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RESEARCH NOTE:

ARE PAROLE APPLICANTS GETTING 'TOUGHER'? –
A METHOD FOR ASSESSING PRISONER CHARACTERISTICS
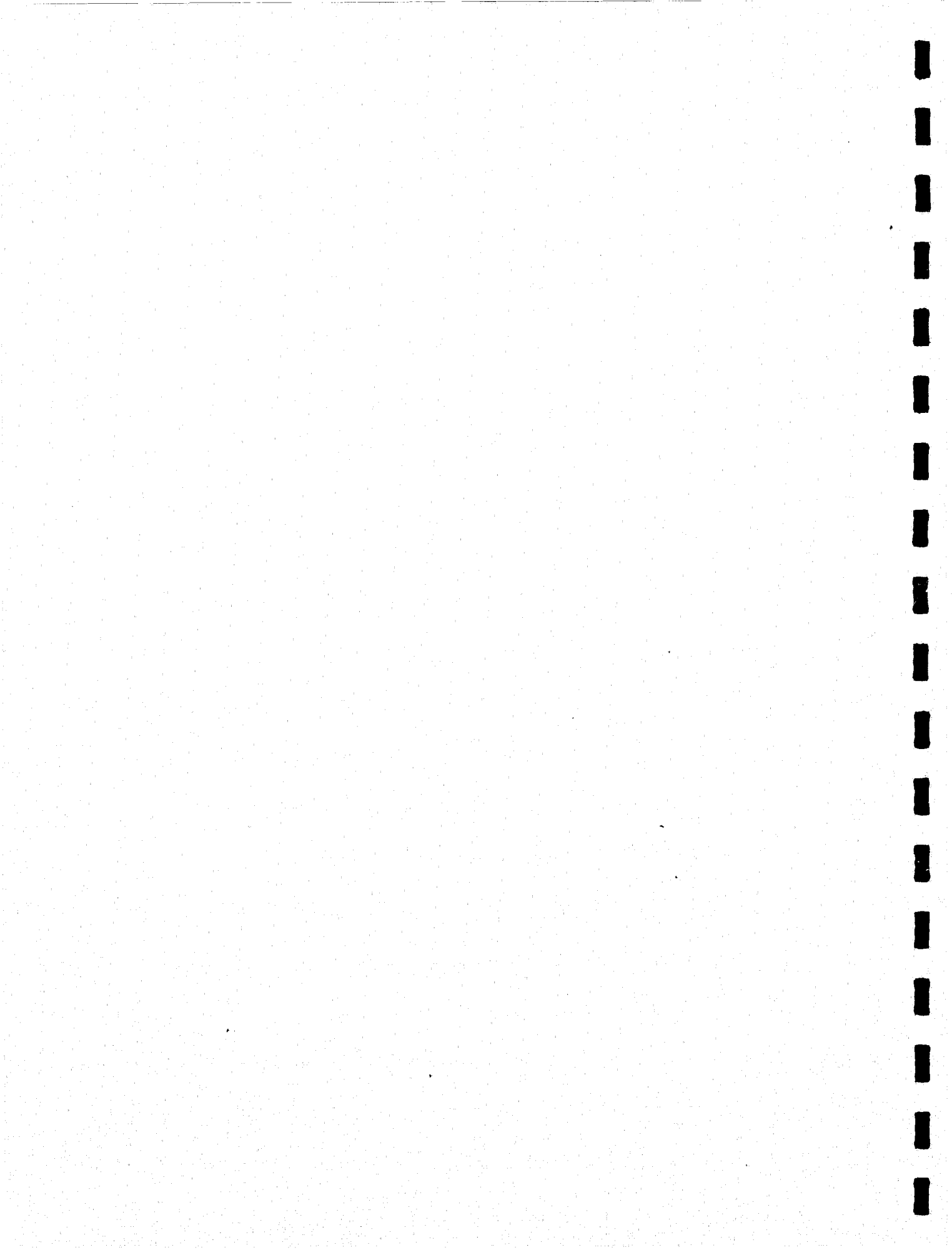
by

Barbara S. Meierhoefer

UNITED STATES PAROLE COMMISSION RESEARCH UNIT

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In October 1972, the United States Board of Parole (now the United States Parole Commission) first began the use of decision-making guidelines on an experimental basis.[1] These guidelines became fully operational in June 1974.[2] Designed to structure discretion without removing individual case consideration, the guideline matrix (a two axis chart containing an assessment of the seriousness of the present offense behavior on one axis and a parole prognosis estimate on the other) specifies the customary range of time, presuming good institutional behavior, to be served before release [within the limits (minimum and maximum) set by the sentencing judge]. Decisions outside of the guidelines (either above or below) may be rendered, provided that a specific written explanation of the reasons for departure from the guidelines is provided.[3]

While the primary purposes of explicit decision guidelines are to lead to a more rational overall paroling policy and more consistent decision-making in individual cases, knowledge of the resultant policy may also be helpful for various planning purposes.

The following tables utilize the guideline matrix to analyze the offense severity and parole prognosis (salient factor score) ratings for prisoners first appearing for parole consideration (initial hearing) during two adjacent six month periods (Period I = 4/75-9/75; Period II = 10/75-3/76). This date is routinely collected for each case by Commission regional research coders (Form R-1).

Offense Severity Ratings[4]/

The mean severity rating at initial hearings (on a six point scale) rose from 3.80 (Period I) to 3.94 (Period II). This difference is statistically significant (t=6.095, p<.001). Tables I and II show the percentage of cases falling in each severity category during the two time periods. As can be seen, there is an increase in the proportion of cases rated as very high and greatest severity, with corresponding decreases distributed among the lower four severity categories.

Table III displays mean severity ratings for selected offense categories during the two time periods. A decline in the absolute number of robbery cases (840/735) from Period I to Period II is noted. Mean severity rating for robbery cases, however, remained stable (5.2/5.2). The offense behavior, Possession with Intent to Distribute/Sale of Hard Drugs, shows a slight decrease in absolute number of cases (1225/1184) with an increase in mean severity rating (4.6/5.0). This would appear to be due to an explicit change in Commission policy (increasing the severity level for Hard Drugs/ Sale to Support Own Habit from high to very high) effective in October 1975.[5]/ As of the same date, the severity ratings for firearm offenses were also raised, resulting in increases in mean severity ratings for both Simple (2.5/3.4) and Multiple (3.2/4.1) Purchase/ Possession/Sale of Firearms. All three of these changes in severity level are significantly different beyond the .001 level.

Table III also displays certain variations in other offense categories in which there are a smaller number of cases involved.

It should be noted, however, that offense descriptions are particularly difficult to code reliably. Thus, caution must be used in making assumptions based on less than a substantial number of cases.

If the two offense behaviors for which there were explicit policy changes (hard drugs and firearms) are excluded from consideration, the mean severity rating remains constant from the first time period to the next (3.6/3.6). Therefore, the increase in mean severity ratings from Period I to Period II appears to be due primarily to a change in Commission policy regarding two rather frequently occurring offense categories, rather than to actual changes in case input. [6/]

Parole Prognosis Ratings

The mean salient factor score (on an eleven point scale) declined slightly (6.7/6.6) from Period I to Period II. [7/] While this difference is statistically significant ($t=2.309$, $p<.03$), it is slight and may not actually be reflective of an increase in the number of poorer risk cases as two intervening events could also explain this difference. In August 1975, a salient factor score coding manual was issued which clarified certain definitions, [8/] and in October 1975, there were several explicit changes in the salient factor score itself. [9/] Thus, it is yet too early to ascertain whether there is a trend in case input towards a higher number of poorer risk cases, or whether the difference in mean salient factor score found here is due to the other factors mentioned.

Implications

. The immediate purpose of this analysis is to describe changes in the types of offenders being heard by the Commission and to ascertain the effects of changes in Commission policy. However, this type of analysis could also be used as an aid in forecasting the expected length of incarceration for groups of prisoners at time of intake. For example, a sample of releasees could be used to estimate the average time actually served for each severity/risk category in the absence of sentencing constraints. For every new prison admission who will come under the jurisdiction of the Commission,[10/] severity level and salient factor score ratings could be estimated. The previously determined average time served for the specified severity/risk category would then provide the estimate of length of stay. In cases in which a sentence constraint was present that impinged upon the expected value, the constraint (i.e. minimum sentence or mandatory release date) could be substituted for the expected value.

Such calculations would likely provide more accurate projections (on an ongoing basis) of expected length of stay than calculations using only knowledge of sentence length or average time served. Given the relatively inelastic nature of prison capacity, even a small improvement in the accuracy of population level forecasting might be quite important in relation to the ability of a prison system to provide adequate planning.

TABLE I

Severity Level/Salient Factor Score by Time Period

Severity Level	Percent of Cases	
	4/75-9/75 (N=6050)	10/75-3/76 (N=5921)
Low	2.8%	2.6%
Low Moderate	14.4%	12.8%
Moderate	25.0%	21.6%
High	22.7%	21.9%
Very High	28.2%	33.3%
Greatest	6.9%	7.8%

Salient Factor Score	Percent of Cases	
	4/75-9/75 (N=6050)	10/75-3/76 (N=5921)
Very Good (9-11)	28.9%	27.2%
Good (6-8)	38.8%	38.4%
Fair (4-5)	20.6%	21.3%
Poor (0-3)	11.7%	13.1%

TABLE II

Distribution of Cases by Guideline Category
Number (Percent) of Cases in Each Guideline Category:
Period I: 4/75-9/75   Period II: 10/75-3/76

OFFENSE CHARACTERISTICS: Severity of Offense Behavior (Examples)	Period	OFFENDER CHARACTERISTICS: Parole Prognosis (Salient Factor Score)			
		Very Good (11-9)	Good (8-6)	Fair (5-4)	Poor (3-0)
LOW — Immigration Law Violations; Minor Theft (Includes larceny and simple possession of stolen property less than $1,000); Walkaway	I	32(.5)	77(1.3)	40(.7)	21(.3)
	II	26(.4)	77(1.3)	40(.7)	13(.2)
LOW MODERATE — Alcohol Law Violations; Counterfeit Currency (Passing/Possession less than $1,000); Drugs: Marijuana, Simple Possession (less than $500); Forgery/Fraud (Less than $1,000); Income Tax Evasion (less than $10,000); Selective Service Act Violations; Theft From Mail (less than $1,000)	I	114(1.9)	400(6.6)	262(4.3)	95(1.6)
	II	86(1.5)	339(5.7)	236(4.0)	98(1.7)
MODERATE — Bribery of Public Officials; Counterfeit Currency (Passing/Possession $1,000 - $19,999); Drugs: Marijuana, Possession With Intent to Distribute/Sale (less than $5,000); "Soft Drugs", Possession with Intent to Distribute/Sale (less than $5,000); embezzlement (less than $20,000); Explosives, Possession/Transportation; Firearms Act, Possession/Purchase/Sale (single weapon — not sawed-off shotgun or machine gun); Income Tax Evasion ($10,000 - $50,000); Interstate Transportation of Stolen/Forged Securities (less than $20,000); Mailing Threatening Communications; Misprision of Felony; Receiving Stolen Property With Intent to Resell (less than $20,000); Smuggling/Transporting of Aliens; Theft/Forgery/Fraud ($1,000 - $19,999); Theft of Motor Vehicle (Not Multiple Theft or for Resale)	I	327(5.4)	613(10.1)	339(5.6)	235(3.9)
	II	256(4.3)	461(7.8)	328(5.5)	231(3.9)
HIGH — Burglary or Larceny (Other than Embezzlement) from Bank or Post Office; Counterfeit Currency (Passing/Possession $20,000 - $100,000); Counterfeiting (Manufacturing); Drugs: Marijuana, Possession With Intent To Distribute/Sale ($5,000 or more); "Soft Drugs", Possession with Intent to Distribute/Sale ($500 - $5,000); Embezzlement ($20,000 - $100,000); Firearms Act, Possession/Purchase/Sale (sawed-off shotgun(s), machine gun(s), or multiple weapons); Interstate Transportation of Stolen/Forged Securities ($20,000 - $100,000); Mann Act (No Force — Commercial Purposes); Organized Vehicle Theft; Receiving Stolen Property ($20,000 - $100,000); Theft/Forgery/Fraud ($20,000 - $100,000)	I	493(8.1)	502(8.3)	254(4.2)	126(2.1)
	II	407(6.9)	512(8.6)	234(4.0)	146(2.5)
VERY HIGH — Robbery (Weapon or Threat); Drugs: "Hard Drugs", Possession with Intent to Distribute/Sale (No Prior Conviction for Sale of "Hard Drugs"); "Soft Drugs", Possession with Intent to Distribute/Sale (over $5,000); Extortion; Mann Act (Force); Sexual Act (Force)	I	689(11.4)	606(10.0)	246(4.1)	163(2.7)
	II	723(12.1)	724(12.2)	312(5.3)	210(3.5)
GREATEST — Aggravated Felony (e.g., Robbery, Sexual Act/Aggravated Assault — Weapon Fired or Personal Injury); Aircraft Hijacking; Drugs: "Hard Drugs" (Possession with Intent to Distribute/Sale for Profit (Prior Conviction(s) for Sale of "Hard Drugs"); Explosives (Detonation); Kidnapping; Willful Homicide	I	93(1.5)	150(2.5)	107(1.8)	66(1.1)
	II	112(1.9)	159(2.7)	111(1.9)	80(1.4)

NOTES: 1) These guidelines are predicated upon good institutional conduct and program performance.
2) If an offense behavior is not listed above, the proper category may be obtained by comparing the severity of the offense behavior with those of similar offense behaviors listed.
3) If an offense behavior can be classified under more than one category, the most serious applicable category is to be used.
4) If an offense behavior involved multiple separate offenses, the severity level may be increased.
5) If a continuance is to be given, allow 30 days (1 month) for release program provision.
6) "Hard Drugs" include heroin, cocaine, morphine or opiate derivatives, and synthetic opiate substitutes.

TABLE III

Mean Severity/Salient Factor Score Ratings by Offense Behavior [12/]

OFFENSE	N		MEAN SEVERITY		MEAN SFS	
	4/75-9/75	10/75-3/76	4/75-9/75	10/75-3/76	4/75-9/75	10/75-3/76
Immigration Law Violation	133	124	1.6	1.4	6.8	7.1
Forg/Fraud < $1,000	318	341	2.3	2.2	6.0	5.7
Minor Theft < $1,000	180	147	2.3	2.2	6.1	5.6
Theft Mail < $1,000	250	251	2.4	2.5	6.2	5.7
Escape	78	77	2.4	2.4	4.8	5.1
Firearm Offenses/Simple (Single Weapon/Not Altered or Machine Gun)	172	157	2.5	3.4	5.6	5.3
Alcohol Law Violation	41	32	2.7	2.1	6.5	6.5
Income Tax Evasion*	62	59	2.8	3.2	8.9	8.0
Theft/Forg/Fraud $1,000-$19,000	184	210	3.0	3.2	6.7	6.3
Counterfeiting Offenses*	149	151	3.1	3.1	6.8	6.5
Smuggling Aliens	56	74	3.2	3.0	7.6	8.1
Firearm Offenses/Multiple (Altered Weapons/Multiple Weapons/Machine Gun)	272	272	3.2	4.1	6.1	5.9
Trans Stolen/Forg Securities*	212	214	3.2	3.5	6.3	6.2
Burglary (Other than Bank or Post Office)	65	48	3.2	3.4	5.9	5.7
Trans Motor Vehicle/Simple	306	321	3.3	3.2	4.2	4.3
Embezzlement*	70	69	3.6	3.6	9.3	9.4
Marijuana Offenses	373	354	3.9	4.0	8.5	8.4
Trans Motor Vehicle/ Multiple or for Resale	130	132	3.9	4.0	5.9	5.3
Soft Drug Offenses	171	197	4.1	4.1	8.1	8.1

*Combines all dollar amounts

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TABLE III (continued)

OFFENSE	N		MEAN SEVERITY		MEAN SFS	
	4/75-9/75	10/75-3/76	4/75-9/75	10/75-3/76	4/75-9/75	10/75-3/76
Theft/Forg/Fraud Over $20,000	102	113	4.1	4.3	8.6	7.7
Burglary/Larceny Bank or Post Office	79	83	4.2	4.2	6.0	5.7
Explosives Poss/Trans	19	27	4.2	4.1	6.9	7.1
Hard Drug Offenses	1225	1184	4.6	5.0	7.4	7.5
Extortion	47	49	5.0	4.8	8.0	9.1
Robbery	840	735	5.2	5.2	6.2	6.0
Homicide	23	33	6.0	5.9	6.4	7.3
Other	482	463	4.0	4.1	7.3	7.0
TOTAL	6,039	5,917	3.80	3.94	6.74	6.63

1. D.M. Gottfredson, et. al., "Making Paroling Policy Explicit",
   Crime and Delinquency, 1975, 21, 34.

2. 28 C.F.R. §2.20, 39 Federal Register 109, (June 5, 1974) 20030.
   [Originally published as 28 C.F.R. §2.52, 38 Federal Register
   222, (November 19, 1973); most recently published as 28 C.F.R.
   §2.20, 41 Federal Register 93, (May 12, 1976), pp. 19330-19333.]
   For related Commission regulations, see 28 C.F.R. §§2.1 - 2.58.

3. The guideline concept has recently been provided for by statute:
   18 U.S.C., §§4203, 4206. For material on the guidelines general-
   ly, see P.B. Hoffman, "Federal Parole Guidelines: Three Years
   of Experience", U.S. Board of Parole Research Unit, Report 10,
   November, 1975; P.B. Hoffman and J.L. Beck, "Parole Decision-
   Making: A Salient Factor Score," Journal of Criminal Justice,
   Fall, 1974, 195; P.B. Hoffman, J.L. Beck and L.K. DeGostin,
   "The Practical Application of a Severity Scale," in W.E. Amos
   and C.L. Newman, Parole: Legal Issues/Decision-Making/Research,
   New York: Federal Legal Publications, 1975, 169.

4. Note that the examiners' severity rating may consider aggravating
   or mitigating factors and is not merely based upon the statu-
   tory title of the conviction offense. For a legal discussion of
   this issue, see Lupo v. Norton, 371 F. Supp. 156 (D. Conn. 1974).

5. Prior to October 1975, the hard drug category was divided into
   those offenders who violated the law to support their own drug
   habit (high severity) and those whose motivation was profit
   (very high). Since that date, both groups are treated under
   the very high severity category.

6. It is to be stressed that this conclusion applies only to the
   two six-months periods studied and makes no inferences as to
   any changes that may have occurred in previous time periods.

7. The salient factor score consists of 9 items scoring to 11
   points, with a higher score indicating a more favorable parole
   prognosis. For decision-making purposes, the scores are divided
   into four categories: Very good risk (9-11); Good risk (6-8);
   Fair risk (4-5); Poor risk (0-3).

8. "Salient Factor Scoring Manual", U.S. Board of Parole Research
   Unit, Report Nine, July, 1975.

9. Effective in October 1975, only completion of high school or
   G.E.D. prior to the current commitment is counted towards the
   education item of the salient factor score. Also effective
   the same date, cocaine dependence is no longer counted as a
   negative factor on the drug item of the score. Note, however,
   that these scoring changes are in opposite directions.

10. For cases sentenced prior to May 14, 1976, only those with sentences of six months or more are eligible for parole. For cases sentenced on May 14, 1976 or thereafter, only those with sentences of more than one year are eligible. For those cases not under the jurisdiction of the Commission, sentence length less expected good time would provide the expected length of stay.

11. These offense behavior descriptions may not correspond exactly to the offense behavior ratings listed in the guidelines (Table II).

12. The total figures in Tables I and III may not be identical due to coding errors and omissions.

END