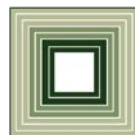




Joint Meetings of the House and Senate Appropriations Committee on Justice and Public Safety



FISCAL RESEARCH DIVISION
A Staff Agency of the North Carolina General Assembly



Joint Appropriations Committees on Justice and Public Safety Prisons & Community Corrections March 2, 2021



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Outline

- **Prisons:**
 - **Education and Work Programs**
 - **COVID Response**
- **Community Corrections**
- **Recidivism and Revocations**

JPS General Fund Base Budget Expenditures by Agency FY 2021-22

Total GF Budget: \$3.4 billion

DPS \$2.5B 75%

**18%
A O C
\$606.0M**

**4%
I D S
\$140.3M**

**3%
D O J
\$93.7M**

Source: FY 2021-22 Base Budget

JPS - DPS

Department of Public Safety (DPS)

Houses the former Departments of Crime Control and Public Safety, Juvenile Justice and Delinquency Prevention, and Correction

Erik Hooks, Secretary

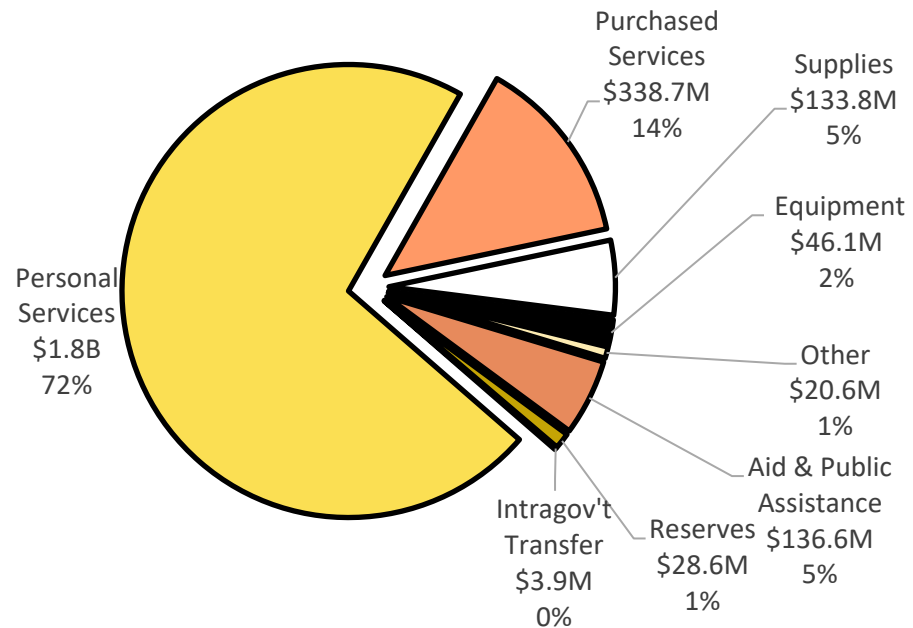
Includes:

- Prisons
- Community Corrections
- Juvenile Justice
- Highway Patrol
- State Capitol Police
- State Bureau of Investigation
- Alcohol Law Enforcement
- Emergency Management
- National Guard
- Victims Services

Total General Fund Budget: \$2.5 billion

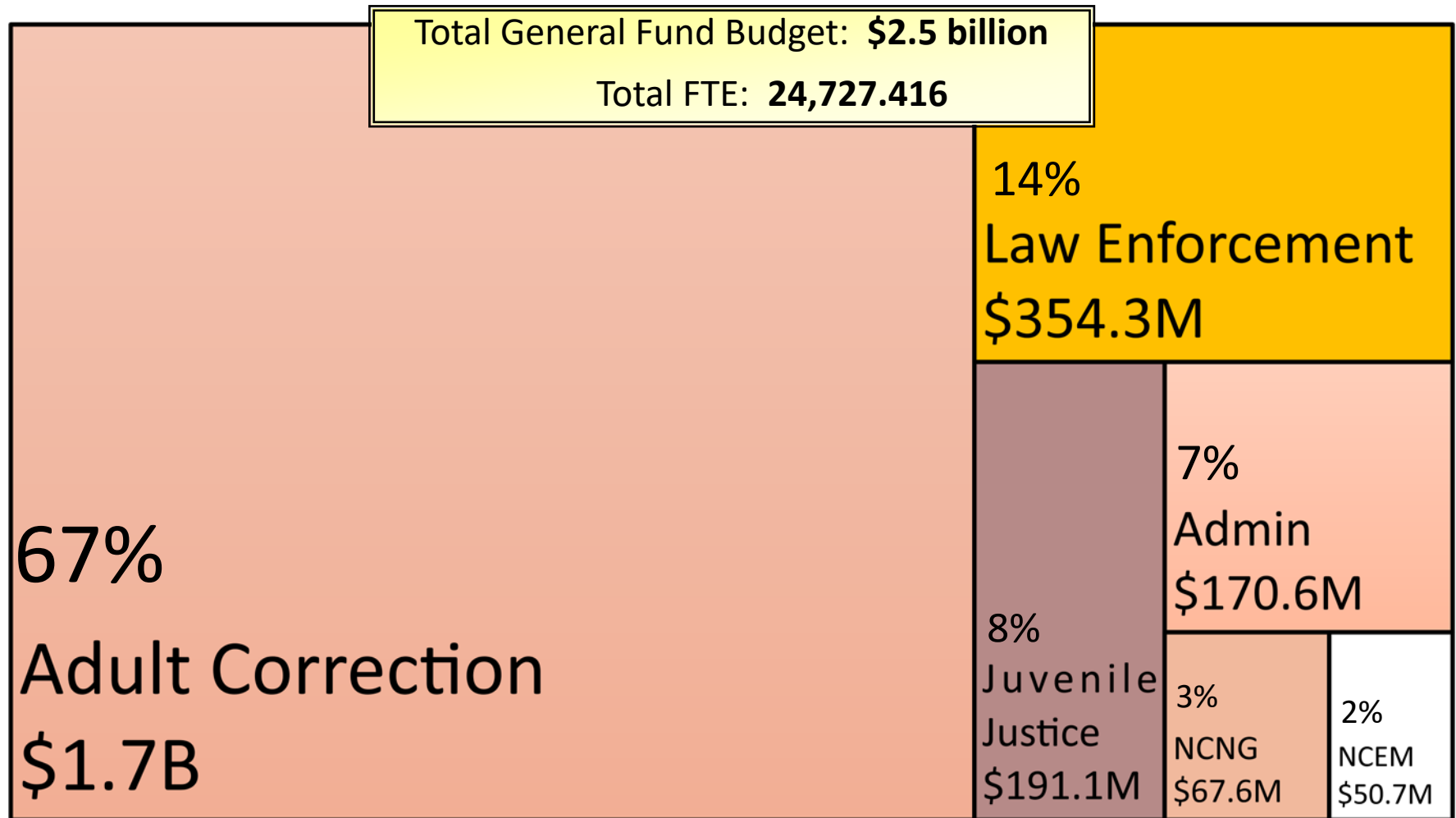
Total FTE: 24,727.416

**DPS Total Base Budget General Fund Expenditures
FY 2021-22**



Source: FY 2021-22 Base Budget, OSBM

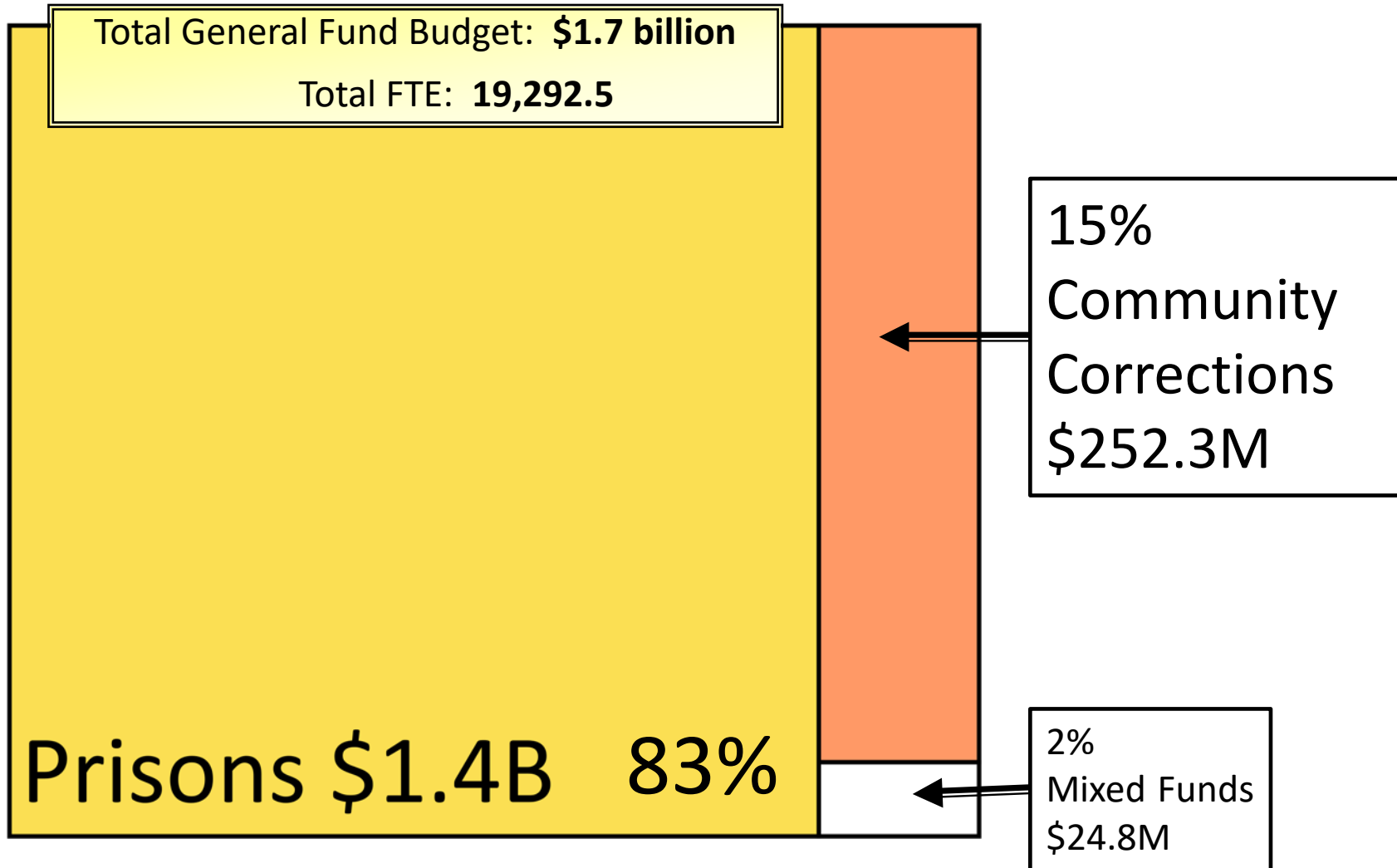
DPS Base Budget by Function FY 2021-22



Source: FY 2021-22 Base Budget, OSBM

Adult Correction by Function

FY 2021-22



Source: FY 2021-22 Base Budget, OSBM

Prisons by Fund FY 2021-22

Total General Fund Budget: **\$1.4B**

**Custody & Security
\$911.0M**

**Gen
Health
\$186.5M**

**Food
Svc/
Cleaning
\$83.0M**

**Programs
\$56.0M**

**Mental
Health
\$40.7M**

**Pharmacy Svcs
\$39.7M**

**S M C F
\$22.3M**

**Dental
Health
\$13.4M**

**Mgmt
\$12.8M**

**Clothing/
Bedding
\$17.1M**

**Eduction
\$10.2M**

**Dependency
\$7.3M**

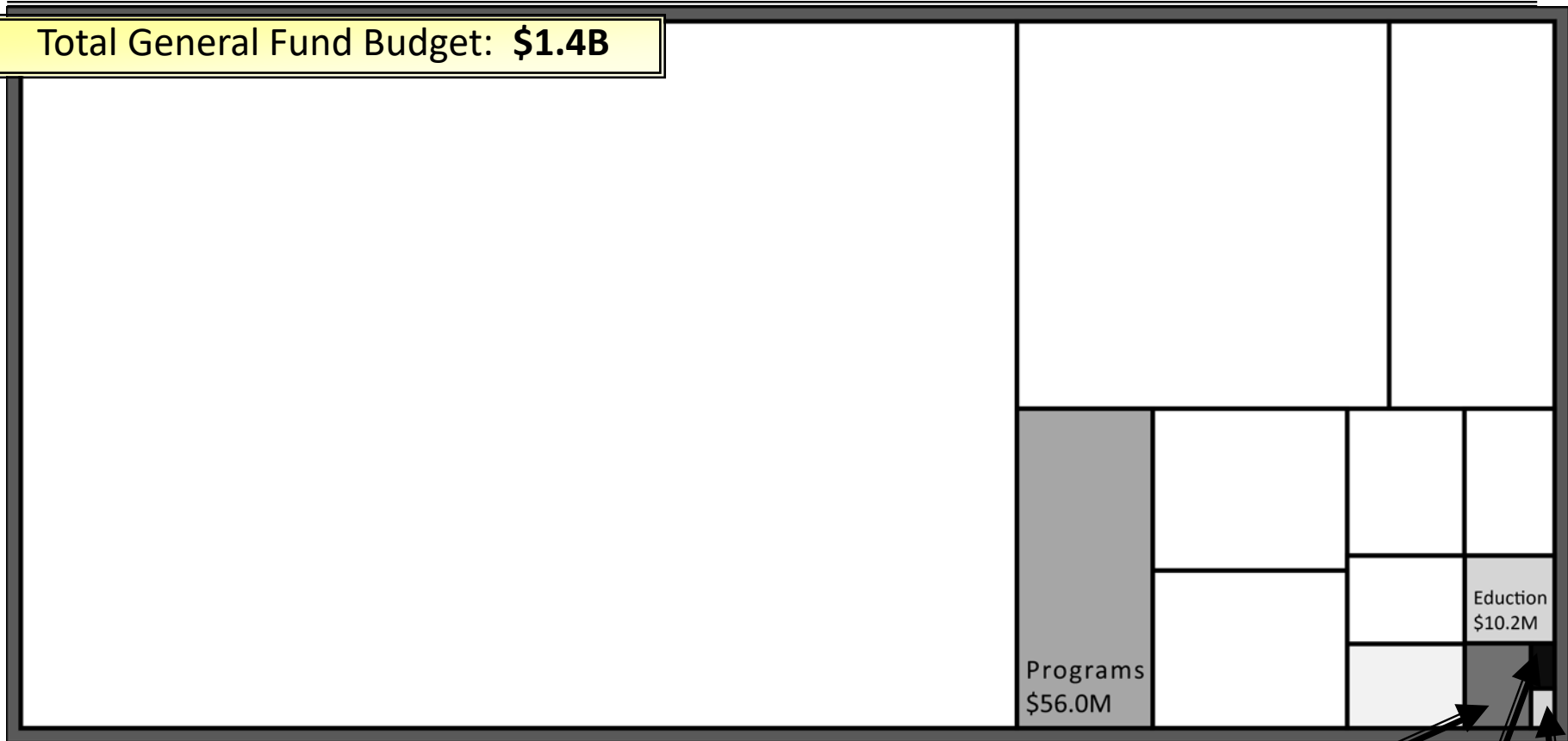
**Construction
\$1.4M**

**Work Release
\$1.2M**

Source: FY 2021-22 Base Budget, OSBM

Prisons by Fund FY 2021-22

Total General Fund Budget: **\$1.4B**



Programs/Work: \$76.1M

Dependency \$7.3M	Construction \$1.4M
	Work Release \$1.2M

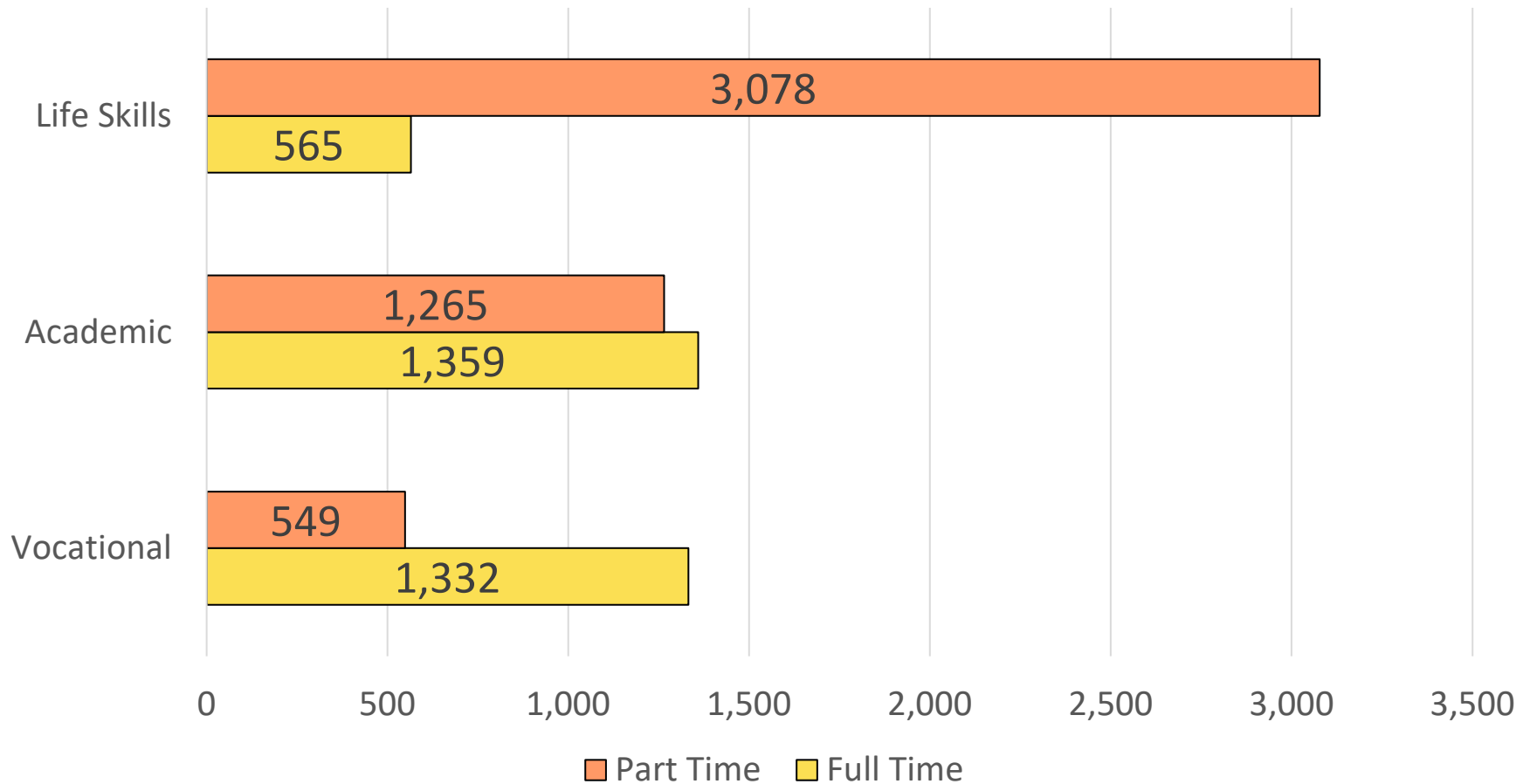
Source: FY 2021-22 Base Budget, OSBM

Prisons Education Programs

Program Assignments	Definitions
Life Skills Programs	Provide parenting skills and Cognitive Behavioral Intervention (CBI) to help offenders restructure their thought processes and learn cognitive skills for basic decision- making and problem-solving, leading to changes in behavior and actions, and ultimately affecting criminal conduct. Programs are led by prisons or community college staff trained by the Division of Adult Correction & Juvenile Justice.
Academic Programs	Provide basic knowledge, skills and attitudes to make adult and youth inmates literate. Prepare them to read, write and compute; pass the GED; and acquire survival skills.
Vocational Programs	Provide programs such as computer literacy, food service training, brick masonry and job readiness through local community colleges. Help inmates obtain work with Correction Enterprises or work release assignments.

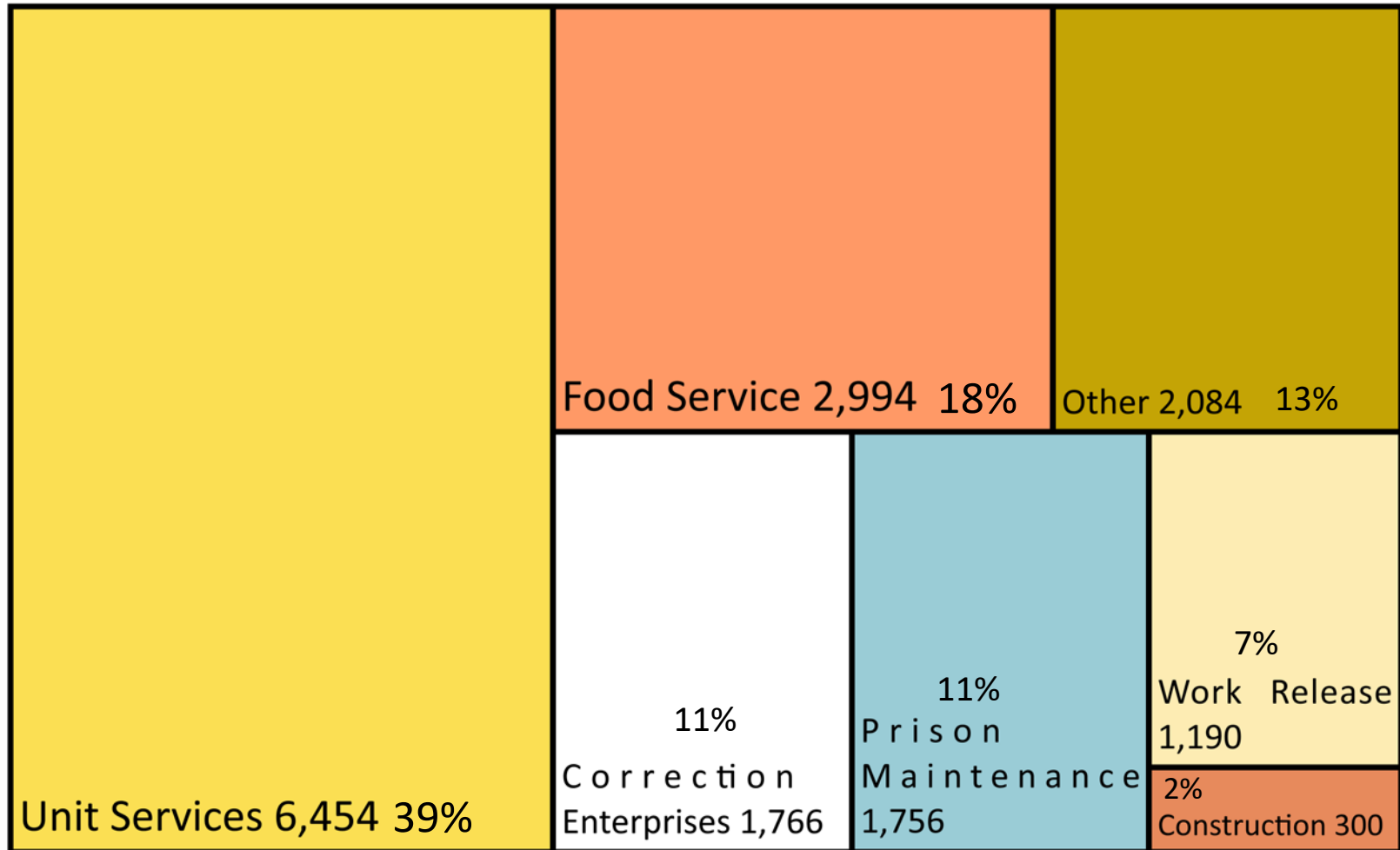
Source: DPS Statistical Report, FY 2018-19

Inmate Program Assignments, FY 2018-19



Source: DPS Statistical Report, FY 2018-19

Prisons Work Programs, FY 2018-19



Source: DPS Statistical Research Bulletin, FY 2018-19

Construction Apprenticeship Program

- 427 Inmates prior to COVID
- Save 20% over private market
 - Current project example: Rockingham YDC
 - Most bids over \$30M but CAP is \$21M
- Offered to med and min custody inmates
- Requires 480 hours of instruction
- 6,000 hours of on-the-job training
- Managed by NC Community Colleges

Source: DPS

Correction Enterprises

- 2,134 inmate positions
- Operates from self-funded internal service fund: FY 2021-22 base budget is \$87.6M

Source: DPS

Correction Enterprises

- The Farm:
 - 10,500 acres
 - 36,000 egg-laying hens
 - All NC Prisons eggs, with some sold to VA
 - Cannery produces vegetables and juice for Prisons
 - Fresh Produce for Prisons
 - Provided Prisons with \$22.9M in food in FY 2019-20
 - 60% of total food costs provided by Correction Enterprises

Source: DPS

Correction Enterprises

- Other Correction Enterprises services include:
 - Reupholstery
 - Prescription Eyeglasses
 - Upholstery
 - Picture Framing
 - Furniture Production
 - Signage (inc. NC license tags)
 - Embroidery
 - Braille Transcription

Source: DPS

Work Release

- Feb 2021: 388 inmates assigned
- March 2020: 1,149 inmates assigned
- Available at most min security prisons
- Job plan/job site reviewed by prison managers
- Inmate must be supervised and cannot work for family members or self
- Earnings used for restitution and fines, family support, prison housing, transportation

Source: DPS

Outline

■ Prisons:

- Education and Work Programs

- **COVID Response**

- Community Corrections

- Recidivism and Revocations

Prisons COVID-19 Response

- As of February 28, 2021:
 - 249 active cases
 - 2 hospitalized
 - 0.9% positive
 - 109,064 tests administered
 - 39,182 offenders tested
 - 9,725 positive results
 - 47 offender deaths

Source: DPS

Prisons COVID-19 Response

- March-Apr 2020
 - Suspend work release, limit then suspend educational programs
 - Start Extending Limits of Confinement program
 - Moratorium on intake from county jails
 - Production and distribution of PPE
 - Temporary suspension of operations for staff/inmate safety
 - Start testing inmates in certain facilities
 - Hazard pay for employees

Source: DPS

Prisons COVID-19 Response

- May-July 2020
 - Increase ELC eligibility
 - Staff testing initiatives
 - Testing extended to all inmates
- Aug-Oct 2020
 - Complete first round of testing all inmates
 - Resume limited educational programs with social distancing
 - Resume limited visitation with social distancing

Source: DPS

Prisons COVID-19 Response

- Nov-Dec 2020
 - Weekly staff tests
 - Facility suspensions and consolidations
 - Extend system-wide staff testing initiative
- Jan-Feb 2021
 - Install 4,000 air purifiers in facilities
 - Begin vaccination of staff and inmates
 - Launch incentive program for inmate vaccination

Source: DPS

Extending The Limits Of Confinement

- COVID Response
- Eligible inmates serve remaining sentence outside of a prison under the supervision of community corrections officers
- As of Feb 24, 2021:
 - 1,033 transferred to ELC
 - 458 Active (most have transferred to PRS)

Source: DPS

ELC Eligibility

- Not be currently serving a sentence for crime against a person during the current incarceration
- Must meet at least one of these criteria:
 - Be pregnant
 - Already be on home leave with 2021 release date
 - Already be on work release with 2021 release date
 - Be age 65+ with a 2021 or 2022 release date
 - Have a 2021 release date and underlying health conditions deemed by CDC that increase a person's risk of severe illness from COVID-19

Source: DPS

Outline

- ▣ Prisons:
 - Education and Work Programs
 - COVID Response
- **Community Corrections**
- ▣ Recidivism and Revocations

Community Corrections

Requirements:

\$252.3M

Receipts:

\$300 K

**Net General Fund
Appropriation:**

\$252 M

Total FTE:

3,014

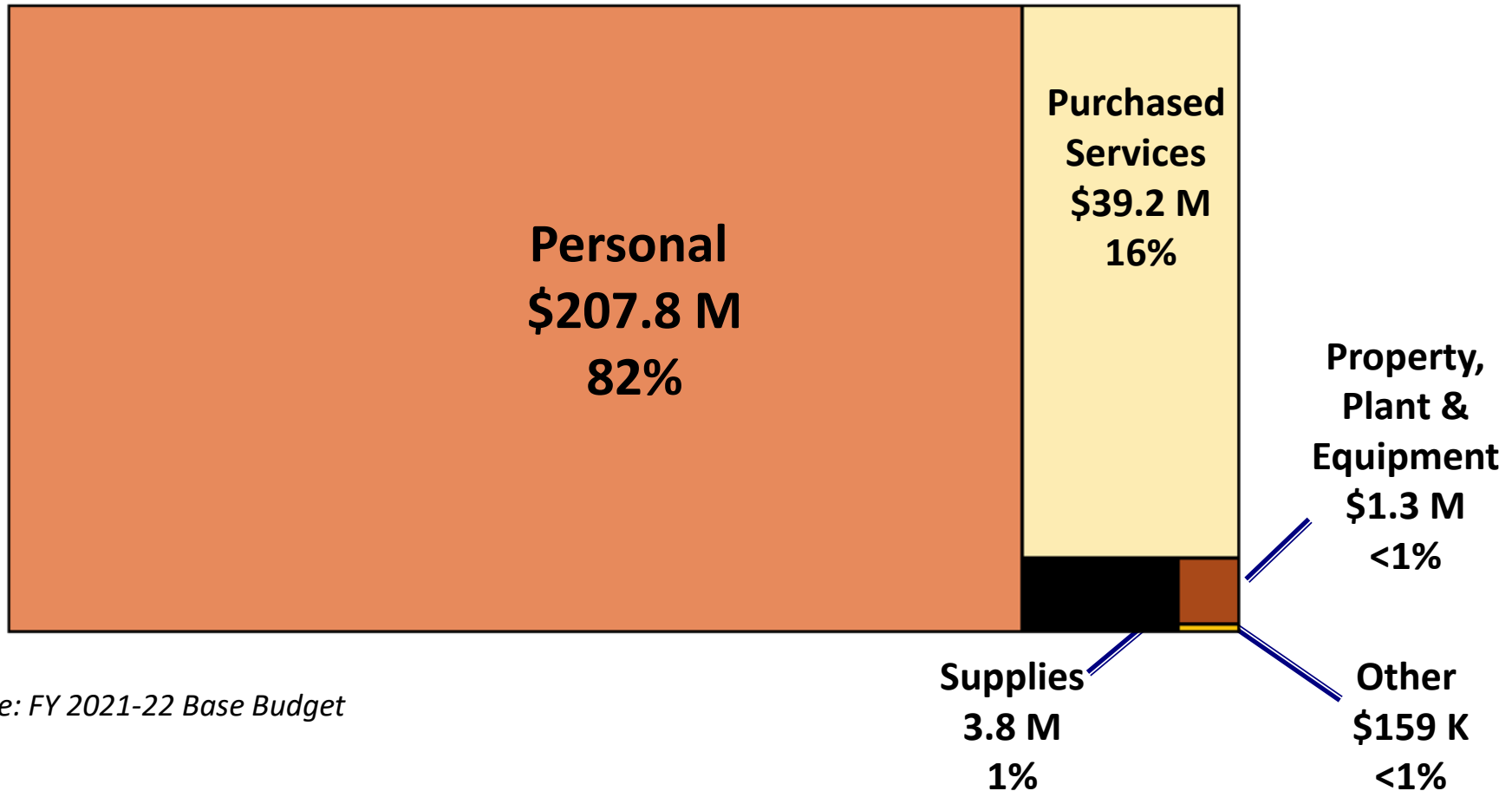
- Responsible for supervising offenders in the community
 - Probation
 - Post-release
 - Parole
- Coordinate resources that promote and enable offender
 - Reform
 - Family support
 - Restitution or reparation
 - Becoming a law-abiding citizen

Source: DPS

Source: FY 2021-22 Base Budget

Community Corrections by Account 2021-22

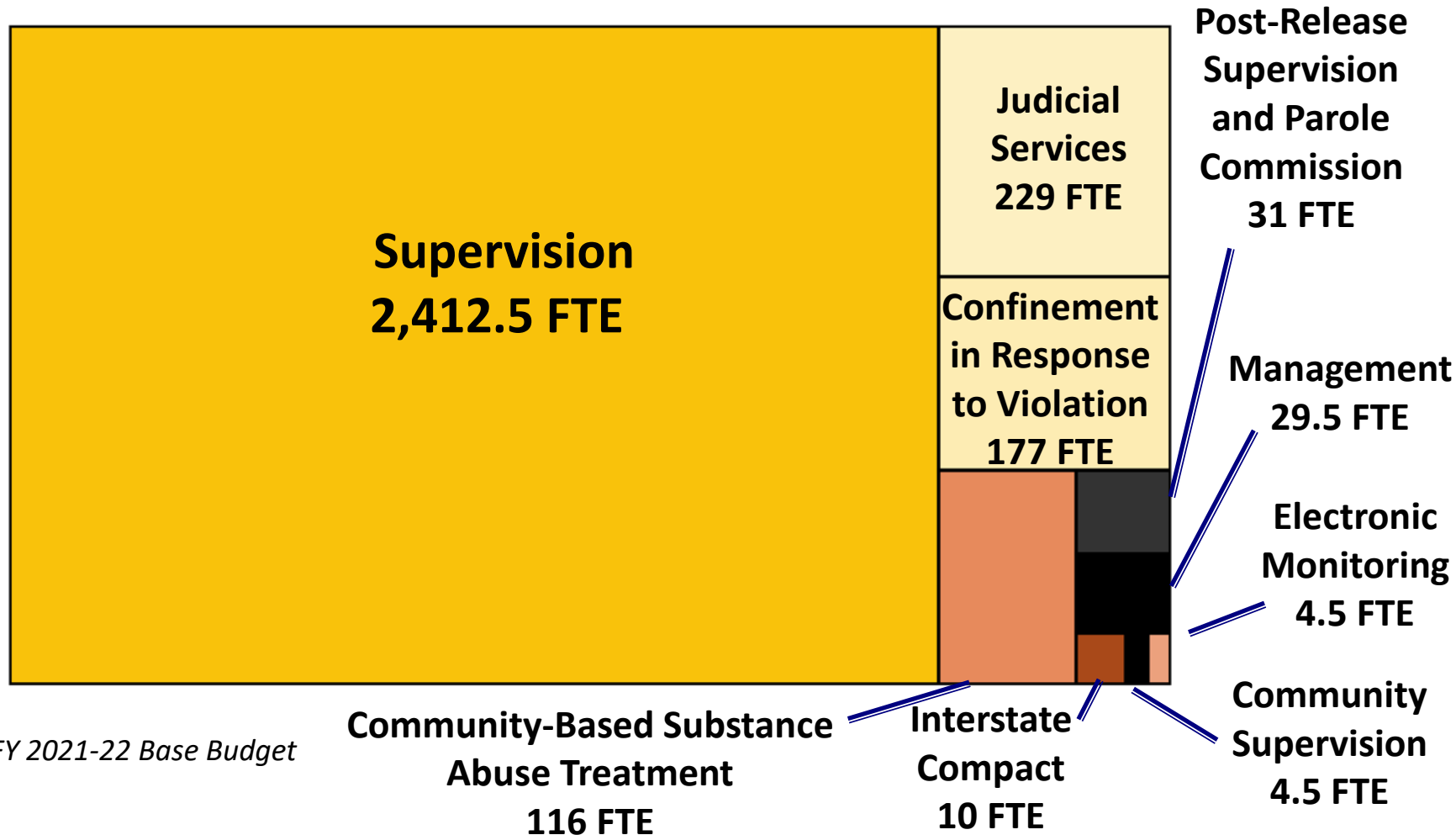
Total \$252.3 M



Source: FY 2021-22 Base Budget

Community Corrections by FTE 2021-22

Total FTE 3,014



Source: FY 2021-22 Base Budget

Community Corrections Supervision

- Supervision of offenders on
 - probation
 - parole
 - post-release supervision
- 67,194 active offenders under supervision as of February 2020
- **Offender Supervision**
\$5.59/day

Requirements:

\$187.5 M

Total FTE:

2,412.5

Source: FY 2021-22 Base Budget

Community Corrections Supervision

- Offenders are supervised based on risk and need

**L5 Lowest
Risk & Need**

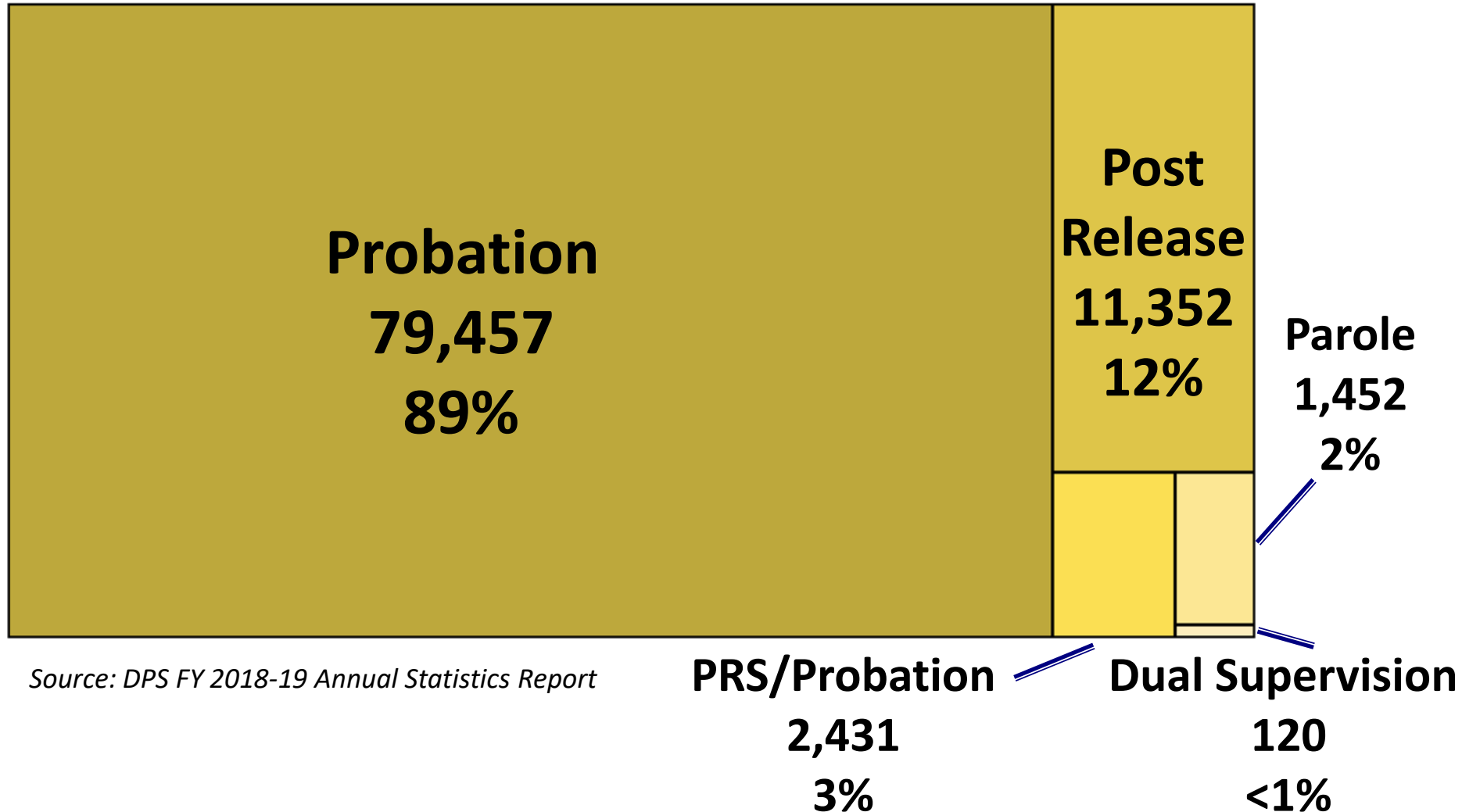
**L1 Highest
Risk & Need**



Risk & Need	Total Supervised Feb 2020
L5	1,499
L4	10,749
L3	15,420
L2	20,605
L1	7,987

Total 56,260*

Community Corrections Supervision



Community Supervision

- Purpose: Reduce recidivism and to promote coordination
- Target population: high risk, high need, likely to re-offend
- Four core programs
 - Recidivism Reduction Services (RRS)
 - Transitional and Temporary Housing (TTH)
 - Community Intervention Centers (CIC)
 - Local Reentry Councils (LRC)

Requirements:

\$13.1

Total FTE:

4.5

Source: FY 2021-22 Base Budget

Community Supervision

- Purpose: Reduce recidivism and to promote coordination
- Target population: high risk, high need, likely to re-offend
- Four core programs
 - Recidivism Reduction Services (RRS)
 - Transitional and Temporary Housing (TTH)
 - Community Intervention Centers (CIC)
 - Local Reentry Councils (LRC)

Requirements:

\$13.1

Total FTE:

4.5

Source: FY 2021-22 Base Budget

Community Supervision RRS

- Largest number served in all counties
- Services
 - Therapeutic
 - Vocational
- **Community Supervision RRS**
\$8.34/day

Supervision Type	Count
Probation	7,703
Post-Release	2,846
Parole	65
Post Release Probation	0
Total	10,614

Risk Level	Count
R1	2,951
R2	3,951
R3	2,888
R4	764
R5	52
Not Leveled	9
Total	10,614

Source: DPS 2021 TECEPs Annual Report

Core Program Completion Rate < 46%

Community Supervision TTS

- Homeless and under community supervision or just released
- 122 beds w/ 9 vendors
- 54% employment upon exit of TTS
- **Community Supervision TTS \$92.97/day**

Supervision Type	Count
Probation	208
Parole	2
Post-Release	308
Total	518

Risk Level	Count
R1	180
R2	144
R3	109
R4	17
R5	0
Not Leveled	68
Total	518

Source: DPS 2021 TECEPs Annual Report

Confinement in Response to Violation (CRV)

- CRV are behavior modification centers for probation violators
 - 90 days
 - 2 stays before revocation
- 3 Facilities
 - Burke: 284 beds (March 2021)
 - Robeson: 192 beds
 - North Piedmont: 136 beds (F)

Requirements:

\$13.9 M

Total FTE:

177*

Source: FY 2021-22 Base Budget

Post-Release Supervision and Parole Commission

- Hearings determine the terms of offender supervision
- 900-1,000 Hearings/Month
- **Post Release/Parole Hearings**
\$74.95/day

Requirements:

\$3.1M

Total FTE:

31

Source: FY 2021-22 Base Budget

Judicial Services

- Purpose: Get PPO out of the courtroom
- Liaisons that process offenders from court to probation
 - Offender education
 - Assign offender to PPO
- Community service tracking and enforcement
 - Supervised \approx 8,400
 - Unsupervised \approx 5,300

Requirements:

\$14 M

Total FTE:

229

Source: FY 2021-22 Base Budget

Prisons vs. Community Corrections

Prisons – Average Daily Costs/Inmate

- Average Daily Cost/Inmate, FY 2019-20: **\$127.63**
 - Minimum: **\$120.22**
 - Medium: **\$123.48**
 - Close: **\$146.47**

Comm Corr – Average Daily Costs/Supervision FY 2019-20

- Offender Supervision: **\$5.59**
- Electronic Monitoring and GPS: **\$6.18**
- Community Supervision RSS **\$8.34**
- Post Release/Parole Hearings: **\$74.95**
- Community Supervision Transitional Housing **\$92.97**

Source: DPS

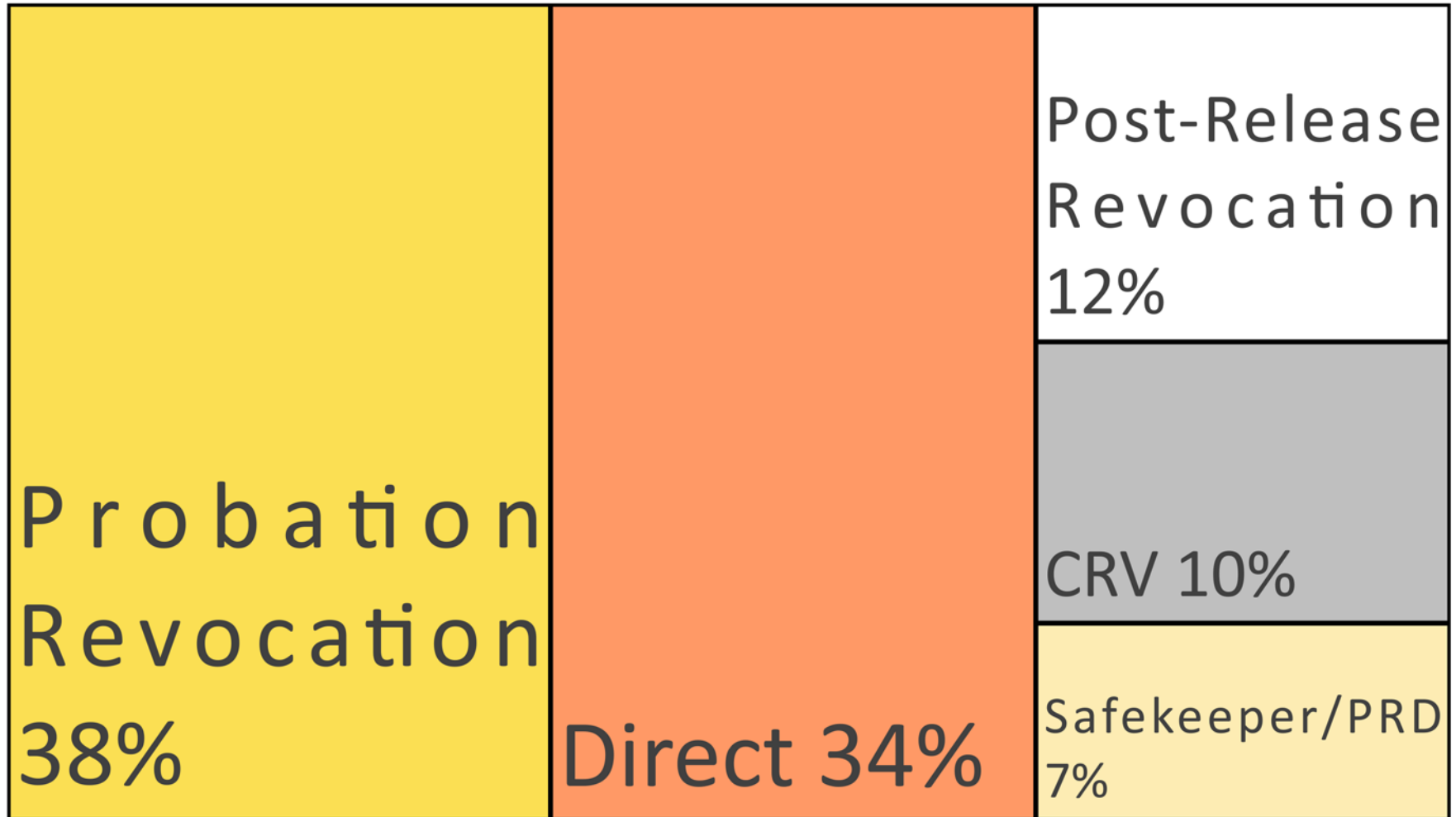
Emerging Issues for the Biennium

- PPO pay and authority
- Fully operational court system and ACLU settlement will create additional pressure on existing operations
 - PPO caseload growth
 - Demand for transitional and temporary housing

Outline

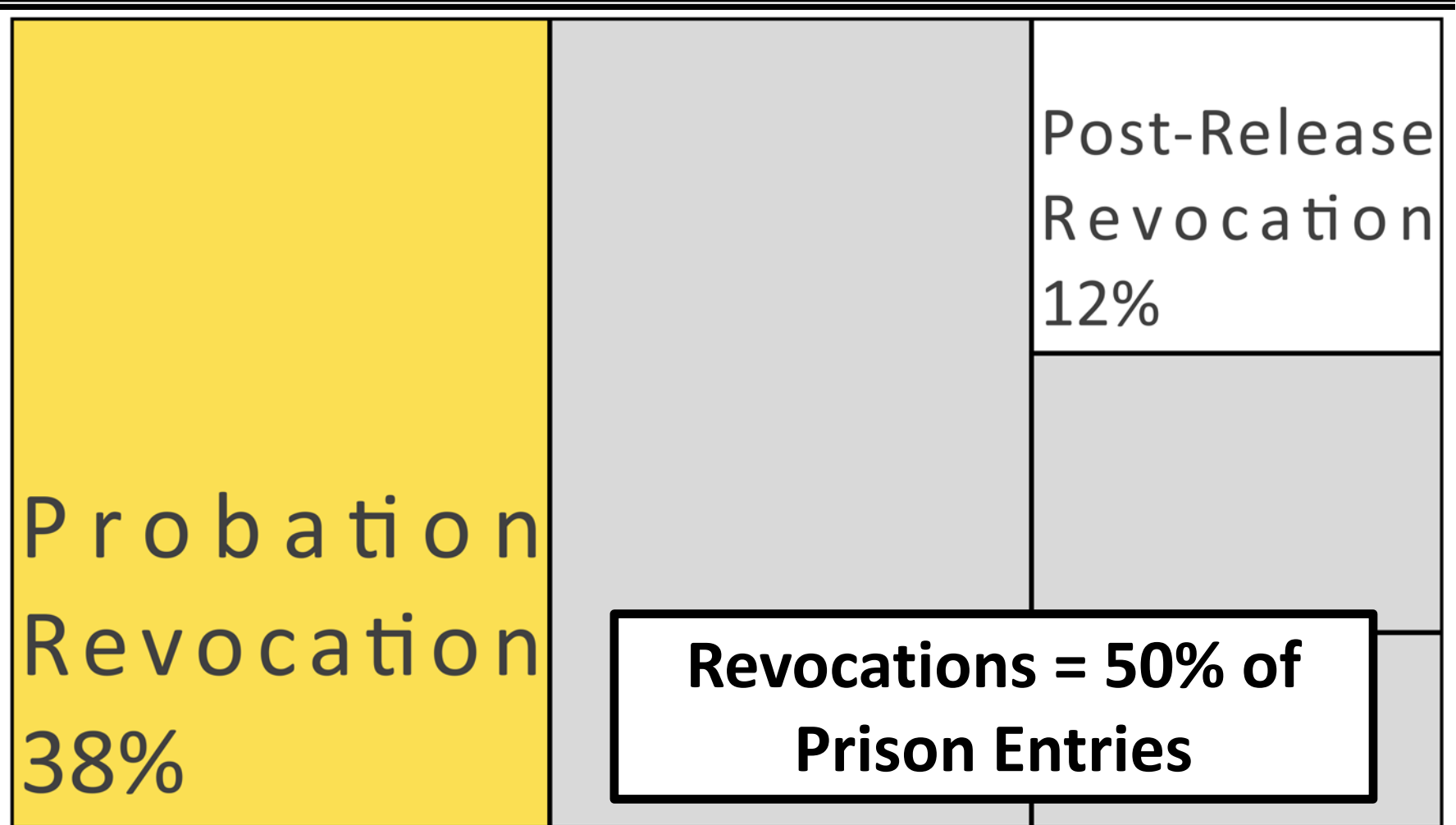
- ▣ Prisons:
 - Education and Work Programs
 - COVID Response
- ▣ Community Corrections
- **Recidivism and Revocations**

Prison Entries, FY 2018-19



Source: DPS Statistical Report, FY 2018-19

Prison Entries, FY 2018-19



Source: DPS Statistical Report, FY 2018-19

SPAC Adult Recidivism Report, April 2020

CORRECTIONAL PROGRAM EVALUATION

OFFENDERS PLACED ON
PROBATION OR RELEASED
FROM PRISON

FISCAL YEAR
2017

 NORTH CAROLINA
SENTENCING AND
POLICY ADVISORY
COMMISSION

THE HONORABLE CHARLIE BROWN
CHAIRMAN
MICHELLE HALL
EXECUTIVE DIRECTOR

- Recidivism does not have universal definition
- SPAC uses re-arrest, re-conviction, and re-incarceration
- Two-year follow up on offenders entering the prison system or probation
- The most recent data in the report is from the offender class of FY 2016-17.

Source: Sentencing Policy and Advisory Commission Adult Recidivism Report, April 15, 2020

SPAC Adult Recidivism Report Findings, April 2020

CORRECTIONAL PROGRAM EVALUATION

OFFENDERS PLACED ON
PROBATION OR RELEASED
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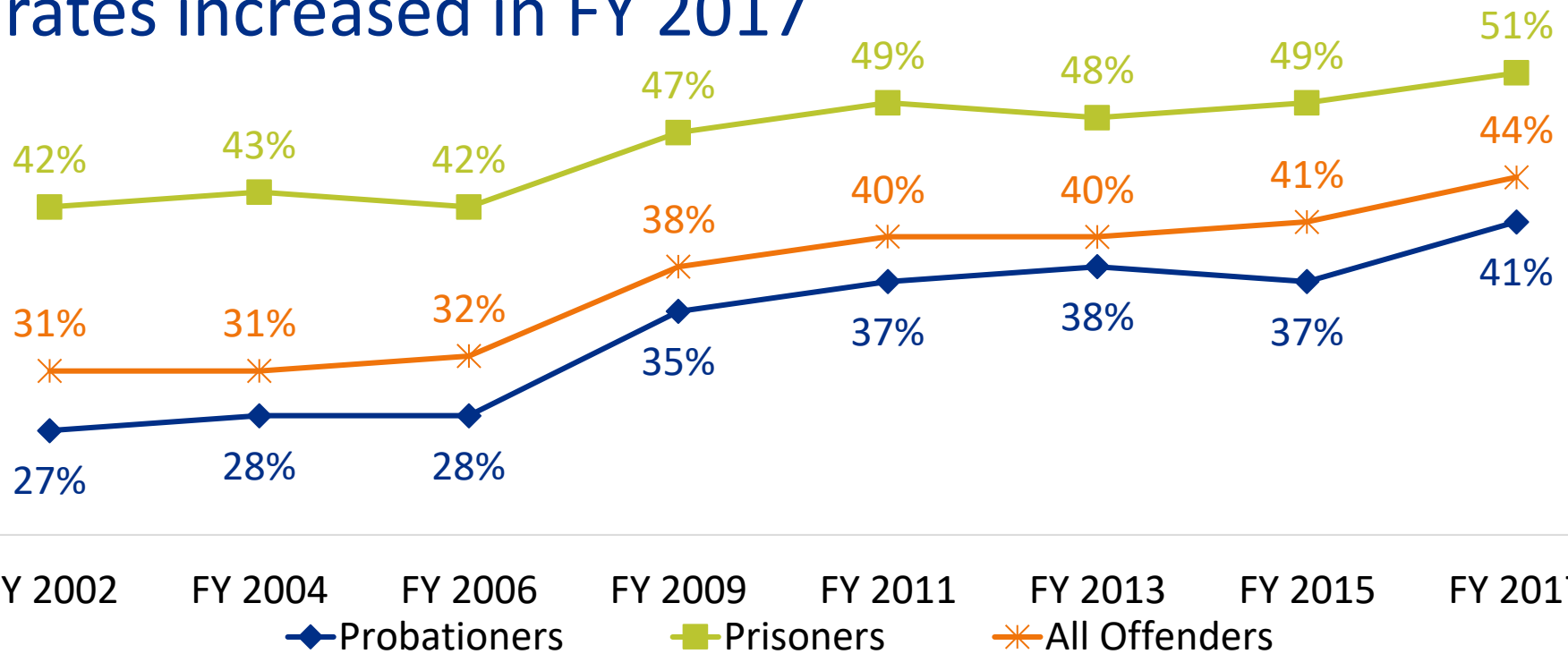
THE HONORABLE CHARLIE BROWN
CHAIRMAN
MICHELLE HALL
EXECUTIVE DIRECTOR

- Recidivist arrest rate increased
- Probationer violations up from 71% to 75%
- Probationer revocation rate from 21% to 25%
- Prisoner recidivist incarceration rate up from 32% to 38%
- Increase in revocations of PRS in response to violations as PRS expanded to lower-level felons

Source: Sentencing Policy and Advisory Commission Adult Recidivism Report, April 15, 2020

Recidivism

After several years of stability, recidivist arrest rates increased in FY 2017

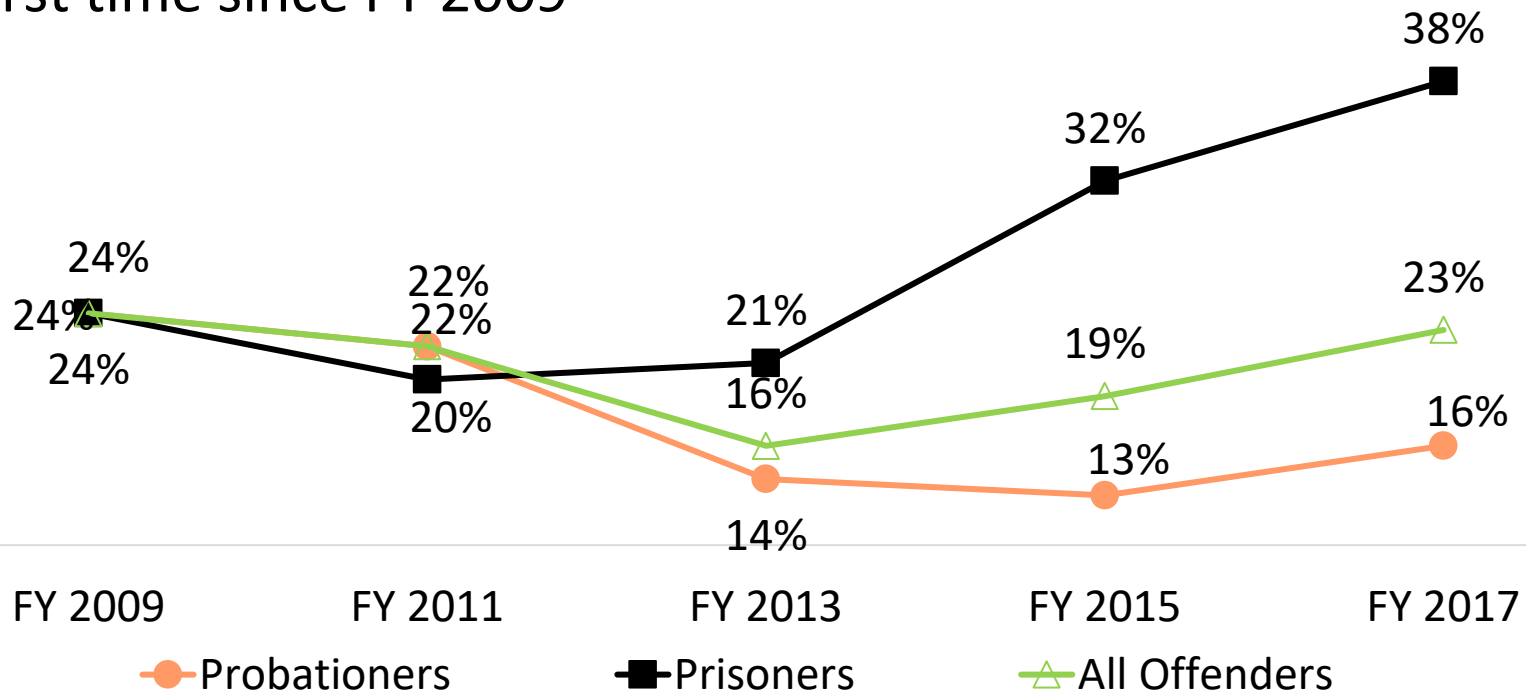


Recidivism rates were calculated using a fixed two-year follow-up period following either a release from prison or an entry to probation.

Source: Sentencing Policy and Advisory Commission Adult Recidivism Report, April 15, 2020

Recidivism

While recidivist incarceration rates continue to increase for prisoners as a result of the JRA, rates increased for probationers for the first time since FY 2009

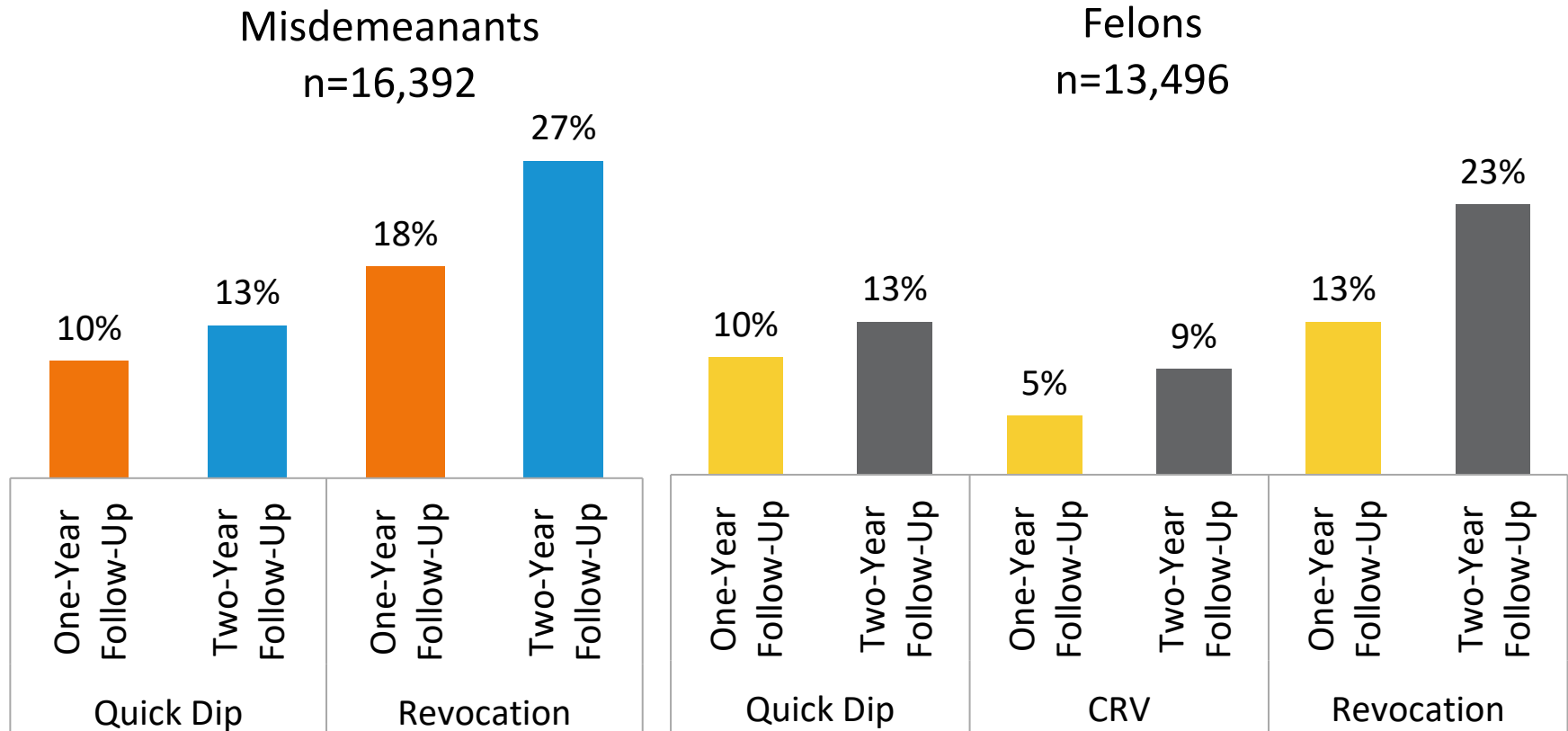


Recidivism rates were calculated using a fixed two-year follow-up period following either a release from prison or an entry to probation.

Source: Sentencing Policy and Advisory Commission Adult Recidivism Report, April 15, 2020

Recidivism

Revocations were the most common confinement response to violation

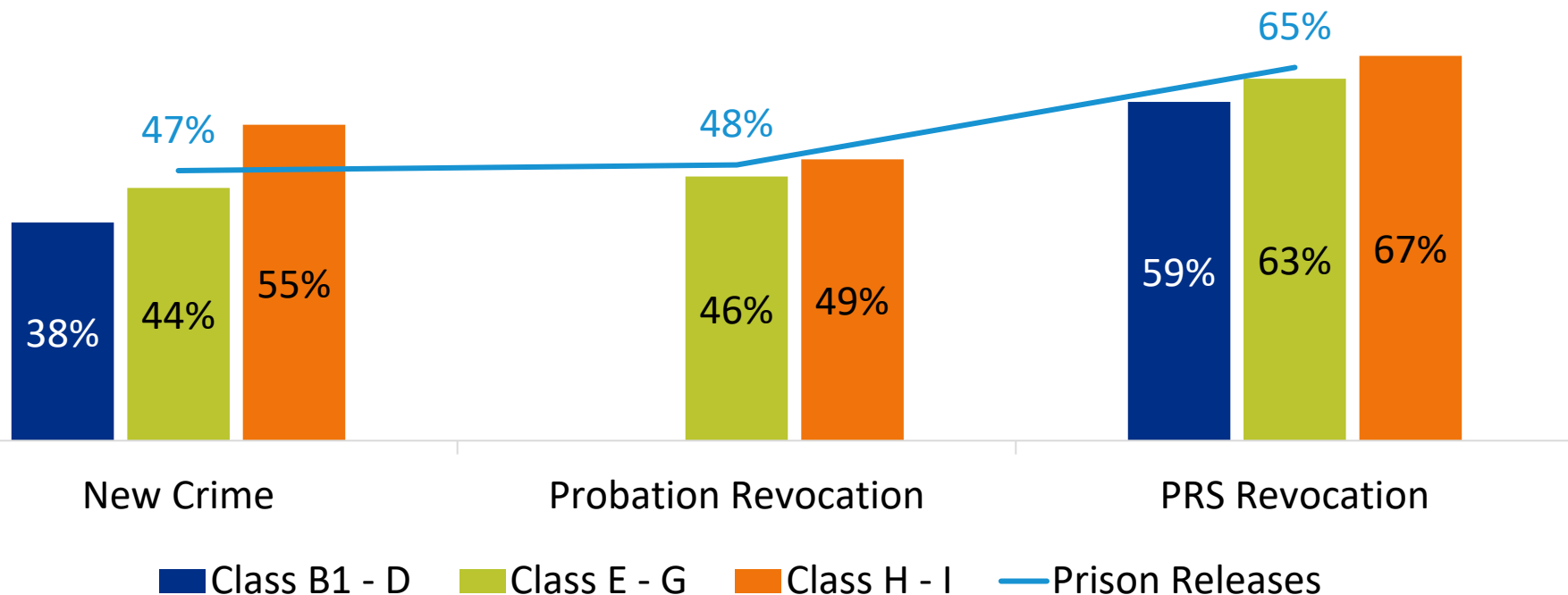


Source: Sentencing Policy and Advisory Commission Adult Recidivism Report, April 15, 2020

Recidivism

Prisoners with a PRS revocation entry had the highest recidivism rates irrespective of offense class

Recidivist Arrest Rates by Type of Prison Entry

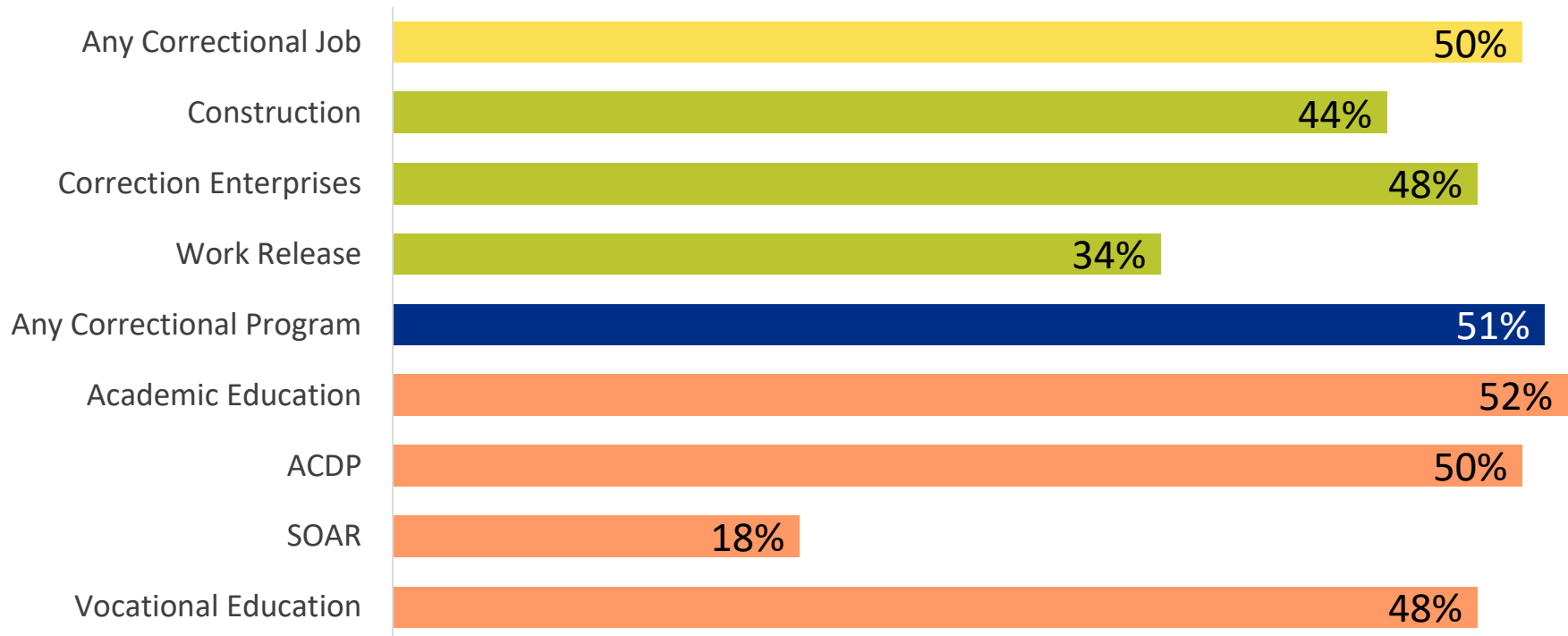


Source: Sentencing Policy and Advisory Commission Adult Recidivism Report, April 15, 2020

Recidivism

Recidivism rates for correctional assignments should be considered within the context of prisoner and job/program characteristics

Recidivist Arrest Rates



Source: Sentencing Policy and Advisory Commission Adult Recidivism Report, April 15, 2020

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