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UNIVERSITY OF WISCONSIN - MADISON

Transcript for “Criminal Punishment and American Inequality”

Featuring Christopher Uggen

Hosted by David Chancellor

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[Chancellor] Hello and thanks for tuning in to a June 2014 podcast from the Institute for Research on Poverty at the University of Wisconsin-Madison. I’m Dave Chancellor.

In late March of this year, I was able to talk with Chris Uggen, a sociologist at the University of Minnesota and editor at *thesocietypages.org* who works on issues of crime and inequality.

Uggen was in Madison to deliver IRP’s annual “New Perspectives” lecture with a talk called “From Petty Crimes to Epic Records: Crime, Punishment, and American Inequality.” For this podcast, Professor Uggen touched on a number of themes from that lecture, especially exploring the link between criminal punishment and poverty. In the last thirty years or so, the United States has seen a huge increase in the number of people that are either incarcerated or under the criminal justice system’s supervision. Given this, Uggen says we need to be thinking more carefully about the role of the criminal justice system when it comes to poverty and inequality.

[Uggen] The incredible runup in criminal punishment has had effects in lots of areas of society: the labor market, families, politics, etc. And so poverty researchers, people who study social inequality, are just now catching up with that, and so it’s no longer affecting a relatively small percentage of the population, but a much larger group. And so as that’s happened, more scholars have gotten involved, and there’s a lot more attention to punishment as an engine of inequality and not just reflecting existing inequality, but how does it amplify? Or is it like a transmission belt that somehow expands some of the problems that people enter the system with?

[Chancellor] Uggen has done a lot of work studying the relationship between the criminal justice system and societal transitions. He says that that if we’re going to look at the ways that people move in and out of poverty, we really need to think about the role of the criminal justice system in mediating that process.

[Uggen] I wrote a piece several years ago about the rising proportion of people in poverty who are now under criminal justice control, so that percentage has crept up quite a bit. So it's very difficult to think about how you transition from being poor to non-poor without also thinking about the role of criminal justice institutions, much as we think of the role of educational institutions or other social institutions that might facilitate transitions or disrupt them.

We know that with kids getting involved in juvenile justice, if they get off track enough to be removed from school, it dramatically disrupts their educational careers. But so, too, prison. Prison exposes one to all sorts of potential health problems. It exposes one to an environment that's not conducive to learning, not conducive for human capital development, etc., so people get off track.

[Chancellor] Uggen says that this kind of getting off track can limit a person's capacity to take up adult roles. The results can be long lasting and have implications not just for the individual but for the rest of society too.

[Uggen] It can diminish your capacity to take up adult roles in society. One of my papers with Mike Massoglia, we found that being arrested set you back farther in terms of becoming an adult than even having kids, getting married, or having an independent household actually helped you attain adult status. So it could really be this drag on taking up your roles as an adult citizen.

[Chancellor] And Uggen points out that, given changing U.S. demography and tight budgets across the states, we really do need more tax-paying adult citizens that are in good standing. Complicating the situation is that the effects of incarceration—and the extent to which the effects of incarceration may be felt in a community – appear to be concentrated. In particular, we know that there is a fairly significant disparity in incarceration and arrest by race in the U.S. although this varies from state to state.

[Uggen] I like to say that the story is racial and spatial. Those two things are closely correlated. That is, that the rate of racial disparity of criminal justice varies around the nation quite a bit. Here in the north-central states, we have some of the greatest disparities of anywhere in the nation, so somewhere on the order of ten times higher African-American incarceration rate than white incarceration rate, for example. Now, this means that to whatever extent criminal punishment is this transmission belt for increasing inequality, that it is going to be felt much more keenly in communities of color. And this has been a real red thread that runs throughout this work on the kinds of stratification effects of crime and justice. In particular with regard to felon disenfranchisement, the dilution of the African-American vote because of felony convictions has pretty serious consequences. With regard to labor market effects, I think it's worsening wage inequalities

because people with the stigma of a criminal record are less likely to be able to obtain high-paying positions.

[Chancellor] The inability to get a good position may further contribute to disparities in incarceration. According to Uggen, while the relationship between employment and crime is fairly complex, there is evidence that as people emerge from prisons, it's critical that they have the capacity to work.

[Uggen] And we know that one of the more consistent correlates of desistance from crime, of actually stopping crime has been stable employment. So, a lot of policy efforts have been directed to job development. We haven't seen as much supported employment initiatives where we're actually giving people jobs, I would say, but of the experiments we have, I think it's really important to recognize that some of those have been quite successful in reducing recidivism. There are technologies to reduce the rate of re-offense among people emerging from criminal justice institutions, but they often tend to be more expensive. But as a strategy, employment is one of those cornerstone pieces, whether for drug offenders or people who are a little bit older, we see some positive effects.

[Chancellor] Turning back to this issue of the major racial disparities that we see in the prison population and for those under supervision of the criminal justice system, a big question is how the U.S. got to this point.

[Uggen] It's a long standing issue in the United States. My own work goes back to the mid-19th century and the Civil War and Reconstruction era. Many of the laws that were put in place, even the correctional practices of the day, really criminalized activities of newly freed slaves. And we're still dealing with that. I think people get that in a sense, I think there's an appreciation for discrimination in justice. And some of it by virtue of implicit bias of practitioners, some of it in just the simple geography of where people live and where police are patrolling, and some of it on the more overt discrimination by race. And so we do recognize that, I would say, but we don't really carry around in our heads a sense of the magnitude and how influential it is. So for example, given the rate of African-American incarceration, there are far more African-American kids whose parents are incarcerated. And we know this is affecting how kids are performing in school, we see the effects on mental health outcomes, and you can imagine the self-perpetuating kind of cycle that you get locked into. So it's an incredible conundrum. We've got a lot of serious policy attention to disparities now, but there's a long way to go.

[Chancellor] Professor Uggen says that in some ways, we're just beginning to understand this connection between poverty and punishment, and its implications for society.

[Uggen] One of the thought experiments that I often ask people to do is to think, "Well, if we arrested every male between the ages of 16 and 35 and just kind of incapacitated them, we would have a much safer society." Statistically, empirically, that's likely to be the case,

but we don't do that, of course. It would be a pretty inefficient way to go about creating a safer society. And so we've devolved to the point where 49% of African American males are arrested by the age of 23. Now that's not 100% of the population, but it's getting to that level. We need to find some pathways and some understandings of people that, they can move from the status of being an arrestee, being a felon, to being a former felon and again being accepted into the society of good citizens who are standing with us and pointing out crime and saying it's a bad thing.

[Chancellor] Thanks to Chris Uggen for speaking to us about these issues. You've been listening to a podcast from the Institute for Research on Poverty.