

95814

TIME SERVED IN PRISON

REPORT NUMBER 2

THE JAIL POPULATION TIME SERVED AND RELEASE METHODS

BY

STATISTICAL ANALYSIS CENTER
DELAWARE JUSTICE INFORMATION SYSTEM

95814

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TIME SERVED IN PRISON
REPORT NUMBER 2
THE JAIL POPULATION
TIME SERVED AND RELEASE METHODS

BY **NCJRS**
NOV 28 1984
STATISTICAL ANALYSIS CENTER ACQUISITIONS
DELAWARE JUSTICE INFORMATION SYSTEM
60 THE PLAZA
DOVER, DELAWARE

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This document, funded by the Bureau of Justice Statistics of the U.S. Department of Justice, is the result of data collection and analysis by the Statistical Analysis Center and represents a continuation of the first analytical product of the Delaware Justice Information System (DELJIS). This should be used in conjunction with Report Number 1, "THE PRISON POPULATION".

We would like to thank Mary McGinnes and her staff of the Delaware Department of Corrections for their assistance in developing the Corrections data and Captain Edmund Finley and his staff at the State Bureau of Identification for their assistance in developing the arrest data. We wish to especially acknowledge the contributions of Mr. Richard Iovino and his staff, Gail Garbutt, Kamlesh Sheth, Kimberly Miller and Vince Lamphier of the Office of Information Systems, State of Delaware, who technical assistance made this project possible.

This is the second study on time served in Delaware prisons and is concerned with the group of individuals who comprise the Delaware "Jail" population, or the population of inmates whose sentence was less than 1 year. Of the 3527* inmates released in the years 1980, 1981, and 1982, 2216 or 62.8% of the inmates fell into the jail group.

In December of 1982, the final month of the study, only 9.3% of the inmates incarcerated were serving sentences of less than one year. This apparent disparity between the relative sizes in the study group and the incarcerated group attests to the tremendous turnover in the number of individuals who serve less than 1 year, and to the problem of compounding the long term population in prisons.

Table 1 is a breakdown of the 2216 released 'jail' inmates by the method of release.

| METHOD OF RELEASE | NUMBER | PERCENT |
|---------------------------------|--------|---------|
| Expiration of Maximum sentence | 533 | 24.1 |
| Maximum Sentence less Good Time | 1024 | 46.2 |
| Court Order | 423 | 19.1 |
| Meritorious Release | 231 | 10.4 |
| Parole | 2 | 0.1 |
| Release to Other Authority | 3 | 0.1 |
| Totals | 2216 | 100.0 |

Table 1. Distribution of the jail group releases by the method of release.

*4.6% of the study population contained incomplected or unusable data.

The table shows that 75.9% of the jail inmates received some form of time reduction. Overwhelmingly, this reduction was a Good Time Earned reduction.

Table 2 presents the distribution of the Full Term Sentences and measures of centrality of the jail group. Figure 1 is a graphic presentation of this table. The data shows that more than 50% of the jail population had an imposed sentence of 30 days or less, while the average sentence length was 71 days. This distribution is heavily loaded with individuals with short sentences, 65.5% of the group had sentences equal to or less than the average of 71 days. This "skewed" distribution becomes even more so when examining the Actual Time Served.

| FULL TERM SENTENCE | | | |
|--------------------|--------|---------|-------|
| DAYS | NUMBER | PERCENT | CUM % |
| 1-10 | 489 | 22.1 | 22.1 |
| 11-30 | 672 | 30.3 | 52.4 |
| 31-60 | 224 | 10.1 | 62.5 |
| 61-90 | 214 | 9.7 | 72.2 |
| 91-120 | 139 | 6.2 | 78.4 |
| 121-150 | 68 | 3.1 | 81.5 |
| 151-180 | 89 | 4.0 | 85.5 |
| 181-210 | 193 | 8.7 | 94.2 |
| 211-240 | 21 | 1.0 | 95.2 |
| 241-270 | 24 | 1.1 | 96.3 |
| 271-300 | 38 | 1.7 | 98.0 |
| 301-330 | 19 | 0.8 | 98.8 |
| 331-364 | 26 | 1.2 | 100.0 |
| TOTALS | 2216 | 100.0 | |

MEAN = 71 DAYS MEDIAN = 30 DAYS MODE = 30 DAYS

Table 2. Distribution of full term sentences for the jail group.

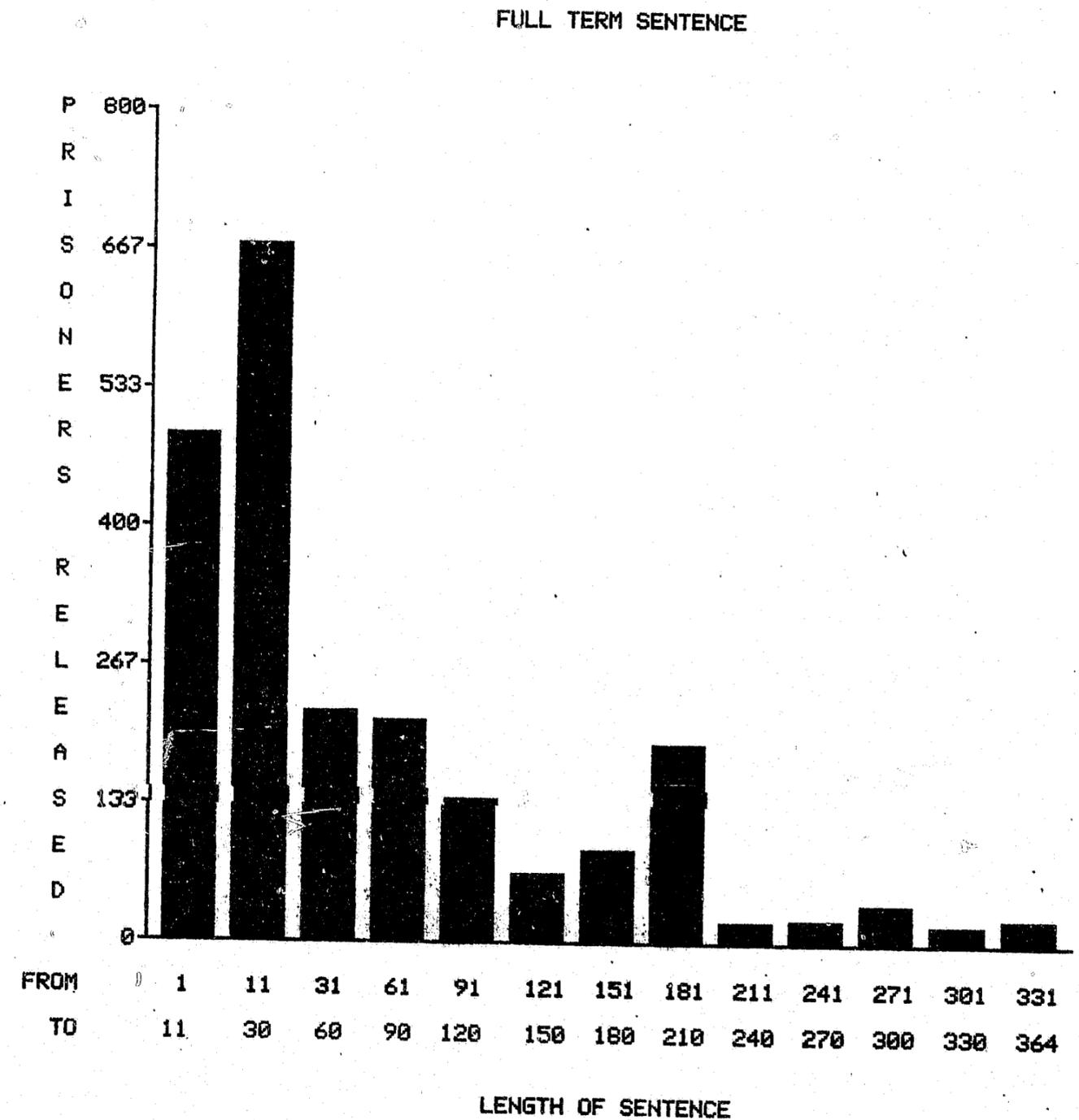


Figure 1. Distribution of sentence length, jail group

Table 3 is the distribution of the Actual Time Served on an incarcerated status by the jail group. Figure 2 is the graphic representation of the table. While 52.4% of the group had a sentence of 30 days or less, 60.2 % of the group actually served 30 days or less. In fact, 50% of the jail group served 24 days or less. Note the reduction in the average times, from 71 days imposed to 47 days actually served. Note also that the time served most often (the mode) was 9 days.

| TIME SERVED INCARCERATED | | | |
|---|--------|---------|-------|
| DAYS | NUMBER | PERCENT | CUM % |
| 1-10 | 689 | 31.1 | 31.1 |
| 11-30 | 643 | 29.1 | 60.2 |
| 31-60 | 317 | 14.3 | 74.5 |
| 61-90 | 207 | 9.3 | 83.8 |
| 91-120 | 66 | 3.0 | 86.8 |
| 121-150 | 124 | 5.6 | 92.4 |
| 151-180 | 88 | 3.9 | 96.3 |
| 181-210 | 24 | 1.1 | 97.4 |
| 211-240 | 35 | 1.6 | 99.0 |
| 241-270 | 12 | 0.5 | 99.5 |
| 271-300 | 10 | 0.5 | 100.0 |
| 301-330 | 1 | 0.0 | 100.0 |
| 331-364 | 0 | 0.0 | 100.0 |
| TOTALS | 2216 | 100.0 | |
| MEAN = 47 DAYS MEDIAN = 24 DAYS MODE = 9 DAYS | | | |

Table 3. Distribution of actual time served for the jail group.

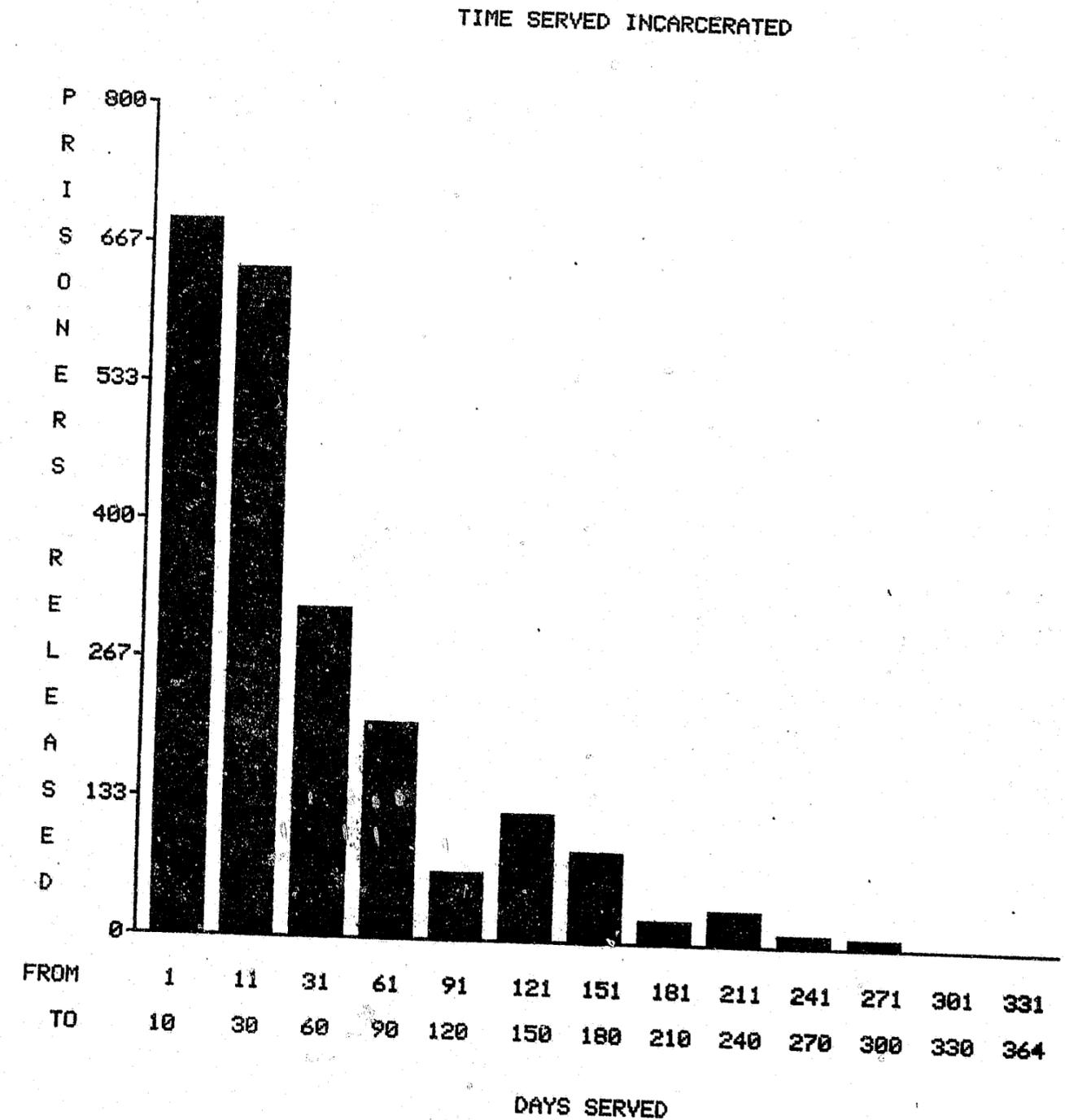


Figure 2. Distribution of days served, jail group.

While the methods of release are the same for the "jail" population as for the prison population, the effects these methods have, due to the specific requirements, are considerably different for the two groups. Figure 3 is a graphic representation of Table 1 with the average percent of the sentence served included. In contrast to the prison group (Report #1) there is a much greater percentage of released inmates in the jail group who served the full term sentence. This is due to the large proportion of the jail group who incurred sentences of less than 30 days, which makes them ineligible for any good time reduction. In fact, with the exception of a court ordered release, this group (less than 30 day sentence) are ineligible for any sentence reduction, therefore forced to serve the entire sentence. The data shows that 28.6% of the jail group had sentences of less than 30 days and 24.1% of the group served the full term sentence.

The majority of releases in the jail group were made under good time provisions, with 46.2% of all releases of this nature. This release group served an average of 80.5% of the imposed sentence. All inmates with sentences greater than 30 days (with the exception of mandatory sentences), would be eligible for good time reduction.

Court-ordered releases accounted for 19.1% of all releases. This group served on average, the smallest

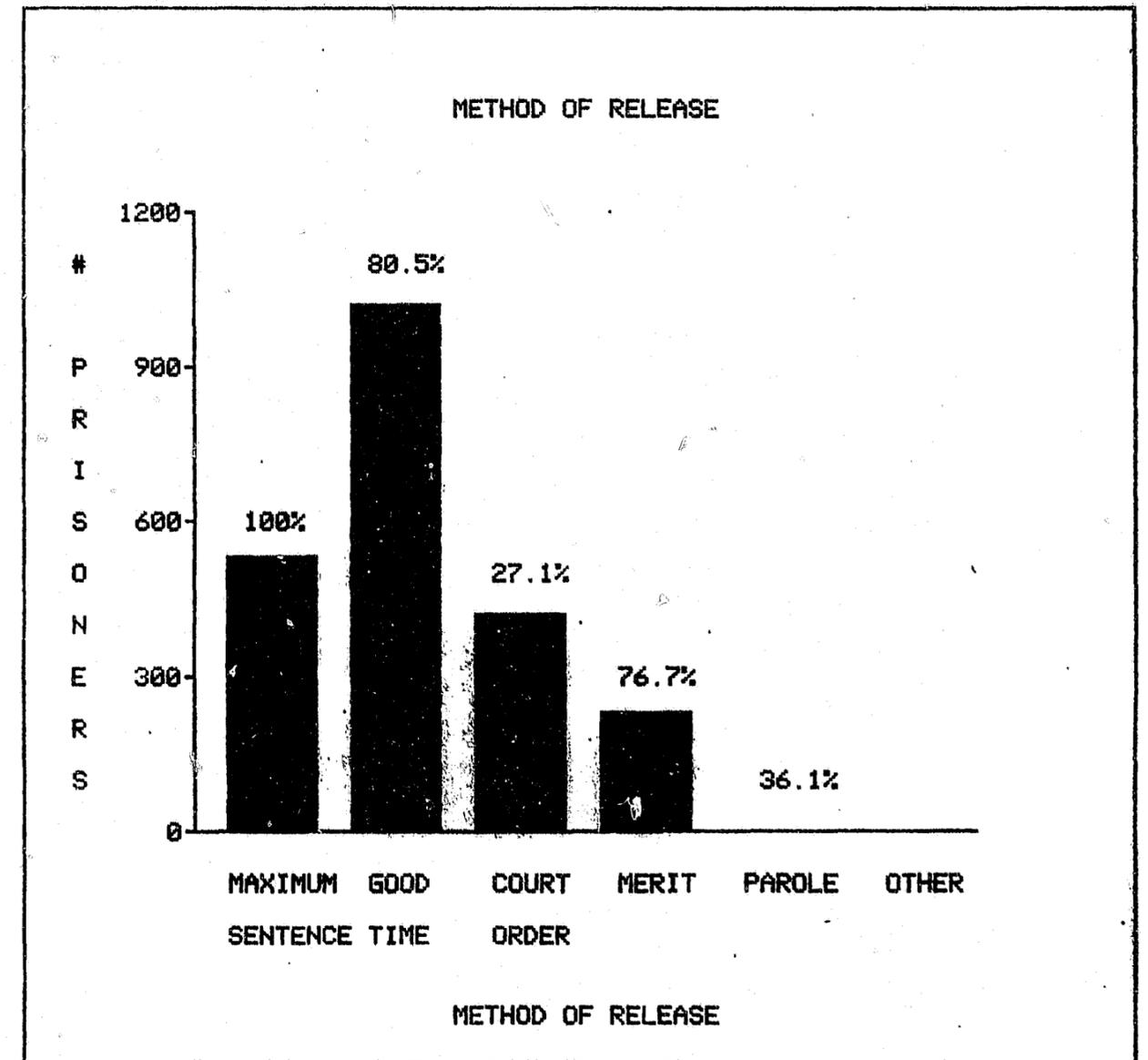


Figure 3. Distribution of methods of release, jail group.

percent of the imposed sentence. Inmates in this group served only 27.1% of the imposed sentence.

Meritorious plus good time releases accounted for 10.4% of all release types and this group served an average of 76.7% of the imposed sentence.

Parole releases accounted for a negligible proportion of the jail group. This is due to the exclusion of inmates with sentences of less than 1 year from the parole process.

The relationships between the full term sentence and the time served are varied, as they were with the prison group. Comparing these two sentence factors for the entire "jail" group results in a strong correlation, ($R=.86$) with the full term sentence explaining 74% of the variation in time served. This relationship changes considerably when viewing the relationship by method of release. Table 4 lists the correlations and explained variation by method of release.

| METHOD OF RELEASE | AVERAGE | | R VALUE | PERCENT VARIATION |
|----------------------------|----------|--------|---------|-------------------|
| | SENTENCE | SERVED | | |
| Maximum Sentence | 16 | 16 | 1.0 | 100% |
| Good Time | 75 | 60 | .97 | 94% |
| Court Order | 87 | 22 | .58 | 34% |
| Merit and Good Time | 146 | 113 | .98 | 96% |
| Parole | 342 | 124 | * | * |
| Release to Other Authority | 97 | 31 | * | * |

*Group too small to compare

Table 4. Correlations and Explained Variations

The relationships found in those methods of release which require little administrative decision, such as good time, are strong, indicating a close adherence to a formula approach of sentence reduction. In those methods requiring extraneous decisions, i.e. court ordered release, the relationship between the full term sentence and time served is weak.

COMPARING THE JAIL AND PRISON GROUPS

The relationships between the amount of time served and the methods of release are precisely what may be expected in light of the policies governing the release process. In the jail group, where only those inmates who have sentences greater than 30 days are eligible for a good time reduction, we find a preponderance of inmates (24.1%) who served the full term sentence due to the large under 30 day sentence group. This is in contrast to the prison group (Report #1) where all inmates were eligible of good time credits and the proportion of inmates who served the full term sentence was very low (1.2%).

Good time release is the method for which those in the "jail" group are most eligible. The group meeting the

good time requirements receives a 5 day reduction for every 30 days served, resulting in reduction of approximately 17% of the sentence. Again, in comparing the prison group to the jail group, the percent released via good time is greater for the jail group (46.2% for the jail group versus 12.2% for the prison group). While the jail group served an average of 80% of the sentence, the prison group served 73.8% of the sentence. This is due to the escalating amount of good time offered as the sentence lengthens in annual units.

Court ordered releases for the two groups are somewhat more congruous. Where 9% of the prison group were released by this method, 19.1% of the jail group was released by court order. The average percent of the time served was 21.7% for the prison group and 27.1% for the jail group. In both groups this method of release resulted in the least percent of time served.

Merit plus good time releases again diverge when comparing both groups. Of the prison group, 30% were released with merit plus good time while only 10.4% of the jail group was so released. This disparity is most likely due to the short nature of the jail group's sentences, which for practical purposes, may exclude them from engaging in programs which carry merit credits as incentives. The prison group served an average of 72.4% of the sentence prior to

release under this method which closely compares to the average of 76.7% for the jail group. The slight difference most likely due to the increased good time offered for the longer prison group sentences.

The use of parole as an early release is most dramatic in comparing the two groups. Parole accounts for the largest segment of the prison group released, 47.5% where only 2 individuals in the jail group were paroled. This is due to the exclusion of less than 1 year sentences from the parole process.

The release comparisons in total suggest a particular pattern. The pattern may be simply stated as the propensity for all inmates (both groups) to move out of incarceration via the fastest route possible. By the fastest is meant the method offering the greatest relative reduction of the sentence. This 'propensity' is perhaps an obvious statement considering the overcrowded nature of our prisons and in light of human nature in general. However the data does bear out this intuitive perception.

Secondly, and less noticable, is the role that the imposed sentence appears to play in the release selection process. While there is a tendency to move out by the fastest route, the length of the sentence may play a significant role in determining which route will be taken. For both groups it appears that the shorter term sentence is

more likely to maximize while the longer term sentence is more likely to follow the route offering the greatest relative reduction. Specifically, this route is parole, which offers a possible reduction of 66% of the sentence.

A rank order comparison of the full term sentence and the percent of time served for each population group by method of release shows a perfect negative correlation of -1.00 for the jail group and a negative correlation of -0.80 for the prison group. These comparisons are shown in Table 5, and appear to support the contention that sentence length plays an important role in determining the method of release.

This information should prove extremely useful in the development of a deterministic model of the release population, or the population to be released, in Delaware's prisons.

RANK COMPARISONS

| METHOD OF RELEASE | % REDUCTION | RANKED | |
|-------------------|-------------|----------|----------|
| | | SENTENCE | % SERVED |
| MAXIMUM SENTENCE | 0 | 1 | 5 |
| GOOD TIME | 17 | 2 | 4 |
| COURT ORDER | ? | 3 | 3 |
| MERIT & GOOD TIME | >17 | 4 | 2 |
| PAROLE | 66 | 5 | 1 |

The Jail Group R=-1.00

| | | | |
|-------------------|-----|---|---|
| MAXIMUM SENTENCE | 0 | 2 | 5 |
| GOOD TIME | 17 | 1 | 4 |
| COURT ORDER | ? | 5 | 1 |
| MERIT & GOOD TIME | >17 | 3 | 3 |
| PAROLE | 66 | 4 | 2 |

The Prison Group R=-0.80

Table 5. Rank order comparison of sentence length and percent of time served by method of release.

END