

# Racial profiling: a look at the positive and negative effects

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We've all seen the YouTube videos, the ones where the black guy is in the middle of getting his ass kicked by a gang of white cops. We all think we know what racial profiling is all about: racist people doing racist things that sometimes could even lead to violence. But it is a much more complex issue than that. Racial profiling, as defined by the American Civil Liberties Union, is the discriminatory practice by law enforcement officials of targeting individuals for suspicion of crime based on the individual's race, ethnicity, religion or national origin . The defense of law enforcement officials of this act is the higher crime rates in places of higher minority populations. Racial profiling is not contained to the streets of Brooklyn or Harlem, however. It happens in shopping malls, convenience stores, on the side of the road at traffic stops and in our airports. Ordinary people are stopped and harassed going about their daily business based on the color of their skin while our government promotes it through new legislation.

An example of legislation promoting racial profiling is the one that was passed in Arizona. The law allows for law enforcement to demand immigration papers from anyone they think could be deportation worthy. This means they could arrest someone they stop for jaywalking and hold them until it is deemed they will not be deported. This law is an intimidation tactic to use against anyone of Latino descent, whether or not a citizen of the United States. This law would force anyone to fear detention for any minor infraction . Being arrested at a traffic stop is embarrassing, demeaning and can sometimes be costly, either in bodily injury or legal technicalities to follow. Nobody wants to go through that. So making the odds of it happening

to a certain group of people will discourage them from putting themselves in that position, which is done by staying out of that state.

Some defend the practice of racial profiling by deeming it a successful criminal justice tool, particularly when it pertains to people of Arabic descent and airport security. Samuel Gross and Debra Livingston illustrate that racial profiling is simply a trigger word, and when a program is labeled with it, the law officials will lose. When they go unlabeled, the public will not cry foul. They argue that pre-September 11th, 2001; the world was more against racial profiling but didn't address it unless it came up. Post 9/11, people were more aware of it but also more supporting of it, as it pertains to people of Arabic descent in airports and situations where terrorism is more likely to occur. Gross and Livingston state that racial profiling pre 9/11 was more of accusations of the police, where they would either confirm and stop the program or deny and defend themselves. Post 9/11, the argument was more about defining racial profiling and trying to identify whether or not the state department should be allowed to carry out their programs, or if they are justified in their profiling . Gross and Livingston point to key testimony given by Attorney General Michael Chertoff to a Senate Judiciary Hearing, " We have emphatically rejected ethnic profiling. What we have looked to are characteristics like country of issuance of passport." He points out the key difference between ethnic profiling and racial profiling. These men are selected because they come from countries with an Al-Qaeda or other terrorist presence.

The state department is simply splitting hairs. Terrorism has a presence in some form in almost all Middle Eastern countries, but that can more likely than not be said about every other nation on the planet. People born and raised on this nation's soil carry out some of the worst terrorist attacks. Racial profiling is a huge, multifaceted problem that is engrained in our society. People judge on appearance and if you appear to look like the media's portrayal of a terrorist, gang banger or illegal immigrant, you're going to be put into a category with them whether you like it or not. The proof is in the pudding.

Trayvon Martin, Freddie Gray, Eric Garner, Michael Brown, Tamir Rice and Walter Scott. All of them unarmed and all now dead due to actions of the police. Police brutality and racial profiling are two things that can't be spoken of without the other. Police target black and other minorities for traffic stops, jay walking and, in Eric Garner's case, for selling cigarettes out of the package. What a wicked deed. The defense of racial profiling as an important piece of the criminal justice process does not hold up. The institutionalization rates of black males in their prime working years is 10% higher than that of their white counterpart, and that's just counting men with high school diplomas. Among those without, the rate is 27%. There is an institutional problem facing America today. Young black men fail to get an education and end up behind bars far too frequently. There are more African American men in prison in the U. S. than the total prison populations in India, Argentina, Canada, Lebanon, Japan, Germany, Finland, Israel and England combined. While its staggering prison population drags down the U. S., it is worth noting that there are 375,000 black men incarcerated compared to only 200,000

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women of any race. They are disproportionately locked up, and they are disproportionately stopped and arrested. Due to the huge gap between black men with a diploma and without, it's obvious that the black males of our country are not getting the education they need, and are targeted for arrest at a young age.

Researchers at The Ohio State University found that 12% of the U. S. population is black, but they are 30% of the people arrested for property offenses and 38% of persons arrested for violent offenses. They say the contributing factor to this is that racial minorities commit certain crimes at higher rates. Data says that black men commit crimes at a higher rate than any other. These higher crime rates are not, however, attributed to the color of their skin, but to their poorer socioeconomic standing. Disadvantaged neighborhoods experience higher crime rates regardless of their racial makeup.

Between 1980 and 2000 the black drug arrest rate rose from 6.5 to 29.1 per 1,000 persons. Over that same time, white drug arrest rate rose from 3.5 to 4.6. This is in sharp contrast to drug use based on race, which the National Institute of Drug Abuse released the information that from 1975-2011 white high school students were more likely to abuse drugs in the month prior than black students. Our law enforcement is forced to make quick assessments of situations, and the association with black men and violence heightens the situation before a word is usually spoken. This brings police officers to use force sooner than they would with other races, as they are already preparing for it just because of someone's skin color.

The numbers go on. Racial minorities make up just 15% of drivers on the New Jersey Turnpike, but make up for 42% of stops and 73% of arrests. Even though white drivers and black drivers violate traffic laws at almost identical rates. The study goes on to say that whites were less likely to be viewed as suspicious by police but were twice as likely to be carrying illegal drugs as stopped black drivers and five times as likely to be holding as Hispanic stopped drivers .

In Volusia County, Florida, five percent of stopped drivers were minorities and 80% of all those searched. The crazy thing about all these numbers is that it's only the first step in a minority's hellish journey through the American legal system. At this point in the game they haven't even stepped in front of a judge. The median income for black and Hispanic families is 20,000 less than the average white family . So when these people are arrested, they can't afford to pay for their own lawyer, so they must rely on a heavily overworked indigent public attorney system. The states spent 2.3 billion dollars on this system in 2007. That averages out to \$414.55 per case. Public defenders average 371 cases a year: more than one a day . If you have very little education, very little money and are constantly being targeted for arrest, chances are you're going to jail at some point for something.

So you just got arrested after watching the cop let another guy go that was doing something worse than you. You sat in a jail cell overnight because you can't afford bail and met with your frantic public defendant. He tells you you're pretty much on your own and you go to court, hoping for some

understanding. Nope, not today. The prosecutors, like the public defenders, are pressed with a growing number of defense cases. This opens the window for racial bias in choosing which cases to pursue.

Black people get off with less than the minimum sentence much less frequently than their white counterparts, too. Federal law allows for the dismissal of a minimum sentence when a defendant has provided “substantial assistance” to law enforcement. Even when taking into account severity of the offense, criminal history and specific court districts sentencing patterns, whites were let off the hook more frequently .

This is such a widespread issue that a change at any level would bring relief, but complete change would require an overhaul of both the American legal and educational system. The mistreatment of minorities starts on the street and ends with their higher capital punishment rates. More minorities are picked up off the streets and thrown in jail than anyone should feel comfortable with. Things need to be done to at the very least slow this crisis.

Racial inequality in our school system is a huge problem that has many effects on our society. Schools of predominantly minority children receive less funding and this has been happening since Brown V. Board of Education. This Supreme Court ruling struck down racial segregation of schools, but 60 years later 40% of black and Hispanic students attend schools of 90% nonwhite populations . The average white kid attends school where 77% of his or her peers are white. The Center for American Progress reports that when comparing per-pupil spending, schools with 90% or more of color spend \$733 less per student per year than in schools with 90% or more white

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students. The Center for American Progress proposes a three-phase plan aimed at closing the federal comparability requirement loophole. This plan of holding districts and states accountable for their per-pupil expenditures and to ensure that spending is done more equally. According to their plan, the changes would affect 77% of all students attending school .

By underfunding schools with large populations of students of color, they are keeping them from gaining any kind of education that could be useful in the world after schooling. This drives up crime rates, as these kids now grown up can't supply for themselves in any kind of productive way. These high crime rates push law enforcement to discriminate, sending these people to prison before they ever had a chance. For anyone that could fight for an education, they will have to live the rest of their lives in the shadow of those who didn't. Those who contribute to the stereotype cast it onto the educated minorities, who appear the same to law enforcement. Meaning law enforcement, which is forced to make quick judgment calls, will treat them just as they would someone who couldn't fight for their education.

This is systematic. This is an epidemic. Education within the neighborhoods of color has deteriorated and resembles that of everything between Plessy V Ferguson and Brown V. Board of Education. Because of this, our judicial system is nearing its breaking point. It's filled with people who can't fend for themselves because they were abandoned by their government and their fellow Americans. Racial profiling finds its roots deep within the American political machine that has overlooked these people. Institutional change is



the only course of action to begin to heal this problem that has plagued the U. S. since its conception.