

Professor examines race and sentencing

February 23 2012

A Sam Houston State University professor is working on a series of studies that examine the effects of race and ethnicity on state and federal sentencing outcomes, including incarceration and sentence length decisions.

In his most recent research published online by *Justice Quarterly*, Dr. Travis Franklin, an Assistant Professor at the College of Criminal Justice, studied the [sentencing](#) of Native American [offenders](#) in federal courts. Using data from the United States Sentencing Commission for the years 2006-2008, he found that Native Americans, especially young males, often are sentenced more harshly than whites, African Americans and Hispanics in the federal system. This difference remained even after taking into consideration important offender and case characteristics.

"Despite the significant attention afforded to the issue of race and sentencing, research that has accumulated over the last several decades has largely neglected to examine the punishment of Native American offenders, a shortcoming that is troubling in light of their unique position in contemporary American society," Dr. Franklin wrote. "This study suggests that young Native American males may be more disadvantaged than young African-American and Hispanics males when examining the decision to imprison."

Drs. Franklin and Noelle Fearn of Saint Louis University published a second study in *Crime & Delinquency* on Asian American offenders in state courts, another severely understudied population, and discovered that they were the least likely to be incarcerated of any racial or ethnic

group and received shorter sentences than African American or Hispanic offenders.

"Asians were treated with more leniency than whites, Blacks, and Hispanics during the incarceration decision, even after controlling for important offense, criminal history, and case characteristics," said Dr. Franklin. "This represents an important finding in the literature and demonstrates that the leniency afforded Asian offenders during the [incarceration](#) decision generalizes beyond that of the federal courts."

The study was based on a sample of 9,384 offenders from state courts in seven jurisdictions with significant Asian populations across the United States.

"In the end, both of these studies attempt to shine the spotlight on punishment practices directed toward offender populations that have been historically ignored," Dr. Franklin said. "Native Americans and Asians may represent a relatively small subset of convicted offenders, but we should be no less concerned about how these groups are treated during the sentencing process as compared to Caucasians, African Americans, or [Hispanics](#)."

Provided by Sam Houston State University

Citation: Professor examines race and sentencing (2012, February 23) retrieved 21 June 2024 from <https://phys.org/news/2012-02-professor-sentencing.html>

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