PART II

Mass Imprisonment and Inequality

8

Punishment and Inequality

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INTRODUCTION

The study of punishment and inequality is hardly new. Since the dawn of social scientific research on punishment, scholars have rehearsed the point that to enter a nation's prisons is to dwell among its poorest, worst educated, most socially isolated and dishonored. As early as 1939, sociologists Rusche and Kirchheimer (1939 [2005]: 6) could conclude with little controversy that, 'the mere statement that specific forms of punishment correspond to a given state of economic development is a truism'. In the 70 years since their seminal *Punishment and Social Structure*, social scientists have time and again empirically confirmed their conclusion that social inequalities in the world outside the prison strongly predict the distribution of inmates inside it.

Formally speaking, studies of punishment and inequality until recently have been studies of the effects of inequality in socioeconomic and marital status on inequality in criminal punishment. Almost exclusively they have focused on a single link, depicted in Figure 8.1, that between inequality at T_1 and punishment at T_2.

In the last 15 years, however, largely in response to changes in the penal system itself, research on punishment and inequality has taken a turn in a new direction. Rather than focus on how social inequalities express themselves in the prison population, it has instead examined how punishment itself might exacerbate those inequalities. The new generation of research on punishment and inequality, in other words, concerns itself primarily with the link between punishment at T_2 and inequality at T_3.

The new path of prison research promises its own opportunities and pitfalls. Empirical researchers steeped in counterfactual thinking conceive of incarceration as a quasi-experimental treatment – one that affects its recipients in two ways (Pager, 2007).[1] Compared to many other types of treatment evaluated in the social sciences, a prison dosage is strong. Prison subjects inmates to confinement and isolation (Haney, 2006; Gawande, 2009), on the one hand, and contact with others similarly disadvantaged (Pettit and Western, 2004) or criminally inclined (Sykes, 1958), on the other. With a median sentence of 36 months, it takes place over a substantial duration. Moreover, it

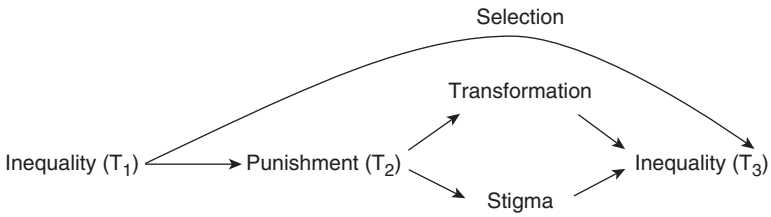

Figure 8.1 Previous studies of punishment and inequality focused on the link between inequality in socioeconomic and marital status at T_1 and inequality in punishment at T_2. The new literature focuses on the link between inequality in punishment at T_2 and its effect on inequality in socioeconomic and marital status at T_3. This literature identifies two primary mechanisms by which inequality in punishment might exacerbate inequality in socioeconomic and marital status: the transformation and the stigmatization of inmates. However, because the distribution of inmates is affected by the distributions of socioeconomic and marital status in the population, inequality might have widened between T_1 and T_3 even absent large increases in the prison population.

deprives prisoners of economic, educational, familial and civic resources available outside prison walls (Braman, 2004; Page, 2004; Manza and Uggen, 2006; Western, 2006). Given the severity of the treatment, it requires little stretch of the imagination to expect the prison experience to transform inmates themselves.

However, incarceration can negatively affect inmates even if they remain personally unchanged by the experience. As Pager (2007) notes, it can do so by distributing a negative credential – a mark of infamy – in attaching to them a criminal record difficult to conceal or shake, even if legally permitted to do so. A former inmate whose poor economic prospects might have influenced his path to prison may therefore find himself with even worse prospects upon release. Legal bans on voting and the receipt of welfare, public housing and financial aid might further impede his chances of success following a spell of incarceration (Travis, 2002). The stigma of incarceration, moreover, might partially explain his comparatively high risk of divorce (Lopoo and Western, 2005; Apel et al., 2010).

Even with two theoretical means by which punishment could widen inequalities in socio-economic and marital status, health and civic participation, the new literature on punishment and inequality faces significant methodological obstacles. The major challenge, somewhat paradoxically, is advanced by the punishment and inequality research of yore. If social inequalities so strongly determine the distribution of prison inmates, how can one distinguish the effects of prison from the effects of being the type of person *likely to go to prison*? Concerns about selection bias suffuse social science, but they are particularly acute in research on punishment, where there are strong theoretical and empirical reasons to believe that any effect of incarceration is simply attributable to the negative endowments that landed a person in prison in the first place. In an era when rehabilitation guided correctional philosophy (Garland, 2001), one might have expected a prison term to improve the life chances of inmates. Since the onset of 'mass imprisonment' and, with it, the curtailment of correctional programming, however, the belief that imprisonment further undercuts the resources available to the already disadvantaged appears more plausible.

Methodological challenges to the new literature on punishment and inequality have encouraged scholars to adopt more sophisticated causal identification strategies such as

field experimentation (Pager, 2003) and instrumental variables estimation (Kling, 2006; Green and Winik, 2010). If research on punishment and inequality is to advance, it must supplement the descriptive and demographic studies that have placed it on solid empirical footing with methods to identify imprisonment's causal effects.

Recent research on punishment and inequality has taken one additional step forward. Rather than consider the effects of imprisonment solely on the offender, it has asked how the increasing severity of punishment might affect the families and communities of the imprisoned and formerly imprisoned (Comfort, 2007). As the scope of incarceration has grown, so has the length of its shadow. If the claims of this research are borne out empirically, the families, friends, and neighbors of the incarcerated may bear additional burdens without having committed any crime of their own.

This chapter proceeds in six parts. First, we summarize broad changes in imprisonment in the USA over the last 130 years. We focus on prison and jail incarceration in the USA alone because the current scope of penal confinement in the USA makes it the most likely case to reveal an aggregate relationship between punishment and inequality. Next, we review evidence on four indices of inequality – social-economic status (SES), marriage, health and civic participation – regarding both their effects (on imprisonment) and causes (by imprisonment). We consider imprisonment's effects not only on offenders, but also on their families and communities. We conclude by highlighting areas of research that will enable us more precisely to understand American imprisonment so that we might imagine a better future for all those whom it affects.

THE GROWTH OF IMPRISONMENT

Over the century between 1870 and 1970 the American incarceration rate hovered between 100 and 200 persons per 100,000. Before the 1970s, incarceration in the USA remained so stable that criminologists Blumstein and Cohen (1973) predicted it would deviate little from its largely trendless course. As depicted in Figure 8.2, the year these predictions were published the incarceration rate began an upward ascent from which it has only recently departed. Today the US imprisonment rate (not including jails) exceeds 500 per 100,000 people. America's rate of incarceration falls closer to those of South Africa and the former Soviet Union than to those of the UK, Canada and other comparable democracies. As Figure 8.3 demonstrates, the American rate of imprisonment is an extreme outlier among other wealthy democracies. The scale of imprisonment in the USA makes Spain's incarceration rate, which experienced the most dramatic increase in imprisonment in the EU between 1983 and 2006, appear nearly flat.

Although the ascent of the American incarceration rate is a historically recent phenomenon, inequalities in the chances of being incarcerated are much older. Despite a rising risk of imprisonment for women during the prison boom years (Bonczar, 2003), men are still eight times as likely ever to experience imprisonment. Racial and educational differentials are nearly as drastic. As depicted in Table 8.1, black men born between 1965 and 1969 were seven times more likely to have been imprisoned by 1999 than comparable white men (Western and Wildeman, 2009; see also Pettit and Western, 2004), although racial disparity in imprisonment remained roughly constant over the course of the prison boom. Black men without a high school diploma born just 10 years later (in the late 1970s) face nearly a 70 percent chance of ever going to prison. The risk for comparable whites is about 15 percent (Western and Wildeman, 2009). Prisoners are more likely than the average citizen to have been abused as children, to suffer some form of mental illness, to have been homeless, or to be addicted to drugs and alcohol (Mumola, 2000). Coupled with histories of criminal

Table 8.1 Cumulative risk of imprisonment by age 30–34 for men born 1945–9 to 1975–9, by race and education

	Birth year						
	1945–9	*1950–4*	*1955–9*	*1960–4*	*1965–9*	*1970–4*	*1975–9*
White men							
High school dropouts	4.2	7.2	8.0	8.0	10.5	14.8	15.3
High school only	0.7	2.0	2.1	2.5	4.0	3.8	4.1
All noncollege	1.8	2.9	3.2	3.7	5.1	5.1	6.3
Some college	0.7	0.7	0.6	0.8	0.7	0.9	1.2
All men	1.2	1.9	2.0	2.2	2.8	2.8	3.3
African American men							
High school dropouts	14.7	19.6	27.6	41.6	57.0	62.5	69.0
High school only	10.2	11.3	9.4	12.4	16.8	20.3	18.0
All noncollege	12.1	14.1	14.7	19.9	26.7	30.9	35.7
Some college	4.9	3.5	4.3	5.5	6.8	8.5	7.6
All men	9.0	10.6	11.5	15.2	20.3	22.8	20.7

Source: Western and Wildeman (2009: 231)

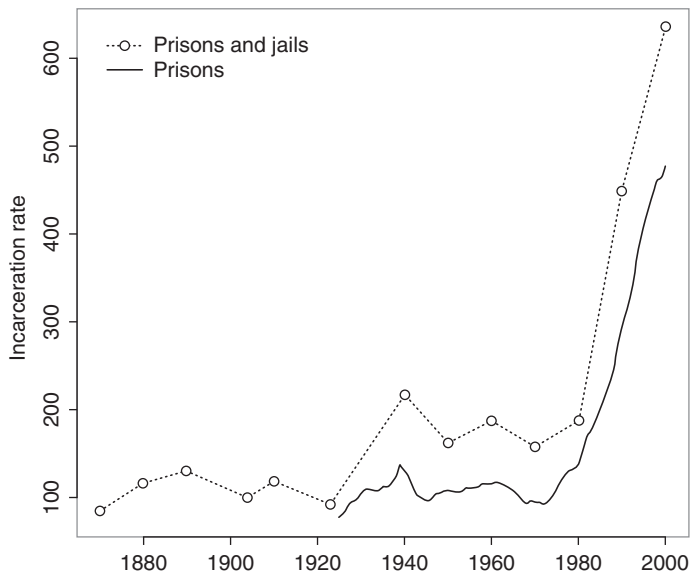

Figure 8.2 Beginning in 1973, the US incarceration rate began a historically unprecedented ascent

Source: Author's calculations using data from historical Censuses of the United States and the Sourcebook of Criminal Justice Statistics

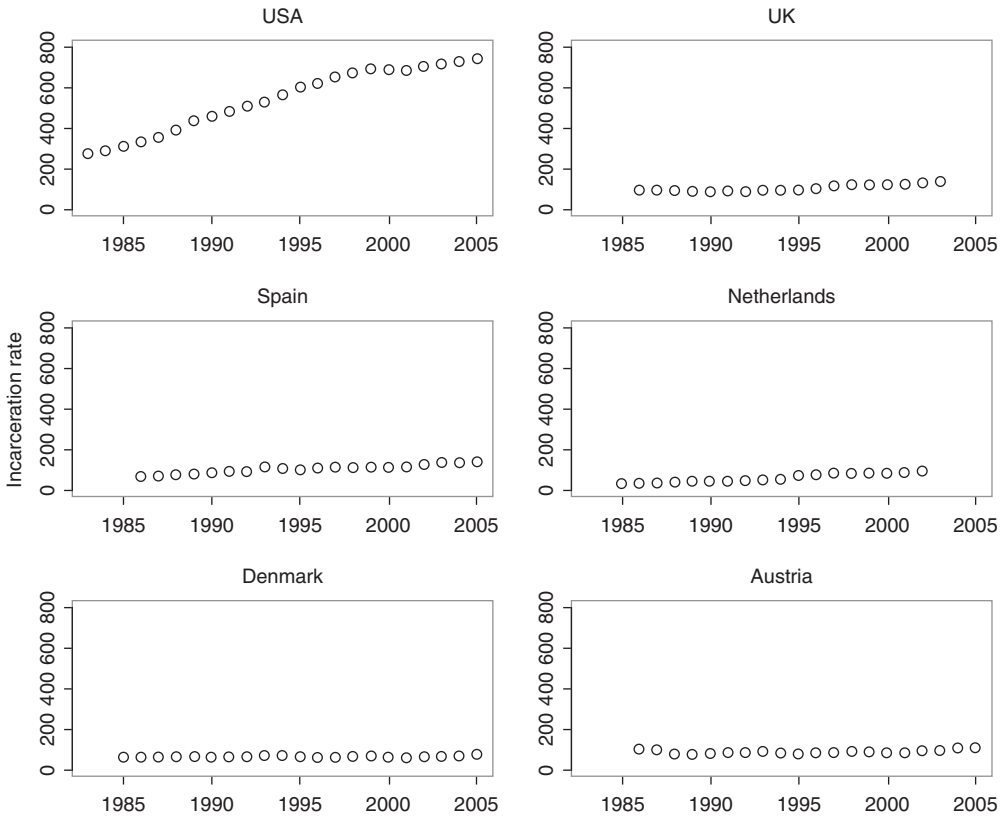

Figure 8.3 The American rate of imprisonment is an extreme outlier among other wealth democracies

Source: Author's calculations using data from the United Nations Survey on Crime Trends and the Operations of Criminal Justice Systems, the Council of Europe, the European Sourcebook of Criminal Justice, Eurostat, and the United States Bureau of Justice Statistics

activity, unemployment, and residency in poor neighborhoods, most prisoners began life at a significant disadvantage to the general population.

As imprisonment became common among adults, so also did parental imprisonment become common among children. Wildeman (2009) estimates that one in four black children born in 1990 had a parent imprisoned by his or her 14th birthday. For black children of high school dropouts, parental imprisonment was modal. These risks are about twice the risk of those for children born 12 years earlier – and significantly higher than the risks for comparable white children (Table 8.2).

THE EFFECTS OF IMPRISONMENT ON INDIVIDUALS, FAMILIES AND COMMUNITIES

The massive increase in the American imprisonment rate over the last 35 years will affect social inequality if it has negative consequences and if those consequences are unequally distributed. The magnitude of these

Table 8.2 Cumulative risk of paternal and maternal imprisonment by age 14 for children born in 1978 and 1990, by race and parental education

	White children				*African American children*			
	Paternal		*Maternal*		*Paternal*		*Maternal*	
	1978	*1990*	*1978*	*1990*	*1978*	*1990*	*1978*	*1990*
All children	2.2	3.6	0.2	0.6	13.8	25.1	1.4	3.3
By parental education								
All noncollege	2.9	5.6	0.2	0.8	15.6	30.2	1.5	3.6
High school dropout	4.1	7.2	0.2	1.0	22.0	50.5	1.9	5.0
High school only	2.0	4.8	0.2	0.7	10.2	20.4	0.9	2.6
Some college	1.4	1.7	0.2	0.3	7.1	13.4	1.2	2.6

Source: Wildeman 2009: 271, 273

effects on inequality will depend both on how large the micro-level effects of incarceration are and on how unevenly distributed the experience of incarceration is. We know imprisonment is commonest among men of color with low levels of schooling who have histories of mental illness and physical and drug abuse. Any universally negative effects of imprisonment therefore will fall disproportionately on them. This very fact, however, may undermine claims about incarceration's aggregate effects on inequality. Given the poor pre-incarceration employment prospects of those most likely to receive a prison sentence, even a relatively large effect of incarceration on their likelihood of employment may have only a modest aggregate effect on racial inequality in employment. Throughout the paper this fact should be borne in mind. In the following section, we consider the potential consequences of imprisonment for prisoners, their families and the broader social units to which they belong.

Rather than provide an exhaustive review (for this, see Wakefield and Uggen, 2010), we focus instead on a few of the most active areas of research, imprisonment's effect on SES, family structure and integrity, health and mortality, and civic participation. We do so for three reasons. First, limiting the scope of the literature creates space for a deeper discussion of its implications. Second, since obstacles to causal inference here are especially pervasive, we use the additional space to differentiate between the mechanisms leading individuals into prison and the mechanisms that transform or stigmatize them once they get out. We also discuss how imprisonment itself might affect the partners, families and communities to which prisoners are tied. Finally, limiting our focus gives us more space to consider gaps in the literature and suggest directions for future research.

PUNISHMENT AND SES

Since the seminal contribution of Rusche and Kirchheimer (1939), social scientists have amassed a wealth of studies considering the influence of SES – generally measured as race, class, education and income – on individual point-in-time (Blumstein and Beck, 1999) and cumulative risks of imprisonment (Pettit and Western, 2004). This literature trades in statistical associations, perhaps at the expense of a thorough consideration of precisely what mechanisms drive the relationship between SES and incarceration. Are people, as in a Marxian framework, impelled to crime by economic necessity, forced to steal or participate in illicit economies due to a lack of viable options in legitimate labor

markets (Linebaugh, 2003)? Does growing up in a poor neighborhood dull the normative sanction on crime such that it carries a weaker stigma among the dispossessed than it does among the wealthy (Venkatesh, 2006)? How much of the racial disparity in incarceration can be traced to perceptions of racial dishonor among the officials of criminal justice (Wacquant, 2001)? Sampson and Wilson advance a theory combining these three hypotheses. '[M]acrosocial patterns of residential inequality,' they argue, 'give rise to the social isolation and ecological concentration of the truly disadvantaged, which in turn leads to structural barriers and cultural adaptations that undermine social organization and hence the control of crime' (1995: 38). Despite the literature's long pedigree, it could benefit greatly from increased analytical specificity and elaboration of precisely how a person's economic and social status influences his likelihood of engaging in crime or – independently – his chances of being incarcerated. Recent work on how family SES increases the risk of parental imprisonment (Wildeman, 2009), how joblessness biases the decisions of criminal justice officials (Spohn and Holleran, 2000) and how spatially concentrated imprisonment might be self-perpetuating (Clear, 2007; Sampson and Loeffler, 2010) points in promising new directions.

The new literature on punishment and inequality considers the reverse relationship. It asks whether the experience or negative credentialing of imprisonment might reduce the SES of former prisoners. The direct effects of incarceration on one's economic status hardly need to be elaborated: confinement prevents one from earning a wage comparable to those outside of prison, if one at all; following incarceration, it inserts a large gap into one's résumé. Although prisons once provided avenues for educational attainment, outside of a few successful demonstration projects tied to universities, federal funding for such programs has largely been cut (Page, 2004). The modal former prisoner, moreover, accrues substantial legal debt as a result of his crime, trial, and incarceration (Harris et al., 2010).

On any given day in America, one out of nine young black men are absent from their communities due to incarceration. By incapacitating prisoners, incarceration prevents these men from committing crimes in the outside world. It also, however, separates them from civic life, the lives of their families, children and romantic partners, and the world of work. The possible tradeoffs entailed by the complexity of incapacitation have only recently begun to be considered in any detail.

There are additional reasons incarceration might diminish an individual's SES. Comparatively little research considers how prison, in changing individuals, might thereby undercut their social and economic standing. Long before the onset of the prison boom, Sykes (1958) noted the potential negative behavioral effects of prolonged institutionalization. Imprisonment, for instance, could reduce the skills inmates already possess or would have developed absent confinement. Prisoners likewise might adopt survival techniques inside prison that work at cross-purposes to their desire to find work upon release (Kaminski, 2004; Nurse, 2002). Goffman (2009), for example, demonstrates how wanted young men cultivate unpredictability inconsistent with the sort of routine necessary to maintain stable work. Better understanding what prison does to transform those who experience it would enable us to assess what its broader effects will be once prisoners are released.

If scholarship on the effects of incarceration on human capital is relatively scant, research on the stigma or negative credential incarceration confers is substantially larger. The leading conclusions in this area stem from the research program of Pager (2003, 2007; Pager and Quillian, 2005; Pager et al., 2009). Pager (2003) and Pager et al. (2009) report the results of audit studies in which matched pairs of testers present employers with resumes identical but for a randomly assigned line signaling a low-level felony

drug conviction. The presence of such a line substantially decreases an applicant's chance of receiving a call for an interview. The experimental design of these studies permits the effect of negative credentialing to be distinguished from other discernible characteristics of applicants. Pager and Quillian (2005) elucidate possible mechanisms behind these causal estimates with qualitative evidence suggesting that employers respond strongly to the negative status of ex-offenders. Using observational data, Western (2002, 2006) concludes that having ever been incarcerated diminishes one's future earnings by approximately 30 percent.

Kling (2006), using the random assignment of defendants to judges who mete out shorter or longer average sentences, conversely finds that longer prison sentences have no measurable effect on the post-incarceration wages of former prisoners. There are many possible explanations for these null findings. One possibility is that prison's effect on wages works primarily through stigma, a treatment that should take effect irrespective of the strength of the treatment, rather than by diminishing human capital, the extent of which should vary with sentence length. Another is that the counterfactual comparison group may already have experienced imprisonment before the study began (or experienced it soon after the treatment window), a possibility that would bias the estimates toward zero. Although the design used by Kling (2006) points to a promising new line of quasi-experimental research on the effects of incarceration, the approach is not without its limitations. Clean causal identification may come at the expense of producing estimates that are not of the greatest scientific interest.

Incarceration's negative credentialing, it should be noted, is not restricted to the labor market. Prisoners with a felony drug conviction are legally forbidden from receiving welfare or public housing (Rubinstein and Mukamal, 2002). As Gowan (2002) demonstrates, making such funds available to recently released prisoners can be the decisive factor in determining whether they remain homeless. Perhaps most remarkable is the relationship of imprisonment to one's perception of one's own identity. In an innovative study, Saperstein and Penner (2010) show that having been imprisoned increases the probability that individuals will self-identify as African American and that others will likewise identify them.

As we suggest in the introduction, the direct effects of imprisonment on SES may extend beyond the individual offender. Through ethnographic observation, Comfort (2008) uncovers hidden financial costs associated with having a partner go to prison. In a parallel work, Braman (2004) shows that an incarcerated father's absence reduces a mother's income by forcing her to cut back on work hours or increase her expenditures on childcare. Geller et al. (2011) find that ever-incarcerated men contribute nearly 15 percent less income to their families than comparable men (conditional on contributing at all). The relationship between parental imprisonment and childhood SES, however, is less well understood. Foster and Hagan (2007, 2009) suggest that paternal incarceration reduces children's educational attainment. Cho (2009a, 2009b), in contrast, finds that maternal imprisonment weakly diminishes or has no effect on children's educational attainment.

Despite substantial progress since Western and Beckett (1999) initiated research on the economic consequences of incarceration, considerable work remains to be done. Future studies should exploit the random assignment of judges and prosecutors to defendants to test Kling's (2006) and other results in other states (Green and Winik, 2010), bearing in mind the limitations of this research design. Moreover, future work should consider the consequences of imprisonment for inequalities in the SES of families, communities, states and nations. Here the greatest challenge will be to identify the microfoundations undergirding aggregate statistical relationships.

PUNISHMENT AND FAMILY LIFE

Criminologists have long acknowledged the connections between family life and crime. With little disagreement, they have concluded that a stable marriage discourages men who have ever been criminally active from further criminal activity (Sampson and Laub, 1993; Laub et al., 1998). Sampson and Laub, who have made the greatest contributions to this literature, claim that 'it is the *social investment* … in the institutional relationship, whether it be in a family, work, or community setting, that dictates the salience of informal social control at the individual level' (1993: 611–12). Given the deterrent effect of a stable family life, it is unsurprising that the average prisoner has weaker family ties than the average member of society (Lopoo and Western, 2005; Goffman, 2009).

Because ever-imprisoned men have more tenuous family connections than the average man even prior to imprisonment, and because quasi-experimental evidence has yet to be introduced to this literature, efforts to estimate the effect of imprisonment on family structure should be interpreted with caution. For example, although qualitative research (Edin et al., 2004) argues that women avoid the stigma of incarceration when choosing a marital partner, quantitative research finds that having been imprisoned has no relation to a man's chance of marrying (Lopoo and Western, 2005). Future research should attempt to reconcile these discrepant findings. If the stigma of going to prison weakens the average prisoner's familial bonds, then any spell of imprisonment, no matter how short, should disrupt his family life. However, if prison affects prisoners' families primarily through its effects on prisoners themselves, longer sentences should be more disruptive. Quasi-experimental evidence could help resolve these competing claims.

Research on divorce is more conclusive. Qualitative and quantitative studies agree that imprisonment is positively related to one's risk of divorce and separation (Nurse, 2002; Braman, 2004; Lopoo and Western, 2005; Apel et al., 2010). Although none of these studies has determined what drives the association, Nurse (2002) provides ethnographic evidence that some combination of time apart, behavioral changes in fathers and the disapproval of the wife's family drives a wedge into the martial unions of prisoners (Nurse, 2002).

The largest body of research on the collateral effects of incarceration concerns the partners men leave behind when they enter prison. Here the evidence is almost entirely ethnographic (Nurse, 2002; Braman, 2004; Goffman, 2009). Comfort's (2008) work on the partners of incarcerated men deserves special attention, although her findings are limited to women who stay romantically attached to their partners while those partners serve time. A quarter of the women Comfort (2008) interviewed felt they derived short-term benefits from their partner's imprisonment. For some of these women, imprisonment gave them respite from a partner's addiction; others enjoyed the increased attention they received from their confined partners. Other studies report that women suffer from their partner's incarceration (Nurse, 2002; Braman, 2004; Goffman, 2009). Although the findings of these studies may differ because of differences in their respective samples, the discrepancies should motivate future research. Quantitative evidence especially could determine whether any associations observed in small, biased samples hold in large, unbiased samples (Wildeman and Western, 2010).

The stability of marital unions, of course, affects not only the partners involved, but also any children born to those unions. Given the impressive amount of research that has accumulated on this topic and the number of high-quality reviews of it we focus on just two empirical articles (Hagan and Dinovitzer, 1999; Murray and Farrington, 2008; Wakefield and Uggen, 2010; Wildeman and Western, 2010).

The first of these articles considers the consequences of increases in the female imprisonment rate on the number of foster care caseloads between 1985 and 2000. Swann and Sylvester (2006) find that increases in the female imprisonment rate explain around 30 percent of the massive increase in the number of foster care caseloads over this period. Although some of this effect is doubtless due to changes in children's living arrangements in their mother's absence, the authors attribute the remaining share to legal changes in how long children can be in foster care before their parents lose custody – a duration shortened in 1997 to well below the length of the median prison sentence (Swann and Sylvester, 2006; see also Travis, 2002).

Legal barriers to family formation have in times past compromised the integrity of the African American family. In his comparative treatise on slavery, for example, Patterson (1982) argues that one of the institution's defining features is its denial of slaves' claim on blood relations. Given racial disparities in admission to prison, today incarceration – even for short periods of time – has the legal capacity to impose its own variant of 'natal alienation'. Although one's losing parental rights is not a formal component of any criminal sentence, an unintended consequence of racial disparity in incarceration may be a large relative disruption in the legal status of African American families.

A second article examines the consequences of paternal incarceration for children's physically aggressive behaviors. It finds that paternal incarceration substantially increases the physically aggressive behaviors of boys (Wildeman, 2010). These effects hold only if the father in question was neither abusive to the child's mother nor incarcerated for a violent offense. This suggests that the effects of incarceration on children depend substantially on the prior characteristics of the incarcerated father. Since the children considered in this study were relatively young – most were only about five years' old – it cannot speak to the question of whether parental imprisonment increases boys' likelihood of committing crimes. If aggression in childhood provides any indication of later criminality, however, this study might reveal paths through which mass imprisonment increases crime in the long run and contact with the penal system is consequently passed down from fathers to sons.

A final, more difficult, task is to identify the relationship between incarceration and community-level patterns of marriage, family formation and child-wellbeing. Research on social stratification in America (Wilson, 1987; Anderson, 1999) reveals that declines in marriage and family stability coincided with increases in community-level rates of incarceration (Clear, 2007), but the relationship could easily be spurious. Future research should dedicate more energy to understanding how imprisonment has direct effects on the family lives of the ever-imprisoned and indirect effects on the communities from which they hail.

PUNISHMENT AND HEALTH

As with SES and family stability, imprisonment could affect individual and population health directly or indirectly. Most directly, it could alter the disease environment to which prisoners are exposed and facilitate the diffusion of illnesses that spread best in environments of close human contact (Farmer, 2002). Diseases contracted in prison, in addition, migrate with prisoners when they return to their home communities. Less directly, former prisoners might experience discrimination by health care providers and institutions. The stigma of a criminal record, in other words, may extend beyond the labor market and civic institutions, impeding a former prisoner's chance not only of finding work, but also of maintaining good health. Some speculate that it is incarceration's indirect effects that most threaten the health of former prisoners (Schnittker and John, 2007).

Evidence from state- and cohort-data (Massoglia, 2008a, 2008b; Johnson and Raphael, 2009) reveals that imprisonment is associated with substantial increases in HIV/AIDS infection rates. The relationship, moreover, is strongest among African American women. Although macro-level data cannot adjudicate between mechanisms potentially responsible for this association, because men have a much greater likelihood of imprisonment than women, and African American men a much greater likelihood than white men, a non-spurious relationship could indicate that African American women face greater risks of infection by becoming romantically involved with a formerly imprisoned man. In communities where incarceration is fairly common (Clear, 2007), this risk will spread beyond those directly involved with former prisoners (Bearman et al., 2004).

The rise of the prison population in the last four decades coincided with precipitous declines in mental institutionalization (Harcourt, 2006). Over this period prisons came to house a greater share of the nation's mentally ill (James and Glaze, 2006). For those without histories of mental illness, the experience of confinement can compromise cognitive functioning (Gawande, 2009) and encourage the onset of stress-related diseases (Massoglia, 2008a, 2008b; Wang et al., 2009). The negative effects of the experience of prison are stronger still among those already at risk. Long before the US incarceration rate began its ascent, observers voiced concern over the mental health consequences of living in a crowded prison environment (Clemmer, 1940; Sykes, 1958). As prison overcrowding has worsened in recent years, its effects on mental illness may have grown more acute (Haney, 2006).

Incarceration's effect on other measures of health tells a different story. Since those at risk of imprisonment also have high risks of homicide and low rates of medical coverage, it is possible that imprisonment actually decreases the mortality rate of those protected by its walls and legally mandated services. For all their deficits, prisons provide minimal health care and protection from violence compared to the non-institutional environments from which many inmates hail. Mumola (2007), which compares prisoners to matched non-incarcerated individuals, comes to just such a conclusion, although the short-term health benefits of imprisonment are limited to African American men. These findings have been independently replicated twice using different samples (Patterson, 2010; Spaulding et al., 2011). Again, the precise mechanisms explaining this association are unclear. It could be, for example, that prison only improves the health of those who would otherwise live in the nation's most dangerous and underserved communities.

For recently released prisoners, on the other hand, the mortality costs of having ever been imprisoned appear to be quite high. Binswanger et al. (2007), for instance, finds that recently released prisoners face especially high death rates in the two weeks following release, although Spaulding et al. (2011) suggests that in some settings these rates may be exaggerated. Homicide and drug overdose are the most common reasons for early death upon release. A study by Goffman (2009), moreover, indicates that men with warrants out for their arrest may avoid hospitals and emergency rooms for fear of being apprehended by law enforcement. Untreated infections and broken bones can compromise the health of these men for the rest of their lives. Weighing short-term mortality gains against the long-term health losses caused by imprisonment will be necessary if we hope to estimate the total effect of punishment on health.

As our discussion of HIV/AIDS indicates, the health consequences of imprisonment can extend beyond the individual offender. Green et al. (2006), for example, finds that the mothers of incarcerated men suffer more mental health problems than otherwise comparable women. In an age when corrections spending and Medicaid vie for dominance in state budgets (Jacobson, 2005), imprisonment may undermine population health

mechanically by reducing the amount a state spends on health care. Ellwood and Guetzkow (2009; see also Beckfield and Krieger, 2009), for instance, demonstrate that increases in the imprisonment rate are negatively associated with spending on public goods that might promote population health and wellbeing.

PUNISHMENT AND CIVIC PARTICIPATION

The mechanisms relating punishment to inequalities in the political process hardly need to be spelled out. In most cases they are direct: all but two states legally bar prisoners from voting; 35 prevent them from voting for life if they have been convicted of a felony offense (Wood, 2009). In states where voting rights can be restored upon release, the procedure for doing so often lacks transparency. It follows that inequalities in admission to prison will spill over into inequalities in political access.

Research in this area is centered around the work of Manza and Uggen (2006), whose most provocative finding is that felon disfranchisement swung the historically close 2000 presidential election in favor of the Republican candidate. Given the strong relationship between Republican governance and increasing national economic inequality (Bartels, 2008), the import of this outcome is potentially immense. To our knowledge, only one study considers the effects of imprisonment on the civic participation of those connected to prisoners. Foster and Hagan (2007) show that the children of ever-incarcerated fathers have weaker connections to the political process than otherwise similar adolescents and adults.

One additional and often overlooked aspect of mass imprisonment is its effect on the drawing of state legislative districts. As the number of inmates grew over the last quarter of the 20th century, states began building prisons farther from the communities where most prisoners are arrested and sentenced. Because prisoners in all but two states cannot vote, districts drawn to include prison populations comprise fewer voting citizens than other districts. The vote of a person in a district with a prison is consequently worth more than the vote of a person in an adjacent district without a prison (Lotke and Wagner, 2004). These voting inequalities result solely from a community's chance of building a prison; they harm rural and urban districts alike. As this chapter goes to print, two states – New York and Maryland – have passed laws to correct the distortions caused by prison-based gerrymandering. This changing legal environment forms a quasi-experiment through which the effects of incarceration on inequalities in voting and civic participation might be estimated.

CONCLUSION

Prisons have always housed those on the margins of society. In this sense, imprisonment has with few exceptions moved in lockstep with social inequality. In the last 35 years, however, and almost exclusively in the USA, the prevalence of incarceration in the population became common enough that it might not only reflect but actively produce inequality in American society at large. This dramatic shift in the penal system led many researchers of social stratification to shift their attention from the predictors to the consequences of imprisonment. It also inspired them to consider the effects of the institution on the children, families and communities of those who reside in it (Bonczar, 2003; Pettit and Western, 2004; Western and Wildeman, 2009; Wildeman, 2009).

This new area of research has yielded a number of disquieting findings, many of which we have reviewed here. The current state of research allows us to conclude that having ever been incarcerated is associated with lower SES, disruptions of family life, poor health (with important short-term exceptions)

and higher levels of political and social exclusion than would be expected based on the observed characteristics of adult men. These associations appear to extend to the families, communities, and states of the incarcerated, although our confidence in them dissipates as the level of aggregation grows. These findings have led many scholars to conclude that mass imprisonment has exacerbated social inequality in America.

Yet the relationship may not be so straightforward. A small but growing literature suggests that imprisonment in some situations may enhance the wellbeing of prisoners and those tied to them. Three studies illustrate, for instance, that imprisonment is associated with lower mortality risks for African American men while they are in prison (Mumola, 2007; Patterson, 2010; Spaulding et al., 2011). Likewise, other research suggests that some women express relief when their romantic partners go to prison – even if this relief is only short-lived (Comfort, 2007, 2008). Still others note that paternal incarceration negatively affects the behavioral problems of children only if the father in question is not violent or abusive (Wildeman, 2010). In most cases, these findings speak as loudly about the poor conditions of life prisoners would otherwise experience as they do about any potential benefits the institution might confer. More difficult to assess is when the negative effects of imprisonment outweigh its short-term benefits for victims of domestic or other physical abuse. Imprisonment, as we note in the introduction, is a multifaceted treatment. Scholars looking to devise less harmful ways of promoting public safety would do well to distinguish the incapacitative effect of incarceration from its rehabilitative and deterrent capacities. There may be ways to give an individual necessary time away from a corrosive social setting without inducing long-term harm to mental health in the way prisons usually do (Kleiman, 2009).

The most significant threat to stating confidently that incarceration increases social inequality is selection bias. The inequality it appears prisons breed, in other words, may simply result from prior inequality. Only a small portion of the studies we review here rests on experimental or quasi-experimental evidence. Even these studies, moreover, may not be informative about the aggregate effects of incarceration on inequality. Where experimentation is impossible, researchers must search for robust relationships that hold across various statistical models.

For obvious ethical reasons, randomly assigning individuals to prison is impossible. Pager (2003) circumvents this problem by using actors in one of the most celebrated studies this literature has to offer. But randomization in criminal sentencing does exist – albeit in unexpected places. In one recent study, for instance, Green and Winik (2010; see also Kling, 2006) use exogenous judge-level variation in sentencing to isolate the effects of sentence length on recidivism. Since sentence length is related to the characteristics of judges rather than defendants, these estimates approximate the ideal experiment. Some states randomly assign prosecutors, whose sway over sentence length should be even greater than that of a judge (Davis, 2002). Using quasi-experimental evidence such as this to test imprisonment's effect on additional outcomes points research in a promising new direction. The use of these studies, however, introduces a separate concern: that the treatment and control groups are so similar in their eventual likelihood of experiencing imprisonment that any treatment effect will be weak.

As research on punishment and inequality makes better efforts to estimate the effects of imprisonment, however, it should not lose sight of its origins. The solutions to America's incarceration problem, after all, may reside outside the criminal justice system. Mass imprisonment is of vital importance for social inequality even if it does nothing itself to exacerbate that inequality. Scholars should bear in mind that understanding how the relative balance of welfare and penal state intervention in the lives of the poor shapes the distribution of the nation's inmates is at least

as important as estimating any effects of the institution itself.

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NOTES

1 Incarceration also, as we explain, has direct effects simply in its ability to incapacitate. Although we discuss the fact that prison, for example, forcibly removes one from the labor market and one's family, and therefore mechanically affects one's SES and family stability, we place our emphasis on the ways prison transforms or stigmatizes the ever-incarcerated.

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