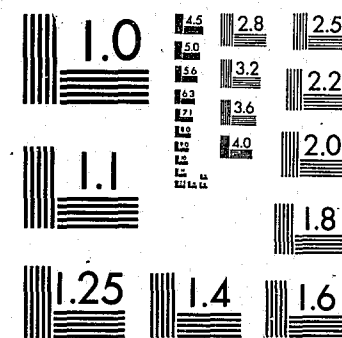


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This Issue in Brief ACQUISITIONS

Prisoners' Rights Litigation: A Look at the Past Decade, and a Look at the Coming Decade.—A number of startling changes have occurred in the prisons during the 1970's, according to Richard G. Singer, professor of law at Rutgers University. The question he explores in the first part of his article is whether these changes are attributable, in whole or in part, to the prisoners' rights movement, and specifically the litigation arm of that movement. In the second part he discusses the impact the recent Supreme Court case of *Bell v. Wolfish* will have on prison litigation in the future.

Children of the Holocaust and Their Relevancy to Probation: Presentence Investigations and Case Planning.—Federal Probation Officer Stephen L. Wishny of Los Angeles suggests that a social history of parent or parents as survivors of the Holocaust, or survivors of like social trauma, might provide an additional element in explaining defendant behavior and developing treatment plans. His article reexamines a presentence investigation in the light of recent research in the field of Holocaust survivor psychology and discusses casework planning from the same perspective.

Managing the Interorganizational Environment in Corrections.—In the face of declining governmental and public support for human service programs, correctional administrators will be required to do more with fewer resources, asserts Dr. Ronald I. Weiner, associate dean of The American University School of Justice. One approach for becoming more competent in the management of scarce resources is the necessity for understanding interorganizational problems in corrections and designing effective strategies to overcome them, he maintains. Management training in corrections would be wise to expand its knowledge base beyond concern for the administration of personnel and programs internal to the organization. Future training needs will require

both knowledge and strategies for more effectively negotiating favorable relationships with other organizations in the task-environment, he concludes.

Fines as an Alternative to Incarceration: The German Experience.—Although many issues of correctional reform have been discussed and debated in the United States during the last decade, the potential role of financial penalties (fines) is not among the issues raised. This omission, according to Professor Robert W. Gillespie of the University of Illinois, stands in sharp contrast to similar discussions and policy innovations in Europe regarding fines. The innovations in recent German penal policy and practice in the use of fines is reviewed and contrasted to the role accorded fines in selected United States courts.

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Assessing Parole Violation Rates by Means of the Survivor Cohort Method.--The examination of parole violation statistics will invariably show a larger number of parole violators each month during the first year or so of parole as compared to the number of violators during the latter parole periods. Two reasons could account for this. Either the probability of violation is highest during the immediate postrelease period, or the number of parolees "at risk" is greater thus providing a larger pool of possible violators. The purpose of this article by George F. Davis, supervisor of information systems for the California Youth Authority, is to present additional data relating to the issue of whether the early months on parole are the most risk-prone.

Purchasing Services in a Community-Based Juvenile Corrections System: The Ohio Experience.--Despite the widespread practice of state juvenile corrections agencies contracting with private agencies to provide residential and social services, there is little in the literature concerning what is needed to develop and maintain a successful purchase of service system, writes Don G. Shkolnik, community residential services administrator for the Ohio Youth Commission. A review of the strengths and weaknesses of such a system is the backdrop against which the Ohio Experience is examined.

His Day in Court.--Frederick Greenwald, executive director of International Probation and Parole Practice, believes that sentencing the alien offender is as vital a part of the judicial process as the sentencing of a citizen or long-time resident. It may have far-reaching effects both on the individual and the na-

tions, not to mention the families involved. He states that when economic and social costs and values are weighed, the balance favors providing equal rights to the alien offender and an equal opportunity to the court to have benefit of full and complete knowledge of the offender when considering the sentence to be imposed.

Patterns of Probation and Parole Organization.--Organizational relationships between programs providing services to mutual clients have a critical impact on the timeliness and quality of those services, according to authors Charles L. Johnson and Barry D. Smith. Their article discusses the impact on services of organizational relationships among probation, parole, and correctional functions. At issue is the compliance of each state with specific portions of standards recommended by the National Advisory Commission on Criminal Justice Standards and Goals.

Understanding Alcoholism and the Alcoholic Offender.--Alcoholism is a major national health problem in the United States. Its costs to American society in terms of mortality, economic loss, and social and emotional disturbance are escalating. Current research evidence indicates that there is a basis for optimism in treating the alcoholic when the focus of treatment is on alcoholism as a primary disease entity rather than as a symptom of an underlying emotional disturbance or inter-personal problem. This article by Professor Gloria Cunningham of Loyola University of Chicago discusses the implications of emerging knowledge about alcoholism for criminal justice practice.

All the articles appearing in this magazine are regarded as appropriate expressions of ideas worthy of thought but their publication is not to be taken as an endorsement by the editors or the federal probation office of the views set forth. The editors may or may not agree with the articles appearing in the magazine, but believe them in any case to be deserving of consideration.

Assessing Parole Violation Rates by Means of the Survivor Cohort Method

BY GEORGE F. DAVIS

Supervisor of Information Systems, California Youth Authority, Sacramento

WHAT was once accepted as a truism, that the probability of parole violation is highest during the early months of the parole period, is now being questioned by an increasing number of investigators. The reader is referred to articles by Berecochea, et al.,¹ Kantrowitz,² and Minor and Courlander³ for background material and for citations of other works in this area. From this author's perspective, the data presented so far do not affirm or deny the existence of an accelerated violation rate during the early months on parole. Berecochea opined that "it would seem necessary to re-evaluate the notion that the first few months on

parole represent a 'crucial' period in the career of the average parolee." Minor and Courlander felt that the statistical data tended to support the "postrelease trauma thesis" but suggested that this was an artifact of the organizational process. For the most part, the data presented in the literature to date were not developed for the specific purpose of testing the early violation theory and thus do not provide a definitive answer to the question.

It will be the purpose of this article to present additional data relating to the issue of whether the early months on parole are the most risk-prone. The data were prepared in tabular and in graphic form but, due to space limitations, only the graphic material will be presented. The graphic data are a faithful representation of the data contained in the tables, copies of which are available from the author. The recidivism rates referred to are based on the cohort method of assessing success/failure. That is, a monthly or yearly release cohort is targeted as the

¹ John Berecochea, Alfred Himelson, and Donald Miller, "The Risk of Failure During the Early Parole Period: A Methodological Note," *The Journal of Criminal Law, Criminology and Police Science*, 1972, Vol. 63 No. 1.

² Nathan Kantrowitz, "How to Shorten the Followup Period in Parole Studies," *Journal of Research in Crime and Delinquency*, July 1977.

³ William Minor, and Michael Courlander, "The Postrelease Trauma Thesis," *Journal of Research in Crime and Delinquency*, July 1979.

study group and this cohort is followed for a predetermined period of months or years. Each member of the cohort receives the same exposure period although, of course, many violate or complete parole successfully before the end of the followup period.

Methods of Computing Parole Failure

Berecochea cites three different methods of computing parole failure rates. Two of these methods have been used almost exclusively in the past to present parole recidivism statistics. It is exactly these methods that gave rise to the belief in the early violation pattern. Of these two methods, the most common utilizes the total number released to parole as the denominator with the numerator being the number of violators each month. Cumulating the monthly violation rates in this instance produces a total recidivism rate for any desired followup period. This cumulative figure will always be less than 100 percent.

The second method computes the failure rate by dividing the number of failures each month (numerator) by the total number of failures during the followup period (denominator). In this instance, the recidivism rate will always accumulate to 100 percent. Both of the methods just described will invariably produce monthly violation rates that are higher during the first year of the parole period and that decline dramatically in the latter months.

The third method of assessing parole failure is to divide the monthly number of violators by the total release cohort, less those removed from parole during the month. This method has been mentioned in the literature on enough occasions so that it is not unique to one author; however, the data presented so far utilizing this method had not ruled out completely that the early parole period is the most risk prone period. (See previous citations.) In describing this latter method, we will use the term "survivor cohort," a shortened version of Berecochea's label.

In assessing violation rates by month by means of the survivor cohort method, the methodology is briefly as follows. Monthly releases are the lowest practical unit for followup and the releases are assumed to be evenly distributed throughout the month (as are the removals). Each month, the total releases are added and the total removals (successes and failures) are subtracted. Then the beginning and ending month figures are averaged for an average at-risk parole cohort. The number of violators each month is then divided by the average at-risk parole cohort to obtain a monthly percent violator figure.

This is continued for the length of the followup period, in this instance 48 months.

Definition of Terms

At this point, a word about the data and the definitions of success/failure. The California Youth Authority has been collecting detailed information on institution and parole movements since the formation of the department in the early 1940's. For purposes of this study, the 1972 release cohort was selected and the parole followup period was set at 48 months. At the end of 48 months, all cases still on parole were arbitrarily assigned to the success category. The definition of failure was any removal from parole because of an action by the Youth Authority Board, either revoking parole or discharging the ward from Youth Authority Board, either revoking parole or discharging the ward from Youth Authority jurisdiction because of a commitment to an adult correctional agency, or because of an AWOL or missing status.

The key element in the above definition is the phrase "removal from parole." CYA wards are not posted as failures until the date of removal from parole. Since most parole violations involve new offenses, which must be adjudicated before the California Youth Authority will entertain a violation action, the length of time between the commission of a new offense and removal from parole can be quite long. Thus, it is unlikely under current California Youth Authority policy to have many parole violators appearing in the statistics during the early months of the parole period. Certainly, the statistics for the first 3 months of parole will not reveal the true rate of criminal activity of wards since it is probable that the average time between commission of an offense and removal from parole is 3 months.

Another problem that this presents is in reference to AWOL or missing cases. Once again, the AWOL date is not the date that is counted--rather, it is the date removed from parole because of AWOL status. Typically, this is the date at which the ward's term expires because of age limitations.

Examination of the Data

In order to perform this analysis, the 1972 cohort year was selected. A more recent cohort of releases could have been selected but there were some significant legislative changes and court decisions in 1976, 1977, and 1978, which affected sentencing and parole practices in California. These changes tended to shorten parole periods and brought about some mass discharges from parole jurisdiction. As a result, the data on later cohort years would show

FIGURE 1
Violators as a Percent of Total Violators (A)
Violators as a Percent of Total Released (B)
1972 Release Cohort Followed 48 Months

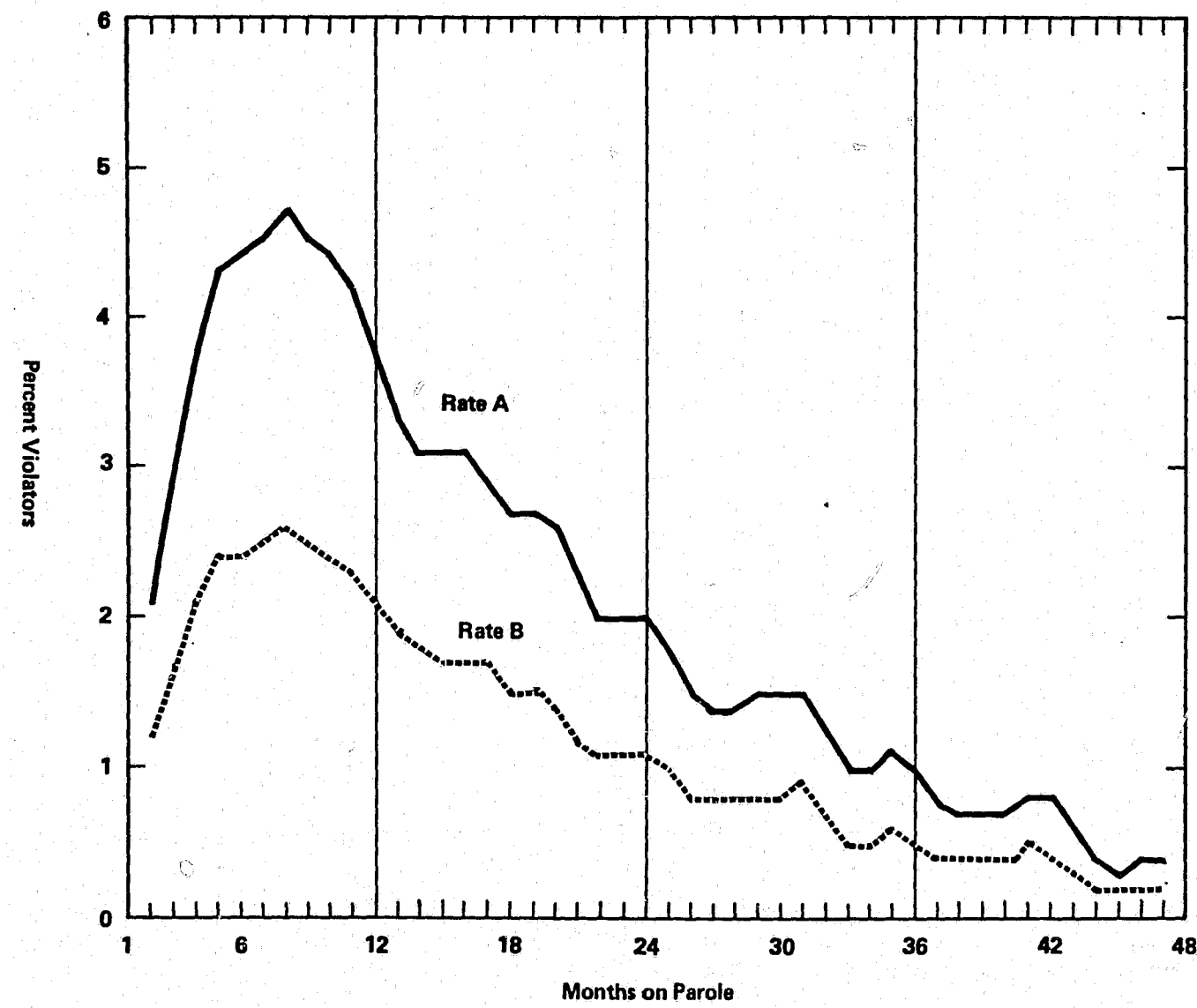
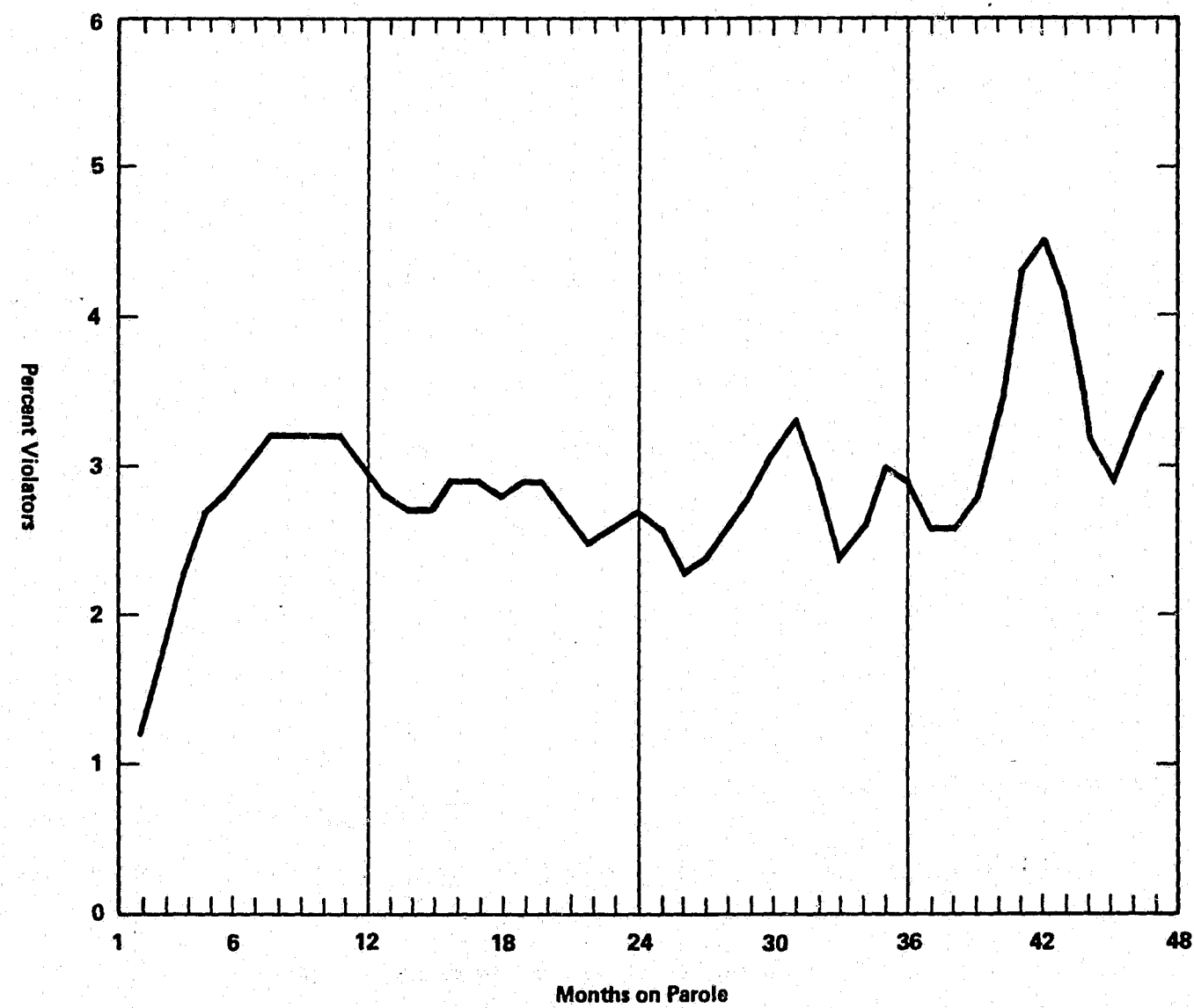
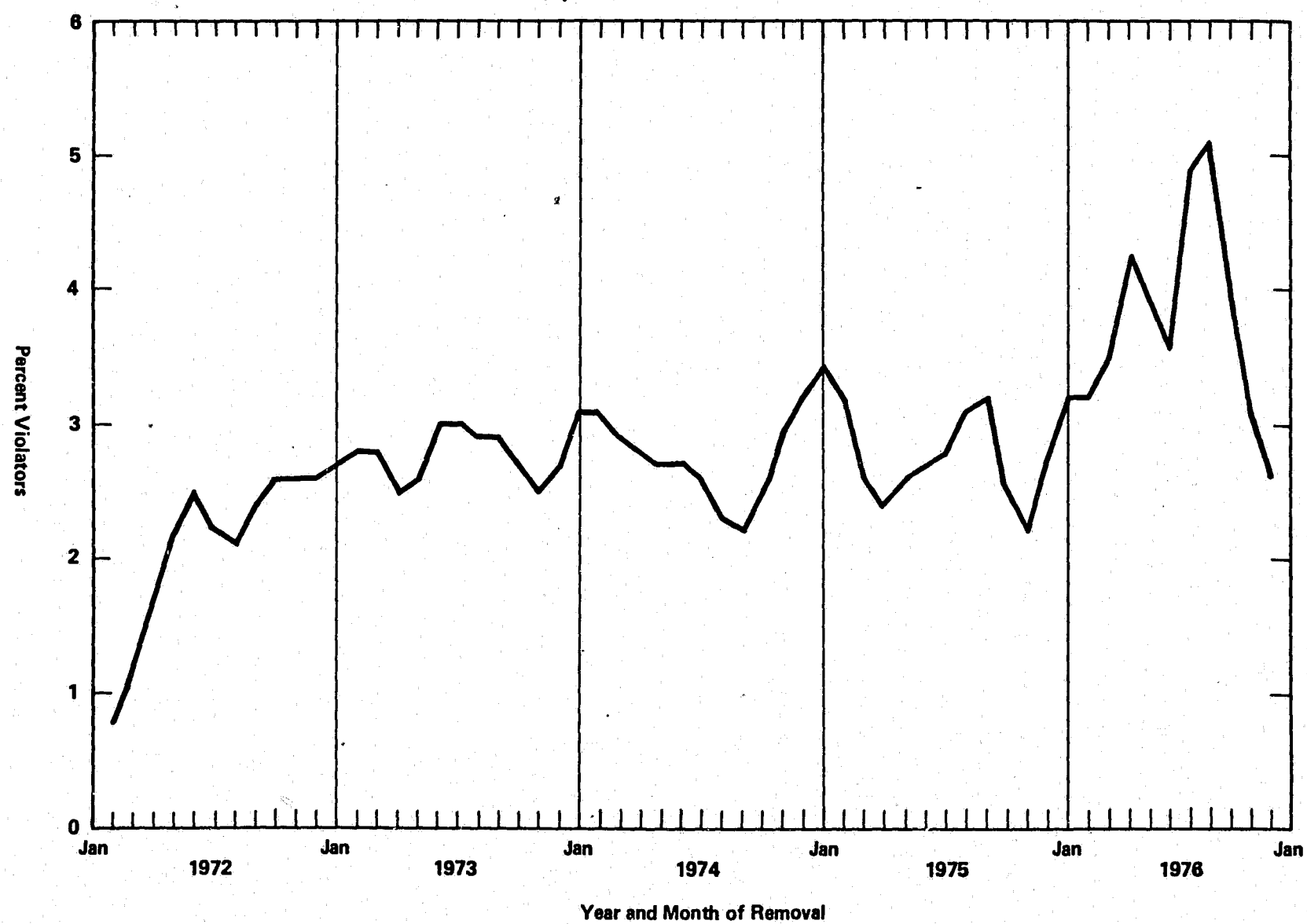


FIGURE 2
Violation Rates Based on At Risk Parole Cohort Method
1972 Release Cohort Followed 48 Months
(By Months on parole prior to removal)



ASSESSING PAROLE VIOLATION RATES

FIGURE 3
Violation Rates Based on At Risk Parole Cohort Method
1972 Release Cohort Followed 48 Months
(By Year and Month of Removal)



unusual aberrations and thus interfere with trend analysis.

Figure 1 shows the data for the 1972 release cohort in terms of the two more commonly accepted methods of calculating violation rates by month. The first method (Rate A) utilizes the total violators as the base (2,764) and calculates the percent of violators by dividing the number of violators each month by the total violators. Note in Figure 1 that the monthly violation rate for Rate A climbs to just under 5 percent per month during the first year of the parole period and then declines rather steadily to a low of close to zero.

A similar situation prevails for the other commonly used representation of violation rate by month (Rate B). Here the total release cohort is the base (4,959) with each month's violators divided by this number. Figure 1 reveals a similar trend for both rates although in the second example (Rate B) the individual monthly rates are lower than in the first example (Rate A). This is because of the smaller base in Rate A than in Rate B. In each instance, the data seem to support the theory of a higher violation rate during the early months of the parole period.

But this is not necessarily the case. As pointed out by Berecochea, it is important to consider the answer in terms of the question being asked. If the question is: "Of all those who violated parole within 48 months, how long were they on parole at the time of removal," then Rate A gives the best answer. Rate B, in turn, responds to the question of how many (or what percent) of the release cohort violate parole each month. The accumulation of the monthly figures produces a violation rate that is commonly used in assessing the success/failure of institutional programs. Neither rate, however, answers the question of what period of time during the followup period is the risk of failure the highest. This is the question that the survivor cohort method is best suited to answer.

One method of constructing a survivor cohort is to take a month's releases to parole and for each month of the followup period, subtract the number removed from parole. Then, average the monthly beginning and ending counts to arrive at a monthly average daily population. This figure becomes the denominator, while the total failures each month becomes the numerator. Each monthly release cohort could be handled in the same manner, giving 12 separate expressions of failure rates for the 1972 releases. Because monthly release cohorts lack stability due to the relatively small number released each month, it is appropriate to combine the monthly data into a yearly release cohort. To smooth out

the irregular nature of the monthly fluctuations, a 3-month moving average was calculated and this was plotted in Figure 2. In this example, the question addressed is the proportion of violators after 1 month on parole, 2 months on parole, etc., up to a maximum of 48 months as a function of the number remaining on parole expressed as an average daily parole population for each month.

A note on methodology. Combining monthly data in the manner just described produces a table that does not represent the reality of the situation even though it does no harm to the data. For instance, in constructing the table for January releases it was assumed that everyone was released on January 1 and from that point the average caseload size decreased each month by the number of removals from parole. This situation is approximately what happened—the only difference being that the releases were spread over a 31-day period rather than 1 day. However, in accumulating the monthly data, the implication is that (in this instance) 4,959 wards were released on parole at the beginning of 1972 and from then on the caseload dropped by virtue of the monthly removals. This, of course, is not what happened. Rather, each month a new release cohort was added and in turn a certain proportion of the caseload was removed. This brings us to the second method of presenting survivor cohort data.

In this method we take each release cohort for each month of the 12-month period and add each month's releases to the releases for the previous month and subtract the removals for that month in order to get an average number on parole each month. This is used as the denominator of the expression with the numerator being the number of violators each month. To illustrate the procedure: In January, 420 wards were released to parole. Five of these were removed from parole in January, 5 in February, and 6 in March. In February, 443 wards were released to parole. Three were removed in February and 11 in March. In March, 492 were released to parole and 10 were removed. So far, 5 wards were removed from parole in January, 8 in February, and 27 in March, for a total of 40 removals. There were 1,355 cumulative releases during the 3 months, less 40 removals for a March 31 count of 1,315. The average at-risk caseload for March was the beginning (850) and ending (1,315) month count divided by two. The violation rate is then the quotient of 1,082 (average at-risk) divided into the 16 violators in March. These 16 violators came from the January, February, and March releases.

These data are represented in Figure 3. In Figure 3, the data are plotted for more than 48 months

because a yearly release cohort with a possible exposure period of 48 months on parole necessitates a total followup of 60 months rather than 48. As before, the data are plotted using a 3-month moving average.

Findings and Conclusions

The two methods of calculating survivor cohort data provide essentially similar results even though the question that is answered in each instance is slightly different. The monthly violation rates in Figure 2 have no relation to a temporal sequence, i.e., January, February, and March, but rather relate only to how long after release the removal from parole occurred. A ward released in February and removed in April would be included in the same group as ward released in July and removed in September. The data reflected in Figure 3, however, places each of these wards in different groups because the question asked relates solely to the calendar month of violation. In Figure 3 the violation number in March of 1972 represents violators from the release cohorts of January, February, and March. The violation number in September of 1972 represents violators from the release cohorts of January through September of 1972 and so on.

As mentioned earlier, the slope of the line during the initial months of the parole period has little meaning in terms of when the actual violation occurred, and thus is not an indication of the degree of risk during the initial parole period. By the very nature of the way violations are handled on parole, the percentage must start at zero and rise rapidly to a certain level. The question that remains to be answered is whether the violation rate stays at this level or declines back to a near zero level.

At the other end of the spectrum, there is the phenomenon of the upward fluctuation in the violation rate near the end of the followup period. In both Figures 2 and 3, the violation rate for the last year of the followup period is higher than for the preceding years. For instance, in Figure 2, the average violation rate by month for the first 12 months was 2.5 percent. For the next 24-month period, the average rate was 2.7 percent per month. For the last 12-month period, the average monthly rate was 3.4 percent. The reason for the upward

thrust in the last year is that during this period, the California Youth Authority was operating under laws requiring the discharge of juvenile court wards at age 21 and criminal court wards at age 23 (or in some cases 25). Thus, many wards entering their fourth year of parole were approaching a mandatory discharge date. In addition, many of the mandatory dischargees were A.W.O.L. So, this induced one or both of the following events: an acceleration in the total number being removed each month, thus sharply reducing the "at-risk" group; and an abnormal increase in the number of violational removals because of an AWOL or missing status.

Because of the factors that affect both ends of the trend line, it would be appropriate to disregard the first few months of the parole experience and to similarly disregard the latter months of the exposure period. The question then remains: Does the violation rate during the intervening months reveal a trend that would support a hypothesis of no basic difference in the violation rate over time? It is fairly obvious from the figures presented that after the initial acceleration, the violation rate as a percent of the total at risk does not increase or decrease significantly. In fact, the trend is toward a straight line extending over a period of approximately 3 years. In order to validate these results, the 1973 releases were plotted in a similar fashion (not shown). Both release years revealed the erratic upward nature of the curve during the last months of the period and the slow start at the beginning of the period with the trend for intervening years being fairly similar.

It would appear from the data presented here that there is no strong case for the belief that the early months of the parole period produce higher violation rates than do the later periods. In all probability, violation rates are directly linked to the parole caseload at risk, and do not change significantly over time. Even though the data for the California Youth Authority shows a peaking phenomenon near the end of the followup period, it is believed that this is an artifact of the laws that specify the maximum age of Youth Authority jurisdiction. It is hypothesized that survivor cohort violation rates from adult correctional agencies (particularly those with indeterminate sentencing) would not show this peaking phenomenon in the latter months.

END