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FINAL REPORT
ON
TEMPORARY RELEASE PROJECT
SUBMITTED TO
N.Y.S. DEPARTMENT OF CORRECTIONAL
SERVICES

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INTRODUCTION

One of the most significant developments in prison programming in the late sixties and early seventies was the greatly increased use of temporary release programs. The term "temporary release" encompasses a variety of correctional programs in which inmates are temporarily allowed to leave prison without escort for specified purposes. Temporary release programs were instituted to help inmates make the transition from confinement to release to the community. Since over 98% of all offenders are eventually released, reintegration is considered an important goal of prison programs. The most widespread forms of temporary release have been work release, allowing inmates to work at a regular job in the community during the day while returning to the correctional facility at night, and furloughs - leaves from prison several days in duration during which inmates may visit their home or relatives or look for a job or housing prior to release.

Although work release programs were run as long ago as 1906 in Vermont, it was not until the 1960's that work release and other forms of temporary release were adopted in many states on a large scale. Once established, these programs experienced an exceptionally rapid growth. Although most states had not established furlough programs before 1969 or '70, by 1975 over 450,000 furloughs were granted nationwide by state and federal corrections departments.¹

¹"National Survey on Prison Furlough Programs", Corrections Magazine, July/August, 1975.

The rapid growth of these programs demonstrated their popularity with inmates and prison administrators alike. Inmates, of course, were happy to be able to "go outside the walls", if only for a few hours or days. In addition, they were able to see family and friends outside the prison environment, to receive education or training, or to work and earn money, all while serving their sentences. Many prison administrators liked the program because it did much to reduce tension and behavior problems in prison, as well as meeting the reintegration needs of inmates. Temporary release served as an escape valve for pent-up emotions as well as an incentive to good behavior for inmates trying to get into the program.

However, by the early seventies it became clear that prison release programs were in trouble politically. Across the nation states were forced to suspend or curtail release programs due to public outcry over crimes committed by inmates while on temporary release. California, in 1972, was one of the first states to experience political pressure to cut back the program. Releases were reduced from a high of 14,000 in 1971 to 5,000 in '72 and 1,100 in '74.² Other corrections departments to experience political controversy over the program and subsequent cut backs were Massachusetts, Illinois, Washington D.C., and New Jersey. Although in each of these states, inmates who committed crimes while on temporary release represented a small percentage of the total number of inmates participating in these programs, it became clear that a few highly publicized crimes could call the entire program into question. Angry legislators, and administrators who were interested in preserving the program and

²Michael S. Serrill, "Prison Furloughs in America" Corrections Magazine, July/August, 1975.

its perceived benefits to inmates, began to focus more sharply on the question of how inmates were selected for the program.

In 1975, consideration of this selection question lead the New York Department of Correctional Services, which had operated a temporary release program since 1970, to ask the Vera Institute of Justice to study how inmates were being selected for its temporary release programs. A preliminary study of the history of the program and of the existing selection process revealed that New York was experiencing problems similar to those encountered by other states across the country.

In New York, the state legislature enacted a statute authorizing work release from state prisons in 1969.³ The statute was amended in 1972 to expand the range of allowable forms of temporary release to include furloughs, leaves of absence (for medical emergencies), community service, educational leave, and industrial training leave.

Beginning with 33 work release participants in 1970, temporary release had grown to a program which, in 1975, had 2,649 work release participants and granted 30,119 furloughs.⁴ Authority to select inmates for temporary release from New York State prisons was vested in a Temporary Release Committee in each correctional facility. The Temporary Release Committee usually had a representative from each

³New York Corrections Law, Article 26.

⁴Statistics prepared by N.Y.S. Department of Correctional Services, Temporary Release staff. Furlough statistics reflect the number of furloughs granted, not the number of participants. This number includes weekend furloughs granted to inmates on work release. The number of actual participants is estimated to be about 15,000.

of the three main staff areas in the facility: security, parole, and programs. All inmates within a year of possible parole or conditional release (roughly one-half of all inmates incarcerated in state facilities) could apply to the Temporary Release Committee for participation in temporary release.

The Committee, however, had few useful guidelines to follow in deciding on these applications. The criteria in the statute for deciding which inmates should be granted temporary release were very general, merely stipulating that an individual's participation in the program shall be "consistent with the safety of the community... in the best interests of rehabilitation of the applicant and...consistent with rules and regulations of the department".⁵ An administrative bulletin issued by the Department of Correctional Services specified certain categories of inmates not normally to be chosen for the program, but the categories listed were too broad to be practical.⁶ Taken together they excluded the majority of applicants. Department bulletins instructed the Temporary Release Committee to weigh the potential benefits to the inmate and others from his participation against the danger to community safety involved, but this only restated the statutory criteria. No other specific guidelines existed for

⁵New York Corrections Law, Article 26 § 853.4

⁶They are: "(1) those associated with organized crime; (2) the notorious; (3) those convicted of violent crimes against a person; (4) those considered to be escape risks; (5) absconders from bail and parole supervision; (6) those with detainers, holds or warrants; (7) those with additional sentences to follow; (8) those with very long sentences; (9) those known to have made threats against persons outside the institution; (10) those who display undue emotional upset; (11) those confined at institutions for the mentally ill." (New York State Department of Correctional Services, Administrative Bulletin #63, June 22, 1972.)

A Vera survey revealed that this criticism may also be made of program guidelines in other states. Typical exclusions are all inmates who have ever been convicted of a violent crime, organized crime figures, and sex offenders. Some states allow only those who are in minimum custody or within a certain period of release, say 30-60 days, to be considered for the program.

selecting temporary release participants.⁷ The Committee customarily made its decision by reviewing an applicant's case history and then making its own intuitive judgment about whether he should be accepted for temporary release. Both prison staff and inmates found this decision-making system unsatisfactory. Members of the Temporary Release Committee, all of whom had other full-time duties in their correctional facilities, were overburdened by the need to review large numbers of applications. Yet, consequences of an error in judgment were great. The absence of specific criteria governing selection for the program left inmates, as well as staff, with no clear guide to the selection process. Consequently, many saw the selection process as arbitrary and unfair, a perception which caused increased frustration and tension within correctional facilities.⁸

Inmates had many complaints about the selection process. They claimed that temporary release policy varied dramatically from facility to facility. Inmates approved for the program at one institution would be denied in another. Inmates also alleged that grant of temporary release was used as a reward for informing and other types of "cooperation" with facility officials. "Trouble-makers" would be denied participation in the program. Inmates also complained that the process was unreasonably slow. Most applications approved by the Temporary Release Committee had to be sent to Central Office for

⁷New York State Department of Correctional Services, Administrative Bulletin #12 amended and #63, June 22, 1972.

⁸Another consequence of this loosely structured selection process has been charges that entrance into the program can be obtained through payments to Committee members. See, for example, the series of four articles in the New York Daily News, March 21-24, 1976. Allegations of bribes and payoffs have been made in other states experiencing controversy over the program. See Michael S. Serrill, "Prison Furloughs in America" Corrections Magazine, July/August, 1975.

review before the inmate could be released. These referrals increased processing time considerably.⁹ Another source of frustration was the inmate's lack of information about the application process. Applications of some inmates were "lost" or in processing for months. In some facilities pre-selection procedures were employed. Only inmates who had been recommended by a counselor or other staff member were allowed to apply.

Another major area of discontent was the lack of a meaningful appeals procedure. Appeals to Central Office of denials of temporary release could only be taken if the Temporary Release Committee and the Superintendent disagreed on a case, a situation that rarely happened, given the power of the Superintendent over facility life.

A further deficiency of the system was that little information about temporary release applicants, processing, or performance was being collected by the Department in a retrievable form.

After discussion of the preliminary report, the Department asked Vera to design a new selection process with the following primary objectives:

1. to develop a single, efficient selection process for temporary release, to be carried out in a uniform and consistent fashion at various facilities of the Department and explore

⁹This "Special Review" procedure required that applications of inmates falling into the following categories had to be reviewed by Central Office before grant of temporary release.

- 1) inmates with five years or more to maximum expiration date of sentence;
- 2) inmates serving sentence for a sex offense or those with a record involving sexual assaults or aberrations within a 5 year period preceding date of present conviction, or
- 3) inmates serving a sentence for any offense involving use of a weapon in the commission of the crime.

(New York State Department of Correctional Services, Administrative Bulletin Supplement #4 to Administrative Bulletins #12 Amended and #63, August 27, 1974.)

the possibility of using objective point systems to guide or control the selection of inmates for temporary release programs;

2. to increase inmate understanding of and involvement in the selection process;
3. to develop a management information system to monitor effectively the performance of the selection process criteria.

The decision to explore the use of an objective point system to guide or control selection of inmates for temporary release was made for a number of reasons. Vera had had some success in developing a point system to aid decision-making in cases concerning grant of bail or release on one's own recognizance. The Manhattan Bail Project, which is now institutionalized in the New York City criminal justice system as the Criminal Justice Agency, yielded much information about the use of point systems in criminal justice decision-making.

Point systems have several general advantages which appeared to address many of the problems identified in New York's temporary release selection process. They can impose uniformity on the selection process and thereby reduce arbitrariness. All individuals are evaluated using the same criteria, and the relative importance of different criteria is the same for all applicants. This prevents the intrusion of personal bias and clearly inappropriate criteria into the selection process. A point system may, therefore, produce fairer decisions than a subjective judgment process. Point systems also make the basis of decisions explicit and easier to explain to applicants. A further advantage of point systems is that they may be easier and quicker to administer than more subjective decision-making procedures, resulting in a more efficient use of personnel. Finally, the systematic use of a point system may make it easier to detect any corruption

of the decision-making process.

If applied to temporary release applicants, a point system could examine selected aspects of an inmate's record prior to his application for temporary release and award points to those aspects of behavior that are indicative of probable success in the program. Admission into the program could be based upon an applicant's total point score, with applicants with high point scores generally being given preference over those with low scores.

Work began on the development of a point system in December of 1975. A pilot test of the selection process based on an objective point scale was instituted in four Department facilities in the fall of 1976. The pilot point system consisted of 10 items, 6 items detailing criminal history looked at the number of prior felony and misdemeanor convictions, prior incarcerations, parole or probation revocations, outstanding warrants at the time of commitment and the nature of present or prior crimes against the person. Program participation, prior temporary release record and the number and quality of disciplinary infractions were rated in the institutional record portion of the point system.

Point scores were divided into three ranges, low, middle and high. Low scoring inmates were automatically rejected and high scoring inmates were automatically accepted for the program. Applicants who scored in the middle range were referred to the Temporary Release Committee for decision. Inmates in the high range who had a history of mental instability, were members of organized crime, notorious or sex offenders were also referred to the Temporary Release Committee for decision.

Inmates were personally informed of their point scores by a temporary release interviewer, a position created in the development of the new system. Inmates in the middle range appeared before the Temporary Release Committee for a personal interview. All inmates were informed in writing of the Committee's decision and, in cases of denial, given reasons.

The pilot system was closely monitored and the initial results were very encouraging. The new selection process appeared to be fulfilling the original goals of the project quite well. The use of a point system took some pressure off of the Temporary Release Committee by its automatic decision-making capabilities in the low and high range. It also provided a framework for evaluating those inmates who scored in the middle range. The addition of an interviewer to the temporary release staff who could thoroughly review case files and process applications was an important step in making the temporary release process more organized and careful.

In addition, it appeared that the use of the point system did a good job of protecting the temporary release program from failures that would jeopardize public acceptance of the program. The furlough abscondance rate at the pilot facilities declined from 2% to .5% while the number of participants increased by 30%. During the first 7 months of the pilot, 3 absconders were arrested on criminal charges, none for a violent crime. In the first 5 months of the pilot there were only 55 furlough failures of any kind out of 1363 releases. Late returns accounted for 40 of these failures.

Information collected from inmates and staff and from the temporary release Management Information System yielded data useful in

revising the system. Possible revisions were developed and tested. The impact of suggested revisions was researched using a sample drawn from the pilot population. A final revised system was ready for a projected phased-in statewide implementation in the summer of 1977.

The law authorizing temporary release programs was due to expire in September. However, during the course of the spring and early summer of 1977, political opposition to temporary release was mounting. Several temporary release bills were before the legislature, including the Governor's bill which, in part, provided for an expansion of temporary release eligibility. Just as the matter of temporary release was before the legislature, a series of highly publicized crimes by inmates on temporary release from state and city prisons occurred. Two of the crimes were especially serious - an alleged murder and an alleged rape-kidnap, and the program received prolonged attention from the media and the legislature. The temporary release bill that finally passed the legislature in July of 1977 severely curtailed the program. It excluded some inmates from participation in the program and required review by Central Office and the personal approval of the Commissioner in all cases where the applicant had committed any crime against the person. This provision necessitated Central Office review of approximately 75% of all temporary release cases, an overwhelming administrative burden, considering that over 12,000 inmates were entitled to apply for temporary release at least 6 times each year.

These legislative changes required a dramatic modification of the new temporary release selection process. Central Office review, the elimination of which was one of the primary goals of the project, was now mandated by statute. (Central Office review had been found to contribute little to the quality of temporary release decisions

and was extremely time-consuming.) In addition, the legislature emphasized the applicant's current violent crime record rather than evaluating the inmate's entire criminal history as well as his institutional record. The requirement that the Commissioner personally approve all temporary release participants made impossible the use of the automatic high range. The changes also eliminated the possibility of further refining the predictive qualities of the point system. Except in the low range, the new review procedures completely masked the effectiveness of the point system. Inmates who would have been chosen for temporary release under the point system were denied temporary release under the procedures developed in response to the new law.

Therefore, the final temporary release selection process described in this report is a combination of the system that was designed and tested and of procedures required by the new bill. This combination is not, in our view, the best method of selecting inmates for temporary release. The pilot selection process appeared to respond well to the needs of inmates and staff alike without increasing the risk to the public. The revision process further improved the system. It is hoped that, at some future date, it will be possible for the Department to use this point-based selection process for temporary release in its original form. Information derived from the use of the point system should be helpful in developing predictive instruments to aid in decision-making, not only in temporary release, but in parole, classification and other areas of criminal justice.

SUMMARY

This report describes the tasks performed and research undertaken by the Vera Institute as part of an effort to design a new selection process for temporary release programs based on a point system. The development and implementation of the point system for temporary release selection was conducted under a contract with the New York State Department of Correctional Services.

Section I reports on research activities culminating in the development of a trial point system. The research effort began with a study to identify those aspects of an inmate's record, such as criminal history, demographic measures, and institutional behavior, which were associated with and could help predict success in the program. Information on a sample of 146 men and 213 women who had participated in Department temporary release programs was studied to determine if measures that could be incorporated into a point system correlated with success or failure in the program. Also entering into the design of a point system were other considerations, such as the temporary release needs of the inmate population, ease of administration, concern for fairness and the need for assessing the applicant's post-commitment record. The point system that was developed consisted of ten point score items relating to criminal history and institutional behavior. The system awarded points for those factors in an inmate's record which were indicative of probable success on temporary release and deducted points where negative factors were present. The overall distribution of scores was divided into three ranges. Applications scoring in the low range were denied participation and applications scoring in the high range automatically gained entry into the program. Those scoring in the middle range were referred

to the Temporary Release Committee for further consideration. In addition, four types of applicants were identified as requiring additional screening before participation in temporary release could be granted. Applications for offenders with a history of mental instability, sex offenders, members of organized crime and notorious offenders required the approval of the Temporary Release Committee regardless of their score under the point system.

Section II describes the implementation of the point system on a pilot basis and the revisions that were made in the point system as a result of data collected during the pilot. The pilot point system was implemented at four maximum and medium security institutions in September, 1976. The four pilot facilities were Auburn, Wallkill and Elmira, for men, and Bedford Hills, for women. The pilot test of the point system was generally a success. The experience with the point system during the pilot period indicated that it reduced the workload of the Temporary Release Committee and protected the temporary release program from major failures. Inmate reaction to the selection process was mixed. The revisions of the new selection process addressed several criticisms that arose during the pilot period. Both staff and inmates felt that certain aspects of the point system were unfair and tended to have a disincentive effect on institutional behavior. These included the point system's emphasis on prior criminal record and the inability of certain inmates to score high enough for consideration by the Temporary Release Committee regardless of their institutional record.

The research presented in Section II represents an effort to refine and clarify the point system items and to provide inmates with more potential to raise their scores while simultaneously main-

taining the predictive value of the pilot point system. The point score items were reformulated and then tested in order to examine the effects of change in individual items and their cumulative impact on the distribution of scores when combined into revised point systems. Of the various point systems that were examined, three were identified as the strongest candidates for implementation. After further analysis and comparison of the modified point systems, the final revised version was selected and proposed to the Department of Correctional Services.

Section III reports on changes in the context of the Temporary Release Program, in particular, the significant revisions in the overall point selection process made in response to amendment of Article 26 of the Correction Law (authorizing Temporary Release Programs) which became effective on September 1, 1977. Modifications in the revised point system and changes in the selection procedures are described in this section. A more detailed presentation of the new selection procedures as well as the management information forms appears in Appendix A and Appendix B.

Section IV presents the results of several research tasks related to the operation of the temporary release selection process during the pilot period. Changes in the temporary release law and the resulting revisions in the selection process, as well as delays in the implementation of the revised system, forced a reappraisal of the value of carrying out the research tasks as originally described. A complete description of the revised grant tasks is presented in Appendix I. The research tasks were modified to concentrate on the record of the point selection process in its original form. Thus, research was conducted at the four pilot facilities where the point

selection process was first put into effect.

Included in Section IV are descriptive analyses of temporary release acceptance rates both before and after the implementation of the point system and a comparison of the average time to process work release and furlough applications. These studies were designed to explore the effect of the point system, if any, on entry into temporary release programs. The results of the research are interesting in several respects. No consistent patterns could be detected in the processing or approval rates of either furlough or work release applications. Generally, however, the number of applications for both programs increased. For work release, as the number of applications increased, the number of approvals increased but the proportion of approvals decreased, possibly a reflection of better screening under the point system. However, in one facility, the number of work release applications decreased, the number of approvals decreased, but the proportion of approvals increased.

Three facilities experienced an increase in furlough applications while at one facility the number remained essentially the same. For the three facilities which experienced an increase, one facility approved more applications both in number and proportion, one facility approved fewer applications both in number and proportion, and one facility approved greater numbers of applicants but approved less proportionately. There was no change in the number or proportion of approvals at the facility in which the number of applications remained the same.

Whenever possible, an attempt was made to document any pre-existing conditions or events occurring within a particular facility

during the study period that might account for the observed trends. While the findings presented in the second study indicate that the general trend was toward an increase in processing time during the pilot period, this pattern may have been affected by the fact that the initial implementation of the point system coincided with the Thanksgiving and Christmas holidays when the volume of applications is unusually heavy. In sum, the research presented in this section further illuminates the temporary release decision processes while raising additional questions for research.

Section V presents the results of a study of inmate attitudes toward temporary release during the pilot period, including their reaction to the point system and its accompanying selection procedures. A slightly larger percentage of inmates were found to be in favor of the new process, although responses to questions specifically comparing the new selection process to the old were mixed. The analysis also compared differences in responses according to point score range and the inmate's knowledge of the new selection process.

In summary, the studies presented in this report describe the design and development of the point system as well as its operation during the pilot period and document the subsequent modifications of the selection process resulting from the pilot experiences and changes in the temporary release legislation.

SECTION I - THE DEVELOPMENT OF A POINT SYSTEM
FOR TEMPORARY RELEASE SELECTION

INTRODUCTION

Discussions between the New York State Department of Correctional Services and the Vera Institute of Justice resulted in a plan for the development of a new selection process for temporary release programs. It was agreed that the decision-making process would be based on a point system which would be developed within the following framework. The point system was to be viewed as an aid to the decision-making process, not as a way of totally eliminating more subjective judgments. Applications for temporary release would be scored according to a point system under which points would be awarded for the presence of factors in the applicant's record increasing his probability of success in the program. The overall distribution of scores would be divided into three program ranges. Inmates with the highest scores would automatically gain entry into the program, and those with the lowest scores would be denied participation. Inmates in the middle-scoring category would have their applications referred to the Temporary Release Committee. The Committee would use its best judgment in deciding on these cases.

The primary goals in designing a point system to guide selection for temporary release were to identify applicants likely to benefit from and perform well on temporary release while minimizing the risk to the public associated with releasing, if only temporarily, incarcerated felons into the community. Learning how to identify those potentially successful applicants least likely to pose a risk to the community could best be done by examining the performance of a sample of past participants in the program. Consequently, Vera researchers undertook a study of temporary release participants that correlated success or failure in the program with measures that could be incor-

porated into a point system.

RESEARCHING THE POINT SYSTEM

Selection of Sample

Since it was thought that patterns of social and criminal behavior might differ between men and women, the collection of data and the analysis necessary to design a point system were carried out separately by sex. The sample of 146 men included all residents at Edgecombe Correctional Facility, a Department work release facility in Manhattan, who completed or were removed from temporary release from August, 1974 (the date of the facility's opening), through April, 1975. Inmates at Edgecombe after April, 1975, were not sampled since they were unlikely to have been on parole long enough to establish meaningful patterns of parole behavior. The sample of 213 women was taken from a list of work release and educational leave applicants approved at Bedford Hills Correctional Facility for participation in temporary release beginning in November, 1971. To allow for sufficient parole follow-up, the sample included only those women who had completed or had been removed from the program by July, 1975.¹

These two samples contained only participants in work release and educational leave. It was anticipated that the point systems developed for work release and educational leave could be modified, if necessary (for instance, by eliminating consideration of work history or skill level), to make them appropriate for selecting furlough participants.

1. As a result of prior parole release or administrative delays, 22 women in the sample did not participate in temporary release. Since they could not be scored on temporary release success measures, they were not used in the analysis for developing the point systems.

Data Collection

Two types of data were collected for each individual in the samples: (1) information known at the time of application for temporary release that might be useful in predicting performance in the program, and (2) measures of success or failure in temporary release. Predictor data examined were of three kinds: demographic variables (such as age, education, occupational history and marital status), criminal history (juvenile record, number of felony convictions, previous parole or probation violations, and so on), and behavior in Department facilities prior to application (such as disciplinary behavior and program participation).

The success and failure measures examined were chosen against the background of the general goals of temporary release - to ease the transition of inmates from remote maximum security prisons to the community and to provide an opportunity for rehabilitative experiences, either in the family or at work, before release.² One category of success measures focused on the participant's performance during work release itself - whether the individual found and kept a job, avoided disciplinary problems at the temporary release facility, and did not abscond or get rearrested.³ Since one goal of temporary release is

2. As with other correctional programs, there is little conclusive evidence that temporary release programs rehabilitate inmates. For an attempt to demonstrate that work release does reduce recidivism, see Robert Jeffrey and Stephen Woolpert, "Work Furlough as an Alternative to Incarceration--An Assessment of its Effect on Recidivism and Social Cost," Journal of Criminal Law and Criminology, September, 1974. For a Florida study which shows no appreciable differences in recidivism for work release participants, see Gordon P. Waldo and Theodore G. Chiricos, "Work Release and Recidivism--An Empirical Evaluation of a Social Policy," Evaluation Quarterly, February, 1977.

3. The nature of the data available in Department files limited the measures of work release performance that could be developed in the present study.

to facilitate inmate reintegration into society, other success measures examined the participant's performance after completion of the program, while on parole. As with temporary release performance, parole performance was measured by employment, avoidance of re-arrest or abscondance, and so on. In view of the transitional nature of temporary release, an additional success measure was continuity from temporary release to parole: did the inmate keep his work release job (or change to a better one), or did he quit his job soon after being paroled and have only a sporadic work history thereafter?

Data were collected from several sources. Predictor variables and performance in temporary release were obtained in most cases from the files of the appropriate temporary release facility. Parole follow-up information was obtained by contacting parole officers.

Coding

Once data collection neared completion, code building began. For most variables, such as date of birth and educational level, the construction of a code was straightforward. Other codes, such as occupation, were built by reading through a representative group of the data collection forms and devising categories that would reflect meaningful variations in the data. Each case was coded on sheets corresponding to 80 byte computer cards. Coders were instructed to make note of any problems that arose, and all coding was checked, with special attention given to codes requiring the most judgment.

After coding, the data was keypunched and verified. Coding was once again checked by instructing the computer to list cases with logically inconsistent codes, such as individuals coded with prior

felony convictions but no previous arrests. Similar checks were performed on items that, although not logically inconsistent, were substantively unlikely, for instance, participation in a drug counseling program without a history of drug use.

Data Analysis

Analysis of the data began by examining the relationships between each predictor variable, such as prior incarceration or skill level, and the various success/failure measures, such as abscondance on temporary release or arrest on parole. For the most part, cross-tabulation was used to explore the relation between the predictor variables and the success/failure measures.⁴

The first stage of the analysis located the strongest predictors of program success/failure, which were then considered for inclusion in point systems. Those variables whose predictive ability was poor or inconsistent, such as military service and education, were eliminated.

A few selected tables are presented out of the hundreds examined in the course of the research. Tables 1 through 6 give a taste of the different kinds of relations found in the data.

4. See the Section "Alternative Techniques" on page 28 for a discussion of the results obtained with more sophisticated statistical techniques.

TABLE 1
 PRIOR DISCIPLINE BY ABSCONDANCE
 (Men)

		<u>Number of Disciplinary Infractions Prior to Participation in Temporary Release</u>		
		<u>0</u>	<u>1 or 2</u>	<u>3 or more</u>
Did Participants Abscond during Temporary Release?	No	92%	84%	80%
	Yes	<u>8%</u>	<u>16%</u>	<u>20%</u>
		100%	100%	100%
(N)		(61)	(44)	(40)

Table 1, prior disciplinary record by abscondance, indicates that the likelihood of absconding from temporary release increased with the number of prior disciplinary infractions. The difference in abscondance rates between the group with no disciplinary infractions and the group with three or more is, however, only 12 percentage points. This amount of fluctuation in the dependent variable across the range of variation in the independent variable is typical of the strength of relationships between the independent and dependent variables in the study.

The relationship described in Table 2, juvenile delinquency history by continuity from temporary release to parole is atypical.⁵ The

5. As discussed on Page 4, continuity of behavior from temporary release to parole is an important success measure in view of the program's goal of facilitating re-entry into society. The "yes or improved" continuity measure in Table 2 includes all those who kept the same job or continued in the same educational program when moving from temporary release to parole as well as those whose performance on parole improved over that on temporary release (e.g., they changed to a better job).

Relationship between the predictor and success variables is one of the strongest in the study. Of those men who had histories of juvenile delinquency, only 21 percent exhibited continuity from temporary release to parole, whereas 55 percent of those without juvenile histories had continuity.⁶

TABLE 2
HISTORY OF JUVENILE DELINQUENCY BY CONTINUITY⁷
(Men)

		<u>History of Juvenile Delinquency</u>	
		<u>NO</u>	<u>YES</u>
Continuity from Temporary Release to Parole	No	45%	79%
	<u>Yes or Improved</u>	<u>55%</u>	<u>21%</u>
		100%	100%
(N)		(82)	(19)

6. This table does not include those participants who were removed from the program, absconded, etc., while on temporary release and hence were not on parole supervision prior to data collection. This accounts for the smaller number of individuals in Table 2 than in Table 1. Similarly, other tables based on measures of parole performance do not include all members of the original sample.

7. This finding held for various measures of success on temporary release and parole and was consistently observed for both men and women. Individuals in the tenth or eleventh grade category also have other characteristics associated with poor performance such as youth, previous juvenile history and drug addiction. This pattern may reflect the policies of the New York City school system under which individuals can legally drop out of school at age 16 or 17, the age when they would most likely be in the tenth or eleventh grade.

Table 3 offers the example of a variable, educational level, that was eliminated from further consideration for inclusion in the point system since success rates did not change consistently with educational level. That is, individuals with tenth or eleventh grade educations had a lower success rate in finding a job than other participants with either more or less education. While it would be possible to assign points to educational level in such a way as to reflect the predictive ability of this variable (for example, giving 2 points to High School graduates, 1 point to those with ninth grade or less, and 0 points to those in the tenth or eleventh grade), this would be inadvisable. The value this society places on attaining as high a level of formal education as possible would make it seem unfair to award more points under the point system to an applicant who had completed the eighth grade than to one who had completed the eleventh grade.

TABLE 3

EDUCATIONAL LEVEL BY FINDING A JOB ON WORK RELEASE

		(Men)		
		<u>Educational level</u>		
		<u>Through 9th</u>	<u>10 or 11</u>	<u>High School gradu- ate or better</u>
Did participant find a job on work release?	No	16%	25%	9%
	<u>Yes</u>	<u>84%</u>	<u>75%</u>	<u>91%</u>
		100%	100%	100%
(N)		(37)	(44)	(35)

Since this table does not include individuals on educational leave, the number in the table is less than the total sample of men.

Table 4 illustrates a variable that had no predictive value. The same percentage (14%) of those with prior military service absconded from temporary release as did those without prior service. Overall, of the twelve tables relating success variables to military service, five showed those with prior military service performing slightly better than those without service, four revealed those with service doing worse than those without, and three showed no difference between the two groups. Military service was therefore eliminated from further consideration for the point system.

TABLE 4
PRIOR MILITARY SERVICE BY TEMPORARY RELEASE ABSCONDANCE

		<u>Military Service</u>	
		<u>No</u>	<u>Yes</u>
Did participant abscond on temporary release?	No	86%	86%
	<u>Yes</u>	<u>14%</u>	<u>14%</u>
		100%	100%
	(N)	(104)	(35)

Table 5 shows the predictive relationship in the case of women participating in temporary release between length of previous employment and continuity. The longer a participant had been employed previously the more likely she was to exhibit behavioral continuity from temporary release to parole. This relation between previous employment and continuity is just one example of the many predictive relationships studied which are more or less the same for both men

and women. One exception was marital status. Marital status was generally more predictive of success for the sample of men than for the women. For example, married men were more likely than other men

TABLE 5
LENGTH OF MOST RECENT EMPLOYMENT BY CONTINUITY
(Women)

		<u>Length of Employment</u>		
		<u>Never Worked</u>	<u>Less than One year</u>	<u>Year or More</u>
Continuity from temporary release to parole?	No	83%	73%	57%
	<u>Yes</u>	<u>17%</u>	<u>27%</u>	<u>43%</u>
		100%	100%	100%
(N)		(46)	(62)	(35)

to perform better on both temporary release and parole, although none of the remaining marital categories exhibited a consistent pattern of failure. For the women, on the other hand, no category of marital status demonstrated consistent success or failure across a variety of success measures. Table 6 is a typical example. Unlike the men there is no difference between single and married women in terms of their disciplinary record while on temporary release.

Other tables, however, showed different patterns. In sum, marital status was eliminated from further consideration because of its inconsistency, and also because of its prejudicial effect on younger applicants.

TABLE 6
 MARITAL STATUS BY DISCIPLINE IN TEMPORARY RELEASE
 (Women)

		<u>Marital Status</u>			<u>Separated, Widowed, Divorced</u>
		<u>Single</u>	<u>Common-law</u>	<u>Married</u>	
Disciplinary in- fractions in tem- porary release	None	67%	77%	68%	77%
	<u>1 or more</u>	<u>33%</u>	<u>23%</u>	<u>32%</u>	<u>23%</u>
		100%	100%	100%	100%
(N)		(72)	(34)	(25)	(77)

As a consequence of this screening for a relationship between possible predictor variables and the various success/failure measures, the following variables were retained for further investigation:

- | | |
|--------------------------------------|--|
| age at beginning of present sentence | number of previous misdemeanor convictions |
| age at entry into work release | previous parole or probation violations |
| record of juvenile delinquency | prior incarceration following a conviction |
| history of drug addiction | outstanding warrants |
| occupational skill level | convictions for violent crimes against the person |
| length of most recent employment | number of disciplinary infractions for current incarceration |
| number of dependents | participation in vocational programs |
| number of prior arrests | record of successful furlough |
| number of previous convictions | |
| number of prior felony convictions | |

The relationship found between these predictor variables and program success can be summarized in this way: (1) demographic

variables that indicate greater personal stability (such as greater age and length of latest job) and stronger links to the community (such as number of dependents) were associated with success in the program. (2) Long or involved criminal histories were associated with a higher risk of program failure. (3) Finally, good institutional adjustment was associated with program success.⁸

One important finding emerging at this stage was that there did not appear to be sets of variables that predicted one aspect of program success, such as employment on work release, but not other types of performance, such as recidivism or abscondance. Instead, those variables that were predictive were for the most part predictive for all aspects of program success or failure. It would not, therefore, be necessary to choose among alternative point systems which would each predict some aspect of program success/failure better than others.

DESIGNING THE POINT SYSTEM

General Considerations in Point System Design

While the ability to predict success in the program, including minimizing risk to the community, was the single most important criterion in designing the point system, other considerations were also taken into account.

Need for the possible benefits resulting from participation in the program was an important consideration in designing the point system. Among the possible benefits of participation in work release,

8. See "Incorporated Program Participation", below.

for example, is the chance to acquire regular work habits and, to a lesser extent, skills learned on the job.⁹ Inmates most in need of these possible benefits have several characteristics in common: they are younger, have fewer skills, have more sporadic work histories, have lower educational attainment, and so forth. Thus a point system designed to select into the program those who need it most should avoid discriminating against individuals with these characteristics.

The use of certain types of information in a point system may be inadvisable on ethical or legal grounds. A number of variables, such as ethnicity, marital status, juvenile record, and number of arrests, which have been explored in previous criminological studies, were included in this study for the purposes of basic research. Although they were examined in the preliminary analysis of data, they were not incorporated in the point system because of the ethical and legal problems inclusion would have raised. For example, juvenile record and number of arrests were excluded to avoid penalizing applicants on the basis of unadjudicated allegations of criminal behavior.

Administrative considerations are also relevant in designing a point system. Because the accuracy of the data used to calculate scores is crucial to the fairness of the point system, the items in the point system should be easily verifiable. For example, items

9. The skill level of many work release jobs is low, and participants may have little opportunity to acquire skills. Nevertheless, since regular attendance and satisfactory job performance are to some extent conditions for remaining in the program, there are incentives for the inmate to do well in the program and possibly acquire good work habits. The extent to which participants profit from the experience has not been systematically evaluated, so these considerations remain speculative.

measuring the extent of an applicant's community ties, such as number of dependents and length of prior employment, are more difficult to verify than criminal history and institutional behavior, and are therefore less preferable, other things being equal, for inclusion in a point system. The various point systems in use should also be as similar to one another as possible. The routine processing of a large number of applications is eased if work release and furlough point systems, for example, are similar or identical. Also, the likelihood of charges of unfair sexual discrimination will be decreased if point systems for men and women can be made similar or identical, provided this results in no significant loss in predictability for either group.

Since the number of openings in the work release and educational leave programs is limited, the boundaries of the scoring ranges in the point system should be set so that the number approved for those programs is roughly equal to the number of places available.¹⁰ This means that the distribution of point scores should be sufficiently

10. Contrast this situation to the use of a point system in guiding bail release decisions. Since there is no limit to the number of cases that can be, for example, released without bail, each release decision is made independently of other decisions. Point systems used in release without bail decisions thus evaluate each defendant's suitability for the program on an absolute basis, that is, a recommendation for release on own recognizance is made if the defendant's probability of reappearing is estimated to be above a certain level deemed compatible with low risk to the community. With work release and educational release decisions, though, the limitation on the overall number of participants means that applicants are evaluated relative to each other. The point system is used to rank applicants in terms of their probability of success in the program, and highest scoring applicants -- that proportion of all applicants who can be accommodated in the program -- are selected for participation.

continuous so that small changes in the position of the boundaries between scoring categories will make small changes in the flow of participants into the program. One way of ensuring a smooth distribution is through the use of a large number of items and/or gradations within each item, more than would be necessary solely in the interest of predictability. For instance, a point system based on five or six items might be as good a predictor of temporary release performance as a point system based on ten items. But the distribution of scores resulting from its application to applicants for temporary release would tend to contain clusters of scores. Increasing the number of point system items would make the distribution smoother, and the point system easier to administer.

Finally, incentives may play a role in point systems for temporary release. Since it is desirable both to maintain order in correctional facilities and to encourage applicants to participate in educational, vocational, or counseling programs, points might be awarded to inmates with good disciplinary records and a favorable history of program participation.

Construction of Point Systems

After the data gathered about previous temporary release participants was analyzed, selected predictor variables were combined into trial point systems. These were then tested to determine their ability to predict program success. Each sample member was scored on the various point systems, and the resulting frequency distribution of each point system was examined. The scores of each point system were grouped into three ranges--low scores, medium scores, and high scores--

with roughly equal numbers of individuals in each. The three resulting categories for each trial point system roughly corresponded to the three categories under the proposed selection process -- the automatically rejected group of applicants, the discretionary group, and the automatically accepted group, respectively. Altogether, 37 different point systems were constructed for the men and 26 for the women. Most of the point systems constructed for the women were identical to the ones devised for the men.

As examples of the point systems tested, this section presents four point systems that differ in the relative emphasis they place on the considerations discussed in the section. The choice of the point system to be tested in Department facilities was made from among these four. Common to all four systems is the following core of ten items.

Criminal History

1. Previous incarceration (1 point if none, 0 points if one or more).
2. Number of prior felony convictions (1 point if none, 0 points if 1, minus 1 point if 2 or more).
3. Number of prior misdemeanor convictions ($\frac{1}{2}$ point if none, 0 points if 1 or more)
4. Previous parole or probation violations (1 point if none, 0 points if 1 or more).
5. Outstanding warrants (1 point if none, 0 points if 1 or more).
6. Nature of prior and current convictions of crimes against the person (minus one point if any rape, murder, manslaughter, or first degree arson convictions; 0 points if any robbery or assault convictions; 1 point if no convictions of violent crimes against the person).

Institutional Behavior

7. Program participation (1 point if participated in any program, 0 points if no participation).
8. Discipline I (1 point if two or fewer Adjustment Committee decisions imposing an actual penalty within past year; 0 points if three or more).
9. Discipline II (1 point if no Adjustment Committee decisions imposing actual penalty within last three months; 0 points if one or more).
10. Previous furloughs (minus 2 points if had any failures -- arrest, abscondance or late return -- within last three months; minus 1 point if any failures within last six months; 0 points if had no furloughs, 1 point if had only successful furloughs in last six months).

The four point systems were defined as follows:

Point System No. 1

CORE ITEMS +

1. Age at application (1 point if 26 or older, 0 points if 25 or younger).
2. Occupational skill level (1 point if semi-skilled or better, 0 points if unskilled).
3. Length of most recent employment (1 point if year or longer, 0 points if less than 1 year).

Point System No. 2

CORE ITEMS +

1. Age at application.

Point System No. 3

CORE ITEMS +

1. Age at application.
2. Two point bonus if employed on most recent job for less than one year.

Point System No. 4

CORE ITEMS ONLY

Selected characteristics of these point systems are presented in Tables 7 through 12. The point scores in these tables have been grouped into three ranges as discussed on page 15.¹¹ The highest and lowest scoring applicants would be automatically accepted and rejected, respectively, while those in the middle range would have their applications referred to the Temporary Release Committee for discretionary decision.

Tables 7 and 12 show that to some extent all four point systems predict performance in the program in terms of risk to the community, disciplinary behavior, and job performance. Each point system tends to screen out of the automatically accepted category individuals with long criminal records and convictions of violent crimes against the person.

11. The point scores in Tables 7 through 12 were divided into three groups with roughly equal numbers of participants in each. This decision about the relative size of the categories was tentative and was made to obtain a preliminary assessment of the point systems' predictive abilities. The final positioning of the category boundaries is discussed in "Setting Category Boundaries," below.

TABLE 7

MEN POINT SYSTEM # 1

	Automatically Rejected (N=30)	Discretionary (N=2)	Automatically Accepted (N=46)	Overall Incidence (N=146)
<u>Community Safety and Discipline</u>				
1. % Absconding	29	13	2	14%
2. % with any TR Discipline Infractions	50	30	24	33%
3. % with Major Failure ¹	37	15	2	17%
4. % Recidivating ²	34	25	13	23%
5. % Having Parole Revoked	23	13	13	18%
<u>Job Performance</u>				
6. % Finding Job	69	85	92	83%
7. % Keeping Job	82	84	100	89%
8. % Job Continuity ³ from TR to Parole	22	49	62	48%
<u>Population Characteristics</u>				
9. % Unskilled	54	36	19	35%
10. % Worked Less Than 1 Year, most recent job	74	48	15	44%
11. % Violent Crime I ⁴	21	15	6	13%
% Violent Crime II	62	46	23	41%

NB: Percentages do not sum to 100 since complements to these categories are not included.

¹Major failure includes all those who absconded while on temporary release, were arrested for committing a new crime, or were removed from the program for major disciplinary problems.

²Recidivating includes all those arrested on a new charge while either on TR or parole. Since the incidence of new arrests in TR is small (less than 1% for the women, about 5% for the men), most of those arrests occurred on parole.

³Job continuity is described as keeping the TR job on to parole for at least six months, or by changing to a better job with no lengthy lapse in employment record.

⁴Violent Crime I includes murder, manslaughter, rape; Violent Crime II includes robbery and assault.

TABLE 8

MEN POINT SYSTEM # 2

	Automatically Rejected (N=46)	Discretionary (N=50)	Automatically Accepted (N=47)	Overall Incidence (N=146)
<u>Community Safety and Discipline</u>				
1. % Absconding	19	20	2	14%
2. % with any TR Discipline Infractions	40	34	25	33%
3. % with Major Failure ¹	28	20	2	17%
4. % Recidivating ²	32	25	13	23%
5. % Having Parole Revoked	27	15	13	18%
<u>Job Performance</u>				
6. % Finding Job	72	81	95	83%
7. % Keeping Job	89	79	97	89%
8. % Job Continuity ³ from TR to Parole ³	28	50	62	48%
<u>Population Characteristics</u>				
9. % Unskilled	35	43	27	35%
10. % Worked Less Than 1 Year, most recent job	45	56	29	44%
11. % Violent Crime I ⁴	21	16	2	13%
% Violent Crime II	54	45	23	41%

NB: Percentages do not sum to 100 since complements to these categories are not included.

¹Major failure includes all those who absconded while on temporary release, were arrested for committing a new crime, or were removed from the program for major disciplinary problems.

²Recidivating includes all those arrested on a new charge while either on TR or parole. Since the incidence of new arrests in TR is small (less than 1% for the women, about 5% for the men), most of those arrests occurred on parole.

³Job continuity is described as keeping the TR job on to parole for at least six months, or by changing to a better job with no lengthy lapse in employment record.

⁴Violent Crime I includes murder, manslaughter, rape; Violent Crime II includes robbery and assault.

TABLE 9

MEN POINT SYSTEM # 3

	Automatically Rejected (N=44)	Discretionary (N=51)	Automatically Accepted (N=51)	Overall Incidence (N=146)
<u>Community Safety and Discipline</u>				
1. % Absconding	16	24	2	14%
2. % with any TR Discipline Infractions	36	44	20	33%
3. % with Major Failure ¹	23	24	4	17%
4. % Recidivating ²	28	26	18	23%
5. % Having Parole Revoked	25	20	10	18%
<u>Job Performance</u>				
6. % Finding Job	76	79	93	83%
7. % Keeping Job	90	91	87	89%
8. % Job Continuity ³ from TR to Parole ³	32	47	60	48%
<u>Population Characteristics</u>				
9. % Unskilled	27	39	39	35%
10. % Worked Less Than 1 Year, most recent job	18	56	52	44%
11. % Violent Crime I ⁴	23	14	4	13%
% Violent Crime II	48	47	29	41%

NB: Percentages do not sum to 100 since complements to these categories are not included.

¹Major failure includes all those who absconded while on temporary release, were arrested for committing a new crime, or were removed from the program for major disciplinary problems.

²Recidivating includes all those arrested on a new charge while either on TR or parole. Since the incidence of new arrests in TR is small (less than 1% for the women, about 5% for the men), most of those arrests occurred on parole.

³Job continuity is described as keeping the TR job on to parole for at least six months, or by changing to a better job with no lengthy lapse in employment record.

⁴Violent Crime I includes murder, manslaughter, rape; Violent Crime II includes robbery and assault.

TABLE 10

MEN POINT SYSTEM # 4

	Automatically Rejected (N=40)	Discretionary (N=51)	Automatically Accepted (N=55)	Overall Incidence (N=146)
<u>Community Safety and Discipline</u>				
1. % Absconding	20	22	2	14%
2. % with any TR Discipline Infractions	35	45	21	33%
3. % with Major Failure ¹	23	28	2	17%
4. % Recidivating ²	31	28	14	23%
5. % Having Parole Revoked	25	19	13	18%
<u>Job Performance</u>				
6. % Finding Job	71	80	94	83%
7. % Keeping Job	88	97	91	89%
8. % Job Continuity ³ from TR to Parole	32	53	54	48%
<u>Population Characteristics</u>				
9. % Unskilled	34	33	38	35%
10. % Worked Less Than 1 Year, most recent job	44	50	39	44%
11. % Violent Crime I ⁴	20	18	4	13%
% Violent Crime II	56	40	30	41%

NB: Percentages do not sum to 100 since complements to these categories are not included.

¹Major failure includes all those who absconded while on temporary release, were arrested for committing a new crime, or were removed from the program for major disciplinary problems.

²Recidivating includes all those arrested on a new charge while either on TR or parole. Since the incidence of new arrests in TR is small (less than 1% for the women, about 5% for the men), most of those arrests occurred on parole.

³Job continuity is described as keeping the TR job on to parole for at least six months, or by changing to a better job with no lengthy lapse in employment record.

⁴Violent Crime I includes murder, manslaughter, rape; Violent Crime II includes robbery and assault.

TABLE 11

WOMEN POINT SYSTEM # 4

	Automatically Rejected (N=67)	Discretionary (N=80)	Automatically Accepted (N=57)	Overall Incidence (N=213)
<u>Community Safety and Discipline</u>				
1. % Absconding	10	5	0	6%
2. % with any TR Discipline Infractions	48	18	20	28%
3. % with Major Failure ¹	35	10	9	17%
4. % Recidivating ²	29	20	0	18%
5. % Having Parole Revoked	21	13	9	14%
<u>Job Performance</u>				
6. % Finding Job	96	91	95	94%
7. % Keeping Job	74	87	90	83%
8. % Job Continuity ³ from TR to Parole ³	23	27	38	29%
<u>Population Characteristics</u>				
9. % Unskilled	54	46	53	50%
10. % Worked Less Than 1 Year, most recent job	83	79	67	77%
11. % Violent Crime I ⁴	36	48	0	32%
% Violent Crime II	42	23	9	25%

NB: Percentages do not sum to 100 since complements to these categories are not included.

¹Major failure includes all those who absconded while on temporary release, were arrested for committing a new crime, or were removed from the program for major disciplinary problems.

²Recidivating includes all those arrested on a new charge while either on TR or parole. Since the incidence of new arrests in TR is small (less than 1% for the women, about 5% for the men), most of those arrests occurred on parole.

³Job continuity is described as keeping the TR job on to parole for at least six months, or by changing to a better job with no lengthy lapse in employment record.

⁴Violent Crime I includes murder, manslaughter, rape; Violent Crime II includes robbery and assault.

TABLE 12
PERCENT IN EACH CATEGORY OF THE TRIAL POINT SYSTEMS
(Aged 26 or Less)
(Men)

<u>Point System</u>	<u>LOW</u>	<u>MIDDLE</u>	<u>HIGH</u>
	<u>Automatically Rejected</u>	<u>Discretionary</u>	<u>Automatically Accepted</u>
1	53%	29%	17%
2	40	33	21
3	32	31	31
4	28	32	34

Cell numbers are the percent in the category of the appropriate point system that are age 26 or less. Since the complements to each cell are omitted, the results do not add to 100% either by rows or columns.

Point System 1 is the strongest predictor of success, of the four point systems. Of the eight success variables in Tables 7 through 10 (the first eight rows of each table), Point System 1 shows the greatest predictability on six, as measured by the percentage point difference between the automatically rejected and automatically accepted categories.¹²

While it is the strongest predictor of success, Point System 1 has certain disadvantages. One is administrative. Skill level and length of most recent employment are difficult to verify. Since Point

¹². Point System 1 was also the best predictor of all the point systems examined in this research. Thus it is a touchstone against which the predictability of other point systems may be gauged.

System 1 awards points for skills and jobs held a year or longer, inmates have an incentive to misrepresent these facts. Although case folders do contain data on occupational history, lengthy and time-consuming checks with former employers would be required to resolve disputes about this information.

Another disadvantage of Point System 1 is that it may screen out individuals most in need of the program. As shown in Table 7, only 19 percent of the automatically accepted group are unskilled, and, as indicated in the first line of Table 12, only 17 percent of the automatically accepted group were twenty-six or younger at the time of their admission into work release or educational leave. Thus, Point System 1, because it awards points to skilled, older, and longer-employed inmates, would tend to screen out individuals with the greatest need for the program -- younger inmates with no skills and poor work histories.

Point System 2 attempts to correct some of the deficiencies of Point System 1 by omitting the two work-related items. As inspection of Tables 7 through 11 shows, this omission somewhat reduces its predictive ability. One advantage of Point System 2, however, is that it gives the young and the unskilled a better chance of entry into the program. It would also be easier to administer because its components pose fewer verification problems than those of Point System 1.

Point System 3 was developed to take positive action to address the "need" problem. This point system awards two points to those applicants who held their most recent job for less than a year. Since

inmates with lengthier previous employment perform better in the program, awarding points in this manner works directly against the predictive ability of the point system. The difference in percentages of applicants with major program failure between the two outer categories (automatically rejected and automatically accepted) falls from 26 points for Point System 2 to 19 points for Point System 3. Addition of need as a point system item makes applicants likely to have a major failure in the program more difficult to identify. Point System 3, however, as shown in Table 9, improves the chance inmates with poor occupational histories have of getting into the program. One cost of this achievement, though, is to re-introduce the problem of verifying the length of an applicant's most recent employment.

Point System 4 consists of the ten core items. Among its several advantages is that it does not discriminate against younger inmates, as shown in Table 12. This results from the omission of age in the point system and the fact that six of the ten items in the point system measure criminal behavior. Since, on the average, younger applicants have shorter criminal histories than older ones, the point system's penalizing of extensive criminal histories discriminates in their favor. (Compare the age distribution on Point System 1 in Table 12.) Point System 1 discriminates against the young in two ways: by awarding points to older inmates, and by giving points to skilled and semi-skilled applicants and to those employed for a year or longer on their most recent job (two conditions that are more likely to be met with increasing age).

Similarly, Point System 4 does not discriminate against applicants with poor work histories as do Point Systems 1 and 2.¹³ Point System 4 is also the strongest predictor for women of the four point systems. Since it is desirable that the same point system be used for both men and women, the only disadvantage Point System 4 has is that for men it is not as strong a predictor of success as is the first point system.

While each of these point systems is predictive of temporary release success to some degree, none is a very strong predictor. For example, of the five success measures pertaining to community safety, the four point systems are best at predicting "major temporary release failure." Point System 1 discriminates maximally between successes and failures on this variable, with a difference of 35 percentage points between the "automatically rejected" and "automatically accepted" groups (see Table 7, line 3). But even here there is "overprediction." The majority of those applicants in the automatically rejected group, 63 percent (=100% - 37%), do not, in fact, have major failure on temporary release.

It is probable, however, that these point systems will prove to be stronger predictors when applied to the entire applicant population. The samples used in this research were composed of participants who had already been screened by the temporary release committees. By eliminating those applicants least suitable for the pro-

13. Point System 4 does not do as well in this regard as Point System 3, of course, since the latter was specifically designed to increase this subgroup's chances of entry into the program through the use of bonus points.

gram, this screening process reduced the amount of variation in the sample of important variables such as criminal history and disciplinary problems. Since, in descriptive statistics, restricting the range of variation of variables weakens their predictive ability, the point systems may be stronger predictors for the total applicant population.¹⁴

Because of its advantages, Point System 4 was chosen for trial use in four Department facilities. Several minor changes were made in Point System 4, however, to make it more suitable for routine use in an institutional setting. The final version of Point System 4 is as follows.¹⁵

(Changes are in italics)

Criminal History

1. Previous incarceration *following a conviction* (2 points if none, 0 points if one or more).
2. Number of prior felony convictions (2 points if none, 0 points if 1, minus 2 points if 2 or more)
3. Number of prior misdemeanor convictions (1 point if none, 0 points if one or more).
4. Previous revocations of parole or probation *if resulting from abscondance or rearrest* (2 points if none, 0 points if 1 or more).

14. On this point see, for example, Hubert M. Blalock, Jr., Social Statistics (New York: McGraw Hill, 1960), p. 291.

15. This point system differs from earlier ones in that the most common increment is two points, as opposed to one point increments of earlier systems. The main purpose of this change is to avoid the one-half point increment of misdemeanor convictions, yet still maintain the relative weighting between this and other predictors. To avoid point scores with negative numbers, 25 points were added to each score.

5. Outstanding warrants *at time of commitment* (2 points if none; 0 points if 1 or more).
6. Nature of prior and current convictions of crimes against the person (minus 6 points if any convictions for murder or sex crimes or for kidnapping first or second degree. Minus 4 points if any manslaughter or first and second degree arson convictions; minus 2 points if any robbery, assault, possession of dangerous weapon, menacing or first degree reckless endangerment convictions; 0 points if no convictions of violent crimes against the person).

Institutional Behavior

7. Program participation (2 points if completed program or participated continuously for six months during the last two years or if carried out any work assignment or series of work assignments for ten months out of the past year; 0 points if not).
8. Discipline I (2 points if two or fewer Adjustment Committee decisions imposing an actual penalty within past year; 0 points if three or more).
9. Discipline II (2 points if no Adjustment Committee decisions imposing an actual penalty within last three months; 0 points if one or more).
10. Previous furloughs: Minus 6 points if convicted of a crime (or arrested, pending disposition of charges) or absconded while on temporary release within the last year; minus 3 points if convicted of a crime (or arrested, pending disposition of charges) or absconded while on temporary release from one to two years ago; minus 2 points if returned late or under influence of drugs or alcohol within the past 6 months; plus 4 points if most recent participation on temporary release was successful and occurred during the past year. 0 points if none of the above.

All of these final changes in Point System 4 were made on the basis of considerations other than predictability. Items 1 and 5 were defined more tightly to prevent their misinterpretation. The more narrow wording of Item 4 reflects the belief that denial of points should rest on a more objective basis than a parole or probation officer's discretionary judgment. Elaborations in Items 6

and 10 were made so that they would cover all possible variations in these items. Finally, as the next section describes, the changes in Item 7, "Program Participation," reflect a tradeoff between research findings and other considerations, such as administrative feasibility and concern for fairness.

Incorporating Program Participation

The early phase of the research (see "Data Analysis" above) found that participants in facility vocational programs did slightly better in temporary release than applicants who did not participate in these programs. Participants in educational programs, on the other hand, did not perform as well as non-participants.¹⁶ If predicting success was the sole consideration in designing the point system, participants in vocational programs would gain points, while those in educational programs would lose them. This would not be a wise policy, however. First, it would appear unfair to inmates because it rewarded participation in some Department programs while penalizing participation in others. Secondly, it would explicitly establish a distinction between desirable and undesirable programs.

16. One cannot infer from this finding, however, that vocational programs in correctional facilities are better than educational programs, since there are probably differences between the populations participating in vocational as opposed to educational programs. While inmates are not required to participate in any programs, individuals who score below certain levels on scholastic tests are strongly encouraged to enroll in educational programs. Assuming that inmates who score lowest in scholastic achievement are also likely to perform poorly in other programs, the different success patterns for the two types of programs are easily explained.

Inmates would have an incentive to participate in vocational programs, earning them points on the point system, even if educational programs were better suited to their needs. If program assignments followed inmate preferences, there would be a tendency to overload vocational programs, while leaving educational programs begging for participants. Clearly, if program participation is rewarded, it must be rewarded without regard for the type of program.

The same considerations argue against making any major distinction in the point system between programs and work assignments. Inmates in different facilities have varying access to programs. Failure to reward steady performance in a work assignment would unfairly penalize applicants housed in facilities with fewer program opportunities. Moreover, if a work assignment is better suited to an inmate's needs than a program, he should be rewarded for taking advantage of it.

Awarding points for program participation and satisfactory performance on work assignments serves as an incentive for inmates to make good use of their time while incarcerated. It also provides a way in which inmates can raise their scores during their incarceration. An inmate who would otherwise score just below the boundary between the low and middle categories might, for example, earn an additional two points on this item and thereby qualify for consideration by the Temporary Release Committee.

Points are therefore given in the point system to successful participants in both programs and work assignments. Item 7 of the

point system that was adopted gives 2 points for completion of a program or participation in a program for six months or more during the last two years. Applicants with more than ten months participation in any work assignment in the last year are also given 2 points. The scoring of this item does not permit a qualitative evaluation of the inmate's participation in work or programs. Because the item was not intended to reward only minimal participation in institutional activities, points are not awarded for carrying out work assignments unless the inmate has worked for 10 out of the past 12 months. Program activities are awarded points after only six months participation on the theory that programs are usually voluntary or in addition to work assignment and require more effort and intense participation.

Statistical Significance Tests

Tests of statistical significance were not used in the analysis for several reasons. A test of significance applied to any bivariate relationship is based on that relationship alone, independent of other relationships in the data. The data, however, revealed a number of predictive relationships that, although too weak to be significant with these size samples, did form a substantively meaningful pattern. For example, individuals with longer criminal histories (more arrests, more convictions, and so forth) did consistently poorer on a variety of measures of temporary release performance (such as finding a job and absconding) than other participants. Although these and other results were not statistically significant, they are both substantively

plausible and consistent with research findings from other studies attempting to predict success on parole and in work release.

The following hypothetical example may clarify the point about non-significant but substantively meaningful patterns in the data. Suppose a measure being considered for use in a point system has two values (such as 26 or older versus younger than 26) and is cross-tabulated against ten similar success measures, giving ten four-fold tables. Assume that the success rates of the two categories of the predictor variable differ by 15 percentage points in each table, and that the sample size is such that a fifteen percentage point difference is not significant at the commonly accepted .05 level. In Case A, the differences in the ten tables are consistent in that the presence of the predictor attribute (for example, being age 26 or older) is always associated with higher success rates. In Case B, on the other hand, differences are inconsistent. That is, five of the tables show the presence of the predictor attribute to be associated with higher success rates, whereas in the other five tables individuals with the attribute do worse than those without. The inconsistent pattern of findings in Case B suggests that the results are probably due to sampling fluctuation, measurement errors, and so on, while the consistent pattern of findings in Case A suggests that the results are substantively meaningful even though no table shows a significant difference.

Alternative Techniques

The results presented in the body of this section are based on

tabular analysis. One reason for the use of crosstabulation is that the level of measurement of many variables was low (for example, such nominal items as marital status). Another advantage of tabular techniques over more sophisticated ones is that the latter do not easily reveal important features of the data such as non-linearity that are readily visible in tabular analysis.¹⁷ The method for determining the number of points attached to each item was based on subjective judgments about the relative importance of different items.

Although point systems constructed with this technique have been used in a variety of settings, other techniques, such as multiple regression and discriminant analysis, provide a more mathematically sound basis for determining the weight to be attached to any item. To compare the predictive ability of point systems constructed from these multi-variate techniques to the corresponding ability of this simple additive point system, regressions and discriminant analyses were employed using different combinations of success measures and predictor variables. As the data in this section suggest, point systems designed with multi-variate techniques are not better predictors than subjectively weighted ones.

One point system was based on a multiple regression of temporary abscondance using eight predictor variables (all related to criminal history and disciplinary record.) The regression coefficients for the resulting regression equation are presented in Table 16.

¹⁷Note the discussion of educational level on page 8 for an example of non-linearity.

TABLE 16

REGRESSION OF TEMPORARY RELEASE ABSCONDANCE ON CRIMINAL HISTORY AND
DISCIPLINE FOR MEN

<u>Predictor Variable</u>	<u>Unstandardized Regression Coefficient</u>
Discipline	.029
Parole or Probation Violations	-.100
Previous Incarceration	.164
Number of Arrests	.087
Number Felony Convictions	-.071
Number Misdemeanor Convictions	-.093
Outstanding Warrants	.105
Violent Crime	.096
Constant	.504
Multiple R=.357	N=145

All eight predictor variables in Table 16 are coded such that increasingly positive values indicate less serious criminal histories or disciplinary problems. Thus on a priori basis we would expect all the signs in the regression equation to be positive, indicating that better records would be rewarded with additional points. But the three negative coefficients in the table indicate that certain types of failures (prior felony or misdemeanor convictions or previous parole or probation violations) would gain points. This policy would be unde-

sirable.¹⁸

The main reason for using multivariate techniques rather than subjectively weighted scales is that the former may be more highly predictive. To investigate this possibility we developed several multivariate based point systems and compared their predictive ability to point systems composed of the same items, though constructed only with subjective weights. Table 17 presents some of these results.

In all cases the correlation of a multivariate point system with the item used as the dependent variable in deriving the point system was higher than that point system's correlation with any other success measure. (The point system based on a multiple regression using the global measure as the dependent variable, for example, correlated .404 with the global measure,¹⁹ the next highest correlation was .313).

¹⁸ The three negative coefficients in Table 16 are probably an expression of multicollinearity problems in regression analysis. Several of the independent variables (previous arrests, number of felony and misdemeanor convictions, previous incarceration, etc.) are conceptually related to one another, leading to moderately high correlations among the independent variables. One indication of multicollinearity effects is that correlated independent variables have opposite signs in the regression equation even though all bivariate correlations between the dependent variable and the predictor variables are of the same sign. These reversed signs in the multiple regression equation are statistical artifacts without substantive meaning.

¹⁹ The global success measure contained 5 categories, numbered 1 through 5 respectively, that recorded the participant's progress through temporary release and parole. This variable was coded as follows: 1-Very Poor; did not satisfactorily complete temporary release; absconded or removed from program. 2-Poor; completed temporary release without serious problems, but had major failure (such as re-arrest or revocation) on parole. 3-Adequate; no major failure on parole, but did not work or attend school on parole. 4-Good; no major problems on parole and worked or went to school on parole, but behavior lacked continuity; e.g. changed jobs, failed to complete educational programs. 5-Very Good; no problems on parole and behavior exhibited continuity or improvement from temporary release to parole.

But this is hardly surprising. Since by definition a multiple regression maximizes our ability to predict the dependent variable with a linear combination of independent variables. This result, then, is little more than a statistical artifact. More significant, however, is the finding that the average correlation over several success measures for each of the multivariate point systems (excluding, of course, the dependent variable) is no greater than the average correlation across the same success measures of the subjectively weighted point system. In sum, sophisticated methodologies work no better in predicting success than simpler techniques.²⁰

This finding raises the question of whether or not prediction in criminological research can be improved. Prediction could, in principle, be strengthened in two ways: with the aid of better techniques, and through the use of better predictors. While a good deal of research has focused on the first point (Multiple regression, for example, has been viewed as a better technique for criminological prediction than successive bivariate crosstabulation), more sophisticated techniques have yet to yield accurate predictors. The fact that individual predictors most frequently used in criminological research show only moderate success rate differences suggests that there is a limit to the extent to which manipulation of these items can significantly strengthen prediction.

Perhaps use of more subtle predictors could yield stronger predictions. Since recidivism in particular can be viewed as the direct consequence of motivational factors, psychological tests might be effective predictors, but psychological measures would probably not be practical in corrections predictions. In contrast, say, to

²⁰This finding has been confirmed by other researchers. See, for example Leslie T. Wilkins, "Problems of Overlap in Experience Table Construction" Supplemental Report 3 of the Parole-Decision-Making Project, National Council on Crime and Delinquency Research Center, Davis, California.

pre-trial diversion situations where the accused must respond to questions that he has neither previously encountered nor anticipated, corrections prediction tools are used in a structured, static environment where the inmate is given ample time to rehearse his behavior and responses. A body of prison folklore surrounds parole behavior, for example, and the issue of what the parole board wants to hear is the topic of much thought and discussion among inmates. It is likely, then, that inmates could, over time, determine the correct answers to psychological tests, even if not assisted by prisoner advocate groups.²¹ In sum, psychological and motivational tests are not likely to be useful in improving prediction in corrections decisions.

As an alternative to psychological predictors, more subtle indicators of previous behavior could prove useful in developing stronger prediction instruments. The issue then becomes what these items would be. Although much thought has gone into the selection of predictive items, there is considerable repetition of items between studies. Most predictors refer to criminal history (measured in any number of variations), personal stability (as indicated by age, family ties, and so on), and institutional behavior. While it is conceivable that other measures could perform better, the administrative constraint that they be readily obtainable and easily verifiable suggests that they are not likely to be forthcoming. For this reason also we think it unlikely that there will be dramatic increases in our ability to predict criminal behavior.

²¹ Various prisoners' rights groups provide informational and legal services to inmates. It is possible that a successful suit forcing disclosure of the grounds for release decisions could reveal the correct answers to psychological tests, thereby rendering them useless.

Negative Points

The point system adopted for implementation uses negative as well as positive points. For example, crimes of violence are scored -6, -4, -2, and 0 points for the categories listed in item 6. There is no mathematical necessity for using negative points to penalize an applicant for an unfavorable characteristic.²² Also, it is likely that a point system using both negative and positive points will give more clerical errors in routine administration than a "zero-based" one with only positive points. Administratively, then a better scoring of crimes of violence would be 0, 2, 4, and 6 points.

From the perspective of public opinion, however, positive points are much less palatable. Since we cannot expect the public to be familiar with the mathematics of linear transformations, it might perceive an award of say, 4 points for armed robbery as indicating official approval for this crime. The possible embarrassment to the Department from the use of a zero-based scoring system thus precluded its adoption.

Setting Category Boundaries

The point system was designed so that temporary release selection would be both fairer to inmates and as easy as possible to administer. One implication of these considerations is that category boundaries should be at the same level for all facilities. It would be unfair, for example, if an inmate were eligible for

²²The purpose of the point system is to group applicants into three categories according to their point score. In terms of this result it makes no difference if one gives, say, -2 and 0 points or 0 and 2 points (assuming, of course, that the category boundaries in the latter case differ by 2 points). The important fact is that in both cases one group is being penalized by two points relative to the other group. Statistically speaking, this is but an expression of the fact that correlations are invariant under linear transformations, that is, changes of scale or origin.

furlough consideration by the Temporary Release Committee at one facility, but fell in the automatically rejected category at another facility with higher category boundaries.

On the other hand, a wide variation in the distribution of point scores among the facilities or between the male and female populations could create pressures against uniform category boundaries. For example, if inmates at some facilities score substantially higher than those at other facilities, they would fill a disproportionate share of the Department's work release spaces and would also participate in the furlough program at a much higher rate than inmates at the remaining facilities. Administrators at relatively low-scoring facilities would be forced to deny these popular programs to a higher proportion of applicants. These disparities could lead to demands that the scoring category boundaries be adjusted to the population characteristics of each facility.

To determine whether it would be feasible to establish uniform category boundaries for all the facilities using the point system, a representative sample of recent applicants for temporary release was drawn from each of the pilot facilities. Point scores were computed and their distributions were obtained for the entire sample and for each facility. These distributions, which allow a comparison among facilities and between the male and female samples, are presented in Table 13.

Since the point system was designed to provide inmates with the opportunity to improve their chances of acceptance into the program by raising their scores, an attempt was also made to estimate the effect that improved inmate behavior might have on the

TABLE 13

POINT SYSTEM DISTRIBUTION

(CUMULATIVE PERCENTAGES)

SCORE	Women (BEDFORD)	AUBURN	RAW SCORES			Men COMBINED SAMPLE	SCORES AS CORRECTED FOR IMPROVED BEHAVIOR	
			ELMIRA	WALLKILL			Men	Women Bedford
19	1.0%							
20	1.0							
21	3.1							1.0%
23	4.2	1.8%	2.5%	3.8%	2.6%	0.4%	2.1	
24	5.2	1.8	2.5	5.1	3.0	0.4	2.1	
25	5.2	6.4	6.2	11.5	7.8	3.3	4.2	
26	6.2	7.3	7.5	15.4	9.7	4.8	4.2	
27	12.5	16.4	13.8	25.6	18.3	7.7	7.3	
28	14.6	19.1	16.2	28.2	20.9	8.4	9.4	
29	21.9	30.9	26.2	35.9	31.0	19.4	13.5	
30	28.1	35.5	33.8	39.8	36.2	24.2	16.6	
31	37.5	49.1	42.5	48.7	47.0	35.2	23.9	
32	42.7	56.4	50.0	53.8	53.7	39.9	30.2	
33	51.0	62.7	63.8	66.7	64.2	51.3	38.5	
34	53.1	69.1	68.8	75.6	70.9	58.6	39.6	
35	61.4	76.4	73.8	78.2	76.1	67.4	51.0	
36	70.8	80.0	77.5	87.2	81.3	73.3	62.5	
37	72.9	84.6	83.8	88.4	85.4	79.9	68.7	
38	80.2	90.9	87.5	94.9	91.0	85.4	75.0	
39	81.2	96.4	92.5	96.1	95.1	90.1	76.0	
40	90.6	99.1	96.2	98.7	98.1	96.3	89.6	
41	93.7	100	98.8	98.7	99.2	98.2	92.7	
42	96.8		100	100	100	98.5	95.8	
43	96.8					99.3	96.8	
44	100					100	100	
N	96	110	80	78	268	273	96	

point score distribution. Inmates can raise their scores during incarceration either by improved program participation, by improving their disciplinary record, or by successful completion of furloughs. Overall performance on the item rewarding successful completion of a furlough is unlikely to improve, however, unless the proportion of inmates granted furloughs increases. There is also little likelihood of change on the item rewarding participation in programs and work assignments, since most inmates applying for temporary release meet its criteria for earning two points.²³

Therefore, in calculating the distribution of scores in Table 13, as corrected for improved behavior, two points were awarded to all applicants for successful participation in program or work assignments. It was then further assumed that one-half of these applicants with room for improvement on the disciplinary measures would gain the points associated with those items.

The distribution of scores for the male population indicates little variation among the facilities. Table 13 shows that at each of the men's facilities the minimum score was 23 and the maximum score was 42. A score of 32.1 was the mean value for the men. The distribution for the female population in the sample exhibits a wider range of scores, with a minimum of 19 and a maximum of 44. The women scored higher than the men, with a mean value of 33.6. The similarity of these distributions of scores meant that using the same scoring category boundaries at each of the four pilot facilities would not

²³Information on work assignment performance was not collected for the sample of applicants from the four pilot facilities. But since 61% of these applicants earned the two points on the basis of program participation alone, the addition of satisfactory performance on work assignments as a way of earning two points on this item would leave very few applicants who had not earned their two points here.

lead to substantially different rates of participation in temporary release among the eligible inmates at the different facilities, or to the tension that might accompany such different rates of participation.

Although it would be possible to use the same scoring category boundaries at each facility, a different set of category boundaries would have to be considered for each type of temporary release, because of the different risks involved in each type of temporary release and the differing capacities of each type. For example, at the time 800 beds were available for work release and educational leave, which allowed approximately 2,600 participants per year. Since 12,000 inmates may be eligible over the course of a year, only 22% of those eligible can participate in these 2 types of temporary release.

It was also necessary to bear in mind that not all the approvals for work release or educational leave in the revised selection process should come from the high category. If category boundaries were such that the high category supplied all or most of the participants that could be accommodated in these programs, the Temporary Release Committee could itself approve few, if any, applicants in those programs. The members of the Committee would be dissatisfied by such an arrangement. In addition, many inmates who might be good choices for work release score in the middle range. Therefore, it was decided that approximately half of these work release participants should come from each of the high and middle scoring categories.

In addition, it was necessary to bear in mind the relations between the types of temporary release. For instance, furloughs are frequently used as a testing ground for later participation in work release. Inmates successfully completing furloughs would earn

four points on the tenth item in the point system. The lower boundary of the middle scoring category for furloughs could therefore be set lower than the equivalent boundary for work release. Inmates with initial scores too low to gain consideration for work release would then have an opportunity to be considered for furlough and to raise their scores through successful completion of a furlough. (The lower boundaries of the middle scoring category for work release and for furlough could not, however, be set more than four points apart. Otherwise this progression would not be possible.)

Taking these considerations into account, the following category boundaries for work release and educational leave were set on a trial basis. Applicants must score 40 or above to place in the high category. The middle range includes applicants who score between 33 and 39. The first half of Table 14 presents the percentage of applicants from the sample collected at the pilot facilities who fall in each work release or educational leave scoring category. Included in the table are figures based on the raw sample data, and the "corrected" scores of applicants in the sample, taking into account possible improvements in their institutional behavior resulting from the use of the point system, as described in note 23. Using the "corrected" figures, about 10% of all applicants would fall in the high category for work release, or roughly half of the program's capacity of 22% of the eligible population. The Temporary Release Committee would thus be able to select the remaining half of the inmates that could be accommodated in the program.

In the absence of a clear ceiling on the number of applicants

TABLE 14

PERCENTAGE OF APPLICANTS IN POINT SYSTEM CATEGORIES

WORK RELEASE AND EDUCATIONAL LEAVE

<u>Point System Categories</u>	<u>Raw</u>		<u>"Corrected" Scores</u>	
	<u>Men</u>	<u>Women</u>	<u>Men</u>	<u>Women</u>
Low (0-32)	54%	43%	40%	30%
Middle (33-39)	41%	38%	50%	46%
High (40-44)	5%	19%	10%	24%

FURLOUGHS AND LEAVE OF ABSENCE

	<u>Raw</u>		<u>"Corrected" Scores</u>	
	<u>Men</u>	<u>Women</u>	<u>Men</u>	<u>Women</u>
Low (0-29)	31%	22%	19%	14%
Middle (30-37)	54%	51%	61%	55%
High (38-44)	15%	27%	20%	31%

who can participate in the furlough program, both the high and middle categories for furloughs can include a larger proportion of applicants. The category boundaries for furloughs and leaves of absence were set as shown in Table 14. Furlough applicants need to score 38 or above to place in the high category. Those who score from 30 to 37 will be subject to discretionary consideration. The boundary between the high and middle scoring categories is two points below the equivalent boundary for work release-educational leave. The boundary between the middle and low categories for furlough is three points below the equivalent boundary for work release. For both the raw and "corrected" scores, the proportion of

inmates to be considered for furloughs increases by about 20 percentage points over the proportion to be considered for work release and educational leave. Applicants at the bottom end of the furlough discretionary category who successfully complete a furlough will gain four points, and will thus be eligible for consideration for work release by the Temporary Release Committee.

The final type of temporary release for which boundaries between the scoring ranges had to be set is supervised community service.²⁴ This program allows inmates to leave a facility under the immediate supervision of facility personnel to participate in religious, cultural, or athletic activities. Since all participants are escorted, and there are few risks to the community, boundaries can be more liberal. For the same reason, the low or automatically rejected category was eliminated here, giving all applicants the opportunity to appear before the Temporary Release Committee for its consideration. The lower boundary of the high scoring range for supervised leave was placed at 36, putting 25% of all male applicants in that top range. The remaining three-quarters would have the right to be considered by the committee.

These category boundaries are higher than may ultimately be desirable if the new selection process is permanently instituted at all Department facilities. In view of the inevitable uncertainties in predicting the final point score distribution of the total eligible population as influenced, for example, by the incentive aspect of the new selection process, this was the safer course to follow. (It is always easier to liberalize a selection process than to make it more stringent.) The experience gained by use of the system can be

²⁴Applications for unsupervised community service leaves involving volunteer work in the community, would be screened using the work release scoring categories.

used to lower the boundaries, if necessary, once the point system is introduced throughout the Department.

Comparison of Selection Procedures

One of the first questions to be asked in assessing the impact of the point system is the extent to which its decisions differ from those of the selection process it replaces. Table 15 shows the relation between the two selection processes. Each individual in the sample of applicants at the four pilot facilities is characterized according to the category of the point system he would fall in for furlough applications and according to whether he had actually been approved by the Temporary Release Committee for furlough.

TABLE 15

COMPARISON OF RESULTS OF POINT SYSTEM TO THOSE OF EARLIER
TEMPORARY RELEASE COMMITTEE DECISIONS.

		<u>Point Score</u>			
		<u>Low</u>	<u>Middle</u> (Discretionary)	<u>High*</u>	
Old Decision	No	58 77%	90 48%	3 5%	47%
	Yes	17 23%	98 52%	54 95%	53%
	N	75	188	57	
				Total N=320	

The results indicate a substantial degree of compatability between the two methods of selection. If it is assumed that applicants falling in the middle category would receive the same treatment by the

* Includes only those cases which fall into the high category and are not subject to special screening. (See page 42)

Temporary Release Committee under both the old and the new procedures, then selection in or out of the program differs in only 6% (20) of the cases in the sample. Of those applicants automatically accepted by the new selection process, 93% were approved by the Temporary Release Committee. The greatest difference occurs at the other end of the scoring range; 23% of those scoring in the lowest range of the point system, who would be rejected under the point system, were approved by the committee for furlough participation.

The close agreement between the two methods of selection on cases falling in the high scoring range may indicate the conservative nature of the category boundaries set for the beginning of the new selection process. It may also be a sign that the Temporary Release Committee emphasizes some of the same items which the point system picks up, such as length of criminal history, violent crimes, and institutional adjustment. On the other hand, those applicants most likely to successfully complete a temporary release program may be the easiest to identify, regardless of the criteria being used, so that those applicants who score highest on the point system are also almost always approved by the Temporary Release Committee.

Special Screening

There may well be cases where the routine application of a point system for selecting participants for temporary release may not be consistent with protecting the public. Some individuals who score high on the point system may have conditions that make them unsuitable for the program, such as a history of mental instability. Also, the participation of certain types of

individuals, such as notorious offenders and members of organized crime, might undermine public acceptance of the program. Consequently, a screening process was incorporated into the application procedures for the following kinds of individuals: notorious offenders, members of organized crime, offenders with a history of sex offenses, and offenders with a history of mental instability. Applicants falling in any of these categories can not automatically qualify for the program on the basis of their high scores, but will always have to be approved by the Temporary Release Committee.

Another category of offenders posing special problems for the point system are youthful offenders. Youthful offender status is given to defendants aged 16 to 19 if, in the opinion of the court, the interest of justice would be so served. Youthful offender designation is given only to youths with no previous felony conviction. Being so adjudicated does not constitute a conviction for a crime.²⁵ Since so many of the items in the point system relate to criminal history, it is likely that a youthful offender would score high in the point system. But some of these individuals, especially those with tendencies toward violent behavior, might not be suitable for temporary release. It was therefore stipulated that the point system not be used in evaluating temporary release applications for youthful offenders. Rather, these applicants will continue to be evaluated by the Temporary Release Committee as in the past. It is estimated that all of the special screening categories will account for no more than ten per cent of all applicants.

²⁵New York Criminal Procedures Law, § 720.

IV. SUMMARY

The design of a point system for evaluating temporary release applications began with a study to identify those aspects of an inmate's record which would predict performance on temporary release, but did not end there. Although the ability to predict performance in the program was a central consideration in choosing among alternative point systems, other issues, such as addressing the needs of the population, ease of administration, fairness, and the need for incentives, also played important roles in determining the final version.

Care was also taken, for this initial test of the concept of a point system, to continue, in certain cases, to make use of the intuitive judgment of individuals acquainted with the applicants. Only applicants at the two ends of the point system's distribution were evaluated on the basis of their scores alone; applications falling in the middle of the distribution were referred to the Temporary Release Committee for its assessment of the individuals' suitability for the program. The selection process also acknowledged that some inmates who score high, such as sex offenders, youthful offenders, and mentally unstable applicants, may nevertheless, be unsuitable participants in temporary release. These individuals were referred to the Temporary Release Committee for its assessment of their application.

The next step in the development of the point system selection process was the pilot test of Point System 4 at four Department facilities. It was anticipated that the actual use of the point system would result in suggestions for improving the point system and the procedures that were developed to accompany it.

SECTION II - REVISIONS IN THE TEMPORARY RELEASE POINT SYSTEM

Introduction

The pilot test of the new point system for the selection of participants in temporary release was implemented at Auburn, Elmira, Wallkill, and Bedford Hills in September, 1976. The selection of the pilot facilities was based on considerations of geographic location, security designation and characteristics of the inmate population. The pilot aimed to test the utility of the new selection process for the entire system. The facilities were selected to provide a representation of maximum and medium security institutions, younger inmates, older inmates and females. During the pilot period, performance of the new system was continuously monitored through facility visits, telephone contact, examination of the appeal process and the project's Management Information System. Additional information about the workings of the new selection process was gathered through correspondence from inmates and through two conferences - a three day meeting in January, 1977, attended by the staff responsible for operating the pilot project at the facilities, and a meeting of inmates in April, 1977, attended by inmates from Auburn, Elmira, and Wallkill. Inmate interviews were conducted at Bedford Hills.

In general, the pilot demonstrated that a selection process for temporary release based on a point score was workable and helpful. The addition to the temporary release staff of an interviewer who could thoroughly review case files and process applications made selection of candidates for temporary release a more

organized and careful process.

Use of the point system took pressure off the Temporary Release Committee members by automatically excluding some candidates and by providing a framework for evaluating the records of those who scored in the middle range. The relative severity of a candidate's record was made plain by the point score. Point scoring clarified the grounds for selection into the program for inmates and staff alike.

The record of the temporary release point system during the pilot suggests that it protected the temporary release program from failures that would jeopardize public acceptance of the program.

The furlough abscondance rate at the pilot facilities declined from 2% to .5% while the number of participants increased by 30%. (Of the eleven absconders from furlough during the first seven months of the pilot, three were arrested on criminal charges - two for grand larceny and one for petty larceny.)

In the first four months of the pilot there were only 40 furlough failures of any kind: most were late returns. This low failure rate had an unexpected negative effect on the process of revision. It was too low to generate a statistically significant basis for modifying the point system to improve its predictability. Nevertheless, as anticipated in the original project design, experience with the point system also revealed weaknesses which would have to be addressed before extending its use to the remainder of the Department's general confinement facilities. Because pilot data did not yield any predictive basis for changes in the system,

the primary focus of the revision was to improve the fairness, uniformity and administration of the selection process. In particular, it seemed possible to improve the fairness of certain point system items without sacrificing their predictive qualities. Within this framework, the project tried to accommodate the needs of administrators and inmates, and to respond to complaints about weaknesses in the system whenever possible. Those weaknesses, and the suggested revisions in the point system which would help correct them, are the subjects of this section. A description of the procedural aspects of the selection process is followed by a description of the problems to be addressed by the revision. This section concludes with a description of the revisions and an analysis of how they were made.

It should also be noted that the revisions presented here were further modified in response to the amendment of Article 26 of the Correction Law in the summer of 1977. These subsequent revisions substantially changed the nature and use of the point system. The consequent lack of data about the point system's effectiveness has made refinement of the predictability of the system impossible. The performance of any point system should be periodically reviewed to ensure that the judgments on which it is based have not become outdated. It is hoped that at a future date it may prove possible to further refine the predictability of this point system.

A discussion of the new regulations governing inmate eligibility for temporary release and the final revision of the selection system in response to the amendment is presented in Section III.

Procedural Aspects of the Selection Process

Although the use of a point system to guide decision-making was the most dramatic change the Vera selection process made in the way inmates were chosen for temporary release, it was only one of several changes made in the process. Many of the problems that surfaced in the preliminary study of temporary release selection procedures were addressed by procedural changes. These procedural changes were the result of extended exchange with the Department's temporary release staff. With few exceptions these procedural changes proved to be workable, even welcome, additions to temporary release processing, and required only minor revision after the pilot. Selection procedures were developed to fulfill two primary goals of the project: to develop a single, efficient selection process for temporary release to be carried out in a uniform and consistent fashion and to increase inmate understanding of and involvement in the selection process. Three major changes were made in pursuit of these goals: 1) development of inmate and staff manuals and forms, 2) institution of inmate appearances before the Temporary Release Committees and 3) institution of an appeals process.

1. Development of Inmate and Staff Manuals and Forms

Inmates were informed of the new selection procedures in an Inmate Temporary Release Manual distributed to all inmates as well as through the use of posted bulletins, video tape presentations and inmate radio.¹ A policy and procedures manual was also developed for staff use.

1. Manuals and video tape presentations were prepared in Spanish and English.

Facility staff also participated in sessions training them in the new procedures and in interviewing techniques.

A standardized procedure with appropriate forms was established for the submission and processing of temporary release applications. Inmates were to be notified of the progress of their applications at each important step in the process: upon receipt of the application, classification as a further investigation case, scoring of the application, appearance before the Temporary Release Committee, release decision, right to appeal, and results of appeal.

2. Institution of Inmate Appearance before the Temporary Release Committee.

All inmates who scored in the discretionary range were required to appear before the entire Temporary Release Committee for a personal interview. Some facility administrators opposed the requirement that all serious candidates for temporary release be interviewed, arguing that such interviews would take up too much staff time. However, the seriousness of the release decision appeared to justify this use of staff time and the Department approved the measure. In addition to providing important additional information about the applicant, it provided a focus for Committee deliberations.

The institution of inmate appearances before the Committee was one of the most popular changes introduced by the new system. Interviews with inmates and the Inmate Attitude Study revealed that inmates who had an opportunity to appear before the Committee, even if they

were not ultimately approved for temporary release, viewed the system more favorably than inmates who had not appeared. (For a complete discussion see Section V, Inmate Attitudes Toward Temporary Release.)

3. Institution of an Appeals Process

A right to appeal an adverse decision at the Committee or Central Office level was built into the selection process. Inmates were routinely notified of their right to appeal and of appeal procedures when they were notified of the decision approving or disapproving their application.

The appeal procedure underwent some modifications as a result of the pilot experience. Under the pilot system, appeals related to mistakes in scoring of the point items were heard by the facility Temporary Release Committees. After the revision, appeals related to accuracy of point scoring were heard by Temporary Release staff in Central Office. Other grounds for appeals heard by Central Office included challenge of a designation as a further investigation case and appeal of a Temporary Release Committee decision on the merits. All appeals were required to be taken within 10 days after notice of a final decision had been sent by Central Office staff or the Temporary Release Committee.

Additional attempts to improve the uniform processing of applications included development of standardized procedures for treatment of warrants and disciplinary infractions. Uniform program rules for all temporary release

programs were established, including penalties for lateness, absconding and drug and alcohol abuse.

Special procedures for emergency applications for furlough and leave of absence were also developed. (For a detailed description of Temporary Release Procedures, see Appendix B, Temporary Release Selection Process Staff Manual, and Appendix C, Inmate Manual).

Problems to be Addressed by Revisions in the Point System

Criticisms of the point system during the pilot centered chiefly on its emphasis on the prior criminal history of applicants and on the resulting inability of some applicants, regardless of their institutional performance, to score high enough on the point system to have their applications even considered by the Temporary Release Committee. Long-termers, in particular, were discriminated against under the point system. They are likely to have heavy criminal records, yet the limited impact of institutional record on the point system gave little recognition to long-term efforts to benefit from Department programs. Although the number of applicants for temporary release in this situation was relatively small, their predicament strengthened the general belief among inmates that the point system penalized them too severely for past events and was not forward-looking enough. A related problem concerned the scoring of individual criminal history items in the point system, in particular, its lack of discrimination between recent convictions and those that were over 10 years old. Staff and inmates alike

felt strongly that it was unfair to treat both old and recent convictions alike.

The point system's handling of an applicant's institutional record was also criticized, principally on the ground that it did not give inmates enough room to improve their scores. Also, the point system did not discriminate between average and outstanding institutional records. The program item, for example, provided no additional recognition to long-term participation in programs or work assignments. In addition, although applicants could earn four points for a good disciplinary record, their hold on those points could be precarious. Because of the way the item was scored in particular cases, a single new infraction would cause the loss of all four disciplinary points.

Finally, although a major objective of the project was to substantially reduce the Temporary Release Committee's work load, the great bulk of applications scored in the middle range, and required Committee action. During the pilot, point system boundaries for furloughs, for example, resulted in 67.5% of all furlough applications falling in the middle range. This distribution suggested that greater reliance should be placed on the automatic decision-making capabilities of the point system, particularly in the high range.

THE REVISED POINT SYSTEM

To address the problems that were identified in the pilot temporary release point system, the project formulated a number of variations on the items in that point system. The better reformulations, from the point of view of fairness and administrative convenience, were then tested by rescoring actual applications from the pilot period. This made it possible to assess the effect on scores of changes in individual point score items and to identify their cumulative impact on scoring when combined into new point systems. (Eighty-four revised point systems were tested.) Differences in the distribution of the old and new scores were compared in terms of the number of inmates gaining and losing points, the number remaining at their original point score and the proportions scoring in the low, middle and high ranges. The results of this analysis are discussed at the conclusion of this section. Following these tests of the revised point score items, one of three final candidates for the revised point system was modified further to create the proposed revision presented here. (The items pertaining to institutional program participation and discipline were completely reformulated, while two items pertaining to criminal history were modified slightly.)

The proposed revised point system is set out below. It aimed to eliminate weaknesses in the pilot point system while retaining the predictive value of that point system. It is a more flexible point system providing greater opportunity for inmates to earn points in the facilities and gain consideration for temporary release. It is also a clearer and fairer point system, reducing ambiguities and inequities in the scoring of items. The proposed revision of the point system is set out here, alongside the pilot point system, to make comparison of the two easier. The point system items relating

to criminal history are described and discussed first, followed by the items pertaining to the applicant's institutional record.

CRIMINAL HISTORY ITEMS

PILOT POINT SYSTEM

1. Previous incarceration following adjudication (2 pts. if none, 0 pts. if one or more)
2. Number of prior felony convictions (2 pts. if none, 0 pts. if one, minus 2 pts. if 2 or more)
3. Number of prior misdemeanor convictions (1 pt. if none, 0 pts. if one or more).
4. Previous revocations of parole or probation if resulting from abscondance or rearrest (2 pts. if none, 0 pts. if 1 or more)
5. Outstanding warrants at time of commitment (2 pts. if none, 0 pts. if 1 or more.)
6. Nature of prior and current convictions of crimes against the person (minus 6 pts. if any convictions for murder or sex crimes or for kidnapping in the first or second degree. Minus 4 pts. if any manslaughter or first or second degree arson convictions. Minus 2 pts. if any robbery, assault, possession of dangerous weapon, menacing or first degree reckless endangerment convictions. 0 pts. if no convictions for violent crimes against the person).

REVISED POINT SYSTEM²

1. Previous incarceration following adjudication (2 pts. if none, 1 pt. if misdemeanor incarcerations only, 0 pts. if one or more felony incarcerations).
2. Number of prior felony convictions (2 pts. if none, 0 pts. if one, minus 2 pts. if 2 or more)
3. Number of prior misdemeanor convictions (1 pt. if none, 0 pts. if 3 or less, minus 1 pt. if 4 or more).
4. Previous revocations of parole or probation if resulting from abscondance or rearrest (2 pts. if none, 0 pts. if one or more)
5. Outstanding warrants at time of commitment (2 pts. if none, 0 pts. if 1 or more).
6. Nature of prior and current convictions of crimes against the person (minus 6 pts. if any convictions for murder or sex crimes or for kidnapping in the first or second degree. Minus 4 pts. if any manslaughter or first or second degree arson convictions. Minus 2 pts. if any robbery, assault, arson in the third degree, possession of dangerous weapon, menacing or first degree reckless endangerment convictions. 0 pts. if no convictions for violent crimes against the person.)

²The ten year rule, following the Second Felony Offender Law, is applied to each criminal history item. For each item, the ten year period for which the criminal history items will be scored is counted back from the date of present incarceration. Any period of incarceration is excluded in calculating the ten year period, in effect extending the ten year period by an equal amount of time.

All of the criminal history items were modified to conform with the Second Felony Offender Law, which, for sentencing purposes, does not recognize convictions over 10 years old. For each criminal history item, the ten year period is counted back from the date of present incarceration. Any period of incarceration during that period, is excluded, in effect extending the ten year period by an equal amount of time. This change was made in response to one of the most frequent complaints of inmates and staff about the pilot point system--that it gives unwarranted weight to very old convictions and revocations of parole or probation. The impact of this revision on the overall distribution of applicants among the high, middle and low scoring categories is minimal.

Item 1, Previous Incarceration Following Adjudication, was modified to distinguish between felony and misdemeanor incarcerations. The item awards two points if the applicant had no previous incarcerations and gives one point if any previous incarceration was for a misdemeanor only. The change provides both a fairer and more precise guide to the prior incarceration history. Although it is more detailed than the original item, the additional information is easily documented. (This revision of item 1 has a minor drawback. In providing 1 point if incarcerated for a misdemeanor only, it puts the Department in the position of awarding points for a negative attribute. Arithmetic changes in the point system can correct this easily, however. The item has been left in a form which parallels the current item in order to facilitate comparison of the two systems.)

Item 3, Number of Prior Misdemeanor Convictions, was altered to reflect an applicant's entire misdemeanor record. Inmates with

four or more misdemeanor convictions are penalized by minus 1 point. While the change is more stringent than the original item, it complements the revision of Item 1, which reduces the penalty for previous misdemeanor incarceration. Taken together, the items more accurately describe an applicant's prior criminal history and its likely effect on temporary release performance.

The most extensive revisions appear in the items pertaining to institutional behavior, which were changed to make them more sensitive to differences in the institutional record of applicants.

INSTITUTIONAL BEHAVIOR ITEMS

CURRENT POINT SYSTEM

7. Program participation (2 pts. if completed program or participated continuously for 6 mos. during the last 2 yrs. or if carried out any work assignment for 10 mos. out of the past yr, 0 pts. if not.)

7. Program participation I (Max. 3 pts.) Participation mos. are used to calculate this score. A participation month is a 30 day period of regular participation in either a program or a work assignment within the 2 yrs. prior to application. 1 pt. may be earned by accumulating either

a) 8 participation mos. in work assignments

b) 8 participation mos. in programs,

-or-

c) 8 participation mos. in any combination of work assignment and program

2 pts. may be earned by accumulating 16 participation mos. provided that no more than 12 of these mos. are for work assignment. 3 pts. may be earned by accumulating 24 participation mos. provided that no more than 12 of these are for work assignment.

8. Discipline I (2 pts. if two or fewer Adjustment Committee decisions imposing an actual penalty within the past year; 0 pts. if three or more.)
9. Discipline II (2 pts. if no Adjustment Committee decisions imposing an actual penalty within the last 3 mos; 0 pts. if one or more).
10. Temporary release record (minus 6 pts. if convicted of a crime (or arrested, pending disposition of charges) or absconded while on temporary release within the last year; minus 3 pts. if convicted of a crime (or arrested pending disposition of charges) or absconded while on temporary release within the past 2 years; minus 2 pts. if returned late or under the influence of drugs or alcohol within the past 6 mos; plus 4 pts. if most recent unescorted participation on temporary release was successful and occurred during the past year; 0 pts. if none of the above).
8. Program participation II (Maximum 1 pt.)
An inmate may earn this point by accumulating 8 program or work assignment participation mos. for the period 25-36 mos. prior to application.
9. Discipline I (Maximum 4 pts.)
(1 pt. if 0 Adjustment Committee decisions imposing an actual penalty in the last 3 mos; 1 pt. if 1 or fewer Adjustment Committee decisions imposing an actual penalty in the last 6 mos; 1 pt. if 2 or fewer Adjustment Committee decisions imposing an actual penalty in the last 9 mos; 1 pt. if 3 or fewer Adjustment Committee decisions imposing an actual penalty in the last 12 mos.)
10. Discipline II (Maximum 1 pt.)
(1 pt. if 3 or fewer Adjustment Committee decisions imposing an actual penalty in the period 12-24 mos. prior to application provided that the inmate has been incarcerated at least 24 mos. at the time of application).
11. Temporary release record (minus 6 pts. if convicted of a crime (or arrested pending disposition of charges) or absconded while on temporary release within the last year; minus 3 pts. if revoked from work release or educational leave for reasons other than re-arrest or abscondance within the last year; minus 3 pts. if convicted (or arrested pending disposition of charges) or absconded while on temporary release within the period 13-24 mos. prior to application; minus 2 pts. if returned late or under the influence of drugs or alcohol within the last 6 mos; plus 2 pts. if most recent unescorted participation on temporary release was successful and occurred during the past year; 0 pts. if none of the above.)

Item 7, Program Participation I, incorporated several changes. First, the revision is weighted more heavily than the original program item, allowing applicants to earn up to 3 points for program participation. At the same time it is highly selective, awarding 3 points only when maximum involvement is evident. Second, program completion is no longer taken into account. Instead, points are awarded solely on the basis of participation months, that is, a 30 day period of regular participation in a program or work assignment. In order to gain points on this item, completion of short-term programs must be supplemented with additional participation months. Finally, the revision differentiates between program participation and work assignments. No more than 12 participation months for work assignments may figure in the total score. Although the change makes it more difficult for an inmate to gain the maximum number of points, the differentiation provides a clearer indicator of the quality of the inmate's program activity and greater opportunity for applicants to increase their scores.

The decision to limit the number of points that could be earned by only performing one's work assignment was made after extended discussions with inmates, facility staff and Central Office personnel. The pilot test of the original point system revealed strong dissatisfaction with the way the program item was scored. While most inmates were happy to be able to earn the maximum number of program participation points quite easily, those inmates who were very active in institutional programs felt cheated. The system did not reward quality long term participation in institutional activities any more than it rewarded a mediocre effort. Staff also considered the system unfair in this respect.

The inmate attitude study had revealed that inmates regarded

program participation as a valid consideration in temporary release decision-making. (See Section V, Inmate Attitudes Toward Temporary Release). The problem, then, was to provide an incentive for all inmates to participate in programs while distinguishing between merely adequate and outstanding performance. It seemed obvious that the potential to earn more points had to be built into the item. However, the number of points added to the item should not be disproportionate to the entire point system and thereby, substantially affect its predictability. (Program participation was one of the weaker predictors of performance on temporary release). Therefore it was decided to structure the scoring of the item in such a way that only exceptional participation would yield the maximum number of points. As a matter of policy, the Department decided that program participation should, in general, be more highly regarded than carrying out a work assignment. Although some jobs are challenging and demanding, many require minimal effort and ability. The Department wished to reward the personal planning, initiative and more intense effort that participation in programs generally required. The Department was aware that this solution might raise other problems, particularly in the area of availability of programs and the need for inmate workers within the institutions. However, the Department held the view that these questions were ones that needed to be raised, and not merely for purposes of temporary release. Therefore, with some reservations, the new scoring for program participation was adopted.

The addition of Program Participation II was one way to give those inmates who are severely penalized under the point system for lengthy or severe past criminal records, a chance to be considered

for temporary release. The formulation of the item corresponds to that of Program I. It provides a bonus point for the accumulation of 8 program or work assignment participation months within the period 24 to 36 months prior to application. This formulation attempted to preserve the incentive effects of the point system for long term, frequently older, inmates.

The scoring of revised items 7 and 8 placed a greater reliance on the accuracy and completeness of institutional records relating to program participation. It was apparent that some records might not justify that reliance, but there seemed to be no alternative if the need for a more discriminating assessment of program participation was to be met. The revision stopped short, however, of incorporating subjective judgements of the quality of an applicant's program performance into the point system.

Discipline I and Discipline II were combined into one item, Item 9, with a maximum of 4 points. Points are accumulated according to the distribution of infractions during a 12 month period. Although Item 9 is slightly more difficult to document than the initial version, its chief advantage is that it is more specific and discriminating than the original item. By using four discrete time periods it reduces the chances that an applicant would lose all four disciplinary points on the basis of a single new offense. This structuring of the item is responsive to a frequent criticism of the pilot point system - that institutional points are hard to earn and easy to lose.

Item 10 was added to provide an opportunity to those applicants who have been in the custody of the Department for at least 24 months to earn an extra point. An inmate can gain 1 point on this item.

for having no more than 3 Adjustment Committee decisions imposing a penalty in the period 12-24 months prior to application.

Temporary Release Record, Item 11, was expanded. It added a specification imposing a penalty of minus 3 points for revocations from work release or educational leave for reasons other than re-arrest or abscondance in the first year. This addition fills a gap in the evaluation of an inmate's temporary release record that became apparent during the pilot. The item also differs from the pilot version in that points for successful participation in temporary release are rewarded in two increments. An inmate receives 2 points if the most recent participation in temporary release was successful and occurred during the past year, or 4 points if the first two participations were successful. This change creates a more continuous incentive for inmates to establish a good record on several furloughs before applying for work release and a better indication to the Department of the inmate's readiness for an extended release program.

Two of the revisions gave long-termers further opportunity to increase their chances for temporary release by earning additional institutional points. In some cases, however, inmates who made the best of those opportunities still scored in the low range. The existence of cases of this type did much to undermine the perception of the point system as a fair system of selection. (See Section V, Inmate Attitude Study). It therefore was proposed that inmates who have earned 7 of the 9 points to be earned in items 6-10, the institutional behavior items, be entitled to have their applications for temporary release considered by the Temporary Release Committee, even if they scored in the low range. However, because of the serious nature of their criminal histories as evidenced by their low scores,

their applications would not be approved without the unanimous agreement of the three committee members, plus the Chairman. This represented a very small addition to the overall caseload of the committee, while granting significant relief to low-scoring inmates with excellent institutional records.

Setting Category Boundaries

The distribution of scores for the pilot point system and the revised system varies substantially.³ On the average, point scores are higher under the revised system. For example, Table 1 shows that 37.1% of the males whose applications were scored under the revised system scored 32 or below. The corresponding proportion under the pilot system is 45.0%. A comparison of the high end of the point score range shows that 14.0% of the males would score 39 or above under the revised system compared to 7.0% under the pilot system.

Scoring differences between men and women persist under the revised system. While 37.1% of the men would score 32 or below, only 22.5% of the women would fall into this range. However, these disparities are not so great as to justify different scoring boundaries

³The point score ranges under the pilot point system were as follows:

TYPE OF TR PROGRAM

Work release, educational leave,
community services program -
volunteer work

Furlough, leave of absence,
industrial training leave

Community services program -
supervised athletic and religious
activities

	LOW	RANGE MIDDLE	HIGH
	0 to 32	33 to 39	50 to 44
	0 to 29	30 to 37	38 to 44
		0 to 35	36 to 44

TABLE I

Point Score Distribution
cumulative percents

<u>Score</u>	<u>MALES</u>		<u>FEMALES</u>	
	<u>Revised Point System</u>	<u>Pilot Point System</u>	<u>Revised Point System</u>	<u>Pilot Point System</u>
23		0.4		
24	1.3	0.4		2.5
25	2.2	2.6	2.5	7.5
26	3.9	3.9	2.5	7.5
27	6.1	8.3	2.5	10.0
28	8.3	10.5	5.0	10.0
29	14.8	22.7	7.5	15.0
30	19.2	27.5	12.5	15.0
31	27.1	41.0	17.5	22.5
32	37.1	45.0	22.5	30.0
33	45.9	53.7	32.5	40.0
34	59.0	67.7	40.0	47.5
35	67.7	75.5	42.5	50.0
36	73.4	83.8	50.0	62.5
37	80.8	87.8	60.0	65.0
38	86.0	93.0	70.9	77.5
39	90.0	94.8	75.0	85.0
40	94.3	96.9	83.5	92.5
41	97.4	98.3	90.0	92.5
42	98.7	99.6	97.5	97.5
43	100.0	100.0	100.0	100.0

for men and women, particularly given the possible constitutional problems that the use of different boundaries would raise.

The point system was revised to eliminate ambiguities and discrepancies in various point score items and to provide inmates with additional opportunities to gain consideration for temporary release. Under the proposed revised point system, the proportion of inmates in the middle range would rise dramatically and would account for most of the applicants that could be accommodated by temporary release programs. Such a result would be unsatisfactory, as it would place an additional burden on the Temporary Release Committees rather than making a reduction in the number of decisions the Committee has to make. Taking this consideration into account, a shift in category boundaries was proposed to reduce the proportion of applicants scoring in the middle range for the various types of temporary release.

The proposed scoring boundaries continued to reflect the different risks involved in each type of temporary release and the different capacities of each program. For example, at the time of the revision the Department had 1055 available beds for male work release and educational leave participants. This number would permit 2110 program participants a year assuming a six month length of stay. If the length of stay were four months, the number of participants that could be accommodated in a year was 3165. As 11,667 males were statutorily eligible to apply for temporary release over the course of a year, the percent of eligibles who could participate in work release or educational leave would be 18.1% assuming a six month length of stay, or 27.1% assuming a four month length of stay. The number of female participants in work release and educational leave would be between 150 and 225, assuming 75 available beds and the turnover rates set out

above. As 333 females were eligible over the course of the year, the percentage of eligible women who could participate in these forms of temporary release was between 45.0% and 67.6%.

The proposed point score boundaries for work release and educational leave were developed as follows: applicants must score 39 and above to place in the high range, while the middle category includes applicants who score between 33 and 38. The first half of Table 2 presents the percent of applicants who fall in the work release and educational leave scoring categories. About 14% of the men would fall into the high category for work release. With 11,667 males becoming eligible for work release in the course of a year, the automatic acceptance rate created by the proposed boundary would result in 1633 acceptances for work release. Assuming a six month length of stay, and an estimated capacity of 3110, males in the automatic range would account for 77.4% of the work release beds. Assuming a four month length of stay, the proportion would be 51.6%, an acceptable proportion. As in the pilot, the Temporary Release Committee would be free to select the other half of the total male population that could be accommodated by the program. Similarly, the proportion of females scoring in the high range, 30% or 99 participants would account for 66% of the available places assuming a six month program length, and 44% assuming a four month program.

The revised category boundaries for furloughs and leave of absence are set out in the bottom half of Table 2. Both the high and middle categories include large proportions of applicants. Furlough applicants would need to score 36 and above to place in the high range. Those scoring in the 30-35 range would be subject to dis-

cretionary consideration by the Temporary Release Committee. The boundary between the middle and high scoring category was set 3 points below the equivalent boundary for work release and educational leave. The boundary between the low and middle scoring categories was also set 3 points below the equivalent boundary for work release and educational leave to allow inmates to use successful furlough participation to earn their way into consideration for work release. (According to the revision in Item 11, applicants at the bottom end of the furlough discretionary category would have to successfully complete two furloughs in order to be eligible for consideration for work release by the Temporary Release Committee.)

TABLE 2
Revised Point System

Percentage of Applicants in Point System Categories

<u>Point System Categories</u>	<u>Work Release and Educational Leave</u>	
	<u>Males</u>	<u>Females</u>
Low (0-32)	37.1%	22.5%
Middle (33-38)	48.9%	47.5%
High (39-44)	14.0%	30.0%
Total	100.0% (229)	100.0% (40)

	<u>Furloughs and Leaves of Absence</u>	
Low (0-29)	14.8%	7.5%
Middle (30-35)	52.8%	35.0%
High (36-44)	32.3%	57.5%
Total	100.0% (229)	100.0% (40)

Finally, the lower boundary of the high scoring range for supervised community service projects was set at 34, placing 54.1% of the males in the top range.

The proposed adjustments in the scoring category boundaries were intended to take advantage of the increased capacity of the work release programs and to reduce the furlough caseload of the Temporary Release Committee to the pilot program's original target of about 50% of all furlough applicants.

Proposed downward adjustments of the work release high range boundary from 40 to 39 and the furlough high range boundary from 38 to 36 would not be likely to create any substantial additional risk to the programs. The great majority of applicants scoring at these levels would be accepted for temporary release anyway. At the four pilot facilities, for example, all work release applicants in the first seven months of the pilot who scored 39 were accepted for work release by the Temporary Release Committees. In the same period, of furlough applicants scoring 37 points, 83% were accepted, and of those scoring 36 points, 72% were accepted by the committees.

Further Investigation Categories

Not all applicants for temporary release whose scores fall in the high range and who therefore would be entitled to automatic acceptance into the program are suitable for participation in the program. Four types of applicants were identified before the pilot period began as requiring additional screening before participation in temporary release could be granted - offenders with a history of mental instability, sex offenders, members of organized crime, and notorious offenders. During the pilot period all applicants in the middle and

high ranges whose records raised these issues were given an opportunity to contest their classification in these categories, either before a special hearing officer or before the Temporary Release Committee. If the classification was upheld, the applications of those inmates found to fall in these further investigation categories were then decided upon by the Temporary Release Committee, which was entitled to deny participation in the program on the basis of the adverse classification.

During the first four months of the pilot, out of 1312 cases falling in the middle or high ranges, the issue of the mental instability of the applicant was raised in 68 cases. In 23 of those cases, the inmate was finally classified as having a history of mental instability that could be considered in making a release decision. Of seven applicants given a hearing on the issue of their notoriety, one was found to be notorious. Of nine applicants given a hearing to allow them to contest their classification as a sex offender, eight were found to be sex offenders despite the absence of a conviction for a sex offense in their record. There were no hearings on the issue of membership in organized crime during the first four months of the pilot.

The relatively low number of further investigation cases and the limited rate at which the proposed classifications were sustained in the hearings suggested that the further investigation categories were being used judiciously and with restraint as a further screen for high risk cases. However, in a very small number of cases, the local Temporary Release Committees had approved inmates for release despite a finding that they should be classified in a further investigation category. Those cases gave rise to concern in the Depart-

ment's Central Office over the risk posed by releases in these instances, particularly in the case of sex offenders. The problem was addressed by requiring Central Office approval of all decisions to release applicants who had been classified as a further investigation case. On the basis of experience with these cases in the pilot, it seemed doubtful that more than 50 cases of this type would arise each year, so the burden on Central Office staff was thought to be minimal.

During the course of the pilot, some facility and Central Office staff were troubled by a few cases in which applicants with one or more recent disciplinary offense had scored well enough to be given automatic acceptance into temporary release. Automatic acceptance of these inmates, it was argued, undermined facility discipline and seemed unfair to low range inmates who had good disciplinary records but were ineligible for the program because of an extended past criminal history. A special screening process that would be analagous to a further investigation category was considered for such applicants. Any screening of this sort would have functioned as an adjunct to the point system's evaluation of the applicant's disciplinary record and would therefore have focused on only the most serious disciplinary offenses. One proposed procedure provided that the applications of all inmates scoring in the high range who were sentenced to special housing during the last three months be referred to the Temporary Release Committee for decision. The project did not favor the adoption of such a procedure, primarily because it would present still another special exception to the rule of decision by the point system, further jeopardizing its clarity and fairness. The decision of the Department to respond to the new temporary release law by requiring

all high range cases to appear before the Temporary Release Committee ultimately mooted this discussion. The problem of an isolated serious disciplinary charge receiving inadequate consideration because the point system focuses on the quantity rather than the quality of infractions was partially addressed by the inclusion of a rule which made inmates ineligible for release participation until eight weeks after confinement in special housing for any length of time or keep-lock for longer than 14 days.

Analysis of the Revisions

Background

Several goals were pursued in revising the point system for temporary release selection. First, in an effort to tighten the selection process, the project wanted to refine and clarify the point items. Second, the project aimed to minimize the negative effects on the point system caused by the low range. Maintenance of the low range was considered important in screening out the worst candidates and in reducing the workload of the Temporary Release Committees. However, the creation of a large pool of inmates with extensive prior criminal histories and with little to gain by good institutional behavior was not considered desirable. Third, the project wished to maintain the predictive relationship between point system items and success-failure measures. To some extent, these goals conflict with one another.

The purpose of the research was to find the formulation of the revised point score items that would best accommodate the three goals. This required determining the effect of changes in individual point score items and identifying the cumulative impact of the revised items.⁴ In addition to evaluating the effect of the revisions on the overall population of applicants scoring in the low and middle ranges, the project was interested in focusing on a sub-group consisting of those who had received the maximum number of institutional points⁵

⁴The Vera staff collected information from Department files on a sample of 251 inmates from Auburn, Bedford Hills, Elmira and Wallkill who had applied for temporary release since the inception of the point system in October, 1976. The sample was selected from lists of inmates scoring in the low and middle ranges. The information gathered was pertinent to the prospective changes in point score items and was used to rescore sample applications.

⁵Under the pilot system, institutional points refers to the number of points accumulated for Program Participation, Discipline I and Discipline II. The maximum number of institutional points was +6.

under the pilot system but whose total score fell in the low range. Inmates in this group had no chance to be considered for temporary release. These inmates were studied to determine if the point system could be modified to provide more potential for movement into the discretionary range without substantially affecting the usefulness of the scoring categories and the predictive quality of the point system. The analysis of this group supplemented data on the sample of the entire applicant population described in footnote 4.

Results

As the pilot did not yield data that could be used to improve the predictability of the point system, the thrust of research during the revision was to determine to what extent the point system and the individual items that comprised it could be changed without having a substantial negative impact on predictability. Data analysis served as a check against changes that were largely motivated by concerns of fairness and administrative convenience. If proposed changes did not appear to weaken the predictability of the point system, they were adopted.

First, the effects of modification of individual point score items were examined. In some cases, proposed changes in the scoring of individual items had very little effect on inmate scores. The use of the ten year rule, for instance, affected only 7 inmates in the sample. In some cases, the effect of a change in the scoring of one item was offset by a change in another. For example, some inmates who gained a point on the revised Prior Incarceration item lost it on the revised Prior Misdemeanor Convictions item. Other changes produced significant score differences, but for only a very limited number of

inmates. Changes in the scoring of Program Participation and Discipline are of this type. In a few cases, the effect of a change on an individual's point score was clear but its effect on predictability was negative or uncertain. The decision to retain the Outstanding Warrants item was prompted by this kind of finding.

After examination of proposed changes in individual items and selection of the most promising, an analysis of their combined effect on the point system was begun. Eighty-four possible combinations were developed and examined. Of these 84 point systems, 3 were selected as the strongest candidates for the revised system. These 3 point systems, and a description of the analysis that lead to the choice of one of them, are presented here. Selected cross-tabulations have been included to illustrate the relation between pilot point system items and proposed revisions.

REVISED SCORE 1

Criminal History⁶

1. Previous Incarceration Following Adjudication (2 points if none, 1 point if misdemeanor incarceration only, 0 points if one or more felony incarcerations).
2. Number of Prior Felony Convictions (2 points if none, 0 points if 1, minus 2 points if 2 or more).
3. Number of Prior Misdemeanor Convictions (1 point if none, 0 points if 3 or less, minus 1 point if 4 or more).
4. Previous Revocations of Parole or Probation if resulting from abscondance or rearrest (2 points if none, 0 points if 1 or more).
5. Outstanding Warrants at time of Commitment (2 points if none, 0 points if one or more).
6. Nature of Prior and Current Convictions of Crimes Against the Person (minus 6 points if any convictions for murder or sex crimes or for kidnapping in the first or second degree. Minus 4 points if any manslaughter or first or second degree arson convictions; minus 2 points if any robbery, assault, possession of dangerous weapon, menacing or first degree reckless endangerment convictions; 0 points if no convictions for

⁶The ten year rule, following the Second Felony Offender Law, has been applied to each criminal history item, with the exception of Previous Revocations of Parole or Probation. The ten year period is counted back from the date of present incarceration. Any period of incarceration during that period is excluded in calculating the ten year period, in effect, extending the period by an equal amount of time.

violent crimes against the person).

Institutional Behavior

7. Program Participation I - Maximum 2 points.
(1 point for each completed program or continuous participation in a program for 6 months during the last 2 years prior to application; 1 point for carrying out any work assignment or series of work assignments for 10 months out of the past year prior to application. A maximum of 1 point may be earned for work assignments.)
8. Program Participation II (1 point for completion or continuous participation in a program for 6 months within the period 25 - 36 months prior to application).
9. Discipline I (2 points if 2 or fewer Adjustment Committee decisions imposing an actual penalty within the past year, 0 points if 3 or more).
10. Discipline II (2 points if no Adjustment Committee decisions imposing an actual penalty within the last 3 months, 0 points if one or more).
11. Discipline III (1 point if 2 or fewer Adjustment Committee decisions imposing an actual penalty within the period 13 - 24 months prior to application, 0 points if 3 or more).
12. Temporary Release Record (Minus 6 points if convicted of a crime (or arrested pending disposition of charges) or absconded while on temporary release within the last year; minus 3 points if convicted of a crime (or arrested pending disposition of charges) or absconded while on temporary release within the past 2 years;

minus 2 points if returned late or under the influence of drugs or alcohol within the past 6 months; plus 4 points if most recent unescorted participation on temporary release was successful and occurred during the past year. 0 points if none of the above).

All three of the revised point systems selected for further examination and presented here contained the following revisions in the criminal history portion. These revisions were based on an analysis of the individual point system items and considerations of fairness.

In response to inmate and staff complaints, the criminal history items in each of the revised point systems were modified to conform with the Second Felony Offender law which does not recognize very old convictions. This change had a minimal impact on scoring but did much to improve the perception of the point system as a fair way to choose inmates for temporary release.

Two other changes were also made primarily in response to claims of unfairness. Previous Incarceration Following Adjudication, item 1, was changed to grant one point if any previous incarceration had been for a misdemeanor only. Under the pilot system, any incarceration would result in 0 points.

Item 3, Number of Prior Misdemeanor Convictions, was developed in conjunction with item 1. The pilot item 3 awarded 1 point if the applicant had no misdemeanor convictions and gave 0 points if he had 1 or more. The revision also takes away 1 point if the applicant had 4 or more misdemeanor convictions.

Therefore, while the revision of item 1 gives an applicant another point if he has a record of misdemeanor incarcerations only, in effect, item 3 takes away that point if he has a substantial misdemeanor conviction record.

The original discipline items, Discipline I and Discipline II, were retained in Revised Score #1. Discipline III was added to provide those who have been in the custody of the Department for at least 24 months an opportunity to earn an extra point for an extended good disciplinary record. In the initial structuring of Discipline III, an inmate could gain 1 point for having 2 or fewer Adjustment Committee decisions imposing a penalty within the period 13 - 24 months prior to application.

The program participation items are somewhat changed in the revision. Program Participation I is substituted for the pilot program item. The major change lies in the differentiation between program participation and work assignments. Under the pilot system, an inmate could receive a maximum of 2 points by participating in a program or work assignment. Under the revision of this item, an inmate would receive the maximum 2 points only if he participated in 2 programs or 1 program and 1 work assignment within the designated time period. An inmate may earn only 1 point by participating in 1 program or by successfully carrying out his work assignment. This change made it more difficult for most inmates to earn the maximum number of points. It was intended to distinguish between minimal participation in institutional activities (generally work assignment only) and more active involvement in programs and work. This scoring might also have an incentive effect on program

participation.

An additional item, Program Participation II, provides a bonus point for completion or continuous participation in a program for 6 months within the period 25 - 36 months prior to application. It was hoped that this formulation, which rewards extended participation in programs, would help long-term inmates without distorting the predictive ability of the system for the bulk of temporary release applicants who serve shorter sentences.

The formulation of item 12, Temporary Release Record, is the same as the pilot item.

REVISED SCORE 3

Revised Score 3 excludes Outstanding Warrants at Time of Commitment and substitutes the pilot Program Participation item for Program I described above. The pilot item awarded 2 points for completion of or continuous participation in a program for 6 months during the 2 years prior to application or for carrying out a work assignment for 10 months of the year prior to application.

Each of the point score items were analyzed to determine the effects of the various revisions on the original items. Several cross tabulations have been selected to show effects of some of the tentative revisions of items and to clarify the differences between the pilot point score system and the revision.

Table 3 illustrates the minimal impact of the ten year rule. When applied to Item 6, Nature of Prior and Current Convictions Against the Person, only 7 people in the sample are affected. The ten year rule does not alter the score of the vast majority of inmates (most are not old enough to be affected by it) but it does much to enhance the apparent fairness of the system.

TABLE 3⁷

Old Violence Score (Item 6) by New Violence Score

		<u>Old Score</u>			
		<u>-6 Pts.</u>	<u>-4 Pts.</u>	<u>-2 Pts.</u>	<u>0 Pts.</u>
NEW SCORE	-6 Pts.	100.0% (6)			
	-4 Pts.		92.5% (37)		
	-2 Pts.			97.2% (139)	
	0 Pts.		7.5% (3)	2.8% (4)	100.0% 51
Total		100.0%	100.0%	100.0%	100.0%

Table 4 shows the relation between the pilot Prior Incarceration item and the revised item. The pilot item awarded 2 points if an inmate had no prior incarcerations and 0 points if he had any. The revision added an award of 1 point if a prior incarceration was for a misdemeanor conviction only. Almost half of those who scored

⁷The analysis of point score changes set out in the Tables below was restricted to inmates scoring in the low and middle ranges under the pilot point system.

0 on Prior Incarceration under the pilot system received the added point under the revision (47.7%). Thus, the differentiation between felony and misdemeanor incarcerations helped a substantial portion of inmates.

TABLE 4

Old Prior Incarceration Score (Item 1) by New Prior Incarceration

		<u>Score</u>	
		<u>Old Score</u>	
		<u>0 Pts.</u>	<u>2 Pts.</u>
<u>NEW</u> <u>SCORE</u>	0 Pts.	52.3% (78)	-
	1 Pt.	47.7% (71)	
	2 Pts.	-	100.0% (102)
	Total	100.0%	100.0%

Table 5 shows the relationship between revised Item 1, Prior Incarceration, and revised Item 3, Number of Prior Misdemeanor Convictions. Of the applicants who gained 1 point on item 1 for having a misdemeanor incarceration only, 12.9% lost a point on Item 3 for having 4 or more misdemeanor convictions. These cases constituted 3.3% of the total sample.

TABLE 5

New Prior Incarceration Item by New Prior Misdemeanor Item*

		<u>Prior Incarceration</u>			
		1 or More Felony In- carcerations (0 pts.)	Misdemeanor Incarceration Only (1 pt.)	None (2 pts.)	Total
Prior Misde- meanor Convic- tions	4 or more (-1 pt.)	17.3% (14)	12.9% (8)	1.0% (1)	9.6% (23)
	3 or less (0 pts.)	48.1% (39)	87.1% (54)	19.6% (19)	46.7% (112)
	None	34.6% (28)	- (0)	79.4% (77)	43.7% (105)
Total		100.0% (81)	100.0% (62)	100.0% (97)	100.0% (240)

*Eleven cases were excluded due to coding errors in the scoring of these items.

Table 6 shows the difference between the original Program Participation item and the initial revision, Program I. Of the 193 people in the sample who earned 2 points for program under the pilot system, 83 or 43.0% lost 1 of those points under the revised item. The change from the original version weights program participation more heavily than work assignments and requires participation in more than one program or work assignment in order to gain the maximum number of points.

TABLE 6

Original Program Participation Score by New Program I Score

		<u>Old Score</u>	
		<u>0 Pts.</u>	<u>2 Pts.</u>
NEW SCORE	0 Pts.	100% (58)	-
	1 Pt.		43.0% (83)
	2 Pts.		57.0% (110)
	Total	100.0% (58)	100.0% (183)

Almost one-third of the sample received an additional point for Discipline III. Table 7 shows that those gaining the extra point were also more likely to have received the maximum number of points for Discipline I and Discipline II. About three-fourths of those who received 1 point for Discipline III, also received 4 points for Discipline I and Discipline II.

TABLE 7

Pilot Discipline Total Score* by Discipline III Score

		<u>Discipline III Score</u>	
		<u>0 Pts.</u>	<u>1 Pt.</u>
Discipline I and Discipline II	0 Pts.	18.8% (32)	7.4% (6)
	2 Pts.	38.8% (66)	17.3% (14)
	4 Pts.	42.4% (72)	75.3% (61)
	Total	100.0%	100.0%

*The original discipline total score refers to combined points received for Discipline I and Discipline II.

In comparing the revised point systems, the project was also interested in the numbers of inmates gaining and losing points, and the proportions moving into different point score ranges under the revised systems.

The changes in applicants' scores resulting from the use of the three revised point systems are summarized in Tables 8 and 9.

TABLE 8

Point System Distributions
(cumulative percentages)

<u>Score</u>	<u>Pilot Pt. Score</u>	<u>Revised Score 1</u>	<u>Revised Score 2</u>	<u>Revised Score 3</u>
23	0.4			
24	0.7	1.9	1.5	0.4
25	3.3	3.3	2.2	1.9
26	4.4	5.6	3.7	3.0
27	8.6	8.6	5.9	4.8
28	10.4	10.8	8.2	8.2
29	21.6	20.8	15.2	11.2
30	25.6	25.7	19.0	19.0
31	38.3	33.1	27.5	25.3
32	42.8	43.5	36.4	34.6
33	51.7	50.2	45.4	42.4
34	64.7	62.5	58.4	54.3
35	71.7	68.4	65.1	62.1
36	80.7	73.6	71.0	72.1
37	84.4	81.8	79.2	77.3
38	90.7	86.2	84.8	84.8
39	93.3	89.6	88.1	87.0
40	96.3	95.2	94.1	93.7
41	97.4	97.0	96.3	96.3
42	99.3	99.3	98.9	98.9
43	99.6	99.6	99.6	99.6
44	100.0	100.0	100.0	100.0
<u>N</u>	<u>269</u>	<u>269</u>	<u>269</u>	<u>269</u>

Revised Score 3 produced the most dramatic change in scoring patterns. Under Revised Score 3, 11.2% of the sample fell into the low range for furloughs compared to 21.6% under the pilot system. Under Revised Score 2, 15.2% scored in the low range, while the

proportion for Revised Score 1 did not differ greatly from that of the pilot point system.

TABLE 9
Percentage of Applicants in Point System Categories

<u>Pt. System Categories</u>	<u>Pilot Pt. System</u>	<u>Work Release and Educational Leave</u>		
		<u>Revised Score 1</u>	<u>Revised Score 2</u>	<u>Revised Score 3</u>
Low (0-32)	42.8%	43.5%	36.4%	34.6%
Middle (33-39)	50.6%	46.1%	51.7%	52.4%
High (40-44)	6.7%	10.4%	11.9%	13.0%

<u>Pt. System Categories</u>	<u>Pilot Pt. System</u>	<u>Furloughs and Leave of Absence</u>		
		<u>Revised Score 1</u>	<u>Revised Score 2</u>	<u>Revised Score 3</u>
Low (0-29)	21.6%	20.8%	15.2%	11.2%
Middle (30-37)	62.8%	61.0%	63.9%	66.1%
High (38-44)	15.6%	18.2%	20.8%	22.7%

Table 10 shows movement from the low to the middle furlough range. Over half of those in the low range under the pilot point system moved into the middle range under Revised Score 3. Under Revised Score 2, 41.4% moved from the low to the middle range, compared to 27.6% under Revised Score 1.

TABLE 10

Number and Percent Moving from Low to Middle Furlough Range

	<u>Revised Sc.1</u>	<u>Revised Sc.2</u>	<u>Revised Sc.3</u>
Moved into Middle Range	27.6% (16)	41.4% (24)	51.7% (30)
Remained in Low range	72.4% <u>(42)</u>	58.6% <u>(34)</u>	48.3% <u>(28)</u>
Total	100.0%	100.0%	100.0%

Movement from the middle to the high furlough range did not vary greatly among the revised point score (Table 11). Moreover, the proportions moving from the middle to the high range were smaller than those moving from the low to the middle range. The revised systems tended to have a greater effect on those originally scoring in the low range.

TABLE 11

Number and Percent Moving from Middle to High Furlough Range

	<u>Revised Sc.1</u>	<u>Revised Sc.2</u>	<u>Revised Sc.3</u>
Moved into High Range	6.7% (13)	7.8% (15)	7.8% (15)
Remained in Middle Range	93.3% <u>(180)</u>	92.2% <u>(178)</u>	92.2% <u>(178)</u>
Total	100.0%	100.0%	100.0%

Table 12 shows downward movement from the middle furlough range to the low range. Again, the proportions are relatively small, ranging from 7.3% for Revised Score 1 to 2.6% for Revised Score 3.

TABLE 12

Number and Percent Dropping from Middle to Low Furlough Range

	<u>Revised Sc.1</u>	<u>Revised Sc.2</u>	<u>Revised Sc.3</u>
Moved from Middle to Low Range	7.3% (14)	6.2% (12)	2.6% (5)
Remained in Low Range	92.7% (179)	93.8% (181)	97.4% (188)
Total	100.0%	100.0%	100.0%

On the basis of the preceding analysis, Revised Score 1 was determined to be the best candidate for the revised point system. Although Revised Score 3 provided more mobility into the middle range, its chief limitation was the retention of the unsatisfactory pilot program item. Revised Score 2 was rejected because it excluded Item 5, Outstanding Warrants. Even though Item 5 is somewhat difficult to score it was retained in the revision. An analysis of 69 serious temporary release failures at the Lincoln and Bayview Correctional Facilities between November, 1976 and May, 1977 revealed a high incidence of outstanding warrants.⁸ All but two of the inmates had been chosen for work release without the use of the point system. Subsequent scoring under the point system revealed that 35% had outstanding warrants on commitment. As earlier research had shown that only 10% of all applicants lost points on this item, this constituted a disproportionately high number with outstanding warrants. Thus, the item

⁸This analysis was interesting in several respects. Subsequent point scoring of the inmates revealed that 42% of the cases scored in the low range and would have been automatically excluded from consideration for the program. Three cases would have been referred for further investigation. Four cases would have been automatically approved. Of the 69 failures, 10 were rearrested for violent crimes. Six of these would have been automatically excluded. None would have been automatically approved.

was retained as yet another aspect of the effect of prior criminal history.

The final version of Revised Score 1 was outlined at the beginning of this section. The proposed final revisions were not entirely based on computer analyses. For example, the final versions of the program and discipline items were based on estimates of the distribution of scores on these items. In addition, figures included in the cumulative point distribution (Table 8) are based on "corrected" scores, taking into account possible improvements in various point score items. The further modifications in Revised Score 1 were made to inject further clarity and fairness into the point system selection process.

SECTION III - MODIFICATIONS IN THE TEMPORARY RELEASE SELECTION PROCEDURES

In July, 1977, the legislature passed a bill to take effect September 1, 1977 amending Article 26 of the Correction Law to require promulgation of new regulations governing inmate eligibility for temporary release programs.¹ In an effort to shape the Department's response to the provisions of the new law on temporary release eligibility, the Vera staff worked with DOCS on the development of an outline of the empirical basis for a set of guidelines satisfying the following principles:

1. The selection process for temporary release would be governed by clear and workable standards to guide all Department staff members to whom the Commissioner delegates his authority to approve inmates for temporary release. These standards should be designed to do the best possible job of choosing inmates

¹The new temporary release law made general changes in the eligibility and selection criteria for temporary release as well as mandating promulgation of new comprehensive rules and regulations for temporary release programs by January 1, 1978. According to Section 851(2) "Eligible Inmate" means a person confined in an institution who is eligible for release on parole or who will become eligible for release on parole or conditional release within one year. In the case of a person serving an indeterminate sentence of imprisonment imposed pursuant to the penal law in effect after September 1, 1967, for the purposes of this article parole eligibility shall be upon the expiration of the minimum period of imprisonment fixed by the court or where the court has not fixed any period, after service of the minimum period fixed by the State Board of Parole. If an inmate is denied release on parole, such inmate shall not be deemed an eligible inmate until he is within one year of his or her next scheduled appearance before the State Parole Board. No person convicted of any escape or absconding offense defined in Article 205 of the Penal Law shall be eligible for temporary release. Notwithstanding the foregoing, no person who is an otherwise eligible inmate who is under sentence for a crime involving: (a) infliction of serious physical injury upon another as defined in the Penal Law, (b) a sex offense involving forcible compulsion, or (c) threatened use of a deadly weapon may participate in a temporary release program without the written approval of the Commissioner. The Commissioner shall promulgate regulations giving direction to the Temporary Release Committee at each institution in order to aid such Committees in carrying out this mandate.

who would perform well in the program and screening out those whose participation would jeopardize the program's future.

2. The annual number of participants in the Department's temporary release programs should be reduced by roughly 25%.
3. New procedures would be established in order to assure Central Office review of applications that present particularly important or sensitive issues.

This report describes modifications of the point system and changes in the selection processes that were established in order to meet these objectives.²

Modifications of the Point System

The base of the revised selection system was the point system, which provided a uniform framework for the evaluation of each applicant. The temporary release law required that the Department's Temporary Release Committees approve for participation in the program only those inmates whose release would be "consistent with the safety of the community and the welfare of the applicant." (§855(4)) The point system, as the vehicle for guiding the decision of the Temporary Release Committees, was far more specific. It directed the committee's attention to the significant elements of the applicant's criminal history - prior felony and misdemeanor convictions, prior incarcerations, parole or probation violations, outstanding warrants at time of commitment, and violent crime convictions - and to his institutional disciplinary record and his record of participation in programs. As piloted, the points it awards or takes away from an applicant for his record on each item are combined into an overall

²A detailed presentation of the revised temporary release selection process appears in the Staff Manual, Appendix B.

score which gives a balanced appraisal of the length and seriousness of the applicant's criminal history and the degree of his adjustment to incarceration. Based on studies of inmate performance on temporary release and an extended pilot test in four Department facilities, the point system was the starting point for a uniformly administered selection process, grounded on the consideration of factors shown to have predictive value in assessing an applicant's chances for success in the program.

When the new temporary release law was passed the point score system had already evolved in sufficient detail so that, with certain modifications to take account of the specific focus of the recent amendments to Article 26, it could usefully serve as a set of detailed directions to the Temporary Release Committees. Promulgation of regulations based on the point system was considered to be an appropriate first step by the Commissioner in carrying out the mandate of the new temporary release law. Use of the point system could substantially reduce the number of cases "eligible" for temporary release by manipulation of point score boundaries, it could exclude inmates whose prospects for success on release were relatively lower than the best candidates, and it could penalize (for the purposes of determining eligibility) those inmates under sentence for the crimes specified in the new law. The discretion of Temporary Release Committees (when carrying out the statutory mandate to balance "the safety of the community" with the "welfare of the applicant" [§855(4)]) would in this way be guided along lines that research had approved, and that were even more detailed and sensitive than the broad categories to which the legislature had directed the Commissioner's attention.

The version of the point system tested in the pilot facilities largely anticipated the new statute's concern with applicant's committed

for violent crimes by specifically penalizing them on the basis of the most violent crime of which they have been convicted according to the following scheme:

Convictions for -

murder in 1°, 2°;
kidnapping in 1°, 2°;
rape in 1°, 2°, 3°;
sexual misconduct;
sodomy in 1°, 2°, 3°;
incest;

were penalized by a loss of 6 points.

Convictions for manslaughter in the 1° and 2° and arson in the 1° and 2° were penalized by a loss of 4 points.

Convictions for -

robbery 1°, 2°, 3°;
assault 1°, 2°, 3°;
possession of a dangerous weapon;
menacing;
reckless endangerment 1°;
unlawful imprisonment;
coercion 1°;
riot 1°;

were penalized by a loss of 2 points.³

The revised selection process needed only to incorporate penalties for four additional felonies - burglary in the 1°, 2°, criminal trespass in the 1° and criminally negligent homicide - to respond to the full range of the new statute's violent crime categories. Thus, as a first step toward carrying out the mandate of the recent bill, it was decided that the Commissioner would modify the point system to include every offense covered by the statute. The final point system incorporated these crimes into item 6 of the point system.

³In fact, these penalties went beyond the concerns of the statute, since they applied not only to an applicant's crime of commitment but also to any prior crimes of violence in his criminal history.

FINAL TEMPORARY RELEASE POINT SYSTEM

Criminal History

1. Previous incarceration following adjudication (+1 point if none within last 10 years, 0 points if misdemeanor of youthful offender incarcerations only within last 10 years, -1 point if one or more felony incarcerations within last 10 years. The 10 year period is counted back from the date of present incarceration, excluding any period of incarceration in that time, in effect, extending the 10 year period by an equal amount of time).
2. Number of felony convictions prior or subsequent to commitment offense. (2 points if none within last 10 years or subsequent to commitment date of current incarceration, 0 points if one within past 10 years or subsequent to commitment date of current incarceration, -2 points if 2 or more within last 10 years or subsequent to commitment date of current incarceration. The 10 year period is counted back from the date of current incarceration, excluding any period of incarceration in that time, in effect, extending the 10 year period by an equal amount of time).
3. Number of misdemeanor convictions prior or subsequent to commitment offense. (1 point if none within last 10 years or subsequent to commitment date of current incarceration, 0 points if 3 or less in last 10 years or subsequent to commitment date of current incarceration, -1 point if 4 or more in last 10 years or subsequent to commitment date of current incarceration. The 10 year period is counted back from the date of current incarceration, excluding any period of incarceration in that time, in effect extending the 10 year period by an equal amount of time).
4. Previous revocations of parole or probation in last 10 years or subsequent to commitment date of current incarceration if resulting from abscondance or rearrest (2 points if none, 0 points if one or more. The 10 year period is counted back from the date of current incarceration, excluding any period of incarceration in that time, in effect extending the 10 year period by an equal amount of time).
5. Outstanding warrants at time of or subsequent to date of commitment. (2 points if none, 0 points if 1 or more).

6. Nature of prior, current and subsequent convictions of crimes against the person within the last 10 years or subsequent to date of commitment of current incarceration (-6 points if any conviction for murder or sex crimes or first or second degree kidnapping; -4 points if any convictions for manslaughter or first or second degree arson, or first degree robbery or burglary; -2 points if any convictions for second or third degree robbery, assault, possession of a dangerous weapon, menacing, first degree reckless endangerment, second degree criminally negligent homicide, burglary, first degree criminal trespass, unlawful imprisonment, coercion and riot; 0 points if no convictions for crimes against the person. The 10 year period is counted back from the date of current incarceration, excluding any period of incarceration in that time, in effect, extending the 10 year period by an equal amount of time).

Institutional Behavior Items

7. Program participation I (Maximum 3 points)
Participation months are used to calculate this score. A participation month is a 30 day period of regular participation in either a program or a work assignment within the two years prior to application. 1 point may be earned by accumulating either -
 - a) 8 participation months in work assignments
 - b) 8 participation months in program, or
 - c) 8 participation months in any combination of work assignment and program.2 points may be earned by accumulating 16 participation months, provided that no more than 12 of these months are for work assignment.
3 points may be earned by accumulating 24 participation months, provided that no more than 12 of these months are for work assignment.
8. Program participation II (Maximum 1 point)
An inmate may earn this point by accumulating 8 program or work assignment participation months for the period 25-36 months prior to application.
9. Discipline I (Maximum 4 points total)
(1 point if 0 Adjustment Committee decisions in the last 3 months imposing any term of special housing or keeplock or a loss of privileges for 14 days or more; 1 point if 1 or fewer Adjustment Committee decisions imposing such penalties in the last six months; 1 point if 2 or fewer Adjustment Committee decisions imposing such penalties in the last nine months; 1 point if 3 or fewer Adjustment Committee decisions imposing such penalties in the last 12 months.)

10. Discipline II (Maximum 1 point)
(1 point if three or fewer Adjustment Committee decisions imposing any term of special housing or decision imposing any term of special housing or keeplock, or a loss of privileges for 14 days or more in the period 12-24 months prior to application, provided that the inmate has been incarcerated at least 24 months at the time of application; 0 points if 4 or more)

11. Temporary release record
(minus 6 points if convicted of a crime [or arrested pending disposition of charges] or absconded while on temporary release within the last year; minus 3 points if revoked from work release or educational leave for reasons other than rearrest or abscondance within the last year; minus 3 points if convicted [or arrested pending disposition of charges] or absconded while on temporary release within the period 13-24 months prior to application; minus 2 points if failed to proceed to or stay at approved destination while on temporary release, or if failed to comply with parole check-in requirements, or if returned late or under the influence of drugs or alcohol within the last 3 months; plus 2 points if most recent unescorted participation on temporary release was successful and occurred during the past year or plus 4 points if the two most recent unescorted participations on temporary release were successful and occurred during the past year; 0 points if none of the above).

The Temporary Release Committees were then directed to score all applicants according to this final point system. The committees were stripped of discretion to approve for release any inmate scoring below the thresholds approved by the Commissioner. During the pilot period, inmates could become eligible for consideration by the committees only if they scored 30 (or better) when applying for furlough and 33 (or better) when applying for work release. (The committees, after determining threshold eligibility in this way, subjectively weighed the inmate's file, his demeanor and his proposed program for temporary release, before approving participation. At the four experimental facilities, the committees had been approving only 44 percent of applicants scoring above the work release eligibility threshold.) While at the pilot facilities these thresholds proved high enough to exclude from consideration a number of the riskier inmates who were otherwise eligible, it was possible to raise these thresholds so that the number likely to be approved for temporary release was reduced by roughly 25 percent. It was felt that this reduction would exclude those inmates whose scores indicated a relatively lower probability of success.

Data from the pilot facilities were analyzed in order to estimate the impact of various changes in the point score boundaries on the number of temporary release participants. The analysis indicated that if the furlough eligibility threshold was raised to 31 points from its previous level of 30, and if the work release threshold was raised to 34 from 33 points, participation in the general confinement furlough program would be cut by 5 percent and participation in work release would be cut by 15 percent. (These projections assumed that there would be no change in the rate at which the committees

refused temporary release to eligible furlough applicants, and that the rate of refusal in the work release program would increase from 56 to 60 percent.) Raising the eligibility threshold to 32 points for furlough applicants and to 35 points for work release applicants would yield reductions in these programs of 16 and 38 percent respectively. It was suggested that the thresholds be raised to 32 and 35 points.⁴

The spread of 3 points between the eligibility thresholds for furlough and work release could not be preserved if both programs were cut by the same percentage. Maintaining this spread was of some importance to the incentive effect of the point system in that successful participation in furlough programs awarded inmates 2 - 4 additional points, thereby making them eligible for work release consideration. Moreover, data from the pilot and general experience from the temporary release program, suggested that the risks of furlough are less than the risks of work release. Thus, it was decided that the 25 percent overall reduction would be achieved by cutting back more substantially in the work release than in the furlough program.

Data on temporary release applications at the four pilot facilities were used to examine the effect of the proposed tightening of thresholds on the eligibility of inmates with records of violent offenses. (Table 1). Seventy-four percent of temporary release applicants were found to have a current or prior offense which, because of its violent or potentially violent nature, reduced their score and the likelihood of their being eligible for consideration by the temporary release committees; for 5 percent of all applicants,

⁴Raising the furlough threshold to 33 and the work release threshold to 36 would yield reductions of 21% and 44%--cutbacks that were rather excessive if the work release program was to be cost effective in the utilization of available community space and, in fact, would offer no significant decrease in the risk of failure (as Table 1 shows.)

the score reduction flowed from conviction for murder, kidnapping or violent sex crimes. The percentage of inmates with serious records of this type who scored at or above the eligibility threshold (and therefore were eligible for consideration by the Committees) was also reduced as the threshold increased. The following table shows this relationship. There is no doubt that by making low-scoring applicants ineligible for temporary release programs, the point system reduced the likelihood that an inmate with a serious record would be eligible for consideration by a Temporary Release Committee. It also reduced the likely incidence of major program failure such as rearrest and absconding for those inmates chosen.

TABLE 1

<u>Threshold Score</u>	<u>Percentage meeting threshold who have records that include murder, kidnapping or violent sex crimes.</u>	<u>Percentage meeting threshold who have records that include any violent or potentially violent crime.</u>
No threshold	5.0%	74%
.	.	.
.	.	.
31	2.6%	69%
32	2.4%	66%
33	2.1%	64%
34	1.9%	62%
35	0%	56%
36	0%	55%

From these data it seemed clear that if the temporary release programs were cut back roughly 25% the incidence of major program failure could be reduced. This could be accomplished by raising the eligibility thresholds 2 points and implementing the scoring criteria by systemwide regulation. (Of course, it should not be forgotten that the majority of inmates in any of the score categories discussed here would not, in fact, abscond or be rearrested if granted participation in temporary release. And every incremental rise in the eligibility thresholds ex-

cludes from participation a greater proportion of inmates who would, neither abscond nor be rearrested if temporarily released. Yet, there are no levels at which the thresholds could be set (except if they were set to exclude all inmates from eligibility) so that the risk of major failure would be reduced to zero..

Under the revised selection process adopted by the Department, all applicants were scored under the point system. Only furlough applicants scoring 32 points or higher and work release applicants scoring 35 points or higher were to be considered for the program. These threshold levels were each two points above the boundaries established in the pilot point selection process. As previously discussed, the projected reductions in the level of participation in the program were 15% for furlough and 38% for work release facilities. The higher boundaries also reduced the proportion of applicants convicted of violent crimes in the pool from which participants would be selected. Applicants scoring at these levels or higher were considered by the temporary release committees for release. There no longer was any automatic approval for temporary release based on a high point score. All applications scoring above the thresholds were substantively reviewed by the Temporary Release Committee.

Revisions of the Selection Process

As in the pilot period, the Temporary Release Committee was required to meet with each applicant as part of the assessment of the applicant's suitability for the program. In response to Section 851(2) of the new temporary release law, additional procedures not implemented during the pilot period were established in order to bring the review process within the Commissioner's direct control.⁵

⁵Sec. 851(2) requires written approval of the Commissioner authorizing the temporary release participation of any eligible inmate falling into the following categories: Sec. 851(2a) Inmates under sentence for a crime involving the infliction of serious physical injury upon another. "Serious physical injury means physical injury which creates a substantial risk of

These procedures were used together with the other methods of evaluating inmates, including special procedures discussed below to identify and evaluate sex offenders, members of organized crime, notorious offenders and offenders with a history of mental instability. The development of the new procedures is fully described in Appendix Section A (Guidelines for Reviewing Applications for Temporary Release").

Once eligibility was established,⁶ a summary of the applicant's criminal history would be compiled using the Criminal History Form.⁷ According to the design of this form, low scoring inmates are better candidates for temporary release and should be further evaluated for possible approval. Inmates scoring above 11 points on the Criminal History Form should be automatically rejected for work release and educational leave. Inmates scoring above 13 points should be automatically rejected for furloughs, community service leave, leave of absence and industrial training. Inmates scoring below 11 or 13 points, respectively would be considered

death or serious and protracted disfigurement, protracted impairment of health or protracted loss or impairment of the function of any bodily organ. Sec. 851(2b) Inmates under sentence for a sexual offense involving forcible compulsion. "Forcible compulsion means physical force that overcomes earnest resistance; or a threat, expressed or implied, that places a person in fear of immediate death or serious physical injury to himself or another person, or in fear that he or another person will immediately be kidnapped." Sec. 851(2c) Inmates under sentence for an offense involving the use or threatened use of a deadly weapon. "Deadly weapon" means any loaded weapon from which a shot, readily capable of producing death or other serious physical injury, may be discharged, or a switchblade knife, billy, blackjack or metal knuckles.

⁶Eligibility requirements are specified in the Temporary Release Staff Manual. See Appendix section B.

⁷The Criminal History Form was designed for interim use in facilities not yet operating under the point system. The Vera staff recommended that it be used at the preliminary stage of the selection process in assessing general qualifications and screening applicants who appear to be the strongest candidates for temporary release.

serious candidates for temporary release and reviewed by the Temporary Release Committee.⁸

After the initial review of the applicant's criminal history, the Temporary Release Decision Guidelines were then used as an aid to further examine the inmate's record. Although the guidelines were not exhaustive of all factors that could be taken into account by the Temporary Release Committee, they reflected the most important factors. (Some factors are more important than others, but in general, no one factor can be viewed as determinative. A preponderance of "yes" answers to the items suggests that the inmate may have greater difficulty on temporary release and should be very carefully evaluated.)

On the basis of the point score, the Criminal History Summary and the Temporary Release Decision Guidelines, the Temporary Release Committee scheduled interviews with inmates who were serious candidates for temporary release. The Committee would then determine which factors were of greatest importance to the individual applicant after considering the point score, the impressions gained from the personal interview, the recommendations of professional staff and the guidelines, keeping in mind the statutory goal of promoting the welfare of the inmate without endangering the community. The Committee's decision to approve or disapprove was to be made within the context of a meeting of the full Committee. A decision to approve an application would have

⁸When examining the record, the Committee was to give careful attention to the circumstances surrounding the offense. If it was a crime of violence against the person, the degree of aggressiveness involved and whether it resulted in serious physical injury to any party or involved the use of a weapon was to be established. The testimony of the applicant and the degree and nature of the crime of conviction as well as any pre-sentence or sentencing document was to be considered in determining the circumstances of the crime. This procedure is of particular importance when reports detailing offense behavior are conflicting.

to be accepted by all three committee members. If only two members of the committee favored acceptance, the case would have to be referred to the Chairperson of the Temporary Release Committee for decision. If only one member of the Committee was in favor of acceptance, the application would be rejected.

Applications of inmates accepted by the Temporary Release Committee were to be forwarded to the Superintendent and accompanied by a memorandum setting forth the proposed temporary release program and stipulating the extended bounds of confinement. The Superintendent would then review all of the documents in deciding whether to accept or reject an application. Where an application was rejected, the Superintendent would state his reasons in writing and a copy of his statement would be forwarded to the inmate and to the Director of Temporary Release Programs. (Inmates were informed that such rejections are subject to review by the Commissioner. If the Commissioner also rejected the program, the inmate would be informed in writing.) The interviewer would then be advised of the Superintendent's decision for MIS updating.

The further investigation procedures initiated during the pilot also were used to identify and screen out particular groups of applicants whose participation in the program might jeopardize its public acceptance - inmates with histories of mental instability, sex offenders, members of organized crime and notorious offenders. Initially, Central Office review of Temporary Release Committee decisions was to be limited to those cases where, despite a determination by the further investigation hearing that an applicant fell into one of these categories, the committee approved the application. In approving any of these further investigation cases, the committees were required to

specify in their decision those positive factors in the applicant's record which outweighed the risk to the program indicated by the applicant's inclusion in a further investigation category. Central Office staff reviewing these cases were to be guided by the same set of specific instructions for evaluating an applicant's record in use by the Temporary Release Committee. This system of review was adopted for the "non-statutory" cases, applicants whose crimes were not covered by Section 851(2) (i.e. did not involve possession of a weapon, infliction of serious injury or a forcible sex offense.) However, applications for inmates described in Section 851(2) of the Temporary Release Law were forwarded to Central Office for further review.⁹ These applications were monitored by Central Office staff to assure compliance with program guidelines and policy. The following procedures were followed by Central Office personnel when submitting temporary release applications to the Commissioner for his written approval:

A. Procedures to be followed by the Director of Temporary Release Programs

When a temporary release application was received in Central Office from an inmate within the statutory categories, the Director of Temporary Release Programs and his staff reviewed the file. When he or a member of his staff concurred with the decision of the Temporary Release Committee and the Superintendent, the application was

⁹As 74 percent of temporary release applicants fell into the statutory categories, this further review process dramatically altered the selection process as originally designed and piloted. As originally envisioned, a selection system based on objective criteria, with articulated guidelines for decision-making at the facility level, would eliminate the need for removed and time-consuming levels of Central Office review. In a somewhat ironic turn of events, at a point when such a system had been developed and appeared workable, the legislature intervened to require full scale Central Office review.

transmitted to a Deputy Commissioner or Associate Commissioner who reviewed the application in accordance with the procedure described below. In the case of work release applications, the inmate's file and a summary of the reasons which led to the recommendation for approval by the Director of Temporary Release was transmitted to the appropriate Deputy or Associate Commissioner. In the case of furlough applications, the summary prepared by the Temporary Release Committee, the Superintendent's endorsement, the Criminal History Summary, the Temporary Release Decision Guidelines, and the recommendation of the Central Office staff were forwarded to the appropriate Deputy or Associate Commissioner.

B. Procedures to be followed by Deputy and Associate Commissioners

Each Deputy or Associate Commissioner served as Chairman of an advisory panel of three Central Office staff persons periodically assigned by the Executive Deputy Commissioner. Each panel reviewed and recommended either approval or disapproval of each temporary release application. Disapprovals were returned to the Director of Temporary Release Programs along with a written statement of reasons for such disapproval which was forwarded to the inmate. The Deputy or Associate Commissioner endorsed the file of recommended approvals. Such endorsements were issued only where the Deputy or Associate Commissioner were satisfied that both the Temporary Release Committee and the Superintendent had complied with the guidelines of Directive 7001¹⁰ and that the decision to grant the application was consistent with the purpose of Section 851 of the Correction Law and with the

¹⁰The full text of Directive 7001 appears in Appendix A, Guidelines for Reviewing Applications for Temporary Release.

welfare of the inmate and the safety of the community.

If a Deputy or Associate Commissioner recommended approval of an application that was reversed on appeal after disapproval by either the Temporary Release Committee or the Director of Temporary Release, the application and its accompanying documents was submitted to the Executive Deputy Commissioner for review.

All applications recommended for approval by a Deputy or Associate Commissioner were submitted to the Commissioner for final review and written approval or disapproval in accordance with Section 851(2) of the statute.

SECTION IV - STUDIES OF ACCESS TO TEMPORARY RELEASE

DURING THE PILOT PERIOD

Introduction

The following studies were designed to explore entry procedures for furlough and work release programs by comparing trends in access to temporary release under the pilot point system with access during a period prior to its implementation at the four pilot facilities. In developing the point system, the primary intent was to promote more equitable and consistent decision-making by articulating the criteria to be followed in the review of applications. The point system imposes uniformity on the selection process by ensuring that all applicants are evaluated according to the same standards and by eliminating the intrusion of personal bias and inappropriate criteria. It was felt, however, that the new selection procedures might have two additional consequences which are discussed below.

First, by clarifying the considerations on which decisions are based, the point system could have an effect on the proportions of applicants approved for furloughs and work release. Among the questions to be asked is whether the new selection procedures had any effect on the decision-making of facility personnel. The second issue pertains to the amount of time between the date of the application and the date of the final decision on the application. It was possible that the average processing time would decline as a consequence of certain attributes of the new selection procedures including automatic decision-making and the elimination of Central Office review on applications scoring in the low and high ranges. It was reasonable to expect that the revised procedures would enable the Temporary Release Committee to concentrate their attention on

middle range applications. The data on average time to process applications would also provide an assessment of the need for possible improvement in the coordination of temporary release operations at the correctional facilities.

The data presented in the following reports will describe changes in furlough and work release approval rates and in the process of reviewing applications in a preliminary effort to assess the impact of the pilot point system on temporary release decision-making and procedures. In documenting access to temporary release, the following measures were utilized: 1) the proportion of applications that have been approved for temporary release and, 2) the average time to process an application. The research focused on the following aspects of the decision-making process:

- 1) the proportion of applications approved for temporary release under the point system as compared to the proportion approved prior to the implementation of the point system.
- 2) the average time to process furlough and work release applications prior to and following the implementation of the point system.
- 3) the variations in processing time among applications falling into the three point score ranges.

The research designs and analyses are presented in the following sections. In the first report, a descriptive analysis of temporary release acceptance rates is presented in order to determine whether the proportion of approvals has increased under the point system. The second report documents the average time to process work release and furlough applications. It will be shown that the preliminary

results raise further questions regarding the overall functioning of the point system. No clearcut patterns emerged in either of the studies outlined below. Possible explanations for these findings are suggested in the summaries and conclusion to this section.

The findings and conclusions of this report may reflect the old temporary release system, which differed at each of the pilot facilities, as much as they reflect the new process. Of the four institutions, Elmira appeared to have the best run and most utilized temporary release program. Auburn, on the other hand, approved few people for temporary release and had great difficulty processing the greatly increased number of applications during the pilot. Wallkill, a medium security institution with no exterior wall, used temporary release as a reward for good institutional behavior. Wallkill relied on Central Office review to turn down candidates who had a good institutional record but a bad criminal history. Wallkill also had a disproportionately large number of temporary release eligibles in its population. The selection process at Bedford Hills suffered from long-term disorganization due, among other reasons, to inadequate staff. Applications for temporary release were routinely pre-screened. An inmate had to have a counselor's recommendation before she was allowed to apply. It is assumed that the past practices of facility personnel and their perception of the program affected temporary release processing and may help to explain some of the findings described here.

PROPORTIONS APPROVED FOR TEMPORARY RELEASE

The purpose of this study was to document access to temporary release programs during the pilot period and to determine the extent to which acceptance rates may have changed since the implementation of the point system. In a preliminary effort to assess the impact of the point system on temporary release acceptance rates, data were collected on all inmates from the pilot facilities who had applied for temporary release under the old selection procedures and under the point system.

METHOD

The study was designed to account for seasonal fluctuations in the volume of temporary release applications. The proportion of inmates at Bedford Hills, Auburn, Wallkill and Elmira who were approved for temporary release during a three month pilot period (October - December, 1976) were compared with the proportions approved during the corresponding months in 1975. Similarly, the proportions approved during a three month pre-pilot period (July - September, 1976) were compared with the proportions for the months of July - September, 1975. Comparable data were collected on all inmates from four comparison facilities (Attica, Greenhaven, Eastern and Woodbourne) that were not operating under the point system during the months covered in this study. Data from these facilities were included in order to account for events other than the point system that might have had an effect on the proportion of temporary release approvals. Thus, the analysis was designed to approximate a before/after experiment with one control group. However, it is important to understand that the initial selection of the pilot facilities was based on numerous administrative considerations having to do with geographic location, security designation and demographic characteristics of the inmate population.

Although the comparison facilities were chosen because they appeared to reasonably match two of the pilot facilities, Auburn and Wallkill, in terms of security designation and composition of the population, it is possible that the two groups of facilities differ from one another in some systematic way.

The data were collected from several sources. Temporary Release Monthly Reports (TRP4) maintained in Central Office provided aggregate data on the number of furlough applications and approvals during each month included in the study. The data on work release applications and approvals were obtained from temporary release logs compiled in Central Office, while data from the pilot period were available from the management information system for temporary release programs.

Data on the proportions of inmates who were approved for furlough and work release during the study periods are presented in the following sections.

RESULTS - FURLOUGH APPROVALS

A. Analysis of Maximum Security Facilities

The number of furlough applications and the proportions approved appear in Table 1. The findings for Auburn indicate that there was a substantial increase in the proportion of applicants who were approved for furloughs under the point system. While 25.3% of the furlough applications were approved during the pilot period (October-December, 1976) only 15.1% were approved during the same period in 1975. Moreover, the data from these periods indicate that the total number of furlough applications rose from 417 to 689. In contrast, differences in the proportions of approvals during the pre-pilot period (July-September, 1976) and the corresponding period in 1975 were small. The number of applications was again higher in 1976, although the increase was not as

dramatic as that observed during the pilot period.

Auburn data were compared with patterns of approval at three maximum security facilities that were not operating under the point system during the study period. The purpose of their inclusion in the analysis was to rule out any events, other than the impact of the point system, as factors affecting the proportion of temporary release approvals. In two of the facilities, Eastern and Greenhaven, there was almost no change from 1975 to 1976 within either of the successive time periods. The data also indicate that the number of applications was markedly lower in 1976. In contrast, the findings for Attica show a substantial increase in the proportion approved during both periods in 1976.

The data suggest that increases in the proportion of furlough approvals at Auburn can be attributed, at least in part, to the impact of the point system. However, because of the somewhat inconsistent patterns that were found among the three comparison facilities, it is not possible to rule out the effect of other factors on the trends observed at Auburn. Thus, any conclusions pertaining to the Auburn data should be regarded as tentative.

TABLE 1
NUMBER AND PROPORTION OF APPLICATIONS APPROVED FOR FURLOUGHS
1975 AND 1976

A. Maximum Security Facilities

FACILITY		NUMBER OF APPLICATIONS	NUMBER APPROVED	NUMBER DENIED	PERCENT APPROVED
Auburn (Pilot Facility)	July-Sept. 1975	396	57	339	14.4
	July-Sept. 1976	471	73	398	15.5
	Oct.-Dec. 1975	417	63	354	15.1
	Oct.-Dec. 1976	689	174	515	25.3
Eastern (Comp. Facility)	July-Sept. 1975	331	151	180	45.6
	July-Sept. 1976	272	123	149	45.2
	Oct.-Dec. 1975	475	238	236	50.2
	Oct.-Dec. 1976	338	163	175	48.2
Greenhaven (Comp. Facility)	July-Sept. 1975	331	58	273	17.5
	July-Sept. 1976	219	33	186	15.1
	Oct.-Dec. 1975	330	78	252	26.3
	Oct.-Dec. 1976	187	46	141	24.6
Attica (Comp. Facility)	July-Sept. 1975	335	33	302	10.0
	July-Sept. 1976	335	88	247	26.3
	Oct.-Dec. 1975	417	74	343	17.0
	Oct.-Dec. 1976	475	156	319	32.8

B. Medium Security Facilities

Elmira (Pilot Facility)	July-Sept. 1975	256	82	174	32.0
	July-Sept. 1976	288	105	183	36.5
	Oct.-Dec. 1975	447	257	190	57.5
	Oct.-Dec. 1976	448	261	187	58.2
Wallkill (Pilot Facility)	July-Sept. 1975	393	181	112	46.1
	July-Sept. 1976	222	113	109	50.9
	Oct.-Dec. 1975	289	209	80	73.2
	Oct.-Dec. 1976	316	177	139	56.0
Bedford Hills (Pilot Facility)	July-Sept. 1975	100	84	16	84.0
	July-Sept. 1976	71	46	25	64.8
	Oct.-Dec. 1975	126	108	18	85.7
	Oct.-Dec. 1976	178	131	47	73.6
Woodbourne (Comp. Facility)	July-Sept. 1975	10	4	6	40.0
	July-Sept. 1976	284	131	153	46.1
	Oct.-Dec. 1975	379	154	225	40.6
	Oct.-Dec. 1976	298	143	155	48.0

B. ANALYSIS OF MEDIUM SECURITY FACILITIES

Data from the medium security institutions yielded mixed results. Findings for Elmira indicate that there was virtually no change from 1975 to 1976 in either the proportion of furlough approvals or the number of furlough applications. This pattern held for both study periods.

The data for both Wallkill and Bedford Hills show that a decrease in the proportion of furlough approvals during the pilot period (October - December, 1976) was accompanied by an increase in the number of applications (Table 1). At Wallkill 73.2% of the furlough applications were approved during the pre-pilot period (October - December, 1975) compared to 56.0% during the pilot period. The corresponding figures for Bedford Hills are 85.7% and 73.6% respectively. The data for Bedford Hills during the July - September pre-pilot period again indicate a decrease in 1976 in the proportion of approvals. However, the number of applications at Bedford Hills during the pre-pilot also declined in 1976. At Wallkill, the differences in the proportion of approvals during the pre-pilot period were minor, although there was a sharp decline in the number of applications from 1975 to 1976.

Data from the medium security institutions were compared with patterns observed at Woodbourne. The findings show that the proportion of furlough approvals remained stable as there was little change from 1975-1976. During both study periods, Woodbourne experienced only moderate increases in the proportion approved for furloughs.

In summary, the data indicate that the point system did not have an effect on the proportion of furlough approvals at Elmira. The higher approval rate at Bedford Hills during both July-September, 1975 and October to December, 1975 may be attributed to the fact that

in that year, no temporary release applications were accepted by the Temporary Release Committee without a positive recommendation from a Corrections Counselor or a Parole Officer. In contrast, one intent of the point system was to eliminate the problem of pre-selection whereby only favored candidates would apply for temporary release. This aspect of the new selection process might account for some of the observed decline in the proportion of approvals during the pilot period. The patterns at Wallkill may also be due to the policies of the Temporary Release Committee at that facility.

During 1975, the inmates' successful institutional adjustment was generally given the most weight on deciding on applications.¹ Consideration of an applicant's criminal history was left to the Special Review process in Central Office where the final decision was made. During the pilot period, when the final decision rested with the Temporary Release Committee, the Committee tended to be more conservative.

¹Department of Correctional Services, Progress Report on Temporary Release for Quarter Ending 12/31/77, p. 7.

WORK RELEASE

A. Maximum Security Facilities

The patterns observed for work release applications at Auburn are not consistent with those observed for furlough applications at that facility (Table 2). When the pre-pilot period (July-September 1976) was compared with data from the same period in 1975, no changes were observed in either the proportion of work release approvals or the number of applications. In contrast, data from the pilot period indicate that there was a decline in the proportion of work release approvals following the inception of the point system. Moreover, the decline from 78.4% (during October-December, 1975) to 49.0% during the pilot period (October-December, 1976) was accompanied by an increase in the number of applications.

A considerable disparity was observed among the comparison facilities. At Attica, during both study periods, there was an increase in the proportions of approvals in 1976 in combination with a decrease of approximately 50% in the number of applications. In contrast, the changes between 1975 and 1976 were found to be minimal at Eastern. At Greenhaven, a decrease from 1975 to 1976 during the period July to September was followed by an increase during the months of October to December. The absence of any clearcut patterns among the three comparison facilities suggests the need to account for aspects of the decision-making process which might be peculiar to each facility. Future research efforts in this area should include documentation of unique events or procedures within the individual facilities. This information could be obtained through interviews with Department personnel. Its inclusion in the research design would provide a clearer picture of the extent to which facilities are comparable.

TABLE 2

NUMBER AND PROPORTION OF APPLICATIONS APPROVED FOR

WORK RELEASE, 1975 AND 1976

A. Maximum Security Facilities

FACILITY	MONTHS	NO. OF APPLICATIONS	NO. APPROVED	NO. DENIED	No DECISION	% APPROVED ¹	% APPROVED ²
Auburn (Pilot Facility)	July-Sept. 1975	68	41	27	0	60.3	60.3
	July-Sept. 1976	69	42	20	7	60.9	67.7
	Oct.-Dec. 1975	37	29	8	0	78.4	78.4
	Oct.-Dec. 1976	112	51	53	8	45.5	49.0
Eastern (Comp. Facility)	July-Sept. 1975	119	41	78	0	34.5	34.5
	July-Sept. 1976	151	46	104	1	30.4	30.7
	Oct.-Dec. 1975	166	63	102	1	38.0	38.2
	Oct.-Dec. 1976	149	64	84	1	43.0	43.2
Greenhaven (Comp. Facility)	July-Sept. 1975	132	56	76	0	42.4	42.4
	July-Sept. 1976	95	21	72	2	22.1	22.6
	Oct.-Dec. 1975	73	17	56	0	23.3	23.3
	Oct.-Dec. 1976	102	32	68	2	31.4	32.0
Attica (Comp. Facility)	July-Sept. 1975	52	24	28	0	46.2	46.2
	July-Sept. 1976	27	16	11	0	59.3	59.3
	Oct.-Dec. 1975	68	21	46	1	30.9	31.3
	Oct.-Dec. 1976	35	29	6	0	82.9	82.9

B. Medium Security Facilities

Elmira (Pilot Facility)	July-Sept. 1975	8	8	0	0	100.0	100.0
	July-Sept. 1976	5	5	0	0	100.0	100.0
	Oct.-Dec. 1975	7	7	0	0	100.0	100.0
	Oct.-Dec. 1976	77	51	24	2	66.2	68.0
Wallkill (Pilot Facility)	July-Sept. 1975	176	102	74	0	58.0	58.0
	July-Sept. 1976	108	61	45	2	56.5	57.5
	Oct.-Dec. 1975	206	119	87	0	57.8	57.8
	Oct.-Dec. 1976	78	59	18	1	75.6	76.6
Bedford Hills (Pilot Facility)	July-Sept. 1975	26	24	1	1	92.3	96.0
	July-Sept. 1976	12	7	2	3	58.3	77.7
	Oct.-Dec. 1975	19	17	2	0	89.4	89.4
	Oct.-Dec. 1976	36	19	16	1	52.7	54.3
Woodbourne (Comp. Facility)	July-Sept. 1975	-	-	-	-	-	-
	July-Sept. 1976	172	55	117	0	32.0	32.0
	Oct.-Dec. 1975	151	74	77	0	49.0	49.0
	Oct.-Dec. 1976	191	61	129	1	31.9	32.1

¹Includes applications upon which no decision was made.

²Excludes applications upon which no decision was made.

B. Medium Security Facilities

It was not possible to assess the extent of change at Elmira as the number of work release applicants prior to the pilot period was negligible. During the pilot period, two-thirds of 77 work release applications were approved (Table 2).

At Wallkill, comparisons of data from 1975 and 1976 show that the percentage of applications approved for work release increased during the pilot period (October to December, 1976). The data indicate that the increase from 57.8% to 76.6% was substantial. For the months of July to September, there were no appreciable differences between 1975 and 1976.

The findings for Bedford Hills indicate that there was a sharp decline in the proportion of approvals during both periods in 1976. However, there was a 50% increase in the number of applications during the pilot period. As was noted in the section on furlough applications, the larger proportion of approvals in 1975 may be due to peculiarities in the selection procedures at that institution.

The comparison facility, Woodbourne, experienced a decline from 1975 to 1976 (49.0% to 32.1%) during the period October-December. There were no work release applications during the period July-September, 1975. The changes observed at Woodbourne during the October and December period suggest the possibility that factors other than the implementation of the point system could account for at least some of the patterns observed at the pilot facilities.

SUMMARY

The patterns observed among the four pilot facilities indicate a wide disparity in the proportions of temporary release approvals. Increases in the proportion of furlough approvals at Auburn and work release approvals at Wallkill may have been affected by the new selection procedures. However, it is not possible to rule out the effect

of other factors on the observed changes, particularly given variations that also occurred among the comparison facilities. For example, it is possible that work release approvals at Auburn and Elmira were affected by the efforts of community groups interested in cutting back on the number of participants in these programs.

Several of the pilot facilities were found to approve fewer temporary release applications under the point system. This pattern pertained to furlough applications at Wallkill and Bedford Hills and work release applications at Auburn and Bedford Hills. However, the decline in the proportion of approvals was consistently accompanied by an increase in the number of applications, perhaps reflecting better screening procedures under the point system. Peculiarities in the selection processes prior to the implementation of the point system, including the possible pre-selection of applicants, were suggested as a possible explanation for the observed patterns.

Given the relatively short period of time covered in the analysis, the inconsistent patterns and variations in the proportions of approvals are not surprising. More consistent trends might have emerged had the analysis of the pilot period been extended to cover a broader time span. It was also suggested that a process description of operations at the individual institutions would be useful in order to disentangle the effects of factors other than the point system on the proportion of temporary release approvals.

TIME TO PROCESS TEMPORARY RELEASE APPLICATIONS

The following analysis was designed to further document change in access to temporary release programs under the pilot point system. Accordingly, the research will describe the selection procedures in terms of the time to process an application from the date of application to the date of the final decision.

METHOD

The analysis is based upon temporary release applications that were processed at the four pilot facilities during the period October 1, 1976 through December 31, 1976 and during the period three months prior to the implementation of the point system, July 1, 1976 through September 30, 1976. Comparative data from the same time periods were also collected on a systematic sample of temporary release applications at Attica and Woodbourne. The two comparison facilities were included in the analysis in order to rule out the possibility that factors other than the point system are related to the observed outcomes. Attica and Woodbourne were selected because they appear to be most comparable to Auburn and Wallkill in terms of security designation and age distribution of the inmate population. Thus, the research methodology is based on the statistical framework and analysis of experimental design, although it does not include the randomization and pre-experimental sampling equivalence of true experiments.²

Data from the three month pilot period (October-December 1976) were obtained from the management information system for temporary release

²Ideally, it would be preferable to have a true experiment in which inmates are randomly assigned to the treatment group (that is, the pilot facility) and the control group, with data collected prior to and after the implementation of the point system. However, the constraints of operating temporary release programs prevented the development of a true experimental design.

programs. Data pertaining to the period prior to the implementation of the point system were derived from facility records available in inmate files. The study includes all temporary release applications received at the four pilot facilities during the period corresponding to the implementation of the point system. Since it is more difficult to obtain data from the period prior to the point system, a systematic sample was selected from a listing of all applications received during the period July - September, 1976 at Auburn, Bedford Hills, Wallkill and Elmira and July - December, 1976 at Attica and Woodbourne. The pool of temporary release applications from which samples were selected were identified from the following sources:

1. The sample of work release applications were selected from records maintained in Central Office.³
2. The sample of furlough applications were selected from facility records listing inmates who had applied for furloughs during the two study periods.⁴

Two measures were used to describe the time to process temporary release applications. First, the mean and median number of days from the date of application to the date of the final decision were calculated. These figures were used to measure differences between the pilot and comparison facilities during the successive study periods. Data from the pilot facilities were also compiled for several subsets of applications corresponding to the point score ranges. However, although the average number of days is a relevant measure, it does not capture all of the quantitative issues involved in the analysis of processing time. Thus, a

³At three of the facilities, Bedford Hills, Elmira and Attica, there were not enough work release applications to select samples of adequate size. Therefore, data were collected on the total population of work release applications at these facilities.

⁴Discrepancies were noted when data on the total number of furlough applications were compared with the numbers recorded in the Temporary Release Monthly Reports (TRP4). These differences can probably be attributed to deficiencies in facility records. Prior to the implementation of the point system, there were no uniform criteria for maintaining logs on temporary release applications.

second measure was also utilized in order to document the processing of applications in terms of time-dependency, that is, the probability that an application will be processed by a given point in time. The life table technique was applied to data from the four pilot facilities in order to further document the experience under the point system. It supplements the information based upon summary statistics by providing a distribution of the proportion of approvals over time.

Differences between the pilot and the comparison facilities are presented in the following sections. The analysis of sub-sets of applications within the pilot facilities and the life table adaptations are presented in the sub-section of this report entitled "Further Analyses."

TABLE 1

MEDIAN AND MEAN NUMBER OF DAYS TO PROCESS WORK RELEASE APPLICATIONSJULY, 1976 - SEPTEMBER, 1976 AND OCTOBER, 1976 - DECEMBER, 1976

<u>FACILITY.</u>	<u>MEDIAN NUMBER OF DAYS</u>		<u>MEAN NUMBER OF DAYS</u>	
	<u>JULY-SEPTEMBER</u>	<u>OCTOBER-DECEMBER</u>	<u>JULY-SEPTEMBER</u>	<u>OCTOBER-DECEMBER</u>
<u>A. Pilot Facilities</u>				
Bedford Hills	28.5 (N=10)	10.7 (N=33)	40.4 (N=10)	14.2 (N=33)
Auburn	18.0 (N=17)	27.6 (N=100)	18.4 (N=17)	29.6 (N=100)
Wallkill	6.8 (N=27)	34.9 (N=75)	10.2 (N=27)	41.6 (N=75)
Elmira	10.1 (N=5)	7.1 (N=62)	9.6 (N=5)	9.8 (N=62)
<u>B. Comparison Facilities</u>				
Attica	28.5 (N=6)	11.7 (N=10)	33.2 (N=6)	13.1 (N=10)
Woodbourne	29.6 (N=28)	14.2 (N=31)	35.0 (N=28)	16.2 (N=31)

RESULTS

Work Release Applications

Table 1 presents the mean and median number of days for the two study periods. The median will be referred to in the text of the report as the distributions tended to be somewhat skewed. The data indicate that there were appreciable differences among the pilot facilities both before and after the implementation of the point system.

At two of the pilot facilities, applications were processed more rapidly under the point system. The data from Elmira indicate that there was a moderate decline from the pre-pilot period to the pilot period as the median number of days were 10.1 and 7.1 respectively. Moreover, the volume of work release applications increased during the three month pilot period. At Bedford Hills, the time to process applications declined proportionately more, as the median number of days was 28.5 during the pre-pilot period and 10.7 during the period corresponding to the introduction of the point system. Again, there was an increase in the volume of applications.

The findings for Auburn and Wallkill show that it took considerably longer to process work release applications under the point system. At Auburn, the median increased from 18.0 to 27.6; at Wallkill, the increase was from 6.8 to 34.9. It is possible that the longer processing time at Auburn can be attributed, at least in part, to the sharp increase in the volume of applications under the point system. In contrast, Wallkill experienced a decline in the number of work release applications during the pilot period. Thus, it is difficult to assess the effect of changes in the volume of applications on the average time to process applications.

Since the point system was not implemented at Attica and Woodbourne, it was expected that the time to process applications would remain stable during the two study periods. The findings did not confirm this expect-

tation as the median number of days declined dramatically during the periods corresponding to the implementation of the point system. In contrast to the findings for Auburn and Wallkill, Table 1 shows that the median number of days dropped from 28.5 to 11.7 and from 29.6 to 14.2 at Attica and Woodbourne respectively. In addition to differences in the direction of change, it is important to note the variations in average processing time between the pilot facilities and the two comparison facilities. During the period July through September, 1976, the medians at Attica and Woodbourne were higher than those at the pilot facilities. Thus, it took longer to process applications at the comparison facilities. During the following period, the medians were found to be lower at the comparison facilities, reflecting a decline of more than 50% in the time to process work release applications. These findings further illustrate disparities among Department facilities in the processing of applications.

FURLOUGH APPLICATIONS

The data on time to process furlough applications appear in Table 2. Bedford Hills and Attica are not included in this stage of the analysis as the relevant data were not available from these facilities.

At each of the pilot facilities, it took somewhat longer to process furlough applications under the point system. This may be due to the fact that the implementation of the point system covered a period prior to and during the Thanksgiving and Christmas holidays when the volume of applications is unusually heavy. The increases observed at Elmira and Wallkill ranged from 5.4 to 11.0 and from 7.2 to 13.9 respectively. At Auburn, the median number of days was 19.5 during the pre-pilot period compared to 34.9 during the pilot period. Thus, wide variations were again observed among the pilot facilities during both study periods.

The findings for Woodbourne are similar to those observed in the previous section on work release applications. The average number of days was found to decline during the period October through December, 1976. However, the magnitude of the change, from 29.3 to 21.5 was less substantial than that observed for work release applications. As was noted in the previous chapter on temporary release approvals, the changes that were observed at the comparison facilities indicate that it is extremely difficult to disentangle the impact of the point system from the impact of other factors that might have been operating at the pilot facilities.

TABLE 2

MEDIAN AND MEAN NUMBER OF DAYS TO PROCESS FURLOUGH APPLICATIONS
JULY, 1976 - SEPTEMBER, 1976 AND OCTOBER, 1976 - DECEMBER, 1976

<u>FACILITY</u>	<u>MEDIAN NUMBER OF DAYS</u>		<u>MEAN NUMBER OF DAYS</u>	
	<u>JULY-SEPTEMBER</u>	<u>OCTOBER-DECEMBER</u>	<u>JULY-SEPTEMBER</u>	<u>OCTOBER-DECEMBER</u>
<u>A. Pilot Facilities</u>				
Bedford Hills	-	12.5 (N=146)	-	15.9 (N=146)
Auburn	19.5 (N=27)	34.9 (N=213)	20.1 (N=27)	35.1 (N=213)
Wallkill	7.2 (N=19)	13.9 (N=201)	13.9 (N=19)	21.4 (N=201)
Elmira	5.4 (N=69)	11.0 (N=201)	7.2 (N=69)	15.2 (N=281)
<u>B. Comparison Facilities</u>				
Attica	-	-	-	-
Woodbourne	29.3 (N=36)	21.5 (N=46)	30.8 (N=36)	24.4 (N=46)

SUMMARY

Determining whether the point system had an effect on the time to process applications is a complicated problem. With the exception of work release applications at Bedford Hills and Elmira, the trend among pilot facilities is toward an increase in processing time during the period corresponding to the introduction of the point system. In interpreting the results, it is important to consider the possibility of uncontrolled factors accounting for the observed outcomes. Over a period of time, selection biases and exogenous events unrelated to the point system may influence the time to process applications. For example, the workload of Temporary Release Interviewers at the pilot facilities would vary depending upon the volume of applications. This could result in a backlog at facilities where the volume of applications was heaviest. If there were no selection biases, then whatever trends existed prior to the point system should exist in both the pilot and comparison facilities. Following the introduction of the point system, the measures would be expected to show a decisive change in the pilot facilities, but not in the comparison facilities. The data do not confirm these expectations. Comparisons of the medians and means within each time period showed considerable variations among the facilities; comparisons between study periods showed that change occurred at both the pilot facilities and at Attica and Woodbourne.

The evidence presented in this report suggests that variations in time to process temporary release applications cannot be attributed solely to the advent of the point system. Had the analysis been restricted to the pilot facilities, the research might have led to the erroneous conclusion that there is a relationship between the implementation of the point system and an increase in the time to process applications. However, variations observed within the comparison groups necessarily qualify any conclusions regarding the impact of the point system on access to temporary release.

FURTHER ANALYSES

Introduction

This section will compare the time to process temporary release applications that have been grouped into four dispositional categories corresponding to different point score ranges: low range--automatically denied; middle range--denied; middle range--approved; high range--automatically approved. The study included all applications that were received at the four pilot facilities during October through December, 1976.

Initially, the mean number of days were examined in order to compare differences among the various point score ranges. The life table technique was then applied to the data in order to describe the manner in which applications are processed during a period of time. This technique has several advantages over summary measures. First, the time to process temporary release applications was found to be skewed. While some applications were processed in less than one week, for others, the application process took six months or longer. Since the life table technique offers the opportunity to observe the decision process over an extended period of time, it was felt that it would provide a clearer picture of processing time than summary measures. Moreover, the data can be used to provide an objective means of determining the most effective program components by comparing differences among applications falling into various point score ranges. For example, it would be possible to determine if applications scoring in the automatic decision categories are actually processed more rapidly than those in the discretionary categories. Specifically, it provides the following information on temporary release applications:

1. The number of applications that will be processed within a given period of time.
2. The probability that an application will be processed "T" time

periods after it was received by the Temporary Release Committee, e.g. the probability that an application will be processed within four weeks from the date of admission to the TRC.

3. The cumulative proportions of applications that have been processed over various points in time.

TABLE A-1

MEDIAN AND MEAN NUMBER OF DAYS TO PROCESS WORK RELEASE APPLICATIONS
BY-POINT SCORE RANGE, OCTOBER - DECEMBER, 1976

a. MEDIAN NUMBER OF DAYS

FACILITY	LOW RANGE	MIDDLE RANGE DENIED	MIDDLE RANGE APPROVED	HIGH RANGE
Bedford Hills	9.3 (N=3)	13.3 (N=11)	8.7 (N=13)	11.0 (N=6)
Auburn	25.6 (N=42)	43.4 (N=9)	28.5 (N=42)	35.5 (N=4)
Wallkill	53.0 (N=9)	33.8 (N=9)	39.0 (N=47)	35.5 (N=10)
Elmira	7.5 (N=10)	11.0 (N=9)	7.5 (N=36)	4.9 (N=5)

b. MEAN NUMBER OF DAYS

FACILITY	LOW RANGE	MIDDLE RANGE DENIED	MIDDLE RANGE APPROVED	HIGH RANGE
Bedford Hills	8.7 (N=3)	18.0 (N=11)	12.6 (N=13)	13.3 (N=6)
Auburn	21.2 (N=42)	44.4 (N=9)	31.2 (N=42)	39.0 (N=4)
Wallkill	56.1 (N=9)	40.0 (N=47)	35.1 (N=9)	45.3 (N=10)
Elmira	8.9 (N=10)	18.8 (N=9)	6.9 (N=36)	5.4 (N=5)

RESULTS--WORK RELEASE APPLICATIONS

Table A-1 presents the average number of days to process work release applications grouped according to point score range.⁵ With the exception of Wallkill, applications in either of the automatic decision ranges tended to be processed more rapidly than applications that scored in either of the discretionary categories. Again, at three of the four facilities, middle range denials required the longest time to process. Aside from these similarities, the patterns were not consistent across facilities. At Bedford Hills and Auburn, low range applications were processed most efficiently, while at Elmira, this was true of the high range. The pattern at Wallkill was unique as middle range denials were processed more rapidly than applications in any of the other ranges.

One possible explanation for the unusual processing pattern at Wallkill is related to the proportion of eligibles in the Wallkill population and the pilot requirement that all inmates meet with the interviewer to discuss their point scores before appearing before the Temporary Release Committee. Because Wallkill had more eligibles than usual for a facility of its size, the temporary release interviewer was overworked. Committee meetings were often scheduled on short notice. Therefore, when the interviewer was behind in processing, he would interview middle range applicants first so they would be able to appear before the Committee for consideration. Wallkill was also often behind in the typing of the formal notice forms on which this study is based. Inmates were informally notified of their scores at the time of their interview.

⁵In some cases, adjustments were made in grouping work release and furlough applications into the four categories. Low and high range applications that were not automatically denied or approved were excluded from the analysis. These applications pertain to ODOPs and further investigation cases that scored in the high range. Among work release applications, 5 cases were excluded, 3 from the low range at Auburn, and 2 from the low range at Elmira.

The life table applications appear in Tables A2 to A5. The findings derived from the analyses are necessarily selective rather than exhaustive and will focus on the cumulative proportions of applications that were processed within a given period of time. The cumulative proportions appear in Column Pe3 of the life tables. The tables should be consulted for additional information.⁶ A comparison of the cumulative proportions of work release applications illustrates the variabilities among the four facilities. At Bedford Hills, 70% of the applications were processed within two weeks and almost 90% were processed within 28 days. Table A5 shows that the vast majority of applications were processed within two weeks at Elmira. In contrast, the distributions at Wallkill and Auburn were found to be highly skewed. This is particularly true of Wallkill, as only 43% of the applications were processed within the first 28 days. At Auburn, slightly over 50% of the applications were processed within the first four weeks.

⁶The life tables also provide information on the probability that an application will be processed within a particular time period. Thus, it provides the proportion of applications that are processed within a given week from the date of application. For example, Table A2 shows that during the second week (8-14 days since the date of application), 55% of the unprocessed work release applications at Bedford Hills were processed (Column Pu1).

The life table also shows the proportion of applications that have been processed after a certain number of weeks from the date of application. Table A2, for example, indicates that at Bedford Hills, 36% of all work release applications are processed within the second week (8-14 days) from the date of application (Column Pu2).

TABLE A-2

TIME TO PROCESS WORK RELEASE APPLICATIONS,

BEDFORD HILLS, OCTOBER 1, 1976 - DECEMBER 31, 1976

LENGTH OF TIME SINCE APPLIC. (DAYS)	NUMBER OF WORK RELEASE APPLICANTS	# OF APPLIC. RESULTS DURING TIME PERIOD	# OF APPLIC. NOT PROC. DURING TIME PERIOD	Pu1 ¹	Pu2 ²	Pe3 ³
0-7	33	11	22	.33	.33	.33
8-14	22	12	10	.55	.36	.70
15-21	10	5	5	.50	.15	.85
22-28	5	1	4	.20	.03	.88
29-35	4	2	2	.50	.06	.94
36-42	2	0	2	-	-	.94
43-49	2	1	0	.50	.03	.97
50-56	1	0	1	-	-	.97
57-63	1	0	1	-	-	.97
64-70	1	1	0	1.00	.03	1.00
71-77						
78-84						
85-91						
92-98						
99-105						
>105						

$\bar{x}=14.2$ Md=10.7

¹Probability that application will be processed during the time period.

²Probability that application will be processed "T" time periods after date of application.

³Cumulative % of applications processed.

TABLE A 3

TIME TO PROCESS WORK RELEASE APPLICATIONS,
AUBURN, OCTOBER 1, 1976 - DECEMBER 31, 1976

LENGTH OF TIME SINCE APPLICATION (DAYS)	NUMBER OF WORK RELEASE APPL.	NUMBER OF APPL. RESULTS DURING TIME PERIOD	NUMBER OF APPL. NOT PROC. DURING TIME PERIOD	Pu1 ¹	Pu2 ²	Pe3 ³
0-7	100	19	81	.19	.19	.19
8-14	81	9	72	.11	.09	.28
15-21	72	9	63	.13	.09	.37
22-28	63	15	48	.24	.15	.52
29-35	48	17	31	.35	.17	.69
36-42	31	6	25	.19	.06	.75
43-49	25	14	11	.56	.14	.89
50-56	11	4	7	.36	.04	.93
57-63	7	1	6	.14	.01	.94
64-70	6	0	6	-	-	.94
71-77	6	1	5	.17	.01	.95
78-84	5	2	3	.40	.02	.97
85-91	3	0	3	-	-	.97
92-98	3	0	3	-	-	.97
99-105	3	0	3	-	-	.97
≥105	3	3	0	1.00	.03	1.00

$$\bar{x} = 29.6 \quad Md = 27.6$$

¹Probability that application will be processed during the time period.

²Probability that application will be processed "T" time periods after date of application.

³Cumulative % of applications processed.

TABLE A 4

TIME TO PROCESS WORK RELEASE APPLICATIONS,
WALLKILL, OCTOBER 1, 1976 - DECEMBER 31, 1976

LENGTH OF TIME SINCE APPLICATION (DAYS)	NUMBER OF WORK RELEASE APPL.	NUMBER OF APPL. RESULTS DURING TIME PERIOD	NUMBER OF APPL. NOT PROC. DURING TIME PERIOD	Pu1 ¹	Pu2 ²	Pe3 ³
0-7	75	13	62	.17	.17	.17
8-14	62	6	56	.10	.08	.25
15-21	56	8	48	.14	.11	.36
22-28	48	5	43	.10	.07	.43
29-35	43	6	37	.14	.08	.51
36-42	37	4	33	.11	.05	.56
43-49	33	9	24	.27	.12	.68
50-56	24	3	21	.13	.04	.72
57-63	21	3	18	.14	.04	.76
64-70	18	2	16	.11	.03	.79
71-77	16	4	12	.25	.05	.84
78-84	12	2	10	.17	.03	.87
85-91	10	0	10	-	-	.87
92-98	10	1	9	.10	.01	.88
99-105	9	0	9	-	-	.88
>105	9	9	0	1.00	.12	1.00

$$\bar{x} = 41.6 \quad Md = 34.9$$

¹Probability that application will be processed during the time period.

²Probability that application will be processed "T" time periods after date of application.

³Cumulative % of applications processed.

TABLE A 5

TIME TO PROCESS WORK RELEASE APPLICATIONS,
ELMIRA, OCTOBER 1, 1976 - DECEMBER 31, 1976

LENGTH OF TIME SINCE APPLICATION (DAYS)	NUMBER OF WORK RELEASE APPL.	NUMBER OF APPL. RESULTS DURING TIME PERIOD	NUMBER OF APPL. NOT PROC. DURING TIME PERIOD	Pu1 ¹	Pu2 ²	Pe3 ³
0-7	62	33	29	.53	.53	.53
8-14	29	23	6	.79	.37	.90
15-21	6	1	5	.17	.02	.92
22-28	5	2	3	.40	.03	.95
29-35	3	0	3	-	-	.95
36-42	3	1	2	.33	.02	.97
43-49	2	0	2	-	-	.97
50-56	2	1	1	.50	.02	.98
57-63	1	1	0	1.00	.02	1.00
64-70						
71-77						
78-84						
85-91						
92-98						
99-105						
>105						

$\bar{x} = 9.8$ Md = 7.1

¹Probability that application will be processed during the time period.

²Probability that application will be processed "T" time periods after date of application.

³Cumulative % of applications processed.

FURLOUGH APPLICATIONS

Table A 6 shows that at three out of four facilities furlough applications in the automatic high range were processed more rapidly than those in any other point score categories. (The exception was noted at Auburn, where the lowest means and medians were observed among low range applications). However, no further uniformities were apparent from the data.

The data for Bedford Hills indicated only minor differences among the low, middle-denied and middle approved categories. At Auburn, a somewhat higher median was observed for the middle-denied range compared to the middle-approved and high ranges. The pattern at Wallkill was characterized by an increase in the medians for the low and middle-denied ranges compared to the middle-approved range. Finally, at Elmira, the medians for the low range and the middle-approved range were found to be lower than that of the middle-denied range.

Tables A -7 to A 10 show the life table analyses according to facility and point score range. The comparisons by range illustrate the advantage of analyzing the data in terms of time dependency. The examination of processing over time serves to supplement summary measures by amplifying differences that were initially observed among the mean and median number of days. Thus, they further document the importance of point score range as a source of variation in processing time.

Table A-7 shows slight variations among the point score ranges that were not apparent from the summary measures of processing time at Bedford Hills. While 90% of all applications were processed

TABLE A 6

MEDIAN AND MEAN NUMBER OF DAYS TO PROCESS FURLOUGH APPLICATIONSBY POINT SCORE RANGE, OCTOBER - DECEMBER, 1976a) Median Number of Days

FACILITY	LOW RANGE	MIDDLE RANGE DENIED	MIDDLE RANGE APPROVED	HIGH RANGE
Bedford Hills	13.5 (N=16)	12.1 (N=23)	13.8 (N=61)	11.2 (N=46)
Auburn	22.4 (N=58)	39.9 (N=77)	37.8 (N=66)	29.0 (N=12)
Wallkill	20.6 (N=28)	17.0 (N=50)	12.7 (N=89)	8.9 (N=24)
Elmira	10.3 (N=59)	16.9 (N=75)	10.4 (N=98)	6.4 (N=49)

b) Mean Number of Days

FACILITY	LOW RANGE	MIDDLE RANGE DENIED	MIDDLE RANGE APPROVED	HIGH RANGE
Bedford Hills	18.0 (N=16)	17.4 (N=23)	16.9 (N=61)	12.9 (N=46)
Auburn	25.3 (N=58)	39.8 (N=77)	35.9 (N=66)	34.5 (N=12)
Wallkill	27.6 (N=28)	26.6 (N=50)	19.2 (N=89)	12.8 (N=24)
Elmira	11.6 (N=59)	25.4 (N=75)	12.7 (N=98)	8.7 (N=49)

within 28 days, only 83% of the middle-range denials were processed within this period. In contrast, the proportion of approvals within the high range during this period (97%) was disproportionately high. Findings for the low range and the middle-approved range were similar as 88% and 90% of the applications were processed within 28 days.

Wider variations were observed at Auburn (Table A-8). Only 37% of all applications were processed within 28 days, although over 50% were processed within 35 days. However, the corresponding figures in the low and high ranges were found to be disproportionately high. Within the respective ranges, 72% and 50% of the applications are processed during the 28 day period. In contrast, within the same period, the respective findings for the middle-denied and middle-approved ranges are 18% and 26%.

At Wallkill, 78% of all furlough applications were processed within 28 days (Table A-9). The comparisons by point score range indicate that a disproportionately high percent of applications in the high range (88%) were processed during this period. In contrast, data from the low and middle-denied ranges indicate that only 66% and 74% respectively were processed within 28 days.

The findings for Elmira indicated that the most apparent difference was observed between the middle-denied range and all other point score ranges (Table A-10). While 72% of the middle range denials were processed within 28 days, the findings for all other point score categories indicate that over 90% were processed during this period.

TABLE A-7

TIME TO PROCESS FURLOUGH APPLICATIONS,
BEDFORD HILLS, OCTOBER 1, 1976 - DECEMBER 31, 1976

a) All Furloughs

LENGTH OF TIME SINCE APPLICATION (DAYS)	NUMBER OF FURLOUGH APPL.	NUMBER OF APPL. RESULTS DURING TIME PERIOD	NUMBER OF APPL. NOT PROC. DURING TIME PERIOD	Pu1 ¹	Pu2 ²	Pe3 ³
1-7	146	38	108	.26	.26	.26
8-14	108	49	59	.45	.34	.60
15-21	59	30	29	.51	.21	.80
22-28	29	15	14	.52	.10	.90
29-35	14	3	11	.21	.02	.93
36-42	11	2	9	.18	.01	.94
43-49	9	3	6	.33	.02	.96
50-56	6	0	6	-	-	.96
57-63	6	2	4	.33	.01	.97
64-70	4	3	1	.75	.02	.99
71-77	1	0	1	=	-	.99
78-84	1	1	0	1.00	.01	1.00
85-91						
92-98						
99-105						
>105						

$$\bar{x} = 15.9 \quad Md = 12.15$$

¹Probability that application will be processed during the time period

²Probability that application will be processed "T" time periods after date of application.

³Cumulative % of applications processed.

b) Low Range

LENGTH OF TIME SINCE APPLICATION (DAYS)	NUMBER OF FURLOUGH APPL.	NUMBER OF APPL.RESULTS DURING TIME PERIOD	NUMBER OF APPL.NOT PROC. DURING TIME PERIOD	Pu1 ¹	Pu2 ²	Pe3 ³
1-7	16	2	14	.14	.14	.14
8-14	14	7	7	.50	.44	.56
15-21	7	5	2	.71	.31	.88
22-28	2	0	2	-	-	.88
29-35	2	0	2	-	-	.88
36-42	2	0	2	-	-	.88
43-49	2	1	1	.50	.06	.94
50-56	1	0	1	-	-	.94
57-63	1	0	1	-	-	.94
64-70	1	1	0	1.00	.06	1.00
71-77						
78-84						
85-91						

$\bar{x} = 18.0$ Md=13.5

c) Middle Range - Approved

LENGTH OF TIME SINCE APPLICATION (DAYS)	NUMBER OF FURLOUGH APPL.	NUMBER OF APPL.RESULTS DURING TIME PERIOD	NUMBER OF APPL.NOT PROC. DURING TIME PERIOD	Pu1 ¹	Pu2 ²	Pe3 ³
1-7	61	17	44	.28	.28	.28
8-14	44	15	29	.34	.25	.52
15-21	29	16	13	.55	.26	.78
22-28	13	7	6	.54	.11	.90
29-35	6	1	5	.17	.02	.92
36-42	5	1	4	.20	.02	.93
43-49	4	0	4	-	-	.93
50-56	4	0	4	-	-	.93
57-63	4	2	2	.50	.03	.97
64-70	2	1	1	.50	.02	.98
71-77	1	0	1	-	-	.98
78-84	1	1	0	1.00	.02	1.00
85-91						

$\bar{x}=16.9$

Md=13.8

d) Middle Range - Denied

LENGTH OF TIME SINCE APPLICATION (DAYS)	NUMBER OF FURLOUGH APPL.	NUMBER OF APPL. RESULTS DURING TIME PERIOD	NUMBER OF APPL. NOT PROC. DURING TIME PERIOD	P_{u1}^1	P_{u2}^2	P_{e3}^3
1-7	23	5	18	.22	.22	.22
8-14	18	10	8	.56	.43	.65
15-21	8	3	5	.38	.13	.78
22-28	5	1	4	.20	.04	.83
29-35	4	1	3	.24	.04	.87
36-42	3	0	3	-	-	.87
43-49	3	2	1	.67	.09	.96
50-56	1	0	1	-	-	.96
57-63	1	0	1	-	-	.96
64-70	1	1	0	1.00	.04	1.00
71-77						
78-84						
85-91						

$\bar{x} = 17.4$ $Md = 12.1$

e) High Range

LENGTH OF TIME SINCE APPLICATION (DAYS)	NUMBER OF FURLOUGH APPL.	NUMBER OF APPL. RESULTS DURING TIME PERIOD	NUMBER OF APPL. NOT PROC. DURING TIME PERIOD	Pu1 ¹	Pu2 ²	Pe3 ³
1-7	46	14	32	.30	.30	.30
8-14	32	17	15	.53	.37	.67
15-21	15	6	9	.40	.13	.80
22-28	9	7	2	.78	.15	.97
29-35	2	1	1	.50	.02	.98
36-42	1	1	0	1.00	.02	1.00
43-49						
50-56						
57-63						
64-70						
71-77						
78-84						
85-91						

$\bar{x} = 12.9$ Md = 11.2

TABLE A 8

TIME TO PROCESS FURLOUGH APPLICATIONS, AUBURN
OCTOBER 1, 1976 - DECEMBER 31, 1976

A) All furloughs

LENGTH OF TIME SINCE APPLICATION (DAYS)	NUMBER OF FURLOUGH APPL.	NUMBER OF APPL. RESULTS DURING TIME PERIOD	NUMBER OF APPL. NOT PROC. DURING TIME PERIOD	Pu1 ¹	Pu2 ²	Pe3 ³
1-7	213	10	203	.05	.05	.05
8-14	203	17	186	.08	.08	.13
15-21	186	22	164	.12	.10	.23
22-28	164	30	134	.18	.14	.37
29-35	134	30	104	.22	.14	.51
36-42	104	40	64	.39	.19	.70
43-49	64	37	27	.58	.17	.87
50-56	27	10	17	.37	.05	.92
57-63	17	5	12	.29	.02	.94
64-70	12	2	10	.17	.01	.95
71-77	10	3	7	.30	.01	.97
78-84	7	2	5	.29	.02	.98
85-91	5	0	5	-	-	.98
92-98	5	0	5	-	-	.98
99-105	55	1	4	.20	.01	.98
>105	4	4	0	1.00	.02	1.00

$\bar{x} = 35.1$ $Md = 34.9$

¹Probability that application will be processed during the time period.

²Probability that application will be processed "T" time periods after date of application.

³Cumulative % of applications processed.

b) Low Range

LENGTH OF TIME SINCE APPLICATION (DAYS)	NUMBER OF FURLOUGH APPL.	NUMBER OF APPL.RESULTS DURING TIME PERIOD	NUMBER OF APPL.NOT PROC. DURING TIME PERIOD	Pu1 ¹	Pu2 ²	Pe3 ³
1-7	58	5	53	.09	.09	.09
8-14	53	10	43	.19	.17	.26
15-21	43	12	31	.28	.21	.47
22-28	31	15	16	.48	.26	.72
29-35	16	6	10	.38	.10	.83
36-42	10	4	6	.40	.07	.90
43-49	6	1	5	.17	.02	.91
50-56	5	1	4	.20	.02	.93
57-63	4	1	3	.25	.02	.95
64-70	3	1	2	.33	.02	.97
71-77	2	1	1	.50	.02	.98
78-84	1	0	1	-	-	.98
85-91	1	0	1	-	-	.98
92-98	1	0	1	-	-	.98
99-105	1	1	0	1.00	.02	1.00

\bar{x} = 25.4 Md = 22.4

c) Middle Range - Approved

LENGTH OF TIME SINCE APPLICATION (DAYS)	NUMBER OF FURLOUGH APPL.	NUMBER OF APPL. RESULTS DURING TIME PERIOD	NUMBER OF APPL. NOT PROC. DURING TIME PERIOD	Pu1 ¹	Pu2 ²	Pe3 ³
1-7	66	2	64	.03	.03	.03
8-14	64	3	61	.05	.05	.08
15-21	61	5	56	.08	.08	.15
22-28	56	7	49	.13	.11	.26
29-35	49	11	38	.22	.17	.42
36-42	38	15	23	.39	.23	.65
43-49	23	12	11	.52	.18	.83
50-56	11	6	5	.55	.09	.92
57-63	5	1	4	.20	.02	.93
64-70	4	0	4	-	-	.93
71-77	4	0	4	-	-	.93
78-84	4	2	2	.50	.03	.97
85-91	2	0	2	-	-	.97
92-98	2	0	2	-	-	.97
99-105	2	0	2	-	-	.97
105	2	2	0	1.00	.03	1.00

$\bar{X} = 35.9$ Md = 37.8

d) Middle Range - Denied

LENGTH OF TIME SINCE APPLICATION (DAYS)	NUMBER OF FURLOUGH APPL.	NUMBER OF APPL. RESULTS DURING TIME PERIOD	NUMBER OF APPL. NOT PROC. DURING TIME PERIOD	Pu1 ¹	Pu2 ²	Pe3 ³
1-7	77	1	76	.01	.01	.01
8-14	76	2	74	.03	.03	.04
15-21	74	4	70	.05	.05	.09
22-28	70	7	63	.10	.09	.18
29-35	63	13	50	.21	.17	.35
36-42	50	18	32	.36	.23	.58
43-49	32	23	9	.72	.30	.88
50-56	9	3	6	.33	.04	.92
57-63	6	3	3	.50	.04	.96
64-70	3	1	2	.33	.01	.97
71-77	2	0	2	-	-	.97
78-84	2	0	2	-	-	.97
85-91	2	0	2	-	-	.97
92-98	2	0	2	-	-	.97
99-105	2	0	2	-	-	.97
>105	2	2	0	1.00	.03	1.00

\bar{x} = 39.8 Md = 39.9

e) High Range

LENGTH OF TIME SINCE APPLICATION (DAYS)	NUMBER OF FURLOUGH APPL.	NUMBER OF APPL.RESULTS DURING TIME PERIOD	NUMBER OF APPL.NOT PROC. DURING TIME PERIOD	Pu1 ¹	Pu2 ²	Pe3 ³
1-7	12	2	10	.17	.17	.17
8-14	10	2	8	.20	.17	.33
15-21	8	1	7	.13	.08	.42
22-28	7	1	6	.14	.08	.50
29-35	6	0	6	-	-	.50
36-42	6	3	3	.50	.25	.75
43-49	3	1	2	.33	.08	.83
50-56	2	0	2	-	-	.83
57-63	2	0	2	-	-	.83
64-70	2	0	2	-	-	.83
71-77	2	2	0	1.00	.17	1.00
78-84						
85-91						
92-98						
99-105						
>105						

$\bar{x} = 34.5$ Md = 29.0

TABLE A 9

TIME TO PROCESS FURLOUGH APPLICATIONS.
WALLKILL, OCTOBER 1, 1976 - DECEMBER 31, 1976

LENGTH OF TIME SINCE APPLICATION (DAYS)	NUMBER OF FURLOUGH APPL.	NUMBER OF APPL. RESULTS DURING TIME PERIOD	NUMBER OF APPL. NOT PROC. DURING TIME PERIOD	Pu1 ¹	Pu2 ²	Pe3 ³
1-7	201	47	154	.23	.23	.23
8-14	154	58	96	.38	.29	.52
15-21	96	30	66	.31	.15	.67
22-28	66	21	45	.32	.10	.78
29-35	45	11	34	.24	.06	.83
e6-42	34	8	26	.24	.04	.87
43-49	26	7	19	.27	.04	.91
50-56	19	1	18	.05	.005	.91
57-63	18	2	16	.11	.01	.92
64-70	16	5	11	.31	.03	.95
71-77	11	2	9	.18	.01	.96
78-84	9	1	8	.11	.005	.96
84-91	8	3	5	.38	.015	.97
92-98	5	1	4	.20	.005	.98
99-105	4	0	4	-	-	.98
>105	4	4	0	1.00	.02	1.00

$\bar{x} = 21.4$ Md = 13.9

¹Probability that application will be processed during the time period.

²Probability that application will be processed "t" time periods after date of application.

³Cumulative % of applications processed.

b. Low Range

LENGTH OF TIME SINCE APPLICATION (DAYS)	NUMBER OF FURLOUGH APPL.	NUMBER OF APPL.RESULTS DURING TIME PERIOD	NUMBER OF APPL.NOT PROC. DURING TIME PERIOD	Pu1 ¹	Pu2 ²	Pe3 ³
1-7	38	3	35	.08	.08	.08
8-14	35	9	26	.26	.24	.32
15-21	26	8	18	.31	.21	.53
22-28	18	5	13	.28	.13	.66
29-35	13	2	11	.15	.05	.71
36-42	11	5	6	.45	.13	.84
43-49	6	2	4	.33	.05	.89
50-56	4	0	4	-	-	.89
57-63	4	1	3	.25	.03	.92
64-70	3	0	3	-	-	.92
71-77	3	1	2	.33	.03	.95
78-84	2	0	2	-	-	.95
85-91	2	1	1	.50	.03	.97
92-98	1	1	0	1.00	.03	1.00
99-105						
>105						

\bar{x} = 27.6 Md. = 20.6

c) Middle Range - Approved

LENGTH OF TIME SINCE APPLICATION (DAYS)	NUMBER OF FURLOUGH APPL.	NUMBER OF APPL. RESULTS DURING TIME PERIOD	NUMBER OF APPL. NOT PROC. DURING TIME PERIOD	Pu1 ¹	Pu2 ²	Pe3 ³
1-7	89	23	66	.26	.26	.26
8-14	66	29	37	.44	.33	.58
15-21	37	11	26	.29	.12	.71
22-28	26	10	16	.38	.11	.85
29-35	16	4	12	.25	.04	.87
36-42	12	3	9	.25	.03	.90
43-49	9	2	7	.22	.03	.92
50-56	7	1	6	.14	.01	.93
57-63	6	1	5	.17	.01	.94
64-70	5	2	3	.40	.02	.97
71-77	3	1	2	.33	.01	.98
78-84	2	0	2	-	-	.98
85-91	2	1	1	.50	.01	.99
92-98	1	0	1	-	-	.99
99-105	1	0	1	-	-	.99
>105	1	1	0	1.00	.01	1.00

$\bar{x} = 19.2$

Md. = 12.7

d) Middle Range - Denied

LENGTH OF TIME SINCE APPLICATION (DAYS)	NUMBER OF FURLOUGH APPL.	NUMBER OF APPL.RESULTS DURING TIME PERIOD	NUMBER OF APPL.NOT PROC. DURING TIME PERIOD	Pu1 ¹	Pu2 ²	Pe3 ³
1-7	50	11	39	.22	.22	.22
8-14	39	10	29	.26	.20	.42
15-21	29	11	18	.38	.22	.64
22-28	18	5	13	.28	.10	.74
29-35	13	3	10	.23	.06	.80
36-42	10	0	10	-	-	.80
43-49	10	3	7	.30	.06	.86
50-56	7	0	7	-	-	.86
57-63	7	0	7	-	-	.86
64-70	7	2	5	.29	.04	.90
71-77	5	0	5	-	-	.90
78-84	5	1	4	.20	.02	.92
85-91	4	1	3	.25	.03	.94
92-98	3	0	3	-	-	.94
99-105	3	0	3	-	-	.94
≥105	3	3	0	1.00	.06	1.00

\bar{x} = 26.6 Md. = 17.0

e) High Range

LENGTH OF TIME SINCE APPLICATION (DAYS)	NUMBER OF FURLOUGH APPL.	NUMBER OF APPL. RESULTS DURING TIME PERIOD	NUMBER OF APPL. NOT PROC. DURING TIME PERIOD	Pu1 ¹	Pu2 ²	Pe3 ³
1-7	24	10	14	.42	.42	.42
8-14	14	10	4	.71	.42	.83
15-21	4	0	4	-	-	.83
22-28	4	1	3	.25	.04	.88
29-35	3	2	1	.67	.08	.96
36-42	1	0	1	-	-	.96
43-49	1	0	1	-	-	.96
50-56	1	0	1	-	-	.96
57-63	1	0	1	-	-	.96
64-70	1	1	0	1.00	.04	1.00
71-77						
78-84						
85-91						
92-98						
99-105						
>105						

\bar{x} = 12.8

Md. = 8.9

TABLE A - 10

TIME TO PROCESS FURLOUGH APPLICATIONS, ELMIRAOCTOBER 1, 1976 - DECEMBER 31, 1976a) All furloughs

LENGTH OF TIME SINCE APPLICATION (DAYS)	NUMBER OF FURLOUGH APPL.	NUMBER OF APPL. RESULTS DURING TIME PERIOD	NUMBER OF APPL. NOT PROC. DURING TIME PERIOD	Pu1 ¹	Pu2 ²	Pe3 ³
1-7	281	92	189	.33	.33	.33
8-14	189	96	93	.51	.34	.67
15-21	93	44	49	.47	.16	.83
22-28	49	20	29	.41	.07	.90
29-35	29	4	25	.14	.01	.91
36-42	25	10	15	.40	.04	.95
43-49	15	4	11	.27	.01	.96
50-56	11	3	8	.27	.011	.97
57-63	8	1	7	.13	.004	.98
64-70	7	1	6	.14	.004	.98
71-77	6	0	6	-	-	.98
78-84	6	2	4	.33	.007	.99
85-91	4	1	3	.25	.004	.99
92-98	3	0	3	-	-	.99
99-105	3	1	2	.33	.004	.99
>105	2	2		1.00	.007	1.00
$\bar{x} = 15.2$ Md. = 11.0						

¹Probability that application will be processed during the time period.²Probability that application will be processed "T" time periods after date of application.³Cumulative % of applications processed.

b) Low Range

LENGTH OF TIME SINCE APPLICATION (DAYS)	NUMBER OF FURLOUGH APPL.	NUMBER OF APPL.RESULTS DURING TIME PERIOD	NUMBER OF APPL.NOT PROC. DURING TIME PERIOD	Pu1 ¹	Pu2 ²	Pe3 ³
1-7	59	22	37	.37	.37	.37
8-14	37	19	18	.51	.32	.69
15-21	18	13	5	.72	.22	.92
22-28	5	3	2	.60	.05	.97
29-35	2	1	1	.50	.02	.98
36-42	1	0	1	-	-	.98
43-49	1	1	0	1.00	.02	1.00
50-56						
57-63						
64-70						
71-77						
78-84						
85-91						
92-98						
99-105						
>105						

\bar{x} = 11.6 Md. = 10.3

c) Middle Range - Approved

LENGTH OF TIME SINCE APPLICATION (DAYS)	NUMBER OF FURLOUGH APPL.	NUMBER OF APPL. RESULTS DURING TIME PERIOD	NUMBER OF APPL. NOT PROC. DURING TIME PERIOD	Pu1 ¹	Pu2 ²	Pe3 ³
1-7	98	32	66	.33	.33	.33
8-14	66	41	25	.62	.42	.74
15-21	25	14	11	.56	.14	.89
22-28	11	6	5	.55	.06	.95
29-35	5	1	4	.20	.01	.96
36-42	4	2	2	.50	.02	.98
43-49	2	0	2	-	-	.98
50-56	2	1	1	.50	.01	.99
57-63	1	0	1	-	-	.99
64-70	1	0	1	-	-	.99
71-77	1	0	1	-	-	.99
78-84	1	0	0	-	-	.99
85-91	1	0	1	-	-	.99
92-98	1	0	1	-	-	.99
99-105	1	0	1	-	-	.99
>105	1	1	0	1.00	.01	1.00

\bar{x} = 12.7 Md. = 10.4

d) Middle Range - Denied

LENGTH OF TIME SINCE APPLICATION (DAYS)	NUMBER OF FURLOUGH APPL.	NUMBER OF APPL.RESULTS DURING TIME PERIOD	NUMBER OF APPL.NOT PROC. DURING TIME PERIOD	Pu1 ¹	Pu2 ²	Pe3 ³
1-7	75	9	66	.12	.12	.12
8-15	66	25	41	.38	.33	.45
15-21	41	10	31	.24	.13	.59
22-28	31	10	21	.32	.13	.72
29-35	21	2	19	.10	.03	.75
36-42	19	7	12	.37	.09	.84
43-49	12	3	9	.25	.04	.88
50-56	9	2	7	.22	.03	.91
57-63	7	1	6	.14	.01	.92
64-70	6	1	5	.17	.01	.93
71-77	5	0	5	-	-	.93
78-84	5	2	3	.40	.03	.96
85-91	3	1	2	.33	.01	.97
92-98	2	0	2	-	-	.97
99-105	2	1	1	.50	.01	.99
>105	1	1	0	1.00	.01	1.00

\bar{x} = 25.4

Md. - 16.9

e) High Range

LENGTH OF TIME SINCE APPLICATION (DAYS)	NUMBER OF FURLOUGH APPL.	NUMBER OF APPL.RESULTS DURING TIME PERIOD	NUMBER OF APPL.NOT PROC. DURING TIME PERIOD	Pu1 ¹	Pu2 ²	Pe3 ³
1-7	49	29	20	.59	.59	.59
8-14	20	11	9	.55	.22	.82
15-21	9	7	2	.78	.14	.96
22-28	2	1	1	.50	.02	.98
29-35	1	0	1	-	-	.98
36-42	1	1	0	1.00	.02	1.00
43-49						
50-56						

$\bar{X} = 8.7$ Md. = 6.4

CONCLUSION

The studies were conducted in a preliminary effort to compare trends in access to temporary release prior to and after the implementation of the point system. The findings presented in this report provide general statistical information regarding the functioning of temporary release decision-making and are not intended to imply causal connections between the point system and temporary release decision processes. The research designs are vulnerable to a number of confounding effects relating to the selection of the pilot facilities and the peculiarities of program implementation. Since the analyses cover a limited period of time during the pilot phase, the observed trends may reflect the problems associated with the implementation of any new administrative procedure. It is possible that the functioning of the point system would be smoother and more consistent after the new procedures settled into routine use. In addition, the various trends that were observed among both the pilot facilities and the comparison facilities make it especially difficult to disentangle the effects of extraneous factors on the observed outcomes.

Given the methodological limitations of the present study, the best course would be to extend the analysis. Starting with measures from the pilot period, the evaluation should take similar measures of new facilities operating under the point system after the pilot test of the selection procedures. Thus, "post-tests" from the pilot facilities could be compared with "pre-tests" from the new facilities. By repeating measures and comparisons at given periods over time, more valid conclusions could be drawn. Such time-series data would provide an effective basis for continuous program modification and evaluation.

The findings also suggest additional areas of inquiry and raise a number of questions pertaining to the overall functioning of the selection procedures including:

1. What is the disposition of temporary release applications by point score range?
2. How do applicants who are approved for temporary release compare on demographic and criminal history attributes with disapprovals?
3. How frequently are applicants referred for further investigation and what effect does this have on temporary release approval or denial?
4. How many decisions are appealed to Albany? How often does Albany overrule decisions at the local facility and what are the reasons given for the decision?

These questions can be answered by facility and temporary release type and would document the extent to which the criteria for acceptance or rejection are relatively constant across facilities. The MIS would routinely supply the data necessary for such analyses.

SECTION V - INMATE ATTITUDES TOWARD TEMPORARY RELEASE

The pilot point system, implemented in September, 1976, was designed to remedy some of the problems of the old selection procedure, a system that relied on the judgment of a three-man committee in each correctional facility.¹ Under the old system few explicit criteria existed to aid committee members in their choices, and inmates therefore had no clear idea of how entry into the program was gained. As a consequence of this loosely structured decision process, inmates felt temporary release selection to be arbitrary and unfair, leading to increased frustration and tension within the facilities.

One of the main objectives of the new selection process was to be fair in the treatment of applicants. From the point of view of decreasing inmate discontent with temporary release selection, it matters little if the new selection process is fairer than the old one unless inmates perceive it as such. Therefore a forty-two page inmate manual was distributed to each eligible inmate in the pilot facilities. The manual described the various types of temporary release programs, the new selection process (including both the point system and the associated procedures), and the forms used in processing an application. Also, a videotape describing the new selection process was prepared and shown to inmates in order that they might better understand the new procedures. (Unfortunately, not all inmates had seen the videotape at the time of the interviews described in this report.) An additional feature of the new procedures was a personal interview with each applicant by a temporary release

¹For a description of the development of the point system see Section I, Development of a Point System for Temporary Release Selection.

interviewer at the beginning of the application process. During the interview the applicant's point score and its implications were explained to the inmate, along with any special circumstances (such as outstanding warrants that precluded participation in the program), and any questions the inmate might have were answered.

Since considerable effort had been taken to explain the new process to inmates, Vera researchers decided it would be useful to talk to inmates whose applications had been processed under the new selection system during the pilot period to gauge their reaction to the point system and its accompanying procedures. Consequently, 139 inmates were contacted at the pilot facilities. Structured, self administered questionnaires were given to 126 of these inmates. (A copy of the questionnaire appears at the conclusion of this section). It contained 43 items measuring the inmate's attitudes toward various aspects of the temporary release selection process. The format of the questionnaire required each respondent to read the question and then indicate his own opinion by placing a mark in the blank corresponding to "agree strongly", "agree moderately", "disagree moderately", or "disagree strongly". Respondents were instructed to leave the four spaces for an item blank if they did not understand the question, disagreed with the wording or assumptions of an item to the extent that they could not respond, or had no opinion. All respondents were promised complete confidentiality.

In addition to the structured questionnaires, 38 inmates were interviewed in half hour interviews (26 of these interviews were with applicants who also completed the questionnaire). The in-person interview was largely open-ended, thereby allowing the inmate complete latitude to respond to such questions as "What do you like about the

new selection process? (Probe for specifics.)" The in-person interview was designed to allow for greater subtlety of response than can be obtained with a forced-choice questionnaire.

An important methodological issue in giving a self-administered questionnaire to inmates is whether or not individuals, such as inmates, with poor educational backgrounds can meaningfully respond to a questionnaire that presupposes the ability to read and think through questions.² The only way of answering this question was to see if the responses were consistent with our substantive expectation; that is, did the answers "make sense"? Fortunately, they did. For example, only 5% of those completing the self-administered questionnaire agreed with item 18, "Only inmates convicted of crimes of violence should be allowed in temporary release."³ An inspection of the responses to each item, shown at the conclusion of this section, shows that on the whole it appears that most inmates were able to complete the questionnaire. Also, other patterns in the data were evidence that the responses to the items appeared to be meaningful.

Knowledge of the System

In contrast to some other characteristics of the temporary release program and selection process, the use of the point system was found to be something that almost all inmates understand and relate to. Thus 92% of the 38 applicants interviewed knew which category of the point system they fell in. Sixty-four percent had determined their

²For example, 38% of a sample of 379 temporary release applicants had attained no more than ninth grade; only 29% had graduated from high school. These figures were provided by the temporary release management information system.

³The content of this item is, of course, preposterous; it was included precisely for the purpose of checking to see if responses were substantively meaningful.

score before meeting with the interviewer.⁴ Furthermore, only 8% of those completing the questionnaire gave an incorrect answer (i.e. agreed) to item 20, "Under the new selection process, the longer an applicant's criminal record, the more points he gets."

Inmate knowledge about other aspects of the temporary release program also appeared substantial, if not as high as for the point system.⁵ As shown in Table 1, 3 of the other 4 factual questions were answered correctly by majorities of inmates. The one question which only a minority of inmates (roughly one-third) answered correctly concerned the legal definition of temporary release eligibility.

In sum, inmates appeared to understand quite well the concept of the point system. Furthermore, most applicants understood the point system well enough to determine their scores by themselves. Finally, other factual questions showed a substantial understanding of the temporary release program.

TABLE 1

PERCENTAGE RESPONDENTS GIVING CORRECT ANSWER TO FACTUAL QUESTIONS

Item No.		% Correct
3A	The only reason you can get a furlough is to maintain family ties.	70%
9	Educational leave is only for finishing high school.	75%
14	Anybody within 2 years of parole or conditional release, according to the law, is eligible to apply for temporary release.	35%
38	Furloughs are given for any purpose.	67%

⁴There were strong differences by sex; only 25% of the women, as contrasted with 81% of the men, had scored themselves.

⁵Since the inmate manual describing the new selection process discusses all of the factual questions asked on the questionnaires, an applicant who read and understood the manual should be able to answer all five questions correctly.

Attitudes Toward Temporary Release Selection

A frequent complaint about the old selection process was that it took too long. Eighty nine percent of the applicants completing the questionnaire agreed with Item 6, "the old selection process took too long." Of the 30 applicants interviewed in person with previous temporary release experience, 40% mentioned in response to an open-ended question the length of the old process as something they disliked.⁶ These figures are especially meaningful in view of the importance inmates attached to a prompt disposition for their application: 91% agreed with Item 26, "knowing right away if you're allowed to go out on temporary release is almost as important as going out." Since the selection process during the pilot period eliminated Albany review for the great majority of cases, the time needed to process an application was expected to be substantially less than before.⁷ Although no question was asked about this aspect of the new procedures, it is probably accurate to assume that most inmates would view the new process better on this count.

⁶ The question read "What did you dislike about the (old) process?" Forty percent is a sizeable proportion for an open-ended question.

⁷ At the time of this survey, no accurate statistics on processing time under the old system were available. Subsequent research comparing processing times under the old and new systems did not establish that the new system was faster. (See Section IV - Studies of Access to Temporary Release during the Pilot Period.)

The amount of time taken to process applications was the only feature mentioned by any sizeable proportion of those questioned about the old process. The issue of reasons for denial did not appear highly salient as a source of discontent to inmates: of the 19 applicants rejected under the old system, only 1 (=5%) mentioned this as something they disliked.⁸

Turning to questions that measured general attitudes toward the new selection process, we found opinions to be divided in favor of and opposed to the new system. For example, 41% of the sample agreed with item 10, "temporary release selection is unfair", 48% agreed that "given the difficulty of making selection, the temporary release process is about as fair as possible" (item 39), and 47% agreed that "the temporary release selection process should be completely overhauled" (item 32). Forty percent agreed that "only the best people are selected for temporary release" (item 38). Similar responses were obtained from questions in the personal interview. When asked to name things they both liked and disliked about the new selection process, 18% of the 37 respondents named only things they disliked, 35% named things they both liked and disliked, and 46% listed only things they liked. Finally, the point system was endorsed by roughly half the respondents (52% agreed with item 5, "a point system is a fair way of selecting people for temporary release"). In sum, opinions were found to be split for and against the new selection process, with a slightly larger percentage of inmates in favor of the new process than opposed.

⁸These responses do not necessarily mean that inmates do not care about knowing reasons for denial; a plausible interpretation is that reasons for denial under the old system are adequate explanations from the inmate's point of view, although inmates may (and probably will) disagree with the decision.

We again found mixed responses to questions explicitly comparing the new selection process to the old one. Forty-three percent agreed that "the new selection procedures are basically the same as the old ones," (item 15), a not inaccurate perception in view of the similar results of the old and the new selection process.⁹ In a more evaluative comparison of the two selection systems, 73% of the respondents disagreed with item 30, "the new selection procedures are not as good as the old," and a majority of those questioned agreed that "the new selection process is better than the old one" (item 43).¹⁰ When asked in the personal interview "do you think the new selection process is fairer than the old one?", 68% of the 28 respondents answered 'yes'.

A number of questions were asked about specific aspects of the selection process. One feature of the new procedures that proved unpopular with inmates was the heavy emphasis of the point system on prior criminal record, especially as measured by crimes of violence. Forty two percent of inmates interviewed in person did not think it fair to take away points for crimes of violence.¹¹ Fifty nine percent agreed that "everyone should be allowed in temporary release, regardless of what he or she has been convicted of" (item 4). Large majorities of inmates in the sample felt that an applicant should not be denied temporary release on account of his record; 72% disagree with item 29, "some people have such bad records that they should never be

⁹Refer to Section I, p.41

¹⁰This question was not asked at Auburn Correctional Facility. Since inmates at Auburn are critical of the new process, having asked this question at this facility would probably have lowered the total percentage agreeing with the question from the 67% level in our data.

¹¹The question read "do you think it's fair to take away points for crimes of violence?"

allowed in temporary release", and 90% disagree that "inmates convicted of crimes of violence, such as robbery or assault, should not be allowed to participate in temporary release" (item 36). The attitudes of the vast majority of inmates were succinctly captured in item 37, since 93% agreed that "it's not fair to evaluate an applicant on the basis of what he did before he got to prison since he may have changed while doing time."

One of the ways available to inmates to demonstrate that they have changed is program participation. That most inmates appeared willing to engage in these activities if they thought it would bring them rewards such as temporary release and parole is evidenced by the 75% who agreed that "not participating in programs or work assignments should make it harder to get into temporary release" (item 25). These responses occurred in the context of a point system heavily penalizing applicants with lengthy criminal records; whether or not a smaller percentage would be willing to base temporary release acceptance on program participation if the past intruded less remains to be seen.

Aside from participation in programs and work assignments, institutional behavior can most easily be judged by an inmate's disciplinary record. But inmates on the average were less inclined to be evaluated for temporary release on the basis of their disciplinary record: 55% agreed that "an inmate's disciplinary record is not a good way of judging his suitability for temporary release" (item 31). The irony in these responses is that inmates would like to be evaluated in the way that is least predictive of temporary release success. Criminal history and disciplinary behavior were predictive of success, while program participation was not.¹²

¹²See Section I, pages 25-27

Another aspect of the new process found to be unpopular with inmates was automatic rejection for those having a point score in the low range. Seventy seven percent disagreed that "inmates with low point scores should not be allowed to participate in temporary release" (item 41), and 89% agreed that "no applicant should be denied an opportunity to appear before the Temporary Release Committee" (item 34).

Several questions focused on the Temporary Release Committee's (TRC) decision-making. Inmates did not appear to believe that the committees grant temporary release participation either on the basis of bribes or personal relationships. (Note the answers to items 2, 23, and 35 in Appendix II.) But inmate evaluation of the TRCs' performance was again mixed: 49% agreed that "the Temporary Release Committee generally does a good job in making its decision" (item 19). The sample was almost evenly split over the issue of less discretion in the committees' decisions. Fifty four percent agreed that "the Temporary Release Committee should not have so much discretion in deciding on temporary release applicants" (item 33). In addition, 61% agreed that "there should be more rules about how the Temporary Release Committee chooses participants for temporary release: (item 22). Finally, there did not appear to be any consensus on the issue of TRC composition. Sixty four percent agreed that "there should be inmate representatives on the Temporary Release Committee" (item 27). Fifty percent agreed that "corrections officers should be on the temporary release committee since they know inmates best" (item 8) and 59% disagreed that "corrections officers shouldn't be on the Temporary Release Committee since all they care about is discipline" (item 24). Despite whatever criticisms they might have about the TRC's decision-

making, though, inmates seemed to welcome the opportunity to appear in person before the committee. Of the 16 inmates interviewed in person who had appeared before the committee, 81% thought the experience worthwhile.¹³

DETERMINANTS OF ATTITUDES TOWARD TEMPORARY RELEASE SELECTION

Thus far the analysis has examined the answers to each question independently of anything we know about the respondents. In this section we examine the distribution of responses according to the facility the inmate is in and his point score category.

Each item in the questionnaire was crosstabulated against the respondent's facility and the range-disposition category he fell in.¹⁴ Since this produced 86 tables (two for each item in the questionnaire), it is impractical to reproduce all of them here. Tables 2 through 5 are four of these, chosen because they clearly portray the interesting relationships in the data.

Tables 3 and 5 indicate that a respondent's attitudes toward the selective process change according to the range-disposition category he falls in. Inmates who are approved, either automatically or by the Temporary Release Committee, were much more favorably disposed toward the selection process than those who were rejected. Many of these differences were quite large for survey data. For example, Table 3 shows that only 18% of those in the low range agreed that "the Temporary Release Committee generally does a good job in making its decisions" (item 19), while fully 78% of those in the high range agreed (either strongly or moderately) with the item. It is interes-

¹³Exactly the same percentage of the 36 respondents questioned about their meeting with the temporary release interviewer thought the interview to be worthwhile.

¹⁴Range-disposition is defined as follows: low range-automatically denied; middle range-denied by TRC; middle range-pending; middle range-approved by TRC; and high range-automatically approved.

TABLE 2

ITEM 19 BY FACILITY

Item 19: The temporary release committee gene- rally does a good job in making its decisions	<u>FACILITY</u>			
	<u>Elmira</u>	<u>Bedford</u>	<u>Auburn</u>	<u>Wallkill</u>
Agree Strongly	19%	37%	3%	10%
Agree Moderately	42	31	24	28
Disagree Moderately	15	9	33	24
<u>Disagree Strongly</u>	<u>23</u>	<u>23</u>	<u>39</u>	<u>38</u>
Total %	99% *	100%	99%*	100%
Number in Column	(26)	(35)	(33)	(29)

* Does not sum to 100% due to rounding errors.

TABLE 3

ITEM 19 BY RANGE-DISPOSITION

Item 19: The temporary release committee gene- rally does a good job in making its decisions	<u>Low, auto- matically denied</u>	<u>Middle, disap- proved by TRC</u>	<u>Middle Pend.</u>	<u>Middle Approv. by TRC</u>	<u>High, Automa- tically Approved</u>
Agree Strongly	0%	10%	4%	48%	17%
Agree Moderately	18	30	24	26	61
Disagree Moderately	30	0	32	16	13
<u>Disagree Strongly</u>	<u>52</u>	<u>60</u>	<u>40</u>	<u>10</u>	<u>9</u>
Total %	100%	100%	100%	100%	100%
Number in Column	(27)	(10)	(25)	(31)	(23)

TABLE 4

ITEM 5 BY FACILITY

Item 5: A point system is a fair way of selecting people for temporary release	<u>FACILITY</u>			
	<u>Elmira</u>	<u>Bedford</u>	<u>Auburn</u>	<u>Wallkill</u>
Agree Strongly	48%	39%	12%	10%
Agree Moderately	20	22	31	26
Disagree Moderately	4	11	19	16
<u>Disagree Strongly</u>	<u>28</u>	<u>28</u>	<u>38</u>	<u>48</u>
Total %	100%	100%	100%	100%
Number in Column	(25)	(36)	(32)	(31)

TABLE 5

ITEM 5 BY RANGE-DISPOSITION

Item 5: A point system is a fair way of selecting people for temporary release	Low, automatically denied	Middle, disapproved by TRC	Disposition		
			Middle Pend.	Middle, Approv. by TRC	High, automatically Approved
Agree Strongly	7%	30%	32%	47%	26%
Agree Moderately	11	20	24	27	39
Disagree Moderately	14	10	12	13	13
<u>Disagree Strongly</u>	<u>68</u>	<u>40</u>	<u>32</u>	<u>13</u>	<u>22</u>
Total %	100%	100%	100%	100%	100%
Number in column	(28)	(10)	(25)	(30)	(23)

ting to note that since applicants in these two ranges would not go before the Temporary Release Committee, there is no logical reason why attitudes toward the committee should differ between these two groups. Two possible explanations are, first, that applicants misunderstood the process to the extent that the committee is credited with the responsibility for decisions falling in these ranges, and, second, that the range and disposition so affect the applicant's attitudes that opinions with respect to all aspects of the selection process are colored by range and disposition.

Tables 2 and 4 show how attitudes toward the process varied by facility. Although differences between facilities were not as large as those between categories of range-disposition, there were consistent differences. Elmira and Bedford Hills inmates were more positive in their attitudes toward selection than inmates at Auburn and Wallkill. For example, majorities of inmates at both Elmira and Bedford Hills (61% and 68% respectively) agreed with item 19, while the situation was reversed at Auburn and Wallkill, with 27% and 38% agreeing respectively.

Since the proportion of inmates falling in the ranges of the point system varied by facility (See Table 6), the differences by facility shown in Tables 2 and 4 may simply reflect the fact that some facilities had an overall lower-scoring population than others, and hence had applicants who were less positive in their attitudes about the selection process than respondents at other facilities. Thus, the facility differences in attitudes observed in Tables 2 and 4 may result wholly from the different scores of the people in the facilities. Another possibility is that there was something about the facilities (differences in types of inmates or temporary release administrative practices, for example,) that might account for attitude

differences between facilities over and above those differences we would expect solely on the basis of point scores. In brief, the strategy used to answer this question was to form two attitude scales, one measuring general affect towards the selection process (the extent to which the respondent approved or disapproved of the selection process) and the other measuring the extent to which the respondent feels that some people should be excluded from temporary release, and then use these scales as dependent variables in a multiple regression. The details of the analysis are presented in the following sub-section ("Multivariate Analysis of Attitudes").

The results of the multivariate analysis indicate that, for general affect towards the selection process, the facility did have an effect on attitudes in addition to that explained by range-disposition. Thus, differences in attitudes between facilities were not explained wholly by the range-disposition category an applicant falls in. Unfortunately, these results did not tell us what it is about a facility that accounts for these differences, though some speculation is useful. One possibility is the different administrative practices in the temporary release programs at facilities (such as varying interviewer styles, lengths of time needed to process applications, the way applicants are treated by TRC's, and so on) accounted for these differences. Another possibility is that inmates at various facilities had different characteristics accounting for these attitudinal differences. For example, a policy of transferring the more 'difficult' inmates - those with greater expressed hostility towards the correctional system - to Wallkill and

Auburn could also account for the patterns observed in the data. Although both explanations are possible, observations of program implementation at the four pilot facilities certainly suggest the plausibility of the first one.

The results of the analysis have other implications. For example, the tendency of applicants denied by the TRC to have more favorable attitudes than those falling in the low range suggests that hostility towards the program can be reduced by somehow giving inmates in the low range an opportunity to appear before the TRC. Among the alternatives considered by Vera staff were eliminating the low range altogether, lowering the boundary between the low and middle ranges, and instituting a periodic review by the TRC of those applicants in the low range with no possibility of gaining enough points through improved institutional behavior to move into the middle range.

The results also showed that an applicant's evaluation of the process was more favorable the more he knew about the selection process. Again, the explanations of this finding are speculative. One is that greater understanding of the process leads to more favorable attitudes. Another is that the results are spurious, that the type of inmate most likely to understand the selection process well is also the type likely to have favorable attitudes toward the process. Although we cannot establish the truth of either hypothesis, the plausibility and pragmatic implications of the first hypothesis, if true, suggest that greater effort be taken in the future to explain the system to inmates.

Finally, we found that in terms of explaining affect toward the selection process during the pilot period we have done remarkably well. Almost half of the variance of AFFECT, the scale measuring general

approval or disapproval of the selection process, has been explained by the regression, an amount that is certainly high for attitude data. Furthermore, one-third of the variance was explained by range-disposition categories alone. In other words, attitudes toward the system were strongly determined by whether or not and how the application was approved or denied. While we have pointed out a few ways that the results suggest the program might be modified so as to increase its acceptance by inmates, it is clear that no matter how much the selection process is designed, modified, or explained to inmates, denying an inmate's application will, on the average, create some hostility towards the program. In short, the only way to win complete acceptance of the selection process by inmates is to let everyone out, an implication of no great practical importance.

MULTIVARIATE ANALYSIS OF ATTITUDES

As discussed previously, it is of interest to know if different degrees of support for the new selection process in the four pilot facilities were accounted for by the differences in scores at the four facilities or whether facilities had an effect independent of score. One problem adding to the difficulty of answering this question is the correlation between facility and point score range-disposition. As shown in Table 6, inmates at Bedford scored highest, while those at Auburn scored lowest. Inmates at the two remaining facilities, Wallkill and Elmira, scored on the average about the same, and were intermediate in their scores compared to the other two facilities.

This type of problem can best be analyzed using multiple regression, a technique that examines the effect of several independent or predictor variables on a single dependent variable and, if two or more independent variables are correlated with one another, determines the corrected effect of any variable on the dependent variable by controlling for the effect of other variables in the equation. In the present circumstance there were 43 possible dependent variables (each item on the questionnaire), which, if each were analyzed separately, would be more regressions than convenient to analyze. Thus, we combined some of the items into two scales and analyzed the scales, not the individual items.

The scales were constructed by scoring the four possible answers - "agree strongly", etc.- 1, 2, 3 and 4 such that the response most approving of the point system and allied

TABLE 6

RANGE-DISPOSITION BY FACILITY*

	<u>FACILITY</u>			
	<u>Auburn</u>	<u>Wallkill</u>	<u>Elmira</u>	<u>Bedford Hills</u>
Low-automatically denied	24%	18%	17%	10%
Middle-denied by TRC	34	39	36	13
Middle-approved by TRC	31	31	36	42
High-automatically approved	11	13	11	34
<u>(Total % Approved)**</u>	<u>(42%)</u>	<u>(44%)</u>	<u>(47%)</u>	<u>(77%)</u>
Total %	100%	101%	100%	99%
(Number)	(231)	(204)	(351)	(155)

*These figures are based on 941 applications processed during the first nine weeks of the pilot period. They are taken from a DOCS memorandum from Leo Bisceglia to Clark Wilson, dated December 13, 1976. Due to rounding errors all columns may not total to 100%.

** This is the percent of all applications approved at the facility, either by the TRC or as result of falling in the high range. It is (subject to rounding error) the sum of the third and fourth rows of the table.

procedures (either "agree strongly" or "disagree strongly", depending upon the wording of the item) is scored "4". The next step was to compute a matrix of correlations (Pearson r's) of all 43 items. This matrix was visually examined to locate groups of items that mutually correlate with one another.¹⁵ Examination of the intercorrelations led to the development of two scales consisting of ten and four items each. The first scale, labelled AFFECT, consisted of ten items measuring the respondents' affect towards the present selection process.¹⁶ The second scale, called EXCLUDE, contained four items measuring the extent to which the respondent agreed with the present policy of excluding some applicants from the program.¹⁷ Each respondent was assigned a scale score equal to his average value on the items in the scale. Since items are scored 1, 2, 3, or 4, scale scores range from 1 to 4, with a higher value on the first scale corresponding to a positive attitude toward the selection process, and a higher score on the second scale indicating greater acceptance of the exclusionary policy.

Each of these scales was regressed on the following set of eight variables: four dummy variables corresponding to each category of range-disposition save low-automatically denied; three dummy variables corresponding to each facility save

¹⁵According to scaling theory, items must be measuring the same underlying dimension if they are to be combined into a scale. One indication that a set of items measures a common dimension is that they correlate with one another. In choosing items to combine into a scale, one must consider the substantive meaning of the items as well as their intercorrelations.

¹⁶The items are numbers 2, 5, 10, 15, 19, 23, 30, 32, 35, and 39.

¹⁷The items are numbers 4, 13, 29 and 41.

Bedford Hills; and a variable measuring the number of correct responses to the five factual items on the questionnaire.¹⁸

The last variable, NFACT, was formed by counting the number of correct responses to items 3A, 9, 14, 20, and 38, the five factual items on the questionnaire. A correct answer was considered to be "disagree strongly" or "disagree moderately", since all items were worded such that agreement would correspond to an incorrect answer. The distribution of scores on NFACT is as follows:

<u>Number of Correct Answers</u>	<u>Percent</u>	<u>Cumulative Percent</u>
None	1.6%	1.6%
One	9.5	11.1
Two	21.4	32.5
Three	20.6	53.2
Four	26.2	79.4
Five	20.6	100.0

These figures indicate, for example, that 20.6% of the sample answered exactly three questions correctly, and that 53.2% answered three or fewer questions correctly.

¹⁸A dummy variable is one coded 1 if an attribute is present in a particular case and 0 if the attribute is not present. For technical reasons a set of n nominal variables must be represented in a regression equation by n-1 dummy variables. Thus the five categories of range-dispositions are represented by only four dummy variables. An inmate falling in the middle-pending category would be scored 1 on the dummy variable corresponding to this category and 0 on all others. The omitted category, low range-denied, serves as the reference point in the analysis to which the other four dummy variables are compared. An applicant falling in the low range is uniquely identified by the fact that he is scored 0 on all four of the dummy variables corresponding to the other four range-disposition categories. Similarly, the four facilities are represented by three dummy variables. Bedford Hills has been omitted and serves as the reference point for the facility dummy variables.

TABLE 7

REGRESSION ANALYSIS OF AFFECT AND EXCLUDE

Dependent Variable = AFFECT

<u>Independent Variable</u>	<u>Unstandardized Regression Coefficient</u>	<u>Standard Error</u>	<u>R² Increment</u>
Middle - Denied	.33	.23	
Middle - Pending	.42	.15	
Middle - Approved	.68	.15	.325
High - Approved	.56	.16	
Wallkill	-.49	.14	
Elmira	-.03	.14	.135
Auburn	-.49	.15	
NFACT	.13	.04	.057

TOTAL CORRECTED R² = .472

Dependent Variable = EXCLUDE

<u>Independent Variables</u>	<u>Unstandardized Regression Coefficient</u>	<u>Standard Error</u>	<u>R² Increment</u>
Middle-Denied	.54	.33	
Middle-Pending	.44	.22	
Middle-Approved	.54	.22	.150
High-Approved	.86	.24	
Wallkill	.11	.21	
Elmira	.24	.20	.015
Auburn	.11	.22	
NFACT	.06	.06	.012

TOTAL CORRECTED R² = .099

In each equation, residual degrees of freedom = 108

Table 7 shows the results of regressing AFFECT and EXCLUDE on the eight independent variables. AFFECT was explained much more strongly by the variables in the regression than EXCLUDE (47.2% and 9.9% of the corrected variance respectively). Substantively, this means that knowledge of an applicant's range-disposition category, facility, and so forth, gave us a much more accurate prediction of his overall affect for the selection process than did his feelings about excluding people from the program. Thus, being rejected by the program, for instance, was much more likely to leave one with a negative feeling for the selection process than to cause a change in attitude toward admitting people into the program.

Another implication of the findings was that facility does have an effect on attitudes independent of range-disposition, especially pronounced on AFFECT. Thus, adding facility dummy variables added 13.5% to the variance explained of AFFECT over that explained solely by range-disposition. The regression co-efficients for facilities in the AFFECT equation indicated that Elmira inmates did not differ noticeably in their attitudes toward the selection process from Bedford Hills inmates, and that Wallkill and Auburn inmates were about one-half a point less favorable than Elmira or Bedford Hills inmates.¹⁹ Looking at the AFFECT equation, Elmira inmates on the average were .03 scale points less favorable in their attitudes than Bedford Hills inmates when controlling for the other variables in the equation, while applicants from Auburn and Wallkill were both .49 points less favorable. Since the four possible responses to each item are

¹⁹Since no dummy variable is present for Bedford Hills, it is the reference point against which other facilities are compared.

scored 1-2-3-4, a .03 point difference is insignificant. A difference of one-half points, however, is substantively meaningful.

Looking at EXCLUDE, facility differences were not large enough to be statistically significant (adding the three facility dummy variables to the equation increased R^2 by only 1.5 percentage points, as compared to 13.5 percentage points for AFFECT). Thus facility appeared to have an independent effect on AFFECT, but not on EXCLUDE.

The category of range-disposition without a dummy variable and hence serving as the reference point was the low-automatically denied range. The positive coefficients for the other four categories indicated that respondents falling in these latter four categories were on the average always more favorably oriented to the new procedures than those in the low categories, a finding that was substantively plausible. The finding that applicants who were denied by the Temporary Release Committee were more positive in their attitude than were those falling in the low range suggests that the chance at least to argue one's case before the Committee tended to result in more support for the system.

Differences between the last four categories of range-disposition were not large enough to be statistically significant with this size sample, though the results were suggestive in substantively plausible ways. Respondents whose applications were approved - either by the Temporary Release Committee or by virtue of falling in the high range - appeared more approving of the system than those who were denied.

Finally, we also found that as one's factual knowledge about the new selection process increased, so did support for the system. Moving from zero to 5 correct answers appeared to increase one's support, as measured by AFFECT, by about two-thirds of a scale point, an amount which is not insignificant. The possible interpretations of

this finding were discussed in the previous sub-section of this report.

INMATE QUESTIONNAIRE

October 1976

TEMPORARY RELEASE PROGRAM

Temporary Release Program Applied For: Furlough _____ Work Release _____
Educational Leave _____

Your Point Score: _____ Range: Low _____ Middle _____ High _____

Application was Approved _____ Disapproved _____

Answer each of the following questions according to whether you agree strongly, agree moderately, disagree moderately, or disagree strongly. Put a check in the blank corresponding to your opinion. If you don't have an opinion about any statement or don't understand the statement, leave it blank and go on to the next one. For example, suppose you disagree strongly with the statement, "Temporary Release is not a good program." Then you should mark the blank on the right as shown. For the most part, there are no right or wrong answers to these questions. None of your answers will be revealed to any one in the Department, either in Albany or in this facility. Your answers are completely confidential.

	<u>AGREE STRONGLY</u>	<u>AGREE MODERATELY</u>	<u>DISAGREE MODERATELY</u>	<u>DISAGREE STRONGLY</u>
1. Temporary Release is not a good program. (Example)	_____	_____	_____	<input checked="" type="checkbox"/>
2. The best way to get a furlough is to be good friends with a staff member.	<u>10%</u>	<u>11%</u>	<u>22%</u>	<u>58%</u>
3a. The only reason you can get a furlough is to maintain family ties.	<u>12</u>	<u>18</u>	<u>20</u>	<u>50</u>
3b. People with serious psychiatric problems should not be allowed in Temporary Release.	<u>26</u>	<u>22</u>	<u>31</u>	<u>20</u>
4. Everyone should be allowed in Temporary Release, regardless of what he or she has been convicted.	<u>33</u>	<u>26</u>	<u>25</u>	<u>16</u>
5. A point system is a fair way of selecting people for Temporary Release.	<u>27</u>	<u>25</u>	<u>13</u>	<u>36</u>

Figures are percent of respondents giving each answer to every question. Due to rounding error, numbers may not sum to 100% across every row.

	<u>AGREE STRONGLY</u>	<u>AGREE MODERATELY</u>	<u>DISAGREE MODERATELY</u>	<u>DISAGREE STRONGLY</u>
6. The old selection process took too long.	<u>69%</u>	<u>20%</u>	<u>7%</u>	<u>5%</u>
7. Inmates should be able to meet with a counselor both before and after going on a furlough.	<u>62</u>	<u>28</u>	<u>2</u>	<u>7</u>
8. Corrections officers should be on the Temporary Release Committee since they know inmates best.	<u>34</u>	<u>16</u>	<u>10</u>	<u>40</u>
9. Educational leave is only for finishing high school.	<u>14</u>	<u>11</u>	<u>17</u>	<u>58</u>
10. Temporary Release selection is unfair.	<u>25</u>	<u>16</u>	<u>28</u>	<u>31</u>
11. All Temporary Release decisions should be made in Albany.	<u>14</u>	<u>8</u>	<u>20</u>	<u>57</u>
12. People should be selected into Temporary Release on the basis of a lottery.	<u>6</u>	<u>6</u>	<u>8</u>	<u>80</u>
13. Everybody should be allowed in Work Release, even if only for a few months.	<u>46</u>	<u>17</u>	<u>19</u>	<u>18</u>
14. Anybody within 2 years of parole or conditional release, according to the law, is eligible to apply for Temporary Release.	<u>51</u>	<u>14</u>	<u>4</u>	<u>31</u>
15. The new selection procedures are basically the same as the old ones.	<u>22</u>	<u>22</u>	<u>26</u>	<u>31</u>
16. The Temporary Release program should be abolished since most people don't get much out of it.	<u>12</u>	<u>9</u>	<u>12</u>	<u>68</u>
17. Only inmates with good work records should be allowed in Work Release.	<u>21</u>	<u>16</u>	<u>24</u>	<u>39</u>
18. Only inmates convicted of crimes of violence should be allowed in Temporary Release.	<u>2</u>	<u>3</u>	<u>24</u>	<u>71</u>

	<u>AGREE STRONGLY</u>	<u>AGREE MODERATELY</u>	<u>DISAGREE MODERATELY</u>	<u>DISAGREE STRONGLY</u>
19. The Temporary Release Committee generally does a good job in making its decisions.	<u>18%</u>	<u>31%</u>	<u>20%</u>	<u>31%</u>
20. Under the new selection process, the longer an applicant's criminal record, the more points he gets.	<u>4</u>	<u>4</u>	<u>14</u>	<u>78</u>
21. The number of spaces for Work Release should be greatly increased.	<u>77</u>	<u>16</u>	<u>3</u>	<u>3</u>
22. There should be more rules about how the Temporary Release Committee chooses participants for Temporary Release.	<u>40</u>	<u>21</u>	<u>23</u>	<u>16</u>
23. Members of the Temporary Release Committee generally give furloughs only to inmates they like.	<u>15</u>	<u>13</u>	<u>22</u>	<u>50</u>
24. Corrections officers shouldn't be on the Temporary Release Committee since all they care about is discipline.	<u>29</u>	<u>12</u>	<u>25</u>	<u>34</u>
25. Not participating in programs or work assignments should make it harder to get into Temporary Release.	<u>44</u>	<u>32</u>	<u>11</u>	<u>14</u>
26. Knowing right away if you're allowed to go out on Temporary Release is almost as important as going out.	<u>70</u>	<u>21</u>	<u>5</u>	<u>4</u>
27. There should be inmate representatives on the Temporary Release Committee.	<u>48</u>	<u>17</u>	<u>13</u>	<u>23</u>
28. Only the best people are selected for Temporary Release.	<u>19</u>	<u>21</u>	<u>30</u>	<u>30</u>
29. Some people have such bad records that they should never be allowed in Temporary Release.	<u>12</u>	<u>15</u>	<u>32</u>	<u>40</u>
30. The new selection procedures are not as good as the old method.	<u>12</u>	<u>15</u>	<u>34</u>	<u>40</u>

	<u>AGREE STRONGLY</u>	<u>AGREE MODERATELY</u>	<u>DISAGREE MODERATELY</u>	<u>DISAGREE STRONGLY</u>
31. An inmate's disciplinary record is not a good way of judging his suitability for Temporary Release.	<u>30%</u>	<u>26%</u>	<u>26%</u>	<u>18%</u>
32. The Temporary Release selection process should be completely overhauled.	<u>24</u>	<u>22</u>	<u>29</u>	<u>24</u>
33. The Temporary Release Committee should not have so much discretion in deciding on Temporary Release Applicants.	<u>24</u>	<u>29</u>	<u>25</u>	<u>21</u>
34. No applicant should be denied an opportunity to appear before the Temporary Release Committee.	<u>78</u>	<u>10</u>	<u>3</u>	<u>8</u>
35. An easy way to get a furlough is to bribe a member of the Temporary Release Committee (or staff).	<u>7</u>	<u>3</u>	<u>9</u>	<u>80</u>
36. Inmates convicted of crimes of violence, such as robbery or assault, should not be allowed to participate in Temporary Release.	<u>7</u>	<u>2</u>	<u>21</u>	<u>69</u>
37. It's not fair to evaluate an applicant on the basis of what he did before he got to prison since he may have changed while doing time.	<u>70</u>	<u>23</u>	<u>3</u>	<u>4</u>
38. Furloughs are given for any purpose.	<u>19</u>	<u>14</u>	<u>31</u>	<u>36</u>
39. Given the difficulty of making selection, the Temporary Release process is about as fair as possible.	<u>24</u>	<u>24</u>	<u>29</u>	<u>23</u>
40. The Temporary Release Committee should be allowed to look at anything it wants in an applicant's folder in making its decision.	<u>28</u>	<u>31</u>	<u>21</u>	<u>20</u>

Inmate Questionnaire

	<u>AGREE STRONGLY</u>	<u>AGREE MODERATELY</u>	<u>DISAGREE MODERATELY</u>	<u>DISAGREE STRONGLY</u>
41. Inmates with low point scores should not be allowed to participate in Temporary Release.	<u>6%</u>	<u>16%</u>	<u>25%</u>	<u>52%</u>
42. It is unfair to check an applicant's record for a history of mental illness.	<u>9</u>	<u>12</u>	<u>35</u>	<u>45</u>
43. The new selection process is better than the old one.	<u>37</u>	<u>27</u>	<u>11</u>	<u>25</u>

(N-83)*

*Since this question was not asked at Auburn and of some respondents at Bedford Hills, the number of respondents is smaller for this item. All other items were administered to 126 inmates.