



## DEPARTMENT OF THE ATTORNEY GENERAL

### News Release

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#### **AG releases report on prison sentence lengths, Hawaii Paroling Authority policies and decision-making, and parolee recidivism**

Honolulu, Hawaii —At 10:00 a.m. on Thursday, August 16, 2001 in the second floor conference room of the Hawaii State Supreme Court, Aliiolani Hale, 417 S. King Street, researchers from the Department of the Attorney General will present the findings of a major study of prison sentence lengths, parole decision making, parolee recidivism, and other corrections-related information. A discussion will follow. News media are welcome to attend the event.

The AG's study, conducted in partnership with the University of Hawaii, was based on the records of 314 prisoners released to parole during Fiscal Year 1998 and tracked for 24 months post-release. Additional sentencing data were collected on offenders entering prison during January, March, May, and July of 2000. Parole hearings were observed and interviews were conducted with Hawaii Paroling Authority staff in order to examine the parole board's decision-making processes, procedures, and objectives.

How does HPA policy affect time served? While the average maximum prison sentence length imposed by the courts decreased from 8.4 years for the 1997-98 parolee sample to 7.3 years for the 2000 sample, the average minimum sentence length as determined by the Hawaii Paroling Authority increased during the same period, from 3.1 years under the previous HPA administration to 4.1 years under the current administration. By offense type, the increase in minimum sentences was from 4.5 to 6.4 years for violent offenses, 2.2 to 3.2 years for property offenses, 2.6 to 2.7 years for drug offenses, and 2.7 to 2.8 years for "other" offenses. The average actual time served is about one-third longer than the minimum sentence and approximately 45% of the maximum sentence.

Profile of offenders. Among the study's representative sample of parolees, the vast majority were males (86%); more often serving time for a property (40%) or violent (31%) offense than for a drug (24%) or other (6%) offense; had prior felony convictions (60%); were first convicted of a criminal offense before reaching 19 years of age (53%); and had a serious (78%) or moderate (13%) drug problem at the time they entered prison. These statistics are heavily influenced by the large number of male parolees, however, as female parolees on the whole differ markedly on many of these measures.

Predicting success and failure on parole. Two years after their release to parole, three-quarters of the parolees had no post-release convictions, 15% had misdemeanor convictions only, 7% had felony convictions only, and 3% had both felony and misdemeanor convictions. Of the parolees with a new felony conviction while on parole, most were for property or drug offenses.

Overall, about two-fifths of the sample were revoked on parole and returned to prison within 24 months of their release, and another 2% absconded and were suspended, for a total parole failure rate of 43%. Revocations were more often for failure to comply with parole regulations (60%) than for new convictions (40%). The great majority of revocations cited infractions of rules relating to the possession of controlled substances (usually illegal drugs), detection of drug use, failure to maintain contact with the parole officer or notify the HPA of a change of address, or absconding.

Statistically significant risk factors for parole revocation, while isolating each factor and holding the others constant, include the following:

#### Criminal History

(e.g., prior convictions or paroles, first conviction at an early age)  
54% versus 34% revocation rates for high- versus low-risk parolees

#### Conventional Life Style

(e.g., drug use, quantity/quality of employment, suitability of companions)  
53% versus 34% revocation rates for high- versus low-risk parolees

#### Personal Stability

(e.g., suitability of residence, marital/familial relationships, financial management skills)  
49% versus 36% revocation rates for high- versus low-risk parolees

#### Human Capital

(e.g., educational/vocational skills, emotional stability, attitude toward personal change)  
46% versus 40% revocation rates for high- versus low-risk parolees

#### Self-Control

(e.g., alcohol use, inappropriate sexual conduct)  
46% versus 41% revocation rates for high- versus low-risk parolees

Having deficiencies in more than one of these areas greatly increases the odds for parole revocation.

HPA policy of correctional treatment. Considerations of community safety and appropriate legal response to serious law violation temper the HPA's policy of correctional treatment. Both the view that criminal behavior can be corrected through appropriate programs, and the policy of promoting community safety by revoking parole when violations of regulations occur, lead to longer periods of incarceration. Length of time in prison is increased by setting longer minimum terms (to enable program completion), denying release at expiration of minimums when the board has reason to believe that a prisoner is not ready for release, and by revoking parole and returning parolees to incarceration. The HPA is aware that this impacts prison census, since returned parole violators, in Hawaii as elsewhere in the nation, comprise a rising percentage of prison admissions.

Based on information gathered during the course of conducting the study, the Attorney General's report also offers several recommendations: 1) Funding should be provided for the purchase and installation of a modern case record information system for parole board actions and parolee supervision; 2) Funding should be provided for developing and implementing a reporting system for program operations and effectiveness, including follow-up and outcome assessment; 3) Purchase-of-service funds should be provided to the HPA in order to acquire treatment services for parolees determined to be in need of them; 4) Increased access to mental

health services should be provided for parole supervision; and 5) Additional parole officer positions should be allocated to accommodate the larger volume of cases reviewed by HPA and assigned to parole supervision.

Copies of the full report can be downloaded from the Attorney General's Crime Prevention and Justice Assistance Division web site at [cpja.ag.state.hi.us](http://cpja.ag.state.hi.us) on August 16, 2001.

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