

Race, Gender, Class, and Criminal Justice

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Examining Barriers to Justice

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CAROLINA ACADEMIC PRESS
Durham, North Carolina

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Library of Congress Cataloging-in-Publication Data

Names: McDonald, Danielle, author.

Title: Race, gender, class, and criminal justice : examining barriers to justice / Danielle McDonald.

Description: Durham, North Carolina : Carolina Academic Press, LLC, 2017. | Includes bibliographical references and index.

Identifiers: LCCN 2017022435 | ISBN 9781611637526 (alk. paper)

Subjects: LCSH: Criminal justice, Administration of--United States. | Discrimination in criminal justice administration--United States. | Justice.

Classification: LCC KF9223 .M34 2017 | DDC 364.30973--dc23

LC record available at <https://lcn.loc.gov/2017022435>

e-ISBN 978-1-53100-599-3

Carolina Academic Press, LLC
700 Kent Street
Durham, North Carolina 27701
Telephone (919) 489-7486
Fax (919) 493-5668
www.cap-press.com

Printed in the United States of America

*This book is dedicated to my two young sons—
Charles Paul and Cormac Gerald.
The world is a better place because of the two of you,
and I am thankful for it.*

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Acknowledgments

This book would not have been possible without the support and guidance I received from colleagues as well as family, and I am eternally grateful for their help. First and foremost, I would like to thank Beth Hall from Carolina Academic Press for all of her feedback, guidance, and support throughout this project. Beth's assistance helped me to turn an idea I had into a much stronger finished product of which I am truly proud. I also would like to thank Dr. Garry Potter from Eastern Kentucky University and Dr. Jason Williams from Montclair State University for reading drafts of chapters and providing honest guidance and feedback.

This book also would not have been possible without the love and support I received from my husband, Charles Scott, who has been there for me unconditionally throughout this project. It is because of him that our children and I remained clothed, fed, and sane as I put in many long days behind a computer to meet one deadline or another. I also would like to thank our son, Charles Paul, who encouraged me to keep going through his relentless teasing and our youngest son, Cormac Gerald, whose impending birth kept me motivated to get this project done.

I also would like to acknowledge the many students who have taken Jus 231: Race, Gender, and Crime with me over the years at Northern Kentucky University. It was their curiosity and desire to learn that originally sparked the idea for this project and their feedback throughout the years is incorporated into each chapter in one way or another. I hope they have learned as much from me as I have from them. I also am grateful to Northern Kentucky University for awarding me a semester-long sabbatical to complete this project.

Finally, I would like to thank the mentors I have had over the years that helped me to get where I am today. Dr. Melissa Latimer from West Virginia University was instrumental in encouraging and supporting me to continue on to graduate school. If it had not been for her, I would not have made this leap. Dr. Donald Shoemaker from Virginia Tech also was influential in helping me to choose criminology as my focus of study and providing me with multiple opportunities to engage with inmates in research settings. It was because of his guidance and encouragement that I continued in this field and became an advocate for inmates. Additionally, I would like to thank the many mentors I had as a doctoral student at Indiana University of Pennsylvania, who helped to mold me into the teacher and researcher that I am today. In particular, I would like to thank Dr. Randy Martin, who taught me to think outside of the box and to examine criminological issues from multiple perspectives in order to have a better understanding of the problem as a whole.

Introduction

The purpose of this book is to examine the issues of race, class, and gender in the United States and how those who become involved or interact with the criminal justice system will experience the system differently based on these variables. However, it is important when reading this book to keep in mind that these variables are not necessarily independent of one another and many will experience the impact and/or privilege of multiple variables at one time. For example, a Hispanic middle-class woman will experience the criminal justice system differently than a Hispanic working-class woman or a White middle-class man.

Each chapter within this book includes “In Focus” text boxes to further examine an issue that is relevant to the topic being discussed as well as a “Global Spotlight” text box that discusses the topic from a global perspective as well. Each chapter also includes bolded key terms to help the reader easily identify important terms, legislative acts, and court cases, along with a glossary. Each chapter ends with a series of discussion questions to encourage further engagement and reflection with the topic.

The book is divided into six different sections and covers policing, courts, and corrections. The first segment of the book lays the foundation for the historical and current use of the terms race, ethnicity, gender, sex, socioeconomic status, and crime. Chapters 1–4 provide an overview of the history of these terms and how they have changed and evolved over time based on what is occurring within our society politically, socially, and economically. This foundation provides the reader with a better understanding of the past use of these terms, so one can critically examine the impact of these variables on the criminal justice system today.

The second section of this book examines the role of law enforcement within our communities as well as how communities experience and interact with law enforcement differently based on race, ethnicity, religion, and class. Chapter 5 examines racial profiling and how it occurs within African American communities tied to the issue of illegal drugs, within Hispanic communities due to immigration, and within Muslim communities due to the fear of terrorism. Chapter 6 examines the militarization of local law enforcement and the financial support of the federal government that put this in place, as well as the consequences of creating an “us versus them” attitude between the police and the community. The chapter also explores the possibility of programs, such as community-oriented policing, and how programs such as this could possibly improve community and police relations.

The third section of the book examines the impact of the courts and sentencing on those involved in the criminal justice system and how one's experience is different based on one's race, ethnicity, gender, and/or class. Chapter 7 examines the changing role of judges and prosecutors within the criminal justice system and how discretion determines who is the most powerful actor within the court, as well as the consequences of this for offenders based on race, ethnicity, gender, and class. The chapter ends with a discussion regarding indigent defense counsel and the impact of not being able to afford a private attorney for many clients. Chapter 8 discusses problem-solving courts as an alternative to the traditional criminal court system for special populations, such as veterans, as well as those who become involved in the criminal justice system due to substance abuse or mental illness. Chapter 9 examines the history and evolution of the death penalty in the United States as well as how the death sentence is applied based on race, class, and gender.

The fourth section of the book focuses on race, gender, and class issues within corrections. Chapter 10 examines the overuse of incarceration in the United States along with possible alternatives to incarceration that could be used instead. Chapter 11 discusses the topic of reentry and the many obstacles ex-offenders face as they work towards becoming productive citizens within their community, as well as programs that are attempting to help ex-offenders overcome these barriers.

The fifth portion of this book addresses two additional issues that impact both men and women, but are more likely to involve female victims. Chapter 12 examines the problem of domestic violence, as well as the resources that are available and the dire need for more resources to address this problem. Chapter 13 addresses the problem of human trafficking and how this crime occurs within the United States but can be incredibly difficult to investigate and prosecute criminally.

The final and sixth section of the book concludes with Chapter 14, which offers an examination of where we are currently with racism and sexism, both of which overlap with the issue of class, from a criminal justice perspective. This chapter also notes that many improvements have occurred in improving racist and sexist policies and attitudes within the United States, while also acknowledging that we as Americans still have a long way to go to overcome our racist and sexist past.