



Probation and Parole Frequently Asked Questions

What is the difference between probation and parole?

A person who is on parole has been released from prison or jail before reaching their maximum sentence and, once released, remains on parole until they reach their maximum sentence. A sentence of probation is separate and apart from a sentence of incarceration and is often used by courts in lieu of incarceration. In either case, a violation can land the individual back behind bars. However, if a person is on probation, a violation will typically result in new sentencing. If a person is on parole, a violation will typically result in that person returning to prison to complete their sentence.

How many people in Pennsylvania are on probation or parole?

One out of every 34 adults in Pennsylvania is either on probation or parole.

How does this compare to the rest of the country?

Pennsylvania ranks third nationally in terms of the percentage of its residents on probation or parole. The rate of Pennsylvanians who are on probation or parole is 36% higher than the national average. Pennsylvania has more people on parole than any other state in the nation. Even as the national rate of people on probation or parole is going down, that number is growing in Pennsylvania.

Why does Pennsylvania have such a large probation/parole population relative to the rest of the country?

A number of laws keep the number of Pennsylvanians on probation and parole so high. Pennsylvania law mandates that individuals stay on parole for the remainder of their maximum sentence. For probation, judges have the discretion to extend the probation period to the maximum length of the sentence; most judges in other states are limited in this respect.

Pennsylvania also allows judges to sentence individuals to a probation term even after they have completed their prison sentence or terms of parole.

The use of [probation and parole detainers](#) also deeply contributes to the problem.

What can be done to address this crisis?

The legislature should prioritize passing laws that reform the commonwealth's draconian probation and parole laws. This could include limiting the length of probation and parole terms; reducing the use of probation and parole for low-level offenders; allowing individuals to earn credit towards their parole terms while incarcerated; and limiting the use of pretrial detention to cases where an individual is a threat to themselves or someone else or a flight risk.