



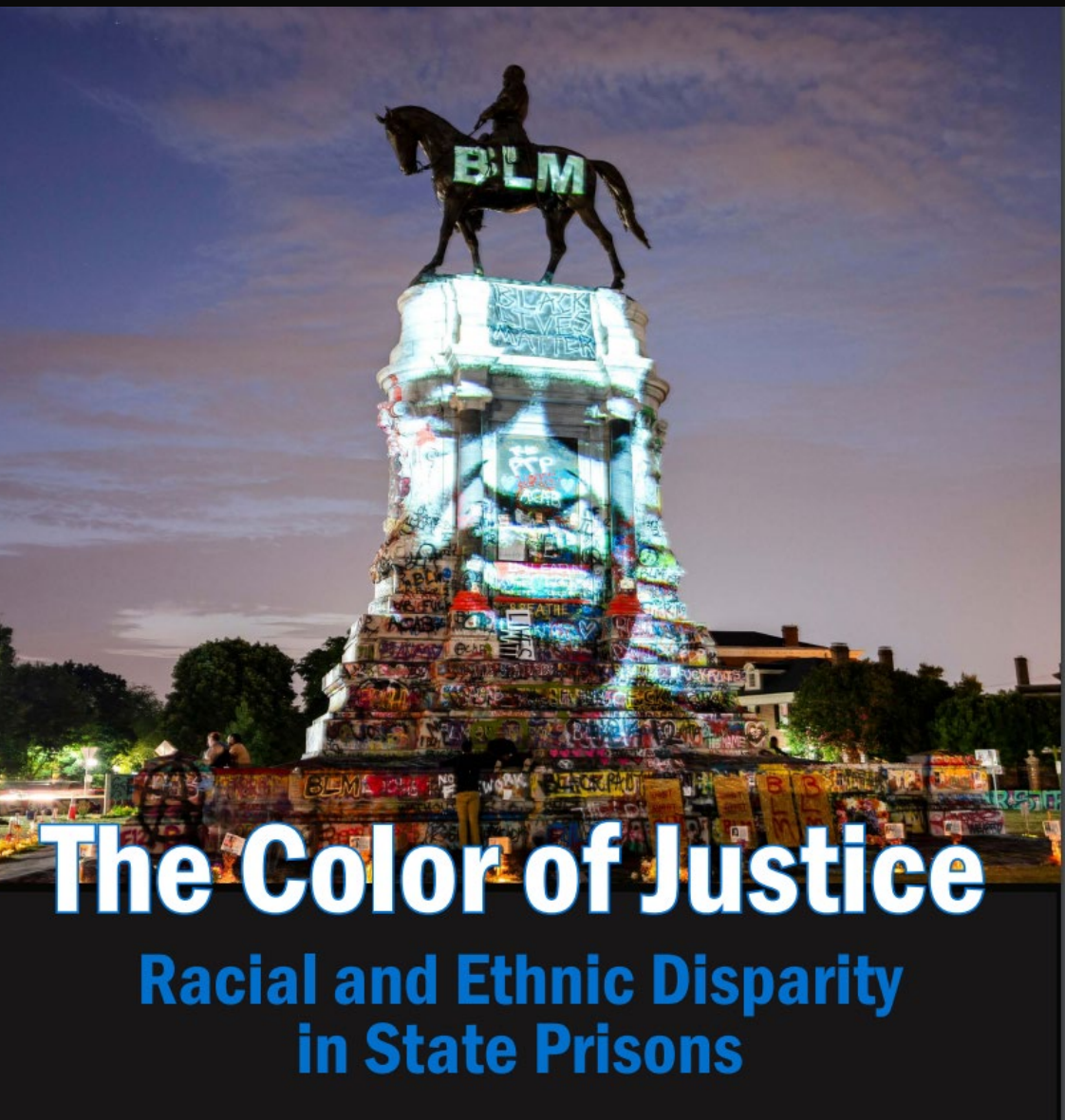
# The Color of Justice: Racial and Ethnic Disparity in State Prisons, Nebraska/Iowa

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The Sentencing Project: Research  
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# What this report does...

- This report documents the rates of incarceration for whites, African Americans, and Latinx individuals, providing racial and ethnic composition as well as rates of disparity for each state

## Why?

- Truly meaningful reforms to the criminal justice system cannot be accomplished without acknowledgement of its racist underpinnings
- True progress towards a racially just system requires an understanding of the variation in racial and ethnic inequities in imprisonment across states and the policies and day-to-day practices that drive these inequities



Imprisonment rates per  
100,000 persons:

## Nebraska

- White: 195
- Black: 1733
- Latinx: 396

## Iowa

- White: 225
- Black: 2084
- Latinx: 327

- In **Nebraska**, 1 in every 58 Blacks is imprisoned (10th in U.S.)
- In **Iowa**, 1 in every 48 Blacks is imprisoned (6<sup>th</sup> in U.S.)

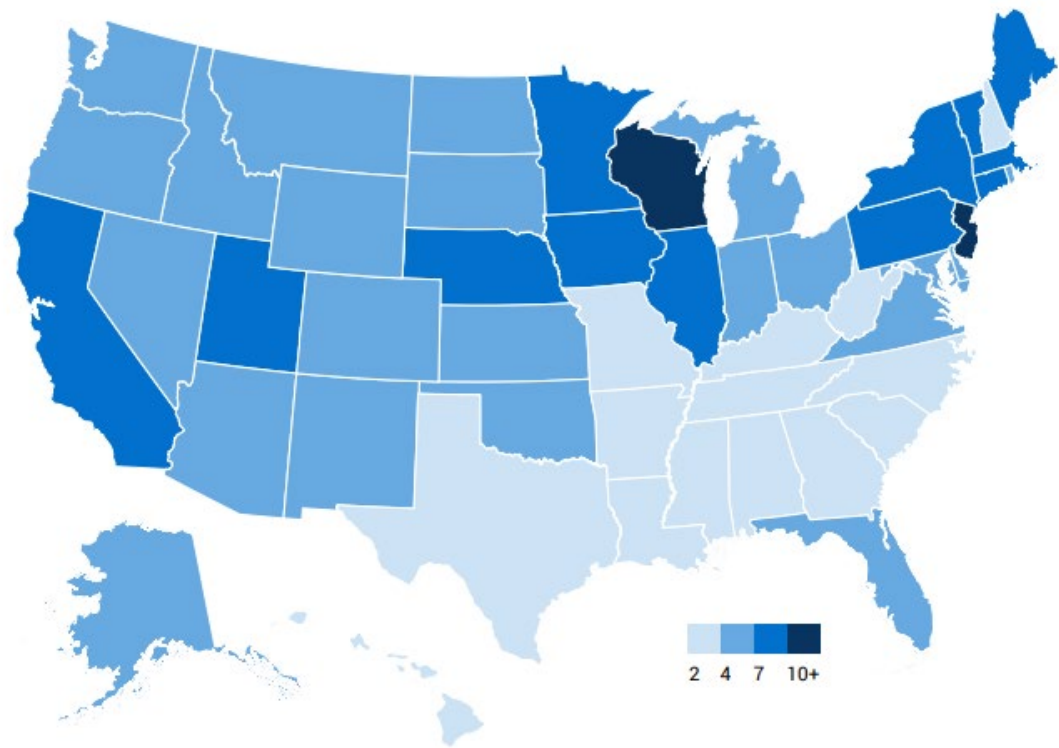
**Table 3. Ten States with the Highest Black/White Differential**

State	Black Imprisonment Rate	White Imprisonment Rate	B/W
New Jersey	1009	81	12.5
Wisconsin	2742	230	11.9
Minnesota	1023	105	9.7
Connecticut	1512	156	9.7
Maine	1331	143	9.3
California	1623	175	9.3
Iowa	2084	225	9.3
Nebraska	1733	195	8.9
Utah	1383	167	8.3
New York	754	96	7.9
<b>State Average</b>	<b>1240</b>	<b>261</b>	<b>4.8</b>

Data Source: Carson, E. A. (2021). Prisoners in 2019. Bureau of Justice Statistics; U.S. Census Bureau (n.d.). Age, sex, race, and Hispanic-origin—6 race groups. (SC EST 2019-ALLDATA6).

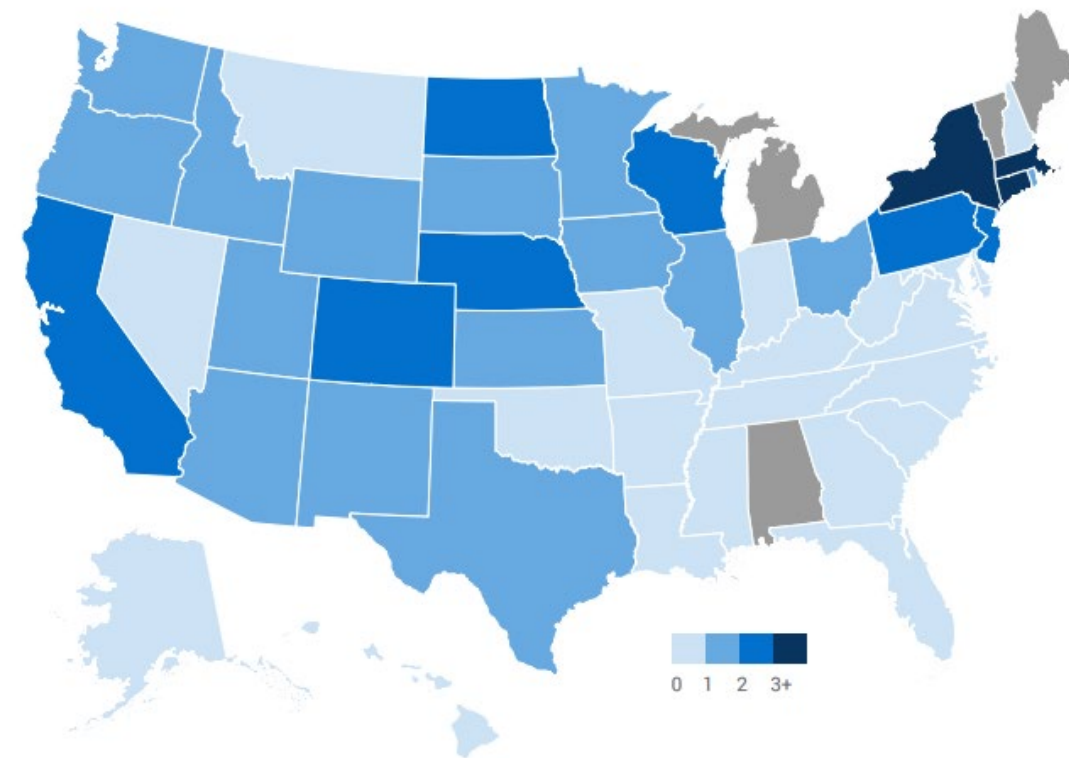


Figure 2. Black/white incarceration ratios



Data Source: Carson, E. A. (2021). Prisoners in 2019. Bureau of Justice Statistics; U.S. Census Bureau (n.d.). Age, sex, race, and Hispanic-origin--6 race groups. (SC EST 2019-ALLDATA6).

Figure 3. Latinx/white incarceration ratios



Data Source: Carson, E. A. (2021). Prisoners in 2019. Bureau of Justice Statistics; U.S. Census Bureau (n.d.). Age, sex, race, and Hispanic-origin--6 race groups. (SC EST 2019-ALLDATA6).  
■ = Data was not provided.





## Potential causes:

- Disparate treatment by law enforcement (racialized assumptions)
- Disparate treatment by prosecutors
- Disparate treatment by judges & juries
- Media portrayals of criminals of color
- Disparities in pre-trial detention
- Criminal histories driven by biased policies & practice influence subsequent decisions of criminal justice & corrections

A blue ballpoint pen is positioned diagonally across the top left of the image, resting on a document that features a bar chart with blue bars. The background is a light blue gradient.

# Report recommendations:

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- Eliminate mandatory sentences for all crimes (Nebraska and Iowa both have them)
- Require prospective and retroactive racial impact statements for all criminal statutes (Iowa has prospective, Nebraska has a current legislative bill under consideration)
- Decriminalize low-level drug offenses (drug possession #1 intake offense in Nebraska)

# UNO report developed for the Planning Committee of the Nebraska Legislature

## *Racial and Ethnic Disparities in the Criminal Justice System in Nebraska*

### Authors:

- Leah Butler, PhD, School of Criminology and Criminal Justice
- Ryan Spohn, PhD, Nebraska Center for Justice Research
- Josie Schafer, PhD, Center for Public Affairs Research

Purpose: Identify racial and ethnic disparities in publicly available criminal justice and correctional data in Nebraska



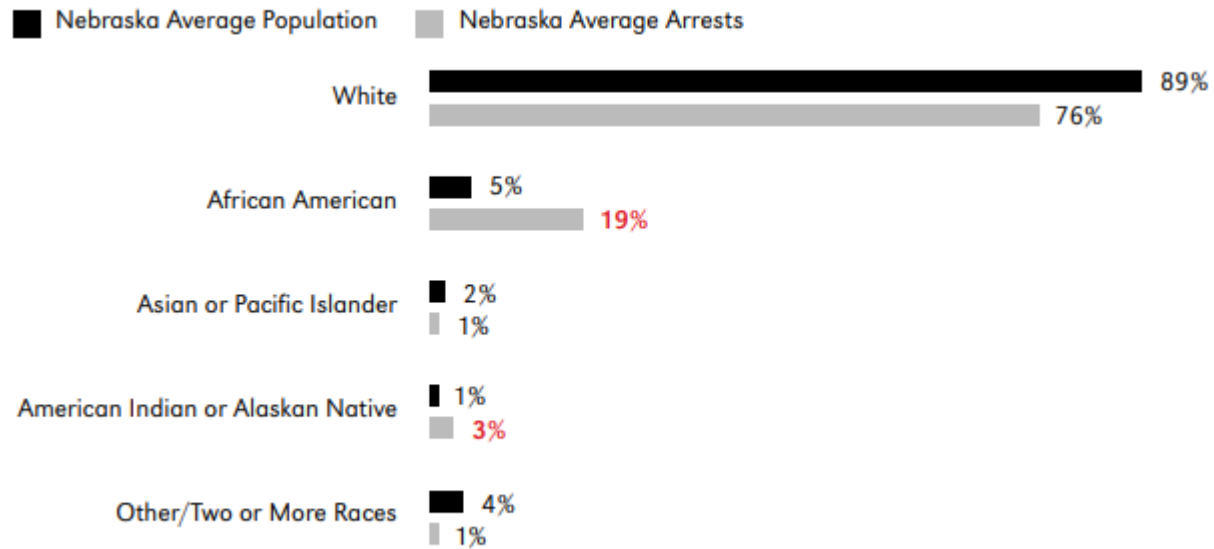
# Douglas County Racial and Ethnic Disparities in Arrest Rates

	White	Black/ African American	American Indian/ Alaska Native	Asian	Native Hawaiian or Pacific Islander	Two or More Races
% of population	80.0%	11.5%	1.2%	4.3%	0.1%	1.7%
% of arrests	58.7%	37.5%	2.3%	1.5%	0.01%	Not reported



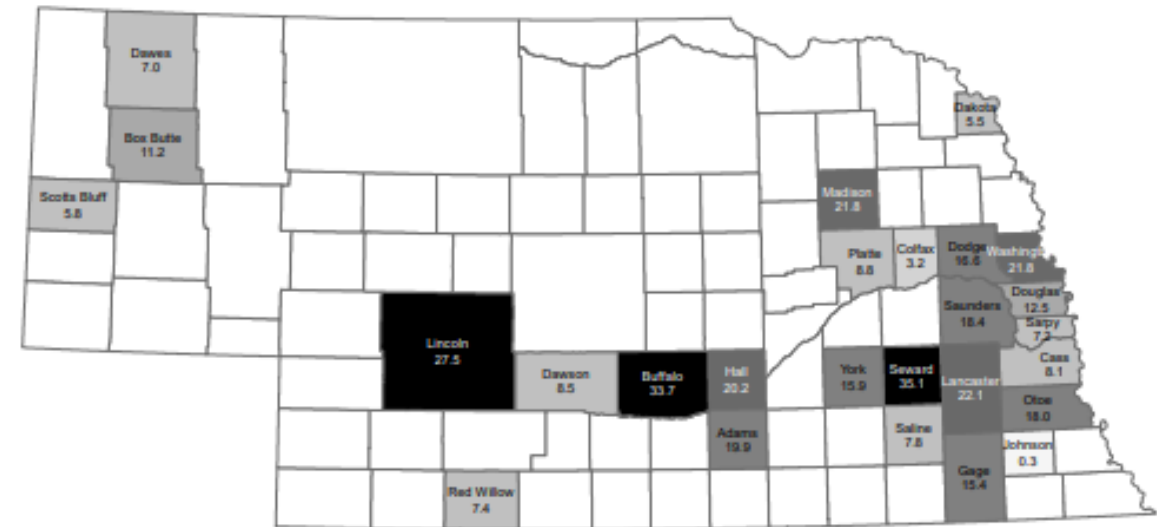
# UNO report: Major findings

**Figure 1: 6-year (2014-2019) Average Arrests by Nebraska Population**



\*Red data labels indicate a group is significantly overrepresented

**Figure 2: Percent of African American Population in County That Have Been Arrested, Nebraska, 2019**



Counties with no data listed have suppressed data due to low counts.

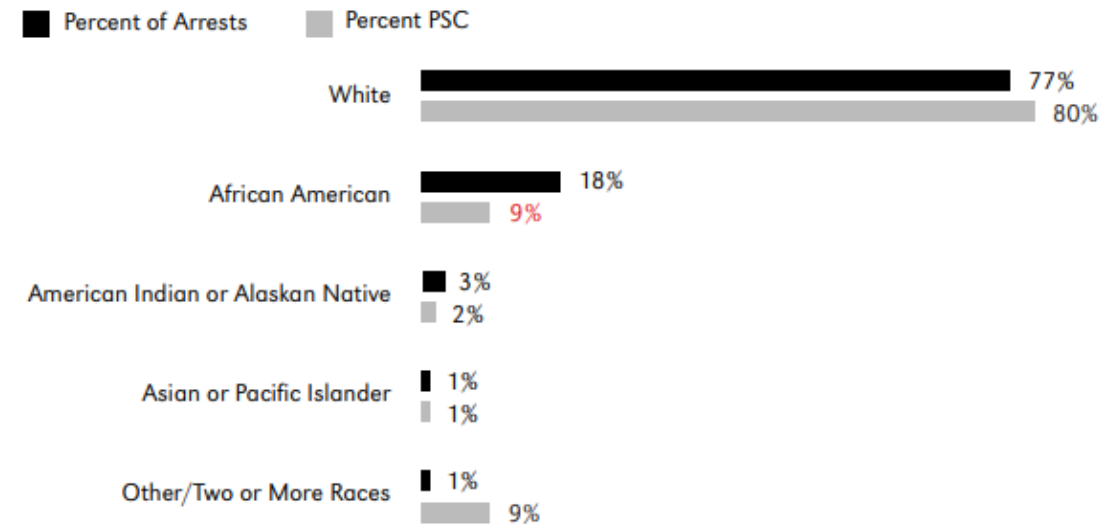
# UNO report: Major findings

**Figure 3: Persons in State and Federal Correctional Facilities in Nebraska for 2018**



*\*Red data labels indicate a group is significantly overrepresented*

**Figure 6: 3-Year Average (2014-2017) Participation in Problem-Solving Courts**



*\*Red data labels indicate a group is significantly underrepresented*

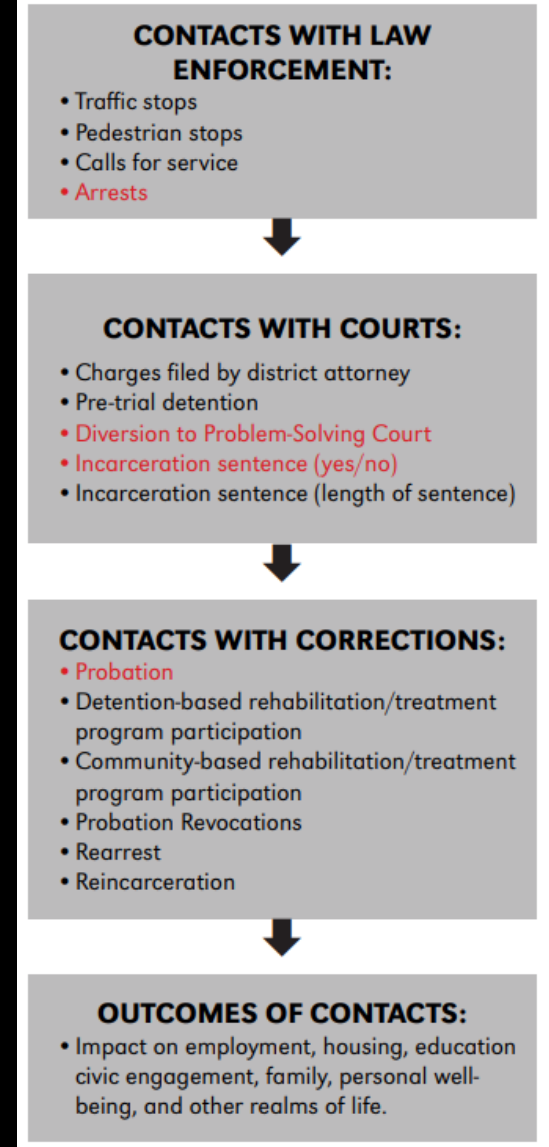


# No data?

# No change...

- Of this variety of steps in the criminal justice process, in Nebraska data is only publicly available for points of contact in red.
- LB 814 of the current legislative session calls for racial impact statements. It is currently being held by the Executive Board committee.
- LB 920 of the current session calls for expanding problem-solving courts, restricting the use of mandatory minimums and consecutive sentences...many other reforms

**Figure 7: Criminal Justice System Process\***





# Thank you!

- Questions?
- Comments?
- Discussion?



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