

# **RACIAL DISPARITY IN CRIME AND PUNISHMENT**

**By Cristal G.**

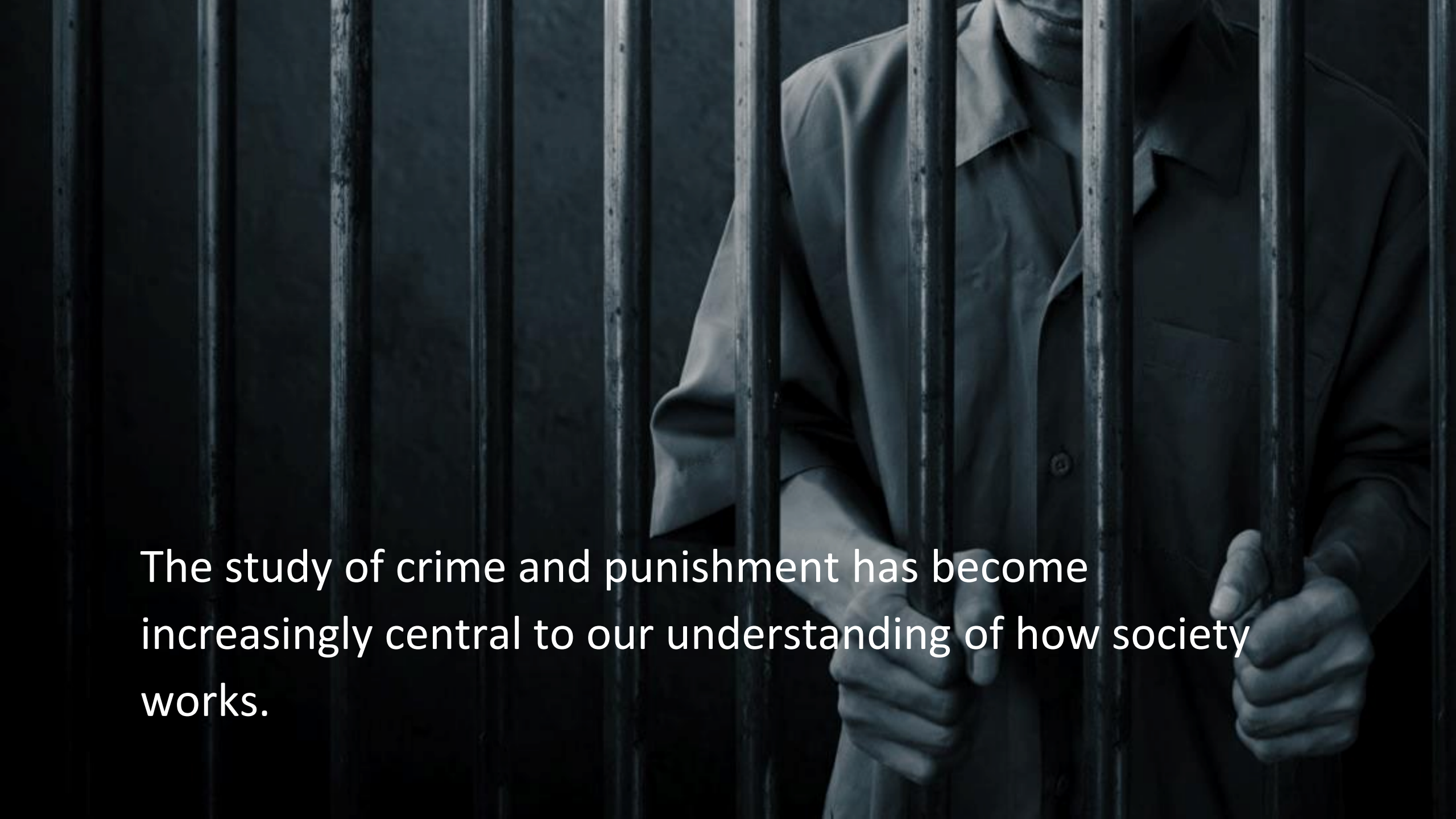
**SOC 100 – 1902**

**Borough of Manhattan Community College,  
CUNY**

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A person wearing a light-colored, short-sleeved button-down shirt is standing behind vertical metal bars, likely in a prison cell. The person's hands are gripping the bars. The lighting is dim, creating a somber and confined atmosphere. The background is dark and indistinct.

The study of crime and punishment has become increasingly central to our understanding of how society works.

African Americans



*more likely to use*  
Crack

**18:1**  
Jail Sentence Disparity

*In the U.S.*

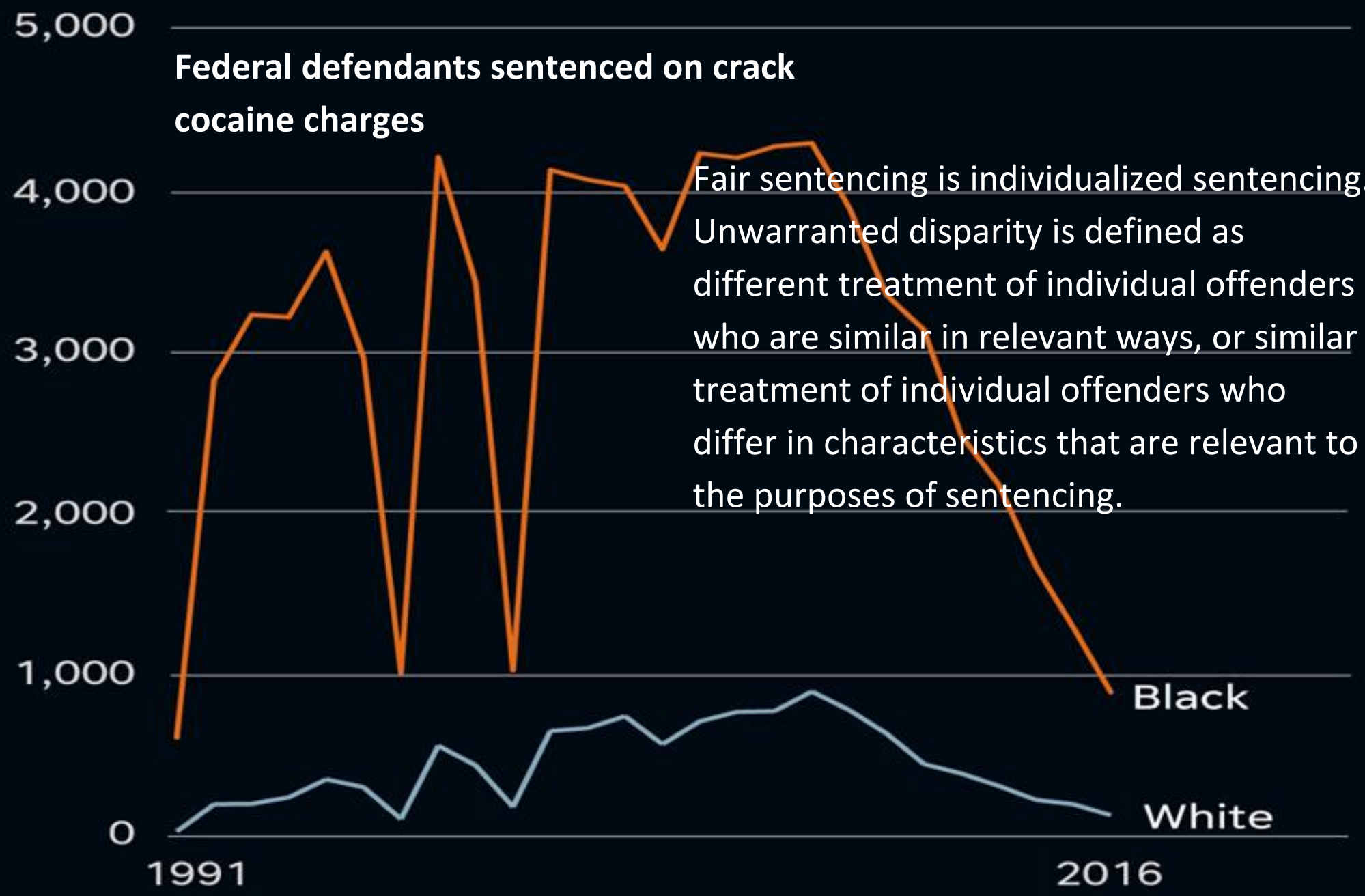
Whites

*more likely to use*  
Cocaine



*Crack related offenses are 18 times more likely to receive lengthier jail sentences than cocaine related offenses. Drug Policy Alliance (2010)*

# Federal defendants sentenced on crack cocaine charges



Fair sentencing is individualized sentencing. Unwarranted disparity is defined as different treatment of individual offenders who are similar in relevant ways, or similar treatment of individual offenders who differ in characteristics that are relevant to the purposes of sentencing.

Black

White

1991


2016



## Crack vs Cocaine

- Crack and cocaine may be nearly identical on a molecular level, but people who are charged with possession of just 1 gram of crack are given the same sentence as those found in possession of 18 grams of cocaine.
- Furthermore, I found that wealthy white people use cocaine while poor African American and other minorities use crack. That indicates that the sentencing of possession of these drugs is gear towards incarcerating the minority.



A black and white photograph of President Barack Obama signing a bill at a desk in the White House. He is surrounded by several other officials, including Vice President Joe Biden and Speaker of the House Nancy Pelosi. The text is overlaid on the image.

The Fair Sentencing Act of 2010 (FSA), enacted August 3, 2010, reduced the statutory penalties for crack cocaine offenses to produce an 18-to-1 crack-to-powder drug quantity ratio. The FSA eliminated the mandatory minimum sentence for simple possession of crack cocaine and increased statutory fines.



- In a barbershop in Brooklyn officers handed out 60 summons to Latinos and African American for violating social distancing.

- While in the same borough Jews were doing funeral with more than 2,500 of people; however, summons or arrest weren't made.





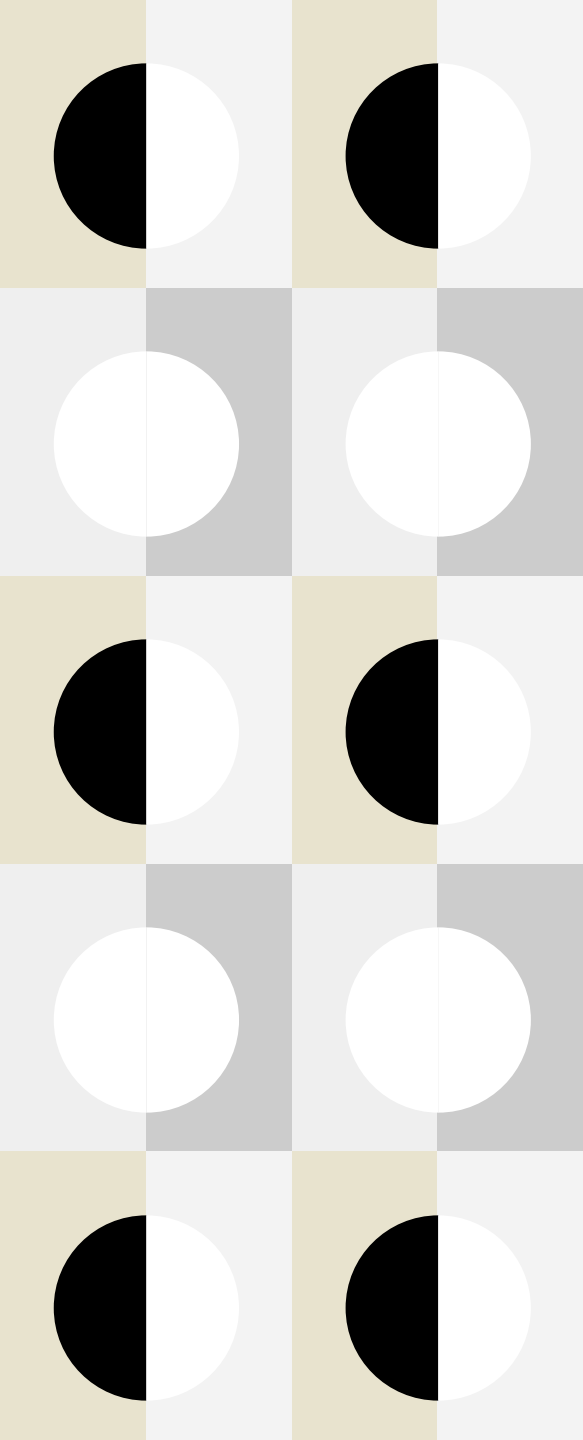
## Racial Disparity - In The News

- NEW YORK TIMES reported that of the 40 people arrested due to the COVID19 for breaking the law during the pandemic, 35 people were black, four were Hispanic and one was white.



# Conflict Theory

- Conflict theory looks at society as being made up of individuals in different social class who must compete for social and political achievements.
- This are relate to conflict theory because all these group are having inequality for the same crime but different punishment.



- In conclusion, the 18-1 disparity, where offenders with 5 grams of crack are subject to the same five-year mandatory prison sentence as those with 90 grams of powder cocaine, perpetuates the double standard for crack offenders in the federal court system, who are overwhelmingly black.
- Sentencing laws were discriminatory, with the harshest sanctions given to blacks who victimized whites.
- However, I believe racial disparity will still exist unless current laws and peoples mind set are change.

## Citations

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