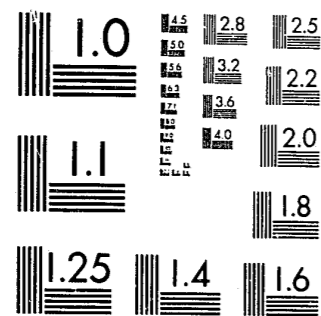


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Evaluation of Special Action Release
(June 1, 1981 to May 1, 1982)

Department of Health and Social Services
Division of Policy and Budget
Bureau of Evaluation

March, 1983

U.S. Department of Justice
National Institute of Justice

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DOCUMENT DIGEST

Document Title: Evaluation of Special Action Release

Department of Health
and Social Services

Document Date: March, 1983

Project Description

The Special Action Release (SAR) program was implemented in June, 1981, as an emergency measure to reduce overcrowding in Wisconsin correctional institutions. The program releases carefully selected, non-violent offenders from prison 90 days prior to their mandatory release (MR) date. SAR participants receive intensive supervision from Department parole agents after prison release.

Project Objective

This evaluation attempts to answer two questions concerning the impact of the SAR program: 1) does the program increase public exposure to criminal activity? and, 2) to what extent does SAR reduce prison overcrowding?

Both questions are addressed by comparing the post release behavior of SAR participants to a similar group of inmates who received an ordinary MR as provided under state statutes. Findings are presented for followup periods of 90 and 180 days for inmates released during the first 11 months of SAR program operations (June 1, 1981 to May 1, 1982).

Findings

Careful selection of SAR participants and intensive post-release supervision have provided the public adequate protection from criminal activity. In addition, the prison space savings attributable to SAR may be greater than originally estimated because program participants engaged in less serious criminal activity after release. Specific findings are:

- o Ninety days after release, SAR participants were only slightly more likely to be returned to prison than inmates in the MR reference group - 13% versus 11%. One hundred and eighty days after release, however, the two groups have identical prison return rates - 18%. The findings indicate that SAR participants are no more likely to engage in criminal activity than similar inmates who received an MR.
- o SAR participants were less likely to be involved in violent or potentially violent criminal offenses than their counterparts in the MR reference group. In the 90 day observation period, 2.7% of the MR group but only 1.5% of the SAR participants engaged in this kind of criminal activity. Similar findings were noted at 180 days, e.g., the violent offense rate among MR's was twice that of the SAR group - 3.7% versus 1.8%.
- o The assaultive offense rate among SAR participants was much lower than that observed for the MR group. At 90 and 180 days after release, the rate for MR's was 1.7% and 2.7% respectively. No assaultive offenses were observed in the SAR group during either followup period.

- o Because SAR participants engaged in less serious criminal activity, they received much shorter prison sentences and good time forfeitures (for parole violations) than their MR counterparts. In the 180 day followup, SAR participants convicted of a new offense received sentences which averaged 3.8 years compared to an average sentence of 5.6 years in the MR group. During that same period, good time forfeitures averaged .7 years in the SAR group and 1.0 years in the MR group. The 90 day followup findings were very similar.
- o During the 11 month operating period observed here, the prison space savings secured by releasing inmates early averaged 66 days per SAR participant. This savings may, however, be increased by as much as 80 days when adjusted for the shorter prison sentences received by SAR participants. The program's positive impact on serious crime may reduce prison overcrowding more than originally estimated.

EVALUATION OF SPECIAL ACTION RELEASE

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Evaluation of Special Action Release

INTRODUCTION

This report describes the performance of the Department of Health and Social Services' (DHSS) Special Action Release (SAR) program during its first eleven months of operation, June 1, 1981, through May 1, 1982. The analysis addresses the two most critical questions concerning the program's impact: 1) does SAR increase public exposure to criminal activity? and, 2) has the program reduced prison overcrowding?

Project performance was previously examined in a preliminary evaluation conducted in 1982. The present study supersedes that analysis since it includes offenders released during the first 11 months of the program and reports behavior observed six months after special action release. The 1982 evaluation was conducted within a more limited time frame and is, therefore, less comprehensive.* Both evaluations employ the same methodology.

PROGRAM DESCRIPTION

The SAR program was developed as an emergency measure to reduce serious overcrowding in Wisconsin correctional institutions. Operations were initiated in June, 1981 when the Division of Corrections (DOC) began to select prison inmates for a SAR to be granted 90 days prior to their scheduled mandatory release (MR).

* It observed inmates released during the first eight months of the program for three months.

An MR from prison is granted inmates in compliance with Wisconsin statutes and not under the discretionary authority of the DHSS or the Parole Board. The statutes permit each inmate to earn release credits for good behavior and prison work which reduce that part of his or her court sentence which is spent in a state penal institution. When an inmate has earned a sufficient number of credits, an MR is granted in compliance with state law (see 53.11 and 53.12 of the Wisconsin Statutes).*

The SAR program reduces prison overcrowding by permitting offenders to serve 90 days less time in prison and 90 days more time on parole supervision than would be the case if they had to await MR. In an attempt to minimize criminal activity which may occur during this 90 day Special Action Release period, inmates are carefully selected for program participation and closely supervised by parole agents after release is granted. These two components of the SAR program -- inmate selection and intensive parole supervision - are described below in more detail.

Selection of Inmates for SAR - Under the procedure established for granting a SAR, Division of Corrections staff review case records of individuals scheduled to receive an MR and identify inmates who:

- 1) were not serving a sentence for a violent crime (such as murder, sexual assault, etc.), or other crimes which may not have caused physical harm to a victim but may indicate a predisposition to violence such as arson or robbery;**

* See Appendix A for a more detailed presentation of the difference between Special Action Release and MR.

** See Appendix B for a list of these crimes.

- 2) had not been placed in prison segregation (disciplinary) status for prison misconduct within six months prior to the SAR date;
- 3) had not received a major prison misconduct penalty within three months prior to the scheduled SAR; and
- 4) had not been returned to prison for a parole or probation violation within six months of the scheduled SAR date.

Individuals who fail any one of these four selection criterion are not considered for a SAR. Inmates who do meet these criteria are offered a 90 day SAR if they agree to the strict supervisory conditions the program imposes and if an investigation conducted by the assigned parole agent indicates there is sufficient community support available to them for successful parole.

Intensive Supervision After SAR - In ordinary circumstances an inmate leaving prison on MR would be supervised by a community-based parole agent at one of three levels - minimum, medium or maximum. The maximum supervisory level, for instance, prescribes at least one face to face contact between the parole agent and the paroled offender every two weeks. The level of supervision assigned is based on the offender's age at first offense, criminal offense history and other characteristics.

An inmate leaving prison on an SAR automatically receives more intensive field supervision than is specified for offenders assigned to the maximum supervisory level. The supervisory regimen for SAR participants requires at least one face

to face contact between the agent and parolee each week, at least one parole agent home visit each month and monthly verification of employment. When the 90 day SAR period is over, the offender is reassigned to the level of parole supervision that would ordinarily apply.

RESEARCH OBJECTIVE AND METHODOLOGY

The selection procedures are intended to identify inmates for SAR who, on the basis of past conduct, present the least threat to the public. Intensive supervision is imposed during the special 90 day special action release period to closely monitor the behavior of program participants and provide additional protection to the community. Both the screening and supervision procedures were established to support the principal objective of the SAR program which is to reduce prison overcrowding without compromising the public's right to protection from criminal activity. The purpose of this research is to establish, insofar as possible, whether this objective is being realized.

In order to assess the impact of the SAR program it is necessary to establish expectations of the type and amount of criminal behavior that typically occurs after prison release. Because each offender released is presented with an open ended time period in which to commit another crime (e.g., a few individuals will engage in criminal activity within a month or two, some in one or two years after release, and others not at all), the amount of criminal activity observed is determined, in part, by the length of the observation period; it is also influenced by the background characteristics of the individuals observed.

A baseline expectation for post release criminal activity among SAR participants was established by observing a reference group of inmates with similar characteristics who received a regular MR. Individuals in both the SAR and MR reference groups were observed for standardized time periods.

Establishing the MR Reference Group - Since nearly all inmates who met the SAR selection criteria chose to accept an early release, it was not possible to identify a similar group of non-SAR participants released during a contemporary time period. As a result, the comparison group is comprised of inmates who received a statutory MR in the year preceding the SAR program (between June 1, 1980, and May 1, 1981), who met the SAR selection criteria displayed on pages 2 and 3.*

Criminal activity in this MR reference group is compared to that reported for SAR participants released between June 1, 1981, and May 1, 1982. Individuals in both groups are observed for 180 days after prison release.

Characteristics of the SAR and MR Reference Groups - Although members of both groups meet the selection criteria applied to SAR participants, they remain different in ways which may affect comparisons of post release criminal activity. The two most obvious group differences are program related, i.e., SAR participants receive a 90 day reduction in prison term and are subject to more intensive parole supervision after release than their counterparts in the MR group. Other differences in the two groups' criminal background characteristics

* In effect, these inmates would have met the four SAR criteria had they been applied to them.

are attributable to the one year differential in the release periods. As time passes, admission and discharge activity changes certain characteristics of the state's inmate population. This is apparent in Table 1 (below) which describes background characteristics of the SAR and MR groups.

TABLE 1
Characteristics of Special Action and Mandatory
Release Comparison Groups at Release

	SAR	MR
Release Period	June 1, 1981, to May 1, 1982	June 1, 1980, to May 1, 1981
Prior Prison Experience	47%	38%
Prior Felony Conviction	49%	38%
Juvenile Offense Record	29%	21%
Average Sentence	3.3 years	3.0 years
Average Age at Admission	26.2 years	26.0 years
Group Size	275	298

In general, SAR participants have a more active criminal history than individuals in the MR comparison group. Inmates in the SAR group are more likely to have had a prison experience prior to the one preceding their current release (47% versus 38%) and a prior felony conviction (49% versus 38%). Given this information, it is no surprise that their current prison sentences were, on average, somewhat longer (3.3 versus 3.0 years) and that a higher percentage have a juvenile offense record (29% versus 21%). There is no notable difference in age at admission.

These personal background differences occur because institutional populations change through time as do the community conditions into which inmates are released. Unemployment, for instance, was much higher when SAR participants left prison than when the comparison group was released. While these factors will influence the group comparisons presented in this research, it is impossible to

adjust for them except to observe that criminal background characteristics, unemployment conditions and intensive supervision appear to favor finding higher levels of criminal activity in the SAR group.* These circumstances should help ensure a conservative assessment of the program's performance.

Observing Criminal Activity After Release - The research focuses on comparisons of post-release criminal activity in the SAR and MR groups just described. Several measures are employed to describe the number and type of crimes these individuals commit within two time periods - 90 and 180 days after release. The study observes known criminal or other activity for which the offender was returned to prison. Each prison return was classified by researchers in one of three categories based on the activity which caused it. Each category is described briefly below.

- 1) Technical Parole Violation - An inmate's release from prison to parole in the community is conditional. The parole conditions, which usually specify certain behavioral expectations, are formally contracted with the responsible parole agent. If an offender violates them, the agent may act to revoke parole and return the individual to prison. Consequently, parole may be revoked for drinking, suspected drug abuse, associating with known criminals, failure to report to their parole agents, and other activities

* Past studies suggest that inmates with more extensive criminal records are more likely to be returned to prison for criminal activity. (See, for instance, Rates of Recidivism: A Five Year Followup, Massachusetts, Department of Corrections. Similarly, prison admissions have been found to increase as unemployment increases (see National Workshop on Prison Population Forecasting, Bureau of Justice Statistics, U.S. Dept. of Justice) and intensive parole supervision has been shown to increase parole revocations (see Report: Intensive Supervision, Washington Dept. of Health and Social Services).

for which criminal charges could not be preferred, but which violate parole conditions. When an individual was returned to prison for this kind of activity the event was classified as a technical parole violation.

- 2) Criminal Parole Violation - Parole may also be revoked when the offender has been arrested and charged with a crime since any criminal activity violates the conditions of parole. If the individual was convicted and sentenced for the crime, prison return is attributed to the new sentence (see category three below). Criminal behavior can lead to parole revocation, however, when no court conviction and/or new sentence is obtained. For instance, local prosecutors may not pursue criminal charges against a released inmate because the Department revoked parole and returned the individual to prison before trial.*

In this research, an individual returned to prison for a parole violation who was arrested and charged with a crime by local authorities is classified in the criminal parole violation category if no new sentence was received. Whether the crime charged appeared to be a felony or misdemeanor offense was also noted. Classification was based on the description of the violation activity found in individual case files.

- 3) New sentence - Prison returns for new convictions fall in this category.

* When the Department revokes parole, the violator may be returned to prison for a length of time equal to the credit earned under statute towards mandatory release. This may be a considerable period, i.e., nine months, assuming a three year sentence, and three years for a six year sentence. Since revocation frequently takes place before the offender comes to trial, the criminal prosecutors may weigh this penalty before they decide to try the case.

Violent and Assaultive Offenses - In addition to these three categories, separate sub-classifications were created for serious criminal offenses reported in categories two and three, i.e., offenses which are potentially violent and offenses which actually involve assault. The definition of a violent offense was drawn from the criminal statutes. Classification was based on court judgments when new sentences were received and on police charges for criminal parole violations. A list of these offenses appears in Appendix B. It is the same offense list employed to screen inmates out of the SAR program. Not all individuals convicted of violent crimes, as defined by the Appendix B list, actually commit assault or engage in violent activity. An individual convicted of armed burglary, for instance, may have had possession of a knife when the offense occurred but may not have physically assaulted anyone. For this reason, an additional sub-classification is presented which identifies assaultive offenses from among the larger group of violent crimes.

Length of New Sentences and Good Time Forfeitures - Additional measures are employed which gauge the seriousness of the offenses committed. These are the length of new court sentences and, for criminal or technical parole violations, the amount of good time forfeited. The amount of good time forfeited in the administrative hearing which revokes parole is a measure of the time the offender will spend in prison. In that sense the new sentence length and the good time forfeiture are equivalent measures (see footnote on page 8).

The Impact of SAR on Prison Overcrowding - The gross effect of SAR on prison space is the 90 days (or less) early release granted each program participant. When persons released by the program receive new sentences or their parole is

revoked, they reoccupy Wisconsin prison space. The space savings credited to their early release must be adjusted for these events and for the possibility that the SAR program alters the prison return rate and/or length of stay. This is done by estimating the length of prison stay associated with new sentences and/or parole revocations in both the SAR and MR reference groups and using the group difference to adjust the gross prison space savings.

FINDINGS

The findings are organized in three sections. The first and second sections present comparisons of criminal activity in the SAR and MR groups at 90 days and 180 days (respectively) after release. The third section estimates the program's impact on prison overcrowding. The analysis supports the following conclusions:

- o Ninety days after release, SAR participants were only slightly more likely to be returned to prison than inmates in the MR reference group - 13% versus 11%. One hundred and eighty days after release, however, the two groups have identical prison return rates - 18%. The findings indicate that SAR participants are no more likely to engage in criminal activity than similar inmates who received an MR.
- o SAR participants were less likely to be involved in violent or potentially violent criminal offenses than their counterparts in the MR reference group. In the 90 day observation period, 2.7% of the MR group but only 1.5% of the SAR participants engaged in this kind of criminal activity. Similar findings were noted at 180 days, e.g., the violent offense rate among MR's was twice that of the SAR group - 3.7% versus 1.8%.

- o The assaultive offense rate among SAR participants was much lower than that observed for the MR group. At 90 and 180 days after release, the rate for MR's was 1.7% and 2.7% respectively. No assaultive offenses were observed in the SAR group during either followup period.
- o Because SAR participants engaged in less serious criminal activity, they received much shorter prison sentences and good time forfeitures (for parole violations) than their MR counterparts. In the 180 day followup, SAR participants convicted of a new offense received sentences which averaged 3.8 years compared to an average of 5.6 years sentence in the MR group. During that same observation period, good time forfeitures averaged .7 years in the SAR group and 1.0 years in the MR group. The 90 day followup findings were very similar.
- o During the 11 month operating period observed here, the prison space savings secured by releasing inmates early averaged 66 days per SAR participant. This savings may, however, be increased by as much as 80 days when adjusted for the shorter prison sentences received by SAR participants. The program's positive impact on serious crime may reduce prison overcrowding more than originally estimated.

SECTION ONE: 90 DAYS AFTER RELEASE

Measures of Criminal Activity 90 Days After Special Action and Mandatory Release - Table 2 examines post release behavior observed in both groups (SAR and MR) using the measures just discussed. A 90 day follow was chosen because it

corresponds very closely with the 90 day early release/intensive supervision period of the SAR program. When viewing the 90 day tables and graphs which follow, it should be noted that not all SAR participants received a full 90 day early prison release.* Consequently, not all the criminal activity reported actually occurred during the early release period when individuals were subject to intensive supervision. While this leaves the impression that more criminal behavior occurred during the SAR period than in fact did, the results must be presented this way to standardize the post release observation period since standardization is required for meaningful group comparisons.

TABLE 2

Measures of Criminal Activity 90 Days After Special Action Release and 90 Days After Mandatory Release

Line:	Reason for prison return:	SAR Group 90 Days After Special Action Release		MR Group 90 Days After Mandatory Release	
		Number	Percent	Number	Percent
A)	Technical Parole Violation (PV) -	11	4%	12	4%
B)	Criminal Parole Violation (PV) -	8*	3%	5**	2%
C)	New Sentence -	17	6%	15	5%
D)	Total Returned to Prison	36	13%	32	11%
E)	Violent Offenses - (In Lines B and C Above)	4	1.5%	8	2.7%
F)	Assaultive Offenses - (In Lines B and C Above)	0	0%	5	1.7%
G)	Average New Sentence Length -	3.7 Years		5.4 Years	
H)	Average Good Time Forfeiture - (Lines A and B Above)	0.6 Years		0.9 Years	

TABLE NOTES: Percentages based on 275 SAR participants and 298 MR offenders.

* 4 classed as felonies and 4 as misdemeanors.

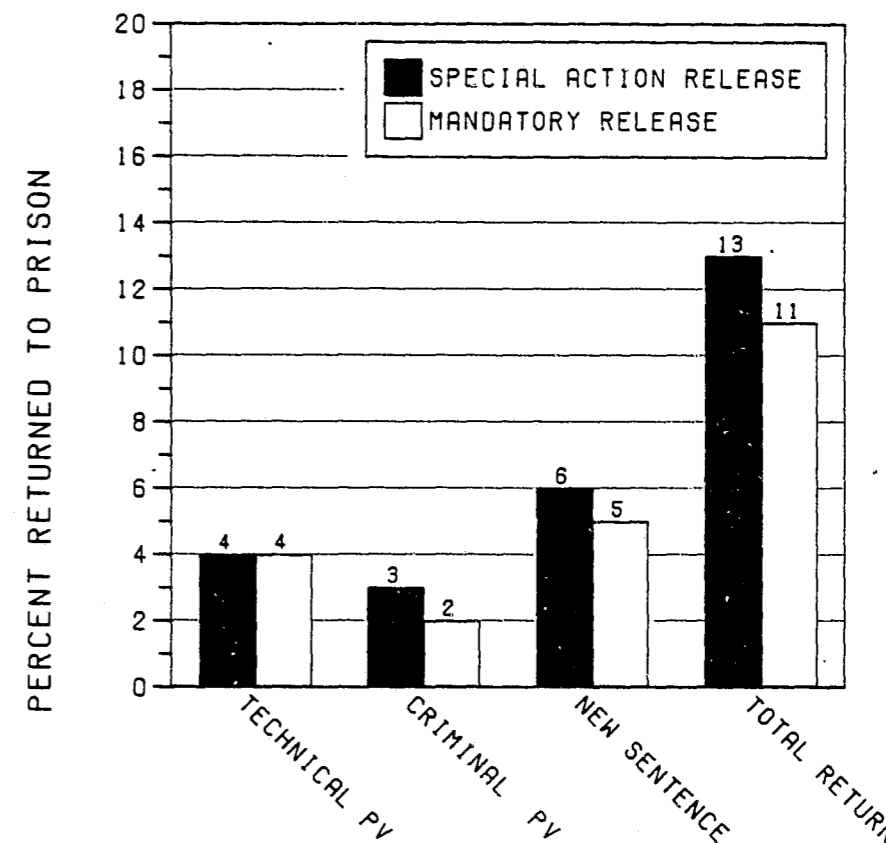
**4 classed as felonies and 1 as misdemeanor.

* Parole agents assigned to inmates selected for SAR are required to conduct pre-parole investigations prior to release. Many SAR participants are released less than 90 days early because the pre-parole investigations cause out-processing to be delayed, or because prison misconduct reports delay eligibility for release.

The Table 2 data are displayed graphically to facilitate their discussion.

Graph 2A compares reasons for prison return in the SAR and MR groups.

GRAPH 2A : REASON FOR PRISON RETURN



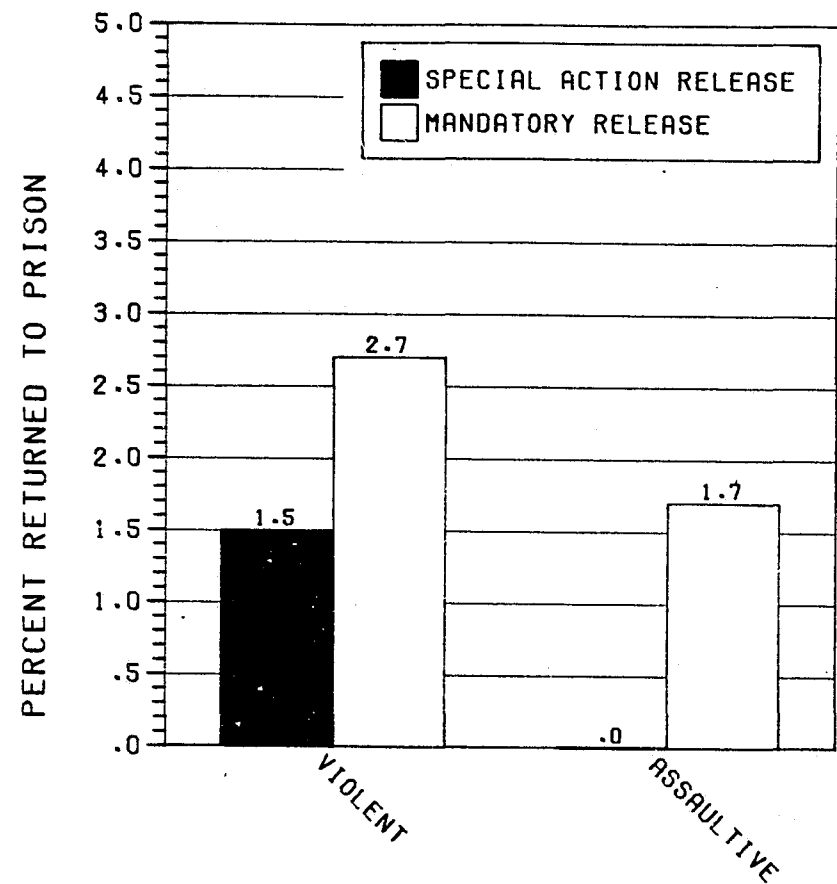
REASON FOR PRISON RETURN 90 DAYS AFTER RELEASE

Reasons for Prison Return - The two groups have identical rates of return for technical parole violations - 4%. A slightly higher percentage of the SAR participants were returned for criminal parole violations (3% versus 2%) and for new sentence convictions (6% versus 5%). The overall prison return rate is 13% in the SAR group and 11% in the MR group (see Graph 2A, above).

Violent and Assaultive Offenses - While the overall prison return rate among SAR participants is slightly higher, they are less likely to be involved in more dangerous forms of criminal activity than the MR group.

Graph 2B, below, displays the percentage of prison returns for assaultive and violent offenses for each group.

GRAPH 2B : VIOLENT AND ASSAULTIVE OFFENSES

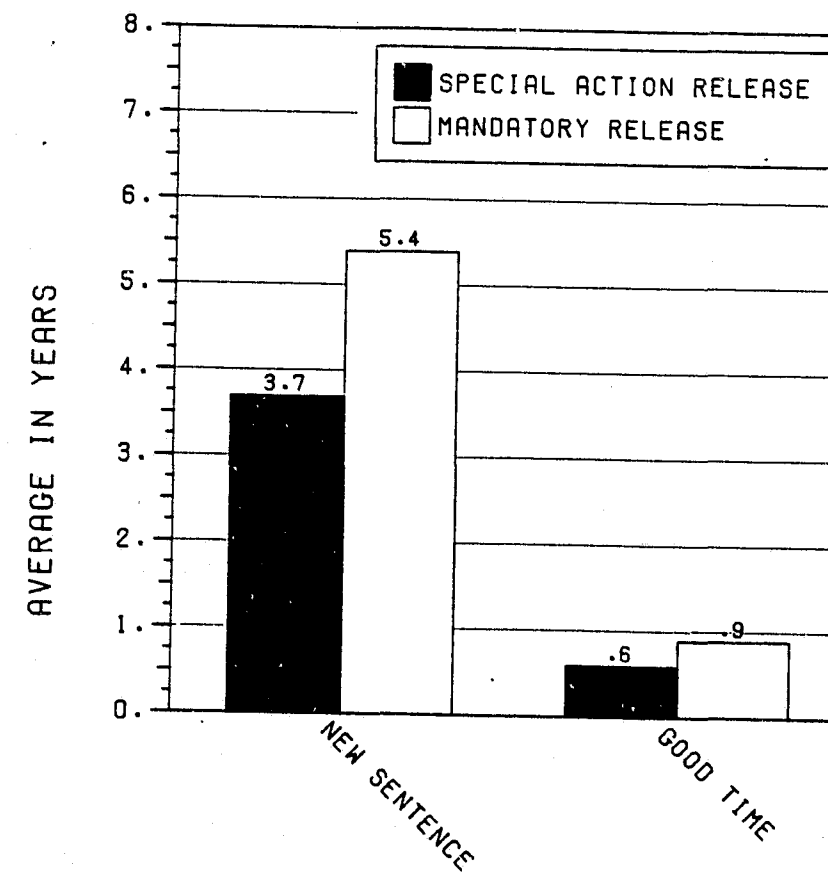


VIOLENT AND ASSAULTIVE OFFENSES 90 DAYS AFTER RELEASE

Ninety days after release 2.7% of MR group members were involved in offenses classified as violent within the research definition. By comparison, only 1.5% of SAR participants were returned to prison for violent offenses. The assaultive offense comparison is more striking. No SAR group members were involved in assaultive offenses, but 1.7% of the MR group were returned to prison for this kind of criminal activity.

New Sentence Length and Good Time Forfeiture - The less serious nature of criminal activity observed among SAR participants is also apparent in criminal court sentences and good time forfeitures for parole violators. Graph 2C (below) displays these findings.

GRAPH 2C : NEW SENTENCE LENGTH AND GOOD TIME FORFEITURE



NEW SENTENCE LENGTH AND GOOD TIME FORFEITURE 90 DAYS AFTER RELEASE

The average new sentence received by SAR participants convicted of offenses was 3.7 years, considerably less than the 5.4 year average sentence observed in the MR comparison group. This trend holds in good time forfeiture for parole violators as well. The average forfeiture was 0.6 years for violators in the SAR group versus 0.9 years among MR violators.

Summary: 90 Days After Release - During the first 90 days after release, a period which roughly coincides with intensive supervision by parole agents, special action release participants are slightly more likely to be returned to prison than the MR reference group. Because this difference is neither statistically,* nor substantively, significant, it is possible to conclude that the SAR program does not increase public exposure to criminal activity.

In regard to violent offenses and the subset of these offenses which involve assault, SAR participants have a much better post release record than the MR group. Although the overall incidence of these crimes is small, there are nearly 50% fewer violent offenses in the SAR group - and no assaultive crimes. The evidence is not conclusive, but it is a positive indication that SAR may reduce violent crime among its participants. This reduction may be attributable to the intensive supervision, or the pre-release screening which are the program's principle features. It is worth noting that these results were obtained in an inmate population which had a more extensive criminal background and experienced a somewhat lower employment opportunity than the group to which they were compared (see Table 1, page 6).

* Since these data represent the entire release population of inmates with specific disciplinary and post offense characteristics rather than a sample of cases, statistical tests of significance are of limited value. Nevertheless, the group difference in prison returns is not statistically notable $p = .39$ in a two-tailed T-Test.

SECTION TWO: 180 DAYS AFTER RELEASE

Measures of Criminal Activity 180 days After Special Action and Mandatory

Release - In this section members of both the SAR and MR groups are observed for a full 180 days after release. This means that the criminal activity reported here is cumulative, i.e., it includes that presented in Section One (the first 90 days) plus that which occurred during the next 90 days. The purpose of this part of the research is to assess effects of the SAR program in the longer term. It should be noted that program participants are not subject to intensive supervision in the second 90 days after release and that they are no longer in Special Action Release status.

Table 3, below, presents the outcome data for the 180 day followup.

TABLE 3

Measures of Criminal Activity 180 Days After Special Action Release and 180 Days After Mandatory Release

Line:	Reason for prison return:	SAR Group		MR Group	
		180 Days After Special Action Release	Percent	180 Days After Mandatory Release	Percent
A)	Technical Parole Violation (PV) -	16	6%	18	6%
B)	Criminal Parole Violation (PV) -	10*	3%	5**	2%
C)	New Sentence -	24	9%	29	10%
D)	Total Returned to Prison	50	18%	52	18%
E)	Violent Offenses - (In Lines B and C Above)	5	1.8%	11	3.7%
F)	Assaultive Offenses - (In Lines B and C Above)	0	0%	8	2.7%
G)	Average New Sentence Length -	3.8 Years		5.6 Years	
H)	Average Good Time Forfeiture - (Lines A and B Above)	0.7 Years		1.0 Years	

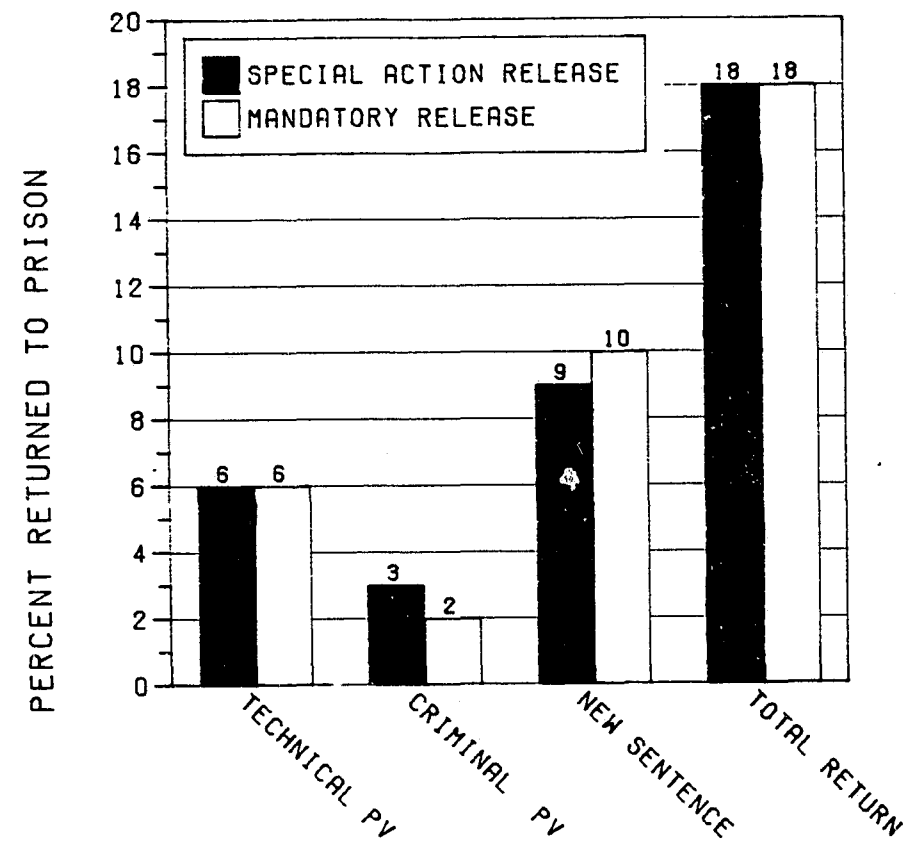
TABLE NOTES: Percentage based on 275 SAR participants and 298 MR offenders.

* 6 classed as felonies and 4 as misdemeanors.
**4 classed as felonies and 1 as misdemeanor.

As in the previous sections, graphic presentations are referred to in the discussion of the findings.

Reasons for Prison Return - In the 180 day followup, the two groups display nearly identical prison return patterns.

GRAPH 3A : REASON FOR PRISON RETURN



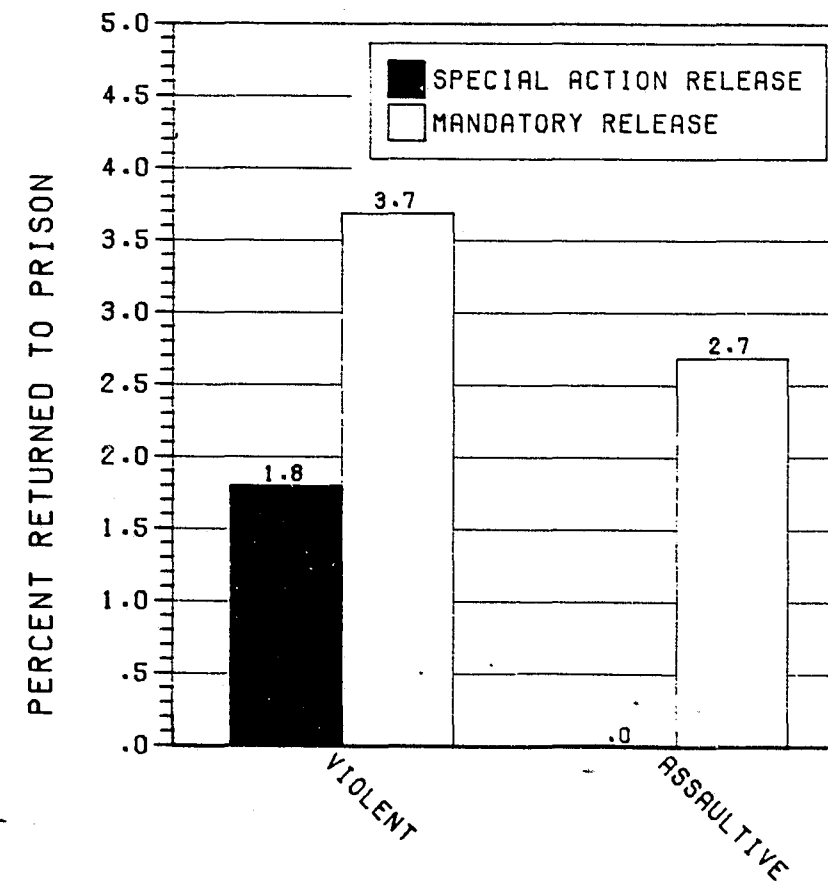
REASON FOR PRISON RETURN 180 DAYS AFTER RELEASE

As Graph 3A (above) indicates, both groups have a 6% return rate for technical parole violations. The SAR group demonstrates a slightly higher return for criminal parole violations - 3% versus 2% in the MR group, but this is balanced

by a slightly lower incidence of new sentence returns - 9% in the SAR group compared to 10% in the reference group. These findings sum to a total return rate of 18% for both groups. At 180 days, even the small group difference in prison return rates which appeared at 90 days has disappeared.

Violent and Assaultive Offenses - The lower incidence of violent and assaultive offenses in the SAR group is maintained in the 180 day followup and, in fact, is accentuated. This is illustrated by Graph 3B, below.

GRAPH 3B : VIOLENT AND ASSAULTIVE OFFENSES

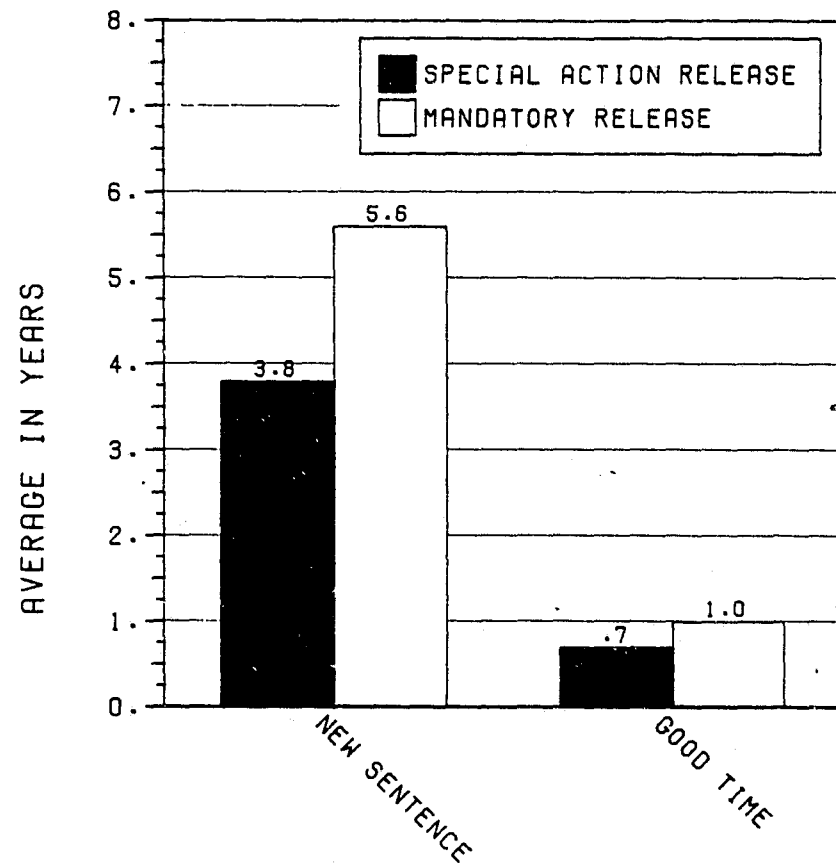


VIOLENT AND ASSAULTIVE OFFENSES 180 DAYS AFTER RELEASE

Violent offenses were the reason for prison return for 1.8% of the SAR participants and 3.7% of the MR group members. Again, the incidence of violent offenses is relatively small in either population, but the MR rate is double that of the SAR group. Assaultive offenses (which are a subset of violent offenses) show a similar and even more definite pattern - a 2.7% rate in the MR group and none among SAR participants.

New Sentence Length and Good Time Forfeiture - The 180 day data for new sentences and forfeitures, which appear in Graph 3C below, are very similar to the 90 day findings.

GRAPH 3C : NEW SENTENCE LENGTH AND GOOD TIME FORFEITURE



NEW SENTENCE LENGTH AND GOOD TIME FORFEITURE 180 DAYS AFTER RELEASE

The SAR participants returned to prison after criminal court convictions received considerably shorter sentences - 3.8 years versus 5.6 years. This trend holds in good time forfeiture for parole violators as well. Their average good time forfeiture is 0.7 years versus 1.0 years for the MR group. The reduced prison time is a function of less serious criminal activity among SAR participants.

Summary: 180 Days After Release - The conclusions made about SAR impact at 90 days are given additional support by the 180 day evidence. There is no difference between the groups in terms of the frequency of their involvement in criminal activity 180 days post release. There is, however, evidence that SAR participants are less likely to be involved in violent and/or assaultive criminal offenses. The possibility that the program decreases public exposure to serious crime is strengthened by these findings.

SECTION THREE: THE IMPACT OF SPECIAL ACTION RELEASE ON PRISON OVERCROWDING

The question addressed here is whether prison returns associated with the SAR program cause a downward or upward adjustment in prison space savings secured by releasing inmates up to 90 days early. Since the rate of prison return in the SAR group is no different than the reference group and the new sentence length and good time forfeitures are significantly shorter, the adjustment must be positive.

The adjustment is calculated by averaging the prison time associated with new sentences and good time forfeitures assessed against offenders in each group. For example, if SAR participants, on average, are returned to prison for a longer period than the MR comparison group, the prison savings per individual would be

adjusted by subtracting the difference. Conversely, a shorter average prison return would cause a positive adjustment to be applied. The prison terms associated with new sentences and parole violations occurring in the 180 day post release followup are presented in Table 4. The average unadjusted prison space savings for individuals in the SAR group observed here was 66 days.

TABLE 4

Average Prison Return for Special Action Release Versus Mandatory Release

	<u>180 Days After Special Action Release</u>	<u>180 Days After Mandatory Release</u>
Sum of New Sentences	91.20 years	162.40 years
Sum of Good Time Forfeitures	<u>18.20 years</u>	<u>23.00 years</u>
Total	109.40 years	185.40 years
Group Average Per Offender	0.40 years	0.62 years
Adjustment Factor	(0.62 years - 0.40 years) = 80 days	

Individuals returned to prison in the MR comparison group received new sentences totaling 162.4 years while SAR participants were returned to prison for only 91.20 years. SAR participants also received a numerically smaller total good time forfeiture - 18.20 years versus 23.0 years.

The average length of prison return is 0.40 years for SAR participants and 0.62 years for the MR reference group - a difference of 80 days. Since SAR participants were returned to prison for a shorter time, a positive adjustment of 80 days might be added to the 66 day average prison savings secured by releasing them early. The adjusted figure cannot be converted accurately into prison beds saved at any given point in time, but the evidence suggests that there may be space savings which accrue to the program because its participants commit less serious offenses. This finding must be qualified since the program's long term impact on prison returns and sentencing is not known. A longer followup period, for instance, might alter the differences just observed. At this point, however, the evidence is positive.

CONCLUSIONS

The original expectations for the SAR program were that participating inmates would be involved in approximately the same amount and type of criminal activity as a similar group who remained in prison until MR. Despite this, it was anticipated that a higher total prison return rate might result because intensive supervision would increase the number of technical parole violations. Had this occurred it would have eroded some of the prison space savings gained by early release.

The program appears to have exceeded these expectations in some important ways. There is no difference in the amount of criminal activity observed, but the type of crimes which SAR participants commit are much less likely to be violent or assaultive offenses. This results in shorter prison sentences which may in turn

have a positive impact on prison space beyond that attributable to the 90 day early release. These findings are obtained in research comparisons with a reference group which has a less extensive criminal history than those participating in the SAR program.

The findings indicate that careful inmate screening and intensive supervision after an early prison release provides the public adequate protection from criminal activity. The further conclusion that SAR affords the public more protection from violent crime than the MR alternative, while supported by the research evidence, should be viewed as tentative.

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APPENDIX A

The differences between a SAR and the MR provided for in statute are important to this research and may best be communicated through illustrations (see Figures 1A and 1B below).

The figures presented are time continuums which compare MR (Figure 1A) with SAR (Figure 1B) for an offender serving a three year court sentence. In both figures, the horizontal line is labelled to illustrate the prison release and discharge dates. The prison release date divides the offender's sentence into two time components - prison and parole supervision in the community.

MR Under State Statute Versus SAR For a 3 Year Sentence

Figure 1A
Mandatory Release

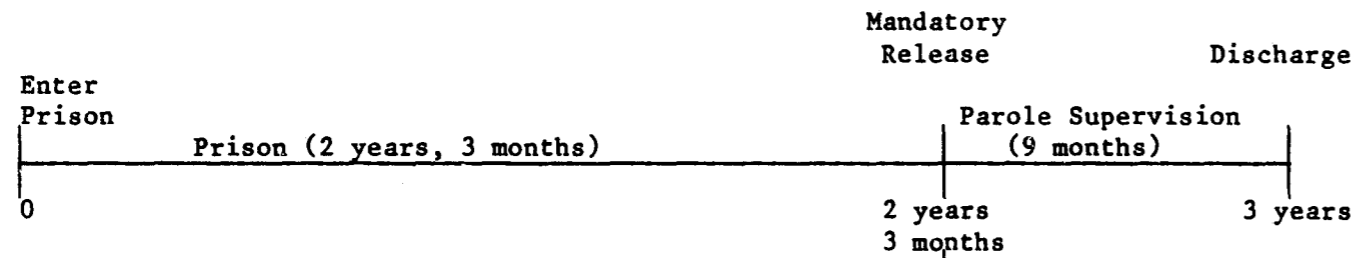


Figure 1B
Special Action Release

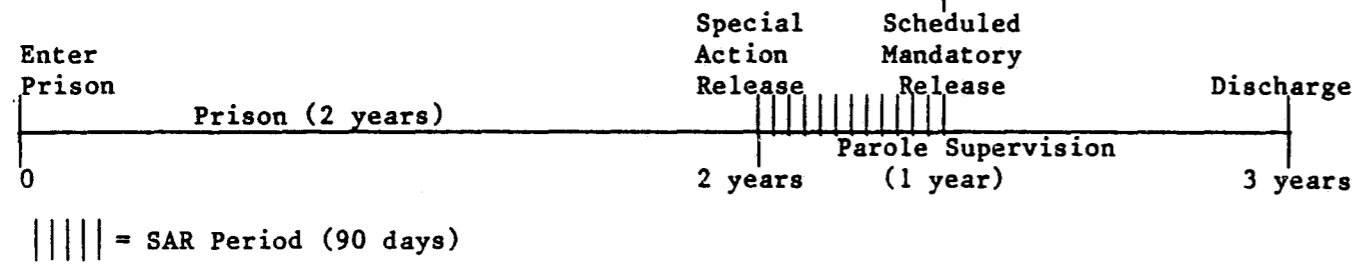


Figure 1A illustrates MR for an offender who received a three year prison sentence. Assuming that the offender earned the maximum possible credit for good behavior and prison work, he or she will receive, under present state statutes, an MR after two years and three months incarceration.

Upon MR, the offender will be subject to supervision by Department parole agents in the community until the entire three year court sentence has been discharged. Discharge, in this example, occurs three years after the offender enters prison - two years and three months of the three years is served in prison and the remaining nine months is served on parole. After discharge, the Department's authority to supervise the offender ceases.

Figure 1B illustrates the same three year sentence for an inmate selected for a SAR. The principle difference between Figures 1A and 1B is that SAR occurs 90 days prior to the scheduled MR. This causes the offender to spend 90 days less time in prison (two years versus two years and three months in the MR example), but 90 days more time on parole supervision in the community (one year versus nine months). The 90 days between the SAR and the scheduled MR is marked by close vertical lines and is referred to as the SAR period.

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APPENDIX B

Violent Offenses

Murder 1
Murder 2
Murder 3
Murder degree unspecified
Attempted murder
Manslaughter
Negligent homicide
Robbery, unarmed
Robbery, armed
Battery
Mayhem
Aggravated assault
Injury by conduct regardless of life
Injury by negligent use of weapon or intoxicated use of vehicle
Burglary, armed
Rape (old code)
Attempted rape (old code)
Sexual assault - 1st degree
Sexual assault - 2nd degree
Sexual assault - 3rd degree
Sexual assault - 4th degree
Sexual intercourse with a child
Sexual intercourse without consent
Incest
Indecent behavior with a child
Enticing a child for immoral purposes
Narcotic drug intent to sell
Arson
Kidnapping

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END