

# Reducing Racial Inequality in Crime and Justice: Science, Practice, and Policy

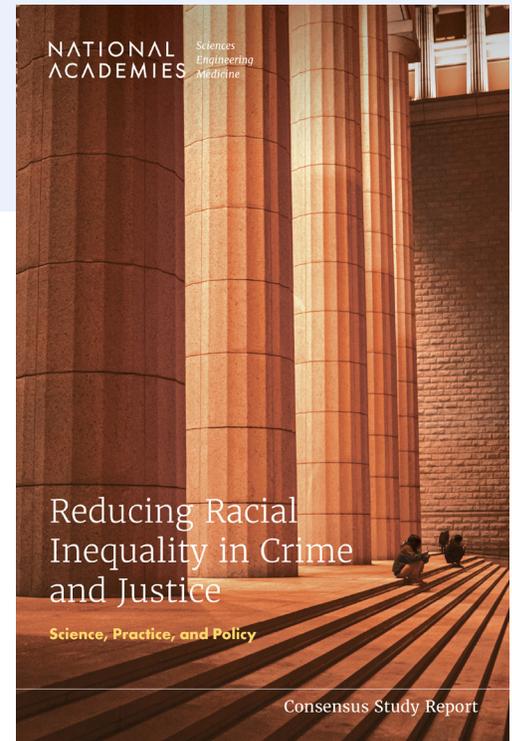
**Evidence-based policies and practices can reduce inequality in crime, victimization and criminal justice involvement.**

**THE HISTORY OF THE U.S. CRIMINAL JUSTICE SYSTEM IS MARKED BY RACIAL INEQUALITY, AND SUSTAINED BY PRESENT DAY POLICY**

The historical legacy of racial exclusion and structural inequalities in housing, economic opportunity, and socio-political forces form the social context for racial inequalities in crime and criminal justice. Racial inequality can drive disparities in both crime and system involvement. Racial differences in criminal victimization, offending, and incarceration can further exacerbate racial inequality in socioeconomic life. While racial disparities in incarceration have declined in the last decade along with substantial decreases in overall incarceration rates, large racial disparities remain, as do the consequences of disproportionate criminal justice system contact for Black, Latino, and Native American communities.

The National Academies of Sciences, Engineering, and Medicine convened an expert committee to review and assess existing evidence on racial differences in crime and criminal justice involvement and make evidence-driven policy and research recommendations to reduce racial disparities in the criminal justice system.

The committee, whose expertise included criminology, criminal justice, law, history, political science, sociology, and economics, highlighted two evidence-informed approaches that are needed to reduce racial inequities in crime and justice: (1) policy reform to the criminal justice system itself—reforms to law enforcement, courts, corrections, and community supervision; and (2) innovations outside the criminal justice system to support community-led efforts for safety as well as policy reforms to address racial inequality at the neighborhood level and within adjacent social policy institutions.



**The report synthesizes the evidence on community-based solutions, noncriminal policy interventions, and criminal justice reforms, charting a path toward the reduction of racial inequalities by minimizing harm in ways that also improve community safety.**

#### **KEY TRENDS IN CRIMINAL JUSTICE INEQUALITIES**

Large racial and ethnic disparities exist across the several stages of criminal legal processing, including in arrests, pre-trial detention, and sentencing and incarceration, among others, with Black and Native Americans experiencing worse outcomes. Notably, recent trends show a decline in the racial disparity in incarceration, and the absolute size of the total correctional population (including prison, jail, probation, and parole) has shrunk in the 12 years from 2008 to 2020. Still large racial disparities in criminal justice involvement remain, and are extremely high in some jurisdictions.

- **Homicide Victimization:** Racial disparities in homicide rates have grown since 2010, with Black Americans, Native Americans, and Latinos at higher risk of homicide victimization than White and Asian Americans. These disparities grew as overall homicide rates rose over the last five years.
- **Police Interactions and Arrests:** Police officers stop and search Black Americans at rates that are higher than other racial and ethnic groups. Police in encounters with the public, are also more likely to use force against Black Americans than White.
- **Pre-Trial Detention:** Between 2005 and 2019, the jail incarceration rate for Black Americans was on average over three times higher than the rate for Whites and Latinos.
- **Sentencing and Corrections:** The Latino-White incarceration rate disparity narrowed from 1999 to 2018, along with a decline in the Black-White disparity in incarceration. For Native Americans, however, there was a widening gap in incarceration rates relative to White Americans.
- **Community Supervision:** The probation population dropped by almost 20% between 2007 and 2019. Yet, the racial makeup of the population under probation supervision changed little from 2007 to 2019.

**REVERSING THE EFFECTS OF STRUCTURAL RACISM AND SEVERING THE CLOSE CONNECTIONS BETWEEN RACIAL INEQUALITY, CRIMINAL HARMS SUCH AS VIOLENCE, AND CRIMINAL JUSTICE INVOLVEMENT, WILL INVOLVE FOSTERING LOCAL INNOVATION AND EVALUATION, AND COORDINATING AND CONSOLIDATING LOCAL INITIATIVES WITH STATE AND FEDERAL LEADERSHIP.**

A key strategy to reduce racial inequality involves reducing the scale of police contact, incarceration, and other criminal justice involvement, which will produce the largest reductions among Black, Latino, and Native American populations. Reducing racial inequality must involve coordinated reforms across all stages of the criminal justice system that will reduce cumulative racial disadvantage; from police contact, to court processing and sentencing, to correctional supervision. Beyond these efforts, structural reforms that improve public space, reduce neighborhood inequality, and alleviate concentrated poverty can buttress criminal justice reforms by reducing crime and improving the social contexts in which reforms can operate.

## **REFORM OUTSIDE OF THE CRIMINAL JUSTICE SYSTEM**

Criminal justice policy alone cannot solve historically rooted, multidimensional racial inequality. Community organizations, and private firms and foundations can play a role in improving the well-being of communities and lessening the structural social disadvantages by pairing criminal justice reforms with non-criminal justice policy approaches. The following are examples of strategies for improving the material well-being of communities and addressing the structural social disadvantages through non-criminal justice policy approaches.

### **HEALTH AND EARLY DEVELOPMENT STRATEGIES**

- Universal policy approaches, such as Medicaid expansion, and targeted approaches, such as community-based health services can improve the safety well-being of disadvantaged communities.
- High quality early childhood education programs have been shown to reduce criminal involvement and result in cost savings in the long term.

### **IMPROVE ECONOMIC OPPORTUNITIES**

- Placement into high quality jobs with potential for upward mobility through educational and entrepreneurship programs.

### **PUBLIC INVESTMENTS**

- Municipal grants to community organizations for neighborhood improvement projects or services.
- Fund Business Improvement Districts that work to enhance public space through capital improvements, sanitation, and public safety measures.
- Improve the built environment through greening and lead remediation programs.

## **REFORM WITHIN THE CRIMINAL JUSTICE SYSTEM**

A variety of measures—such as bans on unconstitutional policing and incarceration, sentencing reform for drug offenses, bail reform, and reductions in the intensity and duration of community corrections supervision—have reduced the overall level of criminal justice contact, incarceration, and community supervision. The following measures have had large effects on reducing absolute racial disparities, with little evidence across specific cases of an adverse effect on crime.

### **CRIMINAL JUSTICE POLICY REFORM**

States, localities, and the federal government should explore ways to reduce police stops and searches, jail detention, prison admissions, and long sentences that would further reduce racial disparities.

- Limit jail detention to only those charged with serious crimes who pose a serious and immediate risk of harm or flight.
- Re-examine long sentences in state and federal penal codes and explore ways to review the cases of those that are currently serving long sentences.
- Eliminate cash bail and explore alternatives where detention is used parsimoniously and is clearly linked to actuarial risk.
- Reduce the incarceration of individuals under community supervision for technical violations.
- Explore drug policy reforms that reduce incarceration and felony sentences.
- Eliminate the death penalty.

### **ADVANCING EVIDENCE-BASED SOLUTIONS THROUGH RESEARCH**

- Enable the development of evidence-based solutions for reducing racial inequality by enhancing grant-making structures, data systems, and research.
- Promote model jurisdictions and programs that have effectively reduced racial and ethnic disparities.
- Explore expansion of community-driven pilot programs for community violence interruption in combination with strong evaluation strategies.
- Explore promising new practices, seed innovation, and add value to efforts that accelerate systemic reform.
- Support research that examine and evaluate tribal models of justice and other community-based programs.

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