

# Criminology, Economics, and Public Policy

John Conyers

*Economic and crime issues are closely related, just as the disciplines of economics and criminology bear close resemblance in their approaches to public policy. Criminologists have neglected the impact of economic conditions on crime, just as economists often overlook the social costs—including increased crime—of the policies they prescribe. Professionals in both fields subscribe to an overly simplified model of human affairs that has the effect of protecting society's reputation while casting blame for society's ills on the victims. At a time when Congress is facing critical decisions with respect to criminal justice policy, the participation of criminologists in the formation of these policies remains negligible. A commitment by criminologists to policy research that examines the links between economic conditions and crime would constitute an enlightened approach to crime control.*

Recently, a major national polling organization published its findings on the problems that most trouble the American people. Economic conditions and crime led the list, as they have during the past several years. The proximity of these two issues is not a matter of chance.

Since much of my career in Congress has been spent on public policy related to the economy and to the control of crime—specifically, the costs of unemployment and the failure of the criminal justice system—I have had ample opportunity to focus on the relationship between the two issues. Why this relationship is not more readily apparent to economists and criminologists is puzzling. In fact, criminologists are moving away from economic explanations of criminal behavior. Some even insist that biology is a more powerful explanatory tool than social structure. Similarly, the number of economists who measure the social costs—including increased crime—of the policies they freely prescribe can be counted on the fingers of one hand.

In this paper, I will comment on the link between economic conditions and crime; take a look at the disciplines of economics and criminology, and try to pinpoint why they have not been more fruitful in solving the grave and ur-

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JOHN CONYERS: Congressman, Chairman of the Subcommittee on Crime of the House Judiciary Committee, and a leader in the full employment movement.

gent problems of our society; and, finally, speak to what I see as an appropriate role for these sciences to play in policy making and in law making.

### THE LINK BETWEEN ECONOMIC PROBLEMS AND CRIME

Crime and deviance are rooted in concrete social and economic circumstances—in deprivation, unemployment, discrimination, poverty, overcrowded housing, cultural and social marginality.

The recurring link between economic conditions and crime, irrespective of historical era or ethnicity, is well documented in the Catholic sociologist Father Andrew Greeley's description of a 1920 Chicago slum:

A ten-square-block area with almost 14,000 people, an average of 39.8 inhabitants per acre—three times that of the most crowded portions of Tokyo, Calcutta, and many other Asian cities. More than three-quarters of the apartments have less than 400 square feet . . . basements which quickly become awash with human excrement during even mild rainstorms. . . . The death rate is 37.2 per thousand. Desertion, juvenile delinquency, mental disorders, and prostitution have the highest rates in the city. Social disorganization in this neighborhood, according to all outside observers . . . is practically total and irredeemable. . . . Blacks? Latinos? Inhabitants of some third world city? No. Poles in Chicago in 1920.<sup>1</sup>

The Crime Subcommittee of the House Judiciary Committee launched a year ago a series of hearings on crime and unemployment. Numerous experts from the social sciences, government, community organizations, and social work and police agencies have testified. The record of these hearings leaves little question of the economic roots of criminal behavior. Among the many distinguished witnesses was Dr. M. Harvey Brenner, an economist at Johns Hopkins, who presented remarkable findings on economics and crime—namely, every 1 percent increase in the overall unemployment rate results in a 6 percent increase in property crimes, such as robbery and embezzlement, a 9 percent increase in narcotics arrests, a 4 percent increase in homicides, and a 5 percent increase in state prison admissions. Brenner can measure over time the impact of business cycles—recessions, depressions, inflation—on criminal behavior and pinpoint the time lag between changes in the one and changes in the other.

Despite the mounting historical and behavioral evidence of the economic basis of crime (and of the social costs of traditional economic policies), there remains an artificial separation between economic and crime issues and the public policies that are supposed to address them.

1. Andrew Greeley, *Neighborhood* (New York: Seabury Press, 1977), p. 60.

### ECONOMICS, CRIMINOLOGY, AND POLICY IMPOTENCE

It is instructive to examine the disciplines of economics and criminology together for the following reasons: (1) Economic conditions and crime interact, and the problems presented by both are acute. (2) Both professions play therapeutic roles in society, and are expanding in numbers and influence, yet seem unable to come up with solutions to the problems they study. (3) This inadequacy, which is attributable to simplified models of human affairs, has fostered counterproductive public policy.

#### *Economic Conditions and Crime Are Acute Problems*

Both economists and criminologists examine and interpret trends in this country that are frightening and seemingly impervious to human control. Economics has long been known as the dismal science, while a leading jurist called attention not long ago to criminology's basic orientation to "the understanding and management of our national nightmare."<sup>2</sup> Economic news is rarely pleasant: There are the all-too-familiar trends of chronic unemployment and rising inflation, the deepening plight of youths in the labor market, the economic decline of cities, lagging growth, and the long-term prospect of resource shortage. The trends in crime are equally bleak: the move toward stiffer punishment, particularly the restoration of the death penalty as the means of deterring crime; the proliferation of prisons and the worsening conditions of incarceration; the failure of rehabilitation in its traditional forms; the continuing high level of violent crime committed by youths; and the persistence of high crime rates overall.

#### *The Doctors Flourish, but the Patient Worsens*

In 1960 there was only one American university offering a Ph.D. in criminology; today there are scores. During this period the crime problem has grown enormously, as have the expenditure, personnel, and machinery to combat it. Economics is an even more dramatic example of a growth profession. Economists in Washington now rival lawyers in wielding influence and power. Theirs are the most prominent posts in government. Yet, even as their prosperity and power have grown, the problems they address have deepened and become more intractable. Professionals in both areas openly acknowledge the inadequacy of their analyses. The retreat into pseudosolutions—in economics, the calls for balancing the federal budget and curtailing

2. David L. Bazelon, "The Hidden Politics of American Criminology," *Federal Probation*, June 1978, p. 3.

the economic role of government; in criminology, the embrace of genetic explanations and policies that isolate rather than rehabilitate offenders—is, unfortunately, a growing characteristic of both.

### *Economists and Criminologists Are Failing to Address the Root Causes*

Both economists and criminologists have lost touch with the human context and qualities of the subjects and conditions they study. Years ago, economists blamed welfare costs on the laziness, greediness, and irresponsibility of welfare recipients. They preferred to explain away unpleasant social facts by blaming the victim instead of questioning the nature of an economy which fails to generate sufficient jobs or to distribute income equitably. Nowadays it is harder to blame welfare recipients since it has become obvious that most have little alternative—they cannot find jobs and lack other legitimate income sources. Yet, today, economists continue to overlook the context. Typically, they treat production as sheer output, regardless of side effects, just as they treat public policy as simply corrective, regardless of the social costs; or consumers as merely consumers, who have no interest in participating in economic decision making; or the unemployed as lacking the initiative to seek out what marginal jobs at absurdly minimal wages may exist, as if people care only about a wage and not about their sense of dignity at work or its sufficiency in relation to the income they require. In other words, economists too often view human beings as mechanical reactors to economic stimuli.

As to criminology, it, too, has fled into an oversimplified explanation of criminality in terms of individual characteristics—defects of character, bad genes, criminal predispositions, biological defects, and the like—instead of seeking a more realistic explanation in terms of social and economic arrangements. This sort of explanation has the effect of diverting attention away from troubling issues in society. Criminology, like economics, often appears to be bent on protecting society's reputation rather than on trying to understand the conditions that give rise to disagreeable behaviors. For this reason criminologists often overlook the simple human motivation to survive at any cost in a society that erects, especially for the young, insurmountable obstacles in the way of decent work. When survival is at stake, it should not be surprising that criminal activity begins to resemble an opportunity rather than a cost, work rather than deviance, and a possibly profitable undertaking that is superior to a coerced existence directed by welfare bureaucrats.

Does the biological explanation of crime really help us understand its causes and cures? How do criminologists who subscribe to the sociobiology notion of an innate aggressive drive view human motivation? Are genes and early childhood conditioning really the limits of human behavior? Is predict-

able and stiff punishment really an effective inhibitor of criminal behavior? Will exoffenders behave more reasonably after having been incarcerated if, once they are free, they still lack the opportunity to lead constructive lives? Perhaps the best way for criminologists to reconnect with what is going on in society and in economics is to get actively involved in public policy and in research that contributes to the solution of policy issues.

### *CRIMINOLOGY AND PUBLIC POLICY*

Where does criminology stand in relation to public policy? It is estimated that more than \$22 billion is now being spent on crime control and criminal justice. The Law Enforcement Assistance Administration alone has spent over \$6 billion since its beginnings. Yet, for all of this tremendous expenditure, effective solutions to crime are as elusive as ever. What do we have to offer the citizens who foot the bill?

In my view, not much. I have already said that criminology should move away from misleading genetic explanations. It should also be wary of diverting its efforts into peripheral areas (such as improving a delinquent's self-concept through improved reading programs). Instead, criminology should devote more effort to exploring the following key policy issues.

#### *Deterrence Value of Incarceration*

The United States leads the nations of the world, with the possible exception of South Africa, in number of prisoners per capita, and we are spending about \$4.4 billion on new prison construction at more than 600 penal institutions around the country. Yet, with few exceptions, neither imprisonment nor prison rehabilitation programming has had any appreciable effect on recidivism. This has led many distinguished members of the profession to argue that criminals might as well be kept in the community.

#### *Community-Based Experiments*

If incarceration appears to have only a slight effect on recidivism, should we not look at the effects of community treatment? What is the role of citizens and communities in combating crime? How do families and extended families function to deter crime? These questions have received far too little attention from criminologists.

There have been many social experiments in community treatment which criminologists should examine. One excellent example is the House of Umoja in West Philadelphia. In that community four years ago, gang members were killing one another and terrorizing citizens. Two concerned citizens, David and Falaka Fattah, became convinced that there was a way to reach the gangs.

They invited gang members to live with them and their sons. They won their trust and respect. Gradually, the concept of an extended family, modeled after traditional African ways, emerged. The family grew and used the home as both a shelter and a meeting place. Each morning the group gathered to discuss problems and allocate responsibilities and work. They also studied culture and history. Some gang members lived in, while others visited. Now there are more than a dozen group homes in West Philadelphia. Before the House of Umoja there were about forty gang deaths a year; now that rate is down to one or two. Replication of projects like the House of Umoja would constitute an important agenda for public policy research and advocacy.

#### *Relation between Unemployment and Crime*

Would not a large-scale project examining the relationship between crime and unemployment (as well as other economic variables) make the most sense from the point of view of public policy? Particularly needed is more specific research on subgroups, such as teenagers, and the particular economic circumstances they face.

#### *White-Collar Crime*

Until the seventies, criminologists had done very little research in this area. Although the cost of white-collar crime is ten times that of street property crime, there is still a research gap. What is the connection between white-collar crime and street crime? Does one promote or reinforce the other? What is the relationship between white-collar crime, political corruption, and citizen support for government? What impact does the tremendous disparity in sentencing between white-collar criminals and street criminals have on social norms? These questions ought to be addressed by criminologists.

### *ECONOMICS, CRIMINOLOGY, AND LEGISLATION*

The last subject is the one I know best, for I have been a politician and legislator most of my adult life. It is in the Congress and at the White House that the best research ought to have an impact. But this happens infrequently.

#### *Economic Legislation*

One of the tasks of the 96th Congress will be to modify, if not drastically change, a series of laws passed by the 95th Congress which could have a very harmful impact on society—both its economic conditions and its crime control. Two categories of legislation come to mind—lost legislation that was good and poor legislation that got enacted. In the former category, I would put national health insurance, welfare reform, countercyclical aid to cities, a consumer protection agency, and public financing of Congressional campaigns.

In the latter category I have in mind the \$10 billion cut in federal spending in fiscal year 1979, which, along with the anticipated recession, is likely to increase unemployment and reduce income maintenance for the needy. In addition, there is the tremendous hike in Social Security payroll taxes, the energy bill that deregulates natural gas prices, and the tax cuts that skew benefits almost exclusively toward the upper-income brackets and the corporations.

The combination of these legislative items will likely deepen the economic distress that so many of our citizens already suffer. It can reverse the efforts to revitalize cities. It probably will contribute to far more unemployment. And these policies will undoubtedly contribute to crime—white-collar crime because of the failure to establish a consumer protection agency and public financing of Congressional campaigns; and street crime as a result of the disastrous unemployment and the inflationary effects of current economic policy.

The time has come to examine not only the inflationary impact of laws but their impact on unemployment and crime as well. Laws that perpetuate or deepen urban decay and unemployment ought to be noted for their impact on crime. It is of the utmost importance that economists and criminologists address these issues—both by examining the side effects of legislation and by bringing them to the attention of the citizenry and the legislators.

#### *Crime Legislation*

This past year in Congress, a number of us battled against legislation to revise and recodify—and purportedly reform—the criminal code. On the Senate side, it once was known as S. 1. Its progeny, S. 1437, was passed by the Senate several months ago but was not considered by the House. It will come back in the 96th Congress. S. 1437 is 682 pages long. It seeks to recodify 3,000 individually enacted criminal laws. One of the more remarkable things about this legislation is the absence of good research behind it. In its penology sections, for example, very little research was undertaken on the effects of mandatory or lengthier sentencing. Criminal code revision will be a major policy issue in 1979. The criminology profession ought to be involved in its deliberation.

Also in the 96th Congress legislation will be introduced to reauthorize the Law Enforcement Assistance Administration. Now over ten years old, the LEAA has apparently had little impact on crime, while many of its critics accuse it of simply shoring up existing agency practices at an exorbitant cost. Yet, how many criminologists have studied the impact of this agency or the ways in which legislation can be changed to improve its operation?

### *CONCLUDING REMARKS*

In the past, economics and criminology have, at the very least, provided tacit support for public policies that clearly worked to the disadvantage of most

citizens, especially the poor. That has to be changed. I used to say that full employment is my idea of fighting crime. It is not as grandiose as the schemes so often contrived by law enforcement officials, and it certainly is better than spending even more money on ever more ineffectual techniques. I would make one slight modification in that statement now. Full employment plus a criminology profession fully engaged in the key public policy issues are my idea of fighting crime.

Congress of the United States  
House of Representatives  
Washington, D.C. 20515

COMMITTEES:  
JUDICIARY  
CHAIRMAN  
SUBCOMMITTEE ON CRIME  
GOVERNMENT OPERATIONS

January 30, 1980

MEMORANDUM

TO: CONGRESSIONAL BLACK CAUCUS MEMBERS  
FROM: JOHN CONYERS

RE: CBC POSITION ON THE CRIMINAL CODE

1. Two criminal code "reform" bills are hastily working their way through the legislative process. The Senate Judiciary Committee reported S.1722 to the Senate in December and the bill will probably be taken up early in this session. In the House, the Criminal Justice Subcommittee chaired by Bob Drinan, of which I am a member, is marking up H.R.6233. Bob Drinan hopes to report the bill to the full Judiciary Committee early in February.
2. Both of these bills are "omnibus" legislation, which purport to reform the entire range of Federal criminal laws. Both bills are seriously flawed and have very serious negative implications for the black and minority community.
3. The Caucus should take a formal stand against these bills for the following reasons:
  - Omnibus legislation is subject to compromise and horsetrading inappropriate in the making of criminal laws. The job of revamping the code is too complex, and too important, to be undertaken all at once.
  - The process by which the Criminal Justice Subcommittee has considered the code has made it virtually impossible to reassess the policies reflected in our criminal laws. No effort has been made to require the Executive Branch to justify the need for each offense. Every effort to urge meaningful hearings has been rejected.
  - This legislation has been drafted without any knowledge as to its impact, value or cost. Moreover, offenses have been considered without regard to alternative policy options.
  - The legislation fails to go far enough toward reducing the net of the criminal justice system and of federal law enforcement jurisdiction.

--With respect to sentencing, both bills fail to move toward more ameliorative and less repressive policies. Both bills continue (and probably increase) our already excessive use of incarceration. Parole and "good time" credit are to be eliminated under the Senate bill, and the House has not yet resolved the parole issue.

--Both bills have a negative impact on civil liberties. For example, a number of provisions curtail the exercise of free speech and public assembly.

4. The Caucus should oppose the code, make its views public and issue a policy statement. Moreover, the Caucus network should be utilized to inform organizations around the country. The code should be a major issue for discussion at the Richmond meeting.
5. I have attached material which outlines examples of the objectionable provisions in S.1722 and H.R.6233 for your review.
6. Many legal scholars have testified against the code and many national organizations have adopted opposition statements. For example:

- Ramsey Clark, former U.S. Attorney General
- Cecil McCall, Chairman U.S. Parole Commission
- Don Gottfredson, Dean Rutgers University School of Criminal Justice
- John Quigley, Professor of Law Ohio State Univ.

- National Lawyers Guild
- National Conference of Black Lawyers
- National Council of Jewish Women
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Objectionable Sections of the Code S. 1722, H. R. 6233

1. Expansion of Federal Jurisdiction - through expansion of definitions, preemption of state jurisdiction over certain political offenses, and "piggyback" jurisdiction (federalizing crimes on the basis of its commission in connection with another crime) i.e., arson, criminal entry or property destruction on nuclear facilities.

Under S. 1437, it has been estimated that expansion would mean the number of Federal court criminal cases would increase from 40,000 to 200,000 annually. There is reason to believe that under the present revisions the expansion would be almost as severe.

2. Unprogressive Attitude toward Sentencing

A Sentencing Commission will fix permissible sentences and will continue and possibly increase the excessive use of incarceration. The United States and South Africa are the highest of industrial Nations to incarcerate and for the longest periods of time.

Blacks will be disproportionately represented (In a recent study of 38 States, all incarcerated Blacks at more than three times their rates for whites; and one-third had incarceration rates ten times higher for Blacks than for whites).

Objectives of sentencing still include "deterrence" and predictions as to an offenders future crimes. They should include a presumption against imprisonment and encouragement of a wide variety of non-incarcerative sentencing options (restitution, reconciliation, etc.)

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Although no workable definition is given, and it is left up to the courts, those two words are used repeatedly.

For example, Attacking a foreign power (when the U.S. is not at war) is an E felony. Has the public been given proper guidelines?

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Making a false statement to a law enforcement officer can subject a person, who was never advised of his rights and who did not speak under oath, to criminal penalties.

5. Atomic Energy Offenses - remain unchanged.

Thus, tampering with restricted data with the intent to "injure the U.S." is an E felony. If the press publishes an article which would embarrass the U.S., it is a felony because the U.S. might be revealed in an unfavorable light.

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In some instances, public criticism may lead to convictions for retaliating against a witness or an informant or for obstruction of an official proceeding by fraud.

Also, the press might be criminally charged for destroying notes which have never been subpoenaed.

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The House rejected the endangerment provision - thus, signalling business that the Judiciary was not interested in attacking criminally willful violations of health, safety or environmental statutes.

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Coerced immunity, partial (use) immunity and reiterative contempt are all kept intact. There has been no concern to implement transactional immunity or limitation on contempt.

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12. Treatment of Blacks, Minorities and the Poor

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DRAFT

BLACK AGENDA FOR THE EIGHTIES  
CRIMINAL JUSTICE

February 13, 1980



Judgeships  
Police  
Criminal code  
Penal institutions

Affirmative Action  
Crim. Justice System  
CRIMINAL JUSTICE

## INTRODUCTION

As we enter the eighties, crime continues to be a problem plaguing the black communities of our nation. Although blacks suffer from the effects of white collar crime, consumer fraud, police crime (deadly force), corrupt political officials and unenforced building codes it is the visible presence of street crime clearly effects their daily lives.

?  
"Street crime" are those crimes that are committed primarily by black and poor people, robbery, assault, murder, rape, manslaughter, larceny and motor vehicle theft. Whereas crimes such as embezzlement, bribery, kickbacks, fraud and computer related crimes are committed primarily by middle and upper income whites. This phenomena has erroneously led some individuals to conclude that there is a relationship between being black and committing "street crimes". However, they have not been as quick to suggest that there is a relationship between being white and committing white collar crime. In either event, the relationship between race and crime is a spurious one; whereas in actuality the relationship really is one of opportunity. Whites have a greater opportunity to commit white collar crimes and blacks have a greater opportunity to commit street crimes.

Blacks who get involved in street crime would welcome the opportunity to embezzle thousands of dollars from a black as opposed to knocking someone in the head for five dollars. The

rewards are greater and the punishment less.

Although many would like us to believe that street crime is the invention of blacks, history tells us that each poverty plagued ethnic group has experienced a similar problem. The majority of these groups have been able to assimilate into the majority of society and escape the yoke of poverty. Blacks have attempted to follow the same path out of poverty; however the impact of race has made this impossible for nearly half of the black people in America. According to a recent study done by the National Urban League, approximately 40% of all blacks are in the low income bracket as opposed to approximately 17% of all whites.<sup>1</sup>

Blacks continue to be the victims of the social ills of the country; unemployment, poor education, inadequate health and social welfare services and substandard housing.

Unless these social ills are addressed, blacks will continue to be disproportionately involved in the criminal justice system.

#### STATEMENT OF THE PROBLEM

Throughout the seventies blacks have continued to be disproportionately represented in the criminal justice system.

##### A. Arrest rates

According to the the FBI crime statistics for 1978, urban blacks constituted 49.7% of all arrests for violent crimes and

32.7% of all arrests for property crime; thereby constituting 36% of all arrests.<sup>2</sup>

It is recognized that limitations should be placed upon the usage of the FBI Uniform Crime Report, particularly the fact that the reports do not reflect dispositions resulting from arrests. Yet, the problems remains, blacks are drastically over-represented in the arrest statistics of this nation. This fact alone should compel a careful examination of the reasons for such representation and the development of policies and programs to address that glaring inequity.

#### B. Victimization

The black arrest and black involvement in street crime is highly publicized. The media makes every effort to bring this involvement to the attention of the general public; however it should be noted that information about the victims of crime particularly black victims remains relatively concealed.

According to a victimization survey conducted for the Law Enforcement Assistance Administration (LEAA) by the U. S. Bureau of Census in 1973, "Blacks are more likely than whites to have been the victims of rape, robbery, or assault. Similarly, black males were more likely than white males to have been the victims of aggravated assault."<sup>3</sup>

In respect to property crimes, black households had a higher burglary rate (71.2 per 1,000 population) than white

households (40.9 per 1000 population). The same held true for larceny (58.7 per 1000 population for blacks, 50.8 per 1000 whites). Also blacks with incomes over \$10,000 had a higher rate (20.3 per 100 for blacks compared to 9.8 per 1000 for whites) of victimization for motor vehicle theft.<sup>4</sup>

Of special note in this victimization study is the fact, "the poor a person is the more likely he/she will become a crime victim".<sup>5</sup>

### C. Victimization

Using the 1975 figures for population in the United States, 213,540,000 the data reveals that the U.S. per capita detention rate is 255 prisoners per 100,000 people in the population, a figure that in itself is quite alarming. However, a closer analysis of the data discloses that the white per capita detention rate is 159.8 per 100,000 as opposed to the non-white rate of 888.4 per 100,000. The non-white rate is then 5½ times that of the white rate.<sup>6</sup>

According to Kenneth Schoen, former Commissioner of Corrections in the state of Minnesota and current Program Manager for the Clark Foundation, if we reduced our incarceration rate of blacks to the same as whites the overall U. S. rate of incarceration would be equal to the rate of Sweden.

The impact of the incarceration rate can be more clearly understood if you examine that cohort of individuals most likely

to be involved in "street crime". Historically, young males have constituted the largest group of prisoners, and there is no reason to believe that this situation will change in the future.

Approximately 75% of all adult prisoners in the U.S. are under 34 years of age. In 1975, there was one white male between the ages of 18-34 years of age in prison for every 154 white male in the same age group in the population. However, there was one non-white male between 18-34 years of age in prison for every 22 of their counterparts on the street.<sup>7</sup> The non-white rate is nearly 7 times higher than their white counterparts.

According to the current data on incarceration, the following summary can be made:<sup>8</sup>

	<u>TOTAL</u>	<u>% NON-WHITE</u>	<u>#NON-WHITE</u>
Juvenile	76,671	40.2	30,822
Jails	182,198	44.	80,167
State	255,603	49	125,246
Federal	<u>30,343</u>	<u>39.5</u>	<u>11,985</u>
TOTALS	544,815	45.6% average	248,220

The total black enrollment in higher education is approximately one million, which means that for every four black attending higher education institutions, there is one black in prison. However, if the more critical degree award figure is examined we find in the year 1975-76, blacks were the recipients of approximately 125, 000 degrees. (Associate Degrees or all other awards

below the Baccalaureate, 41,082) Baccalaureates (59,518)  
Master's (20,227) First Professional (2,687) Doctorates (1,217).<sup>10</sup>

These statistics reveal that for every black who earned a degree in 1975-76. There were two blacks in prison.

The evidence clearly indicates that our punishment system continues to be racist, especially in light of the increasing indications that there is no relationship between a jurisdiction's racial composition and its crime rate.

It should come as no surprise that prison administrators around the country can so easily justify and gain support for the construction of new prisons with incarceration rates such as those for blacks.

#### CONTRIBUTING FACTORS

Although it is difficult to establish a cause and effect relationship for crime, there are some glaring commonalities among individuals who are caught up in the criminal justice system.

They are usually poor, unemployed or underemployed, have had a poor school experience, have lived in substandard housing in deteriorating neighborhoods, without adequate health and social welfare services, and an alarming number are black.

We know enough about the characteristics of the people involved in "street crime" to develop programs that address the problem. The elimination of unemployment, poor education, substandard housing and inadequate health and social services could only serve to improve the quality of life of many black people and therein reduce the amount of "street crime".

## PROPOSED SOLUTIONS

The solutions to the problem should be divided into two areas, one long range preventive solutions which focus upon the causes of crime, and two short term solutions that attempt to address the problem once the individual has entered the criminal justice system. Although it is recognized that the long range preventive solutions will be most beneficial overall, it is also recognized that we must attempt to assist those who have already become ensnared in the system.

### LONG RANGE

1. Unemployment - According to recent studies, there is a relationship between a state's unemployment rate and its crime rate; therefore, a reduction in the unemployment would seem to lead to a reduced crime rate. With the black unemployment rate more than twice the white rate and the black youth unemployment rate approximately 40% it becomes quite clear that the number of blacks entering the criminal justice system will continue until unemployment is attacked.

We must push for employment programs in both the private and public sector that will assure full and equal employment opportunities for all persons who are willing and able to work.

2. Education - Historically, individuals involved in the criminal justice system have had trouble succeeding in the public school system and often have been pushed out or dropped out of school. With the current movement towards the academic diploma, it become clear that whether black children attend school or not they will not become educated. Lack of an education or a poor education appears to be a contributing factor towards involvement in the criminal justice system. A major push should be made for quality education in the inner city public school system. Although many educators contend that this is not possible, a recent study conducted in New York concluded, "if schools in slum areas are properly run, virtually all students, no matter how disadvantaged can be taught to read, write and calculate at a level sufficient to function in American society."<sup>11</sup> The report also states that there seem to be key characteristics that are critical for a successful inner city school.

- A. Strong leadership from the principal.
- B. A clear understanding of teaching objectives.
- C. A school climate that is safe, orderly and attractive.
- D. High expectations fro all students
- E. The use of standardized tests as a means of measuring progress and making plans for what to do next.<sup>12</sup>



The study suggests that the number of unprepared black students can be drastically reduced given the proper focus and direction by our public school system.

Although the cause and effect relationship between involvement in the criminal justice and a poor school experience in difficult to establish quality education seems like a deterrent to crime.

3. Improved Quality of Life - It is abundantly clear that most individuals involved in the criminal justice system have been raised in an environment that is not conducive to a healthy, happy life. Therefore, an effort should be made to improve that quality of life.

In the area of health, a national health insurance program that is comprehensive, consumer-oriented and guaranteed to provide total quality health care services for all must be pushed. The agreement is not that poor health leads to crime; however, those individuals in the criminal justice system have historically received the poorest health care. Health care reflects the quality of life and the quality of life seems related to criminal justice involvement.

Similarly in the area of housing, blacks are still confined to the most blighted housing areas of the inner city surrounded by a physical environment that is detrimental to

a safer and healthier life. They are quite often confined to areas where building and health codes are ignored or poorly enforced. These violations often result in injuries and even deaths through fires or other accidents that could have been prevented or avoided if adequate housing were made available.

Ramsey Clark states in his book, "Crime in America", that if you identify for him the worse housing conditions in your city he will assure you that that is also the location of the highest crime rate.<sup>13</sup>

4. City Revitalization - If, in fact, as the statistics seems to indicate our large cities are the breeding grounds for crime, then one can only conclude that there is a relationship between the conditions that are characteristics of large cities and crime. Thus, if we are to ever control crime, we must devote the necessary resources required to undertake a massive rebuilding of our cities. This, as a national policy, is not without precedent. For example, after World War II, this nation expended over 15 billion dollars (The Marshall Plan) to rebuild war-torn western Europe. Surely a nation with a gross national policy such as ours can devote the resources required to energize our own cities.

5. Civil Rights Enforcement - A further means of dealing with the crime problem in this full enforcement of the 1957, 1960, 1964, 1965, and 1968 Civil Rights Acts. Such a policy should be implemented as a means of removing the artificial barriers for achievement that hamper a substantial member of blacks in this country. The federal government has a responsibility in this area that has yet to be realized.

SHORT RANGE

1. Alternative to Incarceration - It is a well-documented fact that incarceration does not deter crime nor does it make our streets safe, therefore, the incarceration rates in this country particularly that of blacks makes no sense, and we would submit that a similar white incarceration rate would not be acceptable. Alternatives such as restitution, weekend incarceration community-based programs should be utilized. These programs reduce the costs of incarceration and also the negative effects upon the individual.
2. Handgun Control - Death and serious injury as a result of handguns continues to be a problem that the black community, especially young black males.

There are approximately 25 million handguns in this country and the number increases annually. We should support a policy that completely bans the importation, manufacturing, sale and possession of handguns except for law enforcement officials, the armed forces, pistol clubs that keep their guns on premises, and authorized guards.

3. Employment of Minorities in Criminal Justice - Blacks must be employed throughout the criminal justice system at all levels including policy-making positions. This includes, judgeships, parole commissioners, corrections commissions, police commissioners and chiefs, wardens, police officers, parole officers and correctional officers. We are primary consumers in the criminal justice system yet we are virtually without a voice except in protest.

The system is filled with inequities that could be addressed such as bail policy, sentencing, rehabilitation and speedier trials; however, efforts in these areas would dilute the attack upon the root causes of crime which is key to the black community.

FOOTNOTES

1. Robert E. Hill, *Illusions of Black Progress*, National Urban League, Washington, DC 1978.
2. FBI Uniform Crime Report, *Crime in the United States: 1978*, (Federal Bureau of Investigation, Washington, DC) p. 207
3. Law Enforcement Assistance Administration, Criminal Victimization in the United States: January - June, 1973. (Washington DC: U.S. Printing Office, November, 1974) Vol. 1. p.3.
4. Ibid.
5. Ibid.
6. National Moritorium on Prison Construction, February 1978.
7. Ibid.
8. Ibid.
9. DHEW, Preliminary data on Fall 1976, National Center for Educational Statistics.
10. DHEW, Preliminary Data 1978, Office for Civil Rights.
11. New York Times, Wednesday December 26, 1979. p. 1.
12. Ibid.
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