

INCARCERATION

The Stanford Center on Poverty and Inequality

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The sheer scale of criminal justice contact among racial and ethnic minority men makes it a central concern for accounts of inequality in the United States. Despite growing policy attention to criminal justice reform, incarceration persists at a historic high and remains disproportionately concentrated among racial and ethnic minorities.

Crime is lower than it has been in decades. Both victimization surveys and police report data show sustained declines in violent and property crime since the mid-1990s. In 2015, the violent victimization rate was down 75 percent from its peak in 1993.¹ Violent crimes reported to the police fell from 713.6 per 100,000 in 1993 to 372.6 per 100,000 in 2015, a decline of close to 50 percent.² Similar declines are found in other measures of victimization and reported crime, including non-violent property offenses.

A number of factors have prompted discussion of criminal justice reform at federal, state, and local levels.³ Cities have enhanced community-based policing efforts, states have ceased new prison and jail construction projects, and lawmakers have engaged in a wide range of sentencing reforms. The Civil Rights Division of the Department of Justice has also played an important role by drawing attention to criminal justice practices that violate existing law.⁴

Has this new wave of reform discussion precipitated a sea change in incarceration practices? No. Despite observed declines in crime and much talk of criminal justice reform, the United States continues to incarcerate a large segment of the population. To be sure, the number of people under criminal justice supervision has fallen somewhat in the last decade, yet close to 2.2 million people are still incarcerated in federal, state, and local prisons and jails, and 4.7 million people are still under the surveillance of probation or parole agencies.⁵

The United States incarcerates a much larger fraction of its population than any other advanced industrialized country.⁶

KEY FINDINGS

- Despite observed declines in crime and much talk of criminal justice reform, the United States continues to incarcerate a much larger fraction of its population than any other advanced industrialized country.
- The burden of this intensive incarceration continues to fall disproportionately on black men: At the end of 2015, a full 9.1 percent of young black men (ages 20–34) were incarcerated, a rate that is 5.7 times that of young white men (1.6%).
- Fully 10 percent of black children had an incarcerated parent in 2015, compared with 3.6 percent of Hispanic children and 1.7 percent of white children.

Figure 1 shows incarceration rates in the United States compared with rates in Western Europe.⁷ In 1983, in the early years of criminal justice expansion, the U.S. incarceration rate was already more than twice the rates in Austria and Germany, which had the highest incarceration rates among the nine European countries shown. Yet by 2001, the U.S. incarceration rate was six to eight times the Austrian and German rates. Data from 2015 show that even after recent declines in the number of inmates, the United States continues to incarcerate a much larger fraction of its population than other countries. People living in the United States are more than 10 times as likely to be in prison or jail as people living in Denmark, Sweden, and the Netherlands and four times as likely compared with residents of the United Kingdom.

These simple counts of the number of people incarcerated or the percentage of the population in prison or jail do not show the extent to which contact with the criminal justice system is stratified by race and ethnicity. In the United States, incarceration is disproportionately concentrated among African-American and Latino men, particularly those with low levels of formal schooling. Table 1 shows racial and eth-

nic differences in exposure to incarceration.⁸ The top panel shows the percentage of young men incarcerated in federal, state, and local prisons and jails. In 1985, only 0.8 percent of young white men aged 20–34 were incarcerated. In contrast, the incarceration rate among young black men was 5.9 percent, over seven times the incarceration rate of whites. Racial inequality in incarceration rates peaked in the mid-2000s, with young blacks close to eight times as likely as young whites to be incarcerated. Even with recent declines in incarceration, 1 in 11 young black men (9.1%) was incarcerated at the end of 2015, an incarceration rate 5.7 times that of young white men (1.6%). Incarceration among young Hispanic men has risen, such that 3.9 percent were incarcerated at the end of 2015. Incarceration is also disproportionately concentrated among those with low levels of formal schooling. In 2010, when U.S. incarceration was near its peak, fully one-third of young black men who dropped out of high school were incarcerated.⁹ By the end of 2015, the black-white gap in incarceration for high school dropouts was substantially larger than the gap among those with some college education or more.¹⁰

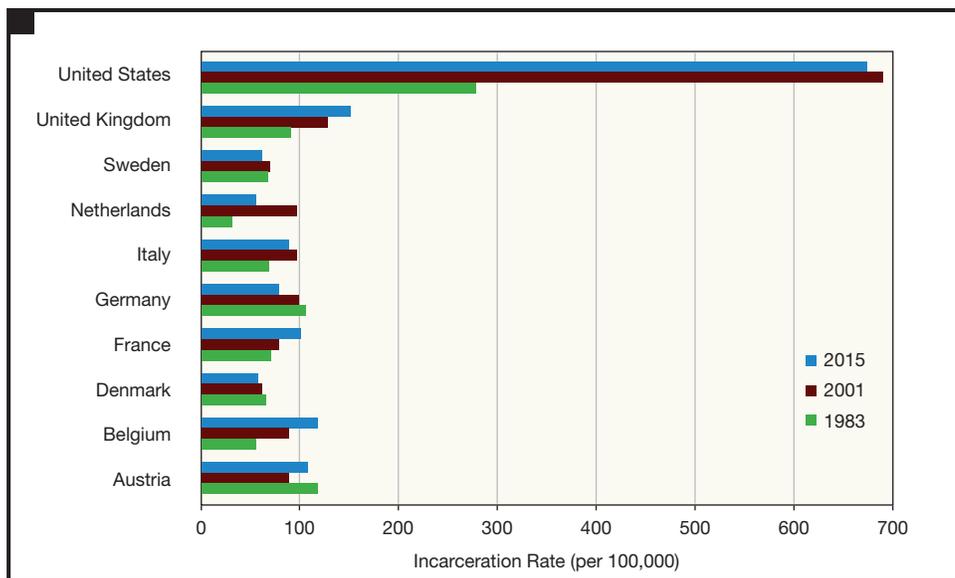
Inequality in exposure to incarceration shows up intergenerationally as well. The bottom panel of Table 1 displays race and ethnic inequalities in children’s exposure to having a parent incarcerated. Parental incarceration is much more common

for black and Hispanic children than for white children. In 2015, parental incarceration rates for Hispanic children were approximately twice as high as for white children, while black children were over five times more likely than white children to have a parent incarcerated. The consequences of parental incarceration are severe for children. Having a father incarcerated increases the risk of homelessness among black youth, elevates the odds of infant mortality, increases internalizing and externalizing behaviors in children, and places minors at risk of educational failure and future criminal justice contact.¹¹

It is important to bear in mind that racial and ethnic disparities in incarceration are not a reflection of trends in crime or victimization. The concentration of incarceration in racial and ethnic minority groups is due to shifts in policing, prosecution, and sentencing that disproportionately affect historically disadvantaged groups.¹²

It is easy to normalize this state of affairs. Stripped of this normalization, we are left with the simple fact that the United States is warehousing a large segment of the African-American population, a policy that can reasonably be interpreted as an institutionalized form of social control.¹³ Others contend that the criminal justice system has such significance in the lives of young black men that it has become one of the

FIGURE 1. Incarceration Rates in the United States and Western Europe



Source: U.S. rates are from Western, 2006; Beck et al., 2002; Kaeble and Glaze, 2016. European rates are from the Council of Europe, 1983 and 2002; Aebi et al., 2016.

key institutions generating racial and economic inequality.¹⁴ Spending time in prison or jail has negative consequences for employment, earnings, and other indicators of economic self-sufficiency.¹⁵ Moreover, the weight of empirical evidence suggests that parental incarceration negatively impacts measures of child well-being and undergirds the intergenerational transmission of inequality.¹⁶ Despite decades of declines in crime and much talk about criminal justice reform, incarceration remains a critical axis of racial and ethnic inequality in the United States. ■

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TABLE 1. Exposure to Incarceration by Race and Ethnicity

Incarceration Rate for Adult Men, Aged 20–34			
	1985	2000	2015
Non-Hispanic White	0.8	1.5	1.6
Non-Hispanic Black	5.9	11.5	9.1
Hispanic	2.3	3.7	3.9
Percentage with a Parent Incarcerated Among Children, Aged 0–17			
	1985	2000	2015
Non-Hispanic White	0.6	1.4	1.7
Non-Hispanic Black	4.1	10.1	10.0
Hispanic	2.0	3.7	3.6

Note: 2015 estimates are based on the authors' calculations.
Source: Pettit et al., 2009; Sykes and Pettit, 2014.

NOTES

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3. For a discussion of some recent policy initiatives, see Obama, Barack. 2017. "The President's Role in Advancing Criminal Justice Reform." *Harvard Law Review* 130(3), 811–865.

4. See, for example, U.S. Department of Justice, Civil Rights Division. 2015. "Investigation of the Ferguson Police Department." Retrieved from https://www.justice.gov/sites/default/files/opa/press-releases/attachments/2015/03/04/ferguson_police_department_report.pdf.

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10. The 2015 estimates are based on the authors' calculations using data from the Survey of Inmates, the Current Population Survey, and the Bureau of Justice Statistics. For further details, please contact the authors.

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13. Wacquant, Loic. 2001. "Deadly Symbiosis: When Ghetto and Prison Meet and Mesh." *Punishment and Society* 3(1), 95–134; Alexander, Michelle. 2010. *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*. New York: The New Press.

14. Western, 2006; Pettit, Becky. 2012. *Invisible Men: Mass Incarceration and the Myth of Black Progress*. New York: Russell Sage Foundation; Wakefield and Wildeman, 2013.

15. Travis et al., 2014.

16. Wakefield and Wildeman, 2013.

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