

# Justice System

# Reading

- A Conversation with my Black son
- <http://www.nytimes.com/2015/03/17/opinion/a-conversation-with-my-black-son.html?nav>

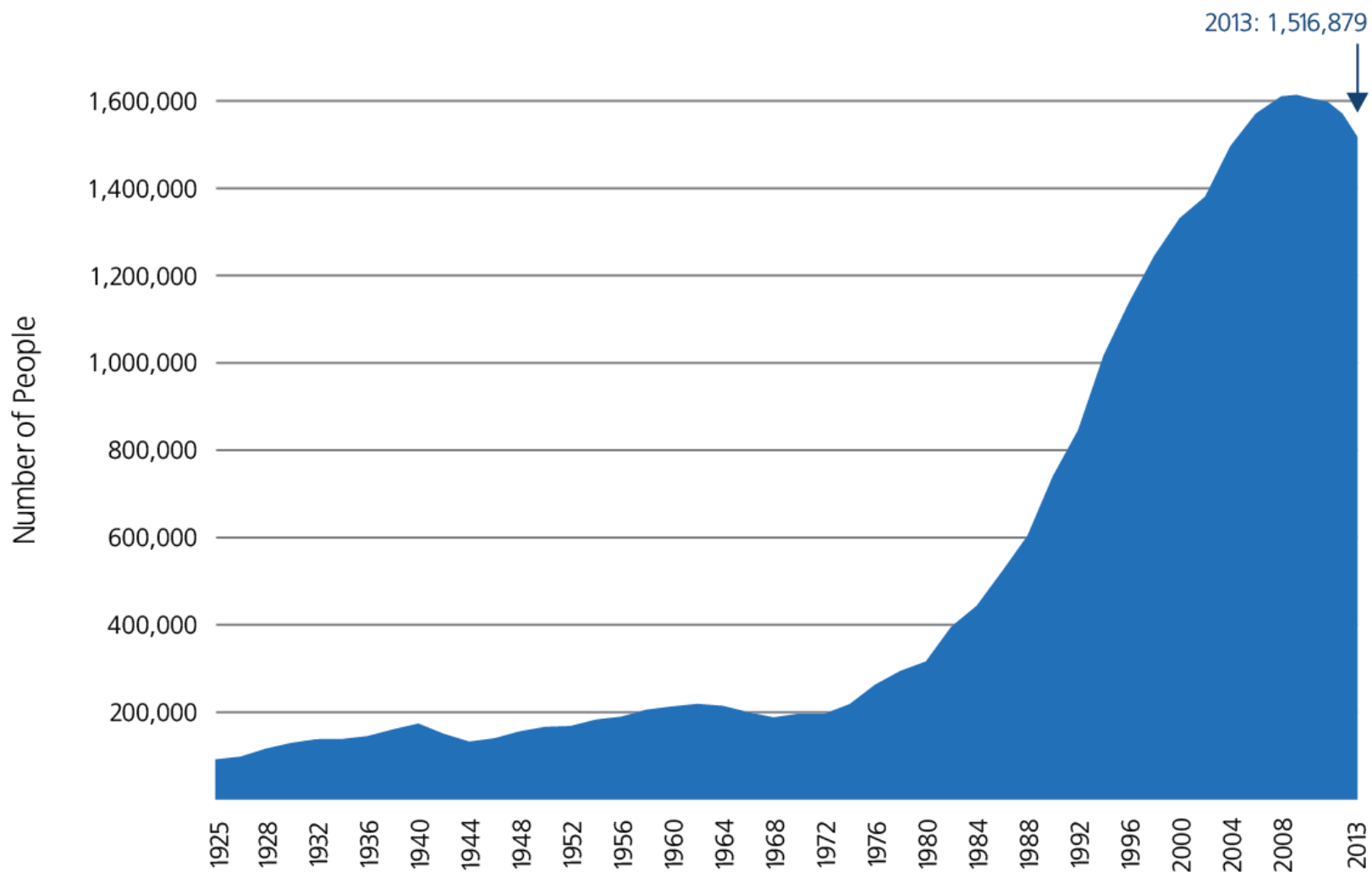
# Questions to Consider

- What are the incarceration rates in the United States?
- Is our fear of crime related to racial attitudes?
- Do members of different racial and ethnic groups commit or are victims of crime?
- What are policing and sentencing practices and how do they relate to racial and ethnic groups?
- Does “justice is blind” apply to our criminal justice system?

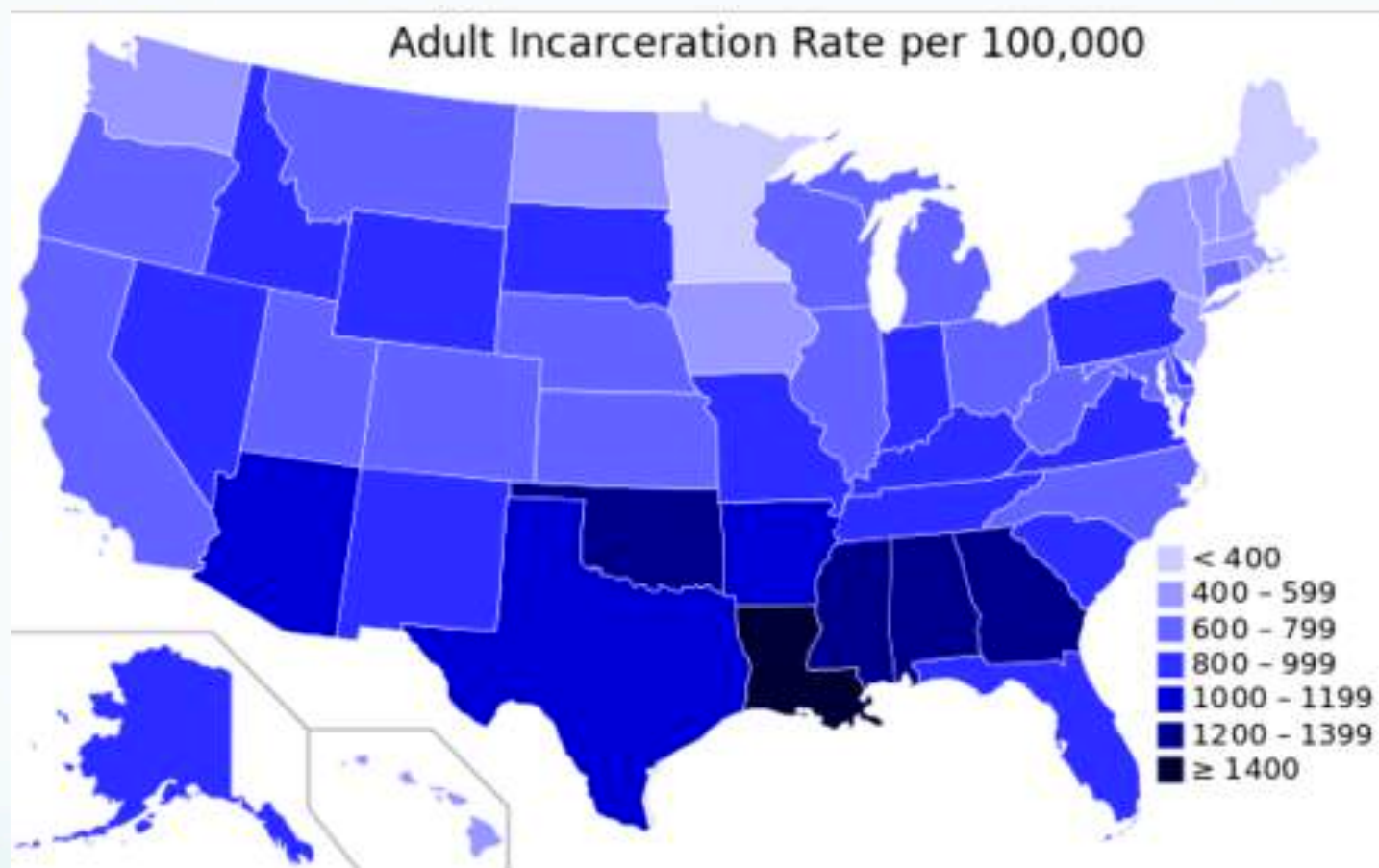
# Strategies to Fight Crime

- "Tough on crime"
  - Mandatory sentencing
  - Three strikes (habitual offenders)-1993/1994
  - Truth in sentencing-1984/1994
  - Quality of life policing-1980s/90s
  - Zero tolerance-1973/1982

## U.S. State and Federal Prison Population, 1925-2013



Source: Bureau of Justice Statistics *Prisoners Series*.



A map of U.S. states by adult incarceration rate per 100,000 adult population. State prisons and local jails. Excludes federal prisoners.



# Evolution of American Justice System

- English common law
- U.S. Constitution
- Civil War

- After slavery-lynch mobs and prison labor camps
- Convict leasing programs
- Early 1900s-FBI, new sentencing laws, juvenile justice system





# Japanese Internment Camps

- 20<sup>th</sup> century-lynching and racialized emphasis reduces; convict labor lessens (due to union protests)
- World War II-Japanese internment camps-110,000 imprisoned (west coast); 30,000 children. 1942-1945
- \$25 and bus ticket home
- \$1.6 billion reparations

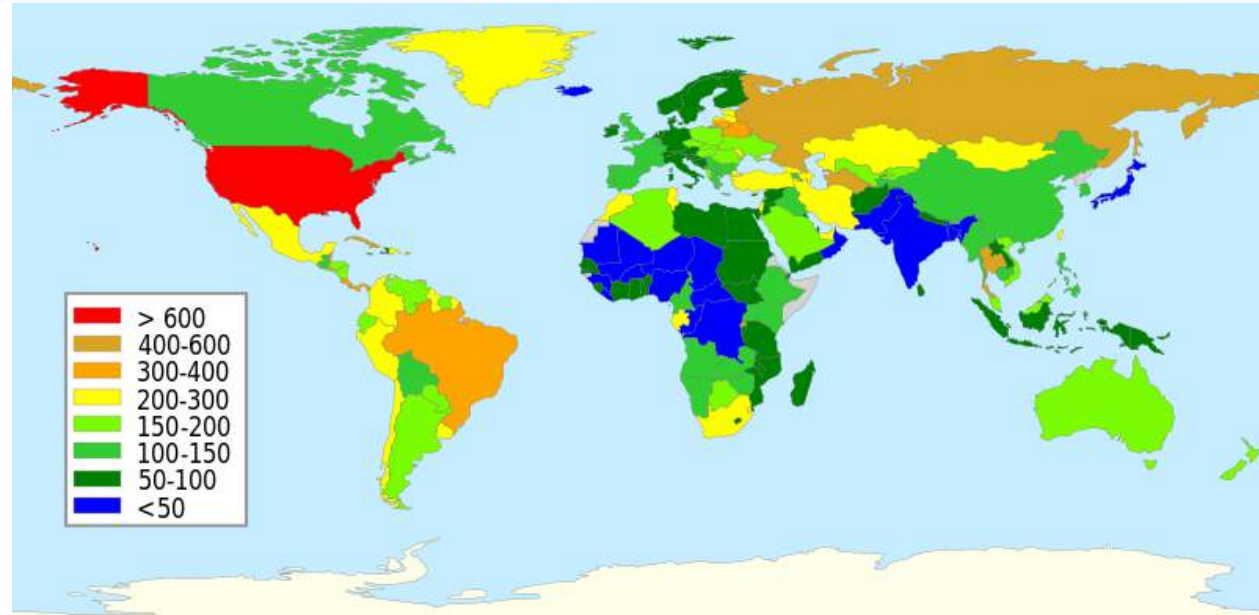
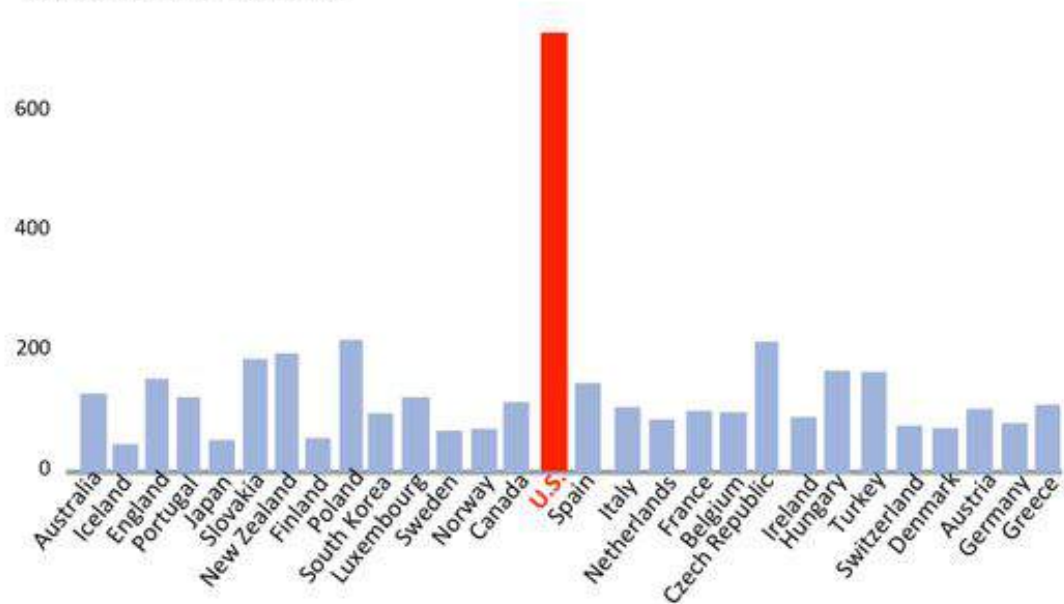
# Prison boom

- 1970s-experts views on incarceration
- Rehabilitation measures needed
- Growth in prison population
- 1925-1975-100,000-200,000 prisoners
- 1975-2000-1.4 million
- 2003-7 million
- Today, the U.S. has 5 percent of the world's population, but nearly a quarter of all of its prisoners.

# Comparison to other Countries

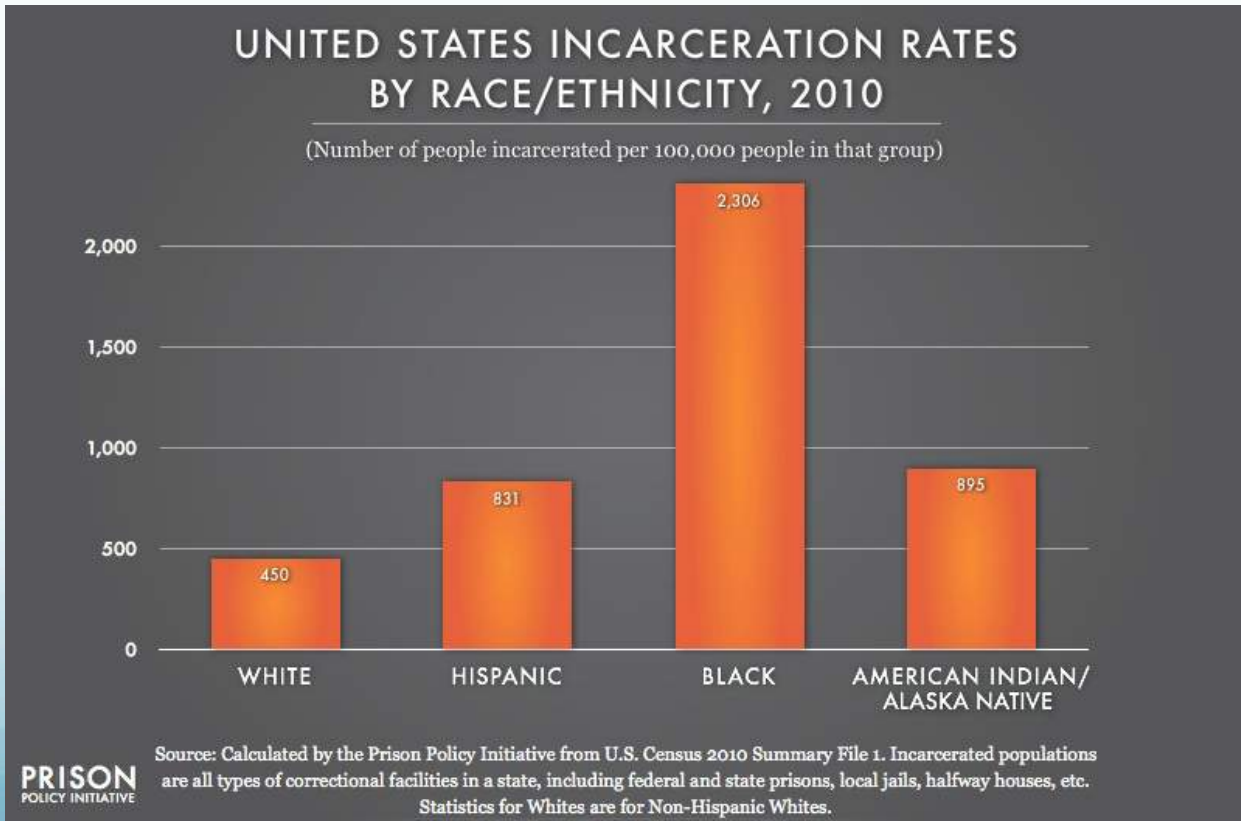
The U.S. has the highest incarceration rate of any country in the world, imprisoning about 716 out of every 100,000 citizens.

800 prisoners per every 100,000 citizens



# Who is in Prison?

- Women-587% increase (1980-2011); 6.7% of total prison population
- Men-non-white males-58% of prison population
- Rate of incarceration after WWII vs after 1960s



# What Caused the Increase in the Prison Population?

- Severe sentencing (mandatory minimum sentences, three strikes, truth in sentencing, etc)
- Drug War
- Parole limited or abolished
- Video-Many Rivers

# Tough on Crime-Law and Order

- Beginning in 1964, Goldwater and Republicans started focusing on crime as a central issue in elections. “Tonight there is violence in our streets”
- Nixon-1968-war on crime-protect Americans from those who “increasingly threaten our cities, our homes, our lives.”
- Reagan-1980s-”war on drugs”-harsher penalties for those found guilty of possessing and selling drugs
- Bush, 1988- Dukakis “soft on crime” “Willie Horton ad”  
<https://www.youtube.com/watch?v=lo9KMSSEZ0Y>

# Law and Order

- Nixon (1968)-"the solution to the crime problem is not the quadrupling of funds for any governmental war on poverty, but more convictions."
- Rehabilitation and war on poverty became minimized in comparison to war on crime
- 1994-Violent Crime Control and Law Enforcement Act
- Prisons and the economy
- <http://www.pbs.org/now/shows/419/video.html>

# Perception

- Crime rates fell during 1990s- 6 out of 10 Americans believed they were rising
- Drug use declined among high schools but Americans listed drugs as danger
- 85% of Americans feel current sentencing guidelines don't deal harshly enough with criminals
- 70% feel we should spend more money on "the crime problem"
- Policy Issues-surveys



# Media

- “If it bleeds, it leads,” goes the saying about local news coverage.
- Columbus, Ohio
- Los Angeles, California
- 1990-1998-murder rate fell by 20%; stories on newscasts increased by 600%
- fear of perceived threats

# Do Immigrants Increase Crime?

- “Roughly 1.6 percent of immigrant males 18-39 are incarcerated, compared to 3.3 percent of the native-born. The disparity in incarceration rates has existed for decades, as evidenced by data from the 1980, 1990, and 2000 decennial census. In each of those years, the incarceration rates of the native-born were anywhere from two to five times higher than that of immigrants.”
- “The weight of the evidence suggests that immigration is not associated with increased levels of crime. To the extent that a relationship does exist, research often finds a negative effect of immigration on levels of crime, in general, and on homicide in particular.

# Types of Crime

- Drug Trafficking
- Illegal drugs-8% of worldwide trade-\$300-400 billion per year
- 2012-24 million Americans used drugs each month
- “underground economy”

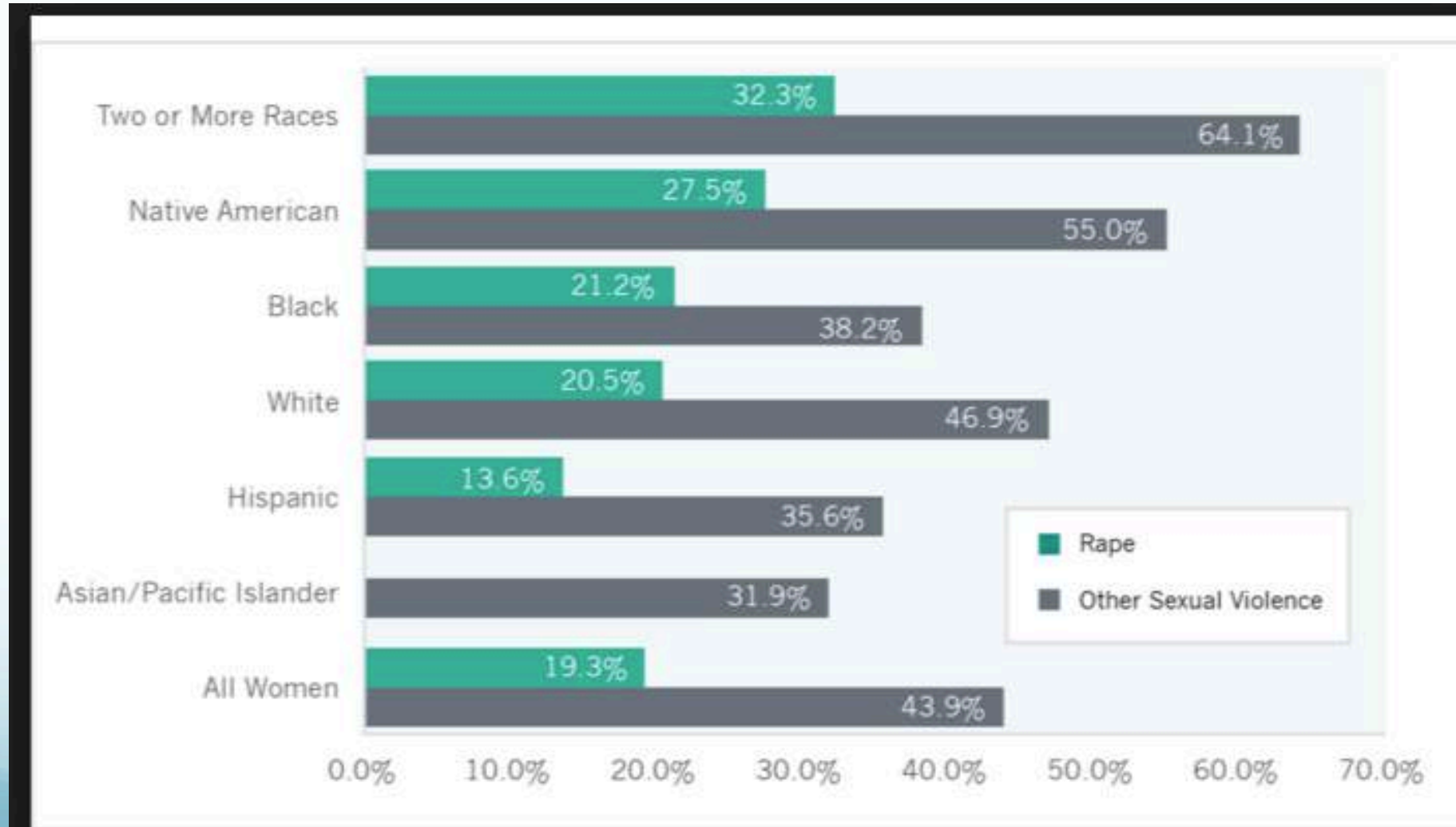
# Types of Crime

- White-Collar
- Technological crimes-computer hacking, identity theft, tax evasion, counterfeiting, money laundering, embezzling, environmental law violations
- Financial crimes-collapse of 2008 and Great Recession
- Americans three-times more likely to die of occupational hazards than of homicide.

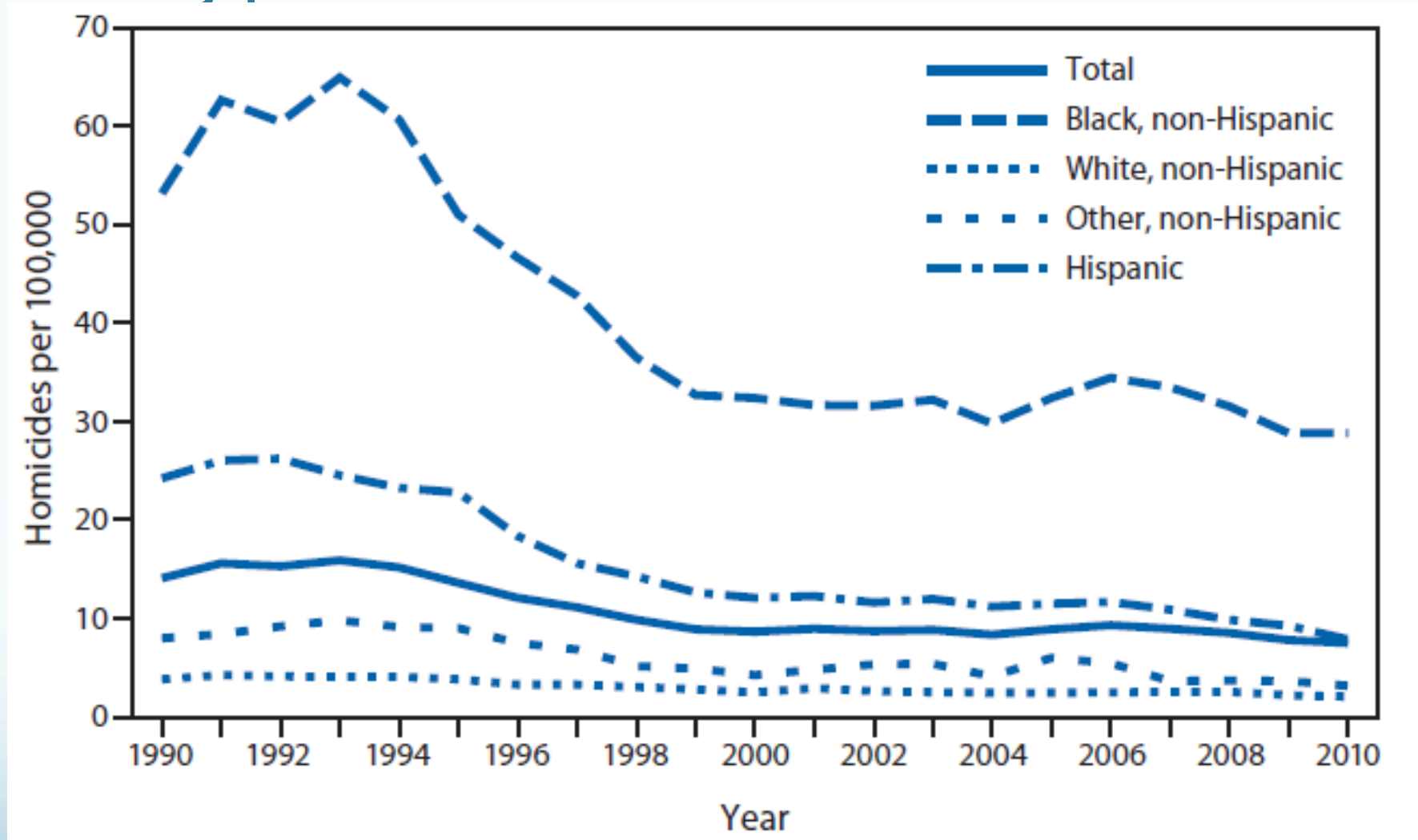
# Types of Crime

- Violence Against Women
- 10 million per year-domestic violence
- Every 9 seconds in the US, a woman is assaulted or beaten
- 1 in 3 women and 1 in 4 men have been victims of [some form of] physical violence by an intimate partner within their lifetime
- 1 in 5 women and 1 in 71 men in the United States has been raped in their lifetime.

# Race and Ethnicity and Violence



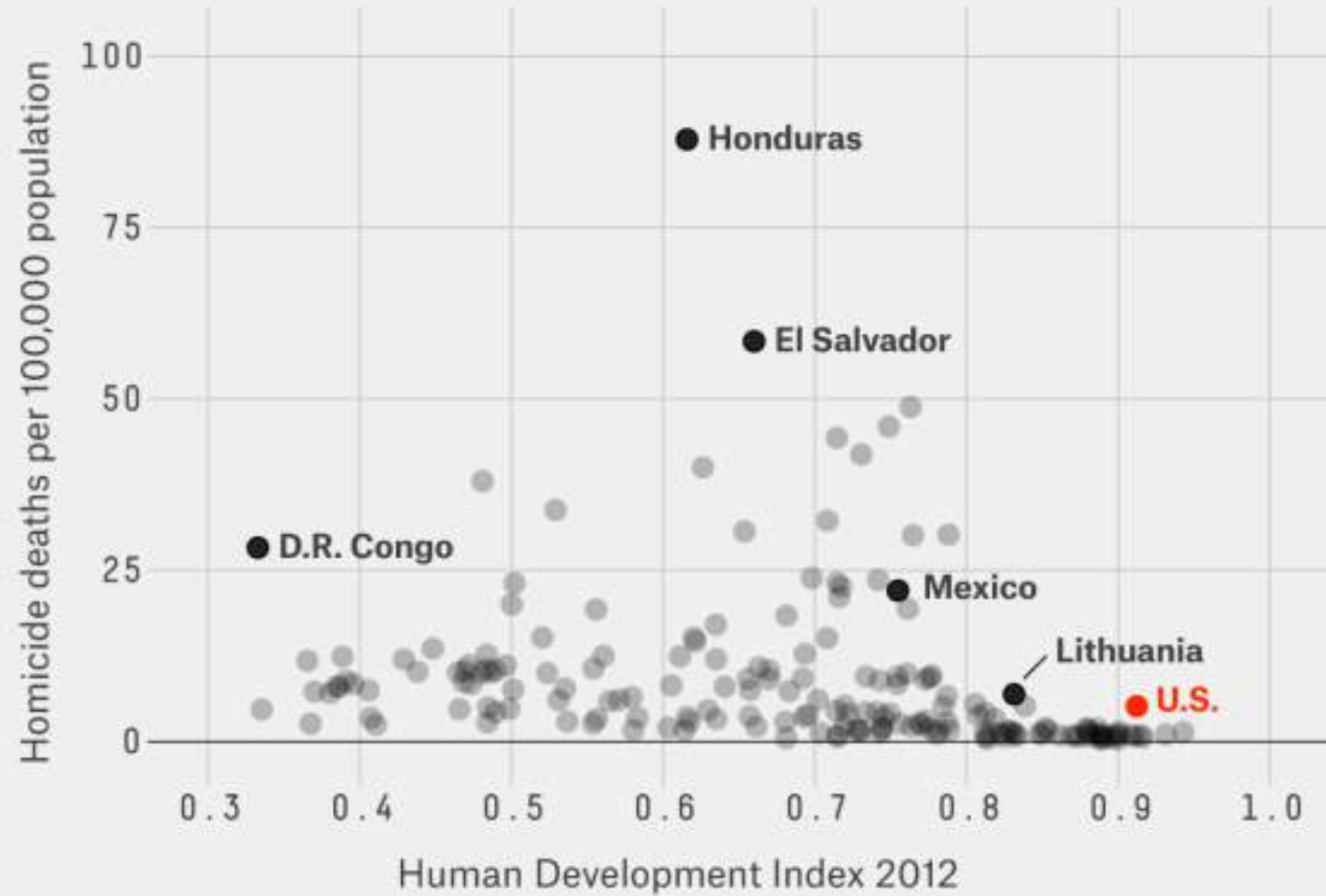
# Type of Crime: Homicide



- Homicide rates among persons aged 10–24 years, by race/ethnicity — United States, 1990–2010

## Is The U.S. An Outlier In Homicides?

Homicide deaths per 100,000 population, 2010-12 average





## Homicide Deaths Per 100,000 Population

2010-12 average, high-Human Development Index countries



# Why are the rates so high?

- Violence in the media?
- Video games
- Guns
- Violent crime thrives in neighborhoods with structural disadvantages (neighborhood-level differences)

# Punishment

- Incarceration:
  - Increased sentencing laws; mandatory sentencing
  - Drug sentencing laws
  - Prison privatization:
  - <http://www.pbs.org/now/shows/322/index.html>

# Incarceration Rates by State

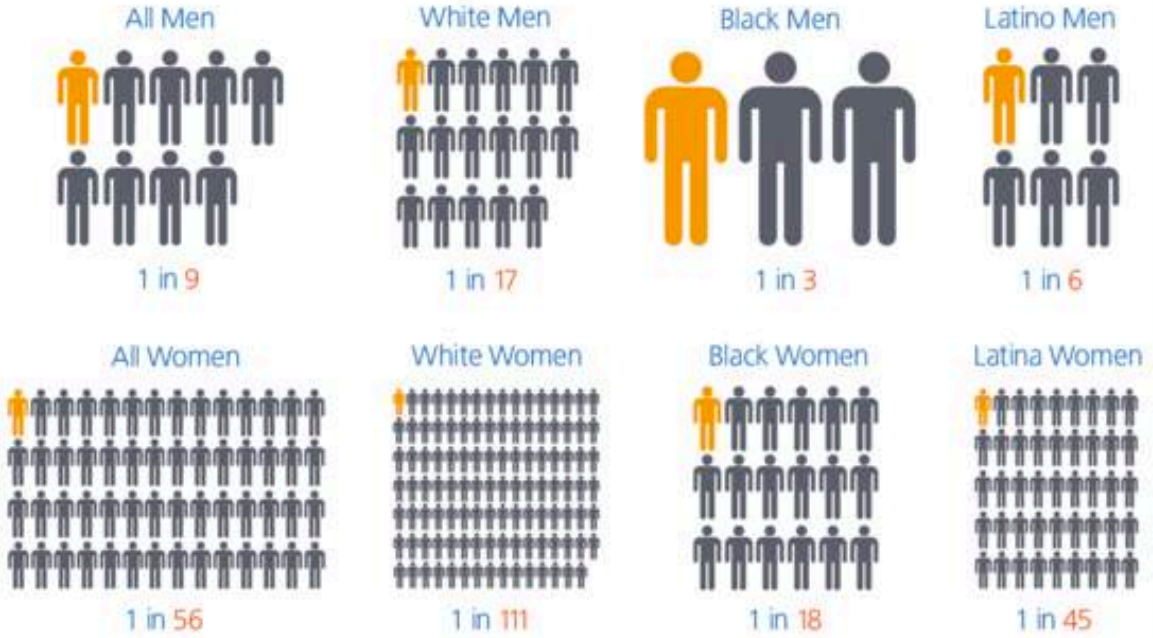
	Jurisdiction	Yearend 2013. In prison or jail	2013 rate per 100,000 adults	2013 rate per 100,000 of all ages
	<b>State</b>	<b>2,012,400</b>	<b>830</b>	<b>636</b>
	<b>Federal</b>	<b>215,100</b>	<b>90</b>	<b>68</b>
	<b>U.S. total</b>	<b>2,227,500</b>	<b>910</b>	<b>704</b>
◆	◆	◆	◆	▼
1	Louisiana	50,100	1,420	1,082
2	Oklahoma	37,900	1,300	983
3	Mississippi	28,800	1,270	962
4	Alabama	46,000	1,230	951
5	Georgia	91,600	1,220	916
6	Texas	221,800	1,130	836
7	Arizona	55,200	1,090	831
8	Florida	154,500	990	788
9	Arkansas	22,800	1,010	770
10	Delaware	7,000	960	756

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◆	◆	◆	◆	▲
1	Maine	3,800	350	285
2	Minnesota	15,700	380	289
3	Massachusetts	21,400	400	318
4	Rhode Island	3400	400	322
5	Vermont	2,100	410	335
6	New Hampshire	4,800	460	362
7	District of Columbia	2,400	450	369
8	North Dakota	2,700	470	373
9	Hawaii	5,600	510	397
10	Iowa	12,700	530	410
11	New York	81,400	530	413

# Incarceration Rates by Race/Ethnicity

More than 60% of the people in prison are now racial and ethnic minorities. For Black males in their thirties, 1 in every 10 is in prison or jail on any given day. These trends have been intensified by the disproportionate impact of the "war on drugs," in which two-thirds of all persons in prison for drug offenses are people of color.

### Lifetime Likelihood of Imprisonment

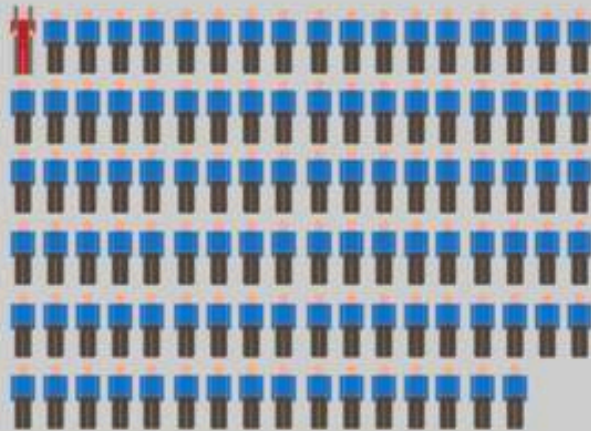


Source: Bonczar, T. (2003). *Prevalence of Imprisonment in the U.S. Population, 1974-2001*. Washington, D.C.: Bureau of Justice Statistics.

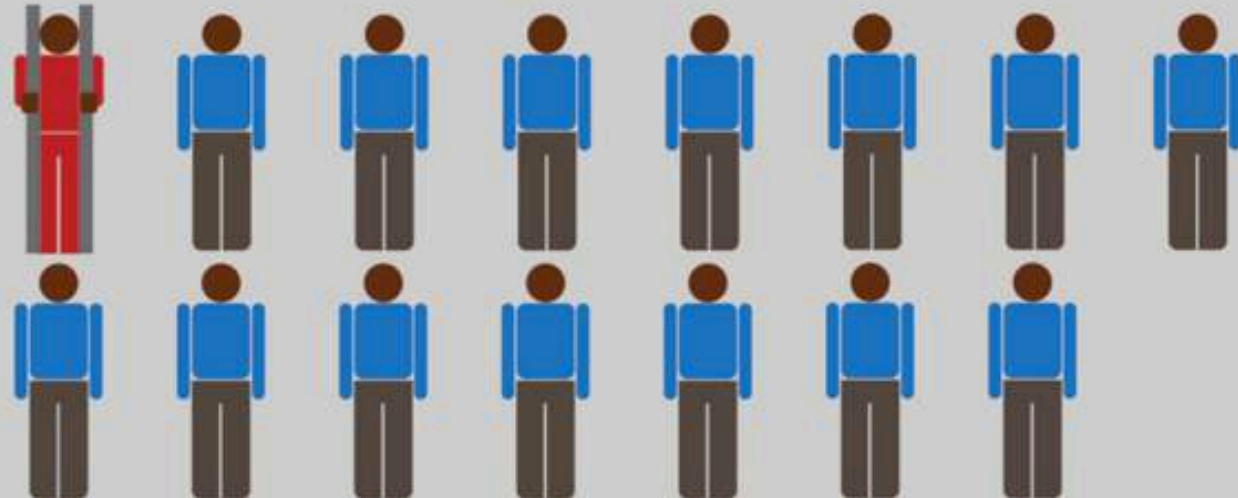




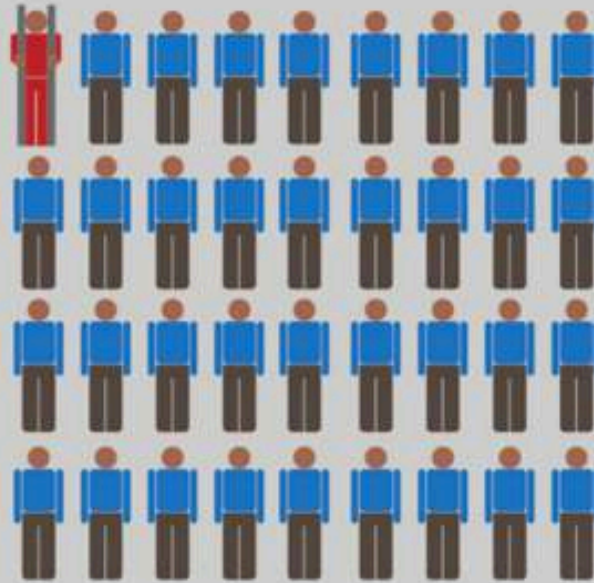
1 IN EVERY 106 WHITE MALES AGE 18 OR OLDER IS INCARCERATED. 5



1 IN EVERY 15 BLACK MALES AGE 18 OR OLDER IS INCARCERATED. 5



1 IN EVERY 36 HISPANIC MALES AGE 18 OR OLDER IS INCARCERATED. 5



- [http://www.ted.com/talks/  
alice\\_goffman\\_college\\_or\\_prison\\_two\\_destinies\\_one\\_blatant\\_injustice/  
transcript?language=en](http://www.ted.com/talks/alice_goffman_college_or_prison_two_destinies_one_blatant_injustice/transcript?language=en)



— POLICE —  
**ACCOUNTABILITY**  
TASK FORCE

**Recommendations for Reform:**

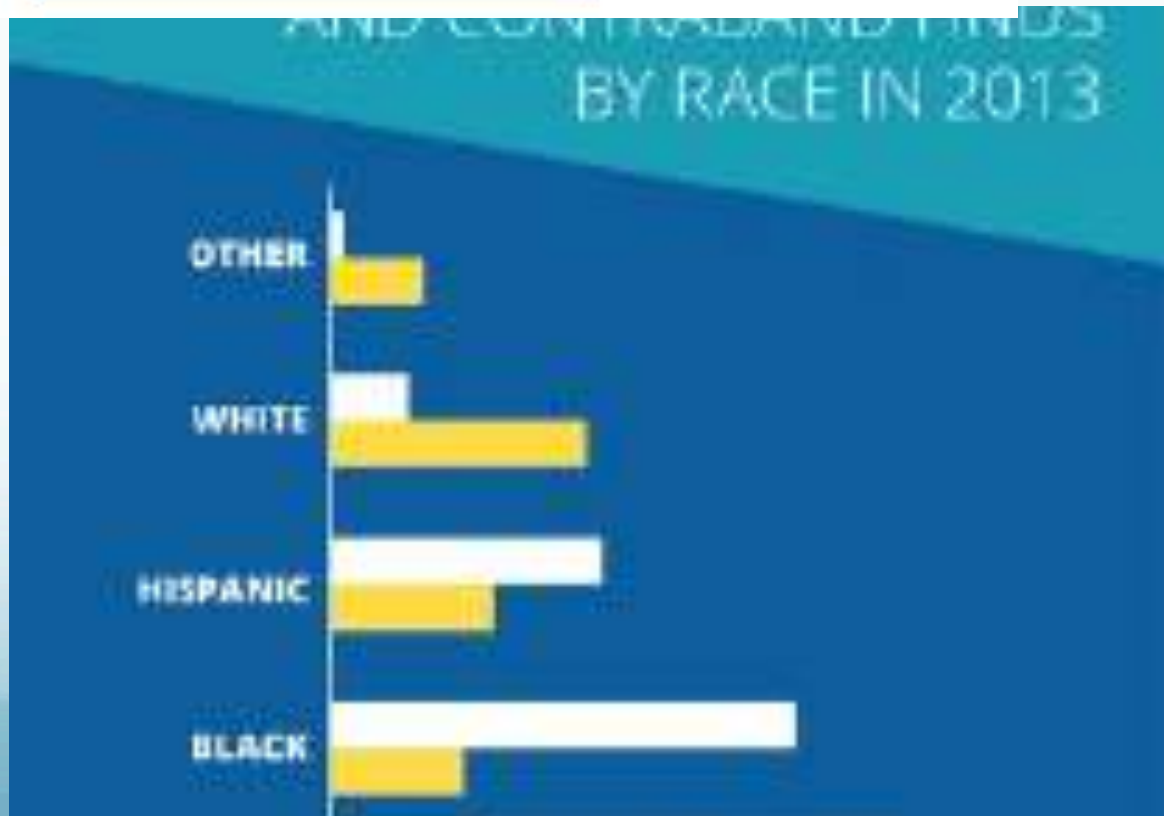
Restoring Trust between the Chicago Police  
and the Communities they Serve

EXECUTIVE SUMMARY

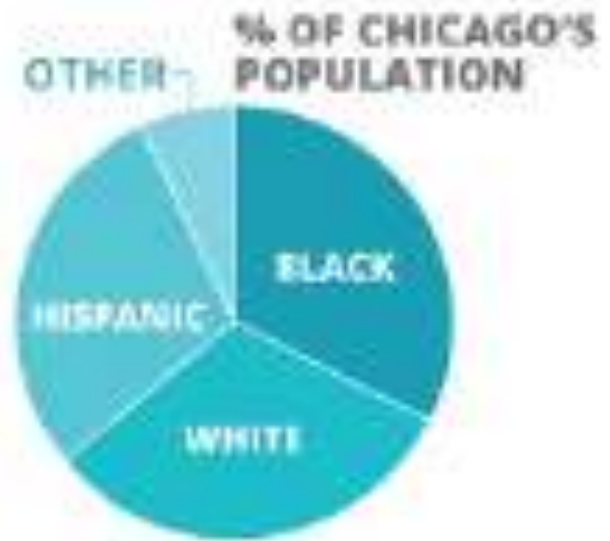
April 2016

**Traffic Stops:** In 2013,

- 46% of 100,676 traffic stops involved African-Americans;
- 22% involved Hispanics;
- 27% involved Whites.<sup>15</sup>

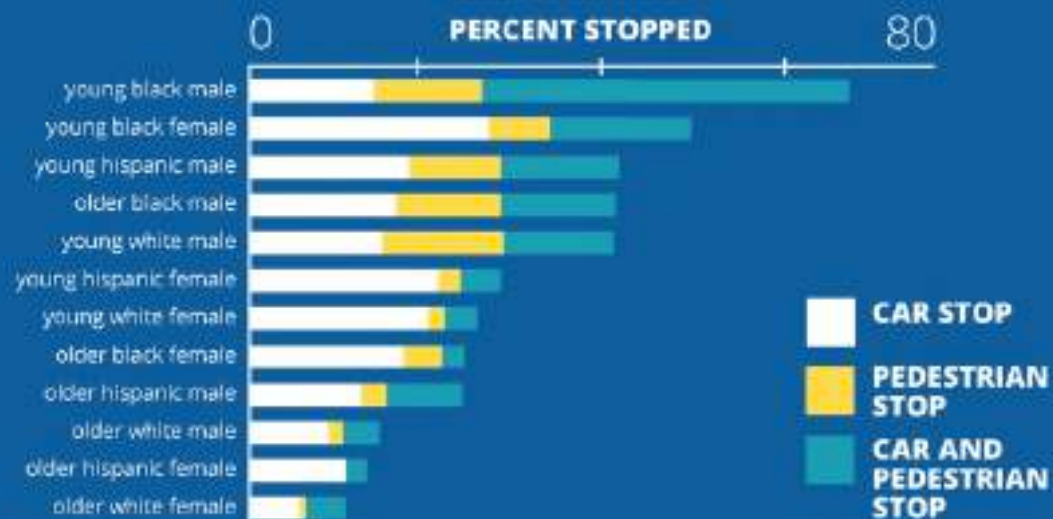


SEARCHES (WITH OR WITHOUT CONSENT)



## STOPS IN 2015

BY AGE, RACE AND SEX (BASED ON SURVEY DATA)



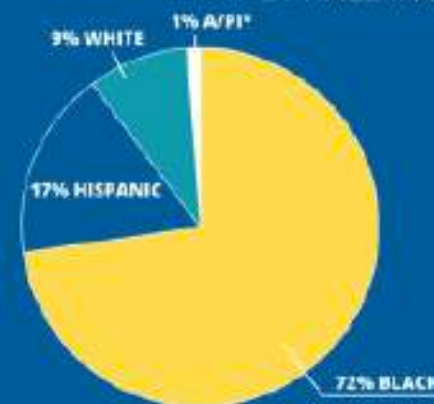
**Other Street Stops:** In the summer of 2014, CPD stopped more than 250,000 people—93.6 for every 10,000 City residents—in encounters not leading to arrests.<sup>16</sup> (This figure dwarfs the number of stops by New York City police, which from 2011-2014, stopped anywhere between 1.6 and 22.9 people per 10,000.)

Of those 250,000 people stopped by CPD in the summer of 2014,

- 72% were African American;
- 17% were Hispanic;
- 9% were White; and
- 1% were Asian.

## STOPS

BY RACE IN 2014

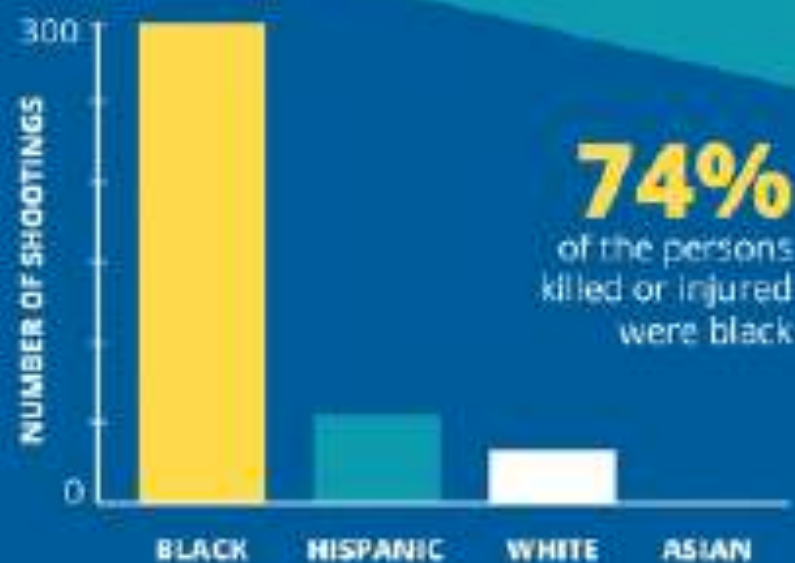


According to the American Civil Liberties Union of Illinois (ACLU)

\* ASIAN-PACIFIC ISLANDER

## OFFICER INVOLVED SHOOTINGS

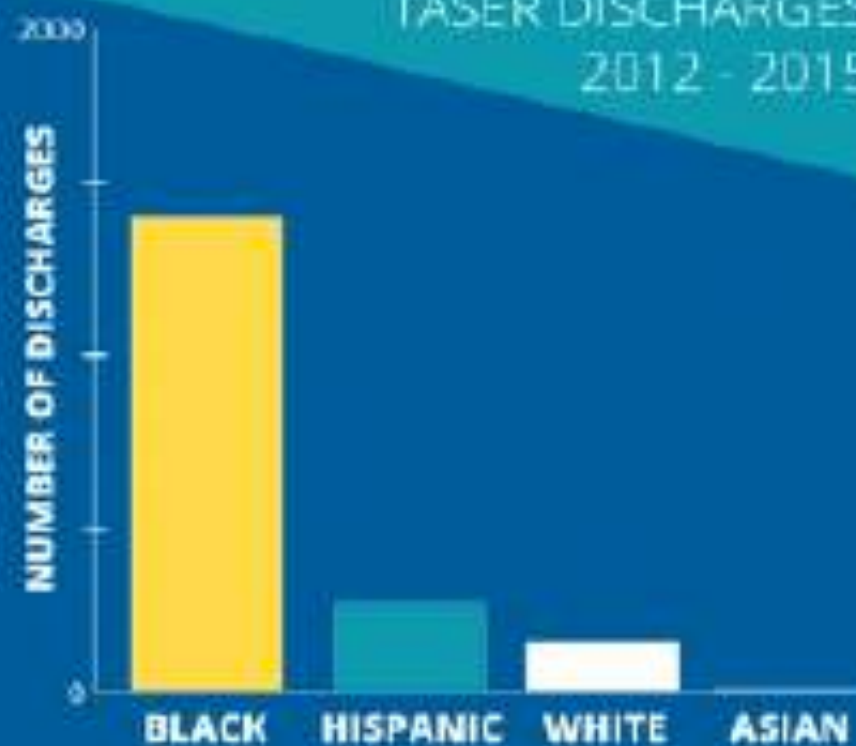
2008 - 2015



## OFFICER INVOLVED

TASER DISCHARGES

2012 - 2015



# Prison Reform

- Sentencing policy
- Prison policy
- Social policy
- Principles:
  - Proportionality
  - Parsimony
  - Citizenship
  - Social Justice