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A PHILANTHROPIC PARTNERSHIP FOR BLACK COMMUNITIES

Criminal Justice **BLACK FACTS**





Criminal Justice: UnEqual Opportunity

BLACK MEN HAVE AN INCARCERATION RATE
NEARLY 7 TIMES HIGHER THAN THEIR WHITE
MALE COUNTERPARTS.

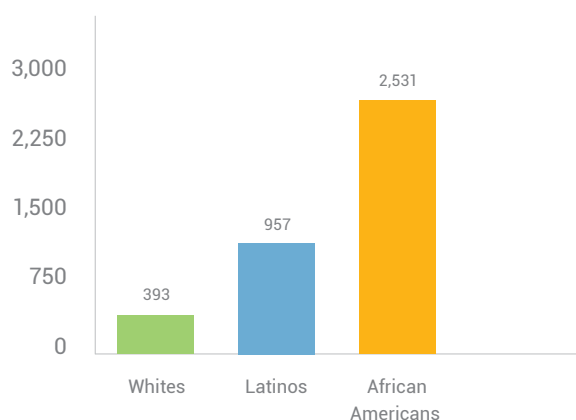
Criminal Justice: Black Facts

FOR DECADES, INCARCERATION HAS BEEN AMERICA'S SOLUTION TO CRIME.

Criminal Justice Overview

For decades, incarceration has been America's solution to crime. From 1973 to 2009 America's prison population grew by 703%. American society has the largest documented incarceration rate in the world. Over two million individuals are currently incarcerated within American prisons and jails. Nowhere is the impact of this prison industrial complex felt more profoundly than in the African American community. Often, systemic policies, practices and barriers work against African Americans and negatively affect their life chances significantly. This can leave many African Americans (males especially) vulnerable to incarceration, which in turn leads to a large number of Black men within the criminal justice system. Consequently, as the society moves from an industrial work force to a technologically skilled one, African American males coming out of prison and detention will be further ill-equipped to provide financially for their families, thus, making the "street hustle" and criminal activity a more attractive option, that will land them back in prison. This is a recidivistic cycle that facilitates poor community development and disrupts the African American family. Furthermore, it is a disproportionate systemic cycle that has become worse over time, as depicted in the chart below.

U.S. incarceration rates by race



Per 100,000 population, 2004

Statistics as of June 30, 2004 from Prison and Jail Inmates at Midyear 2004, Tables 1, 14 and 15 and U.S. Census.

Without consistent, thoughtful and significant intervention, the social mobility and future life chances of a generation of African American men will be severely curtailed, which in turn will destabilize communities and ultimately, American society. The numbers are staggering and reveal a problem that unfortunately has reached epidemic proportions.

Black men have an incarceration rate nearly 7 times higher than their White male counterparts

An estimated 7.3% of all Black males between the ages of 30-34 are incarcerated

While only making up 14% of the population, African Americans make up 39% of the American prison and jail population

Black males are incarcerated at a rate of 4,347 per 100,000 as opposed to their white counterparts who have a rate of 678 per 100,000

Black women have an incarceration rate 3 times that of white females

1 out of 87 working aged white men are currently in prison or jail, for African American men it is 1 out of 12

More young (20-34) African American men, without a high school diploma or GED, are currently incarcerated (37%) than are employed (26%)

Inequality and Incarceration

Racial discrimination from law enforcement

African Americans are more likely to be racially profiled, be stopped by the police, have their cars searched and be taken into custody. Blacks are also more likely to be identified as threats and have force used against them by law enforcement officers. This creates a disproportionate flow of African Americans into the criminal justice system on the front end.

An unbalanced justice system

Once in custody, African Americans are more likely to receive higher bails, worse plea-bargain proposals, longer sentences and quicker parole violations. All of this leads to longer prison stays and higher recidivism rates for African Americans.

AN ESTIMATED 7.3% OF ALL BLACK MALES BETWEEN THE AGES OF 30-34 ARE INCARCERATED.

Legislative bias

Biased drug sentences, mandatory minimum sentences and “Three Strikes” sentences all disproportionately affect African American males. Black males are 12 times more likely to receive these sentences than their White counterparts.

Poverty's interaction with race and crime

The systemic disproportionate impoverishment and marginalization of African Americans make them more likely to use public defenders that often have caseloads too large to offer a high quality defense. Also, African American's disproportionately lower income makes it less likely that they can afford bail and more likely that they remain in prison for extended periods of time.

Debilitating cycle of discrimination

The disproportionate arrest and prosecution of African Americans in and of itself perpetuates racial profiling practices and unequal policing of Black communities. This in turn creates a vicious cycle. More arrests lead to more punitive supervision and surveillance and increased surveillance and policing lead to more arrests. Thus, African American incarceration becomes a revolving door.

Collateral Costs of Incarceration

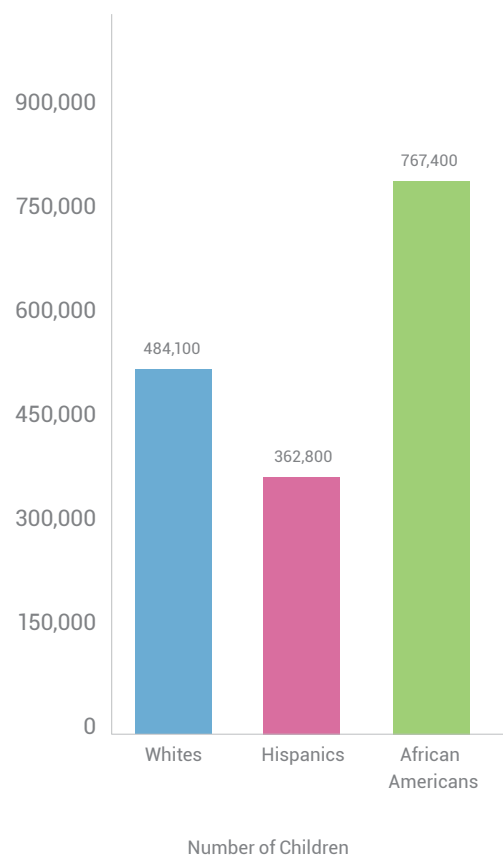
The mass incarceration of African Americans (African American males specifically) has a profound affect on their social and economic mobility. Incarceration can also have a debilitating impact on Black family dynamics and community functioning. The negative impact of incarceration is significant in both scope and reach.

The familial and intergenerational impact of incarceration

Approximately 7% of African American children have a parent who is incarcerated (this figure does not include those under state supervision and awaiting trial) which equates to almost 1 in 9 African American children with a parent who is incarcerated. This means Black children are more likely to have their home life disrupted and be exposed to the childhood trauma of a parent's incarceration. This has far reaching consequences beyond the parent's initial incarceration. This childhood trauma affects the child well into adulthood. This trauma can severely destabilize the child's economic,

academic and emotional well being for years. In fact, children of incarcerated parent's are 5 times more likely to come into contact with the criminal justice system than their peers whose parents are not incarcerated. Having an incarcerated parent can severely hamper the educational opportunities of African American children. Research suggests that having an incarcerated parent is associated with more aggressive school behavior in boys and more school suspensions. Having an incarcerated parent can also negatively affect the family's economic mobility. Research has indicated that family income drops significantly once a parent is incarcerated, and often never recovers to the point prior to incarceration. This means that once a family has a parent incarcerated, even if they weren't poor before, they become poor and for the most part remain poor for the foreseeable future.

Children with at least one parent Incarcerated by Race and Ethnicity, 2007



Source: The Sentencing Project, 2009. Incarcerated parents and their children

APPROXIMATELY 7% OF AFRICAN AMERICAN CHILDREN HAVE A PARENT WHO IS INCARCERATED.

The impact of incarceration on post-release employment and economic mobility

Research suggests that former inmates experience significantly higher rates of unemployment and underemployment. Incarceration can reduce yearly wages by as much as 40%. Furthermore, having a history of incarceration can effectively impede subsequent work success. In fact, it can prove to be a nearly insurmountable barrier. Incarceration permanently alters the economic trajectory of individuals. Former inmates make less pay per hour, work fewer hours per week, and reap lower annual earnings. Simply put, formerly incarcerated African American's economic mobility is severely curtailed. In American society, one would expect hard work, experience and educational attainment to produce positive economic and career results. However, for formerly incarcerated African Americans this is not the case.

The impact on the African American community

Because of persistent and pervasive racial, social and class segregation, African American communities are disproportionately policed, arrested, convicted and incarcerated leaving these communities to deal with the economic and psychological burden of lost human capital and the complex dilemma of reintegration into the community. Furthermore, many Black communities deal with very high recidivism rates because of the aforementioned reasons. This creates a deadly symbiosis between the prison industrial complex and poor African American communities, in which it becomes difficult to differentiate where the complex ends and the community starts.

Philanthropic strategies to promote equal opportunity within the justice system

Fund research to promote equality and minimize bias

The use of data and statistics can make a very compelling argument for reform and can also signal what needs reforming. The use of data once reforms are in place will allow policymakers to discern how reforms are doing and if further reforms or strategies are necessary. Law enforcement can also use data to ascertain if strategies are just and moreover if current strategies and policies are yielding desired results. Tweaking certain policies

may yield better policing, but also promote fairness in the policing process. *Philanthropy* can lead the charge toward the use of data to promote equality at different stages of the problem.

Support the targeting and reform of policies that promote disproportionality

Philanthropy's unique position as a neutral funder allows it to leverage different voices and bring them to the table to discuss and target policies that promote disproportionality. *Philanthropy* can convene conversations with experts that develop specific steps that can be taken at various key decision points in the criminal justice system to reduce racial disparity.

Fund innovative approaches

Doing grantmaking is what philanthropy does well. In this case *philanthropy* can fund projects that address the problem of racial disparity in an effective and innovative manner. Innovative programs when coupled with intentional efforts to reduce disproportionate African American incarceration, can yield impactful and positive results without compromising public safety or the American justice system.

Fund programs that connect former inmates to work and employment

Philanthropy can fund transitional work programs that work to connect former inmates to employment skills and opportunities. Research suggests that these programs have shown to be effective in promoting employment longevity and reducing recidivism.

Engage those most affected by the problem

Philanthropy can encourage policy makers, law enforcement and researchers to use the first hand account of individuals affected by mass incarceration. The advantage of this is that systems can use the first hand experience of this group to ascertain what works and what makes positive reentry possible and what can be done on the front end to prevent African Americans from coming into contact with the justice system in the first place.

Criminal Justice: Black Facts

AMERICA HAS MANY LAWS THAT PROTECT AFRICAN AMERICANS AND OTHER MINORITIES FROM DISCRIMINATION.

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