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### Incarceration vs. Probation

Probation and incarceration make up an integral part of the United States correctional system and are regarded as punitive measures to make lawbreakers accountable for their actions. Incarceration is the main form of punishment for the commission of crime according to which a person is confined in prison for a set period. Meanwhile, probation is the most used correctional option in the US that envisions the release of an offender from detention and the appointment of a supervisor for the probationary period. Incarceration is a form of severe punishment for an offender, while probation gives a lawbreaker a second chance to demonstrate law-abiding behavior. Therefore, probation is an effective means of crime control, allowing offenders to change their lives for the better, while incarceration dehumanizes offenders and increases recidivism incidence rates.

Probation is a more cost-efficient option to punish an offender for illicit activity than incarceration. According to Krisberg, Marchionna, and Hartney, probation is meant to satisfy the purpose of the government and the public in prosecuting crime in a less harsh and costly way in comparison with incarceration (89). In criminal law, the main purpose of probation is to restrict an offender's freedom and help a probationer to avoid further illegal activity through treatment, social work services, and education. Meanwhile, incarceration is costly to state and federal

governments and citizen taxpayers since the US spends \$100 billion annually on the maintenance of 2.3 million people behind bars (Krisberg et al. 92). Thus, it is more efficient for the country to put a person on probation and thus, save funds and give him or her the opportunity to restore to normality.

Besides, probation is a more effective means of crime control than incarceration because it helps to reduce recidivism among offenders due to various interventions of probation officers. The effectiveness of probation can be measured by tracking recidivism rates and crime rates (Krisberg et al. 89). Supervisors are expected to show high levels of accountability for an offender's actions. Meanwhile, incarceration increases recidivism due to two reasons. Firstly, former inmates who served 20 and more years can face difficulties when trying to adapt to the free world and often fail. Thus, they reoffend to return to a safe and convenient place in which they spend a significant amount of their lives. Secondly, people who served their sentences in prison can be unable to manage their anger while being free and therefore, are more likely to repeat their crimes. Thus, probation helps lawbreakers to give up illegal activities and ensures better crime control.

Nevertheless, probation often does not satisfy the public need for accountability of offenders, while incarceration is recognized as an appropriate punitive measure. As Krisberg and colleagues emphasize, public opinion influences and is influenced by how justice is carried out at the national level (89). Public ideas about the relationship between crime and punishment are often exploited by politicians to inflame public sentiment for political purposes. Currently, society tends to view probation as a lenient outcome for committing a crime and questions whether the legal system meets its mandate (Krisberg et al. 90). However, the public needs to

understand that all offenders cannot be incarcerated and put behind bars because it would burden the financial state of the country and even lead to mass protests.

In addition to that, probation is not a less punitive measure for offenders than incarceration since in both cases, individuals' freedoms are restricted. Concerning incarceration, it is apparent that inmates cannot socially interact with or harm law-abiding citizens. On probation, probationers are subject to strict rules that determine their behavior in society. In particular, probationers cannot leave a designated area or change residence and employment without permission and are obliged to pay supervision fees, fines, restitution, or other fees ordered by the court, regularly report to a probation officer, and submit to drug and alcohol tests (Krisberg et al. 99). Due to electronic monitoring that is often ordered by the court, probationers are under the total control of their assigned supervisors. Thus, both probation and incarceration burden offenders and restrict their freedoms.

Incarceration harms people's health and social relations, whereas probation provides them with an opportunity to improve their lives and receive social benefits. Probation supports offenders' efforts to socialize and become good citizens through available rehabilitation programs. Moreover, when being put on probation, offenders can improve their health, create positive social relationships with neighbors, family, and friends, and deserve good treatment by others. Incarceration does not provide those benefits for inmates who are subject to different forms of violence, social inequality, and poor health services (Kreager and Kruttschnitt 264). In the era of mass incarceration, prisons, jails, and other correctional facilities often fail to meet the health care needs of aging prisoners and provide adequate health care facilities in women's prisons (Kreager and Kruttschnitt 264). Due to a repressive prison regime that prioritizes

punishment and control, inmates usually develop a conflict with each other and destabilize prison social order by promoting violence.

Another important aspect worth reviewing is the impact of incarceration and probation on individuals' family members. According to Martin, family members of incarcerated offenders are hidden victims of the criminal justice system, as they receive little personal support and do not receive any benefits from systemic societal mechanisms (1). Particularly, incarceration has the most negative impact on inmates' children, who encounter a lot of challenges and difficulties in their lives, including psychological strain, economic hardship, suspension from school, and criminal activity (Martin 1). As such, the parent-child bond becomes weakened, as children tend to develop a hostile attitude to a parent in prison and blame him or her for caused issues. Thus, one of the essential advantages of probation is the ability given to offenders to see and raise their children and thus, enhance their familial bonds, while incarceration does not provide those benefits and rather promotes the hostility of a child towards an incarcerated parent.

However, both incarceration and probation serve the public by protecting their safety and ensuring security. In the case of incarceration, offenders are confined in prison; that is why they cannot continue committing crimes and threatening public well-being. Regarding probation, it is the responsibility of a probation officer or supervisor to monitor probationers' daily activities and respond to their violations or new offenses promptly (Krisberg et al. 94). Supervisors not only keep track of probationers behavior but also help them start a new life and get rid of bad habits and addictions. For example, supervisors support probationers' efforts to receive treatment of their alcohol, nicotine, and drug addictions, as well as obtain an education and find a place of employment (Krisberg et al. 95). Probation officers also visit probationers' homes and

workplaces, communicate with their relatives, friends, coworkers, and service providers to keep up with any updates in their behavior (Krisberg et al. 90). Supervisors are responsible for probationers' psychological well-being and often schedule their supervisees for mental health services to recover.

In this context, both probation and incarceration affect the most marginalized offenders by putting them on the fringes of society. Specifically, women who have been put on probation should comply with conditions that involve travel and program participation, which can be difficult for them, especially when they have family caregiving obligations such as finding or paying for childcare so they can attend a required class (Jones). The statistics show that African Americans are also subject to disproportionate rates of supervision and higher revocation rates than white and Hispanic Americans (Jones). Additionally, there is no doubt that probation fees are burdensome for the poor, especially in states with a privatized probation system such as Georgia, Alabama, and Michigan which can coerce the poor to pay for probation under the threat of incarceration (Jones). Therefore, apart from restrictions in freedom, incarceration and probation burden lawbreakers with high payments which some offenders cannot afford.

Consequently, due to factors such as cost, efficiency, and the effect on offenders and their families, probation is more beneficial than incarceration for the US criminal justice system. Prisons may protect the community from crime while offenders are incarcerated, but their impact on recidivism is still questioned. Incarceration is not effective enough because it is costly to the state and federal governments, fails to prevent recidivism, and adversely affects offenders' health and social relations. Probation burdens the financial state of offenders but gives many more opportunities to correct their behavior, deserve good treatment in society, and follow the right

path in life. Both incarceration and probation restrict one's freedom of choice and envision thorough control over lawbreakers which is needed to ensure other people's safety and maintain social order. Hence, incarceration and probation are punitive measures taken by the state to punish offenders, but probation can be regarded as a more beneficial way to penalize a person who commits a crime.

## Works Cited

- Jones, Alexi. "Correctional Control 2018: Incarceration and Supervision by State." *Correctional Control 2018: Incarceration and Supervision by State | Prison Policy Initiative*, Dec. 2018, [www.prisonpolicy.org/reports/correctionalcontrol2018.html](http://www.prisonpolicy.org/reports/correctionalcontrol2018.html).
- Kreager, Derek A., and Candace Kruttschnitt. "Inmate Society in the Era of Mass Incarceration." *Annual Review of Criminology*, vol. 1, no. 1, 2018, pp. 261–283., doi:10.1146/annurev-criminol-032317-092513.
- Krisberg, Barry, et al. "Probation and Alternatives to Incarceration." *American Corrections*, Sage Publications, 2015, pp. 89–112.
- Martin, Eric. "Hidden Consequences: The Impact of Incarceration on Dependent Children." *The National Institute of Justice Journal*, no. 278, May. 2017. <https://www.ncjrs.gov/pdffiles1/nij/250349.pdf>

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