

# Incarceration and Social Inequality\*

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In the last few decades the institutional contours of American social inequality have been transformed by the rapid growth in the prison and jail population. America's prisons and jails have produced a new social group, a group of social outcasts who are joined by the shared experience of incarceration, crime, poverty, racial minority, and low education. As an outcast group, the men and women in our prisons and jails, have little access to the social mobility available to the mainstream. Social and economic disadvantage, crystallizing in penal confinement, is sustained over the life course and transmitted from one generation to the next. This is a profound institutionalized inequality that has renewed race and class disadvantage. Still the scale and empirical details are largely an unknown story.

In this paper we describe some new research outlining several of the latest trends in incarceration and their social and economic impact. Though the rate of incarceration is historically high, perhaps the most important social fact is the inequality in penal confinement, producing extraordinary rates of

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incarceration among young African American men with no more than a high school education. For those young men, born since the mid-1970s, serving time prison has become a normal life event.

The influence of the penal system on social and economic disadvantage can be seen the economic and family lives of the formerly-incarcerated. The social inequality produced by mass incarceration is large and enduring for three main reasons: it is invisible, cumulative, and intergenerational. The inequality is invisible in the sense that institutionalized populations commonly lie outside of our official accounts of economic wellbeing. Prisoners, though drawn from the lowest rungs in society, appear in no measures of poverty or unemployment and the full extent of the disadvantage of groups with high incarceration rates is under-estimated as a result. The inequality is cumulative in the sense that the social and economic penalties that flow from incarceration are accrued by those who already have the weakest economic opportunities. Mass incarceration thus deepens disadvantage and forecloses mobility for the most marginal in society. Finally, carceral inequalities are intergenerational affecting not just those who go to prison and jail but their families and children too.

#### THE DEMOGRAPHY OF THE PRISON BOOM

The scale of incarceration is measured by a rate which records the fraction of the population in prison or jail on an average day. From 1980 to 2008, the US incarceration rate climbed from 221 to 762 per 100,000. In the previous five decades from the 1920s through the mid-1970s, the scale of punishment in America had been stable at around 100 per 100,000. Though the incarceration rate is now nearly eight times its historic average, the scale of punishment today gains its social force from its unequal distribution.

Like criminal activity, prisons and jails are overwhelmingly a male affair. Men account for 90 percent of the prison population and a similar proportion of those in county jails. The incarceration rate has been growing faster among women in recent decades, but the social impact of mass incarceration lies in the gross asymmetry of community and family attachment. Women remain in their communities raising children, while men confront the possibility of separation through incarceration.<sup>1</sup> Age intensifies these effects. Incarceration rates are highest for those in their twenties and early thirties. These are key years in the life course, when most men are establishing their pathway through adulthood by leaving school, getting a job, and starting a family. These years of early adulthood are important not just for a man's life trajectory, but also for families and children which he helps support.

Age and sex are the staples of demographic analysis, and the relative youth of the largely male incarcerated population foreshadows much about the effects of mass incarceration. Still, it is the profound race and class disparities in incarceration that produce the new class of social outsiders. African Americans have always been incarcerated at higher rates than whites, at least since statistics were available from the late nineteenth century. The extent of racial disparity however has varied greatly over the past century. The extent of racial disparity has roughly an inverse relationship to the slow incorporation of African Americans as full citizens of American society. In the late nineteenth century, Census data show that the incarceration rate among blacks was roughly twice that of whites. The demographic erosion of Jim Crow through the northern migration of southern blacks increased racial disparity in incarceration through the first half of the twentieth century.

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<sup>1</sup>Candace Kruttschnitt shows in this issue that women's incarceration has large effects by separating mothers from their children. The continued growth of women's incarceration rates threatens to have the large-scale effects on family life that we see among men.

(Racial disparities in incarceration have always been higher in the north than the south.) By the late 1960s at the zenith of civil rights activism, the racial disparity had climbed to its contemporary level at which African Americans were seven times more likely to be in prison or jail than whites.

Class inequalities in incarceration are reflected in the very low educational level of those in prison and jail. The legitimate labor market opportunities of men with no more than a high school education have deteriorated as the prison population has grown, and prisoners themselves are drawn overwhelmingly from the least educated. State prisoners average just a tenth grade education, and about 70 percent have no high school diploma.<sup>2</sup>

Disparities of race, class, gender and age have produced extraordinary rates of incarceration among young black men with little schooling. Figure 1 shows prison and jail incarceration rates for men under age 35 in 1980 at the beginning of the prison boom, and in 2008, at its height. The figure reports incarceration separately for whites, Latinos, and blacks, and at three levels of education. Looking just at men with at college education, we see that incarceration rates today have barely increased since 1980. Incarceration rates have increased among blacks and whites who have completed high school. Among young black men with high school diplomas, about 1 in 10 are in prison or jail.

Most of the growth in incarceration rates is concentrated at the very bottom among young men with very low levels of education. In 1980, around 10 percent of young black men who dropped out of high school were in prison or jail. By 2008, this incarceration rate had climbed to 37 percent, an astonishing level of institutionalization given the average incarceration rate

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<sup>2</sup>Bruce Western, *Punishment and Inequality in America* (Russell Sage Foundation, 2006); Caroline Wolf Harlow, *Education and Correctional Populations* (Bureau of Justice Statistics, 2003).

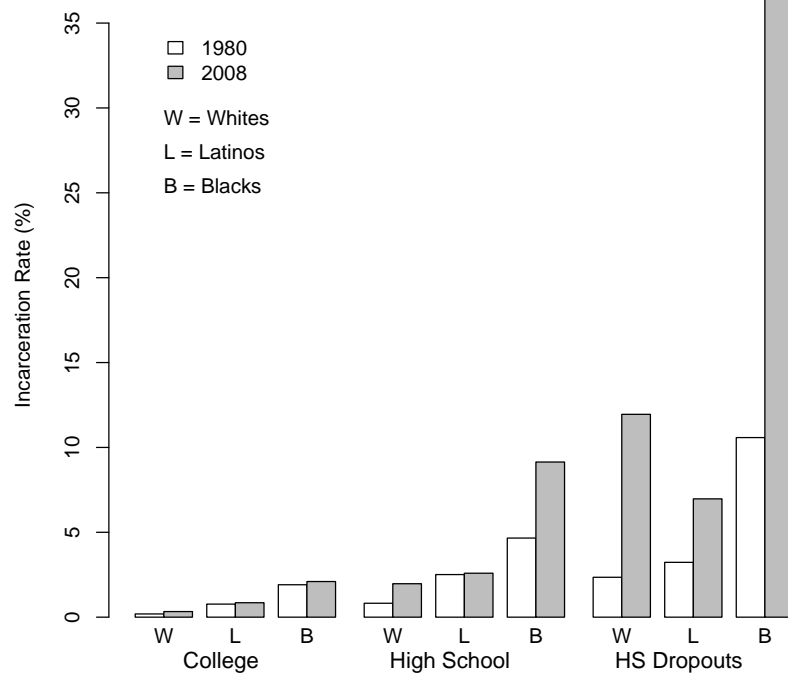


Figure 1. Percentage of men aged 20 to 34 in prison or jail, by race/ethnicity and education, 1980 and 2008. Source: Becky Pettit, Bryan Sykes, and Bruce Western, “Technical Report on revised Population Estimates and NLSY79 Analysis Tables for the Pew Public Safety and Mobility Project,” (Harvard University, 2009).

in the population of .76 of one percent. Even among young white dropouts, the incarceration rate had grown remarkably, with around 1 in 8 behind bars by 2008. The great growth of incarceration rates among the least educated reflects increasing class inequality in incarceration through the period of the prison boom.

These incarceration rates provide only a snapshot at a point in time. We can also examine the lifetime chances of incarceration—the chances that someone would go to prison at some point in their lives. This cumulative risk of incarceration is important if serving time in prison confers an enduring status that affects life chances after returning to free society. The lifetime risk of imprisonment describes how many people are at risk of these diminished life chances.

We calculated the cumulative chance of imprisonment for two birth cohorts, one born just after World War Two, 1945-1949, and another born from 1975 to 1979. For each cohort, we calculated the chances of imprisonment, not jail incarceration. Prisons are the deep end of the criminal justice system, now incarcerating people for 28 months on average, for a felony conviction. While there are about 10 million admissions to local jails each year—for those awaiting trial, or serving short sentences—around 700,000 prisoners are now admitted annually to state and federal facilities.

These cumulative chances of imprisonment are calculated up to age 34. For most of the population, this represents the lifetime likelihood of serving prison time. For the older postwar cohort who reached their mid-thirties at the end of the 1970s, about 1 in 10 African American men served time in prison. For the younger cohort born 1975-1979, the lifetime risk of imprisonment for black men had increased to 1 in 4. Prison time has become a normal life event for black men who have dropped out of high school. Fully

Table 1. Cumulative risk of imprisonment by age 30–34, men born 1945–1949 and 1975 to 1979, by educational attainment and race/ethnicity. (HS/GED denotes completed high school or equivalency.)

	High School			
	All	Dropouts	HS/GED	College
<i>1945–1949 cohort</i>				
White	1.4	3.8	1.5	0.4
Black	10.4	14.7	11.0	5.3
Latino	2.8	4.1	2.9	1.1
<i>1975–1979 cohort</i>				
White	5.4	28.0	6.2	1.2
Black	26.8	68.0	21.4	6.6
Latino	12.2	19.6	9.2	3.4

*Source:* Pettit, Sykes, and Western (2009).

68 percent of these men, born since the mid-1970s, have prison records. The high rate of incarceration has redrawn the pathway through young adulthood. Several of the main sources of upward mobility for African American men—military service and a college degree—are significantly less common than a prison record. For the first generations growing up in the post-civil rights era, the prison now looms as a significant institutional influence on life chances.

#### INCARCERATION AND INEQUALITY

The ubiquity of penal confinement in the lives of young black men with little schooling is historically novel, emerging only in the last decade. This however, is only half the story of understanding the significance of mass incarceration in America. The other half of this story concerns the effects of incarceration on social and economic inequality. The inequalities produced by contemporary patterns of incarceration have three characteristics: the in-

equalities associated with incarceration are invisible to our usual accounting of the economic well-being of the population; the inequality is cumulative, deepening the disadvantage of the most marginal men in society; and finally, the inequality is intergenerational transmitting the penalties of a prison record from one generation to the next. Because the characteristic inequalities produced by the American prison boom are invisible, cumulative, and intergenerational, they are extremely enduring, sustained over lifetimes and transmitted through families.

### *Invisible Inequality*

The inequality created by incarceration is often invisible to the mainstream of society because incarceration is concentrated and segregative. We have seen that steep racial and class disparities in incarceration have produced a generation of social outliers whose collective experience is wholly different from the rest of American society. The extreme concentration of incarceration rates is compounded by the obviously segregative function of the penal system, often relocating people to far-flung facilities distant from their communities and families. As a result, people in prison and jail are disconnected from the basic institutions—households and the labor market—which dominate our common understanding and measurement of the population. The segregation and social concentration of incarceration thus help conceal its effects. This is particularly important for public policy because in assessing the social and economic well-being of the population, the incarcerated fraction is frequently overlooked, and inequality is under-estimated as a result.

The idea of invisible inequality is illustrated by considering the employment rates as they are conventionally measured by the Current Population Survey, the large monthly labor force survey run by the Census Bureau. For



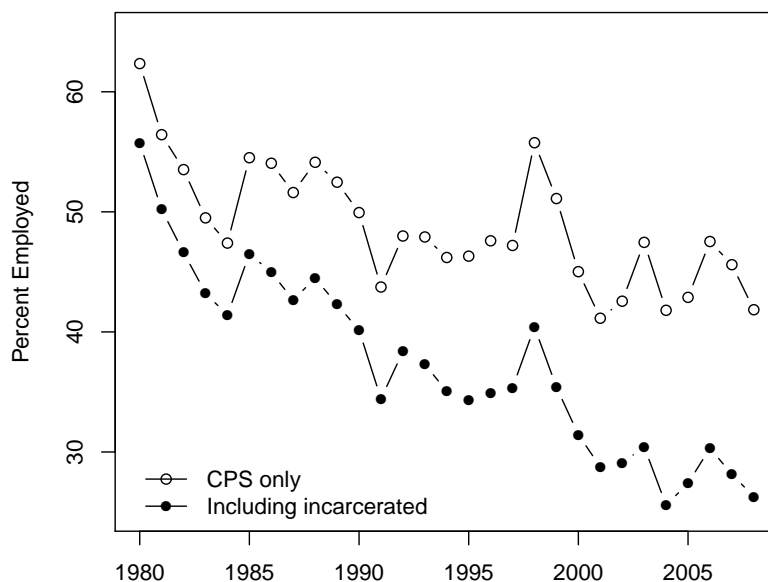


Figure 2. Employment to population ratio, African American men aged 20–34, with less than 12 years of schooling. Source: Pettit, Sykes, and Western (2009).

groups who are weakly attached to the labor market, like young men with little education, economic status is often measured by the employment-to-population ratio. This figure, more expansive than the unemployment rate, counts as jobless those who have dropped out of the labor market altogether. The Current Population Survey is drawn on a sample of households, so those who are institutionalized are not included in survey-based description of the population.

Figure 2 shows the employment to population ratio for African American men under age 35, who have not completed high school. Conventional estimates of the employment rate show that by 2008, around 40 percent of

black male dropouts were employed. These estimates based on the household survey fail to count that part of the population in prison or jail. Once prison and jail inmates are included in the population count (and among the jobless), we see that employment among young black men with little schooling fell to around 25 percent by 2008. Indeed, by 2008, these men were more likely to be locked up than employed.

### *Cumulative Inequality*

Serving time in prison or jail diminishes social and economic opportunities, and as we have seen, these diminished opportunities are found among those who are already most socio-economically disadvantaged. A burgeoning research literature examining the economic effects of incarceration finds that incarceration is associated with reduced earnings and employment<sup>3</sup>

We analyzed panel data from the National Longitudinal Survey Youth, one of the few surveys to follow respondents over a long period of time, and interviewing incarcerated respondents in prison. The NLSY began in 1979 when its panel of respondents were aged 14 to 21, and completed its latest round of interviews in 2006. Matching our population estimates of incarceration, 1 in 5 black males respondents in the NLSY have been interviewed at some point between 1979 and 2006 while incarcerated, compared to 5 percent of whites and 12 percent of Latino respondents. Analysis of the NLSY showed that serving time in prison was associated with a 40 percent reduction in earnings, reduced job tenure, reduced hourly wages, and higher unemployment.

The negative effects of incarceration, even among men with very poor

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<sup>3</sup>Harry J. Holzer, "Collateral Costs: Effects of Incarceration on Employment and Earnings Among Young Workers," in *Do Prisons Make Us Safer?*, edited by Steven Raphael and Michael A. Stoll (Russell Sage Foundation 2009).

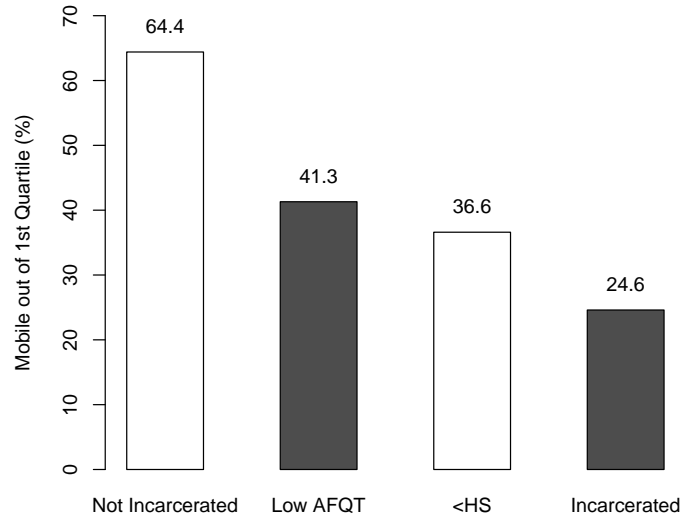


Figure 3. 20-year earnings mobility among men in the bottom of quintile of the earnings distribution in 1986, NLSY men. Source: Pettit, Sykes, and Western (2009).

economic opportunities to begin with, are related to the strong negative perceptions of employers of job seekers with criminal records. Devah Pager’s experimental research has studied these employer perceptions by sending pairs of fake job seekers to apply for real jobs.<sup>4</sup> In each pair, one of the job applicants was randomly assigned a resume indicating a criminal record (a parole officer is listed as a reference), and the “criminal” applicant was instructed to check the box for a criminal record on job applications. A criminal record was found to reduce callbacks from prospective employers by around 50 percent, and this effect was larger for blacks than whites.

Incarceration may reduce economic opportunities in several ways. The

<sup>4</sup>Devah Pager, *Marked: Race, Crime, and Finding Work in an Era of Mass Incarceration* (University of Chicago Press, 2007).

conditions of imprisonment may promote habits and behaviors that are poorly suited to the routines of regular work. Time in prison means time out of the labor force, depleting the work experience of the incarcerated compared to their non-incarcerated counterparts. The stigma of a criminal conviction may also repel employers who prefer job applicants with clean records. Pager's audit study offers clearest evidence for the negative effects of criminal stigma. Employers, fearing legal liability or just plain unreliability, are extremely reluctant to take on workers with criminal convictions.

A simple picture of the poor economic opportunities of the formerly incarcerated is given by the earnings mobility of men going to prison compared to other disadvantaged groups. The NLSY data can be used to study earnings mobility over several decades. We calculated the chances that a poor man, in the lowest fifth of the earnings distribution in 1986 would move up and out of the lowest fifth by 2006. Among low-income men who are not incarcerated, nearly two-thirds are upwardly mobile by 2006 (Figure 3). Another group in the NLSY have very low levels of cognitive ability, scoring in the bottom quintile of the Armed Forces Qualifying Test, the standardized test used for military service. Among low-income men with low AFQT scores, only 41 percent are upwardly mobile. Upward mobility is even less common among low-income high school dropouts. Still, we observe the least mobility of all among men who are incarcerated at some point between 1986 and 2006. For these men, only 1 in 4 rise out of the bottom quintile of the earnings distribution.

### *Intergenerational Inequality*

Finally, the effects of the prison boom extend also to the families of those who are incarcerated. Through the prism of research on poverty, scholars

find that the family life of the disadvantaged has become dramatically more complex and unstable over the last few decades. Divorce and non-marital births have contributed significantly to rising rates of single parenthood, and these changes in American family structure are concentrated among low-income mothers. As a consequence, poor children regularly grow up, at least for a time, with a single mother and at different times a variety of adult males in their households.

High rates of parental incarceration likely add to the instability of family life among poor children. Over half of all prisoners have children under the age of 18, and about 45 percent of those parents were living with their children at the time they were sent to prison. About two-thirds of prisoners stay in regular contact with their children either by phone, mail, or visitation (Mumola 2000).<sup>5</sup> The ethnographer, Megan Comfort, paints a vivid picture of the effects of men's incarceration on the women and families in their lives. Quoting a prisoner at San Quentin State Prison in California, Comfor writes:

Nine times out of ten it's the woman [maintaining contact with prisoners]. Why? Because your homeboys, or your friends, if you're in that lifestyle, most the time they're gonna be sittin' right next to your ass in prison. . . The males, they don't really participate like a lot of females in the lives of the incarcerated. . . They don't deal with it, like first of all they don't like to bring to reality that you're in prison; they don't wanna think about that. . . Or some of 'em just don't care. So the male's kinda like wiped out of there, so that *puts all the burden on the woman*.<sup>6</sup>

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<sup>5</sup>Christopher Mumola, "Incarcerated Parents and Their Children," (Bureau of Justice Statistics, 2000).

<sup>6</sup>Megan Comfort, "In the Tube at San Quentin," *Journal of Contemporary Ethnography*, volume 32, number 1, pp. 82. Original emphasis.

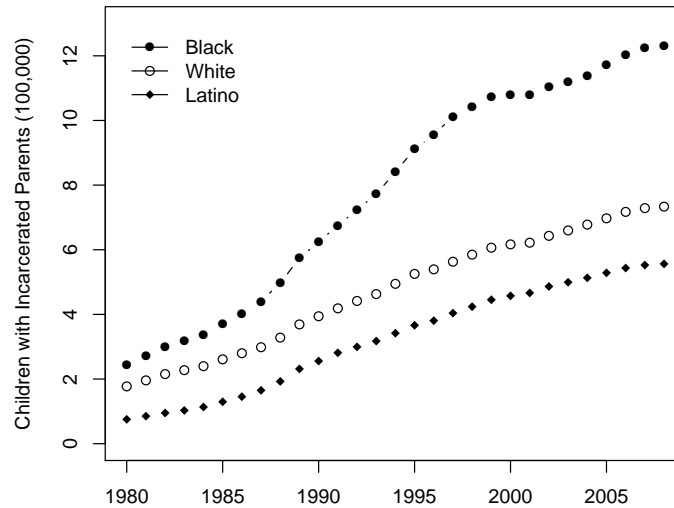


Figure 4. Number of children under 18 with a parent in prison or jail, 1980–2008. Source: Pettit, Sykes, and Western (2009).

Partly because of the burdens of incarceration on women who are left to raise families in free society, incarceration is strongly associated with divorce and separation. In addition to the forced separation of incarceration, the post-release effects on economic opportunities leaves formerly-incarcerated parents less equipped to provide financially for their children. New research also shows that the children of incarcerated parents, particularly the boys, are at greater risk of developmental delays and behavioral problems.<sup>7</sup>

Against this evidence for the negative effects of incarceration we should weigh the gains to public safety obtained by separating violent or otherwise antisocial men from their children and partners. Domestic violence is much

<sup>7</sup>Christopher Wildeman, "Paternal Incarceration and Children's Physically Aggressive Behaviors: Evidence from the Fragile Families and Child Wellbeing Study," Fragile Families and Child Wellbeing Working Paper 2008-02-FF (2008).

more common among the formerly-incarcerated compared to other disadvantaged men. Survey data indicate that formerly incarcerated men are about four times more likely to assault their domestic partners than men who have never been incarcerated. Though the relative risk is very high, around 90 percent of the partners of formerly-incarcerated report no domestic violence at all.

The scale of the effects of parental incarceration on children can be simply shown by statistics showing the number of children with a parent in prison or jail. Among white children in 1980, only .4 of one percent had an incarcerated parent, and by 2008 this figure had increased to 1.75 percent. Rates of parental incarceration are roughly double among Latino children, with 3.5 percent of children with a parent locked up by 2008. Among African American children, 1.2 million had a parent incarcerated by 2008, about 11 percent of all black children.

## DISCUSSION

The spectacular growth in the American penal system over the last three decades was concentrated in a small segment of the population, among young minority men with very low levels of education. By the early 2000s prison time was a common life event, and today over two-thirds of black male dropouts are expected to serve time in state or federal prison. These demographic contours of mass imprisonment have created a new class of social outsiders whose relationship to the state and society is wholly different from the rest of the population.

Social marginality is deepened by the inequalities produced by incarceration. Workers with prison records experience significant declines in earnings and employment. Parents in prison are likely to divorce or separate, and

through the contagious effects of the institution, their children are in some degree prisonized, exposed to the routines of prison life through visitation and the parole supervision of their parents. Yet much of this reality remains hidden from view. In social life, for all but those whose incarceration rates are highest, prisons are exotic institutions unknown to the social mainstream. Our national data systems, and the social facts they produce, are structured around a normative kind of domestic and economic life that systematically excludes prison inmates.

Thus we say that carceral inequalities are invisible, cumulative, and intergenerational. Because they are so deeply concentrated in a small disadvantaged fraction of the population, the social and economic effects of incarceration create a discrete social group whose collective experience is so distinctive yet unknown, that their disadvantage remains largely beyond the apprehension of public policy or public conversation. The redrawing of American social inequality by mass incarceration amounts to a contraction of citizenship, a contraction of that population that enjoys in T.H Marshall's words, "full membership in society."<sup>8</sup> Inequality of this kind threatens to be self-sustaining. Socio-economic disadvantage, crime, and incarceration in the current generation undermines the stability of family life and material support for children. These children, as adults, are at greater risk of diminished life chances and criminal involvement, and at greater risk of incarceration as a result.

Skeptics will respond that these are false issues of social justice: the prison boom substantially reduced crime, and criminals should forfeit their societal membership in any case. The crime-reducing effects of incarceration are hotly debated, however. Empirical estimates of the effects of incarceration on crime

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<sup>8</sup>T.H. Marshall, *Citizenship and Social Class*, (Pluto Press, 1992).



vary widely, and often turn on assumptions that are difficult to test directly. Researchers have focused on the large decline in US crime rates through the 1990s, studying the influence of rising prison populations. Conservative estimates attribute about one-tenth of the 1990s crime decline to the growth in imprisonment rates.<sup>9</sup> Though the precise impact of incarceration on crime is uncertain, there is broad agreement that additional imprisonment at high rates of incarceration does little to reduce crime. The possibility of improved public safety through increased incarceration is by now exhausted.

Studies of the effects of incarceration on crime also focus just on the short-term. Indeed, because of the negative effects of incarceration on economic opportunities and family life, incarceration contributes to crime in the long run by adding to idleness and family breakdown among released prisoners. Scale matters too. If the negative effects of incarceration were scattered among a small number of serious criminal offenders, these effects may well be overwhelmed by the reduction in crime through incapacitation. Today, however, clear majorities of the young men in poor communities are going to prison, and returning home less employable and more detached from their families. In this situation, the institutions charged with public safety have become vitally implicated in the unemployment and the fragile families characteristic of high-crime communities. For poorly-educated young men in high-incarceration communities, a prison record now carries little stigma; incentives to commit to the labor market and family life have been seriously weakened.

To say that prison reduces crime (perhaps only in the short run) is a spectacularly modest claim for a system that now costs \$70 billion annually. Claims of the crime-reducing effects of prison, by themselves, provide little

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<sup>9</sup>Western, *Punishment and Inequality in America*, chapter 7.

guidance for policy because other approaches may be cheaper. Measures to reduce school dropout, increase human capital, and generally increase employment among young men seem especially promising alternatives. Results for programs for very young children are particularly striking. Evaluations of early childhood educational programs show some of their largest benefits decades later in reduced delinquency and crime.<sup>10</sup> For adult men now coming out of prison, new evaluations show that jobs programs reduce recidivism and increase employment and earnings.<sup>11</sup> The demographic concentration of incarceration accompanies spatial concentration. If some portion of that \$70 billion in correctional expenditures were spent on improving skills and reducing unemployment in poor neighborhoods, a sustainable and socially integrative public safety may be produced.

Much of the political debate about crime policy ignores the contemporary scale of criminal punishment, its unequal distribution, and its negative social and economic effects. Our analysis of the penal system as an institution of social stratification, rather than crime control, highlights all these neglected outcomes and leaves us pessimistic that widespread incarceration can sustainably reduce crime. The current system is expensive and it exacerbates the social problems it is charged with controlling. Our perspective, focused on the social and economic inequalities of American life, suggests that social policy improving opportunity and employment, for young men in particular, holds special promise as an instrument for public safety.

Our perspective on inequality ultimately suggests a broader view of public

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<sup>10</sup>Pedro Carneiro and James J. Heckman, “Human Capital Policy,” in *Inequality in America: What Role for Human Capital Policy*, by James J. Heckman and Alan B. Krueger (MIT Press 2003).

<sup>11</sup>Cindy Redcross, Dan Bloom and Gilda Azurdia, “Transitional Jobs for Ex-prisoners: Implementation, Two-Year Impacts, and Costs of the Center for Employment Opportunities (CEO) Prisoner Reentry Program,” (MDRC 2009).

safety that is not produced by punishment alone. A robust public safety grows when people have order and predictability in their daily lives. Crime is just one danger, joining unemployment, poor health, and family instability along a spectrum of threats to an orderly life. This public safety is built as much on the everyday routines of work and family as it is on the police and prisons. Any retrenchment of the penal system must therefore recognize how deeply the prison boom is embedded in the structure of American social inequality. Ultimately, ameliorating these inequalities must be part of the solution to retreating from mass incarceration and building a robust, and socially integrative public safety.