Incarceration policy affects a lot of people

Over 2 million prisoners in the US
Incarceration policy affects a lot of people

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Violent crime and incarceration rates since 1960

Incarceration rates are (indirectly) a policy choice

• Incarceration is very costly, (maybe) important for stopping crime

Sam Norris
Costs and Benefits of Incarceration
Incarceration policy affects a lot of people

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This talk

Rigorous evidence on costs and benefits of incarceration

- New data and new methods
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Why do we incarcerate people?
This talk

Rigorous evidence on costs and benefits of incarceration
- New data and new methods

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How to measure a causal effect

Goal: understand what will happen if we incarcerate a defendant

Possible strategies:

1. Compare incarcerated defendants to non-incarcerated defendants

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How to measure a causal effect

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How to measure a causal effect

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2. Run a Randomized Controlled Trial
   - Randomly assign defendants to jail (on average the same)
   - Unethical/impossible

3. Use a natural experiment
   - Find a court where randomization is already happening
Ohio courts (felonies and misdemeanors)

- Cases assigned to judges randomly

- Judges have lots of power

- Key idea: compare defendants assigned to lenient judges and defendants assigned to severe judges
  - Only thing that differs is incarceration, not other decisions
Sentencing varies widely by judge

- Some judges incarcerate 15% of cases, others incarcerate 50%

Histogram of judge incarceration rates (255 judges)
Incarceration is short-lived

Effect of initial incarceration on being incarcerated in each quarter

- 3-6 months for court case to conclude
- Most defendants released within 2-3 years

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Incapacitation reduces future crimes

Effect of initial incarceration on cumulative crimes

- Steep decline in crime while incarcerated
- No further reduction after release

Years since initial charge

Effect of incarceration

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Cost-benefit of incarceration

Putting it all together

- Incarceration costs \(\sim$26,000/\text{year} \) in Ohio

- Put dollar value on each subsequent crime
Cost-benefit of incarceration

Putting it all together

- Incarceration costs $\sim$26,000/year in Ohio

- Put dollar value on each subsequent crime
  - High and low range for most crimes
    - Assault: [44,606, 119,434]
    - Burglary: [23,492, 54,652]

- Present range of possible estimates
Cost-benefit of incarceration

Effect of initial incarceration on net cost

Net cost ($)

Years since court date

Benefit from reduced crime
Cost-benefit of incarceration

Effect of initial incarceration on net cost

Cost from incarceration

Net cost ($)

Years since court date

-20,000

-10,000

0

10,000

20,000

0 1 2 3 4 5 6 7 8

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Costs and Benefits of Incarceration
Cost-benefit of incarceration

Effect of initial incarceration on net cost

Years since court date

Net cost

Net cost ($)
Cost-benefit of incarceration

Effect of initial incarceration on net cost

Net cost ($) vs. size (medlarge)

Years since court date

Statistical uncertainty

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What about other costs?

Incarceration might affect defendants’ children

- Conventional wisdom is that parental incarceration is bad
What about other costs?

Incarceration might affect defendants’ children
- Conventional wisdom is that parental incarceration is bad
- We find the opposite:

Effect of parental incarceration on child outcomes
What about other costs?

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Effect of parental incarceration on child outcomes
Child benefits do not outweigh costs

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Sam Norris  Costs and Benefits of Incarceration
## Costs and Benefits of Incarceration

Child benefits do not outweigh costs

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<tr>
<td>Cost of marginal incarceration</td>
<td>17,975</td>
</tr>
<tr>
<td>Overall</td>
<td>[-715, 8,218]</td>
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</table>
Conclusion: incarceration is expensive crime reduction

Quasi-experimental estimates of the costs and benefits of incarceration

- Incarceration averts 0.6 crimes
- Benefit outweighed by high cost

Children modestly benefit from parental incarceration

- Benefits unlikely to make incarceration net positive
Other recent work

Incarceration

- Similar results, entirely different research design (Rose & Shem-Tov, 2019)

Incarceration and employment

- Incarceration has small ↓ on employment (Morenoff et. al, 2018)

Diversion (second chance to avoid criminal record)

- ↓ recidivism, ↑ employment (Mueller-Smith & Schnepel, 2019)

Higher minimum wage/EITC

- ↓ recidivism (Agan and Makowsky, 2018)

Pre-trial bail (holding defendants before trial)

- ↑ guilty pleas, ↓ employ, no effect on crime (Dobbie et al, 2018)
On the Outside: Prisoner Reentry and Reintegration

Jeffrey D. Morenoff
(in collaboration with David J. Harding and Jessica Wyse)
Study Design

• Administrative Data
  – Cohort of 11,000 individuals paroled in Michigan in 2003, followed over time through 2009
  – Linked state records from police, courts, corrections (including parole agent case notes), and Unemployment Insurance Agency

• Qualitative Interviews
  – Sample of people within one month of release from prison in 2007-2008
  – 22 subjects (15 men, 7 women) followed for 3-4 years
  – 155 total interviews
Outline of Talk

1. Returning home
2. Residential and economic instability
3. Finding work after prison
4. Conclusions and policy implications
1. Returning home
In prison I can’t disappoint anyone; out there I can.

– Randall, 32-year-old African American man
Multiple Pathways to Recidivism

(Data from 2003 Michigan Parole Cohort)
Prison’s Revolving Door

(Harding et al., 2017)

- Being sentenced to prison for felony increases likelihood of returning to prison within 5 years
- Most of these returns were due to parole violations rather than new crimes
Reasons for Parole Infractions

- Failure to report to parole officers: 73%
- Failing to attend or complete programming: 61%
- Substance use: 51%
- Living at unapproved residences: 50%
- Violating curfew or other movement restrictions: 49%
- Associating with other felons: 39%
- Possessing weapons other than firearms: 29%
- Driving without permission or without license: 22%
A Place to Call Home?

• Common **reentry myth** is that most people return to the same neighborhoods that got them into trouble

• Relatively **few people** return to same address where they lived before prison

• Why?
  – Trying to avoid the old neighborhood
  – Go to live with family who have moved away from the old neighborhood
  – Living in institutionalized setting
Distance between Pre- and Post-Prison Address

- **Within half mile of pre-prison address**: 31.30% (First address after release) vs. 40.80% (Any address within 2 years of release)
- **0.5-1.0 miles from pre-prison address**: 8.30% (First address after release) vs. 16.40% (Any address within 2 years of release)
- **1-2 miles from pre-prison address**: 19.10% (First address after release) vs. 33.40% (Any address within 2 years of release)
- **2-5 miles from pre-prison address**: 3.90% (First address after release) vs. 40.20% (Any address within 2 years of release)
- **More than 5 miles from pre-prison address**: 3.90% (First address after release) vs. 58.90% (Any address within 2 years of release)

Percentage of Parole Sample ($n = 3,221$)
I messed up before, going to wet places and wet faces. Soon as you go around there and they drinking, they smoking crack, and they using heroin, and they ask you for some money...Then, if they don’t know where I’m staying, that’s how it’s gonna be. I’m not letting nobody know where I [live] but my kids and my family.

– Lenora, 51-year-old African American woman
2. Residential and Economic Instability
Extreme Residential Instability

Residential Moves during First Two Years

Average parolee moves **2.59 times per year**

- These moves amount to an average of 25.5 miles between residences per year
- Roughly $\frac{1}{4}$ of moves are due to intermediate sanctions (e.g., jail, correctional center, treatment programs)
Extreme Economic Instability

States of material hardship describing book subjects

1. **Desperation**: extreme material need
2. **Survival**: getting by, but housing and food sources are unstable and insecure (shelters, transitional housing)
3. **Stability**: secure source of shelter and food, reasonable certainty of meeting needs in foreseeable future (stable living situation, stream of income)
4. **Independence**: sufficient resources and prospects for advancement beyond day-to-day existence (secure job)
5. **Custody**: prison, jail, detention center, residential treatment program
# Trajectories of Economic Instability

<table>
<thead>
<tr>
<th>Trajectory</th>
<th>Race, Gender</th>
<th>Months from Time of Release</th>
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<tbody>
<tr>
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<td>3</td>
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<tr>
<td><strong>Hardship</strong></td>
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<td><strong>Survival</strong></td>
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<td><strong>Mobility</strong></td>
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**Legend:**

- 0: Desperation
- 1: Survival
- 2: Stability
- 3: Mobility
- 1: Incarceration
- 2: Inpatient Treatment
- 3: Missing Data

*Note: The table represents trajectories over time, with numbers indicating the occurrence of different events. The colors and patterns indicate different states or transitions in economic instability.*
Legal Financial Obligations and Monetary Sanctions

- Examples: restitution, supervision fees, electronic monitoring fees, lawyer fees
  - Such payments typically account for 30%-60% of one’s annual income

- Debt contributes to erosion of credit scores, limiting access to housing and education

- Study participants either did not pay their fines at all or had family members pay for them
Key Role of Families

• **Instrumental support**
  – Housing, food, transportation, finding jobs
  – Families bear burden for meeting most material needs
  – Burden falls disproportionately on families with fewest resources

• **Emotional support**
  – Family relationships help provide sense of identity and prosocial roles

• **Stress/Conflict**
  – Role strain, coercion
My husband, it’s kind of like [pause] we hold each other up or we pull each other down, together.

– Jane, 48-year-old white woman
Living Arrangements After Release

- With Parent: 33.6%
- With Spouse or Partner: 11.4%
- With Other Family or Friend: 21.7%
- Alone: 6.0%
- In Criminal Justice Institutional Housing: 13.1%
- In Hotel: 5.2%
- In Homeless Shelter: 3.3%
- In Treatment or Transitional Housing: 3.6%

Percentage of Parole Cohort (n = 3,221)
3. Finding work after prison
Work Is Very Hard to Find after Prison

Percent of Parolees In Community Who Are Employed in the Formal Labor Market

Source: Michigan Study of Life After Prison (Employment Recorded by the Unemployment Insurance System, Parolees Released in 2003)
Modal Employment Trajectories Over 3 Years

Plots show %employed/unemployed at each calendar quarter since release from prison.
Types of Jobs

• Most jobs are in secondary labor market
  – Low wages, high turnover, poor working conditions

• Most common types of jobs (% of employed parolees)
  – Administrative and support industries (temp work, janitorial and maintenance work): 25%
  – Manufacturing: 20% (highest wages)
  – Accommodation and food services: 16.5%
Balancing Work with Parole

• Exclusion from some types of jobs and professional licenses/certification
  – These conditions vary widely across states
• Surveillance: parole check-ins, electronic monitoring
• Employment verification checks
They don’t want me working at no car wash. I can’t work at no bar. I think that’s against parole guidelines...You can’t get paid under the table, basically...They want to see the check stub for verification of a job. There got to be a check stub.

– Randall, 32-year-old African American man
4. Conclusions and Policy Implications
What Is Reintegration?

• More than just avoiding recidivism
• Rebuilding social networks
• Involvement in institutions other than the criminal justice system
• Material security and stability as foundation
• Involvement in civic, religious, and/or political life (longer term)
Key Social Contexts for Reintegration

- **Neighborhoods**
  - Proximity to jobs, drugs, old friends
  - High degree of residential instability after prison

- **Families**
  - Especially important for providing material needs
  - Incarceration of loved one imposes large burdens on families

- **Labor Market**
  - Work is very hard to find
  - Most jobs are in secondary labor market

- **Criminal Justice System**
  - Shift in community corrections from social work model (rehabilitation, reintegration) to law enforcement model (surveillance, control)
  - Disruptive effect of intermediate sanctions
Prison as Turning Point?

• Potential for positive change
  – Cooling out, reflection, break from challenges of daily survival and drug addiction
  – Ties to close family can strengthen, and ties to friends/acquaintances who have been bad influences can weaken
  – Many leave prison with very positive attitudes and a lot of optimism (the “reentry moment”)

• But the challenges of reentry are overwhelming
Policy Considerations

• **Justice Reinvestment**
  – Shrinking prison system and directing cost-savings toward social services and supports
  – Average cost per inmate is more than $31k per year and varies widely (as high as $60k-$70k in some states)
  – Prison sentences do little to reduce re-offending and may actually increase future criminal behavior
  – Reducing prison population need not jeopardize public safety

• **Making parole more supportive than punitive**
  – Disruptive effects of intermediate sanctions
  – Parole should be oriented more toward rehabilitation

• **Using time in prison to prepare for release**
  – Effectiveness of intensive treatment and prison education programs
  – More programming earlier in sentences
  – More postsecondary education
Policy Considerations (continued)

• Rebuilding spoiled social identities and remediating stigma
  – Removing occupational licensing barriers, restoring access to social welfare benefits
  – Expanding opportunities for expungement, regulating companies that maintain criminal record databases
  – Problems with “Ban the Box” laws: they do not prevent background checks and may harm employment among African Americans without criminal records
  – Developing ways for people with criminal records to signal reform/rehabilitation through positive credentialing

• Supporting families who do the work of reintegration
  – Programs that directly involve families in reentry process
  – Enhancing public benefits available to families supporting reintegration
  – Need for long-term supportive housing
Thinking beyond prisoner reform to reintegration

BY DAVID J. HARDING, JEFFREY D. MORENOFF AND JESSICA J. WYSE, OPINION CONTRIBUTORS —
03/15/19 04:30 PM EDT
THE VIEWS EXPRESSED BY CONTRIBUTORS ARE THEIR OWN AND NOT THE VIEW OF THE HILL
Lack of National, Integrated Criminal Justice Data in U.S.

Data are currently siloed in agencies that operate largely independently

- Per multiple National Academy of Sciences reports

Examples of scientific questions that cannot be fully addressed

- What share of U.S. population currently holds a felony conviction?
- How many people have ever spent time in jail or prison?
- What proportion of kids experience parental involvement in the criminal justice system at some point during their childhood?
- How do these measures differ across space, time, and demographic groups?
Building a National Data Repository

Michael Mueller-Smith, University of Michigan
Keith Finlay, U.S. Census Bureau

• Collecting, harmonizing, and linking data that cover long time periods and multiple jurisdictions
• Traces each criminal episode through the justice system by linking records
• Integration with data held by the Census Bureau
• Funding
  – NSF Resource Implementations for Data Intensive Research (RIDIR)
  – Bill and Melinda Gates Foundation
  – Pilot funding from Laura and John Arnold Foundation
Federal Support for Our Research on Incarceration and Reentry

• Eunice Kennedy Shriver National Institute of Child Health and Human Development
  – Research grants (R01 HD079467-02; 1R21HD060160)
  – Center grants at U Michigan and U California, Berkeley

• National Science Foundation (SES 1061018; SES 1060708)

• National Institute of Justice (2008-IJ-CX-0018)
Publications

Book

Articles
Publications (continued)


