A study of the relationship between incarceration, birth rate, and racial disparities among African Americans since the passing of the violent crime control and law enforcement act of 1994

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ABSTRACT

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This study examined the relationship of incarceration, birth rate, and racial disparities based on the results of the survey respondents and supporting documentation from scholarly authors. The linkages between incarceration, birth rate, and racial disparities among African Americans have only recently been studied; much more work remains to improve our understanding of these relationships. The target population for the research was composed of adults ages 18 and up. Ninety-one respondents were selected utilizing nonprobability convenience sampling from among the participants of the selected 10 states for the study. In sum, there was no statistically significant relationship established between incarceration and birth rate, yet there was a significant relationship established between incarceration and racial disparities, and incarceration and family development among African Americans in the United States.

A DISSERTATION SUBMITTED TO THE FACULTY OF CLARK ATLANTA UNIVERSITY IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE DEGREE OF DOCTOR OF PHILOSOPHY

BY

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CHAPTER I

INTRODUCTION

Census data leaves no doubt that minorities are rapidly increasing as a proportion of the total United States population; this is the result of immigration and minorities’ higher birth rates compared to Caucasians. Minorities will become the majority of the national population around the year 2043, but many communities have made the transition already. This country is not preparing for this momentous demographic shift that will create a new majority. The most pressing problem is that today’s minorities are receiving neither the help they need to fully participate in the entrepreneurial economy, nor the education they need to staff the workforce in the service/knowledge economy (Greenhalgh, 2014).

According to Haferkamp and Smelser (1992), contemporary theorists have long contended that the relative size of the minority population has significant implications for the exercise of social control. As minorities comprise a larger proportion of the population, social control efforts intensify, presumably because minorities threaten the existing distribution of economic rewards and political power. To the extent that minority group members are linked with greater criminality, as is the case of black Americans, they presumably threaten public safety, increasing fear of crime and effort to control it (Garrison, 2011).
According to the NAACP (2014), *Racial Disparities in Incarceration*, African Americans now constitute over 1 million of the total 2.3 million incarcerated population, although only make up 13.2% of the entire United States population and are incarcerated at nearly six times the rate of whites. Together, African Americans and Hispanics comprised of 61% of all prisoners in 2014, even though African Americans and Hispanics only make up approximately one quarter of the United States population (Census Bureau, 2012).

According to Clear, Duster, Greenberg, et al. (2007), data for incarceration rates of African-American men, women and youth in the United States are eye catching (NAACP, 2014). The Center on Juvenile and Criminal Justice (2014) noted that, as of 2001, one in six black men had been incarcerated. The authors maintain that if current trends continue, one in three black males born today can expect to spend time in prison during his lifetime. Currently, one in 100 African-American women are in prison 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 who are admitted to state prisons. If African Americans and Hispanics were incarcerated at the same rates of whites, today's prison and jail populations would decline by approximately 50% (Center on Juvenile and Criminal Justice, 2014).

The NAACP (2014) remarked that, from 1980 to 2014, the number of people incarcerated in America quadrupled from roughly 500,000 to 2.3 million people. Today, the United States comprises 5% of the World population, yet has 25% of world's prisoners by combining the number of people in prison and jail with those under parole.
or probation supervision. With that stated, one in every 31 adults, or 3.2% of the population is under some form of correctional control (NAACP, 2014).

Western (2006) theorizes spending time in prison has become more common than completing a four-year college degree or military service among young black men. Young, black, male high school dropouts are more likely to spend at least a year in prison than they are to get married. Exposure to imprisonment now rivals or exceeds exposure to other social institutions, long thought vital to the transition to adulthood, such as the completion of schooling, employment, and marriage (Alexander, 2010).

Pettit (2012) reports the United States now incarcerates a higher percentage of its population than any other time in recorded history. The United States leads the world in the percentage of its population held behind bars; over one in one hundred American adults is living in a federal, state, or local prison or jail. The statistics on criminal offenses and incarceration cited reflect changes in federal and state crime policies over the past few decades, especially those related to drug offenses. These policies have led to mass incarceration—that is, the imprisonment of comparatively and historically high proportions of the population that cannot be accounted for by changes in crime rates. The U.S. Department of Justice is reviewing laws and agency enforcement policies that may have had a disparate impact on African Americans and Hispanics, both in terms of incarceration and the collateral damage to their families and communities (Liberman & Fontaine, 2015).

Western and Wildeman (2009) report mass incarceration has had potentially profound effects on the family life of those caught in the web of the criminal justice system. Just as incarceration has become a normal life event for disadvantaged young
black men, parental incarceration has become commonplace for their children. Ruiz (2011) purports that nearly 1% of the American adult population is imprisoned -- a rate unprecedented in this country's history. A staggering $68 billion is spent annually on the country's local, state, and federal corrections systems. Ruiz asserted that this investment in public safety has fundamentally transformed American society, removing a disproportionate number of nonviolent minority offenders from their communities while diverting much-needed taxpayer money from critical social programs. Most of these offenders will be released only to return to prison because of anemic reentry efforts and policies (Ruiz, 2011).

Ghandnoosh (2014) states white Americans overestimate the proportion of crime committed by people of color, and associate people of color with criminality. For example, white respondents in a 2010 survey overestimated the actual share of burglaries, illegal drug sales, and juvenile crime committed by African Americans by 20-30%. In addition, implicit bias research has uncovered widespread and deep-seated tendencies among whites – including criminal justice practitioners – to associate blacks and Latinos with criminality. These trends have resulted in prison overcrowding and state governments being overwhelmed by the burden of funding a rapidly expanding penal system, despite increasing evidence that large-scale incarceration is not the most effective means of achieving public safety.

According to Marc Mauer (2011), the higher incarceration rate for minorities can stem from a number of factors, such as policy set by legislatures, stepped-up policing in communities and neighborhoods with large minority populations, and decisions made by people in the criminal justice system. The American criminal justice system is at a
critical juncture. In recent years, federal policymakers have called for reforms, following the lead of states that have reduced prison populations without compromising public safety. Nationwide prison counts have fallen every year since 2010, and the racial gap in imprisonment rates has also begun to narrow. Yet the recent tragic events in Ferguson, Missouri – where the killing of an unarmed African-American teenager has sparked outrage – highlight the ongoing relevance of race in the criminal justice system (Ghandnoosh, 2014).

Michelle Alexander (2011) postulates the nation’s prison population has more than quintupled and this is due largely to the war on drugs and the get-tough movement. The drug war has been waged almost exclusively in poor communities of color, even though studies have consistently shown now for decades that contrary to popular belief, people of color are no more likely to use or sell illegal drugs than whites, but by waging this drug war almost exclusively in poor communities of color, society has now created a vast new racial under-caste. White Americans who associate crime with blacks and Latinos are more likely to support punitive policies – including capital punishment and mandatory minimum sentencing – than whites with weaker racial associations of crime. This relationship exists even after controlling for other relevant factors such as racial prejudice, conservatism, and crime salience (Ghandnoosh, 2014).

The National Institute on Drug Abuse (2014) chronicled black youth are less likely to be drug users. White students use cocaine and heroin at seven times the rate of black students, and use crack at eight times the rate. Changes in the sentencing law and policy, not increases in crime rates, explain most of the six-fold increase in the national prison population. These changes have significantly impacted racial disparities in
sentencing, as well as increased the use of one-size fits all mandatory minimum sentences that allow little consideration for individual characteristics.

According to the United States Sentencing Commission (USSC) (2011), statutes carrying mandatory minimum penalties have increased in number, apply to more offense conduct, require longer terms, and are used more often than they were 20 years ago. These changes have occurred amid other systemic changes to the federal criminal justice system, including expanded federalization of criminal law, increased size and changes in the composition of the federal criminal docket, high rates of imposition of sentences of imprisonment, and increasing average sentence lengths. The changes to mandatory minimum penalties and these co-occurring systemic changes have combined to increase the federal prison population significantly.

The most frequently reported drug mandatory minimum penalty in fiscal year 2010 was 10 years. In fiscal year 2010, almost half of all drug offenders (48.7%) were convicted of an offense carrying a ten-year mandatory minimum penalty. The second most frequently reported drug mandatory minimum penalty was five years (42.4%). Drug offenses involving a conviction of a statute carrying either a mandatory penalty of 20 years or one of life accounted for a small proportion (5.3%) of all drug offenses involving a conviction of a statute carrying a mandatory minimum penalty (USSC, 2011).

The Justice Policy Institute (2014) states America’s criminal justice system is marred by a startling and unfair impact on marginalized communities. People of color are disproportionately arrested, sentenced and incarcerated when compared to white people accused of similar offenses. For example, black people made up approximately 13.1% of the general population in 2008 and about 39% of those in prisons and jails, and today
make up about 45% of the prison population alone. Reforms to the criminal and juvenile justice systems must include a concerted effort to decrease the disparate impact on communities of color.

Michelle Alexander (2011) proclaims 150 years after the Emancipation Proclamation, the progress made by African Americans is undeniable, which is why statistics about incarceration in the black community can be so shocking. In 2011, there were more African Americans in prison or under the watch of the justice system than were enslaved in the United States in 1850. The distinctive features of African-American mass incarceration have generated a new research agenda that reframes the typical questions asked about the racial disparity in imprisonment and that better measures the costs and benefits of prison policy. The new research also puts in striking relief the question of the morality of confining so many American citizens (Roberts, 2004).

Ghandnoosh (2014) first alerted the public to this alarming dimension of incarceration in a report issued in 1990. The massive scale of black citizens behind bars is matched in its enormity by the rate of newly sentenced black commencing imprisonment. According to Ghandnoosh, the Sentencing Project revealed that almost one in four black men in the United States between the ages of 20 and 29 were under control of the criminal justice system, either in prison or jail, on probation, or on parole. By 1995, the Sentencing Project revealed that the national rate had risen to one-in-three. In Washington, D.C. and Baltimore, more than half of young black men were then under criminal supervision. Prison is now a common and predictable experience for African-American men in their twenties. Although rates of female incarceration are far lower,
African-American women are the fastest growing segment of the prison population (Butler, 2000).

Bruce Western (2004) states this astounding rate of imprisonment for African Americans, moreover, departs drastically from the rate for whites. Blacks are about eight times more likely to spend time behind bars than whites. The population confined under tough drug laws, moreover, is composed predominantly of young, African-American men. Although whites have a higher rate of engaging in the illegal drug trade, 60% of offenders imprisoned for drug charges in 1998 were black. Drug offenses accounted for 27% of the increase in the number of African-American state prisoners in the 1990s, compared to a 14% increase for whites. Drug enforcement, then, provided a steady supply of African-American inmates to the nation's prisons over the course of three decades and across distinctly different crime eras (Roberts, 2004).

Like criminal activity, prisons and jails are overwhelmingly a male affair. Men account for 90% of the prison population and a similar proportion of those in local jails. The incarceration rate has been growing faster among women in recent decades, but the social impact of mass incarceration lies in the gross asymmetry of community and family attachment. Women remain in their communities raising children, while men confront the possibility of separation through incarceration. Age intensifies these effects: incarceration rates are highest for those in their twenties and early thirties. These are key years in the life course, when most men are establishing a pathway through adulthood by leaving school, getting a job, and starting a family. These years of early adulthood are important not just for a man's life trajectory, but also for the family and children that he helps support (Western & Pettit, 2010).
Statement of the Problem

National statistics like the high school dropout rate, employment rates, and the black-white wage gap cannot be taken at face value. Education, employment, and wage differentials are embedded in broader patterns of racially differentiated social exclusion, such as incarceration. Estimates of the educational attainment and economic capacities of the population and of racial inequality are fundamentally obscured by the sample selection effects induced by decades of penal expansion, race and class inequality in incarceration rates (Pettit, 2012).

According to Michelle Alexander (2013), during Politics Nations, states after years of representing victims of racial profiling and police brutality, and investigating patterns of drug law enforcement, and trying to help people who were released from prison face one barrier, one legal roadblock after another to get a job, getting access to housing, getting even food stamps; the criminal justice system now functions more like a system of racial and social control, than a system of crime prevention or control. One in every three black males born today can expect to go to prison at some point in their life, compared with one in every six Latino males, and one in every 17 white males, if current incarceration trends continue.

In the last few decades, the contours of American social inequality have been transformed by the rapid growth in prisons and jails. America's prisons and jails have produced a new social group, a group of social outcasts who are joined by the shared experience of incarceration, crime, poverty, racial minority, and low education. As an outcast group, the men and women in the penal institutions have little access to the social mobility available to the mainstream. Social and economic disadvantage, crystallizing in
penal confinement, is sustained over the life course and transmitted from one generation to the next. This is a profound institutionalized inequality that has renewed race and class disadvantage, yet the scale and empirical details tell a story that is largely unknown (Western & Pettit, 2010).

According to Ghandnoosh (2014), African Americans make up 12% of the nation's drug users, but represent 34% of those arrested for drug offenses, and 45% of those in state prison for such offense as of 2005. Since 1971, when President Richard Nixon declared a war on drugs, there has been a 700% increase in the U.S. prison population. Today, African Americans are also more likely to spend time in prison for drug related offenses than their white counterparts.

Nationally, boys are five times as likely to be incarcerated as girls, there also are a significant number of girls in the juvenile justice system. This rate of incarceration is endangering children at younger and younger ages. This is America's pipeline to prison — a trajectory that leads to marginalized lives, imprisonment and often-premature death. Although the majority of fourth graders cannot read at grade level, states spend about three times as much money per prisoner as per public school pupil (Children’s Defense Fund, 2012).

According to William Frey (2013), the new 2010 Census analysis shows an unprecedented shift in the nation's racial makeup in 14 states, one that is reshaping U.S. schools, work places, and the electorate. Due to immigration, a combination of more deaths and fewer births among whites and an explosion of minority births, the United States is poised to be a majority-minority country sooner than predicted. With over 1 million African Americans incarcerated, and making up only 13.2% of the United States
population, they also make up to 45% and growing of the United States prison population. African Americans have minimal chance of mobility and survival among their counterparts with these statistics.

The influence of the penal system on social and economic disadvantage can be seen in the economic and family lives of the formerly incarcerated. The social inequality produced by mass incarceration is sizable and enduring for three main reasons: it is invisible, it is cumulative, and it is intergenerational. The inequality is invisible in the sense that institutionalized populations commonly lay outside the official accounts of economic well-being. Prisoners, though drawn from the lowest rungs in society, appear in no measures of poverty or unemployment. As a result, the full extent of the disadvantage of groups with high incarceration rates is underestimated. The inequality is cumulative because the social and economic penalties that flow from incarceration are accrued by those who already have the weakest economic opportunities. Mass incarceration thus deepens disadvantage and forecloses mobility for the most marginal in society. Finally, carceral inequalities are intergenerational, affecting not just those who go to prison and jail but their families and children as well (Western & Pettit, 2010).

Michelle Alexander (2012) writes that despite today's belief in colorblindness, the criminal justice system effectively bars African-American men from citizenship, treating them as a separate caste—denying African Americans citizenship was deemed essential to the formation of the original union. Hundreds of years later, America is still not an egalitarian democracy. The arguments and rationalizations that have been trotted out in support of racial exclusion and discrimination in its various forms have changed and evolved, but the outcome has remained largely the same. More African-American men
were disenfranchised due to felony convictions in 2004 than in 1870, the year the Fifteenth Amendment was ratified prohibiting laws that explicitly deny the right to vote on the basis of race (Alexander, 2011).

State laws that ban convicted felons from voting are having the unintentional effect of disenfranchising one in eight African-American men. Over the last two centuries, other voting prohibitions have fallen one by one as what was originally a privilege enjoyed only by white men of property was grudgingly recognized as a basic American right. In many states, convicted felons cannot vote even after they've re-entered society, and because of the disproportionate number of black men convicted of felonies, the effect on that population has been tremendously magnified. An estimated 5.3 million Americans are denied the right to vote based on their felony convictions, four million of which are out of prison. About a third of these individuals are black, including 13% of all African-American men (Alexander, 2011).

The United States resisted signing the international treaty against genocide until 1988-- because it was guilty of the crime, and not necessarily finished. Mass black incarceration, in both its past and present forms, provides much evidence of U.S. genocidal intent. The bodies have been piling up for forty years – although mainly warehoused, rather than deceased. The criminalization of genocide was intended to be much more than a kind of legal epitaph for the dead; it was designed, like all laws, to prevent the crime (Ford, 2012).

Though the rate of incarceration is historically high, perhaps the most important social fact is the inequality in penal confinement. This inequality produces extraordinary rates of incarceration among young African-American men with no more than a high
school education. For these young men, born since the mid-1970s, serving time in prison has become a normal life event (Western & Pettit, 2010).

Purpose of the Study

The purpose of this study is to explore and explain whether the people surveyed in America have an understanding of the relationship between incarceration, birth rate, and racial disparities among African Americans in the United States of America, taking in consideration demographic factors such as gender, age, educational attainment, race, and the amount of children they birthed. The study also measures their awareness of the United States largest omnibus crime bill the Violent Crime Control and Law Enforcement Act of 1994. Lastly, this study measures if their perceived awareness of the transitional shift from current majority to minority impacts the mass black incarceration and the possibility of its effects on the black race, the black family, and the overall black survival. The participants of the study were composed of random American citizens.

Research Questions

The research questions for this study are as follows:

1. Is there a statistically significant relationship between incarceration and birth rates?
2. Is there a statistically significant relationship between incarceration and racial disparity?
3. Is there a statistically significant relationship between incarceration and family development?
Hypotheses

1. There is no statistically significant relationship between incarceration and birth rates.

2. There is no statistically significant relationship between incarceration and racial disparity.

3. There is no statistically significant relationship between incarceration and family development.

Significance of the Study

It is well known that the United States is the unchallenged leader in mass incarceration, and that nearly half of the 2.3 million inmates of the American Gulag are black. Many in the Black Freedom Movement have long contended that mass black incarceration, as practiced in the United States, fits the legal definition of genocide. Others, because of fear or denial, insist on absolving the United States of the ultimate and ongoing crime of genocide. This is not a semantic question. The charge of genocide differs in international law from war crimes and crimes against peace, in that genocide can occur when a country is technically at peace with the rest of the world (Ford, 2012).

According to Rebecca Ruiz (2011), in recent years, these and other grim statistics, as well as enormous state and federal budget deficits have persuaded even the staunchest advocates of incarceration to reconsider how America handles crime and punishment. The United States can no longer justify the cost of mass incarceration or defer its moral and social consequences. Racial perceptions of crime harm public safety. The most acute and severe consequence of these perceptions is the killing of innocent people because of
racially motivated fear. A broader consequence is a criminal justice system that is on overdrive, with lifelong consequences for all Americans who are convicted of crimes, and particularly for low-income people of color. Mass incarceration compounds economic disadvantage, increasing the likelihood of criminal offending across generations. The perception of a biased criminal justice system may also foster a sense of legal immunity among white Americans (Ghandnoosh, 2014).

For the first time, America's racial and ethnic minorities now make up about half of the under five age group. It is a historic shift that shows how young people are at the forefront of sweeping changes by race and class. The new census estimates, a snapshot of the U.S. population as of July 2012, comes a year after the Census Bureau reported that whites had fallen to a minority among babies. Fueled by immigration and high rates of birth, particularly among Hispanics, racial and ethnic minorities are now growing more rapidly in numbers than whites. It is the latest in a series of reports that have signaled a major, long-term shift in the demographics of the United States, as non-Hispanic white Americans are expected to become a minority group over the next three decades. For years, Americans of Asian, black, and Hispanic descent have stood poised to topple the demographic hegemony historically held by whites (Yen, 2013).

The gaps in achievement tend to emerge early in childhood, continuing through high school, and disparities are especially evident in Scholastic Assessment Test (SAT) admission scores. Yen (2013) asserted that College Board data show that average scores spread as wide as 130-140 points in each of the reading, math and writing sections for a student with family income of less than $20,000, compared with a student with family income exceeding $200,000. About 40% of whites age 25-29 graduates from college,
compared with 15% for Latinos, and 23% for blacks. President Obama proposed expanding pre-K education for any four-year-old whose family income was below twice the federal poverty rate, or $46,000 for a family of four. That is an increasingly minority age group that would benefit from what President Obama calls the single most effective way to boost educational outcomes. A recent Rutgers University study found that state funding for pre-K programs had its largest drop ever last year, with states now spending less per child than a decade ago (Yen, 2013).

According to Forbes (2010), Texas uses fourth grade reading scores to project the number of prison cells they’re going to need 10 years later. Moreover, Texas was not alone in using elementary school reading difficulties as a proxy for serious problems later in life. Sixty percent of America’s prison inmates are illiterate; and 85% of all juvenile offenders have reading problems. The school to prison pipeline is a disturbing national trend wherein children are funneled out of public schools and into the juvenile and criminal justice systems. Many of these children have learning disabilities or histories of poverty, abuse or neglect, and would benefit from additional educational and counseling services. Instead, they are isolated, punished and pushed out. Children should be educated instead of incarcerated (The ACLU, 2006).

According to the Justice Policy Institute (2013), the incarceration rate for African Americans is so high that young black men without a high school diploma are more likely to go to jail than to find a job, thereby causing the breakup of families and instilling further poverty upon them. Imprisonment diminishes the earnings of adult men, compromises their health, reduces familial resources, and contributes to family breakup. It also adds to the deficits of poor children, thus ensuring that the effects of imprisonment
on inequality are transferred intergenerationally. Perversely, incarceration has its most corrosive effects on families whose fathers were involved in neither domestic violence nor violent crime before being imprisoned. Because having a parent go to prison is now so common for poor, minority children and so negatively affects them, the authors argue that mass imprisonment may increase future racial and class inequality—and may even lead to more crime in the long term, thereby undoing any benefits of the prison boom (Wildeman & Western, 2010).
CHAPTER II
REVIEW OF LITERATURE

The purpose of presenting this review of literature is to lay a scholarly foundation in order to establish a need for the study. This chapter is a review of the current literature on incarceration, birth rate, and racial disparities and the contributing and supporting variables to the study. The review covers the Historical Perspective on Incarceration, the Violent Crime Control and Law Enforcement Act of 1994, Birth Rate, and Racial Disparities.

Historical Perspective of Incarceration

The penitentiary was the first truly modern prison. In a sense, it was the template or model from which most, if not all, subsequent prisons were cast. Some authorities claim that the penitentiary was a uniquely American institution. There is some truth to this claim—America adopted the penitentiary with a more thoroughgoing passion than did other countries—but it is important to note that penitentiaries did not exist in the original colonies. The first American penitentiary, the Walnut Street Jail, was erected in Philadelphia in 1790. The Walnut Street Jail carried out incarceration as punishment, implemented a rudimentary classification system, featured individual cells, and was intended to provide a place for offenders to do penance—hence the term penitentiary (Roberts, 1996). For the most part, women and blacks were excluded from the alleged
benefits of the penitentiary. The penitentiary was considered a noble experiment in human reform; women and minorities were considered barely human—most blacks at this time were slaves, most women confined to subservient domestic roles—hence these groups were not considered fit candidates for the penitentiary’s rehabilitative regime (Johnson, 2002). The early penitentiaries held few African Americans because most were essentially incarcerated on slave plantations. Exact figures are unavailable because the early prison census figures did not even include a category for blacks (Cahalan, 1979).

Johnson (2002) noted that, according to Beaumont and de Tocqueville (1833/1964), in those states in which there exists one Negro to thirty whites, the prisons contain one Negro to four white persons. These prisoners were typically housed in regular, mass-confinement prisons, which made no effort at reforming prisoners and served merely to warehouse them until release. Other minorities such as immigrants were abundant in the penitentiaries (Johnson, Dobrzanska, & Palla, 2005).

Johnson (2002) conveys the prison is an institution marked by great staying power, but modest achievement. Prisons, of one sort or another, have been around since at least biblical times. Though prisons have varied in their internal regimes and in their stated aims, the main achievement of the prison has been its most basic mandate—to contain and restrain offenders (Garland, 1990). Rehabilitation has been a recurring aim of prisons, and at times this goal could be described as a grand dream, but rehabilitation is a dream of reformers, not of the criminals who were to be its beneficiaries. The use of prison as a sanction has grown steadily since the advent of the penitentiary at the turn of the 19th century (Cahalan, 1979), and indeed has come to dominate criminal justice (Roberts, 1996).
Minorities, by contrast, have always formed a sizable portion of the prison population. In fact, ethnic and, after the Civil War, racial minorities have almost certainly been overrepresented in American prisons (Sellin, 1976). Black women have been confined in disproportionate numbers in prisons for women; this trend is particularly evident in high-custody institutions, which traditionally are reserved for those female offenders seen by largely white officials as tough, manlike felons beyond the reach of care or correction (Johnson, 2002).

Similarly, black males, and especially young black males, have been overrepresented in the nation's more secure prisons; once again, settings reserved for those deemed least amenable to rehabilitation. These racial disparities are longstanding and must be understood in historical context (Roberts, 1996).

The main source for annual prisoner counts is the National Prisoner Statistics Program (NPS) data collection, which began in 1926 under a mandate from Congress to collect statistics on prisoners. The NPS distinguishes between custody and jurisdiction prison populations. Imprisonment rates refer to the number of persons under the jurisdiction, or legal authority, of state or federal correctional officers per 100,000 U.S. residents. When prison populations are combined with local jail counts, they are referred to as the incarcerated population, and the incarceration rate is the number of persons in prison or jail per 100,000 U.S. residents (BJS, 2014).

NPS also gathers data on the number of prisoners admitted to and released from prison each year; imprisonment rates for prisoners sentenced to more than one year; race and sex distributions and the number of non-U.S. citizens and inmates under age 18 held in custody. BJS uses the offender-level administrative data from the National Corrections
Reporting Program (NCRP) and the Federal Justice Statistics Program (FJSP) to calculate the age and offense distributions of the state and federal prison populations (BJS, 2014).

As the 20th century came to a close and the 21st began, something occurred in the United States that was without international parallel or historical precedent. Between 1970 and 2010 more people were incarcerated in the United States than were imprisoned in any other country, and at no other point in its past had the nation’s economic, social, and political institutions become so bound up with the practice of punishment. By 2006 more than 7.3 million Americans had become entangled in the criminal justice system. The American prison population had by that year increased more rapidly than had the resident population as a whole, and one in every 31 U.S. residents was under some form of correctional supervision, such as in prison or jail, or on probation or parole (Thompson, 2010).

As importantly, the incarcerated and supervised population of the United States was, overwhelmingly, a population of color. African-American men experienced the highest imprisonment rate of all racial groups, male or female. It was 6.5 times the rate of white males and 2.5 times that of Hispanic males. By the middle of 2006, one in fifteen black men over the age of eighteen were behind bars as were one in nine black men aged 20 to 24. The imprisonment rate of African-American women looked little better. It was almost double that of Hispanic women and three times the rate of white women (Thompson, 2010).

Despite the fact that ten times more Americans were imprisoned in the last decade of the 20th century than were killed during the Vietnam War (591,298 versus 58,228), and
even though a greater number of African Americans had ended up in penal institutions than in institutions of higher learning by the new millennium (188,500 more), historians have largely ignored the mass incarceration of the late 20th century and have not yet begun to sort out its impact on the social, economic, and political evolution of the postwar period (Thompson, 2010).

Thanks to several path-breaking studies it became clear that southern whites responded to African-American claims on freedom by redefining crime and imprisoning unprecedented numbers of black men. It was also evident that their response revealed as much about the triumphs of capitalism, the failures of Radical Reconstruction, and the successful machinations of the southern Democratic party as it did about actual crime or even punishment in this region (Thompson, 2010).

The way Americans viewed and addressed crime was no less historically situated and complex after the nineteenth century than it was during. Just as the American justice system changed dramatically in the wake of major historical revolutions such as the abolition of slavery, so too did it metamorphose much later in the 20th century as the nation was further contested and transformed. This was particularly the case following the 1960s, the decade of social activism and possibility that the historian Manning Marable has aptly termed the Second Reconstruction. In the 35 years leading up to and including the tumultuous 1960s, the number of Americans incarcerated in federal and state prisons had increased by 52,249 people. In the subsequent 35 years, that group increased by 1,266,243. There is little question that such numbers both reflected and shaped the history of postwar America (Thompson, 2010).
Since the founding of the country, most states in the United States have enacted laws disenfranchising people currently or previously having been convicted of a felony. In the last 40 years, due to the dramatic expansion of the criminal justice system, these laws have significantly affected the political voice of many American communities. The momentum toward reform of these policies has been based on a reconsideration of their wisdom in meeting legitimate correctional objectives and the interests of full democratic participation (Sentencing Project, 2014).

Violent Crime Control and Law Enforcement Act of 1994

According to U.S. Department of Justice (2013), The Violent Crime Control and Law Enforcement Act of 1994 represents the bipartisan product of six years of hard work. It is the largest crime bill in the history of the country and will provide for 100,000 new police officers, $9.7 billion in funding for prisons and $6.1 billion in funding for prevention programs, which were designed with significant input from experienced police officers. The Act also significantly expands the government's ability to deal with problems caused by criminal aliens. The crime bill provides $2.6 billion in additional funding for the Federal Bureau of Investigation (FBI), Drug Enforcement Administration (DEA), Immigration and Naturalization Service (INS), United States Attorneys, and other Justice Department components, as well as the Federal courts and the Treasury Department.

Yet, by signing the Violent Crime Control Act and Law Enforcement Act of 1994, which provided prison construction funds to the states, President Clinton's policies had already helped shift funds from higher education to corrections. By 1995, state
expenditures for prison construction grew by $926 million, while expenditures for university construction fell by an equivalent $954 million. That year, more was actually spent by states around the country building prisons ($2.6 billion) than building universities ($2.5 billion) (JPI, 2004).

When William Jefferson Clinton took office in 1993, he was embraced by some as a moderate change from the previous 12 years of tough on crime Republican administrations. Eight years later, the latest criminal justice statistics show that it was actually Democratic President Bill Clinton who implemented arguably the most punitive platform on crime in the last two decades. In fact, tough on crime policies passed during the Clinton Administration’s tenure resulted in the largest increases in federal and state prison inmates of any president in American history. Although Republicans are normally thought to hold the tough on crime mantle, in President Clinton’s first-term (1992-1996), 148,000 more state and federal prisoners were added than under President Reagan’s first term (1980-1984), and 34,000 more than were added under President Bush’s four-year term (1988-1992) (JPI, 2004).

Beginning in 1994, and through 2000, violent crime rates began to decrease by approximately 7.4% to 8% per year. Yet, over the same period, state incarceration rates continued to increase, raising from 351 to 429 per 100,000 people, resulting in an increase of 22% (Clear & Austin, 2009). Drug-offense processing represents only 14.9% of this increase, while more than 58.1% is due to incarceration for violent crimes (murder, rape, robbery, and aggravated assault) (Sabol, 2011).

In his analysis, Sabol (2011) added a category not used by Blumstein and Beck: convictions per arrest, which allowed him to make a distinction between increases in
incarceration because of decisions at the prosecution stage (prosecutor's ability to secure a conviction) and at the sentencing stage (judge's imposition of a prison sentence). He found that as crime rates for violent and property crimes decreased, incarceration for these crimes grew because of an increase in the number of convictions per arrest and an increase in expected time served (Schoenfeld, 2012).

On the other hand, incarceration rates for drug offenses continued to rise (although by less than previous years) mainly because of an increase in drug-offense arrests. While the increasing police enforcement of drug offenses did contribute to the growth of the overall incarceration rate (Sabol, 2011).

According to Brickey (1994), the federalization of American criminal law is a 20th century phenomenon. It is an outgrowth of structural changes in society and of shifting political winds. This phenomenon presents an exceptionally timely opportunity for reexamining the forces that drive the movement to federalize more and more crimes, and the consequences that flow from yielding to them. One could cite any number of reasons to consider this an optimal time to reexamine federalization issues, but enumeration of a few will suffice (Brickey, 1994).

The national violent crime rate has generally decreased since the mid-1990s. However, interest in combating violent crimes across the United States has remained. Although policy makers have been concerned with all forms of violent crimes, the selected issue areas discussed below were of interest to the 111th Congress. One of the primary questions spanning these issues was, what should be the federal government’s role in combating various crimes? Another general issue was whether Congress has
provided the best regulatory, investigative, and prosecutorial tools to counter violent crime around the country (Finklea, 2011).

Crime Control and Incarceration Growth

Crime is very much on America's mind. In January 1994, more than 40% of Americans surveyed identified crime as the nation's most pressing problem. Even though the violent crime rate declined slightly over the last few years and is somewhat below its peak in the 1980s, Americans believe that the nation is in the midst of an unprecedented crime wave. As the Senate Report accompanying the 1994 budget puts it, a law enforcement emergency exists in this country (Brickey, 1994).

Congress passed the crime bill in August 1994 and the bill received strong support from President Clinton who signed the bill into law. However, a number of Republicans, including such influential ones as Senator Phil Graham of Texas and Newt Gingrich, the House Speaker, consider the crime bill soft on criminals and full of social programs and not a crime control bill. Immediately after the Republican landslide on November 8, 1994, with the Republicans winning control of both houses of Congress, Republican leaders voiced through the media that a new crime bill would be forthcoming (Palmiotto, 1994).

The criminal justice system is comprised of a complex series of choices by multiple decision-makers, including the offender's commission of a crime, the police officer's arrest of the offender, the prosecutor's decision to prosecute, and the court's adjudication of the case and sentencing of the defendant. Nor is there a direct relationship between criminal law and punishment. In practice, discretion within the system causes
variation in the implementation of law and policy depending on political, institutional, and cultural contexts (and some individual idiosyncrasies). As a consequence, changes to policy often cause unanticipated outcomes. Furthermore, in a federalist system, local, state, and federal officials display discretion and do not always coordinate practices between (or often within) states. Yet in its simplest form, the number of people in prison per capita in any given locale is necessarily determined by the crime rate, the arrest rate, the conviction rate, the imprisonment rate (the proportion of prison sentences per conviction), and the time served in prison (Schoenfeld, 2012).

While everyone is affected by the nation’s quadrupling of the prison population, the African-American community has borne the brunt of the nation’s incarceration boom. From 1980 to 1992, the African-American incarceration rate increased by an average of 138.4 per 100,000 per year. Still, despite a more than doubling of the African-American incarceration rate in the 12 years prior to President Clinton’s term in office, the African-American incarceration rate continued to increase by an average rate of 100.4 per 100,000 per year. In total, between 1980 and 1999, the incarceration rate for African Americans more than tripled from 1,156 per 100,000 to 3,620 per 100,000 (Legacy, 2001).

What does crime control mean? Criminologists propose a variety of control theories, which may have as their premise the constraint of criminal behavior. According to control theorists, abnormal behavior may be based on a rational choice, influenced by a specific situation, or an act found appealing. Control theorists emphasize the communities’ ability to control deviant behavior. The crime control model that seems closest to the archetype advocated by the Republicans can be denoted in the Crime Control model expounded by Herbert Packer (as opposed to the Due Process model). The
Packer model developed in the 1960s proposes that the suppression of crime has to be considered the most important function of the criminal process (Palmiotto, 1994).

Preserving law and order has historically been a Republican issue. Barry Goldwater, Lyndon Johnson’s losing opponent in the 1964 presidential race, was the first to campaign on crime control in an attempt to counter the prevailing liberal mood of the 1960s. Following Goldwater’s lead, Richard Nixon called for an increase in punitive crime control measures and a war on drugs that led to an increase in incarceration for low-level drug offenders. The Republican National Committee’s unleashing of the now famous Willie Horton advertisement during the race between Vice President George Bush and Massachusetts Governor Michael Dukakis solidified the rhetorical advantage held by Republicans in the law and order arena (Legacy, 2001).

The Violent Crime Control and Law Enforcement Act of 1994 does to a large extent reflect the Packer Crime Control model. Title I of the Act, Public Safety and Policing, has as one of its main objectives to put more cops on the beat. The federal government will provide matching funds for those communities who are willing to hire additional police officers. The crime control model emphasizes high rates of apprehension and conviction. The objective of putting more cops on the beat is to provide the police more manpower to make more apprehensions. Title I of Omnibus Crime Control Act falls into the Packer’s Crime Control model (Palmiotto, 1994).

The broad questions about how incarceration rates increased over thirty years to specific questions about particular stages in the criminal justice process are investigated. Thus, for the years 1980 to 1993, the relevant questions should focus on the war on drug offenses. What caused the number of arrests for drug offenses to shoot through the roof?
Of equal importance, why did prosecutors and judges increasingly send drug-offenders to prison? For the period between 1994 and 2000, the relevant questions should instead focus on the increases in time served. Did offenders receive longer sentences after 1994? Or were they somehow required to serve more of their original sentences? For the contemporary period, 2001 to 2009, the relevant questions should focus on the continued increase in convictions per arrest for lower level violent and property offenses such as aggravated assault, burglary, and weapons possession. Thus, in these years it is vital to ask, what increased prosecutors' ability or proclivity to convict offenders (Schoenfeld, 2010).

It is important to consider what connects these periods and trends. In other words, how did the increase in drug-offender commitments to prison in the 1980s influence the length of time served and prosecutors' ability to secure convictions in the 1990s and more recently? Because states and local governments impose different policies and implementation varies by locale, these questions cannot be answered at the aggregate or national level (Schoenfeld, 2012).

Title II, Prisons, has a requirement that states adopt as policy truth in sentencing laws, to obtain any federal funding. These laws would ensure that violent offenders, including juvenile violent offenders, would serve a substantial portion of their sentences. Monies were also available to states for the construction and expansion of correctional facilities. In addition, the prison portion of the law allows for punishment for youthful offenders, including restitution programs and correctional options such as weekend incarceration and electronic monitoring. Since criminal acts are a major threat to society, the crime control model stresses punishment, which primarily features incarceration.
Both Titles I and II highlight the conservative approach to maintaining social order in American society. This portion of the crime bill does not deal with social programs as the Republicans claim (Palmiotto, 1994).

When William Jefferson Clinton took office in 1993, he was embraced by some as a moderate change from the previous 12 years of tough on crime Republican administrations. Eight years later, the latest criminal justice statistics show that it was actually Democratic President Bill Clinton who implemented arguably the most punitive platform on crime in the last two decades. In fact, tough on crime policies passed during the Clinton Administration’s tenure resulted in the largest increases in federal and state prison inmates of any president in American history. Although Republicans are normally thought to hold the tough on crime mantle, in President Clinton’s first-term (1992-1996), 148,000 more state and federal prisoners were added than under President Reagan’s first term (1980-1984), and 34,000 more than were added under President Bush’s four-year term (1988-1992) (JPI, 2004).

The Violent Crime Control and Law Enforcement Act of 1994 provides a substantial amount of what could be called a crime control strategy. This strategy based upon the Crime Control model of Packer stresses the need to maintain social order for the benefit of the community even if the wrong individual gets convicted of a crime. Under this strategy if the police accuse you of a crime, you must be guilty; otherwise you would not have been charged. The Crime Control model as expounded by Herbert Packer fits into the thinking of many Americans who often lack an understanding of their constitutional rights, the legal system and law enforcement limitations in solving crime. This model, which has been adopted by conservatives, is a simplistic solution to
American's crime problem. Although it is in vogue to believe that more arrests, prosecution of all those arrested, and long prison sentences for those convicted of a crime will curtail others from committing crime, this may not necessarily be the case (Palmiotto, 1994).

**Nonviolent Crime Offenders**

The leading cause of incarceration of an African-American male is a non-violent drug offense (Drug War Facts, 2014). Between 1985 and 1995, the American prison population of drug offenders increased from 38,900 to 224,900 with African-American males at the top (King, 2005). Entitled *America's One Million Nonviolent Prisoners*, the analysis of United States Justice Department data showed that over the past 20 years, the nonviolent prisoner population has increased at a rate much faster than the violent prisoner population, and that 77% of the people entering prisons and jails were sentenced for nonviolent offenses. Since 1978, the number of violent prisoners entering America's prisons doubled, the number of nonviolent prisoners tripled, and the number of persons imprisoned for drug offenses increased eight-fold (Mackenzie, 2001).

Between 1994 and 2000, politicians and law enforcement seized the opportunities (or problems) that the war on drug-offense facilitated—increased prison capacity, early releases, and media attention to crime and drug offenses—to fashion a larger war on crime linked to racialized anti-state, anti-judge, and anti-welfare sentiments. Over the course of the 1990s, this distinctly political war on crime produced hundreds of new crime bills that lengthened prison sentences; increased time served, and shifted power from judges to prosecutors (Schoenfeld, 2010).
According to the NAACP (2014), about 14 million whites and 2.6 million African Americans report using an illicit drug. Five times as many whites are using drugs as African Americans, yet African Americans are sent to prison for drug offenses at 10 times the rate of whites. African Americans represent 12% of the total population of drug users, but 38% of those arrested for drug offenses, and 59% of those in state prison for a drug offense. African Americans serve virtually as much time in prison for a drug offense (58.7 months) as whites do for a violent offense (61.7 months) (Sentencing Project, 2013). For offenses other than drug offenses, the growth in incarceration resulted from increases in decisions to incarcerate (prison commitments per arrest) and increases in time served, rather than increases in offenses or arrests per offense (although both did increase slightly for assaults) (Schoenfeld, 2012).

NAACP (2014) states there are contributing factors that participate in the incarceration of non-violent offenders who are sentenced as violent crime offenders and inner city crime prompted by social and economic isolation. Crime/drug arrest rates compose of African Americans representation of 12% of monthly drug users, but comprise 32% of persons arrested for drug possession. Get tough on crime and war on drugs policies. Mandatory minimum sentencing contribute, especially disparities in sentencing for crack and 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 the fact that more than two-thirds of crack cocaine users in the United States are white or Hispanic three strikes/habitual offender policies. Zero tolerance policies as a result of perceived problems of school violence; adverse affect on black children. Thirty-five percent of
black children grades seven through 12 have been suspended or expelled at some point in their school careers compared to 20% of Hispanics and 15% of whites.

U.S. Senator Cory Booker commented that the United States wastes billions of dollars warehousing low-level offenders, and called for a major overhaul of America's prison system (Terkel, 2013). Senator Booker declared that if there is concern about large government, then mass incarceration represents an ever-growing expenditure while producing failed results. The people of New Jersey deserve to have a criminal justice system that is fundamentally about justice. It is imperative that everybody is treated equally under the law (Terkel, 2013).

Terkel (2013) points out that Senator Booker laid out a plan to provide more drug treatment, end mandatory minimum sentences for non-violent drug offenders, decriminalize marijuana, increase funding for prisoner re-entry programs, and bring an end to for-profit, private prisons. The New Jersey senator also excoriated a prison system that incarcerates vastly higher numbers of African Americans than whites for similar offenses. In New Jersey, blacks make up 14% of the state's population but make up over 60% of the state's prisons. There is something fundamentally wrong with those numbers (Terkel, 2014).

According to Amanda Terkel (2013) of the Huffington Post, Corey Booker states that, when he was mayor of Newark, he observed his police force “arrest, re-arrest, and then re-arrest again, sending the same person for another trip through a revolving door system that not only largely fails to rehabilitate, but...makes reoffending commonplace and...is not helping to make our communities safer” (para. 2). Terkel further quoted Booker saying
One of the biggest wastes of taxpayer dollars in our society today can be found in a criminal justice system in serious need of reform. The issue of mass incarceration implicates the safety of our communities, billions of taxpayer dollars, and the health and cohesion of our families. Our next steps will determine whether our criminal justice system remains a vehicle for rigid punishment and waste, or becomes a springboard for rehabilitation, opportunity, and hope. (para. 1)


too many Americans go to too many prisons for far too long, and for no truly good law enforcement reason. There are some assumptions about the criminal justice system's approach to the war on drugs, and excessive incarceration has been an ineffective and unsustainable part of it. Although the United States should not abandon being tough on crime, but embrace steps to address shameful racial disparities in sentencing, the budgetary strains of overpopulated prisons and policies for incarceration that punish and rehabilitate, not merely to warehouse and forget. (para 2)

The first anti-opium laws in the 1870s were directed at Chinese immigrants. The first anti-cocaine laws, in the South in the early 1900s, were directed at black men. The first anti-marijuana laws, in the Midwest and the Southwest in the 1910s and 20s, were directed at Mexican migrants and Mexican Americans. Today, Latino and especially black communities are still subject to wildly disproportionate drug enforcement and sentencing practices (Drug Policy, 2014).
In the 1960s, as drugs became symbols of youthful rebellion, social upheaval, and political dissent, the government halted scientific research to evaluate their medical safety and efficacy. In June 1971, President Nixon declared a war on drugs. He dramatically increased the size and presence of federal drug control agencies, and pushed through measures such as mandatory sentencing and no-knock warrants. Nixon temporarily placed marijuana in Schedule One, the most restrictive category of drugs, pending review by a commission he appointed led by Republican Pennsylvania Governor Raymond Shafer. In 1972, the commission unanimously recommended decriminalizing the possession and distribution of marijuana for personal use. Nixon ignored the report and rejected its recommendations (Drug Policy, 2014).

Between 1973 and 1977, however, 11 states decriminalized marijuana possession. In January 1977, President Jimmy Carter was inaugurated on a campaign platform that included marijuana decriminalization. In October 1977, the Senate Judiciary Committee voted to decriminalize possession of up to an ounce of marijuana for personal use. Within just a few years, though, the tide had shifted. Proposals to decriminalize marijuana were abandoned as parents became increasingly concerned about high rates of teen marijuana use. Marijuana was ultimately caught up in a broader cultural backlash against the perceived permissiveness of the 1970s (Drug Policy, 2014).

According to America's One Million Nonviolent Prisoners, the JPI analysis of recent United States Justice Department data (1999), co-authored by John Irwin, professor emeritus from San Francisco State University, and Jason Ziedenberg, JPI Policy Analyst, also catalogued the tremendous costs of imprisoning over a million nonviolent offenders. The $24 billion spent last year by federal, state and local units of
government to incarcerate 1.2 million nonviolent offenders was almost 50% larger than the entire federal welfare budget ($16.6 billion) which provides income supports for 8.5 million people, and represents six times what the federal government will spend on child care for 1.25 million children. Further, America is spending more building prisons ($2.6 billion) than universities ($2.5 billion). Overall, the combined expenditures for America's prisons and jails have increased from $5 billion in 1978 to $31 billion in 1997 (Schiraldi & Ziedenberg, 2001).

The study also found that the overwhelming majority of male jail inmates are not incarcerated for a violent offense (82.4%) and have no violent offense history (64%). That is even truer for America's fastest growing inmate population women. Eighty-five percent of female jail inmates are incarcerated for a nonviolent offense, and 83.1% of female jail inmates have no violent prior offenses. The research corroborated the findings of other studies, which have found that African Americans are imprisoned at eight times the rate of whites, and Hispanics are imprisoned at three times the rate of whites. In the 1930s, 75% of the people entering prison were white (reflecting the general demographics of the nation). Today, minority communities represent 70% of all new prison admissions (JPI, 1999).

**Community Oriented Policing Services**

Community policing has been all the rage in the past two decades. Most citizens want it, most police departments claim that they do it, and the federal government has recently funded it at the local level. The Violent Crime Control Act of 1994, for instance, created the Office of Community Oriented Policing Services (COPS) within the Justice
Department and authorized spending $8.8 billion over 10 years to support community policing initiatives in cities throughout the country, including the hiring of 100,000 officers. Community policing generally refers to officers and neighborhood residents working together to identify the neighborhood conditions that lead to crime and formulating solutions to those problems. As such, it is much more collaborative and proactive than the traditional approach of responding to incidents after the fact. Community policing is accomplished through regular police-community meetings, routine foot patrols, police mini-stations that are accessible to residents, and various programs for youth (Weitzer, 2004).

When asked in a Justice Department survey of 12 cities whether they would like to see community policing in their neighborhoods, 86% of respondents said yes. Other polls have found substantial public support for foot patrols, community meetings, and school programs. Most police chiefs claim that their departments practice community policing, though some of this is mere lip service. Cities vary considerably in the degree to which community policing actually exists and in the degree to which officers accept it. In some, it is marginalized in a community-relations branch that operates independently of most officers. In other places, however—San Diego, Portland, Savannah—community policing is more integrated throughout the police department and is a philosophy guiding all officers (Weitzer, 2004).

Serious community policing can improve public confidence and may also advance crime fighting. Chicago’s Alternative Policing Strategy (CAPS) is one example. Begun in 1993, key elements of CAPS include assigning officers to permanent beats to increase their knowledge of neighborhood problems, intensive training in solving
neighborhood problems (such as vandalism, prostitution, and crack houses), regular
formal meetings between residents and police, and ongoing review of program outcomes.
Wesley Skogan's 10-year evaluation of CAPS is the best and most ambitious study of
community policing to date. He found that as a result of CAPS, neighborhood crime and
disorder decreased, people became less fearful of crime, gang problems were reduced,
police became more responsive to community concerns, and residents began to view the
police more favorably. This research suggests that community policing, while no
panacea, can be effective when a police department fully embraces and devotes sufficient
resources to it. Unfortunately, most community policing programs do not live up to these
standards: They are fragmented, marginalized, and under-funded (Weitzer, 2004).

According to the Nathan James (2011), The Community Oriented Policing
Services (COPS) program was created by Title I of the Violent Crime Control and Law
Enforcement Act of 1994 (P.L. 103-322). The mission of the COPS program is to
advance community policing in all jurisdictions across the United States. For the first
eight fiscal years that Congress funded the COPS program, the average annual
appropriation was more than $1,000,000,000. Starting in FY2003, annual appropriations
for the program, in general, started to decrease. The average annual appropriation for the
COPS program over the past eight fiscal years (excluding the $1,000,000,000 in funding
COPS received under the American Recovery and Reinvestment Act of 2009; P.L. 111-5)
is $658,000,000 (James, 2011).

Several bills were introduced in the 111th Congress that would have modified the
COPS program, reauthorized appropriations for the program, or both. Three of these
bills—H.R. 1139, S. 167, and H.R. 1568—would have reauthorized appropriations for
the COPS program. In addition, H.R. 1139 and S. 167 would have, among other things, changed COPS from a single-grant to a multi-grant program and made the COPS Office an exclusive component of the Department of Justice (DOJ). H.R. 3154 and S. 1424 would have required the Attorney General to award grants to units of local government with high violent crime rates so they could increase the size of their police forces (James, 2011).

Northeastern University Institute on Race and Justice (2008) in cooperation with the Office of Community Oriented Policing Services, U.S. Department of Justice states during the past two decades, public agencies—including law enforcement—have become increasingly concerned about ensuring organizational integrity and accountability. During this same period, concerns about racial profiling or bias-based policing threatened to undermine the integrity of law enforcement nationally (NUIRJ, 2008).

Although there have long been allegations of police targeting people of color, aggressive crime-control strategies used by police in an effort to reduce crime during the last two decades have heightened perceptions that police may use pedestrian or traffic stops as a pretext for conducting disproportionate numbers of investigations of black or Hispanic individuals. As a result of such perceptions, addressing racial profiling has become vital to law enforcement’s efforts to ensure and promote integrity. This publication identifies a number of promising strategies supported by the Office of Community Oriented Policing Services (the COPS Office) program titled Promote Cooperative Strategies to Reduce Racial Profiling (PCSRRP) that law enforcement can use to identify, address, and prevent concerns about racial profiling in their agencies (NUIRJ, 2008).
The PCSRRP grant program was part of a larger initiative from the COPS Office to promote cultures of integrity in law enforcement following the adoption of community policing models. During more than a decade, the COPS Office has supported the development of creative and innovative strategies to strengthen integrity in state and local law enforcement organizations. In 1996, the COPS Office and the National Institute of Justice (NIJ) were joint sponsors of a symposium attended by law enforcement executives and community representatives that helped move the discussion around integrity from a narrow focus on police officers' behavior and internal investigations of corruption to an understanding of the importance of other factors (Integrity, 2008).

The issues of police misconduct that emerged in the late 1990s because of media attention to high-profile events suggested a strong racial component to acts of misconduct such as excessive use of force (incidents involving Rodney King, Abner Louima, and Amadou Diallo), racial profiling (New Jersey State Police, evidence of the Drug Enforcement Agency (DEA) profile in Operation Pipeline), and invasive searches of nonwhite drivers and pedestrians (Wilkins v. Maryland State Police). In June 1999, the Department of Justice brought civil rights, police, and other government leaders together at the Strengthening Police-Community Relationships conference to address the subject. The participants identified five main priority areas of integrity on which to focus in the coming years: racial profiling, police use of force, accountability, citizen complaint processes, and recruitment and hiring. This COPS Evaluation Brief addresses specific responses to the problem of racial profiling (Northeastern University Institute on Race and Justice, 2008).
The term racial profiling is derived from the profile of drug couriers developed by the Drug Enforcement Agency (DEA) during the mid-1980s to interdict interstate drug trafficking. The use of criminal profiling techniques was promoted as part of a specific strategy to apprehend interstate drug traffickers through routine traffic stops. While the original DEA profile did not explicitly include race, evidence emerged that some local and state law enforcement agencies were applying the profile in race-specific ways (Farrell & McDevitt, 2010).

The line between criminal profiling based on individual behavior in concert with known offender characteristics, and racial profiling based primarily on the use of race as the basis for suspicion, is not always clear to officers. While most professionals agree that police may not use racial or ethnic stereotypes to select whom to stop and search, they may use race or ethnicity to determine whether a person matches a specific description of a particular suspect. There is less agreement about how race can be lawfully considered when investigating a particular crime problem committed by a group of individuals who share racial or ethnic characteristics. Clear policies, training, and monitoring by supervisors are often required to help officers navigate such challenging, but fundamentally important, decisions (Northeastern University Institute on Race and Justice, 2008).

Public concern over racial profiling became so common in the late 1990s that the practice became popularly labeled driving while black or driving while brown. Today, racial profiling is generally understood as the practice of targeting or stopping a person based primarily on the person’s race, rather than on any individualized suspicion. The Department of Justice’s *A Resource Guide on Racial Profiling Data Collection Systems*
defines racial profiling as any police-initiated action that relies upon the race, ethnicity, or national origin of an individual rather than the behavior of an individual or information that leads the police to a particular individual who has been identified as being, or having been, engaged in criminal activity. While no clear consensus exists about the severity and prevalence of biased enforcement, the widely held concerns about racial profiling represent a significant threat to police legitimacy (Closs & McKenna, 2006).

In the wake of high-profile cases in New Jersey and Maryland, dozens of states enacted legislation banning racial profiling and requiring mandatory data collection, hundreds of jurisdictions voluntarily began collecting traffic stop data, community groups and police departments started working together to develop strategies to identify and prevent racial profiling, social scientists began conducting research on how to measure racial profiling, and attorneys began pursuing both civil and criminal litigation based on racial profiling claims. Indeed, addressing community perceptions about racial bias in traffic stops became a top priority for law enforcement professionals across the country. The support provided by the COPS office for innovative strategies to reduce racial profiling shaped many of these responses (Institute on Race and Justice, Northeastern University, 2008).

Much debate has taken place regarding the merits of aggressive policing strategies such as “stop, question, and frisk.” Labeling theory suggests that police contact may actually increase delinquency because youth who are stopped or arrested are excluded from conventional opportunities, adopt a deviant identity, and spend time with delinquent peers. But, few studies have examined the mechanisms through which police
contact potentially enhances offending. The current study uses four waves of longitudinal data collected from middle-school students (N = 2,127) in seven cities to examine the deviance amplification process. Outcomes are compared for youth with no police contact, those who were stopped by police, and those who were arrested. Propensity score matching is used to control for preexisting differences among the three groups. The findings indicate that compared with those with no contact, youth who are stopped or arrested report higher levels of future delinquency and that social bonds, deviant identity formation, and delinquent peers partially mediate the relationship between police contact and later offending. These findings suggest that programs targeted at reducing the negative consequences of police contact (i.e., poor academic achievement, deviant identity formation, and delinquent peer associations) might reduce the occurrence of secondary deviance (Wiley et al., 2013).

According to Wicsner, Kim, and Capaldi (2009), others have particularly highlighted the labeling and stigmatizing effects of contact with the criminal justice system, including a history of arrests, convictions, and especially incarceration, on later employment outcomes (e.g., Becker, 1963). Sampson and Laub (1997) integrated such notions into their age-graded theory of informal social control and posited that involvement with the criminal justice system as a consequence of engagement in crime is a key example of what they called the “process of cumulative disadvantage.” They stated that formal labeling arising from contact with the criminal justice system causes employers to exclude adult ex-offenders from conventional employment opportunities and in this sense mortgage their future. Such exclusion leads to job instability, which has been shown to increase subsequent adult offending (Sampson & Laub, 1993).
The meaning of order in norm-focused scholarship seems to be unmediated in this very way. It resembles a fundamental code of a culture; a code that has not yet been questioned and has not yet lost its "original transparency." But the meaning of order, it turns out, may be constructed, and constructed in important ways by the techniques of policing that prevail in society. Specifically, it may be shaped by the practice of order-maintenance policing. In other words, in addition to changing perceptions and short-term behavior in the manner described by Kahan and Meares, policing techniques may also shape the contemporary subject more fundamentally and mold the way order is understood. Order-maintenance policing may influence the way that one perceives the person who is out of order—who is dirty or apparently loitering—as dangerous, as a source of transgression, in need of being controlled or arrested or banished. According to the unwritten rules of a Newark police officer maintaining order, "drunks and addicts could sit on the stoops, but could not lie down. People could drink on side streets, but not at the main intersection. Bottles had to be in paper bags. Talking to, bothering, or begging from people waiting at the bus stop was strictly forbidden" (Wilson & Kelling, 1982). This fine art of patrolling, observing, and relocating, these intricate rules of neighborhood hygiene, this aesthetic policing shapes the subject (Wiley et al., 2013).

Wiesner (2010) states order-maintenance policing may also influence how order is understood by reinforcing notions of black criminality. Harcourt (2000) has explored the racial meaning of order-maintenance policing in the most recent Foreword to the Journal of Criminal Law & Criminology's Supreme Court Review. Harcourt has shown how the categories of order and disorder-of law-abiders and the disorderly-though created in part by these policing techniques are also shaped by pernicious racial
stereotypes about criminality. Harcourt explains the way that one defines "visibly lawless people" explains America's longstanding association between "blackness and criminality" (p. 180). Harcourt catalogues the numerous ways in which blackness is associated with crime. Psychological studies, for instance, have revealed a disproportionate rate of error in eyewitness identification when the witness is white and the suspect African American (Harcourt, 2000).

In addition, many police officers consider race in their decision to investigate and defend racial profiling. This results in a disproportionate arrest of African-American men and women for traffic and drug offenses (Roberts, 1999). Heightened arrests become, in turn, self-fulfilling prophesy -- when the authority to arrest is exercised along racial lines, it likely increases the racial imbalance for convictions of other crimes (Roberts, 1999, p. 818). In sum, Roberts explains, one of the main tests in American culture for distinguishing law-abiding from lawless people is their race. Many, if not most, Americans believe that black people are "prone to violence" and make race-based assessments of the danger posed by strangers they encounter. One of the most telling reflections of the association of blacks with crime is the biased reporting of crime by white victims and eyewitnesses. The myth of black criminality is part of a belief system deeply embedded in American culture that is premised on the superiority of whites and inferiority of black stereotypes that originated in slavery are perpetuated today by the media and reinforced by the huge numbers of blacks under criminal justice supervision. As Jody Armour puts it, it is unrealistic to dispute the depressing conclusion that, for many Americans, crime has a black face (Harcourt, 2008).
Harcourt (2000) states that these racial stereotypes may affect the understanding of—or the meaning one gives to—order. This may facilitate, in turn the very policies of youth curfews, order-maintenance crackdowns, and anti-gang loitering ordinances. Once order is defined in terms of preventing serious crime, there may be little else to do but to crack down on the disorderly. Who in their right mind, after all, would side with people who break windows, hang out with gang members, aggressively accost passers-by, or vandalize other people's property? Who in their right mind would condone urinating in the streets or carrying guns in schools? The persons who are arrested are disorderly—they have committed crimes, they are the type of people who will commit more crimes or promote criminal activity. They should be punished (Harcourt, 2000).

Moreover, the meaning of order—understood in terms of preventing serious crime—may facilitate these police policies by overshadowing the numerous costs associated with the proposed policing strategies. As discussed in Reflecting on the Subject (Harcourt, 1998), order maintenance in New York City has been achieved, in large part, by means of a 50% increase in misdemeanor arrests-up from 133,446 in 1993 to 205,277 in 1996. Those arrests can be quite an ordeal: being arrested, handcuffed, transported, booked, often strip-searched (at least prior to recent litigation), and spending the night in jail can be a harrowing experience (Wiesner et al., 2010).

The policing initiative in New York City has been accompanied by a significant increase in the number of complaints of police misconduct. The Civilian Complaint Review Board in New York City received 5,550 and 4,816 complaints of police misconduct for 1996 and 1997, respectively, up from 3,580 complaints in 1993. Moreover, a law enforcement strategy that emphasizes misdemeanor arrests has a
disproportionate effect on minorities—not necessarily in relation to the racial composition of misdemeanor offenders, but simply in relation to the racial composition of the community. The brute fact is that the decision to arrest for misdemeanors results in the arrest of many minorities. In cities in the United States, for example, 46.4% of persons arrested for vagrancy in 1995 were black, although the population inside metropolitan areas was approximately 13% African American. Order-maintenance policing may delegate the power to define order and disorder to police officers and designated community members in a manner inconsistent with the conception of democratic theory or constitutional principles. The costs of arrest and prosecution of minor misdemeanor offenses may add up to a considerable investment (Harcourt, 1998).

Birth Rate

According to the Centers for Disease Control and Prevention (2012), the U.S. fertility rate fell to another record low in 2012, with 63.0 births per 1,000 women ages 15 to 44 years old. That is down slightly from the previous low of 63.2 births in 2011. It marked the fifth year in a row the U.S. birth rate has declined, and the lowest rate on record since the government started tracking the fertility rate in 1909. In 2007, the rate was 69.3. Falling birth rates can be considered a challenge to future economic growth and the labor pool. If there are fewer younger people in the United States, there may be a shortage of young workers to enter the labor force in 18 to 20 years. A downturn in the birth rate affects the whole economy. It takes 2.1 children per woman for a given generation to replace itself, and U.S. births have been below replacement level since
2007. As of last year, a separate CDC analysis shows an American woman will give birth to an average of 1.88 children over her lifetime, also a record low (Kurtz, 2012).

The U.S. Census Bureau (2012) states the U.S. population will be considerably older and more racially and ethnically diverse by 2060. These projections of the nation’s population by age, sex, race and Hispanic origin, which cover the 2012-2060 period, are the first set of population projections based on the 2010 Census. The next half-century marks key points in continuing trends — the United States will become a plurality nation, where the non-Hispanic white population remains the largest single group, but no group is in the majority. Furthermore, the population is projected to grow much more slowly over the next several decades, compared with the last set of projections released in 2008 and 2009. That is because the projected levels of births and net international migration are lower in the projections released today, reflecting more recent trends in fertility and international migration.

U.S. Census Bureau (2012) looking to the projections, the population age 65 and older is expected to more than double between 2012 and 2060, from 43.1 million to 92.0 million. The older population would represent just over one in five U.S. residents by the end of the period, up from one in seven today. The increase in the number of the “oldest old” would be even more dramatic — those 85 and older are projected to more than triple from 5.9 million to 18.2 million, reaching 4.3% of the total population. Irrespective of future immigration and minority fertility patterns, the United States is facing a stagnating white population. The biggest shift will occur over the next 20 years as the mostly white baby boom generation moves into traditional retirement years. It is in the child and early
labor force ages where one must be ready for the greatest changes as new American minorities take over for aging whites (Yen, 2012).

The rapidly growing non-white population gives the United States a bit of an economic advantage over other developed nations, including Russia, Japan and France, which are seeing reduced growth or population losses due to declining birth rates and limited immigration. The combined population of more-developed countries other than the United States has been projected to decline beginning in 2016, raising the prospect of prolonged budget crises as the number of working-age citizens diminish, pension costs rise and tax revenues fall. Depending on future rates of immigration, the U.S. population is estimated to continue growing through at least 2060. In a hypothetical situation in which all immigration – both legal and illegal – immediately stopped, previous government estimates have suggested the United States could lose population beginning in 2048 (Yen, 2012).

The race and ethnic changes are already seen in pockets of the United States and in the younger age groups, where roughly 45% of all students in K-12 are Hispanics, blacks, Asian Americans and others. Already, the District of Columbia and four states – Hawaii, California, New Mexico and Texas – have minority populations greater than 50%; across the United States, more than 11% of counties have tipped to majority-minority status (Yen, 2012).

The non-Hispanic white population is projected to peak in 2024, at 199.6 million, up from 197.8 million in 2012. Unlike other race or ethnic groups, however, its population is projected to slowly decrease, falling by nearly 20.6 million from 2024 to 2060. Meanwhile, the Hispanic population would more than double, from 53.3 million in
2012 to 128.8 million in 2060. Consequently, by the end of the period, nearly one in three U.S. residents would be Hispanic, up from about one in six today. The black population is expected to increase from 41.2 million to 61.8 million over the same period. Its share of the total population would rise slightly from 13.1% in 2012 to 14.7% in 2060 (Yen, 2012).

The Asian population is projected to more than double, from 15.9 million in 2012 to 34.4 million in 2060, with its share of nation's total population climbing from 5.1% to 8.2% in the same period. Among the remaining race groups, American Indians and Alaska Natives would increase by more than half from now to 2060, from 3.9 million to 6.3 million, with their share of the total population edging up from 1.2% to 1.5%. The Native Hawaiian and Other Pacific Islander population is expected to nearly double, from 706,000 to 1.4 million. The number of people who identify themselves as being of two or more races is projected to more than triple, from 7.5 million to 26.7 million over the same period. The United States is projected to become a majority-minority nation for the first time in 2043. While the non-Hispanic white population will remain the largest single group, no group will make up a majority (U.S. Census Bureau, 2012).

All in all, minorities, now 37% of the U.S. population, are projected to comprise 57% of the population in 2060. (Minorities consist of all but the single-race, non-Hispanic white population.) The total minority population would more than double, from 116.2 million to 241.3 million over the period. Projections show the older population would continue to be predominately non-Hispanic white, while younger ages are increasingly minority. Of those age 65 and older in 2060, 56.0% are expected to be non-Hispanic white, 21.2% Hispanic, and 12.5% non-Hispanic black. In contrast, while
52.7% of those younger than 18 years of age were non-Hispanic white in 2012, that number would drop to 32.9% by 2060. Hispanics are projected to make up 38.0% of this group in 2060, up from 23.9% in 2012 (U.S. Census Bureau, 2012).

The nation’s total population would cross the 400 million mark in 2051, reaching 420.3 million in 2060. The proportion of the population younger than 18 years of age is expected to change little over the 2012-2060 period, decreasing from 23.5% to 21.2%. In 2056, for the first time, the older population, age 65 and over, is projected to outnumber the young, age under 18. The working-age population (18 to 64) is expected to increase by 42 million between 2012 and 2060, from 197 million to 239 million, while its share of the total population declines from 62.7% to 56.9%. The ratio of males to females is expected to remain stable at around 104.7 males per 100 females for the population under the age of 18. For the population age 18 to 64, the ratio of males per 100 females is projected to be 98.9 in 2012 and increase to 104.1 in 2060. The ratio for the population age 65 and over is also projected to increase, from 77.3 males per 100 females in 2012 to 84.4 in 2060 (U.S. Census Bureau, 2012).

**Economic Growth**

The financial crisis that followed the collapse of U.S. investment bank Lehman Brothers in 2008 did more than wipe out billions in wealth and millions of jobs. It also sent birth rates tumbling around the world as couples found themselves too short of money or too fearful about their finances to have children. Six years later, birth rates have not bounced back. One tends to think economic growth comes from working harder and smarter. But economists attribute up to a third of it to more people joining the
workforce each year than leaving it. The result is more producing, earning, and spending. Now this secret fuel of the economy, rarely missing and little noticed, is running out (CBS News, 2014).

The drop in birth rates is rooted in the 1960s, when many women entered the workforce for the first time and couples decided to have smaller families. Births did begin rising in many countries in the new millennium. But then the financial crisis struck. Stocks and home values plummeted, blowing a hole in household finances, and tens of millions of people lost jobs. Many couples delayed having children or decided to have none at all. Demographers say the fertility rate needs to reach 2.1 just to replace people dying and keep populations constant (Condon, 2014).

The effects on economies, personal wealth, and living standards are far reaching. A return to normal growth is unlikely: Economic growth of 3% a year in developed countries, the average over four decades, had been considered a natural rate of expansion, sure to return once damage from the global downturn faded. But many economists argue that that pace cannot be sustained without a surge of new workers. The Congressional Budget Office has estimated that the U.S. economy will grow 3% or so in each of the next three years, then slow to an average 2.3% for the next eight years. The main reason is that there are not enough new workers (Condon, 2014).

As a result of the limited workforce increase, reduced pay and lifestyles will develop. Slower economic growth will limit wage gains and make it difficult for middle-class families to raise their living standards, and for those in poverty to escape it. One measure of living standards is already signaling trouble: gross domestic product per capita — the value of goods and services a country produces per person — fell 1% in the
five biggest developed countries from the start of 2008 through 2012, according to the World Bank (Condon, 2014).

Slower economic growth means companies will generate lower profits, thereby weighing down stock prices. And the share of people in the population at the age when they tend to invest in stocks and homes is set to fall, too. All else equal, that implies stagnant or lower values. Homes are the biggest source of wealth for most middle-class families. Before the recession, the number of these potential workers as a proportion of total population was falling in three of the world's six biggest developed economies — Japan, Germany, and Italy. Now the proportion is also dropping in the United States, France, and the United Kingdom, according to investment firm Research Affiliates, using data from the United Nations (Condon, 2014).

According to CBS News (2014), economists say it is rare for the number of working-age people as a share of the total population to fall in so many major countries at the same time. It is usually because of war and famine, although such proportions also fell in the 1950s as baby boomers were born and populations surged. The six countries with declining proportions of working-age people now, plus China, accounted for 60% of global economic output in 2012 (Haver Analytics, 2014).

According to NPR (2010), the economic outlook remains unusually uncertain. Uncertainty has obvious consequences for business; people are less likely to produce more goods if they're unsure that there'll be a market for them. Here is the biggest lagging economic indicator of them all. When the economy is really uncertain and unemployment is running high, people are less likely to produce more people. The birth rate goes down.
Productivity of workers, or output per hour, tends to peak as they reach their mid-50s. And the increases in productivity as they near that age tend to be small. And with economic growth, only the change in productivity from year to year counts, not the level. In other words, you may be very productive at work, but unless you're becoming even more so each year or work more hours, you're not helping the economy grow. And older workers past their peak productivity, by definition, subtract from growth. Births have sprung back after plunging in previous economic crises, like the Great Depression. But back then many women did not have careers, and they were expected to have big families. When the economy recovered and they could afford more children, they had them (Condon, 2014).

**Family Development**

The original report titled *The Negro Family: The Case for National Action* was released in 1965 by the late New York Senator Daniel Moynihan, who was the assistant labor secretary at the time of the report’s release, laid out a series of statistics on the African-American family. Moynihan’s conclusion declared, at the heart of the deterioration of the fabric of Negro society is the deterioration of the Negro family. It is the fundamental source of the weakness of the Negro community at the present time. Sadly, the outlook of the African-American family is bleaker than when Moynihan wrote his conclusion (Acs, 2013).

The Moynihan Report Revisited, from the Urban Institute and Fathers Incorporated (2013), gauges how the circumstances of black families have changed and how they compare with other racial and ethnic groups; documents how blacks still suffer
from intersecting disadvantages that Moynihan referred to as a tangle of pathologies. The statistics that so alarmed Moynihan have only grown worse, not only for blacks, but for whites and Hispanics as well. Today, the share of white children born outside marriage is about the same as the share was for black children in Moynihan’s day. Meanwhile, the percentage of black children born to unmarried mothers has tripled, remaining far higher than the percentage of white children born to unmarried mothers. In 1960, 20% of black children lived with their mothers but not their fathers; by 2010, 53% of all black children lived in such families. The share of white children living with their mothers but not their fathers climbed to 20% in 2010, up from 6% in 1960 (Acs, 2013).

There has been a marked retreat from marriage. In 1960, just over one-half of all black women were married and living with their husbands, compared with over two-thirds of white and Hispanic women. By 2010, only one-quarter of black women, two-fifths of Hispanic women, and one-half of white women lived with their spouses. The decline of traditional families occurred across racial and ethnic groups indicate factors driving the decline do not lie solely within the black community, but in the larger social and economic context. Nevertheless, the consequences may be felt disproportionately among blacks as black children are far more likely to be born into and raised in father-absent families than are white children (Acs, 2013).

For African Americans who do marry, the rate of divorce is higher than white Americans. While the trend is the same for both African Americans and white Americans, with at least half of marriages for the two groups ending in divorce, the rate of divorce tends to be consistently higher for African Americans. African Americans also tend to spend less time married than white Americans. Overall, African Americans are
married at a later age, spend less time married and are more likely to be divorced than white Americans (Cherlin, 2010).

The decline and low success rate of black marriages is crucial for study because many African Americans achieve a middle-class status through marriage and the likelihood for children growing up in poverty is tripled for those in single-parent rather than two-parent homes. Some researchers suggest that the reason for the rise in divorce rates is the increasing acceptability of divorces. The decline in social stigma of divorce has led to a decrease in the number of legal barriers of getting a divorce, thus making it easier for couples to divorce (Ruggles, 1997).

A demographic breakdown by race was not available for the 1965 report, but numbers beginning in 1974 showed disproportionate numbers of African-American men being sent to prison. In 1974, it was 9% of black men compared to 1% of white men. By 2010, that had risen to 16% of black men and 3% of white men. The report did note that number has started to decline slightly among black men (Acs, 2013).

High rates of parental incarceration likely add to the instability of family life among poor children. Over half of all prisoners have children under the age of eighteen, and about 45% of those parents were living with their children at the time they were sent to prison. About two-thirds of prisoners stay in regular contact with their children either by phone, mail, or visitation. Ethnographer Megan Comfort paints a vivid picture of the effects of men's incarceration on the women and families in their lives partly because of the burdens of incarceration on women who are left to raise families in free society, incarceration is strongly associated with divorce and separation. In addition to the forced separation of incarceration, the post release effects on economic opportunities leave
formerly incarcerated parents less equipped to provide financially for their children. (Western & Pettit, 2010).

New research also shows that the children of incarcerated parents, particularly the boys, are at greater risk of developmental delays and behavioral problems. The scale of the effects of parental incarceration on children can be revealed simply by statistics showing the number of children with a parent in prison or jail. Among white children in 1980, only 0.4 of 1% had an incarcerated parent; by 2008 this figure had increased to 1.75%. Rates of parental incarceration are roughly double among Latino children, with 3.5% of children having a parent locked up by 2008. Among African-American children, 1.2 million, or about 11%, had a parent incarcerated by 2008 (Western & Pettit, 2010).

Studies of the effects of incarceration on crime also focus only on the short term. Indeed, because of the negative effects of incarceration on economic opportunities and family life, incarceration contributes to crime in the long run by adding to idleness and family breakdown among released prisoners. Scale matters, too. If the negative effects of incarceration were scattered among a small number of serious criminal offenders, these effects may well be overwhelmed by reduction in crime through incapacitation (Western & Pettit, 2010).

Today, however, clear majorities of the young men in poor communities are going to prison and returning home less employable and more detached from their families. In this situation, the institutions charged with public safety have become vitally implicated in the unemployment and the fragile family structure characteristic of high-crime communities. For poorly educated young men in high-incarceration communities,
a prison record now carries little stigma; incentives to commit to the labor market and family life have been seriously weakened (Western & Pettit, 2010).

To say that prison reduces crime (perhaps only in the short run) is a spectacularly modest claim for a system that now costs $70 billion annually. Claims for the crime-reducing effects of prison, by themselves, provide little guidance for policy because other approaches may be cheaper. Measures to reduce school dropout, increase human capital, and generally increase employment among young men seem especially promising alternatives. Results for programs for very young children are particularly striking. Evaluations of early childhood educational programs show some of their largest benefits decades later in reduced delinquency and crime. For adult men now coming out of prison, new evaluations show that jobs programs reduce recidivism and increase employment and earnings. The demographic concentration of incarceration accompanies spatial concentration. If some portion of that $70 billion in correctional expenditures were spent on improving skills and reducing unemployment in poor neighborhoods, a sustainable and socially integrative public safety may be produced (Western & Pettit, 2010).

Much of the political debate about crime policy ignores the contemporary scale of criminal punishment, its unequal distribution, and its negative social and economic effects. The analysis of the penal system as an institution of social stratification, rather than crime control, highlights all these neglected outcomes and leaves society pessimistic that widespread incarceration can sustainably reduce crime. The current system is expensive, and it exacerbates the social problems it is charged with controlling. The African-American perspective, focused on the social and economic inequalities of American life, suggests that social policy improving opportunity and employment, for
young men in particular, holds special promise as an instrument for public safety (Western & Pettit, 2010).

The African-American perspective on inequality points to a broader view of public safety that is not produced by punishment alone. Robust public safety grows when people have order and predictability in their daily lives. Crime is just one danger, joining unemployment, poor health, and family instability along a spectrum of threats to an orderly life. Public safety is built as much on the everyday routines of work and family as it is on police and prisons. Any retrenchment of the penal system therefore must recognize how deeply the prison boom is embedded in the structure of American social inequality. Ameliorating these inequalities will be necessary to set African Americans on a path away from mass incarceration and toward a robust, socially integrative public safety (Western & Pettit, 2010).

Barriers to African-American Family Development

According to Gregory Acs (2013) of the Urban Institute, an analysis of national data indicates that little progress has been made on the key issues Moynihan identified, in a statement released with the report. Further, many of the issues he identified for black families are now prevalent among other families. The Urban Institute’s report added to the original scope of the Moynihan report to include the rate of incarceration, employment, and educational attainment in the African-American community. Since the Moynihan report was released, another major social trend has put further strains on black families — the mass incarceration of black men. By 2010, about one out of every six
black men had spent some time in prison, compared with about one out of 33 white men (Lloyd, 2013).

According to Dr. Ralph Richard Banks’ (2012) book, *Is Marriage for White People*, during the past half-century, African Americans have become the most unmarried people in the nation. More than two out of every three black women are unmarried, and they are more than twice as likely as white women never to marry. The racial gap in marriage extends beyond the poor. Affluent and college educated African Americans are also less likely to marry or stay married than their white counterparts. That harms black children and adults, and imperils the growth and stability of the black middle class.

One reason that marriage has declined is that as black women have advanced economically and educationally, black men have fallen behind. Nearly twice as many black women as black men graduate from college each year. Thus, not only are many college-educated black women unmarried, they are more likely than any other group of women to marry less educated and lower earning men. Half of college-educated black wives are more educated than their husbands. Yet black women rarely marry men of other races. They are less than half as likely as black men, and only a third as likely as Latinos or Asian Americans, to wed across group lines. Traces the far-reaching consequences of the African-American marriage decline. It also explains why black women marry down rather than out. Its provocative conclusion is that black women would benefit both themselves and the black race if they crossed class lines less and race lines more (Banks, 2012).
As particular as this inquiry may seem, it is also universal. Americans of all races are more unmarried now than ever. And as women surpass men educationally, wives increasingly earn more than their husbands. In illuminating the lives of African Americans, *Is Marriage for White People?* thus, probes cultural and economic trends that implicate everyone, highlighting the extent to which the experience of black women may become that of all women (Banks, 2012).

According to TIME magazine (2011), researched and written over the past 10 years, Banks’ book explores the unpleasant — and often unspoken — contributors to and consequences of declining marriage rates among African Americans. With 70% of all black children now born to unwed mothers, the consequences have never been clearer. As for the solutions, Banks provocatively suggests that black women begin looking beyond their own race for marriage material and potential fathers of their children.

The rate of African-American marriage is not only consistently lower than white Americans, but is also declining. These trends are so pervasive that families who are married are considered a minority family structure for blacks. In 1970, 64% of adult African Americans were married. This rate was cut in half by 2004, when 32% of adult African Americans were married. Conversely, in 2004, 45% of African Americans had never been married compared to only 25% of white Americans (Dixon, 2009).

While research has shown that marriage rates have dropped for African Americans, the rate of birth has not. Thus, the number of single-parent homes has risen dramatically for black women. One reason for the low rates of African-American marriages is high age of first marriage for many African Americans. For African-American women, the marriage rate increases with age compared to white Americans.
who follow the same trends but marry at younger ages than African Americans (Dixon, 2009).

Euwood (2004) states one study found that the average age of marriage for black women with a high school degree was 21.8 years compared to 20.8 years for white women. Fewer labor force opportunities and a decline in real earnings for black males since 1960, are also named as a source of increasing marital instability. As some researchers argue, these two trends have led to a pool of fewer desirable male partners and thus resulted in more divorces (Dixon, 2009).

Dixon (2009) reports one type of marriage that has declined is shotgun marriages. This drop in rate is documented by the amount of out-of-wedlock births that now commonly occur. Between 1965 and 1989, three-fourths of white out-of-wedlock births and three-fifths of black out-of-wedlock births could be explained by situations where the parents would have married in the past. This is because, prior to the 1970s, the norm was such that, should a couple have a pregnancy out-of-wedlock, marriage was inevitable. Cultural norms have since changed, giving women and men more agency to decide whether or when they should get married (Ruggles, 1997).

Typically, the more educated the woman, the more likely she is to marry. But a college-educated black woman is no more likely to have a husband than a poor Caucasian woman with barely a high school diploma. When it comes to forming a family, black women are not reaping the benefits of advanced education — nor are they passing those benefits onto the next generation. Part of the answer lies in the gender imbalance within the black community — where two African-American women graduate from college for every one African-American male. Despite this imbalance, there is still enormous social
pressure on black women to only marry black men — to sustain the race and build strong black families. And this means marrying black men even if they are less educated or earn less money. In short, no matter the personal cost, black women are encouraged to marry down before they marry out. Well, this has become almost a consensus view (within the black community) (TIME, 2011).

Unemployment for African-American men remains more than twice as high as among white men. For white men in 1954, unemployment was zero. For African-American men in 1954, it was about 4%; by 2010 it was 16.7% for African-American men and 7.7% for white men. In 1954, 79% of African-American men were employed, by 2011 that had decreased to 57%. For black women the numbers rose. In 1954, 43% of African-American women had jobs, by 2011 that had risen to 54%. The trend among African Americans was mirrored among whites, but in both cases white men and women fared better in terms of employment.

Although the earnings gap between African Americans and their white peers has narrowed, it still persists with black men earning about 70% what white men do. In 1960, black men earned about 60% what white men did. The incarceration rate for African Americans is about 3,074 per 100,000 residents, which is more than six times as high as the national average. Black men in their 20s and early 30s without a high school diploma are particularly vulnerable: with an incarceration rate of 40%, they are more likely to end up behind bars than in the workforce (Isaacs, Sawhill, & Haskins, 2008).

Banks (2011) states authors like Steve Harvey and Hill Harper and particularly filmmaker Tyler Perry promote the notion that black women who lack good relationships are victims of their own elitism and snobbery. Banks asserts that the aforementioned
authors and filmmaker believe that black women should open their eyes to the virtues of working-class black men and focus on their long-term potential. These kinds of messages tell a black female lawyer, for instance, that she should be enthusiastic about dating a carpenter or a plumber — and if she is not, then she is the one with the problem. It pressures black women to give up certain kinds of life experiences (for the sake of a man) when white women are taught to cultivate them. This is simply bad advice that can lead these women into disastrous relationships.

Herman-Stahl, Kan, and McKay (2008) states incarceration greatly reduces the likelihood that men and women will marry. Analysis of data from both the National Longitudinal Survey of Youth (NLSY) and the Fragile Families and Child Well-being Study indicates that men with a history of incarceration are much less likely to marry compared with men with no incarceration history (Western, 2004). Huebner (2005) analyzed a subsample of 4,591 adult men who were interviewed 15 times between 1983 and 2000. Using hierarchical linear modeling, she estimated that current incarceration reduced the likelihood of marriage by 39% and prior incarceration reduced the likelihood by 8%. Huebner’s (2007) analysis of the same dataset found that incarceration had a differential effect on marriage likelihood by race. Incarceration was associated with a 59% decrease in likelihood of marriage among whites, compared to 30% among African Americans and 41% among Latinos.

Western and McLanahan (2000) explored incarceration and marriage likelihood using data from the Fragile Families and Child Well-being Study. Their analyses were based on 400 mothers and fathers interviewed in Oakland, California, and Austin, Texas. They found that men who had never been incarcerated were twice as likely to marry.
compared with ex-inmates (Western, 2000). In addition, ex-inmates were 50% less likely to be involved with their child’s mother one year after their child’s birth. Incarceration history decreased the odds of cohabitation by 70% per self-reports from interviewed women. This relationship is especially pronounced for African-American families (Western, 2000). Only 8% of African-American men with a prior incarceration were married to their partner a year after the birth of their child. Incarceration is estimated to account for 15% of absentee African-American fathers (Western, 2004).

By age 40, approximately 87% of non-offending men were married compared with only 40% of men with a history of incarceration. However, blacks make up almost half the prison population nationally, but only 13.2% as a whole national population. Using NLSY data, findings analyzed the marriage rates of men from ages 18 to 40 found that by age 26, 46% of men with no criminal history were married, while this was true of only 25% of men who had been involved in the penal system. The gap widened as men aged: by age 40, approximately 87% of non-offending men were married compared with only 40% of men with a history of incarceration (Western, 2004).

Western (2004) posited that several mechanisms are responsible for the low marriage rate among ex-inmates: incapacitation, stigma, and economic disadvantage. Incapacitation refers to men’s inability to meet women as a result of being incarcerated, as well as the constraints placed on inmates’ ability to form intimate bonds both during and after release. In addition, the desirability of ex-inmates as marital partners is often decreased by the stigma associated with their criminal histories. Ethnographic interviews with low-income women in Philadelphia suggest that a woman’s decision to marry is partly based on her perception of her partner’s social respectability and trustworthiness —
characteristics often found to be lacking in men with a history of incarceration (Edin, 2000).

Incarceration also diminishes the likelihood of marriage because of the poor economic prospects of ex-inmates. Incarceration has a large negative effect on men’s employability. A history of incarceration reduces wages, increases the risk for unemployment, and decreases job stability (Western, 2004). Analyses of the NLSY indicate that incarceration is associated with a 66% decline in employment (Huebner, 2005), and many men released from prison struggle with finding stable employment because of their low education and job skills, as well as discrimination by employers (Visher, 2003).

Poor economic prospects have a significant dampening effect on marriage, as most couples desire financial stability before commitment (Gibson-Davis, 2005). The risk of divorce is also very high for those with an incarceration history. Married men in prison reach the national 50% divorce rate much more quickly than do men in the general population (Western, 2004). High incarceration rates can destabilize communities by increasing the number of families headed by low-income single mothers and reducing informal social control over adolescents (Herman-Stahl, Kan, & McKay, 2008).

As the American imprisonment rate has risen, researchers have become increasingly concerned about the implications of mass imprisonment for family life. The authors extend this research by examining how paternal incarceration is linked to perceived instrumental support among the mothers of inmates’ children. Results from the Fragile Families and Child Well-being Study (N = 4,132) suggest that recent, but not current, paternal incarceration is independently associated with less maternal perceived
instrumental support and that this association persists after adjusting for a rich set of control variables, including prior perceived instrumental support. For families of recently incarcerated men, incarceration may be a double strike, simultaneously increasing the need for instrumental support while decreasing its availability when incarcerated fathers return to the community (Wildeman et al., 2012).

According to Fraser (2004), risk has been defined as conditions that hinder a consistent pattern of positive behavior and well-being. The types of risk experienced by fathers in fragile families (e.g., incarceration) are often substantial and may be strongly associated with lower levels of father involvement with children. Waller and Swisher (2006) suggested that fathers with high levels of risk may passively withdraw from being involved with their children. These men may have too many problems of their own to become involved with their young child. There is also evidence that fathers with high levels of risk also experience more parenting stress, which tends to be negatively related to father engagement with children (Bronte-Tinkew, Horowitz, & Carrano, 2010).

According to Roy, Buckmiller, and McDowell (2008), it has been suggested that mothers also select out of relationships they perceive to be “unhealthy” because they view these fathers as having little to offer their children. The authors offered as an example qualitative research with low-income unmarried, nonresidential fathers showed that mothers want their baby's father to be involved with the child, but only if the father does not have too many problems of his own and can provide for his children (Roy, Buckmiller, & McDowell, 2008).

Cabrera, Fagan, and Farrie (2008) suggested that high levels of father risk during the first year after the birth of the baby may have long-term negative effects on later
paternal engagement with children. The first year following the birth of a child is a critical period for parents transitioning to parenthood and having a new baby. Cabrera, Fagan, and Farrie commented that fathers may have a difficult time recovering from the negative effects of their risk as the child grows older because they have not been able to form early bonds with the child or because their relationship with the mother was poor. Therefore, it was hypothesized that higher levels of father risk at one year of age would have a negative effect on fathers' engagement at five years of age (Hypothesis 1) (Wildeman et al., 2012).

The present study examined whether fathers’ additive risk and resilience when the child is an infant and five years of age predicted paternal engagement with children at five years of age. Using data from the Fragile Families and Child Wellbeing study (N = 4,898), researchers found that the results confirmed the hypothesis that early risk has a negative effect and early resilience has a positive effect on engagement four years later. Wildeman et al. (2012) pointed out that later father risk had a stronger negative effect on nonresidential fathers than on residential fathers. The effect of early father risk on engagement at five years of age was moderated by father engagement during infancy. Implications for policy and practice are discussed (Wildeman et al., 2012).

The present study focuses on risk factors that are particularly relevant to fathers in fragile families in the United States (Nelson, 2004). Theorists suggest that risk factors can occur across multiple domains, including individual, family, child, and environmental risk (Fraser, 2004). The risk perspective is, therefore, compatible with an ecological framework because both perspectives include variables that occur across the domains of individual, family, child, and environment (Peters & Ehrenberg, 2008).
Risk factors in each of these domains have been shown to be associated with child engagement among fathers in fragile families in the United States (Fagan et al., 2009). In regards to individual risk, lack of a legitimate means for securing a living wage has been found to be a significant correlate of low-income and minority fathers' low-level involvement with children (Coley & Chase-Lansdale, 1999). Low levels of fathers' education have also been shown to be negatively associated with father engagement with children (Nelson, 2004). The use of substances may increasingly interfere with one's life following the birth of children (McMahon & Rounsaville, 2002).

Fathers who experience escalating or persistent problems with drug and alcohol abuse are at higher risk and therefore less engaged with children. Being convicted of a crime and subsequent incarceration can have a decidedly detrimental influence on paternal involvement with children (Western, Lopoo, & McLanahan, 2004). Many fathers have difficulty reunifying with children following a period of incarceration (Roy & Dyson, 2005). Emotional health problems such as major depression and anxiety and physical health problems also compromise men's engagement with children (Wilson & Brooks-Gunn, 2001). Fathers who experience emotional or physical health problems may lack the energy or desire to be an active participant in the child's care (Phares, 1997).

Family risk factors include fathers' transitions to lower commitment relationships with the mother (Cabrera et al., 2004). For example, nonresidential fathers who transition from being romantically involved to acquaintance status are significantly less likely to be engaged with children (Fagan & Palkovitz, 2007). Some fathers who were not married or residing with the mother and child when the baby was born may become involved in new romantic relationships, marrying or cohabiting with their new partners. Studies suggest
that fathers' subsequent relationships are associated with decreased involvement with biological children from previous relationships (McKenry, McKelvey, Leigh, & Wark, 1996). Fathers who have children from other unions (i.e., multipartner fertility) may be at risk for decreased engagement with their child (Manning & Smock, 1999).

Although the mechanisms linking paternal incarceration to maternal perceived instrumental support are unclear, the literature points to several possibilities. It may be that the stigma of incarceration spills over to the people attached to the incarcerated individual (Braman, 2004), causing women to withdraw from social networks or friends and family members to withdraw support. This is particularly problematic insofar as the effects of incarceration on fathers may be realized only years after release, resulting in less support precisely when incarceration begins to exert the most damage. The same process likely does not apply to other forced absences, such as deployment (Wood et al., 1995) or work-related absences (Zvonkovic et al., 2005). Incarceration is associated with decreased labor market prospects (Pager, 2003; Western, 2006), decreased union stability (Western, 2006), and discrimination (Pager, 2003) in a way that deployment- and work-related absences are not. Future research would benefit from considering further the meaning of incarceration for the reputations of women involved with former inmates. The meaning of incarceration for mothers may be double-edged and time dependent in that it invites sympathy early on but undermines credit-worthiness in the long run (Wildeman, 2012).

Wildeman (2012) states although the researchers found that recent paternal incarceration was associated with disadvantages in mothers' in-kind support and large financial support, they found no evidence that current incarceration was independently
associated with such disadvantages above and beyond recent incarceration. One would expect that the processes linking current incarceration to support are the same as those linking recent incarceration to support. For example, if mothers attached to recently incarcerated men are stigmatized because of the incarceration of their partner; it is likely that mothers attached to currently incarcerated men also experience such stigma. It is possible that some positive effects of incarceration offset the negative effects of incarceration. In particular, it is possible that, in the short term, friends and family members rally around women with absent partners only to reduce this support once the formerly absent partner returns (Wood et al., 1995; Zvonkovic et al., 2005).

The results also point to the long-term detriments of incarceration. The models included incarceration at or prior to the one-year survey as a control variable or use it as a condition for restricting the sample. Researchers did not focus their results on prior incarceration or interpret it in a substantive way because they could not establish the timing of prior incarceration, yet the strong association between prior incarceration and large financial support is worth mentioning. This result is remarkable for a number of reasons, but perhaps especially because the outcome is measured years subsequent to the incarceration. Most incarcerated fathers eventually return; many provide support to their children when they do; and, even when the relationship fails and fathers do not provide support, the passage of time should allow many mothers to find new sources of support. Yet the results suggest that the negative consequences of being attached to an incarcerated man are lasting, especially when it comes to finding support that mothers may not be able to reciprocate. This is consistent with ethnographic work suggesting that
incarceration is one of a number of factors that creates long-term family instability among children of incarcerated parents (Giordano, 2010).

Although the analyses suggest that incarceration of fathers is linked to perceived instrumental support of mothers, certain important features of the link remain unclear, and cannot make causal conclusions about this relationship. For one, what exactly incarceration does is ambiguous, reflecting a lack of information about the conditions surrounding incarceration and potential mechanisms stemming directly from prison experiences. One does not know, for example, whether and how often the mother visited the father when he was imprisoned. Additional information on these influences will provide scholars more leverage regarding what factors increase or diminish incarceration’s social impact. Future research should consider these mechanisms (Wilderman, 2012).

**Culture of the African-American Family**

According to Barbarin (2002), while African-American families share many features with other U.S. families, the African-American family has some distinctive features relating to the timing and approaches to marriage and family formation, gender roles, parenting styles, and strategies for coping with adversity. E. Franklin Frazier has described the African-American family structure as having two models, one in which the father is viewed as a patriarch and the sole breadwinner, and one where the mother takes on a matriarchal role in the place of a broken household (Stewart, 1990).

In defining family, James Stewart describes it as an institution that interacts with other institutions forming a social network. The African-American family has
traditionally used this definition to structure institutions that upholds values tied to other black institutions resulting in unique societal standards that deal with economics, politics, education, health, welfare, law, culture, religion, and the media. The modern black family has seen a change in this tradition and is now viewed as predominantly single parent, specifically black matriarchy (Ruggles, 1994).

Ruggles (1994) continues stating data from U.S. Census reports reveal that between 1880 and 1960, married households consisting of two-parent homes were the most widespread form of African-American family structures. Although the most popular, married households decreased over this time period. Single-parent homes, on the other hand, remained relatively stable until 1960 when they rose dramatically. A study of 1880 family structures in Philadelphia showed that three-fourths of black families were nuclear families, composed of two parents and children (Williams, 2005).

Mbiti (1970) states family constituted the reference point wherein one’s existence was perceived as being interconnected to the existence of all else. The individual owed his very existence to all the members (living, dead, and yet to be born) of the family. Paul Robeson saw culture as an instrument in a people’s liberation and conversely, the suppression or denial of culture as an instrument of their enslavement.

Williams (2005) proclaims in New York City in 1925, 85% of kin-related black households had two parents. When Moynihan warned in his 1965 report on the coming destruction of the black family, however, the out-of-wedlock birthrate had increased to 25% among blacks. This figure continued to rise over time and in 1991, 68% of black children were born outside of marriage. U.S. Census data from 2010 reveal that more African-American families consisted of single-parent mothers than married homes with
both parents (National Review, 1994). Most recently, in 2011 it was reported that 72% of black babies were born to unwed mothers (Washington, 2010).

Andrew Billingsley’s (1992) research on the African-American nuclear family is organized in three fashions: Incipient Nuclear, Simple Nuclear, Segmented Nuclear I, and Segmented Nuclear II. Paul Glick (1992) supplied statistics showing the African-American nuclear family structure was 80% of total African-American families in comparison to 90% of all U.S. families. According to Billingsley, the African-American incipient nuclear family structure is defined as a married couple with no children. Glick (1992) statistics shows 47% of African-American families were described as having an incipient nuclear family in comparison to 54% of all U.S. incipient nuclear families. The African-American simple nuclear family structure has been defined as a married couple with children.

According to Stewart (1990), this is the traditional norm for African-American family compositions. Statistics show 25% of African-American families were simple nuclear families in comparison to 36% of all U.S. families. The African-American segmented nuclear I (unmarried mother and children), and nuclear II (unmarried father and children) family structures are defined as a parent-child relationship. Statistics show 94% of African-American segmented nuclear families were composed of an unmarried mother and children. Research shows that single parent families are twice as prevalent in African-American families as they are in other races and this statistic continues to grow further apart (Glick, 1997).

Billingsley’s (1992) research continues with the African-American extended family structure, which is composed of primary members plus other relatives. Extended
families have the same sub-structures as nuclear families, incipient, simple, segmented I, and segmented II, but with the addition of grandparents, aunts, uncles, cousins and additional family members. Billingsley’s research shows that the extended family structure is predominantly in the segmented I sub-structured families. In 1992, Paul Glick shows that 47% of all African-American extended families were segmented extended family structures compared to 12% of all other races combines. Billingsley’s research shows that in the African-American family the extended relative is often the grandparents.

Billingsley’s (1992) research uncovers the African-American augmented family structure, which is composed of the primary members plus nonrelatives. Billingsley’s case study in *Climbing Jacob’s Ladder* (1990) presents that this family structure accounts for 8% of the total African-American families. This family structure is different from the traditional norm family; it combines the nuclear and extended family units with nonrelatives. This structure also has the incipient, simple, segmented I, and segmented II sub-structures (Billingsley, 1992).

In Billingsley’s (1992) case study, he introduces a new family structure that branches from the augmented family structure. The African-American population is starting to see a new structure known as a nonfamily household. This nonfamily household contains no relatives. According to Glick, in 1992, 37% of all households in the United States was a nonfamily household, while more than half of this percentage was African Americans (Billingsley, 1992).

Amilcar Cabral (1973) noted oppression or domination of a people is only secured when the cultural life of a people is destroyed, paralyzed, or at least neutralized.
Parenthetically, it may in fact be the case that the different forms of oppression experienced by African people are determined by emphasis placed on destroying, paralyzing, or neutralizing the culture of the people under domination (Nobles, 1985).

The conceptual incarceration of black family research in the legacy of white defined analytical frameworks will only end when black scholars begin to conceive of the black family independently of conceptualization of white families. The black family will only occur when it is conceptualized, studied, and evaluated in terms of its own intrinsic definition. The direct consequence of the particular cultural orientation influencing social scientific inquiry has been the distortion of any social reality which in its psychos-cultural fabric, did not match or was not consistent or appropriate to that orientation (Nobles, 1985).

The real consequence of investigation of black people being incarcerated in the world view of white Americans has been that the scientific understanding of black social reality, particular black family life, has been for the post part determined by indices and frame of references (i.e., racism, white supremacy, and exploitation) of the world-view of the traditional white social scientist. The phenomena known as family systems, more particularly, the black family system, the logic of discovery must, therefore, proceed in the first explicating the philosophical or cultural world-view, which guides and defines the phenomena (Nobles, 1985).

State of the Black Family

In the EBONY-W.K. Kellogg Foundation Survey of the African-American Family (2014), a national sample of 1,005 African-American respondents identified job
loss and financial insecurity as the primary issue confronting black families. Of course, when one considers the state of black families, one cannot help but think of the black family living in the White House, something most people never thought would happen. However, the rush of hope and change felt in those euphoric days after the Obamas swept into the record books did little to protect African Americans from the realities of a faltering economy, compounded by the fact that black families still suffer the fallout of centuries of discrimination in every area of black lives, from education to health care to criminal justice to jobs and, perhaps, most critically of late, housing.

Hart Research (1994) was asked by the Children’s Defense Fund to conduct a research project on behalf of the Black Community Crusade for Children among Black Americans. The research explored attitudes and opinions about the circumstances facing black Americans, as well as perceptions of the problems and challenges confronting black communities in general and black youth in particular. The 1994 research revealed a troubling portrait of life for black young Americans, growing up in communities plagued by poorly performing schools, drugs, guns, and for many, a movement away from unified families and a strong moral underpinning that provides much needed guidance and support for young people.

Hart Research Associates (2010) undertook an extensive research project for the Children’s Defense Fund on behalf of the Black Community Crusade For Children. The research’s goal was to better understand black Americans’ current views on the circumstances facing black Americans and black communities and perceptions of what the future holds or black children growing up in America today. Black parents, caregivers, and leaders continue to see these as very tough times for black Americans in
general and especially for black children and young people. Only 2% of black adults characterize these as very good times for black people generally. In contrast, seven in 10 characterize these as tough (40%) or really bad times (31%) and 19% feel these are okay times for black Americans. Black adults have an equally bleak outlook on the current situation black children face. The overwhelming majority see these as tough (35%) or really bad times (34%) for black children, and by a large margin black adults and caregivers believe times are harder for black children growing up today than they were when they were children.

One of the most significant changes since 1994 is the degree to which economic isolation and unemployment are recognized as extremely serious problems that are having a devastating, long-term effect on black families and communities throughout the country. Three in four (74%) black adults identify unemployment as a very serious problem today, compared with 57% in 1994. Black caregivers are all too familiar with the new set of challenges that prolonged economic hardship has created for black families. It is harder to keep families intact, keep young people on track, and everyone in the family working together toward common goals when the opportunities for a job, a better future, and success simply are not there (Hart Research Associates, 2011).

Another area that the research reveals is perceived to be a very serious problem within the larger society and has a profound effect on black communities and children is the unequal treatment of black Americans within the criminal justice system. Whether referring to racial profiling by law enforcement, unfair sentencing guidelines for crack versus powder cocaine, or the prison industrial complex that disproportionately incarcerates black Americans, this fact of life spans urban, small town, and rural
communities, as well as the socioeconomic spectrum within black America. Among many black leaders, adults, caregivers, and their children, there is a very well-articulated critique of the different and much more severe treatment that young blacks receive in the criminal justice system compared with their white counterparts. Many black people have a sense that there are two different systems of justice, one for blacks and one for whites. This sentiment has existed since the time of slavery, and still continues today (Children’s Defense Fund, 2004).

According to Hart Research Associates (2011), adults and caregivers are more likely to believe that the police and the criminal justice system are doing more to hurt black youth in America than to help them, and a majority of black young people (55%) feel that the police care just some or very little about black youth. Both black adults and children have a very clear sense that the rules of the game are different for young blacks; that in essence, black youth, especially boys and young men, are not allowed to make mistakes, and if they do the consequences are harsh and often life-altering (Hart Research Associates, 2011).

According to the Children Defense Fund (2011), three in four adults (75%) and caregivers (76%) characterize the large number of black boys and men who are incarcerated as a very serious problem and almost half (48%) of the children surveyed say that ending up in prison is a very serious problem for the black young people they know. Large majorities of adults and caregivers believe that half or more of all black children in America will experience the following events before reaching adulthood: (1) Racial profiling by law enforcement; (2) Getting in trouble with the law; (3) Serving time in jail or prison; and (4) Being denied important opportunities because of their race.
Three in five of the young people surveyed say that racial profiling is a very (38%) or fairly (23%) serious problem for the black young people they know (Children Defense Fund, 2011).

Racial Disparities

According to the Sentencing Project (2005), the history of racial disparity in the criminal justice system in the United States have been longstanding. The racial dynamics in sentencing have changed over time and reflect a move from explicit racism to more surreptitious manifestations and outcomes.

The intersection of racial dynamics with the criminal justice system is one of longstanding duration. In earlier times, courtrooms in many jurisdictions were comprised of all white decision-makers. Today, there is more diversity of leadership in the court system, but race still plays a critical role in many criminal justice outcomes. This ranges from disparate traffic stops due to racial profiling, to imposition of the death penalty based on the race of victim and/or offender. A particularly important aspect of the role of race in the justice system relates to sentencing, because the prospect of a racially discriminatory process violates the ideals of equal treatment under law under which the system is premised (Kansal, 2005).

The most recent generation of evidence suggests that while racial dynamics have changed over time, race still exerts an undeniable presence in the sentencing process. Racial discrimination generally does not exist in the explicit fashion that it did in the American South 50 years ago, in which blacks and whites were routinely handled differently by law enforcement and judicial authorities. Rather, racial discrimination in
sentencing today is often a more surreptitious process, manifesting itself in connection with other factors and producing racially discriminatory outcomes in certain situations (Mauer, 2005).

The type of analysis in which race was presumed to play such a pervasive role in sentencing that it would almost always result in differences in sentence severity is called additive analysis. For example, additive analysis would try to ascertain if blacks, as a group, receive harsher sentences than whites, as a group. In contrast, current research is more engaged in interactive analysis, in which the effect of race, as one independent variable, is examined in conjunction with the effect of other independent variables. An example of interactive analysis is examining the confluence of age, race, and gender on sentencing practices in order to determine if young black males are sentenced more severely than young white males (Kansal, 2005).

Cassia Spohn's (2000) survey of the relevant studies produced for the National Institute of Justice review of recent studies that follows, examines the effect of race on sentencing, differentiating between capital (subject to the death penalty) cases and non-capital cases. The sections addressing non-capital cases are heavily indebted in the realm of non-capital cases, yet the studies deliver mixed results. While a majority of the studies report racially discriminatory sentencing outcomes, the evidence indicates that these outcomes are not uniform or extensive.

The more incisive findings in non-capital cases are the result of interactive analysis. The key findings in this regard include: Young, black, and Latino males (especially if unemployed) are subject to particularly harsh sentencing compared to other offender populations. Black and Latino defendants are disadvantaged compared to whites
with regard to legal-process related factors such as the “trial penalty,” sentence reductions for substantial assistance, criminal history, pretrial detention, and type of attorney. Black defendants convicted of harming white victims suffer harsher penalties than blacks who commit crimes against other blacks or white defendants who harm whites. Black and Latino defendants tend to be sentenced more severely than comparably situated white defendants for less serious crimes, especially drug and property crimes. Studies that examine death-penalty cases have generally found that in the vast majority of cases where the murder victim is white, the defendant is more likely to receive a death sentence; in a few jurisdictions, notably the federal system, minority defendants (especially blacks) are more likely to receive a death sentence (The Sentencing Project, 2005).

According to the Sentencing Project (2014), more than 60% of the people in prison are now racial and ethnic minorities. For black males in their 30s, one in every 10 is in prison or jail on any given day. These trends have been intensified by the disproportionate impact of the war on drugs, in which two-thirds of all persons in prison for drug offenses are people of color.

Thus, carceral inequalities are defined as invisible, cumulative, and intergenerational, because they are so deeply concentrated in a small disadvantaged fraction of the population, the social and economic effects of incarceration create a discrete social group whose collective experience is so distinctive yet unknown that their disadvantage remains largely beyond the apprehension of public policy or public conversation. The redrawing of American social inequality by mass incarceration amounts to a contraction of citizenship - a contraction of that population that enjoys, in T.
H. Marshall's words, full membership in society. Inequality of this kind threatens to be self-sustaining. Socioeconomic disadvantage, crime, and incarceration in the current generation undermine the stability of family life and material support for children. As adults, these children will be at greater risk of diminished life chances and criminal involvement, and at greater risk of incarceration as a result (Western & Pettit, 2010).

**School to Prison Pipeline**

Disparities of race, class, gender, and age have produced extraordinary rates of incarceration among young African-American men with little schooling. Prison and jail incarceration rates for men under age 35 in 1980, at the beginning of the prison boom, and in 2008, after three decades of rising incarceration rates reports incarceration separately for whites, Latinos, and African Americans, and separately for three levels of education. Looking at men with a college education, it is evident that incarceration rates today have barely increased since 1980. Incarceration rates have increased among African Americans and whites that have completed high school. Among young African-American men with high school diplomas, about one in ten is in prison or jail (Western & Pettit, 2010).

School to prison pipeline is a disturbing national trend wherein children are funneled out of public schools and into the juvenile and criminal justice systems. Many of these children have learning disabilities or histories of poverty, abuse or neglect, and would benefit from additional educational and counseling services. Instead, they are isolated, punished and pushed out. Zero-tolerance policies criminalize minor infractions of school rules, while high-stakes testing programs encourage educators to push out low-
performing students to improve their schools' overall test scores. Students of color are especially vulnerable to push-out trends and the discriminatory (ACLU, 2012).

The school-to-prison pipeline is one of the most important civil rights challenges facing the nation today. The school-to-prison pipeline refers to the national trend of criminalizing, rather than educating, the nation’s children. The pipeline encompasses the growing use of zero-tolerance discipline, school-based arrests, disciplinary alternative schools, and secured detention to marginalize the most at-risk youth and deny them access to education. Zero-tolerance disciplinary policies are often the first step in a child’s journey through the pipeline. Zero-tolerance policies impose severe discipline on students without regard to individual circumstances. Under these policies, children have been expelled for giving Midol to a classmate, bringing household goods (including a kitchen knife) to school to donate to Goodwill, and bringing scissors to class for an art project (ACLU, 2008).

Even the American Bar Association has condemned zero-tolerance policies as inherently unjust: zero tolerance has become a one-size-fits-all solution to all the problems that schools confront. It has redefined students as criminals, with unfortunate consequences. Unfortunately, most current (zero-tolerance) policies eliminate the common sense that comes with discretion and, at great cost to society and to children and families, do little to improve school safety (ABA, 2001).

There is no evidence that zero-tolerance policies make schools safer or improve student behavior. On the contrary, research suggests that the overuse of suspensions and expulsions may actually increase the likelihood of later criminal misconduct (Wald & Losen, 2003).
Students of color are disproportionately represented at every stage of the school-to-prison pipeline. African-American students are far more likely than their white peers to be suspended, expelled, or arrested for the same kind of conduct at school (Skiba, 2000). In 2003, African-American youth made up 16% of the nation’s overall juvenile population, but accounted for 45% of juvenile arrests. There is no evidence that students of color misbehave to a greater degree than white students. They are, however, punished more severely, often for behaviors that are less serious (Snyder, 2003).

Students with special needs are disproportionately represented in the school-to-prison pipeline, despite the heightened protections afforded to them under law. Children who have unmet special learning or emotional needs are particularly likely to be pushed out of mainstream schools and into the juvenile justice system. Approximately 8.6% of public school children have been identified as having disabilities that impact their ability to learn (Morgan, Salomon, Plotkin, & Cohen, 2014).

A recent survey of correctional facilities found that students with disabilities are represented in jail at a rate nearly four times that (Quinn et al., 2001). Minority students with disabilities are particularly vulnerable, since many schools regard jail as the default special education placement for poor and minority children. African-American students with disabilities are three times more likely to receive short-term suspensions than their white counterparts, and are more than four times as likely to end up in correctional facilities (Wald, 2003).

The school-to-prison pipeline refers to the policies and practices that push the nation’s schoolchildren, especially the most at-risk children, out of classrooms and into the juvenile and criminal justice systems. This pipeline reflects the prioritization of
incarceration over education. For most students, the pipeline begins with inadequate resources in public schools. Overcrowded classrooms, a lack of qualified teachers, and insufficient funding for extras such as counselors, special education services, and even textbooks; lock students into second-rate educational environments. This failure to meet educational needs increases disengagement and dropouts, increasing the risk of later court involvement (Wald, 2003). Even worse, schools may actually encourage dropouts in response to pressures from test-based accountability regimes such as the No Child Left Behind Act, which create incentives to push out low-performing students to boost overall test scores (Figlio, 2006).

According to policy analyst Jason Ziedenberg (1999), spending more to lock up nonviolent offenders than to feed or educate the country's children is a cruel, self-fulfilling prophecy. It is not just bad public policy, but it is downright mean-spirited. Lacking resources, facing incentives to push out low-performing students, and responding to a handful of highly publicized school shootings; schools have embraced zero-tolerance policies that automatically impose severe punishment regardless of circumstances. Under these policies, students have been expelled for bringing nail clippers or scissors to school. Rates of suspension have increased dramatically in recent years—from 1.7 million in 1974 to 3.1 million in 2000 and have been most dramatic for children of color (ACLU, 2011).

Overly harsh disciplinary policies push students down the pipeline and into the juvenile justice system. Suspended and expelled children are often left unsupervised and without constructive activities; they also can easily fall behind in their coursework, leading to a greater likelihood of disengagement and dropouts. All of these factors
increase the likelihood of court involvement. As harsh penalties for minor misbehavior become more pervasive, schools increasingly ignore or bypass due process protections for suspensions and expulsions. The lack of due process is particularly acute for students with special needs, who are disproportionately represented in the pipeline despite the heightened protections afforded to them under law (Advancement Project, 2006).

Many under-resourced schools become pipeline gateways by placing increased reliance on police rather than teachers and administrators to maintain discipline. Growing numbers of districts employ school resource officers to patrol school hallways, often with little or no training in working with youth. As a result, children are far more likely to be subject to school-based arrests—the majority of which are for non-violent offenses, such as disruptive behavior—than they were a generation ago. The rise in school-based arrests, the quickest route from the classroom to the jailhouse, most directly exemplifies the criminalization of school children (Advancement Project, 2006).

In some jurisdictions, students who have been suspended or expelled have no right to an education at all. In others, they are sent to disciplinary alternative schools. Growing in number across the country, these shadow systems—sometimes run by private, for-profit companies—are immune from educational accountability standards (such as minimum classroom hours and curriculum requirements) and may fail to provide meaningful educational services to the students who need them the most. As a result, struggling students return to their regular schools unprepared, are permanently locked into inferior educational settings, or are funneled through alternative schools into the juvenile justice system (Advancement Project, 2006).
Youth who become involved in the juvenile justice system are often denied procedural protections in the courts; in one state, up to 80% of court-involved children do not have lawyers. Students who commit minor offenses may end up in secured detention if they violate boilerplate probation conditions prohibiting them from activities like missing school or disobeying teachers. Students pushed along the pipeline find themselves in juvenile detention facilities, many of which provide few, if any, educational services. Students of color—who are far more likely than their white peers to be suspended, expelled, or arrested for the same kind of conduct at school and those with disabilities are particularly likely to travel down this pipeline (AUCL, 2006).

Though many students are propelled down the pipeline from school to jail, it is difficult for them to make the journey in reverse. Students who enter the juvenile justice system face many barriers to their re-entry into traditional schools. The vast majority of these students never graduate from high school (ACLU, 2014).

**High School Drop Outs**

Among high school dropouts, incarceration rates increased precipitously, especially among African Americans. In 1980, 2.4% of white male dropouts were incarcerated, compared with 10.6% of African-American male dropouts and 3.2% of Hispanic male dropouts. By 2008, the percentages had increased to 12% of white male dropouts, 37.1% of African-American men, and 7% of Hispanic men of any race (Pew Charitable Trusts, 2010). Despite the overall growth in prison rates, national statistics show a declining rate in the total proportion of prisoners who are African American, which fell from 46% in 2000 to 39% in 2010 (Guerino et al., 2011).
The spectacular growth in the American penal system over the last three decades was concentrated in a small segment of the population, among young minority men with very low levels of education. By the early 2000s, prison time was a common life event for this group, and today more than two-thirds of African-American male dropouts are expected to serve time in state or federal prison. These demographic contours of mass imprisonment have created a new class of social outsiders whose relationship to the state and society is wholly different from the rest of the population (Western & Pettit, 2010).

The underachievement, lack of inclusion, and backward progression of African-American men within American society, and particularly within the educational arena, has once again surfaced as a trend that demands immediate attention. However, the challenges of reversing the negative circumstances facing African-American men requires transforming abroad array of social, political, economical, psychological, and educational issues that are deeply rooted in the very power structure of America. On one hand, the society espouses rhetoric of concern and desire to elevate black males, but, on the other hand, practices a policy of oppression, prejudice, and dis-regard. Put differently, the experience of the black man in America seems to be one in which he is called mister but is treated with a niggardly regard. The result is the positioning of black males at the lower rungs of society and them experiencing underachievement in almost all aspects of life (Jenkins, 2006).

Across the country, the NAACP is actively pushing state governments to spend less on incarceration and more on education. Taking its efforts to the next level, the century-old civil rights group released a report entitled, Misplaced Priorities: Under Educate, Over Incarcerated led by the NAACP’s Criminal Justice Department, the effort
focuses on the correlation between under-education and the mass incarceration of people of color (High, 2011).

In recent years, a disturbing shift has occurred in the education system. Rather than employ traditional disciplinary measures, such as counseling or detention, when students misbehave, schools are becoming increasingly dependent on suspensions, expulsions, and law enforcement to punish students. Children are being arrested or removed from schools, even for minor discretions, at alarming rates around the country. Students cannot learn, and teachers cannot teach, in unsafe schools. But suspension, expulsion, and arrest do not make schools safer (NAACPLDF, 2012).

Instead, the American Psychological Association has found that these practices harm academic achievement for all students while increasing the chances that those excluded will be held back, drop out, and become involved with the juvenile and criminal justice systems. Despite these findings, school discipline rates are at their all-time highs – double those of the 1970s. Pressed by high-stakes testing and inadequate resources, many schools are choosing to forego mentorship and intervention for students in favor of exclusion and arrest. Indeed, the current approach to educational accountability offers educators the perverse incentive to choose whom to educate – and to remove the rest (NAACPLDF, 2012).

As the rates of discipline have dramatically increased, disciplinary disparities on racial lines have become more pervasive. Students of color, particularly African-American boys, account for an overwhelming number of school-enforced punishments, as well as the majority of arrests for school-related incidents around the country. African-American students overall are now nearly three times as likely to be suspended, and
Latino students are nearly one-and-a-half times as likely to be suspended, as their white peers (NAACPLDF, 2012).

Historical inequalities in the education system—segregated education, concentrated poverty, and longstanding stereotypes—influence how school officials and law enforcement both label children and treat students who present challenging behavior. Studies show that students of color receive harsher punishments for engaging in the same conduct as white students. Racially isolated schools that primarily educate students of color are more likely to be among the nation’s dropout factories and also among those that utilize the harshest, most exclusionary means of discipline (NAACPLDF, 2012).

This tunneling of students out of school and into the streets and the juvenile correction system perpetuates a cycle known as the School-to-Prison-Pipeline, depriving children and youth of meaningful opportunities for education, future employment, and participation in democracy. The NAACP Legal Defense Fund (LDF) recognizes the devastating affects of criminalizing rather than educating children and youth, and is dedicated to reversing the pipeline. In partnership with community organizations, LDF has introduced and proposed a number of groundbreaking programs and advocacy efforts aimed at returning the emphasis to education instead of exclusion and incarceration (NAACPLDF, 2012).

Data from the Current Population Surveys, meant to representative of the U.S. population, places high school dropout rate of young men at 13% to 16% and shows evidence of declines in the black-white gap in high school completion over the past few decades. Yet large urban school districts that are disproportionately black routinely report that 50% or more of their students drop out. The extreme disadvantage experienced prior
to incarceration by prison and jail inmates can be seen in their extraordinarily low levels of educational attainment (Pettit, 2012).

Although incarceration in prison and jail used to be reserved primarily for violent and repeat offenders, incarceration is now common among non-violent property and drug offenders. High rates for incarceration have become a social fact among young, low-skill, black men. Well over one-third of young black men who do not finish high school are in prison or jail on any given day, almost 70% of black male dropouts are imprisoned at some point during their lives. Among black men, including inmates in national estimates implies a nationwide high school dropout rate more than 40% higher than suggested by conventional estimates that use the Current Population Survey. Similar bias is found for conventional estimates of employment and wages. In 2008, nearly one in five young black men did not finish high school, black male dropouts were more likely to be in prison than to be employed, and relative wages among young black men had seen little improvement over the previous 20 years (Pettit, 2012).

Disenfranchisement of Incarceration

The disproportionate concentration of incarceration within particular social and demographic groups makes a portrait of the American social condition derived from these statistics incomplete, and it also obscures the extent of disadvantage within the groups where incarceration rates are highest. High rates of incarceration among black men – black men with low levels of education in particular–have profound implications for accounts of their social standing and that of their children, families, and communities where they live prior to and following incarceration (Pettit, 2012).
As Ralph Ellison (1952) so poignantly conveyed in his landmark book, *Invisible Man*, African Americans were socially invisible in pre-civil rights America. Racial discrimination, segregation, and exclusion contributed to a system of institutions, laws, and customs that maintained racial inequality and was premised on the subjugation and invisibility of African Americans (Alexander, 2010). The civil rights era offered African Americans the promise of being accepted as visible citizens in American society. The Civil Rights Act (1964) and the Voting Rights Act (1965) signaled a new era of greater protections for the rights of African Americans and other groups, particularly in relation to education, employment, and voting (Pettit, 2012).

The decades-long expansion of the criminal justice system has led to the acute and rapid disappearance of young, low-skill African-American men from portraits of the American economic, political, and social condition. While the expansion of the criminal justice system reinforces race and class inequalities in the United States, the full impact of the criminal justice system on American inequality is obscured by the continued use of data collection strategies and estimation methods that predate prison expansion (Pettit, 2012).

The Sentencing Project (2010) defined felon disenfranchisement as laws that restrict individuals with felony convictions from voting. States set their own laws, so the extent that individuals with felony-level crimes are disenfranchised by this definition varies by state. Data from The Sentencing Project capture racial disparities in incarceration rates and felony disenfranchisement rates (number of people incarcerated for a felony offense as a percentage of the voting-age population) by state. All but two states (Maine and Vermont) restrict inmates from voting. However, states vary by how
much they also restrict parolees, probationers, and ex-felons from voting. Among four of the more populous states—California, Illinois, New York, and Pennsylvania—Illinois and Pennsylvania restrict only inmates from voting, while California and New York restrict both inmates and parolees. The strictest policies forbidding ex-felons from voting in 2010, as well as those incarcerated and those on probation or parole are found in 11 states, including Florida, Kentucky, Tennessee, and Virginia (Uggen et al., 2012).

Nationally, African Americans have higher felony disenfranchisement rates than whites, partly because of the higher proportion of African Americans in prison. That is, since a higher proportion of African Americans are incarcerated, a higher proportion of all voting-age African Americans in a state are at risk of felony disenfranchisement. For every white adult incarcerated (in jail or prison) in 2010, there were 5.6 African-American prisoners and 1.8 Hispanic prisoners. Similarly, the national felony disenfranchisement rate was 3% for all voting-age adults but more than twice as high for all African-American voting-age adults (8%) (Uggen et al., 2012).

Among the more populous states, New York had the highest African American–to-white prisoner incarceration ratio of 9.4 to 1, followed by Pennsylvania and Illinois at 9.2 and 9.1 to 1, respectively. For Hispanic prisoners, the same three states led and Pennsylvania had the highest Hispanic-to-white ratio at 5.6 to 1. The felony disenfranchisement rate for all voting-age African Americans in New York was 2.1%, compared with 0.7% for New York’s total voting-age population. Felony disenfranchisement among voting-age African Americans is similar in Pennsylvania and Illinois at 2.5% and 2.0%, respectively, compared with 0.6% and 0.5%, respectively, for the states’ total voting-age population. Felony disenfranchisement rates are highest in
states with the strictest policies restricting ex-felons from voting. Among the 11 states with the strictest policies, the proportion of the voting-age population that is disenfranchised is quite high for Florida, Kentucky, and Virginia (Urban Institute, 2010).

Urban communities face both civic costs and significant economic costs because of their member's felony disenfranchisement. The prison population comes disproportionately from poorer neighborhoods; as a result, some poor neighborhoods have what researchers call million-dollar blocks, referring to the amount of money the government spends annually incarcerating individuals. Moreover, the families in these communities lose the economic and social support of those who have been incarcerated (Urban Institute, 2013).

The Justice Mapping Center (2006) used prisoners' pre-incarceration residential information to create a visual representation of these million-dollar blocks in several metropolitan areas. Houston and New York City as examples of two cities in different regions of the country. In both, Hispanics are the largest share of low-income men; in Houston, they are the majority. The maps display state costs to send their residents to prison in 2008 by zip code. The most expensive zip codes are concentrated in certain sections of each city. In almost all these neighborhoods, about half the households have annual incomes less than $25,000 and almost all households are nonwhite or Hispanic. The cost of imprisonment and associated expenditures in these areas can be as high as $28.6 million.

The costs detailed above, though notable, skim the surface of the true cost of imprisonment. Not included in these estimates are the opportunity costs in lost wages or human capital development, the future economic burden from a felony record, and the
economic echo effect on the prisoner’s children, including the more difficult to quantify mental and societal burdens placed on families and communities (Urban Institute, 2013).

The negative effects of incarceration, even among men with very poor economic opportunities to begin with, are related to the strong negative perceptions employers have of job seekers with criminal records. Devah Pager’s experimental research has studied these employer perceptions by sending pairs of fake job seekers to apply for real jobs. In each pair one of the job applicants was randomly assigned a resume indicating a criminal record (a parole officer is listed as a reference), and the criminal applicant was instructed to check the box on the job application indicating he had a criminal record. A criminal record was found to reduce callbacks from prospective employers by around 50%, an effect that was larger for African Americans than for whites (Western & Pettit, 2010).

Incarceration may reduce economic opportunities in several ways. The conditions of imprisonment may promote habits and behaviors that are poorly suited to the routines of regular work. Time in prison means time out of the labor force, depleting the work experience of the incarcerated compared to their non-incarcerated counterparts. The stigma of a criminal conviction may also repel employers who prefer job applicants with clean records. Pager’s audit study offers clear evidence for the negative effects of criminal stigma. Employers, fearing legal liability or even just unreliability, are extremely reluctant to hire workers with criminal convictions (Western & Pettit, 2010).

Social marginality is deepened by the inequalities produced by incarceration. Workers with prison records experience significant declines in earnings and employment. Parents in prison are likely to divorce or separate, and through the contagious effects of the institution, their children are in some degree prisonized, exposed to the routines of
prison life through visitation and the parole supervision of their parents. Yet much of this reality remains hidden from view. In social life, for all but those whose incarceration rates are highest, prisons are exotic institutions unknown to the social mainstream. The national data systems, and the social facts they produce, are structured around normative domestic and economic life, systematically excluding prison inmates (Western & Pettit, 2010).

Marxist models of racial discrimination have been developed to rectify this shortcoming, and to simultaneously critique the implications derived from Gary Becker and Milton Friedman's conclusion that capitalism and racism are incompatible. These class-based models show the interests of employers as a class to pay lower wages to blacks than to whites coincides with the interests of the individual employer. They focus on one central aspect of racism, that capitalism uses racism to divide workers (Whitehead & Harris, 1999).

Michael Reich (1974) based on Marx's analysis that production is a social as well as a technical process, these models show that an individual employer can make more profit from a racially divided working class than from a united one. The level of wages and the average production per worker depend on workers' bargaining power as well as on the technology. More worker bargaining power means higher wages and lower profits, and less bargaining power means lower wages and higher profits. This provides a microeconomic foundation, consistent with profit maximizing behavior, of disparate on the job treatment of equally skilled black and white workers. It also explains why black workers will not replace white workers, even if the latter can be paid lower wages.
By hiring both white workers and black workers, but paying a lower wage to the black workers, employers as a class gain by racism and racial inequality, and each individual employer also maximizes profits. Paying unequal wages in a firm based on race divides workers, makes unity weaker than it would be if all workers received the same wage or if the workforce was racially homogeneous. The resulting disunity from racial division lowers average wages and increases profits. At a certain point, however, firms do not hire lower paid black workers to replace white workers because this would lead to more black worker militancy possibly raising the overall level of wages. Alternatively, though with similar results, the disunity of workers caused by different wages paid to blacks and whites leads to increased profits. The reason in the latter case is the employers are able to get workers to work harder and faster and produce more than they would have otherwise (Whitehead & Harris, 1999).

Doing careful econometric analysis, Michael Reich (1974) shows that the data on racial inequality is consistent with and provides support for this theory. Using data primarily from the 1970 census, he compares urban areas. He demonstrates that greater racial inequality causes lower average earnings of white workers and higher profit rates. He uses the ratio of black to white earnings as a measure of racial inequality and racism. In cities in the U.S. South, where the gaps between the wages of blacks and whites are greatest, wages of whites are lowest, and profit highest. Reich demonstrates empirically that not only do black workers lose from racism, but so do all workers as their incomes are reduced. If the wages of blacks equaled whites, not only would the wages of blacks be higher, but also so would the wages of whites.
When synthesized with the historical analysis of racism, these models provide insight into the reasons for the reproduction of black-white earnings inequality. They demonstrate that capitalists divide the working class, and that the correct strategy for the increase of racial and overall equality (between employees and employers) is an alliance of black and other workers of color with white workers against their common exploiter, capital. There are a number of problems however. This model downplays the role and importance of black people and black organizations in challenging racial inequality and exploitation. Also missing is a convincing explanation of why white workers often accept or support racial inequality and a racist ideology. Since in this framework, the incomes of white as well as black workers are lowered, claiming white workers have false-consciousness is not a sufficient explanation of their racism (Whitehead & Harris, 1999).

According to the Urban Institute (2008), employment is an important component of the reentry process. Even more than a steady source of income, jobs can provide a sense of structure and responsibility to former prisoners as they struggle to reintegrate after release. Unfortunately, many will face a difficult path toward finding and keeping employment. Although this class-based approach to racism provides insight into the reproduction of racial and overall inequality, it leads to class reductionism and excessive economic determinism. The hiring process itself is a large hurdle for most returning prisoners. Restrictions on convicted persons working in certain types of jobs impedes the process of finding a job, and the majority of respondents felt that many employers did not feel comfortable hiring individuals with a criminal record. Having to provide criminal history information before the interview process eliminates many job opportunities for former prisoners.
Economic determinism means the economy determines the politics, culture, consciousness and struggles of a society; it minimizes the autonomous role of culture and race. In the class-based approaches to racism (and in the internal colonialism framework examined in the next chapter), there is little analysis of the role and situation of black and white women and how it has differed from that of black and white men. Gender is almost completely disregarded and there is little investigation of the relation between gender, race and class oppression. Recent developments in Marxist theory have led to a fuller analysis of racism. These include theorizing the importance of non-class-based groupings such as gender and ethnicity. Culture, ideology, consciousness and the State are examined as more than reflections of the economic base. They are important aspects of society that influence and are influenced by the entire social formation (Whitehead & Harris, 1999).

The power of labor market segmentation theory lies in its ability to explain the lower earnings and higher unemployment rates of blacks. It also explains the more rapid growth of earnings of blacks compared to whites in the 1960s and early 1970s by the increased demand for labor in the primary labor market leading to upward mobility for some blacks from the secondary labor market. It aids in understanding the stagnation in black to white earnings since the early 1970s and the more rapid growth of unemployment for blacks than whites. Reasons include the reduced entry into the primary labor market from the secondary labor market and the overall decline of jobs in the primary subordinate labor market, an important site of employment for black men. The power of the class-based theories of racism reviewed here are their ability to demonstrate that racial discrimination follows from the logic and history of U.S.
capitalism, and that its continuation is consistent with the likely behavior of employers. The main weakness of the theory, that racism divides the working class, is its underestimation of the importance of racial and other non-class groupings in both the perpetuation and the possible elimination of racism. Multiracial working class organizations are emphasized as the primary vehicle for ending oppression. Organizations of black people as vehicles to end racism are downplayed; so is the role of white people in perpetuating racism (Conrad, 2005).

A simple picture of the poor economic opportunities of the formerly incarcerated is given by the earnings mobility of men going to prison compared to other disadvantaged groups. The NLSY data can be used to study earnings mobility over several decades. The authors calculated the chances that a poor man in the lowest fifth of the earnings distribution in 1986 would move up and out of the lowest fifth by 2006. Among low-income men who are not incarcerated, nearly two thirds are upwardly mobile by 2006. Another group in the NLSY has very low levels of cognitive ability, scoring in the bottom quintile of the Armed Forces Qualifying Test, the standardized test used for military service. Among low-income men with low scores on the test, only 41% are upwardly mobile. Upward mobility is even less common among low-income high school dropouts. Still, it was observed that the least upwardly mobile of all were men who were incarcerated at some point between 1986 and 2006. For these men, only one in four rises out of the bottom quintile of the earnings distribution (Western & Pettit, 2010).

Ex-prisoners consistently manifest high rates of criminal recidivism and unemployment. Existing explanations for these poor outcomes emphasize the stigmatizing effects of imprisonment on prisoners seeking post-release employment as
well as the deleterious effects of imprisonment on prisoners' attitudes and capabilities. However, these explanations must be distinguished from selection effects in the criminal sentencing process, which also could explain some or all of these poor outcomes (Loeffler, 2013).

To distinguish between criminogenic and selection explanations for ex-prisoners' post-release experience, the author analyze data from a natural experiment in which criminal cases were assigned randomly to judges with sizable sentencing disparities. Using these exogenous sentencing disparities, the author produces unbiased estimates of the causal effects of imprisonment on the life course. The results of this analysis suggest that selection effects could be sufficiently large to account for prisoners' poor post-release outcomes because judges with large sentencing disparities in their use of imprisonment had similarly high caseload unemployment and criminal recidivism rates (Loeffler, 2013).

More specifically targeting potential stigmatization effects, both experimental studies and survey research have shown that employers are reluctant to consider ex-offenders as potential employees (e.g., Boshier & Johnson, 1974; Buikhuisen & Dijksterhuis, 1971; Holzer, 1996). Federal legislation denies to ex-felons employment in specific jobs (Bainbridge 1985), and state legislation in most states mandates screening on the basis of criminal history records for many jobs (see Burton, Cullen, & Travis 1987; Dale 1976). About 30% to 40% of employers actually check the criminal history records of their most recently hired employees and this proportion may be increasing. Such labeling and stigmatization effects may contribute to ex-offenders becoming
entrapped in a deviant lifestyle but are unlikely to fully account for the association between juvenile delinquency and young adult employment outcomes (Holzer, 1996).

This study examined prospective effects of involvement with the criminal justice system, as indexed by official arrests, on two employment outcomes for 203 at-risk young men. Findings showed detrimental effects of a higher number of juvenile arrests and the occurrence of mental health problems on subsequent unemployment in the 20s. In addition, the number of times being fired was predicted by poor child inhibitory control and adolescent substance use. In contrast to predictions from developmental theories of crime, early onset of juvenile offending was not significantly linked to poorer outcomes for either indicator of employment problems relative to late onset of juvenile offending (Wiesner et al., 2010).

In a study by Wiesner, Kim, and Capaldi (2010) analogous analyses were conducted with onset of juvenile arrests as a predictor. Note that the univariate regression coefficient was significant and in the expected direction for Contrast 1 ($b = .50, SE = .18, p < .01$), indicating that early- and late-onset juvenile offenders combined were related to a higher number of times of being fired compared to non-offenders. However, again, the univariate coefficient was not significant for Contrast 2 ($b = .04, SE = .16, p > .10$), which compared early- to late-onset juvenile offenders. However, when all other predictor variables were included in the multivariate negative binomial regression model ($-LL = -178.12$), onset of arrests was no longer a significant predictor of the number of times being fired from a job ($b = .13, SE = .2, p > .10$ for Contrast 1; $b = -.06, SE = .17, p > .10$ for Contrast 2).
This suggests that, as expected, involvement with the criminal justice system is indeed linked to poorer young adult work outcomes. As the models were controlled for various other factors, a considerable degree of spuriousness was removed from the estimated prospective effect of official arrests. Because the effects of official arrests persisted after controlling for poor child inhibitory control, this allows ruling out the argument from propensity theory that this association is merely the result of low self-control in early years. At the same time, the adverse effects of being arrested during the adolescent years appeared to be more specific in nature and emerged only for unemployment months but not for being fired from a job. It may be that official contact with the criminal justice system (i.e., being arrested) is not an important predictor of being fired from work because criminal background checks are often conducted during the hiring process. Only those who pass this initial hurdle and succeed in obtaining a job are thereafter at risk for being fired (Wiesner et al., 2010).

The environmental inequality literature is very broad, with researchers studying topics ranging from the public health implications of residing in polluted neighborhoods (Berry & Bove, 1997; Brulle & Pellow, 2005; Croen et al., 1997; Downey & Van Willigen, 2005; Environmental Health Perspectives, 2002; Evans & Kantrowitz, 2002; Evans & Marcynyszyn, 2004) to global environmental inequality (Clapp, 2001; Roberts & Parks, 2007; Smith, Sonnenfeld, & Pellow, 2006; Washington, Rosier, & Goodall, 2006) to qualitative examinations of environmental justice organizations and environmental justice communities (Bullard, 2005; Pellow & Brulle, 2005; Roberts & Toffolon-Weiss, 2001).
Researchers have debated the relative merits of different research methodologies (Bowen, 2002; Downey, 2006, 2007; Mohai & Saha, 2006; Pastor, Sadd, & Morello-Frosch, 2004) and different definitions of environmental inequality (Downey, 1998, 2005a; Holifield, 2001; Pulido, 2000; Stretesky & Hogan, 1998) and have conducted extensive quantitative analyses to determine whether environmental racial inequality exists, whether racial minorities are disproportionately burdened by environmental hazards because of their racial status or income status, and whether neighborhood racial composition is a stronger predictor than neighborhood income levels of neighborhood environmental hazard levels (the race versus income debate) (Downey & Hawkins, 2008).

These quantitative studies have produced mixed results. Although several studies have found that the association between neighborhood racial composition and neighborhood hazard levels persists after controlling for neighborhood income levels and other neighborhood characteristics (Ash & Fetter, 2004; Brulle & Pellow, 2005; Lester, Allen, & Hill, 2001; Mennis & Jordan, 2005; Morello-Frosch, Pastor, & Sadd, 2001; Sadd et al., 1999; Stretesky & Hogan, 1998), several other studies have found that this association either does not exist or is no longer statistically significant after including control variables in the analysis (Anderton et al., 1994; Atlas, 2002; Bowen, 2002; Bowen et al., 1995; Derezinski, Lacy, & Stretesky, 2003; Oakes, Anderton, & Anderson, 1996). Moreover, the findings in some of the former studies only hold under certain model specifications or when certain pollution variables are used but not others (Downey & Hawkins, 2008).
In addition to producing mixed results, these studies have also drawn criticism from researchers, who argue that the "race versus income debate" masks much of the complexity that underlies the relationship between race and class in the United States (Downey, 1998; Pulido, 2000; Stretesky & Hogan, 1998). These researchers note, for example, that racial income inequality is largely the product of racial discrimination in educational institutions and housing and labor markets (Massey & Denton, 1993; Waldinger, 1996). Thus, it is likely that racial discrimination plays an important role in shaping environmental racial inequality even when regression models indicate that environmental racial inequality is due solely to racial income inequality (Downey & Hawkins, 2008).

In addition, Pulido (2000) and Downey (1998) argue that comparing the relative predictive power of race and income is unproductive because "it implies that the one factor that is found to be 'right' has to be so at the expense of the other" (Downey, 1998, p. 774). This is problematic, they contend, because (a) race and income work together, not separately, to produce racially and environmentally inequitable outcomes and (b) the role income and class play in shaping environmental outcomes likely differs for different racial and ethnic groups (Pulido, 2000).

Given this argument and the fact that racial and ethnic groups vary in their ability to translate income gains into residential mobility (Crowder & South, 2005; Massey & Denton, 1993), the author hypothesize that: (a) the relationship between household income levels and neighborhood hazard levels should vary according to household racial composition; and (b) the relationship between neighborhood income levels and
neighborhood hazard levels should vary according to neighborhood racial composition (Downey & Hawkins, 2008).

Theoretical Frameworks

In order to better understand the phenomenon of mass incarceration, racial disparities, and birth rates, the researcher utilized the following theoretical frameworks: Critical Race Theory, Racial Contract Theory, Social Control, the Phenomenological Theory, and Marxist Theory. These theories are formulated to explain, predict, and understand phenomena and, in many cases, to challenge and extend existing knowledge, within the limits of the critical bounding assumptions.

Critical race theory (CRT) is an academic discipline focused upon the application of critical theory, a critical examination of society and culture, to the intersection of race, law, and power. Critical race theory is often associated with many of the controversial issues involved in the pursuit of equality issues related to race and ethnicity (Yosso, 2005). The movement is loosely unified by two common themes. First, CRT proposes that white supremacy and racial power are maintained over time, and in particular, that the law may play a role in this process. Second, CRT work has investigated the possibility of transforming the relationship between law and racial power, and more broadly, pursues a project of achieving racial emancipation and anti-subordination (Gotanda et al., 1995).

Critical Race Theory was developed out of legal scholarship. It provides a critical analysis of race and racism from a legal point of view. Since its inception within legal scholarship CRT has spread to many disciplines. CRT has basic tenets that guide its
framework. These tenets are interdisciplinary and can be approached from different branches of learning. CRT recognizes that racism is engrained in the fabric and system of the American society. The individual racist need not exist to note that institutional racism is pervasive in the dominant culture. This is the analytical lens that CRT uses in examining existing power structures. CRT identifies that these power structures are based on white privilege and white supremacy, which perpetuates the marginalization of people of color. CRT also rejects the traditions of liberalism and meritocracy. Legal discourse says that the law is neutral and colorblind, however, CRT challenges this legal truth by examining liberalism and meritocracy as a vehicle for self-interest, power, and privilege. CRT also recognizes that liberalism and meritocracy are often stories heard from those with wealth, power, and privilege. These stories paint a false picture of meritocracy; everyone who works hard can attain wealth, power, and privilege while ignoring the systemic inequalities that institutional racism provides (UCLA, 2014).

Michelle Alexander (2011) writes that Americans are ashamed of their racial history, and therefore avoid talking about race, or even class, so the terms used in her book will seem strangely unfamiliar to many. Americans want to believe that everybody is capable of upward mobility, given enough effort on his or her part; this assumption forms a part of the national collective self-image. A large percentage of African Americans are blocked by the discriminatory practices of an ostensibly colorblind criminal justice system, which end up creating an under caste where upward mobility is severely constrained (Alexander, 2011).

Intersectionality within CRT points to the multidimensionality of oppressions and recognizes that race alone cannot account for disempowerment. Intersectionality means
the examination of race, sex, class, national origin, and sexual orientation, and how their combination plays out in various settings. This is an important tenet in pointing out that CRT is critical of the many oppressions facing people of color and does not allow for a one-dimensional approach of the complexities of the world (Delgado et al., 2001).

Dixson (2006) narratives or counter stories, as mentioned before, contribute to the centrality of the experiences of people of color. These stories challenge the story of white supremacy and continue to give a voice to those that have been silenced by white supremacy. Counter stories take their cue from larger cultural traditions of oral histories, family histories, and parables. This is very important in preserving the history of marginalized groups whose experiences have never been legitimized within the master narrative. It challenges the notion of liberalism and meritocracy as colorblind or value-neutral within society while exposing racism as a main thread in the fabric of the American foundation. Another component to CRT is the commitment to social justice and active role scholars take in working toward eliminating racial oppression as a broad goal of ending all forms of oppression. This is the eventual goal of CRT and the work that most CRT scholars pursue as academics and activists (Solórzano, 1998).

A recently developed theme within critical race theory discourse is differential racialization. This theory holds that the various racial groups in the United States—blacks, Latinos, Asian Americans, and Native Americans, for example—have been racialized in different ways in response to different needs of the majority group. Moreover, the laws and legal structures society devises for each group—such as English-only laws for Latinos, alien land laws for Asians, and Jim Crow laws for blacks—operate differently in the case of the various groups. The groups feature different histories and
struggles. They had to contend with different sets of discriminatory laws and practices. With Indians, for example, society wanted their land; with blacks, labor; with Latinos, first land, then labor; and so on. Social stereotypes of the various groups changed accordingly over time to facilitate society's obtaining what it wanted from the group in question (Delgado, 2005).

For example, during slavery, when southern whites had matters well in hand, the dominant narratives, songs, and stories about blacks were reassuring: Blacks were happy with their lives and pleased to serve whites. Later, when blacks received their freedom and were perceived as a threat, social images of them changed. Writers, cartoonists, and filmmakers depicted blacks as frightening, larger-than-life figures with (in the case of men, at least) designs on white women. These figures, of course, justified cruel repression. They would not have served well during the slave period because they would have suggested that blacks were unhappy with their lot (Delgado, 2005).

Today represents the old adage, the more things change, the more they remain the same. In each generation, new tactics have been used for achieving the same goals—goals shared by the Founding Fathers. Denying African Americans citizenship was deemed essential to the formation of the original union. Hundreds of years later, America is still not an egalitarian democracy. The arguments and rationalizations that have been trotted out in support of racial exclusion and discrimination in its various forms have changed and evolved, but the outcome has remained largely the same. An extraordinary percentage of black men in the United States are legally barred from voting today, just as they have been throughout most of American history. They are also subject to legalized discrimination in employment, housing, education, public benefits, and jury
service, just as their parents, grandparents, and great-grandparents once were, however, today they are confined through the use of incarceration (Alexander, 2011).

What has changed since the collapse of Jim Crow has less to do with the basic structure of American society than with the language used to justify it. Alexander (2011) maintains that, in the era of colorblindness, it is no longer socially permissible to use race, explicitly, as a justification for discrimination, exclusion, and social contempt. So society does not. Rather than rely on race, society uses the criminal justice system to label people of color as criminals, and then engage in all the practices that were supposedly left behind. Today it is perfectly legal to discriminate against criminals in nearly all the ways that it was once legal to discriminate against African Americans. According to Alexander, once you’re labeled a felon, the old forms of discrimination—employment discrimination, housing discrimination, denial of the right to vote, denial of educational opportunity, denial of food stamps and other public benefits, and exclusion from jury service—are suddenly legal. As a criminal, you have scarcely more rights, and arguably less respect, than a black man living in Alabama at the height of Jim Crow. Racial caste in America has not ended; it has been merely redesigned (Alexander, 2011).

In comparable, yet detailed, Charles Mills’ created the Racial Contract Theory. Mills’ central argument is that there exists a racial contract that is even more fundamental to Western society than the social contract. This racial contract determines in the first place who counts as full moral and political persons, and therefore sets the parameters of who can contract in to the freedom and equality that the social contract promises. Some persons, in particular white men, are full persons according to the racial contract. As such they are accorded the right to enter into the social contract, and into particular legal
contracts. They are seen as fully human and therefore as deserving of equality and freedom. Their status as full persons accords them greater social power. In particular, it accords them the power to make contracts, to be the subjects of the contract, whereas other persons are denied such privilege and are relegated to the status of objects of contracts (Hobbes, 2014).

This racial contract is to some extent a meta-contract, which determines the bounds of personhood and parameters of inclusion and exclusion in all the other contracts that come after it. It manifests itself both formally and informally. It is an agreement, originally among European men in the beginning of the modern period, to identify themselves as white and therefore as fully human, and to identify all others, in particular the natives with whom they were beginning to come into contact, as other: non-white and therefore not fully human. So, race is not just a social construct, as others have argued, it is more especially a political construct, created to serve a particular political end, and the political purposes of a specific group. The contract allows some persons to treat other persons, as well as the lands they inhabit, as resources to be exploited (Mills, 1999).

The enslavement of millions of Africans and the appropriation of the Americas from those who inhabited them, are examples of this racial contract at work in history (such as Locke’s claim that Native Americans did not own the land they lived on because they did not farm it and therefore did not own it). This is an actual contract, or series of contracts, made by real men of history. It is found in such documents as Papal Bulls and Locke’s writings on Native Americans, and acted upon in such historical events as the voyages of discovery made by Europeans and the colonization of Africa, Asia, and the Americas. The racial contract makes possible and justifies some people, in virtue of their
alleged superiority, exploiting the peoples, lands, and resources of other races (Hobbes, 2014).

From Mills' perspective, then, racism is not just an unhappy accident of Western democratic and political ideals. It is not the case that the American political system was perfectly conceived and unfortunately imperfectly applied. One of the reasons that race in the West is thought to be relatively superficial, that it does not go all the way down, is the hold that the idealized social contract has on the imagination. Society continues to believe, according to Mills, in the myths that social contract theory purports—that everyone is equal, that all will be treated the same before the law, that the Founding Fathers were committed to equality and freedom for all persons, etc. One of the very purposes of social contract theory, then, is to keep hidden from view the true political reality—some persons will be accorded the rights and freedoms of full persons, and the rest will be treated as sub-persons (Hobbes, 1985).

The racial contract informs the very structure of the political systems, and lays the basis for the continuing racial oppression of non-whites. Society cannot respond to it, therefore, by simply adding more non-whites into the mix of the political institutions, representation, and so on. Rather, the politics must reexamined, in general, from the point of view of the racial contract, and start from where society is, with full knowledge of how American society has been informed by the systematic exclusion of some persons from the realm of politics and contract. According to Mills, this naturalized feature of the racial contract, meaning that it tells a story about American society and what is included in its history, is better because it holds the promise of making it possible for citizens to
someday actually live up to the norms and values that are at the heart of the Western political traditions (Hobbes, 2014).

According to the National Institute of Health (2013), a typical consequence of the demographic transition—a population’s shift from high mortality and high fertility to low mortality and low fertility—is a period of robust population growth. This growth occurs once survival has improved but before fertility has fallen to or below replacement level, so that the birth rate substantially exceeds the death rate. During the second half of the 20th century, the world experienced unprecedented population growth as developing countries underwent a demographic transition. It was during this period that Nathan Keyfitz demonstrated how an immediate drop to replacement fertility in high-fertility populations could still result in decades of population growth. Building on work by Paul Vincent (1945), he called this outcome population momentum.

According to the Population Reference Bureau (2013), the rate of natural increase of a population depends on birth and death rates, which are strongly influenced by the population age structure. Births occur primarily to people in the younger-adult age groups. If there are comparatively more young adults than older adults where mortality is highest, then even at replacement fertility levels (when each woman has about an average of two children) there will be more births than deaths. Hence, a relatively large number of couples each having one or two children can still produce a large excess of births. This phenomenon is known as population momentum. In the United States, birth rates are higher than death rates at present, partly due to the relatively young age structure of the U.S. population. Immigrants, who are younger on average than the U.S.-born population, play a significant role in keeping the United States younger than most other developed
countries. For example, among U.S. Hispanics, 40% of whom are foreign-born, there are approximately 10 births for every death.

To investigate or study any phenomena it is imperative for the research to begin with the following fundamental questions: who is the knower? How does the knower acquire knowledge about the phenomenon? And what kind of knowledge can be acquired? Social science scholars have through the years grappled with these basic questions in an attempt to provide answers to the occurrence of different social science phenomena. Two general approaches have evolved in social science to address these questions – nomothetic and ideographic approaches (Elonge, 2008).

The realist-phenomenologist who subscribes to the ideographic interpretation of social reality utilizes the historical and philosophical modes of investigation as research tools to help them understand the nature of phenomena. History provides perspectives to the investigation while philosophical questions provide meaning and context to the phenomena being studied. In addition, philosophical inquiries on the nature of the phenomenon provide the researcher with a comprehensive framework of epistemological principles that often clarify some of the crucial theoretical questions encountered in the study of the phenomenon. Meanwhile, social science scholars who subscribe to the nomothetic interpretation of social reality have favored the development of quantitative and advanced qualitative approaches to study different phenomena. That involves the development of theories, models, and constructs to explain social, political and administration reality (Elonge, 2008).

Nathan Keyfitz (1971) professes the phenomenon of population transition occurs because a history of high fertility has resulted in a high proportion of women in the
reproductive ages, and these ensure high crude birth rates long after the age-specific rates have dropped. Sociologist David Garland (2001) has coined the term mass incarceration to characterize the uniquely modern social phenomenon of extraordinarily high incarceration rates.

The improved functioning of the family should provide for socialization and supervision of children and thereby lower crime rates. Similarly, actually removing criminals from communities or plausibly threatening incarceration can reduce crime rates in neighborhoods or the fear of crime. This, in turn, would permit the interaction among neighbors that provides the informal controls to promote community organization and reduce neighborhood crime. These types of causal processes underlie programs like Weed and Seed (Dunworth & Mills, 1999).

According to Silverman (1980), the phenomenological approach entails descriptive, constitutive and epistemological imperatives. The descriptive imperative deals with assembling and describing collected information, while the constitutive imperative considers the views of the participants and actors of the institutions inquiring how these actors define and describe their actions and situation in the institution. The epistemological imperative involves analyzing information with a relative degree of skepticism to ensure that interpretation of the data is factual. The phenomenological approach to understand phenomena, subsumes both cultural and systems tools of investigation.

The relative size of the black population has been linked with the exercise of social control in both contemporary and historical context. Contemporary theorists have long contended that the relative size of the minority population has significant
implications for the exercise of social control (Blalock, 1967). As minorities comprise larger proportion of the population, social control efforts intensify, presumably because minorities threaten the existing distribution of economic rewards and political power. To the extent that minority group members are linked with greater criminality, as is the case of black Americans, they presumably threaten public safety increasing fear of crime and effort to control it (Moeller, 1989).

According to Alexander (2010), crime and punishment are poorly correlated, and the present U.S. criminal justice system has effectively become a system of social control unparalleled in world history, with its targets largely defined by race. The rate of incarceration in the United States has soared, while its crime rates have generally remained similar to those of other Western countries, where incarceration rates have remained stable. The current rate of incarceration in the United States is six to 10 times greater than in other industrialized nations, and Alexander maintains that this disparity is not related to the actual rates of crime or their increase, but can be traced mostly to the artificially invoked War on Drugs and its associated discriminatory policies. In 1973, the National Advisory Commission on Criminal Justice Standards and Goals of the Justice Department found overwhelming evidence that juvenile detention centers, jails and prisons increase crime rather than reduce it; they recommended the elimination of existing juvenile detention centers and no further construction of adult facilities (Tonry, 2004).

Task Force Report on Corrections (1973) states during the next few decades, actual developments went in the opposite direction; the United States embarked on an unprecedented expansion of its juvenile detention and prison systems. Racism directed
against African Americans and other people of color has been a central and continuing feature of U.S. society. Its forms have changed; however, one need not look any further than infant mortality rates and life expectancies, unemployment and poverty rates and incomes, and incarceration and stereotypes in the mass media to understand that racism and racial inequality remain. Marxist theory that racism serves the interests of the capitalist or employer class by dividing black and white workers, reducing their potential unity and thus their bargaining power (Conrad, Whitehead, & Mason, 2005).

Much of the social analysis that focuses on the injustices and inequalities in U.S. society has been influenced by the ideas of Karl Marx and the Marxist tradition. Central to Marxism is the understanding that capitalism is an economic system with two major classes. The capitalist class owns and controls the means of production, capital, and continually tries to increase its profits. The working class, which is the large majority of the population, sell their labor power, their capacity to work, in return for a wage. Profits come largely from paying employees less than the value they add to production. Marx called this exploitation (Whitehead, 1998).

Conflict between capitalists and workers is inherent in a capitalist system. Workers try to raise their wages and improve their working conditions. Employers try to limit wages and increase the amount of work done per hour. The employer has the upper hand because workers fear losing their job and the unemployment that awaits them. The working class overthrowing capitalism can, only end exploitation in the Marxist sense. Workers can, however, improve their economic situation by forming unions and other organizations. The more disunity among workers, the weaker their ability to effectively challenge the employer; this insight is central to the Marxist analysis of
racism, which focuses on attempts by capitalists to divide black and white workers. If white workers identify primarily as whites, rather than as workers, they will not act in their common class interests with black workers. The way to end racial oppression and class exploitation is an interracial and united working class (Whitehead, 1998).

There are various routes and processes by which incarceration can adversely affect less coercive institutions of social control speculated that incarceration would reduce the marriageability of men and thereby reduce marriage formation. This, in turn, would increase the number of female-headed households in areas with high incarceration rates and, ultimately, increase crime rates due to an absence of supervision for young males in these areas (Sampson, 1987). The marriageability of men would be reduced by their removal through incarceration, and the taint of a prison record in the job market (Lynch & Sabol, 1998).

Racism in the United States is defined as the systematic oppression of African Americans and other people of color and the related ideology of white supremacy and black inferiority. These two aspects of racism have shaped U.S. society from the early 1600s until the present. The origins of racism in the United States are directly traced to the European conquest of the Americas, to a rapidly expanding capitalism in Western Europe and the British colonies that were to become the United States seeking cheap and growing supplies of food, beverages, tobacco, and increasingly, cotton. These needs were met by a system of production in the Americas based on land seized from its inhabitants, American Indians, and the kidnapping, transporting and selling into slavery of millions of Africans. The slave trade created much of the wealth subsequently invested in textile,
shipbuilding and other emerging capitalist enterprises in the Northeast United States and Europe. Marxists call this the primitive accumulation of capital (Whitehead, 1998).

By the late 17th century, slavery became the established labor system for the production of these agricultural commodities. African people became enslaved, not because of European aversion to blackness, but because more labor could be coerced from Africans than from either Native Americans or Europeans indentured servants. African societies did not have the political and military strength to resist the seizure of its people. The ideology of black inferiority developed as a rationalization or justification for slavery; it was not the cause of slavery. This racist ideology spread throughout the United States (Kendall & Hunt, 1999).

The defeat of Reconstruction in 1876 by the Southern planter class and their ability to regain control of the labor of blacks led to a new system of racial oppression. Southern planters defeated the alliance of blacks and some poor whites as the North withdrew their support for Reconstruction. Jim Crow was the social and political system established by the 1890s that consolidated white planter hegemony in all spheres. It was the segregationist system that dominated the South and influenced most of the country until the 1960s. The 1896 Supreme Court decision, Plessy vs. Ferguson, ruled that segregation was constitutional, was its legal foundation. The purpose of Jim Crow was the domination and coercive control over black agricultural labor. Sharecropping and tenant farming were the most common forms for the organization and exploitation of black labor. They produced much of the profits and wealth of the Southern upper class (Kendall & Hunt, 1999).
The growing concentration of capital (corporate or monopoly capitalism) led to increased competition among the European powers for new sources of profits. They colonized most of Africa and increased the colonization of Asia in the late 19th and early 20th century. This led to an elaborate ideology of western cultural, if not biological superiority over non-white people -- the white man's burden (Kendall & Hunt, 1999).

Racist ideology, United States imperialist expansion and ambitions, and efforts by an increasingly powerful monopoly capitalist class to divide workers by race and ethnicity led to greater oppression of black people and a virulent racist ideology. Segregation and lynching increased in the early 1900s and most unions excluded blacks. Black employment grew in industries such as steel and meatpacking, but declined in the skilled trades (Kendall & Hunt, 1999).

After World War II, as a result of the vast reduction in labor required by a far more mechanized Southern agriculture, the economic necessity of Jim Crow to the Southern elite declined. By the mid 1960s, this made it easier for the interracial civil rights movement to force an openly segregationist system out of existence. However, the racial divisions between blacks and whites and the greater exploitation of blacks served capitalist interests and continue to be reproduced (Kendall & Hunt, 1999).

Today, *The New Jim Crow* argued that there are many parallels between mass incarceration and the former Jim Crow legal system. Alexander posits that there is a striking similarity between the current and past racial caste systems in terms of their function and effects, even though the systems differ significantly. She contends that the similarities include: racial stigma and shame, as well as the presence of an elaborate
system of control that involves disenfranchisement and legalized discrimination (Alexander, 2011).

The direction of causality from profit seeking and the accumulation of capital; to the oppression of black people; to a racist ideology to justify racial oppression -- has continued up to and including the present period. Within this framework, racism supports capitalism in several ways: It permits employers to pay lower wages to black than to white employees. The difference between the wages of blacks and whites measures the super exploitation of black workers and the super profits of capital. For example, if the average wage of white workers is $13 an hour and of black workers is $9 an hour, $4 an hour measures the extra exploitation of black workers and the super profits of the employer. Different pay for similar work within a firm is often disguised by slightly different job titles or by making some departments of a firm primarily white and others primarily black (Kendall & Hunt, 1999).

Racist ideology, promoted by the elites, is accepted in varying degrees by most white workers, this false consciousness of white workers decreases the ability of workers to unite across racial lines and struggle as a unified group for better wages, benefits and conditions. Racism makes it easier for employers to play off one group against the other, reduce the average wage, and maximizes employer control and profits. Paying lower wages to black workers exacerbates racial divisions (Bohmer, 1998).

Blacks are disproportionately unemployed. Racist ideology makes black unemployment more acceptable than white unemployment to white society. It is therefore easier to maintain higher unemployment (in Marxist terms, a larger reserve army of labor) than if whites and blacks shared unemployment equally. By reducing
worker bargaining power, higher unemployment lowers the average wage and thus, increases the profit rate (Bohmer, 1998).

In recessions, employers can provide a cushion to white employees by disproportionately laying off blacks. In a boom, unemployed blacks are available to meet the expanded demand for labor. Today, many of the minority population is in the confinement of the prison system in the United States, whose voting laws do not permit those who have been incarcerated to vote in many states, therefore; disenfranchises the minorities upon dismissal from obtaining adequate jobs in the market. In the Marxist or class-based analysis of racism in the United States, the tendency for the working class to be fragmented and divided racially, both in material conditions and ideologically, is dominant. An opposite effect of capitalist accumulation – the erosion of racial, ethnic, gender and other differences – also exists but is much weaker (Bohmer, 1998).

A weakness of this perspective was its focus on the class interests of employers as a whole in perpetuating racism. It did not demonstrate either, that it was also in the interests of individual employers to discriminate, or that there were plausible mechanisms that employers used to insure that the behavior of individual employers coincided with the interests of the group as a whole. The analysis often moved from a demonstration that racism was in the interests of employers as a class, to concluding that the necessary outcome must be racist without showing the steps by which employer interests were realized. Several models have been developed to address this particular weakness (Bohmer, 1998).
CHAPTER III

METHODOLOGY

Chapter III presents the methods and procedures used in conducting the outcome evaluation. The following are described in this chapter: research design, description of the site, sample population, instrumentation, treatment of data, and limitations of the study.

Research Design

Both descriptive and exploratory research was used in this study. The study was designed to obtain data in order to describe and explain whether there is a perception of a relationship between incarceration, birth rate, and racial disparity since the passing of the Violent Crime Control and Law Enforcement Act of 1994, taking in consideration demographic factors such as age, gender, educational attainment, amount of children birthed, and ethnic status. The study also measured if there was awareness in each category that was being investigated and if there was an awareness of the Violent Crime Control and Law Enforcement Act of 1994 via the Likert Scale.

The descriptive and exploratory research design allowed for the use of descriptive analysis of the demographic profile of the survey respondents, which was employed in the first half of the survey, as well as, the respondents perceived attitudes and knowledge of the information they were asked to identify via the Likert Scale in the second half of
the survey that was employed. The research design facilitated the perception of statistical relationship between the possible factors that contribute to incarceration, birth rate, and racial disparities used through the Likert Scale in Section II of the survey.

Description of the Site

The study was conducted over 10 states (GA, NC, SC, VA, MD, DC, PA, NJ, NYC, MA) along the east coast of the United States of America; however, all 50 states are not represented in the study because of limitations on the availability of the researcher. The surveys was administered via convenient sampling randomly to people who volunteered to fill out the survey to get a nonbiased view from respondents, not of a particular set location. Persons were asked to fill out the survey along the east coast at random locations to attempt to get an understanding if persons along various socioeconomic statuses recognized there was an actual problem with the incarceration system and the potential relationship to birth rate and racial disparities in attempt to solving a potential issue.

Sample Population

The target population for this research study was composed of random persons views on the dependent variables of incarceration, birth rate, and racial disparities, which did not play a role in race, educational attainment, or direct relationship to incarcerated persons. The Institutional Review Board (IRB) at Clark Atlanta University approved the collecting of data from random locations. Ninety-one respondents were selected utilizing non-probability purposeful sampling among the random population.
Instrumentation

The research study employed a survey questionnaire entitled *The Relationship between Incarceration, Birth Rate, and Racial Disparities Among African Americans*. The survey questionnaire consisted of two sections with a total of fifteen (15) questions. Section I solicited demographic information about the characteristics of the respondents. Section II employed the Likert Scale to investigate the attitudes and knowledge from collective responses to a set of items. The format of the Likert Scale was used in which responses are scored along a range identifying the underlying phenomenon being investigated and the means of capturing variation that points to the underlying phenomenon used through inquiring.

Section I of the survey questionnaire consisted of five (1-5) questions. Of the five questions, selected questions were used for the identification of demographics of the respondents of the study. The questions in Section I was concerned with the respondents' gender, age group, educational attainment, ethnic group, and amount of children birthed. The aforementioned questions provided information for the presentation of the demographic profile of the respondents of the survey.

Section II consisted of 11 questions broken down into three sections entitled Incarceration, Birth Rate, and Racial Disparities. In each section, questions were posed in a Likert scale, which measured numerically (1-4), (1) measuring Strongly Agree, (2) measuring Agree, (3) measuring Disagree, and (4) measuring Strongly Disagree. Each section measured the attitude and knowledge toward the subject matter if there is a known relationship, or known issue between the dependent variables factors towards the phenomenon.
Treatment of Data

The Statistical Package for the Social Sciences (SPSS) was employed to analyze the data. The analysis used descriptive statistics, which included frequency distribution and cross tabulation. The test statistic used for this study were phi and chi squared.

Frequency distribution was used to analyze and summarize each of the variables in the study. A frequency distribution of demographics data will also be used to gain insight about the respondents of the study.

Cross tabulation was utilized to demonstrate the statistical relationship between Section I, demographics, and Section II Likert scale questions. Cross tabulations was conducted between primary demographics gender, age group, education attainment, ethnic group, and number of children birthed, and their awareness and attitude toward possible factors contributing to the dependent variables.

Two test statistics were employed. The first test was Phi (Φ), which is a symmetric measure of association that is used to demonstrate the strength of relationship between two or more variables. The following values are associated with phi:

<table>
<thead>
<tr>
<th>Value</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>.00 to .24</td>
<td>“no association”</td>
</tr>
<tr>
<td>.25 to .49</td>
<td>“weak association”</td>
</tr>
<tr>
<td>.50 to .74</td>
<td>“moderate association”</td>
</tr>
<tr>
<td>.75 to 1.00</td>
<td>“strong association”</td>
</tr>
</tbody>
</table>

The second test statistic that the researcher utilized was chi square. Chi Square was used to test whether there was a significant statistical relationship at the .05 level of probability among the variables of the study.
Limitations of the Study

There were limitations of the study. The number of surveys administered (91) did not allow the researcher to generalize to the overall population. The number of surveys administered did not adequately represent the vast majority of those directly related to incarceration and the Violent Crime Control and Law Enforcement Act of 1994; however, it did measure the perception of those who were randomly selected in comparison to their demographics on their attitudes and if they saw an issue with the relationship of the dependent variables posing if there is an overall awareness or not. In order to be a problem, one must be aware that there is a problem. Also, there was limited information on the transitional shift in birth rate and the new majority. In addition to limited information, there was a lack of updated information in regard to the school to prison pipeline and additional variables on which incarceration may have an effect.
CHAPTER IV
PRESENTATION OF FINDINGS

The purpose of this chapter was to present the findings of the study in order to describe and explain the significance of the respondent’s demographics compared with their awareness and attitude toward the dependent variables incarceration, birth rate, and racial disparities. This chapter presents the findings of the study. The findings are organized into two sections: demographic data and research questions and hypotheses.

Demographic Data

This section provides a profile of the study respondents. Descriptive statistics were used to analyze the following: gender, age group, educational attainment, ethnic group, and amount of children birthed. There was no target population. Ninety-one respondents were selected utilizing convenience sampling among randomly selected persons who volunteered to fill out the survey.

The researcher desired to receive a non-biased report of individuals at any capacity to identify the study of quantifiable subsets within a given population, which characterize the population at a specific point in time. Both distributions and trends of values within a demographic variable are of interest. Demographics can be viewed as the essential information about the population of a region and the culture of the people there.
Table 1

*Demographic Profile of Study Respondents (N = 91)*

<table>
<thead>
<tr>
<th>Variable</th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gender</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Female</td>
<td>53</td>
<td>58.2</td>
</tr>
<tr>
<td>Male</td>
<td>38</td>
<td>41.8</td>
</tr>
<tr>
<td>Age Group</td>
<td></td>
<td></td>
</tr>
<tr>
<td>18-24</td>
<td>8</td>
<td>8.8</td>
</tr>
<tr>
<td>25-31</td>
<td>34</td>
<td>37.4</td>
</tr>
<tr>
<td>32-49</td>
<td>34</td>
<td>37.4</td>
</tr>
<tr>
<td>50 &amp; Up</td>
<td>15</td>
<td>16.5</td>
</tr>
<tr>
<td>Educational Attainment</td>
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<td></td>
</tr>
<tr>
<td>Less than High School</td>
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<td>7.7</td>
</tr>
<tr>
<td>High School/GED</td>
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<td>7.7</td>
</tr>
<tr>
<td>Some College</td>
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<td>15.4</td>
</tr>
<tr>
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<td>38.5</td>
</tr>
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<td>30.8</td>
</tr>
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<td>Ethnic Group</td>
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<td></td>
</tr>
<tr>
<td>African American</td>
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<td>71.4</td>
</tr>
<tr>
<td>Caucasian</td>
<td>13</td>
<td>14.3</td>
</tr>
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Table 1 (continued)

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<tr>
<td>None</td>
<td>54</td>
<td>59.3</td>
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<tr>
<td>1-2</td>
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<td>29.7</td>
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<td>3-4</td>
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<tr>
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</tr>
<tr>
<td>7 &amp; Above</td>
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<td>2.2</td>
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</table>

As indicated in Table 1, the typical respondent of the study was an African-American female college graduate, who was between the ages of 25-49 and had no children.

Research Questions and Hypotheses

There were three research questions and three null hypotheses in the study. This section provides an analysis of the research questions and a testing of the null hypotheses.
Research Question 1: Is there a statistically significant relationship between incarceration and birth rate?

Hypothesis 1: There is no statistically significant relationship between incarceration and birth rate.

Table 2 is a frequency distribution of the sub-facets of incarceration and birth rate. Table 2 indicates whether or not the respondents agreed or disagreed with if they have ever been incarcerated, if they knew an African American (AA) who is incarcerated, if they are familiar with the Violent Crime Control and Law Enforcement Act of 1994, and if they believe the African-American family was at risk due to mass incarceration. Table 2 also indicates if respondents agree or disagree if Non-Hispanic white people will no longer make up the majority of Americans by 2043, imprisonment decreases birth rates of African Americans, African Americans have the same chance at same race birth as other races, and there are large disparities in birth rates among African Americans.
Table 2

_Incarceration and Birth Rate Sub-facets_

<table>
<thead>
<tr>
<th>Sub-facet</th>
<th>Disagreed</th>
<th>Agreed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Incarceration 1: I have been incarcerated</td>
<td>38 41.8</td>
<td>53 58.2</td>
</tr>
<tr>
<td>Incarceration 2: Know an AA incarcerated</td>
<td>33 36.3</td>
<td>58 63.7</td>
</tr>
<tr>
<td>Incarceration 3: Familiar with VCCLE Act</td>
<td>39 42.9</td>
<td>52 57.1</td>
</tr>
<tr>
<td>Incarceration 4: AA family risk of incarceration</td>
<td>36 39.5</td>
<td>55 60.4</td>
</tr>
<tr>
<td>Birth Rate 1: Non-Hispanic White not major</td>
<td>40 44.0</td>
<td>51 56.0</td>
</tr>
<tr>
<td>Birth Rate 2: Imprisonment decreases birth rate</td>
<td>42 46.2</td>
<td>49 53.8</td>
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<td>Birth Rate 3: AA women same birth rate</td>
<td>39 42.9</td>
<td>52 57.1</td>
</tr>
<tr>
<td>Birth Rate 4: Large Disparity birth rate of AA</td>
<td>38 41.8</td>
<td>52 58.2</td>
</tr>
</tbody>
</table>

As shown in Table 2, respondents indicated that they agreed (58%) that they were incarcerated. Respondents indicated that they agreed (64%) that they know an African American incarcerated, and they agreed (57%) that they were familiar with the Violent Crime Control and Law Enforcement Act of 1994 (VCCLE). Also, respondents agreed (60%) that the African-American family is at risk due to incarceration. Among Birth Rates, respondents agreed (56%) Non-Hispanic whites will no longer make up the majority of the population by 2043. Respondents agreed (54%) that imprisonment decreases birth rate of African Americans and agreed (57%) that African-American
women have the same chance at same race birth as other races. Lastly, respondents agreed (58%) that there are large disparities in birth rates among African Americans.

Table 3 is a cross-tabulation of incarceration and birth rate. It shows the association between incarceration and birth rate and indicates whether or not there was a statistically significant relationship between the two variables.

Table 3

*Cross-Tabulation of Incarceration and Birth Rate*

<table>
<thead>
<tr>
<th>INCARCE</th>
<th>Disagree</th>
<th>Agree</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>#</td>
<td>%</td>
<td>#</td>
</tr>
<tr>
<td>DISAGREE</td>
<td>39</td>
<td>42.9</td>
<td>25</td>
</tr>
<tr>
<td>AGREE</td>
<td>12</td>
<td>13.2</td>
<td>15</td>
</tr>
<tr>
<td>TOTAL</td>
<td>51</td>
<td>56.0</td>
<td>40</td>
</tr>
</tbody>
</table>

Φ = .152 df = 1 p = .148

As indicated in Table 3, 43% of the respondents indicated they disagreed with a relationship with incarceration and birth rate when the cross tabulation was ran. A large majority (70%) indicates that, overall, they disagree that incarceration has little to no effect on birth rate. Only 13% indicated that they agree when cross tabulation was ran.
As shown in Table 3, the statistical measurement phi ($\Phi$) was employed to test for the strength of association between incarceration and birth rate. As indicated, there was no statistically significant relationship ($\Phi = .152$) between the two variables. When chi-square statistical test for significance was applied, the null hypothesis was not rejected ($p = .148$) indicating there was not significance in the relationship between the two variables at the .05 level of probability.

Research Question 2: Is there a statistically significant relationship between incarceration and racial disparity?

Hypothesis 2: There is no statistically significant relationship between incarceration and racial disparity.

Table 4 is a cross-tabulation of incarceration and racial disparity. It shows the association between incarceration and racial disparity and indicates whether or not there was a statistically significant relationship between the two variables.
As indicated in Table 4, there is a slight majority (52%) of the respondents who agree there is racial disparity within the incarceration system, overall showing a slight significance. As shown in the table, the statistical measurement phi (Φ) was employed to test for strength of association between incarceration and racial disparity. As indicated, there was no significance (Φ = .192) in the relationship between the two variables. When the chi-square statistical test for significance was applied, the null hypothesis was not rejected (p = .067) indicating that there was a statistical significance in the relationship between the two variables at the .05 level of probability.
Research Question 3: Is there a statistically significant relationship between incarceration and family development?

Hypothesis 3: There is no statistically significant relationship between incarceration and family development.

Table 5 is a cross-tabulation of incarceration and family development. It shows the association between incarceration and racial disparity and indicates whether or not there was a statistically significant relationship between the two variables.

Table 5
Cross-Tabulation of Incarceration and Family Development

<table>
<thead>
<tr>
<th>INCARCE</th>
<th>Disagree</th>
<th>Agree</th>
<th>Total</th>
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</thead>
<tbody>
<tr>
<td>#</td>
<td>%</td>
<td>#</td>
<td>%</td>
</tr>
<tr>
<td>Disagree</td>
<td>27 29.7</td>
<td>12 13.2</td>
<td>39 42.9</td>
</tr>
<tr>
<td>Agree</td>
<td>24 26.4</td>
<td>28 30.8</td>
<td>52 57.1</td>
</tr>
<tr>
<td>Total</td>
<td>51 56.01</td>
<td>40 44.0</td>
<td>91 100.0</td>
</tr>
</tbody>
</table>

\[ \Phi = .230 \quad \text{df} = 1 \quad \text{p} = .028 \]

As indicated in Table 5, there is significance among the respondents that agree (57%) that incarceration has an impact on family development. As shown in the table, the statistical measurement phi (\(\Phi\)) was used to test for the strength of association between
incarceration and family development. As indicated, there was no association (Φ = .230) between the two variables. When chi-square statistical test for significance was applied, the null hypothesis was rejected (p = .028) indicating that there was a statistically significant association between the two variables at the .05 level of probability.

In sum, 91 surveyed respondents indicated that they did not find a relationship between birth rate and incarceration via cross-tabulation. However, when the sub-facets where identified via frequency, respondents agreed (54%) that imprisonment decreases birth rates of African Americans. When the cross-tabulation was conducted to test the relationship between incarceration and racial disparity, statistical significance was shown. Also, when the cross-tabulation was conducted to identify if there was a relationship between family development and incarceration, statistical significance was shown as well. Overall, the results show incarceration has effects on the decrease of the African-American family, and has an effect on family development. The results also show there are racial disparities identified by respondents in the prison system.
CHAPTER V
CONCLUSIONS AND RECOMMENDATIONS

The research study was designed to answer three questions concerning the relationship between incarceration, birth rate, and racial disparities of respondents that were conveniently selected. The conclusions and recommendations of the research findings are presented in this chapter. Recommendations are proposed for future discussions for policy makers, social workers, practitioners and administrators. Each research question is presented in order to summarize the significant findings of interest.

Research Question 1: Is there a statistically significant relationship between incarceration and birth rate?

In order to determine if there was a relationship between incarceration and birth rate, eight facets were analyzed in Section II of the Likert Scale of the study. Four facets from the Incarceration section and four facets from Birth Rate Section (I have been incarcerated, I know an African American who is incarcerated, I am familiar with the Violent Crime Control and Law Enforcement Act of 1994, The African-American family is at risk due to mass incarceration, non Hispanic white people will no longer make up the majority of Americans by 2043, Imprisonment decreases birthrate of African Americans, African-American women have the same chance at same race birth as other races, and There are large disparities in birth rates among African Americans) were ran.
through a frequency test in order to receive the results. Incarceration and Birth Rate were computed based on a calculation of these eight facets in total. In order to determine the true value or arithmetic mean of the variable, the values (1 thru 4) from the measurement scale of the eight facets for Incarceration and Birth Rate were calculated by dividing the sum total of the set of figures by the number of figures.

Of the 91 respondents surveyed, a minority (30%) of the respondents indicated that they did find a relationship between incarceration and birth rate overall. The majority (70%) of the respondents indicated that they did not find a relationship between incarceration and birth rate based on the level of responses overall. When cross-tabulated 13% indicated they agreed, yet 43% indicated that they disagreed between the relationship of birth rate and incarceration. However, when the respondents were asked overall via the eight sub-facets if they felt imprisonment decreases the birth rate of African Americans, a slight majority (54%) agreed.

The statistical measurement phi (Φ) was employed to test for the strength of association between incarceration and birth rate. As indicated, there was a no relationship (Φ = .152) between the two variables. When the chi-square statistical test for statistical significance was applied, the null hypothesis was not rejected (p = .148) indicating that there was not a statistically significant relationship between the two variables at the .05 level of probability (see Table 3).

Research Question 2: Is there a statistically significant relationship between incarceration and racial disparity?
There is almost significance between incarceration and racial disparity (p = .067). Respondents indicated a slight majority (52%) agreeing there is a relationship. Racial disparities plays a part in the incarceration system, based on the results of the respondents.

Research Question 3: Is there a statistically significant relationship between incarceration and family development?

Fifty-seven percent of the surveyed respondents indicated they felt there was indeed a relationship between the inability of family development and incarceration. Incarceration impacts family development and has a weak or negative impact on family life according to the results; overall, showed significance.

Recommendations

Incarceration has shown to have detrimental effects and affects to the mental health, economic growth and possibly the future economy, social life and social mobility, education, and employment. Incarceration in the United States is an overcrowded and overwhelming affair of people of color, most importantly, who are incarcerated for nonviolent crimes for long sentences, at younger and younger ages.

1. Congress should pass the REDEEM Act (Record Expungement Designed to Enhance Employment Act) a bipartisan bill proposed by Cory Booker and Rand Paul in efforts to fix the nation’s broken criminal justice system.
2. Policy makers should encourage the use of dissertation research to help change the current state of the prison system and laws leading to incarceration.

3. Congress should remove laws banning nonviolent crime offenders from financial aid and voting, and implement an automatic expunge of record based on prison record, allowing those who have been incarcerated to have the ability to be a productive member of society.

4. Social workers should be educated more in policy and the development of policy in order to make a bigger impact to reform unjust/flawed laws and create laws that add to the growth of the nation to help stop the war on the poor and redirect it to the war on poverty and beyond.

5. Congress, the president, prison systems, large corporations, and education systems should employ more social workers to assist in dismantling the barriers to education, graduation, employment, social mobility, and finance in order to shift the economy and develop the nation to prepare for a transitional shift in race and prepare the nation to compete and grow for the next upcoming years.

6. The Violent Crime Control and Law Enforcement Bill of 1994 should be broken down and reformed shifting the allocation of money to more social/community programs and remove the large amount of money they spend on community policing that are only being used in areas of large populations of color.
APPENDIX A

IRB APPROVAL LETTER

CLARK ATLANTA UNIVERSITY
Institutional Review Board
Office of Sponsored Programs

April 20, 2014

Ms. Cherese N. Godwin <msggodwin@gmail.com>
School of Social Work
Clark Atlanta University
Atlanta, GA 30314


Principal Investigator(s): Cherese N. Godwin
Human Subjects Code Number: HR2014-4-532-1

Dear Ms. Godwin:

The Human Subjects Committee of the Institutional Review Board (IRB) has reviewed your protocol and approved it as exempt in accordance with 45 CFR 46.101(b)(2).

Your Protocol Exempt Approval Code is HR2014-4-532-1/A

This permit will expire on April 19, 2015. Thereafter, continued approval is contingent upon the annual submission of a renewal form to this office.

The CAU IRB acknowledges your timely completion of the CITI Training in Protection of Human Subjects - "Social and Behavioral Sciences Track". Your certification is valid for two years.

If you have any questions, please contact Dr. Georganna Bolden at the Office of Sponsored Programs (404) 880-6979 or Dr. Paul I. Mucsy, (404) 880-6829.

Sincerely,

Paul I. Mucsy, Ph.D.
Chair
IRHHS Human Subjects Committee
cc. Office of Sponsored Programs, "Dr. Georganna Bolden" <gbolden@cau.edu>

221 James P. Hargrove Drive, S.W. • ATLANTA, GA 30314-4032 • 404-681-6354
APPENDIX B

SURVEY QUESTIONNAIRE

CAU School of Social Work

THE RELATIONSHIP BETWEEN INCARCERATION, BIRTHRATE, AND RACIAL DISPARITIES
AMONG AFRICAN AMERICANS

Section I: Demographic Information

Place a mark (x) next to the appropriate item. Please choose only one answer for each question.

1. My gender: 1) Female 2) Male
2. My age Group: 1) 18-24 2) 25-31 3) 32-49 4) 50 &up
3. My highest education degree: 1) Less than High School 2) High School/GED 3) Associate 4) College 5) Masters/Above
5. Number of Children: 1) None 2) 1-2 3) 3-4 4) 5-6 5) 7 and above


Please write the appropriate number in the blank beside each statement.

1= Strongly Agree 2= Agree 3= Disagree 4= Strongly Disagree

Incarceration

6. I have been incarcerated.
7. I know an African American who is incarcerated.
9. The African American family is at risk due to mass incarceration.

Birthrates

10. Non-Hispanic White people will no longer make up the majority of Americans by 2043.
11. Imprisonment decreases birthrate of African Americans.
12. African American women have the same chance as same race birth as other races.
13. There are large disparities in birth rates among African Americans.

Racial Disparities

14. There are a lot of African American males in prison.
15. The African American family will decrease if an increase in population takes place in the prison system.
APPENDIX C

SPSS PROGRAM ANALYSIS

TITLE 'RELATIONSHIP BETWEEN INCARCERATION AND OTHER VARIABLES'.
SUBTITLE 'Cherese Godwin - CAU Social Work PhD Program'.

DATA LIST FIXED/
ID 1-3
GENDER 4
AGEGRP 5
EDUCAT 6
ETHNIC 7
CHILDR 8
MEINCAR 9
AAINCAR 10
ACTINCAR 11
RISINCAR 12
MAJBIRTH 13
PRIBIRTH 14
AAWBIRTH 15
RETBIRTH 16
AAMRACE 17
AAFRACE 18.

COMPUTE INCARCE = (MEINCAR+AAINCAR+ACTINCAR+RISINCAR)/4.
COMPUTE BIRTHRAT =(MAJBIRTH+PRIBIRTH+AAWBIRTH+RETBIRTH)/4.
COMPUTE RACIAL = (AAMRACE+AAFRACE)/2.

VARIABLE LABELS
ID 'Case number'
GENDER 'Q1 My Gender'
AGEGRP 'Q2 My Age Group'
EDUCAT 'Q3 My highest education degree'
ETHNIC 'Q4 My ethnic group'
CHILDR 'Q5 Number of Children'
MEINCAR 'Q6 I have been incarcerated'
AAINCAR 'Q7 I know an African American who is incarcerated'
ACTINCAR 'Q8 I am familiar with the Violent Crime Control and Law Enforcement Act of 1994'
RISINCAR 'Q9 The African American family is at risk due to mass incarceration'

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APPENDIX C
(continued)

MAJBIRTH 'Q10 No Hispanic White people will no longer make up the majority of Americans by 2043'
PRIBIRTH 'Q11 Imprisonment decreases birthrate of African Americans'
AAWBIRTH 'Q12 African American women have the same chance at same race birth as other races'
RETBIRTH 'Q13 There are large disparities in birth rates among African Americans'
AAMRACE 'Q14 There are a lot of African American males in prison'
AAFRACE 'Q15 The African American family will decrease if an increase in population takes place in the prison system'.

VALUE LABELS
GENDER
1 'Female'
2 'Male'/
AGEGRP
1 '18-24'
2 '25-31'
3 '32-49'
4 '50&up'/
EDUCAT
1 'Less than HighSchool'
2 'Highschool GED'
3 'Some College'
4 'College Grad'
5 'Graduate School'/
ETHNIC
1 'AfricanAmer-Black'
2 'Caucasian'
3 'Hispanic'
4 'Asian'
5 'Other'/
CHILDR
1 'None'
2 '1-2'
3 '3-4'
4 '5-6'
5 '7 & above'/
MEINCAR
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2 'Disagree'
3 'Agree'
4 'Strongly Agree'/
## APPENDIX C

(continued)

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<td></td>
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APPENDIX C
(continued)

AAFRACE
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2 'Disagree'
3 'Agree'
4 'Strongly Agree'/

INCARCE
1 'Strongly Disagree'
2 'Disagree'
3 'Agree'
4 'Strongly Agree'/

BIRTHRAT
1 'Strongly Disagree'
2 'Disagree'
3 'Agree'
4 'Strongly Agree'/

RACIAL
1 'Strongly Disagree'
2 'Disagree'
3 'Agree'
4 'Strongly Agree'/.

RECODE MEINCAR AAINCAR ACTINCAR RISINCAR (1 THRU 2.99=2)(3 THRU 4.99=3).
RECODE MAJBIRTH PRIBIRTH AAWBIRTH RETBIRTH AAMRACE AAFRACE(1 THRU 2.99=2)(3 THRU 4.99=3).
RECODE INCARCE BIRTHRAT RACIAL (1 THRU 2.99=2)(3 THRU 4.99=3).

MISSING VALUES
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APPENDIX C
(continued)

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APPENDIX C

(continued)

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END DATA
APPENDIX C

(continued)

FREQUENCIES
/VARIABLES  GENDER AGEGRP EDUCAT ETHNIC CHILDR MEINCAR AAINCAR ACTINCAR RISINCAR MAJBIRTH PRIBIRTH AAWBIRTH RETBIRTH AAMRACE AAFRACE INCARCE BIRTHRAT RACIAL
/STATISTICS = DEFAULT.
REFERENCES


152


*Dred Scott v. Sandford, 60 U.S. 393, 410 (1857).* (a.k.a. the "Dred Scott case", U.S. Supreme Court case).


Integrity. (2008). C.A.C.O. *COPS Evaluation Brief No. 3*


