

Incarcerating Parents of Minor Children: Who Bears the Cost?

Prepared for:
Fourth Annual New Mexico Family Impact Seminar
by
Thomas E. Lengyel
American Humane Association
November 18 & 19, 2008

Caveat!!

All data pertaining to Hawai'i are preliminary and are currently undergoing revision.

Information about Hawai'i divulged in this presentation is embargoed until approved for release by the Consuelo Foundation. None of the Hawai'i results offered here may be distributed or forwarded to anyone without permission of the author and the Consuelo Foundation

Structure of Presentation

- Explanation of conceptual foundations: social cost
- Inventory of the social costs of incarceration
- Examples of costs for parent drug offenders released from Hawai'i and New York prisons during FY 2006

The Concept of Social Cost

Any resource-using activity which reduces aggregate well-being or welfare in a society *or* cost from a society-wide perspective

Contextual or downstream costs of a course of action (“burdens on society”)

Destroyed resources

Additional needs generated by an action

Foregone benefits to society that would have been experienced had the action not taken place

The costs of incarceration fall on three parties:

- The community (including the state)
- The family
- The offender

Components of the Cost-benefit Analysis of Incarceration

- Elements of social cost
- Elements of social benefit
- Cost-benefit profiles of different types of inmates
- Examples of estimated costs and benefits*

Inventory of Social Costs of Incarceration (1)

Direct social costs

- Criminal Justice System costs (arrest to sentencing)
- Pre-trial detention
- Costs of legal defense (public and private)
- Average cost of prison bed (including capital costs)
- Reduced child care by inmate (e.g., day care costs)
- Foster care for children placed due to incarceration
- Training of probation/parole agents & others

Inventory of Social Costs of Incarceration (2)

Family support of inmate (\$ support, visits, calls)
Lost wages (productivity) of inmate
Lost fringe benefits on wages
Lost taxes on wages
Lost household productivity
Pain and suffering of prisoners & their families
(quality of life costs)
Post-release supervision (parole)

Inventory of Social Costs of Incarceration (3)

- Post-release decline in wages (lost future earnings)
- Lost fringes on lost future earnings
- Lost taxes on lost future earnings
- Depleted neighborhood economic strength and quality of life
- Adverse effects on children
 - Probable but not yet proven conclusively
- Additional social, health, educational services, & child care for dependents

Types of Social Benefits of Incarceration (1)

Deterrence

Commission of a crime is averted because the potential perpetrator fears the consequences

Effect is largest with property crimes that have low social costs

Effect is currently hotly debated

Incapacitation (measured as averted crime)

Commission of a crime is averted because the potential perpetrator is unable to commit crime

Benefit is greatest with violent crimes

Retribution

Hard to value (but possible)

Inventory of Social Benefits of Incarceration (2)

- Reduced cost of insurance
- Increased value of property
- Increased economic activity
- Lowered cost of personal security
- Suppression of negative behavior
- Removal of harmful influence from the home
- Removal of harmful role model in neighborhood
- Improvements in offender health & human capital

Social Benefit of Incapacitation: Averted Crime (1)

Benefits of Incapacitation

- Non-crime related reduction of prison population results in 14.7 additional index crimes (Levitt)
 - Estimates converge for “the average offender”
 - But, different types of offenders may have different profiles
- Cost of various index crimes calculable
 - Some controversy re: costs of crime
- Net savings for adding one median HI drug felon is \$251,398 in reduced index crime over the average length of stay (39.03 mos.)
 - Currently being recalibrated based on arrest histories

Social Benefit of Incapacitation: Averted Crime (2)

- Most costly crimes are murder, rape, aggravated assault, and robbery
 - In HI accounts for about \$214,636 of the benefit (85%)
- Least costly crimes are burglary, auto theft, larceny, crimes of public order, drug crimes
 - Each of these crimes costs on average \$949 per crime in economic and quality of life costs

**Cost-Benefit Analysis:
Scale of Offenses**

Offense scale

Offenses can be arranged on a scale by the social benefit from their avoidance

Murder > Assault > Burglary > Drug use

More benefit < > Less Benefit

**Cost-Benefit Analysis:
Scale of Offenders**

Offender Scale

Other things equal, offenders can be arranged on a scale by the net social cost of their incarceration

Women with
multiple
minor children

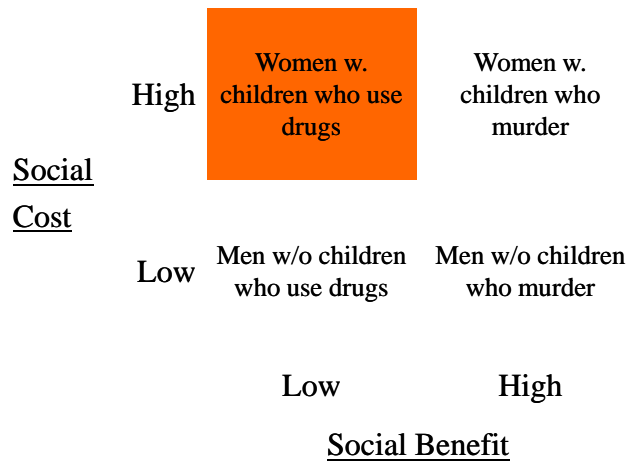
Men with
multiple
children

Men without
children

More cost <

> Less cost

Gender and Children: Prison as an Economic Space



Unestimated Costs: Drug Offenders

- Efforts to avoid prison
- Training of parole agents & other professionals
- Specialty services (in prison)
- Administration of welfare
- Family support of inmate (including housing)
- Depleted neighborhood quality of life
- Additional social services used
- Adverse effects on children

Unestimated Benefits: Drug Offenders

- Value of retribution
- Reduced insurance cost
- Increased property values
- Lowered cost of security
- Reduced negative behavior
- Removal of harmful influence
- Removal of harmful role model
- Increased health
- Increased human capital

Who Bears the Cost?

Family Costs

- Child care
- Support of inmate during prison
- Post-release housing
- Lost household productivity
- Pain & suffering – children
- Pain & suffering – partner
- Long term effects – children
- Long term effects – partner

Inmate costs

- Legal defense
- Efforts to avoid prison
- Lost productivity
- Lost fringe benefits
- Post-release decline in wages
- Pain & suffering

Major costs are underlined.

Cost-Benefit Results: Hawai'i and New York

| | | | | |
|--|-------------|-----------|--|--|
| | \$168,570 | \$350,505 | | |
| | \$183,994 | \$263,645 | | |
| | \$251,398 | \$0 | | |
| | \$312,801 | \$0 | | |
| | (\$82,828) | \$350,505 | | |
| | (\$128,807) | \$263,645 | | |
| | 0.67 | -- | | |
| | | | | |

Conclusions

1. The “external” cost of prison and the criminal justice system are the “tip of the iceberg”
2. Incarceration spreads costs across a wide range of actors and institutions
3. The family of the offender and the offender bear very heavy costs that persist over time
4. Alternatives to prison would likely be cost-effective for all but the most violent offenders
5. Further work is required to complete the profile of both costs and benefits.

Acknowledgements

- Geri Marullo, CEO, Consuelo Foundation, HI
- Prof. Marilyn Brown, University of Hawai'i-Hilo
- Roger Pryzbylski, Consultant, Denver, CO