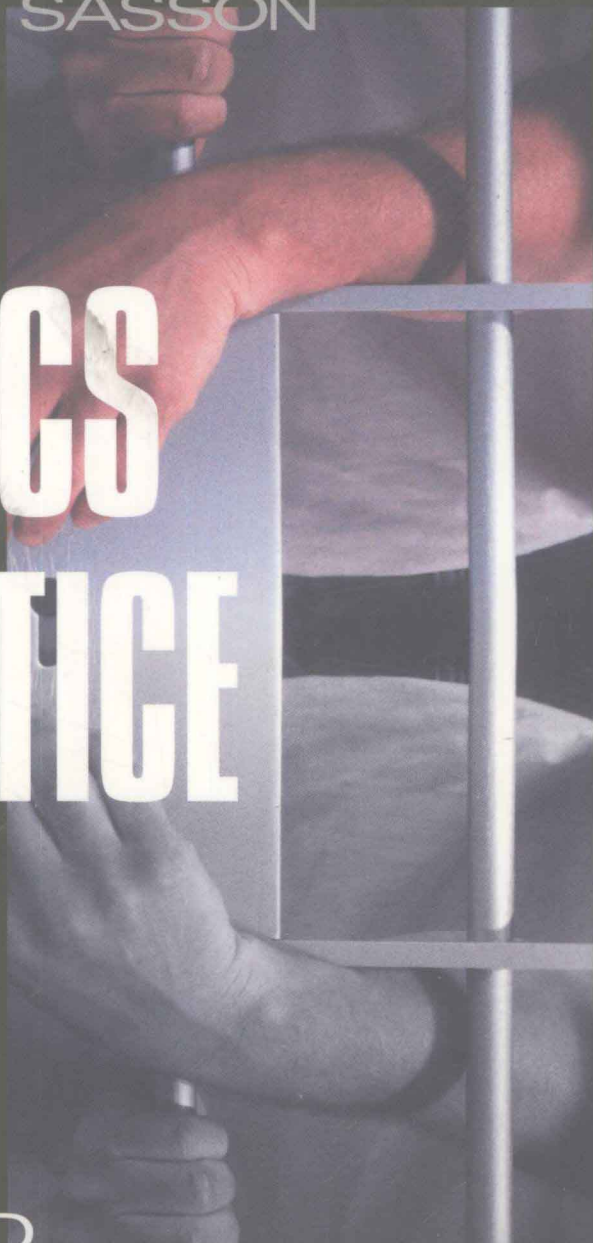


KATHERINE BECKETT
THEODORE SASSON

THE POLITICS OF INJUSTICE

CRIME AND
PUNISHMENT
IN AMERICA



The Politics of Injustice: Crime and Punishment in America

**Katherine Beckett
Theodore Sasson**



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**For our children,
Jesse Beckett-Herbert
Kineret Grant-Sasson
Aryeh Grant-Sasson**



Preface

◆◆◆ Over the past 30 years, crime has played an increasingly pivotal role in U.S. politics and culture. Politicians go to great lengths to define themselves as tough on criminals and drug addicts. Journalists cover crime more extensively than any other issue. Television networks launch new “reality-based” shows that glamorize law enforcement and blur the line between entertainment and news. And victims’ rights activists clamor for more aggressive policing and harsher penalties. In this context, lawmakers have adopted a wide range of anticrime policies aimed at “getting tough” on offenders. The rate of incarceration in the United States is now among the highest in the world, and one out of three young black males is under the supervision of the criminal justice system.

Throughout this period, most criminologists have devoted their attention to investigating the causes of crime and criminal justice processes. At the margins of the discipline, however, a growing number of scholars have pursued a different line of inquiry, analyzing the role of the crime issue in U.S. politics and culture and the way in which the politicization of this issue has affected the policy-making process. In spite of widespread interest in these issues, almost none of this new work is discussed in standard sociology, criminology, and criminal justice texts.

The Politics of Injustice is the first book to communicate this new research to nonspecialists and specialists alike. We examine the U.S.

crime problem, crime as a political and cultural issue, and the policies that have resulted in the dramatic expansion of the penal system. In so doing, we draw on a wide range of scholarship, including research on crime, its representation in political discourse and the mass media, public opinion, crime-related activism, and public policy. Our review of these literatures is thorough yet focused on the development of our central argument: The punitive turn in crime policy is not primarily the result of a worsening crime problem or an increasingly fearful and vengeful public. Rather, above all else, growing punitiveness reflects efforts by national politicians to shift public policy on a variety of social problems—including crime, addiction, and poverty—toward harsher, more repressive solutions.

We hope the book will provide readers with a better understanding of the nature of crime and punishment in the United States, as well as the cultural and political contexts in which they occur.

ACKNOWLEDGMENTS

The book reflects our efforts over several years, together and separately, to understand the political and cultural determinants of crime policy. Parts of Chapter 4 appeared in Katherine's *Making Crime Pay* (1997). The case study in Chapter 5 originally appeared in our contribution to *The New War on Drugs*, edited by Eric Jensen and Jurg Gerber (1998). Material borrowed from these earlier publications has been revised and updated.

We would like to thank Northeastern University's Center for Criminal Justice Policy Research for providing office space and support for Ted during his 1997–1998 sabbatical. The center's director, Jack McDevitt, and its coordinator, Suzanne Bennett, were gracious and generous hosts. Middlebury College provided the sabbatical and additional research support through its Ada Howe Kent and faculty development funds.

Students in Ted's fall semester 1998 Sociology of Punishment seminar read drafts of several chapters and offered useful suggestions. Two Middlebury students, Alison Vratil and Grace Amao, helped edit the endnotes and prepare a final draft of the manuscript. Charlene Barrett, administrator of Middlebury's Sociology and Anthropology Department, helped Ted keep track of the duties of his day job in the final phase

of writing. Our department colleagues at Middlebury College and Indiana University provided important insight and encouragement.

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*Katherine Beckett
Theodore Sasson*



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1

◆ ◆ ◆ Criminal Justice Expansion

◆ ◆ ◆ Sabrina Branch, a 10-year-old Baltimore resident, sounds a lot like other children her age. She likes pizza and Cherry-Pepsi slushes, playing basketball, and reading “Goosebumps” mystery books. When she grows up, she would like to be lawyer or a basketball player. And like a growing number of children, Sabrina’s life, described in a recent newspaper article, has been turned upside down by the dramatic growth of the U.S. criminal justice system.¹

Sabrina and her three brothers live with their grandmother. Her father, an Army veteran, has been arrested and jailed several times for selling drugs. After his most recent release, he concealed his criminal record and tried to find work. Unsuccessful, he began using drugs again, then sought treatment for his drug habit unsuccessfully (Baltimore has treatment beds for 15,000 of its estimated 60,000 addicts). Arrested again for selling drugs, Vernon Branch is now locked away in the city jail, waiting to be sentenced to prison. Sabrina’s mother, also addicted to drugs, has been locked up for petty theft. Sabrina’s cousin Tony served 7 years for selling drugs and now wears an electronic monitor strapped to his ankle. One of Sabrina’s aunts is serving 6 months for assault. Another aunt is nurturing a romantic relationship with a prison inmate.

Most of Sabrina's relatives have been incarcerated in the penal complex right down the street from her apartment. The complex—known as "Eager Street University" to distinguish it from Johns Hopkins University a mile away—includes the city jail, two new high-security prisons, and the state penitentiary that houses death row.

These institutions reach into the lives of Sabrina's schoolmates as well. Seven of the 15 students gathered in Sabrina's math class one afternoon had fathers who have been in prison. One boy's father died in prison. A girl said she regularly visits the local jail with her older sister to visit her boyfriend. Likewise, almost half of the players on a local youth basketball team have a relative in prison, and several have served time themselves:

One hot afternoon, a 20-year-old shoots baskets on an outdoor court. He is wearing long pants so no one will see the monitoring device strapped to his ankle. An 11-year-old tossing lay-ups is wearing a t-shirt from Courtside Bail Bonds featuring a silhouette of a man behind bars.

Upstairs in a meeting room, Harold Richard, 14, sits with some friends and calmly ticks off the people he knows who have served time. "My father," he begins in a soft monotone. "My mother. Both my uncles. My cousin." Around the table, other boys chime in: An 11 year old has an uncle just imprisoned for theft; another visited his mother in prison last week.

Derrick Ross, 15, is waiting for his favorite uncle to be released in two weeks. His father and several cousins have also served time. Still, he declares, "I'm never going to prison." His twin brother, Eric, interrupts him: "Never say never."

On a trip to the courthouse with her grandmother to straighten out administrative issues relating to her guardianship, Sabrina witnesses a group of women prisoners being led away. "I saw all these women," she later told the reporter. "They were walking through the hallway with shackles. It made me think, is that going to be my mother? Or my aunt? It could be any one of my relatives. Who will be next?"

Sabrina's concern is well-founded. In Baltimore and nearby Washington, DC, more than half of all African American men between the ages of 18 and 35 are under the supervision of the justice system. The State of Maryland recently assigned probation officers to Baltimore schools in which as many as 4 out of 10 students have served time. Sadly, Baltimore and Washington, DC, are not unique, but are the leading edge of a national trend. Between 1980 and 1998, the number of people incarcerated grew

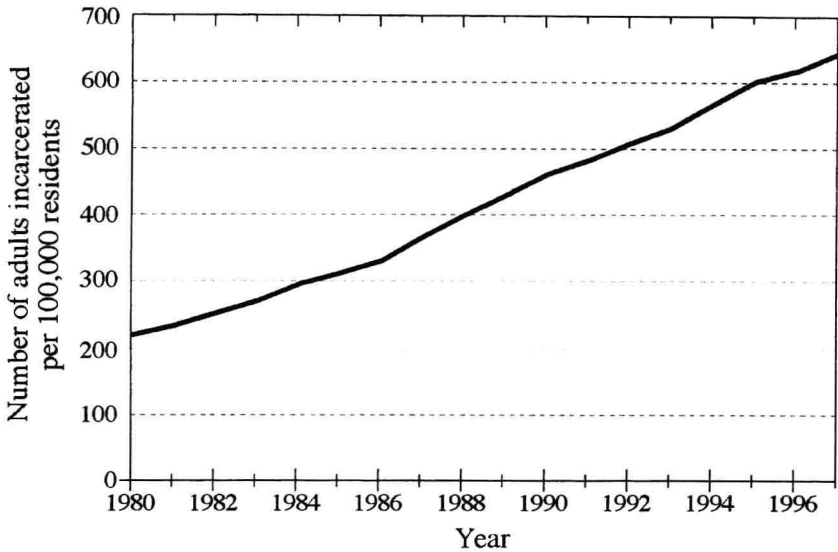


Exhibit 1.1. U.S. Incarceration Rate

SOURCE: Bureau of Justice Statistics, *Correctional Populations in the United States 1995*, Table 1.5, and Maguire and Pastore, *Sourcebook of Criminal Justice Statistics 1997*.

by over 300%, from half a million to over 1.8 million. The proportion of the population imprisoned has also grown rapidly, as Exhibit 1.1 shows, and over 3.8 million people are now on parole or probation. By 1998, nearly 6 million people—almost 3% of the adult population—were under some form of correctional supervision.²

These developments have disproportionately affected young African Americans and Latinos (see Exhibit 1.2). By 1994, one of every three Black males between the ages of 18 and 34 years was under some form of correctional supervision,³ and the number of Hispanic prisoners had more than quintupled since 1980.⁴ These developments have also had important consequences for criminal justice institutions. Since 1980, roughly 1,000 new jails and prisons have been built in the United States.⁵ Despite this, at the end of 1997, state prisons were operating at between 15% and 25% above capacity, and federal prisons at 19% above their official limit.⁶ In this context, resources for prisoner education, vocational training, and recreation have declined significantly.⁷