

Poverty and Mass Incarceration in New York

Criminal justice reform can build a more equitable, healthier economy
– while saving the state money

Over the past years and decades, New York State has taken major steps toward making its criminal justice system fairer, less discriminatory, and more effective. Voters expect continued progress, especially in the wake of last year's demonstrations for racial justice. While lawmakers are understandably focused on the state's sobering budget crisis, such concerns should not stand in the way of criminal justice reform. In fact, reforms that mitigate the collateral consequences of criminal justice involvement and expand economic opportunity for people with criminal records will strengthen the state's overall financial health.

[Recent Brennan Center research shows](#) that people with a criminal record face profound economic hardship. Each of the roughly 7.7 million Americans who have spent time in prison can expect to earn roughly half of what they otherwise might have annually, adding up to an average lifetime loss of nearly \$500,000. A conviction alone reduces lifetime earnings by about \$100,000 on average. These disturbing findings suggest that criminal justice involvement can function as a poverty trap — preventing people from achieving prosperity, setting up future generations for material deprivation, and undermining the well-being of our communities.

The ramifications for New York are dire, as we found in a [recent report](#):

- Some **337,400 New Yorkers have spent time in prison** at some point in their lives.
- The racial disparities are even more disturbing: more than **40 percent are Black** and **around 30 percent are Latino**, even as the state's population is 14 percent Black and 19 percent Latino.
- Lost earnings related to previous imprisonment cost New Yorkers **\$1.9 billion in lost earnings annually**.*
- **Around 80 percent** of these losses are borne by Black and Latino communities.

These losses are untenable at an individual level, contributing to poverty at a time of record economic distress. Lost economic activity of this magnitude also undermines the state's tax base and overall financial health. Going forward, policymakers must expand economic opportunities for those with a criminal record and limit the number of people who come into contact with the justice system in the first place. Our report details policies that can achieve these goals and build a stronger, more equitable state economy, such as:

- Reducing the reincarceration of people on parole supervision, as proposed by the Less Is More Act
- Automatically sealing criminal records that are more than a few years old
- Reducing unnecessarily long prison sentences
- Legalizing and regulating marijuana
- Investing in prison education, including by restoring TAP eligibility for people in prison
- Restoring and expanding programs designed to divert people from the justice system, such as pre-arraignment diversion

Steps to reduce incarceration, such as sentencing and parole reform, will also save the state money; research shows that [reincarceration for technical violations of parole](#), for example, is costly and drives racial disparities. And while some of these initiatives come with an up-front price tag, we encourage lawmakers to take the long view and consider how they would improve the economic health of New York's communities, helping to build a stronger workforce for decades to come. We also encourage legislators not to forget the importance of fighting poverty and its causes, as hardship becomes only more acute during times of economic crisis. This session presents an important opportunity to reaffirm the dignity of all New Yorkers, and we should seize it while we can.

*This figure is based on national earnings-loss estimates. Actual lost earnings may vary due to New York's unique landscape.