

that spending \$1 million to expand the use of mandatory sentencing to drug offenders would reduce consumption nationally by thirteen kilograms, that arresting and incarcerating more dealers would reduce consumption by twenty-seven kilograms, but that expanding treatment to more heavy drug users would result in a one hundred-kilogram reduction.³³

These and similar programs are not difficult to implement. They also hold the potential for long-term cost savings and represent a more humane approach to the problem of substance abuse than mandatory sentencing and long-term incarceration. In recent years, such programs have been implemented successfully in many communities around the country. Despite this, the drug war becomes more entrenched each day.

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What's Class Got to Do with It?

The trial of O. J. Simpson, however unusual, taught the nation much about media, celebrity, and the racial divide. The trial also highlighted the intersection of issues of race and class, and how these categories play out in the criminal justice system.

Regardless of where one stands on the question of Simpson's guilt or innocence, few persons doubt that had he been a low-income African American male, rather than a wealthy star, his criminal trial would have had a very different outcome. Even if one believes that a black man charged with killing two white people suffers no disadvantages in the court system, the burdens involved in a criminal trial became painfully clear in the Simpson court proceedings—and, clearly, ones that no indigent defendant, or even a defendant of limited means, could overcome. The way in which a wealthy defendant's resources could purchase DNA expert testimony, pursue investigative leads regarding police misconduct, and assemble an all-star defense team—all perfectly legitimate in our court system—clearly proved to be critical in presenting a strong case to the jury.

So, when we speak about race and the criminal justice system, we are often in fact also talking about class. How to untangle these overlapping effects is a complex problem, but one that is critical to understanding the status of African Americans and the criminal justice system.

The criminal justice system in general and prison in particular have long served as the principal arena for responding to

the crimes of lower-income people. The demographics of the prison population illustrate this well: a 1997 survey of state inmates conducted by the Justice Department found that 68 percent of prisoners had not completed high school, 53 percent earned less than \$1,000 in the month prior to their incarceration, and nearly one half were either unemployed or working only part-time prior to their arrest.

"So what?" many will say. "These prisoners have committed crimes, and many of them violent crimes—surely it is no surprise that they are now in prison." Perhaps not. But it is useful to consider what constellation of individual, family, and economic circumstances led to their incarceration.

Although drug offenses constitute the largest growth area of black incarceration, black males are also arrested and convicted quite disproportionately for committing violent crimes. African Americans accounted for 37 percent of those arrested for violent offenses in 2003, and 49 percent of the African Americans in state prison in 2000 were incarcerated for a violent offense.

Clearly, the 37 percent black share of violent arrests is quite disproportionate to the 13 percent of the total population comprised of African Americans. How can we understand this high rate of black violent offending? To what extent is this a question of race—some would contend that this represents socialization issues or a "subculture of violence"—and to what extent is it a function of class, that is, the disproportionately low-income status of African American offenders?

In recent years, much new information has come to light on these issues through the insights provided by the National Youth Survey (NYS), a study of a sample of 1,725 youths aged 11–17 in 1976.¹ The survey has followed this cohort over a two decade period, using self-report analyses to track rates of offending behaviors. In particular, the NYS examines the extent

to which members of the sample engage in serious violent offending, defined as aggravated assault (attacking someone with the idea of seriously hurting or killing the person), robbery (using force or strongarm methods to obtain money or other items from people), and rape (having or trying to have sex with someone against their will). The survey documents the age at which offenders first engage in serious violent offending as well the extent to which these behaviors continue through their teen years and twenties.

Delbert Elliott, former president of the American Society of Criminology, and his colleagues have analyzed the data from the survey in a series of analytical reports. The results are quite instructive and sobering in a number of regards. First, we find that engaging in violent behavior is quite prevalent across all demographic groups. Among males, 42 percent have engaged in some type of serious violent offending by age 27; 16 percent of females have done so as well.

Although these rates of involvement in violent behaviors are quite disturbing, the good news is that for most youth, these experiences are relatively brief in duration. The peak year of involvement in these offenses for males, for example, is 17; by age 24, the rate of participation is just half that of age 17. Similar trends can be seen for females as well.

In looking at rates of violent offending by race, we find a number of intriguing results. First, black males engage in serious violent offending at rates that are higher than white males, but not dramatically so.² By age 18, 40 percent of black males have reported at least one instance of offending, compared to 30 percent of white males. By age 27, the figures are 48 percent for black males and 38 percent for white males. Thus, by age 27, the ratio of blacks and whites who have *ever* engaged in violent offending is about 5:4. For lower-class males, the differences are even smaller, about 7:6. Looking at these figures, Delbert

Elliott concludes that if this rate is considered "a crude indicator of some predisposition to violence, we find little difference in predisposition by race."³

Studies that have examined crime rates controlled for class often mirror this finding. A recent review of homicide victimizations, for example, finds that "at higher socioeconomic levels, blacks and whites experience similarly low rates of homicide."⁴

A study of neighborhoods in Columbus, Ohio, by Ohio State University sociologists fleshed out this issue in greater detail.⁵ Columbus affords good opportunities for measuring the relative significance of race and social class on crime, since it contains both black and white neighborhoods that are "extremely disadvantaged" as measured by poverty rates, proportion of female-headed households, male joblessness, and occupational structures. The researchers found that violent crime rates were considerably higher in the neighborhoods of high disadvantage, regardless of race. Black rates were somewhat higher than white rates, but these differences were generally not statistically significant; the researchers concluded that "it is these differences in disadvantage that explain the overwhelming portion of the difference in crime, especially criminal violence, between white and African American communities."⁶

Although the differences in *offending* rates as measured by the NYS are relatively modest, there are in fact substantial differences between black and white *arrest* rates as measured by the FBI's Uniform Crime Reports. While the ratio of male adolescent arrest rates among blacks and whites for serious violent offenses is 4:1, the NYS survey data indicate only a 3:2 ratio of offending. It appears that the chances that a black male youth who commits a violent offense will be arrested are substantially greater than for a white offender. Observers have attempted to explain this disparity in a variety of ways, most of which have

been discussed earlier in this volume. Whatever the actual mix of explanations for these large disparities, it appears that, at least among adolescents, black illegal behavior is more likely to lead to attention by the criminal justice system.

While there are no dramatic differences in the degree to which blacks and whites become involved in violent offending at some point, there are significant differences in *how long* these violent behaviors persist. The NYS data reveal that black males are nearly twice as likely as white males to continue committing violent offenses into their twenties and nearly four times as likely to be involved by their late twenties. As a consequence, offenses by African American males are more likely to result in imprisonment, since the risk of incarceration is greater for adult offenders than for juveniles.

In trying to interpret this phenomenon, we need to consider the dynamics of youthful offending. The primary reason why young offenders cease their criminal activities, whether they be occasional or frequent, is essentially because, as they reach their twenties, many of them get married, go to college, find jobs, and generally take on adult roles, which they come to find more rewarding than street life.

But, for large numbers of young black men, these more positive lifestyle options are limited or more difficult to attain. For this reason, the positive rewards of leading a mainstream lifestyle often appear too distant to outweigh the lure of street life. An analysis of the NYS data finds, for example, that among 18–20-year-old youth who are employed or living in a stable relationship with a spouse or partner, there are no significant differences in the persistence of offending by race, but that among black males who fail to attain this status, violent offending is more likely to continue. Thus, a key question becomes the degree of access to legitimate employment among males in their late teens and early twenties.

Street-level research with gang members in Milwaukee adds some dimension to these findings.⁷ Researchers interviewed African American and Latino gang members, many of whom were involved in drug dealing over a period of time: they found that a small proportion of the individuals were committed to drug dealing as a career, but the majority "were not firmly committed to the drug economy."⁸ In fact, most of the gang members had a surprisingly conventional lifestyle orientation. For many, drug dealing was not a full-time occupation but, rather, a means of earning extra income at times when their earnings from legitimate employment were down. The researchers also found that most of the gang members shared conventional aspirations about economic security and even conventional ethical beliefs about the immorality of drug dealing, although they justified their own drug sales as necessary for survival. Such research sheds light on the interplay between legitimate and illegitimate work, and on the degree to which greater economic opportunity might provide attractive options for at least some of these offenders.

It also challenges the prevailing notion that the lure of quick profits from the drug trade is so attractive as to render useless any attempts to encourage adolescents. The Milwaukee researchers found that, despite the fact that drug selling yielded a considerably higher hourly rate of income than low-skilled jobs, there was a shift toward legitimate work when it was available. This is in keeping with the previously discussed conventional values of the group.

Research on drug dealers in Washington, D.C., found a similar relationship between legitimate and illegitimate employment.⁹ Of a sample of drug dealers who were identified through arrest records, nearly all of whom were African American, two thirds were employed at the time of arrest. They were generally working at low-wage jobs and earning a

median income of \$800 a month. Drug dealing for these young men essentially was a form of "moonlighting," a supplement to their legitimate employment, with daily sellers bringing in a median of \$2000 a month in drug sales. When asked their opinion of various occupations, fully 82 percent of the drug sellers responded that they "did not at all admire" a person who sold drugs, a figure exceeded only by the occupation of pimp.

The Washington researchers also found that although dealers faced substantial risks in selling drugs—either through arrest or physical harm from rival dealers—"such risks failed to deter substantial numbers of young males from participating in the trade."¹⁰ Given adolescents' lesser concern for physical harm and/or their future prospects, they conclude that "the prospects for raising actual and perceived risks enough to make for markedly more deterrence through heavier enforcement against sellers do not appear promising."¹¹

These data appear to suggest that strategies designed to create economic opportunities for disadvantaged youth might benefit communities in two ways—first, by providing necessary income and job experience for youth and, second, by reducing the attractiveness of drug selling to make money. For those individuals who sell drugs to support their own addiction, of course, treatment programs are also a critical component of the necessary response.

Ethnographic research in three neighborhoods in New York further illustrates these needs. Researchers interviewed residents of different neighborhoods that included a primarily African American housing project, a Hispanic neighborhood bordering on a declining industrial area, and a white working-class community. They attempted to assess how each neighborhood responded to changing economic circumstances.

The researchers found that the white working class community coped with changing economic realities far better than

did the minority neighborhoods, largely because whites enjoyed greater access to labor market opportunities. Summarizing this dynamic, one observer describes how white residents

found personalized job referral networks that led adolescents to adult employment opportunities, with jobs circulating through friendship, family, and neighborhood-based connections that linked local residents to desirable blue-collar jobs throughout the metropolitan labor market. In contrast, the Hispanic and black neighborhoods . . . were more physically isolated from centers of employment. Many of the parents in these neighborhoods had no jobs, while those parents who were employed tended to work in government jobs that recruited by bureaucratic means rather than through personal contacts.¹²

Black youth are also more disadvantaged than white youth in the degree to which they suffer the concentrated effects of poverty. In other words, it is not necessarily poverty per se that is a primary determinant of a host of social ills; rather, it is concentrated poverty, such as is seen in many inner-city neighborhoods. Due to the long history and persistence of housing segregation in the United States, many black communities remain largely isolated. This is particularly the case in low-income black communities.

Census data underline the problem. While 70 percent of poor non-Hispanic whites lived in nonpoverty areas in the ten largest U.S. cities in 1980, only 16 percent of poor blacks did.¹³ And, while less than 7 percent of poor whites lived in areas of extreme poverty, fully 38 percent of poor blacks lived in such neighborhoods. Inner-city residents simply do not have access to the contacts and opportunities normally available to others in society. This does not suggest that a job creation approach to these problems is sufficient, of course, since the interaction of

family and community supports can also play a significant role in the behavioral outcomes of individuals. But jobs help.

Given the findings regarding the intersection between race and class, and the potential of using economic opportunity as a strategy for crime reduction, what has been the response of policymakers? One series of events in the Clinton administration is quite telling. Early in President Clinton's first term in office, following the Los Angeles riots, he called attention to the nation's urban crisis. Many experts were recommending a \$60 billion economic package to stimulate job creation and economic development. Assuming that the political climate at the time would not support such an expenditure, the administration instead proposed a \$30 billion package. Caught up in deficit reduction fever, though, the House passed only a \$16 billion bill, which was promptly killed by the Senate in favor of a \$5 billion allocation for unemployment insurance and some other domestic programs. The rationale for the cuts was essentially that the federal government could no longer "throw money at problems."

Who would have benefitted the most from such a stimulus package? Clearly, those people who are both most victimized by crime and by limited economic opportunities—primarily low-income African American and Latino communities.

Just a year later, though, members of Congress apparently had second thoughts about such spending and determined that they could in fact allocate \$30 billion to these communities. This time, though, the appropriation took the form of a massive crime bill loaded with sixty new death penalty offenses, \$8 billion in prison construction, "three strikes" sentencing, and other provisions certain to escalate the prison population. Amidst these punitive allocations were modest funds for programs to prevent crime and to reduce violence against women.

The members of Congress did not state, of course, that the

result of the legislation would be to incarcerate impoverished young black and Latino men. At current rates, though, we can expect that about two thirds of the prison cells constructed through this act will be filled by minorities. This is not exactly what neighborhood leaders had in mind when they called for targeted investments to help rebuild their beleaguered communities.

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*"Give the Public What
It Wants": Media Images
and Crime Policy*

The role of the media has been a critical factor in influencing the direction of crime policy in recent years. In assessing the role of the media, one needs to recognize first that "the media" is a complex set of competing interests. The term encompasses a broad spectrum that includes the *New York Times*, the *National Inquirer*, National Public Radio, MTV, and countless other outlets of information and entertainment. Nevertheless, in a variety of ways, media images and information have converged to shape public perceptions of crime, offenders, and incarceration policy in ways that are often misleading.

Such an assertion may appear counterintuitive to those who have studied recent media coverage on certain criminal justice issues. On mandatory sentencing, for example, media attention has been fairly critical. Editorials in recent years in almost all major print media—the *New York Times*, *Washington Post*, *Los Angeles Times*, and many others—have been sharply critical of mandatory sentencing. A sympathetic cover story in the black magazine *Emerge* on Kemba Smith, a 24-year-old first-time offender who was sentenced to twenty-four years for her role as a drug "mule" for her boyfriend drug dealer, generated the