

Size of minority population impacts states' prison rates, researcher finds

October 14 2014, by Jeff Falk



Credit: thinkstockphotos.com/Rice University

New research from Rice University's Baker Institute for Public Policy found that states with a large minority population tend to incarcerate more people.

According to lead author Katharine Neill, [states](#) with large African-American populations are more likely to have harsher incarceration practices, worse conditions of confinement and tougher policies toward juveniles compared with other states. She said these findings provide some support for long-standing arguments among sociology and criminal justice experts that the [criminal justice system](#) is used as a mechanism

for controlling members of the population who are perceived as threats because of race.

"Over the last few decades, the trend across the United States has been to increase penalties for many offenses," said Neill, the Baker Institute's Alfred C. Glassell III Postdoctoral Fellow in Drug Policy. "This increase in state punitiveness has likely contributed to the existing state of mass incarceration. If there are certain factors that enhance a state's penchant for punitiveness, identifying these factors can offer a better understanding of mass incarceration and why certain policy choices are made."

The paper, "Explaining Dimensions of State-Level Punitiveness in the United States: The Roles of Social, Economic and Cultural Factors," was published online in the Criminal Justice Policy Review journal. Neill co-authored the paper with colleagues at Old Dominion University in Norfolk, Va.

The study found that policies for punishing criminals are multidimensional and cannot be captured by incarceration rates alone. Their study used a measure that accounts for different types of punitiveness. They viewed a variety of state-level policies and ranked the 50 states according to several indicators, from 2002 to 2007, using various state, U.S. Census and FBI data that was compiled by Besiki Kutateladze, a researcher with the VERA Institute of Justice.

The authors explored several key indicators that predict individual and state-level preferences for punitiveness: Among them are racial, social, cultural, economic and political factors. They measured the factors against five dimensions of punitiveness covering the degree of political and symbolic punishment, incarceration practices, the degree of punishment for "immorality" crimes, conditions of confinement and juvenile justice policies.

The authors found that less generous welfare spending is a dominant driver of greater state punitiveness in terms of political and symbolic punishment, such as greater use of "three strikes" laws and the death penalty. This, they said, suggested that states may decide whether to deal with marginalized populations through the penal system or the welfare system. In addition, states with lower rates of poverty were also more punitive in the area of political and symbolic punishment, the authors found.

Regarding incarceration practices, higher levels of citizen engagement and higher rates of property crime are associated with less punitiveness, the authors said. States with a large African-American population tend to have more punitive incarceration practices. The violent crime rate was a significant and positive driver of punishments for "immorality" crimes, such as prostitution, gambling and drug abuse on the theory that doing so acts as a deterrent against more serious crimes. For juvenile justice, states with a higher violent crime rate and states with a larger African-American population were likely to have more punitive policies, the study said.

However, the authors found the effect of the factors is not uniform across the various dimensions. That suggests there is a difference in how criminal justice policy decisions are made, depending on the policy area in question. "This finding begs for further investigation into the issue of state punitiveness," Neill said.

According to the multidimensional measure of punitiveness used in this study, nine of the top 10 most punitive states were in the South, and Texas was ranked No.8 in terms of overall punitiveness. This measure includes incarceration rates as well as several other measures of punitiveness, such as sentencing policies, treatment of juveniles and conditions of confinement. On a national scale, the U.S. incarceration rate is currently 707 per 100,000 people, which is more than twice the

rate of Greenland, the Western nation with the next highest rate.

Neill noted that states' punitive responses and mass imprisonment are unsustainable. "Not only is it (punitiveness) costly to taxpayers, but it also creates a population of 'internal exiles,' people who are citizens of this country but not contributing members to society and who pose a governance challenge to the state," she said. "Mass imprisonment also becomes a moral problem because of the way in which it disproportionately affects minorities generally and young African-American men in particular."

Punitiveness also becomes a problem for democracy, she said: "Involuntary contact with the criminal justice system leads citizens to be less trustful of government and decreases citizen participation through lower voter turnout and felon disenfranchisement."

About 2.5 percent of the U.S. population can't vote because of felon disenfranchisement laws, the study said. For the African-American population, that rate is more than triple, at 7.7 percent. The rate is much higher in some states. For example, 23.3 percent of African-Americans in Florida are unable to vote. (In this area, Texas is average, with 7.1 percent of its African-American citizens disenfranchised.) When African-Americans are able to vote, some may choose not to out of a sense that the government does not serve their interests, or out of a sense of distrust of some government institutions, Neill said. For example, recent Gallup polling indicates that less than 40 percent of African-Americans have a great deal of trust in law enforcement. To the extent that African-Americans do not make their voices heard at the ballot box, this creates a cycle in which the lack of participation gives elected officials little incentive to address the problems facing this group, she said.

More recently there are signs that punitive trends may be reversing, or at

least slowing, Neill said. For example, incarceration rates have actually declined slightly in recent years—by 1.7 percent in 2010 and by 0.9 percent in 2011. Some of this is the result of prison overcrowding and court decrees requiring states to reduce their prison populations, Neill said. "But it also seems that states are looking for ways to reduce prison populations as a way to save money, now a higher priority than appearing tough on crime," she said. "This is especially evident in the area of drug policy, where several states have decriminalized marijuana possession and have created incarceration alternatives for other nonviolent drug offenses.

"While the racial disparities in the criminal justice system make a strong case for the need for change, appealing to fiscal concerns may make the winning argument," Neill said. "Framing [criminal justice](#) policy as an area in need of pragmatic and cost-effective reform may be the best hope for moving away from current harsh and unsustainable practices."

More information: "Explaining Dimensions of State-Level Punitiveness in the United States: The Roles of Social, Economic, and Cultural Factors." Katharine A. Neill, Juita-Elena (Wie) Yusuf, and John C. Morris. *Criminal Justice Policy Review*, 0887403414547042, first published on August 13, 2014. [DOI: 10.1177/0887403414547042](https://doi.org/10.1177/0887403414547042)

Provided by Rice University

Citation: Size of minority population impacts states' prison rates, researcher finds (2014, October 14) retrieved 8 May 2024 from <https://phys.org/news/2014-10-size-minority-population-impacts-states.html>

This document is subject to copyright. Apart from any fair dealing for the purpose of private study or research, no part may be reproduced without the written permission. The content is provided for information purposes only.