

Educational aid for prisoners works. Yet it's politically precarious.

Why all Americans benefit from higher education for those incarcerated

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A new proposal from the Education Department has approved extending federal Pell Grant eligibility to prisoners beginning in 2023. The proposal to codify Pell Grant eligibility came from numerous studies and experiments in the past decade indicating that inmates who receive degrees while incarcerated are better prepared to reenter society. They are also less likely to reoffend and return to prison.

The recent Pell Grant proposal is not the first time the government has turned to federal student aid and higher education to address the problem of recidivism — the rate at which a convicted person, after being released, would return to prison. President Lyndon B. Johnson first provided such aid in the 1960s. Yet despite decades of effectiveness, prisoner access to Pell Grant aid was revoked in the 1994 Crime Bill. At that time, politicians in both major parties portrayed the aid as handout to the “undeserving” to galvanize support for other small government “tough on crime” policies, and they succeeded. A look back at this history shows how the survival of federal aid programs for educating inmates has always depended more on public opinion than on the actual success of these programs, which have proved extremely effective.

Inmates first received federal assistance toward their postsecondary education because of Title IV of the 1965 Higher Education Act (HEA) signed by Johnson. The goal of the HEA was to provide federal financial assistance for college students from lower-income families. Part of the HEA established student loans as an option to cover university costs, but it also expanded federal financial assistance to offset tuition. Based on the eligibility requirements, prisoners seeking a higher education while incarcerated could take advantage of this student aid.

The HEA was one piece of legislation among many that reflected Johnson’s efforts to build a “Great Society” that could eradicate poverty, reduce crime and abolish inequality. The same year he signed the HEA, Johnson also passed the Law Enforcement Assistance Act as part of his “War on Crime,” which increased federal grants to local and state law enforcement. Although Johnson envisioned these pieces of legislation working together, these war-on-crime policies weakened the HEA’s Pell Grant initiatives in subsequent decades.

By the 1970s, the total number of Americans awarded Pell Grants ballooned, increasing from hundreds of thousands of students to more than 2 million. Most federal student aid provided opportunities to college students from low-income families outside the prison system; only about 1 percent of federal student aid went to incarcerated students. Still, the influx of aid dramatically expanded higher education programs in prisons. Between 1973 and 1982, the number of prison programs — including college extension programs offering majors in communications, criminal justice and psychology — nearly doubled from 182 to 350.

For prison officials and advocates, Pell Grants for prisoners showed promising success. Inmates participating in secondary education programs behaved better and custodial officials viewed them as “easier to manage.” These factors, including participation in and completion of a higher education program, aided attempts to seek parole. Programs throughout the United States also reported decreases in recidivism for inmate-students by as much as 57 percent. One program that once had reported 80 percent recidivism, noted rates as low as 10 percent in the early 1980s thanks to prison education opportunities. According to Jon Marc Taylor, a former inmate who became a scholar and award-winning writer, unemployment was the leading factor for increasing recidivism rates. Yet three out of four inmates who received some type of higher education were able to find sustainable employment within the critical first three years after release.

Although this evidence indicated that the program was successful, the efficacy of Pell Grants for prisoners was contested, especially by conservative legislators, who worked throughout the 1970s and 1980s to restrict inmate access to higher education funding. In 1982, Rep. George Whitehurst (R-Va.), for example, sought to place a cap of \$6 million on financial aid allotted to inmates, a bid rejected by the Democratic-controlled House of Representatives. President Ronald Reagan slashed federal spending on higher education by 25 percent, cuts that included Pell Grant spending, and placed more responsibility on students and parents to finance university costs. But even with funding cuts, Pell Grants remained, and inmates continued to benefit.

That changed in the 1990s. A new era of bipartisan support for smaller government “tough on crime” legislation made federal Pell Grants for prisoners a very vulnerable political target. Politicians argued that inmates receiving Pell Grants were effectively diverting student aid from deserving students who hadn’t committed crimes — an argument that drew wide support among working- and middle-class families who, thanks to Reagan-era budget cuts, found tuition expenses increasingly burdensome.

Voters began to view prison education as a scholarship for committing a crime. In a “60 Minutes” television segment called “Prison U,” Massachusetts Gov. William Weld (R) expressed outrage at the idea that, as he stated, “you sell drugs, you murder someone, you rape someone, you go to prison, and you get a free education.” He continued: “You hear kids saying now, ‘Well, you know, if I can’t make it, you know, I can foul up and I’ll go to prison and I’ll get a free education.’”

In another example, NBC’s “Dateline” ran a special report in 1994 titled “Society’s Debt?” that pitted deserving college students who were denied Pell Grants against “lucky” inmate students who received them. One full-time working college student expressed frustration with the presumably easy life of inmates, while he and students like him had to balance work and school. “The prisoners,” he said, “they have their cable TV, they have their weight rooms. What do I have? I have school, I have a job, and I have a bed I see four to five hours a night, and that’s it.”

On another occasion, while addressing the Senate, Sen. Jesse Helms (R-N.C.) read a letter from one father who explained how he was struggling to pay three college tuitions. When he discovered inmates received financial aid that his family was denied, he suggested he should supply his children with weapons and send them out to commit crimes since their postsecondary education in prison would be free.

The 1994 Crime Bill reflected this public discontent with Pell Grant eligibility for inmates. This consequential piece of legislation not only increased prison populations, but it also blocked inmates from receiving higher education financial assistance. In the final year of Pell Grant eligibility in prisons, inmates accounted for \$56 million in funding out of \$9.3 billion allocated for federal higher education aid. Within three years of the passing of the Crime Bill, only eight prison higher education programs were left standing.

But access to financial aid for all students did not improve after this change in legislation. From 1990 to 2010, state subsidies for higher education declined by 26 percent. During this 20-year time span, institutions made up for the decrease in funding by roughly doubling tuition and fees that students had to shoulder. Even with small increases in Pell Grant funding during the 2000s, the drastic rise in higher education costs has diminished the value of financial aid.

In response to the higher education crisis that this imbalance has caused, President Biden — who as a senator sponsored the 1994 Crime Bill — has proposed doubling the Pell Grant budget and extending grants to inmates once more.

As history shows, it is easy to negatively sway public opinion about prison Pell Grants when access to higher education feels out of reach for many Americans. Yet getting rid of Pell Grants for prisoners did not provide more financial aid for students who weren't behind bars. If anything, it simply meant more prison spending because of higher recidivism. Instead, increasing access across the board — including for those who are incarcerated — will help make college more accessible for working-class Americans.