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“Punishment on the Installment Plan”

Individual-Level Predictors of Parole Revocation in Four States

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As prison populations in the United States have soared over the last 30 years, offenders who are incarcerated for violating the conditions of their parole represent an increasingly large percentage of the overall population. Little is known, however, about who these offenders are, what they have done to be reincarcerated, or what factors make an offender more or less likely to succeed on parole. In this article, parole release data from the National Corrections Reporting Program are analyzed to identify individual-level predictors of parole success in four states and to assess the relative impact of demographic and legal factors on different offender groups (by race).

*Keywords:* parole revocation; discretion; racial/ethnic disparities in punishment

Between 1980 and the end of the 20th century, the number of people entering prison for parole violations increased dramatically. Whereas in 1980 parole violators represented 17% (27,000) of prison admissions, by 1999 they represented 35% (203,000) of admissions. During this period, the number of offenders admitted to prison for new offenses increased by approximately 350%, whereas the number of offenders admitted for parole violations increased by almost 750%. Stated differently, the number of parole violators admitted to prison in 1999 was greater than the *total* number of offenders admitted in 1980 (Travis & Lawrence, 2002). Travis and Lawrence argued that “we have, in essence, created a separate path to prison...
for large numbers of former prisoners” (p. 24). Although there is an extensive research literature on the more common path to prison (i.e., research identifying the predictors of incarceration for new offenders), little is known about the circumstances under which individuals are returned to prison for violating the conditions of their parole (for an excellent review of what is known, see Petersilia, 2003). Furthermore, despite large differences between states in rates of parole revocation, little is known about either the nature or the causes of these differences. For those concerned with recent increases in prison populations, a more complete understanding of the parole revocation process should be paramount.

The question driving this research is not new: We are interested in why some people are sentenced to spend time behind bars while others are allowed to remain in the community. What is new about our research is our study population. Rather than identifying predictors of incarceration for “new” offenders, we hope to identify predictors of reincarceration for individuals who have been in prison and subsequently released on parole. It seems possible that the factors most relevant to revocation decisions are different from those most relevant to initial decisions to incarcerate. In particular, assessments of risk, of paramount importance in today’s criminal justice system, may occur differently when all of the offenders under consideration have been incarcerated. This may be especially true in the current climate, where, as Garland (2001) claimed, “The assumption today is that there is no such thing as an ‘ex-offender’—only offenders who have been caught before and will strike again” (pp. 180-181).

Of particular interest to us is the role of race in the decision-making process. There is a voluminous literature exploring the impact of race on arrest, charging, and sentencing decisions that we draw from to develop predictions about how race will affect decisions about parole revocations. Because of the almost complete absence of research on the revocation decision, we start by looking at whether race has a direct effect on revocation. We then move into an exploration of whether race matters more under certain circumstances than others. By looking at White and Black offenders separately, we are able to assess the relative impact of various demographic and legal factors on parole revocation for members of each group.

In this article we first provide a brief history of parole, explaining both how parole revocation differs from other types of criminal justice decisions and how recent changes in the goals of parole have placed revocation “at the very center of the practice” (Simon, 1993, p. 218). We next review the research literature on revocations, which we supplement with research on recidivism (because one of the forms of revocation arises when a parolee
reoffends). In our section on theory, we identify likely main effects on revocation decisions and develop hypotheses regarding legal and extra-legal factors that may contextualize the effect of race.

**Background**

**A Brief History of Parole**

Observers of the parole system in the United States argue that revocation has gained importance in recent years as the goals of the institution have changed. Through the mid-1970s, the oft-stated (though rarely achieved) goal of the criminal justice system was the successful rehabilitation and reintegration of offenders back into their communities. Parole played a central role in achieving these goals. First, the possibility of parole served as an incentive to prisoners during this era of indeterminate sentences. Prison officials released offenders only after they had proven themselves ready through good behavior. Second, parole offered the offender a period of supervised reintegration into their community, providing support and services to offenders recently released from prison (Travis & Lawrence, 2002).

Since the mid-1970s, however, the original structure and operating principles of parole have become increasingly irrelevant as the sentencing philosophy of the United States has shifted toward retribution and incapacitation (Travis & Lawrence, 2002). Feeley and Simon (1992) characterized this shift as the coming of age of a “new penology” in the criminal justice system. They identified three particular changes that have occurred in the penal process. First, conversations about risk assessment have replaced conversations about rehabilitation. Second, goals of efficient management and resource allocation have replaced the goals of rehabilitation and crime control. Finally, criminal justice decision makers now think about offenders as aggregates rather than individuals.

Within the framework of the new penology, parole has become a long-term management tool rather than a method of assisted reintegration (Feeley & Simon, 1992; Simon, 1993). Indeed, it is possible that the current system of parole actually works against the goal of reintegration by marking and isolating parolees in efforts to manage them. Simon (1993) argued that “a system that was once for so long oriented by the idea of reintegration of prisoners into the community is now oriented toward isolating and containing this population” (p. 228). Organizational goals of isolation and containment of offenders lead parole officers to rely heavily on one management tool available to them—the ability to revoke an offender’s parole.
Discretion in Parole Revocation Decisions

Although the revocation process varies between states, there are generally two stages in the revocation decision. First, the parole agent assigned to an offender must decide to file for revocation based on either information about a new offense committed or evidence that an offender has violated the conditions of his or her parole (parole may be revoked for a “new offense” or for a “technical violation”). Second, the revocation decision is made either by a parole board or by an administrative hearing officer based on an assessment of the allegations made in the request for revocation. If parole is revoked, the offender typically returns to the state prison system to serve either the remainder of the original sentence or time commensurate with the new offense.

Knapp (1993) distinguished between two parts of criminal justice system decision making in explaining discretionary processes. The “front-end” of the system, she argued, includes decisions made prior to the imposition of punishment (arrests, charging decisions, plea bargains, and sentences)—all decisions that bring offenders into the system in various ways. The “back-end” of the system, in contrast, includes decisions that occur after a sentence has been imposed and relate to how and when to take offenders out of the system (correctional releases, allocation of “good time” credits, and parole board releases). In terms of discretion, parole revocation is an interesting decision point because, although occurring in the back-end (i.e., after an offender’s punishment has been imposed), it is a decision about whether an offender should be incarcerated (i.e., whether punishment should be, in essence, reimposed). It is, then, substantively a front-end decision in that it brings the offender into the system (rather than a back-end decision that removes the offender from the system) while, because it is a decision made after the imposition of punishment, it remains a back-end decision.

There are at least three theoretical reasons to expect discretion at the stage of parole revocation. First, because the revocation decision is an administrative decision rather than a legal one, parolees have fewer legal rights at this decision point than they do at earlier points. Revocations are decided by political appointees (parole board members) and state employees (parole officers) rather than individuals schooled in legal proceedings (lawyers and judges). Because they are held as administrative hearings, revocation hearings are “far less protective of defendants than the adjudicatory route” (Caplow & Simon, 1999, p. 104).

Second, parole revocation hearings are relatively invisible. In many cases these hearings do not take place in courtrooms with the full spread of judicial actors and accountability procedures, but rather in correctional institutions.
Knapp argued that one of the most important distinctions between front-end and back-end decisions is the degree to which decisions are “visible.” Decisions that are more visible encourage greater accountability on the part of decision makers because they are more public. Decisions made at the front-end of the punishment process are more visible, she argued, in part because they occur outside of correctional institutions. Thus, police officers, prosecutors, and judges are more likely to be held accountable for their decisions than are correctional officials or parole board members, who make decisions away from the scrutiny of the general public, legislators, and researchers.

Finally, as parole has come to be a management tool rather than a program for reintegration, parole officers now have to make revocation decisions based largely on their assessment of the risk posed to the community by a parolee. One of the changes Feeley and Simon (1992) attributed to the “new penology” is that the central function of parole is to manage “dangerous criminals.” To manage these individuals, parole officers must determine which parolees are the most “dangerous” and therefore require the most “management.” Risk assessment, or the prediction of who puts the community at the largest risk, “has been embraced in the field . . . as part of deciding how to respond to a [parole] violation” (Burke, 1997, p. 13). Notions of who is dangerous and why are necessarily subjective (though there have been numerous attempts to objectify risk assessment) and are therefore likely to vary both between agents and between agencies.

Prior Research on Parole Revocation

To our knowledge, only a handful of studies look at the factors contributing to parole revocation. Kassebaum and his colleagues have conducted two recent studies looking at parole success in Hawaii (Kassebaum, 1999; Kassebaum & Davidson-Corondo, 2001). For the 1999 study, Kassebaum tracked 604 people released from Hawaii prisons in 1995 and 1996 for 2 to 3 years after their release date and interviewed parole officers to obtain information about conditions of parole, treatment and other programming, and parolee progress. Using multivariate analysis, Kassebaum found that the probability of parole revocation increased when (a) the release was not the individual’s first parole experience, (b) the parolee was a known regular drug user, (c) the parolee had been unemployed for more than 6 months in the year prior to their last prison sentence, and/or (d) the parole officer characterized the parolee as unwilling to accept responsibility for personal change. Some of the factors that did not have a significant impact on parole success were the parolee’s race/ethnicity, time spent in prison, and time spent in prison as
a percentage of the maximum sentence imposed. In the 2001 study (based on a smaller sample of 304 parolees), Kassebaum and Davidson-Corondo found only two factors with significant effects on revocation: the parolee’s criminal history and whether he or she had a “conventional” lifestyle.

In a study looking at success rates among parolees nationwide between 1990 and 2000, Hughes, Wilson, and Beck (2001) identified the following factors as associated with failure on parole: being male, non-Hispanic (both Whites and Blacks are less likely to succeed than Hispanics), young, released on mandatory rather than discretionary parole, released for the first time on the initial offense, and serving time for a property offense (public order offenders were most likely to succeed on parole, followed by violent offenders, drug offenders, and property offenders). Hughes, Wilson, and Beck’s findings further suggest that the likelihood of success on parole decreases as time spent in prison increases. Although these findings are the results of bivariate analyses, they provide the most comprehensive and relevant results for this study.

Prior Research on Recidivism

Because many revocations occur as a result of the parolee committing a new offense, the literature on predictors of reoffending should be relevant to new offense revocations. The applicability of these findings to revocations based on technical violations is less clear. Whereas some technical violations include behaviors that, although not illegal, might be characterized as the result of bad choices by the parolee (e.g., alcohol use, interaction with other parolees), others may involve the availability of resources, such as employment or space available in a treatment program. For this latter group, research on recidivism will likely be less relevant.

In a recently published study, Langan and Levin (2002) reported the results of a large, comprehensive study of recidivism based on data collected by the Bureau of Justice Statistics. Their findings show that those who are male, minorities, younger parolees, and parolees with prior felonies are significantly more likely to reoffend than their counterparts. Offense type is also a reliable predictor of recidivism, with property offenders the most likely to reoffend, followed by drug, public order, violent, and sex offenders (in that order). Langan and Levin also found that recidivism was most likely during the year following release from prison.

Other studies of recidivism (not necessarily among parolees) show that predictors of reoffending include being male (Clarke, Yuan-Huei, & Wallace, 1988; Irish, 1989), being a minority (Clarke et al., 1988; Irish, 1989), having little education (Clarke et al., 1988), lacking employment (Clarke et al., 1988;
Irish, 1989), having little income (Petersilia, 1985), having a lengthy prior criminal record (Irish, 1989; Petersilia, 1985), and having a drug abuse problem (Clarke et al., 1988; Petersilia, 1985).

**Theory and Research Hypotheses**

In this article, we are interested in identifying factors that explain why some individuals fail on parole whereas others do not. We are further interested in understanding the role of race in parole revocation decisions. In particular, we are interested in whether race will matter more under certain circumstances than others. Our analyses are therefore structured so that we can look at the main effects of variables on parole revocation and at the differential effects of variables on parole revocation for Black and White offenders.

Based on the literature on recidivism, we expect that the variables that predict recidivism will also predict parole revocation, particularly for new offense revocations. Because little is known about the factors contributing to technical violation revocations, we are unsure whether these same variables will help explain variation in these decisions. However, given that Hughes et al. (2001) identified these as factors associated with parole failure (their study does not include controls and does not distinguish between new offense and technical violation revocations), and absent any reason to believe otherwise, we predict that these variables will affect both technical violation and new offense revocations.

*Hypothesis 1:* Minorities, male individuals, younger offenders, property offenders, and offenders with prior felony incarcerations will be more likely to have their parole revoked than their counterparts.

Based on recidivism findings, we also predict the following:

*Hypothesis 2:* Parolees who have recently been released from prison will be more likely to have their parole revoked than parolees who have spent more time on parole.

This may be particularly true for new offenses (as Langan and Levin’s, 2002, results apply only to recidivism, not to revocation), but we expect it to hold true for technical violations as well, as it seems likely that parolees will have less difficulty following conditions of parole after they have had time to settle back into their lives outside prison.
Beyond these main effects, we are also interested in how race contextualizes the effects of legal and extralegal variables on revocation. We look to theoretical work on racial stereotyping to develop predictions about the circumstances under which race will matter. Much of the theoretical work on discretion focuses on how culturally derived stereotypes link certain groups of offenders to notions of dangerousness, culpability, and threat of criminality. In a theoretical statement about judicial discretion, for example, Albonetti (1991) explained that judges develop “patterned responses” using stereotypes that link individual characteristics (such as race, age, or gender) to expectations about criminal responsibility and dangerousness (p. 247). Steffensmeier, Ulmer, and Kramer (1998) took this idea a step further, arguing that it is the combination of indicators of threat that will have the largest impact on sentencing. Their analyses suggest that the effects of offender race are contextualized by both age and gender, with young male Blacks receiving the harshest treatment. The first possibility we consider, then, is that minority status will affect decision making when it is associated with other status characteristics associated with threat, such as age and gender.

**Hypothesis 3:** The positive effect of minority status on the likelihood of parole revocation will be largest for male and younger offenders.

Whereas Steffensmeier et al. (1998) demonstrated that race is most likely to be salient for particular kinds of offenders, Spohn and her colleagues (Spohn & Cederblom, 1991; Spohn & DeLone, 2000) have argued that the salience of race will depend in part on legal factors. In their 1991 article, Spohn and Cederblom tested the “liberation hypothesis” (Kalven & Zeisel, 1966), which suggests that

in less serious cases . . . the appropriate sentence is not necessarily obvious; consequently judges are liberated from the constraints imposed by the law, by other members of the courtroom work group, and by public opinion, and are free to take into account extralegal considerations such as race. (Spohn & Cederblom, 1991, p. 323)

Their findings strongly support this argument, with race being significant only in cases involving less serious offenses and offenders with no prior felony convictions. Based on their findings, we predict the following:

**Hypothesis 4:** The positive effect of minority status on the likelihood of parole revocation will be largest for offenders convicted of less serious offenses (i.e., offenses other than violent or sex offenses) and for offenders with no prior felony incarcerations.
A third (and related) possibility is that race will matter most when the appropriate decision is ambiguous (Unnever & Hembroff, 1988). This possibility leads us to predict that the effects of race will depend largely on the type of revocation. Revocation decisions involving technical violations are more ambiguous than those involving new offenses for a number of reasons. First, in cases involving technical violations, parole officers are more likely to have discretion than when a new criminal offense occurs. Second, under the new model of parole, one of the primary functions of parole officers is to assess and manage risk. Because risk assessment is largely subjective, it generally involves a large amount of discretion (though attempts to objectify risk assessment have likely decreased discretion at this stage). Parole decisions regarding technical violations, then, likely involve a larger element of risk assessment than do decisions regarding new offenses. Thus, we predict the following:

**Hypothesis 5:** The positive effect of minority status on parole revocation will be larger for technical violation revocations than for new offense revocations.

**Method**

**Sample**

Our sample consists of individuals exiting parole in four states in 2000. The four states—Kentucky, Michigan, New York, and Utah—were selected according to the following set of criteria. First, each sample state reported to National Corrections Reporting Program (NCRP) parole release data in the year 2000. Second, each state distinguishes between revocations for new offenses and for technical violations, a distinction that is central to our analyses. Third, none of the states reports more than 5% of its cases as falling into categories other than successful completion of parole, revocation for a new offense, or revocation for a technical violation (other categories include discharged as absconder or under warrant, returned to prison with revocation or charges pending, transferred to another jurisdiction, and death).

The states were also selected based on the degree to which they contributed to variation of the sample. We looked for geographical variation and therefore included states from the Northeast, the Midwest, the West, and the South. We also looked for variation in parole trends. Specifically, for variation in experiences with crime and justice, we looked at prison population size. The four states in our sample range from a prison population rate of 254
per 100,000 citizens in Utah to a rate of 480 per 100,000 citizens in New York. Success rates among parolees (the percentage of parole discharges that were because of successful completion) range from 19% in Utah (the lowest success rate in the nation in 2000) to more than 50% in New York and Michigan.

Although our sample states satisfy the requirements for this study and provide a geographically diverse sample, it is important to note that these were virtually the only states that met our requirements. Although there were a few other states that we could have chosen (particularly in the Northeast), we had no other choices in the South or West.

The parole release mechanisms in our four study states are similar. All four states authorize a parole board to evaluate prisoners and allow discretionary release after a minimum sentence has been served. New York, however, as a result of the Sentencing Reform Act of 1998 (commonly referred to as Jenna’s Law), eliminated discretionary release for all violent offenders. These offenders, after serving six sevenths of their sentence, must serve a period of court-imposed postrelease supervision. Finally, prisoners can also be released from New York prisons as a result of completing their entire sentence; these offenders have no supervision following release.

Information regarding the details of states’ revocation policies is not as accessible as release information. It is our understanding, however, that the four states in this study operate within a similar revocation framework. All offenders on parole in these states are assigned to a community parole officer. These officers are responsible for supervising the offender as they reenter their community by ensuring they are following the conditions set forth by their parole agreement. If the offender violates one or more of the conditions in this agreement, the parole officer may file for revocation of parole.

In each of our study states, offenders have the right to two hearings if a revocation is filed. A probable cause hearing establishes whether there is enough evidence to follow through with the revocation. Two decisions are made at the revocation hearing itself: whether to revoke and what the new sentence will be. In Kentucky, Michigan, and Utah, a hearing officer that represents the parole board hears the probable cause hearing; New York uses either a hearing officer or some type of supervisor. In Utah and Kentucky the parole board conducts the final hearing, whereas in New York and Michigan the hearing officer makes the final decision. New York appears to be the only state that uses guidelines which govern the parole revocation process. These guidelines require revocation and the resultant punishment to be determined by an offender’s criminal history, number of prior parole violations, and crime of conviction.
Data

The data used for this research come from the NCRP. NCRP data are collected and compiled every calendar year by the Bureau of the Census through an agreement with the Bureau of Justice Statistics and include information on all individuals entering and exiting correctional custody and correctional supervision in the United States. The NCRP data are divided into three separate data sets: prison admissions, prison releases, and parole releases. For the project presented here, we look only at the parole releases data set, as we are trying to better understand why certain parolees exit parole because of successful completion, whereas others exit because of revocation. The dependent variable in our study is parole release type, which compares individuals who are released from parole because of successful completion (reference category) to individuals who are released because of revocation for a new offense and individuals who are released because of revocation for a technical violation.

Information that is not included in the NCRP data includes the type of new offense or technical violation for which an offender has been revoked. This information would add greatly to our understanding of the revocation process. Unfortunately, it is not only unavailable in the NCRP data, it is often unavailable even at the state level. We also have only rough measures of offense seriousness (we can categorize offenses into types, but we cannot distinguish the seriousness of offenses within these types) and of prior record (we know only whether someone has previously been incarcerated for a felony and therefore cannot distinguish among offenders with lengthy prior records; we also know nothing about the criminal history of those without prior felony incarcerations—these individuals could be repeat offenders but simply never before been in a state prison). Although these are serious limitations, we hope that this study can provide some general information about parole revocation decisions and perhaps prompt data gathering that would allow for more nuanced analyses.

Measures

Demographic variables in the study include race (Black and White offenders only, other races excluded), sex, age at the time of release from prison onto parole (coded in three categories: 18-29, 30-49, and 50 and older), and education (highest level of schooling completed by the offender, coded in four categories: less than high school degree, high school degree or equivalent, some college, college degree or higher). We measure offense
type by looking at the most serious offense for which an offender was convicted (for the original incarceration) and recode offenses into five categories: property, drug, violent, sex, and public order. The NCRP includes general information about each individual’s criminal history, measured only roughly by whether an offender has any prior felony incarcerations. Finally, we include a variable measuring the length of time an offender has spent on parole prior to revocation (in years).

Table 1 provides descriptive statistics for these variables and demonstrates the importance of conducting multivariate analyses to understand the relationships between race, demographic, and legal variables as they affect the likelihood of parole revocation. For example, offense type differs between Black and White offenders, with White offenders more likely to have committed property, sex, or public order offenses and Black offenders more likely to have committed violent or drug offenses. Black offenders are also more likely to have prior felony incarcerations (59%) than White offenders (50%).
Analysis

The dependent variable in our analyses, parole outcome, is polychotomous, with the following outcomes: “Successful completion of parole,” “Parole revocation on a new offense,” and “Parole revocation on a technical violation.” Because the dependent variable is nominal, we use multinomial logistic regression for our analyses. This type of logistic regression is appropriate when it cannot be assumed that the slopes for each logit are the same across each level of the dependent variable. The reference category in each model is “completed parole successfully.”

Results

The discussion of results is organized as follows. First, we discuss the results of the full sample analyses as displayed in Table 2. We then focus on the race-specific models for the full sample to discuss differential effects of legal and demographic variables by race. In this section, we move back and forth between Tables 2 and 3 as we discuss the reasons for these differential effects. In doing this, we first discuss the effects of demographic factors, then move to a discussion of legal factors.

Full Sample

Table 2 displays the results of regression analyses with the full sample (all four states) and with the full sample divided into White offenders and Black offenders. Most of the demographic variables have significant effects on the likelihood of revocation in the predicted directions. Being Black has a significant positive effect on revocation for new offenses (Blacks are 19% more likely than Whites to have their parole revoked for a new offense) and technical violations (Blacks are 50% more likely than Whites to have their parole revoked for a technical violation). Female individuals are significantly less likely than male to fail on parole, and this effect is larger for new offenses (48% less likely than male offenders) than for technical violations (26% less likely than male). Older offenders are much less likely than younger offenders to fail on parole. Compared to 18- to 29-year-olds, offenders between 30 and 49 are 26% less likely to fail because of a new offense, and offenders 50 and older are 59% less likely to come back on a new offense and 40% less likely to fail because of a technical violation. With the exception of the insignificant effect of being between 30 and 49 on the
Table 2
Multinomial Logistic Regression Results for All States:
Full Sample, White and Black Offenders

<table>
<thead>
<tr>
<th>Variable</th>
<th>Full Sample</th>
<th>White Offenders</th>
<th>Black Offenders</th>
<th>z Scores</th>
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</thead>
<tbody>
<tr>
<td>Black</td>
<td>18.89**</td>
<td>49.66**</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ages 30-49</td>
<td>-26.20**</td>
<td>3.68</td>
<td>-26.43**</td>
<td>-5.03</td>
</tr>
<tr>
<td>Ages 50 and older</td>
<td>-59.02**</td>
<td>-40.44**</td>
<td>-51.17**</td>
<td>-49.51**</td>
</tr>
<tr>
<td>Education</td>
<td>22.37**</td>
<td>-7.23**</td>
<td>21.25**</td>
<td>-5.85*</td>
</tr>
<tr>
<td>Violent offense</td>
<td>-34.41**</td>
<td>-11.28**</td>
<td>-40.45**</td>
<td>-17.63**</td>
</tr>
<tr>
<td>Sex offense</td>
<td>-72.66**</td>
<td>-4.79</td>
<td>-74.94**</td>
<td>5.06</td>
</tr>
<tr>
<td>Public order offense</td>
<td>-50.84**</td>
<td>-49.20**</td>
<td>-48.54**</td>
<td>-53.44**</td>
</tr>
<tr>
<td>Drug offense</td>
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<td>-15.15**</td>
<td>-1.36</td>
<td>-17.03**</td>
</tr>
<tr>
<td>Years on parole</td>
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<td>-40.33**</td>
<td>-36.66**</td>
<td>-44.04**</td>
</tr>
<tr>
<td>Prior felony incarceration</td>
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<td>80.43**</td>
<td>183.86**</td>
<td>132.70**</td>
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<tr>
<td>Kentucky</td>
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<td>438.76**</td>
<td>117.67**</td>
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<tr>
<td>Michigan</td>
<td>111.51**</td>
<td>19.87**</td>
<td>174.64**</td>
<td>6.04</td>
</tr>
<tr>
<td>Utah</td>
<td>553.00**</td>
<td>211.90**</td>
<td>625.87**</td>
<td>181.71**</td>
</tr>
<tr>
<td>Intercept</td>
<td>-87.98**</td>
<td>18.32**</td>
<td>-89.75**</td>
<td>24.69*</td>
</tr>
</tbody>
</table>

b. n = 12,736.
c. n = 17,900.
d. Significant differences by race.
*p < .05  **p < .01.
likelihood of revocation for a technical violation, these findings are all consistent with Hypothesis 1.

Legal factors are also significant predictors of parole revocation, in the predicted directions (consistent with Hypothesis 1). Offenders with prior felonies are much more likely than offenders who have not previously been incarcerated for a felony to have their parole revoked. Offenders with priors are 121% more likely to have their parole revoked for new offenses and 80% more likely to have their parole revoked for technical violations. Offense type is also an important predictor of parole success. Compared to property offenders (excluded category), all other offenders are less likely to be revoked for a parole violation. For revocation for new offenses, property offenders are followed by drug offenders (the difference is not significant), violent offenders (34% less likely to be revoked), public order offenders (51% less likely), and sex offenders (73% less likely). These findings are generally consistent with research on recidivism and Hypothesis 1, which suggest that property offenders are the most likely to recidivate and sex offenders the least likely. For technical violations, property offenders are followed by sex offenders (the difference is not significant), violent offenders (11% less likely to be revoked), drug offenders (15% less likely), and public order offenders (49% less likely). Differences in parole failures for technical violations are likely influenced by the different levels of surveillance for different offenders. Offenders classified as high-risk offenders will likely be under tighter surveillance, even if the perceived risk is not related to actual likelihood of reoffending. Sex offenders, for example, although unlikely to commit a new offense, may be under more intense supervision than public order offenders, thereby increasing the odds they will get caught violating a condition of their parole.

Time on parole is also a significant predictor of parole revocation. As predicted in Hypothesis 2, the longer an offender has served on parole, the more likely he or she is to succeed. The magnitude of this effect is somewhat smaller for new offenses (for each year on parole, an offender is 33% less likely to be revoked for a new offense) than for technical violations (revocation is 40% less likely for each year on parole).

Finally, the state effects are all significant and large (compared to the excluded category, New York). Although we would need to collect much more data to discuss the reasons for these differences (e.g., interviews with decision makers, analysis of policy differences), it is important to point out that states appear to operate very differently in terms of their use of revocation. The fact that New York is the only state in our sample with parole revocation guidelines suggests that perhaps one fruitful avenue for research
would be to look at these policy differences and the impact they have on rates of revocation.

**Race-Specific Models**

The race-specific models in Table 2 allow us to look at differences in the magnitude of effects on revocation for Black and White offenders. The columns to the right of the regression results indicate significant differences between Black and White offenders. Gender and age have significantly different effects on the likelihood of revocation for Black and White offenders. First, the negative effect of being female on the likelihood of revocation for a technical violation is significantly larger for female Blacks (who are 56% less likely to be revoked than male Blacks) than for female Whites (where the difference is 38%). This difference also exists for technical violation revocations, with no significant gender difference for White offenders, and female Blacks being 37% less likely than male Blacks to have their parole revoked.

There are also significant differences in the effects of age on the likelihood of revocation for Black and White offenders. Table 2 shows that the difference between the youngest (ages 18-29) and oldest (ages 50 and older) Black offenders in terms of likelihood of revocation for a new offense (older offenders are 65% less likely to be revoked) is significantly larger than the difference for White offenders (older offenders are 51% less likely to be revoked). The opposite, however, is true for revocation for technical violations, where the oldest White offenders are 50% less likely to be revoked and the oldest Black offenders are only 32% less likely.

Turning now to the effects of offense type on the likelihood of revocation for Black and White offenders, Table 2 shows some significant differences by race. The difference in likelihood of revocation for a new offense between property (excluded category) and public order offenders is significantly larger for Blacks (58% less likely to be revoked) than Whites (49% less likely to be revoked), whereas the difference in likelihood of revocation for a technical violation between these two types of offenders is larger for Whites (53% less likely to be revoked) than Blacks (43% less likely to be revoked). There is also a significant difference in the magnitude of the difference between property and violent offenders for new offense revocations, with a larger difference existing for Whites (41% less likely to be revoked) than Blacks (32% less likely to be revoked).

Table 2 also shows that years on parole has a significantly larger effect for Whites than Blacks. For new offense revocations, each year on parole renders White offenders 37% less likely to be revoked, compared to 31% for
Black offenders; for technical violations, each year on parole renders White offenders 44% less likely to be revoked, compared to 38% for Black offenders. Finally, the positive effect of prior felony incarcerations is much larger for Whites than for Blacks. For Whites, having a prior felony incarceration leads to a 184% increase in the likelihood of being revoked for a new offense (compared to 81% for Blacks) and a 133% increase in the likelihood of being revoked for a technical violation (compared to 50% for Blacks).

Without further analysis, however, we cannot determine whether these results support or refute Hypotheses 3 and 4, which predict that the positive effects of race on revocation will be larger for certain groups of offenders than others. From the findings in Table 2, we cannot determine whether the significant differences by race are because of larger effects for the groups predicted (i.e., male offenders, younger offenders, offenders convicted of less serious offenses, and offenders with no prior felony incarcerations) or smaller effects for the counterparts of these groups.

In regards to gender, Table 2 shows that the negative effect of being female on the likelihood of revocation is significantly larger for Blacks than Whites. We cannot, however, determine from these results whether the larger differences for Black offenders are a result of lenient treatment of female Blacks relative to female Whites, harsh treatment of male Blacks relative to male Whites, or both. To begin to address this question, we show revocation rates for various groups of offenders by race in Table 3. Looking first at new offense revocations, it appears that the significant race differences result more from relatively lenient treatment of female Blacks (for whom the revocation rate is 4.4%, compared to a rate of 6.5% for female Whites) rather than relatively harsh treatment of male Blacks (indeed, the revocation rates for male Blacks are slightly lower, at 8%, than those for male Whites, at 9.5%). Turning to technical violations, however, we see that for both female Blacks and Whites the revocation rate is approximately 33%, suggesting that the difference lies in relatively harsh treatment of male Blacks. Indeed, the revocation rate for male Blacks is 42%, compared to 35% for male Whites. These results show mixed support for Hypothesis 3 (i.e., differences for new offense revocations contradict Hypothesis 3, whereas differences for technical violation revocations support Hypothesis 3).

Table 3 shows similar patterns of the relative rates of revocation for different age groups for Black and White offenders, though it does suggest that, for revocation for technical violations, the difference between young (18-29 years old) and old (50 and older) offenders is larger for Whites than Blacks. The results shown in Table 3 suggest that, for technical violation revocations, the difference between Black and White offenders increases
with age, with age appearing more important for Whites (for whom the likelihood of revocation decreases more sharply by age) than for Blacks. This is contradictory to our prediction in Hypothesis 3 that differences in the likelihood of revocation between young and old offenders would be larger for Black than for White offenders.

Turning now to Hypothesis 4, we see in Table 3 that for property and public order offenders, Blacks are significantly more likely to have their parole revoked for a technical violation than are Whites. This finding does not allow us to make the kind of argument we made with gender, that the differences are clearly caused by more severe treatment of the group predicted (in this case, public order offenders) rather than less severe treatment of the comparison group (in this case, property offenders). To test Hypothesis 4, we can however examine whether the differential treatment is larger for less serious cases, which it is. The race difference in revocation rates for property offenders (more serious) is 7.5%, whereas the difference for public order offenders (less serious) is 10.5%. These results begin to

### Table 3
Revocation Rates by Race

<table>
<thead>
<tr>
<th>Variable</th>
<th>White Offenders</th>
<th></th>
<th>Black Offenders</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>% New Offense Revocation</td>
<td>% Technical Violation Revocation</td>
<td>% New Offense Revocation</td>
<td>% Technical Violation Revocation</td>
</tr>
<tr>
<td>Male</td>
<td>9.5*</td>
<td>35.4*</td>
<td>8.0*</td>
<td>42.3*</td>
</tr>
<tr>
<td>Female</td>
<td>6.5*</td>
<td>32.8*</td>
<td>4.4*</td>
<td>33.4*</td>
</tr>
<tr>
<td>18-29</td>
<td>10.3</td>
<td>34.9*</td>
<td>8.6</td>
<td>38.2*</td>
</tr>
<tr>
<td>30-49</td>
<td>8.8</td>
<td>36.2*</td>
<td>7.4</td>
<td>44.1*</td>
</tr>
<tr>
<td>50+</td>
<td>6.2</td>
<td>23.3*</td>
<td>4.6</td>
<td>34.4*</td>
</tr>
<tr>
<td>Less than high school</td>
<td>5.1</td>
<td>35.3</td>
<td>5.3</td>
<td>39.6</td>
</tr>
<tr>
<td>High school degree</td>
<td>5.6</td>
<td>33.1</td>
<td>6.8</td>
<td>41.2</td>
</tr>
<tr>
<td>Some college</td>
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<td>37.6</td>
<td>9.8</td>
<td>43.6</td>
</tr>
<tr>
<td>College degree</td>
<td>8.6</td>
<td>30.8</td>
<td>8.8</td>
<td>36.9</td>
</tr>
<tr>
<td>Property</td>
<td>11.8</td>
<td>39.7*</td>
<td>9.6</td>
<td>47.2*</td>
</tr>
<tr>
<td>Violent</td>
<td>6.2</td>
<td>33.2</td>
<td>6.0</td>
<td>41.1</td>
</tr>
<tr>
<td>Sex</td>
<td>3.0</td>
<td>35.2</td>
<td>3.5</td>
<td>48.0</td>
</tr>
<tr>
<td>Public order</td>
<td>8.3</td>
<td>26.6*</td>
<td>5.2</td>
<td>37.1*</td>
</tr>
<tr>
<td>Drug</td>
<td>9.5</td>
<td>33.5</td>
<td>8.5</td>
<td>39.5</td>
</tr>
<tr>
<td>Yes felony</td>
<td>11.1*</td>
<td>44.7*</td>
<td>8.2*</td>
<td>45.9*</td>
</tr>
<tr>
<td>No felony</td>
<td>7.2*</td>
<td>25.4*</td>
<td>6.9*</td>
<td>35.2*</td>
</tr>
</tbody>
</table>

*p < .05.
address Hypothesis 4, which suggests that the positive effect of minority status on the likelihood of parole revocation will be largest in less serious cases. Because the difference is quite small, however, our findings provide only tentative support for Hypothesis 4.

Table 3 also shows that the significantly larger effect of prior felony incarcerations for Whites than for Blacks is driven entirely by harsher treatment of Blacks with no felony incarcerations compared to their White counterparts. The revocation rate for offenders with prior felony incarcerations is remarkably similar (45% for White offenders, 46% for Black offenders). For offenders with no prior felony incarcerations, however, the rate for Black offenders (35%) is considerably larger than the rate for White offenders (25%). These results provide clear support for Hypothesis 4.

To conclude this section, we turn to Hypothesis 5, in which we predict that the positive effect on minority status on revocation will be larger for technical violations than for new offenses. Table 2 provides support for this hypothesis. Although Black offenders are 19% more likely than White offenders to be revoked for new offenses, they are almost 50% more likely to be revoked for technical violations. Whether this is because of a higher percentage of violations being committed by Blacks, a higher level of supervision of Blacks than Whites (controlling for their offense type), or differences in the way decision makers behave in revocation decisions is a question we hope to pursue in future work.

**Discussion and Conclusions**

Before embarking on a discussion of our findings, we repeat the caution that this study is exploratory. The NCRP data do not allow us to control for what might be very significant explanatory variables, such as the type of new offense or technical violation for which an individual is being revoked. Because of this, we put this study forward as a call for more detailed data collection and continued research into the factors that predict parole revocation than as a conclusive statement about what factors explain the likelihood of failure or success on parole.

With these caveats in mind, several findings stand out as noteworthy. First, race has a significant impact on the likelihood of revocation. In the full sample, Black offenders are 19% more likely than White offenders to have their parole revoked for a new offense and are 50% more likely than Whites to have their parole revoked for a technical violation, controlling for other demographic and legal factors. We argue here that this effect may be a result
of the relatively large amount of discretion available in decisions about whether to file for a revocation when an offender violates parole and about whether to revoke such an offender. In particular, the larger difference in revocations for technical violations than for new offenses could provide support for Unnever and Hembroff’s (1988) argument that race will matter most in decisions where the appropriate outcome is relatively ambiguous. It is also possible, however, that Black offenders are more likely to violate the conditions of their parole (by committing a new offense or technical violation) or to be detected in such violations. The available data simply do not allow us to parse these different explanations. To look at whether differential revocation rates are because of differences in parolee behavior or in parole officer decision making, one would need much more detailed information about the behavior of parolees, information that is in many states available only in offender case files. We are currently in the process of collecting such information for one state so that we can begin to address this important question.

The second important finding is that the size of both legal and demographic effects on the likelihood of revocation varies, often dramatically, depending on whether the revocation is for a new offense or a technical violation. This finding suggests the importance of separating these two different types of revocation and of thinking about them as different kinds of decisions. That some effects are larger for new offense revocations whereas others are larger for technical violation revocations suggests the need for more detailed information about the behavior for which an offender is being revoked. That is, it is impossible to know why race matters more for technical violation revocations than new offense revocations without better understanding what kinds of technical violations offenders are being revoked on (and whether the violations are similar for Black and White offenders).

Third, time on parole is a significant predictor of parole success. The longer offenders spend on parole, the more likely they are to succeed (this finding differs from Kassebaum’s, 1999, findings). This effect is large, with each year on parole reducing the likelihood of a new offense revocation by 33% and of a technical violation revocation by 40%. These findings support the argument that the longer an offender has spent in the community, the better integrated he or she will be and the less likely to engage in unlawful behaviors. It is interesting that this effect is significantly larger for White offenders than for Black offenders (for both new offenses and technical violations), raising important questions about whether White offenders are more successfully reintegrated than Black offenders.

Fourth, the magnitude of many of the effects uncovered differs between White and Black offenders. The significantly larger effect of gender on Black
offenders is entirely because of a higher likelihood of revocation for male Blacks than male Whites. Our analyses demonstrate that the strength of gender as a predictor of revocation decisions for White offenders is much smaller than it is for Black offenders, supporting the argument that indicators of threat such as gender and race act in concert to significantly impact the treatment of minority offenders.

Fifth, prior felony incarcerations are more relevant in determining revocation for Whites than they are for Blacks. This difference arises from a higher likelihood of revocation for Blacks with no priors (compared to similar Whites) rather than a higher likelihood of revocation for White offenders with priors (compared to similar Black offenders). If this difference arises because of differences in decision making (rather than differences in behavior), it would support the notion that race will matter more in less serious cases (Spohn & Cederblom, 1991).

Finally, the significant differences between the states included in our analysis strongly suggest the importance of looking at parole revocation decision making in the context of jurisdictions rather than trying to look at them in the aggregate. Although our analyses allowed us to get only to the level of the state, it would be instructive to explore parole revocation decision making at the level of the county, the parole agency, and even the parole agent to detect differences that likely exist. Research that looks at the intricacies of this decision point (e.g., by breaking it into separate decisions of whether to file for revocation and whether to revoke) will help us to better understand why revocation rates vary so much over time and place.

The parole revocation decision is extremely important—as important, one might argue, as the original incarceration decision, given that it is a decision that results in the deprivation of an individual’s freedom based on a decision by the state. That we know so little about it is troublesome, not only because it provides a unique window into the exercise of discretion in criminal justice decision making but also because decisions to revoke offenders’ parole have contributed greatly to the explosion in prison populations across the country. Our hope is that this research will provide a useful jumping-off point for future research on this decision.

References


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Tara Opsal is a doctoral student in the sociology department at the University of Colorado at Boulder. Her dissertation looks at the role various communities play in the reentry experience, and at the question of whether the relationship between community support and reentry is shaped by gender.