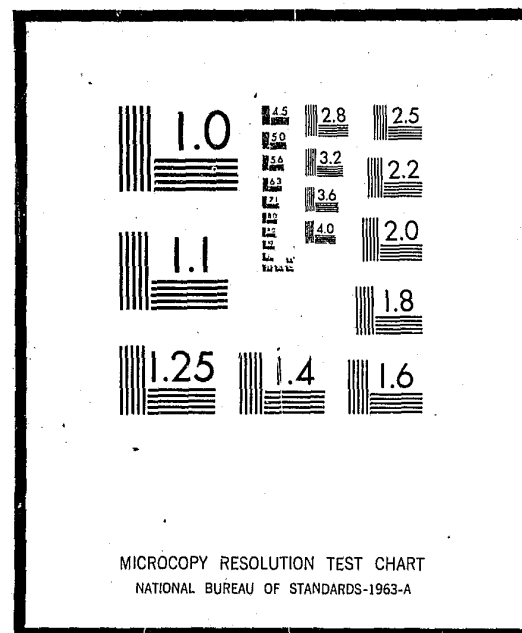


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RESEARCH REPORT NO. 54

SENTENCES AND OFFENSES--One or More than One:

Time Served and Parole Outcome

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SENTENCES AND OFFENSES--One or More than One:

Time Served and Parole Outcome

INTRODUCTION

In the past, the Research Division of the California Department of Corrections (CDC) has tabulated all kinds of statistics about male felons and prepared several research reports therefrom, dealing with outcome on parole as related to commitment offense, term status, time served, ethnic origin, etc. This study looks at time served by first releases to California parole in 1970 and their parole outcome in relation to the type of sentence, that is, a simple sentence for one count of only one offense, concurrent sentences (served at the same time), and consecutive sentences (served one after the other).

Concurrent or consecutive sentences may be incurred for multiple counts of one offense, single counts of multiple offenses, or any combination thereof. It is possible for a felon who has been convicted of multiple offenses and/or counts to have received both concurrent and consecutive sentences in his original commitment to prison. While the presiding judge decides whether more than one conviction is to be served concurrently or consecutively, the minimum and maximum limits of the sentence are specified by law in California.

The actual length of the sentence to be served is set by the Adult Authority (the "parole board") at or above the legal minimum. After a period of incarceration, the Adult Authority reviews the felon's case and either fixes the sentence or postpones decision most commonly for another year. Its decision may take into account the facts of the offense, prior criminal record, behavior in prison, and all information related to the inmate. Once set, the term may be refixed in response to the case's good behavior or misbehavior.

In California, about 95 percent of the sentences include some time on parole after the prison incarceration. The minimum length of time that by law must be served in prison prior to release on parole (minimum eligible parole date) is directly related to the legal minimum of each sentence. However, the legal minimum sentence and time to the Minimum Eligible Parole Date (MEPD) become longer with a so-called "aggravated sentence", where at the time of conviction the charge of a prior felony conviction and/or the possession of a deadly weapon was pled and proved. Thus, the legal minimum sentence and months to eligible parole date may be a complex matter. Nevertheless, in all cases the procedure for computing the MEPD is a matter of law specified in the California Penal Code.

Previous studies in California and elsewhere generally have restricted all analyses and reporting only to the most serious commitment offense and have disregarded multiple convictions of the same or different offenses. In this study, data are given about the various offenses, the types of sentence, the time in prison served beyond the parole eligibility date, and the outcome on parole. It is a descriptive study, and it does not include behavior in prison nor the effects thereof in matters such as time served.

DEFINITIONS

The clarification of some of the terms used in this report may be necessary for the reader unfamiliar with CDC terminology and portions of the California Penal Code (P.C.).

First release: a male felon paroled from his initial incarceration in a California prison under his present serial number. However, he may have been discharged from a prior California commitment under an earlier serial number or may be still on parole from another jurisdiction.

Most serious commitment offense: when a felon has been convicted of two or more unlike offenses, the most serious is the one (a) with the longest maximum among the indeterminate sentences; (b) with the longest minimum term if the maximums are the same; (c) prescribed by departmental coding standards if the minimums and maximums are the same (see Appendix B).

Counts: the number of specific charges on which convicted.

Sentences upon conviction of two or more crimes: the judge pronouncing sentence for the second or subsequent conviction directs whether the prison terms shall run concurrently (served at the same time) or shall run consecutively (each one starting at the termination of the earlier sentence). However, if the punishment for any one crime is expressly prescribed to be life imprisonment, all other convictions run concurrently with that sentence (P.C. 669).

Aggravated sentence: a prior felony and/or possession of a dangerous weapon at the offense was pled and proved at the trial for a current conviction or any consecutive sentence. Minimum sentences are prescribed (Appendix A).

Minimum Eligible Parole Date (MEPD): see Appendix C.

Life sentence - serve at least seven years.

Consecutive sentences - serve at least two years.

Minimum more than one year - serve at least one-third.

Minimum one year or less - serve the full minimum.

Parole outcome: the most serious disposition received while on parole within the stated followup period; the followup terminates at discharge from parole or at return to prison (Appendix D).

REVIEW OF LITERATURE

This study of offenses and sentences is the first in the California Department of Corrections. To see if the resultant findings were consistent with those from other jurisdictions, a search of prior literature was undertaken. The most promising major sources were two recent bibliographies, Sentencing the Offender by Tompkins (1971) and Sentencing Patterns and Problems by Carr and Connelly (1973). However, in looking at specific references seemingly pertinent to this study, none was found which dealt with multiple convictions in relation to types of offense, sentencing procedures, or time served. Several of the readings did give some insight into at least one of the problems focused on in the study, such as the discretionary powers of the sentencing judge, the length of sentence, the relation of parole outcome to type of sentence, and time served.

Levin (1972) maintains that the judges' decisions have more impact on crime than do the police. Criminal court judges exercise great discretion in sentencing; where not mandated by law, the sentences may range from fine or probation to prison, and the length of the prescribed term may vary just as widely. Levin's findings suggest that it is the type of disposition and the length thereof which seem to have a greater impact on recidivism than do the characteristics of the offender or of the offense.

Kastenmeier and Eglit (1973) assert that the discretion of the judge in sending a man to prison is further augmented by his power to impose consecutive sentences for more than one conviction. This factor of judicial discretion is further compounded by the latitude in decision-making granted a paroling board. Thus, widely disparate lengths of time in prison may result in cases which appear to the outside observer to be quite similar. Jacks (1964) prepared a report for the Commonwealth of Pennsylvania on the types of sentences imposed upon prisoners in that state's system. However, comparisons in time to parole date and in outcome on parole were made only between the indeterminate sentences whose minimums were half of the maximum and those whose minimums were less than half of the maximums.

The study of Jaman and Dickover (1969) investigated parole outcome as a function of time served by male felons committed for robbery and burglary, but it dealt only with the most serious commitment offense irrespective of multiple counts of one offense or additional offenses. The Uniform Parole Reports Project of the National Parole Institutes does classify in a limited way whether the imprisonment is for a single or multiple offense, but its reports relate solely to the most serious offense according to their coding hierarchy. Thus, it appears that this current study of the combination of offenses and sentences may be the initial comprehensive exploration of this complicated subject.

INITIAL QUESTIONS

The original request which gave rise to this study was a general one about concurrent and consecutive sentences, the time served in prison, and parole behavior thereafter. But question upon question then arose.

First of all, because a majority of felons committed to prison have a simple sentence--only one conviction--it was essential to look at their offenses, time served, and parole outcome to establish a framework of reference or comparison.

Sentences evolving from multiple convictions may be served concurrently (CC), consecutively (CS), or in combination. How does time in prison differ between CC and CS sentences? Does parole outcome differ?

Antecedent to the sentences were the offenses which, in this study, are defined in terms of the Penal Code sections under which convicted. How many kinds of offenses? How many counts? Is there a pattern to the kinds of offenses?

When multiple offenses or multiple counts of one offense are combined with concurrent or consecutive sentences, seven types resulted. Do the various types differ in time served or in parole outcome?

According to Section 1202b of the Penal Code, regardless of the minimum specified for an offense in another section of the Code, the judge may stipulate a minimum of six months for a man who was under 23 years of age at the time of the offense for which convicted. Who are these men? Their offenses? How much time do they serve? How do they fare on parole?

The Minimum Eligible Parole Date is calculated for a felon upon admission to prison. How many men do get released at the MEPD? What were their offenses? Their outcome during parole?

Some felons serve many, many months beyond their MEPD before release to parole. Who? What? Why? How do they behave on parole?

All these questions indicate the scope of the information developed for this report, much of which information would be available for the first time to departmental administrators and paroling authorities.

METHODOLOGY

Sample Selection

Releases to California Parole in 1970 were the latest male felons for whom the two year parole outcome was available at the time of this study. Because returns to prison after violation of parole would further complicate the problem of time served and sentences, only first releases were used.

The information needed in this study was available only through manual search of each felon's file, so it was decided that about one quarter, or 1,100, of the 4,436 first releases would provide a sample sufficiently large to permit valid analyses.

This is a study of prison sentences; and because an "aggravated sentence" prescribes specific minimum sentences (and therefore, time in prison), selection of the sample was based on the type, if any, of aggravation (see Table 1). Omitted were the 163 men who received a concurrent or consecutive sentence for an offense committed during this imprisonment. All parolees in the categories with less than 100 men were retained in the study. Random selection according to the last digit of the man's prison identification number was made from the categories containing a larger number of men.

Table 1
Aggravated Sentence and Sample Selection
1970 First Releases to California Parole

Type of Aggravated Sentence ¹	Total Number	SAMPLE		
		Percent	Number	Proportion
Simple - not aggravated	3,352	21%	716	.65
Prior felony	478	25%	120	.11
Dangerous weapon	238	25%	59	.05
Prior felony & deadly weapon	41	100%	41	.04
Prior felony & consecutive	44	100%	44	.04
Deadly weapon & consecutive	18	100%	18	.02
Prior felony & deadly weapon & consecutive	8	100%	8	.01
Consecutive only	94	100%	94	.08
Offense in prison	163	-	-	-
Totals	4,436	25%	1,100	1.00

¹To be considered as an aggravated sentence the prior felony and/or deadly weapon must have been pled and proved.

To determine if the randomized sample was representative of the group from which it was taken, the selected and non-selected cases within each category were compared on six characteristics--ethnic origin, prior commitment record, narcotic use, most serious commitment offense, average BE 61A score¹, and average months served (see Table 2). There were no statistically significant differences. Therefore, any conclusions evolving from this exploratory study could be considered as applicable to all the releases.

The sample of 1,100 men was fairly representative of all the first releases to California parole in 1970. Some examples of the similarities between the study sample and the remaining 3,336 parolees were--

Average BE 61A: 42.9 (study) and 43.3 (remainder)

Most serious commitment offense: (see Appendix B)

Person 43.0% and 39.7%
Property 36.8% and 41.0%
Drugs 17.1% and 15.8%
Other 3.1% and 3.5%

Two year parole outcome: (see Appendix D)

Clean 43.3% and 41.2%
Other favorable 22.1% and 20.6%
TFT - prison 7.7% and 7.9%
WNC - prison 9.0% and 9.7%

Table 3 summarizes selected information about the 1,100 parolees. These data also served as a base to which subgroups under discussion were compared.

In the course of the study, data collected but hitherto not analyzed about offense and time served became available. For example, more than two of every five parolees had been convicted of at least two felonies relative to this incarceration. Only two percent were paroled upon eligibility which meant that 2,800 man years of additional imprisonment ensued, or a mean of 31.2 months per man over the Minimum Eligible Parole Date (see Appendix C); the median was 23.7 months. The mean time served was slightly over 44 months, with a median of 36.7 months.

¹ BE 61A is an actuarial scale for predicting favorable parole outcome, and is based on characteristics known at time of admission. The higher the score, the greater is the percent of men with that score who have a favorable outcome within two years after release to parole.

Table 2
The Three Types of Aggravated Sentence having Large N's
Characteristics of the Sample and Other Parolees

Characteristics	Not Aggravated		Prior Felony Pled & Proved		Dangerous Weapon Pled & Proved	
	Sample	Other	Sample	Other	Sample	Other
Number of Parolees	716	2,636	120	358	59	179
ETHNIC ORIGIN						
White & Other	.60	.59	.56	.56	.52	.58
Black	.25	.26	.30	.30	.34	.34
Mexican	.15	.15	.14	.14	.14	.08
	1.00	1.00	1.00	1.00	1.00	1.00
PRIOR COMMITMENTS						
None	.15	.15	.04	.04	.13	.20
1 or 2 Jail or Juv.	.26	.30	.11	.19	.46	.40
3+ Jail or Juv.	.33	.31	.23	.20	.29	.24
Prison	.26	.24	.62	.57	.12	.16
	1.00	1.00	1.00	1.00	1.00	1.00
NARCOTIC USE						
None	.60	.59	.57	.56	.53	.57
Opiates	.17	.17	.19	.22	.20	.16
Marijuana	.18	.19	.22	.18	.20	.23
Dangerous drugs	.05	.05	.02	.04	.07	.04
	1.00	1.00	1.00	1.00	1.00	1.00
MOST SERIOUS COMMITMENT OFFENSE						
Person	.34	.37	.33	.26	.96	.92
Property	.43	.42	.40	.47	.02	.04
Other	.23	.21	.27	.27	.02	.04
	1.00	1.00	1.00	1.00	1.00	1.00
AVERAGE BE SCORE	43.2	43.4	41.3	40.7	44.4	45.8
AVERAGE TIME SERVED	37.3 mos.	39.4 mos.	45.0 mos.	46.6 mos.	50.6 mos.	50.4 ^a mos.

^a Excluded is one man who served 522 months. If he were included, the mean (average) number of months would be 53.1.

Table 3

Selected Characteristics of the 1,100 Parolees

Summary Data

Distribution of Characteristics AT ADMISSION (proportions)

Ethnic origin:		Most serious offense:		Sentence type:	
White - - - -	.58	Murder first - - -	.01	A. Simple - - - - -	.57
Black - - - -	.27	Other homicide - -	.04	Concurrent	
Mexican - - - -	.14	Robbery first - -	.16	B. Multiple offenses -	.20
Other - - - - -	.01	Robbery-other - -	.08	E. One offense - - - -	.08
		Assault - - - - -	.05	Consecutive	
Narcotic use:		L & L conduct - -	.04	C. Multiple offenses -	.05
None - - - - -	.60	Other sex - - - -	.04	F. One offense - - - -	.03
D. Drugs - - -	.04	Kidnapping - - - -	.01	CC & CS:	
Marijuana - - -	.18	(Person = .43)		D. Multiple offenses -	.05
Opiates - - - -	.18	Burglary first - -	.02	G. One offense - - - -	.02
		Burglary-other - -	.15		
Prior commitments:		Theft - - - - -	.06	Aggravated sentence:	
None - - - - -	.13	Auto theft - - - -	.04	None - - - - -	.65
1-2 jail/juv. -	.26	Forg. & checks - -	.10	Prior felony - - - - -	.11
3+ jail/juv. -	.30	(Property = .37)		Deadly Weapon - - - -	.05
1 prison - - -	.15	Opiates - - - - -	.05	Prior & D. Weapon - -	.04
2+ prisons - -	.16	Mari. & D. D. - -	.12	Prior & CS - - - - -	.04
		(Drugs = .17)		D. Weapon & CS - - - -	.02
Total counts (N=1,903)		Other felony - - -	.03	Prior, DW, & CS - - -	.01
Person - - - -	.40	(Other = .03)		Consecutive only - - -	.08
Property - - -	.41				
Drugs - - - - -	.15				
Other - - - - -	.04				
		Average BE 61A Score = 42.9			

Months Served prior TO RELEASE

Range: 6 months to 20½ years; Average = 44.2 months; Median = 36.7 months
 Minimum Eligible Parole Dates - Range: 6 months to 7 years
 Average time served beyond MEPD = 31.2 months; Median = 23.7 months

Average Age in 1970 AT RELEASE: 34.0 years

ONE-TWO YEAR Parole Followup AFTER RELEASE (percents)

Disposition	ONE	TWO	
Clean	53.0	43.3	Parolee-at-large (PAL) within two years: 14.8%
Other favorable	25.0	25.2	
Total favorable	78.0	68.5	
Pending	6.6	1.2	Known drug use within two years
Misc. Unfavorable	7.5	13.6	
TFT - prison	3.0	7.7	
WNC - any prison	4.9	9.0	
			None: 87.2%
			D. Drugs: 4.0%
			Marijuana: 0.4%
			Opiates: 8.4%

Discharged from parole:

Within one year: 5.2% early + 0.6 at expiration
 Within two years: 37.3% early + 2.2 at expiration

Data Collection

In the present data system of the California Department of Corrections only the most serious commitment offense is entered (see Appendix B). Furthermore, the number of counts for which there were convictions is not identified. Indeed, only when a consecutive sentence occurs is there an indication of convictions on more than one count. Therefore, to supplement the routine information available, data were collected from the face sheet or legal page of each subject's file. This document contains all the details pertinent to conviction(s):

- offense(s) with the Penal Code section
- counts (if more than one) for each offense
- for multiple counts or offenses, whether concurrent or consecutive sentences
- time to and date of Minimum Eligible Parole Date
- whether a prior felony or possession of dangerous weapon was pled and proved

It should be remembered that this report deals with the Penal Code sections under which the subjects have been convicted. In some cases, these may be a far cry from the facts of the offense or the felon's actual behavior as stated in the police report. Originally each type of offense (specific Penal Code section) and the counts thereof were coded. However, for purposes of this study, the individual offenses were subsequently classified into person, property, drugs, and other. In some of the analyses, only three categories were used, person, property, other (drugs and other combined). In addition, the number of counts in each category were accumulated.

The combination of different offenses and/or counts with the kind of sentence (i.e., simple, concurrent or consecutive) resulted in the seven types of sentence listed below:

- A. One offense - one count (Simple)
- B. Multiple offenses - concurrent (CC) sentences
- C. Multiple offenses - consecutive (CS) sentences
- D. Multiple offenses - CC and CS sentences
- E. One offense, multiple counts - CC sentences
- F. One offense, multiple counts - CS sentences
- G. One offense, multiple counts - CC and CS sentences

All remaining data analyzed, background characteristics, time served, parole outcome, etc., were extracted from the existing data system.

Time served in prison is one of the elements in the analyses of sentences and offenses in this study. The Minimum Eligible Parole Date (MEPD) is dependent upon the offense and the sentence. Actual time in prison, determined by the Adult Authority, depends a great deal upon the facts of the offense(s) and the felon's behavior in prison. Because of the monumental (and expensive) task of gathering information on these two items, neither was included in the investigation of time served. The omission possibly could bias the results.

This study was essentially exploratory. No attempt was made to demonstrate cause and effect in either time served or parole outcome. However, when substantial differences did occur, chi-square tests of the differences were made. Accepted as statistically significant was a chi-square value with a probability (p) of .05 or less; this means that differences of such magnitude would occur five or fewer times in a hundred among similar groups of parolees on the basis of random sampling fluctuations.

DISCUSSION OF RESULTS

The section of this report entitled "Initial Questions" listed some of the many problems relative to sentences and offenses that could be investigated. In order to organize the data for answering these questions in an orderly and somewhat cohesive manner, six central themes were formulated for the presentation in this section of the report:

- I. The sentences
- II. The offenses
- III. The sentences AND offenses
- IV. Men sentenced under 1202b P.C.
- V. The paroles at MEPD
- VI. Men with very long periods of incarceration

Each of these will be discussed as a separate topic.

I. The Sentences

When a man (or woman) has been convicted of more than one felony for which a prison term may or must be imposed, the presiding judge has complete discretion as to how the sentences to prison will be served, that is, concurrently (CC) or consecutively (CS). When there are three or more counts, a combination of concurrent and consecutive sentences (CC & CS) may be imposed. Any consecutive sentence mandates that a felon must serve at least two years in prison to reach his Minimum Eligible Parole Date (MEPD), even though the aggregate of the minimum terms may be less (Penal Code Section 3043).

Also, any conviction arising from a trial in which there was pled and proved a prior felony conviction and/or possession of a deadly weapon during the offense or at the time of arrest for it results in a so-called "Aggravated Sentence" which affects the minimum term. Either the prior or the weapon increases the minimum to two years if it were less; both conditions increase the minimum to four years if it were less (P.C. 3023). A consecutive sentence is deemed also to be an Aggravated Sentence. See Appendix A for the Penal Code Sections pertaining to length of sentences under special conditions.

Table 4 gives various types of information related to the sentences of the 1,100 men as they were to be served, including most particularly the distribution of simple sentences for one conviction and the various combinations of concurrent and/or consecutive sentences.

Time Served

Over half of the men (57%) were serving what in this study is called a simple sentence (one count). They served a median time of slightly more than 35 months which was almost 23 months beyond the median MEPD. More than two of every five men were imprisoned for an offense against a person. For most (80%) of these men, the minimum sentence was not aggravated by a prior felony and/or dangerous weapon having been pled and proved.

Table 4

Sentences: Summary Data

Sentence	Number	Proportion	Median Months Served	
			To Release	After MEPD
Simple	630	.57	35.3	22.6
Concurrent (CC)	303	.28	35.5	24.1
Consecutive (CS)	90	.08	57.0	27.0
CC & CS	77	.07	61.0	24.5
Total	1,100	1.00	36.8	23.7

Sentence	Number	Total Counts	Proportion of Total Counts		
			Person	Property	Other
Simple	630	630	.44	.38	.18
Concurrent	303	778	.29	.48	.23
Consecutive	90	206	.54	.26	.20
CC & CS	77	289	.52	.36	.12
Total	1,100	1,903	.40	.41	.19

Sentence	Number	Proportion with Aggravated Sentence							
		a 0	1	2	3	4	5	6	7
Simple	630	.80	.12	.05	.03	-	-	-	-
Concurrent	303	.70	.15	.09	.06	-	-	-	-
Consecutive	90	-	-	-	-	.25	.12	.04	.59
CC & CS	77	-	-	-	-	.30	.10	.07	.53
Total	1,100	.65	.11	.05	.04	.04	.02	.01	.08

^a Explanation of codes:

- | | |
|--------------------------|---------------------------------|
| 0. Not aggravated | 4. Consecutive & prior felony |
| 1. Prior felony | 5. Consecutive & deadly weapon |
| 2. Deadly weapon | 6. Consecutive & prior & weapon |
| 3. Prior felony & weapon | 7. Consecutive only |

Sentence	Number to Parole	Percent of Parole Outcome within Two Years							
		Favorable			Pend- ing	Misc. Unfav.	Return to Prison		
		Clean	Other	All			All	TFT	WNC
Simple	630	42.8	24.8	67.6	1.6	14.6	16.2	8.4	7.8
Concurrent	303	43.6	24.8	68.4	0.6	13.9	17.1	6.9	10.2
Consecutive	90	43.3	30.0	73.3	0.0	8.9	17.8	8.9	8.9
CC & CS	77	45.4	24.7	70.1	1.3	10.4	18.2	3.9	14.3
Total	1,100	43.3	25.2	68.5	1.2	13.6	16.7	7.7	9.0

The 303 men with concurrent sentences spent a median time of 35.5 months in prison before their release; this was almost identical to that of those serving simple sentences. However, the median time beyond the MEPD was slightly higher for the men serving multiple sentences.

At their trial, three of every ten men with concurrent sentences had been found guilty of a prior felony and/or being armed with a deadly weapon during the offense or at time of arrest.

There were 90 men with consecutive sentences only, while the remaining 77 men in the sample were serving some combination of concurrent and consecutive sentences. Median time in prison before parole was 57 and 61 months, respectively, for each group. The first group was kept a median of about 37 months after becoming eligible for parole; this was about 2.5 months longer than the men with mixed sentences, perhaps because there were more drug and fewer property offenders. Over half (56%) of these 167 men had merely consecutive sentences, not further compounded by a proved prior felony or weapon. Consecutive sentences were very likely to be received when an offense against a person had been committed; in fact, there was a statistically very significant relationship between receiving consecutive sentences and offenses against persons.

Parole Outcome

Somewhat unexpected was the 67.6 percent of favorable outcomes in the two year followup period for the men with a simple sentence compared to the 71.9 percent favorable for the parolees with consecutive sentences. In fact, favorable outcomes occurred more frequently among the 470 felons with more than one conviction than among the 630 men who had been imprisoned for only one offense, 69.6 percent and 67.6 percent, respectively.

Resume

Over half of the 1,100 men were imprisoned for only one conviction and were not likely to have an aggravated sentence. Almost three-fourths of the 470 men with multiple convictions had been sentenced to serve their terms concurrently, although when an offense against a person was involved the sentences were likely to be consecutive.

The men serving consecutive sentences had the highest percent of favorable outcomes but also the greatest percent of returns to prison, particularly with new commitments. On the other hand, the men with only one conviction had the lowest percent in favorable but also the lowest return to prison percentage. However, none of these differences in the two year parole outcome for the four groups was statistically significant.

II. The Offenses

The term "offense" as used in this report refers to the Penal Code section under which the felon had been convicted. Frequently, through plea-bargaining, the conviction and its attendant sentence may be greatly reduced from that which was indicated by the actual criminal behavior. This phenomenon is common in most jurisdictions throughout the country.

Men (and women) are sentenced to prison for simply one count (or charge) of one offense, for two or more counts of the same offense, or for one or more counts of two or more different offenses. When there are different offenses, the most serious one is that which invariably is reported as the commitment offense in statistical data.

Table 3 indicated that the most serious offense (or the only offense) of 43 percent of the 1,100 men was a crime against a person with robbery accounting for over half of these crimes. The next most prevalent convictions were for burglary (17%), included in the 37 percent of the sample who were committed for crimes against property. Drug offenses--opiates, marijuana, and dangerous drugs--brought 17 percent of the men to prison. The remaining three percent had miscellaneous felony convictions, such as arson, embezzlement, escape from jail.

Crimes against persons and against property were about equally represented, 40 percent and 41 percent, respectively, in the grand total of 1,903 convictions for the 1,100 men.

Table 5 shows that only one conviction resulted in prison for 630 men, or 57 percent of the sample. Forty-three percent of them were sentenced for offenses against persons, 38 percent for property offenses, 14 percent for drug offenses, and five percent miscellaneous. These distributions were almost identical to those of the total sample.

The remaining 470 men incurred a total of 1,273 convictions, with from two to eleven counts per man. The frequencies of the men convicted of various numbers of counts were:

2 counts - - - 277 men	6 counts - - - 13 men
3 counts - - - 124 men	7 counts - - - 5 men
4 counts - - - 33 men	8 counts - - - 2 men
5 counts - - - 15 men	11 counts - - - 1 man ²

Slightly more than one-third (139) of these men repeated only the same offense; the range for these was two to six counts with a total of 356. Just about half of the 139 felons or 68 men had perpetrated crimes against persons (172 counts). The remaining 331 men had convictions for different or multiple offenses in which first or second degree offenses were construed to be unlike. These multiple offenders amassed 917 counts, about a third of which were crimes against persons. In fact, nearly half (163) of these multiple offenders had committed at least one crime against a person.

²This repetitive offender was a Mexican who had received concurrent sentences for Extortion, Possession of a Deadly Weapon with a Prior Felony Conviction, and nine counts of Auto Theft. He was 49 years old when released after serving 16 months beyond a MEPD of eight months. He received an early discharge after 17 months of parole during which time he had been arrested, but not convicted, for extortion.

Table 5
Offenses: Kinds and Counts

One offense: One count					
Person	269	.43			
Property	241	.38			
Drugs	91	.14			
Miscellaneous	29	.05			
	630	1.00			
One offense: Two or more counts			Total counts:		
Person	68	.49	172	.48	
Property	50	.36	133	.38	
Other	21	.15	51	.14	
	139	1.00	356	1.00	
Same kind of offenses: Two or more counts			Total counts:		
Person	52	.33	161	.39	
Property	76	.48	174	.43	
Other	30	.19	72	.18	
	158	1.00	407	1.00	
Mixed offenses: Most serious			Total counts by type:		
Person	82	.47	151	.30	
Property	39	.23	226	.44	
Other	52	.30	133	.26	
	173	1.00	510	1.00	
ALL offenses: Only or most serious			All counts by type:		
Person	471	.43	753	.40	
Property	406	.37	774	.41	
Drug	186	.17	290	.15	
Miscellaneous	37	.03	86	.04	
	1,100	1.00	1,903	1.00	

Among the men with two or more counts, 30 percent were convicted of the same offense, while convictions for 33 percent of the 470 men were for the same category of offense, i.e., person, property, or drugs. In effect, about two out of three men stayed within a similar category of offense; one out of every four men had multiple convictions for crimes against persons.

Time Served

Data pertaining to time served in prison before release to parole usually are readily available by commitment offense; such data are presented in the table of Minimum Eligible Parole Dates and time served which is included in Appendix C. However, most statistics for time served do not differentiate between those convicted of a single offense or multiple offenses, nor do they relate it to the Minimum Eligible Parole Date (where indeterminate sentences prevail).

In this study (Table 6), the median time served for one conviction only was 35.2 months, compared to about 13 months longer for two or more counts of the same offense. However, there was little difference, only 1.6 months, in the median time beyond the MEPD.

Among the felons who had committed only one crime (630) or one kind of crime (927)--person, property, or drugs plus other--the median time served differed greatly by category of offense as would be expected: 54 months for person offenders (389); 26 months for property offenders (367); and 33 months for the last category (171). The median time for the men who committed more than one offense against persons jumped to well over five years. After reaching the MEPD, the person offenders were retained in prison about twice as long (a median of another 36 months) as were the men with other offenses.

The preceding two ways of looking at time served, one conviction vs. more than one and one type of offense vs. multiple, clearly demonstrate the advantage of showing time served beyond eligibility for parole. This very costly additional time in prison should be considered by policy-making bodies (such as the California Adult Authority) in evaluating their standards for time-setting.

Parole Outcome

Consistent with most statistical data from other sources, the property offenders demonstrated the poorest parole outcome during the two year followup period (Table 7). They had the lowest percent of favorable outcomes and highest percent of returns to prison among the three kinds of offenders. The differences were statistically significant at the .01 level. While on parole in the followup period of two years, half of the person offenders remained clean, that is, without arrests or abscondences; on the other hand, only about one of every three property offenders maintained a clean parole. These differences were statistically significant.

Table 6

Offenses: Median Time Served

Kind of Offense	Number	Median Months Served	
		To Parole	Beyond MEPD
<u>ALL OFFENSES</u>			
One offense: One count	630	35.2	22.6
One offense: 2+ counts	139	48.4	24.2
Same kind: 2+ counts	158	37.8	31.5
Mixed offenses	173	41.8	24.4
		40.7	31.3
Total	1,100	36.8	23.7
<u>SAME KIND</u>			
Person:			
One offense: One count	269	48.1	33.0
One offense: 2+ counts	68	60.5	33.5
Same kind: 2+ counts	52	83.8	50.5
		64.5	42.5
Total	389	54.2	36.4
Property:			
One offense: One count	241	24.7	18.4
One offense: 2+ counts	50	30.6	18.8
Same kind: 2+ counts	76	28.5	17.8
		30.4	18.3
Total	367	25.8	18.4
Other:			
One offense: One count	120	30.3	13.6
One offense: 2+ counts	21	44.0	16.5
Same kind: 2+ counts	30	49.5	16.5
		49.0	16.5
Total	171	33.0	14.6

Table 7

Offenses: Parole Outcome within Two Years

Kind of Offense	Number to Parole	Percent of Parole Outcome							
		Favorable			Pend- ing	Misc. Unfav.	Return to Prison		
		Clean	Other	All			All	TFT	WNC
SAME KIND									
Person:									
One offense: One count	269	50.9	19.3	70.2	1.9	13.0	14.9	7.1	7.8
One offense: 2+ counts	68	42.6	35.3	77.9	0.0	4.4	17.7	5.9	11.8
Same kind: 2+ counts	52	53.9	19.2	73.1	1.9	9.6	15.4	7.7	7.7
Total	389	49.9	22.1	72.0	1.5	11.1	15.5	6.9	8.5
Property:									
One offense: One count	241	35.7	24.1	59.8	1.7	17.8	20.7	11.2	9.5
One offense: 2+ counts	50	54.0	24.0	78.0	0.0	8.0	14.0	6.0	8.0
Same kind: 2+ counts	76	36.8	23.7	60.5	0.0	13.2	26.3	7.9	18.4
Total	367	38.4	24.0	62.4	1.1	15.5	21.0	9.8	11.2
Other:									
One offense: One count	120	39.2	38.3	77.5	0.8	11.7	10.0	5.8	4.2
One offense: 2+ counts	21	57.1	28.6	85.7	0.0	14.3	0.0	0.0	0.0
Same kind: 2+ counts	30	63.3	26.7	90.0	0.0	0.0	10.0	3.3	6.7
Total	171	45.6	35.1	80.7	0.6	9.9	8.8	4.7	4.1

There were significantly more returns to prison and fewer favorable outcomes than expected among the 367 property offenders. $p < .01$

ALL OFFENSES									
One offense: One count	630	42.8	24.8	67.6	1.6	14.6	16.2	8.4	7.8
One offense: 2+ counts	139	48.9	30.2	79.1	0.0	7.2	13.7	5.0	8.7
Same kind: 2+ counts	158	47.5	22.8	70.3	0.6	9.5	19.6	7.0	12.6
Mixed offenses	173	36.4	24.9	61.3	1.2	19.1	18.4	8.1	10.3
Total	1,100	43.3	25.2	68.5	1.2	13.6	16.7	7.7	9.0

There were significantly more favorable outcomes than expected among the 139 men convicted of two or more counts of the same offense. $p < .01$

It did not make any difference in outcome if the men had been imprisoned for only one or for two or more convictions when the kind of offense was not taken into consideration. Both groups did equally as well; about two-thirds of the men were considered to have a favorable outcome. One statistically significant difference did emerge; the men who had two or more convictions of the same offense only had a much greater percent of favorable outcomes than was expected.

Resume

Over half of the men came to prison with only one conviction, with a crime against a person being the most likely. For the remaining men, the number of counts on which they were convicted ranged up to 11, with two convictions or counts being the most prevalent. In the total number of 1,903 convictions for the 1,100 men, crimes against persons and against property were equally represented.

In looking at time served before release to parole, the men with only one conviction spent a median of 35 months in prison compared to about 42 months for the other men. The median time served by kind of offense ranged from 26 months for property crimes only to 54 months for the person offenses while the remaining group (mainly drugs) served 33 months. However, there was less than two months difference in the time served after the MEPD for the property and other offenders. Also, for the property offenders there didn't seem to be any additional time beyond the MEPD when more than one conviction was involved.

When the kind of offense was not taken into account, the number of convictions was unrelated to the parolees' outcome within two years after release. On the other hand, property offenders had fewer favorable outcomes and more returns to prison than person offenders.

III. The Sentences and Offenses

The preceding two sections described separately the sentences--simple, concurrent (CC), and/or consecutive (CS)--and the offenses--kinds and counts--for the 1,100 men in the study. Actually though, the two matters are not independent. It is the combination of them that, according to the provisions of the California Penal Code, determines the absolute minimum term that must be served, either entirely in prison or in a combination of prison and subsequent parole. It is also this combination of offenses and sentences which determines the Minimum Eligible Parole Date (MEPD).

The various combinations of offenses and sentences result in the following seven Sentence Types which will be discussed in this section.

- A. One offense, one count - simple sentence
- B. Multiple offenses - concurrent sentences
- C. Multiple offenses - consecutive sentences
- D. Multiple offenses - CC and CS
- E. One offense, multiple counts - CC
- F. One offense, multiple counts - CS
- G. One offense, multiple counts - CC and CS

The "one offense, one count--simple sentence", Type A, applicable to 630 men (57%) was described in some detail previously in the sections of the report dealing with Sentences and with Offenses. About 43 percent of these men were imprisoned for an offense against a person. The majority of the group (80%) had a straight simple sentence, that is, they had not been proved guilty of a prior felony nor the possession of a deadly weapon. Their median time served of 35 months was almost 23 months beyond the MEPD. About two out of three men maintained a favorable outcome while on parole in the two year followup period. These data are repeated in Table 8, along with additional information. The ethnic composition of this sentence type was very similar to that of the entire sample, as was the distribution within the categories of Prior Commitment Record. These similarities could be expected because Type A accounts for over half of the 1,100 men. The post-prison statistics also were quite like those for the entire sample in terms of parole outcome, parolee-at-large (PAL), known drug use, and discharge from parole.

Over 40 percent of the sample had been imprisoned for two or more convictions. The largest group, 219 felons in Type B, were serving concurrent sentences for different offenses and had the lowest proportion of offenses against persons. This type and the other type with concurrent sentences only (E) had the highest proportion of Whites (63%). However, no relationship should be ascribed to the concurrency of sentences and ethnicity, especially as both groups also had the lowest proportion of crimes against persons and the most property offenses.

The summary table (Table 8) has additional interesting information. The proportions of Blacks and Mexicans were fairly constant in all sentence types except C, consecutive sentences for different offenses. In that type, more than one of every three men was Black while the Mexican ratio dropped to one out of 20 men. Type C also had an unusually high percent of men with three or more non-prison commitments; again, no relationship should be ascribed between prior commitments and racial origin. D and G, the sentence types with a combination of concurrent and consecutive sentences, were very unlike as to offense types. The men in G category who had repeated the same criminal behavior had a much greater proportion of crimes against persons, almost three out of four offenses. In fact, of the seven sentence types, Type G had by far the highest proportion of person offenses. The type G offenders had a mean of 2.7 offenses per man; yet they did not rank the highest in average time served, either to release or after eligibility for parole. (See Table 9 for Time Served and Parole Outcome)

Time Served

There was no consistent way to rank order the seven sentence types according to median time served other than to say there was an increase in the time in prison before release from simple to concurrent to consecutive sentences. However, when only time served after MEPD was considered this progression was less pronounced, except that the men (Type C) serving consecutive sentences for multiple offenses had a strikingly high median. There seemingly was no relation of time served after

Table 8

Sentences and Offenses: Summary Data

Sentence Type		Number	Proportion
A.	One offense - one count - simple	630	.57
B.	Multiple offenses - concurrent (CC)	219	.20
C.	Multiple offenses - consecutive (CS)	56	.05
D.	Multiple offenses - CC & CS	56	.05
E.	One offense - multiple counts - CC	84	.08
F.	One offense - multiple counts - CS	34	.03
G.	One offense - multiple counts - CC & CS	21	.02
		1,100	1.00

Sentence Type	Mean BE 61A	Ethnic Origin				Prior Commitment Record					Average Age in 1970
		White	Black	Mex-ican	Other	None	Jail or Juv. 1 or 2	Prison Three+	One	Two+	
A	43.4	.56	.27	.16	.01	.12	.24	.31	.15	.18	34.0
B	41.5	.63	.25	.11	.01	.12	.29	.31	.18	.10	32.1
C	39.8	.57	.38	.05	.00	.16	.25	.36	.14	.09	34.9
D	43.1	.61	.23	.14	.02	.18	.34	.25	.11	.12	34.6
E	43.8	.63	.24	.11	.02	.20	.23	.30	.06	.21	36.4
F	45.9	.56	.29	.12	.03	.12	.41	.06	.12	.29	36.5
G	41.4	.62	.24	.14	.00	.14	.38	.19	.24	.04	35.1
	42.9	.58	.27	.14	.01	.13	.26	.30	.15	.16	34.0

Sentence Type	Most Serious Offense			All Offenses			
	Person	Property	Other	Counts	Person	Property	Other
A	.43	.38	.19	630	.43	.38	.19
B	.34	.39	.27	569	.28	.48	.24
C	.58	.21	.21	138	.50	.25	.25
D	.50	.32	.18	210	.44	.41	.15
E	.37	.43	.20	209	.34	.46	.20
F	.65	.26	.09	68	.65	.26	.09
G	.71	.24	.05	79	.71	.25	.04
	.43	.37	.20	1,903	.40	.41	.19

Sentence Type	Proportion with Aggravated Sentence							
	a 0	1	2	3	4	5	6	7
A	.80	.12	.05	.03	-	-	-	-
B	.68	.16	.08	.08	-	-	-	-
C	-	-	-	-	.25	.07	.05	.63
D	-	-	-	-	.32	.11	.09	.48
E	.74	.13	.12	.01	-	-	-	-
F	-	-	-	-	.23	.21	.03	.53
G	-	-	-	-	.24	.09	.00	.04
	.65	.11	.05	.04	.04	.02	.01	.08

- ^aExplanation of codes:
- | | | |
|-------------------|--------------------------------|---------------------------------|
| 0. Not aggravated | 3. Prior felony & weapon | 6. Consecutive & prior & weapon |
| 1. Prior felony | 4. Consecutive & prior felony | |
| 2. Deadly weapon | 5. Consecutive & deadly weapon | 7. Consecutive only |

Table 9

Sentences and Offenses
Median Time Served and Parole Outcome in Two Years

Sentence Type	Number	Median Months Served	
		To Release	After MEPD
A. One offense - one count	630	35.3	22.6
B. Multiple offenses - CC	219	36.3	24.1
C. Multiple offenses - CS	56	66.5	39.0
D. Multiple offenses - CC & CS	56	62.0	24.5
E. One offense - multiple counts - CC	84	36.5	23.5
F. One offense - multiple counts - CS	34	56.5	24.5
G. One offense - multiple counts - CC & CS	21	61.0	22.0
	1,100	36.7	23.7

Sentence Type	Percent of Parole Outcome within Two Years							
	Favorable			Pend- ing	Misc. Unfav.	Return to Prison		
	Clean	Other	All			All	TFT	WNC
A	42.8	24.8	67.6	1.6	14.6	16.2	8.4	7.8
B	40.6	23.3	63.9	0.9	15.5	19.7	7.8	11.9
C	42.9	23.1	66.0	0.0	12.5	21.5	12.5	9.0
D	44.6	26.8	71.4	1.8	12.5	14.3	1.8	12.5
E	51.2	28.6	79.8	0.0	9.5	10.7	4.8	5.9
F	44.2	41.2	85.4	0.0	2.9	11.7	2.9	8.8
G	47.7	19.0	66.7	0.0	4.8	28.5	9.5	19.0
Total	43.3	25.2	68.5	1.2	13.6	16.7	7.7	9.0

The differences among types in All Favorable were not statistically significant.

The differences among types in All Returns to Prison were statistically significant at .05 level.

Sentence Type	PAL at Sometime		Known Drug Use			Discharged	
	No	PAL	None	Opiate	Marijuana & D. Drug	Early	Expiration
A	.85	.15	.87	.09	.04	39%	3%
B	.84	.16	.86	.08	.06	34%	1%
C	.89	.11	.89	.09	.02	35%	0
D	.79	.21	.90	.05	.05	23%	2%
E	.88	.12	.88	.07	.05	46%	1%
F	.97	.03	.85	.12	.03	38%	0
G	.81	.19	.90	.10	.00	24%	0
	.85	.15	.87	.08	.05	37%	2%

MEPD to the type of sentence; for example, Type G with its extraordinary high proportion of person offenses had a median of only 22 months beyond the MEPD compared with the 39 months for the Type C men, only half of whose offenses were against persons.

Parole Outcome

There was quite a wide range in the percents of favorable outcome, from 64 percent for Type B (multiple offenses - concurrent sentences) to over 85 percent for Type F (consecutive sentences for multiple counts of the same offense); however, the differences only approached statistical significance. The men with either concurrent or consecutive sentences for multiple counts of the same offenses (E and F) had the highest percents of favorable outcome and the lowest of returns to prison. The 84 men (Type E) with concurrent sentences for the same offenses did especially well in that over half of them had no criminal difficulty whatsoever, and only six percent incurred a new prison term while on parole. Although there was only a variation of 18 points from the highest to the lowest percent of all returns to prison, the differences among the sentence types were statistically significant. The greatest determiners of the significant differences were the fewer than expected returns among Type E, followed by the more frequent than expected returns among the men with a single conviction. As pointed out in Section I, about 68 percent of the parolees with a single sentence demonstrated a favorable parole outcome compared to almost 70 percent of the other men. Moreover, the former also had fewer men who remained free of known criminal involvement.

Within the two year followup period, the highest rate of absconding from supervision (PAL) occurred among the men serving a combination of concurrent and consecutive terms, about 20 percent. There was not a great deal of variation in the incidence of known drug use, from 10-15 percent; opiates were more prevalent than marijuana or the dangerous drugs. Fewer men were discharged from parole among the men with mixed sentences, less than one out of four. Type E parolees had the highest percent of early discharges, 46 percent, which is directly related to their high achievement of clean outcome.

Resume

Over half of the 1,100 men were imprisoned for a simple sentence, consisting of one conviction only. Their racial composition and record of prior commitments, as well as their commitment offenses, were little different from the proportions characteristic of the whole sample. Such similarities would be expected from their contribution to the whole by their very number of men (630). Their median of 35 months in prison prior to release was much less than for the men with consecutive sentences, but their median time after eligibility for parole was only a month or so different from the median times of five of the six concurrent and/or consecutive sentence types. Also, their percent of favorable outcome in the two year followup period was slightly less than that achieved by the multiple offenders.

Among the 470 men with multiple convictions, the white men were likely to have concurrent sentences, but the latter also could be due to the high proportion of property offenders who tend to receive concurrent terms. When an offense against a person was among the multiple convictions incurred, consecutive sentences were likely to have been imposed, particularly when there were convictions for more than one count of the same crime. However, median time in prison after reaching the Minimum Eligible Parole Date was about two years, except for the men with consecutive sentences for different offenses, only half of which were crimes against persons. Men with two or more counts of one offense seemed to be the most likely to achieve a favorable parole outcome within the two year followup period. In fact, during parole the men with concurrent sentences for the same Penal Code convictions were the least likely to become involved in any criminal activity, and subsequently the most likely to be discharged from parole. They also had the lowest percent of returns to prison with new felony convictions.

IV. The 1202b P.C. Men

Section 1202b of the Penal Code pertains to the young felon who at the time of his offense(s) which culminated in this sentence to prison was less than 23 years of age. Under this section, the sentencing judge, at his discretion, may stipulate the minimum sentence to be six months no matter how great a minimum the Penal Code otherwise states for the offense(s). Among the 1,100 men in this study, only 22 men were sentenced under the 1202b P.C. provision and became eligible for parole after six months in prison.

Table 10 is a summary of information about these 22 young men at three points in their careers, characteristics known at admission, months served prior to release, and parole outcome after release. Actual figures rather than percents are presented in the table because of the small number of cases involved.

This group was predominantly White. Most had used a narcotic or controlled drug to some extent, with marijuana being the most prevalent. Only one of the men had served a prior prison term, while this was the first incarceration for seven. Fifteen of the sentences were non-aggravated as opposed to one sentence with a prior felony pled and proved, while six had had a deadly weapon pled and proved at the trial.

The majority (14) were imprisoned for one count of one offense (Sentence Type A). Three men had been convicted on two counts (concurrent) of the same offense (E), while the remaining five had been committed with concurrent sentences for multiple offenses (B). All but one of the multiple offenders had one count of only two types of offense, the second of which involved marijuana or dangerous drugs. The remaining youth had been convicted of auto theft, possession of marijuana, and five counts of robbery in the first degree. The most serious commitment offense for the 22 inmates was either a crime against a person (11), or a drug offense (10); there was only one property type, burglary in the first degree. A total of 35 counts were incurred, 17 involving drugs, 16 against persons, and only two property offenses (burglary and auto).

Table 10

Selected Characteristics of the 22 Parolees
Who Had Been Sentenced Under 1202b P.C.¹

Summary Data

Distribution of Characteristics AT ADMISSION

Ethnic origin:	Most serious offense:	Sentence type:
White - - - 15	Robbery 1st - - - 8	A. Simple -
Black - - - 5	Robbery 2nd - - - 1	1 offense-1 count - 14
Mexican - 2	L & L conduct - - 1	Concurrent -
	Kidnapping - - - 1	B. Multiple offenses - 5
Narcotic use:	Burglary 1st - - 1	G. 1 offense-2 counts - 3
None - - - 5	Sell marijuana - 7	
Marijuana - 12	Sell D. Drugs - - 1	Aggravated sentence:
D. Drugs - 1	Possess w/PNC - - 1	None - - - - - 15
Opiates - - 4	Possess opiates - 1	Prior felony - - - - 1
		Deadly weapon - - - - 6
Prior commitments:	All convictions (35 counts):	BE 61A Score:
None - - - - 7	Person - - - - 16	Range: 22-72
1-2 jail/juv. - 10	Property - - - - 2	Average: 47.1
3+ jail/juv. - 4	Drugs - - - - 17	
1 prison - - - 1	Other - - - - 0	

MONTHS SERVED prior TO RELEASE

A. Simple sentence (14 men)	Total:
Range: 10-48; Median: 30.3 months	
B. Multiple offenses - CC sentences (5 men)	Range: 10-90 months
Range: 12-42; Median: 35.0 months	
E. One offense - multiple counts - CC sentences (3 men)	Median: 30.5 months
Months: 30,36, 90	

AGE in 1970 AT RELEASE

Range: 21-29	Average: 24.7 years
--------------	---------------------

ONE-TWO YEAR parole followup AFTER RELEASE

Disposition	ONE	TWO	Parolee-at-large (PAL) within two years: 3 men
Clean - - - - -	17	13	
Other favorable - - - - -	2	6	
Total favorable - - - - -	19	19	
Pending - - - - -	1	0	Known drug use within two years:
Misc. unfavorable - - - - -	1	1	None - - - - - 20
Calif. prison - TFT - - - - -	0	1	D. Drugs - - - - 1
Out-of-state prison - WNC - - - - -	1	1	Opiates - - - - 1

Discharged from parole within two years, prior to expiration of term: 13 men

¹Section 1202b of the Penal Code permits the judge to stipulate a minimum term of six months for any offense instead of the greater minimums otherwise provided. This section is applicable to felons under 23 years of age at the offense resulting in commitment to prison (see Appendix A).

Their average BE 61A score of 47.1, higher than the average for the entire sample, suggested a high probability of favorable outcome on parole for this group.

Time Served

It appears that the Adult Authority did take into account the 1202b provision in fixing terms and granting parole dates. This fact held true whether the months served over the Minimum Eligible Parole Date were computed from the six months minimum for the 1202b or from what otherwise would have been the MEPD, given the offense(s).

Sentence Type A: (One offense, one count) - 14 men

Total Sample (630 men): served a median of 35.3 months; median time over MEPD was 22.6 months.

1202b Sample: served a median of 30.3 months; median time over the six months minimum was 24.1 months, but .4 month less than the MEPD otherwise.

Sentence Type B: (Multiple offenses) - five men

Total Sample (219 men): served a median of 36.3 months; median time over MEPD was 24.1 months.

1202b Sample: served a median of 35 months; median time over the six months minimum was 29 months, but only 4.3 months over the MEPD otherwise.

Sentence Type E: (One offense, two counts) - three men

Total Sample (84 men): served a median of 36.5 months; median time over MEPD was 23.5 months.

1202b Sample: Months served compared to the other than 1202b minimum cases (in parentheses) were 90 (20), 36 (36), 30 (36).

Overall, the median time served by the 22 men was 30.5 months, considerably less than the 36.7 months for the total sample. The median time beyond the six months MEPD was almost one month longer than the 23.7 figure for the entire sample; but if these men had had the usual statutory minimum sentences for the offenses for which they were convicted and sentenced, their median time beyond those dates was only 5.8 months.

Upon Release

The essential element for a 1202b stipulation is a maximum age of 22. Thus, a youthful age plus a shorter time in prison resulted in releases much younger than the mean age of the 1,100 men, less than 25 years old compared to about 34 when paroled in 1970.

Being under 30 upon release to parole frequently has been associated with unfavorable outcome. However, the 22 men did extremely well in all the aspects of parole analyzed. Both at one and at two years after release, 19 of the 22 men demonstrated a favorable outcome. In fact, because of good adjustment, 13 had been granted an early discharge prior to expiration of their sentence. Only one man received a new felony commitment to prison, and he was the deviate aforementioned with the seven convictions, five of which had been for robbery first. This man absconded from supervision and within one year after release to parole was incarcerated in a federal penitentiary for another robbery in the first degree.

Compared to the level of narcotic use before incarceration (17 men), known drug use during parole was almost negligible, only by two men. Furthermore, only three parolees, about one in seven, absconded compared to about one in five for most releases.

Resume

The felon sentenced to prison under Section 1202b was usually a white man who had used marijuana and probably had served some time in a juvenile or a local facility. His most serious commitment offense was robbery in the first degree or drug-related offense, often marijuana. He was likely to have been convicted on only one count of one offense. However, if there had been more than one conviction, a marijuana offense also was involved; the multiple sentences were served concurrently. After serving about 33 months in prison, the 25 year-old parolee was little involved in known criminal behavior within two years after release and had more than a fifty-fifty chance of being discharged prior to the expiration of the sentence.

V. The Paroles at MEPD

Only 24 inmates, or about two percent of the sample, were released on their Minimum Eligible Parole Date (MEPD) or within fifteen days thereafter.

Table 11 is a summation of various information about these men, at their admission, release in 1970, and within the subsequent two years. Because there were only 24 parolees, percents are not shown.

The majority of this small group was of the white race. Half of the group had used either marijuana or opiates. Ten men had been committed to a juvenile facility or to jail at least three times; only one had served a prior prison sentence. Twelve inmates had aggravated sentences, in that a prior felony had been pled and proved and/or the judge had pronounced the sentences to be served consecutively when more than one conviction was entailed.

The twelve parolees imprisoned with a simple sentence (one count of one offense) included two of the seven men with a proved prior felony. Ten men were serving consecutive sentences, eight of whom also had one or more additional concurrent terms.

Table 11

Selected Characteristics of the 24 Parolees
Who Were Paroled at Minimum Eligible Parole Date

Summary Data

Distribution of Characteristics AT ADMISSION		
Ethnic origin:	Most serious offense:	Sentence type:
White - - - 17	Indecent exposure - 1	A. Simple - - - - - 12
Mexican - - 4	Burglary - - - - - 5	Concurrent
Black - - - 3	Rec. stolen prop. - 1	B. Multiple offenses - 1
Other - - - 1	Forgery & checks - 4	E. One offense - - - - 1
	Sell opiates - - - 3	Consecutive
Narcotic use:	Marijuana - - - - - 6	C. Multiple offenses - 2
None - - - 11	D. Drugs - - - - - 1	CC and CS
D. Drugs - 1	Escape - - - - - 1	D. Multiple offenses - 7
Marijuana - 7	Conspiracy - - - - 2	G. One offense - - - - 1
Opiates - - 5		
Prior commitments:	All convictions (48 count):	Aggravated sentence:
None - - - - - 7	Person - - - - - 2	None - - - - - - - 12
1 or 2 jail/juv. - 6	Property - - - - - 25	Prior felony - - - - - 2
3+ jail/juv. - - - 10	Drugs - - - - - 15	Pr. felony and CS - - 5
1 prison - - - - - 1	Other - - - - - 6	Consecutive only - - - 5

BE 61A Score - Range: 17-72; Average: 50.0

MONTHS SERVED prior TO RELEASE

A. Simple sentence (12 men)	Months: 7@06; 12; 24; 3@36	Total Median = 24.4 months
B. Multiple offenses - CC (1 man)	Months: 06	
C. Multiple offenses - CS (2 men)	Months: 2@24	
D. Multiple offenses - CC & CS (7men)	Months: 5@24; 40; 84	
E. One offense - CC (1 man)	Months: 06	
G. One offense - CC & CS (1 man)	Months: 72	

AGE in 1970 AT RELEASE

Range: 20-47 Average: 31.6 years

ONE-TWO YEAR parole followup AFTER RELEASE

Disposition	ONE	TWO	Parolee-at-large (PAL) within two years: 2 men
Clean	18	13	
Other favorable	4	8	
Total favorable	22	21	
Pending	2	0	Known drug use within two years:
Misc. unfavorable	0	2	None - - - - -20
TFT - prison	0	0	D. Drugs - - - 1
WNC - Calif. prison	0	1	Opiates - - - 3
Discharged from parole:			
Within 1 year: 2 early + 1 at expiration			
Within 2 years: 13 early + 1 at expiration			

Property crimes (10) and drug offenses (10) were predominantly the most serious commitment offenses. The twelve men with two or more convictions amassed 36 counts. As might be expected on the basis of a release upon eligibility, no violence was involved in any of the total of 48 counts. The two personal crimes were relatively innocuous, indecent exposure and child stealing. Property offenses (25) accounted for over half the total convictions with drug-related crimes (15) the second most prevalent.

From their mean BE 61A score of 50.0 points, unusually high, it was anticipated that most of these parolees would conform to their conditions of parole.

Six of the seven possible types of sentence were represented. Of the twelve inmates with one conviction each, seven served six months while three had a 36 months minimum (sales of marijuana). The two men having concurrent sentences were paroled at six months, while 24 months was the minimum for consecutive or concurrent and consecutive sentences. Two of the latter type offenders served a long time to release: 72 months for sales of opiates and 84 months for marijuana sales with prior narcotic felony conviction. Overall, the median time served was 24.4 months. Their ages at release ranged from 20-44; the mean was 31.6, somewhat less than that of the total sample (34.0).

In a general release population, the property offenders, particularly burglars, auto thieves, and check writers usually are the most likely to recidivate. In the prediction of parole outcome for the group under discussion, the very high mean BE, which anticipated favorable outcome was somewhat negated by the many property offenders. However, 21 of the 24 men had favorable outcomes within the two year followup period; in fact, 13 of them had no known criminal involvement. An early discharge was granted to 13 men, and one man's term expired. No one was returned to prison to finish term (TFT), but one man who was serving consecutive sentences for burglary was sentenced to prison for robbery in the first degree. There was only one new commitment to prison among the 24 men, about four percent, compared to nine percent among the total sample. The three parolees known to have used opiates were among the five with a prior history of opiate use. Only two men absconded from parole supervision.

Resume

The majority of the felons to whom the Adult Authority granted parole as soon as they were eligible were of the white race. Most had spent some time in a jail or juvenile facility and had used drugs, perhaps even an opiate. More than one conviction led to this incarceration for half of these 24 men. Most of the multiple offenders had been sentenced to consecutive terms. The most common offense was a property crime, but there were several convictions for drugs. The usual minimum sentence was six months for the men with one conviction, and 24 months for those with consecutive sentences. Exactly half of the group were over 30 years of age when released to parole in 1970. As a whole, this group did exceptionally well on parole, with most of them achieving a favorable outcome within the two years of followup; in fact, more than half were granted an early discharge from parole.

VI. Men With Very Long Periods of Incarceration

Almost four percent of the sample, or 42 inmates, were kept in prison at least seven years after becoming legally eligible for release to parole. Their MEPD's ranged from six months for five men to 84 months for the four inmates who had been convicted of murder in the first degree (plus one or more other felonies). The time served for these 42 men varied from 98 to 246 months, but there was no apparent relationship between time served and the MEPD (see Table 12), except that, of course, those men with a minimum of 84 months were at or near the bottom of each array. The wide disparity in months well illustrates the discretionary powers of the Adult Authority, which obviously takes into account behavior prior to and during incarceration when granting release to parole.

Table 13 contains a summary of selected data about these men. Almost two-thirds (26) of the group were of white ethnicity. Most (33) of the men had no history of any narcotic use. Half of the men had a very minimal record of prior commitments, either none (11) or not more than two jail or juvenile confinements (11); however, six had served at least two prior prison sentences (one man had 7!). More than half of the men (25) had aggravated sentences; in fact, consecutive sentences had been imposed upon 14 men, thereby mandating a minimum of 24 months in prison.

Only four of the 42 men had been convicted solely of crimes other than offenses against persons. One man had marijuana offenses and the others had convictions for second degree burglary and/or forgery. These four men will be discussed in more detail later. Only one-third (14) of the long termers were imprisoned for one count of one offense. Indeed, one man had seven counts (1 murder + 6 robberies); he served 173 months. of the total of 96 counts for the 42 inmates, 75 were for crimes against persons and usually involved violence. Their average BE 61A score of 45.9 was a little higher than that of the whole sample.

The Minimum Eligible Parole Dates ranged from six to 84 months whereas time served was 98 to 246 months. This was a median of 101.5 months beyond the median MEPD, and a total of 395 man years were served in prison by this group. The average annual cost of maintaining a man in prison was \$3,332 in 1969. When \$3,000 was used as an approximate figure, the estimate obtained of the cost of keeping these men beyond their MEPD was somewhat staggering--about one and one-fourth million dollars. Four men each served over 220 months before release from prison, for a total of almost 79 years. A very conservative estimate of their maintenance cost was about \$50,000 per man. These four men will be discussed in more detail later.

At release in 1970, only two of the 42 parolees were under 30 years of age (29), while nine men were at least 50 years old including one of 66. The mean age was a little over 42 years. Being over 30 at release generally has been associated with favorable parole outcome.

An observation commonly accepted in the correctional field is that persons with a conviction for homicide, assault, or a sex offense usually do quite well on parole. On the other hand, there has been some evidence

Table 12
The 42 Very Long Incarcerations
Time Served, Minimum Eligible Parole Date, Difference
(all in months)

Time Served			Arrayed according to:					
			Minimum Eligibility			Difference		
Months Served	Minimum	Difference	Months Served	Minimum	Difference	Months Served	Minimum	Difference
98	8	90	99	6	93	105	20	85
99	6	93	100	6	94	125	40	85
			102	6	96	100	20	86
100	6	94	119	6	113	111	24	87
102	6	96	123	6	117	112	24	88
105	20	85				173	84	89
106	20	86	98	8	90			
						98	8	90
110	12	98	110	12	98	111	20	91
111	20	91	113	12	101	99	6	93
111	24	87	119	12	107	113	20	93
112	24	88	174	12	162	100	6	94
113	12	107	196	12	184	114	20	94
113	20	93				118	24	94
114	20	94	105	20	85	102	6	96
116	20	96	106	20	86	116	20	96
118	24	94	111	20	91	120	24	96
119	6	113	113	20	93	110	12	98
119	12	107	114	20	94	128	30	98
119	20	101	116	20	96	119	20	99
			119	20	99	123	24	99
120	24	96	121	20	101			
121	20	101	124	20	104	113	12	101
123	6	117	124	20	104	121	20	101
123	24	99	127	20	107	139	36	103
124	20	104	132	20	112	124	20	104
124	20	104	152	20	132	124	20	104
125	40	85	169	20	149	119	12	107
127	20	107				127	20	107
128	30	98	111	24	87			
			112	24	88	132	20	112
132	20	112	118	24	94	119	6	113
138	24	114	120	24	96	138	24	114
139	36	103	123	24	99	123	6	117
152	20	132	138	24	114			
			170	24	146	164	40	124
164	40	124				167	40	127
167	40	127	128	30	98	152	20	132
169	20	149						
			139	36	103	228	84	144
170	24	146				170	24	146
173	84	89	125	40	85	169	20	149
174	12	162	164	40	124			
196	12	184	167	40	127	237	84	153
			233	40	193	174	12	162
						246	84	162
228	84	144						
233	40	193	173	84	89			
237	84	153	228	84	144	196	12	184
246	84	162	237	84	153	233	40	193
			246	84	162			

Table 13

Selected Characteristics of the 42 Parolees
Who Served Seven or More Years after their MEPD

Summary Data

Distribution of Characteristics AT ADMISSION

Ethnic origin:	Most serious offense:	Sentence type:
White - - - - 26	Murder 1st - - - - 4	A. Simple - - - - - 14
Black - - - - 11	Murder 2nd - - - - 7	Concurrent
Mexican - - - 5	Robbery 1st - - - 12	B. Multiple offenses - - 6
	Robbery 2nd+ Att. - 3	E. One offense - - - - - 5
Narcotic use:	Assault - - - - - 1	Consecutive
None - - - - 33	Burglary 2nd - - - 2	C. Multiple offense - - 10
Marijuana - - 2	Forgery - - - - - 1	CC & CS
Opiates - - - 7	L & L conduct - - 5	D. Multiple offenses - - 6
	Other sex - - - - 4	G. One offense - - - - - 1
Prior Commitments:	Opiates - - - - - 2	
None - - - - - 11	Sell marijuana - - 1	Aggravated sentence:
1 or 2 jail/juv. - 11		None - - - - - - - 17
3+ jail/juv. - - 6	All convictions (96 counts):	Prior felony - - - - - 4
1 prison - - - - 8	Person - - - - - 75	Deadly Weapon - - - - - 2
2+ prisons - - - 6	Property - - - - - 14	Prior & D. Weapon - - - 3
	Drugs - - - - - 4	Prior & CS - - - - - 4
Age: 21-56	Other - - - - - 3	D. Weapon & CS - - - - 2
Average: 31.2 years		Prior, DW, & CS - - - - 2
		Consecutive only - - - - 8

BE 61A Score - Range: 25-70; Average: 45.9

Months Served prior TO RELEASE

Range: 98-246 Median: 123.5 months
MEPD - Range: 06-84 Median: 20.7 months
Median months over the MEPD = 101.5 months

Age in 1970 AT RELEASE

Range: 29-66 Average: 42.2 years

ONE-TWO YEAR Parole Followup AFTER RELEASE

Disposition	ONE	TWO	
Clean	21	18	Parolee-at-large (PAL) within
Other favorable	12	10	two years: 6 men
Total favorable	33	28	
Pending	2	1	
Misc. Unfavorable	5	7	Known drug use within two years:
TFT - prison	0	3	None - - - - - 36
WNC - any prison	2	3	D. Drugs - - - - - 3
			Opiates - - - - - 3

Discharged from parole:
Within 1 year: none
Within 2 years: 11 early + 1 at expiration

that long incarcerations tend to have an adverse effect. However, of the 20 men in these categories (eleven for homicide, one for assault, and nine for sex offenses) 13 parolees maintained a clean record during the two year followup period. Only two sex offenders were returned to prison; these were returned to prison to finish term.

Overall, the 42 men did as well on parole as did the entire sample of 1,100 men; 67 percent of this group had a favorable outcome, compared to 68 percent of the total sample. Returned to prison were six men (14%) compared to 17 percent of the entire sample. Five men were known to have used some form of narcotics; another five men absconded from parole supervision. One other man became a parolee-at-large after reverting to opiate use.

Resume

Forty-two men were imprisoned more than seven years after becoming eligible for parole. Over half were White, two-thirds had no prior prison experience, and more than three-fourths had no history of opiate or marijuana use. All but four men had been convicted of at least one crime against a person; in fact, most men had two or more convictions. The two year parole outcome for these long termers was very similar to that for the entire sample of 1,100 men; about two-thirds were deemed to have favorable outcome.

The Non-person Offenders

Only four of the 42 long-termers were serving terms for crimes not associated with a person. Who were they? Why were they confined so long?

1. The first case, a white man, was convicted on three counts of forgery at the age of 21; his sentences of six months to 14 years were to be served concurrently. After a long juvenile record, he stole some payroll checks, three of which he forged and cashed. Although eligible for parole at six months, he was imprisoned 119 months before release. During these ten years, he did nothing to advance himself, i.e., dropped vocational training, had an unstable work record, and incurred 17 disciplinary writeups (mostly related to work). He was described as difficult to get along with and remained dependent and immature. When finally paroled at the age of 31, he was returned to prison within two years after serving six months in jail for grand theft.
2. The second case, a Mexican, was 22 years old when he pled guilty to one count of burglary in the second degree after burglarizing three schools. His juvenile record included failures on Youth Authority parole as well as a jail sentence. Although eligible for parole at six months (sentence of six months to 15 years), he remained in prison for 100 months. Although his work in prison was generally satisfactory, he attempted very little academic and no vocational training. He amassed almost 70 disciplinaries and was aggressive, assaultive, and unpredictable. As a 30 year old parolee,

he made an acceptable parole adjustment, although he was fined for receiving stolen property.

3. The third case, a white user of opiates, had been convicted at the age of 29 for possession of marijuana and had been placed on probation. Probation was revoked upon his conviction shortly thereafter for another marijuana offense; he was sentenced to prison on both counts, with terms to run concurrently. Prior to this incarceration, he had accumulated a long series of law infractions, including many jail sentences. He served 93 months beyond his minimum term of six months. Although no training was undertaken, his work remained average to above. His 28 disciplinary writeups involved no violence, but he was somewhat of a problem with his religious fanaticism (relating to peyote). When paroled at the age of 37, he stayed clear of any criminal activity.
4. The last case, a Black man 37 years of age when he began his imprisonment, had compiled an extensive record which included ten prior felonies and two earlier prison sentences for burglary and forgery. His present imprisonment was the result of one count of second degree burglary and one count of forgery. In actuality, he was the head of a check passing gang which often used violence to retain members; it was estimated the business losses resulting from the forgeries of this gang to be in excess of \$200,000. His present two terms were to run consecutively, which mandated at least 24 months in prison. Before parole, he served ten years during which time he was no problem and earned work grades of average to exceptional. Upon release, the 47 year old felon made an acceptable adjustment in the community and remained free of any known criminal involvement.

The Nineteen-year Men

There were four men who served 19 or more years in prison before release to parole. As mentioned before, they probably cost about \$200,000 to maintain in the Department of Corrections, in addition to whatever community costs were involved. These men had several things in common:

- no history of narcotic use
- no prior jail or prison sentences
- convicted of two or more offenses involving violence or violence potential
- armed with gun during crimes
- one or more consecutive terms
- received at least one life sentence
- overall acceptable adjustment in prison -
 - excellent work record
 - no management problems
 - some disciplinaries for minor infractions during early incarceration
- AND abided by all conditions of parole during the two year followup period.

Who were these men? What did they do to warrant such long incarcerations?

1. The first man was 42 years old when released to parole after serving 228 months. This white man had been convicted of murder in the first degree and two counts of burglary in the first degree, and thus had to serve 84 months before his MEPD. He had a history of burglaries to support a gambling habit. In fact, the conviction for murder was received for killing a police officer during a burglary.
2. The second man, also White, was a heavy drinker but with few prior arrests. Although his MEPD was only 40 months, he served 233 months prior to being paroled at the age of 50. He had been convicted on two counts of robbery in the first degree, plus assault with intent to murder. These convictions resulted from the robbery of a liquor store by him and his brother, later followed by a robbery of a drug-store during which he shot a police officer (resulting in paralysis) and exchanged shots with another officer.
3. The third case, a Black man, was 23 years old at the time of his convictions for murder in the first degree and five counts of robbery in the first degree. He served almost 20 years (237 months) which was about 13 years longer than the MEPD of 84 months. He was one of a trio of armed robbers who would beat their victims to unconsciousness; during one robbery, a crime partner (later executed) shot and killed a victim.
4. The last case, a white man paroled at the age of 43, had been incarcerated more than 20 years (246 months). His MEPD of 84 months resulted from convictions on two counts of murder in the first degree, three counts of robbery in the first degree, plus attempted robbery. He and a crime partner committed a series of robberies, during one of which he shot and killed the unresisting store owner and wife. He also confessed to more than 30 burglaries perpetrated with various crime partners.

SUMMARY AND CONCLUSIONS

The sentences and offenses of 1,100 male felons first released to California parole during 1970 were studied, with emphasis on the number of convictions, i.e., one or more than one, and on the type of sentence for multiple convictions, concurrent and/or consecutive terms. The resulting seven combinations or types of sentence and offense were analyzed with respect to time served in prison and the ensuing parole outcome within two years after release.

These seven types were a simple sentence of one conviction; multiple offenses with concurrent (CC) sentences, with consecutive (CS) sentences, or with both CC and CS sentences; multiple counts of one offense with CC sentences, with CS sentences, or with both CC and CS sentences.

In addition, but using this same general framework, three types of parolees were looked at--the men sentenced under the 1202b provision of the Penal Code (possible six months minimum for youthful offenders), the men released at their minimum eligibility for parole, and the men who served very long incarcerations.

Highlights

One conviction:

- Over half (57%) of the men were imprisoned for only one conviction with a crime against a person being the most likely.
- These cases served a median of 35 months in prison.
- These men had the lowest percent of favorable outcomes on parole, but also the lowest percent of returns to prison.

Multiple convictions:

- The number of counts ranged from two to eleven, with two convictions being the most common.
- For the property offenders there seemed to be no additional time served beyond the Minimum Eligible Parole Date (MEPD) when more than one conviction was involved.
- The number of convictions made no difference to the parolee's outcome within two years after release; and, in fact, it was slightly better for these men with multiple convictions than for those with only one.
- Property offenders had fewer favorable outcomes and more returns to prison than person offenders.

Concurrent sentences:

- Three-fourths of the men with multiple convictions had been sentenced to serve their terms concurrently.
- Median time in prison after reaching the MEPD was about two years.
- Men who had committed only one kind of crime were the least likely to become involved in any criminal activity on parole and the most likely to receive an early discharge from parole.

Consecutive sentences:

- When an offense against a person was included in the multiple convictions, consecutive sentences were likely to have been imposed.
- There was an increase in median time served in prison from simple to concurrent to consecutive sentences, but this progression was less pronounced when only time served after MEPD was considered.
- Parolees under consecutive sentences had the highest percent of favorable parole outcomes.

The 1202b P.C. men:

- Only 22 men had been sentenced under this provision for youthful offenders, making them eligible for parole after six months.
- Their median time of 30.5 months in prison was considerably less than that for the entire sample.
- Nineteen maintained a favorable outcome after release; 13 of them received an early discharge.

The paroles at MEPD:

- Half of these 24 men had only one conviction.
- Ten men were serving consecutive sentences.
- No violence was involved in any of the convictions.
- Most of these men had favorable parole outcomes; in fact, 13 had no known criminal activity.
- More than half received an early discharge.

The men with very long periods of incarceration:

- Forty-two men were kept in prison more than seven years after their MEPD.
- All but four men had been convicted of at least one crime against a person.
- Time served ranged from 98 to 246 months, with a median of 101.5 months beyond the MEPD.
- The two year parole outcome was very similar to that for the entire sample; about two-thirds were deemed to have favorable outcome.

SOME RECOMMENDATIONS

In the late 1960's, approximately 1,500 male felons 23 years of age or younger were admitted each year to California prisons. Undoubtedly, the 1202b P.C. provision permitting a six months minimum sentence could have been stipulated for many of them. Therefore, it is suggested that a special study be made of felons received with a 1202b provision. Should the very favorable findings in this study be replicated, feedback to sentencing judges might result in greater use of the 1202b P.C. The time saved in prison and consequent monetary savings could prove to be substantial.

Only 24 of the 1,100 men in this study were paroled as soon as eligible which means that 98 percent of them served more time, resulting in additional costs. It is suggested that a more intensive study be made of men released at their MEPD in 1969 and in 1971. If they do equally as well on parole as the group in this study, perhaps the findings might receive strong consideration by the Adult Authority in the granting of early parole dates. After all, the findings in the experimental study of advancing parole dates (Berecochea, Jaman, and Jones, 1973) did demonstrate that a shorter period of incarceration had no adverse effects on parole.

It costs a vast amount of money to keep men in prison for many, many years. A special study could be made to determine the feasibility of an earlier release from prison. Perhaps consideration might be given to the idea of some form of mandatory monetary restitution to victims or volunteer work in connection with shorter sentences which might allay public indignation over the crime.

Appendix A

SELECTED SECTIONS OF THE CALIFORNIA PENAL CODE¹ PERTAINING TO SENTENCING

669. (Sentence upon conviction of two or more crimes)
When any person is convicted of two or more crimes, whether in the same proceeding or court or in different proceedings or courts, and whether by judgements rendered by the same judge or different judges, the second or other subsequent judgement shall direct whether the terms of imprisonment or any of them to which he is sentenced shall run concurrently or whether the imprisonment to which he is or has been sentenced upon the second or other subsequent conviction shall commence at the termination of the first term of imprisonment to which he has been sentenced, or at the termination of the second or subsequent term of imprisonment to which he has been sentenced, as the case may be; provided, however, if the punishment for any of said crimes is expressly prescribed to be life imprisonment, whether with or without possibility of parole, then the terms of imprisonment on the other convictions, whether prior or subsequent, shall be merged and run concurrently with such life term.
- 1202b. (Authority for court to specify minimum of six months imprisonment for felony) . . . If the defendant was, at the time of commission of the offense or offenses, or at the apprehension from which the criminal proceeding resulted, under the age of 23 years, the court may, notwithstanding any other provision of law fixing or affecting the penalty for the offense or offenses, specify that the minimum term of imprisonment for the offense or the offenses cumulatively shall be six months.
3020. (Authority of Adult Authority) . . . the Adult Authority may determine and redetermine, after the actual commencement of imprisonment what length of time, if any, such person shall be imprisoned, unless the sentence be sooner terminated by commutation or pardon by the Governor of the State.
3023. (Limitations on determinative powers) The term of imprisonment shall not exceed the maximum or be less than the minimum term of imprisonment provided by law for the public offense of which such person was convicted.

¹The reference text is Deering's Penal Code.

Appendix A (Cont.)

3024. (Minimum sentences for persons armed with deadly weapons or previously convicted). The following shall be the minimum term of sentence and imprisonment in certain cases, notwithstanding any other provisions of this code, or any provision of law specifying a lesser sentence:

Note: The excerpts below are paraphrased; also, the prior felony and/or weapon possession must have been pled (or charged) and proved.

- a. TWO years - armed with a deadly weapon at offense or arrest
- b. TWO years - previous felony conviction
- c. FOUR years - previous felony conviction AND armed with a deadly weapon at offense or arrest
- d. TEN years - convicted at one trial of more than one felony and the aggregate of the minimum terms of the cumulative or consecutive sentences exceeds ten years.

3043. (Imprisonment prerequisite to parole: Person receiving two or more consecutive sentences) No prisoner who has had imposed upon him two or more consecutive sentences may be paroled until he has served at least two calendar years of the aggregate of such consecutive sentences.

3046. (Imprisonment prerequisite to parole: Person sentenced to life term) No prisoner imprisoned under a life sentence may be paroled until he has served at least seven calendar years.

3049. (Minimum imprisonment in other cases) Any prisoner whose minimum term of imprisonment is more than one year may be paroled at any time after the expiration of one-third of the minimum term prescribed by law. In all other cases, he may be paroled at any time he has served the minimum prescribed by law. (excerpted)

Note: Provisions pertaining to persons adjudged to be Habitual Criminals have been omitted as there were none in the study sample.

Appendix B

MOST SERIOUS COMMITMENT OFFENSE CODING

When a felon has been convicted of two or more offenses, the most serious offense is determined according to the order specified below.

1. Longest maximum sentence;
2. If same maximums, use longest minimum sentence;
3. If maximums and minimums are the same, the following order is used except when combined with a narcotics offense.

a. Severity order

Murder
Manslaughter
Robbery
Attempted murder
Assault
Burglary
Theft
Fraud
Forgery and checks
Rape
Other sex offenses
Opiate offenses
Marijuana offenses
Other drug offenses
Miscellaneous offenses

b. When offenses include a narcotics offense the type underlined is used.

Murder and narcotics
Assault and narcotics
Sex and narcotics
Robbery first or second and narcotics
(If narcotic sale, then narcotics)
Burglary first and narcotics
(If narcotic sale, then narcotics)
Kidnapping and narcotics
Attempt to rob and narcotics
Burglary second and narcotics
All others and narcotics

The above directions are the established procedure used by the Administrative Information and Statistics Section of the Research Division in the California Department of Corrections.

Appendix C

OFFENSES: Penal Code Section, Statutory Sentence, and Months to Minimum Eligible Parole Date (MEPD) for a Non-aggravated Sentence
As of 1-1-1970

MALE FELON FIRST RELEASES to Parole in 1970: Number and Time Served in Prison

OFFENSE	Penal Code Section (unless stated otherwise)	Statutory Sentence, Years	Months to MEPD	MALE FELON FIRST RELEASES in 1970		
				Number	Time served in months ¹	
					Median	Middle 80% range
Total				5,007	36	18-77
Murder, 1st	190	Death or life	84 (life)	48	139	99-234
Murder, 2nd	190	5-life	20	117	72	46-113
Murder, 2nd w/use of firearm	190,12022.5	5-life & 5-life CS	40	-	-	-
Manslaughter	193	6 mo-15	6	86	47.5	32-80
Manslaughter by vehicle	193	6 mo-5	6	10	-	-
Robbery, 1st	213	5-life	20	665	51	33-94
Robbery, 1st w/use of firearm	213,12022.5	5-life & 5-life CS	40	-	-	-
Robbery, 2nd	213	1-life	12	309	40	25-66
Robbery, 2nd w/use of firearm	213,12022.5	1-life & 5-life CS	24	-	-	-
Attempted robbery	664	6 mo-20	6	56	36	24-70
Attempted robbery w/use of firearm	664,12022.5	6 mo-20 & 5-life CS	24	-	-	-
Assault w/intent to rob	220	1-20	12	5	-	-
Robbery, w/bodily harm	213	15-life	60	-	-	-
Attempted murder	664	6 mo-20	6	3	-	-
Assault w/intent to murder	217	6 mo-14	6	27	48	30-97
Asslt. w/int. to murder w/use of firearm	217,12022.5	6 mo-14 & 5-life CS	24	-	-	-
Assault with deadly weapon	245a	6 mo-life	6	210	45	24-82
Asslt. w/dw and w/use of firearm	245a,12022.5	6 mo-life & 5-life CS	24	-	-	-
Assault on Peace Officer	245b	6 mo-15	6	-	-	-
Assault on Peace Officer w/pfc	245b	5-life	20	22	32.5	24-46
Assault, battery on Peace Officer	241,243	6 mo-2, 6 mo-10	6	-	-	-
Assault with caustic chemicals	244	6 mo-14	6	-	-	-
Mayhem	204	6 mo-14	6	2	-	-
Administer poison	216	10-life	40	-	-	-
Discharge firearm at inhabited dwelling	246	6 mo-5	6	6	-	-
Assault by prisoner	4501	3-life	12	-	-	-
Assault by life prisoner	4500	Death or life	108 (life)	5	-	-
False imprisonment	236	6 mo-10	6	-	-	-
Inflict traumatic injury on wife or child	273d	6 mo-10	6	-	-	-
Cruelty toward child	273a	6 mo-10	6	11	-	-

¹ Time served was not computed for offense groups with less than 15 men.

Appendix C (Cont.)

OFFENSE	Penal Code Section (unless stated otherwise)	Statutory Sentence, Years	Months to MEPD	MALE FELON FIRST RELEASES in 1970		
				Number	Time served in months ¹	
					Median	Middle 80% range
Burglary, 1st	461	5-life	20	109	41	24-96
Burglary, 1st w/use of firearm	461,12022.5	5-life & 5-life CS ...	40	-	-	-
Burglary, 2nd	461	6 mo-15	6	792	28	17-50
Attempted burglary 1st	664	6 mo-20	6	4	-	-
Attempt. burg. 1st, w/use of firearm	664,12022.5	6 mo-20 & 5-life CS ..	24	-	-	-
Attempted burglary 2nd	664	6 mo-7½	6	23	24	18-38
Burglary with explosives	464	10-40	40	5	-	-
Burglary, 1st w/bodily harm	461	15-life	60	-	-	-
Grand theft & embezzlement	489	6 mo-10	6	190	27	15-50
Petty theft w/prior	666,667	6 mo-5	6	25	23	15-35
Grand theft auto	489	6 mo-10	6	41	24	14-37
Oper. veh. w/o owner's consent	VC 10851	6 mo-5	6	167	24	17-42
Attempted grand theft	664	6 mo-5	6	6	-	-
Fraud - false claims	72	6 mo-5	6	-	-	-
Misappropriation or neglect to pay public monies	424,425	6 mo-10, 6 mo-5	6	-	-	-
Insurance frauds	Ins. Code	6	6	-	-	-
Conspiracy to defraud	182.4	6 mo-10	6	-	-	-
Theft or fraudulent use of credit card	484e,g,h	6 mo-5, 6 mo-10	6	35	23	12-31
Forgery of credit card	484f	6 mo-14	6	-	-	-
Receiving stolen property	496	6 mo-10	6	116	24	17-41
Forgery	473	6 mo-14	6	-	-	-
Fictitious checks	476	6 mo-14	6	-	-	-
Fraud, checks no funds	476a	6 mo-14	6	-	-	-
Forg. document, seals	472	6 mo-14	6	-	-	-
Forg. fictitious names under election code	Elec. C.. 29221	6 mo-14	6	485	24	16-40
Counterfeit dies & plates	480	6 mo-14	6	-	-	-
Forg. telegraph message	474	6 mo-5	6	-	-	-
Fraud. poss. of commercial paper	475,475a	6 mo-14	6	-	-	-
Attempted forgery	476	6 mo-14	6	2	-	-
Rape, violent	261.3-264-264.1	3-life, 5-life	12,20 ...	78	55	30-96
Rape, w/use of firearm	264,12022.5	3-life & 5-life CS ...	32	-	-	-
Rape, statutory	261.1-264	6 mo-50	6	30	36	16-80
Assault to rape	220	1-20	12	9	-	-

¹ Time served was not computed for offense groups with less than 15 men.

Appendix C (Cont.)

OFFENSE	Penal Code Section (unless stated otherwise)	Statutory Sentence, Years	Months to MEPD	MALE FELON FIRST RELEASES in 1970		
				Number	Time served in months ¹	
					Median	Middle 80% range
Attempted rape	664	6 mo-25, 6 mo-20	6	4	-	-
Attempted rape w/use of firearm	664, 12022.5	6 mo-20 & 5-life CS ..	24	-	-	-
Rape w/bodily harm	264	15-life	60	-	-	-
Seduce for prostitution	266	6 mo-5	6	11	-	-
Placing wife in house of prostitution	266g	6 mo-10	6		-	-
Abduct for prostitution	267	6 mo-5	6		-	-
Pandering	266i	6 mo-10	6		-	-
Pimping	266h	6 mo-10	6		-	-
Lewd acts on child under 14	288	1-life	12	194	48	26-99
Crime against nature, sodomy	286, 286.1	1-life, 5-life	12, 20 ..	7	-	-
Sex perversion	288a	6 mo-15	6	48	50	26-123
Sex perversion, or in concert with another	288 a,b	3-life ^{**} , 5-life	12, 20 ..			
^{**} If victim under 14 years of age and defendant 10 years older.						
Incest	285	1-50	12	13	-	-
Annoy child or loiter around school w/like prior	647a	1-life	12	7	-	-
Indecent exposure w/like prior	314	1-life	12	17	42	17-50
Abortion, administer	274	6 mo-5	6	5	-	-
Abortion, submit	275	6 mo-5	6			
Attempt abortion	664	6 mo-2½	6			
Arson - burn dwelling	447a	2-20	8	27	30	14-70
Burn insured property	548	6 mo-10	6			
Burn other structure	448a	2-20	8			
Burn personal property	449a	6 mo-3	6			
Burn structure, grain, grass	449b,c	6 mo-10	6			
Burn personal property w/int. to defraud	450a	6 mo-5	6			
Attempt to burn structure	451a	6 mo-5	6			
Attempted arson	664	6 mo-10	6	3	-	-
Extortion	520	6 mo-10	6			
Attempted extortion	664	6 mo-5	6	23	111	86-160
Kidnap for rob or ransom	209	Death or life w/o parole	84			
Kidnap for rob or ransom	209	Life w/parole	84			

¹ Time served was not computed for offense groups with less than 15 men.

Appendix C (Cont.)

OFFENSE	Penal Code Section (unless stated otherwise)	Statutory Sentence, Years	Months to MEPD	MALE FELON FIRST RELEASES in 1970		
				Number	Time served in months ¹	
					Median	Middle 80% range
Kidnapping	208	1-25	12	19	49	25-90
Child stealing	278	6 mo-20	6	2	-	-
Kidnapping w/use of firearm	208, 12022.5	1-25 & 5-life CS	24	-	-	-
Attempted child stealing	664	6 mo-10	6	-	-	-
Habitual criminal	644 (3047.5, 3048.5)	Life	108-144 ..	1	-	-
D.W. Poss. by alien, narc. addict, or ex-convict	12021	6 mo-15	6	34	31.5	18-42
Unlawful mfg., poss., or sale D.W.	12020	6 mo-5	6			
Commit felony while w/DW	12022	5-10, 10-15, 15-25, 25-life ..	20-40-60-100 ..			
Non-support of child, or desertion of child under 14	270, 271, 271a ...	6 mo-5, 6 mo-1	6	2	-	-
Bigamy	283	6 mo-10	6			
Drunk driving	VC 23101	6 mo-5	6	21	24	14-34
Failure to render aid	VC 20001	6 mo-5	6			
Bribery	68, 92, 138	6 mo-14, 10, 5	6	9	-	-
Bookmaking	337a	6 mo-1	6			
Conspiracy	182	6 mo-3	6			
Perjury	126	6 mo-14	6			
Viol. Corporation Laws	Corp. Code 26104	6 mo-10	6			
Escape from jail w/o force (conf. on fel. charge, arrest or conviction)	4532(b)	6 mo-5	6	23	18	7-34
Escape from jail w/o force (conf. on misd. charge, arrest or conviction)	4532(a)	6 mo-1 yr. 1 day	6			
Escape from jail with force	4532	6 mo-10	6			
Escape from DVI	2042	6 mo-5	6			
Assist escape	4534	6 mo-10	6			
Escape or att. to esc. from C.R.C.	W&I 3002	6 mo-7	6	5	-	-
Escape from prison with force	4530(a) (3044)	1-life	24			
Escape from prison w/o force	4530(b)	6 mo-5	6			
Aiding to escape	4535	1-life	12			

¹ Time served was not computed for offense groups with less than 15 men.

Appendix C (Cont.)

OFFENSE	Penal Code Section (unless stated otherwise)	Statutory Sentence, Years	Months to MEPD	MALE FELON FIRST RELEASES in 1970		
				Number	Time served in months ¹	
					Median	Middle 80% range
Ex-felon on prison or jail grounds	4571	6 mo-5	6			
Bringing forbidden articles into prison or jail: narcotic, alcoholic beverage, unauthorized drugs	4573, 4573.5	6 mo-5	6	4	-	-
Poss. of unauthorized narcotic, drugs and alcoholic beverage, in jail or county camp	4573.6	6 mo-5	6			
Bringing firearms, D.W., or explosives into prison or jail	4574	1-life	12			
Poss. of narcotic or drugs in prison (in prison offense)	4573.6	6 mo-5	6	-	-	-
Weapons in prison (in prison offense)	4502	3-life	12	8	-	-
Other felony, with death, life, or maximum life sentence			84 (life)	1	-	-
Other felony			6	21	24	12-42
<u>NARCOTICS OTHER THAN MARIJUANA</u>						
Sale to minor by an adult	H&S 11502	10-life	60			
Sale to minor by an adult w/1 PNFC	H&S 11502	10-life	120			
Sale to minor by an adult w/2 or more PNFC	H&S 11502	15-life	180	1	-	-
Sale to minor by person under 21	H&S 11502.1	5-life	20			
Sale to minor by person under 21 w/PNFC	H&S 11502.1	10-life	40			
Possession	H&S 11500	2-10	24	115	40	26-78
Poss. w/1 PNFC	H&S 11500	5-20	60	17	73	61-93
Poss. w/2 or more PNFC	H&S 11500	15-life	180			

¹ Time served was not computed for offense groups with less than 15 men.

Appendix C (Cont.)

OFFENSE	Penal Code Section (unless stated otherwise)	Statutory Sentence, Years	Months to MEPD	MALE FELON FIRST RELEASES in 1970		
				Number	Time served in months ¹	
					Median	Middle 80% range
<u>NARCOTICS OTHER THAN MARIJUANA (Cont.)</u>						
Possession for sale	H&S 11500.5	5-15	30	22	54	36-71
Possession for sale w/1 PNFC	H&S 11500.5	10-life	72	5	-	-
Poss. for sale w/2 or more PNFC	H&S 11500.5	15-life	180	100	50	37-82
Sale	H&S 11501	5-life	36	2	-	-
Sale w/1 PNFC	H&S 11501	10-life	120			
Sale w/2 or more PNFC	H&S 11501	15-life	180			
<u>MARIJUANA OFFENSES</u>						
Sale to minor by an adult	H&S 11532	10-life	60	3	-	-
Sale to minor by an adult w/1 PNFC	H&S 11532	10-life	120			
Sale to minor by an adult w/2 or more PNFC	H&S 11532	15-life	180			
Possession	H&S 11530, 11530.1	6 mo-10	6	253	26	16-41
Possession w/1 PNFC	H&S 11530, 11530.1	2-20	24	29	34	24-87
Poss. w/2 or more PNFC	H&S 11530, 11530.1	5-life	60			
Plant or cultivate peyote	H&S 11540	6 mo-10	6	-	-	-
Plant or cultivate peyote w/PNC	H&S 11540	2-20	8			
Possession for sale	H&S 11530.5	2-10	24	33	36	25-48
Poss. for sale w/1 PNFC	H&S 11530.5	5-15	36	2	-	-
Poss. for sale w/2 or more PNFC	H&S 11530.5	10-life	72			
Sale	H&S 11531	5-life	36	120	42	36-70
Sale w/1 PNFC	H&S 11531	5-life	60	8	-	-
Sale w/2 or more PNFC	H&S 11531	10-life	120			

¹ Time served was not computed for offense groups with less than 15 men.

Appendix C (Cont.)

OFFENSE	Penal Code Section (unless stated otherwise)	Statutory Sentence, Years	Months to MEPD	MALE FELON FIRST RELEASES in 1970		
				Number	Time served in months ¹	
					Median	Middle 80% range
<u>DANGEROUS DRUGS</u>						
Furnish drug to minor	H&S 11913	10-life	60	2	-	-
Furnish drug to minor w/1 pr. fel. drug conv.	H&S 11913	10-life	120			
Furnish drug to minor w/2 or more prior fel. drug conv.	H&S 11913	15-life	180			
Possession	H&S 11910	6 mo-10	6	14	-	-
Possession w/prior fel. drug conv.	H&S 11910	2-20	24			
Possession for sale	H&S 11911	2-10	24	15	22	15-30
Poss. for sale w/1 pr. fel. drug conv.	H&S 11911	5-15	36			
Poss. for sale w/2 or more pr. fel. drug conv.	H&S 11911	10-life	72			
Sale	H&S 11912	5-life	36	39	19	10-35
Sale w/1 prior fel. drug conv.	H&S 11912	5-life	60			
Sale w/2 or more pr. fel. drug conv.	H&S 11912	10-life	120			
Driving under infl. of dangerous drugs other than narcotics	VC 23108	6 mo-5	6	4	-	-
Forgery of drug prescription	B&P 4390	6 mo-14	6			
<u>MISCELLANEOUS NARCOTIC OFFENSES</u>						
Forgery or fraud of narcotic prescription	H&S 11715,H&S 11170, H&S 11715.7	6 mo-6	6	15	24	8-43
Forg. of narcotic prescrip. w/like prior	H&S 11715	6 mo-10	6			
Sell substance in lieu of narcotic	H&S 11503	6 mo-10	6			
Maintain place for narcotic	H&S 11557	6 mo-10	6			
Maintain place for narcotic w/prior narcotic conviction	H&S 11557	2-20	8			
Driving under influence of narcotic	VC 23105	6 mo-5	6			

¹ Time served was not computed for offense groups with less than 15 men.

DEFINITIONS OF PAROLE OUTCOME

The index of PAROLE OUTCOME used in this study is the most serious disposition received while on parole during a specific time period after release from a CDC institution to California parole. The time periods are Half Year, One Year, and Two Years after release.

The first disposition received by a parolee is carried throughout the two year followup period, or until a more serious disposition is meted out, at which time the outcome is changed accordingly. Record is kept of violations, and changes made, only when a more serious disposition ensues.

Should a parolee be discharged prior to the end of the two year followup period, the most serious disposition received while on parole is shown.

Should a parolee be returned to prison from parole, followup ceases thereafter, and this disposition is retained throughout the two year followup.

Dispositions are listed below in order of increasing severity:

FAVORABLE PAROLE OUTCOME

Clean: no difficulty

Other:

3056 P.C. - arrest on technical charges only
Arrest and release (with or without trial)
Parolee at Large (PAL)
Jail sentence under 90 days, any jail all suspended,
misdemeanor probation, fine, bail forfeited
Return to a Narcotic Treatment-Control Unit } Short Term Program
Return to a Short Term Return Unit }

PENDING

Awaiting trial or sentence on a misdemeanor or felony charge with no previous sentence during this parole period.

REFERENCES

Berecochea, John E., Jaman, Dorothy R., and Jones, Welton A. Time Served in Prison and Parole Outcome: An Experimental Study. Sacramento, California: Department of Corrections, Research Report No. 49, 1973.

Carr, Walter S. and Connelly, Vincent J. Sentencing Patterns and Problems: An Annotated Bibliography. Chicago, Illinois: The American Judicature Society, 1973.

Jacks, William L. A Study of Types of Sentences. Commonwealth of Pennsylvania: Pennsylvania Board of Parole, 1964.

Jaman, Dorothy R. and Dickover, Robert M. A Study of Parole Outcome as a Function of Time Served. Sacramento, California: Department of Corrections, Research Report No. 35, 1969.

Kastenmeier, Robert W. and Eglit, Howard C. Parole Release Decision-Making: Rehabilitation, Expertise, and the Demise of Mythology. American University Law Review, 1973, 22, 477-525.

Levin, Martin A. Crime and Punishment and Social Sciences. The Public Interest, 1972, 27, 96-103.

Tompkins, Dorothy. Sentencing the Offender: A Bibliography. University of California: Institute of Governmental Studies, 1971.

Uniform Parole Reporting Coding Manual, National Parole Institutes. Davis, California, 1966.

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