

House Appropriations Subcommittee on Justice and
Public Safety

Community Corrections and the
Justice Reinvestment Act

April 2, 2015

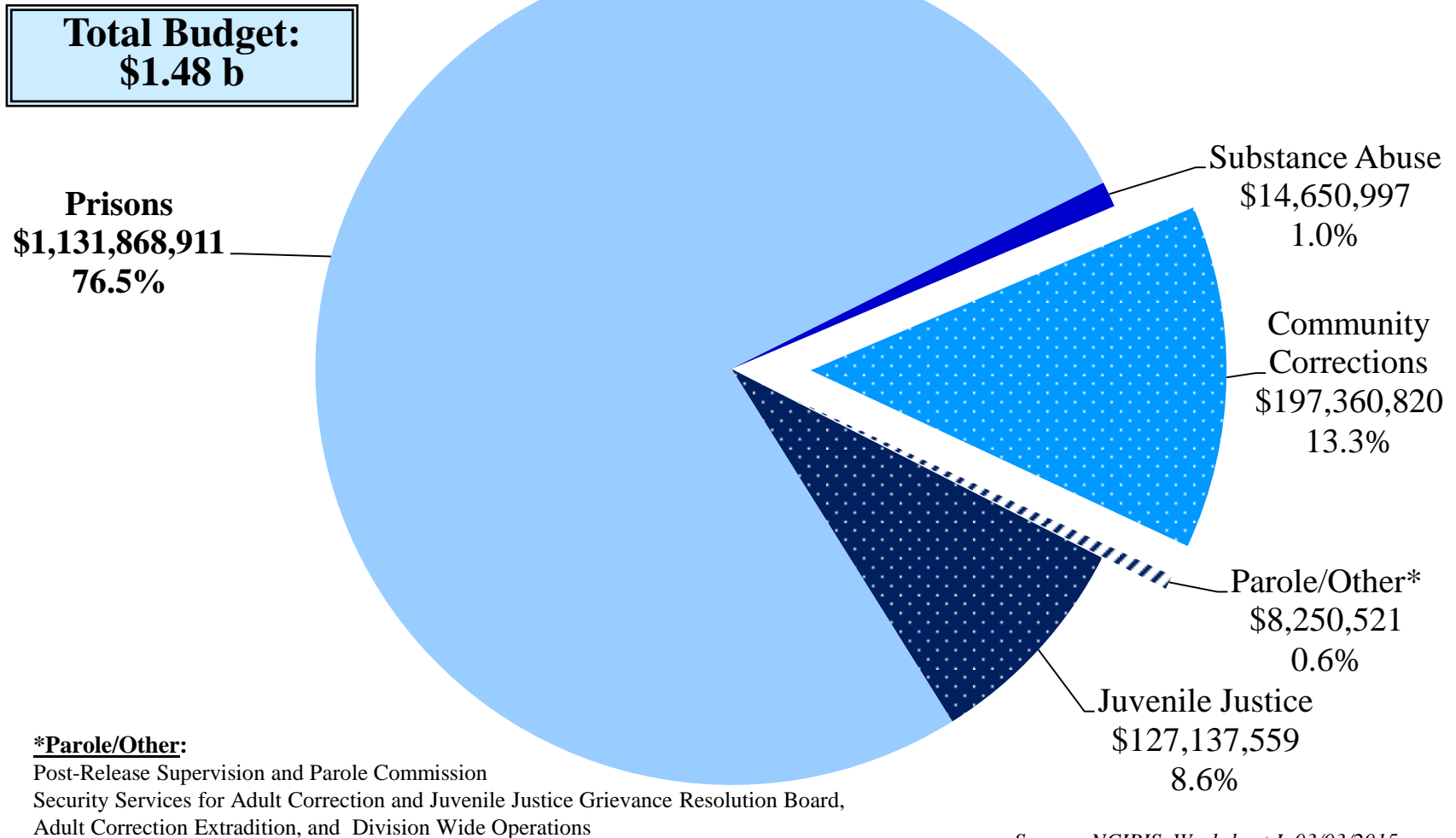


FISCAL RESEARCH DIVISION
A Staff Agency of the North Carolina General Assembly

Preview

- Overview of the budget
- Two significant pieces of legislation:
 - Structured Sentencing, 1994
 - The Justice Reinvestment Act, 2011
- The changing role of probation officers
- Programs for probationers
- Reinvestment and results

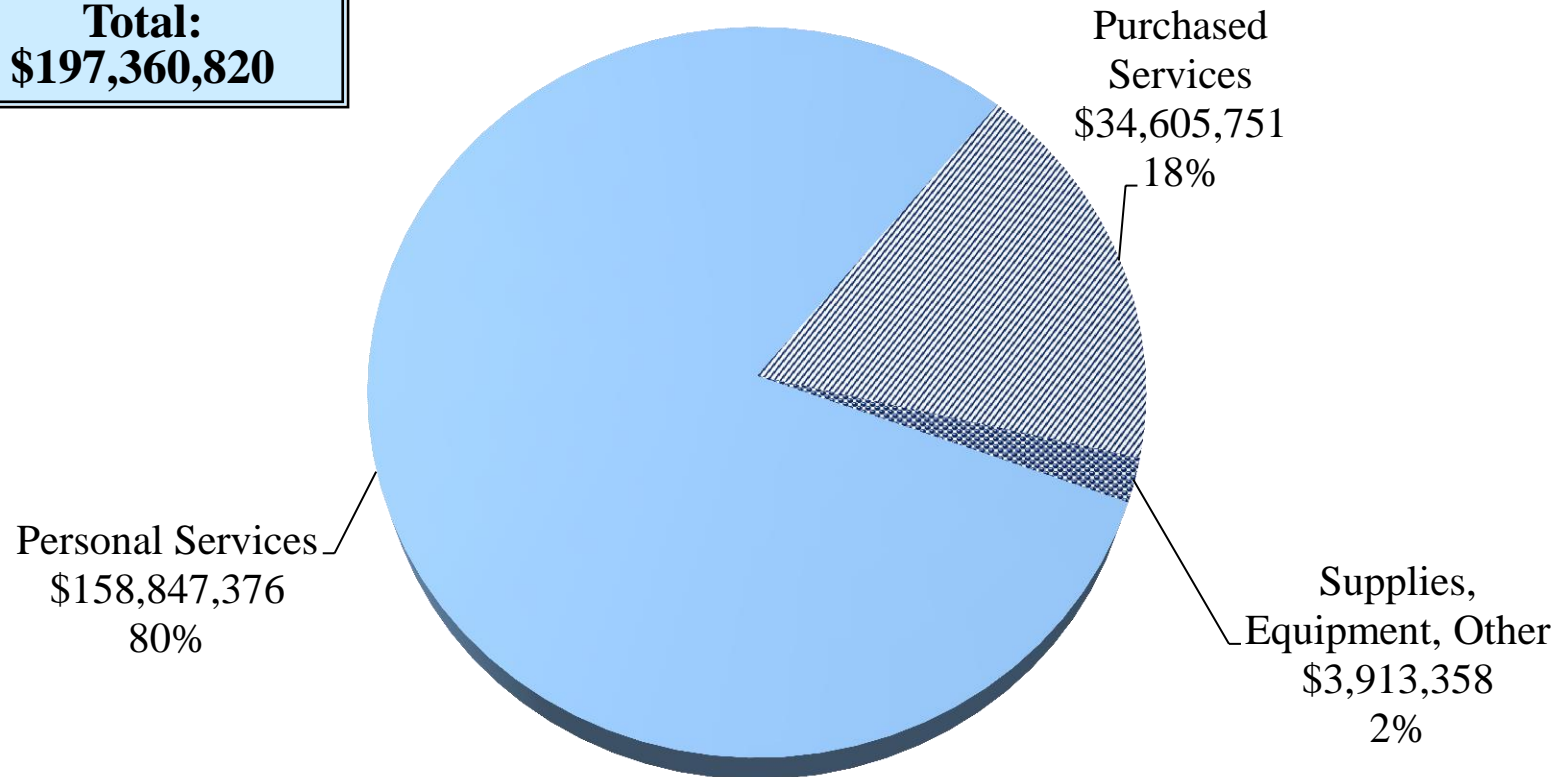
FY 2015-16 DACJJ Base Budget



Source: NCIBIS, Worksheet I, 03/03/2015

Community Corrections Base Budget FY 2015-16

Total:
\$197,360,820



Average Daily Costs

- Daily cost of prison per offender: \$82.70 per day, \$30,185 annually
- Daily cost of community corrections per offender: \$4.29 per day, \$1,566 annually

What is Community Corrections?

- Probation, Parole and Post-Release Supervision
- Parole and Post-Release Supervision Commission
- Community Supervision Programs
- Confinement in Response to Violation (CRV) centers in Robeson and Burke Counties

Probation, Parole and Post-Release Supervision Defined

- Probation is a period of court-ordered community supervision of an offender as an *alternative* to imprisonment (a suspended sentence)
- Parole is the conditional release of an offender prior to the end of his/her sentence
- Post-Release Supervision (PRS) is a period of supervision after the completion of an active prison sentence

Structured Sentencing (1993)

- S.L. 1993-538 (HB 277)
- Uniform, fair, transparent sentencing
- Effectively eliminated early release/parole for all crimes committed after 1994
 - 784 people were paroled last year for crimes committed prior to Structured Sentencing
- Prioritized prison beds for the most serious and chronic offenders

The Justice Reinvestment Act of 2011

- JRA was created as a response to steady increases in prison population (and costs) *despite* decreased rates of crime.
- Some of JRA's provisions:
 - Expanded the authority of probation officers
 - Shifted emphasis to “evidence-based practices”
 - Limited the circumstances under which probation could be revoked
 - Mandated 9 to 12 months of post-release supervision (PRS) for all felons who serve an active sentence

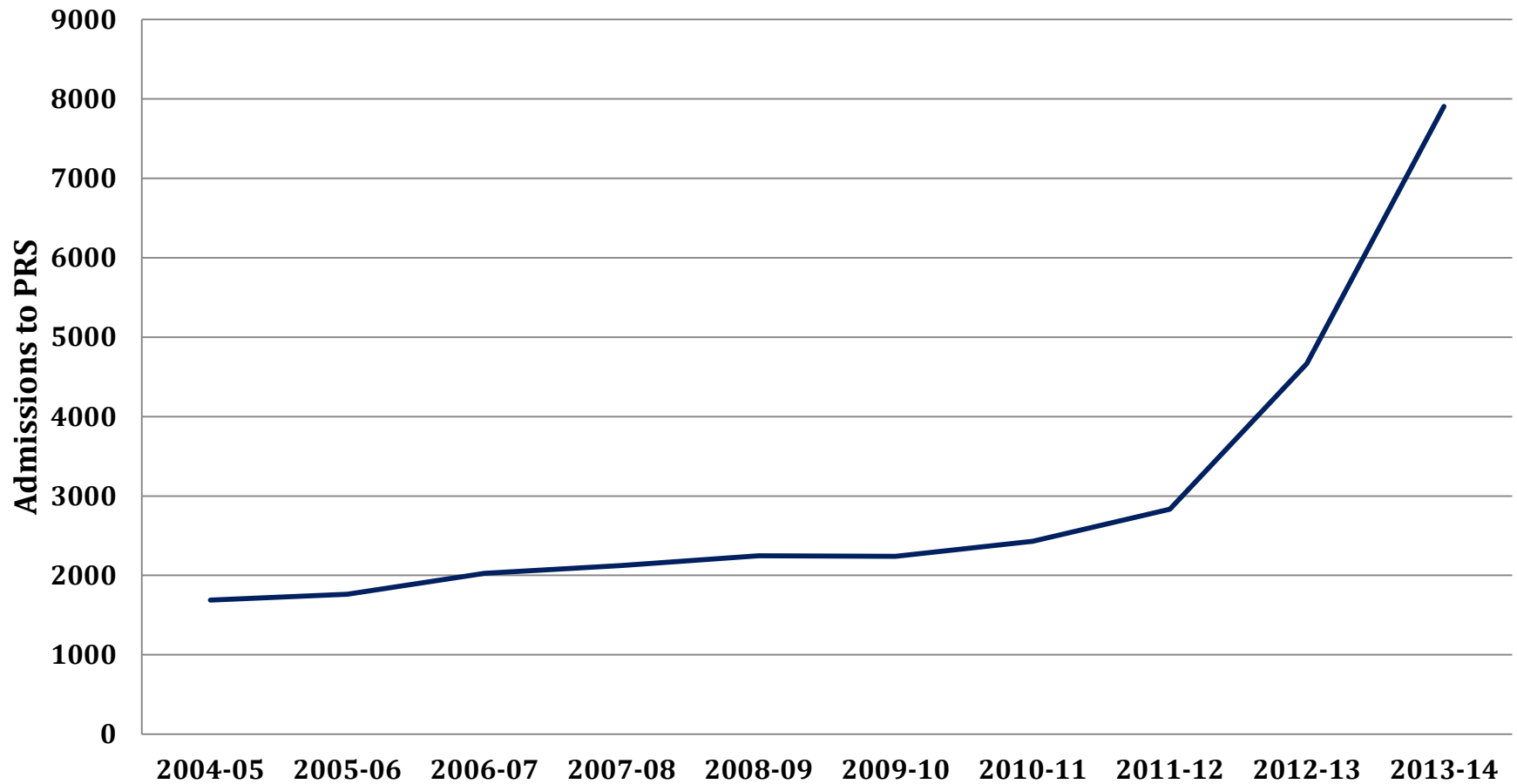
The Purpose of Post-Release Supervision

- Post-release supervision is a re-integrative program.
 - Created by the Structured Sentencing Act of 1993 to replace parole supervision for offenders who had served long prison sentences
 - Conditions of PRS are set by the Post-Release Supervision and Parole Commission
 - Length set by statute in JRA: B1-E felons are now supervised for 12 months
 - F-I felons are now supervised for 9 months

Why Did JRA Expand PRS?

- Council of State Governments' (CSG) study found that probation revocations were one of the driving factors of correction costs in North Carolina.
 - Over half of admissions to prison were revocations of probation for technical violations.
- Many serious offenders were being released without supervision or a plan for re-integration into their communities.

Post-Release Entries by Fiscal Year



Source: DACJJ, FY 2013-14 Annual Statistical Report

Parole and Post-Release Supervision Commission

- FY 2015-16 Budget: \$2,394,044
- 4 Commissioners, 33 Staff
- Sets Post-Release conditions for all felons exiting prison; determines parole for inmates sentenced prior to Structured Sentencing.

Judicial Services Coordinators

- FY 2015-16 Budget: \$12,441,828
- FTE: 241
- Process at court intake supervised and unsupervised probation cases, assign community service placement, monitor community service hours.

Probation and Parole Officers

- FY 2015-16 Budget: \$156,088,979
- FTE: 2,415
- Population under supervision: 103,308

G.S. 15A-1343.2(c): “It is the goal of the General Assembly that, subject to the availability of funds, caseloads for probation officers supervising persons who are determined to be at high or moderate risk of re-arrest as determined by the Department’s validated risk assessment should not exceed an average of 60 offenders per officer.”

Caseload Averages

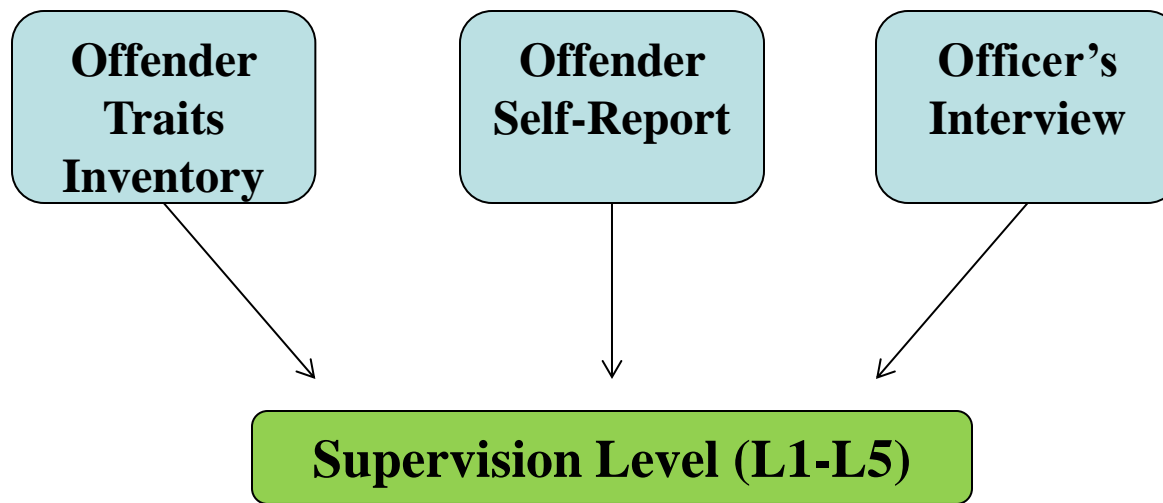
Probation Officer Caseloads by Division*		
Division	Current Staff	Caseload Average
Division 1	424	55
Division 2	511	53
Division 3	499	54
Division 4	432	51
Statewide	1,866	54

*Source: DACJJ Report on Probation and Parole, February 2015. *Assumes all positions are filled.*

The Changing Role of Probation Officers

- JRA expanded the authority and responsibility of probation officers to include:
 - Assessing every probationer using a detailed risk/needs assessment tool
 - Imposing electronic monitoring
 - Confining an offender to jail for up to six days per month (2-3 days at a time, “quick dips”) or a 90-day confinement in response to violation (CRV) sentence (“dunks”)
- Evidence-based practices require the PPOs to gather and maintain data on each probationer

Risk-Needs Assessment

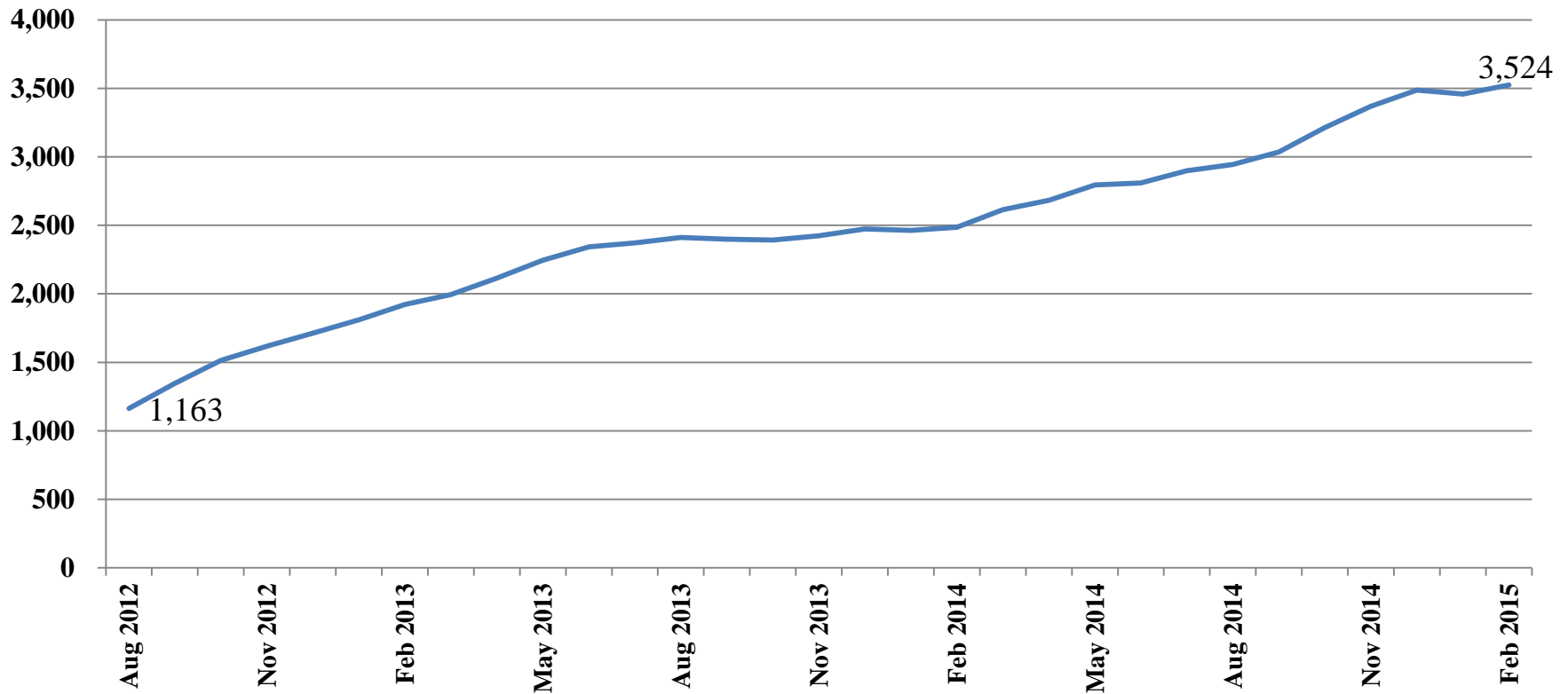


Supervision Levels

- Level One (L1): Highest Risks/Needs, most restrictive contact requirements and most severe responses to noncompliance
- Levels 2 and 3 (L2-L3): Medium Risks/Needs
- Levels Four and Five (L4-L5): Lowest levels of Risks/Needs, least restrictive supervision levels, eligible for remote reporting by computer or mail

Electronic Monitoring

Offenders Under Electronic Monitoring, August 2012 to February 2015



Source: DACJJ

Community Supervision Programs

- FY 2015-15 Base Budget: \$12,409,089
- Includes:
 - Treatment for Effective Community Supervision (Recidivism Reduction Services)
 - Broaden Access for Community Treatment (BACT)
 - Transitional/temporary housing
 - Community Intervention Centers
 - Local Re-entry Councils
 - Intensive Outpatient Services

Treatment for Effective Community Supervision (TECS)

- Replaced the Criminal Justice Partnership Program (CJPP)
- Focused on the use of evidence-based practices to reduce recidivism
- Primarily funds Cognitive Behavioral Intervention (CBI) programs (75%) and substance abuse programs (25%)

Reinvestment and Results

U.S.

North Carolina Cuts Prison Time for Probation Violators, and Costs

By ERIK ECKHOLM SEPT. 11, 2014

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ROANOKE RAPIDS, N.C. — André Duckett, 43, had an unpleasant surprise when he came in to see his probation officer. After missing some previous appointments, he had just failed a drug test, the officer told him, and he was going to spend the next three days in jail.

He was dismayed that day in March, Mr. Duckett said. But in the end he was grateful that his violations had provoked only this sharp jolt.

A few years back, they might well have led to formal revocation of his probation, stemming from an assault conviction, and sent him to prison for months. Instead, after experiencing what officials call a “quick dip,” Mr. Duckett was able to keep his job as an electrician and, so far at least, to avoid more violations.

“It was a wake-up call that this is serious



A probation and parole officer, Travis Shoulars, visited Kourtne James, a felon who is under supervision for three years. Travis Dove for The New York Times

Reinvestment

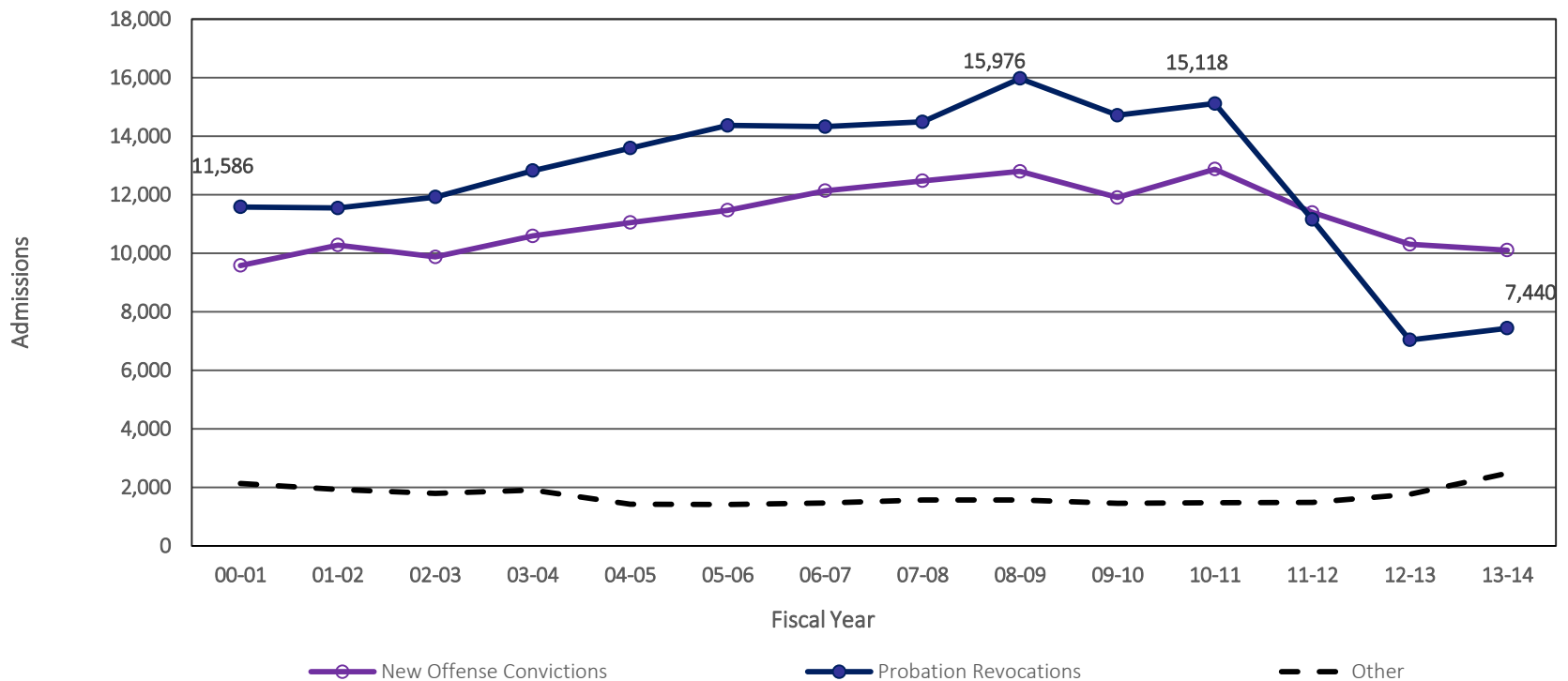
- 2013:
 - 175 new PPO positions: \$12.1 million
 - 8 new positions at the Parole Commission: \$374,000
 - New electronic monitoring equipment: \$1.8 million
 - Substance abuse funds for high-risk population: \$2 million (NR)
- 2014:
 - CRV Centers: \$7.4 million
 - 100 new vehicles for PPOs: \$1.8 million

Confinement in Response to Violation (CRV) Centers

- Authorized in the 2014 Budget Act
- Opened December 8-9, 2014
- Burke: 248 Capacity, 116 Current Population
- Robeson: 192 Capacity, 127 Current Population
- Staff: 43 per center
- Budget: \$8.9 million total (includes \$1.5 million in TECS funds)

Results

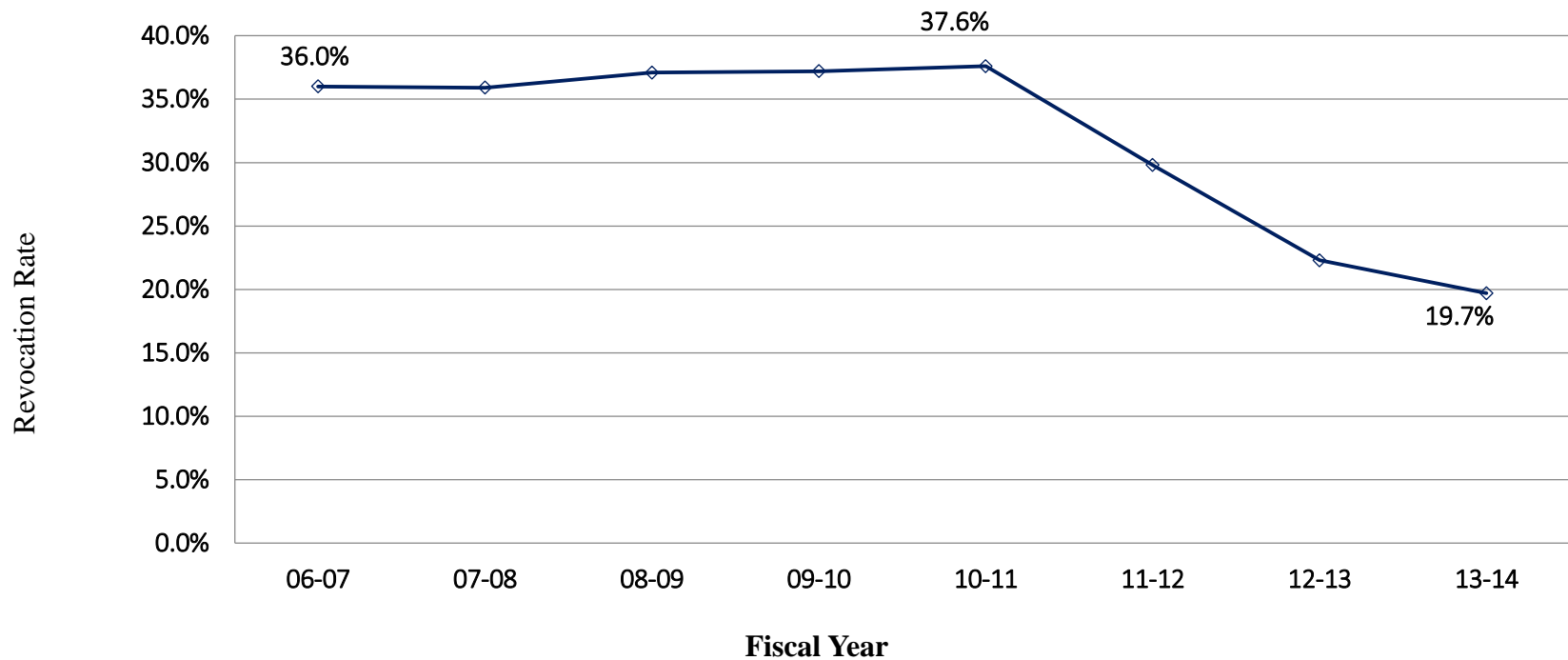
Prison Admission by Reason, FY 2001-2014



Source: DACJJ FY 2013-14 Annual Statistical Report

Results

Probation Revocation Rate, FY 2007-14



Source: DACJJ FY 2013-14 Annual Statistical Report

Study of “Quick Dips”

- DACJJ compared outcomes for 368 offenders who had a “quick dip” (2-3 day confinement) to a matched group who did not.
- 92% of the offenders who were subject to this sanction had a positive outcome; 53% of the control group had a positive outcome.

Questions?

