



# Criminalization and Incarceration Harm Our Health

Amber Akemi Piatt, MPH

Health Instead of Punishment Program Director

*Human Impact Partners*

---

# Human Impact Partners (HIP)

National non-profit organization working to transform the policies and places people need to live healthy lives by increasing the consideration of health and equity in decision making. *Through research, advocacy, and capacity-building, we bring the power of public health to campaigns and movements for a just society.*





# Agenda

- Zip through some key definitions
- Review national & local facts
- Look at health impacts & racial inequities at different junctures in the criminal justice system
- Highlight solutions
- Share ideas for further reading & how to stay in touch



# Spoiler: Today's Key Takeaways

1. Racism, classism, and other social oppressions are baked into the fabric of the United States' criminal justice system. This is not an issue of a few “bad apples,” and this won't get solved with minor tinkering around the edges.
2. Individuals don't get incarcerated alone — families and communities do with them.
3. Measuring health impacts give us one way to assess the systemic harms of the criminal justice system.
4. Those closest to the problem are always closest to the solutions.



# Definition: Health Equity

Health equity means that everyone has a fair and just opportunity to be as healthy as possible. *To achieve this, we must remove obstacles to health – such as poverty, discrimination, and deep power imbalances – and their consequences, including lack of access to good jobs, quality education, affordable housing, safe neighborhoods, and health care.*

Adapted from Paula Braverman and colleagues' RWJF commissioned paper, "What is Health Equity? And What Difference Does a Definition Make?"

# Definition: SDOH



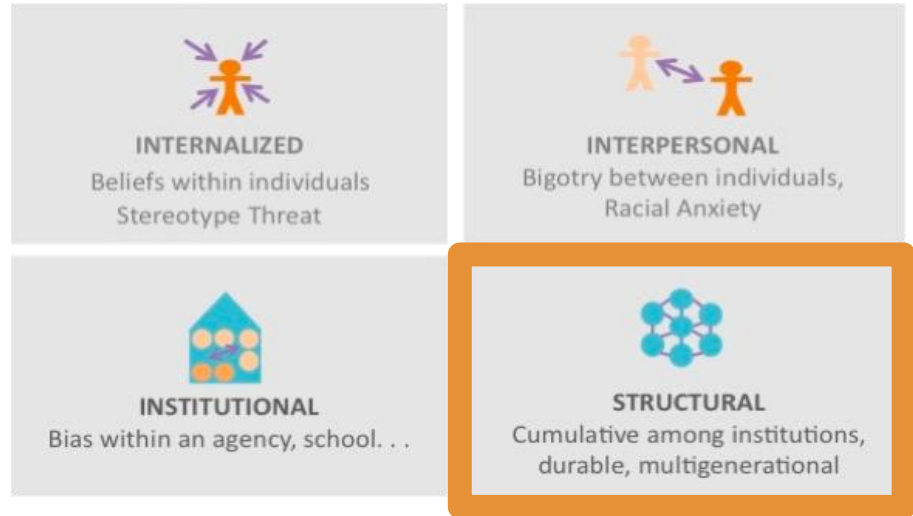
The social determinants of health are complex, integrated, and overlapping **social structures and economic systems** that are responsible for most health inequities. They reflect the **conditions** in which people are born, grow, live, work, and age, and which are shaped by the distribution of money, power, and resources at global, national, and local levels.

- World Health Organization

# Definition: Structural Racism

Structural racism refers to the public policies, institutional practices, cultural representations, and norms working in reinforcing ways to perpetuate racial inequity.

*Adapted from the Aspen Institute Roundtable on Community Change*





# Incarceration, Nationally

- 2.2 million adults are serving time in prison or jail.<sup>1</sup>
- 45,000+ youth are confined in juvenile detention facilities, adult prisons, and adult jails.<sup>2</sup>
- 4.7 million people are being supervised in the community by a parole or probation agency.<sup>3</sup>
- 2.7 million children are growing up with one or both parents in prison or jail .<sup>4</sup>
  - Approximately 10 million children have experienced parental incarceration at some point in their lives.<sup>5</sup>
- Black people are incarcerated at more than 5 times the rate of White people.<sup>6</sup>
- Number of people incarcerated increased every year from 1980 to 2008.<sup>7</sup>
- In 2012 alone, the United States spent nearly \$81 billion on corrections.<sup>6</sup>
- Both the number of people incarcerated and the incarceration rate exceed every other nation in the world.<sup>8</sup>

**It's called *mass incarceration* for a reason.**





# Incarceration, San Mateo County (2016)

- Jailed 129 per 100,000 adults age 18-69 — this is lower than the state rate of 227 per 100,000 adults.<sup>9</sup>
- 69% of daily jail population was un-sentenced — this is higher than the state percentage of 66%.<sup>9</sup>
- Had a 369 per 100,000 youth ages 10-17 juvenile felony arrest rate — this is lower than the state rate of 478 per 100,000 youth.<sup>10</sup>
- 117 per 100,000 youth age 10-17 held in local juvenile halls and camps — this is higher than the state rate of 106 per 100,000 youth.<sup>10</sup>



# The Criminal Justice System



---

# Law Enforcement Contact & Arrests



Association between deaths among Black people due to legal intervention and subsequent poor mental health among Black adults living in the same state.<sup>11</sup>

At least 1,081 deaths after the use of Tasers since the weapon began coming into widespread use in the early 2000s.<sup>12</sup>

# Prosecutors, Charges, & Plea Deals

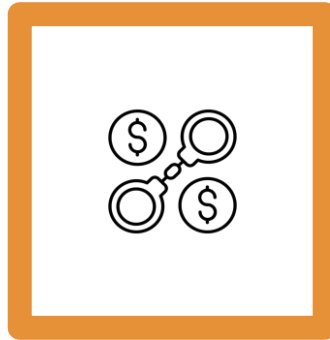


White defendants are 25% percent more likely than Black defendants to have their principal initial charge dropped or reduced to a lesser crime.<sup>13</sup>

35% percent of women experienced homelessness, eviction, or the inability to pay rent or mortgage on time as a result of a loved one's bail, court fees, and related missed economic opportunities.<sup>14</sup>

# Pre-Trial Detention

In California, nearly 80% of people who die in jail have not been convicted of their current charges — a higher percent than nationally.<sup>15</sup>



Black people have greater odds of pretrial detention and are given higher bail amounts than White people with similar charges and criminal histories.<sup>16</sup>

---

## Trials

When youth are tried in adult criminal court, they typically face a longer court process than in juvenile court and are often detained during this lengthy period.<sup>17</sup>



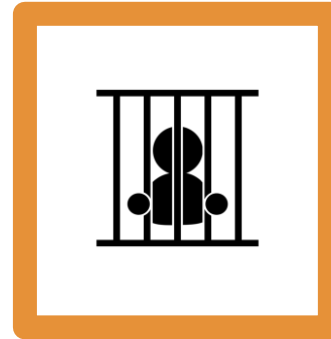
This plus the stress of navigating the adult criminal court system put transferred youth at risk for psychiatric disorders and other developmental problems.<sup>17</sup>

---

# Incarceration

Each year spent in prison corresponds with a two-year reduction in life expectancy.<sup>18</sup>

Parental incarceration in childhood is considered an Adverse Childhood Experience and predicts a wide range of health problems – including poor self-rated health, HIV/AIDS, asthma, high cholesterol, migraines, depression, PTSD, and anxiety – during young adulthood.<sup>19</sup>



---

# Probation or Parole

Parolees in one study averaged 2.6 moves per year, far beyond the more than 1 move a year that defines residential instability.<sup>20</sup>

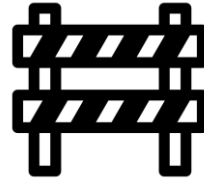
Though only 18% of Wisconsinites suffer from mental illness, 44% of people revoked (imprisoned) without a new conviction are living with a mental illness in part because of “living in fear at all times” that revocation could happen at any time.<sup>21</sup>





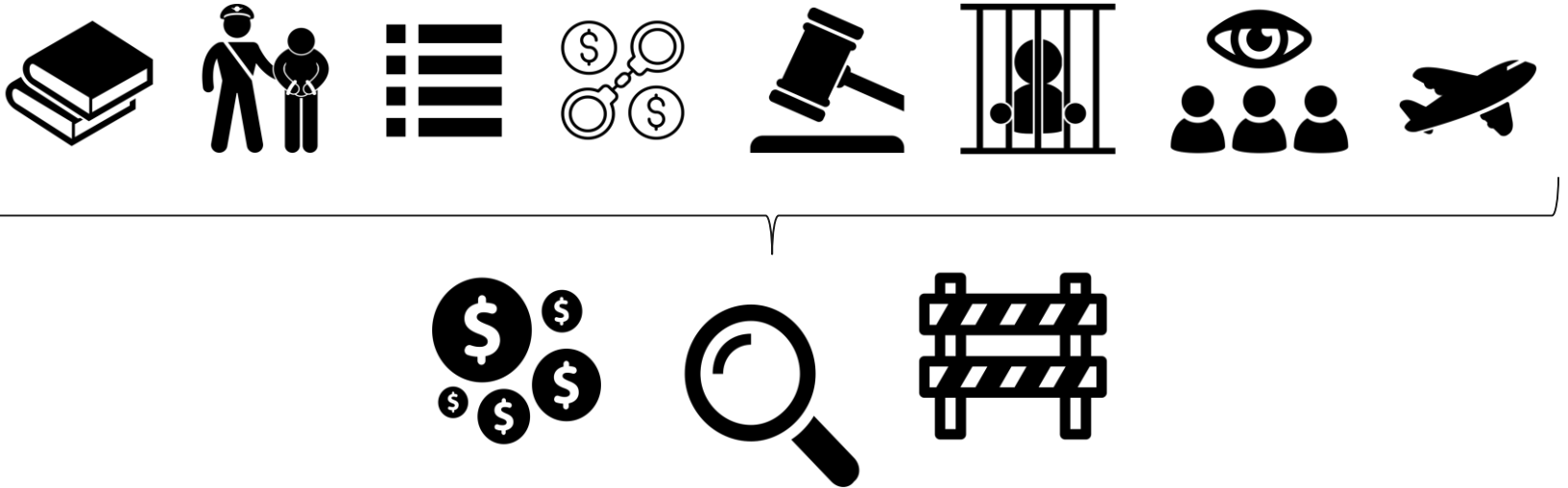


# The Criminal Justice System





# Systems of Criminalization & Punishment



---

# The Criminal *Justice* System?



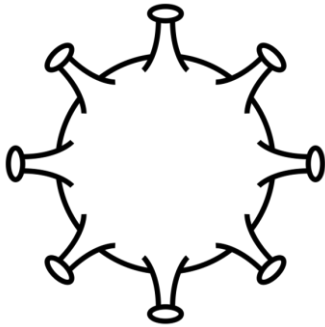


# Where We Go From Here





# Promising Solution: Decriminalization



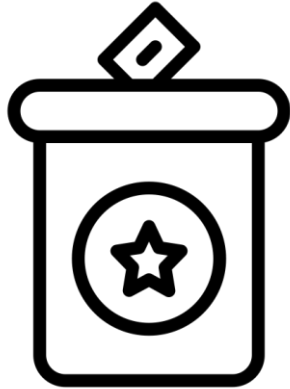


# Promising Solutions: Invest/Divest



---

# Promising Solutions: Remove Barriers





# Today's Key Takeaways

1. Racism, classism, and other social oppressions are baked into the fabric of the United States' criminal justice system. This is not an issue of a few "bad apples."
2. Individuals don't get incarcerated alone — families and communities do with them.
3. Measuring health impacts give us one way to assess the harms of the criminal justice system.
4. Those closest to the problem are always closest to the solutions.



# Reading List



**APHA**  
AMERICAN PUBLIC HEALTH ASSOCIATION  
*For science. For action. For health.*

About APHA | Jobs | Renew | Annual Meeting

Search APHA.org

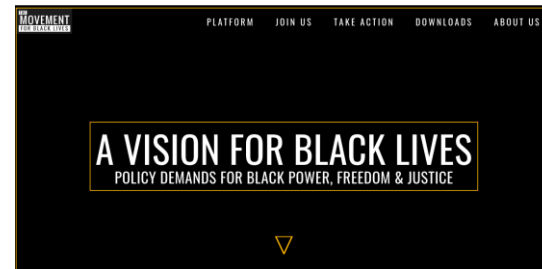
What is Public Health? | Topics & Issues | Policy & Advocacy | Publications & Periodicals | Professional Development | Events & Meetings | News & Media

APHA > Policy Statements and Advocacy > Policy Statements > Policy Statement Database > Law Enforcement Violence

### Addressing Law Enforcement Violence as a Public Health Issue

< Policy Statements and Advocacy | Date: Nov 13 2018 | Policy Number: 201811

Key Words: Violence, Racism, Prevention, Social Determinants of Health

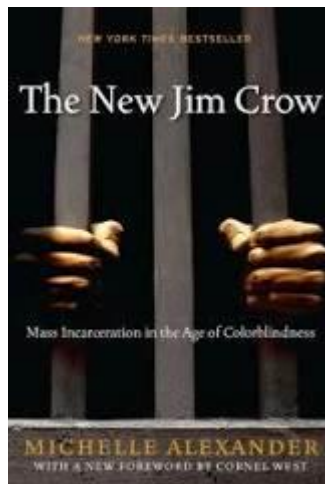
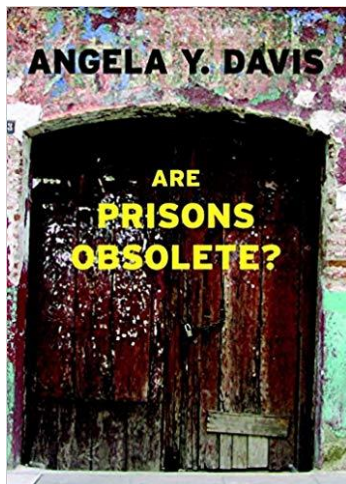


THE MOVEMENT FOR BLACK LIVES

PLATFORM JOIN US TAKE ACTION DOWNLOADS ABOUT US

## A VISION FOR BLACK LIVES

POLICY DEMANDS FOR BLACK POWER, FREEDOM & JUSTICE



### Health Solutions Create Safety

Communities know how to keep people safe and healthy.

- Responding appropriately to trauma
- Reducing harm
- Restoring justice at the community level
- Championing positive youth development
- Supporting people with basic necessities
- Using public health strategies to respond to violence
- Using justice system innovations that support health

Healthy, safe communities give us:

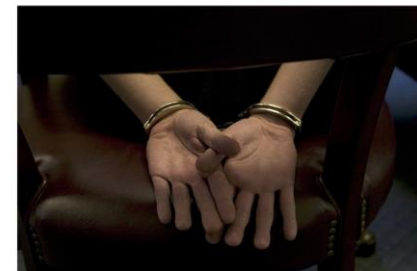
- Less violence and victimization
- Lower re-arrest and recidivism rates
- Less racial discrimination
- Fewer deaths by overdose
- Reduced medical emergency costs
- Increased treatment engagement
- Higher graduation rates
- More stable housing for vulnerable residents

Learn more about these 7 approaches at [HumanImpact.org/HealthSolutions](http://HumanImpact.org/HealthSolutions)

Developed by the National Criminal Justice and Public Health Alliance.

**H&P** Visit [HumanImpact.org/HealthSolutions](http://HumanImpact.org/HealthSolutions) to learn more about investing in community safety with a health paradigm.

Mass Incarceration Threatens Health Equity in America





“If you have come here to help me you are wasting your time, but if you have come because your liberation is bound up with mine, then let us work together.”

— Aboriginal Elder, Lilla Watson



# Questions? Comments? Ideas for partnership?



[amber@humanimpact.org](mailto:amber@humanimpact.org)



[@HumanImpact\\_HIP](https://twitter.com/HumanImpact_HIP)



[@HumanImpactPartners](https://www.facebook.com/HumanImpactPartners)

Noun Project for the icons!

Thanks to the



# References

1. Carson EA. Prisoners in 2016. U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics;2018. NCJ 251149 & Zeng Z. Jail Inmates in 2016. U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics;2018. NCJ 251210.
2. Sickmund M, Sladky TJ, Kang W, Puzanhera C. Easy Access to the Census of Juveniles in Residential Placement: 1997-2015. Washington, DC: Office of Juvenile Justice and Delinquency Prevention;2017.
3. Kaeble D, Glaze L. Correctional Populations in the United States, 2016. U.S. Department of Justice, Office of Justice Programs;2016. NCJ 250374.
4. Western B, Pettit B. Collateral Costs: Incarceration's Effect On Economic Mobility. Washington, DC: The PEW Charitable Trusts;2010.
5. Mauer M, Nellis A, Schirmer S. Incarcerated Parents and Their Children: Trends 1991- 2007. Washington, DC: The Sentencing Project;2009.
6. National Association for the Advancement of Colored People (NAACP): <https://www.naacp.org/criminal-justice-fact-sheet/>
7. Acker J, Braveman P, Arkin E, Leviton L, Parsons J, Hobor G. Mass Incarceration Threatens Health Equity in America. Executive Summary. Princeton, NJ: Robert Wood Johnson Foundation, 2019.
8. National Research Council. The Growth of Incarceration in the United States: Exploring Causes and Consequences. Washington, DC: The National Academies Press; 2014 & Gramlich J. America's Incarceration Rate is at a Two-Decade Low. Washington, DC: Pew Research Center;2018.
9. <http://casi.cjcb.org/Adult/San-Mateo>
10. <http://casi.cjcb.org/Juvenile/San-Mateo>
11. Bor J, Venkataramani AS, Williams DR, Tsai AC. Police killings and their spillover effects on the mental health of black Americans: a population-based, quasi-experimental study. Lancet. 2018;392:302-310.
12. <https://www.telesurenglish.net/news/US-Tasers-Claimed-49-Lives-in-2018-Through-Police-Violence-20190204-0012.html>
13. Carlos Berdejo, Criminalizing Race: Racial Disparities in Plea-Bargaining, 59 B.C.L. Rev. 1187 (2018), <http://lawdigitalcommons.bc.edu/bclr/vol59/iss4/2>
14. Gina Clayton, Endria Richardson, Lily Mandlin, and Brittany Farr, PhD. Because She's Powerful: The Political Isolation and Resistance of Women with Incarcerated Loved Ones. Los Angeles and Oakland, CA: Essie Justice Group, 2018
15. State of California Department of Justice - OpenJustice. <https://openjustice.doj.ca.gov/death-in-custody/custody-stages>. Accessed April 5, 2017.
16. Jones CE. "Give Us Free": Addressing Disparities In Bail Determinants. NYU J Legis Public Policy. 2013;16:919-1223.
17. Human Impact Partners. February 2017. Juvenile InJustice: Charging Youth as Adults is Ineffective, Biased, and Harmful. Oakland, CA.
18. Patterson EJ. The dose-response of time served in prison on mortality: New York State, 1989-2003. Am J Public Health. 2013;103(3):523-528.
19. Lee RD, Fang XM, Luo FJ. The impact of parental incarceration on the physical and mental health of young adults. Pediatrics. 2013;131(4):E1188-E1195.
20. Herbert CW, Morenoff JD, Harding DJ. Homelessness and Housing Insecurity Among Former Prisoners. Russell Sage Found J Soc Sci RSF. 2015;1(2):44-79.
21. Human Impact Partners. December 2016. Excessive Revocations: The Health Impacts of Locking People Up Without a New Conviction in Wisconsin. Oakland, CA.