



PRISON TRANSPARENCY PROJECT REPORT:

Critique of the Parole and Probation Process

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CRITIQUE OF THE PAROLE AND PROBATION PROCESS

The parole and probation processes in the United States are intended to provide a pathway for individuals to reintegrate into society after serving their sentences. However, these systems are deeply flawed, and in many cases, they contribute to ongoing cycles of punishment and control, particularly through the increasing use of ankle monitoring, excessive punishments for minor infractions, and the power dynamics within the Parole Board process.

1. Ankle Monitoring and the New Police State

The rise of ankle monitoring as an alternative to incarceration is often touted as a humane solution, but in reality, it represents a new form of control that has its own set of problems. While monitoring allows individuals to serve probation or parole outside of prison, it does so under strict, 24-hour surveillance, often with unreasonable restrictions on movement, curfew, and access to technology. These devices can be humiliating and stigmatizing, limiting the ability to reintegrate into society.

Ankle monitors also place a financial burden on those under supervision, as many jurisdictions require individuals to pay for the monitoring devices themselves. This creates a system where low-income individuals are disproportionately impacted, trapping them in cycles of debt and non-compliance, which can lead to reincarceration for technical violations, even if no new crime has been committed. In essence, this technological extension of incarceration creates a new form of a police state where freedom is conditional and constantly monitored.

2. Flaws in the Parole Board Process

The parole board process is plagued with issues, including a lack of transparency, arbitrary decision-making, and the tendency to impose excessive punishments for relatively minor infractions. In some cases, decisions seem to depend more on subjective judgments than on objective, rehabilitative progress. The board members often have little accountability for their decisions, leading to inconsistent rulings that disproportionately affect marginalized populations.

A glaring example of the system's failure is the illegal sale of cell phones by prison staff to inmates. When prisoners are caught with these devices, they face severe penalties, such as a five-year denial of parole eligibility. This form of punishment is egregiously disproportionate to the offense, especially considering that the initial wrongdoing—illegally providing the phones—comes from the prison staff themselves. The punishment falls squarely on the inmate, further entrenching the system's bias and inequality.

Additionally, parole hearings often take place without meaningful representation for the incarcerated individual, leaving them at the mercy of board members who may hold preconceived notions about their suitability for release. This problem is exacerbated by political

pressures, as parole boards are frequently more concerned with avoiding public criticism for releasing someone who might re-offend than they are with ensuring fairness and justice.

3. Economic Impact and Lack of Rehabilitation Focus

The financial implications of extending incarceration through probation violations or parole denials are enormous. Taxpayers bear the cost of maintaining individuals in prisons when they could otherwise be reintegrating into society as contributing members. The average cost of incarceration in the U.S. is between \$30,000 and \$60,000 per inmate annually, depending on the state. Meanwhile, the opportunity for parole—meant to save money and reduce the prison population—has been co-opted into another form of punitive control.

In theory, parole and probation should serve as transitions to help former inmates reintegrate into society. However, these processes too often focus on control and punishment rather than rehabilitation. Probation conditions, for example, are sometimes overly restrictive, setting individuals up for failure. A minor slip—such as missing an appointment or failing to pay fines—can lead to reincarceration. This lack of flexibility does nothing to rehabilitate the individual but instead perpetuates a punitive cycle.

4. Recommendations for Reform

To address these issues, several reforms are necessary:

- **Transparency in Parole Board Decisions:** Parole board hearings and decisions should be more transparent, with clear criteria for release. This could involve standardized guidelines and greater accountability for board members.
- **Reducing Overuse of Ankle Monitoring:** Ankle monitors should be used sparingly and only in situations where they are truly necessary. Alternatives, such as supportive housing programs and community reintegration services, should be prioritized to avoid the continued surveillance of individuals who have already served their time.
- **Proportionality of Punishments:** Punishments for infractions, such as possession of a cell phone, should be proportional to the offense. Rather than denying parole for several years, penalties should focus on rehabilitative efforts and addressing the root causes of infractions, such as staff corruption.
- **Focus on Rehabilitation, Not Punishment:** The parole and probation systems need to shift their focus from punishment to rehabilitation. This could include reducing technical violations that lead to reincarceration and emphasizing reintegration support, such as employment assistance and mental health services, rather than continued surveillance.

By shifting away from punitive measures and towards a system rooted in fairness, rehabilitation, and accountability, the parole and probation processes can become tools for reintegration rather than further punishment and control.

This report is part of a series produced by the Prison Transparency Project, aimed at uncovering and addressing issues within the prison system. For additional reports and recommendations, please visit our website at <https://prisontransparency.com>.