

Repressive Injustice: Political and Social Processes in the Massive Incarceration of African Americans

(working title)

Book Proposal

Rose Monograph Series

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The problem of spiraling Black incarceration

The United States has the world's highest incarceration rate. This massive incarceration is a product of exponential growth since the 1970s (see Figure 1). By the end of the 1990s, even White European Americans were incarcerated at rates three to four times higher than Europeans. But the wave of massive incarceration fell disproportionately on Black African Americans, who by the 1990s were seven times more likely than European Americans to be in prison. The "lifetime expectancy" of spending time in prison has been estimated to be 29% for a young Black man (Bureau of Justice Statistics, 1999). About 12% of Black men in their 20s were in prison in 2001 (Bureau of Justice Statistics 2002). Such high incarceration rates of young men must have major impacts on Black women, Black families, Black children and Black communities. Additionally, incarceration is rising rapidly for Black women, most of them mothers. It is sociologically impossible that Black communities could be better off under this level of incarceration than they would be with lower incarceration rates, even though Black people are disproportionately the victims of Black offenders. Hispanics and American Indians are also incarcerated at rates substantially higher than non-Hispanic Whites, although at substantially lower rates than African Americans.

Linking theories of crime control to theories of inter-group conflict and political repression

The research we are doing for this book is guided by an integrated theoretical schema of the relation among crime, law enforcement, political processes, racial segregation and racial discrimination, and social and economic well being. It recognizes that law enforcement is never a simple mechanical response to crime, but is always politically influenced. This research suggests ways in which political processes may respond to social, economic, and demographic factors as well as to crime and the internal logic of politics in influencing crime enforcement. It emphasizes that "crime" must not be viewed as a single entity, but as a set of types of crimes which have different kinds of relationships to social and economic factors, to political factors, and to law enforcement, and specifically problematizes the relationship between criminal justice responses to lower-level offenses and rates of serious crimes. It addresses the paradox that the size of the Black population positively affects the level of police resources and White fear of crime, but per capita rates of Black arrest and imprisonment are higher where Blacks are a smaller proportion of the population. Finally, it treats race and racial segregation as central – but not static – features of the structure of society that interact with economic conditions, crime, and corrections.

This book links theories of crime control to theories of inter-group conflict and repression, looking for explanations of patterns in the relations between groups rather than individual pathologies. Spiraling Black incarceration is viewed as a post-Civil Rights Movement, post-1960s riots phenomenon. We recognize that complex phenomena like crime trends are inevitably the conjunction of many different processes, and we resist the impulse to over-simplify and reduce everything to racial conflict, while still taking the racial dimensions of the patterns as central.

It is an old argument that the criminal justice system of the US serves to repress Black people (and other minorities) and maintain a racial hierarchy. Literally thousands of works have been written to advance the argument or refute it. More thousands of works have addressed the broader questions of race, crime, and punishment. Many works have documented and raised alarms about the spiraling rates of Black imprisonment of the late Twentieth Century. Although the seriousness of the problem surely cries out for more public discussion, it is almost impossible to say anything entirely new about this subject. Although our work is not entirely new and builds on others' work, we believe we do have something to contribute.

Spiraling incarceration has been justified by incapacitation and deterrence theory of crime control. Seeing Black incarceration as an instance of repression opens up a range of new ways of thinking about crime control. In particular, it permits us to see policing and punishment as an instance of ongoing interactions between regimes and dissidents. Students of political repression know that, in a phrase generally attributed to Chuck Tilly, "repression works," but also that repression can backfire and exacerbate political rebellion. Similarly, repressive crime control efforts may make crime problems worse. The core issue is that both political dissidents and "criminals" are not isolated individuals, but are members of communities, and what happens to the dissident or criminal affects many other people. The issues of crime control also raise important theoretical issues for theories of repression.

Asking about the consequences and costs of spiraling Black imprisonment

Most discussions of Black imprisonment are locked in a debate about whether racial disparities are due to bias (racial profiling, racial discrimination) or to "real differences" in crime. Most discussions of its costs focus on state budget crises and the costs of prison systems.

This book instead locates imprisonment patterns in a larger system of racial inequality. It specifically addresses the question of the drug war, asking not the usual question of whether the drug war is an effective way to reduce the price of drugs, but whether it is having the consequence of effectively working to keep Blacks in a subordinate position. It argues that massive incarceration, fueled by the drug war, is making things worse for Black communities, weakening their economic base, destroying their social fabric, and crippling their political clout. It specifically tests for the possibility that high Black incarceration increases rates of Black child poverty.

Analyzing important new data

We bring a substantial amount of new data to bear on some ongoing debates. We gain purchase on teasing out causal relations by comparing states across fifteen or more years in the ways in which their incarceration rates and other factors have affected each other. We use several sets of data, sketched in our outline of the methods chapter. Unique to our work is the time series we have constructed for detailed classifications of prison admissions from the National Corrections Reporting Program. Some simple explanations for spiraling imprisonment can be discarded immediately in light of simple descriptive evidence. Others need to be subjected to much more subtle multivariate tests.

Most books that view massive incarceration in terms of racial conflict are based on anecdote, historical evidence, or broad descriptive statistics at the national level. We are not aware of other work that seeks to do a comparative statistical analysis of the different states across a long time series as a way of addressing these questions. In this book proposal, we do need to say that we have not yet done the complex multivariate analyses necessary to confirm or refute our ideas. The arguments advanced in this proposal will be changed if the data do not bear them out. It is also important to note that our overview and theory sections address a broader range of issues than we are able to address in our quantitative analyses. Nevertheless, we believe the analyses we will present in this book will be a major step forward.

Chapter Summaries

Chapter 1. Massive Incarceration, Massive Repression

The opening chapter sets the stage by reciting the statistics on Black incarceration and showing graphically how it has grown exponentially since the mid-1970s. It stresses the point that racial disparities are much higher now than in the era of Jim Crow, and that this is not some kind of legacy of the past, but a new phenomenon, a central feature of race relations in the US in the late 20th and early 21st centuries. It then lays out the general argument of the book and addresses basic issues that will undergird subsequent chapters. It stresses that rising incarceration is not a simple response to rising crime, but is rather due to a change in how we respond to crime, specifically a choice to spend more on policing and prisons and to focus on punishment rather than rehabilitation.

The chapter will briefly address foundational issues. These include: (1) A clear explanation with examples of what rates and disparity ratios are, and how they are calculated. (2) An argument that it is important to get beyond the simplistic debate about whether racial disparities are due to discrimination or “real differences in crime” and instead to understand the complex interplay of a whole social system that has a racial hierarchy as one of its main features. (3) The importance of disaggregating “crime” and the recognition that different kinds of offenses arise from different kinds of processes. The general public and sociologists alike too often focus on homicide. But the prisons are not full of murderers; they are full of people convicted of drug and property offenses.

The overall argument of this chapter is that massive incarceration is a political phenomenon that is a result of political processes and inter-group conflict, that it appears to have been started at least initially in reaction to the turmoil of the 1960s, and that this has become a massive social policy intervention with enormous social and economic consequences that have been insufficiently recognized.

A flow diagram like that in Figure 2 will be presented and discussed in detail as the organizing schema for the book. The arguments in this chapter will be presented at a general level, with specifics and details to be developed in subsequent chapters. Arrests are a function not only of crime, but also of policing decisions; policing decisions are always responsive to political considerations. Similarly, the chances of conviction and the penalties imposed also respond to political and economic conditions. The politics of crime control are affected by social and economic conditions – including inter-group conflict and inequality – as well as by actual crime levels. In addition, the prison system itself feeds back into political processes, since some people have political and economic interests in increasing the number of prisoners and prisons (what is now called the "prison industrial complex").

The upper half of figure 2 is the relation between social conditions and crime. A great deal of sociology examines the social factors that predict crime, with poverty and family disruption leading the list. There is also a literature showing how crime in an area can exacerbate poverty. However, what has often been neglected is the feedback from the prison system to social conditions. Specifically, imprisonment pulls working-age adults out of communities and lowers their lifetime earning potential. It disrupts families and generates a shortage of marriageable men. Time in prison increases individuals' ties to criminal elements and lifestyles and reduces ties to legitimate non-criminal activities and people. Filling communities with released prisoners increases the density of residents with ties to criminal subcultures rather than legitimate employment, and increases the likelihood of young people being drawn into criminal subcultures. Thus, massive incarceration exacerbates exactly the conditions that most contribute to crime. This issue will be revisited in Chapter 11 and the conclusion, which will point to the need for more research on the consequences of massive incarceration.

Chapter 2. Documenting and Explaining Massive Incarceration at the National Level.

This chapter will summarize research by others. It will have two major sections. The first will provide a statistical and historical account of the shift to massive incarceration. It will note that most nations have minority groups which are incarcerated at rates far above their national averages, but that the US's unusually high overall incarceration rate coupled with racial disparity means that its incarceration rates for African Americans are extremely high by international standards, and are at levels that draw critical attention from human rights monitors. It will summarize the historical trends in incarceration in the US as compared with the rest of the world with an emphasis on what changed in the 1970s. A brief history of policy changes and of the political debates surrounding these

changes will be summarized from existing literature. These will include the shift to determinate sentencing, "law and order" and "tough on crime" political rhetoric, the Law Enforcement Assistance Act and other later acts, and the "drug war" and drug enforcement funding. The chapter will document and discuss possible explanations for the rising racial disparity in US imprisonment 1900-1970, prior to the imprisonment boom. It will summarize official analyses that indicate that the major components of the imprisonment rise are harsher sentences, not new crimes. It will present breakdowns of offenders by race and offense and discuss the reduced use of parole and the rise in revocations of probation and parole as a major source of rising incarceration rates.

The second major section will summarize the research literature on the causes of racial disparities in the criminal justice system. This literature has mostly been organized around the question of bias in policing or sentencing. The research literature is mixed, but generally can be said to find relatively modest but non-zero disparities for most offenses after attempts to control for factors that would legally justify disparate treatment, and very large disparities in the policing of drug offenses. The literature also generally shows significant effects of an individual's economic or social position, which is highly correlated with race. We will summarize statistical attempts to partition imprisonment disparities into the component due to arrest and the component due to post-arrest processing. We will discuss the incentives for police to generate high volumes of drug arrests and convictions and the consequences of intensive policing of particular neighborhoods. We will discuss the issue of "prior record," in which people are treated more harshly for a given offense if they have previous offenses, even minor ones, on record. This is significant because intensive policing of particular areas increases the risk of being caught for any given offense.

Chapter 3. Integrating Theories of Group Conflict, Repression, and Crime Control

This chapter will argue that theories of group conflict, repression, and crime control have a great deal to say to each other. We will stress that we are not arguing that all crime control should be understood as repression in a pejorative sense, but that these theoretical perspectives share common analytic issues about actors trying to influence others' behaviors. We envision this chapter as combining insights into the problem from a variety of theoretical literatures with some simple formal models of the strategic interaction between dissidents or criminals on the one hand and social control regimes on the other. We will make the point that the "regime" in a democratic polity is not set apart from the rest of society, but reflects and interacts with the rest of the social structure. In the US, the polity is dominated by the White majority, and this is central to understanding the racial dynamics of criminal justice. We are still deciding on the best way to organize this material and integrate it with the empirical analyses.

We will begin the chapter by rehearsing the evidence for politics and inter-group conflict as central to the imprisonment boom. We will stress the timing of the crime control shift in the wake of the disruptions of the 1960s and the evidence from the period that the largest increases in police funding went to areas with large Black populations, and were often a response to riots. We will summarize the old literature on the policing of Black

areas, which argues that policing was organized around putting a barrier around Black areas to protect White areas from Black crime, while crime within Black areas was tolerated. We will summarize the old distinction between paternalistic and competitive race relations and suggest that the shifting political currents of the post-Civil Rights era raise new concerns. This does not mean that the racialized nature of these policies was overt, clear-cut, or conscious. But there is a lot of evidence (which we will summarize) that Whites associate crime with Black people and fear Blacks for their perceived association with crime. We will discuss the arguments that "tough on crime" rhetoric was/is race-coded. A section will review theories of ethnic conflict, especially ethnic competition theory, to suggest hypotheses about what makes an ethnic minority threatening to the majority. We will mention Olzak's and others' historical findings racial violence in the US tended to be associated with niche competition in employment markets, and that White attacks on Blacks have tended to escalate when there is significant immigration into the US. We will cite evidence that immigrants were disproportionately incarcerated early in the 20th century; the decline in White immigration is often cited as an explanation for the decline in White imprisonment which led to the increase in the Black-White disparity prior to 1970.

We will then turn to more abstract theoretical arguments aimed at bringing together discussions of group conflict, repression, and crime control. We will argue that there are abstract characteristics common to all these issues. Very generally, there are groups of people who have different interests, in that they are affected differently by particular configurations of action. A great deal of criminological theory, which we loosely call deterrence theory, models the "rational" criminal who considers the relative gain of illegal versus legal income-generation activities, taking into account the risk of getting caught and the severity of the punishment. Incapacitation theory focuses on estimating the amount of crime an imprisoned offender would otherwise commit if not imprisoned. On the enforcement side, there is a consideration of the cost of enforcement or imprisonment versus the savings of reduced crime. Some research examines crime-reducing effects of social welfare programs.

A regime's response to political dissent raises many of the same issues of rational responses crime control. Regimes can tolerate some dissent without risk to stability, and they vary greatly in how much dissent they can tolerate, but high levels of disruptive dissent threaten all regimes, and all regimes criminalize some forms of resistance. Regimes may dampen dissent either with social policy or with police control. There are two ideas from work on repression that are relevant to crime control. The first is that repression is a two-edged sword. On the one hand, "repression works" to control dissent but, on the other, repression can backfire and foment rebellion or revolution. The key issue is that using repression can alienate a population and increase the number of people willing to resist. Similarly, crime control efforts can in some cases reduce the perceived legitimacy of a system, or indirectly reduce the capacity of people to maintain law-abiding lifestyles.

Next we build on these ideas and explore models of crime control based on a logic of ethnic conflict that can explain exponential growth in imprisonment. If deterrence or

incapacitation is working, crime and punishment come into equilibrium where both are at a steady state; external shocks may temporarily raise one or the other, but they should return to levels determined by the ratio of the deterrent force and the crime propensity force. This is what long-term imprisonment rates in the US looked like before the 1970s. Exponential growth can only occur if there is something else in the system that is fueling growth. We will argue theoretically that there must be escalating dynamics in the feedbacks in the system. These kinds of escalating dynamics are seen in models of ethnic conflict. Some models of drug enforcement predict escalating dynamics, in which enforcement produces higher drug prices that, in turn, draw more dealers into the market. We will stress that the key to understanding these feedbacks is to recognize that imprisonment impacts not only the prisoner, but also his or her larger community.

Finally, we will review other theories of ethnic conflict, repression, and crime control that may inform our subsequent analyses. We will move outside the rational-action framework to consider normative and identity-based accounts of these processes, and discuss what they suggest about the dynamics we might see. In particular, we will draw on theories and research that consider network ties between those punished and the wider community.

Chapter 4. Data Sources, Measurement Decisions, Analytic Methods

This chapter will explain the different sources of data and how they are collected. These include prison admissions from the National Corrections Reporting Program, the annual prison census, and historical data on prison admissions. We will explain how we processed the individual-level records in the National Corrections Reporting Program data to produce aggregate counts for states, and will also explain the different kinds of prison admissions that need to be considered. We will explain the problems of year-to-year and state-to-state inconsistencies in how admissions are recorded and how variables are defined, and what corrections and imputations we made to generate reasonable data series. We will explain the logic of pooled time series analysis as a way of gaining purchase on causal relations in a system with feedbacks. (Note: This chapter may be moved to an appendix.)

Chapter 5. Comparing States' Racial Imprisonment Patterns

This chapter will summarize descriptive comparisons among the states, presenting ranked lists and groupings of states on characteristics such as the average incarceration for each racial group across time, average rates of change, mix of new sentences and revocations as the source of admissions, and the mix of offenses for which people are sentenced to prison. The appendix will present fifty detailed profiles, one for each state. (This appendix material may be presented on an Internet site instead of in the book, if this seems appropriate as a way to reduce printing costs. We will probably try to post it as an IRP working paper as soon as possible, as it is of general policy interest.)

We will present bivariate information that, for states, the Black incarceration rate is negatively related to the percent Black in the population. (This relationship is much stronger when the District of Columbia is excluded, as the DC has a very large percent Black and a relatively high Black incarceration rate.) Although it runs counter to usual preconceptions, this pattern has been true since the early 20th century and has been the subject of a great deal of criminological debate, which we will review.

We have additional descriptive information on the "percent Black" matter that is not usually included in discussions. We have also considered changes across time. States with higher percent Black had smaller increases in their Black incarceration rates between 1983 and 1998, had smaller Black-White differentials in 1983 and had a smaller difference between Blacks and Whites in the increase between 1983 and 1998. That is, states with higher percent Black are on average less repressive to Blacks across a variety of ways of measuring this.

However, among the states with low percent Black (below 13%), there is much more variability than for those with higher percentages. Both the very lowest and very highest Black incarceration rates occur in states with small Black populations, while states with larger Black populations are more similar to each other. This high variability among states with low percent Black does not remove the overall correlation, but it does suggest that additional factors affect Black incarceration rates in states with smaller Black populations. We will explore these issues with multivariate models in subsequent chapters.

The federal District of Columbia is an exception to the above discussion. It is over 60% Black, but its Black incarceration rate was above average in 1983. Its Black incarceration grew at a very high rate in the 1980s and 1990s so that by 1998 it had one of the highest Black incarceration rates in the nation. Since the DC is largely governed from Congress, its political context seems unique, although the politics of the DC are doubtless worth investigating. One possibility to investigate is demographic: if Black middle class people fled DC during this period and the city as a whole lost population, the increased incarceration rate for Blacks could be a function of population composition effects.

In this descriptive chapter, we will present other bivariate tables or graphs that appear instructive, depending on the results of our exploration into other factors. We will especially be looking for factors that distinguish among the states with low percentages of Black residents. A preliminary analysis suggests that, if the White imprisonment rate is controlled, the ratio of the Black poverty rate to the White poverty rate is another important variable in explaining the excess of Black imprisonment over White imprisonment. (It is the relative poverty rate, not the absolute Black poverty rate, which appeared significant in preliminary results.)

There has been a significant amount of past work that has attempted to explain what is generally seen as the "paradox" that states with smaller Black populations incarcerate higher percentages of them. We will review this literature in this chapter in the context

of presenting bivariate tables and setting up the multivariate analyses in the subsequent chapters.

Chapter 6. Demographics and Politics: Multivariate Analyses

The dependent variables in this chapter will be annual Black incarceration rates from prison census and prison admission records. Because of states' variability in reporting, we will probably analyze both total prison admission and new prison sentences. We will be seeking to explain variations between states in their Black imprisonment rates. We enter the problem knowing that the percent Black is a key predictor variable, and expecting that political and economic factors will also be important. We also enter with the question of whether the dynamics of Black and White incarceration rates are similar or different. That is, for example, is Black incarceration explained by Black unemployment and White incarceration is explained by White unemployment? Or are the predictive factors different for each group? Does the incarceration of both races accelerate together, or does one lead the other? There have been no studies that we are aware of that have explored these issues.

Our preliminary results of historical data on prison admissions indicate that Black incarceration rates tend to jump when a state's Black population has risen recently, and we plan to test for this relationship with our data for the 1980s and 1990s. The effects of changing ethnic mix has not been recognized in prior research, although ethnic conflict theory stresses its importance.

There are a number of possible alternate or supplemental explanations for these patterns. (1) Blacks in the North are nearly all in urban areas, while a higher proportion of Blacks in the South are rural. (2) If it is granted that the criminal justice system is focused on Blacks, the cost of the system is proportional to the Black population. Southern prisons are 90% Black and Southern states have the highest total incarceration rates. States with larger Black populations simply cannot afford to have such high Black incarceration rates. (3) Politics: prior research implicates Republican governors in rising incarceration. We can examine time trends in incarceration looking for changes in the party of the governor, or the legislative majority. (4) Racial politics. As the Black population increases, they become politically and economically more significant to a state. Reasonable to expect lower Black incarceration rates where Blacks are politically more significant. Similarly, and the economic cost of removing people from the economy goes up the more of them there are. (5) Non-racial patterns that just happen to affect Blacks. There is a "get tough" policy that is race blind. Is there any evidence of this anywhere? There is a modest positive correlation between Black and White incarceration rates, but it is not very high. States differ markedly in the extent to which their Black and White incarceration rates moved together through the 1980s and 1990s. (6) Poverty. Blacks are more likely to be poor, and the Black-White gap is larger where Blacks are a smaller proportion of the population.

The dependent variables will be annual total incarceration (prison census) and total prison admission (NCRP) rates by race for states. The independent variables will be

demographic, economic, and political characteristics of the Black and White populations. We will use a pooled time series analysis to predict incarceration rates. We are still compiling the data set and have not done the analysis yet, so we cannot say for sure what the argument is until we see the data, but we expect to see ethnic conflict, poverty differentials, and political factors as crucial. Our analyses of the components of incarceration reported in subsequent chapters may lead us to alter our analysis or interpretation of trends in total incarceration rates.
(This chapter may be broken into two if it gets too long)

Chapter 7. Distinguishing among Offenses and Types of Prison Admissions

This chapter will report the results of a variety of analyses of other dependent variables from the prison admissions data. One set of analyses will investigate the predictors of new sentences for five categories of offenses: violent, robbery and burglary, theft, drugs, and "other." Another set will investigate the predictors of admissions for probation and parole revocations, making some attempt to estimate the pool of people "at risk" for revocation from the prior year's prison exits. Whether these results get extended treatment or simply become footnotes to other analyses will depend upon what they show.

Chapter 8. Racial Politics of the "Drug War"

Drug offenders grew markedly as a proportion of all prison inmates, and this growth was disproportionately high among Blacks and Hispanics. The trend was especially strong in the federal prisons (for which we do not have data), but was also strong in most of the states. This is particularly unsettling because, contrary to popular stereotypes, Black juveniles and young adults use illegal drugs at lower rates than Whites, and even among older adults, Black usage is only slightly higher than White. Federal policy gave drug enforcement grants and other financial incentives to police departments to generate drug arrests and convictions. Our analysis of local Wisconsin trends found significant escalations in drug imprisonments in the wake of drug enforcement grants; in most counties, these increases were clearly targeted on Black people. About half the states permit police departments to retain assets seized in drug raids, and researchers have found that police in these states make significantly more drug arrests.

This chapter will give special attention to drug sentences. We know that drug sentences are principally a function of enforcement and prosecution decisions, rather than variations in the underlying rate of drug use. Drug incarcerations skyrocketed in the 1990s, for example, while drug use declined. Our analysis will begin by examining whether the predictors of trends in drug sentences are similar to or different from those for other crimes. We will bring in special variables for drug war funding and whether police can retain seized assets. In addition, we will consider whether other indicators of "trouble" may set off a local drug enforcement campaign. To this end, we will examine the effects of indicators such as a prior increase in homicides, thefts, or deaths due to drug

overdoses. We expect that administrative and political factors will carry most of the explanatory value, although homicides or other evidence of gang-related activity may play a role.

We also learned from our Wisconsin data that racial disparities are especially high for the youngest adults (ages 18-25) and especially high for drug offenses, with young Black adults being 50+ times more likely to be sentenced on drug charges than Whites. National public health data say that drug use in this age range is higher for Whites than for Blacks. We may investigate whether this targeting of young Black people is a special phenomenon that varies between states, or is simply a standard component of the "drug war." As the easiest way to generate a high volume of drug prosecutions is to focus on young people hanging out in poor Black neighborhoods, we suspect that states with high total rates of drug sentences will disproportionately sentence young Blacks.

Chapter 9: Hispanics and Others

(This chapter may work better as an appendix)

This book focuses on Blacks because the racial disparities are much larger for them than for other groups. However, Hispanic incarceration rates are very high in some states, especially for drug offenses, and readers will doubtless want to know if there are meaningful patterns for Hispanic incarceration rates. It is difficult to give a clear answer to this question because there are huge inconsistencies between states and across time in the ways in which Hispanic ethnicity is coded in prison data. We find that states vary in the year in which they begin distinguishing Hispanics from Whites, and do not always do so consistently. As one extreme example, California started coding all non-Mexican Hispanics as "Hispanic ethnicity unknown," a category that is supposed to mean that it is unknown whether the person is Hispanic. Furthermore, Hispanic ethnicity is not even a category in official arrest statistics. We are not prepared to do the same kind of detailed analysis for Hispanics as we will do for Blacks. However, we can provide some basic descriptive statistics and a standard multivariate regression to determine the predictors of high Hispanic incarceration rates. This chapter will provide this basic information about what we are able to learn from our data about Hispanic imprisonment trends across the states.

Chapter 10: The Community Connection: Indirect Effects of Massive Incarceration

This chapter will develop theoretical arguments and summarize the relevant empirical literature to explain why massive incarceration has to be hurting Black communities. Although standard criminological theories focus only on the individual criminal, and view the community only as a source of independent variables which may predict crime, people sentenced to prison are not only criminals, they are also sons, brothers, fathers, coworkers. If only a small proportion of people are sentenced to prison, a case could be made that they are difficult or problematic people whose removal may well aid their families and communities. But it is not plausible that Black communities are better off with 29% of their young men spending time in prison. Massive incarceration on the scale being practiced on Blacks in the United States has to have enormous consequences. It

reduces the pool of working-age adults, raises the number of children whose parents are away, and imposes financial and emotional costs on the relatives, lovers, and friends of those in prison. This high a level of imprisonment means that the "prison subculture" permeates poor Black neighborhoods and even reaches into stable working class and middle class communities. Such a high level of imprisonment cannot be seen as legitimate by a community, and must necessarily weaken the legitimacy and authority of the political regime and the entire social system in the eyes of its victims. The association in White minds between Blacks and crime is probably the major motivation for the self-segregation of Whites into White suburbs that, in its turn, generates segregated Black neighborhoods as the other side of the same coin.

The weakening of the economic base and social fabric of Black communities and the widening of Black-White segregation are exactly the factors that prior research says are most predictive of Black crime. Thus, massive incarceration is a self-defeating strategy. Harkening back to theories of repression and group conflict, the dynamics of massive incarceration are those of escalation: the actions on each side lead to a ratcheting up of actions on the other side. Regimes that maintain themselves by force can last for decades, but they are inherently unstable, for if their coercive dominance relaxes, they can be overcome. Majorities oppressing minorities may have sufficient resources to avoid overthrow, but the dynamics of escalation, left unchecked, can lead to genocide.

Chapter 11. Does Black Incarceration Increase Black Child Poverty?

Although there are many reasons why spiraling Black incarceration would be expected to have increased child poverty, it is not clear that it has done so. Perhaps the aggregate well-being of Blacks who are not prisoners is benefited by not having to feed and house community members who are prisoners, or by reducing property crime. Perhaps incarceration produces fertility reductions so there are fewer children to be supported by the reduced number of adults. Black child poverty has oscillated somewhat since 1980 and has not risen with imprisonment. However, this does not mean that imprisonment has had no effects or only positive effects. The Black-White gap in poverty remained substantial and only declined after the mid-1990s, despite a booming economy other trends and programs that perhaps should have ameliorated these differences. There may be important regional differences. For example, Southern states have high Black poverty rates but relatively low Black incarceration rates. Only more detailed comparisons of locales can shed light on these issues.

We are in the process of producing the data that will permit us to answer this question, so we do not at this time have even a preliminary answer to the question. We will be merging race-specific annual child poverty rates from the CPS with our prison data and other indicators and then run the pooled time series analysis to answer the question. Compositional factors are a serious potential issue in this kind of aggregate analysis. For example, Western has shown that comparisons of unemployment rates between the US and Europe are distorted by the high incarceration rate of the US, which tends to absorb many people who would be otherwise unemployed. Similarly, people in prison are not counted in the poverty statistics of their home communities. A focus on child poverty

eliminates many of these methodological concerns, but not all of them, and as this analysis proceeds, we will be collaborating with demographer colleagues to produce the best possible analysis.

There are many other potential dependent variables to examine, and if feasible, they may be included in this project. These include other indicators of Black community problems such as suicide and homicide rates, high school drop out rates, marriage rates, and rates of children living away from their parents. We may also examine indicators of perceived legitimacy of the political or social system, or perceptions of racial discrimination or animosity.

Chapter 12. Conclusions

Our specific conclusions will be informed by the results of our data analysis. We will summarize the results of our data analyses and the extent to which they fit with our theoretical arguments. We expect to argue that the time trends for imprisonment are not consistent with standard models of crime control but more consistent with models of escalating inter-group conflict. We will argue that crime-control advocates may be partially right, in that the long-term decline in property crimes may be due in part to massive incarceration of low income people in a period of growing inequality and declining real wages for the bottom 40% of the population. But we interpret this as evidence of a social-political system increasingly built on repression. Racial dynamics and White fear of Black crime are central to the way the system works. For Whites, crime is located in the Black "other." The enforcement-centered "drug war" has destroyed the lives of many Black young people and created a lucrative monopoly for organized crime.

We will argue that understanding the dynamics of the criminal justice system requires race-specific analyses. How well Black people are doing in a particular state may bear little relation to how well White people are doing. It can often be very harmful to be in a small, underprivileged and politically marginal population. It is not correct that racial inequalities are simply holdovers from slavery and Jim Crow segregation. It is not correct that racial problems are necessarily worse in the states of the old Confederacy. Racial hierarchies are being recreated in new ways in the current era.

Appendix

State-by-state summary of time trends in imprisonment and comparisons, classifications of states by their incarceration patterns. We currently envision something like a page for each state for which we have detailed information (about 30 states) presenting several standard graphs of its time trends in imprisonment along with several rankings. Other states would have a more limited set of material from the Census of Prisons only.

Figure 1: Prison Admissions per 100,000 population, for Blacks and Whites, plus the ratio of the rates, 1926-1996

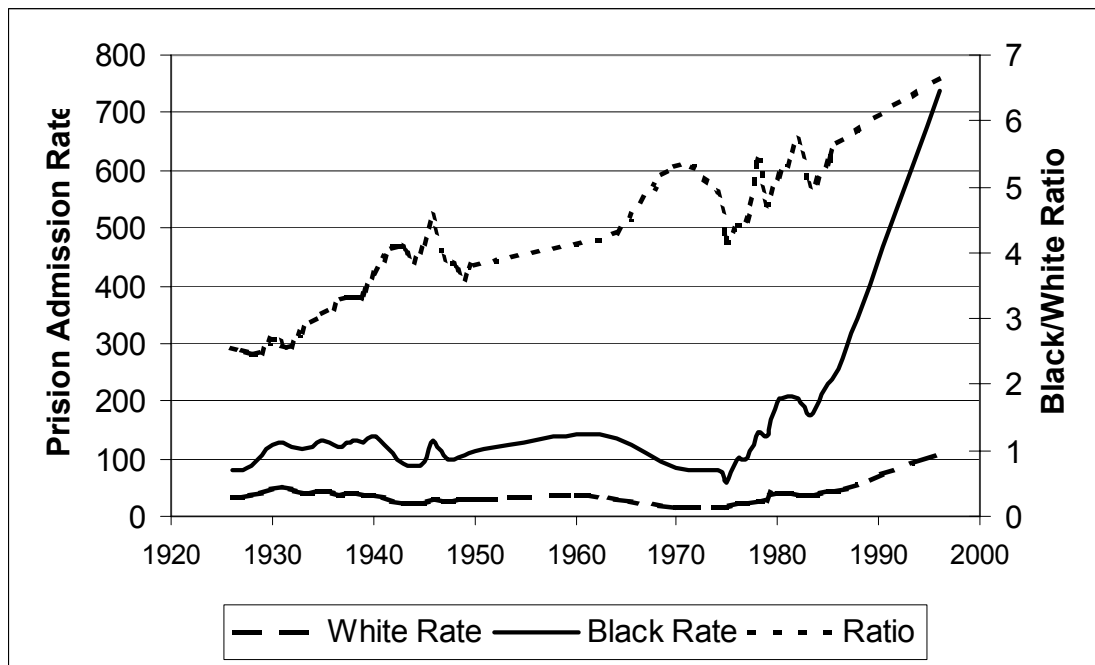
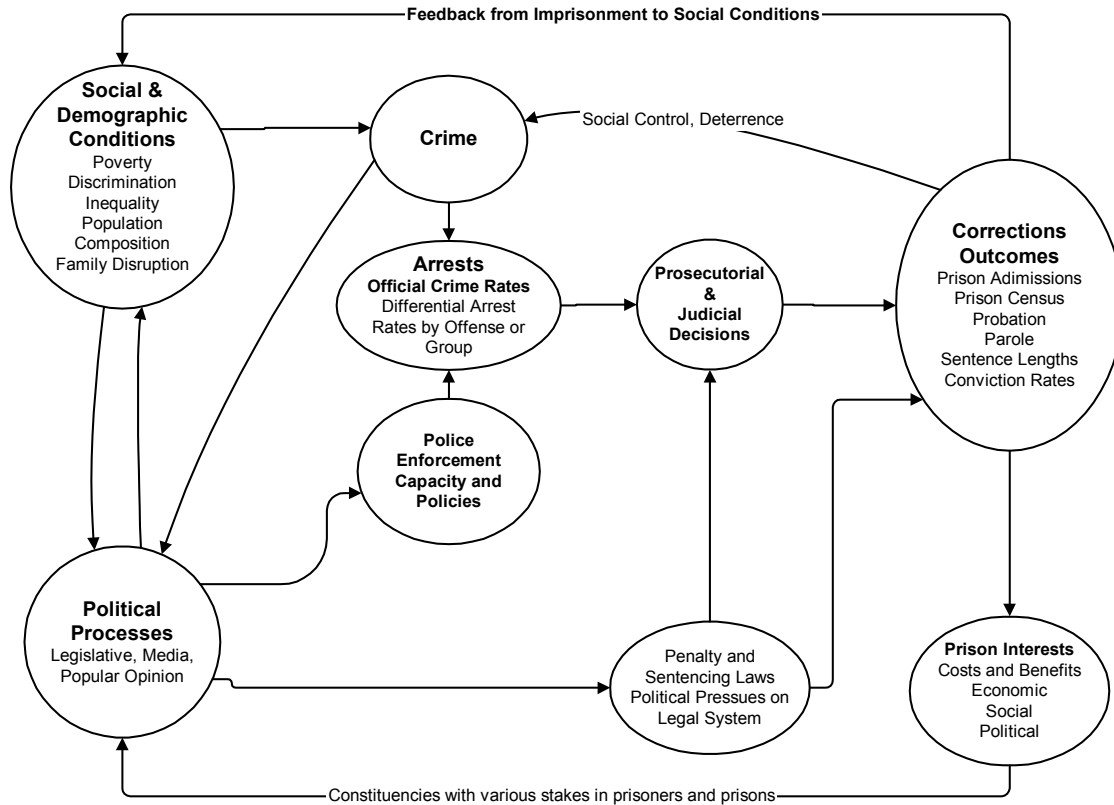


Figure 2. The Systemic Relations Among Political Processes, Criminal Justice Systems, and Social and Economic Conditions



A Model of the Relations Between Social Conditions, Political Processes, Crime, and Corrections

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