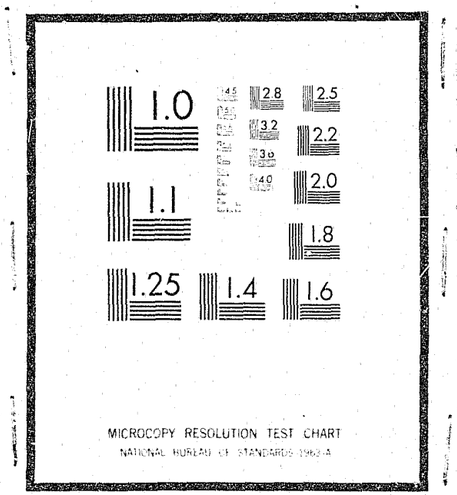

FINAL REPORT

DEVELOPMENT OF A MODEL OFFENDER CLASSIFICATION SYSTEM

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FINAL REPORT

DEVELOPMENT OF A MODEL OFFENDER CLASSIFICATION SYSTEM

Prepared by:

IIT RESEARCH INSTITUTE
Criminal Justice Science
and Technology Center
10 West 35th Street
Chicago, Illinois 60616

Prepared for:

U. S. DEPARTMENT OF JUSTICE
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National Institute of Law Enforcement
and Criminal Justice.

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DEVELOPMENT OF A MODEL OFFENDER CLASSIFICATION SYSTEM

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FEBRUARY, 1975
IIT RESEARCH INSTITUTE
Criminal Justice Science & Technology Center

(FINAL REPORT)

ABSTRACT

This is the third document in a series of three, in response to a National Institute of Law Enforcement (LEAA) request. The State-of-the-Art of Offender Classification in the U.S.A. reviewed over 600 documents related to offender classification and treatment. Documentation of Tests Used in Offender Classification surveyed psychological tests used in classifying offenders. The tests were evaluated as to their ability to predict subsequent offender behavior.

The present document builds on material covered in Monograph I and II. Chapter I defines information requirements to develop an extensive classification system on a scientific basis. Chapter II delineates the decision nodes in the criminal justice system at which options are available relevant to classification. Chapter III, specifies which tests are to be given, and what data are to be gathered for making decisions at the relevant nodes. Chapter IV discusses outcome data required for decision-making, and Chapter V discusses, in some detail, procedures necessary for designing a study to provide a scientific basis for the prediction of recidivism, as well as the risks associated with the offender in the community.

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FOREWORD

It is frequently exhilarating to review the sum of knowledge in a particular behavioral/social science field. It is less exciting to discover a paucity of valid findings. Lack of high quality data is a disaster for construction of an offender classification model. Now we know why we didn't know. It remains for future risk takers to design and implement the longitudinal studies so necessary to produce the data significant for model testing.

Thomas G. Eynon
Senior Project Scientist

SUMMARY

Chapter I points out that little is known about offenders who do not penetrate the criminal justice system; particularly unknown are the reasons why they do not continue their offenses. For apprehended offenders we do not know if any treatment program produced better results than non-intervention. Official records do not provide sufficiently good data to make predictions about offender outcomes. Most prediction studies have not been well designed or longitudinal. The lack of scientifically valid data makes it presently impossible to test a model offender classification system. The base expectancy rate studies provide a beginning approach if they can be applied to most of the decision nodes of the criminal justice system. The assessment of risk to the community has not been developed in ways useful for CJS decision makers, expecially in the cases of assaultive offenders. A discussion of treatment evaluation finds the concept of recidivism in need of supplementary outcome criteria.

Chapter II presents an offender classification model as a decision-making tool at three crucial nodes in the criminal justice system: Diversion, Sentencing, and Commitment. The decision nodes are examined as choice points with many branching alternatives and consequent limitations on future options in the treatment of individual offenders. A point scoring system for basic life history items is suggested with differential weights which can be rotated in the model to maximize predictive efficiencies for age, sex and race of offenders.

The classification model, using a data base including psychological test results and criminal justice system experience in addition to the life history items, focuses on offender mental health, assaultive propensities, and economic self support.

Chapter III suggests the psychometric tests to be used with adult and youthful offenders on flow charts showing that the CAT Reading, OLMAT and MMPI are common to both. If no retardation is suspected or clinical assessment is necessary, the youth get further tested on I-level and the Quay Battery, and the adults are given the GATB and Kuder.

Chapter IV examines the problems involved in a realistic appraisal of offender outcomes after "treatment" and specifies the predicting (independent) variables as life history data, test data, and offender experience with the criminal justice system. Offender outcome (dependent variable) is measured by recidivism (arrest), employment record, and social integration. The intervening "treatment" alternatives mediate between predictors and offender outcome. Figure 4 illustrates how the classification model ties together the data base, system alternatives, treatment modalities, and offender outcomes.

Chapter V proposes a feasibility study to determine the cost/benefit of massive national research effort following offenders as they travel past the CJS decision nodes through treatment alternatives to their eventual outcomes. The object of the preliminary research is to design a longitudinal predictive study with adequate and reliable samples to produce results which can

be used to test the proposed classification model. There can be little progress for the criminal justice system if we fail to implement and test predictive models.

CHAPTER I

THE PROBLEM AND ITS EMERGENCE

The Model Offender Classification System project originally proposed that a new, interdisciplinary classification system be developed to relate social and psychological characteristics of offenders to specific crime categories. The objective was to improve offender outcome predictions in alternative treatment programs. This task assumed much that our first and second monographs clearly indicate had not been accomplished.

A. Spontaneous Remission Rates

One prerequisite for accomplishing the task is to determine the result of non-intervention. For example, if a cohort of individuals who commit their first burglary at age 16 is followed over time, in or out of the criminal justice system, how many do not commit another burglary or other crime? How many will continue to become career burglars? At what age do the majority drop out of burglary as a career? When they drop out, how many go on to other criminal ways of life? Answers to these basic questions of criminal careers are not available. In terms of a medical analogy, we do not know "spontaneous remission rates" for various offenses and offender types. But until we do know the spontaneous remission rates, we cannot evaluate a treatment program. Since we do not know the spontaneous remission rates, whatever the differentials in treatment outcomes, we cannot know if any program produced better results than simply leaving the offender alone.

It also became obvious that official records did not provide the information needed to group together people who had committed similar crimes. The development of crime-specific procedures for classification requires information about the crime, the circumstances, the victim and the offender that is not available from the official records. The offense for which an individual is charged, convicted or sentenced may be far removed from the act which occurred. In part, this is due to plea bargaining; in part, it is due to police practices which vary widely from jurisdiction to jurisdiction; in part, it is due to compassion on the part of the various individuals involved in prosecution and adjudication.

B. The Problem of Prediction

The review of the literature also very clearly showed that there were very few studies which linked test results to <u>future</u> behavior. At best, test results of groups of individuals sharing specific behaviors that one wanted to predict were compared. That is, instead of defining groups by specific test-score intervals, and then following them over time to determine differential behavior (true prediction), groups were compared on their test scores; this procedure, of course, just exactly reverses the procedure needed. Perhaps the most obvious example of this type of reversal is the work of the Gluecks. In general, they took groups with some common characteristics, such as delinquents, criminals, and non-criminal controls and retrospectively studied them to construct the characteristics of the group. They then called these retrospectively constructed characteristics predictions. Clearly this

is going in the wrong direction, and is precisely the procedure which maximizes the likelihood of false positives. The Gluecks, however, were pioneers in this type of research, and many others learned from their activities, even if some of the learning was to avoid the mistakes they made.

There are several major problems with this reversal of the prediction research procedure, two of which should be briefly mentioned here. First, it is not always possible to be sure that differential test scores were not a result of the behavior to be predicted, and secondly, experience has shown a consistent shrinkage of predictive values when results of this procedure are used for true prediction. In the first problem, if an MMPI is given to a group of individuals in prison and to individuals with no known arrests there is no way of knowing if the profiles obtained represent a consistent and long-term personality patterning, or if the responses were a result of the experience of arrest, trial and conviction. Clearly, if it is the former, there is some chance that the test profiles may be predictive, but if it is the latter, just as clearly they are not predictive of future criminal behavior at all. There is no way of knowing from tests given to groups in this fashion why the differential results.

Let us for sake of argument, assume the former be true, i.e., that the test scores truly reflect personality. The scores of the prison group and the scores of the "normal" control groups obtained in this manner will exaggerate the differences between the groups. When the test is used in a truly predictive fashion, i.e.,

given in a totally random group of subjects, none of whom have yet been arrested, and then the group is followed over time to see who goes to prison, the mean score of the prison group will be closer to the mean of the whole group, and closer to the mean of the non-prison group, than the scores for the prisoners and controls obtained after the fact. This phenomenon, sometimes called "shrinkage" has been found so frequently in predictive studies as to be the expected result. In part, this is due to the regression effect and is discussed in most books on research design.

This monograph then was originally intended to make a formal recommendation for a classification system that was interdisciplinary and was to relate offender characteristics to crime-specific categories in order to predict the relative success in alternative treatment programs. Instead, since the review of the literature found such a dearth of tightly documented findings, this monograph must make a recommendation for a major research undertaking that will produce the needed data required for the type of predictive classification this project had intended to propose as a model.

C. Results Expected

It has been hoped that research findings would make it possible to develop a relatively simple point-scoring system such that groups of persons with certain point scores determined by offense type, past social history, and personality characteristics could be predicted to have specific recidivism rates given certain

treatment modalities. For one part of the criminal justice system, the current Base Expectancy Rates do just about what is wanted for California and for federal parolees. This approach has not, however, been tested as far as we can determine from the literature, for offenders in the other parts of the system in other states. We are, in effect, proposing research which will lead to similar point-scoring systems based on more extensive data for other levels of the criminal justice system in all regions of the U. S. It is possible to develop such a system for pre-trial diversion, probation, release with suspended sentence, and various other formal correctional treatments. Unfortunately, the quality of research at the present time does not permit this to be done. As a result, this monograph instead of proposing the model classification system is proposing the research necessary so that a model can be developed.

Our finding that the research literature does not provide the data needed for a rational set of decision criteria forces us to propose that information, including test results, be gathered on groups of offenders at the various nodes of the criminal justice system so that the classification prediction system itself can become self-correcting and that true prediction at known risk levels will result.

This procedure means that as the offender population changes over time, the classification system will also change in response. If our recommendations are followed, the result should be a system that will respond to offender changes. The research proposed is intended to produce a self-correcting system that will change over time.

D. Data Collection Problems

If one starts at the beginning of the formal correctional system, there is no reasonably well-established method for estimating whether or not an individual will be successful on probation. Although there is some research on the problem, there is no test given which will tell the judge, that people with this score have such-and-such a probability of completing probation without another offense. There is no valid and reliable set of data on social characteristics that make it possible for a judge to conclude that people with such characteristics are likely to succeed on probation at such a probability level.

In addition to whether or not an individual is likely to violate the law again, presumably the judge would be interested in knowing if an individual is likely to commit acts of violence against other members of the community. If, for example, a judge were reasonably certain an individual is quite unlikely to do injury to another person, or even to escape if apprehended in another law violation, he might well be willing to take a chance that the offender might engage in another auto theft. That is, if first offender car thieves have a 50% chance of stealing another car and a 30% chance of assaulting someone, the judge might reject probation. There is no objective and accurate technique of assessing the potential for violance. The violence scales, for example, which have been developed from the MMPI provide so many false positives as to make them unreasonable to use in real life decision-making situations.

The only criterion which at the present does seem reasonable is to say that the individual who has no acts of violence in his past history is much less likely to commit acts of violence in the future. In other words, past history predicts future events. But even with this type of judgement there are no data available on a sample, reasonably national in scope, that makes it possible to assess the differential probability that a person with a past history of violence will engage in future violence, as compared to a person without such a history. It seems obvious, however, that such data are crucial if one is to make judgements on anything other than a "by guess" basis.

It is, furthermore, reasonably well-established in the sociological and social anthropological literature that there is a big difference in the community acceptance of violence, and hence rates of violence, by region of the country and ethnic background. We do not know if a person from a high violence group or section of the country is more or less likely to commit a second offense, if arrested for such an offense, than an individual from a low violence group or section of the country.

We also do not have recidivism rates by type of offense for ethnic groups. We know that, in general, ethnic background may be predictive of many types of behavior, but little research has been done. Although it is a relatively straightforward task, albeit expensive, to select a sample of first offenders convicted of specific offenses, e.g., auto theft or burglary, and then follow them over a period of years to determine recidivism rate and

continuity of offense history, there are few such studies and none of them control by ethnic group. There are some studies of a specific offender type, and a very few studies of well-defined populations, but no reasonably large representative sample of the American population or of the offender population has been followed over a reasonably long period of time to provide this type of data. This means that we cannot make predictions of the likelihood of recidivism by ethnic group or offense on the basis of presently available data. It also means that there is no good foundation for differential treatment by ethnic group by offense types. We do not know if a given treatment is better than doing nothing. We do not know if one treatment is better than another. Even worse, we do not know how to go about defining in clear and operational fashion the word "better".

E. Criteria for Evaluation

Frequently, programs are evaluated in terms of recidivism. It is, however, clear that this cannot be the only factor to be used in evaluation. We could easily produce zero recidivism rates by executing all offenders. Hardly anyone, however, would say that this is a <u>better</u> treatment for a first offender auto thief than sending him to prison. This means that we have in mind something other than recidivism rates when we evaluate treatment. If recidivism is to be rejected as <u>the unique and crucial</u> criterion variable in the evaluation of correctional programs, what criteria could be used? Perhaps the following:

a. avoidance of new violations of criminal law (recidivism);

b. the avoidance of technical violations of diversion programs, probation or parole;

c. the developed ability to support oneself, wife and/or children from a legitimate occupation or source of income; and

d. the ability to maintain stable relationships with other people, including spouse, children, and neighbors.

This specification of criteria, even if agreed on by all still does not balance one element against another. The criteria are clearly not independent and not mutually exclusive. A person who learned a good trade, had a fine job, supported himself, his wife and children from this job, became a fine supportive loving husband and father and excellent neighbor, but who on rare occasions would murder someone would not be considered a success by usual standards. It is thus necessary that the criteria be weighted in some fashion to provide a reasonable evaluational outcome. The question as yet unresolved is what weights are to be used. Furthermore, it is not clear that such weightings are the job of criminal justice functionaries. Perhaps it is the job of the community or its representatives, the legislators or most likely the judges who sit in the criminal courts.

There have been no major research programs representing a wide spectrum of offender categories which have evaluated treatment modalities controlling for offender categories. Without this research, specific recommendations for classification and treatment can be no better than speculation at increasing risk to the community.

The female offender has been neglected. There are no parole base expectancy tables, and no follow-up studies on the effects of treatment on future behavior. There is more known about classification of delinquents; however, most of it is restricted to California Youth Authority or Federal Offender research.

F. What to do

A massive research program on a national basis is imperative if criminal justice decisions are not to be dominated by ad hoc classification schemes, and by tests that rarely, if ever, produce practical and useful results.

At the present time, there is no central agency processing routinely all data on a national sample of offenders so that reasonable base expectancy tables can be constructed by offense, sex and age for individuals and for regions of the country at the decision nodes of the criminal justice system. As a result, judges must determine probation by a personal intuitive decision or by a general administrative policy that most likely has not been explicitly formulated. There are no known plans to improve this situation.

This lack of organized and systematic knowledge of offenders, their histories, and the relative effectiveness of different correctional programs generates one major recommendation that dominates all else: there must be a research group gathering data on a significant sample of all types of law-violators who enter or divert from the criminal justice system, which gathers data at all decision nodes. This includes not only police and court records, but also sufficient details of offender behavior. Research must also include dispositional data, personal history data, and at least the psychological test data provided for by the standard testing procedures recommended herein and documented in Monograph II. Certainly it must include data on treatment activities. This project must focus on problems of experimental design and sampling procedures in order to minimize cost and maximize information.

CHAPTER II

THE CLASSIFICATION MODEL AS A DECISION-MAKING TOOL

The purpose of the proposed study is to develop a system of classification of the offender, and to use this classification as a basis for predicting the probable outcome of various treatments. Our problem is complicated by the fact that as we enter the criminal justice system, we successively encounter critical decision points, each with a number of optional behavior pathways. These decision nodes with branching alternatives are affected by decisions previously made, and in turn, determine the options which will subsequently be available.

These decision nodes and their branching alternatives exist now. The offender who is caught up in the system moves willy-nilly along the pathways, switched at various points to other tracks for one reason or another. Although the pathways are an interrelated and interconnected system, there is little relationship between the decision makers at the successive decision-points.

We are proposing to study the effect of various branching options at each of the successive decision points. As the criminal justice system is penetrated, the branching options become more numerous, the consequences become more serious, and the necessary data input becomes more sophisticated. It is required that each of the factors previously included in the classification system be re-evaluated at each decision node, new data be fed into the system, and perhaps the classification model be rotated to provide new weights.

It is one of our basic assumptions in proposing the building of this model that significance of each item, whatever its source, is determined by the absence or presence of other items, the relation of each of these items to the behavior to be predicted, and the significance of the possible outcomes of the decisions that are to be made.

Not all offenders are detected and arrested, not all those arrested are tried, not all those tried are convicted, not all those convicted are sentenced, not all sentences are the same, and not all sentences are served. Thus, though arrest is normally the first contact with the criminal justice system for the offender, the degree of penetration into that system varies greatly. There are numerous critical points in the total system, where some decision-making process is involved in the handling of the offender, the determination of the degree of further involvement, and assignment to some type of treatment.

The primary pattern for the federal system is presented here. The general pattern for the state systems will be similar, though often different in detail or terminology.

I. Diversion Model

When the individual is arrested and charged with an offense, the system has available to it a number of alternative courses of behavior prior to trial:

A. The individual may be released pending trial. At this stage the court will need to decide whether he is to be released on bond, or on his personal recognizance. If he is to be released on bond, there must be a determination of the amount of the bond.

B. The charges may be dismissed.

(1) with leave to reinstate

(2) permanently dismissed

a. for lack of evidence

b. for lack of prosecution

In general, only life history material will be available for the Diversion Model, and not always then. It would be unrealistic to expect the collection of meaningful test data at this stage. Life history items, however, should be collected with great diligence and accuracy. As this is the threshold into the criminal justice system, great pains should be exercised to make sure that the data are complete and accurate. The data obtained at this step may be expected to follow the offender through the rest of the system if he is convicted.

At this stage, our approach would be similar to the techniques developed and found to be predictively useful by banks, credit card companies, and other credit-granting institutions such as department stores. We would develop a point-scoring

system for basic life history items, a system suitable for application at the point of entrance into the criminal justice system at the first decision node.

We would expect that the personal characteristics and experience factors in good and poor risks would vary significantly from one jurisdiction to another, and yet display certain basic similarities across the total spectrum of first offender behavior. Therefore, the first thrust of the data collection effort would be to collect social history data sufficient to permit the development of a dual point-scoring system, to be applied at this first decision node.

Base Expectancy tables have been developed, as in California for example, as a useful parole prediction method for the male correctional population. We are proposing a similar technique to develop Life History tables for adults and youths, male and female.

We have chosen to base this table on the credit model rather than the criminal model because we feel that the offender population at this stage is closer to the normal general population than to the criminal population. Further, the development of Base Expectancy tables has been able to treat all items as dichotomous, whereas our Life History Table seeks to provide evaluation of a much wider range of behavior in each category.

A summary of the differences between the two approaches is shown in Table 1.

TABLE 1

DIFFERENCES BETWEEN LIFE HISTORY TABLE
AND BASE EXPECTANCY TABLE

LIFE HISTORY TABLE	BASE EXPECTANCY TABLE
Male and female	Male only
Adult and youth	Adult only
Arrested but not tried	Convicted and confined
First arrest	May have had many arrests
Predicts presentence success	Predicts parole success

It might be possible that jurisdictions with large urban offender populations and jurisdictions with few offenders, and those from small towns or rural areas, would find the same social items to be significantly predictive, but it is unlikely that the weights would be the same. It is possible, however, that with different weights for race, age, sex, marital status, education, living status, economic level, employment experience, and type of crime, we could be able to establish a cutting score which could significantly affect policy in handling offenders. Offenders whose point-scores are above a certain number might be routinely released without bail being required. Offenders below a certain number might routinely be held for trial at very high, i.e., prohibitive bail, and offenders whose scores are in between might be released on a reasonable formal bond.

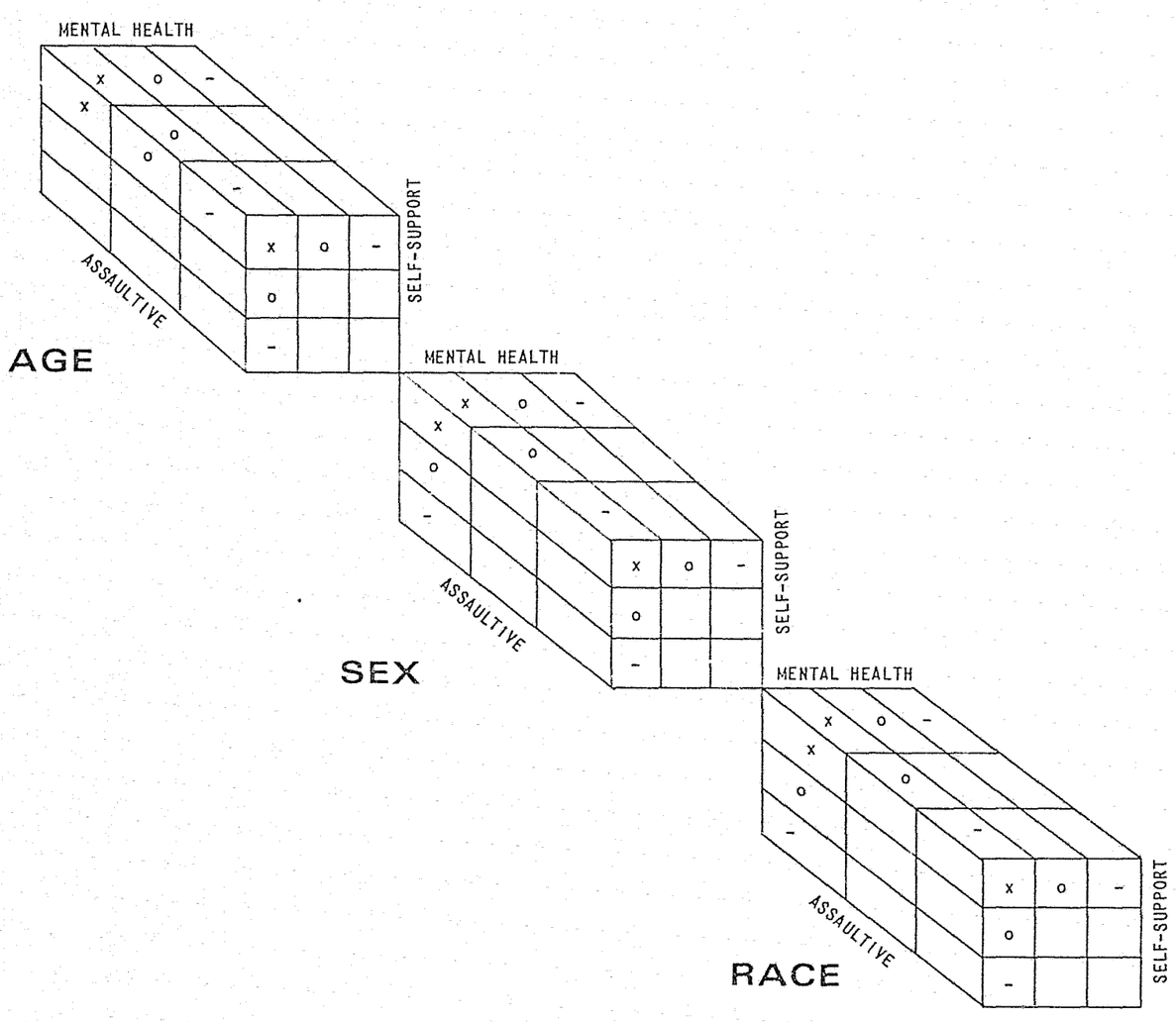

FIGURE 1
BASIC CLASSIFICATION MODEL

II. Sentencing Model

A. Presentence Diversion:

(1) Observation and study.

This is an optional procedure which allows for the accumulation of information about the offender to assist the court in arriving at a suitable sentence, and thus determines how much further the individual will penetrate the system. The period for study may be for sixty days or more. It is available for juveniles, youths, young adults, or adults.

The life history material should be available to the court at this time, as part of the information to be evaluated in determining whether a period of observation and study is desirable. If the life history raises questions about the mental or emotional stability of the offender, the study period would be particularly important and desirable. The additional understanding of the offender, obtained at this stage, could be critical in the development of the total, long range plan of treatment.

Our first concern is with the offender who commits some type of assaultive behavior. This is the type of crime which is most serious, which most concerns the citizen on the street, and the crime which is most likely to touch the life of the average citizen. It is also a type of crime on which good, sound data is most significantly lacking. So we begin here, and the basic model shown in Figure 1 focuses on mental health and assaultive behavior. By substituting other terms, the model could be used to evaluate offenders who have committed any other type of crime.

Thus, a young first offender of average intelligence, average educational skills, and average mental health, who had been self-supporting prior to his arrest, whose offense did not involve violence, could be granted probation with a high probability that he would have no further contact with the law. On the other hand, the offender whose evaluation indicated no consistent employment, a poor school record and limited educational skills, or mental retardation, or violent behavior, for example, could be committed to a form of custody which would ensure some type of treatment which could possibly be remedial. To the extent that sufficient data could be obtained to allow reliable prediction equations for the first type, more time would be released for the court to devote to the second type or problem offender.

Our plan does not contemplate more extensive study at this stage of the offender whose psychometric performance on this partial basic battery is normal for his age and education. If the offender is to stay in the community to continue his life along lines similar to his previous pattern, further data are not necessary.

However, when problem areas are uncovered by this approach, the court will have the choice of continuing the period of observation and study, so that the balance of the testing can be completed before sentencing; or committing the offender to a type of custody which will permit the completion of the testing. A part of the decision will, of course, depend upon the availability of the necessary professional resources, as well as upon the nature of the crime for which he has been convicted.

Even in those cases where the court decides not to confine the offender, alternatives must be determined, that is, whether unconditional discharge, or supervised probation. The life history data and psychometric results should be available and helpful in making this decision.

B. Juvenile Delinquency

(1) Probation

a. definite period not to exceed minority

b. period of minority

(2) Commitment to custody

a. definite period not to exceed minority

b. period of minority

(3) Parole

(4) Discharge

(5) Handle under Youth Act

(6) Handle under Adult Criminal procedure

C. Youth Act

(1) Probation

a. suspended sentence

b. unconditional discharge

(2) Commitment to custody

a. indeterminate sentence less than n years

i. may be conditionally released under supervision any time

ii. may be unconditionally discharged after one year and before expiration of maximum sentence

b. indeterminate sentence of more than n years

i. conditional release under supervision

ii. unconditional discharge one year after conditional release

c. any other legal provision

d. discharge from supervision

D. Adult Offenders

(1) Probation

a. suspended sentence

b. confinement up to six months, balance of sentence suspended up to n years

(2) Commitment to custody of Attorney General

a. definite sentence: some period of confinement plus parole

b. indeterminate sentence

i. confinement, and establish date for parole

ii. confinement and establish date when Board of Parole may determine parole eligibility

c. discharge from supervision by Board of Parole

(3) Fine

a. collected

b. suspended

c. remitted

d. imposed in addition to other sentence

At each of these decision nodes, someone must arrive at a decision regarding the imposition of a sentence, or a release from one already imposed. The decision maker needs all of the information available regarding the personal characteristics of the individual and the probabilities these reveal of his successful adjustment to the alternative actions being considered. We believe that the assessment program we are proposing will be able to provide significant data at each step, whether this be the apparently simple decision to release or not release the first offender on personal recognizance, or to release the recidivist on parole.

III. Commitment Model

In our discussion of the Sentencing Model we have noted that some of the alternatives are Commitment to Custody. Such commitment does not necessarily involve actual confinement in an institution, though it more generally does so. Commitment to custody still provides for numerous alternatives.

A. Immediate release

(1) under supervision

(2) discharge from supervision, conditional

(3) unconditional discharge

B. Commitment

(1) Community based institution: live in, work out

(2) Institution

a. minimum security

b. medium security

c. maximum security

(3) Treatment alternatives

a. counseling or therapy

b. cottage, dormitory, or cell block placement

c. academic training

d. vocational training or preparation

Obviously, we are not discussing the psychotic or psychoneurotic offender. The person we are considering at this stage can be considered in the middle range of the distribution of the normal population. We begin to focus here on the causes of his disturbance, the degree of his disturbance, and the social cost of various treatments.

Even when the offender has been found guilty of a crime involving violence there will be differing causes, differing capacities for response to treatment, and therefore, different possible treatment alternatives. Our question, again, is whether we should choose the branching alternative that leads to exit from the system; one that retains him in the system, but at this level; or one that leads to further penetration of the criminal justice system.

If the offender is committed to an institution another series of decision-making steps is presented, and for this reason the balance of the Basic Battery should be completed as soon as possible after the offender enters the institution.

Within the institution the first decision will be placement, by cottage, wing, or dormitory, or cell block. Knowledge of the intellectual and educational level, and of the personality characteristics, will permit placement with homogeneous offenders, to simplify control and management.

The second decision will be assignment to a work detail. We recognize that the structure or needs of the institution may dictate work assignment without regard to the interests of the offender, and with minimum consideration of his abilities. Nevertheless, knowledge of interests as obtained from the Kuder, and abilities as determined by the GATB or NATB, will permit more effective work assignment wherever possible.

A third major decision making step will be the decision for treatment. The decision must be made whether to place the offender in normal, routine prison life, or to refer him to some type of correctional behavior counseling, such as group therapy, individual counseling, or even psychiatric intervention. The life history and psychometric data when fed into the decision process, will permit the decision to be more insightful. The treatment information when fed back to the central processing unit will permit an increase in prediction effectiveness.

A fourth and highly important decision making step will be involved in the parole process. Here institutional behavior history will be added to life history and psychometric data, to strengthen the prediction effectiveness.

It should be apparent from the description of our proposed model that certain working hypotheses underlie our research orientation. It should be quite apparent that we feel that differences in crime or criminal behavior reflect the operation of more fundamental processes. The long range goal of the proposed research is the understanding of these fundamental processes.

The weakness or limitations of many of the psychometric research studies discussed in previous reports[1,2] is that operationally they have defined the behavior studied, whether violence, escapism, or recidivism, for example, in terms of a single characteristic. We propose to begin with the basic assumption that no single behavior characteristic will differentiate one criminal syndrome from all others, or from any others. The causes of crime, the motivations of the criminal, are complex, and any predictive device must match the complexity of the behavior to be studied.

Stated in its most elemental terms, we are proposing the Central Processing Unit as the operating center to receive all the data, and to perform the inter-correlations among the groups of tests which will be used. For simplicity of discussion it should be noted that we are using the term "test" to include all objectively recorded data about each individual including biodata,

environmental data, and treatment records. Although step-wise regression procedures will probably be useful and adequate in early data processing stages, the ultimate goal should be a factor analysis to develop optimum weights for the various items to be included in the prediction equations at successive decision points. As we hypothesize that no single behavior or environmental characteristic will differentiate one type of offender from another, so do we also hypothesize that crime and criminal behavior are multifactorial.

Is there the possibility of some type of "Hawthorne effect" as the result of this study, which would erode confidence in the conclusions? We have considered this possibility, and have concluded that creating a C.P.U. as a research unit independent of any arm of the criminal justice system, will avoid the possibility of such a consequence. The C.P.U. will be working with objectively determined, independently obtained data from records rather than the individual.

The life history data which we propose to include are justified by our hypothesis that the age of the first offense, and the type of offense, are related to the neighborhood in which the offender resides, but the basic roots of crime are found in his family and social relationships, and their interaction with neighborhood forces. We are familiar with the stereotyped picture of two young men growing up in the same neighborhood, the same block, the same tenement, even the same family. One becomes a criminal offender early in life; the other never does. We are familiar

with the story, but we have not tried to understand the complex relationships which determine the story and its outcomes. We have previously shown that matching offenders with other offenders, or with non-offenders on single variables does not solve the problems of ex-post-facto research. We believe, however, that matching offenders on multivariate dimensions may provide hypotheses which can then be subjected to predictive research. More simply put, matching offender and non-offender groups may not explain subsequent criminal behavior, but may enable us to predict it.

Our emphasis on the measurement of mental ability and educational or occupational skills may be questioned by some. We have discussed in Chapter I, some of the previous studies of the relation of these traits to criminal behavior. We have noted that these have generally been worthless in classification systems. It is our belief that while mental ability and educational or occupational skills do not determine the offender or the type of crime, serious deficiencies in one or more may predispose the individual to the commission of certain types of offense.

It is, of course, a corollary to such a hypothesis that the provision of training in appropriate and useful work skills, and the development of appropriate educational skills, will reduce recidivism rates. This does not mean that the evaluation of social skills and attitudes would be neglected, for it is an essential hypothesis that the development of social skills and attitudes will reduce the disposition to crime. It becomes obviously

apparent that these two treatment patterns be studied in their effects independently, and together. Tentatively, we believe this can be done by assigning subjects to different groups for study. The groups could be established as equivalent on certain measures, such as intellectual level and type of crime and allowed to vary on other traits, such as an occupational skill acquired while in custody. The C.P.U. would be able to form groups almost at will by manipulating the data.

Crime and delinquency are variants of behavior on a continuum. Although society has defined certain types of behavior as unacceptable, and labeled this as criminal, the existence of the total continuum must be recognized and dealth with. The psychometric data to be collected, and the life histories, also represent continuous and extended dimensions. In this sense, it is theoretically possible to study an infinite variety of behaviors, and psychometric variables. We propose to limit the extent of the proposed research by operationally defining the offender or crime, and the psychometric variables.

CHAPTER II
REFERENCES

1. Final Report, Documentation of Tests Used in Offender Classification, Task II of Project: Development of a Model Offender Classification System, January, 1975.

2. Final Report, State-of-the-Art of Offender Classification in the U. S. A., Task I of Project: Development of a Model Offender Classification System, January, 1975.

CHAPTER III

DEVELOPMENT OF THE CLASSIFICATION MODEL

We propose to collect specific test data from a representative sample of all persons convicted for a first offense. As already noted, some of the data would be collected from a sample of all convicted first offenders prior to commitment, or in some cases, without commitment. The administration of the tests would follow specific guidelines, using a sample of scientifically predetermined size and characteristics.

The testing program would begin with an assessment of the educational skill level, in order to determine the level at which the offender could respond meaningfully. Thus, the first step would be evaluation of reading skill, and we propose to use the Reading section of the California Achievement Test for this purpose. This test requires a total of 58 minutes for administration, and can be given in groups. Thus, the offender in the sample can be tested at the same time and in the same group as other offenders, without creating any additional demands for time on the staff or other personnel.

There are differing opinions on the minimum level of reading ability required for meaningful response to the test battery we have proposed. We want to make the selection procedure as simple as possible at the same time insuring standard procedures and useful data. Therefore, we propose that all those whose reading skills are at or above the lowest score of the fourth stanine on

beginning ninth grade norms be considered to meet the normal basic criterion, and go on to finish the Basic Test Battery. Those who are below this division point will be tested on the Special Diagnostic Battery.

The normal basic group will complete the balance of the battery, consisting of:

1. The complete California Achievement Test
2. OLMAT
3. MMPI
4. 16PF for each 10th offender in this group
5. GATB
6. Kuder

In Chapter II, we suggested the administration of these tests in various stages of penetration into the CJS of each offender. The possibilities of different administrations at various stages, are developed there, and will not be repeated. The testing process will be treated here as though it occurs in one place as one process. The flow charts, which follow, given an overview of the successive levels of testing, and the available decision pathways, without regard to where or when the testing is performed.

Figure 2. ADULT OFFENDER TESTING

In those cases where the complete CAT profile suggests severe educational imbalance, e.g., a difference between mathematics and reading achievement of three grades or more, the individual will be referred for appropriate individual assessment. In those institutions with adequate educational programs, such persons might be referred for remedial education if individual assessment verified the discrepancy. Such variation in the educational profile would not affect the administration of the balance of the tests, but any instructional or remedial program would be recorded as a treatment procedure.

When performance on the OLMAT suggests the possibility of malingering or other deviate personality behavior, the individual will be referred for clinical assessment. We will not attempt to decide for each clinician what techniques or instruments he will use in his clinical study of those referred to him. However, no matter what other test he uses, his study of those referred to him as part of this program will include the MMPI, and the Bender-Gestalt.

We have already noted the attractiveness of the 16PF, and also the lack of adequate studies with offender populations. We plan to administer that test to a subsample of 10 percent of the normal reading group. This can be easily accomplished by administering the test to every tenth person who is given the MMPI.

In those instances where the MMPI and/or the 16PF profiles suggest significant personality problems, the individual will be

referred for appropriate individual clinical assessment for verification or clarification. In these instances, the clinician must be sure to include the Bender.

All of the offenders in this group, i.e., those with adequate reading skills, will also complete the GATB and Kuder tests. The total pattern of tests results can be used to assign the individual to the optimum available occupational training.

For those offenders whose reading skills fall below the fourth stanine for beginning ninth grade norms, two alternate patterns are proposed.

If the offender's personal history, school record, ethnic background or environmental evaluation indicates the probability of significant educational deprivation, one set of tests will be used. If, on the other hand the offender's background and behavior suggest the probability of intellectual deficiency, whether innate or the result of accident or disease, a different set of testing procedures will follow.

In the first instance, we may suppose an individual from a different culture, lacking an adequate understanding of the English language and other subject matter areas of the CAT, such as a recent immigrant from a Spanish-speaking country. Or, native-bo n, but reared in economic and social circumstances that have limited cultural development. Others may have acquired attitudes toward scholastic attainment that prevented normal educational progress.

For such individuals a non-verbal, culture-independent test is prescribed. We are recommending the Revised Beta for all these persons, plus the PPVT where time, budget, and circumstances permit. The Beta can be administered by pantomime, even as a group test. Thus, the intellectual level of those who have no understanding of English, even those who are deaf or mute, can be evaluated.

Following the Beta and/or the PPVT, these individuals will also complete the Bender and the House-Tree-Person. If the pattern of these tests does not reveal or suggest emotional or intellectual deficit, the individual will then complete the NATB before classification assignment. If the pattern of these tests scores suggests the possibility of emotional problems, or the results are equivocal, the offender will be referred to individual clinical assessment. In these cases the MMPI will not be included in the evaluation. Whether or not the NATB is added before classification assignment should be a local decision, following the completion of the clinical assessment.

When the personal history, social background, educational record, or behavioral observations suggest the probability of limited intellectual development, then a different battery of tests is more appropriate. In such instances we seek the administration of a battery of individual tests in the interest of greater reliability and validity.

The Wide Range Achievement Test will indicate more precisely the nature of the educational limitations, measuring reading, spelling and arithmetic performance in greater detail than the CAT.

The WAIS is individually administered and yields a performance, or non-verbal, I.Q. in addition to the verbal I.Q. and total I.Q. When these tests are carefully considered together, they may indicate that the individual has normal intelligence, but a specific reading disability. The other educational skills may or may not be at the normal level.

These individuals will also, of course, be given the Bender-Gestalt and the House-Tree-Person tests. The results of these tests, considered together, will be evaluated to determine whether there are indications of abnormal or deviate development requiring highly professional clinical assessment.

The performance tests may reveal test behavior patterns suggestive of physical or organic problems such as arrested development or brain damage due to accident or illness. Other behavior may suggest characterological problem traits such as impulsiveness and lack of planning, hostility and aggressiveness, or fearfulness and timidity. Some patterns of mental illness such as schizophrenia, are also believed to be often indicated by performance on these tests.

If this battery of tests (WAIS, WRAT, B-G, H-T-P) suggests significant mental retardation or serious mental or emotional

illness, confirmed by clinical assessment, then it would appear to be appropriate to conclude classification assignment without the NATB. However, where the suggestion of mental limitation or mental illness is not confirmed, then the NATB would be completed before classification assignment.

A. Youthful Offenders

The procedures described for testing youthful offenders will essentially be the same as those described for adult offenders, except for such differences in the test batteries as are described.

The reading section of the CAT will be the first test administered. Those who read at the ninth grade level as defined above, will complete the CAT, and then take the OLMAT and MMPI. When the institution feels that the pattern of these test scores suggests emotional difficulties, the youth will be referred to individual clinical assessment.

Whether clinical assessment is required, or if required, whatever the conclusion of the clinical assessment, a sample of ten percent of the youths will complete the Jesness Inventory. All three scales (BPC,CALH, and POS) of the Quay battery will also be completed for this subsample.

When the youthful offender fails to read at the ninth grade level and educational or cultural deprivation is suspected, he will be given the WRAT and the Revised Beta, and where possible and appropriate, the PPVT. If mental retardation is suspected, he will receive the WAIS or WISC. Both will also be given the Bender-Gestalt and the H-T-P.

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1 OF 2

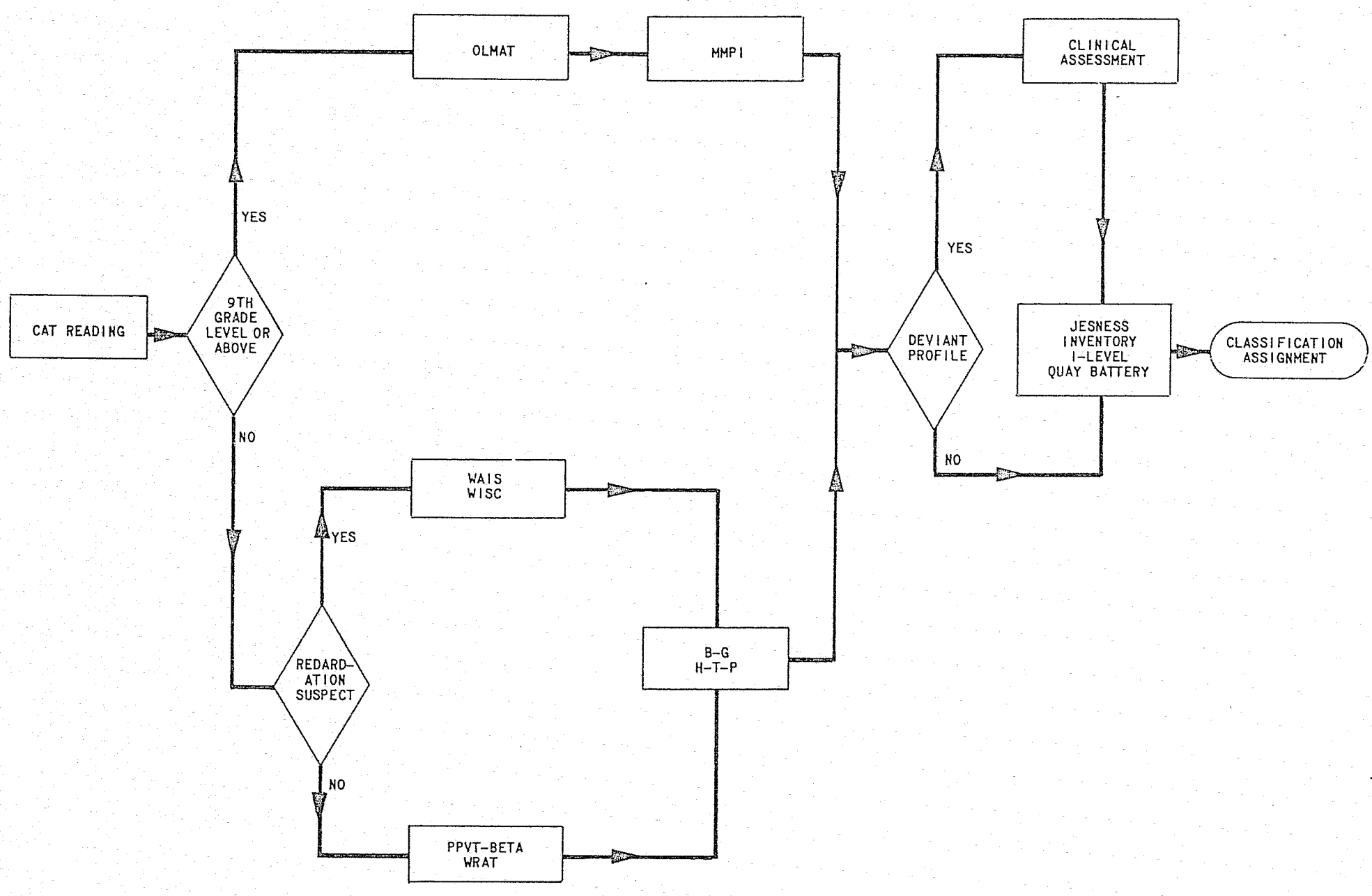

Figure 3. YOUTHFUL OFFENDER TESTING

If either series of tests suggests a significantly deviant problem, as described for adult offenders, the individual will be referred for clinical assessment. Whether or not he is so referred, he will complete the Jesness Inventory and the Quay Battery will be completed for a subsample of ten percent, before classification assignment.

B. Test Data

These tests will serve the criminal justice agency in its planning, as well as the research purpose. The agency, however, will generally require only the summary or end result of each test, such as the WAIS I.Q.s or MMPI profile. The research purpose, however, requires that the Central Processing Unit receives the complete detail of the tests. This can be accomplished by forwarding the complete record of the raw data (e.g., MMPI answer sheets) to the Central Unit. As we intend to score the Jesness Inventory for I-Level, it would be necessary in any case to receive the complete original data.

We propose that the data will be translated into or recorded in, machine readable form. For purposes of test scoring and reporting to the sending institution optical scanning machines will be required. The Central Processing Unit will have five principal functions:

1. scoring and reporting
2. statistical manipulation of data to create predictive scores for the classification model.

3. maintaining continuous input of data from multiple sources
4. collating multi-sourced data to provide reports on individuals and on groups or classes of offenders
5. maintaining a living and growing data-bank for researchers of assorted backgrounds and disparate needs.

Because the sources of original data, even on the same offender, may be expected to vary widely in resources and sophistication in data-processing techniques and because of the obvious need to treat the data uniformly, we propose that cooperating agencies or sources forward original data, complete, to the Central Processing Unit, for recording, analysis, research, and report.

The information transfer process necessary to implement the kind of study which is proposed here will require a massive coordinated effort, extensive funding and careful, detailed planning.

It is proposed that the record for each individual begin with the Life History. As the offender moves into the Criminal Justice System and objective test data are obtained, these data will be coordinated with the demographic material. To encourage the collection of such data the Central Processing Unit (C.P.U.) will automatically score the tests it receives from participating agencies, and prepare a report to be sent to such agencies. The

further the offender penetrates the CJS, the more extensive, the more detailed will be the report.

In the early stages of the study, the C.P.U. will be primarily engaged in the process of collecting data, and the report to the agencies can be only an objective and factual presentation of scores, but presented in such a fashion as to be most meaningful to those who will use the information. As the study progresses and knowledge of subsequent behavior of the individual becomes available, such as institutional behavior, parole record, and so on, the reports to the agencies can include statistical projections or predictions of the consequences of varied treatment options.

CHAPTER IV

EXTENSION OF THE MODEL: OUTCOME DATA

In the previous chapters we have outlined a system for obtaining the data needed for a reasonable classification of prisoners for treatment purposes, including release. To determine what treatment has accomplished it is necessary to know the outcome of specific classes of offenders.

We need data on the behavior of the offender after his exposure to the criminal justice system to determine the effects of the system on this behavior.

A. Independent Variables

It will be helpful to review the data in the system that will be useful in predicting outcome. Basically, the predicting variables can be classified as:

a. life history data
b. test data
c. criminal justice system experience data

We propose that a social history be taken on all offenders at the earliest possible point in the criminal justice system, hopefully prior to a formal hearing for some, certainly no later than the probation report made for the judge prior to sentencing for the rest. We have asked that this contain not only the social history data usually found, but also the data found to be predictive of parole success in the California Base Expectancy

Tables. We have also asked that the basic instrument for collecting the data be oriented for electronic data processing. For it to be useful, it is imperative that it be fed as quickly as possible to a central data processing unit for rapid analysis and timely feedback.

The second class of predicting variables includes the results of the test batteries. It is expected that not only summary test scores and scale scores will be reported to a central unit, but also the individual items. This means, of course, that there will be a tremendous reservoir of test items that can be related to overt future behavior. This should make it possible in the long run to develop new scales with improved predictive power relevant to criminal justice system needs.

The third class of data is criminal justice system experience data. Here are included such things as release on recognizance, diversion experiences, time spent in jail, and probation experience including length of time, extent and intensity of supervision. It must include not only time served, but also programs experienced. The delineation of the prison experiences is imperative because divergencies in experiences for prisoners within an institution have been hitherto ignored. The correctional experience data must include all types of releases, and for releases under supervision, the intensity of the supervision.

B. Outcome Data

All the data suggested up to this point provide the independent variables upon which to predict outcome. It is, therefore, most important that the system incorporate outcome data as clearly and as unambiguously as possible. One basic outcome datum required is post-treatment law violations. This sounds easy, but anyone familiar with arrest records knows how difficult it is. Assuming that the system will routinely obtain the FBI arrest records, it will still miss many needed items. Some agencies do not forward to the FBI the multiple arrests of well-known drunks, vagrants and prostitutes. Very frequently arrests that result in a person being held overnight and dismissed without prosecution will either not be reported, or the disposition will not be reported. In a few cases, even arrests for major felonies are not reported.

This means that one cannot rely on the FBI arrest records for complete information on law violations. It will be necessary to obtain arrest records from each jurisdiction in which the subjects are known to have lived subsequent to release. This implies first, that the places of residence must be known, and then that the law enforcement agencies must be queried. Probation and parole authorities can be the sources for much of these data.

The second major category of information, subsequent to the arrest data, is occupational data (the ability to be self-supporting). Here there are at least three sources to be considered. First, reports can be obtained from parole or probation offices.

not seem to have been built upon. In addition, the original work does not report using, even to invalidate, the results of psychological testing. We are, therefore, not proposing that the works of Ballard, Gottfredson, Lane, Wilkins and others simply be repeated, but propose that they be built upon by adding the rest of the testing program where and when available:

a) mental ability: normal and above vs. below normal

b) school achievement: at grade level and above vs. below grade level

c) personality profile: basically normal vs. high Pd vs. mentally disturbed

It is not known that these variables will help produce more meaningful offender categories. It should, however, be obvious that this determination should be made.

After the categories are developed, the variables that went into the final set of attributes required to define the categories should be analyzed as predictors of each of the three criterion variables taken separately and of the scale of outcome based on these variables. When the appropriate subgroups have been developed from the construction sample, then the results must be checked by a validation sample.

In addition multiple regression analysis should be done with the same material, using the scale of outcome as the criterion. Finally, it is proposed that the new techniques developed by

Goodman for the analysis of cross-classified tables be used in a similar fashion. These various approaches to a very large, nationwide sample should produce -- if it is humanly possible to produce -- reasonable categories of offenders with reasonably secure probabilities of outcome. In addition the outcome variables for those released without processing will provide an approximation to a spontaneous remission rate.

It is expected that firm statements of outcome can be made at the various levels of penetration into the criminal justice system with these data. At a minimum it would be possible to define such rates for specified classes at the point of release without supervision, probation with supervision, release from prison after various lengths of terms and specified programs, and release from prison with and without supervision. Figure 4 illustrates how the classification model interfaces between the data base, system alternatives, treatment modalities and offender outcome.

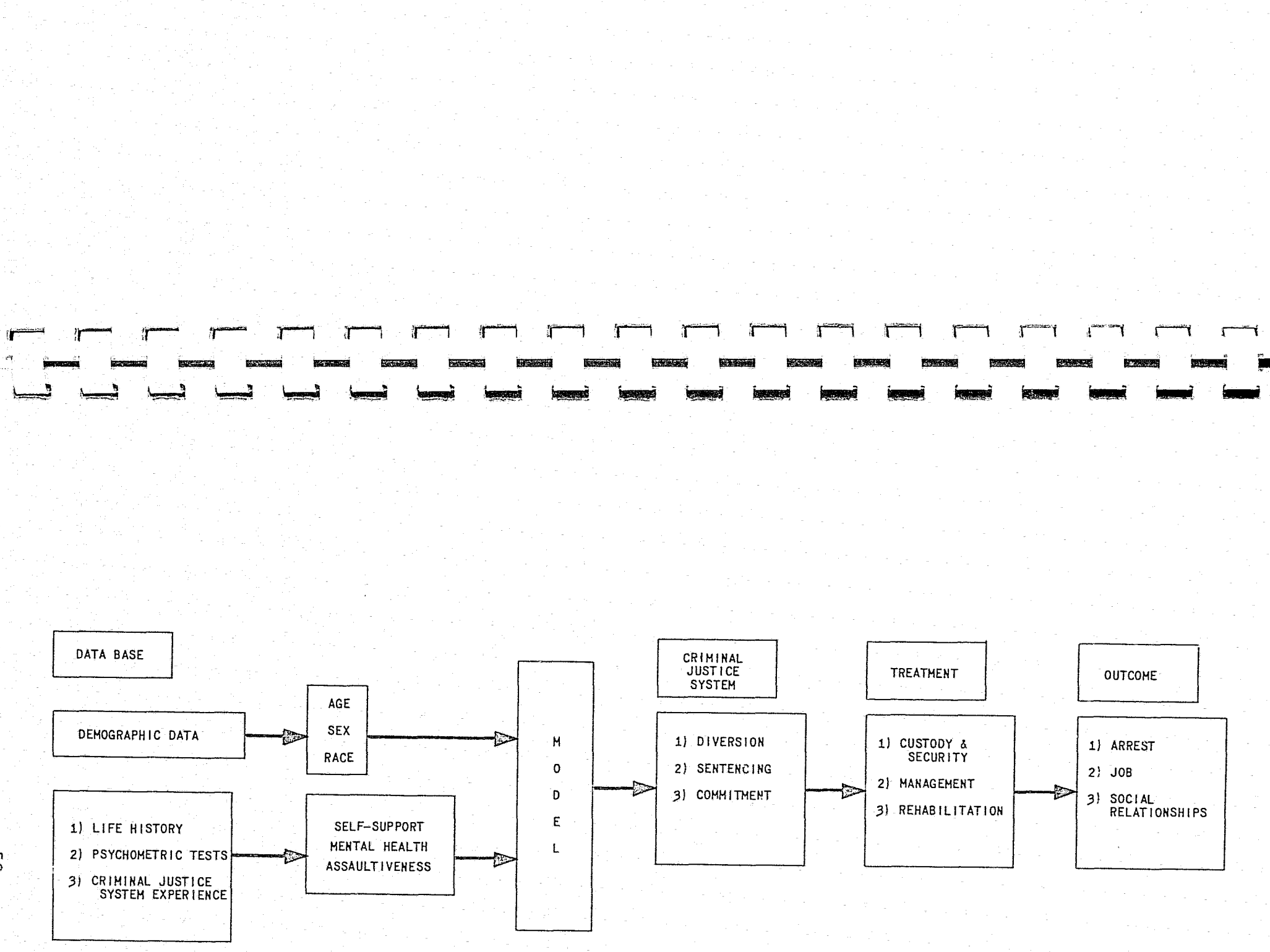

Figure 4 CLASSIFICATION MODEL INTERFACE

CHAPTER V

RECOMMENDED NEXT STEP

There have been many studies of the relation of various factors to different aspects of crime and criminal behavior. Their failure to develop generally applicable,useful data, does not argue for discontinuing such studies, but rather argues for a broader based, comprehensive, systematized program of study of the multivariate dimensions of the offender. Numerous facts, an extensive body of data, relating to offenders has been developed over the years, with little apparent consequence in the treatment of the offender or the prediction of the fundamental questions of who, where, when and why a specific individual will commit an offense. Although we can predict with some reasonable degree of accuracy who will succeed if paroled from prison, measuring "success" in terms of failure to commit another - detected - offense in a specified period, we know almost nothing about why one person will succeed and another fail.

We propose to collect, collate, codify, analyze, evaluate, and publicize to the CJS data in a continuously monitored differential prediction which will be self-correcting. To quote William H. Davis, testifying before a Senate Committee in 1945, "we cannot disagree about a fact, we can only be ignorant about it." (4, p. 39). The decisions made now at various nodes in the system are largely matters of value, acts of passing judgement using more or less valid information.

This is not to suggest that the decision-making process is irresponsible or unplanned. It is rather unsystematic and uncoordinated. Present decision making is a series of value judgements which, in the broadest sense, are felt to be acceptable to the public.

The goal of our proposed research, in the long run, is to make clear to the decision makers the real choices that must be faced at each decision point, and the probable consequences of each alternative action, for society and for particular offenders.

When fully functioning, the project will process, evaluate, and predict as the data are generated. In its formative stages, as data are accumulated, the information transfer system will be only one way. We believe, though, that with an adequate number of cooperating agencies involved in the system, reasonably reliable prediction equations can be built within a year, to be incorporated in the total model.

Although stock fraud or embezzlement or some similar crime may involve larger sums of money, the greatest threat to life and to the enjoyment of life for most citizens is the threat of assault, robbery, rape, or murder, the assaultive crimes. For this reason we propose to focus first energies on crimes of violence.

This is a perfectly legitimate and familiar procedure. We organize a group (in terms of data if not physically) that has a specified characteristic, and a group that lacks that characteristic, and compare them on a variety of dimensions or traits

to find significant differences. We propose to do this, as our discussion indicates. However, we propose also to include non-offender control groups matched on several occupational, educational, and social characteristics. Equivalent life history and test data would be obtained from these non-offenders, and compared with offenders.

The inclusion of a non-offender control group will permit a much more sophisticated model.

We propose to create a central research organization, which we have tentatively labeled a Central Processing Unit, which will be so organized that it can and will receive, collate, and analyze data related to offenders, at all levels of involvement in the criminal justice system whether federal, state, or local. There is a need for a massive research effort on a national scale involving offenders on the threshold of the criminal justice system and following them as they travel past the decision nodes into treatment alternatives to their eventual outcomes.

Prior to the implementation of such a research effort, it is necessary that a feasibility study be done to determine the following:

a. types of criminal justice agencies and authority figures to be included, e.g. judges, probation officers, youth service bureaus, diversion projects, state correctional systems, parole officers, etc.

b. the desired degree of stratification by regions of the United States.

c. the type of samples and number in the samples to produce non-trivial results.

d. the instruments necessary for the collection and reporting of data to the research group.

e. the cost of a major longitudinal project.

These tasks must be completed and a desired level of significance established before a formal research program can accomplish the tasks presented in this report. It will require a major effort to obtain the cooperation of criminal justice agencies that can supply the data. Courts, diversion projects, probation and parole offices, and prisons, are "straining at the seams" so no matter how important they see the task here proposed, they may be hesitant to participate. It can be assumed that there will be no participation unless the agencies have their extra expenses reimbursed. Hence, a feasibility study must include a study of the marginal costs of agency cooperation and also include the cost of collecting data not already available, the cost of transmittal, analysis and feedback.

Age, sex and race are important variables that need to be analyzed in addition to regional, urban, and rural dimensions. This means the definition of the samples and the determination of sample sizes is difficult and important. This project will have

its potential defined by the sampling procedure. If, in the process of data analysis, cells have zero or close to zero expected frequencies, the effort may produce trivial results. The feasibility study must be conducted by experts in sample design both at the theoretical and practical levels so that pitfalls can be avoided. Very careful attention must be paid to the effects of stratification on sample sizes.

The study must design instruments for reporting data that will minimize coding and/or reporting errors and maximize the convenience of transferring data for electronic processing and analysis. The Federal Bureau of Prisons has its RAPS system which is partly a computerized record keeping system for federal prisoners. This should be examined as an information resource on offender data coding. It may be possible to adapt the RAPS system to the information needs of the feasibility study.

Finally, the entire project needs to be carefully cost determined. Since decision nodes and treatment alternatives are multifold and involve many different agencies, the cost determination will be complex. Alternative research designs will each require separate costing and identification of respective limitations and opportunities. The ultimate experimental design should be optimized insofar as possible, taking into consideration costs, levels of significance for valid decision data, and the social benefits of a valid and viable prediction system.

A major longitudinal study of offender classification, system decision making, and treatment outcome must be made unless we wish to continue arranging offender's lives without knowing or understanding the effects we have produced.

END