

Who Gets a Second Chance? Effectiveness and Equity in Supervision of Criminal Offenders

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Abstract

Most convicted criminals are given probation instead of prison time: they return home and can return to work, but a technical rule violation such as not paying fees can land them in prison. In North Carolina, these violations account for 40% of prison spells and are 33% more common among blacks. I use comprehensive administrative data to test the effectiveness and race-neutrality of these rules. A 2011 reform eliminating prison punishments for some rules reveals that while many rule-breakers would be re-arrested if rules were unenforced, low-risk blacks are substantially more likely to break them. As a result, the reform closed the black-white gap in probationers' incarceration rates without impacting the black-white gap in criminal offending. To justify the state's use of technical rule violations, the social cost of black offenders' crime must be 50-100% larger than that of whites. I then use a competing hazards framework to quantify any behavioral responses to the reform and examine the impact of specific rule types. I find that fees and fines violations addressed by the reform are particularly ineffective and biased.

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