

Drug Law Enforcement and Racial Disparities in the United States

Selected Findings*

Of the 251,100 state prison inmates serving time for drug offenses in 2000, 145,300 (58%) were black, 43,300 (17%) were Hispanic, and 58,200 (23%) were white.

Harrison, Paige M. & Allen J. Beck, Ph.D., U.S. Department of Justice, Bureau of Justice Statistics, Prisoners in 2001 (Washington, DC: US Dept. of Justice, July 2002), Table 17, p. 13.

Among the more than 2 million offenders incarcerated on June 30, 2002, an estimated 596,400 were black males between ages 20 and 39. Among males age 25 to 29, 12.9% of blacks were in prison or jail, compared to 4.3% of Hispanics and about 1.6% of whites. Although incarceration rates drop with age, the percentage of black males age 45 to 54 in prison or jail in 2002 was an estimated 3.9% -- more than twice the highest rate (1.7%) among white males (age 30 to 34).

Harrison, Paige M., & Jennifer Karberg, Bureau of Justice Statistics, Prison and Jail Inmates at Midyear 2002 (Washington, DC: U.S. Department of Justice, April 2003), p. 11, Tables 13 & 14.

From 1990 through 2000, the increasing number of drug offenses accounted for 27% of the total growth among black inmates in state prisons, 7% of the total growth among Hispanic inmates, and 15% of the growth among white inmates.

Harrison, Paige M. & Allen J. Beck, Ph.D., U.S. Department of Justice, Bureau of Justice Statistics, Prisoners in 2001 (Washington, DC: U.S. Department of Justice, July 2002), p. 13.

According to the US Census Bureau, the US population in 2000 was 281,421,906, with 194,552,774 (69.1%) white; 33,947,837 (12.1%) black and 35,305,818 (12.5%) of Hispanic origin. Additionally, 2,068,883 (0.7%) were Native American, and 10,123,169 (3.8%) were Asian.

US Census Bureau, Department of Commerce, Census 2000 Redistricting Data (P.L. 94-171) Summary File for states, Population by Race and Hispanic or Latino Origin for the United States: 2000 (PHC-T-a) Table 1, from the web at <http://www.census.gov/population/cen2000/phc-t1/tab01.txt>, last accessed September 8, 2001.

* Compiled by Roger Goodman, Director of the King County Bar Association's Drug Policy Project, formerly Executive Director of the Washington Sentencing Guidelines Commission.

According to the federal Household Survey, “most current illicit drug users are white. There were an estimated 9.9 million whites (72 percent of all users), 2.0 million blacks (15 percent), and 1.4 million Hispanics (10 percent) who were current illicit drug users in 1998.” And yet, blacks constitute 36.8% of those arrested for drug violations, over 42% of those in federal prisons for drug violations. African-Americans comprise almost 58% of those in state prisons for drug felonies; Hispanics account for 20.7%.

Substance Abuse and Mental Health Services Administration, National Household Survey on Drug Abuse: Summary Report 1998 (Rockville, MD: Substance Abuse and Mental Health Services Administration, 1999), p. 13; Bureau of Justice Statistics, Sourcebook of Criminal Justice Statistics 1998 (Washington DC: US Department of Justice, August 1999), p. 343, Table 4.10, p. 435, Table 5.48, and p. 505, Table 6.52; Beck, Allen J., Ph.D. and Mumola, Christopher J., Bureau of Justice Statistics, Prisoners in 1998 (Washington DC: US Department of Justice, August 1999), p. 10, Table 16; Beck, Allen J., PhD, and Paige M. Harrison, US Dept. of Justice, Bureau of Justice Statistics (Washington, DC: US Dept. of Justice, August 2001), p. 11, Table 16.

Among persons convicted of drug felonies in state courts, whites are less likely than African-Americans to be sent to prison. Thirty-three percent (33%) of convicted white defendants received a prison sentence, while 51% of African-American defendants received prison sentences. It should also be noted that Hispanic felons are included in both demographic groups rather than being tracked separately so no separate statistic is available.

Source: Durose, Matthew R., and Langan, Patrick A., Bureau of Justice Statistics, State Court Sentencing of Convicted Felons, 1998 Statistical Tables (Washington DC: US Department of Justice, December 2001), Table 25, available on the web at <http://www.ojp.usdoj.gov/bjs/abstract/scsc98st.htm>, last accessed December 21, 2001.

According to the US Dept. of Justice, in the United States "The rate of incarceration in prison and jail in 2002 was 702 inmates per 100,000 US residents -- up from 690 at midyear 2001. At midyear 2002, 1 in every 142 US residents were in prison or jail." The incarceration rate for African-American women was 349 per 100,000; for African-American men, the rate was 4,810 per 100,000; the rate for Hispanic women was 137 per 100,000; for Hispanic men the rate was 1,740 per 100,000; The rate for white women was 68 per 100,000; and for white men the rate was 649 per 100,000.

Harrison, Paige M., & Jennifer Karberg, Bureau of Justice Statistics, Prison and Jail Inmates at Midyear 2002 (Washington, DC: US Dept. of Justice, April 2003), p. 2 & Table 14, p. 13.