Beyond the prison gates: The state of parole in America

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Introduction

The landscape of American sentencing policy has changed significantly over the past generation. States have enacted a wide variety of sentencing reforms, most of them designed to increase the use of imprisonment as a response to crime. Three-strikes laws have been passed to keep persistent offenders in prison for life. Mandatory minimums have been instituted to require imposition of a prison term for designated crimes. Truth-in-sentencing schemes have been embraced to ensure a long prison term for violent offenders.1

Over the same period, the states have made a number of changes in one of the cornerstones of American criminal justice policy, the institution commonly called parole. Some states have abolished the role of parole boards in deciding whether and when to release prisoners from custody.2 Others have cut back on parole supervision, releasing more prisoners directly to the community.3 Some states have aggressively enforced the conditions of parole, thereby discovering more parole violations and sending more parolees back to prison.4

During the same period, parole practices have changed significantly. Most parole agencies rely on drug testing as a way to determine whether a parolee has kept his promise to remain drug free.5 More states are allowing parole officers to carry weapons. A number of jurisdictions are requiring parolees to wear electronic bracelets to ascertain whether they abide by limitations on their movement. And the size of the parole population has grown substantially. In 1980, there were 220,000 individuals supervised by parole agencies across the country. In 2000 there were 725,000, an all-time high.

This report examines state parole systems in America today.6 Specifically, we examine three dimensions of the parole function. First, we document the extent to which parole boards make decisions to release inmates from prison. Second, we analyze the dimensions of the population under parole supervision. Third, we examine the issue of parole revocation, the decision to send a parolee back to prison. Where possible, we present our analysis at both the national and state levels.

This inquiry into the parole function is particularly timely. This year, more than 600,000 individuals will leave state and federal prisons — 1,600 a day, four times as many as left prison 25 years ago. The federal government recently announced the award of $100 million in grants to help states design new strategies to improve outcomes for prisoners returning home.7 A number of corrections administrators have embraced the challenge of engaging community groups in supervising the reentry process. Public health professionals, workforce development experts, housing providers, civil rights advocates, and police officials have all focused attention on the challenges and opportunities presented by record numbers of prisoners coming back into free society. They are engaging in similar questions: How is the prisoner prepared for release? How are family and community involved? Who supervises the prisoner when he or she gets out? What if there is no supervision? What should be the terms of a period of community supervision, and how long should that period last? What should happen to a parolee when he or she has violated a condition of supervision? Who should be returned to prison, why, and for how long?

The report reaches conclusions that we hope will provide the foundation for renewed attention to this critical function of the criminal justice system. We do not attempt to answer all the key questions about the parole process. Rather, this report presents a portrait of parole, a straightforward statistical depiction of the current state of three critical parole functions — the decision to release, the decision to supervise, and the decision to revoke. Using national and state-level data, we describe changes in those functions over time. We find that the role of parole boards in making release decisions has declined significantly. Now, only one in four individuals released from prison is released by a parole board. On the other hand, we find that the level of parole supervision has increased. Four out of five released prisoners are now placed on parole supervision. Finally, we find that the number of parole revocations has risen dramatically. Today, about one-third of all people admitted to prison are admitted for a parole violation.

Yet, underneath these national trends, our examination also reveals a substantial amount of variation in policy and practice among the 50 states. In fact, the state-level innovation is so extensive that we cannot conclude that the nation has a single approach to parole.8 Clearly, the states have embarked on a wide variety of experiments in their parole policies, with significant costs and benefits. These experiments offer an opportunity for research and inquiry that could inform the next generation of policy development in approaches to the period of time after prison, the time beyond the prison gates.

Notes


6. Unless otherwise noted, data presented include only the 50 states and do not include the District of Columbia and federal systems.


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