If you have issues viewing or accessing this file contact us at NCJRS.gov.

CR Sent 4-29-88

108771

NCJRS
JAN 21 1988
ACQUISITIONS

OFFENDER CLASSIFICATION AND JAIL CROWDING:

Examining the connections between poor classification and the problem of jail crowding and developing some preventative interventions

Tim Brennan Ph.D.
HSI Inc. 2035 Kohler Drive
Boulder, Colorado, 80303.

(303-499-1135).....Jan 1985.

108771

Report prepared for the National Institute of Corrections. A preliminary version of this paper was given at the Annual Conference of the National Association of Pre-trial Services. Phoenix, Arizona, 1983.

PROPERTY OF
NIC INFORMATION CENTER

HB
311-60

108771

U.S. Department of Justice
National Institute of Justice

This document has been reproduced exactly as received from the person or organization originating it. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the National Institute of Justice.

Permission to reproduce this copyrighted material has been granted by

National Institute of Corrections

to the National Criminal Justice Reference Service (NCJRS).

Further reproduction outside of the NCJRS system requires permission of the copyright owner.

EXECUTIVE SUMMARY

A preliminary political/policy statement.

This paper examines a highly charged political issue regarding policies and procedures of incarceration. Thus, a preliminary statement to clarify the writer's position is in order. My position is that the high risk/dangerous offender should be identified, correctly classified and given appropriate levels of supervision and incarceration. If such offenders are erroneously released, or are erroneously placed into low levels of supervision, or are given undue access to the community, I view this as a serious flaw of classification which should be rectified wherever possible. I view societal protection, security and safety as critically important goals of correctional classification. Thus the false negative error of classification should be avoided wherever possible.

Simultaneously, however, I believe that the false positive error of classification (i.e. placing the low risk offender into needlessly high levels of incarceration) is equally to be avoided. It's consequences are often less visible in individual graphic cases. Yet, it can produce many unfortunate side-effects that can undermine the operation and policies of the criminal justice system. Needless jailing, unfairness, waste of jail resources and crowding are some of these results.

Thus, my argument is that BOTH errors are to be avoided, and that a BALANCED policy of classification is required. An unbalanced "liberal" policy will focus only on the unfairness of overclassification. An unbalanced "restrictive" policy will focus only on the costs of the underclassification error. A balanced policy of classification will attempt to jointly minimise both kinds of errors. Correct classification of offenders must be optimized. The remainder of this paper attempts to justify these positions.

1. *Overclassification of offenders may be a neglected cause of Jail Crowding and swollen populations.*

The introduction asserts the basic argument that false positive errors of classification produce needless entry of offenders into jails, and then needlessly lengthen the incarceration of many. Both of these processes can enlarge the inmate populations of jails. The critical questions are how much

needless incarceration and overclassification occurs? What causes it to be so widespread? and what interventions and preventative measures might reduce needless jailing?

2. What is Overclassification or the false positive error?

Section two defines the false positive error. Basically, any criminal justice decision maker, including jail classification officers, can make two kinds of errors of classification. They can errorneously classify the low risk offender into a high risk category (the false positive error). Or, they may classify a high risk offender into a low risk category (the false negative error). Good classification tries to minimize BOTH kind of errors.

3. Evidence of overclassification across the Criminal Justice System.

This section examines various lines of evidence suggesting that overclassification of offenders may be systematic across the Criminal Justice System - with the possible exception of the courts. Poor classification methods will always abundantly produce BOTH kinds of error. However, various arguments and data suggest that the RATE of overclassification greatly exceeds that of underclassification. Many factors are implicated in producing these differential error rates. In fact, logic dictates that there will be numerous overclassification errors. Two logical conditions are known to produce high false positive errors. These are 1) the use of classification in a predictive context, and 2) the presence of low base rates for the predicted behaviors. These conditions are intrinsic to most criminal justice classification.

4. Overclassification in other "people-processing" bureaucracies.

Section four examines some other people-processing bureaucracies and finds that overclassification is endemic in most of these institutions. Two examples are given i.e. medical diagnosis and psychiatric diagnosis. Thus, correctional and criminal justice agencies are not alone in facing the problem of overlcassification and its unfortunate consequences.

5. *A model of the causes of systematic overclassification*

Why should overclassification be so rampant in the criminal justice system? What causal factors are present which systematically produce false positive errors and far fewer false negative errors? This section outlines various causes of overclassification. A variety of causes are identified. They are classified into:

1) Community attitudes and local politics
2) Jail administrative policies and procedures
3) Line staff motivations and practices and
4) problems in the methods of classification used in jails.

Each of these sources of overclassification is then examined in detail in the remaining parts of the report.

6. *Line level factors and overclassification.*

The first critical issue is that line staff are evaluated according to the false negative errors they commit. False positive errors, in contrast, are seldom used as accountability standards. Thus, line staff become highly aversive to false negative errors and almost apathetic regarding false positive errors. Such differential accountability pervades most classification across the system - except the courts. Other factors at the line level include work overload, difficulty of many classification decisions, anxiety over safety, the use of classification to achieve control/discipline/respect, lack of concern with the principle of least restrictive custody, excessive crowding, the widespread use of the "space available" basis for classification, and a tendency to develop negative attitudes towards inmates. Line staff often exhibit non-compliance to the official policies and procedures of the jail and impose their personal subjective discretion upon classification decisions. Research has shown that such "subjectivity" is usually more restrictive than objective classification methods.

7. *Organizational factors.*

This section identifies several factors that may push a jail towards an unbalanced policy for inmate classification. Two policy "extremes" are identified. The "hard-line" extreme position usually produces much needlessly restrictive classification. This section argues that public pressure, top administrative values, the difficulty of achieving a balanced policy, fear of false negative errors, and a handful of other factors usually push the jail towards the restrictive style of classification.

8. *Factors related to Methods of classification.*

Methods and procedures are at the crux of good classification. If good and valid methods were available much of the poor classification could be avoided. However, the methods of classification used in many jails for security, custody, pre-trial release classifications, and so on, are often inadequate. Clearly, there are some excellent jails with very impressive procedures. Yet, this section suggests that methods used in many systems are often primitive, highly subjective, and generate large numbers of errors of BOTH kinds - but especially errors of the false positive kind. Rubber-stamping, routinized classification, back-door classification, totally subjective classifications,insufficient date, ambiguous decision-rules, and so on, are all rampant in criminal justice classification - and not only in jails. This section identifies various ways in which practical criminal justice classification must be improved e.g. increased objectivity, greater degrees of predictive validity and reliability, improved and clearly written user manuals, better use of the subjective judgement of jail staff, and so on.

9. ***What can be done? An overview of interventions.***

This analysis of "causes" of systematic overclassification has identified dozens of potential causal factors. They are grouped into three general areas for interventions to limit overclassification and reduce crowding. Basically, each causal factor is a focus for an intervention. The three broad areas are:

1) Interventions aimed at improving methods: Methods offer the least political focus for change. Improved accuracy of methods would reduce BOTH kinds of errors and thus achieve the policy goals of both the liberal and restrictive extremes. This section offers technical suggestions on improving the validity and objectivity of classification. I emphasize that the subjective over-ride should be retained. Some suggestions are offered for more systematic management and evaluation of the discretionery over-ride.

2)Interventions aimed at administrative policy and management of jails. A basic challenge is how to control the "drift" of de facto jail policy towards an extremely restrictive position. Official policy is often different from policy delivered at the line level. Improved management and control strategies are required to reduce the discrepancy between official and line policy of classification. Some suggestions are offered to reduce this gap.

3)Interventions at the line level. Major challenges at the line level include : achieving a balanced accountability for BOTH kinds of errors, achieving line staff cooperation, reducing anxiety and excessive work load, improved training and education, and giving line staff improved methods that are easy to use and efficient in a practical context of inmate classification.

1. INTRODUCTION
2. OVERCLASSIFICATION: SOME DEFINITIONS
3. EVIDENCE OF OVERCLASSIFICATION IN CRIMINAL JUSTICE
    - 3.1. LOGICAL CONDITIONS FOR OVERCLASSIFICATION
    - 3.2. CLASSIFICATION IS RECURRENT ACROSS THE CRIMINAL JUSTICE SYSTEM
    - 3.3. EVIDENCE OF OVERCLASSIFICATION IN TWO CRITICAL SETTINGS RELATED TO JAIL CROWDING.
    - 3.4. THE CAPACITY DRIVEN JAIL.
    - 3.5. POLITICAL RECOGNITION OF OVERCLASSIFICATION.
    - 3.6. EVIDENCE FROM RESEARCH.
4. OVERCLASSIFICATION IN OTHER "PEOPLE-PROCESSING" BUREAUCRACIES.
    - 4.1. PSYCHIATRIC DIAGNOSIS AND CLASSIFICATION.
    - 4.2. MEDICAL DIAGNOSIS.
5. THE CAUSES OF OVERCLASSIFICATION - A MODEL OF FACTORS OPERATING INSIDE AND OUTSIDE A JAIL.
6. FACTORS AT THE LINE-LEVEL
    - 6.1. WORK OVERLOAD
        - QUALITATIVE OVERLOAD-DIFFICULTY LEVEL OF DECISIONS
        - QUANTITATIVE OVERLOAD-TOO MANY DECISIONS
    - 6.2 DISTORTED ACCOUNTABILITY
    - 6.3 CROWDING AND ROUTINIZATION OF CLASSIFICATION
    - 6.4 THE NEED FOR CONTROL AND DISCIPLINE
    - 6.5 NEGATIVE ATTITUDES TO INMATES
    - 6.6 LACK OF ACCOUNTABILITY TO INMATES
    - 6.7 UNCONCERN WITH LEAST RESTRICTIVE CUSTODY
7. ORGANIZATIONAL FACTORS
    - 7.1 JAIL POLICY FOR CLASSIFICATION OF INMATES
    - 7.2 INTEGRATING POLICY WITH PRACTICE - COMMON PROBLEMS
    - 7.3 CONSEQUENCES OF POLICY PROBLEMS
    - 7.4 FACTORS PROMOTING VERY RESTRICTIVE CLASSIFICATION
    - 7.5 RESOURCE ACQUISITION AND GROWTH
    - 7.6 FEAR OF PUBLIC CRITICISM
    - 7.7 WEAK ADMINISTRATIVE CONTROL OVER LINE STAFF
    - 7.8 CONCLUSIONS

8. FACTORS RELATED TO METHODS OF CLASSIFICATION IN JAILS

8.1.1 SUBJECTIVITY AND IMPRESSIONISTIC CLASSIFICATION
8.1.2 SUBJECTIVITY CAN ENTER OBJECTIVE PROCEDURES
8.1.3 SCREENING CLASSIFICATIONS
8.1.4 ROUTINIZED AND SIMPLISTIC CLASSIFICATION
8.1.5 RUBBER-STAMPING CLASSIFICATION
8.1.6 BACK-DOOR CLASSIFICATION
8.1.7 RESISTANCE TO INMATE INVOLVEMENT
8.1.8 PROBLEMS OF WRITTEN MANUALS FOR POLICY/PROCEDURES
8.1.9 ABSENCE OF SYSTEMATIC EVALUATION OR MONITORING OF ERRORS

8.2 PROBLEMS AND ISSUES OF OBJECTIVE METHODS
8.2.1 PREDICTIVE VALIDITY
8.2.2 FACE VALIDITY
8.2.3 INFORMATION CONTENT OF CLASSIFICATIONS
8.2.4 VERIFICATION OF RISK FACTORS
8.2.5 DECISION RULES
8.2.6 NO DIFFERENCES BETWEEN CLASSES
8.2.7 USER FRIENDLINESS VS. CUMBERSOME AND TIME-CONSUMING
8.2.8 STAFF TRAINING AND EDUCATION - SOMETIMES INADEQUATE

9. WHAT CAN BE DONE? SOME INTERVENTION AND CONTROL STRATEGIES FOR MORE VALID CLASSIFICATION.

9.1 INTERVENTIONS TO IMPROVE METHODS - AND ACHIEVE FEWER ERRORS.

9.2 INTERVENTIONS AT THE ADMINISTRATIVE/ORGANIZATIONAL LEVEL - TO ACHIEVE A MORE BALANCED POLICY AND BETTER MANAGEMENT.

9.3 INTERVENTIONS AT THE LINE LEVEL

1. INTRODUCTION

This paper examines the link between offender classification and jail overcrowding i.e. do errors of classification contribute substantially to overcrowding? and to what degree? This connection has been recognized in the criminological literature but has not been explored in any detail. For example, Myers (1980) notes that where inadequate classification methods are used, overclassification is the rule rather than the exception. Clements (1982) found that overcrowding and overclassification usually coexisted in studying prisons. These authors suggest a strong connection between poor classification and overcrowding. However, the task of unravelling this connection and finding alleviative strategies is yet to be tackled.

At all decision-points governing entry and exit from jails two basic classification errors may occur. These are known as "over" and "under" classification. Errors of over-classification are commonly viewed as causing the needless entry and detention of offenders in jails. Underclassification, conversely, may lead to erroneous releases of high risk offenders. Both kinds of errors have unfortunate - but different - consequences.

Overclassification, if it is widespread, logically enlarges the inmate population. The intent of this paper therefore is to focus on this particular error and unravel its linkage to overcrowding. This emphasis does not imply that underclass-

ification is of lesser importance. In fact, under- classification is equally serious since it's occurrence threatens public safety. Criminal justice classification must achieve the goal of public safety and at the same time satisfy the goal of least restrictive custody. Valid classification would simultaneously achieve both goals. Underclassification undermines the former and overclassification undermines the latter.

This paper analyses factors contributing to overclassification at decision points governing entry and exit of offenders. The critical issues include: how much overclassification occurs? where does it occur? who is reponsible? and can it be reduced? We also examine the practices, motivations and attitudes of jail staff - at line and higher administrative levels - which may promote overclassification. Who gains and loses from this error? An examination of jail politics is included to help clarify some motives for overclassification. It is known that solutions to overcrowding require a system-wide perspective. The political context of jail classification underscores the need for a broad perspective.

Classification methods are also implicated and cannot be overlooked. Methods range from highly objective to subjective. Superficially, overclassification may arise from two sources; firstly, from formal jail policies and methods, and secondly, from informal practices. Informal "discretion" enters many classification decisions governing both entry and exit of offenders from jails. Much discretion is exercised by front-line

decision-makers e.g. arresting officers, judges, classification officers, parole and probation officers, and so on. Attempts have been made to reduce or control discretion, yet, it persists. We must ask whether this subjectivity is an important source of overclassification. This leads to an examination of methods of classification.

2. OVERCLASSIFICATION--WHAT IS IT?

Overclassification results from errors of prediction. It is often known as 'overprediction'. In statistical terms it is called the "false positive." All classification methods - subjective as well as objective - make errors of prediction (Monahan 1981). This is particularly true for predictive classifications of rarely occuring events, e.g. inmate suicides, inmate violence, murders and escapes, etc. These have a low probability of occurrence, i.e. a low 'base rate'. In predicting low base rate events errors are almost inevitable. Errors fall into two classes - overprediction and underprediction. Table(1) clarifies these two errors.

At the simplest level offenders may be classified as high or low risk. Risk classifications in jails and prisons are made for

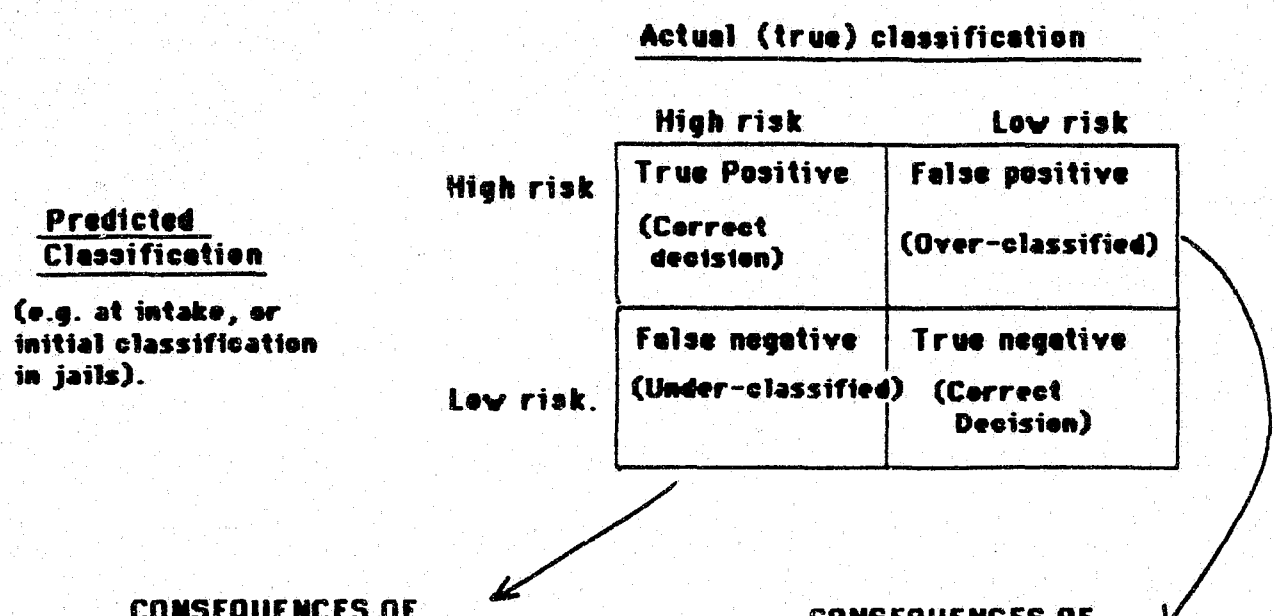
events such as : recidivism, escape, suicide, violence, victimization, and so on. We then observe whether the prediction is 'true' or 'not true'. This determination occurs after a certain amount of time has elapsed and we can evaluate whether the predicted behavior has occurred.

True predictions Our classifications can be true in two ways. Figure(1) indicates that if our prediction, say of recidivism, actually occurs, we have made a 'true positive' prediction. Conversely, if we predicted that the offender was low risk and we discover no further criminal activity we have a 'true negative' prediction.

False positive errors. The other two cells indicate errors of over and underclassification. The false positive occurs if we classed the person as 'high risk' and over a period of evaluation discover no further high risk behavior. This occurs when we classify the person as a high risk for violence, or escape, and later find that the person commits no further such behaviors, and perhaps was a low risk in the first instance. Many examples of erroneous predictions are cited in both criminal justice and mental health fields (see Monahan 1981).

False negative errors. This error occurs if we classify an inmate as low risk, who later commits new criminal acts. False negative errors are costly to criminal justice personnel. If probation, parole or pre-trial program staff release an inmate to the community who then commits any violent crime, the staff involved may be severely criticized. Careers may be lost on the basis of one such error. False negative errors are embarrassing

FIGURE 1. FOUR OUTCOMES OF CLASSIFICATION IN JAILS.



CONSEQUENCES OF UNDER-CLASSIFICATION

Insufficient supervision

Higher risks of the consequences of insufficient supervision:

- Escapes, infractions
- Violence, suicides,
- Erroneous work release
- Etc.

High visibility of episodes
High media/press attention
High Accountability
High anxiety.

CONSEQUENCES OF OVER-CLASSIFICATION

Excessive needless supervision

Denial of access to priveleges
Denial of access to work release, pre-trial release, parole, and other forms of exit from the facility.

Unfair to individual inmates
Violation of "least restrictive" principle.

Less visibility/less media attention
Excessive and needless detention

Waste of jail resources
Overcrowding.

to administrative staff. Such accountability may influence classificatory policies as well as practices. These issues are explored later.

3.EVIDENCE OF OVERCLASSIFICATION IN CRIMINAL JUSTICE

A number of logical reasons, as well as much empirical evidence suggest that overclassification is widespread in the criminal justice system (Clements 1982, Bohnstedt and Geiser 1979, Brennan et al 1979, Monahan 1981). In this section we review some of this evidence.

3.1 The logical conditions for over-prediction are present.

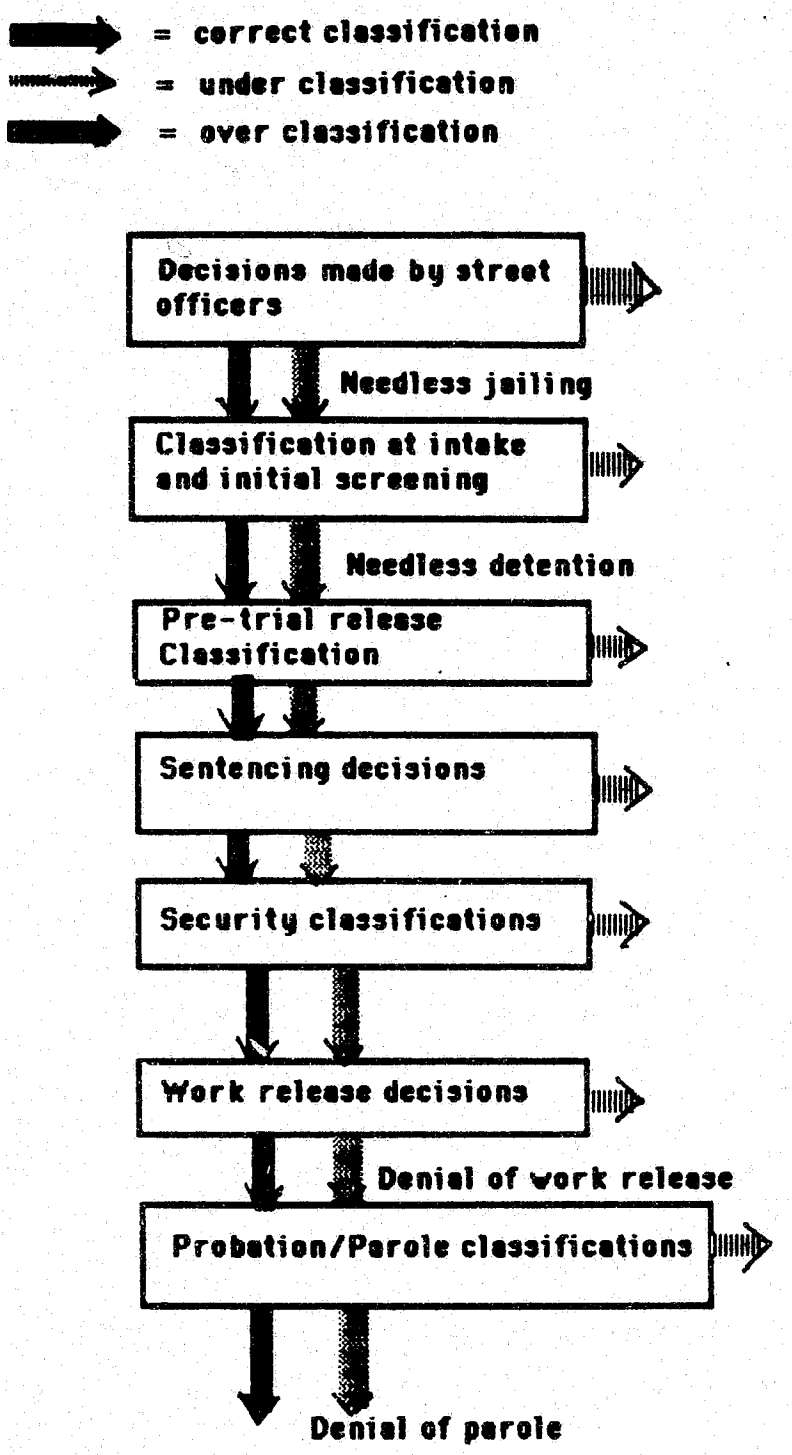
Firstly, the precise logical conditions conducive to overclassification are present in criminal justice agencies. Firstly, predictive classifications are widely used. Secondly, the base rates for the predicted events are low. Much preventive detention relies on predictive risk classifications with low base rates. Thus errors are logically inevitable. Thirdly, there is the frequent use of inadequate or poor methods of classification at virtually all classification decision points - from pretrial release through security/custody classifications, to work release and probation and parole decisions. Poor methods will always produce many errors of classification irrespective of the intentions of the system. Fourth, there is frequently a set of

accountability pressures and personal motives held by criminal justice staff, at both line and administrative levels, that may be conducive to overclassification.

3.2 **Classification occurs repeatedly across the Criminal Justice System.** Secondly, there are repeated opportunities for errors of classification to occur. Classification occurs at many decision points across the Criminal Justice System. Each point offers a new possibility for overclassification errors. Figure(2) indicates various points in the criminal justice system where offenders are classified.

3.2.1 **Overclassification by the arresting officer.** Much discretion is available to the arresting officer. For example, the actual decision to take the charged person to jail, the exact specification of the charge, the content of the arrest report, and various screening procedures at book-in are all characterised by substantial discretion (Camilli,Brennan and Fitterman 1983; Pepinski 1975). Officer discretion may escalate the seriousness of the charge - especially if the person is not compliant and cooperative (Lipsky 1980; Camilli et al 1983). An approximate indicator of overclassification by arresting officers may be seen in the proportion of cases thrown out of court, or found "not guilty", or released immediately following trial. It is stressed that these are approximate indicators since many other qualifying factors are obviously involved.

FIG. 2 REPEATED OPPORTUNITIES FOR CLASSIFICATION ERRORS ACROSS THE CRIMINAL JUSTICE SYSTEM.



3.2.2 **Pre-trial release.** Many arrestees are jailed prior to trial, yet pose little threat of failure to appear (FTA) or of recidivism (Bohnstedt and Geiser 1979; Demos 1981). Most are routinely released from jail following a brief incarceration, or immediately after trial. Arguably, much needless detention occurs. Pre-trial classification aims to separate those who can be safely be released from those who should be detained, and to minimize needless pre-trial jailing. However, release classifications are often resisted, undermined, or poorly implemented (Bohnstedt and Geiser 1979).

3.2.3 **Sentencing decisions following conviction.** Shah(1978) noted that predictive classifications of risk often enter sentencing decisions. In this instance overclassification errors will produce excessive jailing, undue restrictions on release, or excessively high levels of probation supervision.

3.2.4 **Custodial and Security level classifications.** Inmates are classified for custodial and security levels. Overclassification errors will place inmates into higher custody and security than needed. High security resources are consequently wasted. This waste is magnified since the costs of housing in maximum security is estimated to be two to three times that of minimum security. Errors of overclassification regarding custodial and security levels can also delay the progress of the offender through the system (see Clements 1982).

3.2.5 **Work-release and furlough decisions.** Decisions regarding release from jail are strongly influenced by predictive

risk classifications which are used to estimate the risk of recidivism. Overclassification errors will usually cause the denial of these release options to the unlucky inmate - thus extending his tenure in jail.

3.2.6 **Transfers and reclassifications.** Reclassification occurs regularly in jails and prisons. Clements(1982) found that reclassification is often highly informal and can be abused to place inmates erroneously into higher security levels. This is termed "backdoor classification". Clearly, many correctional officers use reclassification validly and appropriately. However, Clements found that it is often based on questionable subjective judgements, e.g. because of personality conflicts, or for ambiguous minor "incidents". Informal or "backdoor classification" is often motivated by a desire to subvert, or circumvert, official procedures and policies (Lipsky 1980).

3.2.7 **Parole and other conditional release decisions.** Predictive risk classifications influence whether offenders qualify for these forms of early release. Again, overclassification will serve to deny release to many who in fact are eligible. Wenk et al. (1972) provide compelling evidence of overclassification at this decision point. The result is a needlessly extended incarceration. The aim of classification in this instance is to simultaneously achieve public safety as well at the goal of "least restrictive custody". Classification errors undermine both goals.

The above does not exhaust all of the predictive

classifications used in the criminal justice system - a more complete delineation of the junctures and decisions using predictive classifications is offered by Shah (1978)

3.3 Evidence of overclassification in two specific settings relating to jail crowding.

Since our focus is on jail crowding we take a closer look at two decision points where overclassification may increase jail populations.

3.3.1 Pretrial classification for release. Overclassification can occur at the pre-trial stage if persons are detained who 1) are likely to appear for trial, and 2) are not likely to recidivate. Local policies for pre-trial release are highly variable, ranging from liberal to very restrictive. Classification at this decision point must balance risks of danger to the public with the costs of unnecessary jailing. Both goals are absolutely important - yet they stand in opposition to each other.

A national survey (NIC, 1979) found that most jails do not have formal pre-trial classification procedures. Many do not even

have a pre-trial release program and simply jail everyone brought to the jail by arresting officers. However, an increasing number of jails have adopted pre-trial screening devices often based on the VERA system for classification of pretrial offenders. The aims are to avoid needless jailing, to alleviate jail overcrowding, and to make more efficient use of jail resources. The survey found that jail administrators seemed to have confidence in these methods for pre-trial classification. This upsurge of confidence followed an initial period of skepticism and in some cases rejection.

Pre-trial screening classifications often meet with strong resistance. Such resistance has often prevented the use of pre-trial instruments altogether, or led to modifications to make the screening process more conservative or restrictive. Thus, the programs, even if adopted, may have virtually no impact on overclassification or needless detention. Many strategies have been used to subvert or weaken pre-trial screening procedures. The following are some examples:

-Automatic exclusion rules are introduced to deny release to certain classes of offender even when they qualify for release. Jails vary tremendously in the liberality/restrictiveness of such exclusion rules, e.g., some will release even those charged with serious but non-violent crimes, others will not. If only a small proportion of cases pass the exclusionery rules the program will have little ability to control the size of the jail population, or to minimize needless jailing.

- Subjective raising of the release scores or thresholds. The liberality or restrictiveness of point scales can be varied by subjectively changing the scoring system or by moving the thresholds for release in a more restrictive direction. In this way the scoring system can be modified to allow very few cases to qualify for release

- Judicial discretion is often used to over-ride or reject the ROR recommendation of the screening instrument.

- Finally, many jurisdictions simply have refused to introduce a pre-trial release program and continue to detain virtually all arrestees that patrol officers bring to the jail. In these instances the likelihood of needless pre-trial jailing is fairly high.

3.3.2 **Security and custody classifications.** While overclassification at pre-trial level enlarges the entry of persons into jail, overclassification for custody and security can enlarge the length of stay of an inmate. Both errors will produce larger jail populations.

Classification for custody/security is usually dominated by risk prediction e.g. of suicide, violence, escape, and so on. As noted earlier these have low base rates thus providing the basic conditions for high false positive error rates. Given these conditions there is much likelihood of false-positives no matter what classification method is used.

However, to make matters worse the national survey of jail classification methods indicated that in most jails custodial decisions are made subjectively. Risk assessment data may be collected but then ignored. Current research suggests that much overclassification results from this subjectivity (Monahan 1981). The high restrictiveness of subjective classification is examined in more detail later in this paper. To support the finding that subjective classification is more restrictive other studies have indicated that the replacement of subjective by objective methods shifts many offenders to lower levels of security/custody (Bohnstedt and Geiser 1979; Monahan 1981; Clements 1982).

3.4 The "capacity-driven" jail and overclassification

Further evidence of overclassification is suggested by the concept of the "capacity-driven" jail. This concept has widespread use among criminal justice professionals. Correctional personnel often refer to jails as "capacity-driven" institutions i.e. if jail space is available it will used until the jail fills to capacity. The concept implies that certain underlying mechanisms inexorably expand the jail population - irrespective of levels of crime - until it reaches the capacity of the jail. This concept is similar to the well-known Parkinsons's law regarding the indefinite expansion of work. The exact dynamics have not yet been thoroughly identified. It is suspected that they have little connection to the level of criminal behavior in a community (Ford 1981). It is possible that uncontrolled overclassification may be one of the processes underlying the

"capacity-driven" jail, since such errors are one way to steadily increase the population size of a jail.

The capacity-driven perspective emphasizes that a jail is part of a larger system, and that the classification mechanisms controlling entry and exit from jail are "system-wide" and encompass many decision-making points. These decision points are not limited to the jail. This demands a system-wide perspective beyond a narrow focus on the jail.

Additionally, the concept alerts us to the gap between formal and informal policies and procedures. Informal policies driving a jail are often quite different from formal policies. This gap is illustrated when overcrowded jails analyse their inmate population and find discrepancies between the kinds of persons in jail and formal policies governing who should be jailed (Demos 1981). The transformation of formal classification into informal or unofficial procedures is studied later in this paper. Informal procedures by their nature are difficult to control. When subjective discretion is widespread, it is difficult to control the classification process and a result may be systematic overclassification causing uncontrolled population growth. Is it possible that such informal procedures of classification are part of the capacity-driven process?

3.5 Political recognition of "inappropriate" incarceration in jails: The politics of classification.

Another, admittedly biassed and perhaps political claim of overclassification is seen when certain interest groups and correctional reform groups assert the existance of inappropriate jailing (Demos 1981). Yet, some of these claims also arise from largely "neutral" scientific groups. The correctional literature has many references to inappropriate, needless and excessive incarceration. Yet, this is a "political" issue since it depends on the correctional philosophy of those involved.

In general the more liberal positions assert much needless incarceration while more conservative groups feel that there is insufficient jailing. For example, Demos (1981) reports that all members of the National Coalition for Jail Reform - a relatively liberal group - agreed that there was much inappropriate confinements in jails. Similarly, groups such as the National Pre-trial Services Association assert that many are inappropriately jailed during the pre-trial phase. In contrast groups such as Victim's Rights organizations hold a more restrictive position regarding pre-trial release.

However, there seems a consensus that certain classes of arrestees are inappropriately jailed e.g. the mentally ill, public inebriates, and juveniles. They are often jailed because no other options are available. The jailing of inebriates and mental health cases has been labelled as the least productive use of jails from a correctional viewpoint, and the least medically desireable for the intoxicant. The likelihood of other options being made available for these offender types is low given the

funding levels for public mental health facilities. Thus the likelihood of continued jailing of such classes is high. These kinds of offenders however represent a highly blatant form of inappropriate jailing. The concern of this paper is with forms of overclassification that are more difficult to detect and that occur in the general population of offenders rather than in these special offender classes.

3.6 Evidence of overclassification from research

There are some careful studies in criminal justice classification which examine the actual extent of overclassification. The studies of parole classifications by Wenk et al (1972) are illustrative. False positive predictions were found at an alarmingly high rate. Inmates were classified for risks of potential violence. In a first study the researchers found an 86% overclassification rate in the prediction of further violence amongst "high risk" parole cases i.e. only about one in ten of those classified as "high risk" was discovered to have committed another violent crime. In a second study, using a one-year follow up period, the crime rate for the "high risk" group was only marginally higher than that of the low risk group (3.1 versus 2.8 per thousand). These authors suggest that if the parole decision-maker uses a history of violence as the sole predictor of further violence he would incur 19 false positives for every correct prediction of a true positive. This is an important point since many jails use history of violence as the predictor of risks of

future violence (see Kornfeld et al 1975).

Evidence of overclassification is also suggested when jails or prisons have changed from subjective classification to an objective method. In almost all such cases the objective method reclassified large proportions of inmates into lower custodial/security levels (Bohnstedt and Geiser 1979). These writers report that, for example, a new Bureau of Prisons objective method resulted in almost half the inmates being recommended for lower levels of security. The new procedure decreased the numbers of inmates in close security and increased the numbers placed in minimum and community placements. Such findings suggest that a switch to objective methods will reduce overclassification and thus help reduce crowding.

The implication is that subjectivity gives more false positives than objective methods. The same implication is found in research on subjective methods in other disciplines e.g. psychiatric classification (Monahan 1981). Thus false positives may be expected in the Criminal Justice System since the dominant method of classification i.e. subjectivity, seems conducive to such errors. Poor methods inevitably produce errors of classification.

Methods of offender classification have been shown by research to be of low validity (Gibbons 1975; Kornfeld et al 1975; Brennan et al 1979; Monahan 1981). There is a critical need to improve classification methods. In response to this state of affairs the National Institute of Justice funded a research

program specifically focussed on developing better methods of classification for criminal justice use. This work is continuing.

4.OVERCLASSIFICATION IN OTHER PEOPLE-PROCESSING BUREAUCRACIES

Overclassification is not unique to criminal justice. It occurs in most "people-processing" organizations (Lipsky 1980; Prottas 1979). We now provide examples of it in other people-processing organisations to clarify the causes and to cast additional light on the nature of overclassification.

4.1 **Overclassification in psychiatric diagnosis.** Overclassification is common in psychiatric classification - particularly in low base rate behaviors e.g. the prediction of violence. Dershowitz(1969) indicated that for every correct psychiatric prediction of violence there are numerous false positives. The mental health field has admitted its low accuracy in predicting violent behavior (Monahan 1981). There is much concern over the large number of false positives. Ennis and Emery(1978) have suggested that the predictions of dangerous behavior are wrong about 95% of the time. Similarly, Kozol et al (1972) over a 5-year follow up of male offenders who had been classified as dangerous found that the false positives greatly outnumbered correct predictions.

A concern to jail administrators, therefore, is whether psychiatrists and mental health professionals can provide sufficiently valid and reliable classifications to justify the detention based on such predictive classifications. The pessimistic conclusion of most reviews (see Monahan 1981) is that the state-of-the-art of psychiatric classification and prediction is unsatisfactory and that psychiatrists have not demonstrated predictive skills in this area. Monahan(1981) asserts that the erroneous classification and prediction of violence and dangerousness is the 'paramount consideration' in both the legal and mental health systems.

4.2 Overclassification in medical diagnosis.

In the more general field of medicine, overclassification is also widespread (Prottas 1979). It occurs deliberately in some instances. In others, it seems to be a result of either the methods or motivations of physicians. An example of deliberate overclassification is seen when physicians add drops of silver nitrate to the eyes of all newborns to prevent blindness resulting from congenital venereal disease. The true incidence of the condition is small. Yet, the overpredicted cases are not injured in any way and sight is preserved for the small number of true positives (Monahan 1981).

A slightly more complex example of medical over-classification is described by Lipsky(1980) where a sample of about 400 children were examined to assess whether they would benefit from tonsilectomies. A first group of physicians decided

that about 45% would benefit from such an operation. The remaining "no benefit" children were then examined by a second group of physicians who decided that about 45% would benefit from the operation. Finally, the remaining small number of "no benefit" cases were examined by a third group of physicians who felt that about 50% would benifit from the operation. This indicates, according to Lipsky, the 'law of normality' in which irrespective of the condition of the cases, the assessor will still 'see' about the same percentage falling into the available diagnostic categories. The same kind of procedure has recieved widespread notoriety in examination gradings in colleges and high schools.

5. THE CAUSES OF OVERCLASSIFICATION

A challenging but necessary task is to identify the many causes of overclassification and build a provisional explanatory framework. A first attempt at this is given in Figure 2. This framework integrates factors which seem to promote overclassification. The main factors are:

1. Factors emerging from line work conditions in jails
2. Factors emerging from administrative conditions in jails
3. Factors related to classification methods used in jails

These are broken down into specific issues and the link between each issue and overclassification examined.

This framework includes a feedback loop involving "mutual causation" between overcrowding and overclassification. Thus crowding acts as both a cause and effect of the "breakdown" of formal jail classifications systems. In crowded jails classification is often based on a "space available" criterion rather than on valid risk assessments. This will produce enormous error rates. Misclassification is thus produced by crowding. Inmates who qualify for low custody levels are housed in higher levels if no space is available, and vice versa.

Reciprocal and mutual causation occurs in other ways. These are explored in detail in the later sections of this paper.

FIGURE 2 (A). A MODEL OF THE CAUSES OF OVERCLASSIFICATION BOTH INSIDE AND OUTSIDE THE JAIL.

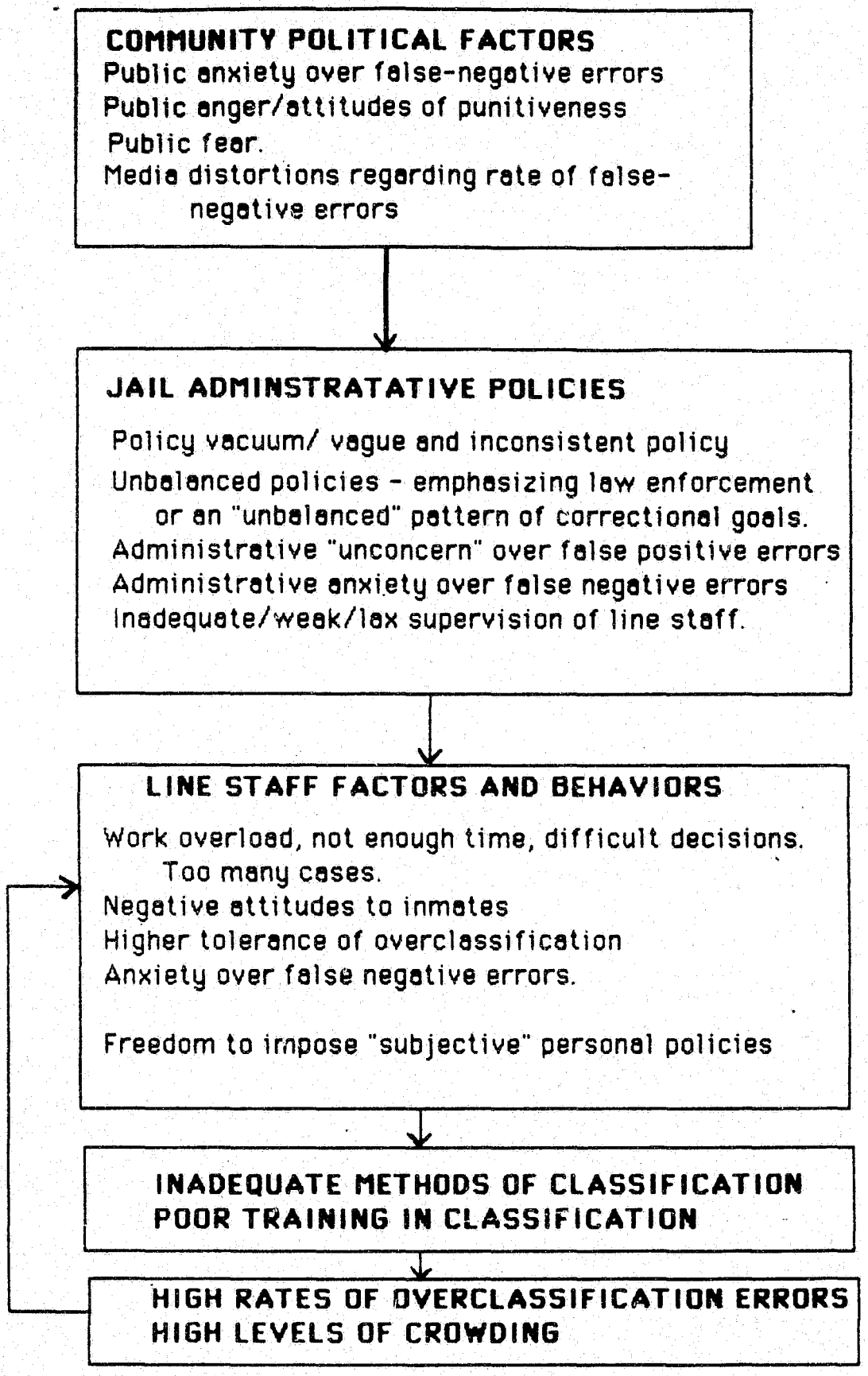
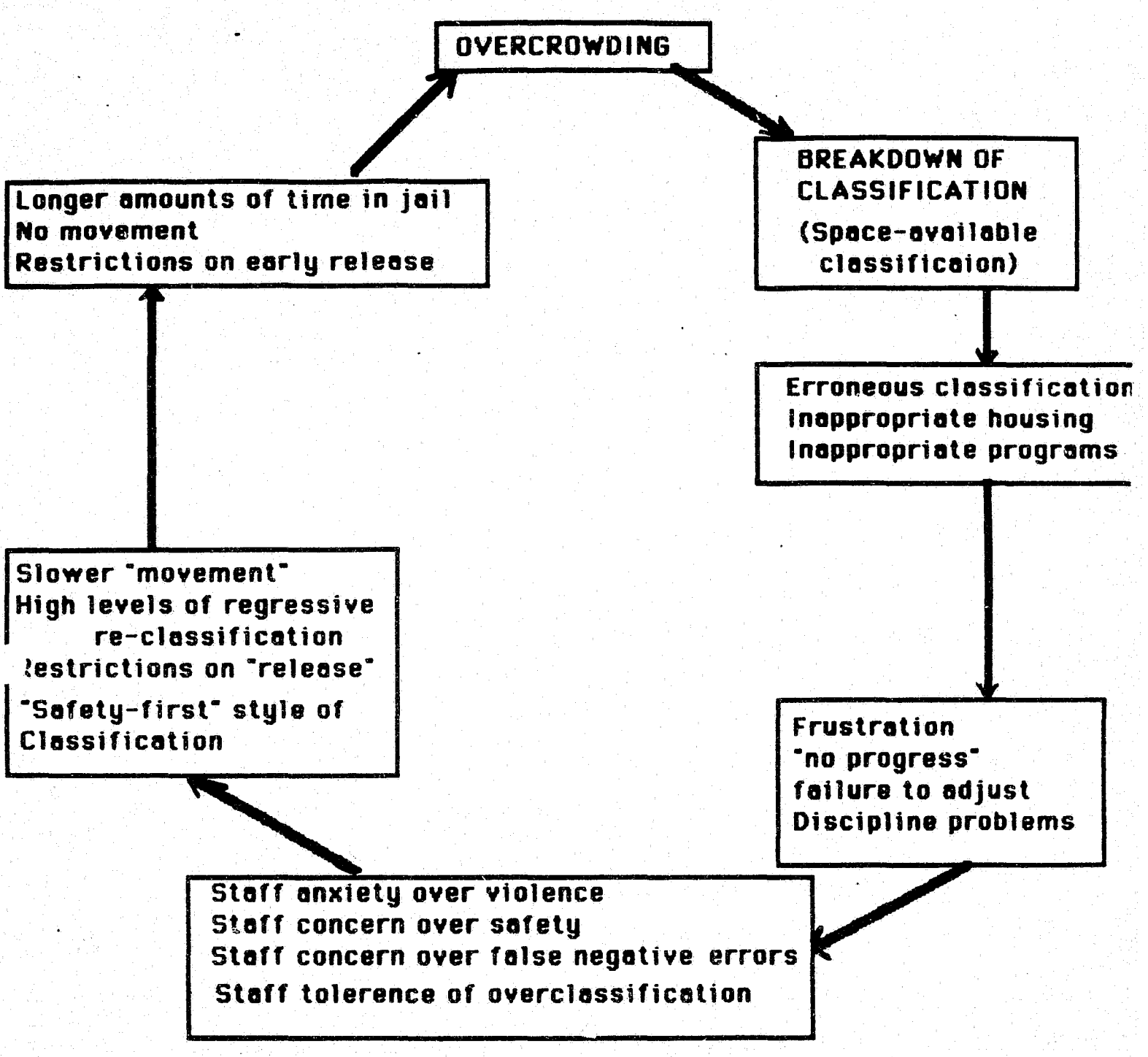


FIG 28. THE VICIOUS CYCLE LINKING OVERCLASSIFICATION AND JAIL CROWDING.



This diagram indicates a simplified form of the feedback relation between the breakdown of classification in a jail and the consequent rise in classification errors - particularly errors of the false positive kind. These in turn will produce crowding, greater frustrations, more restrictiveness, and consequently more errors of overclassification to renew the cycle.

Crowding results in time constraints, job pressures, large caseloads and higher anxiety. Consequently, the time for careful custodial classification is reduced. Over-simplification and expedient subjective judgements are the usual ways of coping (Prottas 1979). This raises the likelihood of errors and especially of false positive errors. Monahan (1981) and others have noted the strong pressures towards false positive errors under conditions of work overload, stress, and anxiety over violence. These raise concern for safety and control which pushes classification in a restrictive direction (Clements 1982, Lipsky 1981). Clements sees this as a vicious circle in which crowding leads to overclassification which in turn causes more crowding in a reciprocal cycle of causation.

In the following sections an initial attempt is made to unravel the connections between crowding and classification problems.

6. LINE LEVEL FACTORS

Many pressures promote overclassification at the line level. A full articulation would require a book-length manuscript. The following is a start towards identifying these factors.

6.1 Work overload and restrictive classification

What influence does work overload have on the style of classification at the line level? Line workers in corrections and jails usually conduct classification under constraints of time, information, and certainty. These constraints may limit the ability to collect, verify, and then use information. This generates uncertainty regarding the correctness of classification decisions. The desire for control and safety, and fear of false negative errors provides the motivational context which interacts with the above uncertainty to produce a conservative style of classification. Since most classification decisions are uncertain, many line officers cope by adopting a "safety-first" style of classification.

Work overload also has a qualitative aspect. Classification can be difficult and uncertain. Classification officers often confront decisions of a high "difficulty level" relative to their skills and methods. There are a number of reasons for this. Firstly, line workers in classification are often untrained and inexperienced. Secondly, there is still no standard curriculum for training classification officers (Kornfeld et al 1975). The development of a curriculum remains at an early stage. Thirdly, current methods of correctional classification are of limited validity. Errors can result from inadequate methods. The state of the art of classification methods is such that errors are inevitable (see Monahan 1981; Brennan et al 1980). Fourthly, decisions involving the prediction of human behavior are usually of high complexity.

Thus, many factors - time pressures, large caseloads,

information deficiencies, method deficiencies and decision complexity - undermine certainty of classification. The "safety-first" style of classification is understandable given the needs for safety and control on the one hand; and the fear of false negative errors on the other. Although false negatives are reduced by this style of classification, an unfortunate side-effect is a higher overclassification error rate.

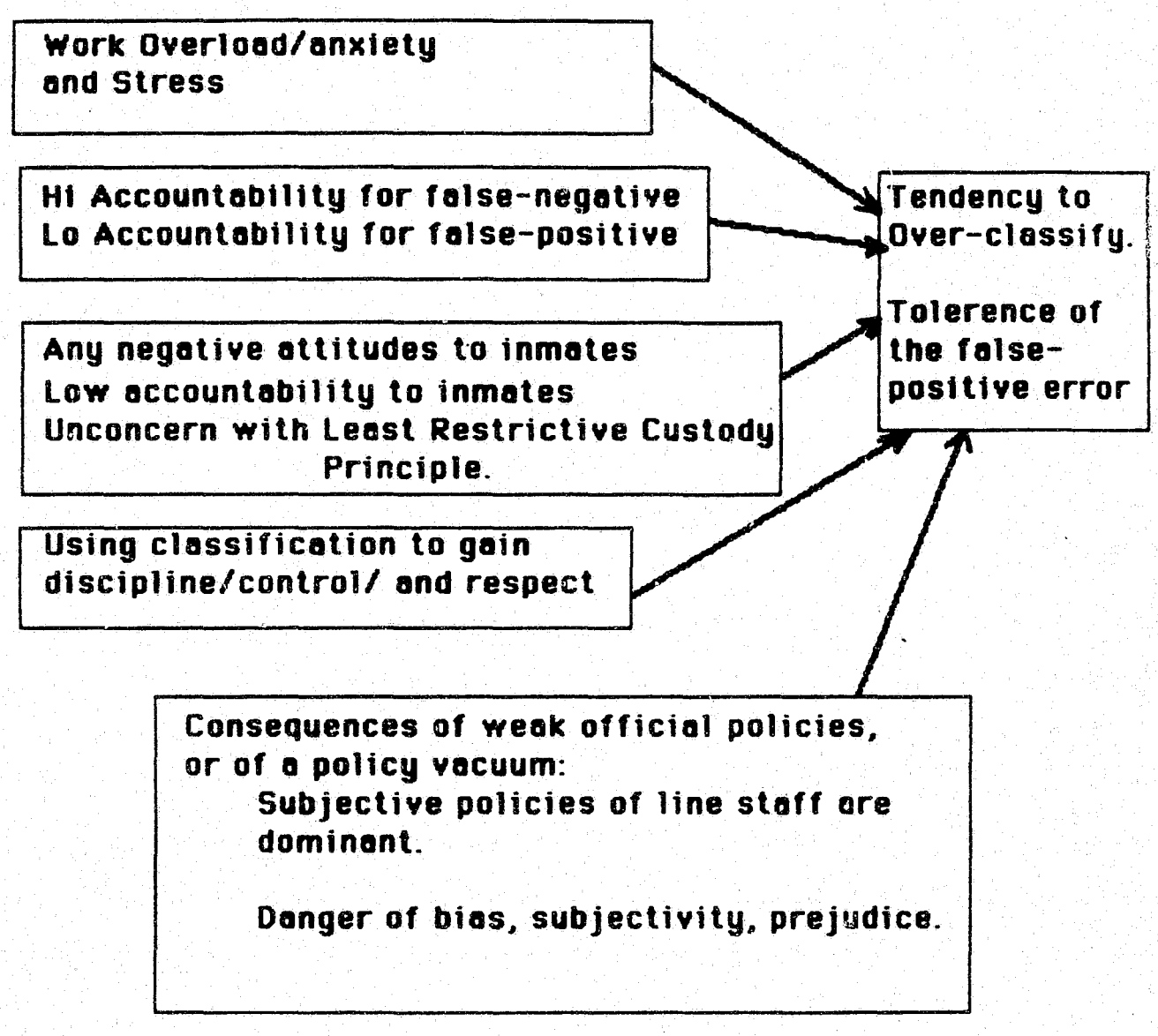
6.2 Differential accountability for the two errors

The two errors have quite different consequences for line staff. The impact of this differential pattern of consequences also encourages overclassification while making line staff fearful of underclassification.

Overclassification has few serious ramifications. The false positive error is undramatic and usually invisible. Inmates who are victims of this error seldom bring notice to themselves. Furthermore, the immediate costs of this error are not borne (directly) by the public or the staff, but by inmates. Staff are seldom held accountable for this error and incur no immediate costs or sanctions for the error. However, the indirect and later costs, include overcrowding and job stresses. The financial costs of mis-use or waste of jail resources are borne by the public. These costs, however, occur later in the sequence - at a more system level - and are not generally associated with individual classification staff.

By contrast underclassification - at any level of the

Figure 3. Factors at the line level that produce Over-classification



criminal justice system - is visible and serious. It can be blamed on a particular individual staff member. It is marked by repeated criminal behavior or disruptive behavior in a jail. If this is dramatic or violent (e.g., murder, suicide, escapes or repeat drunk driver crashes) there may be press headlines, public outcry, accusations of incompetence; scrutiny by reporters, claims of institutional laxity, etc. The consequences are serious for both line classification staff and administrative staff. In this regard Clements (1980) notes that Criminal Justice Agencies have been traditionally aversive to such public scrutiny.

Thus, accountability is low for overclassification and high for underclassification. Officers may overclassify in order to avoid underclassification. This strategy is supported by research findings showing that error rates of overclassification dwarf those of under classification at most decision points in criminal justice (Monahan 1981; Wenk et al 1972; Livermore et al. 1968; and others). Decision makers and classification staff - at both line and administrative levels - are not blind to the relative consequences of the two errors.

The irony is that a jail classification officer may have a ratio of about a hundred false positives to a single false-negative yet is labelled as soft and lenient in his classifications because of one dramatic false-negative error. Such faulty labelling results from the relative "invisibility" of errors of overclassification. The public, the press, and politicians routinely hold this misconception.

6.3 Crowding and routinization of classification

A second aspect of work overload is that it forces staff to streamline, simplify, and routinize their work. When correctional staff are severely overloaded efficient processing and resource maintainance is demanded where possible. Expediency may preempt other purposes for which the organization was created. Lipsky (1980) notes that individual care and responsiveness can be subverted when classification becomes routinized and bureaucratized. Routinized classification - where there is a strong subjective component - also will usually incur higher error rates. The majority of errors will usually be false positives because of the many factors forcing conservative and safe classification.

6.4 The need for inmate discipline and control - how it influences classification.

A further motive to overclassify stems from the role of classification for inmate control. Control is often gained via the allocation of rewards and punishments. Classification governs access to many rewards and punishments and therefore is a major control instrument.

Classification can influence the quality, content, and even the duration of an inmates' life in jail. If classification is mis-used in the attempt to increase control, or to punish disliked inmates, a certain amount of overclassification may occur. It is not known how much overclassification stems from this practice. Reclassification is the major vehicle for such

control. Clements(1982) identified an informal type of "backdoor" classification in prisons. He asserts that it contributes to overcrowding. It is likely that a similar process occurs in jails.

6.4.1 **The adversarial component of control.** The need for control introduces an adversarial aspect to the relationship between staff and inmate. This adversarial component may increase the motivation for overclassification. The adverserial aspect often conflicts with advocacy for inmates, and may increase the line staff disposition to overclassify.

6.4.2 **Subjective classification and staff control.** The authority of line staff is enhanced by the power of subjective discretion in classification. Staff view "informal discretion" as a source of power, authority, confidence and as well as flexibility. It tends to increase staff authority in relation to the inmates - especially in face-to-face interactions. This power is usually respected by inmates since it provides line-staff with an important key to their well-being.

However, the drawback is that staff use of informal discretion in classification has repeatedly been linked to a tendency to overclassify (Monahan 1981). Given the psychological advantages of discretion, line staff usually resist any reduction of their right to exercise subjective discretion. Thus, subjective discretion remains firmly entrenched in most jails and if uncontrolled it will continue to produce a certain amount of

systematic overclassification (Monahan 1981, Bohnstedt and Geiser 1979).

6.5 Negative attitudes to inmates as a source of overclassifation.

Negative attitudes towards inmates is another factor which would logically increase the tendency to overclassify. Negative attitudes would create a tolerence for overclassification. There are many sources of negative feelings towards inmates on the part of jail and prison staff. A complete catalogue cannot be given here. The following are some of the main causes of negative attitudes which may create the disposition to overclassify.

6.5.1 **Negative social stereotyping.** Line staff are not immune to common stereotypes and prejudices. Such prejudices might easily enter the formal bureaucratic classification process if subjective/informal methods are used. If bias enters at the line level the resulting classifications will usually diverge from official policies. This "divergence" will usually be in the direction of increasingly restrictive custody for many of the reasons already noted above.

The impact of informal stereotyping can be compounded across successive decision points in the system. For example, arrest reports may include a negative characterizations which may then evoke a response by the booking officer not to the case at hand, but to a negative stereotype. Staff at later decision points may uncritically accept the negative characterization and "rubber

stamp" the case thus committing a false positive error. This is especially likely in overcrowded conditions.

6.5.2 **Person-blaming theories of criminality.** Certain major theories of criminality - the "person-blaming" theories - may create negative attitudes and thus support a disposition to overclassify. Many corrections staff hold these theories in which criminal behavior is seen as emerging from personal traits or deficiencies. These support the tendency to see the inmate as inadequate, deficient, and culpable. Hobbs et al (1974) called this a "person- blaming framework", noting that line workers in many social bureaucracies view "clients" in this way. A "person-blaming" viewpoint tends to reduce advocacy and create a tolerence of overclassification.

6.6 Low accountability to inmates.

Another attitudinal factor desensitizing line staff to overclassification is low feelings of accountability to inmates. An attitude of low accountability to inmates is prevalent not only among jail staff but among the public at large. Low accountability to "clients" is found in most "people-processing" bureaucracies (e.g. Housing authorities, Public Health and Welfare Bureacracies, etc; see Lipsky 1980; Prottas 1979). Accountability to inmates is weakened by all of the factors mentioned above i.e. negative stereotyping, the need for control, and person-blaming theories of criminality.

A further reason for low accountability is that inmates are not a primary reference group for jail staff. Inmates are usually

not well placed to scrutinize or challenge the decisions of jail staff or hold them accountable. The public, other agencies, and colleagues, are much more significant as reference groups who can reward or punish jail staff and to whom jail staff feel a sense of accountability (Lipsky 1980).

The reluctance to be accountable to inmates is shown when jail staff resist inmate participation in classification decisions. Inmate participation and a "right to appeal" classification decisions are among ACA standards for jail accreditation. Jails must include these procedures in their formal classification manuals to gain ACA accreditation. Yet, many jails informally resist or minimize inmate participation. Many pay only lip-service to this standard and make minimal efforts to inform inmates of this right.

6.7 Unconcern with least restrictive custody.

Overclassification is more likely to occur if line staff have a low value for the goal of least restrictive custody. The implication of this principle is to avoid over-restriction. The principle requires that inmates be classified into the lowest custody level consistent with adequate supervision, safety and order. It usually enters the formal policies of jails. Private conversations with many jail staff have suggested to this observer that in many jails an awareness and a sympathy for this principle are lacking. In fact many jails seem to operate on the opposite principle, i.e., an inmate is placed in higher custody unless good reason can be produced for placing him in a lower

level.

6.8 Line Job Conditions which foster overclassification

Other aspects of jail work may desensitize line workers to the humanity of inmates thus creating a higher tolerance of overclassification (Lipsky, 1980). Although advocacy, fairness, least restrictive custody etc., may be present in official jail policy, job conditions may undermine such goals (Etzioni 1968). The following aspects of jail work may produce an alienation from inmates and create a disposition which allows overclassification.

6.8.1. **Routinization of classification.** As noted above overload and crowding tend to produce routinization of classification work. Routinization also encourages insensitivity to the persons being classified. Routinized procedures by definition are not sensitive to many relevent factors in individual cases and may decrease the accuracy and thus produce errors of both kinds.

However, since the costs of underclassification are so high, any override procedure will usually only intervene to correct for blatent false negative errors. It will not be invoked as diligently to correct overclassification errors. The tendency of overworked staff is to live with false positive errors. In effect, coping with job stress is a higher priority than the goal of least restrictive custody. This tendency does not stem necessarily from personal values of staff but from job

conditions.

6.8.2 Reductionism in official classifications - and it's consequences Reductionism is usually a concomitant of routenization and also occurs in most formal bureaucratic classifications. The impact of reductionism is to reduce the "meaning" of the person to fit bureaucratic categories. Again, insensitivity to the inmate is a usual result.

Reductionism can promote overclassification in a number of ways. The first is through oversimplification. All institutions, including jails, emphasize bureaucratically relevant attributes as the basis for classification. Bureacratic classifications for risk management (violence, suicide etc), for housing allocation, and planning, are dominant and overwhelm the need for more valid classifications. Line staff may deal only with limited demographic features or with selected aspects of criminal history and are seldom required to deal with broader aspects and needs of the inmate. Such limited classification usually omits many critical personal dimensions and many aspects of the background (Monahan 1981; Megargee 1976). Classification manuals in many jails illustrate this reductionism.

Reductionism leads naturally to reification. A danger is that official classifications may become reified when staff use the formal classification to percieve, think and talk about inmates. The meaning of the inmate as a "person" is restricted and staff become insensitive to inmates. This again may produce a tolerence of overclassification.

6.8.3 Reduced involvement stemming from sequential classification.

Another job feature weakening the involvement between staff and inmates is the fragmentation of classification across the system. The sequence from intake, pre-trail assessment, sentencing, custodial decisions, casework and treatment, probation and parole, usually results in classification being repeated by different staff, making different decisions across the system. Each line worker has only a narrow focus for decision-making, and continuity is lost. This fragmentation of responsibility may be compounded by poor communication between parts of the correctional system. Mis-communication heightens the danger of bias, erroneous data and misunderstanding to create errors of classification.

6.8.4 Reduced involvement stemming from loss of control over outcomes.

Line staff loss of involvement from inmates also results from a limited control over the "outcomes" of their work. Again, the argument is that detachment and distancing may increase a tolerence for overclassification.

A first aspect of limited control is that important decisions are usually made before and after a line classification officer works with an inmate. Other agencies and personnel make earlier and later decisions for a case. A second constraint on control is that the line worker often cannot control the timing,

duration and frequency of contact with an inmate. Line work is often simply reactive. Also, overcrowding means that there is little time to respond in a more human way to individual inmates.

A third cause of limited control is that inmate problems are often not subject to closure and may be unresolvable. Many inmates are repeatedly arrested and move in and out of jail (i.e. the "revolving door" population). Treatment methods and available resources may be inadequate for rehabilitation or resocialization (Eynon 1975). Such limitation on effectiveness may also produce feelings of powerlessness and limited control on the part of jail staff (see Lipsky,1980). Again, detachment and distancing may be necessary for the psychological survival of the line officer.

6.9 Conclusions regarding line factors and overclassification.

The basic argument of all these factors is that line conditions may produce insensitivity and detachment from inmates; and erode committment to correctional goals concerning inmates rights. Such detachment may reduce feelings of advocacy for inmates and create a tolerence of overclassification. Other line work factors strongly motivate overclassification (e.g. the assymetric pattern of accountability); others may indirectly produce overclassification by creating the conditions under which it flourishes (e.g. work overload, overcrowding, detachment, low advocacy or accountability to inmates).

All of the above arguments have emerged from case studies. It is difficult to assess the relative importance of each factor.

They interact with and reinforce each other. Some may be tackled by modifications of bureacratic arrangements(e.g. the adoption of objective classification methods). However, others seem quite intractable (e.g. deeply held social stereotypes and negative attitudes regarding inmates).

The theme of reciprocal causation between crowding and errors of classification has recurred many times in this section. When classification breaks down because of job stress and crowding many forces converge to produce a high rate of false positive errors. This in turn contributes to needless incarceration, an unecessary enlargement of the jail population and ultimately overcrowding. The vicious cycle can be seen as a feedback loop in which jail line staff are caught in anxiety provoking job conditions which create a strong disposition towards overclassification.

questions for legislature, judiciary and administrative staff since they require policy judgements to balance various costs and benefits. Such issues should not be resolved at the line level by line level staff.

7.3 Some results of the above policy problems.

The above suggests that there are many problems stemming from the difficulties that jail administrators have in formulating a clear well defined policy position. The following are some of the consequences:

7.3.1 Line staff become policy formulators and implementers. One result is the development of informal policies at the line level. If formal policies are conflicted or poorly connected with methods, policy making drifts downward to lower level staff - since line staff actually conduct daily classification. Administrative staff may lose control over much of the classification work in jail. At least three factors enhance this downward flow of policies. These are:

1. A policy vacuum attracts the personal policies of the most interested parties.

2. The voluminuous and often unweildy nature of many classification procedure manuals

3. The difficulty of supervising ALL of the classifications conducted at the line level because of work loads.

Jail classification and procedures manuals are often voluminous. It may be almost impossible to comply with all the instructions and goals contained in them. Confronted with conflicting policies and procedures line staff may emphasize those they personally prefer. An examination of various "Jail classification manuals" will verify that line staff are often asked to implement numerous unrelated goals (Prottas 1979; Lipsky 1981). This suggests that a task for many jails is to simplify and streamline the classification manuals.

Secondly, a "policy vacuum" usually attracts the personal policies of the most interested parties - especially those "nearest" to the decision i.e. those doing classification on a daily basis. Line staff, work face to face with inmates, and must cope with the daily pressures of classification work. They may develop strong attitudes and a private agenda for classification. In a policy vacuum they will be tempted to impose their own values and goals - especially when close supervision of their work is impractical. Such line staff conduct screenings and many formal classifications at successive decision points which directly influence the entry and exit of offenders from jail.

Thirdly, administrative and supervisory staff simply cannot give close scrutiny to all the classification work occurring at the line level. There is simply too much work; and close scrutiny of a large percentage of line classifications would incur much resentment among line officers (see Prottas 1979, also this theme is more fully developed below).

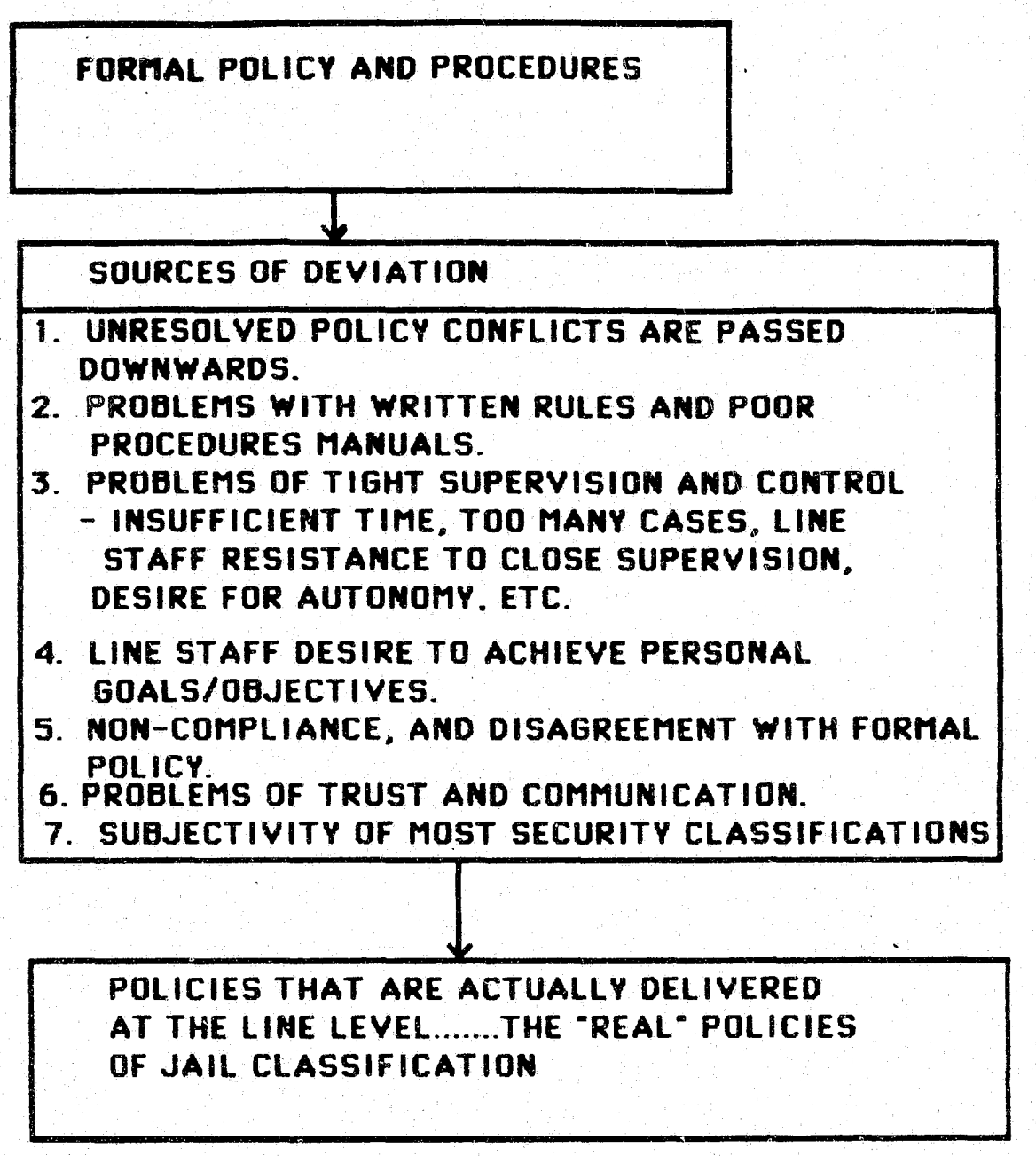
All of the above conditions result in classification

drifting towards the private goals of line level staff. Does this produce overclassification? As noted earlier - in the section on line staff - most of the pressures on line staff promote overclassification rather than underclassification. This suggests that if policy is created at the line level, overclassification will be fostered.

A downward drift of policy making has two additional side-effects which enhance overclassification. Firstly, accountability pressures on line level staff rises to high levels. A line officer, in classifying an inmate - in the absence of coherent formal policies or methods - is both a policy formulator and implementer. He can be held accountable by advocates of particular policies (e.g. outraged victims, offender advocacy groups, ACLU), or by other jail staff (e.g. angry supervisors, embarrassed administrators, and so on.). Line officers would be within their right to refuse to make certain classification decisions on grounds that they are hired to implement and not to make policies.

However, line staff seldom challenge such issues and usually proceed as best they can. They continue to classify new offenders; seldom worrying about conflicted or ambiguous policies, and using their best subjective judgement to guide their classifications. This introduces the second side effect - subjective judgement is systematically required from line level classification staff. Yet, research has clearly demonstrated that

FIG. 5 PROBLEMS IN IMPLEMENTING A FORMAL POLICY OF CLASSIFICATION: SOURCES OF DRIFT.



NOTE: THESE FORCES FOR TRANSORMATION AND DRIFT CAN OCCUR REGARDING ANY OF THE MAJOR KINDS OF CLASSIFICATION IN JAILS, E.G. SECURITY, CUSTODY, PRE-TRIAL CLASSIFICATION, TRANSFERS AND RECLASSIFICATIONS, AND SO ON.

subjective judgement produces high rates of overclassification (Nisbett and Ross).

These side effects add to a situation already rife with possibilities for overclassification. High accountability coupled with subjective judgements encourage conservative decisions, which in turn enhances overclassification (Monahan 1981; Bohnstedt and Geiser 1979).

7.3.2 **Policy conflicts cause method confusion.** A further result of unresolved policy issues is a difficulty in developing coherent classification methods and consistent practices across the organization. This occurs because opposing policies usually require opposing kinds of classification. For example, a policy emphasizing public protection would produce restrictive classification, while a policy of "least restrictive custody" demands non-restrictive classification. Different personnel in different areas of the organization may pursue these quite diverging policies and reach inconsistent classification decisions regarding the same inmates. If administrators fail to specify a clear policy, they give no clear input into the specification of procedures, and it is then difficult to design appropriate methods. A coherent policy is a first requirement in developing classification methods. This reminds us of the axiom that classification is basically purposeful - and the purpose must be specified prior to method development.

7.4 Factors pushing jails towards restrictive classification.

Why do many jails adopt highly restrictive policies? We know that a highly restrictive policy emphasizing public protection, punishment, etc., usually produces more overclassification. What factors cause a local jail to "drift" towards this operating policy? The following may be implicated.

7.4.1. **Public tolerence of overclassification and fear of criminals.** One factor encouraging a drift towards an extreme protection/control policy is public fear of criminals and a historical tolerence of overclassification. A public worried about social protection and fearful of criminals is outraged by underclassification. They percieve classification errors as allowing the release of dangerous offenders to the community. Risk classifications must allay public anxiety and must be percieved as valid by the public. Both line staff and jail administators are aware of these public attitudes.

In contrast, the public has always tolerated some overclassification to achieve greater public protection (see Monahan 1981). It condones the conviction/imprisonment of some truly non-violent persons to ensure the confinement of a higher proportion of truly dangerous persons. This tolerence allows a swing towards the conservative constellation of correctional goals and can be used to justify a policy prioritizing protection and deterrence etc.

7.4.2. **The personal policies of top jail administrators.** If the top administrator of a jail is committed to the strong law enforcement syndrome of values this will often permeate the operating policies and procedures of his/her jail. While the values of judges are critical in governing certain modes of entry and exit, jail administrators also play a critical role. A jail administrator will try to avoid running a jail in a manner that contradicts his own personal values.

Traditionally most jails are controlled by a Sheriff who usually has had a good law enforcement background - emphasizing control, deterrence and protection. Thus the top administrators of many jails can be expected to hold fairly strong "hard line" law enforcement background and values. A jailor at a recent conference on crowded jails (NIC-Jail overcrowding 1984) stated:

> "I havent seen a jail yet that isn't hardline in its approach"

Line classification staff are ultimately accountable to the Sheriff. Thus the supervisory pressures and policies emanating from the top administration of many jails are likely to encourage hard line attitudes and thus produce restrictive classification.

7.4.3. **Unconcern with inmate rights.** An unbalanced policy may be produced if there is apathy at the administrative level (as well as at the line level) regarding inmate rights. The

factors operating at the line level to undermine advocacy for inmates have already been reviewed. What evidence exists that many correctional agencies are apathetic regarding inmate-centered policies?

Firstly, much of the litigation against jails and prisons is based on violations of various inmates rights. At face value this suggests some evidence of disinterest or disinclination to emphasize such rights. Unfair and capricious classification is included in this litigation. Inmates are winning many of these cases.

Secondly, not much treatment or rehabilitation goes on in most jails. The reason usually given for this is that resources are insufficient. Yet, this is a chicken and egg problem! The lack of resources for such purposes may simply reflect the relative unimportance of that purpose at policy levels.

Thirdly, jail staff often recieve little guidance from classification manuals or supervisors on how to achieve the goal of "least restrictive custody". In fact, from informal discussions with jailors it seems as though many classify inmates into the most restrictive custody unless there is clear reason to do otherwise.

Fourthly, the purposes of classification are predominantly geared to the needs of administration and management rather than inmates rights or needs (see Warren 1971, Eynon 1975, and others). This again suggests the lower priority of inmates needs versus the management/organizational needs of the agency. Thus the "purpose" of classification - with some notable exceptions -

usually seems to serve facility needs of social control and public needs for safety and protection. A obvious exception are those "inmate needs" for which jails are legally liable e.g. immediate medical and safety needs.

Finally, as noted above, given weak administrative control, the de facto operating policies of jails are set at the line level. Such informal policy will usually serve line staff values for safety, control, fear of accountability, and so forth, and may radically diverge from official positions. Such informal policies cannot be expected to place much emphasis on carefully protecting inmates rights.

In conclusion, a strong advocacy for inmate rights would give checks and balances against systematic overclassification. The relative weakness of advocacy, by contrast, fosters overclassification. It is tempting to conclude that the official rhetoric supporting inmates rights, least restrictive custody, and so on, may exist mainly to give symbolic support to a social control system. Yet, such rhetoric cannot be dropped since the legitimacy and professionalism of corrections depends partly on a humanitarian respect of inmate rights.

7.5 Resource acquisition and growth - A motive for overclassification?

A further issue that must be explored is deliberate overclassification to enhance the power, growth, and resource

acquisition of the jail. The presence of deliberate overclassification in other people-processing organizations suggests that we cannot overlook this motive in jails or other criminal justice organizations.

Deliberate overclassification in social bureacracies is well documented (Lipsky 1980; Monahan 1981). At this time it is acknowledged that there is no clear evidence of deliberate overclassification in jails for the motive of growth. Deliberate overclassification has been found to emerge in social bureaucracies under certain conditions (Prottas 1979). It occurs when agencies are at an early stage of development where they seek to build a caseload; when they must compete for resources; or, if they are anxious regarding their political status. Lipsky(1980) and Prottas(1979) both found that overclassification was a deliberate attempt to control and enlarge caseload-size to the advantage of the organization.

Resource acquisition motivates staff in all organizations. Job security, responsibility, power and resources are all enhanced by large caseloads and crowded facilities. Claims for additional resources are more easily justified by showing high demand (population size). At issue is whether criminal justice agencies use overclassification as a deliberate strategy to bolster growth, power and resource acquisition. We have no direct evidence of this in regard to jails. While many studies have found much overclassification occurring in jails and prisons (Monahan 1981, Bohnstedt and Geiser 1979, and others), none of these studies examined the issue of deliberate intent.

However, in other criminal justice settings there is some clear evidence of deliberate overclassification. Firstly, some studies of street patrolmen have documented the existence of motives to maintain high arrest rates, to "make your log look good", to avoid boredom, to achieve advancement, etc (Brown, 1981). It is also well established that arrest rates are produced by social and organizational factors quite distinct from crime rates (Pepinsky 1975). Secondly, turning to probation and parole there is overwhelming evidence of overclassification (Wenk et al 1972; Monahan 1981; Gottfredson et al 1978) but little evidence that it is deliberate.

In conclusion, it is difficult to prove that overclassification is deliberate/intentional in jails and other correctional agencies. The issue has not recieved much study. Other motives e.g. fear of accountability, appear more likely to produce overclassification than the desire for power, resources and job security. A conclusion on the issue of "deliberate intent" is simply not possible at this time given the dearth of evidence on motives. However, this does not in any way weaken the more general conclusion that a large amount of overclassification occurs, it simply casts a question mark on the issue of deliberate intent.

7.6 Administrative fear of public criticism - accountability again. Accountability patterning at the administrative level is similar to that at the line level - it is unbalanced.

Jail administrators realize that false-negative errors receive more scrutiny than false-positives. There is the same imperative not to be embarrassed by decisions, or to have jail procedures scrutinized by outside parties (Clements 1982). These motives again favor a tendency towards restrictive classification. Good public relations require that false-negatives are avoided. Overclassification is an easy way to achieve this end. This style of classification helps to reduce the anxiety of those responsible for classification at all stages of criminal justice processing.

7.7 Weak administrative control over line level staff.

Formal policy is developed by administrators and higher officials who then try to obtain line compliance by means of manuals, standardized procedures, training and education, and by supervision. Yet, a complex of factors - unresolved policy conflicts, poor training manuals, overloaded work conditions, a widespread reliance on subjective discretion, the difficulty of close supervision, etc, - create a situation where line staff are relatively unconstrained by official policies. In many instances jail administrators are aware of this loss of control and try to regain control.

7.7.1 Weak supervision of discretionary classification

The most critical issue in regard to overclassification is that weak supervision allows much discretionery classification to occur. Also, prevailing jail norms among line staff are such that close scrutiny is resented. Administrators will usually respect

the experience and professional claims of classification staff. There is usually deference to the autonomy and professionalism of the line classification officers - especially those with experience and training.

A second source of freedom is that administrative staff often do not have adequate methods of supervision. The appropriate data to evaluate classification decisions may not be collected. Evaluative criteria for the performance of classification staff are often not included in standard procedures. Performance measurement in any case is often problematic regarding classification - especially regarding errors stemming from discretion. It is difficult to decide what performance measures are appropriate and how to assess them accurately. Also, there is acknowledgement of decision complexity, goal ambiguity, the need for discretion and flexibility.

7.7.2 Problems in performance appraisal of the classification unit.

Nevertheless, administrators often try to develop performance measures to increase control. They establish written standards for classification and attempt to assess performance against these standards. The most common performance measure reflecting poor classification is the rate at which false negative errors are found. Thus workers at the line level are motivated to reduce such errors. Overclassification errors are less visible and hence do not generally enter into the performance criteria for line officers. It would seem prudent to

also include false positive errors as an additional performance criteria. In this way line workers would be forced to acknowledge the importance of BOTH kinds of errors.

Depending on the criteria selected, workers will drift roughly toward such criteria, irrespective of whether it fits a balanced correctional philosophy. Few jails have developed performance measures for classification. An inability to assess performance, or the use of one type of index of performance(i.e. the underclassification error) has critical implications for control of the jail population.

Strategies to gain administrative control over line classification will benifit from a better understanding of the work pressures and dynamics of line level decision making. The personal policies of line staff reflect certain psychological dispositions and motives. The special motives of line classification staff have not been adequately identified. The present analysis gives an initial mapping these motives.

The following management and control strategies are frequently found in jails:

1. Official rules and regulations
2. Written procedure manuals
3. Periodic job appraisal tied to salary and status benifits
4. Training in the norms and practices of corrections theory
5. Daily or weekly review meetings,

6. Attempts to impose strict hierarchical authority,

7. Educational programs to upgrade skills in classification

and so on.

All of these may be seen as possible avenues to try to reduce errors of classification. We now briefly examine some additional difficulties that administrative staff in corrections may experience in managing a classification staff.

7.7.3 **Problems with written rules and procedures manuals.** These often breakdown for a variety of reasons. Firstly, as noted earlier the official rules and procedures manuals are often too voluminous, unwieldly and contradictory. There are often so many rules and regulations that they can only be enforced selectively by line staff. Furthermore, they are always being changed.

Police behavior provides a good example of all these problems. At face value, arrest standards and police responses are highly specified. However, there are so many statutes and regulations that many of them are simultaneously operative in complex street situations. Additionally, the formally described arrest standards seldom match the full complexity of the street situation. Thus, the street officer may only invoke the law selectively, and has substantial discretion. A third generally encountered problem is that line workers often have too many reponsibilities relative to his available resources. In this situation he is again basically free to determine his own priorities. Thus, official written policy and procedures for

classification may only approximately reflect what actually is happening at the line level.

7.7.4 Communication problems betweeen line and administrative staff. A common problem in jails is poor communication between line and administrative levels. Both levels are caught up in the "pressure-cooker" situation of crowded jails and may not maintain good communications. Staff at top and lower levels of the jail have different priorities and concerns. They may not fully appreciate or understand each others work related problems. This gap in understanding, coupled with poor communication often creates some antagonism between the levels. This also contributes to the difficulty of obtaining line staff compliance with formal policy.

7.7.5 Line staff disagreement with official jail policies. Line staff view classification with different purposes and motives than those of the administrative staff. The following may undermine mutual understanding and may create management difficulties for the administrators of a classification staff:

- Line staff often have less confidence in rehabilition, or treatment,
- Line staff usually have a stronger value for social control in face-to-face situations. Their personal safety and authority is often at risk in direct interactions with inmates.
- Line staff have a stronger concern with expeditious

processing of work loads. They must make classification decisions and process large work loads with inadequate resources of time and information.This forces the use of short-cuts and simplifications not sanctioned by top level personnel.

Administrators want line procedures to be consistent with formal policies while the line worker is interested in a work style consistent with his own values/needs. Conformity is given only to jail policies he agrees with, to those that he is indifferent towards, or to those that are strongly enforced by sanctions from above.

7.7.6 **Active resistance from the line staff.** When upper management try to impose classificatory procedures to achieve formal policies some line workers may view such efforts as illigitimate and may resist them. In jail classification the example of the Santa Clara county jail staff in resisting a classification system imposed on them is well known. Yet the status of line staff usually requires compliance with administrative directives. If they see their interests as deviating from administrative interests, they will protect their interests in other ways.

The line-worker in face-to-face interaction with inmates may sense the inappropriatness of formal jail classification procedures. They may object to being constrained by an "invalid" system. Most line staff hold their own intuitive classifications of inmate types and may be affronted by the over-simplifications

necessary for bureacratic control and population management. In such situations the worker - especially one who is involved in classification directly - may feel impelled to subvert the rigid application of the official bureacratic procedures of classification. If there is a substantial amount of discretion in the procedures the line worker can readily introduce his own prejudices. Many jails in the past have used inadequate classification systems for their formal processing. Eynon(1975) in reviewing offender classification has commented on the paucity of good offender classfication systems. It is no surprise that such systems are rejected intuitively by line staff who are closest to ill-effects of such systems.

7.7.7 **Non-compiance are often invisible.** A difficulty is that line staff methods of noncompliance are often invisible. Non-compliance may be concealed under the label of subjective discretion. Line staff may covertly create new capacities - within the existing rules - to act with discretion and protect their discretionary freedom. They may use existing regulations and administrative rules to circumvent any reforms that limit their discretion or to resist disliked policies. Line workers can almost always find unoffical ways to favor certain kinds of inmates; or find ways to be tougher against less favored inmates. They may favor some inmates by giving help on proper procedures, or they can disfavor others by introducing negative comments and characterizations into files, delaying the processing of files, by informal stereotyping, procrastinating, etc.

Thus, in conclusion we note that higher level staff who monitor, review and supervise classification may hold different goals from line staff. Sometimes, line staff recommendations for decreased custody may be refused by higher level staff who are perhaps more concerned with public relations. Such conflict leads to distrust. It underscores the need for explicit policies that can be equally adhered to at all levels of the institution. If administrative staff are using different decision criteria than the line staff such misunderstandings should be clarified and there should be clear explanations given for any over-ride.

7.7.8 Coordination problems at different levels of the jail. Hans Toch has noted that errors occur when classification decisions are made sequentially by different staff. In some jails classifications at intake, for custodial and security decisions, and programming, are made at different times and perhaps by different staff. Toch sees this as an "obstacle course". Classificatory assignments, meanings and implications are rendered discontinuous, and the thread of understanding is lost. Such breakdown is fostered by many of the above organizational problems and conditions.

7.9 Conclusions regarding organizational and administrative issues and overclassification.

The essence of this section is to clarify factors at the administrative level that enhance overclassification. A secondary question is whether overclassification is functional, and in what ways, for either the line or administrative staff of the jail. The above analysis suggests that many factors are involved and that the interactions between them are complex. I emphasize that the present paper is an initial exploration of these issues and that a more definitive examination is required. Many of these issues remain to be studied in more detail than is possible in this present paper.

8. DO POOR METHODS PRODUCE OVERCLASSIFICATION?

A critical issue is the role of methods in producing overclassification. All methods - not just inadequate or inappropriate methods - will produce some errors of classification. Poor methods simply produce more errors. Also, good methods may be sloppily implemented, or mismanaged, again causing errors. We examine methods since they are crucial to the problem. Good methods give one of the best tools to reduce both kinds of classification errors.

8.1 Forms of practical criminal justice classification that may produce high rates of false positive errors.

8.1.1. The dominance of subjectivity in classification

The method of subjective classification occurs throughout the criminal justice system. Yet, much current research shows that subjective classification seems to give more false positive errors than objective methods (Nisbett and Ross, 1981).

Formal methods and procedures aim to minimize bias and subjectivity. Yet, personal discretion remains as a formidable problem in most settings. Line workers as well as supervisory staff have personal biases making them favor or disfavor certain kinds of inmates. Discretion is widespread in allocating rewards and punishments, in dispensing special services, and so on. Some are favored by underclassification (e.g. given citation release

by street officers, lower security status by jail classification officers, work release, etc.); others are punished or disfavored by classification. Subjectivity appears at all decision-points - both before and after the jail.

For example, police officers have wide discretion in deciding to overlook the behaviors of certain citizens, to arrest certain others; whether to take the arrestee to jail, issue a citation release,and so on. There is much variation in police actions for essentially the same street behaviors (see Camilli et al., 1983). Subjective factors in the content and tone of an arrest report can profoundly influence classification later in the system. Similarly, judges use much subjectivity in decisions regarding who recieves maximum punishment, who recieves a suspended sentence, and so forth. In jails, discretion enters classificatory decisions regarding custodial levels, access to available programs, work release, etc.

8.1.2. **The entry of subjectivity into objective methods.** Subjective bias can also enter into objective procedures of criminal justice classification. For example, in pre-trial release decisions, although many jurisdictions collect objective data and use a VERA type point scale, subjectivity enters in the following ways:

1. Subjective weighting of risk factors
2. Subjective setting of thresholds for pre-trial release
3. A subjective over-ride to completely over-rule the objective process and impose a subjectively preferred decision.

4. Subjective integration of risk factors

Thus, "objective methods" are easily transformed to impose subjectively preferred decisions.

8.1.3. Screening classifications

Many criminal justice agencies conduct an initial "screening" by lower level staff strictly for purposes of gathering data and filling out forms. Theoretically, no formal classification decisions are made and such staff have no discretionary power. The aim is to protect higher level staff from work overload. Screeners simply should gather and provide information, and direct offenders to appropriate channels for formal decision-making.

The screener would be relatively unimportant if the job was performed as defined in theory. However, the screening staff can have great impact on the formal decision-making. For example, they can influence the order in which inmates are processed, or which officer sees the inmate. They may damage certain inmates by delaying paperwork, or by placing reviews into an inactive file. They can be helpful or unhelpful with advice. They can record data to characterize the inmate in ways to gain them favor or disfavor. The way the screener records data can strongly influence later classifications. If more senior staff (Classification officers, Judges, etc) are overworked they may routinely accept the screeners report and "rubber stamp" a case. Thus the gatekeeper or screener can influence classification for

or against an offender depending on the screeners preferences.

8.1.4. Routinized classification: Oversimplification

Many decision points are highly routinized e.g. intake interviews. The existence and validity of certain offender "types" or "slots" is presumed. New entrants are routinely assigned to these "slots" and are percieved by line workers in "typified" or "stereotypical" forms. This routinization aids speedy and efficient processing. However, it can lead to oversimplification which may incur overclassification errors.

8.1.5. Rubber Stamping Classifications

Rubber stamping is a practice in which higher level staff uncritically accept prior characterizations provided by lower level staff. Thus, the views of line workers may largely determine the formal classification given to an offender at a later decision point. Rubber stamping can occur at any decision point, e.g. judges on occasion will routinely accept the decisions of the police officer or the probation officer, especially in lower court cases. The judge may simply ratify a prior decision. In domestic relations courts, the recommendations of the social worker are often rubber stamped by an overloaded court. Rubber stamping amounts to an informal delegation of authority for classification to lower level staff who may not have the training or authority to make such decisions.

The practice is widespread when decision making and classification staff are overloaded e.g. in crowded jails,

overworked classification committees, and in crowded courts. Rubber stamping is likely if the decision-maker or classifier faces complex problems yet has no time for proper assessment. The practice will produce errors in offender classification and will often distort formal agency policies.

Overclassification is produced when rubber stamping occurs in response to negative stereotyping. Stigmatization evokes a response not to the case at hand, but to a negative stereotype. Overclassification is likely when those formally responsible for classification are given a negative stigmatization made earlier in the system by lower level workers.

8.1.6. Back-door classification.

The discretionery power of line workers is also shown by the process of backdoor classification. Much informal reclassification occurs whereby an inmate "drifts" mysteriously into more secure settings (see Clements 1981). Clements found that the punitive use of transfers and informal "back-door" reclassification is widespread even although the inmates in question posed little risk to society, other inmates or staff. Many were reclassified for trivial infractions, for personality conflicts, or other vague or ambigous reasons. Clements found that overcrowded conditions increase the frequency of such back-door classification.

8.1.7. Resistance to inmate participation.

An important procedural issue is the degree of inmate

participation. Formal policies usually call for inmate involvement e.g. ACA standard #4374 calls for "maximum involvement of inmates in their classification reviews". Inmate participation provides one of the few challenges to overclassification.

Yet, inmate participation results in some loss of control over the classification process by jail workers and is often resisted or minimized. Some institutions allow inmates to participate in the classification process. They are given copies of classification criteria and explanations of the process. They may appeal the decisions, and so on. However, if inmate participation is discouraged overclassification will remain unchallenged.

8.1.8. Absence of written policies/procedures for classification.

Formal methods of classification will break down when written procedures are not provided - or if the classification manual is unwieldy, poorly written, or ambiguous. The absence of written procedures for classification encourages subjectivity and thus raises the likelihood of overclassification.

Many jails still violate the ACA standard requiring a written manual for classification. A well written manual renders the classification process more visible and hence more accountable, and the decision criteria more explicit. These factors aid in reducing the amount of informal overclassification.

8.1.9. Absence of evaluation of classification.

Many jails avoid evaluating their classification system or its errors. Errors of overclassification in particular will usually remain undetected. False negative errors on the other hand are usually explicit and duly noted. Thus many jails have only impressionistic opinions regarding the operation of their classification system - and essentially are unaware of the true error rates. Therefore, periodic evaluation of the classification system is recommended as a way of estimating and responding to the problem of overclassification. However, this requires adequate data, and a competent evaluation staff. In many jails such resources may be impossible to obtain.

8.2 WEAKNESSES OF OBJECTIVE METHODS CAUSING OVERCLASSIFICATON.

The use of objective-statistical methods usually greatly reduces errors of classification. At best they reduce both kinds of errors. However, it remains true that all known methods of classification make errors. No method is perfect. The following are some weaknesses of objective statistical classification systems. This list is not meant as a criticism of any particular classification system, nor of any particular jail. It is simply a list of known aspects of objective methods which can produce high error rates. Each weakness offers a goal which can be addressed in trying to improve the quality of objective statistical methods for inmate classification.

8.2.1. Low predictive validity. Criminal justice classification methods especially those dealing with risk predictions, such as violence, recidivism, and so on, have only moderate or poor predictive validity (Monahan 1981, Gottfredson and Gottfredson 1979). Low predictive validity implies high error rates. When base rate behaviors are low (e.g. violence, escape, etc.) most of the errors are false positives (Monahan 1981).

Low predictive validity also means that decisions based on the system will be of poor quality. Poor decisions usually reduce the "control" achieved by staff over the operation of the jail. This may explain the disenchantment of jail staff and their rejection of most objective systems, as well as their desire to return to their subjective judgment. It is known that the use of subjective judgement gives comfort to the "classifier" and provides an "illusion of validity" (Ross and Nisbett 1981).

8.2.2. Inadequate face validity - The problem of staff acceptance If classification staff do not understand a classification, or if it is not intuitively consistent with their own experience, they will reject it. Line staff are not "passive". They can subvert objective systems in many ways. Objective systems will only be accepted if they appear face valid and consistent with the experience of the staff using it.

8.2.3. Inadequate information content - omission of salient data. A major hazard in designing objective systems of offender

classification is the restriction on the number of risk factors. This has, in the past, lead to the omission of pertinent information. Objective systems cannot include every unique aspect of every offender. They are limited to general and statistically verifiable risk factors. Thus, they may often omit salient information and oversimplify. Many earlier objective classifications used only a few variables. This was a major weakness of many past systems (Hood and Sparks 1970). More recent systems can include large numbers of variables in objective classifications and so overcome this particular weakness (Brennan et al 1979).

This weakness is partially addressed by using a subjective overide if it seems that the formal system has misclassified a case. An overide gives a "safety valve" by which unique information about an inmate, or the intuition of the expert officer can correct obvious mistakes made by an objective system.

8.2.4. **Inadequate verification of data.** Objective systems are dependent on the quality of data collected on an offender. Unreliable data usually means errors of classification. Incorrect, or unverified data can undermine a system and the validity of a system will diminish and errors of classification will increase. Thus, managers of objective systems should not overlook the problem of verification of data for classification decisions.

8.2.5. **Inadequate decision rules.** A critical part of every objective system is the "decision-process" to assign the new

person into predefined classes. If this decision-procedure is ambiguous, vague, or complex, errors will occur. Some formal classification systems do not offer adequate decision rules for assigning "new" cases into the pre-existing classes (see Brennan and Camilli 1983, for a review of this problem).

The assignment process is unreliable in practice if decision rules are too difficult, ambiguous, or time consuming. Assignment fails if there is inadequate written specification of procedures, or ambiguity in the defining criteria for each offender class. When different staff reach different decisions regarding the same inmate, it is likely that decision rules are poorly developed, or poorly explained.

8.2.6. **Insufficient differences between classes.** Misclassification increases if there are no differences between adjacent classes. For example, in some jails the difference between minimum security and community supervision is often questionable. When "boundaries" between classes are fuzzy it is more difficult to decide where a new offender belongs. This problem plagued many past criminological classifications where expected theoretical differences did not lead to expected empirical differences i.e. they disappeared under careful evaluation e.g. the I-level system, Cloward and Ohlin's typology of juveniles, and others (see Gibbons 1975).

8.2.7. **Difficulty level in using the classification: User friendliness.**

Some objective systems fail in practice if they are time consuming or cumbersome, or are not "user-friendly". Data collection and handling should be efficient, simple, easy to understand and administer. Classification systems that are too complex will be misunderstood. If a system is unweildy there may be much resistance and it may be poorly implemented.

8.2.8. Poor training of classification staff.

Inadequate training implies that staff may not fully understand the purposes and procedures of classification. This interacts with lack of user-friendliness - since less friendly systems and much more difficult to use and to learn, and demand more extensive training - to produce a very serious situation.

Many observers have noted the lack of a classification curriculum in corrections (Kornfeld et al 1975). The National Academy of Corrections has begun the development of such a curriculum and offers regular workshops in jail and prison classification. However, the continued curriculum deficits and general lack of training implies that classification is often conducted by inexperienced staff with little understanding of classification. Adequate training and education in the logic, purposes, and policies that underlie classification is essential if new systems are to be used successfully.

8.2.9. Conclusions regarding methods.

All methods produce some errors of classification.

Probably the most important single tactic in reducing errors of both kinds would be to improve the methods of classification being used at each decision point in the criminal justice system. However, some systematic overclassification is produced as a result of the widespread use of intuitive/subjective approaches to classification. Thus, a major challenge is the introduction of objective methods at more of the decision points. The above section has delineated some of the features of objective statistical methods that require careful attention. Predictive validity and staff acceptance, if they could be achieved with objective methods would go a long way towards controlling much of the problem of systematic overclassification. Yet, the issue of staff acceptance indicates that objective methods could not be utilized in a vacuum, and that careful organizational work would be necessary to ensure their proper use by both line and administrative staff.

9. HOW CAN CLASSIFICATION BE MODIFIED AND MANAGED TO CONTROL FALSE POSITIVE ERRORS - INTERVENTION TACTICS

Many interventions are suggested by the above analysis. The aim of each is to improve the validity of classification to minimize both kinds of errors. Each cause of classification errors offers a different intervention. However, a full development of specific interventions at all decision points in the Criminal Justice System is beyond the scope of this paper. The above analysis however helps to identify many strategies to reduce classification errors.

Three broad strategies of intervention are obviously suggested by the models that have been used in the present analysis. These are:

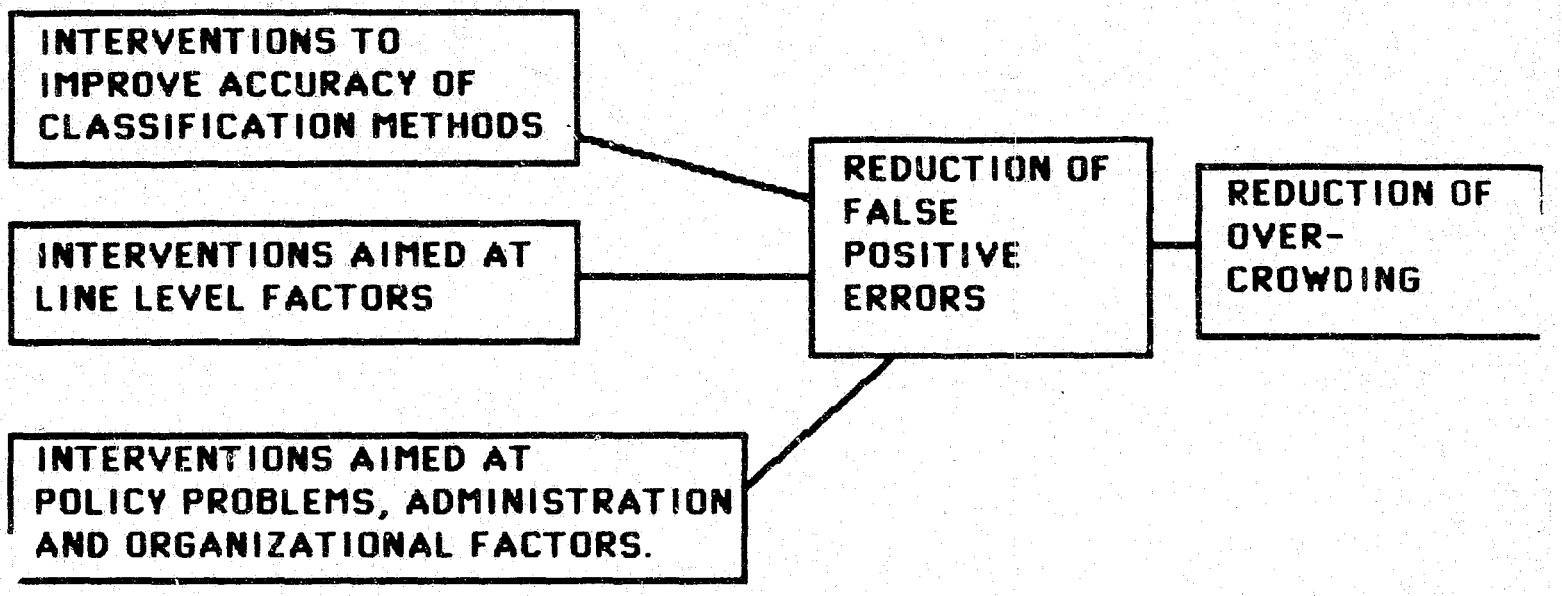
a. Interventions to improve the accuracy and validity classification i.e. method interventions

b. Interventions aimed at line level staff and their work conditions that foster overclassification.

c. Interventions aimed at administrative levels, policy problems, and organizational factors.

In the present section it must be stressed that the present overview of interventions is NOT a careful and finalized version of these tactics. It is clearly prelimary and speculative in nature. Real application to a real jail setting under crowded

FIG.6 INTERVENTIONS TO REDUCE ERRORS OF CLASSIFICATION AND CONTROL NEEDLESS INCARCERATION.



NOTE. This model focusses ONLY on the one aspect of crowding that has been the total focus of this paper i.e. the component of needless jailing related to systematic over-classification. Each of the interventions that are offered in this section focus upon one of the various causes of overclassification that have been identified in the earlier sections of this report.

conditions would obviously require a very careful translation of these ideas into practice.

9.1. INTERVENTIONS TO IMPROVE CLASSIFICATION

This first and most obvious task is to upgrade accuracy of classification so that errors are reduced. Many strategies exist that may to improve existing classification methods.

9.1.1. Increased objectivity. A first apporach is to introduce more objectivity at more decision points across the criminal justice system. The prevailing subjective approach is slowly being replaced by more objectivity. Many forces are producing this shift. There are, however, many forces resisting the introduction of objectivity.

A few diverse pressures and contemporary social factors are converging to force a shift to objective classification in jails and other correctional agencies. Many jails have been forced to upgrade their systems by:

(1) The desire for accreditation,

(2) The development of standards by various professional organizations,

(3) Litigation and court actions regarding equity, consistency and so forth.

(4) On-going evaluation requirements

(5) Professional training of classification staff, and,

(6) Continuing academic research to improve methods.

All of these factors are pushing jails and other correctional agencies in the direction of more valid and objective classification systems.

Research development of improved objective techniques. Much academic research in classification is aimed at improving statistical methods for objective decisions (Gottfredson and Gottfredson 1979; Brennan and Camilli 1983; and others). This work should help in the diffusion of better statistical models of classification into the practical jail decision making. Many new techniques are available. Some show promise of improving the accuracy of classification decisions.

Developing improved "risk factors". Concurrently with developing better statistical models much research is aimed at the discovery of improved "risk factors" for each decision point - including risks of violence, victimization and suicide (see Chapman and Alexander 1981; Monahan 1981; and others). Classification is crucially dependent on valid risk factors. New work in this area is of equal importance to that of statistical models.

9.1.2. Developing "special-purpose" classifications for specific decisions.

An important new tactic is the development of "special-purpose" classifications for specific decisions and specific offences. This involves the move away from "general-purpose" classifications which try to deal with all inmates in a general way.

Special-purpose systems focus on specific problems, and generally reach higher validity for the specific behavior they deal with. Specific classifications of drunk drivers, homicides, drug abusers, and so on, are usually more valid for decisions involving these offenders than general systems which try to predict say, general violence or general risk of recidivism.

It seems that the more a classification attempts to do the less well it performs. Different risk factors are salient for different offences (e.g. homicides vs. child molesters) and such differential validity can be lost when general-purpose systems are used.

9.1.3. Finding the "best" balance of objective and subjective approaches.

Another critical challenge for correctional agencies it to find the right balance between objective and subjective classification methods. These are not mutually exlcusive alternatives. Rather they work in conjunction with one another. Each has it's own strengths and weaknesses. The right combination will retain the advantages of both. It is thus crucial to design classification systems with the right "mix" of subjective and objective components.

Should subjective discretion be eliminated? It seems that the answer to this question is "no" for a number of reasons. What are the advantages of retaining a subjective over-ride? Our society at present is unwilling to abandon the human element in decisions involving other human beings. Good arguments exist for the complete statistical automation of classification decisions in the name of consistency, equity and efficiency. The computer technology is available to achieve most classificatory purposes (see Brennan et al., 1980; Brennan and Camilli, 1982). Social values emphasize responsiveness to the unique individual and assume that this is achieved by retaining personal subjective discretion. Complete standardization is seen as denies such responsiveness. Other advantages include: flexibility, retention of the experience of the human decision-maker, sensitivity to mitigating factors not included in the formal risk factors, and aid in discipline and control with the inmates. The morale of line workers is greatly enhanced by retaining the discretionery over-ride.

However, these are weakened by the deficiences of subjective classification i.e. bias, inconsistency, and high error rates. There is increasing awareness that subjective classification as practiced in many bureacratic settings - not only jails - is inefficient, often unfair and of low validity (see Monahan, 1981). The best approach to classification is a balance between the standarded efficiency of computerized classification with subjective discretion. This is achieved by having well trained and experienced staff, and a "subjective over-ride" procedure

included with a valid objective system.

Managing discretion of jail staff. Jail staff should retain the right to over-ride formal classification procedures if they believe it necessary. Over-rides result from the judgement of the staff. The use of an over-ride might enhance the quality of classification decisions. The discretion of an experienced classification officer must, however, be used in a careful way. Demand good documentation: Firstly, if his reasons for the over-rule are not well documented the department and the officer are open to allegations of inconsistency, unfairness, and bias.

Evaluate the reasons for over-rides: Secondly, with no documentation the system cannot be upgraded by incorporating the intuitive knowledge of the officer. Therefore over-rides should be written; the reasons for the change of classification should be stated; and both formal and discretionery class assignments should be given. Experience with formal systems suggests that a good range for over-rides is between 5% to 15% of total classificatory decisions across jails. A periodic review of the reasons and types of over-rides by the classification committee will allow the more recurrent types of over-rides to be incorporated into the formal system.

9.1.4. Enhancing inmate involvement in classification.

The ACA standard for maximum inmate involvement is not always followed. Many jails still deny meaningful involvement of

the inmate in classification. This eliminates one important counterbalance to overclassification. Staff resistance to inmate involvment is based on factors such as; desire to avoid being challenged, desire to maximise autonomy, desire to avoid extra accountability, beliefs that inmates cannot add useful perspectives, and so forth. Education on the value of inmate participation to both the inmate, the institution itself, and the quality of the classificatory decision would be helpful in meeting such resistance.

9.1.5. Improving classification methods by using evaluation.

Evaluation of classification is essential to assess how the system is working, to identify rates of misclassification, to identify where overclassification is occurring, and to develop improved risk instruments and decision rules. It is well known that the available instruments for classification both at the pretrial level and for custody and security classifications do not have high levels of predictive accuracy. A system that is not being evaluated is one which cannot develop.

Research and pretrial classification. Research is needed to further develop pre-trial classification instruments. The dimensionality and selection of "risk factors" is an important direction for development. Current research evaluations suggest that increasing the release rate does not lead to a rise in either FTA, nor does it damage public safety (NIC 1979). These findings underline the presence of overprediction occurring at

the present time.

Mistrust of pretrial screening programs can only be alleviated by careful research to demonstrate local validity. Credibility can be established by knowing the exact rates of FTA and recidivism while awaiting trial. A further reason for research at the local level is that local populations and policies may differ so that a scale developed in another region may not be applicable without modification. Therefore to ensure appropriate local implementation research is critical .

9.2 INTERVENTIONS REGARDING ADMINISTRATIVE, POLICY AND POLITICAL ISSUES

Many factors were identified at the administrative levels of jails which seem to enhance overclassification. These can suggest interventions. In this instance the solutions are largely organizational change and political processes.

9.2.1. Education regarding the cost of better methods vs. the cost of errors: Creating new priorities.

A preliminary political issue is the cost of improving classification systems. Some see this cost as too high and give it low priority. However, when the full scope and costs of classification errors are understood - costs to the inmates, the jail, its staff, and the public - there is often a change of priorities.

Overclassification errors cause needless and inappropriate detention, a waste of jail resources, the escalation of fiscal costs, overcrowding, and increased stress to both staff and inmates.

Underclassification by contrast contributes to escapes, violence, poor control in the jail, increased levels of recidivism, failure of public protection and so forth. Escapes, walk-aways, suicides and in-jail violence are all reported to be reduced following implementation of improved classification systems in jails (NIC, 1979). One state estimates that each prison escape costs at least $4,000 (NIC, 1979). Saving one suicide, preventing one escape, delaying the erroneous release of a violent recidivist, minimizing needless jailing and reducing the waste of resources, can all save costs.

Thus, better methods of classification appear to reduce both kinds of errors. The cost-benefit ratio swings rapidly in favor of developing an improved system.

9.2.2. Raising public concern over costs and waste of resources. This is a highly political issue and many jail staff would obviously be highly resistant to this issue. Yet, a powerful factor to counterbalance wasteful overclassification is public concern with costs and waste. Needless incarceration wastes resources and increases costs and should be visible for public debate. The concern with costs may finally focus on the issue of needless detention and erroneous overclassification. Some present public interest groups are already demanding that needless

incarceration and overclassification be minimized. They support political and legislative action to limit the rapid perhaps uncontrolled "capacity-driven" growth of jails (see Ney, 1980). Many social bureacracies (e.g welfare, medicine, etc) provide examples where public outcry over costs has forced policital or legal action to limit growth.

However, a major problem in such administrative/legislative action is that certain of the core sources of crowding and uncontrolled growth (e.g overclassification) are hidden deep within the bureacracies; and exist in informal policies and informal procedures of line staff. The task of making such practices "visible" both to the administrative staff of the jail and to the public at large is a difficult task. As long as the sources of "capacity-driven" growth remain invisible attempts at reform will be handicapped.

9.2.3. Producing a balanced policy for classification.

Many factors were listed which seem to motivate jails to a strong policy of control and law enforcement policies. These are highly legitimate worthwhile policies, and are essential to the criminal justice system. The present author agrees wholeheartedly that they should be agressively pursued. However, correctional agencies, including jails, must also try to achieve other, perhaps divergent, goals. The prioritizing of control/enforcement may eliminate other correctional goals. Accountability pressures, when combined with subjective classification and negative

stereotyping, produces a strong tendency to overclassify. The "capacity driven" jail may be a consequence of such informal adaptations.

Intervention strategies must be developed to achieve a "balanced" policy which would increase the concern for errors of the false positive kind. This requires a re-emphasis on policies aimed at fairness, equity and consistency and the rights of the arrested person. Again, this is a highly political issue. There would be much resistance, and the problem may, in fact, be intractable.

Law enforcement and control policies should not be sacrificed or weakened but should be balanced. Various strategies suggest themselves based on the earlier analysis. For example should the Sherrif and Law Enforcement staff control and administer the jail?

9.2.4. Developing clear policy for classification.

In a policy vacuum the implementers of classification can emphasize any component of policy that appeals to them. This leads to confused and unbalanced procedures of classification. A policy vacuum may allow a "drift" towards an unbalanced policy extreme. Such drift is especially dangerous when it occurs at the line level in a informal manner.

An intervention is to develop sufficient clarity of policy so that methods can be fitted explicitly to well specified purposes. Explicit policy aids the design of specific classification procedures. As long as policy remains vague and

conflicted it will be impossible to design optimum classification procedures. Procedures are vulnerable and can be twisted by the subjective values of those in charge of using them on a daily basis.

9.2.5. Producing balanced accountability at both administrative and line levels.

The unbalanced pattern of accountability for different errors of classification must be corrected. The great visibility of false negatives, and the mass media flaunting of rare but highly graphic events - as if they were commonplace in corrections - is a profound distortion. Research consistently shows that errors of overclassification greatly exceeds underclassification. The charges of "leniency" and so forth, are absurd when held against these findings.

Strategies to increase accountability for false positive errors should be implemented. Litigation and overcrowding are enhancing our awareness of overclassification as an ethical and legal problem in criminal justice. Higher accountability for this error would decrease it's frequency. However, accountability will not be achieved unless both performance appraisal criteria and objective classification methods are implemented to render such errors more "visible". They will clearly remain "invisible" as long as highly subjective discretionery approaches are allowed, and as long as there is an absence of performance appraisal criteria to identify the rates of commission of these errors.

9.3 INTERVENTIONS AT THE LINE STAFF LEVEL

Again a variety of interventions are offered by the earlier analysis. Motivations for overclassification may emerge from the basic work conditions of the line worker. The following is a selection of some intervention goals that emerge from the earlier analysis.

9.3.1. Obtaining line staff cooperation with objective classification methods.

Jail staff resist new procedures in certain predictable circumstances. They may be percieved as lacking validity, reducing the autonomy and power of staff, reducing their freedom of decision-making, and as needing too much paper work and time, and so forth. Thus, care must be taken when introducing formal procedures. Staff expertise must be respected by a combination of consultation, training, and the retention of an over-ride. The formal instruments must have good predictive and face validity, conceptual or logical coherence, and efficiency regarding staff time.

9.3.2. Making staff accountable for both false positive errors as well as false negative errors.

The current unbalanced accountability pattern for errors must be rectified. Until then there will inexorable pressure to continue ignoring false positives and prioritizing the

minimization of false negatives. The use of objective methods would aid in reducing both errors in a variety of ways. Firstly, the introduction of objective classification methods will change accountability pressures on line staff and they may be less paranoid over false negative errors. This is not to say that they should be complacent over such errors, but simply that an excessive fear and paraniod attitude can highly motivate them to systematically overclassify. Secondly, objective methods make backdoor classification more "visible" since discretionery overrides become the "exception" and must be explicitly justified in writing. Thus accountability for discretionery overclassification is higher. In this way line classifiers retain their discretion but are made more accountable for its use.

9.3.3. Reduce work overload.

Work pressures should be reduced if possible. Line workers require time, information, and skills to conduct good and correct classification. Qualitative overload in particular seems to be tied to anxiety and accountability problems. Again, valid objective procedures of classification offer the major tactic to aid the line worker in reaching correct classification decisions and to be less oppressed by anxiety over false-negative errors.

9.3.4. Training to understand common errors in subjective classification. Since subjective remains dominant in criminal justice it would seem prudent to provide training in the common sources of distortions that lead to errors in subjective

classifications. Errors such as ignoring base rates, overemphasizing "illusory correlations", negative stereotyping, and so forth, are all identifiable and can be taught to line workers and higher level staff involved in classification decisions. Particularly where such workers may be involved in a substantial amount of discretionary decision-making it seems wise that they are alerted to the common fallacies that produce errors.

9.3.5. Alerting both line and administrative staff to the gap between official policy and line policy.

Much of this report examined the "gap" between official policy of classification and line policies resulting from the informal discretion, subjectivity, etc). The presence of discretion coupled with weak supervision can allow a large divergence between official policy and de facto policy. This is nicely captured in the idea of the "capacity- driven" jail where the informal practices throughout a jail produce an inmate population that has little relation to kinds of offenders the jail is officially mandated to recieve. Thus a critical task is to alert both line staff and management to the various factors that produce such divergence, and to their mutual responsibility to each other to work towards coordination between policy and procedure. Once again the need for a clearly explicated policy statement, and a set of valid objective classification methods is underscored.

7.Ø ORGANIZATIONAL ISSUES AND OVERCLASSIFICATION

We now examine how administrative policies and various organizational factors which may create conditions favoring overclassification. Classification is always driven by policies. It is a means to implement policies. Different policies produce different classifications. Unbalanced policies will produce unbalanced classification. What is the role of administrative policy i.e. does overclassification stems from particular policy positions.

Inmate classification is influenced by local politics, community attitudes and values. If jail classification deviates from these values there may be critical and angry public reaction. This reaction may place intense pressure on administrative staff to bring their classifications into line with public attitudes. Various advocacy groups - from liberal to conservative - try to influence the policies and procedures of jail classification. A challenge for jail administrators is to resist extreme policies and maintain a balance between various correctional goals. Jailors cannot satisfy every pressure group.

7.1 Jail policy and classification

Administrative policy positions vary between two extremes in regard to classification of inmates. These two extremes are tied to different sets of correctional goals. The first minimizes

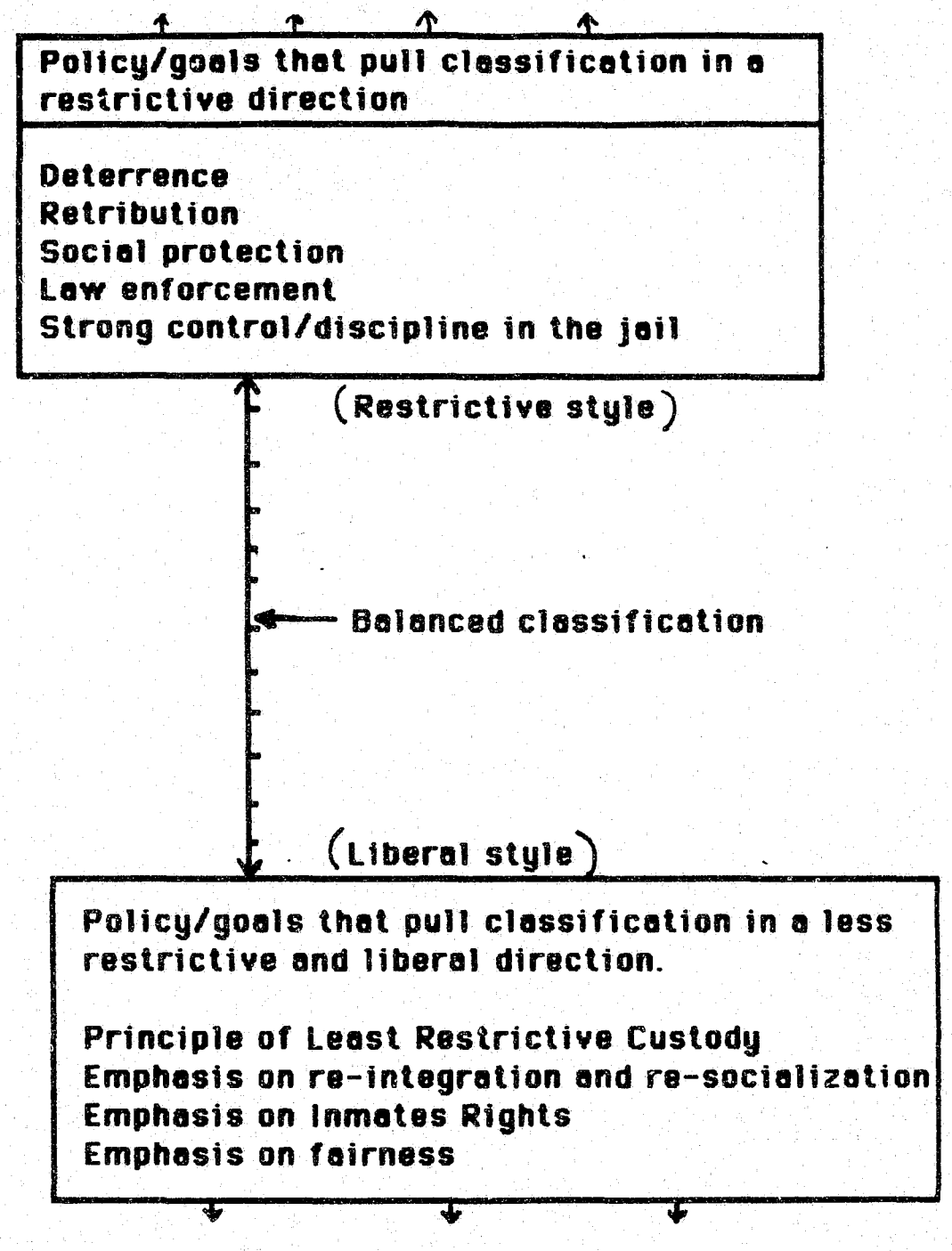
overclassification; the second views it as unfortunate but unavoidable.

The liberal extreme: This position argues that since many errors of overclassification are inevitable there is much needless and unfair incarceration. Thus, we should not detain excessively, and should minimize overclassification where possible. Overclassification is seen as a systematic occurence because of low base rates and low predictive validity of classifications - especially for violence and risk predictions. This position emphasizes inmate's rights and stresses the principle of least restrictive custody.

The conservative extreme: This position argues that since we cannot be sure which offenders will be dangerous or will recidivate, we should maximize the detention of all, or most of them. This position is less concerned with excessive detention or violations of least restrictive custody. These are seen as unfortunate but inevitable costs of more fundamental goals such as order and safety in the jail, public protection, and so on. High security detention achieves these goals by means of punishment, deterrence and incapacitation. This position produces more incarceration, overclassification and crowding.

These two positions emphasize different costs, benefits and correctional values. The first position aims to minimize overclassification while the second tolerates it. The interplay between the values of a community and it's jailors determines the eventual local approach to jail classification since a scientific

Figure 4. Two policy extremes and the challenge of producing a "balanced" approach to classification policy.



cost benefit ratio is impossible. There is no way to compute the costs and benefits on a common scale, i.e., how many years of needless or unfair detention is equivalent to the gain in public protection.

7.2 Integrating jail policy with classification

Jail administrators must design and implement an approach to classification that is basically guided by these two broad constellations of correctional goals. One emphasizes inmates rights e.g. fairness, least restrictive custody etc. The second emphasizes organizational and societal needs e.g. public protection, retribution, safety and control, deterrence and incapacitation.

7.2.1 The importance of developing a balanced policy of classification. A balanced policy is one which achieves the mutual implementation of these goals. Policies are unbalanced if one constellation of goals (e.g. protection, retribution and deterrence) is aggressively implemented while the other constellation is ignored or weakly implemented. Reform movements and litigation against jails are usually the result of highly unbalanced operating policies.

7.2.2 Common policy failures of jail administrations. A first step in designing and implementing classification is for the administrative staff to provide a classification manual which transforms these policies into operational procedures. These manuals provide guidelines to help integrate formal policies with

line level work. This task would be simple if policies were mutually consistent; but they are inconsistent. The integration of multiple policies with practice is difficult. It is not always achieved, and often, not even attempted. This is a common and profound oversight on the part of many jail administrations. At the very first step it means that line operational procedures of classification cannot be clearly linked to jail policies - since the policies are either ambiguous or sufficiently ill-formulated as to be of little use in the formulation of specific procedures of classification. A common situation in jails is for the administrative staff to simply enumerate or list the various policies - conflicted and unresolved - for staff to implement. In this way policy conflicts are passed downward.

Aside from the task of integrating policy with procedures, some other policy questions often left unresolved include the following:

-How much overclassification is politically and fiscally acceptable?

-How many truly non-dangerous persons must be detained to keep the streets safe from the one dangerous person?

-What degree of predictive validity is required to justify preventive detention classification

-What is an acceptable ratio of errors of underclassification to errors of overclassification?

These are policy rather than method issues. They are questions for legislature, judiciary and administrative staff since they require policy judgements to balance various costs and

References.

Bohnstedt, Marvin. and Saul Geiser. 1979. Classification instruments for Criminal Justice Decisions. Report prepared for the National Institute of Corrections: Washington D.C.

Brennan, Tim. 1980. Multivariate taxonomic classification for criminal justice research. Report prepared for National Institute of Justice: Washington D.C

Brennan, Tim. and Greg Camilli. 1982 Evaluation of Objective Assignment Techniques for Criminal Justice Classification prepared for National Institute of Justice, Washington D.C.

Camilli, Gregory. Tim Brennan, and Ruth Fitterman. 1983. Police effectiveness as a function of individual officer activity. Report prepared for Grant No. 81-IJ-CX-0083. National Institute of Justice, Washington D.C.

Chapman, W. and Alexander,J. 1981. Classification improvement project: Adjustment to prison. State of New York, Dept. of Correctional Services.

Clements, Carl B. 1980 Offender classification: Problems and prospects for correctional management Prison Law Monitor, 2:237-242.

Clements, Carl B. 1981 The future of offender classification:Some cautions and prospects Criminal Justice and Behavior. 8:15-38.

Clements, Carl, B. 1982. The relationship of offender classification to the problems of prison overcrowding. Crime and Delinquency.

Demos, Nicholas L. 1981. LEAA Program Brief: Jail overcrowding and pretrial detainee program. US Dept. of Justice, LEAA.

Dershowitz, A. 1969. Psychiatrists power of civil commitment. Psychology Today. 2:43-47.

Ennis, B. and Emery, R. 1978. The rights of mental patients-An American civil liberies union handbook. New York:Avon.

Eynon, Thomas. 1975. New roles of research in classification and treatment. In Correctional Classification and Treatment, Edited by Hippchen, L. American Correctional Association. W.H. Anderson and Co.

Gibbons, Donald C. 1975. Offender Typologies - two decades later. British Journal of Criminology 15:140-156.

Gottfredson, Stephen D. and Gottfredson Don M. 1979. Screening for risk: A comparison of methods. Report on grant no. AM-1. to the National Institute of Corrections, US Dept. of Justice, Washington D.C.

Hobbs, N. 1974. Issues in the classification of children. Jossey-Bass: San Fransisco.

Hood, R and Sparks, R. 1970. Key issues in criminology. McGraw-Hill: New York.

Korafeld, J.P., T.G. Egnan, W.A. Hetzner, M.E.Pfeiffer-Kornfeld, W.Bates, and T.Baumer. 1975. State-of-the-art of Offender Classification in the USA IIT-Research Institute:Chicago.

Kozol, H.; Boucher R.: and Garofalo, R. 1972. The diagnosis and treatment of dangerousness. Crime and Delinquency. 18:371-392

Levinson, Robert B. 1982. A Clarification of Classification. Criminal Justice and Behavior 9(2): 133-142

Lipsky, Michael. 1980. Street-level Bureaucracy. New York: Russell Sage

Megargee, Edwin. 1976. The prediction of dangerous behavior. Criminal Justice and Behavior. 3:3-22.

Myers, Matthew L. 1980. Classification: An essential mechanism for the effectuation of numerous constitutional rights. Prison Law Monitor, Vol2 (9) 242-245.

Monahan, John. 1981. Predicting violent behavior: An assessment of clinical techniques. Beverly Hills: Sage.

National Institute of Corrections. 1981. Prison Classification: A model systems approach. Washington D.C.

Nisbett, R.E. and Ross,L.D. 1981. Human Inference: Strategies and shortcomings of informal judgement. Century series in Psychology. Englewood Cliffs, New Jersey:Prentice-Hall.

Pepinski, Harold E. 1975. Police decision-making. In Don E. Gottfredson, Decision-making in the Criminal Justice System. NIMH:Washington D.C.

Prottas, Jeffrey M. 1979. People-processing. Lexington, Mass.: Lexington Books.

Solomon, Larry. 1980. Developing an empirically based model for classification decision-making. Prison Law Monitor, Vol 2(9), 217-237.

Shah, S. 1978. Dangerousness: A paradigm for exploring some issues in law and psychology. American Psychologist. 33:224-238

Warren, M. Q. 1970. Classification of offenders as an aid to efficient management and effective treatment. Journal of criminal law, criminology, and police science. 62:239-258.

Wenk,E., Robison, J., and Smith,G. 1972. Can violence be predicted? Crime and Delinquency. 18:393-402.