Rethinking the Fatherhood Agenda

in the Context of the Era of Mass Incarceration

Keynote Address

by

Jeremy Travis

President, John Jay College of Criminal Justice

Seventh Annual Fatherhood Conference

"Fatherhood 2007: Fathers as the Missing Link"

Sponsored by

The Industrial Home for Children

April 18, 2007

Ms. Zuline Gray Wilkinson, Rev. Goode, friends and colleagues:

I am honored to be invited to address this important conference as your keynote speaker. I am humbled to be listed among your other distinguished keynote speakers over the seven years that you have been hosting this Fatherhood Conference – individuals such as Dr. Ronald Mincy of Columbia University, Mr. Roland Warren, President of the National Fatherhood Initiative, and Dr. Michael Eric Dyson of the University of Pennsylvania. You honor me, and my colleagues who work on the issues of imprisonment, by asking me to speak to you on the connection between fatherhood, families, incarceration and reentry.

In addition to the stellar individuals who have preceded me, you have invited a great American as your plenary speaker – the Rev. Dr. Wilson Goode, now of Public-Private Ventures. Rev. Goode and I have shared a number of podiums over the years and he invariably brings to any conference that rare combination of spirit, passion, wisdom and political savvy.

Finally, although I will not be here to listen to their presentations, I would like to commend the conference organizers for ending this symposium with a panel of individuals from the Clinton House Residential Treatment Facility here in Trenton. Too often, we hold important meetings such as this one without bringing into our discussions the voices of those who have struggled with incarceration, addiction, victimization, and loss and are overcoming those obstacles. These individuals are an inspiration to all of us. So, my congratulations.

I have chosen for my topic today "Rethinking the Fatherhood Agenda in the Era of Mass Incarceration." I do not presume to have any special expertise in the "fatherhood agenda" – I leave it to others to define that term. But I do have some expertise in the consequences of the growth of incarceration in our country. I want to persuade you today that this current era in American history – one that many scholars are calling the "era of mass incarceration" -- is having a profound effect on the role of fathers, indeed on the role of families overall, and that anyone working on fatherhood issues – everyone in this room -- needs to understand that the high rate of incarceration is undermining the chances for success on those important issues.

Let's begin by understanding the magnitude of the phenomenon of incarceration in America today. Here is a simple statistic: since the early 1970's, we have more than quadrupled the rate of incarceration in America. A generation ago, we held about 110 people in prison for every 100,000 inhabitants; today, we incarcerate about 486 people per 100,000. The rise in the prison population has been a constant fact of American life. Every year since 1972, we have added to the nation's prison population. In times of economic expansion, in times of recession; in times of war, in times of peace; when crime rates were going up, when crime rates were going down – every year we have expanded our prison population. We now enjoy the dubious distinction of having the highest rate of incarceration in the world.

As this audience certainly knows, the fourfold increase in incarceration rates in America has not been spread uniformly across the American population. Rather, the increased number of individuals – mostly men – sent to our nation's prisons have come from a small number of communities in urban America, mostly communities of color, communities that are already struggling with socioeconomic disadvantage and the challenges of poor schools, inadequate health care, high crime rates, and weak labor markets. These same communities are now losing large numbers of young men – and a much smaller number of young women – who are being arrested, incarcerated, and returned home by the criminal justice system record levels. This year, we expect that about 650,000 individuals, or about 1,700 a day – 90 percent of them men — will be released from our state and federal prisons and returned home. This is four times the number who made a similar journey a short twenty-five years ago.

The consequences for these communities – the African-American communities in particular – are profound. Today, as we speak, more than 10 percent of African-American men between the ages of 25 and 29 years old are in prison, compared with 2.4 percent of Hispanic men and 1.2 percent of white men. Assuming no changes in incarceration rates, nearly one in three African-American men – and one in six Hispanic men -- will be sentenced to serve at least a year in prison at some point in their lives.

Much of this disparity can be attributed to the nation's "war on drugs." Between 1980 and 2001, the incarceration rate for most serious crimes – murder, sexual assault, robbery, burglary and assault – rose significantly, but not dramatically, increasing between 66 and 361 percent. Over the same period of time, the incarceration rate for drug offenses grew well over 900 percent. Most of that growth, beginning in the mid-1980s when the crack epidemic exploded upon the streets of urban America, can be traced to the rise in African-Americans imprisoned for drug offenses. Beginning in 1987, the number of blacks admitted to prison for drug offenses skyrocketed, nearly quadrupling in three years, so that by 2000 it had reached a level 26 times the level in 1983. By contrast, over the same period, the number of whites admitted for drug offenses simply doubled, and the number of Hispanics only increased by about half.

The story told by these numbers is clear: arrests made in the war on drugs are leading the growth in incarceration, and those arrests are overwhelmingly arrests of African-American men. These men are arrested, removed, incarcerated, and returned to their families and communities, at rates never before experienced in the African-American community.

I am reminded of a sobering assessment once made by Dr. Manning Maribel, the prominent scholar of African-American history at Columbia University. He said we have now entered the fourth chapter of the African experience on the American continent. The first chapter was slavery; the second was Jim Crow; the third was residential segregation in the North; the fourth is the era of mass incarceration. Of the four, this fourth chapter may be the hardest to reverse – slavery could be abolished, and was, about 250 years after the first slaves were brought to America, following a wrenching Civil War; Jim Crow persisted for another hundred years, but was defeated in the courts and our legislatures;

residential segregation persists, but there are legal avenues of redress and a general sense that it violates our sense of fairness. The era of mass incarceration, however, seems to have become a permanent part of the American landscape. The war on drugs continues without victory in sight. Even in an era when we face the lowest crime rates in a generation, we have not experienced a peace dividend through lower rates of incarceration, instead our prison growth continues unabated. I fear that we have mixed our historical disdain for the criminal as the "other," with our deeply ingrained racist stereotypes, a mix then compounded by our fear of crime, and the result is that the issue of prisons – and the imprisonment of minority men – seems to be far removed from our political discourse.

I want to paint a picture for you that extends beyond the prison walls, however. When we focus on attention solely on prisons, we tend to forget that the modern era of harsh punishment has had other effects on American life. For one thing, we have many more of our fellow Americans now under criminal justice supervision than ever before. In 1980, for example, there were 220,000 individuals under supervision by parole agencies in this country. By 2000, that number had reached 725,000, an all-time high. More importantly, the nature of supervision has changed, as we watch people more closely, impose more conditions on their liberty, and send them back to prison more frequently for violating their conditions of supervision. We now use new technologies such as drug tests and electronic bracelets to keep tabs on people. We impose curfews more frequently. We take fewer risks with parolees, and as a consequence, are much more likely to cite them for parole violations and send them back to prison. Consider these statistics: in 1980, state prisons admitted approximately 27,000 parole violators; in 2000, those same states admitted approximately 203,000 parole violators, a remarkable seven-fold increase.

This increase in the reach of criminal justice supervision – and particularly the increase in the rate of return to prison for parole revocations – has given rise to a new term in our lexicon, "churning." This term refers to the phenomenon of large numbers of individuals, mostly men, who are caught up in a cycle of arrest, incarceration, and release --then, revocation, incarceration, and release, then perhaps another arrest, incarceration, release and revocation. The process of the criminal justice system is now less linear, and more circular, a true revolving door, exacerbated by high rates of return to prison for parole violations.

In addition to high rates of incarceration and the extended reach of criminal justice supervision, we must acknowledge a third reality in the era of mass incarceration – what I have termed "invisible punishment." This era of robust retributivism has spawned a generation of legislation that closes the doors to reintegration for those who once violated the law. Through federal legislation, we now bar whole categories of ex-offenders from public housing, student loans, public assistance and food stamps. Our Congress has encouraged states to deny ex-offenders driver's licenses, made it difficult for incarcerated mothers to regain their parental rights after release from prison, and required the deportation of criminals who were not born in America. State governments have denied ex-offenders access to whole categories of employment, and required background checks

for hundreds of job titles. In a particularly acute expression of disdain for the ex-offender, about ten states have passed laws denying ex-felons the right to vote for life. Combined with the racial disparities we have already noted, the effect of these laws is that about a quarter of African-American men living in those states cannot vote – for life.

I have taken considerable time this morning painting the picture of the era of mass incarceration because I believe it places a frame on the important work you are doing in promoting fatherhood. The interaction of these three phenomena – record high levels of imprisonment, concentrated in a small number of communities of color, disproportionately involving men – has created a new, unprecedented social reality. Several examples paint a more specific picture of this reality. According to research conducted in East New York, a high incarceration community in Brooklyn, New York, on the blocks experiencing the highest rates of incarceration, one in eight men between the ages of 16 and 44 will be arrested and sent to jail or prison each year. According to a study published in Chicago by the North Lawndale Employment Network, approximately 70 percent of the men in North Lawndale have a criminal record. Clearly, in neighborhoods such as these, growing up male most likely involves one or more experiences in the criminal justice system.

This sobering new social reality has a ripple effect of particular interest to this audience, namely the impact of high rates of male incarceration on the relationships between young men and young women in the communities we have just described. My thinking on this topic has been particularly influenced by the work of Donald Braman, an anthropologist who assessed the impact of mass incarceration on family and community life in Washington, D.C. His research, published in a book entitled "Doing Time on the Outside" (University of Michigan Press, 2004), documents a profound impact on the gender relationships in those communities. The starting point of his analysis is the documentation of a "gender imbalance" – simply put, a shortage of men. This shortage is both a shortage in a quantitative sense – there are fewer men compared to women – and in the qualitative sense – many of the men who are available are less "marketable," to use a crass metric, because of their involvement in the criminal justice system.

Braman's research illustrates the dimensions of the "gender imbalance." According to Braman, half of the women in the nation's capital live in communities with *low* incarceration rates. In those communities, there are about 94 men for every 100 women. For the rest of the women, living in neighborhoods with higher rates of incarceration, the ratio is about 80 men for every 100 women. But, 10 percent of the women in Washington live in neighborhoods with *extremely high* rates of incarceration, where more than 12 percent of the men are behind bars. In these neighborhoods, there are fewer than 62 men for every 100 women.

The implications of this new reality are quite profound. What is the nature of dating relationships in these communities? How will the notion of male and female identity be influenced by the realities of the gender imbalance? How will patterns of family formation be affected? How will the levels of households headed by women change in the years to come? How has the influence of peer networks changed as more men are

involved in the criminal justice system? How will the relationship between women and the workplace change in years to come, assuming that families will become even more dependent on their income in the future? How will the accumulation of family wealth be affected?

This morning, we have yet to discuss the direct relationship between fatherhood and the era of mass incarceration. So you don't think I have misled you, I would like to end these remarks by viewing the phenomenon of incarceration through a fatherhood lens. Let's start with the basic fact that most men in prison – about 55 percent – have children under the age of 18. This means that a total of 1.2 million minor children in American today can say that Dad is in prison. Again, the racial disparities of this reality are profound. Two percent of all minor children – but 7 percent of all minor African-American minor children – have a parent in prison today.

We should expand our frame beyond the basic data, to look at the picture of the extended family. When Dad is arrested and sent to prison, the family network frequently undergoes a significant realignment. Less than half these fathers lived with their children before prison, and in most cases – 85% -- the children will continue to live with their mothers. Grandparents take the child 16% of the time, other relatives six percent, and two percent of the children end up in foster care when Dad goes to prison. When we send a father to prison, we are often imposing new child-rearing obligations on his family.

The prison experience places new burdens on the father-child relationship. Most immediately, there is the issue of prison visits, as families struggle to maintain some semblance of a relationship. Notwithstanding the distance and the barriers, about 40 percent of fathers have weekly contact with their children, which can come in the form of letters, phone calls or prison visits. Although this is impressive, but we must also recognize that 57 percent of all fathers never receive a personal visit from their children while in prison.

Prison also places burdens on the family's finances. There is the issue of lost wages, compounded by the costs of prison visits and sending packages for commissary. The ultimate indignity is the practice in some states of a surcharge for collect phone calls, in essence an extra tax on the families of inmates who pay more than any other American to speak to their loved ones.

From a research perspective, we know very little about the impact of incarceration on childhood development. But we have a strong intuitive sense that these children are leading damaged lives – coping with the stigma, the unknown, the anger, and the confusion that comes when a parent is sent to prison. We do precious little to help them work through these difficult issues. And then, when the prison term is over, and Dad returns home, another new dynamic is unleashed. The return home is often a joyous event, but in other cases the reentry journey brings its own tensions, exacerbating long-standing family issues, and placing new burdens on the family network. It is for these reasons that the Amachi Program that Rev. Goode has spearheaded is so important to this

country – it creates a caring community that will embrace these children and help them navigate the difficult world their parents have made.

As you think about the work of the fatherhood movement, I hope that you will bring your special perspectives to the unique challenges of being the incarcerated father, and the father who has returned home from prison. We have so much to learn about ways to keep children and parents in constructive communication, to use the internet and video conferencing technology to overcome the distance, to help children cope with the loss of their parents, to support a family as it experiences the stresses and strains of imprisonment and reentry. When our legislatures passed the laws that have created the high rates of incarceration, they did not intend to punish the children. You are uniquely positioned to help us ensure that the children are not harmed by our criminal justice policies. We need your creativity and passion.

But more broadly, I hope that you will join the coalition of concerned Americans who are troubled by the state of justice in our country, who think that we cannot sustain the high levels of incarceration, who are concerned that our nation's pursuit of racial justice has been diverted by our belief that the criminal justice system is the answer to many social problems, who worry that our poor urban communities cannot shoulder the burden of hundreds of thousands of men who move in and out of prison each year, who are deeply disturbed by the impact of imprisonment on the next generation of Americans, who harbor a fear that our tolerant democracy is imperiled by a system that puts more than two millions of its citizens behind bars. As you do your important work, please add your voice to this chorus. Our country needs you.

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Let's begin by understanding the magnitude of the phenomenon of incarceration in America today. Here is a simple statistic: since the early 1970's, we have more than quadrupled the rate of incarceration in America. A generation ago, we held about 110 people in prison for every 100,000 inhabitants; today, we incarcerate about 486 people per 100,000. The rise in the prison population has been a constant fact of American life. Every year since 1972, we have added to the nation's prison population. In times of economic expansion, in times of recession; in times of war, in times of peace; when crime rates were going up, when crime rates were going down – every year we have expanded our prison population. We now enjoy the dubious distinction of having the highest rate of incarceration in the world.

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The consequences for these communities – the African-American communities in particular – are profound. Today, as we speak, more than 10 percent of African-American men between the ages of 25 and 29 years old are in prison, compared with 2.4 percent of Hispanic men and 1.2 percent of white men. Assuming no changes in incarceration rates, nearly one in three African-American men – and one in six Hispanic men -- will be sentenced to serve at least a year in prison at some point in their lives.

Much of this disparity can be attributed to the nation's "war on drugs." Between 1980 and 2001, the incarceration rate for most serious crimes – murder, sexual assault, robbery, burglary and assault – rose significantly, but not dramatically, increasing between 66 and 361 percent. Over the same period of time, the incarceration rate for drug offenses grew well over 900 percent. Most of that growth, beginning in the mid-1980s when the crack epidemic exploded upon the streets of urban America, can be traced to the rise in African-Americans imprisoned for drug offenses. Beginning in 1987, the number of blacks admitted to prison for drug offenses skyrocketed, nearly quadrupling in three years, so that by 2000 it had reached a level 26 times the level in 1983. By contrast, over the same period, the number of whites admitted for drug offenses simply doubled, and the number of Hispanics only increased by about half.

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I am reminded of a sobering assessment once made by Dr. Manning Maribel, the prominent scholar of African-American history at Columbia University. He said we have now entered the fourth chapter of the African experience on the American continent. The first chapter was slavery; the second was Jim Crow; the third was residential segregation in the North; the fourth is the era of mass incarceration. Of the four, this fourth chapter may be the hardest to reverse – slavery could be abolished, and was, about 250 years after the first slaves were brought to America, following a wrenching Civil War; Jim Crow persisted for another hundred years, but was defeated in the courts and our legislatures;

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