The Incarceration and Inequality Project

Locked Out of the Labor Market: A New State-Level Measure of Incarceration and Inequality

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Analysis by the Vera Institute of Justice reveals how the omission of incarcerated people from official employment statistics creates a false impression of economic well-being and racial equity.

It is widely recognized, if underappreciated, that incarceration physically separates people from their loved ones and communities. But there is far less attention paid to the intentional disappearance of incarcerated people from government statistics; this pernicious exclusion has profound ripple effects.[1] Employment statistics are one key instance. Every month, the Bureau of Labor Statistics (BLS) releases an official employment report.[2] This report details changes in average hourly earnings, industry-specific employment trends, and fluctuations in unemployment rates across racial groups. Each of these statistics disregards everyone in jail or prison, a population disproportionately made up of Black people and low-wage workers.[3] These metrics matter. They provide a key frame for understanding economic opportunity and racial equity in the United States.

Incarceration shapes the labor force by denying participation to hundreds of thousands of people—first through physical confinement, then through legal and social processes of exclusion and marginalization upon release. A 2020 study estimated that 7.7 million people in the United States have been incarcerated in a state or federal prison at some point in their lives.[4] But the economic impacts of incarceration extend far beyond incarcerated people and are felt by their children, families, and communities; in 2016, almost half of those in state prisons across the country were parents of a minor child, with an average of two children each.[5] A prison sentence reduces lifetime earnings by

an estimated 52 percent, equivalent to a $500,000 shortfall in household income, directly impacting the stability and well-being of children and caregivers.[6] It should be no surprise, then, that parental incarceration can affect children's future economic mobility for years to come.[7]

The systematic exclusion of incarcerated people from official employment statistics creates a false impression of economic well-being and racial equity in the United States. This brief aims to rectify the invisibility of incarcerated people in official unemployment statistics by introducing the concept of an expanded unemployment rate. Vera provides previously unavailable statistics at the state and national levels and discusses their implications. In doing so, this brief provides a more accurate measure of racial and economic inequality.

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The Status Quo

To understand the implications and relevance of the expanded unemployment rate, it is important to first describe the standard measures of unemployment and labor force participation. BLS counts people who have a full- or part-time job, or who are seeking work but not currently employed, as being in the labor force.[8] Within the labor force, BLS counts people as "unemployed" if they are without employment but were available for work and had made attempts to find a job in the prior month.[9] In November 2024, BLS reported that there were 168 million people in the labor force, including 7.1 million unemployed people.[10] BLS does not count people in jails and prisons—either in the labor force or among the subset of the unemployed.[11]

Unemployment is a fundamental measure of racial equity. Since BLS began tracking Black people's unemployment rates in 1972, they have been about double those of white people.[12] Mainstream economic theory has historically attributed this disparity to individual-level differences, such as lagging education and skill levels, while ignoring structural forces, such as racial discrimination and disparities in bargaining power.[13] However, as Black Americans have fought for and gained greater access to education and training, the unemployment disparity has persisted, demonstrating just how embedded and powerful these structural forces are in U.S. society.[14]

Expanded Unemployment Rate

Vera's expanded unemployment measure provides an important corrective to standard measures of unemployment by incorporating incarcerated people. Vera's measure augments official numbers with the

subset of incarcerated adults in jail or prison who are of working age (18 to 64 years old).[15] This measure demonstrates how incarceration has a profound effect on the economy, excluding large swaths of the population from the labor force.

States and localities vary in how they criminalize different communities and behaviors and in how they use incarceration. By including people in prisons and jails, Vera's expanded unemployment metric reveals that some states have substantially higher unemployment rates than typically recognized, challenging common assumptions about the distribution of economic opportunity across the country. Furthermore, the pains of incarceration are disproportionately inflicted upon people of color; by excluding incarcerated people, traditional unemployment rates may conceal the true scale of racial disparities in economic opportunity, particularly in places with high levels of incarceration.

Incarceration is a policy choice that prevents full participation in the economy and disproportionately impacts low-income people and people of color. Advocates and policymakers can use the expanded unemployment rate to highlight and address this economic disenfranchisement.

EXPANDED UNEMPLOYMENT NATIONWIDE

Comparing standard and expanded metrics at the national level reveals just how much information the standard metric conceals. The official national unemployment rate in April 2023 was 3.4 percent, the lowest it had been in 50 years.[16] However, when adding in the 1.8 million people held in local jails and state and federal prisons at that time, the expanded unemployment rate in the same month and year was more than a third higher, at 4.7 percent.

This difference is substantial, but disaggregating the data by race reveals an even greater divergence between the metrics. Using the standard definition of unemployment, which does not include incarcerated people, the national unemployment rate in April 2023 was 5.2 percent for Black people and 2.7 percent for white people. This means that the national Black-white unemployment ratio was 1.9: Black people were nearly twice as likely to be unemployed as their white counterparts. However, the insidious effects of individual racism and systemic bias mean that, in almost every jurisdiction, Black people are incarcerated at higher rates than white people.[17] As a result, when incarcerated people are counted among the unemployed, this disparity ratio rises 22 percent—Black people are in fact 2.3 times as likely to be unemployed as white people.

Men—especially Black men—face the highest levels of incarceration, and Vera's expanded unemployment measure provides important insights

into the intersection of race and sex. Figure 1 shows both standard unemployment rates and Vera's expanded unemployment rate for Black and white men and women. The middle section of Figure 1 shows, for each demographic group, the percentage of working-age adults who are incarcerated. (The center and right sections of the figure use an expanded definition of the labor force—the civilian labor force plus incarcerated people.) The figure clearly shows different patterns across race and sex for each measure, demonstrating how standard unemployment metrics underestimate the scope of joblessness, especially for Black men. As seen in Figure 1, the official unemployment rate for Black men in 2023 was 5.3 percent, 1.8 times higher than it was for white men, who had an official unemployment rate of 2.9 percent. However, when including incarcerated people among the jobless, the unemployment rate for Black men more than doubles, leaping to 10.9 percent. Incorporating incarcerated people, therefore, reveals the Black-white disparity ratio in men's unemployment to be 44 percent higher than official figures suggest: Black men are in fact 2.6 times as likely to be unemployed as their white male counterparts.

FIGURE 1

Failing to count incarcerated people distorts the official unemployment rate for Black men

(as percent share of labor force)

The first column presents the standard unemployment rate, which excludes incarcerated people. The second and third column present incarceration and unemployment as percent shares of the expanded labor force, which includes incarcerated people. Unemployment and labor force data from 2023 Current Population Survey; incarceration by race and sex from the U.S. Census Bureau and Vera's calculations.

TAKING A CLOSER LOOK AT STATE-LEVEL UNEMPLOYMENT

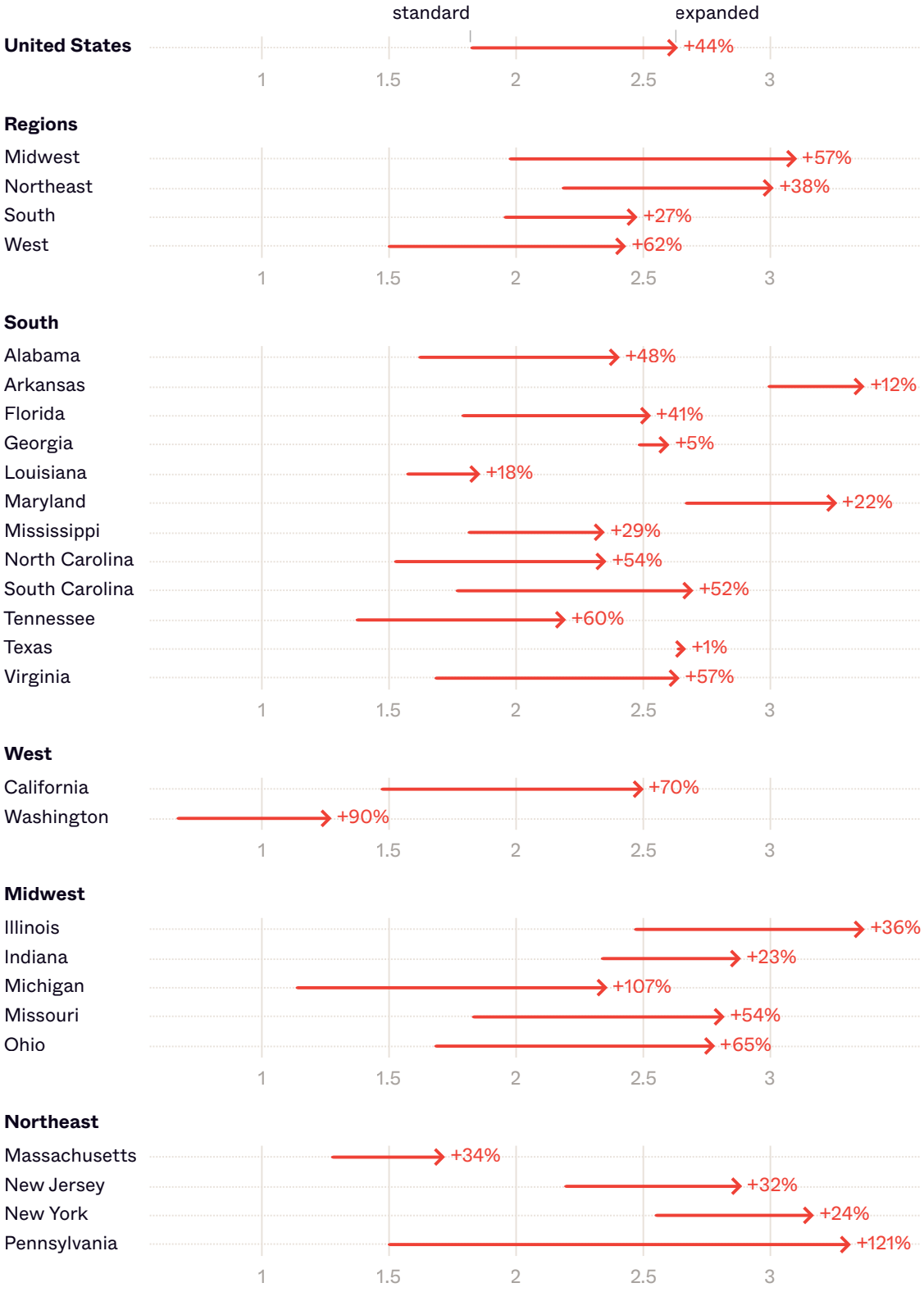
As noted, the use of incarceration varies greatly across the country. As a result, the extent to which expanded unemployment rates diverge from official statistics also varies widely across regions and between states.

Figure 2 shows how, for a select number of states, including incarcerated people in unemployment rates affects our understanding of racial inequality in employment. (The figure only displays states that have enough respondents to the monthly BLS surveys to calculate valid estimates of the expanded unemployment ratio for men—that is, Black men's unemployment rates relative to white men's.) Although there is

FIGURE 2

Including incarcerated people in unemployment rate increased racial inequality measures for Black men across the country

Black-white disparity ratio for men based on standard unemployment and expanded unemployment metrics, 2023.



Note: Only includes states with at least 150,000 working-age men in each Black and white racial category; excludes Minnesota due to a large share of people in federal facilities. See "Methodology and Data Sources" section for further details.

considerable variation, in every state that Vera looked at, the addition of incarcerated people in Vera's metric reveals higher racial disparities in unemployment than shown by official figures.

For instance, using official unemployment metrics from the BLS, Michigan appears to be one of the most racially equal places in the country, with a Black-white male unemployment ratio of 1.1 to one. However, Vera's expanded unemployment measure tells a very different story. By incorporating incarcerated people, it reveals that Black men in Michigan are in fact 2.3 times as likely as their white counterparts to be unemployed. Similarly, the disproportionate incarceration of Black men in California and Pennsylvania masks extreme racial economic inequities in both states. In California, Vera's expanded unemployment metric shows Black men to be unemployed at 2.5 times the rate of white men—a ratio 70 percent greater than indicated by official unemployment figures. In Pennsylvania, standard measures of unemployment suggest that Black men are 1.5 times as likely as white men to be unemployed. However, by including people in prisons and jails, Vera's expanded unemployment metric shows that the disparity is 121 percent greater than this: Black men in Pennsylvania are nearly 3.5 times as likely to be unemployed as their white counterparts.

In California, Vera's expanded unemployment metric shows Black men to be unemployed at 2.5 times the rate of white men.

Accurately tracking joblessness over time for different places is an essential tool for advocates, researchers, and policymakers seeking to address long-standing inequities. As these examples show, official measures are unreliable barometers of economic opportunity.

Implications

Vera's new metric shows that mass incarceration in the United States is a substantial driver of unemployment, with potentially devastating economic impacts. Racism at each stage of the criminal legal system—from arrest, to charging practices, to sentencing—means that these impacts are felt most acutely by Black people and their families and communities. However, the economic hardship inflicted by incarceration through forced removal from the workforce is not instantly resolved the moment a person is released from custody: there is an abundance of evidence that demonstrates how formerly incarcerated people face discrimination and a variety of obstacles to getting and retaining employment.[18] Once back on the job, workers who have been involved in the criminal legal system tend to have lower wages and are less likely to be involved in union organizing efforts when compared to other workers.[19] Thus, not only are formerly incarcerated people more likely to be unemployed, but those who manage to find work have a more tenuous

attachment to the workforce. These dynamics are a lived reality for many Americans, given that an estimated 6 million people were released from jails and prisons in 2023 and even short periods of incarceration can disrupt employment opportunities.[20]

To tackle the economic impacts of mass incarceration, researchers must construct measures that more accurately represent the full extent of the problem: Vera's expanded unemployment rate is one such measure. The expanded unemployment rate provides a more complete assessment of a community's need than standard unemployment statistics, as it captures those who are among the most disenfranchised from the labor market: incarcerated people.

The expanded unemployment rate has several practical uses. Government agencies can use the measure to direct resources to areas with the greatest need. Currently, federal programs use unemployment figures to allocate resources to states and localities, and state governments use them to estimate demand for employment and workforce training services.[21] For example, areas with high unemployment may receive funding for job training initiatives designed to equip the population with the skills required for available jobs. But incarcerated people—the vast majority of whom will return to the community—are omitted from these analyses.[22] Using the expanded rate to account for incarcerated people will help ensure that the populations who require the most support to get back on their feet receive it. Of course, the needs of formerly incarcerated people are different from those who have never been to jail or prison, and jurisdictions should commit to determining the unique needs of their residents.

Vera's analysis of expanded unemployment also reveals areas for further research. First, researchers should incorporate incarceration into studies of wage inequality. Prior empirical research suggests that apparent advances toward Black-white wage equity, particularly in the 1980s and 1990s, were largely due to mass incarceration.[23] That is, the total exclusion of many Black men from the labor market—not civil rights gains—were responsible for rising average wages among Black men. This is primarily because incarcerated Black men are disproportionately unemployed and low-wage workers. Incorporating incarcerated people into unemployment and other labor market metrics, such as median wages, yields a more accurate account of racial equity in the United States. Second, additional research is needed to explore the extent to which the demographic surveys used to construct official unemployment rates fail to account for people who have recently been released from jail or prison. (See "Limitations" on page 8 for more information.) Lastly, future research should identify how expanded unemployment rates vary between rural, suburban, and metropolitan areas, which would enable more targeted policy and resource allocation.

Incarceration impacts the makeup of the labor force, through physical confinement and institutional processes of exclusion upon release. Official employment statistics ignore this reality. The omission of incarcerated people, who are disproportionately Black and low-wage workers, from official employment statistics creates a false impression of economic well-being and racial equity. Vera's expanded unemployment measure reveals how decarceration—sending fewer people to jails and prisons and releasing more incarcerated people sooner—is needed to achieve lasting reductions in racial inequality and improvements in the country's economic health.

Limitations

Although the expanded unemployment rate is an improvement over current measures, it has some limitations. First, the surveys used by BLS to produce official unemployment statistics very likely undercount people who were recently released from incarceration. This is because even short periods of incarceration can limit people's access to housing, thus weakening their attachment to the households that population surveys are administered through. Researchers have described how labor force metrics likely exclude many formerly incarcerated people as a result.[24] Since Vera's expanded unemployment measure builds upon BLS labor metrics, it is also impacted by these limitations. As a result, Vera's expanded count will under-represent how incarceration impacts the unemployment count. In spring 2024, there were roughly 1.8 million people in prison and jail, which is far fewer than the 6 million people released from jail and prison over the course of the year.[25] Another limitation of Vera's measure is the assumption that all incarcerated people between the ages of 18 and 64 would be in the labor force if living in the community. This is unlikely to be true. For example, people in state and federal prisons report having a disability at roughly two and a half times the rate of adults in the general population.[26] Work is needed to develop more nuanced measures that account for these and other biases in the data; however, this should not detract attention from the purposeful exclusion of people who are incarcerated from official economic measures.

METHODOLOGY AND DATA SOURCES

Vera researchers combined data on incarceration by age, race, and gender from the U.S. Census Bureau's Decennial Census in 2000 and 2020 with employment information from the Bureau of Labor Statistics' Current Population Survey (CPS). The researchers further supplemented this data with Vera's Incarceration Trends data, which provides combined state-level incarceration data. To calculate expanded unemployment metrics, Vera researchers added the number of people incarcerated in jails and prisons to the count of jobless people and people in the labor force before calculating the expanded unemployment rate. The expanded unemployment metrics do not include people who are held in mental health treatment or immigration detention facilities.

Bureau of Labor Statistics employment data

The researchers calculated labor force and unemployment statistics directly from the CPS basic monthly data files, as processed by the National Bureau of Economic Research.[27] The CPS is a sample survey of more than 65,000 households conducted each month by the U.S. Census Bureau. Vera calculated estimates on a monthly basis, using the final weights created by the Census Bureau reflecting survey design and non-response. Vera then averaged those monthly estimates for the entire year to reach an annual estimate. Due to relatively small samples in some states for some race-gender-age combinations, there is substantial uncertainty about estimates in these instances. As such, Vera does not present results for all available states.

U.S. Census Bureau incarceration data

The U.S. Census Bureau collects detailed race, sex, and age information on people who reside in institutional group quarters, including correctional institutions, under the Decennial Census and the American Community Survey. (These kinds of data are not available in other sources, like the Bureau of Justice Statistics' correctional data collections, which does not collect jail population data by race and gender together, only separately.) The 2020 Census included a set of tables (PCT18A–PCT18I) that provide "Group Quarters Population by Sex by Age, by Major Group Quarters Type," for specific racial and ethnic categories. The 2000 Census included a similar set of tables (PCT17A–PCT17I). The correctional institutions covered under "Group Quarters" include local jails, state prisons, private facilities, and federal prisons but generally do not include juvenile facilities, facilities dedicated to immigration detention, work release, or other forms of locked facilities. Vera researchers collected these data by race, sex, and age for people in "Correctional facilities for adults" at the census tract level. Then, to assess data quality, Vera researchers compared this tract-level information to other data sources that had information on local jail facilities and state and federal prisons, checking for missed facilities or distorted numbers. The researchers drew this comparison data from Vera's Incarceration Trends database; the Bureau of Justice Statistics' 2019 data collection on state and federal prisons; and from spatial information in the Prison Boundaries dataset, created by the Oak Ridge National Laboratory for the Department of Homeland Security's Infrastructure database.[28] In order to make the numbers of people incarcerated comparable to information on people in the labor force, Vera only included people ages 18 to 64 years old. This report presents this information at the state level and at the census region.

Federal prisons

In some states, federal prisons make up a substantially large share of the prison population, presenting a special methodological challenge. Local jails and state prisons generally incarcerate people who were locked up by local police, with criminal charges in their own state courts. In contrast, people incarcerated in federal prisons (and a handful of private prisons) may have been prosecuted in a different state. This adds some uncertainty to estimates for some states: undercounting the number of incarcerated people from the 14 states without federal prisons (Alaska, Delaware, Idaho, Iowa, Maine, Montana, Nebraska, Nevada, New Mexico, North Dakota, Rhode Island, Utah, Vermont, and Wyoming) and overcounting the number of incarcerated people in states that have a large number of federal prisons (like Kentucky or West Virginia), who were sent there from other states. States without federal prisons incarcerate some people facing federal criminal charges in local jails on a contract basis, complicating things further. No simple solution is possible with available data. However, to minimize the effect of this problem at the state level, Vera removed any extreme cases—for example, Kentucky, West Virginia, or Minnesota—from selected figures and tables because those states had a larger share of people incarcerated in federal facilities than most other states. However, additional analysis indicates that the share of people held in federal facilities or local jails on behalf of federal agencies in the states presented in this report are closer to the national average, thus minimizing any bias that might arise. Regional and national estimates are less influenced by these issues.

ENDNOTES

1 For further examples of research on this topic, see: Bruce Western and Becky Pettit, *Black-White Earnings Inequality, Employment Rates, and Incarceration Working Paper No. 150* (New York: Russell Sage Foundation, 1999), https://www.russellsage.org/sites/all/files/u4/Western%20&%20Pettit_Black-White%20Earnings%20Inequality.pdf; Bruce Western and Becky Pettit, "Incarceration & Social Inequality," *Daedalus* 139, no. 3 (2010), 8-19, https://perma.cc/JK3R-Y3FY; Becky Pettit and Bryan L. Sykes, "Civil Rights Legislation and Legalized Exclusion: Mass Incarceration and the Masking of Inequality," *Sociological Forum* 30 (2015), 589-611; Lauren Melodia, "How 2.3 Million Incarcerated People Are Currently Excluded from the Aspiration of Full Employment," Roosevelt Institute blog, May 21, 2021, https://perma.cc/75LD-GTNJ.

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The Vera Institute of Justice's Incarceration and Inequality Project produces data, research, and communications that highlight the nexus of incarceration and economic inequality as a national policy priority.

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