

Racial Disparities in Madison & Dane County in Context

MUM Forum on Community Policing

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Nationally African Americans Are Being Imprisoned at Alarming Rates

- Upwards of 1/3 of the black male population is under the supervision of the correctional system (prison, jail, parole, probation)
- Estimated “lifetime expectancy” of spending some time in prison is 29% for young black men.
- About 9% of black men in their 20s are in prison
- 7% of black children, 2.6% of Hispanic children, .8% of white children have a parent in prison (at one time) – lifetime expectancy much higher

Imprisonment Itself Is A Problem for African American Communities

- Imprisonment rates are too high to be pulling “bad apples” out from a law-abiding population.
- Pulling a high proportion of men (and increasingly women) out from a community hurts women, children – everyone in the community.
- The experience of going through prison does not improve an individual’s chances of contributing productively to society. To the contrary.

About Rates & Disparity Ratios

- Imprisonment and arrest rates are expressed as the rate per 100,000 of the appropriate population
- Example: In 1999 Wisconsin new prison sentences
 - 1021 whites imprisoned, white population of Wisconsin was 4,701,123: $1021 \div 4701123 = .000217$. Multiply .00021 by 100,000 = 22, the imprisonment rate per 100,000 population.
 - 1,266 blacks imprisoned, black population of Wisconsin was 285,308. $1266 \div 285308 = .004437$. Multiply by 100,000 = 444
- Calculate Disparity Ratios by dividing rates: $444/22 = 20.4$ the black/white ratio in new prison sentence rates

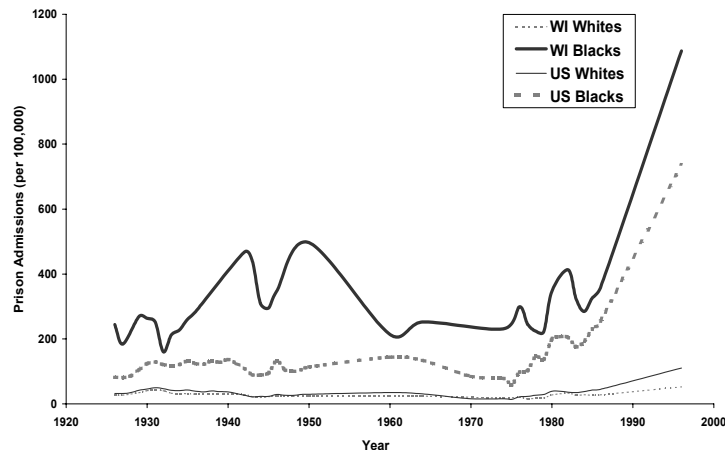
Disparities are a Symptom, Not a Diagnosis

- Racial disparity is a statistical concept
- It does not prove discrimination
- It points to problems in the community that we should take seriously and investigate
- “The patient has a fever of 107°.” This is an emergency condition, but we have to figure out what is wrong to know what to do
- Taking shared responsibility vs. blaming others

Migration and Age Structure

- Demographic factors such as migration and age composition can affect disparities, but these effects should be tested with data, not invoked as excuses for ignoring the patterns
- Disparities in Wisconsin are much too large to be explained away by migration and age structure, although these are likely contributing factors
- Racial differences in the time trends also suggest factors other than migration or age structure must also be involved

US & Wisconsin Imprisonment Rates in the 20th Century



The 1970's Policy Shift

- Shift to determinate sentencing, higher penalties
- LEAA, increased funding for police departments
- The drug war (growing proportions of prisoners for drug offenses, accounts for largest share of racial disparity in imprisonment nationally)
- Post-civil rights, post-riots race relations & race-coded political rhetoric

Current Illicit Drug Use Rates for Adults

- Whites 6.6%
- Hispanics 6.8%
- Blacks 7.7%
- Asians 3.2%
- American Indian/Alaska Natives 10.6% (largely marijuana)
- Multiple race 11.2%

*Note:
Drug use among juveniles is
lower for blacks than whites*

Source: 1999 National Household Survey on Drug Abuse

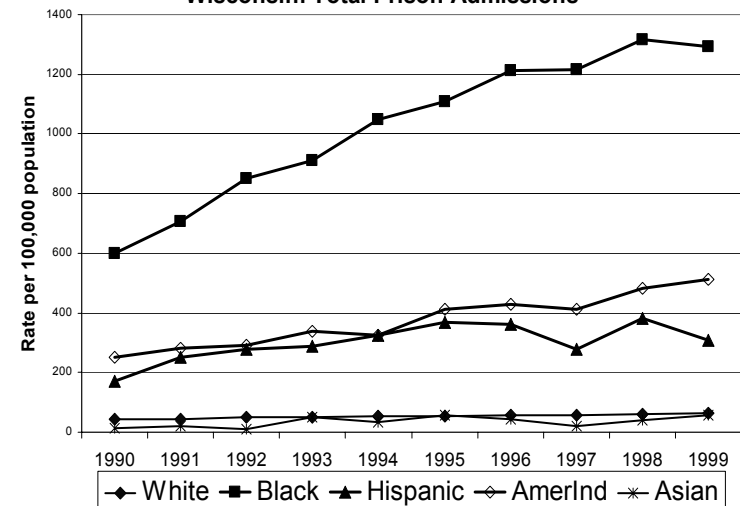
Wisconsin: State-wide patterns

- By the end of the 1990s, the national black/white disparity in imprisonment was about 7 to 1. In Wisconsin, it was about 20 to 1.
- Wisconsin's black/white disparity ratio in prison admissions rose from 14 in 1990 to 22 in 1998 (declining slightly to 21 in 1999).
- The minority/white disparity ratios for Hispanics (about 6) and American Indians (about 8) are high but have not increased markedly in the 1990s. Asians have lower imprisonment rates than whites nationally and in Wisconsin.

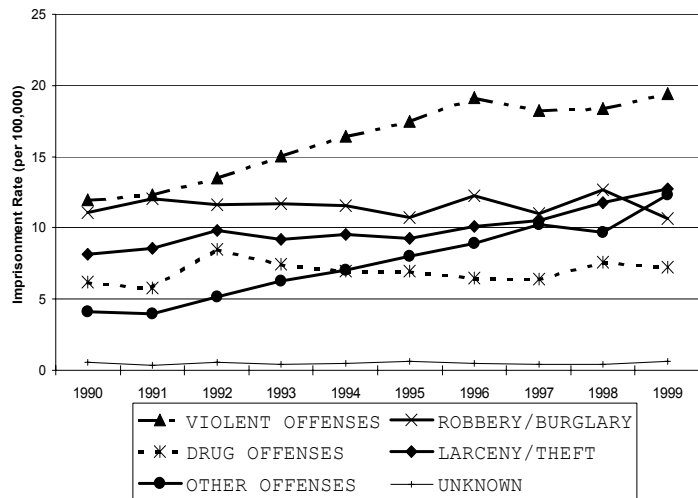
Wisconsin Patterns

- Black prison admissions rose substantially in the 1990s, while white prison admissions were much lower and largely stable
- Whites most commonly enter prison for assaultive offenses (homicide, rape, assault); few whites enter prison for drug offenses
- As the 1990s progressed, higher and higher proportions of blacks entered prison on drug offenses. In fact, drug offenses account for most of the rise in black prison admissions and the rise in racial disparity
- *Note: the racial groups in the prison statistics do not include Hispanics*

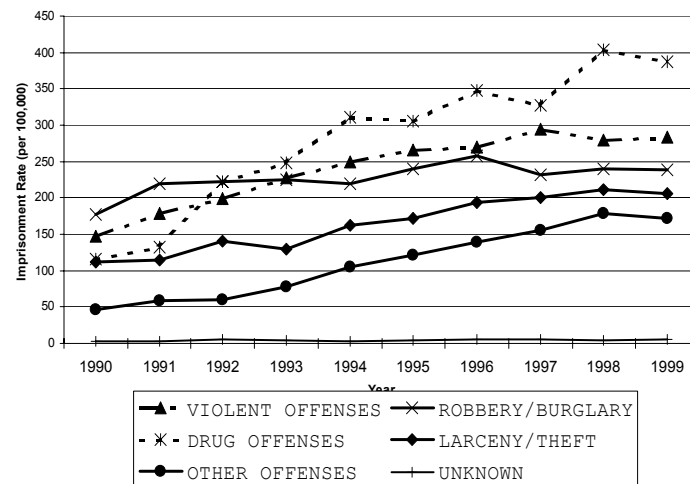
Wisconsin: Total Prison Admissions



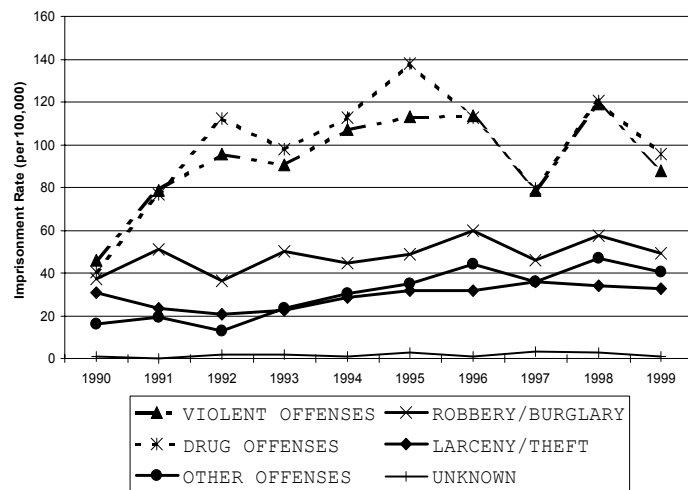
Wisconsin: White (Non-Hispanic) Total Prison Admissions



Wisconsin: Black Not Hispanic Total Prison Admissions



Wisconsin: Hispanics Total Prison Admissions

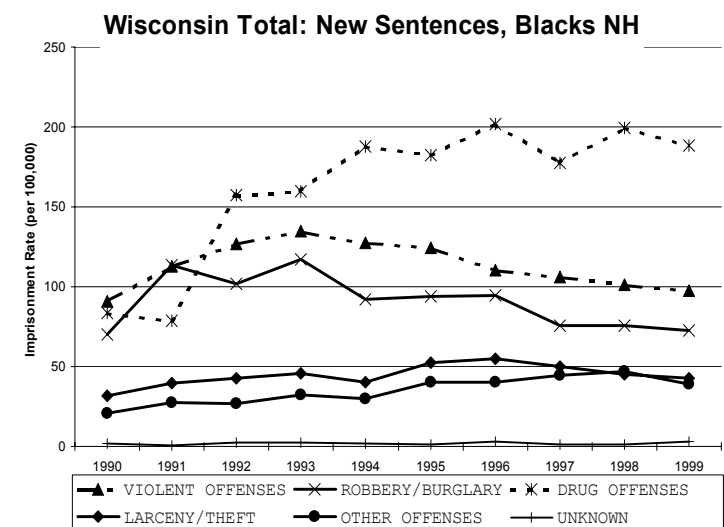
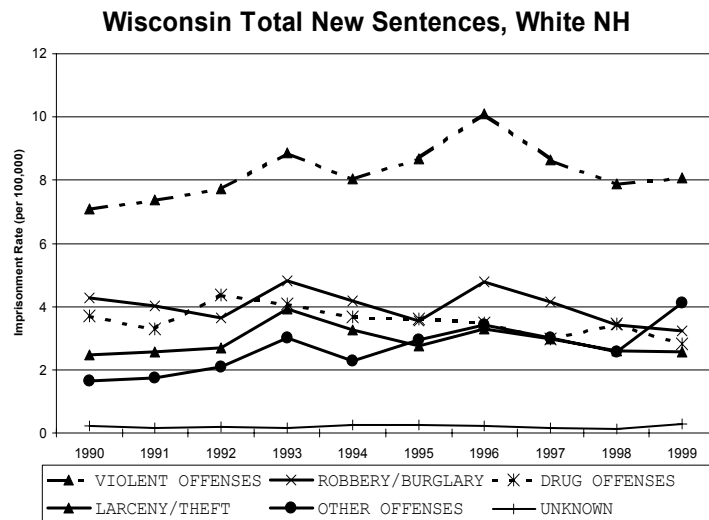
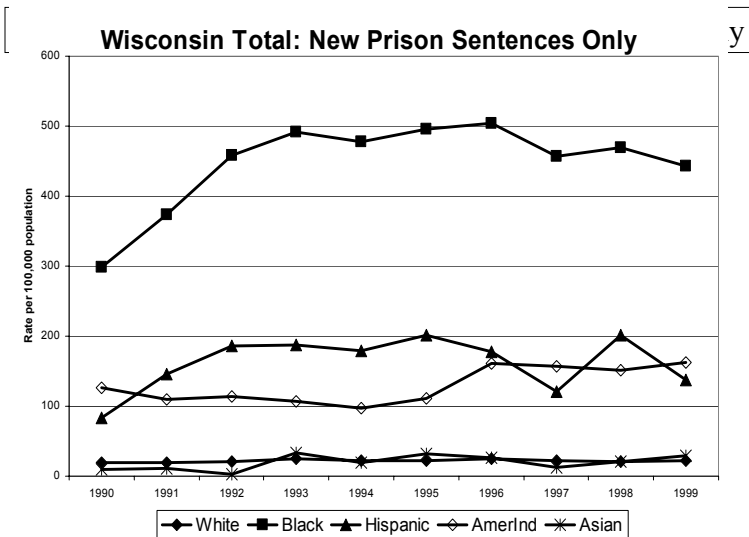


Probation & Parole Violations

- The share of prison admissions due to probation/parole revocations rather than new sentences has been rising.
- In the early 1990s, about 1/3 of all prison admissions were for probation/parole violations (with no new convictions), while by the late 1990s, about half were for probation/parole violations with no new convictions.
- These trends are fairly consistent across racial groups.

Drug Convictions & Racial Disparity in New Prison Sentences: Trends 1990 to 1999

- For blacks, the percentage of new sentences that were drug offenses increased from 24% to 42%, while for whites it declined from 18% to 15%.
- For blacks, the percentage of new sentences that were assaultive offenses declined from 30% to 22%, while for whites it held constant at 37-40%.
- Racial disparities are highest for the drug offenses and increased markedly through the 1990s. **Specifically, the black/white ratio in the rate of new prison sentences for drug offenses rose from 22 in 1990 to 67 in 1999.**



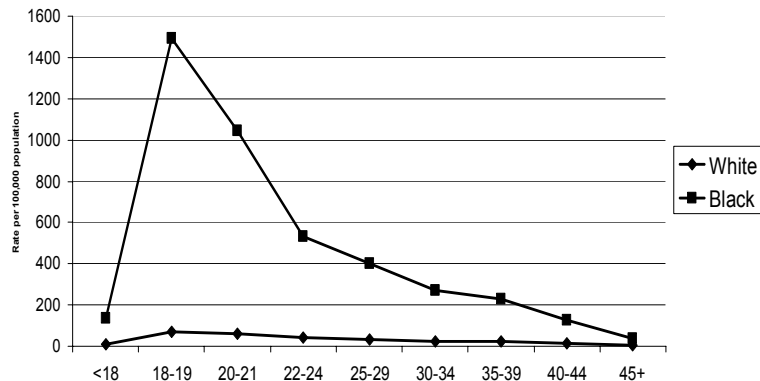
Conclusions

- Huge racial disparities, especially black vs. white
- Probation/parole violators returning to prison are a major source of the rise in black prison admissions
- Blacks show steep rises in new sentences for drugs, while whites show no increase
- White new sentences are primarily for violent offenses.
- Black new sentences are primarily for drug offenses.

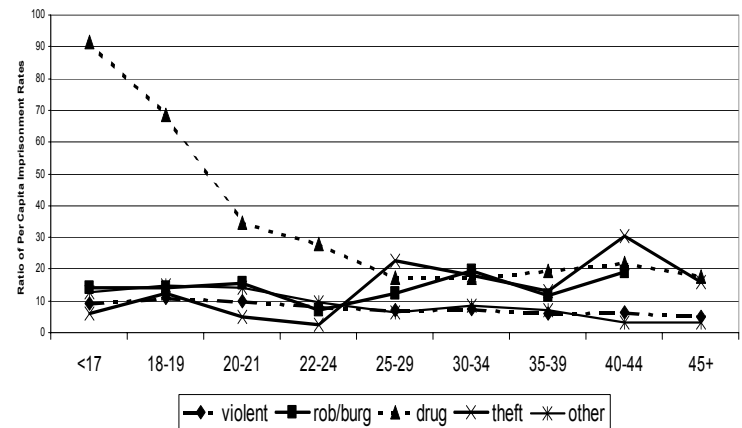
Racial Disparities & the Young

- Racial disparities in imprisonment are especially high for the youngest adults, ages 18-30
- Most of this age-related disparity is tied to drug offenses

Wisconsin Total New Prison Sentences for Persons with No Prior Felony, Rates per 100,000 population, 1998-9 (annualized) By Age



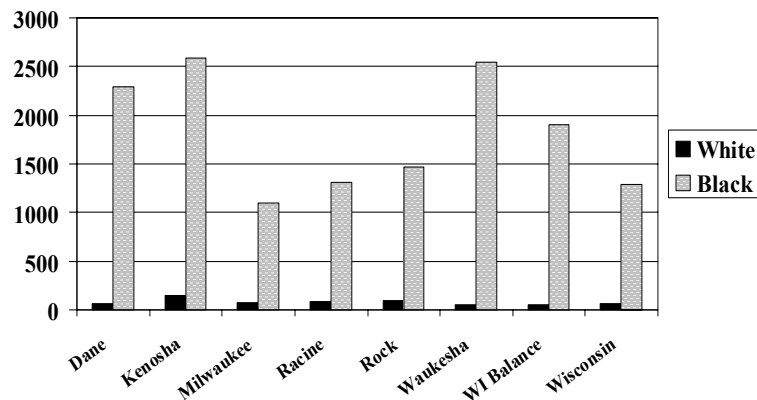
Black/White Disparity Ratios in Prison Admissions by Age & Offense (New Sentences, No Prior Felony) Wisconsin Total



Dane County

- Has low white imprisonment rates and high black imprisonment rates, yielding a disparity ratio that peaked at 48 in 1997 and was 39 in 1999
- Had a huge increase in black imprisonment for drug offenses in 1992-1994 (when Madison received a large drug enforcement grant). No comparable increase in white imprisonment rate for drug offenses, which is extremely low.
- Racial disparity for drug offenses averaged 200 to 1 (!) in 1992-1997. Declined to “only” 89 by 1999.

Total Prison Admissions Per 100,000 in 1999

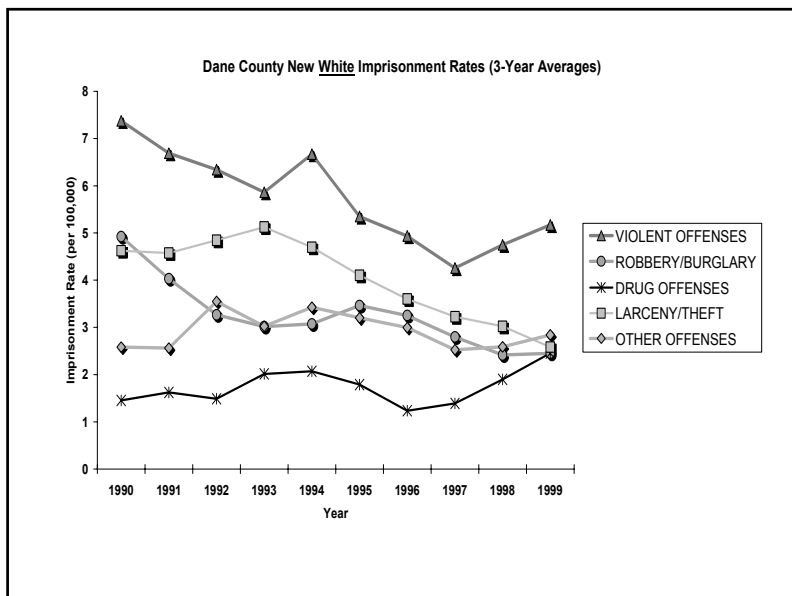
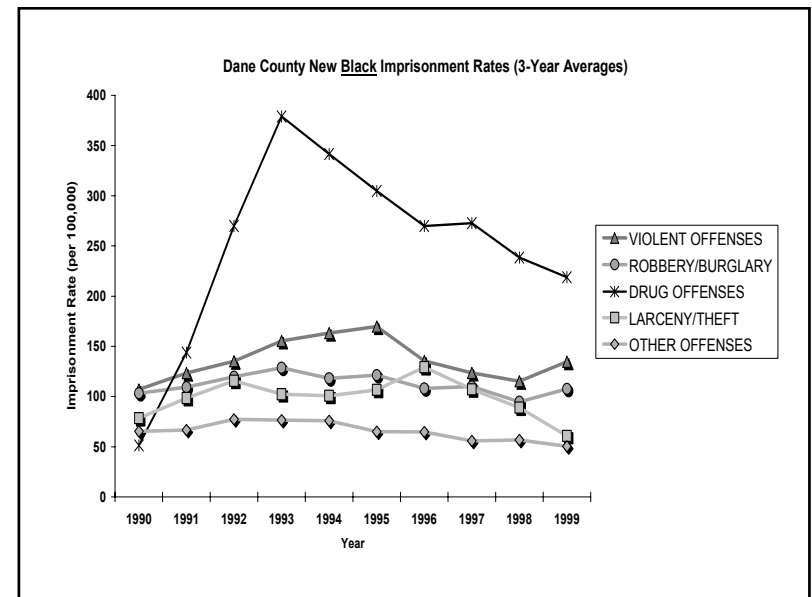
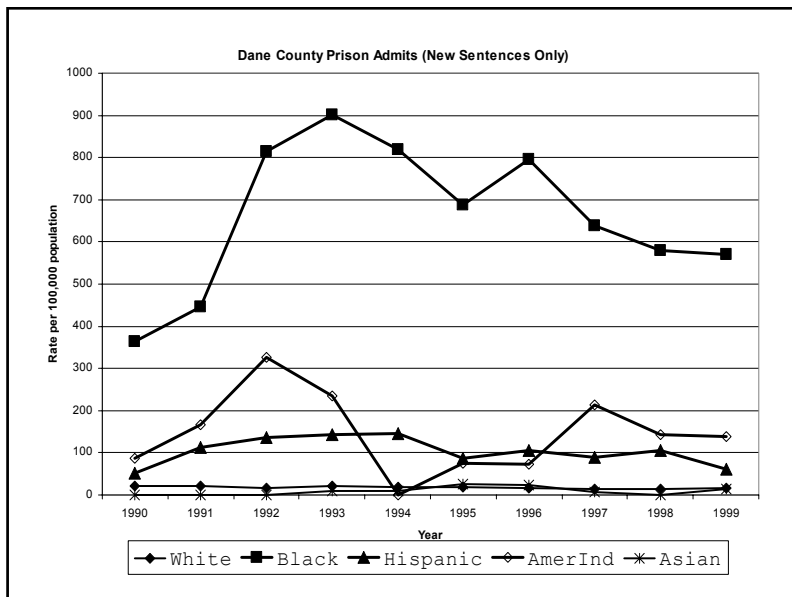


Dane County Prison Admissions 1999 Counts of People (not rates)

| | | |
|----------|-----|-----|
| Total | 601 | |
| White | 240 | 40% |
| Black | 346 | 58% |
| Other | 15 | 2% |
| NewOnly | 163 | 27% |
| New+Viol | 125 | 21% |
| ViolOnly | 313 | 52% |

Dane County Prison Admissions 1999: Offenses (Counts of People, Not Rates)

| | | violent | rob/burg | theft | drug | other |
|-------|----------------|------------|------------|------------|------------|------------|
| White | New Only | 20 | 15 | 12 | 9 | 14 |
| | New + Vio | 9 | 5 | 18 | 4 | 11 |
| | Vio Only | 36 | 22 | 40 | 7 | 14 |
| | Total | 65 | 42 | 70 | 20 | 39 |
| | Percent | 28% | 18% | 30% | 8% | 17% |
| Black | New Only | 19 | 18 | 8 | 32 | 9 |
| | New + Vio | 17 | 8 | 12 | 15 | 21 |
| | Vio Only | 47 | 27 | 48 | 43 | 22 |
| | Total | 83 | 53 | 68 | 90 | 52 |
| | Percent | 24% | 15% | 20% | 26% | 15% |



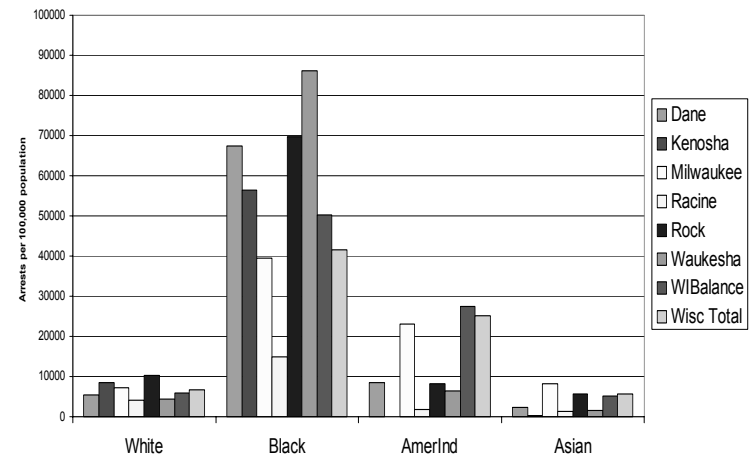
1997-1999 Average Annual Arrest Rates

- Source: Uniform Crime Reports Data obtained from Wisconsin Office of Justice Assistance
- Comparisons between counties and between offenses help us to understand the patterns behind total disparities
- Agencies differ in how they count arrests, especially for minor offenses, but this cannot explain disparities within counties
- Dane has above-average black arrests and substantially higher arrest disparities than most other counties
- Arrest disparities are high for the most serious offenses, but also for the drug and public order offenses

Dane County Adult Arrests 1999, Numbers

| | White | AfrAm | AmerInd | Asian | Total |
|---------|-------|-------|---------|-------|-------|
| Total | 17869 | 7006 | 108 | 282 | 25265 |
| | 71% | 28% | 0% | 1% | |
| Drug | 941 | 598 | 4 | 12 | 1555 |
| | 61% | 38% | 0% | 1% | |
| Serious | 620 | 337 | 8 | 8 | 973 |
| | 64% | 35% | 1% | 1% | |

Total Adult Arrest Rate 1997-9, Annual Average



Adult Black/White Disparity Ratios in Arrests

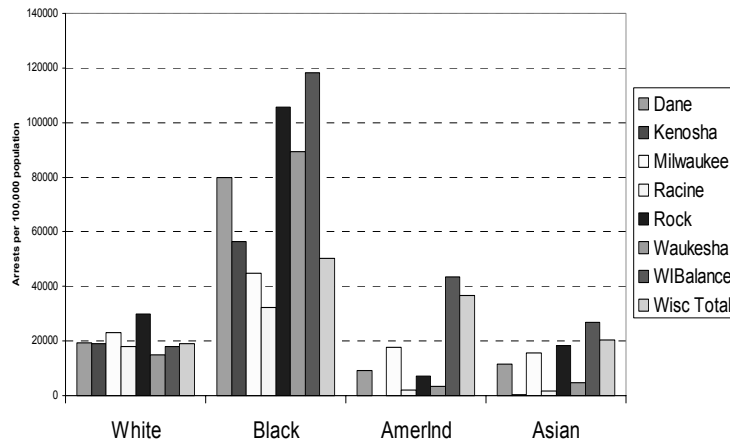
| | Wisc Total | Dane | Kenosha | Milwaukee | Racine | Rock | Waukesha | WIBalance |
|-----------------------|------------|------|---------|-----------|--------|------|----------|-----------|
| Serious | 12 | 18 | 10 | 10 | 9 | 9 | 34 | 15 |
| Marijuana Possession | 4 | 13 | 6 | 4 | 3 | 5 | 13 | 8 |
| Other Drug Offenses | 17 | 33 | 26 | 9 | 11 | 17 | 38 | 27 |
| Theft/Larceny | 11 | 16 | 11 | 7 | 6 | 5 | 75 | 12 |
| Simple Assault | 11 | 20 | 7 | 7 | 6 | 6 | 17 | 15 |
| Other Property | 5 | 8 | 6 | 5 | 4 | 3 | 26 | 9 |
| Weapons & Misc | 13 | 13 | 6 | 7 | 6 | 5 | 19 | 10 |
| Alcohol-Related | 1 | 3 | 2 | 1 | 1 | 1 | 6 | 3 |
| Disorderly Conduct | 7 | 12 | 4 | 5 | 2 | 5 | 17 | 9 |
| Wrong Place | 1 | | 44 | 3 | | 23 | 10 | 6 |
| Other, Except Traffic | 8 | 19 | 8 | 7 | 5 | 10 | 21 | 12 |
| Total | 6 | 13 | 7 | 5 | 4 | 7 | 20 | 9 |

“Serious” offenses are homicide, sexual assault, aggravated assault, robbery, burglary, auto theft. “Wrong place” includes vagrancy, curfew violation, loitering.

Dane County Juvenile Arrests 1999, Numbers

| | White | Afr Amer | AmerInd | Asian | Total |
|---------|-------|----------|---------|-------|-------|
| Total | 6881 | 2079 | 20 | 168 | 9148 |
| | 75% | 23% | 0% | 2% | |
| Drugs | 364 | 136 | 0 | 4 | 504 |
| | 72% | 27% | 0% | 1% | |
| Serious | 279 | 161 | 1 | 11 | 452 |
| | 62% | 36% | 0% | 2% | |

Total Juvenile Arrest Rate 1997-9, Annual Average



Juvenile Black/White Disparity Ratios in Arrests

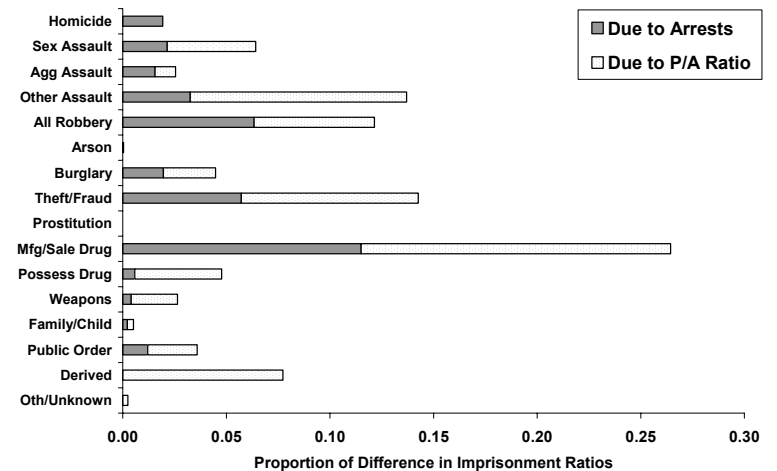
| | Wisc Total | Dane | Kenosha | Milwaukee | Racine | Rock | Waukesha | WIBalance |
|-----------------------|------------|------|---------|-----------|--------|------|----------|-----------|
| Serious | 5 | 7 | 3 | 4 | 4 | 6 | 9 | 8 |
| Marijuana Possession | 2 | 4 | 2 | 1 | 1 | 2 | 3 | 4 |
| Other Drug Offenses | 6 | 12 | 11 | 3 | 8 | 10 | 3 | 8 |
| Theft/Larceny | 3 | 5 | 3 | 2 | 3 | 3 | 15 | 7 |
| Simple Assault | 6 | 12 | 6 | 3 | 3 | 6 | 21 | 17 |
| Other Property | 2 | 3 | 2 | 1 | 2 | 2 | 5 | 5 |
| Weapons & Misc | 5 | 5 | 3 | 3 | 3 | 4 | 16 | 9 |
| Alcohol-Related | 0 | 1 | 1 | 0 | 0 | 1 | 2 | 3 |
| Disorderly Conduct | 4 | 7 | 4 | 3 | 3 | 4 | 7 | 8 |
| Wrong Place | 3 | 3 | 3 | 2 | 0 | 4 | 5 | 6 |
| Other, Except Traffic | 2 | 3 | 2 | 2 | 1 | 4 | 3 | 7 |
| Total | 3 | 4 | 3 | 2 | 2 | 4 | 6 | 7 |

“Serious” offenses are homicide, sexual assault, aggravated assault, robbery, burglary, auto theft. “Wrong place” includes vagrancy, curfew violation, loitering.

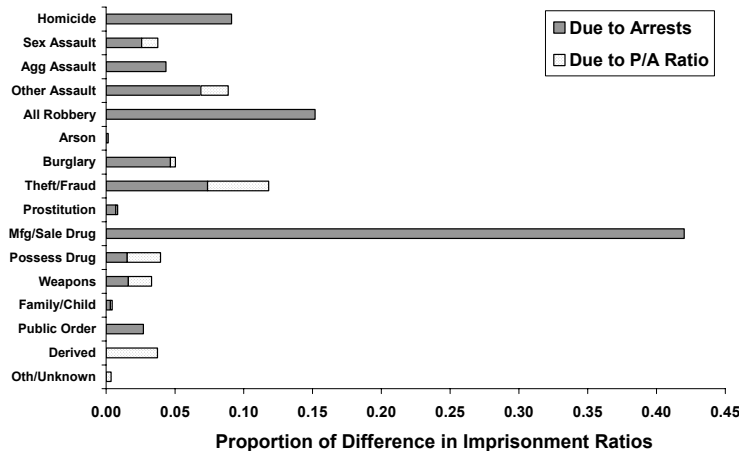
Allocating Imprisonment Rate Differences

- This procedure calculates the ratio of prison admissions to arrests by offense for whites, then determines how many blacks would be imprisoned if the prison/arrest ratio were the same for blacks as whites. This is the share of imprisonment disparities “accounted for” by arrests.
- The balance of the imprisonment disparity is attributed to racial differences in the prison/arrest ratio
- This is not an exact calculation, but helps you to identify where in the process disparities arise
- The total difference in imprisonment rates is also allocated among offenses

Sources of Black/White Imprisonment Rate Difference: Dane County



Sources of Black/White Imprisonment Rate Difference: Milwaukee County



Challenges for Community Policing

- The data are overwhelming that the “drug war” has been fought against African Americans, both nationally and here in Dane County
- There are substantial racial differences in arrest rates for the most serious crimes, for which there is relatively little discretion in policing
- There are also substantial racial differences in arrest rates for the minor offenses and drug offenses which are affected by police deployment decisions

Multiple Arrests

- The adult arrest rate of 68,000 could mean that 68% of African Americans in Dane County are arrested each year, or could be that 7% are arrested 10 times a year.
- These imply very different images of what “the problem” is.
- But the multiple arrest phenomenon is true for all races, cannot explain the differences.

Place

- Much of the racial disparity in arrests arises from WHERE police concentrate their efforts
- Police appear to be using arrests for less serious offenses as a way of combating more serious offenses
- Place is not neutral with respect to race or other social factors
- There are real community debates about how to police high-crime places

Intensive Policing

- Constantly asking people what they are doing, monitoring their behavior
- Instructive to consider parallels to political repression in authoritarian regimes
- This kind of policing can generate resistance and reduce the popular legitimacy of a regime
- Political rhetoric equates policing of blacks with repression, has some basis in fact

Political Processes

- War on drugs was/is political
- Police are given financial incentives to have high drug arrests
- Political incentives to focus policing on small, politically weak populations
- Economic interests in prisons

Policing of Less Serious Offenses Matters

- Many youths commit minor offenses, only some are caught, only some are referred to “the system”
- Most minor offenders (even black males) never commit a serious offense
- Intensive policing leads to a higher probability of arrest for minor offenses
- Arrests for minor crimes affect “prior record” which affects sentencing
- The practice of escalating sanctions with each police encounter disproportionately affects the targets of intensive policing

Responses to Minor Crimes Matter

- Lots of research shows impact of intervention on whether a person stays criminal or desists
- Little evidence that arrest or escalating sanctions increase desistence or aid rehabilitation
- Prison does not aid desistence: minor offenders or drug dealers sent to prison are more likely to re-offend after prison
- Probation/parole system is where a lot of the action is: relatively minor crimes or non-criminal probation/parole violations lead to prison admission

The Challenge: Community Policing Without Repression

- The police cannot solve the problems of increasing income inequality and racial divisions
- The whole community must be involved
- But some kinds of policing can make the problems worse
- High imprisonment rates have made the problems worse, and high arrest rates contribute to high imprisonment rates

In Conclusion

- Looking at the data challenges many preconceived ideas of where “the problem” is
- Blacks are being differentially affected by the drug war
- The drug war & attendant policing look a lot like political repression might look
- Police are not “the problem” but arrests and criminal sanctions are part of the problem
- We need to consider the incentive structures: police are “paid” to do drug enforcement
- We have to accept the fact that the drug war has been racial in its execution, and discuss what that means for our images of a just society