

A Report to the NAACP Syracuse/Onondaga Chapter on Racial Disparities in the Local Criminal Justice System

By Alan Rosenthal

Overview

The data from the 2000 census provide an opportunity to look at racial disparities in our local criminal justice system.

The population in Onondaga County declined by 2.3% since the 1990 census. The population of Onondaga County is now 458,336. Of that population, 9.4% are African Americans. Although African Americans are a relatively small percentage of the total County population, they compose a disproportionately high percentage of those who are arrested and sentenced to jail and prison.

Much has been said and written about racial profiling and selective targeting and enforcement by the police. Police practices account for only part of the racial disproportion in the criminal justice system.

In 1999, although African Americans made up only 9.4% of Onondaga County's population, African Americans constituted 41% of all those arrested. In that same year, Whites represented 55% of those arrested, yet they made up 84.8% of the County population. Clearly the disproportion begins with the arrest policies. However, the disparate treatment by the criminal justice system does not stop there.

A review of the racial composition of the Onondaga County Correctional Facility (OCCF), where men and women arrested in Onondaga County are sentenced to up to one year jail terms, shows a racial disproportion that extends beyond the disparity caused by arrest policies. In 1999, 1516 people were sentenced to serve jail terms in OCCF. In a County that is only 9.4% African American, and in which 41% of those arrested were African American, we end up with African Americans constituting 52.2% of those admitted to jail at OCCF in 1999. Of the adults sentenced to jail in Onondaga County in 1999, African Americans constituted 56%.

The disproportion is even greater when we look at the harsher sentence of State prison. In 1999, 60% of the men and women sentenced to State prison from Onondaga County were African American.

The disproportion shifts the other way when we analyze the more lenient sentence of probation. According to the 1999 Annual Report of the Onondaga County Probation Department, only 36% of those sentenced to probation during 1999 were African Americans. At the same time, Whites constituted 44% of those admitted to OCCF with jail sentences but 58% of those sentenced to probation.

A review of how courts have treated Youthful Offenders--youth between the ages of 14 and 18--reveals an even greater racial disparity. The cumulative data for Onondaga County between 1995-1999 show that of the 1813 young people adjudicated to be Youthful Offenders by the Courts, 49% were African American and 47% were White. Yet when one looks at the percentage of those given straight jail sentences, we find an astounding 77% of those given jail sentences were African American and 19% were White. African Americans were four times more likely to receive a straight jail sentence as a Youthful Offender than their White counterparts. They were sentenced to probation in equal proportions, but the more lenient sentence of a Conditional Discharge was distributed 60% to White Youthful Offenders and 37% to African American Youthful Offenders.

This racial disparity is repeated in County after County so that we have a State prison system that is approximately 50% African American and 34% Hispanic in a State that is 15.9% African American and 15.1% Hispanic.

The disparity is most dramatic as it relates to drug offenses. According to almost any study one looks at, the use of illegal drugs is about the same percentage across racial and ethnic lines. In New York that means that for every one African American using illegal drugs there are four Whites using illegal drugs.

According to the 1998 FBI Uniform Crime Report, the percentage of arrests for drug offenses is equally distributed between Whites and African Americans. A review of new commitments to New York State prisons in 1998 shows a startling disproportion. Only 5% of all the new commitments to State prison for drug offenses were White, while African Americans and Hispanics made up 94% of the new commitments for drug offenses.

The "war on crime" and the "war on drugs" is disproportionately affecting communities of color and poor communities. The racial disparity is affected by racial attitudes, and not just racial attitudes of the police. It is affected by who gets bail, who can hire an attorney, victims' racial attitudes, and race may affect decisions by the Assistant District Attorney handling the case, the Probation Officer making sentencing recommendations and the sentencing Judge.

As of 1997, Onondaga County spent \$38,382.00 per year per prisoner to keep them locked up at the Onondaga County Correctional Facility and only 8,883.00 per pupil for a year of public education. It is time to reassess our priorities.

DEMOGRAPHICS 2000

INDICATOR	CITY OF SYR	ONON CO.	NYS	USA
TOTAL POPULATION	147,306 -10.1% since 1990	458,336 -2.3% since 1990	18,976,457 +5.6% since 1990	281,421,906 +13.1% since 1990
% African American	25.3	9.4	15.9	12.3
% American Indian	1.1	.9	.4	.9
% Asn./Pac. Is. Amer.	3.4	2.1	5.6	3.8
% White/Euro. Amer.	64.3	84.8	67.9	75.1
% Other Ethnic Origin	2.2	.9	7.1	5.5
% Reported More than One Race/Ethnicity	3.6	2.0	3.1	2.4
% Hispanic Origin (of any skin color)	5.3	2.4	15.1	12.5

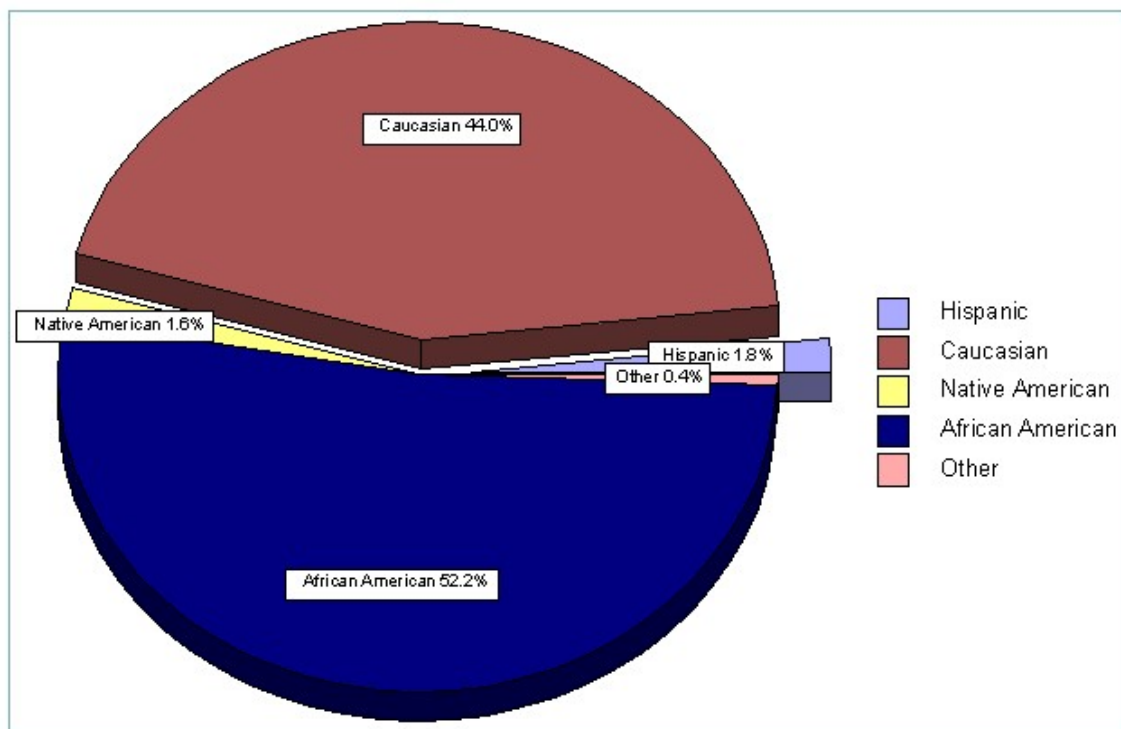
Source: U.S. Census Bureau

ARRESTS BY RACE AND CRIME TYPE
Onondaga County
2000

2000	Total	White	%	Black	%	Hispanic	%	Other	%
Total	12,679	6,973	55%	5,199	41%	204	2%	303	2%
Personal	2,981	1,522	51%	1,327	45%	40	1%	92	3%
Property	4,506	2,464	55%	1,853	41%	74	2%	115	3%
Drug	1,284	358	28%	869	68%	44	1%	13	1%
Other	3,908	2,629	67%	1,150	29%	46	1%	83	2%

Source: DCJS, Computerized Criminal History system (2/2001)

ONONDAGA COUNTY CORRECTIONAL FACILITY
Admissions by Race
1999



African American	792	52.2%
Caucasian	667	44.0%
Hispanic	27	1.8%
Native American	24	1.6%
Other	6	0.4%
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Total	1516	100.0%

Source: Onondaga County Department of Corrections 1999 Annual Report

ONONDAGA COUNTY CORRECTIONAL FACILITY
Number of Criminal Court Probationers
Received During 1999 by "Race"

White	1,138	58%
Black	715	36%
Native American	24	1%
Hispanic	27	1%
Other	1	--
Unknown	52	3%
TOTAL	1,957	10%

While Blacks are 52% of the prisoners sentenced to jail, they are only 36% of those sentenced to probation and only 9% of the county population. Whites are 44% of the prisoners sentenced to jail, but are 58% of those sentenced to probation and 85% of the county population.

Source: Onondaga County Probation Department 1999 Annual Report

**YOUTHFUL OFFENDER ADJUDICATION BY AGE,
 GENDER, RACE AND SENTENCE**
Onondaga County
1995-1999 Cumulative

	Total	White	Black	Hispanic	Other
Total	1813	855	895	41	22
Age:					
14	3	1	2	0	0
15	7	2	5	0	0
16	687	299	363	19	6
17	605	300	286	9	10
18	511	253	239	13	6
Gender:					
Male	1501	727	723	34	17
Female	310	127	171	7	5
Missing	2	1	1	0	0
Class:					
Bfel	49	5	40	3	1
Cfel	112	46	60	4	2
Dfel	270	111	146	11	2
Efel	133	88	42	3	0
Amisd	984	491	466	16	11
Bmisd	242	95	138	4	5
Unclass Misd	23	19	3	0	1
Sentence:					
Jail	202	38	155	8	1
Jail & Prob.	172	76	89	7	0
Probation	1041	503	502	23	13
Fine	32	28	4	0	0
Cond. Dschg	307	185	113	3	6
Oth-unk	59	25	32	0	2

Source: DCJS

ONONDAGA COUNTY ADULT ARRESTS BY RACE/ETHNICITY

	1997	%	1998	%	1999	%
Total	14,195	100%	14,144	100%	13,383	100%
White	7,759	55%	7,638	54%	7,330	55%
Black	5,756	40%	5,813	41%	5,481	41%
Hispanic	408	3%	423	3%	329	2%
Other	272	2%	270	2%	243	2%

3-YEAR AVERAGE

55% of arrestees were White

41% of arrestees were Black

3% of arrestees were Hispanic

Source: DCJS, Computerized Criminal History System (11/00)

ONONDAGA COUNTY ADULT SENTENCE BY RACE/ETHNICITY SENTENCE TYPE: Prison

	1997	%	1998	%	1999	%
Total	345	100%	318	100%	395	100%
White	96	27%	101	32%	135	34%
Black	222	64%	188	59%	238	60%
Hispanic	22	6%	23	7%	19	5%
Other	5	2%	6	2%	3	1%

3-YEAR AVERAGE

31% of people sentenced to state prison were White

61% of people sentenced to state prison were Black

6% of people sentenced to state prison were Hispanic

Source: DCJS, Computerized Criminal History System (11/00)

**ONONDAGA COUNTY ADULT SENTENCE BY RACE/ETHNICITY
SENTENCE TYPE: Jail**

	1997	%	1998	%	1999	%
Total	1,482	100%	1,381	100%	1,322	100%
White	594	40%	560	41%	520	39%
Black	805	54%	730	52%	742	56%
Hispanic	53	4%	62	5%	42	3%
Other	30	2%	29	1%	18	1%

3-YEAR AVERAGE

40% of people sentenced to jail were White

52% of people sentenced to jail were Black

4% of people sentenced to jail were Hispanic

Source: DCJS, Computerized Criminal History System (11/00)

**ONONDAGA COUNTY ADULT SENTENCE BY RACE/ETHNICITY
SENTENCE TYPE: Probation**

	1997	%	1998	%	1999	%
Total	1,334	100%	1,218	100%	1,360	100%
White	791	59%	693	57%	736	54%
Black	491	37%	478	39%	561	41%
Hispanic	36	3%	30	3%	41	3%
Other	16		17		22	

3-YEAR AVERAGE

57% of those given probation were White

39% of those given probation were Black

3% of those given probation were Hispanic

Source: DCJS, Computerized Criminal History System (11/00)

ONONDAGA COUNTY ADULT SENTENCE BY RACE/ETHNICITY
SENTENCE TYPE: Fine

	1997	%	1998	%	1999	%
Total	1,432	100%	1,489	100%	1,416	100%
White	1,232	86%	1,262	85%	1,184	85%
Black	154	11%	167	11%	183	12%
Hispanic	15	1%	17	1%	18	1%
Other	31		43		31	

3-YEAR AVERAGE

85% of those fined were White

12% of those fined were Black

1% of those fined were Hispanic

Source: DCJS, Computerized Criminal History System (11/00)

ONONDAGA COUNTY ADULT SENTENCE BY RACE/ETHNICITY
SENTENCE TYPE: Conditional Discharge

	1997	%	1998	%	1999	%
Total	1,766	100%	1,777	100%	1,945	100%
White	969	54%	939	53%	987	53%
Black	717	41%	742	42%	871	43%
Hispanic	48	3%	58	3%	58	3%
Other	32		38		29	

3-YEAR AVERAGE

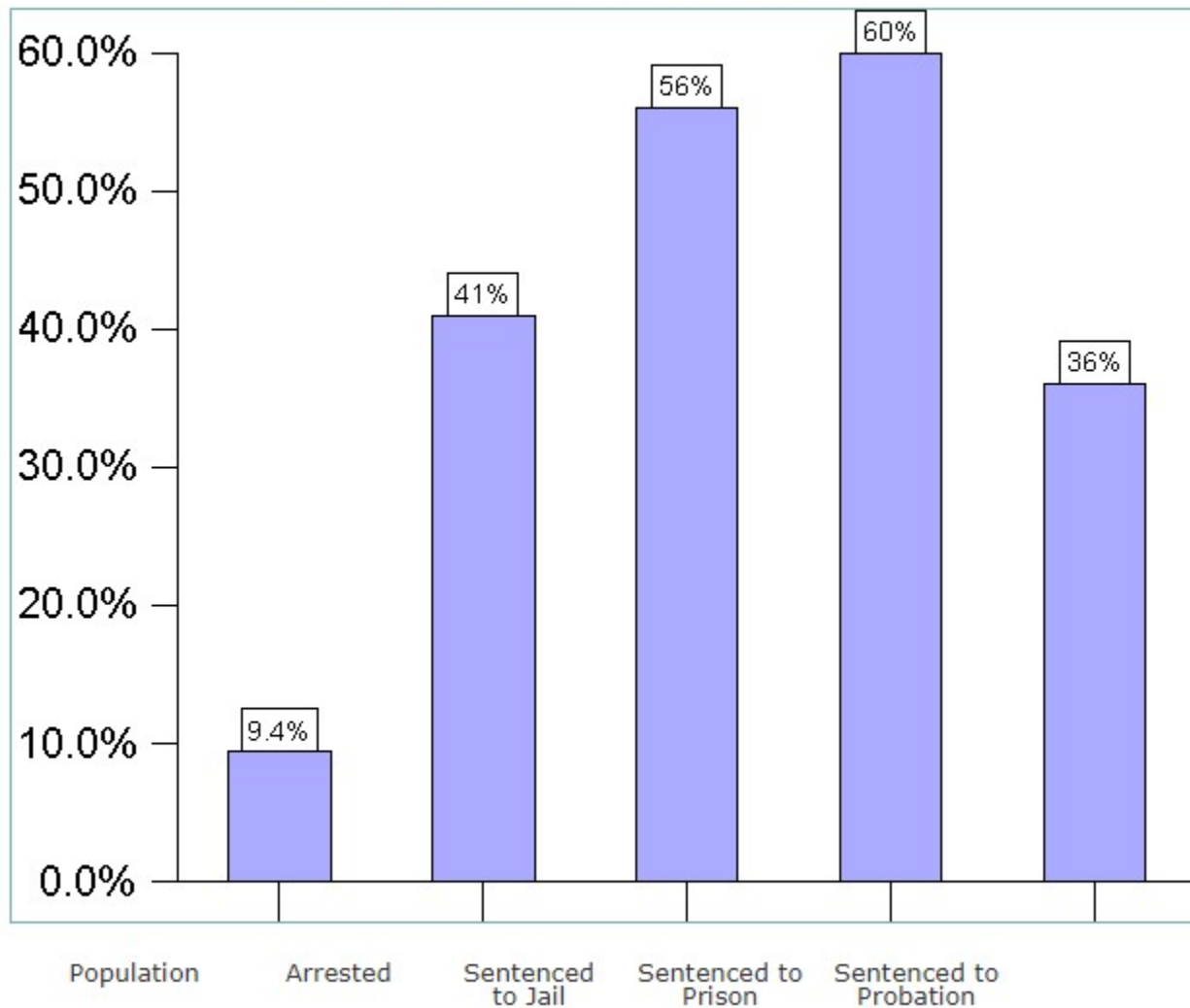
53% of those receiving conditional discharge were White

43% of those receiving conditional discharge were Black

3% of those receiving conditional discharge were Hispanic

Source: DCJS, Computerized Criminal History System (11/00)

ONONDAGA COUNTY 1999
African Americans as a Proportion of . . .



Sources: 2000 Census; DCJS; Onondaga County Probation Department 1999 Annual Report

ONONDAGA COUNTY CORRECTIONAL FACILITY
Cost Per Inmate 1996-1999

Local Dollar Expense:

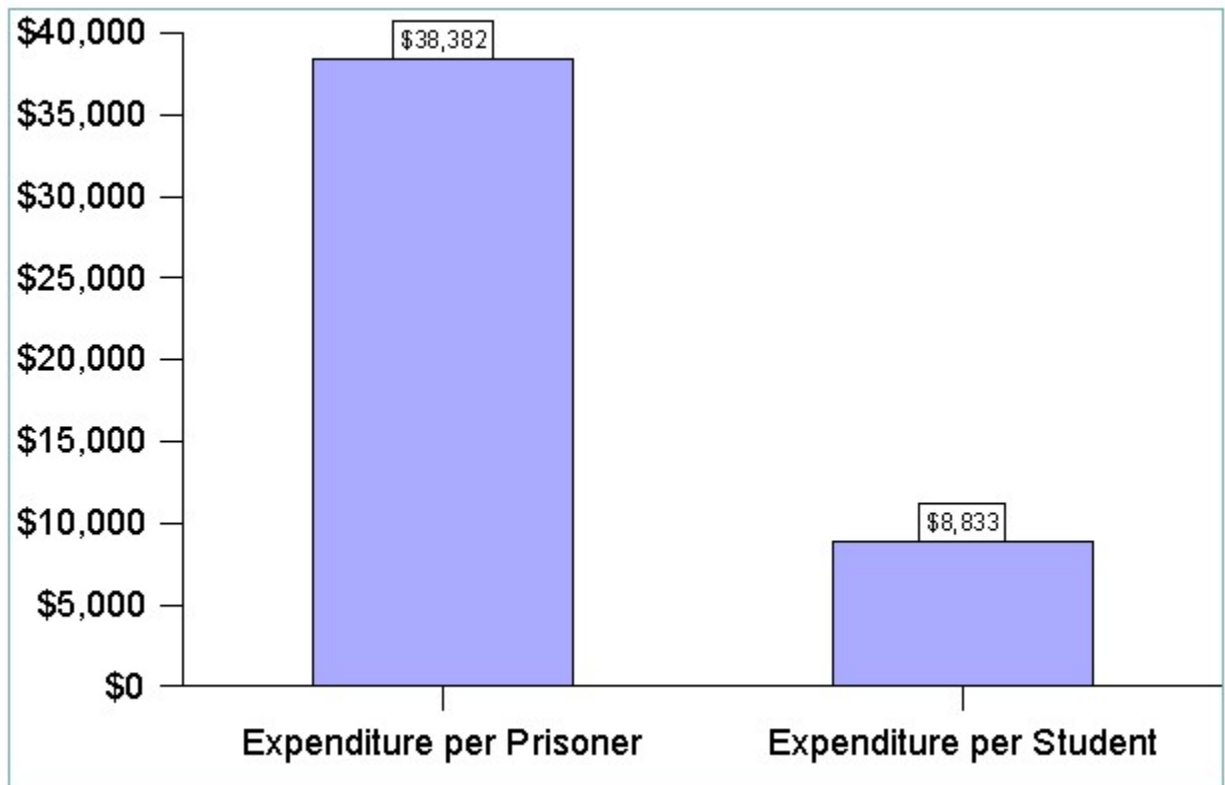
	1996	1997	1998	1999
Expenditure	\$14,101,460	\$14,853,810	\$14,684,610	\$15,132,010
Avg. Daily Pop.	370	387	394	356
Cost Per Inmate	\$38,112	\$38,382	\$37,271	\$42,506

Local Dollar Expense, Excluding All Interdepartmentals:

	1996	1997	1998	1999
Expenditure	\$8,641,400	\$8,137,762	\$8,437,356	\$8,738,492
Avg. Daily Pop.	370	387	394	356
Cost Per Inmate	\$23,355	\$21,028	\$21,415	\$24,546

Source: Onondaga County Department of Correction 1999 Annual Report

ONONDAGA COUNTY--1997



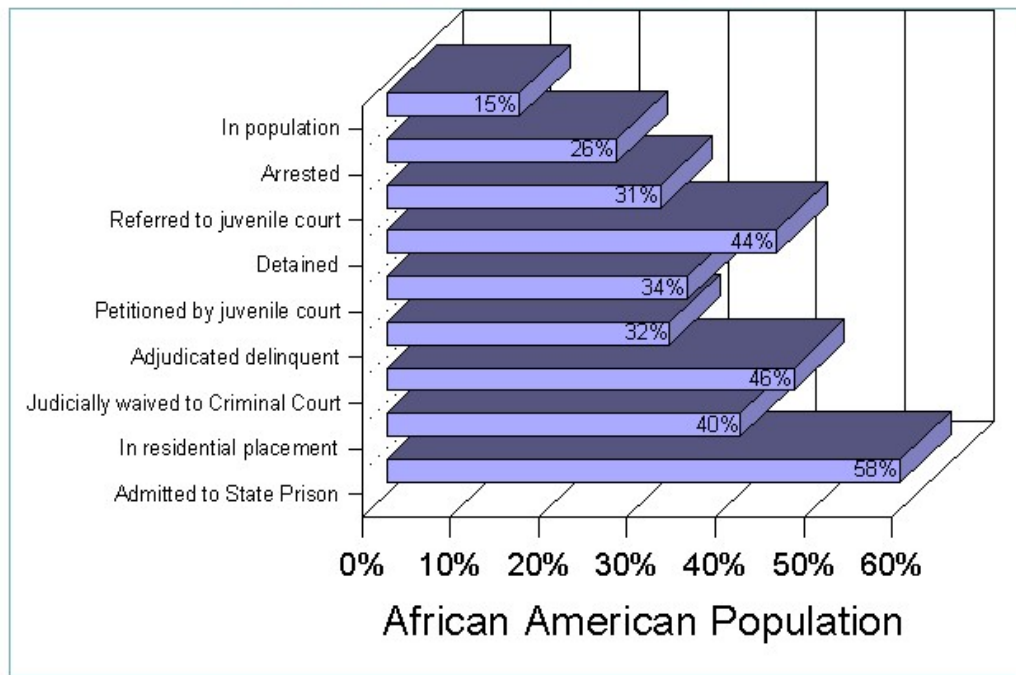
Sources: NYS Education Department; Onondaga County Department of Correction

CRIME BY ETHNIC STATUS 1998 New Commitments New York State Department of Correctional Services

Offense on Commitment	White	African American	Hispanic	Other	Total
Violent Felony	899	2,830	1,577	87	5,393
Other Coercive	421	718	360	21	1,520
Drug Offenses	466	4,581	3,976	59	9,082
Property Offenses	1,131	1,152	553	48	2,884
Youthful/Juvenile Offender	117	324	164	13	618
Total	3,034	9,605	6,630	228	19,497
Percent	15.6%	49.3%	34 %	1.2%	100%

Source: New York State Department of Correctional Services

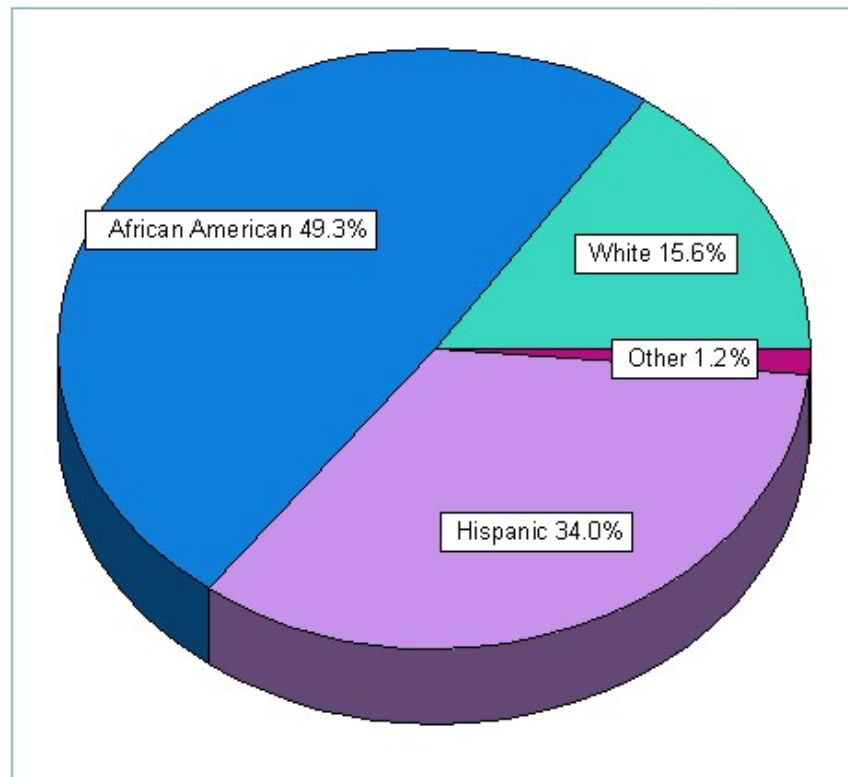
AFRICAN AMERICAN PROPORTION OF YOUTH



Note: Reflects 1998 population; 1998 arrests; 1997 information on referrals, detentions, petitions, adjudications and waivers; 1997 residential placement; and 1997 state prison admissions.

Sources: U.S. Bureau of the Census' Population Estimates for States by Age, Sex, Race and Hispanic Origin: 1980-1998; OJJDP's Juvenile Arrests: 1998; OJJDP's Easy Access to Juvenile Court Statistics: 1988-1997; OJJDP's Juvenile Offenders and Victims: 1999 National Report; and BJS's Profile of State Prisons Under Age 18: 1985-1997.

NEW YORK STATE DEPARTMENT OF CORRECTIONAL SERVICES New Commitments--1998 Ethnic Group



Source: New York State Department of Correctional Services