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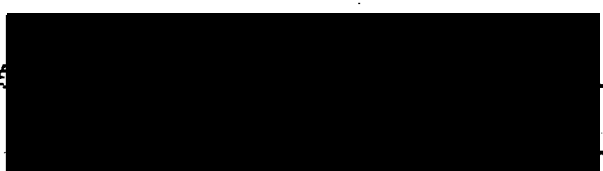
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CONDITIONAL RELEASE DECISIONMAKING IN CANADA: A STUDY OF PAROLE
SUCCESS AND FAILURE IN THE LOWER MAINLAND AND FRASER VALLEY
REGIONS OF BRITISH COLUMBIA

by

John Norman Henry Olver

B.A. (Honours), University of Guelph, Guelph, Ontario, Canada

1981

THESIS SUBMITTED IN PARTIAL FULFILLMENT OF
THE REQUIREMENTS FOR THE DEGREE OF
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of

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John Norman Henry Olver 1984

SIMON FRASER UNIVERSITY

September, 1984

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ABSTRACT

Conditional release decisionmaking in Canada is a process in evolution, the current function of which is to assess the risk to the community of releasing an offender on parole. The task of risk assessment revitalizes the ongoing debate between clinical and statistical methods of prediction. The degree to which the conditional release decisionmaking agent is successful in the assessment of offender risk is determined by its ability to predict an offender's potential for success or failure on conditional release. The federal paroling agent in Canada, charged with the responsibility of assessing offender risk, is the National Parole Board of Canada (NPB).

A review of the parole literature in Canada and the United States is presented in evidence of the varying approaches to the study of parole decisionmaking. A holistic approach to a discussion of conditional release decisionmaking identifies three major issues: why an offender is released on parole; who, in fact, makes the decision to release; and, how the decision is determined. Further to a discussion of risk assessment models, a study is presented which evaluates conditional release success and failure in the Lower Mainland and Fraser Valley regions of British Columbia. A sample of 606 conditional releasees, on either a full parole or mandatory supervision between January 1, 1981, and December 31, 1981, was evaluated to determine the existence of predisposing factors of success or failure. A summative evaluation design was employed to collect and assess

the data over a two year period from 1982 to 1983.

The results of a multiple regression analysis demonstrated that nine variables in the analysis were found to be significant predictors of success or failure on conditional release. These variables included: age, income, employment, marital status, criminal history, releasing institution, release type, and length of time out on conditional release. Further to the primary analysis, a secondary analysis of post-release, or "organizational", variables considered the influence of supervision in the community on parole outcome. In conclusion, recommendations regarding the future of parole and conditional release decisionmaking in Canada are proposed.

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It should be noted that all views expressed herein are those of the author, and in no way reflect the views of either the CSC/Parole or the NPB.

DEDICATION

To Debba, whose constant antagonism was motivation enough;
To my Dad, for being there the one time I really needed him;
and,
To my Mom, just because I love her.

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I. Introduction to Parole

Decisionmaking in the Criminal Justice System (CJS) is a complex process which, for the most part, is rarely scrutinized and stands in resistance to both internal and external review. Parole decisionmaking has long exemplified this resistance, and until only recently remained an unevaluated process in the CJS. In the United States, Gottfredson and Gottfredson (e.g., 1980) have emerged over the past 20 years as the dominant investigators of the issues surrounding parole decisions. In Canada, this challenge has been met by Nuffield (1982), Macnaughten-Smith (1976), Waller (1974), and Leveille (1970). However, it can be argued that the task of empirical evaluation is fundamentally different in Canada than in the U.S. since the function of parole differs in the two countries.

In the U.S., parole plays a part in the sentencing of offenders, in that the paroling agent has the discretionary power to release an offender at any time during a court prescribed period of time. This is a task created by indeterminate and min/max sentencing through the courts. Hence, state parole boards (being the appropriate paroling agent) take on the discretionary function of determining who is to be released and when that release should take place. Such discretionary power allows the paroling agent to reduce apparent inequities in sentencing of offenders convicted of similar

crimes. This is a major function of U.S. paroling agents known as "disparity reduction".¹ In Canada, however, the major focus in criminal justice is on determinate sentencing, a process which provides stricter parameters within which the paroling agent must operate, parameters which severely reduce the discretionary power of release provided their U.S. counterparts.² Therefore, disparity reduction, per se, is not a function of the paroling agent in Canada.

Another distinction in the two parole processes is the centralized paroling authority we have in Canada as opposed to the decentralized authority to parole that each state in the U.S. maintains. Quite simply, each state in the U.S. is free to adopt its own approach to parole, i.e., whether or not parole should exist in the state, and if so, what form it should take and what guidelines should be established to govern it. In Canada, the parole structure is established and governed at the federal level for all cases in which an offender is sentenced to two years or more in a correctional facility. And while each

¹This is not the only function of parole in the U.S., however it is the major function which distinguishes it from the function of parole in Canada. See Gottfredson & Gottfredson (1980) for a more detailed discussion on the functions of parole in the U.S.

²In Canada, an offender, upon sentencing, knows his approximate parole eligibility date (when he becomes eligible to apply for and receive a full parole), his approximate mandatory supervision date (when he must be released on parole if he previously has been denied a full parole), and his approximate warrant expiry date (when his sentence is officially completed), and the CJS no longer has any immediate control over him. These dates are approximate in that they may fluctuate on the basis of earned remission and/or the loss of earned remission.

province has paroling authority in cases where an offender is sentenced provincially to an incarcerative term of less than two years, no province has any control over parole at the federal level.³

One further distinction between the two systems is the terminology used to denote supervised release from a penitentiary. In the U.S. "parole" refers to any type of supervised release granted through a paroling agent. In Canada, "parole" refers only to one type of supervised release subsumed under the term "conditional release" -- a term which more adequately reflects the status of offenders on supervised release. There are four specific types of conditional release:

full parole

-supervised release which allows an offender to serve a portion of his sentence in the community up to a maximum 2/3 of his sentence, based on earned remission while incarcerated.

mandatory supervision

-supervised release in which an offender may serve the remainder of his sentence in the community, up to 1/3 of that sentence.

day parole

-supervised release through a community correctional centre (CCC) or a community residential centre (CRC) on a short term contract whereby an offender may serve a portion of his sentence in the community within a highly structured environment, only after having served 1/6 of his sentence incarcerated.

temporary absence

-supervised release either escorted or unescorted, on a periodic basis for a maximum of 72 hours, eligible only after having served 1/6 of his sentence incarcerated.

³While each province indeed has this authority only British Columbia, Ontario and Quebec maintain a provincial paroling authority.

The classification of these various forms of conditional release establish basic guidelines under the authority of the Parole Act (Revised Statutes of Canada, 1970) by which the paroling agent receives its only limitations.

The conditional release decisionmaking agent in Canada is known as the National Parole Board (here after referred to as the "NPB" or the "Board"). The Board is established and empowered under the Parole Act (R.S.C. 1970) as an administrative body with "absolute" power to grant conditional release as well as to revoke it, a power which stands firm in spite of its challenge through the courts.⁴ The decisionmaking task of the NPB to grant conditional release is primarily a risk prediction function -- the merits of which shall be the focus of discussion in Chapter II.

The remainder of Chapter I will provide an overview of parole in Canada, followed by a review of the relevant literature in Canada and the U.S. Chapter II provides a more structured discussion of conditional release decisionmaking, focussing on the risk assessment function of the conditional release decisionmaking process. Chapters III and IV present a study conducted in the Lower Mainland and Fraser Valley regions of British Columbia; a study designed to identify factors

⁴See Howarth v. National Parole Board C.C.C. (2d), 18/385, (S.C.C.), 1974; Mitchell v. The Queen C.C.C. (2d), 24/241, (S.C.C.), 1975; Re Dubeau and N.P.B. C.C.C. (2d), 54/553, (Fed.C.), 1980; Re Rain and N.P.B. C.C.C. (2d), 58/495, (Fed.C.), 1981.

See, also, Wright, K.E. Judicial Review of Parole Suspension and Revocation. Criminal Law Quarterly, 1976, 18(4), 435-467.

associated with success and failure on conditional release, which may have potential as predictors in a risk assessment model. Chapter V summarizes the findings of the study, discusses the limitations of those findings as they pertain to conditional release decisionmaking in Canada, and presents a secondary analysis of post-release factors which may influence parole outcome. The chapter and thesis are then completed with conclusions and recommendations regarding the future of conditional release in Canada.

A Brief History of Parole in Canada

As early as 1868, inmates in Canadian penitentiaries have been released prior to the actual expiry date of their sentence on the basis of "earned remission", a term which referred to industrious, diligent, and faithful performance of assigned work duties within the penitentiary. This was a new law effected by the establishment of a federal government in Canada, under whose control the prisons were placed.⁵ Nevertheless, this form of "early release" contained no component for supervision of offenders once they were released. In other words, their official sentences expired early, subject to no further punishment, incapacitation, or correctional supervision.

⁵31 Vict. C. 75, section 62, cited in "Submission by the Canadian Bar Association to the Senate Committee on Parole" (April, 1973).

In 1899, however, the Ticket of Leave Act allowed for an inmate to be released from prison on a license of clemency, for which certain conditions were specified to control an offender's subsequent behaviour upon release. Any breach of conditions would have resulted in a cancellation of the license, a return to prison, and the forfeiture of accumulated remission time. This early form of parole went through several stages of growth, in terms of criteria for conditions and restrictions imposed upon an offender by virtue of a "license" or "ticket" of leave, and lasted nearly 50 years without any serious revision or review.

The Fauteux Committee (1956) was established by the federal government to evaluate and make recommendations for the improvement of the remission procedure. The committee was of the opinion that a separate paroling agent should be established, one which would be both administratively and organizationally independent from the penal service. The committee also endorsed the "rehabilitative" model of corrections, suggesting that the early release of an inmate should be a decision specific to each case, in which the primary concern would be to further the rehabilitation of an offender in the community without creating an undue threat to that community.

As a direct result of a recommendation in the report by the Fauteux Committee, the Parole Act was established and passed into parliament in 1958, which provided for the establishment of the National Parole Board of Canada as the sole federal paroling

authority. The specific mandate of the Board was to grant parole to inmates who had derived the maximum benefit from incarceration, and who would subsequently be aided in their reform and rehabilitation by a parole to the community. However, remaining true to the incapacitation roots of penal philosophy, the Board was faced with the task of balancing the release of inmates for the purpose of rehabilitation with protection of the very society to which the inmates were being released. Hence, from its inception, the Board has been in the business of risk assessment, a job for which it was not trained.

In 1960, the Penitentiary Act introduced into Canada the concept of "statutory" remission, which allowed for the automatic reduction of an inmate's sentence by one-quarter on the basis of good institutional conduct. Statutory remission time could be forfeited, in whole or in part, on the basis of poor institutional conduct. However, "earned" remission time, which was retained by the Act, could not be subject to forfeiture for any reason. This collective remission available to inmates had an interesting effect on the parole system. If an inmate worked hard and maintained a good conduct record, he could be released after completing only one-half of his sentence, with no supervision upon release. At that time, the earliest an inmate could receive parole was after serving one-quarter of his sentence, after which he would be subject to supervision and restrictions upon release into the community for the duration of his sentence in spite of any accumulated

remission time owing him. Many inmates who were eligible for parole, and some who had even been granted a parole, chose to stay in prison until their release on remission time rather than be subjected to the added conditions and restrictions of supervision on a parole. Additionally, revocation of a parole due to a failure to comply with a condition or restriction of that parole, meant the forfeiture of accumulated remission time upon return to the prison. Hence, an offender could technically remain under the direct control of the Criminal Justice System (CJS) for a period exceeding his original sentence.

The report of the Ouimet Committee (1969) to the federal government on the need for reform of the criminal justice system made specific recommendations designed to ameliorate some of the more serious inequities of the system. Among these recommendations was a suggested change in focus for parole and the NPB. Ouimet felt that even though parole was a treatment-oriented correctional measure, its primary focus should be on the re-integration of offenders back into the community, and as contributing members of the community. Ouimet's concern for an increasing prison population also prompted him to recommend that parole, as well as probation, be used to a greater extent as an alternative to incarceration. Hence, the Board's task of risk assessment was to become dominant over the concern to rehabilitate an offender.

The proposed changes to parole came in the revised Parole Act of 1970. Inmates released on a parole were credited with

their earned remission time, and eligible to earn remission while on parole, since an offender on parole was still considered to be serving his sentence. In addition, a form of statutory release known as "mandatory supervision" was officially established, in which an inmate must be released (unless he so declines) after serving two-thirds of his sentence to serve the remaining one-third in the community under supervision, and subject to the conditions and restrictions of a parole.⁶

Another result of the 1970 changes was the dramatic increase in the parole population. This increase was largely responsible for an increase in public alarm and concern for the safety of their communities. The response to this concern was two more federal inquiries into the parole system. The Hugessen Committee (1973) recommended that the parole system be fully integrated with the criminal justice process, thus, facilitating a more long-term approach to the re-integration function by the Board. The Goldenberg Committee (1974) denounced any rehabilitative justification for conditional release, and recommended that parole be extended to as many inmates as possible. Both Committees recommended the expansion of the Board's authority to include unescorted temporary absences, day

⁶The establishment of Mandatory Supervision and a maximum remission quota an inmate could be credited with (1/3 of official sentence), in effect, neutralized the earlier advantages of statutory remission, which was eventually repealed from the Penitentiary Act (R.S.C. 1970) in 1977 by a criminal law ammendment (C:53 s.40).

paroles, and institutional transfers. The purpose of this expansion in authority was to enable the Board to "shape" an offender's sentence through institutional "cascading" (decreasing security levels) and "gradual release" of increasing periods of freedom.

Both Committees also felt that increased public concern was unwarranted, but nevertheless, recommended the NPB adopt a guideline model which would aid in the consistent and reliable assessment of offender risk to the community. In spite of the Hugessen and Goldenberg recommendations to increase the use of parole, the rate of paroles granted declined significantly in the years following the two reports.

The last ten years have seen a substantial increase in both internal and external review of the parole structure. In 1975, the Law Reform Commission released a working paper entitled Imprisonment and Release, which completely rejected rehabilitation as a rationale for sentencing or releasing decisions, and suggested that incarceration only be used as a last resort; specifically, for crimes of a very serious nature, to incapacitate offenders dangerous to society, and for offenders who fail to abide by conditions of release.

Carriere and Silverstone (1976), in association with the Law Reform Commission, looked at NPB decisionmaking in Ontario and Québec, and reported the need for a parole guidelines model on the basis that the decisionmaking process to grant parole was inconsistent and allowed too much discretion on the part of

Board members.

Discontent with, and criticism, of the mandatory supervision program on the basis that it forced the release of offenders dangerous to society, granted conditional release to offenders who were not good enough to be granted a full parole, and interrupted institutional training, treatment, and educational programs, prompted the Solicitor General to release a discussion paper on the merits of mandatory supervision in 1981. This paper re-affirmed the goals and objectives of mandatory supervision, that being to allow for the release of all inmates failing to qualify for early release so that they too might benefit from intensive supervision in the community designed to facilitate their re-integration into a normal and acceptable community lifestyle. As such, this mandatory release and supervision of inmates, attempts to deal with the problem of releasing high security inmates directly into the community without supervision and the potential benefits of a re-integrative strategy.

The Solicitor General's Study of Conditional Release (1981) was another attempt to demonstrate the stability of the parole system, and to instil some confidence in the public of the Board's competence to make release decisions in the best interest of society. This was evidenced by the Study's endorsement of both MacGuigan's (1977) and the Auditor General's (1978) recommendations for increased "openness and

accountability".⁷

The most recent change to the parole structure was a 1983 amendment to the mandatory supervision (MS) program, which allowed for the recommitment of an offender for the duration of his sentence without eligibility for a further mandatory supervision if he was revoked for any reason on his initial mandatory supervision. This eliminated the occurrence of "turn-around" MS cases, where an offender who had been re-incarcerated for revocation of his mandatory supervision was immediately re-released on MS on the basis of accumulated earned remission. In other words, revocation of MS results in forfeiture of earned remission time accumulated to that point, but further remission time can be earned from the time of re-imprisonment.

Parole decisionmaking has been the subject of review in the U.S. for many years. With the focus of parole in Canada shifting to risk assessment, the parole decisionmaking process has become an issue of review here too.

⁷The Study is also an excellent review of the current parole structure, and the idiosyncratic inequities that are inherent in this structure.

Review of the Literature

Parole Decisionmaking

Many researchers have attempted to assess the decisionmaking process of paroling agents, specifically in terms of identifying how a paroling agent reaches the consensus required to grant or refuse parole, and what factors are considered in such a decision. Leveille (1970) criticized the value of predictive criterion used by the Board in the parole selection process in Québec. Of 22 predictors he found were used by the Board to discriminate "good" risks from "bad" risks, he noted that recommendations made by correctional and parole staff regarding offenders assessed to be good risks and bad risks, were, by far, the best predictors of parole grant or refusal by the Board. Taking this finding one step further, Leveille found that when such recommendations were suppressed, the efficiency of Board decisions decreased dramatically. The Solicitor General's Study of Conditional Release (1981) noted an 80% rate at which the NPB made decisions in agreement with recommendations made by correctional and parole staff.

Macnaughten-Smith (1976) also studied a sample of NPB decisions and found that information which affected decisions to grant or deny parole depended on "who" supplied the information. A constructed "ranking" of organizational proximity to the Board demonstrated that the "closer" the source of information or

recommendation the more likely that information or recommendation would affect the Board's decision to grant or deny parole. In other words, when the information was held constant, the source of the information was more significantly related to parole decision outcome than the nature of the information itself.

In Nuttal et al's. (1977) study of parole in England and Wales, internal policy differences were found to account for large disparities in the paroling authority's release decisions. Nuttal explained that England and Wales have Local Review Committees which represent each correctional facility. These committees are responsible for reviewing each request for parole and then making recommendations for parole to the parole board. As the policies of these committees, and subsequently their recommendations, varied considerably from a conservative tendency to recommend parole to a liberal tendency to recommend parole, and since the Board tended to adopt Committee recommendations, the observed disparities at the committee level were passed on, unnoticed, to parole board decisions. Nuttal's subsequent attempt to standardize parole board decisions resulted in the development of a statistical instrument which estimated an inmate's chances of re-arrest upon release. If an inmate's chances of re-arrest were less than 35%, a presumption that he would be a good candidate for parole was registered on his file, and in all likelihood resulted in his parole at the earliest eligibility date, unless certain factors arose that

might affect the initial presumption.

Carriere and Silverstone (1976) conducted a study of the National Parole Board decisionmaking process in Ontario and Quebec. The authors described the Canadian parole process and then went on to discuss the findings of a study of NPB decisions. Using a sample of 99 decisions from Ontario and 108 decisions from Quebec, in which the authors were observers during the parole hearings, parole board files on each case were analyzed to determine what information was available to Board members on which to base decisions. The authors found parole file information lacking in clarity, consistency, and uniformity. In addition, parole files were typically so bulky and cumbersome that Board members relied heavily on a summary sheet prepared on each file by an information and records clerk.

Parole hearings in Ontario averaged approximately 35 minutes, with the actual decision taking anywhere from 15 seconds to five minutes. In Quebec, hearings averaged approximately 25 minutes, and decision times were similar to that of Ontario decisions. The authors made note that the Board members' anticipation of publicity over any particular decision was always a consideration in reaching a final decision. And, in spite of the mass of information available to Board members, a relatively small number of factors seemed to make the difference in the majority of cases. Of 15 factors that four Ottawa Board members rank ordered, only two factors were considered by all four members to have a significant effect on the decision to

grant or deny parole: seriousness of offence, and criminal history or pattern of offending. The seven factors which the authors identified as being prominent criteria in the decisions they witnessed were: release plans, personality problem, maturity, personal resources, established delinquency, danger to society, and institutional performance.

Madden (1980), in a study of parole decisionmaking in Ontario, found similar results to that of Carriere and Silverstone. Madden noted that parole hearings averaged 15 to 20 minutes in duration, decision time was under two minutes, and Board members relied heavily on recommendations and summary information. From a sample of 266 decisions, Madden identified 12 factors that appeared to be important in Ontario parole decisions: living plans, work/school plans, prior criminal record, current offence category, alcohol use, drug use, prior parole performance, details of current offence, attitude towards crime, institutional behaviour, employment record, and educational record. Additionally, Madden polled the 28 Ontario Board members with respect to their correctional justification for granting parole, to which there was very little consensus. However, when asked if they would support the adoption of a statistical selection model, all members were unanimously opposed to any such model.

Waller's (1974) study of "men released from prison" prompted him to conclude that much of parole's effectiveness is illusory, and that prediction devices used for assessing risk

are largely inadequate due to their inability to quantify many factors which influence the decisionmakers as well as the decisionmaking process. Waller denounced the rehabilitative ideal, and in a 1975 article suggested a new growth for parole in Canada that would emphasize a re-evaluation of community programs, a redistribution of funds to support research and supplement new programs, and an increase in public support and involvement.

Evaluations of parole decisionmaking in the U.S. have also been concerned with the factors related to making a decision to release, but have sought out other types of factors, and have emphasized the need for structural change and re-definition of focus much more strongly than evaluations in Canada.⁸

Carroll (1978), demonstrated how the principles of "attribution theory", as per Weiner's (1974) model of attributes in achievement settings, apply to parole decisionmaking. In a study of 272 Pennsylvania parole hearings, the author found that expert parole decisionmakers placed emphasis on causal theories of crime, which resulted in decisions being based on the perceived cause of the offender's crime. Typical attributions included: substance abuse, profit, victim precipitation, influence of associates, personality deficiencies, (i.e., lack of control, mental problems, immaturity, easily influenced, aimless), and domestic problems. Externally perceived causes of crime were deemed more "stable" than internally perceived.

⁸See: U.S. Parole Commission (1975); Parker (1975).

causes, and crimes attributed to more stable causes received higher ratings of risk and poorer recommendations for parole.⁹

Holland, Holt, and Brewer (1978) conducted a study of social roles and information utilization in the parole decisionmaking process of 421 parole hearings of the California Adult Authority from 1968-1969. The authors found that board members differed from other parole system employees in terms of information emphasis in determining potential risk upon release. Board members focussed primarily on seriousness of the most recent offence. Board decisions were found to be unrelated to subsequent parole performance, and a weak relationship was found between self-reported and actual utilization of offender case information by the Board members. The authors concluded that the findings indicated a definite need for guidelines which would structure and limit the discretion of personnel making release recommendations and decisions.

Conley and Zimmerman (1982) performed an observational and empirical study of 291 parole decisions made by a part-time parole board in Oklahoma. The authors found that the Board members were politically appointed having had no prior parole experience. As a result, Board members relied heavily on institutional case information which was subjective and unverified. The Board's primary focus in making release decisions was found to support institutional discipline, while

⁹See: Carroll (1978, 1980); Carroll and Payne (1976, 1977a); and, Carroll, Wiener and Coates (1982).

the Board's concern for the community was less salient, and any rehabilitative factors ranked third in release decision considerations. Hence, the authors concluded that part-time parole boards were not sufficiently equipped to handle such a decisionmaking function, and that research into the parole decisionmaking process should focus on characteristics of the decisionmakers instead of characteristics of the inmates.

In a study of seven U.S. states that have made dramatic changes in their criminal justice systems, Hussey and Lagoy (1983) examined the changes in parole structures that occurred as a result of a transition to determinate sentencing in all seven states. The transition to determinate sentencing was a measure of disparity reduction that also eliminated parole board discretion. Of the seven states (Maine, California, Indiana, Illinois, Arizona, Colorado, and New Mexico), only Maine eliminated both the Parole Board (and, thus, its decisionmaking function), as well as the parole supervision function. Arizona (the only state with a criminal justice structure similar to Canada's), was the only state to maintain both functions. While the shift to determinate sentencing eliminated the discretion and disparity of release decisionmaking with a paroling agent, it passed the discretionary function of release decisionmaking on to correctional staff, who were an even larger, less homogeneous, group of decisionmakers with the potential for creating even greater disparities on the basis of "good time" allocations. Hence, discretion in the release process was not

reduced, and min/max sentencing merely took on a different form based on these "good time" allocations. This finding prompted the authors to conclude that:

"...it might be possible for parole board decisionmaking to coexist with determinate sentencing.... The use of guidelines by parole boards could, it seems, achieve the ends of determinacy without the 'tyranny of parole boards' or 'the tyranny of disciplinary committees.'" (1983:130) [footnote omitted]

The issue of disparity reduction as a parole decisionmaking function has received considerable attention in the U.S. Gottfredson (1979) used a random sample of 1,011 release cases from 1970-1972 to measure the disparity reduction function of parole board decisionmaking. The author found that, although the Board substantially reduced sentence length, the variability in sentence length for similarly situated offenders was not substantially reduced. This suggested that disparity reduction, as a function of the Board, may have a differential impact according to offence and offender characteristics. Gottfredson also found that while parole boards did modify sentencing decisions based on institutional behaviour, such considerations accounted for only a small portion of the variability in sentence modification. Instead, the "critical issue" in disparity reduction is the equilibrium needed to balance the interests of equity against the interest of individualized justice.¹⁰

¹⁰See also: Gottfredson (1979); Talarico (1979).

Dynamics of U.S. parole hearings have also been the focus of parole decisionmaking research. Garber and Maslach (1977) studied a sample of 100 taped parole hearings of the California Adult Authority, in which 39% of the decisions were to grant parole and 61% were to deny parole. The average duration of the hearings was 16.2 minutes, while the average length of time required to make a decision was 1.5 minutes; decisions to grant parole averaged 2.1 minutes and decisions to deny parole averaged 1.2 minutes, a significant difference ($F=7.69$; $df=1,98$; $p<.006$). Garber and Maslach categorized these hearings as short, unstructured interview sessions where the hearing officers typically asked psychologically-oriented questions, and the inmates responded passively in a minimally informative nonaffirmative manner. Parole decisions were found to be reliable across decisionmakers, but non-valid in that much emphasis was placed on the psychological assessment which none of the decisionmakers were trained or qualified to make.¹¹

Hackler and Gauld (1981) looked at parole and the violent offender, in Canada, in response to public allegations that the NPB was irresponsibly releasing dangerous and violent offenders into the community on parole. The authors reviewed Canadian parole statistics for the 5-year period 1975-1979, and concluded that suggestions that the Board "casually" released violent offenders on parole was totally unsubstantiated. In fact, despite the Board's belief that it could identify potentially

¹¹See also: Hakeem (1961); Wenk, Robison & Smith (1972).

dangerous offenders, the Board appeared very cautious in releasing offenders with violent criminal histories. The authors suggested that public pressure had caused the Board to be too cautious, at the added expense to the taxpayer for additional incarceration of violent offenders who did not appear to be "poor" risks.

The issue of assessing future dangerousness in the criminal justice process has interested many researchers in the debate of clinical versus statistical methods of assessment in the discipline of sociology. Steadman and Morrissey (1982), while attempting to statistically predict future dangerousness of mental patients, found that statistical predictions were superior to clinical predictions, however, statistical predictions based on socio-demographic, criminal and mental hospitalization history variables were of little practical value in assessing future violent behaviour.¹²

In Canada, both Outerbridge (1974) and Mandel (1975) have suggested that prediction of dangerousness in the parole decisionmaking process is a chance prediction that contributes to the overall assessment of offender risk to the community. It is this overall or general assessment of risk that has decisionmakers and researchers alike, scrambling to find an assessment method that will predict future risk to society more successfully than chance.

¹²See: Kroll and MacKenzie (1983).

Parole Risk Prediction

Since Meehl (1954) demonstrated the logical and empirical superiority of statistical prediction over clinical prediction, researchers in the area of criminal justice have attempted to formulate parole prediction devices. The greatest obstacle to adaptation of a prediction device in the parole decisionmaking process has been the identification of significant and stable predictors of parole success or failure. As Hayner (1958) pointed out, parole boards choose not to believe in prediction devices even when such devices have been demonstrated to be effective.

Grygier, Blum and Porebski (1971) presented a summary paper of four successive prediction studies that were conducted on Canadian parolees in the 1960's. The joint objectives of these studies were to assess the relationship between parole selection and parole outcome, identifying characteristics of good candidates for parole, and to test the stability of a prediction device over time. Using predictive attribute analysis in the first three studies, the authors concluded that it was not as stable a prediction device as the simple summation method used in the fourth study, but that, nonetheless, both devices were sufficiently reliable and valid to warrant further development. Grygier et al. also concluded that the NPB was a good screening body, but that not enough "good risks" were paroled, and that prediction devices should be used to pinpoint borderline cases

instead of wasting time on extreme risk cases (good or bad) that can usually be identified without the aid of a prediction device.¹³

Moberg and Ericson (1972) suggested that the difficulty in measuring and predicting recidivism was one related to operational definitions. Noting that parole success or failure is not dichotomous, the authors presented a success/failure classification index which has a range of varying levels. This "new recidivism outcome index" lists eleven possible recidivistic categories numbered 0-10, the lower the number the more serious the recidivism, i.e., 0-4=failure, 5-7=marginal failure, 8=marginal success, 9=qualified success, and 10=success. Using 164 parolees in Minnesota, the authors had various professionals in the CJS use the index to categorize the parolees. The index proved to be valid and reliable, and the authors claimed that it was flexible enough to be applied anywhere.

Sapsford (1978) described the British model for parole risk prediction, known as the "Parole Prediction Index". The model was developed using a sample of 1100 subjects, and cross-validated with a similar size sample. Sapsford suggested that the index was a good predictor of general recidivism for sentences of four years or less and property offenders, but was

¹³See: Grygier, Blum, and Porebski (1971).
See also Nuffield (1982), and Wilbanks and Hindelang (1972), for comparisons of the efficiency of three prediction devices:
1) simple summation, 2) predictive attribute analysis, and
3) multiple regression analysis.

considerably less accurate for other sub-types of offenders, especially sex offenders and violent offenders.¹⁴

Sampson (1974) modelled a parole prediction device for the Florida correctional system after the California Base Expectancy Scale. Using 200 men released from the Florida correctional system, the author found the base expectancy model to be inadequate, as was the subsequent use of a step-wise multiple regression analysis, in developing a model, since both models assumed a homogeneous releasee population. Hence, Sampson further subjected his data (on approximately 43 variables) to a cluster analysis approach which identified sub-groups of homogeneous releasees, to which a multiple discriminant analysis could then be applied to more accurately predict the risk of success or failure.

Werner and Palmer (1976) used a sample of 336 male youths in California, from 1961-1969, to demonstrate that traditional statistical models for the prediction of parole success or failure can be enhanced by simply relaxing the assumptions of linearity and homoscedasticity. By employing five non-linear psychological variables, developed by use of the Jesness Psychological Inventory, the authors demonstrated a considerable increase in the explanatory power of measures of parole performance over the traditional variables.

Using 12,693 U.S. federal parolees from 1969, and followed-up after two years, Brown (1978) demonstrated the

¹⁴See: Nuttal et al. (1977); Monahan and Cummings (1975).

empirical and statistical superiority of linear multiple discriminant analysis over linear univariate analyses in identifying "good risks" and "poor risks" for offenders on parole. Gottfredson and Gottfredson (1980) compared five statistical prediction techniques to determine which was the most powerful: 1) multiple regression analysis, 2) simple summation, 3) predictive attribute analysis, 4) association analysis, and 5) multidimensional contingency table analysis. Using a sample population of 4,500 releasees from 1970-1972 (2,400 for the construction sample, and 2,100 for the validation sample) the authors concluded that none of the tested methods was particularly more advantageous than each other. Therefore, the adoption of one of the methods over the others should be a decision based on factors other than statistical power, such as type of data available, simplicity of application, and the purposes to which the resulting instrument is expected to be put.¹⁵

While much of the parole prediction research has been focussed on finding the best predictive device, other researchers have taken a more theoretical approach. Inciardi and McBride (1977) have criticized the traditional efforts to predict parole success or failure, suggesting that the major inadequacy has been a lack of theoretical foundation in the research:

"...random and intuitive selections [of variables] do

¹⁵See also: Babst, Inciardi, and Jaman (1971).

not yield generalizations that transcend the immediate context of the research." (1977:237)

Deductions from theory would suggest direction as well as other variables to be included in any analysis. A lack of theory in prediction models may result in a lack of consideration for "organizational" variables, i.e., community environment into which an inmate is released, and the work structure and attitude of parole officers, as well as an overemphasis on "available" data. The authors also pointed out that prediction models/experience tables do not predict success or failure, but, instead, merely identify a set of characteristics, the possession of which suggests a tendency for failure or success.

Dean and Duggan, (1969) modelled a study of parole prediction on the theoretical basis of social interaction, as outlined by Blalock (1965); Cloward and Ohlin (1960), and especially Cohen (1955). Based on a failure sample of 98 men and a success sample of 55 men, the two groups were compared on race, educational attainment, marital status, occupational skill, income, and regularity of employment (failures were slightly better off than successes). The authors divided 83 variables, some traditional and some social-psychological measures, into three groups according to Cohen's three "interdependent but analytically distinct parts" of an individual's world: 1) situation, 2) identification, and 3) value orientations. The authors found that a disproportionate increase in the criterion variable was demonstrated when a combination of attributes occurred. In other words, success and

failure were more readily distinguished when interaction effects were coded and allowed to enter the regression analysis as predictors.

Underwood (1979) claimed that the use of predictive techniques is a legal issue, and further argued that different predictive selection schemes may be equally useful in given circumstances. The author stated that predictions are tentative, not certain, and that, traditionally, prediction methods have been highly inaccurate, predicting failure with a higher error rate than success. Alternatives to predictive selection have no stronger claim to legitimacy than predictive selection:

"...clinical methods pay more attention to individual applicants, and statistical methods pay more attention to the rules for selecting them". (1977:1432)

Underwood concluded that the parole decisionmakers must decide on prediction methods, based on the objectives of the decisionmaking process, and the values inherent in that process.¹⁶

Summary

Reviewing just a sample of the parole and parole decisionmaking literature demonstrates the complexity and uncertainty of the parole structure, as evidenced by differing

¹⁶For a more extensive review of parole prediction devices, the reader is referred to: Eyyen (1962); Glaser (1955, 1962); Hayner (1958); Hoffman, Gottfredson, Wilkins, and Pasela (1974); O'Leary and Nuffield (1972); Simon (1971).

perspectives and conflicting findings. However, if one recurring theme could be identified throughout the bulk of the literature it would be the recommendation for standardization and systematization of every aspect of the parole decisionmaking process, from the offender information sources, to the methods of assessment, to the parole hearings, and even to the parole decisionmakers.

Such a recommendation can only be achieved through a clear, concise, well-thought out set of parole decisionmaking guidelines which take into consideration the correctional philosophy of the day, the general climate of the community, and in so doing, must clearly articulate the future goals and objectives of parole. The establishment of these guidelines will come to pass as a function of more intensive, systematic, and objective research into parole decisionmaking issues. In other words, a more wholistic approach¹⁷ to parole decisionmaking research is required in order for us to come to terms with the complexities and uncertainties of the current parole structure.

¹⁷ie., consideration of all the parts of the parole process and their unique interaction with each other.

II. Conditional Release Decisionmaking

Most discussions on parole and/or conditional release pose the questions of why, who, and how, i.e., why might we want to release offenders to controlled supervision in the community?, who is it, exactly, that we want to release to this controlled supervision in the community?, and how do we objectively, and consistently, identify those offenders we want to release?

Conditional release decisionmaking is the process through which the issues of why, who, and how all come together, and hence, is the starting place for the following discussion of the issues.

The Issues

Decisionmaking at the Board level has been referred to as one involving the prediction of offender risk to the community (Nuffield, 1982), in terms of whether or not an offender is likely to re-offend if released to that community (vis a vis prediction of success vs. failure). In making the decision to grant or deny conditional release, there are four possible outcomes: a) the Board grants conditional release and the offender remains violation-free (i.e., true positive); b) the Board grants conditional release and the offender violates his release by either committing a new offence or breaching a condition of release (i.e., false positive); c) the Board denies conditional release to an offender incorrectly in the case of an

offender who would have remained violation-free (i.e., false negative); and d) the Board correctly denies conditional release to an offender who would have violated his release (i.e., true negative). In the first instance the offender might well be considered a success, and the Board to have made a good decision. In the second instance the offender might well be considered a failure, and the Board to have made an erroneous decision. Likewise, in the third case the Board would be considered to have made a bad decision as, hypothetically, the offender would have been considered a success. And in the fourth case the Board would be considered to have made a good decision in that, hypothetically, the offender would have been considered a failure. Of course, while cases 3 and 4 exist theoretically, they are impossible for us to assess empirically since the nature of the decision precludes any subsequent observation of outcome.¹

While it is obvious which outcomes are preferable and which are not, it is not always clear-cut in to which category a decision should be placed. The problem here is in the terms "success" and "failure". "Success" is the most difficult to define as it could refer to something as specific as not being revoked while on conditional release, or something as all encompassing as never coming into contact with the CJS for a

¹Nonetheless, the Solicitor General has attempted to approximate the presence of type I and type II errors in past release decisions (see Solicitor General's Study of Conditional Release, 1981).

period of 5-10 years after the expiration of sentence.

"Failure", being somewhat more tangible than success, is, nonetheless, almost as ambiguous. Failure has typically been measured by recidivism, which could refer to revocation of conditional release for either a technical violation or a new offence, or to re-offending any time after expiration of sentence. In any event, the impact of this operational disparity is exacerbated by the fact that success and failure are not inherently mutually exclusive, but are dependent upon who is defining them and in what context. Nowhere in the literature of the last 20 years has there appeared a resolution to this terminological problem, one that might appeal to an empirical sense of generalizability.²

Were the NPB to employ the "coin flip" method of making release decisions, one might expect the probability of the Board making a good decision to be 50%, and the probability of the Board making a bad decision to be 50% also. Yet this is certainly not the case. However, there exist certain inequitable factors which influence the degree to which good and bad decisions are made by the Board -- inequitable in the sense that the Board has control over some factors and not over others.

²The problems of agreement and generality will be discussed in Chapter V in the context of seeking a more objective knowledge. However, without belabouring the present discussion with the proliferation of philisophical impishness, the need for objectivity in the realm of prediction might well be illustrated with the argument that an application of success/failure constructs to offender's performance on conditional release could just as easily be an application of success/failure constructs to NPB prediction rates, i.e. hits vs. misses.

Hence, a look at these inequities is warranted.

Three main issues in the decision to grant conditional release warrant greater scrutiny:

- 1) What is the social philosophy which underlies the decisionmaking process?
- 2) What is the function of conditional release?
- 3) What are the procedural mechanics of conditional release decisionmaking?

The first issue addresses the influence of current penal reform and social policy, the media, and community accountability on the conditional release decisionmaking process -- ~~the~~ the issue of "why". The second issue follows immediately and logically from the first. It addresses the functional pragmatics of conditional release and to what an offender is actually released to -- from which flows the issue of "who". The third issue raises the debate between actuarial and clinical methods of prediction -- the issue of "how".

Social Philosophy and Community Accountability

Before the Board makes a decision to grant conditional release it must consider the current correctional philosophy and the socio-political climate of the day. In any given year, in any given region, the NPB may make several thousand decisions to grant or deny conditional release. Before each of these decisions is finalized, the Board must consider whether its decision is in the best interest of the government in keeping with correctional policy and public image, regardless of whether or not the offender in question is perceived to be a good risk

or a bad risk.

This consideration on the part of the Board might appear to some to exist implicitly on an a priori basis, since key Board members are appointed politically by those who determine the correctional philosophy of the day. Hence, it is likely that Board members would already hold the same beliefs as the government in power prior to, and no doubt as a condition of, their appointment. However, governments have been known to change policy during their term of office, and yet the NPB membership remains virtually unchanged. Herein lies the key to the Board's autonomy: by remaining flexible enough to accommodate changing trends in correctional policy without altering the central function of conditional release, the Board maintains itself by balancing community accountability against social policy, seemingly in spite of the fact that the Board is a much less heterogeneous group than the population as a whole.

Within the last 16 years of predominantly Liberal leadership, Canada has seen several shifts in correctional philosophy from a "rehabilitation" oriented policy to a "utilitarian" one, which gave way to a resurgence of the "incarceration for retribution and deterrence" thrust. Currently, the trend in correctional philosophy is a mixture of "social cost/social control" concerns tempered with an economic need for "utilitarian" control. Ironically, none of this really matters here, and is best left for a more ambitious analysis of socio-political involvement in administrative decisionmaking,

since the primary function of conditional release is not altered by any change in correctional philosophy; that function being the controlled release of offenders back into the community.³ What is altered, however, are the objectives of conditional release. Currently, those objectives, as outlined in the Solicitor General's Study of Conditional Release (1981), are: a) cost-effectiveness; b) disparity reduction -- in terms of parole eligibility; and, c) a reduction in terms of social cost.

Community accountability, on the other hand, has a more direct influence on the conditional release decisionmaking process. The news media has a tendency to sensationalize the bad decisions made by the Board, especially in cases where offenders on conditional release are involved in a murder, rape, or child molestation, i.e., conditional release "successes" are not "news", but failures are, and the more lurid and atypical, the more newsworthy.⁴ The public demand for accountability created by such media exploitation calls into question the very nature of conditional release and forces the Board to justify its existence in each and every instance. Pressure of this type

³Although the socio-political impact of government on the administrative decisionmaking of the NPB is minimal, its potential to influence the Board is mentioned for two reasons. First, it helps to make the point that the Board is autonomous, and that the Board's primary function remains constant. Second, neglecting to mention the potential for socio-political influence would appear to compromise the integrity of a "wholistic" approach to evaluating conditional release decisionmaking.

⁴See Fair (1984) for a discussion of press images of crime and justice.

cannot help but influence the Board when making future decisions to grant conditional release.

With recent incidents of offenders on conditional release being involved in rapes and murders, and the subsequent exploitation of these events in the news media⁵, the demand for action and accountability by the community has been felt by the Board. The response to this demand by the Board was the newly created phenomenon of "gating". Gating involves the immediate and intentional revocation of an offender, released on mandatory supervision, for the protection of society, where that offender is deemed by the Board to be potentially dangerous and thereby representing a real and physical threat to the community at large.⁶

⁵See :The Vancouver Sun, Wed., March 2, 1983; The Vancouver Sun, Sun., September 26, 1983; The Vancouver Sun, Sat., June 26, 1982; Globe & Mail, December 14, 1980.

⁶Currently, "gating" has been deemed illegal (See: Re Moore and The Queen C.C.C. (3d), 4/206, (Ont.C.A.), 1983; R v Oag [1983] W.W.R., 4/124, (Alta.C.A.); Truscott v Director of Mountain Institution et al. C.C.C. (3d), 4/199, (B.C.C.A.), 1983; Re Noonan W.C.B., 9/354, (Fed.C.A.), 1983.), but is still on appeal to the Supreme Court of Canada, and since the immediate issues are many and complex, no further discussion of this phenomenon will take place. However, suffice it to recognize that this phenomenon is a direct result of media and community influence on the conditional release decisionmaking agent. See also: Correctional Service of Canada "Lets Talk" (1984, 9/13) for a discussion of Solicitor General Robert Kaplan's proposed ammendment to the Parole Act which would make "gating" legal, subject to judicial review.

Function and Task Definition

The primary function of conditional release -- the controlled release of offenders back into the community -- as stated above, is not altered by a change in correctional policy. However, the objectives of this function, which do change along with a change in policy, also reflect a change in how one refers to this primary function, which in turn defines the task to be performed by the National Parole Service (NPS).⁷ When the trend in policy is on rehabilitation, the function is called "community correction", in which the objective is to rehabilitate the offender in a more natural "therapeutic environment". The subsequent task of the NPS is to provide counselling and aid in obtaining human resources.

When the trend in policy is on retribution and protection of society the function is called "extended social control", in which the objective is to passively acknowledge the "revolving door" or "turn-around" phenomenon while maintaining economic controls over the offender. Hence, the subsequent task of the NPS is one of surveillance and policing. Currently, with the trend in policy focussed on utility and social cost/social control, the function is called "re-integration", within which the objective is both to relieve prison overcrowding and to reduce incarcerative costs, while attempting to reduce the

⁷The NPS is now referred to as the Correctional Service of Canada/Parole (CSC/Parole), a collective agency employed under the Ministry of the Solicitor General as a separate, but closely associated, section of the CSC, to oversee those offenders granted conditional release.

threat to society of an increased parole population. The subsequent task of the NPS, in co-ordination with the institutions, is to facilitate this re-integration through the provision of basic training in the area of life skills and marketable job skills -- a task which unfortunately remains unrecognized in the Pacific region.⁸

Re-integration⁹, is a complex and difficult task of de-institutionalizing offender behaviour while facilitating community adjustment, and yet it appears to be a much more realistic approach to parole than does rehabilitation in a more "natural therapeutic environment". Ouimet (1969) was the first to emphasize the shift to a re-integrative function, stating that parole is "designed particularly to assist the offender's reintegration into the community" and an "opportunity and a test of his self-control" (1969:330). Both Goldenberg (1974) and Hugessen (1973) echoed this change in focus for conditional release in Canada.

The Board's commitment to re-integration is a straightforward one. The Board is responsible for the incarcerative strategy of each offender from the point of initial classification into the federal correctional system. By

⁸See Olver (1983) for an empirical analysis of this problem; also, see Mullen (1981) and Smith (1982) for a description and evaluation of life skills programs developed federally, and implemented in other regions of Canada.

⁹This term is very much in vogue today, replacing the more antiquated notions of "re-socialization" and "rehabilitation" which currently lack the necessary appeal.

a process known as "cascading" the Board pursues their objective of "increasing freedom" or "gradual release".¹⁰ Through this process, the Board, ideally, brings each offender to the reality of conditional release where he is confronted with the primary function of conditional release -- re-integration.

Although the "overseeing" of each offender in the correctional system is an important, and seemingly enormous, function of the NPB, the primary function of the Board (not to be confused with the primary function of conditional release) is to determine which offenders are to be granted a conditional release to the community, and which are to remain incarcerated until their mandatory supervision date. As alluded to earlier, this function is referred to as "risk prediction". Central to any discussion of conditional release decisionmaking processes, then, must be an analysis of how this function of risk prediction is carried out.

Procedural Dynamics

The issue of "how" in the decision to grant or deny conditional release by the Board is the most complex and technical of the three issues. Hence, a more detailed analysis of this issue is warranted. There are three basic components to a mechanical analysis of decisionmaking: 1) the decisionmakers;

¹⁰This procedure is evidenced in the two forms of conditional release that are granted by the Board while an offender is still a resident inmate in a correctional facility. These two forms are "temporary absence" and "day parole".

2) the data upon which a decision is made; and 3) the method used to assess the data in making the decision.

The Decisionmakers

The NPB is comprised of 23 full-time members, 20 temporary members, and 58 community members. Full-time members are appointed by the Governor in Council, on recommendations by the Solicitor General, for a term of 5 years, after which they may be re-appointed for an additional 5 year term, with a two term maximum. Temporary members are also appointed by the Governor in Council, on recommendations by the Solicitor General, but only for a term of 1 year, subject to re-appointments with no maximum. Community members are appointed by the Solicitor General, on recommendations by the Chairman of the National Parole Board, for a term of 2 years, subject to re-appointments with no maximum.¹¹ All members are provided the power to make conditional release decisions as established in the Parole Act (R.S.C. 1970). All members are allowed one vote on any decision in which they are involved, with votes of all members carrying the same weight.

In making a decision to grant conditional release, only 2 members, both concurring, are required to vote in the case of an offender serving a sentence of less than 5 years. If a split decision occurs, a third member is called upon to vote, where

¹¹In the Pacific region there are 3 full-time members, 2 temporary members, and 12 community members.

the majority decision carries. On sentences of 5 to 10 years, 3 members must vote, where only 2 need concur to grant release. On sentences of over 10 years, 5 members must vote, in which 3 need concur to grant release; however, in some cases 7 members may be requested to vote, in which only 4 need concur to grant release. For "life" sentences, 7 members must vote, and 5 must concur on a decision to grant release.

The exceptions to this system occur when offenders have been sentenced as dangerous sexual offenders, habitual criminals, or for murder. In making decisions to grant conditional release in either of these cases, 2 of the 7 required votes must come from members of the local Citizens Advisory Committee, a group which represents community interests in the correctional process.

Full-time Board members do not necessarily have any expertise in decisionmaking, nor are they trained in clinical assessment or personality prediction. They do, however, typically have some previous experience with the CJS, and hence, possess a working knowledge of correctional philosophy and undoubtedly some understanding of governmental policy (although this is not a pre-requisite of the appointment). Temporary and community members, on the other hand, are also members of the local community and may, or may not, possess previous experience in corrections. However, some members may well be professionals in the community and, as such, may possess some expertise in clinical assessment or behavioural prediction. The arguable

justification for appointing, for the most part, untrained nonprofessionals to the position of decisionmaker is to establish a representation of community norms and values that can be reflected in the Board's decisions. Whether or not this group of appointed decisionmakers is representative of the community at large, in any empirical sense of the word, is certainly an issue of contention.

The Data

The data used in the conditional release decisionmaking process can be dichotomized into psychometric data and non-psychometric data. Psychometric data would be the interpretive results to an offender's responses on an administered test such as the Minnesota Multiphasic Personality Inventory (MMPI), or the California Personality Inventory (CPI). These would be administered and interpreted by a trained clinician or psychometrist, and then form part of an offender's institutional file in terms of a psychological assessment. All other information found on an offender's institutional file would be non-psychometric data. This type of data includes demographic information such as age, marital status, and education. Also included in this type of data is criminal history, current offence information, previous record of conditional release and/or revocation, court transcripts, crown counsel reports, police reports, and a record of institutional conduct and performance. Two other types of non-psychometric

data which play a part in the decisionmaking process are an outline of the offender's proposed release plans, and an offender's performance during a conditional release "suitability interview" held by the Board.¹²

It should be quite apparent that many different pieces of information are collected on an offender, in a variety of ways and in varying amounts, all of which are combined and made available to the decisionmakers, and upon which the overall decision of "granted" or "denied" is based. However, this brings us to the most important and key insight of the decisionmaking process: by what means, on what basis, and by what methodological procedure is this assessment realized? The answer to this question is the most telling revelation in the conditional release process.

The Process

Traditionally, it had been accepted as intuitively obvious that the best method of personality prediction involved clinical assessment by a trained professional, with a strong emphasis on case study. Despite the confidence in this method, no two professionals could ever seem to reliably agree on clinical assessments of similar cases. Nevertheless, it was not until the 1940's that Sarbin (1941) challenged this method of personality

¹²Note that these interviews are not always held. Whether they are depends on an offender's desire to present his case for release personally, or on a Board member's request, where the member feels it is necessary before a decision may be reached.

prediction in an article entitled, "Clinical Psychology -- Art or Science?", a position supported by the writings of Lundberg (1941). Sarbin demonstrated that untrained secretaries could predict behaviour as well as or better than trained clinicians by the use of statistics and a pre-established prediction table. The ensuing debate led Sarbin to publish an article on the logic of prediction in psychology (1944).

Ten years later, the debate was all but exhausted when Meehl (1954) published an analysis of clinical versus statistical prediction, which stated the definitive conclusion to the debate -- empirically, and logically, the final word in prediction will always, and unavoidably, be statistics. In reaching this conclusion, Meehl provided a logical analysis of Sarbin's original argument, preferring the slightly more narrow, but still synonymous, term "actuarial" to "statistical". Meehl (1954) also reviewed the studies which sought to empirically settle the debate (some of which, perhaps, were merely trying to salvage the tarnished image of clinical psychology), and demonstrated quite convincingly the supremacy of statistical prediction. This review was updated by Meehl in 1965, and has since been consistently documented in the literature (Goldberg, 1968, 1959; Levenberg, 1975; Mischel, 1968; Sawyer, 1966; Sundberg, 1977; and, Wiggins, 1973, 1981).¹³

¹³See Wiggins (1981), for a more contemporary review of personality prediction.

With the contemporary wisdom in personality prediction being an emphasis on experiential tables and statistical probabilities, the problem then becomes one of applying this procedure to the conditional release decisionmaking process. The difficulty in doing this with a maximal degree of success has been cited as the major reason for the strong resistance to adoption of this method. For as long as statistical prediction has been the rule rather than the exception, paroling agents throughout North America have felt that conditional release decisionmaking would be the ideal application for such a method. The major obstacle to this application has been in the identification of predictive factors that could be used to establish a "model" for prediction. However, with the advancements in micro-computer technology, i.e., the accessibility of computer processing potential to paroling agents, considerable efforts have been made to establish such models, along with guidelines systems to control the application of prediction models.

Most progress in the development of prediction models to date has been in the U.S., eg., Michigan, Illinois, Wisconsin, Iowa, and Georgia.¹⁴ This is largely a result of the severe overcrowding of U.S. prisons over the past 10 years. Each of these states has found it necessary to draft "Parole Guidelines Systems" which outline a step by step procedure for the

¹⁴See Fischer (1984) and Gottfredson and Gottfredson (1980) for examples and descriptions of existing prediction models in the U.S.

successful expansion of parole programs in their respective states. The primary mandate of these guidelines systems is to facilitate a substantial increase in the parole population, and thus relieve both prison overcrowding and the cost of incarceration, while limiting any increase in risk to society that may result from such an expansion. Each of these states has also recommended through their guidelines that a statistical model of risk prediction be developed and employed to this end.

Fischer (1984)¹⁵, presented a simple and straightforward comparison of some of the better parole prediction models to date (see Appendix A). The model developed by Fischer, along with the Iowa Statistical Analysis Center (ISAC), serves as an excellent example of what an offender risk prediction model can be, as it boasts an unprecedented accuracy rate for prediction of offender risk of 88%.

Fischer's "Iowa Model" was the result of an extensive review of other risk prediction models, followed by a large scale empirical analysis of offender-related factors for their predictive efficacy. When the 1980 version of the model claimed an 80% accuracy rate in risk prediction, the Iowa General Assembly was quick to incorporate the model into their parole guidelines scheme, a scheme determined to maintain a "cap" on the state population of incarcerated offenders of 2,650. During the first two years of the model's application some impressive

¹⁵Materials presented at a symposium on "Risk Assessment and Offender Classification", held March 21-22, 1984, at Simon Fraser University, Burnaby, British Columbia.

findings were noted:

- a. Identification of "good risks" for early release led to a 52% increase in paroles, avoiding what could otherwise have been a crushing 28% increase in the prison population during 1981-1982.
- b. Despite the huge increase in paroles, the rate of violent crime among parolees dropped by 35%, and the total volume of such crime by 1%.
- c. The threat to society posed by a typical parolee, as measured by the number and seriousness of new felony charges after release, dropped by 17%.
- d. Through early release screening, the integrity of the "cap" had been maintained and the state managed to avoid a massive building program in the prison system without increased threat to society. (ISAC, 1983:4-6)

A 13-month average follow-up of the findings showed that of the 61% of offenders recommended as good risks that were in fact granted parole, only 4.8% acquired new felony charges, while 18% of offenders who were not recommended as good risks but were nonetheless granted parole, 28.2% subsequently acquired new felony charges.

The model was subsequently revised in 1983, and again in 1984, to reflect improvements based on a validation study, the main objectives of which were to make the model simpler, "harden" the data elements against potential legal repercussions, and possibly improve on the model's accuracy. The

result was a new risk prediction model, shown to be approximately 88% accurate in predicting serious recidivism among parolees and ex-offenders, while using four types of information: 1) age at conviction; 2) substance abuse history; 3) current offence classification; and, 4) criminal history.

The new model involves a four step procedure. The first step is the "4-factor" assessment using the above four types of information, each of which has a pre-established classification system. The "4-factor" assessment classifies all logical combinations of the four predictors into six preliminary risk levels. Step two involves a simple "offender typing" which acknowledges the offender as a violent offender, a first offender, and/or a victim of burn-out (not violent and over 50 at conviction, or not violent and between 25-49 at conviction and a 4-factor score of 1-4).

The third step, a procedure quite novel in terms of risk prediction models, incorporates a two class system of "special risk factors" comprised of 20 individual factors, whose presence were demonstrated (based on the 722 cases in the validation study) to be significantly associated with predicted risk levels. The 20 "special" factors are of four basic types: 1) prior felony convictions and incarcerations; 2) arrests and convictions for felonies of same type; 3) arrests and convictions for violent crime; and, 4) street time since arrest, conviction, and incarceration. Step four is the final violence/property risk assessment which effectively combines the three previous steps

and arrives at a prediction of risk on a 5-point scale ranging from "very poor" to "very good".

More recently, a 1984 version of the Iowa Model claims to predict violent risk to society with the same degree of accuracy. This version of the model is identical to its predecessor, but with the inclusion of a fifth factor. The additional factor is based on a violence classification scheme which "weights" the seriousness of prior offences, and is then combined with the other four factors in step one of the model.¹⁶

In Canada, both the Hugessen Report (1973) and the Goldenberg Report (1974) recommended that specific guidelines for the prediction of conditional release outcome be established. To date, no specific guidelines model has been developed and the only effort to develop a statistical prediction model was performed by Nuffield (1982), a model which reflected the influence of the "Federal Salient Factor Score" developed by the U.S. Parole Commission (1976).¹⁷

Beginning in 1975, Nuffield collected and analyzed 2,500 NPB decisions and outcomes, with the objective to "model" a large sample of Board decisions through the identification of offender characteristics statistically determined to be "associated with parole decisions in a systematic way" (1982:18). Data were collected on the 2,500 cases and

¹⁶See Iowa Statistical Analysis Center (March, 1984) for more detail on the Iowa Model.

¹⁷See Hoffman and Adelberg (1983) for a review of the Federal Salient Factor Score.

subsequently analyzed by means of a regression analysis and a predictive attribute analysis¹⁸, as a means of identifying risk predictive factors. The combined analyses produced four significant and stable predictors: 1) number of previous imprisonments; 2) age on admission; 3) number of previous escapes; and, 4) previous breach of parole supervision. These four predictors provided the base upon which Nuffield constructed a prediction model.

Curiously, this model was never developed into a systematized risk assessment score. Nuffield argued that "the ultimate measure of the usefulness of [a] predictor is the over-all accuracy of the 'instrument' as a statistical technique" (1982:34). Hence, Nuffield chose to test three classical prediction methods: 1) regression analysis (as per Gottfredson, 1962); 2) predictive attribute analysis (as per Wilkins and Macnaughten-Smith, 1970¹⁸); and, 3) simple summation (as per Nuttal et al, 1976). The object of the exercise was to determine which technique made the best use of the potential predictors.

Nuffield collected re-arrest follow-up data on 2,475 of the original 2,500 cases. The sample was randomly split into a "construction" sample and a "validation" sample. Subsequently, each instrument was developed using the construction sample and tested for effectiveness against the validation sample. A total

¹⁸See Wilkins and Macnaughten-Smith (1970) for a description of this type of analysis.

of 15 predictors were used, including the above four factors identified by Nuffield in the previous analysis, 8 of which were related to criminal history.

The results of the exercise were none too impressive. The regression analysis accounted for about 5% to 7% of the variance in the success measure, while the predictive attribute analysis could not predict risk any better than chance. However, the simple summation method managed to predict 60% of the cases better than chance expectations. This method derives a prediction of risk from a general recidivism scale, where scores range from -27 to +30; the lower the score, the more favourable the prediction of risk. When Nuffield plotted offender's simple summation scores against the rate at which they were paroled, a curvilinear relationship was noted, which suggested that the rate of release for "very good" risk offenders was lower than the rate of release for "good", and even "fair", risk offenders. Nuffield stated:

Thus, the Board seems to deprive itself of the successful outcomes of these high scoring inmates at a cost to its own "success rates", a cost to the inmate of additional punishment and lost street time, a cost to the taxpayer in dollars spent holding the inmate and, in many cases, supporting his dependents. (1982:57)

A similar curvilinear relationship was reported when offender simple summation scores of violent recidivism were plotted against the parole rate, in which the parole rate for the best risk offenders was no better than the parole rate for the bad risk offenders. This attempt at violent risk prediction was performed in spite of the literature's claim that prediction

of future dangerousness, as yet, is unreliable.¹⁹

Although not touted as a great risk assessment model, the simple summation method was recommended to the NPB by Nuffield as a means of systematizing the conditional release decisionmaking process, at least until a better model was developed. Along with this recommendation, Nuffield proposed a "Parole Guidelines Model" which outlined how the simple summation method might, successfully, be adapted into the current conditional release decisionmaking process.²⁰

In review of the arguments and evidence which support the use of a statistical or actuarial model for the prediction of offender risk, the question remains: why has the National Parole Board of Canada not chosen to use a statistical prediction method, but rather maintained a layman's version of the clinical assessment method? Hayner (1958) asked a similar question, concluding:

Attitudes which help to explain the lag by parole boards in the use of prediction tables may be summarized roughly under five heads: (1) sensitivity to public opinion, (2) desire to encourage constructive use of prison time, (3) firm belief in the uniqueness of each case, (4) frustration of intelligent selection for parole because of legal and traditional restrictions, and (5) reactions to the prediction devices themselves. (p.73)

¹⁹ See Cocozza and Steadman (1976); Menzies, Webster, and Butler (1981); Menzies, Webster, and Sepejak (1983); Steadman and Cocozza (1974); Webster, Sepejak, Menzies, Slomen, Jensen, and Butler (1984).

²⁰ See Nuffield (1982) for a more detailed description of the study and proposed guidelines model.

While some of Hayner's explanations are no longer applicable, the majority are still quite sound. Currently, in Canada, there are at least two other possible explanations. First, the clinical assessment method has always been thought to be a more "humanistic" process, and although it may be less efficacious than statistical assessment, it is, nonetheless, at least more "human". However, in view of Nuffield's (1982) findings it may well be more "humane" to employ a statistical model that would ensure a little more equity in terms of the better risk offenders, who are more deserving of release.

Second, it seems reasonable to assume that people, especially those with authority, do not like giving up some of their power, particularly to a machine. This is likely a more realistic reason for resistance, since statistical models can be made accessible to anyone in the correctional field, subsequently giving them the ability to predict offender risk to society as well as, or better than, the Board.

In sum, the focus of the parole decisionmaking process is, or should be, on the procedural mechanics of risk assessment. To clarify, Meehl (1954) outlined the four logical combinations of procedure and data in personality assessment: 1) psychometric data combined in a mechanical or actuarial fashion; 2) psychometric data combined in a non-mechanical or interpretive fashion; 3) nonpsychometric data combined mechanically; and 4) nonpsychometric data combined non-mechanically. The procedure used by the Board might be construed as something that loosely

resembles the fourth combination, given that the Board members are non-professionals, untrained in the techniques of clinical assessment. However, with the adoption of a statistical model of prediction, the Board's non-professional, non-clinical technique of assessment could well enhance the predictive power of such a model.

Quite conceivably the ideal decisionmaking procedure would incorporate a combination of methods. Such was the suggestion of Sawyer (1966), who re-analyzed Meehl's data, and found that the best prediction method was one in which both judgemental and mechanical input data were available for statistical combination. Thus, the clinician's life would still have meaning in that he/she is seen as a valuable source of input data (eg., see Sundberg, 1977). This combined effort was originally articulated by Holt (1958) as a sensible plea for "sophisticated integration" (see also Mischel, 1968). Nevertheless, the need for a more actuarial based decisionmaking procedure in Canada is a reality that is immediate and one that should be considered quite seriously.

Conclusion

In review of the issues, the resulting "wholistic" picture of the conditional release decisionmaking process reveals several interesting facts. First, conditional release decisionmaking is essentially a risk assessment task. Second, there is empirical evidence to suggest the supremacy of

statistical assessment models over clinical assessment models. Third, there is some empirical evidence which demonstrates a moderate to good degree of success in applying statistical prediction models to the task of parole risk assessment. Fourth, in spite of this evidence, the National Parole Board of Canada has taken no apparent steps to adopt a statistical prediction model within its decisionmaking process, nor has the Board developed a guidelines strategy for improving the success of its decisionmaking process. Fifth, the only way in which the Board will be compelled to seriously consider the evidence is by: (a) an increase in demand for community accountability, to be achieved through a greater sensitization of the community to correctional issues; and/or, (b) an increase in empirical and objective evaluation of this decisionmaking process in Canada.

With few exceptions (Leveille, 1970; Waller, 1974; Macnaughten-Smith, 1976; Nuffield, 1982), there has been little evaluation of the Board's decisionmaking practices, no investigation into how and why the Board makes a decision to grant or deny release, nor any assessment of success in prediction by the Board. The "visibility" of parole policy to decisionmakers, offenders, and the public, which these limited studies had hoped to achieve, has instead remained severely clouded by insufficient attention to the issues discussed above. If we are to truly realize the nature and complexity of the conditional release decisionmaking process, we must first make the effort to seek objectification in our method of evaluation.

Without objective evaluation, further discussion of conditional release decisionmaking would be redundant.²¹

It was with this knowledge, and the opportunity provided through employment with the CSC/Parole (Pacific), that the author performed the following study. The primary objective of the study was to identify significant and stable predictors²² of success and failure on conditional release, which could subsequently be used in a statistical assessment model of offender risk.²³

²¹To accept the notion of objectification is to appreciate an inherently subjective reality seeking to obtain its most objective extreme.

²²Since "predictor" in the strict sense of the word implies causality, i.e., if p then q, it should be noted that the use of "predictor" in the text of this thesis is used synonymously with "discriminator", i.e., if p most likely q. Certainly my interest was in ascertaining those variables which would most efficiently differentiate individuals in the success and failure samples; on the other hand, as I have argued, the NPB's function is one of risk assessment, and hence prediction.

²³Although the author had the benefit of the Nuffield research and some of the U.S. risk assessment models, knowledge of the Iowa Model was not available at the time this study was conducted.

III. Methodology

In Chapter II it was suggested that conditional release decisionmaking in Canada is primarily a risk-prediction task. Or, seen from another perspective, this task may be prediction of success vs. failure on conditional release. In either case it was suggested that a preferable approach to this task, as opposed to the current approach, would be to adopt an actuarial or statistical model upon which to base such predictions. The major problem in applying such models to the conditional release decisionmaking process has been the difficulty in identifying predisposing factors of success vs. failure on conditional release, factors which are essential in designing a model specific to this process (Gottfredson and Gottfredson, 1980). Nuffield's (1982) risk-prediction model is the only legitimate attempt to design a statistical model in Canada, but to date this model has not been fully accepted nor put into practise.

Hence, the current study would appear to have two useful and practical applications in the conditional release decisionmaking process. First, the study is designed to identify predisposing factors of success and/or failure for the future purpose of designing a statistical prediction model suitable for the National Parole Board. Second, any significant findings (empirically established) may either lend some support to Nuffield's findings, or failing that, to at least provide some insight and/or criticism to the Nuffield model.

Objectives

In sum, the current study involved the following objectives:

1. To assess and evaluate the nature of failure and success on conditional release. More specifically, to identify and enumerate predisposing and/or correlative factors significant to failure or success on conditional release.
2. To establish and illuminate the existing relationship, if any, between failure on conditional release and committing of new offences on conditional release.
3. To identify and report any structural problems with the existing conditional release program which may contribute to failure, such as methods of supervision or standardization of reporting procedures.

Scope of the Study

This study was limited to the Lower Mainland and Fraser Valley regions of British Columbia. More specifically, it included the areas of parole supervision covered by the Vancouver, Abbotsford, and Chilliwack District CSC/Parole offices. Data collected and analyzed from these offices was limited to a one year period, from January 1st, 1981 to December 31st, 1981. CSC/Parole Offices other than those noted above were contacted only when it was necessary to do so for the purpose of completing and/or cross-checking data. It should be noted that

the three offices included here account for approximately ninety percent of the total conditional release population in the Pacific region, which includes all of British Columbia and the Whitehorse area (N.W.T.).

Sample

The sample consisted of 606 individuals who were being supervised on a conditional release program between January 1st, 1981 and December 31st, 1981, by either the Vancouver, Abbotsford, or Chilliwack district offices. Day Parolees and individuals on Temporary Absences (T.A.'s), were excluded from the current study as they are generally considered to involve "special" types of conditional release, and, as such, require different operational definitions of failure and success than have been established for the present study. Therefore, Mandatory Supervision and Full Parole cases comprised the conditional release programs that were evaluated by this study.

The 606 cases in the sample represented the full population of individuals who were on a Full Parole or Mandatory Supervision conditional release program, within the given scope, in 1981.¹ Hence, the sample is, in effect, a total population.²

¹The rate of missing cases for this population, due to missing or insufficient information sources, is estimated at three to five percent.

²Of course it is still a sample with respect to time, and also with respect to regional location, i.e., the Pacific region is one of five official regions in Canada.

The year 1981 was chosen simply on the basis that it was the last complete year for which complete data were available, at the time the study began.

Since the methodology involved two separate phases, different groups of the same population were focused on at different times. The first phase sample -- the 'failure' sample -- was limited to all individuals on conditional release, who were suspended on a breach of conditions and/or for committing a new offence. Conversely, the second phase sample -- the 'success' sample -- was limited to all individuals on conditional release, who were not suspended, and hence considered to be "violation-free", throughout all of 1981.

Two other criteria were subsequently added to aid in the sorting of cases into the two samples. First, individuals who had been suspended prior to December 31, 1981, but were still awaiting further disposition, were considered 'failures' if, and only if, they were subsequently revoked for the same violation from which their suspension had arisen, within the first 4 months of 1982. Second, individuals had to have completed 4 consecutive months on their conditional release program before being considered for the 'success' sample. This meant that any individual starting a conditional release program after September 30, 1981, would not have been included in the sample population. However, it also meant that any individual who was already on a conditional release program as of January 1, 1981, would have been included in the sample.³

³This minimum 4 month criterion for 'success' was based on preliminary distributional analysis that demonstrated that the majority of persons who "failed" did so within the first 4 months following release (see Chapter IV, Figure 1).

Operational Definitions

The terminology employed throughout the planning, implementation, and write-up of this study is specific to the area of corrections, and even more specific to this study. Therefore, it was necessary to operationally define certain terms and phrases for the purposes of the study. "Failure" refers to revocation of an individual's conditional release program. "Success" refers to the absence of revocation of an individual's conditional release program and a relatively violation-free record for the entire period of the study.* Other key terms are operationally defined in Appendix B.

Data Sources

The data collection instruments for both phases were developed in-house, and were designed to allow for quick and easy coding of information, based on the structure and availability of the data sources.

The primary data sources used for phase 1 were post-suspension reports and temporary detainment co-ordination reports. Secondary data sources included parole office index files, parole office warrant of suspension lists, Transfer Board reports, police reports, National Parole Board reports, and individual case files.

*In some instances violations occurred which resulted in suspension but not revocation, and, as such, were still considered 'successes'.

Phase 2 primary data sources included parole office 'parolee booklets', parole office case files, and National Parole Board reports. Secondary sources were comprised of penitentiary release reports, parole office index files, and Offender Information Systems (OIS).

Given that the study was conducted in two separate phases, the possibility must be considered that any differences observed in the sample may be due to differences in coding and data sources rather than real differences between the two samples. Granted, these are always concerns of any methodological critique, however, certain measures were employed to minimize the artifactual component of any findings. Coding was controlled by: (a) pre-testing the data collection instruments; (b) training the data collectors in collection technique; and, (c) periodic testing of inter-rater reliability. Experimenter bias was minimized in that for most cases the coders were unaware of which offenders were 'failures' and which were 'successes' as success/failure information was the last item of information collected, and the source of that information was separate from other information sources.

Data sources were problematic in that the CSC, at that time, had no centralized or systematized method of information collection and storage. Thus, several different primary and secondary data sources were required to cross-reference and complete the collection of data for each case in the sample, in order that error due to problematic data sources might be

minimized.

Design

The specific design utilized in the methodology is known as a summative evaluation design (Kidder, 1981). This design employs a quasi-experimental procedure, and focusses primarily on archival data. The design was chosen to evaluate an ongoing process, using a cross-sectional approach with archival data. No actual subjects or research participants were involved in the methodology, only records of subjects' actions and characteristics.

In this study, the design measures effectiveness of program objectives. As stated in Chapter II, the primary objective of conditional release in Canada is the successful re-integration of criminally deviant individuals back into the community.

The reasons for selecting such a design are straightforward and based on the nature of the research. An evaluation design was deemed to be the only legitimate method of assessing the conditional release process in the Pacific region since any manipulation, or intervention, of this process would not yield an accurate assessment of the process, regardless of whether any such manipulation were possible.

A summative, as opposed to a formative, evaluation design was selected in accordance with the study's objective to merely assess and recommend rather than to specifically formulate policy based on the findings. Quasi-experimental controls were

used to establish and operationalize the two samples for both phases. All the data sources were surveyed for the required variable information on the subjects in the sample.

Procedure

For practical purposes the study was divided into two phases. The first phase was carried out in the summer of 1982. The target population for this phase was the 'failure' sample. Primary and secondary data sources were sought and studied for their information potential specific to this sample. Data collection instruments were then developed in-house, based on the information available in, and the structure of, the data sources.

Data were collected on all conditional release suspensions in 1981. All subsequent revocations were then considered 'failures' (N=112). All data for this sample were collected and processed by this writer. Variables on which data were collected include: age, marital status, month of release, length of time out on conditional release, type of release, releasing institution, criminal history, income, geographic area of supervision, employment, and type of suspension. In addition, offenders in the sample were identified as belonging to one or more of five possible problem offence categories, namely: sex, violence, substance abuse, medical/psychological, and escape.

Phase 2 was carried out in the summer of 1983. The target population was the 'success' sample. Data sources, again, were

sought and studied for their information potential relevant to this sample. Data collection instruments were also developed in-house based on the information available in, and the structure of, the data sources.

Data were collected on all individuals who were on either Full Parole or Mandatory Supervision in 1981, and who were not revoked. These individuals were considered 'successes' (N=468). An additional 26 individuals were discovered to have been revoked in 1981, increasing the 'failure' sample size to 138. Hence, the total population for the study was 606.

Data on the 'success' sample were collected and processed by a team of four research assistants, sponsored by the Correctional Service of Canada/Parole (Pacific), under the supervision of this writer. Reliability checks were performed periodically and at random to ensure consistent and reliable collection of data.⁵ Members of the research team were coached in collection techniques prior to exposure to the data sources. However, some errors were made that reduced the validity and usefulness of several variables. Variables on which data were collected included: age, marital status, month of release, length of time out on conditional release, type of release, releasing institution, criminal history, income, geographic area of supervision, employment, level of education, vocational

⁵Reliability checks were carried out by requiring all research assistants to "code" the same file. Eighty-five percent consistency amongst coders was maintained throughout this collection phase, and was considered to be reliable for the purposes of the study.

training, type of supervision, length of incarceration prior to current conditional release, and stability of relationship.

In collecting data on specific variables in the two samples, some discrepancy occurred. The primary data sources used for collection of data on the "failure" sample, being specific to "failure" cases, did not exist for collection of data on the "success" sample. Hence, several variables collected in the failure sample could not be collected in the success sample. Similarly, differences in data sources specific to "success" cases resulted in the collection of additional variables for the success sample. The collection of this additional information required no additional effort on the part of the data collectors, and it was felt that this information could be useful in future evaluations since it was not being collected by anyone else, in any other fashion. Analyses in this study were restricted, unless otherwise noted, to the variables common to both samples.

Upon completion of the data collection, both data sets were coded for subsequent computer analysis, using The Statistical Package for the Social Sciences (SPSS, Nie et al, 1975) to analyze the data.

Validity and Reliability

Internal and external validity are concepts which exist in a perpendicular relationship to each other, sometimes complementary, and sometimes antagonistic. Thus, a virtual "give and take" type of decisionmaking process is created within the task of methodological design selection. Evaluation designs are used largely in natural settings where the intent is to generate findings that may eventually have practical applications for those settings. Hence, the loss of some internal validity in this type of design is a small cost in comparison to the considerable gains made in terms of external validity and generalizability.

In this study, arguments can be made for a slightly greater "hint" of generalizability. First, it can be argued that the inmate population in the Pacific region is not atypical of inmate populations in other regions of Canada. Therefore, any findings based on a sample of inmates from the Pacific region may be generalized to some degree to inmates in other regions. Second, if the findings of a smaller scale study such as this were to replicate or resemble the findings of a larger, say national scale study such as Nuffield's (1982), then it would be logical to assume a certain degree of generalizability within the smaller scale study.⁶

⁶These arguments will be further considered below in Chapter V, in the context of discussing the findings and conclusions.

Reliability concerns in this study are relatively straightforward, being, in large part, concerned with the consistency of data sources and information bases. With the utilization of archival data comes the realization that any findings derived from that data can only be as reliable as the data sources themselves. In the collection of data for this study the concern for reliability in the data sources was a real one. This concern developed out of a discovery that information on any given individual in the sample might not be complete, might be conflicting from one record to the next, and/or might exist under an alias name.⁷ A system of cross-checking and cross-referencing was established to minimize this potential threat to reliability. Threats to reliability in the collection and coding of data were further minimized by the pre-training of the data collectors and the random inter-rater reliability checks carried out by this writer. Despite these control measures some error did occur, in terms of lost variables or missing information, due to some unforeseeable difficulties with the data sources.

⁷This is a considerable problem within the Correctional Service of Canada that is a result of the transient nature of inmates as well as the lack of a centralized record keeping system in the CSC.

Ethics

The ethics involved in doing research must always be considered when justifying the social cost versus the potential for social gain in the research. In the current study, three ethical issues are most salient. Confidentiality is always an important ethical concern in evaluation research, and this study was no exception. Although no research participants were actively involved in this study, records of subjects' actions and characteristics were accorded the same respect and confidentiality they would have had had they actually participated.⁸ Following from this, any results can in no way be traced back to any specific individual studied.

Preventing the misuse of research results is also of significant concern in evaluation research. Since evaluation research is somewhat more closely related to social policy, findings generated through this type of research (based on their potential for good or bad repercussions) come part and parcel with a decision of how, or in what "light", the findings should be presented. This decision, in turn, raises the importance for the need to discuss and recognize limitations in the research and subsequent findings, but, given that, to acknowledge that the findings are as valid and reliable as they can be within the given context, space, and time. In other words, researchers have

⁸In response to ethical concerns that private files were used without subjects' consent, it should be noted that such files are the property of the CSC/Parole, and, hence, require only the consent of the CSC/Parole to be used. This consent was, in fact, obtained.

an obligation to do the best work they can, and report the findings of those efforts without compromising the integrity of the methodological design, i.e., acknowledge legitimate and illegitimate applications of research results.

Finally, promoting the use of research results is an ethical concern along the same lines. The benefits and true potential of research results should be properly promoted, but without prejudice and without restriction. In other words, findings should not be selectively promoted and the same caution regarding the potential for misuse must be considered.

IV. Results and Discussion

In the primary analysis the success/failure variable was scrutinized to identify those variables which best differentiated the success cases from the failure cases in the sample. Of the 26 variables on which data were collected, 10 of these variables were common, for the purposes of this analysis, to both the "success" and "failure" samples. These were: marital status, month of release, type of release, releasing institution, criminal history, income, geographic location, employment, age, and length of time out on conditional release. Using the success/failure variable as the dependent variable, these 10 variables were entered into a multiple regression analysis.¹

In the multiple regression analysis a pair-wise deletion of missing cases was chosen, which included more data by case per variable in the regression analysis than would have been possible using a list-wise deletion procedure. Using a step-wise procedure in the regression analysis, each of 9 variables (including dummy-coded vectors) were found to explain significant portions of variability in success/failure, with a multiple R of .472. Table 1 provides a summary of these 9 variables in order of entry.

¹Categorical variables were dummy-coded for this analysis.

Table 1

Summary of First Regression Analysis

Source	SS	df	MS	F*	Cum. R
Release type	8.809	1	8.809	63.183	.312
Length time out	3.789	1	3.789	27.177	.373
Marital status/ single	2.421	1	2.421	17.365	.407
Release institut/ maximum	1.346	1	1.346	9.654	.425
Marital status/ common-law	1.228	1	1.228	8.808	.441
Criminal history/ property offence	1.203	1	1.203	8.629	.456
Income	0.429	1	0.429	3.077	.461
Employment/ part-time	0.476	1	0.476	3.414	.466
Criminal history/ armed robbery	0.437	1	0.437	3.134	.472
Residual	70.407	505	0.139		
Total	90.545	514			

*Critical F-values for $df=1, 505$ were 3.00 for $p<.05$ and 4.62 for $p<.01$.

The order of entry of the variables in Table 1 gives an indication of the strength with which these variables significantly "explain" the criterion of success/failure. "Type of release" and "length of time on release" appear to be the strongest of these variables, suggesting that release on Mandatory Supervision or Full Parole has an effect on the outcome of success or failure, as does the length of time a releasee manages to stay on release without incident.

Of the remaining variables listed in Table 1 some interesting relationships can be noted. Both the "marital status" and "criminal history" variables, each represented by

two dummy-coded vectors, have an association with failure on conditional release. "Marital status/single" and "marital status/common-law" appear to suggest a lack of offender stability in the community that might influence or reflect an offender's ability to adjust to the norms of that community. "Criminal history/property offences" and "criminal history/armed robbery" also suggest a tendency for a releasee to fail rather than succeed, an observation that might have been expected on the basis of previous parole research (ie., Gottfredson and Gottfredson, 1980; Nuffield, 1982). In addition, "releasing institution/maximum security", demonstrating a significant increment in explanatory power, would appear to be associated with "failure" rather than "success" in that the adjustment from a very structured and secure environment to a minimally structured and secure environment would be an exceptionally difficult task for an offender who has, likely, just spent upwards of 5 years in maximum security.

"Income" and "employment" are the remaining two variables listed in Table 1 as significant predictors of success/failure, suggesting that the presence of some financial buoyancy/stability was a factor related to success or failure on conditional release. The employment variable complements the income variable in that employment is a major contributor to financial buoyancy, and directly affects a releasee's income. The obvious relationship between income and employment, and the apparent association of the other variables with failure on

conditional release suggested that some "hidden" relationships might exist among the variables that could help to explain additional variance in success/failure.

Noticeably absent from this regression analysis was the "age" variable, although it did indeed have a significant zero-order correlation with the success/failure variable ($r = -.232$). The fact that age could have a notable relationship with success/failure, and yet not appear in the analysis as a significant predictor, could be explained by the fact that age was significantly related to most of the variables that had already been identified in the analysis as significant predictors of success/failure, and especially so with the strongest predictors. It almost appeared as if age was a common denominator that strung all the predictors together, and thus influenced the strength of each predictor. Most notable were the correlations of age with release type ($r = .278$), and length of time out on conditional release ($r = .405$), which also happened to be the two strongest predictors of success/failure.

A subsequent crosstabular analysis of age with release type showed that the percentage of MS releasees decreased with age as the percentage of FP releasees increased with age (chi square=51.106; $df=5$; $p < .01$). This was further enlightened by the logical finding that length of time out on conditional release increased with age, and vice versa. Not surprisingly, release type and length of time out were correlated significantly ($r = .387$; $p < .01$).

Two predictors with which age did not appear to correlate, ie., income and employment, may both be considered "organizational" variables in that they are factors which occur after an offender has been released, and, as such, are factors which are not necessarily known by Board members who make the decision to release. This is an observation that lends itself to broad speculation. Therefore, suffice it to say here that the lack of relationship with these particular variables suggests that the traditional predictors of success/failure --- those demographic and biographical variables that are available to the decisionmakers prior to release --- are not necessarily good predictors of success/failure because they cannot account for the changing circumstances an inmate will encounter immediately upon release.

The relationship of age to the other predictors, especially release type and length of time on conditional release, suggested that a portion of the explained variance might well be attributed to the age variable. Hence, a second regression analysis was performed in which "age" was entered into the analysis first, after which the remaining variables were entered by a step-wise method. The results of this analysis are summarized in Table 2.

This analysis confirmed the assumption that age was a significant predictor of success/failure ($F=34.77$; $df=1, 505$; $p<.01$), originally buried by its overlap with the other predictors. Independently, age explained 5.4% of the variance in

Table 2

Summary of Second Regression Analysis

Source	SS	df	MS	F*	Cum. R
Age	4.855	1	4.855	34.768	.232
Release type	6.013	1	6.013	43.061	.346
Length time out	2.417	1	2.417	17.309	.383
Marital status/ single	2.337	1	2.337	16.736	.415
Release institut/ maximum	1.281	1	1.281	9.174	.432
Criminal history/ property offence	1.011	1	1.011	7.240	.445
Marital status/ common-law	1.084	1	1.084	7.763	.458
Income	0.521	1	0.521	3.731	.464
Employment/ part-time	0.506	1	0.506	3.624	.470
Residual	70.519	505	0.139		
Total	90.545	514			

*Critical F-values for $df=1, 505$ were 3.00 for $p<.05$ and 4.62 for $p<.01$.

the criterion success/failure. Quite interesting was the fact that all other predictors remained in the same order of entry as in the original analysis, yielding only that explanatory power which age had claimed through its independence as a predictor.

The exceptions to this order were: (a) marital status/common-law and criminal history/property offences exchanged positions; and (b) criminal history/armed robbery no longer appeared on the list of significant predictors. This was not surprising as 'history of armed robbery offences' was the weakest predictor in the original analysis. It should also be noted in Table 2 that release type still appeared to be the most

potent predictor ($F=43.06$; $df=1, 505$; $p<.01$), explaining an additional 6.7% of the variance beyond that already accounted for by "age". Crosstabular analysis demonstrated that release type (specifically MS) was significantly related to both income and employment. Since this relationship could also be hiding explained variance, and since income and employment were independent of age as predictors of success/failure, it was necessary to isolate their predictive strength from the remaining predictors.

Hence, a third, and final, regression analysis was performed in which age, followed by income and employment², were entered into the analysis first. The remaining six predictors were then entered by step-wise inclusion. Again, the outcome ordering of the predictors was identical. The one exception to this, and the most revealing result of this analysis, was that release type no longer maintained the greatest predictive strength of the remaining predictors, but instead became the weakest (see Table 3).

In this last regression analysis the predictive strength of the variables took on a "truer" presentation in the sense that much of the "hidden" variability had been teased-out by selective entry of the variables, without losing any significant predictors from the analysis. Age, entered into the analysis at step one, continued to explain 5.4% of the variance ($F=34.88$;

²Both employment vectors were included here even though they were highly correlated with each other ($r=-.591$).

Table 3

Summary of Final Regression Analysis

Source	SS	df	MS	F*	Cum. R
Age	4.855	1	4.855	34.883	.232
Income	4.385	1	4.385	31.506	.319
Employment/ part-time	0.391	1	0.391	2.809	.326
Employment/ full-time	1.906	1	1.906	13.709	.357
Length time out	3.052	1	3.052	21.928	.401
Marital status/ single	1.898	1	1.898	13.637	.427
Release institut/ maximum	1.527	1	1.527	10.971	.446
Marital status/ common-law	1.044	1	1.044	7.501	.459
Criminal history/ property offence	0.745	1	0.745	5.353	.468
Release type	0.594	1	0.594	4.268	.475
Residual	70.145	504	0.139		
Total	90.542	514			

*Critical F-values for $df=1$, 505 were 3.00 for $p<.05$ and 4.62 for $p<.01$.

$df=1$, 504; $p<.01$). Its negative correlation with success/failure ($r=-.232$) suggested that as age increased, the likelihood of an offender failing on release decreased. This finding may be enhanced by the addition of two other observations. First, age was somewhat correlated with release type ($r=.278$). When this relationship was crosstabulated, it was found that MS was associated with younger offenders, and FP was associated with older offenders (chi square=51.11; $df=5$; $p<.01$). As discussed below, MS was also found to have an association with failure, and FP was found to have an association with success (although,

not with the same degree of strength).

Second, crosstabular analysis of age with criminal history (chi square=68.56; df=25; $p < .01$) demonstrated certain relationships among different offence histories. Violent offenders were considerably older than all other offence groups, which is no doubt a function of the lengthier sentences prescribed by law for violent offences. Sex offences appeared to have no relation to age, while drug offences were primarily among 30-50 year olds. Armed robbers and property offenders were typically the youngest, while fraud offenders tended toward the 40-60 year old range. Significant here, is the fact that property offences and armed robbery were also found to be associated with MS, and with failure on conditional release (see below).

Income was entered at step 2 of the analysis ($F=31.51$; df=1, 504; $p < .01$). This variable should more appropriately be thought of as 'guaranteed income upon release' for risk prediction purposes, as it really does not become a factor until an inmate is released --- after which it then becomes a very important factor in determining success or failure.

Table 4 demonstrates an apparent monotonic relationship between income and success/failure, in which the success rate increases and the failure rate decreases as income per month increases. The only caution to this observation is the considerably large number of missing cases in this relationship. However, all but 8 of the 85 missing cases are from the failure

sample, and controlling for release type shows that the majority of those missing cases are MS cases.

Controlling for release type, 52.6% of MS cases had an income of less than \$700/month while only 21.5% of FP cases were in the same income group. At the other end of the spectrum, only 14.4% of MS cases had income in excess of \$1300/month while 43% of FP cases were in that group. It is obvious that income is closely related to release type ($r=.359$), but the interpretation of this finding is better discussed when employment is included as a predictor of success/failure, since income is notably correlated with both part-time employment ($r=-.289$) and full-time employment ($r=.684$).

Both the employment vectors entered the analysis at steps 3 and 4, employment/part-time losing its significance ($F=2.81$; $df=1, 504$; $p<.10$) to employment/full-time ($F=13.71$; $df=1, 504$; $p<.01$). The crosstabular relationship between employment and success/failure was significant (chi square=37.442; $df=2$; $p<.01$), in addition to demonstrating a linear function somewhat more apparent than did income, and with fewer missing cases (see Table 5). As can be seen in Table 5, 46.6% of the total sample were employed full-time, 28.6% part-time, and 24.8% were not working. Of those releasees not working 34.5% subsequently failed while only 19.4% of those working part-time failed, and 9.6% of those working full-time failed.

However, when release type was held constant, there was a dramatic distinction between MS cases and FP cases. Employment

Table 4

Success/Failure by Releasee Monthly Income

	count pct	less than \$700	\$700- \$1299	\$1300- \$1599	over \$1600	
Success	150 78.9	161 89.9	75 98.7	74 97.4	460 (88.3)	
Failure	40 21.1	18 10.5	1 1.3	2 2.6	61 (11.7)	
	190 36.5	179 34.4	76 14.6	76 14.6	521* 100.0	

*Missing cases = 85

Table 5

Success/Failure by Releasee Employment

	count pct	not working	part- time	full- time	
Success	91 65.5	129 80.6	236 90.4	456 (81.4)	
Failure	48 34.5	31 19.4	25 9.6	104 (18.6)	
	139 24.8	160 28.6	261 46.6	560* 100.0	

*Missing cases = 46

in MS cases remained significant in predicting success/failure (chi square=15.237; df=2; p<.01), but was non-significant in predicting success/failure for FP cases (chi square=1.405; df=2; p<.50). For MS cases, 37.6% were not working, 31.2% were working

part-time, and 31.2% were working full-time, while the FP figures were 11.9%, 25.9%, and 62.2%, respectively. Subsequently, 41.5% of MS cases not working failed while only 12.1% of FP cases not working failed. Similar trends were noted for both the part-time and full-time employment groups.

Clearly, success/failure is related to the presence or absence of employment on conditional release, which in turn directly influences a releasee's level of income per month, and which, in turn, determines a releasee's ability to adequately provide for himself. The fact that the majority of failures were MS cases is reflected in the finding that the majority of releases not working and earning less than \$700/month (typically, \$375/month from welfare) were also MS cases.

This may be related to the releasing institution issues of gradual release and need for re-adjustment time. FP releasees receiving these benefits have the time and flexibility to look for, and secure, employment prior to release, whereas MS releasees seldom have the same opportunities. Also, potential employers may look more favourably upon the disposition of a FP releasee than they would upon a MS releasee coming straight out of a maximum security level institution. For a typical MS releasee to be released into an environment he has been away from for several years, it would seem an almost formidable task to re-adjust, secure employment, establish a living base including accommodation, food, clothing and transportation, all within a critically short period of time. Is it no wonder that

Mandatory Supervision is so strongly associated with failure on conditional release?

Income and employment are variables which, in essence, become predictors of success/failure after an inmate has already been released, and as such may be termed "organizational" variables in that their flexibility is a function of individual choice, community supervision, and level of support towards integration.³ Given that prediction of success/failure is a decisionmaking task which occurs prior to an inmates' release, it is not likely that organizational variables can directly be considered in the prediction process. However, the importance of some of these variables warrants the need to establish other variables which are significantly correlated with the organizational variables to the extent that they may serve as substitute predictors prior to release. While the present study did not isolate potential substitute predictors of success/failure, the secondary analysis in Chapter V discusses some of these variables that future risk prediction studies might attempt to measure.

The one remaining anomaly to be interpreted here concerns a change in representative predictive strength of the employment variable. Table B shows that the previously significant (from the original regression analysis) employment/part-time vector lost all of its predictive strength to the employed/full-time

³Organizational variables as predictors of success/failure will be discussed in Chapter V.

vector. However, this should not be surprising, as it interpretively makes more sense, when some relevant zero-order correlation coefficients are considered. Recall that employment/part-time was strongly correlated with employment/full-time, in a negative direction ($r = -.591$), suggesting that employment/full-time was a better predictor of success since employment/part-time was, to some extent, a predictor of failure. Also explained by this correlation, perhaps, is why employment/full-time never appeared significant in the analysis prior to this stage.

Considering the income predictor, which shares the same characteristics as the employment predictor, employment/part-time was only correlated weakly ($r = -.289$), while employment/full-time had a much stronger correlation with income ($r = +.684$). Finally, and perhaps more importantly, employment/part-time never did correlate with the dependent success/failure ($r = +.013$), while employment/full-time at least maintained a weak correlation ($r = -.216$).

'Length of time out on a conditional release' entered the analysis at step 5 ($F = 21.93$; $df = 1, 504$; $p < .01$; Multiple $R = .401$), maintaining its dominance over the remaining variables from the original analysis. Preliminary descriptive statistics had indicated that an identifiable period of 4 months on conditional release was useful in differentiating success and failure. This proved to be the case, in that 59% of those individuals who failed, did so within the first 4 months following release, with

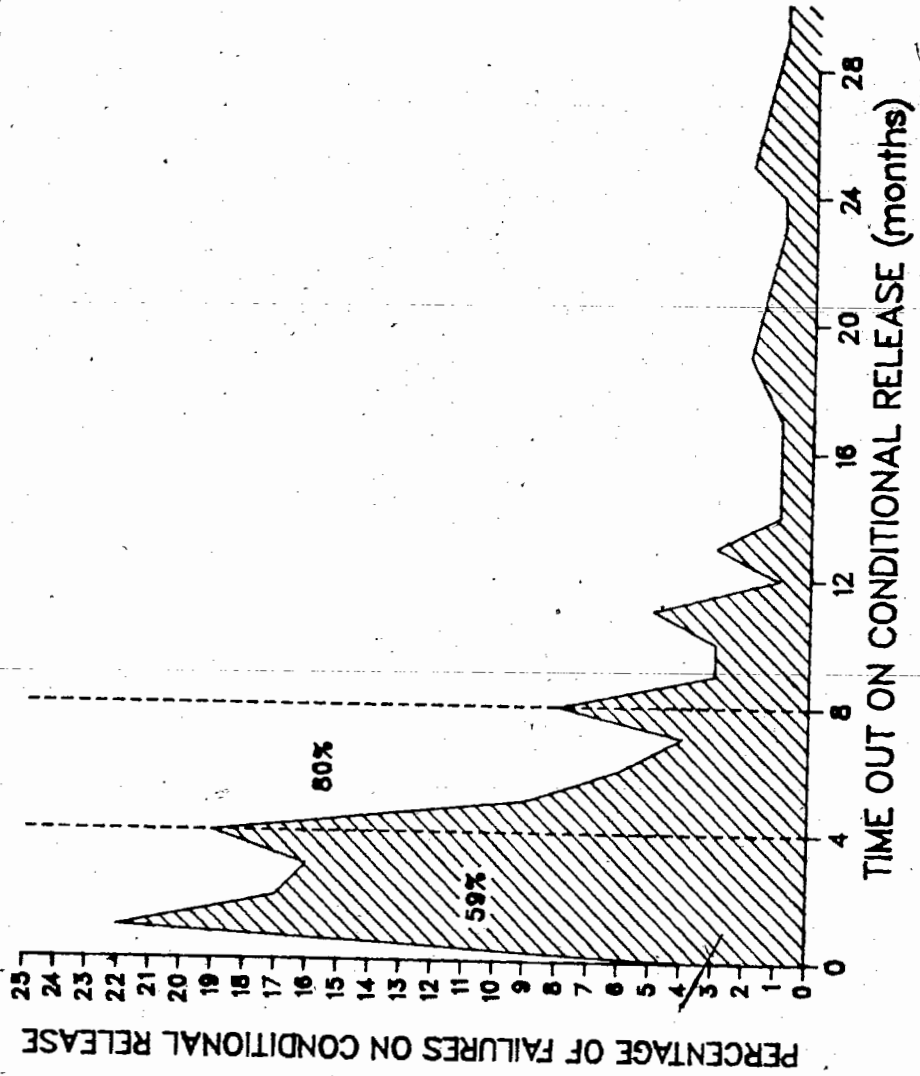
an additional 21% failing in the next 4 month period (see Figure 1). The crosstabular relationship between 'length of time out' and success/failure also supported this result (chi square=57.485; $df=3$, $p<.01$).

This relationship became even more telling when 'release type' was controlled. Of the 112 releasees who failed while on MS, 68 (60.71%) failed within this 4 month period, and an additional 23 (20.54%) failed in the following 4 month period. Of the 26 releasees who failed while on FP, 10 (38.46%) failed within the first 4 month period, and an additional 4 (15.38%) failed in the following 4 month period (see Figure 2).

The interpretation of these figures is simply that a "critical" point does exist in which a releasee is more likely to fail, and that MS releasees' critical point appears to be 4 months, and again at 8 months, while FP releasees' critical point is somewhat longer and not so clearly defined. The implication here, then, is that conditional releasees, and most especially those on Mandatory Supervision, should be provided with more supervision and re-integrative support during the critical period so as to provide them with a greater chance to succeed while on conditional release.

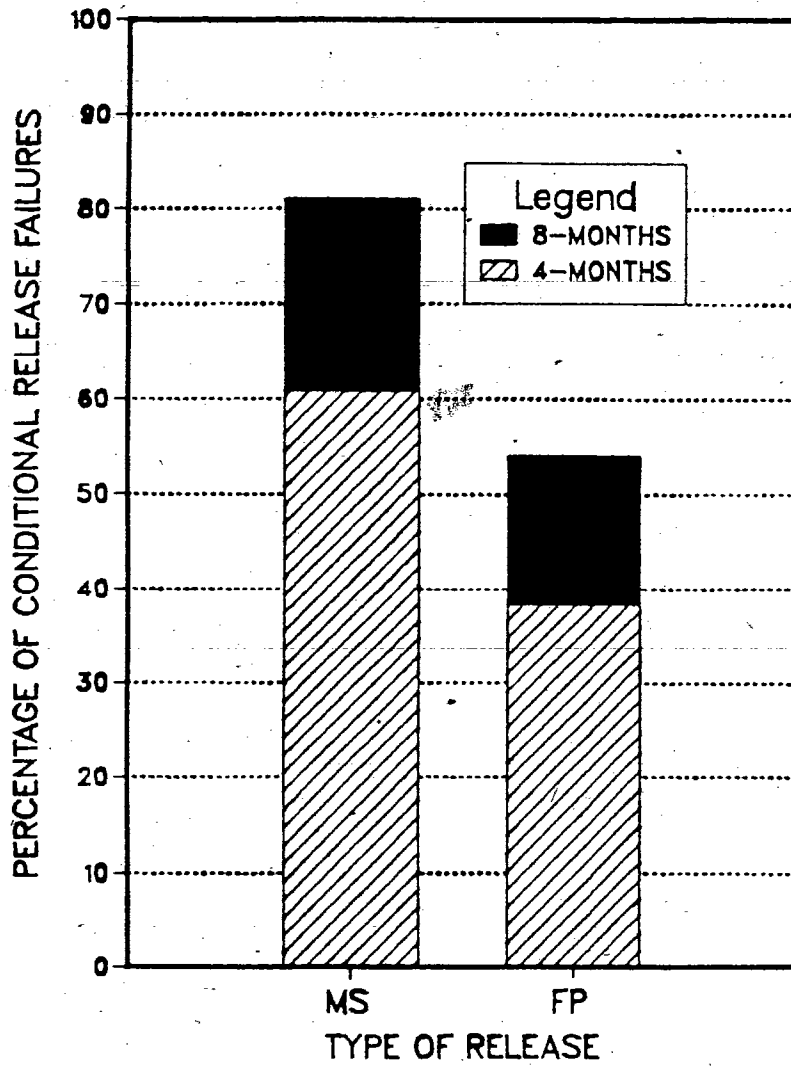
The sixth variable to enter the analysis was a dummy vector which differentiated persons with "single" marital status from all others ($F=13.64$; $df=1$, 504; $p<.01$; Multiple $R=.427$). A crosstabular analysis demonstrated that marital status/single varied significantly with success/failure (chi square=50.335;

FIGURE 1
 CRITICAL TIME ON RELEASE FOR FAILURE SAMPLE



A

FIGURE 2
CRITICAL 4-MONTH AND 8-MONTH INTERVALS BY TYPE OF RELEASE



✓
df=6, p<.01). Although three times as many marital status/single cases succeeded than failed, a failure rate of 33.6% for this group, was the highest out of all the marital status groups. Hence, the predictive power of this variable on its own is somewhat ambiguous.

When release type was controlled at this step of the analysis, marital status/single releases on MS had a failure rate of 41.8% while marital status/single releases on FP only had a failure rate of 16.2%, even though that was the highest FP failure rate among the marital status groups. In other words, marital status/single was significant as a predictor of success/failure for MS cases (chi square=24.83; df=6; p<.01), but not for FP cases (chi square=9.81; df=6; p<.2).

Again, it would appear that variables maintaining an association with MS as a type of release are better predictors of failure than of success, and, as such, are better success/failure predictors than are variables which tend to maintain an association with FP as a type of release. Marital status/single appeared to be a significant predictor of success/failure only when interpreted with respect to its relationship with type of release.

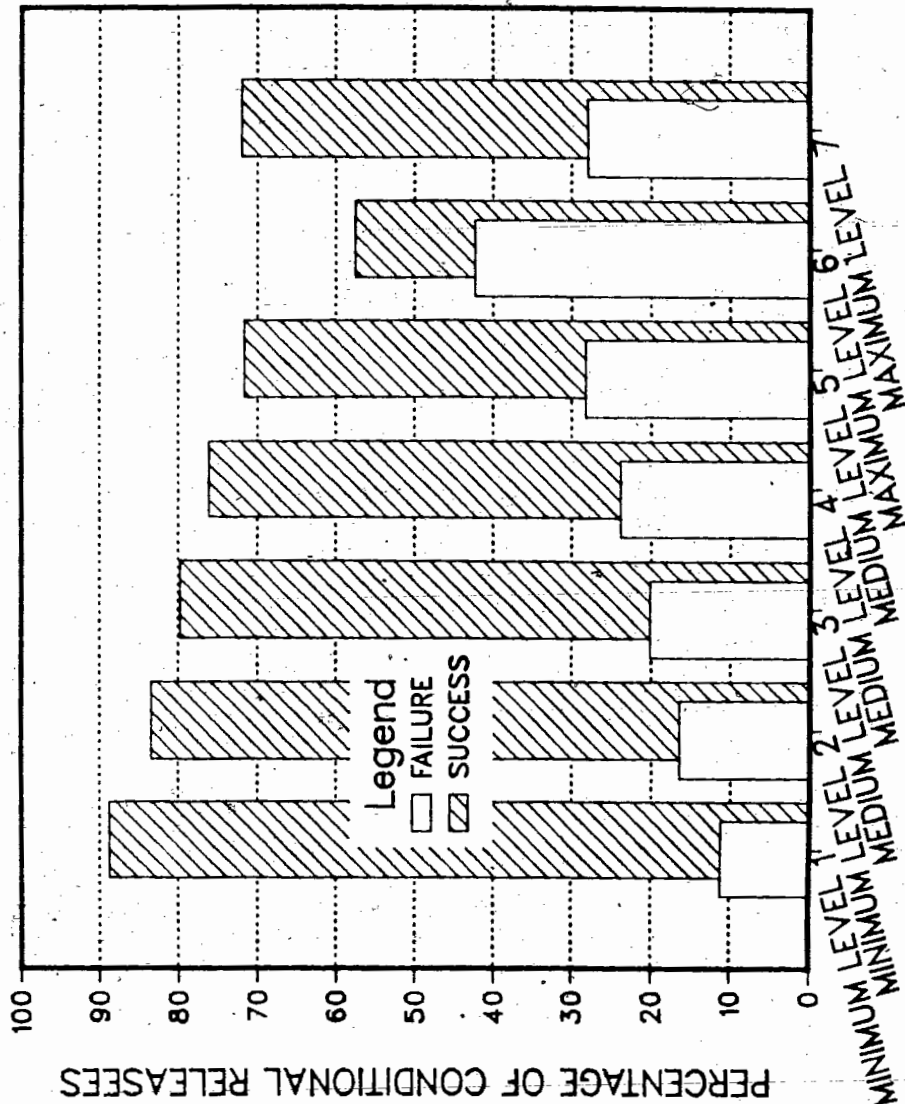
Further interpretation of 'marital status' was interrupted momentarily by the emergence of the dummy vector 'releasing institution/maximum security' as a variable in step 7 of the analysis. This vector offered a significant increment in explanatory power (F=10.98; df=1, 504; p<.01): A crosstabulation

of releasing institution with success/failure demonstrated that the failure rate was identifiably higher as the level in security of releasing institution increased (chi square=27.18; $df=6$; $p<.01$). This was most notable in releases from maximum security institutions (security level 6) where the failure rate was 42.4% and the success rate was notably lower at 57.6% (see Figure 3).

A linear relationship was quite evident in that the success rate continually decreased and the failure rate continually increased as the level in security of the releasing institution increased. Such a relationship supports (or possibly, may be a manifestation of) the theory and practise of "cascading" or gradual release within the correctional mainstream, and may well indicate that the decisionmaking process used by the NPB to gradually reduce inmate security classification is, in and of its own, a good measure in predicting future success/failure on conditional release. The other interpretation, of course, is that a "halo effect" or self-fulfilling prophecy is occurring.

When type of release was controlled in this relationship, two important observations were made. First, maximum security as releasing institution was non-significant when predicting success/failure for FP releasees (chi square=4.01; $df=6$; $p<.62$), although this may be the result of the small number of FP failures ($n=25$). However, maximum security remained significant when predicting success/failure for MS releasees (chi square=13.565; $df=6$; $p<.05$), as the success rate was notably

FIGURE 3
 RELEASING INSTITUTION SECURITY LEVEL FOR
 SUCCESS AND FAILURE SAMPLES



RELEASING INSTITUTION SECURITY LEVEL

lower and the failure rate was notably higher than other releasing security levels. This is just another indicator that potential failure on conditional release may be easier to predict than potential success.

Second, individuals on MS were typically released from higher security institutions than were individuals on Full Parole. Of 317 MS releasees, 71 were released from light medium security (level 3), 84 from heavy medium security (level 5), and 47 from maximum security (level 6). Of 287 FP releasees, 94 were released from minimum minimum security (level 1)⁴, and 61 from minimum security (level 2), while only 12 were released from maximum security (level 6). This serves as a clear illustration of the gradual release process, and lends some semblance of credibility to the "halo effect" theory, which, nonetheless, would appear to be beneficial.

The implication of all this is straightforward. Since maximum security (level 6) as the releasing institution is a significant predictor for MS cases and since MS cases have an identifiable critical period of 4 months, it should follow that more potential MS cases be cascaded prior to release. This should aid in the "re-adjustment" and "de-institutionalization" of such inmates while they are still under constant supervision, rather than during their first 4 months on release under limited supervision in the community. However, it should be noted that

⁴Security level 1 institutions are Community Correctional Centres (CCC's) and Community Residential Centres (CRC's), typically housing only inmates on short-term Day Parole release.

while it seems logical to assume that MS cases would benefit from cascading, it is an empirical question that should be studied before any policy changes are implemented.

Step 8 of the analysis returns to the relationship of 'marital status' with success/failure, and the predictive power of 'common-law' as a dummy vector of marital status. Marital status/common-law is independently significant at this step of the analysis ($F=7.5$; $df=1, 504$; $p<.01$), but becomes even more significant when compared with marital status/single as these two variables appear to parallel each other quite consistently. As the relationship between marital status and success/failure remains significant ($\chi^2=50.335$; $df=6$; $p<.01$), the failure rate for common-law cases is 25.6%, second only to the failure rate reported above for the single cases (33.6%), but still notably higher than any of the other marital status groups.

And, again, when release type is held constant in the analysis, 'common-law' is only a good predictor of failure among MS cases, and not for FP cases. The interesting comparison here, however, is with the 'married' and 'divorced' statuses. Both of these groups demonstrate high success rates for MS and FP cases, which provides an interesting contrast to the 'single' and 'common-law' statuses. Since married and divorced are associated with success on conditional release, and single and common-law are associated with failure on conditional release, it would appear that it is not merely the presence or absence of a

marital status relationship that is the significant factor in predicting success/failure. Instead, stability of the releasee, whether or not he is in or out of a relationship, would seem to be the significant factor here.⁵

Since stability is such a difficult variable to quantify, it is recommended that any further study of success/failure prediction include an instrument specifically designed to measure an inmate/releasee's marital relationship stability. Being that this is one variable that can actually change after assessment and release, and given its resemblance to an organizational variable in terms of supervision, stability could well be a more significant and powerful predictor of success/failure than has been indicated here.

The next variable to enter the analysis was 'history of property crime' at step 9 ($F=5.35$; $df=1, 504$; $p<.01$). Criminal history of property offending as a predictor of success/failure epitomizes the relationship between criminal history as a variable and the dependent variable success/failure ($\chi^2=25.568$; $df=5$; $p<.01$). This relationship suggests a severity level of offence theory⁶, which forwards the notion that the more severe the offence is that led to federal incarceration, the better the risk for success on a conditional release -- the only exception to this being a criminal history

⁵The stability factor variable was not reliably collected for all cases in the analysis, hence, no direct analysis of its influence or explanatory power will be discussed here.

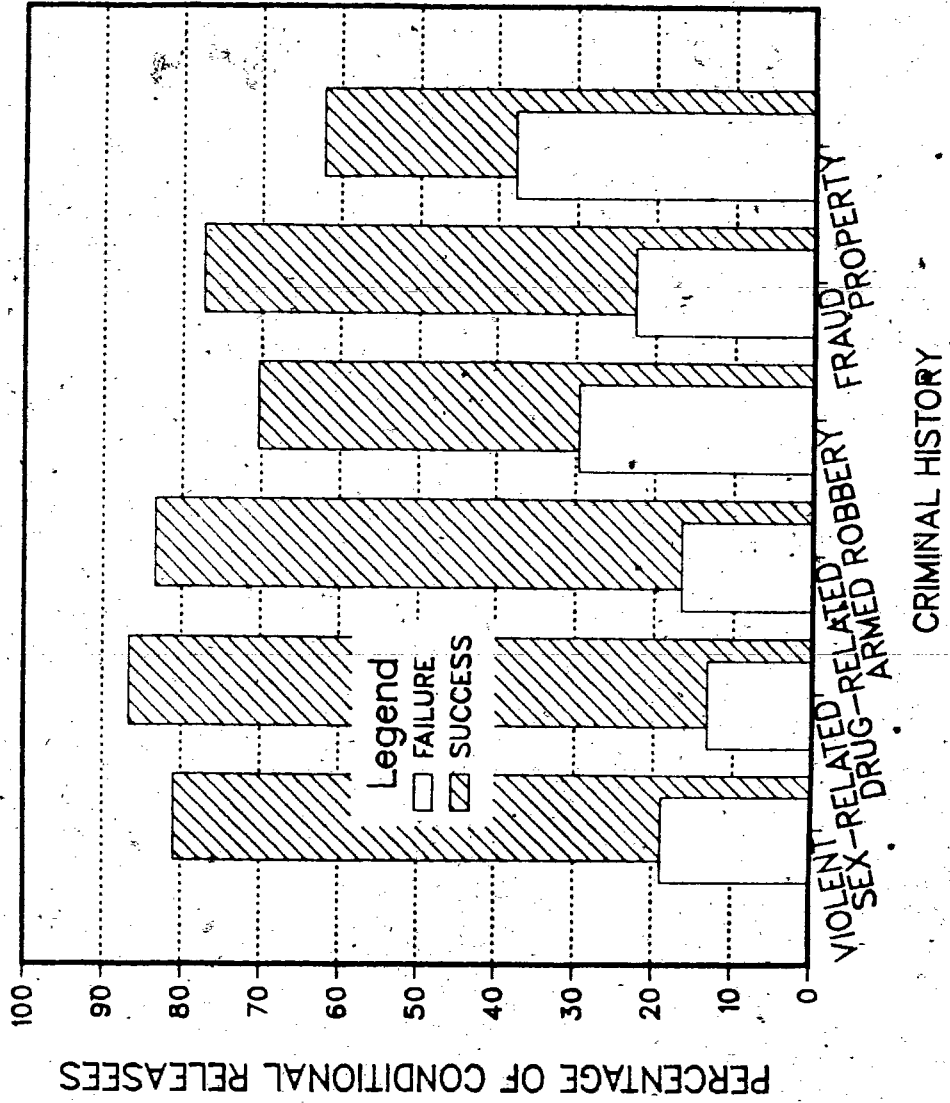
⁶Georgia State Parole Board (1983).

of armed robbery. Indeed, it is the case that the data in this analysis should illustrate a similar pattern (see Figure 4). Sex, drug-related, and violent criminal histories appeared to have the lower failure rates (13.3%, 16.6%, 19.0%, respectively) and higher success rates (86.7%, 83.4%, 81.0%, respectively), while a criminal history of property offences had the highest failure rate (37.8%) and the lowest success rate (62.2%). Armed robbery was second to property offences as a poor risk on conditional release, with a failure rate of 29.6% and a success rate of 70.4%. Criminal history of armed robberies was, in fact, the last variable to enter the original analysis, only to be bumped from any subsequent analyses by the inclusion of the age variable.

Property crime appeared to be a better predictor of failure than of success, which, of course, is consistent with the overall trend in this analysis. This trend was not altered in the least when release type was controlled at step 9 of the analysis. Property crime, clearly, predicted failure better than success in MS cases, with a rate of 50.8% (chi square=15.192; df=5; p<.01); while predicting success/failure in FP cases was not quite significant (chi square=10.028; df=5; p<.075), even though the property crime failure rate for FP cases was notably the highest of all criminal history groups, at 19.6%.

The final variable to enter the analysis was 'type of release' (F=5.35; df=1, 504; p<.01). A supplementary crosstabulation of the two release types, Mandatory Supervision

FIGURE 4
 CRIMINAL HISTORY BREAKDOWN FOR
 SUCCESS AND FAILURE SAMPLES



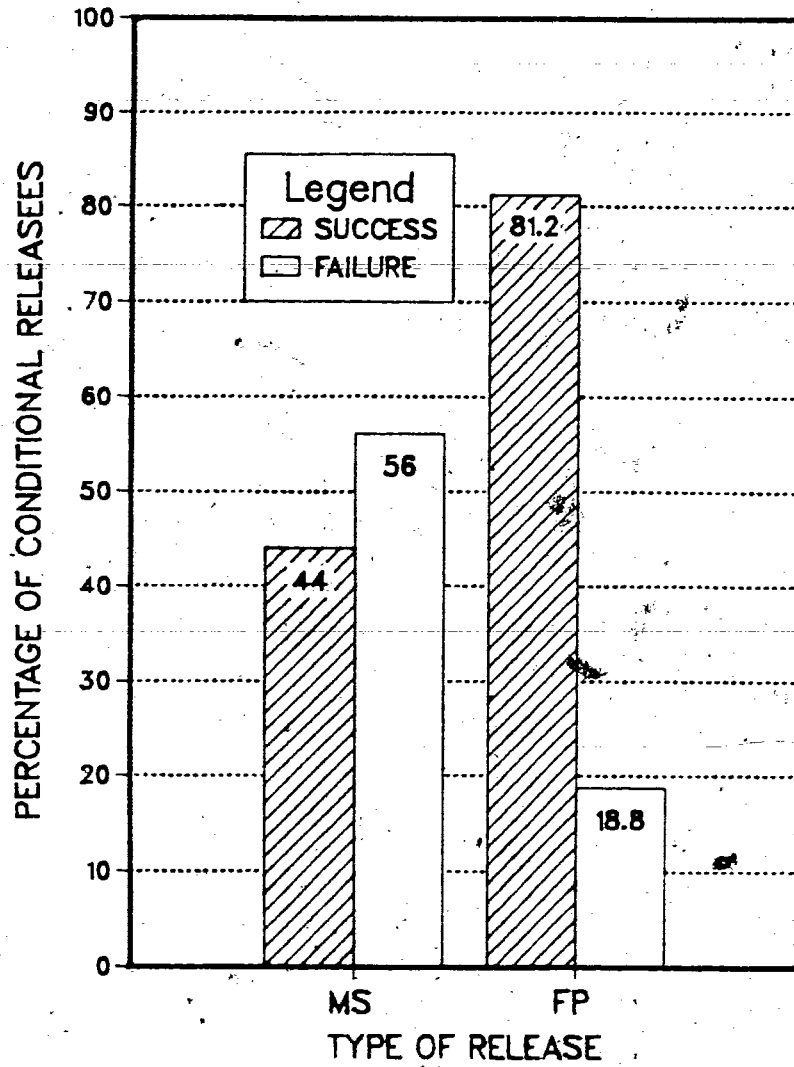
and Full Parole, with success/failure revealed that 81.2% of those cases in the failure sample were on a MS conditional release, suggesting that releasees on Mandatory Supervision were a greater risk for failure than were those on Full Parole (chi square=58.95; df=1; p<.01), (see Figure 5).

This raises an interesting issue in conditional release decisionmaking for the NPB, as MS cases would already have been through one of two previous risk assessments. In the first instance, one can safely assume that the majority of MS releasees previously had applied for a FP release when they were eligible to do so but were denied, thus leaving them incarcerated until their MS release. Hence, the criteria used by the Board to turn down a FP application would appear to have good predictive strength in terms of future risk.⁷ The nature of these criteria has not been addressed within the current study, but would merit scrutiny in a future study, assuming that the NPB would be willing to co-operate in such an analysis.⁸ At this point, one can only speculate that the criteria (which are not formally articulated anywhere for public knowledge) would likely be based on a clinical assessment of inmate performance records, favourable release plans, and pre-release interviews.

⁷However, one cannot be sure that a denied FP applicant would not have been successful given that chance, recognizing that such a denial, and the subsequent additional time incarcerated, might have a negative effect on the inmate that in some way contributes to his failure on Mandatory Supervision.

⁸In the past, the NPB has been reluctant to disclose information regarding decisions to grant or deny Full Parole.

FIGURE 5
BREAKDOWN OF RELEASE TYPE FOR SUCCESS AND FAILURE SAMPLES



In the second instance, it may be the case that an inmate was granted a Full Parole which was subsequently revoked, resulting in further incarceration until his MS release. Hence, previous revocation on a conditional release may be considered a good predictor variable, as would the actual violation which lead to the revocation. Again, this is information that was not consistently available within the limitations of this study, but conceivably could be considered in a future study. A secondary analysis of the failure sample, in Chapter V, will discuss the criteria for revocation of a conditional release.

The implications of this relationship, to the extent that they are true, would be an association between MS and failure on conditional release, and an association between FP and success on conditional release (as we in fact have observed). However, such conclusions should be drawn with much caution, as the potential ramifications may be problematic. Any quick association of MS to failure without consideration for other dynamics at work, might lead policy-makers to favour the abolition of MS (which is already a distinct possibility), and push for indeterminate sentencing and preventative detention.

The movement of release type in the analysis demonstrated its interaction with the other predictors, especially income and employment. When income and employment were entered into the analysis prior to release type, release type lost its predictive strength and could not be considered an independently significant predictor of success/failure without consideration

for the remaining predictors. This finding confirmed the above conclusion that MS is not, by itself, a predictor of failure, but instead, is only associated with failure due to the predictive strength of the other variables with which it interacts.

There are two levels at which the current findings may be interpreted, both of which lead to different policy implications. Essential to both is the observation that the data appear to predict failure rather consistently, but only appear to predict success sporadically at best, given that success and failure are not necessarily opposites by definition.

The first, and most simplistic, interpretation of the findings is the emergence of a basic profile of failure risk. This profile would suggest that the typical risk for failure on conditional release is an inmate released on a Mandatory Supervision directly from a high security level institution, currently within the first 4 months of his release, either single or involved in a common-law relationship, with a criminal history of armed robbery and/or numerous property offences, earns less than \$700 per month from UIC, part-time or temporary employment, or both, and is in his 20's or early 30's.

The policy implications for this are two-fold. First, there is a tendency to see MS as the most salient of the predictors, in terms of its relationship to the other variables, and to then conclude that Mandatory Supervision does not work, and should therefore be terminated. Second, it should be obvious that the

predictors which have demonstrated significance and explanatory power, could be incorporated into the conditional release decisionmaking process. Preferably, this incorporation would take place within a statistical model that would allow the predictors to achieve their maximum predictive potential.

The second interpretation keys on the chronological order of the predictor variables. Following the first interpretation, one gets the impression that MS creates the opportunity for the other significant variables to exist, which then provide a good opportunity for failure to occur. This assumption (as we have seen) is erroneous and misleading in that release of an inmate on MS occurs after the other predictors are already present and have had their predictive effect on the decision to release the inmate on MS rather than on FP (with the exception of income and employment, as predictors of failure). In other words, the other significant variables influence the NPB's decision to release an inmate on FP or MS. Hence, MS is not, by itself, a predictor of failure, but instead is associated with failure due to the predictive strength of the other variables in effecting the decision to release an inmate on MS. Therefore, Mandatory Supervision stands wrongfully accused of perpetuating the failure rate of conditional releasees, i.e., MS becomes the political "straw figure" for policy administrators.

The policy implications for this interpretation are simply (or perhaps not so simply) to re-evaluate the MS conditional release program, acknowledging that: (a) Mandatory Supervision,

in and of itself, is not the major problem in terms of risk and failure on conditional release; and (b) more evaluation of the other significant predictors be conducted with the intent to establish a useful prediction model.

Concluding this particular line of inquiry, then, two subsequent recommendations to the NPB can be offered here:

1. Current policy regarding Mandatory Supervision and potential MS releasees needs to be reviewed, and guidelines be established, whereby such inmates might also receive the beneficial effects which appear to be associated with the "cascading" of inmates through the correctional structure. Hopefully, this would result in a better representation of the MS program in the community.
2. There is a definite need for the NPB to develop a systematized risk prediction model to ensure its survival as the sole decisionmaker in the conditional release process. The findings of this analysis suggest that a statistical model might be feasible. To effect this end, more intense and detailed analyses need to be undertaken in order that other potential predictors of success/failure be identified and fitted into a model.

In sum, the result of a multiple regression analysis of 10 variables common to both failure and success samples of conditional releasees, was the identification of 9 variables (including dummy-coded vectors) which were found to be significant in explaining 22.6% of the overall variance. A

detailed analysis of these variables led to the above stated
conclusions and recommendations.

V. Conclusion

Methodological Limitations

The analysis reported in the previous chapter resulted in two major findings. First, nine variables were found to be significant in "explaining" "success/failure", i.e., were found to be significant predictors of success/failure. These variables included: age, income, employment/full-time, length of time out on conditional release, marital status/single, releasing institution/maximum security, marital status/common-law, criminal history/property offenses, and release type. Second, while mandatory supervision was found to be associated with a higher likelihood of failure on conditional release, this association was accounted for by the covariation of MS with the other predictor variables, particularly income and employment. Nevertheless, one should always be cautious not to accept the findings of any study at face value without acknowledging the methodological limitations of the study which generated those findings.

As was noted in Chapter III, errors in data collection were minimized by prior training of the data collectors and random reliability checks by the author. Still, problems occurred in the consistent collection of certain variables which,

subsequently, were dropped from the analysis. These variables included: stability of the offender on conditional release, identification of problem offenders, identification of previous parole revocations, and number of previous incarceration terms. Although the absence of these variables does not detract from the reliability of those variables used in the analysis, their absence does detract from the potential to account for additional explained variance. An additional data collection problem resulted from missing cases on certain variables but not on others. Missing case information occurred when the data collector incorrectly coded a variable or omitted a variable because the information was unclear. There are two results of the study which may have been affected by missing case information. First, both the income and employment variables had substantial occurrences of missing cases, primarily in the failure sample. Since the income and employment variables appeared to be good predictors of failure, it is uncertain what the addition of the missing cases would do to their predictive strength. Second, with the sub-sample of FP failures being quite small (n=26), missing case information might well have influenced any analysis in which release type was controlled, but, again, it is difficult to determine the nature of that influence.

Other types of missing information were not the result of collection error, but instead were the result of a lack of information. As alluded to earlier, many of the data sources

were incomplete, lacked sufficient detail, and often contained inconsistent and contradictory information. In fact, the data sources must be considered the greatest threat to the reliability of the findings in this study. The major problem is the lack of a centralized and systematized process through which the collection of meaningful parole information might take place. Currently, the cross-referencing of data sources that is required to obtain a complete set of data on one particular case, is time consuming, tedious, and increases the occurrence of collection error. The effects of missing information on the findings are much the same as those noted for missing cases, however, the influence of missing information would be much more subtle and harder to detect since missing information tends to be random rather than selective.

One further limitation which should be considered and may or may not be problematic depending on one's research perspective, is the generalizability of the findings based on the limited scope of the study. Granted, the study was limited to conditional releasees being supervised in the Lower Mainland and Fraser Valley areas, but it still represents approximately 90% of all those offenders supervised in the Pacific region.

Although the Canadian offender population is considered to be rather heterogeneous as a whole, the institutional populations across the country are quite homogeneous in that they all have a similar mix of offender types (of course, security level is controlled for in this statement). Since there

is no evidence to suggest that regional representatives of the NPB release different groups of offenders on parole in different regions, it would only seem reasonable that the conditional releasee population in the Pacific region be similar to the conditional releasee population in the other regions of Canada. Just how representative the Pacific region is of the other regions is an empirical question in and of itself. Nonetheless, it is the contention of this writer that the findings reported here should be considered generalizable to some degree.

Recalling Cook and Campbell's (1979) treatment of external validity and the differentiation of generalizing to versus generalizing across populations or samples, it can be asserted here, since the conditional release samples in this study are not in any way atypical of other conditional release samples in Canada, that the findings of this study can, reasonably, be generalized across other conditional release samples in Canada.

Further support for the generalizability of these findings is found in the consistency between the current findings and those of Waller (1974) in Ontario, and by Nuffield (1982) on a national based study, as well as findings noted by Gottfredson and Gottfredson (1980) from national parole studies in the U.S. Hence, the credibility accorded the findings by these other studies should justify a degree of generality about the findings and suggest that they are not just sample specific.

Secondary Analysis

In keeping with the wholistic approach to an evaluation of conditional release decisionmaking, there remains one further area of discussion to be considered before any conclusions regarding the future of parole in Canada can be appreciated, that being post-release supervision and the process of re-integration. To appreciate the dynamics of "post-release" and their effect on the success or failure of an offender on conditional release, is to recognize that what an offender says and does once released, compared to what he says and does to get released, are potentially two very different things. In other words, demographic and institutional factors which contribute to the release decision prior to release cannot hope to account for all the explanatory power in predicting success/failure, some of which may be accounted for by considering factors that occur after the decision to grant release.

Although the current study was not designed to measure post-release dynamics and their effect on conditional release success/failure, some descriptive data were available which indicate the need for future consideration of post-release dynamics, and which provide the basis for a more theoretically oriented secondary analysis. Such an analysis must consider: post-release or "organizational" variables, contributing factors to failure on conditional release, how these variables might be considered in the parole decisionmaking process, and the

organizational resistance to the study of these variables.

Organizational Variables

Variables which affect an offender after he has already been released are major factors which may contribute to his success or failure on conditional release, and are factors which have gone largely unnoticed. Perhaps the most important of these factors is post-release supervision. The Goldenberg Committee (1974) stated:

"We consider supervision as the most important function of a parole system. It is the aspect of parole through which the resources are mobilized to control the offender and to assist him in becoming a law-abiding member of the community". (p.97)

The parole supervisor has two major job functions, both of which have an impact on an offender's chances of success on release. First, the parole officer is responsible for case preparation of an offender upon intake into the correctional system and upon the offender's eligibility for parole. Upon intake, the parole officer interviews the offender about the nature of his offence, reviews the police reports and the court proceedings of the offence, and speaks to family and/or friends of the offender that might shed some insight into the offender's personality. Subsequent to this, the parole officer makes recommendations to the NPB regarding an appropriate security level institution for initial incarceration.

Upon an offender's application for parole, the parole officer interviews the offender about his institutional performance, his attitude towards parole, and his release plans should he be granted parole. The parole officer then conducts a "community assessment" to determine the legitimacy of the offender's release plans and the community's receptiveness to release of the offender. Subsequently, the parole officer makes recommendations to the NPB regarding the offender's suitability for conditional release, as well as conditions and limitations that should be imposed upon the offender should the Board decide to grant release.

Carriere and Silverstone (1976) suggested that the parole officer's role in case preparation is crucial to the actual release decision since the Board members were inclined to follow the parole officer's recommendations in the great majority of cases studied. Since the parole officer is the most significant contributor of discretionary information to the Board, he/she becomes a major factor in the conditional release decisionmaking process, a factor which varies from case to case by the extent to which each parole officer differs from the next.

The second major job function of the parole officer is the supervision of offenders released on parole. Supervision is, very much, a dual-role function. On the one hand, the parole officer must serve as a policing agent to enforce the conditions and restrictions of parole for the protection of society. On the other hand, the parole officer must play the social worker,

providing counselling and assistance in obtaining community resources and community support. Goldenberg (1974) suggested that neither role was, necessarily, more important than the other, but that both roles were necessary for the smooth functioning of the system and for public protection.

"The more frequent the direct contact between the supervisor and the parolee, the more likely the supervisor will be aware of the problems and needs of his client and take appropriate action. If he is deskbound and paper oriented, he will lose his contact and the result is less public protection and less assistance to the parolee". (p.97)

Ideally, all parole officers would be able to balance their dual-role duties and provide consistent, reliable parole supervision. This, of course, is not the case, as each parole officer has his/her idiosyncratic tendencies to favour one role over the other. Glaser (1964) presented a variation model of parole officer orientation to the supervision role:

		Emphasis on Control			
		High		Low	
Emphasis on Assistance	High	I	I	I	I
		I	I	I	I
		I	Protective Agent	I	Welfare Worker
		I		I	
		I		I	
		I		I	
		I		I	
		I		I	
	Low	I	Punitive Agent	I	Passive Agent
		I		I	
		I		I	

The model¹ demonstrates four possible parole officer

¹Source: Glaser, D., The Effectiveness of a Prison and Parole System. Indianapolis: The Bobbs-Merrill Company, Inc., 1964, as cited in Irwin's (1970) The Felon. New Jersey: Prentice-Hall, Inc. (p.164).

orientations to parole supervision. The "protective agent" vacillates between protection of the offender and protection of the community, as a paternalistic figurehead, providing praise and blame when appropriate. The "welfare worker" is concerned only with assisting the offender's re-integration through the provisions of human resources and community support groups. The welfare worker believes that adjustment of, and maintenance of, the offender into the community is the only assurance against future recidivism. The "punitive agent" attempts to coerce the parolee into conformity with the community ideals, by means of threats and punishments, and constant suspicion. The "passive agent" sees his/her job as one of the "babysitter", requiring a minimum of effort, so long as the paper work is up to date.

The personal orientation of the parole officer is especially important to the parolee, since he is very dependent upon his supervising officer (at least in the early stages of release). Irwin (1970) delineated three variables which are particularly important to the parolee and his response to parole supervision: 1) the intensity of supervision, 2) the tolerance of the supervising officer, and 3) the "rightness" of the supervising agent. The "intensity" refers to the degree in which the parole officer penetrates the parolee's life, in terms of the frequency and type of contacts, and the pervasiveness with which the contacts are maintained. "Tolerance" refers to the parole officer's willingness to ignore or condone minor breaches or violations of the parolee's release conditions which may

occur as a result of difficulties in re-adjustment. "Rightness" refers to the parole officer's character, in terms of his/her ability to be fair, dependable, keep one's word or promise and to treat a parolee with respect.

It should not be difficult to appreciate the significance of the parolee-supervisor relationship as a major factor which influences the parolee's success or failure on release. However, there are other dynamics of supervision which may not be so obvious, dynamics which are more related to the supervising office than to the supervising officer. Although the parole officer has the most contact with the offender, and is primarily the individual responsible for suspending an offender's parole, it is a parole service supervisor, on behalf of the area or district director, who actually makes the suspension official by issuing warrants of suspension and apprehension. It is the parole service supervisor who has the power to cancel a suspension within 14 days of the suspension's issuance.²

The decision to suspend a parolee (suspension being the first step towards "failure") can be affected by factors specific to the supervising office other than just the violation

²Parole suspension may be cancelled or withdrawn within this 14 day period by the supervising office, however, if neither of these actions is taken the NPB must be notified of the suspension prior to the completion of the 14 day period, and a post-suspension report must be completed by the supervising parole officer and forwarded to the Board for disposition. The parole officer may make a recommendation to the Board regarding the offender's subsequent disposition, but it is the Board that ultimately decides on the revocation of the offender's conditional release, or some other disposition.

of a parolees's conditions of release. Takagi (1967)³, in a study of the California parole service, found that informal organizational policy and dynamics varied from district office to district office. Some offices were "cop-oriented", dominated by less tolerant, less flexible supervisors whose interpretation of rules and definitions were considerably less liberal than other, more "welfare-oriented" supervisors at more liberal offices. Such was the case in the current study of conditional release in the Lower Mainland and Fraser Valley of British Columbia.

Of the 138 offenders in the failure sample, 70% were supervised by the Vancouver District Office, while the remaining 30% were supervised in the Valley by the Abbotsford District Office (24%) and the Chilliwack Area Sub-office (6%). Sixty-four percent of the failure cases were originally suspended for committing a new offence, and 31% were originally suspended for breaching conditions of their parole (the remaining 5% were unknown in terms of suspension origin). When type of suspension was cross-tabulated by geographic location of the supervising office 76.1% of "new-offence" suspensions occurred in Vancouver compared to only 55.8% of "breach" suspensions which occurred in Vancouver. In contrast, 23.9% of "new offence" suspensions occurred in the Valley (Abbotsford, 21.6%; Chilliwack, 2.3%) compared to 44.2% of "breach" suspensions which occurred in the

³"Evaluation and Adaptations in a Formal Organization": (unpublished manuscript, School of Criminology, University of California), cited by Irwin (1970), p.160.

Valley (Abbotsford, 30.2%; Chilliwack, 14.0%). This result was found to be significant (chi square = 9.87; df = 4; p<.05), however, when release type was controlled in the analysis, only within the MS failure cases was this result significant (chi square=16.02; df = 4; p<.01; n=112).⁴

This finding suggested that differences in suspension policy existed between Vancouver supervision and Valley supervision - a notable urban vs. rural distinction. It would appear that the Vancouver office was more liberal in its suspension policy, and likely more tolerant of parolee indiscretions, preferring not to suspend a parolee unless he was involved in a new offence or incurred new charges. The Valley offices, on the other hand, tended to be less liberal and less tolerant of parolee indiscretions, suspending more frequently for "technical violations".

There also appeared to be a difference between offices in terms of the types of parolee's more frequently suspended, based on criminal history. In Vancouver, property offenders accounted for 36% of the failure cases while only 19% of the failure cases in the Valley were property offenders. Armed robbers accounted for 14% of the failure cases in Vancouver, but just over 26% of the failure cases in the Valley. Other, less dramatic, differences were noted for violent offenders (Vancouver, 7%; Valley, 10%) and fraud offenders (Vancouver, 5%; Valley, 5%).

⁴No doubt, the lack of significance within the EP failure cases was influenced by the small number of cases (n=26) in the failure sample.

This finding could, possibly, suggest two things. First, it may be the case that some types of offenders are more prone to failure in some areas but not in others, depending on the availability or proximity of a familiar criminal opportunity. Second, it may be the case that some offenders are more prone to failure than others (as the primary analysis and some of the literature has already suggested), and, hence, are released to areas where there is less opportunity to re-offend. It is even more likely that a number of factors are interacting to create this result. Nonetheless, it is still apparent that some supervising office dynamic is affecting the offender's parole outcome.

Three other factors which may affect parole outcome and are specific to the supervising office are: 1) the size of the supervising office; 2) the size of parole officer case loads, and 3) the availability and accessibility of re-integrative community programs. Large supervising offices usually are responsible for a greater number of parolees over a greater geographic area. For example, the Vancouver District Office is responsible for approximately 70% of all parolees in the Pacific region (averaging 300 parolees per month), and covers the entire Lower Mainland including the Islands (except Vancouver Island). Dispersed among 18 parole officers⁵ is the office case load for

⁵This figure is approximate and may vary by 2 or 3. Also, some parole officers specialize in classification of new inmates, or in co-ordinating suspensions and temporary detentions, and thus maintain minimal or no case supervision loads.

supervision. Large individual case loads result in less time for parolee contacts, less time for community assessments, and more paperwork. Hence, there is less opportunity for the parole officer to be "on top" of each case, which may explain why the Vancouver office suspends more for "new offences" rather than "breaches" which may be unknown or go undetected. In contrast, smaller offices, like the Abbotsford and Chilliwack offices, have smaller case loads and smaller areas of jurisdiction, and thus more opportunity for intensive supervision which would explain the greater tendency to suspend on a "technical violation" in the Valley.

The availability of community re-integrative programs, and the accessibility of those programs to parolees, may influence an offender's release plans such that he be released to the supervising office that would facilitate him access to the desired program(s). The NPB may also make a decision to release a certain offender based on the proximity of a certain community program to an appropriate supervising office. Alcohol and drug treatment outpatient facilities, employment placement agencies, and low cost medical facilities, are all programs that cater to parolees but are usually only available in urban centres where they can exist on private and government funding as well as volunteer support. Rural areas do not typically have these services available since there is not usually the funding or support for them to be maintained. Hence, many offenders whose release plans include the need for such programs, or whose

conditions of release established by the Board include the use of such programs, are more likely to be supervised by offices in urban centres than in rural areas, resulting in a different type of supervision than they might have received elsewhere.

Two more organizational variables, previously discussed above in the primary analysis, deserve attention at this level of analysis: employment and income. As demonstrated above, these two factors are strongly correlated with each other and are significant predictors of success/failure on conditional release. Waller (1974) found that employment and income were major factors which influenced an offender's ability to succeed on parole. He noted that offenders who were successful in obtaining employment upon release tended to adjust better than those offenders on release who remained unemployed. However, the problems facing an offender on parole in trying to find employment are many.

The majority of offenders released on parole do not have immediate employment upon release, and thus are faced with the task of finding employment in a community where unemployment is already problematic, even among non-offenders. Olver (1983), in a study of 100 offenders on conditional release in the Greater Vancouver area, found that 45% of the releasees were employed to some degree, while the remaining 55% were unemployed, however, 24% of those unemployed had been employed at least once since their release. This finding suggested that at least half of the parolees were able to find work, but that the security of that

work was tenuous in many cases. Olver (1983) noted that 60% of the releasees had found employment within three months of being released (27 of whom were employed upon release). However, 15% had subsequently lost their employment due to poor work habits, poor attendance, lack of job skills, layoffs, or company shutdowns. Surprisingly, 84% of those employed either full-time or part-time in Olver's sample claimed to have obtained that employment on their own or with the aid of family and friends. Only 8.7% of that group gave placement credit to Canada Manpower, while 2.9% credited parole staff, 2.9% credited institutional staff, and only 1.5% credited an employment placement agency/program.

Waller (1974), in his study of 206 parolees in Ontario, over a 12 month period, found similar results: 68.1% obtained employment on their own or through family and friends; 18% were aided by Canada Manpower; 2.5% credited social agencies such as welfare, the John Howard Society, and parole staff; and 1.9% credited an employment placement agency (the remaining 9.5% was not specified). Waller also noted that the type of employment that parolees were obtaining was seldom related to any skill or training acquired in the institution. "By twelve months, ... 20% of the total still free had used institutional training in some way." (1974:88). This was consistent with Olver's (1983) finding that "84% of those releasees sampled stated that employment obtained while on conditional release was not related to any skill or knowledge learned in the institution" (p.11).

While employment on parole offers some stability and routine to aid in an offender's re-adjustment, it also supplies the offender with an income much needed to support himself, and possibly a family. Without an employment income a parolee has few alternative sources of income. He may have some money in savings upon release, but, depending on his length of incarceration this sum might only cover one month's food and accommodation, and usually does not last past the first weekend of a long awaited "good time".

The paroled offender may also have a generous community sponsor who is willing to provide financial support until employment is obtained, but it is not too often that such a sponsor is found, even when the offender's family is considered the sponsor. Most typically, the unemployed parolee must seek public assistance in the form of welfare or unemployment insurance. However, most parolees cannot qualify for unemployment insurance since they have not contributed to the fund within the previous two years. Hence, the unemployed parolee is faced with the task of supporting himself (a task he is not accomplished in, or at least not recently in) on approximately \$375 per month supplied by welfare. The current study found that 36.5% of those offenders sampled had an income of less than \$700 per month (MS releasees accounting for 52.6%, and FP releasees accounting for 21.5%). Olver (1983) found that 48% of his sample had current monthly incomes of less than \$600 per month, 37% claiming that welfare was the source of that

income.

Obviously, then, both income and employment must be factors to consider when evaluating an offender's ability to succeed or fail on conditional release. Still, there remain two final factors which deserve mention in an evaluation of conditional release success/failure: stability and skills/training. Both of these variables are problematic to the offender on parole because they, simultaneously, introduce the offender to the immediate problems which he must face, and provide him with the limitations within which he must solve them.

Stability is the most difficult to assess since it involves both social and psychological dynamics, and yet, it is probably the best measure of an offender's re-adjustment in the community. Stability involves the availability of adequate accommodation, food, and clothing, sufficient income to maintain these necessities, and, of course, employment which gives an offender a sense of contribution to the community as well as a feeling of self-sufficiency. Stability also involves the availability of family support systems, community sponsorship from either a concerned friend or a community organization, and the accessibility of companionship, all of which are important in the offender's development of identity and self-esteem. As demonstrated in the primary analysis, an offender's marital status was a good predictor of his success or failure on conditional release. Specifically, single offenders and offenders living in common-law relationships were seen to be

more transient, less stable, and more likely to fail than were married offenders who had families, were settled, more stable, and more likely to succeed.⁶

The skills and/or training which an offender possesses are essential in terms of the opportunities they provide him, or the limitations with which they present him. Most offenders lack sufficient educational or vocational training to obtain any work above semi-skilled general labourer, prior to being incarcerated, which, no doubt, was a contributing factor in committing the offence which resulted in incarceration. As part of the "rehabilitation" philosophy, correctional institutions started offering vocational trades training and educational upgrading back in the 1950's, both of which are still offered in the institutions today.⁷ However, as suggested above, institutional training appears to be of little help to offenders on conditional release. There are several reasons for this. Waller (1974) suggested that part of the problem is caused by the "cascading" of inmates from one institution to another, interrupting their participation in a training program which is non-transferrable to other institutions. Also, Waller suggested that the inmates who are most likely to be motivated to take a

⁶In support of the stability factor, it should be noted that marital status/single was inversely correlated with income ($r = -.281$) while marital status/married was positively correlated with income ($r = .216$). Similarly, employment/full-time was inversely correlated with marital status/single ($r = -.321$), but positively correlated with marital status/married ($r = .239$).

⁷See Morin (1981) for a collection of discussion papers on prison education in Canada.

training program are those selected by the NPB for early release, thus interrupting the inmate's training prior to completion.

Olver (1983) found that institutional vocational trades training programs did not lead to the acquisition of an apprenticeship ticket or a journeyman's ticket that are essential to getting a job in the trades once an offender is released. In addition, many of the prison training programs did not offer job skills that were either practical or marketable in the community. Olver also found that institutional educational programs suffered greatly from "cascading" and early release of offenders in the programs. Once an offender is released with an incomplete, and unrecognized, training or educational program behind him, he is faced with the same dilemma of seeking employment without sufficient skills as he was before he was ever incarcerated; or, he is faced with completing his training in the community, which may become one expense too many on his limited welfare income. Hence, the availability of community programs, and community funding to attend these programs, become factors which influence the unskilled offender's ability to succeed or fail on conditional release.

Failure

As noted in Chapter II, "failure" on conditional release is a difficult term to operationalize, yet, "success" is certainly

the more difficult of the two. It is important to understand what exactly constitutes a failure if one is to understand the full significance of organizational variables. To the parolee, failure means re-incarceration and loss of freedom. To the Board, failure means an error in the decision to release. To the parole officer, it may or may not mean a job well done. The diversity of what failure means to those individuals involved is matched only by the diversity of that which is involved in failure.

Failure, as operationalized in the context of the current study, is determined by revocation, a disposition which only the NPB can decide upon. Revocation is not the same as recidivism. Revocation may occur as the result of a suspension, or as the automatic result of a conviction for a new offence.⁸ Suspension of conditional release may occur in the event of: (a) a new offence violation; or (b) a "technical" or breach violation. A new offence violation occurs when the supervising parole office is notified of a parolee's arrest for the committing of an offence for which he is charged. Usually, it is the police who notify the parole service of the arrest of one of its clients. However, it has been the case that a parolee has been charged and arrested for a new offence, and subsequently released pending a court hearing (recognizance, bail, whatever) without

⁸Where a parolee has incurred a charge for a new offence, and is subsequently convicted of that offence, whether he has been suspended or not, his parole is automatically revoked without need for a Board decision. This is defined by the Parole Act (R.S.C. 1970) s. 17(1) as "parole forfeiture".

the police discovering that the offender is on parole.⁹ Thus, the parolee is left to report the incident to his parole supervisor on his own, which he may or may not do depending on his relationship with the parole supervisor.

A technical violation occurs when: (a) a parolee breaches a condition of his parole, i.e., missing curfew on several occasions, drinking contrary to an abstinence restriction, any other kind of substance abuse, travelling outside of a designated area of supervision, or failure to contact a parole supervisor within a specified period of time; or (b) a parole supervisor feels that in the best interest of his client, that client be suspended "to prevent a breach of any term or condition of the parole", e.g., when the police recommend the suspension of a parolee to prevent him from committing an offence that he appears about to commit, or simply on the discretion of the parole supervisor who feels that the parolee's personality/attitude/behaviour pattern is degenerating back to a level which the offender has demonstrated to be "his criminal mode". The discretionary power available to a parole agent, as established in the Parole Act (R.S.C. 1970) s.16(1), has generated what Goldenberg (1974) referred to as the "therapeutic suspension".

⁹Most commonly, this occurs when the parolee uses an alias name upon arrest, however, the police occasionally overlook the offender's parole status or just "forget" to notify the parole service of the incident.

Typically, the therapeutic suspension is used to remind the parolee of his conditional status in the community, and to suggest to him that his performance is somewhat less than satisfactory and that he could just as easily be revoked if he did not start to "toe the line".

It should be apparent how the dynamics of "failure" interact with the organizational variables to create a very tenuous situation for the offender on conditional release. It may well be the offender's appreciation of that situation that ultimately determines his ability to survive or perish in it, and it may well be the case that success or failure is more a function of post-release factors than of pre-release factors.

Pre-release Indicators of Post-release Predictors

Once the importance of organizational variables is established, the problematic application of this information becomes obvious. Since organizational variables occur after the decision to release has taken place, how can they influence the risk assessment function of the decisionmaking process and be used to explain additional variance in the success/failure criterion? Basically, there are four potential approaches to this problem. First, Board members can look at an offender's previous performance in the community prior to his arrest and subsequent incarceration. Evident from this perspective would be an offender's work history, experience, training, income level,

and his community and marital stability. Board members would be able to consider such information as indicative of the offender's potential situation in the community should he be released.

Second, the majority of federal inmates have been incarcerated on previous occasions, and quite likely would have previous experience on a conditional release. Board members would be able to look at these previous paroles and consider the offender's performance as indicative of his performance on a future parole, i.e., previous revocation, previous successful completion of a parole, positive or negative response to parole supervision, etc. Third, all inmates experience various levels of gradual release during their period of incarceration which allow the Board to assess an inmate's response to increasing and/or periodic terms of freedom. In fact, before an inmate is considered for a full parole conditional release, the Board has already reviewed his case three or four times in consideration for institutional transfers to lower security level institutions, temporary absences, and day parole releases. Hence, the Board has had several opportunities to see how the offender responds to release and release supervision, as well as to assess the degree to which organizational variables will influence the offender's chances to succeed or fail should he be granted parole. Such pre-release experiences should serve as good indicators to the Board of post-release predictors of success/failure.

Fourth, by keeping case histories of post-parole performance, the Board may be able to make certain assumptions that would aid them in predicting future parole performances. The caution here would be to ensure that any such association was offender group specific in order to maintain homogeneity in the application of past experience to the prediction of future behaviour. Over time, this process could identify and establish indicators of post-release factors that could be used in the conditional release decisionmaking process. The establishment of indicators through any or all of these approaches would significantly improve the predictive efficiency of any risk assessment method.

Access to Organizational Information

As it may have been evident from a review of the literature in Chapter I, there would appear to be very little in the way of organizational information evaluation as it relates to parole and parole decisionmaking. This is not because parole researchers have found organizational variables to be unimportant, but is, instead, because organizational variables are so difficult to measure empirically. Before such variables can be of any practical value to us in the risk assessment process, much more objective research is needed, specific to the study of organizational or post-release factors. The major problem has been the resistance to this type of research.

Supervising offices and supervising parole officers have provided the majority of resistance to organizational research since they feel that such research is more an assessment of their job performance than anything else. In effect, they are correct. Type of supervision, supervision policy, professional attitude towards supervision, and training of parole supervisors are all organizational factors which influence parole success or failure, and which are also measures of job performance. However, the parole officer who wishes to do the best job s/he can, and the supervising office that wishes to have the best record of supervision it can, should want to know if the current job performance is contributing to the parole failure rate or success rate, and, if need be, what can be done to improve job performance.¹⁰

In essence, the parole service displays a similar paranoia to that of the NPB, however, for different reasons. While the Board is more concerned about losing some of its authority in decisionmaking to a risk assessment device, the parole service is more concerned about job security and a "don't rock the boat" work ethic. Granted, the parole service clientele has a track record that would keep most people awake at night, and really warrants a more discretionary and diversified form of supervision, but the cooperation needed to conduct an objective and empirical evaluation of post-release supervision can only

¹⁰Of course, this position ignores the apathy that sometimes exists in many civil service organizations, but the desire to be objective and optimistic must prevail nonetheless.

result in the establishment of guidelines, job re-definition, and a systematized approach to conditional release supervision that would make the task easier and relieve some of the pressure.

Meeting the Objectives

Meeting the objectives of any study is the key to the validity of its findings, and validity is essential before a researcher can safely draw conclusions about those findings. Therefore, in presenting conclusions regarding the findings of the current study, a brief description of how the objectives were met will be helpful in establishing validity, and will lend additional insight into the potential application of the findings.

The primary objective of the study was "to identify and enumerate predisposing and/or correlative factors significant to failure or success on conditional release". As noted above, nine such factors were found to be significant in predicting conditional release success or failure. Altering the order of entry of the variables demonstrated the presence of interaction amongst the variables, and overlap in their explanatory power. Identifying the interaction among the variables proved to increase the interpretive significance of the predictors. Age was found to be the strongest predictor of success/failure (a finding consistent with all studies of parole prediction), and

release type was found to be minimally significant as a result of its interaction with the income and employment variables. However, since the income and employment variables were identified as organizational or post-release variables, the type of release that an offender is paroled on should not be a major concern in the assessment of the offender's risk to the community. Instead, the apparent labelling effect which accompanies type of release should be a major concern in the assessment of offender risk. Since full parole appears to be associated with success and mandatory supervision appears to be associated with failure, it is quite conceivable that offenders adopt their expected roles of "success" or "failure" as a result of their treatment on conditional release in the community, and even in prison prior to their release. The potential for labelling effects and self-fulfilling prophecy in the prediction of offender risk is an issue that should be seriously considered by critics of the mandatory supervision release.

There are two immediate conclusions and recommendations which follow from the findings of the primary analysis. First, there are factors which can be empirically demonstrated to be significant in predicting success or failure on conditional release. It is highly probable that the Board does, in fact, utilize some or all of the nine predictors identified here in its decision to grant or deny release. However, the informal, and unstructured, fashion in which the Board would employ these predictors, capitalizes on little or none of their predictive

potential. Hence, it would be much more efficient and efficacious for the Board to adopt a statistical method of risk prediction that would make better use of predisposing factors. Before such a model can be adopted it must first be designed to accommodate the functional needs of those who intend to employ it. To this end, the Board should undertake the task of developing a statistical prediction model specifically for the purpose of assessing offender risk to the community in Canada.

Recommendation:

It is recommended that the National Parole Board of Canada undertake the task of assessing its own decisionmaking process, either through the contracting of an external investigator, or through the employment of the Solicitor General's Research Division, for the purpose of empirically constructing a statistical risk prediction model to be used by the Board in the decisionmaking process of offender risk assessment in Canada.

Second, it has been demonstrated, empirically, that release type is not a strong predictor of conditional release success or failure. Specifically, mandatory supervision is not a good predictor of conditional release, but instead finds its association with failure as a result of its relationship with other predictor variables such as income and employment. The potential for other post-release variables to explain the association of MS to failure, and the potential for labelling effects also to account for this relationship, leaves the status of MS as an effective form of conditional release rather questionable. Therefore, a re-evaluation of the goals and objectives of mandatory supervision, as well as the

effectiveness of MS, is warranted. Obviously the abolition of MS would result in a resurgence of a statutory remission program, whereby offenders who did not qualify for full parole would eventually be released to the community prior to sentence completion without any form of supervision whatsoever. Hence, a re-evaluation of MS is needed, not to demonstrate its weaknesses with abolition as an objective, but to establish its strengths, perhaps re-structure its function with the intent of improving on its effectiveness, and make it more accountable to the public.

Recommendation:

It is recommended that the Solicitor General of Canada, in cooperation with the National Parole Board of Canada and the Correctional Service of Canada/Parole, undertake the task of re-evaluating the goals, objectives, and effectiveness of the mandatory supervision conditional release program for the purpose of improving its image and public accountability.

One further conclusion that may be drawn here is based on the previously mentioned problem encountered in collecting data as a result of the available data sources. The lack of consistency in the data sources, and the problems of contradiction and absence of information resulted in the deletion of some variables from the analysis, which may have provided additional explanatory power. It would seem beneficial to both those individuals who work within the parole structure and those individuals who research parole related issues, to have a centralized, and systematized, method of collecting and storing useful and meaningful parole statistics. The Goldenberg

Committee (1974) reported the same concern for the lack of useful and meaningful data on parole in their assessment of parole in Canada:

This Report has made little use of statistics on parole because the information is inadequate. It is not reliable enough to give even accurate head counts. It neither permits accurate statistical descriptions, nor meaningful assessments of various programs....

It is generally recognized that collecting data has a threefold purpose: administration, research and public accounting. Administrative statistics are needed because planning and organizing delivery of services cannot be done without accurate and relevant data. Costs of programs must not continue to be measured by inaccurate yardsticks or by guessing. Research on parole makes similar demands. There is nothing that discourages research more quickly than inaccurate data.
(1974:125-127)

With the intention of improving the quality and consistency of parole information, and with the hope that the lives of everyone involved in parole in Canada are made just a little bit easier, it is concluded that a centralized system of parole information collection and storage be developed, and that this system be accessible and versatile with the capacity to accommodate sophisticated statistical analyses. With the current accessibility of computer technology it would seem only logical that a computer hardware facility be acquired, to this end, and that computer software programs be developed that would provide the necessary assistance in information storage, processing, and retrieval.

Recommendation:

It is recommended that the Solicitor General's Research Division undertake the task of developing a centralized system for the collection, storage, processing, and retrieval of parole information, and that such a system

provide ready access of said information to National Parole Board members and CSC administrators across Canada.

In keeping with the proposal of improved information systems, it is also concluded that an ongoing data-base of parole statistics should be established and maintained for the sole purpose of parole-related research. Such a data-base would enhance the validity and reliability of all parole-related research in Canada.

Recommendation:

It is recommended that an ongoing data-base of parole statistics be established and maintained for the sole purpose of parole-related research in Canada.

The second objective of the study was to establish and illuminate the relationship of conditional release "failure" with the committing of new offences on conditional release. In fact, the nature of that relationship was not too clearly defined by the data. However, a secondary analysis of the failure data suggested that organizational factors of post-release have some influence on an offender's ability to succeed or fail on conditional release. Most interesting, was the difference between the geographic location of supervising office for those offenders who failed, in terms of new-offence violations or breach violations, i.e., those failures resulting from a breach violation. An urban/rural distinction was found in that the Vancouver supervising office tended to have more failures resulting from new offences than from breach offences, while the Valley supervising offices tended to have more failures resulting from breach offences than from new offences.

Other organizational factors were not so readily apparent from the data, however, it was argued that there is good justification for believing that organizational variables, as yet unmeasured, may significantly influence the occurrence of success or failure on conditional release. Therefore, it is concluded that more research needs to be conducted into the effects of organizational or post-release factors on the occurrence of success or failure of offenders on conditional release, and the potential application of those factors in the assessment of offender risk.

Recommendation:

f It is recommended that more research of parole in Canada be conducted into the effects of organizational or post-release factors on the occurrence of success or failure of offenders on conditional release, and the potential for application of those factors in the assessment of offender risk to the community.

The third objective of the study was to identify and report any structural problems within the existing conditional release process that may contribute to failure. In effect, the deceptive association of mandatory supervision with conditional release failure, discovered in the primary analysis, was the manifestation of just such a structural problem. However, the discussion of post-release supervision in the secondary analysis is much more illustrative of the structural and organizational influences which impinge upon the paroled offender, and which affect his ability to succeed or fail on conditional release. This is not so much a problem, per se, as it is a manifestation of a system that lacks specific guidelines and breeds individual

discretion. It is not concluded here that post-release supervision is necessarily inadequate, nor, is it concluded that the parole service is negligent in its responsibility to facilitate the re-integration of offenders back into the community. What is concluded here is the recognition that organizational dynamics of post-release supervision indirectly influence an offender's parole outcome, albeit, that influence is currently undetermined. Hence, a review of post-release supervision, and a re-evaluation of its effectiveness, is needed to determine the nature of its influence on parole outcome. The findings of such an evaluation would have additional potential for application in the assessment of offender risk.

Recommendation:

It is recommended that the Solicitor General's Research Division co-ordinate with the CSC/Parole Research and Planning Department to collectively undertake the task of assessing and reviewing post-release/parole supervision for the purpose of empirically establishing the organizational effects of supervision on parole outcome, and with the objective of proposing guidelines through which organizational effects might be controlled and systematically applied to the assessment of offender risk.

Future of Conditional Release in Canada

In discussing the future of conditional release in Canada, the most obvious question of "what is the future...?", is the most difficult to answer. Unless parole administrators make a commitment to make the future goals and objectives of parole concrete, and subsequently establish "no-nonsense" policies to

achieve those goals and objectives, it is virtually impossible for us to address such a question. Instead, we are saddled with the rhetorical question, "Is there a future for conditional release in Canada?" If the parole administrators in Canada continue to passively ignore suggestions for improvement and/or advancement based on empirically sound research, and the policy recommendations of federally appointed committees, we are left with no alternative but to wonder whether the whole parole system in Canada has been left to "self-destruct" so that someone can exclaim, "I told you it wouldn't work."

One may thus ask what practical purpose further recommendations serve. There are two such purposes. First, they remind parole administrators that their policies and programs continue to be evaluated and criticized by external investigators who demand that such policies and programs be accountable to the Canadian public. Second, they provide a forum in which researchers can pursue their findings and conclusions in a more political fashion, and in which researchers can justify their efforts and legitimize their professional status.

In any event, it appears to this writer, from a review of the parole literature in Canada and the limited findings of the current study, that some immediate objectives need to be pursued in order to stimulate the further evolution of conditional release and conditional release decisionmaking in Canada. Realistically, there are five objectives that are currently relevant, and could be pursued immediately:

1. Institutional population counts should be controlled and "ceilings" established to effect that control, not to exceed the current capacity for incarceration of offenders in each of the five regions in Canada. This will prevent the additional costs of institutional expansion;
2. Additional incarcerative costs could be minimized by the increased use of conditional release alternatives to incarceration;
3. Conditional release populations should be increased to community tolerance levels. Such an increase would aid in the reduction of incarcerative costs as well as the re-establishment of the re-integrative function of parole, and would force the better utilization of conditional release resources;
4. The threat of risk to the community should be stabilized and/or reduced through the identification of better risk offenders, suitable for conditional release; and
5. Community accountability of conditional release, and the assessment of offender risk, should also be increased along with the increase in the conditional release population, such that the public becomes more aware of community corrections and the potential threat of offender risk.

The pursuit of these objectives can be simplified by the establishment of structured parole guidelines and a systematized risk assessment model of parole decisionmaking. The development of a parole guidelines model in Canada is a, relatively,

straightforward task since the United States has already developed several guidelines models which could provide concrete examples for the application of such models in Canada. A review of the U.S. guidelines models by the NPB could result in the development of a Canadian model in as little as six months. Without a conditional release "master plan" the pursuit of parole objectives would be a much more involved and drawn out procedure than it need be, and quite likely would be less fruitful.

The development of a systematized risk assessment model, which would be established by the development of a guidelines model, is a task which also may not be as difficult as it appears. With a preponderance of parole literature demonstrating the superiority of statistical prediction devices over clinical prediction devices, the Board should be able to take a more specific approach in the development of a risk assessment model rather than the traditional "shot-gun" approach. In addition, statistically based risk prediction models in the U.S., have already laid the groundwork for other risk prediction models to come. For example, Fischer's (1984) Iowa Model of risk prediction is quite impressive, and has potential for application in other parole systems, including parole in Canada. If the NPB were to review some of the U.S. prediction models for decisionmaking that are currently in operation, especially the Iowa Model, it could forego a great deal of preliminary research, at considerable savings of time and money, that would

be required to reach the same level of success and sophistication in parole prediction. Such an evaluation would allow the Board the option of developing its own prediction model, or adopting an existing prediction model and redesigning it to fit the Canadian conditional release decisionmaking function.

Ultimately, the pursuit of conditional release goals and objectives comes down to a need for serious, specific, well-defined, empirical research. At the risk of cliché proliferation, more research is needed in order that we may pursue a future in parole in Canada. However, the need for objectification in parole research cannot be over-emphasized.

The problem of objectivity in research is a universal one, and is easier to ignore than to deal with. However, without the constant effort to be as objective as possible, the researcher deprives his/her findings of their potential applicability. In policy evaluation research, the need for objectivity is at its greatest, but the concern for objectivity is often at its least.

Keen (1970) stated that the problem of objectivity was one of whether the content of our knowledge is determined more by the biases built into the analysis, or by the "true" characteristics of the object, where both exist together but one dominates over the other. In parole research, our problem has been too much bias and not enough knowledge of the "true" characteristics, both of which result from the lack of clearly defined research objectives and reliable data sources,

respectively. For our knowledge to focus primarily on the "true" characteristics of the object (provided we could gain some insight into what the "true" characteristics really are) we must be prepared to "tease out" the interaction effects amongst the variables and acknowledge the existence of multiple interpretations. Such a sophisticated approach must deal with the, subsequent, problems of agreement and generality.¹¹

The problem of agreement is whether or not terms used in formulating knowledge carry the same information from one observer to another. The problem of generality is whether or not one can have terms that describe the uniqueness of what is studied (such as a person's being) and still be general enough to allow communication and comparison.¹² The first problem is one which seeks resolution through a procedure of operationally defining the terms of assessment. However, caution must be taken so as not to be too specific or too narrow to reduce, or even eliminate, the potential for generality. The second problem may seek resolution in the representative selection of data sources

¹¹This is not to suggest that these problems do not exist in subjective evaluation, but only to appreciate the difference in origin these problems have from one extreme to the other. In subjective evaluation a genuine lack of generality exists due to a narrow and far too specific agreement on the terms of assessment, whereas in objective evaluation a less problematic lack of generality exists due to a lack of specific agreement on the terms of assessment -- a situation which has a much more favourable prognosis for rectification.

¹²The problems of agreement and generality presented here are not intended to ignore the theoretical and ethical ends of variable selection, as these also present potential limitations to objectivity, but to emphasize the ease with which subjective biases can operate to the detriment of research goals.

and the objective collection of the relevant data from these sources, with care taken so as not to project conscious or unconscious biases onto the selection and collection of data. Lest this writer appear naive to believe that an "absolute" objective knowledge is possible, the reader is reminded of the data source limitations that have plagued parole research over the years, as stated above. Researcher biases are threats to objectivity that can not be eliminated, but can be effectively controlled if researchers remain cognizant of the need for objectification. The limitations to variable selection, created by the inadequacy of data sources, are also threats to objectivity that can not be completely eliminated, however, they may be minimized by the development of a centralized information system such as that recommended above for parole in Canada.

In sum, conditional release has a future in Canada, but change must come now if this future is going to be an improvement over the parole processes of today. Conditional release decisionmaking in Canada has the potential to become viable as an effective risk assessment process, while becoming publicly accountable at the same time. However, the need for objective and empirical research must be appreciated, and precede the establishment of a parole guidelines model, as well as a statistical risk prediction model, in order that these models be developed to their full potential and applied to the pursuit of future parole objectives.

APPENDIX A

1984 Version

VIOLENCE, RISK ASSESSMENT
THE IOWA MODEL

SUBSTANCE ABUSE CLASS	VIOLENCE CLASS	CURRENT OFFENSE CLASS	CRIMINAL HISTORY SCORE/AGE AT CONVICTION OR COMMITMENT											
			0-15	16-40	140+	28+ 25-27 0-24	28+ 25-27 0-24	28+ 25-27 0-24	28+ 25-27 0-24					
DRUG ABUSER 5	VIOLENT	HIGH RECIDIVISM OFFENSE	3	5	1	3	1	1	3	1	1	3	1	1
	OFFENDER	LOW RECIDIVISM OFFENSE	6	5	1	6	1	1	3	1	1	3	1	1
	NON-VIOLENT	HIGH RECIDIVISM OFFENSE	6	5	3	3	5	3	6	3	3	6	3	5
DRUG ABUSER 4	OFFENDER	LOW RECIDIVISM OFFENSE	6	5	6	6	5	6	6	3	3	6	3	5
	VIOLENT	HIGH RECIDIVISM OFFENSE	3	5	3	3	1	1	3	1	1	3	1	1
	OFFENDER	LOW RECIDIVISM OFFENSE	6	5	3	6	1	1	3	1	1	3	1	1
DRUG ABUSER 3	NON-VIOLENT	HIGH RECIDIVISM OFFENSE	6	5	3	3	5	3	6	3	3	6	3	5
	OFFENDER	LOW RECIDIVISM OFFENSE	6	5	6	6	5	6	6	3	3	6	3	5
	VIOLENT	HIGH RECIDIVISM OFFENSE	3	7	3	3	1	2	3	1	1	3	1	1
DRUG ABUSER 2	OFFENDER	LOW RECIDIVISM OFFENSE	6	7	3	6	1	2	3	1	1	3	1	1
	NON-VIOLENT	HIGH RECIDIVISM OFFENSE	6	7	3	3	5	3	6	3	3	6	3	5
	OFFENDER	LOW RECIDIVISM OFFENSE	6	7	6	6	5	6	6	3	3	6	3	5
DRUG ABUSER 1	VIOLENT	HIGH RECIDIVISM OFFENSE	3	7	3	3	1	2	3	1	2	3	1	1
	OFFENDER	LOW RECIDIVISM OFFENSE	6	7	3	6	1	2	3	1	2	3	1	1
	NON-VIOLENT	HIGH RECIDIVISM OFFENSE	6	7	6	3	5	6	6	3	3	6	3	5
ALCOHOL ABUSER	OFFENDER	LOW RECIDIVISM OFFENSE	6	7	6	6	5	6	6	3	6	6	3	5
	VIOLENT	HIGH RECIDIVISM OFFENSE	3	7	3	3	5	2	3	1	2	3	1	2
	OFFENDER	LOW RECIDIVISM OFFENSE	6	7	3	6	5	2	3	1	2	3	1	2
NON-ABUSER	VIOLENT	HIGH RECIDIVISM OFFENSE	6	7	6	6	5	6	6	6	6	6	6	5
	OFFENDER	LOW RECIDIVISM OFFENSE	6	7	6	6	5	6	6	6	6	6	6	5
	NON-VIOLENT	HIGH RECIDIVISM OFFENSE	6	7	6	6	5	6	6	6	6	6	6	5
OVERRIDING FACTORS	VIOLENT	HIGH RECIDIVISM OFFENSE	3	7	4	3	5	2	3	1	2	3	1	2
	OFFENDER	LOW RECIDIVISM OFFENSE	6	7	4	6	5	2	3	1	2	3	1	2
	NON-VIOLENT	HIGH RECIDIVISM OFFENSE	6	7	6	6	5	6	6	6	6	6	6	5
CURRANT SENTENCE FOR ESCAPE OR JAILBREAK	OFFENDER	LOW RECIDIVISM OFFENSE	6	7	6	6	5	6	6	6	6	6	6	5
	VIOLENT	HIGH RECIDIVISM OFFENSE	3	7	5	3	7	5	6	6	2	6	6	2
	OFFENDER	LOW RECIDIVISM OFFENSE	7	7	5	6	7	5	6	6	2	6	6	2
2+ PRIOR FELONY CONVICTIONS IN LAST THREE YEARS STREET TIME	NON-VIOLENT	HIGH RECIDIVISM OFFENSE	7	7	6	3	7	6	6	6	6	6	6	5
	OFFENDER	LOW RECIDIVISM OFFENSE	7	7	6	6	7	6	6	6	6	6	6	5
	NON-VIOLENT	HIGH RECIDIVISM OFFENSE	7	7	6	6	7	6	6	6	6	6	6	5
NOT AS ABOVE	1	POOR	FAIR	FAIR	FAIR	FAIR	FAIR	FAIR	FAIR	FAIR	FAIR	FAIR	FAIR	FAIR
	2	POOR	POOR	POOR	POOR	POOR	POOR	POOR	POOR	POOR	POOR	POOR	POOR	POOR
	3	VERY POOR	VERY POOR	VERY POOR	VERY POOR	VERY POOR	VERY POOR	VERY POOR	VERY POOR	VERY POOR	VERY POOR	VERY POOR	VERY POOR	VERY POOR
	4	VERY POOR	VERY POOR	VERY POOR	VERY POOR	VERY POOR	VERY POOR	VERY POOR	VERY POOR	VERY POOR	VERY POOR	VERY POOR	VERY POOR	VERY POOR
	5	VERY POOR	VERY POOR	VERY POOR	VERY POOR	VERY POOR	VERY POOR	VERY POOR	VERY POOR	VERY POOR	VERY POOR	VERY POOR	VERY POOR	VERY POOR

OFFENDER RISK ASSESSMENT

STEP I - 4-FACTOR SCORING

CURRENT OFFENSE CLASSIFICATION (Highest Applicable)	CRIMINAL HISTORY AND AGE AT CONVICTION									
	0-1 30+	2-5 20-29	6-10 20-29	11-19 30+	20+ 30+	0-19 20-29	20-29 30+	30+	30+	30+
Substance Abuse	1 2 4	3 3 6	3 6 6 6	4 6 6 6	5 6 6	1 2 4	3 3 6	3 5 6 6	4 5 6 6	5 6 6
Substance Abuse I	1 2 4	3 3 6	3 6 6 6	4 6 6 6	5 6 6	1 2 4	3 3 6	3 5 6 6	4 5 6 6	5 6 6
Substance Abuse II	1 2 4	3 3 6	3 6 6 6	4 6 6 6	5 6 6	1 2 4	3 3 6	3 5 6 6	4 5 6 6	5 6 6
Substance Abuse III	1 2 4	3 3 6	3 6 6 6	4 6 6 6	5 6 6	1 2 4	3 3 6	3 5 6 6	4 5 6 6	5 6 6
Aggravated Assault/Robbery	1 2 4	3 3 6	3 6 6 6	4 6 6 6	5 6 6	1 2 4	3 3 6	3 5 6 6	4 5 6 6	5 6 6
Aggravated Burglary	1 2 4	3 3 6	3 6 6 6	4 6 6 6	5 6 6	1 2 4	3 3 6	3 5 6 6	4 5 6 6	5 6 6
Burglary/Motor Vehicle Theft/Forgery/Bad Checks	1 2 4	3 3 6	3 6 6 6	4 6 6 6	5 6 6	1 2 4	3 3 6	3 5 6 6	4 5 6 6	5 6 6
Other Offense Classification	1 2 4	3 3 6	3 6 6 6	4 6 6 6	5 6 6	1 2 4	3 3 6	3 5 6 6	4 5 6 6	5 6 6
Drug or Alcohol Related Offense Only	1 1 3	1 1 3	3 3 3 5	4 5 5 5	5 5 5	1 1 3	1 1 3	3 3 3 5	4 5 5 5	5 5 5
Aggravated Burglary/Aggravated Assault/Robbery	1 2 4	3 3 6	3 5 5 6	4 5 5 6	5 6 6	1 2 4	3 3 6	3 5 5 6	4 5 5 6	5 6 6
Burglary/Motor Vehicle Theft/Forgery/Bad Checks	1 2 4	3 3 5	3 5 5 6	4 5 5 6	5 6 6	1 2 4	3 3 5	3 5 5 6	4 5 5 6	5 6 6
Other Offense Classification	1 2 4	3 3 5	3 5 5 5	4 5 5 5	5 5 5	1 2 4	3 3 5	3 5 5 5	4 5 5 5	5 5 5
Drug or Alcohol Related Offense Only	1 1 3	1 1 3	3 3 3 5	4 5 5 5	5 5 5	1 1 3	1 1 3	3 3 3 5	4 5 5 5	5 5 5
Robbery	1 2 2	1 3 4	2 4 4 6	4 4 4 6	5 5 6	1 2 2	1 3 4	2 4 4 6	4 4 4 6	5 5 6
Aggravated Burglary/Aggravated Assault	1 2 2	1 3 4	2 4 4 5	4 4 4 6	5 5 6	1 2 2	1 3 4	2 4 4 5	4 4 4 6	5 5 6
Burglary/Motor Vehicle Theft/Forgery/Bad Checks	1 2 2	1 3 4	2 4 4 5	4 4 4 5	5 5 6	1 2 2	1 3 4	2 4 4 5	4 4 4 5	5 5 6
Other Offense Classification	1 2 2	1 3 3	2 3 3 4	3 3 3 5	3 5 5	1 2 2	1 3 3	2 3 3 4	3 3 3 5	3 5 5
Drug or Alcohol Related Offense Only	1 1 1	1 1 2	1 2 2 3	2 3 3 3	3 3 4	1 1 1	1 1 2	1 2 2 3	2 3 3 3	3 3 4
Robbery	1 1 2	1 3 3	1 3 3 4	2 3 3 6	3 5 6	1 1 2	1 3 3	1 3 3 4	2 3 3 6	3 5 6
Aggravated Burglary/Aggravated Assault	1 1 2	1 3 3	1 3 3 4	2 3 3 5	3 5 5	1 1 2	1 3 3	1 3 3 4	2 3 3 5	3 5 5
Burglary/Motor Vehicle Theft/Forgery/Bad Checks	1 1 2	1 3 3	1 3 3 4	2 3 3 5	3 5 5	1 1 2	1 3 3	1 3 3 4	2 3 3 5	3 5 5
Other Offense Classification	1 1 1	1 1 2	1 3 3 3	2 3 3 5	3 5 5	1 1 1	1 1 2	1 3 3 3	2 3 3 5	3 5 5
Drug or Alcohol Related Offense Only	1 1 1	1 1 1	1 1 1 3	2 3 3 3	3 3 3	1 1 1	1 1 1	1 1 1 3	2 3 3 3	3 3 3

STEP II - OFFENDER TYPING (check applicable categories)

Violent Offender Current Offense Against Persons Not a Violent Offender and Age 50+ at Conviction

First Offender Special Violence Risk Factor (see STEP III) Not a Violent Offender and Age 25-49 at Conviction and 4-Factor Score 1R 1-4

Current Sentence for Escape or Jailbreak

No Prior Felony Arrest or Conviction

SUBSTANCE ABUSE CLASSIFICATION

STEP III - SPECIAL RISK FACTOR SCORING

<p>Violence</p> <p>Class I Factor</p>	<p>Violence</p> <p>Class II Factor</p>
<p>Circle</p> <p>1 1+ Prior Convictions for Felonies Against Persons in Last 5 Years Street Time</p> <p>2 2+ Total Arrests for Felonies Against Persons in Last 3 Years Street Time</p> <p>3 2+ Prior Arrests for Felonies Against Persons in Last 5 Years Street Time</p> <p>4 1+ Prior Arrests for Felonies Against Persons in Last Year Street Time</p> <p>5 3+ Prior Arrests for Crimes Against Persons in Last 5 Years Street Time</p> <p>6 1+ Prior Felony Incarcerations in Last Year Street Time</p> <p>7 2+ Prior Incarcerations for Indictable Offenses in Last Year Street Time</p> <p>8 Current Arrest is at Least Fifth Arrest for Same Type Felony in Last 5 Years Street Time</p> <p>9 4+ Prior Convictions for Felonies Against Persons in Last 20 Years Street Time</p> <p>10 3+ Prior Convictions for Felonies Against Persons in Last 10 Years Street Time</p> <p>11 2+ Prior Convictions for Felonies Against Persons in Last 5 Years Street Time</p> <p>12 1+ Prior Convictions for Felonies Against Persons in Last 2 Years Street Time</p> <p>13 3+ Total Arrests for Felonies Against Persons in Last 5 Years Street Time</p> <p>14 2+ Prior Arrests for Felonies Against Persons in Last 2 Years Street Time</p> <p>15 1+ Prior Arrests for Felonies Against Persons in Last Year Street Time and</p> <p>2+ Prior Arrests for Crimes Against Persons in Last 3 Years Street Time</p> <p>16 3+ Prior Felony Convictions or Incarcerations in Last 3 Years Street Time</p> <p>17 2+ Prior Felony Convictions or Incarcerations in Last 2 Years Street Time</p> <p>18 Current Conviction is at Least Third Conviction for Same Type Felony in Last 5 Years Street Time</p> <p>19 Current Conviction is at Least Third Conviction for High Recidivism Offense in Last 5 Years Street Time</p> <p>20 Current Prison Commitment is as Release Violator (Bond, Probation) with New Felony Conviction for High Recidivism Offense</p>	

STEP IV - FINAL GENERAL RISK ASSESSMENT

4-Factor Score	Burn-out or First Offender	Special Risk Factor		
		None	Class I Only	Class II
6	Fair	Poor	Poor	Poor
5	Fair	Fair	Poor	Poor
4	Fair	Fair	Fair	Poor
3	Good	Good	Good	Poor
2	Good	Good	Good	Good
1	Very Good	Very Good	Very Good	Very Good

STEP V - FINAL VIOLENCE/PROPERTY RISK ASSESSMENT

General Risk Assessment	Violence Risk		Property Risk	
	Violent Offender	Non-Violent Offender	Violent Offender	Non-Violent Offender
Poor	Poor	Fair	Poor	Poor
Fair	Good	Very Good	Very Good	Fair
Good	Good	Very Good	Very Good	Good
Very Good	Very Good	Very Good	Very Good	Very Good

FEDERAL SALIENT
FACTOR SCORE
(1976 Version)

Score and total the following points according to the indicated characteristics:

Prior convictions or adjudications (adult or juvenile)

None	+3
One	+2
Two or three	+1
Four or more	0

Prior commitments (adult or juvenile)

None	+2
One or two	+1
Three or more	0

Age at behavior leading to first commitment (adult or juvenile)

26 or older	+2
18-25	+1
17 or younger	0

Commitment offense auto theft or checks

No	+1
Yes	0

Probation or parole violator (current sentence)

No	+1
Yes	0

Heroin or opiate dependence

No	+1
Yes	0

Verified employment or full-time school attendance for a total of at least 6 months during the last 2 years in the community

Yes	+1
No	0

The Iowa Statistical Analysis Center has found the following categorization of the Salient Factor Score (1976 Version) to be the most useful in identifying high and low risk offenders.

<u>Sallent Factor Score</u>	<u>Risk Level</u>
0-3	VERY POOR RISK
4-7	POOR RISK
8	FAIR RISK
9	GOOD RISK
10	VERY GOOD RISK
11	EXCELLENT RISK

FEDERAL SALIENT
FACTOR SCORE
(1981 Version)

Score and total the following points according to the indicated characteristics:

Prior convictions or adjudications (adult or juvenile)

None	+3
One	+2
Two or Three	+1
Four or More	0

Prior commitments of more than 30 days (adult or juvenile)

None	+2
One or two	+1
Three or more	0

Age at instant offense*

26 or older	+2
20-25	+1
19 or younger	0

Recent commitment free period during last 3 years

No prior commitment more than 30 days (adult or juvenile), or released to the community at least 3 years before commission of the instant offense	+1
"Otherwise"	0

Probation or parole or confinement escape status this time

No	+1
Yes	0

Heroin or opiate dependence

No history	+1
History	0

*But if the record shows five or more commitments of more than 30 days, this item is scored "0" regardless of the age at the time of the instant offense.

The Iowa Statistical Analysis Center has found the following categorization of the Salient Factor Score (1981 Version) to be the most useful in identifying high and low risk offenders:

<u>Salient Factor Score</u>	<u>Risk Level</u>
0-2	VERY POOR RISK
3-6	POOR RISK
7	FAIR RISK
8	GOOD RISK
9	VERY GOOD RISK
10	EXCELLENT RISK

INSLAW SCALE

Score and total the following points according to the indicated characteristics:

Heavy use of alcohol	+ 5
Heroin use	+10
Age at time of instant arrest	
Less than 23	+21
23-27	+14
28-32	+ 7
33-37	0
38-42	- 7
43+	-14
Length of criminal career (since first arrest)	
0-5 years	0
6-10 years	+ 1
11-15 years	+ 2
16-20 years	+ 3
21+ years	+ 4
Arrests during last 5 years (score each arrest as indicated)	
Crimes of violence	+ 4
Crimes against property	+ 3
Sale of drugs	+ 4
Other offenses	+ 2
Longest time served, single term (prior sentence)	
1-5 months	+ 4
6-12 months	+ 9
13-24 months	+18
25-36 months	+27
37-48 months	+36
49+ months	+45
Number of probation sentences (score each as indicated)	+1.5
Instant offense was crime of violence	+ 7
Instant offense was crime labeled "other"	-18

Violent crimes include robbery, homicide, assault, sexual assault, kidnapping, and other crimes against persons.

"Other" crimes include all crimes other than arson, burglary, larceny, auto theft, fraud, forgery, drug sale or possession, and violent crimes.

The Iowa Statistical Analysis Center has found the following categorization of the INSLAW Scale to be the most useful in identifying high and low risk offenders:

<u>INSLAW Score</u>	<u>Risk Level</u>
0-17.5	EXCELLENT RISK
18-34.5	VERY GOOD RISK
35-38.5	GOOD RISK
39-51.5	FAIR RISK
52-64.5	POOR RISK
65+	VERY POOR RISK

RAND SCALE

Score one (1) point for each of the following characteristics:

- o Prior conviction (juvenile or adult) for the instant offense type
- o Incarcerated more than 50% of preceding two years
- o Conviction before age 16
- o Served time in state juvenile facility
- o Heroin or barbiturate use in preceding two years
- o Heroin or barbiturate use as a juvenile
- o Employed less than 50% of the preceding two years

The Iowa Statistical Analysis Center has found the following categorization of the 7-Factor Score to be the most useful in identifying high and low risk offenders:

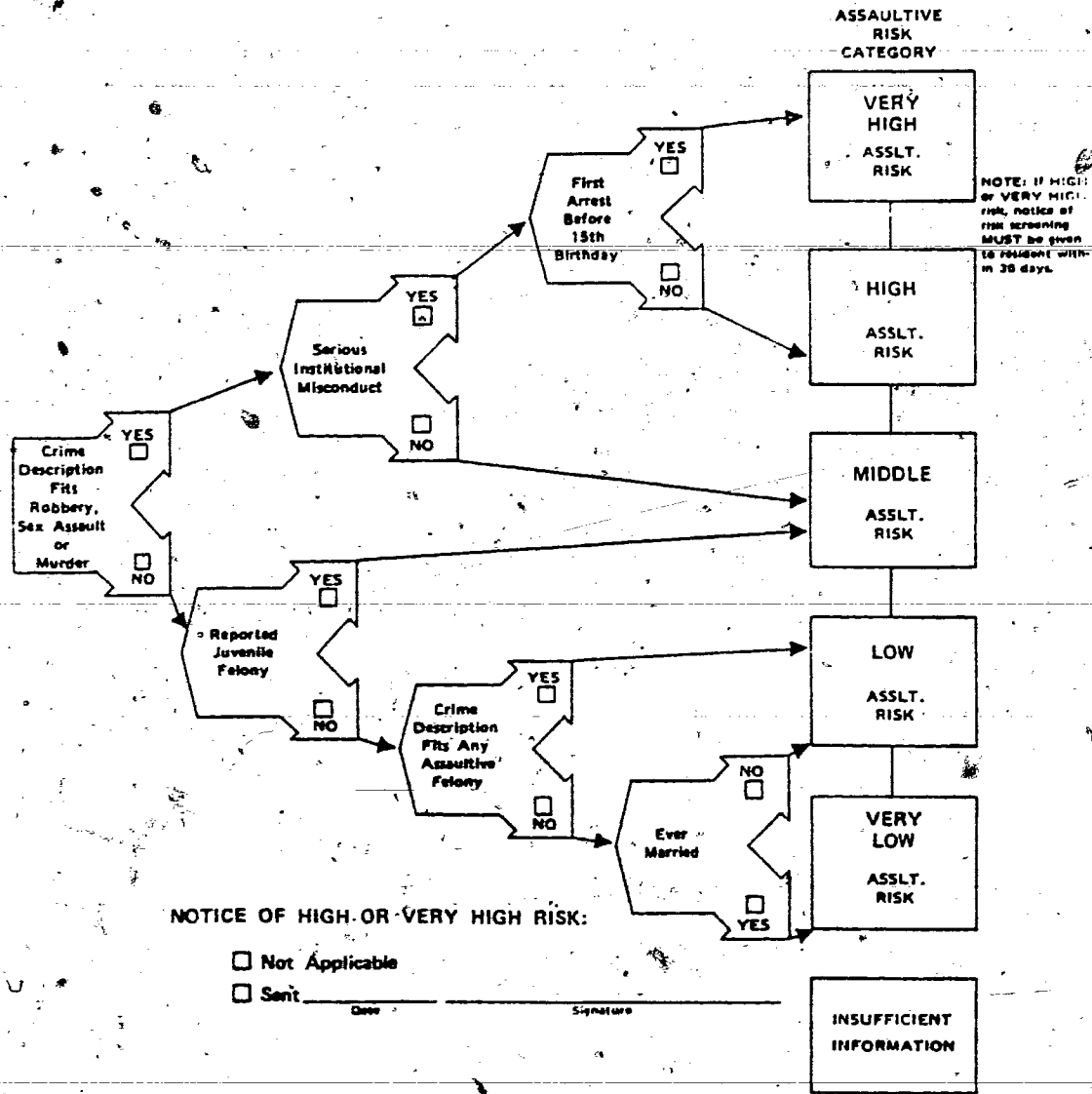
<u>7-Factor Score</u>	<u>Risk Level</u>
0	VERY GOOD RISK
1	GOOD RISK
2	FAIR RISK
3	POOR RISK
4 or more	VERY POOR RISK

MICHIGAN DEPARTMENT OF CORRECTIONS
ASSAULTIVE RISK SCREENING SHEET

CSO-353 12/77

RESIDENT'S NAME _____		NUMBER _____
SCREENED BY _____	LOCATION _____	DATE _____

INSTRUCTIONS: Starting at left, check "yes" or "no" at each item. This directs you to next item. When a risk category is reached at right, circle that category. If information is missing or conflicting, circle insufficient information box and refer to classification director. See definitions on reverse side.



DEFINITIONS OF ASSAULTIVE RISK CLASSIFICATION FACTORS

1. **Serving on robbery, sexual assault, or homicide.** This factor will be coded "yes" if the individual is now serving on and/or has not been discharged from sentence for a felony, the description of which indicates that; by any participant in the crime, there was either: a) the taking or attempt to take property or money by force or threat of force during personal confrontation, b) sexual assault or attempted sexual assault by force, or threat of force, or c) death of a victim.

This determination is based on the best judgment of the person doing the coding after review of the investigator's description of the offense, and all other relevant information concerning the offense available. Because the offense of conviction is a result of plea bargaining and other factors not related to behavior during the incident, the coding in the study and, therefore, in its application is based on actual behavior so far as this can be determined from documentation normally available.

2. **Serious misconduct or security segregation.** This variable will be coded "yes" if, during any sentence for which he is still serving, the resident has been a) found guilty of major misconduct which is nonbondable under current, department-wide policy by the disciplinary hearing committee; that is, found guilty of homicide, assault, intimidating or threatening behavior, sexual assault, fighting, inciting to riot or strike, rioting or striking, or possession of dangerous contraband, or escape, and attempt to escape; OR b) was placed in administrative segregation by the security classification committee. Involuntary segregation for the resident's own protection is not to be counted in this category; neither is segregation within R&GC only.

3. **First arrest before 15 years.** This variable is to be coded "yes" if the presentence report or policy arrest record indicates that the individual was arrested for or had a petition filed for any criminal behavior prior to his 15th birthday.

4. **Reported juvenile felony.** This variable is to be coded "yes" if the record indicates that the individual, before his 17th birthday, has a reported arrest or petition filed for behavior which would constitute a felony for an adult.²

5. **Serving on assaultive felony.** The individual shall be coded "yes" on this variable if the description of his behavior during the course of any felony on which he is now serving indicated that it involved harm or threat of harm to any person. This is defined as behavior constituted by any of the felonies listed below.

6. **Ever married.** This variable is to be coded "yes" if the individual, at the time of the commission of the instant offense, was or had ever been legally married. A commonlaw relationship of at least seven years duration shall be counted as equivalent to legal marriage if it can be documented to the satisfaction of the coder.

¹If the hearing report clearly indicates that the individual was only reacting to attack and had no part in provoking the incident it should not be counted here.

²Incarceration or probation for criminal behavior will be taken as evidence of petition or arrest. Status offenses are not to be counted.

OFFENSES TO BE REGARDED AS ASSAULTIVE FOR PURPOSES OF RISK CLASSIFICATION

M.C.L.	750.316	Murder, First	M.C.L.	752.861	Careless Use of Firearms to Kill
	750.317	Murder, Second Degree		750.479	Resisting, Obstructing Officer
	750.91	Attempt to Murder		752.542	Incite, Take Part in Riot
	750.321	Manslaughter		750.197C	Jail Break - Armed
	750.324	Negligent Homicide		752.191	Felonious Driving
	750.83	Asslt W/Intent to Commit Murder		750.85	Asslt W/Int to Rape
	750.349	Kidnapping		750.158	Sodomy
	750.82	Felonious Assault		750.333	Incest
	750.84	Asslt W/Int Gr Bod Harm Less Murder		750.336	Indecent Liberties
	750.89	Asslt W/Int to Rob & Steal Armed		750.338/338A/338B	Gross Indecency
	750.87	Asslt W/Int to Commit Felony		750.339/340	Debauchery
	750.479A	Driver Assault Police		750.341/342	Carnal Knowledge
	750.88	Asslt W/Int to Rob & Steal Unarmed		750.520	Rape (Incl. Statutory)
	750.136	Cruelty to Children		750.520b	Criminal Sexual Conduct, First Degree
	750.529	Robbery Armed		750.520c	Criminal Sexual Conduct, Second Degree
	750.530	Robbery Unarmed		750.520d	Criminal Sexual Conduct, Third Degree
	750.205	Place Explosive By Prop W/Int Disch		750.520g	Asslt W/Int to Com Crim Sex Conduct
	750.209	Place Off. Subst. W/Int to Injure		767.61A	Offense by Sexually Delinquent
	750.210	Possession of Bomb		750.71-80	Arson*
	750.211A	Explosive Devices, Use or Possess			

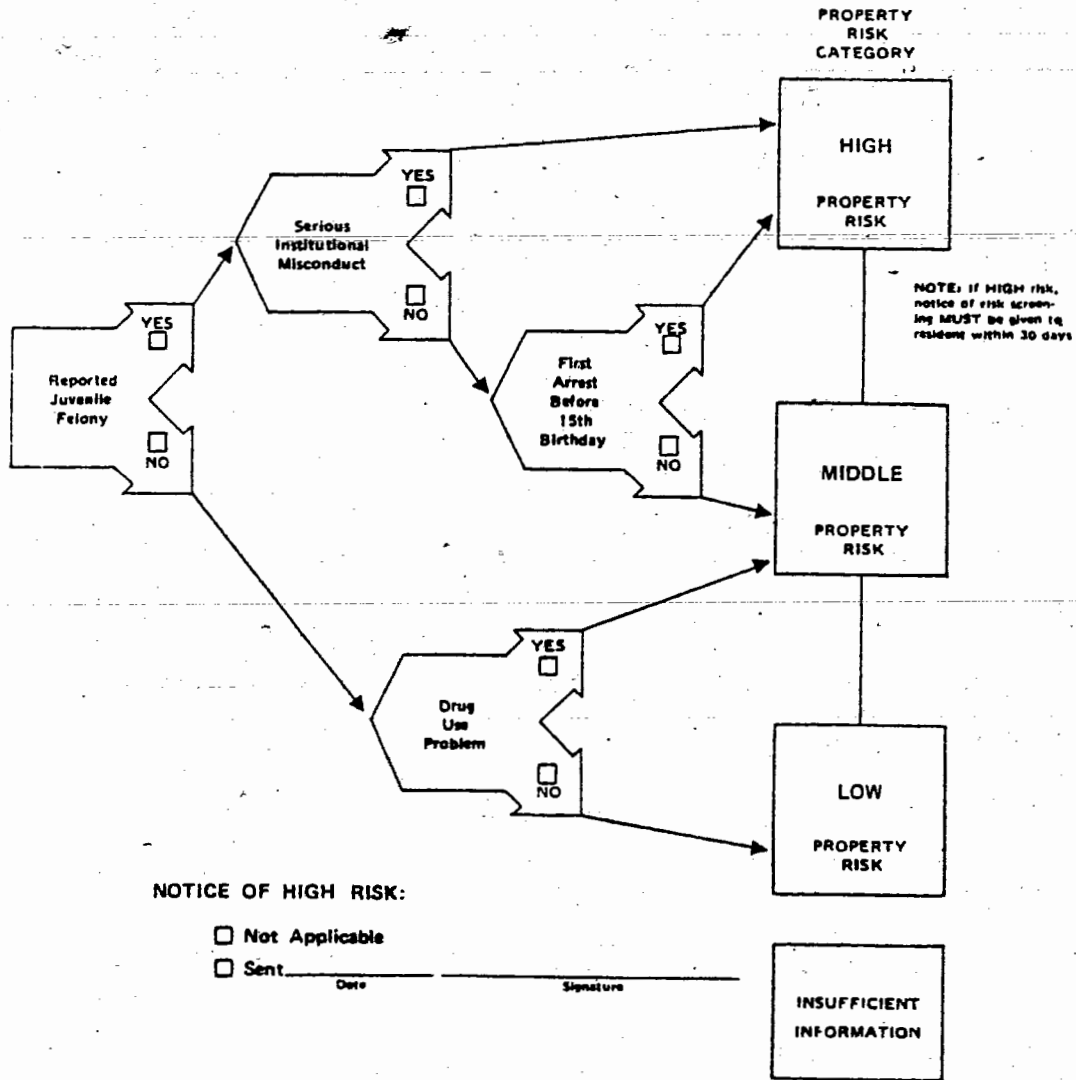
*Except where the arson can clearly be established to have taken place only for purposes of profit and without risk to life or safety.

MICHIGAN DEPARTMENT OF CORRECTIONS
PROPERTY RISK SCREENING SHEET

CSO-342 12/77

RESIDENT'S NAME		NUMBER
SCREENED BY	LOCATION	DATE

INSTRUCTIONS: Starting at left, check "yes" or "no" at each item. This directs you to next item. When a risk category is reached at right, circle that category. If information is missing or conflicting, circle insufficient information box and refer to classification director. See definitions on reverse side.



DEFINITIONS OF PROPERTY RISK CLASSIFICATION FACTORS

1. **Reported juvenile felony.** This variable is to be coded "yes" if the record indicates that the individual, before his 17th birthday, has a reported arrest or petition filed for behavior which would constitute a felony for an adult.²

2. **Serious misconduct or security segregation.** This variable will be coded "yes" if, during any sentence for which he is still serving, the resident has been a) found guilty of major misconduct which is nonbondable under current department-wide policy by the disciplinary hearing committee; that is, found guilty of homicide, assault, intimidating or threatening behavior, sexual assault, fighting,¹ inciting to riot or strike, rioting or striking, or possession of dangerous contraband, or escape, and attempt to escape; OR b) was placed in administrative segregation by the security classification committee. Involuntary segregation for the resident's own protection is not to be counted in this category; neither is segregation within R&CG only.

3. **First arrest before 15 years.** This variable is to be coded "yes" if the presentence report or police arrest record indicates that the individual was arrested for or had a petition filed for any criminal behavior prior to his 15th birthday.

4. **Drug use problem.** This variable shall be coded "yes" if and only if the individual, at or about the time of any offense on which he is now serving, was: a) addicted to any nonprescribed controlled substance other than marijuana or alcohol, or b) in chronic or sustained use of any nonprescribed controlled substance other than marijuana or alcohol. Occasional use is not to count, nor is addiction or sustained use which apparently terminated at least six months before the instant offense. It is recognized that this variable will be difficult to code, and information will often be lacking. The coder's best judgment, based on material present in the written record, must be the basis.

¹If the hearing report clearly indicates that the individual was only reacting to attack and had no part in provoking the incident it should not be counted here.

²Incarceration or probation for criminal behavior will be taken as evidence of petition or arrest. Status offenses are not to be counted.

MICHIGAN RISK SCREENING
GROUPING FOR IOWA COMPARISON

The Iowa Statistical Analysis Center has found the following grouping of the Michigan Assaultive Risk and Property Risk scales to be the most useful in identifying high and low risk offenders, both for violence risk assessment and for general risk assessment:

<u>PROPERTY RISK</u>	<u>ASSAULTIVE RISK</u>	<u>IOWA GROUPING</u>
HIGH	VERY HIGH	VERY POOR
	HIGH	VERY POOR
	MIDDLE	POOR
	LOW	POOR
	VERY LOW	POOR
MIDDLE	VERY HIGH	POOR
	HIGH	POOR
	MIDDLE	FAIR
	LOW	FAIR
	VERY LOW	VERY GOOD
LOW	VERY HIGH	GOOD
	HIGH	GOOD
	MIDDLE	VERY GOOD
	LOW	VERY GOOD
	VERY LOW	VERY GOOD

ASSESSMENT OF CLIENT RISK

Client Name Last	First	MI	Client Number
Probation Control Date or Institution Release Date (Month, Day, Year)	Agent Last Name		Number

Select the appropriate answer and enter the associated weight in the score column. Total all scores to arrive at the risk assessment score.

		SCORE
Number of Address Changes in Last 12 Months: (Prior to incarceration for parolees)	0 None 2 One 3 Two or more	_____
Percentage of Time Employed in Last 12 Months: (Prior to incarceration for parolees)	0 60% or more 1 40% - 59% 2 Under 40% 3 Not applicable	_____
Alcohol Usage Problems: (Prior to incarceration for parolees)	0 No interference with functioning 2 Occasional abuse; some disruption of functioning 4 Frequent abuse; serious disruption; needs treatment	_____
Other Drug Usage Problems: (Prior to incarceration for parolees)	0 No interference with functioning 1 Occasional abuse; some disruption of functioning 2 Frequent abuse; serious disruption; needs treatment	_____
Attitude:	0 Motivated to change; receptive to assistance 3 Dependent or unwilling to accept responsibility 5 Rationalizes behavior; negative; not motivated to change	_____
Age at First Conviction: (for Juvenile Adjudication)	0 24 or older 2 20 - 23 4 19 or younger	_____
Number of Prior Periods of Probation/Parole Supervision: (Adult or Juvenile)	0 None 4 One or more	_____
Number of Prior Probation/Parole Revocations: (Adult or Juvenile)	0 None 4 One or more	_____
Number of Prior Felony Convictions: (or Juvenile Adjudications)	0 None 2 One 4 Two or more	_____
Convictions or Juvenile Adjudications for: (Select applicable and add for score. Do not exceed a total of 5. Include current offense.)	2 Burglary, theft, auto theft, or robbery 3 Worthless checks or forgery	_____
Conviction or Juvenile Adjudication for Assaultive Offense within Last Five Years: (An offense which involves the use of a weapon, physical force or the threat of force)	15 Yes 0 No	_____
TOTAL		_____

Client's Name _____

Offense _____

State of
Oregon

CRIMINAL HISTORY/RISK ASSESSMENT UNDER RULE 255-35-015

- A. No prior felony or misdemeanor convictions as an adult or juvenile.* 3
 One prior conviction: 2
 Two or three prior convictions: 1
 Four or more prior convictions: 0
 - B. No prior incarcerations (i.e., executed sentences of 90 days or more) as
 an adult or juvenile: 2
 One or two prior incarcerations: 1
 Three or more prior incarcerations: 0
 - C. Age at first commitment of 90 days or more: ** 2
 26 or older: 1
 21 to under 26: 0
 Under 21: 0
 - D. Never escaped, failed parole or probation: *** 2
 One incident of the above: 1
 Any two or more incidents of the above: 0
 - E. Has no admitted or documented heroin or opiate derivative abuse problem,
 or has no admitted or documented alcohol problem: 1
 One or more of the above: 0
 - F. Verified period of 3 years conviction free in the community prior to
 present offense: 1
 Otherwise: 0
- TOTAL HISTORY/RISK ASSESSMENT SCORE: _____

*Do not count convictions over 20 years old, convictions that have been pardoned, or juvenile or adult "status offenses" (runaway, truancy, incorrigibility, drunk in public).

**If no prior commitment, use age at present conviction.

*** Count probation failure only if it resulted from an executed sentence of 90 days or more; count any parole failure, including parole reinstatement under rule 254-175-080.

CRIMINAL HISTORY/RISK ASSESSMENT SCORE:	11-9	8 -6	5 -3	2 -0
	EXCELLENT	GOOD	FAIR	POOR

OFFENSE SEVERITY RATING: (All ranges in Categories 1-6 shown in months)	6	6	6-10	12-18
Category 1	6	6	6-10	12-18
Category 2	6	6-10	10-14	16-24
Category 3	6-10	10-14	14-20	22-38
Category 4	10-16	16-22	22-30	32-44
Category 5	16-24	24-36	40-52	56-72
Category 6	30-40	44-56	60-80	90-130
Category 7				
Subcategory 2	8-10 Yrs	10-13 Yrs	13-16 Yrs	16-20 Yrs
Subcategory 1	10-14 Yrs	14-19 Yrs	19-24 Yrs	24-life Yrs

*The Minimum Term for murders committed after December 7, 1978, shall be twenty-five (25) years, as required by ORS 163.115.

Counselor

Figure 5. RISK AND NEED SCALES FOR COMMUNITY SUPERVISION CLASSIFICATION

RISK LEVEL EVALUATION	
EVALUATION	SCORE
A. Total number of prior felony convictions and juvenile adjudications	
a. None.....	Enter 0 <input type="checkbox"/>
b. One.....	Enter 1 <input type="checkbox"/>
c. Two or more.....	Enter 3 <input type="checkbox"/>
B. Total number of prior Probation/Release Revocations	
a. None.....	Enter 0 <input type="checkbox"/>
b. One or more.....	Enter 2 <input type="checkbox"/>
C. Age of first conviction or adjudication	
a. 24 years or more.....	Enter 0 <input type="checkbox"/>
b. 20-23 years.....	Enter 1 <input type="checkbox"/>
c. 19 years or less.....	Enter 2 <input type="checkbox"/>
D. Current Alcohol Abuse	
a. No apparent problem.....	Enter 0 <input type="checkbox"/>
b. Moderate problems.....	Enter 1 <input type="checkbox"/>
c. Serious problems.....	Enter 3 <input type="checkbox"/>
E. Other Substance Current Abuse	
a. No apparent problem.....	Enter 0 <input type="checkbox"/>
b. Moderate problem.....	Enter 1 <input type="checkbox"/>
c. Serious problems.....	Enter 3 <input type="checkbox"/>
F. Percent of Time Employed, in Training, or in School	
a. 60% or more.....	Enter 0 <input type="checkbox"/>
b. 40-59%.....	Enter 1 <input type="checkbox"/>
c. Under 40%.....	Enter 2 <input type="checkbox"/>
d. Other support.....	Enter 0 <input type="checkbox"/>
G. Number of Address Changes in Last 12 months	
a. None.....	Enter 0 <input type="checkbox"/>
b. One.....	Enter 2 <input type="checkbox"/>
c. Two or more.....	Enter 3 <input type="checkbox"/>
H. Inter-personal Problems in Current Living Situation	
a. None.....	Enter 0 <input type="checkbox"/>
b. Few.....	Enter 1 <input type="checkbox"/>
c. Moderate.....	Enter 3 <input type="checkbox"/>
d. Severe.....	Enter 5 <input type="checkbox"/>
I. Social Interaction	
a. Mainly with non-gang or non-criminally oriented groups/individuals.....	Enter 0 <input type="checkbox"/>
b. Mainly with gang or criminally oriented groups/individuals.....	Enter 3 <input type="checkbox"/>

Figure 4. DANGEROUS AND ADJUSTMENT SCALES FOR INITIAL
INSTITUTION SECURITY CLASSIFICATION

<u>DANGEROUS SCALE</u>	
1. CURRENT OFFENSE SERIOUSNESS Enter 10 if score 5 or higher on the Seriousness Scale, otherwise enter 0	_____
2. EMPLOYMENT Enter 10 if unemployed prior to the commission of the offense. If full time, or part time employed, enter 0	_____
3. AGE SCORE Enter 7 if 22 or under, otherwise enter 0	_____
4. VIOLENT OFFENSE Enter 5 if ever convicted of violent offense against a person, otherwise enter 0	_____
5. EXPECTED LENGTH OF STAY Enter 3 if expected stay is greater than 2 years, otherwise enter 0	_____
	TOTAL SCORE (Add 1 through 5)

<u>ADJUSTMENT SCALE</u>	
1. AGE SCORE (Subtract 14 from current age)	_____
2. NUMBER OF PRIOR CONVICTIONS (Does NOT include current) Number of convictions x 20 (weight) + age score	_____
3. NUMBER OF CONVICTIONS FOR BURGLARY/THEFT Number of convictions x 30 (weight) + age score	_____
4. NUMBER OF CONVICTIONS FOR VIOLENCE AGAINST PERSON Number of convictions x 10 (weight) + age score	_____
5. ESCAPE SCORE Enter 5 if ever convicted of escape	_____
6. CURRENT OFFENSE SERIOUSNESS Enter 10 if score is 7 or lower on the Seriousness Scale, otherwise enter 0	_____
7. PRIOR SUPERVISION HISTORY If there is a record of a technical or new offense violation while on any supervision, enter 5, otherwise enter 0	_____
	TOTAL SCORE*

*Danger and Adjustment Scores are Matrixed and Security Designation Assigned (as shown on page 3).

The Iowa Statistical Analysis Center has found the following categorization of the Illinois Adjustment and Dangerousness scales to be the most useful in identifying high and low risk offenders:

<u>Risk Level</u>	<u>Adjustment Score</u>	<u>Risk Level</u>	<u>Dangerousness Score</u>
POOR RISK	28+	POOR RISK	27+
FAIR RISK	11-27	FAIR RISK	11-26
GOOD RISK	0-10	GOOD RISK	0-10

APPENDIX B



Operational Definitions

"conditional release"

-refers to a structured and supervised program in which an individual is permitted to serve the remainder of his sentence in the community, given that he conforms to the prescribed conditions of his release. For the purpose of this study, conditional release will only include Mandatory Super vision and Full Parole.

"Full Parole"

-is a type of conditional release which allows an individual to serve a portion of his sentence in the community up to a maximum 2/3 of his sentence, based on earned remission while incarcerated.

"Mandatory Supervision"

-is a type of conditional release in which an individual may serve the remainder of his sentence in the community, up to 1/3 of that sentence.

"new-offence"

-refers to any offence committed by an individual while on a conditional release program.

"offence"

-is any contravention of a prescribed law, punishable under the Criminal Code of Canada or any other Federal Statute.

"re-offence"

-refers to any new offence committed by an individual while on a conditional release program which resembles or replicates the offence for which the individual was originally incarcerated.

"revocation"

-means terminating an individuals conditional release program and returning him to an institution of incarceration.

"suspension"

-refers to temporary detention of any individual currently on a conditional release program due to a violation of release conditions.

"violation"

-refers to a breach of any condition of supervised release in the community and/or the committing of a new offence.

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