



# INCARCERATION AND ITS FAR-REACHING CONSEQUENCES

By Terry-Ann Craigie, Ph.D.

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## Racialized mass incarceration in the United States has profound effects on the labor market, family formation, and children’s well-being

During the height of the Civil Rights Movement, national crime rates began to rise—a trend that continued into ensuing decades. Despite economic stagnation that led to rising unemployment rates, the Civil Rights Movement became the scapegoat for rising crime and a primary perceived threat to law and order (Alexander 2012).

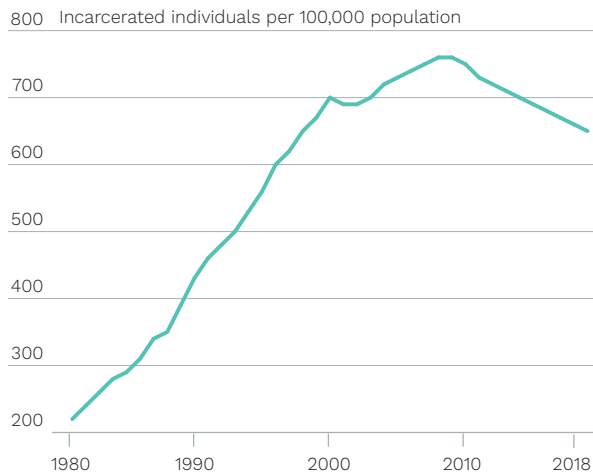
Formally declared by President Nixon in 1971, the “War on Drugs” brought an onslaught of legislative changes—changes that enjoyed support from Black people and White people alike (Drug Policy Alliance 2020; Barker 2009). Law enforcement and anti-drug expenditures grew more than tenfold over the next two decades (Beckett 1999). In addition, Congress passed the Anti-Drug Abuse Act in 1986, which introduced mandatory minimum sentences for cocaine distribution. This legislation played a crucial role in the racial divide of the carceral population. It allowed for more punitive sentences for distribution of *crack* cocaine—a drug disproportionately used by Black people—relative to distribution of *powder* cocaine—a drug disproportionately used by White people. Another surprising fact about the discrepancy between crack and powder cocaine offenses is that the arrests for the former far outweigh those of the latter despite statistics showing similar rates of cocaine use between Black people and White people (Schanzenbach et al. 2016; Carson 2015; SAMHSA 2013). In 1988, revisions to the Anti-Drug Abuse Act created additional barriers to public housing and student loans for people with drug offenses. The revised Anti-Drug Abuse Act also expanded mandatory minimums for simple drug possession and the death penalty for serious drug crimes.

### ARTICLE HIGHLIGHTS

- The U.S. incarceration rate rose dramatically from 1980 to 2000 in response to the “War on Drugs” and other tough-on-crime policies
- These policies were excessively punitive as the growth in incarceration far exceeded the growth in crime
- Many adverse consequences ensued from mass incarceration, especially for the labor market, family formation, and children

## U.S. incarceration rate, 1980–2018

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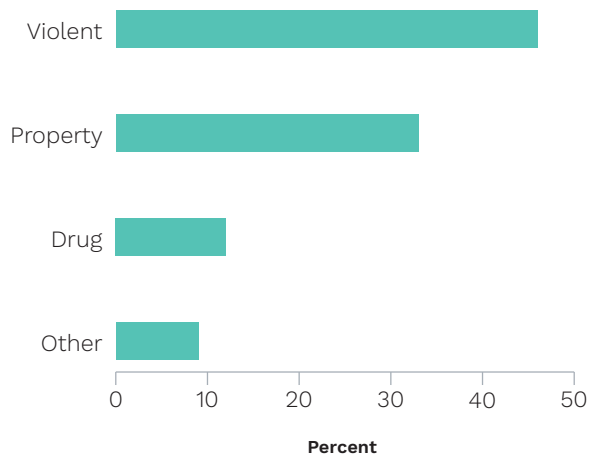
Source: U.S. Bureau of Justice Statistics.

The arsenal of laws and federal funding used in the effort to defeat drug abuse led to an exponential rise in the number of Americans placed behind bars, making the United States the world leader in incarceration. Figure 1 shows that between 1980 and 2000, the U.S. incarceration rate rose by over 300 percent, from a rate of about 220 per 100,000 in 1980 to nearly 700 per 100,000 at the turn of the century.

Possibly even more injurious is that the weight of the War on Drugs was not borne equally across racial/ethnic lines. Most people sent to prison for drug offenses were Black or Latino/a. Black males were six times more likely to be incarcerated than White males; in addition, Latinos were about three times more likely to be incarcerated than White counterparts (Bonczar 2003). Therefore, despite ostensibly race-neutral language of the War on Drugs, the consequences are disproportionately felt by communities of color.

## State prison inmates by type of offense, 1980–1989

2



Source: National Corrections Reporting Program.

Notwithstanding, criminal justice experts would immediately highlight the fact that prisons are not filled with people charged with drug offenses, but violent offenses. Figure 2 illustrates that in the 1980s, approximately half of inmates in state prisons—where close to 90 percent of U.S. inmates are usually held—were convicted of violent offenses (such as assault, manslaughter, murder, rape, and robbery), while less than 15 percent were convicted of drug offenses.

These statistics suggest that the exponential rise in incarceration cannot be fully explained by the War on Drugs (Pfaff 2017). We must acknowledge that there was a real crime wave that helped trigger the sharp upward trajectory of U.S. incarceration rates. The reasons for this crime wave are unclear. However, there were pronounced declines in employment during this period that could be explained by other factors, such as tight monetary policy and the downturn in manufacturing jobs (many of which were located in minority neighborhoods) (Wilson 1997; Alexander 2012).

By the 1990s, the Clinton Administration’s “tough on crime” agenda brought its own strategic changes. First, the “three strikes” law of 1994 mandated life sentences for individuals who were previously convicted of at least two violent crimes or serious felonies. The Clinton Administration also allocated federal funds to expand prisons and local police forces (Alexander 2012).

Yet, the existence of the violent crime wave still raises the question: was mass incarceration the right response to this social dilemma? Eminent scholars dissent. They argue that mass incarceration was an “overreaction” to the

crime problem that ultimately hurt Black people more than any other group (e.g., National Research Council 2014; Pfaff 2017; Raphael 2011). Further, Raphael (2011) in his analyses showed that while incarceration served to incapacitate and deter would-be “offenders,” the rise in incarceration rates far outweighed the rise in crime. Figure 3 illustrates that from 1980 to 2000, the growth of mass incarceration was considerably and consistently higher than the growth in crime.

This disparity can only be attributed to excessively punitive criminal justice policy—an excess that is not without repercussions. Numerous scholars over the past three decades have documented the adverse, unintended consequences that stem from the mass incarceration phenomenon. The subsequent sections of this article will highlight how racialized mass incarceration influenced three main outcomes: the labor market, family formation, and children.

Growth rates of incarceration and crime, 1980–2018



Source: U.S. Bureau of Justice Statistics and Uniform Crime Reporting Program, Federal Bureau of Investigation.

### Incarceration and the labor market

Amid the rapid rise of mass incarceration in the previous century, numerous social scientists have sought to understand how incarceration affects labor market outcomes, such as earnings and employment. Overwhelmingly, scholars have concluded that incarceration and other forms of criminal justice involvement (such as arrests and convictions) impede labor market success (e.g., Grogger 1995; Pager 2003; Sugie 2016; Uggen et al. 2014; Waldfoegel 1994; Western 2002, 2006; Western, Kling, and Weiman 2001).

However, the evidence showing negative labor market consequences of incarceration cannot be easily disentangled from the negative conditions leading up to incarceration. Individuals sentenced to jail or prison often have unfavorable labor market prospects prior to incarceration (e.g., Grogger 1995; Kling 2006). As such, it is not obvious whether incarceration actually causes poor labor market outcomes, or whether these outcomes would have happened regardless.

To shed light on the question, researchers have developed novel methods to attempt to isolate the causal impacts of incarceration on labor market success. Mueller-Smith (2015) and Harding et al. (2019) use the random assignment of courtrooms and judges, respectively, to predict the probability of incarceration. This approach is based on the premise that some courtrooms and judges are inherently more likely to incarcerate than others. The authors then compare the labor market outcomes of those who appear similar based on their criminal history and individual traits but experience different incarceration outcomes only because of this random assignment. Pager (2003), on the other hand, adopts an audit approach, in which she compares the interview callback rates of matched pairs of Black and White individuals with and without drug felony incarceration records. Despite the rigor of these studies, the evidence is mixed on whether incarceration worsens labor market outcomes.

Still, there are substantive reasons we might expect incarceration to stymie labor market prospects. The stigma of a criminal record—especially the stigma from time spent behind bars—works both formally and informally within the labor market context (Harding et al. 2019). People who are formerly incarcerated are often formally banned from certain occupations long after they have served their sentences (Petersilia 2003; Rodriguez and Avery 2016). Formal

stigma extends beyond the labor market by barring formerly incarcerated individuals from public housing, public benefits, and even driver's licenses (Travis 2005; Petersilia 2003), further compounding labor market hardships.

The informal stigma of incarceration restricts employment through employer preferences. Many employers have a strong distaste for hiring those who have served time and frequently deny them the chance for an interview (Pager 2003). Criminal background checks have also become a normal part of the hiring process (Holzer et al. 2004, 2006, 2007), eliminating those with criminal records from the hiring pool irrespective of their qualifications.

Spending time behind bars may also play an inherent role in unfavorable post-release labor market outcomes. Being incarcerated limits an individual's ability to update their labor market skills, while also outdated their current labor market skillset. In addition, fellow inmates may view pro-social behaviors or "soft" skills as weak, thus prompting the individual to replace them with antisocial or violent tendencies (Caputo-Levine 2013; Haney 2002; Raphael 2011). This erosion of human capital means the individual is less prepared and qualified for work upon their release (Bushway, Stoll, and Weiman 2007; Haney 2002; Caputo-Levine 2013).

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## Incarceration and family formation

The disruptive influence of mass incarceration also extends to family formation. Men are incarcerated at more than 12 times the rate of women, and Black and Hispanic males are incarcerated at more than three times the rate of White males (Bonczar 2003). Studies have documented that rising incarceration rates are linked to declining marriage rates,

especially within the Black community (e.g., Darity and Myers 1995; Western and Wildeman 2009; Charles and Luoh 2010; Mechoulan 2011). By locking away a larger share of men compared to women, mass incarceration essentially makes marriageable men relatively scarce. This suggests that since incarceration rates are disproportionately high among Black males, a disproportionately high number of Black males will be unavailable for marriage. Black men also stand to be worse off in the heterosexual marriage market upon their release given that incarceration lowers male economic attractiveness (as discussed in the previous section).

At the same time, some economists find evidence that limited marital prospects caused by mass incarceration can lead to offsetting changes in women's economic outcomes (Charles and Luoh 2010; Mechoulan 2011). To compensate for lower marital odds, heterosexual women may respond by increasing their economic independence through education and employment. As such, mass incarceration's adverse effect on marriage-market prospects inadvertently generates more favorable female educational and economic outcomes. This evidence is strongest for Black women given that Black males face relatively higher incarceration rates than all other groups.

Despite these positive indirect effects of mass incarceration on female outcomes, there are negative direct effects we should not ignore. One recent study examined how women fared in the labor market while their male partners were behind bars (Craigie, forthcoming). Women experienced unfavorable labor market outcomes while their partners were incarcerated. Not only did female earnings decline during the male partner's incarceration episode, but the odds of unemployment also rose significantly. These earnings losses to women from the incarceration of their male partners are large—statistically comparable to the median household income losses experienced during the Great Recession.

This evidence suggests that women with incarcerated male partners—in contrast to the general female populace—are clearly harmed by mass incarceration. Losing a male partner to incarceration is likely to lower household income

while increasing the responsibilities of motherhood (Nurse 2002). Moreover, legal fees, time off required for in-person visits to jails or prisons, and social stigma are mechanisms that work to inhibit the full labor market potential of women with male partners behind bars (e.g., Cox 2012; de Vuono-Powell et al. 2015; Harris 2016; Bruns 2017, 2019).

Women are also adversely affected by male incarceration beyond the labor market. More specifically, incarceration dynamics increase AIDS infection rates, one study finds (Johnson and Raphael 2009). This is because male incarceration ultimately lowers the continuity of heterosexual relationships and raises the incidence of high-risk sexual connections. Moreover, heterosexual women face the direct risk of AIDS infection when male partners return home because of higher per-contact risk of infection behind bars.

## Incarceration and children

The far-reaching consequences of mass incarceration also include effects on children. A recent study finds that more than five million children across the United States have experienced the incarceration of a parent (Annie E. Casey Foundation 2016). A vast literature shows that parental incarceration has detrimental consequences for child well-being. Specifically, a father's incarceration inhibits a child's cognitive development (e.g., Craigie 2010; Haskins 2014) and exacerbates antisocial-delinquent behaviors and mental health problems (e.g., Craigie 2011; Haskins 2015; Wildeman 2010).

Witnessing a father's arrest produced higher cumulative stress-hormonal concentrations in young children, which could ultimately impair their brain development.

There are a few key theories undergirding these adverse consequences (Murray and Farrington 2008). First, the separation of parent and child can be a source of trauma for children. Data from the 2004 Survey of Inmates in State and Federal Correctional Facilities indicate that approximately 65 percent of mothers and 50 percent of fathers behind bars lived with their children prior to incarceration (Glaze and Maruschak 2008). Therefore, this interruption of social bonding and attachment can produce a sense of despondence among children with a parent behind bars.

Perhaps even more traumatic is witnessing the arrest that leads to a parent's incarceration. We have little empirical evidence on the impact of a parent's arrest on child well-being. However, one study out of the University of Wisconsin-Madison found that witnessing a father's arrest produced higher cumulative stress-hormonal concentrations in young children, which could ultimately impair their brain development (Muentner et al. 2021).

Second, the adversities of incarceration for children manifest through economic and familial strain. Approximately half of people behind bars were employed before incarceration (Looney and Turner 2018). This loss in household income is most devastating for children from disadvantaged socioeconomic backgrounds, for whom a missed paycheck might lead to food insecurity or even homelessness. In addition, incarceration can add to the strain of child care. When a father is incarcerated, the burden of child care often falls squarely on a mother's shoulders (Nurse 2002). This translates into less time for mothers to go to work and even fewer economic resources to maintain child welfare.

Third, incarceration could boost antisocial behaviors through the intergenerational transfer of social learning and modeling (Murray and Farrington 2008). Simply put, children may respond to parental incarceration by imitation. This is compounded by the label and stigma of parental incarceration, as tough-on-crime officials tend to extend more punitive dispositions and sentences to children of incarcerated parents (Myers et al. 1999; Murray and Farrington 2008).

Despite the breadth of the interdisciplinary literature on parental incarceration and child well-being, the ability of these studies to demonstrate causality has been heavily criticized. If socioeconomic disadvantage precedes the incarceration of the parent, how can we say with certainty that the incarceration of a parent actually induces adverse consequences for children? Might such outcomes have happened anyway?

Economists have long attempted to isolate the causal impact of parental incarceration on various child outcomes (e.g., Norris, Pecenco, and Weaver, forthcoming; Dobbie et al. 2018; Cho 2009). Some studies confirm negative effects (e.g., Dobbie et al. 2018), while others find null (e.g., Cho 2009) or even positive effects of incarceration, on the grounds that removing an antisocial presence from the household can help expose children to more positive influences (e.g., Norris, Pecenco, and Weaver, forthcoming). However, it is difficult to draw conclusions for the United States as a whole, as these studies are often restricted to the analysis of a single state or a European country with better rehabilitative programs in their jail and prison facilities.

## Conclusion

Mass incarceration began as a means of social control during the burgeoning Civil Rights Movement of the 1960s and 1970s. Although it purported to be an effective solution to drug abuse and violent crime, in truth, it represented an overly stringent reaction to these social ills. Incarceration led to innumerable undesirable effects, which were not borne equally across racial/ethnic lines. Dramatic declines in earnings, employment, marriage, and child welfare in response to incarceration—especially Black male incarceration—are among the pivotal findings of the research literature. Policies devoted to undoing the negative external effects of mass incarceration remain direly needed.

### **AUTHOR**

Terry-Ann Craigie is an associate professor of economics at Connecticut College and a former visiting scholar at the Opportunity & Inclusive Growth Institute at the Federal Reserve Bank of Minneapolis. She can be reached at [tcraigie@conncoll.edu](mailto:tcraigie@conncoll.edu)

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