
Black Men and the Justice System

There are approximately 1.5 million Black men in prison while 3.5 million are on probation (Nealy, 2014). Although Black men make up only 6% of the United States of America (U.S.A) population, they make up more than 70 % of the total prison population (ibid). This essay will focus on young African versus Caucasian American men and the law. Contributing factors such as peer pressure, lack of education, lack of morality, link to juvenile crime and substance abuse will be discussed. Furthermore, this essay will discuss any justified disciplinary action which will be based on race.

According to The Sentencing Project, the rising incarceration rate of Black men is not new but has continued at a steady rate for up to a decade (Society, 2015). In 2007, 28% of Black men were arrested for possession of drugs. In 2016, it was shown that there was an increase of 15% bringing the percentage 43% in the span of nine years. According to the report, 70% of the prisoners were African American and 33% of Black men in the U.S.A committed a crime or offense (ibid). In contrast, the percentage of African American women was 5.6%, Caucasian men were 7.1% and Caucasian women was 2.1%. This indicates that Black men had the highest crime rate in the U.S.A in 2016 (ibid). The social determinants of health (SDOH) affect the statistics and climate brought forth in regards to young Black men and incarceration time. Underprivileged living conditions, paired with the unemployment, failure in public education in certain States, and a criminal justice system that is conditioned to detain African American men have created a descending pattern of repetition for African American men who end up being incarcerated. This is proven with a statement from a Department of Justice representative, Sarah Flores, when she mentioned that Black men were more likely to be prosecuted than Caucasian men for the identical offense (ibid).

A study by the U.S Sentencing Commission found that Black men serve, approximately, 20.2% longer prison time than Caucasian men for the same to a similar spectrum of crime (King, 2017). Racism may be one of the biggest crimes in the judicial system. This could be due to a variety of reasons such as racial profiling, racial discrimination etc. 1 in every 4 Black men born in this decade can expect to go to prison in his lifetime. In addition, 1 in every Black man in their mid-20s has been incarcerated due to racial profiling and discrimination (ibid). Factors such as economic and social, play a role in the incarceration of African American men. According to Regis University, there are four major contributing factors in regards to adolescent crime: substance abuse, lack of education, a miscalculated compass of moral guidance and peer pressure.

There is a strong relationship between a person who lacks the required education and

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adolescent crime (Regis University, 2018). A long-term study was followed up upon where it was found that 1,700 children who lived in very low-income neighborhoods in Chicago did attend high school but 65% did not graduate and receive their diploma. Children who attended private school at a young age were 30% less likely to be active in adolescent crime in the future, 25% less likely to be arrested in the future and 21% more likely to graduate university with a 4-year degree (ibid). During the adolescent years, peer pressure is quite common. In a study of 1,500 adolescents, 85% claimed to have been influenced into risky behavior through peer pressure (ibid). Risky behaviors which involve peer pressure include drinking alcohol while underage, experimenting with drugs, smoking, encouraged to fight, stealing, sexual pressures, bullying, putting one's health at risk, skipping school, wearing clothes that one does not feel comfortable in and/or drag racing. Gang activity exists in most inner city areas and is usually initiated by the forces of peer pressure (ibid).

Abuse of drugs can affect brain development. This is especially true when it is done with the abuse of prescribed and recreational drugs (ibid). When one starts to develop an addiction to substance abuse at an early age, it is a catalyst for behaviors associated with accomplished criminal behavior. It diminishes the strength of morale, values, and guidance to one's moral compass. It interferes with proper, clear thinking which affects the decision-making process. A reason contributing to some decisions that are made contribute to the hardships the person had to deal with at a very young age (ibid). According to Forensic Criminologist George Stirty, there is a defined correlation between one's sense of morality and crime. We absorb a lot of information when we are very young, be it explicit or implicit information. Children learn right from wrong at a young age from their immediate family circle. This includes the mother, father, siblings, grandparents and social gatherings (ibid). Children also experience moral poverty at this age. This is when one does not have an efficient, or poor, upbringing (ibid). An example of the aftermath of this type of situation includes not be able to distinguish between right and wrong. This can further be a stepping stone into criminal related activities (ibid).

Research has proven that Black men have longer sentences and are treated unfairly, in reference to Caucasian men, by the judicial system (New York Times, 2016). Caucasian men are placed behind bars for, approximately, half the time a Black man would be (ibid). This amplifies the subjectivity shown, not only by society but, by the members who make up the lawful system such as the judge. The judge is supposed to be impartial to the verdict but the data shows otherwise. To remove the bias, to a limit, the defendant is awarded points for behavior, criminal action, seriousness, criminal activity/action and interference with the law (ibid). In a perfect world, this scale would work, however, we do not live in a perfect world. According to the Herald-Tribune study, the judges were still holding a bias. Black men were incarcerated 62% more in felony related crimes, 70% more in first-degree murders and 47% more in burglaries than the average Caucasian male. In fore mentioned, substance abuse is a major contributing factor in criminal activity (ibid). Researchers have stated that the acceptance

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of racism has become the norm with defense lawyers (ibid).

African American males are treated unfairly by the judicial system in contrast to Caucasian men. This essay proved, through research studies, that African American men are incarcerated through many factors including socioeconomic and difference in penalties which are different from that of Caucasian men. In conclusion, the young African American male is and continues to be treated, unjustly, in contrast to the Caucasian young male, in the Court of Law or Criminal Justice system.

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