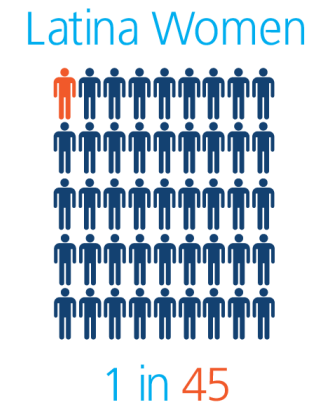
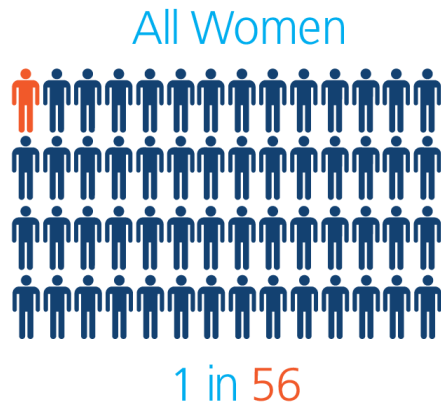
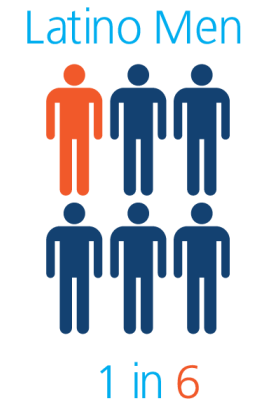
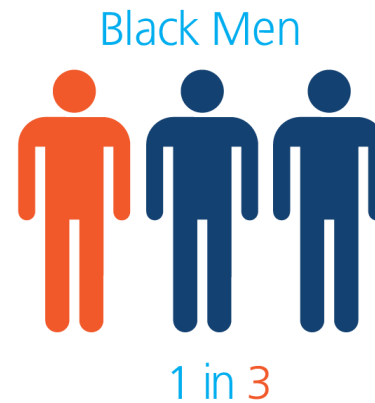


# Lifetime Likelihood of Imprisonment



Source: Bonczar, T. (2003). *Prevalence of Imprisonment in the U.S. Population, 1974–2001*. Washington, D.C.: Bureau of Justice Statistics

# Racial Gap in Men's Sentencing

By JOE PALAZZOLO  
WALL STREET JOURNAL  
Feb. 14, 2013 5:36 p.m. ET

Prison sentences of black men were nearly 20% longer than those of white men for similar crimes in recent years, an analysis by the U.S. Sentencing Commission found.

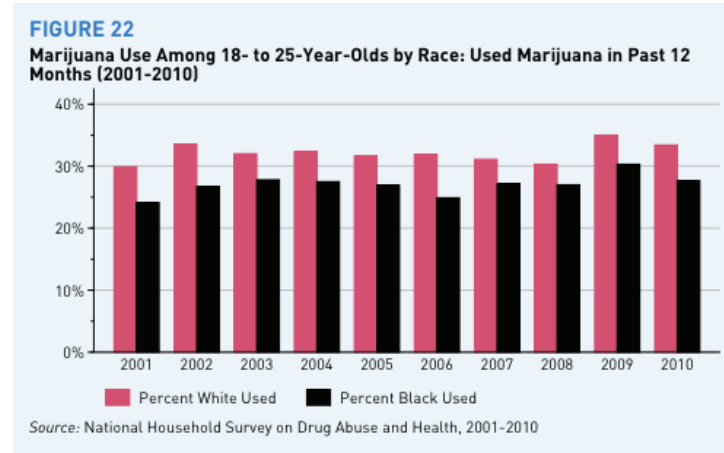
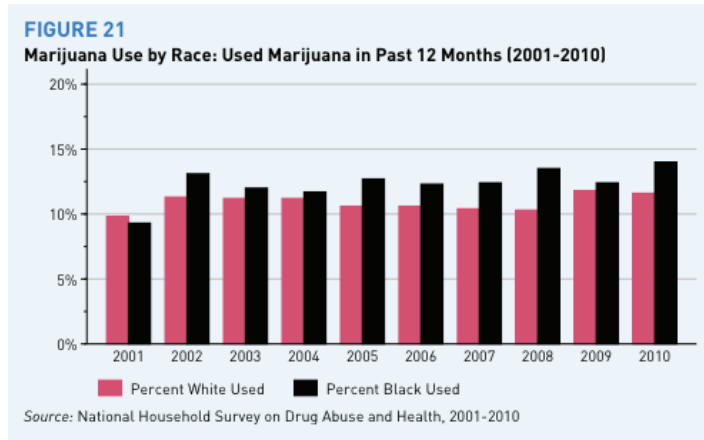
That racial gap has widened since the Supreme Court restored judicial discretion in sentencing in 2005, according to the Sentencing Commission's findings, which were submitted to Congress last month and released publicly this week.



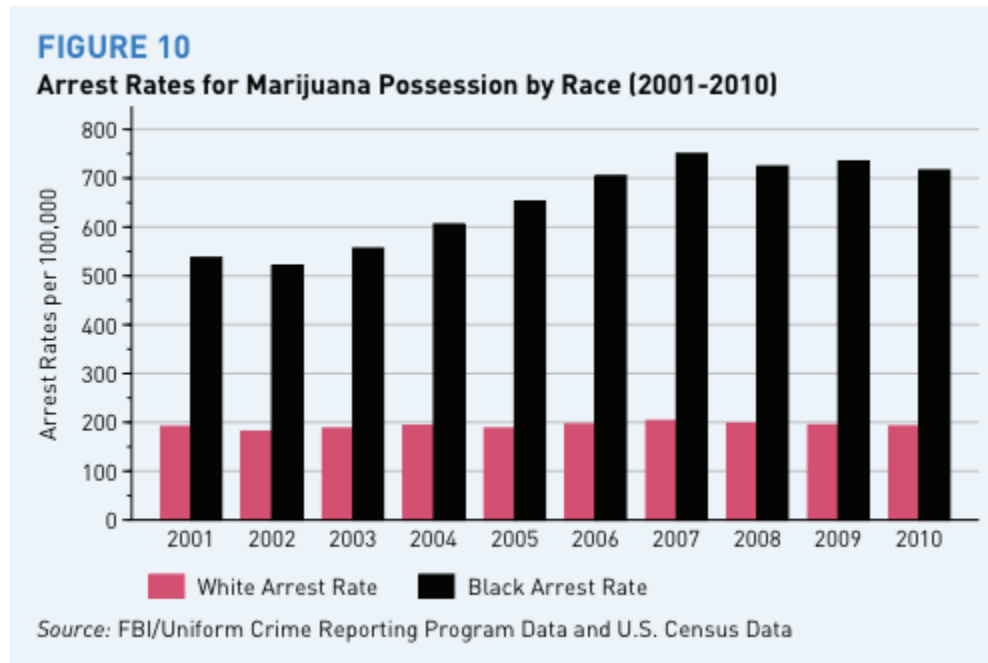
## Marijuana Use Rates Vs. Arrest Rates

Black and white people use marijuana at roughly the same rates:

For young people ages 18-25, the rates of use are higher for whites:



But there is a wide gap in arrest rates:



# When It Comes To Illegal Drug Use, White America Does The Crime, Black America Gets The Time

By **Saki Knafo**. Huffington Post. Posted: 09/17/2013 2:26 pm EDT Updated: 09/18/2013 10:43 am EDT

White Americans are more likely than black Americans to have used most kinds of illegal drugs, including cocaine, marijuana and LSD. Yet blacks are far more likely to go to prison for drug offenses.

Nearly 20 percent of whites have used cocaine, compared with 10 percent of blacks and Latinos, according to a 2011 survey from the Substance Abuse and Mental Health Services Administration -- the most recent data available.

Higher percentages of whites have also tried hallucinogens, marijuana, pain relievers like OxyContin, and stimulants like methamphetamine, according to the

survey. Crack is more popular among blacks than whites, but not by much. Still, blacks are arrested for drug possession more than three times as often as whites, according to a 2009 report from the advocacy group Human Rights Watch.

Of the 225,242 people who were serving time in state prisons for drug offenses in 2011, blacks made up 45 percent and whites comprised just 30 percent, according to the Bureau of Justice Statistics.

Jamie Fellner, author of the Human Rights Watch report, offered an explanation for this discrepancy.



"The race issue isn't just that the judge is going, 'Oh, black man, I'm gonna sentence you higher,'" she said. "The police go into low-income minority neighborhoods and that's where they make most of their drug arrests. If they arrest you, now you have a 'prior,' so if you plead or get arrested again, you're gonna have a higher sentence. There's a kind of cumulative effect."



### **Racial Disparities [Differences] in Incarceration**

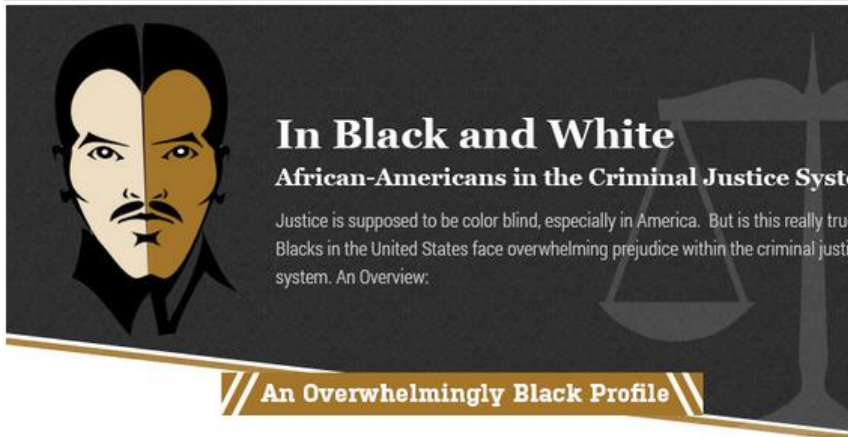
- African Americans now constitute nearly 1 million of the total 2.3 million incarcerated population
- African Americans are incarcerated at nearly six times the rate of whites
- Together, African American and Hispanics comprised 58% of all prisoners in 2008, even though African Americans and Hispanics make up approximately one quarter of the US population

### **Drug Sentencing Disparities**

- About 14 million Whites and 2.6 million African Americans report using an illicit drug

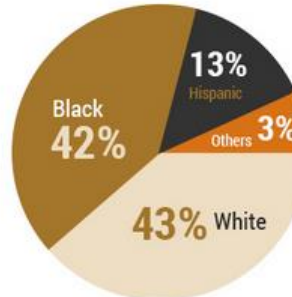
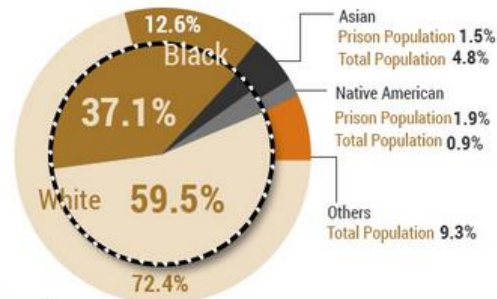
- 5 times as many Whites are using drugs as African Americans, yet African Americans are sent to prison for drug offenses at 10 times the rate of Whites
- African Americans represent 12% of the total population of drug users, but 38% of those arrested for drug offenses, and 59% of those in state prison 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)

Source: NAACP Criminal Justice Fact Sheet



African Americans comprise only 12.6% of the population, but in prisons they represent 37.1% of the inmates.

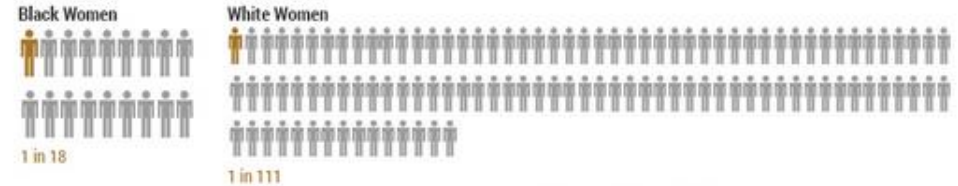
While percentage wise they are almost equal, as an absolute number Blacks are over represented on death row.



Blacks who killed whites were sentenced to death 22 times more frequently than blacks who killed blacks, and 7 times more frequently than whites who killed blacks.

## If you are Black, you have increased likelihood of

### Experiencing incarceration in your lifetime:



### Facing Wrongful arrest:

Of the total number of people exonerated by DNA testing, African-Americans represent 63% of those, indicating more African-Americans are wrongfully accused and arrested of crimes than whites.

### Receiving harsher sentence:

On average, blacks receive almost 10% longer sentences than comparable whites arrested for the same crimes.



In federal courts, the average sentence during 2008 and 2009 was 55 months for whites and 90 months for blacks.

## If you are Black, you have decreased likelihood of

### Posting Bail:

Average difference in bail amount for blacks charged with violent crimes vs. whites charged for the same crime:



Only 40% of Blacks make bail, by comparison to 53% of whites charged with violent offenses.

### Receiving a Sentence Diversion:

When charged with crimes providing for the option of diversion

**20%** of white received that benefit

**14%** of similarly situated blacks were placed in such programs.

**11%** of similarly situated Hispanics were placed in such programs.

# There's blatant inequality at nearly every phase of the criminal justice system

PUBLISHED IN BUSINESS INSIDER

BY ANDREW KAHN AND CHRIS KIRK, [SLATE](#)

Aug. 9, 2015, 9:35 PM

## 1. Black Americans are more likely to have their cars searched.

Police are three times as likely to search the cars of stopped black drivers than stopped white drivers, as the chart below, based on data from the Bureau of Justice Statistics, illustrates. Nationally, black drivers are also **more likely** to be pulled over and less likely to receive a reason for being stopped.

## 2. Black Americans are more likely to be arrested for drug use.

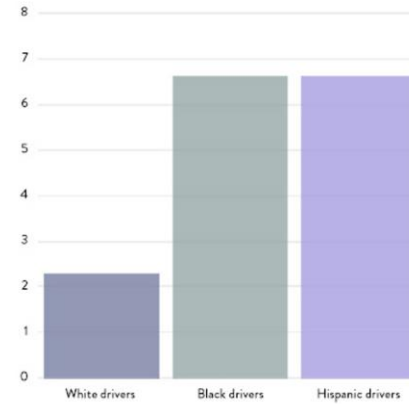
Police arrest black Americans for drug crimes at twice the rate of whites, according to federal **data**, despite the fact that whites **use drugs at comparable rates** and sell drugs at comparable or even higher rates.

## 3. Black Americans are more likely to be jailed while awaiting trial.

A **2014 study** in New York City **showed** that blacks were more likely than whites or nonblack minorities to be in jail while they await trial, even after controlling for the seriousness of charges and prior record. Other research **suggests** that this disparity is often due to the fact that black defendants cannot afford to pay bail.

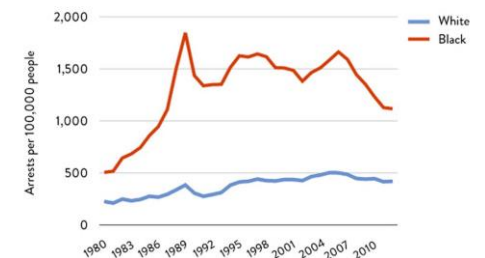
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Percent of Stopped Drivers Searched by Police in 2011



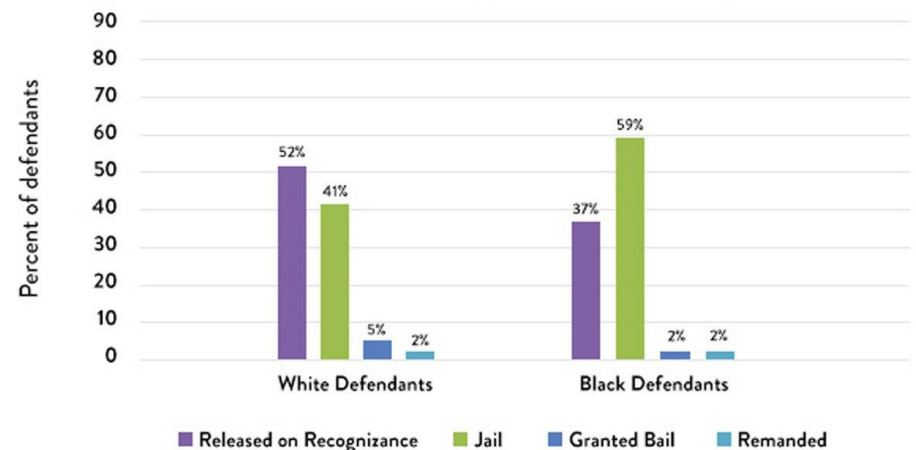
2

Drug-Related Arrest Rates by Race



3

Detention Status After Arraignment for Felony Defendants





**4. Black Americans are more likely to be offered a plea deal that includes prison time.**

The same study in New York found that black defendants are more likely to be offered plea deals that include prison time than whites or nonblack minorities. Even after controlling for many factors, including the seriousness of charges and prior record, blacks were 13 percent more likely than whites to be offered such deals.

**5. Black Americans may be excluded from juries because of their race.**

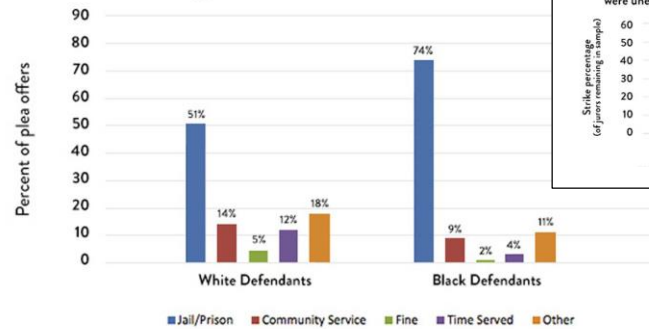
Researchers found that North Carolina prosecutors were excluding black people from juries in capital cases at twice the rate of other jurors, even when controlling for legitimate justifications for striking jurors, such as employment status or reservations about the death penalty. Other studies have shown that excluding black people from juries can influence deliberations and verdicts. For example, black defendants in capital cases with white victims are less likely to receive a death sentence if there is a black juror.

**6. Black Americans are more likely to serve longer sentences than white Americans for the same offense.**

A 2012 working paper found “robust evidence” that black male federal defendants were given longer sentences than comparable whites. Black men’s sentences were, on average, 10 percent longer than those of their white peers. This is partly explained by the fact that prosecutors are about twice as likely to file charges against blacks that carry mandatory minimum sentences than against whites.

4

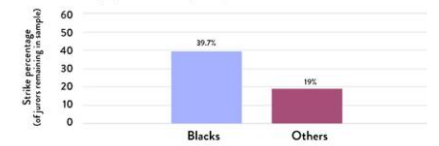
**Plea Offer Types for Felonies**



5

**Jurors Struck From Pool**

Excluding jurors who expressed reservations about the death penalty, were unemployed, or knew a participant in the trial.



6

**Distribution of Prison Sentences**

