

Bias in the Court System

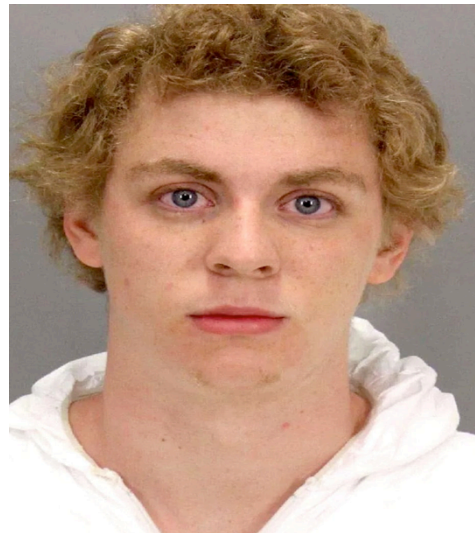
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Abstract

What effect does race have on criminal sentencing? Court rulings can range from harsh to fair to lenient depending on one's point of view. Comparing the varying punishments between each individual in the United States courts based on current events.

Background

- Brock Allen Turner was convicted on three felony counts for assaulting an unconscious woman outside a fraternity house. He was sentenced to six months in jail.
- Former Long Beach football standout Brian Banks was falsely convicted of rape when he was 16 and spent six years in jail. Nearly a decade later, the woman who accused him contacted Banks on Facebook, met with him and admitted that she had fabricated the story. A Los Angeles County Superior Court judge reversed the 2002 rape and kidnapping conviction in 2012.
- Powder cocaine and crack cocaine are both forms of cocaine. Crack cocaine is powder cocaine that has been processed with a base, such as baking soda. In its "free base" form cocaine is more lipophilic, meaning it's able to be rapidly absorbed when smoked. Powder cocaine is a white powdery salt form abused by snorting, or injecting into a vein. This form of cocaine cannot be smoked and is much more expensive than crack cocaine. According to 2014 US Census Data, the highest poverty rate by race is found among African American (26%), with Hispanics having the second highest poverty rate (24%). Whites had a poverty rate of 10%.

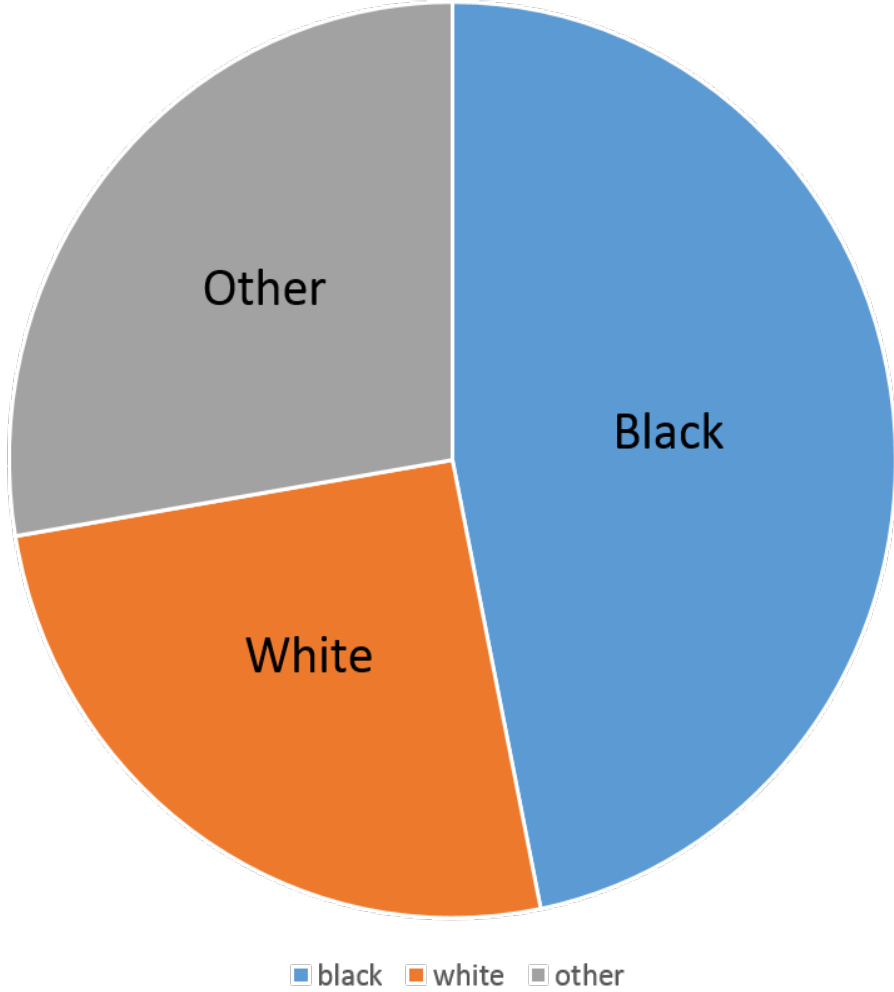


Methodology

Searched for articles on Duke Perkins Library website using key words conviction, demographics, race, and disparity. Narrowed results by filtering only peer reviewed articles. Studied and analyzed multiple sources. Data and statistics are from Federal Bureau website; information found here was compared to information found on other websites and articles such as ProQuest and extension of the Duke Perkins Library website.

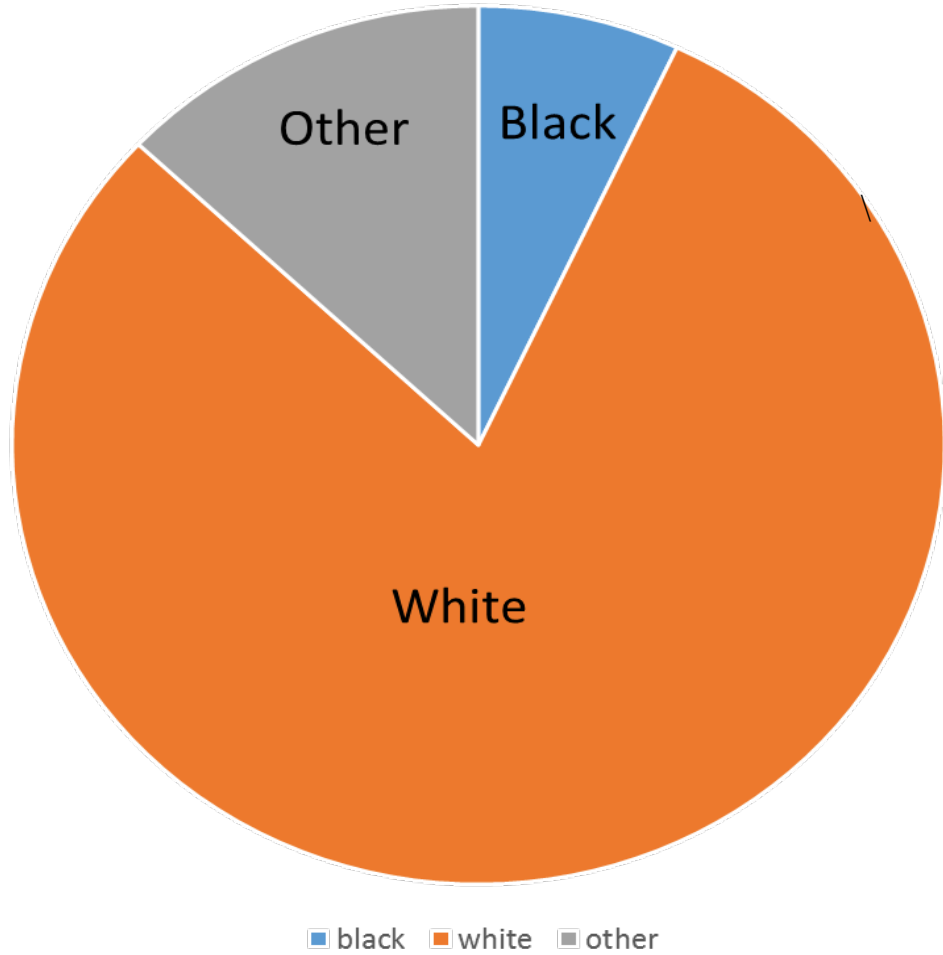
Results

Defendants



Racial disparities in police use of force cannot be fully explained by racial disparities in arrest rates. People of color make up 38% of the general population, yet they represent fewer than 20% of state judges.

Trial Judges



10,000 judges serving on state courts, and compared the gender, racial, and ethnic composition of state courts to the composition of the general population in each state. These disparities are significant because state courts handle most of the country's judicial business.

Conclusion

There is a significant disparity in the justice system as a whole. Once arrested, people of color are also more likely to be charged and convicted than whites. Once convicted, they are more likely to face harsh sentences. Studies of criminal justice outcomes also reveal that implicit biases influence the decisions of criminal justice professionals. Cocaine is harmful in any form, however crack is portrayed more negatively because it's tied to specific beliefs about the users, where they come from, what they look like, and their role in society.

Crack Cocaine Quantity	Statutory Range
Less than 5 grams	0-20 years
5 or more but less than 50 grams	5-40 years
50 or more grams	10 years-life

Powder Cocaine Quantity	Statutory Range
Less than 500 grams	0-20 years
500 or more but less than 5,000 grams	5-40 years
5,000 or more grams	10 years-life