Mass Incarceration

Glenn C. Loury
Brown University
March 2010

Presentation based on data provided by Bruce Western of Harvard University
David Garland (2001, 1) defines mass imprisonment:

\[ \text{...a rate of imprisonment...that is markedly above the historical and comparative norm for societies of this type...} \]

\[ \text{[imprisonment] ceases to be the incarceration of individual offenders and becomes the systematic imprisonment of whole groups of the population.} \]
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\ldots \text{a rate of imprisonment... that is markedly above the historical and comparative norm for societies of this type.}\ldots
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\text{[imprisonment]} \text{ ceases to be the incarceration of individual offenders and becomes the systematic imprisonment of whole groups of the population.}
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Incarceration in Western Europe, 2001

- UK: 126
- Germany: 96
- N'lands: 95
- Italy: 95
- Austria: 85
- Belgium: 85
- France: 77
- Sweden: 68
- Denmark: 59

Incarceration Rate (per 100,000)
Incarceration in Western Europe and the US, 2001

- USA: 686
- UK: 126
- Germany: 96
- N'lands: 95
- Italy: 95
- Austria: 85
- Belgium: 85
- France: 77
- Sweden: 68
- Denmark: 59

Incarceration Rate (per 100,000)
US Imprisonment Rate, 1925–1972

Prisoners per 100,000
US Imprisonment Rate, 1925–2006

Prisoners per 100,000

1940 1960 1980 ... per 100,000
In 2007:
* 1.5m in prison
In 2007:
* 1.5m in prison
* 780,000 in jail

US Imprisonment Rate, 1925–2006

Prisoners per 100,000
In 2007:
* 1.5m in prison
* 780,000 in jail
* 800,000 on parole
In 2007:
* 1.5m in prison
* 780,000 in jail
* 800,000 on parole
* 4.2m on probation
Inmates per 100,000

Incarceration by Race and Education

1980
2008

All

214 750
Incarceration by Race and Education

Inmates per 100,000

1980
2008

All

Men 20−34

<HS

White

214 750 650 1750 2350

11950
Men's Risk of Imprisonment by 30–34

Cumulative Risk of Imprisonment (%)

- All Whites: 1.2%
- Non-college Whites: 1.8%
- Dropouts Whites: 4.2%
- All Blacks: 9.0%
- Non-college Blacks: 12.1%
- Dropouts Blacks: 14.7%

1979
Men's Risk of Imprisonment by 30–34

Cumulative Risk of Imprisonment (%)

<table>
<thead>
<tr>
<th>Group</th>
<th>1979</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Whites All</td>
<td>1.2</td>
<td>3.3</td>
</tr>
<tr>
<td>Whites Non-college</td>
<td>1.8</td>
<td>6.3</td>
</tr>
<tr>
<td>Whites Dropouts</td>
<td>4.2</td>
<td>15.3</td>
</tr>
<tr>
<td>Blacks All</td>
<td>9.0</td>
<td>20.7</td>
</tr>
<tr>
<td>Blacks Non-college</td>
<td>12.1</td>
<td>35.7</td>
</tr>
<tr>
<td>Blacks Dropouts</td>
<td>14.7</td>
<td>69.0</td>
</tr>
</tbody>
</table>

1979 vs. 2009
In 2007:
Violent crime rates
Adjusted victimization rate per 1,000 persons age 12 and over

Figure 2.1  Trends in Index Crime Rate and Imprisonment

Direct expenditure by criminal justice function, 1982-2004

Billions

$100

$80

$60

$40

$20

$0

1982

1993

2004

Police

Corrections

Judicial

Percent change 1982-2004

367%

585%

450%
TWENTY YEARS OF RISING COSTS

Between fiscal years 1987 and 2007, total state general fund expenditures on corrections rose 315 percent.

SOURCE: National Association of State Budget Officers, "State Expenditure Report" series; Inflation adjusted figures are based on a reanalysis of data in this series.

NOTE: These figures represent state general funds. They do not include federal or local government corrections expenditures and typically do not include funding from other state sources.
The Vortex

The Concentrated Racial Impact of Drug Imprisonment and the Characteristics of Punitive Counties

A Justice Policy Institute Report
December 2007
Fig. 1. Arrests and state prison commitments by crime type.
The War on Drugs

Figure 2.2 Drug Offenses and Arrest Rate Ratio

Drug Arrests of Blacks Spike in Late 80’s

Table 1. Though the European Union has 200 million more inhabitants than the United States, the U.S. incarcerates nearly 10 times as many people for drug offenses.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL U.S. Prisoners</td>
<td>2,085,620</td>
<td></td>
</tr>
<tr>
<td>Federal Prisoners</td>
<td>86,972</td>
<td></td>
</tr>
<tr>
<td>State Prisoners</td>
<td>250,900</td>
<td></td>
</tr>
<tr>
<td>Jailed Prisoners</td>
<td>170,751*</td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>508,623</td>
<td></td>
</tr>
<tr>
<td>TOTAL EU Prisoners</td>
<td>600,619</td>
<td></td>
</tr>
<tr>
<td>Prisoners for Drug Offenses</td>
<td>55,830**</td>
<td></td>
</tr>
</tbody>
</table>
• While tens of millions of people use illicit drugs, prison and policing responses to drug behavior have a concentrated impact on a subset of the population. In 2002, there were 19.5 million illicit drug users, 1.5 million drug arrests, and 175,000 people admitted to prison for a drug offense. While there is some variation in reported drug use rates between different counties and different states, there is much greater variation between one locality’s propensity to send people to prison for a drug offense compared to another’s.

• Whites and African Americans report using and selling drugs at similar rates, but African Americans go to prison for drug offenses at higher rates than whites. Survey research shows that whites and

• Counties with larger proportions of African Americans in the community sent people to prison for drug offenses at higher rates. The drug imprisonment rate in the quartile of counties in which Af-
Figure 1: The Drug Admissions Vortex: Annual Rates of Drug Use, Arrests, and Prison Admissions

- 19.5 million drug users
- 1.5 million drug arrests
- 175,000 admissions to state prisons for drug offenses in 2002, of which 51 percent were African Americans
Figure 2a. Percentage of reported youth drug use and sales by race in 2002

Figure 2b. Juveniles detained for drug offenses per 100,000 by race in 2003

Sources: SAMHSA, 2005. Note: This is data for 12- to 17-year olds; Sickmund, Melissa, Stucky, T. I. and Kang Wei. (2005), "Census of Juveniles in Residential Placement Databook."
Figure 3. In 2002, African Americans were admitted to state prisons for drug offenses at almost 10 times the rate of whites.

The 12 states for which there are no data available in the 2002 NCRP include five states from the Mountain West (Arizona, Idaho, Montana, New Mexico, and Wyoming), five states from the Northeast (Delaware, Rhode Island, Connecticut, Vermont, and Massachusetts), and two states from the Midwest (Kansas, Indiana).
Figure 4. Population Size and Number of Admissions to Prison for Drug Offenses, by Race, Large-population counties in 2002 (n=198)

White Drug Admissions = 28,314
White Population = 113,954,520

African American Drug Admissions = 62,087
African American Population = 23,682,790

Data for this figure come from the Bureau of Justice Statistics, NCRP (2006), and the U.S. Bureau of the Census (2005).
Winning the War? Drug Prices, Emergency Treatment and Incarceration Rates: 1980-2000

POT AS PRETEXT: MARIJUANA, RACE AND THE NEW DISORDER
IN NEW YORK CITY STREET POLICING

Amanda Geller
Columbia University

Jeffrey Fagan
Columbia University

February 26, 2010
### Table 2: Population and NYPD Enforcement Activity by Race/Ethnicity

(rate per 1,000 population in parentheses)

<table>
<thead>
<tr>
<th>Race/Ethnicity</th>
<th>Marijuana Stops</th>
<th>All Street Stops</th>
<th>Marijuana Arrests</th>
<th>Total Arrests</th>
<th>Estimated 2006 Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Black</td>
<td>29,854</td>
<td>1,134,539</td>
<td>97,069</td>
<td>748,029</td>
<td>2,012,646</td>
</tr>
<tr>
<td></td>
<td>(14.83)</td>
<td>(563.71)</td>
<td>(48.23)</td>
<td>(371.66)</td>
<td></td>
</tr>
<tr>
<td>Hispanic</td>
<td>13,315</td>
<td>661,546</td>
<td>58,298</td>
<td>521,386</td>
<td>2,463,016</td>
</tr>
<tr>
<td></td>
<td>(5.41)</td>
<td>(268.59)</td>
<td>(23.67)</td>
<td>(211.69)</td>
<td></td>
</tr>
<tr>
<td>White</td>
<td>4,931</td>
<td>233,179</td>
<td>15,168</td>
<td>181,545</td>
<td>2,512,415</td>
</tr>
<tr>
<td></td>
<td>(1.96)</td>
<td>(92.81)</td>
<td>(6.04)</td>
<td>(72.26)</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td>3,604</td>
<td>191,025</td>
<td>2,886</td>
<td>56,487</td>
<td>1,282,782</td>
</tr>
<tr>
<td></td>
<td>(2.80)</td>
<td>(148.91)</td>
<td>(2.25)</td>
<td>(44.03)</td>
<td></td>
</tr>
<tr>
<td>Race Unknown</td>
<td>57</td>
<td>3,859</td>
<td>1,536</td>
<td>15,834</td>
<td>N/A</td>
</tr>
<tr>
<td>Total N</td>
<td>51,761</td>
<td>2,224,148</td>
<td>174,957</td>
<td>1,523,281</td>
<td>8,270,859</td>
</tr>
</tbody>
</table>

Totals may not sum to 100% due to rounding

<table>
<thead>
<tr>
<th>Crime Suspected</th>
<th>Number of stops made</th>
<th>Weapons Seizure Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marijuana Possession</td>
<td>52,018</td>
<td>0.49%</td>
</tr>
<tr>
<td>Weapons Possession</td>
<td>442,552</td>
<td>2.37%</td>
</tr>
<tr>
<td>Violent Crime</td>
<td>340,792</td>
<td>0.71%</td>
</tr>
<tr>
<td>Other Offenses</td>
<td>1,388,786</td>
<td>0.43%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>2,224,148</td>
<td>0.86%</td>
</tr>
</tbody>
</table>

Weapons seizure rates based on seizures documented in UF-250 database, resulting from each type of stop.
Figure 1: Marijuana Possession Arrests, NYC

Source: Levine and Small (2008)
Figure 3: New York City Map of Marijuana Possession Stops

Marijuana Possession Stops & Totals

Legend
Total Stops, by Equal Interval Classification

Low
- 3,154 to 24,732
- 24,733 to 46,310
- 46,311 to 67,889
- 67,890 to 89,467
- 89,468 to 111,945

High

- Stops on Suspicion of Marijuana Possession
- Airports, Landfill
- Open Green Space
- Police Precincts (n=76)

Map Scale: 1:206,000
1 inch = 3 miles on ground

Lambert Conformal Conic Projection
1983 North American Datum
WGS84 Datum
New York Long Island FIPS 3110 Feet
Figure 4: New York City Map, Shading by Tract % Black, Overlaid with Police Precinct Boundaries

Police Precincts by Percent Black (2006)

Legend
Percent Black, by Equal Interval Classification

Legend:
- Low: 0 to 20%
- Medium Low: 21 to 40%
- Medium: 41 to 60%
- Medium High: 61 to 80%
- High: 81 to 100%

- Airports, Landfill
- Open Green Space
- Police Precincts (n=76)

Map Scale: 1:206,000
1 inch on the map = 3 miles on ground

Lambert Conformal Conic Projection
1983 North American Datum
State Plane Coordinate System
New York Long Island FIPS 3109 Feet

Data Source: ESRI 2000 Census Tract Demographic Projections
Here’s a ‘narrative defining question for you:

Should we think about racial disparity of punishment in America as an accidental accretion of neutral state action applied to a racially divergent social flux – the chips having fallen as they may, so to speak?

Or is this powerfully salient feature of contemporary American social life better understood as the residual effect of our uniquely American history of enslavement, violent domination, disenfranchisement and racial discrimination?
That is, ought we to think of massive racial inequality in the incidence of punishment in America as a necessary evil, given our need for order maintenance? Or, should we view it an abhorrent expression of who we Americans have become as a people at the dawn of the 21st century?
Imprisonment and the Life Course


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<th>Whites</th>
<th>Blacks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marriage</td>
<td>68%</td>
<td>47%</td>
</tr>
<tr>
<td>Bachelor’s Degree</td>
<td>34</td>
<td>17</td>
</tr>
<tr>
<td>Military Service</td>
<td>10</td>
<td>9</td>
</tr>
<tr>
<td>Imprisonment</td>
<td>5</td>
<td>27</td>
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Inequality created by incarceration is:

- Invisible
- Cumulative
- Intergenerational
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Inequality created by incarceration is:

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Invisible Inequality

- Inequality created by incarceration is invisible, because incarceration is *concentrated* and *segregative*, hidden from mainstream society

- Important for sociology: Incarceration is often overlooked in social accounting, and inequality is underestimated
Invisible Inequality

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- Important for sociology: Incarceration is often overlooked in social accounting, and inequality is underestimated.
Cumulative Inequality

- Inequality created by incarceration diminishes the economic status of those whose employment and wage rates are already very low.
- Panel data estimates show that incarceration reduces earnings by about 40%.
- Experimental evidence indicates employment is reduced by a third to a half.
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Experimental evidence indicates employment is reduced by a third to a half.
20-year Earnings Mobility Among Low-Income Men

<table>
<thead>
<tr>
<th>Mobile out of 1st Quartile (%)</th>
<th>Not Incarcerated</th>
<th>Low AFQT</th>
<th>&lt;HS</th>
<th>Incarcerated</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>64.4</td>
<td>41.3</td>
<td>36.6</td>
<td>24.6</td>
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Intergenerational Inequality

- Large prison populations means large numbers of children with parents in prison
- Stigma of incarceration for children, new research showing behavioral problems, particularly for boys
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Children with Incarcerated Parents, 1980–2008

Number of Children (100,000s)
Children with Incarcerated Parents, 1980–2008

Number of Children (100,000s)

- Hispanic
- White

0 2 4 6 8 10 12
Children with Incarcerated Parents, 1980–2008

Number of Children (100,000s)

Hispanic
White
Black

Children with Incarcerated Parents, 1980–2008

* 11% of black children have a parent incarcerated
Children with Incarcerated Parents, 1980–2008

* 11% of black children have a parent incarcerated
* 24% of black children, 1990, will have their father imprisoned by age 14
State budgets are overburdened by correctional spending ⇒ political will for retrenching mass imprisonment

What is the problem? High imprisonment rates? No

Chronic idleness, addiction, and mental health problems of men with little schooling

Criminal justice reforms by themselves will be insufficient and will fail
Next Steps

- State budgets are overburdened by correctional spending ⇒ political will for retrenching mass imprisonment
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A National Prisoner Reentry Plan

- Transitional jobs for all parolees needing work (200,000 a year)
- More drug treatment, housing, and education
- No more re-imprisonment for technical parole violators
- Supervision shifts from prison to the community, and replaces criminal justice oversight with social policy
- $8.5 billion cost, $10 billion benefit in reduced crime and correctional costs
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Mass Incarceration Redux

- When incarceration rates are high and concentrated...
- And incarceration has large and enduring effects on inequality (invisible, cumulative, and intergenerational)...
- Mass incarceration has produced a new social group separated from full membership in society
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