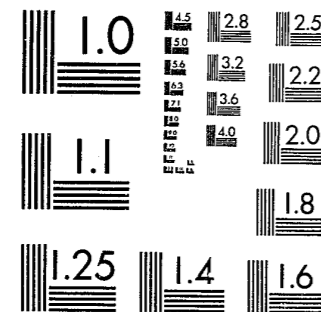


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RISK ASSESSMENT IN IOWA

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The purpose of this paper is to briefly discuss the Offender Risk Assessment Scoring System, which is an offender screening device developed in Iowa from data on Iowa offenders. The system is structured so as to aid criminal justice personnel in determining which charged or convicted offenders pose the greatest risk or danger to society if released. It is the intent here to provide a non-technical overview of the system that can be easily understood by practitioners who may not have the statistical background necessary to fully appreciate the detailed technical reports which have been prepared on the subject. This document is intended to answer many of the questions and concerns that have been voiced by those who would make direct use of the system. In addition, we have attempted to address several of the major policy implications related to the introduction of formal risk assessment to criminal justice decision-making in this state.

Question: Just how does risk assessment work?

Answer: Risk assessment involves the use of an offender's background and current circumstances in determining the risk presented by his or her release. Offender information, such as is routinely collected by criminal justice agencies in Iowa, is combined according to certain key decision rules to arrive at an overall judgment of risk. The Iowa system "rates" each offender on two separate but complementary scales of risk, including 1) the general risk of recidivism (reflecting the probability and potential seriousness of new criminal acts in general), and 2) the risk of violence (reflecting the probability of new violent acts.) Any offender to whom the system is applied would be "rated" according to both general and violence risk, where the applicable ratings are as follows:

GENERAL RISK

SUPER RECIDIVIST
ULTRA-HIGH RISK
VERY-HIGH RISK
HIGH RISK
HIGH-MEDIUM RISK
LOW-MEDIUM RISK
LOW RISK
VERY-LOW RISK

VIOLENCE RISK

SUPER RECIDIVIST
ULTRA-HIGH RISK
VERY-HIGH RISK
HIGH RISK
HIGH-MEDIUM RISK
LOW-MEDIUM RISK
LOW RISK
VERY-LOW RISK
NIL RISK

The process of risk assessment is thus directed solely to the determination of one rating from each of the two preceding lists. A set of coding forms must be completed to arrive at these risk ratings or assessments. While the coding system is a manual one, it is possible to computerize the entire risk assessment process.

Question: On what information is the risk assessment based?

Answer: The following is a list of all of the items of offender information that must be available in order to apply the system:

- CURRENT OFFENSE TYPE
- CURRENT AGE
- AGE AT FIRST ARREST
- NUMBER OF PRIOR ARRESTS
- NUMBER OF JUVENILE PROBATIONS
- NUMBER OF JUVENILE COMMITMENTS
- NUMBER OF PRIOR ADULT CONVICTIONS
- NUMBER OF PRIOR ADULT PROBATIONS
- NUMBER OF PRIOR ADULT JAIL TERMS
- NUMBER OF PRIOR ADULT PRISON TERMS
- KNOWN ALIASES (yes or no)
- HISTORY OF DRUG OR ALCOHOL PROBLEM (yes or no)
- HISTORY OF NARCOTICS USE (yes or no)
- MOST RECENT EMPLOYMENT STATUS
- OCCUPATIONAL SKILL LEVEL
- EDUCATIONAL LEVEL
- MARITAL STATUS
- PRE-TRIAL STATUS
- JAIL TIME ON CURRENT SENTENCE (if sentenced)

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ACQUISITIONS

All items on which the risk assessment is based are objective offender characteristics known at the time of the assessment. No subjective judgments - such as of the offender's attitude or work habits - are required.

Question: Briefly, how was the system developed?

Answer: The system was developed from a computer-assisted analysis of offender characteristics shown to statistically predict whether or not an offender would become a recidivist if released. A sample of 6337 offenders was used to develop the system, and a separate sample of 9387 was used to show that the method is valid and that it would offer advantages if put into practice. Approximately 3000 man-hours and \$300,000 were devoted to the development of the system over a five-year period (1975-1980). Virtually every statistical technique available to the researchers was used in order to maximize the predictive accuracy of the method.

Question: Where did the data come from that was used to develop the system?

Answer: All information was provided to the state Department of Social Services by adult probation and parole officers and other correctional counselors in Iowa as part of a statewide correctional evaluation effort beginning in early 1974. From late 1974 until mid-1978

the Department's Bureau of Correctional Evaluation was responsible for the evaluation function. With the demise of the Bureau, the Statistical Analysis Center has become quite heavily involved in this area. Currently, there is no operational system for collecting evaluation data from Iowa's community corrections projects.

Question: Is risk assessment unique to Iowa, or have other states been involved in this type of thing?

Answer: Risk assessment is not unique to Iowa. Many other states have been involved in research of this type, and a number have implemented risk assessment systems at various phases of criminal justice. For example, many states use such systems for assisting probation and parole officers to set appropriate levels of supervision. Wisconsin is especially noteworthy in this regard. Currently, Michigan authorities are using such a system for screening prison inmates for release programs, including parole. Also, the U.S. Parole Commission incorporates a risk assessment device, called the Salient Factor Score, in its parole guidelines system for setting expected release dates for federal prisoners.

Question: How does Iowa's system compare with those developed elsewhere?

Answer: One way to compare systems is to determine their relative efficiencies in predicting recidivism. Clearly the system which is more efficient in predicting recidivism will offer greater advantages when used for screening purposes. The staff has gathered information on a number of other systems developed outside Iowa and has yet to find a system that can even approach the accuracy of the system discussed here. The reader should see the report The Iowa Offender Risk Assessment Scoring System, Volume I: System Overview and Coding Procedures for more information on predictive efficiency.

Question: What is the added advantage of the greater predictive efficiency?

Answer: Just as with horse racing, greater predictive efficiency means a higher percentage of "hits" or "winners." Because of the added predictive efficiency, measures taken to protect the community from higher risk offenders - and to generally reduce recidivism rates - would be more effective if supported by Iowa's risk assessment. Recently, we estimated that if sentencing judges in Iowa would make use of risk assessment in the sentencing process, prison commitments could be reduced by 25% without further endangering the community. In fact, this 25% reduction could be achieved with the added benefit of a 15% reduction in the probation violation rate. In addition, because of our accuracy in pinpointing "good risks," a much higher percentage of probationers could be handled under minimum supervision than is presently the case.

Question: Are you saying that judges and probation officers are not able to identify the "good risks" and the "poor risks" with any proficiency?

Answer: Information is available to allow the reader to make his or her own judgments on this. Take note of the following information on the sentencing of 7606 convicted felons in Iowa during the three-year period 1974-1976. The data show the number sentenced who fell in each of our eight levels of general risk, and the percentage of those in each level who were sent to prison by the judges. The remaining percentage in each case were placed in community programs such as probation and residential corrections.

OFFENDER RISK LEVEL	TOTAL SENTENCED	SENTENCED TO PRISON
SUPER RECIDIVIST	246	35.1%
ULTRA-HIGH RISK	331	35.7%
VERY-HIGH RISK	1353	29.2%
HIGH RISK	850	22.0%
HIGH-MEDIUM RISK	623	29.7%
LOW-MEDIUM RISK	2071	17.9%
LOW RISK	1135	16.0%
VERY-LOW RISK	997	10.7%
ALL OFFENDERS	7606	21.4%

Based on these sentencing results, it is possible to calculate that the judges were about 27% of perfect in selecting potential recidivists to incarcerate -- that is, they reduced through incarceration the potential crimes that these 7606 would have committed during the year following conviction by about 27%.¹ If the judges were to use the risk assessment system discussed here -- and incarcerated convicted felons in proportion to the degree of threat they posed to public safety -- then the above-mentioned degree of public protection could be increased from 27% to 35% without increasing the frequency of imprisonment. SAC has demonstrated that it is possible to structure sentencing policy so that public protection could be increased by 24% with as much as a 25% reduction in prison commitments. This would be impossible without formal risk assessment as proposed by SAC.

Question: These figures show that there is considerable room for judges to improve the public protection aspect of sentencing. How does the parole board rate in this regard?

¹ Considering both the number and seriousness of new criminal acts. More serious crimes were given heavier weight.

Answer: Again, the reader can make this judgment from statistical information prepared by SAC. The following is a risk profile of two groups of convicted felons, including 1) the active prison population in Iowa as of August 31, 1980, and 2) a representative sample of prisoners released by the Iowa Board of Parole in recent years.

OFFENDER RISK LEVEL	PRISON POPULATION	PAROLEES
SUPER RECIDIVIST	5.6%	5.7%
ULTRA-HIGH RISK	9.4%	9.1%
VERY-HIGH RISK	16.6%	19.4%
HIGH RISK	13.7%	14.7%
HIGH-MEDIUM RISK	15.9%	15.3%
LOW-MEDIUM RISK	22.7%	21.9%
LOW RISK	11.4%	9.5%
VERY-LOW RISK	4.7%	4.4%
TOTAL POPULATION	2458 (100%)	1710 (100%)

From the above, it is possible to calculate that - as a group - the 1710 parolees were about 4% higher in risk than the 2458 active prisoners. This suggests that those approved for release by the Iowa Board of Parole are typically not better risks for release than are those not approved. (It should be noted, however, that the group of those not approved includes the large group of prisoners who were not interviewed by the Board because they had not reached their yearly interview dates. Among those interviewed, those approved for release are only slightly better risks than those not approved.)

Question: Are you saying that judges and parole board members are routinely making mistakes in their release decisions? How can this be so? Both have access to the same type of information that you use for the risk assessment, and - indeed - much more detailed information than you can possibly consider? Why do they make so many misjudgments?

Answer: To begin, we are not necessarily accusing them of making mistakes in their decisions. The truth of the matter is that release decision-makers in this state typically give the most weight in their decisions to factors in the case that are not clear "risk factors." For example, heavy weight is given to the fact that the current offense is against persons or violent. On the other hand, violent offenders are generally no more recidivistic than are property offenders - and in fact have lower probation and parole violation rates.

In addition, more weight is usually given to an offender's adult record than to his or her juvenile record, whereas a juvenile record is generally much more of a risk factor. As a result, the older repeat offender - who is typically lower risk than a younger repeater - is much more frequently incarcerated by the judges and serves more time if incarcerated.

We might also note that misconduct and performance in prison programs are typically given heavy weight in parole decisions, yet are of little utility in predicting whether or not an offender will be re-arrested after release.

In sum, the extent to which judges and parole board members make judgments inconsistent with risk is due in part to other policies that are ingrained in their decision patterns. Thus the perceived utility of these policies in part dictates the seriousness of any failure to give weight to risk factors.

Question: Would judges and the parole board have to radically adjust their policies to make use of your risk factors?

Answer: Definitely not. Model sentencing and parole guidelines developed by SAC show that release decision-makers can essentially "have their cake and eat it too"! For example, these hypothetical sentencing guidelines would still exact much harsher penalties for violent criminals and so-called habitual offenders¹ than for other convicted felons, and would yet achieve the aims discussed above, i.e., a 24% safer sentencing system and 25% fewer prison commitments.

Question: How can that be? You just said that the problem was one of policy.

Answer: Actually, the model sentencing guidelines maintain much of the thrust of past policies, yet adjust them to be more consistent with public protection and cost effectiveness. Although fewer violent and so-called habitual offenders² would be imprisoned under the model system, they would still be locked-up much more frequently than other offenders. In essence, the gap is so wide to begin with that the general thrust of the policies can be maintained despite a significant adjustment in the specific manner in which they are implemented.

Question: Under the new criminal code, certain classes of violent and habitual offenders receive mandatory prison sentences. Does your work suggest that these provisions are not necessary for public protection?

Answer: Very definitely. Under the model guidelines, a significant number of these offenders can be placed in community programs with little risk to the general public. The mandatory sentence provisions act much more as punitive and retributive measures than as avenues to better protect our citizens, and thus impose heavy burdens in public expenditure for building new prison facilities, with little or no benefit in public protection. Use of risk factors in sentencing

¹ Such as those who have been in prison at least twice in the past.

² Many of the so-called habitual offenders are older repeat offenders who have gone well past the peaks of their criminal careers and thus pose much less risk than younger counterparts who are not currently treated as being "habitual."

can ensure better protection from violent and habitual offenders -- at an actual cost savings to the taxpayer!

Question: Currently Iowa is embroiled in another prison population crisis. Can risk assessment help us avoid the construction of a new state prison?

Answer: Definitely, yes! The 25% reduction in prison commitments that would accompany the model sentencing guidelines would more than compensate for the upward trend in commitments. To be fully effective, however, the legislature would have to dispense with the mandatory sentence provisions discussed above. In addition, model parole guidelines could lead to an increase in paroles and still result in a lower parole violation rate. Statistics compiled by SAC show that there are a large number of lower risk inmates in the prison population who could be safely released at earlier dates than normal. In fact, SAC estimates that the number of paroles in Iowa could be doubled without endangering the public or increasing the parole violation rate.

Question: You mentioned that risk assessment could help probation and parole officers make better decisions. How is this possible?

Answer: Typically, probation and parole officers must make decisions as to how much supervision an offender should receive. In Iowa, assignments are made according to three general supervision categories -- including minimal, normal, and intensive. Judgments are made both according to risks and needs of the offender. Statistics compiled by SAC show that the vast majority of probationers and parolees are under normal (or medium) supervision at any one time. For example, as of June 30, 1979, there were 7518 Iowa probationers under supervision in the state. Of these 7518, 20% were under minimal supervision, 69% under normal supervision, and 11% under intensive supervision. If risk assessment were applied by probation and parole officers, a much higher percentage of cases would be assigned to minimal supervision. Under SAC's model guidelines -- which incorporate suggested supervision level assignments for those placed on felony or aggravated misdemeanor probation -- 56% of felons sentenced to community programs would be assigned to minimal supervision, 13% to normal supervision, and 31% to intensive supervision, the latter including residential placement.¹ This strategy, which would be consistent with the actual risks posed by released offenders, would reduce overall supervision of felony probationers by about 9%, but would call for more supervision for those who really need help or who pose a threat to the public. Currently, 17% of felony probationers receive minimal supervision, 73% normal supervision, and 10% intensive supervision.

¹ These figures include those released on shock probation. All such individuals would be assigned to residential facilities -- or placed under intensive supervision -- upon release, according to the guidelines.

Question: What are the obstacles - if any - to implementation of formal risk assessment in Iowa?

Answer: There are several, although none are prohibitive. To begin, there is the natural tendency among decision-makers to have faith in their ability to accurately assess the facts in a case and to make the right decision. It seems likely that most decision-makers fail to appreciate the true level of difficulty in making an accurate subjective judgment of risk, especially when they can say that all the facts in a case have been carefully examined.

In line with this fact, it is difficult for the researcher to approach the decision-maker to suggest that perhaps there is room for improvement in the decision process. To a certain extent, one must offer an insult of sorts before even gaining attention. This is especially troublesome when attempts are made to deal with people who generally lack the time or inclination to read research reports.

Another impediment is the question of discretion. How can information on risk factors be incorporated into existing decision processes without destroying the freedom to make individual case decisions? If strict decision guidelines are used, then clear, objective rules are available on how to "build in" the consideration of risk factors. If no such guidelines are used, then the role of the risk assessment would be left to the complete discretion of the decision-maker. In the latter case, unless the decision-maker clearly understood the potential impact of the risk assessment on his or her decisions, totally undesirable results could ensue.

For example, without guidelines, a judge might decide to imprison all offenders rated as HIGH RISK or higher, and still maintain previous tendencies to imprison violent and habitual offenders. The result could well be that twice as many people would be sent to prison as in the past.

It is important, then, to carefully examine the question of implementation and - to the extent possible - to build in some degree of leeway or discretion without sacrificing the benefits of risk assessment.

What is desired is to narrow or "channel" discretion rather than to eliminate it, and to do so in a manner consistent with our knowledge of risk factors. SAC believes that this can be accomplished through the indirect use of decision guidelines, i.e., through their availability as input to the decision process. The guidelines would basically show the decision-maker what the likely impact would be of any significant deviation from the specified decisions, and would thus serve as a method for achieving controlled change. Detailed statistics would be provided to allow for this determination.

Question: Can you give a little better feeling for the utility of this risk assessment method? Are there any statistics that can show just how high risk a "HIGH RISK" offender really is, for example? How does the user come to know what these risk assessments really mean?

Answer: Perhaps the best way to illustrate the utility of the risk assessment is to show how well it works on an actual group of offenders. In particular, we examine the outcomes of 12,517 probationers and parolees released from caseloads in Iowa between 1974 and 1979. For this group, we examine three different measures of unfavorable outcome, including 1) the percentage who failed probation or parole, i.e., who absconded or were revoked, 2) the percent who were re-arrested within 18 months of release on probation or parole, and 3) the relative degree of threat to public safety (roughly on a scale from 0% to 100%) that was posed by the release of each group.¹

OFFENDER RISK LEVEL	TOTAL CASES	REVOCATION/ ABSCONDER	RE-ARRESTED 18 MONTHS	THREAT TO PUBLIC SAFETY
SUPER RECIDIVIST	290	64.3%	88.3%	95.2%
ULTRA-HIGH RISK	472	48.9%	78.6%	73.4%
VERY-HIGH RISK	1561	42.4%	66.6%	62.8%
HIGH RISK	1269	31.0%	51.8%	45.3%
HIGH-MEDIUM RISK	860	22.3%	34.6%	26.6%
LOW-MEDIUM RISK	3235	14.8%	22.8%	18.2%
LOW RISK	2015	7.4%	14.6%	9.4%
VERY-LOW RISK	2815	3.0%	8.2%	4.5%
ALL OFFENDERS	12,517	19.0%	31.0%	26.5%

Question: What are the main things to look for in this table?

Answer: The main things to note in the table are as follows:

- 1) the high percentage of cases in the lower risk levels (64% of cases are rated LOW-MEDIUM, LOW or VERY-LOW RISK), coupled with low "recidivism" rates in these levels,
- 2) the lower percentage of cases in the higher risk levels, and especially in the SUPER RECIDIVIST and ULTRA-HIGH RISK categories (6% of cases fall in these two levels), coupled with high recidivism rates in these levels, and
- 3) the steady and substantial increase in recidivism rates as one moves up the scale.

¹ The "degree of threat to public safety" is measured in terms of the number and seriousness of new criminal acts, as well as the frequency of revocation or absconsion.

The important features of the risk assessment are the twin facts that the bulk (64%) of cases fall in risk levels with lower than average recidivism rates, and that the highest risk levels show exceptionally high recidivism rates. Thus, we see the dual advantage of potentially directing fewer resources toward a large group of (lower risk) offenders, and more resources toward a smaller (higher risk) group with clearly demonstrated need.

Question: How about those model sentencing guidelines you mentioned? Do they call for the incarceration of all high risk offenders?

Answer: Not at all. To ask for total incarceration of this group would be to suggest that resources in the community are inadequate to deal with higher risk offenders. The research shows, however, that residential facilities in the community are effective in protecting the public during the period of residence, and - in fact - reduce re-arrests by from 60% to 70% over street probation. In addition, there is reason to expect that maximum supervision of high risk probationers can protect the community by pointing the way to revocation when there are indications of unsatisfactory adjustment.

In addition, if all offenders whom we classify as "high risk" were imprisoned, in addition to those others who would otherwise be judged to merit imprisonment, then Iowa would need at least two more large state prisons. This follows since about 36% of convicted felons and aggravated misdemeanants are rated as high risk, while only about 20% are imprisoned by the judges.

Indeed, under the model guidelines, many of those rated as HIGH RISK or VERY-HIGH RISK¹ would be handled with the use of shock probation, residential corrections, and normal or intensive supervision probation (medium and maximum are the terms used in the guidelines). The following table gives the rates of imprisonment that would have ensued from use of the model guidelines, as compared to what actually occurred, during 1974-1976:

OFFENDER RISK LEVEL	TOTAL SENTENCED	IMPRISONED	
		ACTUAL	GUIDELINES
SUPER RECIDIVIST	246	35.1%	100.0%
ULTRA-HIGH RISK	331	35.7%	87.0%
VERY-HIGH RISK	1353	29.2%	32.0%
HIGH RISK	850	22.0%	12.9%
HIGH-MEDIUM RISK	623	29.7%	13.0%
LOW-MEDIUM RISK	2071	17.9%	1.9%
LOW RISK	1135	16.0%	0.5%
VERY-LOW RISK	997	10.7%	0.0%
ALL OFFENDERS	7606	21.4%	15.8%

¹ As opposed to those rated ULTRA-HIGH RISK or SUPER RECIDIVIST.

The rationale for imposing high rates of imprisonment on those rated ULTRA-HIGH RISK or SUPER RECIDIVIST is two-fold:

- 1) these categories show extremely high rates of recidivism, yet contain only a minority (8%) of all those sentenced, and
- 2) these categories contain precisely those who are rated as high risk for violence.

Although the use of this term is frowned upon, the user could easily think of those rated ULTRA-HIGH RISK or SUPER RECIDIVIST as being dangerous since the probability of recidivism and violence both are high.

Question: Obviously your "model guidelines" would impose significant policy changes on sentencing judges. Would this include lower rates of imprisonment for violent offenders?

Answer: Yes and no. They would entail lower rates of imprisonment for those convicted of violent crimes, but higher rates of imprisonment for those who pose a risk of continued violence. Generally, the latter group is contained in the former, but constitutes a much smaller portion of the former than most people would assume.

For the guidelines to act in this way, the legislature would have to reinstate the option of granting probation to persons convicted of forcible felonies.¹ Under the present code, 100% of persons convicted of such crimes are imprisoned. Under the model guidelines, however, many of these people could be safely placed in community programs.

Question: Do you have figures on how rates of imprisonment would vary depending on the seriousness of the convicting offense?

Answer: Yes. The following table shows precisely what these rates would have been during 1974-1976 for various offense categories had the model guidelines been followed, and also what the actual rates were for these categories.

OFFENSE CATEGORY	TOTAL CASES	IMPRISONED	
		ACTUAL	GUIDELINES
CLASS A FELONY (Life)	23	100.0%	100.0%
CLASS B FELONY (25 years)	452	65.5%	73.7%
CLASS C FELONY (10 years)			
Against Persons	446	46.6%	40.1%
Not Against Persons	2472	15.2%	14.2%
CLASS D FELONY (5 years)			
Against Persons	206	66.2%	19.9%
Not Against Persons	2716	16.8%	7.8%
AGGRAVATED MISDEMEANOR (1-2 years)			
Against Persons	269	19.4%	11.2%
Not Against Persons	1045	9.9%	5.5%
ALL OFFENSES	7629	21.6%	16.1%

¹ Forcible felonies include murder, sexual abuse, robbery, kidnapping, felonious assault, and burglary and arson in the first degree.

Note that the guidelines maintain high rates of imprisonment for the most serious crimes, namely CLASS A and CLASS B felonies. In addition, the rate of imprisonment for CLASS C felonies against persons would drop only slightly -- from 46.6% to 40.1%. We point out that these figures are for the period 1974-1976. Under the new code, which took effect on January 1, 1978, rates of imprisonment for CLASS A and CLASS B felonies, and CLASS C felonies against persons, are all 100% since all such crimes are forcible felonies.

Question: You stated earlier that violent offenders were no more likely to become recidivists than property offenders. Why, then, do the guidelines call for higher rates of imprisonment for this group?

Answer: Very simply, the risk of recidivism is not the only concern in the sentencing decision. The seriousness of the convicting offense -- and the actual circumstances of the crime -- have in the past been important considerations as to the appropriate sentence in a case, and will continue to play a heavy role whether or not risk assessment is available to sentencing judges. The guidelines thus reflect harsher sentencing for violent offenses as a consideration independent of risk.

Question: Apparently the guidelines involve a consideration or weighting of different factors in the case? Are factors other than risk and the seriousness of the crime considered?

Answer: Actually, the guidelines reflect a consideration of four separate factors in a given case:

- A. OFFENSE SEVERITY
- B. PRIOR FELONY RECORD
- C. GENERAL RISK
- D. VIOLENCE RISK

OFFENSE SEVERITY is defined precisely according to the eight categories in the last table, and thereby gives heed to factors dictating the seriousness of the crime for which convicted.

PRIOR FELONY RECORD reflects the seriousness of the offender's prior adult record of felony convictions as follows:

- NO PRIOR FELONY CONVICTION
- NO PRIOR PRISON TERM (but with prior felony conviction)
- ONE PRIOR PRISON TERM
- TWO OR MORE PRIOR PRISON TERMS

The consideration of an offender's prior felony conviction record -- independent of risk -- reflects the past emphasis on this factor in felony sentencing in Iowa, and also the general idea that the prior adult record constitutes a proven record of recidivism and thus deserves harsher penalties. The model guidelines, however, place less emphasis on this factor than has been true in the past.

The actual guidelines, which appear below, thus constitute a grading of the sanction or sentence according to the four factors. Generally, as we increase any of the four factors, the designated sentence becomes more extreme or punitive. The suggested sentences range as follows:

- 1) PRISON
- 2) SHOCK PROBATION and release to RESIDENTIAL CORRECTIONS (Shock & R.C.)
- 3) SHOCK PROBATION or placement in RESIDENTIAL CORRECTIONS, but not both (Shock or R.C.)
- 4) RESIDENTIAL CORRECTIONS (R.C.)
- 5) MAXIMUM SUPERVISION PROBATION (Max. Prob.)
- 6) MEDIUM SUPERVISION PROBATION (Med. Prob.)
- 7) MINIMUM SUPERVISION PROBATION (Min. Prob.)
- 8) PAPER PROBATION (Paper Prob.)

Question: You've specified four types of probation. How do they differ?

Answer: The Iowa Division of Adult Corrections has formulated specific guidelines for supervision levels as follows:

- 1) MAXIMUM (or INTENSIVE) SUPERVISION

This entails at least one face-to-face contact with the supervising officer per week.

- 2) MEDIUM (or NORMAL) SUPERVISION

This entails at least one face-to-face contact with the supervising officer per month.

- 3) MINIMUM (or MINIMAL) SUPERVISION

This entails at least one face-to-face contact with the supervising office every three months.

- 4) PAPER PROBATION

Although not specifically mentioned in adult corrections guidelines, this form of supervision is used in Iowa and typically involves at least one over-the-phone contact with the supervising agency per month.

Question: You've specified eight sentencing alternatives. Do you have figures on how frequently each would be used under your model guidelines?

STATE OF IOWA
 PRESCRIPTIVE SENTENCING GUIDELINES
 FELONY AND AGGRAVATED MISDEMEANOR CONVICTIONS
 BASED ON OFFENSE SEVERITY, PRIOR FELONY RECORD, AND GENERAL/VIOLENCE RISK ASSESSMENT

GENERAL RISK RATING/ PRIOR FELONY RECORD	OFFENSE SEVERITY							
	CLASS A FELONY	CLASS B FELONY	CLASS C FELONY		CLASS D FELONY		AGGRAVATED MISDEMEANOR	
			AGT. PERSONS	NOT AGT. PERSONS	AGT. PERSONS	NOT AGT. PERSONS	AGT. PERSONS	NOT AGT. PERSONS
SUPER RECIDIVIST	PRISON	PRISON	PRISON	PRISON	PRISON	PRISON	PRISON	PRISON
ULTRA-HIGH RISK VIOLENCE RISK								
SUPER RECIDIVIST	PRISON	PRISON	PRISON	N.A.	PRISON	N.A.	PRISON	N.A.
ULTRA-HIGH RISK	PRISON	PRISON	PRISON	PRISON	PRISON	PRISON	PRISON	PRISON
VERY-HIGH RISK PRIOR PRISON TERM NO PRIOR PRISON TERM	N.A.	N.A.	N.A.	PRISON	N.A.	PRISON	N.A.	PRISON
HIGH RISK	N.A.	N.A.	N.A.	PRISON	N.A.	PRISON	N.A.	PRISON
HIGH RISK PRIOR PRISON TERM NO PRIOR PRISON TERM NO PRIOR FELONY CONV.	N.A.	N.A.	N.A.	PRISON SHOCK + R.C.	PRISON SHOCK + R.C.	PRISON SHOCK + R.C.	PRISON SHOCK OR R.C.	PRISON SHOCK OR R.C. MAX. PROB.
VERY-HIGH RISK								
TWO+ PRIOR PRISON TERMS	PRISON	PRISON	PRISON	PRISON	PRISON	PRISON	PRISON	PRISON
ONE PRIOR PRISON TERM	PRISON	PRISON	PRISON	PRISON	PRISON	PRISON	PRISON	PRISON
NO PRIOR PRISON TERM	PRISON	PRISON	PRISON	PRISON	PRISON	PRISON	PRISON	PRISON
NO PRIOR FELONY CONVICTION	PRISON	PRISON	PRISON	PRISON	PRISON	PRISON	PRISON	PRISON
HIGH RISK								
TWO+ PRIOR PRISON TERMS	PRISON	PRISON	PRISON	PRISON	PRISON	PRISON	PRISON	R.C.
ONE PRIOR PRISON TERM	PRISON	PRISON	PRISON	PRISON	PRISON	PRISON	PRISON	MAX. PROB.
NO PRIOR PRISON TERM	PRISON	PRISON	PRISON	PRISON	PRISON	PRISON	PRISON	MAX. PROB.
NO PRIOR FELONY CONVICTION	PRISON	PRISON	PRISON	PRISON	PRISON	PRISON	PRISON	MAX. PROB.

STATE OF IOWA
 PRESCRIPTIVE SENTENCING GUIDELINES
 FELONY AND AGGRAVATED MISDEMEANOR CONVICTIONS
 BASED ON OFFENSE SEVERITY, PRIOR FELONY RECORD, AND GENERAL/VIOLENCE RISK ASSESSMENT

GENERAL RISK RATING/ PRIOR FELONY RECORD	OFFENSE SEVERITY							
	CLASS A FELONY	CLASS B FELONY	CLASS C FELONY		CLASS D FELONY		AGGRAVATED MISDEMEANOR	
			AGT. PERSONS	NOT AGT. PERSONS	AGT. PERSONS	NOT AGT. PERSONS	AGT. PERSONS	NOT AGT. PERSONS
HIGH-MEDIUM RISK								
TWO+ PRIOR PRISON TERMS	PRISON	PRISON	PRISON	PRISON	PRISON	R.C.	PRISON	MAX. PROB.
ONE PRIOR PRISON TERM	PRISON	PRISON	PRISON	R.C.	PRISON	MAX. PROB.	R.C.	MED. PROB.
NO PRIOR PRISON TERM	PRISON	PRISON	SHOCK + R.C.	MAX. PROB.	SHOCK OR R.C.	MED. PROB.	MAX. PROB.	MIN. PROB.
NO PRIOR FELONY CONVICTION	PRISON	PRISON	SHOCK OR R.C.	MED. PROB.	MAX. PROB.	MED. PROB.	MED. PROB.	MIN. PROB.
LOW-MEDIUM RISK								
TWO+ PRIOR PRISON TERMS	PRISON	PRISON	PRISON	R.C.	PRISON	MAX. PROB.	R.C.	MED. PROB.
ONE PRIOR PRISON TERM	PRISON	PRISON	PRISON	MAX. PROB.	R.C.	MED. PROB.	MAX. PROB.	MIN. PROB.
NO PRIOR PRISON TERM	PRISON	SHOCK + R.C.	SHOCK OR R.C.	MED. PROB.	MAX. PROB.	MIN. PROB.	MED. PROB.	MIN. PROB.
NO PRIOR FELONY CONVICTION	PRISON	SHOCK OR R.C.	MAX. PROB.	MIN. PROB.	MED. PROB.	PAPER PROB.	MIN. PROB.	PAPER PROB.
LOW RISK								
TWO+ PRIOR PRISON TERMS	PRISON	PRISON	PRISON	MAX. PROB.	R.C.	MED. PROB.	MAX. PROB.	MIN. PROB.
ONE PRIOR PRISON TERM	PRISON	PRISON	R.C.	MED. PROB.	MAX. PROB.	MIN. PROB.	MED. PROB.	MIN. PROB.
NO PRIOR PRISON TERM	PRISON	SHOCK OR R.C.	MAX. PROB.	MIN. PROB.	MED. PROB.	MIN. PROB.	MIN. PROB.	PAPER PROB.
NO PRIOR FELONY CONVICTION	PRISON	MAX. PROB.	MED. PROB.	MIN. PROB.	MIN. PROB.	PAPER PROB.	MIN. PROB.	PAPER PROB.
VERY-LOW RISK								
TWO+ PRIOR PRISON TERMS	PRISON	PRISON	R.C.	MED. PROB.	MAX. PROB.	MIN. PROB.	MED. PROB.	MIN. PROB.
ONE PRIOR PRISON TERM	PRISON	R.C.	MAX. PROB.	MIN. PROB.	MED. PROB.	MIN. PROB.	MIN. PROB.	PAPER PROB.
NO PRIOR PRISON TERM	PRISON	MAX. PROB.	MED. PROB.	MIN. PROB.	MIN. PROB.	PAPER PROB.	MIN. PROB.	PAPER PROB.
NO PRIOR FELONY CONVICTION	PRISON	MED. PROB.	MIN. PROB.	PAPER PROB.	MIN. PROB.	PAPER PROB.	PAPER PROB.	PAPER PROB.

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Answer: Yes, SAC has worked out what the results of the model guidelines would have been had they been used during 1974-1976:

SENTENCING ALTERNATIVE	GUIDELINE SENTENCES	
	CASES	%
PRISON	1227	16.1%
SHOCK & RES. CORR.	177	2.3%
SHOCK <u>or</u> RES. CORR.	753	9.9%
RESIDENTIAL CORRECTIONS	116	1.5%
*MAXIMUM PROBATION	880	11.5%
MEDIUM PROBATION	867	11.4%
MINIMUM PROBATION	1279	16.8%
PAPER PROBATION	2330	30.5%
ALL SENTENCES	7629	100%

Question: Your guidelines place heavy emphasis on the use of minimum and paper probation. In fact, you are asking that authorities let virtually half (47.3%) of convicted felons and aggravated misdemeanants loose with little or no supervision! Is this really justified?

Answer: There are several facts that should be considered in this regard.

To begin, those tagged for minimum or paper probation almost uniformly fall in the lower risk levels:

OFFENDER RISK LEVEL	MINIMUM OR PAPER PROBATION
SUPER RECIDIVIST	0
ULTRA-HIGH RISK	0
VERY-HIGH RISK	0
HIGH RISK	0
HIGH-MEDIUM RISK	26
LOW-MEDIUM RISK	1629
LOW RISK	974
VERY-LOW RISK	972
TOTAL CASES	3601

As a whole, those recommended for such sentences pose only one-fourth the risk to society as that posed by the remainder of those sentenced. Indeed, only one of six of such offenders would be re-arrested within 18 months of release on probation. Accordingly, supervision offers little advantage in reducing already low rates of recidivism.

Furthermore, analyses completed by SAC show that among lower risk offenders -- and in particular the types we are discussing here -- those who receive help from their probation officers are not more likely to succeed on probation than are those who receive no such help. In other words, what help in the way of job placement, counseling, drug treatment, etc., that has resulted from probation supervision in the past has not directly assisted lower risk offenders in "making" their probations.

In sum, the use of normal or intensive supervision for most lower risk offenders offers little benefit either to society or to the offender, and thus is not directly cost effective. It follows that the recommended level of minimum and paper probation can help free up the resources necessary for corrections agencies to be more cost effective with the higher risk offenders who do pose a threat to society.

We note also that the vast majority of those recommended for minimum or paper probation are convicted of less serious offenses. In fact, only 7% of this group were convicted of crimes against persons.

Question: You mentioned that model parole guidelines have also been developed. Can you shed any light on these?

Answer: The model parole guidelines have only recently been completed, and SAC has yet to develop statistics on what the impact of such would be on parole decision-making. It is likely, however, that the guidelines will call for an overall decrease in time served and thus fewer prisoners in the long run. As with the model sentencing guidelines, we expect that the model parole guidelines will reduce the parole violation rate over what might normally be expected. Since the guidelines call for longer prison terms for potentially violent offenders, it is also likely that use of the guidelines will significantly reduce the number of violent crimes charged against parolees. We see this latter feature as constituting a strong selling point in favor of the guidelines. More information on this development will be provided in the near future.

Question: Leaving the subject of sentencing and parole guidelines, can you lend a little more reality to the risk assessment by discussing some of the characteristics of high and low risk offenders?

Answer: Typically, the best predictors are age, number of prior arrests, age at first arrest, and number of prior incarcerations. Accordingly, the highest risk offender tends to be a young offender who was arrested at an early age, has a long arrest record, and a serious incarceration history.

We find, for example, that among the 290 SUPER RECIDIVISTS in the study sample of 12,517 cases:

- 60% were age 18 or 19 at release
- 85% were first arrested before the age of 16
- 78% had eight or more prior arrests
- 77% had two or more prior incarcerations
- 87% had been incarcerated as juveniles
- 64% had previously been placed on probation

Also, the SUPER RECIDIVISTS were not well established in society:

- 87% were unmarried
- 58% were not full-time employed
- 66% had no employable skill
- 83% had no High School Diploma
- 79% had a history of drug abuse, and
- 56% had a history of alcohol abuse

Of the 290 SUPER RECIDIVISTS, 90% were currently convicted of felonies (or what are now aggravated misdemeanors), and 67% of felonies against property.

Contrast the above with a profile of the 2815 offenders in the study sample who were rated VERY-LOW RISK:

- 11% were age 18 or 19 at release, and 42% age 30 or over
- 1.4% were first arrested as juveniles
- 77% had no prior arrests, and only 3.5% three or more prior arrests
- 97% had no prior incarceration
- 98% had never previously been on probation
- 60% were unmarried
- 32% were not full-time employed
- 34% had no employable skill
- 31% had no H.S. diploma
- 25% had a history of drug abuse, and 29% a history of alcohol abuse

Of the 2815 VERY-LOW RISK offenders, 62% were convicted of misdemeanors (excluding aggravated), and 52% were convicted of strictly drug or alcohol related misdemeanors such as drunken driving or possession of marijuana.

Detailed information on the characteristics of offenders in each of the eight general risk categories is provided in the document The Iowa Offender Risk Assessment Scoring System, Volume I: System Overview and Coding Procedures.

END