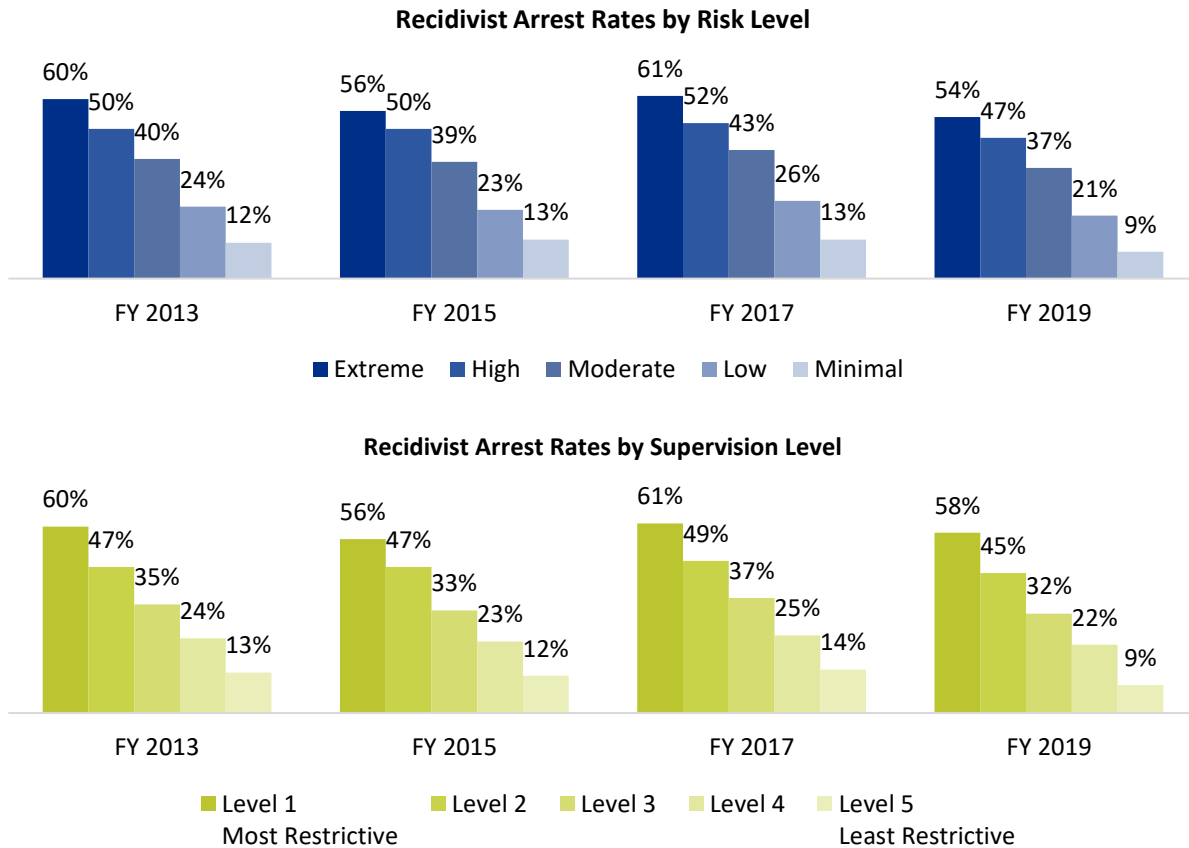
Risk and Supervision Level Distributions: FY 2013 – FY 2019



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 – FY 2019 Correctional Program Evaluation Data

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Figure 7.8
Recidivist Arrests: Two-Year Follow-Up

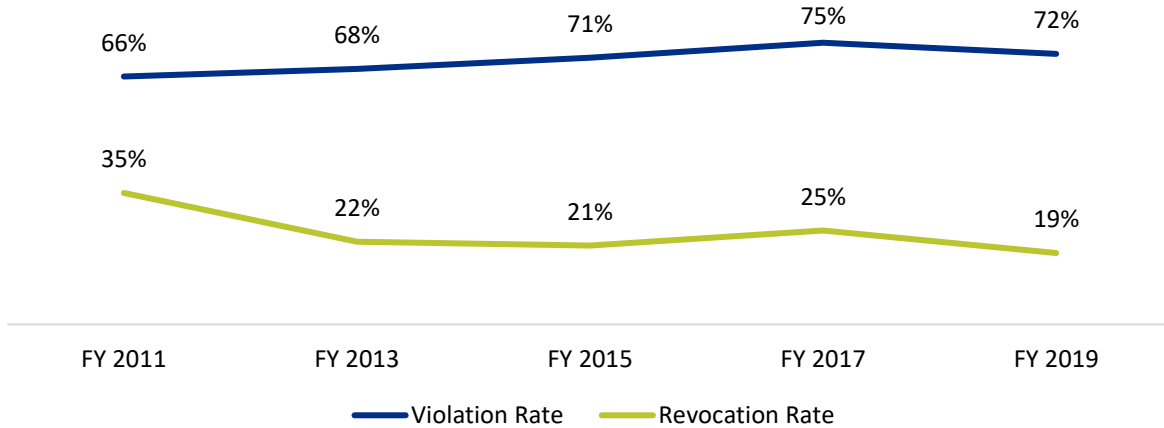


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 – FY 2019 Correctional Program Evaluation Data

A recurring theme in the recidivism studies, noted above, is 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. Findings reported for CRV offenders showed lower recidivist arrest and incarceration rates compared to similar felony probationers. The Sentencing Commission anticipates publishing a recidivism study with a sample of probation releases, which will offer 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.

Figure 7.9 provides a comparison of violation and revocation rates for probation entries for the past five recidivism studies. After increases from FY 2015 to FY 2017, both violation and revocation rates decreased for the FY 2019 study, likely due to the impact of the pandemic on court and correctional operations.

Figure 7.9
Violation and Revocation Rates for North Carolina Probationers: Two-Year Follow-Up



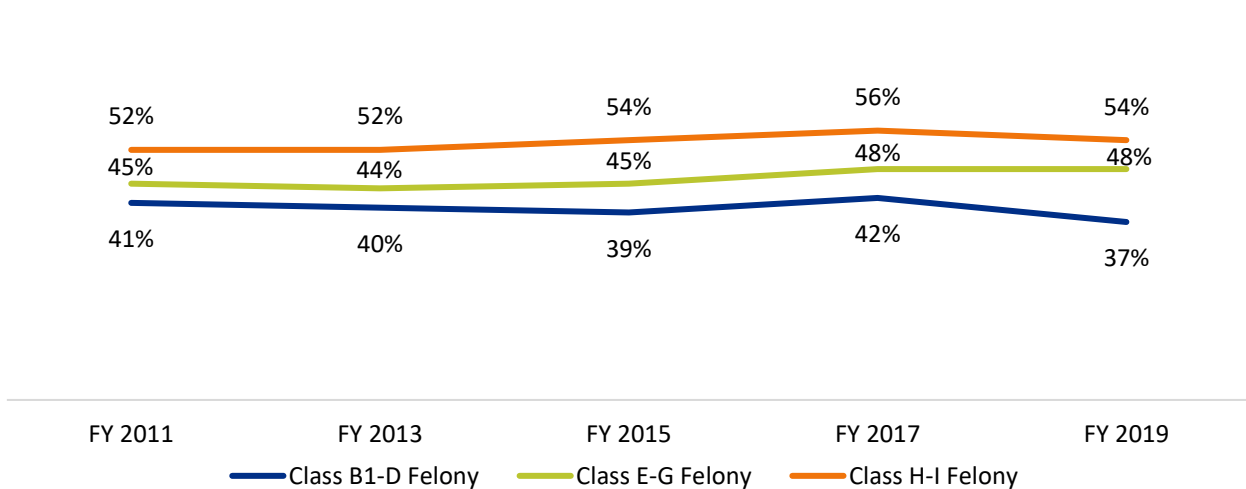
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2009 – FY 2019 Correctional Program Evaluation Data

Prisoners

In the current sample, most prisoners were subject to the provisions of the JRA, with 89% exiting prison onto PRS. Overall, nearly two-thirds of prisoners with PRS exited with a satisfactory termination of their supervision. Most of the remainder exited due to revocation, with absconding as the most frequent reason for revocation. This study provided the first complete look at the RNA profile of prisoners, which indicated the need for a validation of the assessment tool for the population released from prison.

Figure 7.10 shows the recidivist arrest rate for prisoners by offense class grouping. Class H – I felons had the highest recidivism rates in FY 2019 and have consistently had the highest rates compared to the other two groups over time.

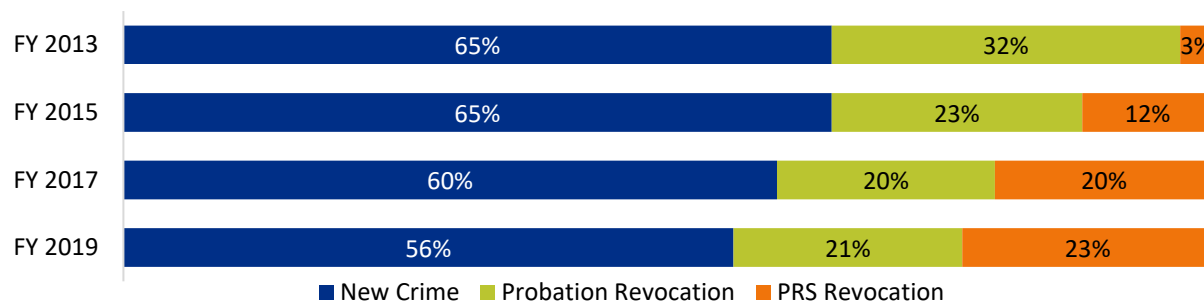
Figure 7.10
Recidivist Arrest Rates for North Carolina Prisoners by Offense Class: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2009 – FY 2019 Correctional Program Evaluation Data

As a result of the expansion of PRS under the JRA, the distribution of type of entry (i.e., new crime, revocation of probation or PRS) for prisoners has changed substantially (see Figure 7.11). Overall, the majority entered prison as a result of new crime; however, recidivism rates were highest for prisoners who entered due to a PRS revocation (61%). 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.

Figure 7.11
Type of Prison Entry: FY 2013 – FY 2019

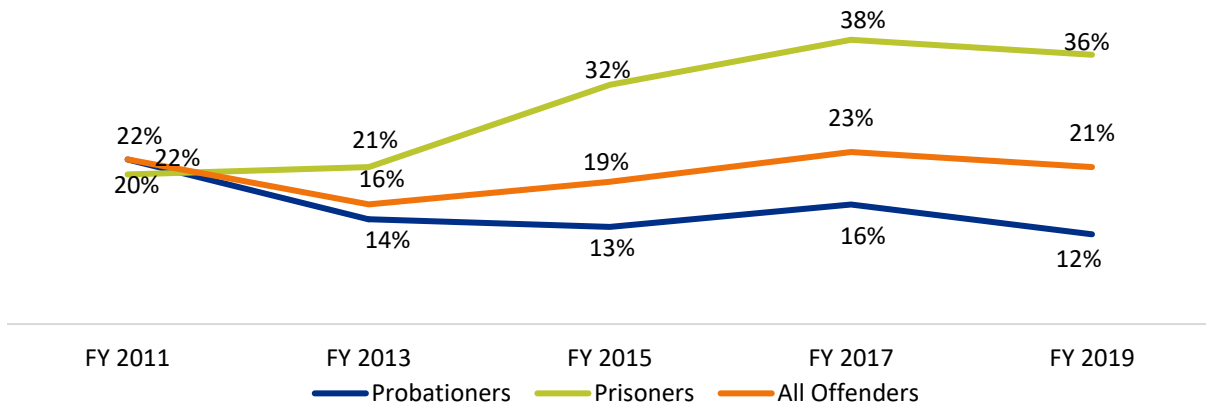


SOURCE: NC Sentencing and Policy Advisory Commission, FY 2013 – FY 2019 Correctional Program Evaluation Data

As mentioned previously, ideally, prisoners 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. Notably, the percentage of Class B1 – D prisoners classified as minimum custody at release has increased over the past few samples, from 48% for the FY 2015 sample to 56% for the current sample. As might be expected, prisoners who were classified as close custody at release had the highest recidivism rates (regardless of offense class). As part of the expansion of JRA initiatives, the DPS is remissioning its prisons to ensure proper utilization of prison beds and to focus on specific functions (e.g., medical) at different facilities. The planned remissioning of several prisons to specialized reentry facilities will allow for examination in future studies 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, as well as the effect on criminal justice outcomes.

Initially, the JRA contributed to a decline in the recidivist incarceration rate in North Carolina. Figure 7.12 shows the recidivist incarceration rates for probation entries, prison releases, and all offenders for the past five recidivism studies. The overall recidivist incarceration rate has increased from 16% in FY 2013 to 21% in FY 2019. After large increases in FY 2017, the recidivist incarceration rate decreased considerably for probationers (likely the result of the pandemic), but only moderately for prisoners. The difference between groups is likely due in part to the fact that revocations of PRS occur outside of court; considerations by the Post-Release Supervision and Parole Commission continued virtually throughout the pandemic. Notwithstanding recent decreases, the overall trend of recidivist incarcerations is upward. Consideration should be given to the effectiveness of options available to respond to PRS noncompliance, short of return to prison (e.g., delegated authority, which is available for probationers but not post-release supervisees).

Figure 7.12
Recidivist Incarceration Rates for North Carolina Offenders: Two-Year Follow-Up



Note: The prison samples for each of these studies was limited to prisoners with a felony conviction.
 SOURCE: NC Sentencing and Policy Advisory Commission, FY 2009 – FY 2019 Correctional Program Evaluation Data

The FY 2019 prison release sample is the first sample for which most prisoners had an RNA available. As shown in Chapter Five, the differences in recidivism rates between offense class groupings were minimized slightly for prisoners assessed as extreme or high risk but not as much for the other levels and, in some instances, the differences between groups were more pronounced. Multivariate analyses confirmed that risk and need levels were not significant predictors of recidivism for prisoners. Taken together, these findings point to the potential need to validate the assessment tool on the population exiting prison.

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 limited time and 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 the Commission's studies of recidivism and from the empirically measurable effects of the JRA in an effort to evaluate approaches 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
2018	205,295	-5	99,155	1	48	106,140	-10	52
2019	200,266	-2	99,455	0	50	100,811	-5	50

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. Traffic/Infraction-Only Arrests are excluded.

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. CRV offenders age was calculated at the time of their release after having served a CRV.

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. 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.

Controlling Violation: A type of technical violation of probation that includes failures to comply with conditions designed to control offender behavior. Examples include failure to comply with conditions to remain in a county or state, quick dip confinement, or not associate with certain people or groups.

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, 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 G 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 was 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.

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. Probationers who received a CRV disposition and are not eligible for a CRV center (e.g., for medical or mental health reasons) serve their CRV in a prison facility.

CRV Offender: An offender with a felony conviction who was released from a CRV center or a state prison facility having served a CRV imposed for a technical violation of probation. CRV offenders were a separate sample from the adult recidivism sample comprised of probation entries and prison releases. A

subset of probation entries (felons with a technical violation) was used as a comparison group to CRV offenders.

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.

Employment: Employment information for offenders in the sample including wages, industry codes, and quarters employed were obtained from the North Carolina Department of Commerce, Division of Employment Security’s (DES) data management system. These data provide a record of formal employment for jobs covered by North Carolina’s state unemployment insurance (UI) program and, therefore, may not include earnings from informal employment, self-employment, federal government employment, out-of-state employment, and other non-covered work. The study examined employment at two different periods of time. These data differ from the “employment” need which is identified through the RNA administered by the DPS.

- **Prior Employment:** A dichotomous measure identifying whether the offender was paid by an employer at least once in the two years (8 quarters) prior to the sentence date for the conviction that put the offender in the sample.
- **Employment Outcome:** A dichotomous measure identifying whether the offender was paid by an employer at least once during the two-year follow-up period (8 quarters).

Employment Industry: The North Carolina Department of Commerce, Division of Employment Security's (DES) employment data included the North American Industry Classification System (NAICS) sector code for wages reported to the DES. Sector codes for manufacturing, retail trade, and transportation and warehousing were combined for analysis, resulting in 25 sectors (including "unknown") being consolidated into 21 industries (including "unknown"). The study examined employment industries at two different periods of time.

- **Prior Employment Industry:** Identified as the industry connected to the wages earned by offenders in the last full quarter in which they were paid within two years prior to their sentencing. This industry may or may not have come from a quarter immediately prior to sentencing. When offenders were paid in more than one industry in this last quarter, the industry with the higher wages earned was selected.
- **Employment Outcome Industry:** Identified as the industry connected to the wages earned by offenders in the first full quarter in which they were paid during the two-year follow-up. This industry may or may not have come from the first quarter of the two-year follow-up. When offenders were paid in more than one industry in this first quarter, the industry with the higher wages earned was selected.

Felony Probationer: A subset of probation entries who were selected as the comparison group for CRV offenders released from a CRV center or a prison facility. The comparison group of probation entries was restricted to those offenders with a most serious conviction of a Class E through Class I felony and who committed at least one technical violation during the two-year follow-up period.

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. For CRV offenders, the follow-up period was calculated using the CRV release date plus two years. 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 rates reported for each follow-up period cannot be added together across follow-up periods.

Gender: A male or female designation.

Graduated Sanctions: Used by the probation officer in response to offender noncompliance 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 noncompliance 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 use 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 19, 2022.

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, additional probation conditions, modified probation conditions, and continued probation (referred to collectively as “nonconfinement responses”), as well as quick dips, CRVs, and revocations (referred to collectively as “confinement responses”). 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 interim outcome rates reported for each follow-up period cannot be added together across follow-up periods.

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 several events tracked during the two-year follow-up (e.g., first recidivist arrest, incarceration, quick dip, revocation, 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 use, and self-control) and is used in combination with the OTI-R to determine supervision level, program placement, and other interventions for probationers and offenders on PRS. The assessment divides the offenders into five need levels: extreme, high, moderate, low, and minimal. Beginning in 2017, the DPS began administering its need assessment to prisoners.

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 an 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 validated on the probation population and fully implemented by the spring of 2012. Beginning in 2017, the DPS began administering the OTI-R to prisoners.

Offender Type: SSA offenders who were either placed on supervised probation or were released from prison during the sample year. If an offender in the sample was both released from prison and placed on probation, 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, abandonment or nonsupport of a child, and minor traffic offenses. 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 the sample year. If the offender had more than one event (i.e., probation entry or prison release), the first event was selected. Also referred to as “prisoners.”

Probation Entries: Offenders placed on supervised probation during the sample year. If the offender had more than one event (i.e., probation entry or prison release), 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.

Quarterly Wages Earned: Based on DES data, reported as both average and median wages during two specific periods of time – prior and follow-up. Prior quarterly wages represent the wages earned within the two years (8 quarters) prior to sentencing. Quarterly wages during follow-up represent the wages earned during the two-year follow-up (8 quarters).

Quarters Worked: Based on DES data, reported as both average and median quarters worked during two specific periods of time – prior and follow-up. The prior number of quarters worked represents the number of quarters in which offenders were paid within the two years (8 quarters) prior to sentencing. The follow-up number of quarters worked represents the number of quarters worked in which offenders were paid during the two-year follow-up (8 quarters).

Quick Dip: An immediate response to offender noncompliance in which probationers are confined for either two- or three-day periods (no more than six days per month) in a local jail. Quick dips may be imposed through either delegated authority or through the court. Court-ordered and delegated authority quick dips were combined for analysis purposes, as were two- and three-day quick dips.

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. 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.

Reintegrative Violation: A type of technical violation of probation that includes failures to comply with conditions designed to encourage offender reintegration into the community. Examples include failure to comply with conditions to participate in community programming (e.g., drug treatment court, AA/NA meetings), obtain/retain employment, or pay child support.

Responses to Noncompliance: The JRA changed possible responses to noncompliance 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, additional probation conditions, modified probation conditions, continued probation, quick dips, CRVs, and revocations.

Restrictive Housing: Restrictive housing is a housing assignment that removes certain inmates from the general prison population to confinement in a secure area either for administrative or control purposes, with the primary purposes being to control offenders who are disruptive or who threaten the safety of staff or other inmates. Restrictive housing for administrative purposes is a temporary housing assignment, while restrictive housing for control purposes is a long-term housing assignment; both require 22 or more hours per day in a single cell. In this report, the two types of restrictive housing were combined for analysis.

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 and prisoners released onto PRS. These assessments (or RNA) are administered within the first 60 days of supervision. Beginning in 2017, the DPS began administering its RNA to prisoners.

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. However, the DPS began administering the OTI-R to prisoners in 2017.

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 the sample year. If an offender had both a probation entry and a prison release, the first event was selected. Offenders with a most serious conviction for Driving While Impaired (DWI) 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: A dichotomous measure indicting whether the offender had a possible substance use problem as captured through the RNA as an area of need for the offender. These measures do not assess alcohol/substance use or addiction. The RNA is usually administered within 60 days upon entry to probation or PRS; the DPS began administering the RNA to prisoners in 2017.

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.

Terminal CRV: When an offender is ordered to serve a confinement in response to violation (CRV) which is equal to the amount of time left in the offender’s suspended term of imprisonment, the CRV is referred to as a “terminal CRV” and the offender is discharged from probation following the completion of the CRV.

Therapeutic Diversion Unit (TDU): A designated and secured housing unit staffed by behavioral health, nursing, custody, and additional ancillary staff that is designed to decrease the population of offenders

with mental illness in restrictive housing and to prepare offenders for successful transitions to less restrictive environments within the prison system and the community at large.

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 was 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.

For analysis purposes, probationers were allowed to 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 could have had multiple violations during the follow-up period. However, only one instance of a violation type per day was counted (e.g., multiple technical violations handled on the same day counted as one technical violation).

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 2019 SAMPLE PROFILES

Table C.1
Profile of the FY 2019 Sample

		All Offenders N=47,090	Male n=36,638	Female n=10,452	Youthful Under 21 n=4,014	Aging 50 and Up n=5,195
Personal Characteristics						
Male	%	78	n/a	n/a	85	81
Race						
White	%	51	46	65	32	52
Black	%	44	48	30	59	45
Other/Unknown	%	6	6	5	9	3
Age at Probation Entry or Prison Release	Avg.	35	35	35	19	57
Married	%	12	12	13	1	20
High School Dropout/GED	%	58	60	49	71	50
Prior Employment	%	56	56	56	49	38
Substance Use Indicated	%	76	76	75	70	70
Prior Criminal Justice Contacts						
Prior Arrest	%	86	88	81	70	85
Prior Probation Entry	%	69	72	60	32	73
Prior Probation/PRS Revocation	%	43	46	30	9	50
Prior Incarceration	%	37	42	20	4	54
Most Serious Current Offense						
Offense Class						
Class B1 – D Felony	%	5	6	1	6	5
Class E – G Felony	%	19	21	11	19	18
Class H – I Felony	%	38	39	37	32	35
Class A1 – 3 Misdemeanor	%	38	34	51	43	42
Offense Type						
Person	%	21	24	13	31	22
Property	%	35	32	44	45	31
Drug	%	26	24	29	12	24
Other	%	18	20	14	12	23
Criminal Justice Outcomes: Two-Year Follow-Up						
Recidivist Arrest	%	41	44	33	52	24
Months to First	Avg.	8	8	8	8	8
Recidivist Conviction	%	16	17	12	23	10
Months to First	Avg.	12	12	12	12	11
Recidivist Incarceration	%	21	22	14	23	13
Months to First	Avg.	8	8	8	8	8

continued

Table C.1
Profile of the FY 2019 Sample
Recidivist Arrest Rates: Two-Year Follow-Up

		All Offenders N=47,090	Male n=36,638	Female n=10,452	Youthful Under 21 n=4,014	Aging 50 and Up n=5,195
By Personal Characteristics						
Gender						
Female	%	33	n/a	n/a	32	16
Male	%	44	n/a	n/a	56	26
Race						
White	%	40	42	36	38	22
Black	%	44	46	28	61	27
Other/Unknown	%	34	36	23	45	16
Marital Status						
Married	%	32	33	29	51	17
Not Married	%	43	45	33	52	26
Education						
High School Graduate	%	34	37	28	41	22
High School Dropout/GED	%	46	49	37	57	26
Prior Employment						
Employed	%	40	43	31	49	24
Unemployed	%	43	45	35	56	24
Substance Use						
None Indicated	%	32	36	18	47	16
Substance Use Indicated	%	43	46	36	54	26
By Prior Criminal Justice Contact						
Prior Arrest						
None	%	20	21	17	31	7
1 or More	%	45	47	37	61	27
By Most Serious Current Offense						
Offense Class						
Class B1 – D Felony	%	37	39	11	49	25
Class E – G Felony	%	42	44	30	64	20
Class H – I Felony	%	47	50	39	61	29
Class A1 – 3 Misdemeanor	%	35	38	29	41	22
Offense Type						
Person	%	39	41	27	51	20
Property	%	46	50	33	55	30
Drug	%	41	42	37	49	23
Other	%	37	40	25	48	21

Note: Most offenders with a Class B1 – D felony as their most serious offense are prisoners (only 46 are probationers), while all Class A1 – 3 misdemeanants are probationers.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Table C.2.1
Profile of the FY 2019 Probation Entries

		Probationers N=30,750	Male n=22,428	Female n=8,322	Youthful Under 21 n=2,897	Aging 50 and Up n=3,609
Personal Characteristics						
Male	%	73	n/a	n/a	82	77
Race						
White	%	53	49	63	36	56
Black	%	42	45	32	54	41
Other/Unknown	%	5	6	5	10	3
Age at Probation Entry	Avg.	32	34	35	19	57
Married	%	13	13	13	1	23
High School Dropout/GED	%	52	53	47	65	46
Prior Employment	%	61	62	60	55	39
Substance Use Indicated	%	75	76	72	70	68
Prior Criminal Justice Contacts						
Prior Arrest	%	82	83	77	63	82
Prior Probation Entry	%	59	62	53	17	68
Prior Probation/PRS Revocation	%	34	37	25	6	42
Prior Incarceration	%	28	32	17	1	45
Most Serious Current Offense						
Offense Class						
Class B1 – D Felony	%	<1	<1	<1	<1	<1
Class E – G Felony	%	11	12	8	14	11
Class H – I Felony	%	31	32	28	27	28
Class A1 – 3 Misdemeanor	%	58	56	64	59	61
Offense Type						
Person	%	20	23	13	26	23
Property	%	35	32	44	47	31
Drug	%	27	26	27	14	25
Other	%	18	19	16	13	21
Criminal Justice Outcomes: Two-Year Follow-Up						
Recidivist Arrest	%	37	40	31	47	21
Months to First	Avg.	6	8	8	8	7
Recidivist Conviction	%	14	15	12	20	8
Months to First	Avg.	11	12	12	12	10
Recidivist Incarceration	%	13	14	9	13	8
Months to First	Avg.	9	10	10	11	10

continued

Table C.2.1
Profile of the FY 2019 Probation Entries
Recidivist Arrest Rates: Two-Year Follow-Up

		Probationers N=30,750	Male n=22,428	Female n=8,322	Youthful Under 21 n=2,897	Aging 50 and Up n=3,609
By Personal Characteristics						
Gender						
Female	%	31	n/a	n/a	31	16
Male	%	39	n/a	n/a	50	23
Race						
White	%	37	38	34	34	20
Black	%	38	42	26	56	23
Other/Unknown	%	29	32	20	40	13
Marital Status						
Married	%	28	29	27	47	16
Not Married	%	38	41	31	47	23
Education						
High School Graduate	%	32	34	27	38	20
High School Dropout/GED	%	42	44	35	51	23
Prior Employment						
Employed	%	37	39	30	44	22
Unemployed	%	38	40	33	50	21
Substance Use						
None Indicated	%	27	31	17	40	12
Substance Use Indicated	%	39	41	35	49	24
By Prior Criminal Justice Contact						
Prior Arrest						
None	%	20	21	17	30	7
1 or More	%	41	43	35	56	24
By Most Serious Current Offense						
Offense Class						
Class B1 – D Felony	%	22	30	--	--	--
Class E – G Felony	%	34	36	27	56	13
Class H – I Felony	%	42	44	36	54	22
Class A1 – 3 Misdemeanor	%	35	38	29	41	22
Offense Type						
Person	%	36	38	26	44	20
Property	%	41	46	31	50	25
Drug	%	39	39	37	47	23
Other	%	30	31	24	39	16

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Table C.2.2
Supervision Profile of the FY 2019 Probation Entries

		Probationers N=30,750	Male n=22,428	Female n=8,322	Youthful Under 21 n=2,897	Aging 50 and Up n=3,609
Supervision Profile						
Risk Level						
Not Assessed	%	10	11	9	8	11
Extreme Risk	%	10	12	3	5	6
High Risk	%	18	20	12	14	13
Moderate Risk	%	38	38	38	56	30
Low Risk	%	21	18	30	16	30
Minimal Risk	%	3	1	8	1	10
Need Level						
Not Assessed	%	10	11	9	8	11
Extreme Need	%	23	21	27	35	13
High Need	%	17	19	11	19	16
Moderate Need	%	33	32	37	28	38
Low Need	%	14	15	13	9	19
Minimal Need	%	3	2	3	1	3
Supervision Level						
Not Established	%	11	11	9	8	11
Level 1 (Most Restrictive)	%	10	12	6	10	5
Level 2	%	27	29	22	30	20
Level 3	%	32	30	35	39	33
Level 4	%	18	16	24	13	26
Level 5 (Least Restrictive)	%	2	2	4	<1	5
High Risk Delegated Authority	%	12	14	6	10	7
Interim Outcomes: Two-Year Follow-Up						
Violation	%	72	72	73	75	60
Months to First	Avg.	6	6	6	6	7
Types of Violations						
Absconding	%	17	17	18	14	11
Months to First	Avg.	6	6	5	6	5
New Crime	%	27	28	24	33	16
Months to First	Avg.	8	8	8	8	7
Technical	%	70	70	71	73	58
Months to First	Avg.	7	7	6	6	7
Nonconfinement Responses to Violation						
Delegated Authority	%	8	8	8	14	6
Months to First	Avg.	5	6	5	6	4

continued

Table C.2.2
Supervision Profile of the FY 2019 Probation Entries
Recidivist Arrest Rates: Two-Year Follow-Up

		Probationers N=30,750	Male n=22,428	Female n=8,322	Youthful Under 21 n=2,897	Aging 50 and Up n=3,609
Interim Outcomes: Two-Year Follow-Up (continued)						
Additional Conditions	%	8	8	8	9	6
Months to First	Avg.	9	9	9	8	9
Modified Conditions	%	10	10	10	11	8
Months to First	Avg.	10	10	10	9	10
Continued Probation	%	9	8	10	9	7
Months to First	Avg.	11	11	11	10	11
Confinement Responses to Violation						
Quick Dip	%	9	9	9	11	6
Months to First	Avg.	6	6	6	6	5
CRV (Felons Only)	%	9	9	9	11	6
Months to First	Avg.	10	10	10	9	10
Revocation	%	19	20	17	20	12
Months to First	Avg.	9	9	9	10	9
Recidivist Arrest Rates by Supervision Profile						
Risk Level						
Not Assessed	%	46	47	42	51	32
Extreme Risk	%	54	55	42	70	36
High Risk	%	47	47	46	63	29
Moderate Risk	%	37	38	36	46	23
Low Risk	%	21	22	20	27	14
Minimal Risk	%	9	9	10	17	5
Need Level						
Not Assessed	%	46	47	42	51	32
Extreme Need	%	46	49	39	54	28
High Need	%	40	42	30	45	26
Moderate Need	%	33	35	28	42	19
Low Need	%	27	30	20	36	12
Minimal Need	%	17	19	11	16	7
Supervision Level						
Not Established	%	46	47	42	51	32
Level 1 (Most Restrictive)	%	58	59	51	71	41
Level 2	%	45	46	43	55	29
Level 3	%	32	33	28	40	20
Level 4	%	22	23	18	30	12
Level 5 (Least Restrictive)	%	9	11	8	13	4
High Risk Delegated Authority	%	53	53	51	67	34

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Table C.3.1
Profile of the FY 2019 Prison Releases

		Prisoners N=16,340	Male n=14,210	Female n=2,130	Youthful Under 21 n=1,117	Aging 50 and Up n=1,586
Personal Characteristics						
Male	%	87	n/a	n/a	95	91
Race						
White	%	47	43	74	20	42
Black	%	48	51	22	72	55
Other/Unknown	%	5	6	4	8	3
Age at Prison Release	Avg.	35	36	35	21	57
Married	%	11	10	15	1	14
High School Dropout/GED	%	70	71	61	85	59
Prior Employment	%	47	47	42	35	35
Substance Use Indicated	%	77	75	87	68	73
Prior Criminal Justice Contacts						
Prior Arrest	%	95	95	94	90	94
Prior Probation Entry	%	88	87	91	69	86
Prior Probation/PRS Revocation	%	59	61	45	16	70
Prior Incarceration	%	56	59	35	12	77
Most Serious Current Offense						
Offense Class						
Class B1 – D Felony	%	14	15	6	21	14
Class E – G Felony	%	33	35	23	34	35
Class H – I Felony	%	53	50	71	45	51
Offense Type						
Person	%	22	24	12	43	20
Property	%	35	34	43	41	30
Drug	%	24	22	38	6	23
Other	%	19	21	7	10	26
Criminal Justice Outcomes: Two-Year Follow-Up						
Recidivist Arrest	%	49	51	39	67	31
Months to First	Avg.	9	9	9	8	9
Recidivist Conviction	%	20	21	15	29	13
Months to First	Avg.	12	12	13	12	12
Recidivist Incarceration	%	36	36	33	48	25
Months to First	Avg.	7	7	6	6	7

continued

Table C.3.1
Profile of the FY 2019 Prison Releases
Recidivist Arrest Rates: Two-Year Follow-Up

		Prisoners N=16,340	Male n=14,210	Female n=2,130	Youthful Under 21 n=1,117	Aging 50 and Up n=1,586
By Personal Characteristics						
Gender						
Female	%	39	n/a	n/a	45	18
Male	%	51	n/a	n/a	68	32
Race						
White	%	48	50	40	55	26
Black	%	52	53	38	71	35
Other/Unknown	%	42	43	35	60	22
Marital Status						
Married	%	41	42	37	60	23
Not Married	%	50	52	40	67	32
Education						
High School Graduate	%	42	44	34	60	28
High School Dropout/GED	%	53	54	42	68	33
Prior Employment						
Employed	%	50	51	38	67	31
Unemployed	%	49	50	40	67	31
Substance Use						
None Indicated	%	44	46	25	64	27
Substance Use Indicated	%	51	53	40	70	30
By Prior Criminal Justice Contact						
Prior Arrest						
None	%	20	21	14	41	8
1 or More	%	51	52	41	70	32
By Most Serious Current Offense						
Offense Class						
Class B1 – D Felony	%	37	39	12	49	25
Class E – G Felony	%	48	49	34	72	25
Class H – I Felony	%	54	56	43	71	37
Offense Type						
Person	%	44	45	30	63	20
Property	%	55	57	42	69	41
Drug	%	45	46	39	63	23
Other	%	51	52	42	79	33

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Table C.3.2
Incarceration Profile of the FY 2019 Prison Releases

		Prisoners N=16,340	Male n=14,210	Female n=2,130	Youthful Under 21 n=1,117	Aging 50 and Up n=1,586
Incarceration Profile						
Type of Prison Entry						
New Crime	%	56	58	39	62	69
Probation Revocation	%	21	19	39	19	12
PRS Revocation	%	23	23	22	19	19
Time Served						
12 Months or Less	%	63	62	76	60	57
13-24 Months	%	16	16	13	14	20
25 Months or More	%	21	22	11	26	23
Infractions						
1 or more	%	61	63	46	81	41
Total	Avg.	5	6	4	8	3
Class A	Avg.	3	3	2	4	2
Class B	Avg.	4	4	3	5	3
Class C	Avg.	3	3	2	3	2
Correctional Jobs/Programs						
Job Only	%	16	16	15	8	19
Program Only	%	13	12	16	24	10
Both Job and Program	%	59	60	54	56	59
No Job or Program	%	13	12	15	12	12
Custody Classification at Release						
Close	%	11	12	3	29	3
Medium	%	26	27	21	35	13
Minimum	%	63	61	76	36	84

continued

Table C.3.2
Incarceration Profile of the FY 2019 Prison Releases
Recidivist Arrest Rates: Two-Year Follow-Up

		Prisoners N=16,340	Male n=14,210	Female n=2,130	Youthful Under 21 n=1,117	Aging 50 and Up n=1,586
By Incarceration Profile						
Type of Prison Entry						
New Crime	%	46	47	36	65	26
Probation Revocation	%	47	50	36	65	27
PRS Revocation	%	61	63	50	75	51
Time Served						
12 Months or Less	%	53	55	43	73	36
13-24 Months	%	50	51	37	72	27
25 Months or More	%	38	39	18	52	21
Infractions						
None	%	42	43	36	63	27
1 or More	%	54	55	43	68	36
Correctional Jobs/Programs						
Job Only	%	50	50	43	65	33
Program Only	%	55	57	42	73	27
Both Job and Program	%	48	50	37	64	30
No Job or Program	%	49	52	38	73	32
Custody Classification at Release						
Close	%	65	66	58	75	31
Medium	%	55	56	46	69	34
Minimum	%	44	45	37	59	30

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

APPENDIX D

ADDITIONAL INFORMATION FOR THE
FY 2019 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	--	--	71	8	71	8
Class B2	--	--	239	21	239	21
Class C	--	--	986	40	1,004	40
Class D	28	21	967	41	995	41
Class E	627	33	1,385	48	2,012	43
Class F	1,062	29	1,691	41	2,753	36
Class G	1,667	38	2,321	52	3,988	46
Class H	5,521	42	6,406	55	11,927	49
Class I	3,925	41	2,274	50	6,199	44
Subtotal	12,848	40	16,340	49	29,188	45
Misdemeanors						
Class A1	3,344	37	--	--	3,344	37
Class 1	10,934	36	--	--	10,934	36
Class 2	2,176	33	--	--	2,176	33
Class 3	1,448	29	--	--	1,448	29
Subtotal	17,902	35	--	--	17,902	35
Total	30,750	37	16,340	49	47,090	41

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 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	--	--	71	4	71	4
Class B2	--	--	239	7	239	7
Class C	--	--	986	15	1,004	15
Class D	28	4	967	14	995	14
Class E	627	9	1,385	18	2,012	15
Class F	1,062	11	1,691	15	2,753	14
Class G	1,667	12	2,321	19	3,988	16
Class H	5,521	16	6,406	24	11,927	20
Class I	3,925	16	2,274	22	6,199	19
Subtotal	12,848	15	16,340	20	29,188	18
Misdemeanors						
Class A1	3,344	14	--	--	3,344	14
Class 1	10,934	15	--	--	10,934	15
Class 2	2,176	13	--	--	2,176	13
Class 3	1,448	9	--	--	1,448	9
Subtotal	17,902	14	--	--	17,902	14
Total	30,750	14	16,340	20	47,090	16

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 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	--	--	71	17	71	17
Class B2	--	--	239	12	239	12
Class C	--	--	986	28	1,004	28
Class D	28	18	967	28	995	27
Class E	627	20	1,385	33	2,012	29
Class F	1,062	18	1,691	29	2,753	25
Class G	1,667	20	2,321	34	3,988	28
Class H	5,521	25	6,406	40	11,927	33
Class I	3,925	25	2,274	41	6,199	31
Subtotal	12,848	24	16,340	36	29,188	30
Misdemeanors						
Class A1	3,344	5	--	--	3,344	5
Class 1	10,934	5	--	--	10,934	5
Class 2	2,176	4	--	--	2,176	4
Class 3	1,448	4	--	--	1,448	4
Subtotal	17,902	5	--	--	17,902	5
Total	30,750	12	16,340	36	47,090	21

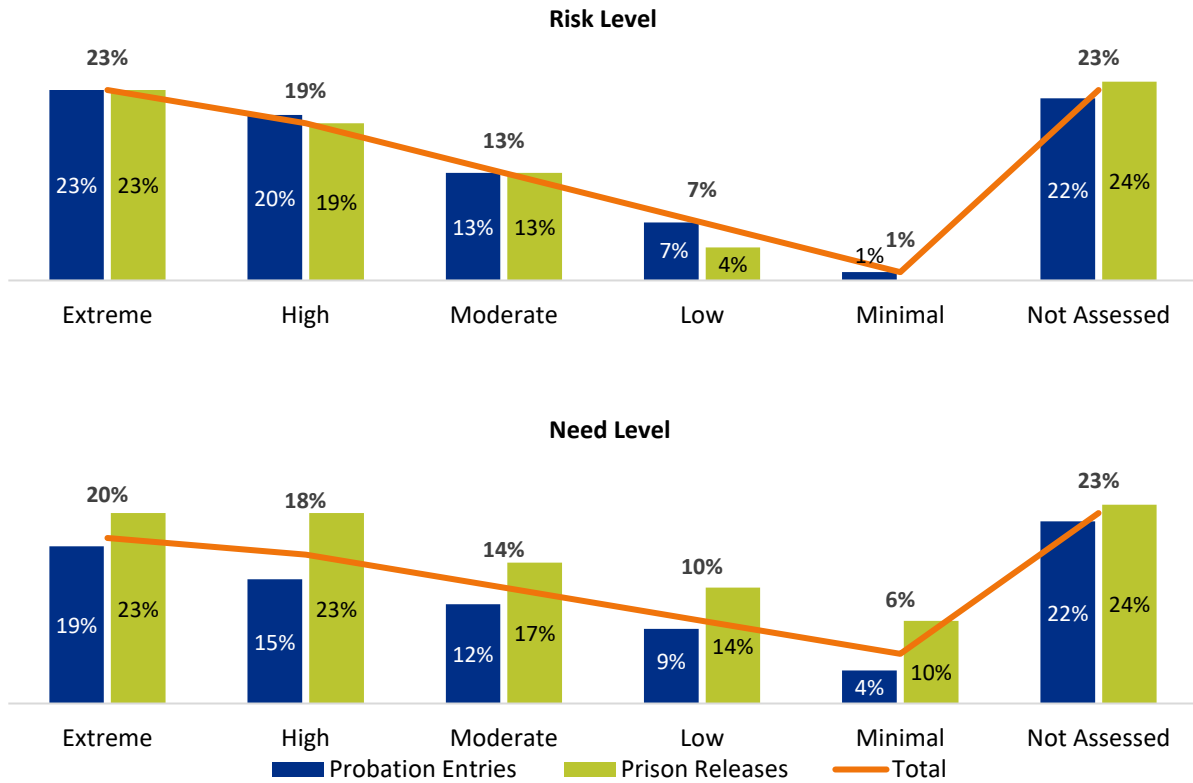
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Table D.4
Criminal Justice Outcomes by Risk and Need Level

	Criminal Justice Outcomes: Two-Year Follow-Up							
	Probation Entries				Prison Releases			
	N	% Arrest	% Convict.	% Incarc.	N	% Arrest	% Convict.	% Incarc.
Risk Level								
Not Assessed	3,211	46	22	22	2,656	47	24	49
Extreme	2,917	54	23	28	5,645	59	23	40
High	5,490	47	20	20	5,088	50	19	33
Moderate	11,628	37	13	9	2,695	34	13	22
Low	6,479	21	7	3	252	14	4	8
Minimal	1,025	9	1	1	4	0	0	0
Need Level								
Not Assessed	3,211	46	22	22	2,656	47	24	49
Extreme	6,945	46	19	17	3,715	58	23	42
High	5,112	40	15	12	2,691	56	23	39
Moderate	10,298	33	12	9	4,769	45	17	29
Low	4,389	27	9	7	2,201	41	14	22
Minimal	795	17	4	3	308	32	10	14
Total	30,750	37	14	12	16,340	49	20	36

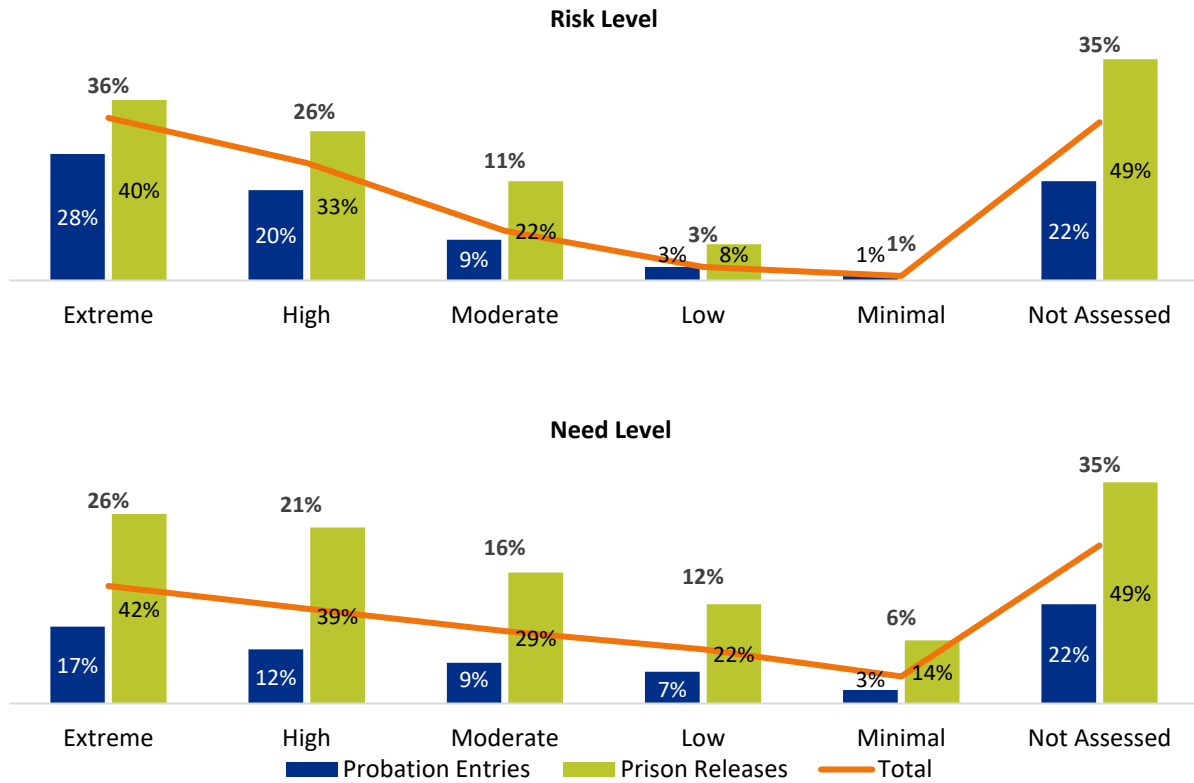
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Figure D.1
Recidivist Conviction Rates by Risk and Need Level



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Figure D.2
Recidivist Incarceration Rates by Risk and Need Level



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

APPENDIX E

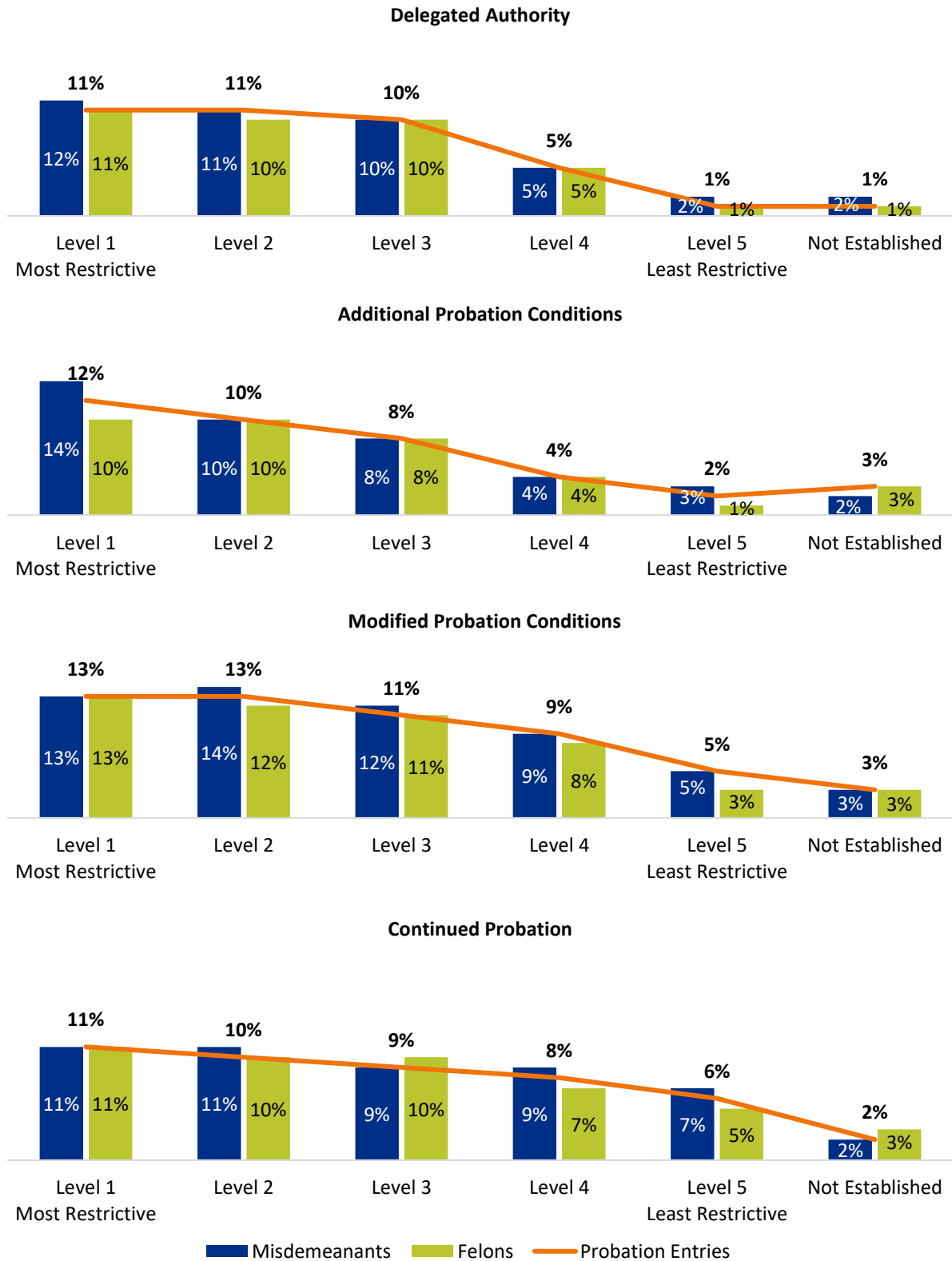
ADDITIONAL INFORMATION FOR THE FY 2019 PROBATION ENTRIES

**Figure E.1
Nonconfinement Response Rates**



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Figure E.2
Nonconfinement Response Rates by Supervision Level: Two-Year Follow-Up



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Table E.1
Recidivist Arrest Rates by Supervision Level for Probation Entries: Two-Year Follow-Up

Need Level	Extreme	High	Risk Level Moderate	Low	Minimal
Extreme	61% L1	56%	46%	28%	14%
High	58%	48%	39% L3	25%	12%
Moderate	51%	44%	34%	20%	11%
Low	43% L2	40%	29% L4	16%	4%
Minimal	20%	24%	23%	15% L5	5%

Note: Offenders who did not have an RNA completed and a supervision level assigned (n=3,211) were excluded from this table. See Table 3.5 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 2019 Correctional Program Evaluation Data

APPENDIX F

ADDITIONAL INFORMATION FOR FY 2019 CRV OFFENDERS AND FELONY PROBATIONERS

Table F.1
Profile of FY 2019 CRV Offenders and Felony Probationers with a Technical Violation

		CRV Center n=984	CRV Prison n=1,018	CRV Offenders N=2,002	Felony Probationers N=8,674
Personal Characteristics					
Male	%	100	54	76	77
Race					
White	%	49	59	54	53
Black	%	46	38	42	43
Other/Unknown	%	5	3	4	4
Age at CRV Release/Probation Entry	Avg.	32	33	33	33
Married	%	7	11	9	10
High School Dropout/GED	%	64	60	62	58
Employed	%	58	50	54	58
Substance Use Indicated	%	77	76	76	84
Prior Criminal Justice Contacts					
Prior Arrest	%	91	90	91	91
Prior Probation Entry	%	64	66	65	68
Prior Probation/PRS Revocation	%	43	43	43	43
Prior Incarceration	%	36	36	36	34
Most Serious Current Offense					
Offense Class					
Class E Felony	%	6	5	5	4
Class F Felony	%	9	9	10	6
Class G Felony	%	14	15	14	12
Class H Felony	%	48	45	47	45
Class I Felony	%	23	26	24	33
Offense Type					
Person	%	14	14	14	11
Property	%	44	43	44	37
Drug	%	32	35	33	41
Other	%	10	8	9	11
Criminal Justice Outcomes: Two-Year Follow-Up					
Recidivist Arrest	%	44	43	44	49
Months to First	Avg.	9	9	9	8
Recidivist Conviction	%	16	17	17	20
Months to First	Avg.	12	13	12	12
Recidivist Incarceration	%	21	24	22	30
Months to First	Avg.	11	10	10	11

continued

Table F.1
Profile of FY 2019 CRV Offenders and Felony Probationers with a Technical Violation
Recidivist Arrest Rates: Two-Year Follow-Up

		CRV Center n=984	CRV Prison n=1,018	CRV Offenders N=2,002	Felony Probationers N=8,674
By Personal Characteristics					
Gender					
Female	%	--	35	35	42
Male	%	44	50	46	51
Race					
White	%	46	41	43	48
Black	%	43	46	44	51
Other/Unknown	%	44	44	44	49
Marital Status					
Married	%	42	32	36	41
Not Married	%	44	45	45	50
Education					
High School Graduate	%	43	40	41	45
High School Dropout/GED	%	45	46	45	52
Employment					
Employed	%	42	41	41	48
Unemployed	%	47	46	47	51
Substance Use					
None Indicated	%	43	44	43	43
Substance Use Indicated	%	44	43	43	49
By Prior Criminal Justice Contact					
Prior Arrest					
None	%	24	29	26	31
1 or More	%	46	45	46	51
By Most Serious Current Offense					
Offense Class					
Class E Felony	%	28	40	33	53
Class F Felony	%	39	44	42	45
Class G Felony	%	45	39	42	47
Class H Felony	%	47	45	46	51
Class I Felony	%	44	44	44	48
Offense Type					
Person	%	37	50	43	50
Property	%	49	44	46	52
Drug	%	41	38	39	47
Other	%	46	50	48	47

Note: Felony probationers with at least one violation are a subset of felony probation entries described in Chapter Three. Four (4) offenders were missing education and 723 were missing substance use information. Of the offenders with ethnicity data available, 2% of CRV offenders and 3% of felony probationers were Hispanic.

Recidivism rates are only reported when there are at least 25 offenders in a specific category.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Table F.2
Supervision Profile of FY 2019 CRV Offenders and Felony Probationers with a Technical Violation

		CRV Center n=984	CRV Prison n=1,018	CRV Offenders N=2,002	Felony Probationers N=8,674
Supervision Profile					
Risk Level					
Not Assessed	%	5	6	6	7
Extreme Risk	%	16	12	14	15
High Risk	%	30	27	28	24
Moderate Risk	%	40	42	41	39
Low + Minimal Risk	%	9	13	11	15
Need Level					
Not Assessed	%	5	6	6	7
Extreme Need	%	30	37	33	30
High Need	%	18	16	17	18
Moderate Need	%	32	32	32	32
Low + Minimal Need	%	15	9	12	13
Supervision Level					
Not Established	%	5	6	6	7
Level 1 (Most Restrictive)	%	19	17	18	17
Level 2	%	40	39	39	34
Level 3	%	26	28	27	30
Level 4 + 5 (Least Restrictive)	%	10	10	10	12
High Risk Delegated Authority		5	5	5	17
Interim Outcomes: Two-Year Follow-Up					
Violation	%	63	61	62	100
Months to First	Avg.	6	5	5	7
Nonconfinement Responses to Violation					
Delegated Authority	%	4	5	5	12
Months to First	Avg.	6	7	6	6
Additional Probation Conditions	%	8	6	7	12
Months to First	Avg.	9	8	8	9
Modified Probation Conditions	%	11	10	11	15
Months to First	Avg.	9	9	9	10
Continued Probation	%	7	7	7	13
Months to First	Avg.	8	10	9	11

continued

Table F.2
Supervision Profile of FY 2019 CRV Offenders and Felony Probationers with a Technical Violation
Recidivism Rates: Two-Year Follow-Up

		CRV Center n=984	CRV Prison n=1,018	CRV Offenders N=2,002	Felony Probationers N=8,674
Interim Outcomes: Two-Year Follow-Up (continued)					
Confinement Responses to Violation					
Quick Dip	%	7	5	6	13
Months to First	Avg.	5	5	5	6
CRV (Felons Only)	%	12	11	11	13
Months to First	Avg.	9	9	9	10
Revocation	%	19	20	19	25
Months to First	Avg.	10	10	10	10
Recidivist Arrest Rates: Two-Year Follow-Up					
Risk Level					
Not Assessed	%	59	44	51	62
Extreme Risk	%	51	61	55	61
High Risk	%	48	47	47	53
Moderate Risk	%	38	40	39	47
Low + Minimal Risk	%	40	30	33	32
Need Level					
Not Assessed	%	59	44	51	62
Extreme Need	%	49	46	47	53
High Need	%	42	43	43	49
Moderate Need	%	41	41	41	46
Low + Minimal Need	%	40	41	40	42
Supervision Level					
Not Established	%	59	44	51	62
Level 1 (Most Restrictive)	%	55	54	55	61
Level 2	%	44	46	45	53
Level 3	%	36	37	37	42
Level 4 + 5 (Least Restrictive)	%	35	31	33	35
High Risk Delegated Authority	%	65	67	66	57

Note: All felony probationers (100%) had a violation during the two-year follow-up period due to the sampling criteria; therefore, it is not appropriate to compare violation rates for the groups.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

APPENDIX G

SUMMARIES OF SELECT CORRECTIONAL JOB/PROGRAM ASSIGNMENTS

APPENDIX G

SUMMARIES OF SELECT CORRECTIONAL JOB/PROGRAM ASSIGNMENTS

Appendix G examines FY 2019 prison releases assigned to select correctional jobs and programs during the incarceration period related to their conviction, and 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 offenders (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 funding. In addition, offenders can participate in multiple jobs/programs during their incarceration period and, therefore, may be represented in more than one of the assignments. Recidivism measures are only reported when there are more than 25 offenders in a specific category.

Future examination of these assignments and their effectiveness will include a focus on the DPS's realignment and remissioning 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 in each 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 offender's entire incarceration period. For example, an offender 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 provides inmates an opportunity to learn marketable skills in preparation for 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 and provides offenders 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 offenders the opportunity for employment in the community during imprisonment, addressing the transitional needs of soon-to-be released offenders. 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://www.ncdps.gov/e0700-work-release>.

- **All Other Jobs:** Includes analyses of job assignments that are not among the selected assignments above, such as jobs in food services, unit services, and road squads.

Select Program Assignments

Program Completion: For the program assignments below, the type of program exit was determined using the following ranking: 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). Offenders may have more than one type of exit within each program category during their incarceration period. Priority was given to any positive exit.

- **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://www.ncdps.gov/adult-corrections/prisons/education-services>.
- **Alcoholism and Chemical Dependency Programs (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 offenders with substance abuse problems. For the ACDP summary, only offenders 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/FY2017-2018_ACDP_Annual_Legislative_Report.pdf.
- **Sex Offender Accountability and Responsibility (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.
- **Therapeutic Diversion Unit (TDU):** TDUs are secure housing facilities designed for offenders with serious mental illnesses (SMI). Using evidence-based and multidisciplinary behavioral health therapeutic programming, TDUs aim to decrease the population of offenders with SMIs in Restrictive Housing and aid in preparing offenders with SMIs for successful transition back into less restrictive environments in the prisons or into the community. For additional information, see <https://files.nc.gov/ncdps/TX-I-15-Therapeutic-Diversion-Units-TDU-07.20.20.pdf>.
- **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://www.ncdps.gov/adult-corrections/prisons/education-services#academic/vocational>.
- **All Other Programs:** Includes analyses of program assignments that are not among the selected assignments above. Examples include alcoholics anonymous, narcotics anonymous, and programs focused on social skills development.

Table G.1
Construction

		Total N=473	Length of Job Assignment	
			5 Months or Less n=244	6 Months or More n=229
Personal Characteristics				
Male	%	100	100	100
Race				
White	%	46	48	44
Black	%	49	48	49
Other/Unknown	%	5	4	7
Age at Prison Release	Avg.	43	41	45
Married	%	14	13	16
High School Dropout/GED	%	69	70	67
Employed	%	52	52	52
Substance Use Indicated	%	73	76	70
Prior Criminal Justice Contacts				
Prior Arrest	%	96	98	94
Prior Probation Entry	%	84	84	84
Prior Probation/PRS Revocation	%	72	75	69
Prior Incarceration	%	74	75	72
Most Serious Current Offense				
Offense Class				
Class B1 – D Felony	%	50	40	59
Class E – G Felony	%	31	34	28
Class H – I Felony	%	19	26	13
Offense Type				
Person	%	26	26	25
Property	%	22	28	17
Drug	%	18	17	19
Other	%	34	29	39
Incarceration Profile				
Type of Prison Entry				
New Crime	%	73	67	78
Probation Revocation	%	6	7	6
PRS Revocation	%	21	26	16
Time Served				
12 Months or Less	%	22	29	16
13-24 Months	%	13	16	9
25 Months or More	%	65	55	75

continued

**Table G.1
Construction**

		Total N=473	Length of Job Assignment	
			5 Months or Less n=244	6 Months or More n=229
Incarceration Profile <i>continued</i>				
Infractions				
1 or more	%	81	83	78
Total	Avg.	6	6	5
Class A	Avg.	3	3	2
Class B	Avg.	4	4	3
Class C	Avg.	3	3	3
Custody Classification at Release				
Close	%	3	5	0
Medium	%	15	16	15
Minimum	%	82	79	85
Criminal Justice Outcomes: Two-Year Follow-Up				
Recidivist Arrest	%	41	46	36
Months to First	Avg.	10	9	10
Recidivist Conviction	%	16	18	12
Months to First	Avg.	12	12	13
Recidivist Incarceration	%	28	32	24
Months to First	Avg.	7	7	8
Select Correctional Assignments in Addition to Construction				
Jobs				
Correction Enterprises	#	159	75	84
Work Release	#	213	79	134
All Other Jobs	#	459	235	224
Programs				
Academic Education	#	284	135	149
ACDP	#	161	80	81
SOAR	#	1	1	0
TDU	#	0	0	0
Vocational Education	#	254	129	125
All Other Programs	#	438	224	214

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Table G.2
Correction Enterprises

		Total N=2,063	Length of Job Assignment	
			5 Months or Less n=1,515	6 Months or More n=548
Personal Characteristics				
Male	%	94	94	93
Race				
White	%	46	46	45
Black	%	48	49	47
Other/Unknown	%	6	5	8
Age at Prison Release	Avg.	40	38	45
Married	%	12	12	12
High School Dropout/GED	%	71	72	69
Employed	%	47	45	50
Substance Use Indicated	%	73	74	68
Prior Criminal Justice Contacts				
Prior Arrest	%	95	96	91
Prior Probation Entry	%	86	90	75
Prior Probation/PRS Revocation	%	67	69	62
Prior Incarceration	%	68	70	64
Most Serious Current Offense				
Offense Class				
Class B1 – D Felony	%	37	29	59
Class E – G Felony	%	28	30	24
Class H – I Felony	%	35	41	17
Offense Type				
Person	%	28	24	41
Property	%	30	34	19
Drug	%	16	17	14
Other	%	26	25	26
Incarceration Profile				
Type of Prison Entry				
New Crime	%	64	60	75
Probation Revocation	%	11	13	5
PRS Revocation	%	25	27	20
Time Served				
12 Months or Less	%	37	43	21
13-24 Months	%	16	18	10
25 Months or More	%	47	39	69

continued

Table G.2
Correction Enterprises

		Total N=2,063	Length of Job Assignment	
			5 Months or Less n=1,515	6 Months or More n=548
Incarceration Profile <i>continued</i>				
Infractions				
1 or more	%	78	77	80
Total	Avg.	8	8	7
Class A	Avg.	4	4	3
Class B	Avg.	5	5	4
Class C	Avg.	3	3	3
Custody Classification at Release				
Close	%	8	9	5
Medium	%	29	31	26
Minimum	%	63	60	69
Criminal Justice Outcomes: Two-Year Follow-Up				
Recidivist Arrest	%	46	51	30
Months to First	Avg.	9	9	10
Recidivist Conviction	%	17	19	12
Months to First	Avg.	12	12	14
Recidivist Incarceration	%	31	35	20
Months to First	Avg.	7	7	8
Select Correctional Assignments in Addition to Correction Enterprises				
Jobs				
Construction	#	159	91	68
Work Release	#	345	202	143
All Other Jobs	#	1,763	1,259	504
Programs				
Academic Education	#	1,092	749	343
ACDP	#	683	507	176
SOAR	#	16	6	10
TDU	#	7	6	1
Vocational Education	#	992	675	317
All Other Programs	#	1,544	1,067	477

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Table G.3
Work Release

		Total N=1,223	Length of Job Assignment	
			5 Months or Less n=386	6 Months or More n=837
Personal Characteristics				
Male	%	93	92	94
Race				
White	%	44	45	43
Black	%	52	50	53
Other/Unknown	%	4	5	4
Age at Prison Release	Avg.	43	41	44
Married	%	17	16	17
High School Dropout/GED	%	65	70	62
Employed	%	51	49	52
Substance Use Indicated	%	71	74	69
Prior Criminal Justice Contacts				
Prior Arrest	%	93	95	92
Prior Probation Entry	%	84	90	82
Prior Probation/PRS Revocation	%	71	77	68
Prior Incarceration	%	71	75	70
Most Serious Current Offense				
Offense Class				
Class B1 – D Felony	%	48	35	54
Class E – G Felony	%	33	38	31
Class H – I Felony	%	19	27	15
Offense Type				
Person	%	24	21	26
Property	%	21	27	18
Drug	%	21	21	20
Other	%	34	31	36
Incarceration Profile				
Type of Prison Entry				
New Crime	%	82	76	85
Probation Revocation	%	5	7	4
PRS Revocation	%	13	17	11
Time Served				
12 Months or Less	%	14	19	11
13-24 Months	%	12	24	7
25 Months or More	%	74	57	82

continued

Table G.3
Work Release

		Total N=1,223	Length of Job Assignment	
			5 Months or Less n=386	6 Months or More n=837
Incarceration Profile <i>continued</i>				
Infractions				
1 or more	%	72	79	70
Total	Avg.	4	4	3
Class A	Avg.	2	2	2
Class B	Avg.	2	3	2
Class C	Avg.	2	2	2
Custody Classification at Release				
Close	%	1	2	<1
Medium	%	7	12	4
Minimum	%	92	86	96
Criminal Justice Outcomes: Two-Year Follow-Up				
Recidivist Arrest	%	33	40	29
Months to First	Avg.	11	10	11
Recidivist Conviction	%	12	15	10
Months to First	Avg.	13	12	13
Recidivist Incarceration	%	21	25	19
Months to First	Avg.	8	7	8
Select Correctional Assignments in Addition to Work Release				
Jobs				
Construction	#	213	47	166
Correction Enterprises	#	345	96	249
All Other Jobs	#	1,207	378	829
Programs				
Academic Education	#	736	213	523
ACDP	#	431	135	296
SOAR	#	0	0	0
TDU	#	0	0	0
Vocational Education	#	689	203	486
All Other Programs	#	1,191	368	823

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Table G.4
All Other Jobs

		Total N=11,878	Length of Job Assignment	
			5 Months or Less n=6,167	6 Months or More n=5,711
Personal Characteristics				
Male	%	88	83	92
Race				
White	%	46	52	40
Black	%	49	44	54
Other/Unknown	%	5	4	6
Age at Prison Release	Avg.	36	34	39
Married	%	11	10	12
High School Dropout/GED	%	69	70	69
Employed	%	47	49	45
Substance Use Indicated	%	75	79	72
Prior Criminal Justice Contacts				
Prior Arrest	%	95	97	94
Prior Probation Entry	%	87	92	82
Prior Probation/PRS Revocation	%	62	60	65
Prior Incarceration	%	60	55	65
Most Serious Current Offense				
Offense Class				
Class B1 – D Felony	%	19	3	35
Class E – G Felony	%	36	33	39
Class H – I Felony	%	45	64	26
Offense Type				
Person	%	25	17	33
Property	%	32	40	24
Drug	%	22	27	17
Other	%	21	16	26
Incarceration Profile				
Type of Prison Entry				
New Crime	%	58	48	69
Probation Revocation	%	16	25	7
PRS Revocation	%	26	27	24
Time Served				
12 Months or Less	%	54	75	30
13-24 Months	%	19	18	20
25 Months or More	%	27	7	50

continued

Table G.4
All Other Jobs

		Total	Length of Job Assignment	
		N=11,878	5 Months or Less n=6,167	6 Months or More n=5,711
Incarceration Profile <i>continued</i>				
Infractions				
1 or more	%	69	60	78
Total	Avg.	6	5	7
Class A	Avg.	3	3	3
Class B	Avg.	4	4	4
Class C	Avg.	3	2	3
Custody Classification at Release				
Close	%	10	12	9
Medium	%	26	26	26
Minimum	%	64	62	65
Criminal Justice Outcomes: Two-Year Follow-Up				
Recidivist Arrest	%	48	53	43
Months to First	Avg.	9	9	9
Recidivist Conviction	%	20	22	17
Months to First	Avg.	12	12	13
Recidivist Incarceration	%	33	38	28
Months to First	Avg.	7	7	8
Select Correctional Assignments in Addition to All Other Jobs				
Jobs				
Construction	#	459	102	357
Correction Enterprises	#	1,763	539	1,224
Work Release	#	1,207	198	1,009
Programs				
Academic Education	#	5,149	2,164	2,985
ACDP	#	3,252	1,481	1,771
SOAR	#	26	1	25
TDU	#	59	35	24
Vocational Education	#	4,357	1,629	2,728
All Other Programs	#	7,067	2,738	4,329

Note: The All Other Jobs category excludes Construction, Correction Enterprises, and Work Release.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Table G.5
Academic Education

		Total N=6,401	Program Outcomes		
			Positive n=3,111	Neutral n=1,877	Negative n=1,413
Personal Characteristics					
Male	%	88	86	88	91
Race					
White	%	40	43	36	40
Black	%	54	51	57	54
Other/Unknown	%	6	6	6	6
Age at Prison Release	Avg.	34	36	31	32
Married	%	10	12	8	8
High School Dropout/GED	%	79	73	88	81
Employed	%	45	46	44	44
Substance Use Indicated	%	74	72	77	75
Prior Criminal Justice Contacts					
Prior Arrest	%	94	92	95	96
Prior Probation Entry	%	84	80	87	87
Prior Probation/PRS Revocation	%	56	56	53	59
Prior Incarceration	%	53	55	47	56
Most Serious Current Offense					
Offense Class					
Class B1 – D Felony	%	27	38	14	18
Class E – G Felony	%	37	35	37	42
Class H – I Felony	%	36	27	49	40
Offense Type					
Person	%	32	36	27	29
Property	%	29	23	34	33
Drug	%	18	19	20	17
Other	%	21	22	19	21
Incarceration Profile					
Type of Prison Entry					
New Crime	%	58	66	47	54
Probation Revocation	%	15	11	21	16
PRS Revocation	%	27	23	32	30
Time Served					
12 Months or Less	%	48	35	65	54
13-24 Months	%	17	16	16	20
25 Months or More	%	35	49	19	26

continued

Table G.5
Academic Education

		Total N=6,401	Program Outcomes		
			Positive n=3,111	Neutral n=1,877	Negative n=1,413
Incarceration Profile <i>continued</i>					
Infractions					
1 or more	%	78	78	72	85
Total	Avg.	7	7	6	8
Class A	Avg.	3	3	3	4
Class B	Avg.	5	5	4	5
Class C	Avg.	3	3	3	3
Custody Classification at Release					
Close	%	14	10	12	26
Medium	%	31	29	34	33
Minimum	%	55	61	54	41
Criminal Justice Outcomes: Two-Year Follow-Up					
Recidivist Arrest	%	50	43	57	57
Months to First	Avg.	9	9	8	8
Recidivist Conviction	%	20	17	23	25
Months to First	Avg.	12	13	12	12
Recidivist Incarceration	%	34	28	38	42
Months to First	Avg.	7	8	7	7
Select Correctional Assignments in Addition to Academic Education					
Jobs					
Construction	#	284	211	45	28
Correction Enterprises	#	1,092	709	207	176
Work Release	#	736	578	106	52
All Other Jobs	#	5,149	2,775	1,250	1,124
Programs					
ACDP	#	1,788	1,009	416	363
SOAR	#	19	9	7	3
TDU	#	51	19	3	29
Vocational Education	#	3,093	1,936	602	555
All Other Programs	#	4,213	2,389	1,025	799

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Table G.6
Academic Education: Community College Programs

		Total N=4,067	Program Outcomes		
			Positive n=1,029	Neutral n=1,805	Negative n=1,233
Personal Characteristics					
Male	%	90	91	88	92
Race					
White	%	36	40	33	35
Black	%	57	51	61	58
Other/Unknown	%	7	9	6	7
Age at Prison Release	Avg.	31	32	31	32
Married	%	8	8	8	7
High School Dropout/GED	%	93	96	94	89
Employed	%	41	41	42	40
Substance Use Indicated	%	75	73	76	75
Prior Criminal Justice Contacts					
Prior Arrest	%	94	90	95	96
Prior Probation Entry	%	83	74	87	86
Prior Probation/PRS Revocation	%	53	46	53	58
Prior Incarceration	%	46	38	47	53
Most Serious Current Offense					
Offense Class					
Class B1 – D Felony	%	25	42	17	22
Class E – G Felony	%	38	36	36	43
Class H – I Felony	%	37	22	47	35
Offense Type					
Person	%	34	45	29	32
Property	%	29	21	33	30
Drug	%	18	19	19	16
Other	%	19	15	19	22
Incarceration Profile					
Type of Prison Entry					
New Crime	%	54	63	47	55
Probation Revocation	%	16	11	20	15
PRS Revocation	%	30	26	33	30
Time Served					
12 Months or Less	%	53	36	64	52
13-24 Months	%	16	14	15	20
25 Months or More	%	31	50	21	28

continued

Table G.6
Academic Education: Community College Programs

		Total N=4,067	Positive n=1,029	Neutral n=1,805	Negative n=1,233
Incarceration Profile <i>continued</i>					
Infractions					
1 or more	%	81	84	74	88
Total	Avg.	8	8	6	9
Class A	Avg.	4	4	3	4
Class B	Avg.	5	5	4	6
Class C	Avg.	3	3	3	3
Custody Classification at Release					
Close	%	18	13	13	29
Medium	%	34	36	34	32
Minimum	%	48	51	53	39
Criminal Justice Outcomes: Two-Year Follow-Up					
Recidivist Arrest	%	55	47	58	57
Months to First	Avg.	8	9	8	8
Recidivist Conviction	%	22	18	24	24
Months to First	Avg.	12	13	12	12
Recidivist Incarceration	%	37	29	39	43
Months to First	Avg.	7	8	7	7
Select Correctional Assignments in Addition to Academic Education: Community College Programs					
Jobs					
Construction	#	133	50	49	34
Correction Enterprises	#	607	230	202	175
Work Release	#	334	158	111	65
All Other Jobs	#	3,113	921	1,206	986
Programs					
ACDP	#	1,025	326	397	302
SOAR	#	11	6	3	2
TDU	#	35	9	2	24
Vocational Education	#	1,634	595	559	480
All Other Programs	#	2,502	784	1,013	705

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 2019 Correctional Program Evaluation Data

Table G.7
ACDP

		Total N=3,857	Program Outcomes		
			Positive n=2,427	Neutral n=334	Negative n=1,096
Personal Characteristics					
Male	%	82	80	87	85
Race					
White	%	57	58	52	55
Black	%	39	38	44	41
Other/Unknown	%	4	4	4	4
Age at Prison Release	Avg.	37	38	37	35
Married	%	11	12	10	11
High School Dropout/GED	%	72	70	72	76
Employed	%	46	46	48	45
Substance Use Indicated	%	82	83	76	81
Prior Criminal Justice Contacts					
Prior Arrest	%	97	96	97	98
Prior Probation Entry	%	90	89	92	91
Prior Probation/PRS Revocation	%	67	66	67	71
Prior Incarceration	%	66	64	65	70
Most Serious Current Offense					
Offense Class					
Class B1 – D Felony	%	19	20	15	16
Class E – G Felony	%	40	40	35	41
Class H – I Felony	%	41	40	50	43
Offense Type					
Person	%	22	23	17	22
Property	%	31	30	34	32
Drug	%	24	24	27	23
Other	%	23	23	22	23
Incarceration Profile					
Type of Prison Entry					
New Crime	%	58	59	53	57
Probation Revocation	%	13	12	18	14
PRS Revocation	%	29	29	29	29
Time Served					
12 Months or Less	%	49	48	61	48
13-24 Months	%	22	20	15	26
25 Months or More	%	29	32	24	26

continued

Table G.7
ACDP

		Total N=3,857	Program Outcomes		
			Positive n=2,427	Neutral n=334	Negative n=1,096
Incarceration Profile <i>continued</i>					
Infractions					
1 or more	%	73	68	74	86
Total	Avg.	6	5	6	7
Class A	Avg.	2	2	3	3
Class B	Avg.	4	3	4	4
Class C	Avg.	3	3	3	3
Custody Classification at Release					
Close	%	7	4	7	13
Medium	%	31	28	35	38
Minimum	%	62	68	58	49
Criminal Justice Outcomes: Two-Year Follow-Up					
Recidivist Arrest	%	48	44	51	55
Months to First	Avg.	9	9	8	9
Recidivist Conviction	%	20	18	21	23
Months to First	Avg.	13	13	12	13
Recidivist Incarceration	%	34	30	43	38
Months to First	Avg.	7	7	7	7
Select Correctional Assignments in Addition to ACDP					
Jobs					
Construction	#	161	108	10	43
Correction Enterprises	#	683	428	55	200
Work Release	#	431	340	26	65
All Other Jobs	#	3,252	2,049	252	951
Programs					
Academic Education	#	1,788	1,165	143	480
SOAR	#	12	11	0	1
TDU	#	14	4	1	9
Vocational Education	#	1,616	1,029	113	474
All Other Programs	#	2,737	1,795	208	734

Note: Of the 3,857 offenders who were assigned to a prison-based ACDP during his/her incarceration, 81% were assigned to intermediate treatment (duration: 90-120 days), 17% were assigned to long-term intensive treatment (duration: 120-365 days), and 2% were assigned to both. For more information on Intermediate ACDP treatment, see Appendix G, Table G.8; for Intensive ACDP treatment, see Appendix G, Table G.9.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Table G.8
ACDP: Intermediate Treatment

		Total N=3,218	Program Outcomes		
			Positive n=2,156	Neutral n=285	Negative n=777
Personal Characteristics					
Male	%	84	83	88	87
Race					
White	%	56	58	50	53
Black	%	40	38	45	43
Other/Unknown	%	4	4	5	4
Age at Prison Release	Avg.	37	38	37	35
Married	%	11	11	10	11
High School Dropout/GED	%	71	69	72	76
Employed	%	45	45	48	45
Substance Use Indicated	%	81	83	75	80
Prior Criminal Justice Contacts					
Prior Arrest	%	96	96	97	97
Prior Probation Entry	%	89	89	91	90
Prior Probation/PRS Revocation	%	66	65	66	69
Prior Incarceration	%	65	64	64	67
Most Serious Current Offense					
Offense Class					
Class B1 – D Felony	%	21	22	17	19
Class E – G Felony	%	40	40	37	41
Class H – I Felony	%	39	38	46	40
Offense Type					
Person	%	24	24	21	23
Property	%	29	29	31	31
Drug	%	23	23	26	22
Other	%	24	24	22	24
Incarceration Profile					
Type of Prison Entry					
New Crime	%	58	60	53	57
Probation Revocation	%	13	12	18	13
PRS Revocation	%	29	28	29	30
Time Served					
12 Months or Less	%	47	46	62	45
13-24 Months	%	21	20	13	25
25 Months or More	%	32	34	25	30

continued

Table G.8
ACDP: Intermediate Treatment

		Total N=3,218	Program Outcomes		
			Positive n=2,156	Neutral n=285	Negative n=777
Incarceration Profile <i>continued</i>					
Infractions					
1 or more	%	75	71	71	88
Total	Avg.	6	5	6	7
Class A	Avg.	3	2	3	3
Class B	Avg.	4	3	4	5
Class C	Avg.	3	3	3	3
Custody Classification at Release					
Close	%	6	4	7	13
Medium	%	31	28	33	41
Minimum	%	63	68	60	46
Criminal Justice Outcomes: Two-Year Follow-Up					
Recidivist Arrest	%	48	44	53	56
Months to First	Avg.	9	9	8	9
Recidivist Conviction	%	19	17	21	23
Months to First	Avg.	13	13	12	13
Recidivist Incarceration	%	33	30	42	38
Months to First	Avg.	7	7	7	7
Select Correctional Assignments in Addition to ACDP Intermediate Treatment					
Jobs					
Construction	#	147	103	9	35
Correction Enterprises	#	615	412	52	151
Work Release	#	411	335	25	51
All Other Jobs	#	2,711	1,820	213	678
Programs					
Academic Education	#	1,554	1,071	122	361
SOAR	#	12	11	0	1
TDU	#	12	4	0	8
Vocational Education	#	1,380	943	97	340
All Other Programs	#	2,308	1,610	176	522

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Table G.9
ACDP: Intensive Treatment

		Total N=718	Positive n=277	Neutral n=73	Negative n=368
Personal Characteristics					
Male	%	70	60	73	78
Race					
White	%	62	64	68	59
Black	%	35	33	29	37
Other/Unknown	%	3	3	3	4
Age at Prison Release	Avg.	35	36	37	35
Married	%	12	14	15	10
High School Dropout/GED	%	74	75	71	74
Employed	%	48	49	45	47
Substance Use Indicated	%	85	88	83	82
Prior Criminal Justice Contacts					
Prior Arrest	%	98	98	100	98
Prior Probation Entry	%	94	94	95	95
Prior Probation/PRS Revocation	%	73	67	73	78
Prior Incarceration	%	71	65	67	77
Most Serious Current Offense					
Offense Class					
Class B1 – D Felony	%	9	9	5	10
Class E – G Felony	%	38	36	37	39
Class H – I Felony	%	53	55	58	51
Offense Type					
Person	%	17	18	4	19
Property	%	36	36	41	36
Drug	%	28	31	32	24
Other	%	19	15	23	21
Incarceration Profile					
Type of Prison Entry					
New Crime	%	52	47	54	55
Probation Revocation	%	18	19	19	17
PRS Revocation	%	30	34	27	28
Time Served					
12 Months or Less	%	62	69	63	56
13-24 Months	%	24	19	23	28
25 Months or More	%	14	12	14	16

continued

Table G.9
ACDP: Intensive Treatment

		Total N=718	Positive n=277	Neutral n=73	Negative n=368
Incarceration Profile <i>continued</i>					
Infractions					
1 or more	%	67	46	73	81
Total	Avg.	5	4	4	5
Class A	Avg.	2	2	2	2
Class B	Avg.	3	3	3	3
Class C	Avg.	3	2	2	3
Custody Classification at Release					
Close	%	8	2	7	12
Medium	%	32	31	37	32
Minimum	%	60	67	56	56
Criminal Justice Outcomes: Two-Year Follow-Up					
Recidivist Arrest	%	49	43	45	54
Months to First	Avg.	9	8	8	9
Recidivist Conviction	%	22	20	21	23
Months to First	Avg.	13	13	13	14
Recidivist Incarceration	%	36	28	38	41
Months to First	Avg.	7	7	6	7
Select Correctional Assignments in Addition to ACDP Intensive Treatment					
Jobs					
Construction	#	18	5	2	11
Correction Enterprises	#	77	16	6	55
Work Release	#	22	6	2	14
All Other Jobs	#	604	235	54	315
Programs					
Academic Education	#	268	98	28	142
SOAR	#	0	0	0	0
TDU	#	2	0	1	1
Vocational Education	#	265	91	22	152
All Other Programs	#	493	191	51	251

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Table G.10
SOAR

		Total N=28	Program Outcomes		
			Positive n=19	Neutral n=6	Negative n=3
Personal Characteristics					
Male	#	19	6	3	28
Race					
White	#	20	12	6	2
Black	#	7	6	0	1
Other/Unknown	#	1	1	0	0
Age at Prison Release	Avg.	41	44	36	33
Married	#	3	3	0	0
High School Dropout/GED	#	15	9	3	3
Employed	#	21	15	4	2
Substance Use Indicated	#	12	7	4	1
Prior Criminal Justice Contacts					
Prior Arrest	#	22	15	4	3
Prior Probation Entry	#	14	10	2	2
Prior Probation/PRS Revocation	#	6	5	0	1
Prior Incarceration	#	9	6	2	1
Most Serious Current Offense					
Offense Class					
Class B1 – D Felony	#	19	12	4	3
Class E – G Felony	#	9	7	2	0
Class H – I Felony	#	0	0	0	0
Offense Type					
Person	#	25	17	5	3
Property	#	0	0	0	0
Drug	#	0	0	0	0
Other	#	3	2	1	0
Incarceration Profile					
Type of Prison Entry					
New Crime	#	22	15	4	3
Probation Revocation	#	0	0	0	0
PRS Revocation	#	6	4	2	1
Time Served					
12 Months or Less	#	6	4	2	0
13-24 Months	#	2	1	1	0
25 Months or More	#	20	14	3	3

continued

Table G.10
SOAR

		Total N=28	Program Outcomes		
			Positive n=19	Neutral n=6	Negative n=3
Incarceration Profile <i>continued</i>					
Infractions					
1 or more	#	22	15	4	3
Total	Avg.	7	5	9	16
Class A	Avg.	3	2	5	4
Class B	Avg.	5	3	7	11
Class C	Avg.	3	3	4	5
Custody Classification at Release					
Close	#	0	0	0	0
Medium	#	13	7	5	1
Minimum	#	15	12	1	2
Criminal Justice Outcomes: Two-Year Follow-Up					
Recidivist Arrest	#	6	3	2	1
Months to First	Avg.	13	14	13	10
Recidivist Conviction	#	0	0	0	0
Months to First	Avg.	--	--	--	--
Recidivist Incarceration	#	5	3	2	0
Months to First	Avg.	8	12	3	--
Select Correctional Assignments in Addition to SOAR					
Jobs					
Construction	#	1	1	0	0
Correction Enterprises	#	16	12	2	2
Work Release	#	0	0	0	0
All Other Jobs	#	26	18	5	3
Programs					
Academic Education	#	19	14	2	3
ACDP	#	12	9	2	1
TDU	#	0	0	0	0
Vocational Education	#	20	14	4	2
All Other Programs	#	24	17	4	3

Note: Due to the small number of SOAR program assignments, table breakdowns show the number of program participants rather than percentages. 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 2019 Correctional Program Evaluation Data

Table G.11
Therapeutic Diversion Unit

		Total N=104	Program Outcomes		
			Positive n=61	Neutral n=21	Negative n=22
Personal Characteristics					
Male	#	79	48	13	18
Race					
White	#	49	31	8	10
Black	#	52	28	12	12
Other/Unknown	#	3	2	1	0
Age at Prison Release	Avg.	30	33	27	28
Married	#	7	4	1	2
High School Dropout/GED	#	86	51	17	18
Employed	#	34	23	4	7
Substance Use Indicated	#	67	41	12	14
Prior Criminal Justice Contacts					
Prior Arrest	#	101	59	20	22
Prior Probation Entry	#	85	53	17	15
Prior Probation/PRS Revocation	#	72	49	11	12
Prior Incarceration	#	68	45	9	14
Most Serious Current Offense					
Offense Class					
Class B1 – D Felony	#	35	23	4	8
Class E – G Felony	#	38	23	6	9
Class H – I Felony	#	31	15	11	5
Offense Type					
Person	#	41	21	7	13
Property	#	31	17	9	5
Drug	#	7	7	0	0
Other	#	25	16	5	4
Incarceration Profile					
Type of Prison Entry					
New Crime	#	56	39	6	11
Probation Revocation	#	10	5	4	1
PRS Revocation	#	38	17	11	10
Time Served					
12 Months or Less	#	37	14	13	10
13-24 Months	#	20	12	5	3
25 Months or More	#	47	35	3	9

continued

Table G.11
Therapeutic Diversion Unit

		Total N=104	Program Outcomes		
			Positive n=61	Neutral n=21	Negative n=22
Incarceration Profile <i>continued</i>					
Infractions					
1 or more	#	103	61	20	22
Total	Avg.	18	19	10	21
Class A	Avg.	6	6	4	7
Class B	Avg.	13	13	7	17
Class C	Avg.	4	4	3	3
Custody Classification at Release					
Close	#	78	40	18	20
Medium	#	17	15	1	1
Minimum	#	9	6	2	1
Criminal Justice Outcomes: Two-Year Follow-Up					
Recidivist Arrest	#	64	36	11	17
Months to First	Avg.	8	9	7	8
Recidivist Conviction	#	32	15	8	9
Months to First	Avg.	12	12	13	10
Recidivist Incarceration	#	51	30	11	10
Months to First	Avg.	7	8	6	7
Select Correctional Assignments in Addition to Vocational Education					
Jobs					
Construction	#	0	0	0	0
Correction Enterprises	#	7	6	0	1
Work Release	#	0	0	0	0
All Other Jobs	#	59	38	8	13
Programs					
Academic Education	#	51	30	7	14
ACDP	#	14	9	4	1
SOAR	#	0	0	0	0
Vocational Education	#	34	22	4	8
All Other Programs	#	104	61	21	22

Note: Due to the small number of TDU program assignments, table breakdowns show the number of program participants rather than percentages.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Table G.12
Vocational Education

		Total N=5,044	Program Outcomes		
			Positive n=3,356	Neutral n=590	Negative n=1,098
Personal Characteristics					
Male	%	85	83	89	89
Race					
White	%	44	43	44	44
Black	%	51	51	53	51
Other/Unknown	%	5	5	4	5
Age at Prison Release	Avg.	36	37	34	33
Married	%	12	12	11	11
High School Dropout/GED	%	68	66	68	74
Employed	%	48	48	49	45
Substance Use Indicated	%	73	71	80	75
Prior Criminal Justice Contacts					
Prior Arrest	%	94	93	96	95
Prior Probation Entry	%	83	81	92	86
Prior Probation/PRS Revocation	%	58	55	63	65
Prior Incarceration	%	57	55	61	60
Most Serious Current Offense					
Offense Class					
Class B1 – D Felony	%	30	36	10	20
Class E – G Felony	%	37	36	40	39
Class H – I Felony	%	33	28	50	41
Offense Type					
Person	%	32	36	21	28
Property	%	27	23	34	35
Drug	%	19	19	24	16
Other	%	22	22	21	21
Incarceration Profile					
Type of Prison Entry					
New Crime	%	62	67	49	56
Probation Revocation	%	13	12	20	13
PRS Revocation	%	25	21	31	31
Time Served					
12 Months or Less	%	40	35	61	46
13-24 Months	%	19	17	18	24
25 Months or More	%	41	48	21	30

continued

Table G.12
Vocational Education

		Total N=5,044	Program Outcomes		
			Positive n=3,356	Neutral n=590	Negative n=1,098
Incarceration Profile <i>continued</i>					
Infractions					
1 or more	%	79	78	72	88
Total	Avg.	7	7	5	9
Class A	Avg.	3	3	2	3
Class B	Avg.	5	5	3	6
Class C	Avg.	3	3	3	3
Custody Classification at Release					
Close	%	13	9	10	27
Medium	%	31	28	34	38
Minimum	%	56	63	56	35
Criminal Justice Outcomes: Two-Year Follow-Up					
Recidivist Arrest	%	47	42	55	57
Months to First	Avg.	9	9	8	8
Recidivist Conviction	%	19	16	25	24
Months to First	Avg.	13	13	12	13
Recidivist Incarceration	%	32	27	37	43
Months to First	Avg.	7	7	7	7
Select Correctional Assignments in Addition to Vocational Education					
Jobs					
Construction	#	254	196	21	37
Correction Enterprises	#	992	734	80	178
Work Release	#	689	595	39	55
All Other Jobs	#	4,357	2,989	438	930
Programs					
Academic Education	#	3,093	2,156	289	648
ACDP	#	1,616	1,122	171	323
SOAR	#	20	16	2	2
TDU	#	34	18	1	15
All Other Programs	#	3,552	2,572	328	652

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data

Table G.13
All Other Programs

		Total N=8,110	Program Outcomes		
			Positive n=3,578	Neutral n=3,280	Negative n=1,252
Personal Characteristics					
Male	%	87	89	85	90
Race					
White	%	48	41	55	48
Black	%	47	54	40	46
Other/Unknown	%	5	5	5	6
Age at Prison Release	Avg.	37	39	38	34
Married	%	12	13	12	10
High School Dropout/GED	%	70	70	68	73
Employed	%	47	45	48	47
Substance Use Indicated	%	76	72	79	78
Prior Criminal Justice Contacts					
Prior Arrest	%	94	94	95	95
Prior Probation Entry	%	86	81	90	88
Prior Probation/PRS Revocation	%	63	63	63	64
Prior Incarceration	%	61	63	60	60
Most Serious Current Offense					
Offense Class					
Class B1 – D Felony	%	26	39	14	16
Class E – G Felony	%	36	35	36	38
Class H – I Felony	%	38	26	50	46
Offense Type					
Person	%	27	36	18	24
Property	%	29	24	34	34
Drug	%	21	16	26	22
Other	%	23	24	22	20
Incarceration Profile					
Type of Prison Entry					
New Crime	%	61	67	55	58
Probation Revocation	%	13	7	19	15
PRS Revocation	%	26	26	26	27
Time Served					
12 Months or Less	%	46	32	58	53
13-24 Months	%	18	13	20	25
25 Months or More	%	36	55	22	22

continued

Table G.13
All Other Programs

		Total N=8,110	Positive n=3,578	Neutral n=3,280	Negative n=1,252
Incarceration Profile <i>continued</i>					
Infractions					
1 or more	%	72	80	61	80
Total	Avg.	7	7	5	7
Class A	Avg.	3	3	3	4
Class B	Avg.	5	5	4	5
Class C	Avg.	3	3	3	3
Custody Classification at Release					
Close	%	11	12	7	19
Medium	%	23	25	17	32
Minimum	%	66	63	76	49
Criminal Justice Outcomes: Two-Year Follow-Up					
Recidivist Arrest	%	46	42	47	55
Months to First	Avg.	9	9	9	8
Recidivist Conviction	%	18	16	19	23
Months to First	Avg.	12	13	12	12
Recidivist Incarceration	%	32	28	33	40
Months to First	Avg.	7	7	7	7
Select Correctional Assignments in Addition to All Other Programs					
Jobs					
Construction	#	438	244	168	26
Correction Enterprises	#	1,544	881	464	199
Work Release	#	1,191	735	416	40
All Other Jobs	#	7,067	3,355	2,686	1,026
Programs					
Academic Education	#	4,213	2,212	1,365	636
ACDP	#	2,737	1,202	1,174	361
SOAR	#	24	17	6	1
TDU	#	104	63	23	18
Vocational Education	#	3,552	1,967	1,090	495

Note: The All Other Program category excludes Academic Education, ACDP, SOAR, and Vocational Education.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 Correctional Program Evaluation Data