

Criminal Justice Contact and Inequality



KRISTIN TURNEY AND SARA WAKEFIELD

The American incarceration rate, though recently stabilized, increased rapidly over the past half century. Today, compared with the 1970s, more than five times as many people spend time in prison annually (National Research Council 2014; Wakefield and Uggen 2010). The historically unprecedented incarceration rates have wide-ranging consequences for the well-being of individuals, families, and communities. The confinement associated with incarceration disrupts employment and, on release, formerly incarcerated individuals face challenges to finding stable employment (Pager 2003; Western 2006). Incarceration also impairs relationships with parents and romantic partners (Comfort 2007), increases physical and mental health problems (Massoglia and Pridemore 2015), and reduces civic participation (Manza and Uggen 2006). Furthermore, perhaps unsurprisingly given the severe and often compounding difficulties encountered by individuals and their families during and after confinement, incarceration has intergenerational consequences. Children of incarcer-

ated parents experience impairments in their educational, behavioral, and health outcomes (Foster and Hagan 2015; Murray, Farrington, and Sekol 2012).

Although incarceration is consequential for millions of individuals and families in the United States, and accordingly has been the focus of much social science investigation, incarceration is only one component of a much larger criminal justice system. Even in an era of mass incarceration, with historically and comparatively novel incarceration rates, incarceration is a relatively rare experience. Many more individuals engage with an increasingly repressive criminal justice system—through arrests, misdemeanor convictions, or the accumulation of fines and fees, for example—without spending time behind bars in jails or prisons. Relatedly, incarceration is usually a late stop along a much longer path of criminal justice contact. Moreover, the focus on incarceration obscures a broader landscape of carceral contact, institutional spillover, and vicarious experiences with the criminal justice

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system. For example, many individuals are affected by the criminal justice system vicariously via surveillance in their communities, the criminal justice contacts of kith and kin, or the importation of criminal justice logic and practice to noncarceral organizations and bureaucracies (such as schools). The wide-ranging scope of the criminal justice system, with its concentration among people of color and the poor and its insidious consequences across the life course, has implications for creating, maintaining, and exacerbating inequalities in the United States.

This volume focuses on how criminal justice contact, broadly defined, structures inequality in the United States. In the pages that follow, we introduce a series of new studies that examine a range of criminal justice stages and associated institutions and all reflect on the meaning of their results for social inequality. The essays included in this volume use a mix of methods to explore, describe, and explain inequality that flows from criminal justice contact. They leverage old and new data sources, always to innovative ends, and cover topics including predatory bail systems, pre-trial detention, child welfare, and system legitimacy. All of them break new ground—some by returning to basic and critical questions and others by shifting our gaze to new inquiries—and provide an expanded foundation for thinking broadly about criminal justice contact and inequality.

CRIME, PUNISHMENT, AND THE CARCERAL STATE

Research on the criminal justice system, much like the criminal justice system itself, has grown substantially in recent years, encompassing a diverse set of disciplines and an ever-growing set of outcomes of interest. In just our home disciplines, sociology and criminology, a new student of the criminal justice system will find an astonishing number of pieces in the annual reviews devoted to summarizing research and developing a research agenda on the criminal justice system (see, for example, Beckett 2018; Comfort 2007; Foster and Hagan 2015; Kirk and Wakefield 2018; Kreager and Kruttschnitt 2018; Martin et al. 2018; Massoglia and Pridemore 2015; Morenoff and Harding

2014; Phelps 2016; Wakefield and Uggen 2010; Wildeman and Muller 2012; Wildeman, Fitzpatrick, and Goldman 2018). The criminal justice system is also a core interest for developmental psychologists, economists, public health scholars, socio-legal scholars, and policy analysts, among others, who bring a diverse set of interests and expertise to the questions raised in this volume (see, for example, Agan and Starr 2016; Arditti 2012; Doleac and Hansen 2016; Gottschalk 2014; Lynch 2016; Raphael and Stoll 2009; Simon 2007).

Although we cannot do justice to the diversity of arguments detailed in the works just cited, we first wish to orient readers to three insights generated from the research focused on the prison boom in the United States. Parts of these insights are well known but not well accounted for in current research. Others represent new ways of conceiving of the criminal justice system and its role in structuring inequality in the United States. First, the relationship between crime and changes in punishment and criminal justice practice is neither simple nor direct. Such relationships present a substantial challenge for researchers, but a focus on one or the other often obscures the ways crime and punishment work in concert to produce durable inequalities. Second, diversity in criminal justice experiences and stage-by-outcome interactions represent a new and important area of research for inequality outcomes. A wealth of research links differential criminal justice processing outcomes to later recidivism (Green and Winik 2010; Listwan et al. 2013; Manski and Nagin 1998; Mears, Cochran, and Cullen 2015). Research on other outcomes is disproportionately focused on adult incarceration in state prisons, but many fewer studies focus on earlier stage contacts (but see Augustyn and Loughran 2017; Grogger 1995; Lerman and Weaver 2014). Third, the focus on core criminal justice agencies (police, courts, or corrections) and inequality has more recently given way to much broader investigations of the institutional and administrative linkages between the criminal justice system and other systems, agencies, and institutions. All of these insights, on which we elaborate, form the foundation for the pieces brought together by this volume.

Crime and the Criminal Justice System

The relationship between the criminal justice system and crime provides the backdrop to much research in this volume. Yet changes in the scope and contours of crime in the United States are less directly responsible for the growth in the criminal justice system than a host of other political, legal, demographic, and social factors (Alexander 2010; Beckett 1997; Forman 2017; Lynch 2016; National Research Council 2014; Pfaff 2017; Simon 2007; Wakefield and Uggen 2010). Crime levels today are not the primary explanation for continuing high rates of criminal punishment in the United States; and the payoff to high incarceration rates for crime, beyond a certain threshold, is not large (Durlauf and Nagin 2011; Johnson and Raphael 2012).

That said, the size of the population involved in the criminal justice system ought to be, at least theoretically, related to the number of people involved in crime (Weaver, Papachristos, and Zanger-Tishler 2019). However, the National Academy of Sciences report on high incarceration rates in the United States presents an extensive review of the relationship between crime and incarceration, concluding that “the link between crime and the growth of the penal population is neither immediate nor direct” (National Research Council 2014, 45). An accompanying decomposition analysis attributes the growth in the incarcerated population specifically not to crime per se, but to shifts in the likelihood of prison admission on conviction and to the increases in time served once incarcerated.¹ In the aggregate, the volume of crime is lower today than at any point since the 1990s and yet rates of criminal punishment remain very high. The United States experienced large growth in the volume of crime from the 1960s through the 1980s, peaking in the early 1990s and then dropping precipitously thereafter. The peak differs slightly for violent crime relative to property crime but the two follow roughly the same trend. Drug

arrests followed a rather different trend, peaking later, and are especially unconnected to rates of drug use in the population (Baumer, Velez, and Rosenfeld 2018; Lauritsen and Rezey 2018).

Although high rates of criminal punishment are not a direct or natural response to crime and victimization, the politicized race- and class-structured fear of crime and victimization certainly contributes to high rates of punishment. Such processes are important for understanding both inequality and criminal justice contact. Much as national-level incarceration rates mask significant variation between states and localities, aggregate crime rates mask large variation in exposure to crime and to the agents of the criminal justice system deployed to control it. Crime rates across cities became more heterogeneous in the 2000s (Baumer, Velez, and Rosenfeld 2018). Also, much as a particularly heinous crime can have an outsized influence on sentencing policy or public opinion related to punishment, temporary crime spikes in a small number of cities can change perceptions of the rate of crime in all places (on heinous crime, Enns 2016; Zimring, Hawkins, and Kamin 2003; on crime spikes, Gramlich 2016). Thus even in a period of historically low crime rates, some communities will be subject to high rates of surveillance, exposure to violence, and criminal justice contact, and a few places or events can potentially drive punitive criminal justice policies over the entire population (Geller and Fagan 2019; Kirk 2019; Sharkey 2018).

Exposure to crime and criminal involvement patterns present a number of challenges for analyzing the relationship between criminal justice contact and inequality. At the individual level, it is simply not plausible to ignore criminal involvement in the estimation of the effects of criminal justice contact. We wholeheartedly support work that pays more attention to the processes that produce criminal justice populations. The volume includes sev-

1. It is beyond the scope of this essay to engage all of the arguments for the growth in the incarcerated population, but we note that the explanations are complex and hotly contested (Alexander 2010; Beckett 2018; Pfaff 2017). It is sufficient for our purpose here to simply note that few scholars of mass incarceration view crime levels as the main, direct, or exclusive driver of current high and racially disparate rates of criminal punishment in the United States.

eral articles reporting on innovative and rigorous attempts to isolate unexplored forms and consequences of criminal justice contact, for example. We suggest also that treating criminal involvement as simply a selection problem to be overcome may introduce other problems for inequality scholars. Such a view ignores that exposure to violence, state-sponsored surveillance, and criminal punishment are core features of concentrated disadvantage in American life. Simply “netting out criminal involvement” makes somewhat less sense when violence, punishment, and surveillance are viewed holistically with respect to inequality and disadvantage. The articles in this volume tackle the selection problems associated with crime in innovative ways but many fold crime, surveillance, and exposure to violence in more concrete ways, using crime and punishment together to produce new ideas about the growth, scope, and contours of inequality in the United States.

Punishment

Similar complexities arise when trying to distinguish the effects of different types of criminal justice contact for attainment and inequality. As we demonstrate in more detail shortly, many people are stopped by police and never arrested, arrested but not charged, charged but not convicted, and convicted but not sentenced to prison (University at Albany 2018). The criminal justice system, often conceptualized as a (leaky) funnel, processes large numbers of people, and a host of factors—including crime seriousness, quality of evidence, bureaucratic priorities, criminal history, and demographic characteristics—determine who proceeds from one stage of the system to the next. Such a process presents a substantial selection problem for researchers, and includes multiple decision points that account for the end-stage observation that a single individual becomes incarcerated, for example.

As a basic matter, many types of criminal justice contact are simply not well measured in available surveys, and administrative criminal history information is notoriously difficult to link to other sources (Kirk and Wakefield 2018). Information on long-term incarceration,

a discrete and easily recalled event, is easier to measure relative to numerous transitory contacts with police officers or frequent short stints in jails. Partially as a result of data availability, criminal justice contact in the form of incarceration thus represents the most commonly studied exposure, but as the essays in this volume amply demonstrate, incarceration represents a very late stage of contact. Such a focus on incarceration misses substantial contacts within the core of the criminal justice system that do not involve easily measured forms of incarceration.

By making this point, we do not suggest that incarceration is unimportant. Prison incarceration rates in the United States are nearly five times as high today as they were in 1970, growing from a stable 105 per 100,000 from 1925 to 1976 to a peak of 506 per 100,000 in 2007 (Kirk and Wakefield 2018). Incarceration is arguably the most intrusive and repressive form of criminal justice system exposure. Beyond incarceration in state and federal prisons, almost eleven million people passed through a local jail in 2015 alone (Minton and Zeng 2016). Relatedly, pretrial detention, largely a result of the inability to make bail at the state level and immigration-related detentions at the federal level, has increased alongside the more commonly recognized rise in sentenced incarceration (Cohen 2013; Dobbie, Goldin, and Yang 2018). Less commonly known is that most people in local jails have been convicted of no crime; of the roughly 646,000 people in local jails on any given day in 2016, about 451,000 (70 percent) had not been convicted of anything (Wagner and Rabuy 2016; see also Minton and Zeng 2015).

It is also well known that exposure to incarceration is not equally distributed across demographic and socioeconomic groups in the population. Instead, incarceration is concentrated among men, people of color, and those with low educational attainment (Pettit and Western 2004). Demographic estimates show that 20 percent of black men, versus 3 percent of white men, can expect to experience imprisonment by their mid-thirties. Among black men who did not complete high school, nearly 65 percent can expect to be imprisoned by their

mid-thirties (Pettit and Western 2004). Similarly, pretrial detention, largely because of an inability to pay bail, is quite clearly related to poverty status.

Although the rise and unequal distribution of incarceration is well known and critically important for understanding inequality, the prevalence and correlates of other types of criminal justice contact are less well understood. Such contacts may be short in duration but long-lasting in their consequences. Consider first a (potential) precursor to incarceration such as being stopped by the police. In 2011, about one-quarter of the U.S. population had contact with the police; of these, half were involuntary or otherwise police-initiated interactions (Langton and Durose 2016). Like incarceration, such stops are concentrated primarily on those in a very small number of places, typically populated by poor residents and residents of color. Small surveys of residents in heavily patrolled, high-crime neighborhoods in New York City routinely yield reports of youth who are stopped multiple times over the course of very short periods (Fratello, Rengifo, and Trone 2013; Geller and Fagan 2019; Lambson 2014).

Consider another (potential) precursor to incarceration such as arrest. More than twelve million individuals are arrested annually (Federal Bureau of Investigation 2013). Recent research from the 1997 National Longitudinal Study of Youth (NLSY), a nationally representative panel data set of individuals who have been followed annually since 1997, finds that between 30 percent and 41 percent of individuals have been arrested by age twenty-three (Brame et al. 2011). Like incarceration, the prevalence of arrest varies by gender and race-ethnicity. For example, 38 percent of non-Hispanic white males, versus 20 percent of non-Hispanic white females, are arrested by age twenty-three. Further, racial-ethnic disparities in arrest exist among males, but not among females, with 44 percent of Hispanic males and 49 percent of non-Hispanic black males being arrested by age twenty-three (Brame et al. 2014).

Finally, community supervision—most commonly in the form of probation (supervision with a threat of incarceration if conditions are not met) or parole (supervision following a

term of incarceration, with a threat of reincarceration if conditions are not met)—is an understudied form of criminal justice contact with respect to inequality. In 2016, almost seven million people (about one in thirty-seven) were under some form of correctional supervision. The population subject to correctional supervision via probation and parole is more than double the number incarcerated, although probationers and parolees face the constant threat of incarceration and reincarceration (Kaeble 2018). Community supervision may be independently consequential for health and well-being and, ultimately, contribute to inequalities in these outcomes (Phelps 2017). For example, the constant monitoring that comes along with such supervision may be a chronic stressor that increases feelings of depression and anxiety (Pearlin 1989). It may also alter family relationships, by making family members responsible for providing those on supervision a place to stay or by putting family members into contact with law enforcement officials such as probation officers (Goffman 2009).

A primary goal for this volume was to encourage the submission of essays that examine the importance of incarceration for inequality in new, rigorous, and innovative ways but also to include works that move beyond (or before) it. Several articles examine other forms of criminal justice contact beyond incarceration in state or federal prisons (such as policing or incarceration via pretrial detention) or present innovative examinations of incarceration's effect on social inequality. These essays are a mere sampling of the many recent studies along these lines (Dobbie, Goldin, and Yang 2018; Patler and Branich 2017; Sugie and Turney 2017; Uggen et al. 2014). As such, they contribute to a broader conversation about all forms of criminal justice contact and their implications for social inequality.

The Carceral State and the Nature of Spillover

The rapid and unequal rise in criminal justice contact is a source of considerable research attention. As noted, much early research focused on incarceration experiences. Yet other forms of criminal justice exposure and the spillover

of carceral logics and practices highlight a number of missed opportunities for researchers to understand the full implications of the criminal justice system for inequality. For example, exposure to regular interactions with police has the power to shape social life and culture, even when it does not result in further criminal justice processing in the form of citation, tickets, or arrest. Forrest Stuart describes the adaptations of Skid Row residents who navigate heavily policed areas using “cop-wisdom” to predict and ideally reduce unwanted attention from police (2016). Related work examines adaptations among Chicago youth hoping to avoid interactions with police while on the street (Stuart and Benezra 2017). Police contact is also increasingly common in American public schools, which has core implications for inequality in educational settings (Haskins 2014; Shedd 2015). Adolescents, especially those in large urban areas, are routinely exposed to security personnel and law enforcement while in school; more than half of all public middle and high school students attend schools with law enforcement, and this percentage rises inversely with the proportion of students who are nonwhite (Gray and Lewis 2015). As Amanda Geller and Jeffrey Fagan explain later in this volume, such experiences contribute to legal cynicism and “risks weakening teens’ deference to law and legal authorities” (2019).

Much of the early work on mass incarceration or collateral consequences narrowly focused on incarceration or attainment outcomes, such as employment or educational attainment. Such work is important, laying a foundation for later research that expanded to other forms of criminal justice contact and made transparent the often unexamined linkages between the criminal justice system and other forms of state intervention (such as schooling or child welfare). What has become clear from this body of research as it has broadened, however, is that clearly demarcating where the criminal justice system starts and ends is increasingly difficult.

A parallel line of research and theory takes as given that the boundaries of the criminal justice system expand well beyond the core agencies typically associated with it. As one salient example, Katherine Beckett and Naomi

Murakawa eschew the narrow confines of core agencies within the criminal justice system, noting that criminal justice agencies “represent only the most visible tentacles of penal power,” in favor of a “shadow carceral state” (2012, 222). The carceral state, as opposed to the criminal justice system, more adequately captures the “legally hybrid and institutionally variegated” nature of criminal punishment in the United States and not only allows examination of conventional forms of carceral spillover but also expands the lens to a much larger swath of entanglements and institutional links (Beckett and Murakawa 2012, 222; Gottschalk 2014; L. Haney 2018; Lara-Millan and Gonzalez Van Cleve 2016; Miller 2014; Miller and Stuart 2017; Reiter and Coutin 2017; Zedner 2016).

The works in this volume recognize that significant engagement with the criminal justice system may occur in the absence of confinement in a jail or prison. Such contact may come in the form of lengthy surveillance in the community, as in mass probation (Phelps 2013). It may describe the spillover of criminal justice contact to the families of the incarcerated (Comfort 2007). It may describe the importation of criminal justice logics and culture (Stuart and Miller 2016) to the creation of prison-like settings, as many describe secondary schools today (Hirschfield 2018). It may also describe surveillance in adjoining systems, such as child welfare (Edwards 2016; L. Haney 2018) or the bail industry (Page, Piehowski, and Soss 2019). These additional and vicarious engagements represent still other settings that form a larger carceral state that builds from and grows beyond the criminal justice agency core (Beckett and Murakawa 2012; Beckett 2018; Gottschalk 2014; L. Haney 2018; Hernandez, Muhammad, and Thompson 2015; Lageson and Maruna 2017).

Research along these lines contributes to a welcome move in the literature to expand the scope of inquiry. It highlights the unwieldy nature of the criminal justice system, especially in the current era. It outlines the many challenges ahead for researchers as well as champions of criminal justice reform (see, for example, Beckett 2018). It remains to be seen whether, how, and to what extent hidden tentacle-like forms of carceral state engage-

ments contribute to social inequality in the aggregate, but such a project focuses on experiences that are too often defined (or missed) as something other than criminal justice contact.

OPPORTUNITIES FOR RESEARCH ON CRIMINAL JUSTICE CONTACT AND INEQUALITY

We view criminal justice contact as fitting into one of three (sometimes overlapping) categories: transitory (sometimes sporadic but often-times recurring) contacts with criminal justice agents (which include police stops, arrests, and tickets and fines); sustained contacts with criminal justice agents (which include felony conviction, pretrial detention, and correctional supervision); and spillover consequences of the criminal justice system (such as in schools or child welfare agencies). We suggest that these three types of contact can both create and exacerbate inequality. Importantly, many of the contacts we describe (and are explored further in the essays in this volume) do not include (or end with) incarceration yet have important implications for social inequality arising from the criminal justice system.

In departing somewhat from the usual demarcation between carceral and noncarceral criminal justice experiences, we suggest that the duration of direct contact with the criminal justice system is less tightly linked to harm than might be expected. When long terms of incarceration are the reference point, everything else has a tendency to seem trivial or like a one-shot experience. Yet even within carceral environments, duration is often not the most important predictor of harms imposed. As an extreme example, very short terms of solitary confinement may be much more detrimental to mental health and well-being relative to lengthier terms of confinement under better conditions (C. Haney 2018). One of the recent innovations of the literature is to focus more squarely on other forms of criminal justice contact beyond, before, or in place of incarceration. Some of these forms mirror the sustained engagement with criminal justice agencies that characterizes imprisonment; others are wholly different, characterized by short (and often repeated) contact with criminal justice system actors. Such events are as consequential—and

for some outcomes, more so—as a term served in a correctional facility.

Consequences of Transitory Forms of Criminal Justice Contact

Social scientists tend to conceive of criminal justice contact as a path, as we have done here thus far, beginning with arrest and ending with incarceration. This makes good sense for distinguishing initial contacts from experiences in the deep end of the system but obscures several forms of contact that result in consequential life changes and are central to understanding the creation and maintenance of inequality. For example, consider the tragic case of Philando Castile. Mr. Castile was shot and killed by a police officer within moments of being pulled over in St. Anthony, Minnesota. Mr. Castile had no serious criminal record, no felony convictions or incarceration experience, but had been pulled over by police almost fifty times, mostly for minor traffic violations, and amassed significant legal debt related to tickets and fines (LaFraniere and Smith 2016; see also Harris 2016). One uneventful police stop or citation on its own might be considered inconsequential. Some might also be tempted to consider even many police stops less consequential if they never lead to deeper contact within the system. But how many is too many and what are the consequences for inequality? Such transitory contacts accumulate over time, structuring the lives of those who, like Philando Castile, interacted with police officers every few months. Engagement like this, occurring more and more often with agents of today's criminal justice system, shares much with any more general conception of cumulative disadvantage (DiPrete and Eirich 2006) as well as with a burgeoning literature on the health consequences of a lifetime of experiences with racial discrimination (Phelan and Link 2015; Williams, Neighbors, and Jackson 2003).

Recall that more than 25 percent of the population reports police contact in a single year, but that some groups within the population are regularly subject to police interaction, questioning, and surveillance. Evidence is accumulating that this form of criminal justice contact has implications for physical and mental health. For example, a telephone survey of New

York City men ages eighteen to twenty-six, in which 46 percent reported being stopped by the police in the past year, finds that police stops are positively associated with trauma and anxiety. This study also finds that perceptions of intrusiveness are positively associated with trauma and anxiety (Geller et al. 2014). Other research based in New York City—combining data from the New York City Community Health Survey (NYC-CHS) and the 2009–2012 NYC Stop, Question, and Frisk (NYC-SQF) dataset—finds that living in a neighborhood with higher levels of invasive police stops is associated with poor health outcomes including fair or poor health, diabetes, asthma, and being overweight or obese (Sewell and Jefferson 2016). Other research using these data finds that neighborhood-level frisk and use of force proportions, but not neighborhood-level stop rates, are associated with higher psychological distress among men (Sewell, Jefferson, and Lee 2016).

Consider also how many police stops can lead to substantial legal debt through the accumulations that may arise from several small tickets or fines. Police stops, tickets, and arrests for minor crimes can all occur independent of incarceration (or prior to incarceration), and there is some research suggesting that these types of criminal justice contact can have deleterious consequences for individuals. For example, one ethnographic study documents both the prevalence and consequences of misdemeanor arrests. It shows that misdemeanor arrests are much more common than the more commonly studied felony arrests. It also shows that, despite the fact that these arrests are commonly dismissed, they have wide-ranging consequences for individual lives. These arrests are a system of marking, which creates a formal sanction on a person's record, denigrates a person's social status, and facilitates bureaucratic and procedural hassles (Kohler-Hausmann 2013).

The important point here is that the accumulation of low-level or very brief criminal justice contact can be consequential for an individual's daily life as well as aggregate-level inequality. Criminal justice contact prior to—or independent of—incarceration can be consequential for a variety of outcomes. Here we of-

fer examples for two domains of outcomes where research is especially strong: health and employment. With respect to health, recent research using data from the NLSY97 finds that changes in arrests, independent of other types of criminal justice contact such as conviction or incarceration, are independently associated with changes in mental health (Sugie and Turney 2017). Such research suggests that, for some, minor contacts with the criminal justice system are neither transitory nor inconsequential.

With respect to employment, there is evidence that both arrests and convictions can be consequential for outcomes. For example, Devah Pager's experiment shows that individuals with a felony conviction, relative to their matched counterparts without a felony conviction, are less likely to receive a callback for a job (2003). She finds that race intersects with felony conviction; blacks without a felony conviction are less likely to receive a callback than whites with a felony conviction (Pager 2003; but see Agan and Starr 2016). The effects of criminal justice contact on employment outcomes are not limited to those stemming from felony conviction, however. A recent experiment documents that individuals reporting a disorderly conduct arrest on a job application receive fewer callbacks compared to those not reporting an arrest, suggesting that employers perceive arrests as stigmatized credentials (Uggen et al. 2014; also see Grogger 1995; Wiesner, Capaldi, and Kim 2010).

Consequences of Sustained Forms of Criminal Justice Contact

Despite a large and growing literature linking incarceration and inequality, with few exceptions, little is known about how variation in the experience of incarceration structures resulting outcomes or inequalities. For example, how is a long prison sentence differentially associated with outcomes compared to a series of short jail stints? What are the long-term consequences of incarceration if that experience occurs in a prison unit with high rates of violence?

Research has begun to explore how a long imprisonment term may differ from a series of short jail terms, for example, or how confine-

ment experiences differ according to security levels, such as federal, state, local, public, or private facilities (Andersen 2016; Bushway 1998; Gaes and Camp 2009; Kling 2006; Loughran et al. 2009; Mueller-Smith 2015; Wildeman, Turney, and Yi 2016; Yi, Turney, and Wildeman 2017). Facilities and even units within facilities may differ with respect to the availability of programs (Phelps 2011). They may also differ in regard to the level of disorder, violence, and misconduct (Listwan et al. 2013; Skarbeck 2014). Individuals within the same prison, or within the same unit, may also have vastly different experiences based on their level of connection to outside friends and family (Cochran and Mears 2013), their exposure to solitary confinement (C. Haney 2018; Reiter 2016; Smith 2006), their connections to other inmates (Haynie et al. 2018), and the prevailing inmate culture (Crewe 2009; Kreager and Kruttschnitt 2018; Skarbeck 2014; Sykes 2007). Most important for this volume is that despite a relatively large literature examining such incarceration experiences for later recidivism, almost none of this research explores the broader set of outcomes that are often the focus of the collateral consequences and inequality literature.

Incarceration may also occur in the absence of or prior to conviction in the form of pretrial detention. In addition to the employment consequences of arrest and conviction, there is evidence that pretrial detention is negatively associated with formal sector employment, employment benefits, and tax-related government benefits (Dobbie, Goldin, and Yang 2018). This research, which draws on quasi-experimental data of randomly assigned judges, also shows that pretrial detention is positively associated with conviction, which may be one mechanism through which pretrial detention is linked to employment outcomes. Similarly, Naomi Sugie and Kristin Turney disaggregate two types of incarceration—pretrial incarceration and incarceration with conviction (2017). They find that the association between incarceration and mental health is concentrated among those awaiting trial, suggesting that it is especially important to consider the consequences of jail incarceration in addition to the more commonly considered prison incarceration.

Beyond incarceration, sustained community

surveillance in the form of probation and parole is more common than detention in prisons or jails. In 2016, about 4.5 million people were supervised in the community via probation or parole, relative to 2.1 million people incarcerated (Kaeble 2018). The population on probation and parole has grown at a rate greater than the incarcerated population and represents another form of criminal justice reach that is likely to have consequences for life outcomes and inequality (Petersilia 2003). Yet, as is true of incarceration, few studies link varying forms of probation and parole to inequality outcomes, and probation populations often simply stand in as a convenient referent group for the incarcerated population. Those on probation or parole are vulnerable to experiencing parole sanctions or to punishment resulting from a violation of the terms of their parole, such as failing to report to a parole officer or being suspected of using alcohol or drugs. These parole sanctions, like the criminal justice system more broadly, have the potential to further marginalize poor and minority populations (Alexander 2010).

Research shows that surveillance may be consequential for the individuals being surveilled. For example, recent research using a sample of individuals released from prison in Michigan finds that nearly two-thirds experienced a jail custodial sanction and nearly half experienced a custodial sanction other than jail while on parole in the six years following release from prison. This research also finds that these parole sanctions are associated with a 37 percent decrease in income in the quarter following their sanction, suggesting that this form of back-end net widening has implications for labor market inequality (Harding, Siegel, and Morenoff 2017). Other research shows that surveillance may be consequential for those connected to the surveilled. Alice Goffman's ethnographic account documents how police officers interact with family members—particularly mothers and romantic partners—of men “on the run,” for example, by threatening a child welfare investigation if they do not cooperate (2009).

Finally, as is true in regard to the accumulation of fines and fees associated with transitory contacts with police, opportunities are ample

for research on legal debt that accompanies incarceration and community supervision. The majority of individuals who experience conviction or incarceration experience monetary sanctions in the form of fines, fees, and other legal debt (Harris, Evans, and Beckett 2010). As is true of fines and fees that flow from transitory criminal justice contact, debt associated with incarceration can have wide-ranging and long-term implications for individuals; these financial consequences may impair one's ability to accumulate assets or wealth; they may facilitate future criminal involvement, perpetuating a cycle of inequality; and they may impair fathers' abilities to pay child support (Harris, Evans, and Beckett 2010; Holzer, Raphael, and Stoll 2004; Piquero and Jennings 2017). Given that child support arrears are associated with decreased father involvement with children, these debts may also have important implications for children's relationships with their parents and their well-being (L. Haney 2018; Turner and Waller 2017).

Spillover Consequences of Criminal Justice Contact

Finally, particularly in an era of increasing surveillance, the influence of the criminal justice system is not limited to those who have direct contact with it nor is it confined to spheres clearly related to criminal justice. Other institutions—such as schools and child welfare agencies—intersect with the criminal justice system in identifiable ways that are consequential for outcomes over the life course. In other cases, criminal justice experiences spill over into institutional and social engagements in ways that often seem surprising or complex.

The intersection between the criminal justice system and other systems may be easily identified or largely unexplored. The reach of criminal justice culture is clearly evident in the public school system, as police officers are increasingly likely to be found in schools across the country (Hirschfield 2008; Kupchik 2010). Existing literature evaluating the presence of police officers (or school resource officers) is complicated by large issues of selection and endogeneity, but the evidence does not suggest that more prison-like conditions in schools are a boon for adolescent well-being. A host of

studies find that, unsurprisingly, the introduction of police officers in schools has the effect of criminalizing adolescence (Hirschfield 2018; Na and Gottfredson 2013). It also has clear implications for racial inequalities in school discipline (Kupchik 2010; Payne and Welch 2010; Rocque and Paternoster 2011; Shedd 2015; Welch and Payne 2010).

The criminal justice system also intersects with the child welfare system in readily measurable ways. For example, children placed in foster care are more likely than their counterparts to have experienced parental incarceration (Andersen and Wildeman 2016; Turney and Wildeman 2017). Child welfare investigations, which precede foster care placement, are often initiated by police (Edwards 2019). Understanding these interrelations and their implications for inequality are an important yet understudied phenomenon (Yi and Wildeman 2018). Children placed in foster care experience educational and health inequalities throughout the life course, especially when they transition to adulthood (Brown, Courtney, and McMillen 2015). These individuals also have a high probability of getting ensnared in the criminal justice system themselves (Lee, Courtney, and Tajima 2014).

Those with criminal records tend to avoid formal institutional engagements of all sorts (Brayne 2014; Goffman 2009) but the full range of the consequences of system avoidance remains unclear. More informally, criminal records reduce participation in social life in less obvious ways, including avoidance of mundane parenting activities (Lageson 2016) and influencing treatment received in emergency rooms (Lara-Millan 2014).

VOLUME OVERVIEW

As detailed, existing research documents the expansive scope of criminal justice contact, the intersections between various types of criminal justice contact, and the consequences of criminal justice contact for inequality across domains such as employment, health, and family life. The articles in this volume, building on this research, all highlight the myriad ways that criminal justice contact can structure inequality in the United States. The articles fit into three broad categories: surveillance, unex-

plored forms of punishment, and consequences of criminal justice contact. We review these articles, highlighting their contributions and synergies and detailing how they move forward scholarship on criminal justice contact and inequality.

Surveillance

Four articles in the volume focus on surveillance, an aspect of the criminal justice system that has received less attention than many other types of criminal justice contact. These articles, all of which employ original data collection or creatively use existing data sources, independently contribute to our knowledge of how criminal justice surveillance can shape outcomes across the life course and how such surveillance can structure inequality. Together, they provide a solid foundation for future investigations of causes, consequences, and processes associated with surveillance.

Amanda Geller and Jeffrey Fagan use newly available data from the Fragile Families and Child Wellbeing Study, a cohort of children born in urban areas around the turn of the century and followed for fifteen years, to examine the relationship between adolescents' contact with the police and legal socialization (for example, "I have a great deal of respect for the police"). Understanding legal socialization in adolescence, in particular, is important because it is during this life-course stage when first interactions with the criminal justice system are common and when individuals are developing perceptions of the police and the law.

Geller and Fagan contribute to our understanding of police surveillance in three ways. First, the authors provide recent and broadly representative evidence about the frequency of police contact. They find that, on average, more than one-quarter (27 percent) of adolescents report at least one police stop and more than three-quarters (78 percent) report vicarious contact (such as witnessing a police stop or personally knowing someone who has experienced a police stop). Second, the authors find that both personal and vicarious police contact, particularly more intrusive police contact, engenders greater levels of legal cynicism. That is, the consequences of surveillance go beyond

those who directly experience surveillance themselves and further proliferate to those who experience vicarious contact. This suggests that the consequences of police surveillance may be more widespread than previously considered, therefore suggesting that vicarious contact is an important form of spillover rarely examined in social science research. Third, the authors find that the deleterious consequences of police stops are consistent across race-ethnicity; that is, white, black, and Hispanic adolescents are similarly affected by both personal and vicarious police stops. Given that adolescents of color are more likely to be exposed to both personal and vicarious police stops, these findings suggest that police contact has implications for race-ethnic inequalities in legal cynicism.

Second, Frank Edwards uses data from the National Child Abuse and Neglect Data System, combined with administrative data from police departments (including information about the resources available to the departments and the number of arrests), to examine the consequences of police surveillance for family life. This article highlights how two powerful institutions, the criminal justice system and the child welfare system, are intertwined to shape family life. The police regularly interact with families, as Edwards notes, though little existing research considers the correlates and consequences of this form of criminal justice contact. The contributions of this research are twofold. First, by documenting a positive association between county-level arrest rates and county-level police reports of child abuse and neglect, these findings provide evidence that these two institutions are linked and, more generally, that the consequences of surveillance are both spatially patterned and extend to family life. Second, by showing that county-level arrest rates explain some variation in police reports of child abuse and neglect among American Indian–Alaska Native families, these findings document another way through which the criminal justice system facilitates racial-ethnic inequality in family life. That is, some families experience unnecessary police interventions while other families lack police interventions that may be necessary.

Third, Robert Vargas, Kayla Preto-Hodge,

and Jeremy Christofferson examine an aspect of surveillance that occurs daily in communities across the United States but is almost entirely unexplored in social science research: police-dispatcher radio communication. Using sixty hours of police-dispatcher radio communication across three racially disparate police zones—a predominantly white (and affluent) area, a predominantly black area, and a predominantly Latinx area—they examine inequality in exposure to data breaches (that is, when police dispatchers reveal identifying information about individuals reporting criminal activity). They find that these data breaches are not uncommon, with the disclosure of a caller's name or address occurring in about 10 percent of police calls. Furthermore, they find that these data breaches are spatially patterned, with disclosure occurring in 12 percent of police calls in the black area, 8 percent in the Latinx area, and 0 percent in the white area. They suggest that dispatchers in neighborhoods with a high concentration of people of color, compared with dispatchers in predominantly white areas, might be more overworked, both in terms of the number of hours they are working and the number of calls they must handle during each shift. They further suggest that this overwork might make dispatchers more vulnerable to disclosure of personal information. Taken together, the findings suggest that radio dispatchers are an important form of criminal justice contact, a form of criminal justice contact that is unequally distributed across community context and can create a form of digital vulnerability (also see Lageson 2016).

Finally, Vesla Weaver, Andrew Papachristos, and Michael Zanger-Tishler take a different approach to examining surveillance, by providing an accounting of the changing relationship between criminal offending and criminal justice contact. They examine these changes by using data from two nationally representative cohorts, the NLSY79 (a cohort of individuals who turned eighteen in 1980) and the NLSY97 (a cohort of individuals who turned eighteen in the late 1990s). A key premise of their article is that criminal offending and criminal justice contact should be tightly linked, as detailed earlier; that is, individuals who report engaging in

criminal activity should be the same individuals who report having criminal justice contact and, conversely, individuals who do not report engaging in criminal activity should not report having criminal justice contact.

This article advances our understanding of the link between criminal offending and criminal justice contact with three key findings. First, individuals in the earlier cohort, compared to those in the later cohort, engaged in more criminal activity (which is consistent with national declines in crime over time). Second, despite lower rates of criminal activity in the later cohort, those in the later cohort were more likely than those in the earlier cohort to experience an arrest (10 percent versus 25 percent). Relatedly, the association between criminal offending and arrest is weaker in the later cohort than in the earlier cohort. Third, racial inequalities exist in the disconnect between criminal offending and arrest, with black men being more likely than white men to report an arrest with no criminal offending, and these racial inequalities increased dramatically over the two cohorts. These findings point to a remarkable shift in the decoupling of criminal offending and criminal justice contact. Given the deleterious consequences of criminal justice contact for outcomes across the life course (for reviews, see Kirk and Wakefield 2018; Wakefield and Uggen 2010), these findings may also have profound implications for racial-ethnic inequality in domains such as employment, family life, and health.

Unexplored Forms of Punishment

Three articles examine two aspects of the criminal justice system that have both changed substantially during the prison boom and have been relatively unexplored in social science observation: bail and monetary sanctions. As these articles demonstrate, these two unexplored forms of punishment are common, are consequential, and have implications for inequality.

Two of the articles examine the correlates and consequences of bail, the temporary release of an individual awaiting trial (often in the form of a financial payment). Bail is an important element of the criminal justice system because it structures who spends time in jail

awaiting trial and for how long. Indeed, about two-thirds of individuals in jail are being held in pretrial detention (Minton and Zeng 2015), all of whom have not been convicted of the crime with which they have been charged and most of whom are being confined because they cannot afford monetary bail. Katherine Hood and Daniel Schneider further our understanding of bail processes by using unique data from the State Court Processing Statistics series to examine county-level variation in severity of bail practices, measured by nonfinancial release and amount of bail (conditional on having a financial bail set). This extends existing research, which mostly examines single locations, by documenting substantial between-county variation in the severity of the bail practices. The authors also extend existing research by documenting that the severity of bail practices is structured by a number of political (such as the political affiliation of the district attorney), socioeconomic (such as county-level unemployment rate), and demographic characteristics (such as percentage of black individuals in the county). For example, the state-level Gini coefficient, a way of measuring income inequality, is negatively associated with nonfinancial release. These analyses provide an important foundational description of the trends and correlates of the use of bail. Given both the inequalities in who experiences pretrial detention, as well as the consequences of pretrial detention for a number of life-course outcomes including employment and recidivism, understanding bail processes—which is at the center of pretrial experiences—is particularly important (on consequences, Dobbie, Goldin, and Yang 2018).

This analysis of the contextual determinants of bail severity is complemented by another article on the bail industry, which has increased in scope alongside the increase in pretrial incarceration. Joshua Page, Victoria Piehowski, and Joe Soss rely on eighteen months of ethnographic fieldwork as a bail bond agent to examine how the bail industry produces opportunities for predation. In particular, their analysis highlights the role of gender, suggesting that women—mostly women of color—connected to incarcerated individuals are primary targets of predation in the bail bond

industry. They describe how bail bonds agents engage in a form of emotional labor to target female relatives (particularly mothers, grandmothers, and long-term romantic partners) to secure bail for incarcerated men. This ethnographic examination suggests an important yet to date understudied way through which the criminal justice system has spillover consequences for relatives, particularly female relatives, of the incarcerated. Also, because securing bail can be quite costly, especially if the accused does not show up for trial, this examination suggests another way through which the criminal justice system can affect economic inequality among women.

A third article examines an aspect of the criminal justice system that has been relatively understudied by social scientists: monetary sanctions. Brittany Friedman and Mary Pattillo offer a broad picture of monetary sanctions—defined by the fines, fees, restitution, and other legal costs that individuals accumulate from criminal justice contact—and, therefore, the costs of criminal justice contact. To do so, they conduct a content analysis of statutes related to monetary sanctions in Illinois. Their findings highlight how these statutes impose many economic penalties for a conviction. Their findings also highlight that they collectively define the poor and indigent as irresponsible, rarely providing an opportunity for the predominantly poor individuals affected by the statutes to be relieved of their debt. Because the economic penalties for not paying these monetary sanctions are severe, as outlined in the statutes, this suggests that monetary sanctions can increase inequality among an already severely poor and economically marginalized population.

Consequences of Criminal Justice Contact

The third and final set of articles examines the consequences of criminal justice contact, specifically considering how forms of criminal justice contact—such as arrest, conviction, and incarceration—maintain and exacerbate inequality throughout the life course. These articles highlight the cumulative nature of disadvantages imposed by the criminal justice system and how these disadvantages persist across diverse outcomes such as socioeco-

conomic outcomes, the transition to adulthood, and neighborhood attainment. The articles remind us to examine all stages of criminal justice contact, including contact that precedes incarceration such as arrest and contact that follows incarceration such as parole, to fully understand the role that the criminal justice system plays in the American stratification system.

Robert Apel and Kathleen Powell use data from the NLSY97, examining the consequences of two types of criminal justice contact—arrest and incarceration—for hourly wages. This research, which uses a series of modeling strategies to account for selectivity into criminal justice contact, contributes to existing literature on the consequences of criminal justice contact for inequality in two ways. First, the authors extend prior research by simultaneously considering arrest (a form of noncarceral contact with the criminal justice system) and incarceration (a form of carceral contact with the criminal justice system), finding that the consequences of criminal justice contact for these outcomes are limited to the consequences of incarceration. They find that arrests are only consequential for hourly wages when they accumulate. Second, the authors extend prior research on the consequences of criminal justice contact for inequality by considering two types of heterogeneity: race-ethnic heterogeneity and distributional heterogeneity. They find the negative consequences of incarceration for hourly wages are concentrated among blacks (but not among whites or Latinx). Therefore, as both exposure and (in some cases) consequences of criminal justice contact are unequally distributed, these findings highlight one pathway through which incarceration can entrench existing socioeconomic inequalities.

Using novel administrative data from Michigan, Heather Harris and David Harding use group-based trajectory models to examine whether black-white disparities in precriminal justice contact outcomes can explain racial-ethnic disparities in postcriminal justice contact outcomes. This research contributes to existing literature on the consequences of criminal justice contact by focusing on inequalities within a sample of parolees (as opposed

to comparing individuals with criminal justice contact to individuals without criminal justice contact, as is common in most research) and by focusing on adulthood transitions (measured by completing education, finding employment, establishing independent households, and desisting from criminal justice contact). They characterize parolees, who were young adults (ages eighteen to twenty-five) when released from prison, into the following five groups: transitioning, continuing education, persisting, unsettled, and disconnected. They find racial inequalities in group membership; whites make up 71 percent of those in the transitioning group (characterized by the highest rates of employment, independence, and desistance) and blacks make up 63 percent of those in the persisters group (characterized by high unemployment, nonresidential independence, and steady involvement in the criminal justice system). They also find that neither characteristics prior to prison (including human capital and prior criminal justice contact) nor characteristics after prison (including social contexts) can explain these black-white differences in transition to adulthood outcomes. These findings suggest that racial inequalities in the transition to adulthood are entrenched among those receiving community supervision in the form of probation.

Finally, David Kirk draws on sixteen years of prisoner release data in Illinois, focusing on the neighborhood contexts where formerly incarcerated individuals live. He finds that the spatial dynamics of prisoner reentry have changed over time, in respect both to where prisoners return after incarceration and to the clustering of these released prisoners in neighborhoods. Over time, fewer former prisoners return to the city of Chicago; instead, former prisoners are more likely to return to suburban areas. Additionally, former prisoners have become more spatially concentrated and, compared to in the past, there is a larger correlation between these returning residences and household poverty levels. Taken together, these findings suggest linkages between the consequences of incarceration and the spatial geography of poverty and, further, document another way that the criminal justice system has spillover consequences.

CONCLUSIONS

The criminal justice system, expansive in its scope and deleterious in its consequences, is an institution of social stratification in the United States. Although the correlates and consequences of incarceration have been the focus of much social science inquiry, the wide-ranging and consequential nature of the criminal justice system necessitates inquiry into forms of criminal justice contact beyond incarceration. These include both transitory (sometimes sporadic but oftentimes recurring) contacts with criminal justice agents (including police stops, arrests, and tickets and fines) and sustained contacts (including felony conviction, pretrial detention, and correctional supervision). Further, the reach of the criminal justice system can extend into other institutions, such as the educational system or child welfare agencies.

The articles in this volume document the implications of the criminal justice system for social stratification in the United States in three primary ways. First, the articles show that many forms of criminal justice contact, often beyond but certainly related to incarceration, contribute to inequality across stages of the life course including adolescence (Geller and Fagan), the transition to adulthood (Harris and Harding), and adulthood (Kirk). These disadvantages likely compound across the life course, with earlier disadvantages creating later disadvantages and further entrenching race-ethnic and social class inequalities. Second, the articles demonstrate that the consequences persist across an array of outcomes. These outcomes include but are not limited to wages (Apel and Powell), legal socialization (Geller and Fagan), and family life (Edwards). Third, the articles document that the consequences of criminal justice contact proliferate in expansive and complicated ways. The consequences of criminal justice contact spill over across individuals, as evidenced by Geller and Fagan's research documenting how vicarious police stops are consequential for teenagers' legal socialization. The consequences of criminal justice contact also spill over into communities, as evidenced by Kirk's research showing that prisoners return to predominantly disadvantaged neighborhoods. They also spill over across institu-

tions, as shown by Edwards's research on the role that police officers play in the child welfare system.

Individually and collectively, the articles forward our understanding that the criminal justice system—broadly defined to include both noncarceral and carceral contact—has implications for creating, maintaining, and exacerbating inequality in the United States. Also, as many of the articles document, many aspects of the criminal justice system remain unexplored and many opportunities for research on criminal justice contact and inequality have yet to be undertaken. Moving forward, investigations into criminal justice contact and inequality could benefit from a comprehensive theoretical understanding about how the various independent and sometimes overlapping components of the criminal justice system are consequential for individuals, families, and communities. Specifically, advancing theoretical discussions about how stages of the criminal justice system (police stops, arrests) may be differentially associated with diverse outcomes (employment, recidivism), across distinct stages of the life course (adolescence, adulthood), and across heterogeneous subgroups of the population (race-ethnicity, gender) is both necessary and important. Indeed, it is unlikely that all aspects of the criminal justice system similarly affect all outcomes, across all stages of the life course, and across all subgroups of the population. It is equally important to understand when and how the criminal justice system may be consequential and when and how it is not. Further, understanding the various contingencies and sources of heterogeneity has policy implications.

Consider the potentially differential consequences of two sometimes overlapping and sometimes not overlapping forms of criminal justice contact—arrest and incarceration. Theoretically, it is important to understand why arrest might be differently associated with outcomes than incarceration. It is also important to understand why both arrest and incarceration might be consequential for some outcomes but not for others. Two recent studies are instructive for thinking through the theoretical distinctions between these two forms of criminal justice contact. Both studies use the

NLSY97—and modeling strategies that adjust for unobserved heterogeneity—to examine the consequences of arrest and incarceration, one study examining mental health outcomes (Sugie and Turney 2017) and one examining socioeconomic outcomes, specifically, hourly wages (Apel and Powell 2019). The former study finds that both arrest and incarceration have deleterious consequences for mental health. The latter finds that incarceration, but not arrest, is significantly associated with decreases in hourly wages. Why might that be? Why might arrest lead to impairments in mental health but not hourly wages? One possible explanation for the relationship between arrest and mental health is that the anticipatory stress associated with an arrest—and, specifically, the uncertainty about the future (if they will be convicted, if they will experience prison incarceration, if they will be able to communicate with family members)—is a key mechanism (Sugie and Turney 2017). Such anticipatory stress likely matters little for socioeconomic outcomes such as hourly wages (as arrests are not necessarily immediately apparent to an employer). Researchers should embrace these complexities.

Similarly, consider the consequences of immigrant detention. Relatively little is known about the consequences of immigrant detention for the well-being of individuals, families, and communities (for exceptions, see Golash-Boza 2015; Menjivar and Abrego 2012). How might immigrant detention, versus pretrial jail incarceration or prison incarceration, be similarly or differently associated with outcomes? Immigrant detention is certainly consequential for deportations; more than two hundred thousand immigrants were deported in 2012, the most recent peak for deportations as a result of a criminal offense. The number is now slightly less than 150,000 annually but remains large. Most notably, deportations of this nature often involve very low-level offenses (for more detail, see Kirk and Wakefield 2018). It is likely that those detained have many experiences and consequences similar to those of individuals incarcerated in other capacities. For example, being detained is likely consequential for employment, those detained losing their jobs and likely having difficulty finding employment if

they are released. Additionally, much like other forms of jail and prison incarceration, being detained is likely a stressful event for families and children. But immigrant detention may have unique consequences. For example, undocumented immigrants who are detained may experience particular uncertainties about their future; in addition to being unsure when they will be released, it is likely they are also unsure whether they will be released at all or whether they will be deported to their country of origin. Indeed, research suggests there is great variation in bond decisions (Ryo 2016; Wadhia 2015). Undocumented immigrants who are detained may also receive fewer visits than others who are incarcerated, given that family members and friends who are also undocumented may be unlikely to visit in fear of criminal justice repercussions related to their own legal status (Patler and Branick 2017). Researchers need to develop theories to distinguish how immigrant detention might affect outcomes relative to incarceration.

Relatedly, it is important for researchers to consider, theoretically, how criminal justice contact might affect individuals over the life course or subgroups of the population. The intergenerational consequences of incarceration is one area of research where such theoretical development could be instructive. For example, paternal incarceration is not associated with test scores among young children but is associated with educational attainment. The reasons for these different associations across life-course stages remain relatively unexplored, however (Foster and Hagan 2009; Geller et al. 2012). Similarly, consensus is growing that the consequences of paternal incarceration for children's behavioral outcomes is stronger among boys than among girls, at least in early childhood. The reasons for these contingent effects remain relatively unexplored (Geller et al. 2012; Wildeman 2010). Researchers need to develop theories to guide understandings of such contingencies.

In addition, research on criminal justice contact and inequality faces additional challenges. One involves data limitations. Many of the criminal justice processes researchers are interested in—such as pretrial detention, conditions of confinement, and plea bargaining,

to name a few—are generally unexplored by social science researchers. Other processes, such as arrest or incarceration, are often asked about in large and representative data sources (such as NLSY97 or Add Health) but the information ascertained is limited. For example, the NLSY97 collects detailed information on arrests but does not provide information about the processes underlying the arrest (such as the degree of intrusiveness), which may be particularly important for outcomes. Indeed, Geller and Fagan find in their article in this volume that heterogeneity in police stops structures legal socialization, and that it is possible that heterogeneity is also consequential for linking arrests to outcomes throughout the life course. Relatedly, existing data sources rarely allow researchers to link the various stages of the criminal justice system. An overfocus on incarceration, to the exclusion of building knowledge on the inequalities that result from other forms of criminal justice contact, prevents a full accounting of the numerous and massive changes in criminal justice processing over the last five decades.

Another challenge to research on criminal justice contact and inequality, as evidenced by some articles in this volume, is the tremendous variation across place. This variation exists across all stages of criminal justice contact (including in official policies and in the enactment of these policies). For example, Vargas, Preito-Hodge, and Christofferson show in this volume that individuals across different neighborhoods are differentially vulnerable to digital exposure. In their article in this volume, Hood and Schneider show that bail regimes are quite different across counties. In his, Kirk documents the causes and consequences of the changing spatial distribution of returning prisoners. Further, other research outside of this volume shows that conditions of confinement vary dramatically across facilities (Kreager and Kruttschnitt 2018; Wildeman, Fitzpatrick, and Goldman 2018), that policing practices vary across neighborhoods (Rios 2011), and that sentencing decisions vary across counties (Ulmer and Kramer 1996). This variation across neighborhoods, counties, and states is one reason it is challenging to provide a comprehensive accounting of the link between criminal justice

contact and inequality. It also suggests that scholars be attuned to these types of variation in their own research.

Variation in criminal justice practices across time and place also highlights the need for greater sensitivity to the enormous range of outcomes and processes still to be understood. That mass incarceration and surveillance is inefficient, racist, repressive, destructive, and irrational in a host of ways has been amply demonstrated. The next steps are much more difficult, however, and a full accounting of the problem as well as the most effective ways to reduce it remain elusive. Moving forward, we note that more research is needed to link different stages of the criminal justice system and to move beyond incarceration to interrogate the main sources of inequality that derive from criminal justice contact. Similarly, we suspect that scholars focused on entry points in the criminal justice system (policing, arrest, school discipline) and those focused further along in the system (probation, incarceration, and parole) would have much to learn from another.

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