

"Case Study 7.2 Data to Bring Justice: Addressing Disparities in the Criminal Justice System" Forthcoming 2011 In Philip Nyden, Leslie Hossfelt, and Gwen Nyden (eds.) Public Sociology: Research Action and Change. Pine Forge Press.

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Introduction

This project is complex and multi-faceted. It was not pre-planned but evolved as I interacted with organizations of various types over time. I first became involved with the issue of racial disparity in criminal justice in 1999. The core of my work has involved compiling and analyzing statistical data on the criminal justice system in Wisconsin and presenting this information graphically in PowerPoint slide shows to a wide variety of audiences.

Background to Public Sociology Work

I first wandered into this project because I was actively looking for a way to re-engage my community involvement now that my children were older. I volunteered to be on the planning committee for a six-part forum series on prison issues to be presented by Madison-area Urban Ministry (MUM), a faith-based progressive social change organization, after attending a conference called Money, Education and Prisons put on by local activists close to MUM. I had been attending MUM meetings, looking for a way to get involved. I volunteered "as a person," not "as a sociologist," and much of what I did for the planning committee was not sociological. But because I was a sociologist, I volunteered to research the issue and develop a presentation on imprisonment patterns. I thought that people would want to know why people were sent to prison and how our local patterns compared to national patterns.

It was the work I did for this initial presentation that led to its development as a public sociology project. When I started the project, it was not easy to find state-level information on imprisonment rates by race, nor to find state-level comparisons of the offenses of prison inmates by race. Because of my data analysis skills and the resources available through my university, I was able to download and analyze data from the National Corrections Reporting Program, the Census Bureau, and other sources. My first calculations revealed what nobody else seemed to know, that Wisconsin's racial disparity in imprisonment was much higher than the national average and that the disparity in Dane County (home of Madison and the University) was much higher than that of Milwaukee, the state's largest Black population center. I prepared a handout and made a presentation at a forum. I tried to draw people's attention to my handout and to the racial disparities in a variety of subsequent meetings, but got relatively little response. One exception was a state senator, now Congresswoman Gwendolyn Moore, who made an angry statement in the legislature based on my handout.

The project unfolded from there on several initially-unrelated tracks. In addition to the MUM forum planning committee, I began attending meetings of the advocacy group Money, Education and Prisons (MEP) formed around the conference, and sat through many meetings and programs on a wide variety of criminal justice issues put on by MEP and other formal and informal groups concerned about social justice issues. MUM decided to put on a second year of forums on juvenile justice for 2000-2001 and I was asked to analyze data for that forum that had been collected on hundreds of sheets of paper from local police through freedom of information act petitions. I involved students in a freshman research opportunity program to help with entering that material into spreadsheets and then analyzing it. In addition, I periodically was

asked to generate some statistical information in support of the grant proposals by various non-profit organizations.

On the research front, I applied to and obtained seed money from Wisconsin's Institute for Research on Poverty (IRP) for a research assistant to help me download and analyze data from federal sources on imprisonment and arrest across states as part of a "sociology project" to determine the predictors of high incarceration rates. I also extracted data about Wisconsin from the national data and prepared Wisconsin-specific charts and graphs. In 2001, I applied for federal grants to support the creation of a longitudinal data set of imprisonment; these were initially turned down but in 2002 I received a small planning grant from the National Science Foundation.

Three events in 2001 moved the project in a more "public sociology" direction. The first was becoming front-page news in the local paper. Although I had spoken with reporters several times about racial disparities without making the news, an emailed handout after a presentation to an informal political group was forwarded (without my permission) to a reporter who turned it into a story that headlined on a Saturday. (The story of the story is interesting in itself, as the reporter who broke the story usually wrote gardening columns, rather than the regular metro reporters who had talked to me at length but never published anything from our interactions.) This story fed into an ongoing dispute between the mayor and the police about racial profiling and precipitated a political crisis in some circles. As a consequence of the news story, I made a presentation to city officials and met with the police several times.

The second 2001 event was obtaining a copy of the Wisconsin Department of Corrections data file from Senator Moore, who had received six floppy disks and a code book in response to her Freedom of Information petition for information about prisoners sent out of state. Her aide asked whether I could do anything with that. I could. The data set included every person who had been in a Wisconsin prison between 1990 and 2001. A graduate student, James Yocom, volunteered his time to write the hundreds of lines of code to read the ASCII files into a statistical data set. He and another graduate student paid by IRP built on the work of the previous graduate student paid by IRP to code offenses and other variables for analysis. Jim Yocom wrote the Stata programs and the Excel macros that merged in population numbers and turned the counts into rates and exported them to tables.

Finally, it was in 2001 that I shifted to presenting my results graphically rather than numerically. Graphs could "tell a story" quickly and with much greater impact than words or a table of numbers. This became a central feature of the project. I developed a PowerPoint slide show that I presented to many audiences including community groups, public officials, and conferences on criminal justice issues. I also started posting my results on my web page, first tables of numbers and then spreadsheets and graphs and reports and PowerPoint presentations. These materials have been downloaded and used in classroom lectures and by community and advocacy groups all over the country.

Public Engagement

My public engagement has taken many forms. I have shown my PowerPoint presentations on racial disparities in imprisonment over 80 times in the past 10 years to criminal justice professionals, advocacy groups and the general public. This slide show originated on my own initiative to analyze and present data in a way to make a compelling case that there was a serious social problem that needed to be addressed. This slide show is fundamentally

descriptive, although its detailed disaggregation by offense, race, year, type of admission, etc. provides much more information than had previously been available. Although most audiences are predominantly White, I have presented to integrated and predominantly Black groups. I show the trends and engage the audience in a discussion of the factors that have produced the trends. In these discussions I have learned a great deal from others about the complexity of the problem and the many different processes and factors that feed into the observed patterns and I try to tell audiences what other groups have said. I am passionate about the issue – I think the mass incarceration of Black people is a major tragedy – but I work hard to be careful about the facts that I know and the limits of the data. I have also tried to avoid partisan politics and attacks on individuals. I try to emphasize unconscious discrimination and the unintended consequences of seemingly race-neutral policies, but have also stressed (based on the data) the importance of the drug war and its consequences as well as the churning of people through the system in revocations to prison from probation and parole.

In addition to giving talks, I have been a member of a variety of groups working on these issues. I have been a member of an advocacy group for many years, although I do not need the group nor is my work typically the center of its focus. After I became known for my work in this area, I was appointed in 2003 to the advisory board for the county's juvenile justice Disproportionately Minority Contact project; in 2007 to a special commission on racial disparities in criminal justice appointed by the Governor; and in 2008 to a county task force charged with implementing the recommendations of the governor's commission. These three quasi-governmental groups have combined criminal justice professionals, politicians, social service providers, and community advocates. I have been a full member of these groups, not a consultant to them, and I enter into discussions and debates along with everyone else. I have done special data analysis for all three groups and played a major role in writing the reports for the governor's commission and the county task force, although in neither case was I the lead writer. The reports for the governor's commission and the county task force are public documents which have been posted on government web sites. Both have been picked up as "best practice" models in the area.

Participating in these groups has entailed sitting through a very large number of meetings (averaging two a month most of the time), often listening to presentations by others on some dimension of the problem, other times participating in discussions or debates about key issues. My own particular work is only occasionally the central focus of these meetings. In short, engagement does not mean always being the center of attention: it often means attending to others, or "showing the flag" and being present at a meeting one might otherwise not be particularly interested in.

I have done special data analysis and presentations for all the groups I have worked with. Sometimes I have been "given" data and asked to analyze it. Other times I have asked to have access to data to analyze it. In addition to the imprisonment patterns that form the core of my PowerPoint presentation, I have analyzed official records of court cases, Uniform Crime Report arrest counts, individual police department arrests and citations, detention center intakes, surveys of youth at state penal institutions, prosecutions of juvenile referrals, traffic stops, and drivers' license revocations. In some cases over the years, I have been able to involve undergraduates in the data analysis. For the Governor's Commission, with the assistance of Jim Yocom (who by then had finished his degree and was paid as a consultant by the state), I analyzed probation and parole revocations, "time served" in prison, and generated specific calculations such as the

proportion of prisoners who had been convicted of drug offenses. Whether I'm doing something because I was asked to or because I think I should have been asked to, I am always bringing my professional insight to bear on what questions ought to be asked and how to analyze the data to reveal patterns not immediately apparent.

This project has definitely contributed to bringing attention to the problem of racial disparities in criminal justice in Wisconsin and to using data to determine which factors and processes need the most attention. There are substantial ongoing efforts to address these issues in the state, and I have had an impact on how people think about the issues and the way to solve them.

Public Sociology and the Academy

I have been and continue to work on the "sociology" side of this project, in which I link theories of repression to theories of social control and seek to identify the factors that affect arrest and imprisonment rates across states and metropolitan areas, but progress on that work has been slowed by my intensive public sociology work. The link between public sociology and one's professional advancement is different for each person. For many people, their public work flows directly from their professional expertise, but this is not the case for me. I am not a criminologist and this work did not build on the work in collective action and social movements that is the basis for my professional reputation. The data I have analyzed could be the basis for professional sociology articles in criminology journals, but such articles would require literature reviews and engagement with hypotheses and theories of more general criminological or sociological interest, not just the descriptive summaries I present in my public work. I was able to divert my attention into a public sociology project without immediate professional payoff because I already had tenure at a major university. I did not have to worry about getting fired, and I had access to resources including research grants and data archives.

Linking and balancing public and professional sociology raises important issues of priorities and tradeoffs. Sometimes professional sociology and career advancement can be yoked to good public sociology work, but other times they pull in different directions, even though they draw on a common intellectual core. Some jobs give professional "credit" for public work that does not result in peer reviewed publications, and other jobs do not. People who want to do this kind of work need to be honest with themselves and others about their situations and goals.