THE ROLE OF RACE AND ETHNICITY IN PAROLE DECISIONS*

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The parole board plays an integral part in the reentry of offenders into the community from prison in most states; yet, little is known about the decision-making practices of this group. In particular, few studies have used quantitative data to examine parole among a large group of offenders, and less is known about the direct and joint effects of race and ethnicity on this decision point. We extend previous work by considering variation in parole timing among a sample of young, serious offenders incarcerated in one state. Results from a series of proportional hazard models reveal substantial variation in parole timing. Consistent with the existing theoretical research on parole, parole actors are most concerned with community protection and heavily weigh measures of the current offense, institutional behavior, and the official parole guidelines score. The direct effects of race and ethnicity were also revealed. Black offenders spent a longer time in prison awaiting parole compared with white offenders, and the racial and ethnic differences are maintained net of legal and individual demographic and community characteristics. These findings provide important insight into the parole process and augment the existing theoretical work on disparities in decision making.

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Parole boards were instituted as a critical part of the individualized, rehabilitative process of corrections in the early parts of the twentieth century. With the shift away from the rehabilitative ideal in the 1970s and the transition to risk-based corrections (Feeley and Simon, 1992) came revisions to the parole system. Many changes were made because of concerns over bias in decision making and resulted in the development of parole guidelines, mandatory sentencing legislation, and an increased reliance on mandatory release (Glaze and Bonczar, 2006). Although changes in the parole system have occurred in some states, indeterminate sentencing and parole release still plays a fundamental role in reentry in most jurisdictions (Tonry, 1999).

Despite the centrality of this decision point, little quantitative research has been amassed on parole, and even less is known about the role that ethnic and racial bias may play in this aspect of the criminal justice system. The dearth in the literature is surprising given the amount of research compiled on racial disparities in sentencing (Mitchell, 2005; Spohn, 2000). Although variation appears in the research results, most recent studies suggest that young black males, and often Hispanic individuals, receive punishments harsher than the punishments given to white defendants. It is equally as important to consider parole. Parole officials are responsible for identifying whether an inmate is prepared for release, determining the timing and nature of discharge (e.g., conditional vs. unconditional release) from prison, specifying the length and conditions of parole, and making all final decisions on parole revocation (Travis and Lawrence, 2002). Moreover, fewer procedural safeguards are in place at parole than at other points in the criminal justice system; thus, parole provides greater opportunities for discretion (Feder, 1995).

We continue the tradition of decision-making research by examining the role of legal, demographic, and community-level characteristics on parole decisions. In particular, we hope to discern whether young black and Hispanic males pay a parole penalty similar to that described in the established sentencing research (Spohn and Holleran, 2000). We use longitudinal data obtained from official records and presentence investigation reports to explore the direct effect of race on parole timing, in addition to the role of race in concert with crime type and community characteristics. We frame our analyses using the extant theoretical work on criminal justice decision making, particularly attribution theory, and we test our hypotheses using data obtained from a sample of young men incarcerated in one state.

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THEORETICAL FRAMEWORK

Scholars have long been concerned with the manner in which criminal justice actors evaluate case information and make decisions. Most research on the parole decision has its origin in attribution theory, which suggests that decision makers weigh the role of personal disposition and the external environment in past behaviors to predict future behavior (Shaver, 1975). Because decisions are often made based on limited information about criminality and within time constraints, decision actors use cues, or shorthand, to achieve rational decisions (Albonetti, 1991; Carroll, 1978; Steffensmeier, Ulmer, and Kramer, 1998). Cues then become a way to categorize groups of people and behaviors, based on a perceived risk of future criminal involvement (Albonetti, 1991, 1997). The subjective assessments of criminality and risk of recidivism are legally recognizable, but they are often based on stereotypic views of offenders, particularly in terms of race (Bridges and Steen, 1998; Frohmann, 1997).

Prior research on parole decisions suggests that behaviors that are attributed to internal-stable causes can be expected to be treated more harshly and afforded more punishment than behaviors attributed to mutable, environmental factors (Carroll and Burke, 1990; Carroll and Payne, 1977; Wilkins et al., 1973). Parole agents perceive environmental conditions (e.g., substance abuse and familial discord) as mutable. The actor is only likely to repeat the behavior under certain conditions; therefore, the chances of recidivism can be reduced by altering the social circumstances of the offender. Conversely, parole actors who perceive behaviors as attributable to internal-stable personal disposition (e.g., aggressive personality and extensive criminal record) are more likely to deny parole and to recommend longer prison terms because these compositional factors are perceived as less malleable and recidivism is perceived as more likely.

Similarly, Steffensmeier and colleagues suggest that judges are guided by three focal concerns when making decisions: offender blameworthiness or culpability, dangerousness and risk of future crime, and organizational constraints (Steffensmeier and Demuth, 2000; Steffensmeier, Kramer, and Streifel, 1993; Steffensmeier, Ulmer, and Kramer, 1998). Judges heavily weigh assessments of offender dangerousness with the goal of enhancing community safety, whereas considerations of blameworthiness are designed to ensure congruence between the legally established charge and the perceived seriousness of the offense or "just desserts."

Unique to the focal concerns model is the consideration of the organizational context of decision making (Ulmer and Bradley, 2006). Court communities shape workplace norms and organizational values, and structure (e.g., caseload size) can influence formal and informal case decisions

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(Eisenstein, Flemming, and Nardulli, 1988; Johnson, 2005). The demographic nature of the court community also has been shown to affect decisions. Individuals processed in courts located in districts with higher violent crime rates (Ulmer and Bradley, 2006), greater concentration of minorities (Britt, 2000; Ulmer and Johnson, 2004), and higher levels of concentrated disadvantage (Bontrager, Bales, and Chiricos, 2005; Sampson and Laub, 1993) have received more severe punishment.

Research also suggests that parole members are sensitive to organizational concerns like prison crowding and changes in state correctional resources and policies (Glaser, 1985; Winfree et al., 1990). The sentencing structure of a state can also affect schema employed by parole experts (Carroll and Burke, 1990; Metchik, 1988; Turpin-Petrosino, 1999). Parole boards working in states with mandatory sentencing provisions have been found to rely on considerations of risk, specifically criminal history, institutional risk scores, and institutional behavior. Conversely, parole actors took on activist roles, whereby considering legal and extralegal factors, in states with indeterminate sentencing laws (Glaser, 1985; Maguire, Pinter, and Collis, 1984). Unlike research on sentencing, researchers have not explored how the level of disadvantage or crime rate of an offender's neighborhood may influence parole decisions.

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Race and ethnicity have been fundamental considerations in decision-making theory; however, the mechanisms by which race is hypothesized to affect decisions are complex. Most original work, conducted at the macro level, has been based on the assumption that the presence of a growing majority of blacks is threatening to the power of the white majority (Blalock, 1967). Existing studies in criminology have focused on the criminal threat of minorities, particularly on the percentage of young African-American males in a community (Crawford, Chiricos, and Kleck, 1998). The research in this area is mixed, but most work has associated increased minority representation in the community with enhanced penalties (Britt, 2000; Johnson, 2005; Stolzenberg, D'Alessio, and Eitle, 2004; Ulmer and Bradley, 2006; Ulmer and Johnson, 2004).

The demographic and economic structure of a community can also symbolize a criminal threat. Frohmann (1997) argues that court actors ascribe the characteristics of a neighborhood to its residents; these "discordant locales" are based on stereotypic images of race and class groups and can affect prosecutorial and judicial decisions. Moreover, Sampson and Laub (1993: 295) found that juveniles who resided in counties with higher levels of concentrated disadvantage were more likely to be detained preadjudication and to be sentenced to an out-of-home placement. Similar results

were reported by Bontrager, Bales, and Chiricos (2005) in their study of adjudication outcomes among a sample of adults in Florida.

At the individual level, researchers have theorized that judges use race as a cue for offender dangerousness and high propensity for recidivism (Albonetti, 1991, 1997). Interviews conducted by Steffensmeier, Ulmer, and Kramer (1998) suggest that judges perceive racial minorities as more threatening and dangerous than whites and believe that young black men are prone to chronic offending, less amenable to treatment, and more likely to recidivate (see also Bridges and Steen, 1998; Peterson and Hagan, 1984). This attributional stereotype has been linked to racial disparity in decisions and to enhanced punishment for young black men (Kramer and Steffensmeier, 1993; Spohn and Holleran, 2000; Steffensmeier and Demuth, 2001). A recent meta-analysis conducted by Mitchell (2005) confirms the significant, yet highly variable, effect of race on sentencing outcomes.

The research on ethnicity is less developed but suggests that Hispanics may elicit a similar negative response from criminal justice actors. In particular, Steffensmeier and Demuth (2001), in an analysis of sentencing at the federal level, revealed a moderate significant effect of ethnicity on chances and length of imprisonment. Hispanic drug offenders had the largest discrepancies in sentences because these offenders rarely received downward departures from guidelines (see also Steffensmeier and Demuth, 2000). Punishment severity was less harsh for blacks compared with Hispanics, but it was harsher for blacks than for whites. Ulmer and Bradley (2006) also found that Hispanics are more likely to be sentenced to prison and to receive longer sentences than whites; the sentence outcomes were similar for blacks and Hispanics.

The literature on the role of race in parole decisions is mixed, and the approaches to study the phenomenon have varied. Several researchers have found that minorities are less likely to be paroled than whites (Bynum and Paternoster, 1985; Heinz et al., 1976). For example, research by Bynum and Paternoster (1985) suggests that Native-American offenders are less likely to be paroled than whites. Proctor (1999), in a similar quantitative analysis of parole case files, found that minority offenders were equally likely to be given a parole hearing but were 68 percent less likely to be released on parole. Research that has employed experimental designs has not revealed a significant association between race and parole release (Carroll and Mondrick, 1976; Scott, 1974), and race and ethnicity have been omitted from some research entirely (Carroll, 1978; Carroll and Burke, 1990). Most recently, Huebner and Bynum (2006), in their study of sexual offenders, found that minority offenders were released more quickly than whites; however, existing research suggests that minorities are often treated leniently for sexual assault but more harshly for every

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other crime (Maxwell, Robinson, and Post, 2003). To date, researchers have not considered the interaction between race and relevant individual and community factors.

INTERACTION EFFECTS

Although most early research considered only the main effect of race and ethnicity on outcomes, researchers have argued for a more nuanced understanding of race to account for a possible interaction among race, offense type, and crime severity (Zatz, 1987). Several studies have followed up on this exhortation. This review focuses on the interaction of race and ethnicity and crime type, community crime rate, and community disadvantage. These factors were chosen based on their salience in the literature and on their theoretical links to criminal justice decision making.

The nature of the current offense is an important indictor of recidivism risk, but it can also engender an emotional response to the perceived community context of the action. For example, African Americans perpetually have been tied with drugs, particularly crack cocaine, and with inner-city violence (Tonry, 1995). Similarly, Hispanics, and many similarly situated immigrant groups, have become synonymous with drug trafficking (Mann and Zatz, 1998), and the perceived "threat" of Hispanics may be increasing with the widespread growth of this population in the United States (Steffensmeier and Demuth, 2001). Therefore, decision actors may attribute drug or violent behavior among minorities as particularly dangerous and as an indicator of larger issues such as gang violence and racial threat. The research on the relationship between crime type and sentencing outcomes has been mixed, but it suggests that blacks and Hispanics may be punished more harshly than whites for drug and violent crimes. In terms of drug crimes, Steffensmeier and Demuth (2001) found that Hispanics pay a particularly strong penalty for drug-related offenses compared with whites and blacks (see also Engen and Gainey, 2000; Klein, Petersilia, and Turner, 1990; Spohn and Holleran, 2000). Crawford, Chiricos, and Kleck (1998) observed that blacks were more likely to be "habitualized" for drug crimes, and a recent meta-analysis suggests that racial disparity in sentencing is largest for drug-related crimes (Mitchell, 2005).

Overall, violent offenders are punished more harshly, but the research on racial and ethnic variations in punishment for violence offenses has been mixed. For example, Maxwell, Robinson, and Port (2003) found that blacks and Hispanics received longer sentences for murder, robbery, and assault, and that Hispanics were more likely to go to prison for assault than whites. Similarly, Bontrager, Bales, and Chiricos (2005) noted a significant negative relationship between race and ethnicity and the chances of having adjudication withheld for violent and drug crimes; however, a

negative relationship between crime type and ethnicity has not been observed in all studies (Spohn and Cederblom, 1991).

As noted, the demographic nature of a community also engenders stereotypic images of crime and offending and may be used to ascribe risk to an offender. In terms of the crime rate of a community, researchers have argued that minorities may be perceived as culpable for high levels of crime in a community and, therefore, may be punished more harshly (Britt, 2000). The relationship between community crime rate and sentencing outcomes has been mixed. Crawford, Chiricos, and Kleck (1998) observed a positive relationship between violent crime and punishment severity and a negative relationship for drug crime. Bontrager, Bales, and Chiricos (2005) found that blacks who lived in areas with high drug-arrest rates were punished more harshly, but a similar relationship was not observed for Hispanics.

More recently, researchers have forged a link among community context, race and ethnicity, and decision making. Bontrager, Bales, and Chiricos (2005) made one of the most important contributions to this literature; they found that black and Hispanic males who resided in disadvantaged neighborhoods were significantly less likely to have adjudication withheld for felony offenses. The relationships observed were moderately strong; the chances of having adjudication withheld for the Hispanic group ranged from 6 percent for individuals who resided in the least disadvantaged communities to 19 percent for citizens of the most disorganized communities, and they ranged from 16 to 31 percent for black defendants.

RESEARCH DESIGN AND METHODOLOGY

The purpose of this study is to examine the relative effect of legal characteristics, extralegal factors, and community context on the timing of parole release for a sample of serious, youthful, male offenders. Existing theory and research on criminal justice decision making provides the framework for the study, but the current study builds on this work in several important ways. First, we broaden the scope of parole release research by including a wider range of parolee characteristics and measures of community context often omitted from studies of this type. To date, research on parole release has not incorporated measures of community context, despite the theoretical importance of these indicators in existing sentencing research. Doing so allows us to consider the additive and interactive effects of race and, thus, to contribute more to the existing literature on disparities in criminal justice processing. In addition, the inclusion of Hispanic offenders is an important and unique contribution to parole research. Although the sample of Hispanics is small, these data provide important insight into the unique parole experiences of these inmates and

control for some bias that comes from melding racial and ethnic minorities in one category.

Finally, the research as designed allows for the estimation of the timing of parole release. Existing research has focused heavily on the use of parole simulations in which researchers presented expert panels with experimentally manipulated hypothetical cases (Carroll and Burke, 1990; Carroll and Payne, 1977; Turpin-Petrosino, 1999; Wilkins et al., 1973). More recently, researchers have begun to explore the quantitative, multivariate nature of parole release using a dichotomous outcome (Conley and Zimmerman, 1982; Metchik, 1988; Meyer, 2001; Proctor, 1999; Winfree et al., 1990), and the sole study that considered the timing of parole release was limited to a sexual offender sample (Huebner and Bynum, 2006). Nearly all offenders are released at some point; therefore, it is important to understand what factors delay parole release. The length of time spent in prison has important implications for differential punishment and deterrence (DeJong, 1997). Moreover, delayed parole release may increase the collateral consequences of imprisonment because job skills and family relationships are likely to deteriorate over time.

In light of these characteristics, we chose to estimate a series of Cox proportional hazard models (Cox, 1972), incorporating time-dependent covariates, to estimate the timing of release on parole. Coefficients are discussed in reference to a hazard (or "risk") rate, which is an estimate of the probability of parole release at time t, given that the individual has become eligible for parole but has not been granted parole release (Cox, 1972; Singer and Willett, 2003).[1] Together, these analyses provide a broader understanding of the process of parole release and advance our theoretical knowledge of criminal justice decision making.

RESEARCH SITE

The study used data collected for a sample of young male inmates incarcerated in one state. The study state has a centralized correctional system and is overseen by the director of the department of corrections who is responsible for the management of institutional corrections, the parole board, and probation and parole supervision. The study state uses an indeterminate sentencing process in which maximum sentences are established by statute and the judge imposes a minimum sentence. The parole board has full discretion for decisions on parole release and revocation, and offenders become eligible for parole when they have served the minimum

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1.   Offenders are censored, or omitted from the analyses, until they become eligible for parole and again after they are released from prison.

term of their sentence minus good time.[2] The parole board convenes monthly meetings at each correctional facility; a majority vote is required for release on parole. Departmental statistics reveal that about half of the parole hearings result in the offender being released from the correctional institution.

SAMPLE SELECTION

The data for this study were collected as part of a larger project designed to explore weapons involvement, gang membership, and drug use among a sample of young, incarcerated, male offenders. In June 1996, the study sample was selected from three correctional institutions in one state.[3] Participants were limited to inmates who were between the ages of 17 and 24 years, with the intention of capturing the experiences of offenders most likely to be involved in gangs and serious violent crime. The sample was refined to include only men who had been incarcerated for less than 18 months at the time of data collection. Restricting the sample to men who had only been incarcerated for a short time likely reduces some bias in correctional research that reflects mnemonic effects or recollections of behavior since incarceration. All men who met the study eligibility requirements were asked to participate; inmates were not provided any incentives, and involvement was voluntary.

In total, 504 inmates agreed to participate in the study and completed the original study questionnaire in its entirety. The current study includes the 423 inmates who became eligible for parole release between June 1996 and September 2004; excluded are 81 inmates, or 16 percent of the final study sample, who did not become eligible for parole during the study period.[4]

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2. The minimum sentence is set at time of sentencing, varies by offense, and is often a negotiated element of a plea bargain. Sentencing guidelines have been in place for nearly two decades but are solely advisory. After the initiation of the original research study in 1997, legislation was passed in 1999 that required the imposition of statutory mandatory minimum sentences for certain classes of offenses. Offenders in the current sample were sentenced under the traditional indeterminate sentencing schemes.

3. Most offenders were interviewed at a maximum-security facility designated to house primarily youthful offenders (264). The remaining inmates were interviewed at either a medium-security (96) or minimum-security prison (63).

4. In total, 929 men were eligible for the study and 525 men agreed to participate. Twenty-one surveys were incomplete and could not be used for the study, so the final sample quantity was 504; therefore, 54 percent of the original sample agreed to participate and completed the full questionnaire. Furthermore, 45 percent of the eligible sample was used for this study sample because this research only includes men who were eligible for parole during the study period. The low response rate does suggest potential concerns with selection bias. Although the current response rate is less than ideal, little difference is found between the

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DATA

We gathered data for the current study from presentence investigation (PSI) reports and official department of corrections' records. The PSI is completed by probation officers and is required for all felony cases. Reports include the probation officer's and the offender's description of the offense, information on the offender's adult and juvenile criminal history, medical and substance abuse history, educational background, and employment qualifications. The PSI becomes part of the offender's permanent file and is forwarded to the board before the parole meeting. Data on misconduct reports, parole guidelines scores, and parole release dates were obtained from official department of corrections' records; these data are also part of the offender's official parole file. Appendix A details the operational definitions of the variables derived from these data sources.

DEPENDENT MEASURE

Although parole traditionally has been described as a dichotomous outcome, we elected to use *time to parole* as the dependent variable, and it represents the time in months between becoming eligible for parole and a positive parole release decision. The parole process often includes multiple hearings. In total, 70 percent of inmates in the sample had two or more contacts with the parole board before release from prison (mean = 2.94, SD = 1.93); therefore, it is necessary to consider how multiple interactions with the board may contextualize parole release outcomes.

In total, 64 percent (*n* = 269) of the study sample was released between June 1996 and September 2004. Considerable variation occurred in the amount of time that spanned between becoming eligible and being released on parole with the distribution ranging from 26 to 2,185 days (mean = 681.96, SD = 692.54). Of the men who were paroled during the study period, over half (53 percent) were released within 6 months of becoming eligible for parole, 80 percent were released within 2 years of parole eligibility, and 95 percent were released within 4 years of becoming eligible.[5]

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sample and the total institutional population in terms of race, ethnicity, and instant offense. For both groups, most inmates were of a minority race and serving time for a serious personal offense. The study sample and total population did differ in terms of age and educational level. The average age of the total institutional population was 35 years, and 20 percent had completed high school at the time of incarceration, whereas the study sample averaged 20 years of age, and 10 percent had graduated from high school.

5. The lengthy follow-up period signals possible concern for period effects. As noted, "truth in sentencing" guidelines were implemented during the study period but only apply to felonies committed on or after January 1, 1999. In addition, aggregate institutional parole approval rates remained fairly stable during

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INDEPENDENT VARIABLES

INDIVIDUAL CONTROLS

Race and ethnicity represent key variables of interest in the study and are included as mutually exclusive, dichotomous variables [(*black* = 1; other race = 0) and (*Hispanic* = 1; non-Hispanic = 0)].[6] As displayed in table 1, nearly half of the sample (48 percent) was black and 7 percent reported Hispanic ethnicity. Contrary to expectations, the bivariate parole release outcome did not vary by race or ethnicity, although the descriptive statistics signal that the chances for parole release were greater for Hispanics than for blacks.

In addition, a series of individual controls were estimated as part of the model, including *age* (in years at time of arrest), *gang membership* (1 = gang member; 0 = non-gang member),[7] *mental health* (1 = diagnosed mental illness; 0 = no identified mental illness), *education*, (in years at time of incarceration), and *employment* (1 = full-time employment; 0 = part-time, unemployed). The sample included primarily young men with few ties to society. Men with higher levels of education were more likely to be paroled; however, the difference between groups was small, with most sample members failing to complete high school. In addition, few inmates (21 percent) were employed full time before imprisonment, diagnoses of mental heath disorders were moderately prevalent (30 percent), and 12 percent of men were identified as gang members. None of these measures achieved statistical significance in the bivariate model.

Finally, a measure of *time served* [the percent of the maximum sentence (calculated in months) that had been served at time *t*] was included as a time-dependent covariate to account for the variation in sentence lengths

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the study period. The average parole approval rate was 75 percent for drug offenders, 64 percent for property offenders, and 40 percent for violent offenders. Both correlational and *t* test analyses (not shown) of parole release outcomes for the study sample indicate that the overall likelihood of parole did not vary significantly over the study period.

6. The presentence investigation form includes a field for a combined measure of race/ethnicity. The defendant must identify themselves as follows: white, Hispanic, black, Native American, Asian, other. The categories are mutually exclusive, and self-identification data have been used in prior research of this type (Steffensmeier and Demuth, 2001).

7. Gang membership was gleaned from the presentence investigation report. To be considered a gang member, the probation officer would have to identify the individual as a known gang associate through tattoos, clothing, identification by the police or other criminal justice actor, or self-identification. Offenders were likely less willing to self-identify as a gang member to correctional personnel, which suggests that the prevalence of gang membership may be underreported in official records. That noted, we only included information in the models that was available to the parole board.

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Table 1. Descriptive Statistics

	Denied Parole (n = 154)		Granted Parole (n = 269)		Total Sample (n = 423)	
	Mean	SD	Mean	SD	Mean	SD
Individual Controls						
Offender age	20.26	1.68	20.61	1.91	20.48	1.83
Black	.49	.50	.43	.50	.48	.50
Hispanic	.05	.21	.08	.27	.07	.25
Education*	9.90	1.42	10.33	1.53	10.17	1.50
Employment	.19	.40	.22	.42	.21	.41
Mental health	.32	.47	.28	.45	.30	.46
Gang membership	.14	.34	.11	.31	.12	.32
Time served*	60.99	21.39	44.11	21.75	50.27	23.07
Legal Characteristics						
Serious personal crime*	.61	.49	.42	.49	.49	.50
Drug crime*	.07	.26	.18	.38	.14	.35
Parole guidelines score*	−6.65	6.69	−2.49	6.73	−4.01	7.00
Prior convictions*	3.55	2.45	4.20	2.58	3.96	2.55
Institutional misconduct*	3.25	1.90	1.74	1.48	2.30	1.80
Community Context						
Concentrated Disadvantage	2.54	2.00	2.31	1.99	2.40	1.99
Violent-crime rate	24.56	12.42	23.99	12.87	24.17	12.58
Drug-arrest rate	14.43	13.53	14.36	12.36	14.51	12.78

NOTES: Men in the granted parole group were released on parole at some point during the study period. Men in the denied parole group had not received a positive parole decision during the study period. Data are current as of September 2004.
*Groups are significantly different at $p < .05$.

among the study sample.[8] As expected, men who were paroled spent significantly less time in prison than did inmates who were denied parole release.

LEGAL CONSIDERATIONS

Parole actors heavily weigh parole guidelines and other decision tools when making decisions (Carroll et al., 1982; Proctor, 1999). The study state has developed an in-house parole guidelines assessment instrument in applying objective criteria to its decisions. These criteria were designed to increase efficiency and reduce disparity in parole release decisions; the

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8. We also included measures of the actual time served and an indicator of the maximum sentence length. None of these measures yielded substantially different results.

score is solely advisory and includes measures of the current offense, prior criminal record, institutional conduct, program participation, mental status, offender age, and institutional risk classification (see appendix B for additional information). Scores range from -24 to 15, and higher scores can signal, along with an offender interview, greater readiness for release; a new score is calculated before each hearing. The *parole guidelines score* is included as a time-varying covariate and represents the score assigned to the individual between the most recent hearing and time *t*. As expected, higher parole guidelines scores were significantly associated with parole release.

We include two dichotomous variables to account for the nature of the most serious current offense: *serious personal crime* (rape, robbery, sexual assault, or murder) and *drug crime* (possession, sales, and trafficking).[9] Individuals serving time for property crimes or other offenses serve as the reference category. Nearly half of the sample was serving time for a serious personal offense, and 14 percent were incarcerated for a drug-related offense. Convictions for serious personal crimes were associated with reduced chances for parole release, and drug offenders were more likely to be paroled than property offenders during the study period.

Finally, measures of criminal history and institutional behavior are included. *Prior convictions* (number sustained for any crime before incarceration) is a static measure, whereas *institutional misconduct* is operationalized as a time-dependent covariate (number of institutional misconduct reports from entry to prison and time *t*). The sample averaged four convictions before incarceration, and most inmates had sustained two or more misconduct tickets while imprisoned; both measures are significantly and negatively associated with parole release.

COMMUNITY CONTEXT

We include three indices of community context in the measure: concentrated disadvantage, violent-crime rate, and drug-crime arrest rate. *Concentrated disadvantage* includes the proportion of individuals who were on public assistance, below the poverty level, unemployed, black, and living in female-headed households (eigenvalue 2.99, factor loadings > .68, and alpha = .76). Concentrated disadvantage is measured at the city level, the

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9. Combining drug possession with sales and trafficking could confound the relationship between crime type and parole outcome. Parole board members may correct judge's sentences for possession and not for sales and trafficking. In our analysis, 23 percent (14) of offenders sentenced for a drug crime were charged with possession of cocaine or heroin. The small sample size precluded a subgroup analysis, but future research likely would be strengthened by separating drug possession from sales and trafficking.

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smallest level of aggregation made available, and is derived from data collected as part of the 2000 decennial census. This measure was chosen based on the prevalence in past research of this type (see Sampson, Raudenbush, and Earls, 1997) and association with recidivism (Kubrin and Stewart, 2006). Sample members came from highly disadvantaged communities.[10] In fact, 25 percent of inmates lived in cities with rates of disadvantage 4.5 standard deviations above the state average, and only 13 percent of men resided in cities with disadvantage levels below the state average. Concentrated disadvantage was not significantly associated with parole release at the bivariate level, but individuals denied parole release, on average, came from more disadvantaged neighborhoods than those who were granted release.

Data on the crime rate were obtained from official records maintained by the state police and reflect the offender's city of residence at the time of arrest.[11] The *violent-crime rate* measure includes the number of incidents of murder, rape, robbery, and aggravated assault per 1,000 residents. The *drug-arrest rate* includes the number of drug-related arrests per 1,000 residents. Neither measure was significant in the bivariate analyses.

FINDINGS

Table 2 presents the results of the multivariate proportional hazard models designed to estimate variation in the timing of parole release. Model 1 serves as the baseline model and includes individual-level controls. As noted, model coefficients should be considered in reference to the hazard rate, which is an estimate of the probability of parole release at time t; therefore, a negative coefficient signifies delayed parole release, whereas a positive coefficient indicates that the individual was released more quickly (Cox, 1972; Singer and Willett, 2003). The coefficient for black males is significant as well as negative and signals that black men

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10.   Some offenders do not return to the same communities after release from prison, and care should be taken not to equate community at admission with that of release. The data presented in this study reflect the offender's residence at the time of sentencing. As noted by Visher and Courtney (2006) in their study of reentry in Ohio, most inmates returned to the same city after release, but more than half made intercity moves. At the same time, offenders returned to communities with predominantly similar levels of disadvantage.

11.   Several alternative community-level effects were estimated. In particular, we included measures of the racial composition of the community (percent black and Hispanic); however, these measures did not achieve statistical significance. The absence of statistical significance may be from the lack of variation in neighborhood composition as the majority of black respondents returned to communities that were predominately African American. The effect of racial composition may be different in studies in which the sample is drawn from a more diverse population of incarcerated persons.

spent a longer time awaiting parole release compared with white men, and the hazard of parole release is 31 percent lower $[100 \times (.69 - 1)]$ for black inmates than for whites. In contrast, and after controlling for individual-level variables, the risk of parole release was not significantly different for Hispanic men when compared with white men.

In addition to the differences observed for race, mental health status and education affect the timing of parole release. Mental health status is associated with a minimum of a 24 percent reduction in the chances, or hazard, of parole release, although the magnitude of the effect is reduced with the inclusion of legal characteristics. The education coefficient is positive, which suggests that men with higher levels of education are released more quickly than their less educated counterparts, although the effect is small. In contrast, age, employment, gang membership, and time served are not significant in the baseline model.

Next, we introduced a host of legal factors to model 2. Inmates who were serving time for serious personal offenses and those with records of institutional misconduct spent significantly longer times in prison awaiting parole release. In contrast, parole release was granted more quickly for drug offenders than for property offenders, and the odds ratio statistic signals the strength of the relationship. Finally, men with higher parole guidelines scores were paroled more quickly, which also suggests that parole actors consider risk assessments separately from the individual constructs that comprise it.[12]

Equally important, the substantive effect of race on parole timing remains, net of legal characteristics. By including the legal controls, we uncover a strong, significant relationship between Hispanic ethnicity and parole release decisions. Contrary to the results for black inmates, the positive coefficient for the Hispanic variable signals that they are paroled more quickly. The results indicate, overall, that legal factors play a prominent role in parole release decisions, and model 2 is a significant improvement in model fit over model 1 (LR 73.21, 5 d.f., and $p < .001$).

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12. The parole guidelines instrument includes measures of age, mental health status, criminal history, and institutional misconduct, which are also a part of the statistical model and, thus, invoke potential concerns for model fit. Tests for multicollinearity were conducted. No variance inflation factor or tolerance scores were high enough to suggest a substantial model bias because of the presence of multicollinearity (VIF < 1.5; tolerance > .69). More information on the bivariate association between variables is presented in the correlation matrix provided in appendix C. We also estimated models with and without the parole guidelines scores and found no substantive change in the significance, size of the effect, or direction of the relationships for the individual control or legal considerations when the risk score is (or is not) included.

Table 2. Survival Analyses of Individual and Legal Characteristics and Community Context on Timing of Parole Release (N = 423)

|	Model 1			Model 2			Model 3			Model 4		
	Coefficient	SE	Odds	Coefficient	SE	Odds	Coefficient	SE	Odds	Coefficient	SE	Odds
Individual Characteristics												
Offender age	.03	.04		−.06	.04		−.05	.04		−.06	.04	
Black	−.36**	.13	.69	−.30*	.14	.74	−.28†	.15	.76	−.29*	.14	.75
Hispanic	.29	.23		.58**	.23	1.78	.59*	.24	1.80	.60**	.24	1.82
Education	.08†	.05	1.08	.08†	.05	1.08	.07	.05		.07	.05	
Employment	.03	.15		.13	.16		.14	.16		.14	.16	
Gang membership	−.27	.20		−.06	.21		−.06	.21		−.08	.21	
Mental health	−.47***	.14	.63	−.27†	.15	.76	−.27†	.15	.76	−.30*	.14	.74
Time served	.00	.00		.00	.00		.01	.01		.01	.01	
Legal Characteristics												
Serious personal crime				−.29*	.15	.75	−.29*	.15	.75	−.30*	.15	.74
Drug crime				.48**	.19	1.62	.48**	.19	1.62	.47**	.19	1.60
Parole guidelines score				.09***	.01	1.09	.09***	.01	1.09	.09***	.01	1.09
Prior convictions				.03	.03		.03	.03		.03	.03	
Institutional misconduct				−.14***	.03	.87	−.14***	.03	.87	−.14***	.03	.87
Community Context												
Concentrated Disadvantage							−.01	.04				
Violent-crime rate										.00	.01	
Drug-arrest rate										−.01	.01	
Model Fit												
−2 log likelihood	−1,235.59			−1,162.38			−1,162.33			−1,161.61		
Likelihood-ratio statistic	27.57***			173.99***			174.08***			175.53***		

†*p* < .10; *p* < .05; **p* < .01; ***p* < .001 (two-tailed test).

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To illustrate the relationship among race, ethnicity, and parole release timing, a cumulative distribution graph is displayed in figure 1. As discussed, Hispanic offenders are paroled more quickly than whites or blacks, net of legal and demographic characteristics. The differences among groups are small during the first year of eligibility. Of those paroled during the study period, 42 percent of whites, 38 percent of Hispanics, and 41 percent of blacks were paroled within 3 months of becoming eligible. After the initial release period, the difference among groups expands considerably. In total, white inmates averaged 683 days (SD = 663), black men averaged 709 days (SD = 723), and Hispanic men averaged 489 days awaiting parole (SD = 681).

Figure 1. Survival Distribution of Time to Parole by Race and Ethnicity
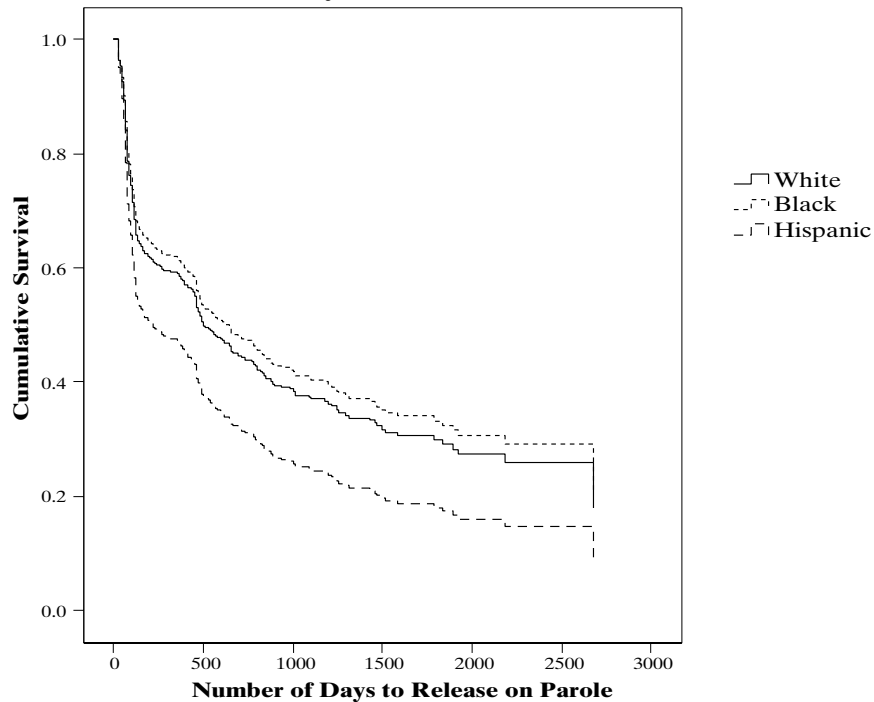
We added measures of concentrated disadvantage and community crime rate to models 3 and 4 to estimate whether the perception of individual risk is influenced by the nature of the community in which the offender resided before entering prison. Contrary to the established literature on sentencing, concentrated disadvantage was not significantly associated with parole release timing. In addition, the inclusion of this variable in the

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model did not alter any of the substantive relationships observed in preceding analyses, and overall model fit is also not improved by the inclusion of this measure (LR .05, 1 d.f., and $p < .82$). Similarly, the measures of drug arrests and violent crime included in model 4 did not achieve statistical significance or enhance the fit of the model.

Table 3. Survival Analyses Models Including Interaction Effects (N = 423)

	Model 1			Model 2			Model 3		
	Coefficient	SE	Odds	Coefficient	SE	Odds	Coefficient	SE	Odds
Crime Type									
Black*personal	.24	.29							
Black*drug	.14	.41							
Hispanic*personal	.32	.36							
Hispanic*drug	.76	.79							
Concentrated Disadvantage									
Black*disadvantage				.02	.05				
Hispanic*disadvantage				−.25*	.13	.78			
Crime Rate									
Black*violent crime							−.01	.01	
Black*drug crime							.00	.01	
Hispanic*violent crime							−.02	.03	
Hispanic*drug crime							−.00	.02	
Model Fit									
−2 log likelihood	−1,164.10			−1,160.37			−1,163.40		
Likelihood-ratio statistic	170.55*			178.01*			171.94*		

NOTES: Models include controls for all individual and legal characteristics and first-order variables. All continuous variables have been mean centered before calculating the interaction terms.
*$p < .05$ (two tailed).

The effects observed in the preceding models necessitate more analyses to determine whether the effect of race and ethnicity on parole release timing depends on the crime rate or level of disadvantage in a community. To examine these relationships, we include interaction terms among race and ethnicity and crime type, concentrated disadvantage, and community-level crime rate. The results of the survival analyses are presented in table 3, and they do not reveal any significant interactions among African-American race, crime type, or community-level crime or disadvantage. The only interaction to achieve statistical significance was the Hispanic

and disadvantage measure, which suggested that Hispanics who live in more disadvantaged neighborhoods are *less* likely to be released on parole. The finding is surprising given that Hispanics, on average, were released more quickly than black or white men; however, the results from the Hispanic sample should be reviewed with caution given the small size of this group. Finally, including the interaction variables in the models did not improve the overall model fit, and the main effects of race and ethnicity were maintained separate from the interaction terms.

DISCUSSION AND CONCLUSIONS

Building on established decision making research and attribution theory, the current study was designed to explore variation in parole release timing among a sample of young, incarcerated men. The results of this research suggest that parole board members are particularly concerned with protection of the community and heavily weigh factors like education, institutional misconduct, and nature of the current offense when making decisions. As anticipated, the parole board also relies on the parole guidelines scores to make decisions, but the salience of extralegal variables such as race and ethnicity signals substantial discretion in the process.

The negative relationship observed between drug crimes and parole release timing is also noteworthy. Existing research suggests that judges associate drug crimes with stereotypic images of minorities, violence, and gangs; yet drug offenders were released more quickly than property offenders in the current analysis. The contrary results may be a reflection of the sentencing structure of the study state. Existing research suggests that parole boards in states with indeterminate sentencing have more discretion and are more likely to "retry" a case (Carroll and Burke, 1990; Metchik, 1988; Turpin-Petrosino, 1999). Parole officials may also be responding to legislation that mandates enhanced penalties for drug crimes and, thereby, may be reducing some stress that overcrowding has placed on many correctional departments, including the study state. Although it is beyond the scope of the research, initial evidence suggests that parole boards are responsive to overcrowding (Glaser, 1985; Winfree et al., 1990).

The second goal of this research was to explore the direct and indirect effects of race and ethnicity on parole decisions. Black men spend longer times awaiting parole. The significant effect is maintained across models and net of legal, demographic, and community context, and the disparity increases with time. Theoretically, these results suggest that parole actors may perceive blacks as more threatening and deserving of longer terms of imprisonment. We cannot discern the true attribution process without

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interviewing members of the parole board, but the results of this research are consistent with existing studies that suggest that race may be used as a cue for dangerousness and risk when the decision is made with incomplete information (Albonetti, 1991, 1997; Bridges and Steen, 1998; Steffensmeier, Ulmer, and Kramer, 1998; Ulmer and Kramer, 1996). As parole board members generally only get feedback on their judgments when there is bad news to report, they often adopt conservative release strategies to minimize risk to the community and the organization (Glaser, 1985). In addition, the variation between racial and ethnic groups is smaller among offenders released shortly after becoming eligible for parole release; these individuals are apt to represent a lower risk to the community. After the initial release period, the decision-making process likely becomes more complicated, and parole actors may rely more heavily on extralegal cues.

The practical consequences of race on parole timing are amplified when considered in the context of the multistage sentencing process. If a moderate race effect is noticed at parole, then the cumulative disadvantage of incarceration is likely to grow when we consider that over half of all offenders will be returned to prison. Imprisonment length also has important implications for the collateral consequences of imprisonment and parole outcomes. For example, the development of job-specific skills during early adulthood is crucial; the longer and earlier one is removed from the workforce, the greater the chances are for diminished employment opportunities in later adulthood (Western, 2002). Also important, the small disadvantages at one decision point may accumulate into substantial burdens at another phase of the system (Mitchell, 2005). Because parole represents the last phase of the system, disparities noted at this phase may be larger when considered in context with the imprisonment penalty paid by African Americans at sentencing.

Conversely, we observed a negative relationship between Hispanic ethnicity and parole release timing. Although researchers have documented an increased risk of imprisonment for Hispanic defendants, our analyses revealed that Hispanic men were released on parole more quickly than black and white men. The finding is in contrast to recent sentencing research, and it suggests that parole board members may view Hispanic offenders as less threatening than blacks. Although it is impossible to discern from the current research, the disparity in parole timing may also reflect the demographic composition of the study state. The Hispanic population in the study state is a third of the national average, which suggests that Hispanics may be viewed as less of a threat than African Americans. However, the unique effect of Hispanic ethnicity observed in this study should be interpreted with caution given the small sample size. Yet, the

results suggest that examining Hispanics separate from other racial minorities should be a necessity in research of this type, particularly given the recent increase in the Hispanic population in the United States.

Contrary to expectations, the interactions among race, crime type, and community crime rate did not achieve statistical significance. The findings suggest that parole actors may not perceive the same crime-specific threat that has been outlined in past sentencing research. The absence of statistical significance for these models reinforces the direct effect of race and ethnicity on parole timing and may be because of the nature of the parole decision. Unlike judges, parole board members do not meet with offenders in their district; therefore, the relative effect of racial or community threat may be less salient for parole actors than for courtroom actors. This finding is also consistent with attribution theory, which suggests that parole actors are less likely to be as concerned with behavior attributed to mutable, environmental factors than with internal or legal characteristics (Carroll and Burke, 1990; Carroll and Payne, 1977; Wilkins et al., 1973).

The effect of community disadvantage was significant and negative for Hispanic offenders, but the interaction was not significant for black offenders. These findings may reflect the varying residences of blacks and Hispanics. Black parolees lived in cities that were substantially more disadvantaged than that of Hispanics and whites; the average concentrated disadvantaged score was 3.23 for blacks, 1.35 for whites, and 1.74 for Hispanics. Little variation around the mean for black offenders suggests that these offenders returned to relatively homogenous neighborhoods. In the same light, black offenders most often returned to cities with higher minority populations. On average, black inmates lived in cities that comprised 60 percent minority race (55 percent black and 5 percent Hispanic or other race/ethnicity). For the most part, race and ethnicity seem to be more salient considerations for parole actors than the nature of the city in which the offender resided before incarceration; however, ample room is found for improvement in our understanding of racial threat, community context, and criminal justice decision making.

Although the research results are intriguing, several caveats must be considered. First, this research lacks controls for the demographic composition of the parole board. Attribution research suggests that the characteristics of the decision maker and the personality characteristics of the perceiver are critical elements in decision making (Hawkins, 1981; Shaver 1975). For example, Steffensmeier and Britt (2001) found that black judges were more likely to sentence defendants of any race to prison more often than white judges, although the similarities in decisions were greater than the differences. Building on the studies of Ulmer and Kramer (1996), future parole research should strive to meld quantitative analyses of

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parole outcomes with interview and field data that describe the organizational contexts of parole decision making.

Also omitted are descriptions of the social and organizational context of parole decisions. Evidence is found that workgroup dynamics among parole boards can affect outcomes (Cavender and Knepper, 1992; Conley and Zimmerman, 1982; Kingsnorth, 1969; Turpin-Petrosino, 1999; Wilkins et al., 1973). Similarly, victim participation has been shown to affect parole outcomes (Parsonage, Bernat, and Helfgott, 1992; Smith, Watkins, and Morgan, 1997), and many states allow family members to take part in the parole processes. These data were not available for the current analyses.[13] Additional research in this area is warranted and is particularly important given the parole board's responsibility for determining parole release *and* revocation. Victim testimony introduced at a parole hearing may reduce the chances of parole and may increase the chances that an offender, if released, is returned to prison for a new crime or technical violation.

Most importantly, conclusions made from this study should be considered in light of the nature of the study sample. The sample was restricted to young men incarcerated in one state; thus, the results may not be indicative of the parole chances for a more diverse sample of incarcerated men, nor can the conclusions be extended to a female sample. As noted, findings that concern Hispanic members of the sample should be interpreted with caution because only 7 percent of the study sample was of Hispanic ethnicity. At the same time, the homogeneity of the sample in terms of age and criminal history may underestimate the magnitude of the effects observed. The study sample is composed primarily of young, incarcerated males, and, as a group, these offenders are more likely to be perceived as threatening and may be less likely to be paroled.

In conclusion, the research findings reveal that parole actors rely heavily on legal criterion, but the independent effects of race and ethnicity are worthy of attention. As noted, the parole process is unique and not governed by the same due process safeguards afforded to offenders at arrest or sentencing (Feder, 1995); therefore, discretion may be more pronounced at parole than at other phases of criminal justice processing. This is not to suggest that discretionary parole is without merit. For inmates, discretionary release provides incentives for reform and allows correctional officials to prevent the early release of risky or violent offenders while releasing those offenders who are better served in the community (Petersilia, 2003). Safeguards like institutional review, or enhanced risk

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13.   Victims are allowed to take part in the parole review process or to submit written statements to the board. An inmate's family members are also invited to partake in the parole hearing process, but systematic data are not collected on their participation.

analyses, may lessen some inconsistencies in case processing, and actuarial parole assessment instruments have been implemented at the state and federal levels (Beck and Hoffman, 1985). However, recent research on mandatory sentencing suggests that guidelines can reduce some discrepancy for race, but bias still occurs because guidelines do not capture the subtleties of offender or offense (Johnson, 2005; Ulmer and Kramer, 1996). The current research was designed to highlight the continued significance of the parole board for empirical research and policy and the salience of race and ethnicity in this phase of the decision-making process. More research is needed on parole decision making, particularly as it relates to the efficacy of parole as a central part of the release process.

REFERENCES

Albonetti, Celesta A. 1991. An integration of theories to explain judicial discretion. *Social Problems* 38:247–66.

Albonetti, Celesta A. 1997. Sentencing under the Federal Sentencing Guidelines: Effects of defendant characteristics, guilty pleas, and departures on sentence outcomes for drug offenders, 1991-1992. *Law & Society Review* 31:789–822.

Beck, James L., and Peter B. Hoffman. 1985. Reliability in guideline application: Initial hearings—1982. *Federal Probation* 49:33–41.

Blalock, Hubert M. 1967. *Toward a Theory of Minority-Group Relations*. New York: Wiley and Sons, Inc.

Bontrager, Stephanie, William D. Bales, and Ted Chiricos. 2005. Race, ethnicity, threat and the labeling of convicted felons. *Criminology* 43:589–622.

Bridges, George S., and Sara Steen. 1998. Racial disparities in official assessments of juvenile offenders: Attributional stereotypes as mediating mechanisms. *American Sociological Review* 63:544–70.

Britt, Chester. 2000. Social context and racial disparities in punishment decisions. *Justice Quarterly* 17:707–32.

Bynum, Timothy S., and Raymond Paternoster. 1985. Discrimination revisited: An exploration of frontstage and backstage criminal justice decision making. *Sociology and Social Research* 69:90–108.

Carroll, John S. 1978. Causal attributions in expert parole decisions. *Journal of Personality and Social Psychology* 36:1501–11.

Carroll, John S., and Pamela A. Burke. 1990. Evaluation and prediction in expert parole decisions. *Criminal Justice and Behavior* 17:315–32.

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Carroll, John S., and Margaret E. Mondrick. 1976. Racial bias in the decision to grant parole. *Law & Society Review* 11:1193–207.

Carroll, John S., and John W. Payne. 1977. Crime seriousness, recidivism risk, and causal attributions in judgements of prison term by students and experts. *Journal of Applied Psychology* 62:595–602.

Carroll, John S., Richard Weiner, Dan Coates, Jolene Galegher, and James J. Alibrio. 1982. Evaluation, diagnosis, and prediction in parole decision making. *Law & Society Review* 11:1193–207.

Cavender, Gray, and Paul Knepper. 1992. Strange interlude: An analysis of juvenile parole revocation decision making. *Social Problems* 39:387–99.

Conley, John A., and Sherwood Zimmerman. 1982. Decision making by a part-time parole board. *Criminal Justice and Behavior* 9:396–431.

Cox, David R. 1972. Regression models and life tables. *Journal of the Royal Statistical Society* 34:187–220.

Crawford, Charles, Ted Chiricos, and Gary Kleck. 1998. Race, racial threat and sentencing of habitual offenders. *Criminology* 36:481–511.

DeJong, Christina. 1997. Survival analysis and specific deterrence: Integrating theoretical and empirical models of recidivism. *Criminology* 35:561–75.

Eisenstein, James, Roy Flemming, and Peter Nardulli. 1988. *The Contours of Justice: Communities and their Courts*. Boston, MA: Little, Brown, and Co.

Engen, Rodney L., and Randy R. Gainey. 2000. Modeling the effects of legally relevant and extralegal factors under sentencing guidelines: The rules have changed. *Criminology* 38:1207–30.

Feder, Lynette. 1995. Psychiatric history, due procedural safeguards, and the use of discretion in the criminal justice process. *Justice Quarterly* 12:279–305.

Feeley, Malcom M., and Jonathan Simon. 1992. The new penology: Notes on an emerging strategy of corrections and its implications. *Criminology* 30:449–74.

Frohmann, Lisa. 1997. Convictability and discordant locales: Reproducing race, class, and gender ideologies in prosecutorial decisionmaking. *Law & Society Review* 31:531–55.

Glaser, Daniel. 1985. Who gets probation and parole: Case study versus actuarial decision making. *Crime and Delinquency* 31:367–78.

Glaze, Lauren E., and Thomas P. Bonczar. 2006. *Probation and Parole in the United States, 2005*. Washington, DC: Bureau of Justice Statistics.

Hawkins, Darnell. 1981. Causal attribution and punishment for crime. *Deviant Behavior* 1: 193–215.

Heinz, Anne M., John P. Heinz, Stephen J. Senderowitz, and Mary Anne Vance. 1976. Sentencing by parole board: An evaluation. *Journal of Criminal Law and Criminology* 67:1–31.

Huebner, Beth M., and Timothy S. Bynum. 2006. An analysis of parole decision making using a sample of sex offenders: A focal concerns perspective. *Criminology* 44:961–99.

Johnson, Brian D. 2005. Contextual disparities in guidelines departures: Courtroom social contexts, guidelines compliance, and extralegal disparities in criminal sentencing. *Criminology* 43:761–96.

Kingsnorth, Rodney F. 1969. Decision-making in a parole bureaucracy. *Journal of Research in Crime and Delinquency* 6:210–8.

Klein, Malcolm W., Joan Petersilia, and Susan Turner. 1990. Race and imprisonment decisions in California. *Science* 247:812–6.

Kramer, John, and Darrell Steffensmeier. 1993. Race and imprisonment decisions. *The Sociological Quarterly* 34:357–76.

Kubrin, Charis E., and Eric A. Stewart. 2006. Predicting who reoffends: The neglected role of neighborhood context in recidivism studies. *Criminology* 44:165–97.

Maguire, Mike, Frances Pinter, and Catherine Collis. 1984. Dangerousness and the tariff: The decision-making process in release from life sentences. *British Journal of Criminology* 24:250–68.

Mann, Coramae, and Majorie Zatz. 1998. *Images of Color, Images of Crime*. Los Angeles, CA: Roxbury.

Maxwell, Christopher D., Amanda L. Robinson, and Lori A. Post. 2003. The impact of race on the adjudication of sexual assault and other violent crimes. *Journal of Criminal Justice* 31:523–38.

Metchik, Eric. 1988. Parole decisionmaking: A comparative analysis. *International Journal of Offender Therapy and Comparative Criminology* 32:233–47.

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Meyer, Jon'a F. 2001. Strange science: Subjective criteria in parole decisions. *Journal of Crime and Justice* 24:43–70.

Mitchell, Ojmarrh. 2005. A meta-analysis of race and sentencing research: Explaining the inconsistencies. *Journal of Quantitative Criminology* 21:439–66.

Parsonage, William H., Frances Bernat, and Jacqueline Helfgott. 1992. Victim impact testimony and Pennsylvania's parole decision making process: A pilot study. *Criminal Justice Policy Review* 6:187–206.

Petersilia, Joan. 2003. *When Prisoners Come Home: Parole and Prisoner Reentry*. New York: Oxford.

Peterson, Ruth, and John Hagan. 1984. Changing conceptions of race: Towards an account of anomalous findings in sentencing research. *American Sociological Review* 49:56–70.

Proctor, Jon L. 1999. The "New Parole": An analysis of parole board decision making as a function of eligibility. *Journal of Crime and Justice* 22:193–217.

Sampson, Robert J., and John H. Laub. 1993. *Crime in the Making: Pathways and Turning Points through Life*. Cambridge, MA: Harvard University Press.

Sampson, Robert J., Steven Raudenbush, and Felton Earls. 1997. Neighborhoods and violent crime: A multilevel study of collective efficacy. *Science* 277:918–24.

Scott, Joseph E. 1974. The use of discretion in determining the severity of punishment for incarcerated offenders. *Journal of Criminal Law and Criminology* 65:214–24.

Shaver, Kelly G. 1975. *An Introduction to the Attribution Process*. Cambridge, MA: Winthrop Publishers.

Singer, Judith D., and John B. Willett. 2003. *Applied Longitudinal Data Analysis: Modeling Change and Event Occurrence*. New York: Oxford University Press.

Smith, Brent L., Erin Watkins, and Kathryn Morgan. 1997. The effect of victim participation on parole decisions: Results from a southeastern state. *Criminal Justice Policy Review* 8:57–74.

Spohn, Cassia. 2000. Thirty years of sentencing reform: The quest for a racially neutral sentencing process. In *Criminal Justice 2000*. Washington, DC: National Institute of Justice.

Spohn, Cassia, and Jerry Cederblom. 1991. Race and disparities in sentencing: A test of the liberation hypothesis. *Justice Quarterly* 3:305–27.

Spohn, Cassia, and David Holleran. 2000. The imprisonment penalty paid by young, unemployed black and Hispanic male offenders. *Criminology* 38:281–306.

Steffensmeier, Darrell, and Chester Britt. 2001. Judges' race and judicial decision making: Do black judges sentence differently? *Social Science Quarterly* 82:749–64.

Steffensmeier, Darrell, and Stephen Demuth. 2000. Ethnicity and sentencing outcomes in U.S. Federal Courts: Who is punished more harshly? *American Sociological Review* 65:705–29.

Steffensmeier, Darrell, and Stephen Demuth. 2001. Ethnicity and judges' sentencing decisions: Hispanic-black-white comparisons. *Criminology* 39:145–78.

Steffensmeier, Darrell, John Kramer, and Cathy Streifel. 1993. Gender and imprisonment decisions. *Criminology* 31:411–46.

Steffensmeier, Darrell, Jeffrey Ulmer, and John Kramer. 1998. The interaction of race, gender and age in criminal sentencing: The punishment cost of being young, black and male. *Criminology* 36:763–97.

Stolzenberg, Lisa, Stewart D'Alessio, and David Eitle. 2004. A multilevel test of racial threat theory. *Criminology* 42:673–98.

Tonry, Michael H. 1995. *Malign Neglect: Race, Crime, and Punishment in America*. New York: Oxford University Press.

Tonry, Michael H. 1999. *The Fragmentation of Sentencing and Corrections in America*. Washington, DC: National Institute of Justice.

Travis, Jeremy, and Sarah Lawrence. 2002. *Beyond the Prison Gates: The State of Parole in America*. Washington, DC: Urban Institute.

Turpin-Petrosino, Carolyn. 1999. Are limiting enactments effective? An experimental test of decision making in a presumptive parole state. *Journal of Criminal Justice* 27:321–32.

Ulmer, Jeffery T., and Mindy S. Bradley. 2006. Variation in trial penalties among serious violent offenses. *Criminology* 44:631–70.

Ulmer, Jeffery T., and Brian D. Johnson. 2004. Sentencing in context: A multilevel analysis. *Criminology* 42:137–77.

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Ulmer, Jeffrey T., and John Kramer. 1996. Court communities under sentencing guidelines: Dilemmas of formal rationality and sentencing disparity. *Criminology* 34:383–400.

Visher, Christy A., and Shannon Courtney. 2006. *Cleveland Prisoners' Experiences Returning Home*. Washington, DC: Urban Institute.

Western, Bruce. 2002. The impact of incarceration on wage mobility and inequality. *American Sociological Review* 67:526–46.

Wilkins, Leslie T., Don M. Gottfredson, Jennifer O. Robinson, and Ann Sadowsky. 1973. *Information Selection and Use in Parole Decision-Making*. Hackensack, NJ: National Council on Crime and Delinquency.

Winfree, L. Thomas, Veronica Smith Ballard, Christine Sellers, and Roy Roberg. 1990. Responding to a legislated change in correctional practices: A quasi-experimental study of revocation hearings and parole board actions. *Journal of Criminal Justice* 18:195–215.

Zatz, Marjorie. 1987. The changing forms of racial/ethnic biases in sentencing. *Journal of Research in Crime and Delinquency* 24:69–92.

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Appendix A. Description of Variables

Variable	Description
Outcome Variable	
Time to failure	The total number of months between becoming eligible for parole and being released on parole.
Individual Controls	
Offender age	Male's age in years at time of arrest.
Black	A dichotomous variable with black = 1 and 0 = white or other race.
Hispanic	A dichotomous variable with Hispanic = 1 and 0 = white or other race.
Education	Number of years of school males had completed at time of arrest.
Employment	A dichotomous variable with full-time employment at time of arrest = 1 and 0 = part-time employment or unemployed.
Gang membership	Individual was identified through gang tattoos, clothing, known affiliates, or self-identification as a gang member at the time of intake to prison = 1; 0 = inmate was not classified as a gang member by the department of corrections.
Mental health	Individual had a diagnosed history of a mental health disorder = 1; 0 = inmate did not have a prior mental health diagnosis. Evaluation made at the time of intake.
Total time served	The percentage of maximum (sentence in months) served at time t.
Legal Considerations	
Serious personal crime	Most serious crime, including rape, robbery, felonious assault, and murder = 1; most serious offense for a property crime or "other" offense = 0.
Drug crime	Most serious crime, including possession, sales, and trafficking = 1; most serious offense for a property crime or "other" offense = 0.
Prior convictions	Total prior convictions (for any crime) at the time of the offense.
Parole guidelines score	A weighted score based on current offense, prior criminal record, institutional conduct, age, mental status, and institutional risk classification at time t. Higher scores are intended to signal enhanced consideration for release.
Institutional misconduct	Number of total misconduct reports, for any offense, between time of entrance to prison and time t.
Community Context	
Concentrated disadvantage	Five-item factor score (eigenvalue 2.99, factor loadings > .68, and alpha = .76) measured at the city level, including percent of county residents on public assistance; percent below poverty; percent unemployed; percent black; percent living in female-headed households.
Violent-crime rate	Number of incidents of murder, rape, robbery, and aggravated assault per 1,000 residents. Measured at the city level.
Drug-arrest rate	Number of drug-related arrests per 1,000 residents. Measured at the city level.

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Appendix B. Elements of the Parole Guidelines Score

Score Domains	Components of Domains
Active sentence score	*Aggravating Conditions* include 1) weapon or threat of weapon, 2) serious force or injury, 3) property loss or damage > $5,000, 4) excessive violence or cruelty, 5) sexual offense, 6) victim transported or held captive, 7) multiple victims, 8) victim unusually vulnerable, 9) offender was leader, 10) designated career criminal, 11) designated drug trafficker, and 12) designated organized crime. *Mitigating Factors* include 1) situational crime and 2) offender played minor role in the crime.
Prior criminal record score	The nine possible scores are 1) number of adult assaultive misdemeanors, 2) number of jail sentences, 3) number of felony convictions, 4) number of assaultive felony convictions, 5) number of prison terms, 6) number of probation or parole failures, 7) on probation/parole at the time of the offense, 8) number of juvenile incarcerations, and 9) number of terms on juvenile probation.
Conduct score	The five scores include 1) number of misconduct reports in the last 5 years, 2) number of misconduct reports in the last year, 3) number of assault, sexual misconduct, homicide, or riot misconducts in the last 5 years, 4) number of security reclassification increases in the last 5 years, and 5) number of security reclassification increases in the last year.
Statistical risk score	Risk is designated by the department of corrections based on a security classification screening instrument that includes measures of 1) number of past assaultive felony convictions, 2) juvenile or adult escape attempts, 3) dishonorable discharge from the military, 4) major pending felony charges or detainer, 5) identification as a homosexual predator, and 6) classified to administrative segregation in past 3 years.
Age score	Inmates are rank ordered based on the following age categories: < 22 years, 23 and 24 years, 25–27 years, 28–30 years, 31–35 years, 36–40 years, 41–50 years, and 50+ years.
Program performance score	Participation in work, school, and therapy are assessed using the five criteria of 1) no inadequacies, 2) more adequate than inadequate, 3) adequacies equal inadequacies, 4) more inadequate than adequate, and 5) no adequacies.
Mental health score	The three scores are 1) individual hospitalized in a psychiatric facility as the result of criminal activity or deemed guilty but mentally ill, 2) history of physical or sexual assault related to compulsive, deviant, or psychotic mental state, and 3) serious psychotic mental state developed after incarceration.

NOTES: Each individual is given a score for each domain based on the presence or absence of risk factors. Scores then are standardized within each domain. Finally, the scores across domains are summed to provide the final parole guidelines score. The risk instrument is complex, and additional details are available from the authors by request.

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Appendix C.

	Y1	X1	X2	X3	X4	X5	X6	X7	X8	X9	X10	X11	X12	X13	X14	X15	X16
Time to failure (Y1)	1.00																
Offender age (X1)	-.07	1.00															
Black (X2)	-.01	.08	1.00														
Hispanic (X3)	-.04	-.11*	-.24*	1.00													
Education (X4)	-.02	.19*	-.01	-.03	1.00												
Employment (X5)	-.05	.08	-.00	-.04	.15*	1.00											
Mental health (X6)	.13*	-.04	-.19*	.01	-.01	-.04	1.00										
Gang membership (X7)	.05	-.21*	.00	.13*	-.06	-.10*	-.01	1.00									
Time served (X8)	.31*	-.03	.04	-.00	-.01	.01	.05	.02	1.00								
Serious personal crime (X9)	.20*	-.05	.01	-.05	-.06	.09*	.05	.09*	.26*	1.00							
Drug crime (X10)	-.19*	.10*	.22*	-.05	-.01	-.07	-.12*	-.04	-.14*	-.39*	1.00						
Parole guidelines score (X11)	-.36*	.21*	-.01	.02	.09*	.07	-.12*	-.14*	-.19*	-.08	.11*	1.00					
Prior convictions (X12)	-.10*	.27*	-.12*	.03	.06	-.04	.01	.00	-.10*	-.17*	.02	.04	1.00				
Institutional misconduct (X13)	.81*	-.07	-.03	-.00	-.04	-.03	.10*	.10*	.29*	.26*	-.19*	-.32*	-.10*	1.00			
Concentrated disadvantage (X14)	-.01	.04	.44*	-.06	-.14*	-.01	-.16*	-.00	.05	.07	.08	-.04	-.12*	-.04	1.00		
Violent-crime rate (X15)	.04	.09	.21*	-.08	-.02	-.00	-.04	-.05	.05	.09	.01	.07	-.07	.06	.33*	1.00	
Property-crime rate (X16)	.02	.10*	.24*	-.03	-.06	.04	-.12*	-.05	.06	.07	.04	.06	-.13*	.02	.42*	.47*	1.00

*$p < .05$.

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