

Correctional Control 2018: Incarceration and supervision by state



By [Alexi Jones](#)

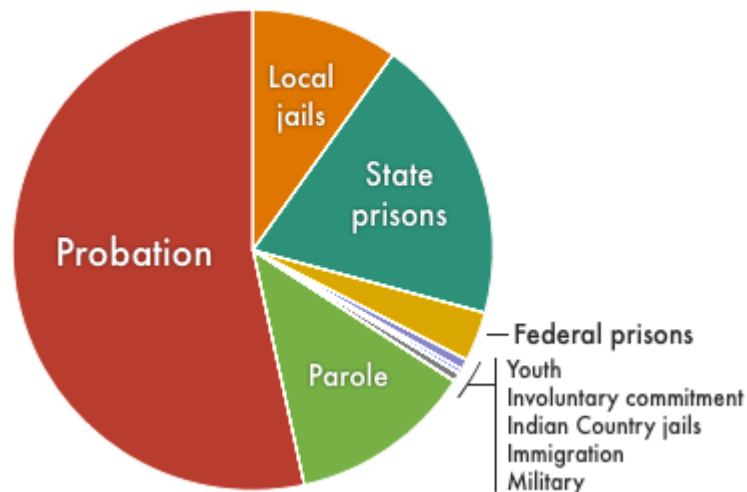
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[Press release](#)

The U.S. has a staggering 2.3 million people behind bars, but even this number doesn't capture the true scale of our correctional system. For a complete picture of our criminal justice system, it's more accurate to look at the 6.7 million people under **correctional control**, which includes not only incarceration but also probation and parole.

The vast majority of people under correctional control are on probation and parole, collectively known as **community supervision** (or community corrections). An estimated 4.5 million adults are under community supervision, nearly twice the number of people who are incarcerated in jails and prisons combined. Yet despite the massive number of people under their control, parole and probation have not received nearly as much attention as incarceration. Only with recent high-profile cases (such as [Meek Mill's probation revocation](#)) has the public begun to recognize the injustices plaguing probation and parole systems, which set people up to fail with long supervision terms, onerous restrictions, and constant scrutiny. Touted as alternatives to incarceration, these systems often impose conditions that make it difficult for people to succeed, and therefore end up channeling people into prisons and jails.

Correctional control extends far beyond prisons and jails



Understanding correctional control beyond incarceration gives us a more accurate and complete picture of punishment in the United States, showing the expansive reach of our criminal justice system. This is especially true at the state level, as some of the states that are the least likely to send someone to prison are the most likely to put them under community supervision. Given that most criminal justice reform will need to happen at the state and local levels,¹ it is crucial for states to assess not only their incarceration rates, but whether their “alternatives” to incarceration are working as intended.

For this report, we compiled data on each state's various systems of correctional control to help advocates and policymakers prioritize targets for reform. This report includes data on

federal prisons, state prisons, local jails, juvenile confinement, involuntary commitment, Indian Country jails, parole, and probation. We make the data accessible in one nationwide chart and [100 state-specific pie charts](#). In this update to our original 2016 report, we pay particular attention to the harms of probation and parole, and discuss how these systems might be reworked into more meaningful alternatives to incarceration.

Mass Supervision in the United States

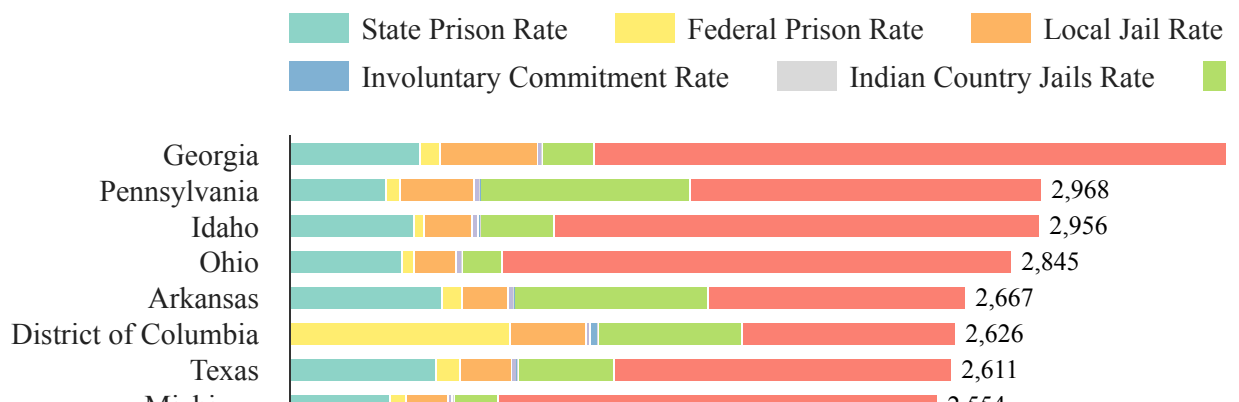
The most alarming finding when we look at the broader picture of correctional control is that nationally, over 6.7 million adults — or 1 in 37 — are under some form of correctional control.² For perspective, if the population under correctional control were its own state, it would be the 16th largest in the nation, comparable to the size of Massachusetts or Tennessee. The majority of people under correctional control are on community supervision. 55% of people under correctional control, or 3.6 million, are on probation, and 11%, or 870,000 people, are on parole.³ While the massive scale of probation dwarfs the parole population, there are still more people on parole than in federal prisons and local jails combined.

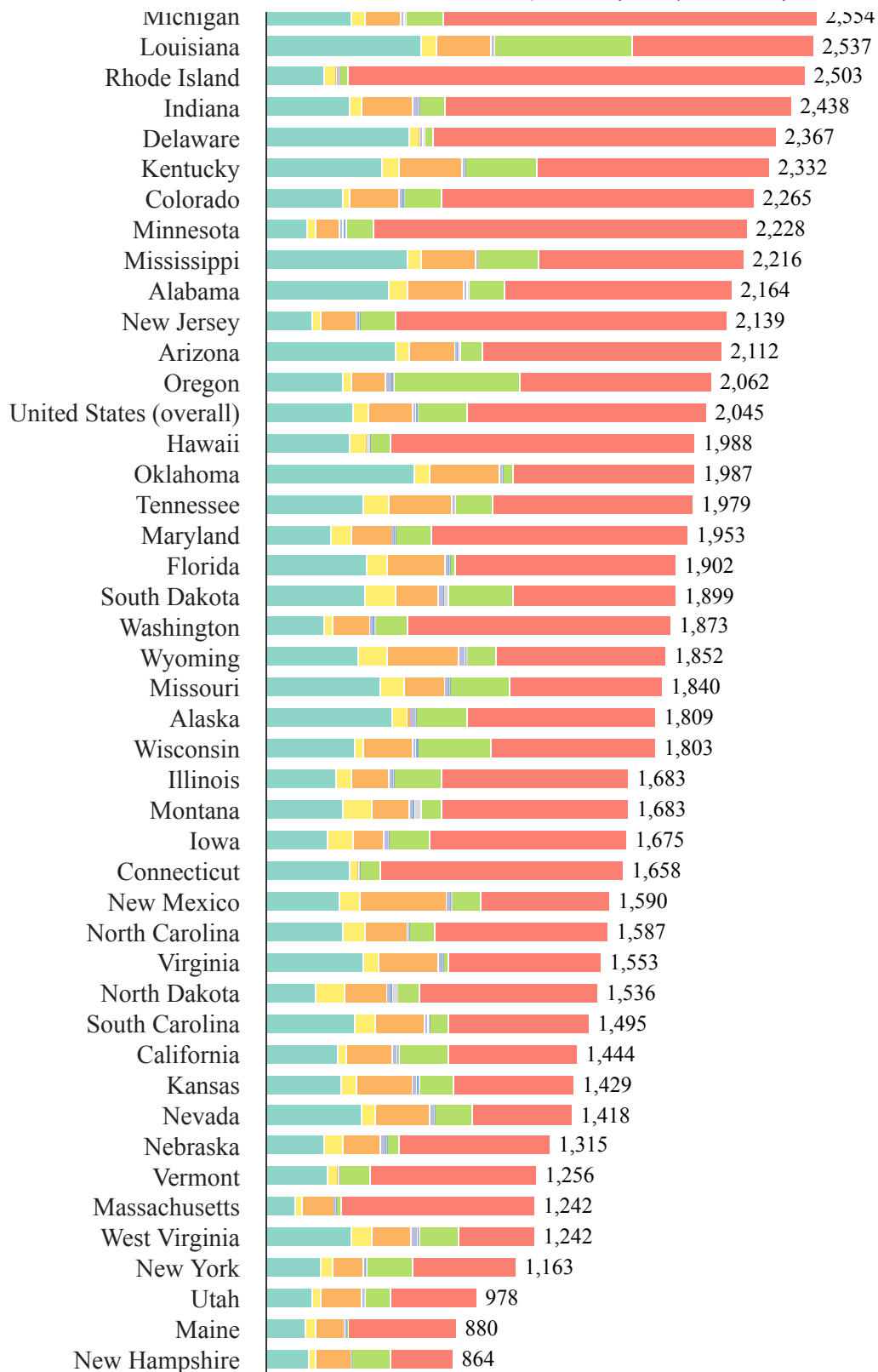
What are probation and parole?

Learn the differences between these two types of community supervision. [\(expand\)](#)

Just as focusing only on incarceration leads to a distorted view of American punishment, focusing only on the national picture obscures important state variations. Notably, some of the states with the lowest incarceration rates, such as Rhode Island and Minnesota, are among the most punitive when probation is taken into account. Other states that rank in the bottom half of incarceration rates nationwide, such as Ohio and Idaho, end up surpassing Oklahoma — the [global leader](#) in incarceration — in rates of overall correctional control. Georgia is punitive from any angle, as the only state that is both a top jailer and leader in probation.

Rates of correctional control





“Correctional control” includes federal prisons, state prisons, local jails, youth confinement, Indian Country jails, involuntary commitment, parole and probation. Rates are per 100,000 total population in that state, D.C., or, for all 50 states and D.C. combined.

We find that this tremendous variation between the states is largely driven by differences in the use of probation. While states vary widely when it comes to their use of prisons and jails, there is far greater variation in their use of probation. For example, although Massachusetts and West Virginia have almost the same overall correctional control rates, 72% of those

under correctional control in Massachusetts are on probation, compared to 28% in West Virginia, where far more (54%) are incarcerated in state, federal, and local jails.

Looking at correctional control rather than incarceration alone provides other surprises:

- Residents of Pennsylvania are nearly twice as likely to be under some form of correctional control than New York residents, even though the two northeastern states have similar crime rates.
- A resident of Michigan is far less likely to be incarcerated than a resident of Alabama. But, overall, Michigan's criminal justice system controls a larger share of its population than Alabama does.
- Because of its large probation system, Rhode Island's total correctional control rate rivals that of Louisiana,⁴ one of the most notoriously punitive states in the country.

State-level data can also provide more context on how correctional populations are changing over time. Nationally, the community supervision population is slowly beginning to decrease. From 2015 to 2016 (the most recent year for which data are available), the number of people under any form of community supervision fell for the ninth year in a

row, by 1.1%.⁵ However, looking at changes at the state level reveals that four states account for half the national decrease in probation: Illinois, Florida, Washington, and Texas collectively cut over 24,000 people from probation supervision, more than all other states combined. Meanwhile, probation populations *increased* in sixteen states. For example, Virginia added 5,300 more people to probation, New Jersey added 4,500, Oklahoma added 2,300, and Colorado and Arkansas each added 1,900.

To be clear, none of this is to suggest that having people on probation and parole is inherently harmful. States should not take this report as a cue to end community supervision. Instead, states should ask hard questions about their supervision systems: whether probation and parole are truly helping people get their lives back on track, and whether there are people under supervision who do not actually need monitoring.

Probation and parole can hurt the very people they're supposed to help

Probation and parole are important not just because of the vast number of people under their control, but also because of the harm they inflict on individuals, families, and communities. Although typically framed as an alternative to incarceration, probation in particular is a key driver of mass incarceration. The perception of probation as a "lenient" punishment is at odds with high failure and revocation rates that land large numbers of people in jail and prison instead.

Worst offenders

Which states have the highest rates of incarceration, probation, and total correctional control?

([expand](#))

Both probation and parole set people up to fail with long supervision terms, strict conditions, and intense surveillance. Only about half of people who exit parole or probation do so after successfully completing their

supervision terms; many supervision “failures” result in revocation which in turn can lead to incarceration. And this happens a lot: Annually, nearly 350,000 people are shifted from community supervision to prison or jail.

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Supervision “failures” are the predictable result of probation and parole conditions. First, people under community supervision live under intense scrutiny, which often leads to the detection of low-level offending (such as drug use) or technical violations (such as breaking curfew⁶). Normally, incarceration would not be appropriate for such low-level offenses; they would typically be addressed through fines, community service, drug treatment programs, or no criminal justice response at all. However, for people under community supervision, these minor offenses and technical violations can lead to incarceration. This creates a “revolving door” between community supervision and incarceration, which can lead to job loss, housing instability, difficulty caring for children, interruptions in healthcare, and a host of other collateral consequences.

In addition to surveillance, people under community supervision must comply with numerous conditions, many of which are unrelated to the original offense and can be very costly. In 2015, the Robina Institute estimated that people on probation must comply with 18 to 20 requirements a day in order to remain in good standing with the probation department. Violating any of these conditions can result in prison or jail time.

While far from an exhaustive list, typical probation requirements include:

- Paying supervision fees, fines, restitution or other fees ordered by the court, very often without considering the individual’s ability to pay;⁷
- Regularly reporting to a parole or probation officer;
- Finding and maintaining full-time employment or education;
- Submitting to drug and alcohol tests, which the individual is often forced to pay for (this is often a condition even if the offense was not related to drugs or alcohol);
- Abiding by strict curfews and submitting to electronic monitoring, which, again, the individual often must pay for;
- Not changing employment or residence without permission;
- Attending specific programs (such as an anger management class);
- Not leaving a designated area without permission (such as the city, county, or state); and
- Not associating with people with criminal records, including family and friends.

In addition to the usual requirements of probation, “courts have been known to impose a wide range of [special] conditions, ranging from the bizarre (‘[y]ou may never even sit in the front seat (of a car)’) to the controversial (don’t get pregnant) to the downright dangerous (put a bumper sticker on your car announcing you are a sex offender).” As formerly

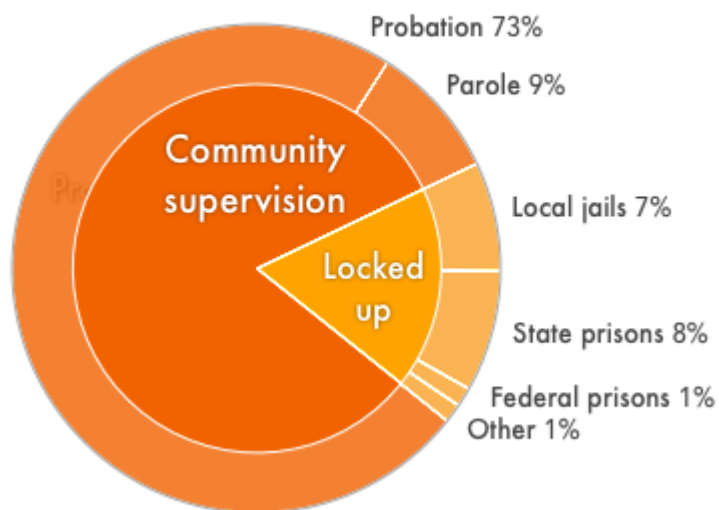
incarcerated criminal justice activist Topeka Sam, explains, these “policies, procedures, and rules [are] seldom explained and often administered arbitrarily.” Even worse, “there is no clear process to register grievances” about one’s conditions of supervision, or to appeal a decision about one’s probation or parole.

While the requirements of community supervision would be burdensome for anyone, they can be especially difficult for those on probation and parole. People under community supervision have significantly higher rates of poverty, mental illness, and lower educational attainment than the general public.⁸ Supervision fees (including administrative fees, electronic monitoring fees, drug screening fees, program fees, and more) can be financially crippling.⁹ Many of these requirements are also time-consuming and can interfere with work and family obligations. Furthermore, community supervision populations have much higher rates of addiction,¹⁰ yet parole and probation policies ignore the realities of drug addiction and relapse,¹¹ tending to criminalize drug use rather than taking a public health approach.

Finally, like incarceration, **probation and parole affect already marginalized populations** in troubling ways:

- The vast majority of women under correctional control (73%)¹² are on probation. Complying with conditions that involve travel and program participation can be particularly difficult for many women due to family caregiving obligations, such as finding or paying for child- or elder-care so they can go to a meeting or required class.
- Black Americans are subject to disproportionate rates of correctional control and higher revocation rates. Black Americans make up 30%¹³ of those under community supervision but just 13% of the U.S. adult population. The Urban Institute also found that, after controlling for other relevant factors, Black Americans had significantly higher revocation rates than white and Hispanic Americans.¹⁴
- Probation fees are an enormous burden on the poor. This is especially alarming in states with privatized probation, which allow private companies to extract money from the poor, often using the threat of incarceration to coerce payments people can’t afford.

Correctional control of women



Parole and probation could be used as tools for decarceration

Our analysis shows that, in every state, correctional systems control the daily lives of large numbers of people — and unnecessarily, in all too many cases. Prisons and jails are warehousing people struggling with substance use disorders and mental illness, who need help that correctional facilities are unsuited to provide. Local jails are filled with people who haven't been found guilty but are awaiting trial behind bars because they are simply unable to afford money bail. And probation and parole systems anticipate (and respond to) failure rather than success — a rational result of heavy caseloads, limited resources, and a myriad of conditions to track instead of providing individualized support. All told, we are left with a bloated, ineffective, costly correctional system that inflicts further harm on individuals, families, and communities.

But it doesn't have to be this way. Probation and parole systems, in particular, can be reformed to help people exit the criminal justice system for good and lead successful lives. As we've discussed, probation and parole are currently broken. Policymakers should invest in strategies to make these systems tools for decarceration rather than engines for incarceration. Parole should be used as a tool for shortening lengthy sentences, and probation solely as an alternative to incarceration.

Reforming parole: Shortening excessive prison terms and supporting successful reentry

Parole can — and should — be used to make earlier release possible for people serving long sentences, especially the approximately 200,000 individuals in state prisons serving natural life or “virtual” life sentences. To do so effectively, reforms will be necessary at every level, from parole offices to state legislatures.¹⁵

- Prisons should make time credit systems more accessible; these incentive programs can move up initial parole eligibility and strengthen parole cases. Earned-time programs, which frequently have long waitlists,¹⁶ should be expanded to meet demand, and prisons should make it easier for incarcerated people to accrue and maintain good time credit.
- State lawmakers should institute presumptive parole to increase the number of people granted parole and make parole decisions more predictable and transparent.
- Parole boards should limit the conditions they impose so as to manage individual risks and needs in a minimally restrictive way.
- Parole offices should frequently re-assess individuals' progress and needs and step down requirements over time to reward compliance and redirect resources toward higher-need individuals.
- Limit the length of time an individual can be on parole. The majority of reoffending occurs in the first few years after release, but after this period continuing supervision has diminishing returns.¹⁷
- Eliminate returns to incarceration for technical violations.

Instead of surveillance, parole systems should focus on reducing the unnecessarily high barriers that people on parole face in securing education, employment, housing, and other

vital resources. In most states, there is tremendous room for improvement, both in the availability and value of parole.

Reforming probation: Ending unnecessary supervision and prioritizing support

Probation, by design, is an important alternative to incarceration. In cases where incarceration is the only practical alternative, the use of probation should be encouraged to minimize the broad social and economic harms of incarceration. But courts should be wary of using probation as a knee-jerk response to low-level offending (it's been used for things as minor as nonpayment of fines), and should ensure that probation prevents incarceration rather than just delaying it.

Currently, probation acts as a net-widener that unnecessarily expands the correctional system's reach to people who commit low-level crimes or who are low-risk and do not need to be under strict supervision. Instead, probation should be reserved for people who are at a high risk of reoffending and who require more support and supervision. Given the limited resources of most probation departments, it's much more prudent to dedicate time and financial resources to those who would benefit most from probation.

To improve the effectiveness and efficiency of probation, states should reduce their outsized probation populations. In fact, experts in the field have called for cutting the probation population by 50% over the next ten years. And New York City has shown that this can be done without compromising public safety. In the 1990s, New York City reformed its probation system, reducing its population by 60% between 1996 and 2014. Even with far fewer individuals under supervision, violent crime dropped by 57% over the same period.

To reduce probation populations, courts should take note from other countries and address low-level offenses or people who are low-risk with more appropriate sanctions, including warnings, fines, ¹⁸community service, and diversion to appropriate programming, such as treatment for substance use disorders or mental health services. These alternative sanctions would not only reduce the probation population, but also the total number of people under correctional control.

In addition to restricting the use of probation to offenses serious enough to warrant correctional control, courts and probation practitioners could promote compliance and prevent future offending by:

- Setting individualized and minimally restrictive probation requirements, with consideration of personal circumstances (family, financial, health, etc.) that would make compliance difficult;
- Shortening probation sentences so they don't lead to increasingly punitive responses to low-level offenses committed years after the initial offense;
- Focusing on incentives rather than punishment: stepping down supervision at regular intervals for those in compliance, and allowing people to earn time off of their probation sentence or eliminating fees as reward for program completion, meeting goals, or continued compliance;

- Waiving any supervision, monitoring, program, or drug screening fees that would cause financial hardship for the individual or their family; and
- Responding to probation violations with additional support, such as linking people with social services, rather than incarceration.

Only with serious reforms to both the conditions and the number of people under its control can probation be a true alternative to incarceration, rather than a system that expands correctional control and drives incarceration.

Conclusion

This report provides another metric for understanding where your state falls within the national landscape of mass incarceration. Our state-specific breakdowns (below) suggest where state advocates and policymakers might start when developing proposals for meaningful justice reform. The most effective reforms will reduce the number of people under correctional control in total, and transform broken probation and parole systems into supportive alternatives to incarceration.

Additional graphs

The graphs made for this briefing are included in our profiles for each state:



and are available individually from this list:

Alabama	incarceration pie chart correctional control pie chart
Alaska	incarceration pie chart correctional control pie chart
Arizona	incarceration pie chart correctional control pie chart
Arkansas	incarceration pie chart correctional control pie chart
California	incarceration pie chart correctional control pie chart
Colorado	incarceration pie chart correctional control pie chart
Connecticut	incarceration pie chart correctional control pie chart
Delaware	incarceration pie chart correctional control pie chart
District of Columbia	incarceration pie chart correctional control pie chart
Florida	incarceration pie chart correctional control pie chart
Georgia	incarceration pie chart correctional control pie chart
Hawaii	incarceration pie chart correctional control pie chart
Idaho	incarceration pie chart correctional control pie chart
Illinois	incarceration pie chart correctional control pie chart
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Iowa	incarceration pie chart correctional control pie chart
Kansas	incarceration pie chart correctional control pie chart
Kentucky	incarceration pie chart correctional control pie chart
Louisiana	incarceration pie chart correctional control pie chart
Maine	incarceration pie chart correctional control pie chart
Maryland	incarceration pie chart correctional control pie chart
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Minnesota	incarceration pie chart correctional control pie chart
Mississippi	incarceration pie chart correctional control pie chart
Missouri	incarceration pie chart correctional control pie chart
Montana	incarceration pie chart correctional control pie chart
Nebraska	incarceration pie chart correctional control pie chart
Nevada	incarceration pie chart correctional control pie chart
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New Jersey	incarceration pie chart correctional control pie chart
New Mexico	incarceration pie chart correctional control pie chart
New York	incarceration pie chart correctional control pie chart
North Carolina	incarceration pie chart correctional control pie chart
North Dakota	incarceration pie chart correctional control pie chart
Ohio	incarceration pie chart correctional control pie chart
Oklahoma	incarceration pie chart correctional control pie chart
Oregon	incarceration pie chart correctional control pie chart
Pennsylvania	incarceration pie chart correctional control pie chart
Rhode Island	incarceration pie chart correctional control pie chart
South Carolina	incarceration pie chart correctional control pie chart
South Dakota	incarceration pie chart correctional control pie chart
Tennessee	incarceration pie chart correctional control pie chart
Texas	incarceration pie chart correctional control pie chart

Utah	incarceration pie chart correctional control pie chart
Vermont	incarceration pie chart correctional control pie chart
Virginia	incarceration pie chart correctional control pie chart
Washington	incarceration pie chart correctional control pie chart
West Virginia	incarceration pie chart correctional control pie chart
Wisconsin	incarceration pie chart correctional control pie chart
Wyoming	incarceration pie chart correctional control pie chart

See the footnotes

Read about the data

About the Prison Policy Initiative

The non-profit, non-partisan Prison Policy Initiative was founded in 2001 to expose the broader harm of mass criminalization and spark advocacy campaigns to create a more just society. The organization is known for its [visual breakdown of mass incarceration in the U.S.](#), as well as its data-rich analyses of [how states vary](#) in their use of punishment. The Prison Policy Initiative's research is designed to reshape debates around mass incarceration by offering the “big picture” view of critical policy issues, such as [probation and parole](#), [pretrial detention](#), and [reentry outcomes](#).

About the author

Alexi Jones is a Policy Analyst and a graduate of Wesleyan University, where she worked as a tutor through Wesleyan's Center for Prison Education. In Boston, she continued working as a tutor in a women's prison through the Petey Greene Program. Before joining the Prison Policy Initiative in 2018, Alexi conducted research related to health policy, neuroscience, and public health.

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