NC Department of Adult Correction
PROTECTION • INNOVATION
REHABILITATION

Roy Cooper, Governor

Todd Ishee, Secretary

MEMORANDUM

TO: Joint Legislative Oversight Committee on Justice and Public Safety
Chairs, House Appropriations Committee on Justice and Public Safety
Chairs, Senate Appropriations Committee on Justice and Public Safety

FROM: Todd E. Ishee, Secretary

RE: Report on Probation and Parole Caseloads

DATE: August 29, 2023

§ 143B-1481 Report on probation and parole caseloads

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(a) The Department of Adult Correction shall report by March 1 of each year to the Chairs of the House of Representatives and Senate Appropriations Subcommittees on Justice and Public Safety and the Joint Legislative Oversight Committee on Justice and Public Safety on caseload averages for probation and parole officers. The report shall include:

(1) Data on current caseload averages and district averages for probation/parole officer positions.
(2) Data on current span of control for chief probation officers.
(3) An analysis of the optimal caseloads for these officer classifications.
(4) The number and role of paraprofessionals in supervising low-risk caseloads.
(5) The process of assigning offenders to an appropriate supervision level based on a risk needs assessment.
(6) Data on cases supervised solely for the collection of court-ordered payments.

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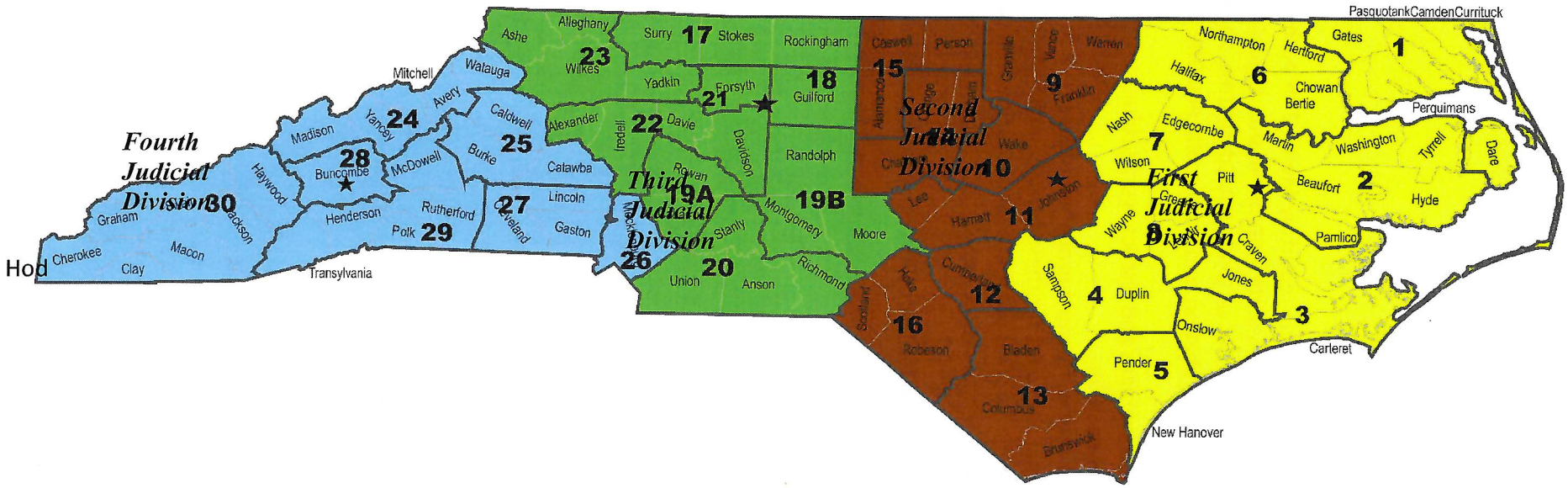
N.C. DEPARTMENT OF ADULT CORRECTION

DIVISION OF COMMUNITY SUPERVISION



Fourth Judicial Division

JD Adm.	Boyce Fortner
Asst JD Adm.	Karey Treadway
JDM Dist 24	Robin Hodshon
JDM Dist 25	Kevin Miller
JDM Dist 26	Darius Deese
JDM Dist 27	Kimberly Gettys
JDM Dist 28	Lori Anderson
JDM Dist 29	Jessica Chitwood
JDM Dist 30	Todd Sellers

Third Judicial Division

JD Adm.	Vacant
Asst JD Adm.	Jackie Murphy
JDM Dist 17	David King
JDM Dist 18	Angela Williams
JDM Dist 19A	Scott Idol
JDM Dist 19B	Thomas Buckingham
JDM Dist 20	Tara Richardson
JDM Dist 21	Sherri Cook
JDM Dist 22	Robin Griffin
JDM Dist 23	Nancy Gilchrist

Second Judicial Division

JD Adm.	Sheila Moore
Asst JD Adm.	Lewis Adams
JDM Dist 9	Rodney Robertson
JDM Dist 10	Steve Walker
JDM Dist 11	Cindy Willis
JDM Dist 12	Moses Barrow
JDM Dist 13	Mike Frazier
JDM Dist 14	Celeste Kelly
JDM Dist 15	Aries Cox
JDM Dist 16	Truman Raines

First Judicial Division

JD Adm.	Kim Williams
Asst JD Adm.	Bill Woolard
JDM Dist 1	Jennifer Gallop
JDM Dist 2	Sharon Stevens
JDM Dist 3	Randall Parker
JDM Dist 4	Travis Joyner
JDM Dist 5	Thurman Turner
JDM Dist 6	Bill Mitchell
JDM Dist 7	Paige Wade
JDM Dist 8	Heather Bevell

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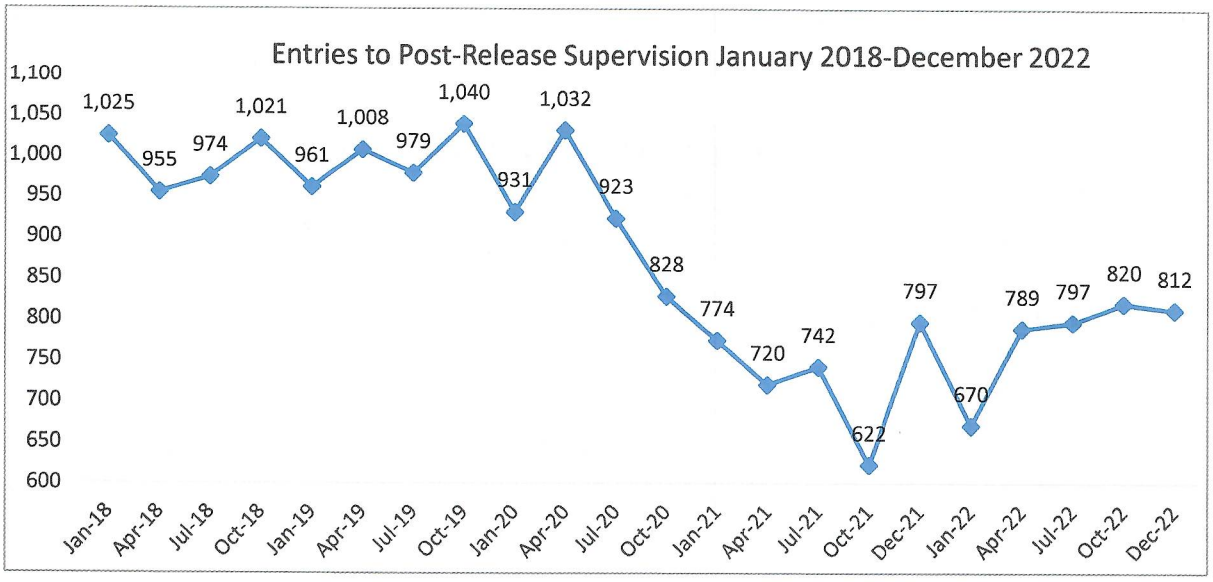
Introduction

Community Supervision is responsible for the supervision of all adult offenders on probation, parole, or post-release supervision in North Carolina. Community Supervision also has oversight of the Community Service Work Program (CSWP).

Community Supervision currently employs approximately 2,186 certified positions that are involved with the supervision of offenders. These positions include field caseload-carrying probation and parole officer (PPO), chief probation and parole officers (CPPO), field services specialists (FSS), DART-Center PPOs, satellite-based monitoring PPOs and confinement in response to violation (CRV) PPOs.

These certified positions supervise approximately 78,000 offenders on probation, parole, post-release supervision. Judicial service coordinators (JSC) oversee approximately 6,000 unsupervised offenders in the CSWP, bringing the total population community offenders to approximately 84,000. JSCs manage CSWP cases and process probation cases out of court, while PPOs provide case management to offenders under its supervision.

The Justice Reinvestment Act of 2011 (JRA) significantly impacted field operations and affected caseloads. Among other things, JRA lessens the distinction between community and intermediate punishment to allow for a greater use of responses for high-risk behavior, and expands post-release supervision to all felons. Class F-I felons now have a nine-month supervision period, and Class B1-E felons has a supervision period of 12 month. The chart below shows the entries to post-release supervision during each quarter from January 2018 – December 2022.



The agency continues the use of evidence-based practices (EBP) for the supervision of offenders. A key component of the EBP strategy is the use of a risk and needs assessment to compute supervision levels for offenders based on individual criminogenic needs and risks of rearrest.

The assessment process places offenders in one of five levels that determine appropriate supervision methodologies to facilitate completion of supervision and establishes minimum responses to noncompliance. JRA codified the use of a validated risk and needs assessment tool and established a caseload size of 60 high-risk to moderate-risk offenders per officer. Community Supervision has adjusted the supervision duties assigned to probation officers in order to meet this caseload goal.

Current Caseload Averages (as of February 2023)

Community Supervision uses five levels of supervision to manage offenders. Level one (L1) offenders have the highest risks and criminogenic needs and have the most restrictive supervision contact requirements along with the most severe responses to noncompliance. Offenders in the Level 4 (L4) and Level 5 (L5) populations demonstrate the lowest levels of risks and needs, are in the least restrictive supervision levels. The L4 and L5 offenders may be eligible for the Offender Accountability Reporting (OAR) program which allows low risk offenders to utilize technology to report remotely by computer or mail and does not require face-to-face contact unless necessary.

The table below represents division caseload averages based upon mixed supervision levels. The averages are based on full staffing levels for all PPO positions, not taking into account vacancies or extended employee absences, such as military leave, medical leave, etc.

Probation Officers Caseload by Division			
District	Caseload Average (if all positions filled)	Current Staff	Offenders
Division 1	45	408	16,108
Division 2	45	486	18,663
Division 3	51	486	21,389
Division 4	52	411	18,598
Statewide	48	1,791	74,758

Note: Does not include Special Operations and Intelligence Unit or central office administrative caseloads.

The following table applies the Real World Factor (RWF) and shows the effect of vacancies and extended absences on caseloads. Statistics show averages of 17.83% of officer positions are unable to carry caseloads daily due to varying reasons, such as staff turnover, injuries, illness/medical leave, military leave, or new hire status. The RWF is an internal method Community Supervision utilizes to account for the actual caseload averages due to the reasons listed above. These events result in optimal RWF caseloads of approximately 63 offenders per officer.

Probation Officers Caseload by Division*			
District	Real World Factor (RWF) Avg.	Current Staff	Offenders
Division 1	57	408	16,108
Division 2	65	486	18,663
Division 3	66	486	21,389
Division 4	68	411	18,598
Statewide	63	1,791	74,758

**Judicial District caseload averages are shown in Appendix A*

It is important to note that the overall offender population declined due to the impact of the COVID-19 pandemic. Temporary suspension or reductions in court proceedings translated into fewer cases being processed in the normal course of business. We anticipate the offender population will begin to rise as normal court proceedings resume.

Analysis of Optimal Caseloads

Community Supervision uses evidence-based practices to provide effective supervision with the prescribed caseload goals. Specifically, Community Supervision has identified those offenders who are at a high or moderate risk of rearrest and follows the guidance of the American Probation and Parole Association set forth below.

> One of the principles of effective correctional treatment is accurate case assessment at intake and at regular intervals during supervision. It is essential that valid and reliable instruments be used to assess risk and needs and guide decisions about case assignment. Accurate classification of cases will allow the allocation of resources and the scaling of caseloads in the most effective fashion. The evidence suggests that staff resources and services should be targeted at intensive and moderate to high-risk cases, for this is where the

> greatest effect will be had. Minimal contacts and services should be provided to low-risk cases. 1

Community Supervision adopts this model of supervision, and assigns officers one of four types of caseload categories as set forth below.

- High-risk (L1-L2)
- High to moderate risk (L2-L3)
- Low-risk (L4-L5)
- All-risk (L1-L5)

All risk (L1-L5) caseload types are small in number and are reserved for rural areas where resources and offender population do not allow for the other types of caseloads. Research shows that supervision of offenders with similar risk and needs factors will allow officers an opportunity to accurately address the criminogenic needs of offenders on their caseloads. The following accounts for optimal caseload size according to the ACDP assessed situational confidence at program entry and exit. The American Probation Parole Association offers the additional guidance below.

> At first glance, the reaction to the caseload standards will be that many more staff will be needed to put them into practice. In reality, reallocation of staff and cases in a comprehensive way will allow staff to be shifted to the supervision of higher risk cases and away from lower risk. Supervision resources should be concentrated where they can do the most good (moderate and high risk) and be shifted away from areas where they are not needed as much, if at all (low risk). Community corrections agencies need to stop wasting time on what does not work or what may even do "harm" and focus their resources on what does work and does do "good" in terms of public safety. 2

Community Supervision probation officers have transitioned to a similar model of supervision and have been assigned their caseload templates based on available resources and offender population in each county. The caseload goals assigned to each template is shown in the chart below.

Caseload Goals by Category – If all positions were filled			
High Risk (L1-L2)	High-Moderate Risk (L2-L3)	Low Risk (L4-L5)	All Risk (L1-L5)
31	56	106	57

1 https://www.appa-net.org/eweb/docs/APPA/stances/ip_CSPP.pdf
2 https://www.appa-net.org/eweb/docs/APPA/stances/ip_CSPP.pdf

Using literature from the National Institute of Corrections (NIC) and researching trends within our existing offender population, Community Supervision made a public safety decision to establish the high-risk caseload number at 40 due to the nature of the offenders in the population. This allows officers more time to work closely with each person on their caseloads and to adequately address the needs of the offenders. These caseloads are comprised of offenders with identified serious and persistent mental illnesses, sex offenders and those with the highest risks of rearrest.

Chief Probation Parole Officer Caseloads

The chief probation parole officer (CPPO) is the first-line supervisor who manages the field units within the counties. While new probation officer positions have been established to meet supervision needs over the past few years, no new CPPO positions have been established. The average probation officer to chief ratio statewide is currently six to one. However, there are some districts that exceed the six to one ratio. Community Supervision continues to review vacant positions to determine if they can be reallocated to CPPO positions where the ratio exceeds 6:1.

Paraprofessionals

In 2009, upon completion of the Office of State Personnel study, the State Personnel Commission recommended one class of probation officer as well as a judicial services coordinator (JSC) class. The JSC position represents what was formerly a community service coordinator. These positions are responsible for intake processing in court of both supervised and unsupervised cases, community service placement of both supervised and unsupervised offenders, monitoring of all community service hours, and reporting unsupervised cases back to the court for disposition. These positions reduce the number of officers needed to assist in court processing. Because there are not enough JSCs statewide to effectively cover all courtrooms, probation officers in some areas are still required to perform court processing. There are currently 190 JSC positions statewide.

Thirty-one lead judicial services specialists (JSS) supervise judicial services coordinators in selected areas. The lead JSS position was developed to relieve the number of community service employees reporting directly to CPPO, thereby reducing the staff to chief ratio. Because these are not certified positions, they are not used to help monitor the lower-risk supervised offender population.

Assigning Supervision Levels via Risk/Needs Assessment

The Department of Adult Correction developed the Risk/Needs Assessment (RNA), which

adopts an existing instrument, Offender Traits Inventory, as the risk tool, and uses an in-house tool as the needs instrument. These instruments are used to manage the offender population, starting with the assignment of a supervision level based on the offender's risk and needs. Community Supervision consulted with the Council of State Government for professional critique and feedback when developing the instrument. Additionally, the UNC School of Social Work assisted with peer review and validation of the assessment. Each question was validated, and any necessary adjustments occurred during this period.

Community Supervision completes policy revisions, training, and develops automated tools to assist with case management and planning. Community Supervision has implemented evidence-based practices which are research proven methods of successful offender supervision. The Risk/Needs Assessment addresses the first principle of evidence-based practices, which is to assess actuarial risk.

In the fall of 2010, Community Supervision began supervision by level of risk and need and continues to supervise offenders according to these levels. As a matter of policy, select offenders are supervised at a higher level regardless of the assessment outcome. This includes sex offenders, domestic violence offenders, certain DWI offenders, and documented gang offenders. The noncompliance response grid uses information from the assessment to suggest minimum responses to violations based on the offender's assessed supervision level. Information identified through the risk and needs assessment also guides officers in making referrals for cognitive intervention, mental health, and substance abuse treatment.

Supervision of Collection Cases

A small number of supervised probation cases have no special condition of probation other than monetary conditions. During fiscal year 2021-22, a total of 1,926 offenders had only a court-ordered monetary condition in addition to the regular conditions of probation. These offenders are usually eligible for the Offender Accountability Reporting (OAR) program.

Report Summary

Community Supervision continues to assess its practices, policies, and procedures according to evidence-based practices concerning offender supervision. The agency will continue to assess caseload type and size, as it reviews and improves supervision strategies. The following strategies have been implemented following national trends for best practices in community supervision:

- Dedicating mental health specialty officers to closely monitor and assist offenders with serious and persistent mental illnesses
- Specializing in high-risk caseloads to closely supervise those likely for rearrest

- Partnering with Prisons by placing probation officers in transitional release facilities to focus on reentry while promoting continuum of services for offenders returning to the community

The impact of COVID-19 has tremendously affected the number of people placed under community supervision from 2020 through 2022. As the courts begin to resume normal operations and clear COVID backlogs, caseloads should begin to rise accordingly. Community Supervision will continue to monitor population changes and to assign available resources in a way that maximizes the probability of successful supervision while ensuring the highest level of public safety.

APPENDIX A – CASELOADS BY DISTRICT (as of February 3, 2023)

District	Caseload Average	Real World Factor	Current Staff	Offenders
1	59	76	34	1,494
2	40	54	26	1,160
3	47	53	114	4,759
4	44	55	29	1,223
5	40	53	71	2,527
6	39	52	26	945
7	40	48	55	2,007
8	41	47	54	1,993
Division 1 Totals	**45**	**57**	**408**	**16,108**

District	Caseload Average	Real World Factor	Current Staff	Offenders
17	55	67	44	2,239
18	47	58	92	3,741
19A	46	59	69	2,716
19B	51	64	48	2,034
20	48	63	51	2,403
21	50	67	67	2,972
22	51	63	83	3,732
23	55	80	32	1,552
Division 3 Totals	**51**	**66**	**486**	**21,389**

District	Caseload Average	Real World Factor	Current Staff	Offenders
9	52	82	38	1,939
10	42	57	115	4,337
11	45	61	65	2,270
12	41	69	56	2,090
13	50	81	48	2,165
14	40	52	81	2,376
15	51	64	43	1,942
16	35	49	52	1,544
Division 2 Totals	**45**	**65**	**486**	**18,663**

District	Caseload Average	Real World Factor	Current Staff	Offenders
24	59	64	21	1,078
25	48	60	64	2,904
26	51	77	95	4,464
27	47	59	93	3,992
28	50	60	45	1,963
29	52	67	55	2,424
30	53	77	38	1,773
Division 4 Totals	**52**	**68**	**411**	**18,598**
Statewide	**48**	**63**	**1,791**	**74,758**

Note: These numbers do not include offenders on Special Operations and Intelligence Unit and central office administrative caseloads.