

The Similarities And Contrasts Between Probation And Parole

Posted on October 25, 2019

Introduction to Probation and Parole

Probation and parole are both forms of community supervision, but they occur at different points in the criminal-justice process. Probation is generally imposed by a court as a sentence or part of a sentence, often instead of incarceration. Parole is generally the conditional release of a person from prison before the maximum sentence has expired, although many jurisdictions now use mandatory post-release supervision rather than discretionary parole.

Both systems seek to protect the public, enforce court or release conditions, help people address risks and needs, and support successful reintegration. At year-end 2023, an estimated 3.77 million adults were under probation or parole supervision in the United States. Approximately 3.10 million were on probation and 680,400 were on parole (Bureau of Justice Statistics [BJS], 2025).

History of Probation

John Augustus, a Boston shoemaker, is commonly called the “Father of Probation.” Beginning in 1841, he persuaded courts to release selected defendants into his care, helped them obtain employment and support, and reported their progress before sentencing. His work contributed to the development of formal probation in Massachusetts and other states.

Federal probation developed later. In 1916, the U.S. Supreme Court held that federal judges could not indefinitely suspend sentences without statutory authority. Congress subsequently enacted the Probation Act of 1925, which authorised federal judges to impose probation and established the foundation of the federal probation system. The federal judiciary marked the Act’s centennial in 2025 (Administrative Office of the U.S. Courts, 2025).

History of Parole

The word “parole” comes from the French word for a promise or word of honour. Modern parole developed from nineteenth-century systems that linked privileges and release to behaviour and progress in custody. Alexander Maconochie’s “mark system” on Norfolk Island and Walter Crofton’s Irish system influenced later conditional-release practices. In the United States, Zebulon Brockway implemented an early parole model at the Elmira Reformatory in New York during the late nineteenth

century.

Parole was designed to make release gradual and conditional rather than abrupt. A parole board could consider institutional conduct, programme participation, risk, release plans, victim information, and other statutory factors. A person granted parole remained under supervision and could be returned to custody for serious violations. Modern state systems vary substantially: some retain discretionary parole, some abolished it for many offences, and some use mandatory post-release supervision (Georgia State Board of Pardons and Paroles, 2026).

Core Difference: Sentencing Versus Release

The clearest distinction is timing and legal authority:

- Probation: usually ordered by a judge at sentencing. The person may avoid incarceration or serve a short custodial period followed by probation.
- Parole: generally begins after a person has served part of a prison sentence and is released conditionally by a parole authority or under a statutory release system.

Probation is therefore not simply “before prison,” because a court can impose probation after some confinement or as part of a split sentence. Parole is not available in every jurisdiction or for every sentence. Federal parole was largely abolished for federal offences committed after November 1, 1987, but federal probation officers supervise people released under supervised release and some remaining parole cases.

Shared Purposes of Probation and Parole

Probation and parole share several purposes:

- protecting the public;
- reducing reoffending;
- monitoring compliance with legal conditions;
- connecting people with treatment, housing, education, and employment;
- supporting restitution and other court-ordered obligations;
- providing structured reintegration; and
- using incarceration more selectively.

Community supervision is less expensive than imprisonment, but cost reduction should not be its only objective. Overly broad conditions, excessive surveillance, and unnecessary revocation can increase system involvement without improving safety. Evidence-based supervision focuses resources on people with higher risks and needs, uses incentives and proportionate responses, and builds a working relationship that supports behaviour change (National Institute of Corrections [NIC], 2025).

Conditions of Supervision

People on probation or parole commonly must:

- report to a supervising officer;
- obey laws and avoid new criminal conduct;
- maintain approved residence and employment or education;
- participate in treatment or testing when ordered;
- avoid prohibited people, places, weapons, or substances;
- comply with travel restrictions;
- pay restitution, fines, or fees where required; and
- permit home visits, searches, or electronic monitoring when legally authorised.

Conditions should be lawful, understandable, related to the offence or assessed risk, and realistically achievable. A condition that creates an impossible conflict with employment, childcare, treatment, or housing may undermine rather than support successful supervision.

Risk and Needs Assessment

Modern community corrections often use validated risk-and-needs instruments. These tools estimate the likelihood of reoffending and identify changeable factors such as substance misuse, antisocial peers, unstable housing, limited employment, or criminal-thinking patterns. They should guide—not replace—professional judgment.

The risk principle recommends more intensive intervention for people at higher risk, because excessive intervention with low-risk individuals can disrupt protective factors. The need principle focuses on criminogenic needs linked to offending. The responsivity principle adapts services to motivation, learning style, culture, disability, language, trauma, and other individual characteristics.

Assessment tools must be validated, monitored for bias, and used transparently. They should not be treated as infallible predictions or as a substitute for due process.

Role of Probation Officers

Probation officers perform both investigative and supervisory duties. Depending on the jurisdiction, they may:

- prepare presentence investigation reports;
- verify criminal, family, employment, financial, and treatment information;
- assess risks and needs;
- develop supervision and case plans;

- conduct office, home, workplace, or community contacts;
- coordinate treatment and social services;
- monitor compliance and progress;
- use incentives, warnings, graduated sanctions, or court referrals;
- investigate alleged violations; and
- submit reports and recommendations to the court.

In the federal system, probation and pretrial services officers support sentencing decisions, supervise people after conviction or release, and connect them with housing, mental-health and substance-use treatment, employment services, and other reentry resources (Administrative Office of the U.S. Courts, 2025).

Role of Parole Officers and Parole Boards

Parole boards and parole officers have different roles. A parole board or releasing authority may decide whether an eligible incarcerated person should be released and under what conditions. It may also conduct revocation proceedings or make recommendations concerning clemency, depending on state law.

A parole officer supervises the person in the community. The officer monitors conditions, assesses adjustment, coordinates services, responds to violations, and reports to the parole authority. Modern parole supervision should combine accountability with practical assistance such as identification documents, housing, treatment, transportation, family support, and employment.

Qualifications and Training

Requirements vary by federal, state, and local agency. Probation officers and correctional treatment specialists typically need a bachelor's degree, often in criminal justice, social work, psychology, sociology, or a related field. Agencies may require background investigations, written and oral examinations, medical or psychological screening, academy training, and continuing education.

Officers need skills in interviewing, report writing, legal procedure, assessment, motivational communication, crisis response, conflict management, cultural competence, safety, treatment coordination, and ethical decision-making. Some agencies authorise officers to carry firearms; others do not. The median annual wage for probation officers and correctional treatment specialists was \$64,520 in May 2024, and employment was projected to grow 3% from 2024 to 2034 (U.S. Bureau of Labor Statistics [BLS], 2025).

Challenges Faced by People Under Supervision

People on probation or parole may face:

- difficulty finding housing because of criminal records;
- employment and licensing barriers;
- transportation problems;
- treatment waiting lists or costs;
- family conflict and damaged relationships;
- stigma and community distrust;
- multiple appointments and overlapping legal obligations;
- fees, restitution, and other financial burdens;
- mental-health and substance-use disorders; and
- adjustment after long periods of incarceration.

Parolees often have additional reentry difficulties because they are transitioning directly from prison. Institutional routines may have reduced opportunities to make independent decisions, while technology, employment practices, family relationships, and communities may have changed during incarceration.

Technical Violations and Revocation

A technical violation is noncompliance with a supervision condition that is not itself a new criminal offence, such as missing an appointment, violating curfew, travelling without permission, or failing a drug test. Some violations may signal serious risk, while others reflect poverty, unstable housing, transportation, relapse, misunderstanding, or scheduling conflicts.

Revocation can result in jail or prison and may interrupt employment, treatment, and family stability. Fair systems distinguish between new criminal conduct, dangerous behaviour, repeated intentional noncompliance, and lower-level technical violations. Responses can include problem-solving, increased contact, treatment modification, incentives, warnings, community service, short sanctions, or formal revocation, depending on risk and law.

Due process is required before significant loss of liberty. People accused of violations generally have rights to notice, a hearing, disclosure of evidence, an opportunity to respond, and a neutral decision-maker, although exact procedures vary.

Officer Discretion and Consistency

Probation and parole officers exercise substantial discretion. Two officers may respond differently to

the same missed appointment or failed test. Discretion is necessary because cases differ, but unexplained inconsistency can create unfairness and undermine trust.

Agencies should use clear policies, graduated-response matrices, supervisory review, training, data monitoring, and documentation. Policies should permit individualised responses while limiting arbitrary decisions. Outcomes should also be examined for racial, ethnic, gender, disability, and socioeconomic disparities.

Community Corrections and Collaboration

Probation and parole are parts of a wider community-corrections system. Effective supervision depends on cooperation among courts, releasing authorities, corrections departments, law enforcement, prosecutors, defence lawyers, treatment providers, housing organisations, employers, families, victims' services, and community groups.

The aim should not be surveillance alone. The National Institute of Corrections' current national standards project emphasises research-informed practices that support rehabilitation, positive outcomes, and productive, law-abiding lives (NIC, 2025). Agencies need manageable caseloads, appropriate technology, high-quality treatment, workforce support, and reliable performance data.

Current Population and Trends

The community-supervision population remains much larger than the incarcerated population. BJS estimated that 3,772,000 adults were on probation or parole at the end of 2023. The total declined by approximately 23% from 2013 to 2023 among comparable agencies, although probation increased slightly during 2023 while parole declined (BJS, 2025).

Population size alone does not indicate effectiveness. Important measures include successful completion, new arrests and convictions, employment, housing stability, treatment engagement, restitution, absconding, revocation, overdose, and long-term reintegration. Agencies should avoid defining success only as the absence of a formal violation during supervision.

Key Similarities

Probation and parole are similar because both:

- permit a person to live in the community under legal conditions;
- use officers to supervise, assist, assess, and report;
- seek to protect public safety and reduce reoffending;
- may require treatment, testing, employment, restitution, and reporting;

- can involve electronic monitoring or home visits;
- allow sanctions or incarceration for serious violations; and
- work best when accountability is combined with rehabilitation and practical support.

Key Differences

The principal differences are:

Feature	Probation	Parole
When it begins	At sentencing, usually instead of or in addition to a limited custodial term	After part of a prison sentence has been served
Primary authority	Court or probation agency	Parole board, releasing authority, or statute
Prior incarceration	Not always required	Normally required
Legal status	Serving a community-based sentence	Serving the remainder of a custodial sentence in the community
Revocation decision	Usually made by a court	Usually made by a parole board or designated authority
Reentry needs	May be present but vary widely	Often substantial because of transition from prison

Conclusion

Probation and parole are related but not interchangeable. Probation is generally a court-imposed community sentence, while parole is conditional release from imprisonment. Both combine control, monitoring, services, and behaviour change, and both can reduce reliance on incarceration when used fairly and effectively.

Their success depends on realistic conditions, validated assessment, trained officers, manageable caseloads, accessible treatment and housing, proportionate responses to violations, procedural fairness, and collaboration with communities. Community supervision should be measured not only by detecting failure but by whether people leave supervision safer, healthier, employed, housed,

connected, and less likely to commit future offences (BJS, 2025; NIC, 2025).

References

- Administrative Office of the U.S. Courts. (2025). *Probation and pretrial services history*.
<https://www.uscourts.gov/about-federal-courts/probation-and-pretrial-services/probation-and-pretrial-services-history>
- Bureau of Justice Statistics. (2025, July 22). *Probation and parole in the United States, 2023*.
<https://bjs.ojp.gov/library/publications/probation-and-parole-united-states-2023>
- Georgia State Board of Pardons and Paroles. (2026). *About the Board*. <https://pap.georgia.gov/about>
- National Institute of Corrections. (2025). *APPA national standards for community supervision*.
<https://nicic.gov/weblink/appa-national-standards-community-supervision>
- U.S. Bureau of Labor Statistics. (2025, August 28). *Probation officers and correctional treatment specialists*.
<https://www.bls.gov/ooh/community-and-social-service/probation-officers-and-correctional-treatment-specialists.htm>