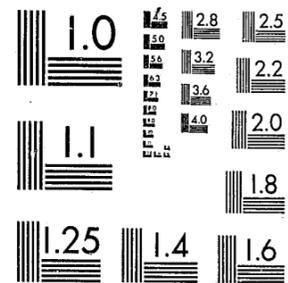


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LENGTH OF INSTITUTIONAL STAY AND RECIDIVISM: AN OVERVIEW

Final Report to the National Institute of Justice
US Department of Justice

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U.S. Department of Justice
National Institute of Justice 76173

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LENGTH OF INSTITUTIONAL STAY AND RECIDIVISM: AN OVERVIEW

A Comparison of Lengths of Stay of Youthful Offenders in Juvenile Correctional Facilities

In a 1974 report, no significant variations were found in lengths of stay for incarcerated juveniles between states and between regions in this country. The average length of stay for the youthful offender was 8.8 months and the longest length of stay was 11 months. Gerald R. Wheeler (1974), in a report to the Ohio Youth Commission in 1974, wrote "A Statistical Inquiry into Lengths of Stay and the Revolving Door: The Case for a Modified Fixed Sentence for the Juvenile Offender." Conclusions of the report indicate no significant variations in lengths of stay between states or between regions of the country. In 1970, the average length of stay in a state juvenile institution was 8.8 months. The longest length of stay was 11 months, and occurred in the west south central area of Arkansas, Louisiana, Oklahoma, and Texas. The shortest regional stay was 7 months in the east north central states of Ohio, Indiana, Illinois, Michigan, and Wisconsin.

Variables Related to Length of Stay

Numerous variables have been found to be related to length of institutional stay. Examples of these variables are institution size, size of the youth population within the state, and age of admission of the youthful offender. Length of stay was found to be unrelated to numerous other intervention variables such as academic achievement and changes in self-concept.

Gerald Wheeler's study (1974) for the Ohio Youth Commission indicated that a large institution in a high youth populated state showed a nearly three-month longer average length of stay for the offenders than a similar facility in a low-youth population state. Classification systems such as the interpersonal maturity level, and Quay were associated with longer institutional stays, and no significant evidence was found to indicate that mode of release, either by the parole board or by the institutional staff, influenced lengths of stay. If the

institutions within the state were compared on an equal basis, no significant relationship was found between the committing offense and the average length of stay. Finally, younger offenders were related to a longer length of stay.

Dennis Romig (1976) found no relationship between lengths of stay in training school and subsequent academic achievement for boys or girls, and no relationship between lengths of stay in training school and either positive or negative changes in self-concept. Additionally, the length of stay at a probation camp school was unrelated to recidivism for male youth, and short-term (one year or less) length of stays were associated with higher levels of recidivism than longer lengths of stays. Educational treatment was not effective in reducing recidivism unless the length exceeded six months. Romig concludes that recidivism is not related to the amount of time spent in an institution. However, for a length of stay less than six months, there is a trend toward high levels of recidivism than for a longer length of stay.

Sentencing Suggestions for the Youthful Offender

Gerald Wheeler (1974) suggests a modified fixed sentence for the juvenile offender. Frank Zimring in "Confronting Youth Crime" suggests that the legislature fix a maximum period of the sentence, with the judge determining the length of stay for the offender up to the maximum period. Centralized correctional authorities could then select a release date short of the maximum sentence by the judge.

Studies on the Relationship of Recidivism and Lengths of Stay

Numerous studies indicate no consistent relationship between length of stay and recidivism when selected background factors were controlled. Additionally, when a random selection of inmates were released six months early from an adult correctional facility, no difference in release performance was observed between men serving their full sentence and men released early.

Babst, Moseley, Schmeidler, Neithercutt, and Kovel (1976) conclude that once the type of offender is considered, the number of months served in the institution

had no consistent relationship to parole outcome. Norman Holt (1974) lists numerous studies indicating no relationship of length of time served and performance after release. A California Adult Authority study was cited in which 1,300 inmates were randomly assigned to an experimental and control group. Inmates in the experimental groups were released six months early and the recidivism rates of both groups were compared. No difference in release performance was noted.

Beck and Hoffman (1976) also list numerous studies indicating slight, if any, association between length of stay and release outcome when selected background factors are controlled. Finally, David Pritchard (1979) suggests that length of stay shows no consistent relationship to parole outcome when biological characteristics are controlled.

Problems Associated with the Use of Official Records as Indicators of Recidivism

Numerous problems are associated with the use of official records as indicators of recidivism. Different data sources, different interpretations of data and finally, different techniques of data presentation result in inadequate comparisons of programs, institutions, and correctional facilities. Hawkins, Light, and Miller (1977) suggest using similar data sources similar interpretations of data, and finally, similar presentation techniques in determining recidivism rates.

Community Adjustment Variables as Indicators of Program Success

Several authorities in the field of corrections have indicated a need for variables other than recidivism to determine the success or failure of a particular program or of the youthful offender's adjustment in the community. Barton and Sarri (1979) advocate community adjustment variables instead of recidivism rates as indices of program success or failure. Examples of community adjustment variables advocated by these authors are school enrollment and participation and employment.

Statistics on Recidivism

Classic longitudinal studies on recidivism indicate that one-half of juveniles convicted for a first offense never commit a second offense. Of the remaining juvenile offenders who committed two or more offenses, a small proportion were identified as hard-core recidivists who were responsible for a large proportion of delinquent acts committed. These hard-core recidivists begin their criminal activities as juveniles and reach a peak of activity in their late teens and early twenties. Criminal behavior then tapers off until the age of thirty. Additional studies on recidivism indicate a low recidivism rate for violent juvenile offenders.

Eugene Kaplan's study (1976) cites Marvin Wolfgang's classic longitudinal study begun in 1945 on 8,000 Philadelphia boys. These youths were tracked for 30 years. Thirty-five percent of these youths had police contacts for delinquencies between the ages of 10 and 17 years. Of this group 55% were one-time offenders, and were responsible for 16% of all delinquent acts.

Hard-core recidivists who had five or more delinquent acts were 2.2% of the total population and 6.3% of the delinquent sub-group. These youths accounted for 52% of all delinquencies. They were responsible for 53% of all assaults, 77% of all robberies, and 62% of property crimes. Recidivists in this study accounted for 52% of all delinquent acts.

Marvin Wolfgang (1978) states that approximately 14% of the groups which he studied for 30 years committed one or more serious offenses during this time. Hard-core recidivist juvenile offenders had a high probability of committing the same type of offenses as adults. Wolfgang found race a relevant variable, with proportionally many more non-white than white offenders involved in serious juvenile and serious adult offenses. Transition stability also occurred among a proportionally smaller number of non-whites. Wolfgang states that at whatever age the chronic offender betins his fifth offense, the probability is great that he will commit further offenses. On an average, the next offense will be an index offense half the time.

Bartell and Winfree (1977) conclude that the number of previous incarcerations for any crime and incarceration for burglary appear to increase rates of subsequent burglary convictions. Previous incarceration for burglary depressed recidivism rates for felonies and any other offenses. These authors theorize that burglary may simply be a tool learned in prison which is practiced once the inmate is freed. Differential sentencing practices had no effect on recidivism rates for burglary offenders.

Vernon L. Quinsey (1979) addresses the subject of recidivism and violent behavior. Quinsey concludes that violent post-release behavior has a very low base rate of occurrence. Shirley Goins (1978) states that 19 out of 20 juveniles with a history of one violent act did not commit another violent act within the first 15 months after release.

Michael Brennan (1978) studied 606 violent offender youths from 1974 to 1977. He found the overall recidivism rate for this group was 14%. Nine to fourteen year olds had a 25% recidivism rate. On terminated cases, recidivism was less violent if the offender had been on probation one year or more than if the offender had a shorter period of probation. If a new offense was committed while the youth was on probation, the act was less violent during the first five months on probation than later. Recidivism rates were highest among young, 9-13 year old repeaters as compared with young first offenders and older youths. Among older juveniles, the recidivism rate was only slightly higher for repeaters than for first offenders.

Factors Associated with Recidivism

Numerous factors are associated with recidivism. Babst et al. (1976) studied adult narcotic law violators and found the following variables as predictors of recidivism: history of an alcohol problem, type of admission to prison, prior number of non-prison sentences, age of admission to prison, prior number of prison sentences, type of sentence, number of months served in this sentence. There was a tendency for parole outcome to improve with longer incarceration if the above listed variables were not controlled. Low risk groups were found to be older offenders without alcohol problems, and with short criminal records. These authors conclude that while admission characteristics are consistently related to recidivism, length of institutionalization is not related to recidivism.

Bartell and Winfree (1977) studied differential impacts of probation versus incarceration for offenders sentenced for burglary conviction. The authors conclude that for persons sentenced for burglary, the likelihood of subsequent convictions for a felony or for any crime is less for probationers than for any other sentence type. The beneficial effects of probation were most pronounced in younger offenders. The strongest predictors of recidivism were age, previous incarceration experience, and sentence type.

David Pritchard (1979) states that the most stable predictors of recidivism are a conviction of auto theft, presence of prior convictions, stability of employment, age at first arrest, living arrangements, current income, history of opiate use, and history of alcohol abuse.

Beverly Koerin (1978) states that recidivists are likely to have been young at the time of first arrest and conviction, left home at an early age, and have committed non-violent economic crimes before committing violent crimes. She further states that adult violent offenders are better parole risks than those who commit property offenses. The greatest proportion of all serious violent crimes are committed by repeaters who have committed less serious offenses in the past.

Cook and Scioli (1977) state that there is no clear indication that recidivism is reduced by volunteer programs instead of probation. Michael B. Maskin (1976) concludes that the recidivism rate is highest in the work oriented programs as compared to the communication oriented programs.

Dennis Romig (1976) states that while length of stay is not related to recidivism rates, completion of a treatment program was related to recidivism. Romig concludes that the highest level of recidivism for all youth was found to be for those who had completed the least amount of the program in which they were assigned.

Effectiveness of Treatment Programs in Reducing Recidivism

Research indicates that while some individual programs have had limited success in reducing recidivism, there is no clear-cut trend to indicate that recidivism

is reduced by any program tried to this date. Robert Martinson (1974) reports on the 1970 New York State Governor's Special Committee on Criminal Offenders. This report summarizes the findings of a literature survey of treatment methods for offenders. Studies cited in this report had to meet specific research criteria, and studies were excluded only for methodological reasons. Two-hundred thirty-one studies were eventually included in the report. Treatment methods studied were in the following areas: educational and vocational training, individual group counseling, transforming institutional environment, medical treatment, effects of sentencing, decarcerating the convict, psychotherapy in a community setting, probation or parole vs. prison, intensive supervision, and effects of community treatment. The authors conclude that the programs mentioned had no appreciable effect on recidivism.

Incarceration as a Deterrent to Crime

No clear-cut trend was found to indicate that prison deterred crime and had an appreciable effect on recidivism rates. Lotz, Regoli, and Raymond (1978) compared the attitudes of training school boys to boys in the normal population. The authors believe that people are deterred, if at all, by belief in the certainty and the severity of punishment. They conclude that relative to normal boys, training school boys give higher estimates of the likelihood of offenses culminating in arrest and conviction, but are more likely to say that they would commit such offenses in the future. Gordon Tullock (1974) cites numerous studies by sociologists and economists which indicate that punishment does in fact deter crime. The youthful offender's length of stay in a juvenile correctional facility was found to be related to numerous variables. A longer length of stay was found to be associated with the younger offender, and with youthful offenders committed to large institutions with a high youth population within the state. Smaller institutions, and large institutions with a low youth population within the state were associated with shorter lengths of stay. Length of stay was not found to be related to such variables as academic achievement and positive or negative changes in self-concept.

Sentencing suggestions from correctional authorities include a modified fixed sentence for juvenile offenders, and a fixed maximum sentence by the legislature, with judicial discretion for sentencing up to the maximum period. Correctional

authorities would have the option of releasing the juvenile before the date of release set by the judge.

While length of stay is related to numerous variables under the jurisdiction of correctional authorities, it does not appear to be related to variables which would enhance rehabilitative aspects of correctional programs. The primary importance of the length of stay of offenders in correctional institutions lies in the loss of civil rights of those persons incarcerated in correctional facilities, in the financial cost to the public of incarcerating these offenders, and in the public's perception of security as a result of the offenders' incarceration.

Studies on the relationship between length of stay and recidivism indicate no consistent relationship between months served and parole outcome. Classic studies on recidivism in which a random selection of inmates in adult prisons were released early and compared to inmates serving their full term indicated no difference in release performance.

Summary

Many problems are associated with the use of official records in the comparison of recidivism rates between states and between facilities. These problems result from the lack of similar data sources, similar interpretation of data, and finally, similar presentation of data interpretation. Several authors have suggested a uniform data source, data interpretation and data presentation techniques as a means of overcoming these difficulties.

Some authorities suggest the use of statistics other than recidivism rates as a means of evaluating programs and rehabilitative efforts by the correctional community for the youthful offender. Some authors have advocated the use of community adjustment variables such as employment, school enrollment, and family situation as better indices of program success and offender rehabilitation.

Despite problems associated with the use of recidivism statistics for program evaluation, authorities continue to use these statistics as a means of evaluating rehabilitative efforts. Marvin Wolfgang's (1978) classic study on recidivism of

3,000 Philadelphia youths who were tracked for 30 years, indicated that 14% of the youths participated in some serious criminal activity up to the age of 30. Hard-core recidivists, those youths participating in five or more criminal acts, accounted for 52% of all delinquencies though they accounted for only 2.2% of the total group and 6.3% of the delinquent sub-group. Wolfgang states that these hard-core recidivists began as juveniles and continued their criminal activity as adults, with criminal activity greatest during the late teens and early twenties. Slightly more than half of those youths convicted of a delinquent act were involved in no further offenses. Wolfgang's study indicates that a small proportion of youthful offenders are responsible for slightly more than half of all delinquent acts.

While length of stay has shown no consistent relationship to recidivism, numerous other variables have been found related to parole outcome or release performance. Examples of these variables are: a history of alcohol problems, type of admission to prison, prior number of non-prison sentences, age at admission to prison, prior number of prison sentences, type of sentence, number of months served in sentence, age, previous incarceration experience, sentence type, a conviction of auto theft, presence of prior convictions, stability of employment, age at first arrest, living arrangements, and current income. It should be noted that several of these variables are directly related to the length of stay of the offender in a correctional facility.

Numerous authors have attempted to evaluate the effectiveness of treatment programs in relation to recidivism. Areas of research have included educational and vocational training, individual group counseling, transforming the institutional environment, medical treatment, effects of sentencing, decarcerating the convict, psychotherapy in community settings, probation or parole vs. prison, intensive supervision, and effects of community treatment. While some limited success is associated with individual programs, no clear-cut trend exists to indicate that recidivism is reduced by any programs tried to this date. Similarly, no clear-cut trends exist to indicate that incarceration is deterrent to crime and thus reduces recidivism rates.

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