In the past forty years the United States has created strong movements that focus on putting criminals behind bars. These movements have placed the United States as the country with the highest incarceration rate in the entire world. The racial make-up of the incarcerated population in the United States makes it even more unique. The racial make-up of the United States population as a whole is completely different than that of the incarcerated population. According to the 2010 U.S. Census, White, non-Hispanic people make up 64% of the United States population, but only 39% of the incarcerated population. Hispanics make up 16% of the U.S. population, but 19% of the U.S. incarcerated population. Blacks only make up 13% of the population, but 40% of the incarcerated populations in the U.S. Even though the black population in the United States is about half of the white population, they make up an equal percentage of the incarcerated population (Sakala, 2014, p. 1).

The 2010 U.S. Census shows that blacks are incarcerated five times more than whites, and Hispanics are almost twice as likely to be incarcerated as whites. Minorities are more likely to be incarcerated than whites in the United States, but this does not prove that minorities are committing more crime. This unproportioned incarcerated population could be the result of prejudice in our justice system. Prejudice in our justice system and the way crime is reported in the news causes minorities to be expected to commit crime, causing them to be caught more
often, and causing the crimes they commit to be thought of more negatively than crimes committed by whites (Sakala, 2014, p. 1).

A police officer’s job is to patrol and look for activities they believe to be suspicious and keep communities safe. The danger in this is that police officers get to determine what is considered suspicious and this is where our problem begins. The United States has granted our police officers with the power to employ discretion regarding who they can stop, search, arrest, and charge. This power is even more prominent in the drug-law enforcement because of the lack of a victim. If someone is attacked or robbed, they call the police because they are the victim, but the drug dealer or buyer have no need to call the police, because neither of them are victims, so finding the drug criminals is completely up to the police officer. (Alexander, 2012, page 104).

Statistical evidence is developing and shows that police are more likely to link minorities with criminal activity than to link whites. For two years, stops by the Maryland State Police were legally monitored, and 70% of the drivers that were stopped and searched on Interstate 95 by the police were black, but only 17.5% of the total drivers on this route were black (Harris, 1999). In 1992, ABC’s “20/20” news program did a report and had two separate identical cars full of young men navigating the same route at the same speed through Los Angeles streets. One car was filled with black men and the other white. The car filled with black men was stopped by the police multiple times and the car filled with white men was never stopped. The National Council of La Raza did a study on immigration laws by INS and local officials. In this study, people that appeared to be of Hispanic origin were targeted by authorities and interrogated, deterred, or arrested for suspected immigration violations, even if they were American citizens or legal in the United States. The police are targeting suspected criminals based on appearance in both of these situations (Chapter One: Race and the Police, 2015, p. 2). Amadou Diallo’s story
is another where police officers are choosing to label his actions suspicious. He was a black man living in a minority-majority city in New York City. He was approached by four police officers, and while reaching for his wallet was shot forty-one times because the officers believed that he was reaching for a gun. He was unarmed (Chapter One: Race and the Police, 2015, p. 5). The minorities are being targeted because they are expected to commit crime, but this isn’t allowed to be proven because claims by defendants and private litigants are not allowed to make claims that the criminal justice system operates in a racially discriminatory fashion (Alexander, 2012, p. 103).

Not only is it assumed that minorities are committing more crime than whites, the drugs minorities are more likely to be incarcerated for have stronger sentences than drugs used by whites. According to arrest rates, races have different drugs of choice. 74% of Caucasian drug arrests were for methamphetamines, 78% of African American drug arrests were for crack cocaine, 34% of Latino arrests were for heroin and another 34% of Latino arrests were for methamphetamines (Barnes, Kingsnorth, 1996, p. 44). Whites are more likely to use powder cocaine than crack, and blacks are more likely to use crack cocaine than powder. A dramatic difference in the punishment of powder cocaine compared to crack cocaine exists. To receive an equal punishment, one would have to have one hundred times as much powder cocaine on you as crack cocaine. The sentence for possession for sale of crack cocaine is substantially longer than that for powder cocaine or heroin, and two times as long as possession for sale of methamphetamine. Methamphetamine and marijuana possession can be reduced to a misdemeanor, but possession of any type of cocaine or heroin must be prosecuted as felonies (Barnes, Kingsnorth, 1996, p. 41).
The difference in sentences between crack and powder cocaine can be thought of as a type of unconscious racism. Judge Clyde Cahill of the Federal District of Missouri who fought on a case for a man named Edward Clary who was searched because he appeared to be a drug carrier and was caught with crack cocaine for the first time, and had a clean criminal record. Since it was crack cocaine instead of powder, he was supposed to be sentenced to ten years in prison instead of four even though he was a first-time offender. Clary challenged the difference in punishment between crack and powder cocaine, but the claims were rejected because congress believed crack to be more harmful to society, supported by “drug-abuse ‘experts’” and police officers. Judge Cahill sentenced Clary as if the drug he had in his possession was powder cocaine. He said, “The 100-1 Ration, coupled with mandatory minimum sentencing provided by federal statute, has created a situation that reeks with inhumanity and injustice… If young white males were being incarcerated at the same rate as young black males, the statute would have been amended long ago.” His case trying to prove that crack penalties were a form of racism failed, and Calary had to serve the rest of his ten years (Alexander, 2012, p. 113).

Crack and powder cocaine are both cocaine. They have the same chemical effects, even though the makeup of the cocaine is different. Powder cocaine is a salt form that is snorted through the nose, dissolved in water, or melted and injected. The body absorbs this chemical through nasal mucosa membranes. Crack cocaine is powder cocaine that is processed with a base, which helps it absorb quicker and makes it a drug that is able to be smoked. The harmful effects between crack and powder cocaine differ depending on how you do the drug, not by what form of the drug you do. Smoking cocaine and snorting cocaine will have different effects on your body, even though the high is the same, but these are not differences between powder and crack cocaine, these are the differences in the way the drug is being used (Bracy, 2015).
Besides the clear preference of crack cocaine users vs powder cocaine users even though they affect the body in the same way, there are dramatic differences between the effects of cocaine, methamphetamine and heroin. Some of the long term effects of heroin include a weakening of the immune system, coma, respiratory illness, muscular weakness, and partial paralysis, loss of memory and intellectual performance, introversion, depression, loss of appetite, and insomnia (Long-Term Effects of Heroin, 2015). The long-term effects of cocaine are permanent damage to blood vessels of the heart and brain, high blood pressure that can often lead to heart attacks, strokes, liver, kidney, and lung damage, hallucinations, disorientation, irritability and mood disturbances, delirium, and severe depression (Effects of Cocaine, 2015). Methamphetamine creates a false sense of wellbeing and energy and this causes the users to think that they can do more than they are actually capable of, and causes them to push their bodies more than they should because they lose the sense of needing to stop when they should. Long term effects of methamphetamine are permanent damage to blood vessels of the heart and brain, high blood pressure causing heart attacks, strokes and death, liver, kidney, and lung damage, malnutrition, depression, and damage to the brain (The Deadly Effects of Meth, 2015). When analyzing these side effects it becomes less clear why the sentencing for these drugs are so drastically different. Heroin is a felony, but the side effects of methamphetamine are more damaging, but methamphetamine sentencing can be reduced to a misdemeanor. If our laws were set up for the best way to help our society, then the drugs with the worse side effects would have harsher punishments. The drugs linked with minorities that have criminal images linked to them cause society to believe that these drugs are worse than drugs used by majorities.

Although certain races are more likely to be incarcerated over certain drugs, it does not always mean they are the majority of that drug’s users. According to a National Survey on Drug
Use and Health in 2011, 17% of whites have tried powder cocaine at least once compared to 9.9% of blacks and 10.7% of Hispanics. When it comes to crack cocaine, 3.4% of whites have tried it, 5% of blacks, and 1.8% of Hispanics according to this survey. 1.8% of whites have tried heroin matching the 1.8% of blacks that have tried, while only 1.2% of Hispanics have tried heroin according to this survey (United States Department of Health and Human Services., Substance Abuse and Mental Health Services Administration., Center for Behavioral Health Statistics and Quality, 2015). While the percentage of blacks that have tried crack cocaine is highest, the difference isn’t as high as the difference between the races that get incarcerated over crack cocaine, and although Hispanics are the most likely to be incarcerated for heroin, they had the lowest percentage of people who had used it. A study in 2000 by the National Institute on Drug Abuse showed that whites are more likely to use drugs than blacks, especially in youth. White students were using cocaine eight times more and heroin seven times more than the rate that black students were. The National Household Survey on Drug Abuse reported a study in 2000 that showed that white youth ages 12-17 were more than 33% likely to have sold illegal drugs than African Americans in the same age group (Alexander, 2012, p. 99). Minorities are not more likely to use these drugs, they are more likely to be targeted.

Minorities are naturally targeted when it comes to picking criminals and suspicious activity for multiple reasons, and a big one is the way crime is reported in the news. The news creates a media world. This lets the media create a real world for people who have less experience with the topics discussed, even though the news is distorted compared to real life. Even when people have real life experiences to the discussed topics, they can still be manipulated, and take on the media world to be the real world (The Opportunity Agenda, 2004, p. 14). Minorities more commonly appear as criminals in the news than whites and it is more
common for them to appear as criminals than victims. News reports over represent the amount of black violent crime when compared to arrest rates. Whites are overrepresented as victims of violence and as law-enforcement roles in the news while blacks are simultaneously underrepresented. Blacks are also more likely to be presented by a mug shot than white criminals, and blacks are twice as likely as whites to be under as physical restraint. Being under a physical restraint makes someone appear more violent and dangerous. This causes people to match minorities to their idea of a criminal (Entman, Gross, 2008, p. 100). The media creates an exaggerated view of criminality related to race, and prevents identification with and sympathy for blacks (The Opportunity Agenda, 2004, p. 14).

During a computer experiment, the participants were told to shoot a target. They were told to shoot an armed target but not an unarmed one. The target character was either black or white and was holding a gun or another object. The participants were timed, and under that pressure were more likely to shoot an unarmed black target than an unarmed white one and were more likely to mistake the unarmed black target to be armed than the unarmed white target. This shows how people link violence with minorities (Entman, Gross, 2008, p. 104).

Another study by Gilliam and Iyengar exposed subjects to an actual television news story about crime. They had three versions of the story, one had a mug shot of a black suspect, one of a white suspect, and one without a suspect image at all. Almost half of the participants in this experiment claimed to see a black suspect when there wasn’t an image of a suspect at all. They were more likely to remember the black suspect when the black suspect was shown than the white suspect when the white suspect was shown as well (Mendelberg, 2008, p. 113). Judge Cahill from the Clary case discussed earlier acknowledges that people do not believe that they have discriminatory attitudes but the media puts an image to young black men that creates an
internalized fear in people, that helps match an image of a black male to an image of a criminal (Alexander, 2012, p. 113).

Minorities are incarcerated at a higher rate than whites, even though they are not committing more crime, especially when dealing with drug crimes. Police officers and society have preconceived ideas of people of certain races that are implemented in them by the way the media portrays these races, specifically the way they present them when it comes to news reports. Police officers also have a stronger say in who is incarcerated when focusing on the drug war because they get to choose who is a potential drug criminal. Drugs typically used by minorities also have longer sentences, which helps push minorities into prisons. The United States population doesn’t resemble the United States incarcerated population when analyzing race, but minorities are not committing more crime. The United States Justice System makes them an easier target, and helps keep them in the prisons longer. The United States Justice System and the media are the reason there are higher numbers of incarcerated minorities than incarcerated whites.
Works Cited


