Correctional Program Evaluation

Offenders Released from Probation or Prison

Fiscal Year 2021

NORTH CAROLINA
Sentencing and
Policy Advisory
COMMISSION

The Honorable Charlie Brown
Chairman

Michelle Hall
Executive Director

Correctional Program Evaluation

Offenders Released from Probation or Prison in FY 2021

**PROJECT CONDUCTED IN CONJUNCTION
WITH THE DEPARTMENT OF ADULT CORRECTION**

SUBMITTED PURSUANT TO N.C. GEN. STAT. § 164-47 (2023)

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NORTH CAROLINA
SENTENCING AND
POLICY ADVISORY
COMMISSION

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ACRONYMS

ACDP	Alcohol and Chemical Dependency Programs
CCH	Computerized Criminal History
CRV	Confinement in Response to Violation
DAC	Department of Adult Correction
DOC	Department of Commerce
DWI	Driving While Impaired
ELC	Extended Limits of Confinement
FY	Fiscal Year
G.S.	General Statute
HRDA	High Risk Delegated Authority
LRC	Local Reentry Council
MAPP	Mutual Agreement Parole Program
NAICS	North American Industry Classification System
OPUS	Offender Population Unified System
OTI-R	Offender Traits Inventory-Revised
PCL	Prior Conviction Level
PPO	Probation/Parole Officer
PRD	Projected Release Date
PRL	Prior Record Level
PRS	Post-Release Supervision
PRSPC	Post Release Supervision and Parole Commission
RNA	Risk and Need Assessment
SBI	State Bureau of Investigation
SMI	Serious Mental Illness
SOAR	Sex Offender Accountability and Responsibility
SSA	Structured Sentencing Act
TDU	Therapeutic Diversion Unit
WIOA	Workforce Innovation and Opportunity Act

EXECUTIVE SUMMARY
2024 CORRECTIONAL PROGRAM EVALUATION

RELEASES FROM PROBATION OR PRISON IN FY 2021

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 offenders sentenced under the Structured Sentencing Act (SSA) who were released from supervised probation or prison in FY 2021 (N=37,625). Recidivism was defined broadly as arrests, convictions, or incarcerations during a fixed two-year follow-up period. The Executive Summary highlights key findings and policy implications from the 2024 report.

FY 2021 SAMPLE PROFILE AND OUTCOMES

- Sixty-six percent (66%) of the sample were probationers; 34% were prisoners.
- The highest percentage of offenders resided in the Central and Piedmont divisions. The Western division had the highest recidivist arrest rates, while the Eastern division had the lowest.
- Overall, 78% were male and 49% were White. Prisoners were more likely than probationers to have dropped out of high school, have substance use indicated, and be assessed as extreme risk.
- All prisoners had a sample conviction for a felony offense; over half of probationers (56%) had a conviction for a misdemeanor offense.
- Two-years prior to probation or prison admission, less than half (45%) of offenders were employed. During the two-year follow-up, more than half (53%) were employed; probationers worked more quarters on average and had higher annual median wages compared to prisoners.
- Offenders with a felony conviction had higher recidivism rates than those with a misdemeanor. Offenders with a Class H – I felony had higher recidivist arrest, conviction, and incarceration rates than Class B1 – D felons, Class E – G felons, and Class A1 – 3 misdemeanants.
- Probationers and prisoners assessed as extreme risk and need had the highest recidivism rates.
- Compared to probationers, prisoners 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 how multiple factors, taken together, affect the probability of recidivism. Generally, the probability was highest for offenders who were younger, male, had substance use indicated, and/or had a higher number of prior arrests.

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

Offender Type	N	% Recidivist Arrest	% Recidivist Conviction	% Recidivist Incarceration
Probationers	24,736	22	8	12
Prisoners	12,889	44	18	33
All Offenders	**37,625**	**30**	**12**	**19**

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

PROBATIONERS

- More than half (54%) of probationers exited probation due to positive reasons; 30% exited due to negative reasons and 16% exited due to revocation of probation.
- Over half of probationers in the revocation group were assigned to the most restrictive supervision levels compared to less than one-third in the positive group.
- The positive (68%) and negative (56%) groups were most likely to have a technical violation as their most serious violation; the revocation group (64%) was most likely to have a criminal violation.
- Probationers in the revocation group had the lowest percentage employed, as well as the lowest annual median wages, during all time periods examined. The positive group had the highest percentage employed; the negative group was in the middle.
- The revocation group had the highest recidivist arrest rates for both time periods examined. Not surprisingly, this group also had the highest overall recidivism rates (i.e., recidivism during one or both time periods) (*see* Figure 1). The positive group had the lowest rates.
- Multivariate analyses revealed that having an arrest during probation supervision was one of the strongest predictors of recidivist arrest for probationers (increasing the probability as much as 14%).
- Risk level was a significant predictor of recidivist arrests for the positive group only. Need level was not significant across all three groups.

Figure 1
Recidivist Arrest Rates for FY 2021 Probation Release Sample
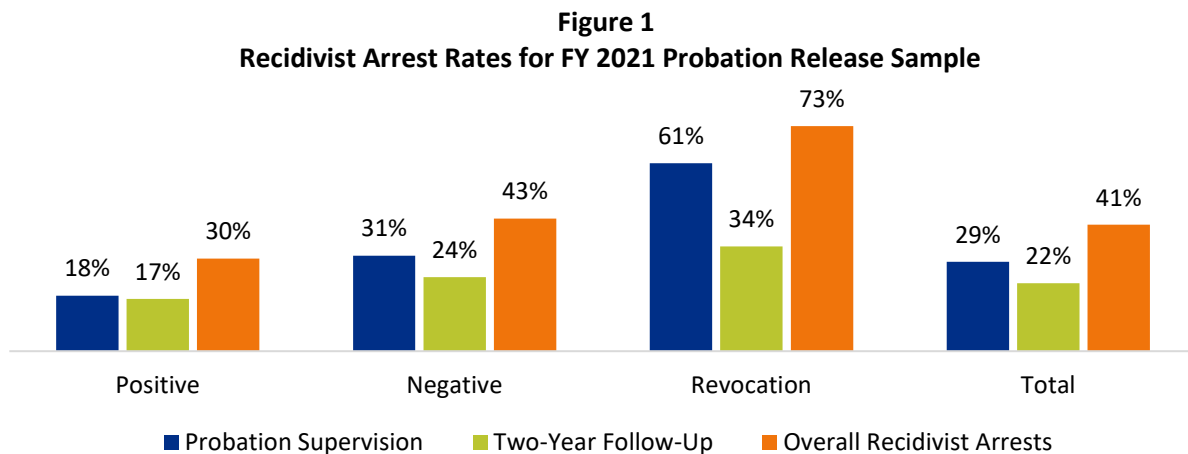
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Probation Release Sample

PRISONERS

- Overall, 17% of prisoners had a most serious conviction for a Class B1 – D felony, 38% for a Class E – G felony, and 45% for a Class H – I felony. Recidivism rates were lowest for prisoners with Class B1 – D felonies and highest for Class H – I (*see* Figure 2).
- Prisoners who were incarcerated for a revocation of post-release supervision (PRS), who had infractions, who were placed in restrictive housing while incarcerated, and/or who were classified as close custody at release had the highest recidivism rates.
- Class B1 – D prisoners had the lowest percentage assessed as either extreme or high risk. 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.

- Three-fourths (75%) of prisoners released onto PRS exited satisfactorily; 18% exited due to revocation. Most prisoners with PRS were assigned to the most restrictive supervision levels; recidivist arrest rates were highest for those in the most restrictive supervision levels.
- Just under 10% of prisoners were released early as part of a settlement agreement resulting from a lawsuit during the COVID-19 pandemic. Recidivist arrest rates for settlement releases were slightly higher than for prisoners overall (48% compared to 44%), primarily due to higher recidivist arrest rates for Class B1 – D settlement releases.
- Multivariate analyses showed that personal characteristics and sample conviction were consistent predictors of recidivism across all outcomes. Prisoners who were male, younger, dropped out of high school, and/or had Class H – I felonies had higher probabilities of recidivism.

Figure 2
Criminal Justice Outcomes for FY 2021 Prison Release Sample: Two-Year Follow-Up
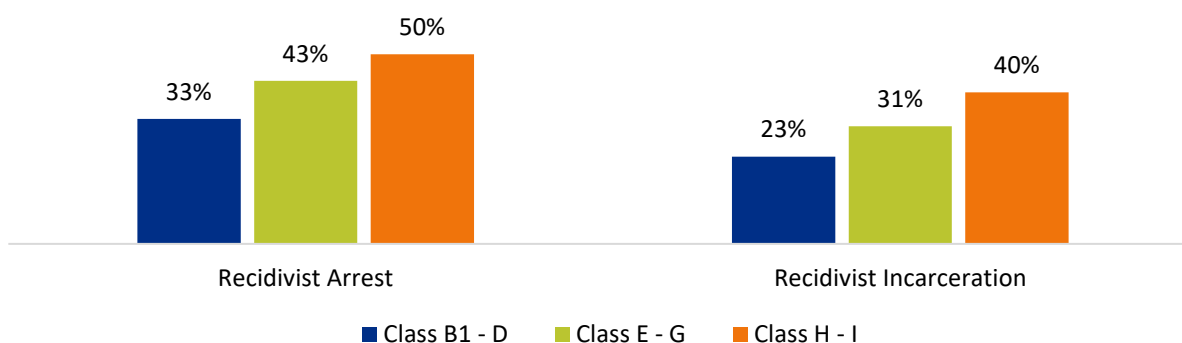
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

CONCLUSIONS

- The COVID-19 pandemic was the primary explanation of lower recidivism for the FY 2021 sample with the entire sample entry period and nearly all of the two-year follow-up affected by the pandemic. An examination of recidivism rates by quarter showed that rates for the FY 2021 sample remained at the depressed levels that began at the onset of the pandemic for the FY 2019 sample.
- Consistent findings over time point to the relative success of probationers compared to prisoners.
- Risk assessments are a valuable tool in predicting recidivism. Current findings indicate that the risk and need assessment (RNA) generally identified offenders most likely to reoffend and placed them in more restrictive supervision levels. However, further exploration also revealed a potential need to revalidate the instrument and/or revisit the scores and levels for both probationers and prisoners.
- Data on employment during follow-up, recidivism rates within the context of the SSA punishment charts, prisoners who received services from Local Reentry Councils, and prisoners who were released early under the settlement agreement enriched the understanding of recidivism findings for the FY 2021 sample.

The Sentencing Commission looks forward to continuing its collaborative work with the Department of Adult Correction to combine the lessons learned from its studies of recidivism in an effort to evaluate policies, programs, and strategies used to supervise and effectively intervene with offenders to reduce recidivism in North Carolina.

CHAPTER ONE
INTRODUCTION

With the enactment of the Structured Sentencing Act (SSA) in 1994, North Carolina embarked on a new penal strategy. The SSA is designed to benefit the criminal justice system by increasing truth, consistency, and certainty in the sentencing of offenders, setting priorities for the use of correctional resources, and balancing sentencing policies with correctional resources.

Under the SSA, offenses are classified based on their severity and offenders are classified based on the extent and gravity of their prior criminal record.[1] Based on these two factors, Structured Sentencing utilizes grid-based punishment charts to provide judges with sentencing options for the type and length of sentences that may be imposed. Sentencing options are prioritized so that offenders convicted of violent crimes, as well as repeat offenders, are more likely to receive active prison sentences and to serve longer prison terms, while first-time offenders charged with nonviolent crimes are more likely to receive a community-based punishment or to serve shorter terms if imprisoned.[2]

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 correctional programs, in prison and in the community, 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. The punitive aspect of criminal sanctions might also serve as an individual deterrent for convicted offenders. Policymakers tend to be concerned with whether 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. Programs that diminish future offending not only increase public safety, but may also decrease corrections spending by lessening overall demand and, therefore, costs for supervision (e.g., programs and services) and confinement (i.e., prison or jail beds). With limited available resources, it is imperative to target spending toward those programs and sanctions that are most effective.

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's[3] original mandate in 1990. During the 1998 Session, the General Assembly codified the Commission's mandate to study recidivism, made it recurring, and expanded its scope to include a more in-depth evaluation of correctional programs. The statute gives the following directive:

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[1] 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.

[2] Offenders convicted of Class B1 – D felonies are required to receive an active sentence with limited exceptions; convictions with extraordinary mitigation N.C. Gen. Stat. (hereinafter G.S.) § 15A-1340.13(g) and(h) and convictions for felony death by vehicle offenses (G.S. 20-141.4(b)(2)) are punished according to specific rules. Offenders convicted of Class E – I felonies may receive either an active sentence or probation depending on their criminal history. Sentence lengths for Class E – G felonies are typically in the 1- to 2-year range, while those for Class H – I felonies are usually less than 1 year.

[3] Also referred to throughout the report as "Sentencing Commission" or "Commission."

The Judicial Department, through the North Carolina Sentencing and Policy Advisory Commission, and the Department of Adult Correction[4] 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, sample 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.[5]

The current study is the thirteenth 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.

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 history; current criminal justice involvement including sample conviction, sentence, correctional sanctions, and correctional program participation; and measures of social reintegration such as arrests, convictions, and incarcerations during follow-up. 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.

The research design for the twelve prior recidivism studies used a sample of offenders released from prison or placed on probation during a fiscal year. The current report employs a new design for the study of probationers, based on release from or completion of probation, rather than admission. While a probation admission sample is informative, establishing the timing and order of when program interventions, sanctions for noncompliance, and recidivism occurred was problematic because these events were being tracked during the same time period (two years following probation admission). A probation release sample, however, allows offenders to be tracked both *during* and *following* their involvement with the criminal justice system. (*See* Figure 1.) As demonstrated in the Commission's *2022*

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[4] On January 1, 2023, the Division of Adult Correction became a separate Department of Adult Correction. While this report focuses on a sample from FY 2021, to avoid confusion, this report will refer to the former Division as the Department of Adult Correction.

[5] G.S. 164-47.

Special Report on Probation Releases and Recidivism,[6] this allows for greater examination of the timing of recidivism – did it occur while an offender was under supervision or did it occur following their exit from probation? Most importantly, the ability to control for the order and timing of recidivist events in comparison to interventions allows for a greater understanding of the effect of the totality of system involvement (i.e., all interventions and programs) on recidivism.

Figure 1.1
A Timeline Comparison of Probation Entry and Probation Release Samples

Probation Entry Sample		
	Probation Entry (varied period) **Probation Release***	
	Recidivism & Interim Outcomes	
	Follow-Up Begins (2-year fixed period) **Follow-Up Ends**	

Probation Release Sample		
Probation Entry (varied period) **Probation Release**	**Recidivism**	
Recidivism & Interim Outcomes	**Follow-Up Begins** (2-year fixed period) **Follow-Up Ends**	

*Probation release could have occurred prior to or after the end of the two-year follow-up.

This is the first recidivism report that will include a release sample of both prisoners and probationers. With the incorporation of a probation *release* sample, the rates of recidivism presented in this report will serve as baseline rates for comparison with future reports. Readers should exercise caution in making comparisons between the recidivism rates presented in this report and previous reports due to the differences in sample selection.

SAMPLE

Figure 1.2 provides a visual depiction of the FY 2021 recidivism sample, including the distribution by offender type. The sample selected for the current study included all offenders released from a North Carolina prison or released from supervised probation during FY 2021 with two exceptions: offenders with a most serious conviction for Driving While Impaired (DWI) and offenders released from prison with a misdemeanor conviction.[7] The final study sample includes 37,625 offenders sentenced under the SSA, affording a comprehensive look at the recidivism of offenders in North Carolina.

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[6] *See* https://www.nccourts.gov/assets/documents/publications/SPAC-2022-Special-Report-on-Probation-Releases-and-Recidivism-July-2022.pdf?VersionId=.R2nggu_YO7QNdC.5DQUX9bPYLpHStWM.
[7] As of January 1, 2015, all misdemeanants serving active sentences are housed in local jails.

Figure 1.2
FY 2021 Recidivism Sample
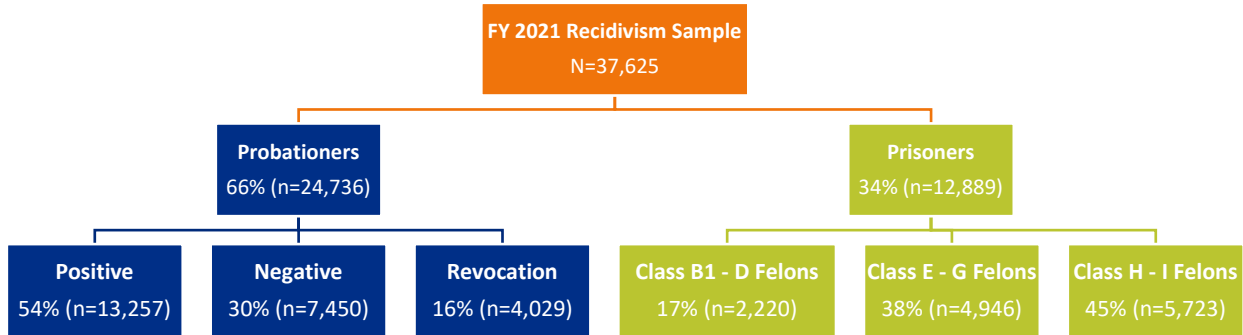
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

For the probation release sample,[8] comparisons are made based on how probationers exited probation – successfully or unsuccessfully – with examination of sample characteristics and outcomes based on the offender's release reason (positive, negative, and revocation of probation).[9] Over half (54%) of probationers exited probation due to positive reasons, while 30% exited due to negative reasons and 16% exited due to revocation of probation.

For the prison release sample, sample characteristics and outcomes are examined for felony prisoners based on offense class groupings. Overall, 17% had a most serious conviction for a Class B1 – D felony (most serious offense classes), 38% for a Class E – G felony, and 45% for a Class H – I felony (least serious offense classes).

CRIMINAL JUSTICE OUTCOMES

Defining Recidivism

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, including length of the follow-up period (e.g., two years). 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 and overall.

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[8] The terms probation "release" and probation "exit" are used interchangeably throughout this report.
[9] *See* Chapter Three for details about probationers' groupings (e.g., positive, negative, revocation).

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 Adult Correction

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Recidivism studies utilize varying lengths of time for their follow-up periods, depending on the availability of data and other resources. This study provides information on the recidivism of the FY 2021 sample of offenders using a fixed two-year follow-up period. The two-year follow-up is a fixed period calculated individually for each offender. The start of the two-year follow-up is one day after release from probation or the day of release from a state-operated prison facility.

For probation releases, recidivism is also examined *during* the probationer's term of supervision. Recidivism measured during the supervision period varied for each probationer because time under supervision varied. Although there are some exceptions, misdemeanor probationers receive a period of probation of not less than 6 months and not more than 24 months, while felony probationers receive a period of probation of not less than 12 months and not more than 36 months. The probation supervision period starts at probation admission and ends at the offender's release from probation.

Additionally, for probationers, interim outcomes were examined as indicators of misconduct while under supervision. These interim outcomes included violations of supervision and certain responses to these violations (e.g., delegated authority, Confinement in Response to Violation (CRV), revocations). For prisoners, certain information while incarcerated was examined including infractions, participation in programs or jobs, custody level upon release as well as a focused look at prisoners released onto post-release supervision (PRS).

Time at Risk

A fixed follow-up period was used in an attempt to obtain the same "window of opportunity" for each offender to recidivate. However, the window of opportunity to commit a new crime may vary if confinement occurred during follow-up. Time at risk is of particular note for the probationers in the revocation group, who, by definition, were incarcerated in either a prison (primarily felons) or a local jail (misdemeanants) during some portion of the two-year follow-up.[10] Forty-four percent (44%) of the revocation group had the full two years of follow-up to recidivate due to their confinement in prison. For all offenders, confinement in local jails was not accounted for in the time at risk measure due to the lack of available statewide jail data.

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[10] For purposes of time at risk, incarceration was defined as 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 Offender Population Unified System (OPUS) data. The measure does not include incarceration in jails, other states, or Federal facilities. In addition, offenders who entered prison as a safekeeper or a pre-sentence diagnostic were not included in the measure. Offenders who served a CRV for technical violations were included as a prison confinement for determining time at risk but not for determining recidivism.

COVID-19 PANDEMIC AND THE CRIMINAL JUSTICE SYSTEM

Of particular note for this report is the onset of the COVID-19 pandemic (March 2020) which 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.

Offenders entered the FY 2021 sample during the height of the pandemic (i.e., were either released from probation or from prison between July 1, 2020 and June 30, 2021). Also unique to this timeframe and to this report is the inclusion of prisoners in the FY 2021 sample who were released early as a result of a lawsuit (and resulting settlement agreement) challenging the conditions of confinement during the pandemic.[11] This report includes an examination of outcomes for prisoners released under the settlement agreement who were also in the recidivism sample (*see* Chapter Four).

The pandemic also was a factor for the two-year follow-up period,[12] although criminal justice system operations were slowly beginning to recover later in the time period. The impact of the pandemic on recidivism rates is further discussed in Chapter Six.

DATA SOURCES

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

- The North Carolina Department of Adult Correction's (DAC) Offender Population Unified System (OPUS) was used to identify offenders in the FY 2021 sample and to obtain information on demographic characteristics, offender risk and need assessment (RNA) data, sample convicted offense and sentence,[13] correctional sanction and treatment programs, incarceration period, and prior and recidivist probation and incarceration measures. Additionally, data were obtained from the DAC's database for Local Reentry Councils (LRC).
- 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. All felony arrests and certain misdemeanor arrests are fingerprinted (G.S. 15A-502).[14] 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's (DOC) data management system was used to obtain employment information for offenders in the FY 2021 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 program and, therefore, may not include earnings from

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[11] In April 2020, several civil rights organizations filed a lawsuit against the State challenging the conditions of confinement in North Carolina's state prisons as unconstitutional during the COVID-19 pandemic. In February 2021, the State agreed to the early reentry of 3,500 prisoners over a six-month period. *See NC NAACP v. Cooper*, No. 20 CVS 500110 (Wake County, N.C., February 25, 2021) (Joint Motion for Stay).

[12] The individually calculated two-year fixed follow-up period ranged from July 1, 2020 to June 30, 2023, depending on date of release from probation or prison.

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

[14] Appendix A shows the volume of felony-only and misdemeanor-only arrests from FY 2000 to FY 2023, indicating fiscal years that correspond with Commission recidivism samples. Trends in arrests offer important context for changes in recidivism rates, including those related to the COVID-19 pandemic, discussed more in Chapter Six.

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 675 items of information (or variables) for the sample of 37,652 offenders released from probation or prison between July 1, 2020 and June 30, 2021 and followed for two years.[15]

REPORT OUTLINE

This report examines recidivism for SSA offenders who were released from supervised probation or from prison in FY 2021.

Chapter Two presents a descriptive profile of the FY 2021 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 prisoners and probationers.

Chapter Three provides a more detailed examination of the FY 2021 probation releases, with a comparison of offenders by exit reason (i.e., positive, negative, or revocation). 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) as interim outcomes; and a summary of recidivist activity during the two-year follow-up.

Chapter Four examines FY 2021 prison releases in detail, with a comparison of offenders by offense class groupings. The chapter offers a descriptive comparison of the groups of prisoners in terms of their personal characteristics, 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. For this report, outcomes for prisoners released early under the settlement agreement, including prisoners transitioned to the community through Extended Limits of Confinement (ELC), are also examined in this chapter.

Chapter Five 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 2021 sample overall and by group (i.e., probationers and prisoners). Multiple models were examined to determine how a variety of independent variables (e.g., sex, race, age) may be related to the probability of recidivism.

Chapter Six concludes with a discussion of findings from the Sentencing Commission's most recent recidivism reports. Observations regarding the effect of the COVID-19 pandemic on the sample and recidivism rates are offered, as well as potential areas for future research.

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[15] Definitions for primary analysis variables and key terms are provided in Appendix B.

CHAPTER TWO
STATISTICAL PROFILE AND CRIMINAL JUSTICE OUTCOMES OF THE FY 2021 SAMPLE

Chapter One defined the study sample as SSA offenders who were released from supervised probation or prison during FY 2021. Chapter Two examines the FY 2021 sample as a whole and by offender type (i.e., probationers and prisoners). A statistical profile of the sample is provided that includes offender type, geographic divisions, personal characteristics, prior criminal history, sample conviction, employment, and offender's assessed risk and need. Criminal justice outcomes for the sample are also examined, with a focus on recidivist arrests, convictions, and incarcerations by offender type, geographic divisions, personal characteristics, prior criminal justice contacts, sample conviction, and risk and need levels.[16]

STATISTICAL PROFILE

Offender Type

There were 37,625 offenders who were released from supervised probation (66%) or a prison facility (34%) during FY 2021. Offenders with a sample conviction for DWI and offenders released from prison with a misdemeanor conviction were excluded from the sample.

Geographic Division

Figure 2.1 examines the distribution of the FY 2021 sample by the four DAC divisions across the state – Division 1 in the Western area, Division 2 in the Piedmont area, Division 3 in the Central area, and Division 4 in the Eastern area.[17] These divisions are determined by county. The highest percentage of the sample resided in the Central and Piedmont divisions (27% each), while the lowest percentage of the sample resided in the Eastern and Western divisions (23% each). Irrespective of division, most offenders were probationers and the fewest were prisoners (66% and 34% respectively). The Western division had the highest percentage of prisoners, while the Eastern division had the smallest percentage (38% and 30% respectively). Conversely, the Eastern division had the highest percentage of probationers, while the Western division had the smallest percentage.

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[16] *See* Appendix B for definitions of recidivism and other key terms and Appendix C for summarized descriptions of the sample.
[17] *See* Appendix D, Table D.1, for the distribution by geographic divisions, districts, and counties. For a detailed map of the divisions, districts, and specific counties within those areas, *see* the DAC's web page at https://www.dac.nc.gov/divisions-and-sections/community-supervision/community-supervision-judicial-divisions-districts-and-local-offices.

Figure 2.1
Geographic Division
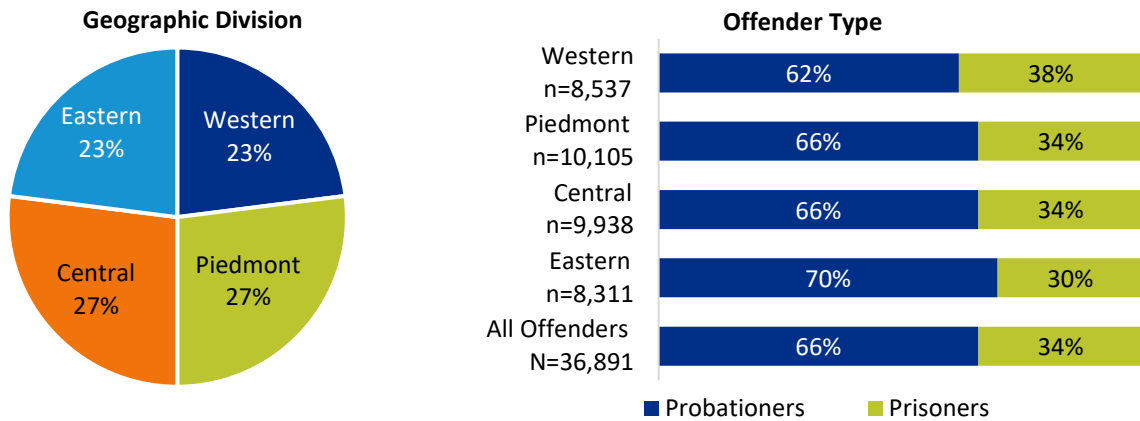
Geographic Division

Offender Type

	Probationers	Prisoners
Western n=8,537	62%	38%
Piedmont n=10,105	66%	34%
Central n=9,938	66%	34%
Eastern n=8,311	70%	30%
All Offenders N=36,891	66%	34%

Note: There were 734 offenders with missing county information.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Personal Characteristics

Figure 2.2 and Table 2.1 contain information describing the personal characteristics of the FY 2021 sample. Of the 37,625 offenders, 78% were male, 49% were White, 45% were Black, 88% were not married, 57% dropped out of high school, 55% had prior employment, and 74% were identified as having substance use indicated. A lower percentage of probationers were male compared to prisoners. 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 substance use indicated.

Figure 2.2
Sex and Race

Sex

	Male	Female
Probationers	73%	27%
Prisoners	89%	11%
All Offenders	78%	22%

Race

	White	Black	Other
Probationers	50%	44%	6%
Prisoners	47%	47%	6%
All Offenders	49%	45%	6%
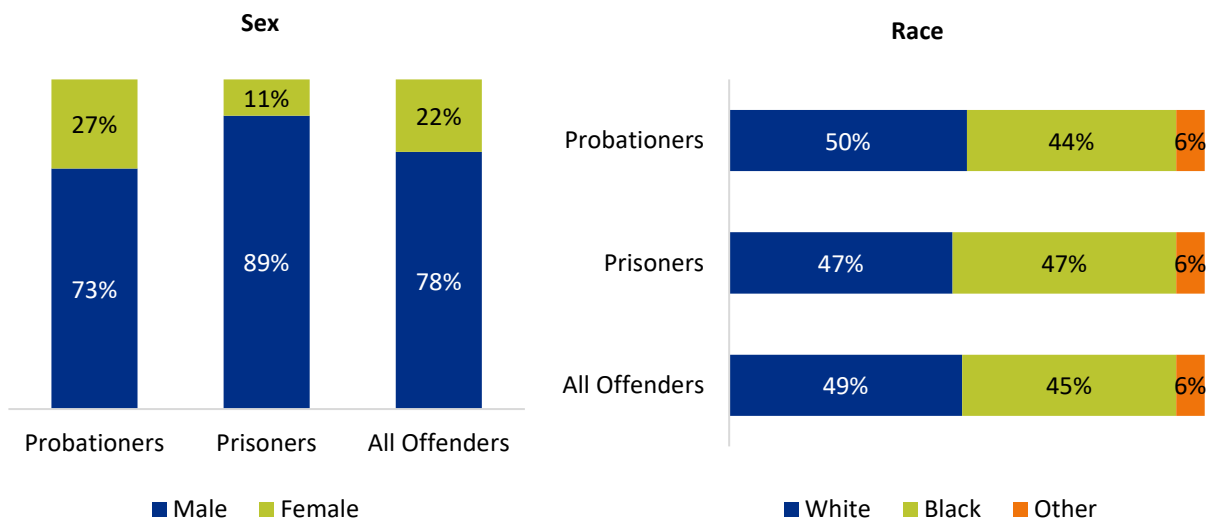
Note: Of the 37,625 offenders with ethnicity data available, 4% were Hispanic.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Table 2.1
Personal Characteristics

Personal Characteristics	Probationers n=24,736 %	Prisoners n=12,889 %	All Offenders N=37,625 %
Age at Release			
Under 21 Years	4	3	3
21-29 Years	29	27	28
30-39 Years	33	35	34
40-49 Years	19	20	20
50 Years and Older	15	15	15
Average	*36*	*37*	*36*
Marital Status			
Married	13	11	12
Not Married	87	89	88
Education			
High School Graduate	50	30	43
High School Dropout/GED	50	70	57
Prior Employment			
Employed	60	45	55
Not Employed	40	55	45
Substance Use			
None Indicated	28	23	26
Substance Use Indicated	72	77	74

Note: Fifty-three (53) offenders were missing education and 4,505 were missing substance use information.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Prior Employment

If an offender was paid within any of the eight quarters during the two years prior to probation or prison entry, they were considered employed.[18] As shown in Table 2.1, over half of the sample (55%) was employed in the two years prior to probation or prison entry.[19] Figure 2.3 shows the distribution for those 20,511 offenders by employment status. Specifically, whether offenders were employed two years prior to prison or probation entry only, one year prior to entry only, or if offenders were employed in both prior years. A higher percentage of probationers were employed in both years prior to probation or prison entry compared to prisoners (41% and 20% respectively).

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[18] 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 were not necessarily consecutive quarters, but rather the total number of quarters worked over the span of eight quarters (or two years).
[19] If an offender entered the sample on July 1, 2020, year one prior employment was captured from July 1, 2019 to June 30, 2020 and year two prior employment was captured from July 1, 2018 to June 30, 2019.

Figure 2.3
Employment Status: Prior Employment

	Probationers	Prisoners	All Offenders
Overall Prior Employment	60%	45%	55%
Both	41%	20%	33%
Year One Prior Only	7%	7%	7%
Year Two Prior Only	12%	18%	15%

■ Year Two Prior Only ■ Year One Prior Only ■ Both □ Overall Prior Employment

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Figure 2.4 shows the annual median wages earned prior to probation or prison entry. Probationers had a median wage earned two years prior to entry that was nearly double that of prisoners ($7,127 and $3,612 respectively). Median wages earned one year prior to probation or prison entry were also higher for probationers compared to prisoners ($5,721 and $2,531 respectively). For both probationers and prisoners, median wages earned one year prior to entry were lower than wages earned two years prior to entry.

Figure 2.4
Annual Median Wages: Prior Employment

Year Two Prior Only	Year One Prior Only
Probationers: $7,127	$5,721
All Offenders: $5,843	$4,770
Prisoners: $3,612	$2,531

—— Probationers —— Prisoners —— All Offenders
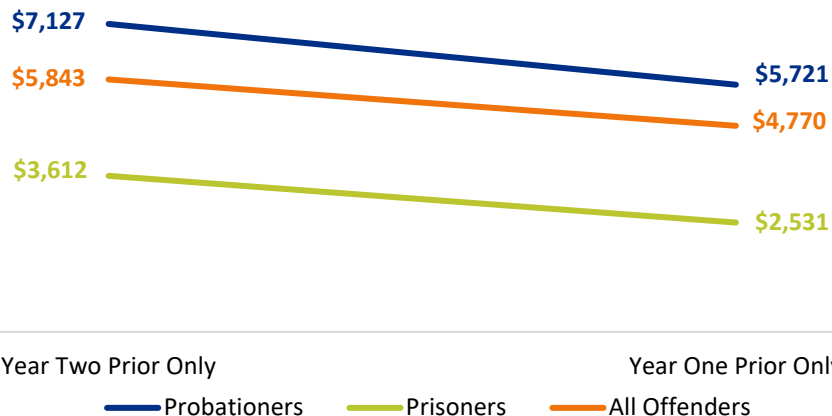
Note: Offenders who did not receive wages in the year two prior period (n=2,620) and the year one prior period (n=5,386) were not represented in the figure.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

The distribution by the number of quarters employed for probationers and prisoners during the two years prior to probation or prison entry is shown in Figure 2.5. A higher percentage of probationers worked 7 to 8 quarters during the two years prior compared to prisoners (26% and 9% respectively), while a higher percentage of prisoners worked only 1 quarter in the two years prior compared to probationers (26% and 14% respectively). On average, probationers worked one more quarter than prisoners during the two years prior (4 and 3 respectively).

Figure 2.5
Number of Quarters Employed: Prior Employment

	1	2	3-4	5-6	7-8
Probationers n=14,774	14%	14%	23%	23%	26%
Prisoners n=5,737	26%	23%	27%	15%	9%
All Offenders N=20,511	18%	16%	24%	21%	21%

Legend: ▪ 1 ▪ 2 ▪ 3-4 ▪ 5-6 ▪ 7-8
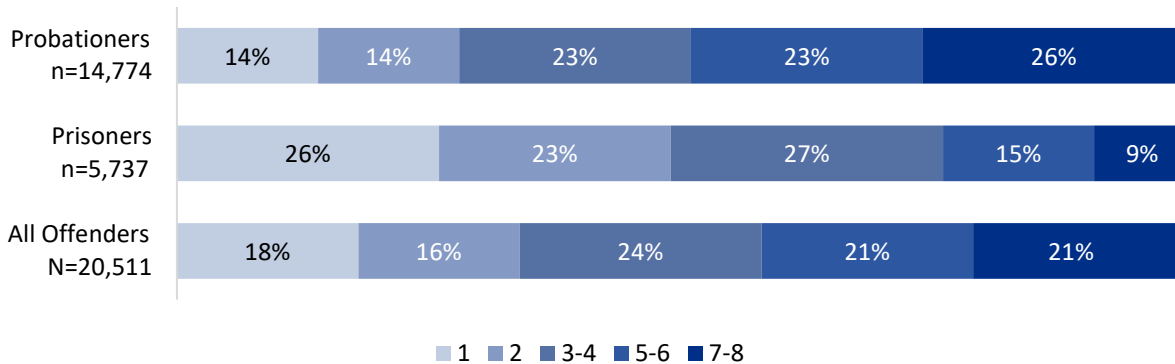
Note: Less than 1% (or n=70) of the sample had 8 quarters of prior employment.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Figure 2.6 shows the top 5 industries for the last full quarter employed prior to probation or prison entry.[20] Accommodation and Food Services[21] was the most common industry (25%); Administrative and Support, Waste Management and Remediation Services[22] closely followed with 24% of offenders in this industry. Overall, the top 5 industries accounted for 79% of the industries for the sample. The top industry for probationers and prisoners differed; Accommodation and Food Services was the top industry for probationers (25%), while Administrative and Support, Waste Management and Remediation Services (28%) was the top industry for prisoners.

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[20] 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/.

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

[22] 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.

Figure 2.6
Top 5 Prior Employment Industries

25%	Accommodation and Food Services
24%	Administrative and Support, Waste Management and Remediation Services
13%	Manufacturing
10%	Construction
7%	Retail Trade

Bar chart (Probationers / Prisoners):

- Accommodation and Food Services: 25% / 23%
- Admin and Waste Management: 22% / 28%
- Manufacturing: 13% / 14%
- Construction: 9% / 12%
- Retail Trade: 8% / 5%

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Prior Criminal Justice Contacts

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

Prior arrests have consistently been found to be a strong predictor of recidivism.[23] As a whole, 86% of the FY 2021 sample had at least one prior fingerprinted arrest. Prisoners were more likely to have a prior fingerprinted arrest than probationers (95% and 81% respectively) and to have a higher average number of prior arrests (9 and 5 respectively). Figure 2.7 further illustrates the differences in number of prior arrests for prisoners and probationers. The 32,186 offenders with a prior arrest accounted for a total of 198,146 prior arrests.[24] 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 (85% compared to 59%), prior probation/PRS revocation (61% compared to 33%), and prior incarceration (60% compared to 27%).

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[23] *See* the Sentencing Commission's previous recidivism reports at https://www.nccourts.gov/documents/publications/adult-recidivismcorrectional-program-evaluation.

[24] The 19,994 probationers with a prior arrest accounted for a total of 91,751 prior arrests and the 12,192 prisoners with a prior arrest accounted for a total of 106,395 prior arrests.

Table 2.2
Prior Criminal Justice Contacts

Prior Criminal Justice Contacts	Probationers n=24,736 %	Prisoners n=12,889 %	All Offenders N=37,625 %
Prior Arrest	81	95	86
Prior Probation Entry	59	85	68
Prior Probation/PRS Revocation	33	61	42
Prior Incarceration	27	60	38

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Figure 2.7
Number of Prior Arrests for Offenders with Any Prior Arrest
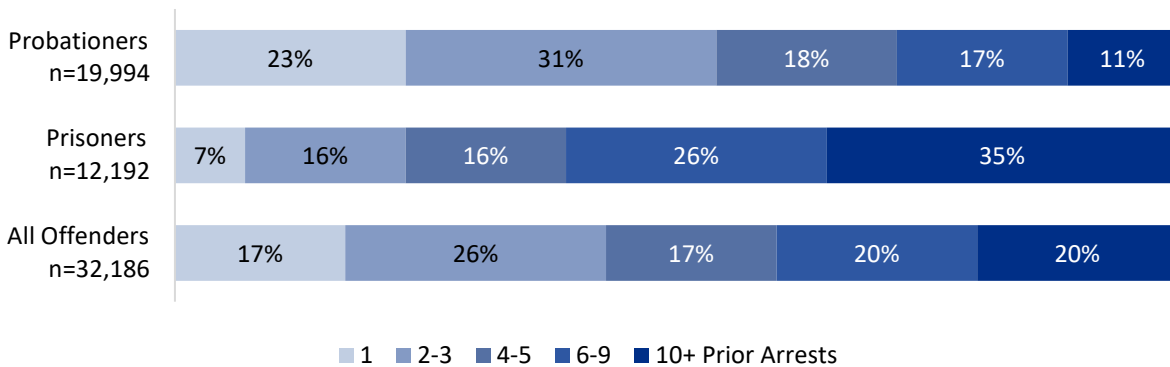
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Sample Conviction

Figure 2.8 presents information on the offense class of the most serious sample conviction[25] for the FY 2021 sample. Under the SSA, offenses are classified based on offense seriousness.[26,27]

Overall, 63% of the sample had a conviction for a felony offense and 37% had a conviction for a misdemeanor offense. By sample definition, all prisoners had a conviction for a felony offense, while the majority of probationers had a conviction for a misdemeanor offense (56%).

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[25] For the sake of brevity, the term "most serious sample conviction" is often referred to as "sample conviction" or "conviction."
[26] 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.
[27] 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. 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.

Figure 2.8
Offense Class of the Sample Conviction

Probationers	12%	32%	56%
Prisoners	17%	38%	45%
All Offenders	6% 21%	36%	37%

■ Class B1 - D Felony ■ Class E - G Felony ■ Class H - I Felony ■ Class A1 - 3 Misdemeanor
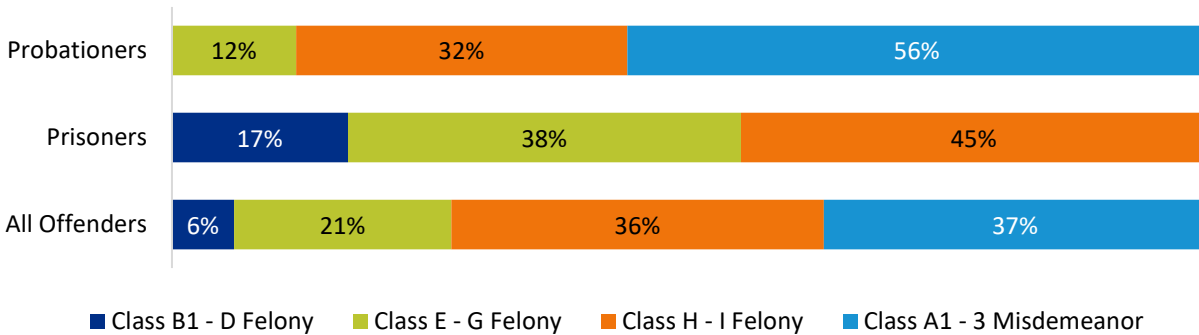
Note: Less than 1% of probationers had a Class B1 – D felony conviction.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Figure 2.9 presents information on convictions by offense category (i.e., person, property, drug, other). Overall, 33% of the sample had a conviction for a property offense followed by 25% for drug offenses, 23% for person offenses,[28] and 19% for other[29] offenses. The majority of prisoners and probationers had a conviction for property offenses (30% and 34% respectively). A higher percentage of prisoners had person convictions (26% compared to 21%). Figure 2.10 provides the top 5 convictions along with the offense class and offense category for those offenses.

Figure 2.9
Offense Category of the Sample Conviction
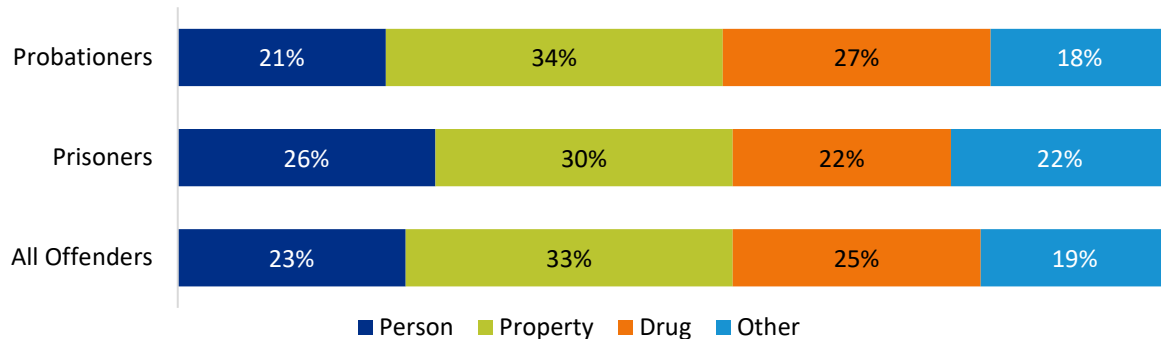
Probationers	21%	34%	27%	18%
Prisoners	26%	30%	22%	22%
All Offenders	23%	33%	25%	19%

■ Person ■ Property ■ Drug ■ Other

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

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[28] Of the 8,530 offenders with a conviction for a person offense, 11% (n=900) had a conviction for an offense which requires registration as a sex offender under Article 27A of Chapter 14 of the NC General Statutes.
[29] The most common offenses categorized as other include possession of firearm by felon, habitual felon, speed/elude arrest, fail to notify change of address for sex registry, and habitual impaired driving.

Figure 2.10
Top 5 Convictions

Probationers

- 10% Misdemeanor Larceny (Class 1) - Property
- 6% Use/Possess Drug Paraphernalia (Class 1) - Drug
- 5% Driving While License Revoked (Class 1 or 3) - Other
- 5% Possess Schedule II Controlled Substance (Class I) - Drug
- 5% Assault on a Female (Class A1) - Person

Prisoners

- 8% Habitual Felon (Class C, D, or E) - Other
- 7% Felony Breaking and/or Entering (Class H) - Property
- 6% Possession of a Firearm by a Felon (Class G) - Other
- 5% Possess Schedule II Controlled Substance (Class I) - Drug
- 5% Robbery with a Dangerous Weapon (Class D) - Person

All Offenders

- 6% Misdemeanor Larceny (Class 1) - Property
- 5% Possess Schedule II Controlled Substance (Class I) - Drug
- 4% Felony Breaking and/or Entering (Class H) - Property
- 4% Possession of a Firearm by a Felon (Class G) - Other
- 4% Use/Possess Drug Paraphernalia (Class 1) - Drug

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Structured Sentencing Punishment Charts

As previously described, the type of sentence imposed and sentence length for felons are determined by the intersection of the offense class of the sample conviction and the offender's criminal history (i.e., Prior Record Level – PRL). For the FY 2021 sample, there were 23,865 felons – 12,889 prisoners and 10,976 probationers. Table 2.3 provides the total number of felons in each grid cell[30] of the Felony Punishment Chart, as well as the percentage of probationers and prisoners.[31] As expected, as the seriousness of the offense increased, the percentage of prisoners increased. Overall, the percentage of prisoners was higher in the more serious offense classes (e.g., 100% for Class B1 and 97% for Class D) and lower in the least serious offense classes (e.g., 48% for Class H and 30% for Class I). The converse was true for probationers. A similar trend occurred with criminal history. The distribution shifted from probationers accounting for the highest percentage of felons in PRL I (63%) to prisoners having the highest percentage in PRL VI (91%). The largest volume of felons was in the cell for Class H with PRL I (n=2,433).

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[30] Offenders were placed into a grid cell based on the offense class of their sample conviction and criminal history. As noted in Chapter One, offenders convicted in Classes B1 – D are required to receive an active sentence; however, probationers may be represented in those classes under certain limited exceptions (e.g., extraordinary mitigation) and/or due to discrepant data. Similarly, prisoners may appear in grid cells where active punishment is not a sentencing option due to revocations of probation or PRS and/or due to discrepant data.

[31] See Appendix D, Tables D.3 and D.4, for the top 3 convicted offenses in each cell.

Table 2.3
Offender Type within the Felony Punishment Chart

Offense Class	Prior Record Level						All Offenders
	I 0-1 Pt	II 2-5 Pts	III 6-9 Pts	IV 10-13 Pts	V 14-17 Pts	VI 18+ Pts	
A	Death or Life Without Parole Defendant Under 18 at Time of Offense: Life With or Without Parole						
B1	All: 61 Pris: 100% Prob: 0%	All: 17 Pris: 100% Prob: 0%	All: 7 Pris: 100% Prob: 0%	All: 2 Pris: 100% Prob: 0%	All: 0 Pris: 0% Prob: 0%	All: 0 Pris: 0% Prob: 0%	**All: 87** **Pris: 100%** **Prob: 0%**
B2	All: 121 Pris: 99% Prob: 1%	All: 72 Pris: 100% Prob: 0%	All: 30 Pris: 100% Prob: 0%	All: 10 Pris: 100% Prob: 0%	All: 5 Pris: 100% Prob: 0%	All: 3 Pris: 100% Prob: 0%	**All: 241** **Pris: 100%** **Prob: <1%**
C	All: 190 Pris: 96% Prob: 4%	All: 195 Pris: 98% Prob: 2%	All: 159 Pris: 99% Prob: 1%	All: 108 Pris: 100% Prob: 0%	All: 98 Pris: 99% Prob: 1%	All: 116 Pris: 100% Prob: 0%	**All: 866** **Pris: 99%** **Prob: 1%**
D	All: 352 Pris: 92% Prob: 8%	All: 237 Pris: 98% Prob: 2%	All: 204 Pris: 100% Prob: 0%	All: 128 Pris: 100% Prob: 0%	All: 78 Pris: 100% Prob: 0%	All: 72 Pris: 100% Prob: 0%	**All: 1,071** **Pris: 97%** **Prob: 3%**
E	All: 733 Pris: 45% Prob: 55%	All: 463 Pris: 66% Prob: 34%	All: 250 Pris: 98% Prob: 2%	All: 205 Pris: 100% Prob: 0%	All: 154 Pris: 100% Prob: 0%	All: 186 Pris: 99% Prob: 1%	**All: 1,991** **Pris: 72%** **Prob: 28%**
F	All: 909 Pris: 42% Prob: 58%	All: 670 Pris: 54% Prob: 46%	All: 468 Pris: 69% Prob: 31%	All: 252 Pris: 93% Prob: 7%	All: 140 Pris: 95% Prob: 5%	All: 137 Pris: 99% Prob: 1%	**All: 2,576** **Pris: 61%** **Prob: 39%**
G	All: 646 Pris: 40% Prob: 60%	All: 1,075 Pris: 44% Prob: 56%	All: 819 Pris: 59% Prob: 41%	All: 536 Pris: 63% Prob: 37%	All: 221 Pris: 97% Prob: 3%	All: 188 Pris: 99% Prob: 1%	**All: 3,485** **Pris: 56%** **Prob: 44%**
H	All: 2,433 Pris: 23% Prob: 77%	All: 2,383 Pris: 39% Prob: 61%	All: 1,625 Pris: 56% Prob: 44%	All: 1,036 Pris: 62% Prob: 38%	All: 731 Pris: 70% Prob: 30%	All: 795 Pris: 98% Prob: 2%	**All: 9,003** **Pris: 48%** **Prob: 52%**
I	All: 1,193 Pris: 19% Prob: 81%	All: 1,370 Pris: 21% Prob: 79%	All: 756 Pris: 26% Prob: 74%	All: 516 Pris: 47% Prob: 53%	All: 291 Pris: 57% Prob: 43%	All: 419 Pris: 62% Prob: 38%	**All: 4,545** **Pris: 30%** **Prob: 70%**
All Offenders	**All: 6,638** **Prob: 63%** **Pris: 37%**	**All: 6,482** **Prob: 56%** **Pris: 44%**	**All: 4,318** **Prob: 41%** **Pris: 59%**	**All: 2,793** **Prob: 32%** **Pris: 68%**	**All: 1,718** **Prob: 21%** **Pris: 79%**	**All: 1,916** **Prob: 9%** **Pris: 91%**	**All: 23,865** **Prob: 46%** **Pris: 54%**

Note: Dark to light shading illustrates the cells with the highest volume to the lowest volume.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Similar to the Felony Punishment Chart, misdemeanants were also punished using the Misdemeanor Punishment Chart based on seriousness of the offense and Prior Conviction Level (PCL). Table 2.4 provides the intersection of probationers with a misdemeanor conviction (56%) and their PCL. Most probationers were convicted of a Class 1 misdemeanor (n=8,582) and had a prior criminal history of PCL II (1 or more convictions). The largest volume of misdemeanants was in the cell for Class 1 with PCL II (n=3,540).

Table 2.4
Offender Type within the Misdemeanor Punishment Chart: Probationers Only

Offense Class	Prior Conviction Level			Probationers
	I 0 Prior Convictions	II 1-4 Prior Convictions	III 5+ Prior Convictions	
A1	613 4%	1,110 8%	954 7%	2,677 19%
1	1,880 14%	3,540 26%	3,162 23%	8,582 62%
2	385 3%	682 5%	530 4%	1,597 12%
3	51 <1%	189 1%	664 5%	904 7%
Probationers	2,929 21%	5,521 40%	5,310 39%	13,760 100%

Note: Dark to light shading illustrates the cells with the highest volume to the lowest volume.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Risk and Need Assessments

The DAC 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 DAC 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. These two instruments are often referred to as risk and need assessments, or RNA.

Information presented in this section comes from the RNA administered during community supervision.[32] Specifically, the RNA is administered within the first 60 days of supervision. Only offenders with all risk and need assessments completed were counted as having a complete RNA.[33] Overall, 12% of the sample did not have a complete RNA (i.e., were not assessed or had an incomplete assessment). Ten percent (10%) of probationers were missing an RNA, while 16% of prisoners did not have a completed RNA.

Each offender is assigned to one of five risk levels based on their score: extreme, high, moderate, low, and minimal. Figure 2.11 provides the risk level distribution for probationers and prisoners. For all offenders assessed, 20% were assessed as extreme risk, 24% were assessed as high risk, 35% as moderate risk, 18% as low risk, and 3% 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 or 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 indicated, and self-control), in

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[32] Generally, the RNA selected for analysis was the first assessment completed after the prison release or probation entry that placed the offender in the sample.
[33] *See* Table D.5 in Appendix D for the number of offenders by risk and need levels.

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.

Overall, 25% were assessed as extreme need, 19% as high need, 37% as moderate need, 16% as low need, and 3% as minimal need (*see* Figure 2.11). Examination of need level showed a higher percentage of prisoners assessed as extreme need than probationers (28% and 23% respectively). Probationers and prisoners were assessed as minimal need at nearly the same rate (3% and 2% respectively).

Figure 2.11
Risk and Need Levels
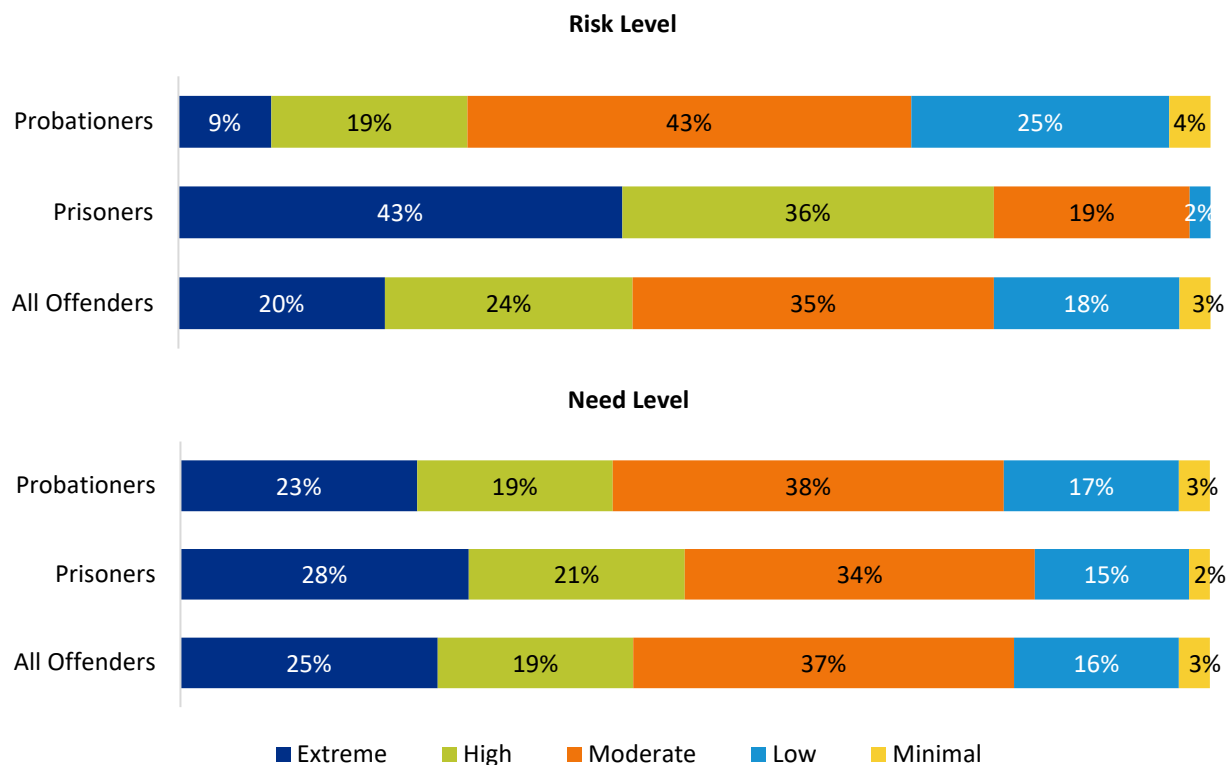
Risk Level

	Extreme	High	Moderate	Low	Minimal
Probationers	9%	19%	43%	25%	4%
Prisoners	43%	36%	19%		2%
All Offenders	20%	24%	35%	18%	3%

Need Level

	Extreme	High	Moderate	Low	Minimal
Probationers	23%	19%	38%	17%	3%
Prisoners	28%	21%	34%	15%	2%
All Offenders	25%	19%	37%	16%	3%

■ Extreme ■ High ■ Moderate ■ Low ■ Minimal

Note: Excludes offenders who did not have an RNA completed and a supervision level assigned (n=4,505). Less than 1% of prisoners were assessed as minimal risk.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Table 2.5 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 indicated (74%), transportation (69%), 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 higher percentage of prisoners than probationers (58% and 44% respectively). Transportation was also identified as a need for a higher percentage of prisoners than probationers (82% and 63% respectively) as was anti-social personality (32% and 19% respectively).

Table 2.5
Areas of Need Identified

Areas of Need	Probationers n=22,275 %	Prisoners n=10,845 %	All Offenders N=33,120 %
Criminogenic Factors			
Anti-social Personality	19	32	23
Anti-social Values	17	21	18
Criminal Peers	39	46	42
Dysfunctional Family	53	52	53
Self-Control	24	28	25
Substance Use	72	77	74
Health Factors			
Mental Health	51	52	52
Physical	32	29	31
Additional Factors			
Academic/Vocational	40	43	41
Employment	44	58	49
Financial	34	30	33
Housing	28	30	29
Legal	59	70	62
Social Skills	41	50	44
Transportation	63	82	69

Note: Offenders who did not have an RNA completed and a supervision level assigned (n=4,505) were excluded from the table.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 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 within any of the eight quarters during the two-year follow-up period, the offender was considered employed. Figure 2.12 shows that a little over half of probationers and prisoners were employed during the two-year follow-up period (53% and 54% respectively), which was lower than the employment rate for the NC population (61%).

Figure 2.12
Employment Outcomes
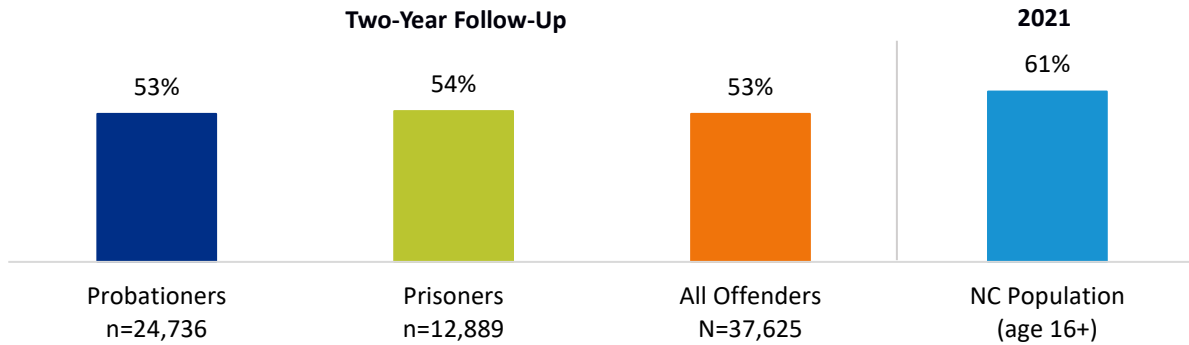
Two-Year Follow-Up   **2021**

Probationers   Prisoners   All Offenders   NC Population
n=24,736   n=12,889   N=37,625   (age 16+)

53%   54%   53%   61%

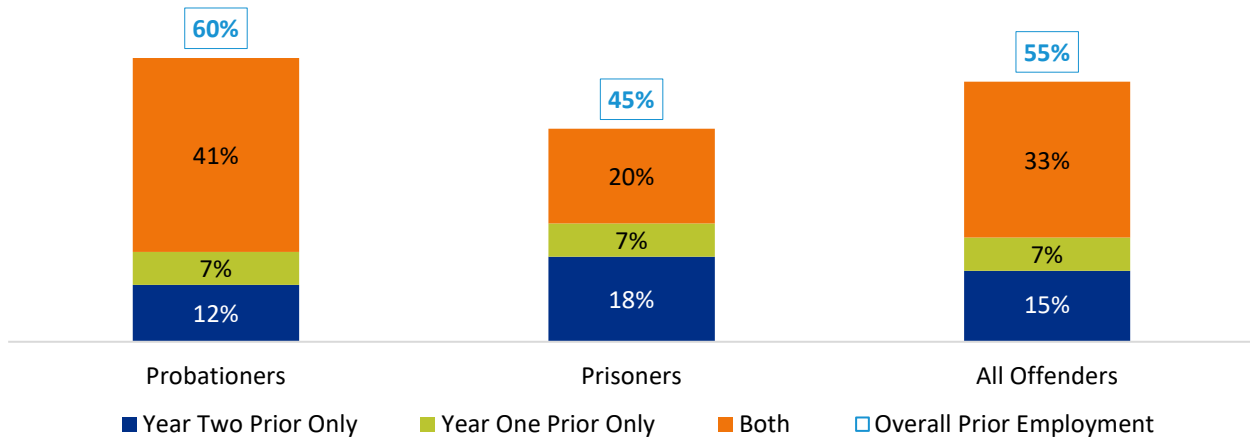SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data;
NC Department of Commerce analysis of data from US Census Bureau

Figure 2.13 shows the distribution of employment during the two-year follow-up by whether an offender was employed during the first year of the follow-up period only (year one), employed in the second year of the follow-up period only (year two), or employed during both years of the follow-up period. While prisoners and probationers had similar year two only employment rates (9% compared to 10%), 12% of prisoners were employed only in the first year of follow-up compared to 6% of probationers. A higher percentage of probationers were employed in both years of the follow-up compared to prisoners (37% and 33% respectively).

Figure 2.13
Employment Status: Two-Year Follow-Up
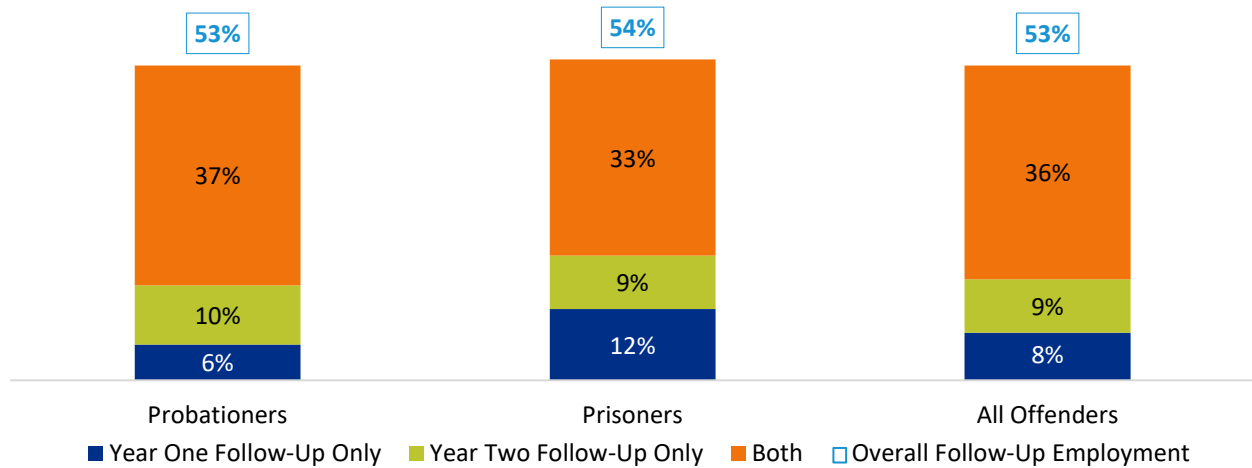
	Probationers	Prisoners	All Offenders
Overall Follow-Up Employment	53%	54%	53%
Both	37%	33%	36%
Year Two Follow-Up Only	10%	9%	9%
Year One Follow-Up Only	6%	12%	8%

■ Year One Follow-Up Only ■ Year Two Follow-Up Only ■ Both ☐ Overall Follow-Up Employment

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

The annual median wages earned for year one and year two of the follow-up period are shown along with the 2021 median wage for the NC population (age 16 and older) in Figure 2.14. Despite increased annual median wages over the two-year follow-up, wages for both prisoners and probationers were still much lower than those for the NC population in 2021 ($32,500). For the FY 2021 sample overall, the annual median wage earned was 54% higher in year two of the follow-up period compared to year one

($11,980 and $7,774 respectively). Probationers had an annual median wage earned in year two of the follow-up that was 61% higher than the annual median wage earned by prisoners.

Figure 2.14
Annual Median Wages

Note: Offenders who did not receive payments in the year one follow-up period (n=3,542) and the year two follow-up period (n=3,147) were not represented in the figure.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data;
NC Department of Commerce analysis of data from NC Common Follow-Up System

As shown in Figure 2.15, a higher percentage of probationers worked 7 to 8 quarters during the two-year follow-up period compared to prisoners (34% and 22% respectively); conversely, a higher percentage of prisoners worked only 1 quarter or 2 quarters compared to probationers (35% and 25% respectively). On average, probationers worked one more quarter than prisoners during the two-year follow-up (5 and 4 respectively).

Figure 2.15
Number of Quarters Employed: Two-Year Follow-Up
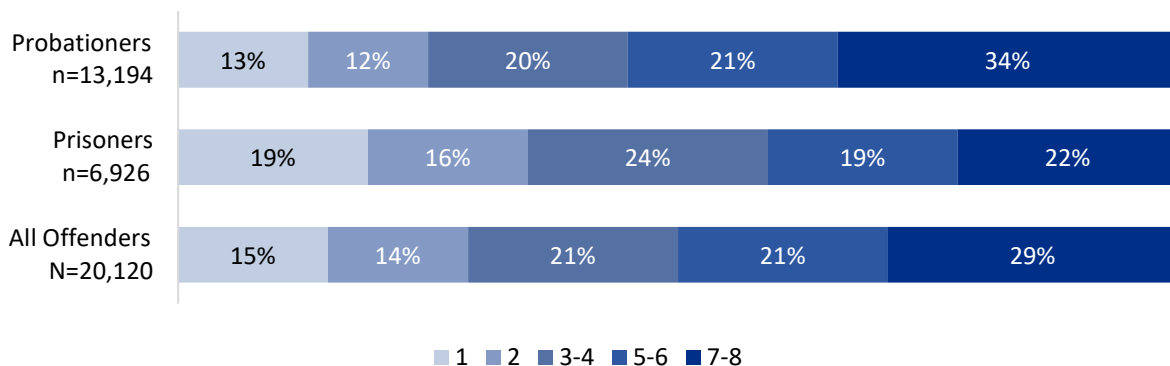
Note: One percent (1% or n=170) of the sample had 8 quarters of follow-up employment.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data
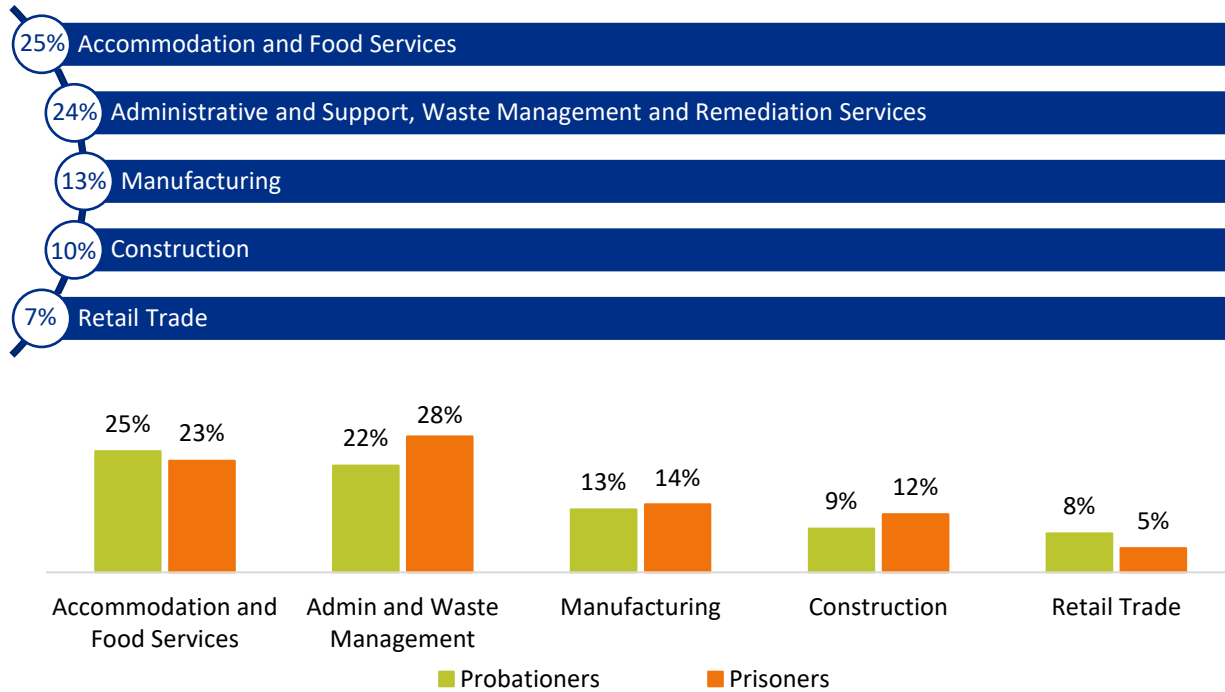
Figure 2.16 lists the top 5 industries for the first full quarter employed during the two-year follow-up. The top 2 industries for the sample as a whole were (1) Administrative and Support, Waste Management and Remediation Services and (2) Accommodation and Food Services. The top industry for probationers and prisoners differed with Accommodation and Food Services being the top industry for probationers (23%), while Administrative and Support, Waste Management and Remediation Services (27%) was the top industry for prisoners.

Figure 2.16
Top 5 Employment Industries: Two-Year Follow-Up
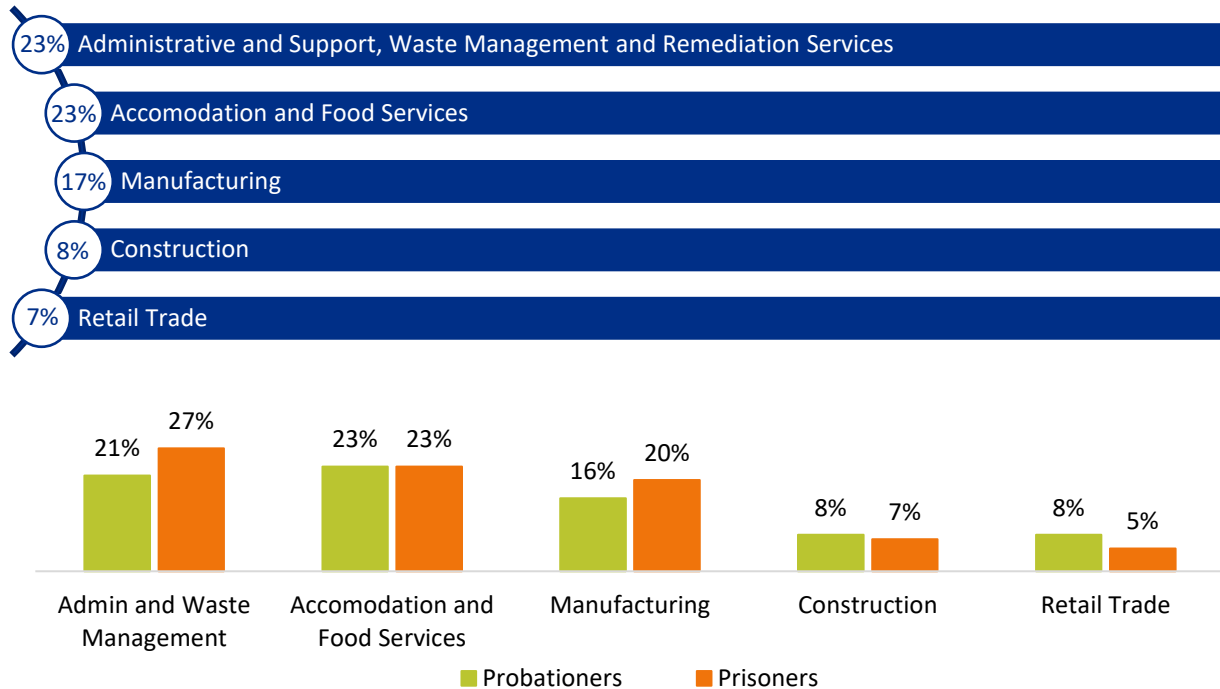
23%	Administrative and Support, Waste Management and Remediation Services
23%	Accomodation and Food Services
17%	Manufacturing
8%	Construction
7%	Retail Trade

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 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.

Recidivist Arrests

Recidivist arrest rates for the one-year and two-year follow-up are shown in Table 2.6.[34] Of the 37,625 offenders in the FY 2021 sample, 30% (n=11,182) had a recidivist arrest during the two-year follow-up. Prisoners had a higher rate of recidivist arrest than probationers (44% and 22% respectively). Both groups had an average of 2 recidivist arrests during the two-year follow-up; however, a higher percentage of probationers had only one recidivist arrest compared to prisoners (62% and 52% respectively; *see* Figure 2.17).

The 11,182 offenders with a recidivist arrest during follow-up accounted for a total of 20,160 arrests (as shown in Table 2.6). While smaller in sample size, prisoners accounted for a higher volume of arrests compared to probationers.

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

Offender Type	N	# with Any Recidivist Arrest	Total # Recidivist Arrests	% One-Year Follow-Up	% Two-Year Follow-Up
Probationers	24,736	5,481	9,241	13	22
Prisoners	12,889	5,701	10,919	28	44
All Offenders	**37,625**	**11,182**	**20,160**	**18**	**30**

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation

Figure 2.17
Number of Recidivist Arrests for Offenders with Any Arrest: Two-Year Follow-Up
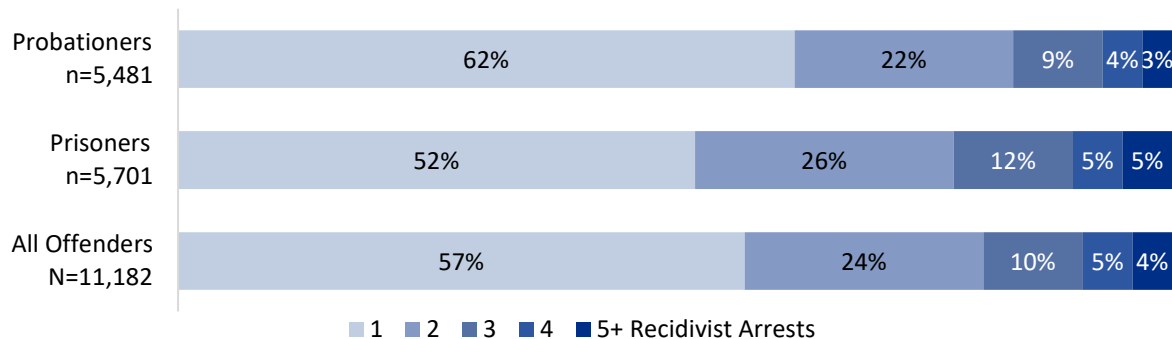
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Overall, 82% had a felony as their most serious recidivist offense. Figure 2.18 examines the most serious recidivist offense by offender type. Prisoners had a higher percentage with a felony as their most serious recidivist offense (86%) compared to probationers (77%).

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

Figure 2.18
Most Serious Recidivist Arrest by Offense Type for Offenders with Any Arrest: Two-Year Follow-Up
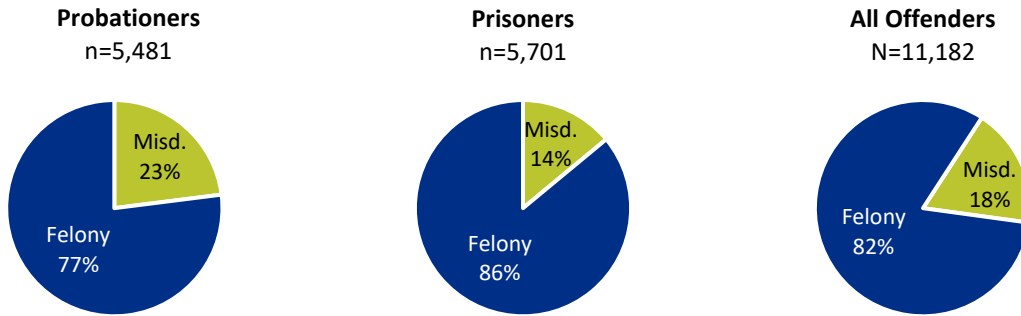
Probationers
n=5,481

Prisoners
n=5,701

All Offenders
N=11,182

Probationers: Misd. 23%, Felony 77%
Prisoners: Misd. 14%, Felony 86%
All Offenders: Misd. 18%, Felony 82%

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Figure 2.19 provides information on the volume of recidivist arrests by offense category. Recidivist arrests for property and other offense categories were the most common for the sample.

Figure 2.19
Number of Recidivist Arrests by Offense Category for Offenders with Any Arrest: Two-Year Follow-Up

Probationers (n=5,481): Person 2,114, Property 3,141, Drug 3,395, Other 3,520
Prisoners (n=5,701): Person 2,549, Property 4,278, Drug 3,743, Other 4,343
All Offenders (N=11,182): Person 4,663, Property 7,419, Drug 7,138, Other 7,863

■ Person ■ Property ■ Drug ■ Other
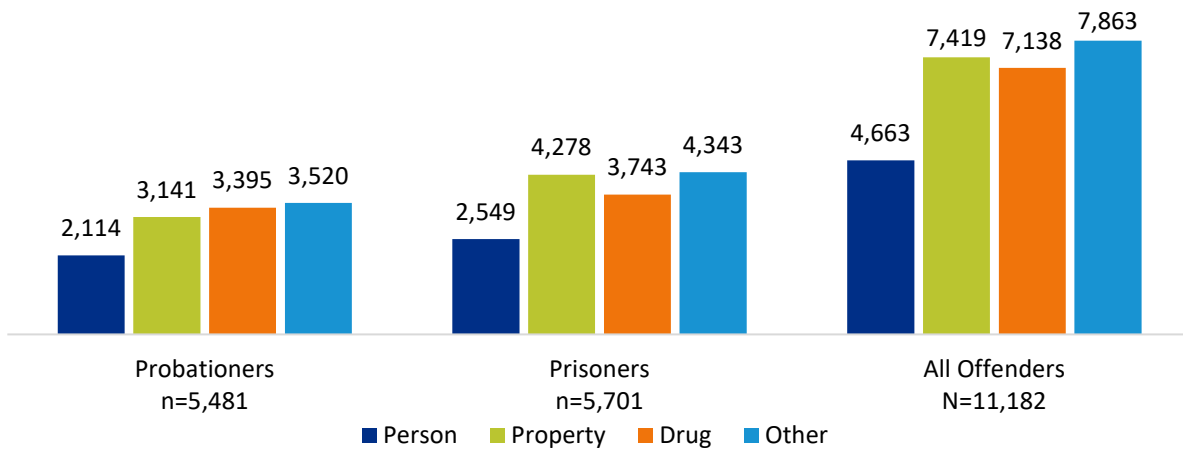
Note: Multiple offense categories may be linked to an arrest record. As a result, the number of recidivist arrests by offense category cannot be added together to equal the total number of arrests.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

For the sample as a whole, the first recidivist arrest occurred, on average, 10 months after release from probation or prison. Of those with a recidivist arrest, 23% were arrested within 3 months, 53% within 9 months, and 65% within 12 months. The first recidivist arrest occurred, on average, at 10 months for probationers and 9 months for prisoners. Figure 2.20 illustrates this slightly differing timeline – a higher percentage of prisoners had a recidivist arrest within 3 months (25%) compared to probationers (21%).

Figure 2.20
Months to First Recidivist Arrest for Offenders with Any Arrest: Two-Year Follow-Up
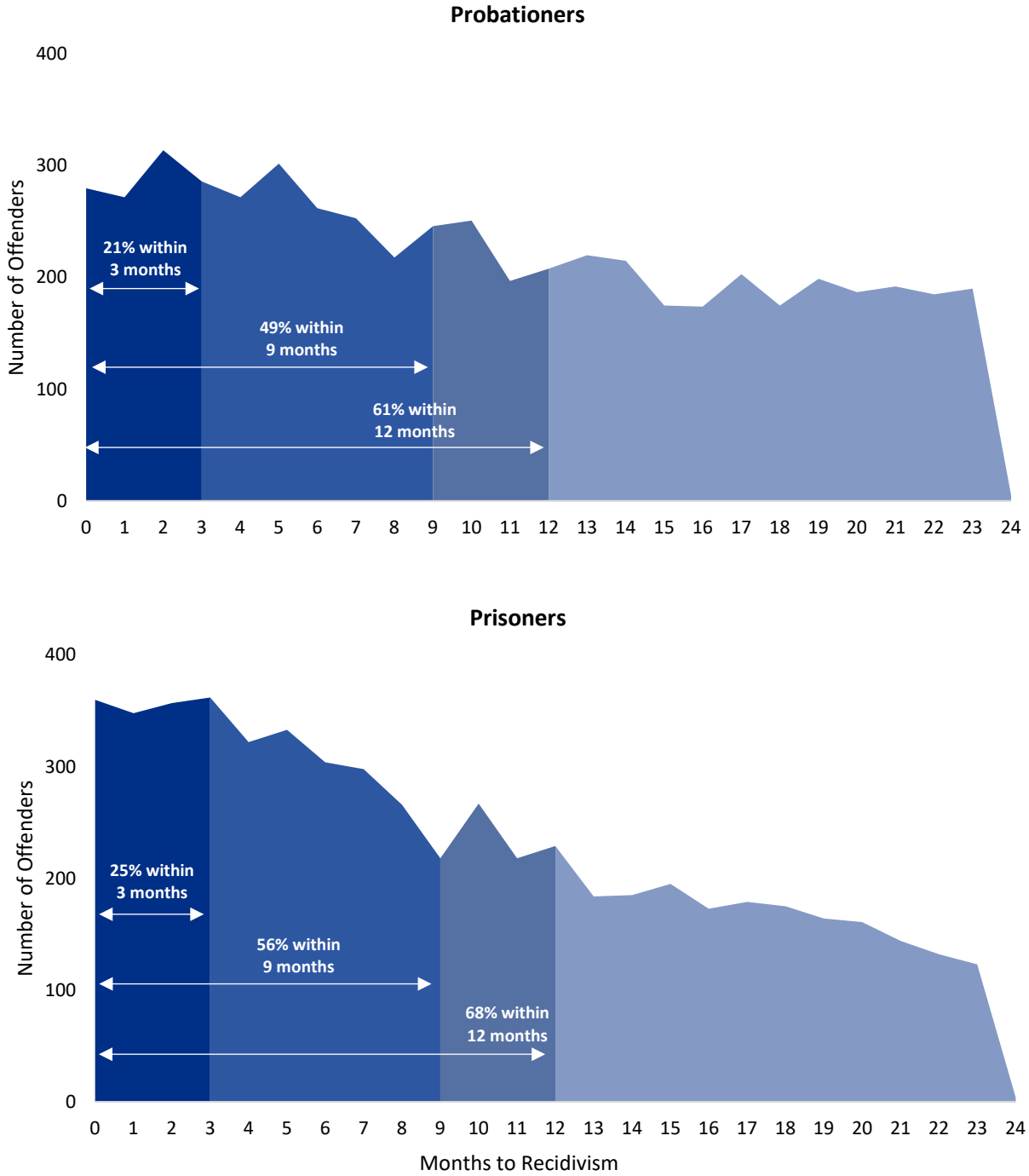
Probationers

21% within
3 months

49% within
9 months

61% within
12 months

Prisoners

25% within
3 months

56% within
9 months

68% within
12 months

Months to Recidivism

Number of Offenders

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 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 37,625 offenders in the FY 2021 sample, 12% (n=4,384) had a recidivist conviction during the two-year follow-up with the first recidivist conviction occurring, on average, 14 months after release from probation or prison. While the percentage of prisoners with a recidivist conviction was slightly higher compared to probationers during the one-year follow-up (6% and 3% respectively), prisoners were more than twice as likely to have a recidivist conviction during the two-year follow-up compared to probationers (18% and 8% respectively).

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

Offender Type	N	# with Any Recidivist Conviction	Total # Recidivist Convictions	% One-Year Follow-Up	% Two-Year Follow-Up
Probationers	24,736	2,001	2,370	3	8
Prisoners	12,889	2,383	2,881	6	18
All Offenders	37,625	4,384	5,251	4	12

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation

Also shown in Table 2.7, the 4,384 offenders with a recidivist conviction during the two-year follow-up accounted for a total of 5,251 convictions. Information on the volume of recidivist convictions by offense category is provided in Figure 2.21. Probationers were most likely to have a recidivist drug conviction, while prisoners were most likely to have a recidivist property conviction. Both prisoners and probationers averaged 1 recidivist conviction during follow-up. While a higher percentage of probationers had a recidivist conviction, probationers accounted for a lower number of convictions than prisoners.

Figure 2.21
Number of Recidivist Convictions by Offense Category for Offenders with Any Conviction: Two-Year Follow-Up
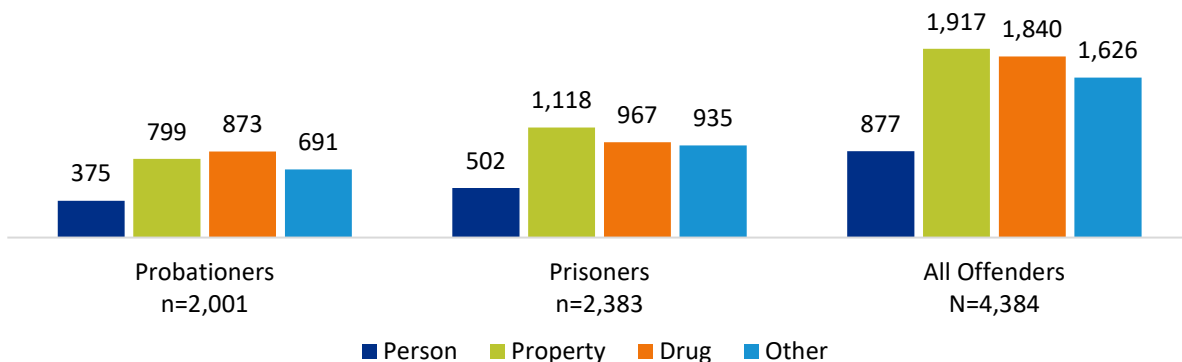
Note: Multiple offense categories may be linked to a conviction. As a result, the number of recidivist convictions by offense category cannot be added together to equal the total number of convictions.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

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 because of a sentence imposed on an offender for a new crime committed or due to a probation or PRS revocation during the follow-up period.

Overall, 19% of the FY 2021 sample had a recidivist incarceration during the two-year follow-up. The 7,192 offenders who had a recidivist incarceration during follow-up accounted for a total of 9,669 incarcerations. Prisoners were more likely to have a recidivist incarceration than probationers (33% and 12% respectively) and had a longer time to recidivist incarceration (an average of 8 months and 4 months respectively). Of those with a recidivist incarceration, the majority of offenders had only 1 recidivist incarceration during follow-up (73%).

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

Offender Type	N	# with Any Recidivist Incarceration	Total # Recidivist Incarcerations	% One-Year Follow-Up	% Two-Year Follow-Up
Probationers	24,736	2,878	3,859	10	12
Prisoners	12,889	4,314	5,810	25	33
All Offenders	**37,625**	**7,192**	**9,669**	**15**	**19**

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation

Criminal Justice Outcomes by Statistical Profile Characteristics

The next section examines criminal justice outcomes by geographic divisions, personal characteristics (e.g., sex, age), criminal history (as measured by prior arrests, probation entries, revocations, and incarcerations), offense class, offense category (i.e., person, property, drug, other), Felony and Misdemeanor Punishment Charts, 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).

Geographic Division

Criminal justice outcomes by geographic divisions during the two-year follow-up are shown in Figure 2.22.[35] Overall, offenders in the Eastern division (Division 4) had the lowest rates for recidivist arrests and recidivist convictions, while offenders in the Western division (Division 1) had the highest rates for recidivist arrests and recidivist incarcerations. Prisoners had the highest recidivism rates compared to probationers for all geographic divisions.

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[35] *See* Appendix D, Table D.2, for criminal justice outcomes by geographic divisions, districts, and counties.

Figure 2.22
Criminal Justice Outcomes by Geographic Division: Two-Year Follow-Up
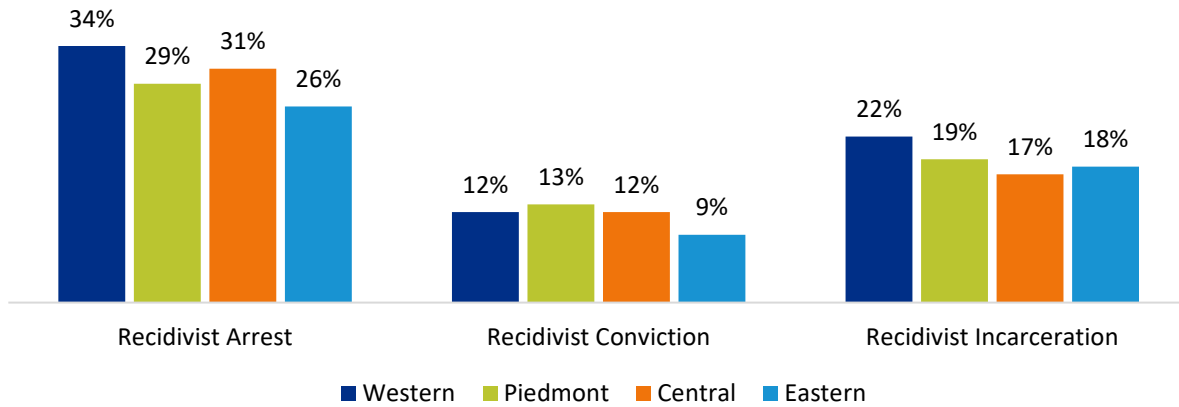
Note: There were 734 offenders with missing county information.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation

Personal Characteristics

Table 2.9 provides recidivism rates by the offender's personal characteristics: sex, race, age at sample entry (i.e., prison or probation), marital status, education, employment, and substance use indicated. Overall, offenders who were male, younger, single, dropped out of high school, unemployed, or had substance use indicated had higher recidivism rates for all three criminal justice outcomes when compared to their counterparts. For all criminal justice outcome measures, rates declined as an offender's age increased.

Table 2.9
Criminal Justice Outcomes by Personal Characteristics: Two-Year Follow-Up

Personal Characteristics	N	% Recidivist Arrest	% Recidivist Conviction	% Recidivist Incarceration
Sex				
Female	8,216	21	8	11
Male	29,409	32	13	21
Race				
White	18,583	29	13	22
Black	16,818	31	11	17
Other/Unknown	2,224	23	8	14
Age at Release				
Under 21 Years	1,376	40	16	25
21-29 Years	10,667	35	14	21
30-39 Years	12,733	31	13	20
40-49 Years	7,356	26	9	17
50 Years and Older	5,493	18	7	12
Marital Status				
Married	4,558	22	9	15
Not Married	33,067	31	12	20
Education				
High School Graduate	16,257	24	9	12
High School Dropout/GED	21,315	34	14	25
Prior Employment				
Employed	20,511	29	11	16
Unemployed	17,114	31	12	23
Substance Use				
None Indicated	8,646	23	7	19
Substance Use Indicated	24,474	31	12	11
All Offenders	**37,625**	**30**	**12**	**19**

Note: Fifty-three (53) offenders were missing education and 4,505 were missing substance use information.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Prior Criminal Justice Contacts

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: Two-Year Follow-Up

Prior Criminal Justice Contacts	N	% Recidivist Arrest	% Recidivist Conviction	% Recidivist Incarceration
Prior Arrest				
None	5,439	12	4	5
One or More	32,186	33	13	21
Prior Probation Entry				
None	12,047	19	7	9
One or More	25,578	35	14	24
Prior Probation/PRS Revocation				
None	21,647	23	9	12
One or More	15,978	39	16	29
Prior Incarceration				
None	23,277	24	9	13
One or More	14,348	39	16	29
All Offenders	**37,625**	**30**	**12**	**19**

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 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 2.23. Recidivist arrest rates increased as the number of prior arrests increased for both probationers and prisoners. The difference in the recidivist arrest rates between probationers and prisoners ranged from 5 to 26 percentage points.

Figure 2.23
Recidivist Arrest Rates by Number of Prior Arrests: Two-Year Follow-Up
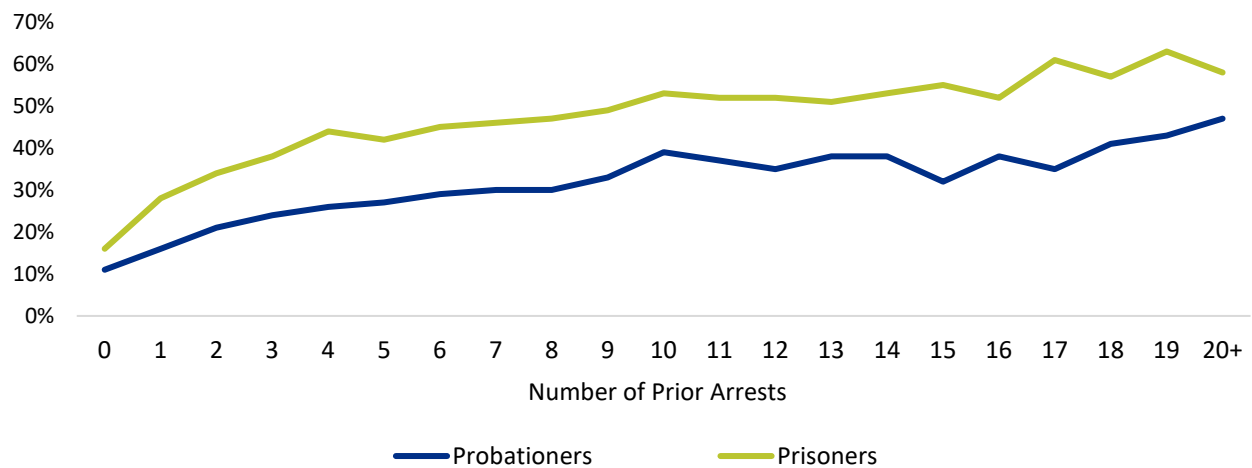
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Sample Conviction

In Table 2.11, recidivism rates are examined by offense class for the FY 2021 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.[36]

Focusing on the sample as a whole, offenders with a felony conviction had higher recidivism rates for all three criminal justice outcomes compared to offenders with a misdemeanor conviction. 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 number of probationers had a Class B1 – D conviction (n=45).

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 they committed the next offense) who has currently been convicted of a felony offense and who has been found by a jury to be or admitted to being a habitual felon (G.S. 14-7.1 to -7.6).[37]

In FY 2021, there were 1,005 offenders released from prison with a habitual felon conviction. Recidivism rates for habitual felons were compared to rates for prisoners 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. Recidivism rates for habitual felons most closely resembled those for prisoners convicted of a Class E – G felony (42% with a recidivist arrest, 17% with a recidivist conviction, and 34% with a recidivist incarceration). Generally, most habitual felons had a low-level felony offense (primarily Class H or Class I) as their most serious substantive offense.[38,39]

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 900 offenders in the sample convicted of an offense for which registration as a sex offender is required, 64% were prisoners and 36% were probationers; 30% were convicted of a Class B1 – D felony, 56% of a Class E – G felony, 9% of Class H – I felony, and 5% of a Class A1 – 3 misdemeanor.[40] Overall, 16% of offenders required to register as a

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[36] *See* Appendix D, Tables D.6 – D.8, for recidivism rates for offenders in each offense class.

[37] 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 4 classes higher than the substantive felony for which the person is convicted, but under no circumstances higher than Class C.

[38] In FY 2021, 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*: *Fiscal Year 2021*.

[39] A separate group of habitual felons was also examined – offenders convicted of habitual breaking and entering. In FY 2019, there were 110 offenders released from prison with a conviction for habitual breaking and entering, a Class E felony established under the JRA. Of these, 59% had a recidivist arrest, 25% had a recidivist conviction, and 50% had a recidivist incarceration during the two-year follow-up period.

[40] The Class A1 – 3 misdemeanor group is comprised only of probationers. As described previously, no prisoners with a misdemeanor were included in the sample.

sex offender had a recidivist arrest, 6% had a recidivist conviction, and 19% 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 category of the sample conviction. Overall, those convicted of property offenses as their sample conviction had the highest recidivism rates. Limited variation was found in recidivism rates across the other offense categories.

Table 2.11
Criminal Justice Outcomes by Sample Conviction: Two-Year Follow-Up

Sample Conviction	N	% Recidivist Arrest	% Recidivist Conviction	% Recidivist Incarceration
Offense Class				
Probationers				
Class B1 – D Felony	45	9	4	11
Class E – G Felony	3,106	19	6	17
Class H – I Felony	7,825	24	8	21
Felony Subtotal	10,976	22	8	20
Class A1 – 3 Misdemeanor	13,760	22	8	5
Total	**24,736**	**22**	**8**	**12**
Prisoners				
Class B1 – D Felony	2,220	33	11	23
Class E – G Felony	4,946	43	17	31
Class H – I Felony	5,723	50	23	40
Total	**12,889**	**44**	**18**	**33**
All Offenders				
Class B1 – D Felony	2,265	32	11	23
Class E – G Felony	8,052	33	13	25
Class H – I Felony	13,548	35	14	29
Felony Subtotal	23,865	34	14	27
Class A1 – 3 Misdemeanor	13,760	22	8	5
Total	**37,625**	**30**	**12**	**19**
Specific Groups of Interest				
Habitual Felons	1,005	42	17	34
Sex Offenders	900	16	6	19
Offense Category				
Person	8,530	28	10	16
Property	12,283	33	14	23
Drug	9,546	28	11	18
Other	7,266	29	11	18

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 convictions with 0 to 3 prior record points.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Structured Sentencing Punishment Charts

Tables 2.12 and 2.13 examine recidivist arrest rates for the sample within the context of the Felony and Misdemeanor Punishment Charts. Felons with Classes B1 and B2 convictions had the lowest recidivist arrest rates compared to felons with Classes D, H, E, and G convictions who had the highest recidivist arrest rates. As the criminal history of felons increased from PRL I to PRL VI, recidivist arrest rates also increased from 23% to 48% (*see* bottom row in Table 2.12). Generally, this increase in recidivist arrest rates by PRL occurred for both probationers and prisoners. Probationers and prisoners in Classes G, H, and I had the highest recidivist arrest rates. Of all the grid cells, probationers in Class I with PRL III had the highest recidivist arrest rates (30%) compared to other probationers, while prisoners in Class H with PRL VI had the highest recidivism rates (54%) compared to other prisoners.

As shown in Table 2.13, similar patterns were found when examining recidivism rates for probationers within the context of the Misdemeanor Punishment Chart. As probationers' PCL increased, so did their recidivist arrest rates from 17% to 27%. Likewise, as the seriousness of the offense increased, recidivist arrest rates increased from 18% to 23%. Probationers in Class A1 with PCL III had the highest recidivist arrest rates (31%) of all the individual grid cells, while probationers in Class 3 with PCL I had the lowest recidivist arrest rates (4%).

Table 2.12

Recidivist Arrest Rates of Felons within the Felony Punishment Chart: Two-Year Follow-Up

Offense Class	Prior Record Level						All Offenders
	I 0-1 Pt	II 2-5 Pts	III 6-9 Pts	IV 10-13 Pts	V 14-17 Pts	VI 18+ Pts	
A	Death or Life Without Parole Defendant Under 18 at Time of Offense: Life With or Without Parole						
B1	All: 0% Pris: 0% Prob: n/a	All: -- Pris: -- Prob: n/a	All: -- Pris: -- Prob: n/a	All: -- Pris: -- Prob: n/a	n/a	n/a	**All: 9%** **Pris: 9%** **Prob: n/a**
B2	All: 10% Pris: 10% Prob: --	All: 17% Pris: 17% Prob: n/a	All: 23% Pris: 23% Prob: n/a	All: -- Pris: -- Prob: n/a	All: -- Pris: -- Prob: n/a	All: -- Pris: -- Prob: n/a	**All: 14%** **Pris: 14%** **Prob: --**
C	All: 17% Pris: 17% Prob: --	All: 36% Pris: 36% Prob: --	All: 33% Pris: 33% Prob: --	All: 36% Pris: 36% Prob: n/a	All: 38% Pris: 38% Prob: --	All: 41% Pris: 41% Prob: n/a	**All: 32%** **Pris: 32%** **Prob: --**
D	All: 29% Pris: 31% Prob: 4%	All: 44% Pris: 44% Prob: --	All: 42% Pris: 42% Prob: n/a	All: 38% Pris: 38% Prob: n/a	All: 51% Pris: 51% Prob: n/a	All: 42% Pris: 42% Prob: n/a	**All: 38%** **Pris: 39%** **Prob: 6%**
E	All: 25% Pris: 37% Prob: 15%	All: 34% Pris: 40% Prob: 22%	All: 45% Pris: 45% Prob: --	52% Pris: 52% Prob: n/a	49% Pris: 49% Prob: n/a	All: 49% Pris: 49% Prob: --	**All: 36%** **Pris: 44%** **Prob: 17%**
F	All: 16% Pris: 22% Prob: 12%	All: 26% Pris: 32% Prob: 19%	All: 34% Pris: 39% Prob: 24%	All: 43% Pris: 44% Prob: --	All: 50% Pris: 51% Prob: --	All: 37% Pris: 38% Prob: --	**All: 28%** **Pris: 35%** **Prob: 16%**
G	All: 31% Pris: 49% Prob: 18%	All: 34% Pris: 50% Prob: 22%	All: 35% Pris: 46% Prob: 19%	All: 40% Pris: 49% Prob: 25%	All: 46% Pris: 47% Prob: --	All: 48% Pris: 48% Prob: --	**All: 36%** **Pris: 48%** **Prob: 21%**
H	All: 24% Pris: 43% Prob: 19%	All: 36% Pris: 50% Prob: 27%	All: 41% Pris: 54% Prob: 26%	All: 40% Pris: 48% Prob: 27%	All: 47% Pris: 56% Prob: 25%	All: 54% Pris: 54% Prob: --	**All: 37%** **Pris: 51%** **Prob: 23%**
I	All: 24% Pris: 40% Prob: 20%	All: 28% Pris: 48% Prob: 23%	All: 34% Pris: 46% Prob: 30%	All: 39% Pris: 51% Prob: 29%	All: 35% Pris: 43% Prob: 25%	All: 42% Pris: 53% Prob: 24%	**All: 31%** **Pris: 47%** **Prob: 24%**
All Offenders	**All: 23%** **Pris: 33%** **Prob: 18%**	**All: 33%** **Pris: 44%** **Prob: 24%**	**All: 38%** **Pris: 46%** **Prob: 26%**	**All: 41%** **Pris: 47%** **Prob: 27%**	**All: 45%** **Pris: 50%** **Prob: 25%**	**All: 48%** **Pris: 50%** **Prob: 25%**	**All: 34%** **Pris: 44%** **Prob: 22%**

Note: Dark to light shading illustrates highest recidivism to lowest recidivism rates. No offenders to report recidivism denoted by "n/a" and too few offenders to report recidivism denoted by "--".
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Table 2.13
Recidivist Arrest Rates of Misdemeanants within the Misdemeanor Punishment Chart:
Two-Year Follow-Up

Offense Class	Prior Conviction Level			Probationers
	I 0 Prior Convictions	II 1-4 Prior Convictions	III 5+ Prior Convictions	
A1	14%	20%	31%	23%
1	18%	21%	27%	23%
2	15%	21%	25%	21%
3	4%	16%	20%	18%
Probationers	17%	21%	27%	22%

Note: Dark to light shading illustrates highest recidivism to lowest recidivism rates.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Risk and Need Levels

Figure 2.24 examines recidivist arrest rates during the two-year follow-up by risk and need levels for the FY 2021 sample. For both probationers and prisoners with a risk assessment, those assessed as extreme risk had the highest recidivist arrest rates (31% and 52% respectively). Probationers assessed as minimal risk had the lowest recidivist arrest rate at 6%. The lowest recidivist arrest rate for prisoners was found among those assessed as low risk (10%).

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 (26% and 53% respectively), while those assessed as minimal need had the lowest (11% and 30% 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 levels and exhibited the same stair-step pattern for both prisoners and probationers. (*See* Appendix D, Figures D.1 and D.2 and Table D.9 for more information.)

Figure 2.24
Recidivist Arrest Rates by Risk and Need Levels: Two-Year Follow-Up
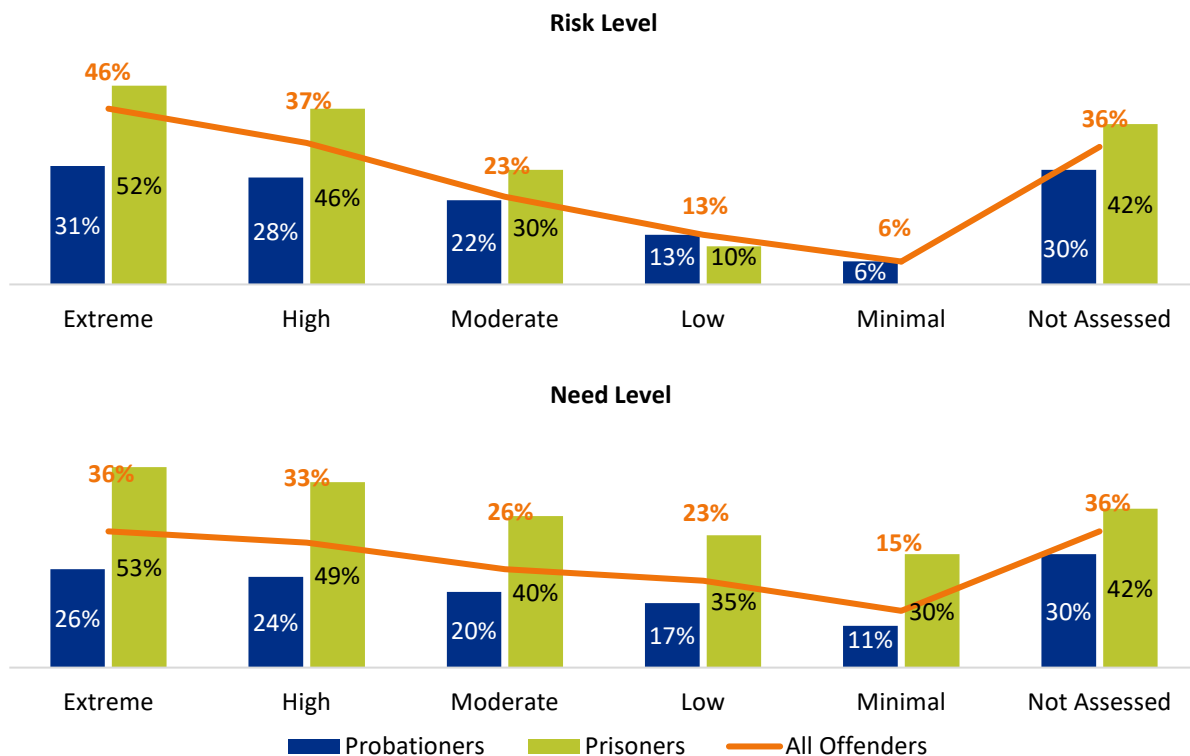
Risk Level

Need Level

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

SUMMARY

Chapter Two examined probationers and prisoners separately, as well as the FY 2021 sample as a whole. A profile of offenders in North Carolina was provided and included the personal characteristics of the sample along with their prior criminal justice contacts, sample conviction, and risk and need levels. Employment during the two-year follow-up was also examined as an outcome in addition to recidivism. Table 2.14 highlights some key highlights from the profile. For recidivism, three measures – recidivist arrests, convictions, and incarcerations – were used to assess repeat involvement with the criminal justice system.

Table 2.14
Offender Profile of the FY 2021 Sample

Offender Profile	Probationers n=24,736	Prisoners n=12,889	All Offenders N=37,625
Personal Characteristics			
Male	73%	89%	78%
White	50%	47%	49%
Avg. Age at Release	36 Years	37 Years	36 Years
Employment			
Two Years Prior	60%	45%	55%
Two-Year Follow-Up	53%	54%	53%
Prior Arrest	81%	95%	86%
Avg. Number of Prior Arrest	5	9	6
Sample Conviction			
Felony	44%	100%	63%
Property Offense	34%	30%	33%
Risk Level			
Extreme	9%	43%	20%
Minimal	4%	<1%	3%
Need Level			
Extreme	23%	28%	25%
Minimal	3%	2%	3%
Top Need: Substance Use	72%	77%	74%

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

The highest percentage of the sample resided in the Central (Division 3) and Piedmont (Division 2) divisions. The Western division (Division 1) had the highest percentage of prisoners, while the Eastern division (Division 4) had the highest percentage of probationers. Offenders in the Western division had the highest recidivist arrest and recidivist incarceration rates compared to the other three divisions; meanwhile, offenders in the Eastern division had the lowest recidivist arrest and recidivist conviction rates.

Compared to probationers, prisoners were less likely to have graduated from high school and were less likely to be employed during the two years prior to prison entry. A higher percentage of prisoners were identified as having substance use indicated. 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 annual median wages earned and worked more quarters compared to prisoners. The top industry worked for probationers was Accommodation and Food Services (25%), while prisoners most frequently worked in Administrative and Support, Waste Management and Remediation Services (28%).

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 81% respectively) and had more arrests on average (9 and 5 respectively). Offenders with prior criminal history had substantially higher recidivism rates than those with no prior criminal history.

While 63% of the sample overall had a felony conviction; all prisoners were felons compared to only 44% of probationers. The most frequent offense category was property offenses regardless of offender type. The most common conviction for probationers was misdemeanor larceny, while the most common for prisoners was the status offense of habitual felon.

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. Additionally, a higher percentage of prisoners were assessed in the highest 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 convictions and incarcerations.

A little over half of probationers and prisoners were employed during the two-year follow-up (53% and 54% respectively). Similar to the findings for prior employment, probationers had a higher average annual median wage earned and worked more quarters during the two-year follow-up compared to prisoners. However, the sample's employment percentage and annual wages earned were much lower compared to the NC population's employment in 2021.

During the two-year follow-up, prisoners had higher recidivism rates for all three measures (arrests, convictions, and incarcerations) compared to probationers (*see* Figure 2.25). Sixty-five percent (65%) of offenders 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 in Chapter Five.

Figure 2.25
Criminal Justice Outcomes: Two-Year Follow-Up
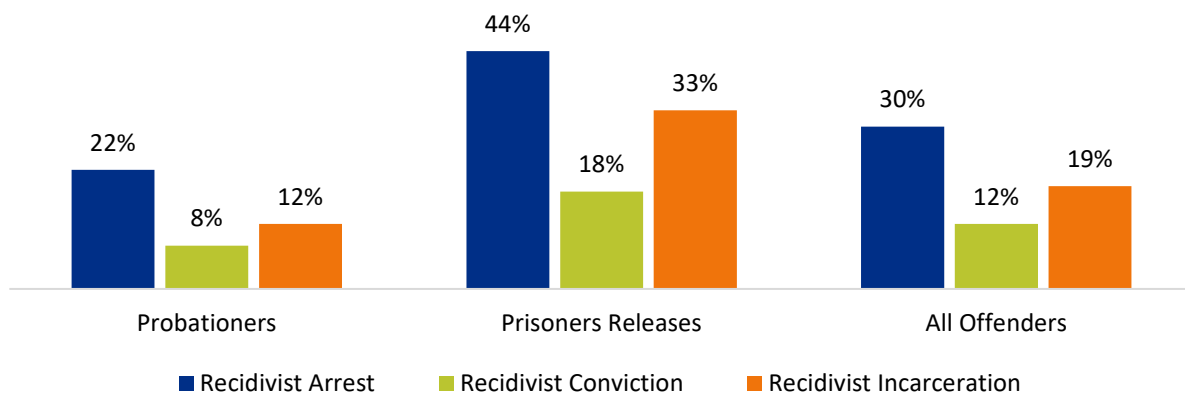
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

CHAPTER THREE
PROBATION RELEASES IN FY 2021

Chapter Two provided a sample-wide profile of North Carolina offenders and their recidivism. This chapter focuses on offenders who were released from supervised probation in FY 2021[41] by examining the offender's assessed risk and needs and the determination of supervision level; violations of community supervision and specific responses to violations (i.e., interim outcomes); and recidivist arrest rates of those under community supervision. Additional analyses focus on employment, wage, and industry data for the sample before, during, and after probation.[42]

STATISTICAL PROFILE

The sample included 24,736 probation releases sentenced under the SSA. Figure 3.1 provides a visual depiction of probationers divided into three groups based on the offender's release reason: positive, negative, and revocation of probation.[43] Over half (54%) of the sample exited probation due to positive reasons, while 30% exited due to negative reasons and 16% exited due to revocation of probation.

Figure 3.1
Probationers by Release Reason
N=24,736
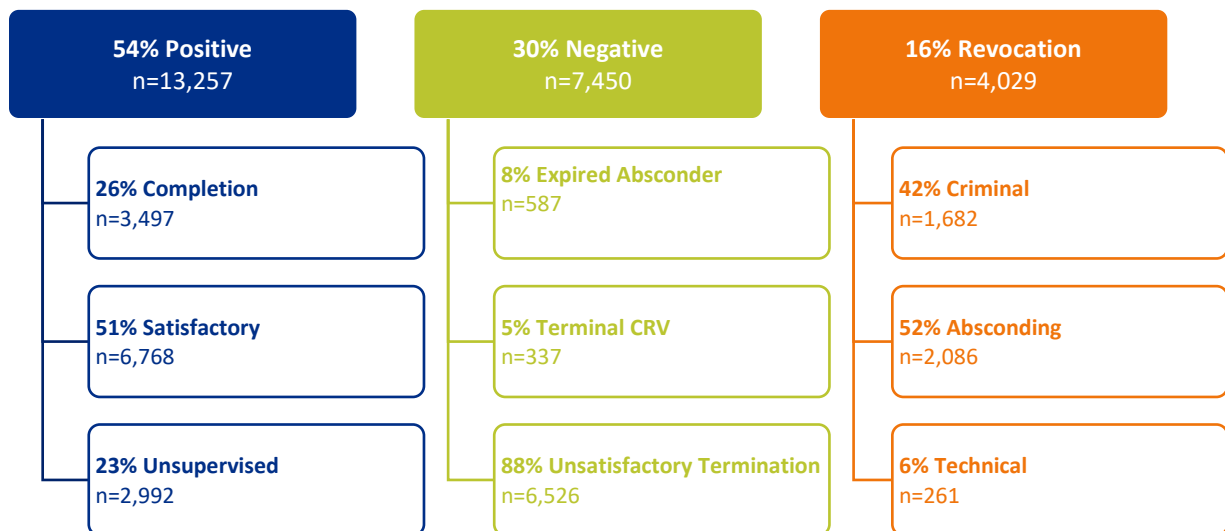
54% Positive n=13,257	30% Negative n=7,450	16% Revocation n=4,029
26% Completion n=3,497	8% Expired Absconder n=587	42% Criminal n=1,682
51% Satisfactory n=6,768	5% Terminal CRV n=337	52% Absconding n=2,086
23% Unsupervised n=2,992	88% Unsatisfactory Termination n=6,526	6% Technical n=261

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

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[41] The sample included all offenders released from supervised probation during FY 2021 with one exception: offenders with a sample conviction for Driving While Impaired (DWI).
[42] *See* Appendix B for detailed definitions of recidivism and other key terms.
[43] *See* Appendix E, Table E.1 for detailed definitions of each release reason.

Each group included more specific release reasons. Summarized below are the percentages for each group by release reason (*see* Figure 3.1):

- **Positive:** Half (51%) of the positive group was comprised of probationers who satisfactorily completed their probation (i.e., who the court terminated early before supervision expired) followed by those who completed their probation (i.e., who reached the end of their probation without matters of noncompliance or charges pending) or were placed on unsupervised probation (26% and 23% respectively).
- **Negative:** The majority (88%) of the negative group were probationers who exited with an unsatisfactory termination, followed by expired absconders and probationers who received terminal confinements in response to violation (CRVs) (8% and 5% respectively).
- **Revocation:** The revocation group included those offenders who were the least successful on probation and had their probation revoked by the court. Half (52%) had an absconding revocation, while 42% had a criminal revocation. Reflective of JRA limitations on revocations for technical violations, few offenders (6%) were revoked due to a technical violation.

Geographic Division

Figure 3.2 examines the distribution of probation groups across the geographic divisions of the state – Western, Piedmont, Central, and Eastern.[44] The Eastern division had the highest percentage in the positive group (66%), followed closely by the Central division at 64%. The Western division had the highest percentage in the negative group (42%), followed by the Piedmont division (36%). The Western and Piedmont divisions also had higher percentages of probationers exiting due to revocation (19% and 20% respectively).

Figure 3.2
Geographic Division
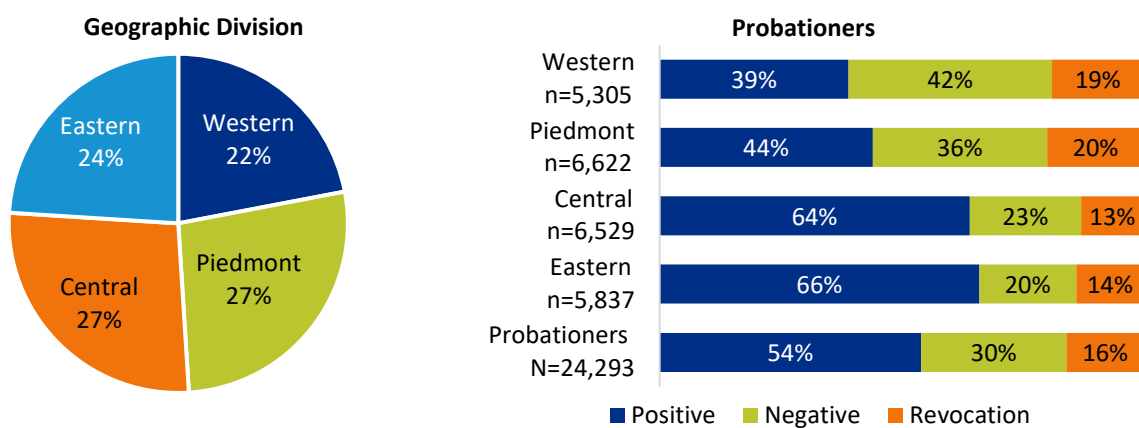
Note: There were 443 offenders with missing information for residence/supervision county.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

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[44] *See* Appendix E, Table E.2 for the distribution by geographic divisions, districts, and counties.

Personal Characteristics

Figure 3.3 and Table 3.1 contains information describing the personal characteristics of probationers overall and by release reason. Of the 24,736 probationers, 73% were male. Probationers in the revocation group had a higher percentage of male offenders compared to the other groups. Half (50%) of probationers were White, but the racial composition varied by release group. A higher percentage of offenders in the revocation group were White (64%), the other two groups had very similar percentages of White and Black offenders (47% White and 46% Black in the positive group and 49% White and 47% Black in the negative group). A third (33%) of probationers were 30 to 39 years and averaged 36 years at probation release. The revocation group was the youngest.

Figure 3.3
Sex and Race
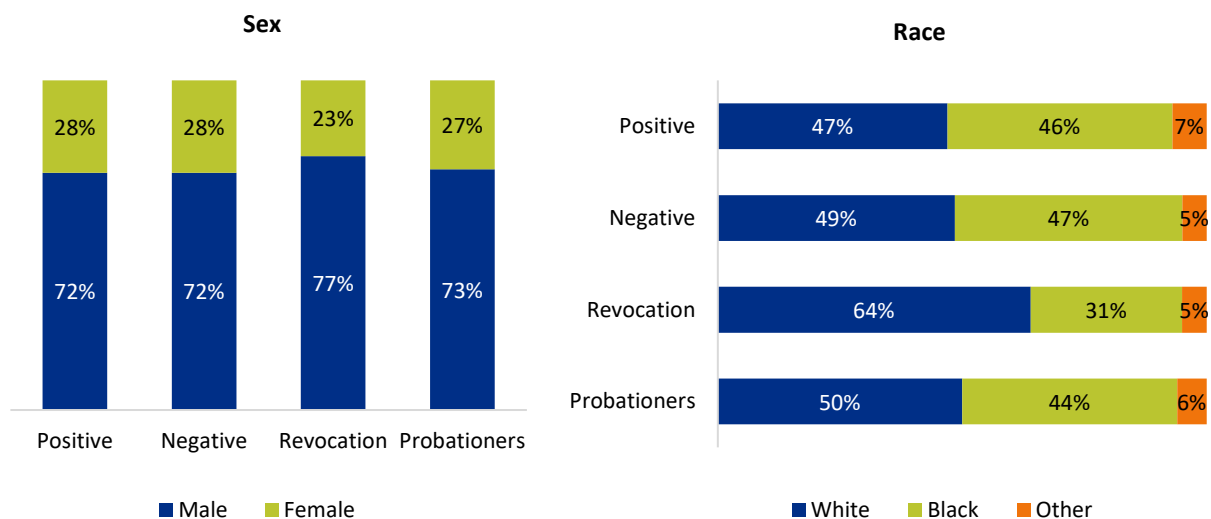
Note: Overall, 3% of probationers were Hispanic.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Summarized below are the remaining personal characteristics provided in Table 3.1.

- **Marital Status:** A low percentage of offenders (13%) were married. The revocation group had the lowest percentage of married offenders compared to the other two groups.
- **Education:** Half (50%) of probationers had dropped out of high school. A higher percentage (64%) of probationers in the revocation group dropped out of high school than probationers in the positive and negative groups (44% and 52% respectively).
- **Prior Employment:** The majority (60%) of offenders were employed prior to probation entry. The positive group had the highest percentage of employed offenders, while the revocation group had the lowest (61% and 55% respectively).
- **Substance Use:** Nearly three-fourths (72%) of probationers were identified as having substance use indicated. The revocation group had the highest percentage (84%) of probationers with substance use indicated, while the positive group had the lowest (68%).

Table 3.1
Personal Characteristics

Personal Characteristics	Positive n=13,257	Negative n=7,450	Revocation n=4,029	Probationers N=24,736
Age at Probation Release	%	%	%	%
Under 21 Years	4	4	5	4
21-29 Years	28	29	32	29
30-39 Years	32	34	36	33
40-49 Years	19	19	19	19
50 Years and Older	17	14	8	15
Average	*37*	*36*	*34*	*36*
Marital Status	%	%	%	%
Married	15	11	9	13
Not Married	85	89	91	87
Education	%	%	%	%
High School Graduate	56	48	36	50
High School Dropout/GED	44	52	64	50
Prior Employment	%	%	%	%
Employed	61	60	55	60
Not Employed	39	40	45	40
Substance Use	%	%	%	%
None Indicated	32	26	16	28
Substance Use Indicated	68	74	84	72

Note: Of the 24,736 probationers, 18 offenders were missing education information and 2,461 were missing substance use information.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Prior Employment

As shown in Table 3.1, 60% of the sample was employed in the two years prior to probation or prison entry. Figure 3.4 shows the distribution for those 14,774 probationers by employment status. Specifically, whether they were employed two years prior to probation entry only, one year prior to entry only, or if they were employed in both prior years. A lower percentage (30%) of the revocation group were employed in both years prior compared to the positive and negative groups (43% and 41% respectively) whose prior employment status was almost identical.

Figure 3.4
Employment Status: Prior Employment
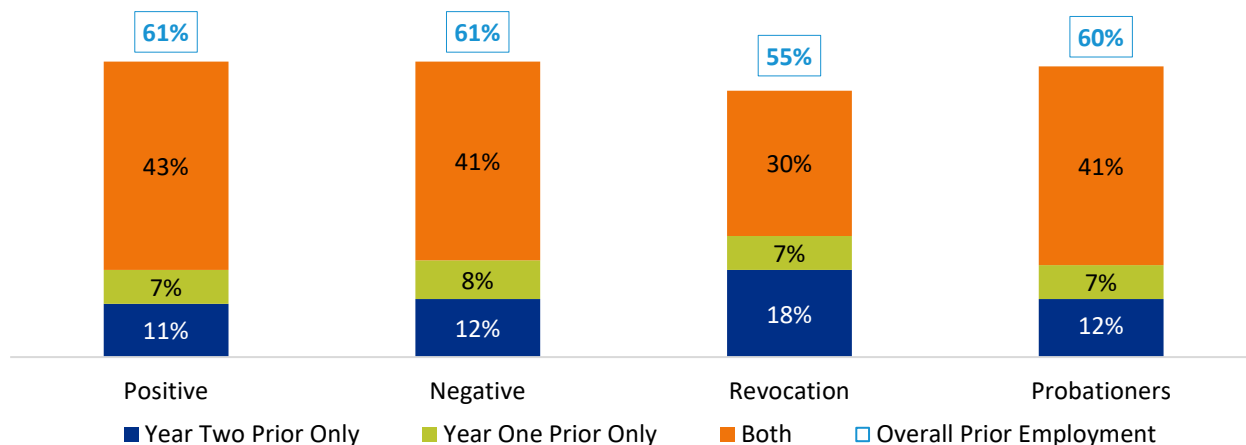
	Positive	Negative	Revocation	Probationers
Overall Prior Employment	61%	61%	55%	60%
Both	43%	41%	30%	41%
Year One Prior Only	7%	8%	7%	7%
Year Two Prior Only	11%	12%	18%	12%

■ Year Two Prior Only   ■ Year One Prior Only   ■ Both   □ Overall Prior Employment

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Figure 3.5 presents the annual median wages earned prior to probation entry. Probationers in the positive group had the highest wages earned two years prior to entry ($8,989), while the revocation group had the lowest wages ($3,925). The negative group's wages were in the middle at $6,193. Median wages earned one year prior to probation were lower for all three groups compared to their two years prior wages.

Figure 3.5
Annual Median Wages: Prior Employment

	Year Two Prior Only	Year One Prior Only
Positive	$8,989	$7,254
Probationers	$7,127	$5,721
Negative	$6,193	$4,824
Revocation	$3,925	$2,919

━━Positive   ━━Negative   ━━Revocation   ━━Probationers
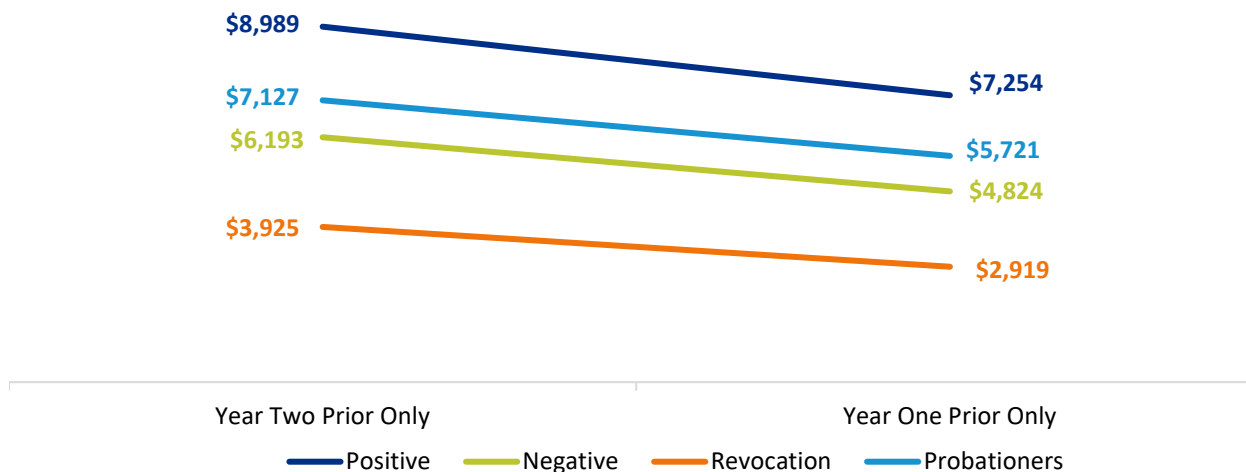
Note: Probationers who did not receive wages in the year two prior period (n=1,772) and the year one prior period (n=3,024) were not represented in the annual median wage.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data; NC Department of Commerce analysis of data from NC Common Follow-Up System

Figure 3.6 provides the distribution for the number of quarters employed for probationers during the two years prior to probation entry. A higher percentage of probationers in the positive and negative groups (32% and 24% respectively) worked 7 to 8 quarters during the two years prior compared to the revocation group (11%). Conversely, the revocation group (21%) had a higher percentage who worked 1 quarter compared to the positive and negative groups (13% and 14% respectively). On average, probationers in the positive group worked one more quarter (5 quarters) than the negative and revocation groups during the two years prior (4 quarters each).

Figure 3.6
Number of Quarters Employed: Prior Employment
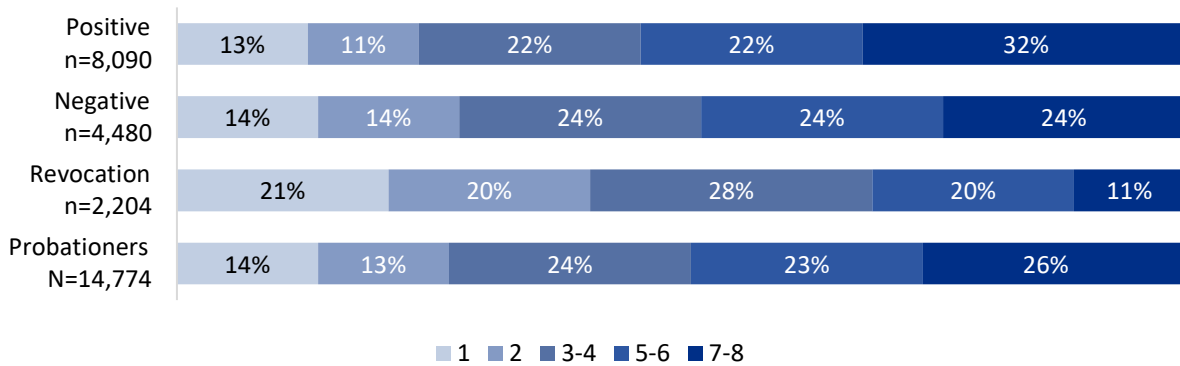
Group	1	2	3-4	5-6	7-8
Positive n=8,090	13%	11%	22%	22%	32%
Negative n=4,480	14%	14%	24%	24%	24%
Revocation n=2,204	21%	20%	28%	20%	11%
Probationers N=14,774	14%	13%	24%	23%	26%

Legend: ■ 1 ■ 2 ■ 3-4 ■ 5-6 ■ 7-8

Note: Less than 1% of probationers had 8 quarters of prior employment.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Figure 3.7 shows the top 5 industries for the last full quarter employed prior to probation entry.[45] Accommodation and Food Services[46] was the most common industry (25%); Administrative and Support, Waste Management and Remediation Services[47] followed with 22% of probationers in this industry. Overall, the top 5 industries accounted for 77% of the industries for the sample. There were few differences in the top industries between the three groups.

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[45] 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/.
[46] Accommodation and Food Services activities include providing customers with lodging and/or preparing meals, snacks, and beverages for immediate consumption.
[47] 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.

Figure 3.7
Top 5 Prior Employment Industries

25%	Accommodation and Food Services
22%	Administrative and Support, Waste Management and Remediation Services
13%	Manufacturing
9%	Construction
8%	Retail Trade

Accommodation and Food Services: Positive 23%, Negative 26%, Revocation 23%
Admin and Waste Management: Positive 20%, Negative 20%, Revocation 18%
Manufacturing: Positive 12%, Negative 15%, Revocation 14%
Construction: Positive 9%, Negative 9%, Revocation 11%
Retail Trade: Positive 10%, Negative 9%, Revocation 9%

■ Positive ■ Negative ■ Revocation

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Prior Criminal Justice Contacts

Probationers' prior contact with the criminal justice system is examined in Table 3.2 and Figure 3.8. Overall, 81% of probationers had a prior fingerprinted arrest, 59% had a prior probation entry, 33% had a prior probation or PRS revocation, and 27% had a prior incarceration. Probationers in the negative group had a higher percentage of prior contacts with the criminal justice system compared to probationers in the positive group, while probationers in the revocation group had the highest percentages of prior contacts with the criminal justice system for all measures examined.

Table 3.2
Prior Criminal Justice Contacts

Prior Criminal Justice Contacts	Positive n=13,257 %	Negative n=7,450 %	Revocation n=4,029 %	Probationers N=24,736 %
Prior Arrest	77	83	91	81
Prior Probation Entry	54	61	71	59
Prior Probation/PRS Revocation	26	34	51	33
Prior Incarceration	22	29	39	27

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Probationers averaged 5 arrests prior to sample entry. The positive group averaged 4 prior arrests, while the negative and revocation groups averaged slightly more prior arrests (5 and 6 respectively). Figure 3.8 further illustrates the differences in prior arrests between the groups. Among probationers with a prior arrest, 28% had 6 or more prior arrests. Fewer probationers in the positive group (23%) had 6 or more prior arrests compared to probationers in the negative and revocation groups (30% and 38% respectively). Conversely, a higher percentage of probationers in the positive group (27%) had only 1 prior arrest compared to the negative and revocation groups (21% and 14% respectively).

Figure 3.8
Number of Prior Arrests for Probationers with Any Prior Arrest
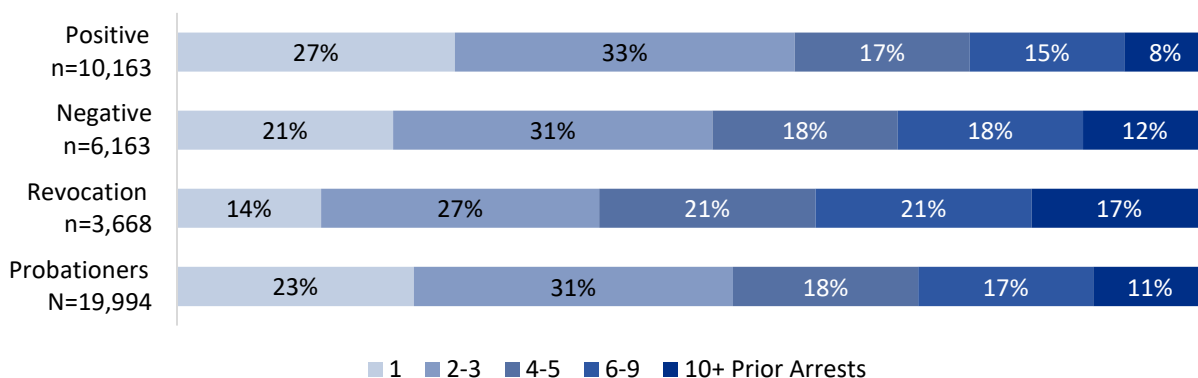
Group	1	2-3	4-5	6-9	10+ Prior Arrests
Positive n=10,163	27%	33%	17%	15%	8%
Negative n=6,163	21%	31%	18%	18%	12%
Revocation n=3,668	14%	27%	21%	21%	17%
Probationers N=19,994	23%	31%	18%	17%	11%

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Sample Conviction

The majority (56%) of probationers had a misdemeanor as their sample conviction; the remainder (44%) had a felony conviction. Probationers in the positive and negative groups had similar distributions by offense class and offense type (*see* Figure 3.9).[48] A higher percentage of probationers in the revocation group (50%) were convicted of felony offenses compared to the positive and negative groups (43% and 45% respectively). Specifically, the revocation group had a higher percentage of Class F through Class I convictions than the positive and negative groups.

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[48] *See* Table E.4 in Appendix E for detailed offense class information.

Figure 3.9
Offense Type and Offense Class of the Sample Conviction

Positive		Negative		Revocation	
57% Misdemeanors	43% Felonies	55% Misdemeanors	45% Felonies	50% Misdemeanors	50% Felonies
57% Class A1-3	40% Class F-I / 3% Class B2-E	56% Class A1-3	42% Class F-I / 2% Class B2-E	50% Class A1-3	48% Class F-I / 2% Class B2-E
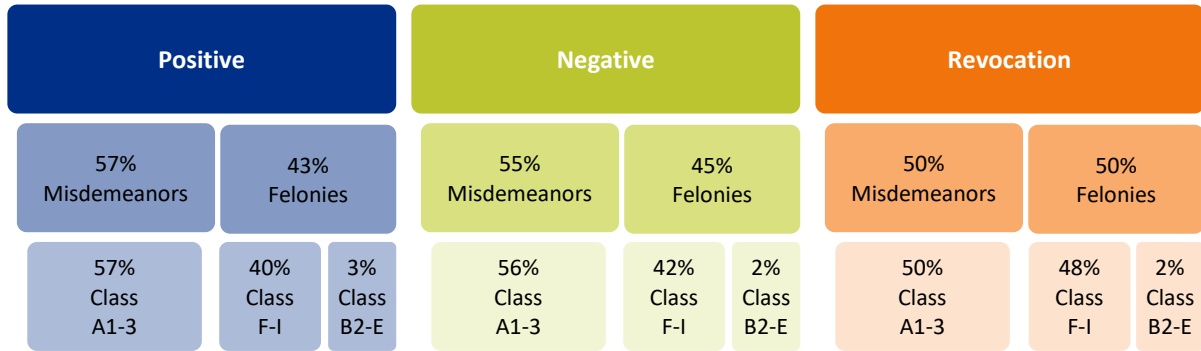
Note: Probation sentences in Class D (n=32) could reflect convictions in which extraordinary mitigation was found, convictions for certain drug trafficking offenses, or, in Class D, Felony Death by Vehicle convictions with 0 to 3 prior record points.[49]
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Convictions for property offenses comprised the highest percentage for probationers and by group (*see* Figure 3.10). However, probationers in the positive group had a lower percentage of property offenses compared to the other groups. Probationers in the revocation group had a lower percentage of other[50] offenses than the other two groups. The percentage of drug offenses was similar between the three groups.

Figure 3.10
Offense Category of the Sample Conviction
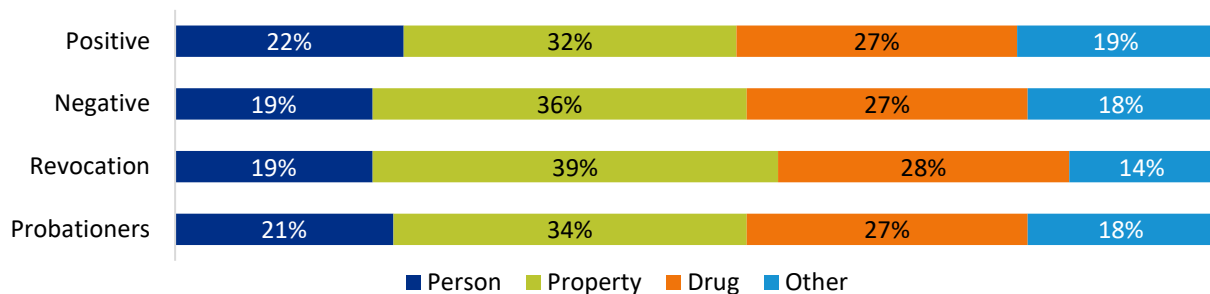
	Person	Property	Drug	Other
Positive	22%	32%	27%	19%
Negative	19%	36%	27%	18%
Revocation	19%	39%	28%	14%
Probationers	21%	34%	27%	18%

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Figure 3.11 provides the top 5 convictions for probationers. Overall, 4 of the top 5 convictions were for misdemeanors. The most common convictions were misdemeanor larceny, followed by use/possess drug paraphernalia, and driving while license revoked. Felony possession of a Schedule II controlled substance was the only felony offense (Class I) in the top 5. While differing slightly in orders, the positive and negative groups had the same top 5 offenses. In contrast, the revocation group had an additional felony offense (breaking and/or entering) in the top 5 convictions.

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[49] There was 1 Class B2 in the positive group. There were 6 Class C convictions in the positive group, 5 in the negative group, and 1 in the revocation group. There were 24 Class D convictions in the positive group, 5 in the negative group, and 3 in the revocation group.
[50] The top 3 "other" offenses were possession of a firearm by a felon (Class G felony), speeding to elude arrest (Class H felony or Class 1 misdemeanor), and obstruction of justice (Class H felony or Class 1 misdemeanor).

Figure 3.11
Top 5 Convictions

Positive

- 9% Misdemeanor Larceny (Class 1) - Property
- 5% Driving While License Revoked (Class 1 or 3) - Other
- 5% Assault on a Female (Class A1) - Person
- 5% Use/Possess Drug Paraphernalia (Class 1) - Drug
- 4% Possess Schedule II Controlled Substance (Class I) - Drug

Negative

- 10% Misdemeanor Larceny (Class 1) - Property
- 6% Driving While License Revoked (Class 1 or 3) - Other
- 6% Use/Possess Drug Paraphernalia (Class 1) - Drug
- 6% Possess Schedule II Controlled Substance (Class I) - Drug
- 5% Assault on a Female (Class A1) - Person

Revocation

- 10% Misdemeanor Larceny (Class 1) - Property
- 7% Possess Schedule II Controlled Substance (Class I) - Drug
- 7% Use/Possess Drug Paraphernalia (Class 1) - Drug
- 5% Assault on a Female (Class A1) - Person
- 5% Felony Breaking and/or Entering (Class H) - Property

Probationers

- 10% Misdemeanor Larceny (Class 1) - Property
- 6% Use/Possess Drug Paraphernalia (Class 1) - Drug
- 5% Driving While License Revoked (Class 1 or 3) - Other
- 5% Possess Schedule II Controlled Substance (Class I) - Drug
- 5% Assault on a Female (Class A1) - Person

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Probation Length Imposed and Actual Months Supervised

Misdemeanor probationers receive a period of probation of not less than 6 months and not more than 24 months, while felony probationers receive a period of probation of not less than 12 months and not more than 36 months.[51] Table 3.3 examines the average probation length imposed and actual probation supervision length (i.e., from probation admission to probation release). For the FY 2021 sample of probationers, the court imposed an average length of 20 months. The positive and negative groups had the shortest average length imposed at 20 months each, while the revocation group had slightly longer at 21 months.

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[51] Unless specific findings are made supporting a different period. Probation length for both misdemeanants and felons depends upon whether a Community or Intermediate punishment is imposed (*see* G.S. 15A-1343.2(d)).

For actual months on supervision, the negative group was on supervised probation the longest at 26 months and the revocation group was on supervised probation the shortest at 18 months. The positive group was in between at 22 months. Probation can be extended for a violation of one or more conditions[52] as well as to provide offenders additional time to pay restitution or complete treatment,[53] which may explain the differences between length imposed and actual months supervised.

Table 3.3
Average Probation Length Imposed (Months) and Actual Months Supervised

	Positive n=13,257 Avg.	Negative n=7,450 Avg.	Revocation n=4,029 Avg.	Probationers N=24,736 Avg.
Probation Length Imposed	20	20	21	20
Actual Months Supervised	22	26	18	23

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Figure 3.12 again illustrates differences in the actual time on probation for the three groups. Forty percent (40%) of the revocation group was supervised 12 months or less compared to the positive and negative groups (27% and 15% respectively). The negative group had the highest percentage of offenders (45%) who were supervised 25 or more months.

Figure 3.12
Actual Supervision Months
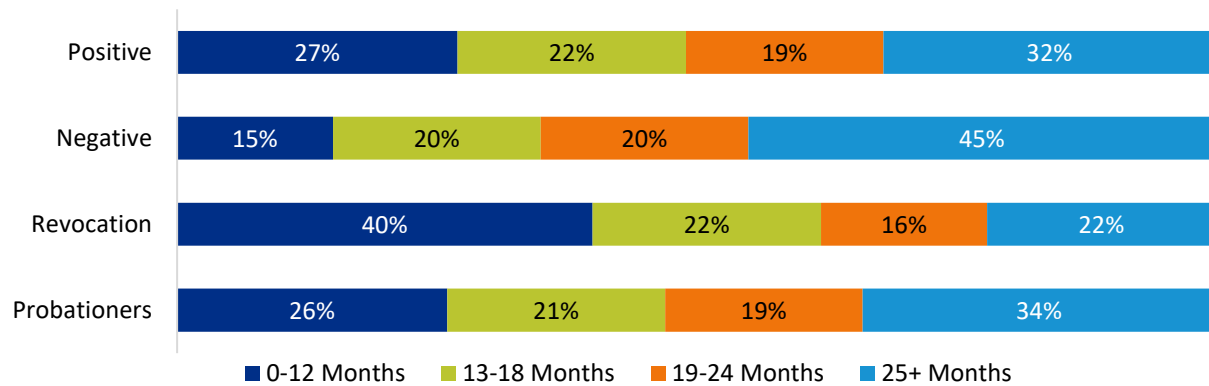
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

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[52] G.S. 15A-1344(d).
[53] G.S. 15A-1342(a).

Risk and Need Assessments

The DAC 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.[54] The DAC currently uses the 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 probation supervision. Specifically, the OTI-R is administered within the first 60 days of supervision.

Only offenders with all risk and need assessments completed were counted as having an RNA.[55] Overall, 10% of probationers did not have a complete RNA (i.e., were not assessed). The revocation group had the highest percentage (27%) of offenders without a completed RNA compared to the other two groups (5% for the positive group and 9% for the negative group).

Each offender is assigned to one of five risk levels based on their score: extreme, high, moderate, low, and minimal. Figure 3.13 provides the risk level distribution for probationers. Overall, 9% were assessed as extreme risk, 19% were assessed as high risk, 43% as moderate risk, 25% as low risk, and 4% as minimal risk. A higher percentage of probationers in the revocation group were assessed as extreme or high risk compared to the other two groups, while a higher percentage of probationers in the positive and negative groups were assessed as low and minimal risk compared to the revocation group. The assessed risk of probationers in the negative group was in between the positive and revocation groups.

The need portion of the assessment addresses six criminogenic factors (i.e., dysfunctional family, criminal peers, anti-social personality, anti-social values, substance use indicated, 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.

Overall, 23% were assessed as extreme need, 19% as high need, 38% as moderate need, 17% as low need, and 3% as minimal need (*see* Figure 3.13). Probationers in the negative and revocation group had higher levels of need compared to the positive group. The revocation group had the lowest percentages in the lower need levels.

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[54] G.S. 15A-1343.2(b1).
[55] *See* Table E.5 in Appendix E for the number of probationers by risk, need, and supervision levels.

Figure 3.13
Risk and Need Levels
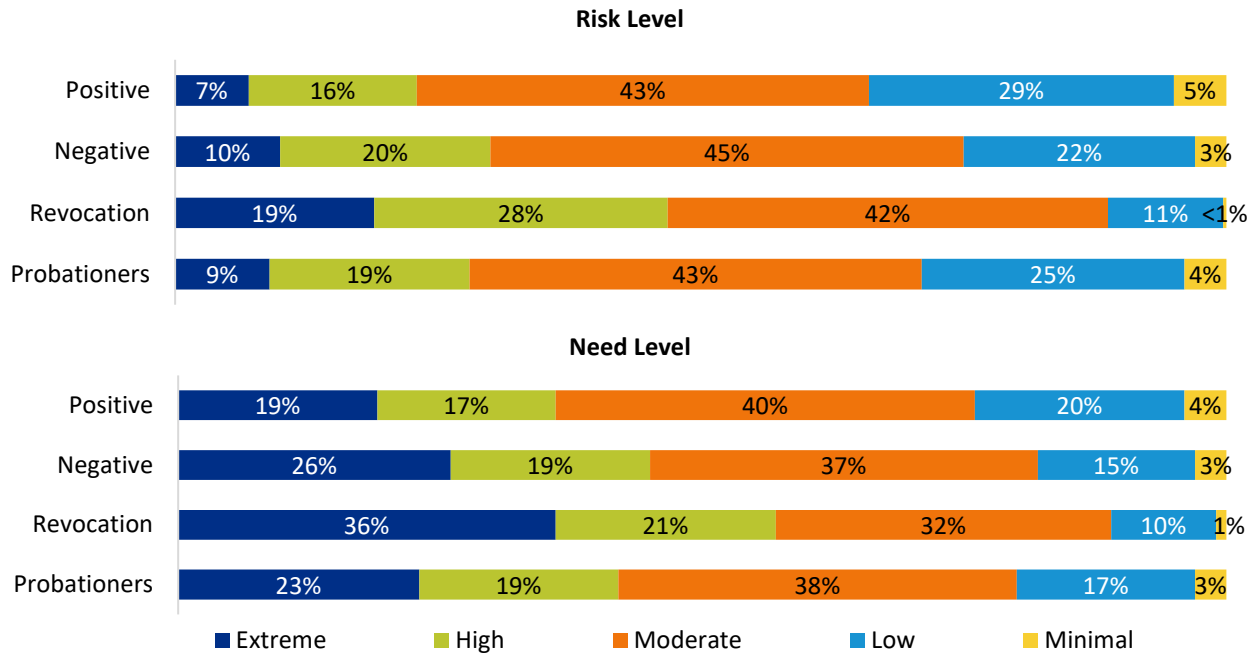
Risk Level

Positive	Extreme 7%	High 16%	Moderate 43%	Low 29%	Minimal 5%
Negative	10%	20%	45%	22%	3%
Revocation	19%	28%	42%	11%	<1%
Probationers	9%	19%	43%	25%	4%

Need Level

Positive	19%	17%	40%	20%	4%
Negative	26%	19%	37%	15%	3%
Revocation	36%	21%	32%	10%	1%
Probationers	23%	19%	38%	17%	3%

■ Extreme ■ High ■ Moderate ■ Low ■ Minimal

Note: Excludes offenders who did not have an RNA completed and a supervision level assigned (n=2,461).
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 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 probation officers in potential referrals or services for the offender. Substance use indicated (72%), transportation (63%), and legal (59%) were identified as the top areas of need. Generally, probationers in the negative group had a higher percentage of offenders identified with areas of need compared to the positive group. Probationers in the revocation group had the highest percentage of offenders identified with areas of need with exception for physical health needs, possibly due to the revocation group being younger than the other two groups.

Table 3.4
Areas of Need Identified

	Positive n=12,565 %	Negative n=6,800 %	Revocation n=2,910 %	Probationers N=22,275 %
Criminogenic Factors				
Anti-social Personality	16	21	29	19
Anti-social Values	14	18	25	17
Criminal Peers	36	42	49	39
Dysfunctional Family	48	56	66	53
Self-Control	21	26	34	24
Substance Use	68	74	84	72
Health Factors				
Mental Health	49	53	57	51
Physical	32	33	30	32
Additional Factors				
Academic/Vocational	36	42	48	40
Employment	40	47	55	44
Financial	32	37	36	34
Housing	23	31	41	28
Legal	57	59	69	59
Social Skills	36	44	55	41
Transportation	56	68	80	63

Note: Excludes offenders who did not have an RNA completed and a supervision level assigned (n=2,461).
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Supervision in the Community

The DAC 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. 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. As previously mentioned, the revocation group had the highest percentage of offenders (27%) with a missing RNA; therefore, those probationers with missing RNA were not assigned a supervision level.

Figure 3.14 provides the distribution of supervision levels by probation release reason. A higher percentage of offenders in the revocation group were supervised in the most restrictive supervision levels compared to the other two groups. Conversely, the revocation group was less likely to be placed in the least restrictive supervision levels. A higher percentage of offenders in the positive group were in the less restrictive supervision levels.[56]

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[56] *See* Table E.6 in Appendix E for the combination of probationers by risk, need, and supervision levels.

Figure 3.14
Supervision Level
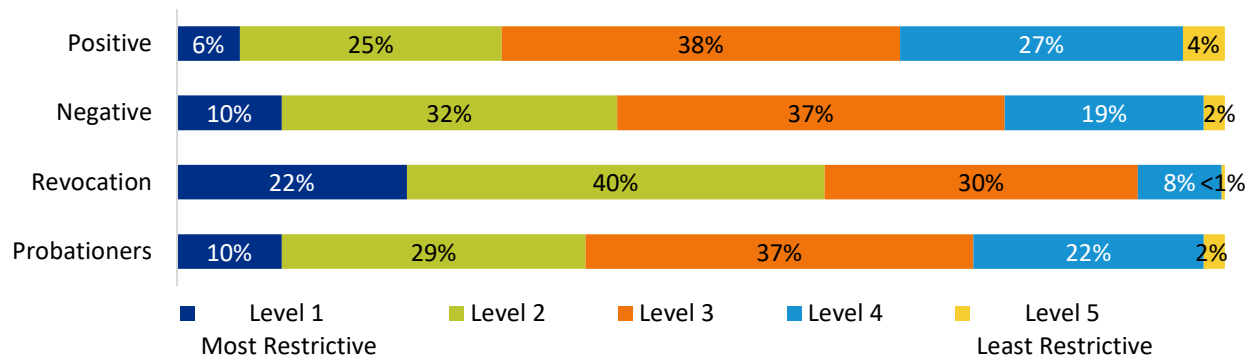
	Level 1	Level 2	Level 3	Level 4	Level 5
Positive	6%	25%	38%	27%	4%
Negative	10%	32%	37%	19%	2%
Revocation	22%	40%	30%	8%	<1%
Probationers	10%	29%	37%	22%	2%

Most Restrictive — Least Restrictive

Note: Excludes offenders who did not have an RNA completed and a supervision level assigned (n=2,461).
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

INTERIM OUTCOMES

This section focuses on violations of probation and specific responses to those violations as indicators of misconduct during probation supervision.[57] 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 the option to use high risk delegated authority. Those offenders are eligible to have their probation officers add conditions to their probation without a violation. Available conditions include referrals to substance use treatment or Cognitive Behavioral Intervention classes, electronic house arrest, or other controlling conditions.[58]

Figure 3.15 shows the percentage of probationers who were eligible for high risk delegated authority due to their OTI-R score. Overall, 24% of probationers were eligible for high risk delegated authority, including 20% of positive group, 27% of negative group, and 35% of revocation group.

Figure 3.15 also shows that, among the 6,041 probationers who were assessed as high risk, 45% received at least one condition through the high risk delegated authority process. A higher percentage of high risk offenders in the revocation group (49%) than high risk offenders in the positive and revocation groups (41% and 47% respectively) received at least one condition through high risk delegated authority.

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[57] *See* Table 3.3 and Figure 3.12 for actual months supervised.
[58] Quick dips may not be imposed through high risk delegated authority.

Figure 3.15
High Risk Delegated Authority: Probation Supervision
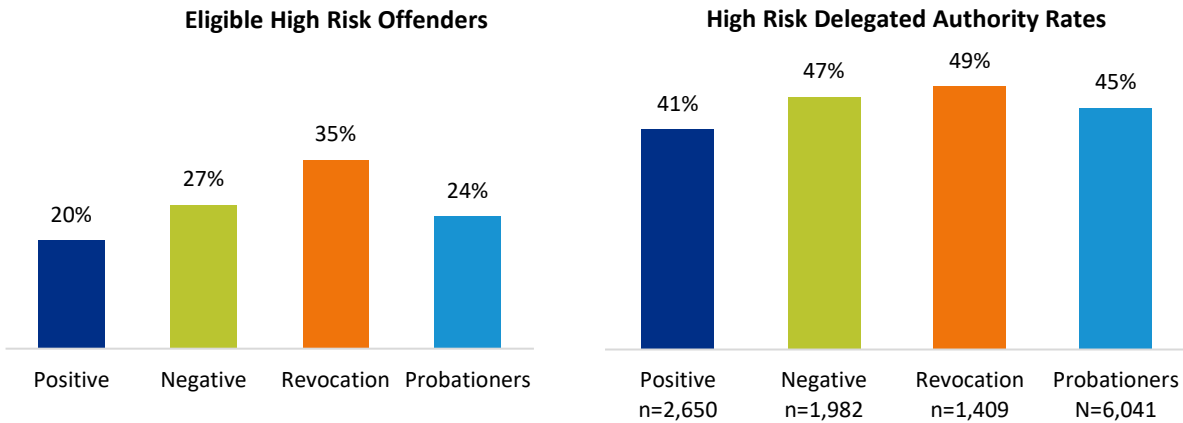
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Violations of Supervised Probation

For probationers, violations of probation were used as an indicator of misconduct while under supervision. The type of violation was examined using the following categories in order of most serious to least serious: criminal,[59] absconding, and technical. For analysis, examination of the type of violation was based on the most serious violation that occurred while on probation (hereinafter referred to as the "violation").

Overall, 78% of probationers had at least one violation during their supervision (*see* Figure 3.16). As expected, violation rates were aligned with how offenders exited probation. Compared to the other groups, offenders in the positive group had the lowest percentage with a violation (63%); nearly all offenders in the negative group (92%) and all offenders in the revocation group (100%)[60] had a violation during their supervision. The 19,214 probationers with at least one violation accounted for a total of 43,979 violations, an average of 2 violations per probationer (*see* Table 3.5).

For probationers with any violation, a higher percentage of probationers in the positive group had only one violation (49%) compared to the negative and revocation groups (43% and 30% respectively). Among probationers with a violation, the average time to the first violation was 9 months (*see* Table 3.5). The revocation group committed their first violation the earliest (5 months), while the positive and negative groups committed their first violation later (10 and 9 months respectively).

Based on the most serious violation for probationers, 38% had a criminal violation, 11% had an absconding violation, and 51% had a technical violation (*see* Figure 3.16). The positive group was most likely to have a technical violation as their most serious violation (68%). The revocation group was more likely to have a criminal violation (64%) or an absconding violation (31%) than the other two groups.

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[59] While a "criminal" violation may result from pending charges, it is generally the policy of the DAC 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).
[60] There were 6 offenders in the revocation group without a violation during probation supervision.

Figure 3.16
Violations: Probation Supervision
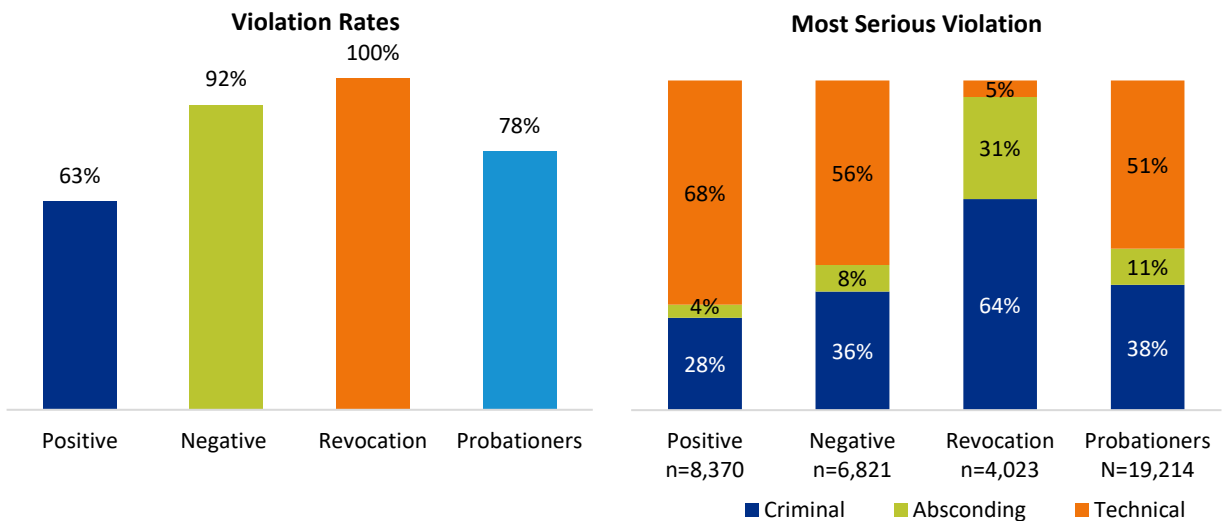
Violation Rates

Positive	63%
Negative	92%
Revocation	100%
Probationers	78%

Most Serious Violation

	Criminal	Absconding	Technical
Positive n=8,370	28%	4%	68%
Negative n=6,821	36%	8%	56%
Revocation n=4,023	64%	31%	5%
Probationers N=19,214	38%	11%	51%

Note: There were 6 offenders in the revocation group without a violation during probation supervision.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Table 3.5
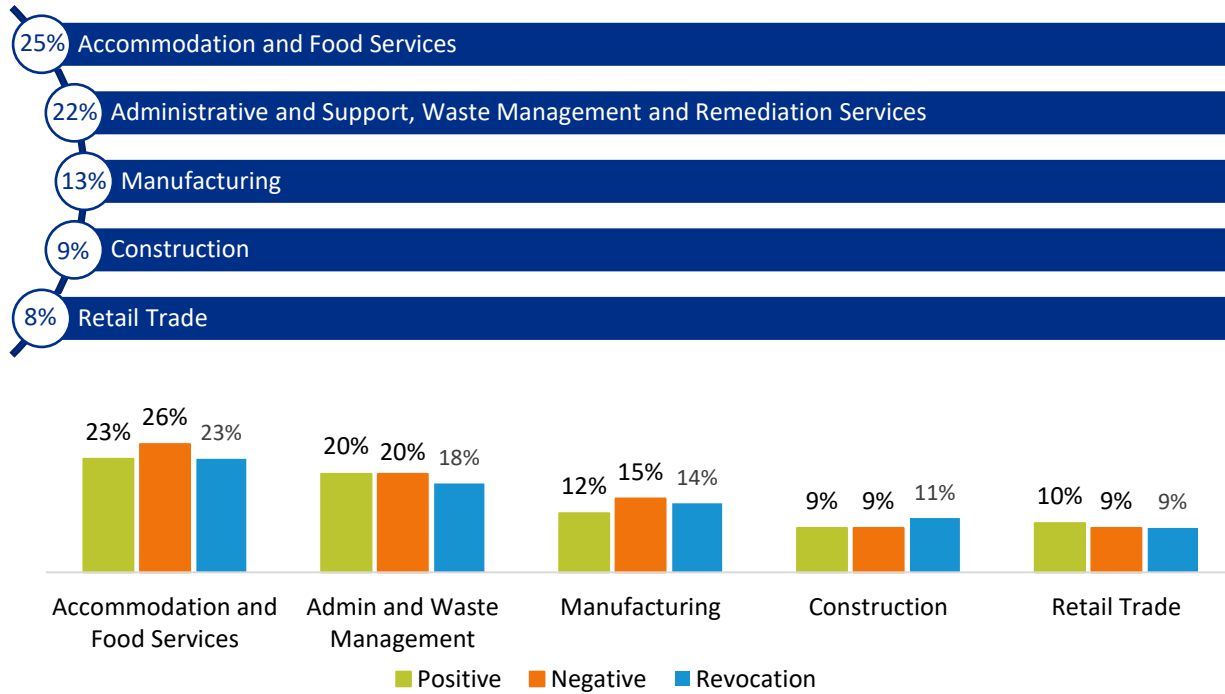**Violations: Probation Supervision**

Release Reason	N	# with Any Violation	Violations		Months to First Violation
			# (1 per day)	Average	
Positive	13,257	8,370	17,472	2	10
Negative	7,450	6,821	15,620	2	9
Revocation	4,029	4,023	10,887	3	5
Probationers	**24,736**	**19,214**	**43,979**	**2**	**9**

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

When examined by supervision level (*see* Figure 3.17), violation rates decreased for the positive group in a stair-step pattern as the restrictiveness of the supervision level decreased. Violation rates fluctuated slightly for the negative group ranging from 96% in the Level 1 (most restrictive) to 90% in Level 5 (least restrictive). Finally, 100% of offenders in the revocation group had a violation regardless of supervision level.

Seventy-two percent (72%) of offenders with no supervision level established had at least one violation during their supervision. The rates increased from 30% for the positive group to 67% for the negative group. Again, the revocation group had the highest violation rate at 100%.

Figure 3.17
Violation Rates by Supervision Level: Probation Supervision
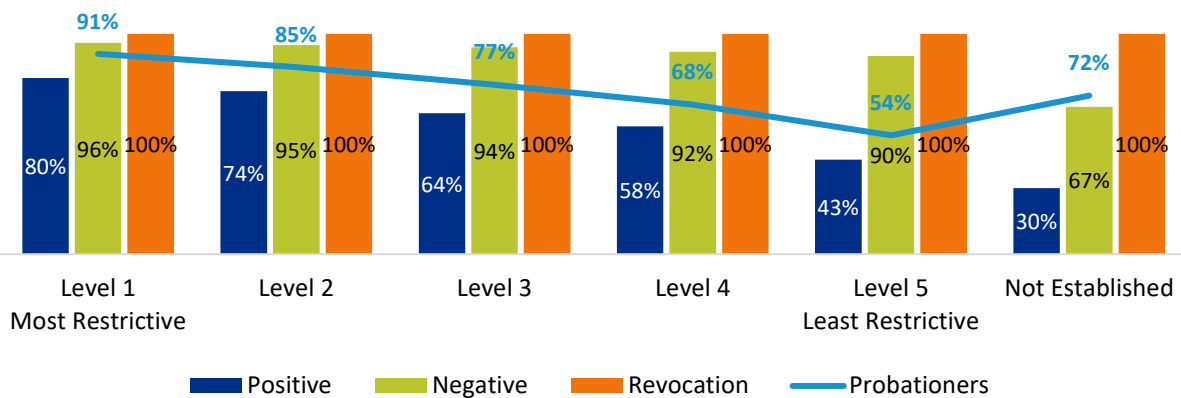
Note: There were 6 offenders in the revocation group without a violation during probation supervision.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Technical Violations of Supervised Probation

As previously mentioned, 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)).[61] This section focuses on technical violations. Overall, 18,781 probationers in the sample (76%) had a technical violation during probation supervision (*see* Figure 3.18). Probationers in the negative and revocation groups had a higher percentage with a technical violation (90% and 95% respectively) than probationers in the positive group (62%). While 95% of the revocation group had a technical violation, few probationers in the revocation group (5%) had their probation revoked due to a technical violation (*see* Figure 3.16).

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.[62] Figure 3.18 also presents more detail about the kinds of violations that comprise the technical violation category. Overall, among offenders who had a technical violation, the three most common types of violations were financial (85%), followed by a reintegrative condition and drug/alcohol (each at 42%). For 6 of the 7 types of technical violations examined, offenders in the revocation group had the highest rates, followed by offenders in the negative group. The positive group had the lowest rates for each category.

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[61] G.S. 15A-1344(d2).
[62] 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.

Figure 3.18
Technical Violation Rates: Probation Supervision
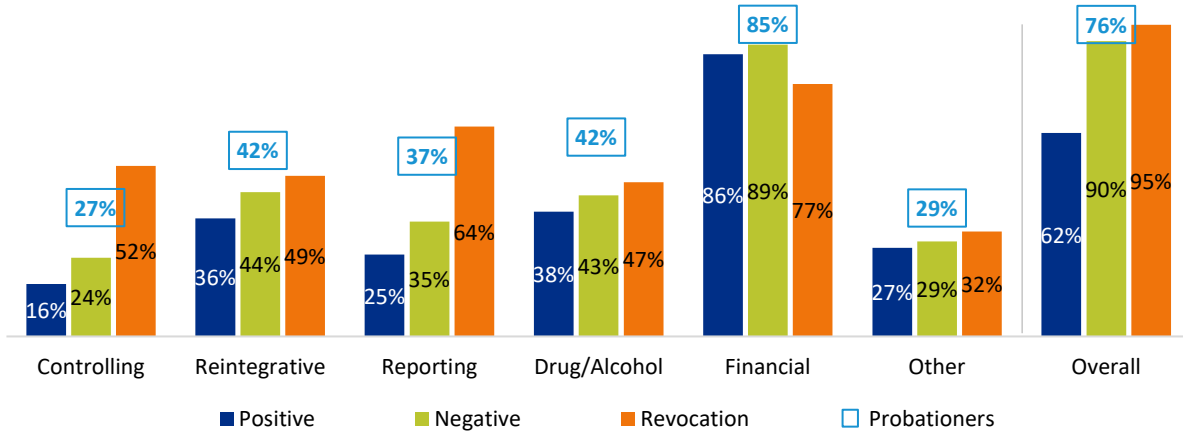
Note: Sex offender technical violations were rare (1%, n=123) and were excluded from the figure.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Figure 3.19 examines the distribution of the most serious technical violation that occurred during the offender's probation supervision, 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.

Over half of probationers with a technical violation had either a controlling or reintegrative violation as their most serious technical violation (27% and 28% respectively, a total of 55%). Probationers in the positive group (32%) had a higher percentage with a financial violation as their most serious technical violation compared to the other groups (26% for the negative group and 7% for the revocation group). Offenders in the revocation group, on the other hand, had a higher percentage (52%) with a controlling violation as their most serious technical violation compared to the other groups (24% negative and 17% positive groups).

Figure 3.19
Most Serious Technical Violation: Probation Supervision

Positive
n=8,216

Negative
n=6,724

Revocation
n=3,841

Probationers
n=18,781

■ Controlling ■ Reintegrative ■ Reporting ■ Drug/Alcohol ■ Financial
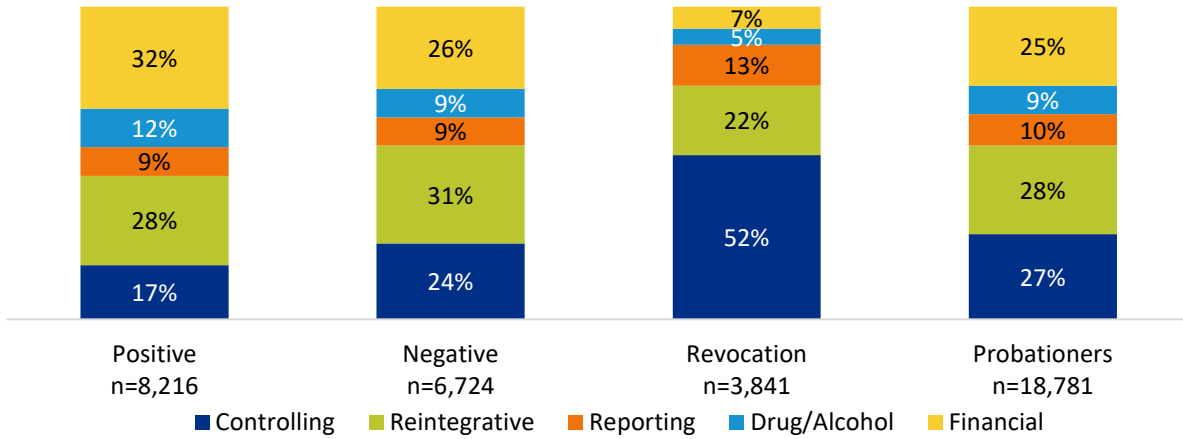
Note: Offenders with "other" (n=219) and "sex offender" (n=123) as their most serious technical violation were excluded from the figure due to small numbers.
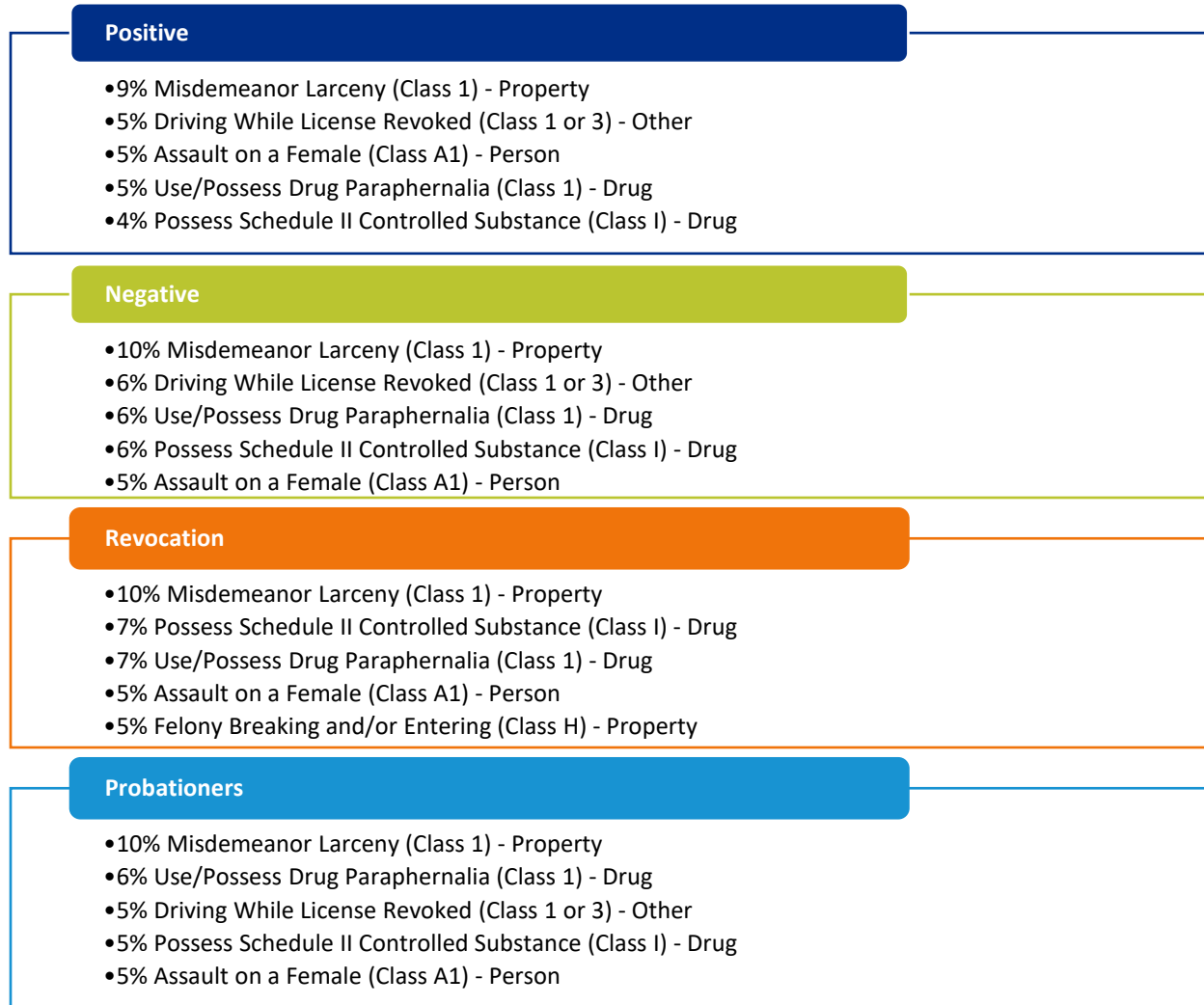SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Responses to Violations of Supervised Probation

Table 3.6 summarizes the selected responses to violations of probation that were analyzed in this chapter.[63] 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.

Table 3.6
Select Responses to Violations of Probation Supervision

Nonconfinement Responses	Confinement Responses
• Delegated Authority[64] • Continued Probation Supervision • Modified Probation Conditions • Additional Probation Conditions	• Quick Dip • CRV (Felons Only)

Nonconfinement Responses

The rates at which select nonconfinement responses to probation violations were ordered are presented in Figure 3.20. Overall, modification of conditions of probation occurred more frequently than the other types of nonconfinement responses. Nonconfinement response rates were similar for

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[63] Responses to violations of probation are not directly linked to a specific violation committed by the probationer.
[64] 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. Nonconfinement responses may include curfews, electronic house arrest, community service, and/or increased reporting requirements, while confinement responses may include quick dips. Although quick dips are authorized under delegated authority, they are examined separately in the Confinement section.

probationers in the revocation group for the four responses examined (8% to 10%) compared to the other two groups where usage of these responses fluctuated.[65] The percentages of the nonconfinement responses of delegated authority (ranging from 7% to 9%) and additional probation conditions (ranging from 8% to 11%) were similar for all three groups. The positive and negative groups had higher percentages with continued probation and modified probation compared to the revocation group.

Overall, delegated authority responses occurred several months earlier than the other three nonconfinement responses examined. On average, the first delegated authority response occurred at 7 months, while additional conditions of probation, modifications of probation, and continued probation responses occurred later (14, 15, and 16 months respectively). With the exception of delegated authority, the time to the first nonconfinement response was shortest for the negative and revocation groups in comparison to the positive group. Across nonconfinement responses, the average time to the first nonconfinement response was the same for offenders in the positive and negative groups.

Figure 3.20
Nonconfinement Response Rates: Probation Supervision
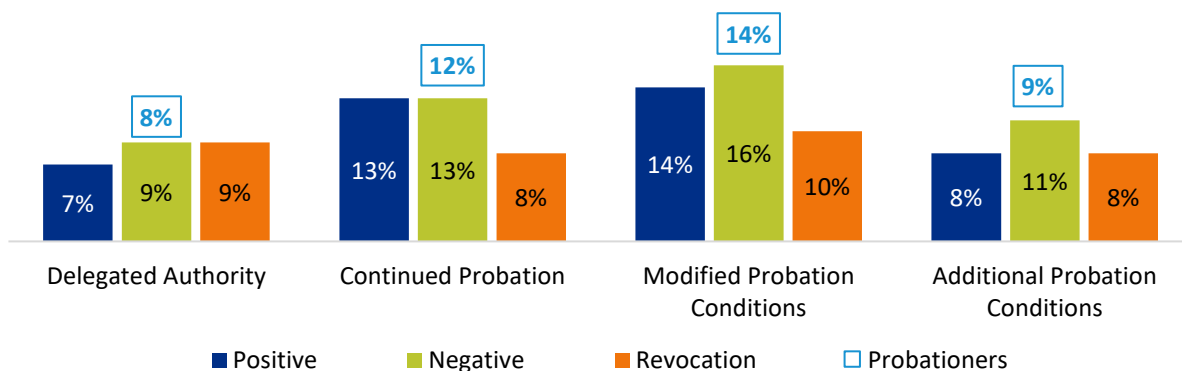
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Confinement Responses

Confinement responses to violations of supervision include quick dips for all probationers and CRVs for felons. Revocation of probation is also a confinement response (the most severe response to offender's noncompliance); however, it is not included in this section. It is examined separately (*see* Figure 3.1). Only quick dips and CRVs are 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, a third quick dip in response to a technical violation may lead to revocation of probation. Quick dips may be imposed either through delegated authority[66] or by the court. Quick dips involve confinement in local jails for either two- or

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[65] For nonconfinement responses by supervision level, *see* Figure E.1 in Appendix E.
[66] Pursuant to G.S. 15A-1343.2(e) and (f), the offender has a right to have a court review a Probation/Parole Officer's (PPO) imposition of a quick dip under delegated authority unless the offender waives the right to a hearing before the court on the alleged violation.

three-day periods. More probationers were confined for two-day quick dips (n=1,253) compared to three-day quick dips (n=816), while 198 offenders had both. Hereinafter, two- and three-day quick dips are combined for analysis.

Overall, 8% of probationers had a quick dip during probation supervision (*see* Figure 3.21). Quick dip rates were similar for all three groups (ranging from 7% to 10%).[67] For probationers with a quick dip during probation supervision, the first quick dip occurred on average 10 months after probation entry; both the positive and negative groups averaged 10 months to their first quick dip, while the revocation group received their first quick dip earlier at 7 months.

When quick dip rates were examined by supervision level, overall, the more restrictive the supervision level, the higher the quick dip rates for probationers (see Figure 3.21). This pattern was also seen for the positive and negative groups. For the revocation group, no clear pattern emerged.

Figure 3.21
Quick Dip Rates: Probation Supervision
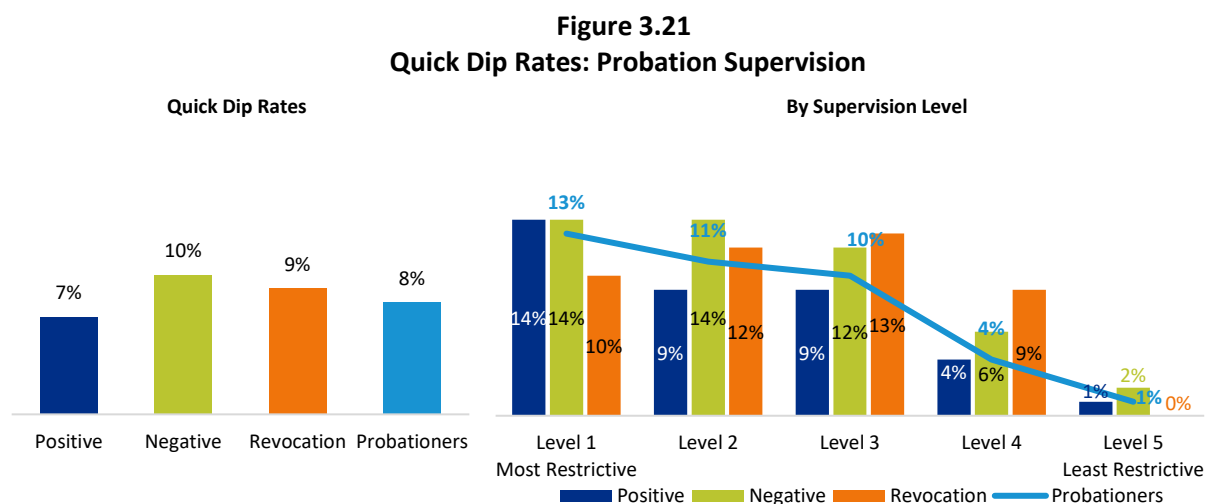
Note: Seven (7) of the 2,461 offenders without a Supervision Level established received a quick dip response.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Confinement in Response to Violation (Felons Only)

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.[68]

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[67] *See* Table E.7 for quick dips by felons and misdemeanants for each group in the Appendix E.
[68] All felons ordered to serve a CRV serve it in a CRV center unless they are found ineligible or the population in the center has reached capacity. According to DAC 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 four or more pending felony charges, (c) the offender has been released on a bond or bonds totaling $50,000 or more, (d) the offender has a current active sentence they are also serving, (e) the offender has been in close custody level within the past year, and (f) the offender has chronic medical issues that are unstable or is under psychotropic medications.

Among felony probationers, 10% had a CRV during probation supervision (*see* Figure 3.22). Sixteen percent (16%) of probationers in the negative group received a CRV and had a higher CRV rate compared to the other two groups (6% for the positive group and 10% for the revocation group). While somewhat surprising that the negative group had a higher rate of CRVs compared to the revocation group, the revocation group committed more serious violations (criminal and absconding) that resulted in revocation and, therefore, were less likely to receive a CRV for technical violations. For probationers with a CRV, the first CRV occurred on average at 15 months. The revocation group received their first CRV earlier (at 11 months) compared to probationers in the positive and negative groups (at 16 months each). Generally, CRV rates during probation supervision decreased in a stair-step pattern as the restrictiveness of the supervision level decreased from Level 1 at 18% to Level 5 at 1%.

Figure 3.22
CRV Rates (Felons Only): Probation Supervision

CRV Rates
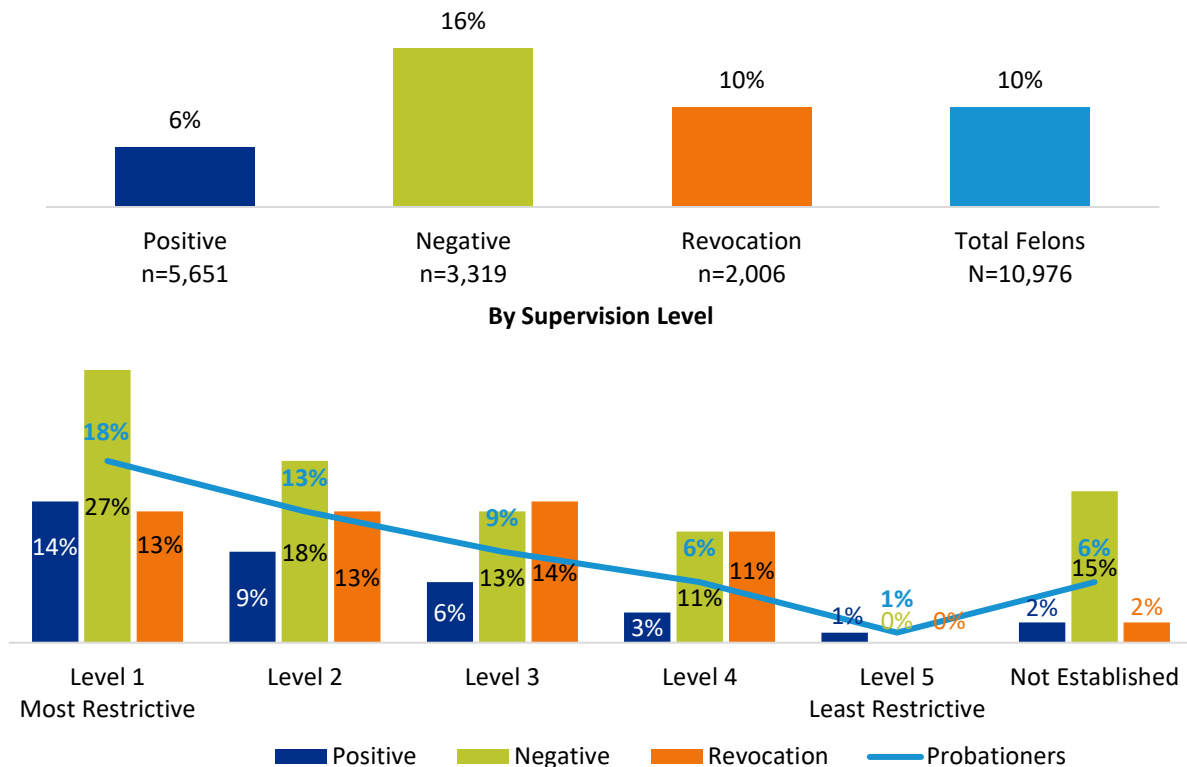
By Supervision Level

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Felons who received a CRV during probation supervision may have served their CRV in a CRV center or a state prison facility. 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. Notably, the COVID-19 pandemic affected operations at the CRV Centers with closings due to the staffing needs of the prisons. Two CRV centers are still currently operational (Robeson CRV for males and North Piedmont CRV for females); however, probationers in the sample may have served their CRV in centers that are now closed (Burke CRV for males and Eastern CRV for females).

Table 3.7 examines CRV probationers based on the sex of the probationer and where their CRV was served – a CRV center or prison. Of the 1,090 CRV probationers, 64% were released from a prison facility and 36% were released from a CRV center.[69] The percentages of male CRV probationers were similar between the three groups regardless of the CRV location (ranging from 66% to 69% males in a CRV center and from 79% to 83% males in prison). Fifty-five percent (55%) of male CRV offenders housed in a CRV center were released from the Burke CRV Center and 45% were released from Robeson CRV Center.

Table 3.7
CRV Location by Sex (Felons Only): Probation Supervision

CRV Location	N	Positive n=362 %	Negative n=521 %	Revocation n=207 %	CRV Probationers N=1,090 %
CRV Center	**389**	**39**	**36**	**30**	**36**
Male	262	66	69	66	67
Female	127	34	31	34	33
Prison	**701**	**61**	**64**	**70**	**64**
Male	563	81	79	83	80
Female	138	19	21	17	20
CRV Probationers	**1,090**	**33**	**48**	**19**	**100**

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

EMPLOYMENT OUTCOMES

Employment during Probation Supervision

If a probationer was paid within their supervised probation period, they were considered employed. Unlike employment examined during the two years prior and during the two-year follow-up, the months on probation varied by offender and the time to obtain employment was not equal during probation supervision. Figure 3.23 shows the percentage of probationers who were employed during supervision. Probationers in the positive group had the highest percentage employed (55%); probationers in the negative group closely followed with 54% of probationers employed during supervision. A much smaller percentage of probationers in the revocation group were employed during supervision (35%).

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[69] See Appendix E for additional information on CRV felons by CRV location.

Figure 3.23
Employment Status: Probation Supervision
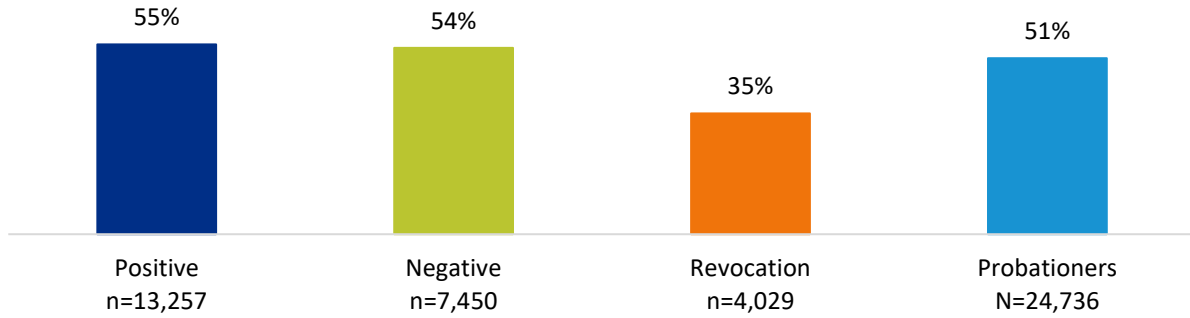
55%	54%	35%	51%
Positive	Negative	Revocation	Probationers
n=13,257	n=7,450	n=4,029	N=24,736

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Figure 3.24 provides the distribution for the number of quarters employed for probationers while on probation supervision. A higher percentage of probationers in the revocation group worked only 1 quarter while on supervision (32%) compared to probationers in the positive and negative groups (15% each). The revocation group had the lowest percentage of probationers who worked 7 to 8 quarters (6%) and 9 quarters or more (6%) compared to the other two groups. On average, probationers in the positive and negative groups worked two more quarters (5 quarters each) than the revocation group (3 quarters).

Figure 3.24
Number of Quarters Employed: Probation Supervision
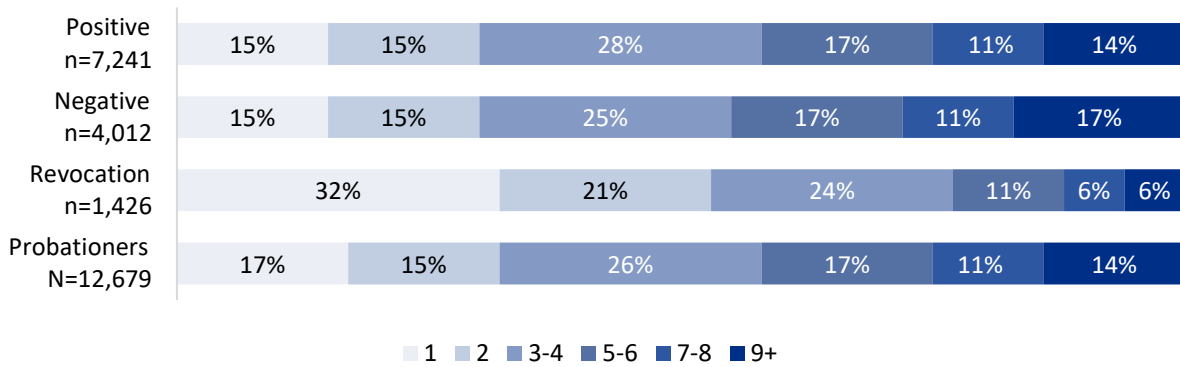
Group	1	2	3-4	5-6	7-8	9+
Positive n=7,241	15%	15%	28%	17%	11%	14%
Negative n=4,012	15%	15%	25%	17%	11%	17%
Revocation n=1,426	32%	21%	24%	11%	6%	6%
Probationers N=12,679	17%	15%	26%	17%	11%	14%

Legend: ■ 1 ■ 2 ■ 3-4 ■ 5-6 ■ 7-8 ■ 9+

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Figure 3.25 illustrates the differences in the average number of quarters employed for the three groups by actual time on probation. Across all supervision time periods examined, the revocation group had the lowest average number of quarters worked – with only 1 quarter worked for less than 12 months of supervision, 2 quarters worked for 13 to 18 months of supervision, 3 quarters worked for 19 to 24 months of supervision, and 5 quarters worked for 25 or more months of supervision. The average number of quarters worked for probationers in the positive and negative groups were identical at each supervision time period examined.

Figure 3.25
Average Number of Quarters Worked by Actual Months Supervised: Probation Supervision
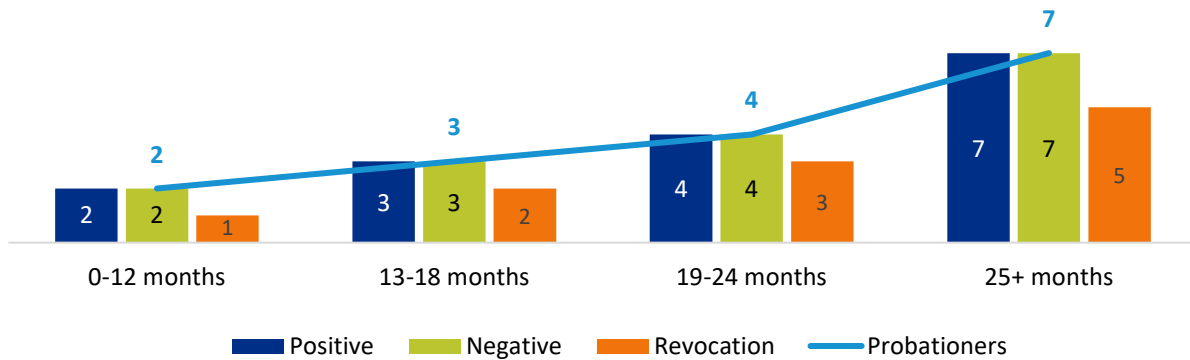
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Employment during the Two-Year Follow-Up

In addition to prior employment and employment while on supervised probation, employment during the two-year follow-up period was examined as an outcome. If a probationer was paid within any of the eight quarters during the two-year follow-up period, the probationer was considered employed. Figure 3.26 shows that the positive group had the highest percentage of probationers employed (56%), while the revocation group had the lowest (47%). The employment rate for the NC population (61%) was higher than for probationers overall (53%).

Figure 3.26
Employment Outcomes
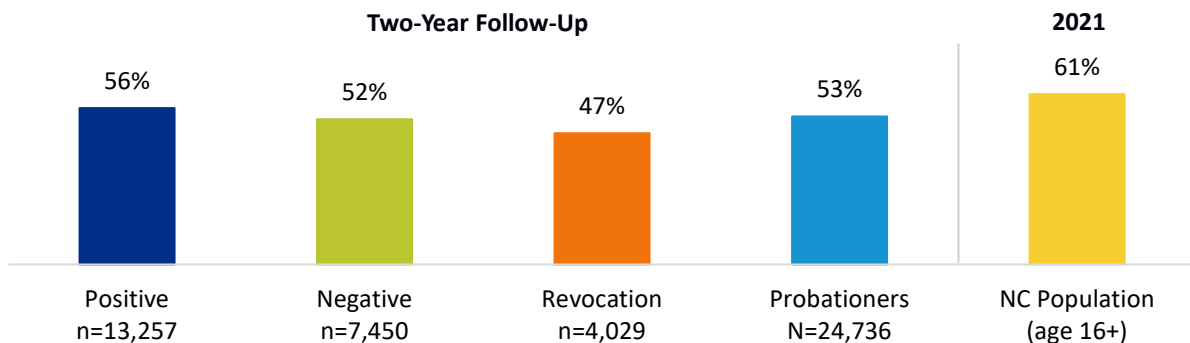
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data;
NC Department of Commerce analysis of data from US Census Bureau

Figure 3.27 presents the distribution of employment during the two-year follow-up by whether a probationer was employed during the first year of the follow-up period only (year one), employed in the second year of the follow-up period only (year two), or employed during both years of the follow-up period. A lower percentage (22%) of the revocation group were employed in both years of the follow-up period compared to the positive and negative groups (42% and 37% respectively) whose employment status during this period was similar.

Figure 3.27
Employment Status: Two-Year Follow-Up
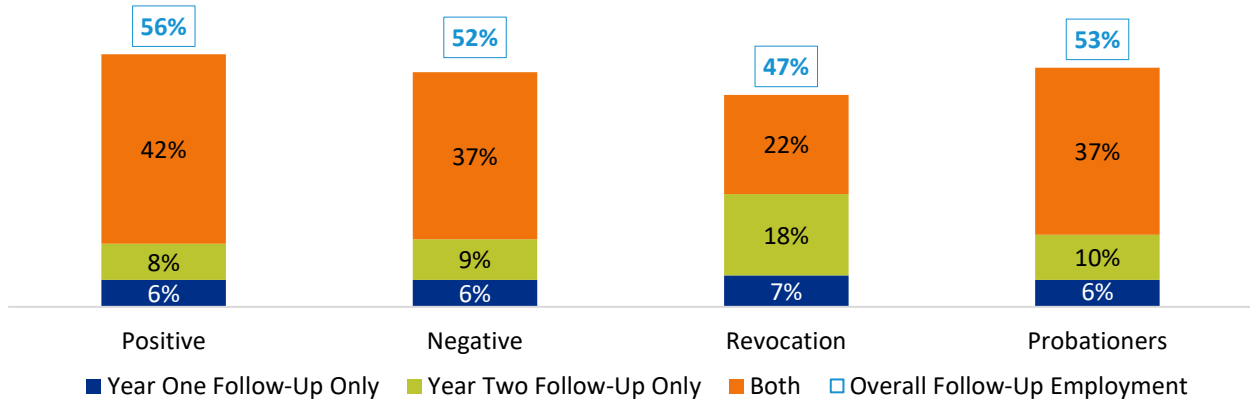
	Positive	Negative	Revocation	Probationers
Overall Follow-Up Employment	56%	52%	47%	53%
Both	42%	37%	22%	37%
Year Two Follow-Up Only	8%	9%	18%	10%
Year One Follow-Up Only	6%	6%	7%	6%

■ Year One Follow-Up Only ■ Year Two Follow-Up Only ■ Both ☐ Overall Follow-Up Employment

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Figure 3.28 provides the annual median wages earned for year one and year two of the follow-up period, along with the 2021 median wage for the age 16 or older NC population. Despite increased annual median wages over the two-year follow-up, wages for probationers overall and for each group were still much lower than those for the NC population in 2021 ($32,500). Probationers in the revocation group had the lowest wages earned for both years.

Figure 3.28
Annual Median Wages

Two-Year Follow-Up　　　　　　　　　　　　**2021**

	Year One Follow-Up Only	Year Two Follow-Up Only
Positive	$11,847	$17,599
Probationers	$9,082	$13,795
Negative	$7,716	$12,233
Revocation	$2,919	$5,629

NC Population (age 16+): $32,500

──Positive ──Negative ──Revocation ──Probationers
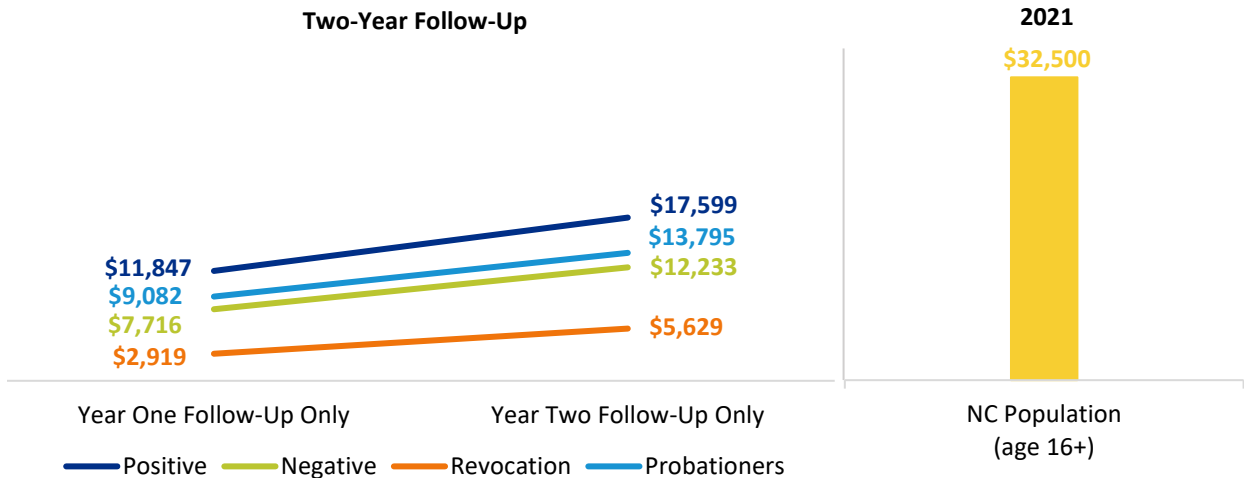
Note: Offenders who did not receive wages in the year one follow-up period (n=2,404) and the year two follow-up period (n=1,549) were not represented in the annual median wage.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data;
NC Department of Commerce analysis of data from NC Common Follow-Up System

Figure 3.29 presents the number of quarters employed for probationers with employment during the two-year follow-up. A higher percentage of probationers in the positive and negative groups (40% and 33% respectively) worked 7 to 8 quarters during two-year follow-up period compared to the revocation group (9%). Conversely, the revocation group (25%) had a higher percentage who worked 1 quarter

compared to the positive and negative groups (10% and 13% respectively). On average, probationers in the positive and negative groups worked two more quarters (5 quarters each) than the revocation group (3 quarters) during the two years prior.

Figure 3.29
Number of Quarters Employed: Two-Year Follow-Up

	1	2	3-4	5-6	7-8
Positive n=7,398	10%	10%	18%	22%	40%
Negative n=3,884	13%	12%	21%	21%	33%
Revocation n=1,912	25%	21%	28%	17%	9%
Probationers n=13,194	13%	12%	20%	21%	34%
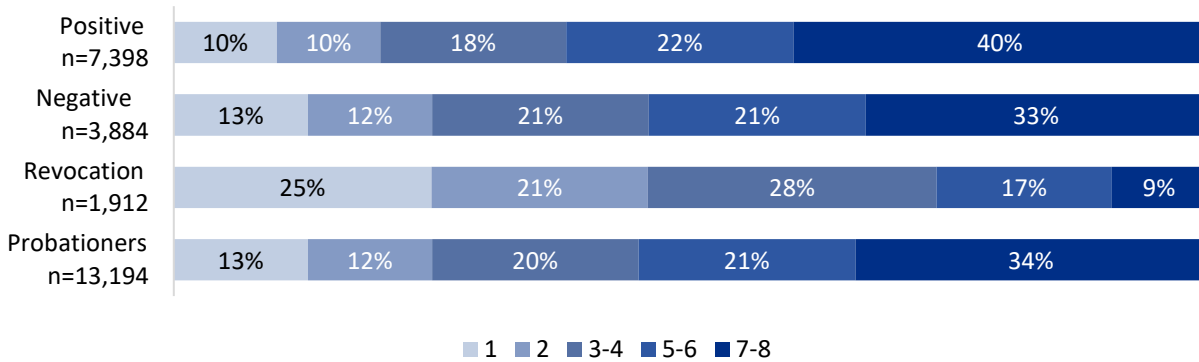
Note: One percent (1%) of probationers had 8 quarters of follow-up employment.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Figure 3.30 lists the top 5 industries for the first full quarter employed during the two-year follow-up. The top 2 industries for probationers were (1) Accommodation and Food Services and (2) Administrative and Support, Waste Management and Remediation Services. Overall, the top 5 industries accounted for 76% of the employment industries for probationers. There were few differences in the top industries between the three groups.

Figure 3.30
Top 5 Employment Industries: Two-Year Follow-Up
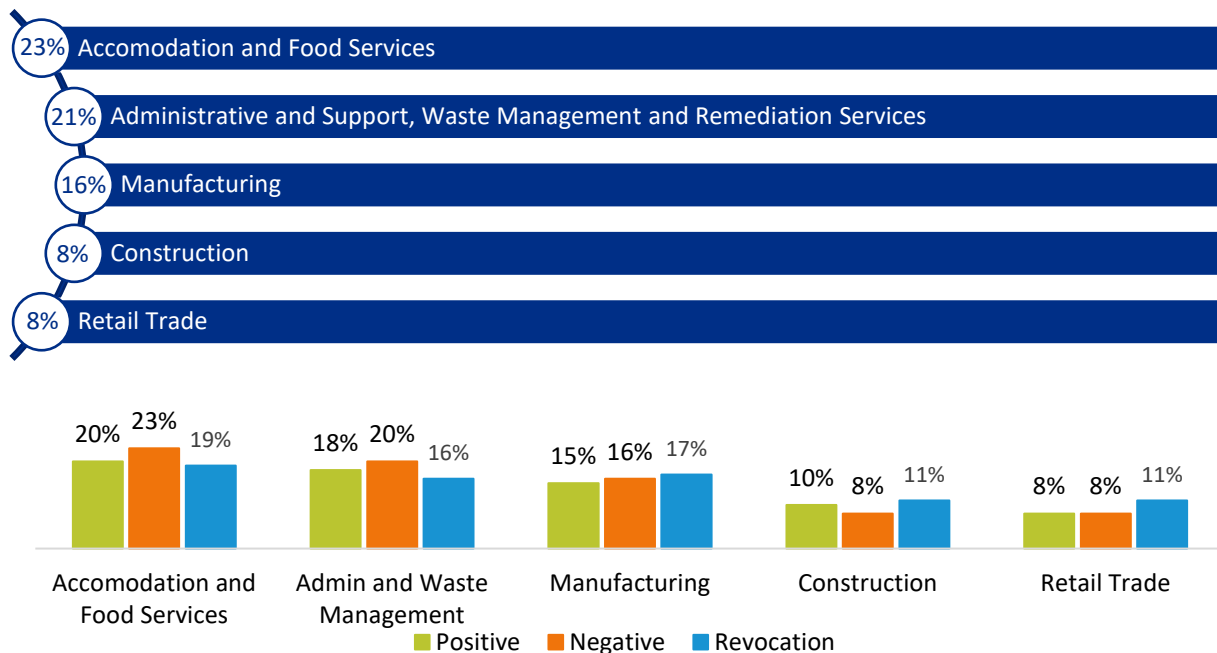
23% Accomodation and Food Services
21% Administrative and Support, Waste Management and Remediation Services
16% Manufacturing
8% Construction
8% Retail Trade

	Positive	Negative	Revocation
Accomodation and Food Services	20%	23%	19%
Admin and Waste Management	18%	20%	16%
Manufacturing	15%	16%	17%
Construction	10%	8%	11%
Retail Trade	8%	8%	11%

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

RECIDIVIST ARRESTS

This section examines recidivist arrests of probationers overall and by the three groups during two time periods: probation supervision and the two-year follow-up. This section also examines recidivist arrests by offenders' supervision profile and interim outcomes during the two-year follow-up. Finally, both recidivist time periods are combined to explore when recidivist arrests occurred: during supervised probation, during the two-year follow-up, or both.

Recidivist Arrests during Probation Supervision

As discussed earlier, recidivist arrest rates are examined at two points in time – during supervised probation and during the two-year follow-up period. This section contains information on arrests during probation supervision. Unlike the fixed two-year follow-up, the actual months on probation varied by offender and the time at risk to commit a crime resulting in an arrest was not equal during probation supervision. The negative group was on supervised probation the longest at 26 months and the revocation group was the shortest at 18 months. The positive group was in between at 22 months. (*See* Table 3.3.)

Figure 3.31 and Table 3.8 contain information on recidivist arrest rates during probation supervision. Overall, 29% of probationers had an arrest during probation supervision (*see* Figure 3.31). Probationers in the revocation group had the highest recidivist arrest rate at 61% followed by probationers in the negative group at 31%. Not surprisingly, probationers in the positive group had the lowest recidivist arrest rates during probation supervision (18%).[70]
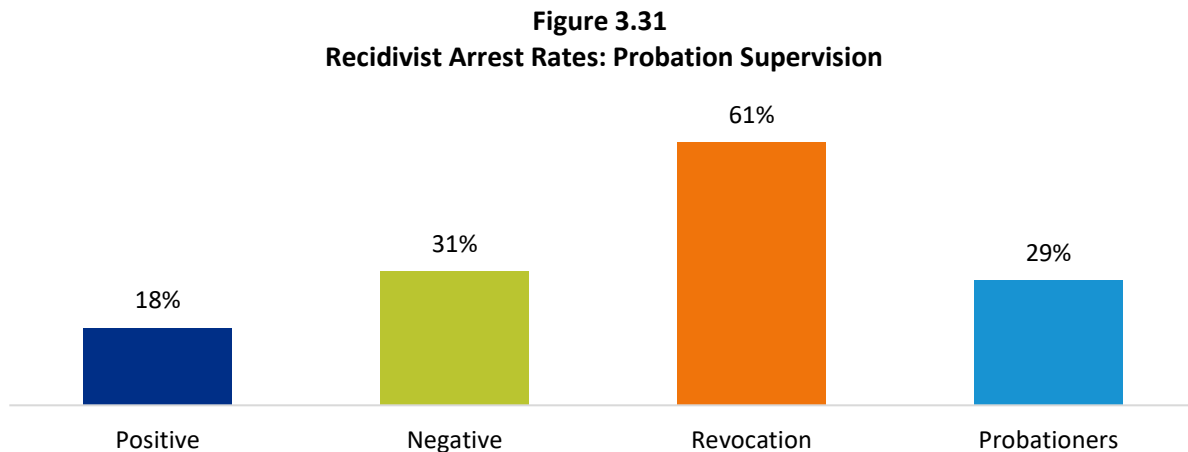
Figure 3.31
Recidivist Arrest Rates: Probation Supervision

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

The 7,161 probationers with at least one arrest during probation supervision accounted for 12,540 arrests (*see* Table 3.8). For probationers with an arrest, the first recidivist arrest occurred on average at 9 months into their probation term. The revocation group tended to recidivate earlier at 8 months. The positive and negative groups committed their first recidivist arrest, on average, at 10 months each during probation supervision.[71]

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[70] *See* Table E.12 in Appendix E for arrests rates by the subgroups for each release reason during probation supervision.
[71] *See* Figure E.4 in Appendix E for additional information about the time to first recidivist arrest during probation supervision.

Overall, 72% of offenders with an arrest during probation supervision had a felony arrest. Eighty-two percent (82%) of the revocation group had a felony arrest compared to 66% of the positive group and 69% of the negative group (*see* Table 3.8).

Table 3.8
Recidivist Arrest Rates: Probation Supervision

Release Reason	N	Months to First Arrest	# with Any Arrest	Total # Arrests	Avg. # Arrests	% Most Serious Recidivist Arrest	
						Misdemeanor	Felony
Positive	13,257	10	2,423	3,857	2	34	66
Negative	7,450	10	2,274	4,006	2	31	69
Revocation	4,029	8	2,464	4,677	2	18	82
Probationers	24,736	9	7,161	12,540	2	28	72

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Recidivist Arrests during the Two-Year Follow-Up

As described in Chapter One, the Sentencing Commission's primary measure of recidivism is fingerprinted arrests. For probation releases (N=24,736), the recidivist arrest rate was 13% during the one-year follow-up and 22% during the two-year follow-up (*see* Figure 3.32). Recidivist arrest rates during the two-year follow-up aligned with the offender's probation release reason. For both the one-year and two-year follow-up periods, probationers in the revocation group had the highest recidivist arrest rates (18% and 34% respectively), followed by the negative group (15% for year one and 24% for year two). The positive group had the lowest recidivism rates at 10% during year one and 17% during year two.

Figure 3.32
Recidivist Arrest Rates: Two-Year Follow-Up
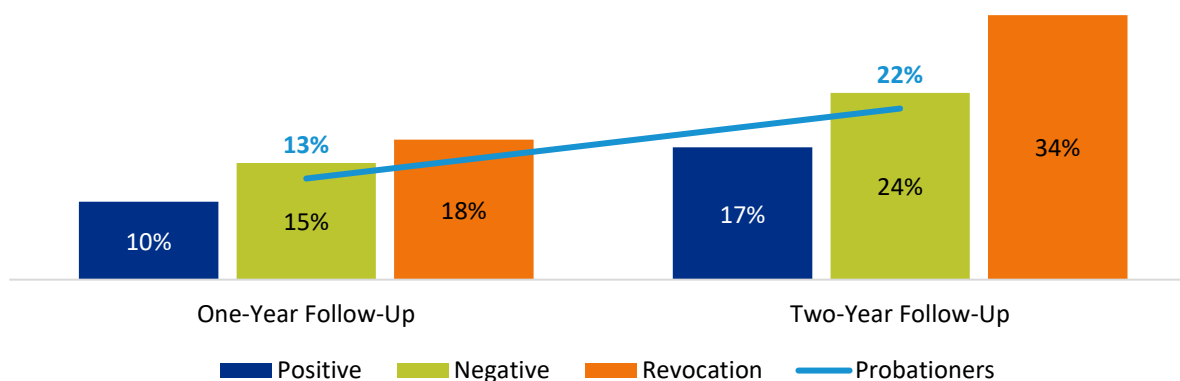
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

The 5,481 probationers with at least one recidivist arrest accounted for 9,241 recidivist arrests during the two-year follow-up (*see* Table 3.9). The average number of arrests for the sample and for each group was 2 arrests; however, a higher percentage of probationers in the positive group (66%) had only one recidivist arrest compared to the other groups (59% for each). For probationers with an arrest during the

two-year follow-up period, the first arrest occurred an average of 10 months after probation release. The average time to the first recidivist arrest was 10 months for both the positive and negative groups, while the average time to the first recidivist arrest was slightly longer at 11 months for the revocation group. Of offenders with a recidivist arrest, 82% of the revocation group, 77% of the negative group, and 74% of the positive group had a recidivist felony arrest.

Table 3.9
Recidivist Arrest Rates: Two-Year Follow-Up

Release Reason	N	Months to First Arrest	# with Any Arrest	Total # Arrests	Avg. # Arrests	Most Serious Recidivist Arrest	
						Misdemeanor	Felony
Positive	13,257	10	2,292	3,644	2	26	74
Negative	7,450	10	1,807	3,222	2	23	77
Revocation	4,029	11	1,382	2,375	2	18	82
Probationers	**24,736**	**10**	**5,481**	**9,241**	**2**	**23**	**77**

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Recidivist Arrests by Supervised Probation Profile

Geographic Division

Figure 3.33 analyzes recidivist arrest rates for all probationers by group for the four geographic divisions (Western, Piedmont, Central, and Eastern).[72] The Central and Western divisions had the highest recidivist arrest rates at 24% each, followed by the Piedmont and Eastern divisions (22% and 20% respectively). Across all geographic divisions, there was a stair step progression in the increase in recidivist arrest rates moving from the positive to the negative to the revocation group.

Figure 3.33
Recidivist Arrest Rates by Geographic Division: Two-Year Follow-Up
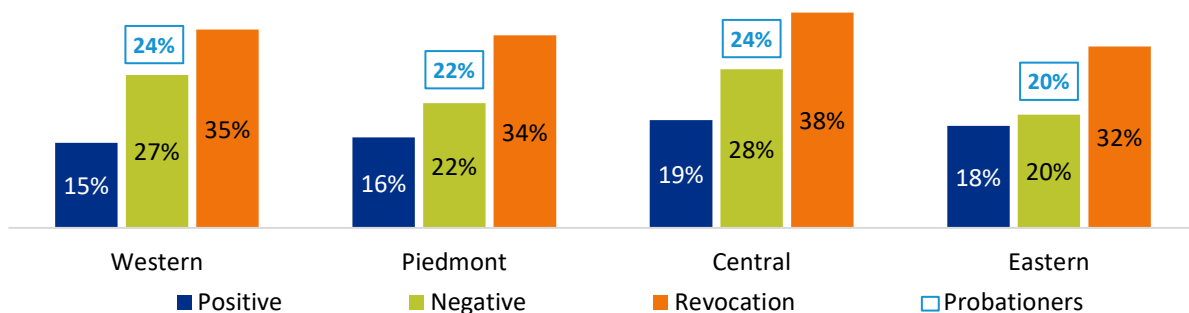
Note: There were 443 offenders with missing county information.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation

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[72] *See* Appendix E, Table E.3 for the recidivism rates by geographic divisions, districts, and counties.

Personal Characteristics

Table 3.10 provides recidivism rates by the offender's personal characteristics: sex, race, age at probation release, marital status, education, employment, and substance use indication. Offenders who were male, younger, not married, dropped out of high school, unemployed during probation supervision, and/or had substance use indicated had higher recidivism rates when compared to their counterparts. Probationers in the revocation group had the highest recidivism rates for all characteristics examined followed by the negative group; the positive group had the lowest rates.

Table 3.10
Recidivist Arrest Rates by Personal Characteristics: Two-Year Follow-Up

Personal Characteristics	Positive n=13,257 %	Negative n=7,450 %	Revocation n=4,029 %	Probationers N=24,736 %
Sex				
Female	14	19	31	18
Male	19	27	35	24
Race				
White	15	24	35	22
Black	20	25	33	23
Other/Unknown	14	21	35	18
Age at Probation Release				
Under 21 Years	25	36	44	32
21-29 Years	21	30	37	27
30-39 Years	19	24	35	23
40-49 Years	14	20	32	19
50 Years and Older	10	15	20	12
Marital Status				
Married	12	20	31	16
Not Married	18	25	35	23
Education				
High School Graduate	15	22	34	20
High School Dropout/GED	20	26	34	25
Employment during Probation Supervision				
Employed	18	24	28	20
Not Employed	16	25	38	24
Substance Use				
None Indicated	13	19	29	16
Substance Use Indicated	19	26	32	23
Probationers	**17**	**24**	**34**	**22**

Note: Of the 24,736 probationers, 18 offenders were missing education information and 2,461 were missing substance use information.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

While Black offenders in the positive group had the highest recidivist arrest rate compared to other race categories, there was little difference in the recidivist arrest rates for White and Black offenders in the negative and revocation groups. Recidivism rates decreased as age increased for all three groups. However, the range of recidivism rates was smaller for the positive group (25% to 10%, a 15 percentage-point decrease) compared to the negative group (36% to 15%, a 21 percentage-point decrease) and the revocation group (44% to 20%, a 24 percentage-point decrease).

Prior Criminal Justice Contacts

Table 3.11 provides a comparison of recidivism rates for probationers with and without prior criminal justice contacts. Generally, probationers with prior criminal history had substantially higher recidivist arrest rates than those with no prior criminal history. This finding held true for all three groups with respect to prior arrests; however, for the revocation group, there were few differences in rates for the other measures of prior criminal justice contacts.

Table 3.11
Recidivist Arrest Rates by Prior Criminal Justice Contacts: Two-Year Follow-Up

Prior Criminal Justice Contacts	Positive n=13,257 %	Negative n=7,450 %	Revocation n=4,029 %	Probationers N=24,736 %
Prior Arrest				
None	9	14	22	11
One or More	20	26	35	25
Prior Probation Entry				
None	13	21	32	18
One or More	21	26	35	25
Prior Probation/PRS Revocation				
None	15	22	34	19
One or More	24	29	35	29
Prior Incarceration				
None	16	22	34	20
One or More	23	29	35	28
Probationers	**17**	**24**	**34**	**22**

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Probation Supervision Profile

Table 3.12 provides recidivist arrest rates by probation supervision profile. Summarized below are the findings.

- **Sample Conviction:** As shown previously in Figure 3.23, the revocation group had the highest recidivist arrest rates compared to probationers in the positive and negative groups. Generally, this pattern repeated when comparing recidivism rates for the three groups across offense class groupings.[73] There were few differences in recidivist arrest rates between felons and

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[73] *See* Table E.13 in Appendix E for recidivist arrest rates for offenders in each offense class.

misdemeanants. Probationers in the positive and negative groups had similar recidivist arrest rates for both felons and misdemeanants. For the revocation group, misdemeanants had higher recidivist arrest rates compared to felons (38% and 30% respectively). When comparing offenders with a felony conviction, probationers in all the groups (positive, negative, and revocation) had higher recidivist arrest rates for probationers with a Class F – I conviction. Table 3.12 also provides information on recidivist arrests by the offense category of the sample conviction. There were few differences in recidivist arrest rates for probationers by offense category, overall and for the three groups.

- **Probation Supervision Length:** Overall, the longer the offender had been on probation, the lower recidivist arrest rates were during the two-year follow-up (*see* Table 3.12); however, differences were found when examining each group. The positive group, which had an average length of 20 months of probation supervision, had relatively stable recidivist arrest rates across the length categories (ranging from 16% to 18%). Both the negative and revocation groups followed the pattern of decreasing recidivism rates as length of probation supervision increased.

- **Risk Level:** For probationers with a risk assessment, recidivist arrest rates decreased as risk level decreased overall and for each group (*see* Table 3.12). Probationers assessed as extreme risk had the highest recidivist arrest rates compared to minimal risk offenders (31% and 6% respectively). The positive group had the lowest recidivist arrest rates for each risk level. The revocation group had the highest recidivist arrest rates, except for extreme risk where the revocation and negative groups were the same (34%). Otherwise, recidivism rates for the negative group were between the two groups.

- **Need Level:** Recidivist arrest rates by need level showed the same stair-step pattern seen with risk level for probationers overall and for each group. Overall, probationers assessed as extreme need had the highest recidivist arrest rates compared to minimal need offenders (26% and 11% respectively). Barring minimal need where the negative group was slightly higher, the revocation group had the highest recidivist arrest rates compared to the other two groups.

- **RNA Not Assessed:** As previously mentioned, 28% of the revocation group did not have a completed RNA compared to a smaller percentage of the positive and negative groups (5% and 9% respectively). Overall, probationers in the not assessed group had the highest recidivist arrest rates at 41%. Sixty-one percent (61%) of the offenders not assessed who had a recidivist arrest during the two-year follow-up were in the revocation group. It should be noted that offenders not assessed in the positive and negative groups had similar recidivist arrest rates to offenders assessed as moderate risk and high need. Offenders not assessed in the revocation group had recidivism rates higher than offenders assessed as extreme risk and need.

Table 3.12
Recidivist Arrest Rates by Probation Supervision Profile: Two-Year Follow-Up

	Positive n=13,257 %	Negative n=7,450 %	Revocation n=4,029 %	Probationers N=24,736 %
Sample Conviction				
Offense Class				
Class B1 – E Felony	12	24	20	16
Class F – I Felony	18	25	31	22
Felony Subtotal	*18*	*25*	*30*	*22*
Class A1 – 3 Misdemeanor	*17*	*24*	*38*	*22*
Offense Category				
Person	16	24	37	21
Property	19	25	34	24
Drug	18	25	34	23
Other	16	22	33	20
Actual Months Supervised				
0-12 Months	18	34	43	27
13-18 Months	18	28	33	24
19-24 Months	17	21	28	20
25+ Months	16	21	24	19
Risk Level				
Extreme	26	34	34	31
High	25	30	33	28
Moderate	19	24	32	22
Low	11	17	24	13
Minimal	6	7	22	6
Not Assessed	*17*	*26*	*41*	*30*
Need Level				
Extreme	22	27	33	26
High	19	27	37	24
Moderate	17	23	29	20
Low	15	20	27	17
Minimal	10	13	12	11
Probationers	**17**	**24**	**34**	**22**

Note: Probation sentences in Class B2 (n=1), Class C (n=12), and Class D (n=32) could reflect convictions in which extraordinary mitigation was found, convictions for certain drug trafficking offenses, or, in Class D, Felony Death by Vehicle convictions with 0 to 3 prior record points.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Supervision Level

Similar to the patterns by risk and need level, Figure 3.34 shows the same stair-step pattern of 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 rates, ranging from 33% for Level 1 probationers to 6% for Level 5 probationers. In each supervision level, the revocation group had the highest recidivist arrest rates and the positive group had the lowest recidivist arrest rates. The recidivism rates for the negative group were between the other two groups. Generally, recidivism rates for probationers without a supervision level assigned were most similar to those found for probationers in Level 2 or Level 3.

Figure 3.34
Recidivist Arrest Rates by Supervision Level: Two-Year Follow-Up
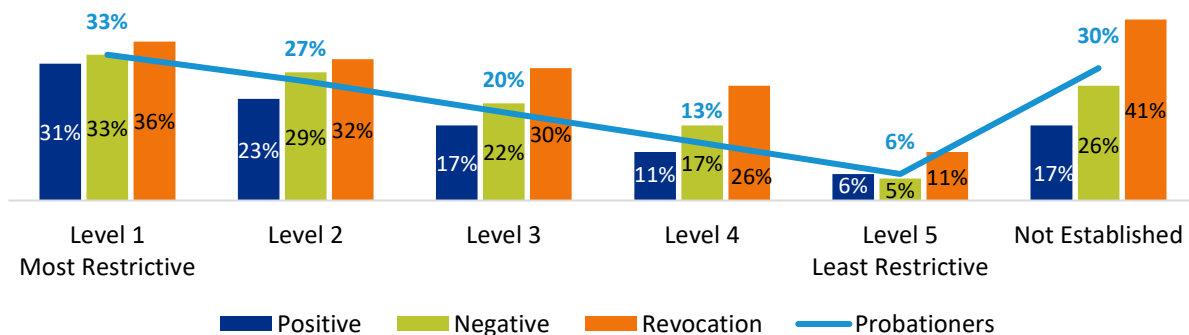
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Recidivist Arrests by Interim Outcomes

High Risk Delegated Authority

Among the 6,038 probationers who were assessed as high risk, 32% received at least one condition through the high risk delegated authority (HRDA) process. Figure 3.35 examines recidivist arrest rates for offenders with at least one high risk delegated authority condition and offenders with no conditions. Overall, probationers who received at least one high risk delegated authority condition had slightly higher recidivist arrest rates compared to probationers who had not received a condition (32% and 29% respectively). Of the specific groups, the negative group had the highest difference (a 5 percentage-point difference) between offenders with a condition and those without a condition (35% and 30% respectively). There were no differences in recidivism rates for the positive group (27% each) and minimal differences for the revocation group (36% and 34% respectively).

Figure 3.35
Recidivist Arrest Rates by High Risk Delegated Authority for High Risk Offenders: Two-Year Follow-Up
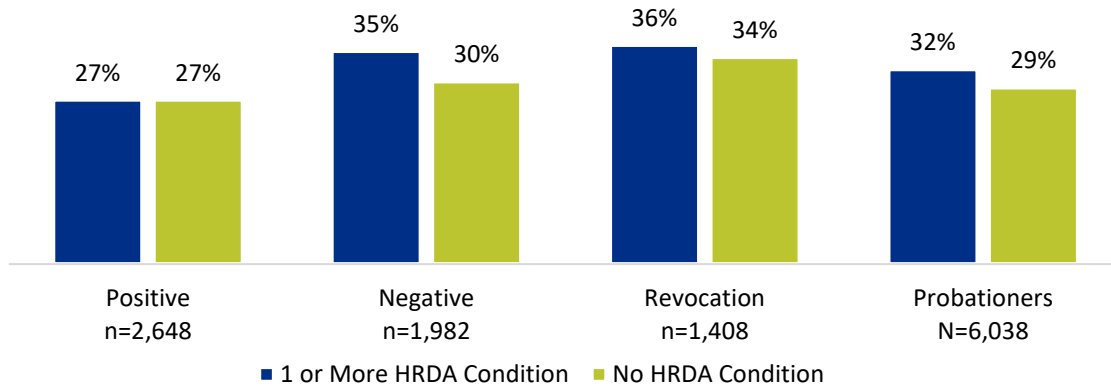
	Positive n=2,648	Negative n=1,982	Revocation n=1,408	Probationers N=6,038
1 or More HRDA Condition	27%	35%	36%	32%
No HRDA Condition	27%	30%	34%	29%

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Violations of Supervised Probation

For the probation release sample, violations of probation were used as an indicator of misconduct during probation supervision. Figure 3.36 shows recidivist arrest rates during the two-year follow-up for probationers with and without a violation during probation supervision. Unsurprisingly, probationers who had violations had higher recidivism rates during the two-year follow-up (25%) compared to probationers who did not violate the terms and conditions of their probation (11%). This finding held for both the positive and negative groups.

Figure 3.36
Recidivist Arrest Rates by Violation: Two-Year Follow-Up

	Positive	Negative	Revocation	Probationers
Violation	21%	26%	34%	25%
No Violation	11%	7%		11%
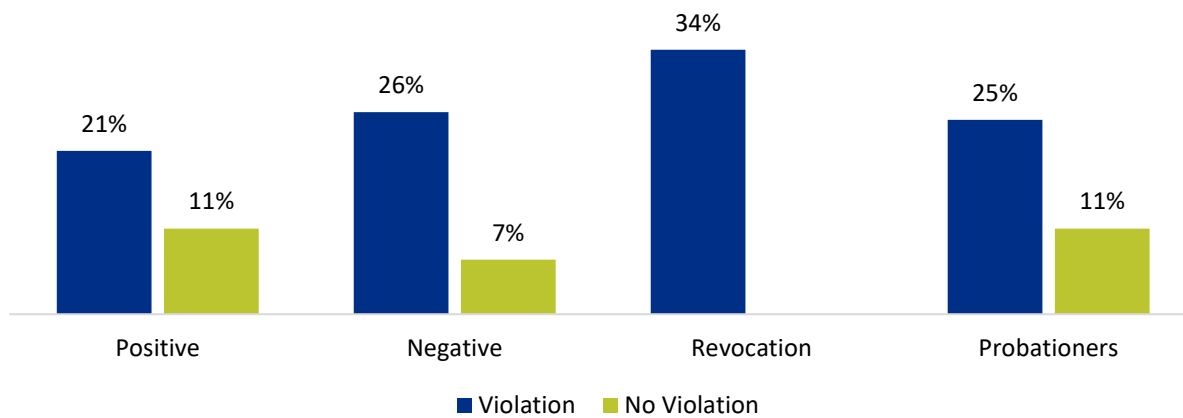
Note: Two (2) offenders in the revocation group without a violation during probation supervision were excluded from the figure due to the low number.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

For the 19,214 probationers with a violation, Table 3.13 focuses on recidivist arrests by the most serious violation. Overall, offenders with a criminal or absconding violation during probation supervision had higher recidivism rates during the two-year follow-up (33% and 29% respectively) compared to offenders whose most serious violation was technical (19%). For the positive and negative groups,

probationers with criminal and absconding violations had higher recidivist arrest rates than probationers with a technical violation. The revocation group had a slightly higher recidivist arrest rate for technical violations (34%) than it did for absconding (32%).

Table 3.13
Recidivist Arrest Rates by Most Serious Violation: Two-Year Follow-Up

Most Serious Violation	N	Positive n=8,370 %	Negative n=6,821 %	Revocation n=4,023 %	Probationers N=19,214 %
Criminal	7,388	28	34	36	**33**
Absconding	2,100	27	24	32	**29**
Technical	9,726	18	21	34	**19**
Probationers	**19,214**	**21**	**26**	**34**	**25**

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Technical Violations of Supervised Probation

Overall, 18,781 probationers in the sample (76%) had a technical violation during probation supervision (*see* Figure 3.18). Table 3.14 provides recidivist arrest rates for the categories of technical violations examined: controlling, reintegrative, reporting, drug/alcohol, financial, and other. Categories were analyzed independently; therefore, offenders may be represented in more than one category by yes or no. Overall, probationers who had a technical violation had higher recidivism rates for all types of technical violations examined compared to those who did not have a technical violation during probation supervision. This finding held true for the positive and negative groups. For the revocation group, the findings were mixed, and the difference was not as high between those with a specific technical violation and those without.

Table 3.14
Recidivist Arrest Rates by Technical Violation: Two-Year Follow-Up

Technical Violations	N	Positive n=13,257 %	Negative n=7,450 %	Revocation n=4,029 %	Probationers N=24,736 %
Controlling					
Yes	5,033	31	37	37	35
No	19,703	16	21	31	19
Reintegrative					
Yes	7,868	24	30	35	29
No	16,868	15	21	34	19
Reporting					
Yes	6,901	27	31	34	31
No	17,835	15	21	35	19
Drug/Alcohol					
Yes	7,814	25	30	33	28
No	16,922	15	21	35	19
Financial					
Yes	16,046	20	25	32	24
No	8,690	14	21	40	19
Other					
Yes	5,411	24	27	32	27
No	19,325	16	23	35	21
Probationers	**24,736**	**17**	**24**	**34**	**22**
Yes	18,781	21	26	34	25
No	5,955	11	10	40	12

Note: Sex offender technical violations were rare (1%, n=123) and were excluded from the table. Recidivist arrest rates were 18% for those probationers with a sex offender technical violation and 22% for those probationers without a sex offender technical violation.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Responses to Violations of Supervised Probation

Figure 3.37 provides recidivist arrest rates by responses to violations of probation supervision. (*See* Figures 3.20, 3.21, and Figure 3.22 for probationers who received a nonconfinement and/or confinement response to violations during probation supervision.) For the nonconfinement responses, probationers who received a delegated authority condition had higher recidivist arrest rates during the two-year follow-up (27%) compared to probationers who did not receive those responses (22%). Probationers with continued probation and/or modified probation conditions response had recidivist arrests rates similar to those probationers without that response.

The two confinement responses examined were quick dips (felons and misdemeanants) and CRVs (felons only). Probationers with a quick dip had higher recidivist arrest rates compared to probationers without a quick dip (26% and 22% respectively). Felony probationers with a CRV during probation

supervision had higher recidivist arrest rates during the two-year follow-up than probationers who did not receive a CRV (32% and 21% respectively).

Figure 3.37
Recidivist Arrest Rates and Responses to Violations of Probation: Two-Year Follow-Up
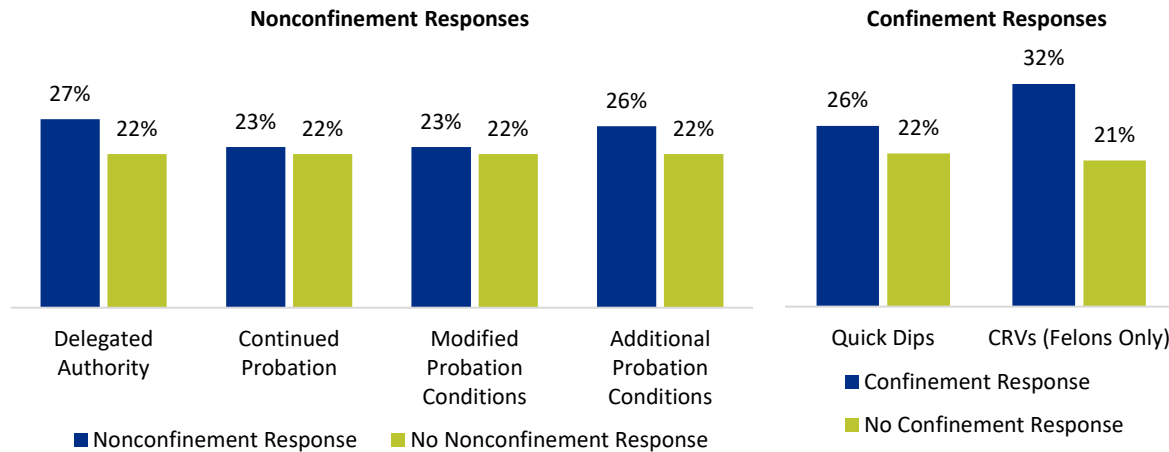
Confinement in Response to Violation by Location (Felons Only)

For felons with a CRV during probation supervision, Figure 3.38 provides recidivist arrest rates during the two-year follow-up by CRV location, sex, and probation release reason. Overall, probationers who served their CRV in a prison had higher recidivist arrest rates (34%) compared to those who served their CRV in a CRV center (28%). Males who served their CRV in a center had lower recidivist arrest rates compared to males who served their CRV in a prison (27% and 36% respectively); however, females who served their CRV in a center had higher recidivist arrest rates compared to those with served their CRV in a prison (29% and 25% respectively). The negative group had the highest recidivist arrest rates compared to the other two groups regardless of CRV location.

Figure 3.38
Recidivist Arrest Rates and CRV Location (Felons Only): Two-Year Follow-Up
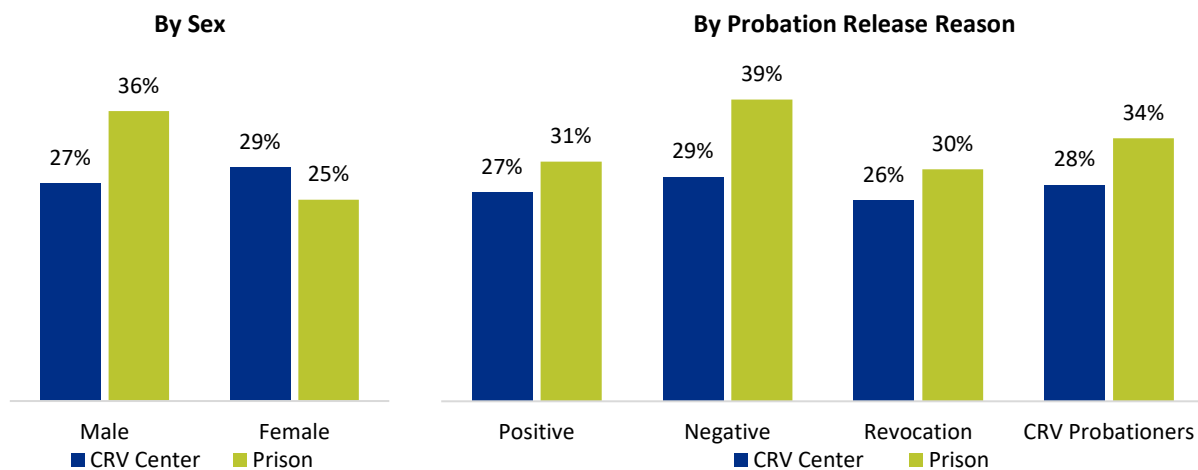
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Combined Recidivist Arrests

Figure 3.39 combines recidivism rates to examine when recidivist activity occurred – during probation supervision only, the two-year follow-up only, or in both time periods. Recidivism rates were computed by adding together the rates for probationers with recidivism during probation supervision only, during two-year follow-up only, and during both time periods.

Almost half of probationers with a recidivist arrest recidivated during probation supervision (19% of the 41% overall recidivism rate), with nearly equal numbers of probationers recidivating either during the two-year follow-up only or during both time periods (12% and 10% respectively).

Probationers in the positive group had the lowest overall recidivist arrest rate at 30%. The positive group was nearly equally likely to commit a recidivist arrest during their probation supervision and the two-year follow-up, but less likely to have probationers reoffending in both time periods. Probationers in the revocation group had the highest overall recidivism rate at 73%, as well as the highest percentage recidivating during supervision (38%) and in both time periods (23%). The negative group was more likely to have committed a recidivist arrest during their probation supervision and were more likely to have reoffended in both time periods examined than during the two-year follow-up period only.

Figure 3.39
Combined Recidivist Arrest Rates during Probation Supervision, Two-Year Follow-Up, or Both
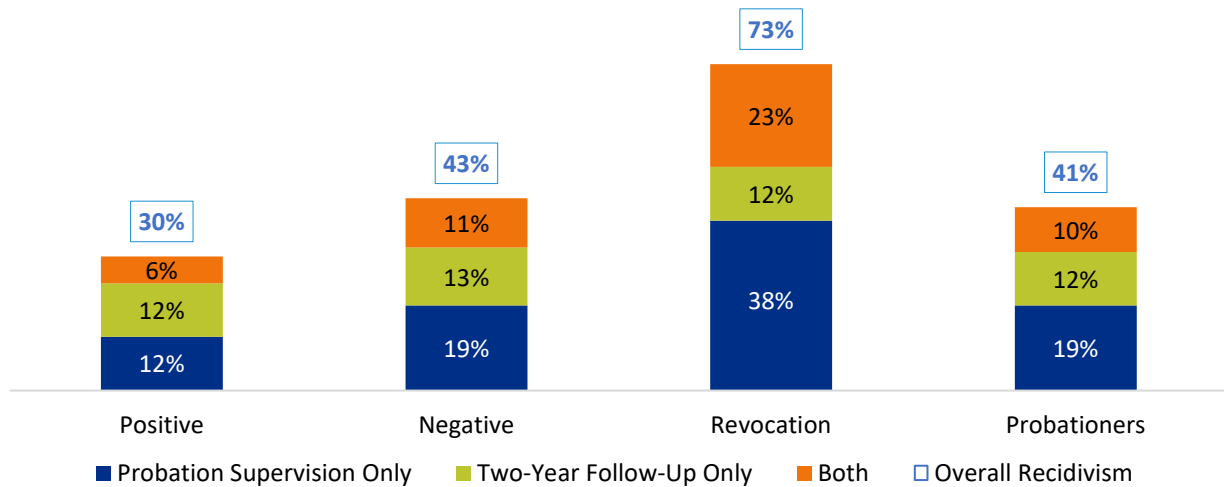
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

SUMMARY

Chapter Three provided a closer examination of offenders who exited supervised probation in FY 2021. Particular attention was given to risk, need, and supervision levels, as well as violations of supervision and responses to 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 prior to probation, during probation supervision, and two years following release from probation.

Probationers examined by probation release reason were grouped into three broad categories (i.e., positive, negative, and revocation). Almost half (54%) of the sample exited probation due to positive reasons, 30% exited due to negative reasons and 16% exited due to revocation of probation (*see* Table 3.15). Overall, the majority of probationers were male (73%), White (50%), age 36 at release (on average), and had a misdemeanor conviction (56%). Sixty percent (60%) were employed two years prior to probation entry, while 51% were employed during probation supervision.

Table 3.15
Supervised Probation Profile

Supervised Probation Profile	Positive n=13,257	Negative n=7,450	Revocation n=4,029	Probationers N=24,736
Personal Characteristics				
Male	72%	72%	77%	73%
White	47%	49%	64%	50%
Avg. Age at Probation Release	37 Years	36 Years	34 Years	36 Years
Prior Employment	61%	61%	56%	60%
Employment during Supervision	55%	54%	35%	51%
Prior Arrest	77%	83%	91%	81%
Felony Sample Conviction	43%	45%	50%	44%
Actual Months Supervised	22 Months	26 Months	18 Months	23 Months
Risk Level				
Extreme	7%	10%	19%	9%
Low	5%	3%	<1%	4%
Need Level				
Extreme	19%	26%	36%	23%
Low	4%	3%	1%	3%
Supervision Level				
Level 1 (Most Restrictive)	6%	10%	22%	10%
Level 5 (Least Restrictive)	4%	2%	<1%	2%

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

The highest percentage of the sample resided in the Central and Piedmont divisions. The highest percentages of probationers in the positive group resided in the Central and Eastern divisions, while the highest percentages of probationers in the revocation group resided in the Western and Piedmont divisions. Probationers in the Western and Central divisions had the highest recidivist arrest rates compared to the other two divisions; meanwhile, offenders in the Eastern division had the lowest recidivist arrest rates.

Violations of probation and specific responses to those violations were examined as indicators of misconduct during supervision, referred to as interim outcomes. Regardless of group, most probationers in the sample had a violation (78% overall). (*See* Table 3.16). Generally, probationers in the positive group committed the fewest violations of all three groups and had the longest average time to the first violation. While probationers in the revocation group had the highest percentage of offenders who committed violations, probationers in the negative group had the highest percentage of offenders with

responses to violations. This finding is most likely due to the number of absconders in the revocation group who were simply not available due to absconding probation.

Table 3.16
Interim Outcomes Summarized

Interim Outcomes	Positive n=13,257	Negative n=7,450	Revocation n=4,029	Probationers N=24,736
High Risk Delegated Authority	20%	27%	35%	24%
Violation				
Any	63%	92%	100%	78%
Most Serious: Criminal	28%	36%	64%	38%
Technical	62%	90%	95%	76%
Most Serious: Controlling	17%	24%	52%	27%
Months to First	10 Months	9 Months	5 Months	9 Months
Response to Violation				
Nonconfinement				
Delegated Authority	7%	9%	9%	8%
Additional Conditions	8%	11%	8%	9%
Modified Conditions	14%	16%	10%	14%
Continued Probation	13%	13%	8%	12%
Confinement Response				
Quick Dip	7%	10%	9%	8%
CRV (Felons Only)	6%	16%	10%	10%

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Generally, probationers with a nonconfinement response of delegated authority or additional probation conditions had higher recidivist arrest rates than those probationers without a delegated authority and/or additional probation conditions response. Probationers with a confinement response (i.e., quick dips, CRV) had higher recidivist arrest rates than probationers without a confinement response to violations.

Noted consistently throughout this chapter is the relative success of probationers who were released from probation for positive reasons compared to those who were released for negative reasons or who had their probation revoked. As shown in Figure 3.40, the positive group had lower recidivist arrest rates overall and during both time periods examined (during supervision and during the two-year follow-up) compared to the other groups. Conversely, the revocation group had the highest recidivism rates for each time period examined, while the recidivism rates for the negative group were between the other two groups.

Importantly, the positive group had lower percentages of probationers who were male, younger, assessed as extreme risk or need, assigned to the most restrictive supervision levels, and/or had a prior arrest (factors that are all associated with higher recidivist arrest rates). Given the differences in sample characteristics in these key measures across groups, it is not surprising that those in the positive group tended to fare better compared to the other two groups.

Figure 3.40
Recidivist Arrest Rates by Probation Release Reason
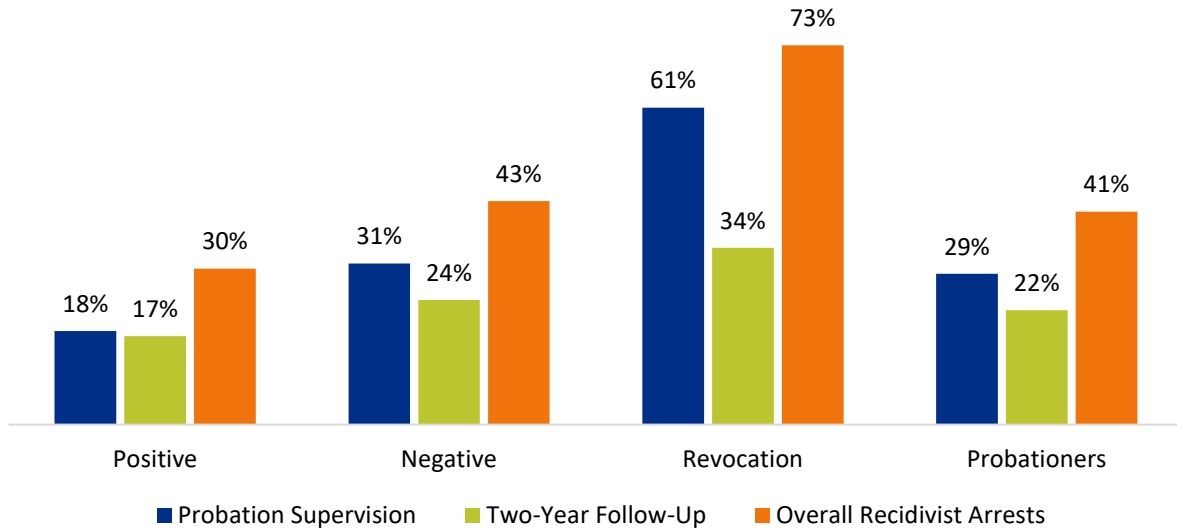
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

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

CHAPTER FOUR
FELONY PRISON RELEASES IN FY 2021

Chapter Four examines the FY 2021 felony prison releases by offense class groupings and summarizes their geographic divisions, personal characteristics, risk and need levels, prior criminal justice contacts, 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.[74] The chapter also includes an examination of prisoners released onto PRS – with a focus on PRS exit reason, supervision level, and recidivist arrests. The chapter also includes information on prisoners who were released early during the COVID-19 pandemic.

STATISTICAL PROFILE

The FY 2021 sample included 12,889 felony prisoners. Overall, 17% had a most serious conviction for a Class B1 – D felony, 38% for a Class E – G felony, and 45% for a Class H – I felony (*see* Figure 4.1).

Figure 4.1
Prisoners by Offense Class
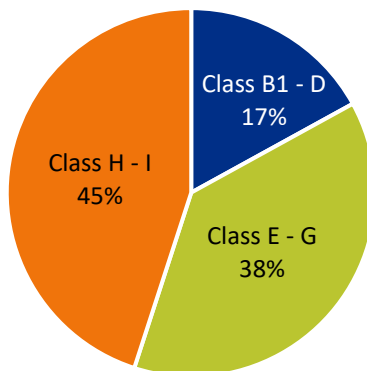
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Geographic Division

Figure 4.2 examines the distribution of the prisoners by the geographic divisions of the state – Western, Piedmont, Central, and Eastern.[75] The highest percentage of felony prisoners resided in the Piedmont division (28%), while the lowest percentage of felony prisoners resided in the Eastern division (19%). Irrespective of division, most offenders were Class H – I prisoners. The Western division had the highest percentage of felony prisoners with a Class H – I conviction (48%). The Central division had the highest percentage of felony prisoners with a Class B1 – D conviction (19%).

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[74] *See* Appendix B for detailed definitions of recidivism and other key terms.
[75] *See* Table F.1 in Appendix F for the distribution by geographic divisions, districts, and counties.

Figure 4.2
Geographic Division

Geographic Division

Eastern 19%
Western 26%
Central 27%
Piedmont 28%

Prisoners

	Class B1-D	Class E-G	Class H-I
Western n=3,232	15%	37%	48%
Piedmont n=3,483	17%	39%	44%
Central n=3,409	19%	40%	41%
Eastern n=2,474	17%	38%	45%

■ Class B1-D ■ Class E-G ■ Class H-I
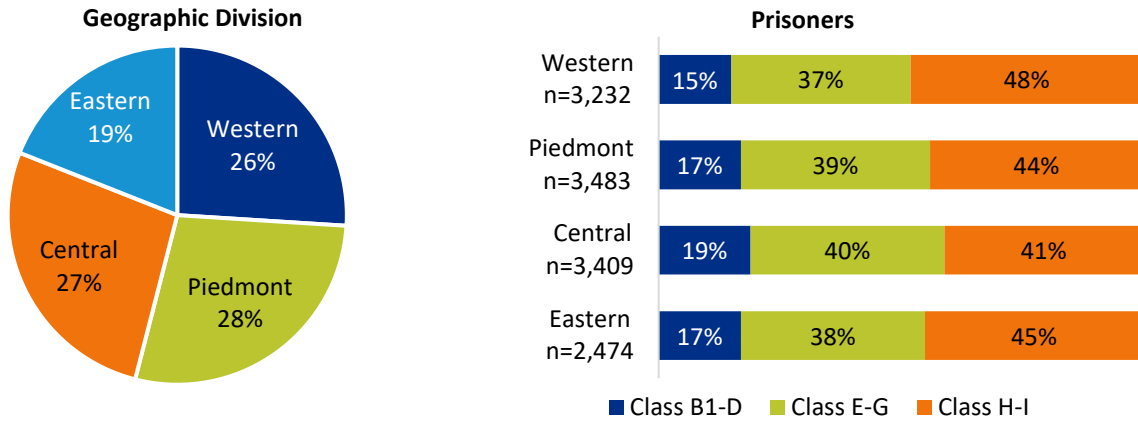
Note: There were 291 prisoners with missing county information.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Personal Characteristics

Table 4.1 contains information describing the personal characteristics of prisoners by offense class. The groups differed in terms of sex, 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 85% for Class H – I). While the majority of Class B1 – D and Class E – G prisoners were Black (59% and 53% respectively), the majority of Class H – I prisoners were White (59%). As expected, based on their longer sentence lengths, Class B1 – D prisoners had lower percentages in the younger age groups and higher percentages in the older age groups than the other offense classes; their average age at prison release was 39 compared to 36 for both Class E – G prisoners and Class H – I prisoners. The groups were similar in terms of marital status and education. Overall, less than half (45%) of prisoners were employed in the two years prior to prison entry; Class B1 – D prisoners had the lowest percentage who were employed (38%). At least two-thirds of prisoners in each group were identified as having substance use indicated, ranging from 67% for Class B1 – D to 84% for Class H – I.

Table 4.1
Personal Characteristics

Personal Characteristics	Class B1 – D n=2,220 %	Class E – G n=4,946 %	Class H – I n=5,723 %	Prisoners N=12,889 %
Sex				
Female	6	9	15	11
Male	94	91	85	89
Race				
White	34	41	59	47
Black	59	53	36	47
Other/Unknown	7	6	5	6
Age at Prison Release				
Under 21 Years	1	4	3	3
21-29 Years	22	28	27	27
30-39 Years	32	35	36	35
40-49 Years	24	19	21	20
50 Years and Older	21	14	13	15
Marital Status				
Married	13	11	9	11
Not Married	87	89	91	89
Education				
High School Graduate	28	30	30	30
High School Dropout/GED	72	70	70	70
Prior Employment				
Employed	38	46	46	45
Not Employed	62	54	54	55
Substance Use				
None Indicated	33	25	16	23
Substance Use Indicated	67	75	84	77

Note: Of the 12,889 felony prisoners, 4% were Hispanic. Thirty-five (35) prisoners were missing education and 2,044 were missing substance use information.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Prior Employment

As shown in Table 4.1, less than half of the sample (45%) was employed in the two years prior to prison entry. Figure 4.3 shows the distribution for those 5,737 prisoners with prior employment indicated - whether they were employed two years prior to prison entry only, one year prior to entry only, or if they were employed in both prior years. Class E – G and Class H – I prisoners had a similar percentage employed in both years prior (21% and 20% respectively), while only 15% of Class B1 – D prisoners were employed in both years prior.

Figure 4.3
Employment Status: Prior Employment
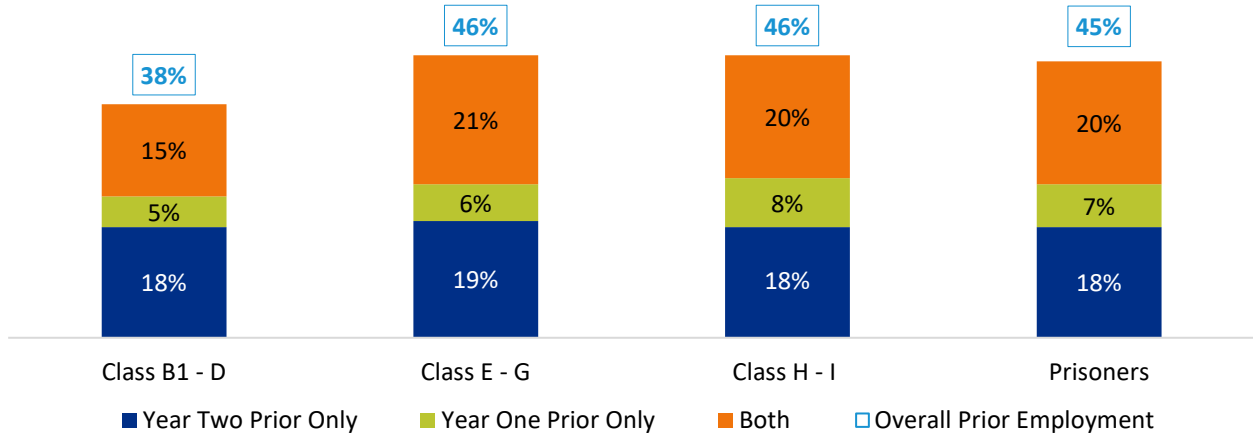
	Class B1 - D	Class E - G	Class H - I	Prisoners
Overall Prior Employment	38%	46%	46%	45%
Both	15%	21%	20%	20%
Year One Prior Only	5%	6%	8%	7%
Year Two Prior Only	18%	19%	18%	18%

■ Year Two Prior Only   ■ Year One Prior Only   ■ Both   ☐ Overall Prior Employment

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Figure 4.4 shows the annual median wages earned prior to prison entry. Class B1 – D prisoners had the highest median wage earned two years prior to entry ($4,207); however, Class B1 – D prisoners had the lowest annual median wages earned one year prior to prison entry ($2,363). For all offense class groupings, the median wages earned one year prior to entry were lower than wages earned two years prior to entry.

Figure 4.4
Annual Median Wages: Prior Employment

	Year Two Prior	Year One Prior
Class B1 - D	$4,207	$2,363
Class E - G	$3,822	$2,673
Prisoners	$3,612	$2,531
Class H - I	$3,207	$2,407

——Class B1 - D   ——Class E - G   ——Class H - I   ——Prisoners
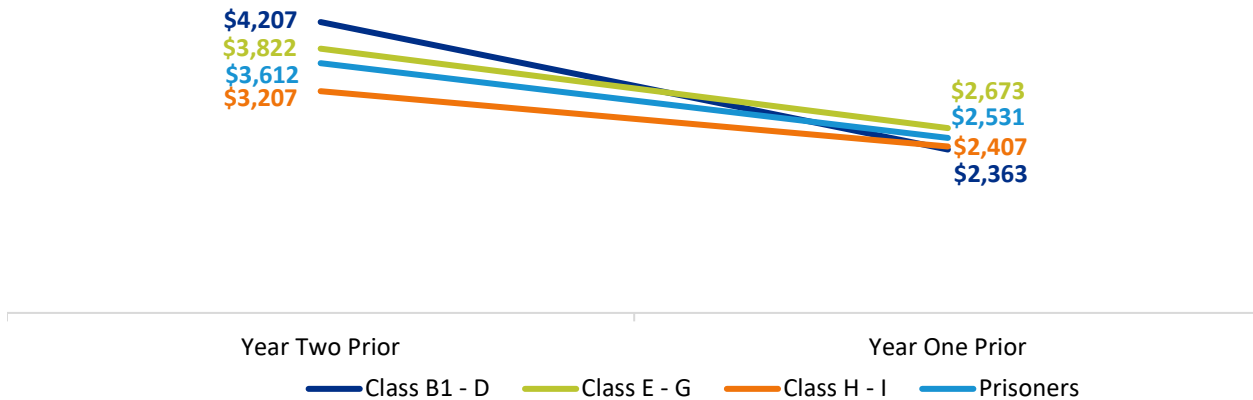
Note: Prisoners who did not receive wages in the year two prior period (n=848) and the year one prior period (n=2,362) were not represented in the annual median wage.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

There were few differences between groups in terms of the number of quarters employed during the two years prior to prison entry (*see* Figure 4.5). A slightly higher percentage of Class E – G prisoners worked 7 to 8 quarters during the two years prior (10%) compared to the other two groups and the sample as a whole. Irrespective of offense class grouping, on average, prisoners worked 3 quarters.

Figure 4.5
Number of Quarters Employed: Prior Employment

	1	2	3-4	5-6	7-8
Class B1 - D n=839	28%	21%	27%	15%	9%
Class E - G n=2,267	24%	23%	27%	16%	10%
Class H - I n=2,631	27%	23%	28%	14%	8%
Prisoners N=5,737	26%	23%	27%	15%	9%
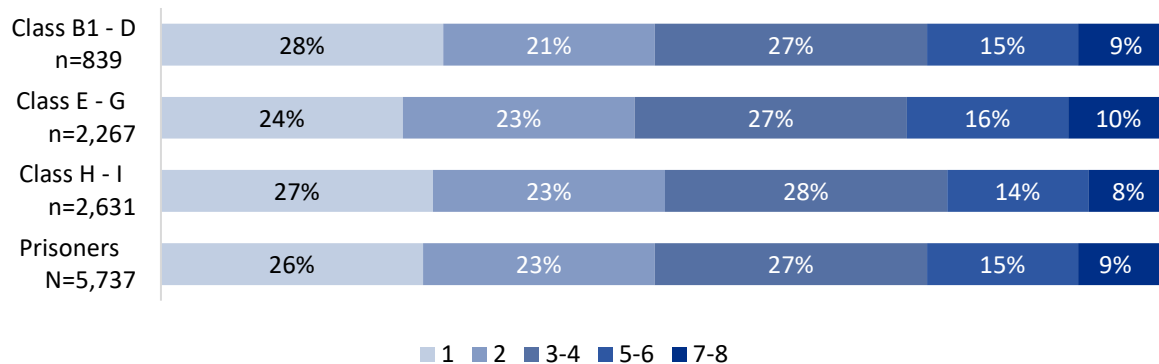
Note: Less than 1% of prisoners had 8 quarters of prior employment.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Figure 4.6 shows the top 5 industries for the last full quarter employed prior to prison entry.[76] Administrative and Support, Waste Management and Remediation Service[77] was the most common industry (28%); followed by Accommodation and Food Services[78] (23%). Similar percentages were in employed in the top 5 industries by offense class groupings; the highest variation was for Administrative and Support, Waste Management and Remediation Services (ranging from 23% to 29%) and Retail Trade and (ranging from 5% to 10%).

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[76] 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/.
[77] 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.
[78] Accommodation and Food Services activities include providing customers with lodging and/or preparing meals, snacks, and beverages for immediate consumption.

Figure 4.6
Top 5 Prior Employment Industries
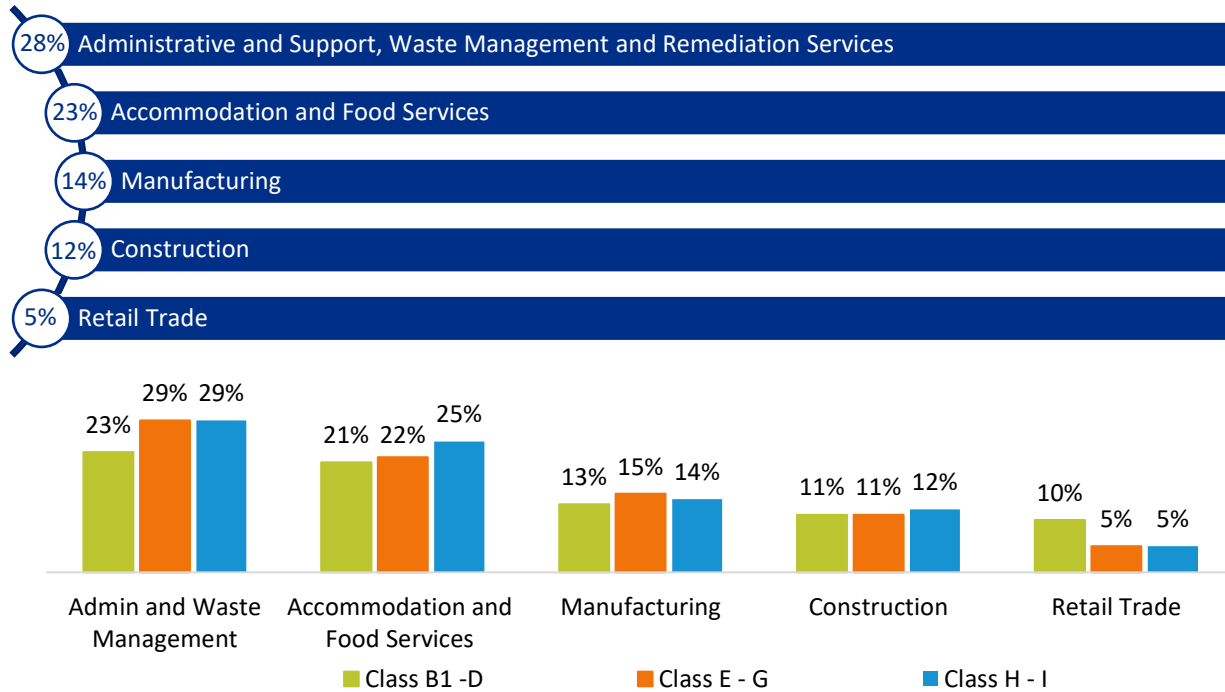
- 28% Administrative and Support, Waste Management and Remediation Services
- 23% Accommodation and Food Services
- 14% Manufacturing
- 12% Construction
- 5% Retail Trade

	Admin and Waste Management	Accommodation and Food Services	Manufacturing	Construction	Retail Trade
Class B1 -D	23%	21%	13%	11%	10%
Class E - G	29%	22%	15%	11%	5%
Class H - I	29%	25%	14%	12%	5%

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Prior Criminal Justice Contacts

Prior criminal justice contacts are examined in Table 4.2. Regardless of the measure, Class H – I prisoners had more extensive prior criminal histories. The majority of prisoners had at least one prior arrest, ranging from 89% in Class B1 – D to 97% in Class H – I. Ninety-six percent (96%) of prisoners with a prior arrest had a prior felony arrest. On average, prisoners had 9 prior arrests, with only slight differences between the groups. Figure 4.7 further illustrates the differences in the number of prior arrests by offense class.

The highest difference between groups occurred for prior probation entries; only 66% of Class B1 – D prisoners had a prior probation entry compared to 84% of Class E – G prisoners and 94% of Class H – I prisoners. This finding is not surprising given the number of Class E – G and Class H – I prisoners that entered prison due to a revocation of probation supervision (described further in Table 4.4).

Table 4.2
Prior Criminal Justice Contacts

Prior Criminal Justice Contacts	Class B1 – D n=2,220 %	Class E – G n=4,946 %	Class H – I n=5,723 %	Prisoners N=12,889 %
Prior Arrest	89	94	97	95
Prior Probation Entry	66	84	94	85
Prior Probation/PRS Revocation	52	59	67	61
Prior Incarceration	53	59	63	60

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Figure 4.7
Number of Prior Arrests for Prisoners with Any Prior Arrest
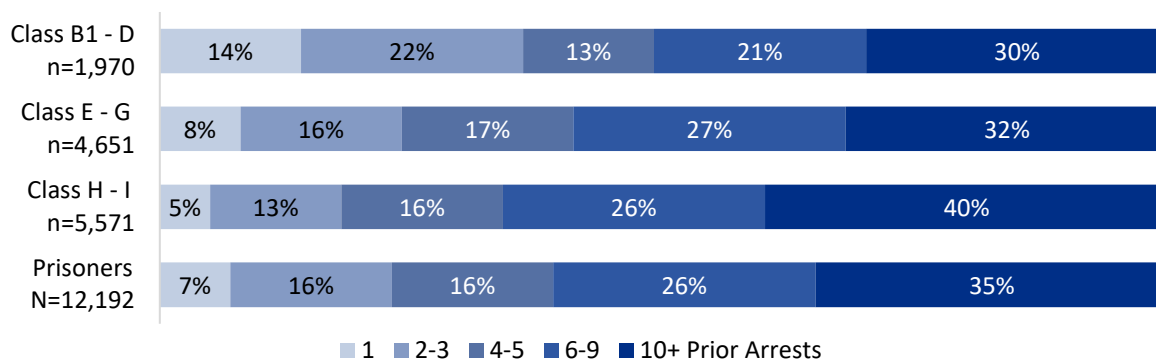
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Sample Conviction

The offense category (i.e., person, property, drug, other) of the sample conviction is provided in Figure 4.8. The majority of prisoners with a Class B1 – D felony had convictions for person offenses (59%) followed by other offenses (29%); nearly all of the offenses in the other category for this group were habitual felon convictions (99%). Prisoners with a Class E – G felony were also most likely to have convictions for person offenses and other offenses (35% each),[79] although with a lower percentage of person offenses compared to Class B1 – D felons. The majority (58%) of prisoners with a Class H – I felony had a conviction for a property offense followed by 28% with a conviction for a drug offense.

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[79] Possession of firearm by felon and habitual felon convictions accounted for the majority of convictions in the other category for Class E – G felonies (45% and 22% respectively) followed by failure to notify a change in address by a sex offender and habitual impaired driving convictions (11% each).

Figure 4.8
Offense Category of the Sample Conviction
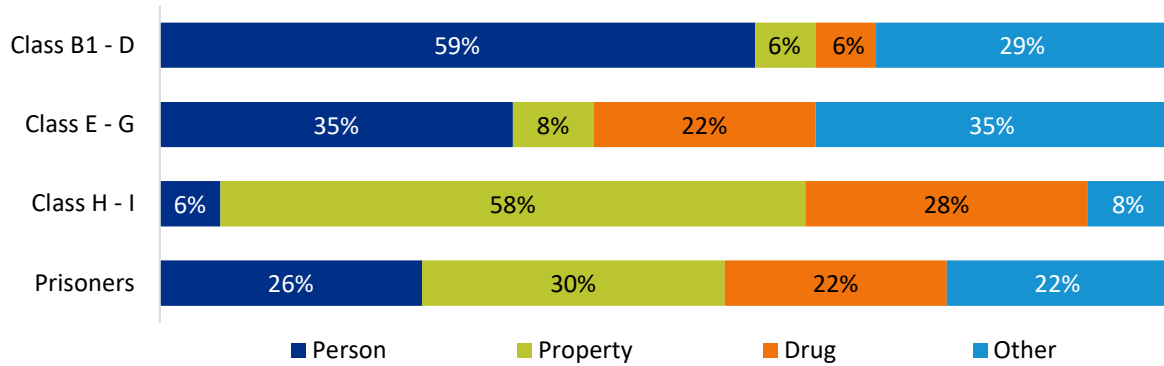
Class	Person	Property	Drug	Other
Class B1 - D	59%	6%	6%	29%
Class E - G	35%	8%	22%	35%
Class H - I	6%	58%	28%	8%
Prisoners	26%	30%	22%	22%

■ Person   ■ Property   ■ Drug   ■ Other

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Risk and Need Assessments

As described in Chapter Two, the DAC 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. For the FY 2021 prison sample, with most prisoners subject to PRS upon release, RNAs completed while offenders were on supervision were used for analysis.[80] Overall, 84% of prisoners in the FY 2021 sample had an RNA.

The distributions of risk and need levels for prisoners are provided in Figure 4.9. For all prisoners, 43% were assessed as extreme risk, 36% were assessed as high risk, 19% 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 (69%) compared to Class E – G and Class H – I prisoners (78% and 82% respectively). Correspondingly, Class B1 – D prisoners had the highest percentages assessed in the lower risk levels.

In terms of need level, for all prisoners, 28% were assessed as extreme need, 21% as high need, 34% as moderate need, 15% as low need, and 2% as minimal need. A similar percentage of prisoners were assessed at the two highest need levels – 45% of Class B1 – D prisoners, 47% of Class E – G prisoners, and 51% of Class H – I prisoners.

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[80] Beginning in 2017, the DAC began administering its RNA to prisoners; however, RNA administered to offenders after prison release while on supervision were used for analysis due to its greater relevancy to the follow-up period.

Figure 4.9
Risk and Need Levels
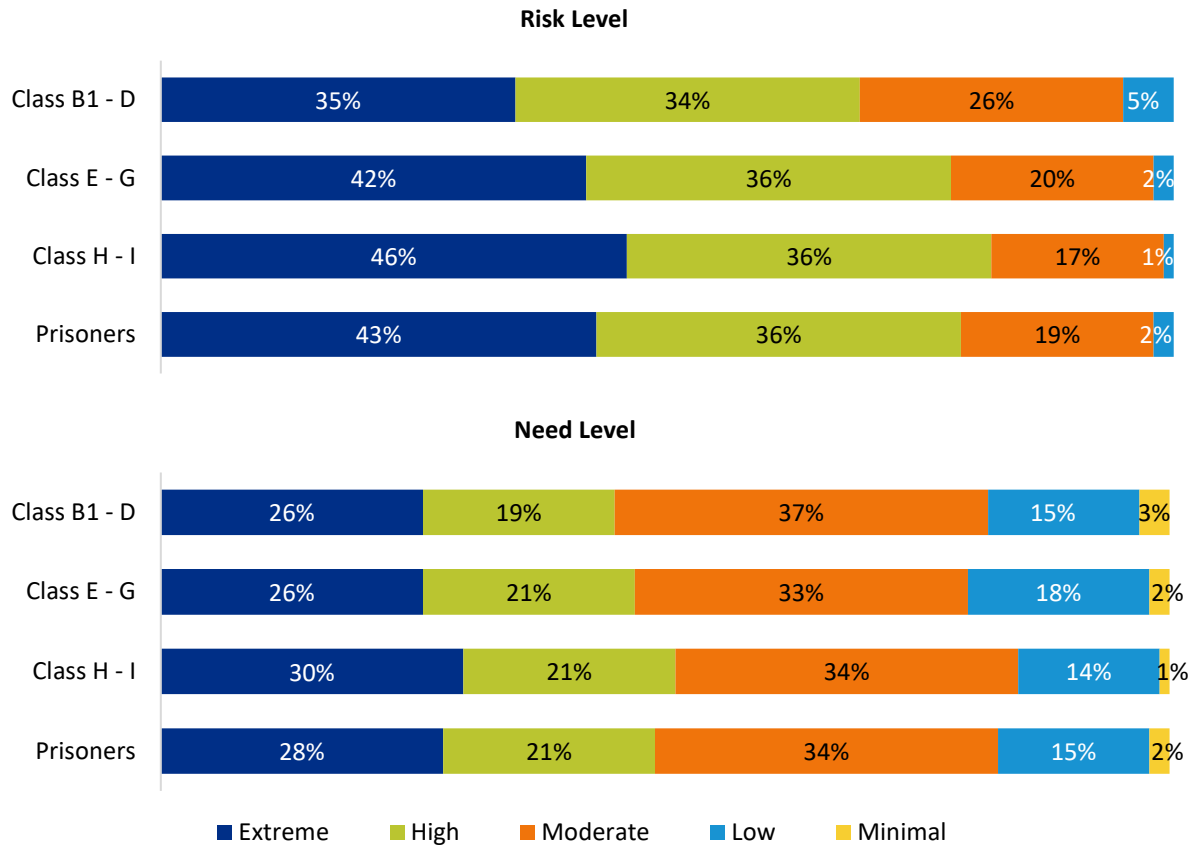
Risk Level

Class	Extreme	High	Moderate	Low
Class B1 - D	35%	34%	26%	5%
Class E - G	42%	36%	20%	2%
Class H - I	46%	36%	17%	1%
Prisoners	43%	36%	19%	2%

Need Level

Class	Extreme	High	Moderate	Low	Minimal
Class B1 - D	26%	19%	37%	15%	3%
Class E - G	26%	21%	33%	18%	2%
Class H - I	30%	21%	34%	14%	1%
Prisoners	28%	21%	34%	15%	2%

■ Extreme ■ High ■ Moderate ■ Low ■ Minimal

Note: Prisoners who did not have an RNA completed (n=2,044) were excluded from the figure. Less than 1% of prisoners were assessed as minimal risk overall and for each group.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Table 4.3 provides information on the areas of need that were flagged from the need portion of the RNA. The areas identified assist the probation officer in potential referrals or services for the offender. Transportation (82%), substance use (77%), and legal (70%) were identified as the top 3 areas of need for prisoners overall. The top 3 areas of need identified were the same for all three offense class groupings, except the order was different for Class B1 – D prisoners: the top 3 areas identified were transportation (80%), legal (74%), substance use (67%).

Table 4.3
Areas of Need Identified

Areas of Need	Class B1 – D n=1,968 %	Class E – G n=4,233 %	Class H – I n=4,644 %	Prisoners N=10,845 %
Criminogenic Factors				
Anti-social Personality	31	32	31	32
Anti-social Values	18	20	22	21
Criminal Peers	51	45	45	46
Dysfunctional Family	46	48	57	52
Self-Control	23	26	31	28
Substance Use	67	75	84	77
Health Factors				
Mental Health	51	51	54	52
Physical	32	28	28	29
Additional Factors				
Academic/Vocational	35	44	46	43
Employment	54	58	59	58
Financial	31	27	32	30
Housing	21	27	36	30
Legal	74	71	69	70
Social Skills	46	49	53	50
Transportation	80	80	85	82

Note: Prisoners who did not have an RNA completed (n=2,044) were excluded from the table.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Incarceration Profile

The incarceration profile for the FY 2021 prisoners is provided in Table 4.4 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 percentage varied considerably. Class B1 – D prisoners had the highest percentage entering prison for a new crime (82%), consistent with the mandatory active sentence requirement for these offense classes under the SSA; the remaining 18% entered following a revocation of PRS. Forty-eight percent (48%) of Class H – I prisoners entered with a new crime, with the remainder entering either due to a revocation of probation (20%) or PRS (32%).

Table 4.4
Incarceration Profile

Incarceration Profile	Class B1 – D n=2,220 %	Class E – G n=4,946 %	Class H – I n=5,723 %	Prisoners N=12,889 %
Type of Prison Entry				
New Crime	82	69	48	62
Probation Revocation	0	9	20	12
PRS Revocation	18	22	32	26
Time Served				
12 Months or Less	17	49	81	58
13-24 Months	3	26	13	16
25 Months or More	80	25	6	26
Infractions	88	68	52	64
Number of Infractions (if any)				
1 Infraction	11	24	32	24
2 Infractions	8	18	20	16
3-4 Infractions	14	20	21	19
5 or More Infractions	68	38	27	41
Restrictive Housing	87	66	52	63
Correctional Jobs/Programs				
Program Only	2	11	10	9
Job Only	2	18	25	19
Both Job and Program	95	59	34	54
No Job or Program	1	12	31	18
Custody Classification at Release				
Close	21	15	11	14
Medium	28	32	31	31
Minimum	51	53	58	55
Released under COVID Settlement	9	9	10	9
Released onto PRS	89	86	80	84

Note: Of Class B1 – D prisoners, there were 45 with a program only, 54 with a job only, and 18 with no job or program.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

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 80% serving longer than 2 years; Class H – I prisoners had the shortest time served, with 81% serving 12 months 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.

Infractions

Whether a prisoner had any disciplinary offenses (i.e., infractions) while incarcerated varied across offense class groupings, which is not surprising given the linkage between offense class and time served. Overall, 64% of prisoners had infractions while incarcerated. The percentage of prisoners with infractions ranged from 88% for Class B1 – D felons to 52% for Class H – I felons. The DAC categorizes infractions into three classes – Class A (most serious), Class B, and Class C (least serious).[81] Of the 8,237 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 4.4). Class B1 – D prisoners averaged 12 infractions compared to 5 for Class E – G prisoners and 4 for Class H – I prisoners. Figure 4.10 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 4.10
Most Serious Infraction for Prisoners with Any Infraction during Incarceration

Most Serious Infraction

Class B1 - D n=1,950	Class E - G n=3,339	Class H - I n=2,948	Prisoners N=8,237
4%	7%	8%	6%
19%	29%	34%	29%
77%	64%	58%	65%

■ Class A Infr.   ■ Class B Infr.   ■ Class C Infr.

Top 3 Infractions Overall

Class A Infraction
- Substance possession (A12)
- Sexual act (A25)
- Involvement with gang/security risk group (A14)

Class B Infraction
- Disobey order (B25)
- Profane language (B24)
- Fight - no weapons/outside medical attention (B22)

Class C Infraction
- Unauthorized tobacco use (C21)
- Unauthorized leave (C06)
- Wrongfully take/damage property (C08)

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 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,[82] with the primary purposes being to control offenders who are disruptive or who threaten the safety of staff or other inmates.[83] 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.

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[81] For this study, infraction offenses were grouped into the infraction classes based on DAC policy and procedures issued January 19, 2022 (https://public.powerdms.com/NCDAC/tree/documents/2045023).

[82] 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 (https://public.powerdms.com/NCDAC/tree/documents/2416342).

[83] *See* DAC policies and procedures (https://public.powerdms.com/NCDAC/tree/documents/2045055) for more information on restrictive housing.

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 Class I felons – had the highest percentage with no job or program assignment (31%), as well as the highest percentage with only a job compared to the other offense class groupings (*see* Table 4.4). Figure 4.11 examines the offense class distribution of select correctional job and program assignments. Certain correctional activity assignments require a minimum amount of time served in order to participate; 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 4.11
Correctional Job/Program Assignments during Incarceration

Correctional Jobs

	Class B1 - D	Class E - G	Class H - I
Any Correctional Job n=9,409	23%	41%	36%
No Job n=3,480	2%	31%	67%

Select Jobs

	Class B1 - D	Class E - G	Class H - I
Construction n=319	56%	27%	17%
Correction Enterprises n=1,696	41%	33%	26%
Work Release n=901	53%	35%	12%

Correctional Programs

	Class B1 - D	Class E - G	Class H - I
Any Correctional Program n=8,124	26%	43%	31%
No Program n=4,765	2%	31%	67%

Select Programs

	Class B1 - D	Class E - G	Class H - I
Academic Education n=4,338	36%	42%	22%
ACDP n=3,161	23%	44%	33%
SOAR n=26	73%	27%	
TDU n=116	48%	37%	15%
Vocational Education n=3,491	42%	38%	20%

■ Class B1 - D ■ Class E - G ■ Class H - I

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

SOAR (Sex Offender Accountability and Responsibility), a treatment program for male inmates who have committed sexual offenses, had the highest percentage of Class B1 – D prisoners; Alcohol and Chemical Dependency Programs (ACDP) had the highest percentage of Class H – I prisoners. (*See* Appendix F, Summaries of Select Correctional Job/Program Assignments, for more detailed information relating to these specific jobs and programs.)

Custody Classification

Overall, 55% of prisoners were classified as minimum custody at release.[84] Class B1 – D prisoners had the lowest percentage classified as minimum custody at release, while Class H – I prisoners had the highest percentage. These patterns are consistent with the DAC custody classification policy, which takes into account the offense class and sentence length of the sample conviction in assigning higher custody levels for more serious prisoners. Also, the percentage of prisoners in minimum custody increased from entry to release (44% to 55% respectively), which is also consistent with DAC policy to release prisoners at the least restrictive custody.

COVID-19 Pandemic Settlement Agreement

Overall, 9% (n=1,180) of prisoners in the FY 2021 sample were released early under the COVID-19 pandemic settlement agreement (reached in February 2021) that effectuated the early reentry of 3,500 prisoners over a six-month period.[85]

Released onto Post-Release Supervision

PRS is the mandatory period of supervision a prisoner serves in the community following an active sentence in prison.[86] Overall, 84% of the FY 2021 prison release sample were released onto PRS (*see* Table 4.4). Most prisoners with no PRS upon release entered prison following a revocation of PRS.

Local Reentry Councils

Local Reentry Councils (LRCs) coordinate local services to help offenders released from prison reintegrate into the community. Of the FY 2021 prisoners, 5% (n=655) received services from an LRC. Among those who received services from an LRC, 25% received LRC services prior to their release from prison and 75% received services during a one-year period following release. Overall, 26% had a Class B1 – D felony, 39% had a Class E – G felony, and 35% had a Class H – I felony for their sample conviction.

There were 17 LRCs (serving 19 counties) that provided services to prisoners released in FY 2021.[87] Most who received LRC services were referred by community corrections (35%), prison (27%), self-referral

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[84] For more information on current custody classification procedures, *see* https://public.powerdms.com/NCDAC/tree/documents/2045055 and https://www.dac.nc.gov/adult-corrections/prisons/classification#:~:text=Inmates%20may%20be%20classified%20and,risks%20presented%20by%20the%20inmate.

[85] *NC NAACP v. Cooper*, No. 20 CVS 500110 (Wake County, N.C., February 25, 2021) (Joint Motion for Stay).

[86] 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 5 years.

[87] *See* Appendix F, Local Reentry Councils section, for a detailed descriptive profile of prisoners who received LRC services, including LRC location.

(15%), or an LRC partner (10%). As shown in Figure 4.12, the most common services provided were to address basic needs (61%), employment (58%), housing (44%), and transportation (32%).

Figure 4.12
LRC Services Provided to Prisoners
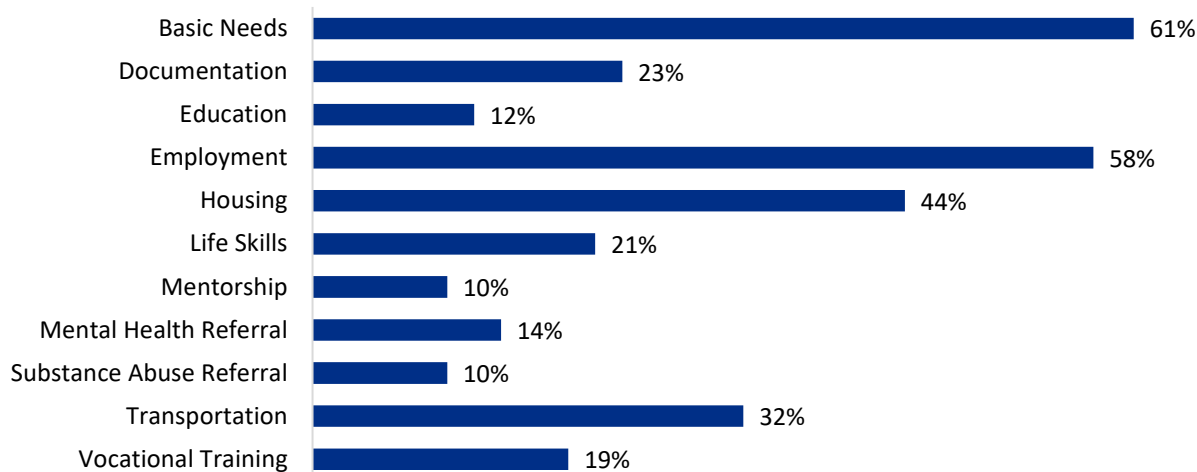
Service	Percentage
Basic Needs	61%
Documentation	23%
Education	12%
Employment	58%
Housing	44%
Life Skills	21%
Mentorship	10%
Mental Health Referral	14%
Substance Abuse Referral	10%
Transportation	32%
Vocational Training	19%

Note: Only 2 FY 2021 prison releases received assistance with childcare services (not shown).
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 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 a prisoner received wages within any of the 8 quarters during the two-year follow-up period, the offender was considered employed. Figure 4.13 shows that a little over half of prisoners were employed during the two-year follow-up period (54%), which was lower than the employment rate for the NC population (61%). Class B1 – D prisoners had the highest percentage employed (61%), while Class H – I prisoners had the lowest percentage employed (50%).

Figure 4.13
Employment Outcomes
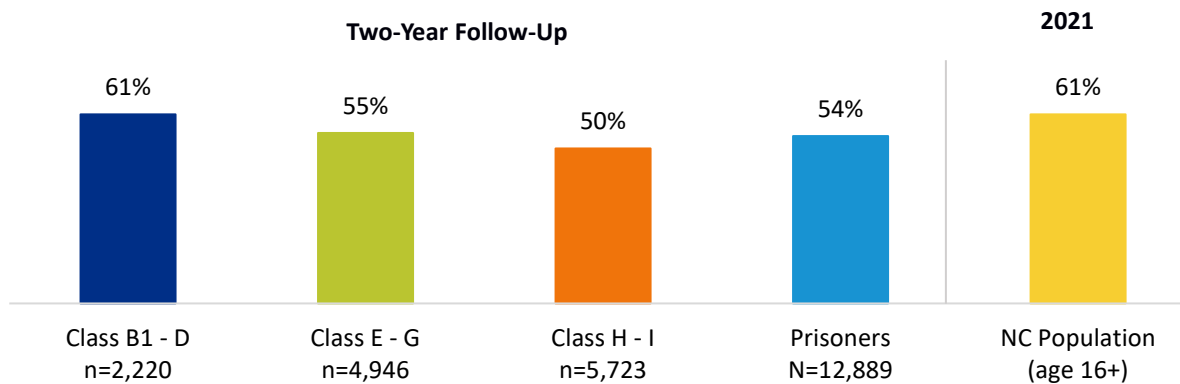
Two-Year Follow-Up   **2021**

Class B1 - D n=2,220	Class E - G n=4,946	Class H - I n=5,723	Prisoners N=12,889	NC Population (age 16+)
61%	55%	50%	54%	61%

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data;
NC Department of Commerce analysis of data from NC Common Follow-Up System

Figure 4.14 shows the distribution of employment during the two-year follow-up by whether a prisoner was employed during the first year of the follow-up period only (year one), employed in the second year of the follow-up period only (year two), or employed during both years of the follow-up period. Class E – G prisoners most closely resembled the prisoner sample as a whole. Class B1 – D prisoners had the highest percentage employed in both years of the follow-up, while Class H – I prisoners had the lowest percentage employed in both years of the follow-up (42% and 27% respectively).

Figure 4.14
Employment Status: Two-Year Follow-Up
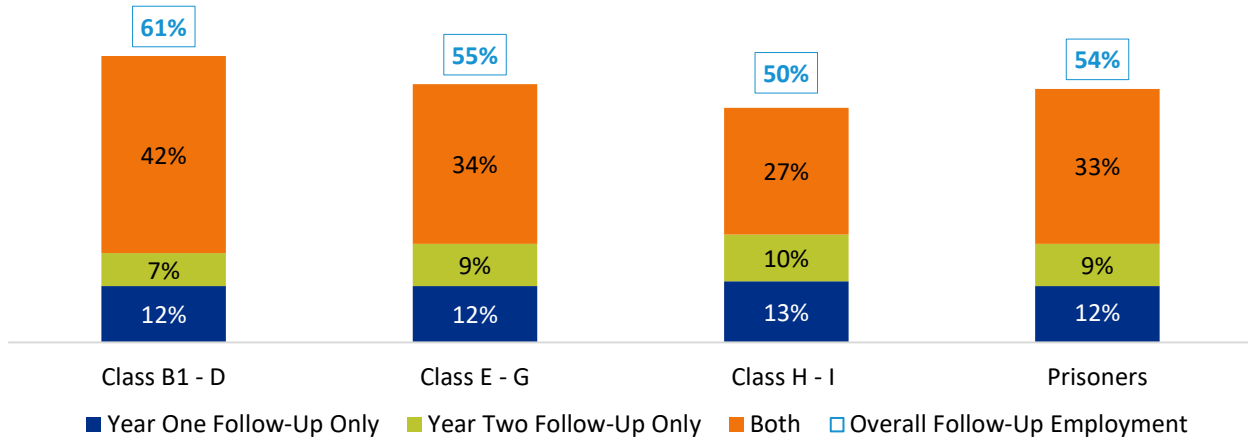
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

The annual median wages earned for year one and year two of the follow-up period are shown in Figure 4.15, along with the 2021 median wage for the NC population (age 16 and older). While annual median wages increased over the two-year follow-up, wages for all offense class groupings were still much lower than those for the NC population in 2021 ($32,500). For all prisoners, the annual median wage earned was 45% higher in year two of the follow-up period compared to year one ($8,569 and $5,905 respectively). Class B1 – D prisoners had the biggest difference in median wages between year one follow-up and year two follow-up ($9,350 compared to $14,905, a 59% increase).

Figure 4.15
Annual Median Wages

Two-Year Follow-Up

2021

$14,905
$9,559
$8,569
$6,308

$9,350
$6,173
$5,905
$4,261

$32,500

Year One Follow-Up Only   Year Two Follow-Up Only

NC Population
(age 16+)

——Class B1 - D   ——Class E - G   ——Class H - I   ——Prisoners
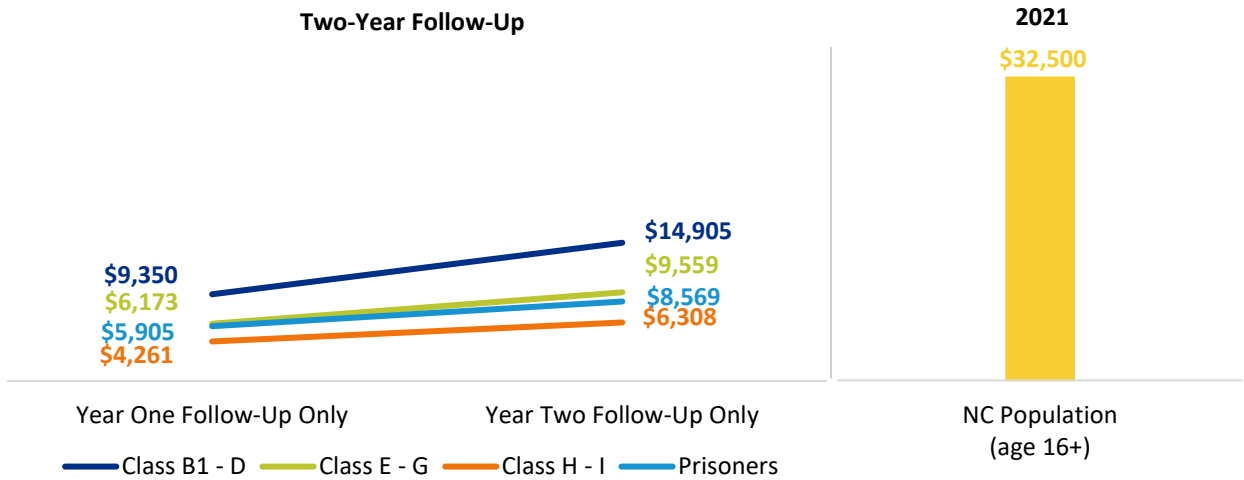
Note: Prisoners who did not receive wages in the year one follow-up period (n=1,138) and the year two follow-up period (n=1,598) were not represented in the annual median wage.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data;
NC Department of Commerce analysis of data from NC Common Follow-Up System

As shown in Figure 4.16, a higher percentage of Class B1 – D prisoners worked 7 to 8 quarters during the two-year follow-up period (30%) compared to the other groups and all prisoners. Conversely, a higher percentage of Class H – I prisoners worked 1 quarter during the two-year follow-up period (22%) compared to Class B1 – D and Class E – G prisoners (13% and 18% respectively). On average, Class B1 – D prisoners worked 1 more quarter (5 quarters) as compared to the other offense class groupings and all prisoners (4 quarters each).

Figure 4.16
Number of Quarters Employed: Two-Year Follow-Up

	1	2	3-4	5-6	7-8
Class B1 - D n=1,345	13%	13%	22%	22%	30%
Class E - G n=2,727	18%	16%	23%	21%	22%
Class H - I n=2,854	22%	19%	26%	16%	17%
Prisoners N=6,926	19%	16%	24%	19%	22%

■1 ■2 ■3-4 ■5-6 ■7-8
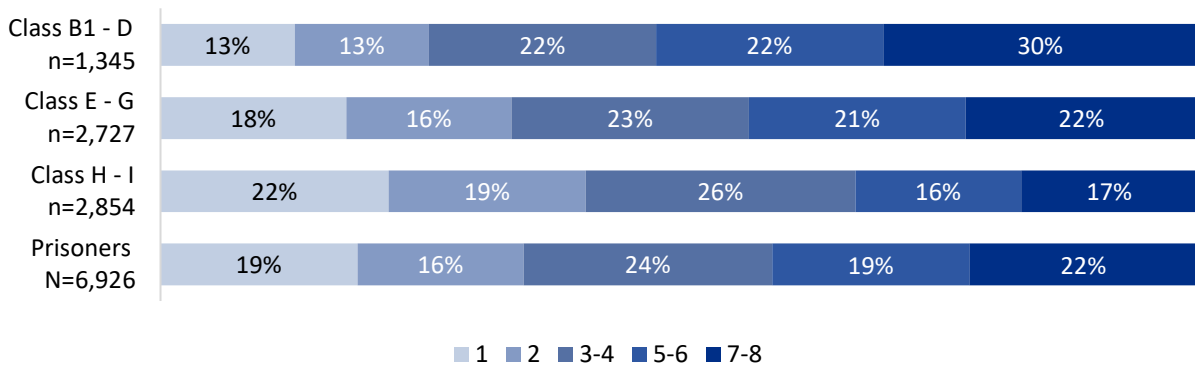
Note: One percent (1%) of prisoners had 8 quarters of follow-up employment.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Figure 4.17 lists the top 5 industries for the first full quarter employed during the two-year follow-up. The top 2 industries for prisoners were (1) Administrative and Support, Waste Management and

Remediation Services and (2) Accommodation and Food Services. The Accommodation and Food Services industry had the highest variation by offense class groupings (ranging from 16% to 26%).

Figure 4.17
Top 5 Employment Industries: Two-Year Follow-Up
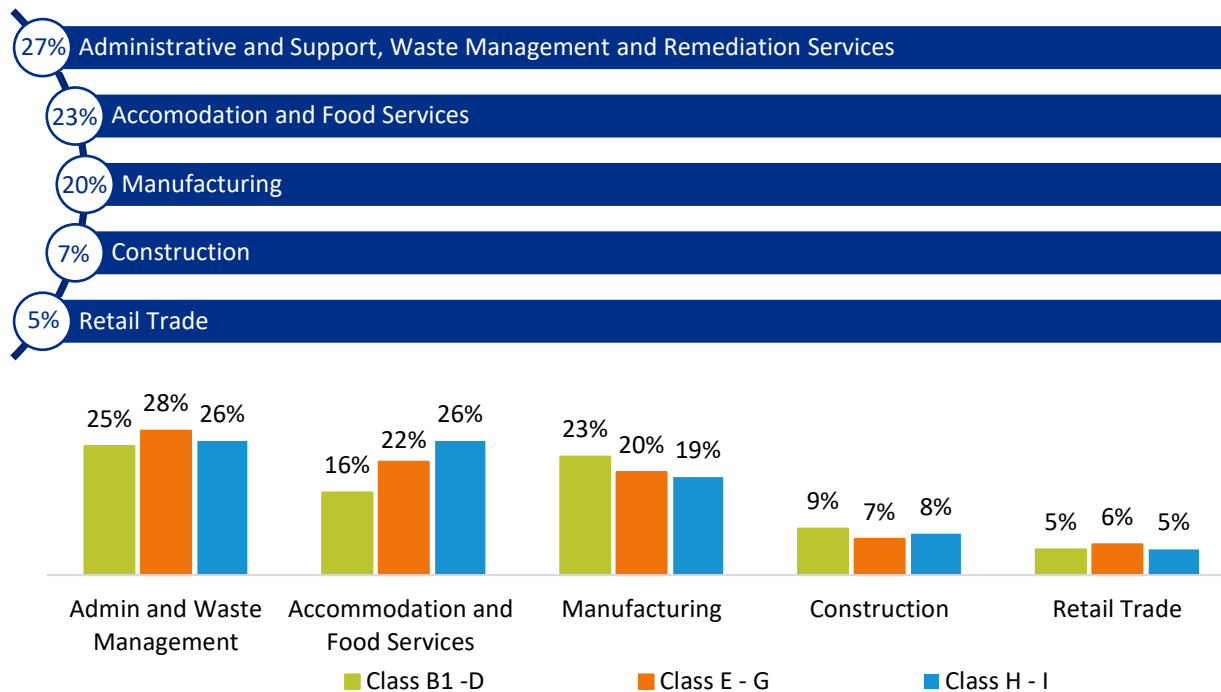
27%	Administrative and Support, Waste Management and Remediation Services
23%	Accomodation and Food Services
20%	Manufacturing
7%	Construction
5%	Retail Trade

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 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 prisoners. 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 4.5. Of the 12,889 prisoners in the sample, 5,701 (or 44%) had a recidivist arrest during the two-year follow-up, accounting for a total of 10,919 recidivist arrests. Eighty-six percent (86%) of prisoners with a recidivist arrest had a recidivist felony arrest, with little variation found by offense class groupings (86-85%). Recidivist arrest rates were lowest for prisoners with Class B1 – D felonies (33%) and increasingly higher for prisoners with Class E – G felonies (43%) and Class H – I felonies (50%). Overall, the average number of months to first recidivist arrest was 9 months. Class B1 – D and Class E – G prisoners had a slightly longer duration to first recidivist arrest (10 months for each). A higher percentage of Class H – I prisoners had more than one recidivist arrest during follow-up (49%) compared to Class B1 – D and Class E – G prisoners (43% and 47% respectively).

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

Offense Class	N	# with Any Recidivist Arrest	Total # Recidivist Arrests	% Recidivist Arrest One-Year Follow-Up	% Recidivist Arrest Two-Year Follow-Up
Class B1 – D	2,220	725	1,269	19	33
Class E – G	4,946	2,115	4,034	27	43
Class H – I	5,723	2,861	5,616	33	50
Prisoners	**12,889**	**5,701**	**10,919**	**28**	**44**

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Recidivist incarceration rates for the one-year and two-year follow-up are shown in Table 4.6. Overall, 4,314 prisoners (or 33%) had a recidivist incarceration during the two-year follow-up and accounted for a total of 5,810 incarcerations. The average number of months to first recidivist incarceration was 8 months after release. Again, prisoners with Class H – I felonies had the highest recidivism rates – 40% had a recidivist incarceration compared to 23% of Class B1 – D prisoners and 31% of Class E – G prisoners.

Table 4.6
Recidivist Incarceration Rates: Two-Year Follow-Up

Offense Class	N	# with Any Recidivist Incarceration	Total # Recidivist Incarcerations	% Recidivist Incarceration One-Year Follow-Up	% Recidivist Incarceration Two-Year Follow-Up
Class B1 – D	2,220	513	666	17	23
Class E – G	4,946	1,516	2,019	23	31
Class H – I	5,723	2,285	3,125	31	40
Prisoners	**12,889**	**4,314**	**5,810**	**25**	**33**

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Criminal Justice Outcomes by Incarceration Profile

The next section examines criminal justice outcomes for the FY 2021 prison release sample by geographic divisions, criminal history, offense category, and incarceration profile.

Geographic Division

Figure 4.18 examines recidivist arrest and recidivist incarceration rates by geographic division.[88] Recidivist arrest rates during the two-year follow-up varied by geographic division. Prisoners in the Western division had the highest recidivist arrest rates (49%); prisoners in the Eastern division had the lowest recidivist arrest rates (40%). Recidivist incarceration rates were similar for prisoners in the Western, Piedmont, and Eastern divisions (34% to 35%), while prisoners in the Central division had the lowest recidivist incarceration rate at 31%. Interestingly, prisoners in the Eastern region had the lowest recidivist arrest rates, but had one of the highest recidivist incarceration rates.

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[88] *See* Table F.2 in Appendix F for the recidivism rates by geographic divisions, districts, and counties.

Figure 4.18
Criminal Justice Outcomes by Geographic Division: Two-Year Follow-Up
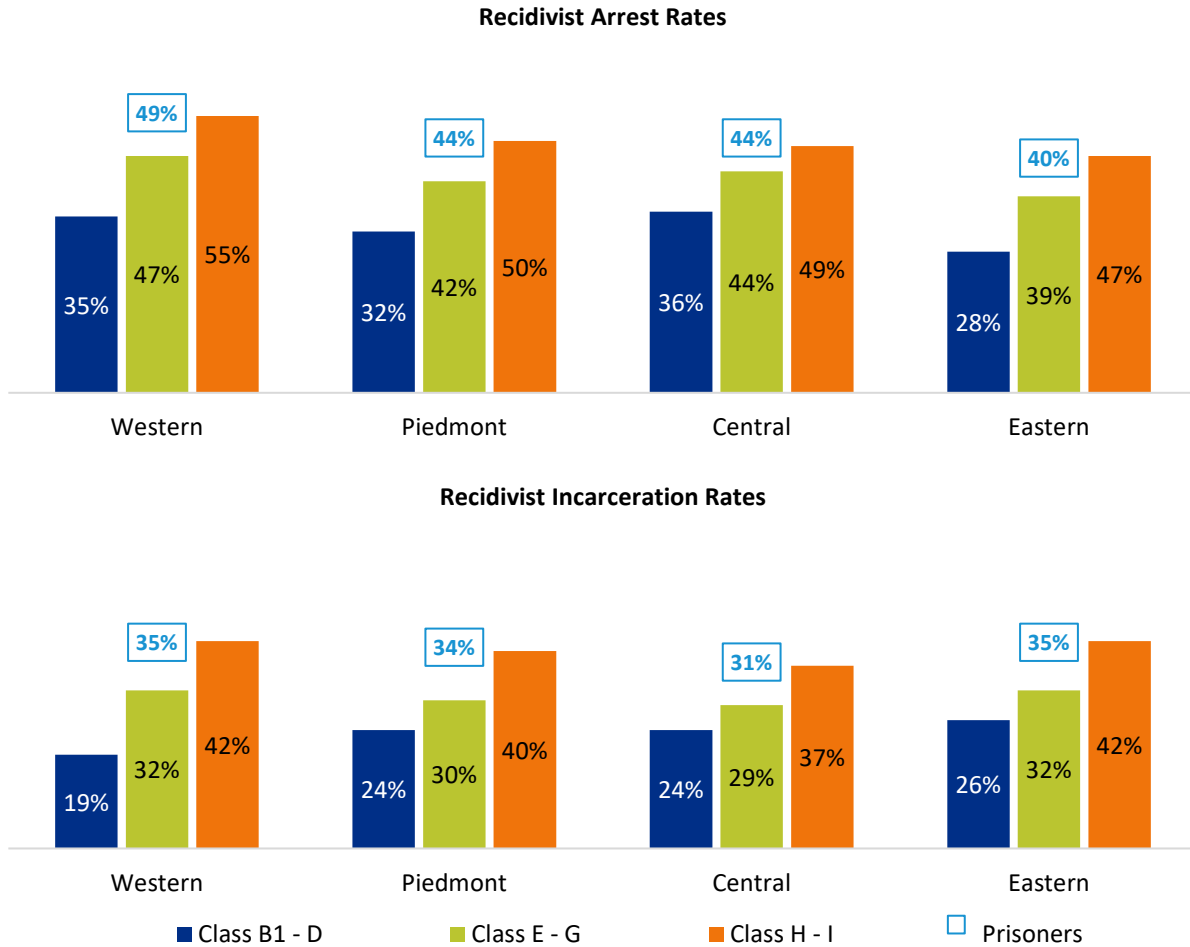
Recidivist Arrest Rates

Recidivist Incarceration Rates

Legend: ■ Class B1 - D ■ Class E - G ■ Class H - I □ Prisoners

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Prior Arrests

As described in Chapter Two, prior arrests are a strong predictor of recidivism. Offenders who had prior arrests had higher recidivist arrest rates than those who had no prior arrests[89] and, correspondingly, recidivist arrest rates increased as the number of prior arrests increased (*see* Table 2.10 and Figure 2.23 in Chapter Two). As indicated in Figure 4.19, 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.

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[89] Recidivism rates for prisoners with one or more prior arrests were at least two times higher than for prisoners with no prior arrests (46% and 16% respectively for recidivist arrests; 35% and 15% respectively for recidivist incarcerations).

Figure 4.19
Criminal Justice Outcomes by Number of Prior Arrests for Prisoners: Two-Year Follow-Up

Recidivist Arrest Rates

Class B1 - D: 13%, 22%, 30%, 34%, 38%, 44%
Class E - G: 16%, 25%, 36%, 42%, 45%, 55%
Class H - I: 22%, 39%, 40%, 47%, 51%, 58%

Recidivist Incarceration Rates

Class B1 - D: 12%, 14%, 19%, 26%, 25%, 33%
Class E - G: 11%, 19%, 27%, 30%, 33%, 38%
Class H - I: 30%, 33%, 33%, 37%, 42%, 43%

Legend: 0 | 1 | 2-3 | 4-5 | 6-9 | 10+

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Sample Conviction

Recidivism rates were highest for prisoners with a sample conviction for a property offense followed by other offenses (*see* Figure 4.20).[90] Recidivism rates were lowest for prisoners with person offenses and drug offenses.

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

Figure 4.20
Criminal Justice Outcomes by Offense Category for Prisoners: Two-Year Follow-Up

	Person	Property	Drug	Other
Recidivist Arrest	39%	52%	39%	44%
Recidivist Incarceration	29%	41%	28%	34%

■ Recidivist Arrest   ■ Recidivist Incarceration

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Table 4.7 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 (59%) followed by those with a conviction for larceny (57%). For recidivist incarceration rates, prisoners with a conviction for larceny had the highest recidivist incarceration rates of the selected convictions (43%) followed by those with a conviction for habitual felon (Class E – G) and breaking and entering (41% each).

Table 4.7
Criminal Justice Outcomes for Top 5 Convictions by Offense Class: Two-Year Follow-Up

Sample Conviction	N	% of Total	% Recidivist Arrest	% Recidivist Incarceration
Class B1 – D				
Habitual Felon	636	29	41	30
Robbery with Dangerous Weapon	465	21	45	30
Second Degree Murder	196	9	15	7
Assault WDWIKISI	109	5	32	15
First Degree Burglary	97	4	43	29
Subtotal	1,503	68	n/a	n/a
Total	2,220	100	38	26
Class E – G				
Possession of Firearm by Felon	761	15	50	31
Common Law Robbery	403	8	59	36
Habitual Felon	369	7	45	41
Trafficking Schedule I Contr. Subst.	320	6	28	15
Sell Schedule II Contr. Subst.	266	5	38	25
Subtotal	2,119	41	n/a	n/a
Total	4,946	100	46	30
Class H – I				
Breaking and Entering	939	16	53	41
Possess Sched. II Contr. Subst.	646	11	48	38
Obtain Property False Pretense	454	8	50	35
Larceny	412	7	57	43
Possess Sched. II Intent to Sell	334	6	46	32
Subtotal	2,785	48	n/a	n/a
Total	5,723	100	51	39
Prisoners	**12,889**	**100**	**44**	**33**

Note: Assault WDWIKISI refers to assault with a deadly weapon with intent to kill inflicting serious injury.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Risk and Need Levels

Figure 4.21 examines recidivist arrest rates during the two-year follow-up by risk and need levels for FY 2021 prisoners. For all prisoners with a risk assessment, those assessed as extreme risk had the highest recidivist arrest rates (52%) and those assessed as low risk had the lowest recidivist arrest rates (10%). After controlling for risk level, 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.

Recidivist arrest rates by need level also show a stair-step pattern in recidivist arrest rates from extreme need to minimal need; however, the pattern is much less pronounced. Again, differences in recidivist arrest rates between offense class groupings remained after controlling for need level.

Recidivist incarceration rates were also examined by risk and need levels with similar patterns (*see* Figure 4.22).

Figure 4.21
Recidivist Arrest Rates by Risk and Need Levels: Two-Year Follow-Up
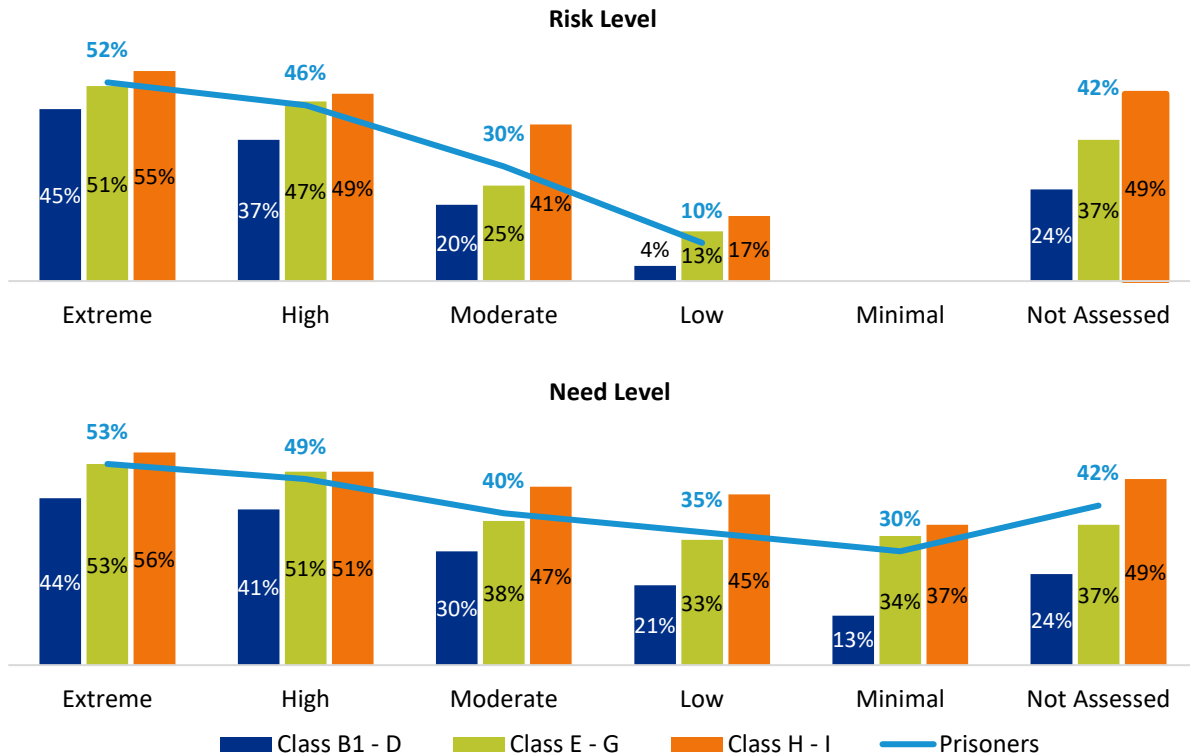
Risk Level

Need Level

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. As shown in Table 4.5, the recidivist arrest rate was 33% for Class B1 – D prisoners, 43% for Class E – G prisoners, and 50% for Class H – I prisoners; the percentage-point difference for the rates was 10% for Class B1 – D compared to Class E – G prisoners and 7% for Class E – G compared to Class H – I prisoners.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Figure 4.22
Recidivist Incarceration Rates by Risk and Need Levels: Two-Year Follow-Up
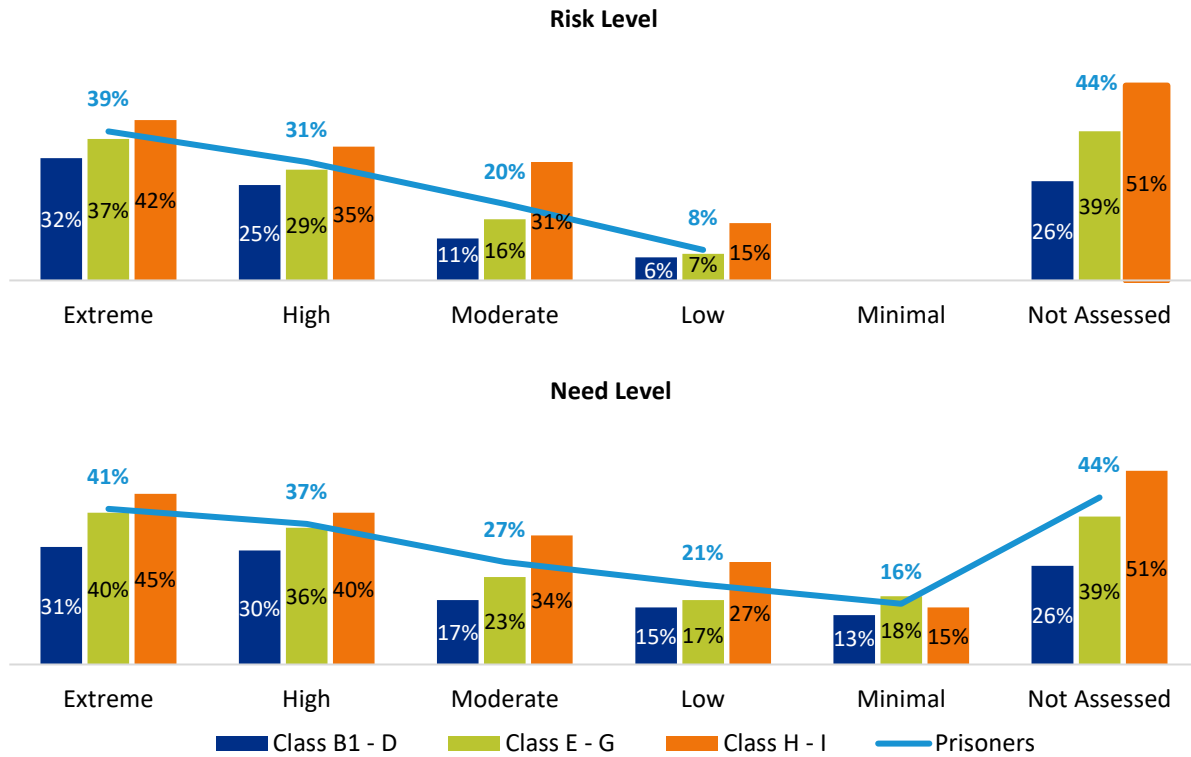
Risk Level

Need Level

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 2021 Correctional Program Evaluation Data

Incarceration Profile

Table 4.8 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. Rates of recidivist arrest were highest for prisoners with a PRS revocation entry followed by prisoners with a probation revocation; recidivist incarceration rates were also highest for these two groups of prisoners. As shown later in Figure 4.23, while there were variations in recidivist arrest rates overall by type of prison entry, there were minimal differences in rates by offense class groupings for prisoners with a probation or PRS revocation entry. For example, recidivist arrest rates for PRS revocation entries were similar for Class E – G and Class H – I prisoners (57% and 56% respectively). Recidivist incarceration rates were lowest for Class B1 – D prisoners (20%) and Class E – G prisoners (27%) who entered with a new crime and were similar for the other offense class groups (ranging from 37% to 41%).

Table 4.8
Criminal Justice Outcomes by Incarceration Profile: Two-Year Follow-Up

Incarceration Profile	N	% Recidivist Arrest	% Recidivist Incarceration
Type of Prison Entry			
New Crime	7,993	40	30
Probation Revocation	1,602	44	39
PRS Revocation	3,294	56	39
Time Served			
12 Months or Less	7,458	49	38
13-24 Months	2,053	45	35
25 Months or More	3,378	33	23
Infractions			
0 Infractions	4,652	37	29
1 Infraction	1,970	43	32
2 Infractions	1,338	47	34
3-4 Infractions	1,536	47	36
5 or More Infractions	3,393	53	39
Restrictive Housing			
Yes	8,169	48	36
No	4,720	37	28
Correctional Jobs/Programs			
Program Only	1,126	49	37
Job Only	2,411	45	34
Both Job and Program	6,998	43	30
No Job or Program	2,354	46	41
Custody Classification at Release			
Close	1,833	60	47
Medium	3,948	50	40
Minimum	7,108	37	26
Prisoners	**12,889**	**44**	**33**

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 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 rates.

Prisoners who had infractions while incarcerated had higher recidivism rates than those who had no infractions. Recidivism rates generally 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 4.23
Criminal Justice Outcomes by Type of Prison Entry: Two-Year Follow-Up
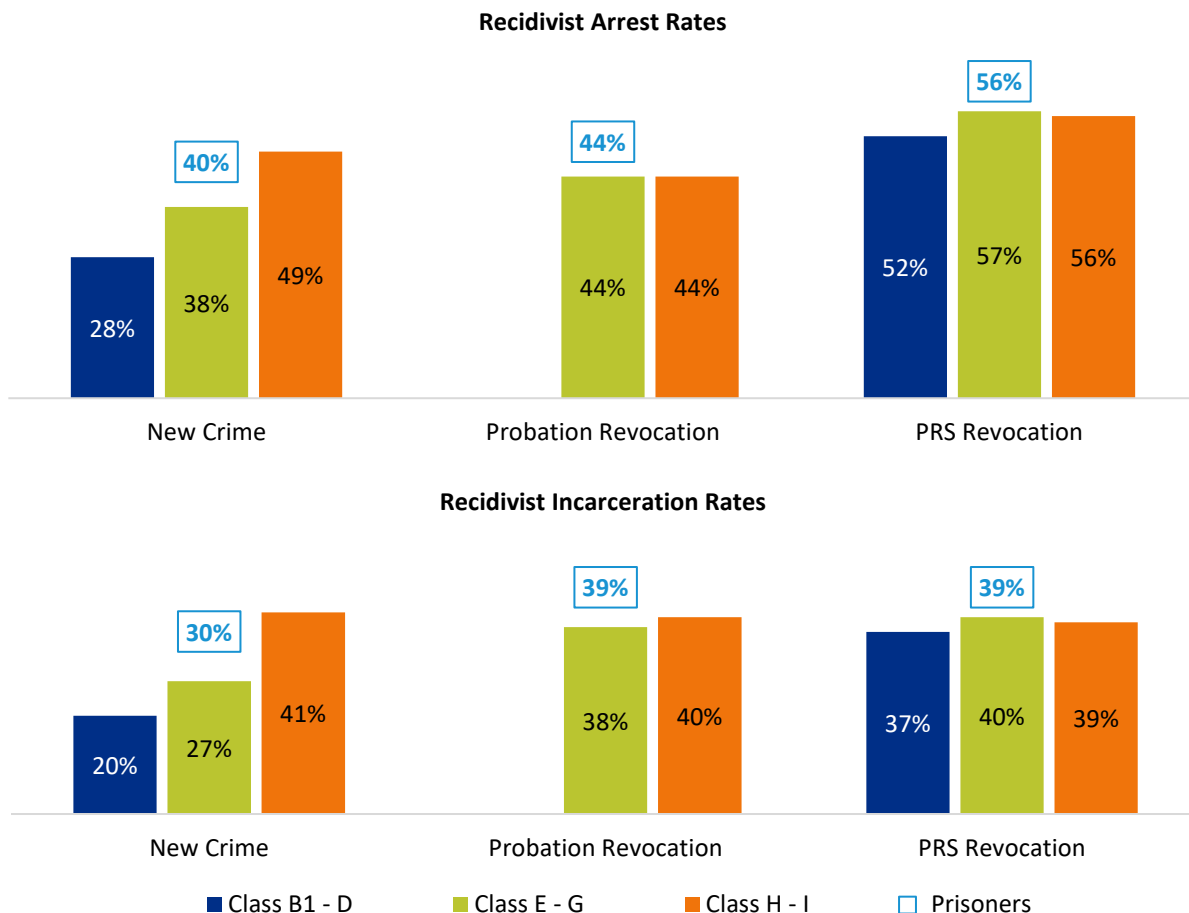
Recidivist Arrest Rates

Recidivist Incarceration Rates

| ■ Class B1 - D | ■ Class E - G | ■ Class H - I | □ Prisoners |

As shown in Table 4.8, some variation was found in recidivist arrest rates based on overall assignment to correctional jobs/programs with most rates similar to or higher than the overall rate for the sample (44%); 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 4.24 provides recidivism rates for prisoners assigned to select correctional jobs and programs. Prisoners with assignments to Construction, Correction Enterprises, Work Release, and SOAR generally had lower recidivism rates than the FY 2021 prison sample. Recidivism rates for prisoners in Academic Education, ACDP, and Vocational Education were close to those found for prisoners overall. Prisoners

who were in a Therapeutic Diversion Unit (TDU) while incarcerated had the highest recidivism rates of the select programs.

Figure 4.24
Criminal Justice Outcomes for Prisoners Assigned to Select Correctional Jobs/Programs:
Two-Year Follow-Up

Correctional Jobs

Job	Recidivist Arrest	Recidivist Incarceration
Any Correctional Job	43%	31%
Select Jobs		
Construction	34%	21%
Correction Enterprises	38%	28%
Work Release	29%	18%

Correctional Programs

Program	Recidivist Arrest	Recidivist Incarceration
Any Correctional Program	44%	31%
Select Programs		
Academic Education	44%	31%
ACDP	43%	32%
SOAR	19%	23%
TDU	47%	39%
Vocational Education	42%	28%

■ Recidivist Arrest   ■ Recidivist Incarceration

Note: Prisoners can participate in multiple correctional jobs and programs during their incarceration period and, therefore, may be represented in more than one activity. Due to the low number of SOAR participants (n=26), results for this program should be interpreted with caution.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

As shown in Table 4.8, prisoners classified as minimum custody at release had the lowest recidivism rates, while offenders classified as close custody at release had the highest recidivism rates. These patterns held when recidivism rates were examined by custody and offense class (*see* Figure 4.25).

Figure 4.25
Criminal Justice Outcomes by Custody Classification at Release: Two-Year Follow-Up
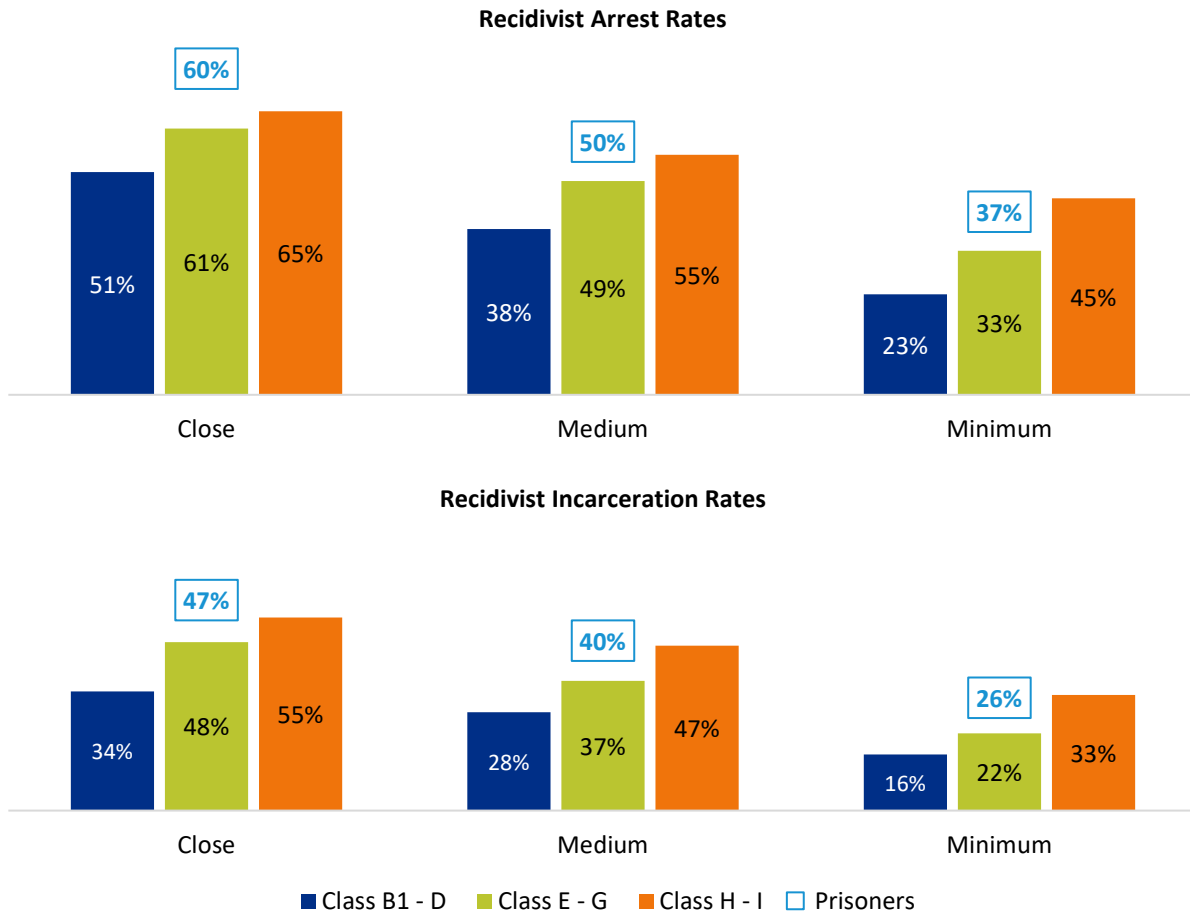
Recidivist Arrest Rates

Recidivist Incarceration Rates

Class B1 - D   Class E - G   Class H - I   Prisoners

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Criminal Justice Outcomes for Local Reentry Councils

Of the 655 prison releases who received LRC services while incarcerated or one-year following release from prison, 42% had a recidivist arrest and 29% had a recidivist incarceration during the two-year follow-up period, slightly lower than for the prison release sample as a whole. Because of the overlap of the time during which LRC services were received and the two-year recidivism follow-up period, the timing of recidivism was examined within the context of the initial date LRC services were received (i.e., which event occurred first). Of those with a recidivist arrest (n=274), 92% of recidivist arrests occurred after the initial date LRC services were received. Of those with a recidivist incarceration (n=193), 87% of recidivist incarcerations occurred after the initial date LRC services were received.

PRISONERS RELEASED UNDER THE COVID-19 PANDEMIC SETTLEMENT AGREEMENT

In April 2020, several civil rights organizations filed a lawsuit against the State challenging the conditions of confinement in North Carolina's state prisons as unconstitutional during the COVID-19 pandemic. In February 2021, the State agreed to the early reentry of 3,500 prisoners over a six-month period (by August 2021).[91] Early reentry was defined as:

(1) transfer of an individual to Extended Limits of Confinement who has at least 14 days remaining until their projected release date (PRD) as of February 15, 2021;
(2) release of an individual at least 14 days before their PRD as of February 15, 2021; or
(3) reinstatement or restoration of an individual to post-release supervision sooner than they would otherwise have been reinstated or restored or early release of people with Mutual Agreement Parole Program (MAPP) agreements.

In order to effectuate these releases, the following tools were used:

(1) Extended Limits of Confinement (ELC), whereby the Secretary selects certain inmates in limited circumstances to continue serving their sentence outside of prison facilities.[92]
(2) Discretionary sentence credits, whereby the Secretary awards sentence credits to reduce the time remaining on an offender's maximum sentence.
(3) Special Review by the Post-Release Supervision and Parole Commission (PRSPC) of offenders who were previously on post-release supervision or who are eligible for parole release under a MAPP agreement.

The FY 2021 prison release sample offers a unique opportunity to examine outcomes for prisoners released under the February 2021 settlement agreement in *NC NAACP v. Cooper* (referred to as settlement releases) who were also in the recidivism sample.[93] Analyses in this section compare prisoners released under the settlement agreement to prisoners who exited as they reached their projected release date (referred to as regular releases), as well as the FY 2021 prison release sample as a whole. It is important to note that the group of settlement releases examined here is not the total group of settlement releases – only those who were released through June 30, 2021.

Overall, 9% (n=1,180) of prisoners in the FY 2021 sample were released early under the settlement. Discretionary sentence credits were the tool used for 61% of settlement releases, 22% were released following PRSPC review, and 17% were transitioned to serve the remainder of their prison sentences in the community under ELC and subsequently released from prison in FY 2021 (*see* Figure 4.26). Most were released 14 to 30 days early (38%) or 31 to 60 days early (30%) from their February 15, 2021, projected release date.

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[91] *NC NAACP v. Cooper*, No. 20 CVS 500110 (Wake County, N.C., February 25, 2021) (Joint Motion for Stay).

[92] *See* https://www.dac.nc.gov/new-extended-limits-confinement-program for further information on ELC.

[93] *See* Appendix F, Prisoners Released Early Under COVID Settlement Agreement section, for summarized comparisons of these groups.

Figure 4.26
Prisoners Released under Settlement Agreement
N=1,180
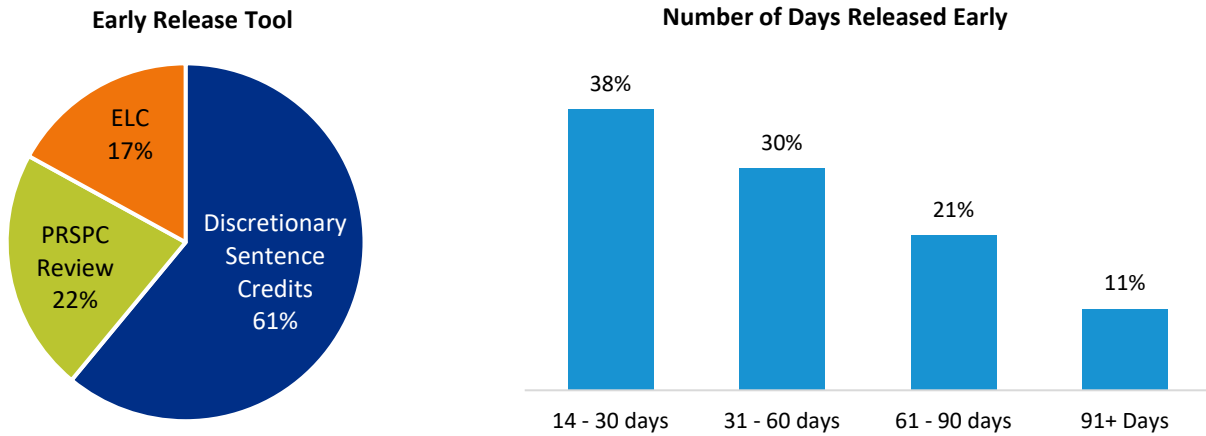
Early Release Tool

Number of Days Released Early

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Sample Conviction

As shown in Figure 4.27, the offense class distribution of settlement releases was similar to the distribution for regular releases, although a slightly higher percentage had a conviction for a Class H – I felony (47% compared to 44% respectively).

Figure 4.27
Offense Class of the Sample Conviction by Settlement Status
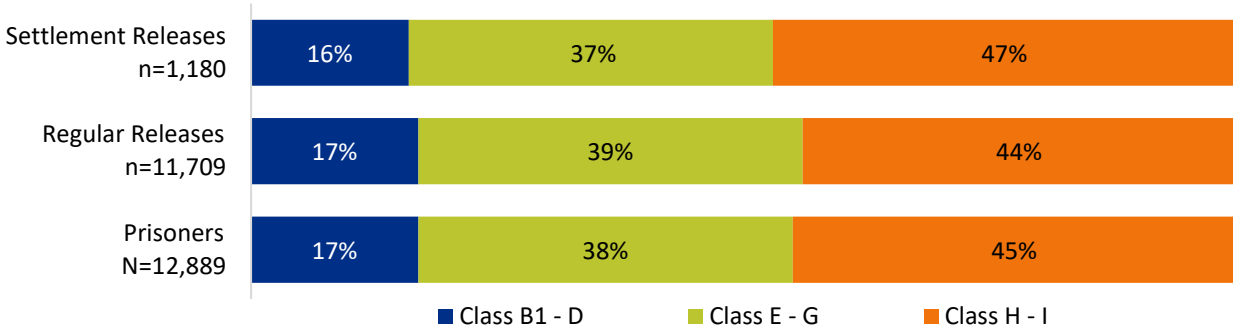
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Recidivist Arrests

Figure 4.28 shows recidivist arrest rates by offense class grouping for settlement releases as compared to regular releases and the FY 2021 prison release sample as a whole. Overall, 48% of settlement releases had a recidivist arrest during the two-year follow-up period; 51% of Class B1 – D releases, 45% of Class E – G releases, and 50% of Class H – I releases. Settlement releases with Class B1 – D felonies had substantially higher recidivist arrest rates as compared to regular releases (51% and 31% respectively), while recidivist arrest rates for the other offense class groupings were similar.

Figure 4.28
Recidivist Arrest Rates by Settlement Status and Sample Conviction: Two-Year Follow-Up
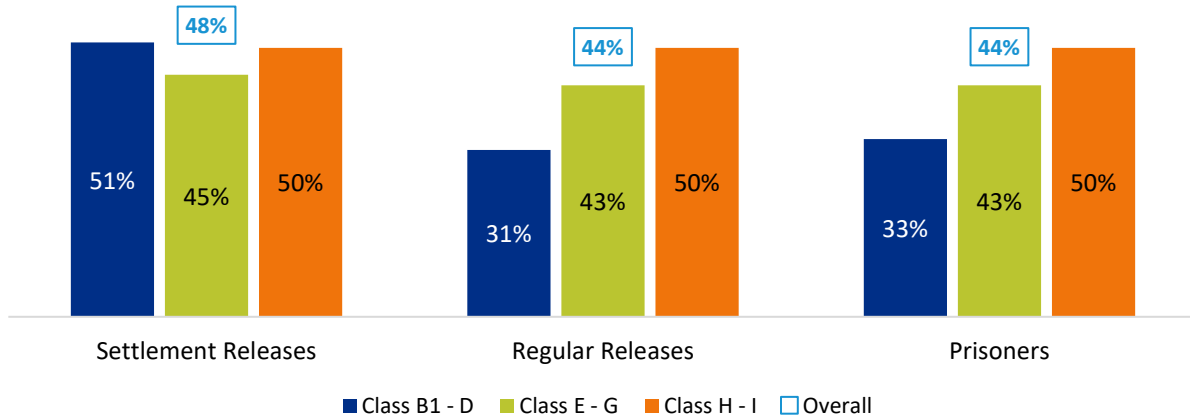
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

For settlement releases, recidivist arrest rates were also examined by the number of days released early (*see* Figure 4.29). Recidivism rates were lowest for prisoners with early release under 60 days (47% for 14 to 30 days early and 46% for 31 to 60 days early) and highest for prisoners released 61 or more days early (52% each for 61 to 90 days early and 91 or more days early).

Figure 4.29
Recidivist Arrest Rates by Number of Days Released Early for Settlement Releases: Two-Year Follow-Up
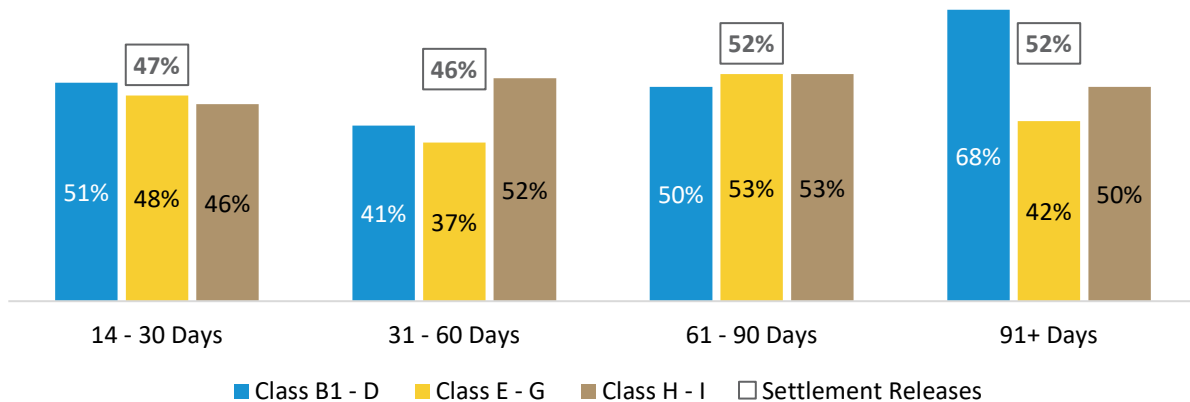
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

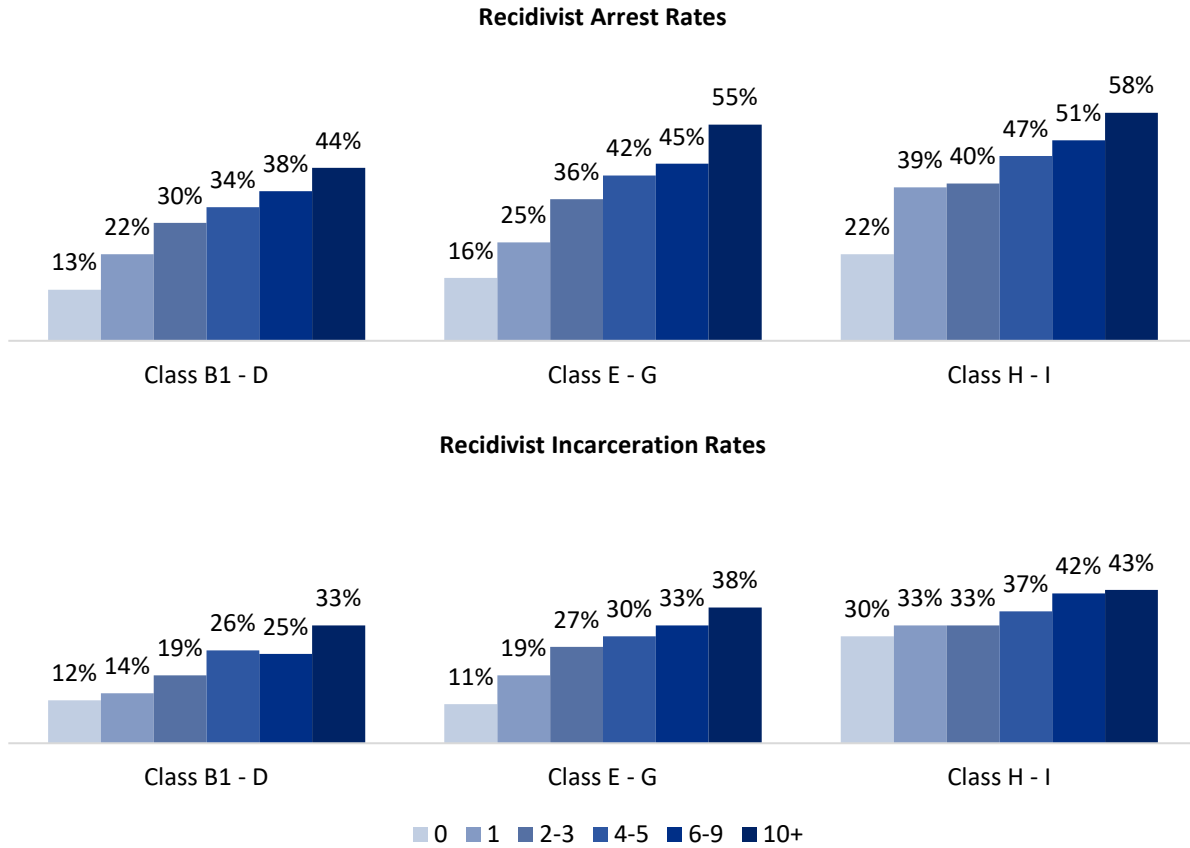# PRISONERS RELEASED FOLLOWING EXTENDED LIMITS OF CONFINEMENT

Prior to the settlement agreement, prisoners were already being transitioned to ELC to help manage the prison population during the COVID-19 pandemic, creating a much larger ELC group than under the settlement. In this section, the ELC settlement releases described in the previous section are combined with prisoners who were transitioned to serve the remainder of their prison sentences in the community under ELC prior to the settlement agreement and subsequently released from prison in FY 2021.[94] The combined group is referred to as "ELC prisoners" throughout this section.

As shown in Figure 4.30, of the 884 ELC prisoners released from prison in FY 2021, 77% were transitioned to the community on ELC prior to the settlement and 23% were transitioned to the community on ELC under the settlement. Figure 4.30 also shows the number of days served in the community under ELC prior to release from prison. Pre-settlement ELC prisoners served more time in the community under supervision than settlement ELC prisoners (an average of 134 and 37 days respectively). Nearly two-thirds of pre-settlement ELC prisoners (64%) served more than 90 days in the community prior to release compared to only 1% of settlement ELC prisoners. Nearly half of settlement ELC prisoners (46%) served 30 days or less in the community prior to being released from prison. Nearly all (92%) were transitioned directly from ELC to release from prison.
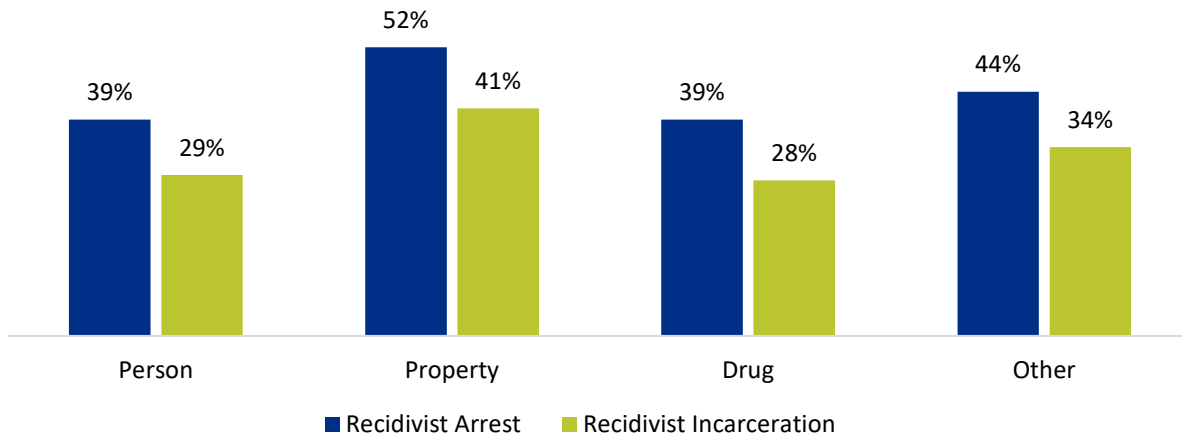
Figure 4.30
ELC Prisoners
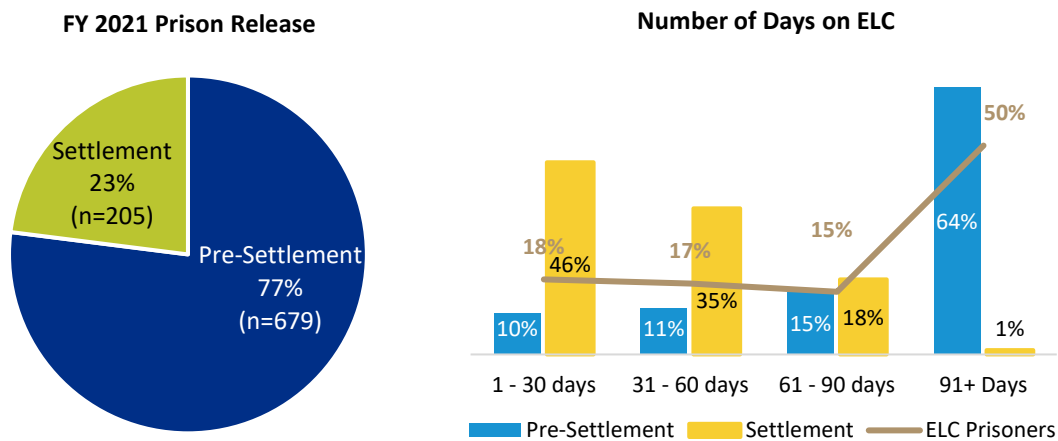
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Sample Conviction

As shown in Figure 4.31, while most ELC prisoners had a conviction for a Class E – G felony (45% each), a higher percentage of pre-settlement ELC prisoners had Class B1 – D felonies (23% compared to 15% for settlement) and a higher percentage of settlement ELC prisoners had Class H – I felonies (40% compared to 32% for pre-settlement).

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[94] *See* Table F.20 in Appendix F for summarized comparisons of these groups.

Figure 4.31
Offense Class of the Sample Conviction for ELC Prisoners
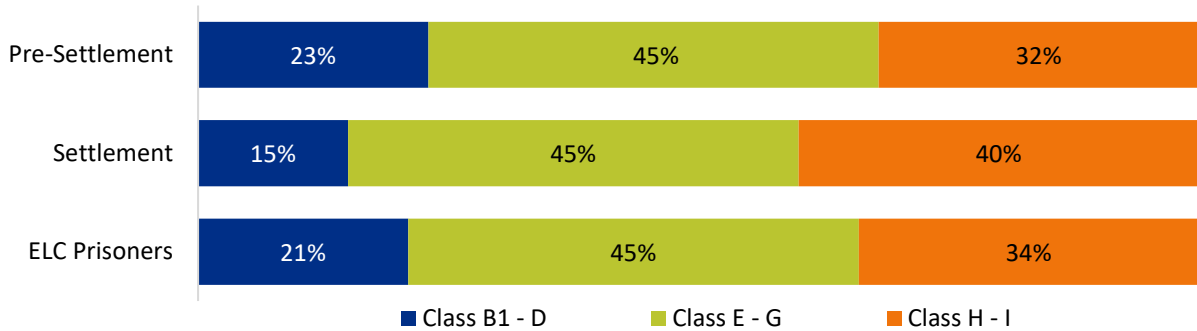
Pre-Settlement	23%	45%	32%
Settlement	15%	45%	40%
ELC Prisoners	21%	45%	34%

■ Class B1 - D ■ Class E - G ■ Class H - I

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Recidivist Arrests

Recidivism for ELC prisoners was examined during two time periods – while serving the remainder of their prison sentences in the community on ELC and during the two years following prison release. Very few (2%) had a recidivist arrest while in the community under ELC. As shown in Figure 4.32, a higher percentage of settlement ELC prisoners (39%) had a recidivist arrest during the two-year follow-up compared to pre-settlement ELC prisoners (28%).

Figure 4.32
Recidivist Arrest Rates for ELC Prisoners: Two-Year Follow-Up
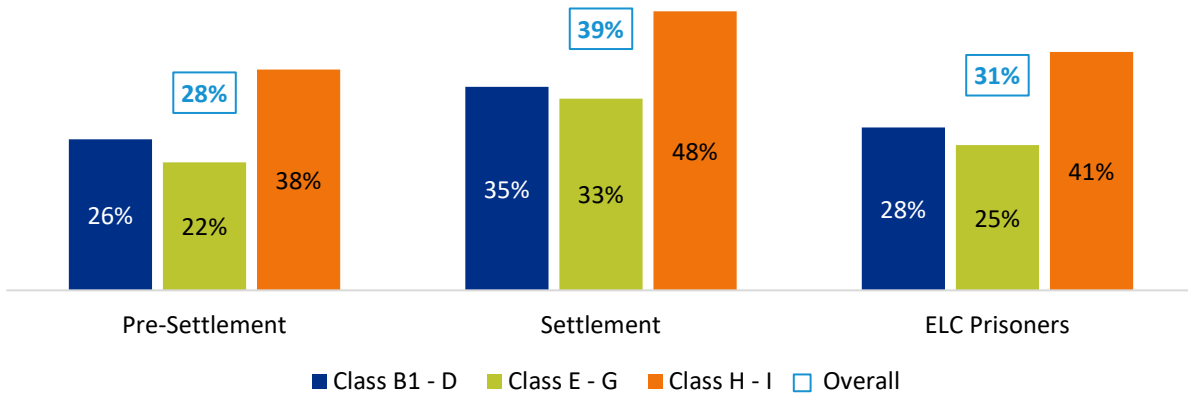
Pre-Settlement: 28% (Overall), Class B1-D 26%, Class E-G 22%, Class H-I 38%
Settlement: 39% (Overall), Class B1-D 35%, Class E-G 33%, Class H-I 48%
ELC Prisoners: 31% (Overall), Class B1-D 28%, Class E-G 25%, Class H-I 41%

■ Class B1 - D ■ Class E - G ■ Class H - I ☐ Overall

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

For ELC prisoners, recidivist arrest rates were also examined by the number of days served in the community under ELC prior to release from prison (*see* Figure 4.33). Overall, recidivism rates were highest for ELC prisoners with the shortest number of days served in the community (36% for 1 to 30 days) and lowest for ELC prisoners with the highest number of days served in the community (27% for 91 or more days). For all categories, recidivism rates were lowest for pre-settlement ELC prisoners.

Figure 4.33
Recidivist Arrest Rates by Number of Days on ELC for ELC Prisoners: Two-Year Follow-Up
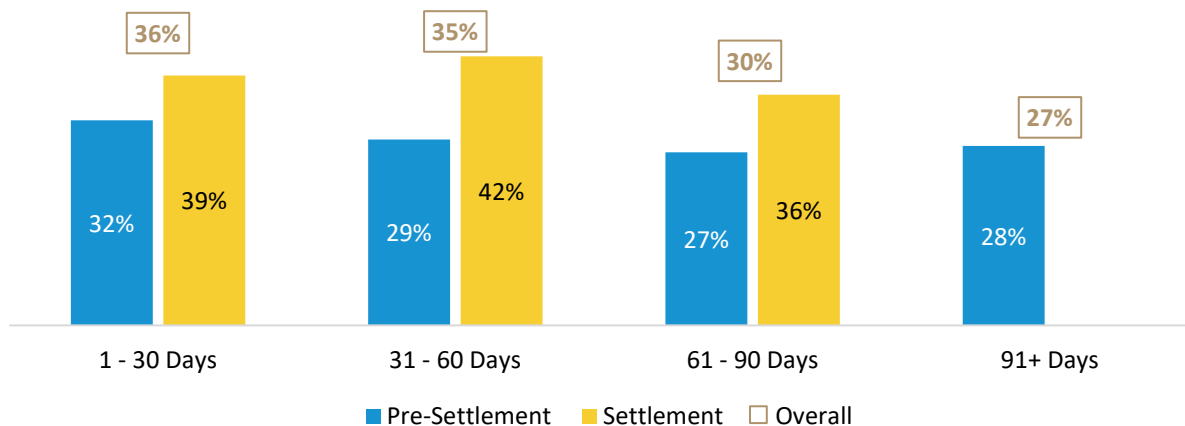
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

PRISONERS RELEASED ONTO POST-RELEASE SUPERVISION

This section examines only those prisoners released onto PRS (n=10,793) 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 prisoners in the FY 2021 sample (84%) were subject to PRS upon release. Overall, 18% (or 1,984) had Class B1 – D felony offenses, 39% (or 4,231) had Class E – G felony offenses, and 42% (or 4,578) had Class H – I felony offenses.

Supervision Level

As shown in Figure 4.34, most prisoners with PRS were placed in the most restrictive supervision levels (Levels 1 and 2) – 73% of Class B1 – D, 81% of Class E – G, and 86% of Class H – I prisoners. [96] Less than 1% of prisoners with PRS overall (n=12), and by offense class grouping, were placed in Level 5, the least restrictive supervision level.

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

[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.

Figure 4.34
Supervision Level for Prisoners Released onto PRS
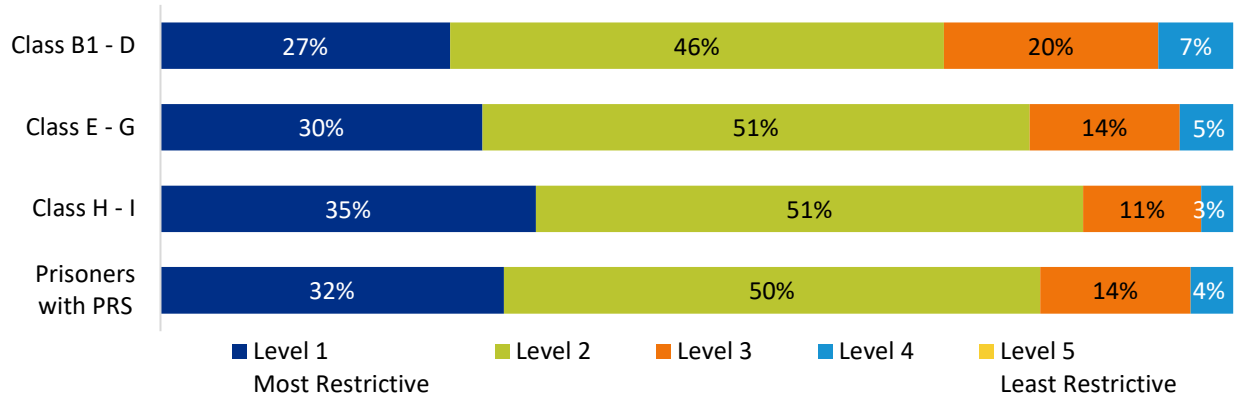
	Level 1	Level 2	Level 3	Level 4
Class B1 - D	27%	46%	20%	7%
Class E - G	30%	51%	14%	5%
Class H - I	35%	51%	11%	3%
Prisoners with PRS	32%	50%	14%	4%

■ Level 1   ■ Level 2   ■ Level 3   ■ Level 4   ■ Level 5
Most Restrictive   Least Restrictive

Note: Prisoners who did not have an RNA completed (n=2,044) were excluded from the figure. Less than 1% of prisoners with PRS were placed in Supervision Level 5 overall (n=12) and for each group.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Reason for Exit

The majority of prisoners with PRS (90% or 9,733) exited supervision by the end of the two-year follow-up. Most of those who remained on supervision had another period of supervision added as a result of another sentence or were sex offenders. For those who exited supervision, exit reasons were categorized as follows: satisfactory termination, unsatisfactory termination, and revocation.[97] As shown in Figure 4.35, the majority who exited supervision during follow-up had a satisfactory termination, ranging from 69% for Class H – I prisoners to 83% for Class B1 – D prisoners. Of the remainder, most exited due to revocation (n=1,773). Class H – I prisoners had the highest rates of revocation (22%), while Class B1 – D prisoners had the lowest (11%).

Figure 4.35
PRS Exit Reason for Prisoners Released onto PRS
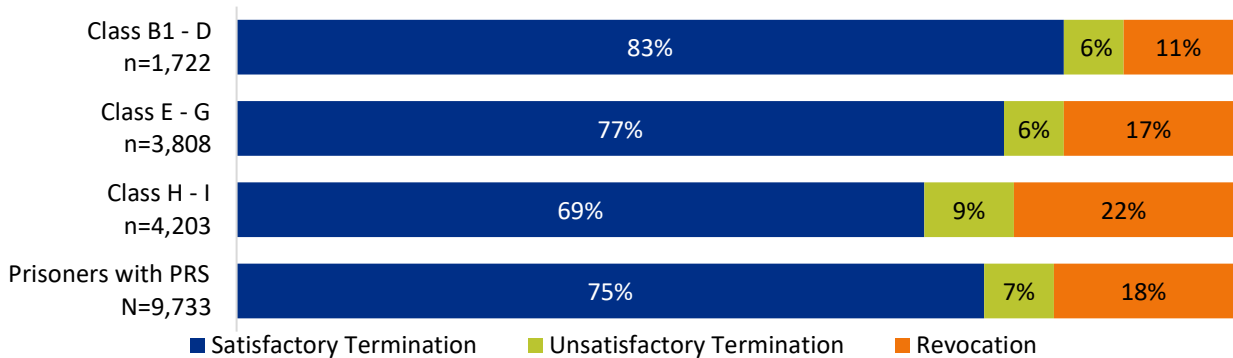
	Satisfactory Termination	Unsatisfactory Termination	Revocation
Class B1 - D n=1,722	83%	6%	11%
Class E - G n=3,808	77%	6%	17%
Class H - I n=4,203	69%	9%	22%
Prisoners with PRS N=9,733	75%	7%	18%

■ Satisfactory Termination   ■ Unsatisfactory Termination   ■ Revocation

Note: This figure excludes 1,060 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 2021 Correctional Program Evaluation Data

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

As shown in Figure 4.36, those exiting PRS due to revocation were almost equally split between having a revocation for a new crime or for absconding (48% and 46% respectively). While Class H – I prisoners were most likely to exit due to absconding (49%), Class B1 – D and Class E – G prisoners were more likely to have a revocation for a new crime (54% and 51% respectively). Overall and by offense class groupings, technical revocations were the smallest percentage of revocation exits.

Figure 4.36
Type of Revocation for PRS Revocation Exits
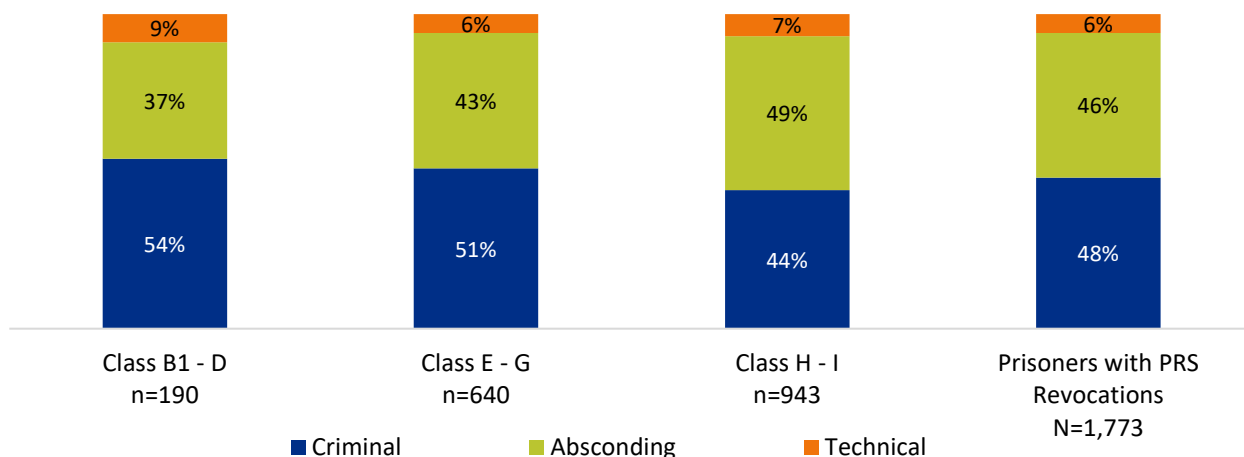
	Class B1 - D n=190	Class E - G n=640	Class H - I n=943	Prisoners with PRS Revocations N=1,773
Technical	9%	6%	7%	6%
Absconding	37%	43%	49%	46%
Criminal	54%	51%	44%	48%

■ Criminal   ■ Absconding   ■ Technical

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Figure 4.37 examines PRS exit reason by supervision level for those prisoners released onto PRS. The distribution 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 70% (Level 1) to a high of 92% (Level 5). Notably, prisoners without an established supervision level (i.e., prisoners who did not have an RNA completed) had the highest percentage with revocation as their PRS exit reason (34%) followed by those in Level 1 (24%).

Figure 4.37
PRS Exit Reason by Supervision Level for Prisoners Released onto PRS
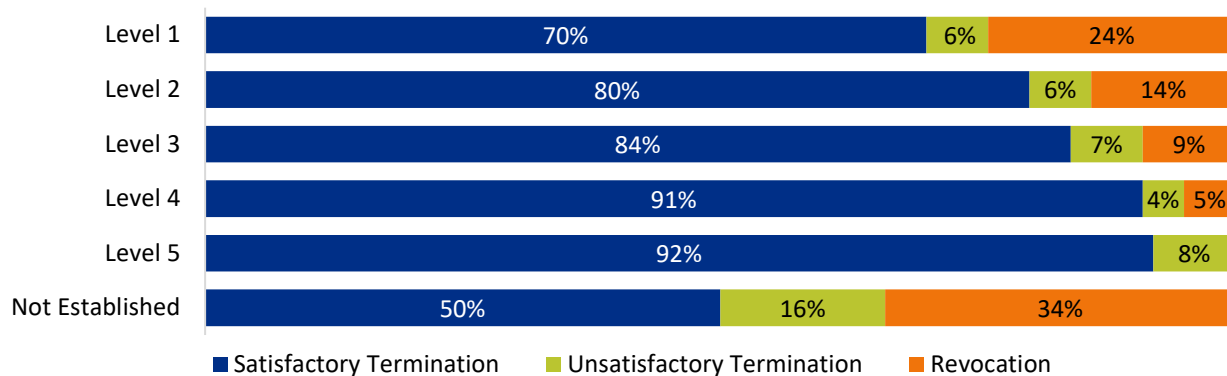
	Satisfactory Termination	Unsatisfactory Termination	Revocation
Level 1	70%	6%	24%
Level 2	80%	6%	14%
Level 3	84%	7%	9%
Level 4	91%	4%	5%
Level 5	92%	8%	
Not Established	50%	16%	34%

■ Satisfactory Termination   ■ Unsatisfactory Termination   ■ Revocation

Note: This figure excludes 1,060 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, of those who exited PRS, only 12 were in Level 5.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Recidivist Arrests

Overall, 43% of prisoners with PRS had a recidivist arrest during the two-year follow-up period; 31% of Class B1 – D prisoners, 42% of Class E – G prisoners, and 49% of Class H – I prisoners. Figure 4.38 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 55% for Level 1 to 17% for Level 4. Recidivist arrest rates for Level 5 were 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 (56% and 57% respectively), while prisoners with a Class B1 – D offense in Level 4 had the lowest recidivist arrest rate (7%). 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. Class H – I prisoners had the highest recidivist arrest rates by supervision level compared to the other offense class groupings.

Figure 4.38
Recidivist Arrest Rates by Supervision Level for Prisoners Released onto PRS: Two-Year Follow-Up
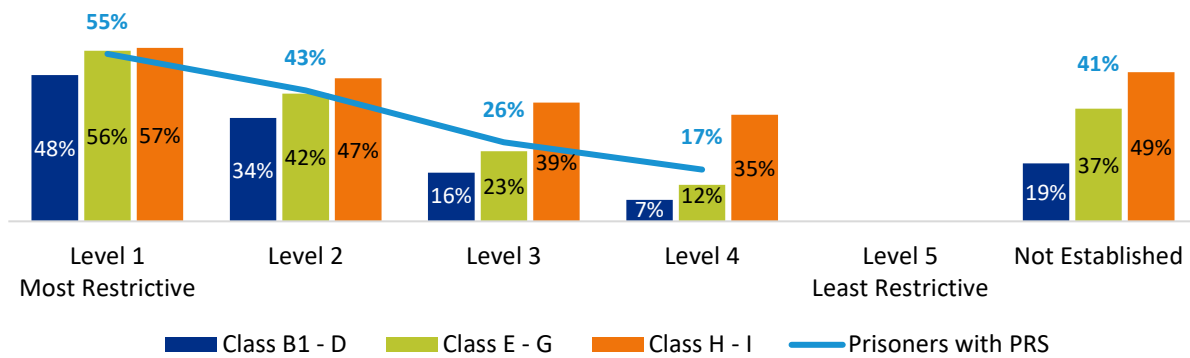
Note: Recidivism rates were not reported for Level 5 due to the small number of prisoners with PRS in this supervision level (n=12).
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

The relationship between recidivism and PRS exit reason is examined in Figure 4.39. Recidivist arrest rates varied by PRS exit reason. The highest recidivist arrest rate was for those who exited PRS with a revocation (72%). The lowest recidivist arrest rates were for those still on supervision at the end of the follow-up period (33%) or with an unsatisfactory termination (34%).

Figure 4.39

Recidivist Arrest Rates by PRS Exit Reason for Prisoners Released onto PRS: Two-Year Follow-Up
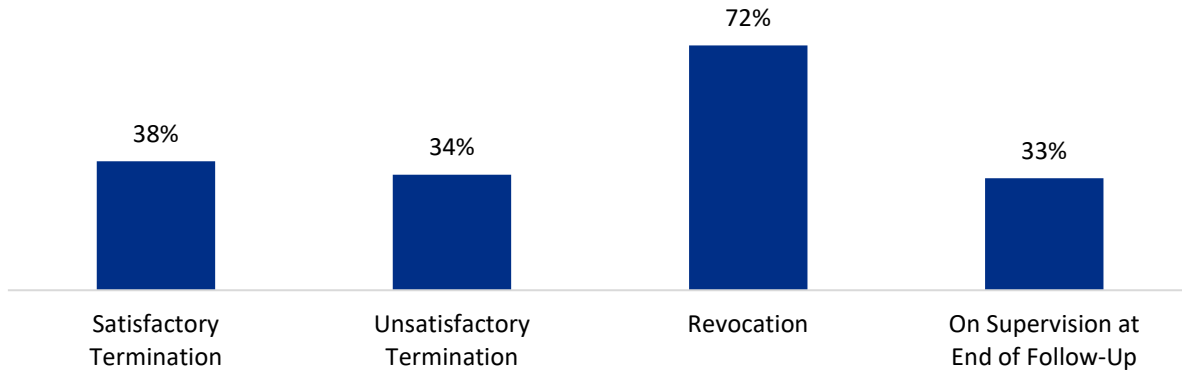
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

SUMMARY

Chapter Four examined the FY 2021 felony prison release sample (N=12,889) by offense class groupings; 17% of prisoners had a sample conviction for a Class B1 – D felony, 38% for a Class E – G felony, and 45% for a Class H – I felony.

The profile of the FY 2021 prison release sample is shown in Table 4.9. Class B1 – D prisoners were more likely to be male, Black, and older than their counterparts. The groups differed in terms of prior employment and substance use with Class B1 – D prisoners having the lowest percentage who were employed in the two years prior to prison entry (38%).

Four measures were used to examine prior criminal justice contacts – prior arrests, probation entries, probation/PRS revocations, and incarcerations. Prisoners with Class H – I felonies had more extensive prior criminal histories. RNAs completed while the offender was on supervision were used for analysis. Overall, 84% had an RNA completed. Compared to the other groups, Class B1 – D prisoners had the lowest percentage assessed as extreme risk (35%). The three offense class groupings had a similar percentage assessed as low need.

Table 4.9
Prison Releases Profile

Prison Releases Profile	Class B1 – D n=2,220	Class E – G n=4,946	Class H - I n=5,723	Prisoners N=12,889
Personal Characteristics				
Male	94%	91%	85%	89%
White	34%	41%	59%	47%
Avg. Age at Prison Release	39 Years	36 Years	36 Years	37 Years
Prior Employment	38%	46%	46%	45%
Prior Arrest	89%	94%	97%	85%
Prior Incarceration	53%	59%	63%	60%
Risk Level				
Extreme	35%	42%	46%	43%
Low	5%	2%	1%	2%
Need Level				
Extreme	26%	26%	30%	28%
Low	15%	18%	14%	15%
Type of Prison Entry				
New Crime	82%	69%	48%	62%
Infractions	88%	68%	52%	64%
Correctional Programs/Jobs				
Both Job and Program	95%	59%	34%	54%
No Job or Program	1%	12%	31%	18%
Minimum Custody at Release	51%	53%	58%	55%
Released onto PRS	89%	86%	80%	84%

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Recidivist arrests and recidivist incarcerations were the primary measures used to assess repeat involvement with the criminal justice system. For both measures, rates were highest for prisoners with a Class H – I felony with progressively lower rates as offense seriousness increased (*see* Figure 4.40). Class B1 – D felons (primarily convicted of person offenses) served longer sentences and, as a result, may have "aged out" of criminal activity, resulting in lower recidivism rates. Conversely, Class H – I felons with prison sentences (most commonly convicted of property offenses) tended to have extensive criminal histories (as prescribed by the felony punishment chart) and were also younger, possibly accounting for their higher rates of recidivism.

Figure 4.40
Criminal Justice Outcomes for the FY 2021 Prisoners: Two-Year Follow-Up
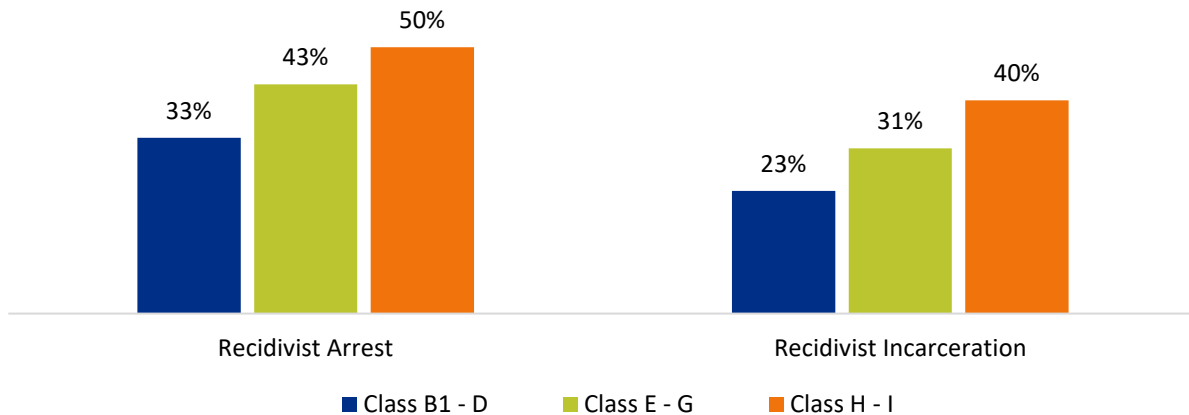
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

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.

During the two-year follow-up period, over half of prisoners (54%) worked at least 1 quarter, with Class B1 – D prisoners having the highest employment rates. Class B1 – D prisoners had the highest median wages earned, while Class H – I prisoners had the lowest. The top 5 employment industries were Administrative and Support, Waste Management and Remediation Services; Accommodation and Food Services; Manufacturing; Construction; and Retail Trade.

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 Five through the use of multivariate analyses.

Information on LRCs was provided for the first time. Overall, 5% of prisoners received services from an LRC. Although many services are offered, the most frequently provided services were to address basic needs, employment, housing, and transportation. Recidivism rates for prisoners receiving LRC services (42% recidivist arrests and 29% recidivist convictions) were slightly lower than for all prisoners.

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, three-fourths 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. Almost three-fourths of prisoners who exited PRS due to revocation had a recidivist arrest.

Also included in Chapter Four were outcomes for prisoners who were released early as part of a settlement agreement in response to a lawsuit against the State challenging the conditions of confinement in North Carolina's state prisons as unconstitutional during the COVID-19 pandemic. Just under 10% of the prison sample was released early under the settlement, primarily through the awarding of discretionary sentence credits (61%). An additional 22% were released early following PRSPC review and 17% who were transitioned to serve the remainder of their prison sentences in the community through ELC. Class B1 – D settlement releases had substantially higher recidivist rates than Class B1 – D regular releases; recidivist arrest rates for Class E – G and Class H – I settlement releases were very similar to those for regular releases.

In addition to ELC prisoners under the settlement, a larger group of prisoners had already been transitioned to serve the remainder of their prison sentences in the community through ELC to help manage the prison population during the pandemic. These two groups were compared based on when they transitioned to the community on ELC; 77% receiving ELC prior to the settlement and 23% receiving ELC under the settlement. Pre-settlement ELC prisoners served a longer time in the community under supervision prior to being released from prison (an average of 137 days compared to 34 days for settlement ELC prisoners). A higher percentage of pre-settlement ELC prisoners had Class B1 – D felonies, while a higher percentage of settlement ELC prisoners had Class H – I felonies. These differences translated into differences in recidivist arrest rates with settlement ELC prisoners having a higher percentage of recidivist arrests during the two-year follow-up (39%) compared to pre-settlement ELC prisoners (28%).

CHAPTER FIVE
MULTIVARIATE ANALYSIS

Throughout this report, recidivism (e.g., arrests, incarcerations) is described in association with various single factors (e.g., prior criminal justice contacts, offender risk and need, offense class). These bivariate relationships were examined in Chapter Two for the overall sample by prisoners and probationers, in Chapter Three for probationers by probation release reason, and in Chapter Four for prisoners by offense class grouping. Chapter Five incorporates the information from those chapters and considers how multiple factors, taken together, affect the probability of recidivism using multivariate analysis.[98]

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.[99] For example, this type of analysis allows for a determination of whether offense class has any statistically significant relationship with an offender's probability of recidivism, controlling for other factors such as age, sex, 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). *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.[100] The probability of recidivist arrest and recidivist incarceration is examined for all offenders using variables found in Chapter Two. Additionally, the probability of recidivist arrest by probation release reason and by sample conviction (e.g., felons, misdemeanants) is examined for probationers. The probability of recidivist arrest, recidivist incarceration, and recidivist revocations are examined for prisoners. Variables unique to probationers (found in Chapter Three) and prisoners (found in Chapter Four) are used to model the probability of these recidivism measures.

LOGISTIC REGRESSION ANALYSIS VARIABLES

Dependent Variables

The logistic regression analyses in this chapter model three dependent variables: recidivist arrests, recidivist incarcerations, and recidivist revocations. Recidivist arrests are modeled in each of the tables, while recidivist incarcerations are limited to the all offenders model and the prisoner model. Recidivist revocations are modeled for prisoners only.

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[98] *See* Appendix B for detailed definitions of recidivism and other key terms.

[99] 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.

[100] Logistic regression is a type of multivariate analysis that 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.

Independent Variables

As shown in Table 5.1, independent variables are adjusted based on the sample (i.e., probationers or prisoners) being modeled.[101] Independent variables in each of the models include an offender's personal characteristics, risk and need levels, prior criminal justice contacts, offense class of the sample conviction, and offender type. Probationers only models highlight information about their supervision period, while prisoners only models provide information regarding their incarceration.

Table 5.1
Independent Variables

All Models	
Personal Characteristics	**Prior Criminal Justice Contacts**
Age at Probation or Prison Release	Under 21 at First Adult Criminal Justice Contact
Male	Number of Prior Arrests
Nonwhite	Most Frequent Prior Arrest Type – Property[a]
Married	Prior Incarceration
High School Dropout/GED	**Sample Conviction**
Prior Employment	Offense Class
Substance Use Indicated	**Offender Type – Prisoner**
Supervision/Risk and Need Profile	**Time at Risk (in days)[b]**
Risk Level	
Need Level	
Probationers Only Models	**Prisoners Only Models**
Personal Characteristics	**Incarceration Profile**
Employment during Supervision	Type of Prison Entry
Supervision Profile	Time Served
Actual Months Supervised	Number of Infractions
High Risk Delegated Authority	Most Serious Infraction – Class A
Violations and Responses to Violations	Restrictive Housing
Number of Probation Violations[c]	Prison Programs/Jobs
Nonconfinement Responses	Custody Classification at Release
Delegated Authority	**Post-Incarceration Profile**
Continued Probation Supervision	Local Reentry Council Services
Modified Probation Conditions	Number of PRS Violations
Additional Probation Conditions	**Responses to Violations**
Confinement Responses	Continued PRS Supervision
Quick Dip	Letter of Reprimand
CRV	Three-Month Confinement[d]
Arrest during Supervision	
Probation Release Reason	
Probation Release Reason Subgroups	

[a] Prior arrests were categorized by offense category (person, property, drug, other) and ranked by volume to determine the most frequent offense category of prior arrests for each offender.

[b] Time at risk during follow-up is a statistical control variable. 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.

[c] A quadratic term for violations (i.e., the number of violations squared) was included in the model because the relationship between the number of violations and the dependent variables is not linear; this allows for a better model fit.

[d] For technical violations of PRS, an offender may be subject to a three-month revocation. For ease of reference, a three-month revocation in response to a technical violation is referred to 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 11.

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[101] Variable(s) excluded from a specific model are indicated by hyphens (-) in the tables.

Model Limitations

Since observations with missing data on any single variable were 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.[102] For prisoners, variables related to PRS violations and responses to violations were included only in the recidivist revocation model (Model 11). Temporal order could not be established for these interventions for recidivist arrests and incarcerations among prisoners; therefore, these variables were excluded from those models. Lastly, data were limited for the recidivist revocation model (Model 11) 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 lower than the number of offenders in the other prisoner models.

LOGISTIC REGRESSION RESULTS AND INTERPRETATION

Recidivism Outcomes for All Offenders

Table 5.2 displays the estimated effect of each independent variable on the probability of recidivist arrest (Model 1) and recidivist incarceration (Model 2) for all offenders.[103]

Model 1 shows the results of the logistic regression analyses predicting recidivist arrest during the two-year follow-up period. Notably, offender type was a strong predictor; prisoners had a 16% higher probability of recidivist arrest when compared to probationers. Personal characteristics of the offender also played a significant role in predicting recidivist arrest. The probability of recidivist arrest was higher for male offenders (+5%). Compared to offenders under 21 at sample entry, the probability of recidivist arrest declined as offender age increased; offenders aged 50 years and older had the lowest probability of recidivist arrest (-31%). The probability of recidivist arrest was lower for married offenders (-3%), while the probability of recidivist arrest was higher for offenders who dropped out of high school (+1%) and offenders with substance use indicated (+4%).

In examining prior criminal justice contacts, the number of prior arrests was the strongest predictor of recidivist arrest with each prior arrest increasing the probability of recidivism by 2%. The offense class of the sample conviction was also predictive; 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.

The risk and need profile of the offender played a significant role in predicting recidivist arrest. As risk level increased, the probability of recidivist arrest also increased, with offenders assessed as extreme risk or high risk having the highest probability of recidivism (+15% and +16% respectively) compared to offenders assessed as minimal risk. Similarly, as need level increased in severity, the probability of recidivist arrest also increased. Compared to offenders assessed as minimal need, offenders assessed as extreme need had a 10% higher probability of recidivist arrest.

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[102] The number of missing observations was largely due to missing information for substance use and risk and need levels. Sensitivity analyses using missing indicator models confirmed the robustness of these models.

[103] The results in Table 5.2 and subsequent tables present the transformed logistic regression parameter estimates (i.e., marginal effects) for the independent variables to show their effect on the actual probability of the occurrence of the dependent variable. The R-squared represents the proportion of variation in the dependent variable explained by the independent variable(s). A higher R-squared indicates that the model better fits the data; the max R-squared has an adjusted scale that can reach a maximum value of 100% unlike the R-squared which has a lower maximum value.

Table 5.2
Effect of Personal and Criminal Justice Factors on Recidivism for All Offenders

Independent Variables	Average Recidivist Probability: Two-Year Follow-Up	
	Model 1 Arrest N=33,072	Model 2 Incarceration N=33,072
Offender Type – Prisoner	16%	4%
Personal Characteristics		
Male	5%	3%
Nonwhite	N.S.	-7%
Age at Probation Entry or Prison Release		
Under 21 Years	Reference	Reference
21-29 Years	-6%	-9%
30-39 Years	-14%	-14%
40-49 Years	-22%	-19%
50+ Years	-31%	-24%
Married	-3%	N.S.
High School Dropout/GED	1%	4%
Prior Employment	N.S.	-2%
Substance Use Indicated	4%	4%
Prior Criminal Justice Contacts		
Under 21 at First Adult Criminal Justice Contact	N.S.	-2%
Number of Prior Arrests	2%	1%
Most Frequent Prior Arrest Type – Property	1%	2%
Prior Incarceration	N.S.	4%
Sample Conviction		
Offense Class		
Class B1 – D Felony	-8%	-4%
Class E – G Felony	-4%	-2%
Class H – I Felony	Reference	Reference
Class A1 – 3 Misdemeanor	3%	-19%
Risk and Need Profile		
Risk Level		
Extreme	15%	36%
High	16%	33%
Moderate	13%	28%
Low	8%	20%
Minimal	Reference	Reference
Need Level		
Extreme	10%	12%
High	9%	9%
Moderate	6%	6%
Low	N.S.	N.S.
Minimal	Reference	Reference
Time at Risk (in days)	-0.04%	-
R²	**14%**	**16%**
Max Rescaled R²	**20%**	**27%**

Note: "N.S." indicates the estimated effects were 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 2021 Correctional Program Evaluation Data

Model 2 displays the results of the logistic regression analyses predicting recidivist incarceration for all offenders. Similar to Model 1, offender type was a significant predictor, again with prisoners having a higher probability of recidivist incarceration (+4%) compared to probationers. Personal characteristics also played a significant role in predicting recidivist incarceration. Male offenders had increased probabilities of recidivist incarceration (+3%), while nonwhite offenders had decreased probabilities of recidivist incarceration (-7%). Compared to offenders under 21 at sample entry, the probability of recidivist incarceration declined as offender age increased, with offenders aged 50 years and older having the lowest probability of recidivist incarceration (-24%). Offenders who dropped out of high school and offenders with substance use indicated had increased probabilities of recidivist incarceration (+4% each). Offenders with prior employment had lower probabilities of recidivist incarceration (-2%).

Most of the prior criminal justice contact variables were associated with an increased probability of recidivist incarceration, with prior incarceration being the strongest predictor (+4%). However, offenders who were under 21 at the time of their first adult criminal justice contact had a decreased probability of recidivist incarceration (-2%). Examination of the offense class of the sample conviction revealed that compared to Class H – I felons, the probability of recidivist incarceration was lower for Class B1 – D felons (-4%), Class E – G felons (-2%), and significantly lower for Class A1 – 3 misdemeanants (-19%). The lower probability of recidivist incarceration for misdemeanants was expected since most misdemeanants serve their active sentences in county jails.[104]

The risk and need profile of the offender played a significant role in predicting recidivist incarceration. As risk level increased, the probability of recidivist incarceration also increased, with offenders assessed as extreme risk having the highest probability of recidivism (+36%) 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 assessed as minimal need, offenders assessed as extreme need had a 12% higher probability of recidivist incarceration.

Recidivism Outcomes for Probationers

Table 5.3 provides the estimated effect of the independent variables on the probability of recidivist arrest for all probationers and by probation release reason (e.g., positive, negative, and revocation), while Table 5.4 shows the estimated effects for probationers by offense type of the sample conviction (e.g., felons and misdemeanants).

All Probationers

Model 3 presents the results of the logistic regression analyses predicting recidivist arrest for all probation releases. Personal characteristics of the probationer played a significant role in predicting recidivist arrest with a few exceptions. The probability of recidivist arrest was higher for male offenders (+4%); however, race was not significant. Compared to offenders under 21 at probation release, the probability of recidivist arrest was lower for all other age categories; probationers aged 50 years and older had the lowest probability of recidivist arrest (-19%). The probability of recidivist arrest was 2% lower for offenders who were employed during supervision. Conversely, probationers with substance use indicated had an increased probability of recidivist arrest (+3%).

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[104] 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.

The number of prior arrests was the only significant criminal history measure with each prior arrest increasing the probability of recidivism by 2%. Offense class of the sample conviction was not a significant predictor of recidivist arrest.

Compared to probationers assessed as minimal risk, the probability of recidivist arrest was higher for all other risk categories with offenders assessed as high or moderate risk having the highest probability of recidivism (+8% each). Probationers assessed as extreme need had a 6% higher probability of recidivist arrest compared to probationers assessed as minimal need.

Nonconfinement and confinement responses were examined to assess their effects on recidivist arrests. Generally, each violation increased the probability of recidivist arrest by 5%, although the probability increased at a decreasing rate. None of the nonconfinement and confinement responses were significant predictors of recidivist arrest. Conversely, probationers who had an arrest during probation supervision had an 11% higher probability of recidivist arrest during the two-year follow-up; this was the largest effect among the criminal justice factors examined in Model 3.

Compared to probationers with a positive release reason, probationers with a negative release reason had a higher probability of a recidivist arrest (+3%). Separate models by probation release reasons are discussed in the sections below.

Probation Release Reason

Positive Group

For probationers in the positive group (Model 4), the probability of recidivist arrest was higher for male offenders (+3%). Offenders in the positive group aged 50 years and older had the lowest probability of recidivist arrest (-17%) compared to offenders under 21 at probation release. Probationers with prior employment had higher probabilities of recidivist arrest (+2%). Probationers in the positive group with substance use indicated had a 4% higher probability of recidivist arrest.

Number of prior arrests was a significant predictor of recidivist arrest, with each prior arrest increasing the probability of recidivism by 1%. Probationers in the positive group with a property offense as their most frequent prior arrest type had a 2% higher probability of recidivist arrest compared to those with other prior arrest types (person, drug, other) as their most frequent prior arrest type or no prior arrest.

Only two risk levels were significant predictors of recidivist arrest. Probationers in the positive group assessed at a high or moderate risk level had a higher probability of recidivist arrest (+6% each) compared to offenders assessed at a minimal risk level. None of the need levels were significant predictors of recidivist arrest.

As for violations, each violation increased the probability of recidivist arrest by 4%, although the probability increased at a decreasing rate. The nonconfinement and confinement responses to violations examined did not significantly predict recidivist arrest. Probationers who had an arrest during probation supervision had a 10% increased probability of recidivist arrest during the two-year follow-up.

Probationers in the positive group who were moved to unsupervised probation prior to probation release had a lower probability of recidivist arrest (-3%) compared to probationers who were released from probation with a satisfactory reason.

Table 5.3
Effect of Personal and Criminal Justice Factors on Recidivist Arrest
for All Probationers and by Probation Release Reason

Independent Variables	Average Recidivist Arrest Probability: Two-Year Follow-Up			
	Model 3 All Probationers N=22,230	Model 4 Positive N=12,532	Model 5 Negative N=6,792	Model 6 Revocation N=2,906
Personal Characteristics				
Male	4%	3%	6%	N.S.
Nonwhite	N.S.	N.S.	-3%	N.S.
Age at Probation Release				
Under 21 Years	Reference	Reference	Reference	Reference
21-29 Years	-4%	-4%	N.S.	N.S.
30-39 Years	-8%	-8%	-8%	-12%
40-49 Years	-13%	-12%	-13%	-17%
50+ Years	-19%	-17%	-19%	-30%
Married	-2%	-3%.	N.S.	N.S.
High School Dropout/GED	N.S.	N.S.	N.S.	N.S.
Prior Employment	N.S.	2%	N.S.	N.S.
Employment during Supervision	-2%	N.S.	N.S.	-6%
Substance Use Indicated	3%	4%	3%	N.S.
Prior Criminal Justice Contacts				
Under 21 at First Adult Criminal Justice Contact	N.S.	N.S.	N.S.	N.S.
Number of Prior Arrests	2%	1%	2%	1%
Most Frequent Prior Arrest Type – Property	N.S.	2%	N.S.	N.S.
Prior Probation Admission	N.S.	N.S.	N.S.	N.S.
Prior Incarceration	N.S.	N.S.	N.S.	N.S.
Sample Conviction				
Offense Class				
Class E – G Felony	N.S.	N.S.	N.S.	-8%
Class H – I Felony	Reference	Reference	Reference	Reference
Class A1 – 3 Misdemeanor	N.S.	N.S.	N.S.	N.S.
Supervision Profile				
Risk Level				
Extreme	6%	N.S.	N.S.	N.S.
High	8%	6%	N.S.	N.S.
Moderate	8%	6%	N.S.	N.S.
Low	5%	N.S.	N.S.	N.S.
Minimal	Reference	Reference	Reference	Reference
Need Level				
Extreme	6%	N.S.	N.S.	N.S.
High	5%	N.S.	N.S.	N.S.
Moderate	5%	N.S.	N.S.	N.S.
Low	N.S.	N.S.	N.S.	N.S.
Minimal	Reference	Reference	Reference	Reference
Actual Months Supervised	-0.5%	-0.4%	-1%	-1%
High Risk Delegated Authority	N.S.	N.S.	N.S.	N.S.

continued

Table 5.3
Effect of Personal and Criminal Justice Factors on Recidivist Arrest
for All Probationers and by Probation Release Reason

Independent Variables	Average Recidivist Arrest Probability: Two-Year Follow-Up			
	Model 3 All Probationers N=22,230	Model 4 Positive N=12,532	Model 5 Negative N=6,792	Model 6 Revocation N=2,906
Supervision Profile *continued*				
Violations				
Number of Violations	5%	4%	5%	3%
Number of Violations*Number of Violations	-0.3%	-0.2%	-0.3%	N.S.
Responses to Violations				
Nonconfinement Responses				
Delegated Authority	N.S.	N.S.	N.S.	N.S.
Continued Probation Supervision	N.S.	N.S.	N.S.	N.S.
Modified Probation Conditions	N.S.	N.S.	N.S.	N.S.
Additional Probation Conditions	N.S.	N.S.	N.S.	N.S.
Confinement Responses				
Quick Dip	N.S.	N.S.	N.S.	N.S.
CRV	N.S.	N.S.	N.S.	N.S.
Arrest during Supervision	11%	10%	11%	14%
Probation Release Reason				
Positive	Reference	-	-	-
Negative	3%	-	-	-
Revocation	N.S.	-	-	-
Probation Release Reason Subgroups				
Positive				
Completion	-	N.S.	-	-
Satisfactory	-	Reference	-	-
Unsupervised	-	-3%	-	-
Negative				
Expired Absconder	-	-	-6%	-
Terminal CRV	-	-	N.S.	-
Unsatisfactory Termination	-	-	Reference	-
Revocation				
Criminal Revocation	-	-	-	-4%
Absconding Revocation	-	-	-	Reference
Technical Revocation	-	-	-	N.S.
Time at Risk (in days)	0.01%	-0.1%	-0.04%	0.02%
R^2	**10%**	**9%**	**11%**	**9%**
Max Rescaled R^2	**15%**	**15%**	**16%**	**12%**

Note: "N.S." indicates the estimated effects were 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 2021 Correctional Program Evaluation Data

Negative Group

The probability of recidivist arrest for probationers with a negative release reason (Model 5) was higher for male offenders (+6%) and offenders with substance use indicated (+3%). Nonwhite offenders with a negative release reason had a lower probability of recidivist arrest (-3%). The probability of recidivist arrest was lower for most age categories compared to offenders under 21 at probation release; offenders aged 50 years and older had the lowest probability of recidivist arrest (-19%).

The number of prior arrests was the only prior criminal justice contact variable that was a significant predictor of recidivist arrest, with each prior arrest increasing the probability of recidivism by 2%. For probationers with a negative release reason, none of the risk and need levels were significant predictors of recidivist arrest.

Generally, each violation increased the probability of recidivist arrest by 5%, although the probability increased at a decreasing rate. In addition, probationers in the negative group who had an arrest during probation supervision had an increased probability of recidivist arrest during the two-year follow-up (+11%).

Probationers in the negative group who were released as an expired absconder had a lower probability of recidivist arrest (-6%) compared to probationers who were released with an unsatisfactory reason.

Revocation Group

Compared to previous models, probationers in the revocation group (Model 6) had fewer personal characteristics that were predictive of recidivist arrest. With the exception of probationers aged 21 to 29 years old, the probability of recidivist arrest was lower for all age categories compared to offenders under 21 at probation release. Specifically, offenders aged 50 years and older had the lowest probability of recidivist arrest (-30%). Offenders who were employed during supervision had a decreased probability of recidivist arrest (-6%).

Number of prior arrests was a significant predictor of recidivist arrest, with each prior arrest increasing the probability of recidivism by 1%. Compared to Class H – I felons, the probability of recidivist arrest was lower for Class E – G felons (-8%).

Each violation increased the probability of recidivist arrest by 3%. In addition, probationers who had an arrest during probation supervision had higher probabilities of recidivist arrest during the two-year follow-up (+14%).

Offender Type

Felons

Model 7 focuses on felons released from probation. The probability of recidivist arrest was higher for male offenders (+4%) and for those with substance use indicated (+3%). Compared to felons under 21 at probation release, the probability of recidivist arrest was lower for all other age categories; felons aged 50 years and older had the lowest probability of recidivist arrest (-21%).

Number of prior arrests was a significant predictor of recidivist arrest, with each prior arrest increasing the probability of recidivism by 2%.

Only one risk level category was a significant predictor of recidivist arrest. Compared to probationers assessed as minimal risk, the probability of recidivist arrest was higher for probationers assessed in the high risk category (+9%). All of the need level categories were not significant.

Each violation increased the probability of recidivist arrest by 5%, although the probability increased at a decreasing rate. None of the responses to violations were significant predictors of recidivist arrest. Felons who had an arrest during probation supervision had an increased probability of recidivist arrest during the two-year follow-up (+11%). Compared to felons in the positive group, felons in the revocation group had a lower probability of recidivist arrest (-6%). It is important to note some offenders in the revocation group were incarcerated during the two-year follow-up and would not have had the opportunity to recidivate, which may contribute to this finding.

Misdemeanants

For misdemeanants released from probation (Model 8), the probability of recidivist arrest was higher for male offenders and offenders with substance use indicated (+3% each). Compared to misdemeanants under 21 at probation release, the probability of recidivist arrest was lower for all other age categories; misdemeanants aged 50 years and older had the lowest probability of recidivist arrest (-19%). The probability of recidivist arrest was also lower for misdemeanants who were married (-3%).

Number of prior arrests was the only significant prior criminal justice contact measure that was predictive of recidivist arrest, with each prior arrest increasing the probability of recidivism by 1%.

Compared to misdemeanants assessed as minimal risk, the probability of recidivist arrest was higher for misdemeanants assessed as moderate risk (+8%). Similarly, compared to offenders assessed at a minimal need level, the probability of recidivist arrest was higher for offenders assessed in the extreme, high, and moderate need categories with the largest effect found for probationers assessed at an extreme need level (+9%).

Each violation increased the probability of recidivist arrest by 5%, although the probability increased at a decreasing rate. For responses to violations, all nonconfinement and confinement responses were not significant. Misdemeanants who had a recidivist arrest during probation supervision had an increased probability of recidivist arrest (+12%).

Table 5.4

Effect of Personal and Criminal Justice Factors on Recidivist Arrest for Probationers by Offense Type

Independent Variables	Average Arrest Recidivist Arrest Probability: Two-Year Follow-Up	
	Model 7 Felons n=9,757	Model 8 Misdemeanants n=12,473
Personal Characteristics		
Male	4%	3%
Nonwhite	N.S.	N.S.
Age at Probation Release		
Under 21 Years	Reference	Reference
21-29 Years	-6%	N.S.
30-39 Years	-11%	-7%
40-49 Years	-15%	-12%
50+ Years	-21%	-19%
Married	N.S.	-3%
High School Dropout/GED	N.S.	N.S.
Prior Employment	N.S.	N.S.
Employment during Supervision	N.S.	N.S.
Substance Use Indicated	3%	3%
Prior Criminal Justice Contacts		
Under 21 at First Adult Criminal Justice Contact	N.S.	N.S.
Number of Prior Arrests	2%	1%
Most Frequent Prior Arrest Type – Property	N.S.	N.S.
Prior Probation Admission	N.S.	N.S.
Prior Incarceration	N.S.	N.S.
Sample Conviction		
Offense Class		
Class E – G Felony	N.S.	-
Class H – I Felony	Reference	-
Supervision Profile		
Risk Level		
Extreme	N.S.	N.S.
High	9%	N.S.
Moderate	N.S.	8%
Low	N.S.	N.S.
Minimal	Reference	Reference
Need Level		
Extreme	N.S.	9%
High	N.S.	8%
Moderate	N.S.	7%
Low	N.S.	N.S.
Minimal	Reference	Reference
Actual Months Supervised	-0.5%	-1%
High Risk Delegated Authority	N.S.	N.S.

Table 5.4

Effect of Personal and Criminal Justice Factors on Recidivist Arrest for Probationers by Offense Type

Independent Variables	Average Arrest Recidivist Arrest Probability: Two-Year Follow-Up	
	Model 7 Felons n=9,757	Model 8 Misdemeanants n=12,473
Supervision Profile *continued*		
Violations		
Number of Violations	5%	5%
Number of Violations*Number of Violations	-0.3%	-0.3%
Responses to Violations		
Nonconfinement Responses		
Delegated Authority	N.S.	N.S.
Continued Probation Supervision	N.S.	N.S.
Modified Probation Conditions	N.S.	N.S.
Additional Probation Conditions	N.S.	N.S.
Confinement Responses		
Quick Dip	N.S.	N.S.
CRV	N.S.	-
Arrest during Probation Supervision	11%	12%
Probation Release Reason		
Positive	Reference	Reference
Negative	3%	2%
Revocation	-6%	N.S.
Time at Risk (in days)	N.S.	N.S.
R²	**10%**	**10%**
Max Rescaled R²	**15%**	**16%**

Note: "N.S." indicates the estimated effects were 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 2021 Correctional Program Evaluation Data

Recidivism Outcomes for Prisoners

Table 5.5 provides the estimated effects of the independent variables on the probability of recidivist arrest (Model 9), recidivist incarceration (Model 10), and recidivist revocation (Model 11) for prisoners.

Arrest

Personal characteristics of prisoners played a significant role in predicting recidivist arrest (Model 9). The probability of recidivist arrest was higher for male prisoners (+6%). Compared to prisoners under 21 at release, the probability of recidivist arrest declined as offender age increased, with prisoners aged 50 years and older having the lowest probability of recidivist arrest (-38%). The probability of recidivist arrest was higher for prisoners who dropped out of high school (+3%) and lower for prisoners with an indicated mental health issue (-5%).

Of the prior criminal justice contact variables, the number of prior arrests was the strongest predictor of recidivist arrest with each prior arrest increasing the probability of recidivism by 2%. The offense class of the sample conviction was also predictive; compared to Class H – I felons, the probability of recidivism was lower for Class B1 – D felons and Class E – G felons.

Few variables in the incarceration profile were significant in predicting recidivist arrest. Compared to those entering prison for a new crime, the probably of recidivist arrest was 3% higher for PRS revocation entries. The probability of recidivist arrest declined as time served increased; prisoners who served 24 or more months had the lowest probability of recidivist arrest (-10%) as compared to prisoners who served 12 months or less. Correctional programs and/or jobs were not significant predictors of recidivist arrest, nor was assignment to restrictive housing. While having a most serious Class A infraction was not significant, the number of infractions during incarceration was associated with an increased probability of recidivist arrest (+1% for each infraction). The probability of recidivism was lower for prisoners released at medium custody as compared to close custody (-7%).

The risk profile of prisoners played a significant role in predicting recidivist arrest. As risk level increased, the probability of recidivist arrest also increased, with prisoners assessed as extreme risk or high risk having the highest probability of recidivism (+20% and +21% respectively) compared to prisoners assessed as low risk. Need levels were not significant predictors of recidivist arrest.

Incarceration

Model 10 presents the results for recidivist incarcerations. Male prisoners (+6%) had increased probabilities of recidivist incarceration, while nonwhite prisoners had decreased probabilities of recidivist incarceration (-8%). The probability of recidivist incarceration declined as offender age increased, with prisoners aged 50 years and older having the lowest probability of recidivist incarceration (-26%) compared to prisoners under 21. Prisoners who dropped out of high school (+6%) and prisoners with substance use indicated (+3%) had increased probabilities of recidivist incarceration. Prisoners with prior employment had lower probabilities of recidivist incarceration (-4%).

Some of the prior criminal justice contact measures were associated with an increased probability of recidivist incarceration, with prior incarceration being the strongest predictor (+7%). However, prisoners who were under 21 at the time of their first adult criminal justice contact had a decreased probability of recidivist incarceration (-3%). Examination of the offense class of the sample conviction revealed that compared to Class H – I felons, the probability of recidivism was lower for Class B1 – D prisoners (-8%) and Class E – G prisoners (-4%).

Compared to those entering prison for a new crime, recidivist incarceration probabilities were 4% higher for probation revocation entries. The probability of recidivist incarceration declined as time served increased, with prisoners who served 24 or more months having the lowest probability of recidivist incarceration (-9%) as compared to prisoners who served 12 months or less. Assignment to restrictive housing was associated with an increased probability of recidivist incarceration (+4%). Unlike Model 9, correctional programs/jobs were significant predictors of recidivist incarceration; compared to prisoners with no correctional program or job, prisoners with a program only, a job only, and both a program and job had lower probabilities of recidivist incarceration (-7% each). The probability of recidivist incarceration increased as the number of infractions increased (+1% per infraction). The probability of recidivism was lower for prisoners released at medium custody as compared to close custody (-9%).

Independent Variables	Average Recidivism Probability: Two-Year Follow-Up		
	Model 9 Arrest n=10,762	Model 10 Incarceration n=10,762	Model 11 Revocation n=9,385
Personal Characteristics			
Male	6%	6%	3%
Nonwhite	N.S.	-8%	-3%
Age at Prison Release			
Under 21 years	Reference	Reference	Reference
21-29 years	-10%	-12%	-6%
30-39 years	-20%	-18%	-9%
40-49 years	-28%	-23%	-13%
50+ years	-38%	-26%	-13%
Married	N.S.	N.S.	N.S.
High School Dropout/GED	3%	6%	3%
Prior Employment	N.S.	-4%	N.S.
Substance Use Indicated	N.S.	3%	3%
Mental Health Indicated	-5%	N.S.	N.S.
Prior Criminal Justice Contacts			
Under 21 at First Adult Criminal Justice Contact	N.S.	-3%	N.S.
Number of Prior Arrests	2%	1%	N.S.
Most Frequent Prior Arrest Type – Property	N.S.	N.S.	3%
Prior Incarceration	N.S.	7%	N.S.
Sample Conviction			
Offense Class			
Class B1 – D Felony	-9%	-8%	-8%
Class E – G Felony	-4%	-4%	-3%
Class H – I Felony	Reference	Reference	Reference
Incarceration Profile			
Type of Prison Entry			
New Crime	Reference	Reference	Reference
Probation Revocation	N.S.	4%	N.S.
PRS Revocation	3%	N.S.	5%
Time Served			
12 months or less	Reference	Reference	Reference
13-24 months	N.S.	N.S.	N.S.
24+ months	-10%	-9%	N.S.
Restrictive Housing	N.S.	4%	N.S.
Correctional Programs/Jobs			
Program Only	N.S.	-7%	N.S.
Job Only	N.S.	-7%	-4%
Both Program and Job	N.S.	-7%	N.S.
No Program or Job	Reference	Reference	Reference
Number of Infractions	1%	1%	N.S.
Most Serious Infraction – Class A	N.S.	N.S.	N.S.
Custody Classification at Release			
Close	Reference	Reference	Reference
Medium	-7%	-9%	N.S.
Minimum	N.S.	N.S.	N.S.

Table 5.5
Effect of Personal and Criminal Justice Factors on Recidivism for Prisoners

Independent Variables	Average Recidivism Probability: Two-Year Follow-Up		
	Model 9 Arrest n=10,762	Model 10 Incarceration n=10,762	Model 11 Revocation n=9,385
Risk and Need Profile			
Risk Level			
Extreme	20%	18%	N.S.
High	21%	15%	N.S.
Moderate	15%	N.S.	N.S.
Low	Reference	Reference	Reference
Need Level			
Extreme	N.S.	11%	N.S.
High	N.S.	10%	N.S.
Moderate	N.S.	N.S.	N.S.
Low	N.S.	N.S.	N.S.
Minimal	Reference	Reference	Reference
Post-Incarceration Profile			
Local Reentry Council Services	N.S.	N.S.	-6%
Number of Violations	-	-	27%
Number of Violations*Number of Violations	-	-	-3%
Responses to Violations			
Continued Supervision	-	-	-20%
Letter of Reprimand	-	-	-30%
Three-Month Confinement	-	-	-17%
Time at Risk (in days)	-0.1%	-	-
R²	**16%**	**11%**	**22%**
Max Rescaled R²	**22%**	**16%**	**38%**

Note: "N.S." indicates the estimated effects were not statistically significant. Prisoners with missing data were excluded from the analysis. For categorical and dichotomous independent variables, the results are interpreted in relation to the reference category. Prisoners assessed as minimal risk were excluded from analysis due to small numbers (n=10). For offenders who received LRC services, a small percentage received services *after* the criminal justice outcome being modeled, which presents a temporal order issue for those observations.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

As risk level increased, the probability of recidivist incarceration also increased, with prisoners assessed as extreme risk having the highest probability of recidivism (+18%) compared to prisoners assessed as low risk. Similarly, as need level increased in severity, the probability of recidivist incarceration also increased. Compared to prisoners assessed as minimal need, prisoners assessed as extreme need had an 11% higher probability of recidivist incarceration.

Revocation

The final model in Table 5.5, Model 11, displays the results of the logistic regression analyses predicting revocations for prisoners with PRS. As noted above, this model was limited to prisoners released onto PRS and had a smaller sample size than the other models. Male prisoners had increased probabilities of recidivist revocation (+3%), while nonwhite prisoners had decreased probabilities of recidivist revocation (-3%). Compared to prisoners under 21 at release, the probability of recidivist revocation declined as offender age increased, with prisoners aged 40 to 49 and aged 50 years and older having the lowest probability of recidivist revocation (-13% each). Prisoners who dropped out of high school and prisoners with substance use indicated had increased probabilities of recidivist revocation (+3% each).

Some of the prior criminal justice contact variables were associated with an increased probability of recidivist revocation. For prisoners with property offenses as their most frequent prior arrest type, the probability of recidivist revocation was higher (+3%) compared to those with other prior arrest types (person, drug, other) as their most frequent prior arrest type or no prior arrest. Examination of the offense class of the sample conviction revealed that compared to Class H – I prisoners, the probability of recidivism was lower for Class B1 – D prisoners (-8%) and Class E – G prisoners (-3%).

Compared to those entering prison for a new crime, recidivist revocation probabilities were 5% higher for PRS revocation entries. Time served and restrictive housing were not significant predictors for recidivist revocation. As compared to prisoners with no correctional program or job, prisoners with a job only had lower probabilities of recidivist revocation (-4%). Number of infractions and custody classification at release were not significant predictors for recidivist revocation.

Notably, in Model 11, risk and need levels were not significant predictors of recidivist revocations for prisoners with PRS. All variables in the post-incarceration profile were significant predictors of recidivist revocation. Prisoners who received Local Reentry Council services had decreased probabilities of recidivist revocation (-6%). Unlike Model 9 and Model 10, the revocation model also included violations and responses to violations. Prisoners with PRS who had one or more violations were more likely to have a recidivist revocation (+27%). Prisoners who had their supervision continued or had a letter of reprimand issued by the Post-Release Supervision and Parole Commission had a decreased probability of recidivist revocation (-20% and -30% respectively), as did those who had a three-month confinement imposed in response to a technical violation (-17%).

SUMMARY

Chapter Five examined how multiple factors, taken together, affect the probability of recidivism for the offenders in the FY 2021 sample. Generally, multivariate analyses revealed a significant relationship between an offender's personal characteristics, prior criminal justice contacts, and the offense class of the sample conviction with recidivism. Although predictors of recidivism varied, four variables were fairly consistent in predicting the probability of recidivism for offenders across each of the models: age, sex, substance use, and the number of prior arrests (*see* Figure 5.1).

Figure 5.1
Key Predictors of Adult Recidivism Across All Models: Two-Year Follow-Up

Age at Release	Compared to offenders under 21 years at release, recidivism probabilities decreased as age increased. Offenders 50 years and older had the lowest probabilities of recidivism (as much as 38% lower).
Sex	Overall, male offenders had a higher likelihood of recidivism than female offenders (as much as 6% higher).
Substance Use	Offenders with substance use indicated had a higher probability of recidivism compared to those without substance use indicated (as much as 4% higher).
Number of Prior Arrests	Generally, offenders with a higher number of prior arrests had a higher probability of recidivism (as much as 2% higher per arrest).

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Separate analyses of probationers and prisoners identified the nuanced differences in factors that affect the recidivism of these two groups. With the exception of age at probation release, arrest during probation supervision was consistently the strongest predictor of recidivist arrest for probationers. Probationers who had an arrest during probation supervision had a higher probability of recidivist arrest (as much as 14%). Notably for prisoners, offense class was a consistent predictor of recidivism. Prisoners with Class H – I felonies had a higher probability of recidivism in comparison to those with Class B1 – D felonies or Class E – G felonies. Risk level was a significant predictor of recidivist arrest and incarceration with prisoners assessed as extreme and high risk having the highest probability of recidivism compared to prisoners assessed as low risk (as much 21%). Importantly, however, prisoners assessed as minimal risk were excluded from the analysis due to small numbers, which may have had an effect on the significance of this measure. Overall, these multivariate analyses revealed both common and differentiated predictors of recidivism between the models and between groups (i.e., probationers and prisoners).

CHAPTER SIX
CONCLUSIONS

During the 1998 Session, the General Assembly replaced the Sentencing Commission's original mandate to study recidivism with an expanded mandate that included a more in-depth evaluation of correctional programs. This report is the thirteenth 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 SSA offenders released from probation or prison during FY 2021, followed for a fixed period of two years. Of the 37,625 offenders in the sample, 66% (n=24,736) were probationers and 34% (n=12,889) were prisoners. The majority of probationers had a sample conviction for a misdemeanor offense (56%), while the majority of prisoners had a sample conviction for a Class H – I felony offense (45%). This report examined probationers by probation release reason (i.e., positive, negative, and revocation) 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 36 years of age. The majority were male (78%), 49% were White, 45% were Black, 88% were not married, 57% dropped out of high school, 55% had prior employment, and 74% had substance use indicated. Eighty-six percent (86%) of offenders had one or more prior fingerprinted arrests (n=32,186), accounting for a total of 198,146 prior arrests for the sample. Overall, 30% (n=11,182) of the 37,625 offenders studied had a recidivist arrest during the two-year follow-up period, accounting for a total of 20,160 arrests. Twelve percent (12%) had a recidivist conviction and 19% had a recidivist incarceration during the two-year follow-up period.

This report incorporates a different methodology for probationers, first used in the Commission's *2022 Special Report on Probationers.* Similar to prisoners, this method tracks offenders after their release and, for probationers, following their exit from probation. Using release samples for both groups (i.e., probationers and prisoners) allows for the examination and better understanding of the totality of an offender's experience for the entire duration of probation or incarceration, as well as the effect of the interventions and sanctions on recidivism following release. As a result of this change, the ability to compare recidivism rates with previous Commission studies is limited; however, comparisons are offered where possible (discussed below). The rates of recidivism presented in this report will also serve as baseline rates for comparison with future reports. Of particular importance for this report and sample timeframe is the significant effect of the COVID-19 pandemic, discussed in detail below.

The report also incorporates supplemental data, some included for the first time in this report, offering insight into additional offender interventions or circumstances and their relationships with recidivism:

- Wage and employment data from the NC Department of Commerce (including industry data).
- Information on reentry services provided by LRCs.
- Information on prisoners released under the COVID-19 settlement agreement during the sample timeframe.

- Information on prisoners who were transitioned to serve the remainder of their prison sentences in the community under ELC and subsequently released from prison.

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 their risk of reoffending by successfully reintegrating them back into society. 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 ways to improve or change programs, policies, or practices designed to reduce recidivism, it is important to consider consistent findings related to criminal justice outcomes. As mentioned above, the ability to draw from the previous twelve Commission studies on recidivism is limited by the new methodology used for probationers. Instead, to provide comparative data, the two most recent probation and prison samples (both of which employed release methodologies) were used to offer insights into key factors contributing to recidivism.[105]

Figure 6.1 shows the number of offenders in the FY 2019 and FY 2021 samples by group and overall. Compared to the FY 2019 study, the number of probationers in the current sample decreased by 20%, the number of prisoners decreased by 13%, and the sample overall decreased by 18%. However, probationers still comprised the majority of the sample, an important consideration for understanding recidivism rates presented in this report.
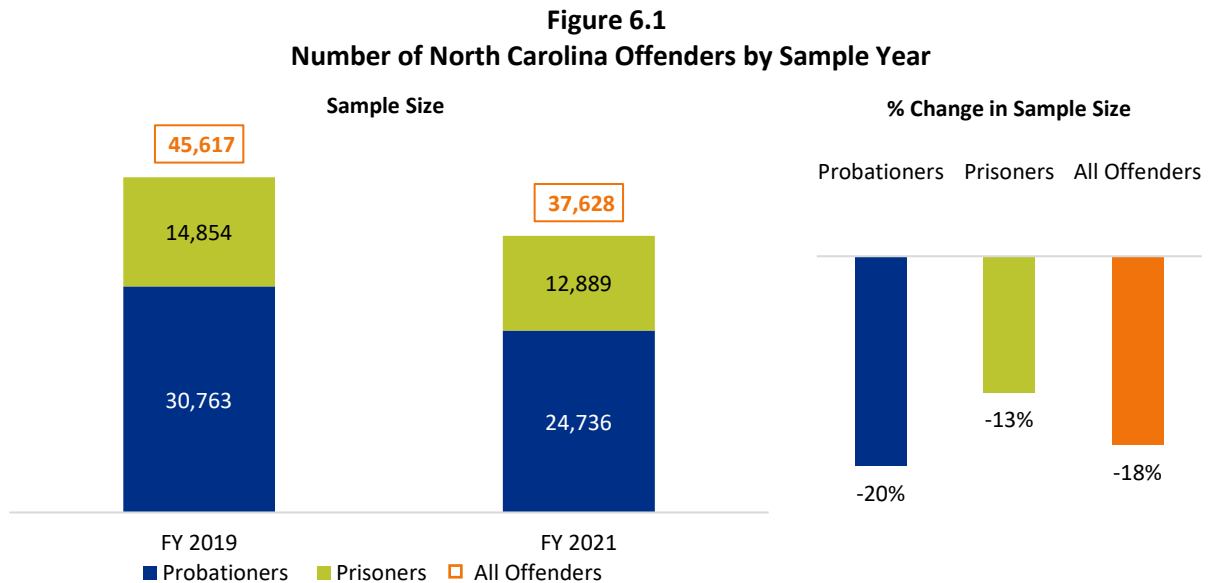
Figure 6.1
Number of North Carolina Offenders by Sample Year

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 and FY 2021 Correctional Program Evaluation Data

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[105] *See* NC Sentencing and Policy Advisory Commission's *Correctional Program Evaluation: Offenders Released from Probation or Prison in Fiscal Year 2019*. Unpublished (2024).

Figure 6.2 presents overall recidivism rates (measured as recidivist arrests) for SSA offenders in the FY 2019 and FY 2021 samples. There were considerable decreases in recidivism from FY 2019 to FY 2021 for probationers and prisoners, resulting in a sizeable decrease in the recidivist arrest rate overall (from 35% in FY 2019 to 30% in FY 2021). The decrease in the *number* of recidivist offenders (also shown in Figure 6.2), was also striking, with the largest decrease for recidivist probationers (-36% compared to FY 2019). It is worth noting the recidivist arrest rate reported for the current sample is the lowest rate reported in any Sentencing Commission study of recidivism in over 20 years.[106]
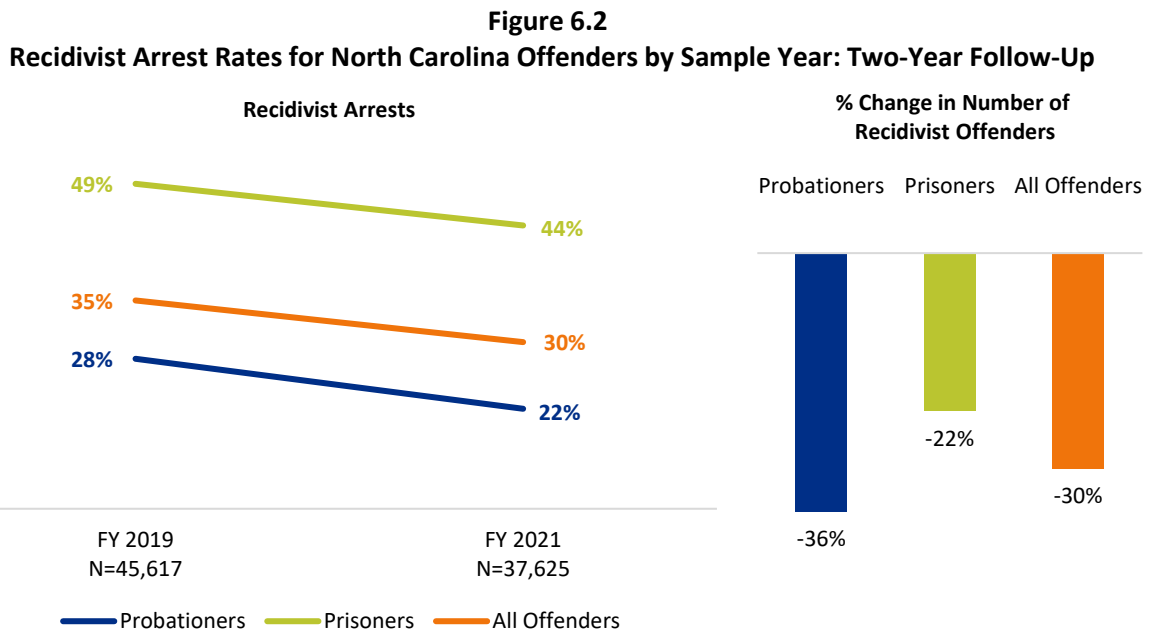
Figure 6.2
Recidivist Arrest Rates for North Carolina Offenders by Sample Year: Two-Year Follow-Up

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 and FY 2021 Correctional Program Evaluation Data

Effects of the COVID-19 Pandemic on Recidivism

The primary factor contributing to the lower recidivist arrest rate for the FY 2021 sample is the COVID-19 pandemic, first discussed in Chapter One. The most acute phases of the pandemic directly correspond to the time of probation or prison release for the FY 2021 sample and continued to affect nearly all of the follow-up period. Figure 6.3 provides a visual representation of the overlap of the timeframes for the pandemic, release from probation or prison, and follow-up-period. All but one month of the two-year follow-up period occurred during the state of public health emergency.

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[106] For all of the NC Sentencing and Policy Advisory Commission's previously published *Correctional Program Evaluation Reports*, see the Commission's website: www.NCSPAC.org.

Figure 6.3

Timeline of the COVID-19 Pandemic, the FY 2021 Sample, and the Two-Year Follow-Up Period

Note: On March 10, 2020, Governor Cooper declared a State of Emergency due to COVID-19 pandemic. On August 15, 2022, Governor Cooper ended the State of Emergency. On April 11, 2023, President Biden ended the National Emergency for the COVID-19 pandemic. On May 11, 2023, the Public Health Emergency marked the end of the federal COVID-19 pandemic.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

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). The reduction of court operations resulted in a decrease in overall convictions for new crimes and a decrease in revocations of probation (thusly, fewer entries to prison and probation), which contributed to the decrease in sample size described above.

In order to examine the effect of the pandemic on recidivism, recidivist arrest rates during the two-year follow-up period were examined based on the quarter in which offenders entered the sample as a probation or prison release (*see* Figure 6.4).[107] In comparison to FY 2019, which showed an obvious downward trend in recidivism rates by quarter that corresponded to the *onset* of the pandemic toward the end of follow-up for that sample, quarterly rates continued at the same depressed level for the FY 2021 sample. This finding held for both recidivist arrests and recidivist incarcerations, and for both prisoners and probationers.

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[107] For FY 2019, the quarters are 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. For FY 2021, the quarters are defined as follows: quarter 1 covers July to September 2020, quarter 2 covers October to December 2020, quarter 3 covers January to March 2021, and quarter 4 covers April to June 2021.

Figure 6.4
Possible Effects of the COVID-19 Pandemic on Criminal Justice Outcomes: Two-Year Follow-Up

Recidivist Arrest Rates by Release Quarter

Recidivist Incarceration Rates by Release Quarter

Quarter 1   Quarter 2   Quarter 3   Quarter 4
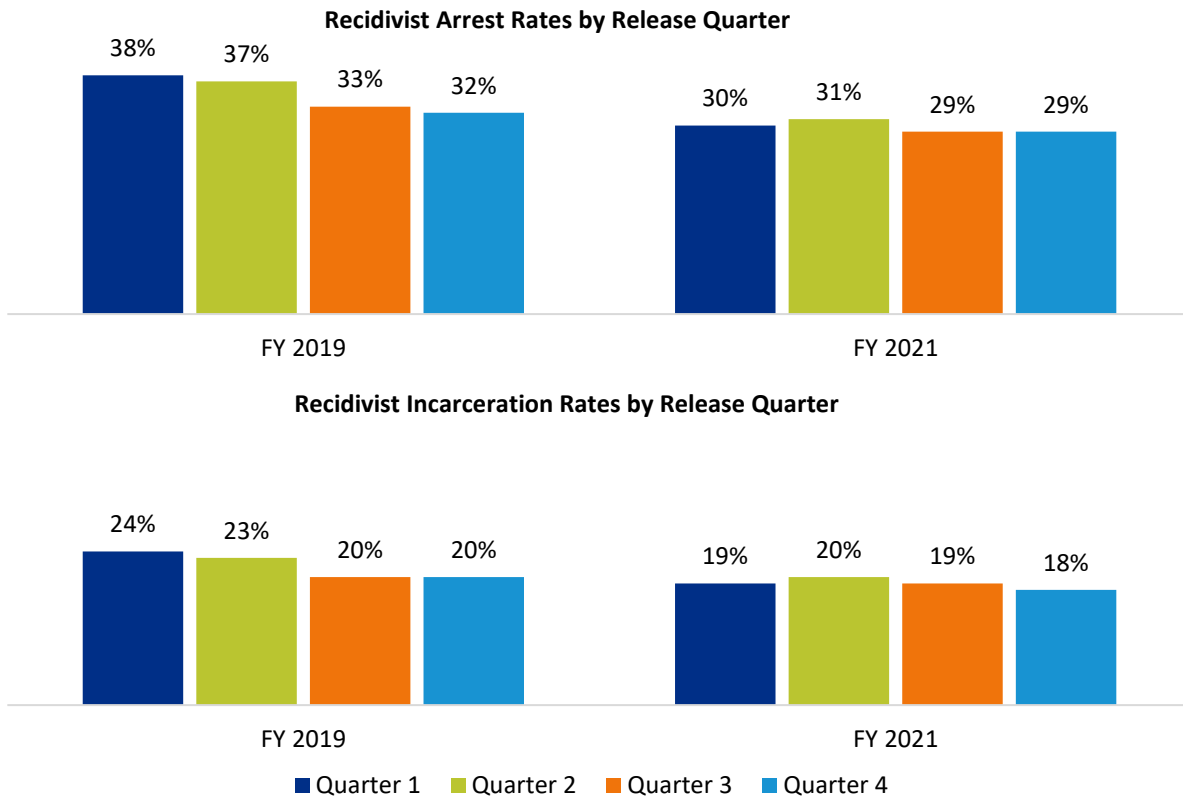
Note: For the FY 2019 sample, the number of months of the two-year follow-up period affected by the COVID-19 pandemic ranged from 4 months to 15 months depending on when the offender was released from probation or prison. For the FY 2021 sample, all but one month of the two-year follow-up period occurred during the state of public health emergency.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2019 and FY 2021 Correctional Program Evaluation Data

To further understand the effect of the pandemic on arrests, data provided by the SBI for all fingerprinted arrests in North Carolina by fiscal year were also examined, which affirmed the lower recidivist arrest rates for FY 2021 sample. As shown in Table 6.1 (*see also* Appendix A for more years of data), the volume of fingerprinted arrests overall had sizeable decreases during FY 2021 (-14%) and FY 2022 (-12%), and only started to recover in FY 2023 (although still well below the volume of arrests in FY 2021). Notably, felony-only arrests overtook misdemeanor-only arrests in representing the majority of arrests beginning in FY 2020, reversing a trend that began in 2009. This is perhaps an indication of the prioritization of law enforcement toward more serious offenses during the pandemic, as a result of limited resources and public health safety concerns. It is possible other explanations for the shift in felony versus misdemeanor arrests may be at play, but the effect of the pandemic on the overall volume and type (felony/misdemeanor) of arrests is clear and is consistent with the decrease in the recidivist arrest rates for the FY 2021 sample. While not directly comparable, it is worth noting that the recidivist arrest rate reported for the current sample is the lowest rate reported in any Sentencing Commission study of recidivism in over 20 years.

Table 6.1
Fingerprinted Arrests by Fiscal Year

Fiscal Year	Total Arrests #	Total Arrests % Annual Change	Felony Arrests #	Felony Arrests % Annual Change	Felony Arrests % of Total	Misdemeanor-Only Arrests #	Misdemeanor-Only Arrests % Annual Change	Misdemeanor-Only Arrests % of Total
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
2020	176,473	-12	91,611	-8	52	84,882	-16	48
2021	152,312	-14	86,319	-6	57	65,993	-22	43
2022	134,105	-12	77,240	-11	58	56,865	-14	42
2023	144,852	8	80,534	4	56	64,318	13	44

Note: Bolded fiscal years indicate the NC Sentencing and Policy Advisory Commission's Correctional Program Evaluation samples. Gold highlighting indicates years affected by the COVID-19 pandemic. Traffic/Infraction-Only Arrests were excluded.
SOURCE: State Bureau of Investigation Criminal Information and Identification Section/Division of Criminal Information Network

Other Factors Associated with Recidivism

While the pandemic was a primary factor for understanding recidivism rates for the FY 2021 sample, other factors (e.g., type of offender, prior criminal justice contacts, risk level) also provide valuable insight into differences in recidivism rates overall and within groups (i.e., probationers and prisoners).

Consistent findings over time point to the relative success of probationers compared to prisoners, confirmed again in this report. 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 offenders who were male, younger, had substance use indicated, and had more prior arrests. Confirmed by multivariate analysis in this report, these factors (i.e., sex, age, substance use, prior arrests and incarcerations) were also 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, separately and comparatively, is information on assessed risk. Figure 6.5 shows the distribution by risk level for probationers and prisoners (and the overall sample), as well as the overall recidivist arrest rates by risk level for both groups. Strikingly, the distribution for the groups was quite different – with a much higher percentage of prisoners assessed as extreme risk compared to probationers (43% compared to 9%). Notably, very few prisoners (n=10) and a small percentage of probationers (4%) were assessed as minimal risk.

Figure 6.5
Risk Level and Recidivist Arrest Rates

Risk Level

Group	Extreme Risk	High Risk	Moderate Risk	Low Risk	Minimal Risk
Probationers	9%	19%	43%	25%	4%
Prisoners	43%	36%	19%		2%
All Offenders	20%	24%	35%	18%	3%

■ Extreme Risk ■ High Risk ■ Moderate Risk ■ Low Risk ■ Minimal Risk

Recidivist Arrest Rates by Risk Level

	Extreme	High	Moderate	Low	Minimal
Total	46%	37%	23%	13%	6%
Probationers	31%	28%	22%	13%	6%
Prisoners	52%	46%	30%	10%	

■ Probationers ■ Prisoners — Total

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

As expected, recidivist arrest rates decreased as risk level decreased, overall and for both groups, suggesting the risk assessment is accurately predicting the probability of repeat criminal behavior (in terms of arrest). However, the rates of recidivist arrest for probationers in the extreme, high, and moderate levels were fairly compact – within 9 percentage-points – the same differentiation as between the moderate and low groups (also 9 percentage-points). While the rates for prisoners exhibited a larger differentiation by level, that observation should be considered within the context of only four levels rather than five (due to the near absence of observations in the minimal risk category).

Multivariate analysis and related exploration on risk revealed some additional observations about risk:

- The probability of recidivist arrest by risk level was fairly compact between levels for the overall sample (increasing from 8% for low to 15% for extreme compared to those assessed as minimal risk).
- For probationers, the probability of recidivist arrest was even more compact by level, ranging between 5% for low to 8% each for high and moderate (compared to those in the minimal category), and not in expected patterns (extreme risk should ideally have the highest probability, but was lower than high and moderate at 6%).

- Risk level was not significant in predicting the probability of recidivist arrest for probationers for both the negative and revocation groups and had limited predictive value for the positive group (i.e., not every risk level was significant).
- For prisoners, there was little differentiation by risk level in predicting the probability of recidivist arrest, ranging from 15% to 21%. It should also be noted that, to achieve meaningful and significant results, prisoners in the minimal risk level had to be excluded from the models; prisoners assessed as low risk were instead used as the reference category.

Taken together, these findings suggest that the risk assessment may need to be revalidated and/or revisited. Almost no prisoners were assessed as minimal risk, suggesting there may be too many categories of risk for this group and/or the risk score cut offs for each level may need to be reestablished. The constrained distribution in recidivist arrest rates for probationers by risk level and the mixed multivariate findings suggest high and moderate risk were more predictive of recidivist arrest; further investigation of probationer risk levels may also be warranted.

Sentencing Commission studies have consistently found that past behavior is a strong predictor of future behavior. Specifically, offenders with more extensive criminal histories tend to have worse criminal justice outcomes. Presented for the first time in this report is a visual representation of the FY 2021 sample within the context of the Felony Punishment Chart (*see* Chapter Two). This analysis showed that as prescribed by the sentencing structure in North Carolina, generally, the less serious offense classes and less serious prior record levels were comprised by a majority of probationers. The converse was true for the more serious offense classes and prior record levels, which were comprised of a majority of prisoners. Relatedly, when examined by grid cell on the felony punishment chart, recidivism rates increased as prior record level increased for the FY 2021 sample, confirming the importance of criminal history in predicting future behavior. This finding also held true for misdemeanants within the context of the Misdemeanor Punishment Chart.

When looking at specific subgroups of probationers and prisoners, the relationship between prior criminal justice contacts and recidivism is further confirmed. Probationers in the FY 2021 sample who were released due to revocation were found to have more prior contacts with the criminal justice system compared to the other two groups of probationers; probationers who were revoked also had higher rates of recidivist arrest. Prisoners in the sample with Class H – I convictions had more extensive prior criminal justice contacts 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).

For a broader look at criminal history within the context of recidivism, the percentage of the sample who had at least one (any) prior arrest is shown in Figure 6.6, both overall and by group. The vast majority (86%) had at least one prior arrest – 95% of prisoners and 81% of probationers. The relationship between prior arrests and recidivist arrests is also shown; overall, offenders with no prior arrests had a demonstrably lower recidivism rate than those with prior arrests (12% compared to 33%). The difference in recidivism between probationers and prisoners with no prior arrests was only 5 percentage-points, whereas the recidivism rates for those with prior arrests was much more pronounced (21 percentage-points). These findings reinforce the strong relationship between prior and recidivist arrests.

Figure 6.6
Prior Arrests by Recidivist Arrest Rates
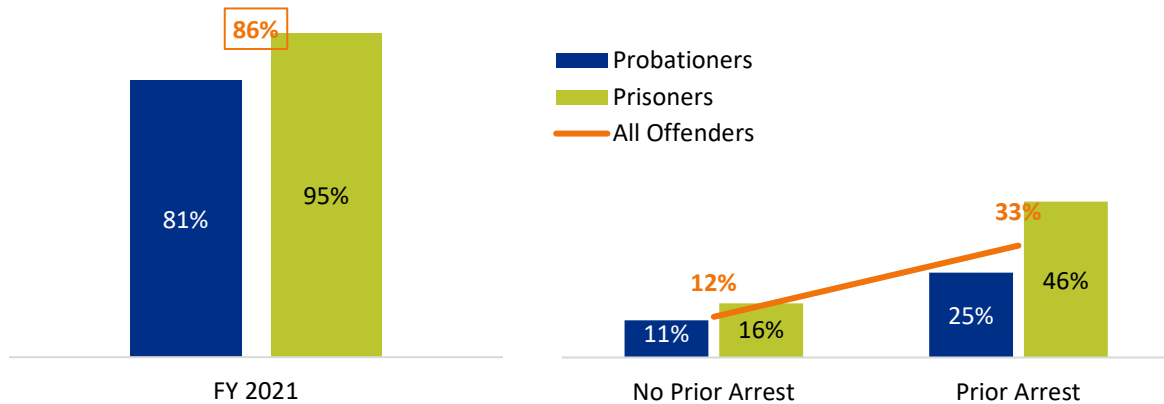
Note: The prison sample for each of these studies was limited to prisoners with a felony conviction.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

As discussed in Chapter Five, to bolster the findings presented in this report, multivariate analysis was used to measure the effect of multiple factors on the probability of recidivist arrest. These analyses confirmed some of the previously noted findings; generally, an offender's personal characteristics and criminal history were significant predictors of recidivist arrest during the two-year follow-up period. Four variables were fairly consistent in predicting the probability of recidivism for *both* prisoners and probationers: age, sex, substance use, and prior arrests. Particular attention should be given to those consistent factors that contribute to the probably of recidivist arrest for all offenders studied in the sample, as shown in Figure 6.7.

Figure 6.7
Key Predictors of Adult Recidivism Across All Models: Two-Year Follow-Up

Age at Release	Compared to offenders under 21 years at release, recidivism probabilities decreased as age increased. Offenders 50 years and older had the lowest probabilities of recidivism (as much as 38% lower).
Sex	Overall, male offenders had a higher likelihood of recidivism than female offenders (as much as 6% higher).
Substance Use	Offenders with substance use indicated had a higher probability of recidivism compared to those without substance use indicated (as much as 4% higher).
Number of Prior Arrests	Generally, offenders with a higher number of prior arrests had a higher probability of recidivism (as much as 2% higher per arrest).

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Additional data included in this report offered some further insights into the FY 2021 sample. Employment data revealed that the sample's employment percentage and annual wages earned were much lower compared to the general population in North Carolina employment statistics for 2021. A little over half of probationers and prisoners were employed during the two-year follow-up (53% and 54% respectively). Probationers had a higher average annual median wage earned and worked more quarters during the two-year follow-up compared to prisoners. Prisoners who received services from LRCs had a slightly lower recidivist arrest rate (42%) compared to prisoners as a whole (44%). Finally, prisoners released under the COVID-19 settlement agreement had a higher recidivist arrest rate than prisoners overall (48%). It is important to note that the early reentry of those prisoners necessitated faster planning than would typically be allotted for successful reentry.

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 taken into account. 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.

Figure 6.8 provides a visual summary of the FY 2021 sample, including the primary and supplemental recidivism measures used to assess continued involvement in the criminal justice system. Expectations for success in preventing future criminality should be viewed realistically. Components of an offender's criminal history, sample conviction, 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 within this context. Offenders' criminogenic factors should be weighed realistically compared to the limited time and resources at the DAC's disposal to reverse their impact. Notwithstanding this caveat, the Sentencing Commission looks forward to continuing its collaborative work with the DAC to evaluate approaches to offender supervision, treatment, and services.

Figure 6.8
Criminal Justice Outcomes for the FY 2021 Recidivism Sample

FY 2021 Recidivism Sample
N=37,625
30% Recidivist Arrest
12% Recidivist Conviction
19% Recidivist Incarceration

Probationers
n=24,736
22% Recidivist Arrest
8% Recidivist Conviction
12% Recidivist Incarceration

Prisoners
n=12,889
44% Recidivist Arrest
18% Recidivist Conviction
33% Recidivist Incarceration

Positive
n=13,257
17% Recidivist Arrest
6% Recidivist Conviction
2% Recidivist Incarceration

Class B1 - D Felons
n=2,220
33% Recidivist Arrest
11% Recidivist Conviction
23% Recidivist Incarceration

Negative
n=7,450
24% Recidivist Arrest
9% Recidivist Conviction
5% Recidivist Incarceration

Class E - G Felons
n=4,946
43% Recidivist Arrest
17% Recidivist Conviction
31% Recidivist Incarceration

Revocation
n=4,029
34% Recidivist Arrest
14% Recidivist Conviction
56% Recidivist Incarceration

Class H - I Felons
n=5,723
50% Recidivist Arrest
23% Recidivist Conviction
40% Recidivist Incarceration

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

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
2020	176,473	-12	91,611	-8	52	84,882	-16	48
2021	152,312	-14	86,319	-6	57	65,993	-22	43
2022	134,105	-12	77,240	-11	58	56,865	-14	42
2023	144,852	8	80,534	4	56	64,318	13	44

Note: Bolded fiscal years indicate the NC Sentencing and Policy Advisory Commission's Correctional Program Evaluation samples. Traffic/Infraction-Only Arrests were excluded.
SOURCE: State Bureau of Investigation Criminal Information and Identification Section/Division of Criminal Information Network
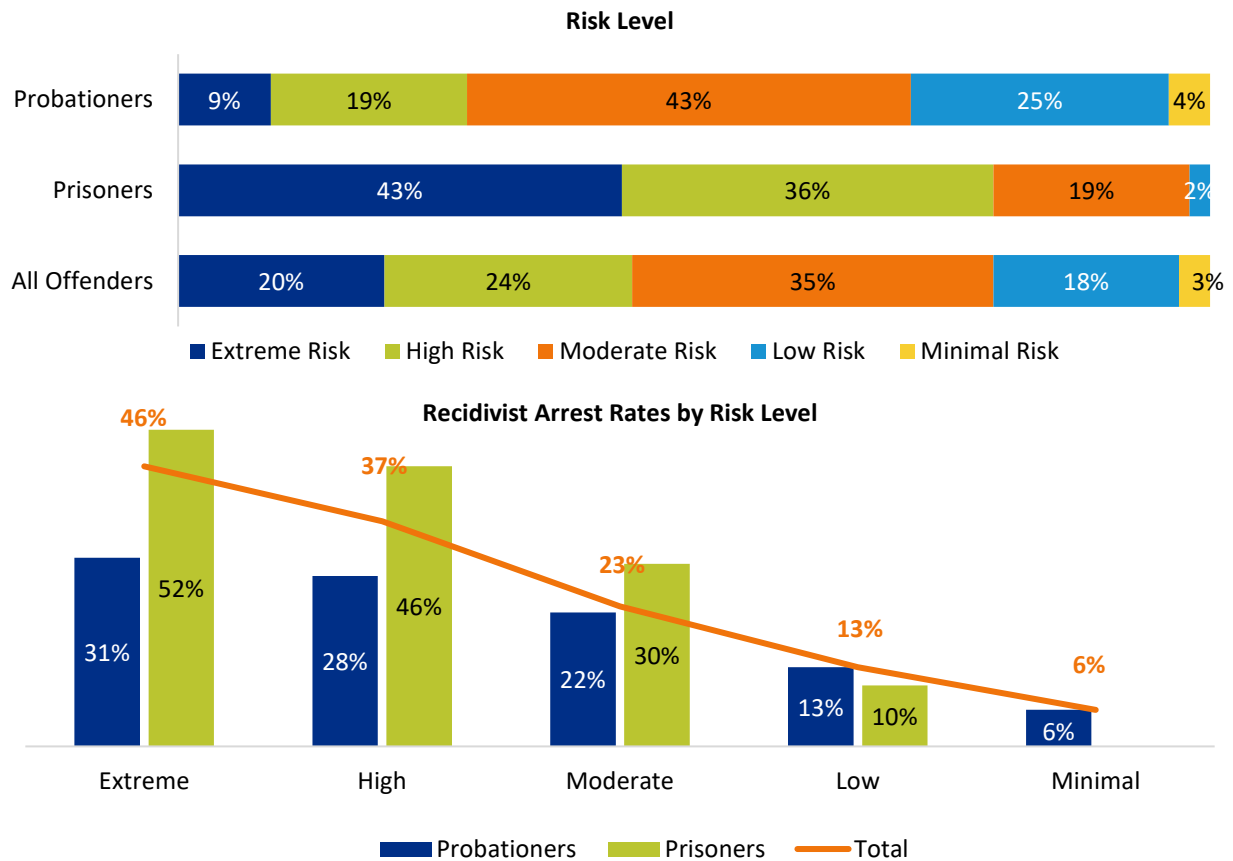
APPENDIX B

GLOSSARY OF MAJOR TERMS AND VARIABLES

GLOSSARY OF MAJOR TERMS AND VARIABLES

Actual Months Supervised: The actual number of months probationers were on supervised probation. Months were reported as means or categorized as follows: 0-12 months, 13-18 months, 9-24 months, and 25 or more months.

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

Aging Offender: An offender who is 50 years or older at probation 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 sample conviction were excluded. The study examined arrests at three time periods:

- **Prior Arrest:** Fingerprinted arrest that occurred before the sample conviction that placed the offender in the recidivism sample.

- **Recidivist Arrest during Probation Supervision:** Fingerprinted arrest that occurred during probation supervision; time available to recidivate varied for each probationer depending on length of probation supervision. 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 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.

- **Recidivist Arrest during Two-Year Follow-Up:** 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 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 for 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 recidivism sample.

Confinement in Response to Violation (CRV): A sanction imposed for technical violations of probation during probation supervision. 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 and convictions for technical violations of probation/PRS were excluded from analysis. Traffic offenses were included for the sample conviction if it was the most serious offense, but traffic offenses were excluded for convictions extracted from the SBI's CCH system. The study examined convictions at three time periods:

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

- **Sample Conviction (Most Serious):** The conviction that placed the offender in the sample as a prison or probation release during FY 2021, 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 sample conviction. If the offender had more than one conviction in this class, then the offense with the longest sentence length was selected. In addition, the sample conviction was categorized by offense category: person, property, drug, and other.

- **Recidivist Conviction during Probation Supervision:** A conviction that occurred during probation supervision, based on data recorded in the SBI's CCH system. Time available to recidivate varied for each probationer depending on length of probation supervision. 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 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.

- **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 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 prisoner's entire incarceration period relating to their sample conviction and determining if they were assigned to any correctional jobs/programs at any point. If the inmate 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 job/program assignment was determined based on all periods of incarceration relating to that conviction. *See* Appendix F for descriptions of the select correctional jobs/programs analyzed.

- **Length of Job Assignment:** Each job's duration was combined to create a total length of assignment for the prisoner'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.

- **Program Completion:** For program assignments, 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). Prisoners may have more than one type of exit within each program category during their incarceration period. Priority was given to any positive exit.

County: County is defined as the county of residence for offenders and serves as the supervision county for offenders on supervision in the community. County was used to analyze DAC's four divisions and 30 districts. *See* Appendices D, E, and F for information on the number of offenders in each division and district by county of residence as well as their recidivist arrest rates during the two-year follow-up.

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 DAC 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 were not eligible for a CRV center (e.g., for medical or mental health reasons) serve their CRV in a prison facility. While this study focused on probationers with a CRV, prisoners on PRS who received a three-month confinement as a response to noncompliance were also eligible to serve their time in a CRV center.

CRV Offender: A probationer with a felony conviction who was released from a CRV center or a state prison facility during probation supervision having served a CRV imposed for a technical violation of probation.

Custody Classification Level: Upon prison entry, the DAC processes, evaluates, and assigns prisoners a custody level (i.e., close, medium, and minimum) 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.

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 sex (male or female).

Districts: The DAC organized its Community Supervision into four divisions across the state: Division 1 (Western area), Division 2 (Piedmont area), Division 3 (Central area), and Division 4 (Eastern area). These geographic areas were identified by using the offender's county of residence. *See* Appendices D, E, and F for information on the number of offenders in each division and district by county of residence as well as their recidivist arrest rates during the two-year follow-up.

Divisions: The DAC's four districts are delineated into 30 divisions. The offender's county of residence was used to define the divisions. *See* Appendices D, E, and F for information on the number of offenders in each division and district by county of residence as well as their recidivist arrest rates during the two-year follow-up.

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 sample 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 DAC.

Effect: The influence of a specific independent variable on the dependent variable. In the multivariate analyses, it refers to the percentage change in the probability of the dependent variable occurring 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 DOC's data management system. These data provide a record of formal employment for jobs covered by North Carolina's state unemployment insurance program, and, therefore, may not include earrings from informal employment, self-employment, federal government employment, out-of-state-employment, and other non-covered work. This study examined employment during three different periods of time:

- **Prior Employment:** A dichotomous measure identifying whether an offender was paid by an employer at least once in the two years (8 quarters) prior to probation entry (for probationers) or prison entry (for prisoners).

- **Employment during Probation Supervision:** For probationers only, a dichotomous measure identifying whether an offender was paid by an employer at least once during the supervised probation period. Unlike prior employment and employment during the two-year follow-up, the

months on probation supervision varied by offender and, therefore, the time available to obtain employment was not equal.

- **Employment during Two-Year Follow-Up:** A dichotomous measure identifying whether an offender was paid by an employer at least once during the two-year follow-up period (8 quarters).

Employment Annual Median Wages: Using the DOC's employment data, wages earned by an offender were examined at two different periods of time:

- **Prior Employment Annual Median Wages**: To obtain the annual median wage for prior employment, wages earned by an offender in the two years (8 quarters) prior to probation entry (for probationers) or prison entry (for prisoners) were summed. Due to the extreme minimum and maximum wages earned by offenders, the median annual wage earned for the sample was used for the prior employment analysis.

- **Employment during Two-Year Follow-Up Annual Median Wages:** To obtain the employment outcome annual median wages, wages earned by an offender during the two-year follow-up period (8 quarters) were summed. Due to the extreme minimum and maximum wages earned by offenders, the median annual wage earned for the sample was used for the employment outcome analysis.

Employment Industry: The DOC's employment data included the North American Industry Classification System (NAICS) sector code for wages reported. 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 probation or prison entry. This industry may or may not have come from a quarter immediately prior to sample entry. When offenders were paid in more than one industry in this last quarter, the industry with the higher wages earned was selected.

- **Employment during Two-Year Follow-Up 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 Punishment Chart: The grid used for determining sentences for felony offenses committed on or after October 1, 2013. For this study, offenders in the sample with a felony conviction were examined within the context of this grid even if their offense occurred prior to this date.

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 outcomes for prisoners (e.g., violations and revocations of PRS). The follow-up period was calculated on an individual basis using the probation release date and the prison release date plus two years. Recidivism rates were

reported for one-year and two-year follow-up periods. Each follow-up period reported is inclusive of the previous follow-up period. That is, the two-year follow-up period contains information on events that occurred during both the first and second years of follow-up. As a result, recidivism rates reported for each follow-up period cannot be added across follow-up periods.

Geographic Districts: A term used to describe the DAC's four districts (Division 1, Division 2, Division 3, and Division 4) by geographic area: Western, Piedmont, Central, and Eastern respectively.

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 they 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 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 for pre-sentence diagnostics were not included in the measure. The study examined three types of incarceration:

- **Prior Incarceration:** An incarceration period that ended before the sample's probation or prison entry.

- **Sample Incarceration:** For prison releases, the incarceration period associated with the sample 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, sex, 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 DAC on January 19, 2022.

Interim Outcomes: Interim outcomes include violations of supervision and specific responses to those violations as indicators of misconduct while probationers are supervised in the community during their probation supervision. Interim outcomes for probation violations include nonconfinement responses (delegated authority, continued probation, modified probation conditions, additional probation conditions) and confinement responses (quick dips, CRVs).

Local Reentry Councils (LRC): LRCs coordinate local services to help offenders released from prison reintegrate into the community. A prisoner was considered to have received LRC services if services were received during the incarceration period relating to their conviction or during a one-year period following prison release. Most LRC referrals occurred after prison release.

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. The results tables in the report present the transformed logistic regression parameter estimates (i.e., marginal effects) for the independent variables in order to determine their effect on the actual probability of the dependent variable.

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.

Misdemeanor Punishment Chart: The grid used for determining sentences for misdemeanor offenses committed on or after December 1, 2013. For this study, probationers in the sample with a misdemeanor conviction were examined within the context of this grid even if their offense occurred prior to this date.

Months to: The number of months from sample entry to an offender's first recidivist arrest, conviction, and/or incarceration or first violation or first response to a violation (i.e., delegated authority, CRV). Each measure must occur during the two-year follow-up for both probationers and prisoners or during probation supervision for probationers.

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 offenders into five need levels: extreme, high, moderate, low, and minimal. Beginning in 2017, the DAC began administering its need assessment to prisoners.

Offender Population Unified System (OPUS): The DAC's management information system containing data about prisoners and probationers. It is the source of all data pertaining to the offender's personal characteristics, sample conviction, and probation supervision profile (for probationers) or incarceration profile (for prisoners). Additionally, it is the source for recidivist incarceration data, as well as interim outcome data for probationers and post-incarceration data for prisoners.

Offender Traits Inventory-Revised (OTI-R): The OTI-R is a validated instrument used to assess the offender's risk of reoffending administered by probation officers within 60 days of entry to probation or PRS. Each offender is assigned to one of five levels of risk based on their score: extreme, high, moderate, low, or minimal. The OTI-R was fully implemented by the spring of 2012. Beginning in 2017, the DAC began administering its OTI-R to prisoners. OTI-R results are reported for probation entries and offenders released from prison onto PRS.

Offender Type: SSA offenders who were released from supervised probation or prison during FY 2021. If an offender in the sample was both released from probation and prison during FY 2021, the first event that occurred during that fiscal year determined the offender's identification as a prison or probation release.

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

Offense Class: The offense class associated with the most serious sample 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 sample 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: Offenses classified as either a felony or misdemeanor.

Other Offense: An offense not categorized as a person, property, or drug offense. Examples include possession of a firearm by a felon, habitual felons, speed/elude arrest, fail to notify change of address for sex registry, and habitual impaired driving. This category was used to describe sample 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 sample convictions, recidivist arrests, and recidivist convictions.

Post-Incarceration Profile: The post-incarceration profile measures included in the multivariate analysis for prisoners with PRS includes number of PRS violations and responses to violations (continued PRS supervision, letter of reprimand, and three-month confinement). Also included is an indicator of

whether LRC services were received during the incarceration period relating to their conviction or during a one-year period following prison release.

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 for offenses committed prior to December 1, 2011, and twelve months for offenses committed on or after December 1, 2011. Prior to December 1, 2011, Class F – I felons were not subject to PRS; after December 1, 2011, 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 probation loss reason code.

Prior Criminal Justice Contacts: Prior criminal justice contact 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. Several measures were used to examine the offender's criminal history such as prior fingerprinted arrests, probation entries, revocations of probation/PRS, and incarcerations.

Prison Releases: Offenders released from prison with a felony during FY 2021. If the offender had more than one event (i.e., probation or prison release) during FY 2021, the first event was selected. Also referred to as "prisoners."

Probation Releases: Offenders who were released from supervised probation during FY 2021. If the offender had more than one event (i.e., probation or prison release) during FY 2021, the first event was selected. Also referred to as "probationers."

Probation Release Reasons: Probationers were categorized by nine release reasons that were collapsed into three primary reasons: positive (completion, satisfactory, unsupervised), negative (expired absconders, terminal CRV, unsatisfactory termination), and revocation (criminal, absconding, technical). *See* Appendix E for the definitions of the nine release reasons.

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 sample convictions, recidivist arrests, and recidivist convictions. It was also used to identify the most frequently occurring prior arrest type in the multivariate analyses.

Quick Dip: An immediate response to offender 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. Both court-ordered and delegated authority quick dips were included in analyses. Two- and three-day quick dips were combined for analysis purposes.

Race: Race of the offender (i.e., Asian/Oriental, Black, American Indian, White, other, and unknown). Generally, race was categorized as White, Black, 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. The 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, outcomes reported for each follow-up period cannot be added together across follow-up periods. For probationers, the reoccurrence of criminal activity (i.e., arrests) was also examined during probation supervision.

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/Violation: For this analysis, responses to noncompliance of supervision include violations, delegated authority, continued probation, modified probation conditions, additional probation conditions, quick dips, and CRVs for probationers and violations, three-month confinements, and revocations for PRS supervisees.

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. Restrictive housing was determined by examining the prisoner's entire incarceration period relating to their sample conviction and determining if they were assigned to restrictive housing at any point. 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 assignment to restrictive housing was determined based on all periods of incarceration relating to that conviction.

Revocation: A revocation of community supervision due to violation(s) and the activation of the suspended prison sentence. 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 (i.e., three-month) revocations for PRS offenders). The study identifies three time periods of revocation:

- **Prior Revocation:** Revocation that occurred before the sample conviction that placed the offender in the sample.

- **Probation Revocation:** A specific group of probationers whose release was due to revocation of their probation. Probation revocations were examined with regard to their seriousness and were categorized as follows:

  - **Criminal:** Revocation due to a violation entered due to a pending criminal charge(s) or conviction for a new crime(s).

- **Absconding:** Revocation due to absconding supervision during probation supervision. Absconding occurs when a probationer avoids supervision by leaving the jurisdiction or otherwise making themself unavailable to the probation/parole officer.

- **Technical:** Revocation due to violation(s) of the conditions of supervision that require probationers 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.

- **Recidivist Revocation:** For prisoners only, a revocation that occurred during the two-year follow-up period. Recidivist revocations were examined with regard to their seriousness and were categorized as follows:

  - **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 PRS supervisee avoids supervision by leaving the jurisdiction or otherwise making themself unavailable to the probation/parole officer.

  - **Technical:** Revocation due to violation(s) of the conditions of supervision that require 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 DAC uses the Offender Traits Inventory-Revised (OTI-R) to assess offender risk and the Offender Self-Report instrument and the Officer Interview and Impressions instrument to assess offender need in order to determine supervision level, program placement, and other interventions for probationers. These assessments (or RNA) are administered within the first 60 days of probation supervision. Beginning in 2017, the DAC began administering its RNA to prisoners.

Risk Level: Based on their 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 DAC began administering the OTI-R to prisoners in 2017.

Sample: Offenders in the recidivism study who were sentenced under the SSA and released from supervised probation or released from North Carolina's prison system during FY 2021. If an offender had both a probation release and a prison release during FY 2021, 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: A male or female designation.

Sex Offender: An offender required to register as a sex offender under Article 27A of Chapter 14 of the NC General Statutes. Offenders 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.

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 based on whether the offender had substance use indicated. The RNA indicated substance use as an area of need for the offender. The RNA does not assess alcohol/substance use or addiction. It is usually administered within 60 days upon entry to probation or PRS.

Supervision Length: The number of months of probation supervision imposed at conviction (for probationers only). Months were reported as means.

Supervision Level: The level of supervision determined for an offender 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 offenders need the greatest level of programming compared to Level 5 probationers.

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

Time at Risk (in days): The number of days the offender was not incarcerated in North Carolina's prison system or serving a CRV in a DAC facility during the two-year follow-up period and during probation supervision for probationers. 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 a prisoner entered prison categorized broadly into three categories – conviction for a new crime, probation revocation, and PRS revocation.

Violation: A violation of conditions of probation during probation supervision or of PRS 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 DAC using delegated authority. For PRS supervisees, the violation was heard before the PRSP Commission. Violations were categorized as follows:

- **Criminal:** A violation entered due to a pending criminal charge(s) or conviction for a new crime(s) during probation supervision for probationers and during the two-year follow-up period for prisoners.

- **Absconding:** A violation entered due to absconding supervision during probation supervision for probationers and during the two-year follow-up period for prisoners. Absconding occurs when a probation or PRS supervisee avoids supervision by leaving the jurisdiction or otherwise making them 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 probation supervision. 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 or prison entry, as reported in Appendix C.

APPENDIX C

FY 2021 SAMPLE PROFILES

ALL OFFENDERS

Table C.1
Profile of the FY 2021 Sample

		All Offenders N=37,625	Male n=29,409	Female n=8,216	Youthful Under 21 n=2,910	Aging 50 and Up n=4,379
Personal Characteristics						
Male	%	78	n/a	n/a	85	81
Race						
White	%	49	46	63	30	51
Black	%	45	48	32	61	45
Other/Unknown	%	6	6	5	9	4
Age at Probation or Prison Release	Avg.	36	36	37	21	58
Married	%	12	12	13	2	19
High School Dropout/GED	%	57	59	48	66	52
Substance Use Indicated	%	74	75	71	67	69
Prior Criminal Justice Contacts						
Prior Arrest	%	86	87	80	68	87
Prior Incarceration	%	38	43	21	4	56
Sample Conviction						
Offense Class						
Class B1 – D Felony	%	6	7	2	8	5
Class E – G Felony	%	21	24	13	21	21
Class H – I Felony	%	36	37	34	29	34
Class A1 – 3 Misdemeanor	%	37	32	51	42	40
Offense Category						
Person	%	23	25	14	34	23
Property	%	33	30	42	43	30
Drug	%	25	24	29	10	24
Other	%	19	21	15	13	23
Employment						
Employed Two Years Prior	%	55	54	57	51	36
Annual Wages (Year One)	Median	$4,770	$5,079	$4,034	$2,461	$9,099
Employed Two-Year Follow-Up	%	53	53	55	56	33
Annual Wages (Year One)	Median	$7,774	$8,184	$6,705	$5,096	$10,969
Criminal Justice Outcomes: Two-Year Follow-Up						
Recidivist Arrest	%	30	32	21	35	18
Months to First	Avg.	10	10	10	9	10
Recidivist Conviction	%	12	13	8	13	7
Months to First	Avg.	14	14	14	15	14
Recidivist Incarceration	%	19	21	11	21	12
Months to First	Avg.	7	7	6	6	7

Continued

Table C.1
Profile of the FY 2021 Sample
Recidivist Arrest Rates: Two-Year Follow-Up

		All Offenders N=37,625	Male n=29,409	Female n=8,216	Youthful Under 21 n=2,910	Aging 50 and Up n=4,379
By Personal Characteristics						
Sex						
Female	%	21	n/a	n/a	19	10
Male	%	32	n/a	n/a	38	20
Race						
White	%	29	31	23	23	15
Black	%	31	34	16	42	21
Other/Unknown	%	23	24	19	29	16
Marital Status						
Married	%	22	24	16	52	10
Not Married	%	31	33	22	35	20
Education						
High School Graduate	%	24	26	17	28	16
High School Dropout/GED	%	34	37	25	39	20
Prior Employment						
Employed	%	29	31	20	32	18
Unemployed	%	31	33	22	39	18
Substance Use						
None Indicated	%	23	26	11	32	11
Substance Use Indicated	%	31	33	23	37	19
By Prior Criminal Justice Contact						
Prior Arrest						
None	%	12	13	8	20	4
1 or More	%	33	35	24	42	20
By Sample Conviction						
Offense Class						
Class B1 – D Felony	%	32	34	11	41	22
Class E – G Felony	%	33	36	19	45	18
Class H – I Felony	%	35	37	27	39	23
Class A1 – 3 Misdemeanor	%	22	24	18	27	13
Offense Category						
Person	%	28	30	17	36	13
Property	%	33	37	21	35	24
Drug	%	28	29	24	30	14
Other	%	29	32	16	39	18

Note: Most offenders with a Class B1 – D felony are prisoners (only 45 are probationers), while all Class A1 – 3 misdemeanants are probationers. Recidivism rates are only reported when there are at least 25 offenders in a specific category.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

PROBATIONERS

Table C.2
Profile of the FY 2021 Probationers

		Probationers N=24,736	Male n=17,984	Female n=6,752	Youthful Under 21 n=2,137	Aging 50 and Up n=2,954
Personal Characteristics						
Male	%	73	n/a	n/a	82	76
Race						
White	%	50	47	60	35	54
Black	%	44	47	35	56	43
Other/Unknown	%	6	6	5	9	3
Age at Probation Release	Avg.	36	36	37	21	58
Married	%	13	13	13	1	22
High School Dropout/GED	%	50	52	45	59	47
Substance Use Indicated	%	72	74	67	67	67
Prior Criminal Justice Contacts						
Prior Arrest	%	81	82	77	62	83
Prior Incarceration	%	27	31	16	1	45
Sample Conviction						
Offense Class						
Class B1 – D Felony	%	<1	<1	<1	--	--
Class E – G Felony	%	12	14	10	14	13
Class H – I Felony	%	32	33	28	29	28
Class A1 – 3 Misdemeanor	%	56	53	62	57	59
Offense Category						
Person	%	21	24	14	26	23
Property	%	34	30	44	48	30
Drug	%	27	27	27	12	26
Other	%	18	19	15	14	21
Employment						
Employed Two Years Prior	%	60	60	60	56	38
Annual Wages (Year One)	Median	$5,721	$6,402	$4,398	$2,703	$10,761
Employed Two-Year Follow-Up	%	53	52	56	57	31
Annual Wages (Year One)	Median	$9,082	$10,134	$7,221	$5,291	$12,398
Criminal Justice Outcomes: Two-Year Follow-Up						
Recidivist Arrest	%	22	24	18	27	12
Months to First	Avg.	10	10	11	11	10
Recidivist Conviction	%	8	9	6	10	5
Months to First	Avg.	14	14	15	15	14
Recidivist Incarceration	%	12	13	8	14	6
Months to First	Avg.	4	4	4	4	4

continued

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Table C.2
Profile of the FY 2021 Probationers
Recidivist Arrest Rates: Two-Year Follow-Up

		Probationers N=24,736	Male n=17,984	Female n=6,752	Youthful Under 21 n=2,137	Aging 50 and Up n=2,954
By Personal Characteristics						
Sex						
Female	%	18	n/a	n/a	17	9
Male	%	24	n/a	n/a	30	13
Race						
White	%	22	23	20	19	11
Black	%	23	25	14	33	13
Other/Unknown	%	18	19	17	26	13
Marital Status						
Married	%	16	17	14	40	8
Not Married	%	23	25	18	27	13
Education						
High School Graduate	%	20	21	15	24	12
High School Dropout/GED	%	25	26	21	29	12
Prior Employment						
Employed	%	22	24	17	27	12
Unemployed	%	22	23	19	28	12
Substance Use						
None Indicated	%	16	18	10	24	8
Substance Use Indicated	%	23	25	20	29	13
By Prior Criminal Justice Contact						
Prior Arrest						
None	%	11	13	8	18	4
1 or More	%	25	26	21	33	13
By Sample Conviction						
Offense Class						
Class B1 – D Felony	%	9	11	--	--	--
Class E – G Felony	%	19	20	12	27	8
Class H – I Felony	%	24	25	19	29	12
Class A1 – 3 Misdemeanor	%	22	24	18	27	13
Offense Category						
Person	%	21	22	15	24	10
Property	%	24	27	18	28	15
Drug	%	23	24	21	26	11
Other	%	20	22	14	32	9

Note: Recidivism rates are only reported when there are at least 25 offenders in a specific category.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Table C.3
Supervision Profile of the FY 2021 Probationers

		Probationers N=24,736	Male n=17,984	Female n=6,752	Youthful Under 21 n=2,137	Aging 50 and Up n=2,954
Supervision Profile						
Risk Level						
Extreme Risk	%	9	12	3	3	7
High Risk	%	19	21	11	14	14
Moderate Risk	%	43	44	42	63	35
Low Risk	%	25	21	34	18	34
Minimal Risk	%	4	2	10	2	10
Need Level						
Extreme Need	%	23	22	28	34	16
High Need	%	19	21	12	22	19
Moderate Need	%	38	37	42	31	41
Low Need	%	17	17	15	11	21
Minimal Need	%	3	3	3	2	3
Supervision Level						
Level 1 (Most Restrictive)	%	9	10	5	8	5
Level 2	%	26	28	20	29	20
Level 3	%	33	32	36	41	35
Level 4	%	20	17	27	15	27
Level 5 (Least Restrictive)	%	2	2	4	<1	4
Not Established	%	10	11	8	7	9
High Risk Delegated Authority	%	11	13	5	9	7
Probation Length Imposed	Avg.	20	20	20	21	20
Actual Months Supervised	Avg.	23	22	23	24	21
Employment during Probation Supervision						
Employed	%	51	51	52	56	30
Number of Quarters Employed	Avg.	5	5	5	5	5
Probation Release Reason						
Positive	%	54	53	55	51	63
Negative	%	30	30	31	31	28
Revocation	%	16	17	14	18	9
Interim Outcomes: Probation Supervision						
Violation	%	78	77	79	83	66
Types of Violations						
New Crime	%	30	31	26	37	18
Absconding	%	15	15	15	14	9
Technical	%	76	75	78	81	64
Nonconfinement Responses to Violation						
Delegated Authority	%	8	8	8	14	5
Continued Probation	%	12	12	13	14	9
Modified Conditions	%	14	14	15	16	10
Additional Conditions	%	9	9	9	12	6
Confinement Responses to Violation						
Quick Dip	%	8	8	9	14	5
CRV (Felons Only)	%	10	10	10	15	6
Recidivist Arrests: Probation Supervision						
Recidivist Arrests	%	29	31	24	39	15
Months to First	Avg.	9	9	9	10	8

continued

Table C.3
Supervision Profile of the FY 2021 Probationers
Recidivist Arrest Rates: Two-Year Follow-Up

		Probationers N=24,736	Male n=17,984	Female n=6,752	Youthful Under 21 n=2,137	Aging 50 and Up n=2,954
Recidivist Arrest Rates by Supervision Profile						
Risk Level						
Extreme Risk	%	31	32	23	29	24
High Risk	%	28	29	24	35	14
Moderate Risk	%	22	23	20	28	13
Low Risk	%	13	14	12	18	8
Minimal Risk	%	6	6	6	18	3
Need Level						
Extreme Need	%	26	29	20	31	13
High Need	%	24	25	20	29	14
Moderate Need	%	20	22	15	24	11
Low Need	%	17	18	13	20	8
Minimal Need	%	11	12	6	18	10
Supervision Level						
Level 1 (Most Restrictive)	%	33	35	22	35	21
Level 2	%	27	28	23	32	15
Level 3	%	20	20	18	26	11
Level 4	%	13	15	11	18	8
Level 5 (Least Restrictive)	%	6	6	5	--	4
Not Established	%	30	30	32	30	16
High Risk Delegated Authority	%	32	33	26	37	20
No High Risk Delegated Authority	%	21	22	17	26	11
Employment during Probation Supervision						
Employed	%	20	23	15	27	11
Not Employed	%	24	25	21	28	12
Probation Release Reason						
Positive	%	17	19	14	22	9
Negative	%	24	27	19	30	15
Revocation	%	34	35	31	37	19
Recidivist Arrests by Interim Outcomes						
Violation	%	25	28	20	31	15
No Violation	%	11	11	9	11	5
Types of Violations						
New Crime	%	33	35	27	36	24
Absconding	%	31	33	28	36	19
Technical	%	25	27	20	31	15
Nonconfinement Responses to Violation						
Delegated Authority	%	27	29	22	37	21
No Delegated Authority	%	22	23	18	26	11
Continued Probation	%	23	25	17	30	18
No Continued Probation	%	22	24	18	27	11
Modified Conditions	%	23	24	19	28	16
No Modified Conditions	%	22	24	18	27	11
Additional Conditions	%	27	28	24	29	16
No Additional Conditions	%	22	23	17	27	12
Confinement Responses to Violation						
Quick Dip	%	26	28	20	26	16
No Quick Dip	%	22	23	17	27	12
CRV (Felons Only)	%	32	33	27	36	19
No CRV (Felons Only)	%	21	23	17	27	10

Note: Recidivism rates are only reported when there are at least 25 offenders in a specific category.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

PRISONERS

Table C.4
Profile of the FY 2021 Prisoners

		Prisoners N=12,889	Male n=11,425	Female n=1,464	Youthful Under 21 n=773	Aging 50 and Up n=1,425
Personal Characteristics						
Male	%	89	n/a	n/a	94	91
Race						
White	%	47	44	76	19	46
Black	%	47	50	21	72	50
Other/Unknown	%	6	6	3	9	4
Age at Prison Release	Avg.	37	37	37	22	57
Married	%	11	10	14	2	13
High School Dropout/GED	%	70	71	63	84	61
Substance Use Indicated	%	77	76	89	66	75
Prior Criminal Justice Contacts						
Prior Arrest	%	95	95	93	86	95
Prior Incarceration	%	60	62	42	11	77
Sample Conviction						
Offense Class						
Class B1 – D Felony	%	17	18	9	30	15
Class E – G Felony	%	38	39	31	39	40
Class H – I Felony	%	45	43	60	32	46
Offense Category						
Person	%	26	27	17	55	22
Property	%	30	29	35	28	31
Drug	%	22	20	38	6	19
Other	%	22	24	10	10	28
Employment						
Employed Two Years Prior	%	45	45	41	36	33
Annual Wages (Year One)	Median	$2,531	$2,640	$1,421	$1,095	$4,535
Employed Two-Year Follow-Up	%	54	54	53	53	38
Annual Wages (Year One)	Median	$5,905	$6,073	$4,847	$4,215	$9,021
Criminal Justice Outcomes: Two-Year Follow-Up						
Recidivist Arrest	%	44	45	35	57	30
Months to First	Avg.	9	9	10	8	10
Recidivist Conviction	%	18	19	14	23	13
Months to First	Avg.	14	14	14	14	14
Recidivist Incarceration	%	33	34	27	41	25
Months to First	Avg.	8	8	7	8	8

continued

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Table C.4
Profile of the FY 2021 Prisoners
Recidivist Arrest Rates: Two-Year Follow-Up

		Prisoners N=12,889	Male n=11,425	Female n=1,464	Youthful Under 21 n=773	Aging 50 and Up n=1,425
By Personal Characteristics						
Sex						
Female	%	35	n/a	n/a	39	17
Male	%	45	n/a	n/a	59	32
Race						
White	%	44	46	36	44	26
Black	%	46	47	33	63	35
Other/Unknown	%	33	32	36	38	22
Marital Status						
Married	%	35	37	26	--	19
Not Married	%	45	46	37	57	32
Education						
High School Graduate	%	37	38	30	57	26
High School Dropout/GED	%	47	48	38	58	34
Prior Employment						
Employed	%	44	45	36	54	33
Unemployed	%	44	45	35	60	29
Substance Use						
None Indicated	%	40	41	26	56	22
Substance Use Indicated	%	46	48	36	61	31
By Prior Criminal Justice Contact						
Prior Arrest						
None	%	16	17	13	33	7
1 or More	%	46	47	37	61	32
By Sample Conviction						
Offense Class						
Class B1 – D Felony	%	33	34	12	43	22
Class E – G Felony	%	43	44	29	64	25
Class H – I Felony	%	50	51	42	63	38
Offense Category						
Person	%	39	40	25	52	20
Property	%	52	54	41	64	41
Drug	%	39	40	36	53	24
Other	%	44	45	30	69	31

Note: Recidivism rates are only reported when there are at least 25 offenders in a specific category.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Table C.5
Incarceration Profile of the FY 2021 Prisoners

		Prisoners N=12,889	Male n=11,425	Female n=1,464	Youthful Under 21 n=773	Aging 50 and Up n=1,425
Incarceration Profile						
Type of Prison Entry						
New Crime	%	62	64	47	70	73
Probation Revocation	%	12	11	24	11	6
PRS Revocation	%	26	25	29	19	21
Time Served						
12 Months or Less	%	58	56	70	51	53
13-24 Months	%	16	16	13	15	21
25 Months or More	%	26	28	17	34	26
Infractions						
1 or more	%	64	65	52	79	42
Total	Avg.	6	6	6	9	4
Class A	Avg.	3	3	3	4	2
Class B	Avg.	4	4	4	6	3
Class C	Avg.	3	3	3	3	2
Restrictive Housing	%	63	66	45	79	44
Correctional Jobs/Programs						
Job Only	%	19	18	27	10	21
Program Only	%	9	9	7	14	9
Both Job and Program	%	54	55	48	52	54
No Job or Program	%	18	18	18	24	16
Custody Classification at Release						
Close	%	14	15	6	32	3
Medium	%	31	31	26	39	17
Minimum	%	55	54	68	29	80
Extended Limits of Confinement (ELC)	%	7	7	8	<1	18
Post-Incarceration Profile						
Released under COVID Settlement	%	9	9	8	8	9
Discretionary Sentence Credits	%	61	61	59	84	55
PRSPC Review	%	22	22	21	14	26
ELC	%	17	17	20	2	19
Released onto PRS	%	84	84	83	87	87
Local Reentry Councils	%	5	5	6	4	10

continued

Table C.5
Incarceration Profile of the FY 2021 Prisoners
Recidivist Arrest Rates: Two-Year Follow-Up

		Prisoners N=12,889	Male n=11,425	Female n=1,464	Youthful Under 21 n=773	Aging 50 and Up n=1,425
By Incarceration Profile						
Type of Prison Entry						
New Crime	%	40	41	27	53	27
Probation Revocation	%	44	46	37	60	22
PRS Revocation	%	56	57	48	72	45
Time Served						
12 Months or Less	%	49	50	41	64	36
13-24 Months	%	45	46	32	70	29
25 Months or More	%	33	35	16	43	19
Infractions						
None	%	37	38	33	54	26
1 or More	%	48	49	38	58	36
Restrictive Housing	%	48	49	38	58	35
Correctional Jobs/Programs						
Job Only	%	45	46	37	53	34
Program Only	%	49	50	42	69	22
Both Job and Program	%	43	44	33	53	31
No Job or Program	%	46	47	36	62	27
Custody Classification at Release						
Close	%	60	60	46	64	39
Medium	%	50	51	39	57	43
Minimum	%	37	38	33	50	27
Extended Limits of Confinement (ELC)	%	31	32	20	--	28
Post-Incarceration Profile						
Released under COVID Settlement	%	48	50	35	60	34
Discretionary Sentence Credits	%	49	51	32	57	34
PRSPC Review	%	53	54	46	--	38
ELC	%	39	39	32	--	--
Released onto PRS	%	43	44	33	55	29
Local Reentry Councils	%	42	44	28	47	31

Note: Recidivism rates are only reported when there are at least 25 offenders in a specific category.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

APPENDIX D

ADDITIONAL INFORMATION FOR THE FY 2021 SAMPLE

GEOGRAPHIC DIVISION AND DISTRICT

Table D.1
Number of Offenders by Geographic Division and District

DAC Division/District/County Name	All Offenders N	Probationers n	Prisoners n
Eastern Division 4	**8,311**	**5.837**	**2,474**
District 1: Camden, Chowan, Currituck, Dare, Gates, Pasquotank, Perquimans	610	496	114
District 2: Beaufort, Hyde, Martin, Tyrrell, Washington	519	394	125
District 3: Carteret, Craven, Onslow,* Pamlico, Pitt*	2,390	1,685	705
District 4: Duplin, Jones, Sampson	642	433	209
District 5: New Hanover,* Pender	1,277	808	469
District 6: Bertie, Halifax, Hertford, Northampton	512	391	121
District 7: Edgecombe, Nash, Wilson	1,168	751	417
District 8: Greene, Lenoir, Wayne	1,193	879	314
Central Division 3	**9,938**	**6,529**	**3,409**
District 9: Franklin, Granville, Vance, Warren	656	468	188
District 10: Wake*	2,487	1,660	827
District 11: Harnett, Johnston,* Lee	1,271	799	472
District 12: Cumberland*	1,308	820	488
District 13: Bladen, Brunswick, Columbus	956	663	293
District 14: Chatham, Durham,* Orange*	1,329	811	518
District 15: Alamance,* Caswell, Person	881	571	310
District 16: Hoke, Robeson, Scotland	1,050	737	313
Piedmont Division 2	**10,105**	**6,622**	**3,483**
District 17: Rockingham, Stokes, Surry	990	654	336
District 18: Guilford*	1,801	1,143	658
District 19A: Cabarrus,* Rowan*	1,314	886	428
District 19B: Montgomery, Moore, Randolph	1,157	810	347
District 20: Anson, Richmond, Stanly, Union*	1,094	708	386
District 21: Forsyth*	1,266	770	496
District 22: Alexander, Davidson, Davie, Iredell*	1,735	1,170	565
District 23: Alleghany, Ashe, Wilkes, Yadkin	748	481	267
Western Division 1	**8,537**	**5,305**	**3,232**
District 24: Avery, Madison, Mitchell, Watauga, Yancey	375	256	119
District 25: Burke, Caldwell, Catawba*	1,334	832	502
District 26: Mecklenburg*	1,849	1,088	761
District 27: Cleveland, Gaston,* Lincoln*	2,202	1,418	784
District 28: Buncombe*	901	478	423
District 29: Henderson,* McDowell, Polk, Rutherford, Transylvania	1,161	747	414
District 30: Cherokee, Clay, Graham, Haywood, Jackson, Macon, Swain	715	486	229
Statewide	**36,891**	**24,293**	**12,598**

Note: A few offenders (n=734) had missing county information. Urban counties are indicated by asterisk (*); urban counties combine the definitions of urban county, or an average population density of 250 people per square mile, and regional city/suburban counties, or an average population density between 250 and 750 people per square mile. Densities calculated by the NC Rural Center using the 2020 US Census. *See* county data published by the NC Rural Center and a message from their president regarding 2020 Census updates.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Table D.2
Recidivist Arrest Rates by Geographic Division and District: Two-Year Follow-Up

DAC Division/District/County Name	All Offenders %	Probationers %	Prisoners %
Eastern Division 4	**26**	**20**	**40**
District 1: Camden, Chowan, Currituck, Dare, Gates, Pasquotank, Perquimans	23	18	46
District 2: Beaufort, Hyde, Martin, Tyrrell, Washington	21	15	42
District 3: Carteret, Craven, Onslow,* Pamlico, Pitt*	24	18	38
District 4: Duplin, Jones, Sampson	27	22	36
District 5: New Hanover,* Pender	32	24	46
District 6: Bertie, Halifax, Hertford, Northampton	21	17	33
District 7: Edgecombe, Nash, Wilson	30	25	41
District 8: Greene, Lenoir, Wayne	27	23	40
Central Division 3	**31**	**24**	**44**
District 9: Franklin, Granville, Vance, Warren	21	17	34
District 10: Wake*	32	25	45
District 11: Harnett, Johnston,* Lee	35	27	48
District 12: Cumberland*	32	24	45
District 13: Bladen, Brunswick, Columbus	30	23	45
District 14: Chatham, Durham,* Orange*	32	26	42
District 15: Alamance,* Caswell, Person	31	22	47
District 16: Hoke, Robeson, Scotland	27	21	43
Piedmont Division 2	**29**	**22**	**44**
District 17: Rockingham, Stokes, Surry	27	20	39
District 18: Guilford*	32	22	49
District 19A: Cabarrus,* Rowan*	29	22	43
District 19B: Montgomery, Moore, Randolph	31	25	46
District 20: Anson, Richmond, Stanly, Union*	32	23	47
District 21: Forsyth*	31	20	48
District 22: Alexander, Davidson, Davie, Iredell*	30	24	44
District 23: Alleghany, Ashe, Wilkes, Yadkin	18	14	24
Western Division 1	**34**	**24**	**49**
District 24: Avery, Madison, Mitchell, Watauga, Yancey	25	20	34
District 25: Burke, Caldwell, Catawba*	33	24	47
District 26: Mecklenburg*	36	25	52
District 27: Cleveland, Gaston,* Lincoln*	35	25	53
District 28: Buncombe*	35	26	45
District 29: Henderson,* McDowell, Polk, Rutherford, Transylvania	33	23	49
District 30: Cherokee, Clay, Graham, Haywood, Jackson, Macon, Swain	31	21	50
Statewide	**30**	**22**	**45**

Note: A few offenders (n=734) had missing county information. Urban counties are indicated by asterisk (*); urban counties combine the definitions of urban county, or an average population density of 250 people per square mile, and regional city/suburban counties, or an average population density between 250 and 750 people per square mile. Densities calculated by the NC Rural Center using the 2020 US Census.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

CONVICTIONS WITHIN THE STRUCTURED SENTENCING PUNISHMENT CHARTS

Top 3 Felony Convictions

Table D.3
Top 3 Convictions within the Felony Punishment Chart: All Offenders

Offense Class	Prior Record Level						All Offenders
	I 0-1 Pt	II 2-5 Pts	III 6-9 Pts	IV 10-13 Pts	V 14-17 Pts	VI 18+ Pts	
A	• n/a	• n/a	• n/a	• n/a	• n/a	• n/a	• n/a
B1	• 29 Stat Rape/Sex Offn >= 6 Yr • 15 Sexual Off 1st Degree w/ Child • 7 Rape 1st Degree	• 7 Rape 1st Degree • 5 Sexual Off 1st Degree w/ Child • 3 Stat Rape/Sex Offn >= 6 Yr	• 3 Sexual Off 1st Degree • 2 Stat Rape/Sex Offn >= 6 Yr • 1 Rape 1st Degree	• 2 Rape 1st Degree	• n/a	• n/a	• **34 Stat Rape/Sex Offn >= 6 Yr** • **21 Sexual Off 1st Degree w/ Child** • **17 Rape 1st Degree**
B2	• 84 Murder 2nd Degree • 15 Sexual Off 1st Degree • 6 Stat Rape/Sex Offn >= 6 Yr	• 59 Murder 2nd Degree • 4 Murder 1st Degree • 3 Sexual Offense 1st Degree	• 24 Murder 2nd Degree • 2 Murder 1st Degree • 2 Rape 1st Degree	• 8 Murder 2nd Degree • 1 Attempted 1st Degree Murder • 1 Rape > 13	• 3 Murder 2nd Degree • 2 Stat Rape/Sex Offn > 6 Yr	• 3 Murder 2nd Degree	• **181 Murder 2nd Degree** • **18 Sexual Off 1st Degree** • **11 Murder 1st Degree**
C	• 35 AWDWWITKISI • 18 Kidnapping 1st Degree • 16 Sexual Offense 2nd Degree	• 53 Habitual Felon • 30 AWDWWITKISI • 20 Kidnapping 1st Degree	• 72 Habitual Felon • 27 AWDWWITKISI • 20 Manufacture Methamphetamine	• 73 Habitual Felon • 8 Manufacture Methamphetamine • 6 AWDWWITKISI	• 84 Habitual Felon • 4 Rape 2nd Degree • 3 AWDWWITKISI	• 103 Habitual Felon • 6 AWDWWITKISI • 4 Rape 2nd Degree	• **394 Habitual Felon** • **107 AWDWWITKISI** • **57 Manufacture Methamphetamine**
D	• 173 Robbery w/ Dangerous Weapon • 39 Manslaughter • 31 Burglary 1st Degree	• 119 Robbery w/ Dangerous Weapon • 35 Habitual Felon • 30 Burglary 1st Degree	• 94 Robbery w/ Dangerous Weapon • 52 Habitual Felon • 23 Burglary 1st Degree	• 58 Habitual Felon • 39 Robbery w/ Dangerous Weapon • 12 Manslaughter	• 49 Habitual Felon • 23 Robbery w/ Dangerous Weapon • 4 Burglary 1st Degree	• 47 Habitual Felon • 20 Robbery w/ Dangerous Weapon • 2 Burglary 1st Degree	• **468 Robbery w/ Dangerous Weapon** • **242 Habitual Felon** • **98 Burglary 1st Degree**
E	• 164 Robbery w/ Dangerous Weapon • 143 AWDWISI • 79 Discharge Firearm Occupied Property	• 89 AWDWISI • 68 Robbery w/ Dangerous Weapon • 52 Habitual Felon	• 66 Habitual Felon • 48 AWDWISI • 29 Robbery w/ Dangerous Weapon	• 77 Habitual Felon • 24 AWDWISI • 24 Habitual Breaking and Entering	• 72 Habitual Felon • 25 AWDWISI • 22 Habitual Breaking and Entering	• 96 Habitual Felon • 29 AWDWISI • 24 Habitual Breaking and Entering	• **369 Habitual Felon** • **358 AWDWISI** • **291 Robbery w/ Dangerous Weapon**

Table D.3
Top 3 Convictions within the Felony Punishment Chart: All Offenders

Offense Class	Prior Record Level						All Offenders
	I 0-1 Pt	II 2-5 Pts	III 6-9 Pts	IV 10-13 Pts	V 14-17 Pts	VI 18+ Pts	
F	• 252 Indecent Liberty w/ Child • 132 Traff. Sched. I • 83 Traff. Sched. II	• 94 Traff. Sched. I • 85 Indecent Liberty w/ Child • 54 Habitual Impaired Driving	• 59 Fail/Notify Change Address Sex Offender • 59 Traff. Sched. I • 40 Habitual Impaired Driving	• 42 Fail/Notify Change Address Sex Offender • 34 Traff. Sched. I • 30 Habitual Impaired Driving	• 35 Fail/Notify Change Address Sex Offender • 19 Fail to Register as Sex Offender • 19 Habitual Impaired Driving	• 49 Fail/Notify Change Address Sex Offender • 22 Fail to Register as Sex Offender • 12 Habitual Impaired Driving	• **400 Incident Liberty w/ Child** • **334 Traff. Sched. I** • **225 Fail/Notify Change Address Sex Offender**
G	• 202 Common Law Robbery • 72 Sell Sched. II • 69 Traff. Sched. II	• 481 Possession of Firearm by Felon • 145 Common Law Robbery • 117 Sell Sched. II	• 463 Possession of Firearm by Felon • 99 Sell Sched. II • 83 Common Law Robbery	• 275 Possession of Firearm by Felon • 64 Sell Sched. II • 50 Common Law Robbery	• 106 Possession of Firearm by Felon • 38 Sell Sched. II • 29 Common Law Robbery	• 74 Possession of Firearm by Felon • 47 Common Law Robbery • 23 Sell Sched. II	• **1,403 Possession of Firearm by Felon** • **556 Common Law Robbery** • **413 Sell Sched. II**
H	• 430 Felony B&E • 264 Obtain Property by False Pretenses • 219 Poss. WITS Sched. II	• 431 Felony B&E • 286 Obtain Property by False Pretenses • 219 Poss. WITS Sched. II	• 290 Felony B&E • 199 Obtain Property by False Pretenses • 164 Poss. WITS Sched. II	• 170 Felony B&E • 140 Obtain Property by False Pretenses • 108 Poss. WITS Sched. II	• 113 Felony B&E • 81 Obtain Property by False Pretenses • 81 Poss. WITS Sched. II	• 145 Felony B&E • 112 Multiple Prior Larcenies • 87 Larceny Over $1,000	• **1,579 Felony B&E** • **1,036 Obtain Property by False Pretenses** • **828 Poss. WITS Sched. II**
I	• 353 Poss. Sched. II • 153 Poss. Sched. I • 109 Poss. WITS Sched. VI	• 623 Poss. Sched. II • 187 Poss. Sched. I • 99 Poss. WITS Sched. VI	• 358 Poss. Sched. II • 110 Poss. Sched. I • 60 Poss. WITS Sched. VI	• 246 Poss. Sched. II • 79 Poss. Sched. I • 45 B&E Vehicles	• 152 Poss. Sched. II • 35 Poss. Sched. I • 28 B&E Vehicles	• 139 Poss. Sched. II • 62 B&E Vehicles • 37 Poss. Sched. I	• **1,871 Poss. Sched. II** • **601 Poss. Sched. I** • **325 B&E Vehicles**
All Offenders	• **465 Felony B&E** • **371 Poss. Sched. II** • **357 Robbery w/ Dangerous Weapon**	• **656 Poss. Sched. II** • **535 Possession of Firearm by Felon** • **452 Felony B&E**	• **504 Possession of Firearm by Felon** • **368 Poss. Sched. II** • **307 Felony B&E**	• **297 Possession of Firearm by a Felon** • **256 Poss. Sched. II** • **208 Habitual Felon**	• **205 Habitual Felon** • **160 Poss. Sched. II** • **122 Possession of Firearm by Felon**	• **246 Habitual Felon** • **160 Felony B&E** • **141 Poss. Sched. II**	• **1,952 Poss. Sched. II** • **1,675 Felony B&E** • **1,552 Possession of Firearm by Felon**

Note: Cells with "n/a" have no offenders with that offense class and Prior Record Level. Numbers for the top 3 convictions for All Offenders will only total across rows or columns if the specific offense is represented in each row or column.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Top 3 Misdemeanor Convictions

Table D.4
Top 3 Convictions within the Misdemeanor Punishment Chart: Probationers Only

Offense Class	Prior Conviction Level			Probationers
	I **0 Prior Convictions**	**II** **1-4 Prior Convictions**	**III** **5+ Prior Convictions**	
A1	• 223 Assault on Female • 60 AWDW • 59 Child Abuse	• 532 Assault on Female • 126 Violation of Protective Order • 92 Child Abuse	• 488 Assault on Female • 131 Violation of Protective Order • 77 AWDW	• **1,243 Assault on Female** • **297 Violation of Protective Order** • **215 AWDW**
1	• 546 Larceny • 173 Use/Possess Drug Paraphernalia • 136 Misdemeanor B&E	• 949 Larceny • 557 Use/Possess Drug Paraphernalia • 265 DWLR	• 856 Larceny • 599 Use/Possess Drug Paraphernalia • 443 DWLR	• **2,351 Larceny** • **1,329 Use/Possess Drug Paraphernalia** • **749 DWLR**
2	• 95 Simple Assault/Affray • 41 Resisting Officer • 33 Carry Concealed Weapon	• 150 Resisting Officer • 133 Simple Assault/Affray • 80 Carry Concealed Weapon	• 121 Resisting Officer • 99 Simple Assault/Affray • 47 Carry Concealed Weapon	• **327 Assault/Affray** • **312 Resisting Officer** • **160 Carry Concealed Weapon**
3	• 17 Poss. Sched. VI • 16 DWLR • 4 Worthless Check	• 80 DWLR • 27 Poss. Sched. VI • 15 Use/Possess Drug Paraphernalia	• 444 DWLR • 55 Poss. Sched. VI • 31 Shoplifting	• **540 DWLR** • **99 Poss. Sched. VI** • **43 Shoplifting**
Probationers	• **554 Larceny** • **230 Assault on Female** • **176 Use/Possess Drug Paraphernalia**	• **969 Larceny** • **573 Use/Possess Drug Paraphernalia** • **539 Assault on Female**	• **895 DWLR** • **874 Larceny** • **621 Use/Possess Drug Paraphernalia**	• **2,397 Larceny** • **1,370 Use/Possess Drug Paraphernalia** • **1,304 DWLR**

Note: Numbers for the top 3 convictions for Probationers will only total across rows or columns if the specific offense is represented in each row or column.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

RISK AND NEED LEVELS

Table D.5
Number of Offenders by Risk and Need Levels

	Probationers n=24,736	Prisoners n=12,889	All Offenders N=37,625
Risk Level	#	#	#
Extreme	2,087	4,633	6,720
High	4,135	3,864	7,999
Moderate	9,633	2,104	11,737
Low	5,525	234	5,759
Minimal	895	10	905
Need Level	#	#	#
Extreme	5,210	3,035	8,245
High	4,119	2,237	6,356
Moderate	8,521	3,687	12,208
Low	3,728	1,677	5,405
Minimal	697	209	906
Not Assessed	*2,461*	*2,044*	*4,505*

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

CRIMINAL JUSTICE OUTCOMES

Sample Conviction

Table D.6
Recidivist Arrest Rates for Sample Conviction by Offense Class: Two-Year Follow-Up

Offense Class	Probationers		Prisoners		All Offenders	
	#	%	#	%	#	%
Felonies						
Class B1	0	--	87	9	87	9
Class B2	1	--	240	14	241	14
Class C	12	--	854	32	866	32
Class D	32	6	1,039	39	1,071	38
Class E	562	17	1,429	44	1,991	36
Class F	1,006	16	1,570	35	2,576	28
Class G	1,538	21	1,947	48	3,485	36
Class H	4,656	23	4,347	51	9,003	37
Class I	3,169	24	1,376	47	4,545	31
Subtotal	10,976	22	12,889	44	23,865	34
Misdemeanors						
Class A1	2,677	23	--	--	2,677	23
Class 1	8,582	23	--	--	8,582	23
Class 2	1,597	21	--	--	1,597	21
Class 3	904	18	--	--	904	18
Subtotal	13,760	22	--	--	13,760	22
Total	**24,736**	**22**	**12,889**	**44**	**37,625**	**30**

Note: Recidivism rates are only reported when there are at least 25 offenders in a specific category.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Table D.7
Recidivist Conviction Rates for Sample Conviction by Offense Class: Two-Year Follow-Up

Offense Class	Probationers		Prisoners		All Offenders	
	#	%	#	%	#	%
Felonies						
Class B1	0	--	87	2	87	2
Class B2	1	--	240	3	241	2
Class C	12	--	854	12	866	12
Class D	32	3	1,039	12	1,071	12
Class E	562	6	1,429	18	1,991	15
Class F	1,006	6	1,570	14	2,576	11
Class G	1,538	6	1,947	18	3,485	13
Class H	4,656	8	4,347	23	9,003	15
Class I	3,169	9	1,376	21	4,545	12
Subtotal	10,976	8	12,889	18	23,865	14
Misdemeanors						
Class A1	2,677	8	--	--	2,677	8
Class 1	8,582	9	--	--	8,582	9
Class 2	1,597	7	--	--	1,597	7
Class 3	904	6	--	--	904	6
Subtotal	13,760	8	--	--	13,760	8
Total	**24,736**	**8**	**12,889**	**18**	**37,625**	**12**

Recidivism rates are only reported when there are at least 25 offenders in a specific category.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Table D.8
Recidivist Incarceration Rates for Sample Conviction by Offense Class: Two-Year Follow-Up

Offense Class	Probationers		Prisoners		All Offenders	
	#	%	#	%	#	%
Felonies						
Class B1	0	--	87	14	87	14
Class B2	1	--	240	8	241	7
Class C	12	--	854	23	866	23
Class D	32	9	1,039	27	1,071	27
Class E	562	15	1,429	34	1,991	29
Class F	1,006	17	1,570	28	2,576	24
Class G	1,538	18	1,947	30	3,485	25
Class H	4,656	21	4,347	40	9,003	30
Class I	3,169	20	1,376	39	4,545	26
Subtotal	10,976	20	12,889	33	23,865	27
Misdemeanors						
Class A1	2,677	5	--	--	2,677	5
Class 1	8,582	6	--	--	8,582	6
Class 2	1,597	5	--	--	1,597	5
Class 3	904	4	--	--	904	4
Subtotal	13,760	5	--	--	13,760	5
Total	**24,736**	**12**	**12,889**	**33**	**37,625**	**19**

Recidivism rates are only reported when there are at least 25 offenders in a specific category.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Risk and Needs Levels

Table D.9
Criminal Justice Outcomes by Risk and Need Levels: Two-Year Follow-Up

	Probationers				Prisoners			
	N	% Arrest	% Convict.	% Incarc.	N	% Arrest	% Convict.	% Incarc.
Risk Level								
Extreme	2,087	31	12	24	4,633	52	22	39
High	4,135	28	10	16	3,864	46	18	31
Moderate	9,633	22	8	9	2,104	30	11	20
Low	5,525	13	4	3	234	10	2	8
Minimal	895	6	2	1	10	--	--	--
Need Level								
Extreme	5,210	26	10	15	3,035	53	23	41
High	4,119	24	9	11	2,237	49	21	37
Moderate	8,521	20	7	8	3,687	40	15	27
Low	3,728	17	6	6	1,677	35	13	21
Minimal	697	11	2	2	209	30	12	16
Not Assessed	*2,461*	*30*	*13*	*29*	*2,044*	*42*	*21*	*44*
Total	**24,736**	**22**	**8**	**12**	**12,889**	**44**	**18**	**33**

Note: Recidivism rates are only reported when there are at least 25 offenders in a specific category.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Figure D.1
Recidivist Conviction Rates by Risk and Need Levels: Two-Year Follow-Up
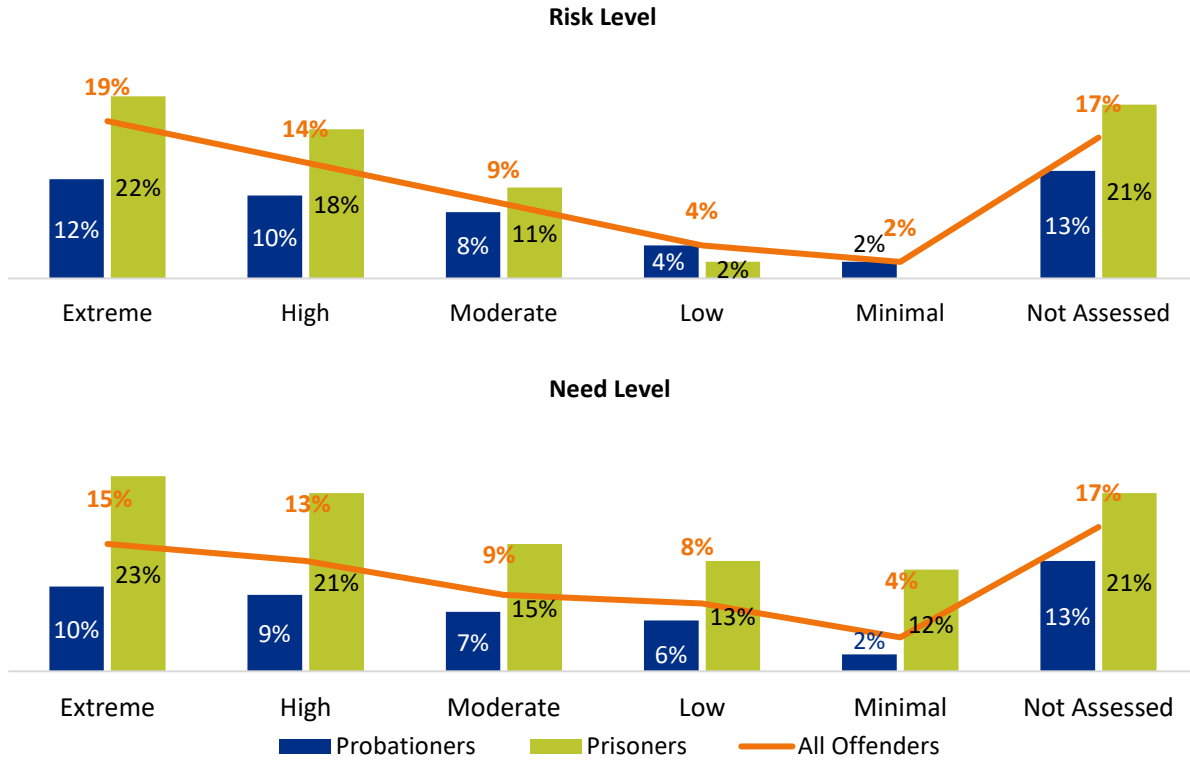
Risk Level

Need Level

Note: Less than 1% of prisoners were assessed as minimal risk; consequently, recidivism rates were not reported for this group. Recidivism rates are only reported when there are at least 25 offenders in a specific category.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Figure D.2
Recidivist Incarceration Rates by Risk and Need Levels: Two-Year Follow-Up
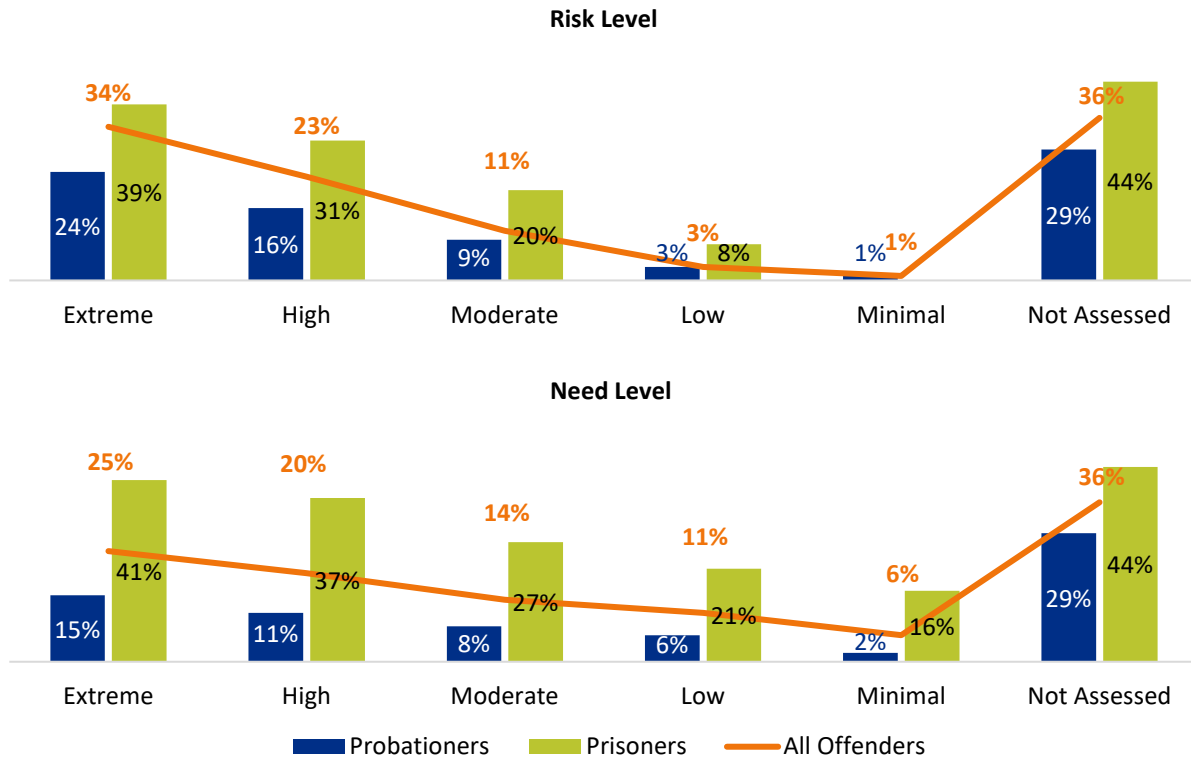
Risk Level

Need Level

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

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

APPENDIX E

ADDITIONAL INFORMATION FOR
FY 2021 PROBATIONERS

DEFINITIONS

**Table E.1
Probation Release Definitions**

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Positive

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- **Completion**: When an offender reaches the end of their period of supervision without matters of noncompliance or charges pending, the case expires and the offender is discharged from probation.
- **Satisfactory** (Early Termination):* Supervision that ends prior to its expiration is considered a termination. Pursuant to G.S. 15A-1342(b), the court may terminate a period of probation and discharge an offender at any time prior to expiration if warranted by the conduct of the offender and the ends of justice. Termination may result from the mandatory three-year review of an offender's probation or at any time based on the recommendation of the supervising officer or upon a motion for modification by the offender. It is Department of Adult Correction policy that Probation and Parole Officers (PPOs) will not recommend early termination for domestic violence offenders, sex offenders, DWI offenders sentenced to Aggravated Level 1, Level 1, or Level 2, or any offender who owes outstanding restitution. However, the court may terminate an offender's supervision without the recommendation of the PPO.
- **Unsupervised** (Early Termination):* Except for sex offenders and offenders convicted of offenses involving physical, mental, or sexual abuse of a minor, the court may transfer an offender from supervised probation to unsupervised probation. Additionally, the court may authorize the PPO to transfer a supervised offender to unsupervised probation upon compliance with certain conditions, such as once all moneys are paid. An officer may transfer a misdemeanant offender under Level 5 supervision to unsupervised probation without a court order as long as the offender is not subject to any special conditions or was placed on supervised probation solely for the collection of court-ordered payments. If the court places a DWI offender sentenced to Level 3, 4, or 5 punishment on supervised probation, it must authorize the PPO to transfer the offender to unsupervised probation upon completion by the offender of their community service or upon payment of fines, costs, and fees. It is DAC policy that PPOs will not recommend a transfer to unsupervised probation for domestic violence offenders, sex offenders, DWI offenders sentenced to Aggravated Level 1, Level 1, or Level 2, or any offender who owes outstanding restitution. The court may transfer eligible offenders from supervised probation to unsupervised probation based on the recommendation of the PPO or without such recommendation upon motion for modification by the offender.

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Negative

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- **Expired Absconders:*** When an offender in absconder status reaches the expiration of their period of supervision, the PPO will consult with the District Attorney to determine whether the offender's outstanding violations and order for arrest should remain in the system or if the violations will be dismissed, order for arrest recalled, and the offender's case closed. If a determination is made that the offender's case should remain in the system, the case will move to an inactive status of "expired absconder" and remain assigned to the supervising officer for a period of 12 months, followed by assignment to a caseload maintained at the agency level.
- **Terminal CRV** (Early Termination): 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.
- **Unsatisfactory Termination** (Early Termination): In most cases the court maintains authority to order a number of alternatives, including termination, in response to an offender's violation of probation. In some cases where the offender has violated probation in a way that does not merit continuing or extending probation (i.e., failure to pay moneys owed), the judge may order the offender's supervision to be terminated despite the offender's noncompliance.

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Revocation

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- **Criminal Revocation**: A criminal revocation is one that is based upon the offender's commission of a new crime (other than a Class 3 misdemeanor) while under supervision. A criminal revocation may not be based upon a new charge itself but must be based on either a conviction of the new offense or an independent finding by the court holding the violation hearing that the offender violated probation by committing a new crime.
- **Absconding Revocation**: An absconding revocation is one that is based upon a finding by the court that the offender violated probation by absconding from supervision.
- **Technical Revocation**: A technical revocation is one that is based on violations of probation other than commission of a new crime or absconding and may only be ordered if the offender has previously received two CRVs for felony offenders or two or more "quick dips" for misdemeanor offenders.

Note: For the terms indicated with an asterisk (*), *see* the North Carolina Department of Adult Correction, Community Corrections Policy and Procedures (https://public.powerdms.com/NCDAC/tree/documents/2512318).

GEOGRAPHIC DIVISION AND DISTRICT

Table E.2
Number of Offenders by Geographic Division and District

DAC Division/District/County Name	Probationers N	Positive n	Negative n	Revocation n
Eastern Division 4	**5,837**	**3,834**	**1,190**	**813**
District 1: Camden, Chowan, Currituck, Dare, Gates, Pasquotank, Perquimans	496	365	60	71
District 2: Beaufort, Hyde, Martin, Tyrrell, Washington	394	216	140	38
District 3: Carteret, Craven, Onslow,* Pamlico, Pitt*	1,685	996	406	283
District 4: Duplin, Jones, Sampson	433	307	81	45
District 5: New Hanover,* Pender	808	404	264	140
District 6: Bertie, Halifax, Hertford, Northampton	391	289	63	39
District 7: Edgecombe, Nash, Wilson	751	583	72	96
District 8: Greene, Lenoir, Wayne	879	674	104	101
Central Division 3	**6,529**	**4,150**	**1,497**	**882**
District 9: Franklin, Granville, Vance, Warren	468	289	113	66
District 10: Wake*	1,660	944	546	170
District 11: Harnett, Johnston,* Lee	799	531	120	148
District 12: Cumberland*	820	659	109	52
District 13: Bladen, Brunswick, Columbus	663	403	124	136
District 14: Chatham, Durham,* Orange*	811	430	268	113
District 15: Alamance,* Caswell, Person	571	336	126	109
District 16: Hoke, Robeson, Scotland	737	558	91	88
Piedmont Division 2	**6,622**	**2,924**	**2,409**	**1,289**
District 17: Rockingham, Stokes, Surry	654	276	147	231
District 18: Guilford*	1,143	609	409	125
District 19A: Cabarrus,* Rowan*	886	305	465	116
District 19B: Montgomery, Moore, Randolph	810	358	245	207
District 20: Anson, Richmond, Stanly, Union*	708	238	334	136
District 21: Forsyth*	770	391	276	103
District 22: Alexander, Davidson, Davie, Iredell*	1,170	533	397	240
District 23: Alleghany, Ashe, Wilkes, Yadkin	481	214	136	131
Western Division 1	**5,305**	**2,075**	**2,250**	**980**
District 24: Avery, Madison, Mitchell, Watauga, Yancey	256	136	59	61
District 25: Burke, Caldwell, Catawba*	832	258	416	158
District 26: Mecklenburg*	1,088	581	401	106
District 27: Cleveland, Gaston,* Lincoln*	1,418	384	806	228
District 28: Buncombe*	478	179	156	143
District 29: Henderson,* McDowell, Polk, Rutherford, Transylvania	747	341	271	135
District 30: Cherokee, Clay, Graham, Haywood, Jackson, Macon, Swain	486	196	141	149
Statewide	**24,293**	**12,983**	**7,346**	**3,964**

Note: There were 443 probationers who had missing county information. Urban counties are indicated by asterisk (*); urban counties combine the definitions of urban county, or an average population density of 250 people per square mile, and regional city/suburban counties, or an average population density between 250 and 750 people per square mile. Densities calculated by the NC Rural Center using the 2020 US Census. *See* county data published by the NC Rural Center and a message from their president regarding 2020 Census updates.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Table E.3
Recidivist Arrest Rates by Geographic Division and District: Two-Year Follow-Up

DAC Division/District/County Name	Probationers %	Positive %	Negative %	Revocation %
Eastern Division 4	**20**	**18**	**20**	**32**
District 1: Camden, Chowan, Currituck, Dare, Gates, Pasquotank, Perquimans	18	17	20	24
District 2: Beaufort, Hyde, Martin, Tyrrell, Washington	15	13	14	26
District 3: Carteret, Craven, Onslow,* Pamlico, Pitt*	18	15	18	30
District 4: Duplin, Jones, Sampson	22	21	17	38
District 5: New Hanover,* Pender	24	19	23	37
District 6: Bertie, Halifax, Hertford, Northampton	17	17	21	13
District 7: Edgecombe, Nash, Wilson	25	23	22	39
District 8: Greene, Lenoir, Wayne	23	20	30	34
Central Division 3	**24**	**19**	**28**	**38**
District 9: Franklin, Granville, Vance, Warren	17	14	19	23
District 10: Wake*	25	17	34	42
District 11: Harnett, Johnston,* Lee	27	22	29	45
District 12: Cumberland*	24	23	28	29
District 13: Bladen, Brunswick, Columbus	23	20	21	35
District 14: Chatham, Durham,* Orange*	26	23	26	38
District 15: Alamance,* Caswell, Person	22	15	21	45
District 16: Hoke, Robeson, Scotland	21	18	24	33
Piedmont Division 2	**22**	**16**	**22**	**34**
District 17: Rockingham, Stokes, Surry	20	16	20	26
District 18: Guilford*	22	19	23	38
District 19A: Cabarrus,* Rowan*	22	11	23	41
District 19B: Montgomery, Moore, Randolph	25	17	24	41
District 20: Anson, Richmond, Stanly, Union*	23	21	21	34
District 21: Forsyth*	20	15	19	39
District 22: Alexander, Davidson, Davie, Iredell*	24	16	25	38
District 23: Alleghany, Ashe, Wilkes, Yadkin	14	12	15	18
Western Division 1	**24**	**15**	**27**	**35**
District 24: Avery, Madison, Mitchell, Watauga, Yancey	20	18	22	23
District 25: Burke, Caldwell, Catawba*	24	13	27	37
District 26: Mecklenburg*	25	18	30	41
District 27: Cleveland, Gaston,* Lincoln*	25	13	27	37
District 28: Buncombe*	26	13	28	38
District 29: Henderson,* McDowell, Polk, Rutherford, Transylvania	23	16	27	35
District 30: Cherokee, Clay, Graham, Haywood, Jackson, Macon, Swain	21	14	25	28
Statewide	**22**	**17**	**24**	**34**

Note: There were 443 probationers who had missing county information. Urban counties are indicated by asterisk (*); urban counties combine the definitions of urban county, or an average population density of 250 people per square mile, and regional city/suburban counties, or an average population density between 250 and 750 people per square mile. Densities calculated by the NC Rural Center using the 2020 US Census.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Sample Conviction

Table E.4
Offense Class of the Sample Conviction

Offense Class	Positive n=13,257 %	Negative n=7,450 %	Revocation n=4,029 %	Probationers N=24,736 %
Felony	**43**	**45**	**50**	**44**
Class B2	<1	0	0	<1
Class C	<1	<1	<1	<1
Class D	<1	<1	<1	<1
Class E	2	2	2	2
Class F	4	4	4	4
Class G	6	7	6	6
Class H	17	19	23	19
Class I	12	13	15	13
Misdemeanor	**57**	**55**	**50**	**56**
Class A1	11	10	10	11
Class 1	35	35	33	35
Class 2	7	6	4	6
Class 3	4	4	3	4

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

RISK, NEED, AND SUPERVISION LEVELS

Table E.5
Number of Probationers by Risk, Need, and Supervision Levels

	Positive n=13,257	Negative n=7,450	Revocation n=4,029	Probationers N=24,736
Risk Level	#	#	#	#
Extreme	853	680	554	2,807
High	1,976	1,353	806	4,135
Moderate	5,361	3,056	1,216	9,633
Low	3,687	1,513	325	5,525
Minimal	688	198	9	895
Not Assessed	*692*	*650*	*1,119*	*2,461*
Need Level	#	#	#	#
Extreme	2,371	1,795	1,044	5,210
High	2,190	1,304	625	4,119
Moderate	5,045	2,544	932	8,521
Low	2,455	989	284	3,728
Minimal	504	168	25	697
Not Assessed	*692*	*650*	*1,119*	*2,461*
Supervision Level	#	#	#	#
Level 1 (Most Restrictive)	796	722	642	2,160
Level 2	3,156	2,173	1,157	6,486
Level 3	4,745	2,522	870	8,137
Level 4	3,434	1,272	232	4,938
Level 5 (Least Restrictive)	434	111	9	554
Not Established	*692*	*650*	*1,119*	*2,461*

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Table E.6

Supervision Level Distribution Based on Risk and Need Levels for Probationers

Need Level	Risk Level					#/% by Need Level
	Extreme	High	Moderate	Low	Minimal	
Extreme	574 L1	1,060	2,424	1,030	122	**5,210**
	3%	5%	11%	5%	1%	**24%**
High	526	849	1,666 L3	972	106	**4,119**
	2%	4%	7%	4%	<1%	**18%**
Moderate	671	1,439	3,916	2,120	375	**8,521**
	3%	6%	18%	10%	2%	**38%**
Low	286 L2	702	1,408	1,137 L4	195	**3,728**
	1%	3%	6%	5%	1%	**17%**
Minimal	30	85	219	266	97 L5	**697**
	<1%	<1%	1%	1%	<1%	**3%**
#/% by Risk Level	**2,087**	**4,135**	**9,633**	**5,525**	**895**	**22,275**
	9%	**19%**	**43%**	**25%**	**4%**	**100%**

Note: There were 2,461 probationers who did not have an RNA completed and a supervision level assigned.
Percentages may not add to totals due to rounding.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

INTERIM OUTCOMES

Figure E.1
Nonconfinement Response Rates by Supervision Level: Probation Supervision

Delegated Authority

	Level 1 Most Restrictive	Level 2	Level 3	Level 4	Level 5 Least Restrictive
Positive	12%	11%	8%	4%	1%
Negative	13%	10%	11%	7%	1%
Revocation	10%	12%	14%	8%	22%
Probationers	12%	11%	10%	5%	1%

Continued Probation

	Level 1 Most Restrictive	Level 2	Level 3	Level 4	Level 5 Least Restrictive
Positive	17%	16%	14%	12%	8%
Negative	15%	14%	14%	15%	14%
Revocation	10%	10%	11%	11%	11%
Probationers	14%	14%	14%	13%	10%

Modified Probation Conditions

	Level 1 Most Restrictive	Level 2	Level 3	Level 4	Level 5 Least Restrictive
Positive	20%	18%	15%	12%	10%
Negative	16%	18%	17%	14%	15%
Revocation	10%	13%	13%	15%	0%
Probationers	16%	17%	15%	13%	11%

Additional Probation Conditions

	Level 1 Most Restrictive	Level 2	Level 3	Level 4	Level 5 Least Restrictive
Positive	13%	12%	9%	5%	4%
Negative	16%	14%	12%	6%	2%
Revocation	12%	11%	9%	9%	11%
Probationers	14%	13%	10%	5%	3%

Legend: Positive, Negative, Revocation, Probationers

Note: Sixty-five (65) CRV probationers were missing substance use information. Only 9 probationers in the revocation group were supervised at Level 5 which may account for the high percentages.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Table E.7
Quick Dip Rates by Sample Conviction: Probation Supervision

Sample Conviction	N	Positive n=13,257 %	Negative n=7,450 %	Revocation n=4,029 %	Probationers N=24,736 %
Felons	10,976	9	12	8	10
Misdemeanants	13,760	6	9	9	7
Probationers	**24,736**	**7**	**10**	**9**	**8**

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

CRV PROBATIONERS AND CRV LOCATION

Table E.8
Supervised Probation Profile of CRV Probationers by CRV Location (Felons Only)

Supervised Probation Profile	CRV Center n=389	Prison n=701	CRV Probationers N=1,090
Personal Characteristics			
Male	67%	80%	76%
White	60%	55%	57%
Avg. Age at Probation Release	35 Years	34 Years	34 Years
Married	9%	12%	11%
High School Dropout/GEB	59%	60%	60%
Substance Use Indicated	86%	83%	84%
Sample Conviction			
Class B2 – E Felony	6%	7%	7%
Class F – I Felony	94%	93%	93%
Top Offense Category	39% Drug	39% Property	39% Property
Employment			
Prior Employment	59%	51%	54%
Employment during Supervision	59%	50%	53%
Prior Arrest	90%	90%	90%
Avg. Actual Months Supervised	36 Months	29 Months	32 Months

Note: Sixty-five (65) CRV probationers were missing substance use information.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Figure E.2
Risk and Need Levels by CRV Location (Felons Only)
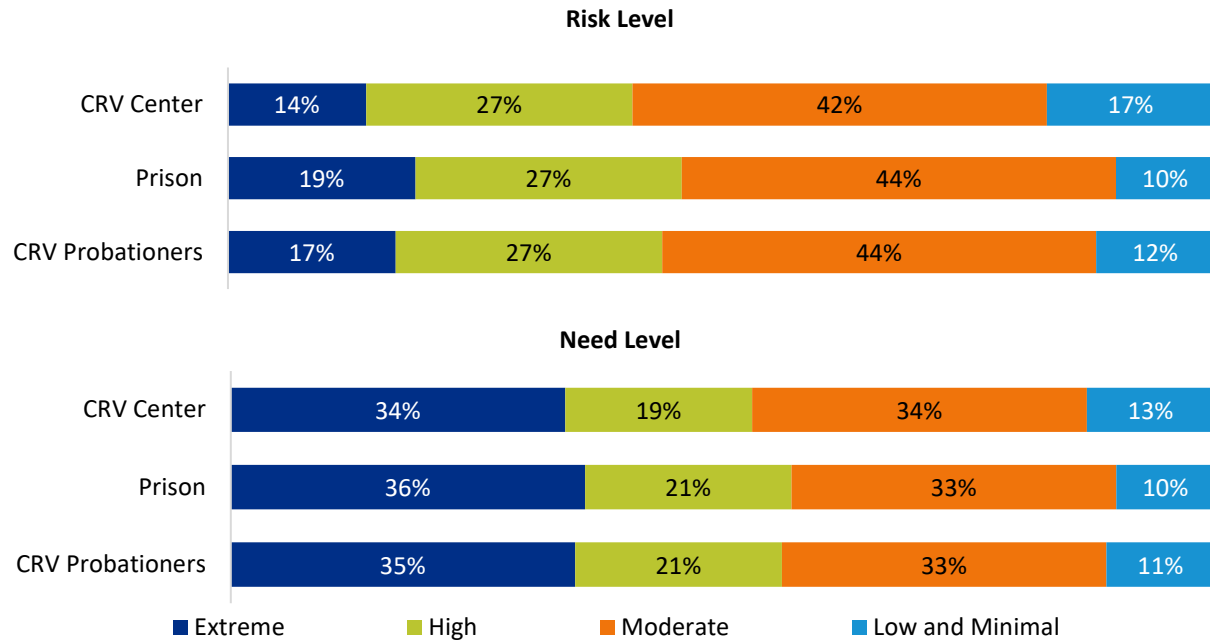
Risk Level

	Extreme	High	Moderate	Low and Minimal
CRV Center	14%	27%	42%	17%
Prison	19%	27%	44%	10%
CRV Probationers	17%	27%	44%	12%

Need Level

	Extreme	High	Moderate	Low and Minimal
CRV Center	34%	19%	34%	13%
Prison	36%	21%	33%	10%
CRV Probationers	35%	21%	33%	11%

■ Extreme   ■ High   ■ Moderate   ■ Low and Minimal

Note: Sixty-five (65) CRV probationers were missing risk and need assessments.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Table E.9
Areas of Need Identified by CRV Location (Felons Only)

Areas of Need	CRV Center n=375 %	Prison n=650 %	CRV Offenders N=1,025 %
Criminogenic Factors			
Anti-social Personality	21	29	26
Anti-social Values	19	23	22
Criminal Peers	54	54	54
Dysfunctional Family	57	62	61
Self-Control	31	32	32
Substance Use	86	83	84
Health Factors			
Mental Health	56	57	57
Physical	23	32	29
Additional Factors			
Academic/Vocational	46	51	49
Employment	57	60	59
Financial	33	37	35
Housing	31	34	33
Legal	60	62	61
Social Skills	49	52	51
Transportation	72	80	77

Note: Sixty-five (65) CRV probationers were missing risk and need assessments.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Figure E.3
Supervision Level by CRV Location (Felons Only)
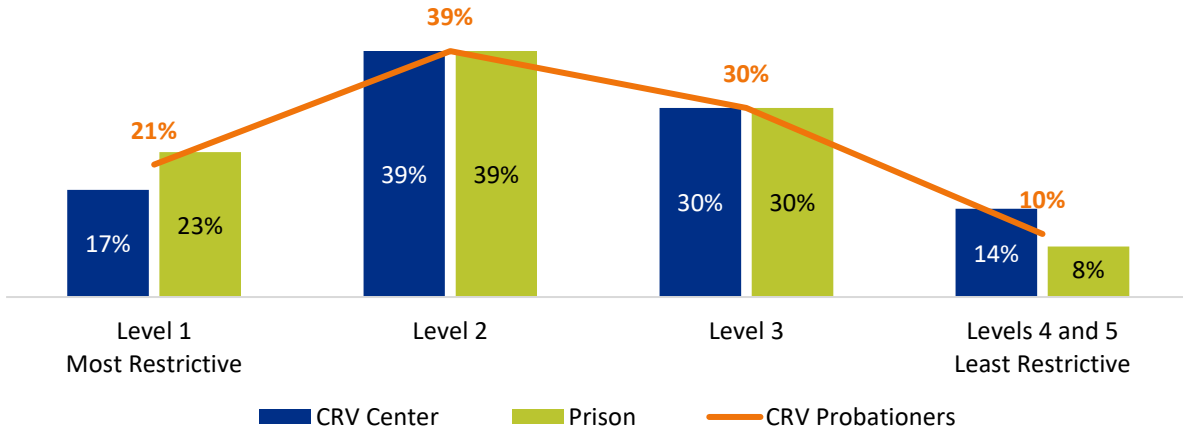
Note: Sixty-five (65) CRV probationers were missing supervision level information.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Table E.10
Interim and Criminal Justice Outcomes by CRV Location (Felons Only)

Outcomes	CRV Location		
	CRV Center n=389 %	Prison n=701 %	CRV Offenders N=1,090 %
Interim Outcomes: Probation Supervision			
Nonconfinement Responses to Violation			
Delegated Authority	15	18	17
Continued Probation	22	18	20
Modified Probation Conditions	24	21	22
Additional Probation Conditions	21	20	21
Confinement Responses to Violation			
Quick Dips	24	20	21
Criminal Justice Outcomes: Two-Year Follow-Up			
Recidivist Arrest	28	34	32
Recidivist Incarceration	20	26	24

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Table E.11
Recidivist Arrest Rates and CRV Location by Sex (Felons Only): Two-Year Follow-Up

CRV Location	N	Positive n=362 %	Negative n=521 %	Revocation n=207 %	CRV Probationers N=1,090 %
CRV Center	**389**	**27**	**29**	**26**	**28**
Male	262	28	27	24	27
Female	127	25	33	--	29
Prison	**701**	**31**	**39**	**30**	**34**
Male	563	31	42	31	36
Female	138	30	24	--	25
CRV Probationers	**1,090**	**29**	**35**	**29**	**32**

Note: Recidivism rates are only reported when there are at least 25 offenders in a specific category.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

RECIDIVIST ARRESTS

Table E.12
Recidivist Arrest Rates by Probation Release Reason

Release Reason	N	Probation Supervision #	Probation Supervision %	Two-Year Follow-Up #	Two-Year Follow-Up %
Positive	**13,257**	**2,423**	**18**	**2,292**	**17**
Completion	3,497	509	15	476	14
Satisfactory	6,768	1,606	24	1,392	21
Unsupervised	2,992	308	10	424	14
Negative	**7,450**	**2,274**	**31**	**1,807**	**24**
Expired Absconder	587	98	17	57	10
Terminal CRV	337	164	49	118	35
Unsatisfactory Termination	6,526	2,012	31	1,632	25
Revocation	**4,029**	**2,464**	**61**	**1,382**	**34**
Criminal	1,682	1,268	75	569	34
Absconding	2,086	1,048	50	713	34
Technical	261	148	57	100	38
Probationers	**24,736**	**7,161**	**29**	**5,481**	**22**

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Figure E.4
Months to First Recidivist Arrest for Probationers with Any Arrest: Probation Supervision
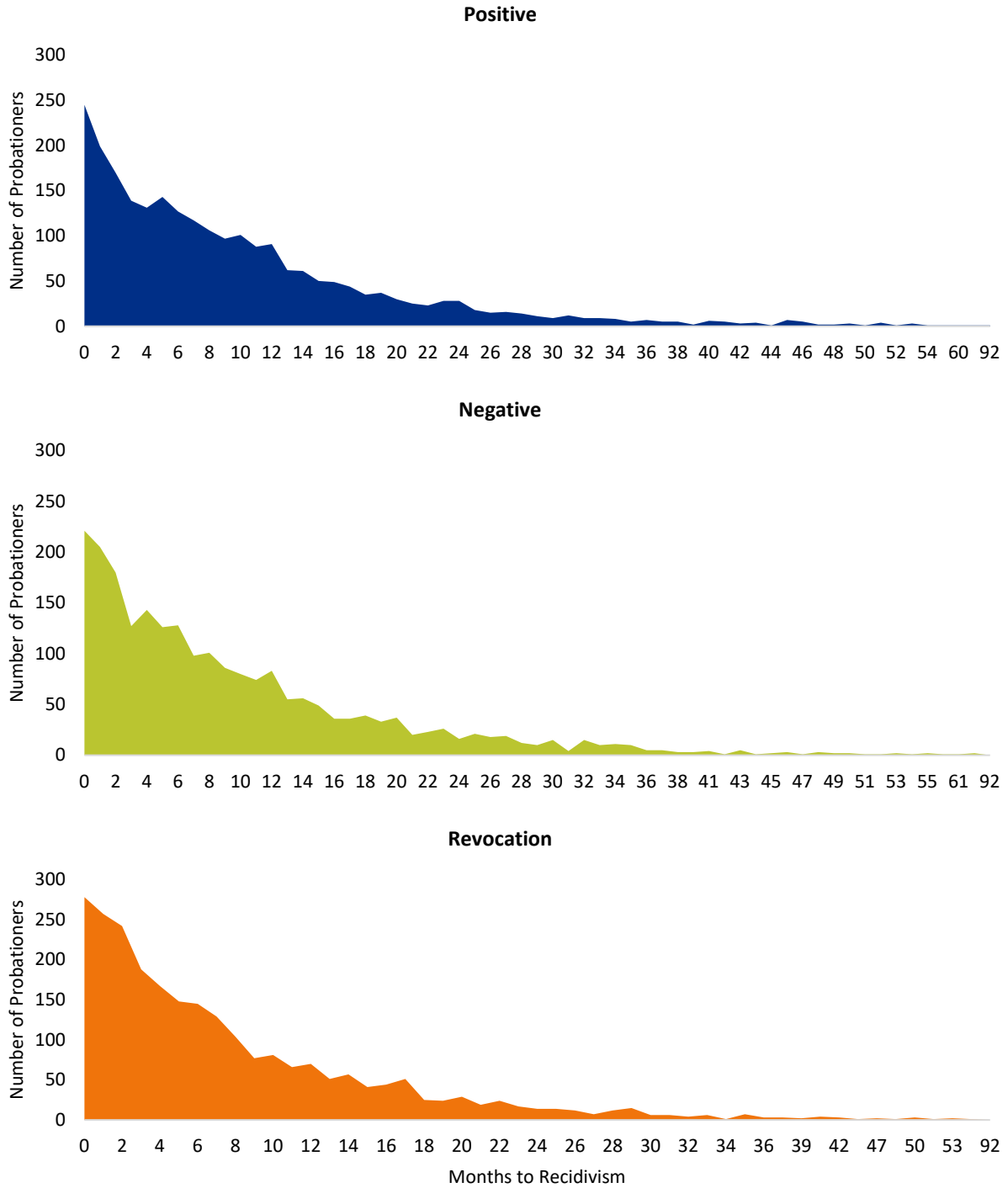
Positive

Negative

Revocation

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Table E.13
Recidivist Arrest Rates by Sample Conviction: Two-Year Follow-Up

Offense Class	N	Positive n=13,257 %	Negative n=7,450 %	Revocation n=4,029 %	Probationers N=24,736 %
Felony	**10,976**	**17**	**25**	**30**	**22**
Class B2	1	--	n/a	n/a	--
Class C	12	--	--	--	--
Class D	32	--	--	--	6
Class E	562	12	24	21	17
Class F	1,006	14	19	21	16
Class G	1,538	18	24	23	21
Class H	4,656	18	25	33	23
Class I	3,169	20	26	33	24
Misdemeanor	**13,760**	**18**	**24**	**38**	**22**
Class A1	2,677	17	26	40	23
Class 1	8,582	17	24	38	23
Class 2	1,597	16	22	43	21
Class 3	904	17	18	26	18
Probationers	**24,736**	**17**	**24**	**34**	**22**

Note: Recidivism rates are only reported when there are at least 25 offenders in a specific category.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

APPENDIX F

ADDITIONAL INFORMATION FOR
FY 2021 PRISONERS

GEOGRAPHIC DIVISION AND DISTRICT

Table F.1
Number of Prisoners by Geographic Division and District

DAC Division/District/County Name	Prisoners N	Class B1 – D n	Class E – G n	Class H – I n
Eastern Division 4	**2,474**	**431**	**932**	**1,111**
District 1: Camden, Chowan, Currituck, Dare, Gates, Pasquotank, Perquimans	114	14	40	60
District 2: Beaufort, Hyde, Martin, Tyrrell, Washington	125	23	51	51
District 3: Carteret, Craven, Onslow,* Pamlico, Pitt*	705	112	301	282
District 4: Duplin, Jones, Sampson	209	39	81	89
District 5: New Hanover,* Pender	469	84	155	230
District 6: Bertie, Halifax, Hertford, Northampton	121	23	42	56
District 7: Edgecombe, Nash, Wilson	417	58	143	216
District 8: Greene, Lenoir, Wayne	314	68	119	127
Central Division 3	**3,409**	**645**	**1,358**	**1,406**
District 9: Franklin, Granville, Vance, Warren	188	23	73	92
District 10: Wake*	827	137	299	391
District 11: Harnett, Johnston,* Lee	472	78	192	202
District 12: Cumberland*	488	115	203	170
District 13: Bladen, Brunswick, Columbus	293	48	113	132
District 14: Chatham, Durham,* Orange*	518	115	220	183
District 15: Alamance,* Caswell, Person	310	57	139	114
District 16: Hoke, Robeson, Scotland	313	72	119	122
Piedmont Division 2	**3,483**	**598**	**1,370**	**1,515**
District 17: Rockingham, Stokes, Surry	336	41	115	180
District 18: Guilford*	658	147	283	228
District 19A: Cabarrus,* Rowan*	428	71	185	172
District 19B: Montgomery, Moore, Randolph	347	40	147	160
District 20: Anson, Richmond, Stanly, Union*	386	74	148	164
District 21: Forsyth*	496	119	190	187
District 22: Alexander, Davidson, Davie, Iredell*	565	74	245	246
District 23: Alleghany, Ashe, Wilkes, Yadkin	267	32	57	178
Western Division 1	**3.232**	**483**	**1,181**	**1,568**
District 24: Avery, Madison, Mitchell, Watauga, Yancey	119	19	28	72
District 25: Burke, Caldwell, Catawba*	502	95	167	240
District 26: Mecklenburg*	761	182	347	232
District 27: Cleveland, Gaston,* Lincoln*	784	70	306	408
District 28: Buncombe*	423	56	151	216
District 29: Henderson,* McDowell, Polk, Rutherford, Transylvania	414	42	106	266
District 30: Cherokee, Clay, Graham, Haywood, Jackson, Macon, Swain	229	19	76	134
Statewide	**2,157**	**4,841**	**5,600**	**12,598**

Note: There were 291 prisoners had missing county information. Urban counties are indicated by asterisk (*); urban counties combine the definitions of urban county, or an average population density of 250 people per square mile, and regional city/suburban counties, or an average population density between 250 and 750 people per square mile. Densities calculated by the NC Rural Center using the 2020 US Census. *See* county data published by the NC Rural Center and a message from their president regarding 2020 Census updates.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Table F.2
Recidivist Arrest Rates by Geographic Division and District: Two-Year Follow-Up

DAC Division/District/County Name	Prisoners %	Class B1 – D %	Class E – G %	Class H – I %
Eastern Division 4	**40**	**28**	**39**	**47**
District 1: Camden, Chowan, Currituck, Dare, Gates, Pasquotank, Perquimans	46	7	55	48
District 2: Beaufort, Hyde, Martin, Tyrrell, Washington	42	30	35	53
District 3: Carteret, Craven, Onslow,* Pamlico, Pitt*	38	30	39	41
District 4: Duplin, Jones, Sampson	36	23	27	51
District 5: New Hanover,* Pender	46	29	46	52
District 6: Bertie, Halifax, Hertford, Northampton	33	26	29	39
District 7: Edgecombe, Nash, Wilson	41	29	36	47
District 8: Greene, Lenoir, Wayne	40	26	40	49
Central Division 3	**44**	**36**	**44**	**49**
District 9: Franklin, Granville, Vance, Warren	34	39	33	33
District 10: Wake*	45	34	46	48
District 11: Harnett, Johnston,* Lee	48	49	40	55
District 12: Cumberland*	45	36	48	48
District 13: Bladen, Brunswick, Columbus	45	42	42	48
District 14: Chatham, Durham,* Orange*	42	35	41	48
District 15: Alamance,* Caswell, Person	47	28	47	56
District 16: Hoke, Robeson, Scotland	43	33	46	46
Piedmont Division 2	**44**	**32**	**42**	**50**
District 17: Rockingham, Stokes, Surry	39	32	37	43
District 18: Guilford*	49	37	51	53
District 19A: Cabarrus,* Rowan*	43	31	37	54
District 19B: Montgomery, Moore, Randolph	46	23	44	53
District 20: Anson, Richmond, Stanly, Union*	47	30	43	59
District 21: Forsyth*	48	33	45	62
District 22: Alexander, Davidson, Davie, Iredell*	44	39	42	48
District 23: Alleghany, Ashe, Wilkes, Yadkin	24	13	16	29
Western Division 1	**49**	**35**	**47**	**55**
District 24: Avery, Madison, Mitchell, Watauga, Yancey	34	21	29	39
District 25: Burke, Caldwell, Catawba*	47	26	44	58
District 26: Mecklenburg*	52	40	53	62
District 27: Cleveland, Gaston,* Lincoln*	53	31	51	58
District 28: Buncombe*	45	34	44	48
District 29: Henderson,* McDowell, Polk, Rutherford, Transylvania	49	50	39	53
District 30: Cherokee, Clay, Graham, Haywood, Jackson, Macon, Swain	50	42	38	58
Statewide	**44**	**33**	**43**	**50**

Note: There were 291 prisoners who had missing county information. Urban counties are indicated by asterisk (*); urban counties combine the definitions of urban county, or an average population density of 250 people per square mile, and regional city/suburban counties, or an average population density between 250 and 750 people per square mile. Densities calculated by the NC Rural Center using the 2020 US Census.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

SUMMARIES OF SELECT CORRECTIONAL JOB/PROGRAM ASSIGNMENTS

This section examines FY 2021 prison releases assigned to select correctional jobs and programs during the incarceration period related to their conviction along with recidivism during the two-year follow-up. The following summaries provide an overview of these prison jobs and programs. If available, links with additional information are provided in each description below.

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

Job and program requirements and the characteristics of prisoners assigned to particular correctional jobs and programs should be considered when comparing recidivism rates for different correctional assignments. Importantly, prisoners may have participated in multiple correctional assignments while incarcerated and, therefore, may be represented in more than one category. Lastly, and perhaps most significant, access to job and program assignments varies by prison facility, and the capacity of those assignments can be affected by the availability of funding. For the FY 2021 prison release sample, availability of correctional assignments was impacted by changes to prison operations necessitated by the COVID-19 pandemic.

Select Job Assignments Description

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

- **Construction:** The Inmate Construction Program is a partnership among the offices of Rehabilitation and Reentry and Central Engineering within the DAC. 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.dac.nc.gov/e2200-inmate-construction-program.

- **Correction Enterprises:** Correction Enterprises is a self-supporting prison industry program operating within the DAC in various prison units across the state and provides prisoners with opportunities to learn job skills by producing goods and services for the DAC and other tax-supported entities. For more information, *see* https://www.correctionenterprises.com/.

- **Work Release Program:** The Work Release Program provides select inmates the opportunity for employment in the community during imprisonment, addressing the transitional needs of soon-to-be released 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.dac.nc.gov/divisions-and-sections/rehabilitation-and-reentry/work-release#:~:text=The%20program%20is%20available%20at,earn%20at%20least%20minimum%20wage.

- **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 Description

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 Division of Rehabilitation and Reentry within the DAC. 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.

- **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* https://www.dac.nc.gov/divisions-and-sections/alcoholism-and-chemical-dependency-programs.

- **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 inmates with a Serious Mental Illness (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 Division of Rehabilitation and Reentry within the DAC 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.

- **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.

Construction

Table F.3
Construction

		Prisoners N=319	Length of Job Assignment	
			5 Months or Less n=150	6 Months or More n=169
Personal Characteristics				
Male	%	100	100	100
Race				
White	%	47	45	50
Black	%	48	49	47
Other/Unknown	%	5	6	4
Age at Prison Release	Avg.	45	43	47
Married	%	12	12	11
High School Dropout/GED	%	68	68	69
Prior Employment	%	47	46	47
Substance Use Indicated	%	69	68	69
Prior Criminal Justice Contacts				
Prior Arrest	%	94	94	95
Prior Probation Entry	%	84	83	84
Prior Probation/PRS Revocation	%	70	70	69
Prior Incarceration	%	71	71	72
Sample Conviction				
Offense Class				
Class B1 – D Felony	%	56	52	60
Class E – G Felony	%	27	29	25
Class H – I Felony	%	17	19	15
Offense Category				
Person	%	32	31	34
Property	%	17	20	15
Drug	%	19	17	21
Other	%	31	32	30
Incarceration Profile				
Type of Prison Entry				
New Crime	%	74	70	78
Probation Revocation	%	3	5	2
PRS Revocation	%	23	25	20
Time Served				
12 Months or Less	%	20	25	15
13-24 Months	%	8	12	5
25 Months or More	%	72	63	80

continued

Table F.3
Construction

		Prisoners N=319	Length of Job Assignment	
			5 Months or Less n=150	6 Months or More n=169
Incarceration Profile *continued*				
Infractions				
1 or more	%	82	83	80
Total	Avg.	7	8	5
Class A	Avg.	3	3	2
Class B	Avg.	4	5	3
Class C	Avg.	3	4	3
Custody Classification at Release				
Close	%	5	9	2
Medium	%	16	18	15
Minimum	%	79	73	83
Criminal Justice Outcomes: Two-Year Follow-Up				
Recidivist Arrest	%	34	41	28
Months to First	Avg.	10	10	9
Recidivist Conviction	%	13	15	11
Months to First	Avg.	15	15	16
Recidivist Incarceration	%	21	25	18
Months to First	Avg.	9	9	9
Select Correctional Assignments in Addition to Construction				
Jobs				
Correction Enterprises	#	128	58	70
Work Release	#	152	53	99
All Other Jobs	#	308	141	167
Programs				
Academic Education	#	205	89	116
ACDP	#	124	62	62
SOAR	#	3	2	1
TDU	#	0	0	0
Vocational Education	#	187	93	94
All Other Programs	#	298	138	160

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Correction Enterprises

Table F.4
Correction Enterprises

		Prisoners N=1,696	Length of Job Assignment	
			5 Months or Less n=1,168	6 Months or More n=528
Personal Characteristics				
Male	%	91	92	90
Race				
White	%	48	48	48
Black	%	45	47	42
Other/Unknown	%	7	5	9
Age at Prison Release	Avg.	41	39	45
Married	%	14	13	17
High School Dropout/GED	%	71	72	70
Prior Employment	%	44	44	44
Substance Use Indicated	%	75	77	70
Prior Criminal Justice Contacts				
Prior Arrest	%	94	95	90
Prior Probation Entry	%	83	88	75
Prior Probation/PRS Revocation	%	67	70	61
Prior Incarceration	%	68	70	64
Sample Conviction				
Offense Class				
Class B1 – D Felony	%	41	33	59
Class E – G Felony	%	33	36	27
Class H – I Felony	%	26	31	14
Offense Category				
Person	%	30	27	38
Property	%	23	27	15
Drug	%	20	20	18
Other	%	27	26	29
Incarceration Profile				
Type of Prison Entry				
New Crime	%	67	63	76
Probation Revocation	%	6	7	4
PRS Revocation	%	26	29	20
Time Served				
12 Months or Less	%	31	37	19
13-24 Months	%	13	15	7
25 Months or More	%	56	48	74

continued

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Table F.4
Correction Enterprises

		Prisoners N=1,696	Length of Job Assignment	
			5 Months or Less n=1,168	6 Months or More n=528
Incarceration Profile *continued*				
Infractions				
1 or more	%	80	80	82
Total	Avg.	9	10	8
Class A	Avg.	4	4	4
Class B	Avg.	6	6	5
Class C	Avg.	4	4	4
Custody Classification at Release				
Close	%	11	13	6
Medium	%	32	34	27
Minimum	%	57	52	66
Criminal Justice Outcomes: Two-Year Follow-Up				
Recidivist Arrest	%	38	42	28
Months to First	Avg.	10	10	10
Recidivist Conviction	%	15	18	10
Months to First	Avg.	15	15	14
Recidivist Incarceration	%	28	30	23
Months to First	Avg.	9	9	9
Select Correctional Assignments in Addition to Correction Enterprises				
Jobs				
Construction	#	128	72	56
Work Release	#	318	176	142
All Other Jobs	#	1,475	998	477
Programs				
Academic Education	#	922	588	334
ACDP	#	548	397	151
SOAR	#	13	7	6
TDU	#	14	14	0
Vocational Education	#	880	569	311
All Other Programs	#	1,258	812	446

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Work Release

Table F.5
Work Release

		Prisoners N=901	Length of Job Assignment	
			5 Months or Less n=346	6 Months or More n=555
Personal Characteristics				
Male	%	94	91	95
Race				
White	%	43	41	45
Black	%	54	54	53
Other/Unknown	%	3	5	2
Age at Prison Release	Avg.	44	43	45
Married	%	17	14	18
High School Dropout/GED	%	66	67	65
Prior Employment	%	46	49	44
Substance Use Indicated	%	70	71	70
Prior Criminal Justice Contacts				
Prior Arrest	%	92	93	92
Prior Probation Entry	%	83	83	83
Prior Probation/PRS Revocation	%	68	68	69
Prior Incarceration	%	70	69	71
Sample Conviction				
Offense Class				
Class B1 – D Felony	%	53	46	57
Class E – G Felony	%	35	39	32
Class H – I Felony	%	12	15	10
Offense Category				
Person	%	25	28	23
Property	%	15	20	12
Drug	%	25	24	26
Other	%	35	28	39
Incarceration Profile				
Type of Prison Entry				
New Crime	%	82	81	83
Probation Revocation	%	2	2	3
PRS Revocation	%	16	17	15
Time Served				
12 Months or Less	%	14	14	13
13-24 Months	%	5	9	3
25 Months or More	%	81	76	85

continued

Table F.5
Work Release

		Prisoners N=901	Length of Job Assignment	
			5 Months or Less n=346	6 Months or More n=555
Incarceration Profile *continued*				
Infractions				
1 or more	%	69	74	66
Total	Avg.	4	5	4
Class A	Avg.	2	2	2
Class B	Avg.	3	3	2
Class C	Avg.	2	3	2
Custody Classification at Release				
Close	%	1	1	1
Medium	%	10	12	8
Minimum	%	89	86	91
Criminal Justice Outcomes: Two-Year Follow-Up				
Recidivist Arrest	%	29	30	28
Months to First	Avg.	11	11	11
Recidivist Conviction	%	9	11	9
Months to First	Avg.	14	13	15
Recidivist Incarceration	%	18	16	20
Months to First	Avg.	8	8	8
Select Correctional Assignments in Addition to Work Release				
Jobs				
Construction	#	152	41	111
Correction Enterprises	#	318	112	206
All Other Jobs	#	891	343	548
Programs				
Academic Education	#	575	230	345
ACDP	#	337	141	196
SOAR	#	0	0	0
TDU	#	0	0	0
Vocational Education	#	510	195	315
All Other Programs	#	885	337	548

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

All Other Jobs

Table F.6
All Other Jobs

		Prisoners N=9,176	Length of Job Assignment	
			5 Months or Less n=4,315	6 Months or More n=4,861
Personal Characteristics				
Male	%	88	83	93
Race				
White	%	46	53	40
Black	%	48	42	53
Other/Unknown	%	6	5	7
Age at Prison Release	Avg.	38	35	40
Married	%	11	10	12
High School Dropout/GED	%	71	71	70
Prior Employment	%	46	48	43
Substance Use Indicated	%	76	81	72
Prior Criminal Justice Contacts				
Prior Arrest	%	95	96	93
Prior Probation Entry	%	85	91	81
Prior Probation/PRS Revocation	%	64	65	63
Prior Incarceration	%	63	61	64
Sample Conviction				
Offense Class				
Class B1 – D Felony	%	23	5	39
Class E – G Felony	%	41	41	41
Class H – I Felony	%	36	54	20
Offense Category				
Person	%	29	20	37
Property	%	27	36	20
Drug	%	20	22	18
Other	%	24	22	26
Incarceration Profile				
Type of Prison Entry				
New Crime	%	63	53	71
Probation Revocation	%	9	14	5
PRS Revocation	%	28	33	24
Time Served				
12 Months or Less	%	46	69	26
13-24 Months	%	19	20	18
25 Months or More	%	35	11	57

continued

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Table F.6
All Other Jobs

		Prisoners N=9,176	Length of Job Assignment	
			5 Months or Less n=4,315	6 Months or More n=4,861
Incarceration Profile *continued*				
Infractions				
1 or more	%	73	66	80
Total	Avg.	7	5	8
Class A	Avg.	3	3	4
Class B	Avg.	5	4	5
Class C	Avg.	3	2	3
Custody Classification at Release				
Close	%	14	16	12
Medium	%	31	32	30
Minimum	%	55	52	58
Criminal Justice Outcomes: Two-Year Follow-Up				
Recidivist Arrest	%	44	50	38
Months to First	Avg.	10	9	10
Recidivist Conviction	%	18	22	14
Months to First	Avg.	14	14	14
Recidivist Incarceration	%	31	36	27
Months to First	Avg.	8	8	9
Select Correctional Assignments in Addition to All Other Jobs				
Jobs				
Construction	#	308	62	246
Correction Enterprises	#	1,475	368	1,107
Work Release	#	891	128	763
Programs				
Academic Education	#	3,787	1,203	2,584
ACDP	#	2,676	1,102	1,574
SOAR	#	25	3	22
TDU	#	91	51	40
Vocational Education	#	3,197	900	2,297
All Other Programs	#	5,119	1,587	3,532

Note: The All Other Jobs category excludes Construction, Correction Enterprises, and Work Release.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Academic Education

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Table F.7
Academic Education

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		Prisoners N=4,338	Program Outcomes		
			Positive n=2,051	**Neutral** n=1,140	**Negative** n=1,147
Personal Characteristics					
Male	%	91	90	89	94
Race					
White	%	39	41	37	39
Black	%	54	51	56	55
Other/Unknown	%	7	8	6	6
Age at Prison Release	Avg.	36	38	33	34
Married	%	11	13	10	9
High School Dropout/GED	%	78	73	87	79
Prior Employment	%	44	45	42	43
Substance Use Indicated	%	74	71	77	76
Prior Criminal Justice Contacts					
Prior Arrest	%	93	91	94	96
Prior Probation Entry	%	80	75	82	87
Prior Probation/PRS Revocation	%	58	55	56	65
Prior Incarceration	%	56	56	51	63
Sample Conviction					
Offense Class					
Class B1 – D Felony	%	36	50	23	25
Class E – G Felony	%	41	35	47	47
Class H – I Felony	%	22	14	30	29
Offense Category					
Person	%	39	44	35	32
Property	%	21	16	25	26
Drug	%	18	17	18	17
Other	%	23	23	21	25
Incarceration Profile					
Type of Prison Entry					
New Crime	%	63	70	55	57
Probation Revocation	%	6	4	7	9
PRS Revocation	%	31	25	38	34
Time Served					
12 Months or Less	%	35	24	47	41
13-24 Months	%	15	10	19	20
25 Months or More	%	50	65	34	38

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Table F.7
Academic Education

		Prisoners N=4,338	Program Outcomes		
			Positive n=2,051	Neutral n=1,140	Negative n=1,147
Incarceration Profile *continued*					
Infractions					
1 or more	%	85	84	80	90
Total	Avg.	9	9	8	9
Class A	Avg.	4	4	4	4
Class B	Avg.	6	6	5	6
Class C	Avg.	3	3	3	3
Custody Classification at Release					
Close	%	19	15	19	28
Medium	%	34	28	41	36
Minimum	%	47	57	40	35
Criminal Justice Outcomes: Two-Year Follow-Up					
Recidivist Arrest	%	44	35	51	53
Months to First	Avg.	9	10	9	9
Recidivist Conviction	%	17	13	21	21
Months to First	Avg.	14	14	14	14
Recidivist Incarceration	%	31	25	35	38
Months to First	Avg.	9	9	9	8
Select Correctional Assignments in Addition to Academic Education					
Jobs					
Construction	#	205	147	35	23
Correction Enterprises	#	992	597	157	168
Work Release	#	575	449	64	62
All Other Jobs	#	3,787	1,950	863	974
Programs					
ACDP	#	1,394	763	323	308
SOAR	#	19	14	3	2
TDU	#	64	23	13	28
Vocational Education	#	2,196	1,359	405	432
All Other Programs	#	3,066	1,698	692	676

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Table F.8
Academic Education: Community College Programs

			Program Outcomes		
		Prisoners N=2,641	**Positive** n=650	**Neutral** n=1,041	**Negative** n=950
Personal Characteristics					
Male	%	92	93	90	95
Race					
White	%	34	40	32	33
Black	%	57	46	60	60
Other/Unknown	%	9	14	7	7
Age at Prison Release	Avg.	33	35	32	33
Married	%	10	12	10	9
High School Dropout/GED	%	92	95	95	88
Prior Employment	%	40	40	39	41
Substance Use Indicated	%	74	72	75	76
Prior Criminal Justice Contacts					
Prior Arrest	%	93	86	94	96
Prior Probation Entry	%	79	65	82	85
Prior Probation/PRS Revocation	%	54	43	54	62
Prior Incarceration	%	51	41	49	59
Sample Conviction					
Offense Class					
Class B1 – D Felony	%	36	58	27	30
Class E – G Felony	%	42	33	45	46
Class H – I Felony	%	22	9	28	24
Offense Category					
Person	%	42	54	40	37
Property	%	20	12	23	23
Drug	%	17	20	16	16
Other	%	20	14	21	25
Incarceration Profile					
Type of Prison Entry					
New Crime	%	59	70	54	57
Probation Revocation	%	7	3	7	8
PRS Revocation	%	34	27	39	34
Time Served					
12 Months or Less	%	38	23	46	39
13-24 Months	%	15	7	17	19
25 Months or More	%	47	70	37	42

continued

Table F.8
Academic Education: Community College Programs

| | | Prisoners N=2,641 | Program Outcomes | | |
			Positive n=650	Neutral n=1,041	Negative n=950
Incarceration Profile *continued*					
Infractions					
1 or more	%	88	90	82	93
Total	Avg.	10	7	5	7
Class A	Avg.	4	4	4	5
Class B	Avg.	6	6	6	7
Class C	Avg.	3	3	3	3
Custody Classification at Release					
Close	%	24	19	20	30
Medium	%	38	36	41	37
Minimum	%	38	45	39	33
Criminal Justice Outcomes: Two-Year Follow-Up					
Recidivist Arrest	%	48	36	51	52
Months to First	Avg.	9	10	9	9
Recidivist Conviction	%	18	12	21	19
Months to First	Avg.	14	15	14	15
Recidivist Incarceration	%	33	22	36	37
Months to First	Avg.	9	9	9	8
Select Correctional Assignments in Addition to Academic Education: Community College Programs					
Jobs					
Construction	#	96	33	35	28
Correction Enterprises	#	485	181	151	153
Work Release	#	251	120	63	68
All Other Jobs	#	2,238	624	798	816
Programs					
ACDP	#	784	234	304	246
SOAR	#	10	5	2	3
TDU	#	47	8	15	24
Vocational Education	#	1,151	439	365	347
All Other Programs	#	1,760	528	659	573

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 2021 Correctional Program Evaluation Data

Alcohol and Chemical Dependency Programs

Table F.9
ACDP

		Prisoners N=3,161	Program Outcomes		
			Positive n=1,808	Neutral n=357	Negative n=996
Personal Characteristics					
Male	%	86	84	85	89
Race					
White	%	54	55	53	51
Black	%	42	41	42	44
Other/Unknown	%	4	4	5	5
Age at Prison Release	Avg.	39	40	39	37
Married	%	12	12	13	11
High School Dropout/GED	%	72	69	73	76
Prior Employment	%	45	47	40	43
Substance Use Indicated	%	82	83	79	79
Prior Criminal Justice Contacts					
Prior Arrest	%	96	96	96	97
Prior Probation Entry	%	89	88	89	90
Prior Probation/PRS Revocation	%	69	68	69	72
Prior Incarceration	%	68	68	67	68
Sample Conviction					
Offense Class					
Class B1 – D Felony	%	23	26	17	21
Class E – G Felony	%	44	44	36	46
Class H – I Felony	%	33	30	47	33
Offense Category					
Person	%	26	27	21	26
Property	%	26	23	36	29
Drug	%	22	24	21	17
Other	%	26	26	22	27
Incarceration Profile					
Type of Prison Entry					
New Crime	%	60	63	54	58
Probation Revocation	%	8	8	9	8
PRS Revocation	%	32	30	38	34
Time Served					
12 Months or Less	%	43	41	53	43
13-24 Months	%	20	19	17	25
25 Months or More	%	37	41	29	33

continued

Table F.9
ACDP

		Prisoners N=3,161	Program Outcomes		
			Positive n=1,808	Neutral n=357	Negative n=996
Incarceration Profile *continued*					
Infractions					
1 or more	%	76	69	74	88
Total	Avg.	7	6	7	8
Class A	Avg.	3	3	3	3
Class B	Avg.	5	4	5	5
Class C	Avg.	3	3	3	3
Custody Classification at Release					
Close	%	11	6	8	20
Medium	%	31	27	33	37
Minimum	%	58	67	59	43
Criminal Justice Outcomes: Two-Year Follow-Up					
Recidivist Arrest	%	43	39	52	48
Months to First	Avg.	10	10	10	9
Recidivist Conviction	%	18	16	22	20
Months to First	Avg.	14	14	14	14
Recidivist Incarceration	%	32	28	35	36
Months to First	Avg.	8	8	8	8
Select Correctional Assignments in Addition to ACDP					
Jobs					
Construction	#	124	84	9	31
Correction Enterprises	#	548	329	58	161
Work Release	#	337	259	26	52
All Other Jobs	#	2,676	1,521	266	889
Programs					
Academic Education	#	1,394	804	121	469
SOAR	#	14	13	0	1
TDU	#	29	3	5	21
Vocational Education	#	1,244	744	102	398
All Other Programs	#	2,102	1,281	196	625

Note: Of the 3,161 offenders who were assigned to a prison-based ACDP during their incarceration, 70% were assigned to intermediate treatment (duration: 90-120 days), 25% were assigned to long-term intensive treatment (duration: 120-365 days), and 5% were assigned to both. For more information on Intermediate ACDP treatment, *see* Appendix F, Table F.10; for Intensive ACDP treatment, *see* Appendix F, Table F.11.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Table F.10
ACDP: Intermediate Treatment

		Prisoners N=2,369	Program Outcomes		
			Positive n=1,456	Neutral n=287	Negative n=626
Personal Characteristics					
Male	%	89	87	89	93
Race					
White	%	54	55	50	51
Black	%	42	41	40	44
Other/Unknown	%	5	4	4	6
Age at Prison Release	Avg.	39	40	39	36
Married	%	12	12	14	10
High School Dropout/GED	%	72	70	71	78
Prior Employment	%	44	46	41	40
Substance Use Indicated	%	81	82	77	79
Prior Criminal Justice Contacts					
Prior Arrest	%	96	96	95	96
Prior Probation Entry	%	88	88	90	87
Prior Probation/PRS Revocation	%	68	67	68	70
Prior Incarceration	%	67	68	65	66
Sample Conviction					
Offense Class					
Class B1 – D Felony	%	27	30	19	26
Class E – G Felony	%	43	43	36	44
Class H – I Felony	%	30	27	45	30
Offense Category					
Person	%	29	29	24	31
Property	%	24	21	35	28
Drug	%	21	24	21	15
Other	%	26	27	20	27
Incarceration Profile					
Type of Prison Entry					
New Crime	%	60	63	53	56
Probation Revocation	%	7	6	8	7
PRS Revocation	%	34	31	39	38
Time Served					
12 Months or Less	%	38	36	50	39
13-24 Months	%	18	17	17	22
25 Months or More	%	43	47	33	40

Table F.10
ACDP: Intermediate Treatment

		Prisoners N=2,369	Program Outcomes		
			Positive n=1,456	Neutral n=287	Negative n=626
Incarceration Profile *continued*					
Infractions					
1 or more	%	79	73	78	92
Total	Avg.	7	6	6	10
Class A	Avg.	3	3	3	4
Class B	Avg.	5	4	5	6
Class C	Avg.	3	3	3	3
Custody Classification at Release					
Close	%	12	7	9	25
Medium	%	31	27	34	39
Minimum	%	57	66	57	36
Criminal Justice Outcomes: Two-Year Follow-Up					
Recidivist Arrest	%	44	39	54	49
Months to First	Avg.	10	10	9	9
Recidivist Conviction	%	19	16	25	21
Months to First	Avg.	14	14	14	15
Recidivist Incarceration	%	33	30	37	40
Months to First	Avg.	8	9	8	8
Select Correctional Assignments in Addition to ACDP Intermediate Treatment					
Jobs					
Construction	#	108	78	7	23
Correction Enterprises	#	479	307	54	118
Work Release	#	304	248	24	32
All Other Jobs	#	2,048	1,256	219	573
Programs					
Academic Education	#	1,130	703	105	322
SOAR	#	13	12	0	1
TDU	#	24	2	5	17
Vocational Education	#	1,011	656	89	266
All Other Programs	#	1,716	1,117	176	423

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Table F.11
ACDP: Intensive Treatment

		Prisoners N=946	Program Outcomes		
			Positive n=366	Neutral n=128	Negative n=452
Personal Characteristics					
Male	%	75	72	69	79
Race					
White	%	54	57	52	53
Black	%	41	40	43	42
Other/Unknown	%	4	2	5	6
Age at Prison Release	Avg.	39	40	40	37
Married	%	13	12	13	13
High School Dropout/GED	%	70	66	73	72
Prior Employment	%	49	51	40	49
Substance Use Indicated	%	84	87	84	82
Prior Criminal Justice Contacts					
Prior Arrest	%	97	97	97	98
Prior Probation Entry	%	92	91	90	93
Prior Probation/PRS Revocation	%	72	70	71	75
Prior Incarceration	%	69	65	70	71
Sample Conviction					
Offense Class					
Class B1 – D Felony	%	11	7	10	14
Class E – G Felony	%	46	47	39	46
Class H – I Felony	%	44	46	51	40
Offense Category					
Person	%	20	22	16	20
Property	%	32	31	37	32
Drug	%	23	25	24	22
Other	%	25	23	23	26
Incarceration Profile					
Type of Prison Entry					
New Crime	%	59	62	52	59
Probation Revocation	%	11	13	13	10
PRS Revocation	%	29	25	34	31
Time Served					
12 Months or Less	%	55	59	63	49
13-24 Months	%	25	24	20	27
25 Months or More	%	21	17	17	24

continued

Table F.11
ACDP: Intensive Treatment

		Prisoners N=946	Program Outcomes		
			Positive n=366	Neutral n=128	Negative n=452
Incarceration Profile *continued*					
Infractions					
1 or more	%	70	55	63	83
Total	Avg.	6	4	6	7
Class A	Avg.	3	2	4	3
Class B	Avg.	4	3	4	4
Class C	Avg.	3	2	2	3
Custody Classification at Release					
Close	%	7	2	5	12
Medium	%	29	26	24	33
Minimum	%	63	71	70	55
Criminal Justice Outcomes: Two-Year Follow-Up					
Recidivist Arrest	%	43	39	41	47
Months to First	Avg.	10	11	10	9
Recidivist Conviction	%	16	14	12	19
Months to First	Avg.	14	14	16	14
Recidivist Incarceration	%	28	22	31	32
Months to First	Avg.	8	8	7	8
Select Correctional Assignments in Addition to ACDP Intensive Treatment					
Jobs					
Construction	#	19	6	2	11
Correction Enterprises	#	101	25	13	63
Work Release	#	36	11	3	22
All Other Jobs	#	759	275	93	391
Programs					
Academic Education	#	322	101	37	184
SOAR	#	1	1	0	0
TDU	#	6	1	0	5
Vocational Education	#	287	90	31	166
All Other Programs	#	492	176	59	257

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Sex Offender Accountability and Responsibility

Table F.12
SOAR

		Prisoners N=26	Program Outcomes		
			Positive n=19	Neutral n=3	Negative n=4
Personal Characteristics					
Male	#	26	19	3	4
Race					
White	#	20	14	3	3
Black	#	5	5	0	0
Other/Unknown	#	1	0	0	1
Age at Prison Release	Avg.	44	47	34	36
Married	#	6	5	1	0
High School Dropout/GED	#	18	12	3	3
Prior Employment	#	16	14	2	0
Substance Use Indicated	#	18	14	1	3
Prior Criminal Justice Contacts					
Prior Arrest	#	22	16	3	3
Prior Probation Entry	#	13	9	2	2
Prior Probation/PRS Revocation	#	8	5	2	1
Prior Incarceration	#	9	5	2	2
Sample Conviction					
Offense Class					
Class B1 – D Felony	#	19	18	1	0
Class E – G Felony	#	7	1	2	4
Class H – I Felony	#	0	0	0	0
Offense Category					
Person	#	23	18	2	3
Property	#	0	0	0	0
Drug	#	0	0	0	0
Other	#	3	1	1	1
Incarceration Profile					
Type of Prison Entry					
New Crime	#	15	14	0	1
Probation Revocation	#	1	0	0	1
PRS Revocation	#	10	5	3	2
Time Served					
12 Months or Less	#	7	4	2	1
13-24 Months	#	3	0	1	2
25 Months or More	#	16	15	0	1

continued

		Prisoners N=26	Program Outcomes		
			Positive n=19	Neutral n=3	Negative n=4
Incarceration Profile *continued*					
Infractions					
1 or more	#	20	14	2	4
Total	Avg.	8	8	6	7
Class A	Avg.	3	4	2	2
Class B	Avg.	4	5	3	5
Class C	Avg.	3	4	3	2
Custody Classification at Release					
Close	#	2	1	0	1
Medium	#	9	5	2	2
Minimum	#	15	13	1	1
Criminal Justice Outcomes: Two-Year Follow-Up					
Recidivist Arrest	#	5	3	0	2
Months to First	Avg.	8	10	n/a	5
Recidivist Conviction	#	2	1	0	1
Months to First	Avg.	14	21	n/a	7
Recidivist Incarceration	#	6	2	1	3
Months to First	Avg.	11	11	4	13
Select Correctional Assignments in Addition to SOAR					
Jobs					
Construction	#	3	3	0	0
Correction Enterprises	#	13	11	1	1
Work Release	#	0	0	0	0
All Other Jobs	#	25	19	2	4
Programs					
Academic Education	#	19	14	2	3
ACDP	#	14	9	2	3
TDU	#	0	0	0	0
Vocational Education	#	18	15	1	2
All Other Programs	#	22	16	2	4

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 2021 Correctional Program Evaluation Data

Therapeutic Diversion Unit

Table F.13
TDU

		Prisoners N=116	Program Outcomes		
			Positive n=68	Neutral n=19	Negative n=29
Personal Characteristics					
Male	#	93	56	14	23
Race					
White	#	52	30	10	12
Black	#	57	33	9	15
Other/Unknown	#	7	5	0	2
Age at Prison Release	Avg.	33	35	34	30
Married	#	10	6	1	3
High School Dropout/GED	#	98	61	13	24
Prior Employment	#	40	19	11	10
Substance Use Indicated	#	82	52	13	17
Prior Criminal Justice Contacts					
Prior Arrest	#	112	66	18	28
Prior Probation Entry	#	94	58	15	21
Prior Probation/PRS Revocation	#	78	49	14	15
Prior Incarceration	#	81	51	14	16
Sample Conviction					
Offense Class					
Class B1 – D Felony	#	56	34	8	14
Class E – G Felony	#	43	26	3	14
Class H – I Felony	#	17	8	8	1
Offense Category					
Person	#	54	29	7	18
Property	#	24	13	9	2
Drug	#	7	3	0	4
Other	#	31	23	3	5
Incarceration Profile					
Type of Prison Entry					
New Crime	#	68	38	12	18
Probation Revocation	#	6	6	0	0
PRS Revocation	#	42	24	7	11
Time Served					
12 Months or Less	#	37	23	6	8
13-24 Months	#	14	3	4	7
25 Months or More	#	65	42	9	14

continued

		Prisoners N=116	Program Outcomes		
			Positive n=68	Neutral n=19	Negative n=29
Incarceration Profile *continued*					
Infractions					
1 or more	#	116	68	19	29
Total	Avg.	21	21	11	28
Class A	Avg.	8	8	5	11
Class B	Avg.	14	14	8	19
Class C	Avg.	5	5	3	7
Custody Classification at Release					
Close	#	82	40	15	27
Medium	#	23	21	1	1
Minimum	#	11	7	3	1
Criminal Justice Outcomes: Two-Year Follow-Up					
Recidivist Arrest	#	54	33	8	13
Months to First	Avg.	9	10	8	7
Recidivist Conviction	#	26	18	4	4
Months to First	Avg.	15	15	13	15
Recidivist Incarceration	#	45	27	10	8
Months to First	Avg.	8	8	9	5
Select Correctional Assignments in Addition to Vocational Education					
Jobs					
Construction	#	0	0	0	0
Correction Enterprises	#	14	12	1	1
Work Release	#	0	0	0	0
All Other Jobs	#	91	52	15	24
Programs					
Academic Education	#	64	41	5	18
ACDP	#	29	18	4	7
SOAR	#	0	0	0	0
Vocational Education	#	47	30	9	8
All Other Programs	#	116	68	19	29

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 2021 Correctional Program Evaluation Data

Vocational Education

Table F.14
Vocational Education

		Prisoners N=3,491	Program Outcomes		
			Positive n=2,274	Neutral n=357	Negative n=860
Personal Characteristics					
Male	%	89	87	90	93
Race					
White	%	43	43	45	44
Black	%	51	51	50	52
Other/Unknown	%	6	6	5	4
Age at Prison Release	Avg.	37	39	36	34
Married	%	12	12	12	11
High School Dropout/GED	%	69	67	75	72
Prior Employment	%	45	46	46	41
Substance Use Indicated	%	73	71	80	74
Prior Criminal Justice Contacts					
Prior Arrest	%	93	91	95	97
Prior Probation Entry	%	79	75	88	85
Prior Probation/PRS Revocation	%	59	55	65	65
Prior Incarceration	%	59	56	61	65
Sample Conviction					
Offense Class					
Class B1 – D Felony	%	42	49	22	29
Class E – G Felony	%	38	35	45	42
Class H – I Felony	%	20	15	33	29
Offense Category					
Person	%	39	42	28	34
Property	%	20	16	24	27
Drug	%	17	18	23	13
Other	%	24	23	25	25
Incarceration Profile					
Type of Prison Entry					
New Crime	%	66	70	57	59
Probation Revocation	%	5	4	8	7
PRS Revocation	%	29	26	35	34
Time Served					
12 Months or Less	%	30	25	49	35
13-24 Months	%	14	11	18	21
25 Months or More	%	56	64	34	43

continued

Table F.14
Vocational Education

		Prisoners N=3,491	Program Outcomes		
			Positive n=2,274	Neutral n=357	Negative n=860
Incarceration Profile *continue*					
Infractions					
1 or more	%	85	84	77	93
Total	Avg.	9	9	8	11
Class A	Avg.	4	4	4	4
Class B	Avg.	6	6	5	7
Class C	Avg.	3	3	3	3
Custody Classification at Release					
Close	%	17	13	14	29
Medium	%	34	30	40	40
Minimum	%	49	57	47	30
Criminal Justice Outcomes: Two-Year Follow-Up					
Recidivist Arrest	%	42	37	46	54
Months to First	Avg.	9	10	10	9
Recidivist Conviction	%	17	14	22	23
Months to First	Avg.	14	14	16	14
Recidivist Incarceration	%	28	24	33	39
Months to First	Avg.	9	9	9	8
Select Correctional Assignments in Addition to Vocational Education					
Jobs					
Construction	#	187	160	11	16
Correction Enterprises	#	880	662	54	164
Work Release	#	510	450	25	35
All Other Jobs	#	3,197	2,141	289	767
Programs					
Academic Education	#	2,196	1,514	169	513
ACDP	#	1,244	832	128	284
SOAR	#	18	15	1	2
TDU	#	47	19	4	24
All Other Programs	#	2,584	1,833	206	545

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

All Other Programs

Table F.15
All Other Programs

		Prisoners N=5,684	Program Outcomes		
			Positive n=2,385	Neutral n=2,291	Negative n=1,008
Personal Characteristics					
Male	%	91	89	92	92
Race					
White	%	46	41	50	47
Black	%	49	54	45	47
Other/Unknown	%	5	5	5	7
Age at Prison Release	Avg.	39	39	40	35
Married	%	12	13	12	10
High School Dropout/GED	%	71	72	68	75
Prior Employment	%	44	42	46	45
Substance Use Indicated	%	75	72	78	78
Prior Criminal Justice Contacts					
Prior Arrest	%	94	92	95	95
Prior Probation Entry	%	83	78	88	85
Prior Probation/PRS Revocation	%	63	61	66	64
Prior Incarceration	%	64	62	66	62
Sample Conviction					
Offense Class					
Class B1 – D Felony	%	34	52	21	21
Class E – G Felony	%	40	34	44	45
Class H – I Felony	%	26	14	35	34
Offense Category					
Person	%	33	44	22	30
Property	%	23	16	27	31
Drug	%	19	15	23	18
Other	%	26	25	29	22
Incarceration Profile					
Type of Prison Entry					
New Crime	%	65	69	63	60
Probation Revocation	%	6	4	8	9
PRS Revocation	%	29	27	29	32
Time Served					
12 Months or Less	%	34	24	41	41
13-24 Months	%	17	9	21	26
25 Months or More	%	50	67	39	34

continued

Table F.15
All Other Programs

		Prisoners N=5,684	Program Outcomes		
			Positive n=2,385	Neutral n=2,291	Negative n=1,008
Incarceration Profile *continued*					
Infractions					
1 or more	%	78	84	69	86
Total	Avg.	8	10	6	8
Class A	Avg.	4	5	3	4
Class B	Avg.	5	6	4	6
Class C	Avg.	3	3	3	3
Custody Classification at Release					
Close	%	16	19	8	25
Medium	%	27	26	24	35
Minimum	%	57	55	67	40
Criminal Justice Outcomes: Two-Year Follow-Up					
Recidivist Arrest	%	40	37	41	46
Months to First	Avg.	10	10	10	10
Recidivist Conviction	%	16	14	16	18
Months to First	Avg.	14	15	14	14
Recidivist Incarceration	%	29	26	28	36
Months to First	Avg.	8	9	8	8
Select Correctional Assignments in Addition to All Other Programs					
Jobs					
Construction	#	298	165	115	18
Correction Enterprises	#	1,258	689	412	157
Work Release	#	885	524	324	37
All Other Jobs	#	5,119	2,246	2,001	872
Programs					
Academic Education	#	3,066	1,611	948	507
ACDP	#	2,102	885	896	321
SOAR	#	22	13	7	2
TDU	#	116	79	19	18
Vocational Education	#	2,584	1,447	778	359

Note: The All Other Program category excludes Academic Education, ACDP, SOAR, and Vocational Education.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Table F.16
Prisoners Receiving LRC Services

		Prisoners N=655	Local Reentry Exit Reason		
			Positive n=315	Neutral n=199	Negative n=141
Personal Characteristics					
Male	%	87	86	90	87
Race					
White	%	34	36	35	29
Black	%	58	52	61	67
Other/Unknown	%	8	12	4	4
Age at Prison Release	Avg.	41	42	41	39
Married	%	8	9	8	6
High School Dropout/GED	%	68	64	70	74
Prior Employment	%	45	48	44	40
Substance Use Indicated	%	75	73	75	78
Prior Criminal Justice Contacts					
Prior Arrest	%	93	92	93	96
Prior Probation Entry	%	85	83	84	90
Prior Probation/PRS Revocation	%	68	68	65	72
Prior Incarceration	%	67	67	65	72
Sample Conviction					
Offense Class					
Class B1 – D Felony	%	26	28	24	22
Class E – G Felony	%	39	40	38	37
Class H – I Felony	%	35	31	38	41
Offense Category					
Person	%	33	34	30	34
Property	%	28	29	27	27
Drug	%	14	13	17	12
Other	%	25	23	26	27
Incarceration Profile					
Type of Prison Entry					
New Crime	%	71	78	71	56
Probation Revocation	%	8	8	8	8
PRS Revocation	%	21	13	21	36
Time Served					
12 Months or Less	%	45	38	51	50
13-24 Months	%	15	17	13	12
25 Months or More	%	40	44	36	38

continued

Table F.16
Prisoners Receiving LRC Services

		Prisoners N=655	Local Reentry Exit Reason		
			Positive n=315	Neutral n=199	Negative n=141
Incarceration Profile *continued*					
Infractions					
1 or more	%	69	69	65	76
Total	Avg.	8	9	6	9
Class A	Avg.	4	4	3	4
Class B	Avg.	5	6	4	6
Class C	Avg.	3	3	3	3
Custody Classification at Release					
Close	%	13	14	10	18
Medium	%	26	19	31	35
Minimum	%	61	68	60	47
Criminal Justice Outcomes: Two-Year Follow-Up					
Recidivist Arrest	%	42	36	41	57
Months to First	Avg.	11	12	11	9
Recidivist Conviction	%	16	12	19	23
Months to First	Avg.	15	16	15	13
Recidivist Incarceration	%	29	23	31	42
Months to First	Avg.	8	9	8	7
LRC Services Provided to Prisoners					
Basic Needs	%	61	60	62	62
Documentation	%	23	24	24	21
Education	%	12	10	15	12
Employment	%	58	64	51	57
Housing	%	44	43	41	50
Life Skills	%	21	22	22	16
Mentorship	%	10	7	16	10
Mental Health Referral	%	14	11	17	16
Substance Abuse Referral	%	10	9	12	11
Transportation	%	32	30	36	30
Vocational Training	%	19	19	20	16

Note: Only 2 FY 2021 prison releases received assistance with childcare services (not shown).
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Table F.17
LRC Location

LRC Location	#	%
Buncombe	79	12
Craven – Pamlico	16	2
Cumberland	4	1
Durham	53	8
Forsyth	29	4
Guilford	29	4
Hoke	17	3
McDowell	14	2
Mecklenburg	66	10
Nash – Edgecombe	73	11
New Hanover	69	11
Orange	16	2
Pitt	2	<1
Robeson	49	7
Scotland	26	4
Wake	69	11
Wilson	44	7
Prisoners	**655**	**100**

Note: Percentages may not add to 100 due to rounding.
SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

PRISONERS RELEASED EARLY UNDER COVID-19 PANDEMIC SETTLEMENT AGREEMENT

Table F.18
FY 2021 Prisoners by Settlement Status

		Prisoners N=12,889	Settlement Status	
			Regular Release n=11,709	Settlement Release n=1,180
Personal Characteristics				
Male	%	89	89	90
Race				
White	%	47	48	45
Black	%	47	46	49
Other/Unknown	%	6	6	6
Age at Prison Release	Avg.	37	37	36
Married	%	11	11	10
High School Dropout/GED	%	70	70	71
Prior Employment	%	45	45	42
Substance Use Indicated	%	77	77	79
Prior Criminal Justice Contacts				
Prior Arrest	%	95	94	96
Prior Probation Entry	%	85	85	87
Prior Probation/PRS Revocation	%	61	61	66
Prior Incarceration	%	60	59	64
Sample Conviction				
Offense Class				
Class B1 – D Felony	%	17	17	16
Class E – G Felony	%	38	39	37
Class H – I Felony	%	44	44	47
Offense Category				
Person	%	26	27	21
Property	%	30	29	34
Drug	%	22	22	21
Other	%	22	22	24
Incarceration Profile				
Type of Prison Entry				
New Crime	%	62	62	58
Probation Revocation	%	12	13	11
PRS Revocation	%	26	25	31
Time Served				
12 Months or Less	%	58	57	64
13-24 Months	%	16	16	15
25 Months or More	%	26	27	21

continued

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Table F.18
FY 2021 Prisoners by Settlement Status

		Prisoners N=12,889	Settlement Status	
			Regular Release n=11,709	Settlement Release n=229
Incarceration Profile *continued*				
Infractions				
1 or more	%	64	63	68
Total	Avg.	6	6	7
Class A	Avg.	3	3	3
Class B	Avg.	4	4	5
Class C	Avg.	3	3	3
Custody Classification at Release				
Close	%	14	14	19
Medium	%	31	30	36
Minimum	%	55	56	45
Days Released Early				
14 – 30 Days	%	43	n/a	43
31 – 60 Days	%	34	n/a	34
61 – 90 Days	%	24	n/a	24
Total Days	Avg.	51	n/a	51
Criminal Justice Outcomes: Two-Year Follow-Up				
Recidivist Arrest	%	44	44	48
Months to First	Avg.	9	9	9
Recidivist Conviction	%	18	18	20
Months to First	Avg.	14	14	14
Recidivist Incarceration	%	33	33	37
Months to First	Avg.	8	8	8

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

Table F.19
Prisoners Released Early under Settlement Agreement by Early Release Tool

		Prisoners N=1,180	Early Release Tool		
			Discretionary Credits n=720	PRSPC Review n=255	ELC n=205
Personal Characteristics					
Male	%	90	90	90	88
Race					
White	%	45	45	45	46
Black	%	49	50	47	48
Other/Unknown	%	6	5	8	6
Age at Prison Release	Avg.	36	35	36	41
Married	%	10	10	7	14
High School Dropout/GED	%	71	71	73	69
Prior Employment	%	42	44	36	44
Substance Use Indicated	%	79	77	81	82
Prior Criminal Justice Contacts					
Prior Arrest	%	96	97	96	96
Prior Probation Entry	%	87	84	89	95
Prior Probation/PRS Revocation	%	66	62	70	76
Prior Incarceration	%	64	62	64	74
Sample Conviction					
Offense Class					
Class B1 – D Felony	%	16	17	16	15
Class E – G Felony	%	37	38	29	44
Class H – I Felony	%	47	46	55	40
Offense Category					
Person	%	21	27	21	0
Property	%	34	31	43	33
Drug	%	21	18	19	35
Other	%	24	24	17	32
Incarceration Profile					
Type of Prison Entry					
New Crime	%	58	71	2	83
Probation Revocation	%	11	14	0	12
PRS Revocation	%	31	15	98	5
Time Served					
12 Months or Less	%	64	63	97	23
13-24 Months	%	15	14	0	37
25 Months or More	%	21	23	3	40

continued

Table F.19
Prisoners Released Early under Settlement Agreement by Early Release Tool

| | | | Early Release Tool | | |
		Prisoners N=1,180	Discretionary Credits n=720	PRSPC Review n=255	ELC n=205
Incarceration Profile *continued*					
Infractions					
1 or more	%	68	65	74	70
Total	Avg.	7	9	7	4
Class A	Avg.	3	4	3	2
Class B	Avg.	5	6	5	3
Class C	Avg.	3	3	3	2
Custody Classification at Release					
Close	%	19	27	9	3
Medium	%	36	36	49	16
Minimum	%	45	36	42	81
Days Released Early					
14 – 30 Days	%	38	75	5	20
31– 60 Days	%	30	60	20	21
61 – 90 Days	%	21	53	34	13
91+ Days	%	11	33	61	6
Total Days	Avg.	51	45	78	39
Criminal Justice Outcomes: Two-Year Follow-Up					
Recidivist Arrest	%	48	49	53	39
Months to First	Avg.	9	9	8	10
Recidivist Conviction	%	20	20	21	17
Months to First	Avg.	14	13	14	14
Recidivist Incarceration	%	37	42	24	33
Months to First	Avg.	8	7	11	7

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

PRISONERS RELEASED FOLLOWING EXTENDED LIMITS OF CONFINEMENT

Table F.20
Prisoners Released Following ELC

		Prisoners N=884	Settlement Status	
			Pre-Settlement n=679	Settlement n=205
Personal Characteristics				
Male	%	87	87	88
Race				
White	%	45	45	46
Black	%	51	52	48
Other/Unknown	%	4	3	6
Age at Prison Release	Avg.	46	48	41
Married	%	16	17	14
High School Dropout/GED	%	64	63	69
Prior Employment	%	44	44	44
Substance Use Indicated	%	76	74	82
Prior Criminal Justice Contacts				
Prior Arrest	%	96	96	96
Prior Probation Entry	%	90	89	95
Prior Probation/PRS Revocation	%	71	70	75
Prior Incarceration	%	75	75	74
Sample Conviction				
Offense Class				
Class B1 – D Felony	%	21	23	15
Class E – G Felony	%	45	45	45
Class H – I Felony	%	34	32	40
Offense Category				
Person	%	<1	<1	0
Property	%	29	28	32
Drug	%	36	37	36
Other	%	34	35	32
Incarceration Profile				
Type of Prison Entry				
New Crime	%	89	90	82
Probation Revocation	%	9	7	13
PRS Revocation	%	3	2	5
Time Served				
12 Months or Less	%	19	18	23
13-24 Months	%	27	24	37
25 Months or More	%	54	58	40

continued

Table F.20
Prisoners Released Following ELC

		Prisoners N=884	Settlement Status	
			Pre-Settlement n=679	Settlement n=205
Incarceration Profile *continued*				
Infractions				
1 or more	%	54	49	70
Total	Avg.	3	3	4
Class A	Avg.	2	2	2
Class B	Avg.	2	2	3
Class C	Avg.	2	2	2
Custody Classification at Release				
Close	%	2	1	3
Medium	%	10	9	16
Minimum	%	88	90	81
Days on ELC				
1 – 30 Days	%	18	42	58
31 – 60 Days	%	17	52	48
61 – 90 Days	%	15	73	27
91+ Days	%	49	99	1
Total Days	Avg.	111	134	37
Criminal Justice Outcomes: Two-Year Follow-Up				
Recidivist Arrest	%	31	28	39
Months to First	Avg.	10	11	10
Recidivist Conviction	%	12	10	17
Months to First	Avg.	14	14	14
Recidivist Incarceration	%	23	20	34
Months to First	Avg.	8	8	7

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data

NORTH CAROLINA
SENTENCING AND
POLICY ADVISORY
COMMISSION

QUICK FACTS:
ADULT RECIDIVISM

APRIL 2024

FISCAL YEAR 2021 SAMPLE

⇒ The sample is comprised of offenders sentenced under Structured Sentencing who were released from supervised probation or prison during FY 2021; the follow-up period for recidivism is two years.

⇒ Criminal justice outcomes examined included recidivist arrests, convictions, and (state prison) incarcerations.

⇒ The COVID-19 pandemic affected the sample (in terms of size) and recidivism rates during the follow-up period.

All Offenders
N=37,625

Probationers
66% (n=24,736)
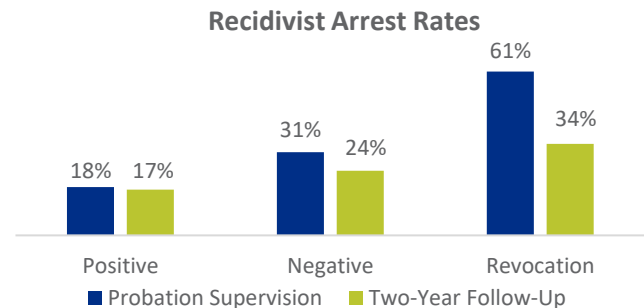
Prisoners
34% (n=12,889)
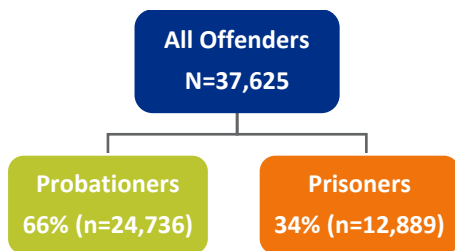
Offender Profile

▪ Offenders averaged 36 years of age. The majority were male (78%), 49% were White, 45% were Black, 88% were not married, 57% dropped out of high school, 55% had prior employment, and 76% had substance use indicated.

▪ All prisoners had a felony conviction, while the majority of probationers had a misdemeanor conviction (56%).

▪ Compared to probationers, prisoners had more extensive prior criminal justice contacts and higher recidivism rates.

▪ Over half were employed during the two-year follow-up with an annual median wage of $11,980 (in year two).

▪ Sixty-five percent (65%) of offenders with a recidivist arrest were arrested within the first 12 months of follow-up.
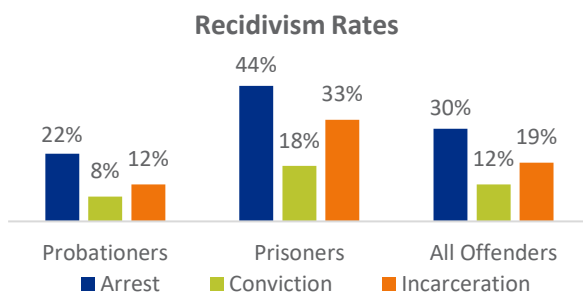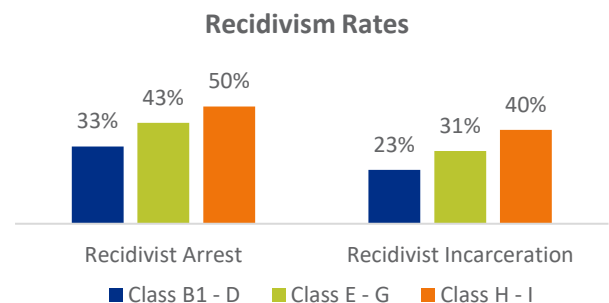
Probationers

▪ Probationers were grouped based on their release reason – positive (54%), negative (30%), and revocation (16%).

▪ The positive and negative groups were most likely to have a technical violation as their most serious violation; the revocation group was more likely to have a criminal violation.

▪ The negative and revocation groups had higher recidivism rates during probation supervision; the positive group had similar recidivism rates in both periods.

Recidivist Arrest Rates

	Positive	Negative	Revocation
Probation Supervision	18%	31%	61%
Two-Year Follow-Up	17%	24%	34%

Prisoners

▪ Class B1 – D prisoners had the lowest recidivism rates. Class H - I prisoners had the highest recidivism rates.

▪ Prisoners who entered prison due to a Post Release Supervision (PRS) revocation, who had infractions, who were placed in restrictive housing, or who were classified as close custody at release, had the highest recidivism rates.

▪ 84% of prisoners were subject to PRS upon release; three-quarters exited PRS with a satisfactory termination followed by 18% due to revocation.

Recidivism Rates

	Arrest	Conviction	Incarceration
Probationers	22%	8%	12%
Prisoners	44%	18%	33%
All Offenders	30%	12%	19%

Recidivism Rates

	Class B1 - D	Class E - G	Class H - I
Recidivist Arrest	33%	43%	50%
Recidivist Incarceration	23%	31%	40%

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2021 Correctional Program Evaluation Data