

Part 1:

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Doris Durham holds a picture of her son, Jamel Jefferys, at the spot where he was shot and killed in Raleigh in 2006. One of the shooters, Michael Jones, was on probation but had received poor supervision from a Wake County probation officer.

Staff Photo by Jason Arthurs

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## Probationers kill, state dawdles

**Since the start of 2000, 580 offenders have killed while on probation. Probation officers, hamstrung by vacancies and a sloppy bureaucracy, can't locate nearly 14,000 criminals**

**SARAH OVASKA, JOSEPH NEFF AND DAVID RAYNOR, Staff Writers**

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North Carolina's probation system, designed to help low-level offenders rebuild their lives and stay out of costly prisons, is risking public safety by neglecting or losing track of thousands of criminals.

The results can be deadly, a News & Observer investigation has found.

Since the start of 2000, 580 people have killed in North Carolina while under the watch of state probation officers -- 17 percent of all convictions for intentional killings.

Documents and interviews indicate that probation officers -- poorly paid, overworked, some inexperienced -- routinely lose contact with the people they are required to supervise and guide toward more productive lives. Probation leaders have failed to take advantage of technology advances, for years leaving their officers with no automatic tracking of the people under their supervision. Officers often weren't aware when probationers were arrested on new charges.

State probation managers disregarded warnings -- and periodic cries for help from understaffed county offices.

It's unclear how many of the 580 killers were poorly supervised, because correction leaders wouldn't release records of thousands of probationers who committed serious crimes.

They did release partial records in 24 cases; The N&O found that probation officials had botched many of them. They failed basic tasks such as filing arrest warrants or hooking offenders to electronic house arrest. They ignored some probationers for more than a year.

That prevented offenders' early missteps from being met with the "swift and certain response" required by the N.C. Division of Community Corrections.

The response to Michael C. Jones was neither swift nor certain.

In March 2006, Jones' Wake County probation officer hadn't talked to the 19-year-old Bloods gang member in four months. A Superior Court judge ordered his arrest for skipping out on his probation, but probation officers never made the warrant available to police who could have jailed Jones.

Soon after, Jones and several other gang members assaulted Jamel Jefferys with a volley of bullets. Jefferys, a 19-year-old Southeast Raleigh teenager with plans to join the U.S. Army, was mistaken by his assailants as a rival gang member and died from multiple gunshots. One was a bullet fired into his head from a rifle used by Jones, also known as "Hitman."

Jefferys' murder came two months after Jones' probation officer took out the arrest warrant. But the officer didn't send it to a state clearinghouse that links with national crime databases. Had it been filed, any officer who encountered Jones would have known to hold him, including Raleigh police who twice arrested him in the months before Jefferys' death.

After Jones was charged with murder, his probation officer failed to fill out the mandatory report to alert supervisors and trigger an audit. That omission was common, occurring in 30 percent of all killings by probationers since 2003.

"They should have been on the job more," said Tyasha Jefferys, Jamel's older sister. "He [Jones] would have been arrested, and the murder wouldn't have happened."

It has happened more than nearly anyone realized, even after the highly publicized killings of UNC-Chapel Hill student body president Eve Carson and Duke graduate student Abhijit Mahato. The men accused in their killings had received scant attention from probation officers in Wake and Durham counties, but state officials initially said the cases of lax oversight were unusual.

They were not.

Jones, now serving a life sentence, had consistently run into problems with the law and ignored the terms of his probation. Probation officers waited three months to place Eric Revels of Durham under house arrest, enough time for him to be charged with murder. John H. Robinson of Rockingham County shot a friend to death in a late-night argument after skipping out on weekends in jail and racking up new convictions.

Each was convicted of lesser offenses and sentenced to probation. That allowed them to avoid prison as long as they stayed straight and stayed in touch with the probation officer.

But as 118 of 1,711 street-level probation jobs go unfilled, the remaining officers' caseloads have swelled. That leads to long gaps between contacts, delayed responses to problems and inattention that at times amounts to negligence, state records show.

"These mistakes would occur in the best of circumstances, and they're operating in the worst of situations," said Wake Superior Court Judge Donald W. Stephens. "It's beyond frustrating. It's almost numbing."

Stephens signed the arrest warrant for Jones' probation violation and later presided over his murder case.

Wake and Durham are among the worst-run offices, according to Robert Guy, head of the statewide probation system.

The Durham office has lost track of 20 percent of the people it supervises. In Wake, officers say they can't find 13 percent.

Statewide, probation officers can't find nearly 14,000 of the 114,000 criminals on probation.

### **Persistent problems**

Probation leaders have made previous attempts to fix staffing crises in the Wake and Durham offices; they said after the revelations related to the Carson and Mahato slayings that they were surprised by the extent of dysfunction. Their claims came despite years' worth of internal documents describing the division's ingrained problems.

Guy received, for example, quarterly reports from urban counties such as Wake that repeatedly warned that staggering caseloads and unfilled positions -- as high as 30 percent of all positions in Wake in 2006 -- had become "morale killers."

The problems are long-standing issues in the N.C. Division of Community Corrections: high turnover, heavy caseloads and dependence on an outdated court data system developed in the 1980s. Low pay, with average salaries of \$37,774 a year, also is a factor; nearly 20 percent of the state's 2,281 probation officers, supervisors and administrators indicate they're working second jobs.

Some change oil or stock shelves at hardware stores.

Guy and other administrators have not used the high vacancy rates among officers to press publicly for more help. When they did ask for more money, state legislative leaders have usually said no.

Correction Secretary Theodis Beck, Guy's boss, told legislators in October that he was surprised by problems exposed by the Carson and Mahato cases.

"This is not something we would have expected to deal with," Beck said. "We're here because of the failure of two cases out of 117,000."

But The N&O's investigation found that top probation officials knew -- or should have known -- about many of the cases. Probation officers are required to inform their supervisors when an offender is charged with a serious crime.

The victims in many of those cases didn't attract the attention that Carson and Mahato did. Many of the incidents arose from gang violence and didn't spark the same community outrage.

Nearly 2,200 of the red flags, called serious crime reports, flowed into Guy's office from January 2003 through this past September. But the reports are not analyzed to see whether there are overarching problems in the system, Guy said.

Until reporters asked to see them, the reports sat in a file cabinet near Guy's office, unexamined.

### **Alternative to prison**

North Carolina prisons now hold 40,000 inmates. Probation is a necessary alternative to costly prison sentences, at a fraction of the cost. Those who get probation typically are guilty of less-violent offenses.

Statewide, about 114,000 people are serving probation, many required to pay supervision fees, not use drugs, stay out of trouble and hold down a job or further their education. More stringent options include nightly curfews; some sex offenders must comply with lifetime GPS monitoring.

The idea is that a person can better himself in the community with support from programs that can address substance abuse or anger management.

Probation officers blend police and social work. They are required to check on their charges by

visiting them at home and at work and by meeting with them at probation offices. They need to stay abreast of community service hours and check criminal records. They collect urine samples to test for drugs.

The system used by North Carolina encourages officers to "utilize the full continuum of sanctions prior to revocation" by upping their levels of supervision in a system akin to how a parent punishes a child.

New officers wade into lives that can be complicated and tragic.

"A lot of these people, they're going to be right back here," said Pam Grissom, a Wake probation officer with 15 years of experience. "The best we can do is keep track of them."

The stakes are high for offenders and for the public, which needs protection from the safety risks offenders can pose. All the probationers are convicted criminals; they are more likely than the general population to get into trouble again.

Of 3,499 people convicted since 2000 in North Carolina on charges of murder or voluntary manslaughter, 580 -- or 17 percent -- were under the supervision of the state probation system. Durham had 26 of those killers; Wake had 29.

Every time a probationer is accused of committing a murder or other serious crime, their officers are required to fill out a form that goes to Guy's office. Follow-up reports are also required to examine the office's handling of the probationer.

From January 2003 through this March, officers filed 1,889 serious crime reports, a rate of about 30 a month, for crimes such as murder, rape, indecent liberties and armed robbery.

Since April, that number has jumped to about 53 a month -- a reaction to the intense scrutiny of the probation system after Carson and Mahato were killed.

It also shows that underreporting was common. Michael Jones, convicted in the Raleigh gang shooting, is an example.

After he was arrested on a murder charge, the probation officer and supervisor never filed a serious crime report. That means supervisors didn't examine the case for mistakes.

In several cases involving eventual murder suspects in the Triangle, probation officials incorrectly classified an offender as an absconder. In others, checks for new arrests weren't conducted or were hindered by an antiquated court computer system. In some cases, probation officers quit, and their cases were divvied up among colleagues -- or the offenders were left without supervision.

### **The first 30 days**

According to the state probation manual, the first 30 days of supervision are crucial. Officers need to get the offender's attention and develop a respectful relationship with him and members of his household.

They started poorly with Earl Dwight Revels in April 2007. Revels, then 24, had a long record: assault; assault on a police officer (Revels tried to run him down after a traffic stop); and common law robbery. Revels had done badly on probation in the past: Three times, officers had filed arrest warrants for violations.

On April 16, 2007, Revels pleaded guilty to possession of a firearm by a felon. He was credited for four months he spent in the Durham jail and was sentenced to 24 months' probation.

The next day, Revels' girlfriend, Quiana Bennett, went to the magistrate's office and took out a warrant. Revels had smashed her head with a bottle, she said. She tried calling 911, but Revels took the phone. "I will shoot you and kill you," he said, according to the warrant.

Six weeks later, in May, Revels' probation officer ordered that Revels be put on electronic house

arrest. The paperwork, however, wasn't transferred to the proper unit until Aug. 30. Revels was hooked up the following day, Aug. 31.

In the interim, the body of a man was found Aug. 3 a block from the N.C. School of Science and Math. Ronald Bittle had been robbed and shot several times. In February, Revels was charged with murder. The trial is pending.

An internal review concluded: "There were serious supervision deficiencies of this case. The offender should have been on [electronic house arrest] supervision when the victim ... was murdered."

The problems aren't isolated to the Triangle.

In Rockingham and Guilford counties, the rough-and-tumble life of John Howard Robinson shows a long history of violent behavior and gun-related charges before he was named in March 2006 as a suspect in the shooting death of Michael Eugene Bailey.

In 2004, Robinson sprayed Mace into a man's face. He was placed on probation in May 2005, but Robinson's probation officer never met him, records show. The officer diligently filed absconding violations -- three of them -- and filed one warrant with the state clearinghouse in December 2005, three months before Bailey was killed.

Robinson was picked up on other charges in a neighboring county, but he soon bonded out of jail because of low bails set by judges, despite Robinson's history of avoiding court and evading his court-ordered supervision. And Robinson's probation officer had to flip through 19 screens of an outdated computer system just to see whether Robinson had been picked up on additional charges in the neighboring county.

Bailey, 41, visited Robinson's Reidsville-area mobile home one night in February 2006, and the two friends argued. Bailey's body was later found inside his car in the woods.

Robinson, 42, is now serving an 11- to 14-year prison sentence for killing Bailey.

### **Crimes escalate**

Jones, the Raleigh gang member convicted in Jefferys' death, first got in trouble in eighth grade for stealing \$2.20 and two pieces of gum. He was placed on probation and ended up back in jail for a violation.

A high school dropout whose mother died of complications from HIV, he quickly moved to more serious crimes.

Eight months before he shot Jefferys, he pleaded guilty to accessory to a robbery and again was placed on probation.

During that time on probation, he saw the supervising officer only once, he says.

In a letter he wrote from prison, Jones, now 21, said that his probation officer knew where he was staying and where he worked but never checked on him. Jones had told police about a teenage life spiraling out of control, and his arrests show a pattern of increasingly serious crimes.

Jones decided he had nothing else but gang life.

"I'm losing all my family," Jones told a Raleigh homicide detective, according to evidence presented during his 2007 trial. "So I might as well be a Blood."

Police arrested Jones twice while probation officers were allegedly looking for him.

The news that Jones wasn't supposed to be on the streets devastated Doris Durham, Jefferys' mother.

She had only recently been able to display her son's photograph in their Beauty Avenue home.

She gazes out daily at the plastic flowers that mark where he died.

Durham said she wishes someone had kept closer tabs on Jones. She suspects that nothing was done to evaluate Jones' case because her son wasn't a prominent enough victim to prompt change.

"When they're on probation, the state needs to check them out, because a lot of innocent people are getting killed," Durham said. "His probation officer never said to me, 'Oh, I'm sorry.'"

The probation department's summary does mention its officer's work with Jones:

"There were moderate supervision deficiencies."

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Tuesday: High-tech area, low-tech performance; Staff writer Anne Blythe and researcher Brooke Cain contributed to this report.

## THE STORY SO FAR

The slayings of two college students earlier this year put the state's probation system under the microscope. Suspects accused of killing Eve Carson, the UNC-Chapel Hill student body president, and Duke graduate student Abhijit Mahato received scant attention from probation officers after previous offenses. That led to calls for reform.

An internal audit and a review by the National Institute of Corrections found major problems, including missing files, cases being ignored and supervisors failing to quickly file arrest warrants for absconders. The state has agreed to spend an additional \$2.5 million, much of which would go for 26 new jobs.

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