

**Race and Criminal Justice: Mass Incarceration, The Racial Makeup of Prisons, &
Consequences**

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The rates of incarceration in the United States are exceedingly high and surpass rates in all other countries (Center, 2015). Mass incarceration began as an issue in the 1970s when it increased by more than a sixfold, it is estimated that 1 in every 31 adults is either incarcerated or under some type of state supervision (Gottschalk, 2011). Minorities within the United States make up very small percentages yet they represent high numbers of United States jails and prisons; minorities are targeted by law enforcement which concludes in incarceration (Butler, 2014). Incarceration affects the individual who is incarcerated and more; it affects the families and communities those individuals belong to, political access and engagement, wealth, and much more (Pettit & Gutierrez, 2018). While there is clear evidence of race being related to incarceration, the conversations between race or minority status and the criminal justice system have been a quiet subject in the United States and this often results in identifying racial problems (Blumstein, 2001).

Minorities such as Blacks, Native Americans, Asians, and Hispanics make up very little rates of the United States' population but they make up a large amount of prison population. Data compiled in 2022 found that Black people made up just 12% of local populations but they represented 26% of jail populations (Trusts, 2023). "Native people are in state and federal prisons at a rate of 763 per 100,000 people"; this is double the rates of incarceration for whites which is 350 per 100,000 (Initiative, n.d.). Hispanic and Latino individuals consist of 30% of the United States' population but they represent nearly 60% of prison populations (*Criminal justice reform*, n.d.). According to the Federal Bureau of Prisons, Asians make up 1.4% of inmates in the United States (*BOP Statistics*, 2023). While rates of incarceration are rising for Blacks, Native Americans, and Hispanics, they are declining for Asian Americans (Ann Carson, 2021).

A current model of minorities and crime suggests that law enforcement targets minorities because they want social control, minority groups are socially disadvantaged because they have high rates of poverty which is related to crime; law enforcement patrols heavily in these areas to “control crime” but in reality are targeting these individuals and incarcerating them (Jackson, 1989).

Incarceration affects the individual and public’s health, family, and community (Gifford, 2019). There are lots of individual’s incarcerated who provide parenting, child care, household management, etc., the loss of these resources can put a strain on families and result in tension and financeability. Parental incarceration affects a child’s mental health, it is often related to learning disabilities, attention problems, delay of language and speech, and behavioral problems; anger issues and aggressiveness have been associated with father incarceration (Gifford, 2019). Parents or child caretakers being incarcerated increases poverty which negatively affects the children, “8% of children in the United States have experienced parental incarceration by age 14, with 25% of Black children experiencing parental incarceration by age 14” (Gifford, 2019, p.372). Incarceration of individuals in addition affects communities by there being less working-age adults, which takes an economic toll on societies, and high rates of exposure to diseases (Gifford, 2019). Community health is disproportionately affected in African American and Latino communities because they are excessively incarcerated (Durmont et al., 2013).

Conversations of the racial disparities that exist within criminal justice are very quiet, there have been policies created and implemented such as the Civil Rights act of 1964 which made discrimination against race, color, sex, or national origin prohibited on the basis of these characteristics or in 1998 when the first white man was charged with a hate crime against an African American (*Hate crimes timeline*, n.d.). While these policies have been created, actions such as discrimination and hate crimes towards minorities still occur, even from law enforcement

officers. Movements such as Black Lives Matter have been a prevalent political force that consists of protests and marches to try and achieve criminal justice reform, this is an outcome from minority groups due to the overrepresentation of Blacks in deadly force deaths from police (Ray et al., 2018). While policies have been created to prevent these issues, they still happen due to systemic racism, this is racism that is deeply embedded throughout laws and unwritten policies that law enforcement still utilize (Braveman et al., 2022). Since systemic racism is embedded in unwritten rules, officers and politicians do not want to address the ongoing issues and quite frankly they do not have to because there are policies that state discrimination is prohibited so to the public they are doing everything they can to prevent prejudice.

Discrimination towards minorities in American societies have been ongoing issue since before the 1970s, it was in 1970 that it became an obvious issue. As stated previously, minority groups make up very little percentages of the United States population but make up large percentages in our prison populations. This is due to targeting from law enforcement that exists in communities in which minorities live and theories such as social control that law enforcement practices. Affects on family members such as poverty and children developing learning disabilities are very visible in African American, Hispanic, and Native American communities as they are disproportionately represented in incarceration statistics. Issues such as these will stay prevalent in our society for as long as conversations of achieving racial justice are not addressed.

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