



## EARNED ELIGIBILITY PROGRAM SUMMARY

1991 CALENDAR YEAR

142753

U.S. Department of Justice  
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DIVISION OF PROGRAM PLANNING, RESEARCH AND EVALUATION  
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1992

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STATE OF NEW YORK

DEPARTMENT OF CORRECTIONAL SERVICES

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**EARNED ELIGIBILITY PROGRAM SUMMARY**

**1991 CALENDAR YEAR**

JUN 21 1993

**ACQUISITIONS**

**EXECUTIVE SUMMARY**

The purpose of this report is to provide a statistical overview of the Earned Eligibility Program for the 1991 calendar year.

This report focuses on inmates evaluated for a Certificate of Earned Eligibility prior to their initial hearing. In November 1988, the Earned Eligibility Program was expanded to inmates approaching a reappearance hearing. Due to the distinctly different nature of these cases and to avoid doublecounting, statistical data on these cases are presented in a separate chapter and are not combined with initial hearing cases for analysis purposes.

A total of 19,299 inmates were evaluated for a Certificate of Earned Eligibility and had an initial hearing before the Parole Board from January 1991 through December 1991.

**Percent Issued Certificates of Earned Eligibility.** Of this total (19,299 inmates) who were eligible for a Certificate, 69 percent (13,355) were actually issued a Certificate. Twenty percent (3,888) were denied Certificates and 11 percent (2,056) were granted noncertifiable status at the time of review, primarily due to insufficient time in programs through no fault of their own.

**Percent of Inmates With Certificates of Earned Eligibility Who Were Released By Parole Board.** Inmates who were issued Certificates of Earned Eligibility were substantially more likely to be granted parole than those denied a Certificate or those granted noncertifiable status. During this period, 84 percent of those inmates who were issued a Certificate were granted parole compared to 38 percent of those denied a Certificate and 63 percent of those granted noncertifiable status.

March 1992

## EXECUTIVE SUMMARY (con't.)

**Impact on Release Rate.** To assess the overall impact of the Earned Eligibility Program on the Department's release rate, it is necessary to account for the substantial increase in the release rate for inmates who were issued Certificates while controlling for the reduction in release rates of persons denied Certificates or granted noncertifiable status. Based on the previous 50 percent release rate at initial hearings, 10,709 initial releases were projected for the January 1991 through December 1991 Boards. The actual number of initial releases was 14,538 (an additional 3,829 releases above the projected level).

**Cost Savings.** These additional releases represent a significant savings in terms of operating and construction costs. With respect to operating costs, it is estimated that these 3,829 additional releases resulted in a savings of over \$63 million in 1991 (assuming a \$25,000 maintenance cost per inmate per year and an average hold of eight months per denial prior to EEP).

Unlike operating cost savings, construction cost savings cannot be considered to be cumulative due to ongoing population turnover. However, the Earned Eligibility Program has enabled the Department to avoid substantial construction costs by reducing the number of inmates under custody at any given time.

To estimate this construction cost avoidance savings, it is necessary to project the number of inmates who would have been released by a given point if the Earned Eligibility Program was not in effect.

Using this model, it may be projected that an additional 2,850 inmates would be under custody at the end of 1991 if the Earned Eligibility Program were not enacted. The current cost of a prototype 750 bed medium security facility is \$65 million (or \$86,000 per bed). It may, therefore, be estimated that the Earned Eligibility Program has reduced the need for capital construction by approximately \$245 million as of December 1991.

**Return Rate of Earned Eligibility Program Certificate Cases.** The purpose of the Earned Eligibility Program is to increase the number of inmates released at their Parole Board without increasing the risk to the community.

In line with this position, a follow-up study has found that the return rate of released individuals with Certificates of Earned Eligibility was significantly lower than the return rate of a pre-program comparison group.

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**EARNED ELIGIBILITY PROGRAM SUMMARY  
1991 CALENDAR YEAR**

**INTRODUCTION**

The purpose of this annual report is to provide a statistical overview of the Earned Eligibility Program for the 1991 calendar year.

This report focuses on inmates evaluated for a Certificate of Earned Eligibility prior to their initial hearing. In November 1988, the Earned Eligibility Program was expanded to inmates approaching a reappearance hearing. Due to the distinctly different nature of these cases and to avoid doublecounting, statistical data on these cases are presented in a separate chapter and are not combined with initial hearing cases for analysis purposes.

This report summarizes Earned Eligibility evaluation outcomes, parole dispositions, and program impact on release rates for individuals who appeared before the Board of Parole in 1991. The last section of the report analyzes the recidivism rate for individuals who earned certificates and were released by the Parole Board at their first hearing prior to November 1990.

A more extensive review of the Earned Eligibility Program is presented in the "Earned Eligibility Program Statistical Report July 1987 through September 1991," (December 1991). This report covers the program activities and participant characteristics from the inception of the program through September of 1991.

**Overview of Earned Eligibility Program.** The Earned Eligibility Program evaluates an inmate's program performance during his period of incarceration. This evaluation takes place prior to the inmate's initial Parole Board hearing. The results of the evaluation are provided to the Parole Board to be used in deciding whether to release the inmate or to deny parole.

The objective of the Earned Eligibility Program is to increase the rate of release for those inmates who have served their required minimum sentence and who have demonstrated an overall pattern of progress in appropriate programs. In evaluating program progress, attention is focused on the inmate's participation in programs which directly address his crime of commitment and other areas of identified needs or deficiencies (e.g. substance abuse programs, educational programs, specialized counseling). In addition to determining program appropriateness, consideration is given to the inmate's level of attendance, participation, and progress in the program and to his institutional behavior record.

There are three possible outcomes at the conclusion of the evaluation process. The inmate may be issued a Certificate of Earned Eligibility, denied a Certificate, or granted noncertifiable status. Those inmates who have demonstrated an acceptable level of progress and participation in appropriate programs are issued a Certificate. If the level of program progress and participation is unacceptable, the inmate is denied a Certificate. Inmates granted noncertifiable status are those who have been unable to participate in appropriate programs through no fault of their own. A more complete discussion of reasons used to determine Earned Eligibility status is provided in the next section.

#### **REASONS FOR EARNED ELIGIBILITY DECISIONS**

From January 1991 until the end of December 1991, there have been 19,299 inmates who have been evaluated for a Certificate and who had a Parole Board hearing during that period. Of those cases, 13,355 inmates were issued Certificates of Earned Eligibility, 3,888 were denied Certificates, and 2,056 were granted noncertifiable status.

For the 13,355 inmates who were issued Certificates of Earned Eligibility, the reason they received Certificates was based on the finding that they had participated in programs appropriate to their needs and that their levels of attendance, participation, progress and institutional behavior were acceptable.

For those persons denied a Certificate, efforts were made to document the reasons for the denial. The reasons included one or more of the following explanations:

1. Overall unacceptable level of program participation and progress,
2. Overall unacceptable level of program attendance,
3. Refusal to participate in programs or treatment recommended by Department staff,
4. Poor institutional behavior record which impacted on the inmate's ability to participate or progress in programs,
5. Other reasons.

Table 1 presents the complete distribution for the reason or combination of reasons provided for the denial of Certificates.

**TABLE 1: REASONS FOR CERTIFICATE DENIALS**

	<u>Number</u>	<u>Percent</u>
Poor Program Participation and Progress	1,292	33%
Unacceptable Level of Program Attendance	137	3%
Refusal to Participate in Programs		
Recommended by the Department	771	20%
Poor Disciplinary Record Which		
Interfered in Program Participation	1,074	28%
Poor Progress and Poor Disciplinary Record	602	16%
Poor Attendance and Poor Disciplinary Record	12	*
<b>TOTAL</b>	<b>3,888</b>	<b>100%</b>

\* Less than .5%.

As shown in Table 1, the most common reason (33%) for which inmates were denied Certificates of Earned Eligibility was based on poor program participation and progress. Poor discipline contributed to 44% of the cases which were denied a Certificate by influencing program progress, participation, or attendance.

Twenty percent of the cases were denied a Certificate due to a refusal to participate in appropriate programs. This category includes, for example, those inmates with a documented history of some type of problem often associated with their crime of commitment, such as drug abuse, who have refused to participate in a program which would address the problem, such as substance abuse counseling.

The category noncertifiable status includes those persons who through no fault of their own were unable to participate in programs. This category represents neither a positive nor a negative recommendation to the Parole Board. One or more of the following reasons were provided for persons granted noncertifiable status.

1. Insufficient time in a program to evaluate progress (i.e. in reception center, in transit, not yet assigned a program)
2. Unable to participate because of hospitalization or infirmary confinement
3. In protective custody
4. Out to court
5. Other

Table 2 presents the distribution of reasons for persons granted noncertifiable status.

**TABLE 2: REASONS FOR GRANTING NONCERTIFIABLE STATUS**

Reason	Number	Percent
Insufficient Time in Programs	1,917	93%
Hospitalization/Infirmary	65	3%
Protective Custody	18	1%
Out to Court	<u>56</u>	<u>3%</u>
<b>TOTAL</b>	<b>2,056</b>	<b>100%</b>

The majority of inmates granted noncertifiable status (93%) had insufficient time in programs to determine the level of progress made toward appropriate programming.

#### **EARNED ELIGIBILITY AND PAROLE BOARD DISPOSITIONS**

The following information describes those 19,299 persons who had a Parole Board hearing during the months of January 1991 through December 1991 and who were eligible to be evaluated for a Certificate of Earned Eligibility. Sixty-nine percent (N = 13,355) of those persons eligible to be evaluated for a Certificate were actually issued a Certificate, 20 percent (3,888) were denied a Certificate, and 11 percent (2,056) were granted noncertifiable status at the time of review.

This data is based on those cases where complete information occurred in both a computer file containing data on cases reviewed for a Certificate of Earned Eligibility and from a computer file containing information on Parole Board dispositions. Due to these necessary procedures of file integration, the number of cases in the analysis is reduced slightly. If any one file is missing information in the Parole or Earned Eligibility file or if there was any error in data entry of the inmate identification number in any file, the case was excluded from the analysis. This process allows for the most complete reporting on all cases.

Information in this section is based on individuals as opposed to number of Parole Board hearings. For example, an inmate who may have actually had three parole hearings during the timeframe represented due to postponements by the Parole Board would only be represented once. The data reflects the information pertinent at the time of the last hearing date.

Information was available on 21,417 initial hearings, representing 19,299 individuals. By counting only the last hearing outcome, the proportion of cases released increases from approximately 68 percent, if all hearings are considered, compared to 72 percent if individuals are the base of analysis.

Parole dispositions are presented in two categories, released and held. Released refers to those persons who received a straight parole date or were granted an open parole date. Held refers to those persons who were postponed or denied parole. Of the total, 19,299 persons who had been evaluated for a Certificate of Earned Eligibility and had appeared before the Parole Board during the appropriate months, 72 percent (13,967) were granted parole. Table 3 presents parole disposition according to Earned Eligibility status.

**TABLE 3: PAROLE DISPOSITION BY EARNED ELIGIBILITY STATUS**

	Released	Held	Total
Issue Certificate	84% 11,179	16% 2,176	100% 13,355
Deny Certificate	38% 1,487	62% 2,401	100% 3,888
Grant Noncertifiable Status	63% <u>1,301</u>	37% <u>755</u>	100% <u>2,056</u>
TOTAL	72% 13,967	28% 5,332	100% 19,299

As shown in Table 3, persons who were issued Certificates of Earned Eligibility were substantially more likely (84%) to be paroled than were those persons denied a Certificate (38%) or those granted noncertifiable status (63%).

## EXPANSION OF EEP TO REAPPEARANCE HEARINGS

### REAPPEARANCES

The Earned Eligibility Program was expanded to include all persons meeting the minimum sentence requirements and approaching a Parole Board hearing. Essentially, this expansion meant that in addition to evaluations being conducted for persons approaching their initial hearing, evaluations were completed for persons scheduled for a reappearance hearing before the Parole Board.

Reappearance hearings are basically represented by two groups. One group consists of those cases who had previously been denied release by the Board and were appearing for a subsequent hearing. The second group is comprised of those persons who were in the community under parole supervision and were returned to the Department for a violation of their conditions of parole or conditional release.

There were 6,244 Earned Eligibility evaluations and subsequent reappearance hearings between January through December 1991. Those 6,244 reappearance hearings involved a total of 5,941 individuals. A greater proportion (65%) of the hearings involved cases previously denied parole at one or more prior hearings. The remaining 35% of the cases were appearing before the Board as returned parole or conditional release violators.

Persons approaching a reappearance hearing must meet the same criteria as persons approaching an initial hearing to be eligible for a Certificate of Earned Eligibility. The Earned Eligibility status of persons who had a reappearance hearing in calendar year 1991 is presented according to reappearance type in the following table.

TABLE 4  
EARNED ELIGIBILITY STATUS BY REAPPEARANCE TYPE

	<u>REAPPEARANCE</u>	<u>PAROLE OR CONDITIONAL RELEASE VIOLATOR REAPPEARANCE</u>	<u>TOTAL</u>
Issue	2,172 (53%)	620 (29%)	2,792 (45%)
Denied	1,859 (46%)	306 (14%)	2,165 (35%)
Non-Certifiable Status	51 (1%)	1,236 (57%)	1,287 (20%)
<b>TOTAL</b>	<b>4,082</b> (65%)	<b>2,162</b> (35%)	<b>6,244</b> (100%)

As shown in Table 4, 53 percent of the reappearance group had been issued a Certificate compared to 29 percent of the violator reappearance group. For those cases in the returned parole or conditional release violator, their Earned Eligibility status is based on program activities since their return to the Department. Consequently, the majority of the parole and conditional release violators were in the non-certifiable category (57%). If both groups are taken together, 45 percent of the persons who appeared for a reappearance had been issued a Certificate, 35 percent had been denied a Certificate and 20 percent were found to be non-Certifiable.

Table 5 presents the parole dispositions according to Earned Eligibility status by reappearance type.

**TABLE 5**  
**PAROLE DISPOSITION BY EARNED ELIGIBILITY STATUS**  
**BY REAPPEARANCE TYPE**  
**(Parole Hearings January 1991 through December 1991)**

	REAPPEARANCES		RETURNED PV OR CRV		TOTAL	
	<u>Released</u>	<u>Held</u>	<u>Released</u>	<u>Held</u>	<u>Released</u>	<u>Held</u>
Issued	1,782 (82%)	390 (18%)	543 (88%)	77 (12%)	2,325 (83%)	467 (17%)
Denied	748 (40%)	1,111 (60%)	207 (68%)	99 (32%)	955 (44%)	1,210 (56%)
Non-Certifiable	17 (33%)	34 (67%)	1,165 (94%)	71 (6%)	1,182 (92%)	105 (8%)
<b>TOTAL</b>	<b>2,547</b> <b>(62%)</b>	<b>1,535</b> <b>(38%)</b>	<b>1,915</b> <b>(89%)</b>	<b>247</b> <b>(11%)</b>	<b>4,462</b> <b>(71%)</b>	<b>1,782</b> <b>(29%)</b>

In the reappearance category, those persons issued a Certificate were much more likely (82%) to be released than were those denied a Certificate (40%) or granted non-certifiable status (33%). In the returned parole or conditional release violator group, persons who were granted non-certifiable status were most likely to be released (94%) followed by persons who were issued a Certificate (88%). The overall release rate for persons issued a Certificate appearing at a reappearance hearing was 83 percent; for those denied a Certificate, 44 percent; and for those in the non-certifiable category, 92 percent.

## IMPACT OF THE EARNED ELIGIBILITY PROGRAM

The objective of the Earned Eligibility Program is to increase the rate of release for those persons who have served their minimum sentence and have demonstrated documentable progress in programs which address problems that have contributed to their incarceration.

As noted previously, there were 21,417 initial hearings during the study period from January 1991 through December 1991. These 21,417 hearings involved 19,299 different inmates (who were the subject of the preceding statistical analysis). As noted earlier, this difference between total hearings and total number of inmates is inclusion of postponements in the total hearing statistic. On a monthly basis, approximately 100 hearings per month were postponed to a subsequent month. These postponements are included in the monthly hearing statistics prepared by the Division of Parole and utilized by this Department.

This distinction is noteworthy at this point because the projected 50 percent release rate at initial hearings is based on the total number of hearings in 1986. To generate a valid comparison of projected and actual release rates, this section thus utilizes the total hearing number (rather than total inmates involved).

As previously stated, prior to the Earned Eligibility Program the average rate of release for persons appearing before the Board for their initial Parole Board hearing was approximately 50 percent. During the 1991 calendar year, the overall release rate increased to 68 percent for those cases eligible to be evaluated for a Certificate of Earned Eligibility. The release rate at the initial hearing for persons issued a Certificate was 80 percent, denied a Certificate 35 percent, and granted noncertifiable status 56 percent.

To evaluate the overall impact of the Earned Eligibility Program, it is necessary to account for the substantial increase in the release rate for persons who were issued Certificates of Earned Eligibility while controlling for the reduction in the release rates for persons denied Certificates or granted noncertifiable status. To calculate the actual number of additional releases generated by the Earned Eligibility Program, it is necessary to calculate the difference between the actual number of releases from what would have been expected based on a 50 percent release rate.

Table 6 presents the number of actual releases, expected releases (based on a 50 percent release rate), and the difference between these figures according to Earned Eligibility status.

TABLE 6

	EEP REVIEWS	ACTUAL RELEASES	EXPECTED RELEASES	TOTAL DIFFERENCE
Certificates Issued	14,572	11,640	7,286.0	+ 4,354.0
Certificates Denied	4,440	1,556	2,220.0	- 664.0
Noncertifiable Status	<u>2,405</u>	<u>1,342</u>	<u>1,202.5</u>	<u>+ 139.5</u>
TOTAL	21,417	14,538	10,708.5	+ 3,829.5

The total difference between actual releases and expected releases represents the number of additional releases generated by the Earned Eligibility Program. Prior to the Earned Eligibility Program, the expected number of releases was 10,708.5 cases. The actual number of releases was 14,538, resulting in an additional 3,829.5 releases during 1991.

These figures demonstrate that the Earned Eligibility Program has had a positive impact on the release rate for persons who have served their minimum terms and who have participated and progressed in appropriate programs.

**Estimated Savings.** During the period January 1991 through December 1991, the Earned Eligibility Program generated 3,829 releases over the number of releases which would have been expected prior to the program's implementation. Prior to the Earned Eligibility Program, the 3,829 would typically have been held for an additional eight months prior to their next Parole Board hearing. The savings generated by these additional releases can be estimated by the standard maintenance cost of \$25,000 per inmate per year, or a savings of \$16,666 per inmate for the estimated eight months of additional incarceration. It is estimated that the 3,829 additional releases resulted in a savings of over \$63 million in calendar year 1991.

Unlike operating cost savings, construction cost savings cannot be considered to be cumulative due to ongoing population turnover. However, the Earned Eligibility Program has enabled the Department to avoid substantial construction costs by reducing the number of inmates under custody at any given time.

To estimate this construction cost avoidance savings, it is necessary to project the number of inmates who would have been released by a given point if the Earned Eligibility Program were not in effect. Using pre-program data sets from 1986, a projection model was developed for this purpose. Using this historical data, the model estimates the number of cases who would have been released at a subsequent hearing or by conditional release prior to the Earned Eligibility Program. These subsequent releases are then subtracted from the number of additional releases generated by the Earned Eligibility Program. This procedure thus allows a projection of the net reduction in the number of inmates under custody at a given time that may be attributed to the program's operation.

Using this model, it may be projected that an additional 2,850 inmates would be under custody at the end of 1991 if the Earned Eligibility Program were not enacted. The current cost of a prototype 750 bed medium security facility is \$65 million (or \$86,000 per bed). It may, therefore, be estimated that the Earned Eligibility Program has reduced the need for capital construction by approximately \$245 million as of December 1991.

**RESULTS OF FOLLOW-UP RESEARCH  
CONCERNING INDIVIDUALS WITH  
CERTIFICATES OF EARNED ELIGIBILITY  
WHO WERE RELEASED AT THEIR INITIAL HEARINGS**

The final section of this report presents the findings to date of the Department's ongoing research on the return rates of individuals issued Certificates of Earned Eligibility who were released at their initial hearings.

**Basic Hypothesis.** It is the Department's basic position that the Earned Eligibility Program will serve to increase the number of inmates released at their Parole Board hearings without increasing the risk to the community.

From the recidivism perspective, the position is that the return rate of the increased number of released inmates issued Certificates of Earned Eligibility will not significantly exceed the return rate of preceding release populations.

As such, the working hypothesis of this preliminary study is that the return rate of the sample of released offenders issued Certificates will be approximately equal to the return rate of the Department's previous comparable release population.

**Development of Comparison Return Rate.** The generation of a baseline return rate for comparison purposes was a key element in this follow-up research.

For comparison purposes, the Bureau of Records and Statistical Analysis developed a baseline return rate using first releases from Department custody in the six months prior to the establishment of the Earned Eligibility Program (i.e. the first six months of 1987). Since the Earned Eligibility Program was not initiated until mid-July 1987, these releases do not include any cases evaluated for Certificates.

The Board's approval rate was approximately 50 percent (48%) for the initial hearings in the first six months of 1987. As such, this cohort represents a valid comparison group concerning the impact of an increase in the Board's release rate at initial hearings upon return rates.

To maximize the comparability of this cohort of early 1987 releases, individuals in this cohort who had minimum sentences over six years (who would have been ineligible for the Earned Eligibility Program) were excluded from consideration in developing the baseline rate.

Return rates were calculated from the respective release dates for 51 months. The resulting return rates were then grouped into monthly categories. Table 7 presents the proportion of cases returned according to months of exposure.

TABLE 7

<u>MONTHS SINCE RELEASE</u>	<u>CUMULATIVE PERCENT RETURNED</u>
12	12.1%
13	14.0%
14	16.1%
15	17.7%
16	19.5%
17	21.2%
18	23.3%
19	25.0%
20	26.5%
21	28.1%
22	29.7%
23	30.9%
24	32.5%
25	33.8%
26	35.1%
27	36.2%
28	37.4%
29	38.3%
30	39.1%
31	39.8%
32	40.4%
33	41.1%
34	41.5%
35	42.2%
36	42.9%
37	43.5%
38	44.0%
39	44.4%
40	44.8%
41	45.3%
42	45.6%
43	45.9%
44	46.3%
45	47.0%
46	47.3%
47	47.7%
48	48.0%
49	48.3%
50	48.5%
51	48.7%

Similar to previous Department recidivism research, a follow-up period of 12 months is utilized as a standard minimum follow-up period. This period of follow-up avoids fluctuations in return rates due to changes in criminal justice system processing time.

**Follow-Up Procedure for Earned Eligibility Certificate Cases.** In an effort to achieve the greatest degree of validity, the same follow-up methodology was applied to the tracking of inmates issued Certificates of Earned Eligibility.

**Sample of Individuals Issued Certificates of Earned Eligibility Released.** This research tracked individuals issued Certificates of Earned Eligibility who were paroled from the Department between July 1987 through October 1990. Inmates who participated in the Shock Incarceration Program who had received Certificates of Earned Eligibility were excluded from the release sample. Participants in the Shock Program have been tracked separately and compared to a population of offenders matched on specific characteristic criteria. (For a complete discussion see "Fourth Annual Report to the Legislature Shock Incarceration - Shock Parole Supervision," of Correctional Services (DOCS), Division of Program Planning, Research and Evaluation.) The release cohort excluding Shock cases was followed through October 31, 1991, which allows for a minimum follow-up period of 12 months.

**Comparison of Projected and Actual Return Rates.** The following table indicates that 26,126 individuals issued Certificates of Earned Eligibility were released in the community for a minimum of 12 months as of October 31, 1991. Based on the return rates of releases during the first six months of 1987, it may be projected that 9,102 of these 26,126 would be expected to return as of October 31, 1991. In actuality, 8,070 cases returned (1,032 less than projected).

TABLE 8

MONTHS SINCE RELEASED	NUMBER RELEASED	PROJECTED RETURN RATE	PROJECTED NUMBER OF RETURNS	ACTUAL NUMBER OF RETURN
12	758	12.1%	92	60
13	885	14.0%	124	105
14	702	16.1%	113	69
15	799	17.7%	141	121
16	809	19.5%	158	141
17	650	21.2%	138	87
18	767	23.3%	179	134
19	799	25.0%	200	161
20	785	26.5%	208	157
21	753	28.1%	212	176
22	752	29.6%	223	195
23	877	30.8%	270	235
24	770	32.4%	249	212
25	863	33.7%	291	233
26	723	35.1%	254	216
27	668	36.2%	242	219
28	629	37.4%	235	199
29	613	38.3%	235	196
30	654	39.1%	256	200
31	598	39.8%	238	207
32	656	40.4%	265	211
33	576	41.1%	237	193
34	588	41.5%	244	203
35	636	42.2%	268	225
36	576	42.9%	247	231
37	681	43.5%	296	299
38	707	44.0%	311	283
39	663	44.4%	294	307
40	581	44.8%	260	230
41	560	45.3%	254	225
42	592	45.6%	270	272
43	632	45.9%	290	290
44	680	46.3%	315	324
45	627	46.6%	292	321
46	623	47.0%	293	287
47	547	47.3%	259	251
48	626	48.0%	300	274
49	496	48.3%	240	216
50	220	48.5%	107	101
51	5	48.7%	2	4
TOTAL	26,126		9,102	8,070

**Statistical Difference.** A chi-square test was applied to determine if the differences in returns was statistically significant. The difference between expected and actual returns was significant at the  $p < .01$  level.

**Significantly Lower Return Rate of Earned Eligibility Program Certificate Cases.** Tests of statistical significance are used in determining if an observed difference may be reasonably attributed to random fluctuations or to a real difference between the two groups. In this case, the observed difference of 1,032 cases between the projected and actual number of returns among a release population of over 26,000 individuals was found to be statistically significant. Stated another way, this difference would not be expected to occur by chance alone and is attributable to a real difference in the release populations.

Based on this finding, the researcher may conclude that the return rate of this sample of Earned Eligibility Certificate cases is significantly lower than the return rate of the pre-program comparison group.

It may, therefore, be summarized that the Earned Eligibility Program is generating a substantial number of additional releases without significantly increasing the risk to the community.