



**STATE OF NORTH CAROLINA
DEPARTMENT OF PUBLIC SAFETY**

***DIVISION OF ADULT CORRECTION
COMMUNITY CORRECTIONS***

TECHNICAL REVOCATION CENTER STUDY

January 1, 2013

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Governor**

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SL 2012-142

SECTION 14.3. TECHNICAL REVOCATION CENTER STUDY

The Division of Adult Correction of the Department of Public Safety shall study the feasibility of creating a technical violation center to house probationers ordered to serve a period of 90 days in confinement due to a technical violation of the condition of their probation. The study would determine the feasibility and cost-effectiveness of using such a center operated by the Community Corrections Section for confinements resulting from technical corrections rather than placing the probationers in State prison facilities. The Department shall report its findings and recommendations to the Office of State Budget and Management and the House and Senate Appropriations Subcommittees on Justice and Public Safety no later than January 1, 2013.

The Division of Adult Correction, Community Corrections Section is responsible for the supervision of all adult offenders on probation, parole or post-release supervision in North Carolina. Community Corrections also has oversight of the Community Service Work Program (CSWP). The Division supervises approximately 104,936 offenders on probation, parole or post-release supervision and oversees 10,762 unsupervised offenders in CSWP for a total offender population of 115,698.

The signing of the Justice Reinvestment Act into law (SL 2011-192) had a tremendous impact on field operations within Community Corrections. Among other things, the law gave additional authority to probation officers and provided more choices for violation responses. The Confinement in Response to Violation (CRV) statute GS 15A-1344 (d2) reads:

Confinement in Response to Violation. — When a defendant has violated a condition of probation other than G.S. 15A-1343(b)(1) or G.S. 15A-1343(b)(3a), the court may impose a 90-day period of confinement for a defendant under supervision for a felony conviction or a period of confinement of up to 90 days for a defendant under supervision for a misdemeanor conviction. The court may not revoke probation unless the defendant has previously received a total of two periods of confinement under this subsection. A defendant may receive only two periods of confinement under this subsection. If the time remaining on the defendant's maximum imposed sentence is 90 days or less, then the term of confinement is for the remaining period of the sentence. Confinement under this section shall be credited pursuant to G.S. 15-196.1.

The law created many challenges for the agency; with one of the most difficult being where to house the offender for a small amount of time (90 days or less) and what types of programs to offer the offender during this short stay. Inmates traditionally serve longer sentences, so the responsibility of processing the CRV offenders into prison units, signing them into programs and releasing them shortly after proved to be disruptive for the Section of Prisons intake, diagnostic, classification, assignment and release protocols. Nevertheless, the Department formed committees of various employees to operationalize the process currently in place. The process involves staff at the diagnostic (processing) centers of Prisons, assignment to specific prison units and staff at these units handling program assignments, and also involves the staff of Community Corrections working closely with the units to prepare for release; all have to closely communicate to transition the inmate into prison and back to supervision.

The first CRV offenders were processed into Prisons during the last week of December 2011. In less than a year staff have learned the rules of the Justice Reinvestment legislation, have worked through the unforeseen issues, and have become acclimated to the entire CRV process.

Community Corrections staff are tracking the population dynamics of CRV offenders and have examined revocation center models in a number of other states. Although these models are

showing success in addressing the needs of short-term committed offenders, the Division of Community Corrections does not feel that it is feasible at this time to implement such a model in North Carolina. The Division will continue to monitor the utilization of the CRV process, and may at a future date recommend policy changes to address the needs of the shifting probation population.