

DRUG WAR FACTS

Race, Prison and the Drug Laws

1. Of the 265,100 state prison inmates serving time for drug offenses in 2002, 126,000 (47.53%) were black, 61,700 (23.27%) were Hispanic, and 64,500 (24.33%) were white.

Source: Harrison, Paige M. & Allen J. Beck, PhD, US Dept. of Justice, Bureau of Justice Statistics, Prisoners in 2004 (Washington, DC: US Dept. of Justice, Oct. 2005), Table 12, p. 9.

2. "The racially disproportionate nature of the war on drugs is not just devastating to black Americans. It contradicts faith in the principles of justice and equal protection of the laws that should be the bedrock of any constitutional democracy; it exposes and deepens the racial fault lines that continue to weaken the country and belies its promise as a land of equal opportunity; and it undermines faith among all races in the fairness and efficacy of the criminal justice system. Urgent action is needed, at both the state and federal level, to address this crisis for the American nation."

Source: Key Recommendations from Punishment and Prejudice: Racial Disparities in the War on Drugs (Washington, DC: Human Rights Watch, June 2000), from the web at <http://www.hrw.org/campaigns/drugs/war/key-reco.htm>

3. "Our criminal laws, while facially neutral, are enforced in a manner that is massively and pervasively biased. The injustices of the criminal justice system threaten to render irrelevant fifty years of hard-fought civil rights progress."

Source: Welch, Ronald H. and Angulo, Carlos T., Justice On Trial: Racial Disparities in the American Criminal Justice System (Washington, DC: Leadership Conference on Civil Rights / Leadership Conference Education Fund, May 2000), p. v.

4. "When total incarceration rates are estimated separately by age group, black males in their twenties and thirties are found to have high rates relative to other groups. Among the more than 2.1 million offenders incarcerated on June 30, 2004, an estimated 576,600 were black males between ages 20 and 39 (table 13). "Among males age 25 to 29, 12.6% of blacks were in prison or jail, compared to 3.6% of Hispanics and about 1.7% of whites (table 14). "Although incarceration rates drop with age, the percentage of black males age 45 to 54 in prison or jail in 2004 was an estimated 4.5% -- more than twice the highest rate (1.7%) among white males (age 30 to 34)."

Source: Harrison, Paige M., & Allen J. Beck, Bureau of Justice Statistics, Prison and Jail Inmates at Midyear 2004 (Washington, DC: US Dept. of Justice, April 2005), p. 11.

5. "Female incarceration rates, though significantly lower than male rates at every age, reveal similar racial and ethnic differences. Black females (with a prison and jail rate of 359 per 100,000) were 2-1/2 times more likely than Hispanic females (143 per 100,000) and nearly 4½ times more likely than white females (81 per 100,000) to be incarcerated in 2004. These differences among white, black, and Hispanic females were consistent across all age groups.
"Among black females, the rate was highest (993 per 100,000) among those age 35 to 39. This rate was more than 4 times higher than the rate among white females in this age group (238 per 100,000)."

Source: Harrison, Paige M., & Allen J. Beck, Bureau of Justice Statistics, Prison and Jail Inmates at Midyear 2004 (Washington, DC: US Dept. of Justice, April 2005), p. 11.

6. According to the US Census Bureau, the US population in 2000 was 281,421,906. Of that, 194,552,774 (69.1%) were white; 33,947,837 (12.1%) were black; and 35,305,818 (12.5%) were of Hispanic origin. Additionally, 2,068,883 (0.7%) were Native American, and 10,123,169 (3.8%) were Asian.

Source: US Census Bureau, Department of Commerce, Census 2000 Redistricting Data (P.L. 94-171) Summary File for states, Population by Race and Hispanic or Latino Origin for the United States: 2000 (PHC-T-a) Table 1, from the web at <http://www.census.gov/population/cen2000/phc-t1/tab01.txt>, last accessed September 8, 2001.

7. "About half of male State prisoners were serving time for a violent offense in 2002, compared to a third of female prisoners (table 13). Women were more likely to be serving time for property and drug offenses (28.7% and 31.5%, respectively) than males (19.9% and 20.7%).
"Offense types also varied by race and Hispanic origin. Approximately half of white, black, and Hispanic State inmates were violent offenders. White prisoners were more likely to be serving time for a property offense (26.4%), compared to blacks (17.6%) and Hispanics (15.7%). Drug offenders made up a larger portion of Hispanic State inmates (27.4%) than of black inmates (25.1%) or white inmates (14.8%)."

Source: Harrison, Paige M. & Allen J. Beck, PhD, US Dept. of Justice, Bureau of Justice Statistics, Prisoners in 2004 (Washington, DC: US Dept. of Justice, Oct. 2005), p. 9.

8. Regarding State prison population growth from 1990 through 2000, the US Dept. of Justice reports, "Overall, the increasing number of drug offenses accounted for 27% of the total growth among black inmates, 7% of the total growth among Hispanic inmates, and 15% of the growth among white inmates (table 19)."

Source: Harrison, Paige M. & Allen J. Beck, PhD, US Dept. of Justice, Bureau of Justice Statistics, Prisoners in 2001 (Washington, DC: US Dept. of Justice, July 2002), p. 13.

9. According to the federal Household Survey, "most current illicit drug users are white. There were an estimated 9.9 million whites (72 percent of all users), 2.0 million blacks (15 percent), and 1.4 million Hispanics (10 percent) who were current illicit drug users in 1998." And yet, blacks constitute 36.8% of those arrested for drug violations, over 42% of those in federal prisons for drug violations. African-Americans comprise almost 58% of those in state prisons for drug felonies; Hispanics account for 20.7%.

Source: Substance Abuse and Mental Health Services Administration, National Household Survey on Drug Abuse: Summary Report 1998 (Rockville, MD: Substance Abuse and Mental Health Services Administration, 1999), p. 13; Bureau of Justice Statistics, Sourcebook of Criminal Justice Statistics 1998 (Washington DC: US Department of Justice, August 1999), p. 343, Table 4.10, p. 435, Table 5.48, and p. 505, Table 6.52; Beck, Allen J., Ph.D. and Mumola, Christopher J., Bureau of Justice Statistics, Prisoners in 1998 (Washington DC: US Department of Justice, August 1999), p. 10, Table 16; Beck, Allen J., PhD, and Paige M. Harrison, US Dept. of Justice, Bureau of Justice Statistics (Washington, DC: US Dept. of Justice, August 2001), p. 11, Table 16.

10. Among persons convicted of drug felonies in state courts, whites were less likely than African-Americans to be sent to prison. Thirty-three percent (33%) of convicted white defendants received a prison sentence, while 51% of African-American defendants received prison sentences. It should also be noted that Hispanic felons are included in both demographic groups rather than being tracked separately so no separate statistic is available.

Source: Durose, Matthew R., and Langan, Patrick A., Bureau of Justice Statistics, State Court Sentencing of Convicted Felons, 1998 Statistical Tables (Washington DC: US Department of Justice, December 2001), Table 25, available on the web at <http://www.ojp.usdoj.gov/bjs/abstract/scsc98st.htm>, last accessed December 21, 2001.

11. "The United States has the highest prison population rate in the world, some 686 per 100,000 of the national population, followed by the Cayman Islands (664), Russia (638), Belarus (554), Kazakhstan (522), Turkmenistan (489), Belize (459), Bahamas (447), Suriname (437) and Dominica (420).
"However, more than three-fifths of countries (62.5%) have rates below 150 per 100,000. (The United Kingdom's rate of 139 per 100,000 of the national population places it above the midpoint in the World List; it is now the highest among countries of the European Union.)"

Source: Walmsley, Roy, "World Prison Population List (Fourth Edition)" (London, England, UK: Home Office Research, Development and Statistics Directorate, 2003), p. 1, from the web at <http://www.homeoffice.gov.uk/rds/pdfs2/r188.pdf>, last accessed April 29, 2003.

12. According to the US Dept. of Justice, in the United States "In the 12 months before midyear 2004, the number of inmates in prison and jail rose an estimated 48,452 inmates, or 932 inmates per week.
"The rate of incarceration in prison and jail in 2003 was 726 inmates per 100,000 U.S. residents -- up from 716 at midyear 2003. At midyear 2004, 1 in every 138 U.S. residents were in prison or jail."
The overall rate of incarceration in prison and jail for men was 1,348 per 100,000

residents, for women 123 per 100,000 residents. The rate for white men was 717 per 100,000, for black men, 4,919 per 100,000, for Hispanic men, 1,717 per 100,000. The rate for white women was 81 per 100,000, for black women, 359 per 100,000, and for Hispanic women, 143 per 100,000.

Source: Harrison, Paige M., & Allen J. Beck, Bureau of Justice Statistics, Prison and Jail Inmates at Midyear 2004 (Washington, DC: US Dept. of Justice, April 2005), p. 2 and p. 11, Table 14.

13. At the start of the 1990s, the U.S. had more Black men (between the ages of 20 and 29) under the control of the nation's criminal justice system than the total number in college. This and other factors have led some scholars to conclude that, "crime control policies are a major contributor to the disruption of the family, the prevalence of single parent families, and children raised without a father in the ghetto, and the 'inability of people to get the jobs still available.'"

Source: Craig Haney, Ph.D., and Philip Zimbardo, Ph.D., "The Past and Future of U.S. Prison Policy: Twenty-five Years After the Stanford Prison Experiment," American Psychologist, Vol. 53, No. 7 (July 1998), p. 716.

14. 1.46 million black men out of a total voting population of 10.4 million have lost their right to vote due to felony convictions.

Source: Thomas, P., "Study Suggests Black Male Prison Rate Impinges on Political Process," The Washington Post (January 30, 1997), p. A3.

15. "Thirteen percent of all adult black men -- 1.4 million -- are disenfranchised, representing one-third of the total disenfranchised population and reflecting a rate of disenfranchisement that is seven times the national average. Election voting statistics offer an approximation of the political importance of black disenfranchisement: 1.4 million black men are disenfranchised compared to 4.6 million black men who voted in 1996."

Source: Fellner, Jamie and Mauer, Marc, "Losing the Vote: The Impact of Felony Disenfranchisement Laws in the United States" (Washington, DC: Human Rights Watch & The Sentencing Project, 1998), p. 8. Election statistics cited are from the US Census Bureau, "Voting and Registration in the Election of November 1996" (p20-504), July 1998.

16. One in three black men between the ages of 20 and 29 years old is under correctional supervision or control.

Source: Mauer, M. & Huling, T., Young Black Americans and the Criminal Justice System: Five Years Later (Washington DC: The Sentencing Project, 1995).

17. "In 2001, the chances of going to prison were highest among black males (32.2%) and Hispanic males (17.2%) and lowest among white males (5.9%). The lifetime chances of going to prison among black females (5.6%) were nearly as high as for white males. Hispanic females (2.2%) and white females (0.9%) had much lower chances of going to prison."

Source: Bonczar, Thomas P., US Department of Justice, Bureau of Justice Statistics, "Prevalence of Imprisonment in the US Population, 1974-2001," NCJ197976 (Washington DC: US Department of Justice, August 2003), p. 8.

18. In 1986, before mandatory minimums for crack offenses became effective, the average federal drug offense sentence for blacks was 11% higher than for whites. Four years later following the implementation of harsher drug sentencing laws, the average federal drug offense sentence was 49% higher for blacks.

Source: Meierhoefer, B. S., *The General Effect of Mandatory Minimum Prison Terms: A Longitudinal Study of Federal Sentences Imposed* (Washington DC: Federal Judicial Center, 1992), p. 20.

19. Regardless of similar or equal levels of illicit drug use during pregnancy, black women are 10 times more likely than white women to be reported to child welfare agencies for prenatal drug use.

Source: Neuspiel, D.R., "Racism and Perinatal Addiction," *Ethnicity and Disease*, 6: 47-55 (1996); Chasnoff, I.J., Landress, H.J., & Barrett, M.E., "The Prevalence of Illicit-Drug or Alcohol Use during Pregnancy and Discrepancies in Mandatory Reporting in Pinellas County, Florida," *New England Journal of Medicine*, 322: 1202-1206 (1990).

20. Due to harsh new sentencing guidelines, such as 'three-strikes, you're out,' "a disproportionate number of young Black and Hispanic men are likely to be imprisoned for life under scenarios in which they are guilty of little more than a history of untreated addiction and several prior drug-related offenses... States will absorb the staggering cost of not only constructing additional prisons to accommodate increasing numbers of prisoners who will never be released but also warehousing them into old age."

Source: Craig Haney, Ph.D., and Philip Zimbardo, Ph.D., "The Past and Future of U.S. Prison Policy: Twenty-five Years After the Stanford Prison Experiment," *American Psychologist*, Vol. 53, No. 7 (July 1998), p. 718.

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Updated: Tuesday, 25-Oct-2005 09:25:52 PDT ~ Accessed: 157525 times