

Corrections Research Brief

North Carolina Department of Correction, Office of Research and Planning

Impact of Structured Sentencing Act on Correctional Populations

Summer 2002

Introduction

In 1993, in response to overcrowded prisons and discrepancies between the sentences required by statute and the length of sentences actually being served, the North Carolina General Assembly adopted a new sentencing policy. This policy, the Structured Sentencing Act (SSA) changed sentencing laws by setting new priorities for the use of prison and community correction resources and links sentencing policies to correctional resources through a formal legislative review process.

The policies embodied in the Structured Sentencing Act change the profile of offenders who go to prison and who remain in the community on probation. Prison is reserved for the most serious and chronic offender and actual time served is longer. Intermediate punishments provide restrictive supervision to offenders who need a high level of control in the community. Community punishments provide structure for the least serious, chronic offender.

This is the third report in an annual series to periodically monitor changes in correctional populations as a result of sentencing law changes. This information is important to correctional managers, to policy-makers and to the public to ascertain the intended and unintended impact of sentencing law changes on correctional agencies.

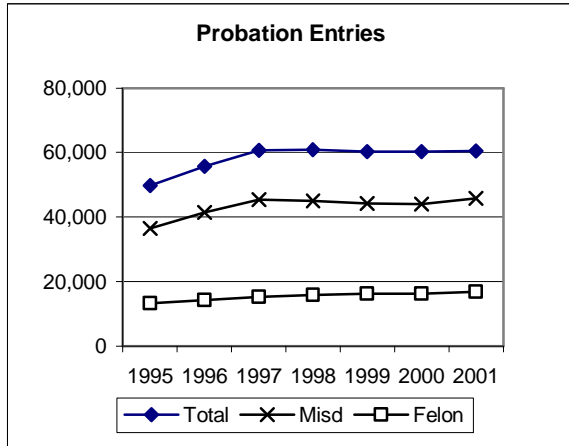
The charts in this report show trends occurring between calendar years 1995 and 2001 among prison and probation populations. The data in the report are available through the Office of Research and Planning's Automated System Query (ASQ), a web-based information source.

Highlights

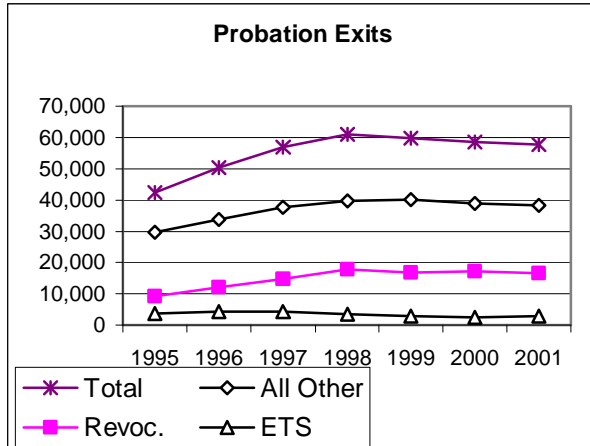
The trends revealed in this report indicate that the Structured Sentencing Act is achieving the goals that were established.

- Among the prison and probation populations, a larger proportion of offenders are those convicted of assaultive crimes, a result in line with the goal to reserve correctional resources for more serious offenders.
- There has been a steady increase in the proportion of inmates in the prison population convicted of crimes under Structured Sentencing, rising from 9% in 1995 to 74% in 2001.
- The prison population is growing as exits from prison slow due to longer prison sentences for serious and chronic offenders.
- The age of probationers and inmates is increasing, due in part to the general aging of the state population and to the prior criminal history requirements of the Structured Sentencing Act before being sentenced to intermediate punishments or prison.

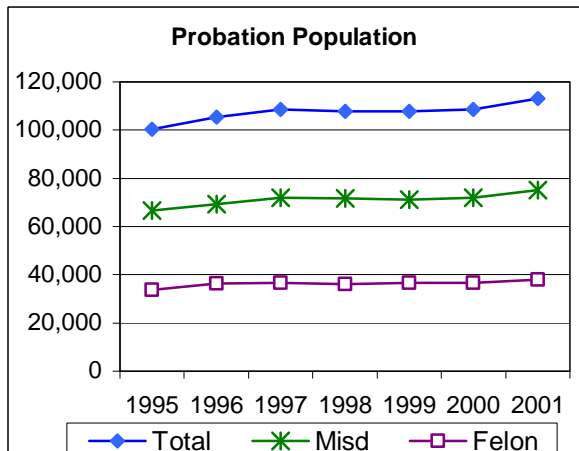
Probation Trends



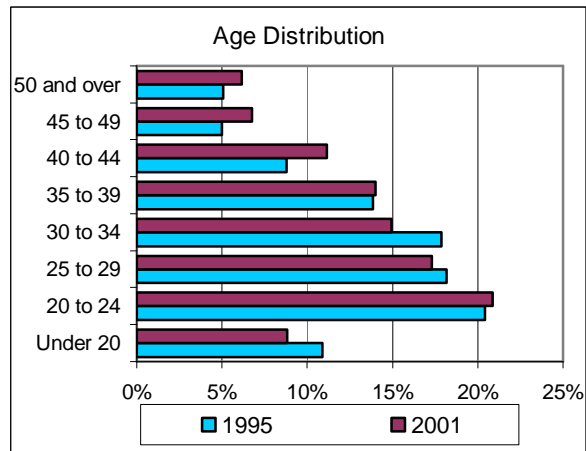
Between CY 1995 and CY 1997 annual probation entries increased from 50,000 to 60,000. This increase was an expected result of Structured Sentencing, with more less serious and less chronic offenders ordered to punishments in the community versus prison. Since 1997 the number of probation entries has remained constant. Felons consistently represent about 26% of the annual probation entries.



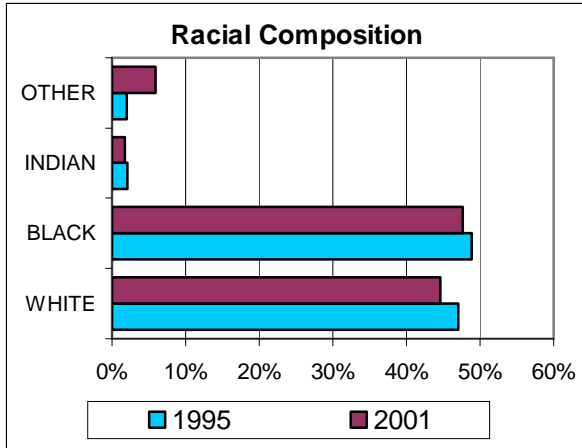
Between CY 1995 and CY 2001, probation revocations increased faster than other types of exits from supervision. The number of probationers electing to serve (ETS) their suspended prison terms declined, due to a change in the State constitution. Revocations and ETS combined rose from 30% of all exits in CY 1995 to 35% in 1998 before dropping back to 34% in 2000 and 2001. The rise in probation revocations may be the result of high-risk probationers who previously were sentenced to prison and now are on probation in the community. The exit category "All Other" includes all successful completions plus some terminations of re-convicted offenders facing imprisonment.



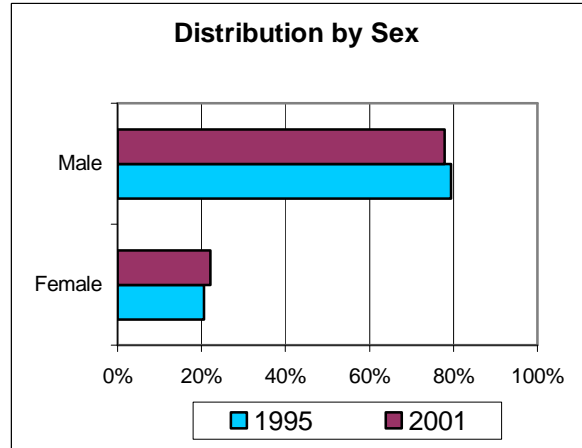
Between CY 1995 and CY 1997, the total number of probationers under supervision rose by 8%, reflecting the increase in entries due to Structured Sentencing and a slight increase in the average period of supervision. Since 1997, the probation population has remained stable; on December 31, 2001 the population was 113,217.



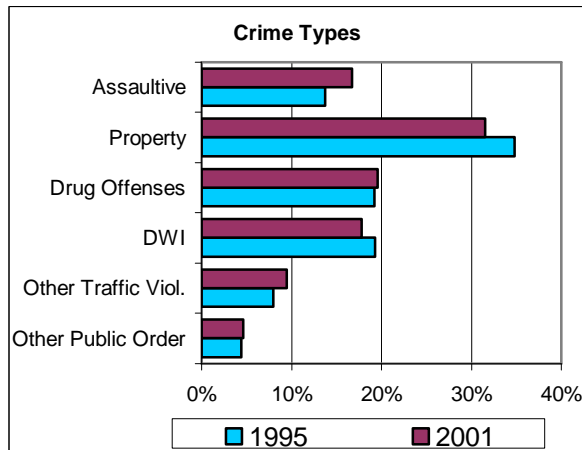
Since CY 1995, the largest age category continues to be 20-24 year olds, representing 21% of all probationers in 2001. The age distribution of probationers under supervision has changed somewhat since 1995. Increases in the proportion of 35 and older offenders are partly due to a general aging of the state population.



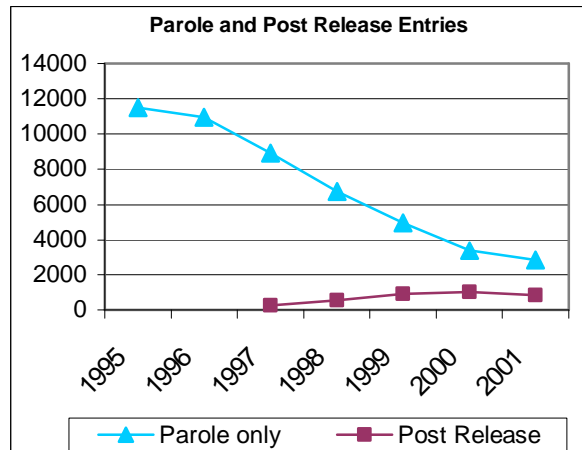
The relative proportion of white and black offenders under probation supervision has changed little during the period. In CY 2001, blacks represented 48% of the probation population. Between CY 1995 and 2001, the category “Other” more than doubled from 2 to 6 percent, reflecting the recent increase in the state’s Hispanic population.



Since CY 1995, there has been little change in the relative proportion of male and female offenders under probation supervision. In 2001, 78% of the probation population was male and 22% was female. The proportion of males decreased 1%, while the proportion of females increased 1% from 1995.

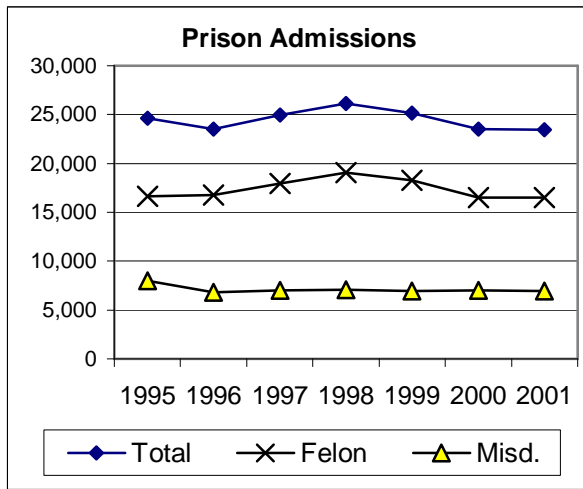


The greatest change in the crime type distribution of probationers is a 24% increase in assaultive crimes, followed by a 17% increase in non-DWI traffic violations. There has been a 4% decrease in DWI admissions. This trend may be the result of an effort to make room for the most serious and chronic offenders in prison by shifting some offenders to probation that in the past would have received an active prison sentence.

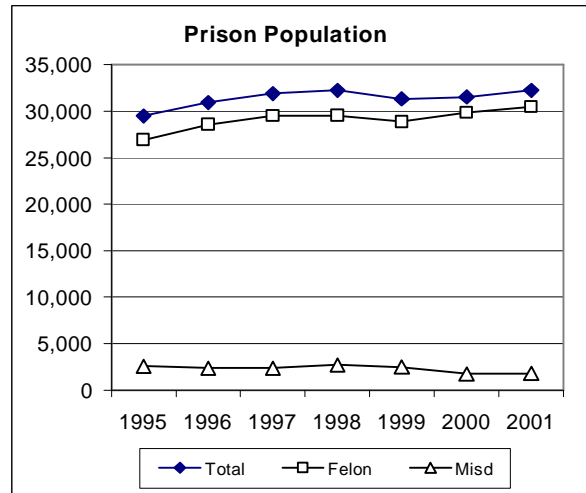


The number of inmates paroled diminishes each year, as the number of pre-Structured Sentence inmates in prison declines. Under Structured Sentencing parole is abolished and the only inmates supervised after release are those whose crimes fall in the B-E offense classes. Only in the last two years have substantial numbers of offenders been released under post-release supervision, 832 in CY 2001.

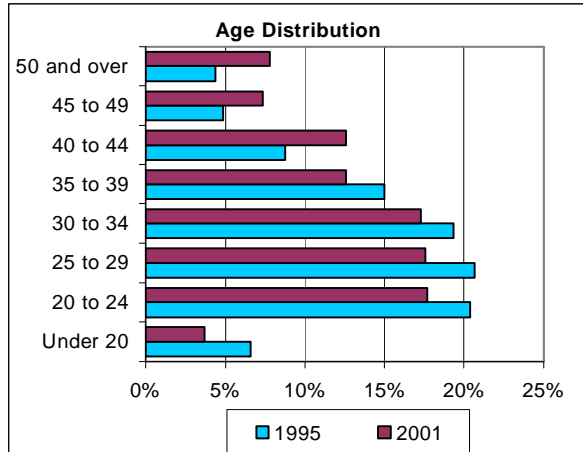
Prison Trends



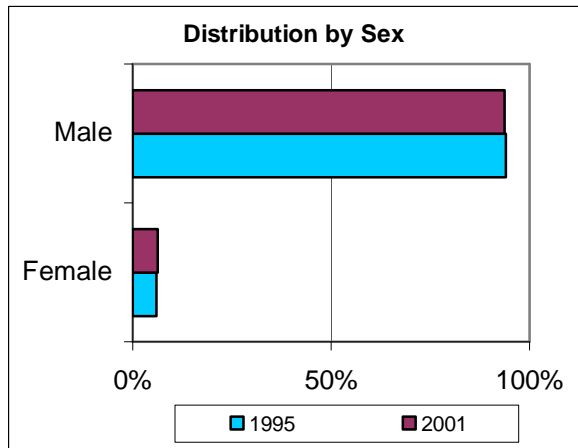
Admissions to prison dropped between CY 1995 and 1996 due to Structured Sentencing policies including reductions in misdemeanor admissions. In 1998, admissions rose to 26,156 then declined to 23,456 in 2001. The decline in admissions was probably due to fewer arrests, convictions and court hearings, and a reduction in the number of probation violators going to prison.



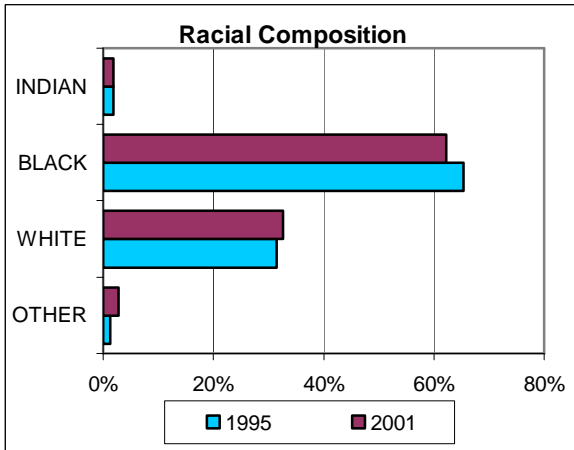
The prison population increased between CY 1995 and CY 1998 from 29,495 to 32,231. After a slight dip in CY 1999, probably due to fewer arrests, convictions, court hearings, it gradually increased back to 32,253 in CY 2001. The prison population is projected to increase to 41,052 by 2011 as more inmates serve longer sentences over the next decade.



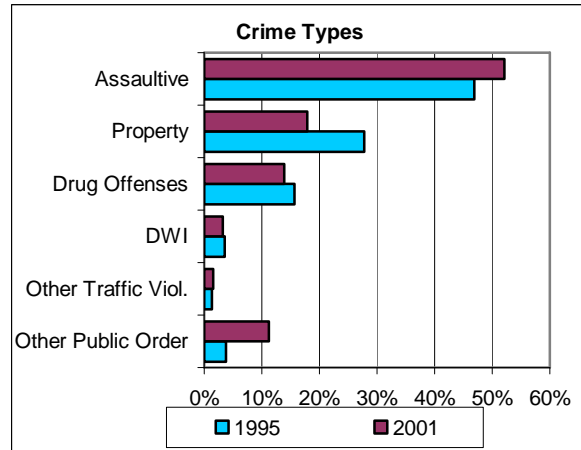
Inmates 20 to 34 years of age comprise 53% of the population in CY 2001 compared to 60% in 1995. Since 1995 the proportion of older inmates has increased, particularly inmates 40 and older. This increase is probably due to the effects of Structured Sentencing, which requires offenders to have prior criminal convictions before being sentenced to prison.



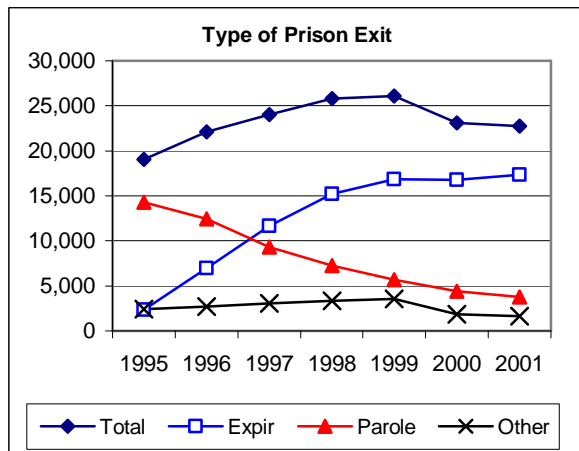
The proportion of males and females in prison has not changed substantially since CY 1995. The inmate population continues to be overwhelmingly male. In 2001, males represent 94% of the prison population and females represent 6%.



Since 1995, there has been a slightly larger increase in the proportion of white inmates compared to black inmates, reversing a long-term trend. Whites represent 33% of the prison population in 2001 blacks represent 62%, and other (including Hispanics) represent 5%.



The prison population increases since 1995 were concentrated among Assaultive and “Other Public Order” crimes. This latter category, which increased by 222%, consists primarily of habitual offenders. Both categories tend to have older-than-average inmates and this trend explains the increase in the over-40 population in prison. Assaultive crimes rose by 21%. The large decrease in property crimes is due mainly to a 47% decrease in breaking and entering. In addition, drug offenses decreased 4% in 2001.



Since CY 1995 the number of inmates who remain in prison until their sentence expires has increased from 12% to 65%. (“Expir”). The number paroled has declined substantially as the pool of offenders admitted under the old Fair Sentencing law dwindles. The “Other” category of exits includes deaths and release by the courts for appeal, or release of safekeepers. The trend in fewer total exits is caused by SSA inmates serving longer sentences.

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