



# Inequalities in jail incarceration across the life course

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The expansive and unequal reach of the criminal justice system is well documented. Annually in the United States, 62 million individuals experience police contact, and 10 million are arrested (1, 2). There are about 10.6 million jail admissions and about 600,000 state or federal prison admissions annually (3). These point in time estimates, however, understate the full extent of criminal justice contact, as they do not account for the percentage of individuals who will experience criminal justice contact over the course of their lives. Research by Western et al. (4) advances our knowledge of inequalities in the cumulative prevalence of jail incarceration, an often overlooked aspect of the criminal justice system that has important implications for individuals, families, and communities (5). This research, which uses administrative data on jail admissions and discharges in New York City, documents the cumulative prevalence of jail incarceration (that is, the percentage of men and women in New York City who can expect to experience jail incarceration by age 38).

Jail incarceration is deeply intertwined with other aspects of the criminal justice system, including arrests and prison incarceration, and Western et al. (4) provide an examination of the cumulative risk of jail incarceration. The authors come to several key conclusions that highlight both the prevalence and unequal distribution of jail incarceration. Perhaps most importantly, they find race/ethnic inequality in the cumulative risk of jail incarceration. Black men are eight times more likely than White men to experience jail incarceration by age 38 (26.8% compared with 3.4%). Latino men are five times more likely than White men to experience jail incarceration by age 38 (16.2% compared with 3.4%). The differences persist for women too, with Black and Latina women seven and three times more likely than White women, respectively, to experience jail incarceration by age 38. Inequality in the cumulative prevalence of jail incarceration between Blacks and Whites is larger than inequality in the cumulative prevalence of prison incarceration (wherein Blacks are about seven times more likely than Whites to experience prison incarceration) (6).

In addition to the findings about race/ethnic inequality in the cumulative prevalence of jail incarceration, Western et al. (4) come to several other groundbreaking conclusions that highlight inequality in this form of criminal justice contact. First, they find that churning through the jail system, a not uncommon experience, is concentrated among Black men. About 10% of Black men have experienced five or more jail admissions by age 38. About 5% of Black men have experienced 10 or more jail admissions by age 38. Black men are 20 times more likely than White men to experience 10 or more jail admissions by age 38. Second, they find that jail incarceration is geographically concentrated. For example, Black men living in poor zip codes, compared with their counterparts living in nonpoor zip codes, are more likely to experience jail incarceration by age 38 (33.0% compared with 22.3%). Third, they find that the cumulative risk of jail incarceration decreased fairly substantially between 2008 and 2017. This decrease, in which the jail population decreased by about half for Black and Latino men but decreased by a larger proportion for white men, exacerbated race/ethnic inequality in jail incarceration. Taken together, these findings substantially expand our knowledge about the scope of the criminal justice system, as the vast majority of existing demographic research on incarceration focuses on prison incarceration (5–8).

## Importance of Understanding the Cumulative Prevalence of Jail Incarceration

Understanding the cumulative prevalence of jail incarceration alongside the cumulative prevalence of prison incarceration is important. Jail and prison incarceration, although they have some similarities (and are inextricably linked as part of the larger criminal justice system in the United States), are quite different experiences of confinement. First, on an administrative level, jails are generally operated on a local level, compared with prisons that are operated by state or federal governments. Second, jail stays are generally short (usually lasting for days, weeks, or months), compared

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with prison sentences that are at least a year (and may last decades). Short jail stays are often accompanied by substantial cycling in and out of the system, as Western et al. (4) show, and this cycling can be consequential for those incarcerated as they continually renegotiate families and communities upon release (9). Third, incarcerated individuals observe jail incarceration to be more punitive than prison incarceration (10). For example, those in jail are usually allowed shorter and more cursory visitation and contact with loved ones compared with those in prison.

In addition to there being substantial differences between the experience of jail and prison incarceration, knowing the cumulative prevalence of jail incarceration is important because of the consequential nature of this type of confinement. Research shows that jail incarceration, even when it is short lived (for example, lasting a few days or months), is quite destabilizing. Jail incarceration can wreak havoc on economic well-being (11, 12), relationships with family members (13, 14), and physical and mental health (15, 16). For example, cycles of jail incarceration and reincarceration correspond to individuals cycling in and out of households and communities, and further, these cycles of incarceration and reincarceration are often accompanied by constant correctional supervision such that the tentacles of the criminal justice system do not subside upon release (14).

These well-established consequences of jail incarceration—across domains of economic well-being, family life, and health—have implications for inequality across the life course. Jail incarceration can increase race/ethnic inequality. Jail incarceration is eight times more pervasive among Blacks than Whites in New York City, as Western et al. (4) show. This means that, even if jail incarceration similarly affects Blacks and Whites, the repercussions of jail incarceration will be more heavily felt by Blacks. Jail incarceration can also increase social class inequality. Data limitations precluded Western et al. (4) from conducting an examination of inequality in the cumulative prevalence of jail incarceration by social class, but there are reasons to believe that the cumulative prevalence of jail incarceration is disproportionately experienced by the poor. About two-thirds of people confined in jail have not been convicted of a crime; many of them are in jail because they cannot afford bail and therefore, are only in jail awaiting adjudication of their case (17). Therefore, the repercussions of jail incarceration—for economic well-being, family life, and health, among other domains—likely increase social class inequalities across the life course.

### Establishing a Foundation for Future Research

This scholarship by Western et al. (4) will spur future research that spans across disciplines including demography, sociology, and criminology. Demographically, it lays foundational groundwork for future research. One natural opportunity for expansion is to use jail admissions and discharges to estimate the cumulative probability of jail incarceration across jurisdictions aside from New York City. As the authors show in figure 1 in ref. 4, the rate of jail incarceration in New York City is quite low compared with the rate

of jail incarceration in other locations around the United States. Future research should explore whether the cumulative prevalence of jail incarceration in New York City is lower or higher than in other locations. Future research should also explore whether the race/ethnic inequalities in the cumulative prevalence of jail incarceration are smaller or larger than other locations. Another natural opportunity for expansion is to consider the cumulative prevalence of jail incarceration by indicators of social class such as education or income. Research on the cumulative prevalence of prison incarceration shows striking differences by educational attainment. About one-fifth of Black men—but three-fifths of Black men without a high school degree—can expect to experience prison incarceration by their mid-30s (6), and there are good reasons to expect educational inequalities to be even larger for jail incarceration (given that pretrial jail incarceration is closely linked to social class).

**Research by Western et al. advances our knowledge of inequalities in the cumulative prevalence of jail incarceration, an often overlooked aspect of the criminal justice system that has important implications for individuals, families, and communities.**

This research also provides an important foundation for future sociological and criminological investigations. Scholars should work to integrate all aspects of the criminal justice system—including but not limited to police stops, arrests, monetary sanctions, jail incarceration, and prison incarceration—into research designs, as these different aspects of the system are all related to one another. Creating data infrastructure that would allow such integrated examinations would be a useful investment of resources, as there are many opportunities for future research. Are there demographic differences between individuals who maintain profiles of jail incarceration (that is, those who experience jail incarceration—either as an acute event or via repeated churning through jails—but never go on to experience prison incarceration) and those who experience jail incarceration as a precursor to prison incarceration? How do the different conditions of confinement (in housing conditions, administration, services and programs, and safety, for example) across jails and prisons shape recidivism? How do cumulative experiences with jail and prison incarceration affect trajectories of well-being throughout the life course? How can alternatives to pretrial detention decrease race/ethnic inequalities?

Understanding the cumulative prevalence of jail incarceration—and race/ethnic inequalities in the cumulative prevalence—is a critical step in understanding the expansive scope and devastating consequences of the criminal justice system. The focus on jail incarceration and the focus on moving beyond point in time estimates to consider the entirety of one's life course provide foundational knowledge for understanding the scope of the criminal justice system.

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