

Community supervision via probation and parole

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The criminal justice system adopted the policy of community supervision in the form of parole and probation as an alternative to mass incarceration. The purpose of [granting parole](#) and probation was to allow rehabilitation of the offenders against mass imprisonment. Parole emerged as an alternative to incarceration permitting conditional release to the offenders.

All states in the United States implemented a parole system until 1977. The primary incentive for parole and probation was to control the growing prison population. Policy reforms through community supervision are intended to reduce disproportionately high incarceration rates in America. Community supervision is an alternative to imprisonment as the rates of revocations reported by the state are 17 per cent. No state in America mentions revocation at high rates, depicting the effectiveness of the policy. Parole and probation focus on the offender's re-entry into the community and taking life as a law-abiding citizen. The policy emphasized controlling recidivism and disengaging offenders from different crimes (Kaeble & Bonczar, 2017).

Background of the Policy

Community supervision was imposed massively between 1977 and 2010 when the prison population increased by 300,000 offenders. The estimated prison population during the period was 1.5 million people. The incarceration's financial and social costs were high, motivating policymakers to propose an alternative solution. The repercussions of mass incarcerations were high as they deteriorated the offender's life. Americans for minor crimes used to serve many years in jails, which influenced their employment, career and future lives. The inability to vote and disengagement from civil life were other consequences of incarcerations. The financial crisis of 2008 was another factor promoting the adoption of community supervision as an alternative to incarcerations. The country's federal budget declined due to the crisis, and the costs of operating correctional facilities became unbearable. The policymakers were concerned about minimizing the costs associated with criminal procedures and prisons. People availing community supervision increased enormously during 2010, with a reported 4,000,000 people under probation and 841,000 on parole (Klinge, 2013).

Development of Policy

The Supreme Court presented probation as an alternative to sentencing in 1916. Policymakers concluded that incarceration costs on a single offender were fifteen times higher than community supervision. Prison Act 1925 gave the power of sentence suspension to the courts. The reformers also

supported the policy of providing rehabilitative facilities to the offenders. The chances of re-entering the community and living a civilian life are rare in jails. Under probation and parole, offenders can overcome criminal activities and start a noble life. The state recognized that incarceration ruins the lives of offenders, which was unfair according to policymakers. Community supervision was developed as an alternative to its predecessor to overcome the issues and drawbacks of the incarceration system (Minn, 2009). The approach that expansion of community supervision will mitigate issues of over-incarceration played a key role in the development of the policy.

The criminal justice system recognized probation and parole as the best alternatives to limit prison populations. The justice system imposes probation as a lieu of imprisonment and probation as a conditional release. During this period the offender has to prove a change in his attitude and disengagement from any offenses. The conditions released by individuals follow the conditions imposed by the state for retaining liberty and freedom. Failure of the offender to comply with the conditions leads to termination of community supervision and future imprisonment. An individual under probation is liable to report to the probation officer regularly to attend work, classes, and rehabilitative programs. The purpose of probation is to promote rehabilitation in the offender. The federal government approved the probations legislation in 1925 and became extremely popular during the 1980s. The rate of probations increased by 60% in 2001 (Klinge, 2013). Initially, the officer under the Attorney General had the power to decide on a conditional release. The control was then passed to superintendents in charge of the prison. Federal probation officers were responsible for inquiring into offenders' performance under the specified period. The system of probation was transferred from the Federal Bureau to the Administrative Courts of America in 1940 (US courts, 2018).

The Board of Parole was developed in 1930 and initially controlled by the Attorney General. Several changes occurred during the history of parole. In 1950, the Department of Justice was responsible for taking on the administrative role. During the same period, the Youth Corrections Act aimed at providing rehabilitative opportunities to young people. In 1972, the justice department provided a comprehensive guideline for the officers and the offenders with the goal of minimizing revocations and recidivism. Parole Commission and Reorganization Act 1976 established an independent agency for managing parole activities efficiently. The detailed guidelines were revised under the Comprehensive Crime Control Act 1984. The purpose of the guidelines was to assess the offenders that need parole facilities. The approach was more appropriate for the offenders involved in non-violent crimes (Klinge, 2013).

Factors Contributing to Policy Development

The primary factor that contributed to the development of parole and probation policy was to control the high volume of imprisonments as the state faced financial costs. The years spent in jails affected the lives and careers of youth as many teenagers and young people served entire youth there. The facts also revealed that over 70 per cent of jail criminals committed non-violent offences. The justice

department found it unfair to imprison the offenders for minor crimes. Racial bias was another factor motivating the justice system to adopt community supervision as an alternative to sentencing. Democrats claimed that people belonging to minorities serve more years in jails for felonies, theft or substance abuse. Sentencing Reform Act 1984 supported the parole system in America (Minn, 2009).

The evidence also revealed that the people in jails are more likely to choose criminal lifestyles. Jails do not provide rehabilitation, education or treatment programs that eliminate their possibility of becoming good citizens. The criminal justice system supported community supervision to encourage positive behaviours among young offenders. The system believed that supervisory services such as education, rehabilitative programs, treatments against substance abuse and employment improve the behaviours of offenders (Kaeble & Bonczar, 2017). The criminal justice system's belief that adult probation declines recidivism rates also promoted community supervision. Other factors leading to the development of parole policy and its adoption as an alternative to incarceration involve allowing community re-entry to the offenders, reconnecting with family and children and giving up criminal life (Klinge, 2013).

Importance of Developing Alternative

Developing parole and probation as an alternative to mass incarceration was essential for preventing recidivism and the destruction of entire youth. The policy is important to change the offensive attitudes of criminals and provide them with the opportunity to live better lives. It is also vital for managing the federal budget as the cost of keeping offenders in jails is high and doubles after 55 years of age. Evidence supports the parole and probation policy and identifies it as an effective crime control strategy. Only 17 per cent of offenders return to jail after availing of parole and probation. While less than 5 per cent of offenders re-enter prisons for violent crimes (Kaeble & Bonczar, 2017). Developing policy as an alternative is also crucial as it rehabilitates the youth, allowing them to build positive behaviours and give up crimes. Compared to incarceration, community supervision is more practical for controlling crimes.

References

- Kaeble, D., & Bonczar, T. P. (2017). *Probation and Parole in the United States, 2015*. U.S. Department of Justice.
- Klinge, C. (2013). Rethinking the Use of Community Supervision. *J. Crim. L. & Criminology*, 1015.
- Minn. (2009). *REVIEW OF GUIDELINES FOR REVOCATION OF PAROLE AND SUPERVISED RELEASE: 2009 REPORT TO THE MINNESOTA LEGISLATURE*. MINN. DEP'T OF CORR.
- US courts. (2018). *Probation and Pretrial Services History*. Retrieved Feb 12, 2018, from <http://www.uscourts.gov/services-forms/probation-and-pretrial-services/probation-and-pretrial-service>

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