

# Incarceration, Marital Uncertainty, and the Transition to Marriage Among New Parents

## Abstract

The mark of a criminal record has profound effects on a person's employment opportunities and is believed to adversely impact one's position in the marriage market. In this paper I examine the effect of incarceration on the transition to marriage over the life-course using panel data from the Fragile Families and Well-Being Study. I present a causal model of incarceration and marriage that focuses on latent criminal propensities and marital uncertainty prior to incarceration. By comparing never-incarcerated criminals to ever-incarcerated criminals, I am able to net out the effect of incarceration on marital probabilities through the identification of criminal behaviors. Additionally, I am able to examine the effect of criminal dispositions on transitioning to marriage for never incarcerated populations. My model allows researchers to minimize measurement error, and my findings have significant implications for marriage market research that controls for incarceration rates without identifying latent criminal propensities and marital uncertainty.

## 1 Introduction

Marriage is seen as a very important point in the life-course, with the gains to marriage including longer life and better health. Yet marriage rates among non-hispanic blacks have always lagged behind their white counterparts. One explanation for low marriage rates, high out-of-wedlock childbearing, and increasing father absence in the lives of children is that incarceration disproportionately affects blacks. Wilson (1987) argues that these demographic changes are the result of a shortage of economically attractive men. Incarceration and criminal involvement exacerbate this problem by lowering one's legal employment opportunities if arrested and convicted. Recent research shows that black men with and without criminal records receive fewer employment opportunities and lower wages than white men with similar backgrounds (Pager 2003; Pager and Quillian 2005; Western 2002). Employment is seen as the necessary conduit for individuals to make the transition to marriage (Manning and

Smock 1995; Bulcroft and Bulcroft 1993), suggesting that unemployed ex-cons will experience more difficulties in their transitions to marriage. In this paper, I investigate whether incarceration has consistent effects on marital probabilities over the life-course, and I assess whether low marriage probabilities are due marital uncertainty prior to incarceration. I specify a counterfactual model that reduces measurement error while accounting for omitted variable bias.

## **2 Literature Review and Critique of Previous Research**

Scholars researching marriage market asymmetries often focus on how the marriage rates of black women are lower than those of other races, usually white women, for all ages (Brien 1997; Koball 1998; Lichter, McLaughlin, Kephart, and Landry 1992). There are two marriage market theories that explain why black women are more disadvantaged in the marriage market: the assortative mating theory and the marriage squeeze hypothesis. Assortative mating theorists argue that people with similar human capital investments and values tend to marry (i.e., “likes marry likes”), while marriage squeeze researchers assert that individuals are constrained by the age-specific population of available partners (Schoen 1983; Musham 1974; Akers 1967). The high incarceration rate of black men partially explains the low marriage rates of black women because of human capital imbalances between the sexes (assortative mating theory) and because fewer black men are available to marry as a result of incapacitation (marriage squeeze hypothesis).

Three studies have tried to ascertain the causal effect of incarceration on marriage rates. After accounting for socio-demographic characteristics, Western (2004) compares the marriage rates and family characteristics of non-incarcerated and incarcerated men in order to examine the effect of incarceration on marital probabilities. He finds that men who have been incarcerated are less likely to marry than men who were never incarcerated. Western, Lopoo, and McLanahan (2004) echo the same conclusion using the same strategy.

Using a different methodological approach, Charles and Luoh (2005) use variation in mate preferences and local incarceration rates to examine the problem. Because most marriages are racially endogamous, Charles and Luoh exploit local marriage market and incarceration trends by race, age, and location under the assumption that marriage and incarceration rates vary considerably on these three demographic dimensions. Like other researchers, Charles and Luoh (2005) specify their models of the marriage market opportunities using sex ratios, average characteristics of the unmarried population, and local level (state, city, or country) background covariates, in addition to a covariate for the incarceration rate. They present evidence that male incarceration lowers the likelihood that women will marry and that the gains to marriage shift away from women and toward men.

Lopoo and Western (2005), however, find no evidence that incarceration significantly lowers black marriage rates despite depressed labor market opportunities. Using data from the NLSY, they show that incarceration exerts a statistically insignificant effect on the marriage rates for all racial groups, with marital rates increasing up to an additional 1% with zero incarceration.

These inconsistent findings raise very important measurement and generalizability issues. While these approaches to testing the causal argument are relatively sensible, they suffer from a few assumptions that have yet to be supported. I argue that these model specifications are insufficient to gauge whether incarceration has an effect on marriage market conditions (of black women in particular) because they cannot identify the latent component of crime in the heterogeneous, never-incarcerated population. There are several implicit assumptions that my thesis will explicate.

First, researchers assume that the two identifiable groups are ever-incarcerated and never-incarcerated populations. I contend that the closest match (counterfactual) to the ever-incarcerated group is the never-incarcerated *criminal* group. Because researchers introduce heterogeneity into their estimates by assuming the never-incarcerated group is homogeneous (i.e., the never-incarcerated group is composed of never apprehended criminals and the

never-offending population), the identification of the incarceration effect on transitioning to marriage is misspecified, thereby allowing measurement error to dominate the point estimate. People who commit crimes but are never apprehended may be actively engaged in the marriage market. This would drive marriage rates up in the non-incarcerated population, thereby increasing the difference in the marital rates between incarcerated and never-incarcerated men. Using the never-incarcerated criminal population as a control has two benefits: 1) researchers do not need to deal with the incapacitation effect of incarceration (i.e., because people are imprisoned, they are effectively removed from active involvement in the marriage market) and 2) one does not need to rescale the life-course of ex-prisoners in order to make feasible comparisons with the never-incarcerated population.<sup>1</sup> More importantly, if there is no difference in the characteristics of never-incarcerated criminals and ever-incarcerated criminals other than the incarceration effect, and there is no difference in their marital outcomes, then incarceration *cannot* be an explanation for low marriage rates and probabilities.

Second, there is an assumption that the underlying propensities for marriage among ever-incarcerated and never-incarcerated men are the same, despite the fact that their taste for marriage might well be different. This would make the two groups incomparable even after controlling for background characteristics. Assortative mating and marriage squeeze theories would suggest that women without criminal records would marry never incarcerated men; however, this theory cannot reasonably assess whether men with high incarceration propensities were ever inclined to marry prior to being incarcerated. More specifically, researchers generally conceive of the relationship between marriage and incarceration as unidirectional: criminal backgrounds affect marriage probabilities. Yet, this relationship ignores whether or not people were ever predisposed toward marriage. There is a strong correlation between marital outcomes and predispositions toward marriage (i.e., the demand for marriage); if someone has no desire for marriage then his expected marital outcome may reflect this pre-

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<sup>1</sup>Although no one has rescaled the life-course of ex-prisoners to test the effect of incarceration on the marriage market, this is a plausible idea that would circumvent issues of incapacitation.

disposition. Furthermore, if a person's demand (or taste) for marriage is low, or if the demand varies across subpopulations, then there is an endogenous relationship between a person's perceived probability of marriage and his criminal behavior. Put another way, it is possible that a low, self-reported probability of marriage may relax self-imposed constraints on engaging in criminal behavior, but it is also possible that criminal behavior may lead to low, self-reported probabilities of marriage. This endogeneity needs to be resolved before ascertaining the causal effect of incarceration on actual union formation. Adding the incarceration rate and/or prison population as a covariate in a regression analysis *cannot* and *does not* tell us about whether incarceration is a viable explanation for the low marriage rates of black women because it is possible that this same group of men would not have been predisposed to marriage prior to incarceration. Testing the effect of incarceration this way, as Charles and Luoh (2005) does, assumes that the marital propensity distributions are the same for incarcerated and never-incarcerated men and women.

Third, there is an implicit assumption that the incarcerated female population plays a negligible role in marriage market effects. However, it is equally possible that their incapacitation offsets a fraction of the male incarceration effect. Because these women are also removed from the marriage market due to incarceration, this would drive marriage rates downward and would minimize the difference between the never-incarcerated and incarcerated marriage rates.

### **3 Identification Strategy**

I test whether incarceration alters marriage probabilities within a counterfactual framework using two identification strategies. First, I examine the effect of criminal dispositions on marriage probabilities independent of the incarceration. Specifically, researchers can investigate what the marriage probabilities would have been if individuals had not committed crimes. Framing the discourse this way allows researchers to avoid issues surrounding time allocation

in the marriage market. Because incarcerated individuals are removed from the marriage market during imprisonment, comparing their post incarceration marital outcomes to the never-incarcerated non-criminal population ignores the additional time the latter group has to actively engage in marital searches.

The second identification strategy focuses on what the marital probabilities would have been if a person was not incarcerated, given that s/he has a criminal background. By comparing ever-incarcerated criminals to never-incarcerated criminals, after controlling for time spent imprisoned, I am able to test the effect of incarceration on marriage probabilities after netting out the latent component of crime. This is a more approximate scenario under which incarcerated men would have married had they not gone been caught. Previous research simply compares men on demographic and geographic characteristics but not on the most important behavioral characteristic: the ability to carry out illegal activities without being apprehended.

### **3.1 Data**

I use the Fragile Families panel data to examine the effect of incarceration and criminal behaviors on union formation. Almost 5000 children born between 1998-2000 are followed, and the study oversamples births to unmarried couples. Given that mothers and fathers are interviewed separately I am able to exploit a rich set of information on the relationships between biological parents, preferences in mates, and the attributes of each parent. Both parents are asked questions about their incarceration histories, current relationships, criminal activities, and marital aspirations. Using this dataset enables one to identify the three parameters (criminal propensity, incarceration experience, and the prospect of marriage) in order to test the effect of incarceration on transitioning to marriage. Moreover, because the data are longitudinal, I am also able to identify how change in status (incarceration and criminal activities) affects the marital prospects of women and men over the life-course.

## 3.2 Measures

To isolate the effect of criminal dispositions and incarceration on marriage, I construct three population groups: ever-incarcerated (whether the individual has ever spent time in prison for committing a crime), never-incarcerated criminals (whether the individual has ever sold or used drugs or engaged in domestic violence but has never been incarcerated), and never-incarcerated non-criminals (individuals who have never committed criminal acts and were never incarcerated). I use domestic violence in the construction of the never-incarcerated criminal measure because many of the incarcerated men in the sample were charged with domestic violence, failure to pay child support, and drug related activities. To the extent that marriage and cohabitation are foregone among women in abusive relationships (Cherlin, Burton, Hurt, and Purvin 2004), estimating the marital outcomes of never-incarcerated criminals, operationalized in this context, means that men incarcerated for similar crimes are a more comparable reference group.

To measure marital uncertainty, I use self-reported information on the likelihood of marriage. During the initial interview respondents were asked “What do you think the chances are you will marry the baby’s mother/father in the future” and “What do you think the chances are that you will ever marry someone?” Response options are “no chance, a little, 50-50, good, and certain.” I recode these categorical variables into numerical probabilities, with no chance equal to 0%, a little equal to 25%, 50-50 equal to 50%, good equal to 75%, and certain equal to 100%.

I also use standard demographic variables (race, age, income, sex, and educational levels) as controls, in addition to the proportion of biological children the respondent has with the baby’s mother/father. It is possible that the probability of marriage to the baby’s mother/father declines due to the competing social and financial interests of additional mothers/fathers.

### 3.3 Methods

I intend to use a Bayesian Growth Model to analyze the effect of incarceration over the life-course. Bayesian methods allow researchers to incorporate prior knowledge about a social problem into their model specifications. Using diffuse or non-informative priors yield similar results from classical statistics; however, when the dataset is large, less weight is placed on the prior, the estimates are driven by the data. I use a Bayesian growth model to analyze these data, where the posterior estimates for any period are influenced by the priors (or hyperpriors) from earlier periods. These models are currently being estimated.



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