WHO PAYS?

The True Cost of Incarceration on Families

A national community-driven report led by the Ella Baker Center for Human Rights, Forward Together, and Research Action Design

September 2015

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RESEARCH TEAM

COORDINATING ORGANIZATIONS

Ella Baker Center for Human Rights, ellabakercenter.org
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The Ella Baker Center for Human Rights advances racial and economic justice to ensure dignity and opportunity for low-income people and people of color. We are building a people-powered movement to end mass incarceration, criminalization, and state violence by moving funding away from prisons and punishment and toward family-driven solutions that improve public health, safety, and prosperity for all communities.

Forward Together, forwardtogether.org, strongfamiliesmovement.org
Alicia Walters and Eveline Shen
Forward Together is a multi-racial organization that works with community leaders and organizations to transform culture and policy to catalyze social change. Our vision is that every family have the rights, recognition, and resources it needs to thrive. Through movement building that centers women, trans, and gender non-conforming people of color, Forward Together is working to change the way people think, feel, and act in support of the most marginalized families of all formations.

Research Action Design, rad.cat
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Research Action Design (RAD) uses community-led research, transformative media organizing, technology development, and collaborative design to build the power of grassroots social movements. We are a worker-owned collective. O**ur projects are grounded** in the needs and leadership of communities in the struggle for justice and liberation.

RESEARCH PARTNERS

BreakOUT!, youthbreakout.org
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(Louisiana) BreakOUT! seeks to end the criminalization of lesbian, gay, bisexual, transgender, and questioning (LGBTQ) youth to build a safer and more just New Orleans. We build on the rich cultural tradition of resistance in the South to build the power of LGBTQ youth ages 13 to 25 and directly impacted by the criminal justice system through youth organizing, healing justice, and leadership development programs.

Causa Justa :: Just Cause, cjjc.org
Rheema Calloway and Jaron Browne
(California) Causa Justa :: Just Cause builds grassroots power and leadership to create strong, equitable communities. Born through mergers between Black organizations and Latino organizations, we build bridges of solidarity between working class communities. Through rights-based services, policy campaigns,

civic engagement, and direct action, we improve conditions in our neighborhoods in the San Francisco Bay Area and contribute to building the larger multi-racial, multi-generational movement needed for fundamental change.

Center for Nu Leadership, centerfornuleadership.org
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(New York) The Center for NuLeadership on Urban Solutions influences socio-economic, criminal, and juvenile justice policy by providing research, advocacy, and leadership training to formerly and currently incarcerated people, their families, communities, allies, and criminal justice professionals. Our purpose is to increase public health and safety, reshape the media portrayal and public opinion of people with criminal records, and promote active participation in criminal and social justice policy decisions, discussions and deliberations by the people whose lives are most directly affected. The Center is dedicated to creating new paradigms of justice directed towards reducing mass incarceration, mass unemployment, and mass disenfranchisement in communities of color. We promote the development and use of "community-specific" and culturally competent models for research inquiry and public policy formulation from the viewpoint of urban communities most affected.

DC Jobs With Justice, dcjwj.org
Nikki Lewis
(District of Columbia) DC Jobs with Justice is a nonprofit organization dedicated to advancing and protecting the rights of the Metropolitan Washington DC Area workers and residents. DC JWJ is a long-term coalition of labor unions, community organizations, faith institutions, and student groups who work together because they share the common core value that people are more important than profits.

Direct Action for Rights & Equality (DARE), daretowin.org
John Prince, Sheila Wilhelm, Rachel Bishop, Laura Ucik, Madeline Ray, and Jean Carbone
(Rhode Island) DARE's mission is to organize low-income families in communities of color for social, economic, and political justice.

Dignity and Power Now, dignityandpowernow.org
Carla Gonzales, Marc-Anthony Johnson, Jayda Rasberry, and Alex Alvarez
(California) Dignity and Power Now (DPN) is a grassroots organization based in Los Angeles that fights for the dignity and power of incarcerated people, their families, and communities. In doing so DPN wages a fight for all lives because the prison industrial complex forms an imaginative limit on everyone's capacity to envision freedom and liberation. Dignity and Power Now has several projects, including an activist coalition, an artist collective, a zine, a research and reporting group, a leadership institute, and even a reentry program inside a state prison. Immediate campaign focuses include establishing comprehensive and effective civilian oversight of the Los Angeles County Sheriff's Department and allocating the money from the two billion dollar jail plan into mental health diversion programs and community health centers.

Essie Justice Group, essiejusticegroup.org
Gina Clayton, Lily Mandlin, and Shamika Wilson
(California) Essie Justice Group ("Essie") was formed to harness the collective power of women with incarcerated loved ones to build a women-led movement to end mass incarceration and empower women. By infusing the authentic voices of

women impacted by incarceration into advocacy, Essie's focus is to lift up meaningful, lasting policy alternatives to mass incarceration, expose patriarchy in the criminal justice system, and mitigate the impact on and bring about the dignified treatment of women and their families.

Families and Friends of Louisiana's Incarcerated Children, fflic.org
Ernest Johnson, Gina Womack, Lillian Tillman, and Troy Robertson
(Louisiana) Families and Friends of Louisiana's Incarcerated Children (FFLIC) is a statewide membership-based organization dedicated to creating a better life for all of Louisiana's youth, especially those who are involved or at risk of becoming involved in the juvenile justice system, and we seek to use education, direct action organizing, and peer advocacy to build strong, powerful families and communities and to fight for justice for our children and ourselves.

Fathers & Families of San Joaquin, ffsj.org
Andrew Lucero, Elena Salazar, Sammy Nunez, Alejandra Gutierrez, Shantesha Fluker, Dashawn Rabon, Eduardo Crabbe, and Chris De Leone
(California) Fathers & Families of San Joaquin (FFSJ) is a progressive, solutions-orientated organization that works to address the varying needs of men, women, youth, their families, and the community. By providing socially relevant and culturally relevant services, FFSJ develops local leadership while unifying the efforts of existing groups. FFSJ addresses critical problems such as institutional inequity, fatherless homes, widespread poverty, employment disparities, inadequate access to public health services, community reentry, and youth-on-youth violence.

The New Florida Majority, newfloridamajority.org
Devin D. Coleman
(Florida) The New Florida Majority is an independent organization working to increase the voting and political power of marginalized and excluded constituencies toward an inclusive, equitable, and just Florida. We believe in a participatory democracy where people can be their whole selves. We train grassroots citizens to be leaders, mobilize communities to vote, educate the public to share our values, and inspire Floridians to take action toward their dreams. We organize people, ideas, and resources to build a powerful new vision for Florida's new majority. A cornerstone of our beliefs is defending and expanding the voting rights of all citizens, including those who are new to the country, raising children on their own, struggling to make a living, or returning from incarceration. We believe that a strong democracy for all makes a better Florida for everyone.

The Ohio Organizing Collaborative, ohorganizing.org
DaMareo Cooper, Akim Lattermore, Minister Raymond Greene, Wayne Huggins, and Yacove Delany
(Ohio) Ohio Organizing Collaborative is an innovative and experimental statewide organization that unites community organizing groups, labor unions, faith organizations, and policy institutes across the state. We work to improve the lives of regular Ohioans by fighting for one good job for every citizen. We use community organizing and civic engagement to build power. We focus on on fighting against barriers to employment and destroying the Prison Industrial Complex.

Michigan Council on Crime and Delinquency, miccd.org
Michelle Weemhoff, Kristen Staley, and Jason Smith
(Michigan) The Michigan Council on Crime and Delinquency (MCCD) is a non-profit organization dedicated to improving the effectiveness of policies and systems that address the prevention and reduction of youth and adult crime. Founded in 1956, MCCD believes everyone is entitled to equal access and treatment within justice and human service systems and the public must be an informed and active participant in developing crime prevention and reduction policies. Through research, collaboration, and advocacy-oriented strategies we work to shape public policy, educate justice system stakeholders, and support the safety of all Michigan communities.

Partnership for Safety and Justice, safetyandjustice.org
Shannon Wight
(Oregon) Partnership of Safety and Justice (PSJ) is a statewide, non-profit organization that has worked to reform public safety and criminal justice policy in Oregon for more than 15 years. We advocate for public safety and criminal justice policies that address the needs of all people affected by crime and society's response to crime. We believe that effective policy should include an appropriate level of accountability from those who commit crimes, resources to ensure that crime survivors get the services they need, and a commitment to proven strategies that prevent crime and provide opportunities for both victims and people who commit crimes to rebuild their lives.

Prison and Family Justice Project
law.umich.edu/centersandprograms/pcl/Pages/pfjp.aspx
Amanda Alexander
(Michigan) The Prison & Family Justice Project serves families divided by incarceration and the foster care system through a combination of direct representation, know-your-rights education, targeted litigation, and advocacy. The Project works with people in prison and their families to reduce the impact of incarceration and to promote family reunification and successful reentry.

The Reentry Network for Returning Citizens
thereentrynetworkdc.wordpress.com
Courtney Stewart and Sherman Justice
(District of Columbia) The Reentry Network for Returning Citizens works to connect previously incarcerated individuals to jobs, housing, training, mental health, substance abuse treatment, and recovery programs upon their return to the community. Our primary focus is to establish relationships, help rebuild our community, reconnect with families, and educate the public to improve the quality of life for reentrants.

Resource Information Help for the Disadvantaged (RIHD,Inc.), rihd.org
Lillie Branch-Kennedy
(Virginia) Resource Information Help for the Disadvantaged (RIHD, Inc.) is an all-volunteer, non-partisan, statewide, membership organization working to end the trend of Mass Incarceration in Virginia. We support self-help and prison-based rehabilitation programs proven to end road-blocks for returning citizens. Recipient

of the 2011 “Lights on After-school” Proclamation(s) from Richmond City Mayor and Richmond City Council for RIHD’s Youth Initiative, preventing and deterring youth related crime.

Statewide Poverty Action Network (SPAN), povertyaction.org
Rolando Avila, Marcy Bowers, Ardell Shaw, and Lara Sim
(Washington) Poverty Action builds grassroots power to end the root causes of poverty and create opportunities for everyone to prosper. Our successes directly result from our engagement of people with low incomes and people of color in a full spectrum of civic engagement activities, including: defining our legislative and electoral priorities; playing a key role in advocacy campaigns; and speaking up to change the dominant narrative around poverty. Because poverty is rooted in the intersections of multiple oppressions, we work to change institutions and systems that create and perpetuate poverty for the members of our communities.

Sunflower Community Action, sunfloweract.org
Durell Gilmore
(Kansas) Our mission is to change lives by developing grassroots leaders to identify problems and seek lasting solutions. Sunflower members build power by working together for the common good.

Voice of the Ex-Offender (VOTE), vote-nola.org
Gahiji Barrow and Norris Henderson
(Louisiana) V.O.T.E., Voice of the Ex-Offender, is a grassroots, membership-based organization founded and run by Formerly Incarcerated Persons in partnership with allies dedicated to ending the disenfranchisement of and discrimination against formerly incarcerated people. We believe that formerly incarcerated people, their loved ones, allies, and communities can use their experiences and expertise to improve public safety in New Orleans. Through civic engagement and education about how to maneuver the legal system and draft and advocate for policy and legislation as well as other job and technical skills, VOTE mobilizes grassroots leaders to transform our city’s criminal justice system.

Workers Center for Racial Justice (WCRJ), center4racialjustice.org
Sade Richmond and DeAngelo Bester
(Illinois) Our mission is to eliminate the barriers to sustainable and living wage employment for Black workers, strengthen economic security for Black families, and advance a progressive pro-worker agenda that will lead to inclusion and prosperity for all marginalized workers.

PROJECT SUPPORT PARTNERS

UCLA Labor Center, labor.ucla.edu
Lucero Herrera, Saba Waheed, and Natalia Garcia
The UCLA Labor Center creates innovative programs that offer a range of educational, research, and public service activities within the university and in the broader community, especially among low-wage and immigrant workers. The Labor Center is a vital resource for research, education, and policy development that helps create jobs that are good for workers and their communities. It also improves the quality of existing jobs in the low-wage economy, and strengthens the process of immigrant integration, especially among students and youth.

Human Impact Partners, humanimpact.org
Jonathan Heller and Sara Satinsky
Human Impact Partners' mission is to transform the policies and places people need to live healthy lives by increasing the consideration of health and equity in decision making. Through research, advocacy, and capacity building, we help organizations and public agencies who work with low-income communities and communities of color to challenge the inequities that harm the health of our communities.

Participatory Budgeting Project, participatorybudgeting.org
Ginny Browne and Aseem Mulji
The Participatory Budgeting Project (PBP) is a non-profit organization that empowers people to decide together how to spend public money, primarily in the US and Canada. We create and support participatory budgeting processes that deepen democracy, build stronger communities, and make public budgets more equitable and effective.

EXECUTIVE SUMMARY

Each year, the United States spends $80 billion[1] to lock away more than 2.4 million people in its jails and prisons[2]—budgetary allocations that far outpace spending on housing, transportation, and higher education.[3]

But costs run deeper than budget line items and extend far beyond the sentences served. These costs are rarely quantified and measured and primarily impact incarcerated populations and the families and communities from whom they are separated, the same people who are already stigmatized, penalized, and punished.

Families pay both the apparent and hidden costs while their loved ones serve out sentences in our jails and prisons. Because families are formed in diverse ways and take many forms, the definition used in this report encompasses families built across generations and borders and within and beyond blood relations. The families in this report and those who support loved ones bear the burden to help those individuals re-acclimate to society after serving time. Four decades of unjust criminal justice policies have created a legacy of collateral impacts that last for generations and are felt most deeply by women, low-income families, and communities of color.

In March 2014, the Ella Baker Center for Human Rights, Forward Together, and Research Action Design launched a collaborative participatory research project with 20 community-based organizations across the country to address this unjust legacy.

Trained community researchers reached directly into communities in 14 states, probing into the financial costs faced when a family member goes to jail or prison, the resulting effects on physical and mental health, and the challenges and barriers encountered by all when an individual returns home. The research included surveys with 712 formerly incarcerated people, 368 family members of the formerly incarcerated, 27 employers, and 34 focus groups with family members and individuals impacted by incarceration. The project revealed that many of the costs and penalties associated with incarceration continue long after incarceration ends and reach far beyond the individual being punished, with negative impacts for families and communities.

The findings show that the long-term costs extend beyond the significant sums already paid by individuals and their families for immediate and myriad legal expenses, including cost of attorney, court fees and fines, and phone and visitation charges. In fact, these costs often amount to one year's total household income for a family and can force a family into debt. Latent costs include, but are not limited to, mental health support, care for untreated physical ailments, the loss of children sent to foster care or extended family, permanent declines in income, and loss of opportunities like education and employment for both the individuals incarcerated and their family members, opportunities that could lead to a brighter future.

Specifically, the research group learned:

People with convictions are saddled with copious fees, fines, and debt at the same time that their economic opportunities are diminished, resulting in a lack of economic stability and mobility. Forty-eight percent of families in our survey overall were unable to afford the costs associated with a conviction, while among poor families (making less than $15,000 per year), 58% were unable to afford these costs. Sixty-seven percent of formerly incarcerated individuals associated with our survey were still unemployed or underemployed five years after their release.

Many families lose income when a family member is removed from household wage earning and struggle to meet basic needs while paying fees, supporting their loved one financially, and bearing the costs of keeping in touch. Nearly 2 in 3 families (65%) with an incarcerated member were unable to meet their family's basic needs. Forty-nine percent struggled with meeting basic food

#BLACK LIVES MATTER
SOLIDARITY
WITH BALTIMORE!
Louisiana state
imprisons more of
people, per head,
any other state
also has an inca
rate nearly five
Iran's, 13 times
and 20 times

needs and 48% had trouble meeting basic housing needs because of the financial costs of having an incarcerated loved one.

Women bear the brunt of the costs—both financial and emotional—of their loved one's incarceration. In 63% of cases, family members on the outside were primarily responsible for court-related costs associated with conviction. Of the family members primarily responsible for these costs, 83% were women.

In addition, families incur large sums of debt due to their experience with incarceration. Across respondents of all income brackets, the average debt incurred for court-related fines and fees alone was $13,607, almost one year's entire annual income for respondents who earn less than $15,000 per year.

Despite their often-limited resources, families are the primary resource for housing, employment, and health needs of their formerly incarcerated loved ones, filling the gaps left by diminishing budgets for reentry services. Two-thirds (67%) of respondents' families helped them find housing. Nearly one in five families (18%) involved in our survey faced eviction, were denied housing, or did not qualify for public housing once their formerly incarcerated family member returned. Reentry programs, nonprofits, and faith-based organizations combined did not provide housing and other support at the levels that families did.

Incarceration damages familial relationships and stability by separating people from their support systems, disrupting continuity of families, and causing lifelong health impacts that impede families from thriving. The high cost of maintaining contact with incarcerated family members led more than one in three families (34%) into debt to pay for phone calls and visits alone. Family members who were not able to talk or visit with their loved ones regularly were much more likely to report experiencing negative health impacts related to a family member's incarceration.

The stigma, isolation, and trauma associated with incarceration have direct impacts across families and communities. Of the people surveyed, about one in every two formerly incarcerated persons and one in every two family members experienced negative health impacts related to their own or a loved one's incarceration. Families, including their incarcerated loved ones, frequently reported Post-Traumatic Stress Disorder, nightmares, hopelessness, depression, and anxiety. Yet families have little institutional support for healing this trauma and becoming emotionally and financially stable during and post incarceration.

These impacts hit women of color and their families more substantially than others, deepening inequities and societal divides that have pushed many into the criminal justice system in the first place. Almost one in every four women and two of five Black women are related to someone who is incarcerated.[4]

Poverty, in particular, perpetuates the cycle of incarceration, while incarceration itself leads to greater poverty. Estimates report that nearly 40% of all crimes are directly attributable to poverty[5] and the vast majority (80%) of incarcerated individuals are low-income.[6] In fact about two-thirds of those in jail report incomes below the poverty line.[7] The research in this report confirms that the financial costs of incarceration and the barriers to employment and economic mobility upon release further solidify the link between incarceration and poverty.

Most of all, this report's collaborative research found that while supportive families and communities can help reduce recidivism rates, these bedrocks of support lack the necessary resources to help incarcerated individuals serve out their sentences and reenter society successfully. It is not enough to reform the criminal justice system without considering its purpose and impact on communities. Institutions with power must acknowledge the disproportionate impacts the current system has on women, low-income communities, and communities of color and address and redress the policies that got us here. Additionally, society as a whole must rethink our approach to accountability and rehabilitation, shift perceptions, and remove barriers that prevent formerly incarcerated individuals and their families from getting another chance at life.

A BETTER APPROACH IS POSSIBLE

For decades, individuals, families, and communities—especially low-income people and communities of color—have faced destabilizing and detrimental impacts as a result of our nation's unfair criminal justice policies. The repercussions of these policies extend far beyond sentencing and incarceration, affecting the employment, education, housing, and health of individuals and their families for years to come. A unique contribution to the body of research, the study explores the ways in which women support their incarcerated loved ones, often jeopardizing their own stability. Our nation can no longer afford the devastating financial and familial costs of incarceration if we truly want to foster communities that are healthy, sustainable, and just.

As a result of this research, recommendations are made for three key categories of critical reforms necessary to change the criminal justice system and to help stabilize and support vulnerable families, communities, and formerly incarcerated individuals: Restructuring and Reinvesting, Removing Barriers, and Restoring Opportunities.

Restructuring and Reinvesting: Following the lead of states like California, all states need to restructure their policies to reduce the number of people in jails and prisons and the sentences they serve. The money saved from reducing incarceration rates should be used instead to reinvest in services that work, such as substance abuse programs and stable housing, which have proven to reduce recidivism rates. Additionally, sentencing needs to shift focus to accountability, safety, and healing the people involved rather than punishing those convicted of crimes.

Removing Barriers: Upon release, formerly incarcerated individuals face significant barriers accessing critical resources like housing and employment that they need to survive and move forward. Many are denied public benefits like food stamps and most are unable to pursue training or education that would provide improved opportunities for the future. Families also suffer under these restrictions and risk losing support as a result of their loved one's conviction. These barriers must be removed in order to help individuals have a chance at success, particularly the many substantial financial obligations that devastate individuals and their families. On the flip side, when incarcerated people maintain contact with their family members on the outside, their likelihood of successful reunification and reentry increases, and their chances of recidivating are reduced. For most families the cost of maintaining contact is too great to bear and must be lowered if families are to stay intact. Removing cost and other barriers to contact is essential.

Restoring Opportunities: Focusing energy on investing and supporting formerly incarcerated individuals, their families, and the communities from which they come can restore their opportunities for a brighter future and the ability to participate in society at large. Savings from criminal justice reforms should be combined with general budget allocations and invested in job training and subsidized employment services, for example, to provide the foundation necessary to help individuals and their families succeed prior to system involvement and upon reentry.

Our nation's criminal justice system has dramatic impacts on the lives of individuals who are incarcerated and the lives of those they touch. These effects wreak financial, physical, and emotional havoc on women, families, and communities, undermining potential for a better life. The true costs of our criminal justice system are complex, deeply rooted, and demand a closer look at the multiple impacts on individuals and families. When these costs are understood and acknowledged, it becomes clear that the system—and society more broadly—must change.

INTRODUCTION

There may be nothing more important than healthy, supportive families to sustain a thriving community. If safe and vibrant neighborhoods in all of our communities are the goal, all families—whether formed by blood or created through affinity—must have an equal opportunity for success.

But when we lock people up, we separate them from their family, ripping this foundation apart at the seams. When we lock someone up, we often sentence the whole family—not just emotionally, but also financially. This creates a ripple effect that reverberates through entire families and communities and leads to increased poverty, destabilized neighborhoods, and generations of trauma.

Rather than make us safer, forty years of unfair criminal justice policies are literally destroying families and communities, especially those that are already vulnerable to health disparities, violence, and lack of opportunities. Women (both cisgender and trans women), low-income people, and people of color have been hurt the most from these policies, which dim hopes and limit opportunities to fulfill their dreams for something better.

A yearlong national research project undertaken by 23 organizations collecting information from 14 states revealed that many of the costs associated with incarceration continue long after incarceration ends and reach far beyond the individual punished. Focus groups and surveys with formerly incarcerated individuals and their families, show undeniably that families and communities face significant hardships resulting from incarceration—hardships that affect their finances, health, housing, and relationships for the rest of their lives.

Incarceration is both a predictor and a consequence of poverty. More than half of those entering the criminal justice system live at or below the poverty line ($11,770 per year annual income) when sentenced and over two-thirds of those in jail reported incomes of less than $12,000 per year.[8] In total, at least 80% of incarcerated individuals are indigent.[9] Our research demonstrates that incarceration reinforces economic stress on impoverished families and limits the economic mobility of both formerly incarcerated people and their families.

Economic stability and healthy family relationships have been shown to reduce recidivism. At the same time, families of incarcerated individuals serve as a primary source of support for their loved ones despite their own hardship. Though a critical aspect of successful reentry, families—especially those that are low income and of color—get no support from the justice system to help their family members.[10] Far from being supported, upon their loved one's release, the family is often penalized and punished in ways that additionally threaten family members' health, stability, and financial well-being, increasing challenges to help their loved one access the employment, social support programs, and affordable housing needed to move forward.

With more than 2.4 million people currently housed in our nation's jails and prisons[11] and the many families they leave behind, we simply cannot afford to ignore these impacts. This report takes a closer look at the lifetime costs of incarceration and how these costs are distributed, highlighting the often invisible, but dramatic impact of the criminal justice system on low-income communities, communities of color, and women.

Findings delivered in this report illuminate the significant challenges the criminal justice system imposes on individuals, families, and communities in meeting basic needs, building economic stability, maintaining relationships, and sustaining health and well-being—both before and after sentencing. Each section includes relevant research on the impacts of incarceration, as well as highlights key findings from the research, which explores these impacts through a gender and family lens. Personal stories from community researchers and respondents are included throughout to capture the intersecting nature of these impacts and their human cost. The report concludes with recommendations for policy changes that focus on ways to reduce mass incarceration and recidivism, support reentry, and ensure family stability so that we can break cycles of poverty and incarceration in our most vulnerable families and communities.

THE TRUE COSTS OF THE PUNITIVE CRIMINAL JUSTICE SYSTEM

Decades of poorly structured criminal justice policies and practices have negatively impacted millions of families' economic stability, health and well-being, and potential for future opportunities. More than 77 million Americans have a criminal record, meaning that almost one in three adults currently is or has been involved with the criminal justice system.[12] Between 1970 and 2005, our prison population increased 700 percent, largely as a result of the war on drugs.[13] Since the 1970s both federal and state laws have imposed minimum sentences for drug conviction as well as policies that mandated minimum and enhanced sentences.[14]

The growth of the population our nation has locked behind bars has led to increased costs at both the state and federal levels, with states bearing a greater responsibility for costs. Of the $80 billion spent on incarceration today, almost $50 billion comes from state spending alone.[15] Beginning in the 1990s, to cover and reduce the costs of incarceration, states began employing new strategies, including imposing a variety of fines and fees, privatizing prisons, contracting with private vendors to provide services, and cutting programs that prevent crime, reduce recidivism, and help incarcerated individuals make a fresh start after serving time.[16]

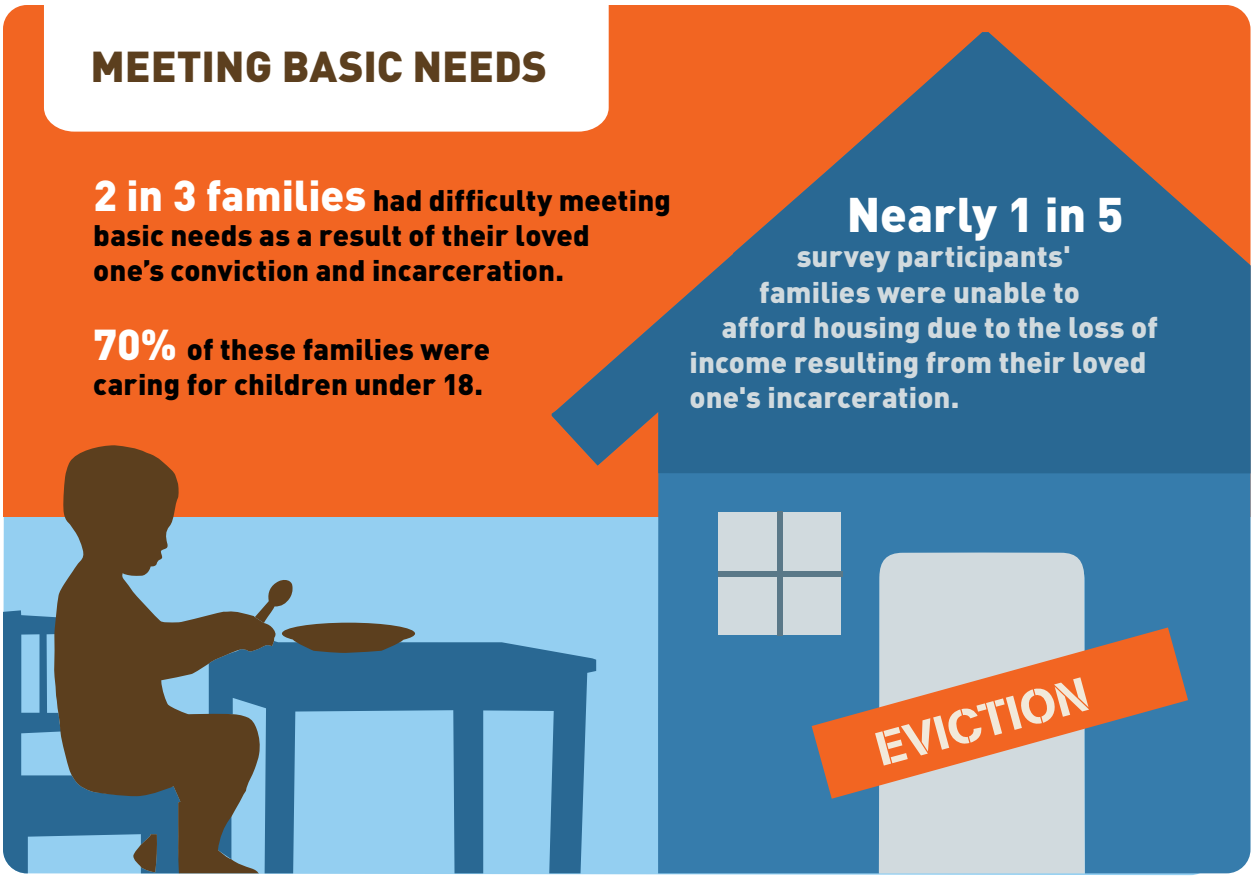
On top of the tremendous financial costs individuals and their families face after incarceration, people struggle to repair family relationships, access housing and jobs, and address health challenges, all while being denied benefits and critical supports. Communities most heavily impacted by incarceration are some of our nation's most economically disadvantaged, and are disproportionately communities of color. The United States imposes penalties and restricts opportunities for individuals and their families at a tremendous apparent and latent cost for our most vulnerable people—a cost that ultimately affects us all. This report will help to illuminate just how severe these impacts are, particularly on vulnerable and disadvantaged populations.

CHALLENGES TO MEETING BASIC NEEDS

> ***"There's been times where I've gone six months without light because I made an obligation to do what I had to do for my incarcerated children."***
>
> ***— Family member, New Orleans***

Key Findings: From the outset, poor people are more likely to be incarcerated and their poverty and the poverty of their families are exacerbated by the policies and practices of our criminal justice system. The research group found that many of the extensive costs associated with legal defense, detention, sentencing, and incarceration fall on family members. Families are often forced to choose between supporting an incarcerated loved one and meeting basic needs for their families and themselves. For many families the loss of income from the relative who goes to jail or prison results in deep poverty and can last for generations to come. Alongside physical separation, the financial impacts of incarceration place tremendous strain on families, breaking ties and weakening the relationships incarcerated individuals need to get back on track after their sentence is complete.

As one family member from Miami commented, "Whatever it is, you pay. When the call comes in you take the call. It's time to visit, you visit. They want something, you buy it. They need something, you pay for it. The costs are astronomical. If we could



even begin to do something about that from the prison point of view, well, from the local jail pre-trial detention facility, that would be a big deal because that burden falls on the back of the family."

Court Fees and Fines

The fees and fines associated with the criminal justice system can leave incarcerated individuals and their families in deep poverty. In 40 states people are charged for the costs related to their incarceration[17] and face sizable additional fines associated with their sentences. The research group found that the average amount of money spent on conviction-related costs, including restitution and attorney fees, was $13,607. Commissary or court-related programs were additional expenses.

While 63% of respondents reported that family members were primarily responsible for covering conviction-related costs, nearly half also reported that their families could not afford to pay these fees and fines. The weight of these fees, which can total nearly a year's income for some families, pushed

> ***"Money you spent for lawyers, money you spent for trying to find investigators and whatever you need to try to help your loved ones, so they don't have to do serious jail time. Then when they're in jail you try to make sure you take care of the commissary and you take care of their children. You almost have to have another part time job."***
>
> ***— Family member, Washington DC***

COURT-RELATED COSTS TO FAMILIES

On average families paid $13,607 in court-related costs. These costs amount to nearly one year's income for low-income families making less than $15,000 per year.

many of the family members surveyed to take out loans or fall into financial dire straits as a result.

Percentage of Families Who Found Particular Costs Most Difficult*	
Attorney's fees	43%
Court fees & fines	38%
Bail/Bond	20%
Restitution	20%

**Open-ended question*

Families said they struggled to cover basic expenses like rent and food, but endured these sacrifices because failure to pay fees and fines can send incarcerated individuals back to prison or jail. These financial burdens were found to disproportionately fall to women in the family who also had children living at home. Almost half of the family members primarily responsible for paying court-related costs were mothers, and one in ten were grandmothers. One formerly incarcerated person from Oakland, California, commented, "Everything that was put into bailing me out was everything my mother had in savings and she borrowed some money from my grandparents. She was back to working paycheck to paycheck. Eventually, about a year and a half after being locked up, my mother had to give up the house she loved and move back to an apartment."

Many families hired private attorneys and consequently suffered under exorbitant debt for years to come. Despite the constitutional right to legal counsel, many people are forced, or prefer, to hire their own private attorney rather than work with a public defender.[18] But even public defense can come at a cost; in 43 states and the District of Columbia defendants can be billed for using a public defender through application fees, which can range from $10 to $480, or "reimbursement fees" to pay back the defense, which can total thousands of dollars.[19] In Florida and Ohio defender fees are required regardless of outcome of the case. Some states also charge defendants for a jury trial.[20]

Family Impacts Related to Conviction Costs*	
Family had to take out a loan in order to make the payments	20%
Family members lost wages when taking time off work to support family member	16%
Formerly incarcerated family member was re-incarcerated for not making payments	12%
Family members had wages garnished or tax refund withheld to make the payments	9%

**Respondents were able to select more than one response*

As another formerly incarcerated person from Oakland shared, "The impact of my crime was expensive for the simple fact that my wife had to put up everything that she had to retain an attorney. From the process of doing so, she went into poverty and lost custody of the children and then had to join the navy to support herself."

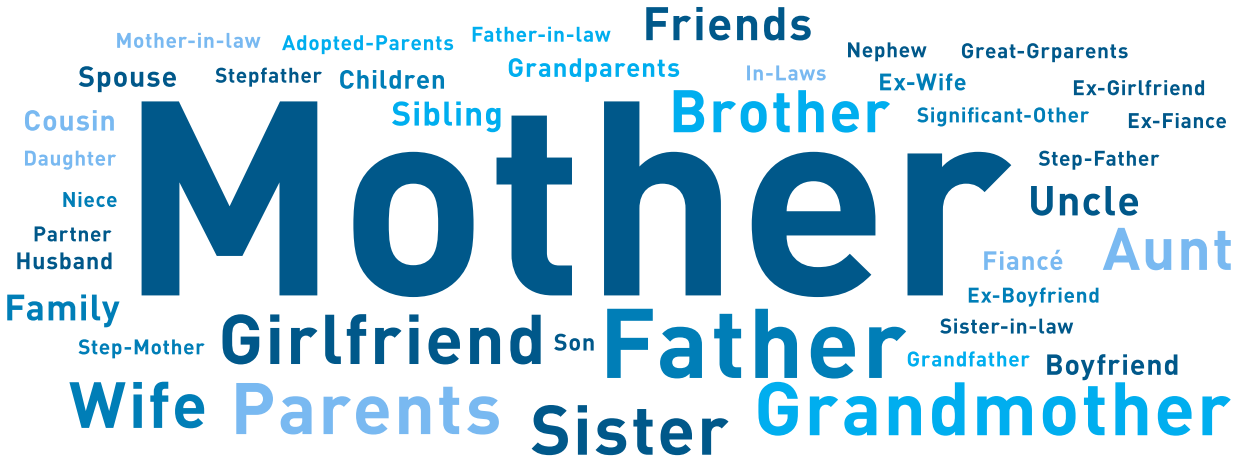
These transferred costs mark a historic shift whereby "criminal justice debt" has become a major revenue generator for states as well as for private debt collection agencies.[21] Estimates indicate formerly incarcerated people owe as much as 60% of their income to criminal debts.[22] According to one source, "up to 85% of people returning from prison owe some form of criminal justice debt" (compared to 25% in 1991).[23]

In all states except Hawaii and the District of Columbia, defendants are charged a fee for the cost of the electronic monitoring devices they are ordered to wear.[24] Some states contract with private vendors for these services. The charges are unregulated and come with exorbitant fees, enabling the private firms' profit.

On top of that, when individuals have served their time and are released from prison, they often face new, additional charges associated with incarceration. Many states transfer the cost of parole and probation supervision to released prisoners by charging monthly supervision fees.[25]

As of 2011, the total amount of criminal justice debt in the U.S. owed by individuals topped $50 billion.[26] In many states these fees were initially imposed under the guise of saving cost. However, it is not clear that criminal justice fees save money for the state either, as failure to make payments can lead to re-incarceration at a cost averaging $29,141 per year.[27]

Family members identified as primarily responsible for covering court-related fees and fines*



**Scale of words reflects frequency in responses*

FERGUSON AND CRIMINAL DEBT

Ferguson, Missouri, garnered national attention after the police killed Michael Brown. In the wake of this tragedy, an investigation by local public defenders revealed how pervasive and exploitative criminal debt collection was. In one year Ferguson collects $2.6 million in court fees and fines, representing the city's second largest source of income. In 2013, the municipal court in Ferguson issued 33,000 arrest warrants for minor offenses. Many residents were jailed because they could not afford the hundreds of dollars in court fines for offenses such as traffic violations.[a]

The imposition of criminal justice debt is not unique to Ferguson. According to a yearlong study of criminal justice debt in 50 states by National Public Radio (NPR), in partnership with the Brennan Center for Justice, almost one in five residents of Philadelphia had unpaid debts. In New York, there are 1.2 million outstanding warrants, many for unpaid court fees and fines. Texas pays half of its probation budget from the fees and fines it imposes. Another Brennan Center study found that 8 of the 15 states studied suspended driving privileges for failure to make payments.[b]

Some of these practices benefit private companies, as in Florida, where private debt collectors are allowed to add a 40% surcharge to money owed.[c] Although many of these practices are intended to cover budget costs, when individuals who are unable to make payments are incarcerated, the costs to local and state jurisdictions may surpass any revenue accrued. Whether the imposition of criminal debt makes economic sense, it constitutes a criminalization of poverty that imposes massive social costs on the poorest members of society.

a. Shapiro, Joseph. "In Ferguson, Court Fines And Fees Fuel Anger." NPR.org. 25 Aug. 2014. Web. 20 Dec. 2014.
b. Shapiro, Joseph. "As Court Fees Rise, The Poor Are Paying the Price." NPR.org. 19 May 2014. Web. 29 Jul. 2015.
c. Diller, Rebekah. *The Hidden Costs of Florida's Criminal Justice Fees.* New York: Brennan Center for Justice, 2010.

Child Support

Because parents of minors now constitute a large portion of the incarcerated population, the amount of child support debt owed by incarcerated individuals has drastically risen in recent decades, creating significant stressors in families and often leading to further incarceration.[28] Paying child support is an important obligation, yet the enforcement mechanisms add a burden to the currently and formerly incarcerated, and have the potential to further jeopardize family relationships and financial stability. One study found that parents, upon entering prison, owed $10,543 in child support obligations.[29] Due to a lack of income or full-time employment opportunities, the majority of parents have no means of paying child support debt while in prison, and they also struggle to pay it after their release.[30] Almost half of these parents had their wages garnished, as federal guidelines permit jurisdictions to claim up to 65% of a debtor's income to pay for accumulated child support debt.[31] For many formerly incarcerated parents,

> ***"Because I pay my child support I am forced to be homeless with an income of only $403 per month from SSI and SSDI."***
>
> ***—Formerly incarcerated person, Seattle, Washington***

they must choose child support payments or paying for rent and other basic necessities.

The research for this report found that the average required child support payment was $427 a month, and 73% of survey participants reported that formerly incarcerated parents were unable to make consistent child support payments. Most attributed non-payment to lack of income or lack of employment. Of respondents paying child support, more than half (53%) reported having to choose between making child support payments and meeting basic needs. More than one-third also said they risked re-incarceration or were re-incarcerated for their inability to pay child support. Forcing the individual back into incarceration only furthers cycles of separation, debt, and familial tension.[32] Over one-third of survey respondents reported that inability to make child support payments damaged their relationship with their family and children.

Children are not served when a parent is unable to pay rent or buy food due to garnished wages from child support obligations. Failure to make payments while both family members and formerly incarcerated individuals are struggling to meet basic needs, also places additional strains on family relationships. Punitive laws aimed at enforcing child support obligations do not serve the interests of family reunification or child well-being. These laws plummet parents who are already struggling into further debt, prevent them from meeting basic needs or obtaining opportunities, and strain relationships with their children and other caretakers by imposing a range of penalties that then impede the reentry process and make it more difficult to reestablish ties with family members.[33]

Loss of Family Income

In addition to paying fees and fines associated with a loved one's detention, many families also face a significant loss of income during incarceration that results in financial instability, such as loss of housing or employment opportunities. Research for this report found that nearly half of formerly incarcerated individuals contributed 50% or more to their families' total household income prior to incarceration, and that their families struggled to cover basic costs of living as a result of both the loss of income as well as the costs associated with conviction and incarceration. Indeed

the majority of survey participants reported that their families had difficulty meeting basic needs, including food, housing, utilities, transportation, and clothing. Sixty-five percent of families had difficulty meeting basic needs as the result of a loved one's incarceration. Of those the top five identified most often include:

Basic Needs Family Had Difficulty Meeting	
Food	49%
Housing	48%
Utilities	45%
Transportation	40%
Clothing	37%

The debts accrued prior to and during incarceration add up to challenges that would be insurmountable even if new challenges were not imposed when people return home. Unfortunately, many key opportunities, such as education loans or housing assistance, are limited or prohibited for formerly incarcerated people. The impact of many of these restrictions is to imperil the economic stability of formerly incarcerated people and the families that support them.

CHALLENGES TO BUILDING ECONOMIC STABILITY

Key Findings: While studies have shown that stable housing and employment increase community well-being by reducing individual vulnerability to recidivism, many policies restrict access for those individuals who were formerly incarcerated.[34] Respondents in this study identified education, job training and employment opportunities, financial stability, and affordable housing as the most important priorities for building vibrant, healthy communities and families. Instead formerly incarcerated individuals and their families face significant barriers to accessing any of these opportunities.

In many ways, family support is our national reentry program. Yet the people tasked with facilitating reentry—the families—reported little or no support, leaving them to grapple unassisted with the barriers and burdens imposed on their formerly incarcerated loved ones and themselves as family members. According to the National Institute of Justice Collateral Consequences Inventory, there are more than 44,000 federal, state, and local restrictions placed on people with a criminal conviction.[35] Even where explicit prohibitions are not in place, stigma and discrimination create barriers just as difficult to overcome as legal barriers.

> ***"When you spend billions a year on incarceration, you would think that you could give subsidized housing, help with tuition or some type of financial support to help a person reenter society and get a leg up in life. It costs more to keep them in jail. You spend a lot of money on incarceration, but it would cost a lot less to help people out so they can start back in life again."***
>
> ***—Formerly incarcerated person, Oakland***

"No one hires felons." — Sherman Justice

After five long years of incarceration, I was released. To get back on my feet, I immediately started looking for and applying to jobs. Time and time again I was told, "no one hires felons." I was told that if I applied for school, I wouldn't be eligible to receive grant money.

With little to no career opportunities to pursue, the natural thing to do is to return to your comfort zone. Rather than engaging in the same activities that would inevitably lead me back in handcuffs, I made a conscious decision to change my life around. I started going to church and becoming close with preachers.

Like many formerly incarcerated people, I didn't have a caseworker, but I had a strong support team. My mentor—the first male figure I had in my life to look up to—and my grandmother helped provide me with clothing and food and put a roof over my head. Unwaveringly, they stayed by my side and connected me to different community programs that helped me with everything from resumé building to job training to applying for food assistance.

A longtime childhood friend invited me to move from Ohio to Washington DC where I might find more job prospects. I seized that opportunity knowing that I needed to do more than have faith; I needed to put forth a hundred percent of my effort toward doing the work. This was a difficult choice for me because my son and family remained in Ohio, but moving was the only way I could earn money to support them.

My first job was picking up trash in a local neighborhood, but I wanted to be involved in something more. I wanted to give back to the community that I was now a part of, with the intention of one day being able to give back to my home community where I once caused so much harm.

I initially began volunteering with a local organization called Free Minds Book Club where I worked with youth who had been sent to adult federal prison. When they came home, I worked to help them positively reenter back into their communities. This work opened up the door for me.

I learned about the laws and policies which created barriers for formerly incarcerated people like myself and became a strong advocate for "banning-the-box" on applications that ask, "Have you ever been convicted of a felony?" I knew all too well that once an employer sees a checkmark in "the box," more often than not, your application is immediately thrown out of the candidacy pool.

I continue advocating on behalf of people who are formerly incarcerated with the National Coalition on Black Civic Participation. I work in 12 states as the national coordinator, to get Black youth 18 to 35 politically engaged and to educate them to advocate for the issues that impact them most, issues that often mirror my own struggles with poverty, unemployment, and experience with the justice system.

Recently I was invited to speak at Washington DC's Justice for All march. I stepped on the podium, looked into the crowd, and thought about how far I'd come; from someone who had spent five years incarcerated to now addressing a crowd of 60 thousand people in our collective call for systemic change.

Now, I just hope our country can address some of the continuing harm we inflict on people who have been incarcerated. We need to remove barriers to jobs and housing and really make it so everyone can turn their lives around. That's the world I want to leave for my son.

— Sherman Justice, Washington DC

Employment

Stable employment is necessary to be self-sufficient upon release, but for many a criminal record significantly limits opportunities for employment after incarceration. Research has shown that upwards of 60% of formerly incarcerated people remain unemployed even one year after release; for many, finding stable employment is often unattainable even years after release.[36]

The vast majority of survey respondents (76%) in this study rated their experience of finding work as very difficult or nearly impossible. Excluding respondents who were retired or not working because of disabilities, 26% remained unemployed five years after release, and just 40% of formerly incarcerated individuals were working full time after five years. If part-time and temporary work is included, 67% of respondents remained either unemployed or underemployed after five years.

As one formerly incarcerated individual from Chicago recounted, even being trained for work often does not help. "When I came home in 2001 it was hard for me. It was hard for me because after doing six years straight, I was certified to be a butcher, but I still couldn't get a job anywhere—not even at the little grocery store—because of the record. So it was hard; it was hard for me to find some work when I came home."

> ***"I think the need is that you can't get employed, and people aren't giving you the opportunity for work. That pretty much settles the rest of your problems. Everybody wants self-esteem and your family revolves around the opportunity to work."***
>
> ***—Formerly incarcerated person, Providence***

Further compounding financial instability, when formerly incarcerated individuals return home, the only employment options available tend to be low-paying and unstable jobs that provide no potential for wage increases. Studies have found that criminal convictions and incarceration have a lasting impact on both employment prospects as

well as income mobility. A two-decade-long study, for example, found that prison time reduces wages by up to 20%.[37] Research has also shown that the effect of incarceration on lowering wages was twice as great for formerly incarcerated Black and Latino workers than for formerly incarcerated white workers.[38]

Research has also shown that formerly incarcerated individuals are far more likely to experience employer abuse in the workplace. Nearly half of respondents in this study reported experiencing some form of employer mistreatment, including wrongful termination (25%), wage theft (16%), wage discrimination (14%), and employer abuse (15%).

Federal and state restrictions and licensing bans exclude people from participating in a long list of occupations from street vending and taxicab driving[39] to anything involving the care of children or vulnerable populations.[40] More broadly, the checkbox that often appears on employment forms requiring the applicant to reveal any felony or misdemeanor conviction facilitates discrimination against formerly incarcerated people. "Even if my resumé checks out and it's beautiful and I check that box, they're still going to overlook it," one formerly incarcerated individual in Chicago stated. "Now I'm at the point where I'm damn near going to not check the box and get employment and get in there for a month or two and get fired anyway. But that's going to go on your background, 'he lied on his application.'" According to the National Employment Law Project, unregulated criminal background checks have effectively barred more than 65 million people with a criminal record from finding secure, sustainable employment.[41]

> ***"My nephew had felonies on his record. He'd go out to look for a job. As soon as they ask that question about felony, he was immediately sent out the door. In fact, he was at a location in line, because he had a little chance he's gonna be hired and so he waited outside, and he said a lady came out and announced that if you have a felony, you might as well get out of the line right now. The difficulty is that that word felony on their record does not permit them to get a job of any kind. Some places would hire someone with a felony, but even these are few and far between."***
>
> ***—Family member, Miami***

> ***They have people that had a clean slate for 20 to 30 years, may have made a mistake at some point in their life and did their time. But when you go and they ask you to check that box, 'Have you ever been convicted of a felony,' you got to check that box. If not, you can get fired for lying on the application. This is what happened to me, a personal experience."***
>
> ***—Formerly incarcerated person, New Orleans***

Even when policies requiring information about convictions are not in place, many employers conduct background checks, run online searches, or use credit reports in their screening process for prospective employees. Since criminal justice debt is reported to credit agencies, it provides a "backdoor" means for employers to find information about a job applicant.

While significant obstacles to employment exist for formerly incarcerated men, particularly men of color, it is important to note that barriers faced by women as well as transgender and gender non-conforming people reveal how incarceration reinforces gender inequality.[42] Latina women's employment opportunities are especially limited by having a criminal record[43] and almost half of all Black transgender people have been incarcerated at some point in their lives.[44] Once in prison, transgender and gender non-conforming people are denied equal chances of parole and end up serving longer sentences than cisgender people.[45] This further impacts their ability to reenter the workforce and find secure employment.

All survey participants in this study identified employment discrimination based on criminal record and inadequate education and job training

opportunities as the top two barriers to finding stable employment. However, additional barriers revealed disparate experiences based on race and ethnicity. Black survey participants were far more likely to identify a lack of jobs in the community and restrictions on travel (e.g., geographic mobility restrictions preventing individuals from taking jobs outside of the area) when compared to other survey participants. Latino survey participants were more likely to identify documentation status as a critical barrier to finding work.

Given the multiple barriers faced by people with criminal records, it is not surprising that more respondents rely on their networks and their families to find work. Survey respondents stated that, in addition to their own efforts, they relied more heavily on support from family members (36%) than any other source, including reentry programs (19%), community-based organizations (18%), or faith-based organizations (6%). Ensuring stable work for those who are coming home and may have incurred debt is important for both individuals and their families.

WHAT EMPLOYERS ARE SAYING

The majority of formerly incarcerated respondents named lack of access to employment as one of the biggest barriers they faced after incarceration. In order to better understand hiring practices, 27 employers from industries such as retail, non-profit organizations, and business services were interviewed as well.

The majority of employers interviewed did not think a criminal record was a strong predictor for job performance. Despite this, most stated that they still considered whether the candidate had any criminal history, many indicating that applicants to the position would have to disclose any conviction history.

Employers who had hired or worked with people who had criminal records or conviction shared their positive experiences and said the performance of workers with a criminal history was the same or even better than those without one. Some of the notable experiences by employers included individuals who were “really involved, passionate, and excited to learn,” those who “have exhibited a higher level of integrity,” and individuals who started off as a volunteer, and eventually became a full time employee. One employer noted that he had hired someone with a drug conviction and although “he had problems with his personal life in terms of being homeless, he was trustworthy. He still works today.”

Impact of Incarceration on Family Economic Stability	
Financial stability of family was damaged	68%
Members of the family missed or lost employment opportunities	20%
Young people in the family were unable to attend high school or go to college	10%
Adult members of the family were unable to complete education goals	10%

**Respondents were able to select more than one response*

Education

Research indicates that educational attainment significantly improves employment opportunities for formerly incarcerated people.[46] But significant barriers to formal education exist for incarcerated and formerly incarcerated individuals.[47] These barriers often start before the individual even enters the system. Half of all respondents indicated that the highest level of education of formerly incarcerated family members was completing high school or earning a GED.

> ***"If we have education and jobs we're not gonna go to jail. They combine, they go together. If I have education, I can get a job and I can get along with people."***
>
> ***—Formerly incarcerated person, Providence***

Though many hope to return to school, prospects for continuing education are poor for those returning home after completing a sentence. In this study, the majority of formerly incarcerated individuals (67%) wanted to return to school after their release. Yet fewer than one-third (27%) were able to continue with education or training of any kind. The cost of tuition (58%), transportation to or distance from school (33%), and inability to get an educational loan because of criminal conviction (25%) were among the barriers identified most often. Yet, it is commonly understood that investing in educational opportunities for those who are and have been incarcerated provides clear and cost effective benefits to individuals, their families, and society.

The majority of respondents saw education as a preventative measure—something that would provide the kind of opportunities they needed to obtain stable employment and increase their chances of remaining in their communities and out of the criminal justice system. In fact, respondents were most likely to cite education as the best investment of tax dollars with 86% preferring investment in education over prisons.

EDUCATIONAL PROGRAMS IN PRISONS

Educational attainment is linked to decreased recidivism, with an estimated four dollars saved for every dollar spent on educational programs in prison. Historically, "postsecondary correctional education" (PSCE) was conceived as part of a larger policy intervention aimed at making higher education broadly accessible.[a] The 1972 Pell Grant program allowed people in prison to receive federal financial aid in order to take college courses. In 1994 Congress eliminated Pell Grants to people in prison, even though they constituted only 1% of the Pell Grant's annual grantee budget.[b] The resulting loss of access and quality of higher education meant that between 1994 and 2001 the number of college programs in prisons had gone from 350 to fewer than a dozen.[c] The Department of Education is experimenting with lifting this ban for three to five years, measuring how it affects recidivism among people with certain convictions.[d]

Despite numerous barriers to accessing postsecondary education programs in prison, many incarcerated people continue to pursue some form of education. According to survey data of 43 states, "71,000 persons enrolled in vocational or academic postsecondary education programs in prisons for academic year 2009–10."[e] More than half of respondents in this study were interested in receiving some form of education or training and many had taken advantage of educational opportunities available during incarceration.

a. Welsh, Michele F. "The Effects of the Elimination of Pell Grant Eligibility for State Prison Inmates." Journal of Correctional Education 53.4 (2002): 154–58. Web. 17 Jul. 2015.
b. Gould, Mary Rachel, and SpearIt. "Twenty Years After the Education Apocalypse: The Ongoing Fall Out from the 1994 Omnibus Crime Bill." St Louis University Public Law Review 33 (2014): 283. Web. 17 Jul. 2015.
c. Torre, María Elena, and Michelle Fine. "Bar None: Extending Affirmative Action to Higher Education in Prison." Journal of Social Issues 61.3 (2005): 569–94. Web. 17 Jul. 2015.
d. Mitchell, Josh, and Joe Palazzolo. "Pell Grants to Be Restored for Prisoners." 27 Jul. 2015. Web. 29 Jul. 2015.
e. Gorgol, Laura E., and Brian A. Sponsler. Unlocking Potential: Results of a National Survey of Postsecondary Education in State Prisons. Washington D.C.: Institute for Higher Education Policy, 2011.

Public Benefits

According to the Congressional Research Service, the federal poverty line today is based on a formula developed nearly a half century ago, using a calculation of economic need based on the economic standards of the mid-1950s. If the same calculation were to reflect today's cost of living, the poverty line would be more than three times higher than it is currently.[48] Despite this obvious contradiction, the federal poverty line remains a criterion for eligibility of many benefits needed by financially struggling families. Even though the Supplemental Nutrition Assistance Program (SNAP, also thought of as "food stamps") measures the most dire poverty ($11,770 for an individual or $24,250 for a four-person household), as of April 2015, over 45 million people and 22 million households receive benefits under SNAP,[49] while the Temporary Assistance for Needy Families (TANF) program served an average of 3.5 million people in 2014.[50]

Whether needing to supplement their income due to paycheck unfairness, job loss, low wages, medical bills, rising housing and food costs, or unforeseen circumstances, federal programs provide a safety net to millions of families. In fact, a majority of adults in the United States have received some form of public benefit while four in ten say they have been helped by a program intended to assist them during financial hardship. Overall, seven in ten households have at least one member who has benefited from a public program like these.[51] Despite the universality of needing assistance during hardship, federal restrictions deny many formerly incarcerated people and their families full access to these crucial programs even with their income eligibility, making it a nearly insurmountable challenge to start over after incarceration.

States have the discretion to choose whether or not to enforce the federal ban on Temporary Assistance for Needy Families (TANF) and Supplemental Nutrition Assistance Program (SNAP) for those with drug-related charges. The majority of states choose to enforce the ban, thereby denying social assistance to thousands of individuals, deepening economic insecurity as a punitive measure.[52] Women and people of color bear the brunt of the harm caused by the denial of public welfare benefits.[53] Because of disparate sentencing enforcement of drug laws on people of color, for example, they face greater barriers to receiving public welfare benefits.

> ***"With my son, by him having a drug conviction, he's not eligible for any type of government assistance, including housing. He's not eligible for food stamps for a year. He's not eligible for a Pell Grant, meaning that he won't be able to go to school for a year. And if I was living in public housing, anytime that he wanted to come home to live with me, he's not eligible to live there either. So that's the war on drugs."***
>
> ***—Family member, New Orleans***

As a result of their conviction, more than one in five survey respondents in this study reported being denied public assistance, including general assistance, housing, or nutrition assistance through federal programs like TANF and SNAP after release. Of those denied benefits, nearly a third were families who had children in their household and said they most often were denied food stamps.

Criminal justice debt also adversely limits access to public benefits. Because the "failure" to pay criminal justice debt constitutes a violation of parole or probation, individuals who cannot afford to pay this debt may be cut off from benefits such as TANF, food stamps, housing assistance, and Supplemental Security Income for seniors and people with disabilities.[54] The loss of benefits due to the failure to pay unaffordable criminal justice debt can have serious consequences for families, worsening the financial stability of families already struggling to meet basic needs, or making it more difficult for individuals on parole or probation to meet child support obligations.

Housing

Secure housing is a critical first step to attaining stability post incarceration, yet many legal, social, and economic barriers prevent individuals from acquiring stable housing when they return to their community. Just as stable housing reduces the risk of recidivism, lack of housing increases the likelihood of incarceration and re-incarceration. Failure to obtain stable housing poses significant challenges to reentering society and to finding employment, especially for low-income women of color.[55] One study revealed that women with a history of long-term homelessness on the street were five times as likely to be incarcerated as those with stable housing.[56] Conversely, women who had access to long-term public housing were less likely to be incarcerated or re-incarcerated.[57]

Despite clear evidence of the importance of secure housing, both formerly incarcerated individuals and their families face tremendous barriers to stable housing after release. Municipalities in most states require a criminal background check for all public housing applicants, and may deny housing applications on the basis of conviction history, or evict residents if family members with a history of conviction are present or living in the home. Many local housing authorities nationwide have also drawn up additional unique exclusionary policies that increase barriers to securing public housing for those entangled in the criminal legal system or

> ***"I am in tears every night when I go to sleep because my son has a felony charge. I'm on social security right now and I'm 61 so I can't get senior help. So for me to go and get a place to live, it's a serious challenge. He and I want to live together but he has felony charges so when we go and get a place even if we put all our money together, it's still a struggle. Nobody wants to take somebody that has a felony. So I'm faced with being homeless, seriously homeless. At 61! I can't believe it. I can't find a place to live in my own hometown."***
>
> ***—Family member, Washington DC***

those with a criminal record. In some states, these policies even include considering arrests that did not lead to convictions.[58]

In this study, nearly eight in ten formerly incarcerated individuals (79%) reported either being ineligible for or denied housing because of their conviction history. As one focus group participant from Wichita, Kansas, shared, "All of the places that I wanted to live—that were nice and where I could raise kids told me 'no.' So I ended up where I am now, in a rundown four-plex that's a slum with moldy walls." The vast majority of survey respondents (72%) identified the unavailability of affordable housing as one of the most important barriers to securing stable housing. This figure was higher for formerly incarcerated women (79%).

For most, family members are the first and most fundamental source of housing support at the time of release. Our survey found that two-thirds of formerly incarcerated individuals (67%) turned to family members for support in finding housing after release. More than half (58%) lived with family members when they returned to the community. Yet for many families, providing support to loved ones returning to the community results in loss or insecurity of their own housing, or barriers to being reunited with loved ones. All together, roughly one in five families (18%) reported being evicted or denied housing when their formerly incarcerated family member returned. Finally, many survey participants (16%) also reported being unable to live with family members when they returned because of the risk to family housing security posed by their system involvement.

The culmination of barriers facing formerly incarcerated people and their loved ones plummet families into deeper realms of poverty with little chance of success during the period of incarceration and often for years thereafter. The level of strain and stress these financial barriers produce undoubtedly impacts the ability of families to maintain contact and healthy relationships for generations.

"I am not a prison wife."
—Shamika Wilson

Incarceration has always been a part of my life—from brothers, to uncles, to cousins and my husband, who has been incarcerated for almost 30 years.

My grandfather grew up without a father. My father grew up without his father. I grew up without my father. My two children are now growing up without their father. It hurts because a part of my family has been stripped away; my family has literally been broken apart.

My husband isn't the only person locked up; with an incarcerated loved one I also feel like I've been doing time for the last 30 years. Society instills a sense of "guilt-by-association" that I am forced to live with. I've experienced the stigma associated with women who have incarcerated loved ones, which leads to additional pain, sadness, and isolation.

Often times I feel alone and incomplete, living inside of two separate worlds. I go to visit my husband in an unwelcoming environment, where I too am treated like an inmate. I see my husband, who is now 55, with a number of health issues—from thyroid cancer to spinal injuries—which have been made worse since he entered prison. He is

also now disabled. Our time is always too short. I return home to more than $45,000 worth of college loans, court fees, and seemingly unnecessary fines, on top of rent to pay, children to support, and class work to complete.

I work day in and day out to support my husband and to keep my family from falling within the same cycles of abuse, poverty, and negativity that have loomed so heavily over our lives. I'm working hard to earn a Master's Degree in Education at San Francisco State University and I'm part of the Essie Justice Group, which supports and empowers women with incarcerated loved ones.

Essie connects me to powerful women like me, and together, we advocate for ourselves and for our loved ones. Together we aim to change the way people think about what it means to have an incarcerated loved one. I am not a prison wife, I am not married to the prison; I'm married to someone who is in prison. I am educated. I am a mother, a friend, an aunt, and a community leader.

I often think of what our lives will look like when my husband comes home. He's spent more of his life incarcerated than he has with his family and in his community where he belongs. He knows a side of the world that is cruel and unmerciful, yet he chooses to know a part of the world that is compassionate and forgiving. My hope is that he won't continue to face punishment for something he's already served time for, so that he can have the joyful life he has wanted for so many years.

Change requires hard work, but if we can change the way society views and treats families with incarcerated loved ones, the work will be worth it.

— Shamika, Redwood City, CA

CHALLENGES TO MAINTAINING RELATIONSHIPS AND FAMILY STABILITY

Key Findings: The importance of maintaining contact with family throughout incarceration is well understood and accepted. In addition to improving chances of successful reentry, maintaining contact with family during incarceration has been shown to significantly reduce chances of recidivism.[59] Many participants in this study shared the tremendous lengths to which they went in order to maintain contact with loved ones inside, despite their precarious circumstances. They also shared the importance of this contact to the well-being of family members both inside and out, and both during and after incarceration.

Research for this report also found that the high cost of phone calls and visitation presented a major barrier to families remaining connected during the period of incarceration. Many families went into debt to remain in contact, or fell out of contact with loved ones because they were unable to sustain the costs. Dollar amounts were far from the only challenge families faced in remaining in contact, with many families experiencing the intergenerational effects of physical and sometimes permanent legal separation of parents and children.

> ***"I know I'll do what I have to do, but they make it so hard for you. I witnessed it with my sons. It's hard because you have to break down with the children that you have at home how they can help with everyday living. You know, it's 'some weeks we can't do this because I have to send this here.' To make sure that they are okay, too, because they are still my children. I'm going to be here for them forever. As long as I got breath in my body I'm going to be here for my sons, whatever the situation is. But they don't make it easy for you."***
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> ***—Family member, Washington DC***

Costs of Maintaining Contact

The prison communications industry has made the cost of phone calls the most significant barrier to family contact during incarceration. Until recently, a few private telecommunications corporations had an unregulated monopoly on providing phone service in prisons, allowing them to gouge families with high prices and fees. The Prison Policy Initiative estimated that added fees made up more than a third of the annual $1 billion that families pay to call family members in prison.[60] In 2013, under the pressure of prisoner advocacy groups, the Federal Communications Commission (FCC) placed an interstate rate cap on phone companies, both lowering rates from $17 to $3.75 for a 15-minute call and banning additional fees to connect calls.[61] However, this much-needed regulation does not go far enough to lower the cost of phone calls for families contacting loved ones within a state as the vast majority of calls from detention facilities are made within the same state (intrastate).[62]

For many families, the cost of travel and availability of transportation are also important barriers

> ***"It hurt because my mother out of her love wanted to constantly send me packages and do things and so she would not pay some of her bills or not buys things that she needed for herself. If you figure even a low-end package, it can be a hundred bucks and she was making sure every quarter she was sending it. Then they stopped allowing your family to go to the stores and buy whatever they can afford and send it to you, they started using catalogues—but the prices were two to three times the price. So it really had a great impact when I'm hearing that they're sending me quarter packages and then I found out my brother and my mother are out there eating cup ramen."***
>
> ***—Formerly incarcerated person, Oakland***

to maintaining contact, particularly when family members are incarcerated far from their community. Some states also charge "background check fees" for visitors of incarcerated family members. Arizona, for example, charges adults a one-time $25 "background check fee" to visit family members in Arizona state prisons. One report found these fees are often used to cover budget shortfalls for building maintenance of the state's numerous prison facilities rather than for the background check.[63]

The costs associated with incarceration—including the costs of calls, visitation, commissary, health care, and other costs—are borne by individuals with convictions and their families. This study found that it is family members, predominantly women in the family, who primarily bear responsibility for the financial costs of maintaining contact. Eighty-two percent of survey participants reported that family members were primarily responsible for phone and visitation costs. Of the family members who were responsible for the costs, 87% were women.

The financial costs of maintaining contact are often prohibitively expensive for families. Families often pay exorbitant phone rates for minimal contact, or cover the costs of long-distance travel to visit family members housed far from their communities. The most frequent barriers identified by survey participants to maintaining contact with incarcerated family members include the cost of phone calls (69%), distance to location of family member (47%), and visitation-related costs (46%). As one formerly incarcerated individual shared, "I didn't call very much because I know it cost my family a lot of money. As the guards say, they get money when we use the phone. So we get gouged, your family gets gouged."

The financial consequences can be devastating. One in three families (34%) reported going into debt to pay for phone calls or visitation. Families are often forced to choose between supporting incarcerated loved ones and meeting the basic needs of family members who are outside. Research conducted with visitors at San Quentin State Prison in California had similar results. The majority of women in that study reported spending as much as one-third of their annual income to maintain contact. For a number of these women, including many who were mothers, these costs put them into debt.[64]

Beyond the high costs of maintaining contact, visitation is often so emotionally painful that family members find it difficult to do so. Two in five survey

respondents identified emotional pain of seeing a family member locked up as a barrier to visitation. Others describe the profound disrespect and mistreatment that family members received; 17% of survey participants reported that their family members were mistreated or degraded when they visited and identified this an important barrier to remaining in contact. Survey respondents further described harsh treatment from security guards who subjected them to routine humiliations that added to the difficulty of visiting with family. "My kids tried to come up and visit and when they come they're treated as if they are criminals," one formerly incarcerated mother said of the experiences her children faced when visiting her. "They're being patted down, searched, walked through metal detectors, x-ray machines, hearing the gates closed behind them and in front of them. They are being talked down to by guards as if they did something wrong."

Research for this report demonstrates the major barriers that cost presents to sustaining contact during incarceration, the disproportionate weight these costs place on women, and the exacerbation of economic instability that families experience as a result. Financial strains also take their toll on family relationships. Despite evidence that strong family relationships reduce recidivism, this research points to substantial barriers to maintaining relationships that families face.[65] It is clear that baseline costs and fees associated with phone calls must decrease or disappear, that incarcerated people should be housed closer to their support systems, and that visiting families must be treated with respect. Even if these crucial reforms are made, the separation of people from their families will undoubtedly have adverse impacts and should thus be avoided by keeping people in their communities through alternatives to incarceration like diversion programs. As one respondent in California put it, "The system is created to separate families. Neighbors should be able to take care of children. People shouldn't be moved great distances from families; children shouldn't be separated."

Family Separation

The separation caused by incarceration as well as the barriers to sustaining meaningful contact while incarcerated have been shown to impede reentry and create profound challenges to family stability.[66] While incarceration, by definition, forces the separation of families, the rapid increase in the number of people locked up has facilitated the construction of massive prisons in remote rural towns and forced thousands of people to be transferred to out-of-state prisons where families cannot afford even occasional visits. One formerly incarcerated person in Oakland shared, "The distance and cost was an enormous barrier. I was sentenced in 1992 and sent to Calipatria Prison near the Mexican border. My mother visited me for the first time in 2001 because she couldn't afford to visit before."

Marriages and intimate relationships also suffer from forced separation. One study found that men who were convicted and incarcerated were three times more likely to divorce as men who were convicted but not incarcerated.[67] In the research for this report, nearly half of survey respondents (47%) reported that members of their family separated, divorced, or dissolved their partnership as a result

"Being in contact with my family grounded me. I knew I still had people who loved me. It kept spirits up knowing no one abandoned me, and kept up my connection with the outside world. For my family, they were able to make sure I'm here, I'm alive, I'm not going crazy. It was very important for family to know this from phone calls and visits."

—Formerly incarcerated person, Los Angeles

"Not being able to talk with my family kept me isolated from society. Not being able to talk with family kept me from being able to plan for my future after prison."

—Formerly incarcerated person, Oakland

of incarceration. This study also found evidence that individuals with longer sentences were more likely to experience the dissolution of relationships.

Separation from families is often enforced even when people return home from prison. One survey respondent shared, "Three of my brothers have been incarcerated. So when they were on parole, they were spending time together. The thing is you're not supposed to be around other people who are on parole, even if they're family. So there was an incident and the police came. Since they were around each other, they were sent back to jail."

This study also indicates that while time apart, limited contact, and high costs can negatively impact relational stability, maintaining contact with incarcerated loved ones can help sustain critical family relationships. Families who were able to talk on the phone were less likely to report experiencing separation or divorce from partners or spouses, damaged child-parent relationships, and sibling separation. Families who were able to stay in regular contact were also more likely to report that family relationships became stronger. This finding supports policy that would reduce costs and barriers to maintaining contact as a method of improving family relationships.

> ***"It instantly destroyed my family because of the distance and the cost associated with visiting and phone calls. I suddenly became a dead person to them. My parents subsequently died during the time that I served, siblings moved on to create their own families, moved out of state. So that's been devastating."***
>
> ***—Formerly incarcerated person, New Orleans***

Art by Amaryllis DeJesus Moleski

Parent - Child Relationships

According to a 2010 study, nearly three million children in America have at least one parent in prison, and children of color are far more likely than white children to have an incarcerated parent.[68] Research also suggests that the majority of incarcerated women are parents (an estimated 60% to 80%),[69] and that approximately 60% of men in federal prison and 70% of men in correctional facilities aged 33 to 40 are also parents.[70]

> ***"My relationship with my daughter was damaged and she wouldn't speak to me for ten years. We've just recently started to rebuild our relationship."***
>
> ***—Formerly incarcerated person, Rhode Island***

Parental incarceration increases the risk of children living in poverty or experiencing household instability, independent of any other factors present in a young person's life.[71] The impacts of incarceration on economic stability, health, education, and well-being also disproportionately affect young people who live in communities devastated by decades of unjust criminal justice policies that have had strong intergenerational impacts.[72] New research suggests that recent parental incarceration drastically increases the risk of child homelessness due to the loss of financial resources and/or mental strain placed on resident parents or guardians.[73] These outcomes are unevenly distributed with African American youth as much as 65% more likely than white youth to become homeless as a result of a parent going to prison.[74]

The combined impacts of parental incarceration on children are lifelong and can be devastating to their future health and well-being. Research has also found children with an incarcerated parent are significantly less likely to complete high school.[75] In this report's study, one in ten families reported that

Art by Melanie Cervantes

young people in the family were unable to complete high school or go to college because of the incarceration of a family member.

Many incarcerated parents unwillingly lose custody of their children or suffer permanent termination of parental rights. The 1997 Adoption and Safe Families Act (ASFA) states that parents whose children have been placed in foster care for 15 months will have their parental rights terminated unless they meet certain criteria, such as providing secure housing for their children.[76] Given the average sentence served by incarcerated parents is 6.5 years,[77] ASFA's 15-month statute for termination jeopardizes the parental rights of many incarcerated parents. In the study conducted for this report, 39% of formerly incarcerated parents either lost custody or had their parental rights terminated.

Parental incarceration often displaces children, leaving other family or community members as the primary support system for these children, or pushing children into foster care or unstable situations. Family members, including extended family, were the first line of support, with 66% of children in this study reported as able to remain in the home of another parent and 36% able to live with another family member.

Yet children of incarcerated parents must also deal with the loss of that parent, and the financial, physical, and emotional instability that often results. As a family member from Oakland shared, "Not being able to talk to my dad took a toll on all the family. I was depressed and gained weight. My sister started to do poorly in school and got kicked out a lot. We were lonely, not being able to see my dad." Often the strain of incarceration can permanently damage parent-child relationships.

Research for this report found evidence that incarceration not only breaks up marriages and partnerships, separating parents, it also separates parents from children. Thirty-eight percent of survey respondents reported that incarceration damaged parent-child relationships in the family.
Families are a source of stability for individuals and communities and yet families are struggling to maintain stability and relationships when loved ones are locked away. The ripple effects of incarceration on relationships and family stability reach across generations. The criminal justice system's punitive approach creates significant barriers to the maintenance of familial relationships while a family member is incarcerated. The separation caused by incarceration has long-term intergenerational effects on family relationships and opportunities that are deeply damaging to building strong families and strong communities. At the same time, ensuring that incarcerated parents can retain that aspect of their identity—as parents—may be crucial to their rehabilitation and successful reentry. Studies have shown that the substance use and criminal activity of mothers, in particular, decreases with parental responsibility.[78] States are also experimenting with diversion programs for parents that provide the kind of support people need to provide for and participate in their families.[79]

"The telephone rates are terrible and unfair. How can the prisons steal legally from the families (the other victims)? What about the children who need to hear from their parent on a regular basis? Ridiculous."

—Family member, Virginia

"My biggest challenge was repairing relationships between me and my children. I remember the conversation I had with my second oldest daughter and she said, 'well daddy, you've never been around. You've never really been here. You've always been in the streets or you're in jail.' So my biggest challenge was trying to let them know that, 'I do love you all. I do want to be in your lives.'"
—Formerly incarcerated person, Wichita, Kansas

"We need to stop the revolving door."

—Milan Nicole Sherry

Coming into my young womanhood, I had to search hard for community—to find other girls who looked like me. I have been privileged to have a family that largely supported my transition and my self-expression, but it wasn't easy. Despite some of my family being supportive, I withstood harsh verbal abuse from my father, which stays with me to this day.

Growing up in Louisiana, my family was low income and we received government assistance. As one of ten children, my mother, although affectionate and understanding, simply didn't have the money to bail me out of jail. I could see that my mother was more scared for me than I was for myself.

Most trans women of color who are incarcerated are sent to jail for "survival crimes." Actions linked with sex work or simple robbery, which are too often our only means of feeding ourselves and securing shelter.

The discrimination that I faced on a daily basis was intensified when I was incarcerated in a men's jail in New Orleans. With little to no interaction with sunlight and unsanitary, unlivable conditions, my days in jail felt doubled.

Hormone medications, which some trans women need to maintain our health, are strictly prohibited. The stigma that "being trans is a choice" upholds the rigid denial of hormones in jail. I was forced to stop my treatment and unwillingly went through changes as a result of being denied the medication my body needed.

I was placed in a hostile environment with men who forced me to fight every single day. I had to fight off intimidation and sexual violence many times, enduring sexual harassment, especially in places like the showers where there was little to no privacy. I was in a constant state of fear and concern for my health, knowing that the sexual violations and survival sex work that I underwent in jail put me at risk for infection and sexually transmitted diseases, not to mention the emotional trauma.

When I filed grievances to the chief about the serious crimes I experienced in jail, the issue would be discussed, and I would just be removed to another setting, where the same dangers—or worse—existed, and I continued to be assaulted.

Clearly, other incarcerated people were not the only ones doing harm. Deputy officers, sheriffs, guards, and other employees constantly acted on their prejudices against me. More often than not my personal use of women's pronouns would not be respected and officers undermined my identity and made it possible for the discrimination to persist during every stage of incarceration.

I was emotionally traumatized and mentally damaged going into jail, and even more so coming out of jail.

After my involvement with the prison system, I returned to a world where I still needed to protect myself from hate and violence in order to ensure my survival. During job interviews when a potential employer realized I'm trans, the energy of the room changed and immediately the interview went downhill.

To me it is so clear why there is such a revolving door for trans women of color who find ourselves in and out of jail as we persist to find security and meet basic needs.

I now fight endlessly for those who don't have the energy to fight anymore. I'm a founding member and volunteer of BreakOUT!, where I advocate for and provide mentorship for trans women of color. Through my journey and organizing career, I encourage others in my community to seek resources for survival and continue to plan for a life of challenges.

As Black trans women, we are constantly told that we are unworthy to be loved, unworthy to get an education, unworthy to get respect and to even live. My goal is to get girls like me to think: Who's going to hire me? How am I going to live, to survive? And to tell them, "I am here for you." I encourage others to do the same. Whether it's offering a shower, a place to stay, a meal or health care—anyone can offer support to a trans woman of color who faces experiences like mine.

—Milan, New Orleans, LA

CHALLENGES TO HEALTH DURING INCARCERATION AND BEYOND

Key Findings: The stress, stigma, and high costs of incarceration impact the health of all family members, including children of incarcerated individuals.[80] Some health impacts are directly related to incarceration, but many are linked to the economic instability, mental health shocks, and emotional trauma that continue long after imprisonment. These negative health impacts can have intergenerational and community-wide effects, leaving neighborhoods struggling under the multiple burdens of poverty, debt, trauma, and loss of opportunities.

Two-thirds of survey respondents for this report's study stated that both incarcerated family members, as well as family members outside, experienced negative health impacts related to incarceration. This research also found that families that were able to maintain regular contact during incarceration were less likely to experience negative health impacts associated with incarceration.

> ***"I had a hernia operation and I felt like they just wanted to get me in and out. I was hospitalized four or five times, didn't get it cleared up. I would essentially throw up for 20 hours straight. They couldn't deal with it. When I got here on the street they looked at it and said, 'Who did this?' I said, 'You don't even want to know.' In prison they didn't care about what I needed to heal ... I've been home damn near five years now and I still don't sleep more than two hours at a time.... it's funny how jail can condition you. It's all because of whatever emotional scars that incarceration has put upon you."***
>
> ***—Formerly incarcerated person, Washington DC***

Health Impacts of Incarceration

Incarceration has devastating physical, mental, and emotional health impacts on individuals, including those who already faced health problems before entering the system.[81] People who are incarcerated are also likely to suffer from higher rates of chronic disease.[82] As a result, incarcerated people's health generally suffers while in prison and jail. In the research for this report, the majority of survey respondents (66%) reported negative health impacts that they or their family members experienced associated with incarceration. Although the figures were higher for formerly incarcerated individuals, the research group found that both family members and their formerly incarcerated loved ones experienced negative health impacts that they attributed to incarceration. Family members frequently described experiences of depression, anxiety, chronic stress, and other chronic health issues associated with concern for and support of their incarcerated loved ones, as well as a result of their struggles to sustain their families.

In some cases—those with mental health problems in particular—people are imprisoned rather than

> ***"My back hurts when we drive over there to go visit him at Pelican Bay 9 hours away. Also it was very hard when they were in the hunger strikes—my son was not eating. Since 2011 they had three strikes and he did all three of them. And since 2011 I have lost 40 pounds because I think I spend so much time thinking about him and talking to him and not eating. It would make me very sad. I was at work and I couldn't even work, but thank God for my boss. He also has a lot of faith in God and does not like the conditions of the prisons. So he gave me a lot of chances, but I could not concentrate or anything. My back was hurting, my nerves were bad. All these things affect us a lot."***
>
> ***—Family member, Los Angeles***

treated as a solution for their condition. Prisons and jails have become the nation's largest stand-in mental health provider.[83] Over half of the people in U.S. jails and prisons suffer from mental health issues and these issues are often exacerbated during imprisonment because prisons and jails are unequipped to provide adequate or appropriate health services and treatment.[84] The rates of substance abuse disorders are also much higher among incarcerated populations due to the criminalization of drug addiction and the lack of community-based treatment providers.[85] Many incarcerated people suffer from the cumulative effects of untreated or poorly treated mental health and substance abuse disorders. In the research for this report, many individuals shared their experiences of worsening pre-existing mental health conditions while incarcerated.

> ***"I think that they need to expose in the women's prison the percentage, how many women are committing suicide. It happens a lot more often than the public knows and they cover it up. The most recent one was last year and a little girl named Precious she killed herself. She was only 18 years old, but I could think of five people that I knew on a personal level that committed suicide while in prison. It's devastating and I think that when it happens they just sweep it under the rug."***
>
> ***—Formerly incarcerated person, Portland***

Additionally, the majority of survey respondents experienced negative mental health impacts as a result of incarceration, including depression, anxiety, PTSD, and separation disorder. Many attributed their experiences to prison conditions, including violence or abuse they faced, as well as psychologically harmful conditions. Among these, overcrowding and solitary confinement are both notorious and have well-documented negative health impacts.[86]

> ***"I have severe PTSD. To this day I cannot sleep more than six hours, I wake up in a panic six days out of the week if not every night. Every facet of my life has a doomsday component. If I don't do everything according to how it is in my head then it'll result in death, prison, or being penniless and my family will be out on the street with nothing. And I believe that it's connected to my incarceration and experiencing a decade of physical attack."***
>
> ***—Formerly incarcerated person, California***

Survey participants also shared the cumulative acute and chronic health issues they experienced because of poor prison conditions, including violence, lack of exercise, and poor diet.

Often incarcerated people who need health care services cannot afford the prison copayment fees and turn to family members for help with paying them.[87] Through the Federal Prisoner Health Care Copayment Act, incarcerated people are required to cover copayments for prison health care services.[88] Currently, all federal prisons and three-quarters of state correctional facilities have copayment schemes.[89] As is the case with many of the fees imposed on the incarcerated, not all of the charges are used to cover the cost of the service. Fees collected under the Federal Prisoner Health Care Copayment Act are used to pay restitution and administrative costs and can be directed to the federal Crime Victims Fund, and used for victim restitution and administrative costs, instead of paying for the cost of health care.[90]

In this study, researchers found that incarcerated individuals reported lack of access to quality health care while inside, which sometimes resulted in permanent consequences. Many people who are incarcerated avoid medical procedures, partly due to cost and partly because of the poor treatment they receive. Some survey respondents felt they were only able to address health issues when they came out of incarceration. "You didn't get the health care that you needed in prison and

even if you did, you would have to pay for that. I've seen people die in prison because they didn't get the health care they needed. I've seen the guards just pass them by when they needed health care," one formerly incarcerated person from Wichita, Kansas said. "So the cost, like I said, it can amount to your life. You can lose your life in prison literally because of the health care."

Incarceration also has negative impacts on families' health. Survey data for this report show that family members who supported their loved ones through incarceration also experience trauma and long-term stress that can result in mental health issues and physical health conditions. As one mother reported, her health dramatically deteriorated as a result of her sons' experience with the system: "When my son was first arrested and incarcerated, I couldn't work for 2 years. I had to apply for disability. I had to go on all kinds of medication for manic depression, anxiety, and it really affected my health," she said. "Then I had a son that was killed—New Orleans police department shot my son in the back. So I lost two children in one year to the system and I think that's wrong."

In fact, a majority of survey respondents (66%) reported negative health impacts that family members experienced associated with incarceration. Additionally, survey data shows that families that reported they were able to stay in regular contact, through visits or with phone calls, were less likely to report negative health impacts that they associated with incarceration.

Survey and focus group participants shared that health impacts in their families were intergenerational and sometimes had the most severe consequences for children of incarcerated parents. Research has also shown that the stress and trauma associated with having a parent in prison, along with the loss of financial resources due to parental incarceration, can carry significant consequences for the physical and mental health of youth.[91] As a Michigan grandmother recounted, "his second son had mental health and anger issues as a result of his father's incarceration, and when the state took them away from their mother, the children were traumatized. Their mother threatened to sue the foster care agency in order to get therapy for the children after they were taken by the state, and finally later they were released into her custody."

> ***"Using the top bunk for 20 years or more affected my neck, and this has induced frequent migraines. The poor dental care resulted in extraction, and I'm waiting on getting a deep clean. The high level of violence curtailed my ability to exercise regularly, and this narrowed my blood vessels. Peripheral Artery Disease (PAD) has been diagnosed. The daily diet of bread and potatoes two times a day made it hard to maintain my health."***
>
> ***—Formerly incarcerated person, Michigan***

> ***"I suffered from something similar to post-traumatic stress. I suffered from sensory deprivation. I would spend long hours in 23-hour lock-up, with no human contact, no socialization, no opportunities for education or recreation, for about 14 years. You're damaged, but with a loving supportive family I was able to learn reentry skills."***
>
> ***—Formerly incarcerated person, Rhode Island***

Incarcerated people and their families suffer grave physical, mental, and emotional trauma as a result of being criminalized and locked up. Many studies have demonstrated that incarceration is a significant social determinant of health.[92] Incarcerated individuals and families experience severe mental health consequences related to incarceration, including depression, anxiety, and PTSD. Far from treating illnesses, jails and prisons create and exacerbate them, while reentry programs do little to support families to heal upon their loved one's release. Better approaches exist and are possible. Solutions that prioritize healthy, stable families, accountability and rehabilitation, and restoration of opportunities must be implemented for communities to thrive.

SOCIAL DETERMINANTS OF HEALTH

According the World Health Organization the social determinants of health are the conditions in which people are born, grow, live, work, and age, including the health system. Social determinants of health have a powerful impact on health outcomes, and are shaped by the unequal distribution of money and power, inequities reinforced through policy.[a]

Communities of color, women, and low-income communities in the United States suffer from poorer health outcomes than the rest of society. This is partly because the health of an individual is impacted by their exposure to multiple environmental and social stressors.[b] Poor housing, lack of health care, family instability, social and economic inequality, and mental health issues are a few of the negative health exposures and social stressors that increase one's vulnerability to poor health outcomes. Incarceration and consequences exacerbate health risks for people who are already vulnerable to poorer health outcomes.[c] These negative health impacts also affect the families and communities of the incarcerated.

a. World Health Organization. "Social Determinants of Health." n.d. Web. 30 Jul. 2015.
b. Morello-Frosh, Rachel, et al. "Understanding the cumulative impacts of inequalities in environmental health: implications for policy." Health Affairs 30.5 (2001): 879–887. Web. 30 Jul. 2015.
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RECOMMENDATIONS

Three major categories of reform are proposed to help stabilize vulnerable families and communities and to create opportunities for systems change. These categories correlate with policy reforms that must occur in order to create more stability and security for the communities that face intergenerational consequences from 40 years of short-sighted and devastating criminal justice policies. The recommendations stem from survey respondents who have direct experience with the criminal justice system, the majority of whom are actively involved in community social and political life. Each section aims to dramatically reduce the number of people in jails and prisons, as well as decrease the destabilizing financial and other impacts of incarceration on families. The recommendations also aim to get individuals and families to a place of stability after incarceration, and to strengthen communities from the ground up.

1. RESTRUCTURE AND REINVEST

By restructuring our criminal justice policies and practices, the more than $80 billion spent annually on our nation's criminal justice system can be redistributed into programs and services proven to reduce crime and recidivism. Following the lead of states like California, all states need to restructure their policies to reduce the number of people in jails and prisons and the sentences they serve. The money saved from reduced incarceration rates can be used instead as reinvestments in substance abuse programs and stable housing, proven to reduce recidivism rates.

Additionally, we need to shift our sentences to focus more on accountability, safety, and healing of all individuals involved rather than punishing those convicted of crimes.

Sentencing Reform: Reforms that reduce the number of people in prison and their time inside should be implemented immediately. Funds saved from reduced sentencing should then be invested into education, health, and other services, like substance abuse programs, that are needed in communities with high incarceration rates. California has already undertaken such an effort. In 2014, California voters passed Proposition 47, or the Safe Neighborhoods and Schools Act. The Act reclassified six non-violent offenses from felony charges to misdemeanors to help individuals move past burdensome charges on their records and access jobs, housing, and education that might help them in the future. The reduced charges include: receiving stolen property, theft, and check fraud under $950, as well as drug possession/use. The Act is estimated to save the state $200 million per year and save counties several hundreds of millions per year in jail and prison costs, a portion of which to be redistributed towards school truancy and dropout prevention, mental health and substance abuse treatment, and victim services.[93] As of March 2015, 2,700 people have been released from state prison due to the Act.[94] Similarly, the Reclassification to Ensure Smarter and Equal Treatment Act of 2015 (RESET Act) was introduced in Congress in April 2015. If passed, this act would reclassify certain low-level felonies as misdemeanors and eliminate disparities in crack and powder cocaine sentencing. Money that is saved from prison costs would be redirected to the Department of Education, Federal Crime Victim Assistance Fund, Federal Reentry/Drug Court programs, and the General Treasury to help pay down the national debt.[95]

Pre-Trial Diversion: Current criminal justice policies prioritize the goal of punishing the person convicted of a crime over other considerations, including the needs of the people harmed by the crime. This often means that the person who committed the crime is punished rather than held accountable by those harmed, and that the needs of the victim are not considered or met. This approach should be restructured to prioritize accountability, safety,

and healing. One example of such a program is Common Justice, an innovative victim service and alternative-to-incarceration program based in Brooklyn, NY, focused on restorative justice principles. The program works with young people aged 16 to 24 years old who commit violent felonies and the victims of those crimes. Common Justice aims to reduce violence, facilitate the well-being of victims, and transform the criminal justice system's response to serious crime.[96] Diversion programs like Common Justice provide a model for programs that can effectively use public dollars to reduce the number of people entering prison and develop more effective alternatives for dealing with crime.

Pretrial Custody Reform: Currently, six out of ten incarcerated individuals in the United States are held in pretrial detention without convictions.[97] In some states, this number is as high as 62% of the county jail population.[98] The American Bar Association Criminal Justice Standards for Pretrial Release state that "[r]elease on financial conditions should be used only when no other conditions will ensure appearance."[99] Federal law assumes the same.[100] Some states, such as Kentucky, are already trying to make changes to their pretrial policies.[101] Kentucky now allows for nonfinancial pretrial release for bail-able offenses after assessing public safety and flight risk within 12 to 24 hours of arrest.[102] San Francisco's Own Recognizance Project assesses probable cause for the incarceration of individuals within 48 hours of booking; if probable cause doesn't exist, the person is released.[103] New Jersey recently passed S594, legislation that reforms the pretrial process with the presumption of nonfinancial release.[104] Following the lead of these states, non-financial release should be the primary method of pretrial release in all states in order to reduce the population of pretrial detention and ensure families accrue less debt due to their loved one's arrest or incarceration.

Top Priorities for Community Reinvestment	
Education	86%
Job training, job creation & job placement	72%
Affordable housing	69%
Alternatives to incarceration	64%
Drug and alcohol programs	60%
Social Services for families	54%
After school & youth programs	52%
Mental heath programs	51%
Health care	48%

**Respondents identified their top three priorities*

2. REMOVE BARRIERS

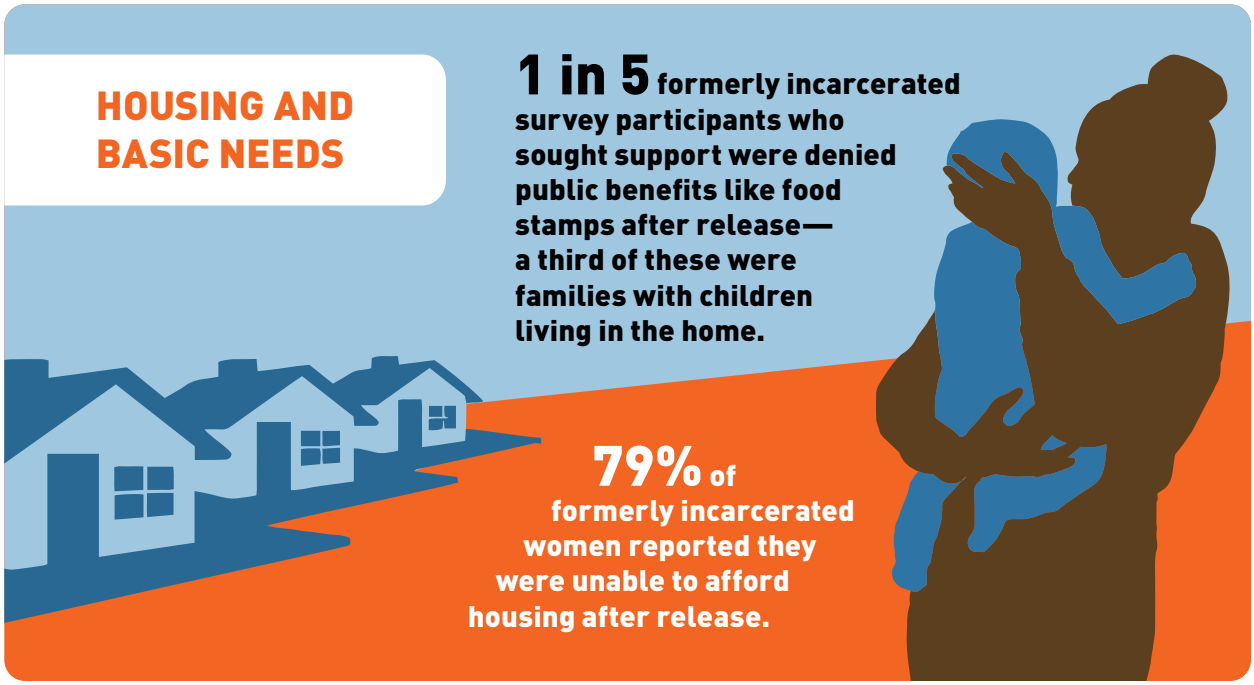
Upon release from jail and prison, formerly incarcerated individuals often face a number of barriers related to housing, employment, and public assistance that make it even more challenging for them to successfully reenter society. As discussed earlier, many are denied public benefits like food stamps and most are unable to pursue training or education that would provide improved opportunities for the future. To allow individuals a shot at successful reentry, these barriers must be removed, particularly those outstanding and substantial financial obligations that prevent individuals and their families from becoming stable.

Housing: Stable housing is critical to ensuring formerly incarcerated individuals have a chance at successful reentry, but a number of barriers prevent them from accessing a safe place to live or assistance to pay their rent. While the Department of Housing and Urban Development (HUD) requires criminal background checks and excludes individuals that are registered sex offenders or were convicted of producing methamphetamine from public housing assistance, each local public housing authority has the discretion to evaluate individuals case by case for all other offenses.[105]

This discretion has resulted in blanket denials of housing applications from people with criminal records and use of inconsistent, subjective standards that have discouraged qualified people from applying for housing assistance. These policies have made it incredibly difficult for formerly incarcerated people to find housing and reunite with their families after jail or prison. We recommend the following specific policy reforms to make housing more accessible for formerly incarcerated people:

- **The Department of Housing and Urban Development (HUD) and Local Public Housing Authorities:** HUD should provide leadership in bringing fair, uniform standards to the review and consideration of public housing applications nationally by eliminating or repealing long "look back" periods that local housing agencies use to disqualify individuals with criminal records. HUD and local agencies should also exclude the consideration of arrests and convictions in determining whether a person is eligible for public housing assistance. Many municipalities have done this. In April 2015, the Los Angeles County Board of Supervisors voted to ease restrictions

a. American Bar Association Collateral Consequences of Criminal Conviction. Web. 30 Jul. 2015.



on people with drug convictions more than two years old so they could access housing benefits and to allow people who are currently on probation or parole to be eligible for public housing assistance.[106]

- **Local Municipalities:** Local Municipalities should pass Local Anti-Discrimination Ordinances in the housing context that prohibit housing discrimination against individuals with an arrest or conviction record. Several jurisdictions in Wisconsin and Illinois have passed such ordinances to protect formerly incarcerated people from housing discrimination.[107]

Employment: Formerly incarcerated individuals often struggle to find work upon release due to a number of barriers. Studies show that 60% of formerly incarcerated individuals cannot find employment one year after release. Expanding employment opportunities for formerly incarcerated people would increase economic stability for families and reduce the rates of recidivism and crime.

- **Fair Chance Hiring:** Removing the box on applications that requires applicants to disclose their past criminal convictions is a growing trend in states and cities across the country. Over 100 cities and 18 states have passed "Ban the Box" policies, with seven states requiring both private and public employers to remove the box from employment applications. Other states and the federal government should also pass these policies to provide people with past convictions a fair opportunity to work.

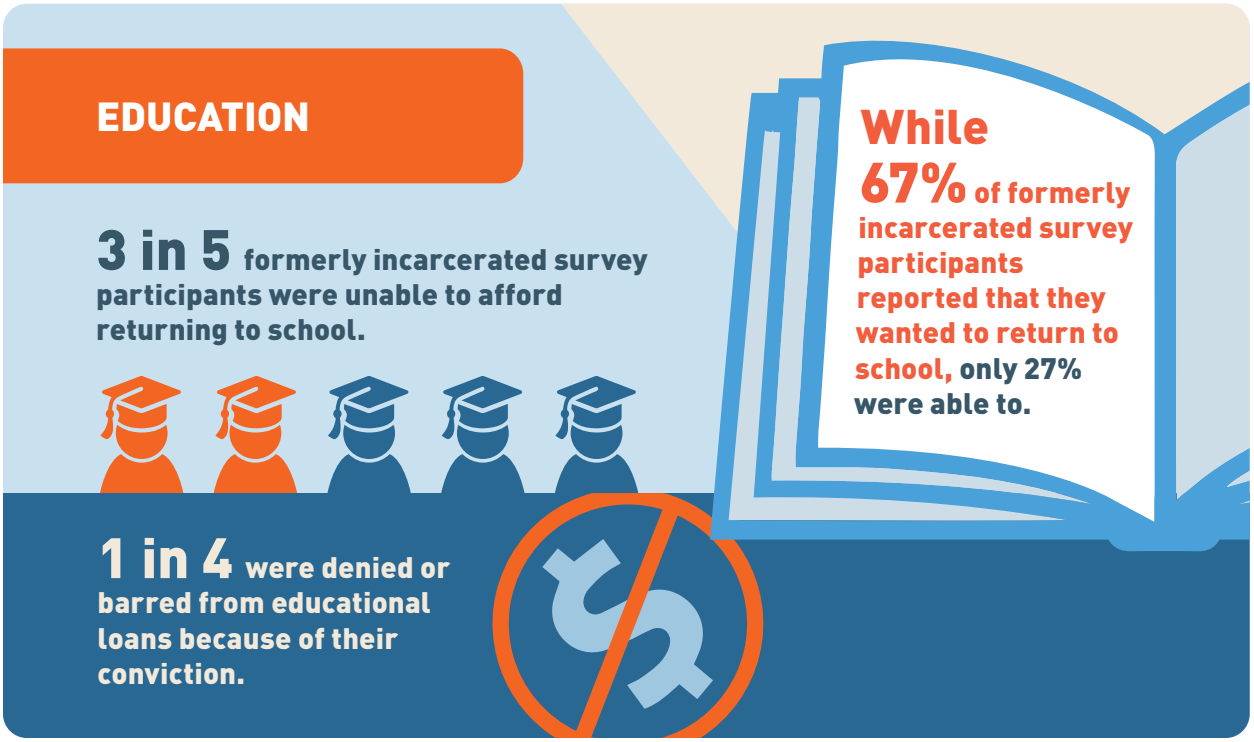
- **Professional Licensing:** States and municipalities should also change licensing laws that prohibit people with convictions from working in many professions. Similar to "Ban the Box" policies, the box requiring applicants to disclose convictions on applications for professional licenses should also be removed. Arrests, misdemeanors for which no jail time is required, and convictions that have been sealed, dismissed, or expunged should not be considered at all. Other convictions that are relevant to the profession could be considered after it is determined that the applicant is eligible for licensing. In 2012, Ohio passed state legislation that removed licensing prohibitions for some occupations to widen access to employment for people with convictions.

Public Benefits: As a result of their past convictions, formerly incarcerated individuals are typically denied access to benefits like education loans and food assistance that would provide critical support they need to improve their situation.

- **Pell Grants:** Congress banned access to Pell Grants for people in prison in 1994. The Restoring Education and Learning Act (REAL Act), introduced in Congress in May 2015, would lift the ban on Pell Grants for people in state and federal prisons, enabling people in prison to access educational opportunities when they return to society. These reforms should go further to restore access to Pell Grants for people who were convicted of drug felonies while receiving federal aid.

- **Support for Necessities:** On the federal level, Congress should repeal the drug felony ban on access to welfare benefits and food stamps, which denies social assistance to thousands of individuals.[108] It is clear that women and people of color bear the brunt of the harm caused by the denial of public welfare benefits[109] due to how race and gender are linked to the criminalization of drug use.[110] Since states are not required to enforce this federal ban, while it remains states should opt out of it or modify the restrictions on these programs so that formerly incarcerated individuals can regain access to Temporary Assistance for Needy Families (TANF) and the Supplemental Nutrition Assistance Program (SNAP).

- **Legal Financial Obligations:** States should implement reforms to reduce Legal Financial Obligations (LFOs), or the fees associated with conviction and imprisonment, so formerly incarcerated people have a fair chance at reentry. For example, if passed, House Bill 1390, introduced in Washington state in 2015 would prioritize restitution payments, eliminate interest on LFOs, and prohibit the state from imposing discretionary court costs on indigent defendants. The bill also prohibits the state from jailing homeless people and people with mental illnesses due to their inability to pay LFOs. Many parents who were formerly incarcerated owe thousands of dollars in child support debt upon release from prison. Failure to pay this debt can lead to additional consequences that impede successful reentry, including subsequent incarceration. To increase family stability and the chances for successful reentry, states should allow noncustodial parents who have no assets or income to modify their child support orders when they are incarcerated. States should also notify child support collection agents when a noncustodial parent has been incarcerated, and work with custodial parents to determine appropriate child support orders during the period of incarceration.



Make family visiting accessible, affordable, and frequent: Studies from 1972 to today have found that maintaining close contact with family members on the outside greatly improves the health and reentry success of incarcerated people.[111] Data collected in this study, as with many other studies, shows a positive relationship between regular family visits and phone calls and people's health and well-being. To maintain relationships, support the health and well-being of families inside and outside bars, reduce recidivism, and improve chances of successful reunification and reentry, state and local facilities should implement a combination of policies and programs to make it possible for families to maintain contact.

- **Visitation:** Priorities for policy and practice involving visitation can include increasing visiting hours, allowing overnight family visiting, considering furloughs so incarcerated people can visit their families on the outside, lifting visitation bans for people with convictions, allowing 3rd party or chosen guardian visitation, and considering family connection as a factor in jail or prison placement (prohibit housing people more than 200 miles from designated family). Video conferencing should be considered an additional option, not a replacement for in-person visitation and should also be free from additional commissions, corporate kickbacks, and fees.

- **Phone calls:** With fees from private companies making up a third of all costs families are paying for phone calls, eliminating these commissions is critical to making calls affordable. In 2007, led by the New York Campaign for Telephone Justice, New York State began using the state's general fund to cover prison budget gaps rather than saddling vulnerable families with those costs through phone fees. This effectively ended the "kickback contract" between the private phone company MCI and the New York State Department of Correctional Services. California, New Mexico, Nebraska, and Michigan are among nine states that have ended kickbacks to private companies and reduced the cost of a 15-minute phone call to as low as 66 cents.

3. RESTORE OPPORTUNITIES

By focusing energy on investing and supporting formerly incarcerated individuals, their families, and the communities from which they come, their opportunities for a brighter future and the ability to participate in society at large are restored. Releasing earlier those who meet requirements and properly preparing them for reentry are a cost-saving place to start. Further, savings from criminal justice reforms should be combined with general budget allocations and invested in programs that help individuals and their families succeed prior to system involvement and upon reentry.

Earned Time Credits: Some jurisdictions allow people in prison and on parole to earn "credits" or time off their sentences by complying with prison rules or parole requirements. This provides an incentive for people in prison to comply with rules and allows states to save money by reducing sentences. States should implement earned time credit programs so people in prison, on probation or parole can earn time credits for good behavior, work assignments, and participation in educational and other programming. Congress should pass legislation to clarify the way that credit should be counted by the Board of Prisons to allow people in federal prisons to earn the full 54 days of good conduct time each year as provided for in 18 U.S.C. § 3624(b).[112] The implementation and expansion of earned time credits would also reduce the amount of time that people spend in prisons and on community supervision.

On-the-Job Training: The savings from criminal justice reforms mentioned previously should be invested into subsidized employment opportunities for formerly incarcerated people. On-the-job training programs (OJT) exist in many counties and are not limited to formerly incarcerated individuals. Provided by County Workforce Investment Boards, "One Stop Centers," and nonprofit agencies, these programs incentivize employers by subsidizing up to 50% of the wages for formerly incarcerated employees. In California, for example, Alameda

b. Gideon, Lior, and Hung-En Sung. Eds. *Rethinking Corrections: Rehabilitation, Reentry and Reintegration*. SAGE Publications, 2010. 332; Mueller-Smith, Micheal. "The Criminal and Labor Market Impacts of Incarceration," 4. Web. 30 July 2015.

County's non-profit Private Industry Council (PIC) connects their clients with employers like Planting Justice where employees earn $17.50 an hour to learn urban farming and other agricultural processes. PIC pays for 50% of the wages for up to 520 hours (13 forty-hour weeks) or $4,000 in wages, whichever threshold is reached first. While these contracts do not explicitly guarantee employment after the subsidized employment period, most employers retain employees who have shown themselves as successful workers.

Reentry Preparation: In order to facilitate more successful reentry, states and counties should take steps to ensure that people in prisons and jails have the documents they need when they are released. These documents include birth certificates, driver's licenses, health care enrollment, social security cards, and RAP sheets. As one example, in Texas the Reentry and Integration Division of the Texas Department of Criminal Justice identifies people who are two to six months away from release and helps them apply for and obtain the documents they need before that date.[113] In Oregon people who are being released from prison are provided with an "Offender Debit Card" that can be used as state ID as well as a card to make purchases or to withdraw cash. The card is identical to the card that Oregon uses for public assistance thereby reducing stigma. Formerly incarcerated people can also access those benefits from the card issued by the Department of Corrections.

Restore Voting Rights: Millions of Americans each year are denied the fundamental, democratic right to vote if they have a prior criminal conviction. States like Florida, Kentucky, and Iowa permanently terminate the voting rights of people with felonies. Many other states permanently disenfranchise individuals with certain felony convictions, while others only temporarily disenfranchise individuals and allow voting rights to be restored upon completion of the sentence, probation, or parole. Voting rights are most respected in Maine and Vermont where people with criminal convictions are never legally disenfranchised due to their conviction. All states should follow the example of Maine and Vermont and allow people with criminal convictions to retain their fundamental right to vote by implementing automatic post-incarceration voting rights restoration for people returning from prison.

POLITICAL REPRESENTATION AND INCARCERATION

Criminal disenfranchisement or "civic death" is another cost of incarceration. As has been well documented elsewhere there are more than five million Americans who have lost the right to vote due to criminal convictions. The impact on communities of color is profound.[a] As Michelle Alexander notes in The New Jim Crow, there are more Black men under criminal supervision today than were slaves prior to the Civil War. Because the disenfranchised often come from areas of concentrated incarceration, mass incarceration disenfranchises whole communities. The majority of respondents in this research were actively involved in community social and political life, be it worker's unions, parent teacher associations, faith-based organizations, or community based organizations. This research found that the vast majority (77%) of respondents wanted to be more involved in political decision making. We also found, however, that nearly half of formerly incarcerated individuals (46%) do not have the right to vote.

Less discussed is that these communities also experience voter dilution caused by prison gerrymandering. The U.S. Census counts those who are incarcerated as residents of the area where they are imprisoned. Very often prisons are located in small rural areas with low populations. This miscount artificially increases the "population" of areas where prisons are located and diminishes the political representation of the communities that the incarcerated are from. This practice most heavily impacts urban areas of color, diluting their political influence. Take New York where more than 70% of prisoners are Black or Latino, but 98% of prisons are in disproportionately white Senate districts. Because certain prisons are located in white, upstate New York and incarcerated prison populations are counted as residents far from their home, there are eight Senate districts where there would be seven. Given the fact that the majority of people in prison cannot vote, counting people in prison as residents for political representation is at best bizarre. Recently, four states have moved towards counting people in prison as residents of their communities, but the practice of prison gerrymandering remains widespread.[b]

a. Uggen, Christopher, Sarah Shannon, and Jeff Manza. State-Level Estimates of Felon Disenfranchisement in the United State, 2010. Sentencing Project, 2012.
b. Wagner, Peter. "50 State Incarceration Profile." A prison policy initiative report. "Importing Constituents: Prisoners and Political Clout in New York." *Prison Policy*. 22 Apr. 2002. Web. 30 Jul. 2015.

CONCLUSION

We will never have healthy and thriving communities as long as we have a criminal justice system focused on punishment and profit that devastates our most vulnerable people.

Decades of poorly structured criminal justice policies and practices have negatively impacted millions of individuals and their families in our country, affecting their economic stability, health and well-being, and potential for future opportunities. On top of the tremendous financial costs individuals and their families face during and after incarceration, people struggle to repair family relationships, access housing and jobs, and address health challenges, all while being denied benefits and critical supports. As we stand today, the United States is paying $80 billion a year to impose penalties and restrict opportunities for individuals and their families at a tremendous cost–a dollar cost that is both apparent and hidden, an emotional cost that is family–and community-wide and intergenerational, and a cost that should ultimately weigh on us all. This research project helped illuminate how severe these impacts are, particularly on vulnerable and disadvantaged populations.

The findings detailed in this report show the many costs and barriers imposed on incarcerated individuals and their families, the emotional and health costs they experience, and how these costs impede the future success of both families and of communities at large. We've also demonstrated the tremendous burdens that women, in particular, experience as direct damage from mass incarceration. As many of these costs fall disproportionately on families and communities that are already struggling, they deepen poverty while dampening any hope of change.

Moving ahead, the families and communities proven to provide stability and security for incarcerated individuals and to help reduce rates of recidivism overall should be supported by reforming and reinvesting in policies that do better by families, removing barriers, and restoring opportunities.

> ***"On a deeper level, you're not able to get anything up under your feet and for a long time in your life. If you do get out of a correctional facility, you come home and it's basically like you're starting over, like you're a new human on Earth."***
>
> ***—Formerly incarcerated person, Dayton, Ohio***

Some of the recommendations made in this report have been successfully implemented already and warrant serious consideration for replication across the nation.

We can no longer afford to continue business as usual with criminal justice in the U.S. If our nation truly wants to support all families and communities to thrive, we must drastically reduce the financial, emotional, and health impacts on incarcerated people and their loved ones.

But for real change to take place we can't just alter a few policies—fundamental changes must occur at the local, state, and national levels. Society too must learn to shift preconceived perceptions about incarcerated individuals and provide fair opportunities for these individuals and their families to start over. At every level, these changes start with a better understanding of the harm incarceration causes and what can be done to reduce it.

One thing is clear, incarceration is touching more families than ever before. Though our popular culture is telling one story of the reality of incarceration, the lived experiences of incarcerated people and families tell another, one of financial instability, emotional devastation, and stifled opportunities for multiple generations. If equality, fairness, and second chances are values we hold, it is time to take new kinds of action toward policies that maintain family stability and well-being.

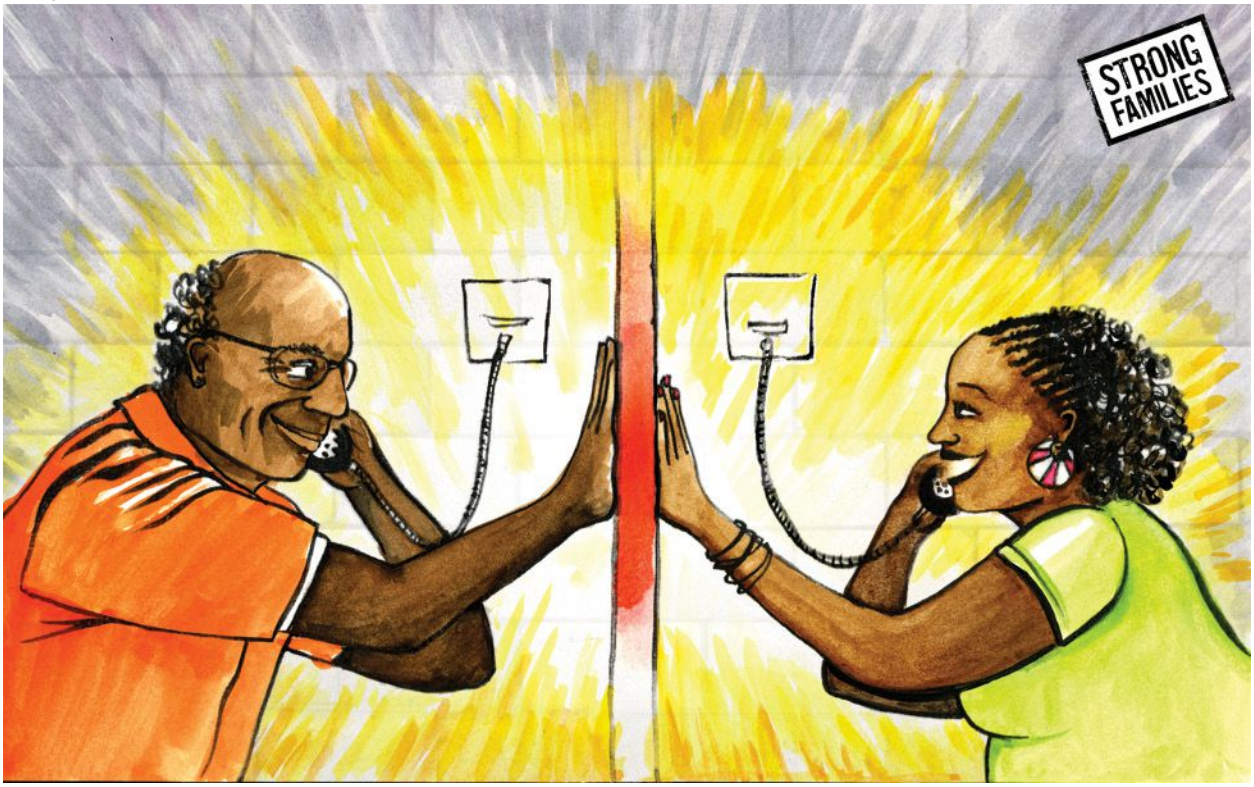
RESEARCH DESIGN AND SURVEY DEMOGRAPHICS

Who Pays? is a national community-driven research project. The research presented in this report was a collaborative project of the Ella Baker Center for Human Rights, Forward Together, and Research Action Design, as well as local partners, including BreakOUT!, Causa Justa/Just Cause, Center for NuLeadership on Urban Solutions, DC Jobs with Justice, Dignity and Power Now, Essie Justice Group, Direct Action for Rights & Equality, Families and Friends of Louisiana's Incarcerated Children, Fathers & Families of San Joaquin, Michigan Center on Crime and Delinquency, Ohio Organizing Collaborative, Partnership for Safety and Justice, Prison & Family Justice Project at the University of Michigan, Reentry Network for Returning Citizens, Resource Information Help for the Disadvantaged, Inc., Statewide Poverty Action Network, Sunflower Community Action, Voice of the Ex-Offender, and Workers Center for Racial Justice.

This research and its contributing organizations seek to address the lack of representation and the misrepresentation of low-income communities of color in the design of smart solutions that can break the cycles of violence and poverty exacerbated by the criminal justice system at the local, state, and national levels. This research also sought to uncover some of the ways individuals, families, and communities disparately experience these punitive practices based on race, class, gender, and sexuality.

Together, the research team surveyed 1,080 formerly incarcerated individuals and family members of formerly incarcerated individuals and conducted thirty-four focus group sessions to document participants' experiences with the criminal justice system and to solicit their thoughts about how that system needs to change to support their families.

Art by Micah Bazant



The project sought participants' perspectives on how the criminal justice system has impacted their own lives, including their livelihood and well-being, as well as the financial and emotional impacts on their families and communities. Researchers also asked participants to share their recommendations for what must change in the short and long term to reverse the harms of current criminal justice policy. Additionally, researchers interviewed twenty-seven employers about their experiences with and barriers to employing formerly incarcerated individuals, and the suggestions. Hundreds of research articles were reviewed in order to understand the extent to which the research findings reflect decades of research about the material impacts of incarceration, the impacts of policy change in the last thirty years, and key opportunities for change that support families. Throughout this process, possibilities for restructuring and reinvesting in communities, removing barriers, and restoring opportunities that support family and community health and well-being were persistently and thoughtfully explored. Finally, researchers sought working models and case studies that provide promising new directions for a transformed system.

The research methods used in this report recognize the expertise of formerly incarcerated people and their families. By orientation, the research approach privileged the engagement of those who are directly impacted by the criminal justice system and its many consequences. Grounded in a transformative research agenda, this research also seeks to center community knowledge and leadership in movements for social change. The collaborative adopted this Research Justice approach throughout the project. Together with formerly incarcerated individuals and their families, and with the support of the research advisory board, Research Justice was an integral part of the research design, development and testing of the research instruments, and data collection and analysis. Utilizing a participatory action research model, the research team sought to analyze the experiences of families confronting the criminal justice system, the impacts of the system on families and communities, and the vision for change held by families. The primary study sites in California, District of Columbia, Florida, Illinois, Kansas, Louisiana, Michigan, New Jersey, New York, Ohio, Rhode Island, Texas, Virginia, and Washington were chosen based on capacity on the ground for people with direct experience to engage in the research process. Nevertheless, this research reflects the experiences of families across the country, including the East, South, Midwest, and Western United States.

RESEARCH DESIGN

Literature Review

Researchers conducted an extensive literature review in order to assess the history and current state of the impacts of the criminal justice system on individuals, families, and communities in the United States. The literature review spanned issues related to the costs of supervision, punishment, and restitution; opportunities for housing, employment, education, and basic needs; family contact and separation; health impacts; and measures that reduce recidivism. The literature review also included an extensive analysis of system and community alternatives to current criminal justice policies that are supportive of families and communities and reduce recidivism. The research advisory board as well as legislators and advocates were also consulted to identify relevant literature and case study materials. The literature review informs both the analysis in the report, as well as provides many of the case studies presented in this report.

Family Member and Formerly Incarcerated Person Focus Groups

Thirty-four focus groups were held in eighteen cities across eleven states. Focus groups were conducted in person in the following metropolitan areas: Seattle, WA; Providence, RI; Portland, OR; Eugene, OR; Youngstown, OH; Dayton, OH; Akron, OH; New York City, NY; Detroit, MI; New Orleans, LA; Wichita, KS; Chicago, IL; Miami, FL; District of Columbia; Stockton, CA; San Francisco, CA; Oakland, CA; and Los Angeles, CA. The focus groups were designed and fielded by the research team using a participatory model, with additional input from the research advisory board. Trained community researchers from each partner organization conducted focus groups locally with formerly incarcerated individuals and family members of formerly incarcerated individuals. The focus groups were transcribed, and a coding schema was developed by the project partners during participatory data analysis workshops. Researchers analyzed the focus group data using Dedoose qualitative data analysis software. The majority of the quotes throughout the report were taken from these focus groups.

Family Member and Formerly Incarcerated Person Surveys

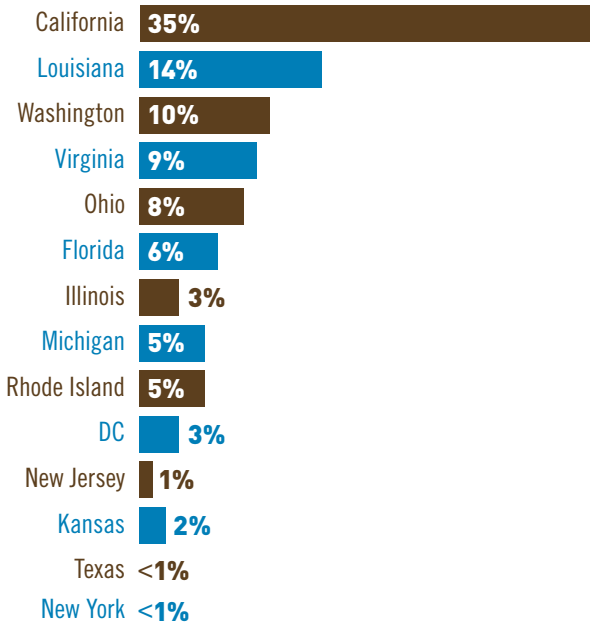
Surveys were conducted in 60 cities nationwide around the metro areas of Seattle, WA; Highland Springs, VA; Providence, RI; Akron, OH; Ann Arbor, MI; New Orleans, LA; Wichita, KS; Chicago, IL; Jacksonville, FL; District of Columbia; Stockton, CA; San Francisco, CA; Los Angeles, CA; and Oakland, CA. One thousand and eighty surveys were conducted with formerly incarcerated individuals and family members of formerly incarcerated individuals. The survey was designed and fielded by the research team using a participatory model, with additional input from the research advisory board. Trained community researchers from each partner organization conducted face-to-face surveys. Surveys were collected in fourteen states including California, District of Columbia, Florida, Illinois, Kansas, Louisiana, Michigan, New Jersey, New York, Ohio, Rhode Island, Texas, Virginia, and Washington. Surveys were conducted in English and Spanish. Survey data was analyzed using SPSS 23 statistical analysis software. Qualitative data (open-ended questions) from the survey were analyzed using Dedoose qualitative data analysis software. Participatory data analysis workshops were conducted with partner organizations as part of the interpretation of survey findings.

Employer Interviews

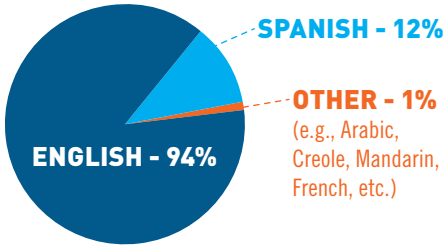
Twenty-seven interviews were conducted in at least fourteen cities in seven states, including California, District of Columbia, Florida, Louisiana, New Jersey, Rhode Island, and Washington. Several employers declined to provide specific demographic information, including the city of their operation. The interview protocol was designed and fielded by the research team, with input from the research advisory board. Trained community researchers from each partner organization conducted in-person interviews with employers. Survey data was analyzed using Dedoose qualitative data analysis software.

SURVEY PARTICIPANT DEMOGRAPHICS

SURVEY PARTICIPATION BY STATE

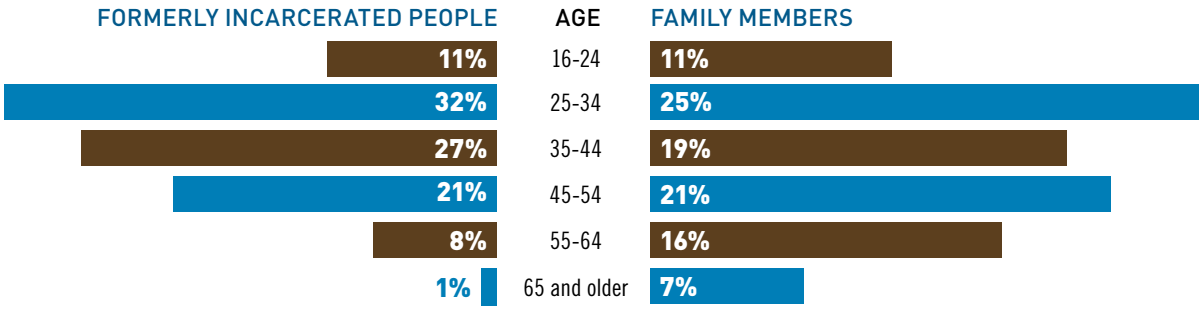


LANGUAGES SPOKEN AT HOME



AGE OF SURVEY PARTICIPANTS

Note: 353 Family Members, 676 Formerly Incarcerated Individuals

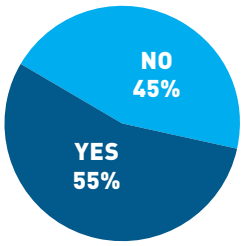


CITIZENSHIP STATUS

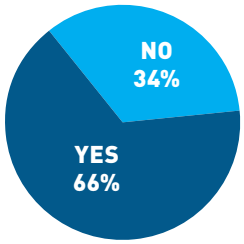
Note: 7% of survey participants declined to state citizenship status

CRIME SURVIVOR STATUS

SURVEY RESPONDENT

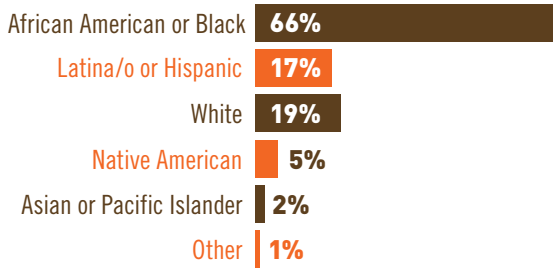


ANOTHER FAMILY MEMBER

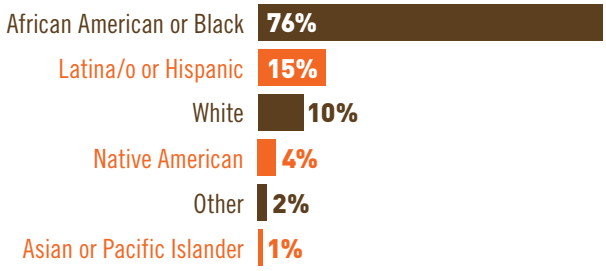


RACE/ETHNICITY OF SURVEY PARTICIPANTS

FORMERLY INCARCERATED PEOPLE



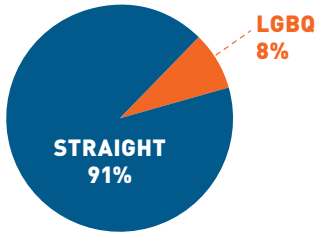
FAMILY MEMBERS



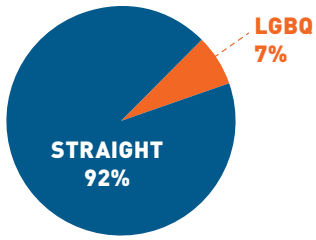
SEXUAL ORIENTATION

Notes: 8% of survey participants declined to state sexual orientation, LGBQ includes Lesbian, Gay, Bisexual, Queer and/or Questioning

FORMERLY INCARCERATED PEOPLE



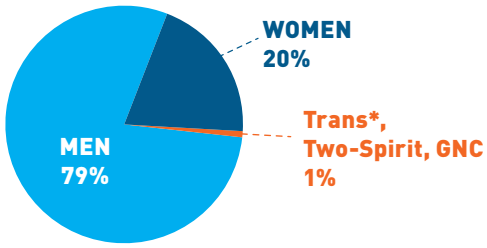
FAMILY MEMBERS



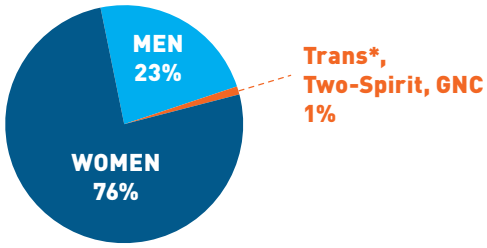
GENDER IDENTITY

Notes: "Trans" includes trans men and trans women, "Two-Spirit" includes self-identified Two-Spirit Native American individuals, "GNC" refers to Gender Non-Conforming People*

FORMERLY INCARCERATED PEOPLE

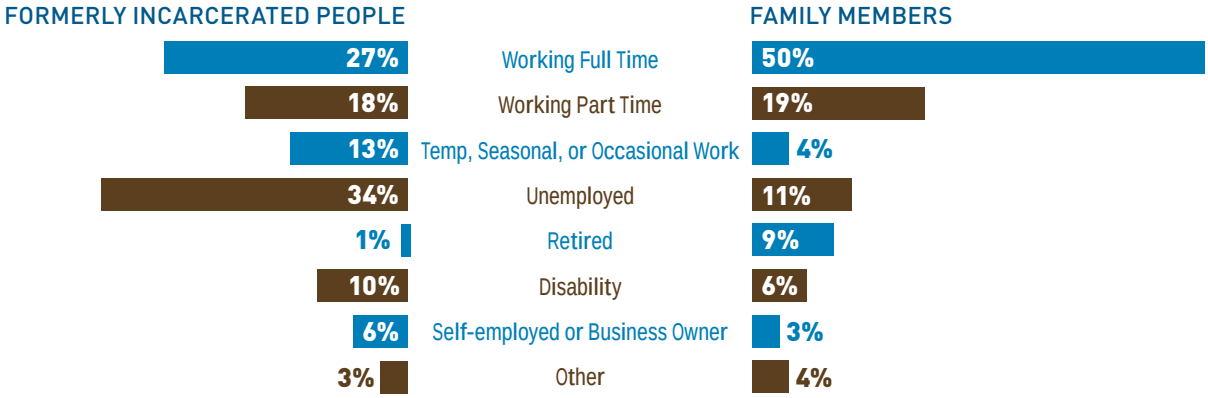


FAMILY MEMBERS

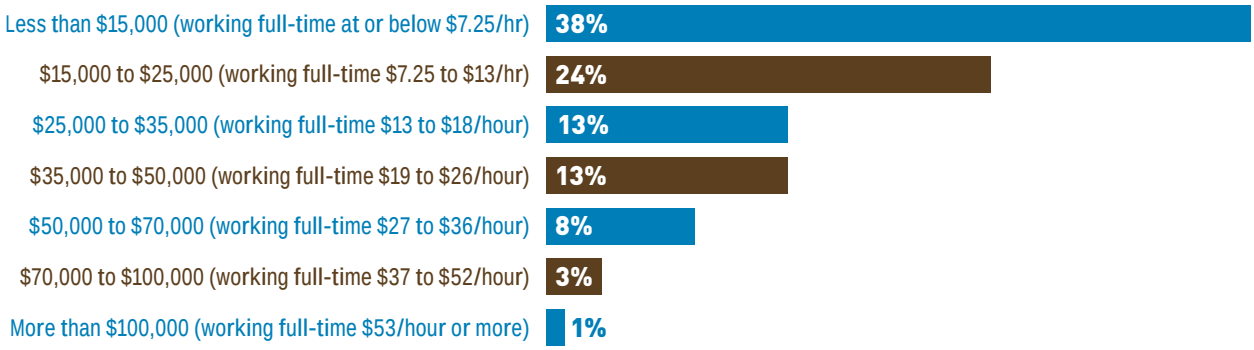


EMPLOYMENT STATUS

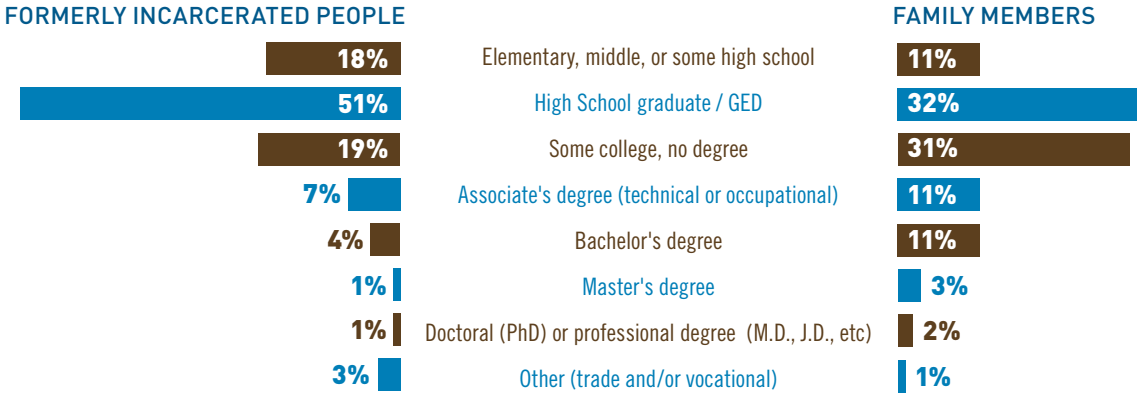
Note: 353 Family Members, 676 Formerly Incarcerated Individuals



HOUSEHOLD INCOME

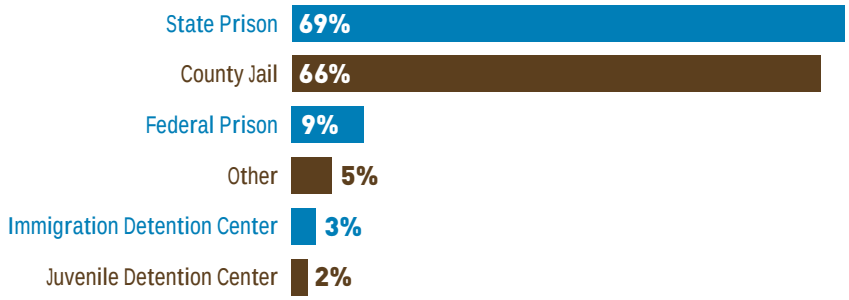


EDUCATIONAL ATTAINMENT



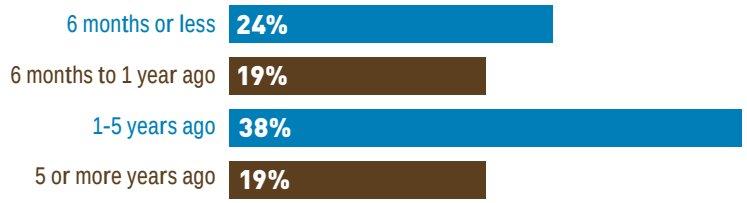
INCARCERATED PERSON JUSTICE INSTITUTION TYPES

Note: respondents able to select all that apply; formerly incarcerated survey participants answered on their own behalf; family member participants answered on behalf of their formerly incarcerated family member.



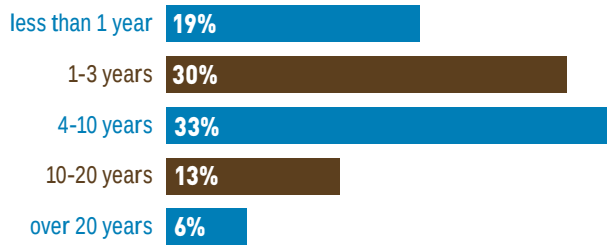
INCARCERATED PERSON TIME SINCE RELEASE

Note: respondents able to select all that apply; formerly incarcerated survey participants answered on their own behalf; family member participants answered on behalf of their formerly incarcerated family member.



INCARCERATED PERSON TOTAL TIME OF INCARCERATION

Note: respondents able to select all that apply; formerly incarcerated survey participants answered on their own behalf; family member participants answered on behalf of their formerly incarcerated loved one.



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