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CRIMINOLOGY

A COMPARISON OF NEGRO AND WHITE CRIME RATES*

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A number of studies have reported higher Negro than white crime rates in the United States. Utilizing data from Stamford, Connecticut, this study presents Negro and white crime rates computed to several different bases and discusses the implications and relative advantages and disadvantages of computing crime rates in various ways.

During the past several decades a number of studies have focused on the relationship between race and crime in the United States. Among other findings, these studies have indicated a substantially higher Negro than white crime rate.¹ Some of these studies have been concerned with arrest rates, some with offense rates, some with conviction rates, and still others with rates of institutionalization. What is lacking in the literature is a series of rates on the same population ranging from arrest rates to rates of institutionalization that would make it possible to ascertain the influence of the type of rate computed on the extent to which the recorded Negro crime rate exceeds the white crime rate. This paper is an attempt to fill this gap.

TYPES OF CRIME RATES

Crime rates are usually computed on the basis of 1,000, 10,000, or 100,000 population per year. However, several different types of crime rates can be computed to these bases, and each type of rate provides a different kind of information. The crime rates computed in this study were based on separate individuals arrested, total arrests, separate offenses with which individuals were charged,

convictions, sentences to correctional institutions, and persons actually sent to such institutions.²

Rates based on separate individuals arrested give an indication of the proportion of a population arrested one or more times during the course of a year. In computing rates based on separate individuals arrested the individual was counted only once regardless of the number of times he or she was arrested during a given year. Rates based on total arrests are somewhat higher because some individuals are arrested more than once during the course of a year. In computing rates based on total arrests the individual was included each time arrested regardless of the number of times he may have been arrested during the year. But he was counted only once each time arrested regardless of the number of offenses with which he was charged. Rates based on different offenses with which individuals are charged are still higher because some individuals are charged with two or more different offenses when arrested. The rates based on separate offenses were computed by counting each separate offense with which the individual was charged once each time the individual was arrested. Thus, the individual arrested once during the year and charged with larceny and assaulting an officer was counted as being charged with two separate offenses, as was the individual arrested twice during

* This paper is based upon a portion of the author's doctoral dissertation, *Race and Crime*, Yale University, 1966.

¹ See, for example, Edwin M. Lemert and Judy Rosberg, *The Administration of Justice to Minority Groups in Los Angeles County*, 2 UNIVERSITY OF CALIFORNIA PUBLICATIONS IN CULTURE AND SOCIETY, No. 1 (1948).

² Although it would have been desirable, unfortunately it was not possible to compute reliable rates based on all counts of offenses with which persons were charged. The necessary data were not consistently available in police records.

the year and charged with larceny on each occasion.

Conviction rates depend both on the number of offenses with which individuals are charged and the proportion of those offenses of which they are convicted. The conviction rates computed were based on the number of convictions of the separate offenses with which individuals were charged.

Institutionalization rates depend on the same factors as conviction rates plus the proportion of those convicted who are sentenced to or actually sent to a correctional institution. Institutional sentence rates were computed based on the number of persons sentenced to any type of correctional institution following conviction. Actual institutionalization rates were computed based on the number of persons actually sent to some type of correctional institution following conviction and a sentence to some such institution.

If there is a higher recidivism rate among Negroes, as several studies indicate, this will affect Negro crime rates based on arrests, and, other things being equal, rates based on separate offenses, convictions, institutional sentences, and actual institutionalizations. Similarly, if Negroes are charged with a greater number of separate offenses per arrest this will affect not only rates based on offenses but also those based on convictions, institutional sentences, and actual institutionalizations, if all other things are equal. This study is concerned with investigating possible effects such as these on comparisons of Negro and white crime rates.

RESEARCH PROCEDURES

The sample studied includes all persons sixteen years of age and older arrested in Stamford, Connecticut during the period 1959 through 1961 and charged with any offense other than a violation of the motor vehicle laws. The analysis is based on a total of 3,724 arrests, involving 2,606 separate individuals charged with 4,319 separate offenses, resulting in 2,719 convictions and 1,547 sentences to correctional institutions of some type. Of those sentenced to such institutions, 812 were actually institutionalized.

The years 1959 through 1961 were selected so that 1960 population census data could be used in the computation of crime rates. The three years rather than the single year 1960 were included in order to reduce the possibility that the period

TABLE 1

CRIME RATES PER 100,000 POPULATION BY RACE AND SEX, STAMFORD, CONNECTICUT, 1959-1961.

| Crime Rate Type | White | | Negro | |
|------------------------|-------|--------|-------|--------|
| | Male | Female | Male | Female |
| Separate Individual... | 1829 | 175 | 10696 | 1666 |
| Total Arrest..... | 2554 | 201 | 16865 | 2218 |
| Separate Offense..... | 2925 | 222 | 20105 | 2605 |
| Conviction..... | 1746 | 114 | 14177 | 1607 |
| Inst. Sentence..... | 954 | 56 | 8517 | 1021 |
| Actual Inst..... | 499 | 22 | 4867 | 305 |

studied might be in some way unusual or abnormal and also so as to provide a larger number of cases for analysis.

Data concerning those persons arrested were obtained from the Daily Log, the Arrest Cards filled out at the time of the arrest, and from the Permanent File of the Stamford, Connecticut Police Department.

THE FINDINGS

Crime rates of the types indicated above are given by race and sex in Table 1. Regardless of the type of rate considered, Negro rates are substantially higher than those for whites. White female rates are lowest followed by Negro female rates, white male rates, and Negro male rates. Negro female rates are in all instances several times higher than white female rates and, with the exceptions of institutional sentence and actual institutionalization rates, are only slightly lower than white male rates. The Negro female rate for institutional sentences is substantially higher than the white male rate, and the Negro female rate for actual institutionalizations is substantially lower than the white male rate.

The differences between Negro and white rates are indicated more precisely in Table 2. Negro male rates range from 5.8 times the white male rate for separate individuals arrested to 9.8 times the white male rate for persons sent to correctional institutions. Negro female rates range from 9.5 times the white female rate for separate individuals arrested to 18.2 times the female institutional sentences rate. With only one exception, the degree to which the Negro rate exceeds the white rate increases as one moves from rates based on separate individuals arrested through those based on total arrests, separate offenses, convictions,

TABLE 2
RATIO OF NEGRO TO WHITE CRIME RATES

| Crime Rate Type | Male | Female |
|--------------------------|------|--------|
| Separate Individual..... | 5.8 | 9.5 |
| Total Arrest..... | 6.6 | 11.0 |
| Separate Offense..... | 6.9 | 11.7 |
| Conviction..... | 8.1 | 14.1 |
| Inst. Sentence..... | 8.9 | 18.2 |
| Actual Inst..... | 9.8 | 13.9 |

TABLE 3
A COMPARISON BY SEX AND RACE IN TERMS OF FIVE
INDICES OF CRIMINALITY, STAMFORD,
CONNECTICUT, 1959-1961.

| | White | | Negro | |
|---------------------------------------|-------|--------|-------|--------|
| | Male | Female | Male | Female |
| \bar{X} Arrests ¹ | 1.40 | 1.15 | 1.58 | 1.33 |
| \bar{X} Offenses ² | 1.15 | 1.11 | 1.19 | 1.17 |
| % Guilty ³ | 59.71 | 51.20 | 70.51 | 61.71 |
| % Inst. Sen. ⁴ | 58.12 | 53.54 | 60.99 | 63.97 |
| % Actual Inst. ⁵ | 30.40 | 21.21 | 34.85 | 19.12 |

¹ Number of arrests divided by number of separate individuals arrested.

² Number of separate offenses with which individuals were charged divided by number of arrests.

³ Percent of separate offenses with which individuals were charged of which they were found guilty.

⁴ Percent of separate offenses of which individuals were found guilty for which an institutional sentence was given.

⁵ Percent of separate offenses of which individuals were found guilty for which they were actually sent to some type of correctional institution.

institutional sentences and actual institutionalizations. The one exception occurs among females, where the Negro female rate for institutional sentences exceeds the comparable white female rate to a greater degree than is the case for the actual institutionalization rate.

Inferences that could be drawn from Tables 1 and 2 can, perhaps, be seen more clearly in Table 3. It is apparent that, on the average, those Negroes arrested during the period studied were arrested a greater number of times, charged with a greater number of separate offenses per arrest, and found guilty of a higher proportion of the offenses with which they were charged than were whites. When convicted, Negro males were given correctional institution sentences slightly more frequently

than were white males and were actually institutionalized slightly more frequently than were white males. When convicted, Negro females were given institution sentences considerably more frequently than were white females, but the percentage of convicted Negro females actually institutionalized was slightly lower than for white females.

DISCUSSION

The specific differences between Negro and white crime rates no doubt vary from one city to another. However, from these data it is clear that regardless of the type of crime rate considered the overall Negro crime rate greatly exceeds the white crime rate. It is also clear that as one moves from rates based on separate individuals arrested through rates based on total arrests, separate offenses, convictions, institutional sentences, and actual institutionalization that the excess of the Negro over the white rate increases. Which of these various types of crime rates best indicates the criminality of a population is a difficult question. When comparing the crime rates of whites and Negroes in the United States the answer to the question is complicated by the possibility that prejudice and discrimination may at least subtly, if not blatantly, affect the Negro's crime rates. In the community studied overt discrimination against the Negro on the part of the agents of criminal justice did not seem to be a problem. However, no doubt this cannot be said of every community in the United States. And, even if the agents of criminal justice themselves treated Negroes no differently than whites, there is the possibility if not the probability that prejudice and discrimination against the Negro in the larger community and society might indirectly affect the recorded Negro crime rate. For example, as a consequence of decades of discrimination the Negro, to a greater extent than the white, is concentrated in the lower socioeconomic strata of American society. If the agents of criminal justice act more quickly and more harshly toward those at the bottom of the socioeconomic hierarchy than toward those at the top, and there is some evidence to suggest that this is the case, then the Negro's crime rates would be affected by his disproportionate concentration among the bottom strata of the society. Or, again as a consequence of his economic position the Negro may not, on the average, have access to as competent counsel as the white. This, of course, might well affect the

Negro conviction rate. And, in addition, given the bargaining that often occurs between defense and prosecuting attorneys, the person with less competent counsel might be tried on a more serious charge than the person with more competent counsel.³ This in turn would no doubt affect the probability of an institutional sentence if convicted.

A quite different factor, the amount of turnover in the population, would affect rates based on separate persons arrested. In a stable population such a rate would be an accurate indicator of the proportion of the population arrested during the course of a year. However, in a population with a high turnover rate, there would be a greater number of separate individuals who might potentially be arrested over a given time period. To what extent this phenomenon affected the white and Negro rates based on separate individuals arrested which were computed in this study is unknown.

These considerations aside, and assuming the availability of the relevant data, the type of crime rate to be computed would depend on the kinds of questions the researcher is interested in answering. Is the interest in determining the proportion of a population arrested for law violations during a given period? Is the interest in the proportion of arrests accounted for by particular sub-populations? Is the interest in the proportion of offenses for which arrests were made which were committed by particular sub-populations? Is the interest primarily in those offenses considered sufficiently serious to warrant institutionalization? etc.

In the end, as is perhaps the case with most studies, the findings of this study raise more questions than they answer. Why is a higher percentage of the Negro than the white population arrested each year? Why is the Negro recidivism rate higher than among whites? Why are Negroes charged with a greater number of separate offenses per arrest than whites? Why are Negroes convicted of a higher percentage of offenses with which they are charged than whites? Why are Negroes more likely than whites to receive institutional sentences? Why are such a large proportion of institutional sentences, especially for Negro females, suspended? Perhaps at least a part of the answer to this last question lies in the seeming reluctance of judges actually to incarcerate

³ On this issue, see, for example, BLUMBERG, *CRIMINAL JUSTICE* (1967).

females. It seems likely that the higher proportion of institutional sentences given to Negroes lies in their being charged, on the average with more serious offenses than whites. For example, among males 10.9 per cent of the offenses with which males were charged were Federal Bureau of Investigation "Index" offenses as compared with 17.2 per cent of the charges against Negro males. Similarly for females, 10.0 per cent of the offenses with which white females were charged were "Index" offenses as compared with 16.7 per cent for Negro females.⁴

The answers to these and other such questions are not as yet fully and precisely known. However, from other data collected in the larger study from which the present paper presents only a part of the findings, and from the findings of other studies, it would appear that the explanation of the higher Negro crime rates involve at least the following additional factors: the overrepresentation of Negroes in high crime risk lower socioeconomic strata; the overrepresentation of Negroes in high crime risk younger age categories; the relative lack of opportunity for Negroes to achieve their goals through legitimate means;⁵ and, the overrepresentation of Negroes among the populations of the high crime rate deteriorated sections of our cities which provide greater opportunity both to learn criminal behavior patterns, values, and motivations and to engage in criminal behavior. The higher conviction rate of Negroes seems to be due in large part to their lesser chance of having a charge placed against them nulled. This, in turn, seems to be largely attributable to the fact that a smaller percentage of Negroes than whites who are arrested are first offenders. In addition, as indicated above, the higher conviction rate of Negroes may also be due in part to their relative lack of financial ability to hire competent private counsel. In conclusion, it appears that the members of the President's commission on Law Enforcement and Administration of Justice were correct when they wrote that, "if conditions of equal opportunity prevailed, the large differences now found between the Negro and white arrest rates would disappear."⁶

⁴ These offenses include murder, forcible rape, robbery, aggravated assault, burglary, larceny \$50 and over in value, and auto theft.

⁵ CLOWARD & OHLIN, *DELINQUENCY AND OPPORTUNITY: A THEORY OF DELINQUENT GANGS* (1960).

⁶ *The Challenge of Crime in a Free Society*, A Report by The President's Commission on Law Enforcement and Administration of Justice (Washington: U.S. Government Printing Office, 1967), p. 45.