

Racial disparities in imprisonment: Some basic information

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The United States now has the highest incarceration rate in the world, 690 people per 100,000—a rate that is four to six times higher than that of most other nations. Incarceration is, moreover, very unevenly spread across the population, and particularly impinges upon blacks and Hispanics. The imprisonment rate of black American men is over eight times greater than that of European Americans. Young black men are even more severely affected. Federal statisticians at the Bureau of Justice Statistics now estimate that the “lifetime expectancy” that a young black man will spend time in prison is about 29 percent. For Hispanics, the rate of imprisonment is about three times higher than that of European Americans.¹

These high rates of incarceration among blacks, especially working-age men and women, have a substantial economic and social impact on black families and on communities with large black populations. The consequences are only now becoming more widely understood. The imprisonment of large numbers of males and the lifelong effect on their earnings and employment clearly play a role in the high rates of black female-headed households and in the poverty of largely black communities. It seems possible also that the rates of incarceration may in the long run increase rather than decrease crime rates. For incarceration is a source of economic stress and family disruption, which are themselves major predictors of crime.

The extreme black-white difference in imprisonment rates is a relatively new phenomenon. Racial stratification has long been an element in U.S. society, and blacks have generally had higher official crime and imprisonment rates. But the widening disparity in recent decades (see Figure 1) casts serious doubt on simplistic ideas of “race” either as a causal factor in crime or an unchanging

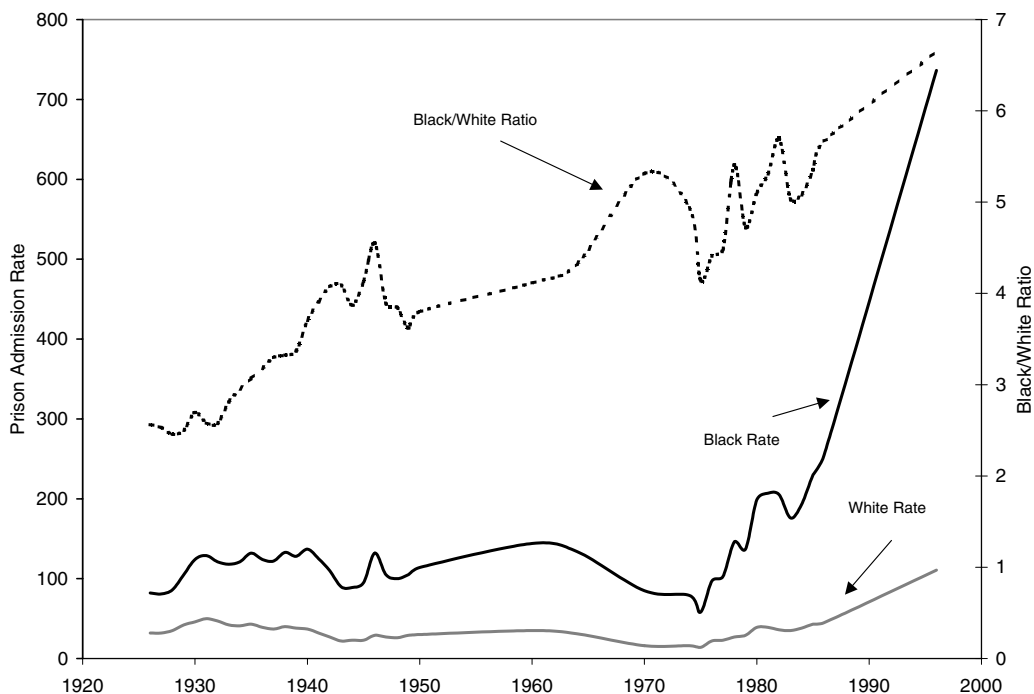


Figure 1. U.S. prison admissions, by race, 1926–96. The prison admission rate is the number of people of each race admitted to state or federal prisons per 100,000 members of the population of that race.

Source: Calculated from a dataset, “Race of Prisoners Admitted to State and Federal Institutions in the United States, 1926–1986,” United States Department of Justice, Bureau of Justice Statistics, and Inter-university Consortium for Political and Social Research. The dataset includes prison admission figures by race and state and appropriate census figures. Also published as P. Langan, “Race of Prisoners Admitted to State and Federal Institutions, 1926–86,” Bureau of Justice Statistics, U.S. Department of Justice, Washington, DC, May 1991. Calculations for 1996 from the National Corrections Reporting Program dataset, plus U.S. Census Bureau population figures.

source of discrimination. The rates of prison admissions as a proportion of population for both races were relatively stable until about 1975. Thereafter, the imprisonment rates of both races rose very rapidly, but far faster for blacks than for whites.

Although nearly everyone in prison has committed a crime, the rise in imprisonment since the 1970s is not explained by crime rates, but by changes in policies related to crime. Crime rates were high in the 1970s, but have fluctuated several times since then, while the rate of imprisonment has steadily risen. Determinate sentencing, which eliminates judicial discretion, longer sentences for drug offences, increases in funding for police departments and large increases in prison capacity, the exacerbation of racial tensions and fears following the civil rights movement and the riots of the 1970s, and the politicization of crime as an election issue all appear to have played some role.

In attempting to tease apart the reasons for the high racial disparities in imprisonment, the first question one wants to ask is how much of the disparity is due to “real” differences in crime, and how much is due to “bias.” There is no easy answer, because of the complexity of crime and imprisonment statistics. We cannot view “crime” as a single entity, to which law enforcement is a simple mechanical response, but as a set of types of crimes that almost certainly have different kinds of relationships to social and economic factors, to political factors, and to law enforcement.

Because the prison population at any one time consists disproportionately of those who have long sentences, the simple numbers of those incarcerated tell a far less interesting story about racial differences in incarceration than do the numbers arrested and admitted to prison for different kinds of crimes.

For the 37 states for which my research team had data, we calculated prison admissions and arrests, by race, for each offense group—murder and manslaughter, robbery, sexual assault, drugs, property crimes, offenses against public order, and so on. For murder and manslaughter, the arrest rate was 26 per 100,000 for blacks, 4 per 100,000 for whites. But although homicide attracts much attention, it is a small part of crime. There were many more arrests among both races for less serious crimes, and arrest rates for blacks were much higher for these crimes also; for example, the black arrest rate for possession or sale of drugs was 1,450 per 100,000, versus 379 for whites; for property crimes the rate was 1,595 versus 512, and for assault, 1,723 versus 481.

Imprisonment rates are also very much higher among blacks: among those arrested for possession or sale of drugs, for example, nearly three times as many blacks as whites were imprisoned, and for property crimes and public order offenses twice as many blacks as whites are

imprisoned. Drug crimes and property crimes were by far the biggest contributors to the numbers incarcerated; between them they accounted for 60 percent of the difference in imprisonment rates (Figures 2 and 3).² Our calculations suggest that if the rate of imprisonment per arrest were the same for blacks and whites in all offense categories, the black imprisonment rate would be about half of what it is.

Such calculations do not, of course, resolve the questions about the disparities. We have no source of systematic information about those who are not sent to prison. The data do not, for example, permit us to judge variation in the seriousness of crimes within offense categories, nor do they give information about factors such as prior criminal records which may enter into prosecutors’ decisions not to prosecute and judges’ decisions not to impose a prison sentence.

Complicating the picture still further are the substantial differences in state rates of arrest and imprisonment, by race (Figure 4). The two states with the highest white imprisonment rates, California and Oregon, also had the highest black imprisonment rates, but beyond that there appears to be very little correlation between black and white imprisonment rates, and local trends sometimes depart from national trends.³ Hawaii had by far the lowest black/white imprisonment ratio, 1.66; it is also the only state where both blacks and whites are minorities and Asians are in the majority. On the mainland, the lowest imprisonment ratio was about 4, in West Virginia. Iowa, Utah, Wisconsin, and Minnesota, with small black populations, had very high rates of imprisonment for blacks; the disparity in prison admissions by race was 25.5 for Minnesota and 20.6 for Wisconsin. In Wisconsin, the black population constitutes only 5.5 percent of the total, yet Wisconsin’s incarceration of blacks has historically been higher than the national average (its incarceration of whites is about average or below).

Moreover, state averages mask very large local differences. Within Wisconsin, patterns of incarceration by race differ greatly from county to county. In Milwaukee, with three-quarters of the black population of Wisconsin, the rate of imprisonment of black men as of April 2000 was 13.9 times as great as that of white men. Five counties with significant but still small black populations (i.e., over 1,000 black residents who are not in prison) had much higher rates of black imprisonment than Milwaukee. In Dane County, where white incarceration rates were below average, the black imprisonment rate was 35.5 times the white rate.⁴ These data echo findings from North Carolina that counties with smaller black populations jailed blacks at higher rates than did counties with larger black populations.⁵

Regression analyses of the national data suggest that three significant factors contribute to racial disparities in prison admissions:

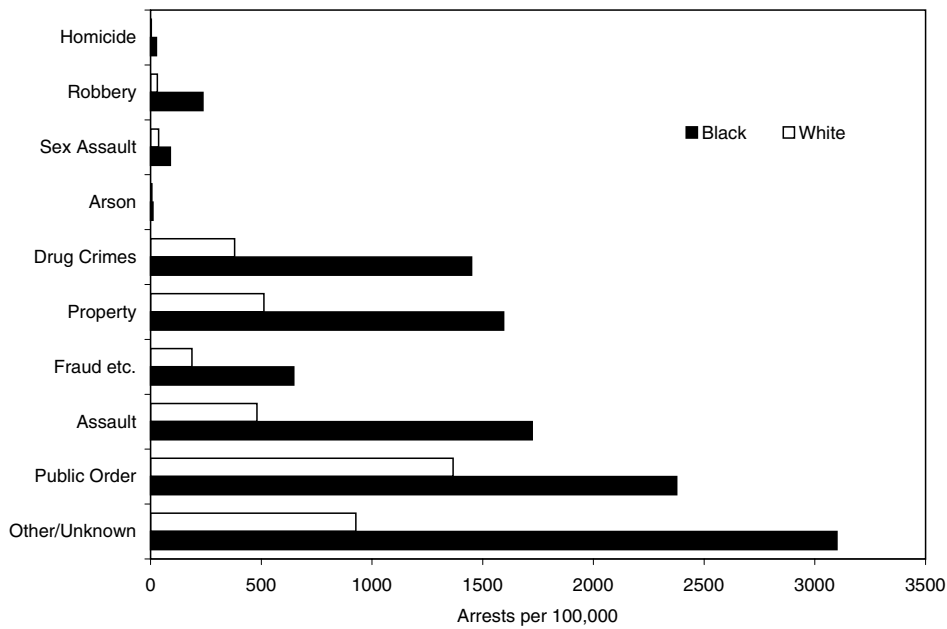


Figure 2. Arrests, 1996, by race and category of offense.

Source: Calculated from the FBI's Uniform Crime Reports data on numbers of arrests by offense, race, and state for 1996, plus U.S. Census Bureau population figures.

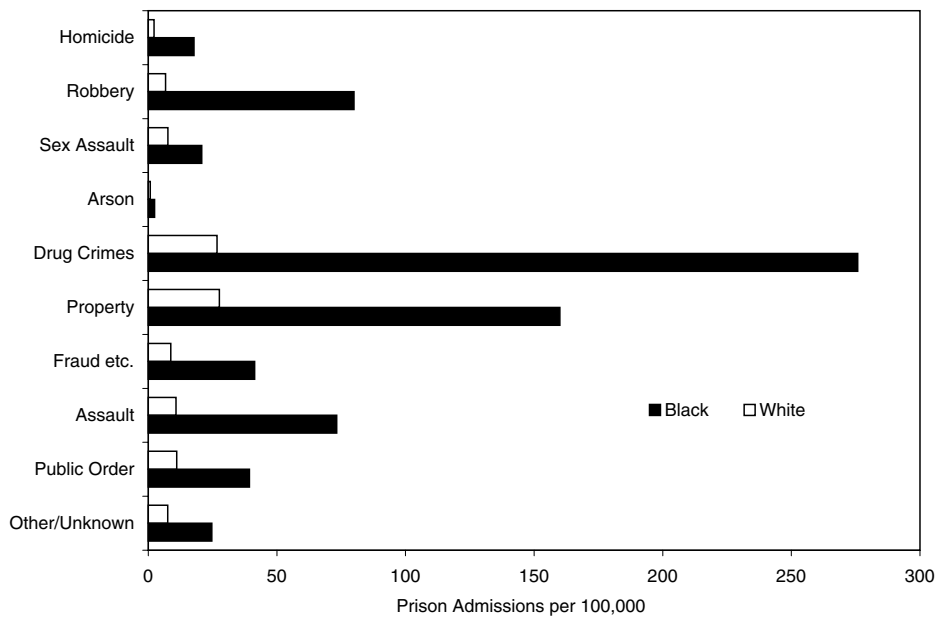


Figure 3. Prison admissions, 1996, by race and category of offense.

Source: Calculated from data on prison admissions available from the National Corrections Reporting Program for 1996, plus U.S. Census Bureau population figures.

1. The white imprisonment rate: states that imprison more whites also imprison more blacks.

2. The percentage of the population that is black: in general, the smaller the percentage, the higher the imprisonment rate of blacks.

3. The ratio of the black poverty rate to the white poverty rate (absolute poverty is not significant, only relative poverty).

It appears that blacks are more likely to be imprisoned where they are a smaller, politically weaker, and eco-

nomically marginalized population. Whatever the causes, black incarceration levels have now reached crisis proportions, and it is impossible to understand trends in black crime or in black economic well-being without taking specific account of the effects of incarceration. ■

¹These figures are from U.S. Department of Justice, Bureau of Justice Statistics, *Prisoners in 1999*, and include only those in prison, not jail (prisons are federal and state institutions, jails are run by local government). The analyses by Pamela Oliver and her colleagues are presented on the World Wide Web site, "Racial Disparities in Criminal Justice," <<http://www.ssc.wisc.edu/~oliver/racial.html>>. See also the article in this *Focus* by Western.

²Author's calculations from the 1996 National Corrections Reporting Program database and Uniform Crime Reports Data for 1996.

³There is a chance the "white" imprisonment rate in California and Oregon is inflated by the inclusion of white Hispanics, although both states have "three strikes" laws, which have increased the prison population.

⁴The census counts prisoners where they are imprisoned. Sixty percent of Wisconsin counties have fewer than 100 black residents, and these counties have below average black imprisonment rates. For these Wisconsin statistics, see Pamela Oliver, "Racial Disparities in Imprisonment in Wisconsin," at <[http://www.ssc.wisc.edu/~oliver/racial.html#Wisconsin Disparities Project](http://www.ssc.wisc.edu/~oliver/racial.html#Wisconsin%20Disparities%20Project)>.

⁵V. Roscigno and M. Bruce, "Racial Inequality and Social Control: Historical and Contemporary Patterns in the South," *Sociological Spectrum* 15 (1995): 323-49.

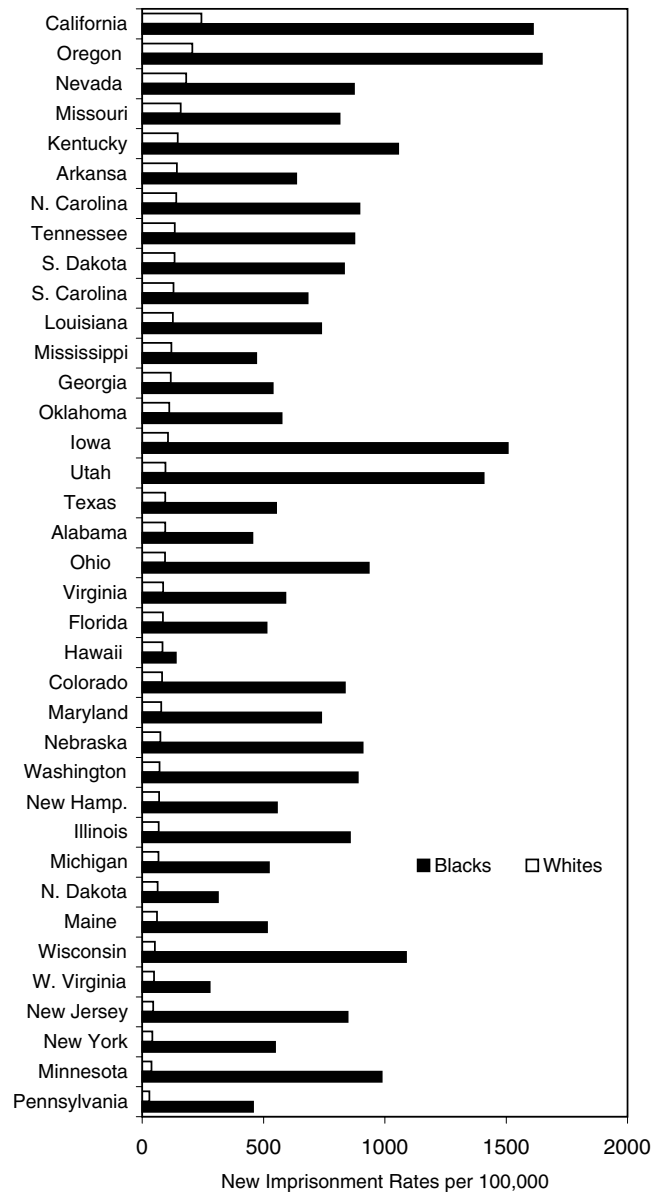


Figure 4. New imprisonment rates by state, 1996. States are listed in order of the white imprisonment rate.

Source: Calculated from data on prison admissions available from the National Corrections Reporting Program for 1996, plus U.S. Census Bureau population figures.