



April 2010

# Justice Reinvestment in North Carolina

## Reducing Spending on Corrections and Reinvesting in Strategies to Increase Public Safety



### Background

In 2009, Governor Beverly Perdue, Supreme Court Chief Justice Sarah Parker, Senate President Marc Basnight, Senate Minority Leader Phil Berger, House Speaker Joe Hackney, House Minority Leader Paul Stam, and Sentencing and Policy Advisory Commission Chairman Judge Spainhour requested technical assistance from the Council of State Governments Justice Center (“CSG Justice Center”) to help develop a statewide policy framework to reduce spending on corrections and reinvest in strategies to increase public safety.

North Carolina overhauled its sentencing system under the 1994 Structured Sentencing Act, which established sentencing guidelines based on offense severity and prior criminal record, thus reserving prison space for the most serious and repeat offenders. Now faced with a growing prison population, the state has requested assistance to strengthen this system and develop strategies to control corrections spending and increase public safety.

The CSG Justice Center is a national nonprofit, nonpartisan organization that works with state policymakers to analyze data and develop fiscally sound strategies to increase public safety. Assistance is provided in partnership with the Public Safety Performance Project of the Pew Center on the States and made possible through funding support provided by Pew and the Bureau of Justice Assistance, a component of the U.S. Department of Justice and the State of North Carolina.

To guide the CSG Justice Center’s analyses of the state’s criminal justice system and development of policy options, the state has established a work group. Members of the work group represent both parties and all three branches of state government, including the two chambers of the General Assembly. The work group will review data analyses from the CSG Justice Center and develop a legislative package to address the projected growth in North Carolina’s prison population, generate savings, and reinvest in strategies to increase public safety.

# Snapshot of Corrections, Recidivism, and Cost Trends in North Carolina

## **The increase in the number of people incarcerated in state prison in North Carolina has outpaced the growth in the state's resident population.**

North Carolina's resident population increased 14 percent between 2000 and 2008.<sup>1</sup> This growth rate, however, was considerably lower among young adults between the ages of 18 and 34 who account for a disproportionately large share of crimes committed in any state. That age group grew just 5 percent over these eight years.<sup>2</sup> Yet during the same period, the prison population grew 25 percent, from 31,581 to 39,326 people.<sup>3</sup>

## **The prison population is projected to continue growing. Assuming existing policy remains unchanged, the state will need to expand the capacity of the state system at a significant cost to taxpayers.**

The Sentencing and Policy Advisory Commission projects that the prison population will increase by 25 percent, or 10,000 inmates, between 2009 and 2019.<sup>4</sup> The existing prison capacity is about 39,000 beds and the Department of Correction (DOC) estimates that it will face a shortfall of about 8,500 beds by FY 2019. Building and operating these new prison beds will cost more than \$2 billion between FY 2012 and FY 2019. Construction costs alone will approach \$775 million between FY 2012 and FY 2019, with one third of this investment needed by FY 2012.<sup>5</sup>

Such costs mean that state spending on corrections would intensify. As it is, between 2000 and 2008, the DOC budget increased 43 percent, from \$918 million to more than \$1.31 billion.<sup>6</sup>

## **Although reported crime rates in the state have decreased, arrests for property and drug crimes have increased.**

Between 2000 and 2008, North Carolina's violent and property crime rates as reported to police decreased six percent and eight percent, respectively. Over that same period, arrests for violent crimes decreased by nine percent. However, arrests for property crimes increased by 27 percent and drug arrests increased by nine percent.<sup>7</sup>

## **More than half of all admissions to prison are for probation revocations.**

In 2009, probation revocations accounted for 53 percent of prison admissions.<sup>8</sup>

## **There is a critical shortage of substance use disorder treatment programs for individuals involved in North Carolina's prison system.**

During FY 2009, DOC screening data indicated that of the individuals admitted to prison, 30 percent needed high-intensity, long-term substance use disorder treatment services, and an additional 32 percent needed a medium-intensity, shorter-term level of services.<sup>9</sup> However, the state's prison system has a limited capacity to treat these individuals. Between FY 2001 and FY 2009, the number of prison-based treatment slots declined by 23 percent. Because of limited resources, it is estimated that only one-third of prisoners with substance use disorders who need services receive them.<sup>10</sup>

1. US Census Bureau Population Estimates. <http://www.census.gov/compendia/statab/2010/tables/10s0012.xls>

2. Ibid.

3. North Carolina Department of Correction, Annual Statistical Reports (FY1999–2000 and FY 2007–2008), <http://randp.doc.state.nc.us/pubdocs/0004182.PDF> and <http://randp.doc.state.nc.us/pubdocs/0007058.PDF>.

4. Based on June 2009 prison population (40,824) and estimates of FY 2019 June population (50,829). <http://www.nccourts.org/Courts/CRS/Councils/spac/Documents/2010-popproj4.pdf>

5. Council of State Governments Justice Center estimate based on construction cost figures provided by North Carolina Department of Correction on January 29, 2010.

6. North Carolina Department of Correction, Annual Statistical Reports (FY 1999–2000 and FY 2007–2008). <http://randp.doc.state.nc.us/pubdocs/0004182.PDF> and <http://randp.doc.state.nc.us/pubdocs/0007058.PDF>.

7. U.S. Department of Justice, Federal Bureau of Investigation, *Crime in the United States*. <http://www.fbi.gov/ucr/ucr.htm>

8. North Carolina Department of Correction, *Annual Statistical Report 2008–2009* (forthcoming).

# The CSG Justice Center's Three Phases of Assistance

Experts from the CSG Justice Center will provide technical assistance to North Carolina policymakers in three phases.

## PHASE 1

### Analysis and Policy Development

The CSG Justice Center staff will comprehensively analyze North Carolina's prison, community corrections, crime, and recidivism data. This analysis will include a system-wide examination of the prison population, drivers of prison growth, and strategies used currently by policymakers.

To incorporate perspectives and recommendations from across the criminal justice system, the CSG Justice Center will engage stakeholders using formats such as focus groups, site visits, and personal interviews. Examples of stakeholders include, but are not limited to, judges, district attorneys, public defenders, law enforcement, and advocates for victims and survivors.

In collaboration with the work group, which will review analysis and share recommendations, the CSG Justice Center will develop consensus-based policy options that address the key factors behind North Carolina's escalating prison population and corrections expenditures.

A health systems team will analyze programs and services for people with behavioral health needs who come into contact with the criminal justice system.

## PHASE 2

### Policy Implementation

To ensure that policies are implemented effectively, staff members from the CSG Justice Center will provide technical assistance to state agencies and perform regular assessments of implementation progress. Policymakers will therefore be able to identify necessary adjustments to policies and strategies to ensure intended goals are achieved.

In addition, the CSG Justice Center will develop a *dashboard* tracking mechanism to help policymakers measure impacts of newly enacted policies on crime, court dispositions, jail populations, and the prison population.

## PHASE 3

### Accountability Strategies

Policymakers, with the assistance of regular presentations from CSG Justice Center experts, will put into effect accountability measures for the multiple agencies responsible for policy implementation. Continual monitoring of the dashboard and other accountability measures will help North Carolina ensure that gains achieved are sustained and savings generated are reinvested to foster safer and stronger communities.

9. North Carolina Department of Correction, Division of Alcoholism and Chemical Dependency Programs, *Annual Legislative Report, FY 2008-2009*, [http://www.doc.state.nc.us/legislative/2010/Alcoholism\\_and\\_Chemical\\_Dependency\\_Programs.pdf](http://www.doc.state.nc.us/legislative/2010/Alcoholism_and_Chemical_Dependency_Programs.pdf)

10. *Building a Recovery-Oriented System of Care: A Report of the NCIOM Task Force on Substance Abuse Services*, January 2009, [http://www.nciom.org/projects/substance\\_abuse/Full%20Report.pdf](http://www.nciom.org/projects/substance_abuse/Full%20Report.pdf).

To learn more about the justice reinvestment strategy  
in North Carolina and other states, please visit:  
[www.justicereinvestment.org](http://www.justicereinvestment.org).

## JUSTICE★CENTER

THE COUNCIL OF STATE GOVERNMENTS

The Council of State Governments Justice Center is a national nonprofit organization that serves policymakers at the local, state, and federal levels from all branches of government. The Justice Center provides practical, nonpartisan advice and consensus-driven strategies, informed by available evidence, to increase public safety and strengthen communities.



This project was supported by Grant No. 2009-DD-BX-K139 awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, and the Office for Victims of Crime. Points of view or opinions in this document are those of the author and do not represent the official position or policies of the United States Department of Justice.

To learn more about the Bureau of Justice Assistance, please visit: <http://www.ojp.usdoj.gov/BJA/>.



Research and analysis described in this report also have been funded by the Public Safety Performance Project of the Pew Center on the States. The Pew Center on the States is a division of The Pew Charitable Trusts that identifies and advances effective solutions to critical issues facing states. Pew is a nonprofit organization that applies a rigorous, analytical approach to improve public policy, inform the public and stimulate civic life.

To learn more about the Public Safety Performance Project, please visit: <http://pewcenteronthestates.org>.

Points of view, recommendations, or findings stated in this document are those of the authors and do not necessarily reflect the official position or policies of the Bureau of Justice Assistance, U.S. Department of Justice, The Pew Charitable Trusts, Council of State Governments Justice Center, or the Council of State Governments' members.

Suggested citation: Council of State Governments Justice Center, *Justice Reinvestment in North Carolina: Reducing Spending on Corrections and Reinvesting in Strategies to Increase Public Safety* (New York: Council of State Governments Justice Center, 2010).

### Council of State Governments Justice Center

100 Wall Street  
20th Floor  
New York, NY 10005  
tel: 212-482-2320  
fax: 212-482-2344

4630 Montgomery Avenue  
Suite 650  
Bethesda, MD 20814  
tel: 301-760-2401  
fax: 240-497-0568

504 W. 12th Street  
Austin, TX 78701  
tel: 512-482-8298  
fax: 512-474-5011

**PROJECT CONTACT:**  
**Megan Grasso**  
646-383-5737  
[mgrasso@csg.org](mailto:mgrasso@csg.org)

[www.justicecenter.csg.org](http://www.justicecenter.csg.org)