



**2012 NINTH
CIRCUIT
JUDICIAL
CONFERENCE**

Wednesday, August 14, 2012



2012
NINTH CIRCUIT
JUDICIAL CONFERENCE

AUGUST 13 - 16, 2012 maui

WHAT COLOR IS JUSTICE?

**RACIAL DISPARITIES IN THE CRIMINAL
JUSTICE SYSTEM**

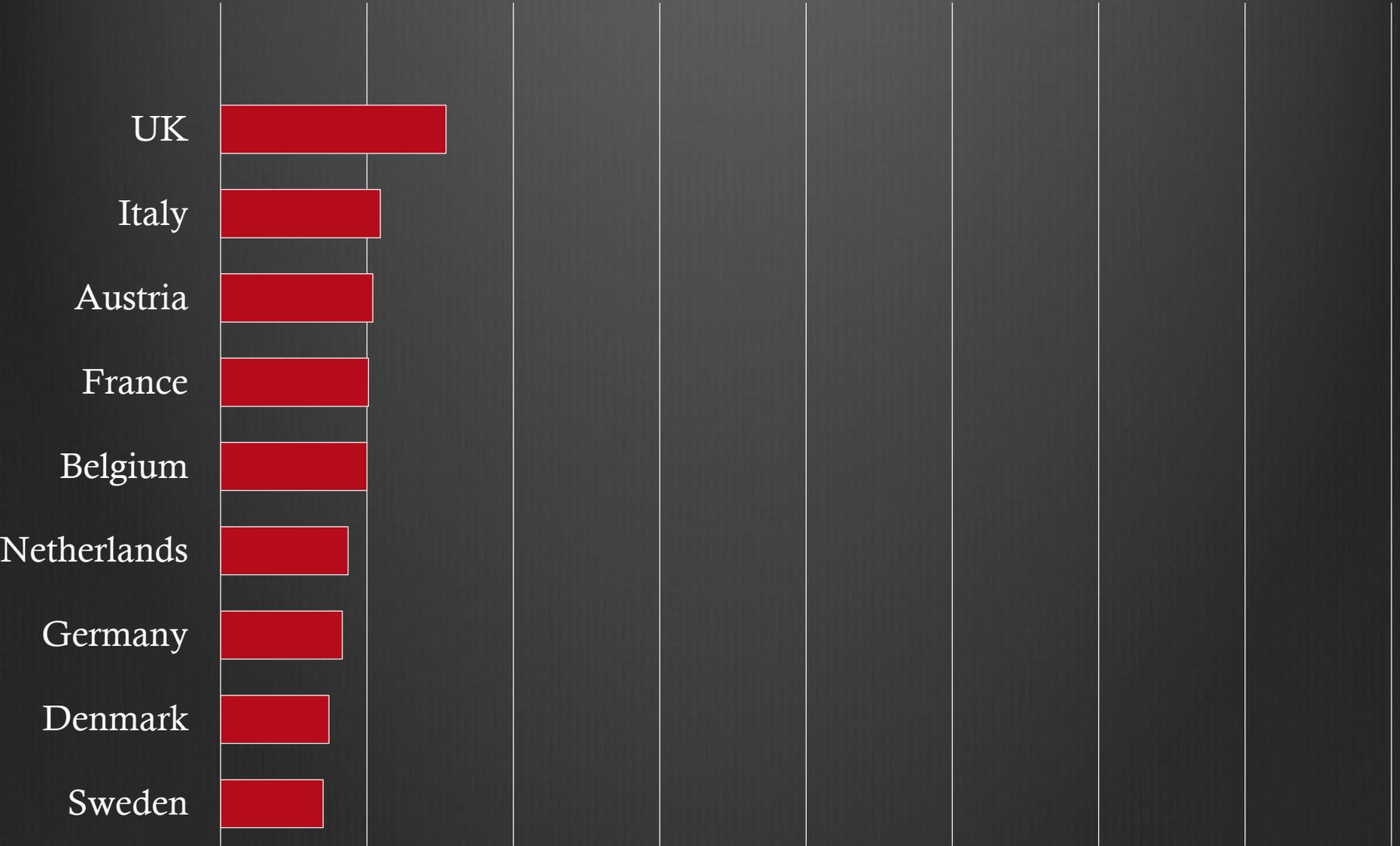
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2012 INCARCERATION RATES

United States vs. Western Europe

2012 Incarceration Rate

0 100 200 300 400 500 600 700 800

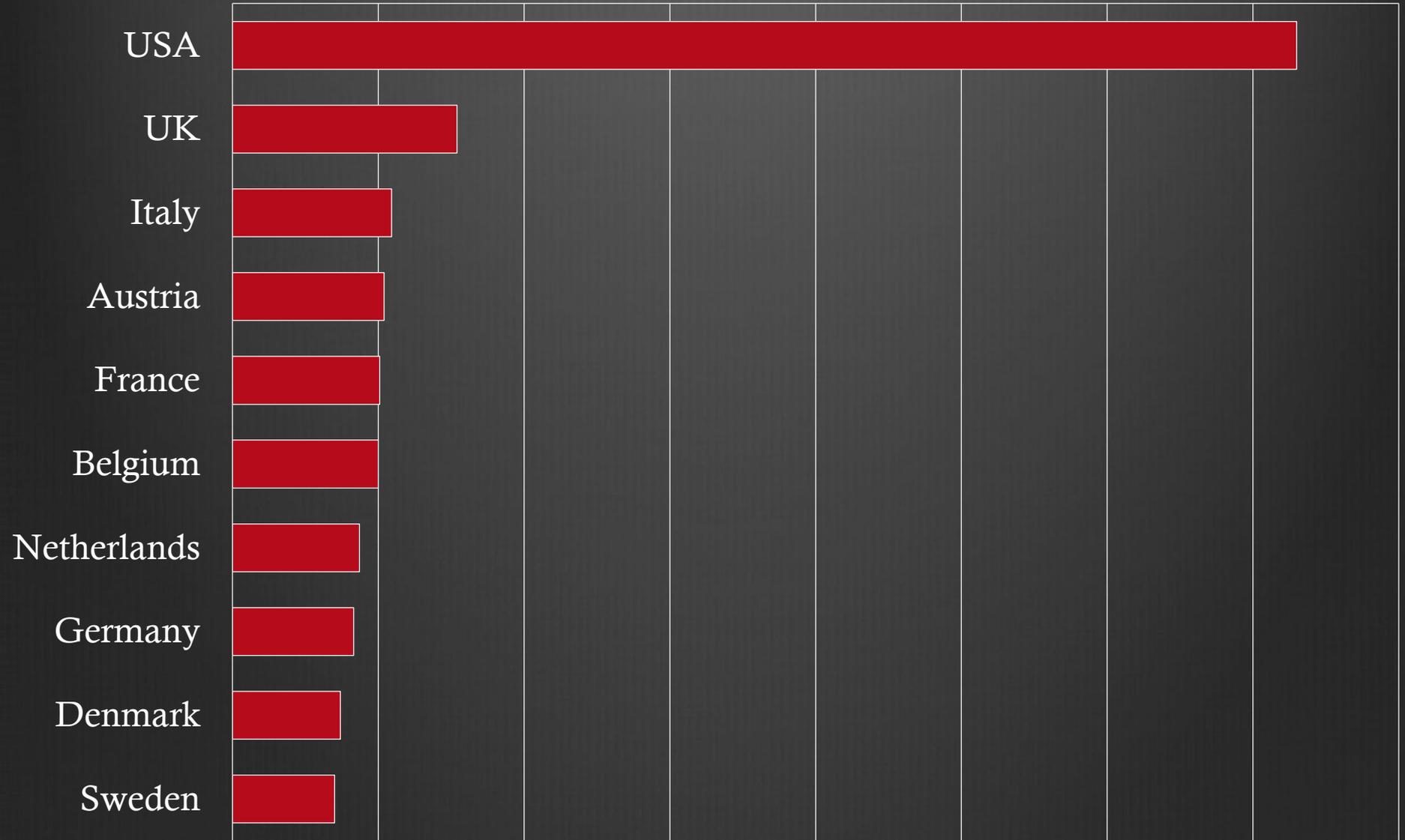


■ Incarceration Rate (per 100,000)

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2012 Incarceration Rate

0 100 200 300 400 500 600 700 800



■ Incarceration Rate (per 100,000)

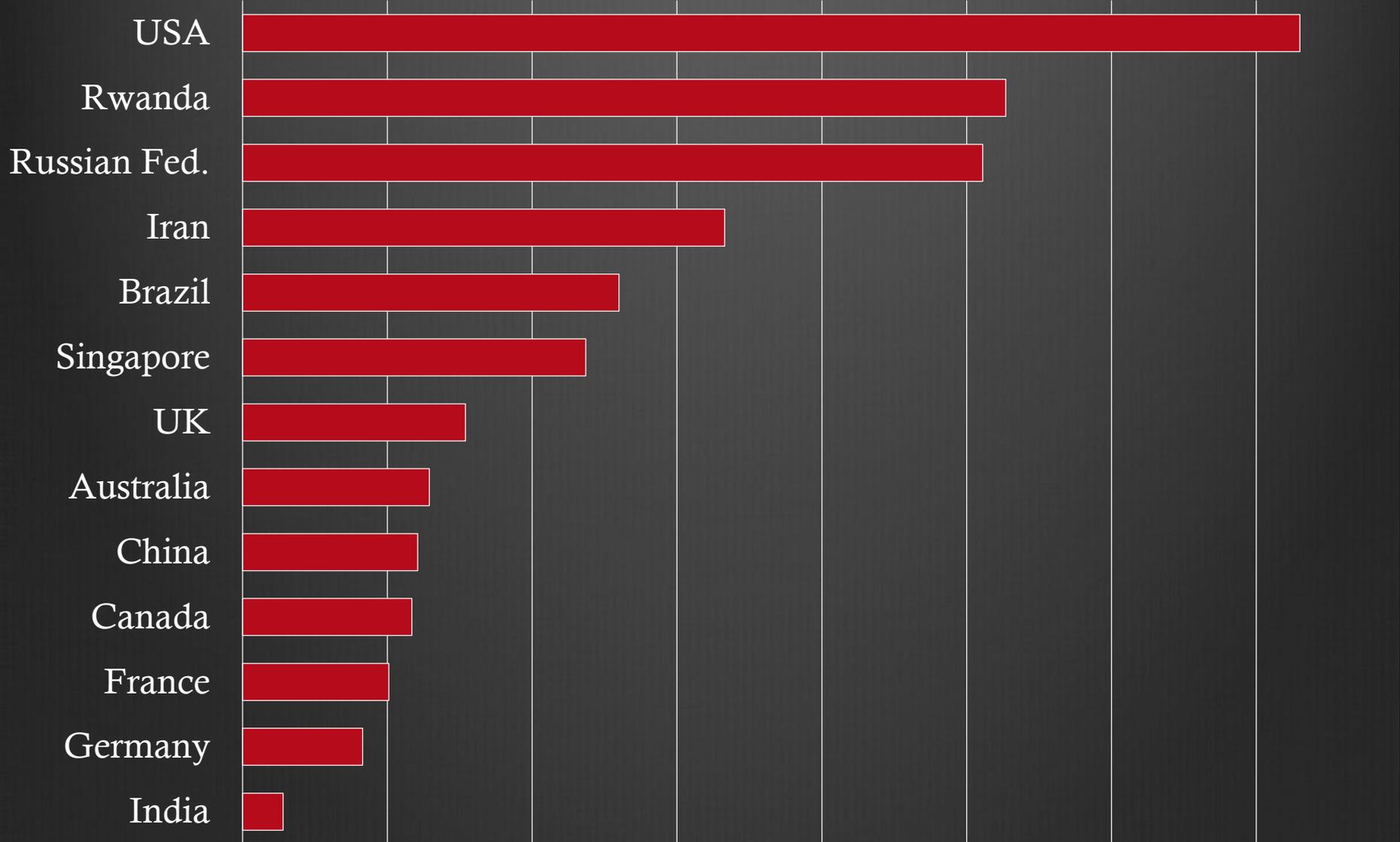
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2012 INCARCERATION RATES

United States vs. Worldwide

2012 Incarceration Rate (per 100,000)

0 100 200 300 400 500 600 700 800

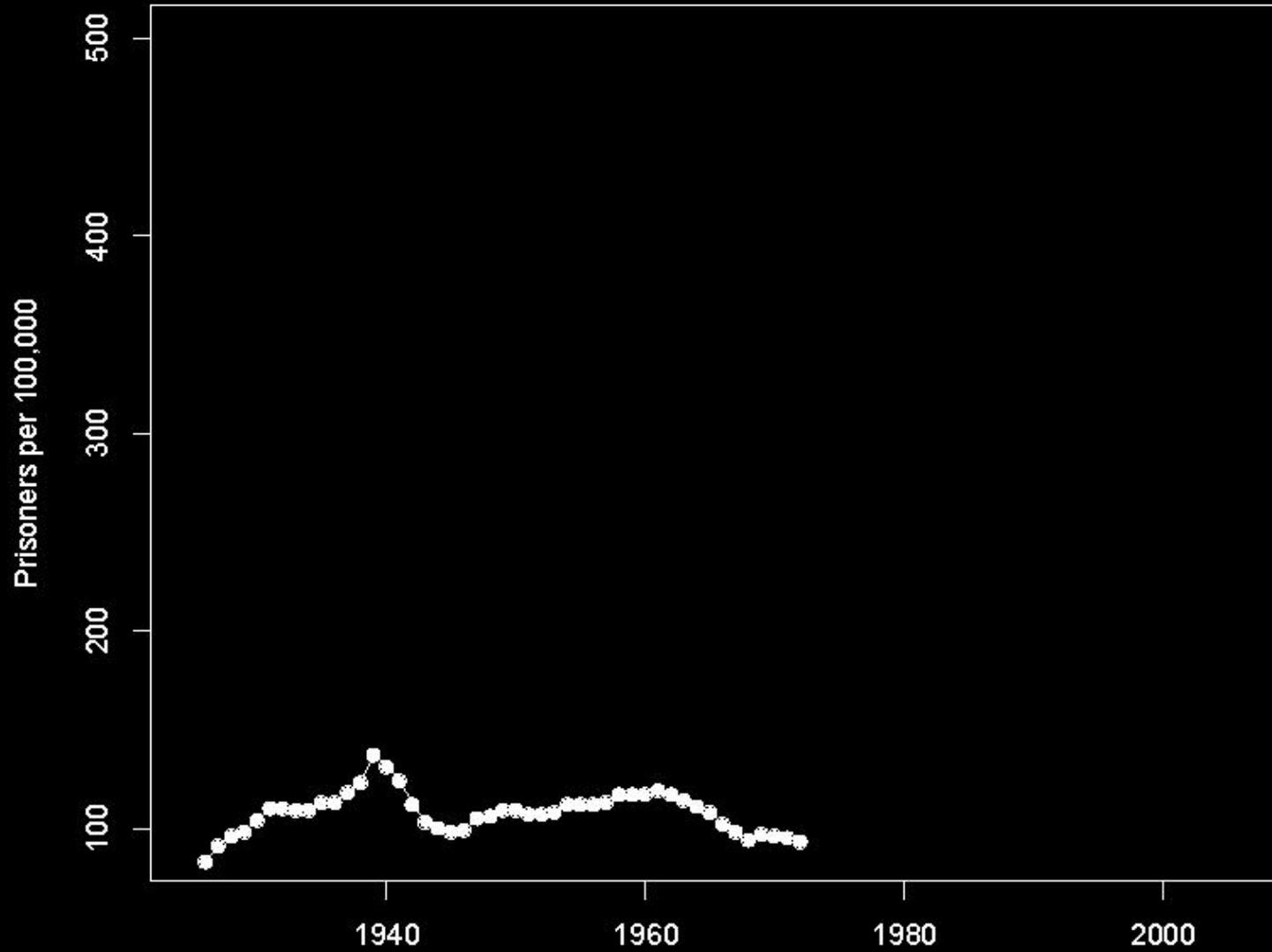


■ Incarceration Rate (per 100,000)

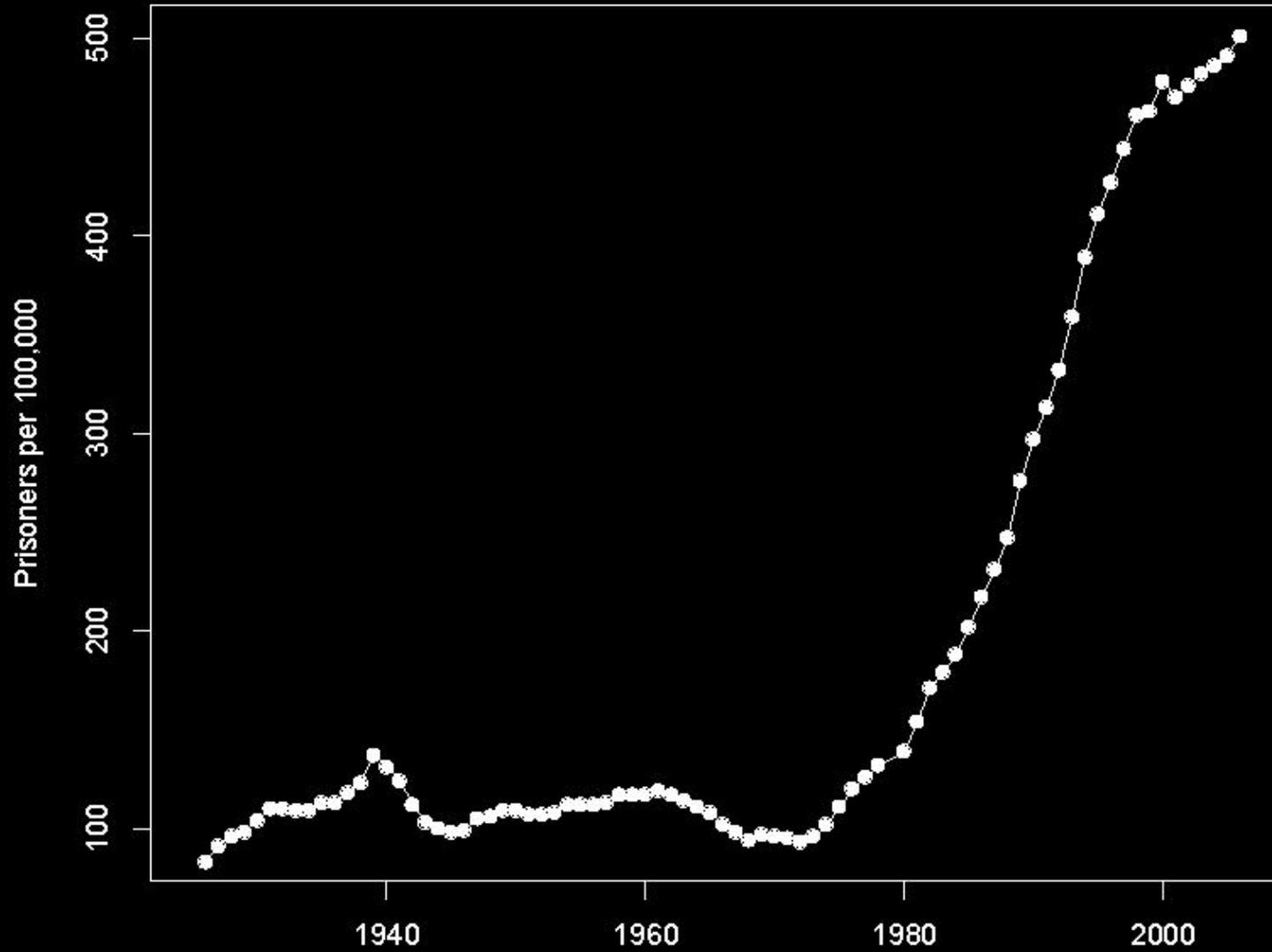
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Changes in U.S. Imprisonment Rates Over Time

US Imprisonment Rate, 1925-1972

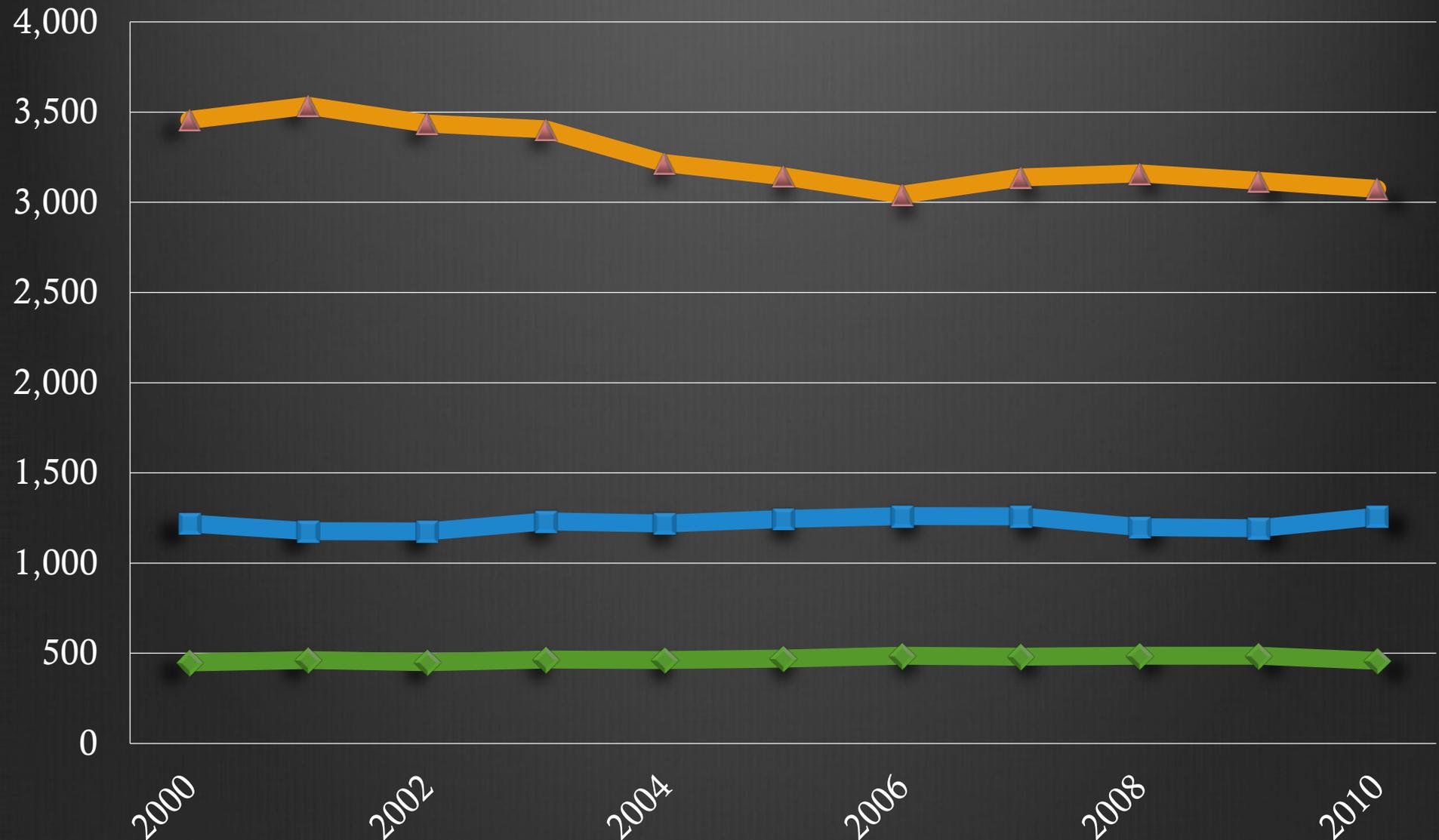


US Imprisonment Rate, 1925-2006



Sentenced Prisoners per 100,000 by Race

Black Hispanic White

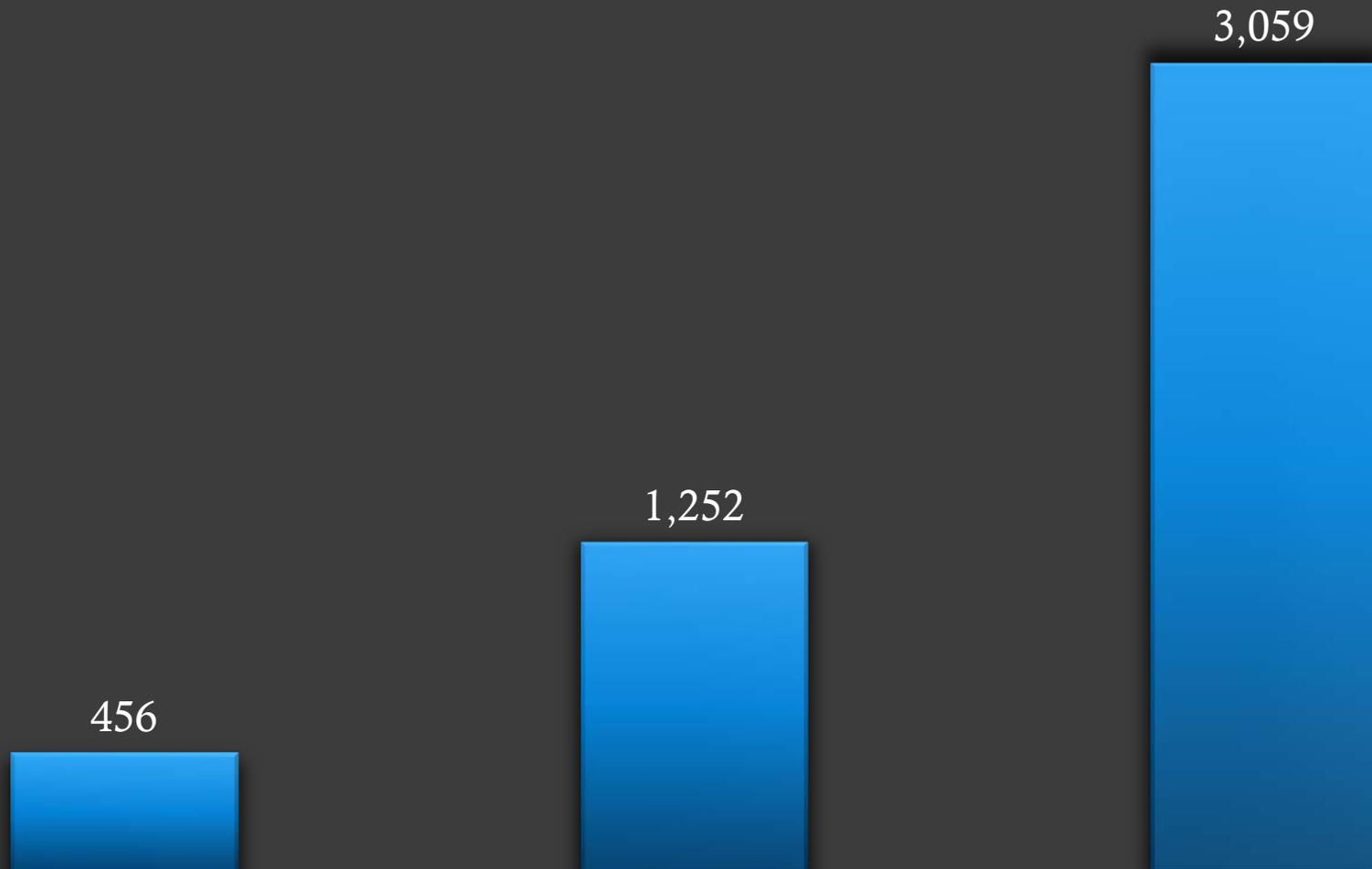


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(Source: Sourcebook of Criminal Justice Statistics Online from Bureau of Justice Statistics data)

Rate of Incarceration (State and Federal, 2010)

■ Incarcerations per 100,000



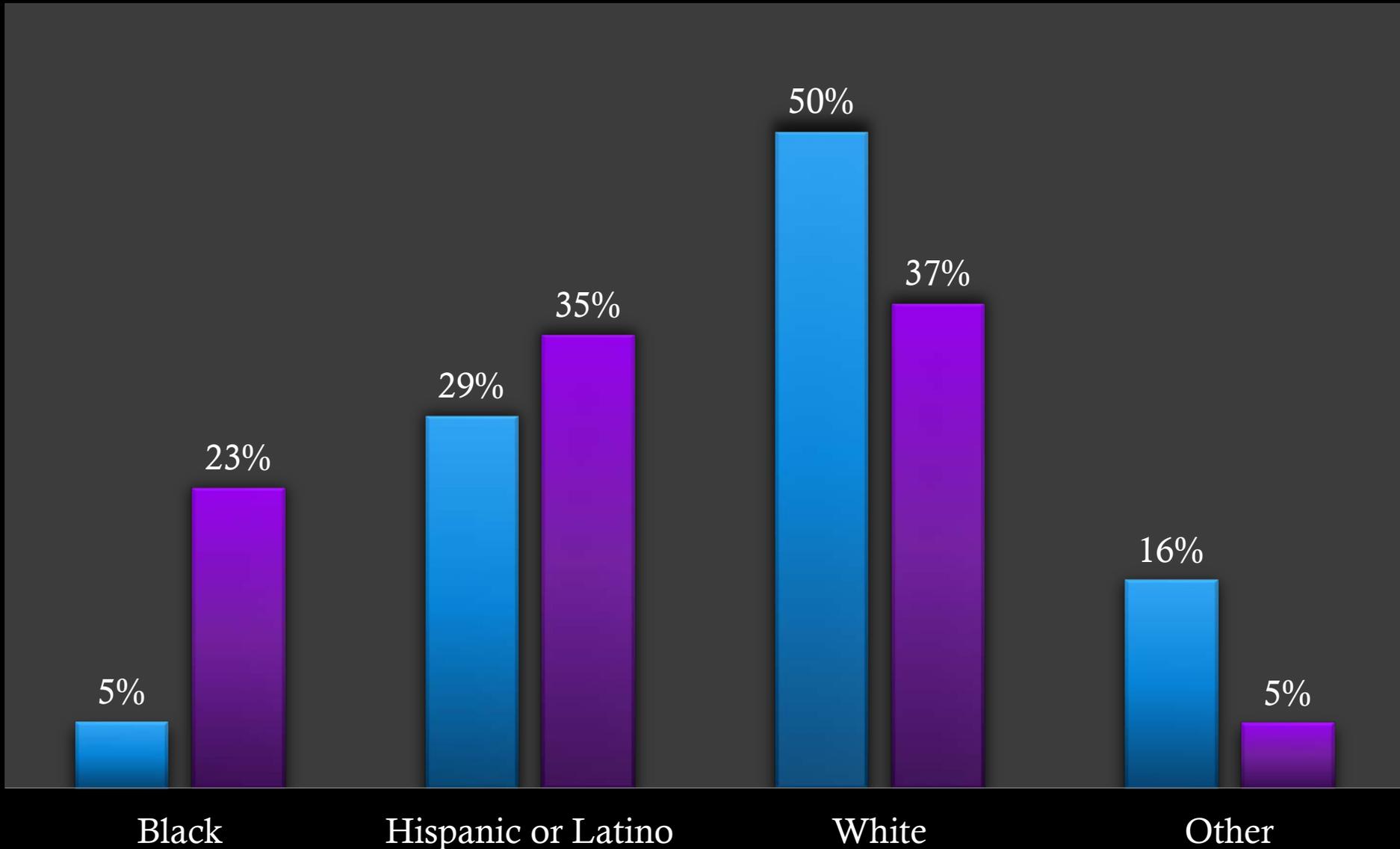
White, non-Hispanic

Hispanic

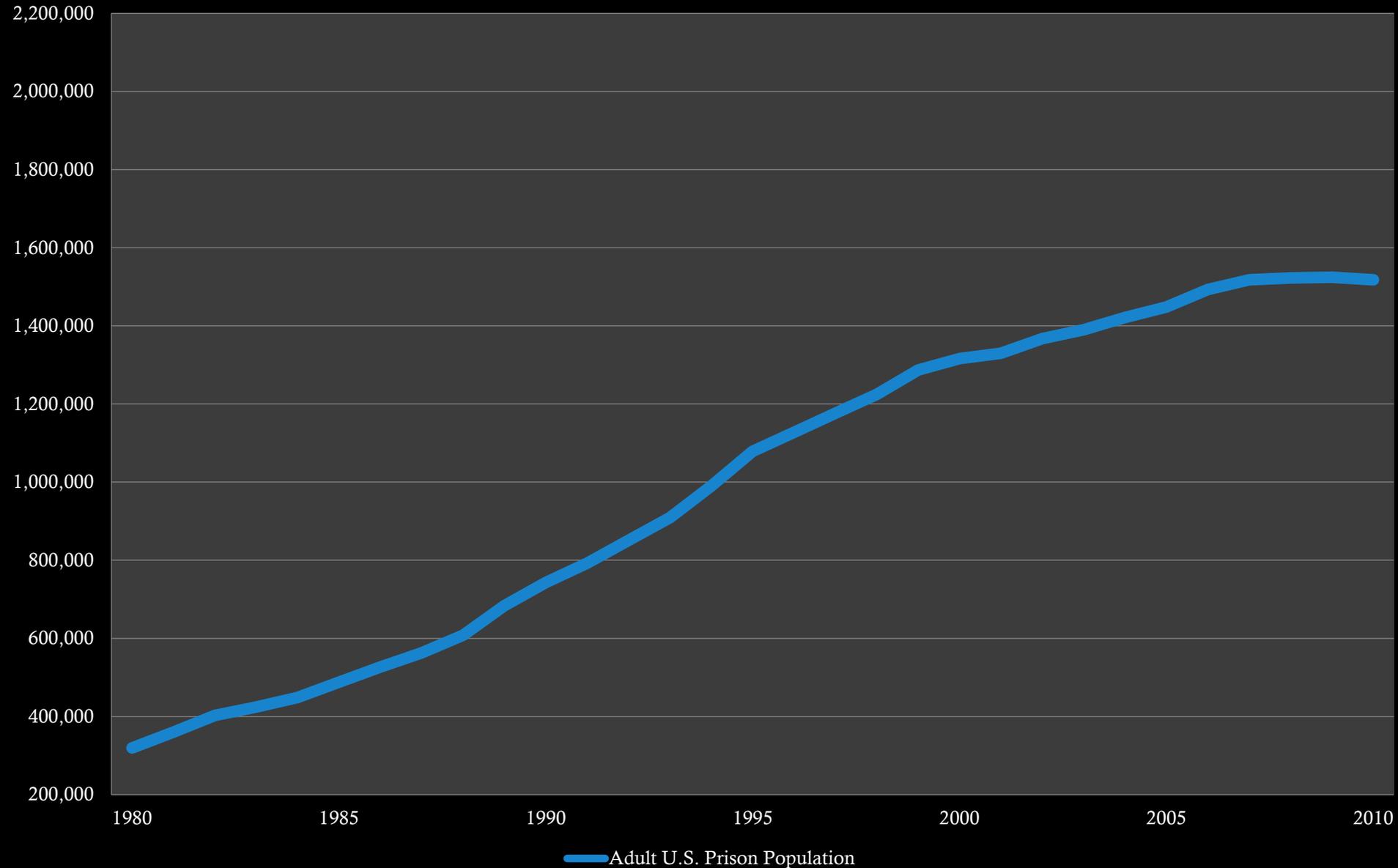
Black, non-Hispanic

Ninth Circuit States

■ Total Population ■ State Prison Population



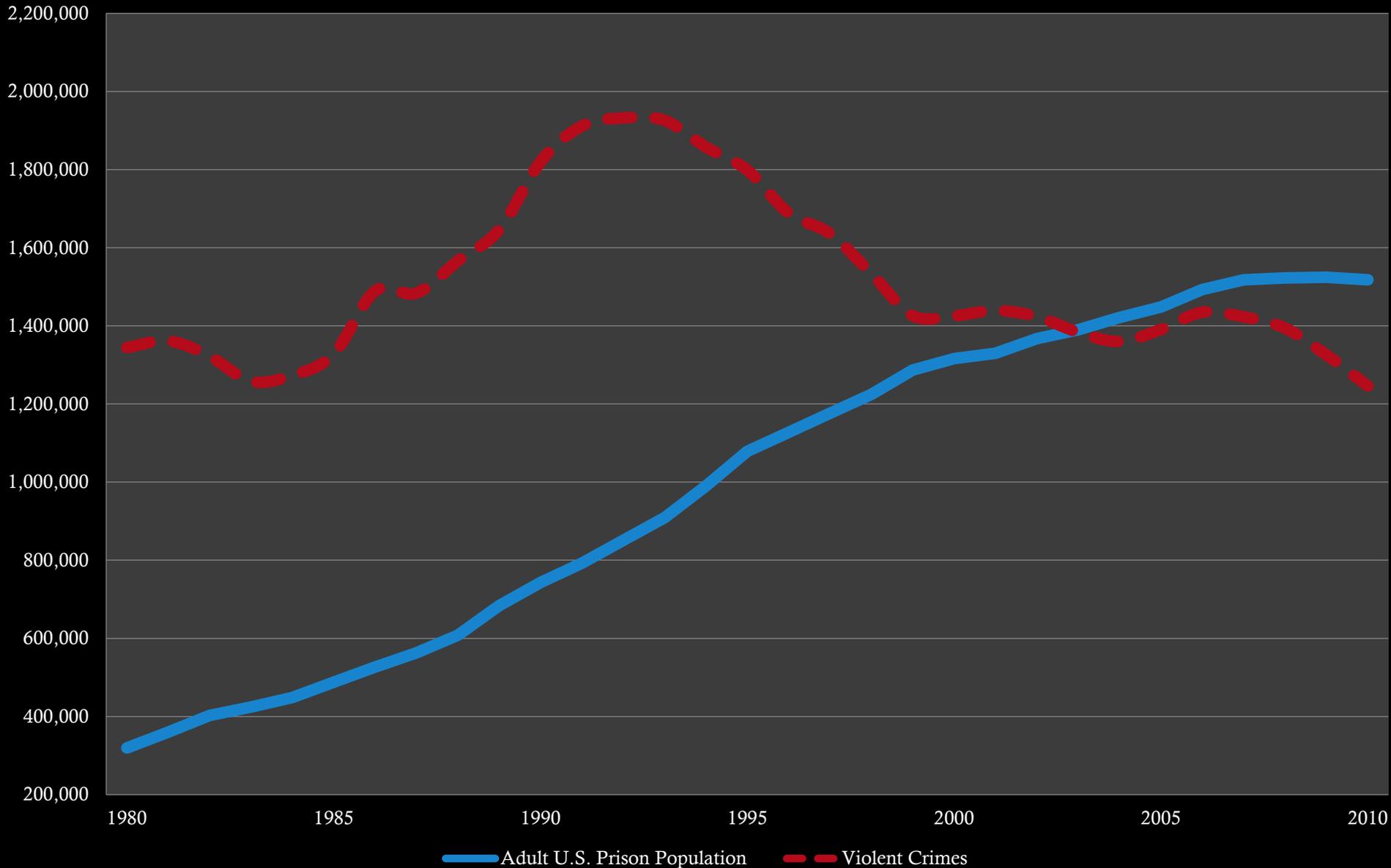
U.S. Prison Population 1980 - 2010



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(Source: Sourcebook of Criminal Justice Statistics Online from Bureau of Justice Statistics data)

Prison Population vs. Violent Crime 1980 - 2010



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(Source: Sourcebook of Criminal Justice Statistics Online from Bureau of Justice Statistics data)

Impact of Differential Rates of Imprisonment

Source:

Professor Bruce Western

Professor of Sociology

Harvard University

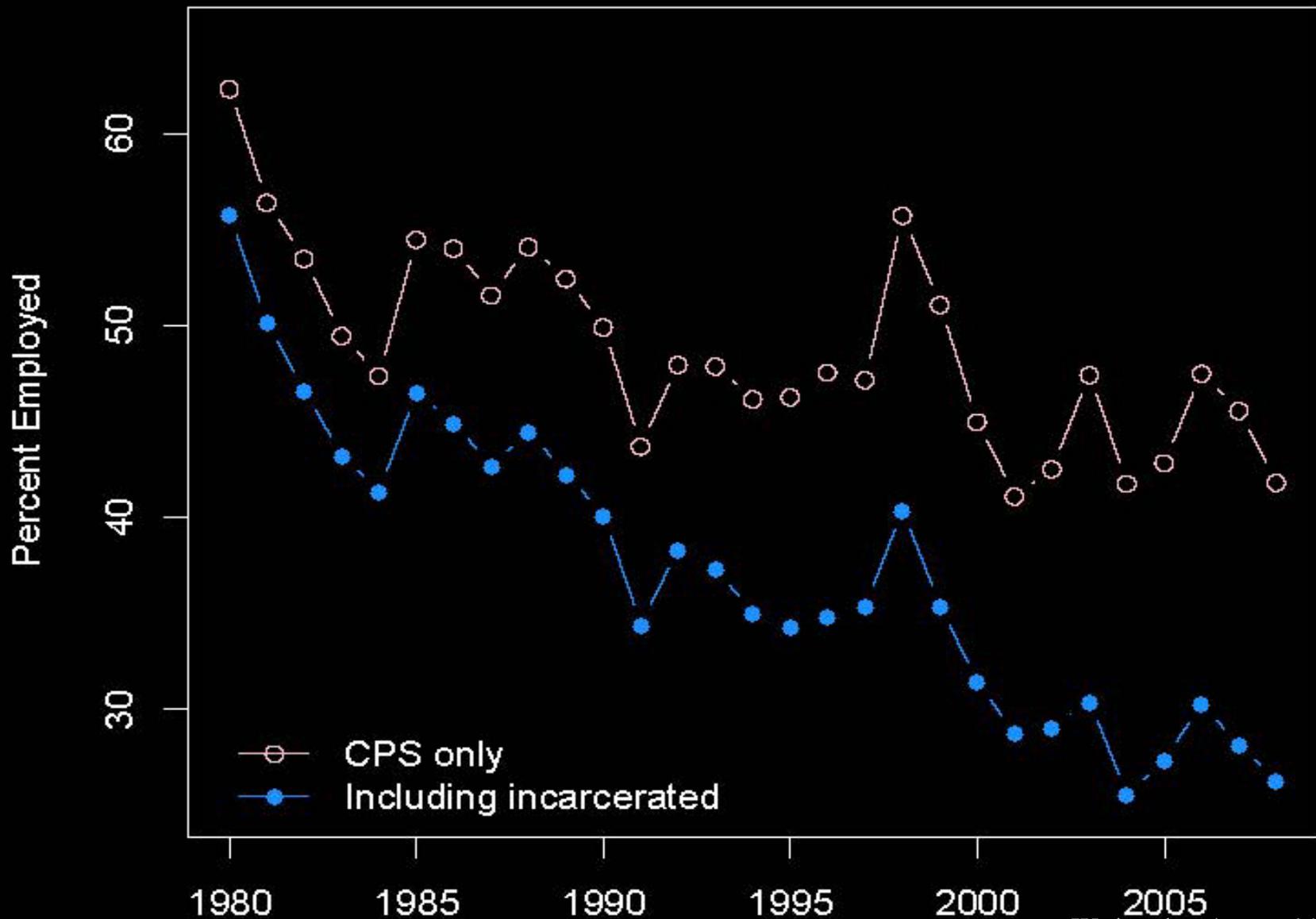
(research supported by grants from the National Science Foundation
and the Russell Sage Foundation)

Imprisonment and Life Course

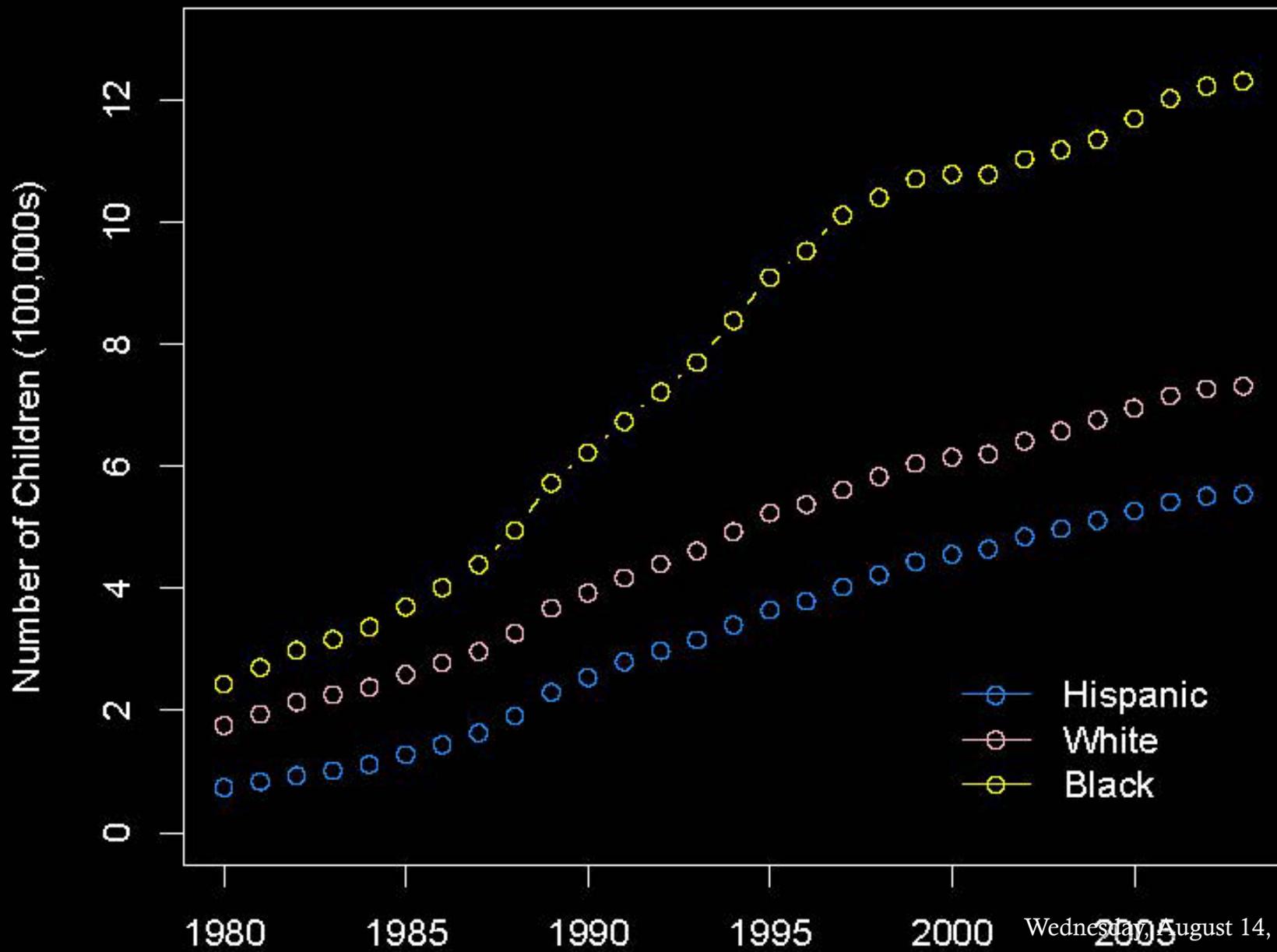
White and Black men, born 1975-1979,
experiencing a life event by 2009 (percent):

Marriage	68% (whites), 47% (blacks)
College degree	34% (whites), 17% (blacks)
Military service	10% (whites), 9% (blacks)
Imprisonment	5% (whites), 27% (blacks)

Employment Rate, Black Male Dropouts, 20–34



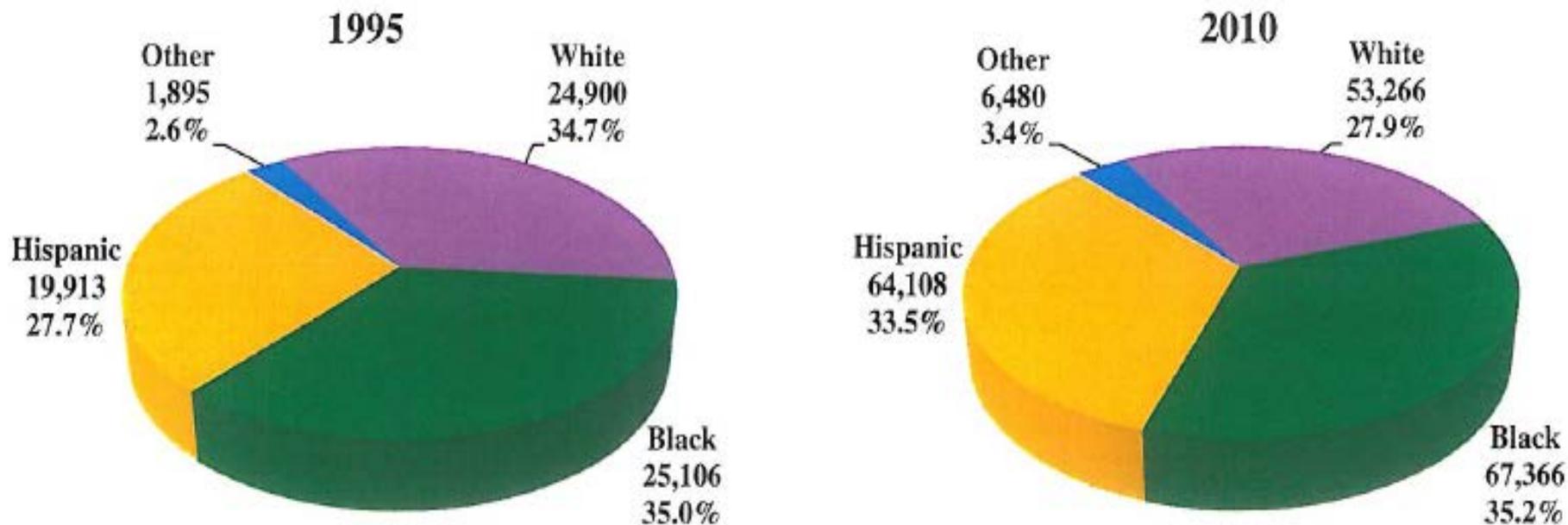
Children with Incarcerated Parents, 1980–2008



FEDERAL SENTENCING AND RACE

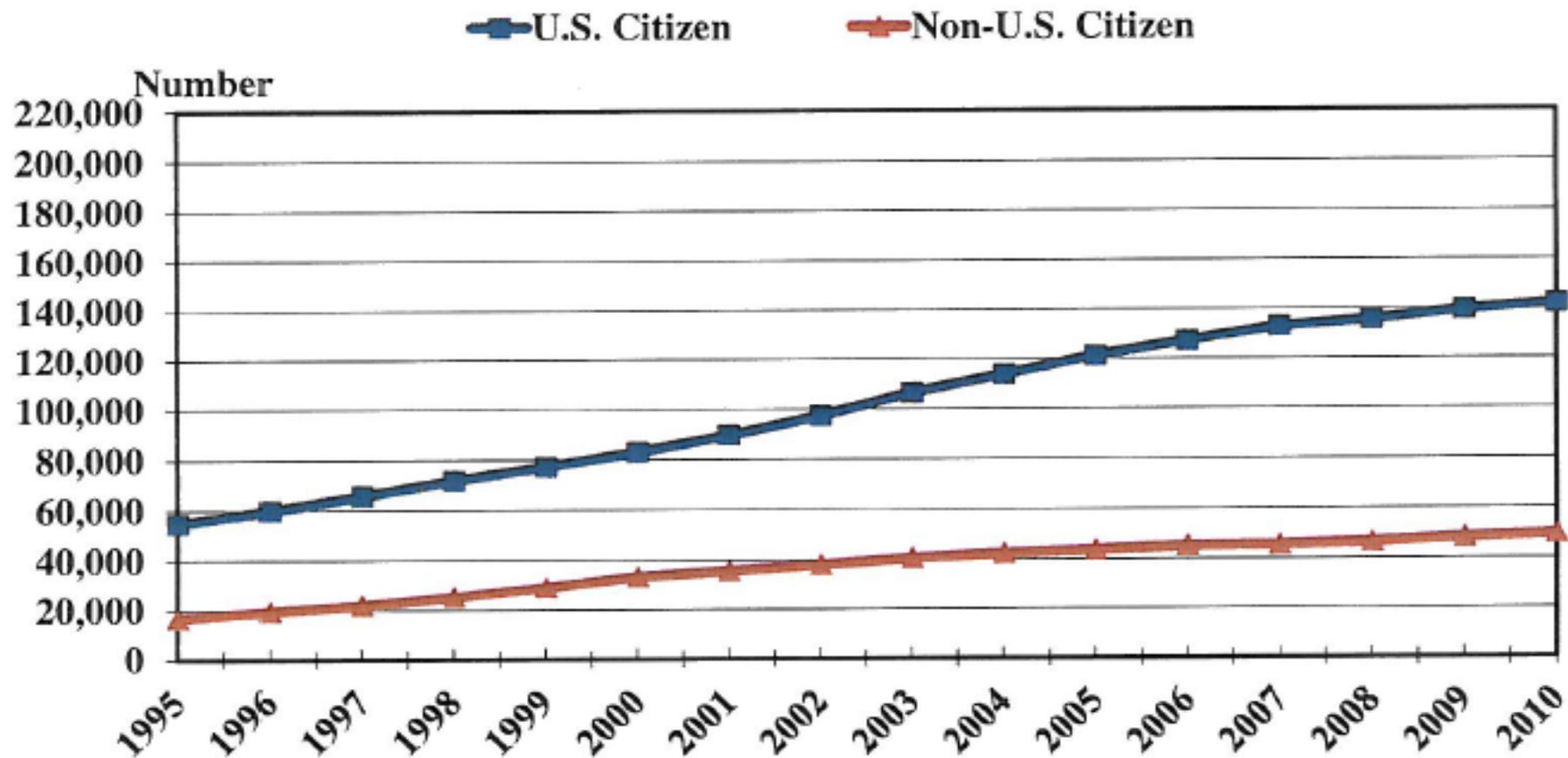
- POST KOON
- POST PROTECT ACT
- POST BOOKER
- POST GALL

Figure 4-10
Percentage of Offenders in Prison on September 30
by Race of Offender
1995 and 2010



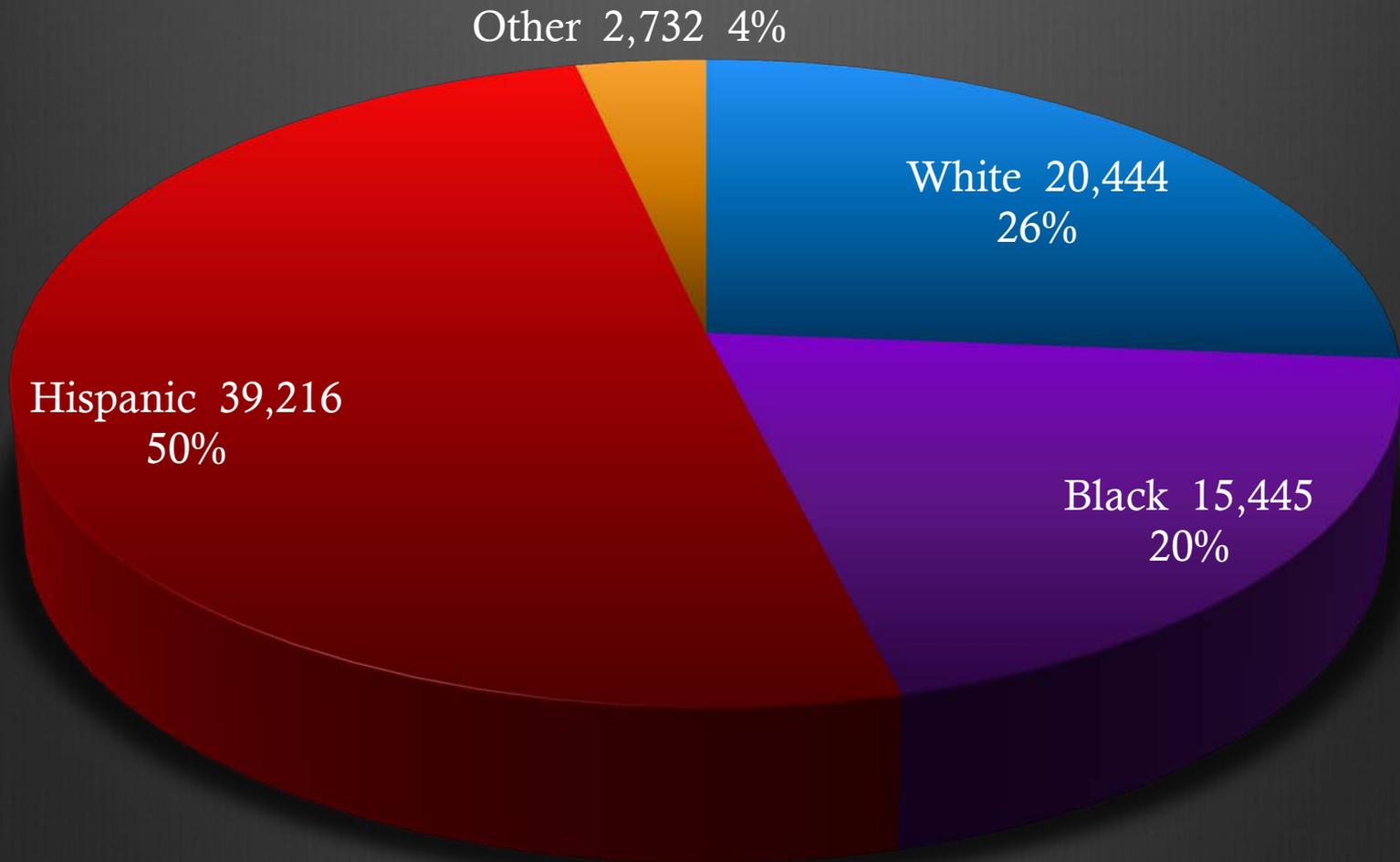
SOURCE: U.S. Sentencing Commission, and Bureau of Prisons Combined 1995 through 2010 Datafiles, USSCBOP.

Figure 4-13
Number of Offenders in Prison on September 30
by Citizenship of Offender
1995 - 2010

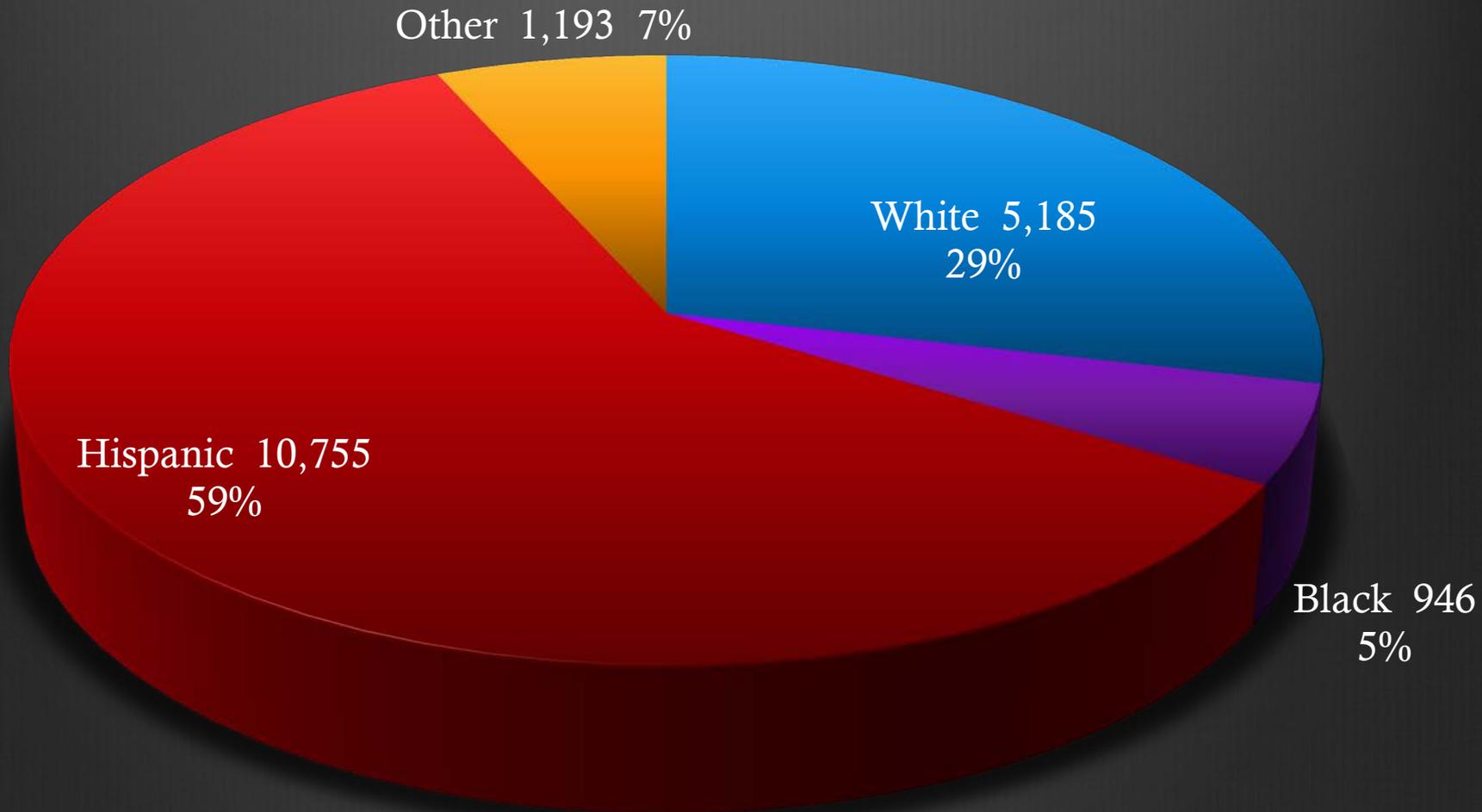


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National Federal Prisoners (2011)



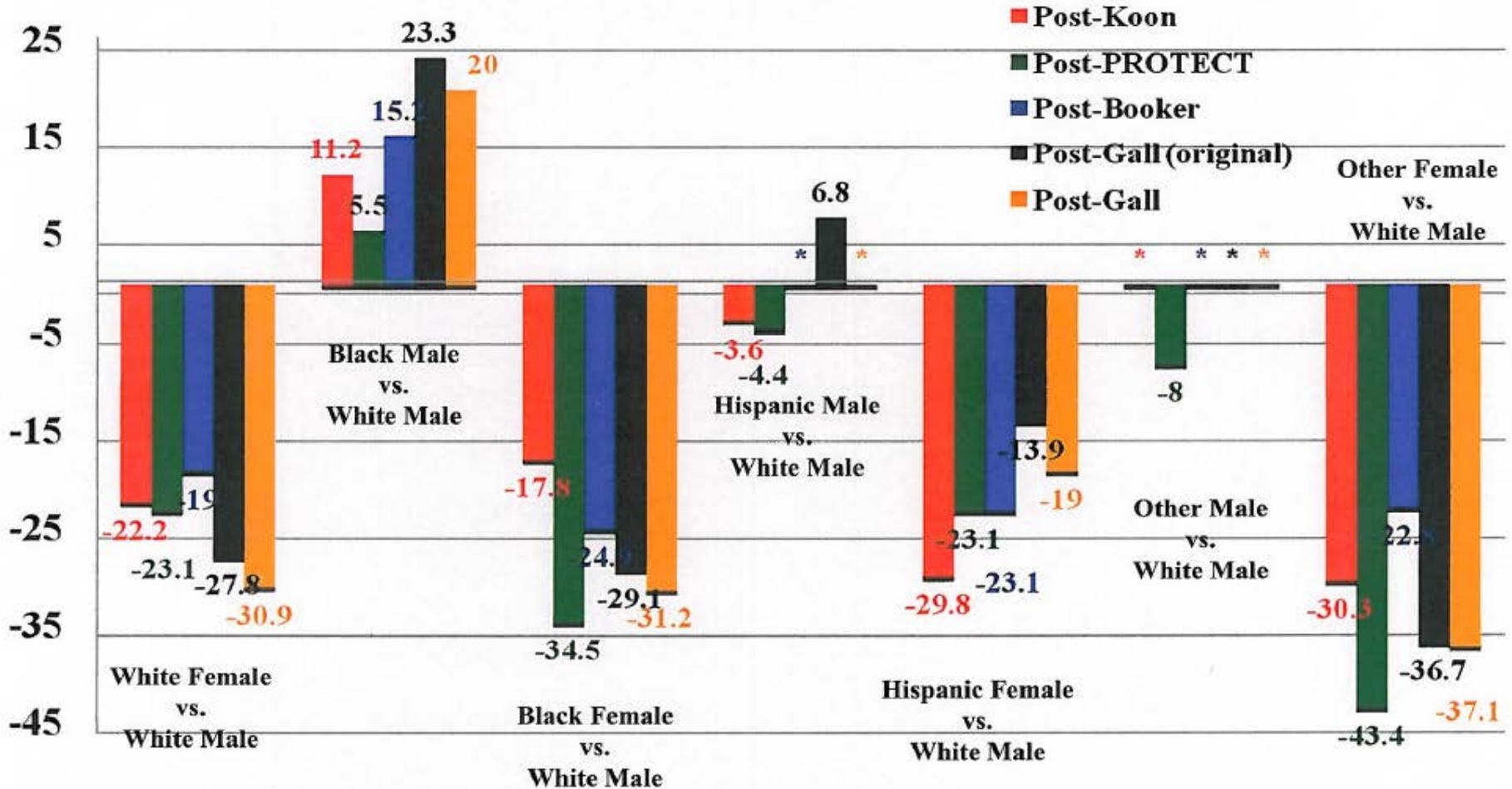
Ninth Circuit Federal Prisoners (2011)



Refined Model

Differences in Sentence Length for Demographic Factors Results of Multivariate Analysis

Post-Koon, Post-PROTECT Act, Post-Booker, Post-Gall (original), Post-Gall



Percentage Difference in Sentence Length

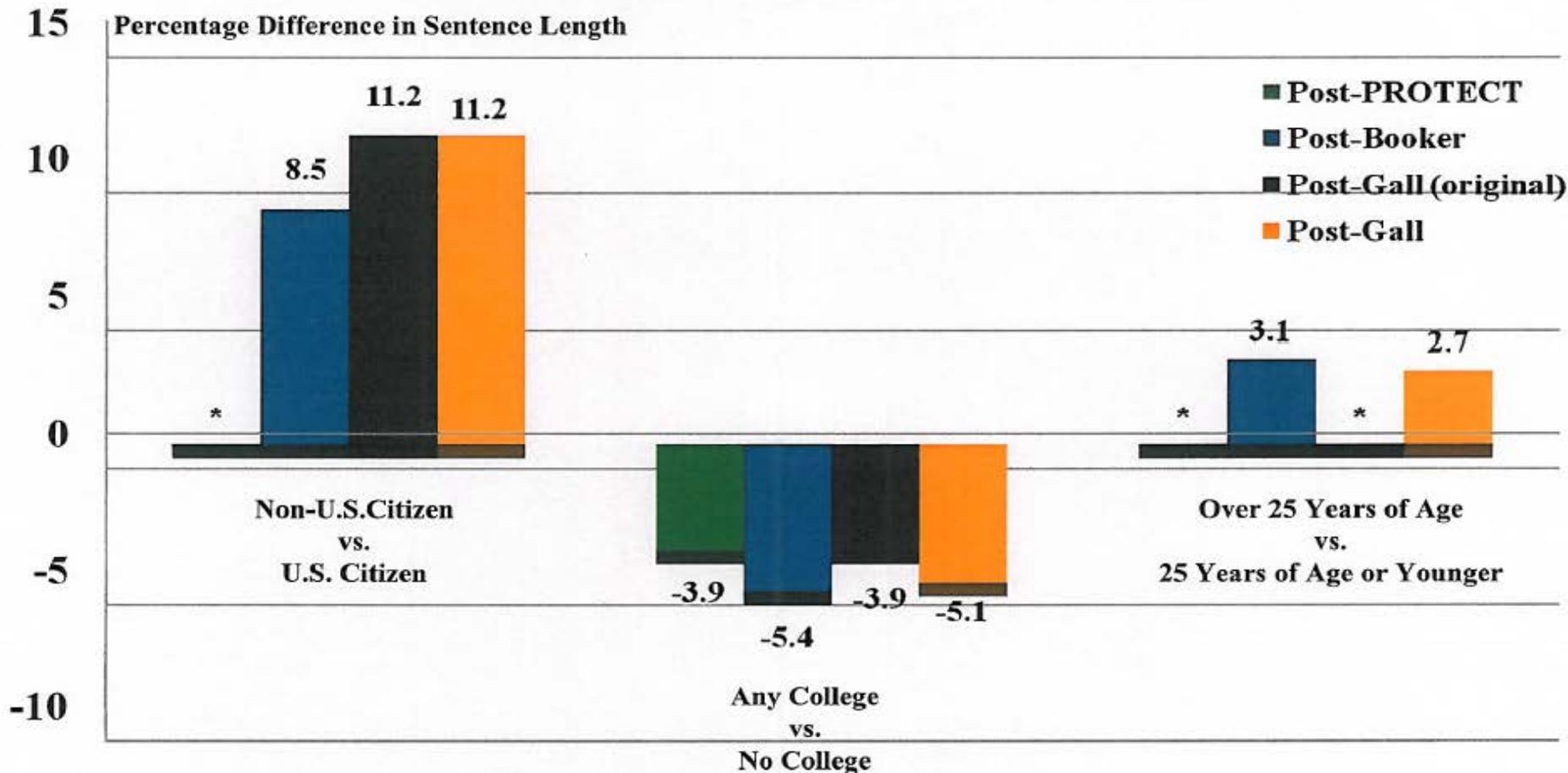
•Indicates that the difference between the two groups was not statistically significant.

SOURCE: U.S. Sentencing Commission, 1999 -2010 Datafiles, USSCFY99-USSCFY10.

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Refined Model

Differences in Sentence Length for Demographic Factors
 Results of Multivariate Analysis
 Post-PROTECT Act, Post-Booker, Post-Gall (original), Post-Gall



*Indicates that the difference between the two groups was not statistically significant.

SOURCE: U.S. Sentencing Commission, 2003-2010 Datafiles, USSCFY03-USSCFY10.

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