INCARCERATION AND RACIAL INEQUALITY IN VOTER TURNOUT

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ABSTRACT

Recent research and press reports highlight increased voting rates among the demographic groups with rising rates of imprisonment. The standard surveys of voting in the U.S. are household-based probability surveys that exclude the institutionalized. Among the most marginal populations, the excluded have grown to such an extent to force a re-evaluation of our official turnout estimates. We merge Current Population Survey (CPS) voter turnout data with counts of prison and jail inmates provided by the Bureau of Justice Statistics (BJS), and provide turnout estimates that include the incarcerated for detailed sociodemographic groups. Results reveal that in recent election cycles official turnout rates of particular populations are grossly overstated. Among young black high school dropouts, only one in five voted in the 2008 election; exactly the same fraction that voted in the 1980 election where Ronald Reagan defeated Jimmy Carter. Much of the narrowing of the race gap in voter turnout is attributable to the exclusionary effects of mass incarceration. The remaining difference results from turnout declines among whites.

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INTRODUCTION

The 2008 election posted the highest rates of black voter turnout on record. In the contest that featured Barack Obama, participation among African-Americans rivaled those of whites for the first time since the major datasets on U.S. elections — the CPS and the National Election Survey (NES) — began collecting information on voter turnout. Media reports trumpeted the convergence of overall participation rates as well as the African-American turnout advantage among younger Americans. Analysts from the Pew Research Center noted that, for the first time, "The voter turnout rate among young, black eligible voters was higher than that of any other racial and ethnic group in 2008" *(1)*. Alternately attributed to then-candidate Barack Obama's race, charisma, and political organization, high turnout among young African-American voters was noted as a key factor in Obama's electoral victory *(2)*.

Even prior to the 2008 Presidential contest, African-Americans political participation rates ran comparatively high. Research on voter turnout in the U.S. has found that participation is strongly graded by socioeconomic status (SES). This connection remains one of the most longstanding and robust findings in the literature *(3-4)*. Given African-Americans comparatively low education and income levels, voter turnout gaps between blacks and whites should be especially large. Yet for many subgroups, they are not. Below we present turnout differentials between black and white males of various education and age levels for all Presidential contests between 1980 and 2008, using data from the November CPS files.

[INSERT FIGURE 1 HERE]

Two trends emerge from the figure. First, within-race comparisons reveal lower levels of political inequality among African-Americans. Gaps in turnout between high school dropouts and those with a high school degree or some college are narrower for African-American males compared to whites. Second, among the least educated, turnout rates for blacks exceed those of whites in the most recent Presidential elections. This is especially pronounced in the 2008 election, and among young voters: African-American male high school graduates outvoted their white counterparts by 15 percentage points, and those lacking a high school degree voted at a rate nearly double that of young white dropouts.

Why might socioeconomic status influence participation differently for blacks compared to whites? The dominant explanation emphasizes how certain equalizing institutions condition the relationship between individual-level traits like education or income and political action. Researchers hypothesize that African-American churches and political organizations, in particular, play a unique role in bridging socioeconomic divides by incorporating non-elite African-Americans into the political sphere *(5-6)*. These institutions, combined with the energizing effect of candidate Obama, served to propel black voter participation rates to their highest levels on record in 2008 *(7)*. Or did they?

Our focus is on an institutional intervention of a different sort. During this recent period of record-breaking voter turnout rates for African-Americans, the nation's incarceration rates have also broken records. And this institutional intervention is also unevenly spread across the demographic landscape. Table 1 below presents estimates of incarceration rates for particular subgroups based on periodic surveys of inmates and annual prisoner censuses conducted by the BJS. Thirty years ago, just 3% of the African-American male population age 18 to 64 was in prison or jail. By 2008, the overall rate had more than doubled. Among whites the overall rate more than doubled as well, but from a comparatively low fraction of a percent to just over 1%. The rise in mass incarceration is most concentrated among young black men with low levels of schooling. In 2008, nearly half of all young African-American males with less than a high school education were in prison or jail, an incarceration rate 25 times that of black males with at least some college education, and 4 times the rate for the least educated whites. Nearly 60% of black male high school dropouts born in the mid-to-late 1960s will serve a prison term *(8)*.

[INSERT TABLE 1 HERE]

The very groups championed for their rising voter participation rates have had growing portions systematically excluded from civic life — and from traditional measurements of the American population. The CPS and NES are household-based probability surveys that do not measure the institutionalized. Among the most marginal populations, the excluded have

grown to such an extent to force a re-evaluation of our official turnout estimates — and of our understanding of socioeconomic inequality in contemporary participation patterns.

No prior study re-estimates turnout rates for detailed demographic groups using data that includes those currently serving prison and jail sentences. In what follows we revisit the relationships between SES and black-white turnout differentials among males. We merge standard CPS voter turnout data with counts of prison and jail inmates provided by the BJS, and provide estimates of voter turnout that include the incarcerated for detailed sociodemographic groups. Our broad hypothesis is that the growth of incarceration and its demographic patterning challenges both the accuracy of basic political statistics and their interpretation.

We test two specific findings from the existing research: that compared to their white counterparts, black males' overall political inequality is lower, and that turnout among the lower socioeconomic stratum higher — especially in recent election cycles. While scholars have advanced various explanations for these findings, given the demographic concentration of incarceration, it may simply be that many of the least-educated and lowest-earning African-Americans are imprisoned and excluded from standard surveys of voters. As the penal population has grown, it has siphoned more and more unregistered and unlikely voters from the samples used to construct estimates of voter turnout generated by the CPS and the NES. As a consequence, recent increases in voter turnout — especially high rates of voter turnout among high incarceration subgroups — are at least partially the result of continued reliance on household based probability sampling methods employed by our standard population surveys.

While much recent attention has been paid to the electoral impacts of felon disenfranchisement laws, our empirical challenge lies elsewhere. Contemporary debates about felon disenfranchisement and political behavior focus largely on the actual or potential voting rates of *released* prisoners. In Uggen and Manza's analysis, for example, the currently incarcerated comprise a minority of those included in their re-estimated potential voting sample, given the much larger populations of ex-prisoners compared to those currently behind bars *(9)*. Our task lies not in estimating counterfactuals of political outcomes, but in re-estimating actual turnout rates among discrete demographic groups using data that includes the incarcerated, and rein-

terpreting theories of political inequality based on these results.

ANALYTICAL STRATEGY

The CPS is a monthly survey of approximately 60,000 households. Every election year, the CPS's November Voting and Registration survey asks adult respondents whether or not they had voted in that year's election, along with the standard labor force and demographic questions included in every CPS. Unlike the much smaller NES, the large sample sizes of the CPS allow us to construct group-specific turnout rates for age-race-education categories for each election year. We utilize November CPS files for the fifteen Presidential and midterm elections that occurred between 1980 and 2008. We first compile group-counts of our two primary race categories, three education categories, and two age categories, resulting in 180 group totals, or 90 per age category (for example, the estimated number of African-American high school graduates age 20-34 in the off-year race of 1990) *(10)*. The group count totals represent our group-level CPS turnout denominators, and we construct our turnout numerators by summing together the number of self-reported voters for each group. We refer to these CPS group-level turnout rates as our unadjusted estimates, as they exclude prison and jail inmates.

To construct our adjusted estimates, we utilize periodic surveys of prison and jail in-mates and annual inmate counts collected by the BJS. The BJS conducted its Survey of Inmates of Local Jails in 1978, 1983, 1989, 1996, and 2002, its Survey of Inmates of State Correctional Facilities in 1979, 1986, 1991, 1997, and 2004, and its Survey of Inmates of Federal Correc-tional Facilities in 1991, 1997, and 2004. These surveys provide us with the distributions of prison and jail populations for our groups of interest *(11)*. Next, we apply these distributions to annual aggregate counts of prison and jail inmates, and linearly interpolate between survey years to construct a continuous series of group-level estimates of the nation's prison and jail populations. We assume prison and jail inmates cannot vote, and adjust our CPS group-level turnout rates by adding in our estimates of the prison and jail populations to the group denomi-nators *(12)*. For example, if an unadjusted group-level turnout rate is .4, with a CPS numerator of 40 and denominator of 100, and a prison and jail count of 20, the adjusted turnout rate is .33

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(40/(100+20)).

The resulting adjusted rates may be thought of as a vote-to-population ratio. As such it tells us less about the presence of potential voters, information that may be relevant to candidates, party advocates, or get-out-the-vote activists. Yet a vote-to-population ratio tells us something very important about the political participation of particular demographic groups. Below we highlight some stark differences between our unadjusted and adjusted estimates of voter turnout in the contemporary U.S.

RESULTS

To what extent do blacks' comparatively high turnout rates and low levels of political inequality result from excluding prison and jail inmates? In Table 2 below we present key results from our group-level analysis of unadjusted (CPS only) and adjusted (CPS and BLS estimates of prison and jail populations) turnout rates. We display adjusted and unadjusted voter turnout statistics for the beginning and end years of our series; a full set of results for all fifteen Presidential and Congressional election years is available from the authors on request. In 1980, adding the prison and jail populations to our CPS samples results in essentially unchanged turnout rates, with the exception of young black males with low levels of education. For African-American males age 20-34 with a high school degree, excluding the incarcerated results in turnout rates 5% higher than their actual rate *(13)*. For high school dropouts, the unadjusted voter participation rate overstates actual turnout by 10%.

[INSERT TABLE 2 HERE]

The dramatic upturn in incarceration in the U.S. occurred quite recently, suggesting that the biggest disparities in unadjusted versus adjusted voting statistics occur well after 1980. The results from 2008 provide clear evidence that in more recent elections the exclusion of prison and jail inmates from our voting statistics results in severely inflated turnout rates for particular sociodemographic groups. Among all young men, including inmates in turnout estimates suggests conventional surveys overstate turnout among whites by *2%* and among blacks by *13% (14)*. This differential is large enough to flip the direction of racial disparities in politi-

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cal participation: our unadjusted estimate reveals a black advantage in turnout, consistent with media reports on the historic 2008 election. Adding prison and jail inmates into the denominator, however, reverses the finding: similar to past elections, voter participation rates among young white men surpassed those of blacks in 2008.

The effect of incarceration among young male dropouts is especially dramatic. As we show in Figure 2 below, turnout is overstated by close to 15% among whites and nearly two-thirds among blacks. The unadjusted estimates suggest that young black dropouts outvoted young white dropouts by a ratio of nearly 2 to 1. Our adjusted estimate reduces the disparity to just 6 percentage points. While the equalizing institutions of the African-American church and political groups may help explain lower levels of intra-racial voting disparities between high- and low-educated blacks, much of the relative equality is attributable to sampling methods that exclude the institutionalized. The standard method of calculating voter participation — represented here by our unadjusted estimates — reveal a turnout ratio between young college-educated blacks and young black dropouts of less than 2 to 1. Adding in the incapacitated widens the gap to 3.25 to 1.

[INSERT FIGURE 2 HERE]

CONCLUSION

The perception of growing political involvement of young black men is simply an illusion — an artifact of survey methods that pre-date penal expansion. The level of democratic engagement among young blacks is not, as some have argued, at historic highs *(1)*. On the contrary, whole segments of the black population are excluded from the political process. Less than half of young black men cast a ballot in an election that featured the man who would become America's first black president. Among black high school dropouts, only one in five voted in the 2008 election; exactly the same fraction that voted in the 1980 election where Ronald Reagan defeated Jimmy Carter. Much of the narrowing of the race gap in voter turnout is attributable to the exclusionary effects of mass incarceration. The rest results from declines

in turnout among whites, and not widespread increases in the democratic participation of young black men.

More broadly, this is the story of an institutional expansion that widens political inequality. Countering the historical trend toward expansion of the franchise, mass incarceration wardens off a growing fraction of the citizenry from participating in politics. Countering the effects of the pro-participatory institutions of the African-American church and African-American political organizations, mass incarceration disproportionately affects black men with low levels of education, exacerbating political inequality among blacks and reducing turnout advantages among black men over their white counterparts. And the logic of mass incarceration is self-propelling. As the prison population grows, the number of potential voters with a vested interest in reversing contemporary criminal justice policies shrinks. By its very nature, the expansion of the carceral state systematically eliminates the political power of the constituency most directly affected by it.

The political consequences of mass incarceration may extend even beyond the ranks of those currently imprisoned and the millions of Americans who once served a prison or jail term. Mass incarceration targets particular sociodemographic groups, and its impact is also concentrated geographically *(15)*. Evidence suggests that neighborhood characteristics such as poverty may influence the civic participation of residents beyond the effect of individuals' own sociodemographic profile *(16)*. As disadvantage deepens in communities, "levels of collective efficacy . . . decline markedly," lowering citizens' trust in the state to achieve collective goals (17). As the ranks of the voting-eligible decline in particular communities, the faith in the state to improve upon local conditions may decline as well, further reducing the political counterweight to mass imprisonment.

NOTES

1. M.H. Lopez, P. Taylor, Dissecting the 2008 electorate: most diverse in U.S. history. Pew Research Center (2009).

2. T.S. Philpot, D.R. Shaw, E.B. McGowen, Winning the race: black voter turnout in the 2008

Presidential election. *Public Opinion Quarterly* **73**, 995 (2009).

3. S. Verba, K.L. Schlozman, H. Brady, N. Nie., Race, ethnicity, and political resources: participation in the United States. *British Journal of Political Science* **23**, 453 (1993).

4. S. Verba, K.L. Schlozman, and H. Brady, *Voice and Equality: Civic Voluntarism in American Politics* (Harvard Univ. Press, Cambridge, 1995).

5. B. Liu, S.D.W. Austin, B.D. Orey, Church attendance, social capital, and black voting participation. *Social Science Quarterly* **90**, 576 (2009).

6. K. Tate, Black political participation in the 1984 and 1988 Presidential elections. *American Political Science Review* **85**, 1159 (1991).

7. Standard voter surveys such as the CPS rely on respondent self-reports. Thus another possible explanation for low black-white voting differentials is that African-Americans overreport their participation at higher rates than whites. Higher overreporting rates by blacks imply that the estimates we provide are conservative: black political inequality should be higher and black-white turnout differentials greater if blacks systematically overreport their turnout rates.

8. B. Pettit, B. Western, Mass imprisonment and the life course: race and class inequality in U.S. incarceration.*American Sociological Review* **69**, 151 (2004).

9. C. Uggen, J. Manza, Democratic contraction? Political consequences of felon disenfranchisement in the United States. *American Sociological Review* **67**, 777 (2002).

10. Our focus is on black-white differentials among males, given the dramatically higher incarceration rates among men. Turnout data on females is available from the authors upon request. We focus on non-Hispanic blacks and whites for two reasons: Changes in the citizenship identifier in the CPS results in an inconsistent citizen flag over time, which particularly affects our Hispanic estimates, and a large fraction of young Hispanic men with low levels of education are non-citizens (and thus already ineligible to vote), resulting in small sample sizes for key Hispanic subgroups.

11. Annual inmate counts provided by the BJS do not disaggregate prison and jail inmates by age, race, and education, resulting in our need to utilize the inmate surveys.

12. While Maine and Vermont permit incarcerated felons to vote, their actual voting rate is un-

known and their prison populations are small. Jail inmates sentenced for misdemeanor crimes are eligible to vote, but — being confined — lack the physical means to do so. As a robustness check, we re-estimated our group-level results excluding those serving time in local jails, and are happy to provide those results upon request.

13. Calculated by subtracting the turnout difference and dividing by the adjusted rate: (41.5%-39.5%)/39.5%.

14. These estimates are based on weighted averages of the turnout differentials disaggregated by education, where the weights are the relative size of the various education categories.

15. J.P. Lynch, W.J. Sabol, Prisoner reentry in perspective. Urban Institute Crime Policy Report (Washington D.C. 2001).

16. C.J. Cohen, M.C. Dawson, Neighborhood poverty and African American politics. *American Political Science Review* **87**, 286 (1993).

17. J. Soss, L.R. Jacobs, The place of inequality: non-participation in the American polity. *Political Science Quarterly* 124, **95** (2009).

Table 1. Male incarceration rates, by race and education, 1980 and 2008.

	1980	2008
Ages 18 to 64		
White, all	0.4	1.1
Black, all	2.9	8
Ages 20 to 34		
White, all	0.6	1.7
White, college	0.2	0.3
White, HS	0.7	1.8
White, <HS	1.9	14.2
Black, all	4.6	11.2
Black, college	1.9	2
Black, HS	3.8	8.2
Black, <HS	9	48.8

Source : Authors' compilations based on BJS correctional surveys, BJS inmate surveys, BJS annual inmate counts, and various Census Bureau surveys. See B. Pettit, B. Sykes, B. Western, "Technical Report on Revised Population Estimates and NLSY 79 Analysis Tables for the Pew Public Safety and Mobility Project", Harvard University (2009) for further details.

Table 2. Adjusted and unadjusted voter turnout rates, 1980 and 2008.

|	**1980**					
	Ages 18-64			Ages 20-34		
	Unadjusted	Adjusted	% Difference	Unadjusted	Adjusted	% Difference
White, college	76.2%	76.1%	0.1%	68.6%	68.5%	0.1%
White, HS	59.7%	59.5%	0.3%	45.8%	45.5%	0.7%
White, <HS	45.6%	45.3%	0.7%	20.4%	20.1%	1.5%
Black, college	62.3%	61.2%	1.8%	55.3%	54.4%	1.7%
Black, HS	51.1%	49.2%	3.9%	41.5%	39.5%	5.1%
Black, < HS	40.1%	38.6%	3.9%	22.8%	20.7%	10.1%
	2008					
	Ages 18-64			Ages 20-34		
	Unadjusted	Adjusted	% Difference	Unadjusted	Adjusted	% Difference
White, college	72.6%	72.4%	0.3%	64.9%	64.6%	0.5%
White, HS	49.3%	48.7%	1.2%	36.4%	35.7%	2.0%
White, <HS	27.3%	25.3%	7.9%	16.5%	14.4%	14.6%
Black, college	67.7%	66.3%	2.1%	64.3%	63.0%	2.1%
Black, HS	58.2%	54.3%	7.2%	50.8%	46.1%	10.2%
Black, <HS	40.4%	29.7%	36.0%	33.5%	20.4%	64.2%

Notes: Unadjusted turnout rates reflect data from the November files of the CPS only. Adjusted turnout rates combine CPS data with data on prisoners and jail inmates from the BJS. See the Analytical Strategy section for details on our group count estimation procedure. The percent difference is calculated by subtracting the adjusted from unadjusted rates and dividing by the adjusted rates.

Figure 1. Voter turnout by race and education, Presidential elections, 1980-2008.
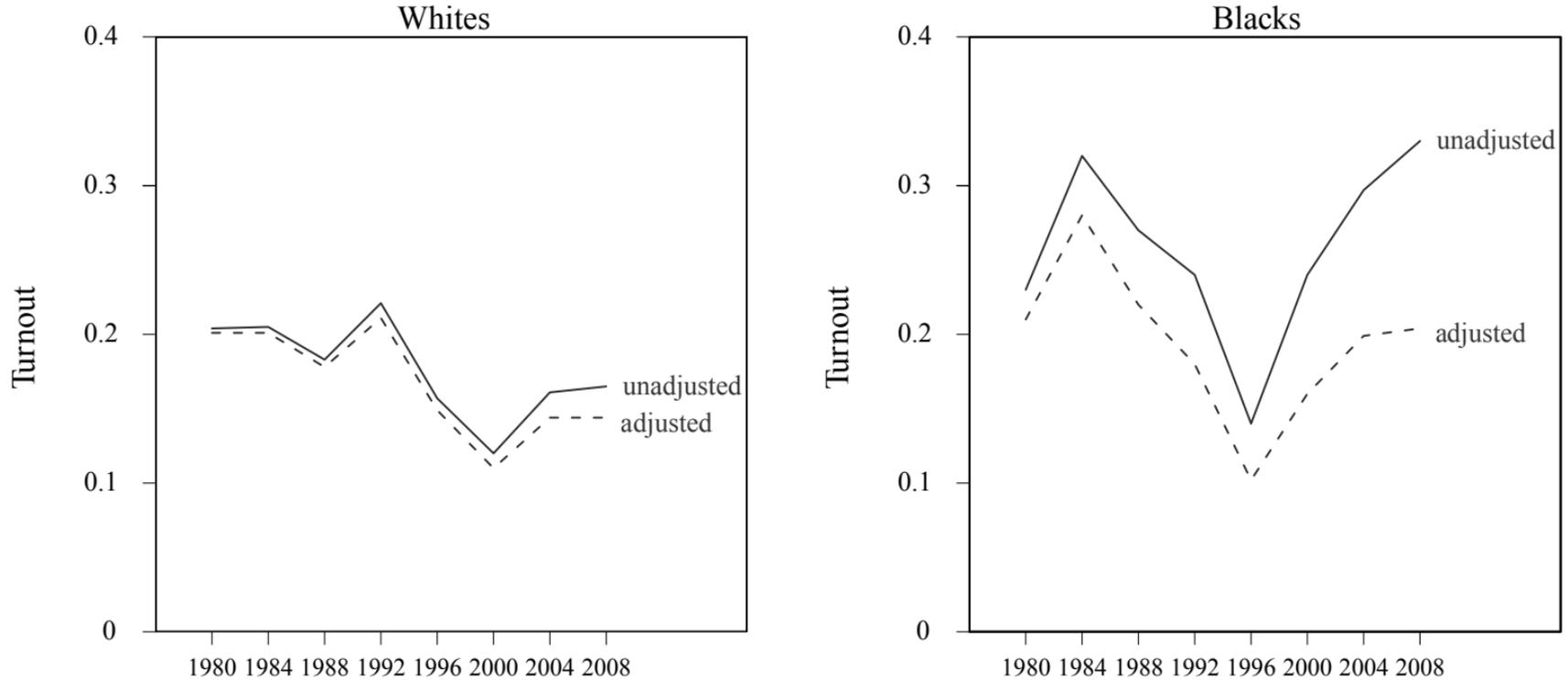
Panel A. Ages 18-64 — Blacks - - - Whites

Panel B. Ages 20-34 — Blacks - - - Whites
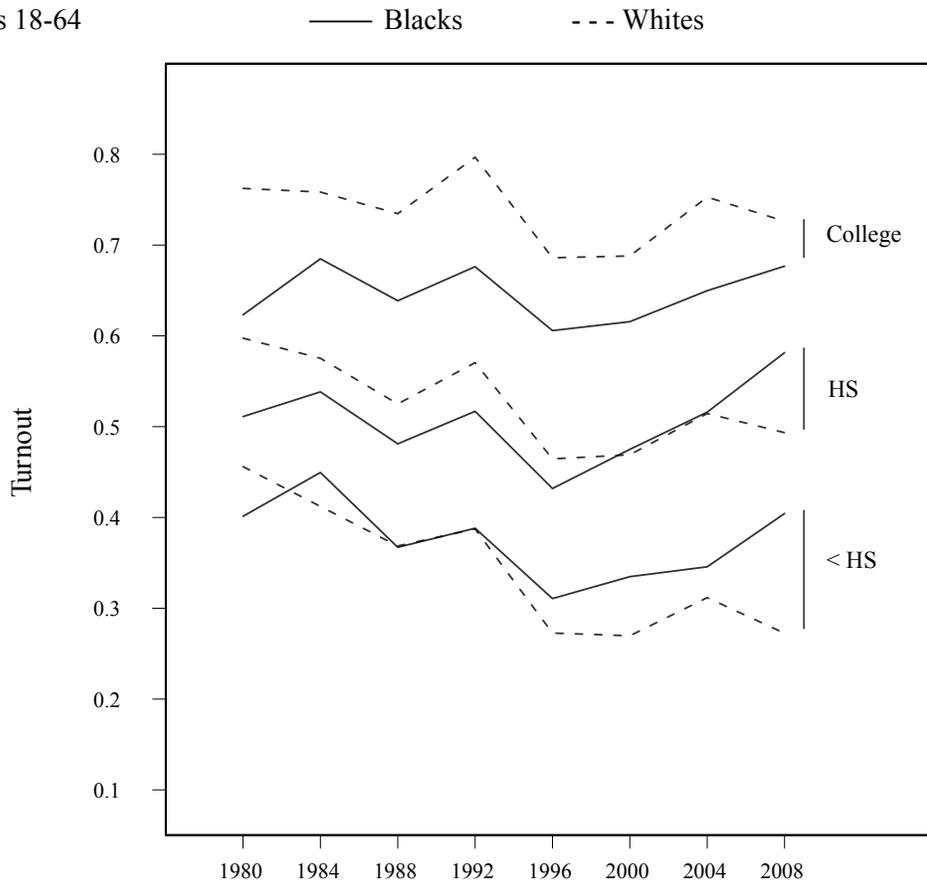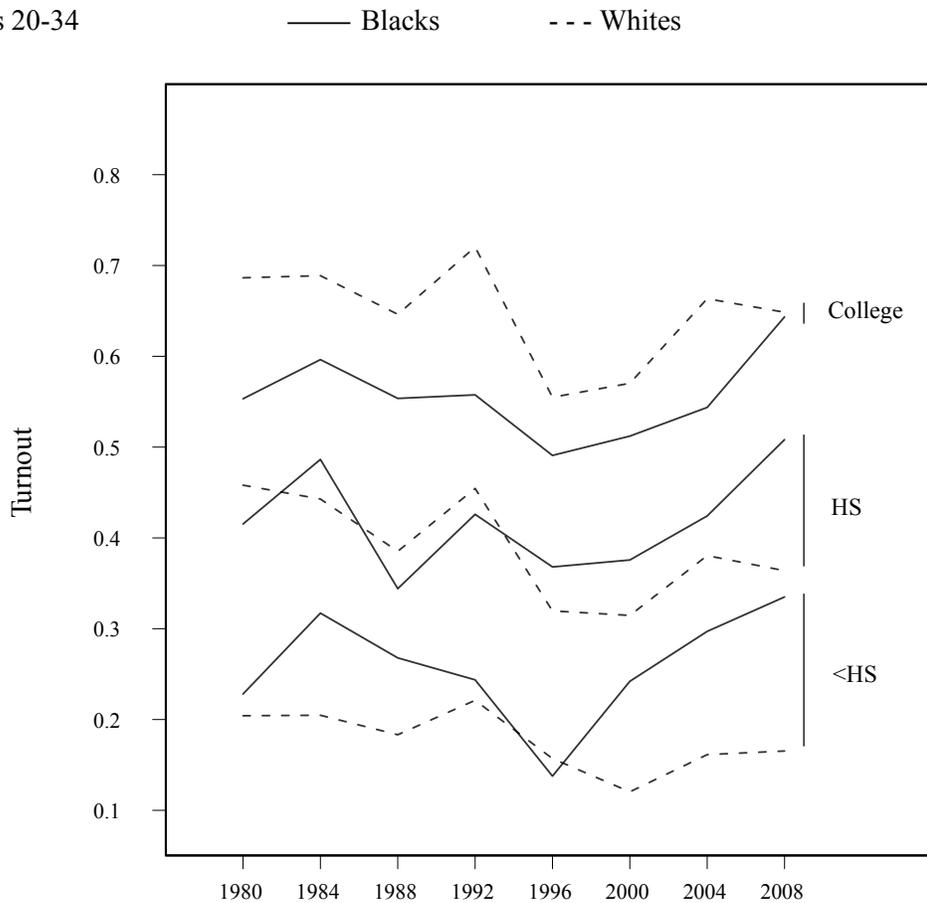
Notes: Data come from the November series of the Current Population Survey (CPS), various years, and are restricted to male citizens.

Figure 2. Voter turnout rates for male high school dropouts, ages 20-34, Presidential races only.

Notes: Unadjusted turnout data comes from the November files of the Current Population Survey (CPS), 1980-2008. Adjusted turnout data come from the CPS and Bureau of Labor Statistics' (BJS) prison and jail inmate surveys, various years. See the Analytical Strategy section for details on the construction of the series. Samples limited to citizens.