Prisons and Justice?

Roots of Racial Disparities in the Criminal Justice System

Richardson Francois

PRE-READING VOCABULARY: disparity, juvenile, offender, defendant, pre-emptory challenge

Racial disparities in the criminal court system in this country are for real. Here are some cold hard facts for anyone who thinks otherwise:

- For every black man who graduates from college, 100 others are arrested.
- Ten times more black youth are arrested for drug crimes than white youth. But, according to research by the National Survey on Drug Use and Health, black youth are actually less likely to use drugs than white youth.
- Drug laws, prosecutions, and sentences are tilted to favor whites; 65% of crack users are white but 92.6% of crack convictions are of blacks.
- Black federal crack offenders serve on average five years longer than white cocaine offenders.
- The U.S. Public Health Services finds that 76% of all drug users are white, 14% are black, and 8% are Hispanic, but African Americans account for 35% of drug arrests, 55% of convictions, and 74% of prison sentences.
- Black defendants are 50% more likely than whites to be imprisoned for larceny and twice as likely to be imprisoned for weapon offenses.
- Most states underfund public defenders, and judges appoint defense lawyers with little or no criminal trial experience. Few states provide post-conviction counsel.
- Jurors are drawn from pools that underrepresent the poor and minorities.
- Prosecutors misuse pre-emptory challenges to keep minorities off trial juries.
- Blacks and Latinos comprised 58% of all prisoners in 2008, even though Blacks and Latinos make up only 25% of the U.S. population.

Our nation would be stronger if we could fix this problem, and to fix the problem, we need to understand where it starts. There are also racial disparities in our communities and our education system. As long as black communities continue to be infested with drugs and liquor stores, and as long as so many people in the community are unemployed, underemployed, or earning low wages, jails and prisons will always be over-populated with blacks.

To add to the problem of poverty, consider that most blacks have fewer educational opportunities. Schools need to stop giving up on black kids so easily. Your education is important, right? You have to be in school in order to obtain an education.
education, right? So stop pushing black kids out of school. Black kids get suspended and expelled at much higher rates than white kids. I’ve seen on the news and read magazine articles about five- and six-year olds getting suspended. Getting suspended and expelled only leads to one thing, and that is dropping out—to which I am a living witness.

According to Johns Hopkins University, 32% of black students in the U.S. drop out of high school. That is 15 percentage points higher than their white counterparts! Kids see and perceive more than we think. If we make them feel unwanted, they become unwanted.

So it’s simple if you think about it. It starts with education. The more people we can properly educate, the less poverty there will be. Make our communities and schools on par with the white communities and schools. If you do not have a good education, it’s likely you won’t have a good job—or any job. And when you can’t make ends meet, sometimes you try to fix it in the wrong way. And then you are destined for the criminal justice system where you will experience even more disparities.

Until there is a conscious effort to properly educate minorities, until we make the black communities safer, cleaner, and less ravaged by poverty, and until the criminal justice system stops targeting blacks, there will always be a one-way express lane from the black community to every jail and prison in the United States.

Richardson Francois is incarcerated at the Dade Correctional Institution in Florida. He is enrolled in a creative writing workshop facilitated by the nonprofit Exchange for Change. He was born in Haiti, dropped out of ninth grade, and obtained his GED in prison. He says, “I like writing because I love words. I believe they are powerful tools that can break down barriers.”


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**What is the Criminal Justice System?**

The criminal justice system is the set of agencies and processes established by governments to control crime and impose penalties on those who violate laws. How the criminal justice system works in each area depends on the jurisdiction that is in charge: city, county, state, federal or tribal government, or military installation. Different jurisdictions have different laws, agencies, and ways of managing criminal justice processes.

Find out more. Choose a jurisdiction and research it to find out what it does and how it functions.