

THE IMPACT OF SECURITY THREAT GROUP DESIGNATION ON
DISCRETIONARY PAROLE RELEASE DECISIONS

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ABSTRACT

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The authority and legitimacy of the U.S. paroling system has varied throughout history. Under indeterminate sentencing, parole boards were given high levels of discretion that fostered disparity. As a result, prior research on the influence of parole release predictors has issued varying findings. Further, due to variations in authority and legitimacy, recent research has neglected to consider contemporary predictors of the paroling decision. For example, one factor that has been relatively overlooked in contemporary discretionary parole decisionmaking is security threat group (STG) designation. This factor is potentially a modern predictor of parole decisionmaking because STGs were not prevalent in the U.S. penal system until after the popularity of discretionary parole release declined. Relying on data collected from 21 of the Pennsylvania Department of Corrections' (PADOC) state prisons, the purpose of this study is to understand the role of STG designation in the discretionary parole release decision. The sample comprised 1,602 randomly selected prisoners eligible for discretionary parole release over a six-month period within the 21 prisons. Information on STG designation was obtained from the official records of each prison's internal security department.

Results from logistic regression analyses found that STG designated prisoners were 40.5% less likely to be granted parole, even after controlling for historically relevant factors, including age, race, offense severity, criminal history, institutional behavior, prison program participation, time incarcerated, and parole guideline score.

These findings pose specific implications for parole guidelines as decisionmakers are likely relying on contemporary factors that are not included in decision guidelines.

KEY WORDS: Discretionary release, Parole board, Prison gangs, Security threat groups, Parole decisionmaking

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CHAPTER I

Introduction

Descended from the concept of indeterminate sentencing, parole is a corrections practice that serves as a transitional mechanism in which prisoners are reintegrated back into the community following imprisonment. This conditional early release is typically reserved for prisoners that are no longer believed to be a societal threat. While on parole, offenders must adhere to conditions established by the criminal justice system in order to avoid parole revocation and ultimate reimprisonment. This restriction is designed to maintain the public's safety, as well as prevent the parolee from continuing to engage in criminal behavior. In 2014, an estimated 856,900 offenders were under mandatory supervision via parole in the United States (Kaeble, Maruschak, & Bonczar, 2015).

Although having similar goals, jurisdictions across the country use various forms of parole release. Discretionary parole release, despite decreasing in prominence in the last few decades, remains a popular method of conditional early release, today. Under this practice, a parole board consisting of qualified professionals is tasked with weighing various factors about a prisoner to determine early release. This flexibility in sentencing allows members of the parole board to consider aggravating and mitigating factors relevant to a prisoner's success upon release. With this level of discretion entailed in parole decisionmaking, however, variations have emerged as to what factors parole boards consider important.

Prior research on parole decisionmaking has empirically tested the significance of various related factors considered by parole boards when determining early release. As a result, several prisoner characteristics have consistently emerged as relevant in parole

decisionmaking. With recidivism risk oftentimes deemed the most influential element considered by parole boards, the prisoner's offense severity (Turpin-Petrosino, 1999) and criminal history (Huebner & Bynum, 2006; Meyer, 2001; Morgan & Smith, 2005a) have emerged as the most reliable predictors of parole decisions (Gottfredson & Gottfredson, 1988; Kinnevy & Caplan, 2008). Research on other factors, however, have been less consistent. While some research has found that prisoner participation in prison programming and good institutional behavior have little to no effect on parole board decisionmaking (Mooney & Daffern, 2014; Morgan & Smith, 2005a), other studies have found empirical support for their influence (Lindsey & Miller, 2011; West-Smith et al., 2000).

One relevant factor that has been relatively overlooked in previous parole decisionmaking literature is security threat group designation. Considering that prior research on prison gangs has found that security threat group (STG) members are more violent (Fischer, 2001; Fong, Vogel, & Buentello, 1992; Griffin & Hepburn, 2006) and have higher recidivism rates (Adams, 1992; Adams & Olson, 2002; Fong, Vogel, & Buentello, 1992; Griffin & Hepburn, 2006; Huebner, Varano, & Bynum, 2007) than non-prison gang members, this is a substantial gap in both the parole decisionmaking and prison gang literature.

Theoretical Framework

Research on criminal justice decisionmaking has consistently found that a decisionmaker's ability to process information significantly affects judgment capabilities (Wilkins & Chandler, 1965). According to Hogarth (1987), human beings have "limited information-processing capacities" which hinders their ability to assimilate large amounts

of information at one time. Due to this mental limitation, decisionmakers oftentimes rely on simplified heuristics in an attempt to reduce intellectual exertion.

Applying this theoretical concept to criminal justice decisionmaking, Wilkins & Chandler (1965) examined probation officer recommendations to the court. Probation officers were offered multiple notecards that were labeled with categories relevant to the recommendation decision, such as charge, age, and the offender's account of the incident. On the opposite side of the notecard, detailed information about that offender in relation to that category was presented. The probation officers were then instructed to flip over the cards with categories that they individually determined to be the most relevant when making their recommendation decision. Results indicated that there was great variability among probation officers as to which categories were considered important. In addition, as officers turned over each card, their opinion of the offender immediately developed and was relatively stable over time.

Research has also found that common cognitive shortcuts used by decisionmakers are based on pre-conceived stereotypes. In their study of cognitive heuristics, Bodenhausen & Wyer (1985) had subjects read offender case files that illustrated criminal behavior. In certain cases, the offender's infraction was based on a racial stereotype illustrated by the offender's name. After being presented with this information, subjects were instructed to determine the recidivism risk of the offender and recommend a punishment. Results indicated that subjects employed racially motivated stereotypes to make inferences about the offender's reasoning for committing the crime and based their punishment off of these insinuations. In addition, findings indicated that subjects only considered additional information about an offender when stereotypical information was

not present. Subjects did consider other information, however, when additional factors reaffirmed their initial stereotypical conclusions.

In regards to early release decisionmaking, parole boards are given an immense amount of information for each offender and are expected to issue a quick verdict (Gobeil & Serin, 2009). As a result, parole decisionmakers often focus on select variables that they consider most important in determining an offender's potential parole performance and recidivism risk. Under these conditions, however, information considered by each parole board member differs because individuals assign varying levels of importance to deciding factors. This cognitive shortcut ultimately results in parole decisions being made based on a partial list of factors that each decisionmaker deems most relevant (Hogarth, 1987).

The Current Study

Through this theoretical framework, this study seeks to address the absence of security threat group designation in the parole decisionmaking literature by answering the following research questions: **1A:** Does confirmed security threat group designation significantly impact early release decisions made by the parole board? **1B:** If so, is the impact of confirmed security threat group designation still significant when controlling for other characteristics empirically proven to influence parole decisionmaking?

Secondary data collected from the Pennsylvania Department of Corrections (PADOC) as part of a larger study on prison and parole decisionmaking were used for this study. Data from the PADOC is appropriate for this research because the PADOC has maintained the use of discretionary parole release, despite changes in other states. Further, Pennsylvania is consistently ranked as a top contributor to the total U.S.

corrections population released by discretionary prison release. In 2010, Pennsylvania was responsible for the release of more than one fourth of all prisoners released by discretionary parole release in the United States (Bureau of Justice Statistics, 2011). The sampling frame for this study consists of the cohort of prisoners eligible for parole release over the six-month study period at 21 of the 26 Pennsylvania state prisons. Parole decisions and security threat group designation information for 1,602 randomly selected prisoners were obtained from official records, as were factors that might influence parole decisions.

Findings from this study could inform parole guidelines by providing empirical evidence to support the inclusion of STG designation in decisionmaking guidelines. Results could also improve visibility in the parole decisionmaking process, increasing the legitimacy of the parole board in early release decisionmaking.

CHAPTER II

Literature Review

This chapter reviews relevant research contributing to the understanding of discretion and decisionmaking in the criminal justice system. In addition to the history of the paroling system in the United States, this section also discusses significant factors considered by paroling personnel when making early release decisions. Furthermore, important information regarding the history, presence, and common criminal operations of prison gangs is provided. This chapter concludes with the research questions and the research's hypothesis.

Parole Background

As society transitioned into the 1800s, the philosophy of the prison as a rehabilitative institution began to gain traction as correctional systems developed worldwide, with prison reformers advocating for more humanitarian-styled penal practices. In 1840, in the Australian colony of Norfolk Island, Captain Alexander Maconochie conducted an experiment based on a "system of marks" (Rotman, 1995). Good marks were rewarded to prisoners for labor completion and satisfactory behavior, and deducted for insufficient conduct. Maconochie believed that the implementation of this system based on marks would make physical punishment unnecessary (Rotman, 1995).

Inspired by the structure of Maconochie's experiment, Sir Walton Crofton, renowned prison reformer and director of Ireland's prison system during the 1850s, established one of the world's first indeterminate systems that allowed prisoners the opportunity to earn an early conditional release. Under this system, prisoners would: (1)

serve a strict sentence in a prison facility, (2) followed by relocation to an indeterminate prison where the inmate would participate in rehabilitative programs and earn “good marks” or “tickets of leave” for conventional behavior, and (3) after the accumulation of a specified amount of tickets of leave, the prisoner would be released from the correctional institution and be placed under the supervision of the local police (Champion, 1999).

This European correctional trend gradually made its way to the United States, with Crofton’s penal innovations becoming primary topics of the reform agenda at the 1870 National Prison Association meeting in Cincinnati, Ohio. As a result of this assembly, reformers and penologists in attendance established the Declaration of Principles, essentially outlining the fundamental beliefs and values of the corrections profession (Champion, 1999). In addition, Crofton’s efforts served as a framework for the Declaration of Principles by encouraging the use of indeterminate sentencing and a classification system similar to the practices used in Ireland. With the appointment of Zebulon Brockway to the position of superintendent at the New York State Reformatory at Elmira in 1876, recommendations from the convention ultimately came to fruition (Petersilia & Reitz, 2012). Brockway not only played a prominent role in the passage of the first indeterminate sentencing law in the United States, but he also established the nation’s first good time system. Similar to Crofton’s setup, this arrangement allowed prisoners to earn time off their prison sentence by acquiring good marks, permitting prisoners to serve out the remainder of their sentence in the community under the supervision of a criminal justice agent (Champion, 1999). These actions contributed to

the introduction of parole as a correctional practice in the United States (Petersilia & Reitz, 2012).

The use of early institutional release in the form of parole quickly gained popularity, spreading rapidly throughout the nation in the first half of the twentieth century. By 1944, all states, including the federal government, had some form of paroling system (Champion, 1999). With the expansion of the paroling practice, the power to grant prisoners early release was strictly limited to the prison parole board, often composed of prison wardens, the superintendent, and the state governor (Champion, 1999). This practice began to draw sharp criticisms, as many argued that the prison staff was not equipped to oversee the excessive number of prisoners leaving prison while also performing their job duties. As a result of this lack of supervision, parole violations were extremely high. In 1931, in a series of published reports, the Wickersham Commission expressed its concerns regarding this parole trend by discussing its threat to public safety. This national committee criticized various criminal justice agencies and their handling of crime, more specifically parole, stating that its process allowed dangerous offenders to rejoin society in an inefficiently supervised manner (Smith, 1991). As a result of these criticisms, legislation established separate parole boards, comprised of what were referred to as “real professionals.” In theory, these experts would assess the potential danger that a prisoner posed to the general public by considering many relevant factors.

Excluding the establishment of separate parole boards, nothing significant was accomplished over the next few decades that dramatically changed the functions of the parole system (Champion, 1999). With the “rehabilitative” movement’s increasing influence in American correctional systems throughout the mid-1900s, the passage of

indeterminate sentencing laws and paroling expansion, continued. Parole, descended from the concept of indeterminate sentencing, obtained additional validity under this rehabilitative ideology (Petersilia & Reitz, 2012). During the 1970s, however, the influence of the rehabilitation model began to decline in response to rising crime rates, political disagreement, and high recidivism rates among parolees (Kaune, 1993). In his landmark publication, Robert Martinson (1974) concluded that correctional rehabilitative efforts up to that point had been ineffective in reducing offender recidivism, fostering belief in the “nothing works” doctrine. Martinson’s (1974) claim gained widespread media attention, acquiring bipartisan political support. While conservatives believed that indeterminate sentencing, often associated with rehabilitative ideology, was too lenient on offenders, liberals argued that indeterminate sentencing practices resulted in high rates of disparity. Despite opposing views as to why rehabilitation and indeterminate sentencing practices were ineffective, both major political parties agreed that reform was necessary. This tough on crime attitude, coupled with a multitude of problems with decisionmaking during this time-period, led to at least twenty states eradicating their parole boards (Rhine, 2012). More recently, however, this trend seems to have ceased, with many states continuing to use parole boards for early release decisionmaking (Rhine, Petersilia, & Reitz, 2016).

Problems with Parole Decisionmaking

During the peak period of indeterminate sentencing, parole boards exercised high levels of discretion in determining prisoners’ release from incarceration. Under the rehabilitative model, it was considered crucial for judges and parole boards to have flexibility in sentencing in order to individualize each prisoner’s treatment to their

particular needs (von Hirsch, 1981). This leeway, however, resulted in inconsistent sentences for similarly situated prisoners, causing great disparity within the criminal justice system (Carroll & Mondrick, 1976).

While racial discrimination research during this time had focused primarily on law enforcement and the courts due to their public visibility, decisions made by parole boards received little attention resulting from their relative lack of transparency (O'Leary, 1974). This was problematic because the power to grant an inmate parole was almost entirely dependent upon administrative discretion. In a majority of American jurisdictions at this time, parole boards were allowed to give a prisoner an early release at any time after they had completed a specified portion of their maximum sentence (O'Leary, 1974).

With regards to parole decisionmaking under indeterminate sentencing, parole boards were given very little guidance, often relying on statutes that based decisions off the prisoner's probability of recidivating and the risk they pose to public safety (Carroll & Mondrick, 1976). While superior instruments designed to predict the probability of recidivism existed, many parole boards were hesitant to use them, relying instead on clinical assessments (Gottfredson, 1967). Reasons for this reluctance vary among parole board members, but arguably, the most relevant motivation is that these instruments were standard and did not necessarily take into consideration unique circumstances (Hayner, 1958). Despite this fervent belief in individualization, most parole assessments consisted simply of a quick review of the prisoner's file, followed by a brief interview of the potential parolee (Clark & Rudenstine, 1974). With the application of parole, not the concept, being heavily criticized, opponents of parole operations believed that the establishment of a universal criterion could be used to guide parole decisionmaking. In

addition, these guidelines would also provide more transparency in the paroling process, ultimately decreasing disparity in the practice (Petersilia & Reitz, 2012).

With the diminishing influence of the rehabilitative model in corrections in the mid-twentieth century, ideological focus began to shift towards a justice model. This approach emphasized punishment as the criminal justice system's focal objective, opposed to offender rehabilitation (Fogel & Hudson, 1981). As a result of this "get tough on crime" movement, revisions of existing sentencing guidelines began to take place in order to address disparities common under indeterminate sentencing structures and subjective parole board decisions (Kaune, 1993). Although their authority decreased significantly, parole boards survived the realignment of the criminal justice system brought on by the ideological shift by adopting determinate and structured sentencing practices (Champion, 1999).

"Administrative rule making." While discretion is often considered an essential component of the criminal justice system, it is important that this decisionmaking flexibility be limited (Gottfredson & Gottfredson, 1988). Through a process referred to as "administrative rule-making," policies are put into place to provide discretionary limitations. This allows decisionmakers to exercise their authority within specified boundaries in an attempt to prevent abusive behavior (Walker, 1993). These explicit guidelines provide individuals responsible for granting parole a transparent perception of what their role is, as well as expected decisionmaking conduct.

Establishment of parole guidelines. In response to criticisms associated with indeterminate sentencing practices, multiple strategies have been employed to address the concerns with decisionmaking in the criminal justice system (Hogarth, 1987). With high

rates of disparity among the harshest criticisms of early release practices, the concept of specified parole guidelines emerged as a solution to address this issue. Proponents of this resolution anticipated that the implementation of parole guidelines would increase both consistency and visibility in the parole decisionmaking process (Goldkamp, 1987). In addition, they would create a uniformed approach to decisionmaking, opposed to sporadic methods allowed by indeterminate sentencing (Gottfredson, Hoffman, Sigler, & Wilkins, 1975).

Although not without criticisms, parole guidelines have become an acknowledged method of structuring the decisionmaking process without completely eliminating discretion. First adopted at the federal level by the U.S Board of Parole (as it was named at the time) in 1974, at least fifteen jurisdictions followed suit, instituting explicit parole guidelines (Bureau of Justice Statistics, 1983). Empirical research has found that the implementation of these guidelines have made significant progress by addressing common critiques of parole, such as uncontrolled discretion, disparities in time served, and a lack of a clear benchmark and reasoning for the granting or denial of parole. One evaluation of parole guidelines in four jurisdictions (Federal, Minnesota, Oregon, and Washington) found that the guidelines could not only be modified to fit multiple correctional philosophies, but they also provided an established decisionmaking criteria, as well as written justifications for sentences that deviated from the guidelines. Furthermore, significant reductions in time served disparities among similar prisoners were found in Minnesota and at the Federal level (Burke & Lees, 1981, pp. 70). Gottfredson (1979) discovered similar results in disparity reduction, but found that the

extent of the reduction in disparity among similarly situated prisoners varied among offense categories.

Risk assessment mechanisms. According to these newly established guidelines, while the consideration of other variables is permissible, three principle factors should be considered above all else when making parole decisions: the amount of time served, offense seriousness, and risk of recidivism (Gottfredson & Gottfredson, 1988). Arguably the most common method used to assess these primary aspects of parole decisionmaking are risk assessment mechanisms. In a survey conducted by the Association of Paroling Authorities, more than 80% of the 44 respondents reported utilizing some form of parole decisionmaking tool (Kinnevy & Caplan, 2008). Despite this majority, only 12 respondents incorporated the use of the Level of Service Inventory-Revised (LSI-R), a professionally recognized risk assessment survey. On the contrary, 18 respondents stated that their jurisdictions relied on a decisionmaking instrument that was developed “in house.” Although decisionmaking devices are commonly used, very few states use formal parole guidelines for making release decisions (Petersilia & Reitz, 2012).

Written justifications. One of the most frequent procedures used to increase transparency in the paroling process is the use of policies that compel decisionmakers to provide written justifications for deviations from the established guidelines. This procedure provides clarity to the potential parolees in the case of their parole denial by clearly indicating the important factors that were considered by the parole board in the decisionmaking process (Gottfredson & Gottfredson, 1988). In addition, the utilization of written justifications increases decisionmaker accountability by issuing an official document as to the reasoning behind their decisions. In order to prevent biased decisions

by the parole board, all digressions from the guidelines are subject to appellate review to determine if the guidelines were properly followed and if a divergence was reasonable (Spohn, 2009).

Criticisms of parole guidelines. Critics of the implementation of guidelines, however, argue that these practices do not provide paroling authorities enough discretion to consider individual factors. Under indeterminate sentencing practices, aggravating and mitigating factors were often taken into consideration when determining parole release. With sentencing guidelines in place, however, these factors are not always given proper consideration. Despite seemingly accomplishing their intended purposes of establishing a set paroling criterion and reducing disparity, empirical evidence has found that presumptive sentencing guidelines have actually increased sentencing severity (Spohn, 2009; Tonry, 1988). As a result of the ideological shift towards the justice model, the conservative concern with indeterminate sentencing was addressed with the institution of harsher sentences for offenses that were previously believed to be given lenient punishments.

Overview of the Parole Process

Discretionary vs. mandatory parole release. With the adoption of the “get tough” on crime correctional philosophy, individuals in opposition of the paroling process began to take actions in an attempt to abolish early release. Despite the measures taken to address criticisms, many jurisdictions began to replace their existing indeterminate sentencing practices with determinate sentencing structures (Petersilia, 1999). As a result of these changes, the federal parole board and numerous state parole

boards were abolished nationwide (Champion, 1999). During this era, discretionary parole as a method of release drastically declined (Dickey, 1993).

Throughout correctional history, two early release procedures requiring community supervision have been established: discretionary parole release and mandatory parole release (Clear & Cole, 2000). Under indeterminate sentencing, discretionary parole release was the most common mechanism used because of its flexibility. This practice provides the parole board with the option to grant a prisoner a conditional early release after the offender serves a certain portion of their maximum sentence. While each state operating under discretionary parole release varies as to when prisoners are eligible for parole, most prevent early release until the offender has served the minimum sentence issued by the courts (Association of Paroling Authorities International, 2005).

In contrast, mandatory parole release grants a prisoner automatic parole after their full sentence has been served, minus the good time reductions they have accumulated while confined (Clear & Cole, 2000). In jurisdictions with determinate sentencing laws, mandatory parole release has become an increasingly popular method of prisoner discharge. In states that use this form of release, it is common for jurisdictions to retain a parole board for cases that occurred prior to the implementation of these laws (APAI, 2005; Champion, 1999).

Where we are today. The abolition of parole boards began to slow at the beginning of the twenty-first century, with no parole board eradicated between 2000-2010. Furthermore, existing parole boards retained their authority relative to their discretionary release decisionmaking (Petersilia & Reitz, 2012). According to a national

survey conducted by the Association of Paroling Authorities International (2005), about half of states' parole boards function with near full discretion. An additional six states employ such discretion with the exception cases involving certain types of offenders (APAI, 2005). More recently, a national survey of paroling authorities found that of the 41 jurisdictions responding, 34% (14 jurisdictions) reported that since 2000, their legislatures had expanded their discretionary parole release authority. In contrast, 31% (13 jurisdictions) reported that their discretionary parole release authority has been diminished within that same timeframe. The remaining 34% (14 jurisdictions) reported that their discretionary parole release authority did not change within the last 15 years (Ruhland, Rhine, Robey, & Mitchell, 2016).

Despite its overall reduction in releasing authority over the last few decades, parole boards continue to exercise influence in many jurisdictions, today. Rhine, Petersilia, & Reitz (2016), however, emphasize the drastic need for reform. They propose a ten-point plan that highlights recommendations for improvement to the current functions of discretionary parole-release systems in an attempt to increase parole board legitimacy (Rhine, Petersilia, & Reitz, 2016).

Factors Affecting Parole Decisionmaking

Criminal justice system characteristics. Historically, system related factors such as overcrowding, lack of economic resources, parole board structures, and political agendas have greatly impacted the parole process. With the adoption of the correctional justice model and the resulting “War on Drugs,” the American incarcerated population skyrocketed. In order to alleviate crowded prisons and reduce institutional spending, parole became a popular process used (Champion, 1999; Jackson, Rhine, & Smith, 1989).

Parole boards in the United States typically require the presence of 1 to 7 members when making a decision (Champion, 1999). As a result of this variance, parole board structures can greatly impact early release decisions (Caplan & Paparozzi, 2005; Pogrebin, Poole, & Regoli, 1986; West-Smith, Pogrebin, & Poole, 2000). For example, results from Pogrebin, Poole, & Regoli's (1986) study on parole decisionmaking in Colorado found that multiple parole board members were responsible for making the majority of paroling decisions. In 2000, however, the parole board in Colorado only required one member to decide early release (West-Smith et al., 2000).

With state governors possessing the power to make parole board appointments in some jurisdictions, the paroling system is also highly politicized (Champion, 1999). Although some states have a specified criterion for parole board membership, many do not. This lack of structure gives political figures unprecedented discretion and control over the paroling process in many states (Champion, 1999).

Decisionmaker characteristics. As previously mentioned, parole board members often rely on cognitive shortcuts to make early release decisions by focusing on specific factors that they determine to be most relevant in predicting an offender's parole performance and recidivism risk (Hogarth, 1987). Such situations are problematic, however, because it increases the influences of stereotypes and other preconceived notions (Heubner & Bynum, 2008). As a result, historically, parole decisions have been subjected to biased impressions of decisionmakers (Glaser, 1985). In a study of state parole boards, for example, Carroll & Burke (1990) found that an offender's criminal history and institutional behavior were the most significant predictors when determining release in Pennsylvania. In contrast, the parole board in Wisconsin considered the judge's

sentence, offender's prior record, offense severity, and culpability (Carroll & Burke, 1990). The authors note that these differences are the result of differing perceptions that these two parole boards have in regards to their role in the criminal justice system.

Prisoner characteristics. Prisoner characteristics are the most significant factors considered in parole decisionmaking. Caplan (2007) notes, however, that a major limitation in decisionmaking research is that studies fail to consistently examine similar factors. This shortcoming makes it difficult for researchers to pinpoint which factors have the most influence on parole decisions. As a result, in an attempt to maintain the public's safety, factors associated with a prisoner's recidivism risk oftentimes take precedence in determining early release (Henningson, 1984). Despite differences amongst parole boards as to the weight each factor is assigned, with recidivism risk in mind, two aspects have emerged in research as the most consistent predictors in parole decisionmaking: offense severity and criminal history (Gottfredson & Gottfredson, 1988; Kinnevy & Caplan, 2008).

Offense severity. Throughout the history of the criminal justice system, it has commonly been acknowledged that crime severity is positively associated with punishment issuance (Gottfredson & Gottfredson, 1988). This is not surprising, seeing as how research has found that more serious crime commitment increases chances of crime reporting and arrest (Novak, Frank, Smith, & Engel, 2002) and probability of prosecution (Adams & Cutshall, 1987; Vera Institute of Justice, 1977). Studies on parole decisionmaking have discovered similar results. Examining parole in New Jersey, study results indicated that crime categories significantly predicted parole outcomes (Turpin-Petrosino, 1999). Prisoners that committed nonviolent offenses were more likely to be

granted parole, while it was more probable for prisoners incarcerated for violent crimes to be denied early release.

Criminal history. Criminal history has also been empirically proven to be a commonly considered factor in predicting a prisoner's recidivism risk. Research has shown that even prisoners convicted of "less serious" criminal acts are more likely to be incarcerated, as well as receive longer sentences, if they have a substantial criminal record (Sutton, 1978). Variables used to assess criminal history, however, have differed amongst previous studies. Although prior convictions and prior incarcerations are commonly used measures of criminal history in the decisionmaking literature, it has been argued that the number of prior arrests is a better indicator of criminal involvement because it provides a more accurate account of the offender's likelihood to encounter the criminal justice system (Goldkamp et al, 2010).

Despite variations in the measurement of criminal history, previous studies have consistently found that criminal history greatly affects paroling decisions (Huebner & Bynum, 2006; Kinnevy & Caplan, 2008; Meyer, 2001; Morgan & Smith, 2005a).

Individual factors. In minor criminal cases, however, prior sentencing research has found that additional factors are weighted more heavily than offense severity and criminal history (Gottfredson & Gottfredson, 1988). Examining sentencing outcomes in Pennsylvania for 1989-1992, Steffensmeier and colleagues (1998) found that young black males were sentenced the most severely. The effect of race was also found to be more prominent for younger males than their older counterparts. In a similar study comparing the sentencing decisions for White, Black, and Hispanic defendants, the results indicated

that White defendants were treated the most lenient, while Hispanic defendants were the most likely to receive the harshest punishment (Steffensmeier & Demuth, 2001).

Similarly, prior research has found that race and age are influential factors of parole decisions (Carroll & Burke, 1990; Graham & Lowery, 2004; Huebner & Bynum, 2008; Miller, Lindsey, & Kaufman, 2014; Morgan & Smith, 2008; Proctor, 1999).

Overall, however, findings are mixed. While Proctor (1999) found that racial minorities were 68% less likely to be granted early release, Morgan & Smith's (2008) results were statistically insignificant despite demonstrating racial bias. Miller, Lindsey, and Kaufman (2014) found similar results. Analyzing the relationship between race and religion in parole decisionmaking, they found that while an offender's race was not a significant factor in predicting early release, religious conversions were. Prisoners that religiously converted while incarcerated were perceived more positively and were more likely to be released than prisoners with no religious ties (Miller, Lindsey, & Kaufman, 2014).

Although research has issued varying results, these findings indicate that race has the potential to play a prominent role in the parole decisionmaking process.

The amount of time that an individual has served has also been discovered to be a significant predictor of parole release (Maguire, Pinter, & Collins, 1984; Meyer, 2001; Turin-Petrosino, 1999). In Britain, Maguire, Pinter & Collins (1984) found that the amount of time served was an influential element in parole decisionmaking. The likelihood of non-dangerous prisoners being granted parole was associated with the decisionmakers' belief that the prisoner had "served enough time for their crime." Similarly, Meyer (2001) found that parole board members often exercise a form of justice through their job duties. Evidence indicated that parole could be rejected if the board

disagreed with sentences received via plea bargaining, resulting in the prisoner serving what the decisionmakers believed to be a more appropriate sentence (Meyer, 2001).

Institutional conduct and program participation. Institutional conduct, often measured by the collection of “good time” credits and/or disciplinaries received, greatly impacts the paroling process. This system not only affects security classification level, but it also inspires prisoners to display conventional behavior by encouraging prison-programming participation. In addition, this practice can be used by corrections staff to increase prisoner cooperation (Champion, 1999).

Although research is mixed, institutional behavior and prison program participation have been found to significantly influence parole decisions (Carroll & Burke, 1990; Kinnevy & Caplan, 2008; Lindsey & Miller, 2011; West-Smith et al., 2000). While some studies indicate that prisoner participation in prison programming and good institutional behavior have no effect on parole decision results (Mooney & Daffern, 2014; Morgan & Smith, 2005a), it has also been empirically proven that not participating in treatment programs increases chances of parole denial (Lindsey & Miller, 2011). Similarly, through interviews with prisoners who were denied early release, West-Smith et al., (2000) found that, despite what the offenders were led to believe by corrections staff, only bad institutional behavior and non-participation in prison programming were considered by parole board members. These results suggest that prison officials, due to the potential negative effects of nonconformity on early release, could use the good time/disciplinary credits system as a coercive technique to gain compliance of the inmates.

Contemporary parole research. Following parole's decline in favorability, recent parole research has, overall, been significantly lacking. While the majority of past parole research has focused on the influence of various factors relevant to parole board decisionmaking, the impact of other elements has gone relatively unexamined. For example, the effect of crime victim participation on parole board decisionmaking has become an emerging area of exploration. Results thus far, however, have returned mixed findings. While Morgan & Smith (2005b) found that victim input at parole hearings has a significant impact on parole decisions, Caplan (2010) found it to be insignificant. With parole boards maintaining influence in the majority of states, today, contemporary research on additional factors relevant to parole decisionmaking is greatly needed to gain a better understanding of the modern-day parole process.

As previously mentioned, the effect of STG designation on discretionary parole decisionmaking has been relatively overlooked in prior research. The following subsection will discuss relevant aspects of a security threat group, commonly referred to as a prison gang, and their significance in regards to parole performance.

Prison Gangs

Definition. Arguably, the biggest obstacle associated with the study of gangs involves the differentiating definitions of the term. Historically, researchers have provided varying meanings of the word gang (Decker & Van Winkle, 1996). This disagreement has made it challenging for researchers to relate findings, as well as build upon gang research (Bjerregaard, 2002). This inconsistency also proves problematic for criminal justice officials because it hinders their ability to keep reliable and relative records of gang participation and gang-related actions (Ball & Curry, 1995). One of the

early definitions of gangs is Miller's (1975, pp. 9), in which he defines a gang as "a group of recurrently associating individuals with identifiable leadership and internal organization, identifying with or claiming control over territory in the community, and engaging either individually or collectively in violent or other forms of illegal behavior." Applying the definition to the criminal justice system, the National Gang Intelligence Center (2015, pp. 15) defined a prison gang as "a criminal organization that originates in the penal system and continues to operate within correctional facilities throughout the United States. Prison gangs are self-perpetuating criminal entities that also continue their operations outside of prison."

History. Prior to the 1960s, U.S. prisons operated autonomously, with no interference from the judicial system (Roth, 2017). In *Cooper v. Pate* (1964), however, the U.S. Supreme Court ruled that prisoners retained the right to sue prison authorities in federal court. As a result, drastic renovations of the penal environment were conducted throughout the 1970s. During this time, demographic changes brought on by desegregation and the "War on Crime" caused the minority inmate population to grow exponentially within the American penal system (Roth, 2017). Due to more liberal prison conditions and the significant increase in racial division, prison gangs emerged as a means of protection from other inmates (Fong & Buentello, 1991; Ralph & Marquart, 1991; Ross & Richards, 2002). Originating on the West Coast in the California and Washington corrections systems, prison gangs began to expand, with more than half of all state and federal prison systems reporting gang activity by the mid-1980s (Camp & Camp, 1985; Roth, 2017). These societal and correctional events ultimately paved the way for the formation and expansion of notorious, racially pure prison gangs.

Formation. Buentello, Fong, and Vogel (1991) claim that the development of a prison gang takes place in a five-stage process. In stage 1, a convicted criminal is sent to prison to serve their sentence for breaking a societal law. This separation causes isolation from the people that typically serve as the offender's support system. In order to survive in this environment, the prisoner must quickly adapt to the inmate code of conduct (Sykes & Messinger, 1970). The prisoner must also learn how to anticipate and cope with violence and victimization from other inmates (Duffee, 1989). Eventually, the prisoner progresses to stage 2, where they adjust to life in prison by socializing with acquaintances, whether that be inmates they met in prison, or inmates they were familiar with prior to incarceration. Oftentimes, these prisoners will band together by developing a self-protection group, ultimately entering stage 3 (Buentello, Fong, & Vogel, 1991). As the group gains recognition and increases in size, certain members tend to exhibit more influential behaviors, emerging as the leaders of the group. In the "dog eat dog" nature of prison, it is a frequent occurrence for groups to become predators, thus entering stage 4. At this stage, the group increases in strength and becomes much more complex, often adopting a constitution or some form of legal code. Also, the introduction into the participation in illegal activity often takes place. Once the group becomes fully established with formal rules, a leadership hierarchy, and have an established criminal organization, they reach stage 5, a prison gang (Buentello, Fong, & Vogel, 1991).

Culture. There is a common belief amongst some that most prison gang members are simply street gang members imported into the corrections system (Fleischer & Decker, 2001; Jacobs, 1974). Although the presence of street gang members in prison is not uncommon, research has found that there are significant organizational differences

between street and prison gangs. Unlike the majority of street gangs, prison gangs operate much more systematically, adhering to a strict code of secrecy to avoid detection (Camp & Camp, 1985; Pyrooz, Decker, & Fleisher, 2011; Skarbek, 2014). These private methods of operation have historically made it difficult for prison gang research efforts (Fong & Buentello, 1991).

In terms of structure, gang scholars have noted that variances exist amongst prison gangs over time. While Fong & Bontello (1991) described prison gangs as being a cohesive group of prisoners with a defined leadership hierarchy, Camp & Camp (1985) state that prison gang structure tends to have a more flexible alignment, where organization can be either loosely or tightly structured. Skarbek (2014) argues that while a decentralized structure can be beneficial for criminal operations, it also creates opportunities for the exposure of flaws within the organization. Alternatively, having a single, powerful leader in a dictatorship role has the potential to create a power struggle within the gang among other prominent members (Skarbek, 2014).

According to survey responses collected from prison officials across the United States, zero to one-third of all security threat group (STG) members were identified as prison gang leaders, with an average of about 5% (Winterdyk & Ruddell, 2010). In addition, respondents were asked to estimate the percentage of STG members that were considered “hard core” gang affiliates. Results indicated that corrections officials perceive an average of about one-fourth of all gang members as being “hard core” participants (Winterdyk & Ruddell, 2010).

Membership. In order to join a prison gang, it is common for prospective members to meet what is known as the “homeboy connection” requirement if they wish

to join. This condition requires that the prospect be a childhood friend or associate of an active member (Fong, 1990). If this prerequisite is met, the existing member will approach the potential associate and socialize them with the rest of the gang. After an extensive investigation by the gang's leadership determines that the prospective member is not a "rat," (an informant) and that they demonstrate the loyalty required of a worthy member, membership is then determined by a vote of the gang's members (Fong, 1990).

Historically, in order to gain membership into a prison gang, prospective members were often required to take a "Blood In, Blood Out" oath of allegiance (Roth, 2017). This oath required a prospective member to draw blood from a rival, usually through killing. This bloodshed ensured that the affiliate is a lifelong member of the gang. Despite this pledge, it is possible, though difficult, for prison gang members to leave. Fong, Vogel, & Buentello (1995) found that about one to five percent of gang members successfully dissociated from their respective gang. It was common, however, for members that left to hold low ranks and be less inclined to engage in violence (Fong, Vogel, & Buentello, 1995). In order to officially leave the gang, it was commonly required under the "Blood In, Blood Out" pledge for the member to draw blood from an enemy of the gang sufficient enough to satisfy the gang's leadership (Roth, 2017).

Today, however, the "Blood In, Blood Out" oath has become much less common among younger gang members. With financial acquisition becoming increasingly important for prison gangs, the incentive to promote order and avoid detection by corrections officials has become a top priority (Skarbek, 2014). Public acts of violence draw unwanted attention to the gang, hindering their ability to engage in criminal operations. As a result, other means of proving loyalty to the gang have become more

commonly used for membership recruitment. Despite this evolution, many of the top tier prison gang constitutions state that members that “desert” or betray the gang in anyway, will be punished by death (Skarbek, 2014). With this looming threat to safety, many members that disassociate from the gang are placed into protective custody.

Presence. Due to the secretive nature of prison gangs, the precise number of prison gangs and prison gang members in an out of the prison system is unknown (Fleischer & Decker, 2001). According to a 2013 gang survey, however, prison gang members were shown to represent approximately 9.5% of the total U.S. gang population (NGIC, 2013). In a national survey of corrections staff across the U.S., it was estimated that about 19% of the total institutional population were members of security threat groups, while almost 12% had been confirmed gang members (Winterdyk & Ruddell, 2010). While it is reasonable to conclude that the true number of prison gang members lies somewhere between these two approximations, these estimates reveal the challenges of differentiating between confirmed and unconfirmed gang members.

Criminal behavior. As previously stated, with their primary goals being power and financial acquisition, prison gangs are notorious for partaking in a wide-range of criminal ventures (Camp & Camp, 1985; Fong, 1990; Skarbek, 2014). As reported by prison personnel, the most common forms of criminal behavior exhibited are, [in descending order]: “intimidation of corrections staff and fellow inmates; drug trafficking; assault on staff and prisoners; physical and sexual abuse of weaker inmates; extortion; protection; possession of contraband weapons; theft; ‘strong-arm robbery’; rackets; robbery; prostitution; rape’ “sodomy for sale”; murder; bribery; arson; slavery and explosives” (Camp & Camp, 1985).

Drug trafficking has emerged as a major source of profit for many prison gangs. In addition to corrections staff, security threat groups are recognized as one of the primary perpetrators of drug importation into correctional facilities, fostering an underground economy (Correctional Service of Canada, 2008). It is common for gang members to prey on drug addicts and prisoners that are indebted to the gang, forcing them to become drug mules. As a result, drug availability in prison has become prevalent (Roth, 2017). The commonality of drug trafficking in the American penal system has contributed to institutional violence.

Violence in correctional facilities is a worldwide epidemic. Empirical evidence has consistently found that prison gang affiliation is associated with the commission of violent acts against other prisoners and correctional staff (Fischer, 2001; Fong, Vogel, & Buentello, 1992; Griffin & Hepburn, 2006). Testing the effects of gang membership on violent misconduct, Griffin & Hepburn (2006) found that while controlling for age, ethnicity, criminal history, and violent history, prison gang affiliation had a significant effect on violent misconduct while incarcerated. The commission of these violent acts has been found to serve a wide-range of purposes, from solidifying cohesion within the gang (Short & Strodtbeck, 1965), to gaining respect by defending the gang's reputation (Miller, 1969), to protecting the in-prison black market in order to retain financial acquisitions (Moore, 1978). As a result of this powerful and intimidating criminal persona, prison gang membership has become an attractive option for many prisoners.

Gang members and parole. While prison gangs are considered a major threat to security while incarcerated, their presence and influence outside of prison facilities is a threat to the public as well. Due to the lifetime commitment required by some prison

gangs, members that are released from prison and return to the streets, remain loyal to the gang. In some instances, failure to help the gang is punishable by death (Skarbek, 2014).

Past research on prison gang members have found that gang affiliates are more likely to have an extensive criminal history and commit more institutional violations than non-gang members (Adams, 1992; Adams & Olson, 2002; Fong, Vogel, & Buentello, 1992; Griffin & Hepburn, 2006; Huebner, Varano, & Bynum, 2007). This propensity for violence and other forms of criminal behavior increases a prisoner's likelihood of engaging in criminal activities once released. Utilizing data containing all releasees from the Illinois Department of Corrections during November 2000, Dooley, Seals, & Skarbek (2014) found that prison gang members were 6% more likely to recidivate than non-gang members. This escalated risk of recidivism for gang members ultimately increases members of the community's chances of victimization.

Some research has indicated, however, that the implementation of various treatment programs and institutional management strategies targeted at gang members have been effective in reducing recidivism and containing gang-related activity. While no universal gang suppression approach exists, common tactics used are wide-ranging. Staff training, intelligence sharing among criminal justice officials, and individualized interventions are some of the more common methods (Winterdyk & Ruddell, 2010). Wells et al. (2002) found that more than 75% of American prisons employed gang management approaches that included monitoring prison communication among prisoners, creating case files of gang-related information, and disclosing this information to other agencies in the criminal justice system. Isolating and transferring known gang

members are also common management techniques used, despite their ineffectiveness at gang repression (Winterdyk & Ruddell, 2010).

Programs requiring prison gang members to denounce their gang status are also used. During this process, inmates reveal valuable gang related information to investigators, including the extent of their involvement (Gaseau, 2002). Seeing as how renouncing gang membership is considered an ultimate betrayal (Fong, Vogel, & Buentello, 1995), many members fear retaliation. In addition, the sincerity behind this disassociation can be questionable.

Treatment programs for gang members have also proven to be effective (Foss, 2000; Gaseau, 2002). Testing the effectiveness of cognitive-behavioral programs that follow the risk, need, and responsivity principles, Placido and colleagues (2006) found that treated gang members recidivated significantly less, as well as less violently after a two-year follow-up than their untreated matched controls. These findings suggest that treatment programs that adhere to the risk, need, responsivity philosophy can reduce recidivism rates for gang members.

Through the sharing of information among criminal justice personnel, the delaying of parole eligibility has become a gang management technique used by some jurisdictions. Results on the perceived effectiveness of this approach, however, are mixed. Responses from a survey examining correctional staff perceptions of gang management strategies in the U.S. found that only about 50% of respondents believed that delaying parole was a successful strategy for gang management (Winterdyk & Ruddell (2010). Despite this, 75% of participants believed that intelligence sharing with paroling authorities was an effective gang controlling tactic. In regards to staff

perceptions, it seems that the prevention of early parole release is a potentially sufficient method in managing prison gang behavior (Winterdyk & Ruddell, 2010).

The Current Study

While many studies have analyzed various system, decisionmaker, and prisoner characteristics affecting parole decisionmaking, no study to date has directly examined how security threat group designation impacts discretionary parole release decisions. As a result of this gap in the literature, this research study looks at prison decisionmaking in the first stage of the parole recommendation process and addresses the following research questions:

Research Question 1A: Does confirmed security threat group designation significantly impact early release decisions made by the parole board? **Research Question 1B:** If so, is security threat group designation still significant when controlling for other characteristics empirically proven to influence parole decisionmaking?

Hypothesis: It is hypothesized that confirmed security threat group designation will significantly impact early release decisions made by the parole board in a negative direction, net of other relevant factors.

CHAPTER III

Data and Method

This chapter describes the data and research methodology used to answer the research questions outlined in Chapter 2.

Research Setting

The current study used secondary data collected as part of a larger study on prison and parole decisionmaking in the Commonwealth of Pennsylvania, which operates a discretionary parole release system as its primary early release method. Data were collected from 21 of 26 state prisons in the Pennsylvania Department of Corrections (PADOC). Two of the state prisons (Cambridge Springs and Muncy) were excluded because they strictly housed female prisoners. This exclusion was because it is likely that factors considered in the parole decisionmaking process are different for female prisoners. Two of the remaining 24 state prisons were excluded because they housed specialized populations (Camp Hill and Pine Grove). An additional prison chose not to participate in the research (Retreat).

Sample

During the six-month study period, the Pennsylvania Board of Probation and Parole (PBPP) reviewed a total of 6,173 prisoners across the 21 prisons that participated in the study. This cohort of prisoners comprised the sampling frame.

At the time of parole eligibility, prisoners were assigned to unit management teams within housing units of the prisons. In order to achieve diversity amongst prisoner cases, a disproportionate stratified sampling approach was used with unit management teams within the 21 prison facilities defining the stratum. This method was used with two

primary goals in mind: (1) obtaining an approximately equal representation in the sample of prisoners across housing units, and (2) avoiding oversampling/undersampling of prisoner cases from the high/low volume units. In addition, there were no logical reasons to assume that prisoners eligible for parole during the months in which the data were collected were systematically different from parole applicants processed in the remaining months of the year due to random prisoner differences in (a) incarceration dates, (b) sentence lengths, and (c) parole eligibility dates. As demonstrated in *Table 1*, of the 6,173 cases making up the sampling frame, the average age was 36.79 years ($SD = 10.88$, range: 17 to 81) and 41.8% identified as White.

Table 1

Demographic Descriptive Statistics of Sampling Frame

Variable	<i>M</i> or %	<i>SD</i>	Min	Max
Age	36.79	10.88	17	81
White	41.80	-	-	-

$N = 6,173$

The list of unit management teams assigned to each of the 6,173 cases was obtained electronically from the PADOE Office of Research, Planning, and Statistics. This search resulted in a list of 146-unit management teams appointed to these cases of parole eligible prisoners during this time-period. Approximately fifteen cases were randomly chosen from each of the 146-unit management teams. This resulted in a sample size of 1,610 prisoner cases. Due to missing data for the race and parole guideline score

variables, eight prisoner cases were eliminated. As a result, the final sample used for analyses consisted of 1,602 prisoner cases. *Table 2* presents the descriptive statistics for the sample.

Table 2

Sample Descriptive Statistics

Variables	Frequency	%	Min	Max
Parole decisions				
No (0)	914	57.10		
Yes (1)	688	42.90		
STG designation				
Not active (0)	1192	74.40		
Active (1)	410	25.60		
Age (years)				
Mean (SD)	37.37(10.84)		18	78
Race				
Non-White (0)	940	58.70		
White (1)	662	41.30		

(continued)

Variables	Frequency	%	Min	Max
Offense severity				
Non-violent (0)	333	20.80		
Violent (1)	1269	79.20		
Criminal history				
Mean (SD)	4.24 (6.59)		0	47
Institutional behavior				
No (0)	358	22.30		
Yes (1)	1244	77.70		
Program participation				
Non-compliant (0)	134	8.40		
Compliant (1)	1468	91.60		
Time incarcerated (days)				
Mean (SD)	1159.83 (1504.50)		45	11863
Guideline score				
Mean (SD)	5.20 (2.68)		1	15

$N = 1,602$

Outcome Variable

For the current study, the decision made by the parole board was dependent variable. Measured dichotomously, “yes” (1) indicated that the prisoner was granted parole, whereas “no” (0) indicated that the parole board denied the prisoner of release.

Independent Variable

For this study, the independent variable is confirmed security threat group designation. Gang membership information for each case was obtained from the official records of each prison’s internal security. A binary measure was used with a “yes” (1) or “no” (0) given to each prisoner based on whether or not the prisoner was security threat group designated.

Control Variables

In measuring the effect of security threat group designation on parole board decisions, the current study accounts for eight control variables: age, race, offense severity, criminal history, institutional behavior, prison program participation, time incarcerated, and parole guideline score. These variables are controlled in this study because they have been the factors most consistently found to impact parole release decisions.

Age. Age was measured on a scale according to the prisoner’s actual age in years at the time of the parole decision.

Race. Race was coded dichotomously, where 1 = White and 0 = non-White (Black, Hispanic, and Asian).¹

¹ Although prior decisionmaking research has found that Asian prisoners are treated more leniently than Blacks and Hispanics, the inclusion of Asians in the non-White group had no significant impact on the results of the race variable due to their low representation in the sample ($n = 6$).

Offense severity. The charges for which the prisoner was currently incarcerated for at the time of data collection were obtained electronically from the prisoners' sentencing summary (16-E) document. The selected variable to represent offense severity for this study was whether or not the Pennsylvania Board of Probation and Parole (PBPP) classified the prisoner as a violent offender. To be considered a violent offender, the prisoner was currently, or had previously been, incarcerated for a violent offense. For the purpose of parole consideration, the PBPP maintains a list of offenses deemed violent. *Table 3* presents the offenses considered violent according to the PBPP. The violent offender variable for this study was coded as yes (1) if the prisoner was currently serving a sentence for, or had previously served a sentence for, a violent offense outlined by the PBPP guidelines, and no (0) if the prisoner was not serving, nor has ever served, a sentence for a violent offense at the time of the parole decision. As demonstrated in *Table 2*, 79.20% of the sample were classified as violent offenders. Of this violent offender subgroup, 100% were currently serving a prison sentence for a violent offense.

Criminal history. To obtain a prisoner's criminal history, the PADOH refers to each prisoner's Federal RAP Sheet. This official document contains dates of arrests, dates of conviction, county of arrest, charges, charges resulting in convictions, sentencing lengths, and whether the call to law enforcement was potentially a domestic violence incident. Some information lacking on the Federal RAP Sheet can sometimes be found on the Integrated Case Summary (ICSA) document. The section of this document with information on the prisoner's juvenile criminal history includes information from the Presentence Investigation, prior state prison records, and prisoner self-report.

The criminal history variable for this study is measured on a scale by the number of prior arrests for each prisoner. This variable excludes the current charge for which the prisoner is currently incarcerated.

Table 3

Violent Offenses as per the Pennsylvania Board of Probation and Parole (PBPP)

Violent Offenses According to the Pennsylvania Board of Probation and Parole
Theft by Extortion Where a Threat of Violence is Made
Aggravated Assault of an Unborn Child
Voluntary Manslaughter of Unborn Child
Assault by Prisoner
Assault by Life Prisoner
Aggravated Harassment by Prisoner
Aggravated Assault by Vehicle While Driving Under the Influence
Invasion of Privacy
Homicide by Vehicle
Endangering the Welfare of a Child (If the offense involved sexual contact with victim)
Indecent Assault Where the Victim is Younger than 13 Years of Age
Sexual Abuse of Children
Obscene and Other Sexual Materials and Performance Involving a Victim who is a Minor (where the conviction is graded as a felony)
Promoting Prostitution (Where the actor promotes the prostitution of a child under the age of 16 years of age)
Unlawful Contact or Communication with a Minor
Sexual Exploitation of Children
Luring a Child into a Motor Vehicle
Sexual Intercourse with an Animal

(continued)

Violent Offenses According to the Pennsylvania Board of Probation and Parole

Corruption of Minors

Open Lewdness

Criminal Attempt / Criminal Solicitation or Criminal Conspiracy to Commit any of these offense

Aggravated Indecent Assault

Failure to Provide Verification of Address

Incest

Stalking When Graded as a Felony of the Third Degree

Arson

Kidnapping where victim is a minor

Burglary

Robbery

Robbery of a Motor Vehicle (“Carjacking”)

Murder (Regardless of the degree)

Voluntary Manslaughter

Aggravated Assault

Rape

Statutory Sexual Assault

Involuntary Deviate Sexual Intercourse

Sexual Assault

Spousal Sexual Assault

Institutional Sexual Assault

Note: Adapted with permission from “The Uncharted Influence of Prison Staff Decisionmaking,” by Blasko, B. L., 2013, Temple University Libraries.

Institutional behavior. The PADOCC Policy Number DC-ADM 801 implemented in 2008 provides a complete list of infractions recognized by the PADOCC. *Table 4* provides a breakdown of these violations. Any listed prisoner misconduct is recorded electronically by the PADOCC. For this study, institutional behavior was captured by

whether or not the prisoner had been found guilty of any of the prison misconducts listed in *Table 4*. If the prisoner was found guilty of one or more of these listed misbehaviors during his current period of incarceration, this variable was coded as yes (1). In contrast, if the prisoner had never been reprimanded or convicted of any prison misconducts during his current incarceration stint, this variable was coded as no (0).

Prison program participation. In the PADO, a prisoner's program plan is referred to as his "prescriptive program plan" or "correctional plan" and only includes standardized programs offered by the PADO during the time period in which data was collected (Blasko, 2013). This correctional plan is created during the assessment process at classification. Factors considered when developing this plan include the individual prisoner's security risk, offense pattern, and treatment needs. In addition, programs can be added to the prisoner's correctional plan based upon any changes that occur while incarcerated.

A prisoner's correctional plan is documented electronically by the PADO. Information that is accessible about each prisoner includes: the programs recommended by the corrections staff, the date each program was recommended, and whether the prisoner participated in each recommended program, refused to participate in the recommended program, or is on the waiting list for the recommended program, start and end (or expected end) dates if he has participated (or is participating) in the program. If the prisoner had previously participated, a progress report is also available.

Table 4

Misconduct Charges as per the Pennsylvania Department of Corrections (PADOC)

A. Class I Charges (Formal Resolution Only)	
<hr/>	
1. Assault	22. Possession or use of a dangerous or controlled substance
2. Murder	23. Possession or use of intoxicating beverage
3. Rape	24. Extortion or blackmail
4. Arson	25. Sexual harassment
5. Riot	26. Any criminal violation of the Pennsylvania Crimes Code not set forth above (shall be specified).
6. Escape	27. Tattooing, or other forms of self-mutilation
7. Robbery	28. Indecent exposure
8. Burglary	29. Engaging in, or encouraging unauthorized group activity
9. Kidnapping	30. Breaking restriction, quarantine or informal resolution sanction
10. Unlawful restraint	31. Gambling or conducting a gambling operation or possession of gambling paraphernalia
12. Voluntary manslaughter	32. Possession or circulation of a petition, which is a document signed by two (2) or more persons requesting or demanding that something happen or not happen, without the authorization of the Superintendent
13. Extortion by threat or violence	33. Using abusive, obscene, or inappropriate language to or about an employee
14. Involuntary deviate sexual intercourse	34. Violating a condition of a pre-release program
15. Threatening an employee or their family with bodily harm	
16. Fighting	
17. Threatening another person	
18. Threatening, harassing, or interfering with a Department K-9 or mounted patrol horse	
19. Engaging in sexual acts with others or sodomy	
20. Wearing a disguise to mask	
21. Failure to report an arrest for any violation of the Pennsylvania Crimes Code (Community Corrections Centers only)	

(continued)

B. Class I Charges (Eligible for Informal Resolution)

35. Refusing to obey an order	37. Violation of visiting regulations
36. Possession of contraband including money, implements of escape, non-prescribed drugs (or drugs which are prescribed but which the inmate is not authorized to possess), drug paraphernalia, poisons, intoxicants, materials used for fermentation, property of another, weapons or other items which in the hands of an inmate present a threat to the inmate, others or to the security of the facility. Possession of drugs, alcohol, poisons and/or weapons are not eligible for informal resolution.	38. Destroying, altering, tampering with, or damaging property
	39. Refusing to work, attend school or attend mandatory programs or encouraging others to do the same
	40. Unauthorized use of the mail or telephone
	41. Failure to stand count or interference with count
	42. Lying to an employee
	43. Presence in an unauthorized area
	44. Loaning or borrowing property
	45. Failure to report the presence of contraband
	46. Theft of services (i.e. cable TV)

C. Class II Charges (Eligible for Informal Resolution)

47. Body punching, or horseplay	51. Possession of any items not authorized for retention or receipt by the inmate not specifically enumerated in Class I contraband
48. Taking unauthorized food from the dining room or kitchen	52. Any violation of rule or regulation in the inmate Handbook not specified as Class I Misconduct charge
49. Failure to report an unexcused absence from work, school, or mandatory programs	
50. Smoking where prohibited	

Note: Adapted with permission from “The Uncharted Influence of Prison Staff Decisionmaking,” by Blasko, B. L., 2013, Temple University Libraries.

For the current study, a prisoner’s prison program participation is measured by their level of program compliance. This variable is a binary measure with a prisoner’s prison program compliance coded as “yes” (1) or “no” (0). For the prisoner to be considered program compliant, the prisoner must have already participated in some or all of the programs listed on his correctional plan, or currently be on the waiting list for some or all of the recommended programs. For a prisoner to be considered non-

compliant, the prisoner would have to have indicated that he is refusing a program (this information would be noted in his individual correctional plan).

Time incarcerated. Time incarcerated is measured on a scale and reflects the number of days the prisoner was incarcerated on the current sentence before their parole decision.

Parole guideline score. When making the parole decision, the Pennsylvania Board of Probation and Parole (PBPP) uses a recommendation form known as a “Parole Decisional Instrument.” This form, also referred to as a “parole guideline” sheet, provides a summary of the PBPP’s evaluation for each parole candidate (Goldkamp et al., 2010). “Scores” are provided for each candidate according to specified weights that are assigned to key dimensions. These areas of consideration include the conviction offense (violent or non-violent), the level of risk according to the Level of Service Inventory-Revised (LSI-R), institutional programming, and institutional behavior. Scores based on the weightings of these four critical areas are added together to determine an overall score. If the overall score is 6 points or less, the guidelines suggest “parole,” while scores of 7 points or greater suggest “parole refusal” (Goldkamp et al, 2010). Approximately three-fourths of the sample (75.22%) for this study received a score of 6 points or less and were recommended for parole.

Analytic Plan

A preliminary multiple regression was conducted to determine if multicollinearity was an issue among the continuous variables. Tolerance statistics for all continuous variables were greater than 0.1, indicating that multicollinearity was not an issue.

Logistic regression analyses were then conducted to investigate the impact of confirmed security threat group designation on parole board decisions, with the parole decision as the binomial outcome and STG designation as the predictor of interest. An initial model assessed whether STG designation predicts the parole decision, while the second model assessed whether STG designation predicted the parole board decision after factors commonly important to the parole decision were controlled. Specifically, the second model controlled for age, race, offense severity, criminal history, institutional behavior, prison program participation, time incarcerated, and parole guideline score.

CHAPTER IV

Results

This chapter presents the results of the logistic regression analyses used to carry out analyses to answer the two research questions.

Bivariate Model Results

In Model 1, a logistic regression analysis was conducted to investigate whether confirmed security threat group (STG) designation predicts early release decisions made by the Pennsylvania Board of Probation and Parole (PBPP). In order to test the bivariate relationship between the independent and dependent variables, STG designation was the only predictor variable entered into Model 1. The model containing the sole predictor variable was statistically reliable in distinguishing between prisoner cases that were granted and denied parole [-2 Log Likelihood = 2130.12, $\chi^2(1) = 58.735, p < .001$]. Model 1, however, only explained 4.8% (Nagelkerke R^2) of the variance in parole decisions, and correctly classified 57.1% of cases. As demonstrated in *Table 5*, STG designation was a statistically significant predictor of parole decisions, absent of any control variables. Parole eligible prisoners who were confirmed STG members were 60.4% less likely to be granted parole than non-STG members. These findings suggest that confirmed STG designation significantly impacts early release decisions made by the PBPP at the bivariate level.

Table 5

Logistic Regression Model 1

Variable	B	S.E.	O.R.	<i>p</i>
<i>Constant</i>	-.064	.058	.938	.271
STG designation	-.927	.125	.396	.000

N = 1,602

Note: STG = Security threat group

Multivariate Model Results

In Model 2, a logistic regression analysis was conducted to determine if STG designation significantly predicts early release decisions made by the PBPP after the introduction of historically relevant control variables. The model contained nine independent variables (STG designation, age, race, offense severity, criminal history, institutional behavior, program participation, time incarcerated, and parole guideline score). *Table 6* shows the correlations among all variables entered into Model 2.

In order to test the model's fit, the Hosmer and Lemeshow test was examined. This "goodness of fit" test indicates how well the model performed over and above the results obtained for the baseline model. According to this test, poor fit is indicated by a significance value < .05. The Hosmer and Lemeshow test's chi-square statistic is ($\chi^2 = 13.932$; $p = .084$). This indicates that Model 2, containing the nine-predictor variables, fits. Results of the logistic regression analysis also indicate that Model 2 is statistically reliable in distinguishing between prisoner cases that were granted and denied parole [-2 Log Likelihood = 1833.184, $\chi^2 (9) = 355.67$, $p < .001$]. The model as a whole explained 26.7% (Nagelkerke R^2) of the variance between parole decisions, and correctly classified 66.9% of the prisoner cases.

Table 6

Correlation Matrix of Variables in Analysis

Variables	1	2	3	4	5	6	7	8	9	10
1. Parole decision	1.00									
2. STG designation	-.188**	1.00								
3. Age (in years)	-.016	.108**	1.00							
4. White	.043	-.164**	-.041	1.00						
5. Violent	-.028	.138**	.080**	-.029	1.00					
6. Prior arrests	-.017	.042	.065**	-.019	.105**	1.00				
7. Institutional misconducts	-.191**	.284**	.106**	-.116**	.024	.113**	1.00			
8. Program compliance	.212**	.002	-.006	-.062*	.017	.031	-.081**	1.00		
9. Time Incarcerated (in days)	-.058*	.151**	.224**	-.046	.160**	.153**	.166**	.040	1.00	
10. Parole guideline score	-.392	.273**	.084**	-.084**	.035	.044	.295**	-.205**	.064*	1.00

* $p < .05$. ** $p < .01$.

Note: STG = Security threat group

As exhibited in *Table 7*, three of the variables entered into Model 2 were found to be significant predictors of parole decisions. After controlling for factors commonly associated with parole release, the influence of STG designation remained significant. Parole eligible prisoners who were confirmed STG members were 40.5% less likely to be granted parole by the PBPP than non-STG designated members. This finding corroborates this study's hypothesis that states that confirmed STG designation significantly impacts early release decisions made by the parole board in a negative direction, net of other relevant factors.

Table 7

Logistic Regression Model 2

Variables	B	S.E.	O.R.	<i>p</i>
<i>Constant</i>	-.400	.422	.670	.344
STG designation	-.520	.145	.595	.000
Age (in years)	.009	.005	1.009	.080
White	.012	.116	1.012	.917
Violent	-.007	.142	.993	.961
Prior arrests	.003	.009	1.003	.722
Institutional misconducts	-.258	.142	.773	.069
Program compliance	1.900	.332	6.689	.000
Time incarcerated (in days)	.000	.000	1.000	.303
Guideline score	-.342	.029	.710	.000

N = 1,602

Note: STG = Security threat group

In Model 2, prison program participation and parole guideline score also proved to be significant predictors of parole decisions. The estimated odds of being granted parole for prisoners considered program compliant with their correctional plan were 6.69 times as likely as non-program compliant prisoners. Recall, prior research on the influence of prison program participation has issued mixed results. Findings from this

study provide support for the influence of prison program compliance in parole decisionmaking. In addition, for every one-unit increase in the prisoner's parole guideline score, the estimated odds of being in the "paroled" group decreases by 29%. This finding suggests that the Parole Decisional Instrument's recommendation is influential in the Pennsylvania Probation and Parole's decisionmaking process.

CHAPTER V

Discussion

This research assessed the influence of confirmed STG designation on early release decisions made by the PBPP before and after the introduction of historically relevant predictors. In this chapter, significant findings will be examined through Hogarth's (1987) limited information-processing abilities theoretical framework. Potential implications for policy and practice will also be discussed. The chapter will conclude with the study's limitation and recommendations for future parole decisionmaking research.

Theoretical Implications

As noted in the literature, prison gangs, or security threat groups, were not prevalent in the U.S. penal system until the 1980s, following the decline in popularity of discretionary parole release. Consequently, prior parole decisionmaking research has not considered STG designation as a predictor of parole release decisions. This study sought to fill this gap by examining the impact of confirmed STG designation on early release decisions made by the Pennsylvania Board of Probation and Parole (PBPP). To achieve this, secondary data comprised of official records from 21 of the 26 state male prison facilities in the Pennsylvania Department of Corrections (PADOC) were used for analyses. This dataset contains information on prisoner characteristics that previous literature has found to impact early release decisionmaking for all parole eligible prisoners within the six-month study period. Using a disproportionate stratified sampling approach, approximately fifteen cases were randomly selected from each of the 146-unit

management teams within the 21 PADO state prisons. After eliminating prisoner cases with missing data, the final sample size used for analyses was 1,602.

In order to determine the impact of security threat group designation on parole decisions, two logistic regression analyses were conducted. For Model 1, STG designation was the only predictor variable entered into the model. As hypothesized, STG designated prisoners were significantly less likely to be granted parole than non-STG designated prisoners, absent the control variables. In addition to STG designation, eight control variables were entered into Model 2: age, race, offense severity, criminal history, institutional behavior, prison program participation, time incarcerated, and parole guideline score. While prior research has shown these eight control variables to be influential in parole decisionmaking, only three variables were found to be significant in Model 2: STG designation, program participation, and parole guideline score.

According to Hogarth (1987), humans have a limited cognitive processing capacity, which hinders their ability to assimilate large amounts of information at one time. To compensate for this limitation, decisionmakers oftentimes develop cognitive shortcuts in an effort to limit mental exertion. When determining early release, for example, parole board members are presented with a large amount of information about an offender, but are expected to issue a quick verdict. As a result, parole decisionmakers assign varying levels of importance to factors that have proven to be associated with an offender's recidivism risk (Henningsen, 1984; Hogarth, 1987). In regards to STG designation, prior research has consistently found that STG members are more likely to commit violent acts (Fischer, 2001; Fong, Vogel, & Buentello, 1992; Griffin & Hepburn, 2006), and recidivate upon release (Adams, 1992; Adams & Olson, 2002; Fong, Vogel, &

Buentello, 1992; Griffin & Hepburn, 2006; Huebner, Varano, & Bynum, 2007). After controlling for factors commonly associated with parole release, this study found that prisoners who were STG designated were significantly less likely to be granted parole than non-STG designated prisoners. Based on this finding, it is possible that the PBPP associated STG designation with a higher likelihood of engaging in violence and other criminal activities once released. As a result, these potential parolees were more likely to be denied parole because they were perceived to have a higher risk of recidivism by the parole board.

Findings also indicate that prison program participation was influential in the PBPP's decisionmaking process. For this study, a prisoner's program participation was assessed by their compliance with the recommended programs in their individual correctional plan. This finding suggests that members of the parole board view program compliant potential parolees as demonstrating cooperative, rehabilitative attitudes and behaviors. The PBPP, therefore, perceive their risk of recidivism to be lower than that of non-program compliant prisoners. Considering Pennsylvania's correctional history, this discovery is not surprising. Contrary to the Auburn System, the opposing correctional model of the nineteenth century, the Pennsylvania System advocated isolated confinement of prisoners, with rehabilitation as the primary objective (Johnston, 2004). Results of this study suggest that the rehabilitative mentality is still present in the PADO, today.

The final variable that was significant in Model 2 was parole guideline score. Like many jurisdictions, the PBPP use a Parole Decisional Instrument, or a parole guideline sheet, when making early release decisions (Goldkamp et al, 2010). This form provides

parole decisionmakers with a summary of key information about a parole eligible prisoner through weighted scores on relevant factors. These guideline scores advise the PBPP as to whether or not to grant a specific prisoner parole (Goldkamp et al, 2010). Through Hogarth's (1987) limited information-processing theoretical lens, it is likely that the PBPP relied on the parole guidelines as a cognitive shortcut because its score is based on an official decisionmaking instrument. Although recommendations are suggestive, not mandatory, the results of this study indicate that the PBPP significantly consider the recommendation offered by this mechanism.

While the significance of STG designation, program participation, and parole guideline score in Model 2 were expected, the insignificance of the other predictor variables was somewhat surprising. Criminal history and offense severity, for example, have historically been considered the most consistent variables influential in parole decisionmaking (Gottfredson & Gottfredson, 1988; Kinnevy & Caplan, 2008). One possible explanation for the insignificance of the criminal history variable could be its operationalization. Although the number of prior arrests is a good indicator of likelihood to encounter the criminal justice system, it could potentially be misleading. A feasible explanation could be that individuals with higher arrest rates are being arrested for minor offenses. As a result, their perceived threat to society upon release by members of the PBPP is relatively minimal. In addition, the lack of significance of the offense severity and institutional behavior variables could be due to their inclusion in calculating the parole guideline score (Goldkamp et al, 2010). Through the lens of Hogarth's (1987) limited information-processing theoretical framework, in contrast to program compliance,

it is possible that members of the PBPP did not consider the influence of these variables significant beyond their inclusion in the parole guideline score.

Implications for Policy and Practice

Several significant findings were discussed throughout this chapter and provide evidence for two noteworthy implications for policy and practice. First, is the establishment of a clearer, more precise definition of the term “security threat group.” As previously discussed, current definitions are often vague and vary among jurisdictions. If STG designation is a characteristic that is being considered by parole decisionmakers, then it is important that the definition be as specific and consistent as possible. Otherwise, opportunities are created for disparity and liberty deprivations. The second implication would be the potential incorporation of STG designation in nationwide parole guidelines. If STG designation is a factor consistently being employed by parole decisionmakers to assess a potential parolee, then consideration is warranted as to whether or not to include this variable in the parole guideline score configuration. This potential inclusion would ultimately improve visibility in the parole decisionmaking process, which would contribute to its legitimacy.

Research Limitation

Despite the relevant findings of this research, a major limitation must be addressed. The generalizability of this study’s results are questionable due to the variability of methods and operations of discretionary parole decisionmaking in other jurisdictions. Essentially, factors considered important by members of the PBPP are potentially different from factors that are considered relevant to members of another state’s parole board. As a result, it is recommended that future parole decisionmaking

research incorporate STG designation as a predictor variable of early release decisions. Research efforts in other jurisdictions operating under discretionary parole release are also strongly suggested.

Conclusion

In conclusion, this research has contributed to both the parole decisionmaking and prison gang literature by empirically testing the impact of security threat group designation on discretionary parole release decisions. With the decline in popularity of discretionary parole release in the 1970s, and the emergence of prison gangs in the U.S. penal system in the 1980s, this variable had previously been overlooked in the decisionmaking literature. Findings from this research suggest that STG designation is a significant factor considered by parole board members when determining early release. Due to differences in factors considered among various state parole boards, however, this study should serve as an introductory point for further inquiry. Future parole decisionmaking research, therefore, should consider STG designation as a predictor of interest.

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APPENDIX

Copyright Permission Letter



Sam Houston State University

A Member of The Texas State University System

COLLEGE OF CRIMINAL JUSTICE

DEPARTMENT OF CRIMINAL JUSTICE AND CRIMINOLOGY

February 10, 2017

Brandy Blasko, Ph.D.

Assistant Professor, Department of Criminal Justice and Criminology

Sam Houston State University

College of Criminal Justice, Box 2296

Huntsville, TX 77341

Dear Dr. Brandy Blasko,

I am a graduate student at Sam Houston State University and I am in the process of preparing a Master's thesis. I have reviewed your doctoral dissertation titled "The Uncharted Influence of Prison Staff Decisionmaking." I am writing to request permission to include the following in my thesis: Figure 5. Pennsylvania Board of Probation and Parole Violent Offenses and Figure 6. Pennsylvania Department of Corrections Misconducts from Blasko, B. L. (2013). *The Uncharted Influence of Prison Staff Decisionmaking*. Temple University Libraries.

The two figures will be included in my master's thesis. The publication information is as follows: *The Impact of Security Threat Group Designation on Discretionary Parole Release Decisions*, Master's thesis, May 2017.

Please indicate your approval of this request by signing the letter where indicated below and returning it to me as soon as possible. Your signing of this letter will also confirm that you own the copyright to the above-described material.

Very truly yours,

Dalton Glass, B.S.

M.A. Graduate Student

Department of Criminal Justice and Criminology

Sam Houston State University

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By: Brandy L. Blasko

A handwritten signature in purple ink, appearing to read 'Blasko'.

Assistant Professor
Department of Criminal Justice and Criminology
Sam Houston State University

Date: February 22, 2017

VITA

DALTON L. GLASS

CONTACT INFORMATION

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EDUCATION

- | | |
|---------------|--|
| 2015- Present | Master of Arts, Criminal Justice and Criminology
Sam Houston State University
<i>Expected graduation: May 2017</i> |
| 2011- 2015 | Bachelor of Science
Sam Houston State University
<i>GPA: 3.97</i>
<i>Major: Criminal Justice</i>
<i>Minor: Psychology, Political Science</i> |

RESEARCH INTERESTS

Corrections; Criminal justice decisionmaking, Gangs; Victimology

GRADUATE POSITIONS

Graduate & Teaching Assistant (August 2015- present): Dr. Mitchel Roth

- Global Organized Crime
- History of the Criminal Justice System

Teaching Assistant (August 2016- present): Dr. Janet Mullings

- Family Violence
- Violence Against Women

Teaching Assistant (May 2016- August 2016): Dr. Yan Zhang

- Criminology
- Research Methods

Teaching Assistant (May 2016- August 2016): Dr. Mary Breaux

- Child Abuse and Neglect
- Family Violence
- Victimology

Teaching Assistant (August 2015- May 2016): Mr. Douglas Dretke

- Correctional Systems and Practices

AWARDS AND SCHOLARSHIPS

2016 – 2017	Victor G. Strecher Criminal Justice Scholarship: \$1,000
2016 – 2017	Sam Houston State University Graduate Fellowship: \$4,000
2015 – 2016	Sam Houston State University Graduate Fellowship: \$4,000
2014	Summa Cum Laude, Highest Honors Sam Houston State University
2011 – 2014	Sam Houston State University President's List

ORGANIZATIONS

2016 – 2017	Sam Houston State University Graduate Student Organization
2013 – present	Alpha Phi Sigma Criminal Justice Honor Society
2013 – present	Alpha Chi National College Honor Society