RESEARCH REPORT

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Beyond the Prison Gates:
The State of Parole in America

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research for safer communities

URBAN INSTITUTE
Justice Policy Center

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About the authors

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The Justice Policy Center (JPC) carries out nonpartisan research to inform the national dialogue on crime, justice, and community safety. For more information on JPC's reentry research, visit http://jpc.urban.org/reentry. To receive monthly email updates on JPC research, send an email to JPC@ui.urban.org.

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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.

HISTORICAL CONTEXT

Before describing the recent and current state of parole, we will place this unique criminal justice institution in historical context. A century ago, American criminal justice reformers introduced "parole" as a cornerstone of the nation's new approach to sentencing and corrections.[9] In the model of indeterminate sentencing that dominated American jurisprudence for most of the 20th century and that can still be found in many states today, parole plays three critical roles. First, parole boards determine the actual length of a prison sentence. With indeterminate sentencing, judges sentence an offender to a prison term, specifying a minimum and a maximum length of prison stay. The parole board, an executive branch agency, then decides on a case-by-case basis whether a prisoner is ready to be released to the community.

Second, parole agencies supervise recently released individuals in the community for the remainder of their sentence.[10] In the classic indeterminate sentencing model, a prisoner released on parole is not free. Rather, he or she is still serving a criminal sentence, in the community rather than in prison, and must abide by a number of conditions established by the parole board at the time of release. Thus, parole agencies are expected to play a critical role in overseeing the reintegration of returning prisoners.

Third, parole officers and parole boards are authorized to revoke a parolee's conditional liberty and return him or her to prison. If a parole officer (also referred to as a parole agent) determines that the parolee has failed to observe a condition of his release – for example, has committed a new crime, failed to maintain employment, or failed a drug test – the officer can recommend that parole be revoked. The parole board, or in some states a judicial officer, then decides whether to send the parolee back to prison for some or all of the remainder of the prison sentence. Thus, parole officers and parole boards play an important role in removing parolees from the community when infractions occur.

We acknowledge that, even in the era when indeterminate sentencing was the dominant system in America, not all criminal justice systems operated under this model.[11] For example, not all prison sentences were indeterminate sentences – many prisoners were released without the decision of a parole board. Not all released prisoners were placed on parole supervision – many former prisoners had no special conditions of release. And parole officers and boards had no power to return to prison those released prisoners whom they did not supervise. Yet, despite differences between the indeterminate sentencing model and the reality of sentencing practice, this functional image of parole was firmly embedded in American jurisprudence for the 50-year period from the early 1920s to the early 1970s.

As indeterminate sentencing came under scrutiny in the 1970s, so did parole.[12] Judicial discretion was challenged as arbitrary, lenient, and unfair, and parole board discretion was subjected to similar critiques. As the goal of rehabilitation lost support and the goals of "just desserts" and retribution found new adherents, parole's mission to support prisoner reintegration was called into question. As rising crime rates fueled public calls for tough anti-crime measures, parole became more closely aligned with the law enforcement community. As our entire criminal justice system has come to reflect the "tough on crime" inclination of the public and elected officials, the operation of parole systems has also struck an awkward balance between parole's twin missions of surveillance and service. In short, beginning in the 1970s, as the landscape of sentencing philosophy shifted and public confidence in rehabilitation dropped, the institution of parole lost its sense of mission.[13] As this report will demonstrate, the classic parole model has been transformed by a series of legislative initiatives and shifts in policy. The result is a parole system today far different from the model of years ago.

Despite parole's long history as a key component of American correctional systems, relatively little is known about the effectiveness of parole board release, community supervision, and parole revocation in terms of improving prisoner reintegration and reducing recidivism. Joan Petersilia, one of the nation's preeminent scholars on the topic, writes: "It is safe to say that parole programs have received less research attention than any other correctional component in recent years. A congressionally mandated evaluation of state and local crime prevention programs included just one parole evaluation among the hundreds of recent studies that were summarized for that effort."[14] So while this report draws on existing relevant research where appropriate, there are many parole-related issues for which literature is lacking, leaving policymakers, practitioners, and researchers with many unanswered questions about the institution of parole.

Parole and Sentencing-Related Terms

Determinate sentencing: A prison sentence with a fixed term of imprisonment that can be reduced by good-time or earned-time credits.

Indeterminate sentencing: A prison sentence whose maximum or minimum term is established at the time of sentencing – but not a fixed term. Parole boards determine when to release individuals from prison.

Discretionary release: The release of an inmate from prison to supervision that is decided by a parole board or other authority.

Mandatory release: The release of an inmate from prison that is determined by statute or sentencing guidelines and is not decided by a parole board or other authority.

Conditional release: The release of an inmate from prison to community supervision with a set of conditions for remaining on parole. If a condition is violated, the individual can be returned to prison or face another sanction in the community.

Unconditional release: The release of an inmate from prison where he or she is not under supervision of a community corrections agency, is not required to abide by special conditions, and, therefore, cannot be returned to prison without conviction for the commission of a new offense.

New court commitment: Inmates who were admitted to prison directly from a court with all new sentences. Parole violators are excluded from this category.

Parole violator commitment: Inmates who were admitted to prison as the result of a parole violation, such as committing a crime as a parolee or committing a technical violation.

Technical violation: When a parolee under community supervision does not abide by the special conditions of release.

New crime violation: When a parolee commits a new crime while serving under community supervision.

Bureau of Justice Statistics Data Sources

This report draws heavily from BJS publications, as well as data files published on the BJS web site.

BJS Publications

"Correctional Populations in the United States, 1998." *Bureau of Justice Statistics, an Internet Report.* NCJ 192929. "Correctional Populations in the United States, 1997." *Bureau of Justice Statistics*. NCJ 177613, November 2000.

"Historical Corrections Statistics in the United States, 1850–1984." *Bureau of Justice Statistics.* NCJ 102529, December 1986.

"Prison and Jail Inmates at Midyear 2001." *Bureau of Justice Statistics, Bulletin.* NCJ 191702, April 2002.

"Prisoners in 2000." *Bureau of Justice Statistics, Bulletin.* NCJ 188207, August 2001. "Prisoners in 2001." *Bureau of Justice Statistics, Bulletin*. NCJ 195189, July 2002.

"Probation and Parole in the United States, 1998." *Bureau of Justice Statistics, Bulletin.* NCJ 178234, August 1999. "Probation and Parole in the United States, 2001." *Bureau of Justice Statistics, Bulletin.* NCJ 195669, August 2002.

"Probation and Parole Violators in State Prison, 1991." *Bureau of Justice Statistics, Special Report*. NCJ 149076, August 1995.

"Trends in State Parole, 1990–2000." *Bureau of Justice Statistics, Special Report*. NCJ 184735, October 2001.

BJS Data Sources (see www.ojp.usdoj.gov/bjs/correct.htm)

Annual Parole Survey: BJS counts the total number of persons supervised in the community on January 1 and December 31, and counts the number entering and leaving supervision during the collection year. The survey covers all 50 states, the District of Columbia, and the federal system.

National Corrections Reporting Program (NCRP): BJS obtains individual-level data on sentence length and minimum time to be served before first release for persons admitted to state prison and time served by those released from state prison. The number of jurisdictions reporting data varies from year to year.

National Prisoner Statistics (NPS-1) series: BJS and the U.S. Census Bureau as the data collection agent obtain yearend and midyear counts of prisoners from departments of corrections in each of the 50 states, the District of Columbia, and the Federal Bureau of Prisons.

Survey of Inmates in State and Federal Correctional Facilities: BJS conducts a survey every five to six years that provides detailed data on individual characteristics of prison inmates based on samples of facilities and samples of inmates.

THE METHODS OF PRISON RELEASE

Of the three major components of a parole system – the release decision, community supervision, and parole revocation – the decision to release convicted offenders back into society probably has seen more examination by policymakers and researchers and has more engaged the public than the other two components. For the purpose of this discussion, the decision to release an offender from prison will be categorized as either "discretionary release" or "mandatory release." Discretionary release decisions are made by parole boards or a similar authority.[15] They review individual cases to determine whether they believe the prisoner is ready to be returned to the community. The criteria that guide this exercise of discretion vary from state to state, have varied over time, and cover a range of considerations.[16] Mandatory release is determined by operation of law, where a prison sentence has come to an end and the authorities have no choice but to release the prisoner.

Over the past few decades, the balance between these two prison release mechanisms has shifted significantly. In 1976, 65 percent of prison releases were discretionary, decided by a parole board. By 1999, the share of prison releases that were made by a parole board dropped to 24 percent (figure 1). The remaining three-quarters of prison releases were mandated by the operation of law.

At the same time that changes were happening in the way prison release decisions are made, the total number of prison releases continued to grow. The nation experienced unprecedented growth in the size of its prison population and, consequently, growth in the number of subsequent prison releases over the past few decades. Between 1980 and 1999, the number of state prison releases grew from 144,000 to more than 500,000 (figure 2). So despite a smaller share of prison releases being determined by a parole board, growing prison populations have resulted in more prison releases being determined by parole boards today than were determined by parole boards 25 years ago.

We have seen that the nation has increasingly relied on mandatory release dates to determine when a prisoner will return to the community. However, this summative perspective masks an enormous amount of state-level variation in the experiences of individual states and their prison release methods. Over the past several decades, states varied in the extent to which parole boards made the release decision. States varied in terms of how different types of offenses were handled. States varied in their use of parole release guidelines. States varied in the degree of openness of the release decision (e.g., participation by victims or prosecutors). States varied in terms of when policy changes were made. For instance, several states, including Florida, Illinois, and New York, have been using mandatory release programs since the mid-1970s, years before the national decline in the use of parole boards.

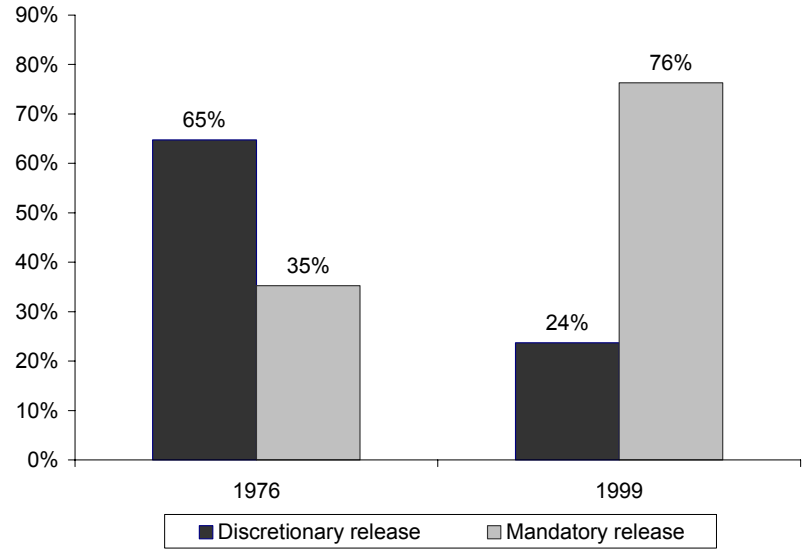
A number of states continue to rely very heavily on parole boards to make release decisions, while others have totally abandoned the parole board model and release virtually all of their prisoners through some form of mandatory release (figure 3). For example, in states such as Florida, Pennsylvania, and Washington, more than 95 percent of persons returning to the community and beginning parole supervision in 1998 were released as a result of a parole board decision.[17] Conversely, in states such as California, Illinois, and New Hampshire, less than 1 percent of released prisoners entering parole were the result of a parole board decision.

Comparing Discretionary Release and Mandatory Release

	Discretionary Release	Mandatory Release
Release Date	Decided by parole board	Determined by law
Criteria	Based on parole board guidelines	None*
Post-release Supervision	Yes	Maybe

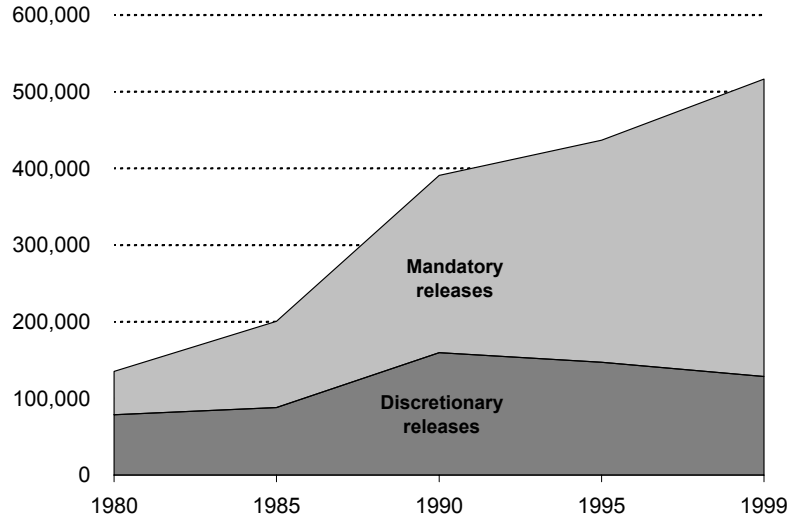
*Corrections authorities may have discretion to grant or deny good-time credits in mandatory release cases.

Figure 1.
The share of prison releases that are mandatory releases has doubled.
Percentage of all prison releases, 1976 and 1999



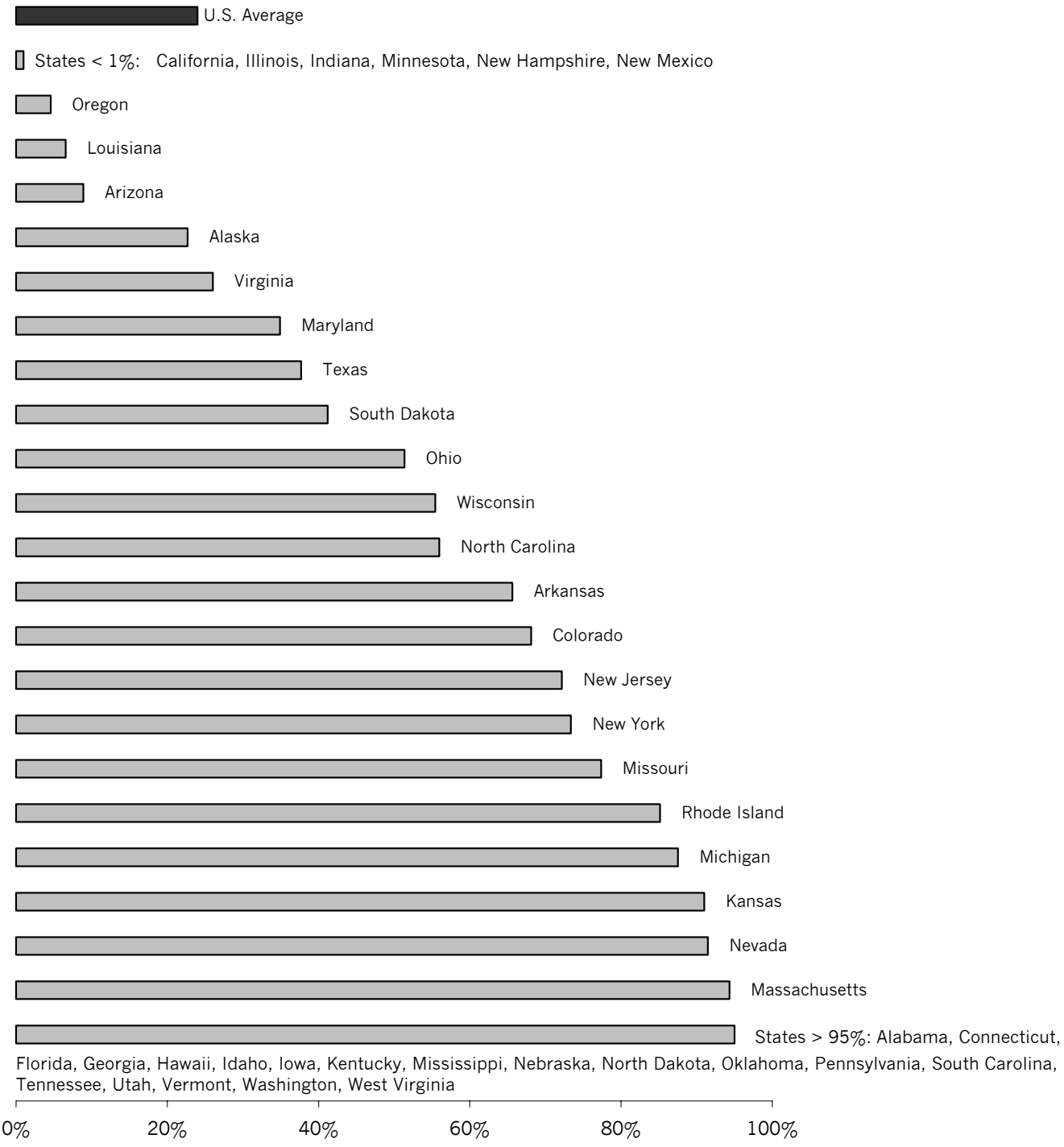
Source: National Prisoner Statistics (NPS–1) series, Bureau of Justice Statistics.

Figure 2.
The number of mandatory prison releases has experienced significant growth.
Number of state prison releases, 1980, 1985, 1990, 1999



Source: National Prisoner Statistics (NPS–1) series, Bureau of Justice Statistics.

Figure 3.
Many states use a mixed system of parole board releases and mandatory releases.
Percentage of released prisoners who begin parole as a result of a parole board decision, 1998



Note that data for Delaware, Maine, Montana, and Wyoming are not included in the Bureau of Justice Statistics data.
Source: Annual Parole Survey, Bureau of Justice Statistics.

Between these two extremes, a number of states have developed mixed systems, relying on parole boards to release some categories of prisoners and relying on fixed prison terms to release other categories of prisoners. For example, in Ohio, about half of released prisoners who began parole supervision were released mandatorily by statute and half by the parole board. The states can be viewed as a diverse set of laboratories, experimenting with different approaches to parole. Regarding the use of parole boards to make release decisions, the differences are stark, ranging from total abolishment of parole release to total adherence to the classic model.

At the national level, the decline in the role of parole boards in making release decisions can be understood on three levels. First, the shift from discretionary to mandatory release mechanisms reflects the parallel shift in sentencing philosophy. As more states moved from indeterminate to determinate sentencing schemes, the role of parole boards was diminished.

Second, this change in practice can be viewed as a realignment of relationships among the three branches of government. Under the indeterminate sentencing philosophy, the judicial and executive branches of government exercise substantial discretion over the length of a prison sentence. Within broad ranges of possible sentences, judges impose a minimum and maximum prison term and the parole board, an executive branch agency, decides the actual moment an inmate is released from prison. The movement toward determinate sentencing restricted the role of the judiciary. The abolition of parole boards restricted the role of the executive branch. In both instances, the legislature emerged as a more powerful factor in sentencing policy. Legislatures, the branch of government most responsive to public concerns about crime, have increasingly determined the appropriate prison terms for broad classes of offenses and offenders.

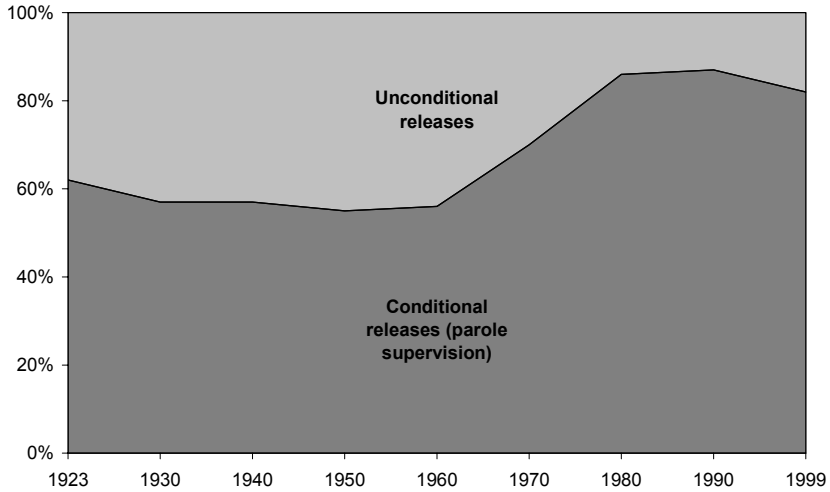
Finally, this shift has operational implications as well. The role of parole boards in deciding whether to grant parole has significant consequences for prisoners. They must prepare applications for release, line up a job and housing in the community, and present a record of program involvement and good behavior to justify a release decision. Certainly the existence of a parole board is not necessary for this kind of release planning, but proponents of parole release have made credible arguments that they served the salutary function of focusing some prisoners and their extended community network on the ingredients of successful transition from prison.

THE DECISION TO SUPERVISE AFTER RELEASE FROM PRISON

When the "decision" to release an offender from prison has been made – either by a parole board or mandated by statute – the next step in the parole process is to determine who will be placed on community supervision after release. This legal status is commonly referred to as parole supervision. For the purposes of this discussion, prison releases are categorized as conditional or unconditional. With conditional releases, former prisoners are placed on supervision in the community for a pre-determined period of time and must adhere to certain conditions of release. Typical release conditions include regular reporting to a parole officer, drug testing, maintaining employment, and no possession of weapons. Failure to observe such conditions may result in a return to prison. The term conditional release typically refers to parole, although a number of states have adopted other terms such as community punishment, supervised release, and controlled release. Unconditional releases are just that – releases from prison with no special obligations. Prisoners released unconditionally have no parole officer, no special legal status, and no restrictions other than those that flow from their criminal convictions, such as prohibitions against certain kinds of employment.

Over the past two decades, the number of prisoners released back into the community without any parole supervision has been increasing. In 1977 approximately 20,000 state prisoners were released unconditionally. By 2000 that number had grown to more than 100,000 – a fivefold increase. However, despite this significant growth, the share of all prison releases that are unconditional is still relatively small. During the 1980s and 1990s, between 13 and 18 percent of all prison releases were the result of an expired sentence, where a prisoner served all of his or her sentence behind bars and was released unconditionally. Yet a longer-term perspective shows that during the past two decades a larger share of prisoners were released conditionally than at any other time during the 20th century (figure 4). From the 1920s through the 1960s, between 50 percent and 60 percent of all prisoners

Figure 4.
In recent decades, the share of prison releases to parole supervision has reached historically high levels.
Percentage of prison releases, 1923, 1930–1990, 1999



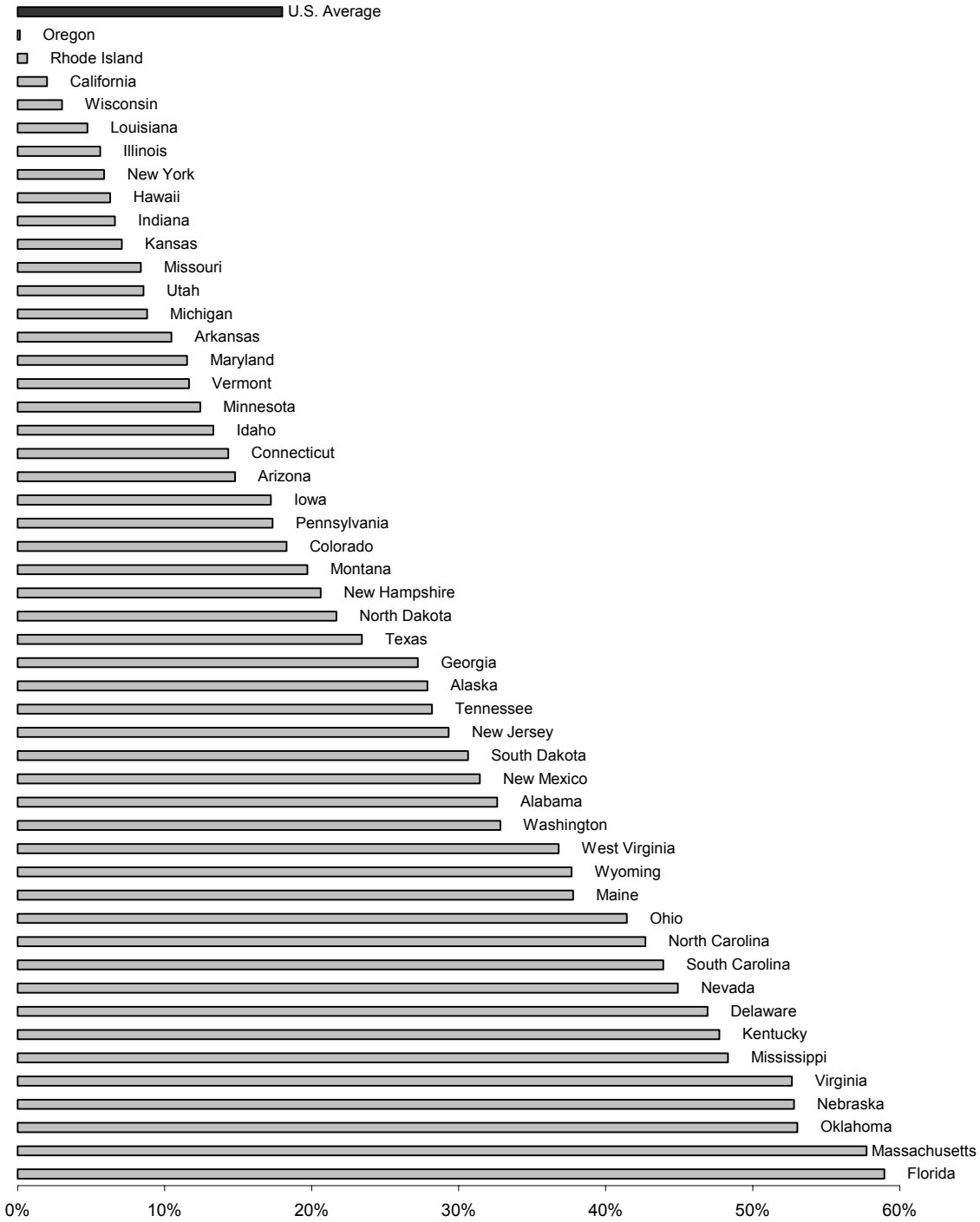
Source: National Prisoner Statistics (NPS–1) series, Bureau of Justice Statistics.

were released to some form of supervision in the community. Stated differently, during the period of American history when indeterminate sentencing was the dominant sentencing philosophy, a large percentage of prisoners, approaching half, were nonetheless released from prison without any form of supervision. Interestingly, over the same period of time that many state legislatures decided to move toward determinate sentencing systems, the portion of prisoners released to parole supervision increased significantly. Between 1960 and 1990, the share of prison releases that were conditional grew from 56 percent to a high of 87 percent, before declining somewhat to 82 percent in 1999. As state legislatures reduced the discretion of judges to determine the length of a prison term and the discretion of parole boards to decide the actual release date, they expanded the supervisory reach of the criminal justice system and extended the discretion of parole officers over larger numbers of former prisoners.

Similar to discretionary versus mandatory prison releases, the national picture of conditional versus unconditional releases does not tell the whole story. The national average of 18 percent unconditional prison releases hides the tremendous variation across individual states in the extent to which released prisoners are placed under community supervision (figure 5). Some states, such as Oregon, Rhode Island, and California, place virtually all of their released prisoners under some form of post-prison supervision. These states have made the decision that almost all offenders, regardless of commitment offense, are required to abide by special conditions of release after their return to the community. Other states have decided that only certain offenders are required to be supervised on parole, based on various factors such as commitment offense or time served. For example, in Massachusetts, Florida, and Oklahoma, more than half of prisoners are released without any supervision requirements.

These stark differences raise interesting policy questions. What are the various criteria for determining who is released unconditionally? Are the recidivism rates of released prisoners in states with a large number of unconditional releases lower (because low risk offenders may not be subject to supervision) or higher (because offenders are released without any supervision) than states that supervise all releasees? Do states that require virtually all offenders to serve on parole have, on average, higher supervision caseloads? Are some states more likely to use technical parole violations as a means for returning parolees to prison? These are important questions that, if properly examined, could shed light on the costs and benefits of supervising prisoners in the community after they are released.

Figure 5.
States vary significantly in the use of unconditional release.
Percentage of state prison releases that are unconditional, 1998



Source: National Prisoner Statistics (NPS–1) series, Bureau of Justice Statistics.

We have demonstrated that the share of unconditional releases has been relatively steady for the past two decades (between 13 percent and 18 percent during the period 1980 to 1999), and that, in a given year, individual states vary significantly in their use of unconditional release for the period after prison (from 0 percent to 59 percent). Next, we examine whether individual states have experienced changes in the proportion of unconditional releases during a time when the national share of unconditional releases was quite stable. State-level data from the 1980s and 1990s show that in two states the percentage of unconditional prison releases decreased (figure 6). In other words, only two states increasingly relied on parole supervision for released offenders over this 20-year span. By contrast, in 14 states the portion of released prisoners not placed on supervision increased. More and more of their offenders were released into society with no conditions of release. Mirroring the national trend, the balance between conditional and unconditional releases remained relatively stable in 16 states. So, although many states reflect the national trend of stability, a number of others have experienced significant changes in whether prisoners are released conditionally or unconditionally.

Figure 6.
The states' use of unconditional release has decreased, increased, or remained stable.
Trends in unconditional releases, 1980 to 1998*

Decreasing share of prison releases are unconditional (2 states)	Increasing share of prison releases are unconditional (14 states)	Stable share of prison releases are unconditional (16 states)
Louisiana	Arizona	California
Missouri	Delaware	Idaho
	Kentucky	Illinois
	Massachusetts	Indiana
	Mississippi	Kansas
	Nevada	Maryland
	New Jersey	Michigan
	North Dakota	Minnesota
	Ohio	Montana
	South Carolina	New York
	Tennessee	Oregon
	Virginia	Pennsylvania
	West Virginia	Rhode Island
	Wyoming	South Dakota
		Utah
		Wisconsin

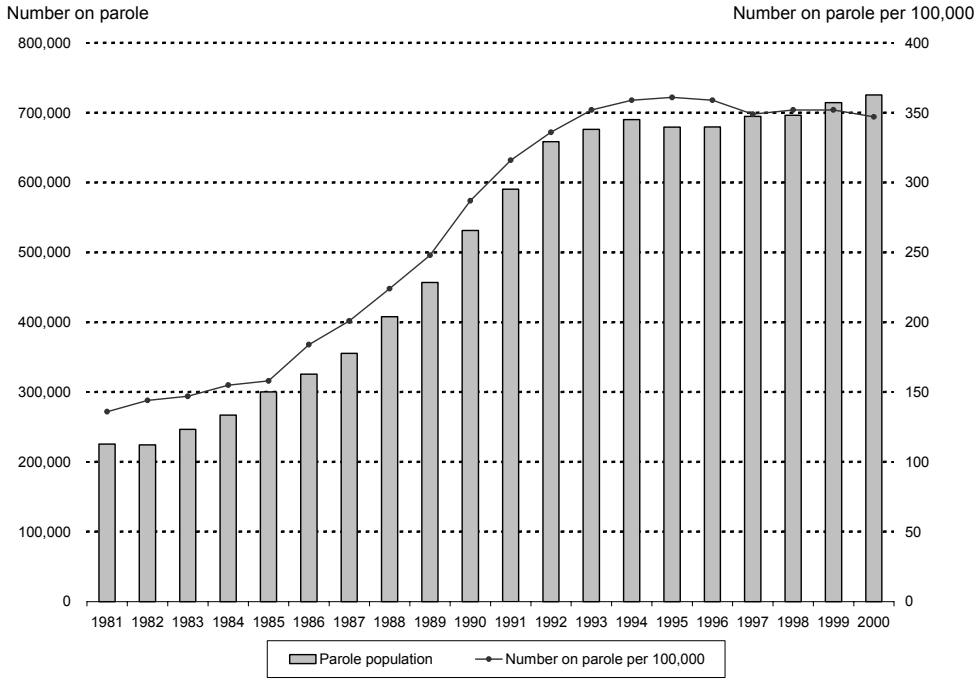
* Decreasing share is defined as a decrease of 15 or more percentage points since 1980; increasing share is defined as an increase of 15 or more percentage points since 1980; and stable share is defined as a change of less than 15 percentage points. In 18 states, there are no discernable trends in the share of prison releases that are unconditional.

GROWTH OF THE PAROLE POPULATION

More and more prisoners are returning to society and serving a period of supervision in their communities. In 1980 the state parole population was 220,000. Over the next two decades it more than tripled to 725,000 in 2000 (figure 7). The largest growth occurred between 1985 and 1994, when the number of parolees under supervision grew by 130 percent. Although the growth in the U.S. population accounts for some of the growth in parole population, the number of people on parole per 100,000 population (referred to here as the rate on parole) has also been increasing. The number of individuals on parole per 100,000 increased from 136 in 1981 to 347 in 2000.

If we focus on the past decade, we see that the parole population in America has grown by 30 percent. Unpacking this growth by looking at individual states shows, again, that significant state differences exist. Remarkably, 16 states experienced a decline in their parole populations during this period of national growth (figure 8). Just as noteworthy, 11 states experienced a more than doubling of their parole population. These significant variations in state experiences demonstrate clearly how a national-level dialogue on state parole systems may not be applicable to many states. For states that experienced growth in parole populations, many policy questions may come to mind: Have parole officer caseloads been increasing? Has state funding kept pace with the population growth? Has the quality of supervision changed as a result of this growth? For the 16 states in which the parole population decreased, other questions come to mind: Were the costs of supervision reduced? Have the caseloads declined? Has the quality of supervision changed? These questions take on a different meaning, depending on the realities of parole supervision in the context of state policy.

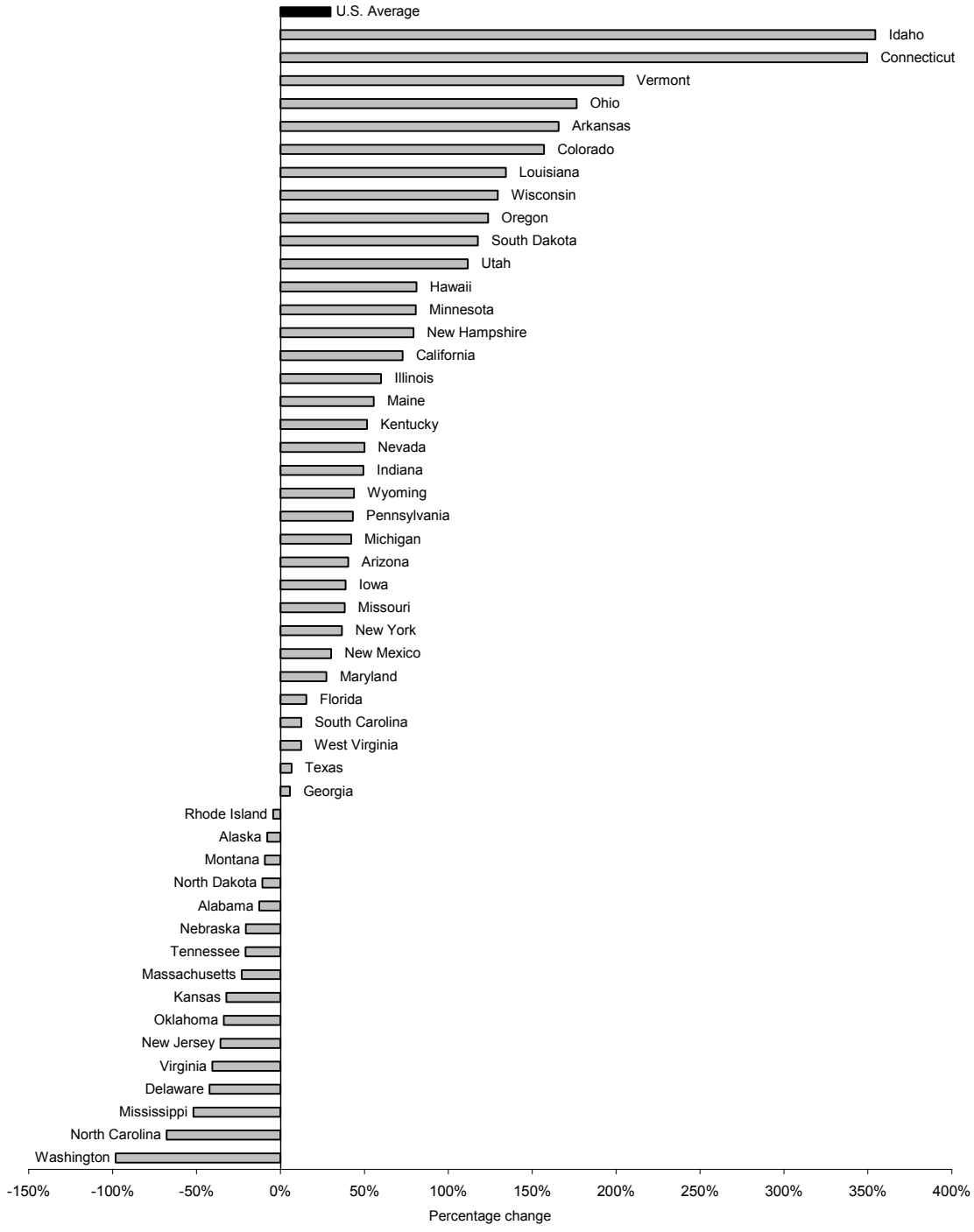
Figure 7.
Both the number of parolees and the rate on parole have increased significantly.



Note: Due to reporting changes in New Jersey and other states, the 1997 rate is not directly comparable to those of prior years.
Source: Annual Parole Survey, Bureau of Justice Statistics.

Figure 8.
Parole populations have decreased in some states and increased in others over the past 10 years.

Percentage change in parole population, 1990 to 2000



Source: Annual Parole Survey, Bureau of Justice Statistics.

CONCENTRATION OF THE PAROLE POPULATION

The national picture that frames many discussions on parole supervision is disproportionately influenced, or skewed, by relatively few states. More than half of all parolees are concentrated in a handful of states. Only five states – California, Texas, Pennsylvania, New York, and Illinois – accounted for 62 percent of the parole population at the end of 2000 (figure 9).[18] It seems logical that these states would account for a large share of parolees, as they are some of the most populous states. Yet, these five states accounted for only 35 percent of the U.S. population. In addition, these states appear to make much more extensive use of parole than they do imprisonment in their criminal justice policies, as they represent only 39 percent of the state prison population.

Another way to illustrate parole population concentration is by looking at the number on parole per 100,000 residents. We expect that the parole rate may be higher in the big five states than the national average. The parole rate in all five states is higher than the national average of 312 – with a rate of 478 in California, 747 in Texas, 876 in Pennsylvania, 405 in New York, and 329 in Illinois. However, it is the large discrepancy between the average parole rate and the median parole rate of 156 per 100,000 that further shows how a few states can skew the national picture. This means that, while the average is 312, half of the states have parole rates lower than 156 per 100,000, and half have parole rates higher than 156 per 100,000.

The most striking example is California.[19] The national picture appears quite different without California, and this state alone skews many of the national-level parole measures. Consider a few examples, which are discussed further in later sections of this report. California places almost all of its prisoners on parole – 98 percent of releases, compared with 82 percent nationally. California has the largest parole population, 118,000 in 2000, which represents 18 percent of the national parole population. California accounts for a remarkably large share of parole violators returning to prison – 42 percent, which equates to almost 90,000 returns to prison each year (figure 10). And California's prisons house a high percentage of violators, as 65 percent of California's prison admissions are parole violators compared with 35 percent nationally.[20]

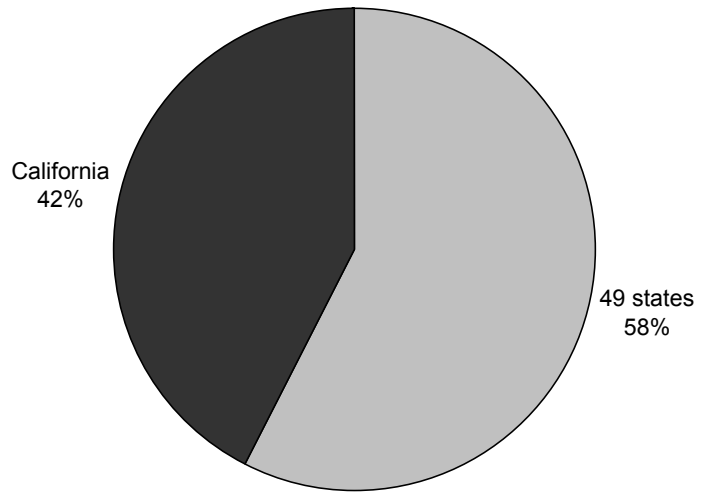
This state-level analysis reminds us that a national discussion of parole policy has limited utility, given the influence of a small number of states on the contours of a national portrait of parole. The analysis also highlights different paths that some states have followed in determining whether and how to supervise the people who leave the states' prisons. The next section discusses how the policy choices regarding post-release supervision do not necessarily parallel a shift in a state's policy choice of whether to use prisons as a response to crime.

Figure 9.
Parolees are disproportionately concentrated in a few states.
Distribution of populations across states, 2000

	% of State Parole Population	% of State Prison Population	% of General U.S. Population
California	18%	13%	12%
Texas	17%	13%	7%
Pennsylvania	13%	3%	4%
New York	9%	6%	7%
Illinois	5%	4%	4%
Total Top 5 States	62%	39%	35%

Source: Annual Parole Survey, National Prisoner Statistics (NPS–1) series, and U.S. Census.

Figure 10.
California alone accounts for 42 percent of all parole violators returned to prison.
Share of parole violators returned to prison, 1998

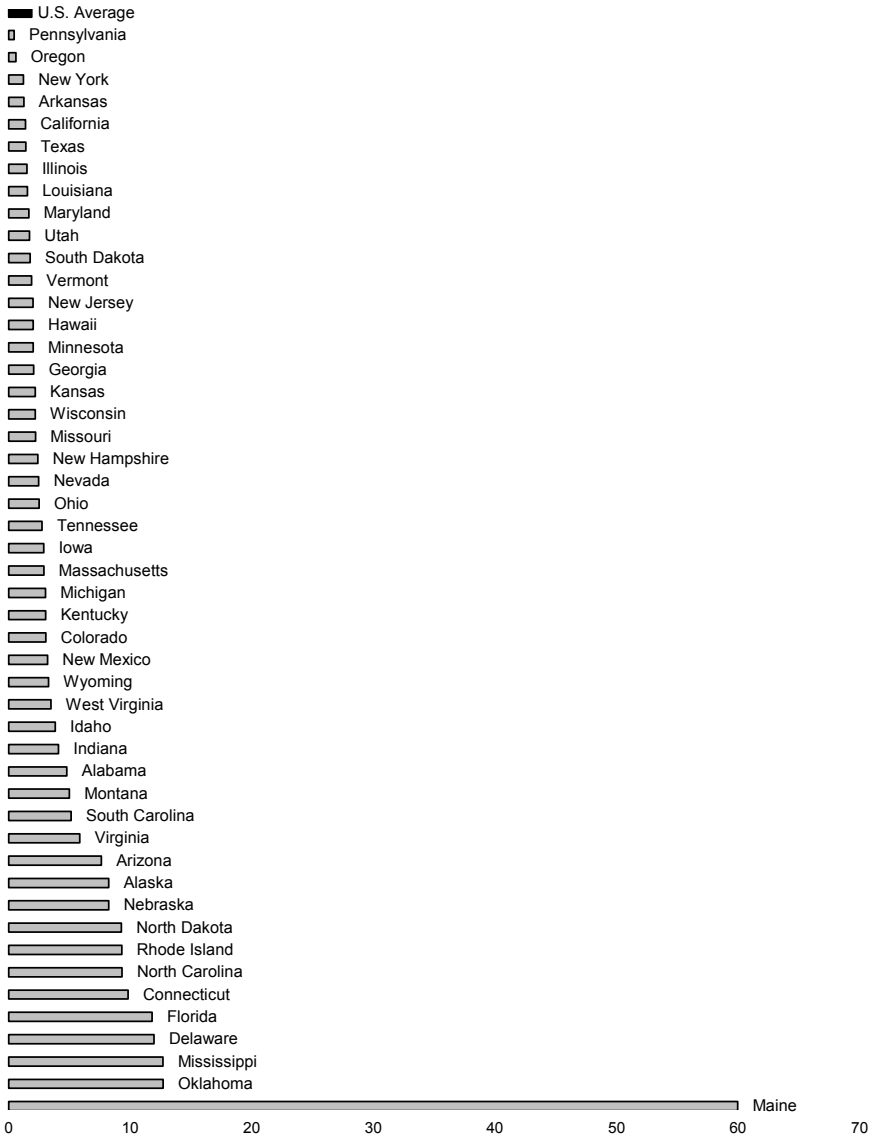


Source: National Prisoner Statistics (NPS–1) series, Bureau of Justice Statistics.

COMPARING IMPRISONMENT AND PAROLE

Perhaps it is worth stating what may be obvious: Expansion of incarceration does not necessarily mean expansion of supervision. It is true that changes in sentencing laws affect not only the size of the prison population; they also affect aspects of the "back door" of the prison system, including the relationship between discretionary and mandatory release policies, the decision to place released prisoners on community supervision, and the length of time under community supervision. Yet, these are not necessarily parallel policy choices. It is conceivable, for example, that a state could decide to increase its prison population but decrease the use of parole as a form of post-prison supervision. At the other extreme, a state could choose to reduce its prison population by cutting back on the length of prison terms imposed in the state and increase the parole population by requiring longer periods of community supervision.

Figure 11.
The ratio of prisoners to parolees varies across states, from a low of 0.45 to 1 to a high of 60 to 1.
Ratio of prisoners to parolees, 2000

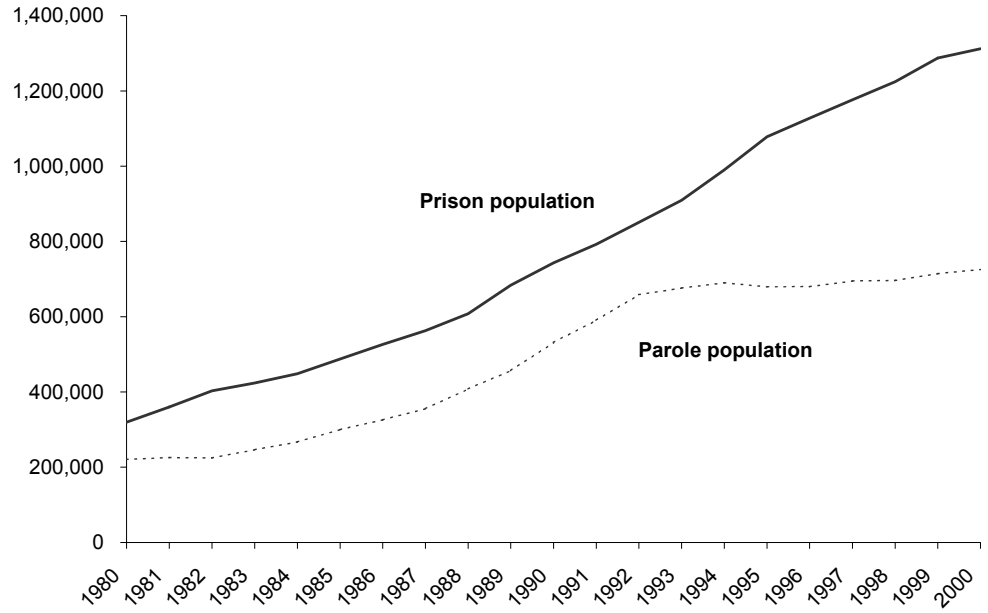


Note: Washington State is not included in this figure. According to BJS, there were 160 Washington parolees in 2000, but under the general heading of Community Corrections Statistics, Washington State Department of Corrections reports 11,718 cases of post-release supervision.
Source: National Prisoner Statistics (NPS–1) and Annual Parole Survey, Bureau of Justice Statistics.

An examination of the extent to which states use prisons compared with parole helps illustrate the point. The ratio of states' prison population to their parole population ranges from a low of 0.45 to 1 in Pennsylvania to a high of 60 to 1 in Maine (figure 11). Putting the relationship in more concrete terms, we see two polar opposite policy choices. In Pennsylvania, there were 36,800 people in prison in 2000 and 82,000 people under parole supervision. In Maine, there were 1,679 people in prison and 28 people under parole supervision.[21] More typical of the states' experiences is New Jersey, with a prisoner-to-parolee ratio of 2 to 1. New Jersey had 29,800 people in prison and 14,900 people on parole in 2000.

A comparison of the growth in the nation's state prison populations and parole populations shows that these two dimensions of criminal justice policy have not always followed parallel paths. During the 1980s and early 1990s, the growth of the parole population tracked the growth in the prison population in America fairly closely. But beginning in 1993, the two measures began to diverge (figure 12). As the prison population continued to climb, the number of parolees started to level off. Between 1993 and 2000 the prison population grew by 44 percent while the parole population was relatively flat with only 7 percent growth.[22] Although the factors explaining this divergence are not fully understood, we can describe two broad shifts in parole policy during the 1990s. First, as was noted above, the percent of prison releases placed on supervision rose only slightly beginning in 1990. Second, as shall be seen below, the number of parole violators returned to prison increased significantly in the 1990s, reducing the number of parolees on supervision. A more sophisticated analysis would require a detailed understanding of the dynamics of parole policy at the state level, an analysis beyond the scope of this report.

Figure 12.
After years of parallel growth, state prison populations have diverged from parole populations.
Prison and parole populations, 1980–2000



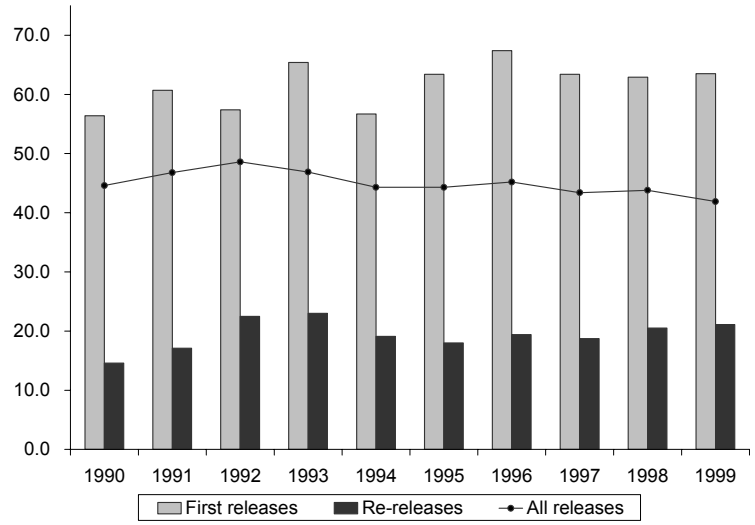
Source: National Prisoner Statistics (NPS–1) series and Annual Parole Survey, Bureau of Justice Statistics.

PAROLE SUCCESS

A common method of assessing parole systems is to ask what percentage of people placed on parole supervision complete their parole term successfully. Any assessment of success requires a definition of "success." One definition of successful parolees may include those who do not return to prison. A second may include those who are not rearrested while under community supervision. Another may include those who do not commit any technical violations – as some technical violations may not result in a return to prison. And finally, a broader definition of success may look outside the scope of criminal justice involvement at such issues as stable employment, adequate housing, and healthy familial and personal relationships. Currently, no single "national standard" exists for what it means to be a successful parolee. Conversely, there is no standard on what it means to fail on parole. This makes comparisons of success (and failure) over time and across states difficult. Developing a standard would be difficult, in that any national indicator of successful completion of parole would be limited in the extent to which it reflected differences in policies and populations among the states. How long is a parolee under supervision? What are the conditions that must be observed by the parolee? What qualifies as a violation of these conditions? How rigorously are violations detected and enforced? What are the consequences of a violation? These questions are beyond the scope of this report, but the presentation of the data makes a compelling case for more attention to the issues of definition of terms and comparability of statistical systems across the states. To make a fair comparison of parole successes over time, changes in the composition of the parole population, as well as the nature of parole supervision, would have to be taken into account.

Notwithstanding the lack of a national standard, existing data can still shed light on the extent to which parolees succeed. For our purposes here, we use the Bureau of Justice Statistics definition of "success." A parolee is successful if he or she completes a term of community supervision (which varies by state) without returning to prison, returning to jail, or absconding from supervision. Using

Figure 13.
Parole success rates have been stable; first releases are more likely to be successful.
Percentage of parole discharges that were successful, 1990–1999



Source: Annual Parole Survey and National Corrections Reporting Program, Bureau of Justice Statistics.

this definition, in 1999, 42 percent of parole discharges (that is, people leaving active parole supervision in the community) were successful. In addition, the percentage of parole discharges that were deemed successful has been relatively stable, ranging from 42 percent to 49 percent in the 1990s (figure 13).

Disaggregating parole successes reveals some important distinctions within the overall group. Parolees are classified by BJS as a first release (the first entry to parole for the current commitment) or a re-release (an individual has already returned to prison, generally for a parole violation, and is being released from prison for the second or more time for a single commitment). The success rate for released prisoners who are on parole for the first time for this sentence is clearly higher than that of prisoners who were already released to parole, were returned to prison for a violation, and were placed on parole again (64 percent and 21 percent, respectively) (figure 13).

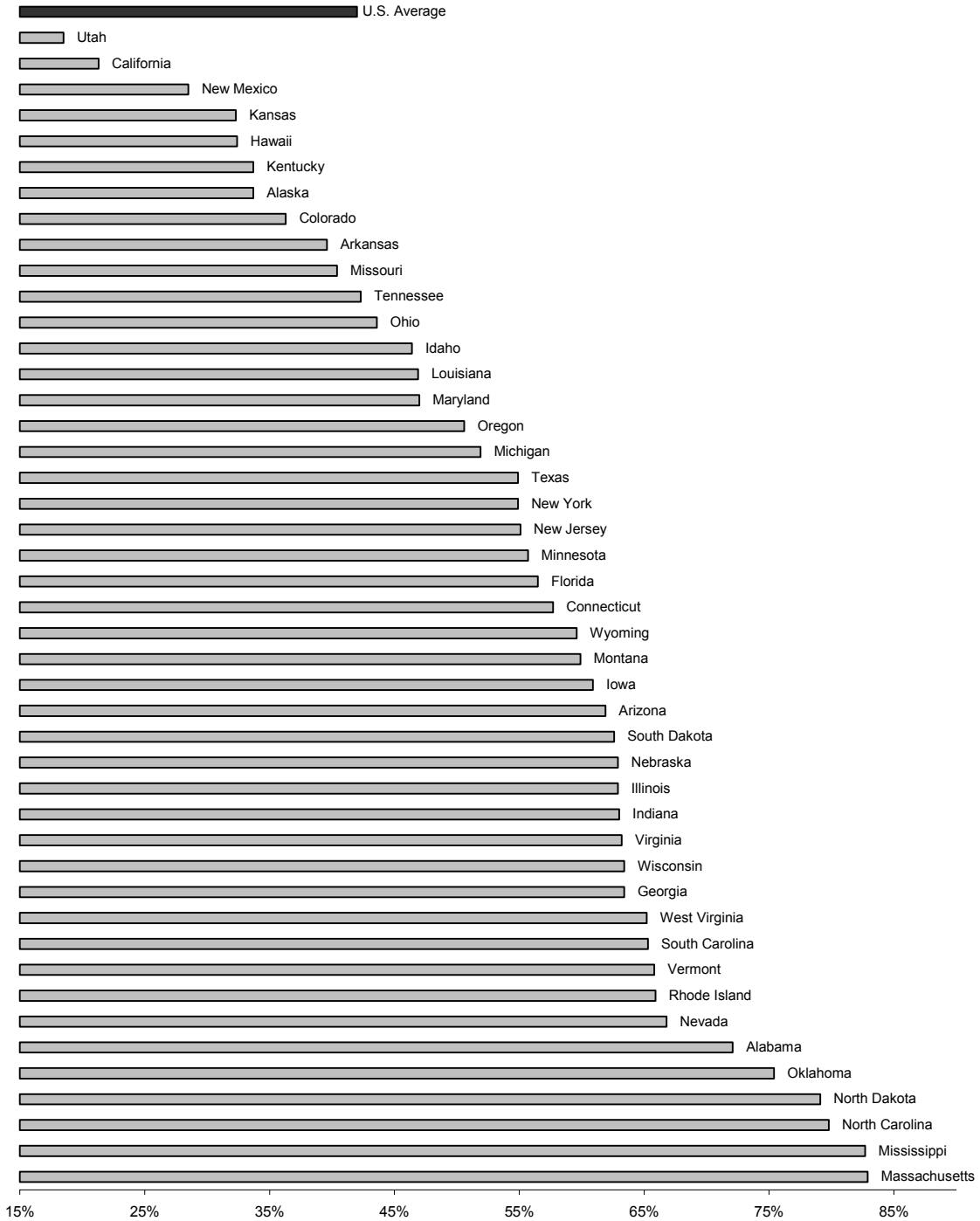
This distinction could be useful to parole agencies to identify a subset of prison releases who are more likely to return to incarceration or abscond. In other words, higher-risk parolees are essentially self-selecting. This information could have implications for allocation of resources. For example, states often have a standard set of release conditions that applies to all parolees under supervision. All parolees may be required to report to their parole officer within the first 48 hours. All parolees may be required to check in with their parole officer on a weekly basis. All parolees may be prohibited from traveling more than 50 miles from their place of residence. Knowing that first-releases are more likely than re-releases to succeed may suggest a different set of standard conditions for the two groups, allowing finite fiscal and human resources to be targeted better.

Examining the phenomenon of successful parole discharges at the state level (as defined by BJS) shows enormous variation among the states. The percentage of parolees successfully discharged ranges from a low of 19 percent in Utah to a high of 83 percent in Massachusetts (figure 14). However, following the above discussion on the definition of success, this variation is, to some extent, to be expected. It is unlikely that the parolees in Utah and California, the two states with the lowest rates of successful completion (under 20 percent) are so inherently different from the parolees in Massachusetts and Mississippi, the two states whose successful completion rates exceed 80 percent. More likely, the policies and practices of the parole agencies contribute significantly to these differences.

It is worth noting, yet again, that the national average is skewed by certain states. Recall that the national average success rate is 42 percent, yet the median success rate is 58 percent. A large part of the discrepancy can be attributed to California, where the share of parolees who are successfully discharged is a low 21 percent. If California is taken out of the national average calculation, the rate of successful parole discharge rises from 42 percent to 53 percent. Clearly, California has taken a different approach than most states in the way it handles its parolees. This needs to be taken into consideration in any discussion about the extent to which parolees across the country are completing their periods of supervision without returning to custody or absconding.

Figure 14.
State-level parole success rates range from a low of 19 percent to a high of 83 percent.

Percentage of parole discharges that were successful, 1999



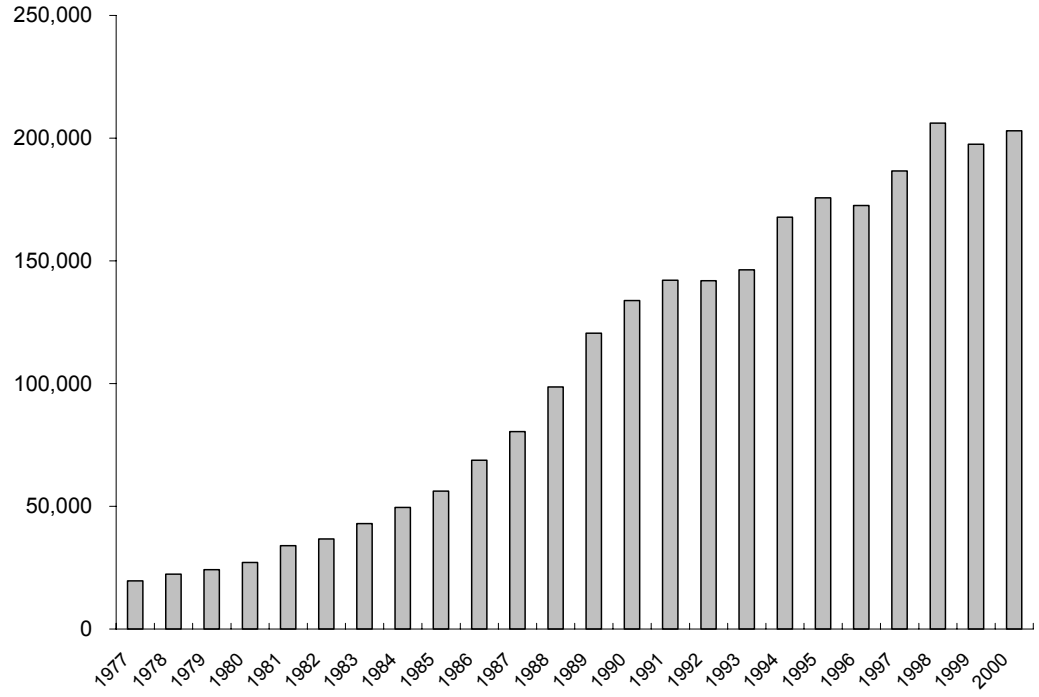
Note that data for Delaware, Maine, New Hampshire, Pennsylvania, and Washington are not included in BJS data.
Source: Annual Parole Survey, Bureau of Justice Statistics.

PAROLE FAILURES AS PRISON ADMISSIONS

Similar to the discussion on success, "failure" while on parole raises many definitional questions. For the purposes of this discussion, failures will be classified into two types: "technical" violations, where the conditions of release have not been abided and a parolee is returned to prison by the parole board,[23] and "new crime" violations, where a parolee has been arrested and prosecuted in court for a new violation of the criminal law. When a parolee is determined to have violated a condition of parole, the parole agency has several options. One option is to return the parolee to prison. While some states place parole violators in county jails, most place them back in state prison. So, in those states, corrections administrators can expect parole violators to come through the front doors of their prisons, along with offenders who are sent by the court. A second option is for the parole officer to note the violation but not recommend revocation to the board and instead strengthen the conditions of supervision. For example, the parolee may be required to attend more drug treatment classes, observe a strict curfew, or move out of a dangerous neighborhood. A third option may be to note that a violation has occurred but take no action at that time, a practice that is by definition hard to measure.

The number of parole violators returned to state prison has experienced large increases. In 1980, state prisons admitted approximately 27,000 parole violators. In 2000, those same states admitted approximately 203,000 parole violators – a remarkable sevenfold increase (figure 15). To further underscore the magnitude of the phenomenon: The number of parole violators admitted to state prisons in 2000 approximates the total number of state prison admissions in 1980.

Figure 15.
The number of parole violators returned to prison has increased sevenfold.
Parole violators returned to prison, 1977–2000



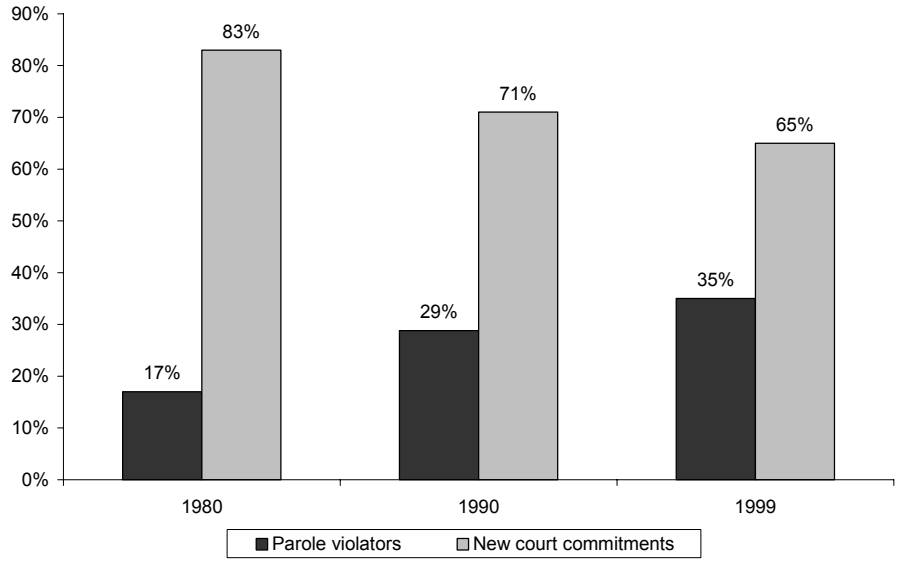
Source: National Prisoner Statistics (NPS–1) series, Bureau of Justice Statistics.

This increase in the number of parolees returning to prison has affected the overall composition of prison admissions. In 1980, only 17 percent of the prisoners admitted to state prisons were parole violators, which includes parole violators sent to prison for committing a new crime and those sent for technical violations. The remaining 83 percent were new court commitments, offenders sentenced for new crimes. By 1999, the percentage of prison admissions that were parole violators had grown to 35 percent, more than twice the rate two decades earlier (figure 16). Thus, more than a third of incoming prisoners are being admitted for violating parole. However, we do not know much about the underlying behavior of parole violators. Of the parole violators returned to prison, nearly one-third were returned for a new conviction and two-thirds for a technical violation.[24]

A comparison of the impact of parole violations on prison admissions also shows enormous variation across states (figure 17). Keeping in mind that nationally, 35 percent of prison admissions are parole violators, state-level analysis shows that some states – such as Florida, Mississippi, Indiana, West Virginia, and Alabama – admit less than 10 percent of prisoners as parole violators. At the other end of the spectrum, in several states – such as Montana, Louisiana, and Utah – more than half of prison admissions are parole violators. California tops the list, with 67 percent of its prison admissions being parole violators. This is another example of California skewing the national indicator. Without California, the national average of prison admissions that are parole violators would be considerably less than 35 percent.

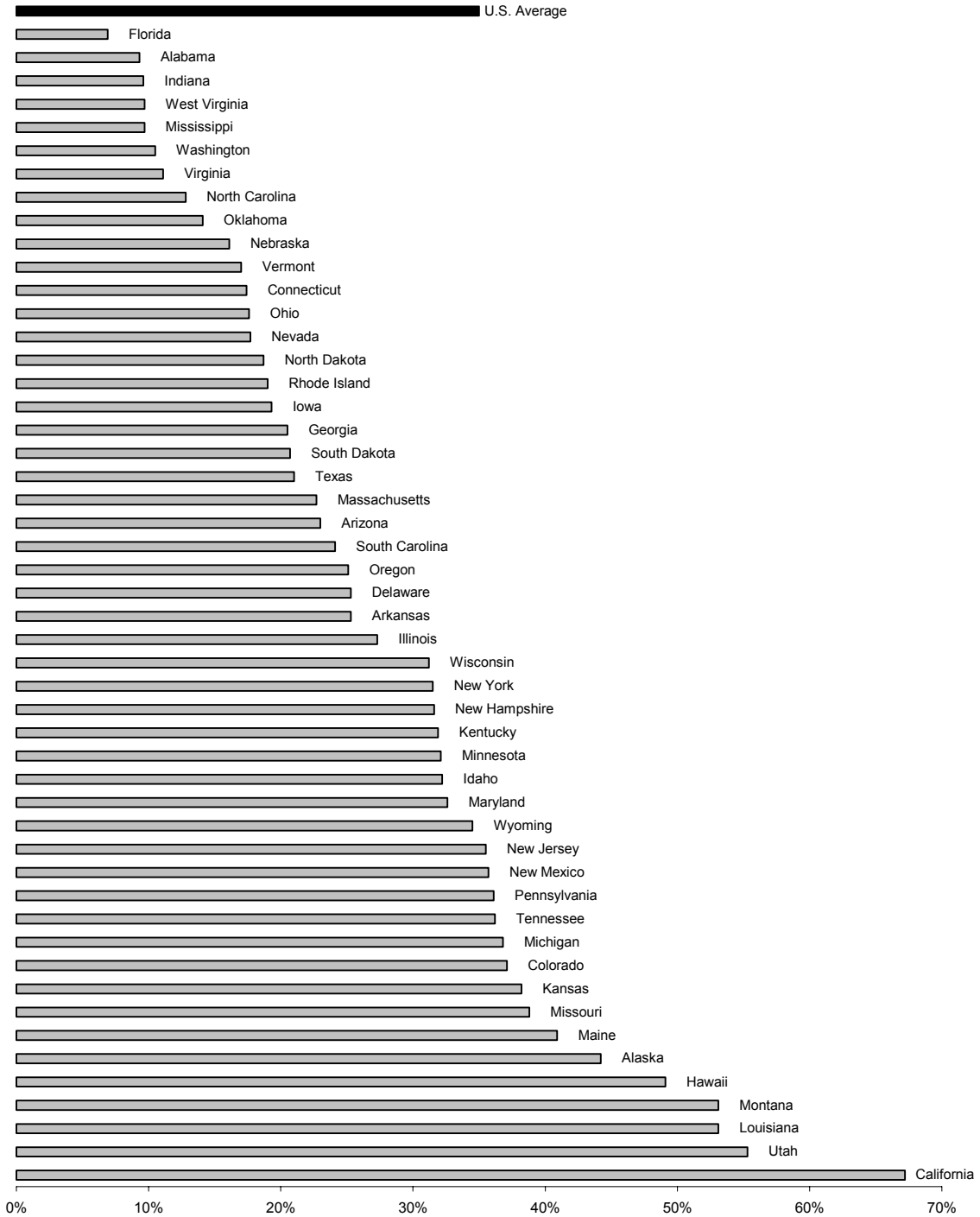
The California example illustrates the interplay of two distinct policy choices – whether to place released prisoners on parole and whether to return parolees to prison for parole violations. At one extreme, a state could hypothetically choose to release all its prisoners without supervision – that state would have no parole violators and its prison admissions would be only new court commitments. At the other extreme, a state could place all its prison releases on parole supervision, supervise them closely, and aggressively revoke parole for the violations it discovers. That state would have many parole violators and a high percentage of its prison admissions would be inmates who had violated their parole conditions on a previous case.

Figure 16.
A growing share of prison admissions are parole violators.
Share of prison admissions, 1980, 1990, 1999



Source: National Prisoner Statistics (NPS–1) series, Bureau of Justice Statistics.

Figure 17.
States vary significantly in the percentage of prison admissions who are parole violators.
Percentage of prison admissions that are parole violators, 1999



Source: National Prisoner Statistics (NPS–1) series, Bureau of Justice Statistics.

CONCLUSION

Three themes emerged in our analysis of the national portrait of parole practices. Taken together, these themes lead to an overarching conclusion: The parole system in the United States has undergone significant changes over the past generation, with the result that our current parole practice scarcely resembles the classic model of parole developed a century ago.

The first theme is that the role of parole boards in deciding when prisoners get out of prison has declined significantly. In 1999, parole boards released only 24 percent of the individuals who got out of prison, down from 65 percent in 1976. As American sentencing philosophy has moved away from the indeterminate sentencing model toward a number of determinate sentencing models, the responsibility for deciding whether and when to release a prisoner back into the community has shifted away from parole boards.

This shift can be placed in a governmental, as well as jurisprudential, context. One of the most fundamental decisions of the criminal justice process is the decision to grant an inmate liberty. Today, far fewer release decisions are made by the executive branch, through the exercise of discretion by parole boards. Far more release decisions are mandated by statute, reflecting judgments of the legislative branch. In short, the power over the release process has shifted from the executive branch to the legislative branch; the method for making the release decision has shifted from discretionary to mandatory.

The second theme emerging from this report is that our reliance on parole supervision has increased significantly. A far greater percentage of released prisoners are now placed on parole supervision than at any other time in our history. Today, over 80 percent of those who leave prison are placed on parole, up from 60 percent in 1960. We have, in essence, decoupled the two decisions that provided the underpinning of the classic indeterminate sentencing scheme. We have reduced our reliance on parole boards to make release decisions but increased our reliance on parole supervision for prisoners who are released. We have curtailed one aspect of the indeterminate sentencing model, discretionary release, and expanded another, community supervision.

There is a certain irony in these twin developments. In the traditional parole model, one function of parole boards is to ensure that a prisoner is prepared for release, that he or she has a place to stay, a job or a solid job prospect, and the support of family and friends – in essence, a release plan that can be monitored by the parole officers supervising the released prisoner. Now, nearly three out of four released prisoners never see a parole board, so they may never be required to prepare a release plan.[25] Yet four out of five released prisoners are placed on parole supervision. So, for some large numbers of exiting prisoners, we have lost the link between pre-release preparation and post-release supervision, a link that the classic parole model was intended to create.

The final theme of the report is that we have witnessed an explosive growth in parole violations. Over the past 20 years, as the number of people sent to prison on new convictions has increased threefold, the number sent to prison for parole violations has increased sevenfold. We now send as many people back to prison for parole violations as the total number of prison admissions in 1980. We have, in essence, created a separate path to prison for large numbers of former prisoners.

This path from parole back to prison has not received much scrutiny in the research literature. New research could shed light on the critical decisions that constitute the parole revocation process. We should understand better how parole officers determine whether there has been a violation of a parole condition and then recommend the termination of parole status. In particular, we should delineate the distinction between a technical violation (for failing to observe a condition of supervision) and a new crime violation (for committing a criminal offense). We should understand better the decisionmaking process of parole boards (and parole officers) to return the parolee to custody. We should be able to answer the critical policy question, "Does parole supervision reduce crime?" – a

question that has not been answered conclusively by the research community.

Our current parole revocation practices also present a compelling case for policy attention. The costs of these practices are enormous, in terms of both the deprivation of liberty and the expenditure of scarce public funds. As states struggle to close budget gaps, parole revocation policies and practices might present opportunities for cost savings. A number of states and communities are now engaged in reform efforts designed to reduce the rate of parole revocations, particularly for technical violations, in the hope that they can save money by reducing incarceration costs and promoting more effective reintegration of returning prisoners.

Underneath these three national trends – reduced parole release, increased parole supervision, and significantly increased parole revocations – we see a remarkable array of state experiments. Within the time frame examined in this report, some states abolished parole board release but kept parole supervision. Some states increased their parole populations by more than 350 percent. Some states cut back their parole populations by more than 50 percent. In some states, parole violators constitute only 10 percent of the incoming prison cohort; in other states, they make up well over 50 percent of prison admissions.

Given these enormous variations in policy and practice at the state level, it is difficult, perhaps impossible, to define a common American approach to parole at the turn of the 21st century. The three functions of the classic parole model – to release a prisoner, supervise a parolee in the community, and return to prison those who fail to live up to the conditions of their release – are all struggling to find footing in a shifting American sentencing philosophy. Perhaps a new consensus will emerge to take the place of the consensus that supported indeterminate sentencing for most of the last century. For the time being at least, it appears more likely that we will continue to see experimentation at the state level.

Given this likelihood, we can view the current fragmentation of sentencing philosophy as presenting an opportunity for research and experimentation. For example, we could determine whether parole boards make release decisions that result in lower rates of recidivism. Or whether parole supervision is effective at reducing crime and promoting reintegration and, if so, for which kinds of offenders. Or whether revocation policies that send large percentages of released prisoners back to prison are worth their substantial costs. Solid research, drawing on these natural experiments in the 50 states and testing the ideas of innovative practitioners, could shed light on these important questions of criminal justice policy. Even better, a research and development agenda in this area could lead to the design and acceptance of a new model for supervising the reentry of the 600,000 individuals released each year from this nation's prisons.

ENDNOTES

1. M. Tonry. 1999. "The Fragmentation of Sentencing and Corrections in America." *Sentencing & Corrections, Issues for the 21st Century,* no. 1. Washington, D.C.: U.S. Department of Justice, National Institute of Justice, NCJ 175721. September.
2. P. Ditton and D. Wilson. 1999. "Truth in Sentencing in State Prisons." Washington, D.C.: U.S. Department of Justice, Bureau of Justice Statistics.
3. J. Petersilia. 1999. "Parole and Prisoner Reentry in the United States." In *Prisons*, edited by M. Tonry and J. Petersilia. Chicago: University of Chicago Press.
4. J. Petersilia and S. Turner. 1993. "Intensive Probation and Parole." In *Crime and Justice: A Review of Research,* edited by M. Tonry, vol. 17. Chicago: University of Chicago Press.
5. National Institute of Corrections. 1995. "Status Report on Parole, 1995: Results of an NIC Survey." Prepared by LIS, Inc. for the National Institute of Corrections. November.
6. Unless otherwise noted, data presented include only the 50 states and do not include the District of Columbia and federal systems.
7. Serious and Violent Offender Reentry Initiative: "Going Home." 2002. Washington, D.C.: U.S Department of Justice, Office of Justice Programs. May.
8. M. Tonry. 1999. "Reconsidering Indeterminate and Structured Sentencing." *Sentencing and Corrections: Issues for the 21st Century,* no. 2. Washington, D.C.: U.S. Department of Justice, National Institute of Justice. September.
9. For comprehensive reviews of the history of parole, see K. Bottomley, "Parole in Transition: A Comparative Study of Origins, Developments, and Prospects for the 1990s." 1990. In *Crime and Justice: A Review of Research,* edited by M. Tonry and N. Morris, vol. 12. Chicago: University of Chicago Press. Also see J. Simon. 1993. *Poor Discipline: Parole and the Social Control of the Underclass, 1890–1990.* Chicago, University of Chicago Press.
10. Note that in a few states, such as California, the period of parole supervision is considered a separate sentence that follows the prison sentence.
11. E. Rhine, W. Smith, and R. Jackson. 1991. *Paroling Authorities: Recent History and Current Practice.* American Correctional Association. Waldorf, MD: St. Mary's Press.
12. K. Reitz. 1998. "Sentencing." In *The Handbook of Crime and Punishment,* edited by M. Tonry. New York: Oxford University Press.
13. E. Rhine, W. Smith, and R. Jackson. 1991. *Paroling Authorities: Recent History and Current Practice.* American Correctional Association. Waldorf, MD: St. Mary's Press.
14. J. Petersilia. 1999. "Parole and Prisoner Reentry in the United States." In *Prisons,* edited by M. Tonry and J. Petersilia Chicago: University of Chicago Press. In reference to L. Sherman et al. 1997. *Preventing Crime: What Works, What Doesn't, What's Promising.* College Park: University of Maryland.
15. For the purposes of this discussion, we will use discretionary release and parole board release interchangeably.
16. For example, a parole board may consider whether the prisoner has participated in prison programs, committed infractions of prison rules, has a job and home waiting, and generally has demonstrated a willingness to be a law-abiding citizen. Depending on state law, parole boards may also consider the view of the prosecutor, victims, or the sentencing judge in determining whether release from prison is appropriate. For more information on guidelines for release decisions, see D. Gottfredson, L. Wilkins, and P. Hoffman. 1978. *Guidelines for Parole and Sentencing.* Lexington, MA: Heath/Lexington.
17. Note the distinction being made here between all released prisoners and released prisoners entering parole. Available data allow us only to include released prisoners entering parole in this measure and, therefore, exclude unconditional releases.
18. 399,425 out of 646,515 parolees were in these states. Note that this includes only released prisoners under some form of post-release supervision and not all released prisoners.
19. For more discussion on parole in California see J. Travis and S. Lawrence. 2002. "California's Parole Experiment." *California Journal.* August.
20. Note that these national averages include California and removing the state from the calculations would make the contrasts even greater.
21. Only those Maine prisoners who were sentenced before May 1, 1976, are placed on parole supervision after release from prison. See Maine Statute Title 34-A, chapter 5, section 5801.
22. As noted in a prior figure, reporting changes by some states account for some, not all, of the divergence.
23. Sometimes, the phrase "technical violation" actually describes return to prison for a new crime, but, for a variety of reasons, the parole agency did not take the crime through the prosecution process.
24. Bonzar and Glaze. 1999. "Probation and Parole in the United States, 1998." Washington, D.C.: U.S. Department of Justice, Bureau of Justice Statistics, NCJ 178234. August.
25. Some prisoners who are released mandatorily at the expiration of their sentences may have come before a parole board but been denied release by the parole board for a variety of reasons. The national data do not capture these cases.

REFERENCES

Bonzar and Glaze. 1999. "Probation and Parole in the United States, 1998." Washington, D.C.: U.S. Department of Justice, Bureau of Justice Statistics, NCJ 178234. August.

Bottomley, K. 1990. "Parole in Transition: A Comparative Study of Origins, Developments, and Prospects for the 1990s." In *Crime and Justice: A Review of Research,* edited by M. Tonry and N. Morris, vol. 12. Chicago: University of Chicago Press.

Ditton, P. and D. Wilson. 1999. "Truth in Sentencing in State Prisons." Washington, D.C.: U.S. Department of Justice, Bureau of Justice Statistics.

Gottfredson, D., L. Wilkins, and P. Hoffman. 1978. *Guidelines for Parole and Sentencing.* Lexington, MA: Heath/Lexington.

Hughes, Timothy, Doris James Wilson, and Alan Beck. 2002. "Trends in State Parole: The More Things Change, The More They Stay The Same," *Perspectives: The Journal of the American Probation and Parole Association* 26(3). Summer.

National Institute of Corrections. 1995. "Status Report on Parole, 1995: Results of an NIC Survey." Prepared by LIS, Inc. for the National Institute of Corrections. November.

Petersilia, J. 1999. "Parole and Prisoner Reentry in the United States." In *Prisons*, edited by M. Tonry and J. Petersilia. Chicago: University of Chicago Press.

Petersilia, J. and S. Turner. 1993. "Intensive Probation and Parole." In *Crime and Justice: A Review of Research,* edited by M. Tonry, vol. 17. Chicago: University of Chicago Press.

Reitz, K. 1998. "Sentencing." In *The Handbook of Crime and Punishment,* edited by M. Tonry. New York: Oxford University Press.

Rhine, E., W. Smith, and R. Jackson. 1991. *Paroling Authorities: Recent History and Current Practice*. American Correctional Association. Waldorf, MD: St. Mary's Press.

Sherman, L., et al. 1997. *Preventing Crime: What Works, What Doesn't, What's Promising.* College Park: University of Maryland.

Simon, J. 1993. *Poor Discipline: Parole and the Social Control of the Underclass, 1890–1990.* Chicago, University of Chicago Press.

Tonry, M. 1999. "The Fragmentation of Sentencing and Corrections in America." *Sentencing & Corrections, Issues for the 21st Century,* no. 1. Washington, D.C.: U.S. Department of Justice, National Institute of Justice, NCJ 175721. September.

Tonry, M. 1999. "Reconsidering Indeterminate and Structured Sentencing." *Sentencing and Corrections: Issues for the 21st Century,* no. 2. Washington, D.C.: U.S. Department of Justice, National Institute of Justice. September.

Travis, J. and S. Lawrence. 2002. "California's Parole Experiment." *California Journal.* August.

Travis, J., A. Solomon, and M. Waul. 2001. *From Prison to Home: The Dimensions and Consequences of Prisoner Reentry.* Washington, D.C.: The Urban Institute. June.

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