

952

HJ

HB

983

(FILE NO. 3)

952

Custodial interference  
in the first degree  
AS 11.41.320  
(If defendant is rela-  
tive, has intent to  
hold child for pro-  
tracted period and  
takes child out of  
state)

- or -

Custodial interference  
in the second degree  
AS 11.41.330  
(If defendant is rela-  
tive and has intent  
to hold child for  
protracted period)

- or -

Failure to permit visit-  
ation with a minor  
AS 11.51.125  
(If failure to permit  
visitation in con-  
formity with court  
order)

Compounding or concealing  
crime  
AS 11.30.190

Compounding  
AS 11.56.790

Concealment of death of child  
AS 11.40.090

Misconduct involving  
a corpse  
AS 11.61.130(a)(1)

Concealment of merchandise  
AS 11.20.275

Concealment of merchandise  
AS 11.46.220

Conspiracy against  
rights of persons  
AS 11.60.340

Interference with consti-  
tutional rights  
AS 11.76.110

Contributing to delin-  
quency of child  
AS 11.40.130

Contributing to the de-  
linquency of a minor  
AS 11.51.130

Credit Cards (Alaska Credit  
Card Crimes Act)  
AS 11.22

Fraudulent use of  
of a credit card  
AS 11.46.285  
(If unauthorized use  
of credit card to  
obtain property.  
Classification de-  
pends on value of  
property obtained)

- or -

Obtaining a credit card  
by fraudulent means  
AS 11.46.290

- or -

Theft in the third degree  
AS 11.46.140(a)(2)  
(If theft of credit card)

Cruelty to animals  
AS 11.40.480

Cruelty to animals  
AS 11.61.140

Defrauding hotel, boardinghouse  
campground, trailer court,  
bar or restaurant operator  
AS 11.20.480

Theft in the first, second,  
third or fourth degree.  
AS 11.46.120-150  
(Classification depends  
on value of property or  
services involved. See  
AS 11.46.100, Theft de-  
fined; AS 11.46.110, Con-  
solidation of theft  
offenses: pleading and  
proof; AS 11.46.200,  
Theft of services)

Deprivation of rights  
under color of law  
AS 11.60.350

Interference with cons-  
titutional rights  
AS 11.76.110

Desertion or nonsupport  
of spouse or child  
AS 11.35.010

Endangering the wel-  
fare of a minor  
AS 11.51.100  
(If desertion of child  
under circumstances  
creating substantial risk  
of physical injury)

- or -

Criminal nonsupport  
AS 11.51.120  
(If nonsupport of child)

Destroying, altering or  
concealing evidence  
AS 11.30.315

Tampering with physical  
evidence  
AS 11.56.610(a)(1)

Disinterment of body  
AS 11.40.440

Misconduct involving a corpse  
AS 11.61.130(a)(1)

Disorderly conduct  
AS 11.45.030

Disorderly conduct  
AS 11.61.110

Drawing of check with  
insufficient funds  
AS 11.20.230

Issuing a bad check  
AS 11.46.280

Driving or taking water-  
craft or aircraft without  
the owner's consent  
AS 11.20.145

Criminal mischief  
in the second degree  
AS 11.46.482(a)(4)  
(If vehicle taken  
without owner's con-  
sent and vehicle  
damaged in an amount  
\$500 or more)

- or -

Criminal mischief in  
the third degree  
AS 11.46.484(a)(2)  
(If vehicle taken  
without owner's consent)

Embezzlement  
(by employee or servant;  
by bailee; of public money;  
by trustee; by fiduciary)  
AS 11.20.280; 290  
300; 330; 340

Theft in the first, sec-  
ond, third or fourth  
degree  
AS 11.46.120-150  
(Classification depends  
on value of property  
or services involved.  
See AS 11.46.100(1),  
Theft defined; AS 11.-  
46.110, Consolidation  
of theft offenses:  
pleading and proof)

- or -

PRIOR CRIMINAL CODE

NEW CRIMINAL CODE

Escape  
AS 11.30.090

Misapplication of property  
AS 11.46.620  
(If defendant is fiduciary  
or property belongs to  
government or finan-  
cial institution)

Escape in the first degree  
AS 11.56.300  
(If escape from cor-  
rectional facility by  
means of deadly weapon)

- or -

Escape in the second degree  
AS 11.56.310  
(If escape from cor-  
rectional facility,  
from official deten-  
tion on charge of  
felony, or official  
detention and pos-  
sesses a firearm)

Escape in the third degree  
AS 11.56.320  
(If escape during move-  
ment incident to con-  
finement in correct-  
ional facility on charge  
of misdemeanor)

- or -

Escape in the fourth degree  
AS 11.56.330  
(If escape from  
official detention  
for misdemeanor, or un-  
lawful evasion and  
leaves or attempts to  
leave state)

Escape  
AS 11.30.090

Misapplication of property  
AS 11.46.620  
(If defendant is fiduciary  
or property belongs to  
government or finan-  
cial institution)

Escape in the first degree  
AS 11.56.300  
(If escape from cor-  
rectional facility by  
means of deadly weapon)

- or -

Escape in the second degree  
AS 11.56.310  
(If escape from cor-  
rectional facility,  
from official deten-  
tion on charge of  
felony, or official  
detention and pos-  
sesses a firearm)

Escape in the third degree  
AS 11.56.320  
(If escape during move-  
ment incident to con-  
finement in correct-  
ional facility on charge  
of misdemeanor)

- or -

Escape in the fourth degree  
AS 11.56.330  
(If escape from  
official detention  
for misdemeanor, or un-  
lawful evasion and  
leaves or attempts to  
leave state)

PRIOR CRIMINAL CODE

NEW CRIMINAL CODE

Extortion  
AS 11.20.345

Extortion  
AS 11.41.520

Failure to permit visit-  
ation with minor child  
AS 11.36.010

Failure to permit visit-  
ation with a minor  
AS 11.51.125

False alarms  
AS 11.45.050

Making a false report  
AS 11.56.800  
(If false information  
to peace officer with  
intent of implicating  
another in a crime,  
or that a crime has  
occurred or is about  
to occur, or false  
report or false alarm  
that a situation cal-  
ling for an emergency  
response exists)

- or -

Terroristic threatening  
AS 11.56.810  
(If report involves cir-  
cumstance dangerous  
to human life and  
person placed in fear  
of physical injury to  
anyone, building  
evacuated or serious  
public inconvenience  
results)

Falsifying or destroying  
corporate or company records  
AS 11.20.430

Falsifying business records  
AS 11.46.630

PRIOR CRIMINAL CODE

NEW CRIMINAL CODE

Filing, or offering for filing, false or forged instruments  
AS 11.30.270

Offering a false instrument for recording  
AS 11.46.550  
(If instrument is false)

- or -

Forgery in the first, second or third degree  
AS 11.46.500-510  
(If instrument is forged; Classification depends on type of instrument)

Flourishing, pointing or discharging firearm in public place  
AS 11.55.050

Misconduct involving weapons in the second degree  
AS 11.61.210(a)(3)  
(If firearm discharged with reckless disregard for risk of damage to property or risk of physical injury)

Forgery of evidences of debt or uttering forged evidence of debt  
AS 11.25.020

Forgery in the first or second degree  
AS 11.46.500;505

Forgery of record or certificate and uttering forged instrument  
AS 11.25.010

Forgery in the first or second degree  
AS 11.46.500;505

PRIOR CRIMINAL CODE

NEW CRIMINAL CODE

Fraudulent conveyance  
AS 11.20.390

Theft in the first,  
second, third or fourth  
degree.

AS 11.46.120-150  
(Classification depends  
on value of property  
or services involved.  
See AS 11.46.100,  
Theft defined; AS 11.-  
46.110, Consolidation  
of theft offenses:  
pleading and proof;  
AS 11.46.180, Theft  
by deception)

Fraudulent sale of personalty  
subject to security interest  
AS 11.20.400

Defrauding creditors  
AS 11.46.730

Fraudulent use of telecom-  
munication service  
AS 11.20.495

Theft in the first,  
second, third  
or fourth degree  
AS 11.46.120-150  
(Classification de-  
pends on value of  
property or services  
involved. See AS 11.-  
46.100, Theft defined;  
AS 11.46.110, Consol-  
idation of theft  
offenses: pleading and  
proof; AS 11.46.200,  
Theft of services)

Gambling offenses  
AS 11.60.010-060  
AS 11.60.140-190

See generally  
AS 11.66.200-280,  
Gambling offenses

Illegal use of telephones  
AS 11.45.035

Harassment  
AS 11.61.120(a) (2)  
(If failure to terminate connection with intent to impair ability of person to place or receive calls)

- or -

Harassment  
AS 11.61.120(a) (3)  
(If repeated calls at extremely inconvenient hours)

- or -

Harassment  
AS 11.61.120(a) (4)  
(If anonymous or obscene call or call that threatens physical injury)

Impersonating peace officer  
AS 11.30.220

Impersonating a public servant  
AS 11.56.830

Incest  
AS 11.40.110

Incest  
AS 11.41.450  
(If victim is defendant's ancestor, descendant, brother, sister, uncle, aunt, nephew or niece)

- or -

Sexual assault in the first degree  
AS 11.41.410(a) (4)  
(If victim under 18 and defendant's son or daughter)

PRIOR CRIMINAL CODE

NEW CRIMINAL CODE

Inciting commission of crime  
AS 11.10.070

Solicitation  
AS 11.31.110

Indecent exposure  
and exhibition  
AS 11.40.080

Disorderly conduct  
AS 11.61.110(a)(7)

Influencing witnesses, judges  
or jurors or obstructing  
administration of justice  
AS 11.30.320

See generally Chapter 56,  
Article 4, Offenses re-  
lating to judicial and  
other proceedings  
AS 11.55.510-620

Injury to highways, public  
recreation facilities, or  
highway signs

Obstruction of highways  
AS 11.61.150  
(If risk of injury  
or highway impassable)

- or -

Littering  
AS 11.46.488

- or -

Criminal mischief in  
the second, third  
or fourth degree  
AS 11.46.482-486  
(Classification depends  
on amount of damage)

Issuing checks, without  
funds or credit  
AS 11.20.210

Issuing a bad check  
AS 11.46.280

PRIOR CRIMINAL CODE

NEW CRIMINAL CODE

"Joyriding"  
AS 28.35.010

Criminal mischief in  
the second degree  
AS 11.46.482(a)(4)  
(If vehicle taken  
without owner's con-  
sent and vehicle  
damaged in an amount  
\$500 or more)

- or -

Criminal mischief  
in the third degree  
AS 11.46.484(a)(2)  
(If vehicle taken with-  
out owner's consent)

Kidnapping  
AS 11.15.260

Kidnapping  
AS 11.41.300

Larceny from the person  
AS 11.15.250

Theft in the second degree  
AS 11.46.130(a)(3)

Lewd or lascivious  
acts toward children  
AS 11.15.134

Sexual assault in  
in the first degree  
AS 11.41.410(a)(3)  
(If defendant, being  
16 or older, engages  
in sexual penetration  
with person under 13)

- or -

Sexual assault in the  
second degree  
AS 11.41.420  
(If sexual contact  
is without consent)

- or -

PRIOR CRIMINAL CODE

NEW CRIMINAL CODE

Larceny of money  
or property  
AS 11.20.140

Making a false report  
to a police officer  
AS 11.30.215

Making or possessing tool  
or material designed  
for counterfeiting  
AS 11.25.030

Contributing to the de-  
linquency of a minor  
AS 11.51.130(a)(4)  
(If defendant, being 19  
or older, engages in  
sexual contact with  
person under 16)

Theft in the first,  
second, third or  
fourth degree  
AS 11.46.120-150  
(Classification depends  
on value of property  
or services involved.  
See AS 11.46.100(1),  
Theft defined; AS 11.-  
46.110, Consolidation  
of theft offenses:  
pleading and proof)

Making a false report  
AS 11.56.800  
(If defendant gives false  
information to peace  
officer with intent of  
implicating another in a  
crime, that a crime has  
occurred or is about to  
occur, or that an  
emergency exists)

Criminal possession  
of a forgery device  
AS 11.46.520

PRIOR CRIMINAL CODE

NEW CRIMINAL CODE

Malicious destruction of oil  
and gas facilities or property  
AS 11.20.517

Criminal mischief in  
the first degree  
AS 11.46.480(a)(3)  
(If pipeline damaged)

- or -

Criminal mischief in  
the second degree  
AS 11.46.482(a)(2)  
(If pipeline is  
tampered with)

Malicious mischief and  
destruction of property  
AS 11.20.515

Criminal mischief in  
the first, second,  
third or fourth degree  
AS 11.46.480-486  
(Classification depends  
on type of property  
involved and amount  
of damage)

Malicious or wanton  
injury to animals  
AS 11.20.520

Cruelty to animals  
AS 11.61.140

- or -

Criminal mischief in the  
second, third or fourth  
degree  
AS 11.46.482-486  
(Classification depends  
on value of animal)

Mayhem  
AS 11.15.140

Assault in the first degree  
AS 11.41.200(a)(2)

PRIOR CRIMINAL CODE

NEW CRIMINAL CODE

Manslaughter  
AS 11.15.040

Murder in the second degree  
AS 11.41.110(a)(1)  
(If defendant intends  
to cause serious  
physical injury or  
knows that his conduct  
is substantially cer-  
tain to cause death  
or serious physical  
injury)

- or -

Murder in the second degree  
AS 11.41.110(a)(2)  
(If death occurs under  
circumstances mani-  
festing extreme in-  
difference to value  
of human life)

- or -

Manslaughter  
AS 11.41.120  
(Recklessly causing  
death, including death  
caused while driving  
while intoxicated)

Mishandling of public records  
AS 11.30.240

Tampering with  
public records  
AS 11.56.820(a)(2)

Murder in the first degree  
AS 11.15.010

Murder in the first degree  
AS 11.41.100(a)(1)  
(If intent to cause death)

- or -

Murder in the second degree  
AS 11.41.110(a)(3)  
(felony murder)

PRIOR CRIMINAL CODE

NEW CRIMINAL CODE

Murder in the second degree  
AS 11.15.030

Murder in the first degree  
AS 11.41.100(a)(1)  
(If intent to  
cause death)

Neglect or refusal  
to aid officer  
AS 11.30.200

Refusing to assist  
a peace officer or  
judicial officer  
AS 11.56.720

Negligent Homicide  
AS 11.15.080

Manslaughter  
AS 11.41.120  
(If defendant reck-  
lessly causes death)

- or -

Criminally negligent  
homicide  
AS 11.41.130  
(If defendant, with  
criminal negligence,  
causes death)

Negligent use of  
combustible materials  
AS 11.15.340

Criminally negli-  
gent burning  
AS 11.46.430

Obstructing an officer  
AS 11.30.210

Resisting or interfer-  
ing with arrest  
AS 11.56.700

Obstruction of access  
to public records  
AS 11.30.245

Tampering with  
public records  
AS 11.56.820(a)(2)

Obtaining money or property by false pretenses  
AS 11.20.360

Theft in the first, second, third or fourth degree  
AS 11.46.120-150  
(Classification depends on value of property or services involved.  
See AS 11.46.100, Theft defined; AS 11.46.110, Consolidation of theft offenses: pleading and proof; AS 11.46.180, Theft by deception)

Offering false evidence  
AS 11.30.290

Tampering with physical evidence  
AS 11.56.610(a)(2), (4)

Officer allowing escape or refusing to receive prisoner  
AS 11.30.120

Permitting an escape  
AS 11.56.370

Perjury and subornation of perjury  
AS 11.30.010

Perjury  
AS 11.56.200

- or -

Perjury by inconsistent statements  
AS 11.56.230

- or -

Solicitation of perjury  
AS 11.31.110(c)(3)

Polygamy  
AS 11.40.050

Unlawful marrying  
AS 11.51.140

PRIOR CRIMINAL CODE

NEW CRIMINAL CODE

Possession by convicts  
AS 11.55.030

Misconduct involving weapons in the first degree  
AS 11.61.200(a)(1)

Possession of firearms while under the influence of intoxicating liquor or drug  
AS 11.55.070

Misconduct involving weapons in the second degree  
AS 11.61.210(a)(1)

Preparing false evidence  
AS 11.30.300

Tampering with physical evidence  
AS 11.56.610(a)(2)

Procuring another to commit self murder  
AS 11.15.050

Murder in the first degree  
AS 11.41.100(a)(2)  
(If suicide compelled or induced by duress or deception)

- or -

Manslaughter  
AS 11.41.120(a)(2)  
(If defendant aids a suicide)

Prostitution offenses  
AS 11.40.200-430

See generally: Prostitution and related offenses  
AS 11.66.100-150  
(Crime of prostitution is AS 11.66.100)

Rape  
AS 11.15.120

Sexual assault in  
the first degree  
AS 11.41.410(a) (1)  
(If sexual penetration  
without consent)

- or -

Sexual assault in  
the first degree  
AS 11.41.410(a) (3)  
(If sexual penetration  
with person under 13  
by defendant 16  
or older)

- or -

Sexual abuse of a minor  
AS 11.41.440(a) (1)  
(If sexual penetration  
with person 16-13 by  
defendant 16 or older)

Receiving unauthorized fees;  
nonfeasance in office  
AS 11.30.230

Receiving unlaw-  
ful gratuities  
AS 11.56.120

- or -

Official misconduct  
AS 11.56.850

Retention of lost property  
AS 11.20.260

Theft in the first,  
second, third  
or fourth degree  
AS 11.46.120-150  
(Classification depends  
on value of property  
or services involved.  
See AS 11.46.100, Theft  
defined; AS 11.46.110,  
Consolidation of theft  
offenses: pleading and  
proof; AS 11.46.160,  
Theft of lost or  
mislaid property)

PRIOR CRIMINAL CODE

NEW CRIMINAL CODE

Riot and unlawful assembly  
AS 11.45.020

Riot  
AS 11.61.100

Robbery  
AS 11.15.240

Robbery in the first degree  
AS 11.41.500  
(If defendant armed with  
deadly weapon or repre-  
sents that he is armed,  
uses or attempts to use  
dangerous instrument  
or represents he is  
armed, or causes or  
attempts to cause  
serious physical injury)

- or -

Robbery in the second degree  
AS 11.41.510

Shooting at buildings  
AS 11.55.060

Misconduct involving wea-  
pons in the second  
degree  
AS 11.61.210(a)(3)  
(If firearm discharged  
with reckless dis-  
regard for risk of  
damage to property  
or risk of physical  
injury)

Shooting from, on,  
or across highways  
AS 11.55.065

Misconduct involving  
weapons in the sec-  
ond degree  
AS 11.61.210(a)(2)

Shooting, stabbing, or  
cutting with intent to  
kill, wound or maim  
AS 11.15.150

Assault in the first degree  
AS 11.41.200(a)(1)  
(If intent to cause  
serious physical injury)

- or -

Attempted murder

AS 11.31.100(d)(1)

(If intent to cause death)

Sodomy

AS 11.40.120

Oral and genital intercourse is included in the definition of "sexual penetration"

AS 11.81.900(b)(52)

Punished as sexual assault in the first, second or third degree depending on type of conduct

AS 11.41.410-430

(Note the Code does not criminalize, consensual acts of sodomy between adults in private)

Stealing, removing or damaging parts of an aircraft

AS 11.20.525

Criminal mischief in the second degree

AS 11.46.282(a)(2)

(If tampering with airplane or helicopter)

- or -

Theft in the first, second, third or fourth degree.

AS 11.46.120-150

(If property is taken. Classification depends on value)

- or -

Criminal mischief in the second, third or fourth degree.

AS 11.46.482-484

(If property is damaged. Classification depends on value)

PRIOR CRIMINAL CODE

NEW CRIMINAL CODE

Threats and false  
reports of bombing  
AS 11.45.055

Terroristic threatening  
AS 11.56.810

Trespass  
AS 11.20.610;630;635;650

Criminal trespass  
in the first degree  
AS 11.46.320  
(If in dwelling or on  
real property with  
intent to commit a crime)

- or -

Criminal trespass in  
the second degree  
AS 11.46.330  
(If on premises or  
in propelled vehicle)

Unauthorized entry, use  
or occupancy of propert,  
AS 11.20.135

Criminal trespass in  
the first degree  
AS 11.46.320  
(If in dwelling or  
real property with  
intent to commit  
a crime)

- or -

Criminal trespass in  
the second degree  
AS 11.46.330  
(If on premises or in  
propelled vehicle)

- and -

Defense: emergency  
use of premises  
AS 11.46.340

Unlawful evasion  
AS 11.30.093

Unlawful evasion in the  
first or second degree  
AS 11.56.340;350

Use of firearms during the  
commission of certain crimes  
AS 11.15.295

Robbery in the first degree  
AS 11.41.500(a)(1)

- or -

Burglary in the  
first degree  
AS 11.46.300(a)(2)(A)

- and -

Sentences of imprisonment  
for felonies  
AS 12.55.125(c)(1)

TERMS OF IMPRISONMENT AND AUTHORIZED FINES IN REVISED CRIMINAL CODE

	FIRST FELONY CONVICTION	SECOND FELONY CONVICTION	THIRD FELONY CONVICTION
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"A" Felony	0-20	5-[10]-20	7 1/2-[15]-20
	3-[6]*-20		
"B" Felony	0-10	0-[4]-10	3-[6]-10
"C" Felony	0-5	0-[2]-5	0-[3]-5

MAXIMUM FINES - PERSONS

Murder or kidnapping - \$75,000  
 A, B, or C Felony - \$50,000  
 A misdemeanor - \$ 5,000  
 B misdemeanor - \$ 1,000  
 Violation - \$ 300

MAXIMUM FINES - ORGANIZATIONS

All offenses - \$100,000 or  
 3 X pecuniary gain  
 - whichever is greater

KEY

Number in bracket is presumptive sentence.  
 Number to left is lowest mitigated  
 sentence. Number to right is highest  
 aggravated sentence.

\* Six year presumptive term applies if first  
 A felony conviction, other than manslaughter,  
 and defendant used or possessed a firearm  
 during the offense or caused serious physical  
 injury.

MAXIMUM TERMS OF IMPRISONMENT  
 FOR MISDEMEANORS

A misdemeanor - 1 year  
 B misdemeanor - 90 days

CLASSIFICATION OF OFFENSES IN REVISED CRIMINAL CODE

UNCLASSIFIED FELONIES

Murder in the First Degree  
AS 11.41.100  
20-99 years

Murder in the Second Degree  
AS 11.41.110  
5-99 years

Kidnapping  
AS 11.41.300  
5-99 years

CLASSIFIED FELONIES

2-2

A	B	C
Attempted Murder or Kidnapping AS 11.31.100(d) (1)	Attempted A felony AS 11.31.100(d) (2)	Attempted B felony AS 11.31.100(d) (3)
Solicitation of Murder or Kidnapping AS 11.31.110(c) (1)	Solicitation of A felony AS 11.31.110(c) (2)	Solicitation of B felony AS 11.31.110(c) (3)
Manslaughter AS 11.41.120	Assault II AS 11.41.210	Criminally Negligent Homicide AS 11.41.130
Assault I AS 11.41.200	Sexual Assault II AS 11.41.420	Custodial Interference I AS 11.41.320
Sexual Assault I AS 11.41.410	Unlawful Exploitation of a Minor AS 11.41.455	Sexual Assault III AS 11.41.430

CLASSIFIED FELONIES

A	B	C
Robbery I AS 11.41.500	Robbery II AS 11.41.510	Sexual Abuse of a Minor AS 11.41.440
Arson I AS 11.46.400	Extortion AS 11.41.520	Incest AS 11.41.450
Escape I AS 11.56.300	Theft I AS 11.46.120	Coercion AS 11.41.530
Criminal Possession of Explosives with Intent to Commit Murder or Kidnapping AS 11.61.240(b)(1)	Issuing a Bad Check, \$25,000 or more AS 11.46.280(d)(1)	Theft II AS 11.46.130
	Burglary I AS 11.46.300	Concealment of Merchandise, \$500 or more AS 11.46.220(c)(1)
	Arson II AS 11.46.410	Removal of Identification Marks, \$500 or more AS 11.46.260(b)(1)
	Criminal Mischief I AS 11.46.480	Unlawful Possession (of Altered Property), \$500 or more AS 11.46.270(b)(1)
	Forgery I AS 11.46.500	Issuing a Bad Check, \$500 or more AS 11.46.280(d)(2)
	Scheme to Defraud AS 11.46.600	Fraudulent Use of a Credit Card, \$500 or more AS 11.46.285(b)(1)
	Defrauding Creditors, \$25,000 or more AS 11.46.730(c)(1)	

CLASSIFIED FELONIES

B

Bribery  
AS 11.55.100

Receiving a Bribe  
AS 11.56.110

Perjury  
AS 11.56.200

Escape II  
AS 11.56.310

Interference with  
Official Proceedings  
AS 11.56.510

Receiving a Bribe by a  
Witness or Juror  
AS 11.56.520

Criminal Possession of  
Explosives with Intent  
to Commit A felony  
AS 11.61.240(b)(2)

Promoting Prostitution I  
AS 11.66.110

C

Obtaining a Credit Card by  
Fraudulent Means  
AS 11.46.290(a)(1),(2)

Burglary II  
AS 11.46.310

Criminal Mischief II  
AS 11.46.482

Forgery II  
AS 11.46.505

Criminal Possession of Forgery  
Device  
AS 11.46.520

Criminal Simulation \$500 or  
more  
AS 11.46.530(b)(1)

Offering a False Instrument  
for Recording  
AS 11.46.550

Falsifying Business Records  
AS 11.46.630

Commercial Bribe Receiving  
AS 11.46.660

Commercial Bribery  
AS 11.46.670

2-4

CLASSIFIED FELONIES

C

Defrauding Creditors, \$500  
- \$25,000  
AS 11.46.730(c)(2)

Endangering Welfare of Minor  
AS 11.51.100

Perjury by Inconsistent State-  
ments  
AS 11.56.230

Escape III  
AS 11.56.320

Permitting an Escape  
AS 11.56.370

Promoting Contraband I  
AS 11.56.375

Jury Tampering  
AS 11.56.590

Misconduct by a Juror  
AS 11.56.600

Tampering with Physical Evidence  
AS 11.56.610

Hindering Prosecution I  
AS 11.56.770

Terroristic Threatening  
AS 11.56.810

2-5

2-5

CLASSIFIED FELONIES

C

Riot

AS 11.61.100

Misconduct Involving Weapons I

AS 11.61.200

Criminal Possession of Explosives with Intent to Commit  
B Felony

AS 11.61.240(b)(3)

Unlawful Furnishings of Explosives

AS 11.61.250

Promoting Prostitution II

AS 11.66.120

Promoting Gambling I

AS 11.66.210

Possession of Gambling Records I

AS 11.66.230

2-6

CLASSIFICATION OF OFFENSES IN REVISED CRIMINAL CODE

MISDEMEANORS AND VIOLATIONS

A	B	VIOLATIONS
Attempted C Felony AS 11.31.100(d) (4)	Attempted A or B misdemeanor AS 11.31.100(d) (5)	Littering AS 11.46.488
Solicitation of C Felony AS 11.31.110(c) (4)	Solicitation of A or B misdemeanor AS 11.31.110(c) (5)	Failure to Permit Visitation with a Minor AS 11.51.125
Assault III AS 11.41.230	Theft IV AS 11.46.150	Refusing to Assist Peace Officer or Judicial Officer AS 11.56.720
Reckless Endangerment AS 11.41.250	Concealment of Merchandise, less than \$50 AS 11.46.220(c) (3)	Gambling- First Offense (Second offense & each subsequent offense is Class B misdemeanor) AS 11.66.200
Custodial Interference AS 11.41.330	Removal of Identification Marks less than \$50 AS 11.46.260(b) (3)	Selling or Giving Tobacco to a Minor AS 11.76.100
Theft III AS 11.46.140	Unlawful Possession (of Altered Property), less than \$50 AS 11.46.270(b) (3)	
Concealment of Merchandise, \$50-\$500 AS 11.46.220(c) (2)	Issuing a Bad Check, less than \$50 AS 11.46.280(d) (4)	
Removal of Identification Marks \$50 - \$500 AS 11.46.260(b) (2)	Fraudulent Use of a Credit Card, less than \$50 AS 11.46.285(b) (3)	
Unlawful Possession (of Altered Property), \$50 -\$500 (AS 11.46.270(b) (2)		

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MISDEMEANORS

A

B

Issuing a Bad Check, \$50-\$500  
AS 11.46.280(d) (3)

Fraudulent Use of Credit  
Card, \$50 - \$500  
AS 11.46.285(b) (2)

Obtaining a Credit Card by  
Fraudulent Means  
AS 11.46.290(a) (3)

Criminal Trespass I  
AS 11.46.320

Criminally Negligent Burning  
AS 11.46.430

Failure to Control or  
Report a Dangerous Fire  
AS 11.46.450

Criminal Mischief III  
AS 11.46.484

Forgery III  
AS 11.46.510

Criminal Simulation, \$50-  
\$500  
AS 11.46.530(b) (2)

Obtaining a Signature by  
Deception  
AS 11.46.540

Criminal Trespass II  
AS 11.46.330

Criminal Mischief IV  
AS 11.46.486

Criminal Simulation, less  
than \$50  
AS 11.46.530(b) (3)

Unlawful Evasion II  
AS 11.56.350

Hindering Prosecution II  
AS 11.56.780

Impersonating a Public Servant  
AS 11.56.830

Disorderly Conduct  
AS 11.61.110 (10 day  
maximum)

Harrassment  
AS 11.61.120

Obstruction of Highways  
AS 11.61.150

Misconduct involving  
Weapons III  
AS 11.61.220

MISDEMEANORS

A

B

Criminal Impersonation  
AS 11.46.570

Misapplication of Property  
AS 11.46.620

Deceptive Business Practices  
AS 11.46.710

Misrepresentation of Use of  
a Propelled Vehicle  
AS 11.46.720

Defrauding Creditors, \$500  
or less  
AS 11.46.730

Criminal Nonsupport  
AS 11.51.120

Contributing to the Delin-  
quency of a Minor  
AS 11.51.130

Unlawful Marrying  
AS 11.51.140

Receiving Unlawful Gratuities  
AS 11.56.120

Unsworn Falsification  
AS 11.56.210

Criminal Possession of  
Explosives with Intent  
to Commit A or B Mis-  
demeanor  
AS 11.61.240(b) (5)

Prostitution  
AS 11.66.100

2-2  
6-9

MISDEMEANORS

A

Escape IV

AS 11.56.330

Unlawful Evasion I

AS 11.56.340

Promoting Contraband II

AS 11.56.380

Tampering with a Witness

AS 11.56.540

Simulating Legal Process

AS 11.56.620

Resisting or Interfering  
with Arrest

AS 11.56.700

Compounding

AS 11.56.790

Making a False Report

AS 11.56.800

Tampering with Public  
Records

AS 11.56.820

Official Misconduct

AS 11.56.850

Misuse of Confidential  
Information

AS 11.56.860

2-10

2-10

MISDEMEANORS

A

Misconduct Involving a  
Corpse

AS 11.61.130

Cruelty to Animals

AS 11.61.140

Misconduct Involving Weapons II

AS 11.61.210

Possession of Burglary Tools

AS 11.61.230

Criminal Possession of Ex-  
plosives with Intent to  
Commit C Felony

AS 11.61.240(b)(4)

Promoting Prostitution III

AS 11.66.130

Promoting Gambling II

AS 11.66.220

Possession of Gambling  
Records II

AS 11.66.240

Possession of Gambling  
Device

AS 11.66.260

Interference with Consti-  
tutional Rights

AS 11.76.110

### Application

Once the data are analyzed and the prototype matrices are produced, the next step is to engage the decision-making body in a factor review to determine if any salient factors are not to be utilized. These decision sessions were held on October 4 - 5, 1979 in Anchorage.

The Board went through the "Example Risk Evaluation Tally" and opted to delete the sentencing judge item (because neither judge used there is any longer in a relevant position) and the parole plan factor (because its presence could detract from optimal release planning). This left a possible score range of 28 points-- +12 - -15.

When risk scores in the generating population are divided into groups of two's the configuration on the following page emerges. There were no persons with more than 11 positive points in this population and none had a net total of -11 or fewer. Five points through -6 points was the heavy concentration area (see page 94).

Except in the extreme score ranges--over 7 points and under -8 points--the configuration of "success" rates is progressive and consistent; those with higher scores have higher rates of violation-free performance and vice-versa. There is a consistent performance at above the "base rate" (the overall "success" rate of 75%) until the 0 point in the score array is reached. Those with positive net scores perform

## Risk Scores by Category

<u>Parole Outcome</u>	<u>Scores</u>						
	<u>11+</u>	<u>11-10</u>	<u>9-8</u>	<u>7-6</u>	<u>5-4</u>	<u>3-2</u>	<u>1-0</u>
No Known Violation	0	1	2	20	66	94	117
Known Violation	0	0	1	1	8	18	29

<u>Parole Outcome (cont.)</u>	<u>Scores (continued)</u>							
	<u>-1--2</u>	<u>-3--4</u>	<u>-5--6</u>	<u>-7--8</u>	<u>-9--10</u>	<u>-11--12</u>	<u>-13--14</u>	<u>-15</u>
No Known Violation	96	60	28	9	1	2	0	0
Known Violation	46	31	20	8	3	1	0	0

## Risk Categories Percentages

<u>Parole Outcome</u>	<u>11-10</u>	<u>9-8</u>	<u>Scores</u>			<u>1-0</u>
			<u>7-6</u>	<u>5-4</u>	<u>3-2</u>	
No Known Violation	100%	67%	95%	89%	84%	80%
Known Violation	0%	33%	5%	11%	16%	20%
% of Total Population	0%	0%	3%	11%	17%	22%

<u>Parole Outcome</u>	<u>-1--2</u>	<u>-3--4</u>	<u>Scores (continued)</u>			<u>-11--12</u>
			<u>-5--6</u>	<u>-7--8</u>	<u>-9--10</u>	
No Known Violation	68%	66%	58%	53%	25%	67%
Known Violation	32%	34%	42%	47%	75%	33%
% of Total Population	21%	14%	7%	3%	1%	0%

above the base rate; those with net negative scores have "success" rates below the average for the population.

Once these characteristics are established for the scoring approach, it remains to aggregate scores so they are relevant and manageable. Score categories that are vacant are irrelevant; a large number of categories is cumbersome. We can reduce this information thusly.

Score Category	Risk				Total (12--15)
	12-0 points	-1--4 points	-5--8 points	-9--15 points	
Number	357	233	65	7	662
"Successes"	300	156	37	3	496
% "Successes"	300/357; 84%	156/233; 68%	37/65; 57%	3/7; 43%	496/662; 75%
% of Total Cases in Score Range	357/662; 54%	233/662; 35%	65/662; 10%	7/662; 1%	662/662; 100%

Other score categorizations are feasible, of course. This one might be said to concentrate on those risks beyond general population intensity, dealing with that approximate 1/4 of the group who present substantial risk as progressively in need of more detailed release consideration. The assumption here is that the Board, for the sake of community protection, does well to consider holding unusual risks for longer terms.

The "Risk Evaluation Tally" now takes the form:

## ALASKA BOARD OF PAROLE

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## RISK EVALUATION TALLY

1.	Was the subject on probation or parole at the time the current offense(s) occurred?	No	Yes
			-1
2.	Has s/he a juvenile probation or parole record?	No	Yes
		+1	
3.	Has s/he a juvenile institutional history?	No	Yes
		+1	-1
4.	Is this person to release out of state?	Yes	No
		+1	
5.	Is the current sentence under 25 months?	Yes	No
		+1	
	Is the current sentence over 60 months?	No	Yes
			-1
6.	Is s/he black?	No	Yes
			-1
	Is s/he other than black, white or native?	Yes	No
		+1	
7.	At the time of the offense: was the subject married?	Yes	No
		+1	
	was s/he cohabiting?	Yes	No
		+1	
8.	Were less than 10 days credited on the current sentence?	Yes	No
		+1	
	Were more than 100 days credited?	No	Yes
			-1
9.	Is this the inmate's 3rd or subsequent parole hearing on this incarceration?	No	Yes
			-1
10.	Was a knife or razor used in the offense?	No	Yes
			-1
11.	Is there no prior felony record?	Yes	No
		+1	
	Has s/he 3 or more prior felonies?	No	Yes
			-1

12. Has the client less than 2 misdemeanor convictions?	Yes +1	No
Has the client over 3 misdemeanors?	No	Yes -1
13. Has the subject one (only) adult probation failure?	No	Yes -1
14. Does the client have a recorded prior adult parole failure (1 or more)?	No	Yes -1
15. Was there a crime victim?	No +1	Yes
16. Has the subject a history of consistent drug usage?	No	Yes -1
17. Has s/he a Problem Drinker/Alcoholism history?	No	Yes -1
18. At the time of the release hearing: is the client married and not separated?	Yes +1	No
is the client separated?	No	Yes -1
19. Will this individual release to live with his/her spouse?	Yes +1	No
Will s/he live in an alone/not specified/NA situation?	No	Yes -1

Also, during the decision sessions some preference was voiced for having term-fixing follow specific periods of months, rather than the sentence passed. This has the primary advantage of moderating sentence disparity--where needed. Using the new criminal code categories to index crime seriousness was elected. The example time served matrix then takes a somewhat different form.

Modified Example  
Time to be Served before First Parole

	12-0 <u>points</u>	<u>Risk Score</u>		-9--15 <u>points</u>
		-1--4 <u>points</u>	-5--8 <u>points</u>	
Misdemeanor			8-10 months	10-12 months
"C" Felony	12-14 months	15-18 months	19-25 months	26-36 months
"B" Felony	14-16 months	17-20 months	21-35 months	36-60 months
"A" Felony	18-24 months	25-30 months	31-60 months	61-120 months

The terms displayed in each table cell remain exemplars because no empirical data are in hand from which to derive these terms. Before the table can be activated as a decision base pertinent data need to be garnered and analyzed.

Utility

From the vantage point of risk, how useful would this variety of release matrix be? Clearly it would provide a common

frame of reference for decision makers and would act as a guard against through-time, covert changes in decision policy.

It rests on the assumption that the vertical axis reflects seriousness. Because that axis comes from a criminal code that will not take effect until January 1, 1980, no empirical data can be brought to bear as yet. The implication is that the Board will need to critically review its use of this axis periodically (perhaps about every 6 months) and make changes as indicated.

The risk axis has an empirical base and, though it, too, will need review regularly, can be assessed according to accuracy in treating existing data. Essentially it sees all those with scores of "0" and higher as not being risks, the assumption being that they are serving sentences for other than risk considerations and that, other than in cases exempted by the Board from the matrix, relatively minimal terms are appropriate to address those ends. As progressively less desirable risk scores attach to cases the matrix calls for lengthened terms; this implies that risk is properly addressed by added confinement.

This means individual parole applicants are to be given terms based on the risk group into which each falls. That mandates consideration of how many persons in each category will be incorrectly assessed.

In the first risk range ("12-0 points") 84% "succeeded". Thus, the matrix calls for releasing 57 people at "minimum date" assuming them to be good risks when they will, in fact, violate their paroles. Five of those persons in this population were absconders, 39 were technical violators, and 13 sustained new felony convictions. Thus, 5 (31%) of the "Absconders" will have been treated erroneously as successes; 39 (36%) of the "Technicals" and 13 (32%) of the "Substantives" (those with new felony convictions) likewise. These can be seen as getting less stringent intervention than risk considerations might dictate.

Score Category	12-0 points		-1--4 points		-5--8 points		-9--15 points		Total	
Number	357		233		65		7		662	
"Failures"	57		77		28		4		166	
Absconders	5	1%	7	3%	1	2%	3	43%	16	2%
Technicals	39	11%	50	21%	19	29%	1	14%	109	16%
Substantives	13	4%	20	9%	8	12%	0		41	6%
"Errors"	57 16%		156 67%		37 57%		3 43%		253 38%	

Each subsequent score group has more concentration of "Technicals" and "Substantives" (except the "-9--15", which is too small to be stable), cases that may be conceived of as more serious violators, with the "Substantives" being most heavily concentrated--proportionally--in the "-5--8" score range. Those are ends this type of device seeks. The other side of that, however, is that more than 1/2 of the "-1--4" group and of the "-5--8" group do not violate their paroles. Thus, if

one asks the question "how accurate is the risk prediction that all those with positive scores will succeed and all those with negative scores will fail?" the answer is that 253 cases (38% of the total) are erroneously predicted thusly. The immediate response could then be that we are better off predicting all to be successes; on the basis of the base rate of 75% we would miss only 25% of the cases.

In a world of practicalities, though, one can argue that the prediction that all will succeed is not viable. Thus, one can opt for a greater margin of error in order to derive information about the group of central concern-- those who will fail on parole. Decision matrices attend this orientation.

## DENIALS

A Summary Report to  
the  
Alaska Board of Parole

*Background*

For several years the Alaska Board of Parole has issued a letter each time an inmate is denied parole. The letters follow an established format that consists of a date, address, salutation, summary of action taken (that parole has been denied pursuant to a hearing on a given date and the next consideration hearing date scheduled, if any), reasons for these actions, a discussion of pertinent law and other considerations, an invitation to discuss the action with an institutional counselor (who receives a copy of the letter) or with the letter's author, a closing, and the signature of a Parole Board officer.

There has been considerable foment in the past decade or so over the propriety of formal notice of the reasons for denial decisions. Practice varies widely across the United States with Alaska having one of the most formal and personal mechanisms for communication to parole aspirants of the Board's thinking regarding their cases. One of the sources of this diversity is that neither professional parole practitioners nor any observing group (including inmates) seem agreed upon:

1. what factors legally can be considered in making the release choice,
2. which considerations are helpful in guiding wise release practices,
3. who is best able to match the interests of the society against those of the inmate in the release contemplation

matrix,

4. what aid the inmate (or his representatives) can lend decision-makers at this juncture,
5. and so on.

As seems to be the case in virtually every segment of the criminal justice system, there are critics aplenty "assisting" parole practitioners. Examples of these abound. I remember some 3 years ago receiving a call from the Florida House's Health and Rehabilitation Services Committee Subcommittee on Corrections. This subcommittee was concerned that the Parole and Probation Commission not consider the inmate's attitude when deciding upon release dates. Within a few days of that call I was leafing through a respected text on the topic<sup>1</sup> wherein the (British) parole board was abjured to tell the inmate they were doing so when they searched for evidence of attitude change.

Certainly the debate over propriety of given considerations waxes most acrimonious in "fuzzy" areas such as gauging of another's "attitude". The prototype is familiar, though; almost no known decision element has escaped criticism as unfair, illegal, immoral or otherwise distasteful as grounds for denying (or vice versa) parole. Standard decision bases are criticized freely: some contend current offense is not appropriate because that was a key basis for deciding the original sentence, prior offense record is attacked because that record recounts acts that already have been punished, and on it goes.

Amidst this malestrom the Alaska Board of Parole considers not only what its decision in each case will be but why it is making that election. Further, it transmits a letter to the relevant inmate within days after the decision, noticing what will occur and the reasons therefor.

Recently it has been concentrating attention on what these decisions reasons look like. The next 5 pages present a preliminary document formalizing that area.

Laudable as that effort is, the Board noted a lack of empirical

A. THE TYPE OF CRIME

1. The extreme serious nature of your offense.
2. The violent nature of your offense.
3. The nature of your offense.
4. A crime that involved a Firearm.
5. A crime that involved a Weapon.
6. Although your present offense is non violent in nature it is considered to be very serious.

B. PRIOR CONVICTIONS

1. You have an extensive arrest record.
2. You have an extensive history of drug abuse.
3. You have an extensive history of alcohol related crimes.
4. You have a previous felony conviction.
5. The Judge's sentencing remarks.
6. You have an extensive juvenile record.

C. PAST PAROLE OR PROBATION SUCCESS

1. You have violated conditions of probation in the past.
2. You have violated conditions of parole in <sup>THE</sup> past.
3. You were on probation when the current offense was committed.
4. You were on parole when the current offense was committed.
5. It is felt that you have been dealt with in a lenient manner by the court especially in view of the fact you have repeatedly committed crimes.
6. You were given the opportunities to remain in the community and

1. You have failed to complete an alcohol program.
2. You have failed to complete a drug rehabilitation program.
3. The record reflects that you have not overcome your alcohol problem, which is <sup>the</sup> primary causal factor in your criminal behavior.
4. The Board strongly suggests that you:
  - A. Receive psychological counseling.
  - B. Seek drug counseling.
  - C. Become involved in long term alcohol counseling.
  - D. Seek vocational training and develop a specific job plan.
  - E. Involve yourself in intensive counseling.
  - F. Become more involved in institutional programming.
5. It is felt you have not demonstrated initiative or motivation to develop a constructive release plan.
6. It is felt you have little insight into your problems ~~you~~, you are unable to accept the responsibilities placed upon you by society and you have little motivation to change your lifestyle.
7. You need to develop a concrete and verified parole plan.
8. Your release plans are neither concrete or verified and you do not have sufficient funds to live on at the present time, if released.

E. INSTITUTIONAL PERFORMANCE

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1. The Board did not feel that your behavior indicated you were mature enough to handle the responsibilities of parole at this time.
2. Your inability to make an adequate adjustment and follow institutional regulations while incarcerated.
3. You were involved in a major incident where good time was removed.
4. You have been involved in serious criminal behavior while incarcerated which resulted in an additional conviction.

F. ENCOURAGEMENT

1. The Board strongly suggest that;
  - A. You continue your good institutional adjustment.
  - B. You continue to act in a responsible manner.
  - C. You should learn to do things for yourself, rather than depending on family and friends to support you.
  - D. You continue your educational endeavors.
  - E. You continue your vocational training endeavors.
  - F. You learn to deal with your emotional problems.
  - G. You learn to control and deal with your temper.
  - H. You develop a more positive attitude toward yourself, the institution as well as society.
  - I. You establish constructive goals and meet the goals you set.
  - J. You put together a more viable release plan, before your case is next reviewed.
  - K. You continue your involvement in positive activities.

2. The Board noted that you have:
  - A. Completed your GED.
  - B. Completed you AA degree.
  - C. Improved your attitude and behavior.
  - D. Involved yourself in the Phase Program.
  - E. Adjusted well to incarceration.
  - F. Maintained good behavior.
  - ~~G. Involved yourself in,~~

## G. LAST SENTENCE

1. The fact that the Parole Board wishes to review your case is not an indication that you will be paroled.
2. It is felt that the nature of your offense and your behavior warrants the time sentenced to be served.
3. Overall, the Board did not perceive any positive changes in your attitude or your understanding of the causal factors in your situation.
4. The Board considers you a poor risk for parole at this time.
5. The Board suggests that during the remainder of your sentence you become involved in any program available to you within the institution.
6. The Board agrees with the Alaska Supreme Court that violent criminal conduct which causes injury to the victim should be firmly dealt with, and that the protection of society and affirmation of societal norms should assume primary focus as the leading criteria for sentencing.

THE PAROLE BOARD IS NOT PUNITIVE BUT IS GENUINELY CONCERNED WITH ITS RESPONSIBILITY TO PLACE ONLY THOSE WHO HAVE PREPARED THEMSELVES BY THE INSTITUTIONAL EXPERIENCE BACK INTO FREE AND COMPETITIVE SOCIETY.

YOU SHOULD BE AWARE ~~THE~~ INTENT OF THE THREE MONTH CONTINUANCE IS TO REVIEW YOUR PROGRESS AND IT SHOULD NOT BE CONSTRUED AS AN INTENTION TO GRANT PAROLE

THE MAJOR FACTORS LEADING THE BOARD'S DECISION NOT TO PAROLE YOU AT THIS TIME INCLUDED

information on what reasons they were using and how the reasons were being employed. Thus, copies of the denial letters written by the Board from 1975 through early 1979 were made available to Bay Area Research Design Associates (BARDA) for analysis.

A total of 516 letters to 418<sup>2</sup> inmates were provided. The letters all took a form very much like the letter making up the next 2 pages (appropriately blanked out for privacy purposes), though their contents exhibited considerable variety. Some were less than a page long and several were 3 or more pages in length. It was fairly typical for an "old timer" to receive a detailed, extended recitation of the arrest history he had accumulated, particularly if the Board saw that history as a primary decision factor.

It also was not unusual for several reasons to be espoused, sometimes any one of which most would consider quite adequate. A reading of the letters revealed, though, that few cases will hear more than 8 reasons for a denial so the analysis was truncated there. Further, the Board never cites the fact that parole has been denied previously as grounds for current denial so the 516 decisions were treated distinctly, the assumption being that each decision stands unique, though clearly a heinous offense may be mentioned repeatedly as an inmate builds a file of denials.

The decisions were coded in the order they appeared in each letter, not assuming necessarily that the one mentioned first was the pivotal concern. Instead, we present "first" denial reasons, "second" denial reasons, etc. as a matter of chronology, the need for some order being apparent. Thus, the following pages tell the written reasons 418 inmates received from the Alaska parole board (through as many as 8 per decision) for that Board's electing not to parole on that consideration hearing.

#### *Approach*

A copy of each denial letter was furnished BARDA with the understanding we would "Provide analysis of all Alaska 'not paroled' letters from calendar years 1976, 1977, 1978 to ascertain visibility

December 1, 1977

Mr.  
P. O. Box 600  
Eagle River, Alaska 99577

Dear Mr.

On October 24, 1977, you appeared before the Alaska Board of Parole. At that time it was the board's decision to continue your case to the July, 1978, board meeting.

The major factors leading to their decision not to parole you at this time include the nature of your offenses, burglary not in a dwelling and grand larceny. You and a accomplice broke into a business establishment and took a large quantity of merchandise. During the commission of this burglary the two watch dogs on the premises were killed. A second accomplice assisted you in removing goods from the store. The stolen property was then transported to your residence. You were later apprehended and placed in custody. At the time of sentencing the court stated "There are things which bother me in this case, because after this very serious crime occurred, the burglary, the larceny, the grand larceny relating to the dogs being killed and the way they were killed, you continue to engage in criminal conduct. It did not shock you that you changed your life pattern and that concerns me a great deal." The court was referring to drugs being found in your residence approximately one month after the burglary occurred. The record reflects you have used alcohol since the age of 16 and have used various drugs since you were in the seventh grade. The record also indicates in the past you have had difficulty controlling your temper. The institutional record reflects you have maintained good adjustment and have been involved in GED studies, group and self help study as well as individual counseling and counseling

Mr.  
Page 2  
December 1, 1977

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with the Wing counselor. Your involvement in programs and counseling at the institution is seen as a positive effort to deal with your problems. However, it is felt you need to continue in intensive programming and to complete phase programming. It is felt you need to do more time due to the serious nature of your offenses. The board would encourage you to maintain your present positive attitude and adjustment.

In considering each case, the board uses as their guidelines Sections 33.15.060, 33.15.080 and 33.15.230(b) of the Alaska Statutes, and other areas it considers important specifically those areas which are outlined in pages four and five of the "Parole Standards" booklet. Each case is reviewed individually by the board and their decisions are based upon the aforementioned factors, with appropriate weight being given the respective factors. The comments made by the board in your case and presented in the above paragraph are factors which enabled their decision to be made but this does not mean that other factors not mentioned were omitted or not considered by the board, only that the board felt the aspects noted above were of primary importance to them when making their decision and in not granting parole to you at this time.

I would suggest that you discuss this letter with your institutional counselor once you have read it. Feel free to contact me if you have any other questions about the board's decision.

Sincerely yours,



Amy Webb  
Parole Board Officer

AW/vh  
cc: Jean Slack, Institutional Counselor

and frequency of Parole Board decision factors." Each letter was read and coded by a research criminologist in the following format:

<u>Field(s)</u>	<u>Item</u>	<u>Item Code(s)</u>
4	Identification #	4 digit sequential, unique identifier 0001-0418
6	Letter Date	
5	Current Charges (not exceeding 5)	A. Burglary in a Dwelling/Burglary/ Unauthorized Entry B. Burglary not in a Dwelling/Carry- ing a Firearm during a BNIAD C. Assault with a Deadly Weapon D. Carrying a Concealed Weapon E. Larceny/Grand Larceny F. Lewd and Lascivious Acts toward a Child G. Loitering in or about a Building H. Forgery/Checks/Passing Forged Checks J. Contributing to the Delinquency of a Minor K. Embezzlement L. Manslaughter M. Murder 1st N. Murder 2d/Negligent Manslaughter O. Possession of H. S. Drugs/LSD with intent to Sell P. Probation/Parole Violation Q. Receiving and Concealing/Conceal- ing R. Robbery/Use of Firearm while Committing Robbery S. Sale of Drugs/H. D. S. T. Rape/Statutory Rape

Field(s)ItemItem Code(s)

- U. Tampering with a Motor Vehicle
  - V. Malicious Destruction of Personal Property
  - W. Unauthorized Entry
  - X. Felony Joyriding
  - Y. Operating a Motor Vehicle while Intoxicated
  - Z. Cutting/Shooting with Intent to Kill/Wound/Maim
  - 1. Felon in Possession of Firearm/  
Use of Firearms/Careless use of Firearms
  - 2. Possession of Narcotics/Pos-  
session of Narcotics for Sale
  - 3. Assault and Battery
  - 4. Obtaining Money under False Pretenses/Credit Cards violation
  - 5. Accessory
  - 6. Failure to Satisfy
  - 7. Trespass
  - 8. Escape
  - 9. Mayhem
  - \*. Introduction of Contraband
  - #. Arson
  - &. Petty Larceny
  - &. Kidnapping
  - !. Habitual Criminal
  - \$. Other
- "Assaults to ..." and attempts were coded as the crime attempted
- 1. Fairbanks (Box 317)
  - 2. Eagle River (Box 200)
  - 3. Juneau (Box 309)
  - 4. Palmer (Box 919)

1

Letter Address

Field(s)ItemItem Code(s)

- |   |                  |   |
|---|------------------|---|
|   |                  | 5. Anchorage (Box 439 - Annex<br>Box 2100<br>Box 2100 - Annex)  |
|   |                  | 6. McNeil Island  |
|   |                  | 7. Leavenworth  |
|   |                  | 8. Ketchikan (Box 8880)   |
|   |                  | 9. Springfield  |
|   |                  | 0. Ridgeview  |
|   |                  | A. Lompoc   |
|   |                  | B. Terminal Island  |
|   |                  | C. Nome   |
|   |                  | D. Marion   |
|   |                  | E. Terre Haute  |
|   |                  | F. Ashland  |
| 8 | Denial Reason(s) | 1. Arrest/Conviction Record (A/C)   |
|   |                  | 2. Probation/Parole/Other<br>Conditioned Release Violation<br>(PPV)   |
|   |                  | 3. Drug Abuse History (DAB)   |
|   |                  | 4. Institutional Misconduct (ICD)   |
|   |                  | 5. Immaturity/Emotional Problems/<br>Dependency/Failure to Learn from<br>Past Experience/Lack of<br>Insight (IMT) |
|   |                  | 6. Nature of Offense (Serious/<br>Violent) (OFF)  |
|   |                  | 7. Alcohol Abuse History (AAB)  |
|   |                  | 8. Bad Temper/Poor Impulse Control<br>(CTL)   |
|   |                  | 9. Need more Treatment/Training/<br>Programmer T)   |

Field(s)ItemItem Code(s)

- A. Develop/Verify Release Plan  
(RPL)
- B. Judge Recommends Denial/  
Sentencing Comments (JRC)
- C. Poor Military (MIL)
- D. Job History (JOB)
- E. Set Off Requested by Inmate  
(IRQ)
- F. Ineligible for Parole (-EL)
- G. Residential Instability (RES)
- H. No Personal Interview (-IN)
- I. District Attorney Comments  
(D A)
- J. Inadequate Release Funds ( \$ )
- K. Need More/Should Serve More  
Time (TIM)
- L. Physical Health (HLH)
- M. Poor Parole Risk/Risk to  
Community (RSK)
- N. Poor Family Relationships (FAM)
- O. Insufficient Grounds for Parole  
(NGD)
- P. Leniency (LEN)
- Q. Attitude (ATT)
- R. Lack of Effort by Inmate (-EF)
- S. Evasiveness/Denial (EVA)
- T. Poor Associates (ASO)
- U. Probation Officer Recommendation  
(POR)
- V. Need More Information (-IF)
- W. Progressively More Serious/  
Frequent Involvements (+SR)
- X. Tie Vote (TIE)
- Y. Criminal Pattern (PTN)

<u>Field(s)</u>	<u>Item</u>	<u>Item Code(s)</u>
		Z. Inmate Refusal of Parole Conditions (REF)
		#. Lack of Concern for Victim (VCC)
		!. Demands of Public (PDM)
3	Continuance Length	Number of Months (1 month increments) OOA. to end of sentence OCB. rescind previous parole order, deny further consideration OON. no time specified
1	Letter Signator	1. Amy Webb 2. Gwen Byington 3. Samuel Trivette 4. Richard Collum
1	Sex	1. if female

The data on decisions reasons were then entered into a micro-processor (computer) and analyzed as to identity, extensiveness of use, proportion of use, and order of use. The following 8 pages present tabulations of reasons in order of their mention. Each reason is listed on each table with only those receiving mention as a first reason having a frequency in the "FIRST" table, the second reasons in the "SECOND" table, etc. Only reasons appearing often enough to make up 1% or more of the group are percentaged.

Looking at the "FIRST" table we see that all unsuccessful applicants were given at least one reason for being set off ("NONE" is blank). The most prevalent first-mentioned denial basis was offense ("OFF") meaning that in 273 cases, 53% of the total 516, the seriousness<sup>3</sup> of the offense(s) involved the reason mentioned first for denial. Arrest or Conviction Record (A/C") was the primary item in 78 (15%) of the denials; existence of a past Probation, Parole or Other Conditioned Release Violation(s) ("PPV") assumed first mention in 49 (9%) of the instances. Institutional Misconduct ("ICD") came first in 16 cases (7%), with Drug Abuse History ("DAB"), Inmate Requests ("IRQ"),<sup>4</sup> and Release Plan ("RPL")<sup>5</sup> surfacing 3% and 2% of the time, respectively.

Alaska Parole Board  
Parole Denial Reasons  
1975 - 1979

FIRST

<u>REASON</u>	<u>#</u>	<u>%</u>	<u>REASON</u>	<u>#</u>	<u>%</u>	<u>REASON</u>	<u>#</u>	<u>%</u>	<u>REASON</u>	<u>#</u>	<u>%</u>
A/C	78	15%	PPV	49	9%	DAB	13	3%	ICD	36	7%
IMT	6	1%	OFF	273	53%	AAB	6	1%	CTL	1	
TRT	4	1%	RPL	9	2%	JRC	2		MIL		
JOB	1		IRQ	15	3%	-EL			RES		
-IN			D A	1		\$			TIM	2	
HLH			RSK			FAM	1		LEN	2	
ATT	2		-EF	4	1%	EVA	1		ASC		
POR			-IF	3	1%	+SR			TIE	6	1%
PTN	1		REF			VCC			PDM		
NGD									NONE		

TOTAL 516 100%

Alaska Parole Board  
Parole Denial Reasons

1975 - 1979

## SECOND

<u>REASON</u>	<u>#</u>	<u>%</u>	<u>REASON</u>	<u>#</u>	<u>%</u>	<u>REASON</u>	<u>#</u>	<u>%</u>	<u>REASON</u>	<u>#</u>	<u>%</u>
A/C	108	21%	PPV	94	18%	DAB	40	8%	ICD	41	8%
IMT	11	2%	OFF	21	4%	AAB	61	12%	CTL	6	1%
TRT	22	4%	RPL	11	2%	JRC	8	2%	MIL		
JOB	4	1%	IRQ			-EL	1		RES		
-IN	1		D A	2		\$	2		TIM	7	1%
HLH			RSK	12	2%	FAM	1		LEN	19	4%
ATT	4	1%	-EF	4	1%	EVA	9	2%	ASO		
POR			-IF			+SR	1		TIE		
PTN	8	2%	REF			VCC	1		PDM	1	
NGD									NONE	16	3%

TOTAL 516 100%



Alaska Parole Board  
Parole Denial Reasons  
1975 - 1979  
FOURTH

<u>REASON</u>	<u>#</u>	<u>%</u>	<u>REASON</u>	<u>#</u>	<u>%</u>	<u>REASON</u>	<u>#</u>	<u>%</u>	<u>REASON</u>	<u>#</u>	<u>%</u>
A/C	27	5%	PPV	31	6%	DAB	18	3%	ICD	41	6%
IMT	35	7%	OFF	3	1%	AAB	49	9%	CTL	6	1%
TRT	62	12%	RPL	29	6%	JRC	15	3%	MIL	1	
JOB	9	2%	IRQ	2		-EL	1		RES		
-IN			D A	4	1%	\$	5	1%	TIM	8	2%
HLH	1		RSK	26	5%	FAM			LEN	17	3%
ATT	6	1%	-EF	13	3%	EVA	6	1%	ASO	1	
POR	2		-IF	2		+SR			TIE		
PTN	4		REF			VCC			PDM		
NGD									NONE	92	18%
TOTAL 516 100%											

Alaska Parole Board  
Parole Denial Reasons  
1975 - 1979  
FIFTH

<u>REASON</u>	<u>#</u>	<u>%</u>	<u>REASON</u>	<u>#</u>	<u>%</u>	<u>REASON</u>	<u>#</u>	<u>%</u>	<u>REASON</u>	<u>#</u>	<u>%</u>
A/C	13	3%	PPV	8	2%	DAB	13	3%	ICD	33	6%
IMT	37	7%	OFF	4	1%	AAB	13	3%	CTL	15	3%
TRT	52	10%	RPL	18	3%	JRC	7	1%	MIL	5	1%
JOB	2		IRQ	5	1%	-EL	1		RES		
-IN			D A	6	1%	\$	4	1%	TIM	15	3%
HLH			RSK	32	6%	FAM	2		LEN	18	3%
ATT	1		-EF	13	3%	EVA	11	2%	ASO		
POR	1		-IF	2		+SR	3	1%	TIE		
PTN	6	1%	REF			VCC			PDM		
NGD	1								NONE	175	34%

TOTAL 516 100



Alaska Parole Board  
Parole Denial Reasons

1975 - 1979

## SEVENTH

<u>REASON</u>	<u>#</u>	<u>%</u>	<u>REASON</u>	<u>#</u>	<u>%</u>	<u>REASON</u>	<u>#</u>	<u>%</u>	<u>REASON</u>	<u>#</u>	<u>%</u>
A/C	1		PPV	3	1%	DAB	1		ICD	9	2%
IMT	13	3%	OFF			AAB	4	1%	CTL	6	1%
TRT	46	9%	RPL	12	2%	JRC	5	1%	MIL		
JOB	2		IRQ	5	1%	-EL			RES	1	
-IN			D A	2		\$	2		TIM	11	2%
HLH	3	1%	RSK	16	3%	FAM			LEN	1	
ATT	4	1%	-EF	12	2%	EVA	3	1%	ASO	1	
POR			-IF	1		+SR	2		TIE		
PTN	1		REF			VCC			PDM		
NGD									NONE	349	68%

TOTAL 516 100%

Alaska Parole Board  
Parole Denial Reasons  
1975 - 1979

EIGHTH

<u>REASON</u>	<u>#</u>	<u>%</u>	<u>REASON</u>	<u>#</u>	<u>%</u>	<u>REASON</u>	<u>#</u>	<u>%</u>	<u>REASON</u>	<u>#</u>	<u>%</u>
A/C			PPV			DAB			ICD	3	1%
IMT	6	1%	OFF			AAB	1		CTL	1	
TFT	30	6%	RPL	17	3%	JRC	2		MIL		
JOB			IRQ	2		-EL	1		RES		
-IN			D A	1		\$			TIM	5	1%
HLH			RSK	21	4%	FAM			LEN	1	
ATT	6	1%	-EF	4	1%	EVA			ASO		
POR			-IF			+SR			TIE		
PTN			REF			VCC			PDM		
NGD									NONE	415	80%
TOTAL 516 100%											

The "SECOND" table tells that 97% (500) denials were accompanied by 2 or more reasons. Arrest or Conviction Record surfaced as the second reason for delay of release in 21% (108 instances); Probation, Parole or Other Conditioned Release Violation appeared 18% of the time. Alcohol Abuse History ("AAB") touched 12% (61 cases); Institutional Misconduct and Drug Abuse History came up in 8% of these considerations. Prior Lenience<sup>6</sup> ("LEN"), Offense, and Treatment ("TRT")<sup>7</sup> entered in in 4% of the denials as second factors.

That item most likely to be given as a third reason for parole denial was prior record (67, 13%), noting that 92% of the set offs were accompanied by 3 or more reasons. Alcohol Abuse History entered into consideration 11% of the time at this juncture; prior conditions violations, treatment needs, and release plan inadequacies all surfaced 8% of the time.

Treatment needs (12%) are most often voiced as a fourth denial reason. Alcohol Abuse History (9%) continues to be a concern and Immaturity/Emotional Problems/Dependency/Failure to Learn from Past Experience/Lack of Insight ("IMT") comes up 7% of the time; prior conditions violations, institutional misconduct, Bad Temper/Poor Impulse Control ("CTL"), and release plan each receives comment 6% of the time. The concept of Poor Parole Risk/Risk to the Community ("RSK") has been a marginal player in earlier explanations of decisions and receives recognition as a fourth reason for denial 5% of the time.

66% of the denials were accompanied by at least five reasons. Most often appearing in the fifth slot are treatment (10%), immaturity (7%), institutional conduct and risk (6% each); no other reason is stated more than 3% of the time.

Just under 1/2 (47%) of the cases were given 6 reasons for denial. Again treatment considerations are most often chronicled (10% of the time), release plans foster discomfort 6% of the time, and immaturity spawns mention 4% of the time.

Only treatment needs (9%) have much prevalence among the seventh reasons given for parole deferment. At the eighth juncture

treatment is given as an explanation 6% of the time. Fully 80% of the cases are told less than 9 reasons so analysis beyond this point is not fruitful.

Combination of all reasons given affords an overall view of which explanations were used most frequently. Because this method sums over total entries through 8 the most prevalent value is "NONE", numbering 1,363 (33%) of the 4,128 (516 denials with 8 possible reasons each); keep in mind that all denials carried at least one explanation. Offense was most often enumerated as of concern, with arrest record and treatment needs a close second. Prior release conditions violations weighed heavily in the denials, with institutional conduct and alcohol abuse history appearing regularly.

#### *Summary*

The preceding pages present the Alaska Board of Paroles' 1975-1979 denial letters' contents as they relate to stated reasons for parole deferment. The first reason given parolees for a negative decision turns on the nature of the offense committed. All denials are accounted for by at least one reason.

Second reasons most typically are arrest/conviction record and a history of conditioned release violation(s). Arrest/conviction records and alcohol abuse history pace third denials; fourth deferment reasons rest on treatment considerations or alcohol abuse histories most typically.

Treatment needs lead fifth denial reasons. Less than 1/4 the cases are afforded as many as 6 reasons, treatment considerations, again, being most often stated as sixth, seventh, and eighth place determinants of denial.

Offense, prior record, and treatment concerns are most prevalent over the denial reasons set.

Alaska Parole Board  
Parole Denial Reasons  
1975 - 1979  
COMBINED

<u>REASON</u>	<u>#</u>	<u>%</u>	<u>REASON</u>	<u>#</u>	<u>%</u>	<u>REASON</u>	<u>#</u>	<u>%</u>	<u>REASON</u>	<u>#</u>	<u>%</u>
A/C	297	7%	PPV	234	6%	DAB	128	3%	ICD	208	5%
IMT	165	4%	OFF	315	8%	AAB	198	5%	CTL	47	1%
TRT	307	7%	RPL	168	4%	JRC	51	1%	MIL	11	
JOB	25	1%	IRQ	34	1%	-EL	7		RES	1	
-IN	2		D A	20		\$	21	1%	TIM	64	2%
HLH	4		RSK	134	3%	FAM	7		LEN	92	2%
ATT	30	1%	-EF	77	2%	EVA	48	1%	ASO	2	
POR	3		-IF	13		+SR	8		TIE	6	
PTN	33	1%	REF	1		VCC	2		PDM	1	
NGD	1								NONE	1,363	33%

TOTAL 4,128 100%

## DENIALS NOTES

1. Morris, P. and F. Beverly, *On License: A Study of Parole*. London: John Wiley & Sons, 1975, p. 89.

2. A person may be denied parole more than once, receiving an explanatory letter each time. Most inmates in this file had only one denial letter on the current offense(s) though one had 4 and a few had 3.

3. "Seriousness" seems to pertain prevalently either to frequency of depredations, size of monetary loss, breach of special duty (as in embezzlement) or violence or potential for violence.

4. Usually an inmate's request to be set off was couched in expression of needs for graduated release (work release, education release...`. This item's importance may be somewhat exaggerated in these analyses because the letters showed a formalized procedure of mentioning this element at the outset when it pertained, a practice which may not reflect ascendancy of the request.

5. The Board apparently adheres rather strictly to its requirement that inmates formulate acceptable release plans and verify their components. Often the inmate was told he needed to verify the employment segment of his release plan, for example. In a few instances the inmate was absent any release preparation at all; in some s/he was insisting on release to undertakings and surroundings the decision-makers deemed unacceptable.

6. In the leniency circumstance, often the Board would take account of the tendency of courts to allow inmates numerous "chances" before finally incarcerating them.

7. The treatment item consisted of an expression by the Board that the inmate needed more treatment of (usually psychological) maladies, further training or to complete a current program phase before release would be optimal.

## FOOTNOTES

1. Bental, D. J. *Parole Officer, An Examination of the Occupational Career of California Parole Agents*. Berkeley: University of California, 1970 (unpublished dissertation), p. 136
2. *Hyser v. Reed*, 318 2d 225 (D. C. Cir. 1963)
3. Gottfredson, D. M., M. G. Neithercutt, P. S. Venezia, and E. A. Wenk, *A National Uniform Parole Reporting System*. Davis, California: Uniform Parole Reports, December 1970 Pertinent commentary/methodology go back a long way; see, for example, Dudley, D. O., L. E. Ohlin, A. J. Reiss, Jr., and H. R. Stanton, "Formal Devices for Making Selection Decisions", *American Journal of Sociology* 58: 573 - 584 (1953).
4. Neithercutt, M. G., W. H. Moseley, and E. A. Wenk, *Uniform Parole Reports: A National Correctional Data System*. Davis, California: Uniform Parole Reports, March 1975
5. Singer, S. M. and D. M. Gottfredson, *Development of a Data Base for Parole Decision-Making*. Davis, California: NCCD Research Center, June 1973
6. See: Gottfredson, D. M., L. T. Wilkins, P. B. Hoffman, and S. M. Singer, *The Utilization of Experience in Parole Decision-Making, A Progress Report*. Davis, California: NCCD Research Center, June 1973 and Conrad, J. P. "Editorial Notes", *Journal of Research in Crime and Delinquency* 13: 105 - 106 (July 1976)
7. Gottfredson, D. M., P. B. Hoffman, M. H. Sigler, and L. T. Wilkins, "Making Paroling Policy Explicit", *Crime and Delinquency* 21: 34 - 44 (January 1975), at pp. 37ff
8. For example, the pronouncements of Gaylin, Mitford, and others have been acerbic.
9. Gottfredson, D. M., C. A. Cosgrove, L. T. Wilkins, J. Wallerstein, and C. Rauh, *Classification for Parole Decision Policy*. Washington: U. S. Government Printing Office, July 1978
10. See: Gottfredson, D. M., L. T. Wilkins, and P. B. Hoffman, *Guidelines for Parole and Sentencing*. Lexington, Massachusetts: Lexington Books, 1978

11. Mannheim, H. and L. T. Wilkins, *Prediction Methods in Relation to Borstal Training*. London: Her Majesty's Stationery Office, 1955, pp. 1 - 27
12. Neithercutt, M. G. *Predicting Outcomes of Federal Parolees*. Berkeley: University of California, June 1968 (unpublished dissertation), pp. 3 - 18
13. Simon, F. *Prediction in Criminology*. London: Her Majesty's Stationery Office, 1971
14. Gottfredson, Cosgrove, Wilkins, Wallerstein, and Rauh, *op. cit.*
15. This section is taken largely from *ibid.*, Appendix B.

Appendix A  
NON-SIGNIFICANT DATA TABLES

Table A-1

## Offense

<u>Offense</u>	<u>Outcome</u>		
	<u>No Violation</u>		<u>Violation</u>
	<u>#</u>	<u>%</u>	<u>#</u>
Non-person	254	78%	73
Person	241	72%	93
Unknown	4		
Total	665 cases		
$\chi^2 = 2.68$	df= 1	P	N.S. (not significant)

Table A-2  
Physical Assault

<u>Assault?</u>	<u>Outcome</u>		
	<u>No Violation</u>		<u>Violation</u>
	<u>#</u>	<u>%</u>	<u>#</u>
Yes	180	74%	63
No	314	76%	101
Unknown	7		
Total	665 cases		
$\chi^2 = .21$	df= 1	P	N.S.

Table A-3  
Injury to Victim

<u>Victim Injury?</u>	<u>Outcome</u>		
	<u>No Violation</u>	<u>Violation</u>	
	<u>#</u>	<u>%</u>	<u>#</u>
Yes	130	71%	53
No	337	76%	107
Unknown	38	6%	
Total	665 cases		
$x^2 = 1.61$	df = 1	P N.S.	

Table A-4  
Vulnerable Victim

<u>Victim a child, elderly, sick or handicapped?</u>	<u>Outcome</u>		
	<u>No Violation</u>	<u>Violation</u>	
	<u>#</u>	<u>%</u>	<u>#</u>
Yes	31	84%	6
No	449	74%	156
Unknown	23	3%	
Total	665 cases		
$x^2 = 1.69$	df = 1	P N.S.	

Table A-5  
Crime Partners

<u>Partners?</u>	<u>Outcome</u>	
	<u>No Violation</u>	<u>Violation</u>
	<u>#</u>	<u>%</u>
No	351	73%
Yes	143	79%
Unknown	6	1%
Total	665 cases	
$\chi^2 = 2.17$	df= 1	P N.S.

Table A-6  
Psychiatric Report

<u>Is there a psychiatric report?</u>	<u>Outcome</u>	
	<u>No Violation</u>	<u>Violation</u>
	<u>#</u>	<u>%</u>
No	342	76%
Yes	154	72%
Unknown	3	
Total	665 cases	
$\chi^2 = 1.48$	df= 1	P N.S.