

Chris Uggen is Distinguished McKnight Professor of Sociology at the University of Minnesota. He studies crime, law, and deviance, especially how former prisoners manage to put their lives back together. With Jeff Manza, he wrote a book on felon disenfranchisement and a series of articles in *American Journal of Sociology*, *American Sociological Review*, *Public Opinion Quarterly* and other media. Other research, teaching, and advising interests include crime and drug use, discrimination, and sexual harassment. Chris serves as executive secretary of the American Society of Criminology, associate editor of *Law & Society Review*, and incoming chair of his department. He received his Ph.D. from the University of Wisconsin in 1995.

Friday, June 30, 2006

pubcrimmining

i spent yesterday at a **conference on racial disparity** in justice. as **advertised**, the panels offered a **combustible mix** of state supreme court justices, police officers, mayors, business reps, reporters. it was a good exercise in public criminology, with a handful of academics sharing research, weighing in on some concrete policy **recommendations**, and learning from the assembled policymakers, citizens, and community leaders.

there was more than a little grandstanding, of course, but also some productive discussion. justice alan page (who seems to **show up a lot** in this blog) referenced the distinction between people we're "mad at" versus those we're "afraid of." the council's research and recommendations focused on the disparate impact of overenforcing minor crimes among the former group -- lurking, loitering, disorderly conduct. we drag a lot of people of color into the system for low-level offenses (sometimes called *garbage cases* in the system) that never go anywhere. more precisely, racial disparities in arrest for minor crimes are generally more skewed than conviction disparities.

failing to criminalize such stuff runs counter to the **broken windows** orthodoxy, of course, but even minneapolis' assistant police chief sharon lubinski agreed that "we can't arrest our way out of this problem." business representatives want to "clean up" downtown, but most would be happy with effective community- and school-based alternatives to criminalization; such approaches might also be more consistent with traditional minnesota values than, say, **panhandling ordinances**.

i spoke on the collateral consequences of conviction, but one big problem with criminalization is the increasingly public nature of *arrest* records. there was a fascinating exchange between a target corporation human resources professional (*we fire people for failing to disclose their records, not for having records*) and a former felon (*i know that target won't hire you if you check that box on the application*). i saw a similar exchange between a downtown business representative (*something's wrong in the system when a guy is still on the street after twenty arrests*) and judge kevin burke, who brought drug courts to minnesota (*he may have been arrested twenty times, but what if he was never convicted?*).

to take another example, the council reported that youth of color now make up nearly 80 percent of the juveniles appearing in hennepin county (minneapolis) court, with 25 percent of those cases referred from *schools* (not including truancy violations). assistant school superintendent birch jones squarely addressed his institution's role in exacerbating justice system inequalities while at the same time reminding us of the resource constraints that make it difficult (impossible?) for some schools to address serious discipline problems in-house. such discussions may pave the way for alternative interventions for school disorderly conduct cases that, under current practices, would be

referred for formal prosecution.

similarly, the council reported that low-level offenses brought directly to court via police officers (*tab charges*) rarely result in convictions, but continue to haunt people seeking employment or housing. police and prosecutors were then invited to discuss a proposal to require all misdemeanor tab charges to be reviewed by a prosecutor prior to initiating court processes. i could go on, but you probably get the idea.

i had no hand in the council's recommendations and would need to study the evidence much more closely to make a strong case for them. nevertheless, i can get behind the council's primary goal without hesitation: reducing disparities *and* enhancing public safety. this fits nicely with my approach to felon reenfranchisement and prisoner reentry more generally. while some of the elected officials seemed to skirt the big issues, this is likely because they fear being tarred with the *soft on crime* brush. if reintegrative justice policies can be shown to *increase* public safety and do so cheaply, i'm optimistic that they'll come around as well.