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MAINTAINING PAROLE BOARD LEGITIMACY IN NEW JERSEY: IDENTIFYING
AND EVALUATING THE UTILITY OF VICTIM AND NON-VICTIM INPUT

by

HEATHER ROBYN TUBMAN-CARBONE

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ABSTRACT

Maintaining Parole Board Legitimacy in New Jersey:
Identifying and Evaluating the Utility of Victim and Non-Victim Input

By HEATHER ROBYN TUBMAN-CARBONE

Dissertation Director:

Joel Caplan, Ph.D.

Over the last forty years, victims have gained access to every stage of the criminal justice process including parole decision-making. In 44 states, victims are notified when their offenders are considered for parole release and may provide input requesting that it be granted or denied. Though many states' parole boards are required to solicit input from registered victims, oftentimes the authorizing statutes do not provide instruction on how parole boards should use input. Relatedly, parole boards receive non-victim input from family and friends of victims and offenders. All input providers expect their input matters. However, research about the effects of input on release decisions has been mixed.

Parole boards are therefore placed in a precarious position. Input may or may not align with their mandate to make objective release decisions considering offenders' risk to public safety. Should parole boards' decisions differ from input they risk legitimacy in the eyes of constituents, particularly, politically influential victims and their advocates. In order to maintain perceptions of procedural justice, and retain legitimacy, parole boards should identify the value of victim-and non-victim input and be transparent about their decision-making process.

This dissertation research provides the foundation for that important work by expanding the literature about the contents of input through an exploratory analysis of a representative sample of input submitted to the New Jersey State Parole Board. The research draws on 198 unique pieces of victim and non-victim input submitted to the NJSPB on behalf of 75 offenders who received first-time parole consideration in 2004. A content analysis, guided by a grounded theory methodological approach, uncovered 12 common themes in input as well as divergent ways in which victim-interested and offender-interested input providers operationalized them. Conjunctive analysis revealed little variation in the relative importance of each theme to release decisions. Additionally, only a minority of input addressed factors that the NJSPB considers when making release decisions. Parole boards and policy makers may use these results to reconsider the way input is used in order to set and meet their constituents' expectations which will in turn, sustain parole board legitimacy.

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DEDICATION

To my mom, Sharon, the embodiment of bravery and perseverance.

And to my Grandfather, Larry, the biggest heart in the world and brightest star in the sky.

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CHAPTER 1: INTRODUCTION

The Problem: Parole Board Responsivity to Victim and Non-Victim Input

Parole developed in the late 1840s in response to prison overcrowding and out of a belief that sentence length should factor in rehabilitation. After an initial period of strict confinement, inmates were eligible to earn “tickets-of-leave,” or parole release, based on work performance, behavior, and educational improvement (Petersilia, 2000; Proctor, 1999). Modern day parole retains this concept. In discretionary parole schemes, inmates are eligible for release after serving a minimum number of years or percentage of their sentence as specified by offense- and jurisdiction-specific laws. Over one million adults were on parole in 2011 and nearly 145,000 entered parole through a discretionary release mechanism (Maruschak and Parks, 2011). Parole board members review each case and either grant or deny parole and are tasked with making objective release decisions. Guidelines instruct them to consider whether a given offender poses a public safety risk that is appropriate for early release to parole. Board members have an abundance of information available to inform their decisions such as criminal history, crime severity, sentence length, and institutional behavior and recommendations (Caplan, 2008).

Parole boards also receive input from the public. Victim input comes from people who are named in police or other official crime reports. All other people who provide input are non-victims, such as offenders’ loved ones and community members as well as victims’ family and friends. Both types of input become part of offenders’ case files and are available for review by parole boards. The Victims’ Rights Movement expanded victims’ access to parole with the passage of two types of statutes (Caplan, 2008). The

first requires parole boards to notify victims when their offenders are considered for parole release and has been enacted in forty-four states. The second requires many states' parole boards to go a step further and solicit input from registered victims (2008).

These statutes that authorize and require parole boards to consider victim input are vague. They do not define the type of information parole boards should solicit or accept, or how parole boards should use the input. However, the statutes do create an expectation. Victims expect that their input matters. Nevertheless, only a minority of victims takes advantage of the opportunity to provide input and studies about the effect of that input have shown mixed results (Parsonage, Bernat, and Helfgott, 1994; Caplan, 2008). Studies that evaluate the impact of victim and non-victim input on release decisions in states with a multi-step parole process or on a primarily violent offender population have found the input to be influential (Parsonage, Bernat, and Helfgott, 1994; Smith, Watkins, and Morgan, 1997; Proctor, 1999; Morgan and Smith, 2005). The most rigorous study used a representative sample of violent and non-violent offenders in a state with a more straightforward parole process (Caplan, 2008). That is, states with multi-stage parole processes tend to consider different factors at each stage; the latter study's setting does not prescribe such a convoluted process and therefore allows greater research design control. There, results indicated that both victim and non-victim input are superfluous to parole release decision-making as neither the presence of nor direction of victim and non-victim input – for or against release – significantly predicts release decisions (Caplan, 2008).

Qualitative research suggests that parole boards value victim and non-victim input in general, and victim input in particular, but that it may or may not align with their

mandate to make objective release decisions based on offenders' risk to public safety, placing parole boards in a precarious position (McLeod, 1989; Burns, Kinkade, Leone, and Phillips, 1999; Kinnevy and Caplan, 2008). Parole boards are created and governed by laws but they derive their power from constituencies, from the belief that they are legitimate institutions. Parole's legitimacy can be lost over time if stakeholders' expectations are not met and oftentimes such expectations are complex and competing (Erez and Tontodonato, 1992). Parole boards are tasked with making objective release decisions given offenders' risk to public safety and these decisions do not always reconcile with input.

Despite reaching different conclusions about whether victim input affects release decisions, research by Parsonage et al. (1994) and Caplan (2008) agree that the vast majority of victim input, 70 and 90 percent respectively, argues against parole release. They additionally suggest that victims support their request with details of continuing emotional harm caused by the offender. Responding to victims' by denying parole release may increase parole boards' short-term legitimacy with victims' groups and the general public. The Victims' Rights Movement showed that victims, though small in absolute numbers, present the greatest threat to parole board legitimacy given their ability to affect policy change. However, increased attention to victims and their advocates – to victim input - can come at the cost of parole legitimacy among offenders, their families and prison officials.

As stakeholders, both offenders and prison officials expect parole boards to focus on risk level and institutional behavior. If offenders learn that the factors they can affect (e.g. institutional behavior) are not as important as victim input they will be less likely to

conform to institutional control and to engage in education or other programs during their incarceration. Parole board legitimacy is then presumably lost in the eyes of offenders, prison officials, and their advocates. Ultimately, if victims or other stakeholders determine that parole boards are no longer deserving of authority, they have the ability to dismantle them.

As previously mentioned, victim and non-victim input do not seem to affect release decisions which can call into question the legitimacy held by these institutions. Legitimacy is the quality of an institution, such as parole boards, that leads people to follow it (Weber, 1964) and parole boards' legitimacy is based on constituents' belief that the people holding the authority are qualified to do so and should be obeyed (1964). Just as legitimacy is earned, it can be lost over time if stakeholders' expectations are not met. In order to maintain legitimacy, parole boards must be responsive to their constituents. The laws requiring parole boards to solicit input from victims are unlikely to change in the near future. Similarly, non-victims will continue to enjoy the opportunity to provide input. In order to be responsive to all constituents and preserve legitimacy, parole boards must identify the value of victim and non-victim input relative to parole decision-making. To date, the contents of victim and non-victim input have not been studied; the details of their requests to parole boards are unknown. This is a significant risk to assume without knowing whether either type of input provides information of value to parole release decision-making.

Therefore, I conducted a content analysis of victim and non-victim input in order to develop a typology of input providers that parole boards may use to assess and refine the way they review and respond to such input. The New Jersey State Parole Board

provides an optimal setting for this research based on parole release rates, types, and processes. Parole rates have remained relatively stable for the last decade and the majority of parolees are released through discretionary parole (Glaze and Bonczar, 2007, 2009, 2011; Glaze and Palla, 2005; Glaze, 2003). Equally important, the process is straightforward and overcomes the limitations of prior research in other states where a multi-stage review process can confound findings. I took a grounded theory approach to analyze the contents of victim and non-victim input provided on behalf of a representative sample of violent and non-violent offenders. The grounded theory approach is the most appropriate means of examining narrative content from diverse individuals and investigating a previously unexplored topic area (Strauss and Corbin, 1998).

Results of the content analysis will support parole boards' efforts by underscoring the needs and experiences of victims and non-victims who self-select to provide input. Parole boards may use the information to identify and prepare alternative ways to respond to input providers. First, parole boards may use the findings to revise the way they notify victims and solicit their input as well as guidelines for non-victim input. Most parole boards provide minimal guidance for input providers. Materials posted on state websites and in written materials do not describe the type of information that is useful or relevant to parole decision-making, which may foster unreasonable expectations in victims and non-victims alike, concerning the value of their input.

Second, the content analysis may reveal whether the information in input is relevant to parole release decision-making. That is, whether input speaks to the risk and public safety concerns that parole board members are instructed to evaluate. For example,

the growing push to adopt evidence-based approaches in criminal justice has contributed to a reliance on objective risk assessments (Friedmann, Taxman, and Henderson, 2007). Assessment results may not align, either in content or nature, with information contained in victim and non-victim input. Parole boards may then wish to revise materials to adjust input providers' expectations about what type of information is useful and how it will be used.

Third, parole boards may use the results to connect input providers to appropriate services and programs. During the early stages of the criminal justice process, victims and non-victims are often bombarded with information. For example, criminal justice professionals and advocates share information about programs and services for crime victims or families of incarcerated individuals. At the tail end of the criminal justice process - at parole - the availability of these programs and services is not made as apparent. They are not explicitly offered to victims and non-victims. For example, parole boards may use the results of this dissertation to identify the types of programs and services that may be responsive to input providers' needs. They can assess and improve the availability of such in their jurisdiction. Then procedures can be established to connect input providers to the appropriate programs and services as identified in their input.

Overview of Chapters

This section details the information that will be covered in each subsequent chapter of this prospectus. Chapter Two provides an overview of the history and process of parole release decision-making and the impact of the Victims' Rights Movement. In particular, it discusses: 1) the development of discretionary parole; 2) changes in victim

involvement in the criminal justice system in general, and at parole in particular; 3) the process and information in parole release decision-making.

Chapter Three discusses the importance of victim and non-victim input to parole board legitimacy. It begins with a comprehensive review of existing quantitative and qualitative research about the effect of input on release decisions. The implications of these findings are explored through a framework based on legitimacy and procedural justice theories.

Chapter Four explores three bodies of literature that provide context to victim and non-victim input. Emotional norms and mood congruency theory describe how people recall crime events and consider their experiences to determine what information to share with parole boards. Victimology literature discusses the impact of crime and criminal justice system involvement on victims over time and in a variety of life domains. Lastly, the literature on collateral consequences of incarceration reveals the implications of imprisonment for offenders and their loved ones both during incarceration and in reentry.

Collectively, these bodies of literature suggest that input may or may not align with parole boards' mandate to make objective release decisions considering offenders' risk to public safety. Should parole boards' decisions differ from input, they risk legitimacy in the eyes of constituents, particularly, politically influential victims and their advocates. In order to maintain perceptions of procedural justice, and retain legitimacy, parole boards should identify the value of victim-and non-victim input and be transparent about their decision-making process.

This research provides the foundation for that important work by expanding the literature about the contents of input through an exploratory analysis of a representative

sample of input submitted to the New Jersey State Parole Board. Chapter Five discusses the research setting and methods. This research used existing administrative data, specifically, 198 unique pieces of victim and non-victim input submitted to the NJSPB on behalf of 75 offenders who received first-time parole consideration in 2004 to explore to satisfy three objectives: 1) identify prominent themes of input; 2) identify commonalities and differences in the types of information that input providers share, requests that they make, and how they justify those requests; and 3) explore relative importance of input given the situational contexts in which release decisions are made. Four research questions addressed these objectives:

1. What type of information is commonly found in input? Specifically, what themes emerge from the experiences that input providers discuss, requests that they make, and rationales that they provide?
2. What patterns or relationships emerge between common themes in input and types of input providers? Specifically, are there significant differences between the contents of victim and non-victim input? Between types of non-victim input?
3. Is the information contained in input relevant to parole release decision-making (e.g., information that informs the level of risk presented by releasing an offender) and if so, it is available through any other source?
4. What is the relative importance of the emergent themes in the context of parole release decisions? Specifically, does the relative importance of themes vary according to the particular situational contexts in which release decisions are made?

Results are presented in Chapter Six and reveal that most of the information in input is duplicative to information already available in case files and is not relevant to parole release decision-making. Twelve common themes emerged from the input and only a minority of those themes, or stated differently, a minority of the pieces of input, contained information that addressed factors considered in NJSPB's release decision-making process.

Chapter Seven discusses the implications of those findings and suggests specific steps parole boards may take to maintain legitimacy. Stakeholders in general and input providers in particular, expect that input matters. In order to be responsive to their constituents and maintain legitimacy, the NJSPB and other parole boards should clarify the ambiguous context of victim and non-victim input schemes. They should identify information that would be most useful to learn from input providers, define the way that they will use input going forward, and then communicate said information to their constituents.

CHAPTER 2: HISTORY OF PAROLE AND THE VICTIM'S RIGHTS MOVEMENT

Chapter two begins with brief histories of discretionary parole and the victims' rights movement. It is argued that the victims' rights movement was so successful, in part, because the United States was already on the precipice of a major policy shift towards more punitive treatment of offenders (Garland, 2001). A society primed for change not only gave the victim's rights movement a foundation for success but the movement itself presented politicians and the public with an alternative way to conceptualize these changes. The victim's rights movement became symbolic. Policy changes were necessary not to preserve the justice system per se, but to preserve the rights of victims. As such the access that victims fought for and were granted at each stage of the criminal justice process is reviewed. For the parole process in particular, victim participation in parole represented a departure from previous activities designed to make discretionary parole decision-making more objective.

Development of Discretionary Parole

Parole emerged in the 1800s, in response to prison overcrowding and the belief that sentence length should also consider rehabilitation. It also offered a new mechanism for institutional control. Inmates were incentivized to abide by the rules of the institution with the reward of early release to serve the remainder of their sentence in the community under supervision (Proctor, 1999). In 1840, an English penal colony off the coast of Australia instituted a "mark system." Inmates earned their way from strict confinement to supervised release through hard work and good behavior. In the 1850's, Sir Walter Crofton brought parole to the Irish Prison System. After an initial period of strict

confinement, inmates were transferred to “intermediate prisons” where they could earn “tickets-of-leave,” or parole release, based on work performance, behavior and educational improvement. Parolees were supervised by the police who also helped them find jobs and generally adjust to post-prison life (Clear and Cole, 1997).

The Elmira Reformatory for youthful offenders in New York pioneered parole in the American system in 1876. Similar to the Australian and Irish models, males between the ages of sixteen and thirty earned their way to parole release through good behavior. Upon release, parolees reported to an appointed volunteer guardian who provided regular updates back to the institution (Abadinsky, 1997). In 1907, New York expanded parole beyond the Elmira Reformatory and adopted it as a statewide practice. Over the next forty years, the rest of the nation followed. By 1927, only three states had yet to adopt the system and by 1942, parole had expanded to every state and federal jurisdiction (Clear and Cole, 1997).

Early parole theory and practice followed a medical model. Crime was understood as the result of a sickness and therefore amenable to treatment (Seiter and Kadela, 2003). Release decisions were made on an individual basis and accompanied by individually tailored supervision plans. The plans were regularly updated according to parolees’ progress and needs. Unlike the current system, they were not used to invoke sanctions or revocations (2003). Today, there are two common forms of parole in the United States: mandatory and discretionary. A given jurisdiction or state may operate both forms. Under mandatory parole schemes, statutes and judges define release at sentencing as a function of the offender’s sentence. For example, prior to beginning their sentence, it is determined that an offender will be released after serving two thirds of their

time or six months before the end of their sentence. In discretionary parole, a parole board comprised of multiple individuals determines on a case by case basis whether eligible inmates should be released. Inmates are eligible for discretionary release according to offense- and jurisdiction-specific laws after serving a minimum number of years or percentage of their sentence or by earning good time or work credits.

Discretionary parole was the first predominant parole release mechanism in the U.S. Over 70 percent of prisoners released in the 1970s were under discretionary parole schemes (Seiter, 2002). The paradigm of individualized treatment then shifted toward a more punitive “truth in sentencing” and mandatory parole schemes gained popularity (Kuziemko, 2011). Today, the cost of the expanding prison population, the call to get “smart,” instead of “tough on crime,” and other budget crises are bringing discretionary release back to the forefront (Kuziemko, 2011). In 2011, more than thirty percent of offenders that entered parole in the U.S. did so through discretionary release (Maruschak and Parks, 2012). The shifts between rehabilitative and punitive parole policy over the last forty years, some have argued, are explained by the Victims Right Movement (Bottoms and Roberts, 2010).

The Victims’ Rights Movement

Over the last forty years, victims have gained access to every stage of the criminal justice process including parole decision-making. In the adversarial system of prosecution and defense, victims’ interests were initially subsumed by the former (Bottoms and Roberts, 2010). Their role began to transform in the 1970s. The idea that crime victims’ interests were appropriately represented by the State became “aloof and unresponsive, as well as doubtful of credibility” (Garland, 2001, p.12). Victims not only

emerged as a distinct constituency but some argue a “favored constituency” and serving them became “part of the redefined mission of all criminal justice agencies” (2001, p.12).

The Department of Justice published the first national victimization survey in 1973. The survey’s implications were clear. Witnesses, including victims, were not participating in the criminal justice process. As a result, cases were left unsolved or lost in court and perpetrators remained free (Herman, 2010). The victims’ rights movement took notice and made significant inroads over the next few decades by increasing victims’ presence and access. Ultimately, the Victims’ Rights Movement had broad appeal. The public backlash to rising crime rates provided a fertile backdrop for personal tragedies buttressed by victimological research and increased public awareness (Garland, 2001; Caplan, 2008). A new “collective meaning of victimhood” was born (Garland, 2001, p.12). The previous corrections goal of rehabilitation became associated with a failure to control crime. As policy naturally shifted away from treating offenders and towards a more punitive, or punishment rather than treatment-focused, approach, victims’, and not offenders, took center stage (Matravers 2010; Garland, 2010). Getting “tough on crime” became synonymous with “rebalancing the system,” “victim centered” policies, and “restoring public confidence” (Tonry, 2010).

The Victims’ Rights Movement produced welfare- and policy-related changes. Welfare oriented changes were met with little resistance and continue to be accepted as part of the fabric of the criminal justice system (Matravers, 2010). Examples include counseling and support groups for victims as well as advocacy, such as support during court proceedings (Caplan, 2008). Victims gained access to participate in the criminal justice process at points previously restricted to key players such as the prosecution,

judge, offender/defense, and parole board. Critics however question whether these victims' rights came at the expense of offenders' and whether they are real or symbolic (Matravers, 2010; Dubber 2002). A review of the individual policies suggests their critique has merit; each of these rights carried with it the potential to produce more punitive treatment of offenders than tangible changes for victims.

Policy Changes

In 1982, Ronald Reagan established the President's Task Force on Victims of Crime. To varying degrees, it shaped present practices concerning victim involvement in the criminal justice system, culminating at parole (Tonry, 2010; Presidential Task Force on Victims of Crime, 1982). The Task Force framed criminal justice as a zero-sum game where every player is either for victims or for offenders. A main idea to come out of the Task Force was that victims should have a Bill of Rights in the Constitution. This prompted individual states to pass their own Victims' Bill of Rights though ultimately, none was passed at the federal level (Herman, 2010). However, the Task Force did lead to federal policy change regarding victim assistance programs. Today, federal victims' program funds are derived entirely from fines and restitution orders paid by offenders and not public tax dollars (Office for Victims of Crime, 2008). Furthermore, the Task Force recommended that victims have access to participate at every stage of the criminal justice process. Specifically, victims should be aware of and have a voice at prosecution, sentencing and parole.

At the federal level, victims' rights appeared in five critical pieces. The Federal Victim Witness Protection Act passed immediately and mandated that victim impact statements be allowed in criminal cases (Caplan, 2008). Then Congress revised the

Federal Rules of Criminal Procedure to require pre-sentence investigation reports to include effects of the offense on the victim(s). The 1990 Victim Rights and Restitution Act provided victims in federal cases the right to be notified of and attend court proceedings, be notified of offender's release or escape and the right to consult with prosecutors and be protected from their offenders. In 1994, the Violent Crime Control and Law Enforcement Act granted victims of violent sexual crimes access to speak at sentencing hearings and to receive mandatory restitution. Finally, the Crime Victim Rights Act of 2004, expanded similar rights to all victims to be present and heard at plea, sentencing, and parole proceedings (Davis and Mulford, 2008). These rights have appeared at different times and to varying degrees at the individual state level.

Despite these gains, critics argue that when the victim's rights movement is uncoupled from the war on crime, its success may be more symbolic than real (Dubber, 2002). They argue that the underlying idea of a zero sum game, where a gain for one side can only be achieved at a loss for the other, is incorrect and unproductive (Garland, 2011; Tonry, 2010; Lauritsen and Laub, 2007). To treat each group fairly and with respect does no damage to the other; but to treat one group better or more sympathetically does (Tonry, 2010). There is also contention over the reliance on restitution and fines to support federal victims' programs. The symbolic message is troubling to critics: the State saves tax payer dollars by suggesting it is not responsible to victims in this regard (Tonry, 2010). Supporters of the program consider that victims want the money to come from offenders as an acknowledgement of the personal nature of the harm caused by the offense (Dubber, 2002).

The most controversial policy changes were those that granted victims a role in criminal justice proceedings where they were previously represented by the state's interest. As described above, the Victims' Rights Movement successfully advocated for crime victims to be considered in pre-sentence investigation reports, testify at trials, submit statements at sentencing, and then to provide input to parole hearings. Each of these rights carried with it the potential to produce more punitive treatment of offenders rather than tangible changes for victims. The right to provide input at parole is a prime example. Parole release decisions are supposed to consider offenders' risk of engaging in further criminal behavior and the interest of public safety. Victims are unlikely to have access to or knowledge of relevant information to inform the decision. Therefore, parole boards may have to choose between being responsive to victim input – and its request for parole release or denial – or making evidence-based decisions given the most relevant information presented before them (Caplan, 2012).

Parole Release Decision-making

In discretionary parole, parole board members are tasked with determining whether offenders' risk to public safety is acceptable or too significant to release them (Seiter, 2002). Most parole boards are made up of direct gubernatorial appointments (45 states), do not have any educational requirements (32 states), and do not require relevant work experience (23 states) (Caplan and Paparozzi, 2005). In many cases, three board members and three votes are required to determine release (Caplan and Kinnevy, 2010). Parole board members are instructed to avoid subjective or discriminate decision-making. It is not their role to judge whether offenders have been punished sufficiently. Parole decision-making guidelines instruct board members to consider all information

objectively, to calculate inmates' potential risk to the community, and to base their decision on the result (Huebner and Bynum, 2008). Still, the types of information boards consider relevant and how they use information can vary across and within parole boards even if over time, the information that parole boards consider has changed. In 2004, victim input became a new element to the parole decision-making process.

Attributes Considered at Release

Parole boards have an abundance of information available to inform release decisions and a few factors are commonly considered across jurisdictions (Caplan, 2008). Some exist as part of offenders' records prior to parole consideration while others are prepared specifically to inform the release decision. Criminal history, crime severity, sentence length, and institutional behavior are documented prior to parole consideration; reports and letters from criminal justice professionals as well as victim input are prepared exclusively for parole decision-making. Each affects release decisions in a different way.

Criminal history refers to the arrest, conviction, incarceration, and sometimes community supervision records of offenders. Crime severity is a way to classify criminal history. The most common classification is violent and non-violent. For example, two offenders may have similar criminal histories in terms of length – the same number of arrests, convictions, and total time incarcerated. However, one history reflects burglary and drug distribution while the other indicates multiple aggravated assaults. The offenders' crime severity classifications would be non-violent and violent, respectively. In general, non-violent offenders are more likely to receive parole than violent offenders (Turpin-Petrosino, 1999). Relatedly, sentence length is the amount of time that a judge orders an offender to serve in prison. As discussed above, parole eligibility is often based

on sentence length. Parole board members appear to seek a balance between rehabilitative and punitive punishments and therefore may regard sentences as too severe or too lenient for particular offenses. Offenders whose sentences are rated as “too severe” are more likely to be granted parole release than those whose sentences are rated as “too lenient” (Turpin-Petrosino, 1999, p. 328 in Caplan, 2008, p.34).

Inmate records also reveal institutional behavior, or how an offender has spent their time while incarcerated. Institutional behavior includes disciplinary infractions as well as participation in work, education, and counseling activities. Offenders with positive institutional behavior – those who abide by the rules of their institutions and participate in programming – are more likely to be released than their unengaged counterparts with negative institutional behavior (Gottfredson, 1979; West-Smith, Pogrebin, and Poole, 2000; Caplan, 2010).

The parole board also reviews reports or letters from prison staff, psychologists, the prosecutor, and the judge. The contents of each vary given the author’s purview and range from form letter to individualized treatment summary. Overall, the reports and letters do not have an effect on release decisions; however, each may reference mental illness which has been found to decrease offenders’ chances for release (e.g. Carroll, Weiner, Coates, Galegher, and Alibrio, 1982; Feder, 1994; Hannah-Moffat, 2004).

Lastly, information from the public is also considered in release decisions, most commonly letters arguing for or against a given offender’s release. This information is categorized as victim and non-victim input. Victim input comes from individuals against whom the instant offense was committed. Non-victim input comes from anyone other than the victim. Non-victims often reveal themselves as providing input on behalf of the

victim or the offender but may also be a concerned citizen with no relationship to any parties involved in the offense. Accordingly, non-victims are organized into three categories: victim-interested non-victims, offender-interested non-victims, and general public non-victims. It is, nonetheless, unclear whether victim and non-victim input affect release decisions (Parsonage, Bernat and Helfgott, 1994; Smith, Watkins and Morgan, 1997; Proctor, 1999; Morgan and Smith, 2005; Caplan, 2008).

Most states require that parole boards notify victims of parole hearings and solicit their input. There is no parallel statutory mechanism or parole board initiated procedure for non-victim input; it is simply accepted by the parole board. The next section reviews the victim input process.

The Victim Input Process

Victim input is submitted as the last step in a three step process. Though particular rules and procedures vary across states, the three steps are common: registration, notification, and submission. After offenders are convicted of first or second degree crimes, their victims (or victims' survivors) are given the opportunity to "register." A Witness or Victim Coordinator from the Prosecutor's Office inform victims of their right to be kept abreast of events relating to their case, including any of their offender's court hearings and appearances, attempts to escape, release dates, and parole hearings. The Coordinator provides a registration form to victims as part of a package of documents following a conviction. If victims want to receive this information, they return the form to the Prosecutor's Office, and a file is opened, often in a Victims Services Unit, and is linked to the offender. Most eligible victims decide to register and return the form (Y. Ross, Personal Communication, July 26, 2013).

When a parole hearing is set for an offender, the parole board uses a list of registered victims from the Prosecutor's Office to send out letters notifying victims of the hearing and soliciting input. In some states, the notification letter or phone call will explicitly offer the opportunity to provide input to the parole board. In most states, notification occurs at least thirty days prior to the hearing date in order to allow sufficient time for input to be submitted. If the parole board cannot reach the victim using the contact information on record, they ask the Prosecutor's Office for a forwarding address. If the victim cannot be located, the hearing moves forward. Additionally, unregistered victims of crimes of any degree may submit unsolicited input to parole boards as well. However, they are not notified when parole hearings are scheduled.

The notification and request for input provide minimal guidance about the type of information that victims should share as they are simply instructed that their statement should include: "The continuing nature and extent of any physical, psychological, or emotional harm or trauma suffered; the extent of any loss of earnings or ability to work suffered; the continuing effect of the crime upon the victim's family. Additionally, any other information that would help the Board determine the likelihood of new crime being committed or the development of special parole conditions [is] welcomed" (New Jersey State Parole Board, no date).

Input may be submitted in multiple forms. Written testimony is the most common. In-person, phone, and videotaped testimony are also available across the country. Upon receiving input, board members retain discretion to consider or exclude information that they consider relevant or irrelevant to the release decision. The parole board sends registered victims a letter confirming receipt of their input. All input – from

registered victims and other individuals (e.g. letter, report of phone call) – becomes part of the offender’s file.

An interview with the former Chairwoman of the NJSPB clarified the way Board members consider the input that they receive (Y. Ross, personal communication, July 27, 2013). Board members are very interested in the physical and psychological injuries sustained by victims. The injuries are usually documented in an official report as part of the case file but victims’ descriptions make a different sort of impression because they don’t only describe the injuries; they also describe how the injuries have affected their lives. Additionally, victims and victim-interested non-victims sometimes provide more information about the nature of offenders’ crimes and related injuries than appears in the official record. The Chairwoman recalled a recent case where input from the victim’s father had an enormous impact on the Board’s decision.

The pre-sentence investigation (PSI) report that Board members reviewed as part of the offender’s case file indicated that the offense took place during a bar fight and the victim had sustained a “head injury.” No additional details were provided and so the Board members understood this incident as being akin to other bar fights, which is not to minimize the event but to say that the offense itself did not seem to warrant particular consideration in the release decision-making process. However, the victim’s father shared information revealing that the offense “was not your average bar fight or your average head injury” (2013). The victim suffered a devastating brain injury. Following surgery to relieve pressure in his brain, he had to wear a helmet, relearn how to walk, and now has a skull prosthesis. Prior to the brain injury, the victim had been a financial whiz. As a result

of the offender's crime, he can't do simple math and had to change careers. This is unique information that was not included in the PSI. The Parole Board used this input to pursue additional information; specifically, they reviewed the victim's medical records in order to be better informed about the effects of the offender's crime.

This anecdote highlights the importance of input to particular cases; but those cases are more the exception than the rule. Still, this anecdote about a single case is representative of Board members' overall approach to input. Input is commonly used to develop lines of inquiry for Board members' interviews with offenders. To use a different type of input as an example, "Sometimes [offenders'] families paint a really flowery picture about how [offenders] changed...Then, when the offender is interviewed, this is shared with him and he is asked whether he agrees and how that reconciles with his institutional record" (2012). Additionally, Board members use the input to assign conditions of supervision to offenders who are granted parole release (Y. Ross, Personal communication, July 27, 2013). For example, victims may argue against parole release and describe the way they continue to struggle to pay for the damage caused by offenders' crimes. The parole board may assign a parole condition which requires offenders to make restitution to their victims.

Summary

Parole came to the United States in 1876 (Abadinsky, 1997) and expanded rapidly through the early 1940's by which time it reached every state and federal jurisdiction across the nation (Clear and Cole, 1997). Today, discretionary parole is one of the predominant parole release mechanisms in the U.S. and is effectuated by parole board members who are tasked with evaluating and balancing offenders' risk of engaging in

further criminal behavior with public safety interests (Seiter, 2002). However, the success of the Victims' Rights Movement has complicated their mandate.

Parole boards have long accepted and to varying degrees, considered, information from the public, most commonly letters arguing for or against a given offender's release. Now, they are required to consider, and some are required to solicit, input from victims in particular. The most commonly cited types of information or factors considered in release decision-making are offenders' criminal history, crime severity, sentence length, institutional behavior and recommendations from criminal justice system actors (e.g., warden and prison psychologist). Victims are unlikely to have access to or knowledge of these or other types of relevant information. Therefore, parole boards may have to choose between being responsive to victim input – and its request for parole release or denial – or making decisions based on the most relevant information presented before them (Caplan, 2012).

Research about the effect of input on release decisions underscores this conundrum. It alternately suggests that input is and is not impactful and highlights the potential for a parole crisis either way. The victims and non-victims who submit input expect that their contributions matter, that they affect release decisions (Caplan, 2008). If they do, it may be at the cost of objective decision-making. If they do not, it may be at the cost of stakeholder satisfaction. Examining the results of research about the effects of input on parole release decision-making within the context of procedural justice and legitimacy theories both reveals this complex problem and begins to suggest remedies to it.

CHAPTER III: THE IMPORTANCE OF INPUT AND PAROLE BOARD LEGITIMACY

The previous chapter reviewed factors, or pieces of information about offenders, that commonly affect release decisions as well as the victim input process. Chapter three focuses on the effects and implications of victim and non-victim input. Upon submission, both types of input become part of offenders' records and are available for consideration by parole boards. In this chapter, greater emphasis is placed on victim input as it has been the subject of greater study.

I begin with a review of research using a variety of sampling methods to determine the effect of input on release decisions. Five empirical studies have found mixed results, agreeing only that few victims provide input (Parsonage, Bernat and Helfgott, 1994; Smith, Watkins and Morgan, 1997; Proctor, 1999; Morgan and Smith, 2005; Caplan, 2008). Then the implications of the research are discussed in the context of legitimacy and procedural justice theories. According to legitimacy theory, parole boards derive their power from the public and there are significant implications to having dissatisfied constituents. Procedural justice offers an avenue to address constituents and increases legitimacy. Lastly, I discuss parole's past legitimacy crises.

The Impact of Input on Release Decisions

Quantitative Research Findings

To date, the empirical relationship between victim input and release decisions has been examined by five studies using four unique datasets (Parsonage, Bernat, and Helfgott, 1994; Smith, Watkins and Morgan, 1997; Proctor, 1999; Morgan and Smith, 2005; Caplan, 2008). Four of the studies found that victim input does in fact affect

release decisions (Parsonage, et al., 1994; Smith et al., 1997; Proctor, 1999; Morgan and Smith, 2005). However, the fifth study's results indicate the opposite – that neither victim nor non-victim input influence release decisions (Caplan, 2008). The following section reviews their results. The sampling method and setting of each study are examined to provide an explanation for the divergent findings and to inform this dissertation's methodology.

Parsonage and colleagues (1994) evaluated a stratified random sample of cases in Pennsylvania in 1989 to determine the impact of victim input on parole release decisions. Parole decision-making in Pennsylvania follows a set of guidelines that are intended to “structure discretion” (Parsonage, et al., 1994, p. 191). The guidelines were developed by the parole board and are based on predictors of parole risk and are comprised of three screening measures: the offender's risk of recidivism, assaultive behavior, and other “unfavorable factors” related to institutional behavior, prior record and the instant offense (p.191). A score is derived from the three factors corresponding to a recommendation for either parole release or parole denial. The parole board can deviate from the guidelines and the recommendations if there are countervailing factors, or aggravating or mitigating factors that indicate whether parole should be granted. Victim input is considered a countervailing factor.

Parsonage, et al., (1994) drew their sample from 3,559 cases that received first-time parole consideration in Pennsylvania in 1989. A random sample of 100 cases with victim input and 100 cases without victim input were selected for study. Offense, offender, and parole eligibility-related independent variables were obtained from case files. Offense variables reflected the type and severity of offenders' most serious crimes,

their current sentence, and parole history. Offender variables were demographic and included gender, race, and marital status, as well as employment and education history. Parole eligibility variables were drawn from the three screening measures in the guidelines and countervailing factors, including the presence or absence of victim input.

Victim input was received for ten percent of cases in the sampling frame (350 cases). Discriminant analysis of the 200 cases retained in the sample revealed that victim input affected parole release decisions. In fact, negative victim input, or opposition to parole release, had the greatest effect (Parsonage et al., 1994). Three other variables were significant as well: poor institutional performance, number of prior convictions, and injury to the victim. Differential effects of types of input were not explored given the small sample size.

Smith et al. (1997) attempted to expand the research on victim input by drawing a larger sample from cases decided in Alabama during the fiscal year ending in May 1994. The authors believed that victims of violent crime (or their representatives) were more likely to submit input based on the type of harm they experienced. As such, they sought to oversample violent cases. Alabama's two-part parole process enabled researchers to identify them. Inmates are eligible for parole after serving one third of their sentence and are subject to preliminary screening. If the preliminary decision is negative, the inmate will not be considered for parole. If the preliminary decision is positive, the inmate is scheduled for a parole hearing. Seven hundred and sixty-three offenders (763) convicted of violent crimes passed preliminary screening in 1994. In accordance with Alabama law, victims who experienced personal injury during the crime and whose offenders have a reasonable expectation of receiving parole (i.e., they pass preliminary screening) are

notified of the upcoming hearing. Three hundred and sixteen of the violent crimes that passed preliminary screening met those criteria. Their victims were notified and the cases were retained for the sample.

Smith et al. (1997) employed five types of variables from inmate case files: offender characteristics, offense characteristics, general parole factors, offender-related responses to the parole board, and victim-related responses to the parole board. The latter two include presence at parole hearings and the number of victim and non-victim input letters submitted to the parole board. A minority of cases in the sample received input. Victims participated in 32 percent of parole hearings. It is unclear exactly how many inmates' cases received written input as Smith et al. (1997) combined cases that received zero or one piece of written input in their analyses, and reported 27 percent. The authors assumed considerable overlap between the two groups. That is, victims who submit written input are more likely to appear at parole hearings than those who do not (Smith et al., 1997).

Results of the analysis indicated that victim and offender input both significantly affect release decisions. Victim input arguing against release increased the likelihood of parole denial. That likelihood increased as the number of letters contesting parole increased; and victim presence at parole hearings had a greater effect than written input. Written input supporting an offender's release slightly increases the likelihood of that decision. However, these findings are not generalizable across states and parole cases. The sample is comprised exclusively of violent offenders and the preliminary screening process imparts bias in the analysis.

The cases in Smith et al.'s (1997) sample represent offenders convicted of violent crimes where victims sustained injury. Those victims and offenders represent only a subset of all victims and offenders who have the opportunity to be involved in the parole processes nationwide. Additionally, there are two decision points in Alabama's parole process; parole hearings are contingent upon a positive preliminary screening result. Different factors may be considered to render each decision. However, Smith et al. only examine the factors considered at the parole hearing stage. These same caveats also apply to a reconsideration of these data a few years later.

Morgan and Smith (2005) reconsidered Smith et al.'s (1997) dataset excluding seventeen cases where it became evident that victims had not been notified of parole proceedings. They again found that as victim participation increased, so did parole denials (Morgan and Smith, 2005). Warden recommendations also had a significant influence on release decisions and suggest that the impact of institutional behavior may be underappreciated. Offenders with positive institutional behavior are more likely to pass the preliminary screening and receive a parole hearing than those with negative institutional behavior such as multiple disciplinary infractions. Then at the parole hearing, warden recommendations have a significant effect on the release decision and are directly correlated with offenders' institutional behavior. This suggests that institutional behavior impacts release decisions in Alabama even if it is not explicitly implicated.

Research by Proctor (1999) in highlights the effect of institutional behavior on parole release decisions. He argues that parole decisions are an automatic function of eligibility. As such, the factors that influence eligibility also influence release decisions.

Proctor (1999) used data from Nebraska. Similar to the Alabama system reflected in Smith et al. (1997) and Smith and Morgan's (2005) work, parole decision-making in Nebraska is a two-part process. Inmates receive an initial hearing, called an offender board review, each year. That hearing determines whether inmates are eligible for a parole hearing. Ineligible inmates are scheduled for another board review the following year., while eligible inmates are granted a parole hearing. Separate samples and analytic procedures examined factors that affect decision-making at the offender board review and the parole hearing.

To study the initial board review, Proctor (1999) drew from a sampling frame of 2,626 offenders who received board reviews in the fiscal year ending in 1994. Inmates whose parole eligibility dates had passed or were within one year of their board review date were retained to populate a sample of 361 inmates. The sample was disproportionately stratified by sex to compensate for an inadequate number of female inmates. Variables were constructed from inmate case files and included demographic characteristics, criminal history, sentence and time served, and institutional behavior. Some of these were also represented by institutional recommendations.

The results revealed that the offender board review's decisions about inmate eligibility were driven by time served and institutional behavior. Offenders were significantly more likely to be deemed ineligible for a parole hearing if they had not met the minimum time served requirement of their sentence either because not enough time had elapsed since their incarceration or because they lost good time credits due to poor institutional behavior. Institutional recommendation, criminal history and education factors also impacted the decision. Proctor (1999) also notes that institutional

recommendations were influenced by whether an inmate lost good time credits and by their program participation. Both of which are aspects of institutional behavior.

A second sample 333 inmates was drawn from a sampling frame of 1,168 inmates who were granted parole hearings in 1994 was derived to examine factors that influence release decision at parole hearings. Again the sample was stratified to adequately represent females. The variables included in the board review analysis were again considered as well as public opposition, or victim input. Victims could attend parole hearings or submit written input and did so in nine percent of cases.

Victim input significantly impacted release decisions made at parole hearings. Inmates were four times more likely to be denied parole if there was victim opposition to their case; and such opposition mitigated institutional recommendations (Proctor, 1999). When the institutional recommendation supported parole release but victim opposition was presented against it, the board denied release in 22 percent of cases. By comparison, the board only denied release in seven percent of cases where the institutional recommendation supported release but there was no victim opposition. As in the board review results, loss of good time and institutional recommendations also affected the hearing decision.

These findings suggest that victim input affects release decisions and support Proctor's (1999) assertion that such decisions are largely an automatic function of eligibility. Similar to Morgan and Smith's (2005) findings, Proctor's (1999) research indicates that institutional behavior and victim input affect parole release decision-making and the former should not be overlooked when it is couched in earlier processes or variables.

Caplan (2008) expands on previous research by examining whether victim and non-victim input influence parole decision-making. He used a representative sample of violent and non-violent inmates in New Jersey, which does not have a preliminary review process with its own set of factors for consideration. In New Jersey, inmates are scheduled for parole hearings when they have served their minimum sentence unless they decline the opportunity. A hearing officer reviews each case file and recommends that parole be granted or denied. If parole release is recommended, two board members review the same case file – no additional information is provided at this stage - and either approve or deny release. Cases that are denied may be referred for further review or assigned a new eligibility date. Given that the same information is considered by all parties, there is less opportunity for factors that are not explicitly considered at the parole hearing to affect release decisions.

The sampling frame consisted of all parole eligible prison inmates who received their first parole consideration in 2004, which constituted 6,585 violent and nonviolent offenders. All inmates with registered victims were retained in the sample based on an assumption that they were more likely than those without registered victims to receive victim input. Then, a random sample of inmates without registered victims was retained from the remaining sampling frame to yield a total sample size of 820 inmates. This included 380 inmates with registered victims and 440 without. Seven types of variables were obtained from administrative records: criminal history, demographics, institutional behavior, mental health, sentencing details, release decision, and victim and/or non-victim input.

Similar to other studies, Caplan (2008) found that only a minority of victims (his sample, twelve percent of registered victims) provide input (Parsonage et al., 1994). Offenders convicted of violent offenses were no more likely to receive input than their non-violent counterparts suggesting that previous studies' may have erred by oversampling violent offenses on the assumption that these were more likely to receive input. Contrary to previous studies' findings, victim input was not a significant predictor of parole release. Neither presence of input, type of input (from victims or non-victims), nor direction of input (for or against release) had a significant effect on release decisions (Caplan, 2008). It is possible that design differences explain why these results diverge from previous studies. Earlier research oversampled violent offenders or was conducted in a setting with a preliminary screening process that considered factors different from those at the parole hearing (Smith et al., 1997).

Overall, the results of the extant quantitative research suggest that the impact of victim input is not generalizable to all offenders and that victims who self-select to provide input are a unique group. Qualitative studies served to reinforce this complex relationship between victim input and release decisions.

Qualitative Research Findings

Three qualitative studies have examined the effect of victim input on release decisions. McLeod (1989) interviewed parole board personnel in 34 states and the Association of Paroling Authorities International (Kinnevy and Caplan, 2008) and Burns, Kinkade, Leone, and Phillips, (1999) conducted nationwide surveys.

McLeod (1989) interviewed parole board personnel across the country to explore the effect of victim participation on release decisions. She identified jurisdictions where

victims were either welcome or explicitly invited to participate in the parole process and data were collected through interviews with parole board administrators or designated personnel from each of the 34 qualifying states. Results suggest that the victim participation process and the influence of victim input vary by state and do not always reflect the victims' or offenders' best interests. At the time of publication, written statements were accepted in 38 states and in person appearances in 30. Another five states allowed in person appearances in special cases to be designated at their discretion (McLeod 1989). Parole personnel generally agree that victim input is given a great deal of consideration or the same amount of consideration as other factors such as institutional behavior. A representative from an undisclosed state reported that "where no victim impact statements are available for (parole) board review, 40 to 50 percent of parole applications are denied; where statements are submitted, the rate of parole denial rises sharply to approximately 80 percent" (McLeod, 1989, p. 43). Results also indicate that victim appearances to parole board hearings have a greater impact on release decisions than written statements.

The utility of input was further explored by the Association of Paroling Authorities International and Kinnevy and Caplan (2008) in a nationwide study that sought to clarify the value of victim and non-victim input to release decisions and setting conditions of supervision for parolees. Most states reported that they consider input from victims and non-victims but the utility of each varied by state. Between thirty-seven and forty-one states responded to survey questions about the value of victim and non-victim input. Sixteen states reported that victim input was very influential in release decision-making and another fourteen found it somewhat influential. When asked about non-

victim input, four states found it very influential. Results also suggest that victim and non-victim input is valuable beyond the decision whether or not to release inmates (Kinnevy and Caplan, 2008). Twenty-one states reported victim input to be very influential in setting conditions of supervised release while three states reported that non-victim input was very influential. Additionally, respondent parole boards identified the top three sources of input in their decision-making process as the victim, the offender's family, and the district attorney (Caplan and Kinnevy, 2008).

Asking slightly different questions, Burns et al. (1999) surveyed parole board members about the factors they consider when making release decisions as well as problems currently facing parole boards. Three hundred and fifty-one individuals from a sampling frame of all parole board members nationwide responded. Respondents reviewed a variety of factors commonly considered by parole boards in release decision-making and rated the importance of each. Based on the ratings, the most important factors were the nature of the instant offense, prior record, attitude towards the victim, institutional behavior, and causes of criminal conduct (Burns et al., 1999). Victim input and public opposition were included in the list of factors rated by respondents but they were not selected as among the most important. This is noteworthy given McLeod (1989) and Kinnevy and Caplan's (2008) findings above, that victim input is influential in release decision-making. Respondents were also asked to rank the seriousness of a variety of problems facing parole boards. Results revealed that parole board members perceive external factors to be the greatest problem. Sixty percent of respondents identified lack of public support and fifty-two percent identified lack of government support as the most serious problems facing parole boards.

While quantitative research about the impact of victim and non-victim input on parole decision-making offers mixed results, qualitative studies suggest that victim and non-victim input may have value in the parole process beyond impacting release decisions but that it may also complicate decision-making. Parole board members believe input to be important and worthy of consideration. However, it is difficult to reconcile the contents of victim input with other factors considered in the parole decision-making process. For example, sometimes victim input argues against release while other factors such as criminal history and institutional behavior suggest parole release should be granted. Parole boards are tasked with making objective release decisions and should in such cases, grant release (Seiter, 2002). Ultimately though, people who submit input expect that it matters, that it affects parole release decisions. Research suggests this may not be the case and that puts parole boards in a precarious position. If input providers and other constituents do not support parole boards, they lose their authority. Legitimacy theory explains this relationship.

Legitimacy Theory

Parole boards are created and governed by laws but they derive their power from constituencies, from the belief that they are legitimate institutions (Franke, Bierie and MacKenzie, 2010). Legitimacy is the quality of an institution, such as parole boards, that leads people to follow it (Weber, 1964) and parole boards' legitimacy is based on constituents' belief that the people holding the authority are qualified to do so and should be obeyed (1964). "The more legitimate people view an institution, the more obligated they will feel to obey it" (Franke, et al., 2010, p.91). Just as legitimacy is earned, it can be lost over time if stakeholders' expectations are not met. Franke, Bierie and MacKenzie

(2010) offer a review of research about the effects of legitimacy on citizen behavior in various aspects of the criminal justice system:

“Consequences extend beyond general cooperation with legal authorities. More directly, when legitimacy is low, citizens are less likely to obey police orders (Skogan and Frydl, 2003) or accept court decisions (Tyler, 2000) and are more likely to react defiantly to sanctions (Sherman, 1993). Self-reported lawbreaking (Tyler, 1990), recidivism (Paternoster et al., 1997), and even national crime rates (LaFree, 1998) have been linked to confidence and trust in the justice system and its actors.” (p. 92)

Maintaining legitimacy requires meeting complex and often competing expectations (Davis and Smith, 1994; Erez and Tontodonato, 1992; Erez, Roeger, and Morgan, 1997). The complexity of maintaining parole board legitimacy is apparent in the various types of constituent driven changes over the last several decades. Advocates have forced changes in individual parole boards’ composition in particular and parole policy in general. A parole release decision and the ensuing events in Massachusetts as well as successful efforts by particular stakeholders are particularly illustrative.

Dominic Cinelli was in prison for shooting a security guard during an armed robbery, admittedly to feed his heroin addiction (Fox News, 2010). He had a history of armed robbery and assaults and his early institutional record reflected disciplinary problems. However, he appeared before the parole board a changed man. In 2008, the Parole Board voted unanimously to grant parole (Kramer and Saltzman, 2010). Twenty months later, Cinelli shot and killed a police officer while robbing a department store (Troustine, 2012). Amid public outrage, the policing community and victims’ advocate groups called for a review of the parole board’s decision to release Cinelli (Kramer and Saltzman, 2010). A state investigation determined that the board erred in their decision and the Governor “hastily engineered the resignations of five of the board’s seven

members” and replaced them with “new members who had pasts in law enforcement, parole, or corrections, hoping they could be relied upon to regularly deny parole” (Troustine, 2012). Parole releases declined fifty-eight percent the following year. Recently, and in view of this steep decline, a quiet call is mounting for a more diverse board that recognizes the fiscal and public safety values of granting parole release (Troustine, 2012).

The will of the public is evident in changes to parole policy as well. Chapter two described how the Victims’ Rights Movement was successful in its campaign to grant victims access to every stage of the criminal justice process, including parole release decision-making. The resulting legislation required parole boards to notify registered victims of their offenders’ upcoming parole hearings and in some states, to explicitly solicit input from the victims. These changes were reactionary. They were not driven by a belief that victims had unique information that parole boards needed to render objective decisions (Bottoms and Roberts, 2010; Dubber, 2002). Instead, they were driven by victims’ and their advocates’ beliefs that victims have a right to be heard by parole boards. In fact, they represented a departure from previous parole policy and practice (Dubber, 2002).

The inclusion of victims in parole decision-making represents a departure from previous parole policy and practice. In the 1960s and 1970s, the public were dissatisfied with that they perceived as disparate or unfair release decisions. In response, some states moved to mandatory parole schemes under punitive ideals, as referenced above. This is particularly relevant with respect to issues of legitimacy. To maintain their legitimacy, those that kept the discretionary schemes instituted parole guidelines and objective risk-

prediction measures; intended to produce risk-based release decisions, consistent across offenders and parole boards. Unfortunately, this new approach produced mixed results. Research revealed that these new standards were ill defined and inconsistently applied but most stakeholders were satisfied by their presence as a step toward fairer and more consistent release decision-making (Turpin-Petrosino, 1999; Caplan, 2008). However, victims were not as satisfied. The new guidelines and risk-prediction measures were offender-focused and thus victims perceived parole decision-making as unbalanced and demanded access. When “faced with the demands of extraordinarily politically and socially powerful victim's rights groups, parole boards were forced to” accept these changes in order to maintain their legitimacy (Caplan, 2008, p.79). This led to the current legitimacy crisis facing parole boards.

A New Crisis

The legislation directing parole boards to solicit input from victims was successful in that it increased victim participation – inmates with registered victims receive more input than inmates without registered victims – but victims sought to influence release decisions and ultimately, that has not been realized (Caplan, 2008). As stakeholders, victims and non-victims have expectations concerning the input they provide to parole boards, at the very least they expect that it is read and that it matters. History suggests that victims will be dissatisfied with the lack of effect their input has and seek greater access to parole. However, “letting victims’ preferences outweigh other release factors” would represent a punitive strike against offenders’ interest with considerable repercussions for the entire criminal justice system (Caplan, 2008, p.147). Responding to victims’ reports of continuing emotional harm by denying parole release

may increase a parole board's short-term legitimacy with victims' groups and the general public. However, it would be at the cost of parole legitimacy among offenders, their families and prison officials.

Victim input is more likely to be submitted on behalf of non-violent offenders than violent ones and 87 percent of victim input argues against release (Caplan, 2008). In other words, victims frequently request that non-violent offenders be denied parole release. However, inmates convicted of non-violent offenses are best suited to parole release (Warren, 2008 in Caplan, 2008). Retaining them in prison until the expiration of their sentences is not only more costly than releasing them to parole supervision; it is not in the interest of public safety.

The average daily cost of supervising a parolee is \$7.47, ten times less than the \$78.95 required to incarcerate a prison inmate (Pew, 2009). Additionally, offenders who are released from prison to a term of parole supervision are less likely to commit new offenses than those who serve their full sentences in prison and are released unconditionally (Solomon, Kachnowski and Bhati, 2005). Fifty-four percent of offenders released through discretionary parole mechanisms were rearrested in the two years following their release, compared to 61 percent of offenders released through mandatory parole and 62 percent of offenders who served their full terms in prison without subsequent parole supervision (Solomon et al., 2005).

Prison costs significantly more than parole supervision and parole can improve recidivism outcomes (Solomon, Kachnowski, & Bhati, 2005; Warren, 2008 in Caplan, 2008). Individually or cumulatively, these consequences could lead to a loss of legitimacy for parole boards in terms of offenders, their families, advocacy groups,

justice system personnel, and in the long-term, the general public. As stakeholders, offenders expect parole boards to focus on risk level. They anticipate this decision will consider factors within their control such as how they have used their time while incarcerated (i.e., education or counseling programs to facilitate rehabilitation (Cole and Logan, 1977). Prison officials, as stakeholders, agree. To them, for parole boards to consider victims' interests in favor of offenders' risk and rehabilitation efforts, is injurious to the maintenance of institutional control. If parole boards stray from considering the factors that offenders can affect, in favor of victims' preferences, inmates will have less motivation to conform to prison rules (West-Smith, Pogrebin, and Poole, 2000). Parole board legitimacy is then lost in the eyes of offenders, prison officials, and their advocates.

Different stakeholders wield varying amounts of power to impact parole board legitimacy. Victim satisfaction is especially important given the reach of victims' rights groups. As evidenced by the advances in victims' rights since the 1970s, "the public defers to them on issues regarding punishment because they are seen as informed, as much as they are seen as sympathetic" (Caplan, 2008, p.19). Thus, in order to maintain legitimacy, parole boards must be especially concerned with maintaining their satisfaction. Citizens form perceptions of legitimacy based on the way they believe authorities do their jobs (Franke et al., 2010). Research on legitimacy in criminal justice settings reveals that constituents will be more satisfied with decisions and authorities if they perceive their procedures as fair and perceptions of fairness are "malleable even at the final state of the justice process" (Rottman, 2007; Franke et al, 2010, p. 112). Criminal justice authorities, including parole boards, can affect perceptions of legitimacy

if they understand them as perceptions of fairness and implement policies that enforce procedurally fair decision-making (Franke et al. 2010).

Procedural Justice

Perceptions of fairness are conceptualized as distributive justice and procedural justice. Distributive justice refers to the fairness of outcomes, whereas procedural justice is concerned with the process that leads to the outcomes (Tatar, Kaasa, Cauffman, 2012). The relationship between the two has been the subject of significant study (Tyler, 1988; Engel, 2005; Lambert, Hogan, Jiang, Eleghi, Benjamin, Morris, Laux, Dupuy, 2010). While people who receive favorable outcomes generally believe the outcomes and procedures used to arrive at them are fairer than those who receive unfavorable outcomes, favorability and fairness are distinct concepts and citizens are more concerned with fairness (Tyler, 1988; Engel, 2005). Ultimately, people accept outcomes as more fair if they perceive the process leading to it as fair (Laxminarayan, Henriches and Pemberton, 2012).

Procedural justice is increasingly used to study the way citizens interact with the criminal justice system (Tyler, 2010). Applying this concept to parole, procedural justice, the process by which a parole board decides to grant or deny parole, is more important than the release decision itself. This section explores the concept of procedural justice and key research findings, applying it then to a procedural justice framework to the current parole legitimacy crisis to identify opportunities to increase legitimacy. The concept of procedural justice has been refined over time. First, Thibaut and Walker (1975) and Leventhal (1980) each studied unique sets of criteria that citizens use to judge the fairness of a given process or procedure. Then Tyler (1988) and others (Barrett-

Howard and Tyler, 1986; Tyler, Rasinski and Spodick, 1985) advanced their work by identifying the most salient criteria.

Thibaut and Walker (1975) developed a control model of procedural justice that differentiated between the two types of control that people may have over a decision-making process: process and decision control. Process control refers to control over the opportunity to present or select information that is used to make a decision. Decision control is concerned with the decision-maker and the opportunity to control the final decision. Subsequent research has found that process control is more important than decision control to peoples' judgments of fairness. In fact, sometimes process control is the only one that matters (Tyler, Rasinski and Spodick, 1985; Tyler 1987).

Leventhal's (1980) model of procedural justice identified six criteria that influence peoples' perceptions of procedural justice: consistency, bias, accuracy, correctability, representation, and ethicality. Decision-makers should render consistent decisions across people and time whilst also suppressing bias or favoritism in their decisions. Decision-making procedures should inform high quality resolutions and there should be opportunities to correct unfair or inaccurate decisions. Parties that are affected by a given decision should be involved in the decision-making process. Lastly, the decision-making process should abide by general standards of fairness and morality. Research suggests that consistency in decision-making across people is the most important factor in shaping citizens' perceptions of fairness (Barrett-Howard and Tyler, 1986).

Tyler (1988) tested the criteria from both Thibaut and Walker (1975) and Leventhal's (1980) models to determine which have the greatest impact in shaping

perceptions of procedural justice, particularly of the police and courts. First, he observed that there is only one shared criteria across the two models: representation. In Thibaut and Walker's (1975) model it is conceptualized as process control whereby interested parties have the opportunity to present information to the decision-makers. Leventhal (1980) is more explicit and uses the term "representation" suggesting that the degree to which interested parties are involved in the decision-making process. Tyler (1988) then identified three major criteria as being the most influential on perceptions of procedural justice: ethicality, honesty, and the effort to be fair. This finding reinforces the notion that procedural justice or fair processes are distinct from distributive justice, or outcomes.

The above findings suggest opportunities to improve parole board legitimacy by increasing perceptions of procedural justice. Theoretically, parole boards' acceptance of victim and non-victim input fosters procedural justice, or perceptions of fairness. Offering constituents the opportunity to provide input to the parole decision-making process is what Thibaut and Walker (1975), Leventhal (1980), and Tyler (1988) describe as representation. However, the submission of input to parole boards only fosters positive perceptions of fairness if the input affects release decisions (Paternoster, Brame, Bachanan, Sherman, 1997; Erez and Bienkowski, 1993). If, as research suggests, input does not in fact influence release decisions, then parole boards are not meeting constituents other criteria of ethicality, honesty and the effort to be fair (Tyler, 1988; Caplan, 2010).

Summary

The impact of victim input, and to a lesser degree, non-victim input, on parole release decisions has been the subject of quantitative and qualitative research.

(Parsonage, Bernat, and Helfgott, 1994; Smith, Watkins and Morgan, 1997; Proctor, 1999; Morgan and Smith, 2005; Caplan, 2008; McLeod, 1989; Kinnevy and Caplan, 2008; Burns, Kinkade, Leone, and Phillips, 1999). After accounting for differences in research methodologies, quantitative research reveals that only a minority of victims submits input to parole boards and they overwhelmingly argue against release (Parsonage et al., 1994; Caplan, 2008); and more importantly, neither victim nor non-victim input influence release decisions (Caplan, 2008). Qualitative research expounds on this complicated relationship. Parole board members believe input is important and worthy of consideration but find it difficult to reconcile the contents of input with other factors considered in the parole decision-making process. (McLeod, 1989; Kinnevy and Caplan, 2008; Burns, Kinkade, Leone, and Phillips, 1999). However, people who submit input expect that it matters, that it affects parole release decisions. This puts parole boards in a precarious position.

Parole boards are created and governed by laws but they derive their power from constituencies, from the belief that they are legitimate institutions (Franke, Bieri and MacKenzie, 2010). Just as legitimacy is earned, it can be lost over time if stakeholders' expectations are not met. The legislation directing parole boards to solicit input from victims was successful in that it increased victim participation – inmates with registered victims receive more input than inmates without registered victims – but victims sought to influence release decisions and ultimately, that has not been realized (Caplan, 2008). Responding to victims' reports of continuing emotional harm by denying parole release may increase a parole board's short-term legitimacy with victims' groups and the general

public. However, it would be at the cost of parole legitimacy among offenders, their families and prison officials.

Criminal justice authorities, including parole boards, can affect perceptions of legitimacy if they understand them as perceptions of fairness and implement policies that enforce procedurally fair decision-making (Franke et al. 2010). While people who receive favorable outcomes generally believe the outcomes and procedures used to arrive at them are fairer than those who receive unfavorable outcomes, favorability and fairness are distinct concepts and citizens are more concerned with fairness of the parole process (Tyler, 1988; Engel, 2005). Ultimately, people accept outcomes as more fair if they perceive the process leading to it as fair (Laxminarayan, Henriches and Pemberton, 2012).

In order to be responsive to the victims and non-victims who provide input, parole boards must identify the value of the information they provide and then communicate that value and the process within which it is considered to the parties involved. In other words, parole boards must reevaluate their use of input and be transparent about their decision-making process in order to control stakeholders' expectations. The first step is to systematically review the types of information that victim and non-victim input providers share with parole boards. Then parole can determine the most appropriate process for soliciting, reviewing, and considering input and communicate that process to constituents. For example, parole boards may use input to connect victims and non-victims to relevant programs and services. Doing so will improve the value that mandated input can provide to the parole process and as such, sustain procedural justice and retain legitimacy.

CHAPTER IV: VICTIM AND NON-VICTIM INPUT PROVIDERS IN CONTEXT

Three diverse bodies of literature suggest that people who provide input are motivated to do so by their experiences and relationships, and the nature of each varies by input provider. Broadly, there are two groups of people who provide input. *Victim* input comes from people who are named in police or other official crime reports. All other people who provide input are *non-victims*, such as victims' and offenders' loved ones or community members. This research conceptualizes three categories of non-victims. *Victim-interested non-victims* express a personal relationship with or personal interest in a given victim. Similarly, *offender-interested non-victims* express a personal relationship with or personal interest in a given offender. The third category, *general public non-victims*, refers to people who do not express any personal connection to either the victim or offender but present themselves as a concerned citizen or community member.

Literature in the fields of emotion, victimology, and collateral consequences of incarceration address the contents of victim and non-victim input. Emotional norms and mood congruency theory describe how people recall crime events and consider their experiences to determine what information to share with parole boards. Victimology literature discusses the effect of crime and criminal justice system involvement on victims over time and in a variety of life domains which may be reflected in the inputs from victims and intimates of victims. Lastly, the literature on collateral consequences of incarceration reveals the implications of imprisonment for offenders and their loved ones both during incarceration and reentry.

The Cognitive Process

Providing input to the parole board is undoubtedly an emotional process. It requires the author to recall a crime and associated events. Victims and victim-interested non-victims recall physical and psychological harms (Herman, 2010) whilst offender-interested non-victims reflect on a loved one's incarceration and its effect on their family (Travis, McBride, and Solomon, 2005). Research in the field of emotion suggests that perceptions of appropriate and inappropriate emotions influence human behavior and that people attach emotions to events as they store them in their memories and later, they recall the event in the context of that emotion, rather than objectively (Bandes, 2009; Bower, 1981). This section explores those emotional processes and their potential to shape the contents of victim and non-victim input.

Susan Bandes (2009) suggests that emotion and objectivity are mutually exclusive. When emotions are triggered, memories, thoughts, and experiences are no longer considered objectively. The emotion becomes a lens through which everything else is interpreted. There are multiple definitions of emotion and all have at least one thing in common. They recognize that emotions do not occur in a vacuum; that is, they are not discrete functions or processes (Kleinginna and Kleinginna, 1981). In general, emotions are extremely context-sensitive and influence peoples' interpretation of situations and information (Bandes, 2009). Mood congruency and emotional norms are internal and external factors that particularly influence the way people process and recall information.

Mood congruency is a match between a person's mood and their thoughts. According to mood congruency theory, people interpret and recall information that is congruent with their mood and disregard information that is incongruent (Mayer,

Gaschke, Braverman, Evans, 1992). In other words, mood congruency limits the information that people consciously process. A common example of mood congruency theory uses weather prediction. Given the same information, happy people predict better weather for a picnic than unhappy people because good weather is congruent with the happy mood (Bower, 1981).

Affect infusion is the underlying process responsible for mood congruent judgments and is a process whereby the mood or emotion elicited by one event (the “affect”) influences and ultimately becomes a part of an individual’s judgment of other people, situations, and events. Affect infusion may influence judgments of related or unrelated events (Forgas, 1995). In particular, research has found that peoples’ moods and emotions influence their opinions of other people (Forgas and Moylan, 1981), including increasing stereotypical judgments of others (Erber, 1991). Mood congruency and affect infusion are internal processes that influence emotion. Emotional norms are external factors with similar influence.

Emotional norms are implicit rules that specify how people should feel in given situations and socially acceptable ways to express those feelings (Bandes, 2009). These norms “teach [people] what we ought to be feeling, and in doing so, guide the way we shape and experience our emotions” (2009, p.7). People are motivated to abide by emotional norms because acting otherwise can make for uncomfortable social situations and be seen as inappropriate or even deviant. Specific emotional norms vary based on individual characteristics, meaning that there are different emotional norms for children compared to adults and for men compared to women (Smiler, 2004). For example, historically, it has been more socially acceptable for children to cry in public than adults

and more socially acceptable for women to cry in public than men. Similar emotional norms are evident in the criminal justice system as the literature indicates that victims have an assumed role and script (Bandes, 2009).

Emotional norms have been studied in criminal justice settings by examining Victim Impact Statements at sentencing. Victim Impact Statements (VIS) are presented by victims or their representatives during the sentencing stage of the criminal justice process, usually with the assistance of a prosecutor or victim advocate (Myers and Greene, 2004). Individual states and judges may provide unique instructions but generally, statements are supposed to include two types of information: a summary of the physical, financial, and/or emotional harm suffered by the victim as a result of the crime and the victim's reaction to the proposed sentence or disposition (Propen and Schuster, 2009).

Studies reveal that victims stick to role-based scripts in their VIS, sharing information that society expects to hear from people who have been victimized. Specifically, they convey their uniqueness as an individual victim and the harmful effects of the crime on their lives (Mosteller, 2003). Research has not encountered VIS that veer from this script or tell the court that victimization has not significantly altered lives. It is unclear whether this is because all victims have an experience that adheres to the emotional norm or whether victims who have a different experience opt out of the VIS process.

Together, investigations of mood congruency and emotional norms suggest that the input parole boards receive reflects the way victims and non-victims feel about providing input or information that is socially acceptable to share rather than an accurate

narrative of their experience and thoughts related to the crime and subsequent events. Broadly speaking, victims and victim-interested non-victims will express experiences of continuing harm and offender-interested non-victims will express a need for and be supportive of offender's parole release. For example, according to mood congruency theory, several years after the offense a crime victim may no longer feel the effects of victimization in their daily life but when informed of their offender's upcoming parole hearing and asked to provide input, they instinctually feel fear and anger because that is what they associate with the experience. That fear and anger will dictate the information they share with the parole board including decisions about what information is relevant and should be emphasized (Bandes, 2009). Simultaneously, emotional norms suggest that victims' continuing emotional harm validates punishment of offenders. The resulting victim input will reflect that the victim continues to experience harm as a result of the crime, which validates critics' concerns that input will argue against release, citing continuing harm regardless of the victim's present circumstances.

Victims in Context

Victims have experiences and perspectives that are unique to other input providers. There is general agreement that victimization impacts multiple life domains. The particular effects vary in substance and length across victims and by offense types. This section explores research and literature in the field of victimology to ascertain those effects and how they may influence victim input to parole boards. First, the costs of crime are reviewed with particular attention to the financial and psychological costs of crime because they have the greatest impact on the most victims (American Probation and Parole Association, 2013). Common consequences of victimization are discussed as well

as costs that result from particular types of offenses, such as domestic violence, rape, or identity theft. This is followed by a brief discussion about the effects of time on input. Specifically, how the amount of time elapsed between victimization and an offender's parole hearing can impact victim input.

Costs

Almost nineteen million people are victims of crime each year (Truman, 2011) and the victimization brings with it physical, psychological, and financial costs. Annually, over five million crime victims suffer a physical injury (Truman, 2011; Newmark, 2006) and an additional 17,000 homicide victims lose their lives (Cooper and Smith, 2011). Research reveals that the psychological consequences of victimization are even more pervasive and alter at least half of all victims' lives in some way (Newmark, 2006). Relatedly, the financial costs of victimization can be devastating and even force some victims into bankruptcy (American Probation and Parole Association, 2013).

In the immediate aftermath of the crime, victims feel any combination of fear, anger, confusion, frustration, guilt, shame, and grief (Herman, 2010). Janoff-Bulman and Frieze (1983) describe the impact of victimization as shattering three basic assumptions. First, it replaces illusions of security with vulnerability. Prior to victimization, people have faith in the steps they take to protect themselves such as avoiding risky behaviors and locking their doors. Post-victimization, such efforts feel futile and insufficient. Second, victimization has deleterious effects on positive self-image (Janoff-Bulman and Frieze, 1983). Victims believe that they are responsible for what happened to them and undeserving of happiness (McCann, Sakheim, and Abrahamson, 1988). Third, victimization devastates the belief in the world as a meaningful place, a logical and

common conclusion to feelings of futility and of vulnerability and negative self-image (Janoff-Bulman and Frieze, 1983).

As a result, it becomes difficult for victims to trust not only strangers, but people with whom they have an existing relationship. Victims may simultaneously feel alienated and withdraw from community life while feeling that their experience is trivialized or not believed (Herman, 2010). Almost fifty percent of victims change their daily routine or establish safety measures to protect themselves from future victimization; nearly twenty percent find relationships with friends and family problematic, and eight percent use alcohol or drugs more than before the crime (Newmark, 2006).

Victimization can result in a variety of lasting psychological problems including depression, anxiety, hostility, physical illness, sexual dysfunction, and posttraumatic stress and problems can persist far beyond the initial trauma (Norris and Kaniasty, 1994; McCann, Sakheim, and Abrahamson, 1988). One in ten victims seeks psychological counseling and many take medication for depression or anxiety (Newmark, 2006). A study of sexual assault victims revealed evidence of anger, depression, and fear three years post-crime (Ageton, 1983) and a survey of rape victims found a reactivation of depression symptoms more than six months after the event (Sales, Baum, and Shore, 1984). Though less documented, victims of crimes other than sexual assaults also experience lasting psychological effects. A study sampling assault, robbery, and burglary victims whose offenses occurs an average of fifteen years earlier revealed that despite the time lapse, the group had high rates of posttraumatic stress disorder and other health problem (Kilpatrick, Saunders, Veronen, Best, and Von, 1987). The psychological and physical effects of crime can require professional treatment or other services and

negatively affect productivity. These are conceptualized as the financial costs of victimization.

The financial costs of victimization can also be devastating. There are two related types: out of pocket expenses and reduced productivity. Out of pocket expenses are the quantifiable costs individuals incur as a result of victimization. Some are necessary based on the nature of victimization such as medical bills, repairing or replacing damaged and lost property. Others financial costs are discretionary and arise as victims react to their experiences. For example, moving and installing home security systems are common responses to more severe victimization (Wirtz and Harrell, 1987).

Less quantifiable are the costs of reduced productivity. Participation in the criminal justice process and the physical and emotional effects of victimization have been found to reduce productivity in all aspects of life, including home, work and school (Herman, 2010). Victims need varying amounts of time to prepare for and attend court, coordinate their healthcare, and connect with social services. Thirty-seven percent of employed victims report missing work because of the crime and on average, lost \$1,489 in income (Newmark, 2006). Some victims find that they are unable to continue in their jobs given the physical or mental health consequences of the crime. Research by Swanberg and Logan (2005) examined the effects of intimate partner violence on employment. Ninety-one percent of domestic violence victims reported they resigned or were terminated from a job in the past two years and as a result of issues related to their victimization. Victims of identity theft report spending an average of 30 hours a year resolving related issues (Herman, 2010).

At times, these two types of financial costs cannot be disentangled and snowball from a relatively minor cost to an insurmountable one. For example, a victims' service advocate recalls a man whose car was stolen. It was an old car whose worth to the owner far exceeded the assessed value. Unable to replace his car, the man could not get to work and lost his job, eventually losing his home as well (American Probation and Parole Association, 2013). Victim compensation schemes are available in most states and restitution can assist victims with pecuniary losses. However, less than fifty percent of victims are aware of them and those who are report less than satisfactory experiences (Newmark, 2006). Nearly three-quarters of victim who pursued compensation still incurred out of pocket costs and half of the victims who were denied compensation were neither given a reason for the denial nor information about an appeals process (Newmark, 2006). In extreme cases, victims face insurmountable debt and declare bankruptcy (American Probation and Parole Association, 2013).

Findings therefore suggest that victims incur significant physical, and to an even greater extent, psychological and financial costs and those costs are likely to be referenced in their input to parole boards. Some costs may be more apparent and immediate, such as mending a broken bone or replacing stolen property. Other costs of victimization are less apparent and build over time, such as depression or lost wages from time away from work to participate in criminal justice proceedings and seek medical or psychological care. Additionally, some victims may continue to incur financial costs or face debt as a result of the costs at the time their offender receives parole consideration. The mechanisms in place to assist victims' with the financial effects of crime provide little relief and may further motivate them to express discontent to parole boards.

Time and Resilience

The effects of victimization vary in severity and duration. The emotional and less common, physical effects, of victimization can last weeks, months, or years (Herman, 2010). All crime victims have different experiences. The manner in which a crime affects them is dependent on a confluence of factors including the offending behavior, available external support, and victim resiliency; some victims are more resilient and move on more quickly than others (Herman, 2010). Examinations of the length of effects on victims has been inconsistent across studies and reveals a range of two to thirty months (Norris and Kaniasty, 1994; Resick, Calhoun, Atkeson, and Ellis, 1981; Nadelson, Notman, Zackson, and Gornick, 1982).

Norris and Kaniasty (1994) assessed victims of violent and non-violent crime for psychological symptoms such as depression, anxiety, fear of crime, and avoidance approximately three, nine, and fifteen months after victimization. Results revealed that victims' levels of psychological distress improved through month nine but not thereafter. Resick and colleagues (1981) and Nadelson and colleagues (1982) were more specific in their research. Both studied the post-assault social behavior of rape victims. The former found that rape victims' social lives were negatively impacted for eight weeks after the crime and that those effects diminished sixteen weeks post-assault (Resick et al., 1981). Conversely, more than half of the rape victims in Nadelson et al.'s (1982) study reported a restricted social life fifteen to thirty weeks after their assault.

Application of these findings to victim input and parole suggests that the minority of victims (Parsonage, Bernat, and Helfgott, 1994; Caplan, 2008) who self-select to provide input are those who continue to experience the effects of victimization and the

input they share may be influenced by the amount of time elapsed since the offense. During that time and to varying degrees, victims experience continuing harm, contact with the criminal justice system, a range of emotions, incur costs, and hopefully, they heal. In their input, victims can only write about what they have experienced thus far.

Non-victims in Context

As described above, this research conceptualizes three categories of non-victims who may submit input to parole boards. *Victim-interested non-victims* express a personal relationship with or personal interest in a given victim. Similarly, *offender-interested non-victims* express a personal relationship with or personal interest in a given offender. The third category, *general public non-victims*, refers to people who do not express any personal connection to either the victim or offender but present themselves as a concerned citizen or community member. This section explores the experiences of victim-interested non-victims and offender-interested non-victims that may influence their input to parole boards. Victim-interested non-victim input is likely share the same types of information as victim input. Therefore, this section briefly focuses on the reasons that victim-interested non-victims submit input, rather than describing potential contents. Then, the experiences that inform offender-interested non-victim input are explored.

Victim-interested Non-victims

The impact of victimization is not limited to those individuals classified as “victims” in police reports or other official records. In the most extreme cases, such as homicide, they experience the loss of a loved one. Those close to victims may also witness the crime or suffer the effects of it as their own safety and possessions are threatened. At the other end of the spectrum, they observe the effects of the crime on the

victim. Research suggests that those close to victims can experience distress across crime types (e.g. personal and property, sexual assault and non-sexual assault) and regardless of the victims' reaction (Davis, Taylor, and Bench, 1995). Severe reactions include posttraumatic stress (Friedman, Bischoff, Davis, Person, 1982) but more common reactions include feelings of empathy, guilt, shame, and anger about not protecting the victim from the offense.

Empathy is triggered when one person encounters another who is in distress or discomfort (Yzerbyt, Dumont, Wigboldus, and Gordijn, 2003). Empathetic responses often mirror the distressed person's feelings (Caplan, 2008), meaning if the victim is fearful or depressed, empathetic friends and family members may feel similarly fearful or depressed. Anger and empathy can combine to make the anger that people "feel on behalf of others or on matters of principle, more intense than the anger we feel on our own behalf" (Batson, Shaw and Oleson, 1992, p. 320). Empathetic anger stimulates an impulse to harm the transgressor – in this case, the offender – to discourage them from inflicting additional harm to the victim or others (Myers and Greene, 2004; Vitaglione and Barnett, 2003), as such requests for parole denial are the only legal outlet available for victims' loved ones to pursue this impulse.

In sum, victim-interested non-victims are likely motivated by empathy and/or anger to provide input to parole boards (Batson, Shaw and Oleson, 1992; Myers and Greene, 2004). Thus, the experiences they describe and information that they share is likely similar to that of victim input. On the other hand, offender-interested non-victim input reflects the experiences of people close to offenders who are affected by their crime, incarceration, and release.

Offender-interested Non-victims

Literature about collateral consequences of incarceration and reentry show that offenders' loved ones are affected by their crimes and subsequent incarceration in wholly different ways than victims and victims' loved ones. As such, input from offender-interested non-victims has the potential to stand apart from other sources of input in significant ways. Based on their purview, offenders' loved ones can provide information about the offender beyond their involvement in the crime. Additionally, they are in a position to be aware of factors empirically related to recidivism and of interest to parole boards. This is not to suggest that family members have read the research literature on recidivism. Rather, they are responsive to it as they provide offenders' social capital, housing, and employment opportunities. Offender-interested non-victim input is likely to convey two types of information to parole boards: offenders are needed at home and support is available for their reentry process.

The Effects of Offenders' Absence

Incarceration removes offenders' from their families and communities and substantially impacts the lives of all involved. The effects are most apparent in familial relationships – both intimate ones and with children – and on financial situations (Hairston, 2003). For the purpose of this section, “family” refers broadly to offenders' immediate family, extended family and other loved ones with whom they have intimate relationships or interact with on a routine basis.

The forced separation imposed by incarceration strains familial and intimate relationships. Many relationships do not survive and those that do are changed by the experience (Travis, McBride, Solomon, 2005). Parties left behind assume the roles and

responsibilities once fulfilled by the now incarcerated individual. The pressure to fulfill new and multiple roles related to financial obligations, children, and even the incarcerated offender brings guilt and stress to all parties (Carlson and Cervera, 1992). Moreover, incarceration can wreak havoc on families' financial situations. Research has not systematically examined the number of families who are worse or better off when a family member is incarcerated but the extant literature suggests that the majority of families are negatively affected (Hairston, 2003). Incarceration represents a loss of income as well as new costs (Breen, 1995) associated with maintaining the household, including supporting children and other dependents, despite a loss of income (Hairston, 2003). About 70 percent of parents in state prison were employed full or part-time prior to their arrest and those wages were the primary source of income for their families (Travis, McBride and Solomon, 2005). Upon their imprisonment, that income is lost as is any child support previously paid by the incarcerated individual or child care provided by them (Hairston, 2003).

Families also incur new costs in the form of legal fees, subsidies to the incarcerated individual, and efforts to maintain contact with them. Legal fees may require payment after the conclusion of a trial and there may be new fees for additional legal advice and representation or appeals (Hairston, 2003). Many families provide financial subsidies to their incarcerated loved ones for tangible and symbolic reasons. Prisons provide offenders with the bare necessities and so offenders rely on their families to deposit money in their prison accounts for toiletries, books or magazines, and extra food and clothing (Hairston, 2003). In some cases, facilities deduct money from offenders' accounts to pay for prison medical visits, institutional fines, and even child support. So

families may voluntarily or involuntarily cover those as well (2003). These financial subsidies provide incarcerated offenders a few creature comforts as well as a sense of security and independence so that they do not have to borrow certain items (Christian, Mellow, Thomas, 2006). Additionally, prisoners see them as a sign that they are still loved and thought of by their families which is valuable given the difficulty in maintaining contact.

Mail is the most common form of contact with incarcerated family members (50 percent), followed by phone (42 percent) and then visits (21 percent) (Mumola, 1997). Loved ones want more substantial contact but encounter barriers. Prisons often contract with phone companies at unusually high long-distance rates and inmates can only place collect calls so that prisoners' families incur the cost of phone contact (Travis, McBride and Solomon, 2005). A thirty minute phone call can cost \$125 so that the monthly cost weekly conversation is \$500 (Hairston, 2003).

Visiting is more difficult and the frequency of prison visits ranges from weekly to every six months (Christian, Mellow, Thomas, 2006). First, prisons are often located in rural areas; far from the urban centers where the majority of offenders' families reside (Christian, 2005). On average, men's prisons are located 100 miles from their families and women's prisons are even more distally located at an average of 160 miles from their families (Travis, McBride and Solomon, 2005). Visiting them can be time consuming and for some, is cost prohibitive. Transportation, meals and vending machine snacks at the facility, and for some, overnight lodging, are costs commonly associated with prison visits (Hairston, 2003).

Second, it can be difficult to schedule visits. There may be inadequate or hard to locate information about visiting procedures (Hairston, 2003). Misinformation and changing rules can impede efforts to see a loved one even after reaching the facility at a previously appointed time (Christian, 2005). Thirdly, visiting procedures can be uncomfortable or humiliating. Visitors are checked for contraband and multiple visits may take place in one room, rather than privately (Hairston, 2003). Lastly, caregivers of offenders' children may be unwilling to facilitate visits given the difficulty involved, uncertainty about future custody arrangements, and mixed feelings about bringing children to prison (2002).

The most apparent disruption to children's lives is the removal of the parent from the home. Fifty-five percent of adults in state prisons and 63 percent of adults in federal prisons have minor children; and almost half of those parents lived with their children prior to incarceration (Mumola, 2000). However, children are often forced to move as well. The five most common types of alternative living arrangements are: with the other parent, with a grandparent, with other relatives, in a foster home or agency, or with friends or others (Mumola, 2000). There are also less visible effects of parental incarceration on children's lives.

Research by the Urban Institute (2005) summarizes the short and long term effects. In the short term, children of incarcerated parents experience feelings of shame, social stigma, feel the loss of financial support, weakened ties to the parent, poor school performance, increased delinquency, and are at increased risk of abuse or neglect (Travis, McBride and Solomon, 2005). Long term experiences include questioning of parental authority and negative perceptions of police and the legal system and even

intergenerational patterns of criminal behavior (Travis et al., 2005). In some cases, children become increasingly dependent on their caregivers or others and experience maturational regression such as an impaired ability to cope with stress or trauma or disruption of development (Travis et al., 2005). The early release of their parent from incarceration represents a faster return to normalcy and decreases the likelihood of these experiences, thus motivating family members to provide input to parole boards arguing for their loved ones' release.

The Availability of Support

Input from offender-interested non-victims is unlikely to be one dimensional. As referenced above, authors have two distinct types of information to share: offenders are needed at home and support is available for their reentry process. The former is discussed above and focuses on how offenders' absence affects their families. The latter, discussed in the ensuing paragraphs, is focused on how families can positively support their loved one upon release from incarceration.

In the reentry process, released offenders encounter multiple obstacles and this research conceptualizes them as resource- and attitude-related. Resource-related obstacles include meeting their most basic human needs of food and shelter. Attitude-related obstacles are concerned with the motivation for desistance. Parole board members are aware of these obstacles and consider offenders' likelihood of overcoming them and avoiding reoffending, as they make release decisions (Huebner and Bynum, 2008). Offenders' family members are uniquely situated to address these obstacles and present solutions to them in input to parole boards. They are privy to information about the offender's reentry environment and are likely to be a key source of support therein.

Multiple studies over time and across populations have found that family support is linked to better post-release outcomes, including desistance (Holt and Miller 1972; Ditchfield, 1994; Visser and Travis, 2003; Farrall, 2004).¹ In fact, supportive family involvement can be the factor that determines offenders' reentry success (Nelson, Deess and Allen, 1999).

Practical and financial supports are essential and difficult to obtain during reentry. Research shows that family members are invaluable resources by providing shelter, cash, food, and employment connections (Mills and Codd, 2008; Visser, Yahner and LaVigne, 2010). A study by the Urban Institute found that seven months post-release, eighty-four percent of men in Chicago, Houston and Cleveland lived with family and ninety-two percent had a family member willing to help them find their own place (Visser, Yahner and LaVigne, 2010). In the same study, over ninety percent of returning men received cash support from their families and eight-three percent received food (Visser et al., 2010). Research additionally suggests that familial support is linked to positive changes in the use of illegal substances, a problem for many offenders. A study by the Vera Institute of Justice revealed that offenders with family support use less illegal substances than those without and experience fewer new arrests and convictions (Sullivan, Mino, Nelson, and Pope, 2002).

Family members also provide critical assistance for offenders to secure employment (Codd and Mills, 2008). Employment is an opportunity for these offenders to become self-sufficient. Stable employment also reduces the risk of reoffending by as

¹ The overwhelming majority of offenders being considered for release by parole boards are male. However, it is worth noting that family support is not as beneficial for female offenders. For women in reentry, relationships may have led to their offending behaviors (Leverentz, 2006); and physical, sexual or emotional abuse perpetrated by family members can add to difficulties upon release (Corston, 2007).

much as 50 percent (Social Exclusion Unit, 2002). However, a criminal record automatically excludes formerly incarcerated individuals from consideration by many employers (Codd and Mills, 2008). Offenders' loved ones have access to wider and different networks than the reentering individual (Farrall, 2004). About half of all prisoners who have secured employment, training or education placement upon release, make these arrangements through family members (Codd and Mills, 2008).

The same relationships that can be leveraged to provide practical or tangible resources such as food, shelter, and employment, may also provide intangible resources by enforcing prosocial norms, obligations, and interdependence. These inherent characteristics of prosocial relationships provide motivation for desistance. There are multiple criminological theories to explain why the presence of family in a reentering offender's life is so important. Sampson and Laub (1993; 2001) and Maruna (2001) stand out as they provide almost opposite causal mechanisms to produce offender change (Mills and Codd, 2008).

Sampson and Laub (1993; 2001) suggest that structural conditions, such as familial relationships, restrict criminal propensities. They expand on Hirschi's (1969) social bond theory – that strong social relationships in adolescence restrain deviant tendencies – by applying it to adulthood. The authors posit that as adults experience changes in the strength of informal social bonds, such as those to family, their ability to resist criminal activity changes too.

Strong social ties, or relationships, in adulthood create “interdependent systems of obligation” with shared social norms (Sampson and Laub, 1993, p.141). In prosocial relationships, criminal activity is a violation of the norms and therefore, engaging in it

could be injurious to the relationship. Ultimately, offenders who value their relationships will act in a way to maintain them. They will avoid behavior their loved ones would disapprove of, including reoffending.

Maruna's (2001) theory proposes greater agency on the part of offenders. He suggests that desistance is about "making good," or personal redemption through positive contributions to their families and communities. Maruna's research suggests that offenders achieve desistance by developing narratives to re-make sense of their lives so that their past behavior and indiscretions are inevitable steps on their way to a new and positive lifestyle (2001). He argues that this process of desistance is achieved in two steps.

First, offenders reappraise their lives and make a conscious choice to stop seeing themselves as an offender, criminal, or other label appointed by the criminal justice system. They "develop a coherent, prosocial identity for themselves" as a contributing member of society (2001, p.7). In order to maintain that self-image, they desist from crime. Second, families provide an indispensable supporting role to this transformation process. As the offender exhibits new prosocial behaviors, family members and others "certify" the new persona through positive reinforcement and the continuation of their relationships. Offenders may suffer setbacks and reoffend in the early stages of the process. Ultimately, those who adhere to the new, prosocial internal narrative will be successful (Maruna, 2001).

Summary

Literature in the fields of emotion, victimology, and collateral consequences of incarceration suggest that people who provide input are motivated to do so by their

experiences and relationships, and that the nature of each varies by input provider – victims, victim-interested non-victims, and offender-interested non-victims. The extant literature about mood congruency and emotional norms suggests that the input parole boards receive reflects the way victims and non-victims feel about providing input or information that is socially acceptable to share rather than an accurate narrative of their experience and thoughts related to the crime and subsequent events.

Crime victims incur physical, and to a greater extent, psychological and financial costs that can last weeks, months, or years (Herman, 2010). Many victims have difficulty with social relationships, self-image, and fear and anxiety and seek psychological treatment (Norris and Kaniasty, 1994; McCann, Sakheim, and Abrahamson, 1988). Simultaneously, victims incur financial costs of crime as out of pocket expenses and sometimes, a loss of productivity or income (Wirtz and Harrell, 1987; American Probation and Parole Association, 2013). The victims who self-select to provide input are most likely those who continue to experience the effects of victimization and the input they share may be influenced by the amount of time elapsed since the offense (Caplan, 2008; Norris and Kaniasty, 1994; Resick, Calhoun, Atkeson, and Ellis, 1981; Nadelson, Notman, Zackson, and Gornick, 1982). Relatedly, victim-interested non-victims are likely motivated by empathy and/or anger to provide input to parole boards (Batson, Shaw and Oleson, 1992; Myers and Greene, 2004). The experiences they describe and information that they share is likely similar to that of victim input.

Oppositely, offender-interested non-victim input is likely to convey two types of information to parole boards: offenders are needed at home and support is available for their reentry process. The forced separation imposed by incarceration negatively impacts

the majority of affected families (Hairston, 2003). It strains familial and intimate relationships, finances, and is uniquely experienced by children. Still, families play an important, if not the most important, role in offenders' reentry process (Nelson, Deess and Allen, 1999). Research shows that family members are invaluable resources by providing shelter, cash, food, and employment connections (Mills and Codd, 2008; Visser, Yahner and LaVigne, 2010). Families can also foster desistance by promoting prosocial norms, obligations, and interdependence. Parole board members are aware of the obstacles faced by offenders and consider the resources available to overcome them as they make release decisions (Huebner and Bynum, 2008).

However, research suggests that victim and non-victim input do not ultimately affect parole release decisions despite the expectation created by parole boards' acceptance of it (Caplan, 2008). In order to maintain perceptions of procedural justice and retain legitimacy, parole boards must identify the value of victim-and non-victim input and then be transparent about their decision-making process. The first step is to systematically review the types of information that victim and non-victim input providers share with parole boards. Then parole can determine the most appropriate process for soliciting, reviewing, and considering input and communicate that process to constituents.

To that end, the objectives of this dissertation were to: 1) identify common themes in input; 2) identify commonalities and differences in the types of information that input providers share, requests that they make, and how they justify those requests; and 3) explore the relative importance of input given the situational contexts in which release decisions are made. These objectives were accomplished in two parts and through

several research questions. First, I used a grounded theory approach to identify concepts or themes through a content analysis of input. Those findings were then used for exploratory quantitative analyses.

Research question 1: What type of information is commonly found in input? Specifically, what themes emerge from the experiences that input providers discuss, requests that they make, and rationales that they provide?

This question explores the information that people share with parole boards. It also considers whether and how that information differs across categories of input providers.

Research question 2: What patterns or relationships emerge between common themes in input and types of input providers? Specifically, are there significant differences between the contents of victim and non-victim input? Between types of non-victims such as friends and family of victims or offenders?

The purpose of the second research question is to identify typologies of input providers.

Research question 3: Is the information contained in input relevant to parole release decision-making (e.g., information that informs the level of risk presented by releasing an offender) and if so, it is available through any other source?

The purpose of the third research question is to identify the unique value of victim and non-victim input.

Research question 4: What is the relative importance of the emergent themes in the context of parole release decisions? Specifically, does the relative importance of themes vary according to the particular situational contexts in which release decisions are made?

This question explores and identifies whether and the extent to which prominent themes in input differentially affect parole release decisions based on distinct situational contexts (i.e., type of input provider).

CHAPTER V: METHODOLOGY

I conducted a content analysis of victim and non-victim input to parole boards in order to identify prominent themes and construct a typology of input providers that parole boards may use to assess and refine the way they review and respond to such input. For example, parole boards may use the results to revise their input solicitation process in order to adjust input providers' expectations about what type of information is useful and how it will be used; parole boards may also use the results to evaluate the availability of relevant programs and services in their communities and then refer input providers to such. Additionally, this dissertation examined the contents of the victim and non-victim input to determine whether it contains information relevant to the parole release decision-making process. To this end, I transcribed all input received for a representative sample of prison inmates in New Jersey who received their first-time parole consideration in 2004. I also documented the physical characteristics, or presentation, of each piece of input and use data from the relevant case files to provide descriptive statistics about the population and cases that receive input. I used a grounded theory approach to analyze the content of input as it is the most appropriate means of examining narrative content from diverse individuals and investigating a previously unexplored topic area (Strauss and Corbin, 1998).

Setting

The New Jersey State Parole Board serves as an appropriate setting for the current examination, especially in view of the parole release rates, types, and process. Parole rates have remained relatively stable for the last decade and the majority of parolees are released through discretionary parole (Glaze and Bonczar, 2007, 2009, 2011; Glaze and

Palla, 2005; Glaze, 2003). Equally important, the process is straightforward as there is only one set of factors considered by the board when determining whether to grant parole release (New Jersey State Parole Board, 2012). As discussed in the review of related research in Chapter Three, some states consider different factors at a preliminary state and other factors in the final release decision.

The New Jersey State Parole Board (NJSPB) works to support the successful reintegration of former inmates to communities across the state. In this mission, they partner with government, non-profit and private agencies to connect parolees with vocational, mental health and other services to support the reentry process and decrease the risk of criminal activity (New Jersey State Parole Board, 2007). More than 20,000 inmates' cases are reviewed by Governor appointed Parole Board members each year. Over 400 sworn parole officers supervise more than 15,000 offenders who have been granted parole. SPB officers are also active partners with multiple Federal, State and local law enforcement agencies and task forces. Finally, SPB's Community Programs Unit partners with government, non-profit and private agencies to connect ex-prisoners with vocational, mental health and related services, targeted to break the cycle and risk of crime (2007).

The New Jersey State Parole Board's (NJSPB) *Handbook on Parole Procedures* (2012) outlines the parole process. The Board is appointed by the Governor and confirmed by the Senate. It is comprised of a Chairperson, fourteen Associate Members and three Alternate Members. Members are organized into two person panels and assigned to either adult or juvenile cases. The chairperson serves as a third member of each panel. The panels make release decisions and set conditions of release for parole

eligible offenders. They can also decide what action should be taken if parolees violate conditions.

A parole eligibility date is the earliest date that the Board can parole a given offender. The date is based on sentence, time served, and credits. Offenders whose sentences do not include a mandatory sentence are eligible for parole after serving one third of their sentence. Offenders serving a life sentence are parole eligible after twenty-five years. Offenders who received a mandatory minimum are parole eligible according to the mandatory minimum term as long as it is greater than one third of the maximum sentence. A nine-month restriction requires that all offenders must serve at least nine months in order to be parole eligible. Jail and other credits can reduce, or take time off, offenders' parole eligibility dates. For example, time served in county jail while awaiting trial counts towards parole eligibility and for every five days an offender works in prison, they earn one work credit. The calculation may be more nuanced for specific types of offenders (e.g. sex offenders) and complicated in certain circumstances (e.g. offender receives an additional sentence after incarceration).

The board is required to notify particular individuals and agencies at least thirty days prior to a parole hearing. Within the criminal justice system, the Board must notify the sentencing judge, the Attorney General, the county prosecutor, and any other relevant criminal justice agencies. The Board is also required to notify any registered victims and the public. All parties are allowed to provide input to the Board. It is up to the offender to notify anyone else that they would like to submit input on their behalf. In order to allow sufficient time to submit input, no release decision may be made until thirty days have passed since all parties were notified.

All parties and the offender are invited to submit any information that they deem relevant to the question of an offender's release. Formal guidance is only offered to victims and it is minimal. They are instructed that their statement should include: "The continuing nature and extent of any physical, psychological, or emotional harm or trauma suffered; the extent of any loss of earnings or ability to work suffered; the continuing effect of the crime upon the victim's family. Additionally, any other information that would help the Board determine the likelihood of new crime being committed or the development of special parole conditions [is] welcomed" (New Jersey State Parole Board, no date). Board members retain discretion to consider or exclude information that they consider relevant or irrelevant to the release decision. All input – from any party and in any form (e.g. letter, report of phone call) – becomes part of the offender's file.

Parole release decisions are made at hearings before two Board members and require those members to reach a unanimous decision or refer the case for an additional opinion. The Board may: grant parole and set a release date; set a "not earlier than" release date and impose pre-release conditions; or deny parole and set a new eligibility date, or term. Other options are less straightforward. These are interim decisions and ultimately result in one of the three previously mentioned. The Board may: deny parole and refer the case to a larger panel to establish a new eligibility date outside of the established guidelines; refer the case to a third member if the two person panel cannot agree; or defer a decision in order to obtain additional information.

Sample

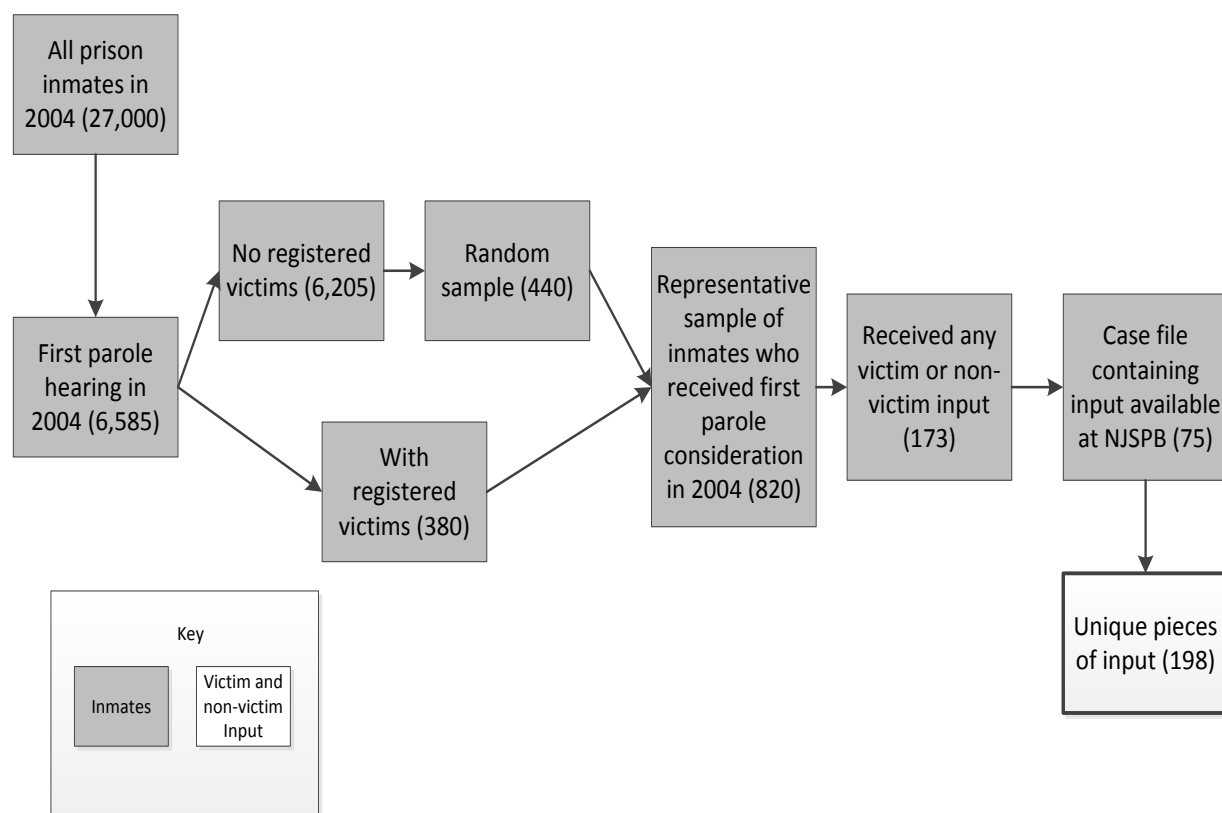
The sampling methodology is directly informed by Caplan (2008) thereby permitting new data collection to focus on input-level data. Victim and non-victim input

are stored in inmate case files. Therefore, the sampling procedure reviews inmate case files in order to obtain the input contained within. A sampling frame of all prison inmates (n=27,000) was reduced to those whose first-time parole release decisions were made in 2004 (n=6,585). “First-time parole release decision” refers to a two-pronged status of inmates relative to their current term of incarceration, or their instant offense. Qualifying inmates have served their minimum term of incarceration and have not previously been considered for parole release.

This group is then divided into two: inmates with registered victims and inmates without registered victims. While anyone can submit input to parole boards, “registered victims” sign up to be notified by the parole board of their offender’s parole eligibility and afforded an opportunity to provide input. All inmates with registered victims were retained in the study sample (n=380) as well as a random sample of inmates without registered victims (n=440). From there (n=820), all cases that received victim or non-victim input and whose input can be located was retained (n=173). The case files are housed primarily at the NJSPB central office in Trenton, New Jersey. However, closed case files are moved to an offsite retention center every few years. Cases are usually closed because an inmate completes parole. Those files are not available for research. Similarly, active case files that are in use by NJSPB personnel were not recalled. This is discussed in greater detail in the next chapter. Seventy-five case files (n=75) were available, yielding a sample of one hundred and ninety eight unique pieces of input. Each piece of input was analyzed.

In sum, the input in this sample met three criteria: It was submitted on behalf of (1) prison inmates that (2) received first time parole consideration in 2004, and (3) could be located at the NJSPB.

Figure 1: Sampling Approach



Data Collection

Offender-level data

Relevant offender case files were used to provide descriptive statistics about the population and cases that receive input. Previous studies have cited characteristics of inmates and offenses in their research to support methodologies and used them as variables to determine whether input will be submitted on behalf of an inmate (Smith, Watkins, and Morgan, 1997; Caplan, 2008). For example, Smith, Watkins, and Morgan

(1997) oversampled cases involving violent offenses because the authors believed such cases were more likely to receive victim input based on the nature of the crime. A decade later, Caplan's (2008) research revealed their supposition to be untrue; violent offenders are no more likely than their non-violent counterparts to receive input. Offenders' demographic information is also commonly used as control variables. These types of offender and offense information are available in the inmate case files at the NJSPB, where input is housed. These data are objective, factual, and recorded according to NJSPB procedure. Eleven categories of variables were collected.

Source of input. "Victim input" is input submitted by any person or business identified as the primary victim of the inmate's offense. Victims may self-identify in their input or be identified in the police arrest report or Pre-Sentence Investigation Report. "Non-victim input" is input submitted by any person or business other than the victim or the inmate. Non-victim input is also broken down into victim-interested non-victim input and offender-interested non-victim input based on affiliations expressed therein. A third subcategory of general public on-victim input was assigned to non-victim input providers who did not express any affiliation. Information from people that work with or write about inmates as part of their official responsibility is not considered input (e.g. prison officials, psychiatrists).

Type of input. There are three types of input: written correspondence, telephone hearings, and in-person hearings. A continuous numerical variable will specify the quantity of each type of input from victims or non-victims for each inmate.

Input type orientation. Each piece of input was coded as having a "positive" or "negative" orientation. Positive input argues in favor of release; negative input argues

against it. Orientation and type of input are combined to create four categories of input: Positive victim input, negative victim input, positive non-victim input, and negative non-victim input. To operationalize this variable, I indicate the number of unique pieces of input in each category that an inmate received.

Parole release decision. A dichotomous variable represents the Parole Board's decision to grant or deny parole as "1" or "0," respectively.

Inmate race. Race is a categorical variable: White, Black, Hispanic, and other.

Inmate gender. For gender males were coded as "1" and females as "0."

Inmate age. Age (in years) is a continuous variable representing the age of each inmate at the time of their parole consideration. Age was calculated by subtracting each inmate's birthdate from their parole release decision date.

Institutional behavior. A combination of four dichotomous variables comprise the composite score for institutional behavior: (1) actual or attempted escapes from a correctional facility; (2) commission of a serious disciplinary infraction during their current sentence that resulted in a written complaint by officials and formal adjudication; (3) parole or probation revocation for a technical violation or a new offense prior to or resulting in the current sentence; and (4) completion of or current participation in at least one institutional program. Inmates receive one point each if the first three variables were true and one point if the fourth variable was not true. Each inmate's points was summed to create a composite score between "0" and "4" where "0" is the best institutional behavior and "4" is the worst.

Incarceration length. A continuous variable represents the amount of time (in months) an inmate was incarcerated prior to their parole hearing. Incarceration length is

calculated by subtracting the date each inmate began serving their current sentence from their parole release decision date.

Crime severity. Six variables measure crime severity. Four dichotomous variables indicate the presence (“1”) or absence (“0”) of the following: (1) present conviction is for a violent² crime (as opposed to non-violent); (2) juvenile (i.e. under 18 years of age) victims of the crime(s) for which the inmate was incarcerated (s); (3) receipt of a letter from a County Prosecutor’s office arguing against release; and (4) whether the inmate was incarcerated for three or more offenses. Two continuous variables indicate: (5) the degree of the most serious crime for which the inmate was incarcerated (i.e. first degree, second degree, third degree, fourth degree, or other degree) and (6) the number of known victims of the crime(s) for which the inmate was incarcerated. A coding scheme allows the sum of all six variables to increase according to the level of severity. Degrees are coded in reverse order so that first degree crimes (most severe) received 5 points and “other” degree crimes (least severe) receive 0 points. Accordingly, 0 points represents zero victims and a point is added for each victim.

Criminal history. Four dichotomous variables measure inmates’ criminal history: (1) three or more prior adult criminal convictions; (2) any juvenile convictions; (3) classification as a sex offender based on the current offense or past offenses; and (4)

² “Violent” offenses referred to: aggravated assault, aggravated assault by auto, aggravated assault on a police officer, aggravated assault with a deadly weapon, aggravated criminal sexual contact, manslaughter, aggravated manslaughter, aggravated sexual assault, armed robbery, assault by auto, assault by motor vehicle, assault with intent to carnally abuse, kidnapping, murder, attempted murder, attempted sexual assault, carjacking, criminal restraint, criminal sexual contact, attempted robbery, attempted armed robbery, attempted sexual assault, death by vehicular homicide, disarming a corrections officer, disarming a law enforcement officer, rape, rape while armed, reckless manslaughter, robbery, sexual assault, sexual contact, simple assault, terroristic threats, theft from a person, violation of probation (VOP) for aggravated assault, VOP for criminal restraint, VOP for criminal sexual contact, VOP for robbery, VOP for sexual assault, VOP for simple assault, VOP for terroristic threats, VOP for theft from a person, VOP for attempted aggravated assault, or retaliation against a witness. Conspiracy to commit a violent crime was not considered a violent offense. Attempted violent crimes were considered a violent offense” (Caplan, 2008, p.107).

having been a juvenile (i.e. under 18 years of age) at the time of the offense for which they are incarcerated. Each variable is coded as “1” if the inmate’s record indicated a qualifying experience(s); otherwise, they are coded “0.”

Input level data

Each piece of input was transcribed into a Microsoft Word document. The transcriptions retained all of the details in the original input including paragraphs or structure, misspelled words, and emphasis in text (underlined, *italics*, **bold**) except for particularly sensitive information. For example, if a piece of input included a subject line, this too is included in the transcription. For privacy, and in accordance with NJSPB regulations, no names, street addresses, phone or fax numbers will be retained.

Simultaneously, a Visual Descriptor Worksheet (attached as Appendix A) was used to collect twenty-five variables describing the appearance and clarity of each piece of input. The worksheet has been developed based on a cursory review of input (Tubman-Carbone, Christian, and Caplan, 2011) and additionally informed by Caplan’s (2008) earlier experience reviewing inmate case files.

A research intern at the Parole Board assisted with this task. We worked together to preserve objectivity and interrater reliability by first individually reviewing the same pieces of input and comparing the resultant worksheets. We reviewed the first 20 pieces of input and completed a Visual Descriptor Worksheet after each. We compared the worksheets for each piece of input and discussed any discrepancies. The remaining pieces of input were divided into two piles and working separately, each person reviewed and completed worksheets for one pile. Upon completion, we exchanged piles and reviewed every tenth piece of input and attendant worksheet in the other person’s pile. This process

was repeated until there were no discrepancies or disagreements. The worksheet was designed to collect 25 variables in seven categories:

Submission type. Two variables describe the type of submission. A categorical variable indicates the mode of submission as either: phone, fax, mail, in-person interview, at a panel hearing, or through another mode. A dichotomous variable illustrates whether input was submitted individually or attached to others. Sometimes input is submitted as part of a group. That is, multiple letters are sent to the NJSPB under the same cover, in the same envelope. In instances where the researcher could discern whether inputs were submitted individually or attached to others, these were coded accordingly.

Paper characteristics. A categorical variable describes the type of paper that written input was composed on. One of the following was selected: copy paper, professional letterhead, personal stationary, lined paper, lined paper with torn edges, napkin, or notepad paper with torn edges.

Text. Three variables describe the appearance of written input's text. A dichotomous variable indicates whether it was typed or handwritten. A categorical variable indicates whether handwritten text is in pen, pencil, crayon, or marker. Lastly, a nominal variable indicates the color(s) of the text.

Emphasis in text. Five dichotomous variables represent the use of font or punctuation to emphasize text. The presence **bold**, *italicized*, or underlined font as well as the use of multiple punctuation marks (e.g. text!!!!) will be noted. There is also a place to note "other" types of emphasis.

Articulation. Four dichotomous variables reflect the level of clarity and articulation in each input. The first two variables indicate whether there are misspelled

words or a lack of punctuation. The third variable indicates whether the position of the input as for or against release is immediately clear. Immediately is defined as halfway through one page of handwritten input or one quarter of a page through typed input. The final variable indicates whether the main point of the input is easily identifiable. Easily is defined as apparent to the reader after reading input in its entirety, one time.

Inclusions. Four dichotomous variables indicate the presence of: receipts, photographs, drawings, and media clippings.

Provider. Six variables describe the provider or author of each input, based on its contents. Two continuous variables document the number of signatures on each input and the age of the author(s) (in years), where it is explicitly stated. A dichotomous variable indicates whether the author described a relationship to the victim (including self) or offender. Another variable specifies the nature of that relationship (e.g. parent, friend). A binary variable indicates whether the author is male or female, if that information is available. Lastly, the first three letters of the author's signature are documented in order to determine whether they provided more than one piece of input for consideration on behalf of a single case.

Data Analysis

Offender-level Descriptive Analysis

As described above, data from the inmate case files were used to create eleven categories of variables. Offender-level descriptive analyses were undertaken, using these variables, in order to describe the inmates and offenses represented by victim and non-victim input in the dataset. Each was included in a series of frequencies to describe the sample. Cross tabulations were conducted with select variables to determine whether

there is a relationship between them (e.g., sentence length and receipt of victim-interested non-victim input). Results are descriptive rather than predictive. That is, they reveal the prevalence of attributes and presence or absence of relationships between variables but not causal relationships.

Input-level Descriptive Analysis

The twenty-five variables collected on the Visual Descriptor Worksheet were analyzed to provide an input-level description of the sample. Similar to the offender-level analysis, I ran a series of frequencies and cross tabulations to derive descriptive rather than predictive statistics. For example, frequency results indicate the percentage of input that is typed or handwritten and easy to understand or confusing. Results of cross tabulations show, for example, whether there is a relationship between input provider (i.e., victim; victim-interested, offender-interested, or general public non-victim) and unclear or confusing input.

Input-level Content Analysis

This dissertation applies a grounded theory approach to analyze victim and non-victim input and develop a typology of input providers. Also called the constant comparative method, grounded theory offers an inductive and iterative way to analyze data (Strauss, 1987; Creswell, 1998). It begins by taking a broad view of the data and then drills down to develop a theory that answers or explains the research question over the course of four stages of analysis. This method allows concepts and theories to emerge from the data rather than deductive methods that test or interpret data using an existing theory. In fact, the grounded theory approach discourages researchers from applying the findings of a literature review to new research until the final stage of analysis. I

completed each of the following four stages. A computer program, QDA Miner qualitative analysis software, was used to support the analysis.

The first stage is called open coding and the goal is to reduce the data to a manageable set of themes that characterize the input provided to the parole board (Creswell, 1998). Broad themes are identified and coded in each input, meaning that the theme is similarly marked each time it appears. This is an iterative process. Each time a new theme is identified and coded in a given piece of input, all pieces that were previously reviewed are reviewed again to determine whether it contains the new theme (Patton, 1990).

Axial coding is then used to identify a central phenomenon and categories related to it (Creswell, 1998). For example, the central phenomenon in input to the parole board may be a request to grant or deny parole. Concepts that emerge in the input were categorized according to their relationship with the central phenomenon – in this example, the request. Concepts may be substantive information (e.g., references a condition of parole) or the manner in which it is represented (e.g., tone of fear).

The third step of the grounded theory method is selective coding and leads to the development of a theoretical model (Creswell, 1998). Categories that emerge through axial coding are organized into a story that responds to the research questions. The story informs a theoretical model or models. Specifically, the structure of the story will provide the theory and the details of the story will operationalize it (Creswell, 1998). As the final step, I considered the theory or theories that emerged in the context of the descriptive analysis described above and the extant research and literature reviewed in Chapters Two and Three (Creswell, 1998).

I anticipated that most victim and non-victim input will reveal a complex relationship between individual experiences and the potential for a given offender's release to exacerbate or relieve that experience. Therefore, the resulting theory or theories use the contents of each category to describe the nature of those experiences, the potential effects of parole release or continued incarceration, and the relationship between the two. Ultimately, each theory reflects a particular typology. However, grounded theory is not driven by the literature; it is an inductive approach. Therefore, it is possible that one, or even all of the resulting typologies abandon the relationship structure base described here.

The inductive approach is ideal for analyzing victim and non-victim input as both represent individual narratives. Each piece of input presents a person's unique experience. Every experience is rooted in a unique social context, set of values, and perceptions (Maruna and Copes, 2005). The inductive, grounded theory approach enabled me to retain those subjective aspects of each narrative.

Through this process, common themes emerged from the input. I developed a set of "prominence" scores to describe their presence in two ways. The first prominence score considered the frequency with which a theme appears. Specifically, the number and percent of unique pieces of input in which it emerged. The second prominence score measured the amount of text devoted to each theme by examining the percent of words associated with each one. The resulting score represents the average percent of words attributed to a theme in all pieces of input in which each theme appears. Both prominence scores were used to rank the themes in order to explore not only which themes input

providers shared most frequently, but also, which ones they devoted the most time (e.g., text) to discussing.

Offender-level Content Analysis

I also calculated prominence scores at the offender level. As previously described, some offenders' cases receive more input than others and from different types of input providers. All input received by the Parole Board on behalf of a given offender becomes part of that offender's file. Parole Board members review the input as they review offenders' files. Therefore, it is useful to examine input as it appears to the Parole Board – at the offender-level. The offender-level prominence scores measured the number and percent of offenders whose input contained each theme as well the amount of text devoted to each theme. If a theme was addressed in any input submitted on behalf of a given offender, then that offender case was coded in the affirmative to indicate the presence of a given theme. Oppositely, if a theme was not addressed in any input submitted on behalf of a given offender, then that offender case was coded as a zero to indicate the absence of a given theme. The total number of offender cases coded in the affirmative, represented the totally number of offender cases where the theme appeared.

I then derived the second prominence score in three steps. First, all offender cases that were coded in the affirmative for a given theme were identified. Next, I examined the percentage of words devoted to the theme in each piece of input submitted on behalf of those offenders; pieces of input where the theme was not addressed were considered to have zero percent. The average of those scores was calculated to reflect the average percent of words devoted to a given theme in all input submitted on behalf of each offender. An average of the averages was also calculated in order to produce a mean

score that reflected the average amount of text devoted to each theme in all offender cases where that theme appeared. Similar to the input-level content analysis described above, the prominence scores were used to rank themes in two ways: frequency of appearance and amount of time (e.g., text) devoted to discussing them.

Offender-level Quantitative Analysis

Lastly, I performed quantitative analyses to examine the relative importance of prominent themes that emerged from the content analysis. Conjunctive analysis was performed to examine whether importance varies across situational contexts, including, whether it varies according to the overall tone of input submitted on behalf of an offender.

Conjunctive analysis, formally known as conjunctive analysis of case configurations, is a method of exploratory data analysis developed by Miethe and colleagues (Miethe, Hart, Regoeczi, 2008). It is based on the conception of cases as “complex configurations” of variables where the “joint distribution” of those variables leads to different outcomes. As such, conjunctive analysis offers a way to assess the relative individual and combined importance of independent categorical variables (Mieczkowski and Beauregard, 2010). Conjunctive analysis is performed by identifying all possible case configurations, or more specifically, presenting all possible combinations of variables leading to a particular outcome in a table. For example, if there are five dichotomous independent variables, then there are 32 qualitatively distinct case configurations that may lead to the dichotomous outcome of interest ($2^5=32$) (Miethe et al., 2008). Conjunctive analysis calculates the frequency of the outcome of interest (i.e., presence of the dependent variable) for each configuration and includes it in the table.

This presentation differs from other types of contingency tables in that it displays the “relative proportions of cases in only the focal category of the dependent variable” (i.e., dependent variable = present) (Meithe, et al., 2008). This allows the results to be analyzed in two steps.

The case configurations can be ranked according the outcome frequencies associated with each combination of variables (i.e., case configuration most likely to result in the outcome of interest to the case configuration least likely to result in the outcome of interest). Then, by examining the relative prevalence of each independent variable in the various case configurations, particular variables emerge as more or less important to yielding the outcome of interest. Additionally, interrelationships among the independent variables will be revealed (Meithe et al, 2008). Caplan and colleagues (2012) suggest using these interrelationships to identify variables as aggravating and mitigating factors.

Measurement of variables and situational context

In conjunctive analysis, the unit of analysis is always the situational context, or case configuration. I ran three models using offender-level variables in two domains: prominent themes that emerged from input to the parole board and characteristics of offenders found by previous research to impact parole release decisions.

The prominent themes were identified through the content analysis prior to performing this conjunctive analysis. Additionally, the themes varied across the three models. Some of the themes that emerged from input consistently reflected positive or negative characterizations of offenders. For example, a description of physical injury to the victim is a negative characterization of offenders’ behavior; the availability of reentry

support is a positive characterization of offenders' prospects for post-release success. Other themes' positive or negative value was ambiguous and varied based on their operationalization, on the specific words or phrases that input providers shared with the parole board. For example, offenders' overall nature, their character, was often described in input. These descriptions alternately painted the picture of a generally good or generally bad person. For these themes, sub-themes were developed to reflect the nature of input providers' contributions. Then, in estimating the three models for conjunctive analysis, I used the most prominent themes in the first model (regardless of whether they represented positive or negative characterizations of offenders), the most prominent "negative" themes and sub-themes in the second model, and the most prominent "positive" themes and sub-themes in the second model. All three models used the same offender characteristics.

The offender characteristics identified by prior research as affecting parole release decisions were: criminal history, offense severity, and institutional behavior (Caplan, 2008). As described earlier in this chapter, each of the three variables is a variety score produced from data collected from parole board files. For conjunctive analysis, I transformed each one into a dichotomous variable. Using each average score or average variable value as a basis, I coded cases as having above or below average criminal history, offense severity, and institutional behavior. Parole release is used as the dependent variable for all three models but I varied the reference category to reflect the tone of the model. The first model used parole approval, the second used parole denial, and the third model used parole approval.

Then, the results were analyzed “to assess the main- and interaction-effects of particular variables associated with” the likelihood of the outcome of interest occurring. I used both methods (Meithe et al., 2008), first ranking the case configurations according to their relative likelihoods of resulting in parole approval and then examining relationships between the variables in each case configuration. This step served to determine which of the themes that emerged from input and offender characteristics known to affect release decisions most frequently appear in or drive decisions to approve parole release.

One arguable weakness of conjunctive analysis is that it does not allow for control variables. However, that potential criticism is irrelevant to this study. The purpose of this research is to explore the contents of input to identify its unique value to the parole board and not whether or how it impacts release decisions. Additionally, the NJSPB does not make release decisions based on a single factor or single piece of information. Conjunctive analysis offers an opportunity to explore combinations of factors and the relative frequency with which each factor results in decisions to approve or deny parole release.

Summary

I performed content analysis of victim and non-victim input to parole boards in order to identify prominent themes in input and a typology of input providers that parole boards may use to assess and refine the way they review and respond to such input. The sampling strategy is directly informed by Caplan (2008) thereby permitting new data collection to focus on the contents of input. A representative sample of ninety-eight case files (n=98) containing two hundred and seventy unique pieces of input was examined.

Three types of data were recorded and analyzed. First, data from the relevant offender case files was assessed to provide offender-level descriptive statistics about the sample. Second, a Visual Descriptor Worksheet (attached as Appendix A) was used to collect twenty-five variables describing the appearance and clarity of each piece of input to provide input-level descriptive statistics about the sample. Lastly, each piece of input was transcribed and content analyzed using a grounded theory approach. This was the most appropriate method of examining narrative content from diverse individuals and investigating a previously unexplored topic area (Strauss and Corbin, 1998).

CHAPTER VI: RESULTS

Chapter Six presents the study sample descriptive statistics and results of the content and conjunctive analyses in order to identify and explore the prominent themes and utility of victim and non-victim input. Each research question is addressed individually with research question 4 bringing the results of prior questions together to investigate the nature of the interrelationships among prominent themes of input. Results are based on a sample of 75 offenders who received their first parole consideration in 2004, for whom the NJSPB received input, and whose case files were available for analysis, yielding 198 unique pieces of input.

Descriptive Statistics

Offender Characteristics

This offender sample represents offenders who both received their first parole consideration in 2004 and for whom the NJSPB received input. It is, nevertheless, important to note the slight differences between this study sample and the larger samples from which it was drawn. Specifically, the study sample differs from the representative sample of offenders who received their first parole consideration in 2004 (and whose cases may or may not have received input). Furthermore, that sample differed slightly from the New Jersey prison in general. These differences are evident in ethnicity and offense type; and they are depicted in Table 1.

Table 1: Selected Descriptive Statistics for Study Sample Relative to NJ Inmates, Parole Eligible Inmates, and Parole Eligible Inmates who Received Input

Variable	NJ prison population in 2004 (N=26,581)	...Representative sample, first parole consideration (N=805)	...And received Input (N=172)	...And available for analysis (Study sample, N=75)
Median Age (years)	32	31	32	37
Gender (percent)				
Male	94	93	94	93
Female	6	7	6	7
Ethnicity (percent)				
Black	64	53	36	37
White	19	29	49	49
Hispanic	17	17	13	12
Violent Offenders (percent)	40	15	9	8
Drug Offenders (percent)	35	54	54	51
Parole Release Rate	n/a	52	34	35

The sample of inmates who received their first parole consideration in 2004 (n=805) were less likely to self-identify as Black or to be violent offenders than their counterparts in the statewide prison population (Caplan, 2008). The disparity in ethnicity is “likely an artifact of [his] sampling design. That is, inmates with registered victims were significantly less likely to be Black compared to any other race category, and registered victims were overrepresented in” the sample (p.116). The disparity in offense types is likely due to “disparate statutory requirements for parole eligibility for violent and non-violent” offenders (p.117).

The difference in ethnicity remains when moving from the representative sample of offenders who received their first parole consideration in 2004 (n=805) to the subsample of inmates who received input (n=172). Offenders with registered victims are more likely to receive input; and Black offenders are less likely to have registered victims (Caplan, 2008). Therefore, there are fewer Black offenders in the subsample of offenders. This study’s sample reflects the same characteristics and distributions as the subsample of

offenders who received first parole consideration in 2004 and received input. Thus, it is a representative sample of 75 offenders who received their first parole consideration in 2004, received input, and whose cases were available for analysis.

Table 2 depicts more detailed characteristics of the offenders. This study sample (n=75) was comprised of predominantly non-violent (92%) male offenders (93%), with an average age of 38 years (S.D.=11.7). Close to a majority of offenders were White (49%), followed by Black (37%), Hispanic (12%), and other (2%). On average, these offenders were incarcerated for 15 months (S.D.=26.7) prior to their parole release decision dates. Though more than one quarter of this sample had a prior parole or probation violation (28%), overall, offenders' records suggest more positive institutional behavior than negative. Few offenders had any escape history (4%) and slightly less than one in five (17%) had a serious disciplinary infraction. More than 80 percent of offenders (82%) participated in institutional programming while incarcerated.

Table 2: Detailed Offender Characteristics

Characteristics	n of cases	Valid %	Min	Max	Mean	SD
Parole release decision [75]						
Approve	26	35%				
Deny	49	65%				
Inmate age (years)	75	100%	19	69	38.6	11.7
Inmate gender [75]						
Male	70	93%				
Female	5	7%				
Inmate Race [75]						
White	37	49%				
Black	28	37%				
Hispanic	9	12%				
Other	1	1%				
Incarceration length (months)	60	80%	1	123	17.5	23.1
Institutional behavior						
Any escape history [75]	3	4%				
Serious disciplinary infraction [75]	13	17%				
Any prior parole/probation violation [75]	21	28%				
Program participation [75]	62	83%				
Crime severity						
Presently incarcerated for violent offense [75]	6	8%				
Juvenile victim [75]	35	47%				
Negative letter from Prosecutor's Office [75]	11	15%				
3 or more present offenses [75]	3	4%				
Degree of most serious present offense [71]						
1st (most serious)	2	3%				
2nd	8	11%				
3rd	57	80%				
4th	1	1%				
5th (i.e., DP Offense, least serious)	3	4%				
Number of known victims	75	100%	0	9	1.6	1.5
Criminal history						
3 or more prior adult convictions [75]	33	44%				
Any prior juvenile convictions [75]	18	24%				
Classified as sex offender [75]	3	4%				
Inmate was juvenile at offense [75]	2	3%				

Indicators of crime severity and criminal history are also presented in Table 2.

Less than ten percent of offenders were incarcerated for a violent instant offense (8%) or

for three or more instant offenses (4%). The most serious offense for which the majority of offenders were incarcerated was a third degree offense (80%). All of the offenders had known their victims (100%) and nearly half of them had a juvenile victim (46%). Local Prosecutor's Offices submitted letters arguing against the release of fifteen percent of the offenders (15%). Nearly one quarter of the sample had a prior conviction as a juvenile (24%); and almost half had three or more prior convictions as an adult (44%).

Input Characteristics

One hundred and ninety-eight pieces of input representing the 75 offenders in this sample were analyzed, Table 3 presents the distribution of the three types of input authors (i.e., victim, victim-interested non-victim, and offender-interested non-victim) across selected descriptive characteristics of the offender sample. Only one piece of input was submitted by a non-victim member of the public who did not self-identify as being affiliated with the victim or the offender. Given that small number, it was excluded from this table. The offender for whom it was submitted also received input from victim- and offender-interested non-victims; so the offender and those pieces of input were retained.

Types of input authors are relatively evenly distributed across some characteristics, based on the characteristics' proportion of the overall sample. For example, males comprise 93 percent of the 75 person sample population; similarly, they comprise 98 percent of the 42 person group that received victim input. However, the distribution of author type across other characteristics varies. In essence, the percent of offenders with a given characteristic who received input from a given author type is more than 10 percent greater or less than the total percent of offenders in the sample who have that characteristic.

Table 3: Distribution of Input Type by Selected Descriptive Characteristics of Offenders

Characteristics	Study Sample (N=75)	Type of Input Analyzed*		
		Victim Input (n=42)	Victim-Interested Non-Victim Input (n=16)	Offender-Interested Non-Victim Input (n=34)
All offenders		56%	21%	45%
Gender				
Male	93%	98%	75%	85%
Female	7%	2%	25%	15%
Ethnicity				
White	49%	36%	75%	68%
Black	37%	48%	25%	24%
Hispanic	12%	14%	0%	9%
Violent Offenders	8%	10%	6%	3%
Drug Offenders	51%	57%	25%	47%
<p>*Cases may receive multiple types of input. Only one piece of input was submitted by a non-victim member of the public who did not self-identify as being affiliated with the victim or the offender. Given that small number, it was excluded from this analysis. The offender for whom it was submitted also received input from victim- and offender-interested non-victims; so the offender and those pieces of input are retained in the sample.</p>				

The most apparent variation in input author distribution across offender characteristics concerns victim-interested non-victim input. Males account for 93 percent of the study sample but only 75 percent of the group that received input from victim-interested non-victims. Females make up of seven percent of the sample population and yet comprise 25 percent of the group that received this type of input. Similarly, 51 percent of offenders in the sample are drug offenders; yet, only 25 percent receive victim-interested non-victim input.

The same type of difference extends to the distribution of victim-interested non-victim input by ethnicity and to type of author and ethnicity in general. This suggests that ethnicity may be responsible for the difference in proportions rather than something

related to the input authors. White offenders comprise 49 percent of the study sample. However, they comprise 36 percent of the group that received victim input, 75 percent of the group that received victim-interested non-victim input, and 68 percent of the group that received offender-interested non-victim input. Relatedly, Black offenders account for 37 percent of the sample population. Yet they account for 48 percent of the group that received victim input, 25 percent of the group that received victim-interested non-victim input, and 24 percent of the group that received offender-interested non-victim input. Lastly, none of the Hispanic offenders who make up 12 percent of the sample study received victim-interested non-victim input.

Before delving into research questions concerning the contents of input it is informative to make broad observations concerning the source, orientation, and presentation of input. Source of input refers to the type of input provider discussed in the previous section as victim, victim-interested non-victim, offender-interested non-victim, and public non-victim as well as the relationship that links the author to the victim or offender. Meaning, victims who provide input may identify the offender as a friend, spouse, sibling, or some other relation. Non-victims may describe the nature of the relationship that motivated them to provide input. That is, victim-interested non-victims may describe their relationship to the victim; and offender-interested non-victims may describe their relationship to the offender. There are seven relationship categories: friend or acquaintance; parent; spouse; child; sibling; other or unspecified relative (e.g., “aunt” or “family member”; herein referred to as “relative”); and unknown. Table 4 summarizes these data.

Table 4: Author and Orientation Characteristics of Input

Characteristic	All input (N=198*)		Victim Input (N=52)		Victim- interested Non-victim Input (N=22)		Offender- interested Non-victim Input (N=123)	
	N of cases	Valid %	n of Cases	Valid %	n of Cases	Valid %	n of Cases	Valid %
Author								
Victim	52	26%	52	100%				
Victim-interested NV	22	11%			22	100%		
Offender-interested NV	123	62%					123	100%
Public NV	1	< 1%						
Relationship, Offender/Victim to Author								
Friend/Acquaintance	35	18%	0	0%	2	9%	33	27%
Parent	10	5%	1	2%	2	9%	7	6%
Spouse	18	9%	1	2%	0	0%	17	14%
Child	15	8%	0	0%	3	14%	12	10%
Other relative	32	16%	6	12%	5	23%	21	17%
Sibling	9	5%	1	2%	1	5%	7	6%
Unknown	79	40%	43	83%	9	41%	26	21%
Orientation								
Positive	128	65%	8	15%	0	0%	120	98%
Negative	70	35%	44	85%	22	100%	3	2%

*One piece of public non-victim input is excluded from the breakdown by input type.

Of the 198 pieces of input received on behalf of the 75 offenders in the study sample, the majority were submitted by offender-interested non-victims (62%), followed by victims (26%), victim-interested non-victims (11%), and finally, members of the public who did not state any affiliation with either the victim or the offender (< 1%). A substantial number of the authors did not divulge their relationship to the offender or victim (40%). The relationship that authors most commonly described was that of a friend or acquaintance (18%). And the prevalence of relationships varied by author type.

The majority of victims who provided input did not identify their relationship to the offender (83%). Of the approximately 18 percent who did, most described the offender as a relative (12%), followed in equal proportions by parent (2%), spouse (2%),

and sibling (2%). Unlike victims, the majority of victim-interested non-victims who submitted input identified the nature of the relationship that motivated them to provide input, specifically, their relationship to the victim (59%). The most common relationship identified was that where the victim is the author's relative (23%). Other relationships included the victim as the author's child (14%), parent (9%), and friend or acquaintance (9%). As a group, offender interested non-victims most frequently reported the nature of the relationship that motivated them to provide input, that of their relationship with the offender (89%). Friend or acquaintance was the most commonly reported relationship (27%), followed by the offender being the author's relative (17%), spouse (14%), child (10%), and in equal proportions, parent (6%) or sibling (6%).

Most of the input was positive in orientation (65%). That is, it argued for offenders to be granted early release to parole supervision. The remaining pieces of input were negative (35%); arguing against offenders release and for parole denial. These proportions vary across types of input providers. The vast majority of victim input is negative (85%) and less than one fifth is positive (15%). All input provided by victim-interested victims is negative (100%). Conversely, nearly all offender-interested non-victim input is positive (98%); only three authors in that group provided negative input, arguing against release.

Input to the parole board comes in many shapes and sizes. The average piece of input is submitted in writing (88%), as opposed to verbally. It is typically typed (69%) on copy paper (89%) and more often than not, portions of the text are emphasized (68%). On average, input is readable, or does not contain apparent spelling and grammar errors (63%), and clearly and quickly articulates a position for or against release (87%). These

visual qualities of input are presented in Table 5 and broken down by author type. Most of the “average” qualities remain the same across victims, victim-interested non-victims, and offender-interested non-victims. For example, many of the authors in all three groups submitted written, typed input on copy paper. Still, a few characteristics stand out.

Table 5: Visual Characteristics of Input

Characteristic	All input (N=198*)		Victim Input (N=52)		Victim- interested Non-victim Input (N=22)		Offender- interested Non-victim Input (N=123)	
	N of cases	Valid %	n of Cases	Valid %	n of Cases	Valid %	n of Cases	Valid %
Mode (198)								
Written	175	88%	37	71%	17	77%	120	98%
Verbal	23	12%	15	28%	5	23%	3	2%
Paper (175)								
Professional letterhead	8	5%	1	3%	1	6%	6	5%
Personal stationary	8	5%	1	3%	0	0%	6	5%
Copy or lined paper	156	89%	35	95%	16	94%	105	88%
Paper with torn edges	3	2%	0	0%	0	0%	3	3%
Typed (175)	121	69%	23	62%	12	71%	86	72%
Emphasis(198)	135	68%	19	37%	8	36%	8	7%
Readability issue (175)	64	37%	17	46%	6	35%	41	34%
Articulation issue (175)	23	13%	1	3%	2	12%	14	12%
Inclusion (198)	12	6%	4	8%	2	9%	6	5%
*One piece of public non-victim input is excluded from the breakdown by input type.								

Fewer victims had articulation issues in their input (3%) than any other group.

Offender-interested non-victims were the only group to submit any input on paper with torn edges (3%), such as from a notepad or notebook. Also, a much smaller proportion of offender-interested non-victims used emphasis in their text (7%) than authors in other groups (37%, 36%).

Research Question 1 – Identifying Prominent Themes in Input

Research question 1 explores the information that people share with parole boards through the submission of victim and non-victim input. It also considers whether and how that information differs across categories of input providers. Twelve themes emerged from a content analysis of victim and non-victim input. Results are presented at the input-level and then at the offender-level.

Input-level Themes

Each theme is presented below in two stages. First, each theme is described in order to reveal the common and nuanced ways in which input providers address them. Sometimes different types of authors discuss or operationalize the same theme in different ways. For example, rehabilitation is a common theme in input and authors reference it in either a positive manner (e.g., the offender has been or is nearly successfully rehabilitated) or a negative manner (e.g., the offender has not and cannot be rehabilitated). Detailed tables B1-B4 in Appendix B display this information.

Then, the prominence of each theme is reported. Prominence considers the frequency with which a prominent theme appears as well as the amount of text devoted to it in each input where it appears (i.e., the percent of words that can be attributed to a prominent theme in inputs that contain the given prominent theme). Tables 6 and 7 display this information by ranking prominent themes according to the percentage of inputs in which they appear and the amount of text devoted to each, respectively. Thirdly, each prominent theme is examined in greater detail. Specifically, they are examined by type of author and the nature of the reference to each prominent theme including examples from input.

Table 6: Frequency of Prominent Themes in Input by Author Type

Themes	All Input (N=198)*		Victim Input (N=52)		Victim-Interested Non-Victim Input (N=22)		Offender Interested Non-Victim Input (N=123)	
	Valid %	Freq. Rank	Valid %	Freq. Rank	Valid %	Freq. Rank	Valid %	Freq. Rank
Rehabilitation	54%	1	50%	5	64%	3	53%	2
Offender's character	54%	1	73%	2	36%	6	71%	1
Psychological costs	51%	3	65%	4	91%	1	38%	4
Deviant behavior	48%	4	81%	1	68%	2	32%	6
Parole conditions	41%	5	73%	2	64%	3	24%	7
Remorse	28%	6	12%	10	18%	8	37%	4
Support upon release	26%	7	2%	12	0%	n/a	42%	3
Relationship costs	20%	8	19%	7	46%	5	16%	8
Financial cost	18%	9	33%	6	14%	10	12%	9
Sentence	9%	10	14%	9	27%	7	2%	11
CJ system	9%	10	10%	11	18%	8	7%	10
Physical cost to victim	6%	12	17%	8	9%	11	0%	n/a

*One piece of public non-victim input is excluded from the breakdown by input type.

Table 7: Percent of Text Devoted to Prominent Themes in Input by Author Type

Themes	All Input (N=198)*		Victim Input (N=52)		Victim-Interested Non-Victim Input (N=22)		Offender Interested Non-Victim Input (N=123)	
	Mean % text†	% Text rank	Mean % text†	% Text rank	Mean % text†	% Text rank	Mean % text†	% Text rank
Offender's character	26%	1	15%	5	11%	7	29%	1
Deviant behavior	22%	2	24%	2	17%	4	20%	2
Psychological costs	19%	3	22%	3	30%	1	11%	7
Sentence	17%	4	28%	1	9%	8	8%	9
Relationship costs	17%	4	12%	7	20%	2	19%	3
Support upon release	15%	6	7%	12	0%	n/a	15%	4
Financial cost	14%	7	20%	4	7%	9	<1%	11
Rehabilitation	13%	8	13%	6	12%	6	13%	6
Parole conditions	11%	9	11%	8	13%	5	10%	8
CJ system	11%	9	10%	9	5%	11	14%	5
Physical cost to victim	11%	9	9%	10	20%	2	0%	n/a
Remorse	7%	12	8%	11	7%	9	7%	10

*One piece of public non-victim input is excluded from the breakdown by input type.
†Average percent of words devoted to a given prominent theme in all input where that prominent theme is referenced.

Rehabilitation

Rehabilitation referred to the offenders' efforts towards, potential for, or perceived transformation from deviant to reformed citizen. Some input providers justified their requests for parole release by describing how offenders made positive use of their time in prison to change for the better or as a result of their time in prison, have learned their lesson and will not repeat the offending behavior.

Conversely, other input providers justify requests for parole denial by suggesting that offenders have not been in prison long enough to achieve such change or that regardless of how much time passes, they will not change. Some input authors explicitly use the word "rehabilitation" whereas others describe it frequently using words and phrases like "change" and "learned his lesson."

Victims and victim-interested offenders generally described rehabilitation in a negative manner, suggesting that the offenders either had not been or could not be rehabilitated and therefore should not be released to parole supervision. For example, one author wrote, "Let not another life be shed or blood shed because of us wanting to believe someone has been reformed, that as one time had life + death in his hands. And he chose to kill. It the thought and action come once it can and will come again. Next time it will just be a different family with different players." Another suggested that the offender may have changed in prison but would return to his old ways upon release, especially if he is released early. "He was a well known neighborhood thug before he murdered my brother...if released this soon he would revert to his old ways and if he only serves the 8 years for murder he would probably do it again." Though the crimes of murder described in both of those inputs is arguably different from non-violent nature of financial crimes, a

victim of the latter expressed similar sentiment writing that they “will not believe he has changed. Again, without demonstrable change I am confident he will defraud others.”

Oppositely, offender-interested non-victims typically referenced rehabilitation in a positive manner and cite steps offenders have taken towards reform, such as “he has learned new skills, taken classes...I am proud of how far he has come in his rehabilitation.” Some authors are more specific, “[Offender] has spent 2 ½ years in Jail he has been on good behavior he works and he has two certificates from life skills and anger management.” Additionally, some authors describe what motivates offenders to be successful in their efforts towards rehabilitation. “He is making realistic plans for the future and hopes to make up much of the time he has lost with his family.”

Rehabilitation was one of two most frequently referenced prominent themes, appearing in 54 percent of all input. It ranked eighth in terms of text devotion, or the average amount of text devoted to it in each piece of input where it appears, comprising, on average, 13 percent of text. Of the three types of input authors, victims-interested non-victims cited offender rehabilitation in their input most frequently (64%), followed by offender-interested non-victims (53%) and victims (50%). All three types of input authors devoted similar amounts of text to discussing rehabilitation (12-13%).

Offender's Character

Another theme that emerged from input was the offender's character, or references to their personality and habits. Similar to the theme of offender rehabilitation, input providers made both positive and negative references to this theme. Offender-interested non-victims generally cast offenders in a positive light; victims and victim-interested non-victims typically cast them in a negative one. Additionally, some input

providers discussed specific traits and tendencies that Board members should be aware of as they make release decisions. For example, an offender-interested non-victim shared that one offender “has always been very kind and has never had a bad word or action for anyone.” Another wrote of an offender that “he has been a loving husband and father to his wife and three daughters. He has always been a hard worker and a good provider, always with his family in mind. He worked several jobs in order to pay for his college education and graduated with a degree in accounting. During his early life he was the one whom his parents leaned on for guidance and he was always there for them. When I had to move from Virginia to New York after my first husband died, Car, being the handy man in the family was there for me on several week ends until I was settled. I couldn't ask for a better son-in-law.”

At the other end of the spectrum, victims and victim-interested non-victims spoke negatively of offenders' character. For example, one such input provider stated that an offender “was very physically, emotionally and sexually abusive.” Another went into greater detail explaining that the offender “is a very shrewd, heartless and ruthless person and she is a danger not just to boys but to girls as well. She has tried to interfere with her prosecution by lying and trying to manipulate both myself and my son. She was a trusted individual in my community of which she knew my hours and my situation and took advantage of my son which has basically destroyed him and me.” Some victims specifically describe offenders as being manipulative and caution the Board members against enabling that behavior. “Allowing her out before that time is up, would once again add to her ego. She would continue to think she can work the system, as she has for so many years. From the time she manipulated DYFS into believing I was not

suffering from malnutrition but was dwarf, to the years where they believed I was being a bad child and needed an alarm on my door, my mother thinks she is better than the system.”

Similar to offender rehabilitation, offender’s character was mentioned in 54 percent of all input. Different from rehabilitation though, offender’s character also had the highest average text devotion ranking across all types of input (26%). Victims and offender-interested non-victims referenced offender’s character with similar frequency (73 and 71%, respectively) whereas victim-interested non-victims mentioned it far less frequently in their input (36%). The text devotion rankings suggest a slightly different picture. Results indicate that of the three author types, offender-interested non-victims who reference offender’s character devote the greatest amount of text to it (29%), followed by victims (15%), and lastly, victim-interested non-victims (11%).

Psychological Costs

The theme of psychological costs emerged from authors’ descriptions of ways in which the offenders’ actions impacted their own and others’ emotional and mental well-being. Authors described anger, depression, fear, self-blame, recurring memories or nightmares, missing a loved one (due to death, incarceration, or a significant post-crime change in personality), and a resulting need to participate in therapy.

While descriptions of psychological costs were common across all types of input providers, the nature of the references differed in two ways: the individual(s) affected and the exact cause. Specifically, victims and victim-interested non-victims tended to discuss the psychological harm experienced by victims and those associated with victims as a result of victimization. For example, one victim shared that “Even though [offender] is

incarcerated, because of his continual threats and harassment, I am still constantly looking over my shoulder in fear that I am being watched.” Another described the negative impact of victimization on her self-image, writing that it “felt as if my world was over, I mean every bit of dignity I had for myself as a young woman was gone.” A victim-interested non-victim described the psychological implications of an offense against a loved one who “began regular sessions with child psychologists. Clinically, posttraumatic stress disorder was identified in [victim]. The aforementioned maladies were a direct result of the incident.”

Conversely, offender-interested non-victims describe the psychological harm experienced by offenders and their loved ones as a result of incarceration. One such author described how an offender’s incarceration has led him to miss important events, stating that the offender’s father, “while hoping for his son’s release these long years, died three years ago.” The daughter of an offender wrote “When I fall asleep, I often have nightmares about my father’s physical and mental condition in prison.”

Psychological costs of the offenders’ crimes were the third most frequently mentioned prominent theme in all input (51%) and also had the third highest text devotion ranking (19%). The frequency was driven by a dominating presence in victim-interested non-victim input (91%), followed by victim input (65%) and then offender-interested non-victim input (38%). Similarly, victim-interested non-victims who referenced it, devoted the greatest amount of text to psychological costs (30%), followed by victims (22%) and offender-interested non-victims (11%).

Deviant Behavior

Input authors frequently describe the instant offense, other offenses by the same offender, and aggravating or mitigating factors to the offenses; all are variations on the theme of deviant behavior. All three types of input authors reference instant offenses and other offenses. For example, a victim shared that “The Judge found [offender] guilty of putting a loaded gun with his finger on the trigger to my head, in front of my daughter.” An offender-interested non-victim wrote that the offender “has never denied or made excuses for his possession of the drug.” However, references to mitigating factors tend to come from offender-interested non-victims and aggravating factors come from victims and victim-interested non-victims. An offender-interested non-victim described that an offender’s “psyche had to have been damaged by the abuse he suffered” whereas a victim recalled that the offender “was able to hold me up with a razor-sharp knife in hand.”

As the fourth most frequently mentioned prominent theme in input (48%), deviant behavior had the second greatest text devotion ranking (22%). Deviant behavior was most frequently mentioned by victims in more than three quarters of their input (81%), followed by two thirds of victim-interested non-victims (68%), and nearly one-third of offender-interested non-victims (32%). Input authors who discussed deviant behavior devoted an average of 17-24 percent of text to this theme. Victims devoted the most (24%), followed by offender-interested non-victims (20%), and victim-interested non-victims (17%).

Parole conditions

As part of the victim input scheme, the NJSPB asks victims to share concerns about their offender’s potential release. The Board may use these concerns to inform appropriate parole conditions. Though non-victims do not receive the same instruction,

the theme of parole conditions emerged from implicit and explicit references by all types of input authors. Authors described theirs and offenders' needs which may be addressed by common conditions of supervision as well as explicitly referenced ways in which offenders should be supervised if paroled. These conditions of supervision include drug testing, contact restrictions, restitution, participation in programs and services, and obtaining and maintaining employment. For example, when submitting verbal input to a hearing officer, one victim requested that if the offender is released, there should be a "No contact order preventing [offender] from coming within 500 feet of the [victim's business]." An offender-interested non-victim shared that an offender "feels that even though he no longer desires to use drugs...he still needs to receive counseling to work on issues that caused him to use drugs to begin with."

The theme of parole conditions was the fifth most frequently referenced theme, mentioned in more than one-third of all input (41%) and tied with two other themes to rank ninth in text devotion (11%). Nearly three quarters of victims addressed parole conditions in their input (73%) compared to about two thirds of victim-interested non-victims (63%) and almost one quarter of offender-interested non-victims (24%). When they referenced parole conditions, victim-interested non-victims devoted the greatest average amount of text to the theme (13%), followed closely by victims (11%) and offender-interested non-victims (10%).

Remorse

The theme of remorse emerged from input authors' descriptions of offenders as generally apologetic or regretful for their behavior, apologetic for the affect that their behavior (and/or subsequent incarceration) has had on their loved ones or on victims, and

oppositely, that offenders are not apologetic or remorseful about their behavior. The first three types of references were more evident in input from offender-interested non-victims. These inputs include statements that the offender, “deeply regrets his actions and will continue to carry this embarrassment in his heart and soul,” “is sorry for the suffering that he is putting his family and friends through,” and “know[s] that what he has done was definitely wrong and is sorry for his crimes.” At the other end of the spectrum, victims and victim-interested non-victims typically describe offenders as lacking remorse and cite that as a justification for parole denial. For example, victims shared that “at no point has [offender] acknowledged the wrongdoing of her actions” and explicitly used the word remorse, such as when sharing that the offender “has not ever conveyed any type of remorse for any of his actions and this point makes me believe that he should not be allowed back into society.”

Remorse is the sixth most frequently addressed theme in all input (28%). Simultaneously, it is the twelfth and lowest ranked theme in terms of text devotion; on average, less than ten percent of input is devoted to this theme in the inputs where it is mentioned (7%). Of all input author types, remorse was most frequently discussed by offender-interested non-victims (28%), followed by victim-interested non-victims (18%), and victims (12%). There was not much variation in the average amount of text that authors devote to this theme in their inputs. Victims devote slightly more attention (8%) than offender- and victim-interested non-victims (both 7%).

Support Upon Release

Input providers, primarily offender-interested non-victims, described the resources and support that will be available to offenders if the parole board grants them

release to parole supervision. These descriptions address employment, housing, emotional support, financial support, and other assorted ways in which offenders' loved ones and community hold resources that will aid in their reentry. For example, offender-interested non-victims offered that "he has a home with me" if their loved one were released and that "I will help him, if need and make good and pay his debts." Others describe employment opportunities that they can offer or that they are aware of: "When he is released [offender] has a job waiting for him with me" and "He has potential offers of employment when he comes home...One of those offers is to work as a laborer with a local contractor."

The theme of support upon release is the seventh most frequently referenced theme in all input (25%) and achieved prominence through its mention by offender-interested non-victims who described it in nearly half of their input (47%). Victims referenced support for offenders upon release in less than five percent of inputs (2%) and victim-interested non-victims did not reference it at all. Those descriptions from offender-interested non-victims and a small number of victims comprised enough of the text in the inputs where they appeared for this theme to be ranked sixth in text devotion (15%). On average, the offender-interested non-victims who describe support for offenders upon release devote a bit less than one fifth of their input to the theme (15%) and the victims who include it do with about half of that attention (7%).

Relationship Costs

The strain that crime and subsequent incarceration places on relationships emerged as a theme in input. Input providers described relationship troubles with family members in general, with children in particular, and in peer and romantic relationships.

Victims and victim-interested non-victims tended to discuss these as relationship troubles between victims and others whereas offender-interested non-victims discussed them as relationship troubles between the offender and others as well as among offenders' loved ones as a result of offenders' absence. Victim-interested non-victims described the toll that victimization took on a victim's romantic relationship indicating that "it has put on unbearable strain on my daughter's marriage at which she and her husband are now separated because of this" as well as on peer relationships, "To this day, [victim] has a difficult time making and keeping friends. She's always on the defensive and always has to be in control." Describing the effects of incarceration, an offender-interested non-victim shared that they "grew up never being able to spend time with my mother, ever. My biggest wish is for her to be free, and being able to spend time with her."

Relationship costs are referenced in one fifth of input (20%) and when mentioned, comprised nearly one fifth of each input (17%), ranking it eight in frequency and fourth in text devotion (alongside the theme of sentence length). This theme is mentioned in nearly half of victim-interested non-victim input (46%), followed by almost 20 percent of victim (19%) and offender-interested non-victim input (16%). On average, offender- and victim-interested non-victims devote similar attention to this theme in their input (19 and 20%, respectively) while victims devote less text to it (12%).

Financial Costs

The theme of financial costs of crime emerged from all three types of input providers' submissions to the parole board. However, as with other themes, it emerged in

different ways. Victims and victim-interested non-victims described costs associated with victimization such as money spent to recover from victimization (e.g., replace and repair property, pay medical bills, cost associated with identify theft) and loss of income due to interrupted or lost employment. For example, a victim shared that as a result of victimization, they were “\$250,000.00 in debt. [Offender] went out and leased numerous vehicles in my name that I was not aware of, and use my credit cards... He also used credits cards in my mother’s name putting her in \$50,000 debt.” A victim-interested non-victim described “restricted employment opportunities due to requirement that one parent will be with victims at all times.”

At the other end of the spectrum, offender-interested non-victims described costs associated with offenders’ incarceration the loss of income that resulted from offenders’ incarceration and to a lesser extent, the cost of maintaining contact with and financial support for incarcerated offenders. One such input provider recalled “sending what little money that I have to” her loved one in prison. All input providers discussed needing money to pay for tangible goods or services (e.g., child care, transportation to medical appointments). An offender-interested non-victim shared that she needs the offender “home to help me support our son who is due to be born;” and multiple input providers of different types referenced a need for child support from the incarcerated offender.

This theme, financial costs of crime ranks ninth in terms of frequency (18%) and seventh in text devotion (14%). One third of victims discussed this theme (33%), compared to less than one fifth of victim- and offender-interested non-victims (14% and 12%, respectively). Victims also devote the most text to financial costs (20%), followed by victim-interested non-victims (7%) and victims (4%).

Sentence

The theme of sentences emerged from input providers' explicit references to offenders' sentence lengths or time served. Victims and victim-interested non-victims typically referred to one or both of these as being insufficient given the instant offense and its implications for the victim. For example, a victim requested that parole be denied, arguing that "A year in jail cannot compare to what he has put everyone through. Oppositely, offender-interested non-victims described sentences and time served as being excessive. For example, one such input provider argued that their loved one should be released because "People who commit murder have more rights and less time in prison than [offender]."

Sentence is ranked as the tenth most frequently cited theme in all input (9%, alongside the theme pertaining to the criminal justice system) and fourth in text devotion (17%, alongside relationship costs). This theme appears in more than one quarter of victim-interested non-victim input (27%), followed by victim input (14%) and offender-interested non-victim input (2%). The text devotion rankings present a slightly different picture. On average, victims who talk about sentence in their input devoted more than 25 percent of their input to the theme (28%) and victim- and offender-interested non-victims devoted smaller amounts (9% and 8%, respectively).

Criminal Justice System

Input providers made a general reference to the criminal justice system in their input. Some victims and offender-interested non-victims described a positive impression of the system, such as "We do not take for granted the thought, the hearing, the patience nor compassion that you again have granted my family." All three types of input

providers described a negative impression of the system. For example, an offender-interested non-victim wrote that the case “has continued to drag on through an interminably long appeals process. This whole process has had a devastating effect on my entire family...this year will mark 3 years since my father passed away and he went to his grave not having to have been able to correct this huge injustice.” Lastly, some offender-interested non-victims shared information which represents a misstatement of how the criminal justice system works. Describing a parole decision for a prior offense and prison term, one such author shared that they were “very disappointed when [offender] received extra time from the Parole Board.”

This theme, the criminal justice system, is ranked tenth in frequency (9%, alongside sentence) and ninth in text devotion (11%, alongside parole conditions and physical cost to victim). Victim-interested non-victims mention this theme most frequently (18%), followed by victims (10%) and offender-interested non-victims (7%). However, offender-interested non-victims who cite the criminal justice system in their input devote the greatest average amount of text to the theme (14%), followed by victims (10%) and victim-interested non-victims (5%).

Physical Costs to Victims

The theme of physical cost to victims emerged from victim and victim-interested non-victim input describing both acute and chronic injuries sustained by victims as a result of the offenders’ crimes. One victim’s input submitted verbally to a hearing officer is recounted by that officer as an example of acute injury. The offender “threw a projectile striking his girlfriend. She was injured on the left calf.” Another victim shared

that they are “left with loss of hearing,...migraine headaches, deterioration of vertebra in my neck.”

Physical cost to the victim is the twelfth or least frequently referenced theme in input (6%) and is ranked ninth (11%, alongside parole conditions and the criminal justice system) in text devotion. Nearly one fifth of victims cite experiences of physical harm in their input (18%) followed by victim-interested non-victims (9%). Oppositely, victim-interested non-victims who cite this theme devote about double the amount of text that victims devote to it (20% and 9%).

Offender-level Themes

As previously described, some offenders’ cases received more input than others and from different types of input providers. All input received by the Parole Board on behalf of a given offender becomes part of that offender’s file. Parole Board members review the input as they review offenders’ files. Therefore, it is useful to examine input as it appears to the Parole Board – aggregated to the offender-level. Table 8 presents the prevalence of themes that emerged from input with offender-level statistics similar to those presented at the input-level above.

Table 8: Prominent Themes in Input Aggregated to Offenders

Prominent theme	Frequency		Text Devotion	
	Valid %	Freq. Rank	Mean % Text†	% Text Rank
Deviant behavior	76%	1	16%	1
Psychological costs	76%	1	16%	1
Parole conditions	73%	3	8%	8
Rehabilitation	63%	4	11%	5
Offender's character	45%	5	16%	1
Financial cost	43%	6	10%	7
Relationship costs	33%	7	12%	4
Remorse	32%	8	4%	12
Support upon release	28%	9	8%	8
Sentence	19%	10	11%	5
CJ system	16%	11	6%	11
Physical cost to victim	15%	12	7%	10
†Average percent of words reflects the average amount of text devoted to each theme in all offender cases where that theme appeared.				

Overall, the picture of themes at the offender-level is similar to the input-level results. Deviant behavior, psychological costs, rehabilitation, parole conditions, and offenders' character emerged as the most prominent themes. However, slightly different from the picture at the input-level, individual themes generally comprised less of the text associated with each offender than with each input. On average, the themes comprised 15 percent of text at the input level compared to ten percent of text at the offender level.

At the offender level, deviant behavior and psychological costs of crime are the most prominent themes, both in frequency and text devotion. Input about offenders' deviant behavior and the psychological costs of victimization or offenders' subsequent incarceration was submitted on behalf of just over three-quarters of offenders (76%) and each theme encompassed, on average, 16 percent of text submitted on behalf of those offenders. Though ranked fifth in frequency, references to offenders' character also comprised 16 percent input text for offenders when it appeared.

Also noteworthy, the themes of parole conditions and rehabilitation appeared in input submitted on behalf of more than half of the offenders in this sample ranking them third and fourth in terms of frequency (73% and 63%, respectively). They are less prominent in the text devotion rankings, with eight percent of text devoted to parole conditions when it appeared resulting in it being ranked eighth; and with 11 percent of text devoted to it when it appears, rehabilitation is ranked fifth.

Research Question 2 – Patterns in Input

The purpose of research question 2 is to identify patterns in input including commonalities and differences between the contents of victim and non-victim input as well as to develop a typology of input providers.

Patterns and Differences

Associations between type of input provider – victim, victim-interested non-victim, or offender-interested non-victim – and the most common themes in input were studied. The common themes used were those that were cited in 25 percent or more pieces of input. These variables are references to rehabilitation, offender's character, psychological costs associated with the instant offense or subsequent incarceration, deviant behavior, parole conditions, remorse, and support available for the offender upon release. The variables are categorical; therefore, a Chi Square test was performed.

As described in the previous section, some inputs discuss themes in multiple manners which stand in stark contrast to one another. The theme of rehabilitation is one such example. Some input providers make a positive reference to rehabilitation, stating that it is possible or has been achieved by a given offender. Other input providers make a negative reference to rehabilitation, stating that it is not possible for a given offender or

that it has not been achieved to date. These positive and negative references were treated as sub-themes of rehabilitation; and this approach was applied to other relevant themes. For those themes, I performed additional Chi Square tests to determine whether the nature of each reference is associated with the type of input provider. In these tests, the sample is limited to pieces of input with some reference to the theme, the type of input provider remains the independent variable, and the dependent variable is the nature of the reference to the theme. To continue the Rehabilitation example, an additional Chi Square test is performed using all pieces of input containing any reference to rehabilitation, with positive reference to rehabilitation the dependent variable. The additional variables tested in this manner and the themes they are associated with are offense details and mitigating factors related to deviant behavior, positive reference to rehabilitation, positive reference to remorse, and psychological costs to the victim and people associated with the victim.

For some tests, a dichotomous independent variable, rather than the three categories described above, is used in order to meet Chi Square requirements.³ Victim and victim-interested input providers are combined given that their purview and purpose are closely aligned. Victim-interested non-victims provide input based on their relationship with, concern for, or knowledge of victims. This yields a dichotomous independent variable with offender-interested non-victim input provider as the reference category. When combining meaningful categories is not sufficient to meet Chi Square requirements, I used the Fisher's Exact Test as it allows for tests of independence with smaller samples. Fisher's Exact Test requires a 2x2 table and so the dichotomous

³ Chi Square test for independence requires that no cell have an expected value of less than five. By combining two input provider types to make two categories of input providers rather than three, this requirement is satisfied.

independent variable of offender-interested input provider is employed. Table 9 presents a summary of these analyses.

Table 9. Chi Square Results of Associations between Input Providers and Prominent Input Themes

Variable	n	df	Pearson Chi Square value
Parole conditions*	198	2	40.353
Deviant behavior*	198	2	35.357
Offense details ††**	96		
Mitigating factors†*	96	1	27.504
Rehabilitation	198	2	1.0369
Positive reference*	106	2	86.4
Remorse†**	198	2	12.921
Yes††*	55		
Support upon release*	198	2	38.774
Psychological costs*	198	2	25.74
To victim and associated*	101	2	97.108
Offender's character*	198	2	37.603
Positive††*	107		
* significant at p <.001			
** significant at p <.01			
†Fisher's exact test because one or more cells has an expected frequency of five or less.			
†Type of input provider (offender-interested non-victim) was a reference category			

Type of input provider – victim, victim-interested non-victim, or offender-interested non-victim – is significantly associated with all themes referenced in more than one quarter of input except for rehabilitation which is not significantly associated with any particular type of input provider.

Parole Conditions

References to parole conditions were associated with victim input ($\chi^2 = 40.353$, $df=2$, $p = <.001$). Victims are significantly more likely (46.9%) than offender-interested non-victims (35.8%) to suggest conditions of supervision in their input and are nearly

three times as likely to suggest conditions of supervision as victim-interested non-victims (17.3%).

Deviant Behavior

Similarly, references to deviant behavior were not evenly distributed across all input about are instead, significantly associated with victim input ($\chi^2= 37.357$, $df=2$, $p = <.001$). Victim input is slightly more likely (43.8%) than offender-interested non-victim input (40.6%) to reference deviant behavior by the offender; and both are more than twice as likely as victim-interested non-victim input (15.6%) to reference deviant behavior. More specifically, references to deviant behavior take two distinct forms: they either describe the nature of an offender's deviant behavior (i.e., instant offense, in another offense, or possession or use of a weapon) or describe mitigating circumstance to such behavior. Of those input providers who reference deviant behavior, victims and victim-interested non-victims are more likely than offender-interested non-victims to describe the nature of an offender's deviant behavior ($p = <.01$). Likewise, offender-interested non-victims are more likely than victims and victim-interested non-victims to describe mitigating factors that should lessen the offender's culpability for their deviant behavior ($p = <.001$).

Rehabilitation

Discussion of offender's rehabilitation is not significantly associated with input from particular types of input providers. That is, no group is more likely to reference rehabilitation in their input than the others. However, there is a significant difference in the way that two types of input providers – victims and offender-interested non-victims – reference rehabilitation. Of those input providers who reference rehabilitation, offender-

interested non-victims are significantly more likely (95.5%) than victims (4.5%) to make a positive reference, to describe whether or how a given offender has been rehabilitated or has potential to be rehabilitated ($\chi^2 = 86.4$, $df = 2$, $p = <.001$). The inverse may also be interpreted to reflect that victims are more likely (95.5%) than offender-interested non-victims (4.5%) to make a negative reference to a given offender's rehabilitation.

Remorse

References to offender's feeling remorse about their behavior and/or its effect on others is significantly associated with input from offender-interested non-victims ($\chi^2 = 12.921$, $df = 2$, $p = <.01$). Offender interested non-victims are nearly eight times as likely (81.8%) as victims (10.9%) and victim-interested non-victims (7.3%) to mention offender's remorse in their input. Of those input providers that reference remorse, offender-interested non-victims are significantly more likely to make a positive reference, to describe that a given offender feels remorse for their actions, than victims and victim-interested non-victims ($P = <.001$).

Support upon Release

Offender-interested non-victims are forty-eight times more likely (98.1%) than victims (1.9%) and victim-interested non-victims (0%) to mention the availability of support for a given offender upon their release ($\chi^2 = 38.774$, $df = 2$, $p = <.001$).

Psychological Costs

Offender-interested non-victims are significantly more likely (46.5%) than victims (33.75) and victim-interested non-victims (19.8%) to describe psychological costs associated with the instant offense ($\chi^2 = 25.740$, $df = 2$, $p = <.001$). Such costs include those that are the direct result of the crime and those that stem from the

offender's subsequent incarceration. Of those input providers who reference psychological costs, victims and victim-interested non-victims are more likely to describe psychological costs to the victim and those associated with the victim; and offender-interested non-victims are more likely to describe psychological costs to the offender and those associated with the offender ($\chi^2 = 97.108$, $df = 2$, $p = <.001$).

Offender's Character

References to a given offender's character are significantly associated with input from offender-interested non-victims. Offender-interested non-victims are seven times as likely (81.3%) to reference or discuss an offender's character as victims (11.2%) and victim-interested non-victims (7.5%) ($\chi^2 = 37.603$, $df = 2$, $p = <.001$). As expected, of those input providers who mention an offender's character, offender-interested non-victims are significantly more likely to make a positive reference than other types of input providers, victims and victim-interested non-victims (Fisher's Exact Test, $p = <.001$).

Typology

Those who submitted input are alike in that they are a self-selecting group who chose to share information with the NJSPB. Though every individual's experience is unique, their input is not. A typology of input providers, beyond author type, could not be derived from the input submitted to the NJSPB on behalf of offenders who received their first parole consideration in 2004. However, it is interesting to note that a distinct voice emerged from each of the three main author types. As presented in Table 10, victims overwhelmingly provided negative character references; victim-interested non-victims

typically described the impact of victimization on victims; and offender-interested non-victims generally provided positive character references.

Table 10: Author Types as Distinct Voices

Group	Parole Request	Justification	Time Period Cited
Victims	Deny release	Negative behavior and character	Past
Victim-interested non-victims	Deny release	Negative impact on victims	Past and future
Offender-interested non-victims	Grant release	Positive character and change	Past and future

Victims/Negative character reference

As a group, victims requested that the NJSPB deny offenders' requests for parole release because of offenders' previous behavior and negative character. Victims tended to look backwards in their input and focused primarily on offenders' past behavior (i.e., instant and other offenses) and lack of accountability for such. For example, three separate victims shared the following statements:

“[Offender] collected well over \$400,000 in down payments for spas and other merchandise from his store. He never bought or paid for the spas, nor was he paying his sales tax, rent, advertising bills or any other bill during this period...The question [offender] would never answer is "what happened to the money?" ”

“What [offender] did was wrong and he touched me the wrong way.”

“In addition, the prosecutor advised me that has a history of drug abuse and petty crimes. I believe there is a pattern, and prison time will allot him time to reflect upon his actions.”

By being offender-focused in their input, victims did not pay much attention to the ways that offenders' behavior affected their own lives (i.e., the effects of victimization). However, that was precisely the focus of input submitted by victim-interested non-victims.

Victim-interested non-victims/Impact of victimization

This group emerged as the defenders of victims. In contrast to the voice of victims in input, victim-interested non-victims focused less on the offenders' behavior per se, and more on the ways in which offenders affected victims' lives. They looked forward and backward in this endeavor by requesting that the NJSPB deny offenders parole release based on the negative impact that offenders' had and may continue to have on victims' lives. Victim-interested non-victims focused specifically on the psychological harm that victims had experienced to date as a result of offenders' crimes and the additional psychological harm that they believed victims would experience if offenders were to be granted parole. Sometimes these statements are short and simple; in other pieces of victim-interested non-victim input, they are longer and more detailed.

“[Victim] lives in absolute terror of his appearing at her door, or at her job.”

“Another reason we are fearful of [offender's] release is that he might seek out [victim] or us or, heaven forbid, hurt another innocent child. [Offender] has relatives who live in the area, and, during the trial he threatened [victim] he would get even with her. She has carried this fear around for ten years. If she ever finds out that he has been released, we don't know how she would react or how it would

affect the rest of her life. We live in constant fear of his threats for revenge...Even though [victim] went through years of counseling, we still go see the effects of the horror that happened to her every day.”

Offender-interested non-victims/Positive character reference

The voice that emerged from offender-interested non-victim input was similar to that of victim input in its focused on offenders’ behavior and character, albeit in a positive manner, and similar to victim-interested non-victim input in its focus on the past as well as the present and future. Offender-interested non-victims requested that the NJSPB grant offenders’ parole and supported their requests with positive character references. This group suggested that offenders’ past deviant behavior was an aberration or the result of circumstances that have since ceased to exist and that offenders have been rehabilitated.

“My son had an important life before all this. You only know what you read in front of you. There is so much to know about [offender]. When my son first started his landscaping business, he started with one lawnmower and one account an elderly woman who paid him fifteen dollars a month. Over the years as his business became very successful he picked up bigger accounts and had to drop his residential accounts...Yet he kept his first account. He want back weekly to cut her lawn and for only fifteen dollar a month. I asked him once why do you go out of your way. He said if I don't do it who will. This is the man I raised.”

“[Offender] has never been in any type of trouble. I know he wasn't thinking clearly back then because what happened was so out of character for [offender].”

“I have to say when the choices he makes aren't criminal he is a kind + loving person. He is not selfish, self-centered or arrogant. He works hard to accomplish his tasks...Christmas he buys toys for kids for migrate farm worker. His good deeds are too many to write here.”

“He has held down a job, he has learned new skills, taken classes, and is looking forward to a future. I am proud of how far he has come in his rehabilitation.”

Research Question 3 – Relevance and Unique Value of Input

The purpose of research question 3 is to identify the unique value of victim and non-victim input by determining whether information commonly contained in input is relevant to parole release decision-making (i.e., addresses the factors outlined by the NJSPB for parole release decision-making) and if so, whether it is available through any other source.

Input Themes and Factors Considered by the NJSPB

The NJSPB's Adult Parole Handbook (New Jersey State Parole Board, 2012) provides a list of 23 factors that “The hearing officer, certifying Board member, appropriate Board panel or the full Board will consider...when evaluating an inmate for parole consideration.” These factors were reviewed alongside the themes that emerged from input to the NJSPB in order to explore whether, and to what extent, input contains

information pertaining to factors considered by the parole board as they make parole release decisions. Specifically, themes and factors were compared to each other and anytime a theme reflected information that may be relevant to a factor, they were matched. As reported above, some themes are operationalized in a variety of manners which can alter their meaning (e.g., positive reference to rehabilitation vs. negative reference to rehabilitation). Therefore, sub-themes, or particular versions of themes, were compared to and matched with NJSPB's decision-making factors.

Table 11 presents the 23 factors considered by the NJSPB and the eight sub-themes that have been matched to seven of those factors. Other sources from which the NJSPB may obtain similar information about those factors are also noted in order to consider whether the information found in input is unique, or the only source of such information. Then in Table 12, two types of statistics are provided for each matched pair: frequency of appearance at the input-level and the offender-level. Input-level statistics are the number and percent of times that all input and input from each type of author contained a given sub-theme. The offender-level statistics are the percent and number of offenders for who input containing a given sub-theme was submitted.

Table 11: Matched NJSBP Factors and Input Themes

Factors Considered By NJSPB	Relevant Input Theme	Other Source
1. Commission of a crime while incarcerated.		
2. Commission of serious institutional disciplinary infractions.		
3. Nature and pattern of previous convictions.	Deviant behavior, Other offenses	Criminal history record
4. Adjustment to previous probation, parole and incarceration.		
5. Facts and circumstances of current offense.	Deviant behavior, Instant offense	Pre-sentence investigation report
6. Aggravating and mitigating factors of the offense.	Deviant behavior, Mitigating factors	Pre-sentence investigation report
7. Pattern of less serious institutional disciplinary infractions.		
8. Participation in institutional programs which could have led to the improvement of problems diagnosed at admission or during incarceration. This includes, but is not limited to, participation in substance abuse programs, academic or vocational education programs, work assignments that provide on-the-job training and individual or group counseling.	Rehabilitation, Positive use of time in prison	Institutional record
9. Statements by institutional staff, with supporting documentation, that the inmate is likely to commit a crime if released; that the inmate has failed to cooperate in his or her own rehabilitation; or that there is a reasonable expectation that the inmate will violate conditions of parole.		
10. Documented pattern of relationships with institutional staff or inmates.		
11. Documented changes in attitude toward self or others.		
12. Documentation reflecting personal goals, personal strengths, or motivation for law-abiding behavior.		
13. Mental and emotional health.	Psychological costs, To offender and associated	Treatment record, if received treatment
14. Parole plans and the investigation thereof.		
15. Status of family and marital relationships at the time of eligibility.	Relationship costs, To offender and associated	Pre-sentence investigation report
	Support upon release, Support system	Pre-sentence investigation report
16. Availability of community resources or support services for inmates who have a demonstrated need for same.		
17. Statements by an adult inmate...		
18. History of employment, education and military service.		
19. Family and marital history.		
20. Statement by the court reflecting the reasons for the sentence imposed.		
21. Statements or evidence presented by the appropriate Prosecutor's Office, the Office of the Attorney General...		
22. Statements or testimony of any victim or the nearest relative of a murder/manslaughter victim.	Input author, Victim	Victim impact statement
23. The results of the objective risk assessment instrument.		

Seven factors considered by the NJSPB were matched to eight sub-themes that emerged from input. Input did not appear to provide unique information to parole board members because information about all of the matched factors is also available to the parole board in formal records (e.g., criminal history, institutional record). Still, given that the level of detail and purview of the input provider may vary from that represented in the official record, it is possible that some input provides parole board members with useful and unique information. For example, the mental or emotional health of the offender may have changed. Similarly, victims may or may not provide Victim Impact Statements at the trial or sentencing stage and the input stage offers an additional opportunity.

Table 12: Prevalence of Factors Considered by NJSPB in Input

Factors Considered By NJSPB	Relevant Input Theme	Frequency Of Appearance By Input (%)				Frequency Of Appearance By Offender (%) (N=75)
		Victim Input (N=52)	Victim-Interested Non-Victim Input (N=22)	Offender Interested Non-Victim Input (N=123)	All Input (N=198)*	
3. Nature and pattern of previous convictions.	Deviant behavior, Other offenses	8 (15%)	7 (32%)	8 (7%)	23 (12%)	17 (23%)
5. Facts and circumstances of current offense.	Deviant behavior, Instant offense	37 (15%)	13 (59%)	26 (7%)	76 (38%)	46 (61%)
6. Aggravating and mitigating factors of the offense.	Deviant behavior, Mitigating factors	1 (2%)	0 (0%)	16 (13%)	17 (9%)	11 (15%)
8. Participation in institutional programs which could have led to the improvement of problems diagnosed at admission or during incarceration...	Rehabilitation, Positive use of time in prison	3 (6%)	0 (0%)	29 (24%)	32 (16%)	18 (24%)
13. Mental and emotional health.	Psychological costs, To offender and associated	1 (2%)	0 (0%)	47 (38%)	48 (24%)	23 (31%)
15. Status of family and marital relationships at the time of eligibility.	Relationship costs, To offender and associated	0 (0%)	0 (0%)	20 (16%)	20 (10%)	12 (16%)
	Support upon release, Support system	0 (0%)	0 (0%)	35 (28%)	35 (18%)	14 (19%)
22. Statements or testimony of any victim or the nearest relative of a murder/manslaughter victim.	Input author, Victim	52 (100%)	n/a	n/a	52 (26%)	42 (56%)
*One piece of public non-victim input is excluded from the breakdown by input type.						

The sub-themes that were matched to factors considered by the parole board appeared in 9 to 38 percent of all input; or considered in another way, appeared in input submitted to the NJSPB on behalf of 15 to 56 percent of offenders. It is important to note that one of the factors considered by the NJSPB is “statements or testimony of any victim

or the nearest relative of a murder/manslaughter victim.” By definition, all victim input addresses that factor.

Research Question 4 – Relative Value of Input by Type of Provider

The purpose of the fourth research question was to explore the relative importance of prominent themes that emerged from input by examining whether and how their importance varies across situational contexts. Specifically, conjunctive analysis was used to assess whether and how the importance of themes varied based on the type of input provider.

Relative Importance of Themes in Input

As a first pass, I assessed case configurations resulting in parole denial using two types of factors: prominent themes that appeared in input submitted on behalf of at least one third of offenders and characteristics of offenders that have previously been linked to parole release decisions (Caplan, 2008). Then, I constructed second and third models using different, more targeted sets of input-related factors. Whereas the first model used the most prominent themes that emerged from input regardless of whether they represented positive or negative characterizations of offenders, the second model used the most prominent “negative” themes and sub-themes, and the third model used the most prominent “positive” themes and sub-themes. “Negative” themes are used to argue against offenders’ suitability for parole release either because they explicitly reflect poorly on offenders’ character (e.g., deviant behavior) or are consistently used to support requests for parole denial (e.g., financial and psychological cost of crime to victims and associates). Conversely, “positive” themes are used to argue in favor of offenders’

suitability for parole release either because they explicitly reflect well on offenders' character (e.g., successful rehabilitation) or are consistently used to support requests for parole approval (e.g., support for offenders upon release, psychological cost of incarceration to offenders and associates). All three models used the same offender characteristics. This three model approach was employed in order to examine whether the nature of references to themes affected their relative importance. That is, whether some themes that emerged from input were important irrelevant of whether they were positive or negative reflections of offenders' character; whereas other themes were more or less influential depending on the nature of their reference. Table 13 displays the factors used to construct each model and Tables 14, 15, and 16 display the results.

This model involved eleven variables. There were 2,048 possible case configurations ($2^{11} = 2,048$) and 64 of them were observed. The vast majority of the 64 observed case configurations appeared once and the most common one only appeared four times. One independent variable, having a less severe, or below average record of institutional behavior appeared in the majority of case configurations and in all case configurations that occurred more than once. Those case configurations alternately resulted in parole approval and parole denial. This presence of less severe institutional behavior is likely a reflection of the sample rather than an indication of the variable's relative importance. Based on the intentional selection of "positive" and "negative" factors, the data matrices for Models 2 and 3 are more revealing. Model 2, the "negative" model, is shown in Table 15.

Table 15. Mode 2, Most Common “Negative” Case Configurations.

Configuration #	Institutional behavior	Crime severity	Criminal history	Deviant behavior, instant or other offense	Rehabilitation, negative	Financial cost, victim and associated	Psychological cost, victim and associates	Offenders' character, negative	Parole Denied mean	N of cases
1	0	1	0	0	0	0	0	0	0.5	4
2	0	1	1	0	0	0	0	0	0.5	4
3	0	1	1	1	1	0	1	0	0.75	4
4	0	0	1	0	0	0	0	0	0.33	3
5	0	0	1	1	0	0	0	0	0.33	3
6	0	1	0	0	0	0	1	0	0.67	3
7	0	1	0	1	0	0	0	0	1	3
8	0	1	0	1	1	0	1	0	1	3
9	0	1	1	1	1	1	1	1	0.67	3
10	0	0	0	0	0	0	0	0	1	2
11	0	0	0	1	1	0	0	0	0	2
12	0	0	1	1	0	0	1	0	0.5	2
13	0	1	0	1	1	0	1	1	1	2
14	0	1	1	1	0	0	0	0	0.5	2
15	0	1	1	1	0	0	1	0	1	2
16	0	1	1	1	0	1	1	1	0.5	2
17	0	1	1	1	1	1	1	0	0.5	2
18	1	1	1	0	0	0	0	0	1	2
19	0	0	0	0	0	1	1	0	0	1
20	0	0	0	1	0	0	1	0	0	1
21	0	0	0	1	0	1	1	0	1	1
22	0	0	0	1	1	0	1	1	1	1
23	0	0	0	1	1	1	0	1	0	1
24	0	0	1	1	0	1	1	1	0	1
25	0	0	1	1	1	0	1	0	0	1
26	0	0	1	1	1	0	1	1	1	1
27	0	1	0	0	1	0	1	0	1	1
28	0	1	0	1	0	1	1	0	1	1
29	0	1	0	1	0	1	1	1	1	1
30	0	1	0	1	1	0	0	0	0	1
31	0	1	0	1	1	1	1	1	0	1
32	0	1	0	1	1	1	1	1	1	1
33	0	1	1	1	0	1	0	0	1	1
34	0	1	1	1	1	1	0	0	1	1
35	1	0	0	0	1	0	1	0	0	1
36	1	0	0	1	0	1	1	0	1	1
37	1	0	1	1	0	0	0	0	0	1
38	1	0	1	1	0	0	1	1	1	1
39	1	0	1	1	1	0	1	1	1	1
40	1	1	0	1	1	0	1	0	1	1
41	1	1	1	0	0	1	0	0	1	1
42	1	1	1	1	0	0	0	0	1	1
43	1	1	1	1	0	0	1	0	1	1
44	1	1	1	1	1	0	0	1	1	1
45	1	1	1	1	1	0	1	0	1	1

There were 256 possible case configurations ($2^9 = 512$) and forty-five of them were observed. Twenty-seven of the case configurations occurred only once. The three

most often observed negative situational contexts account for 16 percent of all observations, result in more parole denials than approvals, and include interactions between the factors described by Configurations #1, #2, and #3. Each of these dominant configurations involves at least one offender/offense characteristic that is worse than average. Two of the three configurations do not involve any negative themes that emerged from input. Considering all observations, offender/offense characteristics appear to be more influential than the negative themes that emerged from input. As observed in Configurations #10, #18, #25-26, #32-34, #38-45, parole is consistently denied in situational contexts with at least one worse than average offender/offense characteristic. Oppositely, the presence or absence of negative themes from input does not consistently appear in case configurations resulting in a particular parole decision.

Additionally, certain offender/offense characteristics as well as specific negative themes appear to be more influential than others. Regarding offender/offense characteristics, the individual presence of bad crime severity and bad institutional behavior both appear to be more powerful than the presence of bad criminal history, even though their influence is sometimes counterintuitive. All factors are absent in Configuration #10 – meaning that no offender/offense characteristics are worse than average and none of the themes are observed in the situational context. Moreover, parole is denied 100 percent of the time. Yet, when worse than average crime severity is added to that situational context in Configuration #1, parole denials drop to 50 percent and remain there even after the factor of worse than average criminal history is incorporated. Configuration #2. However, the subsequent addition of worse than average institutional behavior in Configuration #18 brings parole denials back to the rate of 100 percent.

Some negative themes appear to be more influential than others. The situational contexts observed in Configurations #14 and #15 are the same except for one factor – psychological cost to victims or associates. The presence of this theme in configuration #14 increases parole denials by 50 percent. Conversely, the presence of three themes – financial costs to victims or associates, negative descriptions of offenders’ character, and deviant behavior do not appear particularly influential. Specifically, adding each one to otherwise similar case configurations does not change the percentage of cases resulting in parole denial. This is observed in three sets of Configurations: financial cost, #20 and #21; negative character, #25 and #26; deviant behavior, #4 and #5. Similar types of results appear in the data matrix for the third and “positive” model, depicted in Table 16.

Table 16. Model 3, Most Common “Positive” Case Configurations

Configuration #	Institutional behavior	Crime severity	Criminal history	Rehabilitation, positive	Remorse, positive	Support upon release	Psychological cost, offender and associates	Offenders' character, positive	Parole Approved mean	N of cases
1	0	1	0	0	0	0	0	0	0.33	12
2	0	1	1	0	0	0	0	0	0.27	11
3	0	0	0	0	0	0	0	0	0.6	5
4	0	0	1	0	0	0	0	0	0.6	5
5	1	1	1	0	0	0	0	0	0	3
6	0	0	0	1	1	1	1	1	0.5	2
7	0	0	1	1	0	0	0	1	1	2
8	0	1	0	1	0	1	1	0	0	2
9	0	1	1	1	1	1	0	1	1	2
10	0	1	1	1	1	1	1	1	0.5	2
11	1	0	1	0	0	0	0	0	0	2
12	0	0	0	0	0	0	1	1	0	1
13	0	0	0	1	1	1	1	0	1	1
14	0	0	1	0	0	0	1	0	0	1
15	0	0	1	0	0	1	1	0	1	1
16	0	0	1	1	0	0	0	0	0	1
17	0	0	1	1	1	1	1	1	1	1
18	0	1	0	0	0	0	1	1	0	1
19	0	1	0	0	0	1	1	0	0	1
20	0	1	0	1	0	0	0	0	0	1
21	0	1	0	1	0	1	1	1	0	1
22	0	1	0	1	1	0	1	1	0	1
23	0	1	0	1	1	1	1	1	0	1
24	0	1	0	1	1	1	1	1	1	1
25	0	1	1	0	0	0	1	0	0	1
26	0	1	1	0	0	1	0	1	0	1
27	0	1	1	0	0	1	1	1	1	1
28	0	1	1	1	1	0	0	0	0	1
29	0	1	1	1	1	0	1	0	0	1
30	0	1	1	1	1	0	1	1	0	1
31	1	0	0	0	0	0	0	0	1	1
32	1	0	0	0	1	0	0	0	0	1
33	1	0	1	0	0	0	1	1	1	1
34	1	1	0	0	0	0	0	0	0	1
35	1	1	1	0	0	1	0	0	0	1
36	1	1	1	1	0	1	0	1	0	1
37	1	1	1	1	1	1	0	1	0	1
38	1	1	1	1	1	1	1	1	0	1

Thirty-eight of 512 possible case configurations were observed. The 27 least common case configurations were each observed once and the most common case configuration was observed 12 times. Model 3 explores positive situational contexts. The two most frequently observed positive situational contexts account for 31 percent of all observations, result in more parole denials than approvals, and include interactions

between the factors described in Configurations #1 and #2. At least one offender/offense characteristic that is worse than average is observed in each of these common configurations. However, none of the positive themes that emerged from input are observed in either case configuration. Looking more broadly at all case configurations, it appears that the presence of positive themes is insufficient to counteract worse than average offender/offense characteristics. In other words, bad offender/offense characteristics are more influential in release decisions than positive themes in input. Three particular case configurations are revealing. The situational context observed in Configuration #5 involves the presence of worse than average scores on all three offender/offense characteristics and does not involve any of the positive themes that emerged from input, and parole is denied 100 percent of the time. In Configuration #38, all three offender/offense characteristics are also worse than average; however, all five positive themes are present. Yet, this situational context still results in parole denial. Lastly, in the situational context observed in Configuration #6, all of the positive themes are present while none of the offender/offense characteristics are worse than average and parole is denied in 50 percent of cases.

Some offender/offense characteristics as well as specific positive themes appear to be more influential than others. Configuration #1 reveals that 67 percent of situational contexts with worse than average crime severity, but no other factors, are denied parole. However, when worse than average criminal history is added to the same situational context in Configuration #2, parole is denied 73 percent of the time. Meaning, the presence of worse than average criminal history increases the likelihood of parole denial by 6 percent. In essence, worse than average crime severity has a stronger influence on

parole decisions than worse than average criminal history. Additionally, institutional behavior may be the least influential of the three offender/offense characteristics.

Whereas Configuration #1 involves worse than average crime severity and no other factors, Configuration #4 involves worse than average criminal history and no other factors. Parole is denied 66 percent of the time in the former situational context and 40 percent of the time in the latter one. It is also worth noting that the situational context involving the third offender/offense characteristic – worse than average institutional behavior – and no other factors was observed once and resulted in parole approval.

The particular situational contexts observed limit comparisons of the relative value of each positive theme. Meaning, there are too few case configurations that are similar but for the presence of a single positive theme. Still, examination of four case configurations permits two comparisons of this nature which collectively suggest that some positive themes are more influential than others. Contrary to intuitive assumptions, positive descriptions of offenders' character do not increase the likelihood of parole release. The situational context observed in Configuration #6 reveals better than average institutional behavior, crime severity, and criminal history, the presence of all positive themes, and parole approval in 50 percent of cases. A similar situational context is observed in Configuration #13; the only difference is that one of the positive themes – offenders' positive character – is no longer present. In the latter situational context, parole approval increases to 100 percent. Similarly, the presence of psychological costs of continued incarceration to offenders and associates does not improve the likelihood of parole approval. The situational contexts observed in Configurations #9 and #10 involve better than average institutional behavior and worse than average crime severity and

criminal history. Additionally, Configuration #9 includes all of the positive themes except for psychological costs to offenders and associates whereas Configuration #10 includes all of the positive themes. Though intuition suggests the presence of all positive themes should improve the likelihood of parole, the opposite is true. The former configuration has 100 percent parole approval and the latter has 50 percent parole approval.

Summary

A content analysis examined a representative sample of input submitted to the NJSPB on behalf of offenders who received their first parole consideration in 2004. Twelve themes emerged from the input as well as several sub-themes. Chi Square and Fisher's Exact Tests of association examined whether the themes or sub-themes were associated with particular types of input providers. The most common ones were. The contents of input were also compared to a list of 23 factors that the NJSPB considers when making parole release decisions. Seven of the 23 factors were addressed by between 9 and 38 percent of input, or described in another way, in input submitted on behalf of between 15 and 61 percent of offenders. Input did not appear to provide unique information to parole board members because information about all of the matched factors is also available, to some extent, to the parole board in formal records (e.g., criminal history, institutional record). A typology of input providers, beyond author type, could not be derived from the input submitted to the NJSPB. However, a distinct voice emerged from each of the three main author types. Conjunctive analysis was used to assess the relative importance of common themes and sub-themes that emerged from input. None of the themes or sub-themes emerged as more important than the others.

Twelve themes emerged from input submitted to the NJSPB. Most of the same themes were apparent in input submitted by all types of input providers and operationalized to reflect positively or negatively on the offender. Positive reflections were generally attributable to offender-interested non-victim input and negative reflections were typically attributable to victim and victim-interested non-victim input. Rehabilitation emerged as theme in input through references to the offenders' efforts towards, potential for, or perceived transformation from deviant to reformed citizen. Another theme that emerged from input was the offender's character, or references to their personality and nature. The theme of psychological costs was revealed from input providers' descriptions of ways in which the offenders' actions impacted their own and others' emotional and mental well-being. Additionally, input providers frequently described the instant offense, other offenses by the same offender, and aggravating or mitigating factors to the offenses; all variations on the theme of deviant behavior. The theme of remorse arose as well. Some input authors' described offenders as generally apologetic or regretful for their behavior, apologetic for the affect that their behavior (and/or subsequent incarceration) has had on their loved ones or on victims, and at times, oppositely, that offenders are not apologetic or remorseful about their behavior. The theme of relationship costs emerged from discussions of the strain that crime and subsequent incarceration places on the relationships that both victims and offenders have with other people and even among those other people (i.e., offenders' families during incarceration). Financial costs of crime emerged as a theme from all three types of input providers' submissions to the parole board, albeit, in different contexts. Lastly, the criminal justice system in general, and sentence length in particular, emerged from input

providers' general references to system processes and explicit references to offenders' sentence lengths or time served on those sentences. The positive and negative operationalizations of themes were treated as sub-themes.

Two of the themes that emerged from input were less ambiguous. That is, they were very rarely or never mentioned by certain types of input providers and implicitly reflected positively or negatively on offenders. The theme of physical costs to victims emerged from victim and victim-interested non-victim input that described both the acute and chronic injuries sustained by victims as a result of the offenders' crimes. Offender-interested non-victims described the resources and support that will be available to offenders if the parole board grants them release to parole supervision. Themes were ranked according to two criteria: frequency of theme's appearance in input and amount of text devoted to theme in all input where it appears. Some themes ranked similarly on both scales. For example, offender's character ranked first in both frequency (tied with rehabilitation) and text devotion. Other themes ranked noticeably higher on one scale than the other. Remorse ranked sixth in frequency but twelfth in text devotion.

Additionally, three models of case configurations were constructed in order to assess the relative importance of common themes and sub-themes that emerged from input. Offender and offense characteristics that have been found to impact release decisions were also included in the models. Overall, the offense and offender characteristics appeared to be more influential than either the positive or negative themes that emerged from input. Furthermore, particular offender/offense characteristics and particular themes that emerged from input appeared to be more influential than others. Notably, worse than average crime severity is the most influential offender/offense

characteristic and psychological costs of crime to victims and associates are influential to deny parole release while psychological costs of incarceration to offenders and associates are not particularly influential to approve parole release.

Chi Square and Fisher's Exact Tests of association revealed that nearly all of the most common themes and sub-themes that emerged from input were significantly associated with a particular type of input provider. References to parole conditions and deviant behavior were significantly associated with victim input. Positive references to rehabilitation, remorse, and offenders' character were significantly associated with offender-interested non-victim input, as was the availability of support for offenders upon release, psychological costs of the crime and offenders' subsequent incarceration.

A typology of input providers, beyond author type, could not be derived from the input submitted to the NJSPB. However, a distinct voice emerged from each of the three main author types. Victims overwhelmingly provided negative character references; victim-interested non-victims typically described the impact of victimization on victims; and offender-interested non-victims generally provided positive character references.

The NJSPB's Adult Parole Handbook includes a list of 23 factors that are considered in parole release decisions. Seven of those factors were commonly addressed in input provided to the Parole Board. Specifically, between nine and 38 percent of the pieces of input submitted addressed at least one factor. At the offender level, between 15 and 61 percent of offender case files contained input addressing at least one factor. It is important to note that one of the factors considered by the NJSPB is "statements or testimony of any victim or the nearest relative of a murder/manslaughter victim" (New Jersey State Parole Board, 2012). By definition, all victim input addresses that factor.

Additionally, input did not appear to provide unique information to parole board members because information about all of the matched factors is also available, to some extent, to the parole board in formal records (e.g., criminal history, institutional record). Still, given that the level of detail and purview of the input provider may vary from that represented in the official record, it is possible that some input provides parole board members with useful and unique information.

CHAPTER VII: DISCUSSION

Chapter Seven presents the study results as a foundation for the NJSPB in particular, and parole boards in general, to improve perceptions of procedural justice and maintain legitimacy. First, the legitimacy problem that this research sought to address is restated. Next, the themes that emerged from each groups' input are compared to the experiences and motivations described by the literature. Then, the limitations of this study and avenues for future research are outlined and followed by a discussion of the practical and policy implications of this research including specific steps parole boards may take to maintain legitimacy. Lastly, brief conclusions summarize the unique contribution this study has made to the extant research and literature.

Over the last forty years, victims have gained access to every stage of the criminal justice process including parole decision-making. In 44 states, victims are notified when their offenders are considered for parole release and may provide input requesting that it be granted or denied. Though many states' parole boards are required to solicit input from registered victims, the authorizing statutes are often vague. They typically do not provide instruction on how parole boards should use input. Victims expect their input matters; and evidence from the victims' rights movement suggests this expectation is widespread. However, research about the effects of victim input on release decisions has been mixed. Qualitative research revealed that board members find input, particularly victim input, to be valuable while quantitative research suggests that input impacts parole release decisions in some settings and not in others (McLeod, 1989; Burns, Kinkade, Leone, and Phillips, 1999; Kinnevy and Caplan, 2008; Parsonage, Bernat, and Helfgott, 1994; Smith, Watkins, and Morgan, 1997; Proctor, 1999; Morgan and Smith, 2005).

Parole boards are therefore placed in a precarious position. Victim input may or may not align with their mandate to make objective release decisions considering offenders' risk to public safety. Nevertheless, should parole boards make release decisions that differ from victim input, they risk legitimacy in the eyes of a politically influential and therefore powerful constituent – the victims.

Relatedly, parole boards receive non-victim input, or input from family and friends of the victim and offender, which also becomes part of the offender's record to be considered by parole boards. However, despite a clear gap in what we know regarding the importance of input, to date, no research has specifically explored the contents of victim and non-victim input. To bridge this gap in our knowledge concerning the value of victim and non-victim input, maintain perceptions of procedural justice, and retain legitimacy, parole boards should identify the value of victim-and non-victim input and be transparent about their decision-making process. To that end, this dissertation sought to: 1) identify common themes in input; 2) identify commonalities and differences in the types of information that input providers share, requests that they make, and how they justify those requests; and 3) explore the relative importance of input given the situational contexts in which release decisions are made.

Though previous research has examined the impact of input on release decisions, it has stopped short of considering the contents of input. Literature in the fields of victimology, emotion, and collateral consequences of incarceration suggest that victims and victim-interested non-victims may share similar information with parole boards while offender-interested non-victims have an entirely different experience and perspective

(Herman, 2010; Hairston, 2003; Davis, Taylor, and Bench, 1995). Findings of this research alternately reflect and refute those findings and assertions.

The results of this study revealed that twelve themes are commonly discussed in input and the themes that appeared most frequently, were not necessarily the same as the themes that accounted for largest proportion of input contents (i.e., the most text).

Additionally, sometimes the same theme was operationalized to very different ends by different types of input providers. None of the themes that emerged from input appeared to be more important or more associated with release decisions than the other themes.

Moreover, only a minority of input provided to the NJSPB addressed factors that the Parole Board considers in making release decisions.

Different Input Providers, Same Themes

Themes in Input and Themes in Literature

Prior empirical research revealed that only a minority of registered victims submit input and nearly 90 percent of their input is negative, arguing against parole release (Caplan, 2008). The percent of non-victims who submit input cannot be calculated as the denominator is not quantifiable; however, studies have found that approximately 60 percent of non-victims submit positive input arguing for parole release and 40 percent submit negative input, arguing that it should be denied. This study adds to the extant literature and research by going beyond counts of input and designations of positive and negative in order to explore the contents of input. The extant literature in victimology, emotions, and collateral consequences of incarceration suggest what might be discovered through a content analysis of input. That is, each body of literature delineates the motivations that might lead people to provide input and the experiences that they may

describe therein. Results of this study revealed that the contents of input reflect some aspects of the literature more than others. More specifically, though the contents of input generally reflected the literature, certain experiences of victims and non-victims were more or less prominent in the input than is suggested in the literature.

Victimology literature reveals that victims experience physical, psychological, and financial costs of crime. Though victim input reflected all three of these to varying degrees, input was primarily offender-focused and paid less attention to victims' own experiences. In general, victim input described offenders' deviant behavior and poor character and related concerns about their release. Victims shared information about the instant offense and related events, such as previous interactions with offenders as well as broad negative descriptions of offenders as generally depraved individuals. These negative descriptions frequently alluded to offenders' abilities to manipulate others. Interestingly, suggestions of manipulation were not limited to offenders' criminal acts but also suggested that offenders might manipulate the Parole Board into granting parole release.

Regarding the costs of victimization, the majority of victims discussed psychological costs while about half as many addressed financial costs and only a small minority described physical costs. This is not surprising in light of the literature about cognitive processing and emotional recall. Learning of offenders' potential early release from prison is likely to trigger particular emotions like fear and frustration. As such, victims recall similar emotions when they determine what information to share in their input. Victim input that discussed the theme of financial costs was particularly interesting because it differed from other input contents in terms of tone. Descriptions of financial

costs were more matter of fact and communicated with less emotion than discussions around other common themes such as psychological costs, offenders' character, and rehabilitation.

Victim-interested non-victim input reflected the motivation suggested by the literature – that they feel anger towards offenders and a desire to protect victims. As a group, their input described offenders' deviant behavior and the negative psychological impact it had or continues to have on victims. Their input goes on to suggest that offenders have not been or cannot be rehabilitated and therefore, should not be granted early release from prison. However, they argue that if offenders are granted parole, then protections should be put in place to both restrict their contact with victims (e.g., restraining order) and to control the circumstances that might lead to future offending (e.g., drug testing, maintain employment).

Offender-interested non-victim input depicted some aspects of the literature, such as offenders' ability to change and the importance of support for their reentry process while making relatively minimal mention of others, such as specific collateral consequences of incarceration. Most input from this group focused on describing offenders as worthy of parole release. Offenders' deviant behavior was characterized as an anomaly for otherwise kind and respectful individuals and as the result of a particular set of circumstances which will never recur given offenders' current path toward or completed rehabilitation. Additionally, offender-interested non-victim input frequently described the ways in which input providers and others would support offenders upon release. Despite its prominence in the literature, descriptions of financial pains and disrupted relationships were relatively rare in input. This is likely because input was

offender-focused. For example, the minority of input that did reference financial and relationship strains tended to describe offenders' concerns about not contributing to their families' finances and sadness about their absence at significant events, such as a birth or death in the family.

In sum, the results of this study are novel in that they are the first look at the contents of input but they are not very surprising. The literature reviewed in Chapter Four comes from bodies of research that consider the experiences of victims, victim-interested non-victims, and offender-interested non-victims at large. Conversely, input submitted to the NJSPB represents the subset of each group that self-selects to provide input. In other words, the results of this study do not challenge the literature on costs of victimization or collateral consequences of incarceration. Instead they suggest that when victims and non-victims provide input to the parole board, they are primarily focused on the offenders' behavior, experiences, and future rather than their own. Additionally, input providers set out to tell the Parole Board why they should or should not grant parole release to offenders. This task is, by definition, offender-focused. Through that lens, the ways in which input did and did not reflect relevant literature were not surprising. It makes sense that input tends to be offender-focused rather than focused on the authors' experiences. If parole boards seek an additional or different type of information, they ought to communicate that to their stakeholders, including the sub-set of input providers.

Variations on a Theme

Nearly all of the twelve prominent themes that emerged from input appeared in submissions from all three groups of input providers. Though the commonalities between victim input and victim-interested non-victim input was not unexpected, it was very

surprising to find so much overlap between victim/victim-interested non-victim input and offender-interested non-victim input. The extant research literature describes each group as having divergent experiences. However, their input shows that those experiences are often variations on a given theme, or different sides of the same coin.

There are significant differences in the ways that different groups of input providers operationalized the same themes to reflect positively or negatively on offenders and to support requests for or against parole release. For example, rehabilitation was one of the most prevalent themes in input. On one hand, victims and victim-interested non-victims referenced it in a negative manner, suggesting that offenders had not been or could not be rehabilitated. On the other hand, offender-interested non-victims referenced rehabilitation in a positive manner, sharing that offenders have been or are nearly rehabilitated. This supports the assertion of previous research that input providers are a unique group and further submits that the contents of input may reflect social norms more than an accurate portrayal of input providers' experiences.

Input providers are a singular group in that they are a minority proportion of the population that self-selects to provide input. Distinct voices emerged from each groups' input in this study given the three groups of input providers have unique experiences and perspectives. However, despite this uniqueness, the types of information that they share with parole boards are quite similar to each other. Overall, their input differed in the way it reflected on offenders but contained similar topics or themes. Therefore, it is apparent that the contents of input may reflect the types of information that authors believe the Parole Board will find valuable more so than accurate representations of input providers' individual experiences. Unfortunately, this approach is misguided; the information that

input providers shared was generally superfluous to information already available to the Parole Board.

Input as Superfluous Information

Previous research has alternately found that input does and does not affect release decisions (Parsonage, Bernat, and Helfgott, 1994; Smith, Watkins, and Morgan, 1997; Proctor, 1999; Morgan and Smith, 2005). As described in Chapter Three, the most rigorous research found the latter, that neither the presence nor direction of input (i.e., for or against release) significantly affects release decisions (Caplan, 2008). One of the goals of this research was to explore the contents of input in order to begin unpacking why it may not affect release decisions. In order for input to exert an identifiable influence on release decisions, the contents of input need to be relevant and distinctive. Specifically, the information in input must be relevant to the decision-making process so that it warrants Board members' consideration. It must also be unique and not available through other sources (i.e., other parts of the case file) in order for its particular value to be identified. The results of this study suggest that in general, input may in fact fail to be influential precisely because it does not provide such information.

The NJSPB Parole Handbook describes twenty-three factors that are considered in parole release decisions (New Jersey State Parole Board, 2012). The majority of input did not address these factors and in the minority of cases where it did, the information was not unique. Meaning, the input that did address the factors considered by the NJSPB appeared to be at least somewhat redundant to information that is readily available to Board members through other sources. For example, input from offender-interested non-victims commonly cited offenders' participation in institutional programs as evidence of

their efforts towards rehabilitation while incarcerated. Parole case files already contain offenders' institutional records which document their participation in prison programs.

At the other end of the spectrum, an argument can be made that victim input is always relevant and unique because one of the 23 factors considered by the NJSPB is "Statements or testimony of any victim or the nearest relative of a murder/manslaughter victim" (New Jersey State Parole Board, 2012). In fact, an interview with a former Chairwoman of the NJSPB clarified the practical significance of this factor in particular and Board members' use of input in general (Y. Ross, personal communication, July 26, 2013). As described in Chapter Two, Board members are interested in the physical and psychological injuries sustained by victims. The injuries are usually documented in an official report as part of the case file but victims' descriptions are frequently more robust in that they describe how the injuries have affected their lives. Recall the Chairwoman's example of a case where the victim's father clarified that his son did not simply sustain a "head injury" but had actually suffered a traumatic brain injury, had to relearn how to walk, and change his career path as a result of the crime. Such personal stories highlight the significance of input to particular cases; but as this study revealed, those cases are more the exception than the rule. Nonetheless, this example of a single case is representative of Board members' overall approach to input. Input, as previously mentioned, is commonly used to develop the questions that Board members ask offenders and which serve to inform their release decisions and to assign parole conditions. Thus, input is likely to not affect release decisions because in general, it does not contain relevant and unique information. Still, it is a useful resource for Board members to draw on as they interview offenders during the parole decision-making process.

Retaining and Changing Input Schemes

These findings question whether the NJSPB should continue collecting victim and non-victim input. Results indicate that input does not commonly address the factors that Board members consider when they make release decisions which leads to questions concerning whether input schemes are worth the resources required for their continued operation. Should the NJSPB continue to solicit and consider victim input? And concerning non-victim input, should the Board continue to accept and consider it in the current manner, discontinue their acceptance and consideration altogether, or at the other end of the spectrum, should non-victim input be solicited through a formal process similar to victim input?

Victim Input Schemes

Despite findings that the majority of input does not provide information that is both unique and relevant the NJSPB should continue soliciting and considering victim input because it represents a unique perspective which is valued by Board members. Furthermore, the maintenance of victim input schemes is necessary to maintain legitimacy among powerful stakeholders. Victim input offers insight to victims' experiences in the aftermath of crime and as such, informs Board members interviews of offenders and the development of conditions of supervisions if offenders receive parole approval (Kinnevy and Caplan, 2008). Such uses of victim input were not measured by the current study which sought to explore the contents of input. To date the frequency and impact of these uses has not been ascertained. Therefore, though this suggests there is no veritable basis to continue victim input schemes, there is also a powerful reason not to discontinue them.

History suggests that if the NJSPB were to discontinue its practice of soliciting and considering victim input, victims and their advocates would not only fight to reinstate it, but they would likely be successful in doing so and the NJSPB's legitimacy would be tarnished in the process. The formalization of the current victim input schemes in New Jersey and across the country are largely attributable to the Victim's Rights Movement (Garland, 2001). Historically, in our adversarial system of criminal justice, victims' interests were subsumed by the state (Bottoms and Roberts, 2010). That role began to transform in the 1970s and victims emerged as a "favored constituency" (Garland, 2001, p. 12). The Victims' Rights Movement showed that victims and their advocates, though small in absolute numbers, present a great threat to parole board legitimacy given their ability to affect policy change. The right to participate in parole in general, and to have their input considered in particular, exemplifies this.

Non-victim Input Schemes

This research also raises related and yet somewhat different questions concerning non-victim input. Contrary to the victim input scheme, there is no statutory mechanism or parole board initiated procedure for the submission of non-victim input; it is simply accepted by the Board. Non-victims are made aware of upcoming parole hearings through personal connections to either victims or offenders and submit unsolicited input. In light of this research, should the Board continue to accept and consider their input in the current manner, discontinue their acceptance and consideration altogether, or at the other end of the spectrum, should non-victim input be solicited through a formal process similar to victim input? The results of this research as well as stakeholders' activities suggest that no change is necessary at this time.

The present study found that the majority of non-victim input does not contain information that is unique and relevant to parole release decision-making. Therefore, the utility of non-victim input does not support the formalization or expansion of its submission process. Additionally, to date, offender-interested stakeholders, such as offenders, their loved ones, and advocates, have accepted the present input scheme. Unlike victims and their advocates, offender-interested stakeholders have not lobbied to formalize or expand non-victims' role in the parole decision-making process. Therefore, concerns about stakeholder legitimacy do not warrant formalizing the non-victim input process, statutorily or otherwise. If the NJSPB continues to accept non-victim input in the current manner, and limits the expansion of victim access to parole decision-making, then it will maintain legitimacy among offender-interested stakeholders.

Limitations

To some extent, the generalizability of these results is limited by the degree to which its setting in New Jersey is similar or different from other states around the country in terms of the parole eligible inmate population, the parole decision-making process, and input providers' experiences leading up to the submission of input. Relatedly, variation in the composition of parole boards is likely to have some bearing on the types of information that boards do and do not find useful. Additionally, changes in the prison population of New Jersey since the submission of the input analyzed in this study should be considered.

Generalizability

The sampling design provides a representative sample of input to the New Jersey State Parole Board for cases that received their first parole consideration in 2004. The

particular contents of input are therefore not generalizable to represent all input provided to parole boards. Nevertheless, the types of information that input providers share with the parole board, the themes that emerge, are likely generalizable. For example, an input provider may express dissatisfaction that an offender is eligible for parole release under state- or offense-specific eligibility requirements, but the expression of dissatisfaction and reference to parole eligibility is generalizable.

The availability of input may also affect generalizability. Input is stored in inmate case files and the files for offenders that are successful on parole are more likely to be unavailable than those who are unsuccessful. The NJSPB transfers closed case files to an offsite retention center approximately every five years (M. Ostermann, personal communication, June 6, 2013) and those files are not available for research. Successful completion of parole is the most common reason for a case to be closed and as such, moved to the retention center. Therefore, the input in this sample may over-represent input submitted on behalf of inmates who are unsuccessful on parole. However, there is no evidence to suggest that inmates who are or are not successful on parole are more or less likely to receive input. As such, though the file transfer process has the potential to affect generalizability, it is unlikely to be injurious.

Parole Board Composition

The current study does not account for variation in the composition of parole boards, which may affect its generalizability. The present methodology was fueled by, and results were interpreted in light of, the way that the NJSPB reported using input (Y. Ross, Personal communication, July 27, 2013). However, other parole boards may use input in different ways. The composition of parole boards influences the way that

members interpret information to make parole release decisions. Recall the example offered in Chapter Three. After a parolee in Massachusetts shot a police officer, the governor replaced five of the seven board members with “new members who had pasts in law enforcement, parole, or corrections” (Troustine, 2012). Parole releases declined fifty-eight percent the following year. It is unlikely that the cases before Massachusetts’ parole board were significantly different from one year to the next, either in terms of inmates and/or the input provided on their behalf. Rather, it is more likely that the parole board members themselves were responsible for the change. That is, a parole board comprised entirely of former law enforcement officials may evaluate the cases before them differently than members who have a background in social work or who are recovered offenders themselves. Still, to consider the effects of parole board composition is beyond the scope of this study which is conducted in a single state but suggests an avenue for future research.

Age of the Data

The prison population in New Jersey has changed and therefore, it is possible that the input analyzed in this study may no longer be representative of input submitted to the NJSPB. This study analyzed input submitted to the NJSPB on behalf of offenders who received their first parole consideration in 2004 and were sentenced to prison in the years prior. Since then, several alternative sanctions have been introduced in New Jersey which have resulted in fewer offenders being sentenced to prison (M. Ostermann, Personal communication, September 17, 2013). More specifically, fewer less serious offenders have been sentenced to prison terms and later on, considered for parole release. It is possible that this change in the population of inmates receiving parole consideration

could result in a change in the input submitted to the NJSPB. However, there is no evidence to suggest that the experiences of input providers – of victims and non-victims – have changed. Therefore, while an important consideration, changes to the sentencing landscape in New Jersey do not limit the findings of this study.

Suggestions for Future Research

The findings of this research warrant further study and suggest additional lines of inquiry for future research concerning characteristics of input providers, the influence of particular contents of input on release decisions, and the generalizability of this research to other settings.

Socio-demographics' as a Predictor of Input Submissions

To date, research on input provided to parole boards has examined the impact of the presence and direction of input. The current project has added to these findings by examining the contents of input. Research has not examined the sources of input but results suggest that while the experiences of each group of input providers' are distinct from the others, there is less variation within groups. It is possible that of all of the people who could submit victim or non-victim input, some are more likely to do so than others based on socio-demographic factors.

Research by Caplan (2008) found that some offenders' cases are more likely than others to receive input. Specifically, White offenders are more likely to receive input than their Black or Hispanic counterparts. Given what we know about inter- and intra-racial crime rates, White offenders are also likely to have White victims (Perry, 2003). So, it follows that White victims are more likely to provide input than their counterparts of other races or ethnicities. This is interesting because the victimization experienced by

other ethnic and racial groups is higher than it is for Whites (Davis, Lurigio, Herman, 2007). These relationships have implications for parole boards because if Board members adhered to wishes expressed in input, they would be more responsive to White victims than non-White victims.

Relatedly, socioeconomic status may play a role in the submission of input, particularly for victims. As discussed in this study, parole boards notify registered victims of upcoming parole hearings and offer them the opportunity to provide input. Based on parole eligibility requirements (e.g., time served), the notification process typically occurs a few years after the crime which is also a few years after victims register their contact information. Victims of higher socioeconomic status are less transient than victims of lower socioeconomic status (South and Crowder, 1998). The former are more likely to remain at the same address years later and to receive the notification from parole boards than victims of lower socioeconomic status. As such, the victims of higher socioeconomic status may be more likely to submit input to parole boards. Future research should examine socioeconomic and demographic factors as predictors of participation in parole proceedings, including the submission of input.

Impact of Contents of Input on Parole Release Decisions

The analyses revealed that the information shared in victim and non-victim input is not typically relevant to release decisions or any different from the information already contained in case files. These findings suggest that overall, input may not impact release decisions because it does not contain useful information. However, it is possible that some pieces of input are more useful than others in particular contexts. For example, victim input that described the financial costs incurred as a result of property crimes

offers a clearer opportunity for the parole board to be responsive than input describing the psychological costs of a violent crime. In the former case, the parole board may offer tangible relief by assigning restitution as a condition of offenders' parole. In the latter case, there is no such opportunity to address or redress the victims' harm. Future research should conduct quantitative analysis to examine whether input is differentially influential based on its contents and the context in which it is being considered (i.e., the type of instant offense, offender characteristics).

Settings

In the same vein, this study should be replicated in other settings. Empirical research about the impact of victim and non-victim input has alternately found that it does and does not affect release decisions (Parsonage, Bernat, and Helfgott, 1994; Smith, Watkins, and Morgan, 1997; Proctor, 1999; Morgan and Smith, 2005). Some of these divergent findings are arguably attributable to differences in parole processes and procedures, which suggests that the contents of input may differ as well. Different processes and procedures may mean that input providers share different information. It could also mean that different parole boards find specific pieces of information useful. In fact, given the variation in parole board composition across the U.S., there are likely to be individual- and board-level differences concerning the utility of victim and non-victim input. Future research should replicate this study in states with different parole processes in order to determine the extent to which the contents of input are similar or different and the extent to which they address factors considered by parole boards.

Practical and Policy Implications

This study set out to identify the utility of input submitted to the NJSPB. Results suggest that most of the information in input is irrelevant or duplicative to information already available to parole release decision-making; however, stakeholders in general and input providers in particular, expect that it matters. In order to be responsive to their constituents and maintain legitimacy, the NJSPB and other parole boards should clarify the ambiguous context of victim and non-victim input schemes. They should identify information that would be most useful to learn from input providers, define the way that they will use input going forward, and then communicate said information to stakeholders in general and input providers in particular.

Define the Utility of Input

The results of this study can be used evaluate and revise current parole input schemes in order to yield more useful information and set both victim and non-victim stakeholders' expectations. The national and state-level legislation authorizing victim input is vague and most individual parole board policies and documents provide little clarification. In New Jersey, victims are simply instructed that their statement should include: "The continuing nature and extent of any physical, psychological, or emotional harm or trauma suffered; the extent of any loss of earnings or ability to work suffered; the continuing effect of the crime upon the victim's family. Additionally, any other information that would help the Board to determine the likelihood of new crime being committed or the development of special parole conditions [is] welcomed" (New Jersey State Parole Board, no date). The picture is even more ambiguous for non-victim input providers. Though it is accepted and considered by parole boards, there is no statutory requirement or language around non-victim input. Non-victims typically learn of

upcoming hearings from the victim or the offender or from information posted on the paroling agency's website. There is no official mechanism in place to notify non-victims of upcoming parole hearings and as such, no directions about what they should include in their input.

If the NJSPB and other parole boards determine what types of information are relevant to their decision-making process then they will better able to tell input providers what types of information to share. For example, the NJSPB finds input useful to develop their line of questioning at offenders' parole hearings; they also use the input to develop parole conditions for offenders who are granted parole release (Y. Ross, Personal communication, July 27, 2013). Therefore, victims may argue against parole release and describe the way they continue to struggle to pay for the damage caused by offenders' crimes. The parole board can be responsive to this input by assigning a parole condition which requires offenders to make restitution to their victims. Though the parole condition is not exactly what the victim requested, it is responsive to their needs without unnecessarily denying offenders' release.

The vague language that currently surrounds victim input and the absence of language around non-victim input leave input providers to make assumptions about the use of the information they provide. If the NJSPB and other parole boards manage these assumptions then input providers will have more realistic and achievable expectations. Parole boards may revise existing materials (such as victim notification letters) and develop additional materials (such as a webpage or pamphlet) to alert input providers to the types of information that are most useful and the ways in which their input will be used. Meaning, for example, if the NJSPB tells input providers that their input may be

used to inform their questioning of the offenders and to develop parole conditions rather than to allow input providers to continue assuming that input will have a direct influence on release decisions, then input providers will not be surprised and disappointed to learn that their input does not explicitly affect decisions to approve or deny release.

Increase the Utility of Input

As they work to define the role of input, parole boards can consider ways to expand its use. The victims and non-victims who self-select to provide input share information about the ways that offenders' crimes and/or subsequent incarceration have affected their lives. This study revealed that many of those stories include experiences of psychological harm, financial hardship, and disrupted relationships. Early on in the criminal justice process, system actors such as prosecutors, defense attorneys, and social workers provide victims and non-victims with information about resources. For example, victims and the victim-interested non-victims who accompany them to appointments with the police and prosecutors typically learn about victim advocacy and counseling programs to either help themselves or support their loved ones. Likewise, offenders and offender-interested non-victims are usually informed about community-based resources available to help them through the changes that lie ahead. However, by the time a case reaches the parole stage, no one is there to remind victims and non-victims of the services and programs that they can turn to for support or guidance through this tail end of the criminal justice process. The NJSPB and parole boards in general can use the results of this study to assess the resources in their jurisdictions and develop a method of sharing that information with input providers. In particular, they should evaluate the availability and publicity of relevant services and programs in three stages.

First, parole boards can use the findings of this study or the input that they have received to identify the types of needs and issues presented by their victim and non-victim input provider populations. Then, parole boards can compare those needs and issues with the services and programs in their jurisdictions to determine whether there are adequate services and programs available. Since most parole boards operate at the state level, they may consider the geographic distribution of needs and issues among input providers compared to the locations of programs and services. As a third and final stage, parole boards can assess the ways in which those resources are publicized to input providers. For example, individual programs and services may have pamphlets or websites that input providers can locate if they search for such information. However, this assumes that they are aware the resources exist to help them and that they know how to find them. Instead, parole boards can develop lists of programs and resources by county, for example, to be sent to victims and non-victims upon receipt of their input.

This is not intended to suggest that parole boards are responsible for supplying services or even referrals to victims and non-victims. Rather, it is an alternative or additional method for parole boards to be responsive to input providers. As discussed earlier, those who self-select to provide input are a unique group. At this tail end of the criminal justice process, they share their experiences with parole board members and those experiences frequently include some sort of hardship and for victims, concerns about offenders' release. Even if they are denied parole, all of the offenders who receive parole consideration will eventually be released from prison. Most of them will be released within a few years. The reminder that there are programs and services available

to victims and non-victims may link them with much needed support and at the very least, represents a way to be responsive to their input.

A Procedural Justice Approach to Maintaining Legitimacy

Parole board efforts to define and expand the utility of input will be most effectively realized if they communicate their input-related processes and procedures to stakeholders. Parole boards are created and governed by laws but they derive their power from constituencies, from the belief that they are legitimate institutions (Franke, Bierie and MacKenzie, 2010). Just as legitimacy is earned, it can be lost over time if stakeholders' expectations are not met; and parole boards face complex and competing expectations. For example, responding to victims' requests by denying offenders' parole release may increase a parole board's short-term legitimacy with victims' groups and the general public. However, it would be at the cost of parole legitimacy among offenders, their families and prison officials. Similarly, responding to offenders' loved ones' requests by approving parole release may increase legitimacy with offenders and their advocates in the short term but it would be at the cost of legitimacy among victims, their advocates, and prison officials.

Parole boards will affect perceptions of legitimacy if they understand them as perceptions of fairness. In order to accomplish this, parole boards must enforce procedurally fair decision-making and inform stakeholders of related policies and procedures (Franke et al. 2010). Specifically, once parole boards identify the utility or value of input, they should communicate that value and the decision-making process within which it is considered back to the public. By being transparent and communicating their activities, parole boards will inform stakeholders' expectations.

Doing so may also change the information that input providers share and improve the unique value of input to further sustain procedural justice and retain legitimacy.

Conclusion

These results validate and expand on existing work about the impact of victim and non-victim input on parole release decision-making. Previous qualitative research found that parole boards value victim and non-victim input in general, and victim input in particular, (McLeod, 1989; Burns, Kinkade, Leone, and Phillips, 1999; Kinnevy and Caplan, 2008); and quantitative research suggested that input affects release decisions in some settings but not in others (Parsonage, Bernat, and Helfgott, 1994; Smith, Watkins, and Morgan, 1997; Proctor, 1999; Morgan and Smith, 2005). In that context, the findings of the present research suggest that parole board members struggle to reconcile the information in input with other information in offenders' case files as they fulfill their mandate to make objective release decisions based on offenders' risk to public safety. However, the victims and non-victims who submit input have an expectation that their input matters. This is concerning for the NJSPB because their legitimacy can be lost over time if stakeholders' expectations are not met (Erez and Tontodonato, 1992).

The NJSPB and other parole boards should take a procedural justice approach to maintaining legitimacy. Meaning, they should be fair, ethical, and honest in their decision-making process. This dissertation research provides the foundation for that important work by expanding the literature about the contents of input. The findings show that both victim and non-victim input providers tend to focus on 12 themes. They operationalize the themes in different ways depending on whether they are offender- or

victim-interested and thus, arguing for or against release. Additionally, only a minority of input addressed factors that the NJSPB considers when making release decisions.

In order to be fair, the NJSPB should continue to consider input from victims and non-victims as a representation of stakeholders' voices at the tail end of the criminal justice process. In order to be ethical, the NJSPB should continue to make objective, risk-based decisions even if those decisions do not align with the requests in victim and non-victim input. In order to be honest, the NJSPB should communicate the value of input in particular, and the decision-making process in general, to stakeholders so that they know what information is more or less useful as they provide input and have informed expectations about the influence of their input.

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APPENDIX A: Visual Descriptor Worksheet

Offender (circle/fill-in)

1. Name _____
2. Prisoner Number _____

Submission type (circle/fill-in)

3. Single Input / Attached to others
4. Phone (summary)
5. Fax (area code) _____
6. In-person Interview
7. Panel Hearing Form
8. US Mail (zip code) _____
9. Other _____

Paper Characteristics (circle/fill-in)

10. Copy paper
11. Professional letterhead
12. Personal Stationary
13. Lined paper
14. Lined paper with torn edges
15. Napkin
16. Notepad sheet (size _____ / TORN EDGES)

Text (circle)

17. Typed
18. Handwritten
19. Pen
20. Pencil
21. Crayon
22. Marker
23. Color _____

Emphasis in text (circle)

24. Bold
25. Italics
26. Underline

27. Multiple punctuation marks

28. Other

Articulation (circle)

29. Misspelling
30. Lack of punctuation
31. Clarity 1 - immediately clear whether for/against release YES / NO
32. Clarity 2 – main point of input easily identifiable/apparent/clear YES / NO

Inclusions (circle)

33. Receipts
34. Photos
35. Drawings
36. Media (i.e. newspaper) clippings

Provider (circle/fill-in)

37. Relationship to VICTIM / OFFENDER _____
38. Number of signatures _____
39. Age _____
40. MALE / FEMALE
41. Name _____

Misc. Info (circle/fill-in)

42. Date Composed _____
43. NJSPB Receipt confirmation YES / NO
44. Other unique info _____

Completed by: HTC LP

APPENDIX B: Additional Results Tables

Table B1. Detailed contents of all input (N=198)

Content	N	Valid %	Mean*	S.D.	Min*	Max*
Author						
Victim	52	26.3				
Non-victim, Victim-interested	22	11.1				
Non-victim, Offender-interested	123	62.1				
Non-victim, Public	1	0.5				
Direction						
Positive	128	64.6				
Negative	70	35.4				
Parole conditions	81	40.9	11.0	9.5	0.8	49.7
Contact	16	8.1	4.2	3.0	1.4	10.6
Intense	15	7.6	3.9	3.6	0.4	11.4
Medication	1	0.5	1.9		1.9	1.9
Employment	10	5.1	1.4	1.4	0.5	4.8
Programs/Services	19	9.6	6.7	13.0	0.5	49.7
Restitution	5	2.5	8.6	7.3	2.2	21.2
Drug testing	10	5.1	0.9	0.6	0.4	2.2
Other	8	4.0	4.6	4.7	0.4	11.7
Deviant behavior	96	48.5	21.6	19.6	1.0	97.0
Instant offense	76	38.4	16.6	17.7	1.0	97.0
Other offense	23	11.6	19.1	18.8	1.0	74.0
Mitigating factors	17	8.6	19.5	14.4	1.0	52.0
Weapon	6	3.0	8.3	7.3	0.0	19.0
CJ system	17	8.6	10.8	8.0	1.8	27.9
Positive	4	2.0	10.5	8.0	3.9	22.2
Negative	10	5.1	8.5	6.0	1.8	23.3
Misstatement	3	1.5	19.0	10.9	6.9	27.9
Sentence	17	8.6	16.7	13.9	1.2	46.5
Excessive	3	1.5	15.6	16.0	1.2	32.9
Insufficient	14	7.1	16.9	14.1	2.9	46.5
Relationship, Offender to Author						
Friend/Acquaintance	35	17.7				
Parent	10	5.1				
Spouse	18	9.1				
Child	15	7.6				
Other relative	32	16.2				
Sibling	9	4.5				
Unknown	79	39.9				
Rehabilitation	106	53.5	12.6	8.6	1.0	38.0
Positive reference	66	33.3	12.8	8.8	2.0	38.0
Use of time in prison	32	16.2	15.0	9.5	3.0	38.0
Accomplished	45	22.7	8.1	6.0	1.0	23.0
Negative reference	40	20.2	12.2	8.3	1.0	32.0
Impossible	9	4.5	11.1	6.9	1.0	21.0
Not yet	35	17.7	11.1	8.3	1.0	32.0

*Average, minimum, or maximum percent of words devoted to a given theme in all input where that theme is referenced.

Content	N	Valid %	Mean*	S.D.	Min*	Max*
Author						
Victim	52	26.3				
Non-victim, Victim-interested	22	11.1				
Non-victim, Offender-interested	123	62.1				
Non-victim, Public	1	0.5				
Direction						
Positive	128	64.6				
Negative	70	35.4				
Parole conditions	81	40.9	11.0	9.5	0.8	49.7
Contact	16	8.1	4.2	3.0	1.4	10.6
Intense	15	7.6	3.9	3.6	0.4	11.4
Medication	1	0.5	1.9		1.9	1.9
Employment	10	5.1	1.4	1.4	0.5	4.8
Programs/Services	19	9.6	6.7	13.0	0.5	49.7
Restitution	5	2.5	8.6	7.3	2.2	21.2
Drug testing	10	5.1	0.9	0.6	0.4	2.2
Other	8	4.0	4.6	4.7	0.4	11.7
Deviant behavior	96	48.5	21.6	19.6	1.0	97.0
Instant offense	76	38.4	16.6	17.7	1.0	97.0
Other offense	23	11.6	19.1	18.8	1.0	74.0
Mitigating factors	17	8.6	19.5	14.4	1.0	52.0
Weapon	6	3.0	8.3	7.3	0.0	19.0
CJ system	17	8.6	10.8	8.0	1.8	27.9
Positive	4	2.0	10.5	8.0	3.9	22.2
Negative	10	5.1	8.5	6.0	1.8	23.3
Misstatement	3	1.5	19.0	10.9	6.9	27.9
Sentence	17	8.6	16.7	13.9	1.2	46.5
Excessive	3	1.5	15.6	16.0	1.2	32.9
Insufficient	14	7.1	16.9	14.1	2.9	46.5
Relationship, Offender to Author						
Friend/Acquaintance	35	17.7				
Parent	10	5.1				
Spouse	18	9.1				
Child	15	7.6				
Other relative	32	16.2				
Sibling	9	4.5				
Unknown	79	39.9				
Rehabilitation	106	53.5	12.6	8.6	1.0	38.0
Positive reference	66	33.3	12.8	8.8	2.0	38.0
Use of time in prison	32	16.2	15.0	9.5	3.0	38.0
Accomplished	45	22.7	8.1	6.0	1.0	23.0
Negative reference	40	20.2	12.2	8.3	1.0	32.0
Impossible	9	4.5	11.1	6.9	1.0	21.0
Not yet	35	17.7	11.1	8.3	1.0	32.0

Content	N	Valid %	Mean*	S.D.	Min*	Max*
Author						
Victim	52	26.3				
Non-victim, Victim-interested	22	11.1				
Non-victim, Offender-interested	123	62.1				
Non-victim, Public	1	0.5				
Direction						
Positive	128	64.6				
Negative	70	35.4				
Parole conditions	81	40.9	11.0	9.5	0.8	49.7
Contact	16	8.1	4.2	3.0	1.4	10.6
Intense	15	7.6	3.9	3.6	0.4	11.4
Medication	1	0.5	1.9		1.9	1.9
Employment	10	5.1	1.4	1.4	0.5	4.8
Programs/Services	19	9.6	6.7	13.0	0.5	49.7
Restitution	5	2.5	8.6	7.3	2.2	21.2
Drug testing	10	5.1	0.9	0.6	0.4	2.2
Other	8	4.0	4.6	4.7	0.4	11.7
Deviant behavior	96	48.5	21.6	19.6	1.0	97.0
Instant offense	76	38.4	16.6	17.7	1.0	97.0
Other offense	23	11.6	19.1	18.8	1.0	74.0
Mitigating factors	17	8.6	19.5	14.4	1.0	52.0
Weapon	6	3.0	8.3	7.3	0.0	19.0
CJ system	17	8.6	10.8	8.0	1.8	27.9
Positive	4	2.0	10.5	8.0	3.9	22.2
Negative	10	5.1	8.5	6.0	1.8	23.3
Misstatement	3	1.5	19.0	10.9	6.9	27.9
Sentence	17	8.6	16.7	13.9	1.2	46.5
Excessive	3	1.5	15.6	16.0	1.2	32.9
Insufficient	14	7.1	16.9	14.1	2.9	46.5
Relationship, Offender to Author						
Friend/Acquaintance	35	17.7				
Parent	10	5.1				
Spouse	18	9.1				
Child	15	7.6				
Other relative	32	16.2				
Sibling	9	4.5				
Unknown	79	39.9				
Rehabilitation	106	53.5	12.6	8.6	1.0	38.0
Positive reference	66	33.3	12.8	8.8	2.0	38.0
Use of time in prison	32	16.2	15.0	9.5	3.0	38.0
Accomplished	45	22.7	8.1	6.0	1.0	23.0
Negative reference	40	20.2	12.2	8.3	1.0	32.0
Impossible	9	4.5	11.1	6.9	1.0	21.0
Not yet	35	17.7	11.1	8.3	1.0	32.0

Table B1. Detailed contents of all input (N=198) (continued)

Content	N	Valid %	Mean*	S.D.	Min*	Max*
Remorse	55	27.8	6.7	4.8	1.0	24.0
Yes	47	23.7	6.5	4.5	1.0	24.0
Toward victim(s)	16	8.1	6.8	2.7	3.0	13.0
Toward affected by incarceration	4	2.0	7.3	3.6	4.0	12.0
Generally sorry	28	14.1	6.0	4.7	1.0	19.0
No	8	4.0	7.8	6.5	2.0	18.0
Not remorseful	8	4.0	7.8	6.5	2.0	18.0
Support upon release	52	26.3	14.8	15.3	1.0	76.0
Employment	18	9.1	8.6	6.7	2.0	32.0
Housing	11	5.6	5.9	6.1	1.0	20.0
Money	2	1.0	10.5	6.4	6.0	15.0
Support system	35	17.7	12.2	14.7	1.0	76.0
Other	8	4.0	12.5	10.1	4.0	35.0
Physical cost to victim	11	5.6	11.1	11.9	1.0	36.0
Chronic	6	3.0	15.8	13.3	0.9	32.3
Acute	8	4.0	3.4	1.5	0.5	5.3
Financial cost	35	17.7	14.4	14.4	0.9	72.4
To victim and associated	21	10.6	17.0	16.5	2.0	72.0
Income	4	2.0	5.8	1.4	4.1	7.0
Employment loss	4	2.0	5.9	3.0	1.6	8.5
Employment interrupted	4	2.0	12.0	7.0	3.0	19.8
Need tangible support	2	1.0	6.3	0.8	5.7	6.9
Recover from offense	10	5.1	25.0	18.6	6.6	72.4
To offender and associated	15	7.6	9.8	9.8	1.0	39.0
Income	6	3.0	5.5	4.2	0.9	11.8
Maintain contact with offender	1	0.5	4.0		4.0	4.0
Money to offender in prison	1	0.5	1.9		1.9	1.9
Employment loss	1	0.5	2.6		2.6	2.6
Employment interrupted	1	0.5	10.5		10.5	10.5
Need tangible support	6	3.0	15.0	13.7	3.0	39.1
Recover from offense	1	0.5	4.5		4.5	4.5
Relationship costs	40	20.2	17.4	17.3	1.0	79.0
To victim and associated	20	10.1	15.9	12.2	1.0	48.0
Family, general	11	5.6	18.5	10.0	6.0	39.0
Family, children	7	3.5	7.7	4.9	1.0	15.0
Romantic	2	1.0	18.0	11.3	10.0	26.0
Peer	4	2.0	6.0	3.5	3.0	9.0
To offender and associated	20	10.1	18.9	21.5	1.0	79.0
Family, general	12	6.1	16.2	13.3	3.0	48.0
Family, children	12	6.1	15.3	14.6	1.0	44.0
Romantic	1	0.5	1.0		1.0	1.0

*Average, minimum, or maximum percent of words devoted to a given theme in all input where that theme is referenced.

Table B1. Detailed contents of all input (N=198) (continued)

Content	N	Valid %	Mean*	S.D.	Min*	Max*
Psychological costs	101	51.0	18.7	16.0	1.0	71.0
To victim and associated	53	26.8	25.7	16.3	2.0	71.0
Miss victim (pre-crime personality)	15	7.6	19.9	10.3	3.0	38.5
Negative self-image	4	2.0	13.8	3.9	8.2	17.1
Recurring memories	12	6.1	5.1	4.0	0.9	15.3
Loss of faith in humanity	1	0.5	3.0		3.0	3.0
Fear	41	20.7	18.0	13.2	0.8	54.9
Depression	4	2.0	1.3	0.7	0.4	2.0
Therapy	21	10.6	7.4	5.3	1.8	21.1
Anger	6	3.0	6.3	7.9	0.2	22.0
To offender and associated	48	24.2	11.0	11.6	1.0	68.0
Miss offender (presence)	27	13.6	6.2	6.3	0.7	29.5
Recurring memories	3	1.5	2.1	1.6	0.2	3.4
Fear	3	1.5	4.1	2.4	2.2	6.8
Therapy	7	3.5	8.3	6.1	2.4	19.4
Missed events	21	10.6	13.7	13.8	0.7	62.9
Offender's character	107	54.0	25.9	20.5	1.0	87.1
Positive	86	43.4	29.1	21.0	2.3	87.1
Negative	21	10.6	12.8	11.5	1.0	47.1

*Average, minimum, or maximum percent of words devoted to a given theme in all input where that theme is referenced.

Table B2. Detailed contents of victim input (N=52)

Content	N	Valid %	Mean*	S.D.	Min*	Max*
Author						
Victim	52	100.0				
Non-victim, Victim-interested						
Non-victim, Offender-interested						
Non-victim, Public						
Direction						
Positive	8	15.4				
Negative	44	84.6				
Parole conditions	38	73.1	11.2	8.5	0.8	38.3
Contact	10	19.2	3.2	2.4	1.4	9.1
Intense	10	19.2	4.1	3.2	0.4	9.7
Medication	1	1.9	1.9		1.9	1.9
Employment	7	13.5	1.7	1.7	0.5	4.8
Programs/Services	11	21.2	1.8	1.3	0.5	4.3
Restitution	4	7.7	10.2	7.4	5.6	21.2
Drug testing	8	15.4	1.0	0.7	0.4	2.2
Other	1	1.9	0.6		0.6	0.6
Deviant behavior	42	80.8	24.1	22.0	1.0	97.0
Instant offense	37	71.2	23.0	22.8	1.0	97.0
Other offense	8	15.4	12.0	8.8	1.0	23.0
Mitigating factors	1	1.9	33.0		33.0	33.0
Weapon	5	9.6	7.0	7.3	0.0	19.0
CJ system	5	9.6	9.9	7.2	3.9	22.2
Positive	3	5.8	11.1	9.7	3.9	22.2
Negative	2	3.8	8.0	2.6	6.2	9.8
Misstatement	0	0.0				
Sentence	7	13.5	28.0	15.1	9.1	46.5
Excessive	1	1.9	32.9		32.9	32.9
Insufficient	6	11.5	27.2	16.3	9.1	46.5
Relationship, Offender to Author						
Friend/Acquaintance	0	0.0				
Parent	1	1.9				
Spouse	1	1.9				
Child	0	0.0				
Other relative	6	11.5				
Sibling	1	1.9				
Unknown	43	82.7				
Rehabilitation	26	50.0	13.0	8.0	1.0	32.0
Positive reference	3	5.8	15.0	11.1	5.0	27.0
Use of time in prison	3	5.8	13.0	10.0	3.0	23.0
Accomplished	2	3.8	3.0	1.4	2.0	4.0
Negative reference	23	44.2	12.7	7.8	1.0	32.0
Impossible	6	11.5	10.0	8.4	1.0	21.0
Not yet	20	38.5	11.7	7.5	2.0	32.0

*Average, minimum, or maximum percent of words devoted to a given theme in all input where that theme is referenced.

Table B2. Detailed contents of victim input (N=52) (continued)

Content	N	Valid %	Mean*	S.D.	Min*	Max*
Remorse	6	11.5	7.5	5.3	2.0	14.0
Yes	2	3.8	4.5	2.1	3.0	6.0
Toward victim(s)	2	3.8	4.5	2.1	3.0	6.0
Toward affected by incarceration	0	0.0				
Generally sorry	0	0.0				
No	4	7.7	9.0	6.0	2.0	14.0
Not remorseful	4	7.7	9.0	6.0	2.0	14.0
Support upon release	1	1.9	7.0		7.0	7.0
Employment	0	0.0				
Housing	1	1.9	7.0		7.0	7.0
Money	0	0.0				
Support system	0	0.0				
Other	0	0.0				
Physical cost to victim	9	17.3	9.2	9.3	1.0	25.0
Chronic	5	9.6	12.5	11.8	0.9	25.1
Acute	6	11.5	3.3	1.7	0.5	5.3
Financial cost	17	32.7	19.5	17.5	1.6	72.4
To victim and associated	17	32.7	19.5	17.4	2.0	72.0
Income	3	5.8	6.4	0.9	5.3	7.0
Employment loss	3	5.8	5.6	3.6	1.6	8.5
Employment interrupted	2	3.8	16.7	4.4	13.6	19.8
Need tangible support	2	3.8	6.3	0.8	5.7	6.9
Recover from offense	10	19.2	25.0	18.6	6.6	72.4
To offender and associated	0	0.0				
Income	0	0.0				
Maintain contact with offender	0	0.0				
Money to offender in prison	0	0.0				
Employment loss	0	0.0				
Employment interrupted	0	0.0				
Need tangible support	0	0.0				
Recover from offense	0	0.0				
Relationship costs	10	19.2	11.5	8.1	3.0	26.0
To victim and associated	10	19.2	11.5	8.1	3.0	26.0
Family, general	2	3.8	18.5	5.0	15.0	22.0
Family, children	4	7.7	9.0	5.2	3.0	15.0
Romantic	2	3.8	18.0	11.3	10.0	26.0
Peer	2	3.8	3.0	0.0	3.0	3.0
To offender and associated	0	0.0				
Family, general	0	0.0				
Family, children	0	0.0				
Romantic	0	0.0				

*Average, minimum, or maximum percent of words devoted to a given theme in all input where that theme is referenced.

Table B2. Detailed contents of victim input (N=52) (continued)

Content	N	Valid %	Mean*	S.D.	Min*	Max*
Psychological costs	34	65.4	22.3	14.5	2.0	55.0
To victim and associated	33	63.5	22.9	14.3	2.0	55.0
Miss victim (pre-crime personality)	3	5.8	18.4	10.1	10.9	30.0
Negative self-image	2	3.8	14.9	1.2	14.1	15.7
Recurring memories	7	13.5	4.7	5.3	0.9	15.3
Loss of faith in humanity	0	0.0				
Fear	26	50.0	18.4	14.1	0.8	54.9
Depression	4	7.7	1.3	0.7	0.4	2.0
Therapy	15	28.8	9.0	5.4	1.8	21.1
Anger	4	7.7	2.8	2.0	0.2	4.6
To offender and associated	1	1.9	2.0		2.0	2.0
Miss offender (presence)	0	0.0				
Recurring memories	0	0.0				
Fear	0	0.0				
Therapy	0	0.0				
Missed events	1	1.9	1.8		1.8	1.8
Offender's character	12	23.1	15.4	12.2	3.2	47.1
Positive	1	1.9	15.0		15.0	15.0
Negative	11	21.2	15.4	12.8	3.2	47.1

*Average, minimum, or maximum percent of words devoted to a given theme in all input where that theme is referenced.

Table B3. Detailed contents of victim-interested non-victim input (N=22)

Content	N	Valid %	Mean*	S.D.	Min*	Max*
Author						
Victim						
Non-victim, Victim-interested	22	100.0		0.0		
Non-victim, Offender-interested						
Non-victim, Public						
Direction						
Positive	0	0.0		0.0		
Negative	22	100.0		0.0		
Parole conditions	14	63.6	13.2	11.5	1.0	47.1
Contact	4	18.2	3.8	1.7	2.1	5.6
Intense	4	18.2	4.0	5.1	0.4	11.4
Medication	0	0.0				
Employment	2	9.1	0.7	0.2	0.6	0.9
Programs/Services	3	13.6	12.2	19.2	0.6	34.4
Restitution	0	0.0				
Drug testing	2	9.1	0.5	0.2	0.4	0.7
Other	2	9.1	0.5	0.2	0.4	0.7
Deviant behavior	15	68.2	16.7	8.5	5.0	34.0
Instant offense	13	59.1	11.4	4.3	5.0	20.0
Other offense	7	31.8	14.9	8.6	2.0	26.0
Mitigating factors	0	0.0				
Weapon	0	0.0				
CJ system	4	18.2	5.2	3.4	1.8	10.0
Positive	0	0.0				
Negative	4	18.2	5.2	3.4	1.8	10.0
Misstatement	0	0.0				
Sentence	6	27.3	8.8	4.5	2.9	16.1
Excessive	0	0.0				
Insufficient	6	27.3	8.8	4.5	2.9	16.1
Relationship, Offender to Author		0.0				
Friend/Acquaintance	2	9.1				
Parent	2	9.1				
Spouse	0	0.0				
Child	3	13.6				
Other relative	5	22.7				
Sibling	1	4.5				
Unknown	9	40.9				
Rehabilitation	14	63.6	12.3	9.7	1.0	30.0
Positive reference	0	0.0				
Use of time in prison	0	0.0				
Accomplished	0	0.0				
Negative reference	14	63.6	12.3	9.7	1.0	30.0
Impossible	2	9.1	13.5	2.1	12.0	15.0
Not yet	13	59.1	11.1	10.0	1.0	30.0

*Average, minimum, or maximum percent of words devoted to a given theme in all input where that theme is referenced.

Table B3. Detailed contents of victim-interested non-victim input (N=22) (continued)

Content	N	Valid %	Mean*	S.D.	Min*	Max*
Remorse	4	18.2	6.5	7.7	2.0	18.0
Yes	0	0.0				
Toward victim(s)	0	0.0				
Toward affected by incarceration	0	0.0				
Generally sorry	0	0.0				
No	4	18.2	6.5	7.7	2.0	18.0
Not remorseful	4	18.2	6.5	7.7	2.0	18.0
Support upon release	0	0.0				
Employment	0	0.0				
Housing	0	0.0				
Money	0	0.0				
Support system	0	0.0				
Other	0	0.0				
Physical cost to victim	2	9.1	19.5	23.3	3.0	36.0
Chronic	1	4.5	32.3		32.3	32.3
Acute	2	9.1	3.7	0.3	3.5	4.0
Financial cost	3	13.6	7.2	4.2	3.2	11.6
To victim and associated	3	13.6	7.3	4.5	3.0	12.0
Income	0	0.0				
Employment loss	1	4.5	6.8		6.8	6.8
Employment interrupted	2	9.1	7.3	6.1	3.0	11.6
Need tangible support	0	0.0				
Recover from offense	0	0.0				
To offender and associated	0	0.0				
Income	0	0.0				
Maintain contact with offender	0	0.0				
Money to offender in prison	0	0.0				
Employment loss	0	0.0				
Employment interrupted	0	0.0				
Need tangible support	0	0.0				
Recover from offense	0	0.0				
Relationship costs	10	45.5	20.2	14.3	1.0	48.0
To victim and associated	10	45.5	20.2	14.3	1.0	48.0
Family, general	9	40.9	18.4	11.0	6.0	39.0
Family, children	3	13.6	6.0	5.0	1.0	11.0
Romantic	0	0.0				
Peer	2	9.1	9.0	0.0	9.0	9.0
To offender and associated	0	0.0				
Family, general	0	0.0				
Family, children	0	0.0				
Romantic	0	0.0				

*Average, minimum, or maximum percent of words devoted to a given theme in all input where that theme is referenced.

Table B3. Detailed contents of victim-interested non-victim input (N=22) (continued)

Content	N	Valid %	Mean*	S.D.	Min*	Max*
Psychological costs	20	90.9	30.3	18.5	9.0	71.0
To victim and associated	20	90.9	30.3	18.5	9.0	71.0
Miss victim (pre-crime personality)	12	54.5	20.3	10.7	3.0	38.5
Negative self-image	2	9.1	12.6	6.3	8.2	17.1
Recurring memories	5	22.7	5.6	1.5	4.2	7.9
Loss of faith in humanity	1	4.5	3.0		3.0	3.0
Fear	15	68.2	17.3	11.9	1.7	37.0
Depression	0	0.0				
Therapy	6	27.3	3.5	1.7	2.0	6.0
Anger	2	9.1	13.4	12.1	4.9	22.0
To offender and associated	0	0.0				
Miss offender (presence)	0	0.0				
Recurring memories	0	0.0				
Fear	0	0.0				
Therapy	0	0.0				
Missed events	0	0.0				
Offender's character	8	36.4	11.3	10.3	2.3	31.8
Positive	0	0.0				
Negative	8	36.4	11.2	10.3	2.3	31.8

*Average, minimum, or maximum percent of words devoted to a given theme in all input where that theme is referenced.

Table B4. Detailed contents of offender-interested non-victim input (N=123)

Content	N	Valid %	Mean*	S.D.	Min*	Max*
Author						
Victim						
Non-victim, Victim-interested						
Non-victim, Offender-interested	123	100.0				
Non-victim, Public						
Direction						
Positive	120	97.6	1.0	0.2	0.0	1.0
Negative	3	2.4	0.0	0.2	0.0	1.0
Parole conditions	29	23.6	9.6	9.9	1.0	49.7
Contact	2	1.6	9.8	1.1	9.0	10.6
Intense	1	0.8	1.0		1.0	1.0
Medication	0	0.0				
Employment	1	0.8	0.8		0.8	0.8
Programs/Services	5	4.1	14.1	20.3	1.2	49.7
Restitution	1	0.8	2.2		2.2	2.2
Drug testing	0	0.0				
Other	5	4.1	7.0	4.4	1.2	11.7
Deviant behavior	39	31.7	20.9	20.1	1.0	74.0
Instant offense	26	21.1	10.0	7.8	3.0	38.0
Other offense	8	6.5	30.0	27.6	1.0	74.0
Mitigating factors	16	13.0	18.6	14.5	1.0	52.0
Weapon	1	0.8	15.0		15.0	15.0
CJ system	8	6.5	14.2	8.8	6.1	27.9
Positive	1	0.8	8.8		8.8	8.8
Negative	4	3.3	12.0	8.0	6.1	23.3
Misstatement	3	2.4	19.0	10.9	6.9	27.9
Sentence	3	2.4	8.1	6.1	1.2	12.7
Excessive	2	1.6	6.9	8.1	1.2	12.7
Insufficient	1	0.8	10.4		10.4	10.4
Relationship, Offender to Author		0.0				
Friend/Acquaintance	33	26.8				
Parent	7	5.7				
Spouse	17	13.8				
Child	12	9.8				
Other relative	21	17.1				
Sibling	7	5.7				
Unknown	26	21.1				
Rehabilitation	65	52.8	12.5	8.8	1.0	38.0
Positive reference	63	51.2	12.7	8.8	2.0	38.0
Use of time in prison	29	23.6	15.2	9.6	3.0	38.0
Accomplished	43	35.0	8.4	6.0	1.0	23.0
Negative reference	2	1.6	7.0	8.5	1.0	13.0
Impossible	1	0.8	13.0		13.0	13.0
Not yet	1	0.8	1.0		1.0	1.0

*Average, minimum, or maximum percent of words devoted to a given theme in all input where that theme is referenced.

Table B4. Detailed contents of offender-interested non-victim input (N=123) (continued)

Content	N	Valid %	Mean*	S.D.	Min*	Max*
Remorse	45	36.6	6.6	4.5	1.0	24.0
Yes	45	36.6	6.6	4.5	1.0	24.0
Toward victim(s)	14	11.4	7.1	2.7	3.0	13.0
Toward affected by incarceration	4	3.3	7.3	3.6	4.0	12.0
Generally sorry	28	22.8	6.0	4.7	1.0	19.0
No	0	0.0				
Not remorseful	0	0.0				
Support upon release	51	41.5	14.9	15.4	1.0	76.0
Employment	18	14.6	8.6	6.7	2.0	32.0
Housing	10	8.1	5.8	6.4	1.0	20.0
Money	2	1.6	10.5	6.4	6.0	15.0
Support system	35	28.5	12.2	14.7	1.0	76.0
Other	8	6.5	12.5	10.1	4.0	35.0
Physical cost to victim	0	0.0				
Chronic	0	0.0				
Acute	0	0.0				
Financial cost	15	12.2	9.8	9.8	1.0	39.1
To victim and associated	1	0.8	4.0		4.0	4.0
Income	1	0.8	4.1		4.1	4.1
Employment loss	0	0.0				
Employment interrupted	0	0.0				
Need tangible support	0	0.0				
Recover from offense	0	0.0				
To offender and associated	15	12.2	9.8	9.8	1.0	39.0
Income	6	4.9	5.5	4.2	0.9	11.8
Maintain contact with offender	1	0.8	4.0		4.0	4.0
Money to offender in prison	1	0.8	1.9		1.9	1.9
Employment loss	1	0.8	2.6		2.6	2.6
Employment interrupted	1	0.8	10.5		10.5	10.5
Need tangible support	6	4.9	15.0	13.7	3.0	39.1
Recover from offense	1	0.8	4.5		4.5	4.5
Relationship costs	20	16.3	18.9	21.5	1.0	79.0
To victim and associated	0	0.0				
Family, general	0	0.0				
Family, children	0	0.0				
Romantic	0	0.0				
Peer	0	0.0				
To offender and associated	20	16.3	18.9	21.5	1.0	79.0
Family, general	12	9.8	16.2	13.3	3.0	48.0
Family, children	12	9.8	15.3	14.6	1.0	44.0
Romantic	1	0.8	1.0		1.0	1.0

*Average, minimum, or maximum percent of words devoted to a given theme in all input where that theme is referenced.

Table B4. Detailed contents of offender-interested non-victim input (N=123) (continued)

Content	N	Valid %	Mean*	S.D.	Min*	Max*
Psychological costs	47	38.2	11.2	11.6	1.0	68.0
To victim and associated	0	0.0				
Miss victim (pre-crime personality)	0	0.0				
Negative self-image	0	0.0				
Recurring memories	0	0.0				
Loss of faith in humanity	0	0.0				
Fear	0	0.0				
Depression	0	0.0				
Therapy	0	0.0				
Anger	0	0.0				
To offender and associated	47	38.2	11.2	11.6	1.0	68.0
Miss offender (presence)	27	22.0	6.2	6.3	0.7	29.5
Recurring memories	3	2.4	2.1	1.6	0.2	3.4
Fear	3	2.4	4.1	2.4	2.2	6.8
Therapy	7	5.7	8.3	6.1	2.4	19.4
Missed events	20	16.3	14.3	13.9	0.7	62.9
Offender's character	87	70.7	28.7	21.2	1.0	87.1
Positive	85	69.1	29.3	21.1	2.3	87.1
Negative	2	1.6	4.7	5.3	1.0	8.4

*Average, minimum, or maximum percent of words devoted to a given theme in all input where that theme is referenced.

VITA

Heather R. Tubman-Carbone

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| 1983 | Born April 23 in New York. |
| 2001 | Graduated from East Brunswick High School, East Brunswick, New Jersey. |
| 2004 | B.S. Criminal Justice, Northeastern University, Boston, Massachusetts. |
| 2005 | MSc, Criminal Justice Policy, London School of Economics and Political Science, London, United Kingdom. |
| 2005-2006 | Research Administrative Coordinator, Police Foundation, Washington, D.C. |
| 2006-2009 | Teaching Assistantship, Rutgers University, Newark, New Jersey. |
| 2008-2009 | Research Scientist Intern, New Jersey State Parole Board, Trenton, New Jersey. |
| 2009 | Article with J. Christian, B. Veysey & B. Herrschaft: "Hope Lost and Found: Formerly incarcerated individuals' narratives of change" in Veysey, B.M., Christian, J. & Martinez, D.J. (eds.). <i>How Offenders Transform Their Lives</i> . London: Willan Press. |
| 2009 | Article with B. Herrschaft, B. Veysey & J. Christian: "Gender Differences in the Transformation Narrative: Implications for revised reentry for female Offenders." <i>Journal of Offender Rehabilitation</i> , 48(6): 463-482. |
| 2009-2013 | Research Associate, Rutgers Center on Public Security, Rutgers University, Newark, New Jersey. |
| 2009-2010 | Senior Program Administrator, Economic Development Research Group, Rutgers University, New Brunswick, New Jersey. |
| 2010-2011 | Research and Evaluation Associate, Prisoner Reentry Institute, John Jay College of Criminal Justice, New York, New York. |
| 2011-2014 | Research Associate, Westat, Rockville, Maryland. |
| 2013 | Article with E. Ahlin & J. Antunes: "A Review of Probation Home Visits: What do we know?" <i>Federal Probation</i> 77(3). |
| 2014 | Ph.D. in Criminal Justice, Rutgers University, Newark, New Jersey. |