Mass Incarceration: A Major Cause of Hunger

by Marlysa D. Gamblin

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U.S. poverty would have dropped by 20 percent between 1980 and 2004 if not for mass incarceration.

SUMMARY AND HIGHLIGHTS

Mass incarceration has far-reaching effects in the United States. It poses a significant barrier to ending U.S. hunger and poverty by 2030—a goal the United States adopted in 2015. But the connection is not always obvious.

This paper explains how mass incarceration increases hunger. In a study by the National Institutes of Health, 91 percent of returning citizens reported being food insecure. Many face difficulty securing a place to work and live after being released. In addition, 75 percent of returning citizens report that it is “extremely difficult” or “impossible” to find a job post-incarceration. Even once formerly incarcerated people manage to find jobs, they suffer a permanent reduction in their lifetime earning potential, by nearly $180,000.1 This explains why 1 in 4 households headed by a returning citizen lives in deep poverty. In addition, incarceration frequently leads to hardships for their families. According to one study, almost 70 percent of households reported having difficulty meeting basic needs, such as food and housing, when a family member was incarcerated.

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Source: Social Science Research Network
Children with incarcerated parents are nearly three times as likely to experience health conditions such as depression and anxiety. They are also more likely to have speech and other cognitive delays. These increased risks contribute to an intergenerational cycle of poverty, since any of these problems make it harder for children to succeed in school, which in turn may prevent them from graduating and/or finding a job that pays enough to support their own families—reinforcing hunger across generations.

What Is Mass Incarceration?

Mass incarceration is a commonly used term for the extremely high rate of incarceration in the United States for both adults and youth. It refers to the vast number of Americans who are at greater risk of being, who are currently, and who have been, incarcerated in jail or prison or subject to a court-ordered supervision period. Rates of incarceration have soared since the early 1980s—even though crime has not.

As people of faith, we are called to practice scripture by loving our neighbors, forgiving, and helping those who are imprisoned. To learn more about the biblical basis for why mass incarceration is a Christian issue, visit “The Bible and Mass Incarceration” at bread.org/incarceration.

BOX 1: WHAT IS DRIVING MASS INCARCERATION?

There are three main drivers of mass incarceration:

• Over-policing—Over-policing occurs when a community has a heavy police presence that is not in proportion to its rate of serious crime. Over-policing is seen mainly in low-income communities, particularly low-income communities of color. Residents of over-policed communities have a much higher chance of being stopped by police, ticketed, and/or arrested. These practices explain the high numbers of low-income people who are currently in jail awaiting trial because they cannot afford to post bail. Nearly seven out of 10 people in jail for this reason are released without being convicted of a crime—but they still pay the costs of having been incarcerated, from lost income to lost jobs. Congestion and frequent delays in the court system may lead other people to plead guilty to crimes of which they are innocent, hoping that they will be released from prison sooner than if they waited to go to trial.

• Longer Sentences—Longer sentencing practices also fuel mass incarceration. People of color have a much higher chance of being convicted than whites charged with the same offenses, and they are also sentenced to longer terms than whites. Racial bias among prosecutors, jurors, and judges—often unconscious—is a major reason that people of color receive longer sentences for the same crimes. Longer sentences mean more people in prison at any given time.

Another reason for longer sentences is a set of laws, largely enacted in the 1980s, that establish mandatory minimum sentences for many offenses, regardless of whether the judge believes the situation warrants such a sentence. In some cases, “three strikes” laws dictate a mandatory minimum sentence of life in prison for anyone convicted of a third felony.

• Ongoing Restrictions after Release—The impact of mass incarceration doesn’t end when people are released. Some people are released on parole, meaning that they have served a required portion of their sentences and are sent home but still considered to be serving their sentences. People released on parole spend an average of 19 months being closely supervised and are expected to follow strict rules and guidelines. The rules may prove very difficult to follow. Even one violation of the parole terms can result in being sent back to jail or prison. Probation, or being sentenced to a term of court-ordered supervision rather than being sent to prison, has similar restrictions.

When people have completed their sentences of incarceration, parole, and/or probation, they still have criminal records. People with criminal records have restrictions on what they can legally do. These, known as “collateral consequences,” range from not being allowed to work in certain industries to not being eligible for supports such as Supplemental Nutrition Assistance Program (SNAP) benefits. Collateral consequences increase the likelihood that people with criminal records will live in hunger and deep poverty. This often affects their ability to comply with their parole or probation requirements (i.e., securing work, housing, etc.), which increases the likelihood of recidivism.

“I sentenced criminals to hundreds more years than I wanted to. I had no choice...Mandatory minimums limit a judge’s discretion.”

—Shira A. Scheindlin, former federal judge, Southern District of New York
Although only 5 percent of the world’s population lives in the United States, our country has 25 percent of the world’s prison inmates. Thus, the U.S. prison population is five times what it would be if it were in proportion to the total population. Even more startlingly, the U.S. imprisonment rate is 10 times the average rate of several other developed countries.5

The Truth About Mass Incarceration

1. Police officers are expected to fill too many roles. We put too much responsibility on our police officers. Limited budgets for social services, some of which have been cut even further in recent years, mean that communities turn to the police for help in many situations. In some low-income communities, the police are sometimes viewed as the only place to turn for help in solving very complex problems. Many times, police officers must simultaneously fulfill the roles of police officer, social worker, and mental health care provider.

We need to lighten the load for police officers. This can be done by allocating more funding for social workers, mental health care professionals, and others who provide social services that require a specific technical skill set. This would not only enable police officers to focus on law enforcement, but would also help make communities and residents safer and at lower risk of hunger.

2. The definition of “crime” has been broadened. Over the last four decades,11 the United States has both expanded the number of criminal offenses and increased the sentences attached to many lower-level offenses. Being “tough on crime” led to criminalizing acts that were previously not illegal. For example, some people unable to pay a traffic ticket have been arrested and later sent to jail. It also led to handing down harsh jail or prison sentences for offenses that might instead have been addressed by rehabilitation, restitution, community service, or a shorter period of incarceration. For example, in some states, there are tough mandatory minimum sentences for using marijuana. Policymakers expected that these policies would deter crime, but there is little evidence that they have.12 What they did do is increase the number of people with criminal records. Now, one in every three adults in the United States has a record of some kind—whether an arrest without conviction, a conviction for a minor offense, or a felony conviction. The “tough on crime” approach has also cost U.S. taxpayers billions of dollars13 to keep people in prison—often for offenses that would not have carried lengthy terms a few decades ago.

Did you know that…

Our country’s state prison population has grown by more than 700 percent since the 1970s.*

According to the Sentencing Project, when Chris Poulos was arrested, he experienced firsthand the difference that money can make in the criminal justice system.

“After I was arrested, my court-appointed attorney told me I was “in a lot of trouble.” He immediately asked if I was ready to plead guilty…I was fortunate in that assistance from family and friends allowed me to hire a private lawyer. Within a few hours of hiring new counsel, I was released from jail.

The ability to pay for private counsel dramatically changed the course of my life.

When I walked out of jail that day, I left behind scores of others who could not afford to hire a private lawyer. Over 700,000 individuals—disproportionately people of color—sit in jail every day, many of them because they cannot afford to pay bail. The consequences can be enormous. They may lose their jobs, their homes, and even their children. They may also lose hope and become more likely to agree to a guilty plea in order to speed up their release.*

To read the full story, refer to: http://www.sentencingproject.org/stories/christopher-poulos/


More than 85 million Americans are impacted by mass incarceration

Mass incarceration makes it harder for this large group of people—one-third of our population—to get jobs. There are two reasons for this. One is that they are perceived as criminals by employers, landlords, and other decision makers, even after they have served their time, complied with court orders, and/or paid fines. Second, people who have been arrested but not convicted comprise 70 percent of the U.S. jail population. They often lose their jobs and/or homes while being held awaiting trial. People may wait for anywhere from 48 hours to, in at least one case, seven years, depending on the jurisdiction—solely because they are unable to post bail.

3. Incarceration policies have always disproportionately targeted people of color. Policies and practices of the last 250 years have created the conditions we have today.

- **1780-1862:** All northern states abolished slavery during this era, but after abolition, they used unjust penal codes to sentence African Americans to prison in disproportionate numbers. African Americans in Pennsylvania, for example, were just 2.3 percent of the state’s population but almost 15 percent of the statewide prison population.

- **1863-1877:** After the Emancipation Proclamation in 1863, southern states enacted “black codes” that restricted the liberties of freed people. In effect, these codes continued at least some elements of slavery. Former slaves were incarcerated for such “crimes” as vagrancy or gathering in public spaces. Inmates were often forced to work on plantations, in coal mines, or elsewhere to “pay off their debt to society.” African Americans were still not a significant part of the south’s jail or prison system since the vast majority were newly free, but black codes sharply increased their incarceration rate. Ultimately, it surpassed that of whites.

- **1877-1965:** The rise in incarceration rates continued into the era of Jim Crow. Increasingly, inmates were used in the “convict-lease” system, which allowed prisons to rent out inmates to work on plantations and other sites. Unfortunately, the prospect of getting access to cheap labor motivated many local governments to continue targeting African Americans for “crimes.” African Americans were often unable to fight any allegations that were made, and thus forced into incarceration, because they were legally barred from suing organizations or individuals who were not African American.

- **1980-2000:** The disproportionate incarceration rates of African Americans began to rise even more steeply during the “War on Drugs.” Research indicates that whites and African Americans use illegal drugs at essentially the same rates, but in the 1980s and 1990s, police targeted low-income areas, primarily communities of color, at higher rates than white communities. This worsened the growing incarceration gaps between the United States and other developed countries and among African Americans, other communities of color, and whites.

- **Today:** Today, people living in poverty, especially people of color, are still more likely to encounter the criminal justice system because law enforcement and court officials practice racial bias, many times unknowingly. Thus, more than half of the prison population in about 12 states is black, and African Americans can be between 5 and 10 times as likely to be incarcerated as whites because they are stopped, ticketed, and arrested by the police at higher rates.

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**FIGURE 2**

*Source: [advancingjustice.wustl.edu](https://advancingjustice.wustl.edu/SiteCollectionDocuments/The%20Economic%20Burden%20of%20Incarceration%20in%20the%20US.pdf)*

**Did you know that...**

The total cost of mass incarceration is $1 trillion.*

*Source: [advancingjustice.wustl.edu](https://advancingjustice.wustl.edu/SiteCollectionDocuments/The%20Economic%20Burden%20of%20Incarceration%20in%20the%20US.pdf)*

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**Latinos and African Americans are between 3 and 6x as likely to be incarcerated as whites for the same offense.**

*Source: [naacp.org](http://www.naacp.org/criminal-justice-fact-sheet) & [sentencingproject.org](http://www.sentencingproject.org/criminal-justice-facts)*

**If Latinos and African Americans were incarcerated at the same rate as whites, today’s prison and jail populations would decline by approximately 50%.*

*Source: [naacp.org](http://www.naacp.org/criminal-justice-fact-sheet) & [sentencingproject.org](http://www.sentencingproject.org/criminal-justice-facts)*

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Additionally, once arrested, people of color face significant racial disparities in sentencing decisions. Sentences imposed on Black males in the federal system, for example, are nearly 20 percent longer than those imposed on white males convicted of similar crimes. This racial disparity persists nationwide, with 65 percent of prisoners in the U.S. sentenced to life without parole for nonviolent offenses being Black—this is 4 times the percentage for whites.

**The Ripple Effects of Mass Incarceration**

**DURING INCARCERATION**

Every year, our nation spends nearly $140 billion in taxpayer dollars to incarcerate more than 2 million adults and 500,000 youth. Incarceration increases the risk of hunger, food insecurity, and nutritional deficiencies for individuals, families, and communities.

People are at risk of hunger and poor nutrition while they are incarcerated. They cannot have a healthy diet unless the prison system opts to provide healthy foods. Unhealthy diets while incarcerated can result in a myriad of health complications later in life, often after people have returned to the community.

Families with an imprisoned family member owe an average of $13,000 in fines and court fees related to incarceration, not including other related fees. That is more than half the gross income of a family of four at the poverty line—and it comes at the same time as the loss of income when a wage earner goes to jail or prison. Such financial hits cause one in five families with an incarcerated family member to be evicted.

Finally, when families are suffering, so is the community. Since mass incarceration makes many families vulnerable to eviction, communities may lose residents. They lose resources when money is taken out of the community to support incarcerated family members and pay their fines and court costs. In addition, home values in the most-affected communities frequently decrease, because prospective buyers are less likely to want to move into a neighborhood where many people have criminal records. Mass incarceration costs communities $11 billion in decreased property values, making it even harder for low-income families and families of color to save for the future.

Researchers at the Institute for Advancing Justice Research and Innovation at the George Warren Brown School of Social Work, Washington University in St. Louis, estimate that mass incarceration costs local communities, many of which already face hunger and poverty, more than $244 billion altogether. Some of these costs are lost wages while people are in prison; depression of property values; families being evicted and often becoming homeless; mental health problems among both people who are returning and their children; the cost of travel to visit inmates; and costs associated with children doing poorly in school.

Mass incarceration fuels an intergenerational cycle of poverty because children with incarcerated parents are at greater risk of being arrested as juveniles. Being detained as a youth reduces one’s ability to succeed in the labor market by 30 percent in the first 10 years after release.

**LIFE AFTER INCARCERATION**

When someone repays a debt, we usually believe that the debt is no longer owed. Once someone repays a student loan, for example, the loan no longer affects the life of the person who owed the money. But when people are released from prison, having paid their debt to society as determined by a judge or jury, they find that their debt has not, after all, been paid off. In fact, it seems never-ending.

People returning from jail or prison face countless restrictions when trying to find a job, a place to live, and food. As mentioned earlier, these “collateral consequences” often make it difficult for people to avoid hunger and poverty.
In a study by the Ella Baker Center on Human Rights, 75 percent of the returning citizens reported that securing a job post-incarceration is “difficult” or “nearly impossible.” Moreover, 70 percent of the formerly incarcerated adults return home to children who need to be provided and cared for, while almost 80 percent say that their families were denied housing because of their criminal record or that of a loved one.

Returning citizens need jobs perhaps more than any other group, because in many states, they are excluded from social safety-net programs that help other unemployed people and their families. A Heritage Foundation legal memorandum reported that there are more than 46,000 local, state, and federal civil laws and regulations—known as “collateral consequences” of conviction, as opposed to the “direct consequences” of conviction—that restrict the activities of ex-offenders. They affect employment, social services, and other spheres of life. Usually, whether the offense that led to incarceration is relevant to the work required is not taken into consideration, leaving millions of returning citizens with very few options.

For example, returning citizens, regardless of their offenses, are banned outright from becoming barbers in some states. Not all collateral consequences are a matter of law. Sometimes they have more to do with the absence of law. Many employment applications across the country require applicants to answer “yes” or “no” to the question of whether they have ever been convicted of a crime. In many cases, checking “yes” automatically disqualifies them from further consideration. Again, the individual person’s ability to do the job and the relevance of his/her offenses is not considered. Checking the box is a significant barrier for formerly incarcerated people seeking work for as long as it remains legal.

Other collateral consequences include being partially or completely banned from the Supplemental Nutrition Assistance Program (SNAP, formerly the Food Stamp Program) and other social supports such as Temporary Assistance for Needy Families (TANF), affordable housing opportunities, Medicaid/Medicare, and Pell grants. In some cases, these are lifetime bans.

Not having access to social supports at a time when they most need them helps explain why 91 percent of returning citizens in a study by the National Institutes of Health reported being food insecure when they were released. It also helps explain why their children are much more likely to be hungry or food insecure.

**BOX 3: REENTRY AND WORK: A STORY OF SECOND CHANCES FOR RETURNING CITIZENS**

The HELP Program is a ministry of the St. Francis de Sales Parish community in Cincinnati. Its mission is to help men returning from prison find jobs and properly reenter society.

It was founded in 2007 by Brother Mike Murphy out of his passion to help others. Initially, he thought the men were jobless because they lacked the skills that employers needed. He soon realized, though, that legal obstacles kept them from getting and holding onto jobs.

The biggest difference between Mike and the men in the program was how they were viewed and treated by the government and employers due to the program participants’ criminal records. It was then that Brother Mike realized that changing the laws had to be a top priority of the HELP Program, so that true change could be possible for people returning from incarceration.


**FIGURE 3**

One in five people returning from jail or prison earns less than $7,600 in the year following release—only about 1/7 of the median household income ($56,516).

Nearly one in four households headed by returning citizens lives in deep poverty.

Imposing collateral consequences on returning citizens harms the United States as a nation as well. Every year, 600,000 people are released from imprisonment. When they cannot secure employment, find a place to live, and/or participate in the political process, the United States is in effect creating an ever-increasing, permanent group of second-class citizens. This will have a negative impact on society economic growth and on efforts to ensure that every person can meet her/his basic needs.

The Way Forward

Compared to other industrialized nations, the United States has a very high incarceration rate. As mentioned earlier, studies show that over-ticketing, over-incarcerating, and longer sentencing do not make our communities safer, contrary to what policymakers may have originally thought. The good news is that there are proven ways to make communities safer and reduce crime—successes that, in turn, reduce hunger and poverty for many families and communities. Policies should focus on four priorities: 1) reducing crime, 2) rethinking how we define crime and sentencing, 3) rehabilitating incarcerated individuals, and 4) ensuring that people successfully reenter their communities.

There is no one-size-fits-all solution that will accomplish all four priorities, but there are a number of tried and tested, evidenced-based approaches discussed in this section. It is important to note that these policies and practices should not be implemented in isolation. Instead, they should be part of a coordinated effort that considers the interconnectedness of the various policies and the impact they have on one another.

Reducing Crime

Typically, local law enforcement agencies deploy more police officers in areas perceived as needing more resources to enforce the law. From their point of view, this makes sense. But in a larger context, it is not police officers that make a community truly safer. It is greater opportunity and hope.

Sufficient resources for local and state agencies and nonprofit groups that offer social supports, mental and physical health services, and educational programs help residents and reduce crime in their communities. Programs such as youth employment and social activities, adult job training programs, mental health services, and community public health programs have been shown to reduce crime by between 32 percent to 51 percent, and residents have reported feeling safer. Resources that make communities more “walkable,” such as sidewalks, parks, community centers, and libraries, also help.

Ensuring that people in low-income communities have access to these types of social supports not only helps families improve their food security, housing, and general standard of living, but also

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*Source: https://www.bjs.gov/content/reentry/reentry.cfm

“Some 600,000 inmates will be released from prison back into society. We know from long experience that if they can’t find work, or a home, or help, they are much more likely to commit more crimes and return to prison…. America is the land of the second chance, and when the gates of the prison open, the path ahead should lead to a better life.”

—Former President George W. Bush, 2004 State of the Union Address

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Did you know that…

95 percent of people currently incarcerated in state prisons will at some point be released to rejoin society.*
relieves the pressure on police to act as social workers or counselors while also enforcing the law. Given the high costs of over-policing and mass incarceration, it will make communities safer while also saving taxpayer dollars.

**RETHINKING CRIME AND SENTENCING**

The fact that nearly seven in 10 people in jail are released without a conviction tells us that the United States needs to find ways to prevent arrests that lead to jail time in cases that lack sufficient evidence of a crime. We must redefine the behavior that warrants policing, ticketing, and arrests.

Some behavior is clearly criminal. But many other acts were not crimes in the recent past and/or fall into “gray areas” where it generally does not make sense to jail people (particularly because, as mentioned earlier, it leads all too often to their losing jobs and homes). Non-threatening, low-profile, minor offenses should be addressed differently. For example, people who cannot afford to pay a traffic ticket could be assigned flexible community service hours, pay a reduced amount proportionate to their income, or be pardoned altogether rather than receiving jail time. This will prevent some adults and youth from entering the criminal justice system in the first place.

Second, the United States needs to rethink sentencing and parole/probation policies. For most lower-level offenders, there are effective alternatives to incarceration, parole, and probation. Alternative approaches have been shown to reduce costs as compared to incarceration.

For example, cases involving mental illness and most drug offenses could be referred to medical treatment and community-based support programs. Even for more serious drug offenses, “drug courts” have been shown to be an effective alternative. These avoid imprisoning people while still holding them accountable for their offenses. Drug courts combine strict discipline with understanding that addiction is a disease.

Another example is changing our approach to making decisions about setting bail or releasing people on their own recognizance. In jails across the country, up to 85 percent of the inmates are being detained because they are awaiting trial and do not have the funds to post bail. They are not necessarily guilty of a crime—and in any case, they have not been convicted of a crime. The majority do not pose a threat to society; meanwhile, their families are more likely to face hunger and food insecurity without their incomes.

Offering alternatives to requiring bail will reduce the number of people who are being held in jails at great cost to both themselves and the taxpayers, and will lower millions of families’ risk of falling into deeper poverty and hunger—all without raising the nation’s rate of violent crime.
Third, the United States needs to identify offenses that currently carry unnecessarily harsh penalties and adopt strategies to reduce lengthy sentences among people who have been convicted. Studying the impact and outcomes of mandatory minimum sentencing policy will be key to making the right policy choices. Potential actions to improve sentencing policies range from giving judges more discretion in individual cases, to repealing federal and state mandatory minimum sentences altogether.

REHABILITATING IMPRISONED PEOPLE

The ability of the 600,000 people released from jail or prison each year to support themselves and their families depends partly on the skills they learn and the supportive treatment they receive in prison. Rehabilitation should include opportunities to earn a GED or college credit, workforce training, and health care (including treatment for substance abuse and mental illnesses). Individuals who further their education while in prison, for example by earning a high school diploma or post-secondary degree or certificate, are 43 percent less likely to return to jail or prison than those who do not. In addition, the Bureau of Justice Statistics found that inmates who participate in job training programs are 28 percent more likely to secure employment following release than those who do not.

Despite the evidence, however, overcrowding and rising costs have prevented many jails and prisons from offering rehabilitative services to inmates, to the detriment of both individuals and the communities they rejoin.

REENTERING COMMUNITIES

Many incarcerated people have no proof of identification, required by nearly all employers. Prior to release, the prison system should help these people obtain key documents such as a state identification card. When people are released and return home, they need a place to live, food to eat, and a job that will enable them to pay for these and other basic necessities going forward. It is much harder for returning citizens to make positive contributions to their families and communities without these things.

This means extending support programs such as the Supplemental Nutrition Assistance Program (SNAP, formerly known as Food Stamps), Medicaid, TANF, housing support, and Pell Grants to returning citizens.

In addition, proper reentry requires that we take an honest look at the barriers to work and adopt policies to remove them. Most of the collateral consequences of incarceration pertain to employment, while the offense committed is largely irrelevant to the ability to do the job. Policymakers must reassess and reconsider the impact of policies that penalize people with criminal records after they have served their time. Such restrictions harm millions of individuals each year—and they also harm society.

The Urban Institute’s Justice Policy Center has found that the more returning citizens earn during the first two months following their release, the lower their chances of returning to prison. For example, people who earned more than $10 an hour were half as likely to return to prison as those whose hourly wages were less than $7.

Housing is also important. The Justice Policy Center found that returning citizens who had adequate housing were 60 percent less likely to return to prison. Yet nearly 80 percent of returning citizens are housing insecure when they are released. This raises both recidivism and hunger rates.

Our public policies should make it easier for returning citizens to reenter society with a job, housing, and other necessities, so that households are stronger and less at risk of confronting the same or even deeper levels of hunger and poverty when their family member returns.

For more specific policies that can help reduce hunger for returning citizens and their families, please refer to Recommendations IV and V of “Ending U.S. Hunger and Poverty by Focusing on Communities Where It’s Most Likely” by Marlysa D. Gamblin at Bread for the World Institute.
Endnotes


5. Ibid.


9. Ibid.


19. Analysis from data compiled by the Institute for Advancing Justice. Bread for the World Institute added the costs to taxpayers from corrections spending on inmate moving costs, injuries during incarceration, healthcare costs, and childcare costs (usually for foster care when a parent is incarcerated), to total $137 billion for prison housing costs. This analysis does not account for costs to individual communities or households during incarceration and does not consider post-incarceration costs to society. The original study is “The Economic Burden of Incarceration in the U.S.” Institute for Advancing Justice. October 2016. https://advancingjustice.wustl.edu/SiteCollectionDocuments/The%20Economic%20Burden%20of%20Incarceration%20in%20the%20US.pdf


27 Ibid.


29 Ibid.


32 Ibid.

33 Ibid.


42 Ibid.


46 Ibid.

