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BETWEEN A ROCK AND A HARD PLACE: THE BLACK MIDDLE CLASS AND MASS

INCARCERATION

A DISSERTATION SUBMITTED TO

THE FACULTY OF THE GRADUATE SCHOOL

IN CANDIDACY FOR THE DEGREE OF

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BY

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For Dominique and Ruby

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ABSTRACT

The United States is the world leader in incarceration. Mass incarceration does not affect all racial groups equally; research literature shows that people of color, but especially Black people in the working and lower classes, face the brunt of policing and incarceration in this country. In *Between a Rock and a Hard Place: The Black Middle Class and Mass Incarceration*, I examine how mass incarceration affects those who are not poor by comparing and contrasting the experiences of middle-class White and Black respondents using data collected from focus groups and one-on-one interviews. Although Black and White respondents sometimes shared similar stories regarding family members who had been incarcerated, I show that their experiences are fundamentally different from each other because of how policing resources are politically distributed. I also show that middle-class Black respondents' personal interactions with the police are significantly different from those of middle-class White respondents. I argue that middle-class Black people must contend with mass incarceration and policing practices that are distinct from poor Black people specifically and White people in general.

CHAPTER ONE

INTRODUCTION

Since the 1980's, the growth of the American criminal justice system has been

unprecedented in its scope and scale. It is a well-known social scientific fact that the United

States of America now incarcerates more human beings (both in hard numbers and rates) than

any other Western industrialized nation on earth (Alexander 2012; Roberts 2004; Roeder, Eisen,

and Bowling 2015; Wacquant 2009; Western 2006). Roughly "more than 11 million people

[are] annually processed through the nation's more than 3,000 county jail facilities. A staggering

19.8 million people are estimated to have a felony conviction, and up to 100 million U.S.

residents may have a criminal record" (Miller and Alexander 2016:292–93). Although

explanations for why the increase in mass incarceration took place have varied (see Chapter 2),

one thing is clear: incarceration is an institution that shapes the life chances of millions of people

in the U.S. (Western 2006), which means it demands sociological attention. Research on mass

incarceration has mostly focused on poor Blacks. In this research project, I investigate the

economic and social effects of incarceration and policing on middle-class Blacks and Whites.

Specifically, I ask several research questions: (1) how are middle-class Blacks and Whites

affected when their family members and/or friends are incarcerated; (2) what direct experiences

do middle-class Blacks and Whites have with the police; and (3) what can these experiences tell

us about how middle-class Blacks and Whites are positioned in the racialized social system of

the U.S. (Bonilla-Silva 1997, 2001, 2015)?

Changing Time, Changing Crime

In an April 2013 *Rolling Stone* article, Matt Taibbi (2013) recounts the story of Curtis Wilkerson, a Black man serving a 25-years-to-life sentence in prison for stealing a package of tube socks from a department store in 1995. Life sentences for crimes like petty theft are a reality thousands of prisoners started facing in California after the passage of its now notorious "three strikes" law in the early 1990's (Chemerinsky 2004; Examiner News Services 1995; Harkinson 2013; Taibbi 2013). State legislatures designed three strikes laws to target and incarcerate repeat offenders for long periods of time, mostly for violent crimes. However, California's law was unique in that misdemeanors counted towards the accrual of prisoners' three strikes. Wilkerson had previously served time for being a lookout during some burglaries in the 1980's. The tube sock theft counted as his third strike, and he was sentenced accordingly (Taibbi 2013). At the time of Taibbi's story, Wilkerson would only be eligible for parole after serving at least 25 years in prison, which meant he could be released as "early" as 2020. Although a 25-years-to-life sentence for petty theft may seem excessive, it is emblematic of the transformation of American punishment that occurred throughout the 1980's and 1990's.

It was not always this way. The American criminal justice system only saw the beginning of a huge upswing in incarceration and militarized policing in the late 1970's (crime had been increasing steadily since the early 1960's; see Alexander [2012] and LaFree [1999]). One may expect an increase in imprisonment due to an increase in crime. However, since 1991 violent crimes and property crimes have fallen prodigiously by 51 percent and 43 percent, respectively (Roeder et al. 2015). Despite that reality, rates of incarceration since 1991 kept climbing. In short, the rate of crime could not easily explain the continual expansion of incarceration (Jacobs and Jackson 2010; Western 2006). At the same time, budgets devoted to

police militarization have continued to increase, even though crime rates have been going down (Alexander 2012; Roeder et al. 2015; Wacquant 2009). In the words of Bruce Western, "Looking at changes in overall rates of serious offending suggests that trends in imprisonment and crime are unrelated" (2006:34). Although drawing a direct causal link between crime and imprisonment is difficult, researchers have very fruitfully shown how imprisonment and policing do not touch all groups equally. It is now quite clear that mass incarceration and policing have acutely affected Black and Latinx communities, families, and individuals far more than others.

A Clarification of Terms

For the remainder of this dissertation, I treat the terms "incarceration" and "mass incarceration" as distinct terms. I use "mass incarceration" to mean the policing and incarceration of Blacks, and "incarceration" to mean the policing and incarceration of Whites. Using the term "mass incarceration" when referring to Whites does not make empirical or theoretical sense, and there are good historical reasons for this. Loïc Wacquant (2000) offers a framework for understanding the racialized control of Blacks in the U.S. Starting with slavery and then followed by Jim Crow laws, the ghetto, and the hyperghetto (in which the ghetto and prison system are entangled with one another), the history of Blackness in the U.S. has been a history of violent social control carried out by both state and non-state actors and institutions (Bonilla-Silva 2001; Feagin 2010; Gossett 1997; Wacquant 2001). Although some White ethnic groups (such as Italians, Jews, and the Irish) were at one time considered non-White (Brodkin 2004; Roediger 2007), no equivalent institutions or historical trajectories exist for the life courses of Whites in the U.S. This still holds true when it comes to incarceration. As Mauer and King (2007:7) write:

> … the state with the *lowest* rate of incarceration for African Americans – Hawaii, at 851

per 100,000 population – maintains a rate 15% higher than the state with the *highest* rate for whites – Oklahoma, at 740 per 100,000 population. While more than 1% of African Americans in 49 states and the District of Columbia are incarcerated, there is not a single state in the country with a rate of incarceration that high for whites.

Although the rate of incarceration among poor Whites is an important area of academic study (see Gottschalk 2015), it still remains true that the carceral state focuses most of its attention on poor Blacks in both urban and rural contexts (Eason 2012; Wacquant 2000, 2009; see also Chapter 2 for further review). Hence, from this point forward, when I refer to the incarceration of Blacks I will use the term "mass incarceration," and when I refer to the incarceration of Whites I will use the term "incarceration." When referring to both groups in the same sentence, I will use the term "incarceration" for the sake of clarity and brevity.

Furthermore, when I discuss institutions that are "carceral," I am referring to the interconnected web of local, state, and federal institutions, actors, and policies that serve as a means of official state social control. Prisons and jails are the clearest examples of carceral institutions, but there are other institutions and policies that could be defined as "carceral." There are, for example, millions of people on probation or parole who are subject to further punishment if they step outside the narrow boundaries the state sets for their behavior post-release (Miller and Alexander 2016). In addition, there are also institutions and policies that are not necessarily carceral in and of themselves, but have taken on aspects of punitive control. For example, though schools themselves are not carceral institutions, their increasing usage of police officers to handle student discipline, and their place in the "school-to-prison pipeline" means that they are becoming carceral (Beger 2002; Hirschfield 2008).

The Effects of Mass Incarceration and Policing on Communities, Families, and Individuals

The American criminal justice system is both reflective and generative of social

inequalities (Wakefield and Uggen 2010; Western and Pettit 2010). Mass incarceration is a geographically concentrated phenomenon (Lerman and Weaver 2014; Sampson and Loeffler 2010). In Chicago, for example, most prisoners are drawn from only eight of the city's 77 community areas (Clear 2007; Sampson and Loeffler 2010).[1] Those eight community areas are home to mostly poor, segregated Blacks with little education (Clear 2007; Pettit and Western 2004; Western 2006). Indeed, Chicago is one of the many urban centers where the police focus most of their attention on poor Black communities, mostly due to disproportionately enforced drug laws (Clear 2007; Lurigio et al. 2010; Miller 2014).

For poor Black communities, families, and individuals, mass incarceration has been devastating. Ex-offenders are routinely excluded from employment opportunities (Harris and Keller 2005; Miller and Alexander 2016; Pager 2003; Wheelock and Uggen 2008), educational opportunities (Austin 2008; Page 2004), and housing (Clear 2007; Wheelock 2005). Having a criminal record significantly affects current and future earning potential (Miller 2014; Miller and Alexander 2016; Soss, Fording, and Schram 2011; Wacquant 2009; Western 2006; Wheelock and Uggen 2008), and prisoners do not generally have access to education or federal student loans (Austin 2008; Lundgren, Curtis, and Oettinger 2010; Page 2004). Ex-offenders have to navigate significant barriers that get in the way of independence and self-sufficiency (Harding et al. 2014; Morenoff and Harding 2014; Naser and La Vigne 2006; Pogrebin et al. 2014). Additionally, former prisoners are routinely excluded from receiving public housing benefits (Clear 2007; Wheelock 2005), and their friends and family members are constantly under threat of eviction (Comfort 2007; Mele 2005; Richie 2012).

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[1] According to data from Sampson and Loeffler (2010:24, figure 3), the communities are Austin, Humboldt Park, West Garfield Park, East Garfield Park, and North Lawndale on the west side, and Washington Park, Englewood, and Fuller Park on the south/southwest side.

The collateral effects of imprisonment do not just affect individual ex-offenders. Both policing and post-prison reentry are partially based on classed and raced urban physical geography (Miller 2014; Sampson and Loeffler 2010). This means that families and whole communities also face barriers associated with mass incarceration. Turney (2015) argues that prisoners exist in a liminal state, in the sense that they are neither a part of a family nor completely isolated from family. Family members and friends must contend with the practicalities of visiting their loved ones in prison, which includes barriers of cost, time, and resources that might not be available to poorer individuals (Christian 2005). Comfort argues that women with incarcerated partners undergo "secondary prisonization," a process by which women who are romantically involved with prisoners "*are themselves changed* by their interactions with the correctional facility" (2008:185; emphasis original).

Incarceration also affects the educational outcomes of prisoners' children (Morsy and Rothstein 2016) and contributes to the perpetuation of intergenerational inequalities in race and class (Comfort 2007; Turney 2015; Wildeman 2009). Although the effects on family life are primarily negative, Comfort (2007) notes that in some contexts, imprisonment may relieve families of having to deal with a family member's physical abuse, substance abuse, and/or mental illness. In these cases, imprisonment may provide much needed care that the inmate might not otherwise receive outside of prison, and/or respite from family members who exhibit abusive behaviors (see Comfort [2007:285–87] for further discussion).

The inability to secure jobs and education that can make ends meet also greatly constricts the housing options of former prisoners and affects the quality of life at the community level. Upon release, ex-offenders tend to return to the job-poor communities in which they lived prior to arrest (Miller 2014; Visher and Travis 2003; Wacquant 2009). As a result, whole

communities can become stigmatized because they are full of people who have criminal records (Clear 2007). These communities act as repositories for people who lack the social, economic, and political means to change their life courses, and makes policing the "underclass" easier (Wacquant 2009). Clear (2007) argues that mass incarceration is a form of "coercive mobility." The theory of coercive mobility suggests that incapacitation and deterrence may work while incarceration rates remain low. However, overusing incarceration as a tool of social control places disproportionate social, political, and economic burdens on some communities. These burdens compound on one another until crime starts to rise. Through this process, social ties that maintain social control weaken, while potentially strengthening social ties among those involved in criminal behaviors (Visher and Travis 2003). In that sense, the so-called benefits of highly focused crime control should be called into question.

Newer fields of research focus on the short-term and long-term health effects of imprisonment, as well as the political behaviors of people with imprisoned family members. Although going to prison may temporarily improve individuals' health, those effects disappear after people exit prison (Wildeman and Muller 2012). Schnittker and John (2007) find that going to prison, even for a short period of time, has very negative effects on health; they also find that contact with the prison system, rather than the length of time spent in prison, is more important to health outcomes.

Mass incarceration also affects political behaviors. Uggen, Larson, and Shannon (2016:3) note, for example, that "… 6.1 million people are disenfranchised due to a felony conviction," and ex-offenders also cannot hold public office (Wheelock and Uggen 2008). The political effects of mass incarceration are not limited to offenders themselves; offenders' romantic partners have been shown to disengage from political activities such as

voting (Sugie 2015). The partners and children of offenders also have less trust in governmental institutions, but may engage in alternative forms of political action when they are available (Lee, Porter, and Comfort 2014). Lerman and Weaver (2014) also find that it is the character of police stops that matters for civic participation; people participate less in local government when police conduct "stop and frisk" searches on citizens, especially when those citizens have not engaged in criminal activity.

The research reviewed above represents but a small fraction of what we know about the collateral consequences of mass incarceration and policing (see Chapter 2 for further review). Despite that, the general conclusions of the research literature have been clear: mass incarceration and policing practices have had disproportionately negative effects on poor Blacks. In short, mass incarceration and policing practices are significant contributors to inequalities at the community, familial, and individual levels. However, what we know far less about is how incarceration and policing practices affect the middle class, specifically middle-class Blacks and Whites.

The Present Study

This project is not directly about those who are incarcerated, a group which has been studied at length and in great detail. In this project, I contend that inequalities related to mass incarceration reach beyond the scope and scale of America's urban ghettoes. Specifically, I argue that there are significant differences between middle-class Blacks and Whites in (1) how they manage the fallout of having a friend and/or family member incarcerated, and (2) their interactions with the police. I argue that middle-class Blacks face dual forces of the state in both the fallout of having a family member or friend incarcerated and from disproportionate contact with the police.

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The mere fact that many non-poor Blacks have now been included in a variety of institutions they were previously excluded from during the Jim Crow era does not mean they have reached parity with the White middle class (Pattillo-McCoy 1999). If anything, middle-class status among Blacks has been far more precarious than middle-class status among Whites. For example, middle-class Blacks are more likely to live in racially segregated areas that are located near concentrated poverty (Pattillo 2005; Pattillo-McCoy 1999; Sharkey 2014). It is also well known that there have historically been wide gaps in wealth accumulation between middle-class Blacks and Whites (a gap of roughly $40,000 by the late 1980's; see Conley [1999], Hanks, Solomon, and Weller [2018], and Oliver and Shapiro [2006]), a disparity that has only worsened since the Great Recession (Henricks 2015).

In addition to these persistent inequalities, in the following analysis I document how middle-class Whites have been able to avoid many consequences of mass incarceration that middle-class Blacks cannot. The criminal justice system affects all people (the poor and the rich) in some form or another. However, its racial and class dimensions make it a system that insulates Whites from many of its harshest consequences. Although middle-class Blacks are in some ways insulated from the criminal justice system that poor and working-class Blacks are not, they still must learn to navigate the criminal justice system in ways that Whites do not have to.

Chapter Overview

In this dissertation, I examine an understudied facet of incarceration: its effects on middle-class Blacks and Whites. This study is a starting point for further examination of how incarceration not only affects the non-poor, but also broader swaths of the population not studied in the existing literature. In the following chapter I provide a literature review of the existing

research and argue that there is a need for research that looks beyond the effects of mass incarceration among poor Blacks. In this chapter, I provide a historical overview of the social and political development of mass incarceration, how it has affected daily life for millions of Americans, and the current theoretical debates that inform our sociological understanding of it.

In Chapter 3 I explain my rationale for my research methods. This includes the study design, participant recruitment, and the procedures I followed while collecting data. I also describe the challenges I faced as a researcher. Specifically, I reflect on my social status and how it affects my relationships with research participants and the interpretation of the data I collected. I also address concerns regarding race-matching, generalizability, and data saturation.

In Chapter 4 I present research evidence illustrating how the incarceration of a family member or friend differently affects middle-class Blacks and Whites. Middle-class Blacks and Whites must often deal with the fallout of having a friend or family member incarcerated. However, the research evidence suggests that middle-class Blacks sometimes must provide more economic help to their friends and family members than Whites. I also provide a framework for understanding how middle-class Blacks and Whites must deal with incarceration in different ways, even when faced with similar circumstances.

Chapter 5 compares and contrasts the lived, daily experiences of middle-class Blacks and Whites with the police. I find that middle-class Blacks overwhelmingly have negative interactions with the police that Whites do not generally have: feelings of uncertainty over their physical safety, as well as the need to engage in strategies that allow them to navigate public space. What this means is that, in addition to having family members and friends who have been incarcerated, middle-class Blacks must *also* contend with having unwanted interactions with the police themselves.

In Chapter 6, I provided a brief summary of my conclusions. I also explore the limitations of this study, policy implications, and avenues for future research.

CHAPTER TWO

LITERATURE REVIEW

In the following pages, I provide a historical review of research on the U.S. criminal

justice system, and draw upon sociologies of race, class, punishment, and political economy. For

reasons enumerated below, incarceration and policing became the preferred method for

controlling crime at the federal, state, and local levels (as opposed to more rehabilitative

measures, for example). I will address the historical, political, racial, and socioeconomic factors

that gave rise to modern American punishment, as well as their effects in the current political

moment. Changes in criminal justice policies that gave rise to mass incarceration were not

inevitable. Rather, they resulted from specific policy choices that took place in particular

historical contexts. Understanding policy choices makes it easier to explain how and why

incarceration and policing have had such devastating impacts on poor communities of color.

Finally, the historical review provides a framework through which we can understand the

differences between middle-class Blacks and Whites in how they have to deal with the fallout of

incarceration and policing.

I begin with the historical background of punishment, followed by a review of historical

policy developments that set the stage for the rise in punitivity from the 1980's to the present. I

follow that with a discussion of the theoretical debates that have dominated the sociology of

mass incarceration. Finally, I provide theoretical and empirical justification for why examining

incarceration among middle-class Blacks and Whites is important.

Historical Background

Modernity and Changing Modes of Social Control

A full history of prisons is not necessary for the purposes of this project. However, it suffices to say that at the time of their conception, prisons were viewed as a more humanitarian brand of punishment, an alternative to the degradations of torture and execution favored by monarchs (Davis 2003; Foucault 1995). The onset of modernity and the Enlightenment ushered in new thought about personal freedom and democracy that delegitimized the authority of monarchs and emphasized the political rights of individuals (Foucault 1995; Gilmore 2007).

As time went on, the state gradually replaced monarchies, which required different forms of social, political, and economic control (Goodman, Page, and Phelps 2017). The prison developed out of the need for punishments that could reflect a more "civilized" social order, but was still under the dominion of new state authority (Foucault 1995; Garland 2001). Rather than a means of holding prisoners temporarily before punishment, "… incarceration became the punishment itself" (Davis 2003:26) for all but the most serious of crimes. The prevailing belief was that incarceration could reform prisoners, make them regret their criminal activities, and ultimately mold them into better people. The first U.S. penitentiary opened in Pennsylvania in 1790 (Davis 2003).

Race and Penality

Modernity and the Enlightenment brought with them a set of racial ideologies that favored "scientific" explanations for the supposed inability of non-Europeans to form civic and political institutions (Fredrickson 2002; Mills 1997; Omi and Winant 2014). New paradigms of who should have citizen rights begged the question of who should not have rights, and non-Whites were excluded from the "social contract" (Mills 1997). White European voyagers had

also stumbled upon a New World of untapped and exploitable resources. With the simultaneous

demands of landowners for cheap, renewable labor and the specter of revolts from White

indentured servants, the importation of a bonded work force was crucial for maintaining

hegemony and creating capital (Baptist 2014; Fields 1990; Wacquant 2000). The first enslaved

Africans were brought to Jamestown, Virginia in 1619 (Gossett 1997).

Race has always been at the forefront of American social control (Miller 2013; Wacquant

2000). It was, of course, central to the legitimization of slavery in the American South prior to

the Civil War at a time when religious explanations for supposed racial differences were waning

(Fredrickson 2002; Gossett 1997). After slavery was abolished in the postbellum South, states

passed Black Codes which were designed to greatly constrict the freedoms of former slaves;

convict leasing was a crucial component of such laws (Goodman et al. 2017; Gossett 1997). As

Thomas F. Gossett notes, "[Blacks] were required to have passes in moving from place to place

and they were forbidden to assemble without proper permit by representatives of the law. If they

refused to work, they could be fined and hired out to work by labor contractors" (1997:256–57).

Convict leasing allowed wealthy elites to utilize Blacks for what was fundamentally slave labor

in all but name (Goodman et al. 2017). "As a result," writes Reuben Miller, "by the end of the

19th century, Blacks comprised more than 90 percent of the convict leasing system in a still

agricultural but industrializing south" (2013:578). By the late 1800's, Jim Crow laws replaced

Black Codes and instituted a "racial despotism" (Omi and Winant 2014:130) throughout the

South. Both state institutions and citizens (in the form of lynch mobs, for example) exercised

power over Blacks through extreme violence (Feagin 2010; Omi and Winant 2014; Woodward

1966). Jim Crow laws would dominate the existence of Blacks in the South until at least the

1960's.

During this time, imprisonment remained one of the primary ways in which the state controlled Black people (Miller 2013). Although imprisonment rates were generally low compared to what they are today, Black incarceration rates were still significantly higher than they were for Whites (Oliver 2009). However, it was not until after the collapse of Jim Crow in the 1960's that imprisonment started taking the form that we see today. The perceived disorder that accompanied the Civil Rights movements of the 1960's gave politicians the political capital they needed to enact "tough on crime" policies (Alexander 2012; Jacobs and Jackson 2010). Huge upswings in incarceration rates started as early as the mid-1970's (Wacquant 2009). Racialized social control has thus been an integral component of American justice for almost as long as the United States has been in existence. Despite its apparent permanence in American life, to say that its size and scope has transformed significantly over the last 40 years would be a radical understatement. Wacquant (2001) argues that today, the historical institution of the ghetto and prisons have actually intertwined with one another, creating what he calls a "hyperghetto." I review these transformations more thoroughly below.

The Formation of Modern Police Forces

Prisons were only one part of a series of changing social control technologies. "In liberal democracies," writes David Garland, "the state's capacity to impose 'law and order' came to be viewed not as a hostile and threatening power but as a contractual obligation owed by a democratic government to its law-abiding citizens" (2001:30). Law and order did not only refer to bringing criminals to justice after a crime had been committed. It also came to be understood as a way to maintain peaceful social order through the use of specialized agents of the state: police officers (Garland 2001).

The first professional police forces were started in 1829 in London during a time of

increasing industrialization and urbanization (Rowe 2014). Police forces developed in cities to

not only quell rising crime rates, but also to maintain social order at a time when the military was

no longer seen as a politically acceptable means of social control (Rowe 2014). Monkkonen

notes that it was typically rioting that "'caused' a city to change its police force to the modern

form" (1992:553); these riots frequently involved calls amongst the populace for social and

political rights, which elites associated with the "dangerous classes" and immigrants (Rowe

2014:29).

Although some historians of have argued over the time during which it took place, police

forces gradually transitioned from social control in general to crime control and public safety

specifically sometime between the 1920's and 1940's (Monkkonen 1992). However, the police

sometimes worked outside of what could be viewed as law and order. In the South, for example,

police officers sometimes actively reinforced the legal and social mores of violent racial

segregation, and would condone or even enable White rioters to lynch Blacks who had been

accused of crimes (Cox 1945; Griffin, Clark, and Sandberg 1997). During and after WWII, the

police sometimes participated in anti-Black and anti-Mexican race riots (Monkkonen 1992).

Outside of the South, police worked to maintain the *de facto* racialized social order that

characterized urban environments (Bass 2001). The police not only acted as agents of crime

control, but also of racial control.

Among other institutional changes that took place in the wake of the Civil Rights

Movements of the 1960's and 1970's, police departments have transformed significantly in how

they patrol communities and prosecute crime. Specifically, police departments in urban,

suburban, and rural contexts have become highly militarized (Kraska 2001; Kraska and Cubellis

1997; Kraska and Kappeler 1997), a phenomenon explained in large part by federal policies that

incentivized militarized policing of drug crimes in the 1980's (Alexander 2012). These and

other changes are reviewed in more detail below.

Changing Beliefs about the Effectiveness of Crime Control

Literature on criminal justice has historically utilized a "pendulum" metaphor to describe

shifts in policies that make imprisonment more punitive or rehabilitative over time (Goodman et

al. 2017). This narrative is characterized by periods of punitivity, followed by periods of

rehabilitation and then back again. Goodman et al. (2017) argue against the pendulum narrative,

noting that the theory tends to exclude social actors, and divides history into distinct periods of

time that were *either* punitive *or* rehabilitative, instead of an overlapping combination of both

depending on time and place. Indeed, the history of prisons is fraught with overlapping

sensibilities on what constituted best practices in dealing with crime. For example, despite the

reforms that were made during the Progressive Era, prisons throughout the nation still routinely

exploited prisoner labor and were "especially bleak in the South," which as mentioned above,

were particularly harsh on Blacks (Goodman et al. 2017:70).

Regardless of what metaphor is used to describe it, David Garland (2001) writes that,

prior to roughly 1970, the dominant paradigm in American corrections was "penal-welfarism."

Penal-welfarism's guiding principle was that incarceration should rehabilitate prisoners rather

than exact retribution (Garland 2001). Penal welfarism became popular in the post-WWII era,

due in no small part to a booming economy and increasing popularity of the "helping

professions" such as psychology, psychiatry, and social work (Garland 2001; Goodman et al.

2017). Although the penal-welfare paradigm was, in many ways, rehabilitative in name only

(Goodman et al. 2017; Martinson 1974), it dominated the criminal justice field throughout the

first six decades of the twentieth century (Garland 2001). This system operated under the theory

that criminal behavior was the result of anomie or relative deprivation; in the words of Garland,

"Individuals became delinquent because they were deprived of proper education, or family

socialization, or job opportunities, or proper treatment for their abnormal psychological

disposition" (2001:15). The job of criminal justice experts was to treat prisoners in a way that

would improve social problems that bred crime (Foucault 1995; Garland 2001; Miller 2014).

However, the penal-welfarist paradigm began to break down in the 1970's. This was due

to several factors. First, penal-welfarism's basic tenets came under attack during the cultural and

political upheavals of the 1960's (Garland 2001; Western 2006). Second, the 1960's and 1970's

saw what Gary LaFree (1999:146) refers to as a "crime 'boom,'" specifically in murder and

robbery rates. Coupled with the increased visibility of a poor, Black, potentially dangerous

"underclass" in the context of deindustrialization, fear of rising crime rates politically legitimized

more punitive social control policies (Gilens 1999; Miller 2014; Western 2006). Finally, debates

on the nature of criminality took a rightward turn. In a well-known evaluation study of treatment

interventions for prisoners, Robert Martinson (1974) famously concluded that "nothing" worked.

These findings were used as evidence that criminals could not (and should not) be helped.[1]

Thus, a major shift occurred in American criminal justice: a movement away from rehabilitation

and toward a combination of incapacitation and deterrence (Clear 2007; Gilmore 2007; Jacobs

and Jackson 2010; Page 2004; Western 2006).[2]

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[1] In saying that nothing worked, Martinson was not calling for a stricter criminal justice system; rather, he felt that prisons were no longer a legitimate means of punishment and should be eliminated (Martinson 1974; Miller 2011). As the criminological debate accelerated, however, more conservative theorists began to wrest Martinson's findings from his control (Miller 2011). For example, James Q. Wilson (1975) argued that criminals would always be criminals and could not change. "Wicked people exist," he wrote. "Nothing avails except to set them apart from innocent people" (1975:209).

[2] Incapacitation and deterrence theorists argue that crime can be controlled by removing offenders from the street (incapacitation), and if the penalties are severe enough, people might think twice about committing crimes (deterrence). See Clear (2007), Loury (2010), and Western (2006) for discussion and critiques.

The Political and Economic Crises of the State

Changing beliefs about how punishment should work did not occur in a vacuum. These changes took place because policymakers made specific policy choices in reaction to new social, racial, political, and economic realities that emerged throughout the 1960's. What follows is a brief review of the changes that took place in the American political economy, as well as the political reactions that policymakers had toward them.

For a quarter-century after the end of WWII, the United States enjoyed a relatively uninterrupted period of economic growth and prosperity (Harvey 1990).[3] The United States found itself in what amounted to a golden age of capitalist hegemony, characterized by the dominance of Fordist manufacturing production, Keynesian economics, mass consumption, strong organized labor, investments in domestic infrastructure, and enormous demand for suburban housing (Domhoff 1990; Gilmore 2007; Harvey 1990; Massey and Denton 1993; Wacquant 2008).

However, by the mid-1960's, this dominance began to break down. Europe and Japan began to compete directly with American manufacturers (Harvey 1990; Wacquant 2008). The state's response to rigidities in the manufacturing economy was to print more money, leading to inflation (Harvey 1990). Large corporations began to experiment with offshore manufacturing, which had the dual benefit of creating new markets in places with weak labor protections (Harvey 1990). The decline and decentralization of manufacturing, corporate restructuring, the rise of a service- and consumption-based economy, increased "flexibility" in labor, weakening

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[3] Not everyone enjoyed the same levels of economic growth and prosperity. State and market institutions excluded women and racial minorities from benefits typically open to Whites, especially White men (Gilens 1999; Orloff 1996; Quadagno 1990, 1994).

labor unions, the market crash of 1973, and OPEC's decision to raise oil prices put the U.S. into a political and economic crisis (Demissie 2006; Harvey 1990; Moberg 2006; Omi and Winant 2014; Sassen 2013; Wacquant 2008; Wilson 1996). It was during this time that the economy underwent a fundamental transformation.

The effects of the changing economy in the 1970's were far-reaching, especially for Blacks. Starting in the 1930's, Franklin Roosevelt's New Deal programs provided job creation funding for Black workers (Bennett and Schaefer 2006). Despite facing persistent housing segregation and racial labor segmentation (Massey and Denton 1993; Wacquant 2008), "… those blacks who were working saw their share of semiskilled and skilled jobs increase from 17.2 percent in 1940 to 29.1 percent in 1950" (Bennett and Schaefer 2006:86). Thus, by 1950, Blacks comprised roughly a third of workers employed in manufacturing (Wacquant 1989; cited in Demissie 2006). These gains allowed many Blacks to move into the middle class in the 1960's and 1970's (Bennett and Schaefer 2006).

However, the decline in manufacturing combined with persistent, racially discriminatory housing policies meant that these gains were short-lived (Bennett and Schaefer 2006; Massey and Denton 1993; Wacquant 2008; Wilson 1978, 1996). Demissie (2006) notes that between the years 1972 and 2000, the city of Chicago lost 267,000 manufacturing jobs, either to plant closures or plants moving to cheaper suburbs in the Chicago metropolitan area. For example, the departure of the Hawthorne Western Electric plant, an International Harvester plant, and the world headquarters of Sears, Roebuck and Company (a total of 67,000 jobs) devastated the mostly Black west side community of North Lawndale (Wilson 1996). Soon after that, smaller businesses in North Lawndale were forced to close (Wilson 1996). Moberg writes, "In 1970, slightly more than half of the roughly three million jobs in the metropolitan area were in

Chicago. By 2000, jobs in the central city had declined by 12.2 percent to 1.2 million, but employment in the rest of the metropolitan area increased by 80 percent, to a total of 3.9 million jobs" (2006:36).[4] On top of that, those workers in the bottom fifth of wage earners saw a 30 percent drop in real wages (i.e., wages adjusted for inflation) between 1970 and 1989 (Wilson 1996). Blacks with little education who worked in manufacturing saw a steep decline in their ability to make ends meet (Bennett and Schaefer 2006; Wacquant 2008; Wilson 1996).

Concurrent with the decline of Chicago's industrial economy, there were also major fiscal and demographic shifts taking place in the city. Starting in the late 1970's, new fiscal policies significantly reduced federal aid to cities (Eisinger 1998). These policies forced urban leaders to shift their priorities away from housing and community development, and instead focus their attention on capital development and consumptive services (Eisinger 1998; Robinson 2016).[5] The fiscal crisis of the state led to politicized calls for the retraction of welfare benefits, which sustained large numbers of residents in Chicago's ghettoes (Quadagno 1994; Wacquant 2008). Finally, middle-class Blacks started moving out of the racially segregated "Black Belt" and into suburbs (particularly to the south of the city) (Bennett 2006; Bennett and Schaefer 2006;

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[4] Wacquant also notes that this period saw the rise of a service economy: "Of the 23 million jobs created in the country between 1970 and 1984, a full 22 million were in the service sector, so that by 1990 upwards of three-fourths of all employment was in services. But nearly one-third of all jobs generated in the 1980's were part-time positions, and 75 per cent of these were filled by people would have preferred to work full-time. Furthermore, many of these service jobs paid between $4 and $6 an hour, a far cry from the hourly rate of $12-15 common in the unionized branches of durable-goods manufacturing. Indeed, half of the jobs added in the United States between 1970 and 1983 paid less than $8,000 a year …, equal to $2,100 less than the official poverty threshold for a family of four" (2008:71).

[5] Federal aid reductions amounted to significant monetary losses for cities over a period of only 15 years. Eisinger writes, "In 1977, the year before federal aid contraction began, municipal governments looked to Washington for 15.9% of their total revenues. By 1992, federal assistance had decreased to only 4.7% of local revenues" (1998:310).

Massey and Denton 1993; Pattillo-McCoy 1999; Street 2007; Wilson 1987).[6]

The transforming political economy and exodus of middle-class Blacks out of the Black Belt impacted communities of poor and working-class Blacks who did not have the resources to leave (Wacquant 2008; Wilson 1978). With dwindling economic opportunities and the transforming welfare state, Wacquant (2008) argues that the ghetto underwent a fundamental transformation. The Black Belt of the mid-twentieth century was a racially segregated space in which Black institutions catered to the wants and needs of Blacks from all classes (Drake and Cayton 2015 [1945]; Wacquant 2008).[7] After the fiscal and political crises of the state in the 1970's and 1980's, the "hyperghetto" emerged. Contrary to the ghetto of mid-century, the hyperghetto "[lost its] organizational capacity to embrace and protect its residents" (Wacquant 2008:101), mostly due to the disintegration of the social institutions that had sustained it prior to the economic collapse. The hyperghetto would eventually become the primary target of the American criminal justice system.

Race, Class, and Political Opportunities 1964-1996

The changing economy was an important historical and contextual factor in understanding the rise of mass incarceration after the 1970's. However, as some scholars have noted, economic accounts alone cannot explain mass incarceration; rather, a concerted, decades-long political effort to institute punitive policy regimes contributed to mass incarceration's

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[6] Pattillo-McCoy (1999) notes, however, that the movement of the Black middle class out of the city is not evidence that they had reached parity with the White middle class. Instead, middle-class Blacks were and are more likely than their White counterparts to live in areas with lower property values, have access to fewer municipal services, and live near the poor and working classes (Massey and Denton 1993; Pattillo 2007; Pattillo-McCoy 1999).

[7] This fact, however, does not mean the Black Belt was a space of inter-class harmony (Drake and Cayton 2015 [1945]; Pattillo-McCoy 1999).

stunning post-1970's explosion (Alexander 2012; Jacobs and Jackson 2010; Western 2006).[8]

These classed and racialized policy regimes, which were borne out of resistance to racialized

state violence during the Civil Rights Movements of the 1960's, a transforming political

economy, and competing liberal and conservative paradigms of Black criminality, affected

criminal justice policies for decades to come.

The popular turn towards the "law and order" policies of the late twentieth and early

twenty-first centuries has its roots in the state's response to post-WWII racialized violence and

the increasingly visible Civil Rights Movements that began in the 1950's (Alexander 2012;

Hinton 2016; Murakawa 2014). According to Naomi Murakawa (2014), competing visions over

what to do about "the race problem" contributed to both the political left and right turning to

carceral solutions. She notes that on the left, this came in the form of political efforts to decrease

racial violence by "professionalizing" White racist police. At the same time, racial liberals cast

"… [B]lack criminality [as an expression of] black deprivation, frustration, and rage, perhaps

dysfunctional but 'pitiable' as a byproduct of white prejudice" (Murakawa 2014:12). In other

words, the civil disorder occurring throughout the nation was explainable, but still criminal, and

reinforced racist notions of dangerous Blacks (especially men) running amok (Murakawa 2014).

Indeed, in response to the Detroit rebellion of 1967, it was Daniel Patrick Moynihan (author of

The Negro Family [1965] who had served in both the Kennedy and Johnson administrations)

who called for "[garrisoning] the central cities" to "prevent this kind of lack of authority"

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[8] By claiming that mass incarceration is due to a long political effort, I am not suggesting that there was a conspiracy among policymakers. Both liberal and conservative policymakers faced a variety of political challenges that were at once historical, racial, social, and economic, and they responded to these challenges with retributive criminal justice policies (Feagin 2010; Murakawa 2014; Omi and Winant 2014; Soss et al. 2011). However, once implemented, those policies satisfied the public's desire to punish criminals and became politically difficult to change or rescind (Garland 2001; Jacobs and Jackson 2010; Wacquant 2009).

(quoted in Camp 2016:56). In keeping with the racial liberalism of the time, writes Camp, "He went on to call for creating employment opportunities for the Black poor and for an immediate rebuilding of the burned-out areas, but he prioritized the expansion of police and security measures" (2016:56).

Conservatives who opposed civil rights activism also linked civil disobedience to criminal behaviors, but they believed that integration itself was one of the primary causes of increasing crime rates (Alexander 2012).[9] These ideas gained more political traction in the 1964 presidential run of Barry Goldwater, a conservative Republican who campaigned specifically on the need to restore law and order (Mauer 2001). Although the campaign tried to build a racial link between the civil disturbances and rebellions in cities, his warnings about threats "to personal safety, to life, to limb, and property" fell short (Western 2006:59). At the time, crime was not a primary concern for most voters (Alexander 2012; Mauer 2001; Western 2006).

After Goldwater lost that election, the Johnson administration would go on to make public and personal safety a crucial part of its domestic social policies. Although the Johnson administration started the War on Poverty, many of its provisions were wedded to programs of social control (Hinton 2016). Elizabeth Hinton writes, "… [F]ederal policymakers required employment initiatives, public schools, and grassroots organizations to partner with juvenile courts, police departments, and correctional facilities in order to receive funding, an act that was perhaps more consequential in the long term than the modernization and militarization of police forces" (2016:14). In fact, the commitment from the Johnson administration to "modernize"

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[9] Crime rates did indeed start rising significantly in the 1960's (LaFree 1999; Murakawa 2014). Several factors can explain rising crime: the aging of the Baby Boom population into the 15-to-24 age group, rising unemployment, and changing methodologies for collecting crime data that exaggerated actual crime rates (Alexander 2012; Hinton 2016; Murakawa 2014).

criminal justice fit nicely with the Nixon administration's efforts to ramp up the War on Crime just a few years later (Murakawa 2014).

The Civil Rights Movements of the 1960's dramatically changed the terrain of what was racially acceptable in the public political sphere (Bonilla-Silva 2001, 2010; Omi and Winant 2014). Conservative political analysts thus shifted their rhetorical strategy: as long as it was denuded of any explicit references to race, the discourse of law and order could be used to inflame the resentments of White Southerners who felt betrayed by the Democratic Party's support for minority civil rights (Alexander 2012; Soss et al. 2011). By utilizing that rhetoric, they hoped to capture a voting coalition "that included the traditional Republican base, the white South, and half the Catholic, blue-collar vote of the big cities" (Alexander 2012:44).

In 1968, Richard Nixon used appeals to law and order much more successfully than Barry Goldwater ever did (Alexander 2012; Jacobs and Jackson 2010; Western 2006). Nixon drew on Whites' resentment of Black political gains to organize a voting coalition comprised of working-class Whites, corporate interests, and White, conservative elites (Alexander 2012:46).[10] This voting coalition's resentment did not only have its basis in the racialized threats of minority civil rights and urban disorder. It was also located in popular assumptions about who constituted the "deserving" and "undeserving" poor, based partly on an explosion of urban Blacks entering the welfare rolls at a time of economic decline (Alexander 2012; Gilens 1999; Omi and Winant

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[10] Later, Nixon's reliance on race rhetoric would come to further light. In 1994, John Ehrlichman, a member of the Nixon administration, described Nixon's law and order stance on drugs to Dan Baum thusly: "'You want to know what this was really all about?' he asked with the bluntness of a man who, after public disgrace and a stretch in federal prison, had little left to protect. 'The Nixon campaign in 1968, and the Nixon White House after that, had two enemies: the antiwar left and black people. You understand what I'm saying? We knew we couldn't make it illegal to be either against the war or black, but by getting the public to associate the hippies with marijuana and blacks with heroin, and then criminalizing both heavily, we could disrupt those communities. We could arrest their leaders, raid their homes, break up their meetings, and vilify them night after night on the evening news. Did we know we were lying about the drugs? Of course we did'" (Baum 2016:22).

2014; Piven and Cloward 1972; Quadagno 1994).[11] Nixon used his newfound political capital to declare a "War on Crime," which both continued the Johnson administration's crime control policies and set the stage for more punitive policymaking efforts in the decades to follow (Hinton 2016; Soss et al. 2011).

Black poverty and the racialized welfare state. The War on Poverty and unrest in urban centers put a new spotlight on urban poverty in the 1960's, especially the Black poor (Gilens 1999). The booming post-WWII economy meant that poverty was not on the minds of most Americans (Gilens 1999). In the 1960's, welfare benefits had been granted to Blacks (Gilens 1999; Gordon 2001; Piven and Cloward 1972; Quadagno 1990). By the early 1970's, the growing media coverage of urban revolts, large numbers of Blacks on welfare, rising crime rates, and economic downturns placed the so-called "pathologies" of Black family life under increased public scrutiny (Gilens 1999; Miller 2013; Moynihan 1965; Western and Wildeman 2009).

Problems that Lyndon Johnson's War on Poverty had sought to alleviate intensified during this period of time, and people understood these problems through the lens of race (Omi and Winant 2014). In the parlance of conservatives, welfare programs (e.g., AFDC) made social problems worse and the poor dependent on the tax dollars of "hard-working" (i.e., White) people (Miller 2013; Omi and Winant 2014; Soss et al. 2011). In a relatively short period of time, poverty, welfare, and crime "blackened" in the popular American consciousness (Culverson 2006; Gilens 1999). Conservative politicians used the ghetto "underclass" as evidence that welfare programs had created a group of people incapable of taking care of themselves without

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[11] Piven and Cloward (1972) note that, in the 1950's, Blacks migrating to Northern cities were shut out of urban economies but also largely excluded from welfare rolls. In the 1960's, however, race-based exclusion was outlawed and the number of Blacks on Aid to Families with Dependent Children (AFDC) subsequently skyrocketed (see also Gilens [1999] and Quadagno [1994]).

government handouts, and who were responsible for that era's crumbling economy, rising crime rates, failing schools, and devastated ghettos (Beckett 1997; Gilens 1999; Miller 2013; Orfield and Eaton 1996; Soss et al. 2011). In the popular imagination, the supposedly inferior culture of ghetto life was the poisoned fruit of Great Society programs (Culverson 2006; Gilens 1999; Miller 2013).

From the 1970's onward, politicians learned to use anti-welfare rhetoric devoid of direct racial signifiers. For example, Ronald Reagan frequently spoke about "welfare queens" with "80 names, 30 addresses, 12 Social Security cards" and "veterans' benefits on 4 non-existing deceased husbands" to argue that liberal social programs should be significantly cut or eliminated (New York Times 1976:51).[12] After he defeated Jimmy Carter in 1980, Reagan used these narratives to push for broad cuts in social welfare programs, which he claimed would create "smaller government" (Beckett and Western 2001; Culverson 2006; Wacquant 2008, 2009). However, Reagan's real legacy lies not in creating smaller government, but rather in *reorganizing* the government's priorities away from social protection and toward increased punitivity (Peck and Tickell 2007; Wacquant 2009, 2012). It was in the 1980's that crucial linkages between welfare, work, and punishment started to coalesce into what we see today.

The decline of welfare and the rise of punishment. Almost immediately upon arriving in office, the Reagan administration went about reorganizing the government's budgetary priorities. This generally took the form of cutting welfare programs and increasing funds for controlling urban disorders, most notably in the form of the War on Drugs. The administration successfully pursued billions of dollars of cuts in programs like "… AFDC, child care, school lunch and other

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[12] Reagan's description of the "welfare queen" was a significant exaggeration. The woman in question was charged with using four aliases instead of 80, and fraudulently collecting $8,000 instead of Reagan's claim of $150,000 (see Culverson [2006:149n1]).

nutrition programs, food stamps, subsidized housing, energy assistance, abuse counseling, legal

aid, the Job Corps, and the like. At the same time, [President Reagan] announced that additional

reductions in social programs (of $95 billion and $30 billion, respectively) would be proposed in

1983 and 1984 …" (Trattner 1999:365). Budget cuts for social welfare programs accompanied

huge increases in defense spending and funds for prison construction (Trattner 1999; Wacquant

2009). At the start of Reagan's first term, for example, the U.S. spent $6.9 billion on the prison

system and $27.4 billion on public housing; a decade later Congress allocated $19 billion to

prisons and reduced public housing funds to $10.6 billion (Wacquant 2009:159).

When the Reagan administration kicked off the War on Drugs in 1982, it faced an uphill

battle because drug use had been waning for several years (Tonry 1995; Wacquant 2009).

According to Michelle Alexander (2012:49), "… less than 2 percent of the American public

viewed drugs as the most important issue facing the nation," and 22 percent felt that a more

effective crime control tactic would be to increase employment (Beckett 1997). In addition,

police departments were initially resistant to the idea of diverting resources away from

investigating violent crime in favor of focusing on drug crimes (Alexander 2012).

However, the Reagan administration championed and Congress passed a series of

policies that made the drug war more financially lucrative for local police departments. For

example, the 1981 Military Cooperation with Law Enforcement Act allowed the military to

cooperate with and lend material support to local police departments; asset forfeiture laws gave

federal, state, and local law enforcement agencies the right to retain most of the assets they

seized in drug busts; and the 1986 National Security Decision Directive officially declared drugs

a national security threat (Alexander 2012). The Department of Defense, Drug Enforcement

Agency, and Federal Bureau of Investigation also saw huge increases in funding for antidrug

initiatives while funds to the National Institute on Drug Abuse and Department of Education were slashed (Alexander 2012; Trattner 1999). The Anti-Drug Abuse Acts of 1986 and 1988 also instituted mandatory minimum sentences for the possession of crack which were far harsher than the penalties associated with cocaine (Alexander 2012; Mauer 2001; Tonry 1995).[13] One of the results of these policy changes was significant increases in the proportion of drug offenders going to prison. Citing Maguire and Pastore (2000), Engel and Calnon write that "in 1980, 25% of federal prisoners were drug offenders, compared to 52% in 1990 and 57% in 1999" (2004:52).

Fortuitously, the Reagan administration undertook all of these initiatives at a time when the media spurred immense public concern about crack cocaine, which people believed was an urban epidemic (Alexander 2012; Beckett 1997; Glassner 1999). The very public cocaine-related deaths of athletes Len Bias and Don Rogers, as well as media coverage of "crack babies" born to single, Black, inner-city mothers, gave the Reagan administration the capital it needed to legitimize its anti-drug policies (Alexander 2012; Glassner 1999; Roberts 1991).

By that point, public opinion was turning. When George H.W. Bush made his first televised presidential address in 1989 he declared, "The gravest domestic threat facing our nation today is drugs," and the media ran stories suggesting as such (Glassner 1999:133).[14] Public polls indicated that over a span of about five months, the percentage of Americans who felt that drugs were the nation's biggest problem increased from 20 percent to 64 percent (Glassner 1999). In

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[13] These penalties included the "100-to-1" rule, which imposed the same five-to-twenty year minimum sentence on people in possession of 100 grams of cocaine (mostly associated with Whites) as those in possession of 1 gram of crack (mostly associated with Blacks) (Beckett 1997).

[14] The first Bush administration was not beneath using explicit racial symbols. During the 1988 presidential campaign, a pro-Bush political action committee started running the infamous "Willie Horton" campaign commercial. Willie Horton, a Black man who had been released on a prison furlough program supported by Democratic presidential candidate Michael Dukakis, sexually assaulted a White woman. The commercial stoked fears that Dukakis would not punish criminals (especially Black criminals) harshly enough (Alexander 2012; Culverson 2006).

the case of the War on Drugs, "… public concern about the drug problem followed, rather than instigated, policymaker initiatives in this area" (Mauer 2001:11; see also Beckett [1997]).

Thus, the 1980's were a time of policy reorganization away from social security and towards punitivity, with the War on Drugs at the center (Gottschalk 2015; Roberts 2004; Soss et al. 2011). As early as 1991, researchers saw obvious racial and class disparities in the criminal justice system (Mauer and Huling 1995). The "tough on crime" movement was extremely popular among Whites, and Democrats realized that they also needed to adopt "tough on crime" positions to prevent conservative White voters from defecting to the Republican party (Alexander 2012; Soss et al. 2011). During the 1992 presidential campaign, for example, Arkansas governor and presidential candidate Bill Clinton oversaw the execution of Ricky Ray Rector, a mentally impaired Black man who had been found guilty of murder (Alexander 2012).

After he was elected, Clinton instituted the "biggest increase in incarceration in American history (in absolute numbers and growth rate of the inmate population as well as in budgets and personnel)" (Wacquant 2009:302; see also Davis [1998]). In 1994, he signed the Crime Control and Law Enforcement Act (CCLEA), which eliminated Pell grants to prisoners, provided $8.8 billion to hire new law enforcement officers, and made states' eligibility for federal funds contingent on their adoption of three-strikes and truth-in-sentencing laws (Alexander 2012; Beckett 1997; Page 2004). The bipartisan passage of the CCLEA pleased both Democrats and Republicans alike. However, Clinton's most enduring contribution to this story is his support and signing of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) in 1996.

The Neoliberal Paternalist State

The overarching purpose of PRWORA was to "end welfare as we know it" (Clinton

2006:n.p.). For politicians, this meant moving the poor as quickly as possible from the welfare rolls to the private labor market. Among other changes, PRWORA replaced AFDC with Temporary Aid to Needy Families (TANF), a grant system which placed strict, two-year time limits on how long people could receive aid whether or not they had jobs, as well as five-year lifetime limits on recipients of aid (Soss et al. 2011; Trattner 1999). If the intention was to get people off the welfare rolls, it succeeded. "Between 1994 and 2008," Soss et al. write, "the number of AFDC/TANF recipients in the U.S. declined by about 72 percent" (2011:38).

These policy shifts can best be understood in the political and philosophical context of neoliberalism. Neoliberalism is an ideology and policy regime that utilizes market-based economic rationality in policymaking and policy outcome measurement (Centeno and Cohen 2012; Soss et al. 2011). Sociologists and other researchers have defined it in a variety of ways, which space precludes me from reviewing entirely here.[15] What is important to understand is that neoliberalism necessitates a relationship between the state and market in which the former creates opportunities where the latter will flourish (Soss et al. 2011). One of the ostensible goals of neoliberalism is to move people off of welfare and into jobs on the marketplace. However, the "rollback" of the welfare state is actually a reorganization of how the state doles out resources. Put another way, the state creates contexts in which market norms can be applied to state welfare responsibilities (Robinson 2016; Soss et al. 2011).[16]

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[15] For a further review of neoliberalism, see Babb (2005), Centeno and Cohen (2012), Foucault (2008), Fourcade-Gourinchas and Babb (2002), Harvey (2005), Peck (2010), Peck and Tickell (2007), Soss et al. (2011), and Wacquant (2009, 2012).

[16] The state has frequently farmed out incarceration responsibilities to private prison corporations such as the Corrections Corporation of America and Wackenhut (now GEO Group) (Davis 2003; Wacquant 2009). In August 2016, the Justice Department formally decided to stop using private prisons (Zapotosky and Harlan 2016; see also Petrella [2016] for a critique of this new policy). In February 2017, Attorney General Jeff Sessions walked back that policy and stated that it "changed long-standing policy and practice, and impaired the [Bureau of Prisons'] ability to

Wacquant (2012) argues that neoliberalism is, at its core, a political project in which the state uses its resources to make participation in labor markets a prerequisite for citizenship. In theory, the state should confer social welfare rights to citizens *because* they are citizens; social rights insulate citizens from the degradations of low-wage market labor and therefore protect political rights (Marshall 1950). In the neoliberal conception, the state creates conditions in which political subjects participate in markets, which is what confers upon them the full benefits of rational, market-based citizenship (Soss et al. 2011).

Neoliberalism thus requires a double movement. First, it reorganizes citizenship so that it is dependent on participation in labor markets, even if that labor is low-wage, has no benefits, and is permanently part-time. Second, because of the uncertainty and instability inherent in the reorganization of social welfare, the state uses punishment and discipline on those most unwilling or unable to participate in the labor market (Soss et al. 2011; Wacquant 2009; Western and Wildeman 2009). In this sense, write Western and Wildeman, "… penal policy [becomes] a surrogate social policy, in which a troublesome and unruly population is increasingly managed with incarceration" (2009:226).

Outside the sphere of punishment, state discipline takes the form of paternalism (see Soss et al. [2011], especially Chapter 2, for an extensive explanation of paternalism). Neoliberalism does not shy away from state involvement in markets, and in fact prescribes state involvement. Much of this involvement, thoroughly explored by Schram et al. (2009) and Soss et al. (2011), operates under the assumption that the poor need to be told what to do (Mead 1998). Because the poor exhibit behaviors that are often antithetical to the needs of the broader

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meet the future needs of the federal correctional system" (Reilly and Walsh 2017:n.p.), a curious decision considering the declining number of inmates in federal prisons (Zapotosky 2017).

society (or so the thinking goes),[17] the state needs to redirect them towards suitable behaviors (e.g., finding a job or not having children out of wedlock) by using their welfare benefits as leverage (Mead 1998).[18] Thus, Soss et al. (2011) argue that neoliberalism and paternalism are complementary projects. The purpose of telling the poor what to do is ultimately a project of "citizencraft," a means by which the state uses disciplinary measures to inculcate welfare recipients with appropriate beliefs and behaviors that will allow them to participate in markets, and therefore become better citizens (Foucault 1995; Mead 1998; Soss et al. 2011; Wacquant 2012).

Explaining the Post-1996 Landscape of Discipline and Punishment

To summarize, researchers have argued that significant changes in American political economy over the last 45 years can partly explain the increase in incarceration. The decline of the manufacturing economy and the rise of the service economy, along with transformations in welfare policy, hit working-class and poor communities of color the hardest (Alexander 2012; Beckett and Western 2001; Wacquant 2009; Western 2006; Wilson 1978, 1987). The resurgence of conservative hegemony throughout the 1970's and 1980's successfully captured and retained a solid White voting base with appeals to law and order (Alexander 2012; Jacobs and Jackson 2010; Omi and Winant 2014; Western 2006). Throughout the 1980's and 1990's, Republicans

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[17] The belief that the poor exhibit inappropriate behaviors fits with prevailing conceptions about the so-called "culture of poverty" (see, for example, Gould [1999], Harris [2006], Lewis [1966], Ogbu [1978], Steinberg [1989, 2011], and Wilson [1987, 1996]).

[18] In Florida, for example, state welfare case workers discipline welfare recipients by sanctioning them when they fail to accomplish workfare goals, such as showing up to job training classes or getting jobs within specified periods of time; sanctions can include removal from food and housing assistance programs (Schram et al. 2009; Soss et al. 2011). Thus, paternalists seek to elicit *certain kinds of behavior* from the poor to get them to improve their social and economic position (Mead 1998; Soss et al. 2011). In the context of neoliberalism, state intervention creates "better" citizens who are more adept at making "good" (i.e., economically rational) choices (Mead 1998; Soss et al. 2011; Wacquant 2009, 2012).

and Democrats alike competed over who could be the "toughest" on crime, leading to huge increases in spending on criminal justice and further welfare policy transformations (Alexander 2012; Soss et al. 2011).

The unprecedented increase in incarceration has led to an accompanying increase in sociological research on its causes and effects. This research has focused on how mass incarceration affects individuals, the friends and family members of prisoners, and the communities from which prisoners are drawn, as well as more broadly explaining *why* American incarceration took such an incredible upswing in the past several decades. Below, I review the theoretical literature on why mass incarceration increased as it did.

Theoretical Debates

The central findings of studies on the effects of the criminal justice system (see Chapter 1) can be summarized in two salient points. First, vast race, class, and gender disparities are central to understanding mass incarceration. Eduardo Bonilla-Silva argues that race is one of the axes along which resources are distributed in a society (Bonilla-Silva 1997, 2001, 2010, 2015). As such, the state deploys different kinds and amounts of criminal justice resources for Whites and Blacks (Alexander 2012; Roberts 2004; Wacquant 2009; Western 2006). The result has been a criminal justice system that disproportionately incarcerates poor racial minorities, even when controlling for factors like rate of offending by race (Wheelock and Uggen 2008). The disproportionate incarceration of poor minorities has rather dire social, economic, and political consequences that reach far beyond any individual criminal offender.

Second, the scale and scope of incarceration and other state surveillance negatively affects employability, political participation, familial and romantic relationships, health, housing opportunities, education, and virtually all other areas of the life course. The existing research

overwhelmingly suggests that, in the aggregate, mass incarceration has virtually no positive effects for communities, families, or individuals. Even though researchers basically agree that mass incarceration has negative effects that go beyond those who are in prison, there is still contention over which theoretical framework can best explain its purposes and effects.

For example, Angela Davis has forcefully argued that American criminal justice is part of a "prison industrial complex," a system in which "corporate involvement in [prison] construction, provision of goods and services, and use of prison labor … [attracted] vast amounts of capital … in a way that recalled the emergence of the military industrial complex" (2003:12). Writing about explosive prison growth in California starting in the 1980's, Davis notes that the hope among political officials was that prison expansion would serve a dual purpose: to "provide jobs and stimulate economic development in out-of-the-way places" (2003:15). Geographer Ruth Wilson Gilmore argues that in California, a confluence of surpluses in "capital, labor, and land" gave the state an opportunity to politically reorganize resource usage to construct an enormous prison complex throughout the state (2007:105).

The prison industrial complex theory offers an intriguing explanation for the "how" and "why" surrounding exponential prison growth that started in the 1980's. It shows how political and financial leaders, working together during a period of state political and economic crises, were able to convince the public to finance prison construction while bringing in private corporations to construct prisons and provide "food and health care" (Davis 2003:12). It also explains why prisons tend to be located in rural areas, where the need for jobs and community growth in the post-industrial economy is the greatest (Huling 2002).

However, the theoretical underpinnings of the prison industrial complex have come under attack. For example, Loïc Wacquant (2009, 2010) criticizes the prison industrial complex along

two general fronts: the criminal justice system is geographically and politically diffuse across

states and counties (which discounts the idea of the criminal justice system being of some grand

design), and it vastly overstates the role of prison corporations and prisoner labor in the national

economy. At the same time, the prison industrial complex's economic account for the rise of

mass incarceration discounts politics: how and why did policymakers make specific decisions

about what even constituted crime and how it should best be dealt with (Western 2006)?

In the past decade, new empirical and theoretical developments have helped to clarify and

further problematize the linkages among race, class, mass incarceration, and the welfare state.

Michelle Alexander (2012) and Loïc Wacquant (2009) have argued that mass incarceration is the

most recent iteration of how the state controls Black and Brown people (preceded by slavery, Jim

Crow laws, and confinement to urban ghettoes).[19] Although they make similar arguments, they

are distinct from each other. Alexander (2012) suggests that mass incarceration is a modern

version of the Jim Crow system, while Wacquant argues that deindustrialization combined with

the retracting welfare state necessitated the use of incarceration to control racially stigmatized,

"dispossessed and dishonored" populations (2009:xviii).

Although these works are novel explanations for changes in racialized discipline and

incarceration, they do have theoretical shortcomings. For example, Alexander's (2012) claim

that mass incarceration is the "new Jim Crow" is problematic. Most entrants into the prison

system are poor Black men in certain birth cohorts from specific geographic regions (Sampson

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[19] Researchers have cast light on how and in what ways the police exercise state power pervasively,
disproportionately, and unequally over minorities. For example, Desmond and Valdez (2013) document the rise of
nuisance ordinances in Milwaukee, Wisconsin as a third party policing strategy, which places the onus for rectifying
nuisances (usually domestic violence disturbances) on property owners. They found that a disproportionately large
number of properties deemed to be nuisances were in Milwaukee's Black neighborhoods. Similarly, Rios (2011)
documents the intricate networks of police, probation officers, and school officials that criminalize young men of
color in Oakland, California.

and Loeffler 2010; Western 2006). Jim Crow was a system that sought to repress *all* Blacks within the confines of the postbellum South, regardless of class position (Feagin 2010; Woodward 1966). Miller and Alexander (2016) also question the usefulness of conceptualizing mass incarceration as the latest version of Jim Crow-era racial control. Instead, they argue that although offender status interacts with race, class, and gender in very real ways, ex-offenders are not defined by their race (ancestry) so much as they are defined by their actions (i.e., breaking laws).

Furthermore, Alexander's work does not account for the role of racial liberals in contributing to policies that professionalized police forces, bringing institutions into the realm of the police, and changing sentencing laws (Hinton 2016; Murakawa 2014). At the same time, Jordan T. Camp (2016) argues that prison growth was not driven by a need to control poor Blacks in general, but was instead a result of racialized, capitalist state formations responding to the crises of legitimacy that the Civil Rights Movements brought to the fore in the 1960's and 1970's. Finally, the large number of poor people in prison (Wheelock and Uggen [2008] note that roughly 60% of prisoners fell below the federal poverty thresholds in 2004) suggests that mass incarceration does not touch the lives of middle-class Blacks in the same ways it does for poor or working-class Blacks (Beckett and Western 2001; Pettit and Western 2004; Western 2006; Wheelock and Uggen 2008).[20] In that vein, existing research mostly focuses on mass incarceration's effects on poor and working-class Blacks.

Because prisons are mostly filled with the poor, James Forman, Jr. criticizes researchers'

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[20] However, Alexander does call on middle-class Blacks to abandon the "politics of respectability," what she calls "complicity with the prevailing system of control" (2012:215). Other scholars, such as James Forman, Jr. (2010), argue that many Blacks have *benefited* from punitive control of poor Blacks in the form of prison jobs and other criminal justice authorities.

tendency to suggest that "the criminal justice system harms black people," and instead argues that researchers should emphasize how the criminal justice system harms *poor* Black people (2010:794). These accounts also ignore the effects of incarceration on Whites. Research literature shows that Whites are incarcerated at a rate significantly lower than that of Blacks and Latinxs (Mauer and King 2007). Citing Crutchfield, Bridges, and Pitchford (1994), Pettit and Western (2004:153) write, "States with large white populations also tend to incarcerate blacks at a high rate, controlling for race-specific arrest rates and demographic variables." However, Marie Gottschalk notes that when compared to incarceration rates in other countries, White incarceration rates are also very high, roughly "about two-and-half to seven times the incarceration rates of other Western countries and Japan" (2015:121). Forman's position implies that incarceration affects only poor Blacks; how incarceration might affect non-poor Blacks and Whites has not been adequately explored in the existing literature.

Like Alexander, Wacquant (2009) argues that historical constructions of race and class are central to understanding mass incarceration, although he stops short of suggesting that it is a new version of Jim Crow. Wacquant summarizes his general argument regarding the rise of incarceration as such:

> … the irresistible ascent of the penal state in the United States over the past three decades responds not to the rise in crime—which remained roughly constant overall before sagging at the end of the period—but to the dislocations provoked by the social and urban retrenchment of the state and by the imposition of precarious wage labor as a new norm of citizenship for those trapped at the bottom of the polarizing class structure. (Wacquant 2009:xv)

For Wacquant, the rise of incarceration is simultaneously rooted in welfare benefit cuts and the rise of permanent, low-wage, no-benefit service labor. Unlike Alexander, Wacquant argues for a conception of incarceration that is based in race and class relations, albeit in the context of

neoliberalism. For Wacquant, mass imprisonment is the state's response to social crises that arose in the wake of welfare cuts, and punishment focuses on a group that has long been at the center of American punitivity: the Black poor (see Wacquant [2000] for an earlier elaboration on this idea).

Soss et al. (2011) offer a critique of Wacquant's work. In their analysis, the state disproportionately disciplines poor minorities. They take issue with Wacquant's argument that mass incarceration has replaced the welfare state. Instead, they argue that welfare has not retracted so much as transformed in ways that seek to create citizens who are compliant with the needs of low-wage, deindustrialized labor markets (Soss et al. 2011). Although welfare benefits have always been used as leverage to move the poor into labor markets (Piven and Cloward 1972), they show that the transition from AFDC to TANF placed the poor under new regimes of surveillance and discipline in a neoliberal paternalist policy context (Mead 1998; Soss et al. 2011).

For Soss et al., race is both "a key cultural resource for the production of poverty governance" and also "a site where racial meanings and inequalities get produced" (2011:13). They criticize Wacquant's account as being too functional, and instead argue that race was a lens through which political actors made specific policy choices that ended up recreating racial inequalities. Utilizing a Racial Classification Model (RCM), Soss et al. (2011) argue that policy elites draw on schemas of classification to understand how policies will work on different target populations. They find that when racial minority populations are salient in a policy context, elite actors draw on racialized schemas of classification that contribute to racially unequal policy

outcomes.[21]

Even though policy elites at the national level pushed for stricter crime policies due to racialized fears of urban disorder and the pathological poor, it was individual states that took up the mantle of discipline and punishment; this was especially true if they had larger Black populations (Beckett and Western 2001; Soss et al. 2011). States shifted their budget priorities toward criminal justice by using funds earmarked for welfare spending, signaling how criminal justice and welfare policy were intertwined with one another (Soss et al. 2011). During this time, however, policymakers reconfigured remaining funds for welfare benefits so that their receipt was dependent upon completing work and training activities for low-wage job preparation (Soss et al. 2011). Using evidence collected in Florida, Schram et al. (2009) and Soss et al. (2011) show that race continues to play a significant role in how state welfare case managers choose to discipline clients who do not fulfill their workfare obligations. Contrary to Wacquant (2009), prisons have not taken the place of welfare, and welfare still plays a significant role in how the state works to create better worker-citizens (Soss et al. 2011).

These works and other literature reviewed above represent valuable contributions to knowledge about mass incarceration and discipline in a post-PRWORA era. However, what they all have in common is a focus on how mass incarceration affects the life courses and outcomes of

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[21] Soss et al. (2011:76–77) write, "… the RCM contends that policy choices are guided by actors' underlying assumptions about the people they target for policy action. To a degree that these actors seldom realize, their assumptions about policy targets depend on salient social classifications and reflect the content of social group reputations. In this manner, racial categories can provide a powerful, though implicit, basis for beliefs about the 'kind' of policy target being addressed and, thus, the type of policy action that is most likely to be effective." Put succinctly, policymakers use systems of classification to make sense of who policies target. In contexts in which racial minorities are a sizable part of the target population, policymakers will have socially constructed expectations about racial group behavior that will significantly affect how policies are designed and implemented. The expectation of the RCM is that racially disparate policy outcomes are a function of the differences policymakers ascribe to racial group behaviors (see Soss et al. [2011:75–81] for further elaboration).

the poor. I argue that a fuller account of how mass incarceration contributes to racial and economic inequalities must not only include an analysis of the poor, but also the middle class. Specifically, analyses must examine how incarceration affects middle-class Whites and Blacks differently.

Policing and Criminal Justice: Comparing Middle-Class Blacks and Whites

The current research on policing and the criminal justice system begs questions about how middle-class Blacks and Whites confront and interact with the state at the intersection of race, class, and punishment. Middle-class Blacks are more economically insecure than their White counterparts (Conley 1999; Henricks 2015; Martin 2012; Oliver and Shapiro 2006) as well as spatially located near or in socioeconomically disadvantaged and racially segregated neighborhoods (Massey and Denton 1993; Pattillo-McCoy 1999; Sharkey 2014). These segregated neighborhoods face the brunt of law enforcement activities (Sampson and Loeffler 2010). Because most prisoners arrested in Chicago come from eight out of 77 community areas (all of which are populated primarily by poor Blacks; see Sampson and Loeffler [2010]), this suggests that middle-class Blacks may not be as likely to go to jail or prison. However, they may be more likely to come into contact with the police than Whites (Feagin 1991; Feagin and Sikes 1994; Forman 2010; Harris 1997, 1999; Owusu-Bempah 2017).

Middle-class Blacks are also more likely than middle-class Whites to have poor siblings (Chiteji and Hamilton 2002; Heflin and Pattillo 2002, 2006), provide financial assistance to friends and family members (O'Brien 2012), and be personally connected in some way to friends, family, and/or fictive kin who are incarcerated (Bobo and Thompson 2010; Lee et al. 2015). Because of this, it stands to reason that middle-class Blacks probably have experiences with the effects of incarceration that are qualitatively different both from Whites in general and

poor and working-class Blacks in particular.

As such, I argue that the state punishes and disciplines so many people that it is not just the poor who feel its effects. Wheelock and Uggen's "systems of disadvantage framework" (2008:261) can be a useful guide for understanding how mass incarceration contributes to race and class inequalities. This framework suggests that the scale and scope of imprisonment is such that the barriers associated with mass incarceration accumulate and interlock with each other, putting individuals and communities of color at a distinct, systemic disadvantage compared to Whites. I build on Wheelock and Uggen's work and argue that the potential effects of incarceration on middle-class Whites and Blacks have not been adequately explored in the existing literature.

This empirical gap has led me to develop the following research question: how and in what ways does the incarceration of a family member or friend affect middle-class Whites and Blacks? Sub-questions that will help in answering this main question include: does the incarceration of a family member, friend, or fictive kin place middle-class Blacks at a social, economic, and political disadvantage relative to Whites? If so, how and in what ways? What similarities and differences exist between middle-class Blacks and Whites in their own personal experiences with the police? Do their experiences with having a family member or friend being incarcerated and their experiences with the police shape their beliefs and behaviors in meaningful ways?

These questions are important for several reasons. First, there is evidence that highly unequal and punitive criminal justice policies exacerbate inequalities in the communities from which prisoners are drawn (see above). Socioeconomic inequalities have worsened in general, and the recent recession has disproportionately affected the Black middle-class (Henricks 2015;

Martin 2012; Reed and Chowkwanyun 2011). Since Blacks are more likely to be related to or know someone who is poor and/or incarcerated (Bobo and Thompson 2010; Heflin and Pattillo 2002, 2006; Lee et al. 2015), it is important to explore how middle-class Whites and Blacks are differently exposed to the social, economic, and political risks associated with mass incarceration (Forman 2010, 2012).

Second, answering these questions can clarify how the criminal justice system shapes the objective and subjective realities of those whose experiences with the "Right hand" of the state have been different from the working- or lower-classes (Wacquant 2009:6). For example, James Forman, Jr. (2012) and Marie Gottschalk (2015) criticize the concept of the "new Jim Crow" on the grounds that in some historical contexts, it was middle-class Blacks who supported punitive criminal justice measures. Elizabeth Hinton counters, arguing that when Black activists called for more crime control, they "imagined [involvement in] community control, oversight, and inclusion in the development and implementation of urban law enforcement programs" (2016:9). Although this is part of an important socio-historical story, it neglects to address a more nuanced account of how people living in more affluent communities relate to the criminal justice system and the state, as well as how their beliefs and actions shape and are shaped by incarceration.

Finally, this research fills an important gap in the existing literature. In a critique of both Alexander (2012) and Wacquant (2009), Bonilla-Silva (2013:38) notes that few researchers systematically address how mass imprisonment contributes to the structural position of *all* Blacks, not just the poor and working-class. The U.S. is a highly racialized society that disadvantages Blacks along virtually every quantifiable domain in addition to the criminal justice system, which includes, but is not limited to, housing (Freund 2007; Massey and Denton 1993; Pattillo-McCoy 1999; Sharkey 2014), employment and hiring practices (Feagin 2010;

Neckerman and Kirschenman 1991; Pager 2003); wealth (Conley 1999; Martin 2012; Oliver and Shapiro 2006; Traub et al. 2017); education (Kozol 1991; Lewis 2003; Orfield and Eaton 1996), law (Haney-López 2006), and friendship and family relationships (Bonilla-Silva 2010; Dalmage 2000).

Based on the above, I make several observations in this research project. First, I argue that the scope of incarceration has social, political, and economic consequences not just for the poor, but also the middle-class family members, friends, and fictive kin of prisoners; these consequences are significantly different for middle-class Blacks and Whites. Second, I argue that middle-class Blacks and Whites have significantly different personal experiences with the police. Third, I argue that middle-class Blacks occupy a unique space that is different from both poor- and working-class Blacks and middle-class Whites: they frequently have to deal with the collateral consequences of having a family member or friend being incarcerated, *and* have regular interactions with the police that go beyond mere, occasional traffic stops (or some variation of the two). Telling the stories of middle-class Whites and Blacks who have been affected by incarceration is an important part of how inequalities are recreated and maintained in the early twenty-first century. These stories will highlight how mass incarceration affects the lives of those who generally avoid the full brunt of the criminal justice system. It will also add to existing theoretical and empirical literature that will illuminate how mass incarceration affects the life outcomes of racialized and classed groups in a supposedly "post-racial" society.

CHAPTER THREE

METHODS

Research literature on mass incarceration focuses primarily on its effects for individuals, families, and communities, especially for poor Blacks (see Chapters 1 and 2). Literature also focuses on police interactions, frequently at the time of investigatory stops, and also explores what extralegal factors may or may not have been a part of those stops (Engel and Calnon 2004; Epp, Maynard-Moody, and Haider-Markel 2014). Little existing literature examines the effects of incarceration and policing practices on middle-class Blacks and Whites.

What little research there is on the Black middle class *vis-à-vis* mass incarceration suggests that this is a topic that warrants further exploration. Bobo and Thompson (2010) used national surveys to ask "respondents whether they had a close friend or relative who was 'currently incarcerated'" (2010:350). Considering the extent of racialized and classed mass incarceration in the U.S., their findings are not entirely surprising:

> If we shift attention to the high end of class hierarchy, we find among high-income whites ($60,000 or more) with a college education (or greater), less than 5 percent respond yes to the incarcerated friend or relative question. That is, virtually no high-status whites have such personal exposure to the carceral state. In sharp contrast, fully 31.7 percent of high-income high-education blacks responded yes to this question on personal exposure to the carceral state, for a black to white ratio of seven to one. Strikingly, the rate of such exposure for the very highest status African Americans exceeds that of the very lowest status whites, roughly one in three as compared to only one in five! (Bobo and Thompson 2010:350)

More recent research builds on Bobo and Thompson's work, and again the results are sobering.

Using data from the General Social Survey, Lee et al. find that "… being connected to a prisoner

is quite common for Black men and women, with Black women especially likely to have a family member currently imprisoned and Black men especially likely to have someone they trust currently imprisoned" (2015:278). In their study, they find that only 6% of White men and 12% of White women experienced a family member being imprisoned, compared to 32% of Black men and 44% of Black women.

These findings point in important directions for research on mass incarceration. Both of these studies strongly suggest that mass incarceration affects Blacks in very significant ways regardless of their position on the class hierarchy. While Bobo and Thompson (2010) importantly note that Blacks in all classes face the reality of mass incarceration differently than Whites, they stop short of developing an account of *how* it affects their life courses (i.e. socially, economically, politically, etc.). Likewise, Lee et al. (2015) demonstrate the stark numerical differences between Whites and Blacks in having a family member who has been incarcerated, which they note contributes in many ways to larger socioeconomic and political differences between White and Black communities. However, they do not elaborate on how social class and race interact to affect mass incarceration's differential impacts on Blacks and Whites. The research questions outlined above will illuminate this understudied aspect of the effects of mass incarceration.

Study Design

To answer my research questions, I utilized a comparative, qualitative approach using focus groups, one-on-one interviews, and demographic surveys (I administered the surveys both in person and online). A major benefit of qualitative interviews is that they are "*flexible*, *iterative*, and *continuous*" (Rubin and Rubin 1995:43; emphasis original). In other words, they can continually be reviewed and revised to focus on subjects that repeatedly come up during

interviews.

I chose Cook County in Illinois as my area of recruitment. With one exception, all of the participants were current residents of Cook County; they lived in Chicago or the suburbs. Cook County is highly racially and economically segregated (Henricks, Byrnes, and Brockett 2014; Pattillo-McCoy 1999). However, Cook County also contains suburbs and Chicago neighborhoods that are home to sizable populations of middle-class Blacks and Whites; some of these communities are reasonably well-integrated (although not without their problems; see, e.g., Goodwin [1979], Koval et al. [2006], Maly [2005], and Orfield and Luce [2013]). I felt that Cook County would be appropriate because of (1) its race and class diversity, (2) participants would likely have a wide range of experiences with police not only where they live, but also when they traveled throughout the metropolitan area, and (3) Blacks are the only racial or ethnic group who are overrepresented in the Cook County Jail (Murakawa 2014; Olson and Taheri 2012). This suggests that Whites and Blacks in Cook County would probably have different experiences with both the police and incarceration.

Participant Recruitment

I recruited participants by sending letters to various community, political, and religious organizations in Cook County, concentrating mostly on the western suburbs of Chicago. I sent letters to organizations located in areas that are already known to have significant numbers of both middle-class Blacks and Whites ("Magnolia," for example, is a suburb of Chicago that is nationally recognized as a bastion of racial residential integration). It was not long before I made contact with key informants who were interested in the study and who were willing to recruit for focus groups and participate in focus groups themselves. Key informants also introduced me to others in their organizations who also served as participants and recruiters who helped get the

word out about this project.

I recruited participants using a combination of purposive and snowball sampling. When I made contact with people who were interested in participating, I would take down their names and contact information. I would then use that information to send invitations to focus groups and one-on-one interviews. There were times when respondents said they had friends and/or family members who would be interested in participating, and they would provide contact information to me. I repeated this process until I completed 10 focus groups (a total of 37 participants) and 24 follow-up interviews.

Interview Description and Procedures

Focus groups took place from January 2016 to October 2016. Focus groups ranged from 90 to 150 minutes in length, and a total of 37 respondents participated in 10 focus groups (mean group size = 3.7; median group size = 3.5). From May 2016 to May 2017, I conducted 24 one-on-one, follow-up interviews with focus group participants. One-on-one interviews generally ranged from 45 to 90 minutes in length. During the one-on-one interviews, I also conducted a brief demographic survey for more information on respondents' socioeconomic statuses. For participants who did not complete a one-on-one follow-up interview, I e-mailed them a version of the demographic survey (see Appendix A for focus group interview guide, Appendix B for follow-up, one-on-one interview guide, and Appendix C for the demographic survey). I collected online survey information from respondents from June 2017 to March 2018.[1] Descriptive information of respondents can be found in Table 1 below.

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[1] Several of the questions on the demographic survey (see Appendix C) are from the General Social Survey and Census (some questions are the same, and some I modified for the purposes of this project). I did this because I felt that most people were familiar with these kinds of questions, and would therefore be more comfortable answering them. In Appendix C, I indicate from where those particular questions come.

Table 1. Descriptive Information of Focus Group/Interview Respondents

#	Pseudonym	Age	Sex	Race/Ethnicity	Occupation
1	Clancy	34	Man	Black/African American	Eligibility assessor
2	Grey	36	Man	Black/African American	Executive director
3	Eddie	37	Man	Black/African American	Mechanic
4	Rick	34	Man	Black/African American	Case manager
5	Sheldon	37	Man	Black/African American	Consultant
6	Perry	20's*	Man	Black/African American	Village official
7	Samuel	61	Man	Black/African American	Accountant
8	Johanna	41	Woman	White	Attorney
9	Dwight	73	Man	White	Attorney
10	Valerie	59	Woman	White	Executive director
11	Kathryn	61	Woman	White	City management
12	Darren	64	Man	White	Energy consultant
13	Lyndon	68	Man	White	Retired professor
14	Cyndi	74	Woman	White	School teacher
15	Paul	60's*	Man	White	Retiree
16	Caroline	57	Woman	White	Interim minister/pastor
17	Kimberly	75	Woman	White	Professor emeritus
18	Jennifer	29	Woman	White	Research coordinator
19	Vincent	56	Man	Black/African American	Financial analyst
20	Renee	22	Woman	Black/African American	Unemployed (recently graduated from college)
21	Nick	57	Man	White	Development Director
22	Taylor	70	Woman	White	Consultant
23	Laura	38	Woman	Black/African American	Consultant
24	Robin	34	Woman	Black/African American; Italian	Stay at home mother
25	Frederick	53	Man	Black/African American	Attorney
26	Ted	30's*	Man	Black/African American	High school teacher
27	Barrett	64	Man	Black/African American	Attorney
28	Sherri	49	Woman	Black/African American	Psychologist
29	Hillary	50's*	Woman	Black (does not identify as African American); White; American Indian or Alaska Native	Communications
30	Joleen	60's*	Woman	Black/African American	Attorney
31	Sandy	23	Woman	White	Program assistant
32	Grace	22	Woman	White	Communications and development associate

33	Kendra	23	Woman	White	Communications coordinator
34	Brooke	20's*	Woman	White	Rental housing advisor
35	Phoebe	20's*	Woman	White	After-school program coordinator
36	Whitney	47	Woman	Black/African American	Psychotherapist
37	Darian	45	Man	Black/African American	Doctoral student and adjunct professor
*Some respondents did not provide their ages during focus groups, did not complete follow-up interviews and surveys, or declined to provide their exact age; these ages are estimates.					

All focus group and one-on-one interview respondents signed consent forms prior to participating in both focus groups and one-on-one interviews. Participants who completed an online demographic survey did not sign a physical consent form, but had their rights as research participants provided to them prior to taking a survey. Only those who indicated that they had been fully informed of their rights as research participants were allowed to participate in the survey. Respondents were also compensated for their participation. Depending on available funding sources, I compensated focus group participants with $20 cash or a $20 Visa gift card, and one-on-one interviewees with $10 cash. I did not provide compensation for respondents who completed an online demographic survey, as the time required to take the survey amounted to only about five minutes.

I designed my questions to better understand the similarities and differences between middle-class Blacks and Whites along several dimensions; specifically, I was interested in their experiences with the police and if they have known family member or friends who have been incarcerated. In focus groups, I asked respondents about their feelings on the criminal justice system and police, their approval or disapproval of the work that police do, and any criticisms they might have of the police in Cook County in general and/or the place that they lived. I also asked them about how fair they thought the criminal justice system and police are, and if they

talk to their family and friends about the criminal justice system. I asked them about whether they had ever known someone who had been arrested and/or incarcerated and how that affected their lives. Finally, I asked them about any changes they would like to see in the criminal justice system, and if they had been involved in any efforts to change the system.

Follow-up interviews were different in some ways, but I revisited many of the same topics to get more specific information from respondents. I would start each interview by completing a demographic survey, which allowed me to further specify my sample population and make respondents' socioeconomic backgrounds clearer. After completing the survey, I asked respondents questions in three specific areas: their own personal experiences with the police, their experiences with knowing anyone who had ever been jailed and/or imprisoned, and their general thoughts about the criminal justice system. Through these interviews, I was able to verify information I already knew from focus groups, and also gather more specific information about the experiences of interview subjects. Finally, I e-mailed demographic surveys to those with whom I had not conducted follow-up, one-on-one interviews. The survey I e-mailed was the same as the survey I used in follow-up interviews.

I transcribed all recorded interviews, taking care to mask information that could potentially identify respondents. This included not only masking the names of participants and the names of anyone they mentioned during interviews, but also the names of their towns of residence, or places where they had specific experiences with the police. I did not mask the city of Chicago, but I did mask specific neighborhoods of the city in which respondents reported living. After transcribing the interviews, I coded them by organizing relevant text into common themes (Auerbach and Silverstein 2003; Babbie 2007; LeCompte 2000). Most of the research data presented in this dissertation comes from focus group interviews, and I supplement the

focus group data with individual interview data where necessary and appropriate.

Recruitment Challenges

Considering the subject matter, it came as a surprise to me that I was able to get the number of respondents I wanted. I was also surprised how forthcoming interview respondents were with me; they frequently told very painful stories about family members and friends who had been arrested, as well as their own encounters with the police. Initially getting in contact with respondents was also relatively easy. A very large majority of the interview respondents noted that they were middle-class or above, so they readily had cellular phones and e-mail addresses with which I could contact them. A challenge I did face was initially getting in contact with the organizations that I thought would be helpful in recruiting participants. Churches, community organizations, and political organizations function on limited resources, and I imagine that many of them, understandably, neither had the time nor the wherewithal to provide me with assistance in recruiting participants. However, the organizations that did get in contact with me were interested in the project and were willing to help me recruit.

I faced two challenges with focus groups. First, like all research participants, interviewees were people who had responsibilities they needed to attend to on a daily basis. It was frequently a challenge to find a date and time that fit into all the participants' schedules. However, if I scheduled them far enough in advance, people's schedules tended to open up and I would generally be able to fit most interested parties into the schedule. Some people who wanted to participate in focus groups simply did not have availability, so I tried as often as I could to make those people a priority for future focus groups. The second challenge I faced was in rate of interview completion for focus groups. A frequent issue was that I would schedule several respondents to participate in an interview, but then only a few would show up. For

example, there were times when I had scheduled and gotten confirmation from six focus group respondents (three women and three men) to participate in a focus group, and then only two or three would show up. This would occasionally skew the demographic make-up of the focus group, and therefore of the sample as a whole. For example, in one group I had scheduled three women and two men to participate in a focus group; only the three women showed up.[2] On several occasions, I would attempt to contact the people who did not show up for their scheduled group, and would not hear from them again. Follow-up, one-on-one interviews were not as big of a challenge. Most of the people I asked to participate in follow-up interviews were willing to do so, mostly because we had already developed a rapport during the focus groups. Similarly, most of the people I e-mailed the demographic survey were willing to respond, although I was unable to get everyone to participate in a follow-up survey.

Reflective Considerations

Research at the Intersection of Gender, Race, and Class

I am a researcher who identifies as White, male, and middle-class, and my identification with these groups is fraught with interacting historical modes of power that confer certain benefits and privileges. "Identity is the human capacity – rooted in language – to know 'who's who' (and hence 'what's what')," writes Richard Jenkins. "It is not something that one can *have*, or not; it is something that one *does*" (2008:5). Although identities do not "cause" behaviors, it does provide people with schemas through which they can more easily understand, interpret, and

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[2] This also tended to skew the average age of the participants. The average age of the five White men who participated in focus groups was about 65. This likely skewed some of my results: since crime and age are significantly related to each other (Western 2006), older participants were probably less likely to know someone who had been arrested and/or incarcerated. Although I have no way of knowing what the average age for this subgroup would have been had all people who said they were interested actually participated, there would likely have been more of a statistically normal distribution of age if I had more participants.

navigate their social worlds (Jenkins 2008). Who someone "is" and who someone "is not" can benefit or hinder the life courses of both individuals and groups. In the United States, for example, racial identity is enough to largely influence what groups have access to or are closed off from housing, employment, and educational opportunities (Bonilla-Silva 2001; Kozol 1991; Massey and Denton 1993; Neckerman and Kirschenman 1991). Identity is, therefore, a source of power in some contexts and a barrier to empowerment in others.

In addition, identities do not stand alone; rather, they intersect with one another in ways that may benefit or hinder social actors (Collins 2000; Crenshaw 1991; hooks 1984). In the case of this research project, for example, my identities likely influenced how people viewed me and even how much they trusted me with their personal stories in intersecting ways. Although Black men interviewees may have been comfortable sharing information with me because I am also a man, there were likely contexts in which they chose not to share information with me because I am White. In that sense, there are few contexts in which a researcher is a total "insider" or "outsider" (Merton 1972), and insider/outsider status depends on context. For example, Charles A. Gallagher (2000) found that his level of education and olive-colored skin partially mitigated his Whiteness among White interviewees. In that same vein, there are multiple axes along which I may come into conflict or identify with interviewees, which include a complex interplay of gender, race/ethnicity, class, citizenship, and sexual orientation (Collins 2000; Gallagher 2000; Twine and Warren 2000). My White racial identity confers certain privileges in relation to Black interviewees, as do my gender and class identities with women and people who are in other classes.

I tried to remain cognizant of imbalances of power that were inherent in the gendered, classed, and racialized interviewer/interviewee relationship. I made sure to clearly communicate

my role to interviewees: although I came from a specific social location of being a White, middle-class, male researcher, but was primarily interested in telling their stories that I believe has not been explored adequately in the existing literature. Because I was up front and honest about how I viewed my role in the interviewer/interviewee relationship, I believe interviewees were more willing to talk to me about their everyday, lived realities that may have been frightening or painful.

Comparing and Contrasting Middle-Class Blacks and Whites

In this study, I primarily relied on people's self-reports to determine their class statuses. The oft-repeated folk wisdom is that "everyone" identifies as middle class, although survey data from the last several years suggests that the number of people who identify as such is between roughly 50 and 60 percent (Morin and Motel 2012; Newport 2016). A total of 31 respondents participated in a follow-up survey; 16.1% said they were working-class, 51.6% identified as middle-class, and 12.9% as upper-class. 6.5% replied that they have no class identification. Interestingly, 9.7% of respondents specifically mentioned that they view themselves as somewhere between the working and middle class, while one respondent (3.2%) said she still identifies as working-class even though her new job meant she was now technically in the middle class.

In 1978, William Julius Wilson argued that Blacks were no longer held back by the segregation that had defined the eras of slavery and Jim Crow. Instead, the deindustrializing economy resulted in a divided class structure that allowed some middle-class Blacks more opportunities for social movement, while closing off similar opportunities to poor- and working-class Blacks (Wilson 1978). Although one of Wilson's objectives was to highlight intraracial class conflicts that had increased in the wake of deindustrialization, research continued to show

that, contrary to Wilson's position, the importance of race in American life had not declined. Research in a variety of areas (housing, employment, education, wealth accrual, and incarceration, for example) suggested that the meaning and political significance of race had transformed rather than declined (Bonilla-Silva 2001; Massey and Denton 1993; Oliver and Shapiro 2006; Omi and Winant 2014; Orfield and Eaton 1996; Pager, Bonikowski, and Western 2009; Pattillo-McCoy 1999; Pinkney 1984). As Mary Pattillo-McCoy points out, "… the growth of the black middle class since World War II has been impressive. Yet viewed from a comparative perspective, African Americans continue to lag behind whites" (1999:22).

An important debate continues about what even constitutes the Black middle class. For example, Karyn Lacy (2007:33–42) notes that when social scientists use income as the sole determinant of what "middle class" means, it is extremely variable. For some, "middle class" might mean anyone who makes at least the median yearly national median income ($59,039 in 2016 [Loudenback 2017]). For others, they might use a more arbitrary cutoff of income (say, for example, making at least $50,000 a year after taxes). Any study that compares the life experiences of middle-class Blacks and Whites must inherently contend with what it means to be "middle class" in a racialized social structure (Bonilla-Silva 1997, 2001). In short, the history of race-based resource distribution has resulted in demonstrable socioeconomic inequalities by race, even among those who count themselves as "middle class."

However, as Mary Pattillo-McCoy writes, "The identity of the black middle class (the *who*) changes *as* and *when* the general position of African Americans changes" (1999:15). Recent research by Patrick Sharkey (2014) shows that middle-class Blacks continue to live nearer to areas of disadvantage. However, when Black households are the unit of analysis, he finds that the proportion of Blacks living away from concentrated disadvantage have increased

substantially. What this means is that our conception of "Black middle class" is and always has been changing, and a discussion about what that means must continue. Although this research project does not necessarily move this debate forward in any meaningful way, I mention it here because of the inherent complexities of arguing about the similarities and differences between middle-class Blacks and Whites, as well as the similarities and differences between middle-class Blacks and working- and lower-class Blacks.

The class positions of Black respondents in this study varied from working-class to upper class. Mary Pattillo has noted that "a more appropriate socioeconomic label for members of the black middle class is 'lower middle class'" (quoted in Lacy [2007:41]). However useful of a conception this may have been in the past, Lacy (2007) notes that there are an increasing number of Blacks who do not fit into this schema. For example, in this study there were Black respondents who reported that they counted themselves as working class, although all of them had at least a college degree, and the majority had graduate degrees.

For example, Samuel (Black man, age 61) reported that he is in the working class. In addition to identifying as working-class, he is an accountant, possesses a graduate degree, and lives in a Chicago neighborhood that has long been home to a vibrant Black middle class (Sampson 2012). I do not doubt Samuel's self-report; a broader discussion of how and why people identify as they do is beyond the scope of this project. However, this means that we must always contend with what it means to be "classed" in specific historical contexts. Although Samuel and other respondents like him may possess many of the markers of "middle classness," Blacks also possess less wealth in general than Whites, have fewer housing choices, and face discrimination in a variety of settings (Feagin 1991; Feagin and Sikes 1994; Massey and Denton 1993; Neckerman and Kirschenman 1991; Oliver and Shapiro 2006; Pager et al. 2009).

For the sake of this project, then, it may be useful to draw a distinction between the Black respondents who participated in this study and Blacks who are typically the primary target of the carceral state. Mass incarceration, as it is currently practiced in the U.S., focuses most of its attention on poor Blacks (Alexander 2012; Wacquant 2009). Although not all Black respondents identified as middle-class, they tended to have college degrees, nominally broader housing choices, and jobs as professionals (or are currently in graduate school, as 2 of my respondents were). By most measures, the Black respondents who participated in this study are not in the same socioeconomic position as their counterparts who live in segregated neighborhoods and suburbs defined in part by intergenerational poverty.

Race-Matching

Since this is a comparative study, I decided that the focus groups would be mono-racial; all focus groups were either all-White or all-Black. There are several practical and theoretical reasons why White and Black participants were not in focus groups together. First, Blacks are the only racial/ethnic group in Cook County that is overrepresented in Cook County Jail (Murakawa 2014; Olson and Taheri 2012). In addition, middle-class Blacks are likelier to be spatially located nearer to areas of racial segregation, poverty, and aggressive policing, where they regularly interact with their family members, friends, and also police (Bobo and Thompson 2010; Lee et al. 2015; Pattillo-McCoy 1999; Sampson and Loeffler 2010; Sharkey 2014). Thus, it stands to reason that Blacks in Cook County (whether they live in the suburbs or in the city of Chicago) are likely to have unique experiences with the criminal justice system and policing that other racial and ethnic groups do not have.

Second, I asked respondents to provide information about sensitive topics: their own experiences with and beliefs about the police and criminal justice system, as well as the toll that

having family members and/or friends in prison took on their lives. Because of the inequalities previous research suggests exists in the criminal justice system in general and in policing practices more specifically (see Chapter 2 for a review), I thought that it would help respondents feel more comfortable answering questions if they were surrounded by people who have had similar experiences.

Finally, in addition to being a White, middle-class man, I have lived in segregated suburbs, gone to predominantly White schools, and worked in predominantly White workplaces for most of my life. Therefore, I approached this study coming from a place of historical, unearned privileges. Because I am studying race as an organizing feature of the criminal justice system, it inherently means that I am studying my own Whiteness as much as I am studying Blackness (Blumer 1958; Bonilla-Silva 2010; Lewis 2004). As such, race-matching became a methodological concern when I was conducting focus groups with Blacks. I expected Black interviewees to be unwilling to open up about some of the painful experiences I asked them about. However, I was able to partially mitigate this issue by first conducting focus groups with people who likely had similar experiences to each other. My hope was that people would be more willing to discuss their experiences if they were with others who had been in similar situations.

Generalizability and Data Saturation

In addition to these methodological concerns, there was also the issue of generalizability. Although generalizability is sought after in quantitative research contexts, I would argue that generalizability was neither possible nor desirable for this project. Instead, for the purposes of this project, I believe it makes the most sense to utilize Vicsek's (2010) concept of "existence generalization." I quote Vicsek at length:

… [H]ere we simply generalise the existence of a certain response, but not its distribution, and we do not claim that this is the whole range of responses. Thus we draw conclusions about dimensions, concepts, approaches, and mechanisms potentially present in a target population, but we do not claim that other dimensions and approaches do not exist. With the help of focus groups we show which processes, reasons, and mechanisms may explain a phenomenon, but our argumentation is that what we demonstrate is only one possible scenario. (2010:126)

Vicsek's concept of "existence generalization" is similar to that suggested by Mario Small, in which he argues that even "a well-executed single-case study can justifiably state that a particular process, phenomenon, mechanism, tendency, type, relationship, dynamic, or practice exists" (2009:24).

Due to the local nature of policing and incarceration (Gottschalk 2015; Sampson and Loeffler 2010), attaining results that are generalizable to the whole population entails gathering data from more "cases," as Small (2009) suggests. This would (and should) require collecting data from groups of middle-class Blacks and Whites who live in other towns, counties, and states. The experiences of middle-class Blacks and Whites in Cook County may be very different from middle-class Blacks and Whites who live in adjacent counties such as Lake, Kane, or DuPage, for example. Ideally, I would collect data in these counties and compare the results to each other until no new information is found (Small 2009). Due to time and budget constraints, however, conducting this sort of case study was not possible. In addition, Cook County is home to 5.2 million people (U.S. Census Bureau n.d.). To generalize the responses of 37 research participants to the population of the whole county would be, at best, questionable.

There are also other barriers to generalizability. Lilla Vicsek argues that generalizability in focus groups is difficult to attain because focus groups frequently fly in the face of question standardization: "… [I]n one group somebody throws in an aspect of the issue which is then discussed, while in another group this subject does not surface, although it is equally relevant for

members of both groups. The group situation, group dynamics, and the group composition can also influence what the participants say during the different discussions" (Vicsek 2010:123). Thus, the interviewer gives up a certain amount of control over the topics discussed, and can therefore change the main topics of conversation from focus group to focus group. Even in situations where the topics discussed are similar, the content of the discussions is partially dependent on who the participants are and how they interact with each other (Vicsek 2010). Indeed, there were some situations in which I would not be able to ask all the questions I wanted to ask, because topics of conversation among focus group participants would focus a lot on one specific area, and not enough in others.

This is related to issues having to do with time constraints. Time constraints occurred both with the space I used to conduct my research, as well as with individual research participants. A few of my key informants generously provided space in which to conduct focus groups. This situation quickly became untenable, as the spaces had to be locked up after we were done using them. After the first few focus groups, I started conducting them at a local library which allowed me to use spaces for free. However, the rooms were available to the public, which meant that the time I had to conduct a group was constricted by the needs of others. In an effort to respect the valuable time of focus group respondents, I generally tried to keep focus group length at a maximum of two hours (this did not happen with the first focus group I conducted, which lasted 2.5 hours). As a result, some focus groups ended and I had not been able to ask all the questions I wanted to ask.

Because of that and other reasons listed above, I do not make a claim that the data presented in Chapters 4 and 5 are generalizable to the broader population of Cook County. This project draws on existing theoretical and empirical work about how race, class, policing, and

mass incarceration are intertwined. However, there is little existing work that focuses on the experiences of *middle-class* Black's and White's duel experiences with the police and the broader criminal justice system. For that reason, the results of this study should not be read as generalizable in a quantitatively statistical sense (Small 2009). Borrowing the words of Small (2009:26), at this point I simply mean to *identify* and *confirm* factors that might differently affect middle-class Whites' and Blacks' experiences with the criminal justice system.

That being said, I do believe this work contributes to knowledge about middle-class Blacks' and Whites' interactions with the carceral state in a particular context among a particular subset of people. More research must be conducted in other states, counties, and localities to determine if and how the criminal justice system in Cook County differs significantly from others in its effects on middle-class Blacks, Whites, Asians, Latinxs, and so forth. As such, this case study is not meant to be generalizable, but rather is meant as an empirical and theoretical starting point for conducting further research.

Although I would argue that my research sample should not be statistically generalized to the population as a whole, I conducted focus group and follow-up interviews to attain what Krueger (1997:72) refers to as "'theoretical saturation,' which is akin to redundancy." In short, saturation is the point at which a researcher is confident that she has conducted enough interviews so that very little new information is revealed (Bowen 2008; Charmaz 2014; Fusch and Ness 2015; O'Reilly and Parker 2013; Small 2009). In an effort to attain saturation, I conducted 10 focus groups with 37 participants, and then one-on-one, follow-up interviews with 24 of those participants. Follow-up interviews allowed me to revisit questions I was not able to ask in focus groups, verify information that participants mentioned in focus groups, delve more fully into their life circumstances, and gather further information that individual participants may

have been uncomfortable sharing with me in a group setting. Similar to the issues I identified

with generalization, I believe I attained saturation in this particular case (Small 2009). There is a

dearth of research studies examining the effects of incarceration and policing on middle-class

Blacks and Whites. This means that further research should be conducted in other localities to

determine if the concepts I put forth in the following chapters are valid and reliable descriptions

of people's experiences with incarceration and policing.

Focus Groups and Interviews in Historical Context

I conducted focus groups and interviews in the midst of a period of greatly heightened

awareness about police violence in Black communities. The very public (and publicized) deaths

of Black people such as Eric Garner, Ezell Ford, Michael Brown, Tamir Rice, Walter Scott,

Freddie Gray, Laquan McDonald, Samuel DuBose, Sandra Bland, Quintonio LeGrier, Bettie

Jones, Alton Sterling, Philando Castile, Terence Crutcher, Jordan Edwards, and numerous others

likely affected respondents' answers and willingness to talk about their experiences with me.

However, I would argue that the historical context in which these interviews took place

presented a unique methodological opportunity. It was a context in which (1) some respondents

may have actually been more willing to participate in focus groups, whether that was to talk

about their negative or positive experiences with the police and the criminal justice system, and

(2) they had become more aware of what the police do in their communities and the communities

around them.

CHAPTER FOUR

MASS INCARCERATION AND THE BLACK MIDDLE CLASS

In this chapter, I address my primary research question: does the incarceration of a family member or friend affect middle-class Blacks and Whites? If so, in what ways? What similarities and differences exist between middle-class Blacks and Whites when a family member or friend is incarcerated? This research builds upon existing literature that focuses on the collateral consequences of mass incarceration on poor Blacks (see Chapter 2). The collateral consequences literature paints a vivid picture of the daily struggles of incarcerated people, their friends and families, and their communities, both inside and outside of the prison walls (e.g., Alexander 2012; Brown, Bell, and Patterson 2016; Clear 2007; Comfort 2007, 2008; Foster and Hagan 2015; Lee et al. 2015; Turney 2015; Wacquant 2009; Western 2002, 2006; Western and Pettit 2010; Western and Wildeman 2009; Wildeman and Muller 2012). In poor communities of color, mass incarceration is a significant contributor to socioeconomic, political, and racial inequalities. As Loïc Wacquant (2000, 2001) notes, the prison and the ghetto are institutions that feed off of one another; most prison entrants come from ghettoes, and ex-offenders are released from prisons back into ghettoes after their prison sentences. Combined with a history of racial residential segregation, post-industrial, low-wage labor markets, and a lack of adequate funding for public education, the results have been devastating to poor communities of color (Kozol 1991; Massey and Denton 1993; Wacquant 2009). Again, however, these studies focus almost exclusively on poor Blacks, and few findings from these studies suggest implications outside of

this population.

Building on Collateral Consequences Literature

Although the collateral consequences literature is vast, its main conclusions bear repeating: mass incarceration negatively affects individuals, families, and communities, most of which are comprised of poor Blacks. However, the collateral consequences literature focuses almost exclusively on poor Blacks and most leave out the narratives of the middle class (Forman 2010). It is important to take the middle class into consideration in this literature, especially at the point where race and class intersect. Middle-class Blacks are more likely to have a poor family member and expend more of their financial resources to support poor family members than middle-class Whites (Chiteji and Hamilton 2002; Heflin and Pattillo 2006; O'Brien 2012). Since the main focus of the criminal justice system is poor Blacks, it stands to reason that much of the physical and emotional resources middle-class Blacks have to expend on their lower-class friends and family members who have been imprisoned will be significantly different than the resources middle-class Whites have to expend. Thus, the mass incarceration of Blacks is potentially a source of inequality in the middle class that demands sociological attention.

The problem with current research is that it has not adequately addressed the position of middle-class Blacks in between the dual pressures of collateral consequences and their daily interactions with the police. Although a higher class status can work as a "buffer" in various ways for Blacks (Pattillo-McCoy 1999), research should more fully explore how middle-class Blacks are caught between these two simultaneous forces. In that sense, middle-class Blacks occupy a position different from both poor/working-class Blacks and middle-class Whites. Like working- and lower-class Blacks, they likely have family members and/or friends who have been incarcerated and require their assistance (Bobo and Thompson 2010); unlike working- and

lower-class Blacks, middle-class Blacks have resources available to them that are different from those found in highly policed urban ghettoes (Wacquant 2000, 2009). At the same time, middle-class Blacks also face pressures that are distinct from those of middle-class Whites: they are viewed as being a dangerous public presence, and the police treat them accordingly; this is a pressure that middle-class Whites simply do not face (Anderson 2015; Feagin and Sikes 1994; Rollock et al. 2011).

It is this nexus of race, class, and punishment that is the focus of this project. In the following pages, I begin by detailing the experiences middle-class Blacks and Whites have when their family members or friends are incarcerated. I show that middle-class Blacks and Whites differ significantly from each other in these particular dimensions.

A Brief Review of the Black Middle Class

Since the early 2000's, the Black middle class has become a more popular target of study among sociologists (Pattillo 2005), which had previously focused primarily on the poor living in urban ghettoes (Jencks 1992; Small and Newman 2001; Wilson 1978, 1987). Studies on middle-class Blacks have moved research beyond a myopic focus on the poor. What this research has also done is highlight how middle-class Blacks and Whites have not necessarily achieved socioeconomic parity with each other, and also what opportunities and barriers middle-class Blacks face in historically White institutions.

The early Black middle class was relatively small (Pattillo 2005), and it was just as separated from White institutions as its poor and working-class counterparts. This segregation was both social and economic, with Whites heavily policing these boundaries. Middle-class Blacks faced extreme violence if nearby White communities thought that Blacks had stepped over both physical and social lines. In 1921, for example, White rioters burnt down the "Black

Wall Street" located in the Greenwood area of Tulsa, Oklahoma, ostensibly because they

suspected a Black man of harassing a White woman (Greenwood 2015). "Perhaps not

coincidentally," writes Ronni Michelle Greenwood, "at the time of the riot, the Greenwood area

was one of the most affluent Black neighborhoods in the United States …" (2015:339). Those

who tried to exist outside the real and imagined confines of Jim Crow laws risked violence at the

hands of Whites. Despite these barriers to safety, many Blacks "made it" even within the

strictures of the Jim Crow South. Madame C.J. Walker, for example, became the first Black

millionaire in America in the early twentieth century (Desmond and Emirbayer 2009). However,

the existence of a Black woman millionaire in the early 1900's was not evidence that Blacks

were allowed to live on the same terms as Whites (Desmond and Emirbayer 2009).

     W.E.B. Du Bois offered some of the earliest research on middle-class Blacks in *The*

Philadelphia Negro (2007 [1899]). In that book, Du Bois noted that middle- and upper-class

Blacks had a duty to "serve the lowest classes" (2007 [1899]:317), but had instead segregated

themselves. He noted that the Black middle class "ought to lead" (2007 [1899]:177), but had no

interest in doing so because they did not like being associated with the lower classes. This was

frequently a theme in early studies of the Black middle class. For example, Drake and Cayton

(2015 [1945]) wrote about how the geographic confines inherent in Chicago's Black Belt meant

that middle-class Blacks frequently had to live among those in the lower classes, to their chagrin.

     A dislike for the lower classes is a theme that scholars returned to frequently when

discussing the Black middle class (Drake and Cayton 2015 [1945]; Du Bois 2007 [1899]; Frazier

1957). While they noted that the upper and middle classes could show those in the lower class

how to be more successful, they were wary of their ability to have much influence on those they

viewed with disdain. E. Franklin Frazier, for example, argued that middle-class Blacks had

become too insulated from their poor and working-class counterparts. Although he did not provide evidence for his conclusions, he wrote that middle-class Blacks "[lived] largely in a world of make-believe" (1957:213) and had traded unity with poor Blacks for economic security and the approval of Whites. Other scholars counter-posed middle-class and poor Blacks, noting that middle-class Blacks had reason to be ashamed because of the so-called negative behaviors of lower-class Blacks (Drake and Cayton 2015 [1945]).

With the onset of the Great Migration during World War I, both poor Blacks and middle-class Blacks left the South to both find newly available jobs and escape the extreme violence that characterized the Jim Crow South (Tolnay 2003). However, once Blacks arrived in Northern cities, they found systems of control that frequently mirrored those found beneath the Mason-Dixon Line. Upon arrival in Chicago, for example, Whites relegated Blacks to the "Black Belt," a racially segregated space in which Blacks of all classes had to live together (Wacquant 2008).

While the Black Belt was a place of crushing poverty, many Black business owners and politicians were able to make a living for themselves and contribute to the broader well-being of the community (Drake and Cayton 2015 [1945]). For every major White institution that existed, an alternative Black version sprang up in the Black Belt. Black lawyers, doctors, newspapers, and political institutions catered to a Black community that White individuals and institutions would not (Drake and Cayton 2015 [1945]). Wacquant (2008) notes that it was within this space that Blacks from all classes typically came into contact with one another, although this did not mean that there were harmonious relationships between the classes. Indeed, the racially segregated Black Belt was also segregated by class, although the confines of geography meant that Blacks of all classes lived amongst one another, to some extent (Drake and Cayton 2015 [1945]). At the same time, the development of alternative institutions, argues Darlene Clark

Hine (2003), was an important challenge to White supremacy.

Although the North did not have the equivalent of Jim Crow laws, racial segregation was still strictly enforced in a variety of different ways, both non-violent and violent. For example, Whites would first prevent Blacks from moving into White neighborhoods through the use of restrictive covenants, redlining, panic peddling, blockbusting, and the creation of White "neighborhood associations" that deemed Blacks to be undesirable neighbors (Baldwin 2007; Freund 2007; Massey and Denton 1993; Pattillo 2007). Lesser known was the tactic referred to as "contract buying." White realtors would buy homes from Whites eager to move to the suburbs, and then sell the homes at a greatly marked up price to Blacks. However, Blacks were not getting mortgages; instead, they would sign contracts which allowed them to be evicted if they missed even a single payment, after which the process would be repeated with new Black homebuyers (Brotman 2015; Finley 2016). From 1940 to 1970, the modern day equivalent of $3 billion was "'legally stolen' from Chicago's black families" (Burns 2017:n.p.).

When Blacks were not discouraged by these tactics, Whites resorted to violence in the form of fire bombings and riots (Baldwin 2007; Bennett and Schaefer 2006). In 1919, for example, a White beachgoer killed a Black child who he believed had crossed into the Whites-only part of the beach on Lake Michigan. The murder and the police's initial refusal to arrest the White perpetrator led to several days of riots in which the Illinois National Guard was called to maintain order (Tuttle 1970). A similar event took place in 1951 when a Black family moved into the near-west Chicago suburb of Cicero, Illinois. Just as in 1919, the National Guard had to be called in to maintain order among thousands of Whites who spent days looting and then burning furniture from the apartment building (Hirsch 1998). Although the North and South were different in very significant ways, they shared a history of enacting violent retribution

against Blacks who crossed over racialized boundaries.

Throughout the 1940's and 1950's, there were some gains made by Blacks in employment opportunities with the introduction of New Deal policies that banned racial discrimination in federal hiring, although equitable housing opportunities were still off the table for Blacks (Bennett and Schaefer 2006). The gains they made were never in line with the gains Whites made, but it did provide many Blacks with a livelihood. As noted in Chapter 2, Blacks moved into professions as "statisticians, lawyers, engineers, architects, economists, office managers, case aides, librarians, and interviewers" (Wilson 1978:126; quoted in Bennett and Schaefer [2006:86]). Wages were also relatively high for workers, and the racial wage gap decreased significantly in the 1940's and 1950's (however, Blacks rarely saw wages that were as high as they were for Whites; see Maloney [1994]).

The Civil Rights Movements of the 1960's brought massive changes to the life trajectories of Blacks in general, and middle-class Blacks were a major part of these movements.[1] The 1964 Civil Rights Act, 1965 Voting Rights Act, 1968 Civil Rights Act, and 1968 Fair Housing Act banned racial segregation in virtually every aspect of American life, including schooling, employment, public amenities, voting, and housing (Feagin 2010; Massey and Denton 1993). The 1968 Fair Housing Act had an especially significant effect on Black geographic and class mobility: it paved the way for Blacks with the means to do so to move to the suburbs that had previously been closed off to them for decades. Within a relatively short period of time, suburbs that had previously been closed off to Blacks in the Chicagoland area saw an influx of Blacks who could afford to move out of the historical Black Belt (Bennett and

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[1] Rather than a single movement, there were a series of movements with their own leaders. For example, Manning Marable argues that Martin Luther King, Jr. appealed to educated, middle-class blacks, while Malcolm X and the Nation of Islam appealed more to "ghetto blacks" (2011:7).

Schaefer 2006; Street 2007).

However, although middle-class Blacks were moving to the suburbs, those suburbs would frequently re-segregate as a result of White flight (Charles 2006; Massey and Denton 1993). Despite the fact that tens of thousands of Blacks who could afford to do so moved to the suburbs in Chicagoland (Street 2007), Cook County remains highly segregated along both race and class lines (Henricks et al. 2014). White flight has continued to segregate a variety of metropolitan areas, but there are prosperous Black middle-class communities that exist (Lacy 2007; Pattillo 2007, 2005; Pattillo-McCoy 1999; Sharkey 2014).

Middle-class Blacks have also made significant gains in education, employment, income, and wealth attainment, although they too come with caveats. For example, with the desegregation of schools, Black-White test scores converged, albeit slowly, from the 1970's until the 1990's (Harris 2006). Although the number of Blacks attaining college degrees has significantly increased since the 1960's (U.S. Census Bureau 1999), Blacks still attain college degrees significantly less often than Whites (Musu-Gillette et al. 2016; Shapiro et al. 2017), and possessing a college degree has not resulted in employment or income parity between Blacks and Whites (Henricks et al. 2017). There are also significant wealth disparities between Blacks and Whites (Conley 1999; Oliver and Shapiro 2006), which were only exacerbated by the housing crisis that took place during the Great Recession (Henricks 2015; Reed and Chowkwanyun 2011) and continued racial discrimination in hiring practices (Pager et al. 2009; Parker, Horowitz, and Mahl 2016).

The studies briefly reviewed above have highlighted Black gains in the post-Civil Rights era, but also areas of inequality requiring further attention. What these studies have also not adequately explored is how mass incarceration affects middle-class Blacks. Because the

literature has already established mass incarceration as one of the key institutions that is partly

determinative of poor Blacks' life chances (Western 2006), it makes practical and theoretical

sense to inquire about its effects on the lives of non-poor Blacks; specifically, the middle class.

In the following pages, I detail responses from both middle-class Blacks and Whites on how the

incarceration of a family member or friend has (or has not) affected them.

Collateral Consequences of Incarceration in the Middle Class

Black Respondents

All of the participants in this study have known, at one time or another, someone who has

been arrested and/or incarcerated. This includes people who have been to prison or jail, the

difference being that prison is for housing more serious offenders in the long-term, while jail is

usually short-term and for those who have committed less serious crimes (Holleran and Spohn

2004). Although they focus only on prisons, Lee et al. (2015) show that knowing someone who

is in prison is far more common for Blacks (especially Black women) than for Whites. The

offenses for which these friends and/or family members have been incarcerated ran a wide

gamut: on the lower end of the offense scale, they had been arrested at protests, for petty drug

crimes (i.e., possession and/or use of marijuana), joyriding in a stolen car, and so on. On the

higher end of the offense scale, some had been arrested for numerous driving under the influence

(DUI) offenses, fighting with police, and manslaughter. Although there are racial inequalities in

connectedness to someone who has been imprisoned, we know relatively little about the

consequences of imprisonment for the middle class. What kind of toll does the imprisonment of

a family member or friend take on someone who does not live in poverty?

"It don't stop." Focus group respondents did not have monolithic experiences when it

came to the effects of the criminal justice system. To say that there was a "Black middle class

experience" or "White middle class experience" would be inaccurate and reductive. Instead, people's experiences were varied, complex, and ran along a continuum where some provided more assistance to their friends and family members than others (or did not provide any assistance at all). There were people who made supporting their friends and family members a regular part of their daily existence. For example, consider the following exchange between several Black men about the support that they provided to various family members and significant others in their lives:

Samuel:	I write [to my ex-girlfriend's daughter who is in prison], you know, I send her, you know, a few dollars here and there. But see, that's, that's just one story. But I mean, I could go on and on. But I'm quite sure we all got…
Eddie:	You gotta realize, it don't stop, man. It goes on for the amount of years they in jail. You figure, you got thirty-one years, you know, you lookin' at it, like, my kids gonna be grown and all and I'm still takin' care of 'em.
Clancy:	To jump in right there… not even… I'm sorry. Not even just the time that they in jail, but the time they out. Most of 'em get out and they still as dependent as they was in jail.
Eddie:	And I… and I have a private fund gettin' saved for [my brother] so when he gets out…
Clancy:	Right. Yep!
Eddie:	… he has money.
Clancy:	And, and, and, and that, and that's literally… that's what you have to do at this point. Like, again…
Eddie:	Yeah, because at [age] 51, nobody's gonna hire him.
Clancy:	No.
Grey:	Yeah.
Samuel:	That's a good idea [referring to Eddie's use of a private fund for his brother].

In this particular focus group (which was made up of seven Black men), every single participant had known someone who is or was in jail or prison. Each one of them had to deal with some form of fallout as a result of that situation; for some it was financial in nature, while for others it was more emotionally supportive (e.g., Samuel [Black man, age 61] would write letters to his ex-girlfriend's daughter who was imprisoned for armed robbery). Eddie (Black

man, age 37) had to set up a special savings account for his brother, while Clancy (Black man, age 34) noted that there was a need for continually supporting family members after they had gotten out of prison. Grey (Black man, age 36), who had a family member in prison for bank fraud, did not need to help his imprisoned family member financially. However, during a follow-up interview he mentioned that because his brother-in-law was in jail, he had the extra stressors of having to provide for his mother-in-law who was unable to "navigate" her daily life in various ways without the help of her son, as Grey put it.

The respondents who discussed the financial concerns of having a family member or friend in jail echo broader contributions to the research literature showing that Blacks are (1) more likely than Whites to have family members who are poor (Heflin and Pattillo 2006), and (2) provide financial assistance to poor family members more frequently than Whites (Chiteji and Hamilton 2002; O'Brien 2012).[2] These findings not only bolster existing research showing that Blacks informally support friends and family members through their social networks to help make rent, pay bills, and so forth (see O'Brien [2012] for a review). It also shows that some Blacks must expend significant amounts of money to support family members and friends who are now or have been imprisoned. The implication of this finding is that the effects of mass

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[2] These findings suggest that we need to look more closely at how inter-class kin networks exchange resources to ensure family survival. In her book *All Our Kin: Strategies for Survival in a Black Community*, Carol B. Stack argues that poor Blacks who want to move up the class ladder through employment or marriage risk precarity "in contrast to the asylum gained through generosity and exchange [in kin networks of exchanges and obligations]" (1974:124–25). In other words, Blacks who moved into the middle class risked losing the benefits of the kin networks of exchange that allowed poor Blacks to survive in the urban milieu. However, Anne R. Roschelle (1997) partially refutes this argument, noting that the social welfare cutbacks of the 1980's fundamentally transformed the structure of kin network exchange. By the time she conducted her research, Roschelle found that moving upward in the class structure actually made it *more* likely that someone would participate in networks of exchange. In a more recent research study, O'Brien (2012) persuasively shows that middle-class Blacks provide more assistance to family members and friends than middle-class Whites, which partially contributes to the existing racial wealth gap (Oliver and Shapiro 2006). In light of the recent tax cuts and calls to make major welfare cuts to pay for them (Weixel 2017), these disparities in wealth transfer will undoubtedly require further examination in the relatively near future.

incarceration "ripple outward" to middle-class Blacks who have not themselves been imprisoned. This rippling effect can (but does not always) have financial consequences for middle-class Blacks who likely possess less accrued wealth than their White counterparts (Conley 1999; Oliver and Shapiro 2006). In addition to putting themselves and their families at financial risk to help family members make ends meet, the incarceration of a family member can have serious economic consequences for non-poor Blacks as well.

Not only were there financial burdens that Black respondents had to take on when a family member or friend had been imprisoned; imprisonment also placed extra emotional stressors on their lives. The stressors were not necessarily financial; as Grey mentioned, it was not money that was the issue for his family, but rather the added stress that his mother-in-law would no longer be able to rely on regular help from her son. In addition to the extra stressors that took hold when family members crucial to the healthy functioning of the family unit were removed, there were also situations in which family members did not just "disappear" from their lives. Instead, their imprisoned family members and friends became "[liminal], where they are simultaneously members of families and isolated from these families" (Turney 2015:500). Interestingly, this liminality could extend beyond those who had been imprisoned to those who were not necessarily imprisoned, but who were deemed to be "bad influences" by members of their family. For example, Sheldon (Black man, age 37) noted that much of the impact that his older brother's and cousins' incarceration had on his family was that it influenced his mother into moving his immediate family farther away from their extended family.

> Sheldon: So my parents even moved and … our family relations are interesting, 'cause they used to call us the… the cousins that were, like, gone, 'cause, like, my parents wouldn't let us interact with 'em, 'cause they were either juvies [in juvenile hall] or jail. My mom was like, "I gotta isolate y'all," so with it, literally, they isolated a small group of this very large family.

Uh, and even now they would make comments like, "Are you comin' home around us? Are you allowed to come around us?"

At the same time, the removal of a family member to go to prison was occasionally seen as a blessing in disguise. Although he was not happy that his brother was going to prison, a respondent by the name of Perry (Black man, aged in his 20's) talked about his feelings on his brother going to prison:

> Perry: But, you know, I was really happy to, you know… and this is going to sound crazy, for my oldest brother, to know that he was incarcerated. Because the life he began to live, it was, like, really, really dangerous. Um, and it was better for him to be in jail. Like, when I heard that he was, you know, locked up, you know, I would celebrate on the inside. Like, man, I know that he's gonna be safe, because, like, he had built up, like, this lifestyle, um, you know, that was just… you just knew that he was going to, you know…
>
> Samuel: Get hurt?
>
> Perry: Right, get hurt. And, um, you know, it happened for him [he was killed in a shooting] in [date masked to preserve anonymity]. Um, and even then, like, for him, I was just like… I was just happy they got him… allowed him to see the age that he was, because, you know, it was just amazing 'cause I always thought it would happen earlier for him.

Prior to relaying this anecdote, Perry had noted how upsetting it was for him as a child to have both parents in prison and away from his home. It may seem like a contradiction to "celebrate on the inside" when his brother was incarcerated. Perry spoke very lovingly of his brother and mentioned how his brother would do anything (including committing robbery) to make sure there was food on the table for the rest of his siblings. However, Perry also felt that his brother would be safer if he was incarcerated. Although a prison sentence can be devastating to the structure of a family, Megan Comfort notes that there are times when family members may see it as a kind of relief from potentially dangerous situations:

> For those who grapple directly with the untreated substance addiction or mental illness of a loved one, incarceration can bring a sense of relief—both because of the respite from the daily turmoil caused by the person's difficulties and because of the hope that the

inmate may finally receive some degree of care, however partial or inadequate, for troubles that are no longer addressed through conventional forms of social assistance. (2007:286)

Although Perry did not indicate that his brother was suffering from mental illness or substance addiction, the fact that he was off the streets was enough to give Perry solace that he would, for the time being, have a modicum of safety within the prison walls. For Perry, it was more important for his brother to be alive in prison rather than dead in the street (out of all the respondents in this study, he was the only one to voice this type of relief over his family member being incarcerated). Perry's concerns were not unfounded: unfortunately, his brother was eventually killed in a shooting.

This section highlights a reality that some middle-class Blacks face when their family members or friends are incarcerated. For some, they have to expend significant amounts of financial capital to support their significant others who have been imprisoned. Because of the extent to which the state uses mass incarceration in the treatment of poor Blacks, as well as the fact that middle-class Blacks are more likely to have poor family members, middle-class Blacks can be saddled with the responsibility of caring for their incarcerated family members. In that sense, mass incarceration not only poses major socioeconomic risks for poor Blacks, but also for their middle-class family members.

Sometimes we do, sometimes we don't. As noted above, however, these experiences were not the same for all middle-class Black respondents. While some provided a significant amount of assistance, others provided relatively little. Take, for example, the experiences of a father and daughter named Vincent (Black man, age 56) and Renee (Black woman, age 22). They reported that they had some family members who had been to jail. When asked if they had ever provided any kind of assistance to these family members, they responded:

Renee:	Well, didn't mom send money to her cousin?
Vincent:	Yeah, we've had, we've, in our family, we've some situations like that. We're very cautious about those kinds of things. Because sometimes you just don't trust… it's like giving out money on the street. You don't know exactly what that's gonna be used for, and you have to question whether it's better to trust that it's gonna be used for the purpose it's gonna be used, or for something that will at least keep that person out of trouble in the future. So you gotta weigh that back and forth and, you know, sometimes we've done, done it, and sometimes we've said no, this is not, you know, gonna continue. You've gotta find some other way of, of, uh, moving your life forward.
PI:	Mm hmm, sure. And did that, when you had to help the family members of yours, did that ever put you in any kind of financial hardship or anything along those lines?
Vincent:	No, not personally. I mean, it's really been more of a decision of, do I want to take my money that I've earned to help this person, uh, for something I'm not sure they will use to help themselves?

Interestingly, this response and the conversation among Clancy, Eddie, Samuel, and Grey above indicated justifications for helping or not helping based on what might happen in the future. For people like Clancy, Eddie, Samuel, and Grey, they felt a need to help out family members to meet their future needs. They wanted to make sure their family members would not have to struggle once they were released. In the second focus group, Vincent and Renee mentioned what might happen in the future, but in the sense that helping out family members too much would not give them the resources they needed to eventually help themselves. While Clancy, Eddie, and Sheldon felt that they had a duty to help their family members financially after they got out of prison to get back on their feet, Vincent felt that withholding some assistance from his family members would get them to, in his words, "help themselves."

White Respondents

White focus group respondents did not have these kinds of stories to tell about needing to set up bank accounts or any major changes incarceration wrought on their family lives. In fact, among the White respondents, not a single one had a family member or friend incarcerated to the

point that it affected them financially. Among White participants, the toll of incarceration was usually not financial. Some participants noted that they had to use small amounts of money to bail friends or family members out of jail; their jail time was usually the result of something relatively minor (for example, Johanna [White woman, age 41] borrowed money from her mother to bail her friend out of jail after he got into a bar fight). Instead, the toll was emotional; the help that they provided to their family members and friends was usually not directly material. For example, they would have to provide emotional support to their parents when their siblings were arrested. Others could not recall knowing anyone who had been incarcerated for any lengthy period of time, outside of rumors they had heard in towns in which they grew up. In a focus group comprised of White women in their early- to mid-20's, three of the five reported knowing people who had been imprisoned (the parent of a friend in grade school [Phoebe, aged in her 20's], an aunt for "drug-related things" [Grace, age 22], and in an unusual set of circumstances, three grade school teachers who had been arrested in different situations for tax evasion, statutory rape, and sending death threats [Brooke, aged in her 20's]). However, none of them indicated that their lives had been affected in any significant way by those experiences.

There were several White respondents who had known people who had been to jail on numerous occasions, and even to prison on a few occasions. For the White respondents who knew people who had been to jail on numerous occasions, it usually had something to do with alcohol and/or drugs. For example, Cyndi, Johanna, and Caroline (all White women aged 74, 41, and 57, respectively) had family members who had been jailed numerous times for criminal behaviors related to alcoholism (e.g., fighting with the police, or being arrested for driving under the influence). Among White focus group respondents, people helped out family members and friends, but there was rarely any talk of providing the kind of help mentioned by Eddie and other

Black focus group participants.

The closest someone got to providing that level of help was Kimberly (White woman, age 75).[3] Kimberly allowed a person she knew (a Black man henceforth identified as "Z.") to live with her after he got out of jail. However, Kimberly reported that having Z. live with her and her husband did not put a significant amount of strain on their daily lives. When asked what kind of impact having Z. live with her and her husband had on her, she replied, "I think we were so busy with our own work, we didn't pay attention." Although they were very busy with their jobs, they still tried to find ways to support Z. as he made the transition from jail. Kimberly specifically noted that having Z. live with them was not materially taxing on them; they did not have to expend many financial or other physical resources (besides food, because Z. ate meals with them) while he lived with them.

What did disturb Kimberly was the interactions the parole officer would have with Z. while visiting their home. She said:

> Kimberly: I thought parole officers were supposed to be, you know, supportive. "What are you doing? You got a job?" You know, more like a social worker. This parole officer was not like that at all. "You gotta fly right!" He was mean and nasty. And I thought, this is not going to help Z., you know? So, you know, so I felt that Z. had a lot of strikes against him.

For Kimberly, her experiences with the parole officer were negative because "he didn't say anything else but punitive language." She felt that the role of a parole officer should be more of a social worker who is there to support ex-offenders rather than threatening them.

Although the situation was sometimes frustrating to them because she felt that Z. was not communicative, Kimberly noted that the situation of having Z. live with them was not something

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[3] In the interest of maintaining Kimberly's and Z.'s anonymity, I am withholding many of the potentially identifying details of her story.

that affected their lives in any serious way. However, Kimberly was surprised to learn how punitive criminal justice actors could be, which was something that she did not know much about prior to having Z. live with her. If anything, the experience influenced her perceptions of what the criminal justice system does on a regular basis to people who have left prison but are still under its supervision.

White focus group respondents noted that they had experiences helping out family members. Kimberly also spoke of her brother-in-law who had an alcohol problem and related legal problems that she and her husband have had to financially assist with. Although she mentioned that "[they've] taken a big financial hit," when I asked her a follow-up question about whether that situation had put her in any kind of financial hardship, she indicated that it had not. Jennifer (White woman, age 29) had an uncle with special needs who had been jailed over a long holiday weekend because of a fight he got into with a neighbor, but he was able to receive help from Jennifer's father (an attorney) and her mother (who made it a point to visit her brother more frequently to make sure he was alright). Caroline (White woman, age 57) was not able to provide direct assistance to an adopted brother who had been arrested for crimes he committed to support his drug use, but she did have to provide emotional support to her parents by, in her words, "Talking through it, letting them talk a great deal. Um, um, listening as they're, you know, trying to figure out what plans they needed to be making next."

Even though White respondents frequently helped out their family members, there were no situations in which they noted the need to continuously support family members or friends by opening a bank account for them, for example. White respondents also did not recount situations in which they felt they were put in financial strain because a family member or friend had been incarcerated. If there was financial strain, it was usually because of the context in which they

found themselves. For example, Johanna had to borrow money from her mother to bail out her

friend because she was a college student at the time and could not afford to pay for it herself.

Although that was a financial strain, it was not recurring and did not last past that one point in

time. More often than not, Whites reported that although they had family members and/or

friends that had been to jail or prison, any help they provided tended not to be chronic, but rather

singular points where they sent money. Others did not feel that the incarceration of family

members or friends affected their lives at all. When asked if it had affected their lives, Taylor

(White woman, age 70) and Nick (White man, age 57) had the following to say:

Taylor:	No. Even if I lived next door to these kids [who had been incarcerated], it wouldn't change my life. The only thing that changed my life was that they were breaking into properties of family members, and that caused a great big… you know. There was tension. Let me put it that way. And people got tired of them and they wouldn't take them in anymore. And finally, you know, years later, have they ever apologized? No. But they seem to be walking the straight and narrow. So.
Nick:	I mean, I would have to say, I mean, I don't have to describe it, but I would have to say that my encounters have changed my life with these people that I have seen and the work they're doing. … I'm involved with this program … that provides funding to groups of individuals, groups of oppressed people who come up with, sort of come up with their own solutions to their own issues. …
Taylor:	That would make an impression.
Nick:	Yeah, yeah, yeah. So it's, it's people that are turning their lives around after being incarcerated. And helping themselves and each other. It's been hugely, hugely inspirational.

For Taylor and other White respondents, the incarceration of a family member or friend

explicitly did not affect them beyond family tensions that arose as a result of the crimes that their

family members committed. Nick was the only respondent who felt that his life had been

changed positively as a result of knowing someone who had been incarcerated. Nick was aware

of the vast racial and class inequalities in how incarceration functions in the United States, so he

was in no way saying that incarceration was positive. However, he felt that his outlook on ex-

offenders had changed for the better by knowing people who were working to make post-prison reentry more navigable for ex-offenders.

Among White respondents, the experience of having a family member or friend in jail or prison was less variable. No White respondents reported significant financial burdens of a family member or friend in jail or prison. However, there was still some emotional variability among White respondents. Several of them had family members close to them who had been arrested and/or incarcerated at some point, often for offenses having to do with drugs and alcohol. However, when these instances occurred for them, their experiences were usually contained to that single instance or person. Although it was emotionally draining for them in many ways, their experiences were qualitatively different: they knew only those few people who had been arrested or incarcerated.

Still, the experience of a family member or friend being arrested or going to prison did affect them emotionally in very real ways. Caroline (White woman, age 57) and Cyndi (White woman, age 74), for example, talked about having family members who had been arrested numerous times because of issues arising from alcohol problems. Although the fact that their family members had been arrested did not entirely affect them directly, they still frequently had to deal emotionally with the fallout that would occur when their family members would get arrested. For Caroline, it was having to be there for her parents whenever her brother would get arrested. Cyndi lived in Alaska with her brother who had been arrested numerous times due to his alcoholism. She offered support to her brother when she could by staging family interventions and getting him into treatment facilities when he agreed to go, but this was the extent of her assistance.

For other White respondents, there was also some emotional fallout from when

acquaintances would get arrested. Jennifer (White woman, age 29) had a neighbor who was arrested for gang activity, and whose brother had been killed as a result of that activity. For Jennifer, watching her neighbors' family go through the process of grieving one son and watching another go to prison was, in her words, "heartbreaking." Her father (who is an attorney) interceded on the imprisoned brother's behalf to get him permission to go to his brother's wake.

Others were glad to help out family members and friends, but it was not particularly taxing on them on either emotional or financial levels. Dwight (White man, age 73), for example, recounted a story about becoming friends with a homeless man that he met while he worked as a volunteer at a homeless shelter. Dwight mentioned bailing his friend out of jail on several occasions, but it was not something that troubled him; in fact, when he described this friend, he sounded as if he had almost expected for him to come in contact with police at some point, because he had "all of 'em. He's got the trilogy. Mental health, drugs, alcohol, you know, all at the same time" (Dwight, White man, age 73).

Other White respondents had similar experiences of knowing people who had been incarcerated, but it was not particularly taxing on them or their families. Darren (White man, age 64), for example, noted that he had family members who had been arrested for drugs, alcohol, and DUI's, but according to him, "I won't say they skated. But they got out. They, they… with very minimal damage." Lyndon (White man, age 68) had a cousin who had been arrested for stealing and joyriding in a car, but that took place several decades ago. In the same focus group, he also mentioned that he had known family members as a child who had been detained because they had tuberculosis. Paul's (White man, aged in his 60's) only experience knowing people in prison had been as his time as a military policeman at Fort Leavenworth during the Vietnam

War, which he called his "million-dollar sociology course."

Although White respondents generally did not feel that their financial security was as risk because of the incarceration of a family member or friend, this is not to downplay the emotional effects of that incarceration. For the White respondents who had known someone in their family who had been to jail or prison, it was still an event that elicited strong emotional reactions. It was emotional for them not only because of the arrest and incarceration, but also because the arrest was sometimes indicative of a larger problem in the lives of their family members: alcoholism, drug addiction, and poverty, for example. In some ways, the experiences of White respondents and Black respondents mirrored one another. After all, having family members who are arrested for offenses having to do with drug and alcohol addiction and poverty are not exclusive to either Whites or Blacks in any class. However, I would argue that the major difference is in the political distribution of policing resources based on race, class, and gender. I explore these dynamics in more detail below.

A Framework for Understanding Similarities and Differences between Middle-Class Blacks and Whites

The findings from both focus groups and one-on-one interviews are that among middle-class Blacks and Whites, experiences with having a family member or friend incarcerated were usually variable and not monolithic. For some Black respondents, having a family member or friend in prison was a significant burden, both financially and emotionally. For others, the burden was emotional but not financial. Still, a few others had family members in jail who with whom they were not particularly close, but it still affected them emotionally; it made them more aware of what could happen to their other Black family members and friends. On one end of the spectrum, for example, there was Eddie, whose assistance for his brother in prison was draining

to him, both financially and emotionally. On the other end, there was Hillary, a Black woman in her 50's whose only experience having known someone in prison was a friend during high school who had been arrested for murder (what she described as a "crime of passion"), and to whom she had not spoken since that time.

With the exception of some of the Black men in the first focus group mentioned above (i.e., Eddie and Clancy), most respondents reported not having to provide much financial assistance to their family members and friends. But what did happen for most of the people who had family members and/or friends in jail or prison was that it took a toll on their personal relationships with their loved ones. For some Black respondents, a family member in prison fundamentally changed their family dynamic. Sheldon, whose brother had been to jail, mentioned that his brother had trouble acclimating to family life and had to sometimes remove himself from family get-togethers. Considering the existing research literature on this subject, this is not a surprising finding (Brown et al. 2016; Christian 2005; Comfort 2008; Lee, Porter, and Comfort 2014; Shaw 2016; Turney 2015; Wildeman 2009, 2014; Wildeman and Muller 2012). However, most of this research literature focuses on poor and working-class Blacks, and rarely explores the effects of mass incarceration on middle-class Blacks and incarceration on middle-class Whites.

What this research shows is that the toll of incarceration was something felt by both Blacks and Whites. Although most of the Whites in this study were, to some extent, aware of and interested in ameliorating inequalities in the criminal justice system, their experiences with it were filtered through what they knew others had experienced. Take, for example, the following exchange among three White women in a focus group:

Kimberly: See, you know, talk about, you know, the, the topic of your research and

everything is what it takes away from us. First of all, there's grief.

Jennifer: Mm hmm.

Kimberly: But there's also this, this feeling that there's not justice. That if there was just… that we would live better if, if there was justice for everybody. That, that it takes away, even though we're not personally experiencing it, when there's not justice for all, we feel it. You know? I, I think there's, that we take a hit, too. Um, not in the same way they do, but, um.

Caroline: Yeah. We do. We do. It costs everybody.

These three women understood that there were race and class inequalities in the criminal justice system. Kimberly's statement that "we're not personally experiencing it" was not completely true; all three of these women had known someone who had been incarcerated, and that incarceration had different emotional effects on their lives. Caroline's brother had served time because of a drug habit, Kimberly allowed a friend to live with her while he was on parole, and Jennifer's neighbor had been arrested for gang activity. Kimberly's statement about them not personally experiencing incarceration was not a fabrication, but rather it was an acknowledgement that their experiences with the criminal justice system were fundamentally different from those of Blacks. Even though they had some experiences with a family member or friend being incarcerated, they had read accounts of others' experiences and were unhappy with the racial and class inequalities that they felt were endemic to the criminal justice system as a whole. Both Kimberly and Jennifer specifically noted that they read *The New Jim Crow* (Alexander 2012) and Jennifer recommended I read *Chasing the Scream* (Hari 2015), a book on the history of the War on Drugs.

In some cases, the experiences that middle-class Blacks and Whites had were *prima facie* similar. What is the difference, for example, between middle-class Whites and Blacks who have both had a family member imprisoned for marijuana possession? The answer, I argue, is in how police strategically utilize their resources to focus on Blacks (see Chapter 5 for further

elaboration). The disproportionate interactions that Blacks have with police is so well-known

and common that "driving while Black" is a phrase that has entered the American lexicon (Harris

1999; Ingraham 2014; Lafraniere and Lehren 2015; Lundman and Kaufman 2003; Novak and

Chamlin 2012). Data from the Chicago Police Accountability Task Force (2016), which

convened in the wake of Chicago police officer Jason Van Dyke's shooting of Laquan

McDonald, suggest that this phenomenon is real. Blacks make up roughly 32% of Chicago's

population but the Chicago Police Department (CPD) stopped Black motorists 46% of the time

in 2013 (Police Accountability Task Force 2016; Statistical Atlas 2015). Data also show that in

both consent and non-consent searches, Whites were found to have contraband "*twice as often*

compared to black and Hispanic motorists" (Police Accountability Task Force 2016:39;

emphasis original). In other words, police are racially profiling Blacks (and other people of

color) even though data suggest that the practice makes little practical or criminological sense.

This phenomenon is not unique to Chicago; it happens regularly in Illinois and other states where

data are available (Baumgartner et al. 2017).[4]

Eduardo Bonilla-Silva's work is useful for understanding why this might be so. He

argues for a framework of "racialized social systems" to understand the role that race (and other

social categories such as class and gender) plays in the U.S., and in other social systems across

the globe (see, e.g., Bonilla-Silva [1997, 2001, 2010, 2015]). In racialized social systems,

"economic, political, social, and ideological levels are partially structured by the placement of

actors in racial categories or races" (Bonilla-Silva 2001:37). The grouping of peoples into social

groups called races creates new social relationships which partly structure the distribution of

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[4] Unsurprisingly, this also extends to bicycle usage in Chicago. According to an article from the Chicago Tribune, Black bicyclists are ticketed at twice the rate of Whites and Latinxs (Wisniewski 2017).

material and ideological resources among racialized groups. Who is defined as "White" and "non-White" is historically variable and transforms over time (Omi and Winant 2014; Roediger 2007), but it is always a system that has benefitted Whites at the expense of non-Whites.

This also holds true regarding the distribution of criminal justice resources. For example, in the United States there are vast, significant racial inequalities in how state criminal justice resources are deployed for Whites and non-Whites (Beckett, Nyrop, and Pfingst 2006; see also Chapter 2 for a review). In Chicago alone, the majority of the city's prisoners come from only a few of the city's 77 designated community areas (Sampson and Loeffler 2010). The result has been a criminal justice system that disproportionately incarcerates poor racial minorities, even when controlling for factors like rate of offending by race (Wheelock and Uggen 2008).

Because of the huge race and class disparities within the criminal justice system and the unequal distribution of criminal justice resources that are based on race and class, it is likely a mistake to suggest that some of the similarities I observed in the focus groups between middle-class Whites and Blacks mean that their experiences with the criminal justice system are equivalent. Yes, they are sometimes similar in distinct ways. They had family members and/or friends who had been incarcerated at some point, at which time they were sometimes called upon to "help out" due to a sense of love or family obligation. Others had neither the interest nor the wherewithal to help out. Both middle-class Whites and Blacks had been stopped by police, and they had interactions with the police that were positive, neutral, and negative (see Chapter 5). They also have close family members who are now or have been in law enforcement.

However, these similarities obscure an important aspect of the political processes that heavily *differentiate* their experiences from each other. As noted above, criminal justice resources are utilized in very different ways for Blacks than for Whites. How criminal justice

resources are distributed across groups is an issue of politics: who gets what resources and why, and who is in a position to distribute those resources? In the context of an arrest for marijuana possession, there may be instances in which Blacks and Whites knew someone who had been arrested and/or incarcerated. However, the political distribution of policing resources in different communities inherently means that the experiences those groups have with the criminal justice system will be different from one another. To put it in terms of conflict theory, when police resources are significantly allocated in a particular way for one group, other groups have police resources allocated to them in different ways (Holmes 2000; Holmes et al. 2008; Petrocelli, Piquero, and Smith 2003; Turk 1975).

The research in this dissertation suggests that, even though there may be apparent similarities between the experiences of middle-class Whites and Blacks in having a family member or friend incarcerated, the inequitable political distribution of policing resources means that these experiences must be different. Middle-class Blacks may be more insulated from the effects of mass incarceration than their poor and working-class counterparts, but they still must contend with the political realities of a criminal justice system and how that system's resources (both material and ideological) are doled out. What that means is that in some contexts, middle-class Blacks face the harsh realities of having a family member or friend incarcerated more than their middle-class White counterparts. In situations where they did not directly know someone who had been incarcerated, they were quite aware of their own racialized presence in public space, even if they did not directly address it (see Chapter 5 for further elaboration). This research shows that although similar situations (e.g., the arrest of a family member for marijuana possession) may arise for both middle-class Whites and Blacks, the differential allocation of criminal justice resources by class and race means that Whites and Blacks have different

experiences with the criminal justice system.

This does not mean that Blacks and Whites have to live in different communities for those resources to be differential. Even in places where Blacks and Whites ostensibly live together in relatively integrated settings, research suggests that both Blacks and Whites have different experiences with the criminal justice system (Boyles 2015). Whites may describe these spaces as safe and well-integrated, but some Blacks feel differently about those same spaces. In that sense, police resources are distributed unequally across groups even when those groups occupy the same spaces. In the context of the so-called "post-racial" era (Crenshaw 2017), it is important to understand how similar outcomes may result from very dissimilar political causes. In the following chapter, I turn to the issue of personal experiences with the police to highlight how middle-class Blacks and Whites not only differentially contend with the impact of family member/friend incarceration, but also in their experiences with the police.

Conclusion

In this chapter, I have shown that neither middle-class Blacks nor Whites have monolithic experiences with the incarceration of a family member or friend; there does not appear to be a "typical" experience shared by one group or another. I have also shown that middle-class Blacks contend with the rippling effects of incarceration differently than middle-class Whites. Many of the White respondents know or have known family members and friends who have been to jail or prison. However, White respondents typically did not have to stretch themselves economically to help those family members and friends. That being said, the incarceration of a family member or friend could be deeply emotionally troubling, especially for those respondents whose family members had been incarcerated due to problems with drugs and/or alcohol.

What these findings also suggest is that middle-class Blacks might partially be insulated

from some of the worst effects of mass incarceration felt by their poor- and working-class

counterparts, but not so insulated that it has no effect on their lives. In some cases, middle-class

Blacks knew several family members or friends who had been incarcerated and were stretching

themselves emotionally and financially to help out. In other cases, middle-class Blacks knew a

few or no people who had been incarcerated. In those cases, they still felt that the criminal

justice system had affected their lives in the sense that it made them question their own safety

while out in public. This was connected to their own complex feelings about their personal

interactions with the police, a subject I now turn to in Chapter 5.

CHAPTER FIVE

PERSONAL EXPERIENCES WITH THE POLICE

My main argument is that middle-class Blacks and Whites are differently affected by

having an incarcerated family member or friend. In the previous chapter, I showed how

incarceration affects middle-class Whites and Blacks in a variety of different ways. Although

Whites and Blacks may face similar situations when a family member or friend is incarcerated, I

argued that their experiences are inherently different because of the racial and political

distribution of policing resources. In short, the racialized social system of the United States

distributes material and ideological resources differently to racial groups (Bonilla-Silva 2001,

1997). In the context of the United States, Blacks (especially those who are poor) are primarily

on the receiving end of the state's distribution of policing resources (searches, stops, frisks,

arrests, convictions, etc.).

In this chapter, I discuss findings showing that middle-class Blacks' and Whites'

experiences are very different in another aspect of their interactions with the American criminal

justice system: their personal relations with the police. I argue that the criminal justice system

affects middle-class Blacks in ways that are different from both middle-class Whites as well as

poor- and working-class Blacks. First, middle-class Blacks must contend with the incarceration

of family members and friends that are in some ways different and in some ways similar to

Whites, as shown in Chapter 4. However, the political and racial distribution of policing

resources problematizes the apparent similarities between these two groups. At the same time,

middle-class Blacks have a class status that partially insulates them from the degradations of mass incarceration suffered by the urban poor (Pattillo-McCoy 1999).

Middle-class Blacks also have experiences with the police that are different from their poor- and working-class counterparts and Whites in general. Although middle-class Blacks are not incarcerated as frequently as poor- or working-class Blacks, they still have experiences with the police that remind them that their presence in public space is enough to make them suspicious in the eyes of the state. In this chapter, I will discuss evidence I found in my research suggesting that middle-class Blacks have significantly different experiences interacting with the police from their White counterparts. The personal experiences of middle-class Blacks enumerated here are different from the testimonies of middle-class Whites, as well as from the experiences of poor and working-class Blacks that has been well-documented in existing literature (Brunson 2007; Brunson and Miller 2006; Brunson and Weitzer 2009; Weitzer 1999, 2000a). These differential interactions have a variety of effects, not the least of which is an abiding sense that they feel unsafe in public spaces.

Situating this Research in the Police Profiling Literature

Police profiling literature largely focuses on what legal and extralegal factors might affect police officers' decisions to stop, search, arrest, or use force against suspects (Engel and Swartz 2014). It suggests that race, gender, class, and other social characteristics matter for police decisions to stop drivers and/or pedestrians on the street; namely, poor Blacks are stopped, searched, arrested, and have force used against them more frequently (Engel and Calnon 2004; Engel and Swartz 2014; Epp et al. 2014; Harris 1999; Kahn and Martin 2016; Owusu-Bempah 2017). In addition to demographic factors, neighborhood characteristics can also affect who is stopped and where (Gase et al. 2016; Kirk 2008; Petrocelli et al. 2003). Since the police are

frequently citizens' first point of contact with the state, researchers argue that understanding inequalities during police-citizen interactions can inform how and why inequalities are perpetuated in the criminal justice system and in broader society (DeFina and Hannon 2013; Kling 2006; Pogrebin et al. 2014; Western 2002; Western, Kling, and Weiman 2001).

The profiling literature shows how police interact with citizens at the front end of the criminal justice process. Existing research has shown that factors such as age, race, ethnicity, and gender are significantly related to officers' decisions to make stops (Epp et al. 2014; Lurigio et al. 2010; Rosenfeld, Rojek, and Decker 2012; Tillyer and Engel 2013). Both statistical and qualitative evidence shows that the experiences that Blacks have with the police are very different from those that Whites have (Epp et al. 2014; Feagin and Sikes 1994). However, as Andrea S. Boyles notes (among other criticisms), literature on racialized policing "involuntarily suggests" that racialized policing practices only manifest in poor communities and neighborhoods of color (2015:10).

The purpose of this chapter is to build on the existing research about people's personal experiences with the police. In this chapter, I present evidence showing that middle-class Whites' and Blacks' experiences with the police are significantly different from each other. I use their narratives to argue that (1) middle-class Blacks are different from both poor- and working-class Blacks and Whites in general when it comes to interacting with police, and (2) this is how middle-class Blacks are ensnared in racialized mass incarceration even when they have not themselves been arrested. In this way, middle-class Blacks occupy a different space from these groups that has not been adequately explored in the existing literature.

Race, Crime, and Policing

Most of the respondents who participated in this research study had some sort of

interaction with the police at some point in their lives. For some, it was relatively banal: they had been stopped for speeding or for some other minor, punishable infractions such as turning during red traffic lights when it was not allowed. Police-citizen interactions are fairly common (Langton and Durose 2013), and the police are a part of everyday American life in a variety of institutions, especially in poor communities (Beger 2002; Kim and Geronimo 2010; Kraska and Cubellis 1997; Kraska and Kappeler 1997; Owusu-Bempah 2017; Rios 2011). Indeed, in the wake of the Black Lives Matter movement and the All Lives Matter/Blue Lives Matter countermovements, the normalized role of police in daily life has been under vastly increased contention.

Part of the normalization of policing in everyday life is the widely held belief that crime, especially violent crime, is much higher than it really is. For example, a Gallup poll conducted in 2011 showed that most Americans believe that crime rates are increasing, when in fact they have been decreasing since the early 1990's (Saad 2011; see also LaFree [1999] and Roeder et al. [2015]). Wacquant (2009:212) argues that misperceptions of crime rates are due, in part, to "sensational coverage by newspapers, television stations, and especially 24-hour news channels, and the growth of a veritable cultural industry specializing in the lurid portrayal of crime."

These mistaken beliefs are highly racialized. There is evidence to suggest that popular media play a role in shaping Whites' perceptions of racial minorities and the amount of crime that they commit (Feagin 2010; Klein and Naccarato 2003). According to a report released by The Sentencing Project (Ghandnoosh 2014), Whites overestimate Black crime rates by roughly twenty to thirty percent (referring mainly to burglaries, drug sales, and juvenile crime), and have a tendency to overestimate levels of crimes committed by Latinxs as well. Whites who overestimate levels of Black and Latinx crime are also more supportive of punitive criminal

justice policies (Ghandnoosh 2014).

That being said, it should be noted that there are indeed disparities in what types of crimes people in different racial groups commit. Morenoff notes that Blacks are overrepresented as perpetrators in "violent crimes, in which the victim is a person (e.g., murder and nonnegligent manslaughter, forcible rape, robbery, and aggravated assault) …" (2005:140–42). Marie Gottschalk writes that Blacks are overrepresented in committing crimes that are eligible for longer prison sentences, "and the time served for those offenses have escalated since the 1970s" (2015:125; see also Rehavi and Starr [2014] for a discussion of racial disparities in prosecutorial decision making).

However, these realities come with major caveats. First, crime data usually come from official state records, which muddy the waters of actual crime disparities between races and "the likelihood of arrest and conviction that may result from bias in the criminal justice system" (Morenoff 2005:140). Second, there are significant differences between official arrest statistics by race, class, and self-reported crime in quantitative surveys (Morenoff 2005; Wakefield and Uggen 2010). Simply put, the level of imprisonment far outpaces the level and number of self-reported crimes and, as Loury (2010) points out, incarceration rates climbed precipitously from the 1980's to the 2000's even though crime rates fluctuated during that time. Third, the risk of imprisonment for Black men is not well-related to significant shifts in the rate at which Black men are involved with crime (Wakefield and Uggen 2010; Western 2006). As Wheelock and Uggen note, "… the increasing proportion of non-violent offenders in the prison population suggests that differential offending patterns can no longer account for the persistent racial and ethnic disparities in penal sanctions for minority groups" (2008:269). Finally, narratives of Black criminality tend to leave out the fact that Blacks are the most likely to be victims of violent

crime in general, and crime is intraracial rather than interracial. For example, a significant

majority of Black murder victims are killed by other Blacks, and the same goes for White murder

victims killed by other Whites (Cooper and Smith 2011; Walker, Spohn, and DeLone 2012).[1]

Here, it is necessary to point out the ideological and political role of race and its so-called

"causal" role in crime. There is a set of widely held cultural beliefs about how race affects the

propensity for criminal behaviors (Roberts 1993). Namely, it is that race is an essential part of

one's being that contributes to greater or fewer criminal behaviors. Historically, this has meant

that Whites in the U.S. have been symbolically identified as publicly "trustworthy," while

minorities (especially Blacks), have been named as "untrustworthy" or dangerous (Bonilla-Silva

2010; Collins 2000; Feagin 1991; Omi and Winant 2014; Roediger 2007; Wu 2002).

This is part of a broader narrative about so-called "cultural pathologies" that has replaced

biological explanations of "race differences" since the 1960's (Steinberg 1989), and has been a

powerful source of racialized discourse since the 1980's (see, e.g., D'Souza [1995] and Murray

[1984], although Herrnstein and Murray [1994] do cite genetic race markers as being partly

determinative of life outcomes). The "pathological" behavior of the minority "underclass" is still

a popular explanation for continued social and economic inequalities between Whites and other

minority groups (or, alternatively, the success of some minority groups; for a few more recent

examples, see Cohen [2013], Riley [2014], and Sullivan [2017]). In other words, it is the belief

that race is a real thing that has actual effects on individual and group behaviors, up to and

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[1] Although popular media personalities and outlets exhort Black communities to address the so-called "Black on Black" crime problem (Brennan 2013; Schultheis 2016), this fundamentally fails to acknowledge the *criminogenic* social structures that contribute to violence in poor Black communities (Clear 2007), the hard work of anti-violence activists that already exist within those communities (Bowean and Gorner 2015; Sharkey, Torrats-Espinosa, and Takyar 2017), and the fact that the rate of violent victimization is slightly higher for poor Whites (46.4 per 1,000) than it is for poor Blacks (43.4 per 1,000) (Harrell et al. 2014:4).

including criminality (or, for Whites, the lack thereof).

However, the sociological viewpoint is that it is not race that plays a part in who commits crimes and how often, but rather *racism*: the concatenation of beliefs, actions, ideologies, and institutions that are structured in ways that favor Whites over non-Whites in both tangible and intangible ways (Bonilla-Silva 2001; Omi and Winant 2014; Unnever et al. 2009). Looking at Chicago, for example, a history of racialized residential segregation has concentrated poor Blacks into specific geographic regions of the city (the south and west sides). In areas such as these, educational and employment opportunities have largely been foreclosed upon, especially in the post-industrial economy (see Chapter 2 for a review). It makes sense that robbery rates, for example, would be higher in racially segregated areas where a majority of people live in concentrated, intergenerational poverty. In the U.S., poverty and Blackness have become highly intertwined in the popular consciousness (Gilens 1999). And certainly, the people who live in poverty in these areas are Black due to a long history of racial and economic residential segregation (Charles 2006; Freund 2007; Massey and Denton 1993).

This can potentially have serious consequences for Blacks who are not poor. In a racialized social system where race is a signifier of poverty and criminality, middle-class Blacks are put at a significant risk of unwanted contact with the police even if they have not committed any crimes. What this means is that non-poor Blacks will theoretically face the brunt of policing, especially in places where their physical presence is viewed as unusual (Stults, Parker, and Lane 2010).[2]

It is within this context that personal contact with the police takes place, and not all

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[2] There is evidence to suggest that the presence of "outsiders" (i.e., Blacks driving through racially segregated White neighborhoods or suburbs) is a significant factor in how police make traffic stop decisions (Novak and Chamlin 2012).

groups have interactions with the police on equal terms. There is an arguable qualitative difference among the interactions a White woman CEO has with a police officer, versus the interactions an unemployed Black man has, or an upper-middle-class Black man, for that matter. Research (briefly reviewed above) suggests that the White CEO has the benefit of the doubt from the police and the public at large, as well as access to different types of social capital that allow her to more easily navigate an institution like the criminal justice system (Bourdieu and Wacquant 1992; Young 1999). The results of these very different encounters with the state have been reviewed in detail. However, what we know less about is what kinds of interactions with the police middle-class Blacks and Whites have, and what similarities and differences exist between these two groups. These questions are addressed below.

Respondent Encounters with the Police

Black Respondents

It became readily apparent during the focus groups and follow-up interviews that Black respondents have very different experiences with the police than Whites do, a finding that is not surprising considering previous research. Most Black respondents either had negative experiences with the police, or reported that they sometimes felt unsafe when in the presence of police officers (e.g., if they passed a police car while driving or encountered a police officer in public). Even for those who have not had direct negative experiences with the police, there is still a perception that police could target them because they are Black. Previous research on differential perceptions of police by both Blacks and Whites suggests that this is common (Weitzer 2000b), and vicarious experiences can even be a factor in people's attitudes about the police (see Rosenbaum et al. [2005] and Weitzer and Brunson [2015]). This is understandable, given the recent and much publicized instances of police shooting Black people.

That being said, as with the experiences of those in the middle class who have family

members or friends in jail or prison, their experiences with the police were not monolithic. Their

experiences ranged from positive to extremely negative, and it depended on the context of the

contact that they had with police officers. Some had relatively banal interactions, while others

faced arrest or had guns drawn on them (see below). However, it should be emphasized again

that the descriptions below probably do not represent the full range of experiences with the

police, which is why further research is so important.

On the extreme negative end of interactions is Ted (Black man, aged in his 30's), a high

school teacher. In the course of a focus group interview, he related a story that took place when

he was a child of 13. Ted was attending a community festival, and at some point he and a group

of other Black youths started a rap cypher (an informal gathering of rappers). At some point, a

White police officer approached them and told them to disperse. Ted notes that he yelled at the

police officer, saying they were not doing anything harmful. He continued:

> Ted: And, literally, I remember him just launching, like, grabbing my neck, and, like, choking the heck outta me. Uh, you know, I started crying, I can't breathe. My friends are, like, shocked. Everybody's, like, frozen. His officer buddies, like, pulled him off of me. And, it was just, like, what the hell, what just happened? … And I'm, like, so I'm, like, panicking. Like, they didn't, nobody came to my help, you know, my aid. Nobody checked on me, you know, besides my friends. They were, like, what the hell? So, you know, they pushed us away, and I'm, like, running around looking for my parents, and just in a panic. 'Cause I'm, like, I just got choked! Uh, you know, so things like that.

Although Ted was the only focus group participant to report being assaulted by a police officer

in this way, it is indicative of the potential dangers Blacks face when in the public space,

especially around the police. Elijah Anderson uses the concepts of "the Black space" and "the

White space" to describe how Blacks and Whites navigate public space differently because of

"aggressive police, inclined to 'keep blacks in their place'" (2015:11). For Ted, he crossed a serious boundary: he was a Black youth who questioned the authority of the police, even though the event he was at was in a town known for its racial integration efforts, and he reported that he was not doing anything legally wrong. Ted went on to explain other instances of his interactions with the police. He spoke about being stopped numerous times when he drove his father's Cadillac during high school, where the police would consistently ask him where he got the "nice vehicle" and from where he was coming and where he was going.

Other Black research participants reported experiences with the police that had been negative, but in which they only got the feeling that police were profiling them. Frederick (Black man, age 53) spoke about how he had been stopped by police only two times. However, he emphasized that during one of the stops, the police officer stopped him in what he called a "small, predominantly White suburb" because he had fit the description of someone who had committed a crime in the area in which they were located. Frederick asked the police officer if he knew what kind of car the suspect was driving, and the officer responded, "No." He said he believed he was stopped because he was a young, Black male at the time. He said the police officer who stopped him was neither rude nor violent, but he believes he was stopped because he was a Black man in a mostly White area.

Other situations were a bit more unusual. Although it was an atypical experience for him, Vincent (Black man, age 56) recounted a story of seeing his sister on an elevated train in Chicago. To go speak with her, he switched train cars by using the emergency doors while the train was in motion, which the Chicago Transit Authority discourages. He spoke with his sister about a family member for a few minutes, and a plainclothes police officer confronted both him and his sister, saying he heard them using coded language (to talk about what, Vincent said he

was still not entirely sure). The officer got Vincent off the train at the following stop and

detained him to ask about his activities. Vincent was not arrested, but the police officer wrote

him a ticket for switching train cars through the emergency doors (he had to go to court to pay

off the ticket). Vincent mentioned that this situation was unusual for him, and that he had rarely

had interactions with police officers. However, Vincent also noted that even though he did not

have frequent contact with the police, driving past them at night still made him nervous because

of what "might happen."

It was not just Black men who had negative experiences with the police. Hillary (Black

woman, aged in her 50's) once argued with a police officer about whether she had stopped

completely at a stop sign or had come to a "rolling stop" (in which the car almost stops at the

stop sign, but not entirely). According to Hillary, the officer became visibly annoyed and put her

hand on her gun as she continued to insist that Hillary had done a rolling stop. During another

stop, Hillary discovered that she did not have her new car insurance card on her person. The

police officer detained her in a squad car, drove her to the police station, and put her in an

interrogation room until he could verify that she was insured to drive. This was an experience

that she described as one in which "the level of indignity that you're made to feel is just so

pervasive" (and which is unusual, since driving without proof of insurance is a ticketable offense

in Illinois, but not one that necessarily requires detainment at a police station [Anon n.d.]).

Although she said she had not had negative experiences with the police as an adult, Robin

(Black woman, age 34) reported that police had questioned her about a domestic dispute her

parents had when she was a child. She told the police that her mother had hit her father to

defend herself, and the police used Robin's testimony to charge Robin's mother with domestic

violence. She said that she felt taken advantage of, because the police had asked her to tell the

truth (which she did), but the police used her testimony to charge her mother with a crime even though her mother was defending herself.

As these examples demonstrate, experiences with the police are variable; from one individual case to another, they may vary widely depending on the context in which the situations took place. Taken together, however, they begin to paint a picture of how police interact with Blacks, even those in the middle class. These experiences represent but a few of the numerous interactions Black respondents had with the police that White respondents did not have. I highlight these particular narratives not only because they appeared to generally be more common among Black respondents than White respondents, but also because it is evidence of how Blackness is differently policed in public space, even Blackness attached to a "middle class" status. For Black respondents, public safety was a concern in the sense that they might encounter the police at any given time when they left their homes. For White respondents, their personal safety in public and private space was generally not something that crossed their minds. This negotiation of safety and public space is a subject to which I now turn, and I show that Blacks have to navigate public space in ways that are quite different from the ways that Whites navigate it.

Intersectionality and public safety strategies. For many Black respondents, their understanding of their daily public lives was filtered through their experiences with the police. They spoke of their experiences with the police in terms that suggested that they felt nervous and/or unsafe, going so far as to change their public behaviors so that the police would hopefully ignore them. For example, Rick (Black man, age 34) spoke about his experiences being pulled over by police as a gay Black man:

Rick: I always fit the description [of an offender]. Black guy, dreadlocks, beat

up car. I get pulled over a lot. And then they start talking to me about stuff, and it's, like, oh, nope. Not you. [laughter from focus group] As soon as I get pulled over, I pull… I pull the gay card real quick. [laughter from focus group] Real quick! I don't have no problem pulling the gay card!

Samuel: How you do it?

Grey: How do you pull the gay card? How do you do it? What do you say?

Rick: [Rick flips his hair to the side in a stereotypical affectation associated with women and/or "effeminate" gay men, which is followed by general laughter from the focus group] I get… I turn into "Cecil"[3] real quick! [Adopting a high-pitched voice] Uh uh! Why you pull me over?

Samuel: Right, right. They go for that!

Sheldon: I ain't tried that one!

Rick: And they let me go, all the time.

Sheldon: I have to pull that one now.

Rick: I get let go, all the time!

During this brief interlude in the focus group interview (which was made up entirely of Black men), they laughed with each other about the common experiences they had being stopped by police, but especially because of Rick's public strategy of seeming "less threatening." Indeed, most of the focus group members had experiences with the police that they found to be negative, or even frightening. But this story is an interesting and unusual example of the strategies that Black respondents adopted when they were stopped by police.

Other strategies drew nearly as much attention and ire from the police as arguing might. Take, for example, this exchange between Whitney (Black woman, age 47) and Darian (Black man, age 45):

Darian: … [A]nd so, the police, you know, think, when they, like, when they pull me over, I put my hands up and stuff like this [Darian raises his hands]. They think you're being dramatic. I'm, like, no, man, y'all kill people. I am not being dramatic here. Can I reach and get my, you know, all my stuff? You know? And, here's my cell phone. You know, this kind of stuff. So, that's what's been problematic to me about the police. You know? This…

Whitney: For decades.

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[3] The name for Rick's "alter ego" (changed here for the sake of anonymity) that he adopts when he gets pulled over by police.

Darian:	Man, this has been going for…
Whitney:	It's just being filmed now.
Darian:	Yes. That's it. They're shooting and killing unarmed people. And you're right. For decades.

Again, this is another example of the strategies that Black men must adopt to not be seen as a threat in public space. The possibility of police violence was frequently on Darian's mind. By his description, he was "very cognizant of [his] size" at "six [feet] five [inches tall]" and "two-hundred-and-sixty-five pounds." Darian felt that because of his physical stature, the police might misidentify him as a threat to public safety.

Later on in the focus group, Darian reemphasized his strategies for remaining safe and described the reactions of the police officers who had stopped him (this portion of the interview has been edited significantly for brevity):

Darian:	No, I really do comply. Like, I don't, um, fight with police. Um, 'cause I already know what the consequences are gonna be. … [The police say,] "Hands up." And they get pissed off, because I'm, I'm super-duper compliant. So, some of them actually get pissed, right? I'm, like, "My hands are up." [The police say,] "You don't have to do that, sir." "Yes I do." "No, you don't." … I'm, like, "No, I'm not touching nothin'." … And just recently I got pulled over by the cops. When was this? It was last Wednesday, 'cause I was late for class. I teach at [a Chicago area university]. … I was late for class. … They pulled me over. I think they said, "Sir, where are you going?" I said, "I'm going to work." [The police asked,] "Where you work?" I said, "[Chicago area university]." I think that changed the dynamic, though. Um, I think that has something to do with it, and I think it has something to do with how I was dressed.
PI:	How were you dressed?
Darian:	I wasn't dressed like this [during the interview, Darian was wearing jeans and a sweatshirt]. I had on, like, you know, I was looking professorial [laughs]. Had my Dockers [business casual pants] and my…
Whitney:	According to the European standard!
Darian:	I was… right! It was what it was, right? So, no, I didn't have, I wasn't like this. It would've been, I think, a different ball game, honestly.

Rick's and Darian's stories were interesting because of what it revealed about identity negotiation. They were using different parts of their identities as resources, even while other

aspects of their identities were potential liabilities in the context of a police stop. The concept of intersectionality is important for understanding what Rick, Darian, and other Black respondents had to do to remain safe in public space.

Very broadly, intersectionality refers to how people possess numerous converging identities that affect their life experiences with oppression (Crenshaw 1989, 1991). Individuals can possess numerous identities that interact with and may even contradict each other. Depending on the context, these identities can be resources, liabilities, or both. For example, a Black, transgender, middle-class woman faces oppression differently than a Black, transgender woman living in poverty. In the heteronormative, patriarchal, racialized social structure of the United States (Collins 2000), the transgendered woman of color in the middle class faces numerous barriers to equal employment, wage earning, and a guarantee of safety in public space. At the same time, the middle class portion of her identity may give her access to resources and partially insulate her from many of the oppressions that others poorer than she face (Crenshaw 1991). Intersectionality means that all people simultaneously have identities that are both enable and hinder them, albeit in different ways. Thus, for example, a White, heterosexual, middle-class man might possess identities and resources that benefit him in the social structure. However, he might also face oppression from other White, heterosexual, middle-class men who police the boundaries of traditional, heteronormative masculinity (Pascoe 2011).

Darian is a middle-class Black man, but he mentioned that he was wearing clothing that Whitney referred to as "the European standard." Because he was wearing that type of clothing, it may have mitigated his interactions with the police. He was exhibiting a kind of "acceptable" behavior, and was therefore less of a threat (not to mention his explanation to police that he was on his way to teach a college course). What Black men choose to wear in public is constantly

under contention, and is frequently a source of consternation for Whites (see Morris [2005] for a

brief review). Take, for example, Fox News correspondent Geraldo Rivera in the wake of the

shooting of Trayvon Martin: "I think the hoodie [Martin was wearing] is as much responsible for

Trayvon Martin's death as much as George Zimmerman was" (Castellanos 2012:n.p.). Clothing

and clothing style are racialized signifiers of safety or danger. A White man in a three-piece suit

and a Black man in a hooded sweatshirt and "sagging" pants have been socially constructed very

differently from one another: one is a marker of responsibility and success, while the other

signifies poverty, crime, and other public dangers. Some identities cannot easily be changed or

concealed, but others are negotiable (Goffman 1959; Swann 1987). As Darian's example shows,

his class status was negotiable because he can wear different kinds of clothing. However, the

physical signifiers of his race (e.g., skin color, hair texture) and gender are not negotiable. He

can move to the highest rung of the class ladder, but he cannot change how his coexisting

identities of Blackness and masculinity have been socially constructed to signify public threat

(Like, Sexton, and Porter 2015).

Rick's story also suggests that identity negotiation, where possible, can help people avoid

violent encounters with the police. A gay identity can be a source of danger for those who

identify as such (Mason 2001; Meyer 2012). However, in his interactions with the police, Rick

was able to utilize his identity as a gay man to get out of a potentially dangerous situation that he

might have otherwise felt differently about as a Black man. He did so by "playing up" the

markers of his gay identity. When he described being stopped, he raised the pitch of his voice

and flipped his hair to make himself fit into stereotypical "gay" behavior. Again, what this

demonstrates is that certain parts of Rick's identity were negotiable, while others were not.

When the police saw that he did not fit into the stereotypical mold of a hyper-masculine, violent,

Black man (Welch 2007), they felt that he did not pose a danger to them or to the public.

The weight of expectations and vicarious experiences. Darian and Rick adopted

strategies to help get them safely through an encounter with the police. Darian puts his hands up

even when the police tell him he does not have to, and he believed his clothing mitigated a recent

encounter with the police. Rick adopted behavioral changes that signaled he was not who the

police were looking for. Although most Black respondents were not as explicit about behavioral

changes they made, they were still aware of what might happen to them if they made the wrong

move at the wrong time. From interview data, it appears that Blacks and Whites differ

significantly in what their *expectations* are about their interactions with the police. For Blacks,

the expectation was that they could be hurt at any moment. Darian's mention of a "different ball

game" when the police saw how he was dressed meant that the police could have become violent

if he had been wearing something else (see also Feagin [1991]). Other focus group and one-on-

one interview participants spoke about what "might" happen as a result of a police stop. Vincent

(Black man, age 56), for example, mentioned that he never felt like he had been explicitly

profiled, but he still worried about potential contact with the police. He notes:

> Vincent: I'm often now, you know, late at night, driving around and sometimes I just feel like, oh, you know, jeez, is this policeman over in a car checking me out, or, um, um, you know, driving past me checking out what's going on in my car? You know. So, I do feel a little profile pressure there. Um, so, that, that, you know, unnerves me a little bit. But it unnerves me more, not so much that I am a suspect sometimes, but what the result of that might be. Because when you're in a situation where, um, you're potentially able to be shot or whatever, you know, it's just kinda like, hm, I'd better be careful here, you know?

Still others had not directly experienced negative police interactions, but had witnessed

people around them who had been brutalized by police. Whitney (Black woman, age 47), for

example, spoke at length about how she bore witness to police brutality:

> Whitney: [The men in my neighborhood where I grew up] were terrorized. They were literally terrorized by the police. … So, it was, like, they, they lived in danger. That was crazy to me. … And that, it impacted me, because these are my cousins, my brothers, my, my friends. So I'm, so I'm worried for their safety, you know? And I'm worried if they're gonna end up, you know, in the hospital or dead. So that was stressful for me.

Even though neither Vincent nor Whitney had been victims of police brutality, their experiences, although different from one another, informed them about their own safety in public space. Even though Vincent mentioned that he generally had not had interactions with the police in which he felt unsafe, he did nonetheless feel that he had to be on guard when driving past police officers at night. For Whitney, her experiences were vicarious. Her experiences with her friends and family members being brutalized by the police was a source of stress for her, as well as something that informed her beliefs about police because she noted that she "[hasn't] had any interactions with police." Despite not having had any direct interactions with the police, her vicarious experiences—knowing family members and friends who had been targeted by the police—were enough to inform her own beliefs about how criminal justice functions for Blacks.

The emotional toll of policing. Vincent's and Whitney's recounting of their own fears and experiences highlights one of the realities of interactions with police: they can take an enormous emotional toll on people who have not directly gone through them. What *might* happen could be just as important as what actually does happen. The emotional toll of policing was apparent when speaking with Black respondents. Middle-class Black respondents could, in some cases, divorce themselves from their family members and friends who had been arrested. Several respondents felt that they had a duty to take care of their loved ones who had been imprisoned. But even when they did not provide financial or other support for their family members (or even have family members in prison, for that matter), they were still emotionally

affected by police violence against Blacks.

Take, for example, Laura (Black woman, age 38). Laura's father had spent time in jail for things like drinking in public. She reported that she had only had a few negative experiences with the police, mostly having to do with them yelling at her when she had been stopped for things like accidentally passing a stopped school bus. She did not report any specific experiences where she felt unsafe, but she did note that when she does interact with the police in the context of a traffic stop, she tries to get out of the situation as quickly as possible. Even though she has never been in a situation with a police officer where she felt physically unsafe, she said she still gets tense when she thinks she is going to be stopped:

> Laura: I've become more aware of it. But I realize that as soon as a cop gets behind me, I automatically feel tense. … It's, like, I don't even want them to notice me. But then if they really are pulling me over, I go into a different, like, uh, what's the word? Um, like, once I know for sure I'm gonna have to deal with them, then I kinda just have to breathe and slow down and calm down and just kinda go into a mode of just deal with it and get out of the situation as soon as possible.

Although Laura mentioned that she is not "burnt out" by her own interactions with the police, however, she did talk about what policing means for the people in her life, specifically her son:

> Laura: I have a ten-year-old who's listening to the dialogue about all of these killings. [At this point, Laura begins to tear up] It is *so* frustrating, and it's, it's really, to me, it's, um… it's just saddening to understand that I… you, you always know, because as an African American, you hear about it in communities, but there's just no denying how bad it is all across this country. And there are people who still deny it. So it's frustrating, as an African American person, in bringing… I have a ten-year-old son. Bringing up a male in this culture, in this society, that's… so it's not personal, for me. I don't think, as a person, I'm struggling with it. But, I'm struggling with what it means for the people in my life. Yeah.

Other Black respondents voiced their concerns about the safety of their family members. Joleen (Black woman, aged in her 60's), for example, noted that she and her husband have both a son

and a daughter, and there is a significant difference in how worried they are when their son is driving at night. They were still concerned about the safety of their daughter, but it was a different feeling for the young, Black men in their lives. As Joleen explained, "We have a son and a daughter. And it's different as night and day. When [our son] goes out driving, I'm worried."

In addition to fearing what might happen to themselves or to their friends and family members, there were also instances in which Black respondents expressed frustration about the *lack* of police response when they actually needed them. Sherri (Black woman, age 49) related a story about her nephew, who was killed in a shooting following a scuffle at an event at his college in New York State. For Sherri, she felt that the police were not doing enough to bring the shooter to justice. Indeed, at the time of the focus group, there had not been a prosecution in the murder of her nephew. Sherri was frustrated not only with the police, but also with the media's response to his shooting. She explained:

> Sherri: The painful piece I want to point out on this tape is, we knew that nobody was gonna look for that guy who shot my nephew. Nobody gave a shit. We *knew* that his life would be wasted for nothing. Um, I pray for the kid who shot him and for this country that we live in, because nobody cares. Right? And so, nobody looked for the person, nobody was ever prosecuted. And my sister is married, she has three kids. They portrayed her in the news as if she was a single mom. Right? The stereotype. Um, they didn't pose with her husband. Um, and they, you know, sold the story of my nephew and, you know, so there's that other side of the criminal justice. We're more readily arrested and when we are the victims, we're not protected.

What Sherri spoke about was the "other side" of the criminal justice narrative that is usually left out of popular narratives about the so-called scourge of "Black crime:" Blacks are more likely to be the victims of crimes than Whites (Harrell 2007). This is an inherent contradiction in how Black communities are policed: when they are policed they face more punitivity from the state,

but they also see fewer resources from the state in terms of *protection* from violence (Forman 2017). In fact, some evidence suggests that police actively sow violence in the communities that they police (Rios 2011). In the wake of the shooting of Laquan McDonald, for example, a recent report by the U.S. Department of Justice showed that Chicago police officers routinely engaged in behaviors such as "arresting or detaining individuals, and refusing to release the individual until he provides that information," as well as "[taking] a young person to a rival gang neighborhood, and either [leaving] the person there, or [displaying] the youth to rival members, immediately putting the life of that young person in jeopardy by suggesting he has provided information to the police" (2017:15–16).

What these vignettes suggest is that policing is not just something that materially affects those who are caught in it (whether they want to be or not). It shows that there is an enormous amount of *emotional labor* (to borrow a term from Arlie Russell Hochschild [2012]) that goes into the everyday interactions Blacks go through with police, even if direct interactions do not actually take place. Even for those who had not had direct experiences with the police, the emotional component was enough to get them to question their own safety and the safety of their loved ones. Indeed, in both focus groups and one-on-one interviews, Black respondents brought their emotional concerns about themselves and their family members to the fore.

White Respondents

Acknowledging the power and privileges of Whiteness. White respondents frequently acknowledged that they felt they had not been pulled over or ticketed in certain situations because they benefited from being White. Valerie put it this way: "I don't have much experience with the police. Um, you know, I just don't. Um… my perception is if I did, I'm going to be much better off being a White woman than I would if I were a Black man." In the same focus

group, Johanna (White woman, age 41) voiced similar sentiments:

> Johanna: I've had wonderful experiences with Magnolia police. Um, when we first moved [to Magnolia], I was shoveling [snow], and they came and offered to help me shovel. They were, like, "You're new!" And I was, like, "Yes, nice to meet you!" I mean, it was shocking how thoughtful they were. I didn't take them up on it, of course, but, um. Then the other day, my car was broken into, and the officer who came out and, you know, sort of interviewed me and looked at the car was lovely. So, I mean, my experiences in Magnolia have been entirely above and beyond any expectation I would have. Chicago cops are always nice to me, too, but… [sighs] I'm White. So. And a woman, so I think that's part of it.

One thing that more or less united White respondents in this study is that the vast majority's interactions with police had been positive at best and neutral to slightly negative at worst (e.g., getting a speeding ticket or being chided by police; however, there was one exception which I expand upon below). When Whites did speak about being fearful of police, they did occasionally mention their fear, specifically, of the Chicago police. Consider the following exchange in a focus group comprised of White respondents:

> Lyndon: My experience with, uh, police in general is that I'd much rather be stopped by a Magnolia policeman than by a Chicago policeman.
> Cyndi: Really.
> Lyndon: If I get stopped by a Chicago policeman, I'm terrified no matter what color I am.

Lyndon did not fear Chicago police officers because he had negative personal experiences with them, but because of what he had seen on the news: all the focus groups took place after a video recording had been released of Chicago police officer Jason Van Dyke (who is White) shooting Laquan McDonald (a Black teenager) sixteen times. The video evidence suggested that Van Dyke had conspired with other police officers to make it seem like McDonald had lunged toward them with a knife; in the video, McDonald was instead shown walking away from officers.

Some White respondents had experiences with the police that disturbed them outside the

context of a police stop. Again, Lyndon had experiences with police, but those experiences were indirect. Lyndon is a retired professor, but he still occasionally serves as an expert witness for court cases (I am not mentioning his area of expertise to maintain his anonymity). In the instance he described, Chicago police officers interviewed a hospitalized suspect while he was still under the influence of powerful narcotics administered by doctors during a surgical procedure. According to Lyndon, the influence of the drugs would have made it virtually impossible for the suspect to provide viable testimony to the police about his involvement in crime. Lyndon explained: "There's no way this person knows what he's talking about. And yet, they're prosecuting him for [a crime masked here to preserve anonymity]. That's it. I don't feel good about it." For Lyndon, his indirect experiences with the police in this case were enough to concern him about Chicago police officers in general.

After Lyndon's description of his fear of Chicago police, Kathryn (White woman, age 61) replied, "Yeah, um, I've done everything possible to stay away from Chicago police, and County, uh, sheriff's office, uh, police. Um, not that I've really had to have a reason to …". These statements suggest that the middle-class Whites in this study have typically not had to worry about feeling unsafe when they interact with police. Although they might have felt more uncomfortable around Chicago police, they had no direct experience to suggest that they were in danger (Kathryn, however, did have reason to feel unsafe; see below).

Among White respondents, interactions with the police rarely took on the particular form of situational awareness that Blacks sometimes exhibited. In some instances, Whites even reported confrontations with police in which they were rude, angry, or even breaking the law, but did not result in the expectation that they would come to any particular kind of physical harm. One respondent (Valerie, White woman, age 59) was stopped by a police officer for speeding.

She was in a hurry to get home and said she snapped at the officer, "Alright, if you're gonna give me the ticket, just write the damn ticket and let me get outta here!" She received a ticket and was able to continue on her way. Another respondent, Dwight (White man, age 73), talked about a situation in which he got into a shouting match with a police officer at a police station, saying, "… [The lieutenant] threatened to throw me in jail. I told him, 'Go ahead! Go ahead! Book me in jail! I'm sure that'll go over good with the, with your, with your commander.'" The argument was heated, but Dwight never reported that he felt his safety was in danger. There was also the case of Johanna (White woman, age 41), who had been caught drinking under the age of twenty-one with friends, but the police officer that stopped them simply told them to dump the alcohol out and "just go."

These experiences were fairly typical among White respondents. Most of them had interactions with police, but the strategies that they employed when dealing with the police were different from that of Blacks. In some sense, they did not even have to think about the strategies to employ; they were able to get their ticket and leave the situation without having to wonder about their own physical safety. White research participants reported interactions with police that ranged from positive to neutral. Police had stopped them, ticketed them, and admonished them at various points, but these situations did not particularly stick out for White respondents. They tended to view them as regular, everyday interactions with the police that were the result of behaviors that were worthy of policing: speeding in their cars, drinking while under the age of 21, or calling police for minor neighborhood disturbances, for example. They also often made mention of their belief that their Whiteness was beneficial to them. There was, however, one White woman respondent who had a vastly different experience with the police, to which I now turn.

Kathryn's story. In my sample, there was one White woman who did report a disturbing experience with the Sheriff's Police of Cook County. Kathryn (age 61) did not relay this experience in her focus group. She mentioned during a follow-up, one-on-one interview that it was a story she rarely told anyone outside of her immediate family, and did not feel like she could talk about it in a group setting. During what Kathryn referred to as a "perfect storm" of financial and health crises that occurred simultaneously for her and her family, she and her husband could no longer keep up with their mortgage payments. They ended up receiving a notice that they were to be evicted from their home. One day, several sheriff's police officers showed up unexpectedly at her home to evict her (she was under the assumption that she had more time to move). Although they had already found somewhere else to live, they still had not moved their belongings from the home from which they were being evicted. From the time they entered the home, the sheriff's police were, in Kathryn's words, "… screaming at me at the top of their lungs about how I was, um, violating the law … [and] I had fifteen minutes to grab any of the things that I wanted to take with me, and leave the premises."

At some point during the incident, Kathryn's dog started barking and growling. One of the police officers drew his gun in case the dog tried to bite him. Kathryn was able to calm the dog down and put it in the basement. One of the police officers went upstairs for reasons Kathryn did not know, while another officer yelled at her to sign the eviction paperwork they had presented to her. "But all of this chaos is going on," continued Kathryn, "and I started screaming at them, saying, 'Stop shouting!' I mean, at the top of my lungs. I was like, 'Stop shouting, let's talk. I don't understand what you're saying.' This woman's screaming at me." What happened next threw her for a loop: "The [police officer who had been upstairs] comes downstairs and he draws a gun on me."

After a few more minutes of the officers yelling at her, Kathryn was able to grab a few of her belongings, accompanied by the police officer who had drawn a gun on her. Per Kathryn, he holstered his gun while he followed her around her home as she grabbed as many belongings as she could. Eventually, she made her way outside, where she met a representative from the real estate company who was there to change the locks on her doors. She was able to negotiate with them to allow her to keep her belongings in her home for a few more days while they found movers and was allowed to eventually come back and gather her belongings. Kathryn described her feelings on the experience of having a gun drawn on her during the eviction:

> Kathryn: I was absolutely, like, devastated by all of that. I was really, really pissed off. I was, I was so angry, I was… the trouble is I didn't have all the… if I had had the officers' names and rank, I think I would've followed up right away. … I was never able to understand why these officers were so vicious and so rude, and, and why they would a draw on a gun on me. I was so pissed off at that. I was like, are you kidding me? I'm standing here, I've done everything that you've asked me to, the dog's in the basement, I have no, I have no weapons. What, you know, what are you gonna do? Just shoot me?

In all of the focus groups and follow-up interviews, Kathryn was the only White respondent who reported having a gun drawn on her in an interaction with the police (Barrett was the only Black respondent who reported having a gun drawn on him; see below). I highlight Kathryn's experiences to make a point about the types of interactions citizens have with police, and the way race and class matter and intersect. I believe that this vignette is an exception that proves the rule, so to speak. This is not to downplay the seriousness of what happened to Kathryn. She described that situation to me as being one in which she rightfully felt violated, angered, and fearful for her own safety, as well as the safety of her dog. Kathryn's experience with having a sheriff's police officer point a gun at her depended on the specific class context in which she found herself: after a series of personal economic and health disasters, the county

kicked her out of her home. She self-identified as middle class, but in that moment, she was another poor person worthy of state violence to be shuffled out of a home for which she could no longer pay. As a result, she became a target of state power, the purpose of which was to both punish and discipline her (Foucault 1995).

Kathryn's situation was in no way representative of the other Whites who participated in the study. It was, understandably, a very traumatic experience for her. However, this experience was a "blip" in her daily life as a citizen. In describing it this way, it is not my intention to be flippant about Kathryn's experience. What I argue is that this particular situation was something that was traumatic, frightening, and humiliating for Kathryn, but it was a situation that she would not likely repeat. Based on focus group and individual interview responses, it also appeared to be a situation that other Whites do not have to worry much about happening to them.

Contrast this experience with one Barrett described. Barrett (Black man, age 64) was the only other respondent (and the only Black respondent) to report having a gun drawn on him. When I asked him if there was ever a situation where he called the police department to file a complaint about the behavior of officers, he noted that he was going to visit his mother when he encountered a double-parked police car blocking his way on a one-way street. When he repeatedly honked his car horn, the police got out of their car and drew their guns. He goes on to explain:

Barrett: [After pulling their guns, they] said, "What the fuck are you doing?" And I said, "I'm trying to get to my fuckin' mother's house." [They said,] "What'd you say?" I said, "I'm trying to get to my fuckin' mother's house." They said, "Get out of the car." I got out of the car. They said, "What's your problem?" I said, "I don't have a problem. I'm a lawyer, and I'm trying to get to my mother's house." He said, "Show me some ID." So when I showed him my ID, he said, "You'd better be careful." I said, "Yeah, you'd better be careful, too." So I drove to my mother's house. Then I called the superintendent [of police]. And a sergeant called

me and guaranteed that that would never happen again. They shouldn't have did it. They was on a routine patrol. They had no right to block the street, and they shouldn't have pulled out guns. So I have contacted [them], yeah.

Barrett had other very negative experiences with the police as well. Several years ago, the police stopped him and a friend (also a Black man, a vice president of a bank) while they were out for an early morning walk. He refused to show identification to the police officer who stopped him because he had not done anything illegal. The police arrested him, which was an infuriating experience for him. He told that story and the story about having the police draw their guns on him as if it were a matter of fact rather than something that was particularly frightening for him. He told his stories in a way that suggested he was able to handle these encounters with the police calmly, because these experiences with the police were not exactly unusual for him. He had confrontations with the police before, and he will likely have them again.

For Barrett and other middle-class Blacks who participated in this study, their experiences with the police are not blips; they are regular, everyday features of their existence. Even Black respondents who reported infrequent and even positive interactions with the police (such as Vincent, Renee, and Robin, e.g.) had to think about the possibility that, at some point, they or their loved ones could be facing the brunt of police violence. As Vincent noted in his focus group, he still had to think about what the consequences might be of a stop, and also noted his concern about his children's safety (he mentioned having "the talk" with his children about what might happen as a result of a police stop, while Renee mentioned a feeling of not being safe when she left her community; see Hughes [2014] and Gandbhir and Foster [2015]). In that sense, policing practices do not just affect those who have direct experiences with the police; they are a constant reminder of what might happen when Black people move around in public

space to go to school, work, or just out in the communities in which they are supposed to feel

safe.

Indeed, this was made more explicit when Johanna (White woman, age 41) discussed her

partner's sons (her partner is a Black man). Even though Johanna's personal experiences with

the police had been neutral to positive throughout her life, she did note the challenges she faced

when discussing her partner's sons and how worried she was for their safety when navigating

public space:

Johanna:	[My partner] has a thirteen-year-old son, uh, and then an eleven-year-old son who's autistic. So, we have different conversations with, well, I have, I don't think [my partner] has, but I'm, like, the, I'm the one who grabs the bull by the horns. Um, you know, I've talked to … the thirteen-year-old, about how to appropriately, appropriately in quotes, interact with police, to stay out of trouble.
Dwight:	Yeah, but, but, that conversation, has that come up?
Johanna:	Yeah, I mean, he's a super tall, very skinny thirteen-year-old who could easily be sixteen or seventeen [years old] because of his height. He's five [feet] eleven [inches tall] already. Um, and so it makes me very nervous 'cause he's really immature, and he can be a jerk, and if I think the police told him to stop he'd probably just keep walking. Being jerky, you know? Um, so I do get worried that he's gonna get hurt or, you know, or worse. Um, and then with [his younger brother], who's eleven [years old] and autistic, we have to have probably a similar conversation that you've [referring to Valerie] had with [Valerie's son], you know?
Valerie:	Yep.
Johanna:	You have to respect them. You have to be…
Valerie:	You have to meet your, you have to meet your beat officer …
Johanna:	Exactly, you have to meet the officers.
Valerie:	… you have to meet the cops around town, you have to show them where you live, and, sure.[4]

Even though Johanna is a White woman, her close relationships with her partner's sons has made

her even more cognizant of the dangers facing young, Black men while out in public. Although

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[4] Although Valerie (White woman, age 59) had not had a history of negative interactions with the police herself, she did express concern for the safety of her son who has autism. In recent years there have been high profile cases in which police were criticized for using excessive (and sometimes deadly) force against people with disabilities (McCormack 2013; Silva 2017).

Johanna had never borne the brunt of police violence herself, her close relationships with her

partner's children mitigated her beliefs about how police interact with Whites and Blacks

differently.

Conclusion

Feagin (1991) and Feagin and Sikes (1994) show that White police officers routinely

treat Blacks differently than Whites, even Blacks who have achieved "middle class" status. One

of Feagin's respondents, a prominent Black academic, summarized her feelings on her

interactions with police: "[One problem with] being black in America is that you have to spend

so much time thinking about stuff that most White people just don't even have to think about"

(1991:114). She goes on to say that she not only has to worry about being pulled over by the

police, but also the safety of her children, as well as generally having to worry every time she

leaves the house to go to the store, expecting to be profiled by store management (Feagin 1991).

These experiences do not occur in isolation from one another; instead, these instances of

discrimination "pyramid" on one another and accumulate over time (Feagin 1991; Feagin and

Sikes 1994).

This research builds upon an aspect of Black middle-class life that has gone understudied

in the existing literature: Black citizens, even those who identify and consider themselves as

middle class, frequently have experiences with the police that cause them to question their own

personal safety and the personal safety of their loved ones in public space. They must negotiate

their own personal safety in public space quite differently from most middle-class Whites. The

Black respondents in the sample often found themselves at the nexus of both mass incarceration

and policing. In many instances, middle-class Blacks must also contend with pressures

associated with having a family member or friend in jail or prison. However, what researchers

have not done is connected the lived experiences of having to deal with the police in public with

having a friend or family member who is in prison on jail.

This distinction is important. Studies that examine only the experiences of having a

family member or friend in jail or prison, or those that only examine the lived experiences of

interacting with the police both ignore each other. Many Blacks not only face the consequences

of having a family member or friend in jail or prison, but *also* the experience of negative police

interactions. This research suggests that some middle-class Blacks face both of these

experiences at the same time. Even for those who have neither had a family member in jail or

prison nor a negative interaction with police, the mere possibility of an encounter was enough to

give Black respondents pause about their own safety in the public sphere. For many Blacks,

even those who do not have to deal with a family member in jail or prison or have negative

interactions with police, the mass incarceration state is something that weighs on them and

affects their sense of well-being. This suggests implications for research on the collateral

consequences of mass incarceration *and* on-the-street policing practices. I explore these

implications in the conclusion.

CHAPTER SIX

CONCLUSION

This research makes two contributions to the existing literature on the effects of mass

incarceration. First, it provides a glimpse into how mass incarceration affects people who are not

poor; specifically, middle-class Blacks and Whites. Through a comparative design study, it

expands on existing research to show differences and similarities in the extent to which middle-

class Blacks and Whites confront mass incarceration in their daily lives. Second, it provides a

framework through which we can understand how middle-class Blacks and Whites interact with

the criminal justice system: middle-class Blacks must deal in different ways with having family

members or friends who have been incarcerated, *and* face unwanted police interactions in which

they feel unsafe. In short, the criminal justice system matters in the lives of the Black middle

class that it does not for the White middle class. Below, I discuss these findings in the context of

recent changes in how the public has come to view mass incarceration, as well as the

implications for and limitations of this research. In the current political moment, it is more

important than ever to take mass incarceration seriously as a force that affects everyone, albeit in

different ways.

The Changing Context of Mass Incarceration

In recent years, mass incarceration is a problem that has come to the fore in the public

consciousness in ways that probably were not possible even a decade ago. The publication of

Michelle Alexander's book *The New Jim Crow: Mass Incarceration in the Age of*

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Colorblindness (2012) shone such a bright light on the issue that it is now a problem worthy of "reform" in popular media and politics (Wildeman 2016). Indeed, mass incarceration and its attendant social problems are now a concern for those on both the left and right of the political spectrum.

It is not just liberal and left-leaning writers who have highlighted the negative effects of mass incarceration (e.g., Coates [2015] and Denvir [2017]); conservatives have also called for prison reform. For example, Brandon and colleagues (2016) wrote an article in the conservative weekly journal *National Review* arguing that historically "red" states have led the charge on diverting offenders to probation and drug courts instead of prison. Newt Gingrich, a Republican and the former leader of the U.S. House of Representatives, has co-authored newspaper articles arguing that it does not make fiscal sense to imprison nonviolent drug offenders for long periods of time, and also points to drug courts and treatment as more fiscally responsible alternatives to imprisonment (Gingrich and Hughes, Jr. 2014; Gingrich and Nolan 2015).

The general consensus is that something must be done about mass incarceration, but there is very little agreement about what that would mean in practical policy terms (Wildeman 2016).[1] Conservative calls for reform frequently differ in some significant ways from their left-leaning counterparts. However, the fact that politicians and pundits are publicly calling for *less* prison time for nonviolent drug offenders is a stunning reversal from politics and policies since the late 1970's (especially for Gingrich, who was no stranger to strict criminal justice policies during his tenure as Speaker of the House in the 1990's). States have started to enact prison reforms as a means of decreasing already bloated prison populations and lowering financial expenditures on

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[1] With the election of Donald Trump to the presidency in 2016, it remains to be seen what direction federal criminal justice policies will take. However there has already been some movement on the part of the Justice Department to continue with the status quo (Reilly and Walsh 2017; Zapotosky 2017).

prison facilities (Seeds 2017). Indeed, the Sentencing Project (2017) reports a slight drop in the number of prisoners held in state and federal prisons in the last few years, the first decrease (albeit a small one) in decades.

What is To Be Done?

A major part of this shift can be attributed to the combined hard work of activists, academics, and public intellectuals (e.g. Michele Alexander, Mariame Kaba, Angela Y. Davis, Ruth Wilson Gilmore, Beth Richie, Marc Mauer, Todd Clear, and many others) who have been determined to bring these issues to the fore. Their combined efforts have produced robust empirical and theoretical work that seeks to illuminate how mass incarceration was and is an institution that shapes the lives of millions of people. Notwithstanding the public's recent "discovery" of racialized, classed, and gendered mass incarceration and its accompanying inequalities, there are still gaps in the policing and collateral consequences literature that need attention. Both the collateral consequence and policing literatures offer important insights into how mass incarceration and on-the-street police practices affect poor individuals, families, and communities. This research (reviewed in detail in Chapter 2) is extremely important, and since poor Blacks are the primary targets of the carceral state, it makes sense to gear policy changes toward this group.

However, what these debates ignore is how mass incarceration affects other groups; namely the middle class, but more specifically middle-class Blacks. As noted previously, Bonilla-Silva (2013:38) has questioned how existing research on mass incarceration can account for the position of all Blacks in the racialized social system of the United States. Although I do not claim that this research definitively answers that question once and for all, I do argue that it offers a fuller understanding of how mass incarceration contributes to inequalities that persist

even for those who have "made it" to the middle class. Even though the middle-class

respondents I interviewed did not always find themselves in the dire circumstances experienced

by the poorest targets of the carceral state, middle-class Blacks and Whites still face very

different realities when it comes to knowing someone who has been in prison and in interactions

with the police.

The research findings presented in prior chapters paint a stark picture. Middle-class

Blacks face the consequences of having a family member or friend who has been imprisoned

differently than middle-class Whites. They also have different kinds of interactions with the

police that make them feel unsafe in public space. Even middle-class Black respondents who

have not had many interactions with the police themselves still feel unsafe or question their own

safety when in the presence of police officers. Their more privileged class position may buffer

them in significant ways from the effects of mass incarceration felt by their working- and lower-

class counterparts. However, their position in a racialized social structure also marks them as

potential targets. In this sense, they are uniquely situated in the class and race structure of the

U.S. They are not as incarcerated as poor- and working-class Blacks, but they are stopped more

frequently and have different kinds of interactions with the police than middle-class Whites.

What the interview research reveals are some interesting results about the racialized

inequalities that manifest even among Blacks who should, theoretically, be somewhat sheltered

from mass incarceration due to their class status (Pattillo-McCoy 1999). Middle-class Whites'

and Blacks' experiences with mass incarceration are fundamentally different from one another.

First, when Black respondents did know someone who had been to jail or prison, it took a

financial and emotional toll on them that was different from White respondents. Second, Black

respondents also had more frequent interactions with the police. When they had interactions

with the police, those interactions were negative and they felt their safety was at risk. Merely being in the presence of police officers, routine traffic stops, and passing police officers on the street while driving made them feel unsafe, and they expressed concern about their loved ones encountering the police.

These experiences are not monolithic or the same for all middle-class Blacks. There were Black respondents in this study who noted that they do not have any close family members or friends who have been incarcerated. Concomitantly, there are Whites in the study who have known people who have been to jail or prison. What the research results suggest is that the effects of mass incarceration are not just limited to the Black poor. However, the research also shows that when middle-class Blacks do know someone who has been to jail or prison, it affects them in very different ways than it does for middle-class Whites. At the very least, the distribution of policing resources for both Blacks and Whites means that Blacks are going to inherently have different experiences in the criminal justice system.

This research also shows how middle-class Blacks must contend with unwanted police contact in different ways than middle-class Whites do. Most of the Black respondents in this study reported having unwanted interactions with police, which included frequent traffic stops, arrests, and the possibility of violence. They were quite cognizant of the threat to their own personal safety when they moved through public space. At times they had to rely on various aspects of their own personal identities to navigate and negotiate these unwanted interactions, drawing on aspects of their identities that were malleable (e.g. through the clothing they wore or their demeanor toward the police). These were generally strategies that White respondents simply did not have to draw upon.

In this project, I argue that we must consider both having a family member or friend

incarcerated and policing disparities together as intersecting and overlapping factors that shape

how people in the middle class, especially Blacks, come to view and understand criminal justice

in the United States. Whites are less likely to be stopped by the police, less likely to have a poor

family member/friend, and less likely to know someone who has spent a significant amount of

time in jail and/or prison (Chiteji and Hamilton 2002; Heflin and Pattillo 2006; Lee et al. 2015).

What this research shows is that Blacks have significant experiences with *both* police stops and

with having a friend and/or family member in jail or prison. Given that state punishment has

always been highly racialized, classed, and gendered throughout American history (Alexander

2012; Richie 2012; Wacquant 2000), these results are not necessarily surprising. These results

begin to paint a broader picture of mass incarceration, as well as point to new questions for

further research.

Limitations of the Study and Implications for Future Research

There are several limitations to this research that should be explored further in future

research. The results I present in this dissertation are from a specific geographic area (Cook

County in Illinois), and are not generalizable. As mentioned above, this project represents a

single "case" by which we can begin formulating new research and theoretical perspectives on

how to understand the intersections of race, class, gender, and state punishment (Small 2009).

Further research should be conducted in various towns, cities, counties, and states to expand on

the experiences respondents spoke about. For example, examining the effects of mass

incarceration in rural areas outside of the urban milieu could show how mass incarceration

manifests itself in different ways (Eason 2012). Additionally, we can compare and contrast the

experiences of Whites in rural areas where poor Whites make up most of the local prison

population to show the different aspects of how race and class intersect with punishment

(Gottschalk 2015).

Future research should also explore variations in responses among Blacks and Whites. This research project began with the assumption that Black respondents would have consistently similar experiences with the state in the form of both knowing someone who had been to prison *and* having been stopped by the police. This, however, was not the case. There were some Black respondents who either did not know someone who had been to jail or prison, or were only tangentially aware of friends and family members who had been incarcerated. At the same time, not all Black respondents had negative interactions with the police. Concomitantly, one White respondent (specifically, the respondent named Kathryn; see Chapter 5) had experiences with the police that were akin to those found in account of police behaviors among poor- and working-class Blacks (see Chapter 2). Research should delve more fully into these experiences to determine how and why, for example, some middle-class Blacks have not had negative interactions with police or known family or friends who have been to prison and why some middle-class Whites have. Future research can further illuminate the factors that influence people's experiences with mass incarceration and its accompanying policing practices.

Finally, this research focuses only on middle-class Blacks and Whites. Future research needs to look beyond the comparisons of Blacks and Whites only and focus on how mass incarceration affects other groups (for example, the experiences of Latinx and Asian immigrants in the face of increasingly restrictive immigration policies). We also need more research that explores factors that underlie differences in experiences with mass incarceration (e.g. why do some research participants appear to have more family members friends that have been to prison, while others experienced few to no family members or friends in prison?).

Implications for Mass Incarceration Policies

Unfortunately, decades of research showing the profound consequences of mass incarceration has not significantly affected the U.S.'s long-term commitment to racialized, retributive criminal justice. Politicians who could change policies have good electoral reasons for maintaining the status quo: White constituents tend to want more punitive criminal justice policies, especially when the offenders are people of color (Ghandnoosh 2014). Although state and federal prison populations declined slightly in the last few years (The Sentencing Project 2017), this is but a small drop in a very large bucket. Punitive criminal justice policies have generally been difficult to change because they are still popular, especially in geographic areas with large concentrations of poor Blacks (Mauer 1999; Soss et al. 2011).[2]

There is, however, extensive literature that has suggested achievable changes to mass incarceration policies. Two general paradigms aim to curb the influence of mass incarceration. The first could be called "reformism," which focus on changes to existing policies. Some changes have already been made in several states by both liberal and conservative politicians, such as drug courts instead of prison for drug users (Brandon et al. 2016). Other reforms include changes to investigatory stop practices (Epp et al. 2014; Epp, Maynard-Moody, and Haider-Markel 2017), ending the War on Drugs (Alexander 2012), investment in education (Mauer 2011), and improving police oversight apparatuses (Police Accountability Task Force 2016). The general belief undergirding these reforms is that they are sensible changes to what is now viewed in some circles as overzealous and expensive policing practices.

The second paradigm is abolitionism, which "… [requires] us to imagine a constellation

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[2] These attitudes, however, appear to be changing. According to recent polling data, it appears that "… Americans actually want fewer prisons—and now favor policies and politicians that put fewer people in them" (Newkirk 2018:n.p.).

of alternative strategies and institutions, with the ultimate aim of removing the prison from the social and ideological landscapes of our society" (Davis 2003:107). Prison abolitionists take a far more radical approach than reformists, arguing that there are a variety of non-carceral institutions that could be bolstered so that prisons are never needed in the first place. Undergirding theories of abolition are those that claim that investment in prisons is intertwined with divestment from communities (Richie 2015). Put simply, the more the state invests into prisons, the less it will invest into education, jobs, and other community institutions that provide non-punitive forms of social control.

Prison abolitionists call for more wide-ranging changes to criminal justice policies than reformists, which have drawn criticisms based on its practicality and political viability (Lancaster 2017; Robinson 2017, 2018). Among other changes, write Berger, Kaba, and Stein (2017:n.p.):

> Abolitionists have worked to end solitary confinement and the death penalty, stop the construction of new prisons, eradicate cash bail, organized to free people from prison, opposed the expansion of punishment through hate crime laws and surveillance, pushed for universal health care, and developed alternative modes of conflict resolution that do not rely on the criminal punishment system.

Abolitionists also call for a restorative justice framework in which prisons are replaced by a system in which victims and offenders "come together to discuss the event and attempt to arrive at some type of understanding about what can be done to provide appropriate reparation" (Latimer, Dowden, and Muise 2005:128).

Most research in the reformist and abolitionist camps focuses on how to alleviate mass incarceration's burdens on poor Blacks. This is because poor Blacks face institutionalized racism, sexism, and classism at virtually every level of the criminal justice process (Cole 1999; Mitchell 2005; Spohn 2015; Stolzenberg, D'Alessio, and Eitle 2013). Although the poor face the

most explicit burdens of the criminal justice system, policies geared toward alleviating its most brutal injustices would go far toward improving the life courses of people who are not poor, especially middle-class Blacks. I have reviewed the reasons why numerous times above, but they bear repeating: middle-class Blacks are more likely than middle-class Whites to have poor siblings to whom they provide financial assistance, and have family members and friends who have been incarcerated (Bobo and Thompson 2010; Chiteji and Hamilton 2002; Heflin and Pattillo 2002, 2006; Lee et al. 2015; O'Brien 2012).

The research in this dissertation does not make a strong case for either reformist or abolitionist paradigms, and specific policy changes that ought to be made are beyond the scope of this work. However, I do believe that the research results show that something must be done to alleviate the burdens that result from the unequal political distribution of policing resources. This is *not* a call to "equalize" punishment by making sure that Whites are incarcerated at the same rate as Blacks. Instead, it means we must approach criminal justice policies not just from a deterrence and incapacitation perspective, which is inherently retributive. Criminal justice policies in the future must also look at how incarceration affects social networks among individuals, families, and communities, both poor and non-poor. This would likely entail a combination of both reformist and abolitionist paradigms. Ideally, these changes would alleviate the significant financial, educational, and housing burdens for the poor, which would eventually extend to their middle-class family members and friends. Although some policy changes are probably more workable now in the political short-run (such as ending the War on Drugs), others will take time (e.g., movement toward a restorative justice framework).

What this research suggests is that mass incarceration does not only affect the poor. Rather, it affects all of us, whether it be financially through tax-payer bankrolling of the mass

incarceration complex at the expense of other institutions, or more directly through having someone close to us who has been incarcerated or having negative interactions with the police. This dissertation calls for a new understanding of the criminal justice system that includes the experience of middle-class Blacks as one that is unique when compared to both middle-class Whites and poor and working-class Blacks. Policy changes geared toward eliminating racism, sexism, and classism in the criminal justice system would inherently benefit us.

APPENDIX A

FOCUS GROUP INTERVIEW GUIDE

1. Please first state your first name, your profession, and the Chicago neighborhood or suburb you currently reside in.

2. Thinking about where you live, how racially diverse is your community? How satisfied are you with the diversity in your community?

3. How do you feel about the criminal justice system in Cook County? Has it affected your life in any way? How so?

4. What are your thoughts on the police in Cook County (county or local)? Do you approve or disapprove of the job that they are doing? How so, and why do you feel that way?

5. Do you have any criticisms of the police in Cook County and/or in your community, and if so, what are they?

6. How fair do you think the police are in Cook County (county or local)? Why?

7. How fair do you think the criminal justice system is in Cook County? Why?

8. Do you ever talk with friends and/or family about the police and/or criminal justice system? What do you talk about, and why?

9. Have you ever known anyone who has been arrested and/or incarcerated? If so, did knowing someone who had been arrested and/or incarcerated affect your life in any way? Did that experience change how you feel about the criminal justice system? If so, how?

10. What do you think the role of the police should be in your communities?

11. What are your perceptions of what the police are like in communities other than yours?

12. Is there anything you would like to see changed about the criminal justice system in Cook County? What do you think those changes should be?

13. Have you been, are you now, or will you be involved in efforts to change the criminal justice system in Cook County? In what ways would you like to see it changed?

APPENDIX B

FOLLOW-UP, ONE-ON-ONE INTERVIEW GUIDE

Experiences with Police

1. Have you ever been stopped by the police when you were driving, walking down the street, etc.?

    Probe: What were you doing at the time that they stopped you?

    Probe: Did they ever indicate why they stopped you?

    Probe: Did the stop result in a search, ticket, arrest, or other situation where you had to appear in court for any reason?

    Probe: Why do you think they stopped you?

    Probe: Did you ever file a complaint with the police department after your stop? Why or why not?

2. What are your thoughts on the police in Cook County (county or local)?

    Probe: Do you approve or disapprove of the job that they are doing? How so, and why do you feel that way?

    Probe: (for those who have been stopped by police) Have your thoughts on the police changed because of the stop?

Questions about Family or Friends in Jail and/or Prison

1. Do you know anyone who is currently in jail or prison?

    Probe: How close would you say you are to this person?

    Probe: What did this person go to jail/prison for?

2. Did you have to provide financial assistance to that person? How much did you provide?

3. Did you provide other kinds of assistance in addition to financial? What kinds?

4. Did the assistance you provided put you in financial or other kinds of hardship?

5. When this person was incarcerated, did you talk to anyone about what that was like?

Probe: Who did you talk to?

Probe: What did you talk about?

6. Did you feel like knowing someone who was incarcerated affected your other

friendships/relationships with other people? If so, how?

7. In what kinds of activities do you participate in your community?

Probe: Did you ever feel as if knowing someone who has been incarcerated affected your

ability to participate in your community? How so?

8. Are you politically active in your community?

Probe: If so, in what capacity are you politically active? Do you volunteer, work for a

campaign/politician, vote on a regular basis, etc.?

9. Has knowing someone who has been incarcerated affected your well-being in any way?

Probe: How has it affected your well-being?

Thoughts about Criminal Justice System

1. How do you feel the criminal justice system in Cook County has affected your life?

Probe: Do you think it is effective, ineffective, somewhere in between?

2. How fair do you think the criminal justice system is in Cook County?

Probe: Do you think it is fair, unfair, somewhere in between?

3. Is there anything you would like to see changed about the criminal justice system in Cook

County?

Probe: If so, what do you think those changes should be?

Probe: How do you think those changes will occur?

APPENDIX C

DEMOGRAPHIC SURVEY

RESPONDENT DEMOGRAPHIC INFORMATION

Date:_____   Interviewee ID# (for researcher's use only)_____

Participation in this demographic survey is <u>voluntary</u>. If you do not want to participate in this survey, you do not have to participate. You may still participate in the recorded one-on-one interview if you decline to complete this survey. Even if you decide to participate, you may decline to answer any questions you do not feel comfortable answering, or end your participation in the survey at any time without penalty. Please do <u>not</u> provide any personal identifying information on this form (e.g., your name). If you decide to participate, your responses to questions will be entered into a statistical database for analysis; neither your name nor any other information that could identify you will be included. You will only be identified by a randomly assigned number and alias name.

1. What is your month and year of birth (MM/YYYY)? _____/_____

2. Where do you currently live?
    o Chicago neighborhood
        • Please specify:_____
    o Suburb in Cook County
        • Please specify:_____

3. What is your sex?
    o Male
    o Female
    o Other:_____

4. What is your race? Please check all that apply.[1]
    o White
    o Black/African American
    o American Indian or Alaska Native
    o Native Hawaiian
    o Other Pacific Islander
    o Asian
    o Other:_____

5. Are you of Hispanic or Latino origin?
    o Yes
    o No

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[1] This is a variation on a question asked in the 2010 U.S. Census (U.S. Census Bureau n.d.).

6. What is the highest level of education you have completed?
   o Less than high school
   o High school diploma
   o Some college, no degree
   o Associate's degree
   o Bachelor's degree
   o Graduate degree

7. What is your current employment status?
   o Working full time as a paid employee
   o Working part time as a paid employee
   o Self-employed
   o Not working – on a temporary layoff from a job, looking for work, retired, disabled, other

8. What is your current occupation? (please do **not** identify your employer)

_____

9. In which of these groups does your personal annual income fall?[2]
  o Less than $1,000
  o $1,000 to $2,999
  o $3,000 to $3,999
  o $4,000 to $4,999
  o $5,000 to $5,999
  o $6,000 to $6,999
  o $7,000 to $7,999
  o $8,000 to $9,999
  o $10,000 to $12,499
  o $12,500 to $14,999
  o $15,000 to $17,499
  o $17,500 to $19,999
  o $20,000 to $22,499
  o $22,500 to $24,999
  o $25,000 to $29,999
  o $30,000 to $34,999
  o $35,000 to $39,999
  o $40,000 to $49,999
  o $50,000 to $59,999
  o $60,000 to $74,999
  o $75,000 to $89,999
  o $90,000 to $109,999
  o $110,000 to $129,999
  o $130,000 to $149,999
  o $150,000 or over

10. If you were asked to use one of four names for your social class, which would you say you belong in: the lower class, the working class, the middle class, or the upper class?[3]
  o Lower class
  o Working class
  o Middle class
  o Upper class
  o No class

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[2] This is a variation on a question that has been asked on the General Social Survey administered by the National Opinion Research Center in Chicago, Illinois (NORC at the University of Chicago n.d.).

[3] This question comes from General Social Survey administered by the National Opinion Research Center in Chicago, Illinois (NORC at the University of Chicago n.d.).

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VITA

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