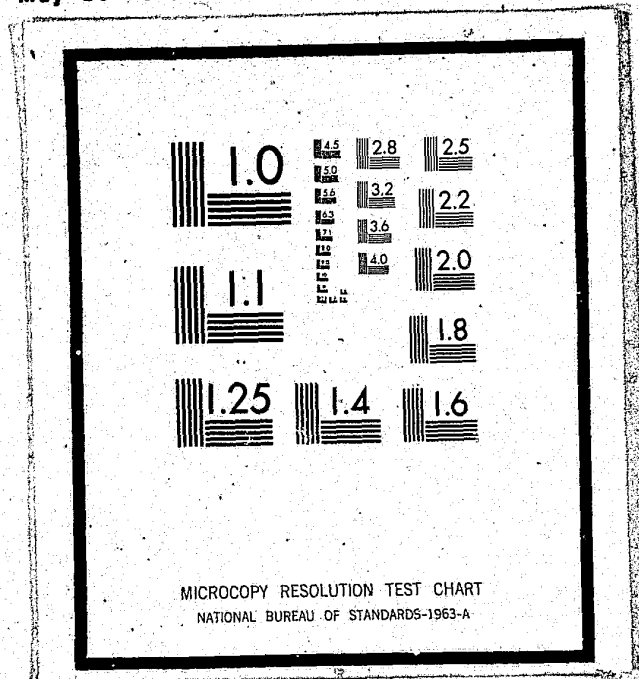


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RESEARCH SIGNIFICANCE FOR PAROLE OPERATIONS¹

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In 1870, at the organizational meeting of this Association, Sir Walter Crofton was a featured speaker.² Sir Crofton, who had been in charge of the Irish prison system, believed that the intent of the law was to make prisons "more than places of safekeeping" and that there should be programs of reform in prison with tickets of leave given only to those who evidenced a change in attitude. Tickets of leave had been used in England, along with indeterminate sentences within a fixed range, since 1853; and they had been used first in 1840³ in the program of transporting prisoners from England to America in accordance with English law of 1597.⁴ The ticket of

¹A paper presented in the Association of Paroling Authorities program, Centennial Congress of Corrections, American Correctional Association, Cincinnati, Ohio, October 13, 1970. These views of the author do not necessarily reflect the views or endorsement of the National Council on Crime and Delinquency or any other agency.

²Newman, Charles L., (ed.), Sourcebook on Probation, Parole and Pardons, 3rd ed., Springfield, Illinois: Thomas, 1968, p. 29.

³Rubin, Sol, et al., The Law of Criminal Correction, St. Paul, Minnesota: West Publishing Co., 1963, p. 33.

⁴Newman, op. cit., supra note 2, pp. 19-20.

leave, as originated by Alexander Macanochie, in charge of the English penal colony at Norfolk Island in 1840, was part of a plan for passing convicts through several steps--strict imprisonment, then government chain gangs, then freedom within a limited area, and finally, a ticket of leave resulting in a conditional pardon pending the full restoration of liberty.⁵

Under Crofton's system in Ireland, a prisoner received marks for good conduct and achievement in education and industry. Release under ticket of leave was followed by supervision, either by the police in rural districts or by the "Inspector of Released Prisoners" in Dublin. Earlier in Ireland there had been arguments for a fully indeterminate sentence. For example, the Archbishop Whatley of Dublin stated in a letter to Earl Grey in 1832 that

It seems to me entirely reasonable that those who so conduct themselves that it becomes necessary to confine them in houses of correction should not be turned loose upon society again until they give some indication that they are prepared to live without a repetition of their offenses.⁶

Just before the 1870 American Prison Association meeting, proponents of both the indeterminate sentence

⁵Rubin, op. cit., supra note 3, p. 33.

⁶Lindsey, Edward, "Historical Sketch of the Indeterminate Sentence and Parole System," Journal of Criminal Law, Criminology, and Police Science, 16:14, 1925-26.

and the Irish system of marks were urging that these be tested in the reformatory recently authorized at Elmira, New York. Thus, Sir Crofton may have been instrumental in the adoption of certain principles declared by the Association at that first meeting. Among these were the following three interrelated points:

The progressive classification of prisoners based on characteristics and worked on some well-adjusted mark system, should be established in all prisons above the common jail.

Since hope is a more potent agent than fear, it should be made an ever present force in the minds of prisoners, by a well-devised and skillfully applied system of rewards for good conduct, industry and attention to learning. Rewards, more than punishments, are essential to every good prison system.

The prisoner's destiny should be placed, measurably, in his own hands: he must be put into circumstances where he will be able, through his own exertions, to continually better his own condition. A regulated self-interest must be brought into play and made constantly operative.

These are three remarkable concepts to be found in a document from this meeting 100 years ago. They deal with the issue of careful, systematic classification of offenders by their characteristics and progress in correctional programs, with the modification of behavior according to the implied theory that rewards are more effective than punishments, and with the belief that the offender must share in the development of the program aimed at his rehabilitation.

We have not yet achieved the implementation of these principles as fully as our Association's planners hoped. Progress has been made, however; and the question at hand is whether or not research had anything to do with it.

It seems fashionable for research workers and administrators alike to decry the lack of implementation of research results; and perhaps they should. There is a demand by administrators for meaningful information on which to base decisions, but we know little about the relationship between research results and their application to the decision-making process. We lack any systematic knowledge of the relationship between results of demonstration projects and changes in correctional policy.

Despite an apparent gap between what is known and what is applied in practical situations, change in corrections does occur. Policy decisions are made and procedures of the administration of criminal justice and the treatment of offenders are modified. How many of these changes are due, directly or indirectly, to research operations is not known; and perhaps they are few. It may be that the dramatic incident, the special pleadings of powerful or highly active groups, or even pure coincidence account for a greater share of the

conditions which give rise to correctional policy change.⁷

Whatever role research may or may not play in the drama of change, a major theme of the 1967 report of the President's Commission on Law Enforcement and Administration of Justice⁸ was the need for research in every social agency concerned with reduction or control of delinquency and crime. Prominent recommendations of the report and of the President's subsequent message to Congress proposed marked increases in funds for research and demonstration programs in this field.

The emphasis of the report of the President's Commission is not unique but rather reflects a growing national interest in research as it relates to the origin and direction of change. Many efforts today are aimed at expediting social change--that is, at increasing it--and many people are, at the same time, at pains to increase the use of scientific methods in evaluating change. While the rate of change in the criminal justice field seems itself to be changing, there also is an increase in the incorporation of research into

⁷Wilkins, L. T., and Gottfredson, D. M., Research, Demonstration, and Social Action, Davis, California: National Council on Crime and Delinquency Research Center.

⁸President's Commission on Law Enforcement and Administration of Justice, The Challenge of Crime in a Free Society, Washington, D.C.: Government Printing Office, February, 1967.

administrative planning. Thus, research is being integrated into the total change process, with more and more emphasis being placed on the concept of evaluation.

At times, the results of research may be the major event, or one of the most important events, which appears to "trigger" change; but this seems not often to be the case. More often, a combination of events, persons, and circumstances may be identified, all of which led to the change in such a way that no single event, person, or circumstance may be judged responsible for it.⁹

This may be illustrated by a look at a few of the many recent programs related to the three principles quoted from the 1870 declaration. That is, the programs selected for discussion seem to represent steps toward fulfillment of the promises of the concepts of progressive classification, of behavior modification by reward rather than punishment, and of the offender's responsibility for his own treatment. It is not argued that research results are responsible for these programs--it is suggested rather that social change is more complicated than that--but it is believed that, along with other determinants, research efforts have played an important role. The focus on research events for the

⁹Wilkins and Gottfredson, op. cit., supra note 7.

purpose of illustration hopefully will not be taken as reflecting the view that other events or circumstances, or the influence of individual persons, are less important determinants.

The Work Unit program for parole administration and supervision in California is an application of the "progressive classification" concept of the early principles. Those familiar with this program may find it surprising that its origins may be traced not only to an Irish prison administrator of the last century but, in part, to a long line of research aimed at the problem of parole prediction.

A brief look at the history of these studies shows that they began about fifty years ago. Warner's 1923 study in Massachusetts of factors related to parole success and failure¹⁰ was continued by Hart, who suggested combining significant factors into a single score for each person. Burgess, with Bruce and Harno in 1928, developed a prediction method in Illinois.

Sheldon and Eleanor Glueck published eight volumes on the study and prediction of parole behavior, between 1930 and 1950. Meanwhile, Monachesi studied probationers in Minnesota (1932), Tibbitts attempted to validate Burgess' results, Argow studied jail recidivists in

¹⁰References to this and other prediction studies mentioned are appended in alphabetical order.

Connecticut, Fenton studied those from a California correctional school, and Laune added the interesting twist of investigating the use of subjective hunches--by fellow prisoners--regarding parolability of the inmate. The Department of Justice completed a major study on the topic of parole selection and outcome in 1939.

Ohlin built upon the earlier work and improved it (1951). Closely related studies were published by Caldwell, by Reiss, and by Witmer and Powers. Attempts were made also to validate the Gleuck tables, for example, with military offenders (Schneider and LaGrone) and with children with behavior problems (Black and Glick and Thompson).

Related research had been completed in Europe--by Schiedt (1936), Trunk (1937), Gerecke (1939), Meywerk (1934), Kohnle (1938), Frey (1951), and Saari (1951). In England, Mannheim had completed a similar study.

A little later, Dunham compared recidivists and non-recidivists at San Quentin (1954); Glaser reconsidered parole prediction factors in Illinois the same year; and shortly thereafter Mannheim and Wilkins presented the results of their study in England (1955). Kirby used similar methods for parole prediction in America at about the same time, and workers concerned with the prediction problem in other fields--for example, in vocational guidance (Tiedman), in the classification of students (Ahmann), and of farmers (Brandon and Potter),

of Air Force radio operators (Ward), and of aviation cadets (Lackman).

These studies provided the background for development of parole prediction methods in California beginning in 1958.¹¹ The methods developed and tested for adult male and female prisoners and for confined juveniles¹² have demonstrated validity for test samples released in different years,¹³ in samples released to

¹¹Gottfredson, D. M., and Beverly, R. F., Development and Operational Use of Prediction Methods in Correctional Work, a paper presented as part of the social statistics section of the American Statistical Association meetings, Minneapolis, Minnesota, September, 1962.

¹²Gottfredson, D. M., Ballard, K. B., Jr., and Bonds, J. A., Base Expectancy (Form CDC-BE CIW 62A) California Institution for Women, Sacramento: Institute for the Study of Crime and Delinquency and Research Division, California Department of Corrections, 1962; Gottfredson and Beverly, op. cit., supra note 11; Gottfredson, D. M., Bonds, J. A., and Grant, J. D., "La combinazione della previsione clinica e di quella statistica nelle decisioni penitenziarie," Quardeni di Criminologia Clinica, n. 1, Roma: Tipografia Delle Mantellate, Gennaio-Marzo, 1962; Gottfredson, D. M., and Bonds, J. A., A Manual for Intake Base Expectancy Scoring (Form CDC-BE-61A), Sacramento: Research Division, California Department of Corrections, April, 1961; and Gottfredson, D. M., A Shorthand Formula for Base Expectancies, Research Report No. 5, Sacramento: California Department of Corrections, December, 1961.

¹³Gottfredson, D. M., "Comparing and Combining Subjective and Objective Parole Predictions," Research Newsletter No. 3, Vacaville, California: California Medical Facility, September-December, 1961; Havel, J., and Sulka, E., "Special Intensive Parole Unit, Phase III," Research Report No. 3, Sacramento: Research Division, California Department of Corrections, March, 1962.

different geographical areas in different seasons of the year,¹⁴ and in samples released from different institutions.¹⁵

These prediction measures were called "base expectancies" because they were thought to provide a base for further research by quantifying expectations concerning parole outcomes. They do this by summarizing experience with parolees having different characteristics, on the basis of their parole performance. The California studies, which built upon the series of research efforts just cited supported many of the earlier results. The base expectancies devised were intended primarily as a tool for studying effectiveness of treatment. They were believed also to have a potential practical application of assistance in programs intended to reduce confinement costs and increase utilization of parole management resources.

An assumption basic to one application of prediction methods to problems of prison overcrowding and increased confinement costs was that some presently confined inmates could be released earlier if appropriate

¹⁴Gottfredson, "Comparing and Combining...", op. cit., supra note 13.

¹⁵Gottfredson, D. M., The Role of Base Expectancies in the Study of Treatments, a paper presented as part of the Symposium on Methods for the Study of Effectiveness of Treatment, Western Psychological Association meeting, San Diego, California, April, 1959.

procedures for their identification were formulated. The overall expectation, based on experience, was that about half the total parolee group would experience major difficulties before two years after their release (with major difficulties including any prison return, absconding, or sentence to jail for 90 days or more). But 30 percent of offenders, which could be identified by base expectancy scores, could be expected to complete a two-year period with only 30 percent experiencing major difficulties. Another identifiable one-third could be expected to have such difficulties in two-thirds of the cases. It was then possible to screen the entire confined population of California's prisons, first by base expectancy scores, then by further clinical criteria. The result was a group of men referred for parole consideration at a date earlier than originally scheduled; some were paroled.

A second application of base expectancy measures was the establishment of minimal supervision caseloads of both male and female parolees. Persons classed as having a high probability of successful parole completion received minimal supervision. Experience demonstrated that these cases may be given less supervision with no increase in the parole violation rate.¹⁶ This

¹⁶Havel, J., "Special Intensive Parole Unit, Phase IV," personal communication.

enabled parole workers to deploy their forces from areas where help was less needed to concentrate efforts to where it might be more helpful.

In the case of women parolee case management, using base expectancy measures as a starting point, a new classification and supervisory system was established.¹⁷ The best risks received only minimal attention. The parole agent time thus saved was redeployed in treatment oriented supervision of judged amenable parolees and in surveillance of judged nonamenable cases.

In supervision of men parolees, the saved time was used for more intensive supervision of "middle risk" parolees. This was an application of a research result reporting no differences with reduced caseloads in the case of good and poor risks but a favorable gain (fewer violations) with parolees in the middle risk group.¹⁸

These efforts had resulted in substantial monetary savings by 1961, with no increase in parole violations. In the case of the relatively minor effort regarding female parolee case management, the institution population

¹⁷ Betts, Isabel, "Six Months Experience with a Parolee Classification System," The Research Newsletter, No. 3-4, September-December, 1961.

¹⁸ Burdman, M., Increased Correctional Effectiveness Progress Statement, a memorandum from the California Department of Corrections to the California Senate Finance Subcommittee and the California Assembly Ways and Means Subcommittee, January 1, 1963 (unpublished).

was reduced, and it was the opinion of correctional administrators that this program avoided the necessity for building a new women's prison.

In 1961, the California legislature approved a Department of Corrections program intended to increase correctional effectiveness. This program was based on a screening of inmates by base expectancy scores, combined with programs for more intensive institution and parole case services. The goal was reduction of institutional costs for nonviolent cases by release slightly ahead of the expected time.¹⁹ That is, the program called for: (1) screening by base expectancy scores; (2) earlier parole of a group of inmates for whom base expectancy scores are predictive of successful parole and no danger is judged to be present; and (3) establishment of small institutional treatment units and low caseload parole programs for closer attention to inmates in the base expectancy groups with average parole success predicted. Nine such units were established, each treating 60 to 125 inmates.

Thirty-eight parole caseloads were established with 30 rather than the usual up to 70 parolees per agent. Seventeen were established as part of the new program, 14 were part of a previously established experimental

¹⁹ Ibid.

program, and the other seven resulted in redeployment of agents after establishment of minimal supervision caseloads for base expectancy predicted "good risks."²⁰

By 1963 the Department of Corrections was able to report to the legislature that the program had reduced the institutional population by more than 840 men and women. It asserted that support savings were at least \$840,000 and that eight and a half million dollars in capital outlay were deferred. These savings were attributed to the new program and to initial efforts by the paroling authorities to base decisions partly on base expectancy measures.²¹

By 1968, the Department of Corrections reported the further development called the Work Unit program. Its aim was a classification system for parolees that balances the amount of time the parole officer has available for direct case activity with the amount of time each parolee requires for appropriate supervision.²² To permit such an arrangement, three classes of parole supervision were established: (1) special supervision for parolees who require more than average parole agent time; (2) regular supervision for parolees requiring

²⁰ Ibid.

²¹ Ibid.

²² California Department of Corrections, Parole and Community Services Division, The Work Unit Parole Program: 1969, Sacramento: December, 1969.

moderate time; and (3) conditional supervision for parolees requiring a minimal amount of time. The program objectives were to increase community protection, improve performance of parolees, and save institutional costs. The base expectancy measure provides a basis for the parolee classification system. In its 1968 report, the Department asserts that the major program results up to that time had been a reduction by 17 percent of the prison return rate for new crimes and violation of parole, an improved performance despite caseloads of more vulnerable people, and savings estimated at one and a half million dollars for institutional operating expenses yearly and construction savings of ten million dollars.

In 1969 the Department reported to the legislature that total prison returns for new crimes and violation of parole rules were reduced by 25 percent since the 1965 start of the parole Work Unit program. They concluded (on the basis of base expectancy scores) that 1,543 additional men have succeeded on parole who, on the basis of past experience, would have failed. Again, considerable savings were reported in both per capita costs and ultimate need for major capital outlay. The saving from men kept in the community rather than back in prison was estimated as the equivalent of the entire population of an average sized major prison. Savings on operating expenses were estimated at four and a half

million dollars yearly and in construction savings at twenty million dollars.²³

It is not asserted that the prediction studies reviewed and the development of base expectancy scores have been responsible for the development of these programs which apparently are increasing the effectiveness of the California program. It is argued only that this line of research has been an integral part of this development and that without it these programs, at least, would be markedly different. Has the research of Warner, Ohlin, and Glaser--to name a few of those listed before--then contributed to more effective administration in California? I believe that it has. Indeed, the California studies would not have been done in the way that they were except for the influence of Leslie Wilkins following his research in England. Research builds upon earlier research.

The question of the significance of research for parole operations is, therefore, not a simple one but raises a sort of chicken or egg, which came first, question. The example given illustrates that research seemingly removed from practical administrative considerations may prove useful by indirect means.

Regarding the second mentioned principle (behavior modification), a much more lengthy series of research

²³Ibid.

studies could be cited as leading to the application of modern learning principles in programs for changing behavior. The historical development of these principles can easily be traced at least to Plato, but it was not until about 1930 that psychologists began to demonstrate experimentally that, by and large, the behavior that is rewarded is the behavior that is learned.

As a result of the experimental study of learning, not only has much been learned about the process of effective counseling and psychotherapy, but specific treatment methods for behavior modification have been developed.²⁴

Similarly, concerning the third principle set forth in the ACA declaration of 100 years ago, a series of research efforts surrounding the issue of the offender's responsibilities for his own treatment could be outlined. This would include at least the development of the therapeutic community concept of Maxwell Jones and its influence in prisons, halfway houses, and parole. As illustration, the small institutional units mentioned in connection with the California studies

²⁴See, for example, Case I and II Motivationally Oriented Designs for an Ecology of Learning, a project funded by the Office of Juvenile Delinquency and conducted by the Institute for Behavioral Research, Inc., Silver Springs, Maryland; and Training Line Staff for Behavior Modification, conducted under the direction of John M. McKee, The Rehabilitation Research Foundation, Draper Correctional Center, Elmore, Alabama.

emphasized treatment approaches modeled after those proposed by Jones. The major thrust of the treatment effort was development of increased inmate responsibility through intensive participation of all staff and inmates in development of a therapeutic staff-inmate community. It would at least have to summarize the guided group interaction projects such as those developed and studied by Empey;²⁵ and it would have to describe the development of novel community-based institutions which follow neither a therapeutic community model nor a guided group interaction model but do emphasize the sharing of decision-making with the correctional client.²⁶

We would again see the influence of research. Again we would have a chicken or egg type problem. Again we would see that the significance of research for parole operations is found in its integration--sometimes by direct implementation and sometimes by an indirect route--with parole administration.

We doubtless have a long way yet to go in meeting the ideals suggested in the 1870 principles cited.

²⁵ Empey, Lamar, The Provo Experiment and the Silver Lake Experiment.

²⁶ Bradley, Harold B., "Community Based Treatment for Young Adult Offenders," Crime and Delinquency, 15(3): 359-370, 1969; Bradley, Harold B., Design for Change: A Program for Correctional Management, Sacramento: Institute for the Study of Crime and Delinquency, 1968.

Research has played a role, however, in advancing toward them. So long as research workers and administrators approach parole with a questioning attitude and a willingness to seek to answer questions through a systematic collection of the facts, this progress will continue.

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