

The Causes, Consequences, and Future of Mass Incarceration in the United States

ISS Theme Project Proposal (2015-2018)

April 6, 2015

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The rise of mass incarceration in the U.S. is one of the most important social, political, and economic developments of the last four decades.¹ During the 1950s and 1960s, the U.S. incarceration rate was unremarkable, ranking between those of Finland and Denmark. However, after almost 40 years of increasingly punitive criminal justice policies and dramatic shifts in the structure of the U.S. labor market for men with relatively little education, the U.S. now incarcerates a greater proportion of its population than any country in the world. Just as striking—and contrary to the predictions of many scholars—the punitive tide in the U.S. seems to be shifting in ways that would have been unimaginable only a decade ago. In the wake of the Great Recession, we have witnessed the decriminalization of certain low-level drug offenses and the closing of prisons, as well as Californians voting to make their “three-strikes and you’re out” law far less punitive.

As an ISS Theme Project, we propose to research the causes, consequences, and future of mass incarceration in the United States, with a particular focus on (1) the factors that shape the risk and severity of criminal justice contacts (ranging from brief police stops through the sentencing stage for serious offenses), with special attention on how these have changed over time, and (2) how the consequences of criminal justice contact vary across individuals, institutions, and time. The first research area builds on the research agendas of Enns and Kohler-Hausmann and the second research area builds on the research agendas of Fitzpatrick, Haskins, and Wildeman. Although a broad range of disciplines have engaged these topics, the expertise of our team members, our interdisciplinary focus, the collaborative activities we have planned, and the new data and research we detail below, offer the opportunity for important scholarly gains.

The timing of this project is also important. Criminal justice issues are receiving unparalleled media attention, and politicians are listening. Last year, Democratic Senator Corey

¹ See for example, Alexander 2010, Pager 2007, Kirchhoff 2010, Gottschalk 2006, and Manza and Uggen 2004.

Booker and Republican Senator Rand Paul issued a joint statement calling for prison reform and on March 10, 2015 Senators Booker and Paul reintroduced their REDEEM Act, which is a bipartisan proposal intended to reduce recidivism by supporting prisoner reentry to society. Given the increasing attention to mass incarceration among media, politicians, and interest groups, the next few years represent a critical opportunity for research to inform these policy debates.

Finally, this theme project holds unique importance for Cornell. Faculty from across the university hold research and teaching interests related to the criminal justice system. Furthermore, Cornell's Prison Education Program (CPEP) has established a direct connection to New York prisons. Through CPEP, Cornell faculty and graduate students (with the support of undergraduate teaching assistants) teach approximately 30 courses each year in local medium and maximum security correctional facilities. With this project, we hope to advance Cornell's reputation as a research institution and teaching institution (both inside and outside prisons) devoted to understanding and influencing criminal justice policy and mass incarceration in the United States.

Research Program

Our project will focus on two related research areas. The first seeks to enhance understanding of the factors that affect the probability of experiencing criminal justice contact and the severity and duration of such contact. Although this is a very well-researched series of questions, substantial debate continues in this area (e.g., Cook 2009), and new theories and evidence continue to emerge (Enns 2014; Kohler-Hausmann 2010). The cross-disciplinary approaches of team members combined with attention to social history, social science, and causal inference make this team uniquely situated to advance understanding of the determinants of criminal justice

contacts and the sentencing policies that affect their probability, duration, and severity. The engagement across multiple disciplines is a unique contribution of this section of the proposed research, as nearly all research in this area has focused primarily on one field or methodological orientation to the neglect of virtually all others. In fact, the relative lack of conversation across disciplines is almost certainly one of the key reasons that we as researchers working in this field still have (at best) an incomplete understanding of the factors that caused mass incarceration and, hence, may lead to its end.

All team members have research interests related to understanding the causes of mass incarceration, but the research agendas of Enns and Kohler-Hausmann are most closely related. We believe their distinct analytical approaches—Enns primarily relies on quantitative time-series analysis and survey experiments and Kohler-Hausmann primarily relies on historical archives and oral histories—offer excellent complements. Although much of Enns and Kohler-Hausmann’s research will target different publication outlets (Political Science and History, respectively), working as team members will yield more nuanced and compelling conclusions and increase the interdisciplinary appeal of both members’ research. Indeed, Enns and Kohler-Hausmann’s research has already benefited from the year-long research group they participated in in 2013 and they are excited by the opportunity for additional interactions (and perhaps collaboration) with this theme project. Two of the other team members (Haskins and Wildeman) will also be able to provide support for the research endeavors undertaken by Enns and Kohler-Hausmann, as Haskins has extensive understanding of the racialized nature of mass incarceration and Wildeman has contributed to understanding of the roots of mass incarceration (Western and Wildeman 2009). Thus, even though this research vein builds on 2 of the 5 team members’ current research agendas, 2 additional team members will be able to provide direct support and

perhaps collaboration.

This first proposed area of research will also benefit from considering the U.S. in a cross-national perspective, something that little existing research in this area has done. Enns has been in touch with Will Jennings, one of the Principal Investigators of the “Long-Term Trajectories of Crime in the UK Project” and they will make their UK time-series data available. These data begin with Margaret Thatcher’s period as Prime Minister in 1979. The ability to access data on UK crime rates and policies during the Thatcher period could be particularly useful for Kohler-Hausmann’s new research project, which will focus on the political history of the U.S. in the 1980s and its influence on criminal justice policy and the urban "underclass". While the UK offers a similar case to the United States, Denmark offers an important contrast. Wildeman has collaborators with access to relevant data in Denmark, offering another useful cross-national comparison, and because some of Wildeman’s current work is comparative in nature and much of the social scientific research that has already been done in this area is sociological (e.g., Sutton 2014), Wildeman should also be able to support this vein of research. Considering the U.S. as a comparative case is an exciting research opportunity that we plan to develop during year one.

Our second research area considers the consequences of incarceration for the incarcerated, their families, and their communities. Substantial scholarship—including that of members of this team (e.g., Haskins 2014; Wakefield and Wildeman 2014; Wildeman 2009, 2010; Wildeman, Haskins, & Muller 2013)—has begun to document the negative social, economic, and political consequences of incarceration. However, substantial work remains. Not only are stronger causal tests and tests of mediation sorely needed, but evidence also shows that the consequences of incarceration are quite heterogeneous (Turney and Haskins 2014; Turney

and Wildeman 2015).

Although Enns and Kohler-Hausmann are both interested in the consequences of incarceration (especially since the consequences of mass incarceration can produce feedback effects that further influence the causes), this research most directly reflects Fitzpatrick, Haskins, and Wildeman's research agendas. In addition to bringing a cross-disciplinary approach to this research, the team will advance the study of the consequences of mass incarceration in three fundamental ways. First, Haskins and Fitzpatrick are both scholars of educational outcomes (e.g., Fitzpatrick 2008; Fitzpatrick and Lovenheim 2014; Haskins 2014; Fiel, Haskins, and Turley 2013). Thus, this project is uniquely situated to improve understanding of the relationships between mass incarceration and educational inequities within the U.S. Second, Haskins and Wildeman are at the forefront of theorizing and testing heterogeneous effects of mass incarceration and are hence uniquely situated to consider the factors that moderate the consequences of incarceration for individuals, families, and communities. Finally, the project will rely on a host of unique and previously untapped data sources to test these relationships. Some of these data have already been collected, while other data provide the motivation for grant proposals described below.

In addition to tackling specific research questions in the two areas outlined, we seek to combine insights from the two research programs to help understand, predict, and inform what happens next with criminal justice policy and incarceration in the United States. This is, to be sure, the most tentative branch of the project. But we see being attentive to these issues as exceptionally important and plan to shift resources to studying the causes and consequences of changes in criminal justice policies as they happen, which may well occur before the end of the project. Below, we detail our plans for the three years of the project.

Year One: Team Member Workshops and Grant Proposal Preparation

We all have active research agendas related to the causes and consequences of mass incarceration in the United States and we plan to hit the ground running. In order to ensure that the theme project supports each team member's ongoing research, year one will include five half-day or one-day research workshops that will include the entire team, as well as periodic lunch meetings for all team members. The workshops (and periodic lunches) will allow the team to learn about each other's current research and to support each other's publication efforts.

The first workshop will be in July 2015 and will be a half-day workshop on Enns' book *Incarceration Nation*. This book manuscript is under contract with the Cambridge University Press. A half-day workshop in July would be ideal because it would allow team members the opportunity to suggest final edits prior to the copyedit stage. Because two of the team members (Haskins and Wildeman) are heavily involved in a conference on criminal justice and family life that is being hosted at Cornell in July 2015, having the half-day workshop on Enns' book at this time is also ideal because it would allow us to fold high-profile scholars of mass imprisonment, including Christopher Uggen, Shadd Maruna, and Steven Raphael, into the book conversation.

The second workshop will be in September or October 2015. At that time, Kohler-Hausmann's book, *Tough Politics: Targeting Pushers, Welfare Queens, and Criminals in 1970s America*, will be under review. We will host a one-day workshop for this book that includes three external readers. We will also invite Cornell experts to participate, such as Mary Katzenstein (Government Department) and Joe Margulies (Government Department and Law School). In addition to providing feedback to Kohler-Hausmann, inviting these individuals in the fall will allow an opportunity for the team to have informal conversations with prominent criminal justice scholars about our planned research and theme project activities.

The remaining three workshops will be held during the spring and fall of 2016. These workshops will provide a forum for feedback on work by each of the remaining team members.

In addition to learning about and supporting each other's ongoing research, we will use year one to develop collaborations. Although we will ensure that the theme project support's each member's individual research agenda, with special emphasis on advancing the agendas of the untenured members, we envision much more than continuing our current research in parallel with each other. A primary goal of this project is to generate real cross disciplinary collaboration. To encourage this collaboration and to facilitate synergies, we plan to devote time in year one to applying to research grants. We expect our grant proposal ideas to continue to develop and evolve in year one, but we already have one project that will likely be the foundation for multiple grants.

The grant most likely to be submitted by the end of the first year builds off a collaboration that Fitzpatrick and Wildeman are currently in the process of launching. This project has two unique facets. First, it will use a unique dataset that marries Danish registry data and administrative data on conditions of confinement in Danish prisons and jails. We see the projects building off this data set, which will consider how exogenous variation in prison conditions affect the life-course outcomes of prisoners and their families, as proof of concept necessary for showing that the larger grants we intend to apply for using U.S.-based data could plausibly show causal effects of conditions of confinement.

The second aspect of the project, and the component most likely to produce external funding, will involve creating a unique linked administrative dataset, likely from either Pennsylvania or Ohio,² that uses exogenous variation in conditions (ranging from educational

² We focus on these two states because Ohio already has a linked dataset that we could potentially build off and we have had good preliminary conversations with the Pennsylvania Department of Corrections including both linking

resources to visitation policies) in order to provide U.S.-specific evidence regarding conditions of confinement and the consequences of incarceration for individuals and families. We expect the core research questions in the U.S. to be very similar to the ones we pursued using the Danish registry data and we believe this research will be relevant to a variety of grant and research organizations.

In order to submit this grant in the first year of this project, we would need a full-time research assistant to do preliminary cleaning and analysis of the data in order to demonstrate to potential funders that the project would get off the ground. Given team members' prior success with grant funding and the timeliness of the research questions considered, we believe we have a high probability of a successful proposal. However, the energies spent preparing the grants will be valuable even if we do not receive funding. At a minimum, the proposals will help us identify common interests and focus our research agenda for the second year. Additionally, the collection of preliminary data for the grant proposals will ensure that we are making progress on this research when we enter year two.

Year Two: Conferences, Research, and Teaching

Year two will be devoted to research, teaching, and expanding the visibility of Cornell's criminal justice policy expertise. To enhance the visibility of our efforts, during the fall of the second year we will host a two-day conference on the causes and consequences of mass incarceration. Day one will reflect Enns and Kohler-Hausmann's research agendas by focusing on the causes and future of mass incarceration. This opportunity could be especially advantageous to Kohler-Hausmann who, as a historian, would have the opportunity to present her work to an audience

data and a host of exogenous shocks in conditions of confinement. Wildeman is also currently involved in a project linking Department of Corrections data from Pennsylvania with Veterans Administration data and hence should be very familiar with the structure of data we would get from Pennsylvania, which should speed the linking process.

comprised of social scientists. We will produce either an edited volume or special journal issue based on the papers presented at Day one of the conference.

Day two of the conference will focus on parental incarceration and child wellbeing and will hopefully be cosponsored by the Bronfenbrenner Center for Translational Research. The result of Day two of the conference will be a volume co-edited by Haskins and Wildeman.

In year two, the team's research efforts would stem directly from the grant proposals submitted in year one. In addition to grant funds, we also anticipate devoting a research assistant (who could be covered either through external grants or through this grant) to help with the conditions of confinement project. Dedicating resources in this way will also help maximize the publications produced by all of the other team members.

Our teaching would build on Wildeman, Haskins, and Kohler-Hausmann's popular courses on incarceration and criminal justice. Beginning in the second year of the project, we will introduce a large co-taught course that is cross-listed in Government, History, Sociology, and Policy Analysis & Management. Given the high enrollment of existing incarceration-related courses on campus, we are confident that student interest exists. Furthermore, co-teaching this course would have the advantage of exposing students to a variety of disciplinary perspectives. Since this cross-disciplinary approach coincides with the mission of Cornell's University Courses program, we will apply to make this a University Course. Wildeman is currently in the process of getting a course on prisons and society cross-listed in Policy Analysis & Management, Sociology, American Studies, and Africana Studies. We will build on those efforts to make sure our course does not overlap with existing courses and to identify whether synergies could be developed with other courses or teaching on campus. We see adding this course as a key final outcome of the theme project, as it strikes us as especially essential for leaving a lasting legacy

from this theme project.

Year Three: Final Products

We expect that numerous products will result during the course of this theme project. These include: collaborative grant awards from year one; an edited journal issue and an edited book volume from the year two conference; a series of journal articles in sociology, criminology, economics, political science, and history journals; two books in top presses; and co-taught courses which will continue after the project ends. We will also continue to promote the work of the theme project through popular media connections, editorials in major newspapers, the Scholars Strategy Network, and posts on popular research blogs. In year three, we will also work to ensure the legacy of the project in a number of new ways (as discussed below), as well as continuing to apply for grants and push journals articles through the review process at top journals in our respective fields.

Specifically, we hope to institutionalize the study of criminal justice and incarceration in two ways. First, we hope to establish a research center on criminal justice policy and incarceration on campus. The research focus on criminal justice and incarceration across the social sciences is unique at Cornell. Most universities have one or two high profile researchers on the topic or the researchers are concentrated within a one discipline (for example, almost all of the professors affiliated with Harvard's Program in Criminal Justice are Sociologists). We believe the cross-disciplinary interests in criminal justice, the empirical focus of the law school (and its Death Penalty Project), as well as Cornell's Prison Education Program, make Cornell an ideal place for a research center and we will work with foundations and potential funders to make this happen. We believe our external funding proposals could be especially helpful for this

goal, particularly if we are able to devote some of the indirect costs from the funding to establish such a center.

Second, during year three we would work to institutionalize the cross-disciplinary benefits to graduate and undergraduate training that we hope emerge from this project. We have several ideas—of varying levels of organizational difficulty—that we have considered. At a minimum, we would support graduate research and teaching on criminal justice by developing the infrastructure (such as a permanent website, list serve, and brown bag speaker series) to keep graduate students in different departments aware of relevant faculty working on these issues around campus. We also believe that bringing Cornell faculty together with interests in criminal justice, and drawing national (and international) attention to these faculty, could provide a foundation for an undergraduate minor in Criminal Justice Studies. We envision modeling this minor on the Minor in Inequality Studies offered through Cornell’s Center for the Study of Inequality. Of course, we would only move forward with a minor after having conversations with relevant stakeholders and those experienced with coordinating a minor. Finally, and most ambitiously, if support and enthusiasm exists, we would be open to conversations about developing a Criminal Justice specialty within existing Ph.D. programs or starting a Master’s program in criminal justice policy.

Team Member List

We propose the following team members: Peter Enns (Government), Maria Fitzpatrick (Policy Analysis and Management), Anna Haskins (Sociology), Julilly Kohler-Hausmann (History), and Christopher Wildeman (Policy Analysis and Management). Although all team members would work together, Enns would be designated the team leader. As team leader, Enns will draw on his

experiences as a member of the 2009-2012 ISS Theme Project on Judgment and Decision Making as well as numerous experiences on campus, such as serving as faculty director and board member of Cornell's Prison Education Program, advisory committee member of Cornell's Survey Research Institute, member of the College of Arts and Sciences High Impact Educational Practices Group, and board member of Cornell's Center for Teaching Excellence. Enns and Wildeman, as the two associate professors on the team, will ensure that assistant professors have full input in all parts of the project, but that they are not overly burdened by logistical responsibilities.

We have selected these team members based on scholarly expertise, representation of disciplinary perspectives, and our demonstrated ability to work together. Scholarly expertise is evident in the numerous high profile publications and grant awards on the topic. We are confident in our ability to collaborate because Enns, Haskins, and Wildeman participate in the bi-weekly Center for the Study of Inequality discussion group and Enns and Kohler-Hausmann previously participated in a year-long research group on incarceration issues. Furthermore, Fitzpatrick and Wildeman have recently begun collaborating on a long-term project on the topic and Haskins and Wildeman have already published research together. Beyond the core team, we expect that this theme project will be of interest to a range of others around campus whose research and teaching relate to criminal justice.

In sum, given the importance of criminal justice research and the wide array of interests across Cornell, we believe that this ISS Theme Project will produce a lasting social scientific impact. In fact, we believe that an ISS Theme Project will catapult Cornell to becoming an international leader in the study of criminal justice and mass incarceration.

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