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WASHINGTON STATE

DEPARTMENT OF CORRECTIONS

VIOLENT FELONY OFFENDER PROJECT

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DIVISION OF MANAGEMENT AND BUDGET

PLANNING AND RESEARCH SECTION

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VIOLENT FELONY OFFENDER PROJECT

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Division of Management and Budget
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EXECUTIVE SUMMARY

The Washington State Sentencing Reform Act (SRA) calls for the diversion of nonviolent offenders to community correction resources and prison incarceration of violent offenders with sentences commensurate with their crimes and criminal histories.

Although it was anticipated that changes were in store for the Division of Prisons as a result of the SRA, there was little information concerning the possible impact of those changes on prison management.

This project was designed primarily to answer these questions:

- What changes in demographic and offense distributions will occur as a result of sentencing under the SRA?
- Are persons imprisoned for the commission of violent crimes apt to continue violent behavior in prison and what impact might that have on program planning?

A first stage of analysis found a significant (8 percent) increase in the number of male violent offenders over a period of two years. The average age at admission for male violent and nonviolent offenders is similar.

There was no significant increase in violent offenders among the female population. As is the case with male offenders, there is no difference in age at admission for female violent and nonviolent offenders.

Male and female institutional rule infraction behavior was compared. Due to significantly higher infraction rates for males, a decision was made to analyze the sexes separately.

Male Offenders:

- Male violent offenders were more apt than nonviolent offenders to commit one or more infractions in a year. However, the nonviolent offenders who committed infractions did so at a similar rate, thereby dampening the impact of the violent offender increase. There was no significant difference between the violent, substance-use, or other major infraction rates for violent and nonviolent offenders.

- Male offenders under age 30 had significantly higher rates of all infraction types than those 30 years and older.

- The average age of the male prison population is rising, both as a result of the increased proportion of violent offenders and as a result of the increased proportion of nonviolent sex offenders.

- There is a higher proportion of violent offenders in the black racial group than there is in the white or nonblack minority racial groups.

- Racial demographics appear to be changing among the male population. Minorities, in particular hispanic minorities, are on the increase. Although this may have some ramification for program planning and allocations of Spanish speaking staff, no major differences in infractive behavior were attributable to racial origin.

Female Offenders:

- Female violent offenders were more apt than nonviolent offenders to commit one or more infractions in a year.
- Female violent offenders also commit violent infractions at a higher rate than nonviolent female offenders.
- Female offenders under the age of 30 have higher rates of infractions than those 30 years and older.
- There is no difference in the proportion of violent offenders among the racial groups within the female population.
- Minimum sentence length for female violent offenders appears to be increasing as a result of the SRA.
- No significant demographic changes were found.

Chapter 1
INTRODUCTION

The Sentencing Reform Act of 1981

Criminal sentencing in Washington State began a new era on July 1, 1984 that dramatically altered the criminal sentencing philosophy of the state. The new era was set in motion three years earlier with the passage of landmark criminal sentencing legislation, the Sentencing Reform Act of 1981 (SRA). The SRA changed the criminal sentencing philosophy in Washington from a rehabilitative (medical) model to a presumptive sentencing ("just deserts") model. It defined certain crimes as violent and established a sentencing structure that emphasized uniform sentences for similar crimes. It also sought to reduce the impact of a growing prison population on state financial resources. More importantly from a corrections perspective, the SRA emphasized more and longer incarceration for offenders convicted of violent criminal conduct and alternatives to incarceration for nonviolent offenders. This emphasis signalled a change in the composition of future prison populations in the state to a much higher percentage of inmates who committed violent crimes and a much smaller percentage of inmates who committed nonviolent crimes.

The Sentencing Guidelines Commission, a body created by the new sentencing legislation to facilitate its implemetation, provided this analysis of the expected shift in prison population in Working Paper Number 17, dated March 2, 1983.

> **The Sentencing Reform Act...specifically defines violent offenses and directs the commission to "emphasize confinement for the violent offender and alternatives to confinement for the nonviolent offender." In FY 1981, 41 percent of prison admissions were violent offenders. Under the recommended guidelines, 71 percent of prison admissions would have been violent offenders.[1]**

The Sentencing Guidelines Commission paper describes the differences between actual practices of judges in sending convicted felons to prison and how SRA guidelines would have sentenced the same felon population. In Fiscal Year 1981 judges actually sentenced 27 percent of all convicted felons to prison, 53 percent of violent offenders and 20 percent of nonviolent offenders. If SRA guidelines had been followed, only 20 percent of all convicted felons would have been sent to prison, 71 percent of violent offenders and only 7 percent of nonviolent offenders. Even though these sentencing proportions are dramatically different, longer terms of imprisonment under the SRA for violent crimes would have kept the overall prison population essentially unchanged.

Why Study Violent Offenders?

The first published report of SRA impacts suggests that a formal study of violent offenders would be very useful. The publication is from the Sentencing Guidelines Commission. The November 1985 report states that, during the first six months of 1985, 17 percent of all convicted felons were sentenced to prison (down from 23 percent in FY82). Those sentenced to prison included 63.5 percent of violent offenders (up from 46 percent in FY82) and just 9.2 percent of nonviolent offenders (down from 16 percent in FY82).[2] Thus, one of the major purposes of the SRA, to put more violent offenders in prison and direct nonviolent offenders to local communities, is clearly in motion. Equally clear is the expected result that prisons in Washington State will experience a significant shift toward a higher percentage of violent offenders among their residents.

Chapter 1
INTRODUCTION

A just deserts sentencing philosophy and its concomitant, anticipated impacts on the prison population have created an important prison management agenda: Study the impact of the SRA and the comparative behaviors of violent and nonviolent offenders. It has also intensified the need to develop a descriptive profile of violent offenders, a task that has not been undertaken previously by the Department of Corrections (DOC).

Department management will need answers to many questions about the expected changes in institutional populations: Are violent offenders violent inmates? Will prisons need more correctional officers and greater security systems? Do violent offenders use more or different prison programs? Can honor camps and work release facilities continue to operate at current levels without increasing security risks?

While many prison staff and corrections officials have definite, instinctive ideas about some of these questions, there are currently no documentable answers to them. Nor are there routine procedures in place to provide these types of answers. To respond to questions about the effects of the new sentencing law, it is essential to understand who violent offenders are, how they conduct themselves in the institutional setting and what types of prison resources they utilize. It is also important to know how the characteristics of violent offenders differ from those of nonviolent offenders.

Research Ojectives

From this background of management needs and questions, the Violent Felony Offender Research Project was conceived. To gain the maximum amount of usable data for immediate and future prison management, program and staffing needs, four research objectives were developed:

1. To determine how much the violent offender prison population will increase under the SRA.

2. To compare and analyze the personal and prison histories of incarcerated violent and nonviolent offenders.

3. To compare and analyze the infractive behavior of violent and nonviolent offenders while incarcerated.

4. To compare and analyze the prison program participation of violent and nonviolent offenders.

It must be emphasized that this project intends to measure and describe various aspects of the behavior of criminal offenders during incarceration. It does NOT propose to predict the behavior of any element of the prison population during, or after release from, incarceration.

Definition of Terms

Because the nearly exclusive focus of this project is on the distinction between violent and nonviolent offenders, how the terms are defined is of paramount importance. Without a clear, precise definition of the term "violent offender" distinctions would be meaningless. Research literature abounds with studies of violent offenders and definitions of what a violent offender is. Studies of prison

behavior often define violent inmates by their conduct during incarceration. For purposes of this study a definition focusing on pre-prison behavior will be used -- the one established by the SRA. Thus, "violent offender," as used throughout this study, will be a person who has been convicted of and incarcerated for a violent offense. The term violent offense is defined by statute (RCW 9.94A.030) as:

(a) **any of the following felonies, as now existing or hereafter amended: Any felony defined under any law as a class A felony or an attempt to commit a class A felony, criminal solicitation of or criminal conspiracy to commit a class A felony, manslaughter in the first degree, manslaughter in the second degree, indecent liberties if committed by forcible compulsion, rape in the second degree, kidnapping in the second degree, arson in the second degree, assault in the second degree, extortion in the first degree, robbery in the second degree, and vehicular homicide;**

(b) **any conviction for a felony offense in effect at any time prior to July 1, 1976, that is comparable to a felony classified as a violent offense in subsection (a) of this section; and**

(c) **any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a violent offense under subsection (a) or (b) of this section.**

Class A felonies in Washington include a myriad of offenses, many extremely rare. The vast majority of those for which convictions are obtained include: arson, assault, burglary, kidnapping, murder, rape, robbery and statutory rape, all in the first degree, and murder in the second degree.

For purposes of this study, a nonviolent offender is an offender convicted of any felony that is not defined as a violent offense under the statute. Persons sentenced to prison for both violent and nonviolent offenses are considered to be violent offenders.

Chapter 2
THE LITERATURE SEARCH

The literature search conducted for the Violent Felony Offender Research Project focused on three subjects fundamental to the project: the immediate and accruing impact of the Sentence Reform Act (SRA) on the prison population; detailed descriptions of prison inmates who are violent offenders; and the differences between violent and nonviolent offenders in the areas of personal and prison history, infractive behavior, supervision requirements during incarceration and prison program participation.

Because it was anticipated that literature relevant to this very specific focus would be sparse, an assortment of research tools were employed. A custom search on violent offenders was requested in late 1984 from the National Institute of Justice, National Criminal Justice Reference Service (NCJRS). It yielded over 200 abstracts of articles, books and doctoral theses. It was supplemented in June 1986 with an update obtained through the Washington State Library Reference Service. This latter source also provided access to international files of other reference services in sociology, psychology and criminology, and to all publications in their shared circulation area. NCJRS also provided 30 abstracts in June 1986 from a topical search on determinate and indeterminate sentencing.

The library of the Washington State Sentencing Guidelines Commission (SGC) yielded a substantial volume of literature on sentencing reform and determinate sentencing, including several of their own publications and many reports from states that have implemented sentencing reform legislation. The Washington State Law Library provided several useful articles from legal publications. Literature suggested by individuals in the corrections field was also reviewed.

The History and Nature of Sentencing Reform

The focus on the impacts of SRA considerably narrows the wealth of literature available on the general subject of sentencing reform. In the last dozen years, roughly one third of the states have passed legislation substantially altering or completely eliminating indeterminate sentencing laws that had dominated the American sentencing scene since the early 1900s. Each of these new statutes is labelled "sentencing reform" but the variations are immense. The only common theme between states is a retreat from indeterminacy.

The shift in sentencing philosophy from indeterminacy to determinacy began in the early 1970s, 100 years after the origins of the only other major change in sentencing philosophy in our nation's history. In 1870, the progressive leaders in American penology met at the American Prison Congress and drew up a Declaration of Principles based on Ireland's "progressive stages system," intended to make correctional policy more humanitarian and more effective. By 1900 these reforms, which included trade training, indeterminate sentencing and parole, were rapidly replacing the philosophy of hard work and penitence that had characterized corrections in America since 1800. During the first three-quarters of the 20th century, little changed.

By 1975, the professional and academic debate about indeterminate sentencing reform had spilled over to the political arena. The 100 year old foundation, often called the rehabilitation or medical model, of indeterminate sentencing was crumbling. In that year Robert Martinson and coworkers published The Effectiveness of Correctional Treatment.[3] Martinson's work is often represented as demonstrating that efforts at correctional treatment have been an abysmal

failure. It has been pointed to by many states as justification for retreating from rehabilitation and indeterminate sentencing.

It did not take some states very long. By the time the Washington Legislature passed the Sentencing Reform Act of 1981, 13 other states had already dismantled, in whole or in part, their long- standing indeterminate sentencing laws. Maine was first to act by eliminating parole and adopting a generally determinate sentencing scheme in 1976. California followed the same year with the passage of the California Determinate Sentencing Law (SB42). Other converts to determinacy came in rapid succession, although with widely varying forms.

While Washington's SRA incorporated elements of them all, determinate sentencing reform generally fell into three categories prior to the 1981 Washington statute: presumptive sentences, determinate sentences, and sentencing guidelines.[4] Within each system, standards for sentence length and the nature of the primary sentencing authority may differ dramatically. Of Washington's predecessors, seven adopted the presumptive system (Alaska, Arizona, California, Indiana, New Jersey, New Mexico and North Carolina); four chose definite sentencing (Colorado, Connecticut, Illinois and Maine); and two adopted sentencing guidelines (Minnesota and Pennsylvania). Washington's SRA is likened by experts to Minnesota's sentencing guidelines system more than the reforms of any other state. This is not surprising since the Minnesota model and philosophy provided the foundation for the Washington law. Thus, experience in Minnesota is more apt to be relevant to predicting what will happen in Washington than are the results of sentencing reform in other states.

Sentencing Reform and Prison Population

One important effect of sentencing reform is change in the number of prisoners. How prison populations are affected by determinate sentencing is important to predicting inmate behavior because prison overcrowding is generally thought to be one of the clearest causes of both prison violence and increased infraction rates.[5,6] To avoid overcrowding, Washington adopted a variation on Michigan's "resource cap" model. This model makes existing resources control sentencing guidelines rather than money or philosophy and establishes an explicit link between correctional resources and policy.

In 1979, the Illinois Department of Corrections (DOC) predicted that their new determinate sentencing would result in a slight increase in the number of incarcerated offenders.[7] However, between 1980 and 1985 the prison population in Illinois increased by almost 74 percent from 10,724 to 18,634. The incarceration rate, or number of prisoners per 100,000 population, rose 42.5 percent in that same period. See Table 1 for comparisons with other states.

The California Department of Corrections estimated that its original determinate sentencing law would maintain or slightly reduce the prison population.[8] However, numerous amendments to the reform were imposed and dramatically increased the prison population. Between 1980 and 1985 the number of inmates more than doubled. The California DOC's 1979 prediction of 27,020 prisoners for 1988 was barely one-half of the rapidly growing 1985 prison population. Faced with these conditions, prospects for more spiralling growth in the future, and the highest prison homicide and suicide rates in the nation, many

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THE LITERATURE SEARCH

legislators and criminal justice professionals called for sweeping revisions in the California sentencing law.[9, 10]

The Minnesota SGC sought to keep its prison population within the capacity of existing correctional resources.[11] Minnesota's virtual zero-growth policy, in contrast to Illinois and California, appears to have succeeded. A 17 percent growth in prison population over the five years between 1980 and 1985 is the smallest in all the determinate sentencing states. At the same time, Minnesota retained by far the lowest incarceration rate in the nation.

Table 1 shows what happened to prison populations and incarceration rates in states that had determinate sentencing in 1981.[12] Figures from Washington, which did not implement determinate sentencing until July 1984, and the total for all fifty states are included for comparison purposes.

Table 1: Prison Population and Incarceration Rates in Sentencing Reform States

	Prison Population			Incarceration Rate*		
State	1980	1985	% Chg	1981	1985	%Chg
California	23,264	48,280	107.5	114	181	58.8
Illinois	10,724	18,634	73.8	113	161	42.5
North Carolina	14,456	17,344	20.0	248	254	2.4
Pennsylvania	8,112	14,119	74.1	78	119	52.6
New Jersey	5,564	11,335	103.7	92	149	62.0
Indiana	6,281	9,615	53.1	184	256	39.1
Connecticut	2,750	4,043	47.0	95	127	33.7
Colorado	2,609	3,369	29.1	92	103	12.0
Minnesota	2,001	2,343	17.1	49	56	14.3
New Mexico	1,199	2,112	76.1	100	144	44.0
Alaska	571	1,484	159.9	170	279	64.1
Maine	671	1,030	53.5	71	88	23.9.
Washington	**4,339**	**6,909**	**57.1**	**125**	**156**	**24.8**
All States	295,363	450,358	52.5	144	188	30.6

*Per 100,000 Population

SOURCE: U.S. Department of Justice

The Director of the Minnesota Sentencing Guidelines Commission wrote in Judicature in 1984 about the features of the Minnesota law that facilitated development and implementation of successful guidelines.[13] Relevant to this literature search, the article examines the impact of the guidelines, established in 1978, during the first three years of their operation. The Minnesota SGC sentencing policy was followed closely by Washington's SGC. The policy is to send more person offenders and fewer property offenders to prison with retribution being the primary basis for sentencing.

In the first full year of its implementation (1981), Minnesota's sentencing guidelines law had a dramatic effect on the percentage of person and property offenders sent to prison (see Table 2). During the next two years, the admissions pattern appears to have returned to virtually the same proportions of person and property offenders as before guidelines were used.

Table 2: The Proportion of Person and Property Offenders Shifted After Implementation of Minnesota's Guidelines

Year	Person Offenders	Property Offenders
Pre-Guideline	39%	47%
1981	57%	37%
1982	50%	43%
1983	43%	50%

According to the Minnesota SGC, this is somewhat misleading: "the shift in proportions of person and property offenders committed to prison is primarily the result of increases in property offenders sent to prison (during 1982 and 1983)."[13]

Uniformity in sentencing, as measured by who goes to prison for similar crimes, followed the same pattern. Dramatic improvement in the first year was followed by two years of gradual reversion to preguideline practices. Unlike the situation with person/property prison commitments, however, sentencing uniformity in 1983 was still 38 percent better than before the guidelines were used.

The Impact of Sentencing Reform on Inmate Behavior

Literature related to the impact of sentencing reform on inmate behavior tends to be scarce in predictions but more detailed in descriptive results. A 1979 Illinois report did predict that determinate sentencing would reduce inmate unrest and violence.[7] A study done by Goodstein and Hepburn several years later showed no significant differences in misconduct between indeterminate and determinate sentenced inmates.[4] Although uncertainty of release date and sentence inequity were largely eliminated, prisoners' perceptions of predictability and equity were unchanged.

Stone-Meierhoefer and Hoffman (1976) conducted research in the federal system on presumptive parole dates.[14] They found no significant differences in the seriousness or frequency of disciplinary infractions between inmates with presumptive parole dates and those subject to regular parole dates. There was a slight difference in program participation between the two groups; the presumptive parole group enrolled in fewer programs, particularly education programs, and dropped out slightly more. These authors concluded that a shift to presumptive release dates would not adversely affect disciplinary behavior or substantially disrupt prison programs.

Stone-Meierhoefer and Hoffman's work contrasts with that of Davies. Based on research conducted in California during 1980, he concluded that there was a general worsening of staff and inmate attitudes and behavior as well as a drop in inmate participation in training programs.[15] This, coupled with California's leadership in prison homicide and suicide rates in 1982 and 1983, contributed to an unhealthy impression of California's sentencing policies.

Goodstein and Hepburn looked at a variety of issues related to the impact of sentencing reform in their book, Determinate Sentencing and Imprisonment: A Failure of Reform.[4] The primary question addressed there is: "Does serving a determinate rather than indeterminate sentence result in differences in inmate adjustment to the prison and/or correctional environment as a whole?" The authors isolated the two fundamental components of determinacy, predictability and equity, and sought to measure whether and to what extent they had been

achieved. They also reviewed the growing number of determinacy critiques and found six major issues confronting today's determinate sentencing laws: inadequate regulation of judicial discretion, increases in sentence lengths , philosphical concerns with determinacy (the retribution basis), retention of prosecutorial discretion, failure to provide release predictability, and retention of coerced treatment.

The authors conducted in-depth studies in three states: Minnesota (Stillwater), Illinois (Logan and Stateville) and Connecticut (Somers). Comparisons of attitudes and behaviors were made between inmates with determinate sentences and those with indeterminate sentences. Their conclusion was that determinate sentencing has had essentially no impact on inmate adjustment or institutional climate. Goodstein and Hepburn's analysis of several other less comprehensive investigations of the effects of determinate sentencing reforms found general agreement with their results. Not one investigation "has demonstrated significant impacts of the determinate sentence or either of its components, equity or predictability, on the behavior or attitudes of inmates in prison... The prison environment itself is, to a great extent, immune from the effects of determinate sentencing reform."[4]

Since sentence type was found to have no significant effect on prisoner attitude and behavior or on institutional climate, the authors questioned whether equity of sentence and predictability of release have, as has so often been claimed, a beneficial effect on prisoner adjustment and institutional climate. They found that sentence equity was not significantly related to propriety of evading the law, severity of conflict with prisoners, number of major misconducts, program participation or outside prison contacts. Predictability of release was not significantly related to prisoner isolation, infirmary visits, major or minor misconducts, or participation in either rehabilititation or social activities. What's more, in those areas where significance was found (i.e., measurements of stress and attitudes toward inmates and staff), the degree of association was uniformly weak. Their conclusion was that prisoner adjustment and institutional climate are not affected substantially by increased predictability and decreased inequity, regardless of techniques which might be used to achieve increased predictability and decreased inequity.

Overall, Goodstein and Hepburn were unable to embrace determinate sentencing in any way as a panecea for the correctional environment or inmate adjustment to it. In fact they suggested that determinacy was overrated and its supporters overly optimistic. They found that in the monotony and routine of daily prison living "the realities of fairness in the sentencing process and the certainty of one's anticipated release date are peripheral." And they conclude with "determinate sentencing should not be adopted solely for the purpose of changing our prisons...."[4]

Descriptions and Comparisons of Violent and Nonviolent Offenders

Moving from the examination of sentencing reform literature to materials on the other two elements of the Violent Felony Offender Research Project, a very different result occurs. Virtually nowhere can detailed descriptions of offenders imprisoned for violent offenses be found. Likewise, virtually nowhere are the prison behavior and historical differences between violent and nonviolent offenders available.

Chapter 2
THE LITERATURE SEARCH

Without question, there is a wealth of literature about prison violence and violent acts by offenders once they are in prison, almost a preoccupation it seems. The subjects usually explored are predicting dangerousness, how violent prisons really are, riots, accurate classification systems, prison gangs, fear and intimidation, sexual violence, prison architecture and violence, overcrowding and violence, and so on. It is surprising that so little has been written about comparative behavior and background between imprisoned perpetrators of violent crimes and those sentenced to prison for nonviolent acts. What does exist is only remotely relevant.

The examples of comparative behavior include two foreign studies of personal space needs. One, conducted in England in 1980, compared the personal space requirements of violent and nonviolent offenders. It measured personality using the Psychoticism, Extraversion and Neuroticism (PEN) Inventory.[16] Personal space was measured by an observer unknown to the inmates who recorded threshold discomfort distances identified by offenders in a laboratory setting. The result: No significant differences were found between the violent and nonviolent groups on any measure. The only significant pattern was for assaultive offenders with high scores on the psychoticism scale of the PEN Inventory. They showed a significantly elevated personal space requirement. It should be noted, however, that the definitions of violent and nonviolent in this study vary sharply from our definitions. In this English study, an inmate was classified as violent if convicted of at least one offense involving a physical assault on another person. Otherwise, the inmate was nonviolent.

A conflicting result was found in a New Zealand study conducted at almost the same time. There, a positive correlation between preferred interpersonal distance and violence was clearly demonstrated. However, the definition of violent offender was not precise nor was it based on the commitment offense. Furthermore, the sample population is suspect because all subjects came from a minimum security prison.[17]

A much earlier study (1970) in North Carolina attempted to determine causes of aggressive transgressions throughout that state's prison system.[18] An aggressive transgression was defined as any behavior, proscribed by prison rules, which harms or injures another person. Investigators studied seven inmate characteristics in conjunction with this behavior. Those characteristics were: 21 years of age or less, sentenced for a violent offense, incarcerated for more than one year, non-white race, active participation in correctional programs, absent visitors in the preceding three months, and parole referral date more than one year away. Two of the characteristics, age and lack of visitors, correlated significantly with aggressive transgressions. There was no significant correlation between aggressive transgressions and inmates' violent crimes of conviction. These results are significant to the Violent Felony Offender Research Project because the definition of "inmates sentenced for violent crimes" is virtually identical to our definition.

A subsequent North Carolina study (1975) found a similar, high correlation between age and institutional assault.[19] It found the same correlation with institutional victimization. Unlike the 1970 study, this investigation found

a significantly higher assault rate among nonwhite inmates than among whites. Unfortunately, there was no analysis of distinctions between violent and nonviolent offenders. There was, however, an interesting finding on one new subject, prison custody levels. The finding was that institutional assaults are equally likely to be committed in any custody level.

In a 1983 discussion of classification and prediction by Fowler, the findings of several research projects are summarized. One of her conclusions, taken from research results in New York, Illinois, California, Texas and Michigan, was that "neither prior record nor current offense appears so significant as prior and current institutional behavior for predicting institutional behavior."[20] She also reports that age is a strong predictor of institutional misconduct and that job stability serves as a significant indicator, too. Unfortunately, Fowler does not reveal how significant a factor current offense was in these studies.

The list of descriptions of perpetrators of prison violence goes on and on. The literature, however, is largely silent on distinctions between violent and nonviolent offenders. While virtually all investigators find age to be closely related to prison violence and general misbehavior, there is less agreement on other characteristics. Cohen cautions that "individuals with certain characteristics may have a somewhat higher probability of being involved in a violent incident than others, but predictions based on those characteristics will be wrong more often than not."[21]

This concludes the literature search. It demonstrates that most of the subject matter of this project has not been investigated in the past, at least as far as published works are concerned. Some of the project work will be comparable to investigations undertaken in other states, such as the impact of sentencing reform on prison population and the effectiveness of the statute in keeping nonviolent offenders out of prison. However, the vast majority of the project's activities will be breaking new ground: by constructing profiles of both violent and nonviolent offenders; by making detailed comparisons between violent and nonviolent offenders; and by conducting a study comparing infractive behavior of violent and nonviolent offenders.

Chapter 3
METHODOLOGY

The goal of the Violent Felony Offender Research Project is to generate useful information about imprisoned violent and nonviolent offenders for comparison purposes. Such information can assist Department management in monitoring, evaluating, and planning improvements in Washington prisons. The research objectives listed in Chapter 1 define the parameters of this study.

Statement of the Problem

Changes in the makeup of a prison population can be brought about in a variety of ways. Contributing factors might be changes in the types of crimes committed, altered sentencing philosophies, or changes in the demographics of the at-risk population. Often significant changes are unanticipated. In the case of implementation of the Sentencing Reform Act of 1981, prison population changes were expected to occur. Prison sentences for most violent crimes were to be lengthened while those for nonviolent offenses would be shortened or the offender diverted from prison altogether, resulting in an increase in the percentage of violent offenders in prison.

The Problem: Are there characteristics associated with violent offenders that will change the demographic or behavioral makeup of our prisons? What effects will the shift in inmate population have on prisons and prison management?

Sample Selection

Samples of prison inmates were randomly selected from the DOC institutional population on June 30 in each of three years. Subjects were selected by a stratified, random sample of each sex. Proportionality for demographic variables was built in. The sample size was determined each year for each sex. The guidelines used in determining sample size were a precision level of .05, a confidence level of .99, and an assumed population proportion of .5. Sample sizes were: 766 (600 male and 166 female) in 1984; 742 (598 male and 144 female) in 1985; and 769 (600 male and 169 female) in 1986, for a total sample of 2,277.

Research Instruments

A data collection instrument was developed to assure uniform, standardized data gathering for the prison history phases of the project. The prison history coding sheet was used to gather demographic data, sentencing data and total number of infractions for one year prior to the sample date.

Program questionnaires were developed for each of five program areas: work, education, religion, recreation, and substance abuse. The focus of each questionnaire was on how frequently randomly selected inmates participated in programs and in what programs they participated.

Other data was utilized that really required no formal gathering. Primarily, this involved use of Statistical Analysis System (SAS) data abstracts of the Offender Based Tracking System (OBTS) files. Reports on admissions and changes in the makeup of the violent/nonviolent inmate population were obtained from these abstracts.

Chapter 3
METHODOLOGY

Data Gathering

Department of Corrections Planning and Research Unit staff were responsible for the data collection and analysis done during the Violent Felony Offender Research Project. The computerized offender case records of OBTS were the primary source of the data collected. An exception was data related to offender participation in prison programs, which was obtained from program staff.

Staff coded selected data elements to the prison history research instruments. Monitoring of data collection procedures and accuracy was constant throughout the data collection for this phase of the project.

In order to contain costs the research design required completion of the program participation questionnaires by program supervisors. Training, monitoring and correction of data was not feasible for this segment of the project.

Chapter 4
FINDINGS

Prison Population Study

The major thrust of the Prison Population Study was to provide descriptive data about the impact of the Sentencing Reform Act (SRA) on the prison population. This section compares violent and nonviolent offender data as a prelude to discussion of the meaning of change as it affects prison management. Characteristics compared include sex, sentence length, commitment type, race, age, and infractive behavior.

Violent Offender Population Change

On June 30, 1984, the day before the SRA took effect, 57.7 percent of the male inmates and 54.8 percent of the female inmates were violent offenders. In the two years after the SRA was implemented, violent offenders increased to 65.5 percent of the male inmate and 59.3 percent of the female inmate populations (Table 3).

Despite a greater increase of violent offenses among the male population (both within each sample year and for the combined sample population), there is no significant difference in the proportion of violent offenders between the sexes. Women are just as apt to have been incarcerated for violent crimes as men.

Table 3: There Was a Significant Increase in the Male - Violent Offender Population Between 1984 and 1986

	Males			Females		
	Violent	Nonviolent	Total	Violent	Nonviolent	Total
1984	346	254	600	91	75	166
1985	348	250	598	83	61	144
1986	393	207	600	100	69	169
Total	1,087	711	1,798	274	205	479
	Chi Square = 9.618 Prob ≤ .01			Chi Square = .664 Not Significant		

We considered that lumping all crimes into two types (violent and nonviolent) might distort the changes taking place in the prison population. After all, not all violent crimes are equal. Therefore, analysis will cover a further breakdown of crime types.

Table 4 illustrates the change in violent offense proportion by crime component for each sex. Among offenses committed by men, for the 1986 sample, an increase in murder 1 and 2, along with an increase in all sex crimes contributed to a significant chi square. These increases reflect a heightened public awareness of certain sex crimes and a growing demand for incarceration; violent sex offenses have been more clearly defined under the SRA. Rape 1 and 2, statutory rape 1, and indecent liberties with forcible compulsion have all been defined as violent and will more surely earn incarceration than before. The only decrease of any degree was in the grouping of burglary 2 and theft offenses.

The evidence of offense distribution change among women was less clear. It is most difficult to evaluate this population with a chi square statistic due to the few numbers in some categories. Although significant change could not be measured, there appears to be an increase in the number of murder, vehicular manslaughter, manslaughter and drug offenses. As with the men, burglary 2 and theft decreased, but so did robbery and assault.

Chapter 4
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Table 4: Increases in Murder, Robbery and Violent Sex Crimes Were Major Contributors to the Overall Increase in the Male - Violent Offender Population

Male Offenders

Offense	1984 Sample	(%)	1986 Sample	(%)
Murder 1 and 2 (v)	48	(8.0)	68	(11.3)
Manslaughter (v)	13	(2.2)	7	(1.2)
Vehicular Manslaughter (v)	7	(1.2)	8	(1.3)
Assault 1 & 2 (v)	76	(12.7)	71	(11.8)
Robbery 1 & 2 (v)	100	(16.7)	110	(18.3)
Rape 1 & 2 (v)	57	(9.5)	73	(12.2)
Other Violent Sex (v)	29	(4.8)	38	(6.3)
Other Sex (nv)	57	(9.5)	78	(13.0)
Other Person*	10	(1.7)	4	(.7)
Arson 1 & 2 (v)	3	(.5)	6	(1.0)
Burglary 1 (v)	13	(2.2)	13	(2.2)
Burglary 2 & Theft (nv)	160	(26.7)	101	(16.8)
Drug Crime*	22	(3.7)	20	(3.0)
Other Felony (nv)	5	(.8)	3	(.5)
TOTAL	600	(100.0)	600	(100.0)

Female Offenders

Offense	1984 Sample	(%)	1986 Sample	(%)
Murder 1 & 2 (v)	25	(15.1)	29	(17.2)
Manslaughter (v)	3	(1.8)	8	(4.7)
Vehicular Manslaughter (v)	0	(0.0)	3	(1.8)
Assault 1 & 2 (v)	24	(14.5)	22	(13.0)
Robbery 1 & 2 (v)	36	(21.7)	30	(17.8)
Other Violent Sex (v)	1	(.6)	2	(1.2)
Other Sex (nv)	4	(2.4)	6	(3.5)
Other Person*	4	(2.4)	4	(2.4)
Arson 1 & 2 (v)	1	(.6)	4	(2.4)
Burglary 1 (v)	2	(1.2)	1	(.6)
Burglary 2 & Theft (nv)	54	(32.5)	41	(24.3)
Drug Crime*	8	(4.8)	19	(11.2)
Other Felony (nv)	4	(2.4)	0	(.0)
TOTAL	166	(100.0)	169	(100.0)

(v) = violent crime (nv) = non-violent crime

* Drug crimes and "other" person crimes may or may not be violent crimes depending on the circumstance. For instance, combining samples and sexes, two of the drug crimes were violent and two of the "other" person crimes were violent.

Table 5 indicates the continuation of these trends up to December of 1987. The data are summarized from the Department of Corrections Client Characteristics and Population Movement Reports and reflect the total in-residence population on the last day of the month. Burglary 2 and theft incarcerations are still decreasing while murder and violent sex crimes increase in proportion.

Since 1986 the total inmate population has substantially reduced. The Indeterminate Sentence Review Board (ISRB) has reviewed and reset minimum terms for many of the inmates falling under its jurisdiction, resulting in many more offenders being released than forecast. Office of Financial Management projections for 1990, however, posit a larger inmate population than this state has ever experienced. Some 7,250 offenders are expected to be in prison by June 30, 1990.

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In sheer numbers there will undoubtedly be more violent offenders. The trend toward an increasing proportion of violent offenders may, however, be reversed by continuation of the present emphasis on drug user and dealer prosecutions and incarcerations.

Table 5: Offense Distribution Changes Have Continued Through 1987

Offense	June 1986	(%)	December 1987	(%)
Murder 1 & 2	720	(10.6)	827	(13.7)
Manslaughter 1 & 2	120	(3.5)	118	(2.0)
Vehicular Manslaughter	84	(1.2)	59	(1.0)
Assault 1 & 2	720	(10.6)	605	(10.0)
Robbery 1 & 2	1,330	(19.6)	1,212	(20.1)
Rape 1 & 2	615	(9.1)	591	(9.8)
Other Violent Sex	302	(4.5)	360	(6.0)
Other Sex	948	(14.0)	725	(12.0)
Other Person	65	(1.0)	45	(.7)
Arson 1 & 2	76	(1.1)	60	(1.0)
Burglary 1	125	(1.8)	115	(1.9)
Burglary 2 & Theft	1,300	(19.2)	956	(15.8)
Drug Crime	202	(3.0)	313	(5.2)
Other Felony	126	(1.9)	23	(.4)
Unknown	52	(.8)	34	(.6)
TOTAL	6,785	(100.0)	6,043	(100.0)

Offender Population Minimum Term Change

Changes in offense types will have a direct bearing on minimum terms, and thus influence prison population size. A question that might be asked is, will changing minimum terms affect male and female population size differentially?

Looking at minimum terms for violent offenses only, we found it necessary to eliminate sentences of life without parole. These sentences represent an uncertain number of months and are coded as unknown. The deletion of lifers reduced the male sample population by 5 percent and the female by 7 percent. The average term, in months, for men was 28 percent higher than that for women (Table 6). Comparing nonviolent offenders indicated that men average nearly half again as many sentenced months as women. It would seem there has been a pattern of scale tipping to the side of leniency in setting minimum terms for women.

Table 6: The Average Minimum Sentences for Female - Violent and Nonviolent Offenders Have Been Significantly Less Than for Their Male Counterparts

Violent Offenders

Sex	n	Sentence Mean	Standard Deviation
Male	1,000	117.6	100.28
Female	240	92.3	62.07

$t = 4.957$ Prob $t \leq .01$

Nonviolent Offenders

Sex	n	Sentence Mean	Standard Deviation
Male	711	55.1	45.51
Female	205	36.9	40.04

$t = 5.539$ Prob $t \leq .01$

There are insufficient SRA cases in our sample to determine whether or not this scale tipping pattern will continue. Presumably it will not, if the evidence of the 1986 sample on Table 7 is the beginning of a trend. Overall, it appears that minimum terms of the SRA sentences may be lower for men and higher for non-violent women than those set by the Indeterminate Sentence Review Board (ISRB).

Table 7: The Difference Between the Average Minimum Sentence for Female and Male Offenders Appears to be Less for SRA Sentences

	Violent Offenders			
	Pre-SRA Sentence		SRA Sentence	
Sex	Mean	n	Mean	n
Male	120.64	281	65.81	80
Female	95.43	53	71.84	33

	Nonviolent Offenders			
	Pre-SRA Sentence		SRA Sentence	
Sex	Mean	n	Mean	n
Male	51.77	172	25.00	35
Female	24.70	53	28.35	16

Comparison of Violent and Nonviolent Offenders

As offense types change will demographic distributions change also? Analysis of age at admission showed no difference between violent and nonviolent offenders (Table 8). Nor was there a difference in age between the sexes within those parameters. This finding flew in the face of traditional criminological studies. Nonviolent offenders have always been presumed younger.

Table 8: The Average Age at Admission is Similar for Violent and Nonviolent Offenders

	Offender Type			
	Violent		Nonviolent	
Sex	Mean Age	n	Mean Age	n
Male	29.0	1,087	29.6	711
Female	28.1	274	30.6	205

The contradictory findings are probably due to the definitions of "violent." Most studies have used the dichotomy of person/nonperson as equivalent to violent/nonviolent. In Washington, however, there are person crimes, notably indecent liberties without forcible compulsion, that are defined as nonviolent. Offenders sentenced for indecent liberties tend to be older, into their sixties and seventies, and as has been noted, due to SRA, more are being sentenced to prison than previously. When those incarcerated for this offense are excluded, violent offenders were indeed significantly older. This indicates that the prison population is aging on two fronts: by the increase in violent offenders, and by the increase in nonviolent sex offenders.

Racial issues in corrections are often of interest to the legislature, the general public and the media. Some recent publications suggest that minorities will be discriminated against by determinate sentencing. One argument, that minorities have more previous arrests and incarcerations may have some basis in fact. Another argument is that minorities (particularly the black minority) are more inclined toward the commission of violent crimes. Some indirect light can be shed on these arguments from the study data.

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For this analysis, "race" is collapsed into three categories: white, black, and other. The latter category includes ethnic groups who tend not to identify themselves as black or white, Native Americans, Hispanics and Asians. They will also be referred to as "the nonblack minorities."

There was no significant age difference between violent and nonviolent offenders either between racial groups or within racial groups by sex (Table 9).

Table 9: The Average Age at Admission is Similar for All Racial Groups

		Offender Type			
		Mean Age		Mean Age	
Race		Violent	n	Nonviolent	n
White	Male	29.3	702	29.7	549
	Female	28.4	155	31.0	116
Black	Male	28.4	245	30.0	91
	Female	27.3	78	29.9	66
Other	Male	28.6	140	28.5	23
	Female	28.3	41	30.4	23

There was no difference in the proportion of violent offenders among the racial groups within the female population. Black males, however, were more apt to be violent offenders, and white males more apt to be nonviolent (Table 10). Further investigation revealed the high percentage of nonviolent whites was partially explained by the incidence of indecent liberties convictions. Yet excluding these convictions did not substantially change the probability of relationship between offender type and race within the male population.

Table 10: The Number of Violent Offenders is Significantly Higher in the Male - Black Racial Group Than in Any Other Racial Group

	Offender Type					
Race	Violent	(%)	Nonviolent	(%)	Total	(%)
White	702	(56.1)	549	(43.9)	1,251	(69.5)
Black	245	(72.9)	91	(27.1)	336	(18.7)
Other	140	(66.4)	71	(33.6)	211	(11.7)
Total	1,087	(60.5)	711	(39.5)	1,798	(100)
	Chi Square = 34.75		Prob ≤ .01			

The possibility that the high number of sex offenders had biased the average age at admission findings was pursued. Accordingly that crime category was dropped. With this change the age of nonviolent white males dropped to 27.92 years. This did not change the finding of no difference in age by race or sex.

An attempt was made to identify prior commitments, both for violent and nonviolent crimes. The OBTS data source, which was still in a developmental stage at the time of data collection, was inconclusive for too many in the sample. Statistical analysis would be unreliable and misleading. Therefore, we were unable to do an analysis of prior criminal history. We do, nevertheless, have some information regarding types of commitment.

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The term "commitment type" refers to whether the offender was in prison due to direct commitment from the court or due to a revocation of either parole or probation. Revocation is an indicator of prior criminal activity with the caveat that it does not fully encompass the definition. There may have been a prior commitment or criminal activity that was not addressed by the ISRB or court. There may have been commitments or criminal activity in other states. Nevertheless, commitment type is the best surrogate of recidivism available in this study.

Data were grouped into three categories: direct commitment from the court for crime conviction, court commitment plus revocation of a prior sentence by the ISRB or court, and revocation by the ISRB or court without a new conviction.

Table 11 indicates the white population was distributed almost as one would expect by chance into all of the commitment types. There is a strong relationship, however, between the minorities and commitment. Blacks were considerably more likely to have had a new conviction plus a revocation. The nonblack minority was more apt to have just one new conviction.

Table 11: The Type of Commitment Varied Among the Racial Groups

	Race							
Commitment Type	White	(%)	Black	(%)	Other	(%)	Total	(%)
Conviction Only	1042	(66.9)	311	(20.0)	204	(13.1)	1557	(68.4)
Conviction Plus Revocation	244	(64.6)	98	(25.9)	36	(9.5)	378	(16.6)
Revocation Only	236	(69.0)	71	(20.8)	35	(10.2)	342	(15.0)
Total	1522	(66.8)	480	(21.1)	275	(12.1)	2277	(100.0)

Chi Square = 10.026 Prob = .04

How did commitment type relate to violent offenders? Nearly 75 percent of those incarcerated through direct court commitment were violent offenders, but only 36 percent of all revocations were violent offenders! It is possible that many of the latter had been involved with misdemeanor or class C felony activities that were not prosecuted due to the ISRB action. Nevertheless, as the ISRB phases out their correctional jurisdiction, we could expect a further decrease in the proportion of nonviolent offenders (Table 12).

Table 12: Violent Offenders Were More Likely to Have Been Committed Directly Through the Courts

	Offender Type					
Commitment Type	Violent	(%)	Nonviolent	(%)	Total	(%)
Conviction Only	1058	(68.0)	499	(32.0)	1557	(68.4)
Conviction Plus Revocation	179	(47.4)	199	(52.6)	378	(16.6)
Revocation Only	124	(36.3)	218	(63.7)	342	(15.0)
Total	1361	(59.8)	916	(40.2)	2277	(100.0)

Chi Square = 146.205 Prob ≤ .01

Violent Offenders and Prison Management

Incident reports and infractions are primary indications of prison management problems. Both require staff hours and paperwork beyond normal demands. If violent offenders prove to be more disruptive inmates, the effects on prison management could seriously impact classification procedures, staffing needs

and, perhaps, housing needs. Data were recorded for the number of major infractions committed by each offender during the year prior to the date the sample was drawn. Violent infractions, substance use infractions, and other major infractions were counted separately. Data were missing for six of the 1,798 males, an error rate of 0.3 percent.

All infraction types were converted to a "per month rate." Infractions for those in prison for one year or more were divided by twelve. Infractions for those with shorter time in prisons were divided by the months in residence.

Violent offense conviction does correlate with infractive behavior when such behavior is defined in the simple dichotomy, "'yes, one infraction or more" and "no infractions." This finding holds whether males and females are examined separately or together. Sixty-five percent of those with infractions are violent offenders. Table 13 summarizes the statistics for the total sample.

Table 13: Violent Offenders Were More Likely to Have Received One or More Infractions Than Nonviolent Offenders

	Behavior					
Offender Type	One or More Infractions	(%)	No Infractions	(%)	Total	(%)
Violent	649	(65.3)	710	(55.5)	1359	(59.8)
Nonviolent	345	(34.7)	567	(44.4)	912	(40.2)
Total	994	(100)	1277	(100)	2271	(100)
Row Percent		(43.8)		(56.2)		

Chi Square = 21.851 Prob ≤ .01

Looking at Table 14, below, it becomes apparent that not all violent crimes contribute to this statistic. Offenders convicted for robbery are by far more apt to have at least one infraction, followed by offenders convicted for assault. Sex offenders, even the violent sex offenders, tend not to engage in infractive behavior.

Table 14: Offenders Convicted of Robbery or Assault Were Highly Likely to Have Received One or More Infractions

	Behavior					
Offense	One or More Infractions	(%)	No Infractions	(%)	Total	(%)
Murder 1 & 2	119	(12.0)	143	(11.2)	262	(11.5)
Manslaughter	24	(2.4)	24	(1.9)	48	(2.1)
Veh. Manslaughter	4	(0.4)	19	(1.5)	23	(1.0)
Assault 1 & 2	141	(14.2)	140	(11.0)	281	(12.4)
Robbery 1 & 2	214	(21.5)	186	(14.6)	400	(17.6)
Rape 1 & 2	75	(7.6)	106	(8.3)	181	(8.0)
Other Violent Sex	42	(4.2)	56	(4.4)	98	(4.3)
Other Sex	57	(5.7)	170	(13.3)	227	(10.0)
Other Person	17	(1.7)	14	(1.1)	31	(1.4)
Arson 1 & 2	13	(1.3)	11	(0.9)	24	(1.1)
Burglary 1	20	(2.0)	23	(1.8)	43	(1.9)
Burglary 2 & Theft	227	(22.8)	315	(24.7)	542	(23.9)
Drug	33	(3.3)	61	(4.9)	94	(4.1)
Other Felony	8	(0.8)	9	(0.7)	17	(0.8)
Total	994	(43.8)	1277	(56.2)	2271	(100)

Chi Square = 66.627 Prob ≤ .01

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The next questions to be answered are, do the violent offenders commit more infractions than the nonviolent, or do they commit different types of infractions at a higher rate? Since some differences between male and female inmates have already been identified, it seems desirable to pursue what effects gender may have on infractive behavior before attempting global answers.

Table 15 compares infractive behavior of males and females by offender type (violent/nonviolent). Males in both statuses averaged significantly higher rates of violent and other major infractions than did females. Averages of substance-use infraction rates were nearly the same.

Whether a true difference in infractive behavior exists, or whether the difference is in procedures or staffing at the women's prison vis-a-vis the several prisons housing men is beyond the scope of this investigation. But, given the fact that there are differences, further analysis requires differentiation between the sexes.

Table 15: Male Offenders Have Significantly Higher Infraction Rates Than Female Offenders

	n	Mean Rate	Standard Deviation	t	Prob t
Violent Infractions					
Violent Males	1085	.0439	.1438		
Violent Females	274	.0206	.0602	4.0963	.01
Nonviolent Males	707	.0432	.2022		
Nonviolent Females	205	.0121	.0718	3.4133	.01
Other Major Infractions					
Violent Males	1085	.1006	.2040		
Violent Females	274	.0684	.2843	3.1442	.03
Nonviolent Males	707	.1102	.2788		
Nonviolent Females	205	.0620	.1542	3.2305	.01
Substance-Use Infractions					
Violent Males	1085	.0244	.0646		
Violent Females	274	.0220	.0580	.5711	N.S.
Nonviolent Males	707	.0246	.0710		
Nonviolent Females	205	.0308	.1377	.6242	N.S.
Total Infractions					
Violent Males	1085	.1689	.4118		
Violent Females	274	.1110	.2322	3.0769	.01
Nonviolent Males	707	.1780	.4610		
Nonviolent Females	205	.1049	.2652	2.8827	.01

Male Infractions

Approximately 45 percent of the male offenders had committed infractions in the year prior to sample selection. Sixty-five percent of these were violent offenders. That is about five percent more than would be expected by chance. Nevertheless, their rates of infractions were virtually the same as the nonviolent male offenders (Table 16). This is a reflection of the fact that a disproportionately small number of offenders account for a high volume of infractions.

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Table 16: A Higher Proportion of Male - Violent Offenders Received Infractions Than Male - Nonviolent Offenders

Offender Type	One or More Infractions	(%)	No Infractions	(%)	Total	(%)
Violent	524	(65.1)	561	(56.8)	1,085	(60.6)
Nonviolent	281	(34.9)	426	(43.2)	707	(39.5)
Total	805	(100)	987	(100)	1,792	(100)
		(44.9)		(55.1)		

Missing = 6

Chi Square = 12.646 Prob ≤ .01

Males convicted for robbery, assault or arson, all violent crimes, were over-represented among infractors (Table 17). But, burglary 2 and theft offenders, not violent, were also slightly more inclined to present management problems.

Table 17: Male Offenders Convicted of Robbery, Assault, or Arson Were Highly Likely to Have Received Infractions

Offense	One or More Infractions	(%)	No Infractions	(%)	Total	(%)
Murder 1 & 2	85	(10.6)	96	(9.7)	181	(10.1)
Manslaughter	19	(2.4)	15	(1.5)	34	(1.9)
Vehicular Manslaughter	4	(.5)	16	(1.6)	20	(1.1)
Assault 1 & 2	109	(13.5)	101	(10.2)	210	(11.7)
Robbery	164	(20.4)	150	(15.2)	314	(17.5)
Rape 1 & 2	75	(9.3)	106	(10.7)	181	(10.1)
Other Violent Sex	40	(5.0)	53	(5.4)	93	(5.2)
Other Sex	54	(6.7)	155	(15.7)	209	(11.7)
Other Person	10	(1.2)	10	(1.0)	20	(1.1)
Arson 1 & 2	12	(1.5)	4	(.4)	16	(.9)
Burglary 1	19	(2.4)	18	(1.8)	37	(2.1)
Burglary 2 and Theft	188	(23.4)	219	(22.2)	407	(22.7)
Drug Crime	20	(2.5)	37	(3.8)	57	(3.2)
Other Felony	6	(.8)	7	(.7)	13	(.7)
Total	805	(100)	987	(100)	1792	(100)
		(44.9)		(55.1)		(100)

Chi Square = 58.861 Prob ≤ .01

Infractive behavior appeared to relate to the type of commitment. However, further analysis suggested the relationship was probably spurious. Commitment type is associated with the violent offender and the violent offender is associated with infractive behavior.

To this point the analysis has focused on answering the question "are violent offenders more apt to commit infractions?" Another question is, "do violent offenders commit more infractions than nonviolent offenders?" An argument can be supported that they do not. As Table 18 demonstrates nonviolent offenders average slightly but consistently higher rates of infractions. These differences are not significant when looking at the dichotomy violent/nonviolent. Given equal numbers of violent and nonviolent offenders we would expect no difference in the numbers of infractions.

Table 18: The Rate of Infractions is Similar for Male - Violent and Nonviolent Offenders

Offender Type	n	Total Infraction Rate Mean	Standard Deviation	t	Prob t
Violent	1,085	.1689	.4118		
Nonviolent	707	.1780	.4610	.4261	N.S.

As seen in the comparison of infractive behavior by race presented in Table 19, more of the nonblack minority are found to be infractive. The fact that the white population contains high numbers of sex offenders, a group that commits relatively few infractions (see Table 17), explains part of this difference. A comparison of the average infraction rates of the racial groups found no significant differences. We conclude that proportionately more of the nonblack minority will commit at least one infraction per year, but individually they will not commit more infractions than someone of another race -- all things being equal.

Table 19: Male Non-Black Minority Offenders Were More Likely to Have Received One or More Infractions Than Were Male White or Black Offenders

Race	One or More Infractions	(%)	No Infractions	(%)	Total	(%)
White	537	(66.7)	710	(71.9)	1247	(69.6)
Black	154	(19.1)	180	(18.2)	334	(18.6)
Other	114	(14.2)	97	(9.8)	211	(11.8)
Total	805	(100)	987	(100)	1792	(100)

Chi Square = 9.003 Prob = .01

Male infractors are significantly younger than the noninfractive males (Table 20). Understanding that sex offenders are older and not infractive, t tests of age were done with and without this offender category. The results remained the same.

Table 20: Male Offenders Who Have Received One or More Infractions Are Significantly Younger Than Male Offenders Who Have Received No Infractions

Behavior	n	Age Mean	Standard Deviation	t	Prob t
Infractive	805	29.37	8.26		
Noninfractive	987	33.90	10.61	10.0496	.01

With this knowledge in hand we asked, "but, do younger offenders commit more infractions?" Using the approximate mean age of 29 for infractive behavior as the cutoff point, offenders were grouped by: under 30, and 30 plus. Table 21 summarizes the average infraction rates for the two groups. Minor fluctuations in the N's reflect occasional instances of missing data. The table compares the violent under 30 and 30 plus and the nonviolent under 30 and 30 plus. The negative t scores indicate that the younger groups had higher rates of infractions. In all instances the variance in the rates was also significantly higher for the younger offenders.

It is interesting to see that the infraction rate averages of violent and nonviolent offenders within the two age ranges are closer to each other than are the averages between the age groups. In fact, rotating the table and comparing violent and nonviolent within the age groups produced nonsignificant t scores. At least for the males, then, infractions are more apt to be explained by age than by offender type.

Table 21: The Rate of Infractions for Male Offenders (Both Violent and Nonviolent) Who Are Younger Than Thirty is Significantly Higher Than for Those Thirty and Older

Violent Infraction Rates
By
Male-Violent Offenders

	n	Mean	Standard Deviation	t	Prob t
30 Plus	574	.0257	.0817		
Under 30	511	.0644	.1889	-4.2900	.01

By
Male-Nonviolent Offenders

	n	Mean	Standard Deviation	t	Prob t
30 Plus	324	.0215	.1174		
Under 30	383	.0615	.2513	2.7825	.01

Other Major Infraction Rates
By
Male-Violent Offenders

	n	Mean	Standard Deviation	t	Prob t
30 Plus	574	.0633	.2281		
Under 30	512	.1435	.3314	-4.5935	.01

By
Male-Nonviolent Offenders

	n	Mean	Standard Deviation	t	Prob t
30 Plus	325	.0545	.1708		
Under 30	383	.1575	.3377	-5.2314	.01

Substance Use Infraction Rates
By
Male-Violent Offenders

	n	Mean	Standard Deviation	t	Prob t
30 Plus	574	.0151	.0483		
Under 30	511	.0348	.0777	-4.9554	.01

By
Male-Nonviolent Offenders

	n	Mean	Standard Deviation	t	Prob t
30 Plus	324	.0179	.0552		
Under 30	383	.0303	.0818	-2.3952	.02

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Female Infractions

Slightly less than 40 percent of the women in the study sample had committed an infraction in the year prior to sample selection. A pattern of over-representation of violent offenders among those with one or more infractions is apparent (Table 22). Nevertheless, the rates of infractions are virtually the same for the female-violent and nonviolent offenders.

Table 22: A Higher Proportion of Female - Violent Offenders Receive Infractions Than Nonviolent Offenders

Offender Type	One or More Infractions	(%)	No Infractions	(%)	Total	(%)
Violent	125	(66.1)	149	(51.4)	274	(57.2)
Nonviolent	64	(33.9)	141	(48.6)	205	(42.8)
Total	189	(100)	290	(100)	479	(100)
		(39.5)		(60.5)		

Chi Square = 10.18 Prob = .01

Analysis of offender type by offense is not testable. There are insufficient cases for some crime categories. Tentatively, it appeared that women convicted of assault and robbery were more prone to committing infractions. This was observed, too, for the male population. Yet, unlike the male population, female burglary 2 and theft offenders received relatively fewer infractions.

Other relationships were explored, such as interactions between type of commitment and violent offense with infractive behavior. Female-violent offender inmates are more apt to be in the system by direct court commitment. Female-nonviolent offenders are more apt to be imprisoned by virtue of ISRB or court revocation (Table 23). A relationship between commitment type and infractive behavior was not found, however, when looking at female-violent offenders only or female-nonviolent offenders only.

Table 23: Female - Violent Offenders Were More Likely to Have Been Committed Directly Through the Courts

	Offender Type					
Commitment Type	Violent	(%)	Nonviolent	(%)	Total	(%)
Conviction	219	(73.2)	80	(26.8)	299	(62.2)
Conviction and Revocation	28	(36.8)	48	(63.2)	76	(15.9)
Revocation	27	(26.0)	77	(74.0)	104	(21.7)
Total	274	(57.2)	205	(42.8)	479	(100)

Chi Square = 85.760 Prob ≤ .01

Race was not found to be associated with female infractions. Age, on the other hand, was very highly associated. Infractors were significantly younger, averaging less than 29 years old (Table 24).

Table 24: Female Offenders Who Have Received One or More Infractions Are Significantly Younger Than Female Offenders Who Have Received No Infractions

	Age				
Behavior	n	Mean	Standard Deviation	t	Prob t
Infractive	189	28.80	7.05		
Noninfractive	290	32.40	8.40	5.5089	.01

There was no difference in age between female-violent and nonviolent offenders, nor was there an age difference by type of commitment. Of the variables associated with infractive behavior (violent offender, person crime) age appears to have the strongest relationship. Appropriate tests of the data indicated that younger (under 30) violent female offenders committed significantly more violent infractions and substance use infractions than older (30 plus) violent offenders. The age groups were equally active with other major infractions and there was no difference between older and younger nonviolent female offenders for any of the infraction types. (Table 25)

To pursue the finding, the analysis focused on younger women only. The t test between violent and nonviolent offenders was again significant; violent offenders had higher rates of violent infractions than did nonviolent offenders. This significance was not found for substance use infractions under the same circumstances. Therefore, we know that female substance use infractions are explained by age and not offender type, whereas violent infractions are explained both by age and offender type.

Violent Offenders and Program Participation

Questionnaires were sent to program managers for a small sub-sample of offenders to determine the differential levels of program participation for violent and nonviolent offenders. Unfortunately, this data gathering method, although economical, is hampered by the loss of reliability resulting from misinterpretation of the questions, or lack of resources and motivation to obtain full information.

Many of the questionnaires returned were either blank or incomplete. Institutional staff reported data differently. And, most important, due to inmate transfers and releases, information was not always available in any one place. The resultant data cannot be considered either reliable or valid for analysis and therefore is not included in this report.

The concept of examining program participation, and barriers that may exist for the violent offender is viable. The OBTS will now allow at least superficial discrimination about who participates in various programs. To answer questions beyond that will require trained research staff and a more stringent methodology than was proposed here. Such research might be undertaken in the future.

Table 25: The Rate of Violent and Substance-Use Infractions for Female - Violent Offenders Who Are Younger Than Thirty is Significantly Higher Than for Those Thirty and Older

Violent Infraction Rates
By
Female-Violent Offenders

	n	Mean	Standard Deviation	t	Prob t
30 Plus	129	.0093	.0362		
Under 30	145	.0307	.0741	-3.0863	.01

By
Female-Nonviolent Offenders

	n	Mean	Standard Deviation	t	Prob t
30 Plus	116	.0117	.0857		
Under 30	89	.0126	.0988	-.0992	N.S.

Other Major Infraction Rates
By
Female-Violent Offenders

	n	Mean	Standard Deviation	t	Prob t
30 Plus	129	.0543	.2608		
Under 30	145	.0809	.1347	-1.0442	N.S.

By
Female-Nonviolent Offenders

	n	Mean	Standard Deviation	t	Prob t
30 Plus	116	.0596	.1541		
Under 30	89	.0650	.1508	-.2485	N.S.

Substance Use Infraction Rates
By
Female-Violent Offenders

	n	Mean	Standard Deviation	t	Prob t
30 Plus	129	.0138	.0491		
Under 30	145	.0294	.0643	-2.2675	.01

By
Female-Nonviolent Offenders

	n	Mean	Standard Deviation	t	Prob t
30 Plus	116	.0409	.1732		
Under 30	89	.0176	.0664	1.3301	N.S.

Chapter 5
DISCUSSION

Our research objectives were to determine how much the violent offender prison population will increase under the SRA; compare and analyze demographics; and compare and analyze prison histories, behavior and participation of violent and nonviolent offenders. Most of this we have accomplished. Some questions, notably of program participation, will have to be dealt with at another time.

The proportion of violent offenders in the total prison population increased by approximately 8 percent, to nearly 60 percent of the total, during the two years of data gathering. It might seem surprising that this proportion change has been as high as it has in view of the great increase in nonviolent sex offenders entering the system. Sentence ranges for these offenders, as with all of the nonviolent offenders, are short. They flow through the system, whereas the violent offenders stack up causing us to reevaluate our classification systems, security systems, and program management.

It is easy to assess the effects of SRA on the female population. We do not anticipate a marked change in demographics for the Washington Correctional Center for Women, although the female violent offenders tend to be slightly younger.

Female violent offenders do commit more of the violent infractions and at a more rapid rate than nonviolent females. With the termination of the ISRB, non-violent women will not be so apt to be incarcerated. The result will be an expected increase in the proportion of female violent offenders and increase in the numbers of violent infractions.

Anticipated changes in the male population are more difficult to assess. Some demographic changes among the males will accompany the increase in violent offenders. There is a possibility that we will experience an increase in both black and the nonblack minorities.

If nonviolent sex offenders are excluded from the calculations, male violent offenders are significantly older at admission than nonviolent offenders . Between longer sentences to serve for the violent offender and the increase in nonviolent sex offenders, the "graying" of prisons is inevitable.

Significantly more of the male violent offenders commit at least one infraction, yet they do not have significantly higher rates of infractions. Male offenders under 30 years old,whether violent or not, have the higher rates of infractions per month. If the management system remains as it is, it is conceivable that infraction rates will tend to decline simply as a result of an aging population.

There may, however, be an unexamined explanation for the younger inmates' behavior. There has been a tendency in this state to send younger inmates to somewhat less secure institutions, away from the more sophisticated offenders. Is it possible then, that there is more opportunity for this group to commit infractions, or does the predominance of younger inmates in these institutions increase peer pressure?

Chapter 5
DISCUSSION

The impact on prisons of increasing numbers of violent offenders will not be due to the definition of "violent," but rather the characteristics which correlate with those offenses. The fact of change in age for the male population has several ramifications: planning for increases in medical needs, assessing the suitability of existing educational or vocational program goals, and evaluating security level capacities appropriate to behavioral expectations.

Although there may not be a corresponding age change among the women, evaluation of security levels at WCCW could be appropriate. Since female violent offenses correlates with violent infractions among this population an increase in violent offenders could become a major management concern.

Another increase noted above is that of nonblack minorities. Although the bulk of the latter are Spanish-speaking, we do not have data to indicate whether or not a language barrier exists. We do find, however, that significantly more of this group commit infractions. This may suggest a need for more Spanish-speaking prison staff or it may signal a need for intensive orientation to disciplinary regulation.

The end result of all research is that it raises more questions. Why do younger inmates have higher infraction rates? Is it just exuberant youth, or is it current classification? Would mixing the age groups be a solution or would that exacerbate the problem? Much is happening in corrections agencies across the states. Reclassification models and case management models abound. We hope our efforts will be a useful guide to those concerned with managing violent offenders.

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