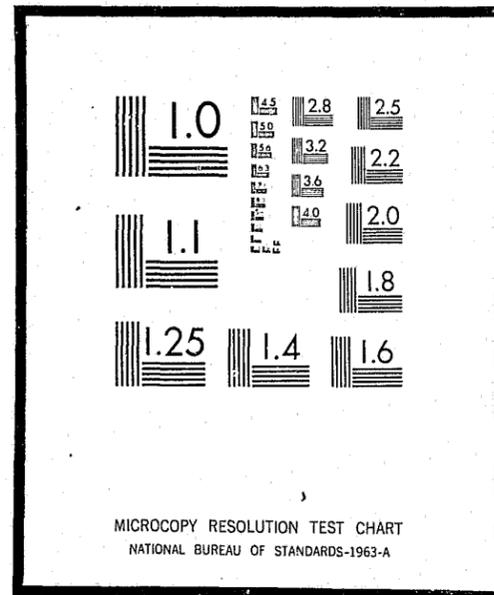


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Conditional and Unconditional Discharge From Prison: Effects and Effectiveness

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WHAT EFFECT does prison have on men after they are released? To what extent does parole assist or hinder the functioning of ex-prisoners in the community? What happens to men released from prison? This article describes and comments on some findings from an intensive study of the first 12 months in the community of 423 men released from prison.¹ The study compared a representative random sample of 210 men selected for early release on parole with a parallel random sample of 213 men released at expiration of sentence without any parole conditions or compulsory supervision. Approximately half this latter group had been refused parole one or more times and the other half had never applied.

A wide variety of questions were addressed to the men and their parole supervisors. Police and penitentiary files were also used for basic information on background and recidivism. Many of the questions arose from the sociological or correctional literature. However, many others were generated from exploratory discussions with both correctional practitioners and men who had previously been released from prison. They related to a concern with recidivism but also many other aspects of a man's functioning after release.

In relation to prison, the research was designed to throw light on the importance of a wide variety of views. For instance, prison appeared to some to be a school of crime that created alumni who were predestined to be an "elite" of recidivists; others saw the effects of regimentation and prisonisation potentially leaving malfunctioning inadequates; others emphasised that studies con-

finned to the four walls of prison had forgotten how the cultural and social background of those held influenced the prison culture and so release behaviour. In juxtaposition to these critics, the correctional administrators pointed to the rehabilitative programmes available in the prisons such as the vocational or educational training, the number of professionals on staff, and other opportunities available to those inmates prepared to take advantage of them. Vital for both critics and supporters was the omission of questions about what the men actually did and experienced on release. The present study was influenced by Glaser in *The Effectiveness of a Prison and Parole System* where he had begun to analyse the first of these two questions.² However, there were few or no studies that tried to detail what the men experienced, or, that had used prerelease and postrelease adjustment to predict rearrest.

The initial interest was to describe the process of being released. What did the man do? What feelings did he experience in the first few days? What did he do about a job, seeing friends, contacting his family? What was the role of alcohol in the transition process from abstinence to freedom? The data were prepared so that statistical analyses could be run to answer some of these questions and identify the crucial stages through which the man was likely to go.

The study also started with the aim of evaluating parole in comparison with discharge without supervision. However, authors such as Adams, Hood and Sparks, Robison and Smith, and Wilkins³ have detailed the negative findings from such studies concerned only with evaluation. One can conclude from them that it is improbable that parole will be shown to be substantially different from discharge once account is taken of the types of person selected for parole. Nevertheless no adequate comparisons had been done of those released on the terms of parole, including reporting to a parole supervisor, with a similar group released at expiration of sentence.

Even so, evaluation is of little use unless it can

¹ This article develops and describes some of the findings from a study financed by the Solicitor General of Canada, the Ford Foundation, and the University of Toronto at various stages from 1967 to 1971 when the main research reports were terminated. A full analysis of the background literature, the use of parole from penitentiaries in Canada, and the findings is contained in the monograph, Irvin Waller, *Men Released From Prison*, University of Toronto Press, Toronto, 1973. The research was undertaken at the Centre of Criminology, University of Toronto.

² Daniel Glaser, *The Effectiveness of a Prison and Parole System*, Indianapolis: Bobbs-Merrill, 1964.

³ For instance, Stuart Adams, "Some Findings From Correctional Caseload Research," *FEDERAL PROBATION*, Vol. 31, No. 4, December 1967, pp. 48-57; Roger Hood and Richard Sparks, *Key Issues in Criminology*, New York, McGraw-Hill, 1970; James Robison and Gerald Smith, "The Effectiveness of Correctional Programs," *Crime and Delinquency*, Vol. 17, No. 1, January 1971; Leslie T. Wilkins, *Evaluation of Penal Measures*, New York, Random House 1969.

guide the policy maker not only as to what direction *not* to follow, but the profitable directions to follow. This study was concerned with trying to develop a theory, that could be tested empirically, identifying the process leading to rearrest. This could then be used for the development of policy. We tried, therefore, not only to disentangle the contributions of parole and penitentiaries to the man's behaviour after release, but also to analyse those situations or personal characteristics that predisposed the man to return. We tried to combine the "dynamism" of the biography with the rigour of systematic sampling and questioning.

The major part of the analysis was concerned with identifying those factors in the first 5 weeks in the community which were closely related to rearrest. Is employment more important than the man's financial situation? Does the man's family situation or his friends really contribute to rearrest? Does the man's adjustment after release just reflect his background, his experience in the penitentiary or are there other processes at work? The prevailing pattern that will be described below is one of rejection by some employers and some friends, but more particularly of a lack of close ties or bonds with the community. The factors identified were ones where the policy of government or private agencies, whether in the field of corrections or other agencies, could be re-directed to have an impact.

The Study

The principal subjects were 423 men, forming a representative sample of ex-prisoners released from Ontario federal penitentiaries into Southern Ontario, Canada, during 1968. Two hundred and ten of these men were selected for early release on parole. One hundred and thirteen men never applied for parole and 100 applied for parole but were refused; these latter two classes, combined, formed the group of 213 men who were unconditionally released at expiration of sentence.

While the men were still inmates, the investigation included group interviews, administration of several standard psychological tests and the collection of data from the institutional files. The most important sections of the study were based on an intensive analysis of the progress of the ex-prisoners during their first 12 months in the community. This analysis was mainly based on interviews with these men held with female interviewers, concerning experiences of the men in their first 5 weeks from release and, for each

parolee, questionnaires completed by his parole supervisor at seven predetermined stages during those first 12 months. Standard data were also collected from the police, on arrests and convictions of the men during a full 24-month followup period from each man's date of release.

Of the 213 men unconditionally released at expiration of sentence, 144 or 68 percent were rearrested in connection with an indictable offence within 2 years from release. Of the 210 men selected for parole, 93 or 44 percent were similarly rearrested within 2 years from their release.

These simple cohort statistics (not the meaningless failure rates typical of probation and parole annual reports) identify one of our central concerns. Is this difference of 24 percent due to selection by the parole board, men not applying for parole, a wide variety of factors associated with the conditions of parole, or the work of the parole supervisor? We will see that "application" and "selection" are the principal determinants of differences in arrest rates, though we will see that the parole conditions and the threat of revocation associated with them as well as the specific assistance of the parole supervisor can restrain the parolee's behaviour in other ways.

This particular group of men in Canada had similar backgrounds to men in prison in other jurisdictions. They came mostly from urban areas and were of low socioeconomic, occupational and educational status and young. More than two out of five were defined and defined themselves as having problems with alcohol. Most were single or faced with marital breakup. Their scores on personality tests such as the MMPI, CPI, or an adult version of the Jesness Inventory were different from the general population norms but broadly similar to other groups of prisoners such as those in California. Nearly every man had been arrested several times previously; three out of four had been to a reformatory before and two out of five had been to a penitentiary before.

Three out of four had received their sentences of 2 years or more for crimes against property that did not involve any personal violence and typically those rearrested would be rearrested for property offences.

The average scores for those selected for parole were different from the combined group of men who did not apply for parole and those refused parole on a number of background and psychometric variables. However, the differences were considerably less than those between the total

group and average scores for the general population.

The Process of Release

The first aim of the study was to describe the experience of release. Typically the transition was an abrupt one from a medium-security institution to freedom, total for the dischargee or circumscribed for the parolee. The man travelled some 160 miles alone on a bus to a terminal in the centre of an urban area of two million people where it would be unlikely that somebody would meet him. Parolee and dischargee alike would have to find accommodation and a job. He would have typically \$60 in his pocket, earnings from his year in the penitentiary. The experience was one of both exhilaration and anxiety, of loneliness, disappointment and fears in talking to people. The symptoms of transition gradually faded away with few men mentioning such feelings at 6 months from release.

The men were not actively rejected by family, friends, employers, or welfare. There were some instances of special discrimination against them because of their record, but there were also employers, welfare or manpower (the public employment agency), who helped them more because of their record. Generally, however, these relationships for many of the men were characterised as passive rejection.

Unemployment at the time of the offence for which they were sent to the penitentiary statistically predisposed the man to arrest after release. The men left the penitentiary with little apparent change in their work skills. Possibly the upgrading of the education of some opened doors to further training or jobs. Men released on parole both were more likely to be employed, to have held more jobs but earned less per week than those discharged. This appeared to be an effect of the conditions of parole, which encouraged the parolee to be employed. It also appeared to be associated with prolonging the time between release and rearrest for those who inevitably would be rearrested.

The men accounted for their original offence in a variety of ways; however, lack of employment and lack of money were the most frequently mentioned. One out of three of the men had spent all their money earned in the institution within a week and one in two had borrowed within 5 weeks.

Many men, particularly dischargees, who had said on admission that they were married, were

released to a wife who had already or would later reject them. At 5 weeks from release, some ex-prisoners were having difficulty in making friends and felt lonely. Many were going around with associates, known to be involved in crime or described by parole supervisors for similar reasons as undesirable. Although watching sport and drinking were frequently mentioned as ways of passing time, few were involved as active participants in sport or were going to church. Although the age group and socioeconomic status of the men may partially account for this, many, particularly dischargees, had been involved in fights within 5 weeks of release. Many also by that time were drinking regularly and in response to specific probes mentioned employment, family, or other problems emanating from their drinking.

In most instances, the question of recidivism became one of why the men were *not* arrested. Certainly the penitentiary had done little to change a situation where apparently step by step their lives lead them to a deeper and longer involvement in the prison system.

The principal benefit of the penitentiary accrued from small advances in the men's formal educational qualifications. At the same time, they had gleaned further technical knowledge for the large "score." However this knowledge could already have been garnered from the moment of their entry into the local jail and was not necessarily going to be applied after release.

For this sample neither the type of institution nor the length of incarceration this time was found to be related to likelihood of rearrest and subsequent reconviction once account (using prediction equations) had been taken of the types of men serving longer periods of time or held in maximum security.

In a few case histories among those who spent more than 10 years in maximum security, there were men who appeared to suffer gross and enduring debilitating effects transforming them into "prisonised" inadequates almost totally unable to function on the street. They were unable to obtain jobs, find friends or accommodation and would react by drunken binges that eventually brought them back to jail.

For most the debilitating effects of imprisonment were short lived after release, though they were certainly experienced during incarceration. The local jail was for most the low point because of the mental and physical effects of the uncer-

tainty while awaiting trial, sentence, or in some cases the decision of the parole board.

Parole

The early release on parole was appreciated by most parolees as a benefit and, for those "going straight," parole was extremely benign with some frustration expressed when reporting to the police.⁴ The parole conditions, other than this reporting and seeing his parole supervisor, were not influential on the parolee's mode of living. Nevertheless, some parolees feel obliged to live some of the time in a way that is different from the way they would live had they been released unconditionally.

Parole supervision as experienced by this sample was mainly one of face-to-face contact with the parole supervisor in his office. This was supplemented by the occasional visits to the parolee's home and contact with his immediate family and also less frequent contacts with employers and employment agencies. A parolee starting supervision would expect an average of 19 interviews with the parole supervisor alone in his office of which 12 would take place in the first 3 months. There would be about seven other contacts, with or without the parolee, with family, manpower, police, or other agencies. However, the telephone was used considerably more with these other agencies.

The supervision is individually as opposed to situationally oriented with the supervisor emphasising the importance of the parolee's personality or attitudinal problems. The parolees generally saw their supervisor as understanding and supportive. In the early months the supervisor sees the parolee more frequently than in later months, but it takes the supervisor 2 or 3 months before he knows all the basic facts about the parolee's situation.

Where the parole supervisor did not know at 5 weeks details of the sort of associates or employment of the parolee, a higher proportion were rearrested within 12 months than for other parolees. This was at least partly an artifact of these parolees' being younger, more reckless and less cooperative and so more likely to be rearrested.

Another important aspect of parole supervision is that offences may be prevented through the legal power of suspending and revoking a man's

⁴ A standard condition for a parolee released by the National Parole Board in Canada is "immediately on arrival and at least once a month thereafter to report faithfully to the chief officer of police nearest his place of residence."

parole before he commits a new offence. Legally his parole could be revoked for the violation of any of his parole conditions. These include conforming to the law in the same way as an ordinary citizen, but also include the several conditions of reporting, obtaining permission, and doing or not doing certain things that appear specifically or generally in parole agreements. In this study the parolee had always been questioned by the police independently of any parole action, before his parole was revoked. This was in addition to one or more "technical violations" of his parole conditions. This implied that the police suspicion led to a close examination of the parolee's situation and would topple the balance in favour of revocation. Thus the police may have known more about the parolee's criminal behaviour than the supervisor.

The main areas in which assistance was provided, according to the parole supervisor, were those of employment, marriage, and personal attitudes or problems. The parolees on the other hand were more likely to mention general "chat" therapy or individual instances where the supervisor had gone out of his way to provide concrete help.

The protection to the public provided by parole seemed to be limited to the possible effect of employment for parolees delaying an inevitable rearrest. The conditions, other than police and parole supervisor reporting, are almost unenforceable and, though they have impact on some parolees, do not seem to reduce the essential likelihood of rearrest. The contact between parolee and supervisor is so limited in comparison with the other problems of the parolee that it is not surprising that it has such little influence per se on the parolee. Some supervisors define their role as one who mobilises community resources. It is here, undoubtedly, that given the right resources he might be able to contribute.

On the other hand, the motivating and organising of parole supervisors is a major problem. The setting of goals, the inservice training, and indeed the elaboration and identification of means to these goals are still at an elementary level. This study has suggested areas on which supervisors could profitably concentrate. It does not provide solutions, but it does show that monitoring can lead step by step to focusing on certain problems and identifying which ones should be reinforced positively or negatively.

Recidivism and Understanding

A major emphasis of the study was not only to understand the process whereby the men were rearrested or not, but develop and test equations that would identify the crucial variables in the process. For this latter purpose, prediction equations were developed on a "construction" sample drawn from the 423 men studied. These equations were later tested on the remainder of the 423 men.

The developed prediction equations could then be used to see whether the penitentiary or parole interventions were crucially related to rearrest.

A major methodological problem in the study was contacting the men after release and doing so in such a fashion as to maximise the validity of their responses to interviewers' questions. Ninety-two percent of the parolees and 61 percent of the dischargees cooperating before release were interviewed concerning their first 5 weeks in the community. However, prerelease and rearrest data were available on all who cooperated prior to release. In the statistical analysis these basic data were used to make allowances for those not interviewed. This was an additional reason for developing conclusions on the first subsample and then testing them on the other half sample.

The sample used for the construction of the equations consisted only of 204 men, which is small compared to many of the actuarial studies of recidivism. However, variables that are found to be statistically significant on such small samples are economically important in as much as they have to be strongly related. If samples of thousands of men are used, relationships are found that are often irrelevant to policy as they make so little difference. Thus, on samples of several thousand, parole supervision might have been important even though it was not here.

The crucial variables known before release were age and penal record. A psychometric variable and knowledge of employment were also important. In simple terms either the younger a man is at admission and/or the longer his penal history, the more likely he is to be rearrested within 24 months of release and also the earlier he will be rearrested.

Such information may be of use to the general policies of parole boards, but is of little use to those concerned with policy once the men are released from prison. The prerelease information is static in the sense that the man's age at admission cannot be changed or his penal record reduced.

These are the givens from which the policy must start.

After release the information collected on those interviewed could be termed "dynamic." Here the questions found to be crucial were how is rearrest related to whether a man was: employed; living with a wife and his children; using alcoholic drinks regularly; involved in fights; associating with "criminal" friends. These are variables that could change and be changed. Although before release one could guess what might happen to the man on these variables there were many chance events that would affect a man's status on such variables. Potentially also there are ways in which his status could be influenced, perhaps by a parole supervisor directed to concentrate on these factors, but more importantly by policies of the other social agencies that direct their activities to employment, the family, use of alcohol, and friendships in the community generally.

One cautionary note should be sounded here. Each of these five variables was found to be statistically related to rearrest within both 12 and 24 months. In addition each of these made such a contribution when the others were controlled through stepwise multiple regression. The sizes of the samples used here to develop and test the equations are relatively small; thus implying that programmes influencing these variables could have economically important and measurable effects on recidivism rates. However, there are other chance or systematic factors that the study was not able to identify that are related to rearrest. Some of these may be due to: the uncertainty of any offender committing an offence being arrested; or measurement errors; or variables not measured. However, they do not seem to be due to the range of other variables on which data were collected such as personality, relationship with parole supervisor, release from a certain type of institution, time spent in the institution, or fear of return to the institution.

Sixty-eight percent of the dischargees compared to 44 percent of the parolees were rearrested within 24 months and subsequently reconvicted or, in a few instances, their parole revoked. These differences were found to be due principally to the complex bureaucratic procedure for selecting men to be released on parole from parole applicants as well as the self-selection by some inmates who never applied for parole. This latter group were apparently aware that they were more likely to be rearrested than others; if a man was

released on parole and rearrested for a technical as opposed to a criminal violation, he would serve longer in total than if he was released at expiration of sentence. This finding was particularly interesting. Other authors have suggested that judges, parole board members or clinicians cannot predict better than systematic prediction equations. This finding agreed, but showed that the inmate can improve on the prediction score.

Findings on prisons and parole are also important to the decision making of sentencing, allocation to prisons of different security levels, forms of temporary parole such as gradual release, work

furlough or temporary absence; and to the variety of parole decisions to defer, to grant, to revoke or to discharge. At the present time these measures do not have any major rehabilitative effect; they cannot be justified as means to "protect the public through the rehabilitation of the offender." This means that other factors become more important such as retribution, cost, humanitarian treatment of the offender, control of institutional populations, and above all judicial consistency.

If our monitoring resulted in findings that everything was all right, we might be prepared to abandon it, but the reverse is true.

END