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Memorandum

Chapter one  
Mass Imprisonment  
*With Becky Pettit*

- Within state and federal prisons two thirds of the penal population is serving a year or more. (Pg12)
- Nine-tenths of these inmates are housed in state facilities. (Pg 12)
- One-third of them have committed homicide, rape, or robbery, while the remainder is mostly property and drug offenders. (Pg 12)

*Commentary: If the majority of prisoners are drug and property offenders then what is the turn over rate of those incarcerated leaving prison?*

*What is an average prison sentence?*

*Is there data on the break down of crime by race?*

- State inmates average fewer than eleven years of schooling.
- African Americans and Hispanics have higher incarceration rates than whites.
- Blacks and Hispanics together account for about two-thirds of state prison population.
- **Black men are six to eight times more like to be in prison than whites.** (Pg 16)

*Commentary: Relatively speaking, if one percent of the total population in prison/jail. How is ratio compared to the total and penal African American population?*

- **The black-white disparity greatest in incarceration being eight to one**, while unemployment is two to one, non-marital child bearing is three to one, infant mortality is two to one and wealth is one to five. (Pg16)
- Three out of two hundred whites were incarcerated in 2000, while one out of nine young blacks were incarcerated in 2000.
- **Nearly one-third of high school black male dropouts were incarcerated in 2000.**  
(Pg 17)
- In 1980 Black dropouts were four times more likely to be incarcerated than their college educated counterparts and in 2000 they were eight times more likely. (Pg 18)

*Commentary: This gives implications of a weak education system, social environment or change in job preference.*

*Is it easier or more attractive to break the law rather than to follow a protocol lifestyle?*

*Do these individuals think about long term?*

*Is there a support group that teaches them to be concerned about the future?*

- **More blacks with low education or are high school dropouts are incarcerated than in unions or social/welfare programs. (Pg 19)**

Table 1.2

Men Incarcerated (2000), in Unions, or in Social Programs (1996)

	Whites	Hispanics	Blacks
All men, age twenty to forty			
In prison or jail	1.60%	4.60%	11.50%
In labor union	9.70%	10.7	11.5
On welfare	1.70%	1.40%	2.30%
In any program (including welfare)	6.70%	4.90%	10.80%
Male high school dropouts, age twenty to forty			
In prison or jail	6.70%	6.00%	32.40%
In labor union	6.30%	8.10%	2.30%
On welfare	6.20%	1.70%	3.70%
In any program (including welfare)	17.90%	6.30%	24.00%

\*Survey of Incomes and Program Participation (1996)

### **Risk of incarceration**

Western studies not the level of incarceration at a particular time, but how the risk of incarceration accumulates over an individual's life. This kind of life course analysis asks what is the likelihood an individual will go to prison by the time he is twenty-five, thirty, or thirty-five. The life course perspective provides a comprehensive social analysis. For students of the life course, the passage to adulthood is a sequence of well-ordered stages that affect life trajectories long after the early transitions are completed. Today, arriving at adult status involves moving from school to work, then to marriage, to establishing a home and becoming a parent. Those who fail to secure the markers of adulthood are more likely to persist in criminal behavior. (Western 2006)

Western calculates the likelihood that a man would go to prison by age thirty-five. He states imprisonment by that age provides a good estimate of the lifetime risk, because very few are incarcerated for the first time after their mid-thirties. By choosing two birth cohorts of black and white men to be compared it identifies the effects of the prison boom. The first cohort of men was born in 1945 to 1949, just after World War II, allowing these individuals to be in their mid-thirties by 1970 just before the rapid increase in imprisonment rates. The second cohort is born during the Vietnam War, from 1965 to 1969, allowing them to reach their mid-thirties during the prison boom. He considers the probability of incarceration for the first time at age twenty up to thirty-five, adjusting for mortality.

Table 1A.1

Cumulative Risk of Imprisonment

	All (1)	Less than HS (2)	(3)	HS or GED	All Noncollege (4)	Some Collge. (5)
White men						
BJS	3	N/A		N/A	N/A	
NLSY	4.3	11.3		3.7	5.1	1.5
Born 1945 to 1949	1.4	4		1	2.1	0.5
Born 1965 to 1969	2.9	11.2		3.6	5.3	0.7
Black men						
BJS	24.6	N/A		N/A	N/A	
NLSY	18.7	30.9		18.8	19.3	7.2
Born 1945 to 1949	10.5	17.1		6.5	12	5.9
Born 1965 to 1969	20.5	58.9		18.4	30.2	4.9

\* HS = High School

\* GED = General Education  
Diploma

\* Bureau of Justice Statistics (BJS) data from 1991 survey of prison inmates

\* National Longitudinal Survey of Youth (NLSY) interviewed a national sample of young men every year until 1994

\* Survey of Inmates of State and Federal Correctional Facilities (1974,1979,1986,1991,1997)

& the Survey of Inmates of Local Jails (1978,1983,1989,1996)

- **Lifetime risk of imprisonment actually declined slightly for college educated blacks over the last twenty years.**

*Commentary: How can we change or improve the social welfare of African American men if it is considered normal or expected to be sent to prison?*

## Chapter two

### Inequality, Crime, and the Prison Boom

Bruce Western examines the connections between social inequality, crime and imprisonment.

Unemployment, family instability, and neighborhood disorder combine to produce especially high rates of violence among young black men. Although black men made large economic strides between 1940 and 1970, their unemployment rates has been double that of whites since the 1970's. (Pg 36)

High rates of black unemployment accompany large numbers of female headed households and neighborhoods of concentrated poverty. Because of low marriage rates among African Americans and because black adolescents are more likely to grow up in female headed households than whites, black youth are more loosely tied by the family bonds that prevent criminal offending. (Pg 36)

Using the National Longitudinal Surveys of Youth (NLSY) Western analyzes trends in crime for juvenile offenders in the 1980's and 1990's. Stating that juvenile and adult

crime rates move roughly together and virtually all adult felons have a history of juvenile offending. His observation indicate for all male youth and for those whose households incomes fell below the poverty line, rates of crime declined significantly in all offense categories. For example, 16 percent of black teenagers from poor families said they sold drugs in 1980, compared to just 5 percent in 2000. (Pg 40)

Another approach he took was to look at the victimization data. The National Crime Victimization Survey annually asks a national sample, twelve years and older, about their experiences of household, property, and violent crime. Western calculated property and violent victimization rates for young men, ages twenty-two to thirty, and for young male high school dropouts, the group who have experienced the largest increases in incarceration. Using pooled data for 1980 to 1983 and for 1997 to 2000 because the sample sizes for high school dropouts are rather small. (Pg 42) The fact that victims and their assailants are often times from similar social status gave reason to use this particular type of data set.

Table 2.2

Criminal Victimization Among Men Age Twenty-Two to Thirty

	1980 to 1983	1997 to 2000	Percentage Change
Victimization per 1000			
All men	568	179	-68.7
White dropouts	541	215	-60.3
Black dropouts	466	132	-71.7
Hispanic dropouts	433	101	-76.6
Victimization per 1000, adjusting for imprisonment			
All men	671	242	-63.9
White dropouts	640	293	-54.2
Black dropouts	550	180	-67.3
Hispanic dropouts	512	138	-73

\* The adjustment for imprisonment forms an index by dividing total prison admissions by arrests. Assuming each imprisonment reduces victimizations by ten, the index is multiplied by ten to obtain a multiplier for the victimization rates. This adjustment increases the 1980 to 1983 rates by 18.25%, and 1997 to 2000 rates by 36.3%

About one million violent crimes are reported to the police each year. The number of violent crimes increased from over nine hundred thousand to 1.36 million from 1980 to 1990. But from 1990 to 2001 the level of violence fell. Just under half of the complaints to police resulted in an arrest. However, the chances that an arrest would result in prison roughly doubled, from 13 to 28 percent. Time served in prison by violent offenders also increased significantly, from thirty-three months in 1980 to fifty-three months on average by 2001. Because time served and the rate of prison admission both increased, the incarceration rate for violent crime rose from seventy-six to 208 per hundred thousand, despite the decline in the level of violence. (Pg 44)

The importance of drug use and drug enforcement weighs heavily on the rate of incarceration among young black and white men alike. Western found interesting evidence proving the discrepancy between drug use and drug arrests. His research indicates in the 1970's, blacks were about twice as likely as whites to be arrested for a drug offense. As drug arrests increased in the 1980's it had a large affect on African Americans and at the height of the drug war in 1989, arrest rates for blacks had escalated to 1,460 per hundred thousand compared to 365 for whites. Throughout the 1990's, drug arrest rates remained at these historically high levels. Analyzing data from the Monitoring the Future Survey and the Drug Abuse Warning Network. The survey asked a national sample of high school seniors whether they had ever used drugs in the past year, statistics show that from 1980 to 1990 there was a decrease of 10 percent in high school seniors admitting to using drugs. Also white high school students consistently reported more drug use than black students. Pg 47 The National Survey on Drug Abuse (NSDA) similarly show that drug use among adults declined from 20 to 11 percent from 1979 to 2000.

*Commentary: I am sure Western is asking the same thing. Why are drug arrests for blacks five times greater than whites, when statistics report drug usage to be higher among white youth and adults?*

### Chapter 3

#### The Politics and Economics of Punitive Criminal Justice

Western hypothesizes that growth in the level of imprisonment is a by-product of increasing race and class inequality. He presents a statistical analysis of state imprisonment with data on forty-eight states in every year from 1980 to 2000, testing the effects of the Republican Party and criminal sentencing. He thus examines the difference in prison admission between black and white men at different age and education levels.

Ethnographers suggest that the purchase and consumption of drugs, drunkenness, and domestic disturbances are more likely to take place in public in urban areas, but in private homes in the suburbs. Consequently poor urban residents are more exposed to police scrutiny and risk of more than their suburban counterparts. (Pg 55)

If the scale of punishment is produced by social conflict rooted in economic disadvantage, the growth in U.S. income inequality in the decades after 1970 was a potent force for prison expansion. (Pg 56)

The 1970's was a transitional decade in the history of American criminal justice. The official philosophy of rehabilitation was replaced by a punitive approach. Two political projects - the war on crime and the war on drugs - conceived of a new role for prisons, and a new array of offenses and procedures for criminal processing. (Pg 58)

Although the prison boom moved into high gear in the 1980's its political origins are often traced to Barry Goldwater's presidential run in 1964. Goldwater, in accepting the

Republican nomination, warned of the “the growing menace in our country... to personal safety, to life, to limb, and property.” At this time the murder rate in 1964 was no higher than five years earlier and fewer than 4 percent of Americans counted crime among the country’s most important problems, compared to large majorities concerned with foreign affairs and civil rights. Still, the Republican campaign of 1964 had linked the problem of street crime to civil rights protest and the growing unease among whites about racial violence. (Pg 59)

- **Five out of six states with the highest rates of imprisonment growth were governed by Republicans when state prison populations were growing most rapidly.**

The clearest examples of aggressive law and order politics were provided by Governors John Ashcroft of Missouri and Carroll Campbell of South Carolina. From 1985 to 1993, when Ashcroft was governor, the Missouri imprisonment rate increased by 80 percent. In South Carolina, Governor Campbell oversaw a 39 percent increase in imprisonment from 1986 to 1990. (Pg 61)

*Commentary: Jacobs and Jason Carmichael did find incarceration rates were higher in states with Republican legislatures and governors, more so in the 1990’s than in the 1980’s. However, Western found Democrats also supported an increasingly punitive criminal justice policy.*

Before the mid-1970’s, indeterminate sentencing let judges decide whether an offender would be sent to prison and the maximum time they might serve. The length of time actually served was not generally set at the trial but was instead determined in prison by a hearing of the parole board. (Pg 62)

Opposition to indeterminate sentences set in motion a wave of legislative activity that limited judicial discretion in criminal punishment. (41) In 1978, in an effort to reduce race and gender disparities, lawmakers in Minnesota and Pennsylvania established the first sentencing commissions that developed guidelines for judges. (Pg 63)

*Commentary: Unfortunately by reducing judiciary discretion it seems as though these states were sanctioning the very thing they wished to eliminate, discrimination. If the judge can not take into account the defendants social background, this automatically increases the probability of incarceration. Also the fact that criminal history is weighed relatively heavily, repeat offenders may serve even more time. Shouldn’t social context and criminal history be equally considered? On average what percentage of the prison population was paroled in the 1990’s compared to the 1980’s. On average how many of these parolees violate their parole and return to prison?*

From the 1970’s, mandatory sentencing became popular among lawmakers eager to show their tough-on-crime credentials. The new generation of mandatory minimum was first adopted by New York Governor Nelson Rockefeller. In 1973, he proposed a mandatory life prison sentences for anyone selling or conspiring to sell heroin, amphetamines, LSD,

or other hard drugs. Life sentence were not confined to drug dealers. Possession of more than an ounce of heroine or cocaine could also earn life in prison. (Pg 64)

Table 3.1

Limited Judicial Discretion in Crime Sentencing

States that Have:	1980	1990	2000
Sentencing guidelines (a)	2	10	17
Abolished of limited parole (b)	17	21	33
Three-strikes laws	0	0	24
Truth-in-sentencing laws (c)	3	7	40

(a) Includes states with voluntary and presumptive guidelines.

(b) Includes states that limit parole releases only for violent offenders.

(c) Includes states that mandate at least 50 percent of sentences be served for some offenses.

\*Data from Ditton and Wilson (1999) use of U.S. Dept. of Justice: Bureau of Justice Statistics

Thus far, Western has presented two main explanations for the growth in imprisonment in the thirty years after 1970. An economic explanation points to the steady rise in American economic inequality and high unemployment among poor urban blacks. A political explanation points to the influence of the law-and-order politics of the Republican Party and the adoption of a tough new system of determinate sentencing. (Pg 66)

He hypothesizes, if mass imprisonment grew out of bad labor market for black men, incarceration rates would likely have increased most in states with the largest increases in unemployment and income inequality. If law-and-order politics and tough-on-crime sentencing swelled prison populations we would expect to see incarceration rates rise in states that elected Republican lawmakers and installed determinate sentencing.

- **States with large black populations have been found to have high rates of imprisonment** (Greenberg and West 2001, Beckett and Western 2001) (Pg 68)

Western formulates two different measures to analyze the changing political context of criminal processing. First the percentage change in Republican Party representation in the U.S. Second, creating a four point scale to measure the usage of the newly reformed criminal sentencing process in the U.S., combining information on sentencing guideline, parole abolition, truth-in-sentencing laws, and the three-strikes laws.

- **From the data he observes that more than half of all governors were Democrats in 1980, but this number fell to a third by 2000.** (Pg 69)

- **Also the four point scale increases from a mean of 0.3 to 2.0 between 1980 and 2000.**  
(Pg 69)

Western states that the estimated effect of income inequality on incarceration is very close to zero. Although, the state effects model indicates that, where the black population grew, incarceration rates tended to rise. When year effects are added, however, the effect is estimated to be negative rather than positive and is not statistically significant.

The socioeconomic effects are only modestly supported by the statistics, but evidence is stronger for the effects of political parties. There is strong evidence that imprisonment rates have grown faster under Republican governors.

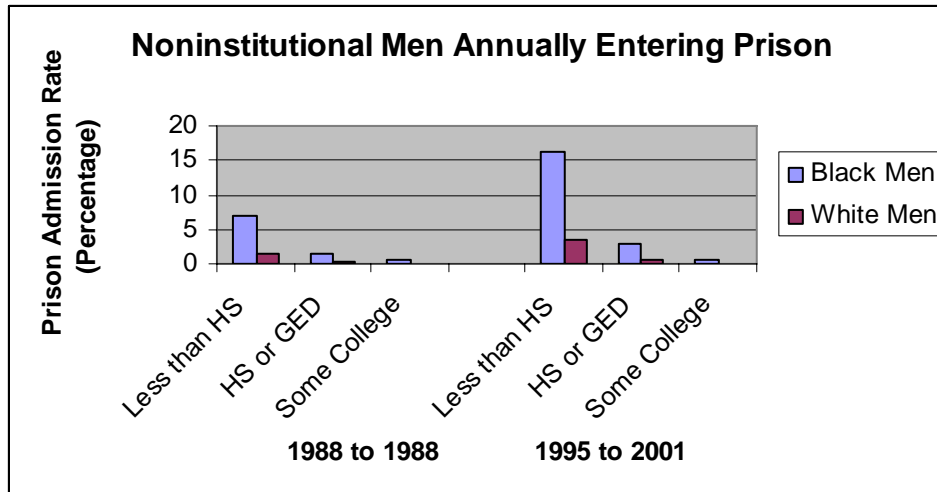
- **Accounting for state effects shows that imprisonment rates are about 14 percent higher under Republicans than under Democrats.** (Pg 71)

*Commentary: Western's first cited regression analysis on imprisonment rates from 1980 to 2000 proves to be only somewhat reliable. This regression in context of social economic effects does not appear to have any strong significance. However, the correlation between Republican Parties and the rate of imprisonment seems plausible.*

The failure to show a strong relationship between labor market conditions and the scale of punishment can be attributed to state-level analysis focusing on aggregate incarceration rate and labor market indicators, instead of on the incarceration and economic status of the most disadvantaged. The aggregated approach of the state analysis thus misses a central implication of labor market theories of incarceration: economic inequality expands criminal punishment among the disadvantaged by increasing inequality in incarceration. In Western's research he calculates the risk of imprisonment for white and black men at different ages and levels of education. These disaggregated prison admission rates are related to disaggregated measures of wages and employment. Using the National Corrections Reporting Program (NCRP) data from 1983 to 2001, this reports age, education and race of every prisoner released in thirty-eight states, covering 80 to 90 percent of the total prison population. Western was able to estimate prison admission rates separately for black and white men at ages 20-24, 25-29, 30-34, for high school dropouts, high school graduates, and those with at least some college.

Figure 3.3





- **Regardless of race, high school dropouts are five times more likely to go to prison than high school graduates. (Pg 73)**
- **One out of six black male dropouts per year went to prison in the late 1990's. (Pg 73)**
- **Less than 1 percent of college-educated black men were admitted to prison in the late 1990s. (Pg 73)**

*Commentary: Although the dropout rate has decreased considerably and higher education has increased, they both seem to have a negative relationship with the increasing rate of incarceration. Perhaps joblessness plays an important role in this inconsistency.*

Western studies the link between men's labor market status and their risk of going to prison by calculating the median weekly earnings and employment rates of black and white men at different ages and levels of education. (Authors compilations 68) (Pg 77)

Table3.4

Regression of Admission Rates, 1983 to 2001

	Effect on Prison Admission (Percentage)
All men	
\$100 increase in weekly pay	-31.6
10 percentage point increase in employment	-10.4
White men	
\$100 increase in weekly pay	-41.1
10 percentage point increase in employment	17.5
Black men	
\$100 increase in weekly pay	-25.9
10 percentage point increase in employment	-15.6

\*\* All are statistically significant except for -10.4 and 17.5 at  $p < .01$  level.

## Chapter 4 Invisible Inequality

Bruce Western gives definition to invisible inequality in the U.S. They are the everyday poor who are invisible in America's affluent society. Although numerous, low income families, are rendered nonexistent during periods of economic prosperity. During the 1960's the U.S. enjoyed the fruits of a strong economy, low unemployment and sustained economic growth. However, this mood of economic opportunism was sobered when Michael Harrington pulled back the curtain on U.S. poverty with the publication in 1962 of *The Other America*. Harrington also found that the poor had disappeared from the outlook of policy makers and the middle class. Harrington's publication played an important role in inspiring antipoverty policy in the 1960's.

- **Between 1959 and 1998, the poverty rate among the elderly declined from 35 percent to 10 percent in response to a large increase in Social Security benefits.** Pg 86

Structural changes in the economy reduced the numbers of the rural poor as farm employment declined significantly over the last four decades of the century. As in the early 1960's, however, the invisibility of today's poor remains rooted in the physical and social distance between whites and blacks. (Pg 86) Residential segregation, not only between blacks and whites, but also between the poor and middle class has deprived the poor from social opportunity while sheltering the middle class from this physical reality. Although poor and middle class societies shared a similar experience during the Great Depression when unemployment and the anxieties from desperation were commonplace, contemporary poverty, however, is a by-product of inequality that redirects economic losers away from the social mainstream. It is unfortunate the poor were left to suffer the woes of economic hardship and inequality, only to be burdened even more by the prison boom, offering a new contribution to the invisibility of the poor. Imprisonment conceals criminal offenders by removing them from the poor communities that feed the penal system. (Pg 87) Once incarcerated these individuals have no affect on a variety of official statistics that record the economic well-being of the population. Inmates are not counted in government measures of economic activity, joblessness, or poverty. It is because of this inaccuracy Western makes it a point to include the penal population in his assessment of economic trends and inequality over the last twenty year.

Only those who are not institutionalized are counted in government statistic following U.S. economic trends, excluding individuals living in old age homes, army barracks, and especially jails or prisons. When we count the poor or jobless, vast numbers of young disadvantaged men are overlooked because they are incarcerated. However, when we include inmates in these statistics the figures change dramatically. Western reports in his jobless-to-population ratio-one minus the typical employment ratio that the contribution

of incarceration among white, black, and Hispanic men increased joblessness substantially.

Figure 4.1



At the very bottom of the education ladder, among young male high school dropouts, the share of concealed joblessness in the penal system is larger still. Figures for young black male dropouts indicate that the noninstitutional jobless rate increased from 34 percent to 49 percent in the twenty years since 1980. If we include prison and jail inmates among those out of work, the true jobless rate increases from 41 to 65 percent. (Pg 91)

Racial inequality can also be measured with the ratio of black to white jobless rates. Analyzing a cohort of noncollege men aged twenty-two thirty, including prison and jail inmates, Western reports that standard statistics suggest the black-white ratio increased to around 2.5 by 2000. This means that young black noncollege men are 2.5 times more likely to be out of a job than their white counterparts and if we include prison and jail inmates the ratio rises to 2.9.

In sum, prison and jail inmates are invisible in the official labor statistics that describe the economic well-being of the population. Once the penal population is added to statistics on joblessness, the prevalence of employment can be seen to be significantly overestimated among young, less-skilled black men. (Pg 97)

As the unemployment rate sank to historically low postwar levels in the late 1990's jobless rates among noncollege black men in their twenties rose to their highest levels ever. This increase in joblessness was propelled by historically high incarceration rates. (Pg 97)

So what explains the lag in employment of less-skilled men behind the rest of the labor force?

*Commentary: Basic principles of economics, as the quantity of labor supply falls, wages rise. What we see isn't economic improvement, but rather an artifact of less employment at the bottom.*

Gerald Jaynes observes that “the most important problem” for research on race relations “is to explain why, if the market’s relative valuation of black labor has increased, black employment has been declining.” (Welch 1990, S42, Jaynes 1990) (Pg 98)

The sample selection analysis sheds light on invisible inequality in the context of the prison boom. Just as mass incarceration removes prison and jail inmates from official employment statistics, it also removes them from the wage distribution. From the mid-1980’s to the late 1990’s, the black-white gap in wages seemed to be shrinking among young men aged twenty-two to thirty, statistically showing a decline from 30 percent in 1985 to 21 percent in the late 1990’s. However, joblessness among black men steadily increased during this period, mostly because of the increasing incarceration rate. Western question whether the decline in wage inequality is the product of a real improvement in the labor market situation of young workers, or is it simply an artifact of escalating rates of imprisonment and other joblessness among those with little earnings power.

Western studies wage inequality through the 1980’s and 1990’s by analyzing data from the Current Population Survey (CPS) and correctional surveys of inmates. In his research Western predicts wages of the jobless using age and education which capture the main human capital differences in wages. The analysis is restricted to non-Hispanic, nonfarm, civilian men aged twenty-two to thirty. Jobless men are divided into two categories. First, nonworker, those who are unemployed and looking for work, and those not employed and not looking for work. The wages of these individuals are determined by age and education, while making a strong assumption that nonworkers would receive only 80 percent of the wage offered to workers. Second, there are prison and jail inmates, with a hypothetical wage offer likely to be much lower than those for nonworkers. The hypothetical wage was estimated using data of pre-incarceration wages reported by 30 to 50 percent of respondents to the 9 correctional surveys fielded from 1979 to 1997. Westerns observations indicate that if the unemployed and those who are not in the labor force are accounted for, the estimates indicate that in 1980 young white men would earn about 22 percent more than young blacks, 4 percent higher than the observed difference.

## Chapter 5

### The Labor Market After Prison

In this chapter Western examines how incarceration affects ex-prisoner’s employment, placing these effects in the context of the new inequality in the U.S labor market, incarceration being the crucial sign of a dysfunctional life course.

There is a strong correlation between crime and poverty as our impoverished youth are faced with the decision to economically support themselves, while wages and employment are declining. Crime provides an inviting alternative to a legitimate labor

market where unemployment rates are desperately high. Drug dealing, robbery, thieving, and fencing stolen property can help fill the economic gap in neighborhoods drained by deindustrialization of blue-collar jobs. (Pg 110)

Western believes that the association between crime and disadvantage is reflected in the skills and employment histories of the penal population. He points out prisoners tend to have little education, with most having dropped out of high school. In addition to their poor education they also score low on cognitive tests. The Armed Forces Qualification Test (AFQT) is a standardized test often administered pre-incarceration to examine young men's verbal and math ability. Among young men who have dropped out of high school, prisoners score 20 to 50 percent lower on the AFQT than those who have been incarcerated. Thus at the time of their incarceration, men in prison were less likely to have a job and if they did, they earned less than the rest of the population.

This implies that on average incarcerated men have less human capital and will presumably have even less to offer their employers coming out of prison. Prison or jail time could possibly have an even worse effect on their employment opportunities. Western gives three explanations for the poor labor market experiences of ex-offenders. The stigma of a criminal conviction, in the eyes of employers, makes ex-inmates undesirable job applicants, considering them unreliable and untrustworthy. The experience of incarceration can reduce human capital, making ex-convicts less productive workers. Incarceration erodes job skills because men are removed from the market place where they would otherwise refine or gain work experience. Incarceration can also reduce social capital, eroding the social connections to legal employment. Due to the lack of friends and acquaintances outside of prison, ex-inmates are unable to find jobs through social contacts who can vouch for job applicants to employers.

In 2001, Devah Pager did a compelling study of employers responding to an applicant pool of 350 white and black young men, some with and without prison records. He reported that white men with identical work experience and education, but had been convicted of a crime were half as likely (17 percent) to receive a call back as those without a criminal record (34 percent). Among black men the figures were 5 percent and 14 percent respectively.

Western observed using data from the unemployment insurance system and the National Longitudinal Youth Survey that the hourly wages of men involved in crime are much lower than those of men who never go to prison. The wage gap is largest for white men because their wages were initially much higher. For blacks, and Hispanics, the wage gap grows after offenders have been incarcerated.

- **The analysis indicates white, Hispanic, and black ex-prisoners all spend around six months to a year or more out of work.**

Table 5.2

Wages, Employment, Earnings

<u>Incarceration Status</u>		
Never	Before	After

Hourly wages (dollars per hour)			
White	14.7	11.14	11.8
Hispanic	13.59	12.3	10.31
Black	12.34	10.25	9.25
Annual employment (weeks per year)			
White	44	37	23
Hispanic	43	35	24
Black	40	35	21
Annual earnings (thousands of dollars per year)			
White	26.44	13.7	9.76
Hispanic	23.9	13.29	9.14
Black	20.37	13.34	7.02

Western questions whether or not low wages and joblessness can be attributed to incarceration or skill deficiency and a propensity to antisocial behavior. To answer this question he performs a causal analysis, choosing a control group that is similar to the treatment group, prison and jail inmate. In order to narrow the comparison he chooses a small control group who were never interviewed in prison. (Pg 117)

Perhaps foreshadowing Richard Freeman's predictions of a two-tiered society produced by the new inequality, the economists Peter Doeringer and Michael Piore saw a sharp dividing line in the U.S. labor market of the late 1960's. On one side, well-paid career jobs clustered in what Doeringer and Piore called the primary labor market. On the other, low-income unsteady jobs characterized the secondary labor market. (Pg 120) The secondary labor market is characterized by its job instability, low wages, no health or pension benefits and a lack of upward mobility. Unfortunately, the path to the secondary labor market is all that is available to ex-convicts, with low cognitive skills and work experience.

“Obtaining employment was not a real problem; instead it was the character and quality of the jobs that was the problem.” (Evans 1968, 208)

## Chapter 6 Incarceration, Marriage, and Family Life

By 1999, 30 percent of noncollege black men in their mid-thirties had been to prison and through incarceration many were separated from their wives, girlfriends, and children. (Pg 130) Western believes that marriage offers a pathway out of crime for men with histories of delinquency. Perhaps not the marriage itself, but the stable environment it creates for men who would otherwise resort to criminal behavior. An important question Western answers in this chapter is the effect of incarceration on marriage.

Statistics show that between 1970 and 2000 marriage rates in the U.S. were already declining and single parent households were on the rise. White women aged twenty-five to thirty-four who were married declined from over 80 percent to just over 60. Marriage rates for African American women dropped from 60 to around 30 percent. The growing

number of black female-headed households has been attributed to the lack of “marriageable men” in poor urban neighborhoods. The shortage was driven by two processes. High rates of male incarceration and mortality tilted the gender ratio, making it much more difficult to find partners. Western studies the effect of the prison boom on marriage and family. Using data from the National Longitudinal Survey of Youth 1979 (NLSY) and the Fragile Families Survey of Child Wellbeing, he estimates the effects of incarceration on a single man’s chances of marriage and a married man’s risk of divorce.

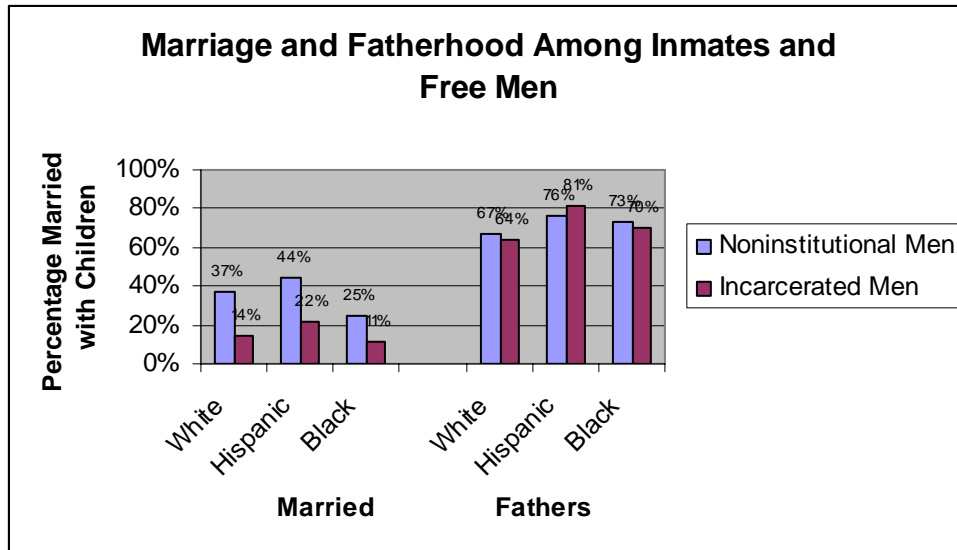
Studies of the effects of crime and the economy on marriage support a skeptical view of imprisonment’s corrosive effect on family life. Since, there is a possibility of weak attachment to marriage and family regardless of being incarcerated.

### **Selection or Incapacitation**

Selection effect is the result of family instability among poor urban blacks to the legacy of slavery and the deprivation of irregular employment and low wages (9) Now, in poor inner-city neighborhoods where gender relations are contentious and marital bonds are vexed by poverty, how could the prison boom make things worse? In these communities, jobless men involved in crime, without steady partners or ties to their children, leave few footprints. They have few bonds to be broken by imprisonment. In short, the hypothesis of selection warns that men at risk of imprisonment have traits and live in situations that frustrate the development of stable two-parent families. (Pg 134) Contradictory to the selection effect, incapacitation leads us to believe that imprisonment cuts deep into family life. The impact of incarceration on marriage for men who have strong ties to their family and community can be detrimental. Married men are prevented from contributing emotionally and financially to their primary relationship.

To study the family ties of prisoners Western compares the rates of marriage and fatherhood of men in the penal population to those who are not incarcerated. Levels of marriage are measured using a cohort of noninstitutional men and male prisoners, aged twenty-two to thirty in 2000. Rates of fatherhood are the percentage of noninstitutional men and male state prisoners, aged thirty-three to forty, who have ever had children by 1997 or 1998. (Pg 136) Western observes that incarcerated men are half as likely to be married by the age of thirty, but fatherhood is almost the same.

Figure 6.1



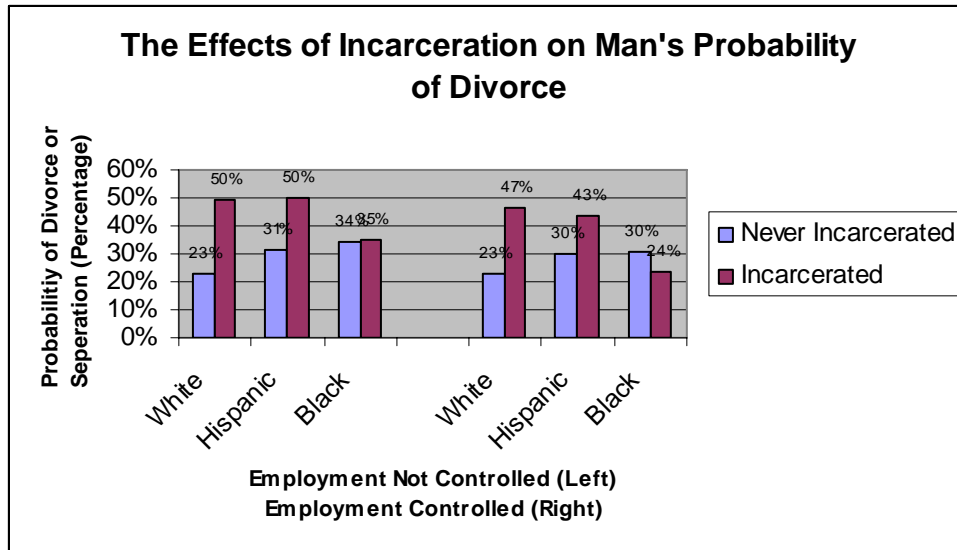
- **Despite low marriage rates African Americans, however, children are more likely to retain some contact with their incarcerated fathers than whites of Hispanics.** Pg139

Studying U.S. counties, William Sabol and James Lynch quantify the effects of the removal of men to prison. After accounting for educational attainment, welfare receipts, poverty, employment, and crime. Sabol and Lynch find that the doubling of the number of black men admitted to prison between 1980 and 1990 is associated with a 19 percent increase in the number of families headed by black women. (Pg 139)

Using data from the National Longitudinal Survey of Youth (NLYS) the benchmark divorce rate is calculated for a man aged twenty-three at first marriage, living in the Northeast, with a twelfth-grade education, using drugs, not religious, with a child from the marriage, but with no history of violence or prison incarceration. The divorce rate among such men varies by race and ethnicity.

Figure 6.6





## Chapter 7

### Did the Prison Boom Cause the Crime Drop?

It has been established that crime and inequality are closely connected. If crime is the result of poor economic opportunities and broken homes, and incarceration reduces pay and family stability, mass imprisonment may be a self-defeating strategy for public safety. Imprisonment may sow the seeds for more crime, rather than less. (Pg 168)

Although the previous argument has made us skeptical about the effect of the prison boom, the 1990's record levels of imprisonment did precede a massive decline in serious violence that returned crime rates to levels not seen since the 1960's.

Research on the effects of imprisonment gives us three main hypotheses linking incarceration to the fall in crime. Prison programs might have rehabilitated the many offenders entering the penal system through the 1990's. Crime rates might also have fallen simply because large numbers of offenders were locked up. Finally, high incarceration rates and tough new penalties might have deterred would-be offenders from committing crime. (Pg 169) We shall look at each of these hypotheses in turn.

Robert Martinson's article on rehabilitation in 1974 in the *Public Interest* give us a plausible answer when he concluded, "with few and isolated exceptions, the rehabilitative efforts that been reported so far have had no appreciable effect on recidivism." This conclusion hardened into policy orthodoxy when a National Research Council panel and others offered similar assessments. However, only a year after Martinson's publication, Ted Palmer replied that Martinson was tendentiously gloomy, overlooking many partially positive results. Twenty-five years later correctional evaluations have reported that juvenile programs have reduced recidivism by around twenty percentage points, from 60 to 40 percent. Although for adults, the program effects are only one-fifth as large. Although rehabilitation has had some positive effect it is unlikely to be the reason why

crime rates fell in the 1990's because the resources devoted to programming were shrinking through the 1980's and 1990's.

As rehabilitation was discredited through the 1970's, incapacitation became increasingly popular among academics, commentators, and policymakers. (Pg 176) At first glance incapacitation seems as simple as locking up prisons and removing them from society. Although, assessing the effect of incapacitation involves the deceptively difficult task of calculating how much crime an offender would commit if not behind bars. A Rand Corporation of prison and jail inmates found that half of all burglars committed no more than six crimes a year, but the top 10 percent committed more than two hundred. (Visher 1986, 167) Thus crime would be greatly reduced through incapacitation if those incarcerated were in fact the most active criminals.

Perhaps deterrence has the greatest effect on crime reduction. Jeremy Bentham, the philosophical utilitarian, foreshadowed the rationalistic theory of crime. Offenders weigh the cost of punishment against the benefits of crime. (Pg 177) Deterrence can only be achieved if both the penalties of crime and the probability of arrest are both severe. This reasoning has incited two kinds of studies of deterrence. One strand of research examines the effects of policing and the other studies incarceration. The deterrent effect, declines as would-be offenders learn that they have overestimated the risk of being caught. Scenario studies ask respondents how they would behave if they were at risk of being arrested for, say, date rape or tax evasion. These studies consistently find that certainty of punishment, and to a lesser extent severity, can deter offending. (Pg 178)

Steven Levitt and William Spelman have made compelling arguments as to whether the rise in imprisonment is correlated with the fall in crime. Both using similar data and methods, they calculate an "imprisonment effect" of -0.4: a 1 percent increase in the incarceration rate reduces the index crime rate by about four-tenths of 1 percent. Spelman finds that the prison boom from 1971 to 1997 reduced violent crime by about 35 percent, and accounts for about 25 percent of the decline in serious violence through the 1990's. Somewhat similar to Spelman, Levitt's analysis shows that the effects of prison are larger on violent crime than property crime. Constructing a cost-benefit analysis, Levitt's calculates an annual social benefit from incarceration of over \$40,000 in comparison to a \$25,000 annual cost of a prison bed. Western inform us that despite the sophistication of the analysis, an imprisonment effect of -.4 that both Levitt and Spelman report is almost certainly too large. Other researchers indicate the imprisonment effect to be more around -0.1. Western also calculated imprisonment effects using the Uniform Crime Report's index crime rates from the forty-eight contiguous state for the 1971 to 2001 period. His estimates were also in the range of recent studies, but much smaller than those that both Spelman and Levitt obtain. Western's estimates indicate that a 1 percent rise in the state imprisonment rate reduced the rate of serious crime by .07 of 1 percent.

In conclusion the reported figures suggest that the growth in imprisonment through the 1990's reduced crime by between 2 and 5 percent of a total decline of 28 percent. Roughly nine-tenths of the decline in serious through the 1990's would have happened even without the prison boom. (pg 185)

