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OA/ID Number: 14280
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Folder Title:
Crime

Stack:	Row:	Section:	Shelf:	Position:
S	64	6	7	2

EXHIBIT III-3

QUANTITATIVE FINDINGS FROM ARIZONA'S PHASE I RESEARCH

- Overrepresentation was neither universal nor uniform. The nature and extent of differential treatment varied between Anglo and minority youth, among minority youth, and from point to point in the juvenile justice system.
- The effects of differential treatment were cumulative. Decisions at one stage influenced subsequent decisions. Minority youth were more likely than Anglo youth to receive outcomes that moved them further into the system.
- In Maricopa County, almost 71% of African American males, but only 43% of Hispanic males and 39% of Anglo males, would have a record by the time they reach 17 years of age.
- Race/ethnicity had statistically observable impacts at eight decision points within the juvenile justice system, based on 15 multivariate analyses that held other known influences constant.
- African American and Hispanic identity did not have a significant impact on detention decisions when other known influences were held constant. Native American youth, however, were more likely than Anglo youth to be detained. The most important predictive characteristic for detention decisions was the average number of previous detentions.
- Hispanic identity and African American identity were both significant predictors of having petitions filed. After other known influences were accounted for, Hispanic youth were 9 percent more likely and African American youth were 7 percent more likely than Anglo youth to have petitions filed.
- Race or ethnic identity affected the likelihood of having petitions dismissed. After other known influences were accounted for, African American youth and Hispanic youth were less likely than Anglos to have their petitions dismissed.
- Race/ethnicity was not statistically predictive of commitment to the Department of Youth Treatment and Rehabilitation (DYTR); similarly, race/ethnicity did not significantly affect remands to adult court.

Analyses of interviews with youth, parents, youth advocates, educators, and private service providers as well as officials from law enforcement, court, and juvenile institutions, identified several potential sources of DMC. Analyses of the 185 interviews surfaced 10 key issues, which are indicated in Exhibit III-4 on the next page.

Analyses of discussions that occurred during the eight community forums echoed many of the concerns that had been raised by the interviewees, including the perception that race plays a major role in discriminatory case handling. Community forum participants emphasized concerns about: (1) the lack of effective communication between juvenile justice system personnel and minority communities; and (2) the under-representation of minorities in key policy- and decision-making positions.

Personal Library Software

This document, ranked number 6 in the hitlist, was retrieved from the *ericdb* database.

-ERIC NO- ED416298

-TITLE- Offenders in **Juvenile** Court, 1994. **Juvenile** Justice Bulletin.

-AUTHOR- Butts, Jeffrey A.

-LANGUAGE- English

-DESCRIPTORS- Adolescents Blacks Court Litigation Criminals **Delinquency** Homicide

Juvenile Justice **Minority** Groups Trend Analysis Urban Youth Violence

-ABSTRACT- **Juvenile** courts in the United States processed more than 1.5 million **delinquency** cases in 1994, representing a 5% increase over the 1993 caseload and a 41% increase over the number of cases handled in 1985. These figures are taken from "**Juvenile** Court Statistics, 1994," the latest in a series of annual reports on cases handled by courts with **juvenile** jurisdiction. These reports focus on the disposition of **delinquency** cases and formally handled status offense cases. Findings in the report show that the number of homicides handled in U.S. **juvenile** courts increased 144% between 1985 and 1994. Offenses against persons accounted for 16% of all cases in 1985, but 22% in 1994. The number of cases involving a female **juvenile** increased 54% between 1985 and 1994, while the number of cases involving a male **juvenile** increased 38%. Between 1985 and 1994, the number of **delinquency** cases involving white youth increased 26% and the number involving black youth and other youth of color increased 78% and 94% respectively. These are findings with many implications for those who work with urban youth. Of interest also are figures provided about the processing and disposition of **juvenile** cases. Of cases that were formally petitioned and scheduled for an adjudicatory or waiver hearing in court, 58% of all formally processed **delinquency** cases resulted in adjudication, and 1.4% were transferred to adult criminal court. (Contains 18 tables and 4 figures.) (SLD)

-GEOG SOURCE- U.S.; District of Columbia

-CLEARINGHOUSE_NO- UD032165

-INSTITUTION_NAME- Department of Justice, Washington, DC. Office of **Juvenile** Justice and **Delinquency** Prevention.

-PUBLICATION_TYPE- 110; 142

-PUBLICATION_DATE- 1996

-EDRS_PRICE- EDRS Price - MF01/PC01 Plus Postage.

-COMMENTS- 14p.; Based on "**Juvenile** Court Statistics, 1994," Office of **Juvenile** Justice and **Delinquency** Prevention, U.S. Department of Justice, with data from the National **Juvenile** Court Data Archive.

-PAGE- 14; 1

-REPORT_NO- NCJ-162423

-LEVEL- I

Part IV: The Opportunity We Deserve

3. Workplan for Criminal Justice¹

- Racial disparities exist in both the realities and perceptions of crime and the administration of justice. . .
- Communities of color absorb a disproportionate amount of the social, economic, and personal costs of crime. ^(D2) These communities want and need strong law enforcement. ^(D2) However, studies show that persons of color have less confidence in the fairness of the criminal justice system than do whites, based in part on racial disparities that persist throughout the criminal justice system. ^(D3)

^(ex. to the orange) These facts create something of a paradox: Given the reality of racial segregation and the resulting fact that most crime is intraracial, strengthening law enforcement in minority communities often means enforcing laws against minority citizens, especially young males of color. ^(D4) Resolving this paradox requires reducing crime in communities of color while building trust in the criminal justice system and working with communities to prevent young people from getting involved in crime. . .

In sum, building One America requires building a criminal justice system that serves and treats Americans of all races fully and fairly.

A. Community Security: Reduce Criminal Victimization in Communities of Color

Every American is entitled to live in a safe community, and we should not be able to identify high-crime neighborhoods based on the race of the residents who live there. From 1992 to 1997, rates of violent crime in America have decreased. Nonetheless, criminal victimization rates remain significantly greater for persons of color than for whites, especially with regard to violent crime. Furthermore, beyond the direct costs of crime to its victims, there are great economic, social, and psychological costs associated with living in high-crime areas, plagued by guns and drugs. To build One America, we must reduce crime in communities of color.

¹ This draft assumes that the issue of hate crimes will be addressed in the section on civil rights enforcement.

B. Keep Young People Out of the Criminal Justice System and Prevent Those Who Leave the System From Becoming Repeat Offenders

We must intervene in the lives of young people in communities of color to keep them out of the criminal justice system and to prevent those who leave the system from returning. Rates of juvenile crime have decreased in the last few years. Nonetheless, juvenile crime remains a national problem. Furthermore, both victimization and arrest data indicate that racial minorities, especially young, black males, are more likely than whites to be both the offenders and victims of certain crimes, including violent crimes. One third of young, black men are presently under the supervision of the criminal justice system (on probation, in prison, or on parole), and the chance that a young, black male will go to prison during his lifetime is nearly 30%. These rates of crime and incarceration have dramatic effects on communities of color. We must promote programs and community partnerships that can keep youth in high-poverty, high-minority communities away from crime, guns, and drugs. Furthermore, we must support efforts to ensure that youth who leave the criminal justice system become productive, law-abiding members of their communities.

C. Strengthen Fairness and Trust in the Criminal Justice System

We must take action in several areas to enhance fairness and trust in our criminal justice system. Studies show that persons of color have less confidence in our criminal justice system than do whites. Several historical and present factors likely contribute to mistrust in our criminal justice system among persons of color, including negative interactions between persons of color and law enforcement personnel (which may range from unjustified police stops to improper use of force), racial disparities in the administration of justice (including disparities in incarceration rates, sentencing, and imposition of the death penalty), and the lack of diversity in law enforcement (among police, prosecutors, judges, juries, and more).

1. Prohibit the use of racial profiling.

No American should be subject to disparate application of the state's policing power because of his/her race. Racial profiling refers to the use of race by law enforcement as one factor in identifying criminal suspects. Some in law enforcement may see racial profiling as a necessary, legitimate practice given limited law enforcement resources and evidence of racial disparities in criminal behavior. But racial profiling also imposes costs on innocent persons, perpetuates and reinforces stereotypes, creates

situations that can lead to physical confrontations, and contributes to tensions between persons of color and the criminal justice system. Furthermore, there is evidence that racial stereotypes are presently being used in law enforcement in ways that inappropriately target persons of color.

2. Eliminate police misconduct and brutality

We must have zero tolerance for police misconduct and brutality in law enforcement. While the vast majority of police are dedicated public servants who deserve our respect and support, several high-profile cases illustrate that incidents of police misconduct and brutality motivated by racial animus still occur.

3. Eliminate racial discrimination and unjustified disparities in incarceration, sentencing, and imposition of the death penalty.

We must eliminate discrimination from the criminal justice system. Evidence shows that racial disparities persist throughout the administration of justice. These disparities are likely due in part to underlying disparities in criminal behavior. But evidence shows that these disparities are also due in part to discrimination in the administration of justice (such as disparities in imposition of the death penalty) and to policies and practices that have an unjustified disparate impact on persons of color (such as the present 100:1 disparity in sentencing for possession of crack versus powder cocaine).

4. Increase diversity and representation in the criminal justice system.

It is crucial that persons of color are fully represented in the criminal justice system. Despite some improvements, persons of color remain underrepresented in the criminal justice system in terms of police, prosecutors, judges, and more. Furthermore, there is evidence of the continuing use of race by attorneys to shape the demographics of juries in ways that discriminate against persons of color.

Questions for Part IV. 3. Workplan for Criminal Justice

3. Workplan for Criminal Justice

- Racial Disparities exist in both the realities and perceptions of crime and the administration of justice...
Establishing the base line
 - ▶ What are the most recent arrest rates for crimes by race and ethnicity nationally?
 - ▶ Does this change by region?
 - ▶ Does this change by urban, or rural settings?
 - ▶ Does this change by socio-economic status?
 - ▶ Does this change by race and ethnicity?
 - ▶ What are the recidivism rates by race, ethnicity and socio-economic status?
 - ▶ What are the most recent victimization rates for crimes by race and ethnicity?
 - ▶ Personal Crime Rates: homicide victimization rate, robbery victimization rate, personal theft victimization rate, household victimization rate, assault victimization, aggravated assault, simple assaults
 - ▶ Drug Use: Overall drug use, crack use, Drug testing and treatment for offenders
 - ▶ Specific community crime rates by racial composition

***This is important**
- These communities want and need strong law enforcement...
 - ▶ What are the most recent arrest rates for crimes by race and ethnicity in areas that are majority minority?
 - ▶ What are the most recent victimization rates for crimes by race and ethnicity in areas that are majority minority?
 - ▶ What are the costs of crime to the victims and to societies? How does this compare with current expenditures in enforcement and prevention?
- Persons of color have less confidence...racial disparities that persist throughout the Criminal Justice system...
 - ▶ What are the most recent conviction rates for crimes by race and ethnicity?
 - ▶ Where are the races over and under represented in specific crime categories?
 - ▶ Breakdown by offense charged and race
 - ▶ Are there racial disparities in the administration of justice?
 - ▶ Are there racial disparities in the incarceration rates
 - ▶ Are there racial disparities in the Sentencing
 - ▶ Are there racial disparities in the imposition of the death penalty
 - ▶ What about racial stereotyping?
 - ▶ What about police misconduct?
 - ▶ What about use of force and brutality?
 - ▶ What is the current composition of the police force by race and ethnicity?

The President's Initiative on Race

- ▶ What is the current composition of the judicial system by race and ethnicity?
- ...strengthening law enforcement in minority communities often means enforcing laws... especially young males of color...
 - ▶ What are the racial disparities in juvenile, youth offending?
 - ▶ What are the type of offenses disposed by juvenile courts by race and ethnicity?
 - ▶ All offenses, personal, juvenile murders, youths killed in firearms-related deaths, property, drug, public-order
 - ▶ What are the statistics on delinquency cases by race and ethnicity
 - ▶ What are the statistics on racial disparities in youth detention
 - ▶ What are the statistics on racial disparities in youth juvenile justice
 - ▶ What are the recidivism rates, and can they be broken down by race, ethnicity and poverty
- Resolving this paradox... to prevent young people from getting involved in crime...
 - ▶ Under what circumstances do youth prevention and intervention programs work?
 - ▶ Youth Crime Gun Interdiction Initiative
 - ▶ Gun-Free Schools Act
 - ▶ Values-Based Violence Prevention Initiative
 - ▶ At-Risk Youth

A. Community Security

- ▶ What are the measurable results from the President's Initiatives to reduce crime? Can the statistics be broken down by race, ethnicity and focused on disadvantaged communities?
- ▶ The Brady Law
- ▶ President Clinton's 1994 Crime Bill
 - manufacture and importation assault weapons
 - Coerced abstinence throughout the criminal justice system
 - Drug Courts.
 - Youth Handgun Safety Act
- ▶ What have been the most effective measures in reducing crime?
- ▶ Has the COPS program had a significant effect in changing crime statistics?
- ▶ Have the Empowerment Zone Communities shown any signs of having lessened crime?

B. Keep Young People out of the Criminal Justice System

- President Clinton's Anti-Gang and Youth Violence Strategy

C. Strengthen fairness and trust in the Judicial System

- ▶ President Clinton's Community Oriented Policing Services (COPS) Initiative.

The President's Initiative on Race

- ▶ Weed and Seed
- ▶ President Clinton's Indian Country law enforcement initiative
- ▶ President Clinton's Community Prosecutors

Crime

Get
message

Anna 6th 622 1496
(ramp)

~~Grace~~ as

* Dan Sifer Corp 616-1728

AMB David Baker
Jim Baker

that's what I
thought

838-

835

Rev
Eugene
Peters
Way

House
Crime

to
harm
message

Get
any
for
Joe

360 586
4003

COVER SHEET

(Call if you need other information)

Year	Percent of Murders				VO Total	City Totals			
	ww	wb	bw	bb		ww	wb	bw	bb
1976	28.15	7.59	2.30	60.57	2,607	734	198	60	1,579
1977	31.19	6.99	3.23	57.48	2,876	897	201	93	1,653
1978	33.63	7.96	2.29	55.00	3,140	1,056	250	72	1,727
1979	31.70	8.12	3.53	54.99	3,397	1,077	276	120	1,868
1980	28.29	7.13	2.20	61.38	3,224	912	230	71	1,979
1981	30.97	8.72	3.67	55.51	3,268	1,012	285	120	1,814
1982	31.94	8.40	4.24	53.67	2,808	897	236	119	1,507
1983	35.17	8.19	3.60	51.36	3,310	1,164	271	119	1,700
1984	39.19	7.56	3.80	47.88	2,475	970	187	94	1,185
1985	33.99	9.07	4.15	50.48	2,480	843	225	103	1,252
1986	31.67	7.72	3.89	54.27	3,057	968	236	119	1,659
1987	30.29	8.59	4.95	54.22	2,608	790	224	129	1,414
1988	29.35	7.97	4.63	56.80	3,176	932	253	147	1,804
1989	30.41	7.65	4.23	55.96	3,479	1,058	266	147	1,947
1990	34.41	8.07	4.80	51.40	3,580	1,232	289	172	1,840
1991	29.32	9.84	4.45	53.32	3,820	1,120	376	170	2,037
1992	31.80	9.66	4.36	51.19	3,415	1,086	330	149	1,748
1993	30.55	9.32	4.07	53.12	3,443	1,052	321	140	1,829
1994	31.24	9.12	4.22	53.04	3,179	993	290	134	1,686
1995	33.55	8.23	4.06	51.64	2,808	942	231	114	1,450
1996	34.08	8.73	3.92	50.22	2,497	851	218	98	1,254
Total	32.47	8.51	3.93	55.10	63,401	20,586	5,393	2,490	34,932

Note: Data for 1995 and 1996 were estimated from published reports.

Percent

Number of
Homicides

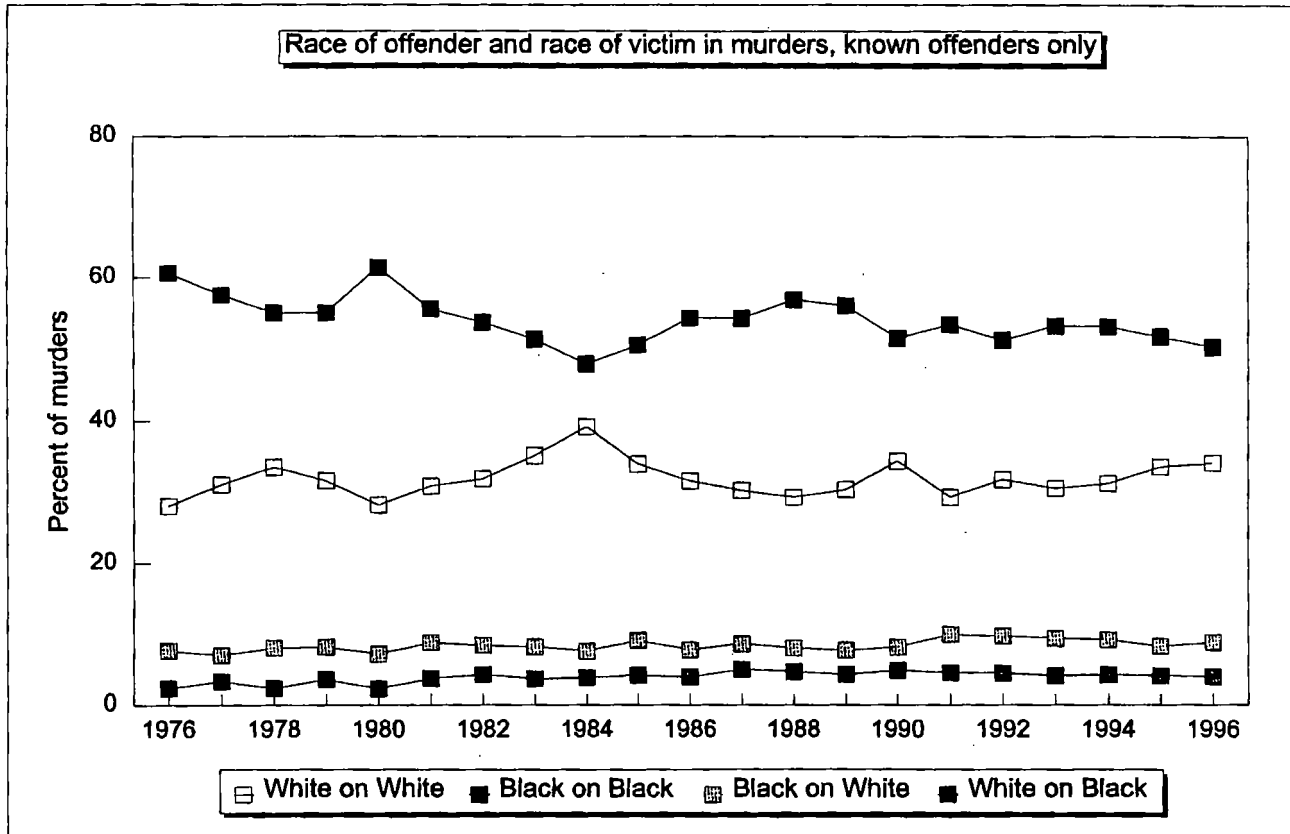
These are
not all homicides

They are homicides
where race of
offender and race
of victim are
known

In 1996, nearly 9 out of every 10 murders committed within our country's 10 largest cities, where the race of the offender was known, involved victims and offenders of the same race.

Over the last 20 years, black on black murders have accounted for about half of all murders, within the nation's 10 largest cities, in which the offender race is known.

Each year, there are about twice as many white victims murdered by black offenders as black victims murdered by white offenders, within our country's 10 largest cities.



Note: For the ten largest cities in America, there are an estimated 103,437 murder victims from 1976-96. Of these, the offender race is known for 64,647 or 62.5%. These cities include: Chicago, Dallas, Detroit, Houston, Los Angeles, New York, Philadelphia, Phoenix, San Antonio, and San Diego.

Source: Supplementary Homicide Reports, Federal Bureau of Investigation, 1976-96.

PIOR Mtg. 10/26/98

BRIAN JACKSON	ODAG	
Richard Jerome	ASG	514-8596
Steve Rickman	EWAS	307-6184
Soo Song	OTJ	616-9040
Juliette Kuyem	CRT	305-0587
Chris Tenorio	ODAG	307-2800
MARY BREEN	OAAG/OJP	616-0289
Lisa Jacobs	OPD	305-5134
Nael Breuners	OTP	75933
Julie Samuels	CRM	514-3062

• Joe Luter, DR
 • Brian Jackson, DKS (hair)
 • Joe Chaiher, BSS (hair)
 • Nicole Brennan, AAS (hair)
 • Jeremy Lewis, BSS (hair)
 • Grace Mastalli
 POCs

President's Book on Race
 Part IV. 3. Criminal Justice

Julie Kuyper, AD

Draft/SRP/October 19, 1998

Part IV: The Opportunity We Deserve

3. Workplan for Criminal Justice¹

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- In sum, building One America requires building a criminal justice system that serves and treats Americans of all races fully and fairly.

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B. Keep Young People Out of the Criminal Justice System and Prevent Those Who Leave the System From Becoming Repeat Offenders

Shay Bilchik,
BSSOP

We must intervene in the lives of young people in communities of color to keep them out of the criminal justice system and to prevent those who leave the system from returning. Rates of juvenile crime have decreased in the last few years. Nonetheless, juvenile crime remains a national problem. Furthermore, both victimization and arrest data indicate that

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racial minorities, especially young, black males, are more likely than whites to be both the offenders and victims of certain crimes, including violent crimes. One third of young, black men are presently under the supervision of the criminal justice system (on probation, in prison, or on parole), and the chance that a young, black male will go to prison during his lifetime is nearly 30%. These rates of crime and incarceration have dramatic effects on communities of color. We must promote programs and community partnerships that can keep youth in high-poverty, high-minority communities away from crime, guns, and drugs. Furthermore, we must support efforts to ensure that youth who leave the criminal justice system become productive, law-abiding members of their communities.

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Lawson - 1) PIR, not everything!; 2) Director

PREPARED BY	
DATE	10/28

Review of Rule Report

1. Overview of Rule Report

Should note spin part of out of chapter!

A. Public safety in aspect of security safety
strong commitment
all interested!
"Safe" commitment!
community development!

B. * New paragraph - lower as focal
point! Lead to comprehensive changes!
collaborative models!

Strongly
but has
the same
crisis!
Everyone has a role in
prevention!
- Not "community"

C. A lot of trust report or relations
between community & police - Gov. King

D. POCS cap

4) lia ORD

1) Ed - Police / DOS

2) Ext - Gov / Gov (not a sub)

3) Line - Safe commitment = Noelle POC

Prosecutor Rehner - Gov
Sub agencies = McTaffey

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Comm. Surgery - brace
Masimo Wyrick - just

THE Public Interest

NUMBER 117, FALL 1994, PRICE: \$5.50

The Question of Black Crime

John J. DiIulio, Jr.

Commentaries by:

*Glenn C. Loury, Paul H. Robinson, Richard T. Gill,
Patrick A. [REDACTED] & James Q. Wilson*

A New Era for Public Utilities

Irwin M. Stelzer

Why Babies Die in D.C., Part II

*Sanders Korenman vs.
Nicholas Eberstadt*

School Choice Slandered

Daniel McGroarty

A De-moralized Society

Gertrude Himmelfarb

BOOKS IN REVIEW:

*Roger Kimball, Roger D. Masters,
Alan Ehrenhalt, & Paul A. Cantor*

EXECUTIVE SUMMARY

The disproportionate minority confinement (DMC) mandate of the Juvenile Justice and Delinquency Prevention (JJDP) Act requires states to develop and implement strategies to address and reduce the overrepresentation of minority youth in secure facilities. In an effort to facilitate compliance with the mandate, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) sponsored demonstration projects in five pilot states. In Phase I of OJJDP's DMC Initiative, each pilot state assessed the extent of DMC in its juvenile justice system. In Phase II, each state designed and implemented strategies to address the disproportionate representation identified in Phase I. The Initiative also included a National Evaluation to document the lessons learned, identify key factors in the success of state and local efforts, and determine the efficacy of different interventions in reducing DMC. At the request of OJJDP, Caliber Associates, in conjunction with state representatives and Portland State University, conducted the National Evaluation, consisting of separate evaluations of each pilot state and one non-pilot state. This report presents findings from the evaluation of the Arizona DMC demonstration project that began in October 1991.

METHODOLOGY

Arizona's DMC Initiative, focusing on the development and implementation of small, community-based programs, lent itself to a formative, or process, evaluation design. The evaluation consisted of qualitative analysis of state-level project documents and interviews with key state-level DMC participants, as well as intensive investigation of local pilot project activities and interviews with project representatives.

ARIZONA'S DMC INITIATIVE

Relying on input from state agency and community representatives and incorporating a systemic definition of DMC, the major finding of Arizona's Phase I research effort was that the nature and extent of differential treatment varied between Anglo and minority youth, among minority youth, and from point to point in the juvenile justice system. The Phase I research effort also identified several potential sources of DMC including: system-wide discrimination, barriers to effective parental advocacy, inadequate cultural knowledge and skills among system administrators, and limited resources. Phase I activities also included increasing community awareness of the DMC problem and educating juvenile justice professionals on DMC issues, resulting in

PREPARED BY	
DATE	10/22

Crime / Civil Rights

Conversations w/ Richard Jerome

Point persons for crime

- Natalie Brennan, Dep. Assoc. AG 1 (under for OJP
Asst. AG Laurie Robinson)

- Laurie Robinson, OJP Associate

1) BJS - Jan Claitor

2) NIS - Jeremy Travis

3) OJJDP - Shay Bivins

4) Ward of Youth

5) BJA

37-5933

but relevant ~~and~~
of the school
Vietnam program

Understand
Conn.
GOP's
mission?
What happened?

DRAFT

President's Book on Race
Chapter 6: Workplan

Section 6.3: Criminal Justice¹

Outline

Introduction/Context

- Racial disparities exist in both the realities and perceptions of crime and the administration of justice:

(1) Communities of color often absorb a disproportionate amount of the social, economic, and personal costs of crime. These communities often absorb the costs of crime.

(2) Studies show that persons of color have less confidence in the fairness of the criminal justice system than do whites. This is due to racial disparities that prevent them from having a fair trial, access to counsel, etc.

Building One America requires building a criminal justice system that serves and treats Americans of all races fully and fairly. To do so, we must build trust in our criminal justice system and reduce crime in communities of color.

A. **Community Security: Reduce Criminal Victimization in Communities of Color**

Every American is entitled to live in a safe community, and we should not be able to identify high-crime neighborhoods based on the race of the residents who live there. From 1992 to 1997, rates of violent crime in America have decreased. Nonetheless, criminal victimization rates remain significantly greater for persons of color than for whites, especially with regard to violent crime. Furthermore, beyond the direct costs of crime to its victims, there are great economic, social, and psychological costs associated with living in high-crime areas, plagued by guns and drugs. To build One America, we must reduce crime in communities of color.

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We must intervene in the lives of young people in communities of color to keep them out of the criminal justice system and to prevent those who leave the system from returning. Rates of juvenile crime have decreased in the last few years. Nonetheless, juvenile crime remains a national problem. Furthermore, both victimization and arrest data indicate that racial minorities, especially young, black males, are more likely than whites to be both the offenders and victims of certain crimes, including violent crimes. One third of

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young, black men are presently under the supervision of the criminal justice system (on probation, in prison, or on parole), and the chance that a young, black male will go to prison during his lifetime is nearly 30%. These rates of crime and incarceration have dramatic effects on communities of color. We must promote programs and community partnerships that can keep youth in high-poverty, high-minority communities away from crime, guns, and drugs. Furthermore, we must support efforts to ensure that youth who leave the criminal justice system become productive, law-abiding members of their communities.

C. Strengthen Fairness and Trust in the Criminal Justice System

We must take action in several areas to enhance fairness and trust in our criminal justice system. Studies show that persons of color have less confidence in our criminal justice system than do whites. Several historical and present factors likely contribute to mistrust in our criminal justice system among persons of color, including negative interactions between persons of color and law enforcement personnel (which may range from unjustified police stops to improper use of force), racial disparities in the administration of justice (including disparities in incarceration rates, sentencing, and imposition of the death penalty), and the lack of diversity in law enforcement (among police, prosecutors, judges, juries, and more).

1. Prohibit the use of racial profiling.

No American should be subject to disparate application of the state's policing power because of his/her race. Racial profiling refers to the use of race by law enforcement as one factor in identifying criminal suspects. Some in law enforcement may see racial profiling as a necessary, legitimate practice given limited law enforcement resources and evidence of racial disparities in criminal behavior. But racial profiling also imposes costs on innocent persons, perpetuates and reinforces stereotypes, creates situations that can lead to physical confrontations, and contributes to tensions between persons of color and the criminal justice system. Furthermore, there is evidence that racial stereotypes are presently being used in law enforcement in ways that inappropriately target persons of color.

2. Eliminate police misconduct and brutality

We must have zero tolerance for police misconduct and brutality in law enforcement. While the vast majority of police are dedicated public servants who deserve our respect and support, several high-profile cases illustrate that incidents of police misconduct and brutality motivated by racial animus still occur.

3. Eliminate racial discrimination and unjustified disparities in incarceration, sentencing, and imposition of the death penalty.

DRAFT

We must eliminate discrimination from the criminal justice system. Evidence shows that racial disparities persist throughout the administration of justice. These disparities are likely due in part to underlying disparities in criminal behavior. But evidence shows that these disparities are also due in part to discrimination in the administration of justice (such as disparities in imposition of the death penalty) and to policies and practices that have an unjustified disparate impact on persons of color (such as the present 100:1 disparity in sentencing for possession of crack versus powder cocaine).

4. Increase diversity and representation in the criminal justice system.

It is crucial that persons of color are fully represented in the criminal justice system. Despite some improvements, persons of color remain underrepresented in the criminal justice system in terms of police, prosecutors, judges, and more. Furthermore, there is evidence of the continuing use of race by attorneys to shape the demographics of juries in ways that discriminate against persons of color.



Jose Cerda III

09/08/98 02:45:35 PM

Record Type: Record

To: Elena Kagan/OPD/EOP, Laura Emmett/WHO/EOP

cc: Leanne A. Shimabukuro/OPD/EOP

Subject: Race/Crime Outline

Elena:

My comments/edits to the Crime section of Edley's document:

1. **Overemphasizes "fairness issues," underemphasizes "victimization."** The truly "bold" approach to Race/Crime is not to focus so much on those issues that are already part of Washington's polarized debate on Race/Crime (i.e., police brutality, death penalty disparities), but on clearly defining and making the case for how the criminal justice system "underserves" minority communities. While there is much less literature and data on how minority communities are underprotected, there is ample evidence of its existence -- and the President's One America report could be the document that finally energizes leaders at all levels, and from all races, to come together on take on the issue of crime in minority neighborhoods.

2. **Should include discussion of firearms violence in victimization section.** Guns and the high victimization rates for young minority males go hand-in-hand, and offer a powerful example of how the Race/Crime discussion does not always include critical issues.

3. **Discussion of responsibility, adults and non-governmental response to keeping young minorities out of the criminal justice system.** The introduction of Chris' memo talks about the importance of non-federal and non-governmental challenges that should be included in the report. I would suggest that this section is perfect for such suggestions. For instance, what more can communities, local leadership, minority leadership, business, etc., be doing to keep young minorities from coming into contact with the criminal justice system. This might also be a good opportunity to discuss the Chicago Study, which found that communities of all races with certain informal social controls -- i.e., adults intervening to reinforce certain behaviors/standards -- had 40% lower rates of violent crime. How can non-government entities strengthen and support these social controls -- and, thus, reduce crime, violence and the number of minority kids coming into contact with the criminal justice system.

4. **Think about toning down language on racial profiling, police brutality and misconduct.** It seems to me that Chris' language here may be problematic. First, these issue deserves serious thought and action, but I don't see how we propose "zero-tolerance" against these practices when there is little consensus on what all of these terms mean. We should by all means be tough on brutality, but misconduct and racial profiling are much broader categories that means different things to different people. We need to think about exactly what law enforcement will be prohibited from doing before we propose "zero tolerance."

5. **Miscellany.** I think it's a great idea to talk about a "right" to community safety, as Chris suggests. I think "coerced abstinence" -- or drug testing and treatment -- is worth talking about in the incarceration section. And my reaction is that most of what needs to be done in this section will fall on state and local governments, not the feds.

Task of Richard Jones

10/19

1

This refers to Agency COS: (COS is David Ogden)

David Ogden wants outline

meeting covered in big things

He will work to get done & done

→ He has some project -- crime prevention in pilot cities.

This & Bill (you are very fast with & Nov.

David Ogden (COS)

Bill Jones (24)

Brian Jones (24)

Richard Jones (24)

Brian Jones (24)

Julian Jones (24)

David Jones (24)

Criminal Division

David Jones

COPS ?

COS ?

OS - 500

his 500 (24)

David Jones (24)

May 1960

Part IV: The Opportunity We Deserve

3. Workplan for Criminal Justice¹

- Racial disparities exist in both the realities and perceptions of crime and the administration of justice. . .
- Communities of color absorb a disproportionate amount of the social, economic, and personal costs of crime. These communities want and need strong law enforcement. . . However, studies show that persons of color have less confidence in the fairness of the criminal justice system than do whites, based in part on racial disparities that persist throughout the criminal justice system. . .
- These facts create something of a paradox: Given the reality of racial segregation and the resulting fact that most crime is intraracial, strengthening law enforcement in minority communities often means enforcing laws against minority citizens, especially young males of color. . . Resolving this paradox requires reducing crime in communities of color while building trust in the criminal justice system and working with communities to prevent young people from getting involved in crime. . .
- In sum, building One America requires building a criminal justice system that serves and treats Americans of all races fully and fairly.

A. Community Security: Reduce Criminal Victimization in Communities of Color

Every American is entitled to live in a safe community, and we should not be able to identify high-crime neighborhoods based on the race of the residents who live there. From 1992 to 1997, rates of violent crime in America have decreased. Nonetheless, criminal victimization rates remain significantly greater for persons of color than for whites, especially with regard to violent crime. Furthermore, beyond the direct costs of crime to its victims, there are great economic, social, and psychological costs associated with living in high-crime areas, plagued by guns and drugs. To build One America, we must reduce crime in communities of color.

B. Keep Young People Out of the Criminal Justice System and Prevent Those Who Leave the System From Becoming Repeat Offenders

We must intervene in the lives of young people in communities of color to keep them out of the criminal justice system and to prevent those who leave the system from returning. Rates of juvenile crime have decreased in the last few years. Nonetheless, juvenile crime

¹ This draft assumes that the issue of hate crimes will be addressed in the section on civil rights enforcement.

remains a national problem. Furthermore, both victimization and arrest data indicate that racial minorities, especially young, black males, are more likely than whites to be both the offenders and victims of certain crimes, including violent crimes. One third of young, black men are presently under the supervision of the criminal justice system (on probation, in prison, or on parole), and the chance that a young, black male will go to prison during his lifetime is nearly 30%. These rates of crime and incarceration have dramatic effects on communities of color. We must promote programs and community partnerships that can keep youth in high-poverty, high-minority communities away from crime, guns, and drugs. Furthermore, we must support efforts to ensure that youth who leave the criminal justice system become productive, law-abiding members of their communities.

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We must have zero tolerance for police misconduct and brutality in law enforcement. While the vast majority of police are dedicated public servants who deserve our respect and support, several high-profile cases illustrate that incidents of police misconduct and brutality motivated by racial animus still

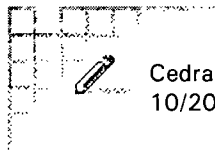
occur.

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We must eliminate discrimination from the criminal justice system. Evidence shows that racial disparities persist throughout the administration of justice. These disparities are likely due in part to underlying disparities in criminal behavior. But evidence shows that these disparities are also due in part to discrimination in the administration of justice (such as disparities in imposition of the death penalty) and to policies and practices that have an unjustified disparate impact on persons of color (such as the present 100:1 disparity in sentencing for possession of crack versus powder cocaine).

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Cedra D. Eaton
10/20/98 04:23:13 PM

Record Type: Record

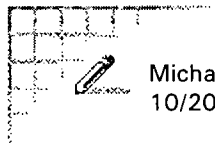
To: Scott R. Palmer/PIR/EOP

cc:

Subject: Most Dangerous Cities

I am not sure if this will help because it does not break the cities down by race but you can almost conclude that these with high minority populations.

----- Forwarded by Cedra D. Eaton/PIR/EOP on 10/20/98 04:17 PM -----



Michael P. Lingenfelter
10/20/98 04:05:59 PM

Record Type: Record

To: Cedra D. Eaton/PIR/EOP

cc:

Subject: Most Dangerous Cities

More to come, as I find it.

Article 21 of 35

PRN9731006814

Gary, Ind. Is Nation's Most Dangerous City; Amherst, N.Y. Safest in
Second Annual Money Survey

578 Words

4747 Characters

11/06/1997

10:17

PR Newswire

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NEW YORK, Nov. 6 /PRNewswire/ -- With a property crime rate 43% higher than the national average, Gary, Ind. tops Money magazine's 1997 list of America's most dangerous cities. Amherst, N.Y., which boasts a property crime rate 44% below average, is the nation's safest city for the second year in a row, the magazine's December issue reports.

The most dangerous cities in the nation, in descending order: No. 1 Gary, Ind., No. 2 Newark; No. 3 Atlanta; No. 4 New Orleans; No. 5 Detroit; No. 6 Washington, D.C.; No. 7 Baltimore; No. 8 St. Louis; No. 9 Miami; and No. 10

Memphis.

The safest cities, according to Money and its partner, Morgan Quitno, a statistical research firm in Lawrence, Kans.: No. 1 Amherst, N.Y.; No. 2 Simi Valley, Calif.; No. 3 Sterling Heights, Mich.; No. 4 Thousand Oaks, Calif.; No. 5 Sunnyvale, Calif.; No. 6 Irvine, Calif.; No. 7 Livonia, Mich.; No. 8 Santa Clarita, Calif.; No. 9 Mesquite, Texas; No. 10 Plano, Texas.

Money's list reflects the magazine's finding that theft is the crime Americans fear the most, even more than assault, rape or murder. This year 62% of 500 respondents to Money's second annual "crime concerns" poll again ranked burglary as their top concern, with car theft (55%) jumping ahead of robbery (54%) as the second biggest worry.

To come up with the list, money used FBI statistics on crime, released in October. The magazine asked Morgan Quitno to weight the FBI figures according to the crimes Americans fear the most and then apply them to 207 cities* with populations of at least 100,000.

Gary, Ind. is a small, gritty city 29 miles southeast of Chicago. In addition to high burglary and car-theft rates, Gary has the worst murder rate in Money's survey-fully 89.6 killings per 100,000 people, vs. a national average of 7.4 per 100,000. By contrast, safest city Amherst, a pastoral suburb of Buffalo, had no murders in 1996 and the fewest burglaries of all 207 places ranked.

NOTES: 1 Figures in parenthesis indicate '96 rank. 2 Not ranked in '96 because it didn't report data to the FBI 3 Pop.: 100,000 to 149,999 4 Pop.: 150,000 to 499,999 5 Pop.: 500,000 and above Source: Morgan Quitno.

The following 11 places weren't ranked because they either didn't send data to the FBI on time or reported only partial data. In Illinois: Aurora, Chicago, Naperville, Peoria, Rockford, Springfield; in Kansas: Kansas City, Overland Park; Warren, Mich.; Cedar Rapids, Iowa, and Springfield, Mass.

/CONTACT: Patti Straus of Money Magazine, 212-522-2695/
10:01 EST

Dated

Table 3 - Cities With 200,000 or More Population Ranked

[When cities share the same rank, the next lower rank is omitted.
 CDP = census designated place]

Cities ranked by 1992 population	Infant death rate per 1,000 live births, 1988		Crime rate per 100,000 population 1991	
	Rate	Rank	Rate	Rank
New York, NY	13.2	24	9,236	48
Los Angeles, CA	10.1	55	9,730	40
Chicago, IL	15.2	13	NA	NA
Houston, TX	11.3	39	10,824	29
Philadelphia, PA	17.5	7	6,835	71
San Diego, CA	8.1	70	8,537	57
Dallas, TX	9.3	63	15,066	6 21H, 2A, 30B
Phoenix, AZ	10.9	45	9,958	38
Detroit, MI	21.0	2	12,263	14 3H, 1A, 76B
San Antonio, TX	9.5	61	12,291	13 56H, 1A, 7B
San Jose, CA	7.8	72	5,364	76
Indianapolis, IN	12.6	28	7,357	67
San Francisco, CA	8.4	66	9,384	46
Baltimore, MD	18.0	5	11,371	19 1H, 1A, 59B
Jacksonville, FL	11.3	39	10,591	31
Columbus, OH	14.2	19	10,145	36
Milwaukee, WI	12.1	32	9,044	51
Memphis, TN	17.6	6	10,184	35
Washington, DC	23.2	1	10,768	30
Boston, MA	13.9	20	10,837	27
El Paso, TX	8.2	69	9,630	42
Seattle, WA	12.4	30	12,248	15 4H, 12A, 10B
Cleveland, OH	17.0	8	8,945	52
Nashville-Davidson, TN	10.7	49	8,665	55
Austin, TX	8.4	66	11,295	21
New Orleans, LA	12.7	27	10,830	28
Denver, CO	10.7	49	7,625	63
Fort Worth, TX	9.9	57	16,973	3 20H, 2A, 22B
Oklahoma City, OK	11.8	35	11,073	25
Portland, OR	11.0	44	11,182	24
Long Beach, CA	9.9	57	9,131	50
Kansas City, MO	13.2	24	13,198	8 4H, 1A, 30B
Virginia Beach, VA	13.5	23	5,863	75
Charlotte, NC	13.7	22	12,643	11 1H, 2A, 32B
Tucson, AZ	10.9	45	10,401	33
Albuquerque, NM	10.0	56	10,284	34
Atlanta, GA	16.5	10	18,953	1 2H, 1A, 67B
St. Louis, MO	14.6	16	16,031	5 1H, 1A, 48B
Sacramento, CA	10.4	51	10,098	37
Fresno, CA	9.0	64	12,031	17 30H, 13A, 8B
Tulsa, OK	10.4	51	8,887	54
Oakland, CA	13.2	24	12,186	16 14H, 15A, 44B
Honolulu CDP, HI	4.9	77	5,959	74
Miami, FL	7.2	73	18,394	2 63H, 1A, 27B
Pittsburgh, PA	14.7	15	8,219	58
Cincinnati, OH	11.1	43	9,722	41
Minneapolis, MN	11.3	39	11,282	22
Omaha, NE	11.6	37	7,081	69
Toledo, OH	10.9	45	9,503	44
Buffalo, NY	14.6	16	9,555	43
Wichita, KS	9.4	62	9,830	39
Mesa, AZ	8.7	65	7,595	64
Colorado Springs, CO	10.8	48	7,441	65

What
 crimes?

Las Vegas, NV	5.5	76	7,431	66
Santa Ana, CA	7.1	74	7,654	62
Tampa, FL	11.7	36	16,557	4 15H, 1A, 25B
Arlington, TX	8.0	71	9,480	45
Anaheim, CA	6.0	75	7,152	68
Louisville, KY	16.8	9	6,425	73
St. Paul, MN	10.3	53	7,892	60
Newark, NJ	19.8	3	14,806	7 26H, 1.2A, 59B
Corpus Christi, TX	8.4	66	10,443	32
Birmingham, AL	19.2	4	12,586	12.4H, 1A, 63B
Norfolk, VA	15.5	11	9,251	47
Anchorage, AK	11.4	38	6,687	72
Aurora, CO	9.7	59	8,631	56
Riverside, CA	9.7	59	8,935	53
St. Petersburg, FL	11.9	34	11,023	26
Rochester, NY	12.0	33	11,196	23
Lexington-Fayette, KY	12.6	28	7,018	70
Jersey City, NJ	13.9	20	9,201	49
Baton Rouge, LA	14.6	16	13,118	9 24H, 2A, 44B
Akron, OH	11.3	39	8,066	59
Raleigh, NC	12.2	31	7,790	61
Stockton, CA	10.3	53	11,326	20 25H, 28A, 10B
Richmond, VA	15.5	11	11,611	18 1H, 1A, 55B
Mobile, AL	15.1	14	12,863	10 1H, 1A, 39

Table 3 - Cities With 200,000 or More Population Ranked

[When cities share the same rank, the next lower rank is omitted.
 CDP = census designated place]

Cities ranked by 1992 population	Hispanic population, \1 1990		Percent Hispanic population, \1 1990	
	Number	Rank	Percent	Rank
New York, NY	1,783,511	1	24.4	16
Los Angeles, CA	1,391,411	2	39.9	6
Chicago, IL	545,852	3	19.6	24
Houston, TX	450,483	5	27.6	11
Philadelphia, PA	89,193	21	5.6	38
San Diego, CA	229,519	7	20.7	22
Dallas, TX	210,240	9	20.9	21
Phoenix, AZ	197,103	11	20.0	23
Detroit, MI	28,473	36	2.8	55
San Antonio, TX	520,282	4	55.6	4
San Jose, CA	208,388	10	26.6	12
Indianapolis, IN	7,681	58	1.1	65
San Francisco, CA	100,717	20	13.9	28
Baltimore, MD	7,602	60	1.0	68
Jacksonville, FL	16,455	46	2.6	56
Columbus, OH	6,741	62	1.1	65
Milwaukee, WI	39,409	32	6.3	37
Memphis, TN	4,455	67	0.7	73
Washington, DC	32,710	33	5.4	39
Boston, MA	61,955	25	10.8	32
El Paso, TX	355,669	6	69.0	1
Seattle, WA	18,349	42	3.6	49
Cleveland, OH	23,197	39	4.6	43
Nashville-Davidson, TN	4,632	66	0.9	70
Austin, TX	106,868	17	23.0	19
New Orleans, LA	17,238	43	3.5	50
Denver, CO	107,382	16	23.0	19
Fort Worth, TX	87,345	22	19.5	25
Oklahoma City, OK	22,033	40	5.0	40
Portland, OR	13,874	50	3.2	51
Long Beach, CA	101,419	19	23.6	18
Kansas City, MO	17,017	44	3.9	48
Virginia Beach, VA	12,137	52	3.1	52
Charlotte, NC	5,571	64	1.4	62
Tucson, AZ	118,595	15	29.3	10
Albuquerque, NM	132,706	13	34.5	7
Atlanta, GA	7,525	61	1.9	60
St. Louis, MO	5,124	65	1.3	64
Sacramento, CA	60,007	26	16.2	26
Fresno, CA	105,787	18	29.9	9
Tulsa, OK	9,564	55	2.6	56
Oakland, CA	51,711	30	13.9	28
Honolulu CDP, HI	16,704	45	4.6	43
Miami, FL	223,964	8	62.5	3
Pittsburgh, PA	3,468	68	0.9	70
Cincinnati, OH	2,386	72	0.7	73
Minneapolis, MN	7,900	57	2.1	59
Omaha, NE	10,288	54	3.1	52
Toledo, OH	13,207	51	4.0	47
Buffalo, NY	16,129	47	4.9	42
Wichita, KS	15,250	48	5.0	40
Mesa, AZ	31,357	35	10.9	31
Colorado Springs, CO	25,662	37	9.1	33
Las Vegas, NV	32,369	34	12.5	30

Santa Ana, CA	191,383	12	65.2	2
Tampa, FL	42,009	31	15.0	27
Arlington, TX	23,312	38	8.9	34
Anaheim, CA	83,755	23	31.4	8
Louisville, KY	1,756	75	0.7	73
St. Paul, MN	11,476	53	4.2	45
Newark, NJ	71,761	24	26.1	13
Corpus Christi, TX	129,708	14	50.4	5
Birmingham, AL	1,038	77	0.4	77
Norfolk, VA	7,611	59	2.9	54
Anchorage, AK	9,258	56	4.1	46
Aurora, CO	14,768	49	6.6	36
Riverside, CA	58,826	27	26.0	14
St. Petersburg, FL	6,255	63	2.6	56
Rochester, NY	20,055	41	8.7	35
Lexington-Fayette, KY	2,556	71	1.1	65
Jersey City, NJ	55,395	28	24.2	17
Baton Rouge, LA	3,442	69	1.6	61
Akron, OH	1,601	76	0.7	73
Raleigh, NC	2,940	70	1.4	62
Stockton, CA	52,653	29	25.0	15
Richmond, VA	1,898	74	0.9	70
Mobile, AL	2,002	73	1.0	68

\1 Persons of Hispanic origin may be of any race.

Table 3 - Cities With 200,000 or More Population Ranked

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 CDP = census designated place]

Cities ranked by 1992 population	Asian or Pacific Islander population, 1990		Percent Asian or Pacific Islander population, 1990	
	Number	Rank	Percent	Rank
New York, NY	512,719	1	7.0	16
Los Angeles, CA	341,807	2	9.8	12
Chicago, IL	104,118	7	3.7	26
Houston, TX	67,113	8	4.1	23
Philadelphia, PA	43,522	15	2.7	29
San Diego, CA	130,945	6	11.8	9
Dallas, TX	21,952	21	2.2	37
Phoenix, AZ	16,303	24	1.7	46
Detroit, MI	8,461	41	0.8	73
San Antonio, TX	10,703	34	1.1	60
San Jose, CA	152,815	5	19.5	4
Indianapolis, IN	6,852	46	0.9	68
San Francisco, CA	210,876	4	29.1	2
Baltimore, MD	7,942	43	1.1	60
Jacksonville, FL	12,182	28	1.9	40
Columbus, OH	14,993	26	2.4	33
Milwaukee, WI	11,817	30	1.9	40
Memphis, TN	4,805	57	0.8	73
Washington, DC	11,214	31	1.8	43
Boston, MA	30,388	16	5.3	17
El Paso, TX	5,956	51	1.2	56
Seattle, WA	60,819	9	11.8	9
Cleveland, OH	5,115	56	1.0	63
Nashville-Davidson, TN	6,852	46	1.4	53
Austin, TX	14,141	27	3.0	28
New Orleans, LA	9,678	37	1.9	40
Denver, CO	11,005	32	2.4	33
Fort Worth, TX	8,910	39	2.0	39
Oklahoma City, OK	10,491	35	2.4	33
Portland, OR	23,185	20	5.3	17
Long Beach, CA	58,266	10	13.6	7
Kansas City, MO	5,239	53	1.2	56
Virginia Beach, VA	17,025	23	4.3	21
Charlotte, NC	7,211	45	1.8	43
Tucson, AZ	8,901	40	2.2	37
Albuquerque, NM	6,660	50	1.7	46
Atlanta, GA	3,498	66	0.9	68
St. Louis, MO	3,733	63	0.9	68
Sacramento, CA	55,426	11	15.0	5
Fresno, CA	44,358	14	12.5	8
Tulsa, OK	5,133	54	1.4	53
Oakland, CA	54,931	12	14.8	6
Honolulu CDP, HI	257,552	3	70.5	1
Miami, FL	2,272	73	0.6	76
Pittsburgh, PA	5,937	52	1.6	50
Cincinnati, OH	4,030	60	1.1	60
Minneapolis, MN	15,723	25	4.3	21
Omaha, NE	3,412	68	1.0	63
Toledo, OH	3,487	67	1.0	63
Buffalo, NY	3,261	70	1.0	63
Wichita, KS	7,773	44	2.6	30
Mesa, AZ	4,355	58	1.5	52
Colorado Springs, CO	6,845	48	2.4	33
Las Vegas, NV	9,325	38	3.6	27

Santa Ana, CA	28,585	17	9.7	13
Tampa, FL	3,794	62	1.4	53
Arlington, TX	10,271	36	3.9	24
Anaheim, CA	25,018	19	9.4	14
Louisville, KY	1,975	75	0.7	75
St. Paul, MN	19,197	22	7.1	15
Newark, NJ	3,281	69	1.2	56
Corpus Christi, TX	2,390	72	0.9	68
Birmingham, AL	1,478	77	0.6	76
Norfolk, VA	6,815	49	2.6	30
Anchorage, AK	10,910	33	4.8	20
Aurora, CO	8,376	42	3.8	25
Riverside, CA	11,821	29	5.2	19
St. Petersburg, FL	3,967	61	1.7	46
Rochester, NY	4,081	59	1.8	43
Lexington-Fayette, KY	3,713	64	1.6	50
Jersey City, NJ	25,959	18	11.4	11
Baton Rouge, LA	3,673	65	1.7	46
Akron, OH	2,701	71	1.2	56
Raleigh, NC	5,127	55	2.5	32
Stockton, CA	48,087	13	22.8	3
Richmond, VA	1,787	76	0.9	68
Mobile, AL	1,992	74	1.0	63

Table 3 - Cities With 200,000 or More Population Ranked

[When cities share the same rank, the next lower rank is omitted.
CDP = census designated place]

Cities ranked by 1992 population	Black population, 1990		Percent Black population, 1990	
	Number	Rank	Percent	Rank
New York, NY	2,102,512	1	28.7	27
Los Angeles, CA	487,674	5	14.0	44
Chicago, IL	1,087,711	2	39.1	15
Houston, TX	457,990	6	28.1	28
Philadelphia, PA	631,936	4	39.9	14
San Diego, CA	104,261	28	9.4	59
Dallas, TX	296,994	11	29.5	26
Phoenix, AZ	51,053	52	5.2	68
Detroit, MI	777,916	3	75.7	1
San Antonio, TX	65,884	42	7.0	65
San Jose, CA	36,790	57	4.7	70
Indianapolis, IN	165,570	17	22.6	37
San Francisco, CA	79,039	36	10.9	56
Baltimore, MD	435,768	7	59.2	6
Jacksonville, FL	160,283	20	25.2	33
Columbus, OH	142,748	22	22.6	37
Milwaukee, WI	191,255	14	30.5	22
Memphis, TN	334,737	9	54.8	9
Washington, DC	399,604	8	65.8	3
Boston, MA	146,945	21	25.6	32
El Paso, TX	17,708	68	3.4	72
Seattle, WA	51,948	51	10.1	57
Cleveland, OH	235,405	13	46.6	11
Nashville-Davidson, TN	118,627	26	24.3	36
Austin, TX	57,868	46	12.4	52
New Orleans, LA	307,728	10	61.9	5
Denver, CO	60,046	44	12.8	51
Fort Worth, TX	98,532	31	22.0	39
Oklahoma City, OK	71,064	39	16.0	42
Portland, OR	33,530	59	7.7	62
Long Beach, CA	58,761	45	13.7	46
Kansas City, MO	128,768	24	29.6	25
Virginia Beach, VA	54,671	49	13.9	45
Charlotte, NC	125,827	25	31.8	19
Tucson, AZ	17,366	69	4.3	71
Albuquerque, NM	11,484	73	3.0	73
Atlanta, GA	264,262	12	67.1	2
St. Louis, MO	188,408	15	47.5	10
Sacramento, CA	56,521	48	15.3	43
Fresno, CA	29,409	62	8.3	61
Tulsa, OK	49,825	53	13.6	47
Oakland, CA	163,335	18	43.9	12
Honolulu CDP, HI	4,821	77	1.3	77
Miami, FL	98,207	32	27.4	30
Pittsburgh, PA	95,362	34	25.8	31
Cincinnati, OH	138,132	23	37.9	18
Minneapolis, MN	47,948	54	13.0	50
Omaha, NE	43,989	56	13.1	49
Toledo, OH	65,598	43	19.7	40
Buffalo, NY	100,579	30	30.7	21
Wichita, KS	34,301	58	11.3	55
Mesa, AZ	5,342	76	1.9	76
Colorado Springs, CO	19,746	67	7.0	65
Las Vegas, NV	29,529	61	11.4	53

Santa Ana, CA	7,685	74	2.6	74
Tampa, FL	70,131	40	25.0	34
Arlington, TX	22,009	64	8.4	60
Anaheim, CA	6,780	75	2.5	75
Louisville, KY	79,783	35	29.7	23
St. Paul, MN	20,083	66	7.4	63
Newark, NJ	160,885	19	58.5	7
Corpus Christi, TX	12,347	72	4.8	69
Birmingham, AL	168,277	16	63.3	4
Norfolk, VA	102,012	29	39.1	15
Anchorage, AK	14,544	71	6.4	67
Aurora, CO	25,394	63	11.4	53
Riverside, CA	16,740	70	7.4	63
St. Petersburg, FL	46,726	55	19.6	41
Rochester, NY	73,024	38	31.5	20
Lexington-Fayette, KY	30,143	60	13.4	48
Jersey City, NJ	67,864	41	29.7	23
Baton Rouge, LA	96,346	33	43.9	12
Akron, OH	54,656	50	24.5	35
Raleigh, NC	57,354	47	27.6	29
Stockton, CA	20,321	65	9.6	58
Richmond, VA	112,122	27	55.2	8
Mobile, AL	76,407	37	38.9	17

Part IV: The Opportunity We Deserve

3. Workplan for Criminal Justice¹

- Racial disparities exist in both the realities and perceptions of crime and the administration of justice. . .
- Communities of color absorb a disproportionate amount of the social, economic, and personal costs of crime. These communities want and need strong law enforcement. . . However, studies show that persons of color have less confidence in the fairness of the criminal justice system than do whites, based in part on racial disparities that persist throughout the criminal justice system. . .
- These facts create something of a paradox: Given the reality of racial segregation and the resulting fact that most crime is intraracial, strengthening law enforcement in minority communities often means enforcing laws against minority citizens, especially young males of color. . . Resolving this paradox requires reducing crime in communities of color while building trust in the criminal justice system and working with communities to prevent young people from getting involved in crime. . .
- In sum, building One America requires building a criminal justice system that serves and treats Americans of all races fully and fairly.

A. Community Security: Reduce Criminal Victimization in Communities of Color

Every American is entitled to live in a safe community, and we should not be able to identify high-crime neighborhoods based on the race of the residents who live there. From 1992 to 1997, rates of violent crime in America have decreased. Nonetheless, criminal victimization rates remain significantly greater for persons of color than for whites, especially with regard to violent crime. Furthermore, beyond the direct costs of crime to its victims, there are great economic, social, and psychological costs associated with living in high-crime areas, plagued by guns and drugs. To build One America, we must reduce crime in communities of color.

B. Keep Young People Out of the Criminal Justice System and Prevent Those Who Leave the System From Becoming Repeat Offenders

We must intervene in the lives of young people in communities of color to keep them out of the criminal justice system and to prevent those who leave the system from returning. Rates of juvenile crime have decreased in the last few years. Nonetheless, juvenile crime

¹ This draft assumes that the issue of hate crimes will be addressed in the section on civil rights enforcement.

remains a national problem. Furthermore, both victimization and arrest data indicate that racial minorities, especially young, black males, are more likely than whites to be both the offenders and victims of certain crimes, including violent crimes. One third of young, black men are presently under the supervision of the criminal justice system (on probation, in prison, or on parole), and the chance that a young, black male will go to prison during his lifetime is nearly 30%. These rates of crime and incarceration have dramatic effects on communities of color. We must promote programs and community partnerships that can keep youth in high-poverty, high-minority communities away from crime, guns, and drugs. Furthermore, we must support efforts to ensure that youth who leave the criminal justice system become productive, law-abiding members of their communities.

C. Strengthen Fairness and Trust in the Criminal Justice System

We must take action in several areas to enhance fairness and trust in our criminal justice system. Studies show that persons of color have less confidence in our criminal justice system than do whites. Several historical and present factors likely contribute to mistrust in our criminal justice system among persons of color, including negative interactions between persons of color and law enforcement personnel (which may range from unjustified police stops to improper use of force), racial disparities in the administration of justice (including disparities in incarceration rates, sentencing, and imposition of the death penalty), and the lack of diversity in law enforcement (among police, prosecutors, judges, juries, and more).

1. Prohibit the use of racial profiling.

No American should be subject to disparate application of the state's policing power because of his/her race. Racial profiling refers to the use of race by law enforcement as one factor in identifying criminal suspects. Some in law enforcement may see racial profiling as a necessary, legitimate practice given limited law enforcement resources and evidence of racial disparities in criminal behavior. But racial profiling also imposes costs on innocent persons, perpetuates and reinforces stereotypes, creates situations that can lead to physical confrontations, and contributes to tensions between persons of color and the criminal justice system. Furthermore, there is evidence that racial stereotypes are presently being used in law enforcement in ways that inappropriately target persons of color.

2. Eliminate police misconduct and brutality

We must have zero tolerance for police misconduct and brutality in law enforcement. While the vast majority of police are dedicated public servants who deserve our respect and support, several high-profile cases illustrate that incidents of police misconduct and brutality motivated by racial animus still

occur.

3. Eliminate racial discrimination and unjustified disparities in incarceration, sentencing, and imposition of the death penalty.

We must eliminate discrimination from the criminal justice system. Evidence shows that racial disparities persist throughout the administration of justice. These disparities are likely due in part to underlying disparities in criminal behavior. But evidence shows that these disparities are also due in part to discrimination in the administration of justice (such as disparities in imposition of the death penalty) and to policies and practices that have an unjustified disparate impact on persons of color (such as the present 100:1 disparity in sentencing for possession of crack versus powder cocaine).

4. Increase diversity and representation in the criminal justice system.

It is crucial that persons of color are fully represented in the criminal justice system. Despite some improvements, persons of color remain underrepresented in the criminal justice system in terms of police, prosecutors, judges, and more. Furthermore, there is evidence of the continuing use of race by attorneys to shape the demographics of juries in ways that discriminate against persons of color.

10/22

also proposed \$2 B for \$18 B cap,
and some of our stuff not even included!

Not Socrates

Call I Don
this style out

Meeting on Race, Crime and New Initiatives

this should talk to AG about this?

AGENDA

I. FY 2000 Budget

- Update from OMB on budget time lines

II. Ideas for Crime Bill II

- Framework for Bill:

- A. Police/Prosecutors -- Extend COPS, launch community prosecutors
- B. Punishment/Deterrence -- prisons, coerced abstinence, community-based justice, targeted deterrence
- C. Prevention -- ? *we're putting we'll be hot problems here!*
- D. Firearms -- Brady II, prosecutions, tracing and trafficking, child safety locks, child-proof guns, CAP laws, juvenile Brady *the big*
- E. Juvenile Crime -- OJJDP reauthorization, Administration bill? *three, to name!*
- F. *Vanessa*

Appa-
school's
safety
point.

Very small. ignore??
- law no de Brady
- What about agencies
for SLG?

- Review Senate Dems proposal
- Other DOJ/Treasury proposals

III. Race Report

- Draft outline of accomplishments
- Statistics from 10 largest cities

Chubb is victim
of sicknesses to
get early!!!

- hours of time the program
- Pottery mudders!

- 1) Themes
- 2) Admin accomplishments
- 3) Data
- 4) Ideas

- DOJ
- Nat'l Conference

- 1. FY 2000 + -- fed Gov + (Lincoln)
- 2. Other ideas -- Bully Pulpit (Obama)

of Bank
business
- copy of policy
- future ahead
me

can we be
efficiency
- zoning law
- legal or moral!

Target to
molar ferrous.

Time & Time

What
is
the
main
point?

OMB process - David
Time is of essence!

Especially
Time Bill

- review are going on; time to do things
during review!

- We're 3 weeks behind!

- Perhaps not yet scheduled, but likely after
reform reorganization. The appears. Reorganization
of decisions by Dec 20 is (loss-cut)

I would
like
to pass
it
around
next
week!

Time Bill & Ideas
Shirley! ~~BOSS II~~

- Some like the idea
of doing
work cut
Terry 11/2,
BOSS 11/4
??

- Doubt review or even will be
perfect. W. can present ideas
alone clearly!

A. \$5.8 by Shirley -- Let's put stuff
on table 11/1

- Did we
get
the 18
lines
copy
extra &
4449?

1) Work What would be rough outline of GPRS II??
Once - Not a lot of agreed striking!
What is our vision??
So we/BOSS can put together the
right people.

Options - Next day of "Comm"

- policy, procedures, laws

Inc - Extra copy - Price & procedures

(for copy
safety)

PREPARED BY	
DATE	

2. Juvenile Crime - Take or as
much of 1095 ??? - Jose

3. Punishment - more universal!
Comm.-based corrections; decrease of
prisoners; exp, benefit assistance!

I. Racial Disparities in Victimization Rates for various crimes

Personal crimes

Homicide Victimization

National Crime Victimization Survey (NCVS) conducted by the Bureau of Justice Statistics confirm that blacks are disproportionately the victims of violent crimes (U.S. Department of Justice 1993a, 1994b). In terms of race, differences in homicide risk are the most pronounced. Homicide victimization rates for blacks have been at least five times those of whites for the last half century, sometimes reaching more than ten times the white rate. In 1996, non-Hispanic whites and Asians had the lowest homicide victimization rates (3.5 and 4.6 per 100,000 resident population), followed by American Indians (9.8), Hispanics (12.4), and blacks (29.8).

Robbery victimization

As with homicide, blacks report greater levels of robbery victimization than do whites (U.S. Department of Justice 1994a). Over the past twenty years, blacks' risk of robbery has been between two and three times greater than that of whites. While the risk of robbery among whites has slightly declined over the last two decades, the risk among blacks fluctuates more from year to year and shows no clear evidence of decline.

Personal theft victimization (larceny with or with out contact)

The personal theft victimization rate is very similar, at fifty-nine per 1,000 for blacks and sixty per 1,000 for whites (U.S. Department of Justice 1994b).

Rates of household victimization (burglary, larceny, and motor vehicle theft)

Rates of household victimization are consistently higher for blacks than for whites. For example, the burglary victimization rate per 1,000 households is sixty-eight for blacks and forty-six for whites (U.S. Department of Justice 1994b). Compared over time, trends in property victimization reveal similar patterns by race. Since about 1980, both whites and blacks have experienced general declines in peronal theft and household victimization.

Assault victimization

Unlike homicide and robbery, rates of assault victimization for blacks and whites have not differed consistently over the last twenty years, although the majority of assault victimizations reported by blacks tend to be incidents of aggravated assault, whereas simple assaults predominate among whites (U.S. Department of Justice 1994a). The lack of race differences in assaults overall may be the result of differences in reporting. Specifcally it has been hypothesized that blacks may underreport less serious forms of assault and that whites may overreport minor assaults (Skogan 1981; Gottfredson 1986).

II. Community crime rates by racial composition (No data)

III. Racial disparities in juvenile, youth offending (source of data on offending based on arrest statistics, self-report, and victimization data)

Type of offense in case disposed by juvenile courts
By characteristics of juvenile offenders, United States, 1994

Type of offense	White	Black	Other
All offenses	100%	100%	100%
Person	19.0	27.1	18.7
Property	54.8	44.5	58.7
Drug	7.3	9.0	4.4
Public-order	18.9	19.4	18.2

National Estimates of Juvenile Delinquency cases

White youth accounted for 66% of the delinquency cases disposed by juvenile courts in 1995. White youth accounted for 58% of person offense of person offense cases, 70% of property offense cases, 64% of drug law violation cases, and 64% of public order cases.

Black accounted for 31% of all delinquency cases, 38% of person offense cases, 26% of property cases, 34% of drug cases, and 33% of public order cases. Juveniles of other races accounted for 4% of all delinquency cases in 1995 and comparable proportions of each of the four major offense categories.

Racial disparities in youth detention-

In 1995, youth were detained at some point between referral and disposition in 15% of delinquency cases involving white juveniles. Among cases involving black juveniles and those of other races, the figures were 27% and 20%, respectively. The largest difference in detention use was found among cases involving drug law violations. Detention was used in 15% of drug cases involving blacks, and 17% of cases involving youth of other races.

Racial disparities in youth juvenile justice -

Overall, delinquency cases involving white juveniles and those of other races were somewhat less likely to be judicially waived to criminal court than were cases involving black youth. In 1995, 1.6% of formally processed cases involving black juveniles were waived to criminal court compared with 0.8% of cases involving whites and 1.0% of those involving youth of other races.

Recidivism rates by race and poverty (no data)

IV. Criminal offending by race for various crimes

The relationship between race and offending is not the same for all crime types; there are certain offenses for which each is over-represented. For instance, whites are disproportionately arrested for driving while intoxicated, and Asians are over-represented in arrests for illegal gambling. Blacks are consistently more likely to be arrested for crimes of violence (Hindelang 1978; Elliot and Ageton 1980; Bridges and Weiss 1989; U.S. Dept. Of Justice 1993b). In 1993, blacks accounted 45 percent and 50 percent of adult and youth arrestees, respectively, for murder, rape, robbery, and aggravated assault (Maguire and Pastore 1995, pp.389-90). The crime in which blacks are most overrepresented is robbery (see Katz 1988), comprising 62 percent of arrestees in 1993. In general, blacks are approximately six times more likely to be arrested for violent crimes than are whites (U.S. Dept. Of Justice 1993b).

The data on offending as measured by arrest statistics has long been criticized believed that police decisions to arrest are biased. According to conflict theory, the police believe that blacks-especially low-income blacks- commit more crimes and therefore more often take action to arrest them. The general stereotype of blacks as "disreputable" and "dangerous" (Irwin 1985) thus leads the police to watch and arrest minorities more frequently than warranted based on actual criminal behavior.

Breakdown by offense charged and race- United States, 1993 (10,509 Agencies; 1993
Estimated Population =213,093,000)

Offense Charged	White	Black	AI/AN	Asian/PI
Murder & nonnegligent manslaughter	40.7	57.6	.6	1.1
Forcible rape	56.9	41.3	1.0	.8
Robbery	36.5	62.1	.4	1.0
Aggravated assault	58.4	39.8	.9	1.0
Driving under the influence	87.2	10.6	1.3	.9
Illegal gambling	48.2	46.9	.4	4.6

Disparities in Arrest Data

Although whites are arrested for the majority of all crimes (approximately 67 percent), blacks and American Indians are most likely to be overrepresented in arrests reported in the FBI's Uniform Crime Reports (UCR). For example, in 1993 blacks comprised 31 percent of total arrests yet constituted 12 percent of the population, and American Indians comprised 1.1 percent of total arrests while constituting .8 percent of the population. Asians, however, appear to be underrepresented in arrest statistics. Asians account for 1.0 percent of all arrests, yet make up 2.9 percent of the population.

Disparities in Imposition of the Death Penalty

Scholars in various disciplines have produced a steady flow of increasingly sophisticated empirical studies on race and capital sentencing. Most of them strongly suggest that, because of race, defendants who kill whites are more likely to be sentenced to death than defendants who kill blacks. The most comprehensive of these studies investigated the disposition of over two thousand murder cases in Georgia between 1973 and 1979. It found that even after accounting for every nonracial variable that might plausibly have mattered, the odds of being condemned to death were 4.3 times greater for defendants who killed whites than for defendants who killed blacks, a variable nearly as influential as a prior conviction for armed robbery, rape, or even murder (Race, Crime, and the Law- Randall Kennedy).

There is more -- more + spin! (DOT/DOT)

Draft August 31, 1998

Boldness is & recency!
In notes!

Will look on homicide.

President's Book on Race

Criminal Justice Working Group: Summary of Key Issues

Primary - meet public agency needs.

(DOT)

Challenges	Data	Administration Accomplishments	Bold Ideas: Federal Government	Bold Ideas: Other Actors
I. Enhance Security and Reduce Criminal Victimization in Communities of Color	- Racial disparities in victimization rates for various crimes - Community crime rates by racial composition, by poverty, and by race controlling for poverty			
II. Keep Young People Out of the Criminal Justice System and Reduce Recidivism	- Racial disparities in juvenile, youth offending - Racial disparities in juvenile justice, youth detention - Recidivism rates by race and poverty			
III. Strengthen Fairness and Trust in the Criminal Justice System	- Criminal offending by race for various crimes - Attitudes toward criminal justice system by race			
A. Prohibit the Use of Racial Profiling	Research on use of race in criminal justice	2 studies only? (DOT)	Training	Assessment
B. Eliminate Police Misconduct and Brutality	- Police use and threat of force by race - Police misconduct and brutality allegations and determinations by race of victim			

Training
Assessment
- when you can't race is not race!

1
Problems be merged & justified.

C. Eliminate Racial Discrimination and Unjustified Disparities in Incarceration, Sentencing, and Imposition of the Death Penalty	• Disparities in arrest, charging, incarceration, conviction, and sentencing by race and by race controlling for "legitimate" factors • Racial disparities in imposition of the death penalty			
D. Increase Diversity and Representation in the Criminal Justice System	• Numbers and percentages of police, prosecutors, judges, etc., by race • Jury participation and selection by race			

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**President's Book on Race
Chapter 6: Workplan**

Section 6.3: Criminal Justice¹

Outline

Introduction/Context

- Racial disparities exist in both the realities and perceptions of crime and the administration of justice:
 - (1) Communities of color often absorb a disproportionate amount of the social, economic, and personal costs of crime.
 - (2) Studies show that persons of color have less confidence in the fairness of the criminal justice system than do whites.
- Building One America requires building a criminal justice system that serves and treats Americans of all races fully and fairly. To do so, we must build trust in our criminal justice system and reduce crime in communities of color.

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Every American is entitled to live in a safe community, and we should not be able to identify high-crime neighborhoods based on the race of the residents who live there. From 1992 to 1997, rates of violent crime in America have decreased. Nonetheless, criminal victimization rates remain significantly greater for persons of color than for whites, especially with regard to violent crime. Furthermore, beyond the direct costs of crime to its victims, there are great economic, social, and psychological costs associated with living in high-crime areas, plagued by guns and drugs. To build One America, we must reduce crime in communities of color.

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We must intervene in the lives of young people in communities of color to keep them out of the criminal justice system and to prevent those who leave the system from returning. Rates of juvenile crime have decreased in the last few years. Nonetheless, juvenile crime remains a national problem. Furthermore, both victimization and arrest data indicate that racial minorities, especially young, black males, are more likely than whites to be both the offenders and victims of certain crimes, including violent crimes. One third of

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We must take action in several areas to enhance fairness and trust in our criminal justice system. Studies show that persons of color have less confidence in our criminal justice system than do whites. Several historical and present factors likely contribute to mistrust in our criminal justice system among persons of color, including negative interactions between persons of color and law enforcement personnel (which may range from unjustified police stops to improper use of force), racial disparities in the administration of justice (including disparities in incarceration rates, sentencing, and imposition of the death penalty), and the lack of diversity in law enforcement (among police, prosecutors, judges, juries, and more).

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It is crucial that persons of color are fully represented in the criminal justice system. Despite some improvements, persons of color remain underrepresented in the criminal justice system in terms of police, prosecutors, judges, and more. Furthermore, there is evidence of the continuing use of race by attorneys to shape the demographics of juries in ways that discriminate against persons of color.

Draft/September 1, 1998

**President's Book on Race
Chapter 6: Workplan**

Section 6.3: Criminal Justice¹

Comments?

Outline

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- Building One America requires building a criminal justice system that serves and treats Americans of all races fully and fairly. To do so, we must build trust in our criminal justice system and reduce crime in communities of color.

A. Community Security: Reduce Criminal Victimization in Communities of Color

Every American is entitled to live in a safe community, and we should not be able to identify high-crime neighborhoods based on the race of the residents who live there. From 1992 to 1997, rates of violent crime in America have decreased. Nonetheless, criminal victimization rates remain significantly greater for persons of color than for whites, especially with regard to violent crime. Furthermore, beyond the direct costs of crime to its victims, there are great economic, social, and psychological costs associated with living in high-crime areas, plagued by guns and drugs. To build One America, we must reduce crime in communities of color.

B. Keep Young People Out of the Criminal Justice System

We must intervene in the lives of young people in communities of color to keep them out of crime and the criminal justice system, and we must prevent those who leave the criminal justice system from becoming repeat offenders. Rates of juvenile crime have decreased in the last few years. Nonetheless, juvenile crime remains a national problem. Both victimization and arrest data indicate that racial minorities, especially young, black

¹ This draft assumes that the issue of hate crimes will be addressed in the section on civil rights enforcement.

males, are more likely than whites to be both the offenders and victims of certain crimes, including violent crimes. Furthermore, one third of young, black men are presently under the supervision of the criminal justice system (on probation, in prison, or on parole), and the chance that a young, black male will go to prison during his lifetime is nearly 30%. These rates of crime and incarceration have dramatic effects on communities of color.

C. Strengthen Fairness and Trust in the Criminal Justice System

We must take action in several areas to enhance fairness and trust in our criminal justice system. Studies show that persons of color have less confidence in our criminal justice system than do whites. Several historical and present factors likely contribute to mistrust in our criminal justice system among persons of color, including negative interactions between persons of color and law enforcement personnel (which may range from unjustified police stops to improper use of force), racial disparities in the administration of justice (including disparities in incarceration rates, sentencing, and imposition of the death penalty), and the lack of diversity in law enforcement (among police, prosecutors, judges, juries, and more).

1. Prohibit the use of racial profiling.

No American should be subject to disparate application of the state's policing power because of his/her race. Racial profiling refers to the use of race by law enforcement as one factor in identifying criminal suspects. Some in law enforcement may see racial profiling as a necessary, legitimate practice given limited law enforcement resources and evidence of racial disparities in criminal behavior. But racial profiling also imposes costs on innocent persons, perpetuates and reinforces stereotypes, creates situations that can lead to physical confrontations, and contributes to tensions between persons of color and the criminal justice system. Furthermore, there is evidence that racial stereotypes are presently being used in law enforcement in ways that inappropriately target persons of color.

2. Eliminate police misconduct and brutality

We must have zero tolerance for police misconduct and brutality in law enforcement. While the vast majority of police are dedicated public servants who deserve our respect and support, several high-profile cases illustrate that incidents of police misconduct and brutality motivated by racial animus still occur.

3. Eliminate racial discrimination and unjustified disparities in incarceration, sentencing, and imposition of the death penalty.

We must eliminate discrimination from the criminal justice system. Evidence shows that racial disparities persist throughout the administration of justice.

Draft/September 1, 1998

These disparities are likely due in part to underlying disparities in criminal behavior. But evidence shows that these disparities are also due in part to discrimination in the administration of justice (such as disparities in imposition of the death penalty) and to policies and practices that have an unjustified disparate impact on persons of color (such as the present 100:1 disparity in sentencing for possession of crack versus powder cocaine).

4. Increase diversity and representation in the criminal justice system.

It is crucial that persons of color are fully represented in the criminal justice system. Despite some improvements, persons of color remain underrepresented in the criminal justice system in terms of police, prosecutors, judges, and more. Furthermore, there is evidence of the continuing use of race by attorneys to shape the demographics of juries in ways that discriminate against persons of color.

Decisions

Criminal Justice Working Group: Summary of Key Issues

Challenges	Data	Administration Accomplishments	Bold Ideas: Federal Government	Bold Ideas: Other Actors
I. Enhance Security and Reduce Criminal Victimization in Communities of Color	- Racial disparities in victimization rates for various crimes - Community crime rates by racial composition, by poverty, and by race controlling for poverty			
II. Keep Young People Out of the Criminal Justice System and Reduce Recidivism	- Racial disparities in juvenile, youth offending - Racial disparities in juvenile justice, youth detention - Recidivism rates by race and poverty			
III. Strengthen Fairness and Trust in the Criminal Justice System	- Criminal offending by race for various crimes - Attitudes toward criminal justice system by race			
A. Prohibit the Use of Racial Profiling	Research on use of race in criminal justice			
B. Eliminate Police Misconduct and Brutality	- Police use and threat of force by race - Police misconduct and brutality allegations and determinations by race of victim			

C. Eliminate Racial Discrimination and Unjustified Disparities in Incarceration, Sentencing, and Imposition of the Death Penalty	- Disparities in arrest, charging, incarceration, conviction, and sentencing by race and by race controlling for "legitimate" factors - Racial disparities in imposition of the death penalty			
D. Increase Diversity and Representation in the Criminal Justice System	- Numbers and percentages of police, prosecutors, judges, etc., by race - Jury participation and selection by race			

→ Organized by Topic is Bold.
 The by type of notes

I. Racial disparities in victimization rates for various crimes

NCVS and official statistics confirm that blacks are disproportionately the victims of violent crimes (U.S. Dept. Of Justice 1993a, 1994 b - Sampson Robert J. & Lauritsen, Janet L., Racial and Ethnic Disparities in Crime & Criminal Justice in the U.S. in Ethnicity, Crime & Immigration, Michael Tonry)

According to the U.S. Dept. Of Justice, in 1992 blacks were nearly seven times more likely than whites to become victims of homicides (1993a)

By 1990, black women and black men were respectively, four and six times more likely than white women and white men to be murdered in their lifetime. (Reiss and Roth 1993, p.63)

Estimates of lifetime homicide risk:

The lifetime risk for black males 4.16 per 100, followed by Native American males (1.75), black females (1.02), white males (.62), Native Indian females (.46) and white females (.26).

Racial disparities for gun-related homicide victimization:

Death rate for young black males (140 per 100,000 is more than ten times greater for young white males (twelve per 100,000).

As with homicide, blacks report greater levels of robbery victimization than do whites (U.S. Dept. Of Justice 1994a). Over the past twenty years, blacks' risk of robbery has been between two and three times greater than that of whites.

According to NCVS, Hispanics experience higher rates of violent and household victimization than non-Hispanics (39.6 vs. 35.3, and 265 vs. 204.5 respectively)

II. Criminal Offending by Race

Breakdown by offense Charged, Age Group, and Race, United States, 1993 (10, 509 Agencies; 1993 Estimated Population = 213, 093, 000)

Offense Charged	White	Black	AI/AN	Asian/Pacific Isl.
Murder & nonnegligent manslaughter	40.7	57.6	.6	1.1
Forcible Rape	56.9	41.3	1.0	.8
Robbery	36.5	62.1	.4	1.0

Violent crime	52.6	45.7	.8	1.0
Fraud	62.3	36.6	.5	.7
Embezzlement	67.4	31.0	.4	1.2

Arrest Data

Whites are arrested for the majority of all crimes (approximately 67 percent).

-Blacks comprised 31 percent of total arrests yet constituted 12% of the population.

-American Indians comprised 1.1 percent of total arrests while constituting .8 percent of the population.

-Asians, account for 1.0 percent of all arrests yet make up 2.9 percent of the population.

-Whites are disproportionately arrested for driving while intoxicated, and Asians are over-represented in arrests for illegal gambling. Blacks are consistently more likely to be arrested for crimes of violence.

- In 1993, blacks accounted 45 percent and 50 percent of adult and youth arrestees, respectively, for murder, rape, robbery, and aggravated assault. The crime in which blacks are most overrepresented is robbery, comprising 62 percent of arrestees in 1993. In general, blacks are approximately six times more likely to be arrested for violent crimes than are whites.

What explains this?

Sentencing

U.S. Justice Department recent survey of felony cases in the seventy-five most populous urban areas in the U.S. (Smith 1993, Langan 1994)

- The survey findings showed that following a felony charge, blacks were prosecuted at a slightly lower rate than whites (e.g. 66 percent of black defendants were prosecuted compared to 69 percent whites). Once prosecuted, black were also slightly less likely to be found guilty than were whites. (78 percent vs. 78 percent). However, of those convicted blacks were more likely to be sentenced to prison (51 percent vs. 38 percent).

Imprisonment disparities:

Blumstein study: Racial distribution of state prison populations in 1974 and 1979.

- Blacks represented 11% of the U.S. population, comprised approximately 49% prison population in both 1974 & 1979.

- However, blacks also represented 43% of the arrestees in these years, leading Blumstein to conclude that racial disproportionality in offending explained 80% of the racial

disproportionality in prison population.

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- States with extreme racial differentials in arrests compared to imprisonment include Massachusetts (40 percent), Idaho (53 percent), Colorado (62 percent), Alabama (54 percent), and Maine (58 percent).

- Not only is homicide the leading cause of death among young black males & females, it is now the case that the majority of persons in state and federal prisons are black (U.S. Dept. Of Justice 1995)

Incarceration Rate: of blacks is currently seven times the rate for white males (2,678 vs. 372 per 100,000)

Approximately 6.3 percent of all black males ages 25 to 29 are serving time in state prisons (U.S. Dept. Of Justice 1994c)

Mauer (1990 pp.3, 9) estimates that one of every four black men are processed by the justice system each year.

(Freeman 1991) - Criminal Equality in America - Hagan and Peterson

- Overall, African-Americans account for one-third of all arrests and one-half of all incarcerations in the U.S.

- About one-fifth of all 16 to 34 year-old black males are under justice system supervision.

- Three-quarters of all black prison inmates have less than twelve years of schooling.

Criminal Justice Working Group: Summary of Key Issues

Challenges	Data	Administration Accomplishments	Bold Ideas: Federal Government	Bold Ideas: Other Actors
I. Enhance Security and Reduce Criminal Victimization in Communities of Color A	- Racial disparities in victimization rates for various crimes - Community crime rates by racial composition, by poverty, and by race controlling for poverty	1. 2.		
II. Keep Young People Out of the Criminal Justice System and Reduce Recidivism	- Racial disparities in juvenile, youth offending - Racial disparities in juvenile justice, youth detention - Recidivism rates by race and poverty			
III. Strengthen Fairness and Trust in the Criminal Justice System	- Criminal offending by race for various crimes - Attitudes toward criminal justice system by race	<i>Don't Victim</i> <i>RLS</i>		
A. Prohibit the Use of Racial Profiling	Research on use of race in criminal justice	<i>RLS</i>		
B. Eliminate Police Misconduct and Brutality	- Police use and threat of force by race - Police misconduct and brutality allegations and determinations by race of victim			

C. Eliminate Racial Discrimination and Unjustified Disparities in Incarceration, Sentencing, and Imposition of the Death Penalty	- Disparities in arrest, charging, incarceration, conviction, and sentencing by race and by race controlling for "legitimate" factors - Racial disparities in imposition of the death penalty	→ Summary pages DOJ study		
D. Increase Diversity and Representation in the Criminal Justice System	- Numbers and percentages of police, prosecutors, judges, etc., by race - Jury participation and selection by race			

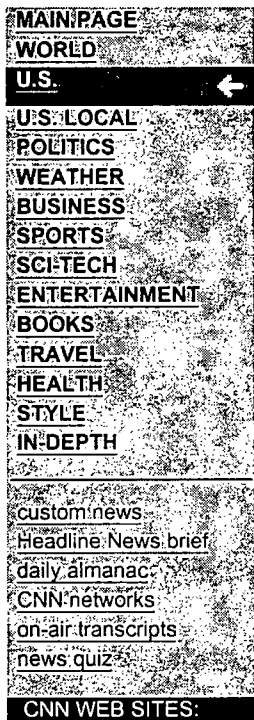


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U.S. > story page



Report: 1.4 million black men in U.S. cannot vote because of felony convictions

October 23, 1998

Web posted at: 4:32 a.m. EDT (0432 GMT)

WASHINGTON (AP) -- Thirteen percent of black men cannot vote in this year's elections because they are convicted felons, a report released Thursday said.

Some of those 1.4 million black men are in prison, but others are on probation or parole or have served their sentences, the report by Human Rights Watch and The Sentencing Project concluded.

Nationwide, 3.9 million people -- or one in 50 adults -- are temporarily or permanently disenfranchised because of a felony conviction, the research and advocacy groups concluded.

Their state-by-state survey of voting laws for felons shows the greatest percentages of disenfranchised black men are in Alabama and Florida, where one in three cannot vote.

Laws on voting rights for criminals differ among the states. All but four -- Maine, Vermont, Massachusetts and Utah -- bar prisoners from voting. Other states suspend voting rights until a felon has completed probation or parole.

Fourteen states take away some or all felons' voting rights permanently: Alabama, Arizona, Delaware, Florida, Iowa, Kentucky, Maryland, Mississippi, Nevada, New Mexico, Tennessee, Virginia, Washington and Wyoming.

In Texas, voting rights are suspended for two years after a sentence is completed.

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Related sites:

Note: Pages will open in a new browser window

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- [Human Rights Watch Prison Project](#)
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