

THE UNIVERSITY OF MANITOBA

A SOCIOLOGICAL STUDY OF VARIABLES AFFECTING  
THE DECISION TO APPLY FOR PAROLE

by

Douglas Matt Skoog

A THESIS

SUBMITTED TO THE FACULTY OF GRADUATE STUDIES  
IN PARTIAL FULFILMENT OF THE REQUIREMENTS FOR THE DEGREE  
OF MASTER OF ARTS

Department of Sociology

WINNIPEG, MANITOBA

February 1971

© Douglas Matt Skoog 1972



## ACKNOWLEDGEMENTS

I would like to express special appreciation to Dr. Stuart D. Johnson, my thesis advisor. His guidance made the work both stimulating and rewarding. I am also indebted to Dr. George Kagiwada and Dr. Jack Stephens for their assistance and constructive criticism. I would also like to acknowledge the assistance provided by Dr. Ed Bolt and Dr. Thomas Duffy, both of whom served on my committee.

Appreciation is also expressed to the National Parole Service regional office in Winnipeg and the Manitoba Penitentiary. Without their assistance and co-operation the study could not have been completed.

Finally, I would like to express my appreciation to the inmates at the Manitoba Penitentiary who participated in the study.

A SOCIOLOGICAL STUDY OF VARIABLES AFFECTING  
THE DECISION TO APPLY FOR PAROLE

Abstract

by

Douglas M. Skoog

All persons convicted of a crime under the Criminal Code of Canada are eligible for parole at some time during their prison internment. It is necessary, however, for the inmate to make application for parole. This research was concerned with a number of variables related to the decision to apply for parole.

A group of thirty-three inmates who had not applied for parole were compared to forty-three inmates who had applied for parole. Data was obtained from Parole Service records and a questionnaire administered to inmates at the Manitoba Penitentiary.

The independent variables were: (1) frequency of prior convictions, (2) acceptance of inmate norms, (3) attitude toward parole, (4) stable non-prison relationships, (5) length of sentence, (6) level of formal education, (7) possession of job skills, (8) age, and (9) factual knowledge of the parole system. The dependent

variable was the decision to apply for parole.

The results indicated that three of the independent variables were clearly related to the parole application decision. The first was the individual's acceptance of the inmate normative structure. Inmates who accepted the convict sub-culture typically did not apply for parole. The second finding was that individuals who do not apply for parole possess a markedly negative attitude toward the parole system. The third finding showed that inmates who do not maintain social bonds with the free community frequently do not make application for parole. The research also revealed a positive relationship between acceptance of the inmate normative structure and attitude toward parole.

It was concluded that the variables that affect the parole application decision have a symbolic interactionist interpretation. The parole application decision was affected not by the attributes of the individual, but by social system in which he interacts. This research indicated that the parole application decision was strongly affected by the interplay between the inmate's social relationships within the prison setting, and his maintenance of social bonds to the free community.

TABLE OF CONTENTS

CHAPTER	PAGE
I. THE PROBLEM . . . . .	1
Outline of the Thesis . . . . .	4
II. REVIEW OF THE LITERATURE. . . . .	5
The Hypothesis. . . . .	13
III. METHODOLOGY . . . . .	32
Research Design . . . . .	32
Research Setting. . . . .	34
Measurement of the Variables. . . . .	35
Pretest of the Data Collection Instruments. . . . .	40
Data Collection . . . . .	40
The Interview . . . . .	44
Analysis of the Data. . . . .	45
Likert Type Scales. . . . .	47
IV. THE RESPONDENTS . . . . .	50
Respondents Included in the Research. . . . .	50
Age . . . . .	51
Race. . . . .	51
Marital Status. . . . .	53
Length of Sentence. . . . .	54
Place of Residence Prior to Commitment . . . . .	55

CHAPTER	PAGE
V. THE PAROLE APPLICATION DECISION . . . . .	58
Prior Convictions . . . . .	58
Acceptance of Inmate Norms. . . . .	60
Attitude Toward Parole. . . . .	63
Stable Non-Prison Relationships . . . . .	65
Length of Sentence. . . . .	70
Education . . . . .	72
Job Skills. . . . .	74
Age . . . . .	76
Factual Knowledge of Parole . . . . .	78
VI. CONCLUSIONS . . . . .	81
Implications and Suggestions for	
Further Research. . . . .	84
BIBLIOGRAPHY . . . . .	86
APPENDIX A. The Questionnaire . . . . .	94
B. Coding Instructions . . . . .	107
C. Map Indicating Ecological Zones	
Utilized. . . . .	112

LIST OF TABLES

TABLE	PAGE
I. Length of Sentence and Time of Parole Eligibility Under Conditions of the 1958 Parole Act, Canada . . . . .	23
II. Age of Seventy-six Inmates by Parole Application Status, 1970, Manitoba Penitentiary. . . . .	51
III. Race of Seventy-six Inmates by Parole Application Status, 1970, Manitoba Penitentiary. . . . .	53
IV. Marital Status of Seventy-six Inmates by Parole Application Status, 1970, Manitoba Penitentiary . . . . .	54
V. Length of Sentence of Seventy-six Inmates by Parole Application Status, 1970, Manitoba Penitentiary . . . . .	55
VI. Place of Residence Prior to Present Commitment of Seventy-six Inmates by Parole Application Status, 1970, Manitoba Penitentiary . . . . .	56

TABLE	PAGE
VII. Size of Community Inmate Resided in Prior to Present Commitment of Seventy-six Inmates by Parole Application Status, 1970, Manitoba Penitentiary . . . . .	57
VIII. Record of Prior Convictions of Seventy-six Inmates by Parole Application Status, 1970, Manitoba Penitentiary . . . . .	60
IX. Acceptance of Inmate Norms of Seventy-six Inmates by Parole Application Status, 1970, Manitoba Penitentiary . . . . .	63
X. Attitude Toward Parole of Seventy-six Inmates, by Parole Application Status, 1970, Manitoba Penitentiary . . . . .	65
XI. Non-Prison Relationships Measured by Documentary Sources of Seventy-six Inmates, by Parole Application Status, 1970, Manitoba Penitentiary . . . . .	68
XII. Non-Prison Relationships Measured by Questionnaire of Seventy-six Inmates by Parole Application Status, 1970, Manitoba Penitentiary . . . . .	70
XIII. Length of Sentence of Seventy-six Inmates by Parole Application Status, 1970, Manitoba Penitentiary . . . . .	72



TABLE	PAGE
XIV. Level of Formal Education of Seventy-six Inmates, by Parole Application Status, 1970, Manitoba Penitentiary . . . . .	74
XV. Job Skills of Seventy-six Inmates, by Parole Application Status, 1970, Manitoba Penitentiary . . . . .	76
XVI. Age of Seventy-six Inmates by Parole Application Status, 1970, Manitoba Penitentiary. . . . .	78
XVII. Factual Knowledge of Parole Test Score of Seventy-six Inmates by Parole Application Status, 1970, Manitoba Penitentiary. . . . .	80

## CHAPTER I

### THE PROBLEM

Under Canadian law all individuals convicted of an offence punishable by the Criminal Code of Canada are eligible for parole at some time during their prison internment. Under the 1958 Parole Act certain points in time are delineated at which the convict may be eligible for parole; however, it is necessary for the individual to make application for consideration (Miller, 1965:326-81). A substantial number of these individuals do not make application for parole. The present research is concerned with those individuals who do not make such application.

Those who do not apply for parole are of interest to the sociologist for a number of reasons. Inasmuch as release from the physical environs of the prison is assumed to be of prime importance to the inmate, it seems illogical for an individual not to make every effort to remove himself from it (Clemmer, 1940:151). The isolation and discomfort of prison life is so extreme and demoralizing that the decision not to extricate oneself from it at the earliest possible opportunity is paradoxical at best.

Those who choose to remain in custody and to complete

the sentence passed down by the court would seem to be at odds with many of the most basic concepts of parole and correctional procedures. "Almost all contemporary penologists agree that if a person is to be released at all, he should be released on parole," (Sutherland, 1939:643). The prevailing school of thought is that all prisoners could benefit from the guidance and controls placed on them by parole systems (Sutherland, 1939:543).

Insightful criminologists have, for many years, held that the prison experience is of dubious value and may actually encourage criminal behavior rather than deter it (Barnes and Teeters, 1959:584-86; Johnson, 1964:409; Haskell and Yablonsky, 1970:393). Lengthy sentences do not make the individual any less criminal and may in fact do just the opposite (Johnson, 1964:409). Parole is a tool which can counteract many of the dysfunctional aspects of prison life and effectively reintegrate the individual into the community.

If we are to view parole as a rehabilitative tool, and if we view the entire concept of prison as a treatment-oriented device, rather than a simple punitive effort, then some concern for the non-applicant seems warranted.

The prisoner who does not apply is of further interest because of the lack of empirical research in this area. Generalizations regarding inmates who choose not to

apply for parole have been made largely without benefit of empirical research. It is therefore felt that the present study fills a definite research gap.

The sociological aspects of decision-making are well known. No decision is made without some influence from present environment and previous experience in a socio-cultural context (Thomas, 1967:315). Certain factors must be operating which affect the decision to apply or not to apply for parole.

Clemmer (1940:151) stated that the wish for freedom is universal and ranks first among inmates. Inmates typically spend great amounts of time counting the days remaining on their sentences. It would appear that, with most inmates, the norm is clearly to leave the institution at the earliest possible date. It would not, then, seem unreasonable to assume that certain differences exist between those inmates who apply for parole and those who do not.

In the present study several variables will be investigated that either affect the parole application decision, or are common to those who do not apply. Hopefully, some insight into this phenomenon will be gained that may fill a gap in the existing literature of criminology.

### Outline of the Thesis

Chapter II contains a review of the literature and the introduction of the hypotheses. Chapter III discusses the methodology used in the research, including the research setting, the measurement of variables, data collection and the statistical approach. Chapter IV contains a description of the social characteristics of the respondents and the criteria for their inclusion in the study. Chapter V presents the results of the research. In Chapter VI some conclusions are drawn from the preceding analysis, and suggestions about possible applications of the research are made.

## CHAPTER II

### REVIEW OF THE LITERATURE

Parole is a legal provision for the conditional liberation of a person under sentence so that he or she may continue to serve such sentence in the community subject to certain restrictions and nearly always under supervision as a required condition. (Remple, 1961:108)

Parole in Canada, as in most Western societies, finds its roots in the seventeenth and eighteenth century European practice of transporting criminals to the New World or Australia. Canada's first parole legislation was introduced in 1898 with the passing of the Ticket of Leave Act. Canada retained the terminology "Ticket of Leave" through 1958 at which time the Parole Act was enacted. The 1958 act grew largely out of the "Fauteux Report", a committee under the chairmanship of Mr. Justice Gerald Fauteux of the Supreme Court of Canada. The committee's express purpose was to investigate the Ticket of Leave Act and to make recommendations regarding the future of parole in Canada. Their report resulted in passage of the Parole Act which provided for the establishment of a five member National Parole Board (Remple, 1961). The Board has offices in Ottawa and has jurisdiction over all adult public

offenders who have been convicted under a federal statute whether they be in a federal or provincial institution. The duties of the National Board are essentially as follows:

1. Granting parole to inmates;
2. Revoking or suspending parole;
3. Revoking or suspending any sentence of whipping; and
4. Revoking or suspending any order under the Criminal Code prohibiting any person from operating a motor vehicle. (Miller, 1965:337)

The National Parole Service serves as an administrative arm of the National Parole Board. The duties of the Parole Service are twofold.

1. The investigation of cases and the preparation of material in relation to them for consideration by the National Parole Board.
2. The supervision of parolees. (Miller, 1965:337)

The Parole Service maintains twelve regional offices across Canada. These offices are responsible for providing inmates with information about the parole system, interviewing parole applicants and preparing case files for the boards consideration.

In the Canadian setting direct parole supervision is frequently provided for by private after-care agencies such as the Salvation Army and the John Howard Society. The Federal Government provides ex gratia grants to those private after-care societies which are active in prison release programs. Typically, the after-care agency is involved in pre-release planning with the inmate, and upon

his release, functions in a counselling and supervisory capacity. Although prisoners aid societies and other community resources are utilized to a great extent the ultimate responsibility and authority for the parolee rests with the National Parole Service.

The stipulations by which the parolee must abide are for the most part standard throughout Canada. These conditions appear on the back of a parole certificate which the inmate must sign to indicate that he understands the conditions and will abide by them during his period of parole.

The general conditions applicable to all parolees are as follows:

1. To remain, until the expiry of sentence under the authority of National Parole Service Regional Representative in the designated area.
2. To proceed directly to the area designated and, immediately upon arrival and at least once a month thereafter, to report faithfully to the police nearest place of residence.
3. To accept the supervision and assistance of his supervisor.
4. To remain in the immediate designated area or such area as designated by the Regional Representative and, if good cause exists to leave this area permission must be obtained beforehand through the supervisor.
5. To endeavour to maintain steady employment and to report at once to the Regional Representative through the supervisor, any change or termination of employment or any other changes of circumstances such as accident or illness.
6. To secure advance approval from the Regional Representative, through the supervisor, if at any



time he wishes to:

- (a) purchase a motor vehicle
  - (b) incur debts by borrowing money or instalment buying
  - (c) assume additional responsibilities, such as marrying
  - (d) own or carry firearms or other weapons
7. To abide by all instructions which may be given by the supervisor or by the Regional Representative through the supervisor, and especially with regard to employment, companions, hours, intoxicants, operation of motor vehicles, medical or psychiatric attention, family responsibilities, court obligations.
  8. To abide by special conditions (if applicable).
  9. To forthwith communicate with the Regional Representative, through the supervisor, if parolee is arrested or questioned by peace officers regarding any offence.
  10. To obey the law and fulfill all legal and social responsibilities. (Remple, 1961:114-15)

Failure to meet any one of the above conditions may result in the suspension of parole by the Regional Representative. Typically, the Regional Representative issues a Warrant of Suspension and a Warrant of Apprehension which are usually executed by the police. The parolee is placed in custody and held until the National Parole Board makes a decision on the case. They have the option of revoking the Parole Certificate or allowing the individual to remain at large. If the Regional Representative issues a Warrant of Suspension, he must provide the board with a detailed report indicating the circumstances surrounding the situation. Although he may make recommendations to the Parole Board, the final decision is made by the board itself.

If the suspension is upheld and the Certificate of Parole is revoked the person in question is deemed to be serving the original sentence being credited with time served in the institution. A revocation is considered a modification of the conditions of the sentence only and therefore the National Parole Board is not answerable to anyone for its decision nor is the decision subject to appeal. (Remple, 1961:116)

Individuals who are convicted of an indictable offence, whether before or after the expiry of the actual parole period, automatically forfeit the Parole Certificate and are required to serve the remainder of their sentence as well as any additional time that the judge may impose.

All inmates who are incarcerated for violation of any section of the Criminal Code of Canada come under the jurisdiction of the National Parole Board, and each has a legal right to apply for parole.

Such parole application may emanate from the prisoner himself or from anyone else in his behalf. However, the National Parole Board expects a personal application from the prisoner as well as an indication that he is interested in parole. (Remple, 1963:117)

Criminological literature has had little to say specifically about persons eligible for parole who decide not to apply. Sutherland indicates that "Many criminals are opposed to this (parole) policy, and some of them, when the time between eligibility for parole and final discharge is not great, waive the parole hearing," (Sutherland, 1939: 643). He continues,

The criminal does not feel that he has been treated unjustly if he is forced to pay the penalty for his crime, but when he gets out of prison he wants to regard

it as finished. Parole means that the state still regards him with suspicion, keeps snooping around, and is unwilling to give him a fair chance to get along as an ordinary individual. Consequently, it has a bad effect psychologically upon the prisoner who is paroled. (Sutherland, 1939:643)

It would appear that the individual who regards himself as a professional criminal may be opposed to parole because it tends to place what he views as unnecessary restrictions upon his activities. Restrictive supervision does not enhance one's opportunities for profitable crime. Parole officers and agents more often emphasize supervision rather than guidance. Such supervision often takes the form of periodic inspection, and parole officers are often extremely skillful at detecting violations (Sutherland, 1939:647). Virtually every aspect of the Parole Agreement used in the Canadian setting is contrary to the pursuit of a successful criminal career (National Parole Board Brochure 1967; Sutherland, 1939:282-83).

A second aspect of the prisoner's occasional opposition to parole is the lingering stigma that it places on the individual in the community. Goffman (1963:3, 30) pointed out that the stigma of criminality can be particularly devastating to both the ex-convict and his family. The parolee often feels that he is "somehow different," (Sutherland, 1939:649). Or, as a respondent of Sutherland (1939:694) pointed out, "Although we walk the streets to all outward appearances free men, we wear invisible

numbers . . . ."

A great deal of work has been done on the nature of the parole system (Gluek, 1945; Dressler, 1959; Kay and Vedder, 1963; Glaser, 1964). Although they, for the most part, neglect the non-applicant, some insight into the nature of parole can be gleaned from them. There seems to be general agreement, both in the literature and in the eyes of the law, that parole is a conditional release of selected convicts prior to the completion of the court's sentence. It implies that the person continues in the custody of the state and that he may be reincarcerated in the event of misbehavior. Parole is to be distinguished from probation, clemency, or pardon. It allows a person to be moved from the highly institutionalized environment of the prison to a controlled state in the community (Kay and Vedder, 1963:43).

An underlying proposition of this project is that certain values, either learned or reinforced by prison interaction, may influence the decision to apply for parole. Cloward (1960:48) stated that, "We are led to the conclusion that the inmate elite constitutes the most important source of social control in the prison." He further indicated that recidivists found in most penal populations are convinced that it is extremely difficult to function legitimately on the outside, and thus these inmates provide a " . . . potent socializing agent, whose influence eliminates the legitimacy of institutional norms for many first offenders" (Cloward,

1960:31). The newly-initiated convict may well believe that the doors of opportunity on the outside are closed to the ex-convict and this belief may reduce his desire to leave the confines of the prison, at least while under the continued supervision of the state.

Inmates who are disinclined to resist official pressure due to strong ties to the outside world and hopes for freedom are held in low esteem by fellow prisoners. Those persons who are most likely to apply for parole are openly ostracized (Cloward, 1960:57-60). Such pressure from other inmates may contribute to an avoidance of the parole system by some individuals.

A further consideration revolves around inmates' assumptions about who will be granted and who will not be granted parole. If the nature of the convict sub-culture is as strong as the literature suggests, then the inmate who views himself as having little chance for parole may not go to the trouble to apply. This is not to say that inmate perceptions of parole criteria are correct. Ohlin points out that:

Although prisoners' views on parole selection vary according to their status as parole applicants, there is, however, a rather well defined body of beliefs in the prison community concerning the actual influences which bring about a favorable or unfavorable parole decision. It is frequently impossible to find any evidence to support these beliefs other than hearsay or the authority of constant repetition. But as long as they prevail they will be reflected in the offender's attitude toward parole selection and the parole situation. (Ohlin, 1961:24)

Rasmussen (1940), in one of the few empirical works done on prisoners' attitudes toward the parole system, points out that penal authorities, and the general public, commonly overlook inmates themselves as a source of information about parole. It is Rasmussen's contention that inmates, because of the nature of the situation in which society has placed them, have knowledge and insights of the system that no one else can obtain. He feels that no description of the parole system is complete without assessing prisoners' views on it.

#### The Hypotheses

Inasmuch as the problem explored in the present research has received little, if any, attention in the past, the following hypotheses are not closely tied to any single theoretical perspective. An attempt has been made, instead, to reach into a broad spectrum of existing literature, to formulate hypotheses and predict the direction of relationships between variables on the basis of many sources. The following portion of the chapter includes the hypotheses and the rationale for their inclusion in this study.

Hypothesis 1. There is a negative relationship between frequency of prior convictions and the decision to apply for parole

This hypothesis was selected for a number of reasons. Confirmed criminal behavior, as indicated by multiple convictions, should provide some indication that

the individual is a career criminal. Sutherland saw this first attribute of the professional criminal as being "regular work at theft." Wheeler's research (1961:710) indicates that offenders become more criminal with each offense and more criminal with each term of imprisonment.

If the idea that the confirmed criminal is likely to view parole as an unnecessary restriction has credence, this hypothesis may be fruitful in that context.

The second reason for selection of the variable, frequency of conviction, lies in the previous reference to the strength of the inmate value system and the effectiveness of the prison "grapevine". It is not difficult to believe that multiple offenders are viewed somewhat unfavorably by parole-granting authorities. Nearly all parole prediction tables use recidivism as a factor for granting parole (Ohlin, 1951). Hence, if the individual does not believe he will be granted parole, he may be less likely to apply.

The recidivist may have been, and very probably will have been, paroled at some time previously. If his parole experience was unfavorable then he may have negative attitudes toward it and hence attempt to avoid it.

Hypothesis 2. There is a negative relationship between acceptance of inmate norms and decision to apply for parole

The literature abounds with references to the