Biennial Report

The United States Board of Parole

July 1, 1970

to

June 30, 1972

DEPARTMENT OF JUSTICE
Washington, D. C.

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UNITED STATES DEPARTMENT OF JUSTICE

RICHARD G. KLEINDIENST, *Attorney General*

UNITED STATES BOARD OF PAROLE

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GERALD E. MURCH
MAURICE H. SIGLER
(Vacancy)

WILLIAM E. AMOS, *Chairman, Youth Correction Division*
PAULA A. TENNANT
WILLIAM T. WOODARD, JR.

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LETTER OF TRANSMITTAL

United States Board of Parole
Washington, D. C., May 1, 1973

HONORABLE RICHARD G. KLEINDIENST
Attorney General of the United States

Sir:

I have the honor to submit herewith the Biennial Report of the United States Board of Parole for the fiscal years ending June 30, 1971 and 1972.

Respectfully,

MAURICE H. SIGLER
Chairman

INTRODUCTION

This Biennial Report describes the activities of the United States Board of Parole and its Youth Correction Division for the fiscal years ending June 30, 1971 and 1972. This was a period of progress in reaching the goals established during an earlier period of reorganization. The Board was presided over during the entire biennium by Chairman George J. Reed. He relinquished that position on the last day of fiscal year 1972. At the close of his period of leadership the Board was looking forward to further reorganization and greater progress toward reaching the previously established goals.

The Board's Examiner staff was raised to eight persons during the biennium, and their presence in the field enabled the Board Members to remain in Washington on a more permanent basis. This shortened the time required to arrive at a parole decision. Research on improved decision-making begun in 1970 by the National Council on Crime and Delinquency continued and the initial results seemed to indicate that better parole decisions were being made. This was evidenced by the fact that although the number of paroled prisoners increased during the two year period of this Report, the number of parole violators decreased.

The biennium was also characterized by an increased emphasis on community treatment of releasees and by increased attention to legal safeguards for both parole applicants and alleged parole violators.

PART ONE

THE BOARD

The United States Board of Parole was created by Congress in 1930. Amendments to the federal statutes through the years have resulted in the present Board of eight Members who are appointed by the President, by and with the advice and consent of the Senate. Members serve six-year, overlapping terms, and may be reappointed. The Board has exclusive parole jurisdiction over all federal prisoners wherever confined, and continuing jurisdiction over those who are released on parole or on mandatory release in accordance with the federal "good-time" statutes. The Board issues a release certificate for each parolee and may issue a warrant for his return if he violates the regulations established by the Board governing his behavior in the community. The Board has similar authority over mandatory releasees who violate the terms of their release since they are released "as if on parole."

In 1950 Congress created a Youth Correction Division within the Board. That Division has specific powers with regard to the Federal Youth Corrections Act which was also enacted that year. Any Member of the Board may be designated by the Attorney General to serve on the Division. The Chairman of the Board and the Chairman of the Division are designated by the Attorney General.

THE BOARD MEMBERS

GEORGE J. REED, *Chairman* (Oregon)

Mr. Reed was Chairman of the Board during the entire period covered by this Report. He became Chairman on May 12, 1969, immediately after his reappointment to the Board after an absence of more than four years. He had previously served on the Board between 1953 and 1965. During that time he served four years as the first Chairman of the Youth Correction Division and later served another four years as Chairman of the Board. He was succeeded as Chairman on July 1, 1972 by Mr. Maurice H. Sigler.

Mr. Reed, a graduate of Pasadena College, did graduate study in sociology and criminology at the University of Southern California. He is a Fellow of the American Society of Criminology. In California he was a deputy probation officer for Los Angeles County and a field director for the California Youth Authority. In Minnesota he was the deputy director of the Youth Conservation Commission.

During his absence from the Board he was the chief probation

and parole officer for the State of Nevada, professor of criminology at the College of Sequoias, and Director of the Lane County Juvenile Court in Eugene, Oregon.

WILLIAM E. AMOS, *Chairman,* Youth Division (Arkansas)

Mr. Amos was appointed to the Board July 17, 1969. He was designated Chairman of the Youth Correction Division on May 1, 1972, replacing Mr. William F. Howland, Jr., who retired April 30, 1972.

Mr. Amos graduated from the State College of Arkansas where he earned a BSE degree. Subsequently, he was awarded an MA degree from the University of Tulsa. After attending the University of Maryland, he was awarded a Master's degree and a Doctorate degree in education. He also received a certificate as a School Psychologist from American University. His majors are in guidance and counseling and human development.

Mr. Amos has served as a psychologist for a child guidance clinic and was a principal and superintendent of public schools in Arkansas. While serving in the United States Army he was Director of Education at the United States Disciplinary Barracks. As a civilian he was a Special Agent in the United States Secret Service. He then became Superintendent of the Cedar Knoll School, a District of Columbia institution for juvenile delinquents. He also served as Assistant Director of the President's Commission on Crime for the District of Columbia. Immediately before his appointment to the Board of Parole he was the Chief of the Division of Counseling and Test Development in the United States Department of Labor.

CURTIS C. CRAWFORD (Missouri)

Mr. Crawford was appointed to the Board on November 9, 1970, replacing Mr. Zeigel W. Neff whose term had expired. Mr. Crawford received an AB degree from West Virginia State College and an LL.B degree from Lincoln University at Jefferson City, Missouri.

He engaged in private law practice until he was appointed Assistant Circuit Attorney for the City of St. Louis in 1956. After six years in that post, he became Chief Trial Assistant in the same office. For two years he sat as a provisional judge in the St. Louis Court of Criminal Corrections. In 1965 he became the Director of the Legal Aid Society of the City and County of St. Louis before he returned to private law practice in 1967. Just prior to his appointment to the Board he was the District Director of the office of the Small Business Administration in St. Louis.

GERALD E. MURCH (Maine)

Mr. Murch received his original appointment to the Board in 1955. He has received three successive reappointments since that time. He served two years as Chairman of the Youth Division. He has also been a Member of the Division during his tenure.

He is a graduate of the Wilton Academy and the University of Illinois. He was employed in the Department of Institutions of the State of Maine between 1933 and 1943. In that organization he was a parole officer for the State School for Boys. During World War II he was a Lieutenant in the United States Navy. Following his discharge he became a parole officer and was promoted to Chief Parole Officer and Executive to the parole board of the State of Maine.

MAURICE H. SIGLER (Nebraska)

Mr. Sigler was appointed to the Board on August 3, 1971 and was designated Chairman of the Board July 1, 1972, replacing George J. Reed.

Mr. Sigler attended the South Dakota State College for one year. He began his career in 1939 as a correctional officer in the Bureau of Prisons institutions located at Leavenworth, Kansas and Seagoville, Texas. In 1952 he became Warden of the Louisiana State Penitentiary. Six years later he was employed by the Florida Division of Corrections briefly and in 1959 was appointed Warden in the Nebraska State correctional system. In 1967 he was elevated to the post of Director of the Nebraska Division of Corrections and remained there until 1971 when he joined the United States Board of Parole. At the time of his appointment he was the President of the American Correctional Association.

PAULA A. TENNANT (California)

Mrs. Tennant was appointed to the Board on November 9, 1970, replacing Mrs. Charlotte Reese whose term had expired. She has served on the Youth Division since her appointment.

Mrs. Tennant received an LL.B degree from the Lincoln University Law School at San Francisco in 1954. She has served as an Assistant United States Attorney in the territory of Alaska, Deputy District Attorney, and District Attorney of Lassen County, California. She returned to private law practice in California until she was appointed to the California Youth Authority Board in 1968. She remained in that position until she received her current appointment. She also served in the Navy for three years.

WILLIAM T. WOODARD, JR. (North Carolina)

Mr. Woodard was appointed to the Board in 1966 as a Member of the Youth Division, where he continues to serve.

Mr. Woodard is a graduate of the University of North Carolina. He also completed one year of graduate work in Social Work at that University. He was a teacher in the North Carolina public schools for four years, and then became a caseworker for the state's Department of Public Welfare. He was promoted to the position of superintendent of a county division of that department, which position he held for a period of ten years. He was appointed Chief United States Probation Officer for the Eastern District of North Carolina in 1951. He remained in that position until appointed to the United States Board of Parole.

RELATED AGENCIES

The Board, on a cooperative basis, uses the services of staff employed by the Federal Bureau of Prisons who are assigned to the correctional institutions throughout the Nation. That staff prepares classification summaries, progress reports and other reports concerning parole applicants.

Field supervision of released prisoners is provided by United States Probation Officers who are employed by the United States District Courts. According to statute, they function as "parole officers" for federal prisoners. Reports concerning the adjustment of parolees and mandatory releasees are prepared and submitted to the Board by those officers.

PART TWO

THE BOARD'S PROGRAM

PROGRAM HIGHLIGHTS

The following are the highlights of the activities of the Board during the fiscal years 1971 and 1972.

- The Board's reorganization was exemplified by the issuance of new Rules. Included was a procedure for *en banc* appellate reviews.
- An unparalleled study of Board actions provided a set of selective factors as an aid to parole decision-making.
- New legislation provided free court-appointed attorneys for certain indigent parolees who denied violating parole.
- Use of community treatment centers for parolees in need of short-term care or treatment was made possible by new legislation.
- The Board's Examiners operated at full staff of eight persons.
- The time required to process a parole decision decreased to an average of 32 days. Experimentation with electronic transmission equipment at year-end promised an even greater reduction in time lag.
- Experimentation attempted to develop a method for furnishing the reasons why parole was denied.
- A new drug abuse law provided for "special parole terms" following the regular sentence.
- A policy was developed for use of methadone to control heroin addiction for selected parolees.
- Hearings were held in certain state institutions housing female federal prisoners.

NEW RULES OF PROCEDURE

The Board published new Rules, effective January 1, 1971. These replaced the Rules published in 1965. The new publication described the Board's operations pursuant to recent legislation such as the Narcotic Addict Rehabilitation Act and statutory authority for use of community treatment centers. It also described the procedure for parole revocation proceedings and reviews of outstanding violator warrants to comply with new court rulings. Further, it brought up-to-date the procedures used by the Youth Correction Division.

Most importantly, the Rules set forth in detail an entirely new procedure for providing appellate review for prisoners who had

been denied parole. Such reviews may be conducted either "on the record" or in *en banc* sessions of the Board when it receives new information of significance relative to the possibility of parole. Such reviews may be scheduled by the Board following prescribed waiting periods. *En banc* consideration of certain cases also may be held at the first consideration in exceptional cases, such as where the offense consisted of violation of national security; where it was a key part of organized crime, was of national or unusual interest or consisted of major violence; or where the sentence is forty-five years or longer. During 1971 the Board conducted 166 appellate or *en banc* hearings and during 1972 conducted 184 such hearings.

RESEARCH STUDY OF DECISION-MAKING

A three year parole decision-making study funded by a grant from the Law Enforcement Assistance Administration in 1970 continued during the biennium. The study, conducted by the National Council on Crime and Delinquency, was designed as a collaborative effort to explore how information in a case file is used for parole decision-making and to develop improved models for the study are: (1) develop a data base and an ongoing information systematic use of parole experience. Four primary goals of the system concerning federal offenders and parole decisions; (2) use the data base to compare a number of parole "prediction" methods, and from these select one for operational use by the Board of Parole; (3) explore the factors associated with decisions for or against parole so that parole decisions may be described and made more equitable; and (4) experiment with an on-line computer system for the rapid processing and retrieval of this type of information.

Analyses to provide both prediction methods and paroling policy are progressing. A salient factor (prediction) table has been approved by the Board for use on an experimental basis and an experiment to evaluate this usage is being conducted. The weights given to these major focal concerns in the parole decision (offense severity, prognosis, and institutional performance) have been identified, and a set of paroling policy guidelines to aid in making equitable decisions is being developed for experimental use. The coding of more than 8,000 case files for the computerized analyses required is nearing completion and an information system to meet the needs of the Board of Parole has been designed. Cooperation from the Federal Bureau of Investigation has been obtained by their provision of copies of the *Record of Arrest* ("rap sheet") on released prisoners. The outcomes of those persons while in the community thus may be determined. A full time research criminol-

ogist has been hired by the Board to develop a research unit to carry on the work begun by this study. His unit will also conduct other research into Board policies and procedures so that parole practices generally may be improved through the use of a scientific approach.

COURT APPOINTED ATTORNEYS

The Board has permitted attorneys and witnesses to be present at revocation hearings since 1963 when the landmark decision of *Hyser v. Reed* was handed down by the United States Circuit Court of Appeals for the District of Columbia. Two 1970 decisions in the United States Court of Appeals in the Tenth Judicial Circuit held that since the Board allows voluntary attorneys at revocation hearings, the Board must also, under certain conditions, provide an attorney for an indigent person contesting his violation charges. Before final disposition of those two cases the Board supported, and Congress enacted, a revision in the federal Criminal Justice Act to permit a court to appoint counsel for indigent parolees who contest the charges placed against them by the Board. This revision became effective February 11, 1971. The Board, in cooperation with the Administrative Office of the United States Courts, developed new procedures and forms were revised or created to carry out the law's intent. The effect of this change was an increase in the number of revocation hearings held with attorneys present. There were 34 such hearings in fiscal year 1971 and 146 in fiscal year 1972.

Shortly after the close of fiscal year 1972 the Supreme Court (in the case of *Morrissey v. Brewer*) ruled that alleged violators also have the right, in some cases, to confront adverse witnesses who supplied information used as a basis for their violation charges. Experience under that ruling will be described in the Board's next Annual Report.

USE OF COMMUNITY TREATMENT CENTERS FOR PAROLEES

The Federal Bureau of Prisons has operated community treatment centers in various cities throughout the Nation for several years. The use of such centers has been restricted by law, however, to prisoners awaiting release from an institution. Congress enacted legislation on October 22, 1970 to permit the Board to impose a special condition requiring a person under its jurisdiction on parole or mandatory release to participate temporarily in a program operated by a Bureau of Prisons community treatment center or a center under contract to the Bureau of Prisons. This resource is

used when a releasee is without adequate personal resources for short term residence or who needs time to replan his immediate future. In this manner it is often possible to salvage a person without the necessity of violation procedures and return to a prison.

The same legislation enabled the courts to place probationers in the centers, and that provision has been used even more extensively than the one relating to parolees and mandatory releasees. The court will often forego a sentence to an institution if a center placement is available and feasible.

TIME REQUIRED TO PROCESS A PAROLE DECISION

Traditionally the Board has had difficulty reducing the time lag between the time of the personal interview with the parole applicant at the institution and the time a notice of the Board's decision is mailed to him. This is an especially anxious time for the prisoner and inmate morale generally suffers when there is a long delay in Board processing time. The Board has long been aware of this problem and has tried several approaches to solve it. The more important advances have been made during the past two years. Until recently, most of the interviews were conducted by the Members themselves. Since they were frequently in the field there was always a backlog of cases awaiting their return to headquarters. Since only Members are authorized to make the parole decision, delays were inevitable so long as the Members were required to spend up to half of their time outside their offices. A second reason for the delay was the time it required shorthand reporters to transcribe the Hearing Members' summaries and mail them to Washington. A review of these summaries by the Members was judged to be vital to a parole decision.

During the past two years the Board increased its staff of Hearing Examiners to the eight authorized by Congress. A hearing schedule was devised to permit them to conduct most of the hearings while the Members remained at their desks to decide cases. Coupled with insistence upon a more speedy transcription of the Examiners' summaries, the Board was able to reduce the time lag to an average of 32 days, as compared to an average of two to three months in recent years.

Rather than to accept the fact that the lag of 32 days was irreducible, the Board, near the end of fiscal year 1972, began an experiment with newly installed electronic equipment capable of extremely speedy transmission of data between the institution and Board headquarters. Using this Bureau of Prisons equipment it was found to be possible to transmit the Examiner's summaries within the same 24 hour period they were dictated.

With full use of an adequate Examiner staff and with nationwide use of electronic transmission equipment it is now possible for the Board to reach parole decisions within a few days from the time any hearing is held. This is true from any institution in the country since distance is not a factor when using the new equipment, and since Members are now available to decide for or against parole as soon as the summaries arrive at their desks. Notices to the inmates can be relayed at once through use of the same electronic equipment which transmitted the hearing summaries. Further development of these new procedures was continuing as the new fiscal year began.

FURNISHING OF REASONS FOR PAROLE DENIAL

The Board is not required to furnish the reasons when it does not parole a prisoner. The statutory guidelines for parole which the Board follows are: (1) the prisoner must have observed the rules of the institution; (2) there must be a reasonable probability that he will live and remain at liberty without violating the laws; and (3) in the opinion of the Board his release is not incompatible with the welfare of society. The Board has, in addition, adopted a more exhaustive list of factors which it takes into consideration when parole is considered. These involve the offense, the sentence, the prior criminal history, behavior changes, personal and social history, the institutional experience, community resources available, and general personal adjustment. Scientific tools and data used in the diagnosis and description of the prisoner are routinely used by the Board. More recently the scientific "selective factors" developed by the research study on decision-making has made the parole decision even more refined.

During the past biennium a case was filed in the United States District Court for the District of Columbia (*Childs v. U.S. Board of Parole*). Among the claims made in this "class-action" against the Board was a demand for the denied prisoner to be furnished the reasons why he was denied parole. The matter is still pending in court.

Both before and since the filing of the *Childs* case, the Board has endeavored to devise some effective and equitable, as well as practical, method of informing a prisoner the reasons why he was not paroled. During fiscal year 1972 the Board devised a list of reasons why parole might be denied, and these were used in two institutions for several months to test their feasibility. In each case the appropriate reason was checked on a sheet created for this purpose. Despite changes in the wording of the reasons, the Board ultimately concluded that a better method should be formu-

lated, and the experiment was abandoned in favor of more study of the problem and experimentation along different lines.

As described earlier in the preceding section, an early decision for or against parole is now possible by extensive use of Examiners and through use of electronic transmission data from any part of the country. Accordingly, the Board's decisions may now be reached quickly enough to have the decision, as well as the reasons for a denial, in sufficient time for the Examiner at the institutions to personally advise the rejected applicant before he leaves the institution. Further experimentation along this line was planned for the fiscal year following the period covered by this Report, and it is under way.

NEW DRUG LAWS

The Drug Abuse Prevention and Control Act became effective May 1, 1971. It ameliorates many of the stringent penalties of previous laws designed to control drug traffic and use. Whereas those laws sometimes precluded parole entirely, the new Act not only authorizes regular parole at the discretion of the Board, it also provides that the court impose a mandatory "special parole term" to begin at the end of the regular sentence. The length of such "special parole terms" varies according to the severity of the offense. This provision will result in long periods of supervision to help assure that a drug addict does not revert to drug usage. This new law provides penalties for abuse of the many dangerous drugs currently in general use, as well as marihuana and heroin.

Pursuant to this new legislation, the Board has cooperated with the Bureau of Prisons to use the services of community based resources which have been developed to assist a drug user released from an institution. Where indicated, the Board imposes a special condition requiring the releasee to participate in a treatment program, which usually includes submission to regular urinalysis to detect any return to narcotics or dangerous drugs. Use of such local community programs is a joint effort between the Bureau of Prisons, the Board of Parole and the Probation Division and its field officers.

USE OF METHADONE

The primary goal in treatment of heroin addiction is total abstinence not only from heroin but also from all other substitute drugs. The ultimate goal is the achievement of the ability to pursue one's life goals without the crutch of any form of drug use. In some instances, however, an individual cannot accomplish this goal

and instead becomes a threat to himself and those around him. He fears he may revert to heroin use and knows that if he does so he must then commit criminal acts to support his addiction. He is aware of a substitute drug, methadone, which he can use regularly, and he often requests permission to use this as a substitute for heroin.

The advantages of methadone are that the side effects of heroin usage are absent and the individual can continue his employment and personal life in a relatively normal manner. Since methadone can be provided to him very cheaply it is not necessary for him to steal to obtain it. The disadvantage is that he is still addicted—even though to a less dangerous drug. In cases where the use of methadone seems to be the most feasible alternative, the Board authorizes its use, if it has been provided with medical advice and recommendations from field staff working directly with the releasee.

Under new guidelines recently issued by the United States Government, methadone is no longer considered to be an experimental drug and can be dispensed only by closely controlled and licensed medical clinics. The occasional indiscriminate and unwise use of the drug which sometimes occurred in the past should now be eliminated. Closer control over the supply should also reduce the dangerous and expensive bootleg traffic of the drug on the open streets.

HEARINGS IN STATE INSTITUTIONS

The Bureau of Prisons has found it necessary to contract with state institutions to house female prisoners. This was brought about by the crowded conditions at the Bureau's facilities at Alderson, West Virginia and at Terminal Island, California which normally house almost all the federal female prisoners. The number of women placed in a state institution became substantial enough for the Board to decide to travel directly to some of those state institutions to conduct parole hearings. The alternative would have been to continue the practice of arriving at a parole decision solely on the basis of a study of the file material. During the past year, the Board has regularly held hearings for federal females confined in the state institutions at Frontera, California; Salem, Oregon; Canon City, Colorado; and Muncy, Pennsylvania.

PART THREE

THE FEDERAL PRISONER

The Board has parole authority over all federal prisoners wherever confined. The vast majority of them are confined in Federal Bureau of Prisons institutions, although some are in state or local institutions where they are either serving concurrent state-federal terms or serving very short sentences for which the Bureau of Prisons contracts with a local institution rather than transport them to a fedeal institution. Military personnel convicted by court-martial who may be transferred to a federal prison become federal prisoners and thus are under the parole authority of the Board. Clemency authority is retained by the military authorities in these cases.

TYPES OF SENTENCES

Federal courts have a variety of alternatives in sentencing persons convicted of offenses against the United States. The most commonly used sentence procedures are described below:

Adult sentences: "regular"

The court specifies the maximum time, up to a limit prescribed by law, to be served. Parole may be granted after service of one-third of the maximum. (Sec. 4202, Title 18 U.S.C.)

Adult sentences: "indeterminate"

The court specifies the maximum time, up to a limit prescribed by law, to be served. Parole may be granted at any time. In a few instances, the court also specifies the minimum time to be served (which must be less than one-third of the maximum). (Sections 4208(a)(1) and (a)(2), Title 18, U.S.C.)

Youth Corrections Act commitments (YCA)

The court commits under the terms of the Act which provides for parole at any time, but not later than four years of a six-year term. (Section 5010, Title 18, U.S.C.)*

Juvenile Delinquency Act commitments

The court commits for a definite term or until age 21. In no case may the term run beyond age 21. Parole may be granted at any time. (Section 5037, Title 18, U.S.C.)

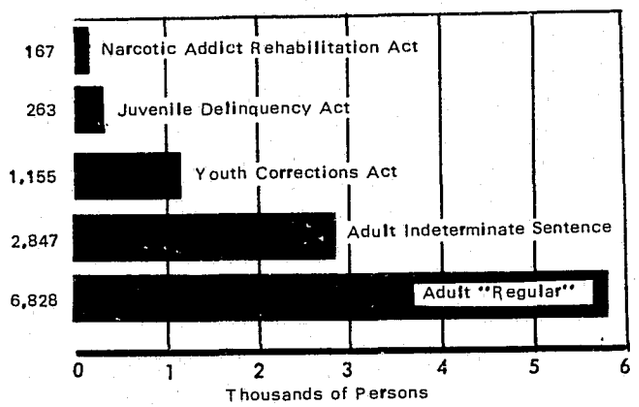
*Under an exception of the Act (Section 5010(c)), the court may commit for a term longer than six years; and parole must then be granted no later than two years before the maximum term imposed.

Narcotic Addict Rehabilitation Act commitments (NARA)

Under Title II of the Act, the court commits to an indeterminate term not to exceed 10 years or the term specified by law for the offense committed. Parole may be granted to an after-care program after six months of institutional treatment. (Section 4254, Title 18, U.S.C.)

Chart I

Commitments by the Court to Federal Institutions by Type of Sentence Imposed, Fiscal Year 1972



Does not include "split-sentences" which provide for confinement plus probation.

INDETERMINATE TYPES OF SENTENCES

More than half of the commitments by the courts are for adults who receive a maximum term with statutory parole eligibility established at one-third of the maximum term imposed. This was the traditional method of sentencing before passage of the Juvenile Delinquency Act and the Youth Corrections Act which provided for parole at any time after the sentence began. In later years Congress enacted legislation permitting the optional use of indeterminate sentencing for adults, as well as juveniles and youths. Under the provisions of Section 4208, Title 18, U.S.C., the court may commit an adult to a maximum term to be served and then either establish a minimum time to serve or specify that the Board of Parole shall deterine the parole eligibility date. Table 1 illustrates the fact that the courts seldom use the first of the above options, preferring that the Board exercise its own judgment in this regard. Use of this latter provision makes it possible for the Board to make exceptions to the traditional one-third restriction in cases where a

prisoner is especially deserving or where unusual circumstances occur during the running of the term. In practice the Board makes a determination of optimum time for release without regard to the type of sentence imposed by the court, relying instead on the individual's needs and other relevant factors affecting the particular prisoner.

TABLE 1.—COMMITMENTS UNDER INDETERMINATE SENTENCING, BY METHOD OF DETERMINING PAROLE ELIGIBILITY DATE, FISCAL YEARS 1968 TO 1972.

Year	*Court determined Sec. 4208 (a)(1)*	*Board determined Sec. 4208 (a)(2)*	*Total*
1968	56	2,099	2,155
1969	28	2,265	2,293
1970	29	2,544	2,573
1971	51	2,551	2,602
1972	88	2,847	2,935

The court has little sentencing discretion when a juvenile appears before it for commitment, but has considerable latitude in the case of an adult. A young adult may be committed under any of the adult sentencing statutes or under the Youth Corrections Act. An adult over age 25 must be committed under either the indeterminate or regular sentencing statutes, unless he qualifies as a narcotic addict. In those cases the court may impose a sentence under the Narcotic Addict Rehabilitation Act. In using any of the commitment types where parole is left to the discretion of the Board of Parole, the court understands that such a commitment is not a mandate for parole, but rather is an acknowledgement that the Board is in the best position to judge the proper time for release in light of the institutional treatment program and the individual's progress, as well as other pertinent factors. Table 2 shows the extent to which the courts have sentenced adults to terms with fixed parole eligibility or to terms with indeterminate parole eligibility.

TABLE 2.—COMMITMENTS OF ADULT PRISONERS TO DEFINITE SENTENCES AND TO INDETERMINATE SENTENCES, FISCAL YEARS 1968 TO 1972.

Year	*Definite*	*Indeterminate**	*Percent Indeterminate*
1968	6,905	2,009	22.2
1969	5,994	2,265	27.4
1970	5,880	2,544	30.2
1971	6,602	2,693	29.0
1972	6,916	3,014	30.4

*Includes NARA commitments beginning in 1971. Does not include juveniles or youth offenders.

LENGTH OF SENTENCES

The length of the maximum term imposed by the courts varies considerably according to the type of sentence procedure used. Apparently, the courts feel that a longer maximum term is appropriate when parole is a good possibility, such as under the indeterminate sentence laws or under the Narcotic Addict Rehabilitation Act (NARA). In practice, the Board does parole a higher percentage of those prisoners sentenced to longer terms under the indeterminate and NARA procedures (See Table 10). As will be seen, however, the number of months served in confinement by those who receive parole does not differ remarkably regardless of sentence procedure (See Table 12). The result, therefore, is that the time spent in the community under parole supervision tends to be longer for those who receive an indeterminate or NARA commitment than it is for those who receive "regular" sentences.

TABLE 3.—AVERAGE LENGTH OF SENTENCE IMPOSED BY THE COURTS, ADULT PRISONERS, BY TYPE OF SENTENCE, FISCAL YEARS 1968 TO 1972.

Year	*"Regular" adult (months)*	*Indeterminate (Sec. 4208(a)(2)) (months)*	*NARA (months)*
1968	42.2	62.2	89.2
1969	41.8	65.2	94.8
1970	42.3	65.3	89.6
1971	39.2	67.3	86.4
1972	38.6	68.8	94.6

TYPES OF OFFENSES

Federal prisoners are distinguishable from prisoners in state institutions primarily by the nature of the offenses they commit. Federal prisoners have violated a law of the United States, and these more often than not are violations against property rather than a person. Bank robbery and violent crime on government property are notable exceptions, however. Certain crimes may be prosecuted under either federal or state law. Bank robbery may be a federal offense if the bank is federally insured, and most banks are. Auto theft is a state offense, but transportation of the stolen auto across a state line is a federal offense. There has been a recent decrease in federal prosecutions of this type of offense, in deference to state prosecution. Some offenses such as immigration law violations, selective service law violations and counterfeiting of money are purely federal in nature. Table 4 illustrates the major types of offenses and the number of persons committed to federal instiutions during fiscal year 1972.

TABLE 4.—COMMITMENTS BY THE COURTS TO FEDERAL INSTITUTIONS, BY TYPE OF OFFENSE, FISCAL YEAR 1972.

Offense	*Number Committed*	*Percent*
All offenses	12,650	100.0
Drug laws	2,406	19.0
narcotics	(1,054)	
marihuana	(793)	
other dangerous drugs	(559)	
Immigration laws	1,601	12.7
Auto theft (transport)	1,357	10.7
Crimes of force[1]	1,229	9.7
White-collar crimes[2]	998	7.9
Forgery	620	4.9
Theft, postal	608	4.8
Counterfeiting	505	4.0
Liquor laws	464	3.7
Theft, interstate commerce	405	3.2
Selective service laws	304	2.4
Juvenile delinquency	264	2.1
Other offenses[3]	1,889	14.9

[1] Includes assault, kidnapping and robbery.
[2] Includes bankruptcy, embezzlement, fraud, income tax, and securities.
[3] Includes all federal offenses not listed separately.

Inspection of Table 4 shows that auto theft dropped to third place from the first place position it held for many years. The number of immigration law violators has almost doubled in the past two years, and drug laws have more than doubled in the same time span.

STATISTICAL HIGHLIGHTS

The following are the statistical highlights of the Board's actions during fiscal years 1971 and 1972.

- The "success ratio" of parole releases and violations rose during 1971 and 1972. The ratio in both 1971 and 1972 was 72 percent, compared to 60 percent in 1970.
- The percent of the Board's final decisions for parole of all adult prisoners in 1972 was exactly 50 percent.
- NARA prisoners received parole in 90 percent of the Board's final decisions; prisoners committed to indeterminate sentences received parole in 58 percent of the decisions; and prisoners committed under "regular" adult terms received parole in 44 percent of the decisions.
- The average time served by adults before release on parole in fiscal year 1972 was about 25 months. By contrast, NARA prisoners served an average of 18 months and YCA prisoners served an average of 20 months before parole.
- Persons convicted of crimes of force served an average of 56 months before being paroled in 1972. At the other extreme, immigration law violators served an average of 11 months before parole.

PART FOUR

BOARD ACTIONS

HEARINGS AND REVIEWS

HEARINGS

Each prisoner with a sentence of more than one year is afforded at least one personal parole hearing in the institution where he is confined. Those with sentences of one year or less are considered solely on the basis of a study of their file. This is done in the interest of time and to assure that there is no undue delay in arriving at a decision relative to those "short-termers." Other prisoners with regular adult commitments are heard by a Member or Examiner of the Board shortly before one-third of the maximum term occurs. Some are given initial hearings within a few months after their arrival with follow-up hearings or other types of review as scheduled by the Board. No one is continued without review for a period longer than three years; and no one is continued without a personal interview more than five years. The Board's decision following each review is to:

(a) grant parole and set an effective date,
(b) continue to a later time, with a review either by personal hearing or a progress report,
(c) continue to expiration of the term.

A prisoner who is not granted a parole normally is released from the institution earlier than his maximum term date according to the "good-time" credits he has earned. If he has more than 180 days remaining on his term when he is released he is said to be a "mandatory releasee" because the federal statutes require such a release except in instances of gross misconduct in the institution. Mandatory releasees come under the jurisdiction of the Board as if on parole, and are subject to the same conditions of continued release as are parolees. The sole difference is that mandatory releasees are not supervised during the last 180 days of their term. If effect, the sentence ends on that date.

Present at a parole hearing in addition to the parole applicant and the Board Member or Examiner is the applicant's caseworker and a shorthand reporter (or a mechanical recording device). The prisoner's file is studied just before each interview, and the Hearing Member or Examiner dictates a summary following each interview. The summary is transcribed later and mailed to Board headquarters in Washington, D. C. where the Members study a

duplicate file, as well as the summary, and then come to a decision in the case. Agreement of two Members of a voting quorum of three is required to constitute an official action.

REVIEWS

In addition to the personal hearings listed in Table 5 the Board reviewed 3,791 progress reports prepared by the institution caseworkers in fiscal year 1971, and 4,566 in 1972. In several instances the same prisoner is reviewed on the basis of many progress reports before a final decision is reached.

In addition to the 184 cases reviewed by the Board sitting in *en banc* session during 1972 as described on page 7, there were also 61 reviews in Washington with relatives, attorneys or others who scheduled appearances before Members of the Board on the basis of new and significant information.

The Board also holds hearings for alleged parole and mandatory release violators and conducts reviews of alleged violators who have been sentenced to a subsequent sentence since being released. In these latter cases, the Board has placed its arrest warrant as a detainer and periodically reviews it to determine whether to withdraw it or to make some other disposition in the case. In 1972 the Board conducted 406 such "dispositional reviews."

Table 5 lists the number of hearings conducted, and Table 6 shows the various types of workload performed by the Board. Chart II illustrates graphically that of all the Board's decisions (including those to make some further review), approximately 37 percent are to grant parole, while the remainder are to continue to a later review or to continue to the expiration of the term without further review.

TABLE 5.—AVERAGE NUMBER OF PRISONERS IN FEDERAL INSTITUTIONS, AND NUMBER OF HEARINGS CONDUCTED, FISCAL YEAR 1968 TO 1972.

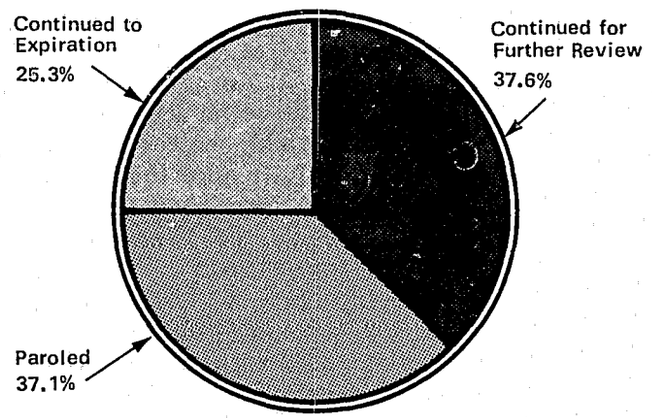
Year	*Number of prisoners*	*Number of hearings*
1968	20,337	12,265
1969	20,183	12,524
1970	20,687	11,784
1971	20,949	11,848
1972	21,329	12,694

TABLE 6.—WORKLOAD OF THE BOARD, BY DISPOSITION AND TYPE OF CONSIDERATION, FISCAL YEAR 1972.

Type of decision	*Number*
Parole and reparole:	6,174
adults	(4,275)
youth offenders	(1,692)
juveniles	(207)
Continue to expiration (adults)	4,216
Continue for further review	6,250
Revoke or reinstate to supervision	1,653
Washington review hearings	61
Appellate and *en banc* reviews	184
Warrant dispositional reviews	406
Total decisions	18,944

Chart II

Decisions Relative to Parole, All Types of Commitments, Fiscal Year 1972



Total Parole Decisions 16,640

PAROLE DECISIONS

To ascertain the paroling practice of the Board it is necessary to delete the interim decisions which do not result in a final decision concerning a particular prisoner. Eventually, the Board makes a decision either to grant parole or to continue to expiration (deny parole). The extent to which the Board made such final decisions in 1972 is illustrated in Table 7. Almost exactly half of the final decisions relative to adults in 1972 were to grant parole. Youth offenders are not included in this table since all of them are ultimately paroled according to provisions of the Youth Corrections Act. Juveniles are also excluded.

TABLE 7.—NUMBER AND PERCENT OF ADULT PRISONERS PAROLED, FINAL DECISIONS ONLY, FISCAL YEARS 1968 TO 1972.

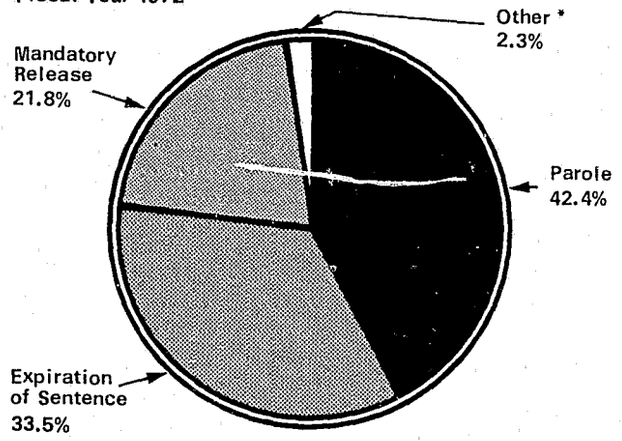
Year	*Decisions*	*Continued to expiration*	*Paroled**	*Percent Paroled*
1968	8,096	4,433	3,663	45.2
1969	6,068	2,658	3,410	56.2
1970	6,894	3,755	3,139	45.5
1971	7,383	3,945	3,438	46.6
1972	8,253	4,127	4,126	50.0

*Does not include re-paroles.

Releases on parole are tabulated separately from *grants* of parole. The number of persons actually released from an institution by way of parole varies from the number of such decisions made by the Board during any given period of time. When the Board grants a parole it sets an effective date, which may well be in the succeeding fiscal year; and some persons are paroled on one sentence only to begin serving another sentence imposed by the court to run consecutively. For these reasons it is important to keep this statistical distinction clear. Chart III is an example of the use of statistics relating to *releases*, rather than *grants* of parole. It shows the percent of those who actually left an institution, by type of release. Persons with sentences of less than six months are not included in this chart since they are not eligible by law for parole. The figures, then, show only the percent released on parole and by other means—of those who *could have* been paroled. Those who left by "expiration of the term" had relatively short sentences and did not qualify as "mandatory releasees" because they had 180 days or less of their sentences remaining. It is seen that two-thirds of those released had supervision in the community following release from an institution.

Chart III

Releases from Federal Institutions, First Time on the Sentence, Prisoners Sentenced to Six Months or More, By Type of Release, Fiscal Year 1972



Total Releases 9,863

*"Other" includes amendments of sentence, death, escape, etc.

PAROLES GRANTED BY OFFENSE AND TIME SERVED

The offense for which a prisoner is convicted is only one of the many factors considered when a parole decision is reached. It is of some interest, however, in comparing how certain persons, classified by the offense they committed, fare in relation to the overall parole grant rate of 50 percent. When one reviews the Board's practices it is clear that the length of time served may be as vital as the offense, if not more so, when a determination is made relative to parole. The Board generally requires persons who committed violent acts or who engaged in drug traffic to serve long periods of time before releasing them on parole, but a high proportion of them ultimately do receive parole. This is directly attributable to the long sentences imposed by the courts for these types of offenders. Persons convicted of "crimes of force," for example, received parole in almost 69 percent of the cases, but by the time they gained a parole, they had served an average of 56 months in confinement—more than twice as long as the average for the other offense types.

A different rationale is used in paroling drug users. These types of persons also received parole in a high percent of the Board's decisions, but they did not serve unusually long periods of con-

finement. There is a concentrated effort to rehabilitate this type of offender in the institution. There is also a recognized need for long periods of supervision in the community after completion of the institutional phase of the treatment. An important part of the treatment program takes place in the community under actual living conditions where clinical centers and after-care agencies are available to assist an addict in the environment where he must eventually reside.

Selective Service Act violators also receive parole in a rather high percent of the cases. These types of offenders are generally "non-criminal" persons with good home backgrounds and there is little or no history of criminal behavior. They are excellent risks for parole and often are released after a period of "accountability" for their refusal to obey the Nation's military service laws. On an average they served 41.5 percent of the average sentence imposed by the court. This may be compared to 37.9 percent served by all offense types. Actual time served prior to parole for those released in fiscal year 1972 was almost 17 months.

Liquor law violators served an average of 13 months and immigration law violators, who generally receive very short sentences, served an average of 11 months before being released on parole in fiscal year 1972.

TABLE 8.—PAROLES GRANTED, ADULT PRISONERS, BY TYPE OF OFFENSE, FISCAL YEAR 1972.

Offense	*Decisions*	*Paroles*[1]	*Percent Paroled*
All offenses	8,253	4,126	50.0
Crimes of force[2]	764	525	68.7
Drug laws	1,171	746	63.7
marihuana	(240)	(186)	(77.5)
narcotic	(872)	(534)	(61.2)
other dangerous drugs	(59)	(26)	(44.1)
Selective service laws	213	130	61.0
"White-collar" crimes[3]	642	367	57.2
Counterfeiting	349	199	57.0
Theft, interstate commerce	73	41	56.2
Theft, auto	1,285	549	42.7
Forgery	466	197	42.3
Liquor laws	382	157	41.1
Theft, postal	553	227	41.0
Immigration laws	426	87	20.4
Other offenses	1,929	901	46.7

[1] Does not include re-paroles.
[2] Includes assault, kidnapping, and robbery.
[3] Includes embezzlement, fraud, income tax, and securities.

TABLE 9.—AVERAGE SENTENCE, OF THOSE PAROLED, AVERAGE TIME SERVED AND PERCENT OF SENTENCE SERVED PRIOR TO PAROLE, ADULT PAROLEES, BY TYPE OF OFFENSE, FISCAL YEAR 1972.

Offense	*Average sentence (months)*	*Time served (months)*	*Percent of sentence served*
All offenses	64.3	24.3	37.8
Crimes of force[1]	216.5	56.1	25.9
Counterfeiting	58.3	21.3	36.6
Theft, interstate commerce	50.7	21.8	43.0
Theft, auto	44.8	20.1	44.9
Drug laws	58.9	19.9	33.8
narcotic	(68.6)	(21.3)	(31.0)
marihuana	(53.9)	(19.5)	(36.2)
other dangerous drugs	(41.7)	(14.9)	(35.7)
Forgery	48.5	19.6	40.4
"White-collar" crimes[2]	46.1	18.7	40.6
Theft, postal	39.5	17.1	43.3
Selective Service laws	40.3	16.7	41.4
Liquor laws	28.8	13.3	46.2
Immigration laws	26.2	10.9	41.6

[1] Includes assault, kidnapping, and robbery.
[2] Includes bankruptcy, embezzlement, fraud, income tax, and securities.

PAROLES BY TYPE OF COMMITMENT

There are three options for the courts as they impose an adult sentence if they wish parole to be a possibility. Another option is the so called "split-sentence" whereby the court may impose a term of confinement not to exceed six months with a period of probation to follow. Parole is not possible in this type of commitment, and prisoners receiving such a commitment are not considered by the Board. In the other three types of commitment, the judge may (1) specify an "indeterminate" sentence and set the parole eligibility date himself at some point arlier than one-third of the maximum term or specify that the Board may set the parole eligibility date at its discretion; (2) commit under the Narcotic Addict Rehabilitation Act (NARA) with parole eligibility after six months in treatment; or (3) make no specification and thus require one-third of the maximum to pass before parole eligibility.

The paroling practices of the Board vary according to the commitment procedure used. Since the courts tend to impose significantly longer maximum terms when they use the indeterminate sentence or NARA procedures, the Board grants parole more often to those types of offenders. As a result, they serve longer periods of time under supervision in the community than their counterparts who receive generally shorter sentences under the regular adult procedure. Table 10 illustrates that NARA offenders are paroled almost 90 percent of the time. In those commitments

the term runs up to ten years—for the express purpose of making it possible to provide after-care services in the community while on parole. The Board has paroled these types of offenders earlier than the average for other types of offenders. In 1972 they served almost 18 months, as compared to approximately 24 to 25 months for other paroled adults.

TABLE 10.—PERCENT OF ADULT PRISONERS PAROLED, FINAL DECISIONS ONLY, BY TYPE OF COMMITMENT, FISCAL YEARS 1968 TO 1972.

Year	Type of commitment: regular adult	indeterminate	NARA	all adults
1968	40.1	66.0	.....	45.2
1969	56.1	54.1	94.1	56.2
1970	41.0	51.8	97.6	45.5
1971	41.8	53.2	93.6	46.6
1972	44.4	57.9	89.9	50.0

TABLE 11.—NUMBER OF PAROLES GRANTED, FIRST TIME ON THE SENTENCE, BY TYPE OF COMMITMENT, FISCAL YEAR 1972.

Type of commitment	Paroles granted
"Regular" adult	2,429
Indeterminate:	1,466
(Sec. 4208(a)(1) — 14)	
(Sec. 4208(a)(2) — 1,452)	
Narcotic Addict Rehabilitation Act	231
Youth Corrections Act	1,414
Juvenile Delinquency Act	194
Total	5,734

TABLE 12.—AVERAGE TIME SERVED PRIOR TO PAROLE, BY TYPE OF COMMITMENT, FISCAL YEARS 1968 TO 1972.

Type of commitment	1968	1969	1970	1971	1972
			(months)		
"Regular" adult	18.1	19.1	20.7	25.0	24.9
Indeterminate sentence*	18.8	19.0	20.4	24.0	25.5
NARA	.....	12.8	14.8	18.1	17.9
Youth Corrections Act	20.3	20.7	21.7	21.6	20.3
Juvenile Delinquency Act	16.1	16.0	14.9	18.1	17.8

*Commitments under Section 4208(a)(2), Title 18, U.S.C.

PAROLES BY INSTITUTION

The various institutions operated by the Bureau of Prisons are organized to care for specific types of offenders. Those who need closer custody are placed in penitentiaries and those who need very little custody are placed in camps or minimum security institutions. Camps receive a high proportion of prisoners with

short sentences. Except for the fact that the Board tends to parole prisoners with very short sentences infrequently, the paroling practices reflect the type of prisoner placed in the various classes of institution. Penitentiary inmates generally receive parole less frequently than those in medium custody institutions. Table 13 illustrates these facts, as well as the fact that those in youth-type institutions tend to receive parole more often than those in adult-type institutions.

TABLE 13.—RELEASES ON PAROLE, ADULT PRISONERS, BY INSTITUTION OF CONFINEMENT, FISCAL YEAR 1972.

Institution	Released by parole[1]	Released without parole[2]	Percent by parole
All institutions	4,802	7,898	37.8
Youth institutions			
Ashland	211	99	68.1
Englewood	145	53	73.2
Morgantown	125	23	84.5
El Reno	235	154	60.4
Lompoc	304	145	67.7
Milan	240	82	74.5
Petersburg	227	112	67.0
Seagoville	192	120	61.5
Tallahassee	235	150	61.0
Penitentiaries			
Atlanta	165	468	26.1
Leavenworth	89	333	21.1
Lewisburg	135	243	35.7
Marion	52	68	43.3
McNeil Island	99	227	30.4
Terre Haute	192	319	37.6
Other institutions			
Alderson (females)	168	173	49.3
Allenwood	91	193	32.0
Danbury	167	422	28.4
Eglin	149	359	29.3
Florence	12	56	17.7
Fort Worth	31	27	53.4
La Tuna	94	685	12.1
Lompoc camp (adults)	108	134	44.6
Montgomery	87	273	24.2
New York (det. ctr.)	17	127	11.8
Safford	42	791	05.0
Sandstone	122	201	37.8
Springfield (med. ctr.)	109	365	23.0
Terminal Island	237	565	29.6
Texarkana	78	183	29.9
Community Treatment Centers	644	748	46.3

[1] Includes re-paroles.
[2] Includes mandatory release and release without community supervision.

PART FIVE

COMMUNITY SUPERVISION

CONDITIONS OF RELEASE — REPORTS

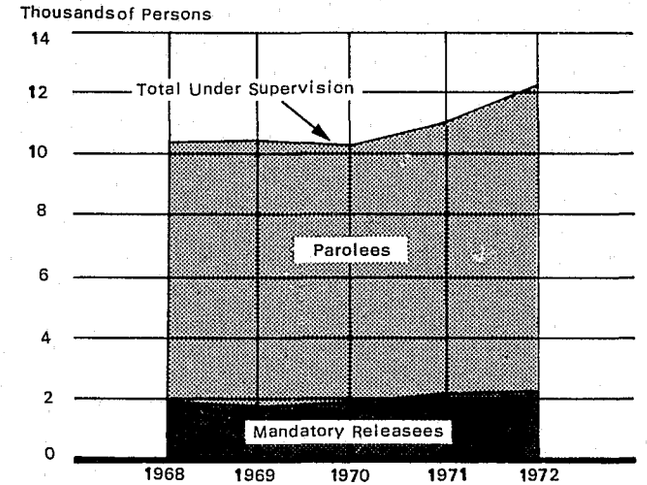
Paroled prisoners are released on a date set by the Board, and are instructed to report without delay to the United States Probation Officer of the judicial district where they will reside while under supervision. For the balance of their term they make regular written and personal reports to the officer to whom they are assigned. All parolees are subject to rules and regulations established by the Board, and which are printed on the certificate used to effect their release from custody. Special conditions may be imposed by the Board at the time of release, or at any time thereafter. Probation officers may recommend that special restrictions be placed against a parolee, and if approved by the Board, are binding upon him. Violation of any of the conditions may be sufficient cause for issuance of an arrest warrant and return to a federal institution. All violations must be reported by the probation officer to the Board. Only a Member of the Board may issue a warrant for a parolee's return to confinement as an alleged violator.

The Board requires summary-type reports from the United States Probation Officers regarding the adjustment in the community of most parolees. On the basis of those reports, the Board may permit the parolee to make less frequent reports to his probation officer. In especially deserving cases, the Board may suspend supervision entirely for the balance of the term, provided no subsequent crime is committed.

The number of parolees and mandatory releases under supervision had remained stable for several years, but there was a significant increase during the past two years. This probably reflects the trend of paroling more individuals as well as the longer sentences imposed by the courts, thus causing parolees to remain under supervision for longer periods of time than in past years.

Chart IV

Prisoners in the Community Under Supervision of the Board, Parolees and Mandatory Releasees, Fiscal Year 1968 to 1972



	1968	1969	1970	1971	1972
PAROLEES	8,335	8,456	8,242	9,055	10,029
MANDATORY RELEASEES	1,966	1,872	1,905	2,012	2,047
TOTAL	10,301	10,328	10,147	11,067	12,076

TABLE 14.—SUMMARY REPORTS ON PAROLEES, AND ACTIONS TAKEN BY THE BOARD, FISCAL YEARS 1968 TO 1972.

	Reports received		*Board actions*		
Year	*Adults*	*Youths and juveniles*	*Supervision modified*	*Supervision ended (adult)*	*(youths)**
1968	1,466	4,213	302	14	323
1969	1,587	3,576	192	18	269
1970	1,605	3,739	242	21	263
1971	2,293	3,400	217	36	314
1972	1,939	3,596	300	65	403

*Includes only terminations which resulted in setting aside of conviction.

REVOCATION PROCEDURES

Following issuance of a warrant the alleged violator is taken into federal custody pending a revocation hearing. A warrant issued by the Board may be withdrawn at any time if new information is received sufficient to justify such action. Otherwise, the alleged violator is taken into custody and given a preliminary hearing by a United States Probation Officer. The particular probation officer who supervised the parolee and who recommended the issuance of the warrant, however, does not conduct the prelim-

inary interview. The alleged violator may be represented at the interview by an attorney.

If the alleged violator is indigent and if the court determines that the interests of justice require it, the court may appoint an attorney to assist at any or all stages of the revocation procedure. This includes representation at the revocation hearing which may not be held until the prisoner is returned to a federal institution.

When the Board receives a summary or digest of the preliminary interview it may withdraw the warrant, schedule a local revocation hearing in the community or approve transfer to a federal institution for the revocation hearing. Revocation hearings are scheduled locally generally only when the alleged violator has not been convicted of a law violation while under supervision, and when he denies violating any of the conditions of his release, and also when he intends to have either an attorney or witnesses at the hearing.

Following the revocation hearing the Board may either revoke the parole or mandatory release or reinstate the prisoner to community supervision. If he is revoked he may be re-released by the Board at any time during the balance of his term. A revoked prisoner does not receive credit on his sentence for the time he spent in the community but may earn "good-time" credits beginning with the date he is returned to custody. Exceptions are persons committed under the Youth Corrections Act or the Narcotic Addict Rehabilitation Act where the sentence time runs uninterruptedly from the date of conviction.

In 74.8 percent of the cases where a parolee or mandatory releasee violated the conditions of his release a violation of the law occurred. The remaining violations consisted of "administrative" infractions such as failing to report to the officer, leaving the district without permission, and other such violations. In each of these latter types of violations the Board took action when it appeared the infraction was serious and indicated that future criminal acts were likely to occur if the person was not taken into custody without delay.

Since a law violation occurred in three-fourths of the parole or mandatory release violations, and since the violator readily acknowledged violating a condition of release in most of the remaining instances, there was relatively little demand for attorney representation during the revocation process. Most are content to accept their revocation and return to custody. With the advent of the possibility of free court-appointed attorneys, however, there was a sharp increase in the number of hearings with attorneys at institutions. Table 15 shows that the number of such attorney-represented hearings jumped from 34 in 1971 to 146

in 1972. Concurrent with the presence of attorneys, the number of witnesses present also increased at a parallel rate.

TABLE 15.—REVOCATION HEARINGS WITH ATTORNEYS AND WITNESSES, FISCAL YEAR 1968 TO 1972.

Hearings	*1968*	*1969*	*1970*	*1971*	*1972*
Institutional hearings:					
With attorneys	11	30	10	34	146
With witnesses	5	14	8	8	46
With attorneys and witnesses	4	6	3	13	6
Local revocation hearings	83	98	65	110	80

SUCCESS ON PAROLE

The degree of success on parole might be measured in many ways. Generally, it is computed on the basis of the number of persons released to the community on parole as compared to the number of violator warrants issued. This method lends itself to mathematical computation but does not reflect the variances between the types of violations according to the original crime, and does not reflect the months or years of satisfactory and productive behavior between law violations. Merely because a person who was once on parole and committed another crime many years later does not mean that the parole was inappropriate in his case. It may very well have been a vital factor in his good adjustment over a long period of time before he did eventually commit another offense. Circumstances in everyone's life do change, and it is impossible to predict who will someday violate the law—former parolee or anyone else.

One method of computing success-failure rates is the "follow-up" method by which a group of releasees in a given year is followed up for a reasonable time to determine how many of *that group* remained under supervision without the necessity of having a violator warrant issued. The period of follow-up may be as short as one year or as many as five or more years. It has been found that in the federal system three years is sufficient time to obtain a valid success-failure rate. This is the method illustrated in Chart V. The disadvantage in use of this method is that it requires three years to determine how a group of releasees is faring compared to groups released in other years.

A second method which has the advantage of immediate computation is to compare the number of persons released on parole during a given year and the number of violator warrants issued during that same year. These warrants, however, are issued against the releasees of past years, as well as the present year. There is less validity in this method, therefor, than in the "follow-up" method.

During periods when the number released on parole is stable for many years, however, this second method is helpful. Fluctuations in the number of warrants when compared to a stable release rate show rather valid success-failure ratios. An unusual rise or drop in the number released, however, can result in a slanted and less accurate ratio. During the past two years the success ratio computed in this manner has been more than 70 percent. This may be compared with the ratio of approximately 60 percent in the three previous years. During 1971 and 1972 the number released remained fairly stable while the number of violator warrants decreased very significantly. The result is that it appears that the Board's decisions have reflected its goal of releasing the more hopeful prisoners and retaining the less hopeful ones for longer periods of time.

A comparison of the success rates computed by both methods is illustrated in Table 16 which shows a success "ratio" of 63 percent in 1969; and in Chart V which shows a success "rate" by the "follow-up" method of 64 percent for the group released that year. This close relationship does not always occur, however, and the most accurate appraisal should be based on the follow-up method.

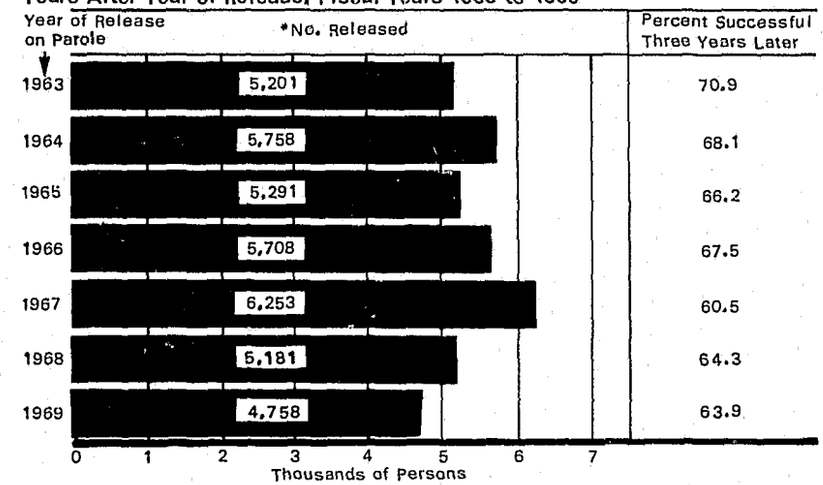
TABLE 16.—NUMBER OF RELEASES ON PAROLE, NUMBER OF WARRANTS ISSUED, AND RATIO OF RELEASES TO WARRANTS, FISCAL YEARS 1968 TO 1972.

Year	*Number released**	*Number warrants***	*Percent with no warrant*
1968	5,181	2,110	59.3
1969	4,758	1,772	62.8
1970	4,100	1,647	59.8
1971	4,757	1,339	71.8
1972	4,802	1,328	72.3

*Includes re-paroles.
**Does not include warrants withdrawn during the same year of issuance (90 in 1972).

Chart V

Number Federal Prisoners Released on Parole, and Percent against whom No Warrant was Issued Three Years After Year of Release, Fiscal Years 1963 to 1969



*Includes reparoles and releasees from the D.C. Youth Center between 1963 and 1967

SUCCESS BY TYPE OF COMMITMENT

The average success rate or ratio for all prisoners is quite different than it is for a specific class of prisoner classified according to the type of sentence or commitment he received from the court. It is expected that where the Board exercises its discretion under the law to deny parole for poor risks the success rate of those paroled will be higher than where the Board is required by law to parole all or most all of the persons committed under a certain sentence procedure. Committed youth offenders, for example, must be paroled at some point in their terms. In effect, the same practice prevails for those committed under the Narcotic Addict Rehabilitation Act. These two types of offenders naturally have a lower success rate than the adults who are subject to screening before parole is granted. Table 17 indicates that youth offenders and NARA offenders released in 1972 had a success ratio of about 57 percent, while those committed under regular or indeterminate adult procedure had a success ratio of about 80 percent. A comparison of these ratios with similar ratios in 1970 shows a significant increase in success regardless of commitment type.

TABLE 17.—NUMBER PRISONERS RELEASED ON PAROLE, AND NUMBER OF VIOLATOR WARRANTS ISSUED, BY TYPE OF COMMITMENT, FISCAL YEAR 1972.

Type of commitment	*Number released**	*Number warrants***	*Percent with no warrant (ratio)*
"Regular" adult	1,716	366	78.7
Indeterminate sentence	1,227	228	81.4
Narcotic Addict Rehabilitation Act	197	84	57.4
Youth Corrections Act	1,528	668	56.3
Juvenile Delinquency Act	208	72	65.4

*Includes re-paroles.
**Includes 90 warrants withdrawn during the same year of issuance.

SUCCESS BY TYPE OF OFFENSE

Success on parole may be attributed to many factors, the chief among which is the determination of the parolee himself to remain crime-free. Many influences play their role while he is under supervision, but one fairly reliable predictive factor in estimating success in the community is the nature of the crime for which the person was originally committed. Although the Board sometimes paroles persons who have a relatively poor chance of success on parole so they can be maintained under the controls of supervision and receive guidance in the community, it does weigh carefully the relative success rates according to the offense committed.

The figures in Table 18 show that those persons who were committed for violations of Selective Service laws and the liquor laws do extremely well on parole. Those convicted of auto theft, on the other hand, do extremely poorly. The other types of offenders range generally somewhere in between. Drug law offenders, for example, succeed at about the same rate as the average for all offense types. This is attributed partly to the fact that most drug offenders are still not being committed under the provision of NARA, where long sentences and long periods of time on parole is the rule. In these latter cases the success rate is understandably not as high as for drug offenders committed under other provisions of the law. Screening takes place among the others, but this is not possible for NARA prisoners since the long sentences make it almost obvious that they will receive parole at some point in their long sentences. NARA releases on parole during 1972 accounted for only 24 percent (197 out of 823) of the paroles for all drug offenders in 1972.

TABLE 18.—VIOLATOR WARRANTS ISSUED AGAINST PRISONERS RELEASED ON PAROLE, BY OFFENSE FOR WHICH ORIGINALLY COMMITTED, FISCAL YEAR 1972.

Offense	*Number released*	*Number warrants*	*Percent with no warrant (ratio)*
All offenses	4,802	1,418	68.2[1]
Selective Service laws	167	7	95.8
Liquor laws	136	8	94.1
Theft, interstate	90	7	92.2
Immigration laws	61	6	90.2
"White-collar" crimes[2]	392	66	83.2
Counterfeiting	171	34	80.0
Drug laws	823	203	75.3
narcotic	(324)	(84)	(74.1)
marihuana	(439)	(108)	(75.4)
other dangerous drugs	(60)	(11)	(81.7)
Forgery	242	73	69.8
Crimes of force[3]	523	172	67.1
Theft, postal	183	70	60.1
Theft, auto	762	516	33.5
Other offenses	1,252	256	79.6

[1] Ninety withdrawn warrants have not been deleted from this table. If those warrants are taken into account, the success ratio is 72.3, as in Table 16.
[2] Includes bankruptcy, embezzlement, fraud, income tax, and securities.
[3] Includes assault, kidnapping and robbery.

PART SIX

YOUTH CORRECTION DIVISION

The Youth Correction Division has statutory parole responsibility for all persons committed under the Youth Corrections Act. By delegation, it also has parole responsibility for juveniles and persons committed under the adult sentencing laws but confined in one of the "youth institutions" operated by the Federal Bureau of Prisons. Persons committed under the Narcotic Addict Rehabilitation Act who are confined in a youth institution also come under the Division's parole responsibility. Generally, the age range in youth institutions is 17 to 25 years. In 1972 the Division held regular hearings in the institutions listed in Table 19 which shows the court commitments by sentence type.

TABLE 19.—COMMITMENTS TO YOUTH INSTITUTIONS, BY TYPE OF COMMITMENT, FISCAL YEAR 1972.

Institution	*YCA*	*FJDA*	*Adult (regular)*	*Adult (indet.)*	*NARA*	*Total*
Ashland, Kentucky	136	69	101	41	....	347
El Reno, Oklahoma	253	11	242	125	....	631
Englewood, Colorado	92	87	25	2	....	206
Lompoc, California	219	7	134	217	1	578
Milan, Michigan	72	2	138	79	8	299
Morgantown, West Virginia	43	57	5	1	....	106
Petersburg, Virginia	127	5	118	63	....	313
Seagoville, Texas	12	1	47	30	....	90
Tallahassee, Florida	85	9	272	76	1	443
Total	1,039	248	1,082	634	10	3,013

YOUTH ACT COMMITMENTS

Since the Youth Corrections Act was implemented in fiscal year 1954 it has been generally popular with the courts. On the other hand, there are many persons for whom the Youth Corrections Act may not be appropriate. These include youths who are difficult to manage, those who would seriously reject any rehabilitation program, or those who do not have the mental or emotional capacity to profit from the program. Still others commit minor offenses, where a short period of confinement would be an appropriate disposition in contrast to the longer period of treatment envisioned by the Youth Corrections Act.

The courts have many alternatives for the young adult or youthful offender, and their sentencing practices illustrate that they make varied choices in the cases coming before them. In the majority of cases they use either the provisions of the Youth

Corrections Act or the adult indeterminate sentencing provisions, rather than the regular adult statutes where parole cannot be granted until one-third of the maximum sentence is served. Table 20 shows the extent to which the courts used the various alternatives for the young persons appearing before them during the past five years.

TABLE 20.—COMMITMENTS BY THE COURTS, PERSONS BETWEEN THE AGES OF 18 THROUGH 21, BY TYPE OF COMMITMENT, FISCAL YEARS 1968 TO 1972.

Type of Commitment

Year	*Adult "regular"*	*Adult "indeterminate"*	*Youth Corrections Act**	*NARA*	*Juvenile*
1968	894	248	848	..	171
1969	880	263	938	21	140
1970	811	259	790	37	100
1971	948	205	682	35	114
1972	897	182	640	20	99

*Does not include those under the age of 18 or over the age of 21 who may, as exceptional cases, be committed under the Youth Corrections Act (451 in 1972).

COMMITMENT FOR STUDY PRIOR TO SENTENCING

A provision of the Youth Corrections Act enables the committing court to place a defendant in a Bureau of Prisons institution for a short period of time for a personal study of his needs and potentialities prior to final sentencing. A report of the study is forwarded to the Board's Youth Correction Division for analysis and evaluation. The Division then sends a copy of the study results to the court along with a recommendation relative to disposition. Such a recommendation may be for commitment for treatment under the Youth Corrections Act, for sentencing under the general criminal law, for probation or any other applicable disposition. The courts have accepted the majority of the Division's recommendations.

From the very small number of such studies conducted in the early days of the Youth Corrections Act, the number of such studies now averages about 300 each year. Table 21 shows the number of such studies, as well as the number of court commitments for treatment under the Youth Corrections Act during the past five years.

TABLE 21.—COMMITMENTS FOR TREATMENT AND FOR STUDY PRIOR TO SENTENCING, YOUTH CORRECTIONS ACT, FISCAL YEARS 1968 TO 1972.

Year	*Commitments for treatment (Sec. 5010 (b) and (c))*	*Commitments for study (Sec. 5010 (e))*
1968	1,138	(not available)
1969	1,318	328
1970	1,160	311
1971	1,100	253
1972	1,099	310

HEARINGS CONDUCTED IN YOUTH INSTITUTIONS

The Youth Correction Division conducts hearings in the youth institutions on a regular bi-monthly basis. The hearings include initial hearings for juveniles and youth offenders, parole hearings at the time of eligibility for young offenders sentenced under the adult statutes, and various review hearings for all classes of inmates.

TABLE 22.—AVERAGE POPULATION IN YOUTH INSTITUTIONS, AND NUMBER OF HEARINGS CONDUCTED BY THE YOUTH CORRECTION DIVISION, FISCAL YEARS 1968 TO 1972.

Year	*Average population*	*Hearings*
1968	5,203	4,976
1969	4,797	4,916
1970	5,031	4,622
1971	4,909	4,691
1972	5,001	4,986

SUCCESS ON PAROLE

The ratio between the numbers of youth offenders and juveniles released on parole and the numbers of violator warrants issued against those classes of offenders improved markedly during the past two years. For the first time in the past five years, the ratio for youth offenders indicated a success of more than half of those released. This was true as a result of an unusually large number of youths released in 1972 coupled with the small number of warrants issued. The number of warrants issued against youth offenders dropped significantly during both 1971 and 1972 compared with previous years. The same experience took place with regard to juveniles where the number of warrants decreased markedly. With a stable release rate, the consequent success ratio rose sharply during the past biennium.

TABLE 23.—YOUTH OFFENDERS RELEASED ON PAROLE AND NUMBER OF VIOLATOR WARRANTS ISSUED, AND RATIO OF RELEASES TO PERSONS WITHOUT WARRANT ISSUANCE, FISCAL YEARS 1968 TO 1972.

Year	*Released**	*Warrants***	*Percent without warrants (success ratio)*
1968	1,335	896	32.9
1969	1,302	743	42.9
1970	1,199	720	39.9
1971	1,231	635	48.4
1972	1,528	668	56.3

*Includes re-paroles.
**Does not include warrants withdrawn during the same year of issue (11 in 1971; 18 in 1972).

TABLE 24.—JUVENILES RELEASED ON PAROLE AND NUMBER OF VIOLATOR WARRANTS ISSUED, AND RATIO OF RELEASES TO PERSONS WITHOUT WARRANT ISSUANCE, FISCAL YEARS 1968 TO 1972.

Year	*Released**	*Warrants***	*Percent without warrants (success ratio)*
1968	412	192	53.4
1969	296	170	42.6
1970	232	125	46.1
1971	223	95	57.4
1972	213	72	66.2

*Includes re-paroles.
**Does not include warrants withdrawn during same year of issue (5 in 1971; 6 in 1972).

SUCCESS AFTER A FOLLOW-UP PERIOD

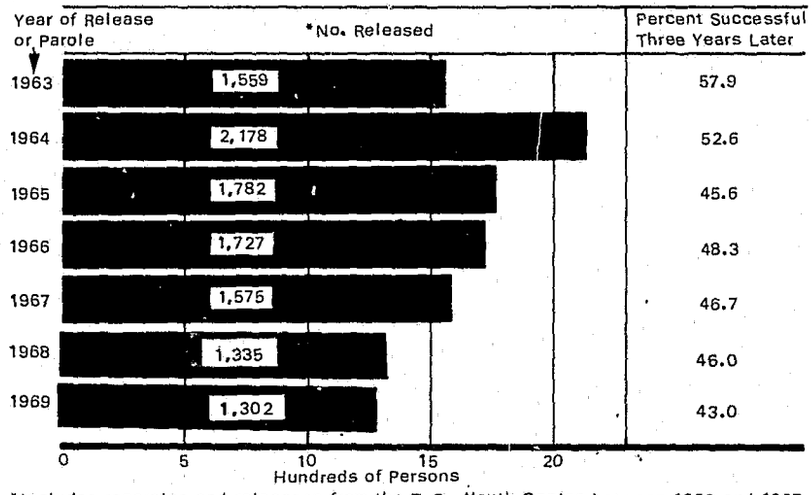
Follow-up studies are made of youth offenders and juveniles who are released on parole and re-parole. As with adults, it has been found that a three-year period is sufficient to determine the relative success of groups of releasees for any particular year. During the last two years, as shown in Chart VI, the number of youth offenders released decreased significantly but the success rate did not respond accordingly. Rather, it worsened, dropping to a 43 percent success rate for the group released in 1969. Although it is still too early to tell, the preliminary indications are that the groups released in more recent years are faring relatively better than the 1969 group.

The same result is found in the case of juvenile parolees as for youth offender parolees. After a success rate hovering at about the 60 percent mark for several years, the rate has dropped to 52 percent for the group released in 1969. There was a decided decrease in the number of juveniles paroled in 1969, but this

had no effect on the number of successes. The decrease can be explained by the fact that fewer and fewer juveniles are being committed to federal institutions. Perhaps this is one of the reasons for the worsening success of this small group. It may very well be that the more hopeful youngsters are being retained in state and local institutions, and only the ones more difficult to rehabilitate are being sent to a federal institution.

Chart VI

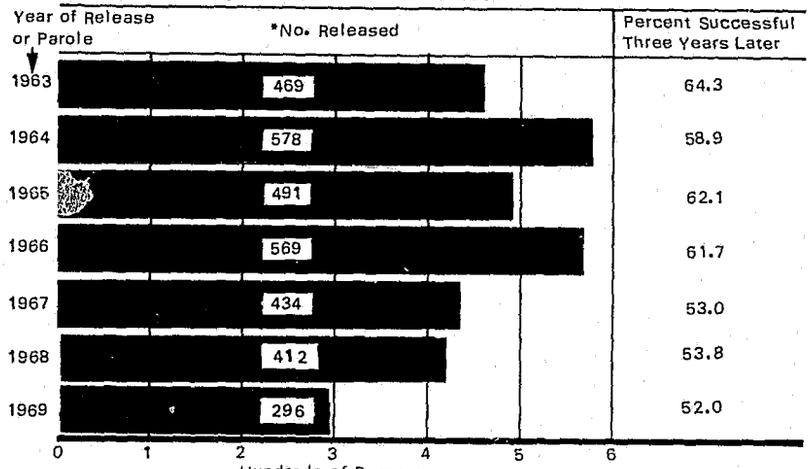
Number of Youth Offenders Released on Parole, and Percent Against Whom No Warrant was Issued Three Years After of Release, Fiscal Years 1963 to 1969



*Includes reparoles and releasees from the D.C. Youth Center between 1963 and 1967

Chart VII

Number of Juveniles Released on Parole and Percent Against Whom No Warrants were Issued Three Years After Year of Release, Fiscal Years 1963 to 1969



*Includes Reparoles

APPENDIX

TABLE 25.—PAROLE DECISIONS AND GRANTS, PRISONERS WITH SENTENCES OF ONE YEAR OR LESS, FISCAL YEARS 1968 TO 1972.

Year	*Decisions*	*Paroles*	*Percent paroled*
1968	884	240	27.1
1969	721	188	26.1
1970	777	147	18.9
1971	914	138	15.1
1972	969	143	14.8

TABLE 26.—PAROLE DECISIONS AND GRANTS, ADULT PRISONERS IN NON-FEDERAL INSTITUTIONS 1968 TO 1972.

Year	*Decisions*	*Paroles*	*Percent paroled*
1968	108	53	49.1
1969	139	45	32.4
1970	124	44	35.5
1971	149	60	40.3
1972	380	112	29.5

TABLE 27.—PAROLES TO DETAINERS, FISCAL YEARS 1968 TO 1972.

Year	*Paroles to local and state detainers*	*Paroles to immigration detainers*
1968	599	135
1969	570	170
1970	601	181
1971	500	145
1972	470	156

TABLE 28.—REVIEWS OF PRISONERS PREVIOUSLY "CONTINUED," FISCAL YEARS 1968 TO 1972.

Year	*Progress reports*	*Washington review hearings*	*Appellate reviews**
1968	5,752	65	.....
1969	5,255	70	.....
1970	5,204	65	129
1971	3,791	53	113
1972	4,556	61	184

*Includes *en banc* considerations of original decisions.

END