



UNC
SCHOOL OF GOVERNMENT

North Carolina Judicial College

Criminology for Court Officials

Friday, April 5, 2019

UNC School of Government, Chapel Hill

- 9:00 a.m.** **Welcome and Introductions**
Jamie Markham, UNC School of Government
- 9:10 a.m.** **Probation Supervision: What Works and What Doesn't to Reduce Recidivism (80 mins)**
Edward J. Latessa, Ph.D, University of Cincinnati
- 10:30 a.m.** *Break*
- 10:40 a.m.** **Probation Supervision (continued) (65 mins)**
- 11:45 a.m.** *Lunch (SOG Dining Room)*
- 1:00 p.m.** **Locked In: The True Causes of Mass Incarceration (60 mins)**
John F. Pfaff, J.D., Ph. D, Fordham Law School
- 2:00 p.m.** *Break*
- 2:15 p.m.** **Locked In (continued) (60 mins)**
- 3:15 p.m.** *Break*
- 3:30 p.m.** **Recidivism Reduction in the North Carolina Correctional System (45 mins)**
Nicole Sullivan, Director of Reentry Programs and Services, N.C. Department of Public Safety
- 4:15 p.m.** **Wrap-up and Evaluations**
- 4:30 p.m.** *Adjourn*

This program will have 5 hours of CJE/CLE credit – PENDING APPROVAL

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Faculty Biographies

Edward Latessa

Edward J. Latessa received his PhD from The Ohio State University and is Director and Professor of the School of Criminal Justice at the University of Cincinnati. Dr. Latessa has published over 175 works in the area of criminal justice, corrections, and juvenile justice, and he is author of eight books including *What Works (and Doesn't) in Reducing Recidivism*, *Corrections in the Community*, and *Corrections in America*. Professor Latessa has directed over 195 funded research projects including studies of day reporting centers, juvenile justice programs, drug courts, prison programs, intensive supervision programs, halfway houses, and drug programs. He and his staff have also assessed over 1,000 correctional programs throughout the United States, and he has provided assistance and workshops in all fifty states.

Dr. Latessa served as President of the Academy of Criminal Justice Sciences and he has also received numerous awards including; William T. Rossiter Award from the Forensic Mental Health Association of California, Maud Booth Correctional Services Award presented by the Volunteers of America, George Beto Scholar, Sam Houston State University, Mark Hatfield Award for Contributions in public policy research by The Hatfield School of Government at Portland State University; and August Vollmer Award from the American Society of Criminology. In 2013 he was identified as one of the most innovative people in criminal justice by a national survey conducted by the Center for Court Innovation in partnership with the Bureau of Justice Assistance and the U.S. Department of Justice.

Jamie Markham

Jamie Markham joined the School of Government faculty in 2007. His area of interest is criminal law and procedure, with a focus on the law of sentencing, corrections, and the conditions of confinement. He was named Albert and Gladys Coates Distinguished Term Associate Professor for 2015–2017, and is currently the Thomas Willis Lambeth Distinguished Chair in Public Policy. Markham earned a bachelor's degree with honors from Harvard College and a law degree with high honors, Order of the Coif, from Duke University, where he was editor-in-chief of the *Duke Law Journal*. He is a member of the North Carolina Bar. Prior to law school, Markham served five years in the United States Air Force as an intelligence officer and foreign area officer. He was also a travel writer for Let's Go Inc., contributing to the Russia and Ukraine chapters of *Let's Go: Eastern Europe*.

John Pfaff

John Pfaff is a Professor of Law where he teaches criminal law, sentencing law, and law and economics. Before coming to Fordham, he was the John M. Olin Fellow at the Northwestern University School of Law and clerked for Judge Stephen F. Williams on the US Court of Appeals for the DC Circuit.

Professor Pfaff's research focuses primarily on empirical matters related to criminal justice, especially criminal sentencing. He has paid particular attention to trying to understand the causes of the unprecedented 40 year boom in US incarceration rates. His recent work has illuminated the previously-underappreciated role that prosecutorial discretion has played in driving up prison populations. His work also looks at how to incorporate evidence based practices into the judicial review of scientific and empirical evidence. For his work on this issue Professor Pfaff received a two-year grant from the John Templeton Foundation and the University of Chicago's Arete Initiative for the study of wisdom.

Nicole E. Sullivan

Nicole Sullivan began working with the North Carolina Department of Correction (NC DOC) in 1992 as a Social Research Assistant. Over the past 26 years, she has held numerous positions within the Department of Correction and was promoted to Manager of the Office of Research and Planning in 2005. Throughout her career with Correction, Ms. Sullivan's work has focused on integrating evidence-based research in correctional interventions which includes the development of the offender management model, cognitive behavioral interventions, and transition and reentry policy and program development.

In 2012, the Departments of Correction, Crime Control and Public Safety, and Juvenile Justice were consolidated to create the Department of Public Safety. Ms. Sullivan was named Director of a new section, Rehabilitative Programs and Services, in early 2013. This section is responsible for developing, implementing, and monitoring rehabilitative interventions for adult offenders as well as providing research and decision support analysis and coordinating reentry initiatives within the Division of Adult Correction and Juvenile Justice. In 2017, the section was renamed to Reentry, Programs and Services.

Ms. Sullivan is a 2006 State Employees' Award for Excellence recipient and holds a B.A. in Political Science and History from Emory University and an M.A. in Public Policy from Duke University

What Works and What Doesn't in Reducing Recidivism

Presented by:
Edward J. Latessa, Ph.D.
School of Criminal Justice
University of Cincinnati
www.uc.edu/criminaljustice
Edward.Latessa@uc.edu



Evidence Based – What does it mean?

There are different forms of evidence:

- The lowest form is anecdotal evidence; stories, opinions, testimonials, case studies, etc - but it often makes us feel good
- The highest form is empirical evidence – research, data, results from controlled studies, etc. - but sometimes it doesn't make us feel good

Evidence Based Practice is:

1. Easier to think of as Evidence Based Decision Making
2. Involves several steps and encourages the use of validated tools and treatments.
3. Not just about the tools you have but also *how* you use them

Evidence-Based Decision Making Requires

- 1. Assessment information
 - Valid and reliable offenders assessment process
 - Assessment of programs and practices
- 2. Relevant research
 - Consult research
 - Design and fund programs that are based on empirical evidence
 - Use existing resources (i.e., Crimesolutions.gov)
- 3. Available programming
 - To reduce risk
 - Improve existing programs
 - Develop new programs

Evidence-Based Decision Making Requires:

- 4. Evaluation
 - Offenders
 - Quality assurance processes
 - Performance measures
 - Data
- 5. Professionalism and knowledge from staff
 - Understand EBP
 - Trained, coached, and skilled
 - Commitment

What does the Research tell us?

There is often a Misapplication of Research: "XXX Study Says"

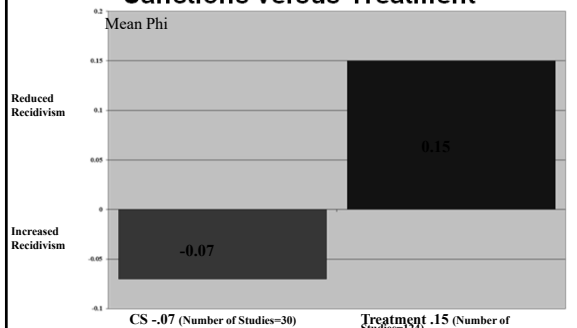
- the problem is if you believe every study we wouldn't eat anything (but we would drink a lot of red wine!)

- Looking at one study can be a mistake
- Need to examine a body of research
- So, what does the body of knowledge about correctional interventions tell us?

FROM THE EARLIEST REVIEWS:

- Not a single reviewer of studies of the effects of official punishment alone (custody, mandatory arrests, increased surveillance, etc.) has found consistent evidence of reduced recidivism.
- At least 40% and up to 60% of the studies of correctional treatment services reported reduced recidivism rates relative to various comparison conditions, in every published review.

Results from Meta Analysis: Criminal Sanctions versus Treatment



Andrews et al. (2000). Clinically relevant and psychologically informed approaches to reduced reoffending: A meta-analytic study of human service, risk, need, responsibility and other concerns in justice contexts. Unpublished Manuscript. Ottawa, Canada: Carleton University.

People Who Appear to be Resistant to Punishment

- Psychopathic risk takers
- Those under the influence of a substance
- Those with a history of being punished

A Large Body of Research Has Indicated....

...that correctional services and interventions can be effective in reducing recidivism for offenders, however, not all programs are equally effective

- The most effective programs are based on some principles of effective interventions
 - Risk (Who)
 - Need (What)
 - Treatment aka Responsivity (How)
 - Program Integrity (How Well)

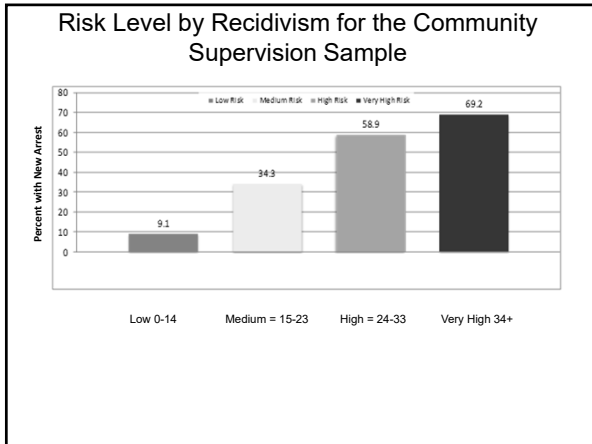
Let's Start with the Risk Principle

Risk refers to risk of reoffending and not the seriousness of the offense.

Seriousness usually trumps risk.

Risk Principle

As a general rule treatment effects are stronger if we target higher risk offenders, and harm can be done to low risk offenders



There are Three Elements to the Risk Principle

1. Target those offenders with higher probability of recidivism
2. Provide most intensive treatment to higher risk offenders
3. Intensive treatment for lower risk offender can increase recidivism

#1: Targeting Higher Risk Offenders

- It is important to understand that even with EBP there will be failures.
- Even if you reduce recidivism rates you will still have high percentage of failures

Example of Targeting Higher Risk Offenders

- If you have 100 High risk offenders about 60% will fail
- If you put them in well designed EBP for sufficient duration you may reduce failure rate to 40%
- If you have 100 low risk offenders about 10% will fail
- If you put them in same program failure rate will be 20%

Targeting Higher Risk Offenders continued:

- In the end, who had the lower recidivism rate?
- Mistake we make is comparing high risk to low risk rather than look for treatment effects

#2: Provide Most Intensive Interventions to Higher Risk Offenders

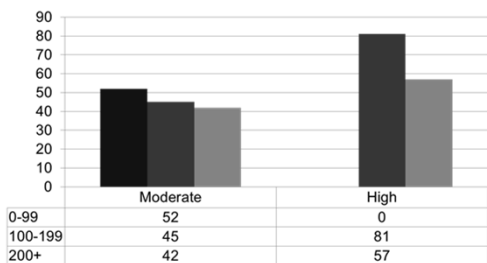
The question is: What does more “intensive” treatment mean in practice?

- Most studies show that the longer someone is in treatment the greater the effects, however:
- Effects tend to diminish if treatment goes too long

Results from a 2010 Study (Latessa, Sperber, and Makarios) of 689 offenders

- 100-bed secure residential facility for adult male offenders
- Cognitive-behavioral treatment modality
- Average age 33
- 60% single, never married
- 43% less than high school education
- 80% moderate risk or higher
- 88% have probability of substance abuse per SASSI

2010 Dosage Study of 689 Offenders

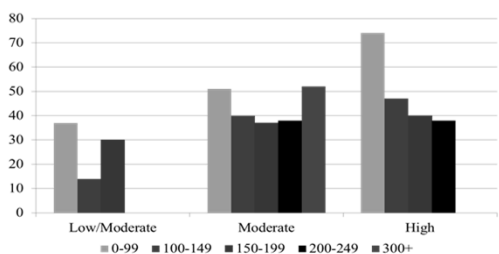


Sperber, Latessa & Makarios (2013). Examining the Interaction between Level of Risk and Dosage of Treatment. *Criminal Justice and Behavior*, 49(3).

Results from 2014 Study

- We expanded sample
- Hours examined by increments of 50
- Looked at low/moderate, moderate, and high

2014 Dosage Study involving 903 offenders



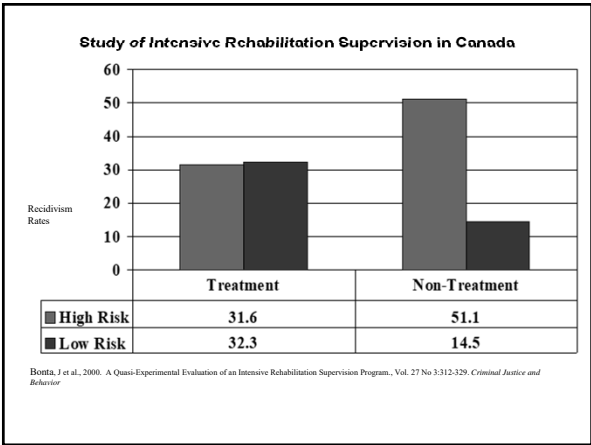
Makarios, Sperber, & Latessa (2014). Treatment Dosage and the Risk Principle: A Refinement and Extension. *Journal of Offender Rehabilitation*, 53:334-350.

Provide Most Intensive Interventions to Higher Risk Offenders

- Higher risk offenders will require much higher dosage of treatment
 - Rule of thumb: 100-150 hours for moderate risk
 - 200+ hours for high risk
 - 100 hours for high risk will have little effect
 - Does not include work/school and other activities that are not directly addressing criminogenic risk factors

#3: Intensive Treatment for Low Risk Offenders will Often Increase Failure Rates

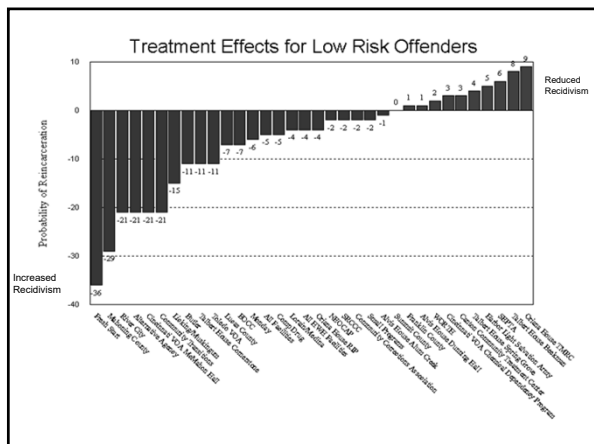
- Low risk offenders will learn anti social behavior from higher risk
- Disrupts pro-social networks
- Increased reporting/surveillance leads to more violations/revocations

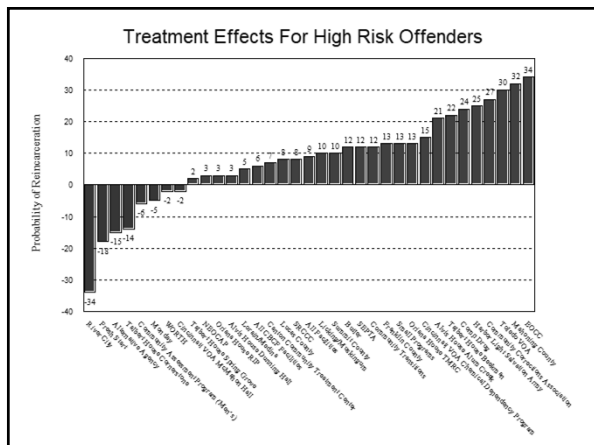


STUDY OF COMMUNITY CORRECTIONAL PROGRAMS IN OHIO

- Largest study of community based correctional treatment facilities ever done up to that time.
- Total of 13,221 offenders – 37 Halfway Houses and 15 Community Based Correctional Facilities were included in the study.
- Two-year follow-up conducted on all offenders
- Recidivism measures included new arrests & incarceration in a state penal institution

Lowenkamp, C. T. & Latessa, E. J. (2002). Evaluation of Ohio's Community Based Correctional Facilities and Halfway House Programs. Cincinnati, Ohio: Division of Criminal Justice, University of Cincinnati.





To understand the Need Principle we need to review the body of knowledge related to risk factors

What are the risk factors correlated with criminal conduct?

Major Set of Risk/Need Factors

1. Antisocial/procriminal attitudes, values, beliefs and cognitive-emotional states

Cognitive Emotional States

- Rage
- Anger
- Defiance
- Criminal Identity

Anti-social/Pro-criminal Attitudes

- Views are supportive of a criminal lifestyle
- Explore rationalizations concerning their:
 - Role
 - Victims
 - Behavior
 - Friendships
 - Substance use

Major set Risk/needs continued:

2. Procriminal associates and isolation from prosocial others

- Associates provide the context
- Associates act as role models
- Associates provide reinforcement
- Isolation from prosocial others increases risk

Major set Risk/Needs continued:

3. Temperamental & anti social personality pattern conducive to criminal activity including:

- Weak Socialization
- Impulsivity
- Adventurous
- Pleasure seeking
- Restless Aggressive
- Egocentrism
- Below Average Verbal intelligence
- A Taste For Risk
- Weak Problem-Solving/lack of Coping & Self-Regulation Skills

Major set of Risk/Need factors continued:

4. A history of antisocial behavior:

- Evident from a young age
- In a variety of settings
- Involving a number and variety of different acts

Major set of Risk/Needs Continued:

5. Family factors that include criminality and a variety of psychological problems in the family of origin including:

- Low levels of affection, caring and cohesiveness
- Poor parental supervision and discipline practices
- Out right neglect and abuse

Major set of Risk/Needs continued:

6. Low levels of personal educational, vocational or financial achievement

- Lack of education and/or employment can lead to lower financial means, leading to high crime neighborhoods or attempts to increase finances by illegal means
- Being in school or employed can be pro-social activities that occupy time
- Can expose a person to pro-social others
- Provide reinforcement for pro-social activities

Leisure and/or recreation

7. Low levels of involvement in prosocial leisure activities

- Allows for interaction with antisocial peers
- Allows for offenders to have idle time
- Offenders replace prosocial behavior with antisocial behavior

Substance Abuse

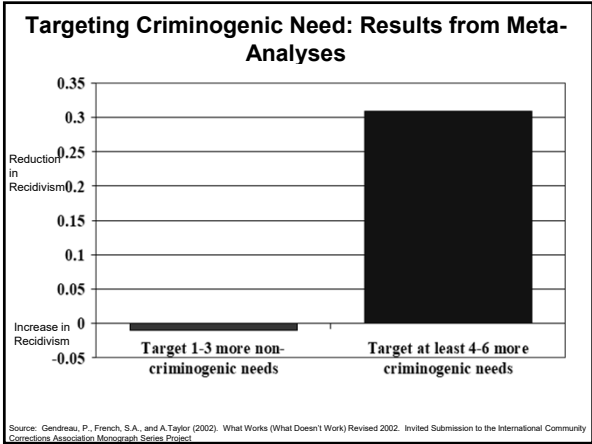
8. Abuse of alcohol and/or drugs

- It is illegal itself (drugs)
- Engages with antisocial others
- Impacts social skills

Need Principle

By assessing and targeting criminogenic needs for change, agencies can reduce the probability of recidivism

Criminogenic	Non-Criminogenic
<ul style="list-style-type: none"> • Anti social attitudes • Anti social friends • Substance abuse • Lack of empathy • Impulsive behavior 	<ul style="list-style-type: none"> • Anxiety • Low self esteem • Creative abilities • Medical needs • Physical conditioning



Criminal Thinking and Mental Illness*

Morgan, Fisher, Duan, Mandracchia, and Murray (2010) studied 414 adult inmates in prison with mental illness (265 males, 149 females) and found:

- **66% had belief systems supportive of criminal life style** (based on Psychological Inventory of Criminal Thinking Scale (PICTS))
- When compare to other offender samples, **male offenders with MI scored similar or higher than non-mentally disordered offenders.**
- On Criminal Sentiments Scale-Revised, **85% of men and 72% of women with MI had antisocial attitudes, values and beliefs – which was higher than incarcerated sample without MI.**

See: Prevalence of Criminal Thinking among State Prison Inmates with Serious Mental Illness. *Law and Human Behavior* 34:324-336, and Center for Behavioral Health Services Criminal Justice Research Policy Brief, April 2010. Rutgers University.

Conclusion

- Criminal Thinking styles often differentiate people who commit crimes from those who do not independent of mental illness
- Incarcerated persons with mental illness are often mentally ill *and* criminal
- Needs to be treated as co-occurring problems

Assessment is the engine that drives effective correctional programs

- Need to meet the risk and need principle
- Reduces bias
- Aids decision making
- Allows you to target dynamic risk factors and measure change
- Best risk assessment method is the actuarial (statistical) approach

To Understand Assessment it is Important to Understand Types of Risk Factors

Dynamic and Static Factors

- Static Factors are those factors that are related to risk and do not change. Some examples might be number of prior offenses, whether an offender has ever had a drug/alcohol problem.
- Dynamic factors relate to risk and *can change*. Some examples are whether an offender is currently unemployed or currently has a drug/alcohol problem.

There are two types of dynamic risk factors

- Acute – Can change quickly
- Stable – Take longer to change

According to the American Heart Association, there are a number of risk factors that increase your chances of a first heart attack

- ✓ Family history of heart attacks
- ✓ Gender (males)
- ✓ Age (over 50)
- ✓ Inactive lifestyle
- ✓ Over weight
- ✓ High blood pressure
- ✓ Smoking
- ✓ High Cholesterol level

Best Assessments include both Static and Dynamic Factors

- Just because we can't change static factors doesn't mean they are not important

- Dynamic factors are often more difficult to measure, but they are critical to developing case plans, prioritizing targets for change and gauging progress

The Treatment (Responsivity) Principle

- General
 - Most people respond to programs that are based on *cognitive behavioral/social learning* theories
- Specific
 - People learn differently and have certain barriers that should be addressed so that they are more likely to succeed in programs

Responsivity areas can include:

- Motivation to change
- Anxiety/psychopathy
- Levels of psychological development
- Maturity
- Cognitive functioning
- Mental disorders
- Housing
- Transportation
- Gender/Ethnicity/Race

Prioritizing Interventions: What to Change and Why

- Criminogenic targets – reduce risk for recidivism

- Non-criminogenic targets: may reduce barriers but NOT risk

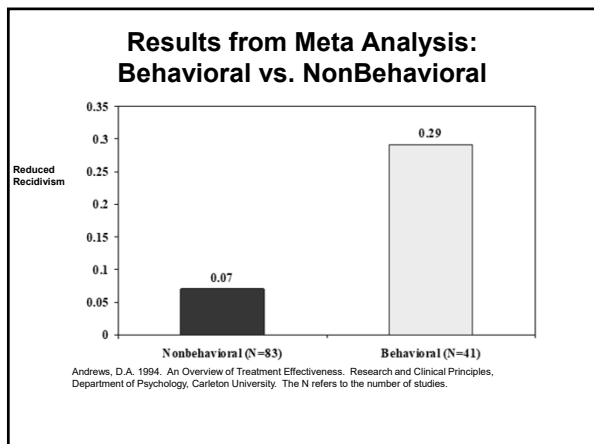
**Treatment Principle
(general responsivity)**

The most effective interventions are behavioral:

- Focus on current factors that influence behavior

- Action oriented

- Staff follow “core correctional practices”



Most Effective Behavioral Models

- Structured social learning where new skills and behaviors are modeled
- Cognitive behavioral approaches that target criminogenic risk factors

Social Learning

Refers to several processes through which individuals acquire attitudes, behavior, or knowledge from the persons around them. Both modeling and instrumental conditioning appear to play a role in such learning

The Four Principles of Cognitive Intervention

1. **Thinking affects behavior**
2. **Antisocial, distorted, unproductive irrational thinking can lead to antisocial and unproductive behavior**
3. **Thinking can be influenced**
4. **We can change how we feel and behave by changing what we think**

Meta-Analysis of Cognitive Behavioral Treatment for Offenders by Landenberger & Lipsey

- Reviewed 58 studies:
 - 19 random samples
 - 23 matched samples
 - 16 convenience samples
- Found that on average CBT reduced recidivism by 25%, but the most effective configurations found more than 50% reductions

Landenberger N, Lipsey M. (2005). The positive effects of cognitive-behavioral programs for offenders: a meta-analysis of factors associated with effective treatment. Journal of Experimental Criminology, 1:451-476.

Significant Findings (effects were stronger if):

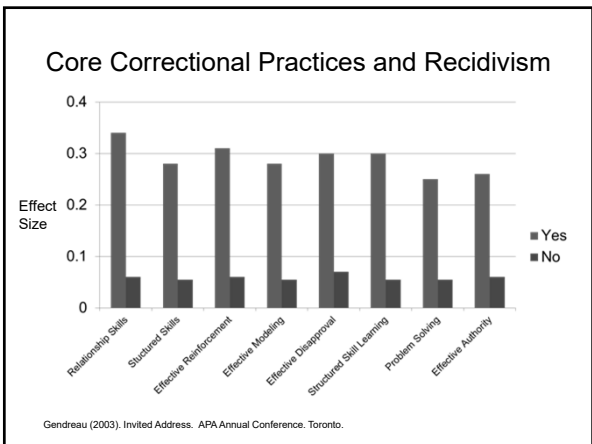
- Sessions per week (2 or more) - RISK
- Implementation monitored - FIDELITY
- Staff trained on CBT - FIDELITY
- Higher proportion of treatment completers - RESPONSIVITY
- Higher risk offenders - RISK
- Higher if CBT is combined with other services - NEED

Some Examples of Cognitive Behavioral Correctional Curriculums

- Aggression Replacement Training (ART)
- Criminal Conduct and Substance Abuse Treatment
- Thinking for a Change (non-proprietary)
- UC's Cognitive Behavioral Interventions for Offenders Seeking Employment (non-proprietary – pilot underway)
- Changing Offender Lives (Specifically for MDOs – Non-proprietary)
- UC's Cognitive Behavioral Interventions for Substance Abuse (non-proprietary)
- Moving On (Female Offenders)
- UC's Cognitive Behavioral Treatment for Sex Offenders (non-proprietary)
- UC's Cognitive Behavioral Interventions for Offenders - A comprehensive curriculum (non-proprietary. Also adaptable for MDOs.

Core Correctional Practices

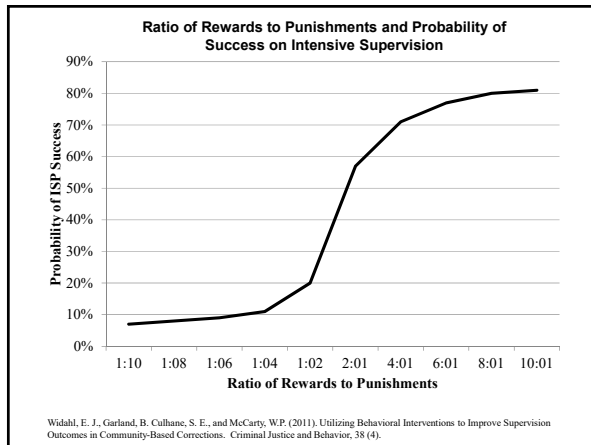
1. Effective Reinforcement
2. Effective Disapproval
3. Effective Use of Authority
4. Quality Interpersonal Relationships
5. Cognitive Restructuring
6. Anti-criminal Modeling
7. Structured Learning/Skill Building
8. Problem Solving Techniques



Reinforcement and Completion of Intensive Supervision

Widahl and his colleagues examined the effect of using a high ratio of positive reinforces to negative ones with a sample of offenders on intensive supervision

Widahl, E. J., Garland, B., Cullhane, S. E., and McCarty, W.P. (2011). Utilizing Behavioral Interventions to Improve Supervision Outcomes in Community-Based Corrections. *Criminal Justice and Behavior*, 38 (4).



List of Rewards and Sanctions

Sanctions

- Verbal reprimand
- Written assignment
- Modify curfew hours
- Community service hours
- Restrict visitation
- Program extension or regression
- Electronic Monitoring
- Inpatient or outpatient tx
- Detention time

Rewards

- Verbal praise and reinforcement
- Remove from EM
- Level advancement
- Increased personal time
- Approved special activity
- Fees reduced
- Approve of extend special visitation

Widahl, E. J., Garland, B., Cullhane, S. E., and McCarty, W.P. (2011). Utilizing Behavioral Interventions to Improve Supervision Outcomes in Community-Based Corrections. *Criminal Justice and Behavior*, 38 (4).

Sanction Type by Offender Compliance

Wadahl, Boman and Garland (2015) examined 283 offenders on ISP and looked at the effectiveness of jail time versus community-based sanctions.

Widahl, E. J., Boman, J. H. and Garland, B. E., (2015). Responding to Probation and Parole Violations: Are Jail Sanctions more Effective than Community-based Graduated Sanctions? *Journal of Criminal Justice*, 43:243-250.

List of Sanctions

- Verbal reprimand**
- Written assignment**
- Modify curfew hours**
- Community service hours**
- Restrict visitation**
- Program extension or regression**
- Electronic Monitoring**
- Inpatient or outpatient txt**
- County jail time**

Widahl, E. J., Boman, J. H. and Garland, B. E., (2015). Responding to Probation and Parole Violations: Are Jail Sanctions more Effective than Community-based Graduated Sanctions? *Journal of Criminal Justice*, 43:243-250.

They found Jail Time:

- Was not related to number of days until the next violation
- Did not increase or decrease the number of subsequent violations
- Receiving jail time as a sanction as opposed to a community-based sanction did not influence successful completion of supervision

Applying Core Correctional Practices and Cognitive Behavioral Interventions in Supervision and Case Management

Examples are STICS, STARR & EPICS (Effective Practices in Community Supervision)

Traditional Officer-Offender Interactions are often not Effective because:

- They are too brief to have an impact
- Conversations focus almost exclusively on monitoring compliance conditions (and therefore emphasize external controls on behavior rather than developing an internal rationale for pro-social behavior)
- Relationship is often more confrontational and authoritarian in nature than helpful
- What is targeted is not always based on assessment
- More areas discussed=less effective

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Structure of Meeting

SESSION OVERVIEW

- Each session should be structured in the following way:
 1. Check-In
 2. Review
 3. Intervention
 4. Homework

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Rationale

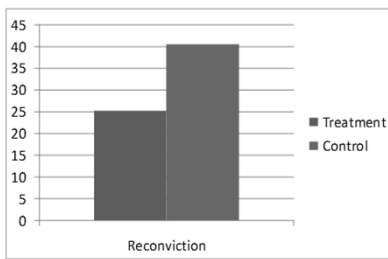
Preliminary Data from Canada:

☐ Trained officers had 12% higher retention rates in comparison with untrained officers at six months.

☐ Also found reductions in recidivism

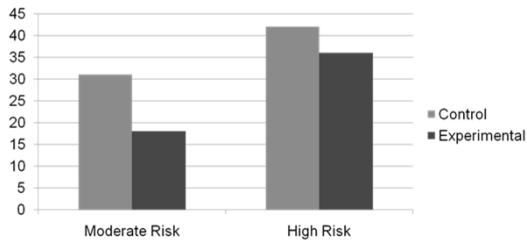
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Two year Recidivism Results from Canadian Study

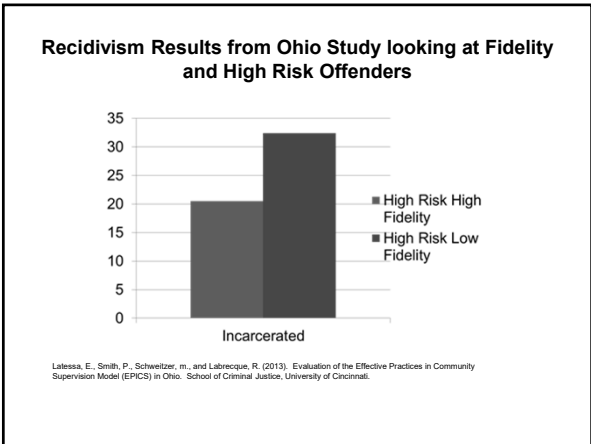


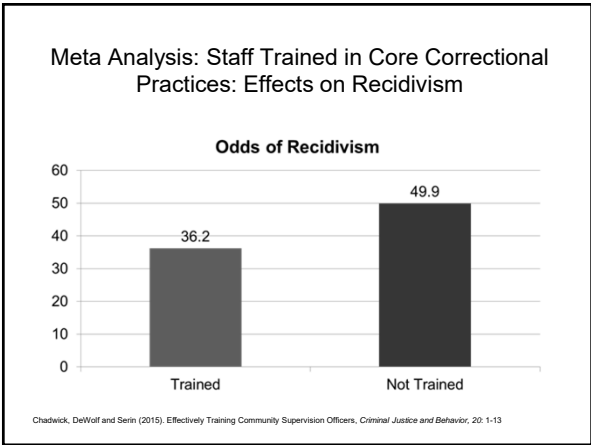
Bort, et al. (2010) The Strategic Training Initiative in Community Supervision: Risk-Need-Responsivity in the Real World. Public Safety Canada.

Findings from Federal Probation Sample



Robinson, Vanbenschoten, Alexander, and Lowenkamp, *Federal Probation*, Sept. 2011.





Coaches vs. Referees

- Many POs take on the role of a referee not a coach
 - Referees enforce rules, apply penalty, impersonal authority figure, warning and sanctions, and control
 - Coaches teach new skills, reinforce, know what needs to be improved and then teaches correct way, authority figure who is authoritative
- No one remembers the referee but we remember the good coaches
- We need more coaches

Lovins, B. K., Cullen, F. T., Latessa, E. J., and Jonson-Lero, C. (forthcoming) Probation Officer as a Coach: Building a New Professional Identity. *Federal Probation*.

**We are Currently Piloting a new Model:
Effective Practices for Community Support
(EPICS for Influencers)**

- Designed to identify those people in the offender's life that want to help them stay out of trouble and train them on some of the core correctional practices
- Includes training of coaches to provide on-going support

Why EPICS for Influencers?

- Build a pro-social network with some actual skills to help offenders avoid risky situations
- Increase "dosage"
- Research shows that relapse prevention programs that trained significant others and family members in cognitive-behavioral approaches were three times as effective as programs that did not.

EPICS for Influencers is Designed for:

- Mentors
- Coaches
- Family Members
- Friends
- Faith Based Organizations
- Reentry Coalitions
- Law Enforcement
- School Officials
- Significant others

Fidelity Principle

Making sure the program is delivered as designed and with integrity:

- Ensure staff are modeling appropriate behavior, are qualified, well trained, well supervision, etc.
- Make sure barriers are addressed but target criminogenic needs
- Make sure appropriate dosage of treatment is provided
- Monitor delivery of programs & activities, etc.
- Reassess offenders in meeting target behaviors

What Do We Know About Fidelity?

- Is the most difficult principle to sustain
- Fidelity is related to successful outcomes (i.e., recidivism reductions). Poor fidelity can lead to null effects or even iatrogenic effects
- Fidelity cannot be assumed
- Fidelity can be measured and monitored

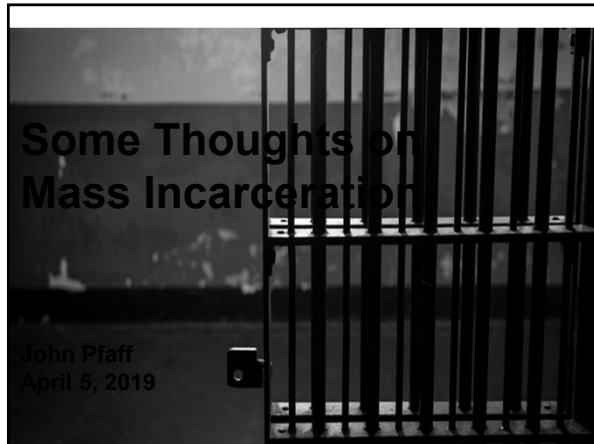
What Doesn't Work?

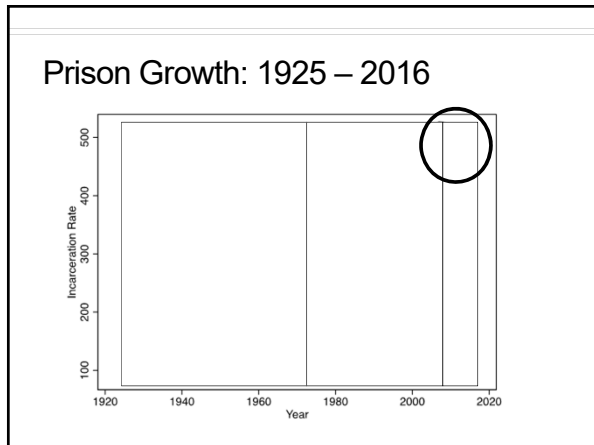
Ineffective Approaches

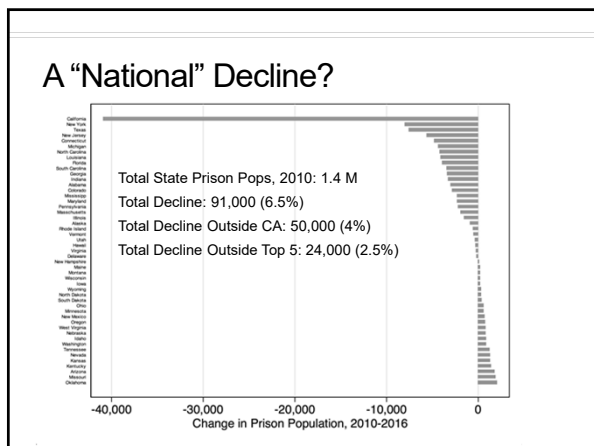
- Programs that cannot maintain fidelity
- Programs that target non-criminogenic needs
- Drug prevention classes focused on fear and other emotional appeals
- Shaming offenders
- Drug education programs
- Non-directive, client centered approaches
- Bibliotherapy
- Talking cures
- Self-Help programs
- Vague unstructured rehabilitation programs
- “Punishing smarter” (boot camps, scared straight, etc.)

Some Lessons Learned from the Research

- Who you put in a program is important – pay attention to risk
- What you target is important – pay attention to criminogenic needs
- How you target offender for change is important – use behavioral approaches
- Program Integrity makes a difference - Service delivery, training/supervision of staff, support for program, QA, evaluation, etc.







The Three Whos

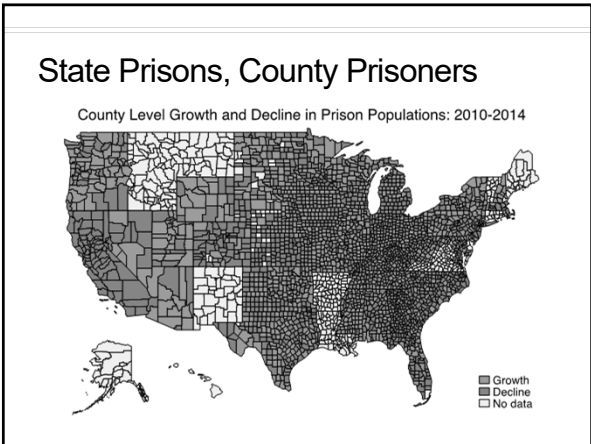
- The **prosecutor**, ignored by everyone
- The person convicted of **violence**, barred from reforms
- **Public sector** unions, lost in noise over private prisons

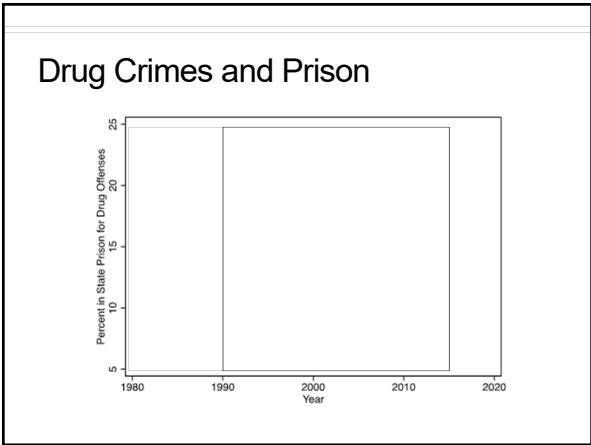
The Role of Prosecutors: 1994-2008

- Crime: down
- Arrests: down
- **Felony cases in state courts: up sharply**
- Prison admissions per case: steady
- Time served: steady

Why More Aggressive?

- Weakened public defenders
- Tougher sentencing laws
- Staffing:
 - Urban: 3x more prosecutors added during crime drop than rise
 - Rural: counties with full-time DAs from 45% to 85%
- Electorate's attitudes



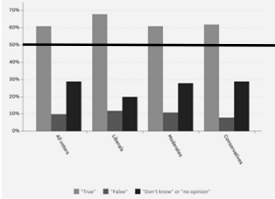


Central Role of Violence

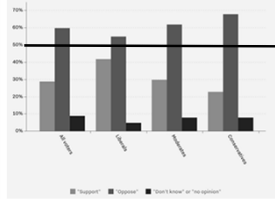
- Between 1980 and 2009, added 1.1M people
 - Drugs: + 223,000 (21%)
 - Violence: + 551,000 (51%)
- What about non-drug crimes tied to drug prohibition?
- What about the costs of violence?
 - The racial geography of criminal justice

Heads in the Sand

Poll: True or false? Nearly half of all US prisoners are incarcerated for drug offenses. (Correct answer: false.)



Poll: Should we reduce prison sentences for people who committed a violent crime and have a low risk of committing another crime?

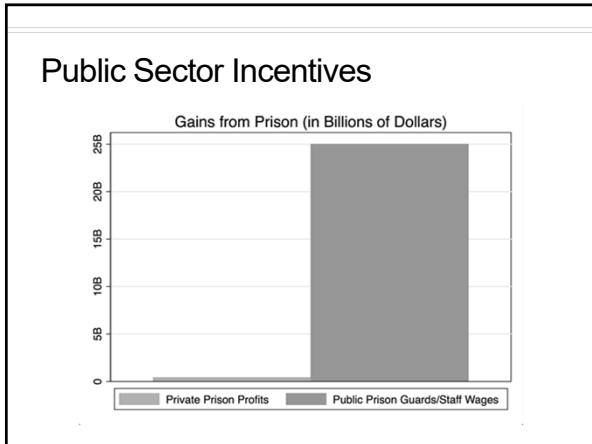


Private Prisons: The Great Distraction

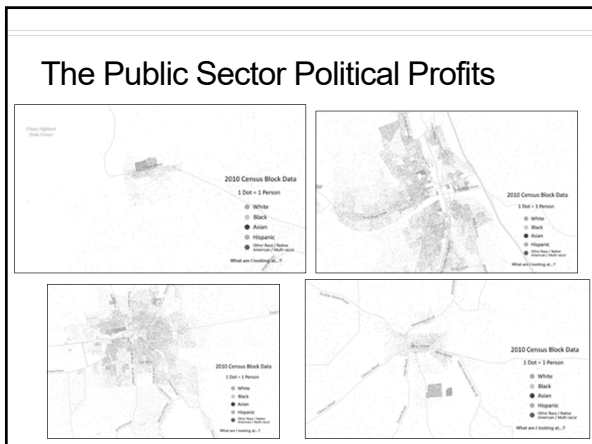
- Only about 8% of all prisoners in private prisons
- Most private prisoners in just 5 states, no evidence of faster growth
- Problem isn't profit motive but contract incentives

Public Sector Incentives

- Guard unions: 50% to 75% of correctional budget is wages



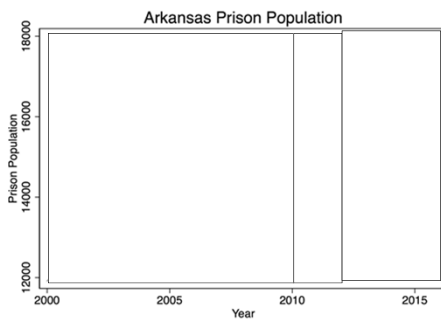
- ### Public Sector Incentives
- Guard unions: 50% to 75% of correctional budget is wages
 - Politicians
 - Jobs
 - Census



Public Sector Incentives

- Guard unions: 50% to 75% of correctional budget is wages
- Politicians
 - Jobs
 - Census
- Politics: "Willie" Horton, Darrell Dennis

The "Darrell Dennis" Effect...



... Or the "Chicago Bail" Effect

Bryce Covert
Oct 05, 2016



ONE YEAR AFTER COOK COUNTY'S BAIL REFORM, COURT WATCHERS SAY THINGS ARE GETTING WORSE

Judges are still setting bail at unaffordable levels, and more people are being held without bond.

One problem, Grace said, is that the judges are still incentivized to rely on bail. They are elected officials, and "the public pressure not to release people, and the real and imagined risk of releasing someone, which we know is very low, looms large in the imaginations of judges," Grace said. The judges adhering most closely to the order "were out on a limb. They were the ones who were vulnerable even though they were making the decisions that the law requires," she said, as they face potentially losing their seats over public outrage if someone is released and then commits another crime. But "they've moved closer to the other judges rather than the other judges getting braver."

The Big Takeaway

- The dramatic and shocking is often distracting
- What matters more is the more-local and more-mundane
- The most important fixes will be hardest: that's why they persist

What Do Reforms Look Like Now?

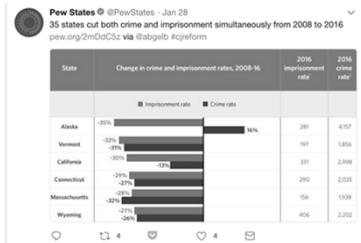
- Raising the bar for felony theft and drugs crimes
- Expanding parole... though often not for violence
- Expanding drug treatment, drugs courts, HOPE-like programs
- Bail reform
- Realignment

Failure to Think About Violence



How NOT to Argue For Reform

• “Look, both prison and crime are falling in many states!”



Politics are Still Problematic

After Reforming Criminal Justice, Alaska Has Second Thoughts

The state rolled back criminal justice reforms it had adopted only a year earlier. Other parts of the country are also reconsidering similar changes.

But the whole concept behind updating the approach to criminal justice has always had a counterintuitive quality. It seems curious to many people that you could reduce penalties and still reduce crime. Despite statistical successes in quite a few states, it doesn't take a big crime wave to increase doubts. A few well-publicized crimes can do the trick. That's what happened in Alaska, where violent crime has been trending up since the start of the century and where car thefts are rising rapidly. It didn't take much to convince legislators - and their constituents - that SB 91 was itself in need of an overhaul. "We've had a spike in crime," says state Rep. Gabrielle LeDoux, who supports repealing the law altogether. "It really has not been a happy outcome."

What's happening in Alaska is counter to the national narrative, but it's not unique. For the first time in a decade, criminal justice reform is facing real political headwinds in other states, with partial rollback efforts being discussed in states as different as California and Louisiana.

What We Need To Say

When Crime is Going Down, Cut Prison Populations.

AND...

When Crime is Going Up, Cut Prison Populations.

How NOT to Argue For Reform

After Reforming Criminal Justice, Alaska Has Second Thoughts

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But the whole concept behind updating the approach to criminal justice has always had a counterintuitive quality. It seems curious to many people that you could reduce penalties and still reduce crime. Despite statistical successes in quite a few states, it doesn't take a big crime wave to increase doubts. A few well-publicized crimes can do the trick. That's what happened in Alaska, where violent crime has been trending up since the start of the century and where car thefts are rising rapidly. It didn't take much to convince legislators - and their constituents - that SB 91 was itself in need of an overhaul. "We've had a spike in crime," says state Rep. Gabrielle LeDoux, who supports repealing the law altogether. "It really has not been a happy outcome."

How To Argue For Reform

1. Prison is inefficient, whatever the direction crime moves

In short, it seems, incarceration's "before" effect is mild or zero while the "after" typically cancels out the "during."

How To Argue For Reform

2. Prison has huge social costs that we barely understand

- Physical and sexual abuse in prison
- Risk of drug overdose after release
- Loss of income and employability upon release
- Broader macroeconomic distortions
- Prisons as vectors of tuberculosis, STDs, HIV
- Financial costs to urban families of visiting far-off rural prisons
- Emotional costs of having family member locked up
- Increased risk of children reoffending
- Distortion of marriage opportunities and family formation

How To Argue For Reform

3. Then tell a story about what does work:

The Effect of Police on Crime: New Evidence from U.S. Cities, 1960-2010*

Aaron Chaffin Justin McCrary
UC Berkeley UC Berkeley, NBER

November 11, 2012

Abstract

Using a new panel data set on crime in medium to large U.S. cities over 1960-2010, we show that (1) year-over-year changes in police per capita are largely idiosyncratic to demographic factors, the local economy, city budgets, measures of social disorganization, and recent changes to crime rates, (2) year-over-year changes in police per capita are countercyclical, having large negative effects on crime rates, (3) year-over-year changes in police per capita are countercyclical, having large negative effects on crime rates, (4) year-over-year changes in police per capita are countercyclical, having large negative effects on crime rates, (5) year-over-year changes in police per capita are countercyclical, having large negative effects on crime rates, (6) year-over-year changes in police per capita are countercyclical, having large negative effects on crime rates, (7) year-over-year changes in police per capita are countercyclical, having large negative effects on crime rates, (8) year-over-year changes in police per capita are countercyclical, having large negative effects on crime rates, (9) year-over-year changes in police per capita are countercyclical, having large negative effects on crime rates, (10) year-over-year changes in police per capita are countercyclical, having large negative effects on crime rates.

JEL Classification: C14, C21, C32.

Keywords: Police, crime, measurement error, social welfare

How To Argue For Reform

3. Then tell a story about what does work:



How To Argue For Reform

3. Then tell a story about what does work:

But none of these explanations have paid much attention to the communities where violence plummeted the most. New research suggests that people there were working hard, with little credit, to address the problem themselves.

Local nonprofit groups that responded to the violence by cleaning streets, building playgrounds, mentoring children and employing young men had a real effect on the crime rate. That's what Patrick Sharkey, a sociologist at New York University, argues in a new study and a forthcoming book. Mr. Sharkey doesn't see how alone drove the national decline in crime, a major missing piece.

He finds that Medicaid expansions have reduced violent crime by 5.8 percent and property crime by 3 percent. As one might expect, effects were larger in places that had higher pre-expansion uninsured rates among individuals subsequently eligible for Medicaid (that is, where more people were affected by the policy change). Vogler estimates that the ACA's Medicaid expansions resulted in cost savings of \$13.6 billion due to the reduction in crime.

If I Could Start From Scratch

- Devolve more responsibility to local actors
 - Don't overdo it, though!
- Make local actors pay for state resources they use
 - Some subsidies okay, just be thoughtful
- Fewer directly-elected criminal justice officials
- Wider use of algorithms

What Can We Do Today: Prosecutors

- Make them more accountable to people they affect the most
- Minimize perverse political and economic incentives to be unduly harsh
- Minimize ability to (inadvertently or intentionally) abuse discretion

What Can We Do Today: Prosecutors

- Make them more accountable to people they affect the most
 - Elect "better" DAs
 - But: bureaucratic resistance
 - Change how/where DAs chosen
 - Gather better data
 - Surprisingly tricky

What Can We Do Today: Prosecutors

- Minimize perverse political and economic incentives to be unduly harsh
 - Realignment
 - Cap-and-trade for prison beds
 - Prosecutorial guidelines
 - More generally: risk-assessment models

What Can We Do Today: Prosecutors

- Minimize ability to (inadvertently or intentionally) abuse discretion
 - Fund indigent defense
 - Bail reform
 - Guidelines/risk assessments

What Can We Do Today: Violence

- Undermine belief that people "are" violent
- Minimize the "error-cost asymmetry"
 - The costs of mistaken leniency trounce those of excess severity

What Can We Do Today: Violence

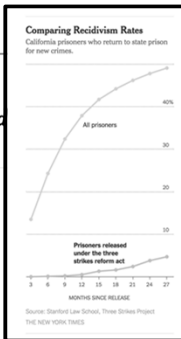
- Undermine belief that people "are" violent
 - Smarter parole expansions
 - Don't *describe* the age-profile, *show* it

What Can We Do Today: Violence

U.S.

Out of Prison, and

By ERIK ECKHOLM FEB. 26, 2015



3rd Strike in California

What Can We Do Today: Violence

- Undermine belief that people "are" violent
 - Smarter parole expansions
 - Don't *describe* the age-profile, *show* it
- Minimize the "error-cost asymmetry"
 - Restrict *front-end* punitiveness
- Greater political independence
- Realignment/cap-and-trade too

What Can We Do Today: Politics

- Weaken political incentives to be tough on crime
- Acknowledge fractured nature of criminal justice system
- Adopt more sophisticated view of relevant political actors
- Adopt more... honest... view of voters

What Can We Do Today: Politics

- Weaken political incentives to be tough on crime
 - Reform the Census
- Acknowledge fractured nature of criminal justice system
 - Justice Reinvestment ideas (but think *bigger*)
 - Think about how to counter powerful interest groups
 - Guard unions and transition payments
 - Think about how to minimize "buck passing"

What Can We Do Today: Politics

HOW LENDERS ARE TURNING LOW-LEVEL COURTS INTO DICKENSIAN “DEBT COLLECTION MILLS”

Rebecca Burns
February 28 2018, 7:00 a.m.

The sheriff's office “made every effort to keep Mr. Iverson out of jail in relation to warrants issued regarding this debt,” Ward told The Intercept in a statement, noting that his office would not defy a court order. “When the court issues a warrant for arrest we are obligated to serve that warrant as ordered, no matter what the underlying reason may be.”

What Can We Do Today: Politics

- Adopt more... honest... view of voters
 - Incentivize voting, at least make it easier
 - Acknowledge and confront ignorance

What Can We Do Today: Politics

WHAT MAKES A DA SO POWERFUL?

District attorneys in California have tremendous power to impact the lives of millions of people, their families, and entire communities. It's not the police that the DA who has the sole power to decide if or criminal charges are filed and the severity of those charges. They alone decide who is deserving of jail or prison sentences and who will instead be routed into a diversion program to help rebuild their life, or have charges dismissed.

Youth

At least 100,000 children are arrested each year. Many are sent to juvenile hall or jail, where they are often housed with adults and exposed to violence. Many are also sent to court proceedings that are often confusing and intimidating.

Police

Police officers often have limited options when it comes to handling crime. Many are forced to arrest people who are often innocent or who are being harassed by police officers. Many are also forced to handle cases that are often confusing and intimidating.

Mass Incarceration

Over 2 million people are in jail or prison in California. Many are there for non-violent crimes. Many are there for crimes that are often confusing and intimidating. Many are there for crimes that are often confusing and intimidating.

Immigration

Over 1 million people are in jail or prison in California. Many are there for non-violent crimes. Many are there for crimes that are often confusing and intimidating. Many are there for crimes that are often confusing and intimidating.

Equal Treatment

Over 1 million people are in jail or prison in California. Many are there for non-violent crimes. Many are there for crimes that are often confusing and intimidating. Many are there for crimes that are often confusing and intimidating.

Mental Illness & Substance Abuse

Over 1 million people are in jail or prison in California. Many are there for non-violent crimes. Many are there for crimes that are often confusing and intimidating. Many are there for crimes that are often confusing and intimidating.

KIRK ANDRUS
DA - SAN DIEGO COUNTY
Phone: 619.444.2000
Email: kandr@sdcounty.org

HOW DOES AN ALEC VETERAN IN CALIFORNIA?

PROF OF REFORMED "THREE STRIKES" LAW

64% REDUCED TIME IN JAIL

PROF OF REDUCED SOME FELONIES TO MISDEMEANORS

57% REDUCED TIME IN JAIL

The Common Threads

- Confront rampant misalignment of incentives
 - More local control
 - Make sure local actors pay
 - Think about how to confront buck-passing
- Regulate discretion more carefully
 - Guidelines and risk assessments
 - Funding indigent defense
 - More data, more voter/stakeholder engagement
- But also: it's us.

Some Unexpected Hope

AP Gov. Reagan Also Had Problems With Prison Work Furlough Pr...



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Archive

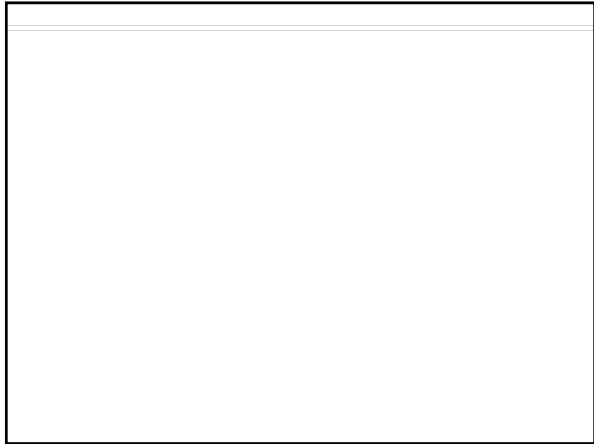
But after two inmates were charged with murders committed while on work furlough passes, Reagan fired one top manager of the program and closed one of five work furlough centers.

At one point, conservative legislators were demanding the resignation of Reagan's director of prisons, and the Los Angeles chief of police, Ed Davis, who is now a Republican state senator, complained to Reagan that "about 40 percent of our serious and violent offenders are on active parole from your Department of Corrections."

Reagan resisted the demands to fire his director of prisons and stood behind the furlough program, which still operates today under slightly more restrictive rules.

Some Unexpected Hope

risk of the occasional inmate going AWOL. When Alabama's governor released a stunning 550 inmates for holiday furlough, Mississippi journalists responded with admiration. In reference to the 15 inmates who failed to return to prison, one journalist commented, "The ratio of convicts who kept faith and returned is probably higher than the percentage among ordinary citizens who could be trusted under similar circumstances," and another remarked that "[s]uch a temporary setback should not cause faith to be shaken too readily in an experiment which has so much decency and hope behind it." To be sure, there were members of the public who considered this practice an



Some New Approaches

- Expand parole for violent convictions (Prop 36 in CA)
- Give more-local communities more say
- Depoliticize prosecutors and (especially) judges
- Fund and publicize interventions that appear to work

Prosecutorial Independence

2015] *The War on Drugs and Prison Growth* 217

FIGURE 7: DRUG INMATES IN NEW YORK PRISONS, 1965–2013

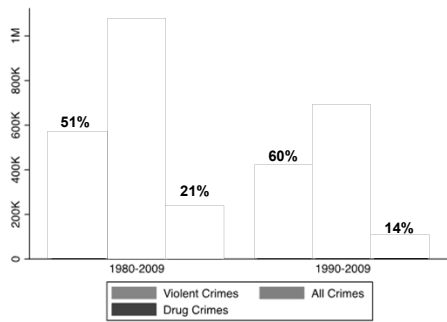


Notes: Data from the New York State Statistical Yearbook, various years.¹⁷

The Path Forward

- Public sector failures
 - Appointed judges
 - Appointed prosecutors, or more-locally elected
 - Use more private prisons?

The Central Role of Violence



RESEARCH BULLETIN

North Carolina Department of Public Safety
 Division of Adult Correction
 Issue No. 62 – March, 2019

Division of Adult Correction
 and Juvenile Justice

Office of Policy/Strategic Planning
 Administrative Analysis



This document provides a quick reference of information from different sources within the Adult Correction. Additional information about the Division can be found on the web site (www.ncdps.gov).

Total Authorized Budget Requirements for FY 2017-2018:				\$1,606,521,181*		
*Excludes: Capital Expenditures, Required Transfers for Medicaid, and other Departmental requirements						
Cost per day per Probationer/Parolee (FY 2017-2018)			Cost per day per Prison Inmate (FY 2017-2018)			
\$5.27	Offender Supervision		Close Custody	\$116.75		
\$1.72	Drug Screening (hand held/per specimen)		Medium Custody	\$102.46		
\$5.62	Electronic Monitoring and GPS		Minimum Custody	\$ 86.92		
\$1.36	Treatment for Effective Community Supervision		<i>Average Cost</i>	\$ 99.23		
COMMUNITY CORRECTIONS OFFENDERS						
Total Supervised as of 12/31/2018			96,825			
			Entries to Supervision During CY 2018			
Sex	<i>Probation/Dual</i>	<i>Parole</i>	<i>Post-Release</i>	Entry Type		
	Male	73%	92%	88%	Community	23,153
	Female	27%	8%	12%	Intermediate	9,381
Race	White	52%	41%	44%	DWI Probation	7,359
	Black	42%	55%	48%	Probation (Other)	9,173
	Other	6%	4%	8%	Total Probation	49,066
					Parole	763
					DWI Parole	54
				Total Parole	817	
				Total Post Release	12,811	
The most recent data published by the Bureau of Justice Statistics ranked North Carolina 38th in Community Supervision Population, and 16th in Community Supervision Rate (960 per 100,000 Population) of the 50 states and the District of Columbia. <i>Bureau of Justice Statistics (2016).</i>						
CY2018 Responses to Non-Compliance			Exits from Supervision in CY 2018			
Response	Offenders Entering			Probation	Parole	Post Release
Quick Dips	5,930		Completions	16%	26%	66%
CRV	3,613		Supervision Terminated	62%	71%	7%
			Incarcerated *	22%	3	27%
			Total	49,683	707	11,676
Offenders Entering Services/Sanction During CY 2018						
	Recidivism Reduction Services		6842			
	Substance Abuse Services					
	Cherry/Black Mountain Treatment		1,673			
	Drug Treatment Court		544			
	DWI Court		3,259			
Drug charges were the most frequent crime (25%) committed by new entries to probation in 2018, followed by driving while impaired (15%), larceny (14%), and assault (11%). Most parole entries during 2018 were drugs-non-trafficking (13%), followed by assault (10%) and robbery (10%). The most frequent crime category for post-release supervision cases was drugs-non-trafficking (18%), followed by breaking and entering (11%), larceny (10%), habitual felon (8%), robbery (8%), and assault (7%).						

PRISON INMATES										
Average Yearly Populations					As of 12/31/2016, North Carolina had the 21 st lowest incarceration rate of 341 prisoners per 100,000 population (inmates sentenced for more than 1 year) compared to 450 prisoners per 100,000 US population. North Carolina had the 13 th highest prison population among the 50 states and the District of Columbia. <i>Bureau of Justice Statistics (2018).</i>					
2004	34,988	2009	40,203	2014						37,433
2005	36,263	2010	39,899	2015						37,066
2006	37,038	2011	40,406	2016						36,462
2007	37,985	2012	38,104	2017						36,373
2008	38,957	2013	37,182	2018						36,197
Prison Population as of 12/31/2018: 35,752					Admissions in CY 2018: 25,493					
Sex	<i>Males</i>	32,881	92%	Sex	<i>Males</i>	21,592	85%	<i>Females</i>	2,871	8%
	<i>Females</i>				<i>Females</i>	3,901	15%	<i>White</i>	14,459	40%
Race	<i>White</i>	14,459	40%	Race	<i>White</i>	12,616	50%	<i>Black</i>	18,395	52%
	<i>Black</i>	18,395	52%		<i>Black</i>	11,285	44%	<i>Other</i>	2,898	8%
	<i>Other</i>	2,898	8%		<i>Other</i>	1,592	6%	Conviction Status		
Conviction Status					Education Level of Felon Prison Admissions in CY 2018					
	<i>Felony</i>	35,078	98%	Grade	Highest Grade Claimed	Achieved Reading Grade				
	<i>Misdemeanant</i>	658	2%	0-6	1%	34%				
	<i>Missing</i>	16	<1%	6.1-11.9	77%	45%				
Age					12.0 +	22%	21%			
	<i>Adults >20</i>	38,875	98%	Age	<i>Adults >20</i>	23,798	93%			
	<i>Young Adults 18 to 20</i>	817	2%		<i>Young Adults 18 to 20</i>	1,469	6%			
	<i>Youths <18</i>	60	<1%		<i>Youths <18</i>	226	1%			
Program Assignments					Most Frequent Crimes of Inmates Entering Prison in CY 2018					
		<i>Full Time</i>	<i>Part Time</i>	Drugs Possession/ Sell (or intent)	4,585	18%				
Admission Processing	1,725	0		Breaking and Entering	2,795	11%				
Academic Education	1,267	973		Larceny	2,731	11%				
Vocational Education	1,048	438		Assault	1,663	7%				
Institutional Life	1,030	184		Fraud/Forgery	1,615	6%				
Health Maintenance	784	31		Robbery	1,532	6%				
Drug/Alcohol Programs	776	6,353		DWI	1,454	6%				
Social Skills Development	494	2,276		Weapons Offenses	1,206	5%				
Personal Growth/Religious Activities	45	960		Habitual Felon	1,196	5%				
Family Oriented Programs	0	265		Drugs Trafficking	1,175	5%				
Work Assignments					Other Sexual Offense	679	3%			
Unit Services		6,454		Not Reported, Undefined	540	2%				
Food Services		2,994		Sexual Assault	491	2%				
Enterprise		1,766		Other Public Order	482	2%				
Maintenance		1,756		Other Traffic Violations	409	2%				
Work Release		1,190		Violation Sex Offense Conditions	360	1%				
Other Jobs		1,133		Auto Theft	342	1%				
Road Squads		462		Murder First Degree	314	1%				
Local Government		321		Burglary	287	1%				
Construction		300		FY 2017-2018 Released Offenders						
State Agency		168		Percent of Sentences Served		Structured	Pre-Structured			
Community Work Crews		0		Felon		110%	58%			
					Misdemeanant		98%	51%		
PRISON FACILITIES as of 12/31/2018										
Center for Community Transitions:			1	Standard (SOC) and Expanded (EOC) Operating Capacities*:						
Confinement in Response to Violation Centers:			2			SOC	EOC			
Prisons:			55	Close		8,708	8,904			
Total			58	Medium		14,059	17,384			
				Minimum		9,941	12,059			
				Youth		104	104			
				Total		32,812	38,451			
Largest Facility: Tabor City CI		SOC	EOC	<i>* Supervision levels include females and males</i>						
	1,120	1,684								
Smallest Facility: Lincoln CC		160	202							

CRIMINAL JUSTICE OUTCOMES FOR PRISON RELEASES ASSIGNED TO SELECT CORRECTIONAL JOBS AND PROGRAMS

Background

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). Correctional resources and, specifically, their effectiveness in increasing public safety and deterring future crime have continued to be of interest to legislators and policy makers. It is the goal of most correctional jobs and programs to manage inmate behavior by limiting idleness, offer them opportunities that will assist in altering negative behavioral patterns and, consequently, lower their risk of reoffending (i.e., their recidivism). This research brief is a follow-up to the Commission's 2018 adult recidivism report that examined recidivism for Structured Sentencing Act (SSA) offenders who were released from prison or placed on supervised probation in FY 2015.^{1,2}

Purpose and Sample Characteristics

This research brief focuses on the 15,077 prisoners in the FY 2015 prison release sample (i.e., prisoners with a felony offense) and examines assignment to select correctional jobs and programs during incarceration, as well as recidivism during a two-year follow-up.³ Analyses focus on outcomes by gender, length of job assignment, and program completion as applicable. Figure 1 highlights some of the notable characteristics of the FY 2015 prison release sample.

Figure 1
FY 2015 Prison Release Sample

Sample Characteristics

- 15% had a Class B1 – D felony, 32% had a Class E – G Felony, and 53% had a Class H – I felony
- 90% of the sample were male and a majority of the offenders were black (54%)
- The average age at prison release was 34
- 74% did not graduate from high school
- Over three-fourths (78%) were identified as having a possible substance use/abuse problem
- 94% had a prior arrest
- 56% had a prior incarceration

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2015 Correctional Program Evaluation Data

¹ See the Sentencing Commission's *Correctional Program Evaluation: Offenders Placed on Probation or Released from Prison in Fiscal Year 2015* (also referred to as the 2018 adult recidivism report) at http://www.nccourts.org/Courts/CRS/Councils/spac/Documents/recidivism_2018.pdf.

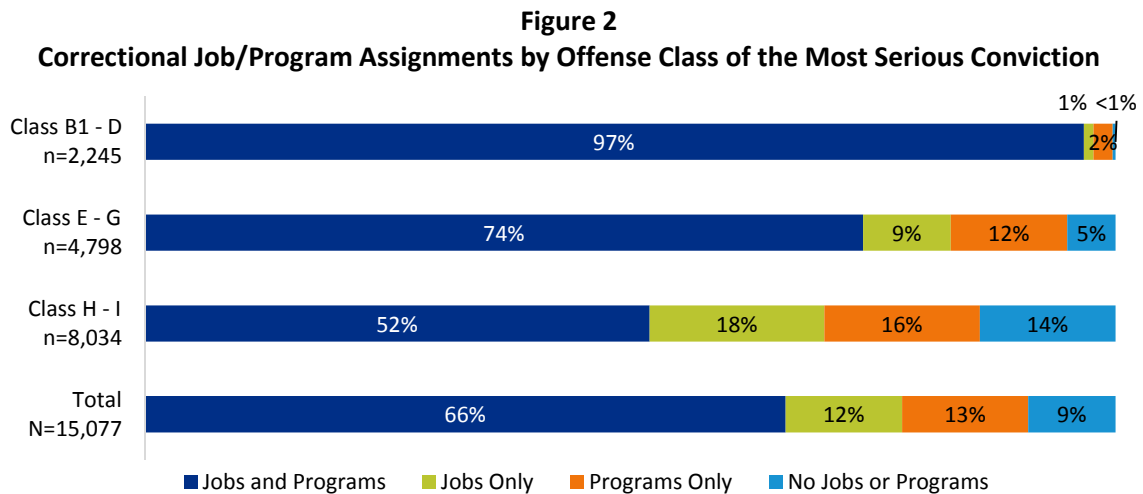
² Data for offenders were provided by the Department of Public Safety (DPS) and the State Bureau of Investigation (SBI).

³ Additional information on correctional job and program assignments and recidivism can be found in Chapter 4 and Appendix F of the Commission's 2018 adult recidivism report.

Correctional Job/Program Assignments

As shown in Figure 2, sentence lengths and opportunities for job and program assignments were closely related.

- 66% of prisoners were assigned to at least one job and one program during their incarceration.
- Nearly all Class B1 – D felons (i.e., prisoners with the longest sentence lengths) were assigned to both a job and a program during their incarceration.
- Class H and I felons (i.e., prisoners with the shortest sentence lengths) had the highest percentage with no job or program assignment (14%).



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2015 Correctional Program Evaluation Data

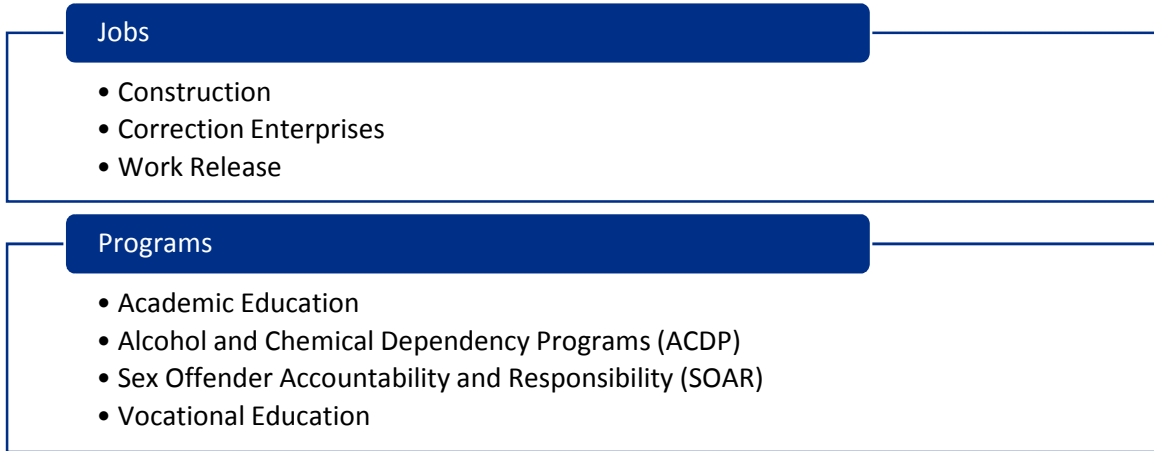
While not shown in Figure 2, given the large proportion of males in the prison release sample, the distribution of job and program assignments for males was similar to all prisoners. However, females were less likely than males to have both job and program assignments (58% of females compared to 67% of males). Females were more likely to have program assignments only (20% compared to 12% of males).

Select Correctional Jobs/Programs

In addition to examining correctional jobs and programs generally, seven correctional assignments were selected for more specific analysis (see Figure 3) and are described more fully in the Appendix. The seven assignments were selected in consultation with DPS as being of particular interest.

Note that prisoners can be assigned to multiple prison jobs/programs during their incarceration period and, therefore, may be represented in more than one select correctional job or program.

Figure 3
Select Correctional Jobs/Programs



Select Correctional Jobs/Programs by Gender

Among the select correctional jobs and programs examined, the largest proportions of prisoners were assigned to Academic Education and Vocational Education, and the smallest proportions for Construction, Work Release and SOAR (see Table 1).

- Higher percentages of females were assigned to ACDP and Vocational Education.
- A higher percentage of males were assigned to Correction Enterprises compared to females.
- A similar proportion of males and females were assigned to Work Release and Academic Education.

Table 1
Select Correctional Job/Program Assignments by Gender

Select Correctional Jobs/Programs	Prisoners N=15,077		Males n=13,498		Females n=1,579	
	# in Program	% of all Prisoners	# in Program	% of all Males	# in Program	% of all Females
Jobs						
Construction	418	3	418	3	n/a	n/a
Correction Enterprises	1,835	12	1,729	13	106	7
Work Release	740	5	679	5	61	4
Programs						
Academic Education	6,609	44	5,883	44	726	46
ACDP	3,418	23	2,833	21	585	37
SOAR	45	<1	45	<1	n/a	n/a
Vocational Education	4,549	30	3,938	29	611	39

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2015 Correctional Program Evaluation Data

Recidivism

Recidivism rates were determined for prison releases assigned to select correctional jobs and programs. For comparison purposes, recidivism rates were also provided for the entire prison release sample and for those who were assigned to any job or program. Fingerprinted arrests within a two-year follow-up period were the primary measure of recidivism, supplemented by information on recidivist incarcerations.⁴

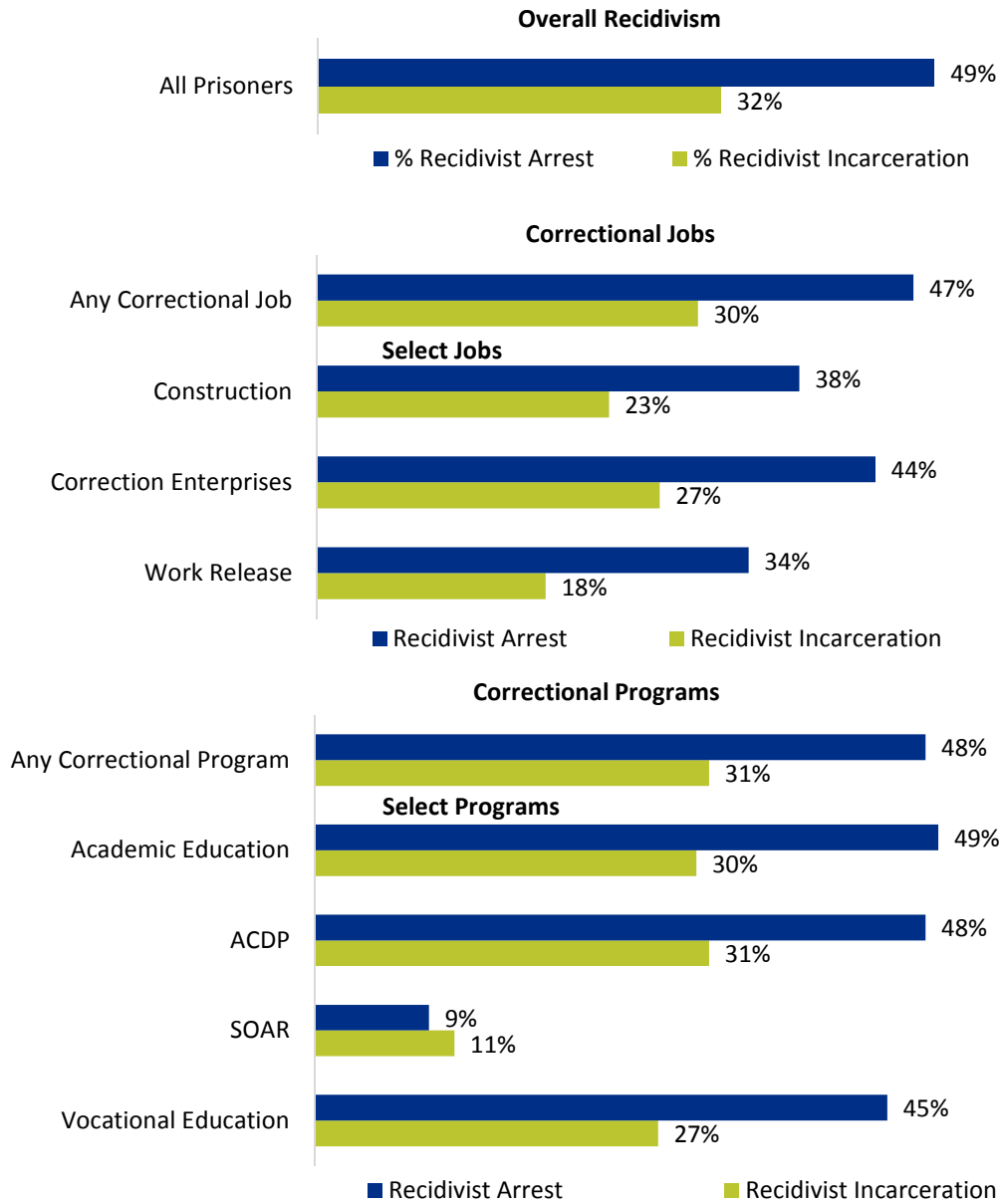
Overall, the recidivist arrest rate for prisoners in the FY 2015 sample was 49% and the recidivist incarceration rate was 32% (see Figure 4). These outcome measures were also examined for correctional jobs and programs overall, as well as for select correctional jobs and programs. While not shown in Figure 4, it is worth noting that prisoners with no job or program assignment had higher recidivism rates (primarily those prisoners with shorter sentence lengths).

- Recidivism rates for all prisoners were nearly identical to the overall rates for prisoners assigned to any correctional job and any correctional program.
- Recidivist arrest rates ranged from a low of 9% (SOAR) to a high of 49% (Academic Education).
- Recidivism rates for prisoners in Academic Education and ACDP were similar to the prison release sample.
- Prisoners in Correction Enterprises and Vocational Education had slightly lower recidivism rates than the prison release sample.
- Recidivism rates for prisoners in Construction, SOAR, and Work Release were lower than the recidivism rates for the prison release sample.

It is important to consider correctional job and program requirements, as well as the characteristics of prisoners who were assigned to particular jobs and programs, when comparing recidivism rates of different correctional assignments. It is also important to remember that prisoners may have participated in multiple correctional assignments while incarcerated, and therefore may be represented in more than one category. Lastly, and perhaps most importantly, access to job and program assignments varies by prison, and the capacity of those assignments can be affected by the availability of funding.

⁴ For detailed definitions of recidivism and other key terms, see Appendix B of the Commission's 2018 adult recidivism report.

Figure 4
Criminal Justice Outcomes for Select Correctional Job/Program Assignments



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2015 Correctional Program Evaluation Data

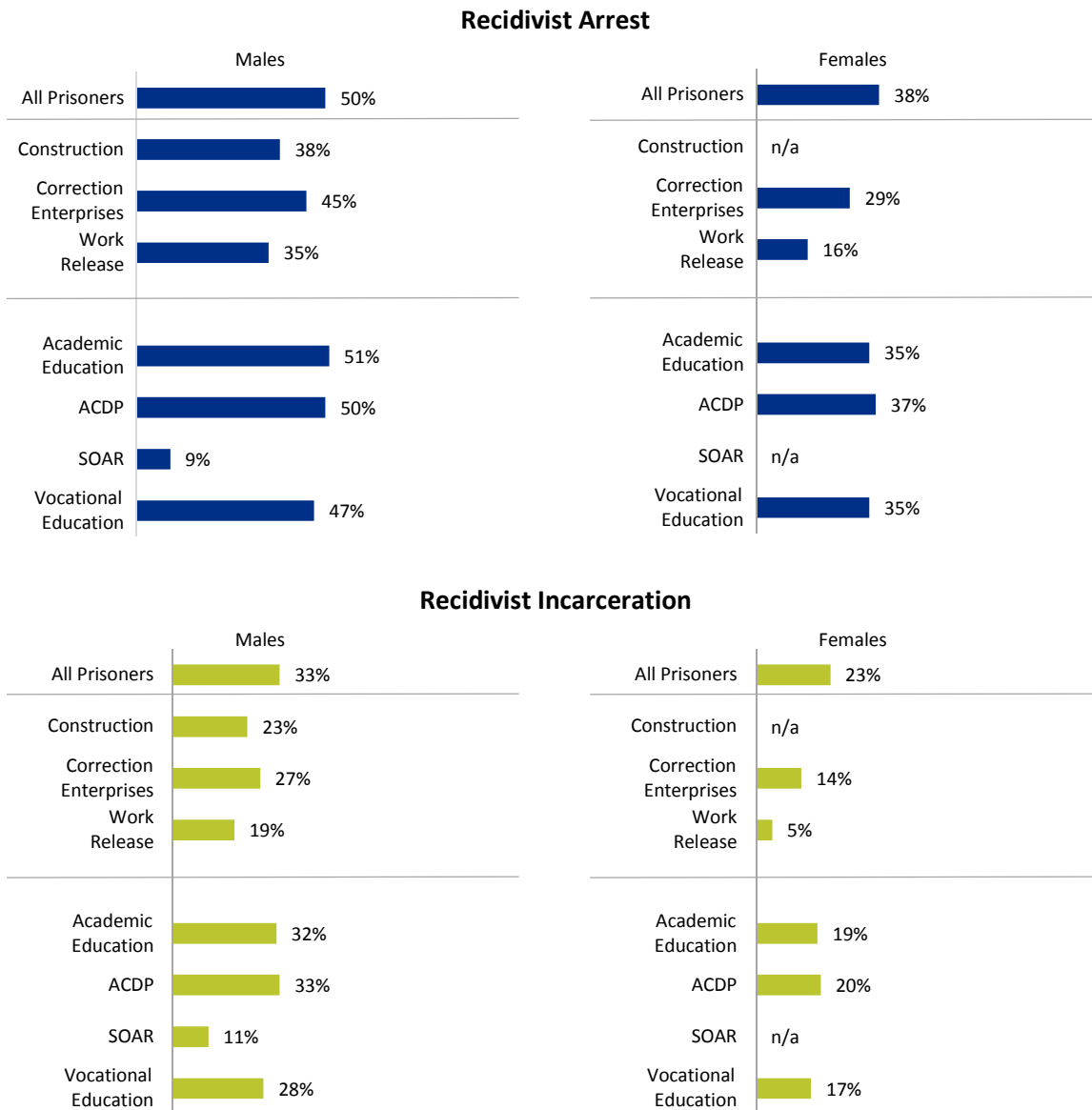
Recidivism by Select Correctional Job/Program Assignments and Gender

Figure 5 expands on the information provided in Figure 4 by examining criminal justice outcomes for select correctional job/program assignments by gender. Overall, the recidivist arrest rates were 50% for males and 38% for females; the recidivist incarceration rates were 33% for males and 23% for females.

- Regardless of the select correctional job or program, males had higher recidivism rates than females.

- Males and females in the correctional jobs examined had lower recidivism rates than the overall recidivism rates for males and females.
- Compared to the overall recidivism rates for males and females, prisoners in Academic Education, ACDP, and Vocational Education programs had similar or slightly lower recidivism rates.
- Males in the SOAR program had much lower recidivism rates than the overall male prison release sample.

Figure 5
Criminal Justice Outcomes for Select Correctional Job/Program Assignments by Gender



SOURCE: NC Sentencing and Policy Advisory Commission, FY 2015 Correctional Program Evaluation Data

Recidivism for Select Correctional Jobs by Length of Job Assignment

Studying the length of time prisoners spent working while incarcerated provides insight into whether a relationship exists between longer job assignments and recidivism.⁵ Figure 6 shows recidivism rates for select correctional jobs by length of job assignment and is expanded to include gender in Table 2.

- Whether overall or by gender, recidivism rates were generally lower for prison releases with longer job assignments.
- The higher recidivism rates for prisoners with less than 6 months of job participation might be the result of this group being comprised primarily of prisoners who served the shortest sentences and had the highest overall recidivism rates among the prison release sample.

Figure 6
Criminal Justice Outcomes for Select Correctional Jobs by Length of Job Assignment

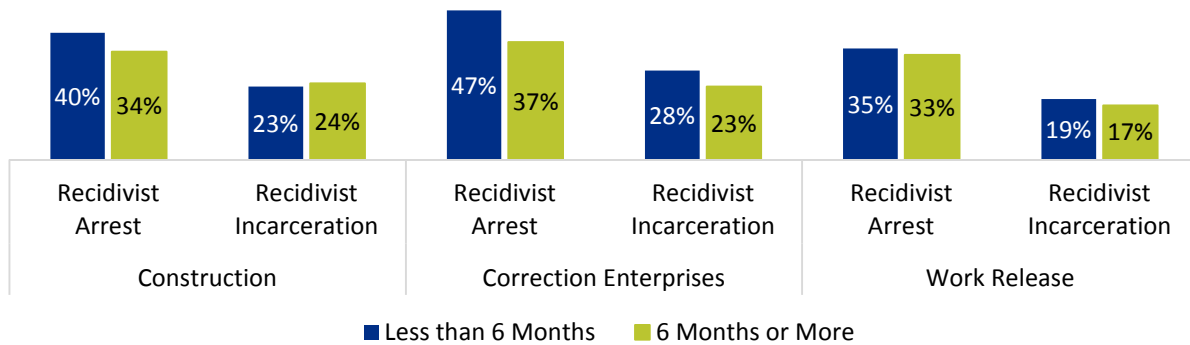


Table 2
Criminal Justice Outcomes for Select Correctional Jobs by Gender and Length of Job Assignment

Criminal Justice Outcomes	Length of Job Assignment in Months			
	Male		Female	
	Less than 6	6 or More	Less than 6	6 or More
Construction	n=261	n=157	n/a	n/a
Recidivist Arrest	40%	34%	n/a	n/a
Recidivist Incarceration	23%	24%	n/a	n/a
Correction Enterprises	n=1,216	n=513	n=74	n=32
Recidivist Arrest	47%	38%	34%	19%
Recidivist Incarceration	29%	24%	16%	9%
Work Release	n=250	n=429	n=24	n=37
Recidivist Arrest	36%	35%	21%	14%
Recidivist Incarceration	20%	18%	4%	5%

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2015 Correctional Program Evaluation Data

⁵ The length of job assignment represents prisoners' total time in select jobs over the course of their incarceration.

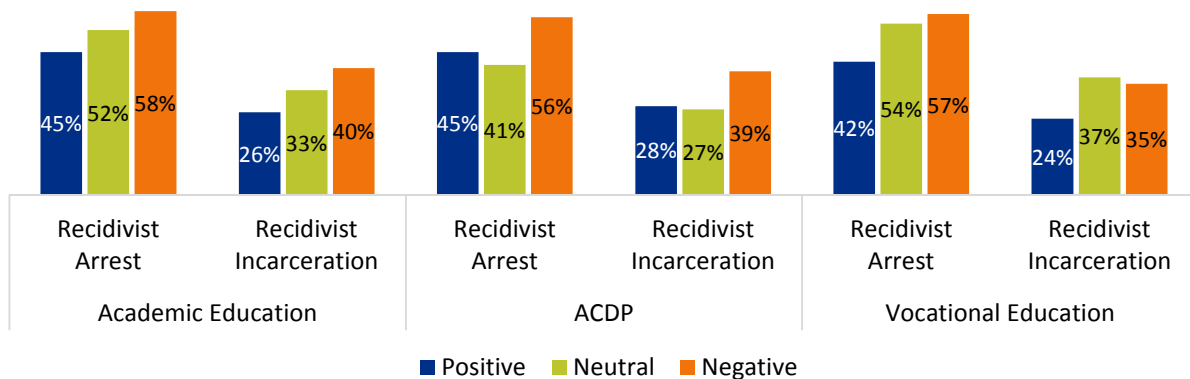
Recidivism for Select Correctional Programs by Program Outcome

It is important to consider the nature of prisoners' participation in correctional programs and how it relates to recidivism. For this analysis, the results of program assignments were categorized into three outcomes: 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).⁶

Figure 7 shows program outcomes and recidivism rates for select programs. Table 3 expands on Figure 7 by showing recidivism rates in the context of both program outcomes and gender.

- Whether overall or by gender, recidivism rates were lower for prison releases with positive program outcomes than for those with negative program outcomes.
- Overall, recidivism rates for prisoners with positive program outcomes were more than 10 percentage points lower than recidivism rates for those with negative program outcomes.
- Generally, recidivism rates for prisoners with neutral outcomes were in between those prisoners with positive outcomes and those with negative outcomes.

Figure 7
Criminal Justice Outcomes for Select Correctional Programs by Program Outcome



Note: Criminal justice outcomes for participants in the SOAR program (which is for males only) can be found in Table 3.

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2015 Correctional Program Evaluation Data

⁶ When prisoners had more than one type of outcome within each program category, the outcome was determined using the following ranking: positive, neutral, and negative, giving priority to any positive outcome. For prisoners in ACDP, the outcome of prisoners' last ACDP participation prior to release was chosen for analysis. A ranking of program outcomes was unnecessary.

Table 3
Criminal Justice Outcomes for Select Correctional Programs by Gender and Program Outcome

Criminal Justice Outcomes	Program Outcome					
	Positive	Male Neutral	Negative	Positive	Female Neutral	Negative
Academic Education	n=3,162	n=1,596	n=1,125	n=424	n=228	n=74
Recidivist Arrest	46%	53%	60%	32%	39%	38%
Recidivist Incarceration	27%	34%	41%	14%	25%	30%
ACDP	n=1,912	n=145	n=776	n=395	n=42	n=148
Recidivist Arrest	48%	43%	57%	34%	33%	45%
Recidivist Incarceration	31%	28%	41%	15%	24%	30%
SOAR	n=41	n=3	n=1	n/a	n/a	n/a
Recidivist Arrest	10%	0%	0%	n/a	n/a	n/a
Recidivist Incarceration	10%	0%	100%	n/a	n/a	n/a
Vocational Education	n=2,900	n=346	n=692	n=473	n=73	n=65
Recidivist Arrest	43%	55%	58%	32%	52%	37%
Recidivist Incarceration	25%	38%	36%	15%	27%	23%

SOURCE: NC Sentencing and Policy Advisory Commission, FY 2015 Correctional Program Evaluation Data

Summary

This research brief is intended to provide an overview of criminal justice outcomes for select correctional job and program assignments. Although this brief examines correctional assignments, length of job employment, and program completion and their relationships to recidivism, the analysis does not examine other key characteristics of prisoners that may also affect recidivism (e.g., age, risk level, need level). As such, the findings are not intended to be exhaustive. A validated risk and need assessment for prisoners was not available for this time period, which would offer a more comprehensive examination of program effectiveness. Once these data are available, risk, need, and other factors such as custody classification level and Service Priority Level should be considered in the context of correctional assignments and recidivism.⁷

⁷ For more information on DPS case management, risk/need assessments, and Service Priority Levels, see https://files.nc.gov/ncdps/C.1400_%20070317.pdf.

APPENDIX: SUMMARIES OF SELECT CORRECTIONAL JOB/PROGRAM ASSIGNMENTS

Select Job Assignments

- **Construction:** The Inmate Construction Program is a partnership among the offices of Rehabilitative Programs and Services (RPS) and Central Engineering within the North Carolina Department of Public Safety (DPS). The program's purpose is to meet the demands of the prison facility construction, expansion, and renovation projects by using inmate labor to reduce the cost of prison construction projects. The program also provides inmates an opportunity to learn on-the-job marketable skills to help them prepare for their release back into the community.
<https://www.ncdps.gov/e2200-inmate-construction-program>.
- **Correction Enterprises:** Correction Enterprises is a self-supporting prison industry program operating within the DPS in various prison units across the state. Correction Enterprises provides inmates with opportunities to learn job skills by producing goods and services for the DPS and other tax-supported entities. <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 inmates. 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.
https://files.nc.gov/ncdps/documents/files/E.0700_06_15_17.pdf.

Select Program Assignments

- **Academic Education:** Academic Education is administered by the RPS Section within the DPS. Post-secondary education is offered through continuing education (community college) courses of study for adult offenders and/or youthful offenders who have their diploma or high school equivalency credentials. <https://files.nc.gov/ncdps/documents/files/2015%20EDSvcsAnnual%20Report.pdf>.
- **Alcohol 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 female and male inmates with substance abuse problems. For the ACDP summary, only prisoners who received prison-based intermediate and long-term intensive treatment were included. For additional information, see the DPS's Substance Use Disorder Treatment Programs Annual Report at https://files.nc.gov/ncdps/DPS_Substance_Abuse_Program_Annual_Report_2018_03_01.pdf.
- **Sex Offender Accountability and Responsibility (SOAR):** The SOAR program provides treatment for 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.
- **Vocational Education:** Vocational Education is administered by the RPS Section within the DPS and is a collaborative effort with the North Carolina Community College System. Vocational training (e.g., welding, cosmetology, horticulture) is provided through curriculum or continuing education offerings, or a combination of both.
<https://files.nc.gov/ncdps/documents/files/2015%20EDSvcsAnnual%20Report.pdf>.