The Center for Law and Justice recently released a report that statistically documents alarming imbalances in the representation of minorities in the local criminal justice system. Titled “The Disproportionate Impact of the Criminal Justice System on People of Color in the Capital Region,” the report can serve as a starting point for community discussions regarding the destructive consequences of a policy of mass incarceration. Individuals, communities of color and the general public all suffer extensive economic and social costs as a result of state and local laws, policies, and practices.

The report reveals that the percentage of Capital Region arrests, convictions, and prison sentences that are minorities is at least twice their representation in the general population in Albany, Rensselaer and Schenectady counties. Studies indicate that this imbalance is likely due not to more crimes being committed by people of color, but to seemingly “colorblind” policies that have differing impacts on minorities and whites. To diminish the devastation caused by the mass incarceration of local people of color, our government officials and the communities they serve together must determine and resolve the causes of the problem.

**Impact of drug laws**

For example, the Rockefeller Drug Laws of the 1970s (following the federal declaration of the “War on Drugs”) had far greater impact on minorities than whites, though race is not the subject of the statutes. Locally, by 2002 Albany County (with one of the highest drug crime prison admission rates in the entire country) had a drug crime prison admission rate for blacks that was 58 times higher than that for whites.

More recent data indicate that Albany County still has highly racially imbalanced prison admission rates in 2011. As well, the prison admission rate of minorities in Schenectady County is currently three times that of their representation in the general population.
The cost of mass incarceration extends far beyond prison expenditures. Aside from the incarcerative sentence, a criminal conviction can impose extremely restrictive educational, employment, housing, and civic conditions on an individual (including losing the right to vote). As a result of economic limitations imposed on individuals with a criminal conviction (including restrictions on student loans, exclusion from several occupation categories, and illegal discrimination by employers), the general public bears a greater cost to sustain individuals and families unable to sufficiently support themselves. In 2010 in the city of Schenectady, the white unemployment rate was 12.5 percent, while the African-American unemployment rate was 23.7 percent. The median income for white households in the city was $43,781 and for African-American households, $25,153. The percentage of African-American households living below the poverty level was nearly double that for white households, 29.8 percent and 15.1 percent respectively.

**Historic context**
Addressing an issue of this magnitude requires an understanding of its historic and political context. In her 2010 book “The New Jim Crow: Mass Incarceration in the Age of Colorblindness,” Michelle Alexander reports that more African-Americans are under the control of the criminal justice system today — in prison or jail, on probation or parole — than were enslaved in 1850. Discrimination in housing, education, employment and voting rights, which many Americans thought was eliminated by the civil rights laws of the 1960s, is now perfectly legal against anyone labeled a felon. Alexander calls for a grass-roots movement that will not only eliminate the current mass incarceration caste system, but illuminate its causes so we can ensure that a newly designed caste system doesn’t rise in its place. To further that cause locally, a number of community groups are sponsoring a series of community discussions to address “The New Jim Crow in the Capital Region.”

Given the dire consequences of a criminal conviction for individuals, communities and the general public, government officials and communities must work together to address the issue of mass incarceration. Attempts to call attention to this matter often have been perceived as angry accusations of racism, and have been met with defensive denials.

**Discussion essential**
Inclusive, respectful and open conversations regarding the underlying causes of the disproportionate mass incarceration of Capital Region minorities are imperative if we are to deal effectively with this societal problem. Though these discussions are often uncomfortable for all involved, they are our most promising hope of ridding ourselves of the devastating economic and social consequences of mass incarceration.

Details regarding the discussions (as well as the report) can be found at the Center’s website (www.cflj.org).

*Alice P. Green is executive director of the Center for Law and Justice in Albany. The Gazette encourages readers to submit material on local issues for the Sunday Opinion section.*