

# The race of an american prison



**ASSIGN  
BUSTER**

It seems that more minorities are incarcerated as opposed to the majority; looking at the facts as they stand, a person's ethnic background really has bearings on whether he/she is incarcerated, because more than 60% of those incarcerated are of a minority background. To say that our Judicial system is not biased due to race would very much be false. There have been numerous studies performed on the said topic and they all point to our Judicial system having a biased nature. Our American prisons have a disparity of minority inmate population. Racial disparity is an on-going epidemic within today's society.

This is a far larger epidemic within our Judicial system than anyone wants to admit to. For years, our judicial system has incarcerated minorities such as African-Americans, Native-Americans, and Hispanics at a much higher rate than Caucasians, thus bringing racial disparity within our prison system. This brings up the question, what is racial disparity in our criminal justice system? Racial disparity in our criminal justice system can be defined as the existence of racial disproportion or an ethnic group disproportion within the control of our prison system.

Some scholars and journalists say that this is due to an unfair and biased criminal justice system with particular emphasis on law enforcement and legislative policies. Between the years of 1955 - 1968, was a very important time for African-Americans in American society. There have been many changes in freedoms and fairness that took place during the civil rights movement in these years. Society would like to think that due to this movement there is little to no bias when dealing with the minorities of today's society.

However, after lots of research filled with facts and opinions, the truth of the matter is that there is still a great injustice dealing with the minorities in the judicial system. As it states in, "Racial Disparity and The Criminal Justice System: An Assessment of Causes and Responses Testimony Presented to The American Bar Association Justice Kennedy Commission", "one of every three black males born today will go to prison in his lifetime, as will one of every SIX Latino males (rates of incarceration for women overall are lower than for men, but similar racial/ ethnic disparities pertain)" (Mauer, 2008).

There is a question at hand as to if the reasoning behind the minority population in the prisons being so high because of higher minority crimes or is it just U. S. , 60% of which are of the minority. That is a rate of incarceration far higher than that of any other industrialized nation, and unprecedented in U. S. history. African-Americans are targeted higher than any other race within the judicial system. African-American men specifically have a 1 in 4 chance of going to prison within their lifetime as opposed to a white male who only has a 1 in 23 chance of being incarcerated within his lifetime.

According to the article "The Top 10 Most Startling Facts About People of Color and Criminal Justice in the United States" (Kerby, 2012), "Eliminating the racial disparities inherent to our nation's criminal-justice policies and practices must be at the heart of a renewed, refocused, and reenergized movement for racial justice in America." It also states "the incarceration rates disproportionately impact men of color: 1 in every 15 African American men and 1 in every 36 Hispanic men are incarcerated in comparison to 1 in every 106 white men.

These statistics bring up the question of why there is such a disproportion within today's prisons. Some people claim that it is because of what minorities watch on television or the music they hear on the radio. Others blame the convict's parents. They might say that it was due to their upbringing. However, others may say that the incarceration disproportion is due to the percentage of African-Americans that live below the poverty line.

Others may argue that it is due to the fact that only 24% of African-Americans over the age of 25 have not graduated with a high school diploma or the equivalency of. Still, others say that the judicial system is biased, racist, or possibly corrupt. "Individuals of color have a disproportionately number of encounters with law enforcement, indicating that racial profiling continues to be a problem. A report by the Department of Justice found that blacks and Hispanics were approximately three times more likely to be searched during a traffic stop than white motorists.

African Americans were twice as likely to be arrested and almost four times as likely to experience the use of force during encounters with the police" (Kerby, 2012). Another minority population that faces racial disparity within our criminal justice system are those of Hispanic descent. While Latinos make up 11% of the U. S. population and is the most rapidly growing among minorities, The Bureau of Justice Statistics Bulletin states that Latinos make up 10% of the U. S. drug users while 72% of all drug users are non-Hispanic whites.

Latin-American men not unlike African-American men have a disproportionate imprisonment rate compared to white men. This being said,

The Bureau of Justice Statistics Bulletin also states that Latinos represent approximately 22% of sentenced prisoners convicted on drug related charges. It is said that Latinos make up 18% of the population of adults in our state, local, and federal jails. The war against drugs plays a big part in the incarceration rate.

" In 2005, African Americans represented 14% of current drug users, yet constituted 33. of persons arrested for a drug offense, and 53% of persons sentenced to prison for a drug offense. " (Mauer, 2008) The Native-American community is also another minority that faces racial disparity within the Judicial system. The Native-American community represents less than 1% of the U. S. population. However, more than 4% of the Native-American community is within the federal correction system such as state and federal prisons and local jails, while compared to only 2% of the white community.

There are many theories as to why racial disparity presents itself to the Native-American community. One theory behind this is that Native-Americans are victimized by violent crimes at two times the rate of the general public. Others would say that Native-Americans like African-Americans have a high percentage of their population that live below the poverty line. It is said by the American-Indians and Crime, Bureau of Justice Statistics that more than 31% live below the poverty line.

It is also said by American-Indians and Crime, Bureau of Justice Statistics that approximately 34% of Native-Americans over the age of 25 have not completed high school and/ or have failed to receive the equivalency of. Another contributing factor according to the research out there that has

immensely affected the U. S. minority population is the absentee existence of one or both parents. Minorities growing up within a one parent or less home are said to have a higher rate of incarceration due to the lack of parental guidance.

Another problem within the population living below the poverty line is the presence of addiction. Many of the households within today's urban environments are faced with the ever growing plague of addiction, homelessness, sexual abuse, and violence. All these things are contributing factors to the rise of racial disproportion within today's incarcerated minorities. The war against Methamphetamine has greatly increased the white population in jails and prisons since 2006. " At midyear 2011, U. S. Jails are estimated to have held a total of 735, 601 inmates. Of these, 642, 300 (87. ) were male and 93, 300 (12. 7%) were female.

Racial and ethnic demographic breakdown of the 735, 601 is estimated as follows: 329, 000 were white (44. 8%), 276, 400 were Black/ African American (37. 6%), 113, 900 were Hispanic/ Latino (15. 5%), 14, 700 were reported as " other" (2%) and 1, 200 were reported as two or more races (0. 2%). " (Minton, 2012). According to several sources, today's youth of color are incarcerated at a much higher percentage than white youth, 70% to be exact. Today's incarcerated youth is made up by two-fifths African-American and one fifth Hispanic.

Today's minority youth are facing stricter punishment than their white counterparts, resulting in a larger number of minority youth jailed. The article, " Preliminary Report on Race and Washington's Criminal Justice

System" (Anonymous, 2012), states that " African- Americans are over represented in the prison population because they commit a disproportionate number of crimes". This seems to be an unfair Judgment due to the fact that minorities are more than two times more likely to be searched or stopped for any kind of criminal activity based on the color of their skin.

For example, " among felony drug offenders, black defendants were 62% more likely to be sentenced to prison than similarly situated white defendants. " (Anonymous, 2012) Also once convicted, African-Americans were 21% more likely to receive harsher punishment compared to white offenders with a sentence that is 10% longer than white offenders that committed similar offences. Racism in our Judicial system are present at different stages of our criminal Justice system including but not limited to arrest, charging, conviction, and imprisonment.

According to recent research, done by the Department of Education, minority students made up more than 70% of arrested youth in the 2009-2010 school year. Young African-Americans have a higher rate of youth incarceration and are more likely to be imprisoned as adults than white youth. Although there are definite economic hardships within the minority communities, evidence suggests that racial injustice within our Judicial system has stripped most minority groups from some of their civil rights through imprisonment and a disproportionate number of minority inmates within the prison system.

Racial disparity could very well be one of the civil rights issues of today's society. Poverty and economic factors may have a small but evident part in

the disproportional amount of minority inmates in today's prison system, but it is not the only reason for racial disparity within today's judicial system. Due to facts, race is a definite factor.