Explaining State Black Imprisonment Rates 1983-1999
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Abstract
This paper addresses the problem of rising Black/White disparities in imprisonment. Annual state imprisonment rates for 1983-1999 are calculated from the Correctional Populations of the United States (CPUS) and National Corrections Reporting Program (NCRP) data. Dependent variables are the Black and White rates of being "in-prison" (CPUS) and of sentences to prison, disaggregated by offense group. Multivariate pooled time-series analysis using panel-corrected standard errors is employed to identify the correlates of Black and White imprisonment rates with and without a control for the lagged dependent variable and, for Blacks, with and without a control for the White imprisonment rate. The most consistent predictor of the level and growth in Black imprisonment is the Black/White poverty ratio, not the absolute level of Black poverty (which is negatively related). Percent Black in the state's population is negatively related to the level of a state's Black imprisonment, but has weak effects on growth in Black imprisonment. Crime rates have illogical and inconsistent effects. Imprisonment is discussed as a political phenomenon that integrates economic and racial dynamics.

©1/14/03. Prepared for the 2004 American Sociological Association Meeting. This is a draft in process. We expect the analysis and argument to be refined between now and this summer. We recognize that this is a complex analysis and will make no attempt to "read" this paper or to talk through all the numbers in the tables. Instead we will prepare a summary of the main points of the analysis, and provide copies of the tables to audience members who want to study them more closely.
It is well known that Blacks\textsuperscript{1} are much more likely to be arrested and incarcerated than Whites, and that this is a longstanding feature of the United States. What is less well known is that the Black/White disparity in the rate of imprisonment rose substantially between 1900 and 2000 despite the Civil Rights Movement and other trends toward greater racial equality. (See figures 1 and 2.) At the beginning of the 20\textsuperscript{th} century, when Jim Crow segregation was at its height, national Black/White disparity ratios in imprisonment were in the range of 2 to 4. Disparity ratios were in the 4 to 6 range in the 1950s and 1960s\textsuperscript{2} and were about 7 in the early 1980s. At the mid-1990s, the disparity ratios in prison admission were over 10, settling back down to 7 to 9 by the end of the decade, depending on the measure. (See figure 3). Even if the disparity ratios had remained constant, the Black-White gap in incarceration rates would have grown dramatically in the imprisonment boom of the 1980s and 1990s because Blacks were starting with a higher base. But the coupling of massive overall growth in incarceration with disparity increases created a system of massive incarceration focused primarily on Black people.

Why would the Black-White disparity in imprisonment grow over time? Why would the prison system become increasingly targeted on Black people? What has been going on in United States race relations to make racial differences in imprisonment so much worse in the years after the Civil Rights Movement? If we want to answer these questions, we have to be careful in specifying just what happened. This article seeks to shed light on the dynamics of spiraling Black incarceration rates in the United States by identifying the factors that contributed to state-level variations in Black and White imprisonment rates in the 1980s and 1990s. We find that we cannot account for rising disparity within our analysis, but by compiling longitudinal data and disaggregating imprisonment rates by race and type, we are able to specify more clearly just what needs to be explained, and discard some plausible but wrong suggestions.

Our thinking on this issue begins with a quite well-established but little-known fact that seems contrary to common understanding and quite a bit of theory: Black imprisonment rates tend to be higher where Blacks are a smaller percentage of the population. One corollary of this fact is that Black imprisonment rates tend to be lower in the South than in the North. This seems contrary to regional stereotypes about race relations and contrary to theories of inter-group threat. When this pattern has been reported, it has rarely been discussed in much detail or theorized. However, it is quite consistent with theories that consider the cost of social control and the political power of the objects of this control. Using state-level data, we more carefully document this relationship and how it does and does not persist in the face of controls, identify other factors affecting imprisonment rates, and then consider the factors predicting year-to-year changes in imprisonment rates. We find that Black/White inequality, not the absolute level of deprivation, is the most important predictor. Overall, we find that attention needs to be focused on the dynamics of Black/White economic inequality and on the factors that fed the "drug war."

To set up the context for this analysis, we begin by sketching some basic facts about recent trends. Incarceration rates in the United States exploded between the mid-1970s and the late 1990s. By the end of the 1990s, the incarceration rate in the US was 3.5 times higher than it was at its peak at the end of the Great Depression of the 1930s, and 2.7 times higher than it was in 1981. Spiraling incarceration rates were not a simple mechanical response to crime rates.
Although crime was relatively high in the late 1960s and early 1970s when the shift began, after 1975, crime generally declined with small oscillations, while imprisonment moved steadily upward. Instead, rising imprisonment rates were due to policy changes in responses to crime, to the wave of "tough on crime" policies that increased the use of prison as a punishment for crime, increased the length of prison sentences for any given crime, and increased the rate of revocations of probation and parole. Additionally, punitive "drug war" policies, which began in the 1970s but escalated in the late 1980s, led to increases in prison sentences for drug crimes.

Some basic trends we have calculated from the data we have compiled from the National Corrections Reporting Program (NCRP) help to specify these trends. The rate of admission to prison on a probation or parole revocation was 3.5 times higher in 1999 than 1983 (the first year of the NCRP series), while the rate of new prison sentences was only 2.0 times higher. More specifically, the rate new prison sentences for all offense groups except drug offenses was only 1.5 times higher in 1999 than in 1983, while the rate of new prison sentences for drug offenses was 8.0 times higher. For all races combined, drug sentences as a proportion of all new prison sentences rose from 8% in 1983 to 32% in 1989, and stayed between 30 and 32% throughout the 1990s. In short, the escalation in imprisonment rose only modestly due to sentences for violent and property crimes. Most of the increase was due to drug offenses and probation or parole revocations.

These trends were racially targeted. The rising disparity of the 1980s and 1990s can be more narrowly specified with NCRP data. Figures 3 and 4 plot the Black/White disparity ratio for different incarceration rates. Figure 3 indicates that the disparity was higher for prison admissions than for the state of being in-prison, and that the disparity in probation and parole revocations was higher than the disparity in new sentences, especially after 1992. Figure 4 indicates that nearly all the increase in new sentence disparity was due to drug sentences. The drug sentence disparity rose from under 5 in 1983 (when it was lower than for any other offense category) to nearly 21 in 1991, and was still over 15 in 1999. By contrast, the range of variation in the disparity ratio was around 3 for robbery and 2 for theft, violent and other offenses.

Why would the disparities for revocations and drug sentences increase so much more rapidly and be so much more volatile than the disparities for other offenses? One simple explanation, that this represents an epidemic of drug use among Black people, has to be rejected: public health data indicate that Black and White rates of using illegal drugs are roughly equal, and were declining for both races while drug imprisonments and the Black/White disparity in drug imprisonments were skyrocketing.

*Prima facie*, whatever was going on to cause these patterns has to be something more complex than a simple response to crime rates. In fact, it is well understood that the shifting crime control policies that led to these patterns in imprisonment were products of political decisions by elected officials to be "tougher" on crime generally, to shift from rehabilitative to punitive models of handling offenders, and to channel money into a supply-side "drug war." Our argument is that understanding these patterns requires a framework that links theories of social control, political processes, and ethnic/racial conflict. These basic patterns suggest that patterns of Black/White inequality are not simply holdovers from the past, but are being created and recreated in the ongoing present. Instead of trying to explain away racial disparities with the right controls, our
goal should be to understand how and where and under what conditions racial inequality in social control is increased or decreased. Clearly, the prison system has become a major part of the system of racial inequality in the United States.

Instead, we suggest the need to attend to threat and social control dynamics in inter-group conflict, the political "clout" of minorities, and the costs of repression. We believe the explanation of the negative relation between "percent Black" and the Black imprisonment rate is probably relatively straightforward: it arises because it is more costly and politically more difficult to execute repressive policies targeting Blacks where Black people are a more significant fraction of the population. In our analysis, we control for a large number of demographic, economic, and political factors as a way of focusing in on just how this process works.

Prior Theory and Research

Theories of Threat
Most thinking about the racial dynamics of criminal justice has focused on theories of threat, generally taking off from Blalock's (1970) power-threat thesis, which predicts a curvilinear relation between a minority's size and the hostility it encounters. The thesis says that political antagonism towards Blacks increases as the size (threat) of a Black population grows, but decreases once the Black population achieves a certain degree of political power. Most research on threat has focused on the relation between total social control rates and the percentage of the population who are Black. There is substantial evidence that expenditures on social control are higher where the Black population is larger. Jackson's (1989; 1992) research consistently finds that the size of a Black population predicts the size of a police assets and enforcement capability. She interprets these relationships not in terms of an actual crime threat, but in terms of political decision-making against a backdrop of power-threat -- particularly as a function of post-1960s riot social control. Jackson and Carroll (1981) find a curvilinear relationship between percent Black and police expenditures, similar to what Blalock's theory would predict. Greenberg, Kessler, and Loftin (1985) qualify the findings in a follow-up to Jackson and Carroll. They find that the curvilinear relationship of percent Black on police strength is apparent for the 1950s and 1960s, but not 1970s in the South. Outside of the south, percent Black had a small quadratic effect in the 1950s, a modest one in the 1960s, and a negligible one in the 1970s.

Fording (2001) analyzes incarceration and AFDC as alternate responses to [Black] insurgency using two-stage least squares and panel-corrected standard errors for a pooled time series of US states 1962-1980, with a focus on factors that increase a welfare response. His analysis shows that incarceration escalates in response to insurgency events and calls important attention to the relation between political events and the criminal justice system. Electoral access, the percent Black, is treated as a mediating factor that increases the welfare response, but he does not directly consider the question of the relation between percent Black and the incarceration response.

Sometimes explicit, but usually implicit, in explanations of threat hypotheses, is generalized fear, paranoia, and prejudice of Whites towards Blacks (Tolnay and Beck 1992 have a concise discussion). Research shows that the presence of Blacks (higher percent Black) is linked to
White perceptions of crime, and heightened racial prejudice (Quillian 1996). Taylor (1998) also argues that percent Black is related to a "swelling" of such attitudes, but contends that the actual mechanisms underpinning threat are unclear. Stults & Baumer (2003) use structural equation modeling to directly represent the mediating perceived and economic threat. Oliver and Mendelberg (2000) emphasize limitations on threat perceptions, and argue that the assessment of threat depends on the SES context of Whites. Niemann et al. (1998) note that White workers have very negative stereotypes of Black workers.

**Race-Specific Rates and Percent Black**

The correlation is strong and positive between the total imprisonment rate of a state and the percentage of the population who are Black. This fact has been the basis of a great deal of theorizing about social control being higher where there is a greater threat to Whites from Blacks. For example, in Greenberg and West's (2001) multivariate analysis, percent Black and the change in percent Black are among the strongest predictors of total state imprisonment rates in 1971, 1981 and 1991. Other examples are Arvanites (1993, 1997), Arvanites and Asher (1998) and Jacobs and Carmichael (2001). Positive correlations between percentage Black and total imprisonment have been used to support "minority threat" or "black criminality" explanations, but there is an aggregation error. Because the black-white differentials in arrest and imprisonment are so high, percent Black is nearly always a significant predictor of total imprisonment rates. In fact, the black imprisonment rate is generally lower where the black population percentage is higher. Jackson (1989) makes this point regarding city-level arrest rates. The trouble with this argument is that the incarceration disparities are so high that percent Black has to drive the total incarceration rate because it is Blacks who are being imprisoned.

The race-specific incarceration rates tell quite a different story. Considering simple bivariate correlations, the percent Black is negatively correlated with Black rates of prison admission and being in prison in the historical admission statistics for 1926-1982 compiled by Langan (1991), in the National Corrections Reporting program data for 1983-1999, and in the imprisonment figures published in Correctional Populations of the United States 1981-1998. Our analysis shows that states with smaller Black/White ratios do have much higher between-state dispersion in their Black imprisonment rates than states with larger Black populations, but this does not appear to be a methodological artifact. When the between-year standard deviation is calculated within states, it has only a very small negative correlation with the Black/White population ratio, and the negative correlation is even smaller for the coefficient of variation (standard deviation divided by the mean). Rather, it appears that states with small Black populations (B/W<.1) differ substantially from each other in their Black incarceration rates. But, despite this large variability, on the average their Black incarceration rates are higher than for states with larger Black/White ratios.

The negative relationship between the percent Black and the Black incarceration rate is periodically reported, but never theorized. Langan (1991) attributes much of the growing disparity in imprisonment between 1926 and the 1970s to the migration of Blacks from the South to the North and West, where Black incarceration rates were higher. But that answer begs the question of why incarceration rates were higher in the North. Christianson (1981) documents state-level imprisonment disparities using the prison census; his tables show the negative relation to percent Black, but it is not discussed. DeLisi and Regoli (1999) note the negative relationship
between percent Black and imprisonment disparity, but simply adduce it as "proof" that racial disparities in imprisonment cannot be due to prejudice, since (they assert) it is not feasible that the South is less prejudiced than the North.

Only a handful of multivariate studies have examined the predictors of state-level Black imprisonment rates or Black/White disparities, and none has given serious theoretical attention to the percent Black. Blumstein (1982; 1993) considered three possibilities for the rate of racial disparities: (1) Blacks in South are more compliant; (2) Blacks in the North live in more high crime areas; (3) A compositional effect, wherein liberal states send only serious offenders to prison and the racial differential in arrest (or offending) is highest for very serious crimes, then transparent processing would lead to high imprisonment disparities. He finds some evidence for the last explanation, but the rising drug incarcerations of the 1980s and 1990s are inconsistent with this hypothesis.

Bridges and Crutchfield (1988), predict state-level disparities in imprisonment using the prison census of 1982 and a wide variety of independent variables. Their dependent variable is the disparity ratio, but they decompose this by predicting the log of Black and White imprisonment rates separately. Imprisonment of both races is strongly related to race-specific arrest rates. Factors that significantly reduce White imprisonment (net of the arrest effect) are higher Black/White inequality, a higher ratio of Black to White metropolitan concentration, the use of parole, and a lower percentage Black in the population. The coefficients for Black imprisonment are generally non-significant, except that use of parole also reduces Black imprisonment. The authors conclude that most of the disparity is produced by factors that reduce White imprisonment rates, rather than those that increase Black rates.

Hawkins and Hardy (1989) finds a negative correlation between percent Black and the Black/White imprisonment disparity controlling for arrest rates using the prison census of 1980, but merely reported the result without discussion. Yates (1997) predicts the average 1991-3 disparity in imprisonment rates for 49 states using multiple regression, and found that the Black/White disparity was negatively related to historical levels of Black insurgency, the presence of Black elected officials, Black/White inequality and the Black/White disparity in statewide urban concentration. Though noting that prior research by Bridges and Crutchfield has revealed a negative relationship between percent black and the Black/White imprisonment disparity, Yates does not analyze the effect of black relative population size. Crawford, Chiricos, Kleck (1998) find in Florida that racial difference in sentencing more apparent in lower percent Black contexts.

Assessing the Effects of Differential Involvement
A great deal of older research explained Black overrepresentation in prisons as a product of Black’s higher rates of offending, either with ecological correlations between percent Black and crime rates, or calculations of the contribution of differential arrest rates to differential imprisonment rates. One technique, originally used by Blumstein (1982, 1993) and often repeated with variations (e.g. Boggess and Bound 1997; Crutchfield, Bridges, and Pitchford 1994; Austin and Allen 2000), calculates the proportion of imprisonment disparity due to arrest disparity, and attributes arrest disparities to "real differences" in crime. Such calculations find that arrests do account for a significant proportion of the disparity, that the proportion accounted
for by arrests has declined over time and varies greatly by offense and depending upon the level of geographic aggregation used. However, arrest rates themselves are a product of both offending rates and enforcement rates, so comparisons of arrest rates and imprisonment rates cannot tell the whole story. For very serious crimes, especially homicide, robbery, rape, and aggravated assault, most scholars agree that there are substantial racial differences in rates of offending that are roughly tracked by arrest rates, and most of the difference in rates of imprisonment appears to be due to differences in rates of arrest, although there is evidence that the enforcement response is greatest when the victim is White and the offender is Black. (Arrest statistics do not include information about victims.) At the other end of the spectrum, for drug possession offenses, the evidence is that virtually all the difference is in enforcement, not underlying rates of offending. Public health data indicate that rates of using illegal drugs are substantially lower for Black juveniles than White juveniles, and roughly the same for Black adults and White adults, but the rates at which Black juveniles and adults are arrested for possession of illegal drugs are several times higher than for Whites. For drug dealing, there is a more contentious debate, with one set of experts arguing that illegal drugs are sold principally by Black and Hispanic gangs, while other experts argue that the racial mix of those selling illegal drugs is doubtless about the same as that of those using illegal drugs.

This study does not use arrests as controls, both because of the reservations stated above and because state-level arrest statistics are difficult and cumbersome to process for a long time series at the level of disaggregation by race and offense that we require. Instead, we employ several measures of crimes reported to the police, which are not race-specific but do have the advantage of being less contaminated by enforcement decisions. They have often been used in previous research on the relation between race and imprisonment rates.

Processes of Inequality, Segregation, and Crime
The most useful theorizing we have seen about the relation between population composition and rates of offending is by Liska and Chamlin (1984). They test three theories – power resistance, emergent "perceived threat", and benign-neglect – for Black and White arrest rates in 100 cities in 1972. Segregation has a negative effect on arrests for both races, while the percentage nonwhite has no effect on White arrest rates but a significant negative effect on Black arrest rates. This is interpreted as evidence for the "benign neglect" hypothesis. The explanation hinges on viewing policing and segregation as alternate approaches to the control of interracial crime. When Blacks and Whites are less segregated, interracial crime is higher and generates a stronger social control response against Blacks. As segregation and the percentage Black increase, interracial crime decreases, and Black-on-Black crime increases. Whites care less about Black-on-Black crime, so social control responses decrease. A replication for 1982 finds that the relationship is still negative, although weaker (Chamlin and Liska 1992). Liska and Yu (1992) note that percent Black consistently predicts the police homicide rate (police killings of citizens). Using UCR, Vital Statistics, and other data, they find that a generalized climate of threat associated with the presence of non-Whites. However, their controls for crime lead them to conclude that this is not due to actual crime threat.

Eitle et al. (2002) critique the "Black threat" literature for inadequate conceptualization that uncritically uses "percent Black" as a proxy for threat. Instead they use direct measures of political threat (ratio of Black to White votes), economic threat (ratio of White to Black
unemployment), and violence (operationalized as the proportion of all violent offenses from the National Incident Based Reporting System that involved Black-on-White crimes). Data are 46 South Carolina counties in 1992-4. The dependent variable is the disparity ratio of Black to White arrest rates for violent felonies. Only the proportion of violent offenses that are Black-on-White significantly predicts the Black/White disparity in violent felony arrests; the percentage Black-on-Black has a non-significant negative effect. Although this is a very narrow test, as the independent and dependent variables are very similar, it is consistent with the "benign neglect" arguments of Liska and Chamblin.

Methods

Imprisonment measures. Data numbers of Black and White people who are "in prison" are compiled for 42 states for 1983-1998 from the Correctional Populations of the United States reports, which give the numbers of men and women of each racial group who are in prison in each state as of mid-year. Counts for men and women are summed. Data on prison admissions for 30 states for 1983-1999 are compiled from the National Corrections Reporting Program data files. Separate prison admission counts are generated for new sentences (which are further broken down by offense group), probation and parole revocations, and "other." This paper analyzes only the new sentences. NCRP data have been extensively reviewed for errors and inconsistencies. In cases of clear errors or inconsistencies, interpolated values have been substituted using available data, when there is enough data to justify the interpolation. In both cases, rates are calculated using the adult population of each race.

Independent variables. Table 1 summarizes the independent variables used in this analysis. A preliminary analysis of a large number of indicators of Black economic power (Black businesses etc.) had no relation to incarceration rates. Nor did indexes of state political ideology have an effect. We intend to explore these factors more in later analyses.

Analysis. With 17 years and 42 or 30 states, we have time-series-cross-section data which we analyze following the suggestions in Beck and Katz (1996). This involves using OLS regression, panel-corrected standard errors (PCSE), the assumption of fixed effects (states are a universe of entities, not a sample), and lagging the dependent variable instead of autocorrelation correction to control for serial correlation. We are interested in both the cross-sectional tendency of some states to have higher Black imprisonment rates than others, and the dynamic question of which states increased their Black imprisonment rates most during the period under question. The dependent variables are strongly trended: "in-prison" rates for both races and White prison admission rates rose steadily throughout the series while Blacks prison admissions rose steeply through the 1996 and then declined modestly in the last two years of the series. However, the independent variables generally lack such trends, so the static models without lags generally capture differences between states rather than time correlations.

We analyze both the rate of being in prison from the CPUS (which we refer to as the in-prison rate) and the rate of receiving a new prison sentence, which we refer to as the new sentence rate. New sentence rates are calculated for all offenses combined and separately for six offense groups: violent (homicide, sexual assault, assault and battery), robbery and burglary,
larceny/theft, drug offenses, and the grab-bag of "other" offenses, which are largely property offenses but also include some public order offenses such as drunk driving. We refer to them collectively as imprisonment rates. For each type of imprisonment rate, we predict the White rate, the Black rate, and the Black rate controlling for the White rate. We refer to models of the Black rate controlling for the White rate as models of "disproportion."

Results

I. Sampling Issues

As the CPUS encompasses 42 states, and the NCRP only 30, we first compare results for CPUS imprisonment rates using all CPUS states to the results using only the 30 states that are also in the NCRP. Over 95% of blacks and 88% whites lived in states covered by the NCRP in 1996. As figures 5 and 6 indicate, states not in the NCRP had higher rates of both Black and White imprisonment throughout the series, and disparity ratios that were roughly comparable until 1995, when the disparity in non-NCRP states fell more rapidly.

Tables 2 and 3 indicate that independent variables have roughly comparable effects on Black and White imprisonment rates in the two groups of states in both static and dynamic models. There are several key exceptions. First, the percent Hispanic has a positive effect on the Black imprisonment rate when the White rate is controlled in the 30 NCRP states but a negative effect for the full set of 42 states. The mean percent Hispanic is 7.4 for non-NCRP states and 5.6 for NCRP states, a difference that is statistically significant. Second, the negative effect of percent Black on the Black imprisonment with no control for the White rate is not present for the NCRP states. This suggests that negative percent Black effects in the NCRP analysis may be underestimated. Third, the positive effect of per capita police employees on imprisonment rates for both races for the 42 CPUS states is reversed for the subset of 30 NCRP. Fourth, the Black/White ratio in percent metropolitan has a strong negative effect on the Black rate for all 42 states, and a positive effect for the NCRP states. Fifth, burglary has a stronger negative effect for the NCRP states, while robbery has a stronger negative effect for all 42 states. Only the percent Hispanic difference appears in the change models. In interpreting NCRP data, we particularly focus on results that are consistent with CPUS patterns, and interpret others cautiously, especially when they involve variables whose effects differ by sub-sample.

II. Static Effects

When the lagged dependent variable is excluded from the model, the coefficients principally capture the average tendency of a state to imprison Blacks and Whites. There are some strong patterns that belie common explanations. Static models for the CPUS in-prison rate are shown in Table 2, and static models for prison admissions are shown in Table 4a-c. Our interpretation focuses on the patterns across dependent variables.

Crime Rates: Readily available historical crime measures do not indicate the race of offender. Crime rates do not have consistent logical relationships with either Black or White imprisonment rates, suggesting why past attempts to account for racial patterns with overall crime rates have not been successful. The burglary rate does have a positive effect on both Black and White
robbery/burglary prison sentences, but the robbery rate does not, and the effects on prison sentences have different signs from the effects on imprisonment rates. The theft rate is positively related to all in-prison rates, but negatively related to White new sentence rates across all offense groups, including theft, and is a significant positive predictor of Black sentences for violent and drug offenses, but a negative predictor of Black robbery/burglary sentences. The theft rate is strongly positively related to the Black disproportion in both in-prison rates and sentences for all offense groups except robbery/burglary. Both Black and White homicide victimization rates positively predict White prison sentence rates, but the effects on Black sentences are generally small, except that Black homicide victimization is positively related to Black sentences for violent offenses and White homicide victimization is positively related to Black sentences for drug offenses. White homicide victimization is positively related to White in-prison rates, and negatively related to the Black disproportion in being in-prison. Overall, White imprisonment seems responsive to burglary and White homicide while Black imprisonment seems responsive to theft, but for violent and drug offenses, not for theft itself.

**State Resources**: States with higher numbers of police per capita generally have higher White imprisonment rates, but per capita police has weak effects on Black imprisonment, except for new sentences for drug offenses, where there is a strong positive effect of police employees on Black drug sentences (as well as on White drug sentences). The gross state product is negatively related to "in-prison" rates for both races, and is negatively related to White prison sentences. For Black prison, the effect of the state product is more mixed. If White rates are not controlled, the effect of the gross state product is positive for other offenses and negative for robbery/burglary and theft; if the White rates are controlled, the effect of the state product is positive, meaning that states with higher GSP's are more disproportionate in sentencing Blacks rather than Whites to prison, especially for drug, theft, and other offenses.

**Metropolitan residence**: While each race's proportion of a group that is metropolitan is consistently positively related to states' rates of imprisonment in the CPUS, the proportion metropolitan has inconsistent effects on new prison sentences. Both races are significantly less likely to be sentenced for theft if their race has a higher proportion metropolitan, and more likely to be sentenced for violence or robbery/burglary. Whites are more likely to be sentenced for drugs if the White percent metropolitan is high, but this has no effect for Blacks. The Black/White ratio in metropolitan residence similarly has inconsistent effects on Black imprisonment, taking different signs for CPUS in-prison rates between the whole sample and the NCRP subsample, and a generally positive effect on White in-prison rates which is higher for the NCRP states. The ratio is positively related to the disproportion in Black sentences, but the effect is significant only for robbery/burglary and theft.

**Economic Factors**: Each race's unemployment and poverty rate are generally quite consistently negatively related to that race's imprisonment rate. This seems counter-intuitive, but is most likely due to the fact that states with high incarceration rates send more of their unemployed and poor people to prison, thus pulling them out of the rates. Western (1999, 2000) has documented the under-estimation of unemployment rates due to prison, and there is some evidence that a similar phenomenon is happening with poverty rates. Even though all independent variables are lagged one year, there is evidence of this process occurring.
The proportion of adults who have never married has a strong positive relation to imprisonment, especially for Blacks. As high imprisonment rates tend to remove young men from the population, this factor, like poverty, may be as much consequence as cause of imprisonment, even with a lagged independent variable.

**Racial Economic Inequality:** The strongest and most consistent predictor of Black prison sentences is the Black/White poverty ratio. Absolute poverty is negatively related to imprisonment for both races, but the Black/White poverty ratio has a strong positive relation to Black imprisonment (both with and without a control for White imprisonment), and is generally negatively related to White imprisonment rates. The Black/White unemployment ratio is also positively related to sentences for violent and "other" offenses. Interestingly, for both races, the Black/White income ratio has a positive effect on sentences for violence and robbery/burglary and a negative effect on sentences for theft. So it is not inequality per se that produces the high rates of Black imprisonment, but more particularly the conjunction of a Black population that is especially poor with a White population that is especially non-poor.

**Demographics:** In general, Whites are more likely and Blacks less likely to be imprisoned in states with higher proportions of Black residents than in states with lower percent Black. For the sub-sample of the CPUS that is in the NCRP, the Black/White disproportion (that is, the Black rate controlling for the White rate) is lower where the percent Black is higher, but without this control, the relationship is zero. Obviously, the negative relation between percent Black and Black imprisonment is stronger for the 15 states that are in the CPUS but not the NCRP.

The Black disproportion in new prison sentences is strongly negatively related to the percent Black, and generally positively related to the growth in percent Black. This relationship is weakest for drug sentences, where the coefficient on the percentage change is actually non-significantly negative. White prison sentence rates are higher where there are more Blacks and the change in the Black population is smaller. Black sentence rates for violence, robbery/burglary and other offenses are negatively related to the percent Black and positively related to Black population growth.

Drug sentences are an interesting exception to the general pattern, precisely the category that accounted for the huge growth in Black imprisonment in the 1980s and 1990s. For drug offenses only, Black new sentence rates are positively related to the percent Black, as are White drug sentences. As high rates of drug sentences are largely a function of enforcement decisions and funding patterns, it appears that these efforts may be concentrated where the Black population is larger.

The percent Hispanic has a strong positive effect on Black prison sentences, which is consistent with the effect on in-prison rates for the NCRP sample. The effects on White sentences are more mixed, negative for violence and positive for theft and drug offenses. The percent Hispanic has a strong negative effect on Black imprisonment for the 15 states that are not in the NCRP.
III. Models of Change

When we consider models that predict imprisonment only from lagged variables and include the lagged dependent variable, we can refine our understanding of what was happening in the 1980s and 1990s over and above the relations that were inherited at the beginning of the period. These models have much less explanatory power but provide interesting clues about processes.

Crime Rates: There are no consistent effects of crime rates on changes in CPUS in-prison rates for Blacks or Whites. Considering new prison sentences, the lagged robbery rate is a negative predictor of growth in sentences for both Black and Whites, including sentences for robbery! White homicide victims seem to lead to rises in theft sentences for both races and robbery/burglary sentences for Whites. The theft rate leads to rises in Black sentences for violence and is negatively related to Black sentences for robbery/burglary. Overall, crime rates do not seem to add much clarity in explaining changes in imprisonment rates.

State Resources: Per capita police positively affect the change in White prison sentences, especially for drugs and "other" offenses, and are negatively related to the disproportion in robbery/burglary sentences. The gross state product is positively related to changes in White violent sentences. It has no significant effects on Black sentence rates, but does have a substantial positive effect on the disproportion in Black sentences for drugs, theft, and other offenses.

Metropolitan residence. White prison sentence rates went up more in states with a higher proportion of Whites in metropolitan areas and a higher Black/White ratio in percent metropolitan, but the Black/White metropolitan ratio was negatively related to changes in the White imprisonment rate in the CPUS. Both the Black proportion metropolitan and the ratio have positive but generally weak effects on changes Black sentences and the Black/White metropolitan ratio has a stronger effect on the sentencing disproportion. These patterns mean that sentencing rises for both races were higher where Blacks were more metropolitan, and this had the effect of increasing the disproportion in sentences.

Economic Factors: Lagged measures of poverty, unemployment, and never-married rates have inconsistent effects on imprisonment. There are only two significant positive effects. White robbery/burglary and other sentences rise when White poverty is higher. The disproportion in the rise in Black drug sentences relative to White drug sentences is greater where Black unemployment is higher. Otherwise, the relations are the opposite of what might be expected and focused on drug sentences. For Blacks, poverty rates are negatively related to changes in in-prison rates and negatively related to changes in drug sentences. The poverty effect on drug sentences is also negative but non-significant for Whites. The percent never-married is also negatively related to growth in drug sentences for both Blacks and Whites. Overall, the only real pattern is that rises in drug sentences are associated with less-poor populations.

Racial Economic Inequality: The most consistent predictor of Black imprisonment in the static model is the Black/White poverty ratio, and this is also the most consistent predictor of changes in Black imprisonment. For both being in-prison and sentences to prison, across all offense groups, both the absolute Black imprisonment rate and the disproportion relative to Whites grew more where the Black/White poverty ratio was higher.
Demographics. The percent Black had a consistent negative effect on the growth in the total prison population (CPUS) for both Blacks and Whites, while the percent Hispanic had a positive effect on CPUS growth for the states in the NCRP, but not the whole sample. The story for prison sentences is different. Percent Black had a positive effect on White robbery/burglary and theft sentences, and a negative effect on the Black disproportion in drug and theft sentences, but other effects are not significant. The percentage growth in the Black population had a positive effect on the disproportion in Black sentences for robbery/burglary, larceny/theft, and "other" offenses. The percent Hispanic has a positive effect on White drug sentence rates and a negative effect on White violence sentence rates.

Discussion
These data point to a reworking of power/threat ideas. Too much attention has been focused on what minorities do to threaten majorities, and too little attention on the logic of constraints on the majority. A minority group's size affects social control not only through threat, but also through the cost of repression and the group's political ability to resist or deflect targeted repression. A group does not need to be a majority to have some political and economic influence. The levels of mass Black incarceration that have been practiced in some states with small Black populations would be financially impossible in states where Blacks make up 20% or more of the population. Strained state budgets would have to finance the cost of housing inmates on the backs of a diminishing pool of workers.

This is not to say that these data lack support for a version of the threat hypothesis, but it needs to be recast along the directions suggested by Liska and Chamblin (1984). The threat that drives Black imprisonment is mostly Black/White inequality, especially where a high percentage of Blacks and a small percentage of Whites are poor. It is the economic/racial gap between poor Blacks and not-poor Whites that is most predictive of both the overall level of Black imprisonment and the growth in Black imprisonment. In this context, it seems quite significant that it is non-violent non-invasive larceny/theft (most often not a crime that warrants a prison sentence at all) that is most predictive of the disproportion in Black prison sentences across the whole range of offense categories, as well as predictive of the growth in sentences for violence and theft. Smaller poor Black populations are less likely to be hyper-segregated, and more likely to live within theft proximity of relatively well-off Whites.

Attempts to assess theories of crime threat using overall crime indexes and imprisonment data that are not broken down by offense are shown to be misguided, as the patterns of relationships between these overall indexes and the race-offense specific rates of new prison sentences are not as would be expected. This is not to say that there are no patterns of differential offending that are important for understanding these processes, but that most of the tools that have been used in the past are far too blunt for the job. Arrest data are also problematic, although for different reasons, as arrest rates for all but the most serious crimes are affected both by rates of offending and by police enforcement decisions. The goal should not be to "explain away" racial differences in imprisonment with reference to data on offending, but to gain purchase on understanding the dynamic interplay between the dominant majority and an unprivileged minority where illegal activities by the minority occur in a context that also includes acts of discrimination, segregation, and targeted repression by the majority.
The Black prison boom of the 1980s and 1990s was driven by drug sentences, and drug sentences tend to stand out as having different relationships to some variables than most of the other offenses. In particular, the states that had especially high rates of Black drug sentences were those with larger per capita police forces and higher gross state products – wealthier states. Rises in Black drug sentences were negatively related to the absolute levels of Black poverty, and levels of Black drug sentences were – unlike all other offenses – positively related to the percent Black and negatively to the growth in the Black population. It is only the drug sentences that show some evidence of classical ideas of the "threat" hypothesis. The case has often been made (although not without controversy) that the "drug war" was/is politically motivated and racially targeted. Most of the evidence for this claim comes from national-level analyses of political discourse and national-level trends. However, there are clues in this state-level analysis that such factors may play a role in between-state variations as well. Further analysis should distinguish drug sentences from other offenses and seek to understand the relation between them.

This paper has not offered definitive answers to the questions it posed. It is still not clear why the racial disparity in imprisonment has been rising. However, this analysis does suggest that answers to the question are not to be found in simple crime threat explanations, nor in simple deprivation models, nor in statistical artifacts like differential selection, nor in outdated stereotypes about Southern racism and Northern liberalism. Instead, we need to look at patterns of racial-economic inequality, and factors that drive politicized enforcement decisions, especially around the drug war. Langen (1991) suggested that the rise through the 1970s was due to the Great Migration of Blacks from the South to the North. This is often painted as a migration from oppression to freedom for Blacks, but what Southern Blacks encountered in the North was not equality and assimilation, but hostility and segregation. After poor Black people concentrated in the Northern urban ghettos and their economies collapsed, Black people began migrating again, this time for shorter distances, away from high crime and low opportunities in inner cities to suburbs and small cities. Although the results of this analysis are not conclusive, they are consistent with the idea that non-poor Whites' fear of encountering poor Blacks is a key engine which fuels punitive criminal justice policies.
REFERENCES CITED


Notes

1 The naming of racial/ethnic groups is inherently conflict-laden and politicized. In selecting group names for this paper, we acknowledge these conflicts. We choose to use the terms Black and White because they are shorter, punchier, fit better in table labels, generally viewed positively (or at least not negatively) by the people in the group, parallel to each other, and more consistent with standard statistical sources than African American and European American. Our choice to capitalize both treats them as “groups” rather than simple demographic categories (c.f. Methodist or Republican vs. elderly or female). As this is a paper on imprisonment rates, not the politics of naming, we will not dwell on the reasons for our choices, except to say that we have thought about the matter.

2 There are a variety of sources for historical imprisonment rates that yield different disparity ratios.

3 Our calculation from NCRP data.

4 This may be an artifact, because the CPUS does not break out Hispanics, but instead generally counts them as White.

5 Examples of interpolation rules: if a state one year fails to make racial breakouts, the interpolation algorithm assumes that the racial proportions are the average of adjacent years. If a state has no "new sentences" one year but reports total admissions in line with adjacent years, the interpolation rule assumes that the proportion of total admissions that were new sentences is comparable to adjacent years. Interpolation rules are used only when there is enough data to make interpolation conservative. States with fewer than ten years of data or very small and inconsistently-reported numbers of Black prisoners were dropped entirely, as were years for which a state's data were too sparse or inconsistent to make interpolation reasonable.