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QUESTIONS AND ANSWERS

Michael Hakeem (Guest Editor)

The guest editor of this section, a sociologist at the Pontiac Branch of the Illinois State Penitentiary, has undertaken to answer a few questions which have been frequently asked in regard to the subject of parole. Parole is one of the most frequently misunderstood of penal policies, and it is a policy toward which the public has been antagonistic at times. This antagonism can be eliminated only if the public is made to understand the nature and purpose of parole. Mr. Hakeem has touched on this problem and other important aspects of the subject. This discussion will be of interest both to laymen and professional correctional workers.—EDITOR.

Question 1: What is the history of parole?

Answer:

The idea of parole did not originate definitely at one time as we know it at present, but it represents the convergence of several policies and practices some of which have a long history. The old practice of indenturing inmates of the first houses of refuge gives some suggestion of parole. Another practice which added to the development of the parole idea was the assistance granted by philanthropic organizations to discharged prisoners, especially in the middle 1800's (this practice really goes back to about 1776). In 1845, Massachusetts had a state agent for discharged prisoners whose function it was to help such persons secure employment and establish themselves in the employment. In the first quarter of the nineteenth century the English convict colonies had a system of parole which was called a "ticket of leave." New York State adopted the parole system in 1869. By the same act it authorized the establishment of the Elmira Reformatory. In 1885, Ohio became the first state to extend parole to inmates of prisons. The idea spread so rapidly that by 1898 twenty-five states had authorized parole.

Question 2: There have been a number of viewpoints on the best method of computing the rate of parole violation. Just how should the rate of parole violation be computed?

Answer:

There are several difficulties involved in computing the rate of parole violation. "Parole violation" must be defined exactly. It varies among jurisdictions. Usually, only those violations which are known to the officials can be taken into consideration. The length of time the subjects have been on parole is another important factor which has to be taken into consideration in computing the rate of violation. For example, it would be misleading to calculate the rate for a group of subjects some of whom have been on parole for only two months and others for two years. The latter will have a higher rate of violation than the former because of an accumulation of violators. Those who have been on parole only two months will show a low rate because of the short period of time that they have been out and not necessarily because they are better risks for good parole adjustment. Burgess has pointed out the variations in the rate which are seen when a different period of

time is used as the basis of calculation. He showed that of the total number of subjects on parole from a penal institution during one year, 1.1 per cent were returned for committing new crimes, 6 per cent of the total committed major violations, and 12.4 per cent committed major and minor violations. If the base of calculation is the number of subjects placed on parole in a certain year and the number of those who violated in that year, the rate of violation (all types) is 20 per cent. If the calculation of the proportion of violators is made after the subjects have been on parole three years, the rate is about 40 per cent.

The best way to arrive at a reasonably accurate rate of parole violation is to determine the proportion of violators among those who were placed on parole during a certain period of time but after several years have elapsed.

Sometimes a comparison is made in regard to the parole violation rates of several states, and the variations in these rates are regarded as reflections of the relative efficiency of the parole setup in the different states. Such comparisons are invalid for several reasons. The definition of parole violation may not be the same in the states whose rates are being compared, and the definition may vary from time to time in the same state. The methods of computing the rate of violation may not be comparable. The supervision given by parole officers may vary in a number of respects. Efficiency in record-keeping may vary. The administrative policies followed in granting or withholding parole may be markedly different. It can be seen, then, that differences in the rate of parole violation may be attributable to one or more of the variations listed here and may not be a reflection of the real difference in the extent of parole violation or of the efficiency of the parole setup. Furthermore, those states which have more efficient and complete parole supervision have been known to have a higher rate of parole violation than the states with a poor parole setup because in the former states violations are more frequently known and reported as a result of closer and more frequent contacts with the parolees.

Question 3: There is considerable confusion on the problem of how many persons violate parole. How many subjects do violate parole?

Answer:

Of course, different reports and studies give widely varying figures on the proportion of subjects who violate parole. It should be noted that special follow-up studies of parolees show a higher rate of violation than do the official reports of parole authorities. One reason for this is that the special studies are made by experienced, unbiased research workers who make thorough and exacting investigations, whereas the official parole authorities may desire to make a good showing and may assert that an extraordinarily high percentage of their parolees "make good." Parole authorities may overlook violations which are not reported to them. For example, in a follow-up study of about 500 cases made by the Gluecks it was found that 51 parolees had been arrested without the knowledge of the parole officers. Furthermore, the special studies of parole violation usually take into consideration a longer period of time during which the subjects are on parole than do the parole authorities who ordinarily report violation rates annually. On the basis of

studies that have been made and the available knowledge about recidivism it is likely that the rate of parole violation is surprisingly high.

In a thorough study of about 500 men who were released from the Massachusetts Reformatory, the Gluecks found that of 474 men who were paroled, 60.3 per cent had seriously violated parole. In their study of 500 cases of women released from the Massachusetts Reformatory for Women, the Gluecks found that of 256 women whose behavior was known, 55 per cent were delinquent during parole. These studies are among the most accurate which are available, and such carefully executed and thorough studies are rare indeed. Yet, proper appraisal of the parole idea must await a tremendous amount of this type of study. Loose generalizations in regard to the rate of parole violation are plentiful, and extreme care must be exercised in accepting and interpreting all data regarding this subject. Exact definitions and rigid methods of computation must be insisted upon.

Question 4: Why has public opinion been very much opposed to parole at times?

Answer:

It is surprising that despite the fact that probably all criminologists subscribe to the principles of parole, there has been intense opposition to it on the part of the public. The immediate situation which usually aggravates this opposition is the commission of sensational crimes by parolees. One of the reasons for the opposition is lack of information, or what is even worse, misinformation about the nature and purpose of parole and other pertinent points. The misinformation is in some measure due to the confusion and variance in viewpoints in regard to parole which exist even among parole authorities and penologists.

There is not sufficient space here to discuss all aspects of this question. Two points will be discussed which may clarify the issues growing out of the question of the place of parole in the correctional system. First is the problem of the justification of parole. Parole is very frequently looked upon, even by correctional workers, as a "privilege," a "reward," as "clemency," or "leniency." When a parolee commits a new crime the public demands that the "privilege" or "reward" of parole be withheld from all prisoners. The notion is that the "reward" is granted for good behavior in prison, that the prisoner is being given a "break" because he was a "good convict." Such a notion is erroneous, however. Parole should be looked upon as an integral part of the whole peno-correctional process. It should be regarded as the last phase of the treatment process, the period of readjustment in the free community before complete freedom. It is not a "privilege" or a "reward."

The second point has to do with the problem of the selection of subjects for parole. Restrictions are usually placed on the types of offenders who may be paroled. Those who have been convicted for the most serious offenses and those who have a long criminal record are frequently excluded from parole and are discharged from the prison without supervision at the expiration of their sentence. It is demanded that they serve their whole sentence in prison because of the seriousness of their offense and of their previous record. Yet, these offenders may be most in need of good parole placement and supervision. It is generally agreed by criminologists that

all prisoners who are released should be under supervision. It is a well-known fact that the vast proportion of prisoners (including dangerous and hardened offenders) are eventually released. Therefore, is it not preferable that they be released under good supervision rather than under no supervision at all? The public must realize that at the present time the alternative to the exclusion of hardened and dangerous offenders from parole is not permanent incarceration but release from prison at the expiration of their sentence without supervision at all. Permanent segregation of the unimprovable, hardened criminals is practiced to a very limited extent in the United States. At the present time, therefore, it is not the fault of the parole system that hardened, dangerous offenders must be released from prison at a stated time regardless of their unsuitability for release. It is rather the fault of our system of jurisprudence and our philosophy of sentencing. The solution of the dilemma would lie not in excluding those who are most in need of parole (the hardened, dangerous offenders who almost certainly will commit crimes again) from obtaining it and releasing them without supervision but in keeping them in lifelong custody. This raises many questions, however. For example, exactly who is the unimprovable offender?

Question 5: What is parole prediction and how well does it work?

Answer:

Parole prediction is a method designed to foretell the relative chances a subject has of making a successful parole adjustment or the relative chances he has of not committing crime in the post-parole period. The method is based on an actuarial approach. A large number of cases is studied in order to determine the differences which exist in regard to a large number of personal and social characteristics between those who were successes and those who were failures in the parole or postparole period. An "experience" or "expectancy" table is then derived. On the basis of this table, an attempt is made to predict the outcome of subjects before they are released from the penal institution. Prediction tables for other phases of the peno-correctional process (sentencing, type of treatment, prolongation of parole, etc.) have also been devised.

The question is frequently asked: "How accurately does prediction work in practice?" At the present time it is impossible to answer this question. Parole prediction has not been used systematically except in one state. Very few follow-up studies which are designed to determine the accuracy of prediction have been undertaken. What data are available on this point are inconclusive and sometimes contradictory.

Question 6: How many parolees should be under the supervision of one parole officer?

Answer:

Usually, it is stated that no parole officer should have to supervise more than fifty subjects. In practice, of course, the parole officer who has only fifty subjects to supervise is a rarity and he probably will be for decades to come. One of the difficulties in the situation is the fact that sometimes parole officers are compelled to follow an inflexible schedule. They must, for example, visit and report on each subject monthly.

There is one way in which the case load could be cut down considerably. It is well known that not all parolees need the same amount of supervision. Some subjects can "go it alone" for considerable periods of time, whereas other subjects may need intensive and painstaking supervision. It is only logical to devote more time and energy to the latter type of cases. Lengthy experience in parole supervision may help to demonstrate the different types of parole risks. Research has thrown some light on the question of the differences which exist between those who are likely to make a good parole adjustment and those who are not. Parole prediction devices when perfected may give some insight into this problem. For example, it is obvious that a subject who makes an excellent score on the parole prediction device, that is, a subject who is shown to be a good parole risk, may need less attention from the parole officer than the subject who is shown to be a very poor parole risk according to the same device. Parole "treatment" should be varied in accordance with the type of case being supervised. It may be found that not all parolees need to make a monthly report or need to be visited every month, for example. The case load may very appreciably be reduced by not requiring the slavish pursuit of a rigid schedule by the supervising officer. The immediate problem is to determine the different types of supervision needed by different types of parolees. Experience and research must solve this problem. Each parolee should receive the type and quantity of supervision which he needs. It will be found that a great deal of attention needs to be given to some and very little to other parolees. The parole officer should not be burdened by the necessity of following the same routine and doing the same things in regard to all his charges.

Question 7: What factors can help one to determine if the subject is a good parole risk or a poor risk?

Answer:

Of course, this question cannot be answered with finality. The studies which have attempted to determine which factors are associated with success or failure on parole have been made only recently. However, there are some factors which appear to be consistently associated with a certain parole outcome. It has been shown that success in the parole or postparole period occurs more frequently among offenders who are married, who had a regular work record prior to admission to the institution, who had little or no previous criminal record, who resided in the relatively smaller communities or in the less deteriorated sections of large communities; success is more frequent among those who are older and who had associates in the crime which led to commitment, who had no history of alcoholism, of drug addiction, or of sexual irregularities, who had good marital relations, who were relatively older at the time of their first delinquency, who showed a good institutional adjustment from the point of view of discipline, and who had not been convicted of murder or sex crimes. Generally speaking, all these are helpful signs. It has also been found that a greater proportion of parolees are successful if, during their parole period, they used their leisure time constructively, had good companionship, were in good family situations, showed a regular work record, and were subjected to good neighborhood influences. Other factors have been found to be associated with parole success or

failure in one way or another. It has also been determined that the more of these favorable factors there are in an individual case, the greater are the chances for a successful parole adjustment. While a great deal more research will be needed to determine which are the most important factors influencing parole outcome and to discover additional influential factors, it is clear that such findings can be somewhat helpful in solving the problem of parole supervision. Such findings, for example, can be of great help in grading parolees in regard to their parole risk, and in turn, such classification can suggest the quantity and quality of supervision needed in the individual case.

Question 8: What are the urgent steps that should be taken to improve parole?

Answer:

Assuming that all the recommendations of the progressive declaration of principles issued by the American Parole Association were put into effect, there would still be one very important development needed to improve parole. Continuous research is essential in this area. As a matter of fact, this is the most crying need in criminology and especially in the field of parole. Studies in parole prediction are illustrative of the type of work which may throw light on problems of parole. It must be realized that a great many of the practices and ideas about parole are merely hypotheses that have not been subjected to adequate test. Progress in this field, as in any other, can be made only through constant and intensive study. There are many problems which demand solution, many questions which await answers, and only through greater effort on the part of research workers will these problems be solved and questions answered. A great deal of experimental work should be done in the field. Various schemes can be tried and systematic observations made in regard to many aspects of parole. Work must be done to determine the best methods of supervision, the best methods of handling various types of violation, and the most suitable requirements to which the parolee should be made to adhere. It should not be assumed that the last word has been said on these matters even in those parole systems which are currently rated most highly. Greater progress in the future and full benefit from the accumulated experience with parole in the past will be secured only when the next step is taken—constant, careful, practical, scientific research on the problems of parole.

To illustrate the place of research in the future development of parole, let us recall that recently there has been considerable discussion as to whether the requirement that parolees must adhere to certain regulations is beneficial or harmful. Feverish debate has been undertaken. Some have defended the regulations; others have clamored against them. Now it should be clear that verbose debate will not clarify this problem and that it will not answer the question which has been raised. It is conceivable that a research project can be undertaken which will throw light on the question of what types of regulations are most conducive to a good parole adjustment and to eventual rehabilitation. Research, observation, and experimentation, not debate, will answer this question.