

*Annual Review of Criminology*

# Mass Probation from Micro to Macro: Tracing the Expansion and Consequences of Community Supervision

Michelle S. Phelps

Department of Sociology, University of Minnesota, Minneapolis, Minnesota 55455, USA;  
email: [phelps@umn.edu](mailto:phelps@umn.edu)

Annu. Rev. Criminol. 2020. 3:261–79

First published as a Review in Advance on  
September 25, 2019

The *Annual Review of Criminology* is online at  
[criminol.annualreviews.org](http://criminol.annualreviews.org)

<https://doi.org/10.1146/annurev-criminol-011419-041352>

Copyright © 2020 by Annual Reviews.  
All rights reserved

**ANNUAL  
REVIEWS CONNECT**

[www.annualreviews.org](http://www.annualreviews.org)

- Download figures
- Navigate cited references
- Keyword search
- Explore related articles
- Share via email or social media

## Keywords

probation, incarceration, collateral consequences, criminal justice, inequality

## Abstract

Between 1980 and 2007, probation rates in the United States skyrocketed alongside imprisonment rates; since 2007, both forms of criminal justice control have declined in use. Although a large literature in criminology and related fields has explored the causes and consequences of mass incarceration, very little research has explored the parallel rise of mass probation. This review takes stock of our knowledge of probation in the United States. In the first section, I trace the expansion of probation historically, across states, and for specific demographic groups. I then summarize the characteristics of adults on probation today and what we know about probation revocation. Lastly, I review the nascent literature on the causal effects of probation for individuals, families, neighborhoods, and society. I end by discussing a plan for research and the growing movement to blunt the harms of mass supervision.

## INTRODUCTION

Over the past two decades, scholars, policymakers, and the public have become increasingly aware of the harms of mass incarceration in the United States and the challenges facing adults returning to communities from prison. As a voluminous (and growing) literature demonstrates, incarceration is associated with a host of individual-level challenges, including reduced job prospects, disrupted family patterns, and physical and mental health concerns (Kirk & Wakefield 2018). In addition, researchers have begun to map out the family-, neighborhood-, and society-level consequences of mass incarceration (Alexander 2010, Clear 2007, NRC 2014, Pettit 2012, Sykes & Pettit 2014, Wakefield & Wildman 2013, Western & Muller 2013).

Yet even after the prison boom of the latter half of the twentieth century, incarceration still represents only a minority of adults' experience with criminal justice contact. The most common experience is police contact—an estimated 11% of US residents older than 15 years experience involuntary contact with police officers every year, most commonly through traffic stops (Davis et al. 2018). For those who make it to conviction and formal supervision, probation is the most frequent form of correctional control. At its peak in 2007, 1 in every 53 adults, and 1 in 12 black men, was on probation (Phelps 2017). By 2016, the total population under criminal justice supervision had declined to 6.6 million adults, with 56% of those adults (or 1 in 68) on probation (Kaeble & Cowhig 2018).

Although probation is typically defined as an alternative sanction that diverts people from prison, it also serves as a net widener that increases punishment for lower-level offenses where there was never the possibility of long-term incarceration (Phelps 2013). People on probation typically remain in the community during their sentence and are subject to the supervision of a probation officer. Despite its dismissive reputation as merely a slap on the wrist, probation is typically accompanied by an onerous list of demands and restrictions, financial obligations and time burdens, and the lingering threat of incarceration (Doherty 2016), which together are experienced as quite punitive by many adults under supervision (Phelps & Ruhland 2019).

In addition, probationers face a steep risk of incarceration. Adults on probation can be incarcerated for short terms as a sanction for violating the rules and/or for the entire original suspended sentence (Klingele 2013). Roughly a quarter of state prison admissions in 2017 were for probation violations (including new convictions). This share rises to 45% if we include parole, the other predominant form of community supervision, which is typically meted out as a condition of release from prison rather than part of the initial sentence (CSG Justice Cent. 2019). Although probation and parole are distinct forms of supervision, much of the day-to-day experiences of probation and parole overlap and in some places probation and parole caseloads are managed by the same staff. Probation is thus “part of the continuum of excessive penal control” rather than a simple alternative to incarceration (Doherty 2016, p. 291).

Social scientists have been slow to realize the importance of probation and its unique impacts on social inequality. Correspondingly, activist and policy efforts to reduce the scale and harm of the carceral state have primarily focused on imprisonment. However, that is beginning to change, with scholars increasingly interested in the causes and consequences of community supervision. As McNeill (2018) argues, this expansion of probation, parole, and other community sanctions—i.e., mass supervision—in the United States and across Europe is critically important to understanding contemporary punishment. In addition, advocacy groups in the United States have begun to challenge massive probation and parole rolls, suggesting that community supervision could be the next phase of justice reform efforts.

I focus in this article on adult probation in the United States, one of the most prevalent forms of criminal justice control in the world. I refer to the rapid expansion of this form of community

supervision as mass probation—highlighting both its unprecedented scale and the concentration among disadvantaged men of color (Phelps 2017). The review starts by tracing how the prevalence rate and revocation risk of probation vary across time, place, and demographic groups. Next, I review the nascent literature on the effects of probation supervision on individual, family, and neighborhood outcomes. To fill in the gaps in our knowledge of probation, I draw on the literature on parole, which has been more extensively researched [for a recent review of parole, see Reitz & Rhine (2020)]. I conclude by mapping out a plan for future research and summarizing recent advocacy efforts to address the harms of mass probation.

## MASS PROBATION BY THE NUMBERS

Garland (2001, p. 6) coined the term mass imprisonment to reflect the historically and internationally unprecedented scale of US imprisonment rates as well as its concentration among young men of color in urban neighborhoods, such that imprisonment became “a regular, predictable part of experience, rather than a rare and infrequent event.” Thus, for probation to have hit mass proportions, it should meet these criteria. Below, I review recent work that traces the expansion of mass probation at three levels of analysis: nationally, at the state level, and across individuals. Finally, I review trends in probation revocations. Across these measures, we can see both the extreme scale and social concentration of mass probation.

### Growth Nationally

Between 1980 and its peak in 2007, the number of adults under probation supervision in the United States grew from 1.1 million to 4.3 million, reaching at its height 1 in every 53 adults (Phelps 2017). Across the same decades, prison and jail populations increased from 0.5 million to 2.3 million and parole totals grew from 220,400 to 826,100 adults (Bur. Justice Stat. 2019). Even after modest declines in the supervised population in recent years, by 2016, 56% of the 6.6 million adults under criminal justice control in the United States remained on probation (Kaeble & Cowhig 2018).

As other work on sentencing trends documents, this expansion of mass penal control was more closely tied to increasing criminalization and tougher prosecution and punishment than to crime rates. This trend accelerated after the 1990s, as the index crime rate reported by police departments began a steep decline, and prosecutions and punishment rates continued to climb (Pfaff 2017, Raphael & Stoll 2013). Work from victimization surveys shows that many of the violent index crimes have actually been in decline since at least the 1970s, with a small upward trend for some offenses in the early 1990s (Lauritsen et al. 2016).

Much of the literature on punishment focuses on felony convictions. But a new wave of research considers the much more common low-level arrests and misdemeanor convictions that have come to haunt a generation of young men of color (Natapoff 2018). Kohler-Hausmann (2018) labels this process misdemeanor justice, tracing the expansion of misdemeanor arrests from the 1990s through the early 2010s in New York City. Many of these cases were ultimately dismissed or diverted, but for those garnering formal supervision, probation is a frequent outcome.

Among adult probationers in 2016, 59% were convicted of felony-level offenses (Kaeble 2018)—although this total likely undercounts misdemeanant probationers as described below. Although the war on drugs has received outsized attention in the buildup of criminal cases and convictions, only 24% of adults on probation in 2016 were convicted of drug offenses (as their most serious charge), with another 14% convicted of DWI/DUI, 20% for violent offenses (including domestic violence and sex offenses), and 26% for property offenses (Kaeble 2018). Thus,

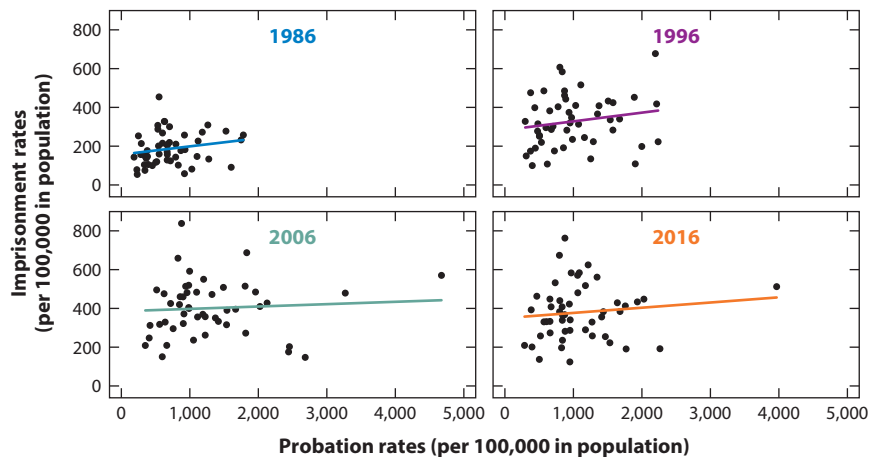
like mass imprisonment, mass probation was driven by increased criminalization across offense levels and crime domains.

## State Variation

One of the defining features of mass incarceration is that imprisonment rates increased in all US states. Yet states varied significantly in the scale of this expansion, with some retaining imprisonment rates closer to norms across Western Europe and others far exceeding them. Probation rates also vary dramatically between states; although the national probation rate in the United States is more than five times the average rate for European countries, some states (e.g., New Hampshire, Nevada, and Utah) retain levels of moderation on par with our international counterparts (Alper et al. 2016). Divergences in states' incarceration rates have spawned a large literature on the unique state varieties of mass incarceration (Campbell 2018), yet to date little research has examined the state-level expansion of mass probation.

Phelps (2017) considers the empirical question of whether states' imprisonment rates and probation rates expanded in tandem or followed unique trajectories during the carceral boom (1980s–2000s). In other words, did states invest in all forms of supervision or did they come to specialize in one form or another (or resist growth in both)? This question is critical because if probation's expansion mostly followed the path of imprisonment, then much of what we know about the state-level determinants of imprisonment (e.g., political, social, and economic drivers) might also apply to mass probation. But if these trajectories diverge, it suggests probation represents a unique face of punishment.

**Figure 1** replicates one of the key graphs from Phelps (2017) but updates it to include 2016. The figure charts the cross-sectional relationship between probation and imprisonment rates in the seventh year of each decade: 1986, 1996, 2006, and 2016, with a bivariate regression line imposed on each scatterplot. Looking across the panels, it is clear that supervision rates rose



**Figure 1**

Probation and incarceration rates across US states by decade. Author's calculations based on the Bureau of Justice Statistics' Annual Probation Survey (Bonczar & Mulako-Wangota 2019, Glaze & Bonczar 2009) and National Prisoner Statistics (Carson & Mulako-Wangota 2019). Probation totals for Georgia and Michigan in the 2016 panel are for January 1, 2016, instead of December 31, 2016, due to missing data (Kaeble 2018). Linear regression line imposed for each year. Modified with permission from Phelps (2017).

dramatically in each decade until the 2010s. Between 1986 and 2006, the mean state probation rate increased from roughly 715 to 1,280 adults (per 100,000 residents), whereas the mean imprisonment rate increased from 185 to 410 adults (per 100,000 residents). In addition, the relationship between probation and imprisonment rates declined over time, reaching nearly zero by 2006.

Despite three decades of both systems expanding, at the state level these trajectories were effectively decoupled. This decoupling was primarily due to unpredictable expansions in probation, which were less correlated with starting values (and produced more outliers) than imprisonment rates. In addition, this decoupling is likely tied to poor data for probation totals. Some states (particularly high-imprisonment states) systematically undercount their misdemeanor probation population, relegating their supervision to local, private, and/or court-based programs that do not report data to the Bureau of Justice Statistics (BJS). The national probationer totals are thus an undercount (or floor estimate) of the relevant population, with this bias larger in states reporting a very high percentage of people on probation for felony-level offenses (Phelps 2017). These data limitations make it difficult to regress probation rates on states' social, economic, and political correlates to understand the unique drivers of probation rates.

Over the past decade, criminal justice reforms have swept the country (Beckett 2018, Phelps 2016, Schoenfeld 2016), and both probation and prison populations have declined moderately, as shown in **Figure 1**. Although the most egregiously high rates of supervision have been blunted, the overall relationship between the rates looks very similar in 2016. During the past decade, states' imprisonment rates declined on average by 7% and probation rates declined by 12% (Bonczar & Mulako-Wangota 2019, Carson & Mulako-Wangota 2019). The correlation between states' percent change in imprisonment and probation rates is positive but not statistically significant. This suggests that although most states scaled back both probation and imprisonment modestly, other states continued to expand one or both forms of supervision.

## Characteristics of Adults on Probation

As noted above, the BJS probation totals undercount some adults on probation for misdemeanor offenses. In addition, due to reporting limitations in most jurisdictions, even basic descriptive characteristics of adults on probation (e.g., highest completed educational degree) are missing. To address these omissions, in recent work I analyze responses to a national survey [the Substance Abuse and Mental Health Services Administration's annual National Survey on Drug Use and Health (NSDUH)] to estimate descriptive characteristics of the probation population and prevalence rates across demographic groups (Phelps 2018). Rather than a point-in-time estimate of the number of adults on probation, the NSDUH asks respondents whether they were on probation at any time in the past 12 months.

These analyses show that young black men with low levels of formal education have the highest risk of experiencing probation supervision. From 2010 through 2014, 16% of non-Hispanic black men aged 20–34 years old who left school without completing a high school diploma reported probation time in the past year. In contrast, younger non-Hispanic white men without a high school diploma faced a prevalence rate of 12%. [Lifetime prevalence rates of probation are even starker: Lerman & Weaver (2014) find that fully 46% of black men aged 24–32 years old without a high school diploma report having been on juvenile and/or adult probation at some point in their lives, compared to 28% of black men in that age range with a high school diploma and 15% of all adults 24–32 years old.] Black men between the ages of 20 and 34 years with some college experience had a prevalence rate of 5%, compared to 4% for white college-degree men of the same age. Women in the same age range (20–34 years old) of all education levels experienced even lower prevalence rates, reaching 2% for white women and 3% for black women. These racial and

**Table 1** Demographic characteristics of US adults and adults on probation in 2016–2017<sup>a</sup>

On probation during past year	US noninstitutionalized adult population	Adults on probation in past year
	1.6%	100%
<b>Race/ethnicity</b>		
Non-Hispanic black	12%	18%
Hispanic	16%	21%
Non-Hispanic white	64%	54%
Other or mixed race	8%	7%
<b>Gender</b>		
Male	48%	71%
Female	52%	29%
<b>Age</b>		
Age 18–34 years	30%	54%
Age 35+ years	70%	46%
<b>Parental status</b>		
Parent to minor children in residence	29%	31%
<b>Highest completed education level</b>		
No HS diploma	13%	24%
HS graduate	25%	35%
Some college	31%	32%
College graduate	32%	9%
<b>Individual annual income level</b>		
Less than \$10,000	22%	38%
\$10,000–\$19,999	18%	28%
\$20,000–\$49,999	33%	25%
\$50,000–\$74,999	12%	6%
\$75,000 or more	15%	3%

<sup>a</sup>Results are from the author's analysis of pooled NSDUH data from the years 2016 and 2017 using the two-year Restricted-use Data Analysis System (Cent. Behav. Health Stat. Qual. 2018a,b). All respondents under 18 years of age have been excluded and survey weights have been used to generate population estimates. Note that the NSDUH sample includes the civilian, noninstitutionalized population only. Totals may sum to more than 100% due to rounding.

socioeconomic differences are likely a conservative estimate (because the most marginalized adults may not participate in a survey), but they suggest that disparities in who experiences probation are smaller than for imprisonment (Western 2006). As noted below, this may be because probation more often represents a successful diversion from prison for relatively more privileged adults in the justice system.

**Table 1** provides an updated analysis of the demographic characteristics of probationers, using NSDUH data collected in 2016 and 2017 (Cent. Behav. Health Stat. Qual. 2018a,b). The first column displays demographic statistics for the entire NSDUH sample, weighted to reflect the adult (age 18+) civilian, noninstitutionalized population in the United States. The second column shows the same statistics for adults who were on probation in the past year. By comparing the two columns, we can see which US residents have recently been subject to probation. Compared to the total noninstitutionalized population, adults on probation are significantly more likely to be racial/ethnic minorities (18% non-Hispanic black and 21% Hispanic among adults on probation

versus 12% non-Hispanic black and 16% Hispanic in the general adult population), male (71% versus 48%), and under 35 years old (54% versus 30%). In addition, probationers are educationally disadvantaged, with only 76% reporting a high school diploma or higher (versus 87%) and only 9% (versus 32%) reporting a college degree, and more likely to have an individual annual income under \$20,000 [66% versus 40%; see also Finkel (2019)]. Finally, although the rate is not substantially elevated relative to all NSDUH respondents, 31% of adults on probation are parents to minor children currently residing with them.

This same national survey shows that adults on probation are more likely to report poor health, chronic health conditions, substance use disorders, and disabilities than the general population, even after controlling for demographic differences (Winkelman et al. 2020; see also Vaughn et al. 2012). Rates of mental illness are also elevated, especially among women; women on community supervision are almost twice as likely to have mental illness compared to the general population (Cent. Behav. Health Stat. Qual. 2012). Despite these medical needs, probationers are less likely than the average American adult to have health insurance coverage, although this gap narrowed after the Affordable Care Act (Knapp et al. 2019).

## Revocation

Although frequently dismissed as a lenient alternative to incarceration, probation is often paired with stints of confinement. First, most probationers do spend a period of time in jail, either as part of the arrest and conviction process and/or as part of a split sentence that blends periods of incarceration and probation. Among adults convicted of felonies in state courts in 2002, 28% were given straight probation, whereas another 29% were sentenced to probation and a term in jail or prison, and 40% received incarceration alone (Durose & Langan 2005). Second, in many jurisdictions, probation comes with a suspended or stayed sentence, i.e., the length of jail or prison time the adult is expected to serve if they do not complete probation successfully. Third, probationers' failure to meet the conditions of supervision can lead to incarceration on technical violations (Olson 2019).

Probation conditions include abstaining from drug use (and frequently avoiding alcohol and bars as well), avoiding contact with known felons, paying fines and fees, reporting regularly to the supervising officer, participating in required programming, finding or maintaining employment, and avoiding rearrest. As Doherty (2016) argues, in practice, this means that probation officers have nearly unlimited discretion to file a revocation motion. Although the ultimate decision to incarcerate or apply other sanctions (e.g., extend probation or add conditions) is typically, but not always, left to a judge, probation revocation hearings have fewer procedural protections and a lower burden of proof than criminal sentencing for new offenses. Thus, the line between incarceration for new crimes and technical violations is often murky (Olson 2019).

As Klingele (2013) argues, the high probation failure rate means that community supervision often represents a delayed path to prison rather than a true diversion or alternative. In 2016, just under two million adults—or roughly half of probationers—exited supervision (i.e., had their case closed). Among those exits, only 50% were reported as successful completions, with another 29% exiting unsuccessfully (e.g., given a new sentence, incarcerated, or absconded) and 21% exiting with an “other” or unknown status (Kaeble 2018). As of the last inmate surveys in the early 2000s, 33% of the nation's jail population and 23% of the prison population were on probation at the time of their arrest. Nearly a quarter of this incarceration was for nothing more serious than violations of the terms of supervision (not including avoiding arrest), for example, failed drug tests and missed appointments (Phelps 2018). More recent data show that nearly half (45%) of state prison admissions in 2017 were due to violations of probation or parole, with a quarter of

all admissions driven by technical violations of community supervision rather than new offenses (typically measured as a new felony conviction). According to these estimates, technical violations of probation alone made up 11% of all state prison admissions (CSG Justice Cent. 2019).

This probation-to-prison pathway is particularly dire for the most marginalized probationers, who face the most serious resource constraints and fewest mainstream economic opportunities, heaviest neighborhood police presence, and highest likelihood of experiencing discrimination from probation officers, potential employers, landlords, and others (Doherty 2016, Olson 2019, Phelps 2018). For example, adults on probation with higher levels of formal education may be better positioned to secure a relatively stable job, which in turn can help them pay fines and fees, garner more positive and lenient interactions with probation officers, reduce criminogenic strains, afford housing in areas with less aggressive policing, and so on (Doherty 2016).

As evidence for this hypothesis, the demographic profile of adults in jail and prison who were on probation at the time of arrest is starkly different than for probationers in the community. Indeed, adults who enter jail and prison after failing probation are much more likely than probationers in the community to be black men who left school before earning a high school diploma, making them nearly indistinguishable from their fellow inmates (Phelps 2018). Although researchers are still untangling how many of these differences are due to differential criminal conduct, police discretion, and/or bias from probation and court officials, there is robust evidence that young men of color face the steepest penalties in a cascade of cumulative disadvantage throughout the life course (Kurlychek & Johnson 2019, Spohn 2015). As Albonetti & Hepburn (1997, p. 126) argue, it is perhaps impossible to analytically separate the behavior of adults involved in the criminal justice system and their treatment by state actors; these characteristics often are mutually constitutive: “social disadvantage may condition the effects of other offender characteristics (such as age, race, and gender), incident offense characteristics, and treatment conditions on probation failure” [on the difficulty of identifying race effects more generally, see Kohler-Hausmann (2019)].

Beyond the individual-level variation in revocation risk, there are structural differences in revocation rates within officers’ caseloads, jurisdictions, and states. Caseload sizes vary across offices and officers, shaping the potential for close supervision and/or assistance. Most probation officers carry 100 or more cases at any given time (DeMichele 2007), although many probation departments supervise high-risk (i.e., higher scores on risk-needs assessment tools), serious (i.e., violent felonies), or special (i.e., sex offenses, adults with serious mental health issues, drug court participants, etc.) cases on lower, more intensive caseloads. Unfortunately, rather than providing more assistance or positive motivation, research has consistently found that more intense supervision programs in practice produce higher revocation rates for technical violations (Doleac 2018, Petersilia & Turner 1993). The evidence is more promising on reducing recidivism through specialty courts and specialty probation supervision, although the effect sizes are typically small and decline over time (Lowenkamp et al. 2010, Shaffer 2011, Skeem et al. 2011).

At the department level, supervisors can set hiring and promotion guidelines and supervision and revocation standards to shape the department culture (Taxman 2012). Although research on the organizational structure and evolution of probation departments is sparse (DeMichele 2014), a handful of studies on parole shows that departments operate unique regimes of supervision, which are correlated with broader social, economic, and political conditions. For example, neighborhood or jurisdiction levels of concentrated disadvantage, the presence of service providers, and voting patterns of residents all correlate with parole revocation rates (Grattet et al. 2009, Hipp et al. 2010). Even within a single office, probation officers typically vary in the degree to which they adopt a social work or law enforcement style of supervision, which can influence both the real assistance provided to probationers and officers’ preferences for filing violation motions (Clear & Latessa 1993, Skeem & Manchak 2008).



Finally, state-level policies and practices matter as well for determining to what degree probation serves as a net widener or alternative. Above, I showed that probation and imprisonment rates are largely decoupled at the state level when we look cross-sectionally. But this does not mean there is no causal relationship. Phelps (2013) analyzes annual changes in states' probation and imprisonment rates. On average, there was a small positive association between expansions in probation and the following year's incarceration rate (for a similar analysis of countries across Europe, see Aebi et al. 2015). However, this relationship varies substantially across states. The relationship at the state level is mediated by three key outcomes or processes: who is placed on supervision by the courts; departments' supervision policies and practices; and violation guidelines and revocation incentives. Probation is most effective as an alternative to prison in places that focus on diverting adults convicted of felonies and establish supervision policies that support desistance and constrain revocation rates.

## **EVALUATING THE EFFECTS OF PROBATION**

The literature on the effects of imprisonment [and, more recently, jail stays (Turney & Conner 2019)] has grown increasingly methodologically sophisticated and broad in scope (for a review, see Kirk & Wakefield 2018). At the individual level, careful analyses have attempted to disentangle the social determinants of incarceration from the causal impacts of incarceration. This research has focused on a widening array of outcomes, including rearrest and reconviction, employment, marriage, parenting, and health. Researchers have also started to map out the effects of incarceration on the children of the prison boom—i.e., children who have an incarcerated parent (Wakefield & Wildeman 2013)—and the burdens and consequences of incarceration for the partners and other loved ones of people in prison (Comfort 2008). Finally, researchers have considered how removing (and cycling back) large swaths of men affects urban communities of color (Clear 2007), voting patterns (Manza & Uggen 2008), the structural exclusion of black Americans (Alexander 2010), and more. In comparison to this avalanche of research on mass incarceration, the literature on the effects of mass probation on individuals, families, neighborhoods, and society is almost nonexistent.

### **Microlevel Consequences of Mass Probation**

Recent ethnographic studies of community supervision in the US highlight the constraints and challenges faced by young people and adults under community supervision (e.g., Cox 2018, Fader 2013, Harding et al. 2018, Leverentz 2014, Welsh 2019, Western 2018). These burdens are material (e.g., meeting the demands of supervision, finding housing, and making rent) and psychosocial. Reestablishing (or adapting) family bonds, creating personal narratives of change to support desistance, and acclimating to life under community supervision all take time and resources. In addition, this process is often complicated by service programs for justice-involved juveniles and adults, who often ignore the structural causes of crime and inequality and require people to take on spoiled identities as criminal failures, beset by criminal thinking and poor choices (Cox 2018, McKim 2017, Miller 2014, Werth 2012).

Much of this qualitative research focuses on the reentry process, i.e., leaving prison and reentering the community. We know less about the experiences of people on probation who never left the community or served only a short sentence in a local jail. Phelps & Ruhland (2019) draw on extensive focus group data from several jurisdictions across the country to show that probation is often experienced as deeply stressful, especially in terms of making time for employment, family, treatment programs, and reporting obligations; managing financial obligations; and dealing with

the threat of revocation. Among a small share of adults on probation, however, supervision was seen as a lifeline, providing essential resources, especially for getting (and staying) sober. Consistent with the qualitative evidence of probation's stressors is the survey data on justice-involved adults, which show that they typically evaluate probation as tougher (relative to incarceration) than do justice officials and the general population (May et al. 2008). Even in Europe, where probation retains more of its social welfare orientation, supervision is often construed as coercive by people under supervision (McNeill 2018).

Yet probation is also understood as leniency or an alternative sanction to incarceration—and one that allows people to serve their time without leaving the community. Since probation began in the United States, advocates have argued that probation provides a better context for promoting rehabilitation and reintegration. Does going on probation help to improve employment outcomes, increase access to treatment, and/or reduce rates of criminal behavior, rearrest, and/or incarceration? Or does it simply add stress to already chaotic lives and facilitate later imprisonment? The qualitative literature reviewed above suggests that both may be true simultaneously—for the most marginalized adults on probation, supervision can provide a minimal form of care and connections to social services as well as incentives to stay sober and avoid criminal behavior while also increasing stress and the probability of incarceration (MacKenzie et al. 1999, Phelps & Ruhland 2019, Welsh 2019).

Although there is an extensive literature in criminology about the causal effects of various types of probation [e.g., intensive or problem-solving versus traditional, smaller, or specialized caseloads; for a review, see Taxman (2012)], we know very little about the causal effect of receiving any kind of probation versus no probation, or, more broadly, the causal effect of community supervision writ large (Bonta et al. 2008). To make a strong causal claim about the effect of supervision, we need to know the appropriate counterfactual. As noted above, the hypothetical sanction in lieu of probation is ambiguous; for some, the right alternative is no criminal conviction and/or no formal supervision; for others, the alternative is jail time and for still others, it is prison. Perhaps the closest thing we have to causal estimates of probation's impact comes from studies of the effects of imprisonment that use probation as the counterfactual outcome. Although such studies are designed to shed light on the process of incarceration, they can also tell us how the impacts of probation do (or do not) differ from imprisonment. Loeffler (2013), for example, uses variation in judicial severity to estimate the effect of imprisonment (compared to probation) on rearrest and employment rates among adults convicted of felony offenses in Cook County, Illinois. The estimates suggest no statistically significant differences in rearrest and employment rates at five years after indictment, which he interprets as evidence that prior estimates of the impact of incarceration were simply reflecting selection effects [see also Green & Winik (2010)]. This research indicates that conditional on being sentenced for a serious felony, people given probation or imprisonment fare similarly.

More recently, Harding et al. (2017a) have used the same random judicial assignment instrument with state-level data from Michigan to show that imprisonment does increase the probability of future imprisonment. Critically, they show that the results are driven not by increases in arrests and new felony convictions but through parole violations. Thus, in this analysis, people sentenced to probation fare better in the long term (at three and five years post-sentencing) than people sentenced to prison because parole is more demanding or punitive than probation. Although periods of confinement for probation and parole violations are not the same as long prison sentences, even short stays in jail or prison can destabilize family relationships, housing, and employment (Apel 2016; Comfort 2016; Harding et al. 2013, 2017b). In addition, this cycling between supervision and various forms of incarceration adds to the complexity of trying to isolate the causal effects of either form of carceral control.

Finally, as noted above, efforts to estimate an average treatment effect of probation will likely struggle with the heterogeneity of adults on probation and their treatment on supervision (for a description of the problem in inferences about the effect of imprisonment, see Kirk & Wakefield 2018). Much of the work in criminology on the risk-needs responsivity model, for example, shows that people evaluated as low risk have better outcomes with light-touch supervision (Latessa & Lowenkamp 2006, Morash et al. 2017, Taxman 2012). The effect of probation for lower-level or misdemeanor cases, which are more likely to score as low risk, is therefore likely quite different than what is estimated through causal inference strategies that use the counterfactual of imprisonment (which, by definition, draws its analytical leverage from more serious felony cases). In addition, some programs may do a better job at assisting probationers in building up their lives, whereas others are more focused on punitive surveillance and catching violations.

These two aspects of heterogeneity—individual-level effects and differential treatment—likely intersect as well. As noted above, individuals' economic, social, and racial privilege likely influence the care and surveillance provided by probation in ways that may structure supervision outcomes and the causal effects of supervision. Although the majority of adults involved in the courts and under penal control have lower income and education levels than the average American (Brennan Cent. Justice 2010), there is still relative socioeconomic gradation as well as variation across gender, age, location, and other axes. As described above, for the relatively advantaged adults with the resources to meet the demands of community supervision, probation may be more likely to function as a true alternative to prison; in contrast, for more disadvantaged adults, probation may serve as a piling on of sanctions that ends with imprisonment (Phelps 2018).

Finally, this research cannot tell us much about the effects of a criminal record, regardless of sentence type, compared to never receiving the mark of a criminal record. Like people behind bars, probationers are marked with a conviction record and thus face many of the same negative consequences ascribed to imprisonment, including barriers to employment, democratic participation, housing, and public assistance that likely hinder integration and success (Chiricos et al. 2007, Jacobs 2015, Pager 2007). We are also learning how misdemeanor offenses negatively impact individuals' life trajectories through disruption of employment, bans on employment and assistance opportunities, and discrimination by employers and others (Kohler-Hausmann 2018, Natapoff 2018). In addition, individuals with justice involvement are often required to fund the costs of the court and supervision through onerous legal financial obligations, which may produce criminogenic pressures (Harris 2016).

In sum, we are at the earliest stages of understanding the causal impacts of probation on individuals. The research suggests, at best, that for cases on the margins of probation and prison, probation may have some advantages over imprisonment for individuals' likelihood of future imprisonment (if or when probation is less stringent than parole supervision). We know little about the effects of probation for cases on the margins between probation and no supervision—or probation versus no criminal record altogether. In addition, there is to date almost no research on individual-level outcomes of probation terms beyond recidivism and employment, although future analyses could easily adopt the same modeling strategies to look at other outcomes such as health, marriage, parenting, and more.

## Mesolevel Consequences of Mass Probation

Right before the start of the penal boom, sociologists and criminologists were engaged in a heated debate about the meaning of the expansion of community supervision and, in particular, whether it represented a progressive development or a more dystopian dispersal of discipline. Cohen's 1985 classic *Visions of Social Control: Crime, Punishment and Classification* is one of the earliest and

strongest statements on this unease. Cohen argued that for all the talk of decarceration, incarceration rates were actually increasing alongside alternative programs such as probation. In addition, following Foucault, Cohen argued that probation was in some ways more insidious than prison because it often involved people who otherwise may not have been subject to supervision, exposed probationers' private lives to state scrutiny, and inserted criminal justice agencies into families and the community. One of the ironic consequences of the development of mass incarceration—and the scholarly focus on its causes and consequences—was that we lost this thread of debate.

Today, more people than ever before are subject to supervision in the community. Yet we know little about how this has changed family life, neighborhood dynamics, and society more broadly. What we do know is focused on prisons and reentry—for example, the destabilizing impacts of the coercive mobility of cycling large numbers of men (and, increasingly, women) from the community through prison and back (Clear 2007). But what about those adults who never leave the community (or do so only for short stints in local jails)? Two recent pieces start to shed light on how a sociology of the family and neighborhood effects of mass probation might develop.

First, Comfort (2016) provides three vivid case studies of the impact of criminal justice involvement on the family members and partners of men with serious physical health- and substance use-related needs who were serving time on probation or parole. Unlike the partners of people in prison, for whom care primarily takes the form of visits and packages, family members (typically women) play a strong day-to-day role in managing the care and control of their loved ones in the community [see also Western (2018) and Harding et al. (2018) on the impact of parole and reentry on family support networks]. Facilitating appropriate social services, medical and mental health treatment, safe housing, and more can become a twenty-hour-a-day job for the family member, and their work is often frustrated by destabilizing arrests and short bouts of confinement.

These studies primarily focus on the adult family members supporting people on community supervision, but we should also ask about the effects of supervision on the children of adults on probation. Recall from above that fully one-third of the population of adults on probation live with minor children—how does probation shape family life and the children of supervisees in particular? Focusing on women, Sissoko and Goshin (2019) note that mothers on supervision face multiple stressors (including challenges meeting basic needs, potential loss of custody, health issues, and more) that might negatively impact their parenting and have consequences for the well-being of their children.

Second, focusing on juvenile probation (a very different system than adult probation), Rios (2011, 2017) documents how the experience of being on supervision—and the presence of probation officers in the community—reshapes family and neighborhood life. Probation officers' presence and demands influenced not just the young people but also their parents, who were coerced and cajoled into supporting probation's goals; their teachers, who came to rely on probation officers in schools to manage classroom disruptions; and the youth violence prevention outreach workers, who came to see their job as supporting probation. No study, to my knowledge, has yet mapped out the community-level effects of adult probation. Yet even from these brief examples, we can see that the mass expansion of probation likely had important consequences for families and communities that are separate from the impacts of aggressive policing, hypercriminalization, and mass incarceration.

## **Macrolevel Consequences of Mass Probation**

Perhaps the most obvious question about the macrolevel impact of probation on society is whether it serves as an alternative to imprisonment or a net widener that increases overall control rates and

imprisonment. As summarized above in the section on revocation, increases in states' probation rates are correlated with increasing imprisonment rates—especially when the probation population is weighted toward misdemeanor offenses and revocation rates are high.

From at least the 1980s to the 2000s, probation and imprisonment rates both climbed; over the past decade, both have declined. This suggests that mass probation is not simply a solution for mass incarceration (Phelps 2013). However, smarter policies around sentencing, supervision, and revocation can help to blunt the net-widening impacts of probation and increase its potential as a diversion away from prison. Most critically, some jurisdictions have pursued a domino strategy, unwinding the penal buildup at multiple stages: increasing diversion of prison-eligible cases down to probation, scaling back probation for misdemeanors and lesser felonies, increasing early release from probation and prison, and reducing probation revocations (Phelps 2013). Under this model, probation becomes a more effective alternative sanction while both probation and prison populations decline.

To date, there has been little research on the effects of mass probation on other macrolevel indicators. One critical question is whether probation rates bear any connection to crime rates. Although the literature on the prison boom and crime is complex and contested, there is agreement that increasing prison populations in the 1980s and 1990s played at least a small role in the 1990s crime declines (Pfaff 2017, NRC 2014, Western 2006). Yet we know little about how variation over time and place in probation rates correlates with patterns in crime. Unfortunately, this research is difficult to conduct, as our estimates of probation rates over time are unreliable and hard to compare across states, especially for misdemeanor probation.

There are some case studies, especially in the contemporary reform era, of jurisdictions radically scaling back probation with few obvious public safety repercussions. New York is perhaps the most notable historical example. Over roughly two decades, New York City cut probation caseloads by two-thirds, allowing the department to increase spending per client and the number of contracted community-based nonprofit services. At the same time, the city saw sharp declines in both index crime rates and incarceration rates (Jacobson et al. 2017). California offers another example. Following a 2011 court decree to reduce prison populations, the state passed a series of reform measures that transferred authority to county-level criminal justice agencies for some felonies. As a result, state prison totals declined—but so too did felony probation totals—with seemingly little impact on trends in California's crime rate (Austin 2016).

Even more broadly, a number of scholars have noted the corrosive effects of the carceral state on society. Much of this analysis has focused on how punitive criminal justice policies have reinforced racial hierarchies, with some articulating our contemporary system of punishment as a new form of racial domination akin to Jim Crow (Alexander 2010, Wacquant 2000). Other scholars have focused on the political consequences of mass penal control and, in particular, the silencing of entire swaths of the citizenry through felony disenfranchisement and voter discouragement (Burch 2014, Manza & Uggen 2008). Lerman & Weaver (2014) provide the most detailed account of this process, arguing that justice contact reshapes citizens' perceptions of the state, decreasing their trust in institutions and their sense of inclusion and protection as a full and equal member of society. Brayne (2014) documents that this distrust goes beyond formal institutions, reducing contact with nongovernment institutions, including medical and educational service providers. More recent work, however, suggests that criminal justice contact may paradoxically increase certain kinds of political activism and engagement, among both justice-involved individuals and their family members, helping to explain the rise of movements like Black Lives Matter (Owens & Walker 2018, Remster & Kramer 2018). Although these studies rarely focus on the experiences of probation, as the most common form of formal supervision, it is probably a core driver of some of these results.

## CONCLUSION: CHARTING A PATH FORWARD

### Plan for Research

As described above, there is a critical dearth of both descriptive and causal analyses of probation. Given its outsized role in the criminal justice system, this omission represents a serious gap. For the 3.7 million adults on probation in 2016, or the nearly 2 million expected to enter probation next year, we know little about how this supervision will impact their lives. Centering probation as a critical form of mass penal control and studying its unique impacts on individuals, families, communities, and the country as a whole will help us to better understand the causes and consequences of and alternatives to the carceral state.

We need better data on the reach of probation and quasi-probation programs, including court diversion and pre-trial supervision, electronic monitoring, and private probation—and on the experiences of people subject to these forms of punishment. More research is also needed on the effects of probation on individuals' employment, rearrest, and reconviction as well as outcomes like health and family formation and well-being. Critical to this endeavor will be defining the counterfactual: what is probation an alternative to—and for whom? It will also be important to differentiate the various aspects of supervision—e.g., supportive counseling and service referral versus drug testing—in evaluating its impacts. For example, does testing for marijuana, which is decriminalized in many places, help or hinder probationers' success? We also need to understand the role of probation on family support systems, children, and neighborhoods. What does it mean to have such high prevalence rates of probation supervision in communities already facing the challenges of poverty and criminalization? How do probation, education, and human services systems intersect in local, state, and national contexts? Finally, what role does probation play in shaping attitudes about the justice system and individuals' status and rights in society? The community supervision reforms spreading across the country today (including sentencing reforms, risk assessments to set supervision levels, graduated sanctioning guidelines, and more) offer a prime laboratory for better understanding the effects of probation on individual, family, and community trajectories.

In addition to empirical research, we need more normative, legal, and theoretical arguments about the meaning and purpose of probation. What is its justification in contemporary punishment? Is it a cheap form of control and surveillance for individuals deemed less risky (Feeley & Simon 1992) or a progressive intervention to increase access to services like drug treatment? Because the nature and goals of probation remain ambiguous, attempts to determine whether probation works are set up to fail (Durnescu et al. 2016).

### Plan for Action

By the early 2000s, criminal justice reform was beginning to percolate across the United States. Local, state, and national groups challenging mass incarceration began to grow in size and prominence. Major national funding was attached to this expansion, channeled primarily through the Justice Reinvestment Initiative, a collaboration between the Bureau of Justice Assistance, Pew Charitable Trusts, Vera Institute of Justice, Council of State Governments Justice Center, and the Urban Institute. Although community supervision was sometimes a part of this discussion, it was often included as a promising alternative to imprisonment or as a mechanism to facilitate early release, rather than a unique or additional problem. Indeed, as prison populations nationally began to decline after 2007, parole totals were the only totals to continue to grow (Kaeble & Cowhig 2018).

In contrast, today a new movement is springing up to address the unique scale and harms of mass supervision, a concept initially developed by scholars working across Europe (McNeill 2018).

This new group of advocates, researchers, philanthropists, and policymakers is attempting to take seriously the idea of probation and parole as a core feature of our overly punitive criminal justice system. As with justice reinvestment, this new reform plank has grassroots support as well as major investments from groups like The Pew Charitable Trusts, Arnold Ventures, and the REFORM Alliance, a new criminal justice initiative helmed by celebrity reformers, including Meek Mill, Jay-Z, and Van Jones; philanthropists; and criminal justice experts.

The content of this push for reform is still developing, but it includes scaling back the indiscriminate use of supervision, reducing and tailoring probation conditions, promoting early release from supervision, and developing better guidelines for responding to probation violations. Perhaps most boldly, a number of prominent probation leaders and advocacy groups, coordinated by Vincent Schiraldi (the former head of New York City's Department of Probation) of Columbia University's Justice Lab, have called for cutting the probation and parole population in half (Columbia Justice Lab 2018). With the resources saved by doing less, reformers argue that probation could do more to proactively support the people on their caseload, foregrounding the dignity and capacity for change of adults on supervision.

Just as research on the collateral consequences of imprisonment was crucial to the movement to downsize prisons, so too is research on the consequences of mass probation essential for building this next wave of action. If this group of reform advocates succeeds and radically scales back probation (and parole) in the United States, it could profoundly shift the research described above. If probation were used sparingly as a real diversion, with meaningful supports in place to help justice-involved adults reclaim their lives, it would likely have profoundly different impacts on individuals, families, communities, and society.

## DISCLOSURE STATEMENT

The author is not aware of any affiliations, memberships, funding, or financial holdings that might be perceived as affecting the objectivity of this review.

## ACKNOWLEDGMENTS

Thank you to the editors of the *Annual Review of Criminology* for the invitation and helpful comments. My thanks also go to David Harding, Vincent Schiraldi, Rebecca Shlafer, and Robert Werth for helpful feedback on the manuscript and to Victoria Piehowski for excellent research assistance.

## LITERATURE CITED

- Aebi MF, Delgrande N, Marguet Y. 2015. Have community sanctions and measures widened the net of the European criminal justice systems? *Punishm. Soc.* 17(5):575–97
- Albonetti CA, Hepburn JR. 1997. Probation revocation: a proportional hazards model of the conditioning effects of social disadvantage. *Soc. Probl.* 44(1):124–38
- Alexander M. 2010. *The New Jim Crow: Mass Imprisonment in the Age of Colorblindness*. New York: New Press
- Alper M, Corda A, Reitz KR. 2016. *American Exceptionalism in Probation Supervision*. Minneapolis, MN: Robina Inst. Crim. Law Crim. Justice
- Apel R. 2016. The effects of jail and prison confinement on cohabitation and marriage. *Ann. Am. Acad. Political Soc. Sci.* 665:103–26
- Austin J. 2016. Regulating California's prison population: the use of sticks and carrots. *Ann. Am. Acad. Political Soc. Sci.* 664:84–107
- Beckett K. 2018. The politics, promise, and peril of criminal justice reform in the context of mass incarceration. *Annu. Rev. Criminol.* 1:235–59

- Bonczar TP, Mulako-Wangota J. 2019. *Supervision rate of total probation population*. Corrections Statistical Analysis Tool (CSAT)—Probation, Bur. Justice Stat., Washington, DC, retrieved July 19, 2019. <https://www.bjs.gov/probation/>
- Bonta J, Rugge T, Scott TL, Bourgon GUY, Yessine AK. 2008. Exploring the black box of community supervision. *J. Offender Rehabil.* 47(3):248–70
- Brayne S. 2014. Surveillance and system avoidance: criminal justice contact and institutional attachment. *Am. Soc. Rev.* 79(3):367–91
- Brennan Cent. Justice. 2010. *Criminal Justice Debt: A Barrier to Reentry*. New York: Brennan Cent. Justice
- Burch TR. 2014. Effects of imprisonment and community supervision on neighborhood political participation in North Carolina. *Ann. Am. Acad. Political Soc. Sci.* 651:184–201
- Bur. Justice Stat. 2019. Key statistic: total correctional population. *Bureau of Justice Statistics*. <https://www.bjs.gov/index.cfm?ty=kfdetail&iid=487>
- Campbell MC. 2018. Varieties of mass incarceration: what we learn from state histories. *Annu. Rev. Criminol.* 1:219–34
- Carson EA, Mulako-Wangota J. 2019. *Imprisonment rates of jurisdiction population: sentences greater than 1 year*. Corrections Statistical Analysis Tool (CSAT)—Prisoners, Bur. Justice Stat., Washington, DC, retrieved July 19, 2019. <https://www.bjs.gov/index.cfm?ty=nps>
- Cent. Behav. Health Stat. Qual. 2012. *National survey on drug use and health, 2012*. Subst. Abuse Ment. Health Serv. Adm. Rep. NSDUH-2012-DS0001, US Dep. Health Hum. Serv., Rockville, MD
- Cent. Behav. Health Stat. Qual. 2018a. *National survey on drug use and health, 2016*. Subst. Abuse Ment. Health Serv. Adm. Rep. NSDUH-2016-DS0001, US Dep. Health Hum. Serv., Rockville, MD
- Cent. Behav. Health Stat. Qual. 2018b. *National survey on drug use and health, 2017*. Subst. Abuse Ment. Health Serv. Adm. Rep. NSDUH-2017-DS0001, US Dep. Health Hum. Serv., Rockville, MD
- Chiricos T, Barrick K, Bales W, Bontrager S. 2007. The labeling of convicted felons and its consequences for recidivism. *Criminology* 45(3):547–81
- Clear TR. 2007. *Imprisoning Communities: How Mass Incarceration Makes Disadvantaged Neighborhoods Worse*. Oxford: Oxford Univ. Press
- Clear TR, Latessa EJ. 1993. Probation officer roles in intensive supervision: surveillance versus treatment. *Justice Q.* 10:441–61
- Cohen S. 1985. *Visions of Social Control: Crime, Punishment and Classification*. Cambridge, UK: Polity Press
- Columbia Justice Lab. 2018. *Too Big to Succeed: The Impact of the Growth of Community Corrections and What Should Be Done About It*. New York: Columbia Justice Lab
- Comfort M. 2008. *Doing Time Together: Love and Family in the Shadow of the Prison*. Chicago: Univ. Chicago Press
- Comfort M. 2016. A twenty-hour-a-day job: the impact of frequent low-level criminal justice involvement on family life. *Ann. Am. Acad. Political Soc. Sci.* 665(1):63–79
- Cox A. 2018. *Trapped in a Vice: The Consequences of Confinement for Young People*. Camden, NJ: Rutgers Univ. Press
- CSG Justice Cent. 2019. *Confined and costly: how supervision violations are filling prisons and burdening budgets*. Rep., Counc. State Gov., New York
- Davis E, Whyde A, Langton L. 2018. *Contacts between police and the public, 2015*. Bur. Justice Stat. Rep. NCJ251145, US Dep. Justice, Washington, DC
- DeMichele M. 2014. Studying the community corrections field: applying neo-institutional theories to a hidden element of mass social control. *Theor. Criminol.* 18(4):546–64
- DeMichele MT. 2007. *Probation and parole's growing caseloads and workload allocation: strategies for managerial decision making*. Rep., Am. Probate Parole Assoc., Lexington, KY
- Doherty F. 2016. Obey all laws and be good: probation and the meaning of recidivism. *Georget. Law J.* 104:291–354
- Doleac JL. 2018. *Strategies to productively reincorporate the formerly-incarcerated into communities: a review of the literature*. SSRN Work. Pap. 3198112. <https://papers.ssrn.com/abstract=3198112>
- Durnescu I, McNeill F, Butter R. 2016. *Probation: 12 Essential Questions*. London: Palgrave Macmillan



- Durose MR, Langan PA. 2005. *State court sentencing of convicted felons, 2002*. Bur. Justice Stat. Rep. NCJ208910, US Dep. Justice, Washington, DC
- Fader JJ. 2013. *Falling Back: Incarceration and Transitions to Adulthood among Urban Youth*. New Brunswick, NJ: Rutgers Univ. Press
- Feeley MM, Simon J. 1992. The new penology: notes on the emerging strategy of corrections and its implications. *Criminology* 30(4):449–74
- Finkel M. 2019. *New data: low incomes—but high fees—for people on probation*. Rep., Prison Policy Initiat., Northampton, MA. [https://www.prisonpolicy.org/blog/2019/04/09/probation\\_income/](https://www.prisonpolicy.org/blog/2019/04/09/probation_income/)
- Garland D. 2001. Introduction: the meaning of mass imprisonment. *Punishm. Soc.* 3(1):5–7
- Glaze L, Bonczar T. 2009. *Adults on probation in the United States, 1977–2008*. Bur. Justice Stat. Rep., US Dep. Justice, Washington, DC
- Grattet R, Petersilia J, Lin J, Beckman L. 2009. Parole violations and revocations in California: analysis and suggestions for action. *Fed. Probab.* 73:2–11
- Green DP, Winik D. 2010. Using random judge assignments to estimate the effects of incarceration and probation on recidivism among drug offenders. *Criminology* 48(2):357–87
- Harding DJ, Morenoff JD, Herbert CW. 2013. Home is hard to find neighborhoods, institutions, and the residential trajectories of returning prisoners. *Ann. Am. Acad. Political Soc. Sci.* 647(1):214–36
- Harding DJ, Morenoff JD, Nguyen AP, Bushway SD. 2017a. Short- and long-term effects of imprisonment on future felony convictions and prison admissions. *PNAS* 114(42):11103–8
- Harding DJ, Morenoff JD, Wyse JJB. 2018. *On the Outside: Prisoner Reentry and Reintegration*. Chicago: Univ. Chicago Press
- Harding DJ, Siegel JA, Morenoff JD. 2017b. Custodial parole sanctions and earnings after release from prison. *Soc. Forces* 96(2):909–34
- Harris A. 2016. *A Pound of Flesh: Monetary Sanctions as Punishment for the Poor*. New York: Russell Sage Found.
- Hipp JR, Petersilia J, Turner S. 2010. Parolee recidivism in California: the effect of neighborhood context and social service agency characteristics. *Criminology* 48(4):947–79
- Jacobs JB. 2015. *The Eternal Criminal Record*. Cambridge, MA: Harv. Univ. Press
- Jacobson MP, Schiraldi V, Daly R, Hotez E. 2017. *Less is more: how reducing probation populations can improve outcomes*. Rep., Executive Session Community Correct. Harv. Kennedy School, Boston, MA
- Kaeble D, Cowhig M. 2018. *Correctional populations in the United States, 2016*. Bur. Justice Stat. Rep. NCJ251148, US Dep. Justice, Washington, DC
- Kaeble D, Maruschak L, Bonczar T. 2017. *Probation and parole in the United States, 2014*. Bur. Justice Stat. Rep. NCJ249057, US Dep. Justice, Washington, DC
- Kirk DS, Wakefield S. 2018. Collateral consequences of punishment: a critical review and path forward. *Annu. Rev. Criminol.* 1:171–94
- Klinge C. 2013. Rethinking the use of community. *J. Crim. Law Criminol.* 103(4):1015–70
- Knapp CD, Howell BA, Wang EA, Shlafer RJ, Hardeman RR, Winkelman TNA. 2019. Health insurance gains after implementation of the Affordable Care Act Among individuals recently on probation: USA, 2008–2016. *J. Gen. Intern. Med.* 34(7):1086–88
- Kohler-Hausmann I. 2018. *Misdemeanorland: Criminal Courts and Social Control in an Age of Broken Windows Policing*. Princeton: Princeton Univ. Press
- Kohler-Hausmann I. 2019. *Eddie Murphy and the dangers of counterfactual causal thinking about detecting racial discrimination*. SSRN Work. Pap. 3050650. <https://papers.ssrn.com/abstract=3050650>
- Kurlychek MC, Johnson BD. 2019. Cumulative disadvantage in the American criminal justice system. *Annu. Rev. Criminol.* 2:291–319
- Latessa E, Lowenkamp C. 2006. What works in reducing recidivism? *Univ. St. Thomas Law J.* 3(3):521–35
- Lauritsen JL, Rezey ML, Heimer K. 2016. When choice of data matters: analyses of U.S. crime trends, 1973–2012. *J. Quant. Criminol.* 32(3):335–55
- Lerman AE, Weaver VM. 2014. *Arresting Citizenship: The Democratic Consequences of American Crime Control*. Chicago: Univ. Chicago Press
- Leverentz AM. 2014. *The Ex-Prisoner's Dilemma: How Women Negotiate Competing Narratives of Reentry and Desistance*. New Brunswick, NJ: Rutgers Univ. Press

- Loeffler CE. 2013. Does imprisonment alter the life course? Evidence on crime and employment from a natural experiment. *Criminology* 51(1):137–66
- Lowenkamp CT, Flores AW, Holsinger AM, Makarios MD, Latessa EJ. 2010. Intensive supervision programs: Does program philosophy and the principles of effective intervention matter? *J. Crim. Justice* 38(4):368–75
- MacKenzie DL, Browning K, Skroban SB, Smith DA. 1999. The impact of probation on the criminal activities of offenders. *J. Res. Crime Delinquency* 36(4):423–53
- Manza J, Uggen C. 2008. *Locked Out: Felon Disenfranchisement and American Democracy*. New York: Oxford Univ. Press
- May DC, Wood PB, Eades A. 2008. Lessons learned from punishment exchange rates: implications for theory, research, and correctional policy. *J. Behav. Anal. Offender Vict. Treat. Prev.* 1(2):187–201
- McKim A. 2017. *Addicted to Rehab: Race, Gender, and Drugs in the Era of Mass Incarceration*. New Brunswick, NJ: Rutgers Univ. Press
- McNeill F. 2018. Mass supervision, misrecognition and the “Malopticon.” *Punishm. Soc.* 21(2):207–30
- Miller RJ. 2014. Devolving the carceral state: race, prisoner reentry, and the micro-politics of urban poverty management. *Punishm. Soc.* 16:305–35
- Morash M, Kashy DA, Smith SW, Cobbina JE. 2017. Technical violations, treatment and punishment responses, and recidivism of women on probation and parole. *Crim. Justice Policy Rev.* 30(5):788–810
- Natapoff A. 2018. *Punishment Without Crime: How Our Massive Misdemeanor System Traps the Innocent and Makes America More Unequal*. New York: Basic Books
- Natl. Res. Counc. (NRC). 2014. *The Growth of Incarceration in the United States: Exploring Causes and Consequences*. Washington, DC: Natl. Acad. Press
- Olson DE. 2019. Probation revocation. In *Oxford Research Encyclopedias: Criminology and Criminal Justice*, ed. HN Pontell. Oxford, UK: Oxford Univ. Press
- Owens ML, Walker HL. 2018. The civic voluntarism of “custodial citizens”: involuntary criminal justice contact, associational life, and political participation. *Perspect. Politics* 16(4):990–1013
- Pager D. 2007. *Marked: Race, Crime, and Finding Work in an Era of Mass Incarceration*. Chicago: Univ. Chicago Press
- Petersilia J, Turner S. 1993. Intensive probation and parole. *Crime Justice* 17:281–35
- Pettit B. 2012. *Invisible Men: Mass Incarceration and the Myth of Black Progress*. New York: Russell Sage Found.
- Pfaff J. 2017. *Locked In: The True Causes of Mass Incarceration and How to Achieve Real Reform*. New York: Basic Books
- Phelps MS. 2013. The paradox of probation: community supervision in the age of mass incarceration. *Law Policy* 35(1–2):51–80
- Phelps MS. 2016. Possibilities and contestation in twenty-first-century US criminal justice downsizing. *Annu. Rev. Law Soc. Sci.* 12:153–70
- Phelps MS. 2017. Mass probation: toward a more robust theory of state variation in punishment. *Punishm. Soc.* 19(1):53–73
- Phelps MS. 2018. Mass probation and inequality: race, class, and gender disparities in supervision and revocation. In *Handbook on Punishment Decisions: Locations of Disparity*, ed. JT Ulmer, MS Bradley, pp. 43–65. New York: Routledge
- Phelps MS, Ruhland E. 2019. *Governing marginality: coercion and care in probation supervision*. Paper presented at the 2019 Annual Meeting of the Law and Society Association, Washington, DC, May 31
- Raphael S, Stoll MA. 2013. *Why Are So Many Americans in Prison?* New York: Russell Sage Found.
- Reitz KR, Rhine EE. 2020. Parole release and supervision: critical drivers of American prison policy. *Annu. Rev. Criminol.* 3:281–98
- Remster B, Kramer R. 2018. Race, space, and surveillance: understanding the relationship between criminal justice contact and institutional involvement. *Socius*. <https://doi.org/10.1177/2378023118761434>
- Rios VM. 2011. *Punished: Policing the lives of Black and Latino Boys*. New York: NYU Press
- Rios VM. 2017. *Human Targets: Schools, Police, and the Criminalization of Latino Youth*. Chicago: Univ. Chicago Press

- Schoenfeld H. 2016. A research agenda on reform: penal policy and politics across the states. *Ann. Am. Acad. Political Soc. Sci.* 664(1):155–74
- Spohn C. 2015. Race, crime, and punishment in the twentieth and twenty-first centuries. *Crime Justice* 44(1):49–97
- Shaffer DK. 2011. Looking inside the black box of drug courts: a meta-analytic review. *Justice Q.* 28(3):493–521
- Sissoko DRG, Goshin LS. 2019. Mothering under community criminal justice supervision in the United States. In *The Palgrave Handbook of Prison and the Family*, ed. M Hutton, D Moran, pp. 431–55. London: Palgrave Macmillan
- Skeem JL, Manchak S. 2008. Back to the future: from Klockars' model of effective supervision to evidence-based practice in probation. *J. Offender Rehabil.* 47(3):220–47
- Skeem JL, Manchak S, Peterson JK. 2011. Correctional policy for offenders with mental illness: creating a new paradigm for recidivism reduction. *Law Hum. Behav.* 35(2):110–26
- Sykes BL, Pettit B. 2014. Mass incarceration, family complexity, and the reproduction of childhood disadvantage. *Ann. Am. Acad. Political Soc. Sci.* 654(1):127–49
- Taxman FS. 2012. Probation, intermediate sanctions, and community-based corrections. In *The Oxford Handbook of Sentencing and Corrections*, ed. J Petersilia, KR Reitz, pp. 363–85. New York: Oxford Univ. Press
- Turney K, Conner E. 2019. Jail incarceration: a common and consequential form of criminal justice contact. *Annu. Rev. Criminol.* 2:265–90
- Vaughn MG, DeLisi M, Beaver KM, Perron BE, Abdon A. 2012. Toward a criminal justice epidemiology: behavioral and physical health of probationers and parolees in the United States. *J. Crim. Justice* 40(3):165–73
- Wacquant L. 2000. The new “peculiar institution”: on the prison as surrogate ghetto. *Theor. Criminol.* 4(3):377–89
- Wakefield S, Wildeman C. 2013. *Children of the Prison Boom: Mass Incarceration and the Future of American Inequality*. Oxford: Oxford Univ. Press
- Welsh M. 2019. How formerly incarcerated women confront the limits of caring and the burdens of control amid California's carceral realignment. *Fem. Criminol.* 14(1):89–114
- Werth R. 2012. I do what I'm told, sort of: reformed subjects, unruly citizens, and parole. *Theor. Criminol.* 16:329–46
- Western B. 2006. *Punishment and Inequality in America*. New York: Russell Sage Found.
- Western B. 2018. *Homeward: Life in the Year After Prison*. New York: Russell Sage Found.
- Western B, Muller C. 2013. Mass incarceration, macrosociology, and the poor. *Ann. Am. Acad. Political Soc. Sci.* 647:166–89
- Winkelman TNA, Phelps MS, Mitchell K, Jennings L, Schlafer RJ. 2020. Physical health and disability among adults on community supervision in the United States. *J. Corr. Health Care*. In press