

An Analysis of Louisiana's Rising Incarceration Rate and the Racial Disparities Within Its System

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The vision of equality in the United States of America has always dwelled in the realm of theory, than in the sphere of practice. It has been the reality of few and the dream of many. The efforts to prove true the declaration of "all men are created equal" have been partial throughout the course of history. Using Louisiana as the subject state, 2014 results from the Louisiana Department of Public Safety and Corrections Service (LDPSCS) show that African Americans are twice as likely to be arrested as Caucasian ethnics, and make up more than 60% of those housed in correctional facilities throughout the state despite the fact that blacks make up only 30% of the state's population. Examining plausible causes to these disparities in the state of Louisiana will lead to possible answers to why African Americans are so highly present in the state's prisons. It will also be significant in discovering whether cause-related disparity results in the state of Louisiana exist within various other states across the country, ultimately proving whether there is a consistent pattern that can be seen that leads blacks to the doors of correctional facilities throughout the nation. Using secondary analysis, with national statistics of incarceration from the Federal Bureau of Investigation and state statistics from LDPSCS, there is an obvious imbalance between blacks and other ethnics imprisoned, and the graphical sketches included will attempt to allow for a more visual understanding of the issue at hand, upon which this research will offer possible solutions that may decrease the African American incarceration disparity rate in the state, by examining existing policy designed to do so specifically, as well as other viable implementations that could have lasting effects.

Keywords: racial disparity, Louisiana, criminal justice policy

Introduction

The United States of America is leading the world in the number of individuals incarcerated per capita (Dews, 2014). A country which holds the position of being the most powerful nation stands, once again, as the one with the most enslaved. The Constitution of the United States, Amendment 13, Section 1 reads: Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, and shall exist within the United States, or any place subject to their jurisdiction. The profound word "except" brings into question the country's current predicament, subliminally making the claim that the presence of slavery and involuntary servitude is still justified, but only on the basis of punishment of a crime. Pondering on this statement with the aforementioned understanding is what catalyzes the concern of America's mass incarceration crisis and, possibly, the reason why Louisiana is leading, as well as brings the racial disparity when it comes to African Americans within the system into perspective.

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Reasoning says that if America is leading the world in the number of imprisoned individuals per capita, then whichever state within the country with the highest incarceration rate would hold the position as the state with the highest rate of imprisonment in the world. Narrowing the scope to the state that carries this title is going to lead to further understanding of why one particular state in America has a criminal justice system that is seemingly not as effective and why the demography of its correctional facilities is majority African American.

Research shows that Louisiana is the state indicted with the charge of being the highest state of imprisonment in the world (Galik & Morris, 2013), a southern state that was extremely participant and proactive in slavery and the maintenance of it. But once slavery was abolished and Reconstruction took place, many southern states were not embracing African American freedom. However, there is a rule of law that governs this country that demands it is a right for all citizens to be provided a place of legal refuge in which they may come and be heard without fear of judgment because of their physical, cultural, ethical, or religious affiliation (Black's Law Dictionary, 2016). This rule of law is to be enforced by the system of justice in place regardless of gender, sex, religion, or race. But instead of adhering to this rule, most of the south, which included officials who administered justice, protected individuals who executed black codes, Jim Crow laws, and other methods that discriminated against African Americans and criminalized them. Law enforcement often times justified the unruly acts of prejudice and violence that targeted people of color. Unfortunately, this has been a reoccurring theme throughout the last 200 plus years; and the fact that those who were to maintain the presence of justice for all were constantly ensuring injustice for African Americans has seemingly maintained the increased African American distrust in the criminal justice system (Jones, 2015).

The incarceration crisis of America is not a question of whether or not race is a part of the issue because it definitely has its place, but rather the inquiry lies in determining what degree of discrimination is actually being executed. It is not a question that asks if certain laws have been put in place that have done more to contribute to the mass imprisonment certain individuals within certain state, but rather one that asks which laws have been put in place to feed the prison industry.

Purpose of the Study

The purpose of this paper is to address the laws that have been put in place within the criminal justice system, particularly in Louisiana that could be impacting the state's high incarceration rate; and analyze probable meanings as to why African Americans are accounting for 67% of the state's prison population when African Americans only represent 32% of the state's census population. This paper will also bring awareness to whether or not viable solutions are being actively pursued within Louisiana in order to reduce its imprisonment. This attempt will be through the viewing of legal actions taken within states with lower incarceration rates. The paper will also offer possible solutions that could reduce the African American presence within the state's prisons.

Statement of the Problem

There is a large racial disparity within Louisiana's correctional facilities that could, or could not, be influenced by discriminatory methods. The persona of African Americans can be greatly skewed when they occupy the majority of the world's leading imprisoning state. A misconstrued idea has been created about blacks in America that is based off the number of individuals who are within the prison, and not the statistical facts of the number of individuals who commit the most crimes within the country. The Federal Bureau of Investigation release of the 2014 crime report shows that African Americans only account for 27.8% of the countries crimes, while whites account for 69.4%. With statistics such as these, the ponderous as to why African Americans are

the majority in prison when they are statistically shown to be twice as less violent than white Americans proves there is a problem that must be addressed. Therefore, the questions that are asked and must be attempted to answer are: What laws are in place in Louisiana that have proven to be a part of the problem? How have these laws affected the African American community in comparison to others? What actions are taking place to reduce the rate of incarceration?

Significance of the Study

The research presented will bring about greater current statistical awareness to Louisiana's correctional crisis and the disparity issue within those facilities. Analyzing the history of how Louisiana's criminal justice system arrived to its present state can be achieved upon reviewing the state's criminal code when it comes to particular offenses. The anatomizing of specific sentencing laws will assist in understanding the relevance of pursuing possibly new laws that would positively affect issue at hand. Consequently, the finding will possibly give policy makers, judicial officials, and law enforcement officers within the state of Louisiana methods that could substantially decrease the prison population, as well as decrease the disparity within them.

Methodology

This research adopts a quantitative approach to the issue of incarceration within the state of Louisiana. By reviewing legislation put in place that has contributed to increased imprisonment, this paper chronologically builds to the state's current issue. Since, history is involved, statistical information from the 20th century Louisiana's Department of Corrections is used along with the state's current statistics. Statistics from the Federal Bureau of Investigation are used for a major portion of this research.

Organization of the Study

This study is divided into six chapters. Chapter one is the introduction to the research that will be presented. Chapter two deals with the review of literature gathered that assisted in adding validity to what is being discussed. Chapter three will briefly analyze how the state's prison system got to its current position. Chapter four presents the analysis of the study. Chapter five discusses the methodology used to gather the information found. The final chapter will reveal the findings and conclusion of the study and provide viable solutions to the research question.

Review of Literature

According to the Louisiana Department of Public Safety and Corrections (2015), Louisiana has not always incarcerated such a high proportion of its citizens. But rather over the past two decades has shown an ever increasing rate of individuals imprisoned throughout the state. In 1990, the admissions comparison documents show that Louisiana's prison population was 18,799 and its incarceration rate was 446 prisoners per 100,000 citizens of the state. In 2012, the same graphic had shown that the population doubled with approximately 40,100 prisoners per 100,000 citizens. This brought the incarceration rate to 877 prisoners per 100,000 citizens in Louisiana.

Lauren Galik and Julian Morris (2013) suggest that mandatory minimums and the habitual offender law are leading issues as it pertains to the increased rate of incarceration within Louisiana. Determinate sentencing laws have not reduced the rate of crime occurring in the state, but rather have created a system that has more non-violent offenders doing longer and harder time than violent offenders. The unfair indictments placed on non-violent offenders have added greatly to the recidivism of the state because determinate sentencing laws constrict convicted individuals from parole opportunities, which leads to discouragement of rehabilitation.

Steven Raphael and Michael Stoll (2014) discuss policy approaches to reducing incarceration rates while at the same time maintaining low rates of crime. These researchers begin their study with a proposal that the increased incarceration does inevitably reduce crime, but does not stop the rate in which crime is being committed. Raphael and Stoll use secondary analysis in coming to the conclusion that many of the policy decisions made within the country and individual states have ineffectively combatted crime and contributed to the rise of incarceration. Therefore, they argue that states should reconsider their sentencing laws and parole practices. Their research focuses on two major reforms that could lead to state and national correctional rehabilitation: (1) a reduction in the scope and severity of truth-in-sentencing laws that mandate that inmates serve minimum proportions of their sentences, and (2) a reworking and, in many instances, abandonment of mandatory minimum sentences. We also propose that states create incentives for localities to limit their use of state prison systems.

Michelle Alexander (2010), the author of *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*, discusses the effects drug sentencing laws have had on the increased incarceration rate in the country, and how the institution has traumatically affected the African American community in particular. She focused on how African Americans are warehoused in a prison system that denies them the right to vote and the right to be free from legal discrimination when it comes to employment, public education, and benefits. For example, the literature examines how discrimination on behalf of an individual's race is no longer justified as being socially acceptable; however, discrimination due to a person's criminal background is permissible. This is creating a gateway for justified discrimination against convicted felons, whom the majorities are African American.

Floyd Weatherspoon (2014) agrees that the "war on drugs" has been a major contribution to the ever increasing injustices against African Americans within the United States, contending that the legal reforms put in place by the national justice system in order to reduce crime have failed; consequently, adding to the victimization of African American males in the criminal justice system; and leaving an open door to states, such as Louisiana, to enforce extreme sentencing laws that have proven themselves to be unjust. Alexander shows that by targeting black men through the "war on drugs" and destroying African American communities, the U.S. criminal justice system functions as a contemporary system of racial control, even as it formally adheres to the principle of colorblindness, challenging the civil rights community to place mass incarceration at the forefront of a new movement for racial justice in America.

Methodology

Measuring the severity of Louisiana's incarceration circumstance could only be done through the analysis of other states in comparison to Louisiana in particular. Secondary analysis of nationwide state incarceration rates from 1960 to the present created a pathway to understand why Louisiana is leading in those imprisoned because patterns of sentencing are seen when compared to other southern states that have had high imprisonment rates as well. The constant proliferation of prisoners led to an examination of the laws passed that could be contributing to the state's present circumstance. With the use of public information given by sources such as the Federal Bureau of Investigation, the Louisiana Department of Public Safety and Corrections, Louisiana legislative sentencing laws, and the Disaster Center for Crime Pages, valid statistical data was made available to support the results found in this research.

Results/Discussion

When President Richard declared a “war on drugs” on June 17, 1971, he proclaimed drug abuse as “public enemy number one in the United States” (Frontline, 2014). He stated, “In order to fight and defeat this enemy, it is necessary to wage a new, all-out offensive. As long as there is a demand, there will be those willing to take the risks of meeting the demand” (Stanford, 2014). Soon after, there was a mandate placed on each state to begin implementing legislative initiatives that would decrease drug distribution in their respective state. But the response of each state varied in its effectiveness in opposing the constant rise in drug abuse.

The first initiative, however, was prompted by the federal government. Congress began passing a number of various mandatory sentencing laws that were purposed to restrain high-level drug dealers and provoke a fear to desist in others who may desire to enter the drug trade and/or consume illicit substances (Galik & Morris, 2013). These laws would force the judiciary to sentence offenders who committed nonviolent offenses to a required number of years in prison in hope that stricter laws would deter offenders, which in turn decreases nonviolent drug offenses. With a desire to mimic the federal government, states began to react with their own legislative laws, and Louisiana was one of them.

Louisiana began implementing harsher mandatory sentencing laws in the early 1970s, but the effects of these laws did not begin to show their riveting effects until the 1990s. Statistics show (Figure 1) that out of many of the southeast regional states—which was considered the region with harshest sentencing laws of the time—Louisiana had had the most negative correlated response in its attempt to create a lower crime rate via more severe sentencing (Disaster Center Crime Pages, 2013).

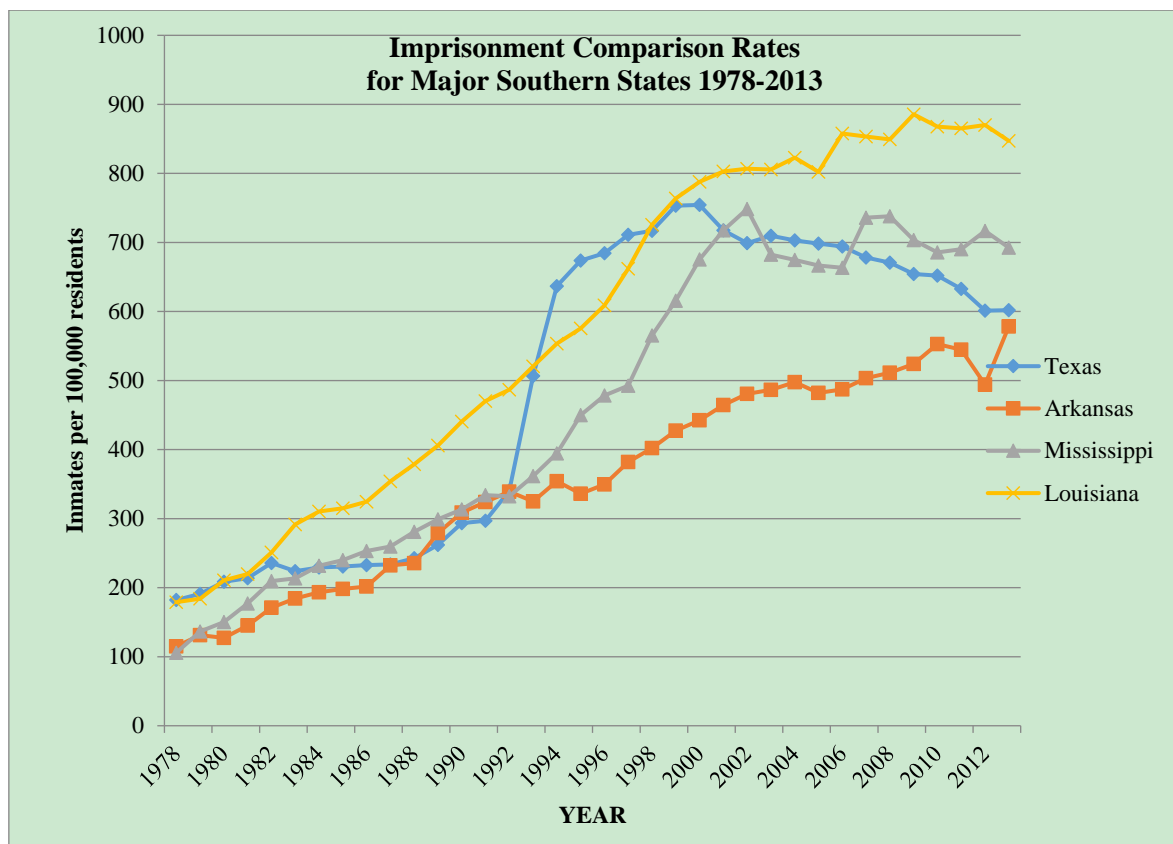


Figure 1. Imprisonment Comparison Rates for Major Southern States 1978-2013.

Figure 1 (Disaster Center Crime Pages, 2013) shows that in comparison to states such as Texas, Arkansas, and Mississippi, Louisiana's prison population has nearly doubled the last 23 years, going from 440.6 individuals imprisoned per 100,000 citizens to 870.1 individuals imprisoned per 100,000 citizens (Disaster Center Crime Pages, 2013). What occurred that caused Louisiana's incarceration rate to constantly increase, while states like Texas, Arkansas, and Mississippi remained steady? Louisiana's mandatory minimum sentencing hindered judges from using their own discretion when deciding just punishment for a defendant convicted because these laws had established automatic terms of incarceration in spite of mitigation circumstances. Analyzing the problem with sentencing laws that are contributing to Louisiana's consistent rate of increase in individuals imprisoned per capita (see Figure 1) will assist in understanding why the state is in the condition it is in.

Problems With Minimum Sentencing Laws in Louisiana

The habitual offender law, being one of the major mandatory minimum sentencing laws, was designed to counter criminal recidivism by making longer terms of imprisonment for each subsequent felony offense committed (Galik & Morris, 2013). Louisiana law says that a habitual offender is he/she who commits a second, or more, felony offense within 10 years of release from their sentence for a prior felony conviction (Louisiana State Legislature, 2010). Therefore, if a defendant reaches the third felony offense and the two offenses prior to that conviction are anything that are either violent crimes, a violation of the Uniform Controlled Dangerous Substances Law—such as possession of less than half a pound of a Schedule I substance, such as cocaine or heroin, or sex offenses with victims less than 18 years of age, then they will be sentenced to life in prison. This in Louisiana is known as the “three strikes” rule (Louisiana State Legislature, 2010).

This habitual offender law, however, has not proven itself to be effective in deterring criminal behavior. But rather, the “three strikes” rule has created a disproportionate number of criminals in prison for nonviolent drug offenses than violent crimes. It has created the problem of eliminated judicial discretion in that judges are unable to sentence defendants of nonviolent drug offenses to punishment that could be retroactive in its nature, which could in turn reduce the number of individuals placed in prison. But, since they are mandated by the law to automatically place a criminal in jail for a specific number of years, an increase in the prison population is inevitable due to the lengthy periods of time in which one person must serve before another individual is convicted also.

Mandatory minimum sentencing laws' role in Louisiana's consistently increasing incarceration rate is also due to the irrational degrees of punishment when it comes to nonviolent drug offenses. Galik and Morris use this example: If a criminal is convicted of having anywhere between 28 and 199 grams of a Schedule II narcotic on their person, then that defendant would be instantly sentenced to five years of hard labor. But, if a criminal possesses 200 grams of the same type of narcotic, then he or she is automatically sentenced to 10 years of hard labor. This mandatory minimum punishment immediately doubled with only a negligible one gram more of a narcotic.

Also, minimum sentencing laws are a problem in Louisiana because it has created a pattern of violent crime offenders who will always fall behind nonviolent drug offenders. There are no mandatory sentences involved for any individuals who are convicted for crimes such as rape, manslaughter, aggravated battery, second degree battery, and all other violent criminal offenses. However, all nonviolent crimes have a mandated number of years in which the individual convicted must serve. This is placing greater emphasis and punishment on individuals who are committing nonviolent crimes than those who are committing violent ones.

Another problem with the state's mandatory sentencing laws is that they do not provoke inmates to a place of rehabilitation due to the fact that most minimum sentences require prisoners to serve the required portion of

their sentence before they are eligible for parole, while inmates who are not under mandatory conviction are afforded the opportunity to have their sentence reduced or are eligible for parole. With mandatory sentences, defendants are not eligible for parole and therefore are not inspired to rehabilitate, which ultimately ends with increased recidivism in the state amongst those who were released after serving a mandatory minimum sentence than those who did not.

These issues with determinate sentencing laws have been instrumental in the state's criminal justice crisis. These laws have not only created a disproportionate statistic when it comes to the violent crime offenders and nonviolent drug offenders, but there is an obvious disproportionate demographic within the state's correctional facilities that shows what racial community is being affected the most because of such harsh sentencing laws.

Mandatory Sentencing Effect on the African American Community

According to the Federal Bureau of Investigation (2015), nationally, blacks only account for about 27.8% of the country's crimes while whites are responsible for roughly 69.4% of the crimes committed in the United States (see Figure 2). However, if this is the case, then why African Americans are viewed by many as the most dangerous group of individuals, when statistically that is not the case (Staff, 2014)? But, this misconstrued ideology could further explain why the African American community is seemingly the most targeted group in the state of Louisiana. It is vitally important to understand that the African American community only just as recent as 60 years ago gained their civil rights within America. So an issue of whether race has anything to do with why the African American community is affected most within a state housed in a nation that is known to be discriminatory from its beginning is not far beyond the scope of this research.

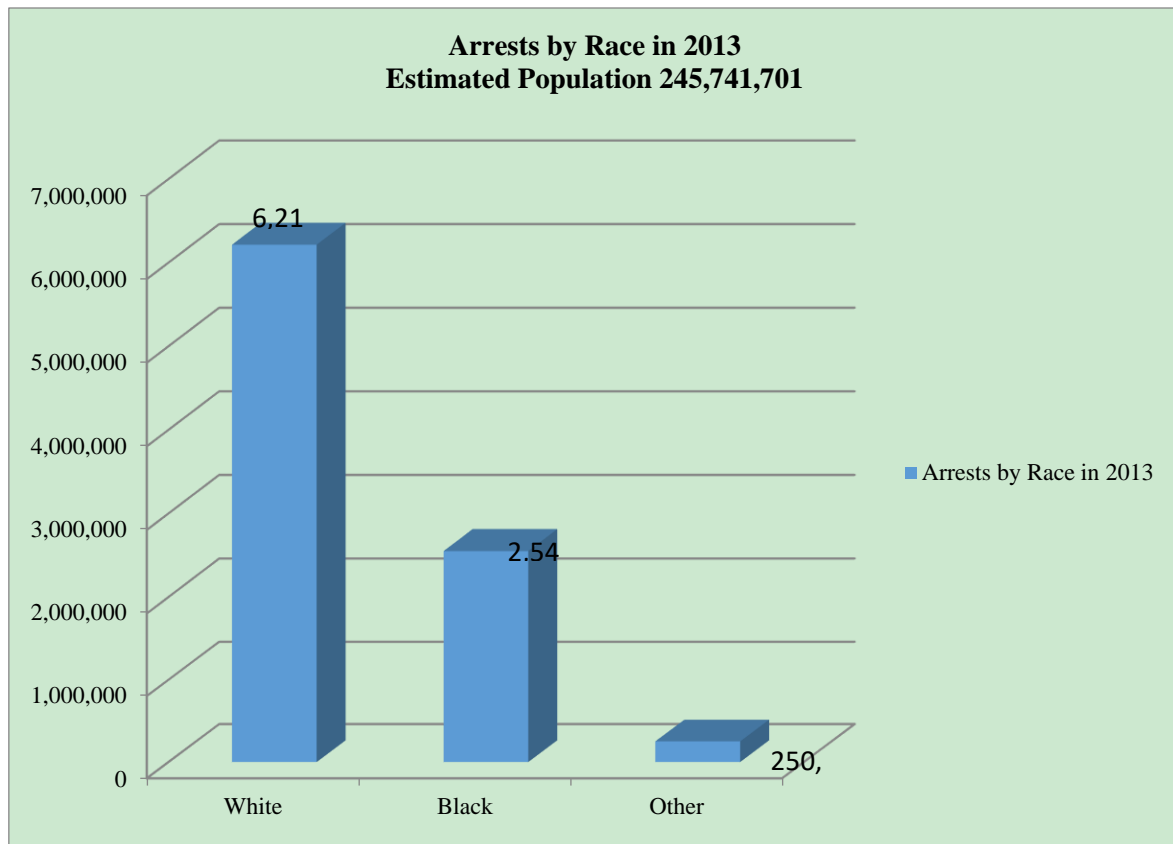


Figure 2. Arrests by Race in 2013.

It is obvious that the mandatory sentencing laws of Louisiana are affecting the African American population within the state more than others. The mandatory sentencing laws are more nonviolent focused than they are violent focused, and because African Americans are more inclined to be arrested in Louisiana for nonviolent offenses than any other ethnicity in the state (Heath, 2014), then the presence of harsh automatic sentencing laws will only place more African Americans in prison, as well as keep them there longer.

African Americans only represent 32% of Louisiana's population; however, research shows that they account for 68% of the state's prison population; and more than 16,000 are in prison because of nonviolent offenses (see Figure 3).

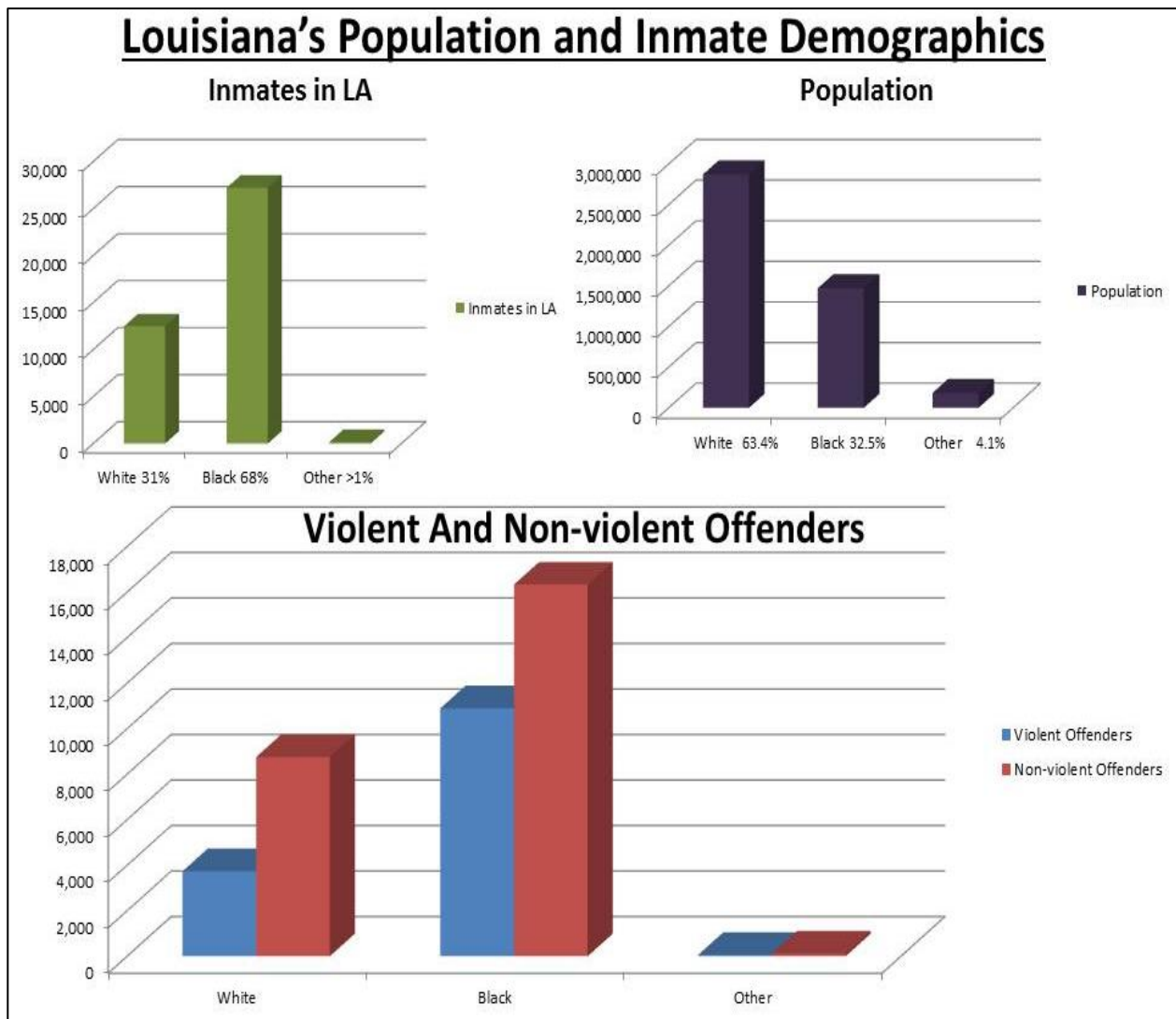


Figure 3. Louisiana's Population and Inmate Demographics.

These habitual offender laws are extending the prison population in Louisiana while at the same time tightening prisoner rehabilitation, which in turn has created a nearly 50% recidivism rate in Louisiana (LDPSC, 2015). So if blacks are targeted the most due to race, then it is understood as to why they are the individuals who fill the state's prisons; and also brings clarity to the discussion as to why mandatory minimums are so outrageous

within the state: being that Louisiana is predominantly white state with a foundational history of slavery and discrimination towards African Americans and still seeks to fulfill the later portion of Amendment 13 of the constitution which reads, "Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted..." (Government Archives, 2016).

The problem is clear, however, that the solutions are still a bit opaque. Analyzing Louisiana's past and/or present reforms to the mandatory sentencing laws and taking a look at what other states are doing in order to keep their rate of incarceration to a minimum are to approaches that must be considered in an attempt to suggest valid rectifications to state legislators.

Reforms and Possible Solutions

In an attempt to reform the staggering effects of mandatory sentencing laws, Louisiana legislators have passed a few bills that they hoped would counteract the adverse effect of laws they put in place. So in response to the state's consistent lead as the world's leading prison capital, government officials passed two significant bills: 2001 Senate Bill 239/Act 403 and House Bill 543/Act 401.

In 2001 Governor Murphy Foster, Jr. passed reform Senate Bill 239/Act 403. This bill reduced or removed mandatory minimum sentences for some nonviolent drug offenses, including removing the requirement of a life sentence for selling heroin, even as a first-time offense. It lowered mandatory sentences for repeat offenders and eliminated application of the three strikes laws to all felonies (Rodgers, 2016).

However, the effectiveness of this bill is was not as potent as legislators would have hoped for. According to statistical charts of Louisiana's Department of Public Safety and Corrections, the law did not have a dramatic effect on reducing the state's prison population because it was revealed that the number of offenders affected by the previous laws was comprised of a relatively small portion of the incarcerated population (Galik & Morris, 2013).

House Bill 543/Act 401 came into effect in 2012 by Governor Bobby Jindal and reads as such: to amend and reenact and to enact this law relative to parole eligibility for individuals placed under mandatory sentencing; to provide for parole eligibility for certain offenders after serving a certain portion of the criminal sentence; to provide for prospective application; and to provide for related matters. Be it enacted by the Legislature of Louisiana (Louisiana Legislative Document, 2012). The presence of this bill was so important because it granted individuals that would be convicted of nonviolent offenses eligibility for parole after receiving a mandatory minimum sentence (Galik & Morris, 2013). Inmates would have to satisfy certain requirements in order to be eligible, but the presence of parole for nonviolent offenders would, in theory, be ideal in reducing recidivism and promoting rehabilitation. But, unfortunately this law only applied to prisoners who are eligible by age and not according to the nature of the crime committed. Nonetheless, judicial officials could apply more just sentences that could deter future criminal behavior, but there was still a limited effect on its widespread effectiveness.

Conclusion and Recommendations

The incarceration rate in Louisiana is out of control and is steadily increasing, and the racial disparities present within the correctional facilities are clearly an issue of race relations. The African American community is being affected the most and the state's mandatory minimum sentencing laws are only adding to the problem, not providing long term solutions. The only way to correct the skewed perception of African Americans in the United States is to keep the true statistical facts in the forefront and look for legislative solutions for Louisiana

through the lens of a state(s) that has been successful in keeping its rate of incarceration considerably low.

Maine has done seemingly well in maintaining a low incarceration rate. Analyzing their state sentencing laws may provide suggestive solutions that could be taken into consideration by Louisiana legislators. For example, according to the Title 17-A Statute 1252 of Maine's criminal code for those imprisoned for nonviolent offenses provides sentencing laws that are not only to ensure reasonable punishment is administered for the nature of the crime committed, but their sentencing laws also incite greater rehabilitation due to mandatory minimums that are not as harsh as a state such as Louisiana. Provision 5 of Statute 1252 reads as such:

5. Notwithstanding any other provision of this code, except as provided in this subsection, if the State pleads and proves that a Class A, B or C crime was committed with the use of a firearm against a person, the minimum sentence of imprisonment, which may not be suspended, is as follows: When the sentencing class for the crime is Class A, the minimum term of imprisonment is 4 years; when the sentencing class for the crime is Class B, the minimum term of imprisonment is 2 years; and when the sentencing class for the crime is Class C, the minimum term of imprisonment is one year. (Statute 1252-5)

This statute particularly speaks to the sentencing of individuals who commit nonviolent offense with the use of a fire arm. The highest mandatory sentence is four years, a huge difference from Louisiana's harsh sentence of 10 years. These methods of sentencing have obviously been beneficial to keeping Maine's incarceration rate low that the state may maintain one the lowest incarceration rates in the country (National Institute of Corrections, 2014). Legislatures in Louisiana can make an effort to analyze Maine's mandatory minimum laws for nonviolent offenses and determine to what extent the state could use some of Maine's legislative methods in ensuring judiciary discretion is still viable while maintaining sentences that are just for the crime committed, while at the same time looking forward at the likelihood of decreased recidivism. States that also have similar sentencing laws and statistical results when it comes to low incarceration rates are Massachusetts and Rhode Island. With Massachusetts at 188/100,000 citizens incarcerated and Rhode Island at 178/100,000 citizens arrested, both have been able to consistently maintain a rather low risk environment when it comes to crimes committed; nevertheless, African Americans are still the leading ethnic group within their correctional facilities.

Policy solutions occurring within Louisiana's legislation are the ultimate solution to possible incarceration rate reduction, and creating environments of greater awareness of how African Americans are being arrested more frequently than any other ethnic group along with greater law enforcement accountability may be methods that would address and reduce the disparity rate within the state's correctional facilities as well.

References

- Alexander, M. (2010). *The new Jim crow: Mass incarceration in the age of colorblindness*. New York: The New Press.
- Census. (2015, July 1). Population estimates: Census 2010 (V2015). Retrieved from <http://www.census.gov/quickfacts/table/PST045215/00>
- Dews, F. (2014, May 5). How to reduce America's incarceration rate and keep crime low. Retrieved from <http://www.brookings.edu/blogs/brookings-now/posts/2014/05/how-to-reduce-incarceration-and-keep-crime-low>
- FBI. (2015). Uniform crime reports. Retrieved from <https://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2014/crime-in-the-u.s.-2014/tables/table-43>
- Federal Bureau of Prisons. (2016, January 30). Inmate race. Retrieved from https://www.bop.gov/about/statistics/statistics_inmate_race.jsp
- Frontline Television Broadcast. (2014). Thirty years of America's drug war—A chronology. Retrieved from <http://www.pbs.org/wgbh/pages/frontline/shows/drugs/cron/>
- Galik, L., & Morris, J. (2013, October 29). Smart on sentencing, smart on crime: An argument for reforming Louisiana's determinate sentencing laws. Retrieved from <http://www.thepelicanpost.org/2013/10/29/smart-on-sentencing-smart-on-crime-an-argument-for-reforming-louisianas-determinate-sentencing-laws/>

- Jones, J. M. (2015, June 19). In U.S., confidence in police lowest in 22 years. Retrieved from <http://www.gallup.com/poll/183704/confidence-police-lowest-years.aspx>
- Louisiana Department of Corrections. (2015). Statistics briefing book. Retrieved from <http://www.doc.la.gov/quicklinks/statistics/statistics-briefing-book/>
- Louisiana State Legislature. (2010, July 6). Chapter 3. Habitual offender law RS 15:529.1. Retrieved from <http://www.legis.la.gov/legis/Law.aspx?d=79154>
- Maine Legislature. (2016, January 5). Title 17-A: Maine criminal code Part 3: Ch. 51: Sentences of imprisonment. Retrieved from <http://www.mainelegislature.org/legis/statutes/17-A/title17-Asec1252.html>
- Nixon, R. M. (1972). *Richard Nixon: Containing the public messages, speeches and statements of the president: 1971*. Washington: United States Government Printing Office.
- Raphael, S., & Stoll, M. (1 May 2014). A new approach to reducing incarceration while maintaining low rates of crime. *The Hamilton Project*. Retrieved from http://www.hamiltonproject.org/papers/new_approach_to_reducing_incarceration_while_maintaining_low_crime
- Stanford University. (2014). The United States war on drugs. Retrieved from http://web.stanford.edu/class/e297c/poverty_prejudice/paradox/htele.html
- Steigerwald, L. (2014, July 10). Louisiana still loves the war on drugs. *RARE: America's News Feed*. Retrieved from <http://rare.us/story/louisiana-still-loves-the-war-on-drugs/>
- The Louisiana Department of Safety and Corrections. (2015, March 31). The Louisiana Department of Safety and Corrections—Population trends. Retrieved from <http://doc.la.gov/wp-content/uploads/stats/1g.pdf>
- TNO Staff. (2014, December 4). The new observer: New FBI crime figures confirm: Black towns most dangerous, white areas safest. Retrieved from <http://newobserveronline.com/new-fbi-crime-figures-confirm-black-towns-dangerous-white-areas-safest/>

Appendix

FBI (2014) Table 43A

Offense charged	Total arrests					
	Race					
	Total	White	Black or African American	American Indian or Alaska Native	Asian	Native Hawaiian or Other Pacific Islander
Total	8,730,665	6,056,687	2,427,683	135,599	100,067	10,629
Murder and nonnegligent manslaughter	8,230	3,807	4,224	83	107	9
Rape ³	16,326	10,977	4,888	212	222	27
Robbery	74,077	31,354	41,379	616	617	111
Aggravated assault	291,600	185,612	96,511	4,372	4,507	598
Burglary	186,794	126,242	56,504	1,703	1,999	346
Larceny-theft	971,199	671,260	271,788	15,869	11,355	927
Motor vehicle theft	53,456	35,551	16,391	668	677	169
Arson	7,298	5,338	1,709	142	98	11
Violent crime ⁴	390,233	231,750	147,002	5,283	5,453	745
Property crime ⁴	1,218,747	838,391	346,392	18,382	14,129	1,453
Other assaults	853,887	558,181	272,068	13,618	9,173	847
Forgery and counterfeiting	44,336	28,272	15,095	279	646	44
Fraud	109,576	72,424	34,853	1,116	1,124	59
Embezzlement	12,678	7,851	4,518	87	210	12
Stolen property; buying, receiving, possessing	69,912	45,816	22,538	662	812	84
Vandalism	154,755	108,531	41,723	2,761	1,556	184
Weapons; carrying, possessing, etc.	109,891	62,920	44,705	803	1,307	156
Prostitution and commercialized vice	37,030	19,867	15,483	199	1,434	47
Sex offenses (except rape and prostitution)	43,125	31,279	10,462	640	688	56
Drug abuse violations	1,216,225	837,851	353,862	10,071	12,893	1,548
Gambling	4,363	1,560	2,568	16	192	27
Offenses against the family and children	79,075	50,912	26,048	1,521	574	20
Driving under the influence	863,598	722,451	112,107	12,048	15,938	1,054
Liquor laws	246,304	197,559	35,727	9,539	3,302	177
Drunkenness	327,325	264,906	51,485	6,952	3,552	430
Disorderly conduct	338,636	213,342	114,802	7,734	2,493	265
Vagrancy	21,577	14,819	6,116	443	182	17
All other offenses (except traffic)	2,546,822	1,726,091	750,488	42,980	23,946	3,317
Suspicion	1,057	557	472	15	13	0
Curfew and loitering law violations	41,513	21,357	19,169	450	450	87