

AFRICAN AMERICAN CRIMINAL JUSTICE FACT SHEET

Incarceration

► There are nearly 900,000 incarcerated blacks today. Specifically, Of the 2 million who are currently in state or federal prisons and local jails, 836,800 are black males and 68,800 are black females (Source: Bureau of Justice Statistics, June 2006). This means that nearly half of all prison inmates are black – a percentage that is far out of proportion to their numbers in the general population (13%) (Source: Marc Mauer, *Race to Incarcerate*, 2006).

Some of the facts contributing to this number include:

- Inner city crime prompted by social and economic isolation;
- Crime/drug arrest rates
African Americans represent 12% of monthly drug users, but comprise 32% of persons arrested for drug possession. (Bureau of Justice Statistics, U.S. Sentencing Commission; The Sentencing Project, 2006)
- “Get tough on crime” and “war on drugs” policies;
- Mandatory minimum sentencing, especially regarding disparities in sentencing crack vs. powder cocaine possession.
In 2002, blacks constituted more than 80% of the people sentenced under the federal crack cocaine laws and served substantially more time in prison for drug offenses than did whites, despite that fact that more than 2/3 of crack cocaine users in the U.S. are white or Hispanic (U.S. Sentencing Commission).
- “Three Strikes”/habitual offender policies;
- Zero Tolerance policies as a result of perceived problems of school violence; adverse affect on black children.
According to the Department of Education, 35% of black children grades 7-12 have been suspended or expelled at some point in their school careers compared to 20% of Hispanics and 15% of whites (Department of Education, 2003)
- Nationwide, African-Americans represent 26% of juvenile arrests, 44% of youth who are detained, 46% of the youth who are judicially waived to criminal court, and 58% of the youth admitted to state prisons (Center on Juvenile and Criminal Justice).
- Myth: There are more black males in prison than in college. The fact is that are more black males in college than in prison. According to the Bureau of Justice Statistics and the U.S. Census Bureau, in 2005 there were 530,000 black males age 18-24 in college; that same year there were 193,000 black males age 18-24 in prison.

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Racial Profiling

Racial profiling of African Americans and Latinos is widespread. A 2005 report by the Department of Justice found that police were significantly more likely to carry out some type of search on an African American (10% of drivers stopped) or Latino (11%) driver than a white driver (3.5%). The report also found that African Americans and Latinos were 3 times more likely than whites to experience force or threat during a police stop (U.S. Department of Justice, Bureau of Justice Statistics, April 2005).

Death Penalty

States with the Death Penalty (38[^])

Alabama	Florida	Louisiana	New Hampshire*	Oregon	Virginia
Arizona	Georgia	Maryland	New Jersey*	Pennsylvania	Washington
Arkansas	Idaho	Mississippi	New Mexico	South Carolina	Wyoming
California	Illinois	Missouri	New York* [^]	South Dakota*	
Colorado	Indiana	Montana	North Carolina	Tennessee	
Connecticut	Kansas*	Nebraska	Ohio	Texas	
Delaware	Kentucky	Nevada	Oklahoma	Utah	

U.S. government and U.S. Military*

*Indicates jurisdictions with no executions since 1976.

[^]In 2004, the death penalty statute of New York was declared unconstitutional, yet there is still one man sitting on Death Row.

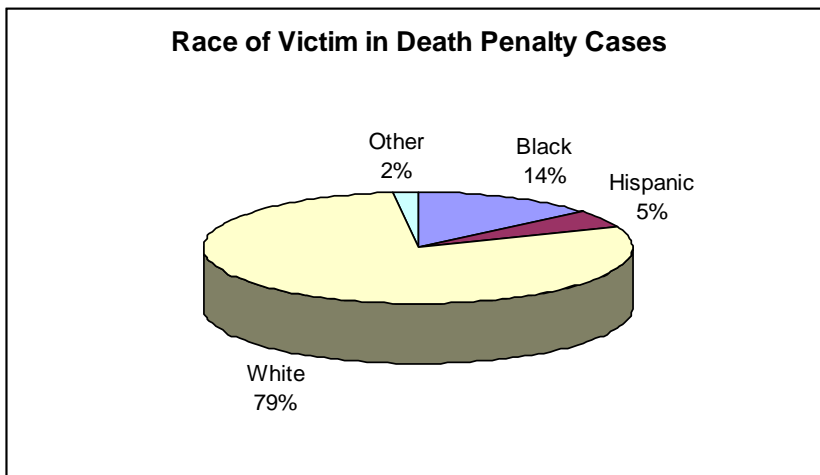
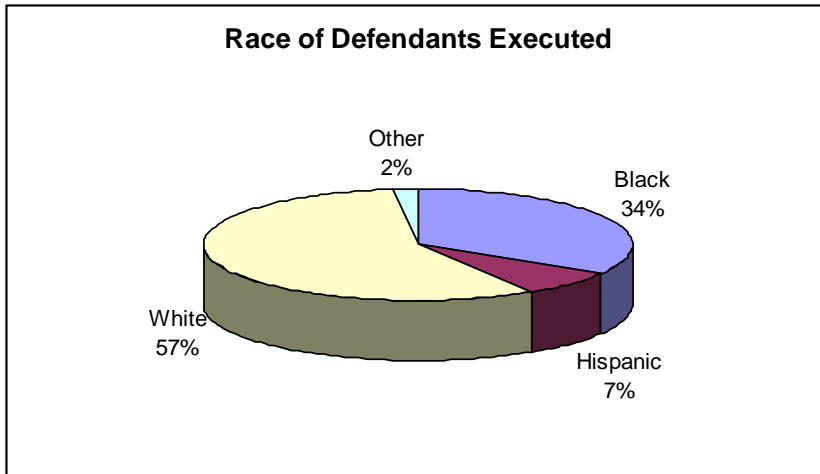
States without the Death Penalty (12)

Alaska	Maine	Minnesota	Vermont	
Hawaii	Mass.	N. Dakota	W. Virginia	District of
Iowa	Michigan	Rhode Island	Wisconsin	Columbia

(Source: Death Penalty Information Center, 2006)

Total Number of Executions 1976-2006: 1,047

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(Source: Death Penalty Information Center, 2006)

Since 1973, over 120 people have been released from death row with evidence of their innocence (Staff Report, House Judiciary Subcommittee on Civil & Constitutional Rights, Oct. 1993, with updates from DPIC). In 2000, 8 inmates were freed from death row and exonerated; in 2001 – 2002, another 9 were freed; and in 2003, 12 were exonerated. In 2004, there were 6 exonerations. (Source: Death Penalty Information Center, 2006)

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Race of Death Row Inmates (2006)

Black	1407
White	1525
Hispanic	356
Other	78
Total	3366*

*When added, state totals are slightly higher because some inmates are sentenced in more than one state.
(Source: Death Penalty Information Center, 2006)

Felony Disenfranchisement

Despite these reforms, widely considered to be benchmarks by which we judge this nation's pursuit of a "more perfect union," there remain 5.3 million Americans prohibited from voting due to prior criminal behavior. In 48 states and the District of Columbia, persons in prison for a felony conviction are denied the right to vote. Additionally, in 36 of these states, persons under parole supervision and/or sentenced to felony probation are stripped of their voting rights. And in 11 states, a felony conviction can result in a lifetime ban from voting. The consequence of this policy has been to deny the right to vote to 1 in 41 Americans of voting age. Nationally, 1 in 8 African American males is prohibited from voting, reaching as high as 1 in 4 in some states.

- Since 1997, 16 states have implemented reforms to their felony disenfranchisement policies
- These reforms have resulted in the restoration of voting rights to an estimated 621,400 persons
- By 2004, the total number of people disenfranchised due to a felony conviction had risen to 5.3 million
- Among those disenfranchised, 74% are currently living in the community
- In 2004, 1 in 12 African Americans was disenfranchised because of a felony conviction, a rate nearly five times that of non-African Americans
- Voting is linked with reduced recidivism; one study shows that 27 percent of non-voters were rearrested, compared with 12 percent of voters

(Source: *A Decade of Reform*, The Sentencing Project, 2006)