Recidivism of Adult Offenders in North Carolina

Joint Justice and Public Safety Appropriations Subcommittee Meeting
February 9, 2023
NC Sentencing and Policy Advisory Commission

About

Membership
- 28 members including criminal justice system stakeholders and public

Independent
- Members appointed by leaders of all three branches of government

Purpose
- Advise General Assembly and criminal justice agencies on criminal justice policy

Duties

Legislative Mandates
- Monitor sentences imposed under Structured Sentencing
- Annual population projections
- Review criminal justice bills and provide fiscal impact
- Biennial recidivism reports (adult, juvenile)
- Evaluate implementation of the Justice Reinvestment Act (JRA)

Other Requests
Why measure recidivism?

- Nationally accepted way to assess effectiveness of in-prison and community corrections programs in preventing future criminal behavior

- Barometer of effectiveness of the criminal justice system in North Carolina
  - Are recidivism rates improving? Worsening?
  - What factors are driving the rates?

- Set priorities for the use of correctional resources
  - Identify what programs/interventions are working to better target limited resources
  - Identify needed changes to policy and/or practices
Defining recidivism

Outcome measures
- Primary: fingerprinted arrest
- Supplementary: convictions, incarcerations (state prison only)
- Not included in outcome measures:
  - Out-of-state arrests
  - Incarcerations in local jails

Time periods examined
- Two years following release from prison or admission to probation
- Supervision period and two years following release from probation (probation releases only, separate sample)

FY 2019 Recidivism Sample
N=47,090

Probation Entries
65% (n=30,750)

Prison Releases
35% (n=16,340)
Understanding Recidivism: All Offenders
N = 47,090
Regardless of measure, prisoners had higher recidivism rates than probationers.

**Probation Entries**
- Recidivist Arrest: 37%
- Recidivist Conviction: 14%
- Recidivist Incarceration: 12%

**Prison Releases**
- Recidivist Arrest: 49%
- Recidivist Conviction: 20%
- Recidivist Incarceration: 36%

**All Offenders**
- Recidivist Arrest: 41%
- Recidivist Conviction: 16%
- Recidivist Incarceration: 21%
Recidivist arrests largely occurred within the first year of the follow-up period

- Average time to the first recidivist arrest was 8 months
- Effective interventions (controlling sanctions, programs and services) should take place as soon as possible
For both prisoners and probationers, recidivist arrest rates declined with age

- Younger offenders have highest recidivism rates
- Consider age-appropriate interventions
Past behavior is a strong predictor of future offending

- Criminal history has strong relationship with recidivism
- Target resources toward repeat offenders
Understanding Recidivism: Prison Releases
N = 16,340
Higher recidivist arrest rates were found for certain groups of prisoners

- Consider certain demographic variables (e.g., age, sex) for programmatic interventions

- Custody classification at release affects outcomes

<table>
<thead>
<tr>
<th>Personal Characteristics</th>
<th>Incarceration Profile</th>
</tr>
</thead>
<tbody>
<tr>
<td>Substance Use Problem</td>
<td>51%</td>
</tr>
<tr>
<td>Youthful Offender (Under 21)</td>
<td>67%</td>
</tr>
<tr>
<td>High School Dropout</td>
<td>53%</td>
</tr>
<tr>
<td>PRS Revocation Entry</td>
<td>61%</td>
</tr>
<tr>
<td>Close Custody at Release</td>
<td>65%</td>
</tr>
<tr>
<td>Restrictive Housing</td>
<td>55%</td>
</tr>
<tr>
<td>49%</td>
<td></td>
</tr>
</tbody>
</table>
Lower recidivist arrest and incarceration rates were found for inmates with correctional jobs.

All Prisoners
- Recidivist Arrest: 49%
- Recidivist Incarceration: 36%

Correctional Jobs
- Any Correctional Job
  - Recidivist Arrest: 48%
  - Recidivist Incarceration: 34%
- Select Jobs
  - Construction
    - Recidivist Arrest: 41%
    - Recidivist Incarceration: 28%
  - Correction Enterprises
    - Recidivist Arrest: 46%
    - Recidivist Incarceration: 31%
- Work Release
  - Recidivist Arrest: 33%
  - Recidivist Incarceration: 21%
ACDP, SOAR, and Vocational Education participants had lower recidivist arrest and incarceration rates than all prisoners.

### All Prisoners
- Recidivist Arrest: 49%
- Recidivist Incarceration: 36%

### Correctional Programs
- **Any Correctional Program**
  - Recidivist Arrest: 49%
  - Recidivist Incarceration: 34%
- **Select Programs**
  - Academic Education
    - Recidivist Arrest: 50%
    - Recidivist Incarceration: 34%
  - ACDP
    - Recidivist Arrest: 48%
    - Recidivist Incarceration: 34%
  - SOAR
    - Recidivist Arrest: 21%
    - Recidivist Incarceration: 18%
  - TDU
    - Recidivist Arrest: 62%
    - Recidivist Incarceration: 49%
  - Vocational Education
    - Recidivist Arrest: 47%
    - Recidivist Incarceration: 32%
Understanding Recidivism: Probation Releases

N = 30,809
Lower recidivist arrest rates were found for certain groups of probation releases

- Success on probation leads to better outcomes following supervision
- Employment is associated with reduced risk of recidivism

<table>
<thead>
<tr>
<th>Positive Exit from Probation</th>
<th>High School Graduate</th>
<th>Employed</th>
<th>No Substance Use Problem</th>
<th>% Recidivist Arrest During Two-Year Follow-Up</th>
</tr>
</thead>
<tbody>
<tr>
<td>19%</td>
<td>24%</td>
<td>24%</td>
<td>28%</td>
<td>Probation Releases</td>
</tr>
</tbody>
</table>

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Recidivism Trends
FY 2011 – FY 2019 Samples
After years of stability, the recidivist arrest rate increased for the FY 2017 sample before decreasing for the FY 2019 sample.

<table>
<thead>
<tr>
<th>Year</th>
<th>N</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY 2011</td>
<td>52,823</td>
<td>40%</td>
</tr>
<tr>
<td>FY 2013</td>
<td>48,976</td>
<td>40%</td>
</tr>
<tr>
<td>FY 2015</td>
<td>47,614</td>
<td>37%</td>
</tr>
<tr>
<td>FY 2017</td>
<td>46,094</td>
<td>41%</td>
</tr>
<tr>
<td>FY 2019</td>
<td>47,090</td>
<td>37%</td>
</tr>
</tbody>
</table>

Graph showing recidivist arrest rates for probationers, prisoners, and all offenders from FY 2011 to FY 2019.
The COVID-19 pandemic likely contributed to a decline in recidivist arrests for the FY 2019 sample.
The overall trend for recidivist incarcerations is upward, driven by prisoners (revocations of PRS).
Recap of Findings and Possible Policy/Resource Implications

- The pandemic impacted the two-year follow-up period
  - Potentially contributing to a decline in recidivism relative to pre-COVID levels

- Recidivist arrests generally occurred within the first year of the follow-up period
  - Early intervention with reentry services

- Past behavior is a strong predictor of future reoffending

- PRS revocations have contributed to the increase in the recidivist incarceration rate
  - Possible effect on prison resources