

Promoting Success on Probation and Parole

Nationwide, 4.5 million people—or 1 in 55 Americans—are on probation or parole, collectively known as community supervision. That’s twice the number of people in jails and prisons. Community supervision is intended, in part, to provide an alternative to incarceration, but has instead evolved into one of the largest drivers of incarceration. In fact, 45% of state prison admissions nationwide are due to violations of probation or parole, with technical violations – such as missing paperwork or failing a drug test – accounting for about half of all revocations, or a full 25% of prison admissions.

1 IN 55

U.S. adults is on supervision ¹

45%

of all state prison admissions are the result of probation and parole failures ²

\$2.8 B

spent annually to incarcerate people for technical violations alone ³

1 Danielle Kaeble (2016). U.S. Department of Justice, Bureau of Justice Statistics, Probation and Parole in the United States. <https://www.bjs.gov/content/pub/pdf/ppus16.pdf>

2 The Council of State Governments Justice Center (2019). “Confined and Costly: How Supervision Violations Are Filling Prisons and Burdening Budgets.” <https://csgjusticecenter.org/confinedandcostly/>

3 Ibid.



Community supervision policies that focus on promoting individual success rather than catching failure can lead to safer communities, reduced corrections costs, and fairer and more effective probation and parole systems.

The Problems

There are too many people on community supervision and terms are often too long.

Supervision has become the default punishment for many lower-level offenses; instead of delivering accountability, it can serve as a trip wire to incarceration. Shortening probation terms and reallocating resources to serve higher-risk people would make resources available to more effectively reduce recidivism.

Many people are sent to prison for technical violations of probation and parole—minor rule-breaking that would not otherwise result in incarceration.

Research shows that incarceration of any length can cause significant harm to individuals and families. Individuals who go to jail or prison for technical violations experience these harms without having committed an offense that a sentencing judge determined warranted incarceration.

Community supervision failure is expensive for governments—and for the communities they are meant to serve.

States spend \$9.3 billion on people sent from supervision to prison every year, and \$2.8 billion of that is for people incarcerated over minor technical violations. Research suggests a more effective way to spend this money would be on intensive support for the small number of high-risk people whose outcomes could improve with supervision.

Probation and parole can deepen inequities by entrenching poverty through steep fees, widening racial disparities, and offering inadequate support for people with treatment needs.

Not only does the supervision system perpetuate racial disparities—African-Americans make up only 13 percent of the U.S. adult population, but 30 percent of those on supervision—but onerous fees can drive people into debt, and there are often few programs to help people address their underlying needs, including access to mental health or substance abuse treatment and housing and economic stability.

Our Approach

Sentence fewer people to supervision and reduce the length of supervision terms.

Reducing the number of people on supervision will enable agencies to better focus resources on the high-risk individuals who need them most. Shortening supervision terms could reduce the footprint of the community supervision system without jeopardizing public safety. From 2007 to 2016, 37 states reduced community supervision populations and simultaneously saw a drop in crime.

Eliminate or cap incarceration for technical violations of supervision.

Technical violations rarely justify incarceration. We must develop non-carceral alternatives to address these violations that are fairer, more effective, and at lower financial and human cost.

Limit probation and parole conditions and adopt incentives for compliance.

Research shows that high levels of supervision can be harmful and lead to increased recidivism for low-risk populations on probation and parole. Agencies should base supervision levels and case plans on risk and needs and strive to set the lowest number of conditions to reasonably ensure public safety and continued success.

Reduce economic and racial disparities by eliminating fees associated with supervision; connecting people who need it to evidence-based mental health and substance use treatments; and instituting policies that promote justice and fairness.

Eliminating fees from the supervision system would remove both barriers to success and perverse incentives that undermine an efficient justice system. We support research that uncovers economic and racial disparities in probation and parole and advocate for policy reforms that advance justice and fairness.