# Every Second

## The Impact of the Incarceration Crisis on America's Families

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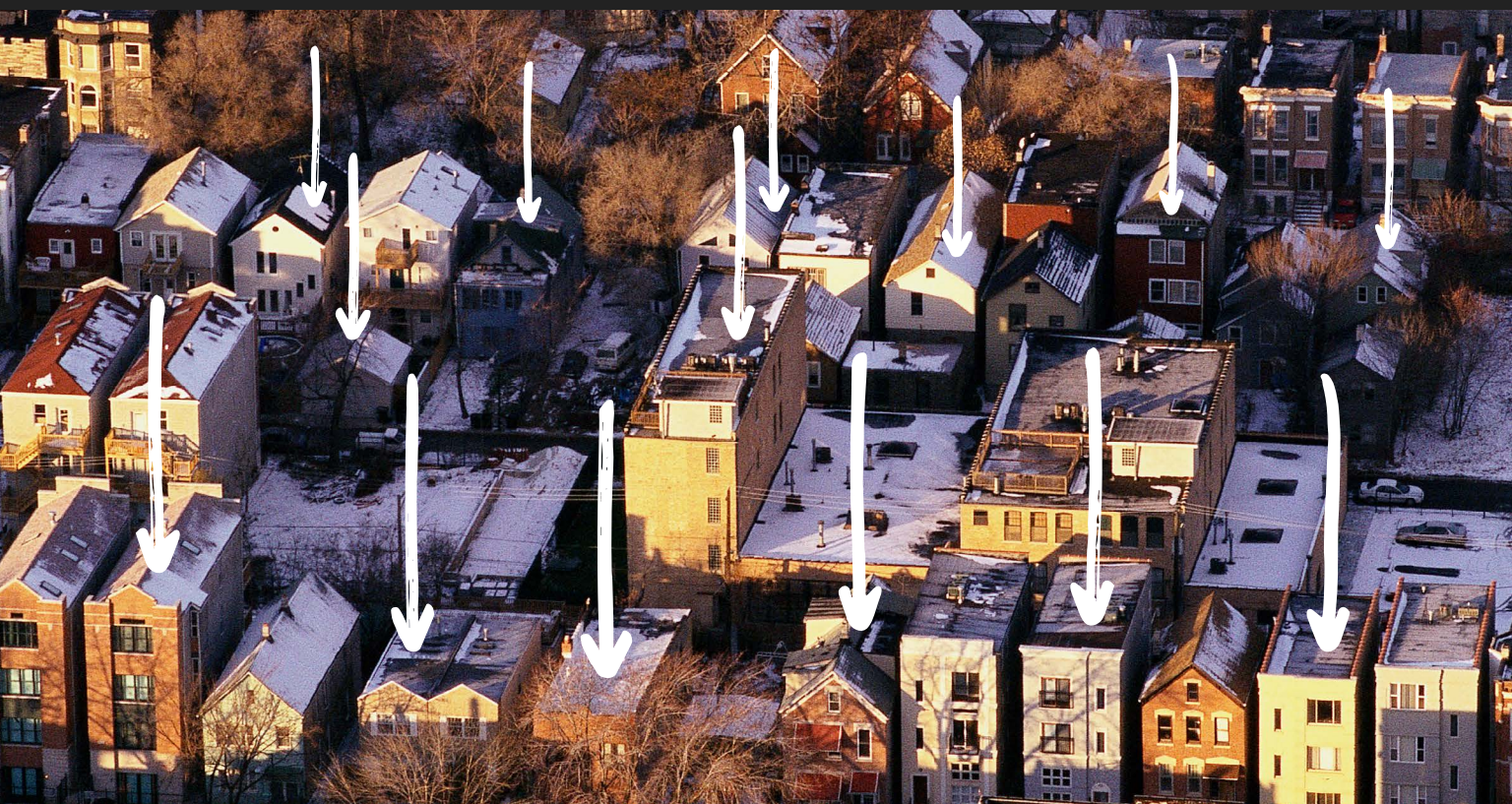

FWD.us is a bipartisan political organization that believes America's families, communities, and economy thrive when everyone has the opportunity to achieve their full potential. For too long, our broken immigration and criminal justice systems have locked too many people out from the American dream. Founded by leaders in the technology and business communities, we seek to grow and galvanize political support to break through partisan gridlock and achieve meaningful reforms.
Together, we can move America forward.

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**Every second adult in America has had an immediate family member incarcerated.**

**And every second spent in jail or prison is a second lost at home.**

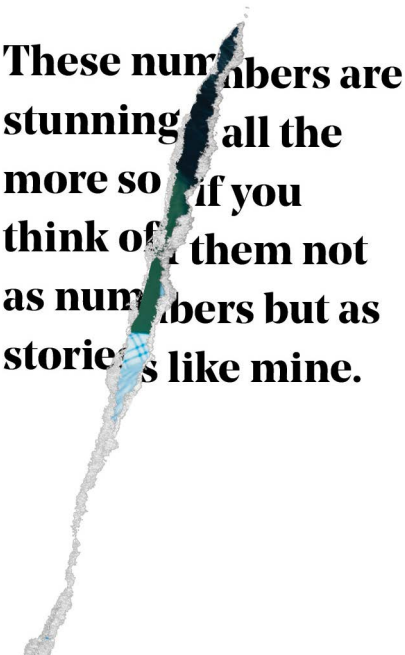
# Foreword

I love Christmas. I love to bake pies and decorate a freshly cut fir tree and wrap presents while watching *It's a Wonderful Life* with my mom. I love, most of all, just being with my family. I cling to the comfort of my family being safe and together because I know what it feels like not to have that.

The Christmas I was eight years old I woke up early, like every year, too excited to sleep. But I wasn't focused on the presents in my stocking; the present I wanted most of all that year was for my father to walk through the door.

We had moved a few months before, 500 miles away from my dad, but he had promised he would drive up to celebrate the holidays with us. I was sure he would come that morning. Perhaps he was going to surprise me as he did when I was three, dressed as Santa Claus, an enormous, laughing bear of a man—out on bail while his federal charges were processed.

The phone rang; it was a collect call, the automated coldness of which I had heard many times before. I accepted the charges and heard my father's voice. He would not be coming, not that morning. On Christmas Eve, as he loaded the car for his trip, he had been arrested for a violation of his parole.




One of the worst parts of growing up with a father in and out of prison was the isolation and shame I felt. It was not for another decade that I even heard the words "children of incarcerated parents"—a group I was part of although I had never known it existed.

It turns out that this is an enormous group, as outlined in this report. But the problem is not limited to parents and children. When my father was incarcerated, it cost my whole family, particularly my mother, who was left to raise two small children alone, and my grandparents, without whose financial and emotional support I would not be where I am today.

The research presented in this report provides our first look at the full range of family incarceration, and it is staggering. 1 out of every 2 adults in the United States (113 million people) has lived through some version of what I lived through: a parent known in snatches of visits, a brother or sister missing, a child locked away. 1 in 7 adults has had a close family member spend more than one year in jail or prison—over 35 million people.

These numbers are stunning, all the more so if you think of them not as numbers but as stories like mine. My hope is that this new research can help others begin to see through that fog of isolation and shame that hovers around too many families who have experienced incarceration, to see their own stories as part of a larger whole, important and worthy of telling. Most importantly, I hope they motivate everyone—those who have experienced it personally as well as those who have not, to take action and help end mass incarceration and the harm it causes American families.

**Felicity Rose**
Director of Research and Policy for Criminal Justice Reform, FWD.us

# Executive Summary

On any given day, there are more than 1.5 million people behind bars in state or federal prisons in the United States. Admissions to local jails have exceeded 10 million each year for at least the past 20 years. These figures are staggering, but the long reach of incarceration extends well beyond the jail and prison walls to the families on the other side.

New research from FWD.us and Cornell University shows that approximately one in two adults (approximately 113 million people) has had an immediate family member incarcerated for at least one night in jail or prison. One in seven adults has had an immediate family member incarcerated for at least one year, and one in 34 adults has had an immediate family member spend 10 years or longer in prison. Today, an estimated 6.5 million people have an immediate family member currently incarcerated in jail or prison (1 in 38).

The negative effects that individuals experience after being incarcerated are well documented, but much less is known about the incredible direct and indirect harms and challenges that families face when a loved one has been taken away. This report examines this important but understudied aspect of mass incarceration and provides new estimates on the prevalence of family incarceration for parents, siblings, spouses, and children.

**113 million adults—half of all adults in America — have experienced family incarceration.**

The findings reinforce the need to significantly reduce incarceration and support the families that are left behind. Despite limited recent declines in the jail and prison population, an unprecedented number of people continue to be impacted by incarceration and the collateral consequences of that experience which can last a lifetime. Research has shown that even short periods of incarceration can be devastating to people's lives and additional punishments such as fines and fees, restrictions on employment and housing, and the loss of basic human rights limit opportunities for success long after individuals have completed their sentences.

Our study shows that incarceration impacts people from all walks of life — for example, rates of family incarceration are similar for Republicans and Democrats — but the impact is unevenly borne by communities of color and families who are low-income. Black people are 50 percent more likely than white people to have had a family member incarcerated, and three times more likely to have had a family member incarcerated for one year or longer. People earning less than $25,000 per year are 61 percent more likely than people earning more than $100,000 to have had a family member incarcerated, and three times more likely to have had a family member incarcerated for one year or longer.

The remainder of this report examines the prevalence of family incarceration for different demographic groups and communities, the impact of incarceration on family outcomes, and the policies that exacerbate the harmful effects of having a loved one incarcerated. The findings show just how pervasive and entrenched incarceration has become in America, and the results should convince decision-makers and the public to take a hard look at the policies that drive incarceration and the opportunities to strengthen families rather than tear them apart.

# Key Findings

**Nearly half of all adults living in the United States have experienced incarceration in their family.**

# *1 in 2*

adults in the United States (approximately 113 million adults) has had an immediate family member incarcerated for one or more nights in jail or prison

## *64%*

of adults in the United States have had an immediate or extended family member in jail or prison

Today, an estimated

## *6.5 million*

adults have an immediate family member currently incarcerated in jail or prison (1 in 38)

## *1 in 4*

has had a **sibling** incarcerated

## *1 in 5*

has had a **parent** incarcerated

## *1 in 7*

has had a **spouse or co-parent** incarcerated

## *1 in 8*

has had a **child** incarcerated

# While short periods of incarceration and long prison sentences pose different challenges for families, both are far too common

## *1 in 5*

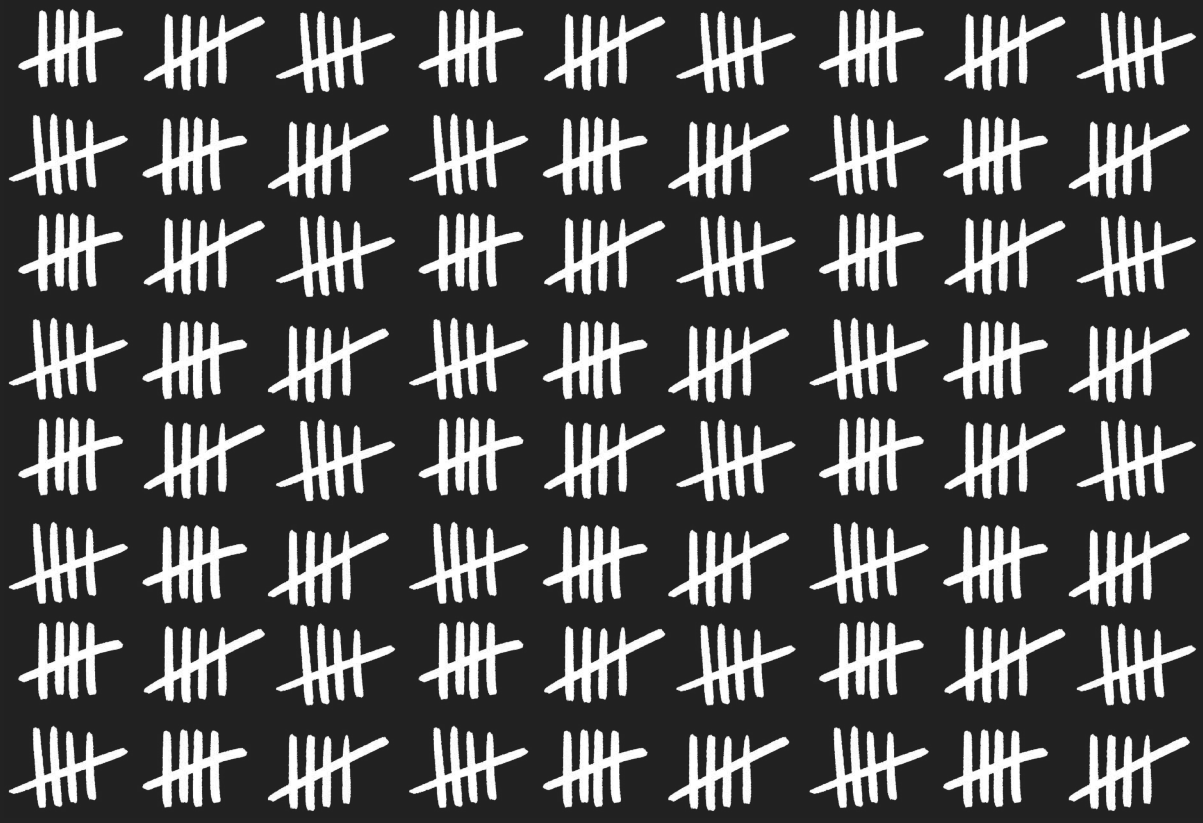
people has had an immediate family member spend **one month or less** in jail or prison

(30 days or less)

# *1 in 7*

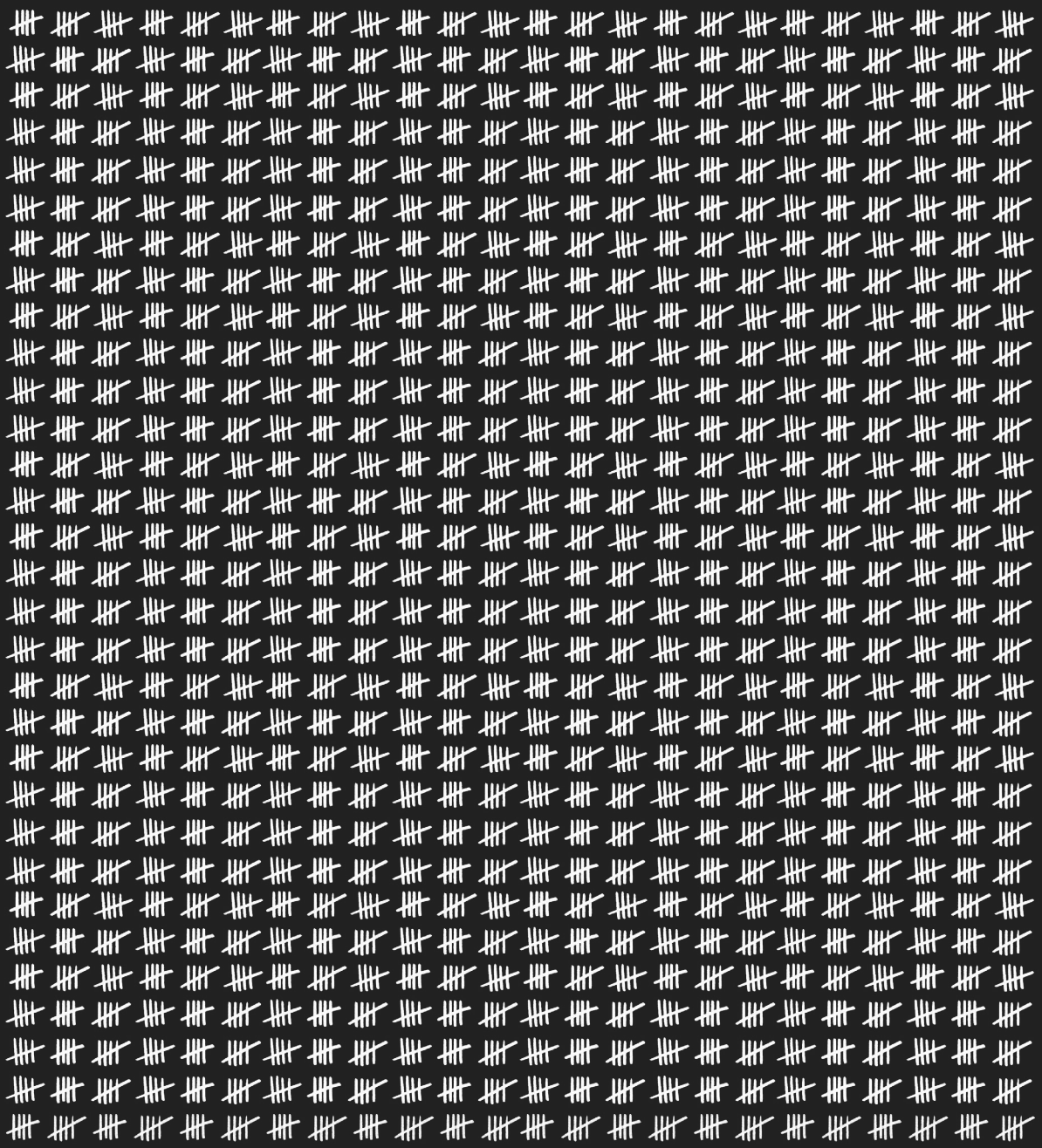
people has had an immediate family member spend **one year or longer** in prison

(365 days or more)



# *1 in 34*

people has had an immediate family member spend **ten years or longer** in prison



# Incarceration disproportionately impacts people of color and families who are low-income

Black adults are

***50% more likely***

than white adults to have had an immediate family member incarcerated (63 percent compared to 42 percent)

Black adults are

***3 times more likely***

than white adults to have had an immediate family member incarcerated for longer than one year (31 percent compared to 10 percent)

Latino adults are

***70% more likely***

than white adults to have had an immediate family member incarcerated for longer than one year (17 percent compared to 10 percent)

Adults with household incomes less than $25,000 per year are

***61% more likely***

than adults with household incomes more than $100,000 to have had a family member incarcerated, and three times more likely to have had a family member incarcerated for one year or longer

# Incarceration imposes a large burden on women and children

***48%***
***of women***

have had an immediate family member incarcerated

Compared to...

***42%***
***of men***

have had an immediate family member incarcerated

**Young adults** age 18-29 are

***2x***

***more likely***

than other respondents to have had a parent incarcerated (34 percent compared to 14 percent)

# Background

# Background

The long reach of incarceration in America is staggering: there are more than 1.5 million people in state and federal prisons on any given day[1], and nearly 11 million admissions to local jails each year.[2] Despite recent declines, our jail and prison populations are four times larger than in 1980 and the United States continues to incarcerate more people than any other country in the world.[3]

Yet these numbers still minimize the harmful effects of incarceration on our economy, communities, and families. Taxpayers spend $273 billion each year on the criminal justice system (police, courts, and corrections)[4] but relying on these direct taxpayer costs still radically undersells the overall price of this system. Researchers estimate that the economy loses $87 billion in annual Gross Domestic Product due to over-criminalization and the harmful effects of felony convictions.[5]

The impact of incarceration is also unevenly felt by low-income communities of color. Research shows that one in three black men will be incarcerated during their lifetime and people of color make up 37 percent of the U.S. population but 67 percent of the prison population.[6] In 2014, the National Research Council concluded that "the harshest criminal sanctions are being meted out disproportionately in the most vulnerable neighborhoods."[7]

This same report found that lengthy prison sentences are "ineffective as a crime control measure," refuting those who might argue that the cost of mass incarceration can be justified on public safety grounds.[8] The reality is that incarceration provides few crime benefits and limits opportunities for people to be successful once they have been released.

Fortunately, there is an emerging bipartisan consensus that the status quo fails to make us safer and the fiscal and human costs of mass incarceration far outweigh any public safety benefits. States across the country are adopting common sense reforms to reduce incarceration and the number of people behind bars has fallen in recent years while the country enjoys historically low crime rates.

At the same time, decades of rising jail and prison populations have meant that an increasing number of families have experienced incarceration and its harmful effects. Even as jail and prison populations begin to decline, there continue to be serious consequences for those who have had a family member incarcerated.

The first half of this report explores how many families across America have been impacted by incarceration, and how certain communities are impacted more than others.

## The Impact of Incarceration on Families

It should not be surprising that the families of those who are incarcerated suffer when their loved ones are locked up. However, the extent to which incarceration affects the well-being of families is rarely discussed in criminal justice debates and poorly understood by those who have not been directly impacted.

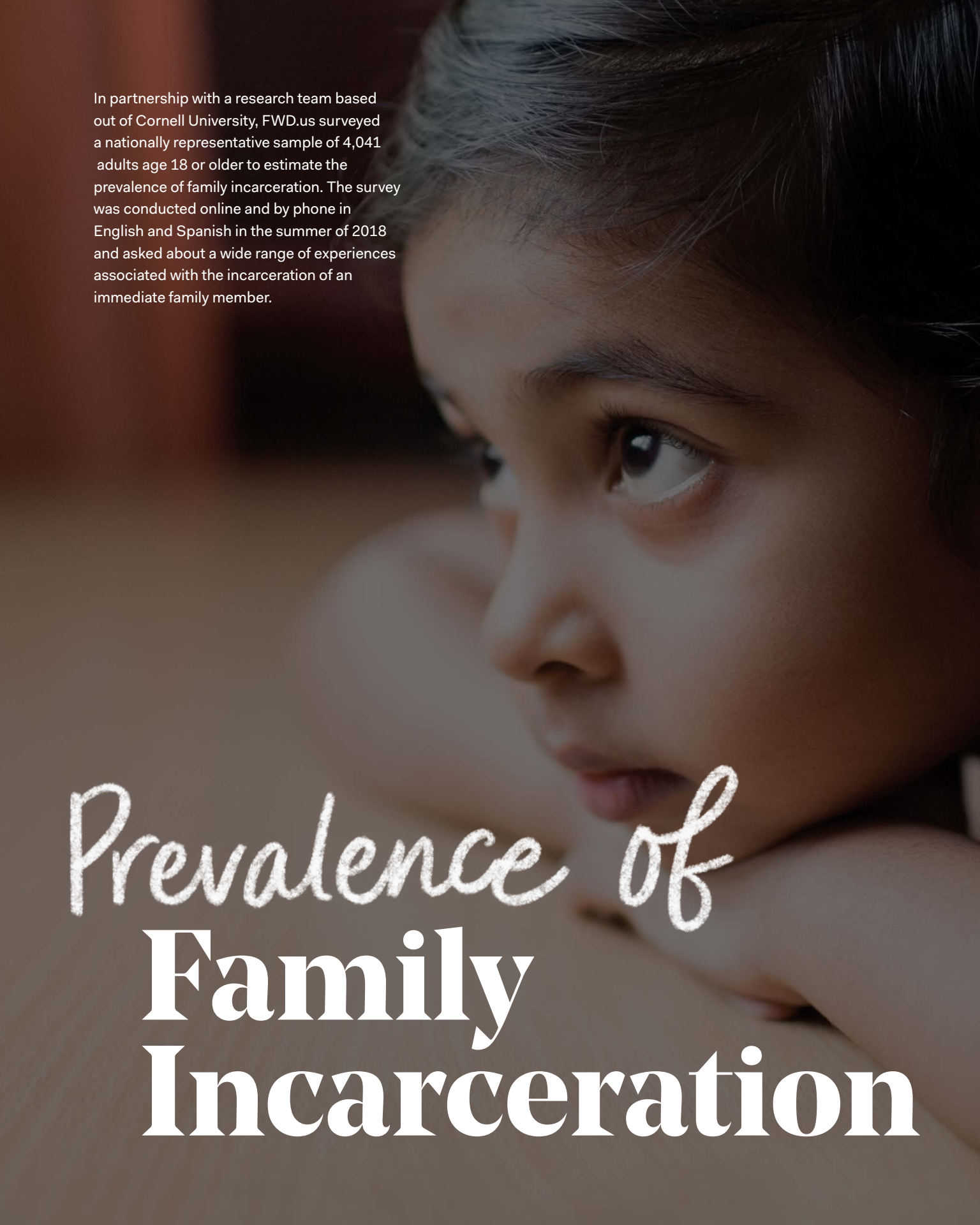
The decision to send a person to jail or prison affects the immediate family in myriad ways. On everything from household income to physical and mental health to school outcomes, and even future contact with the criminal justice system,[9] studies have shown that incarceration has a negative impact on family outcomes.

Even short periods of incarceration can make it impossible for people to maintain employment, make rent or mortgage payments, or fulfill family obligations such as child support. This punishes not just the individual, but any family members who rely on their income for financial security.

Incarceration also imposes numerous direct costs on families in the form of bail, legal and court fees, and excessive visitation costs. For families that are struggling to make ends meet, these additional financial obligations carry a hefty price tag.

The second half of this report dives into the specific challenges facing families who experience incarceration, the burdens imposed on them by the criminal justice system, and the documented negative outcomes that result from family incarceration.

**There are more than 1.5 million people in state and federal prisons on any given day, and nearly 11 million admissions to local jails each year.**



In partnership with a research team based out of Cornell University, FWD.us surveyed a nationally representative sample of 4,041 adults age 18 or older to estimate the prevalence of family incarceration. The survey was conducted online and by phone in English and Spanish in the summer of 2018 and asked about a wide range of experiences associated with the incarceration of an immediate family member.

# Prevalence of Family Incarceration

# Prevalence of Family Incarceration

According to our survey results, one in two adults (45 percent) has had an immediate family member incarcerated for at least one night in jail or prison. In other words, approximately 113 million adults in the United States have experienced incarceration in their family.[10]

This shocking new estimate of family incarceration may even be conservative given that it limits immediate family members to parents, brothers, sisters, children, current spouses or romantic partners, or anyone else with whom the respondent has had a child. The most obvious exceptions to this definition are grandparents and grandchildren, and many families are structured around grandparents and older generations of relatives.

To better understand the intergenerational impact of family incarceration, and the diverse family dynamics impacted by incarceration, respondents were also asked about their experiences with incarceration for extended family members including grandparents, grandchildren, cousins, aunts and uncles, nieces and nephews, and in-laws. Using this broader definition of family, survey results show that 64 percent of people have experienced incarceration in their family.

Today, there are an estimated 6.5 million adults with an immediate family member currently incarcerated in jail or prison (1 in 38). Just under 40 percent of these people reported that there are children under 18 in their household, suggesting the overall number of people experiencing family incarceration is much higher than our estimates which only include adults.

Indeed, adults age 18 to 29 reported having had a parent incarcerated at more than twice the rate of respondents from other age groups (34 percent compared to 14 percent). This reflects the rapid growth in jail and prison populations over the past four decades, and speaks to the impact mass incarceration has had on several generations of children in our country.

FIGURE 1: ESTIMATES OF FAMILY EXPERIENCE WITH INCARCERATION

## Short and Long-Term Incarceration

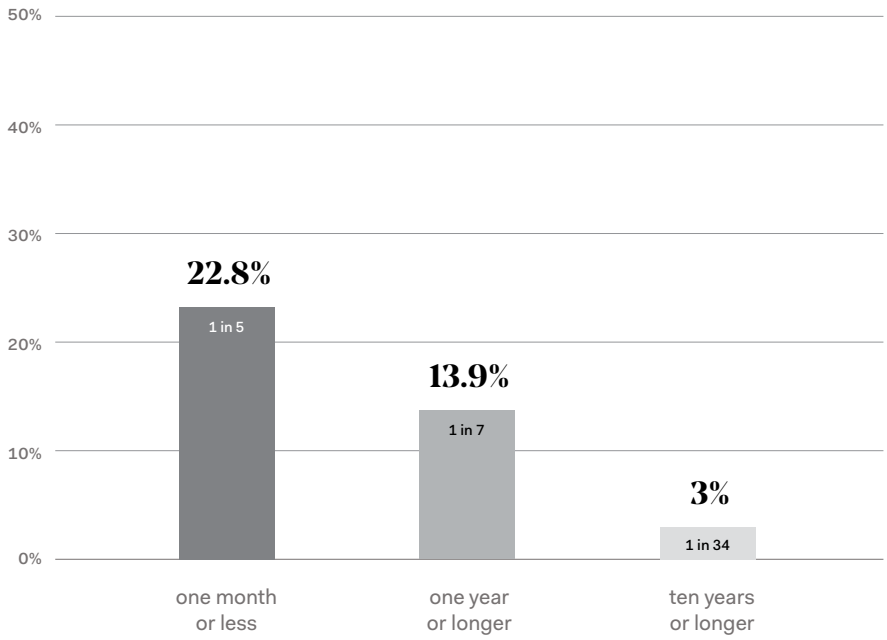
Even a single night in jail can be destabilizing and traumatic for the families involved. These consequences are magnified the longer a person is incarcerated and long prison sentences impose a whole new set of challenges on families that are separated for years or even decades.

Our research shows that many families are exposed to short-term incarceration and its negative effects, but that long prison sentences also affect a surprising number of families. One quarter of those who have had a family member incarcerated reported that it was for a single night, and 51 percent reported that it was for less than one month. All told, one in five adults in the United States has had an immediate family member incarcerated for up to one month.

Survey results also demonstrate how common it has become for families to deal with long prison sentences. One in seven people has had an immediate family member incarcerated for longer than one year, and one in 34 has had an immediate family incarcerated for more than 10 years.

**FIGURE 2: ESTIMATES OF SHORT AND LONG-TERM INCARCERATION**

Number of adults who have had a family member incarcerated



## FIGURE 3: ESTIMATES OF FAMILY INCARCERATION BY RACE AND ETHNICITY

percentages of adults who have had an immediate family member spend at least one night in jail or prison

**63%**
***Native American****

**63%**
***Black***

**48%**
***Latino***

**42%**
***White***

*Because of the small sample size in our survey (n=28), the confidence interval on this estimate is much wider than on the other racial/ethnic breakdowns and cannot be broken out by duration of incarceration[11]

### Incarceration Does Not Affect All Communities or Families Equally

Incarceration impacts people from all walks of life and survey results show that families from every demographic group have been affected by the rapid expansion of jail and prison populations across the country.

This is evident when looking at prevalence rates of family incarceration by race and ethnicity — more than four in ten people who are white, black, Latino, or Native American have had an immediate family member spend at least one night in jail or prison.

While the pervasiveness of incarceration is itself noteworthy, the racial disparities that exist throughout the criminal justice system are also found in rates of family incarceration. Prior research has shown that the incarceration rate for black adults is nearly six times the rate for white adults, and one in three black men will be incarcerated at some point in their lifetime.[12] These findings are reinforced by our survey results, which show that black people are far more likely to experience family incarceration, particularly long sentences.

Incarceration also disproportionately impacts Latino people, families with low household incomes, and people living in the South or West. These findings reinforce the uneven impact of incarceration and the disproportionate burden that incarceration imposes on low-income communities of color.

### RACIAL DISPARITIES IN FAMILY INCARCERATION

There is overwhelming evidence that the criminal justice system produces racially disparate outcomes.[13] Study after study has shown that black and Latino people are disproportionately sent to jail and prison, and the harmful effects of mass incarceration are concentrated in low-income communities of color.[14]

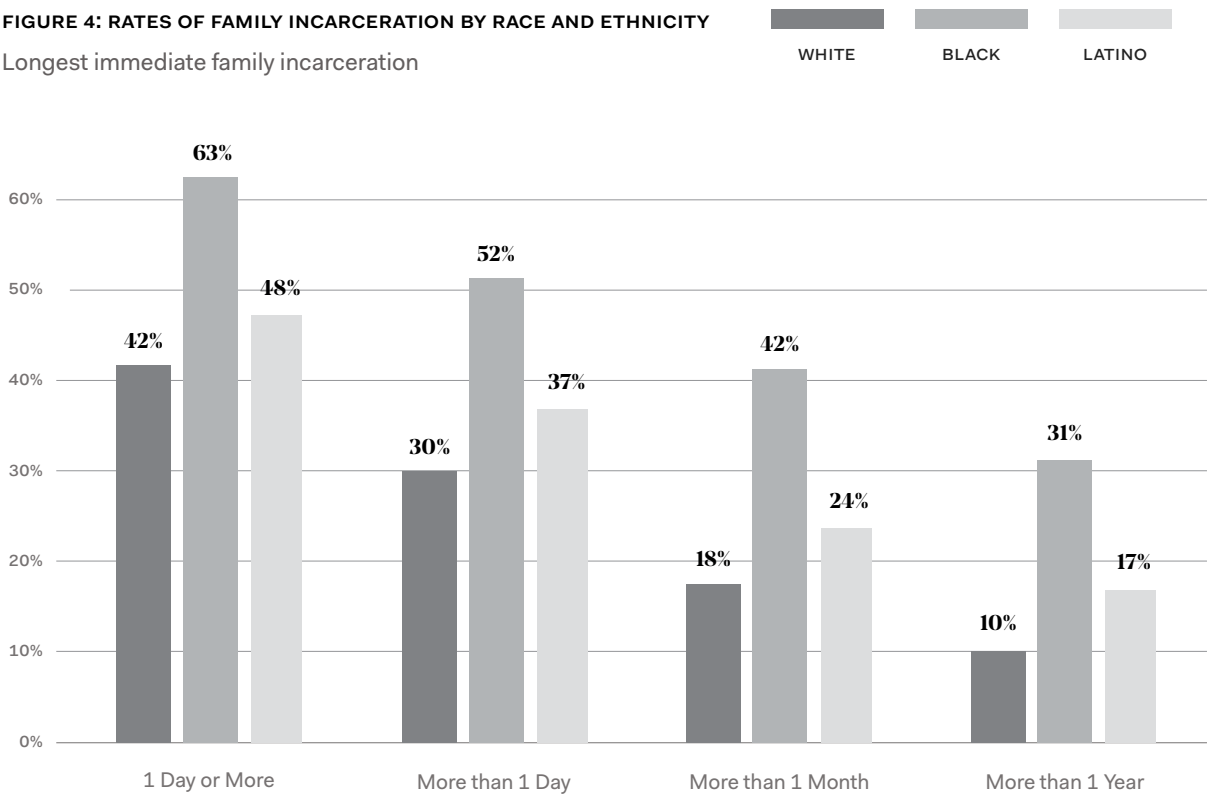
Our research supports these findings and provides a new way of looking at the uneven impact of incarceration. Survey results show that black and Latino people are far more likely to experience family incarceration, particularly long prison sentences.

More than six in 10 (63 percent) black adults have had an immediate family member incarcerated and nearly one-third (31 percent) have had an immediate family member incarcerated for more than one year. These rates are 42 percent and 10 percent, respectively, for white adults and 48 percent and 17 percent for Latino adults.

In other words, black adults are 50 percent more likely than white adults to experience family incarceration, and three times as likely to have had a family member incarcerated for more than one year. Latino adults experience family incarceration at rates slightly higher than white adults, but they are nearly twice as likely to have had a family member in jail or prison for more than one year.

**FIGURE 4: RATES OF FAMILY INCARCERATION BY RACE AND ETHNICITY**

Longest immediate family incarceration



### ECONOMIC DISPARITIES IN FAMILY INCARCERATION

Survey results also demonstrate that incarceration disproportionately impacts families living in poverty and those with low incomes.

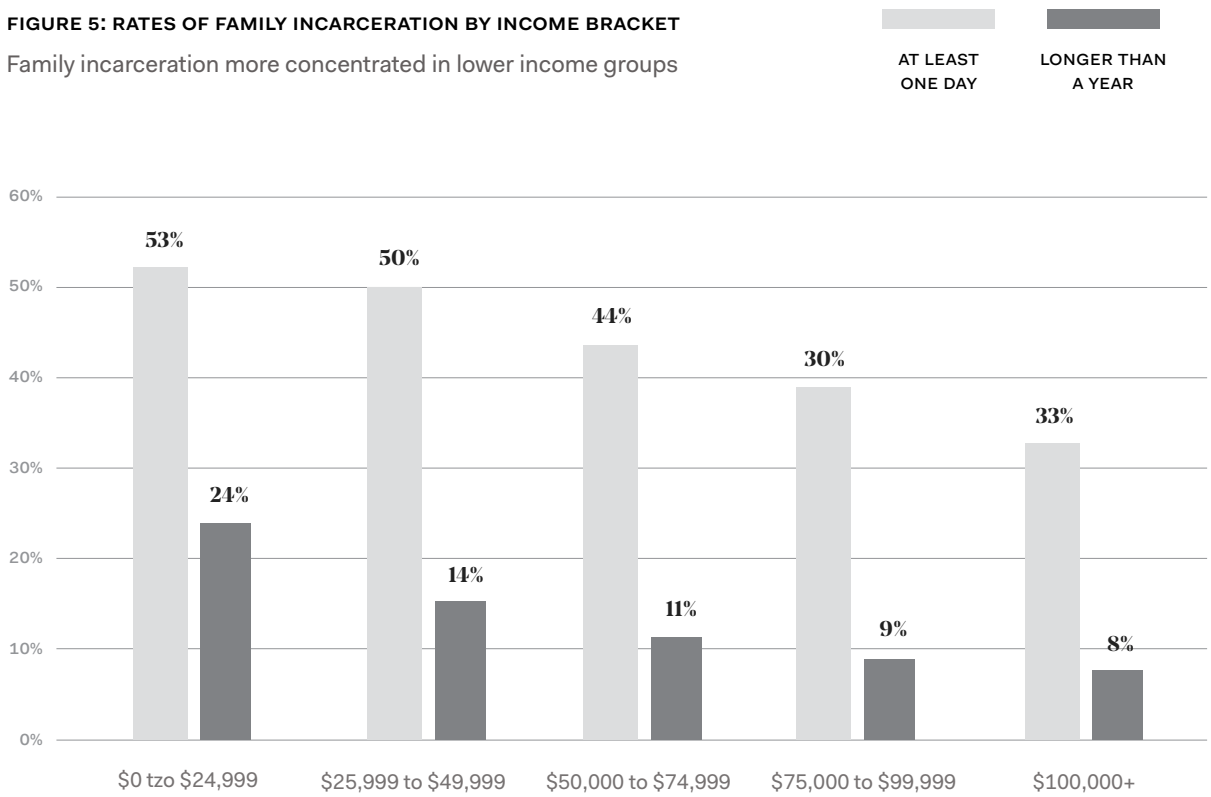
In fact, the share of people who have had an immediate family member incarcerated increases as income declines. Adults with household incomes of less than $25,000 per year are 61 percent more likely than adults with household incomes of more than $100,000 to have had a family member incarcerated, and three times more likely to have had a family member incarcerated for one year or longer.

Socioeconomic and racial disparities are also intertwined and contribute to differences within and across demographic groups. For white people in the United States, socioeconomic status is a major indicator of exposure to family incarceration. Thirty percent of white adults with a college degree have had an immediate family member incarcerated, compared to 65 percent of those with less than a high school diploma — more than double the rate.

This difference is smaller for black people, who experience family incarceration at higher rates than white people regardless of their socioeconomic status. Even among respondents with a college degree, 55 percent of black adults have experienced family incarceration. The share without a high school diploma is 71 percent, the highest of any demographic group.

**FIGURE 5: RATES OF FAMILY INCARCERATION BY INCOME BRACKET**

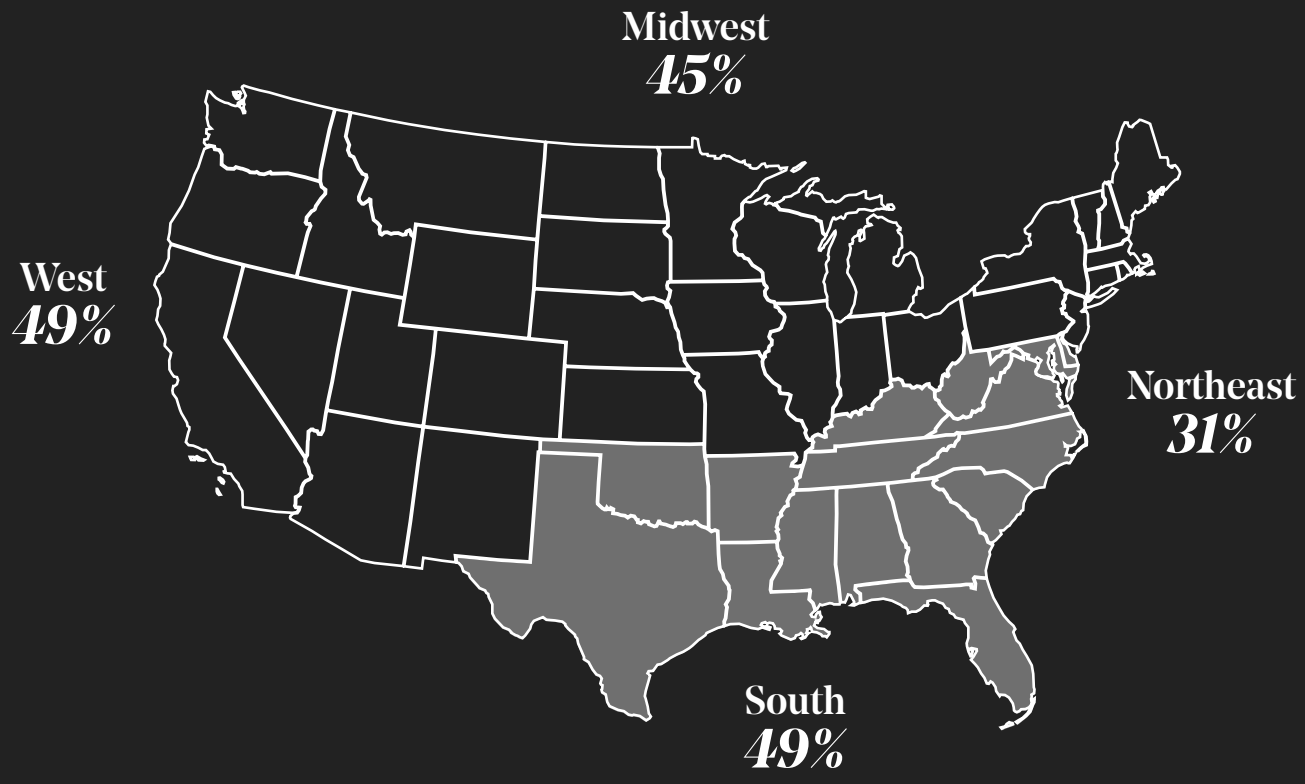
Family incarceration more concentrated in lower income groups



#### REGIONAL DISPARITIES IN FAMILY INCARCERATION

Where we live is a strong determinant of how likely we are to experience incarceration. The seven states with the highest incarceration rates are all in the South, and 14 of the 15 highest incarcerating states per capita are in the South or West. Our research shows that the policies driving high incarceration rates in those states also drive high rates of family incarceration.

Indeed, 49 percent of adults living in the South and West have had an immediate family member incarcerated for at least one night in jail or prison. The share in the Midwest is identical to the national average (45 percent), and families living in the Northeast are significantly less likely to experience family incarceration — fewer than one-third (31 percent) have had an immediate family spend at least one night in jail or prison. In other words, you are almost 60 percent more likely to experience family incarceration if you live in the South or West than if you live in the Northeast.



**INCARCERATION AFFECTS FAMILIES OF EVERY KIND**

While incarceration does not affect all communities equally, there are noteworthy similarities across groups. For example, adults who identify as Protestant and Catholic are just as likely to report having had an immediate family member incarcerated — 43 percent and 42 percent, respectively. The experience of having an immediate family member incarcerated is also not unique to any political party. In fact, rates of family incarceration are nearly identical for Republicans (43 percent) and Democrats (45 percent).


# Harms Families

# How Incarceration Harms Families

Incarceration affects every aspect of family life and undermines the success and stability of families across the country. In this section, we will dive deeper into the negative impact that incarceration has on family outcomes and highlight some of the policies and practices that exacerbate the harm that families experience when a loved one is incarcerated.

Many of the hardships that families face are heightened when the person who is incarcerated has children. Although we only surveyed adults over the age of 18, prior research by the Annie E. Casey Foundation (AECF) has estimated that more than 5.1 million children have had a parent incarcerated at some point.[15] Incarceration imposes a unique burden on families with children, and the trauma that these families experience leads to a wide range of negative impacts such as reduced earnings[16], housing instability or homelessness[17], poorer school outcomes[18 19], and mental health issues.[20 21] It also reinforces existing social inequalities.[22]

Men are disproportionately likely to be incarcerated (making up 90% of adults in jail or prison), but our survey results show that women are more likely to have experienced family incarceration. Forty-eight percent of women have had an immediate family member spend at least one night in jail or prison. This is 15 percent higher than the 42 percent of men who reported family incarceration, and nearly one-third (31 percent) have had a spouse, partner, or co-parent incarcerated. The Essie Justice Group has highlighted the emotional toll and extraordinary financial burden that incarceration imposes on women. As part of their research, they surveyed more than 2,200 women who had experienced incarceration in their family through online and in-person surveys or focus groups.

**Many of the hardships that families face are heightened when the person who is incarcerated has children.**

Among their key findings:

- The majority (63 percent) of women reported that their physical health had been significantly or extremely affected by a loved one's incarceration; 86 percent reported that their mental health had been significantly or extremely affected
- One-third of women (32 percent) lost their household's primary source of income and nearly 70 percent became their family's only wage earner
- More than one-third of women (35 percent) experienced homelessness or other housing insecurity because of family incarceration

### Financial Consequences of Incarceration

Incarceration imposes a wide range of direct and indirect costs on American families. These costs often begin with the need to post bail to pay for someone's release from jail after arrest and continue through the criminal justice process in the form of court fees and fines. While a person is incarcerated, families pay tremendous amounts of money to stay in contact with their loved ones. Many corrections departments charge excessive fees for phone calls and the costs of visiting a loved one can be significant when that person may be in prison hundreds or thousands of miles away.

On top of these direct costs, families must replace lost income, child support, and other financial contributions when a wage earner is incarcerated. Following release from prison, it can be difficult for people to find and maintain employment and families must bear the cost of another adult requiring food, clothing, and other basic necessities. Many people leave prison with large amounts of victim restitution, monthly supervision fees, and other obligations that must be met to remain in compliance with parole requirements and avoid being sent back to prison.[23] This criminal justice debt and the unaffordable payments are essentially transferred to families, who may forgo basic needs because failure to pay can result in the family member being returned to jail or prison.

Taken together, these costs impose a huge burden on families already struggling with the emotional impact of incarceration. Among the specific financial consequences:

#### CRIMINAL JUSTICE FINES AND FEES

As of 2011, the total amount of criminal justice debt in the U.S. owed by individuals amounted to around $50 billion.[24] Even limited contact with the criminal justice system can result in fines and fees, which become more burdensome as one progresses further into the system. These include court fees, prosecution or public defense fees, fines charged as a punishment, and user fees (e.g., incarceration charges) which are assessed for the main purpose of generating revenue for the criminal justice system. According to a 2015 study, at least 40 states charge people for the cost of their incarceration and levy additional fines as part of the sentence that is imposed.[25]

Criminal justice fines and fees are a drain on family income, limit access to important resources such as credit and transportation, and create insurmountable obstacles to reentry particularly for low-income families.[26] [27] [28] According to the Ella Baker Center, defendants pay an average of more than $13,000 in conviction-related costs including restitution and attorney fees for each criminal case.[29] These fines and fees are often paid by family members. In their study, 63 percent of respondents said family members were primarily responsible for covering conviction-related costs. Almost half of family members primarily responsible for paying court-related costs were mothers, and one in ten were grandmothers.

**63 percent of respondents said family members were primarily responsible for covering conviction-related costs.**

#### BAIL

On any given day, more than 60 percent of the people detained in local jails have not been convicted of any crime and are being held before their trial.[30] Many of these people are detained not for public safety reasons but because their families can't afford to pay the cost of bail, which researchers estimate is set at $10,000 for the median defendant but can often be as little as $100.[31] The Pretrial Justice Institute estimates that pretrial detention costs taxpayers as much as $14 billion annually, but there are no national estimates on what bail costs families.[32]

However, studies on local criminal justice systems show how bail preys on poor families. For instance, in 2015, New Orleans collected $4.5 million in the form of bail, fines, and fees from people involved in the criminal justice system and for-profit bail bond agents collected another $4.7 million from them and their families.[33] A 2014 analysis of California's bail bond industry found that bail bondsmen took in approximately $308 million per year from 2011–2013 in nonrefundable bail premiums from Californians and their families. In Los Angeles County alone, approximately $173 million in nonrefundable bail fees were paid to bail agents between May 2016 and May 2017.[34]

Beyond the direct costs of bail, research has shown that pretrial detention is destabilizing for families and leads to even longer periods of incarceration. According to several recent studies, people who are held in jail before their trial are more likely to receive a prison sentence and less likely to be gainfully employed in the future.[35]

### CHILD SUPPORT

The amount of child support debt owed by incarcerated and formerly incarcerated people has risen in recent decades.[36] Noncustodial parents, mostly men, enter prison owing an average of more than $10,000 in child support and accumulate additional debt while incarcerated.[37] The majority of these people cannot afford these payments and are unable to pay their debt, which subjects them to further late penalties, interest charges, and continually increasing debt.[38]

Paying child support is an important obligation but enforcement mechanisms — from garnished wages to withholding of tax returns and social security benefits and suspended drivers licenses — do not benefit children and actually jeopardize family relationships and financial stability.[39] According to the Ella Baker Center, nearly two-thirds of formerly incarcerated parents are unable to meet required child support payments averaging $427 per month.[40] The possibility of being returned to jail or prison for failure to pay child support may force some parents to flee, which removes potential financial support but also the parent from the child's life completely.[41]

### HOUSEHOLD INCOME

More than half (54 percent) of the parents who are incarcerated were the primary breadwinners in their families, and three-quarters were employed in the month prior to their arrest.[42] The loss of a family's primary income source is highly destabilizing and can push families into financial disaster. A recent study by the Ella Baker Center found that nearly two in three families (65 percent) were unable to meet basic needs such as food, housing, and medical care while their family member was incarcerated.[43] Studies on the impact of incarceration on economic mobility and wage inequality have found that family income declines 22 percent while a father is incarcerated and remains 15 percent lower after the person has been released.[44]

Research shows that incarceration of a father has a significant impact on children's educational outcomes, and therefore economic mobility. These effects are strongest with children who are boys. Paternal incarceration is linked to a wide range of negative education outcomes as early as the age of three.[45] The behavioral effects are estimated to be stronger for children who lived with their fathers prior to incarceration[46] and there is evidence that incarceration has a stronger effect on children's education outcomes than other forms of paternal absence.[47] A recent study found that paternal incarceration affects school readiness and increases the likelihood of placement in special education classes.[48] At least some of these impacts on kids may be due to the stigma of having a parent incarcerated — children with incarcerated fathers are also more likely to repeat a grade in elementary school, not due to test scores or behavior problems but to teachers' perceptions of children's academic proficiency.[49]

## Health Consequences of Incarceration

The trauma of having an immediate family member incarcerated exacts a heavy toll on the physical and mental health of parents, spouses, and children.[51] [52] These negative impacts are exacerbated, or perhaps caused, by the instability that families experience when a loved one is in jail or prison, the strain that incarceration places on family bonds, and the ways in which incarceration fails to address substance use and mental health issues for either the person who has been incarcerated or their loved ones.

Research has shown that maintaining family bonds is critical to the success of families that experience incarceration, as well as the health and safety of our communities, yet our current policies and practices impose numerous barriers on supportive families. Visiting a loved one in jail or prison can be retraumatizing and is cost prohibitive for many families. Many people also leave prison with even greater needs for substance use treatment, employment or housing support, or trauma recovery services.

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### *The negative impacts on the physical and emotional well-being of families include:*

#### PHYSICAL AND MENTAL HEALTH

Having a family member who has been incarcerated has been shown to increase the risk of numerous health outcomes including depression, hypertension, obesity, and diabetes.[52] [53] [54] [55] These negative impacts are particularly common in mothers who have incarcerated sons and the children of incarcerated parents.[56] [57] [58] [59] Numerous studies have found a strong correlation between parental incarceration and depression and anxiety among children.[60] [61] [62] The experience of having a parent incarcerated has been shown to cause emotional stress and financial hardship, both of which affect the emotional and developmental growth of children.[63]

Incarceration also does nothing to help families care for their loved ones with drug or alcohol addiction. People often return from jail in a state of crisis and incarceration exacerbates rather than mitigates their needs. A recent study in the Journal of Public Health starkly laid out the consequences of incarceration for people suffering from opioid addiction: those released from prison were 40 times more likely than an average person to overdose in the two weeks after their release.[64]

**According to the Bureau of Justice Statistics, more than half (58 percent) of state prisoners and two-thirds (63 percent) of sentenced jail inmates meet the criteria for drug dependence or use.**

According to the Bureau of Justice Statistics, more than half (58 percent) of state prisoners and two-thirds (63 percent) of sentenced jail inmates meet the criteria for drug dependence or use.[65] This mirrors the findings in our survey, in which more than half (54 percent) of respondents with an incarcerated family member identified that their family member had struggled with drug or alcohol addiction. Research has consistently shown that community-based treatment works better than incarceration, and is the better option for people with treatment needs and their families.[66] [67]

### FAMILY BONDS

Maintaining contact with a family member in jail or prison is often difficult and expensive. Families who are able to maintain contact during incarceration have better outcomes during incarceration and after release, yet there are major barriers to sustaining family bonds during incarceration.

Survey results show that only one in four respondents was able to visit their immediate family member while they were incarcerated in jail or prison. This share increases with the duration of incarceration, but it's still low — fewer than half of respondents visited family members who were incarcerated for longer than one year.

At least part of the reason for these low visitation rates is the cost associated with traveling to remote prisons in rural parts of a state or another state altogether. Researchers estimate that people in prison are an average of 100 miles from home in state prisons and 500 miles from home in federal prisons.[68]

The cost of transportation, lodging, child care, and lost income from taking time off of work can therefore make visiting a loved one unaffordable for many families.[69] Some states also charge "background check fees" for visitors of incarcerated family members. For example, Arizona charges adults a one-time $25 background check fee to visit a state prison.

Beyond the financial costs of visitation, the emotional trauma of visiting a loved one behind bars can also be a barrier to maintaining contact. Many families feel mistreated by corrections officials when visiting loved ones, and respondents to our survey used words such as "scary," "degrading," "horrible," and "cold" to describe the experience.

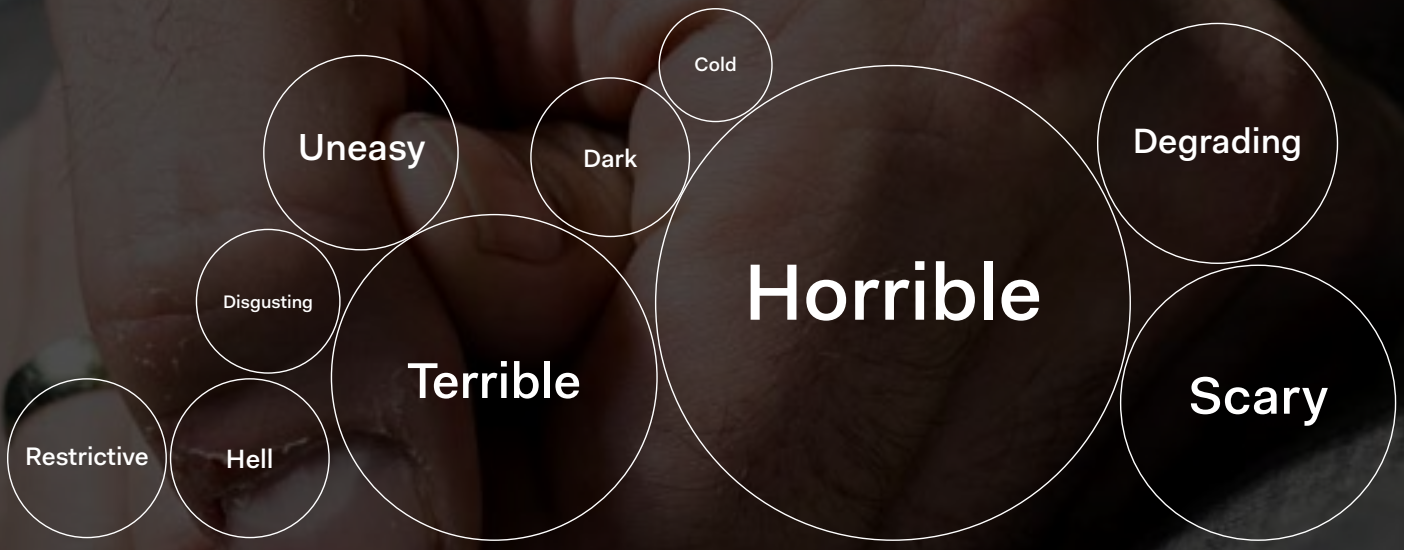
Researchers estimate that people in prison are an average of 100 miles from home in state prisons and 500 miles from home in federal prisons.

FIGURE 8: VISITATION RATES BY DURATION OF INCARCERATION

Survey results show that only one in four respondents was able to visit their immediate family member while they were incarcerated in jail or prison. Half of respondents whose loved ones were locked up for more than a year were never able to visit.

FIGURE 9: WORD CLOUD OF EXPERIENCE VISITING AN IMMEDIATE FAMILY MEMBER IN JAIL OR PRISON

# And even if families are able to visit, the experience is most often described as...



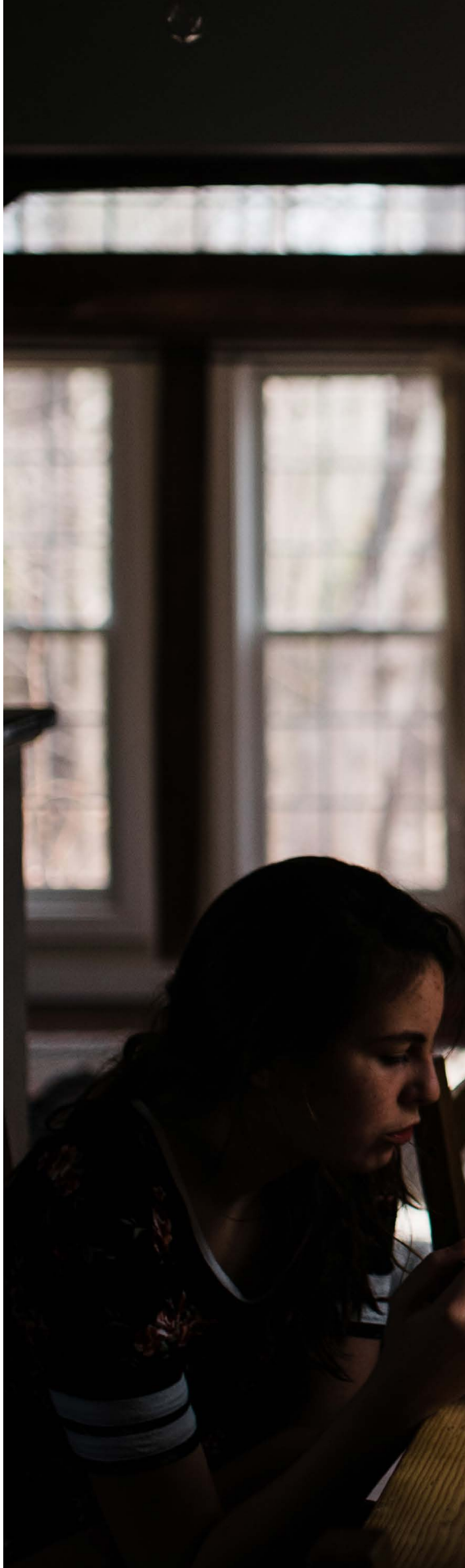
Maintaining contact by telephone can also be cost prohibitive for many families. The private companies that provide phone services in jails and prisons charge exorbitant fees and calls can cost families more than $1.20 per minute (six times the rate of a standard collect call).[70] These companies are charged commissions by corrections agencies, which allowed state and local governments to collect $460 million in fees in 2013 alone.[71]

#### FAMILY STABILITY

Incarceration also impacts the stability of American families and undermines efforts to keep families together. Numerous studies have found that male incarceration is strongly correlated with a lower likelihood of marriage and higher rates of divorce and separation.[72] Incarceration is far more likely to sever family ties than to strengthen them, and has a particularly negative impact on the emotional support systems, living arrangements, and parental custody of children.

For families with children, incarceration can also result in permanent family separation. Researchers estimate that increases in female incarceration rates explain 40 percent of the increase in foster care caseloads, which more than doubled between 1985 and 2000.[73] The Adoption and Safe Families Act (AFSA), a federal law enacted in 1997, requires that states terminate parental rights if a child has been in foster care for 15 of the previous 22 months.[74] Considering that the average length of stay in prison is 29 months, this law effectively guarantees that incarcerated parents will lose their parental rights if a family member cannot take custody of their kids.[75]

These are not trivial matters. Maintaining strong family connections is one of the building blocks of safe and healthy communities.[76] In fact, research has shown that sustaining contact with supportive family members during incarceration increases the likelihood of success after release, and those who have more contact with their families while incarcerated are less likely to be re-incarcerated.[77]



## THE IMPACT OF LONG TERM INCARCERATION

According to the Urban Institute, the amount of time that people are serving in prison has increased in every state since 2000.[78] Even as states make important progress toward reducing imprisonment rates, in particular for low-level drug offenses, the number of people in prison serving the longest prison sentences continues to increase.[79]

Research has consistently shown that long prison sentences do not deter crime but the high imprisonment rate that results from them actually makes us less safe.[80] Among others, the Vera Institute of Justice has noted the particular strain that is placed on families that must endure long prison sentences. This is the "prison paradox"—the family disruption that results from incarceration erases any public safety benefits that might otherwise be realized from deterrence or incapacitation effects.[81]

# Conclusion

# Conclusion

The massive rise in incarceration over the past few decades has touched nearly every aspect of American society. This is particularly true for the health and stability of our families.

Incarceration does not just impact the person who is sent to jail or prison, it reverberates into the lives of their loved ones with severe consequences for their financial security, health, and emotional well-being. Even short periods of incarceration are destabilizing for families and the negative impacts last long beyond the end of a jail or prison sentence.

We set out in this project to estimate the reach of incarceration into our families and the results shocked us. Nearly one in two adults — approximately 113 million people living in the United States — has had an immediate family member spend at least one night in jail or prison. One in seven adults has had an immediate family member incarcerated for more than one year, and one in 34 has had a loved one taken away for 10 years or more.

The American family faces a harsh new reality: incarceration and its harmful effects are commonplace.

Yet rather than support these families, the criminal justice system erects additional barriers to their success in the form of unaffordable fines and fees, excessive bail amounts, exorbitant visitation costs, and limited options for treatment and rehabilitation. Families victimized by incarceration become retraumatized by the loss of household income, weakened family bonds, poor physical and mental health, and other negative outcomes that result from having a loved one behind bars.

The results of this groundbreaking new research should serve as a wake-up call and a stark reminder of how much work is needed to alleviate the harms caused by mass incarceration and unravel the complicated tangle of laws that perpetuate it. While many states and local governments have begun to reduce the number of people in prison or jail, we have a long way to go before our policies match our aspirations when it comes to supporting families.

Fortunately, there are organizers and advocates across the country advancing reforms at the local, state, and federal level to address America's incarceration crisis and its impact on families. These reforms are prioritizing policy changes that significantly reduce incarceration and shrink the number of financial consequences like bail and fees and fines that often fall on families. Many other organizations are helping people succeed after they've been released from jail or prison and facilitating family reunification.

These efforts will improve outcomes for families and our communities, but we must build on them to make an even bigger dent in incarceration and reduce its harmful effects. This is not an issue that can be ignored and the time for action is now.

**Incarceration does not just impact the person who is sent to jail or prison, it reverberates into the lives of their loved ones.**

# Methodology

These groundbreaking estimates on family incarceration stem from the results of online and phone surveys conducted on a nationally representative sample of 4,041 adults age 18 and older in the summer of 2018. The survey was conducted in English and Spanish and asked about a wide range of experiences associated with the incarceration of an immediate family member including parents, siblings, children, spouses, and partners. This section describes the research team, survey development, methodology, and analysis conducted.

## Research team

This team included a contingent of researchers at Cornell University who have worked together extensively (Principal Investigator Christopher Wildeman, Peter Enns, Youngmin Yi, Maria Fitzpatrick, and Alyssa Goldman) and a number of other scholars of mass incarceration from other institutions (Sara Wakefield of Rutgers University, Hedwig Lee of Washington University, Megan Comfort of RTI International, Emily Wang of Yale School of Medicine, and Christopher Muller of the University of California Berkeley).

FWD.us staff worked closely with the research team throughout survey development and analysis.

## Survey development

The survey was developed in three stages, with a focus on the definition of immediate and extended family. In the first stage, the research team developed and circulated draft questions. In the second stage, the research team and FWD.us staff met in Ithaca, New York for a daylong conference to discuss the specifics of the survey. In the third and final stage, the feedback from this conference was funneled into a polished version of questions on family member incarceration that were improved in collaboration with the National Opinion Research Center, who administered the survey.

Through this development process, the decision was made to include both a narrow family question and a more expansive question that would account for and include non-traditional family structures. Immediate family was thus defined as: parents, children, siblings, current romantic partners, and anyone else with whom a respondent had a child. For parents, children, and siblings, step, foster, and adoptive relatives were also included. This definition is close to a "traditional" or "nuclear" family definition but includes people (like co-parents) who would consistently have a major impact on an individual's life if they were to be incarcerated.

In order not to bias the results by constraining the survey definition of family to a family structure that may be more common in certain less-impacted communities, however, a second family definition was included in the survey. This definition asked respondents if they had ever had any other family member they felt close to who experienced incarceration and then asked them to specify the relationship of the family member who had. By specifying "closeness" but allowing the respondent to define the parameters, the intent was to capture family members such as grandparents or cousins who might play a large role in the respondent's life without forcing a narrow definition of "family."

In addition to the core questions on family member incarceration, the research team included questions about the lives of individuals who had experienced family member incarceration. A host of questions on civic participation, health, own criminal justice contact, and opinions about the criminal justice system were also included in the survey. Because the survey is cross-sectional, none of these questions can be used to make causal claims about the effect of family member incarceration on individuals. But these questions nonetheless provide unique insight into the lives of those who experience family member incarceration and how their lives compare to similar individuals who did not experience it. Analysis on these additional data points will be released over the next year.

## Survey methodology

The survey was fielded by the National Opinion

Research Center (NORC) at the University of Chicago. NORC maintains a well-regarded AmeriSpeak panel. NORC uses field staff for in-person recruitment to enhance the number of young adults, households of lower socioeconomic status, households that lack access to the internet, and other hard-to-reach households are included in the panel. The survey was conducted in both Spanish and English, and could be taken over the computer or over the phone.

NORC conducted 4,041 surveys with American adults over a roughly six-week period during July and August of 2018. All 1,808 respondents who answered the screener questions indicating that they had an immediate family member who had been incarcerated for one night or more were given the full survey. An additional randomly selected 1,010 individuals who did not report any immediate family member incarceration lasting longer than one night were asked to complete the full survey; these individuals were asked about extended family member incarceration experiences as well as other outcome variables and their own criminal history experience to provide a "control" group for further analysis. Response rates for the survey were well within the acceptable range, and all indications suggest that the final survey of respondents was extremely representative of all American adults. Further details on the survey methodology will be available in a forthcoming article authored by the academic research team.

## Analysis

All of the analyses of the survey data collected by NORC were weighted to be representative of the American adult population. All estimates were produced by members of the research team and FWD.us staff and cross-checked for accuracy. All analyses presented in this report are based on respondents who (1) said that they had ever had an immediate/extended family member incarcerated and (2) clarified the type of family member this person was in a series of follow-up questions. Just under five percent of the sample responded that they had ever had an immediate family member incarcerated but did not specify the family member type. These individuals were not included in counts of family member incarceration experience, thus making all of the estimates presented in this report somewhat conservative.

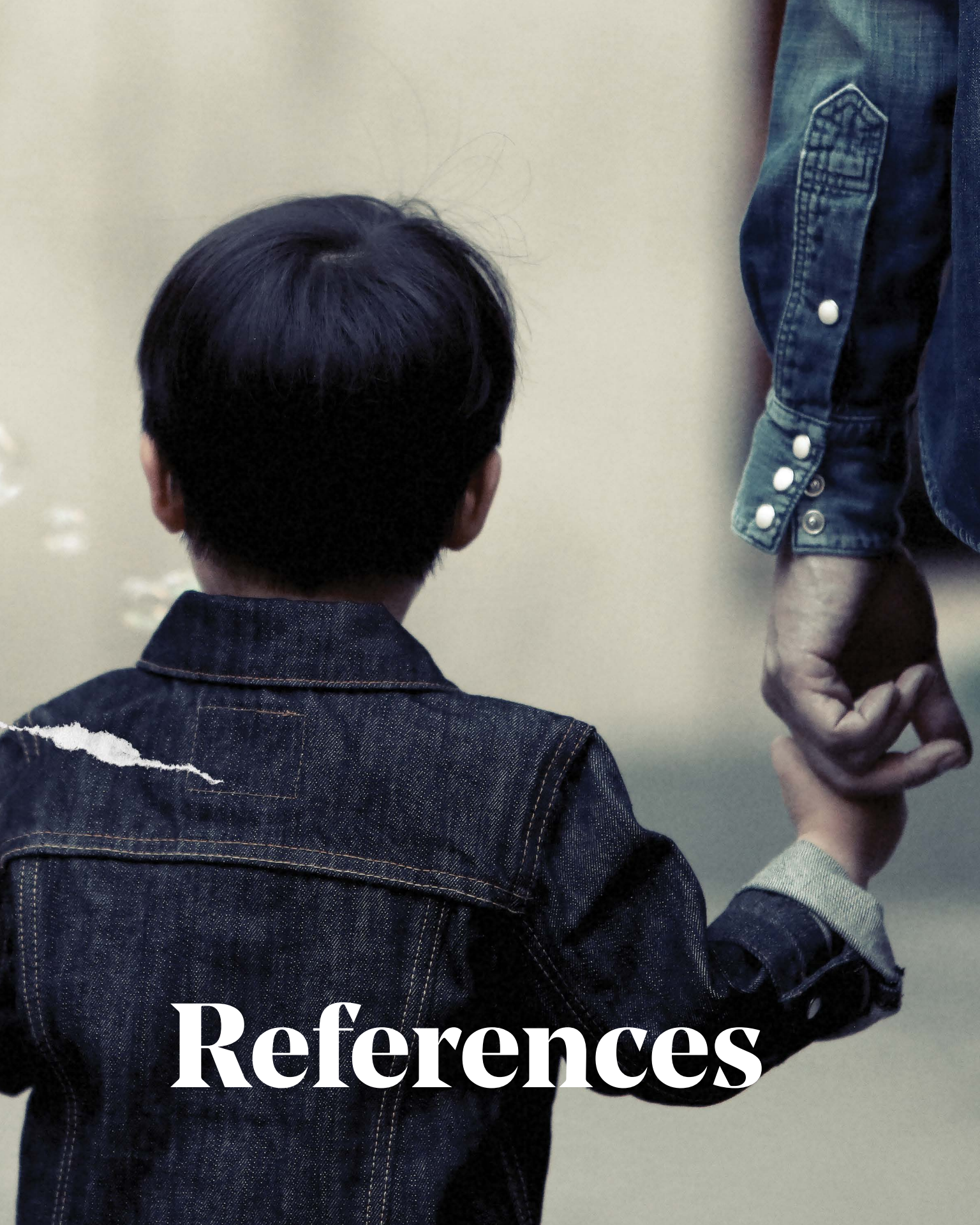
Demographic information was provided by NORC from their AmeriSpeak panel information rather than asked in the survey itself. Political party identification, household income, religious affiliation, race/ethnicity, and other demographic information is self-reported upon recruitment into the panel.

When a respondent identified that more than one family member had spent time in jail or prison, one family member was randomly selected for follow-up questions. In total prevalence numbers, the incarceration duration presented is the longest duration for any family member incarceration spell reported by the respondent, but for some of the follow-up questions pertaining to a specific family member the length of incarceration related to that randomly selected individual is used.

### Data availability

The data used to produce this report can be downloaded at EverySecond.FWD.us or through the Roper Center for Public Opinion Research at Cornell University in a variety of formats. All of the code used to generate the estimates is also available free of charge on the Roper website.

In addition to making the core data used in this report available immediately and free of charge, the full data contained in the survey will be available through the Roper Center free of charge on September 1, 2019.



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