As states go through one of the greatest fiscal crises since World War II, no state agency or program is immune from budget cuts, including corrections programs, which have been targeted for cost savings by several states.

Ironically, these cuts to state prisons and corrections programs are coming at a time when prison populations are rising. State prison populations have been rising primarily because of “get-tough-on-crime” efforts at all levels of government in the 1980s and 1990s.

Brought on as a result of the exploding drug trade and resultant violence, these mandatory minimum sentences have flooded jails and prisons with many nonviolent drug offenders. The late-1990s saw a small backlash against these once popular policies, with states either repealing or significantly reducing the effects of these sentences. As a result, states have released a larger number of inmates and, in some instances, granted full clemency to certain offenders. Despite early release programs, however, prison and jail populations continue to climb. Crime rates, according to the FBI, are also on the rise, which means the financial burden of incarcerating more inmates will also continue to increase.

As more states explore options, they are caught between preserving public safety and preserving public coffers. One alternative used in some states is the release of nonviolent inmates into community-based supervision programs.

States like Connecticut, Pennsylvania, Nebraska, Kansas, California, Idaho, New Hampshire, Oregon and Texas are using drug treatment programs and other forms of community-based supervision as an alternative to incarceration for many of their nonviolent, first-time offenders and are making changes to their parole and probation systems to make them a more effective alternative than prison.

**Community-based supervision: A viable solution**

Community-based supervision, traditionally referred to as probation and parole, is one method in which criminals can be monitored and receive necessary treatment. “Early release of offenders from incarceration to some form of community-based supervision would certainly appear to be a reasonable and financially viable response to the expensive alternative of incarceration,” said Carl Wicklund, execu-
tive director of the American Probation and Parole Association.

Conservative estimates from APPA show that it costs more than $60 a day or about $22,000 a year to house an inmate in a state prison. Community-based supervision programs, however, are estimated to cost less than $10 a day for an offender under regular supervision.

“Community-based supervision is a necessity,” said Sen. Kermit Breshear, head of Nebraska’s task force to find cost effective alternatives to prison. “Given the current number of nonviolent offenders and substance abusers in prison, these people should be provided rehabilitation instead of simply throwing them away in prison. Often times you put a nonviolent substance abuser in prison and a violent substance abuser will come out,” Breshear said. “At the current rate, the State of Nebraska will have to build another prison and hire 400 new employees to staff that prison that will cost over $125 million.”

Not only is community-based supervision a less expensive alternative to prison, a recent American Correctional Association public opinion survey shows that a majority of people believe that there should be alternatives to prison for nonviolent offenders. According to the survey, the public believes nonviolent offenders should be moved from incarceration into other programs that can still provide punishment, but also provide rehabilitation. The survey found that:

- 68 percent of those surveyed favored offering nonviolent offenders rehabilitative services rather than longer prison terms;
- 78 percent favored releasing low-risk inmates early to participate in rehabilitative programming;
- 79 percent believed sentencing nonviolent offenders to supervised community services would save taxpayer dollars.

Based on the most recent federal Bureau of Justice Statistics figures, states could save millions of dollars by using community-based supervision programs. According to those figures, 51 percent of all state prison inmates are incarcerated for committing nonviolent crimes and of those, 21 percent are imprisoned for drug offenses. Of all female inmates, 67 percent are in state prisons for nonviolent offenses.

Between 1980 and 1997, the number of nonviolent offenders sent to state prisons tripled and the number of drug offenders increased by more than 1,000 percent. Currently, 20 percent of the total growth in the number of prisoners is attributed to the increasing incarceration of drug offenders.

Success rates for community-based supervision participants vary widely from state to state. According to the BJS, an individual who successfully completes community-based supervision is defined as someone who has not: violated the rules of their supervision and been returned to jail or prison; committed another crime; or attempted to escape supervision.

In some states, a minor parole or probation violation can be dealt with by adding more sanctions within the community-based supervision program, and the offender is not sent directly back to prison. In other states, any kind of violation is dealt with swiftly and severely and violators are sent to prison. There is no national standard on how to process or handle parolees or probationers.

According to BJS, of those who are on parole, 61 percent successfully complete their parole conditions when they are first released.

Of those parolees who violate the conditions of their parole, however, their chances of success are not good. Only 21 percent of those released from prison after violating their original parole successfully complete the conditions of parole the next time.

To improve the success rate of community-based supervision programs, many states are making changes in their programs. As the number of criminals assigned to community-based supervision continues to increase, however, the question is will these services be stretched to the breaking point?

**Challenges facing community-based supervision**

Although considered a viable alternative to prison, community-based supervision programs face many challenges as cash-strapped states look for ways to cut their corrections budgets. The number of parolees and probationers could continue to swell because inmates are being released into these programs to save space and money in the prisons.

“One of the critical issues we face in releasing individuals into the community so abruptly, is that funding has been cut for a reasonable number of trained probation and parole officers to effectively work with offenders,” said Diane McNeill, an adult probation officer in Connecticut. “My ability to work successfully with offenders is compromised when large number of offenders are suddenly released into the community and I am forced to be held accountable to monitor probationers using the same policies.
standards and guidelines as when I have an ideal caseload.”

The funding cuts are felt nationwide. “Most probation and parole agencies were struggling with unreasonable case-load numbers and expanding workload expectations prior to the current economic crisis,” said the APPA’s Wicklund. “State budget shortfalls are also reducing the availability of needed treatment, education, job training and mental health services for offenders. These services not only help offenders successfully adjust to life in the community, but they also serve as additional eyes and ears in monitoring offender activities.”

Between 1980 and 2000, the number of parole violators returned to prison increased seven fold. In 1999, 35 percent of the total number of people who entered state prisons were parole violators. Two-thirds of those parole violators, however, were returned for technical violations, such as failing a drug test or missing a scheduled court appearance.

In recent years, community-based supervision services have decreased while spending for prisons has increased, making new funds for community-based supervision programs scarce. “Overall, an increase in staff and training, along with more preemptive programs that focus on educational and vocational training, could help me and my colleagues, assist in ultimately, changing their behaviors to become better individuals within their communities,” said McNeill.

Some law enforcement and criminal justice groups have voiced concerns about the effectiveness of community-based supervision programs and the early release of nonviolent prisoners. There are fears that these policies decriminalized drug possession and other nonviolent offenses.

“The amount of time a criminal serves in prison should be based on the crime committed, not the balance of the state treasury,” Kentucky Attorney General Ben Chandler recently told The New York Times.

Combined efforts

There is evidence, according to an Urban Institute report, that when community supervision programs provide adequate rehabilitation or treatment in combination with surveillance that recidivism is reduced.

Several states are taking steps to improve their community-based supervision programs. New Hampshire recently conducted a policy study of their Department of Corrections and found that by combining drug treatment, counseling, vocational and educational programs, and close supervision, participants were able to work and live at home. The report also found that the program improved the lives of participants, protected the public’s safety, and saved the state an estimated $10 million.

In 2000, Kansas mandated that probation and parole violators be punished within the state’s community corrections system rather than sent to prison. The Kansas Sentencing Commission estimates that millions of dollars have been saved with this program and 774 prison beds have been left open. The reforms included:

- reducing the length of community supervision for offenders convicted of low-level offenses;
- broadening the target ranges for community corrections under the state’s sentencing guidelines; and
- providing additional funding to establish three new day reporting and treatment centers.

States can save money, address public safety concerns, and administer sanctions and rehabilitate offenders through community supervision so long as some of the savings are reinvested into community-based supervision programs, according to Wicklund.

“My concern is that at a time when probation and parole agencies could be more effectively utilized as a successful alternative to incarceration, that they are being set-up for failure by being overburdened,” he said.

“It is ironic,” noted Wicklund, “that at a time when the criminal justice system understands better than they ever have how to effectively intervene with offenders, the services to do so are being reduced or eliminated and the system’s professionals are being overloaded.”

—Chad Kinsella is a policy analyst in the Public Safety and Justice Group at The Council of State Governments. Karen Fuller is the public relations and information coordinator for the American Probation and Parole Association, an affiliate of The Council of State Governments.

What is community-based supervision?

At the end of 2001, more than 4.6 million adults and over 670,000 juveniles were under some form of community supervision. Approximately 80,000 officers supervised these offenders.

Parole is the release of an adult prisoner to community supervision because of a parole board decision or a mandatory conditional release after serving a prison term, according to the American Probation and Parole Association.

Probation is when an offender, instead of being incarcerated, is placed under community supervision by a court.

While on probation or parole, the conditions offenders must abide by vary widely. Each state has a different system for probation or parole. Some states allow their counties to run these programs while others maintain the programs at the state level.

Conditions of community-based supervision vary among states and may typically require the supervised to: maintain employment; attend scheduled court appearances and appointments with their parole or probation officers; abstain from drugs and alcohol; attend drug or alcohol rehabilitation; follow a curfew; and stay away from people or places that put them at risk of violating the terms of their supervision.

Probation and parole officers use several methods to monitor those in community-based supervision, including electronic monitoring, home visits and random drug testing.