



COMMON MISCONCEPTIONS

Distinguishing Among Sanctions

Students, citizens, and the media often confuse the terms *prison*, *jail*, *parole*, and *probation*. As will be presented in greater detail in subsequent chapters, these terms designate different institutions and conditions.

Jails are local facilities managed by cities and counties that perform a somewhat overlapping but distinct purpose from prisons and penitentiaries. While prisons hold individuals convicted of crimes, jails hold both those convicted of crimes and individuals who have not been convicted. For example, jails detain people who have not been offered bail and those who cannot make bail prior to a trial. Prisons hold persons convicted of more serious offenses serving longer sentences; jails detain some individuals who have been convicted of misdemeanors serving a sentence of less than 1 year. An exception to this is the case of prison overcrowding—jails may then incarcerate state and federal felony prisoners serving longer sentences (for a fee).

Probation and parole are types of sentences. Probation is a sentence that suspends or delays a term of full-time incarceration in prison or jail. In return for the suspended or delayed sentence, the judge orders the offender returned to the community, where he or she must abide by certain rules and conditions. Since its inception, the use of probation (and other intermediate sanctions) has become the most common form of sanction administered in the United States. Typically, a person given probation has not served time in a jail or prison for that particular offense. A person just released from prison may be placed on parole as part of his or her sentence. Parole operates like probation in that the offender is released from prison back into the community, where he or she must abide by certain rules and conditions. Failure to comply with those rules means returning to prison.