

VII. Crime and Criminal Justice

A safe environment is important for stable childhood development, good health, and successful involvement in education and the job market. No single summary measure can capture the difficulties that crime creates in the lives of individuals and communities. This section discusses three important aspects of crime and justice: victimization—the experience of being a victim of crime—criminal activity, and the criminal justice system. Violent crime victimization is down in recent years, after rising in the late 1980s, and property crime rates have been declining since the mid-1970s. The prison population has grown substantially over the past 20 years, and increasing numbers of individuals have other involvement in the criminal justice system. The differences by race and Hispanic origin in the experiences with crime and involvement in the justice system are stark.

The measured level of criminal activity and criminal justice supervision is the result of actions by many individuals and institutions, including offenders, victims, the police, the courts, and the prison system. Because of these many actors, differences in observed rates of criminal activity and victimization over time or across groups may be difficult to interpret. For example, if individuals perceive that their risk of being victimized has increased, they may take precautions—such as staying inside more or taking a taxi instead of walking—to reduce that risk. If those precautions are successful, the crime rate may not rise, but crime is still playing a larger role in their lives, and they are certainly worse off.

Crimes fall into three major categories: crimes against persons (including violent crimes), property crimes, and public-order crimes (traditionally, crimes such as drug sales, gambling, and prostitution have been included in this category). Information about the number of crimes is available from two types of sources, victimization surveys and data collected by law enforcement officials (the FBI Crime Index, for example). Since surveys provide more reliable information about the characteristics of victims, victimization data from the National Crime Victimization Survey, rather than FBI data, are presented in this section.

In 1996, Americans were victims of an estimated 27.3 million property crimes and 9.1 million violent crimes. Both property and violent crime rates fell in the mid-1990s. Victims of crime bear psychological, economic, and health costs, and offenders may be arrested and punished for their crimes. Although they are not costless to society, public-order crimes cannot be accurately counted by surveys of households that ask about incidents of victimization.

The effects of crime reach beyond victims and offenders to their families and communities. While in prison or jail, offenders can support neither themselves nor their families—in 1991 more than half of male prisoners had children under 18—and a criminal record can continue to impair individuals' labor market opportunities for years.¹ In addition, political participation may be affected: In many states, those convicted of a felony are temporarily or permanently prohibited from voting. Crime costs the economy billions of dollars each year, including property losses and damage, as well as public and private spending to control crime. But these numbers do not capture the heightened sense of insecurity that crime imposes on individuals and communities.

Hispanics and members of racial minority groups, particularly blacks, are much more likely than whites to be victims of crime. Differences in victimization are particularly striking for violent crimes. For example, the homicide victimization rate of blacks is more than twice that of Hispanics and six times that of non-Hispanic whites and Asians. American Indians' homicide victimization

rate falls between that of Hispanics and non-Hispanic whites and Asians (Crime and Criminal Justice 1). The differences in victimization by race and Hispanic origin are much smaller for property crimes than for violent crimes, although differences have grown somewhat since the 1970s. Hispanics have the highest rates of property crime victimization, followed by blacks and whites (Crime and Criminal Justice 2).

Unfortunately, reliable national data on involvement in the criminal justice system are available only for blacks, whites, and “others;” discussion of this subject here is limited to black-white differences. Blacks have higher rates of involvement in the criminal justice system than do whites. Although blacks comprised only 13 percent of the population, nearly equal numbers of blacks and whites were admitted to prison in 1995 (Crime and Criminal Justice 3). Black adults are much more likely than white adults to be under the supervision of the criminal justice system—on probation or parole, or in jail or prison (Crime and Criminal Justice 4).

Blacks represented 43 percent of arrests, 54 percent of convictions, and 59 percent of prison admissions for violent crimes in 1994 (Crime and Criminal Justice 5), indicating that arrested blacks are more likely to be convicted, and convicted blacks are more likely to be imprisoned, compared with whites. Historically, America’s criminal justice system has clearly been biased against blacks—for example, between 1930 and 1973, southern jurisdictions put to death 398 black men and 43 white men for the crime of rape.² More recent instances of discrimination on the part of police and elsewhere in the criminal justice system have been documented in personal and media accounts.³ But assessing how much continuing discrimination contributes to the large black-white difference in criminal justice system involvement is difficult. Research suggests that most or all of the differences in the likelihood of conviction and imprisonment can be explained by other factors, such as severity of crime or prior record of the offender.⁴ Less is known about the extent of discrimination at the arrest stage, in part because underlying rates of criminal activity by race cannot be easily assessed. Some evidence comes from comparing the race distribution of “offenders” derived from victims’ surveys with the racial composition of individuals arrested for the same crime. Two studies have found that these distributions are roughly comparable for many violent crimes.⁵

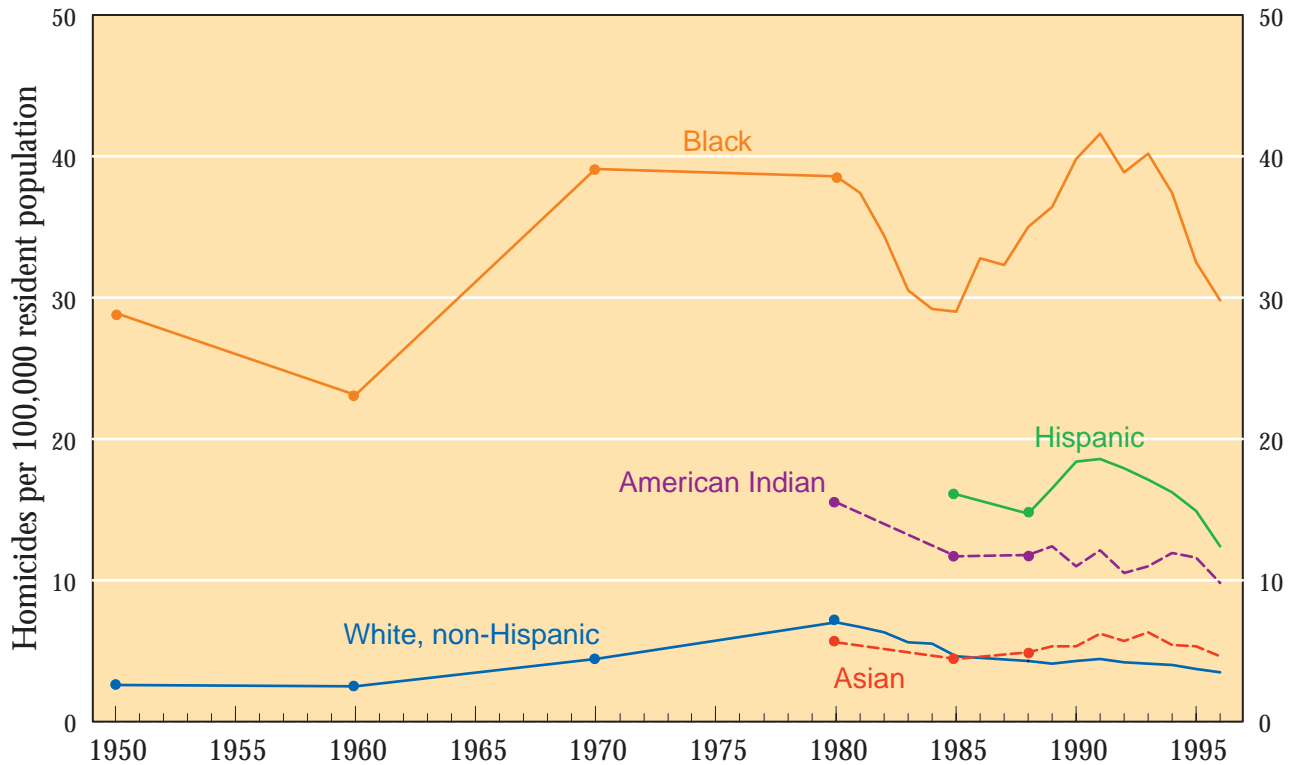
A variety of factors contribute to differences in victimization, criminal activity, and involvement in the criminal justice system, including neighborhoods, economic status, and education. Those who have poorer earnings prospects in the legal job market may be more likely to engage in criminal activity. Since the 1970s, earnings for low-skilled men have deteriorated markedly, increasing the attractiveness of illegal compared to legal job prospects. This trend may explain some of the rise in prison admissions and criminal justice system involvement. In addition, since blacks, Hispanics, and American Indians are over represented at the bottom of the earnings distribution, those groups have been disproportionately affected by deteriorating earnings. Crime policy and enforcement decisions also influence differences in victimization, criminal activity, and punishments. Some policies can have different effects on different groups. For example, the War on Drugs (launched in the early 1980s) resulted in larger increases in incarceration and criminal supervision rates among blacks than among whites. This difference was related, in part, to differences in sentencing and enforcement for crack cocaine—which is more commonly used and sold by blacks—relative to powder cocaine.⁶ Drug use also contributes to nondrug crimes—40 to 80 percent of persons arrested for nondrug offenses tested positive for drugs in 1991.⁷

Besides perceptions of discrimination in the criminal justice system, lack of racial and ethnic diversity among those working in criminal justice may also undermine the perceived legitimacy of the system. However, minority representation on local police departments has increased in recent years and is much higher in large cities, which tend to serve more diverse populations (Crime and Criminal Justice 6). Differences in perceptions about the fairness of the police, the courts, prisons, and jails among racial and ethnic groups have been widely noted. National survey data indicate that blacks are more likely than whites to believe that the criminal justice system treats blacks more harshly (Crime and Criminal Justice 7), and some research based on particular groups or cities finds that both whites and members of minority groups believe that discrimination on the basis of race or ethnicity is a problem in the administration of the criminal justice system.⁸

1. Beck, Allen, et al. 1993. *Survey of State Prison Inmates, 1991*. Bureau of Justice Statistics. Washington, DC; Freeman, Richard B. 1992. "Crime and the Employment of Disadvantaged Youth." In *Urban Labor Markets and Job Opportunity*, ed. George E. Peterson and Wayne Vroman. Washington, DC: The Urban Institute Press.
2. U.S. Department of Justice. 1975. "Capital Punishment 1973." *National Prisoners Statistics Bulletin*. Washington, DC: U.S. Government Printing Office.
3. See, for example, Russell, Kathryn K. 1998. *The Color of Crime*. New York: New York University Press.
4. Stone, Christopher. 1998. "Race, Crime and the Administration of Justice: A Summary of the Available Facts." Paper presented to the Advisory Board of the President's Initiative on Race, May 19. Blumstein, Alfred, et al. 1983. *Research on Sentencing: The Search for Reform*. Washington, DC: National Academy Press.
5. Hindelang, Michael J. 1978. "Race and Involvement in Common Law Personal Crimes." *American Sociological Review* 43 (February):93-109; General Accounting Office. 1994. *Racial Differences in Arrests*. Washington, DC.
6. McDonald, Douglas C. and Kenneth E. Carlson. 1993. *Sentencing in the Federal Courts: Does Race Matter? The Transition to Federal Sentencing Guidelines, 1986-90*. Bureau of Justice Statistics. Washington, DC.
7. National Institute of Justice. *Drug Use Forecasting, 1991 annual report*.
8. See, for example, Carter, David L. 1985. "Hispanic Perception of Police Performance: An Empirical Assessment." *Journal of Criminal Justice* 13: 487-500; Moore, David W. and Lydia Saad. 1995. "No Immediate Signs That Simpson Trial Intensified Racial Animosity." *The Gallup Poll Monthly*, October: 2-9; The Gallup Organization. 1997. *The Gallup Poll Social Audit: Black/White Relations in the United States 1997*.

1. Victims of Homicide

Source: National Center for Health Statistics

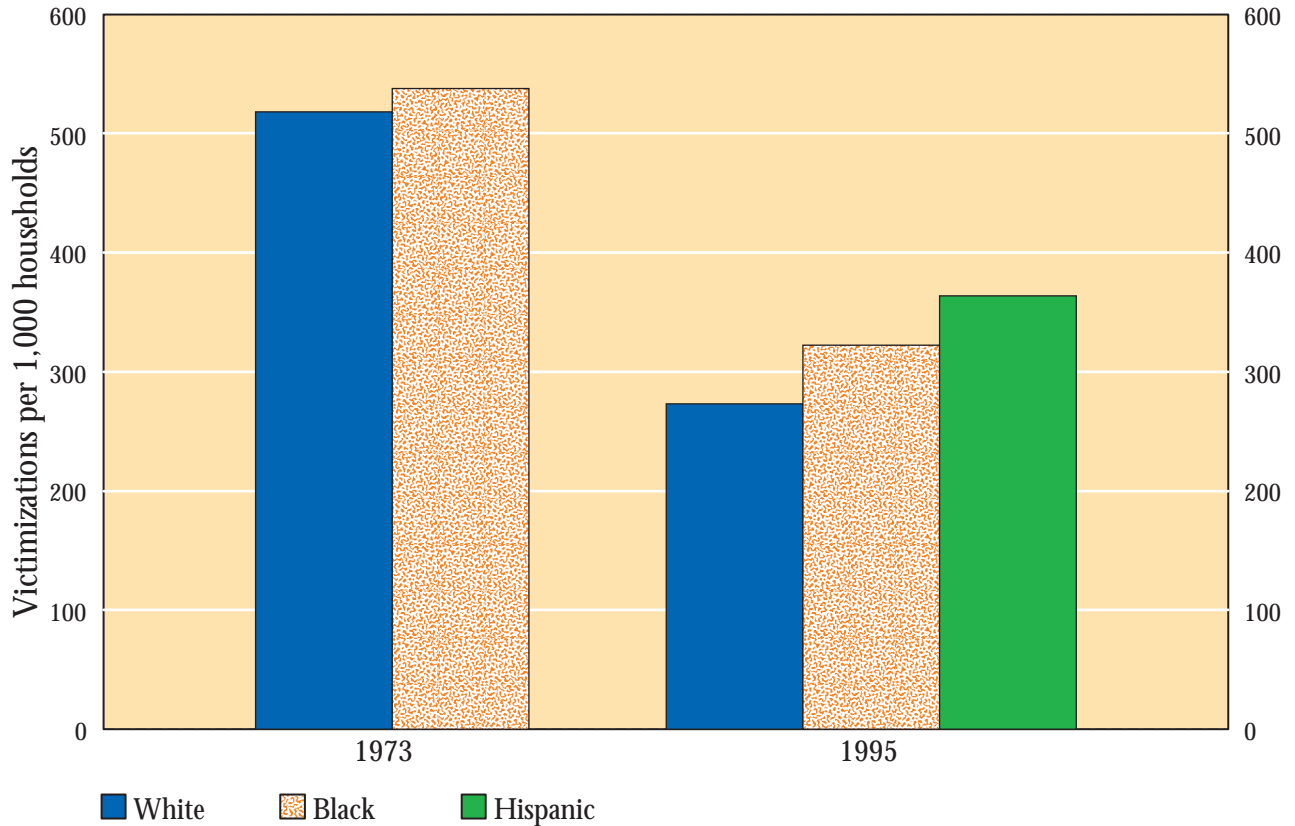


- Homicide victimization rates for blacks have been at least five times those of whites for the last half century, sometimes reaching more than ten times the white rate. In 1996, non-Hispanic whites and Asians had the lowest homicide victimization rates (3.5 and 4.6 per 100,000 resident population), followed by American Indians (9.8), Hispanics (12.4), and blacks (29.8).
- Males are almost four times more likely than females to be victims of homicide (not shown in chart).
- Males aged 15 to 24 (not shown in chart) have the highest homicide victimization rate, and the differences across racial and ethnic groups are even larger for this group: Blacks have by far the highest rate (123.1 per 100,000 population), followed by Hispanics (48.9), American Indians (26.6), Asians (15.6), and non-Hispanic whites (6.4).

Note: Straight line between dots indicates data are not shown for intervening years. Data include deaths from "legal intervention" (use of police force). Prior to 1985, data for whites include Hispanic whites. Prior to 1970, data include nonresidents.

2. Victims of Property Crime

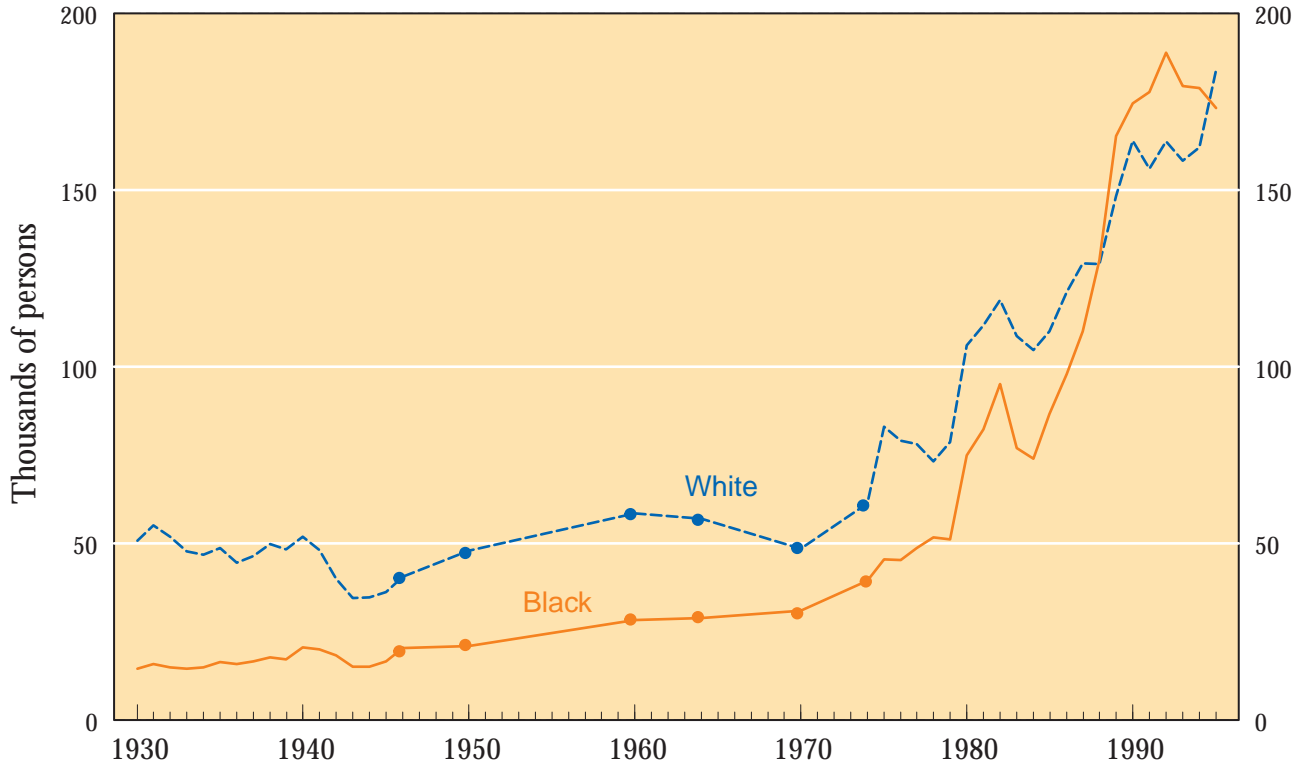
Source: Bureau of Justice Statistics



- Property crimes include burglary, motor vehicle theft, and personal theft. Both attempted and completed crimes are reported.
- Differences in property crime victimization rates across racial and ethnic groups are much less pronounced than those for violent crimes such as homicide (not shown in chart).
- Property crime victimization was less frequent in 1995 than 1973 among both black and white households, but differences between these groups grew somewhat. (Data for Hispanics are not available for 1973.)

3. Admissions to State and Federal Prisons

Source: Bureau of Justice Statistics

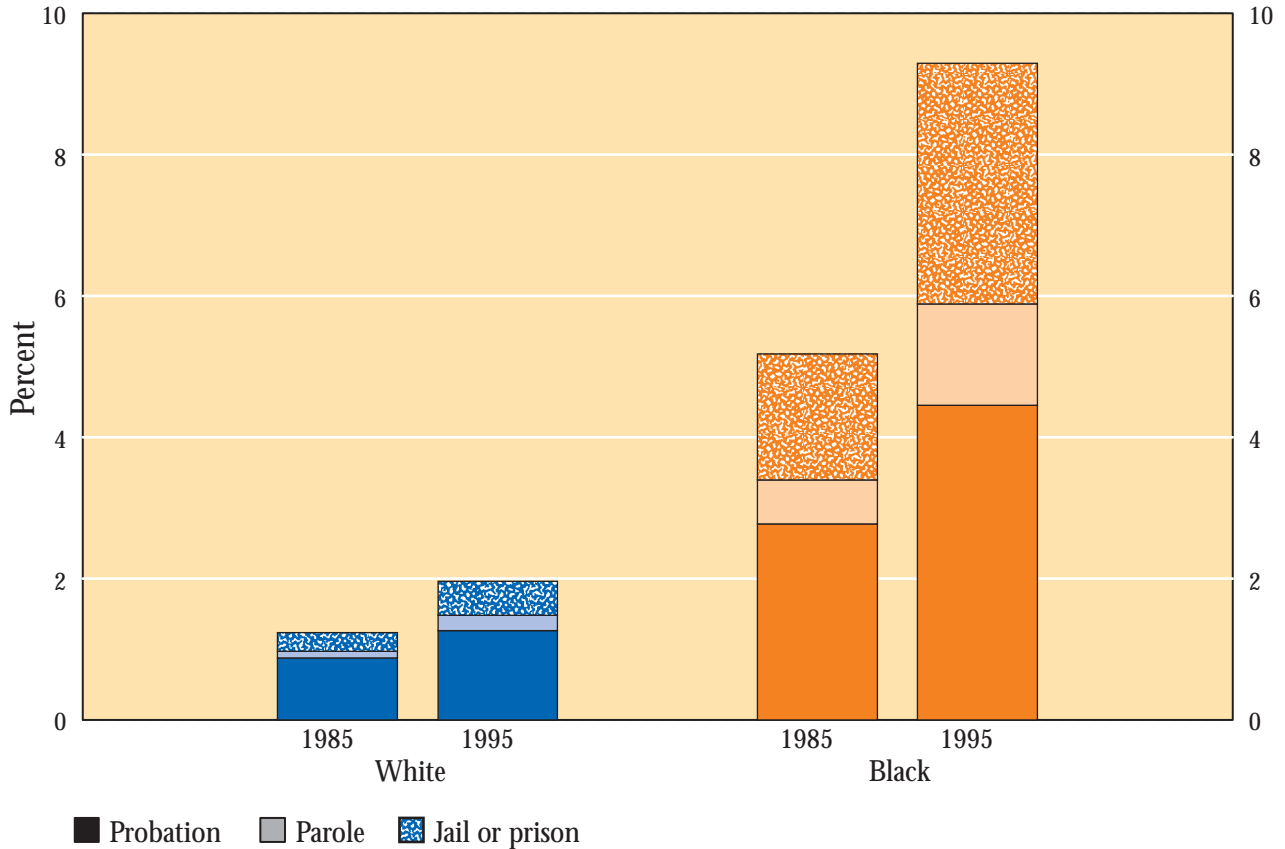


- Prison admissions rose slightly between 1930 and 1970 but have risen substantially since then. Between 1970 and 1995, white admissions more than tripled, and black admissions increased more than five-fold. Admissions of blacks fell slightly between 1992 and 1995.
- Rapidly rising admissions for drug offenses explain part of the recent increase in total admissions. Between 1985 and 1995, the fraction of admissions to state prisons that were for drug offenses grew from 13 to 31 percent (not shown in chart). The fraction of new admissions for drug offenses was similar for blacks and whites in 1985; however, the increase in drug-crime admissions has been much larger for blacks.
- In 1995 women comprised less than 10 percent of new court commitments to state and federal prisons, but prison admissions have been growing faster among women than men (not shown in chart).

Note: Straight line between dots indicates data are not available for intervening years.

4. Adults under Correctional Supervision

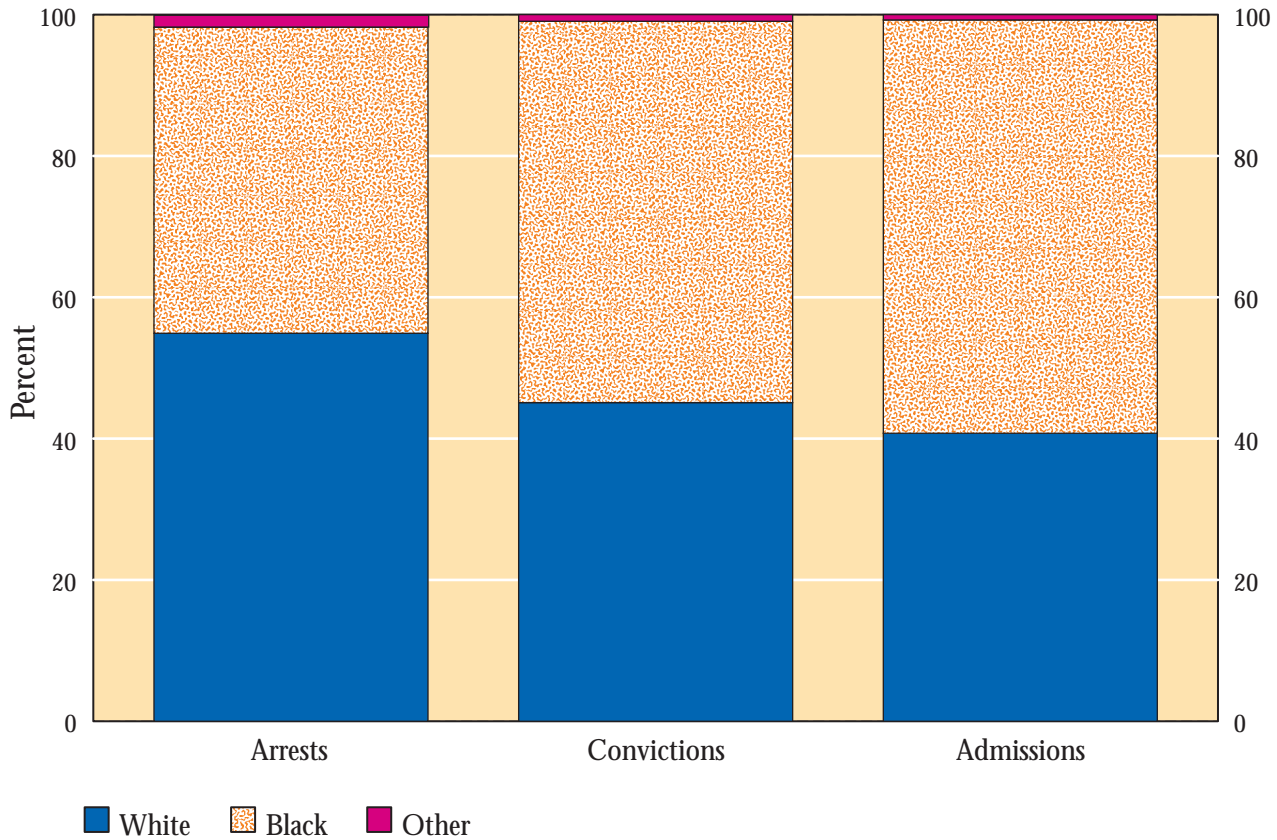
Source: Bureau of Justice Statistics



- The fraction of the adult population under correctional supervision is one indicator of the extent to which the criminal justice system is involved in the lives of individuals and communities.
- The fraction of the population that is involved in the criminal justice system—on probation or parole or in jail or prison—has grown substantially. Between 1985 and 1995, the fraction of white and black adults in each category of supervision grew considerably.
- Black adults were nearly five times more likely than white adults to be under supervision of the criminal justice system in 1995.
- Men aged 20 to 29 are the most likely to be under correctional supervision (not shown in chart). In 1991, about 7 percent of white men and 26 percent of black men in their twenties were under correctional supervision.

5. Arrests, Convictions, and Prison Admissions for Violent Crimes, 1994

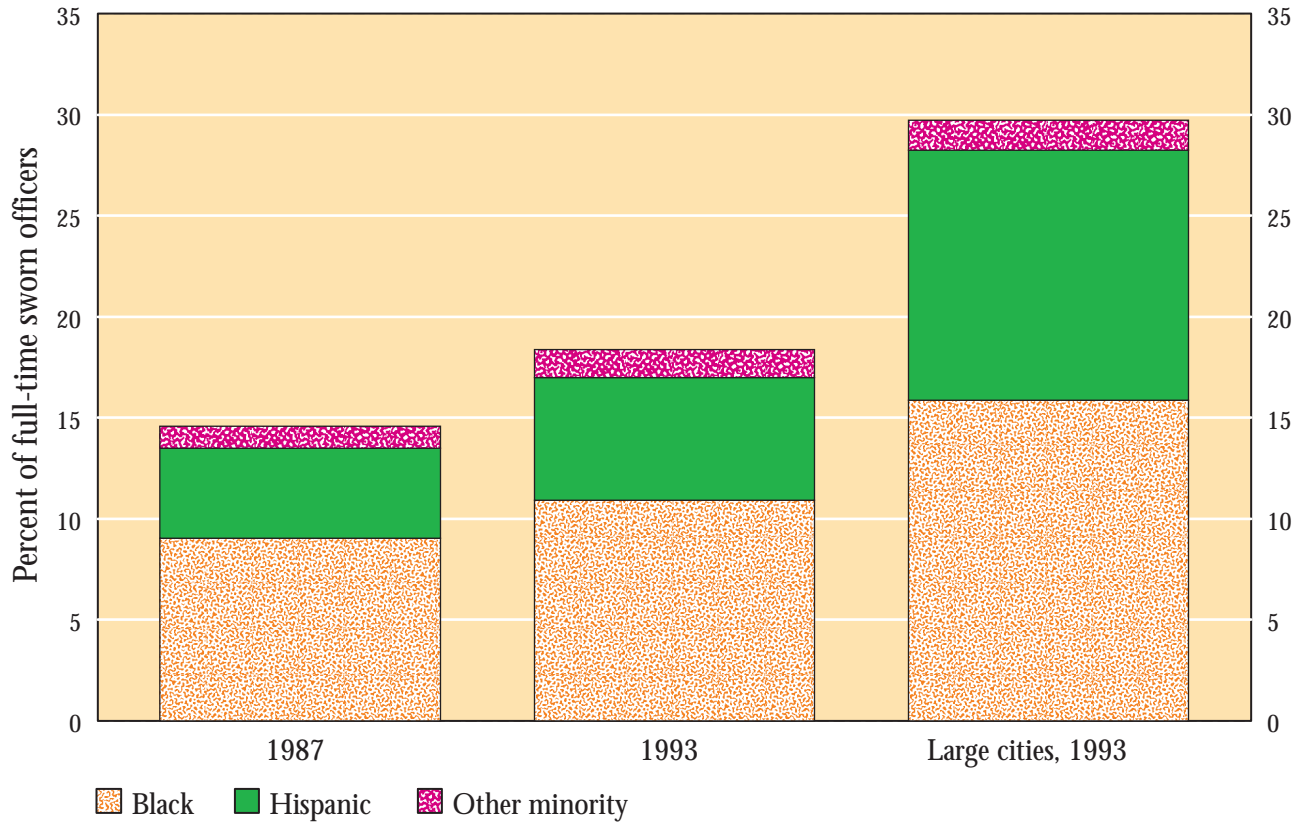
Source: Bureau of Justice Statistics



- This chart shows the racial composition of arrests, convictions, and prison admissions for violent crimes in 1994, including murder, rape, robbery, and aggravated assault.
- Blacks represented 43 percent of arrests, 54 percent of convictions, and 59 percent of prison admissions for violent crimes in 1994. Thus, compared with whites, blacks were more likely to be convicted if arrested and are more likely to be imprisoned if convicted.
- Discriminatory behavior on the part of police and elsewhere in the criminal justice system may contribute to blacks' high representation in arrests, convictions, and prison admissions, although research suggests that other factors may explain much of the difference for violent crimes (see introduction to Crime and Criminal Justice).

6. Minority Composition of Local Police and Sheriffs' Departments

Source: Bureau of Justice Statistics

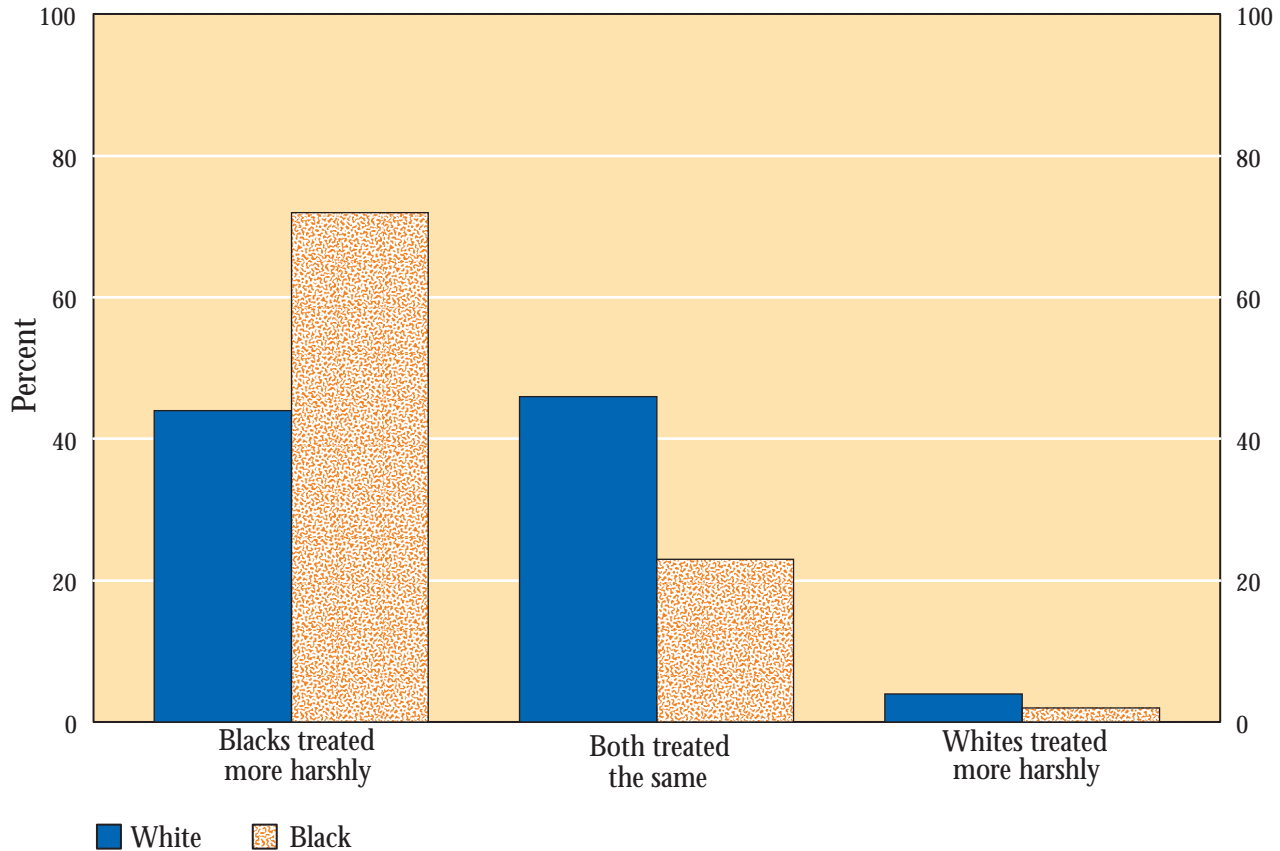


- The police are typically the first contact with the criminal justice system for both victims and offenders. Higher minority representation among police officers may improve relations between police departments and those they serve, reduce discrimination, and improve police departments' ability to fight crime.
- Total minority representation among full-time sworn officers in local police and sheriffs' departments grew from 15 percent in 1987 to 18 percent in 1993. Representation of blacks grew from 9 to 11 percent, and Hispanic representation grew from 4 to 6 percent.
- Minority representation is higher in police and sheriffs' departments serving larger cities. For example, minorities comprise 30 percent of full-time sworn officers in cities with one million or more, compared with less than 10 percent for departments serving fewer than 50,000 people (not shown in chart).

Note: Large cities are those with police or sheriffs' departments serving a population of one million or more.

7. Perception of Whether Blacks or Whites are Treated More Harshly by the Criminal Justice System, 1997

Source: Gallup



- Lack of confidence and perceptions of unfair practices in the criminal justice system may limit its effectiveness, especially since police and prosecutors rely heavily on community members to report crime and act as witnesses.
- This chart presents the opinions of a national sample of whites and blacks (data for other groups are not available) who were asked whether blacks or whites are treated more harshly by the criminal justice system.
- A large percentage of the population, both black and white, perceive that blacks are treated more harshly by the criminal justice system than whites, although blacks are more likely than whites to have this view (72 percent of blacks compared with 44 percent of whites). Forty-six percent of whites perceived that the criminal justice system treats whites and blacks the same, compared with only 23 percent of blacks.