

POWER & DEVIANCE

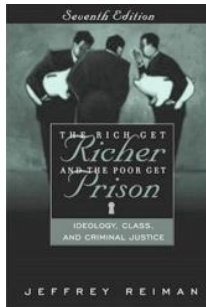
March 6, 2009



LISA PRESENTS THE CONFLICT THEORY PERSPECTIVE ON THE CRIMINAL JUSTICE SYSTEM

POWER & DEVIANCE

- Conflict perspective: defining and punishing deviance is form of social control by “haves” against “have-nots”
 - “Have-nots” are more likely to be labeled and punished for crime
- Our legal system doesn’t protect us equally from the dangers to us from rich people and poor people
 - Reiman: Label “crime” refers not to actions that cause most misery and suffering, but primarily to dangerous actions of the poor
- Corporate crime: Estimated cost of white-collar crime (e.g., fraud, embezzlement) in 2000 was \$404 billion (vs. \$3.8 billion for burglary & robbery)
- Health care: “preventable medical errors” resulted in 98,000 deaths and 1 million injuries to hospitalized Americans and cost \$29 billion
- Workplace safety: Reiman estimates over 30,000 annual deaths from occupational disease and hazard (Newman: 56,000 deaths)



HOW ARE AMERICANS MURDERED?

How Americans are Murdered				
Total (weapon known)	Firearms	Knife or Other Cutting Instrument	Other Weapon: Club, Arson, Poison, Strangulation, etc.	Personal Weapon: Hands, Fists, etc.
12,943	8,393	1,743	1,815	892

How Americans are Really Murdered					
Total (weapon known)	Firearms	Occupational hazard & disease	Knife or other cutting instrument including scalpel	Other weapon: club, poison, strangulation, prescription drug, other medical treatment.	Personal Weapon: Hands, Fists, etc.
94,681	8,393	30,238	13,743	41,315	892

RACE & SOCIAL CONTROL

- Rate of black incarceration in Iowa is 6X higher than white rate; blacks make up 2.3% of Iowans but 23.7% of new prison inmates (Des Moines Register, 10-5-07)
- Black children are 5% of Iowa's public school children but make up approx. 22% of suspensions and expulsions (Des Moines Register 10-7-07)
- What's going on?
 - Poverty & race are connected in the U.S. so many apparent race effects are really poverty effects
 - Whites and blacks are perceived differently by social control decision makers

RACE & SOCIAL CONTROL

- Participant observation studies of schools have found that school staff show greater concern for behavior by non-white students that transgresses white middle-class standards, e.g., untucked shirts, sexy dancing, boisterous talking.
- Historically, U.S. drug laws have been linked to race and class
- Criminal sentencing policies, e.g., the 100-to-1 rule, disproportionately harm blacks (even though blacks and whites probably use and sell drugs at similar rates)
- Studies of traffic stops show that blacks are more likely to be targeted by police

THREE PROFILE STOP STUDIES

- Illinois' Project Valkyrie (1987-97)
 - Latinos < 8% of IL population; 27% of searches
 - Blacks < 15% of IL population; 23% of searches
 - Cops ask to search Latinos' cars more than whites', but find lower % of contraband
- Maryland State Police (1995-96)
 - Blacks make up 16.9% of drivers on I-95 & 17.5% of traffic violators, but account for 72.9% of searches
 - Whites: drivers, 75.6%; violators, 74.4%; searches, 19.7%
- New Jersey (1999)
 - Blacks & Latinos: 13.5% of drivers, 77% of searches

SCAPEGOATING THE YOUNG

- Violent crime
 - Teenagers commit just 13% of violent crime
 - They are more likely to be victims than offenders
- Drug use
 - Most drug users are adults, but teenagers are more likely to be arrested
- Results of scapegoating teenagers
 - Status offenses that apply only to young
 - Constitutional rights of young ignored
 - Youth culture targeted for censorship
 - Youths given harsher punishments than adults
 - Offenders against children receive lenient sentences

