

Post-Conviction and Race

Joint informational hearing of the
Judiciary and Public Safety Committees

Mitchell Hamline Law School
01/29/2019



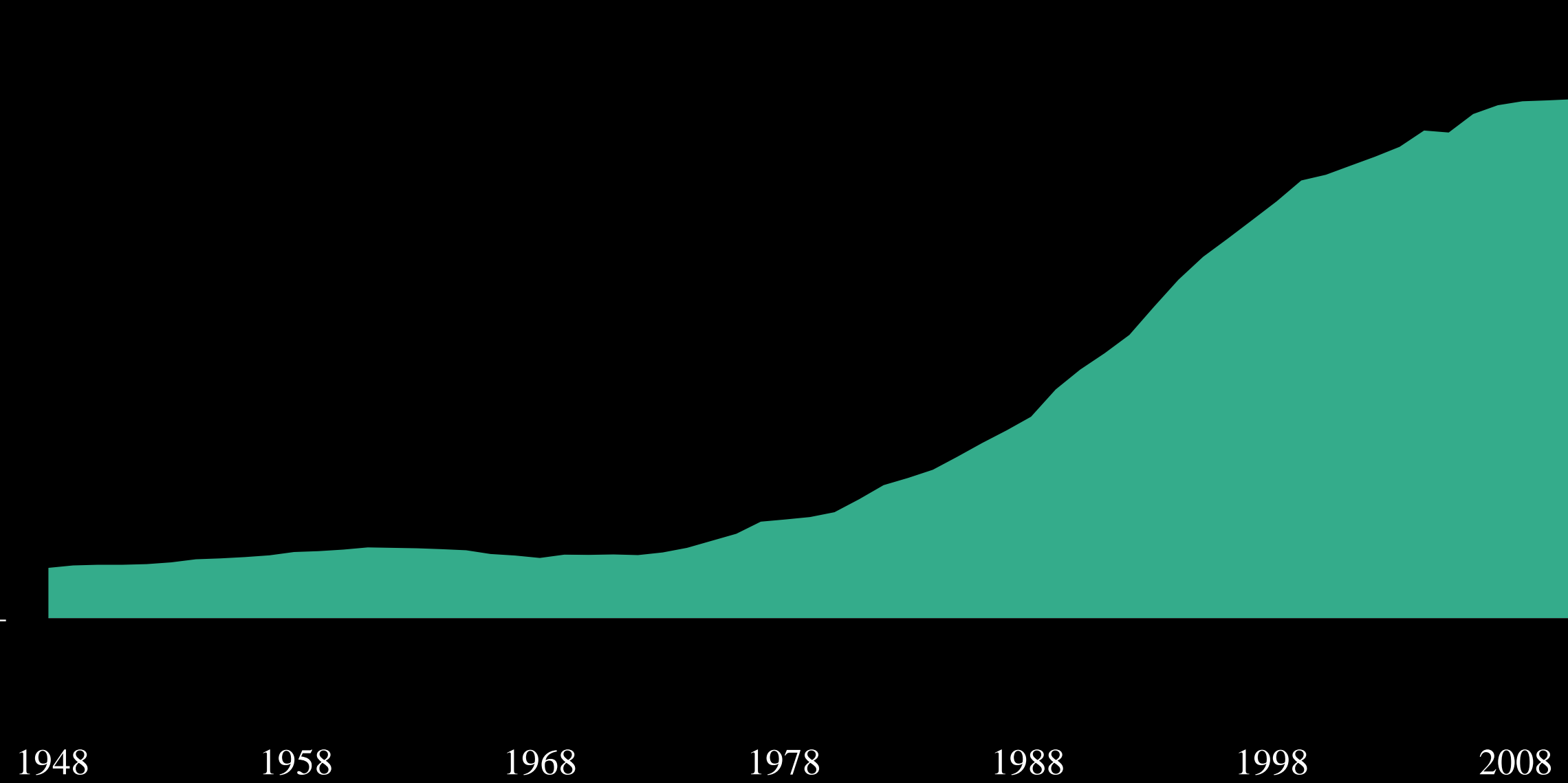
Transforming our justice system through research, education, and policy development, we help our community create a criminal justice system that aligns with our commonly-held values.



1. Racially disparate criminal justice outcomes
2. Collateral consequences
3. Perpetuating disadvantage



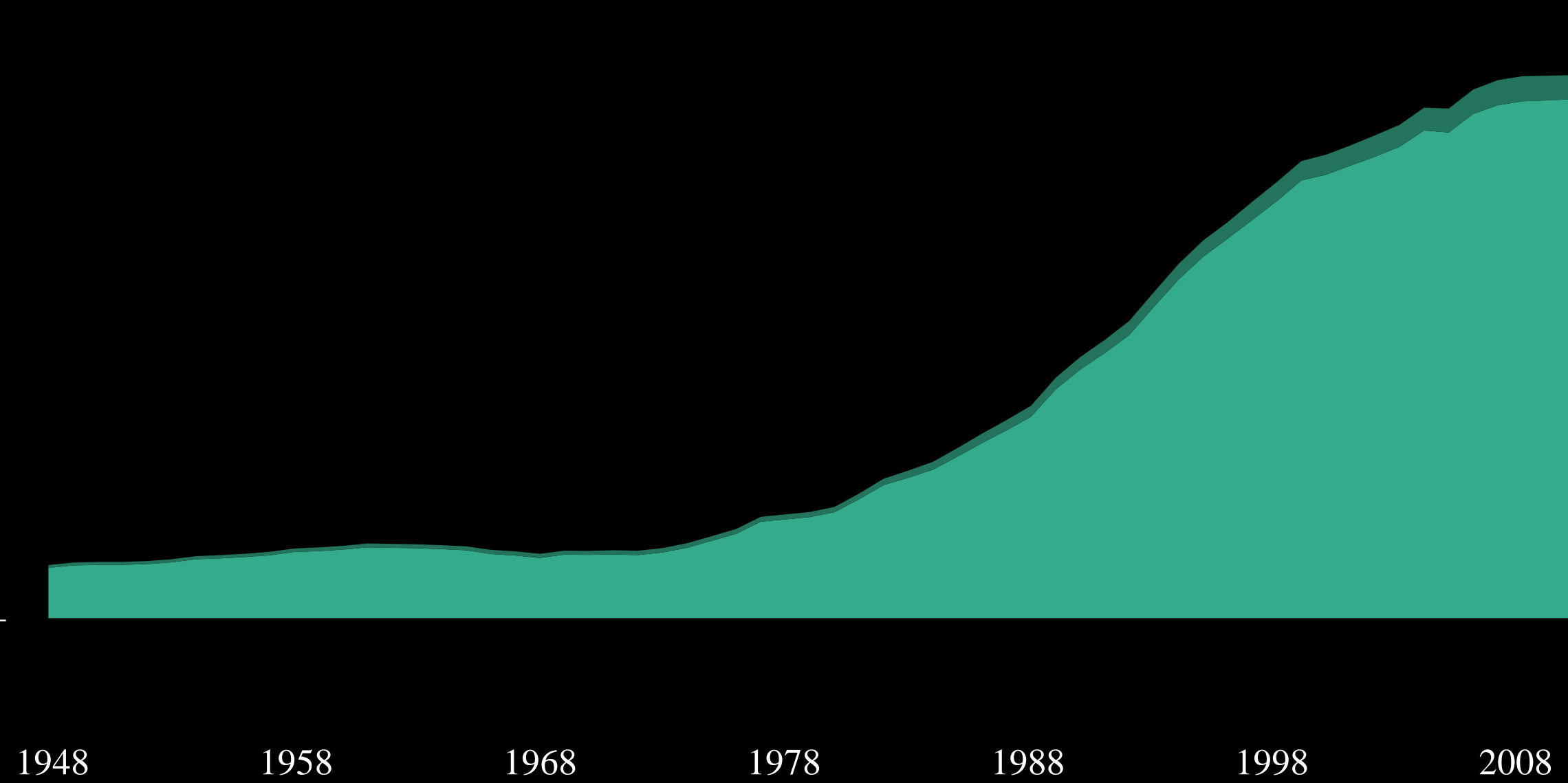
2,000,000



■ Prison

Estimated growth of population with felony records, 1948-2010 (Shannon et al. 2017)

2,000,000

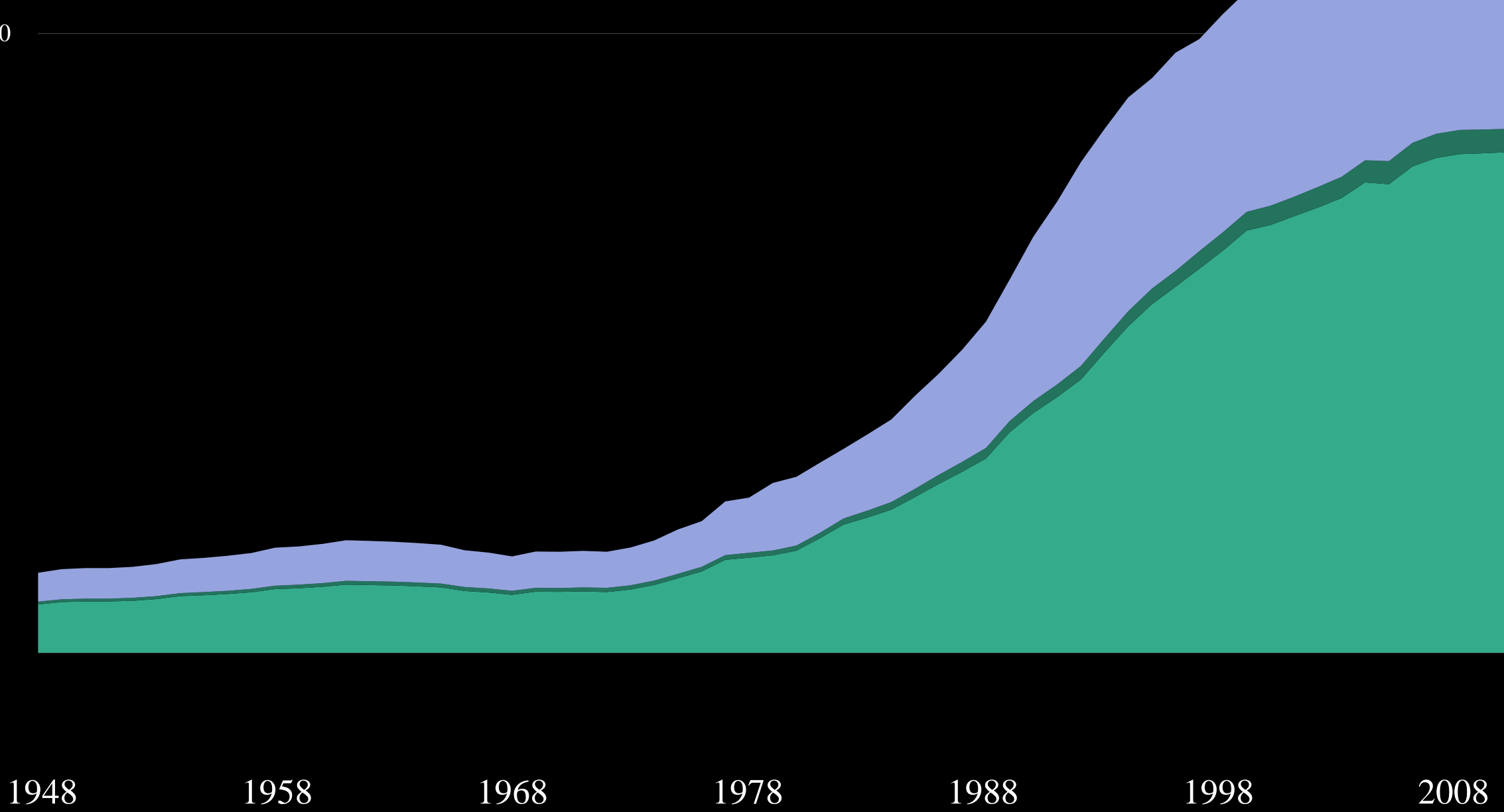


1948 1958 1968 1978 1988 1998 2008

■ Prison ■ Jail

Estimated growth of population with felony records, 1948-2010 (Shannon et al. 2017)

2,000,000



1948

1958

1968

1978

1988

1998

2008

■ Prison ■ Jail ■ Parole

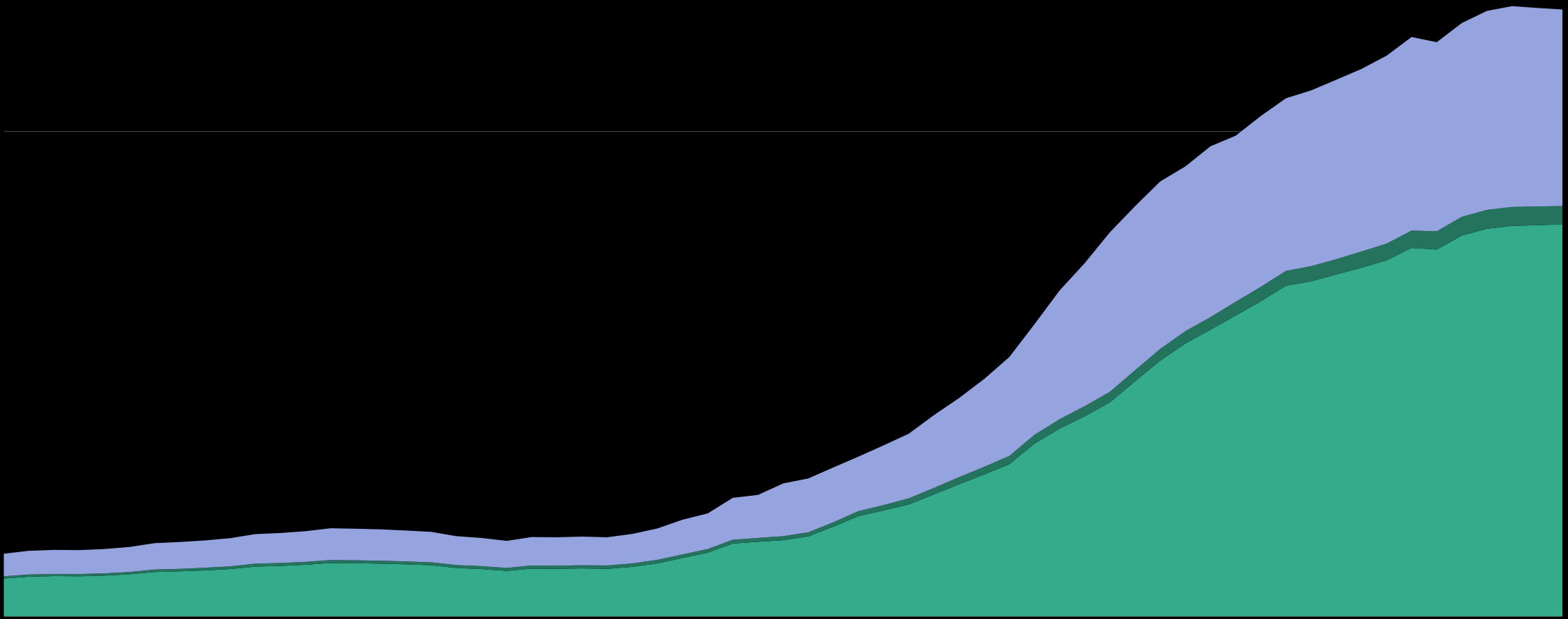
Estimated growth of population with felony records, 1948-2010 (Shannon et al. 2017)

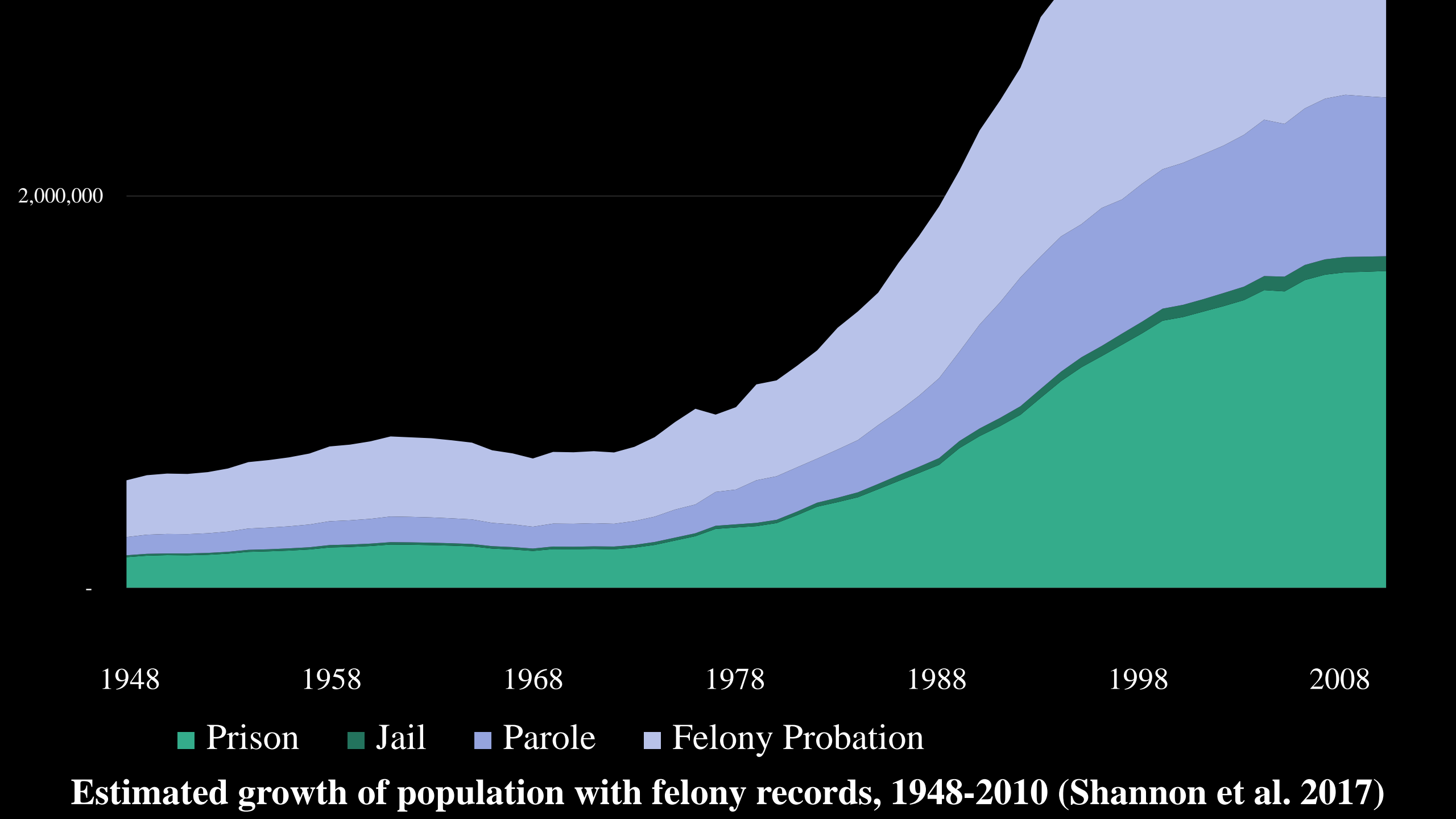
2,000,000

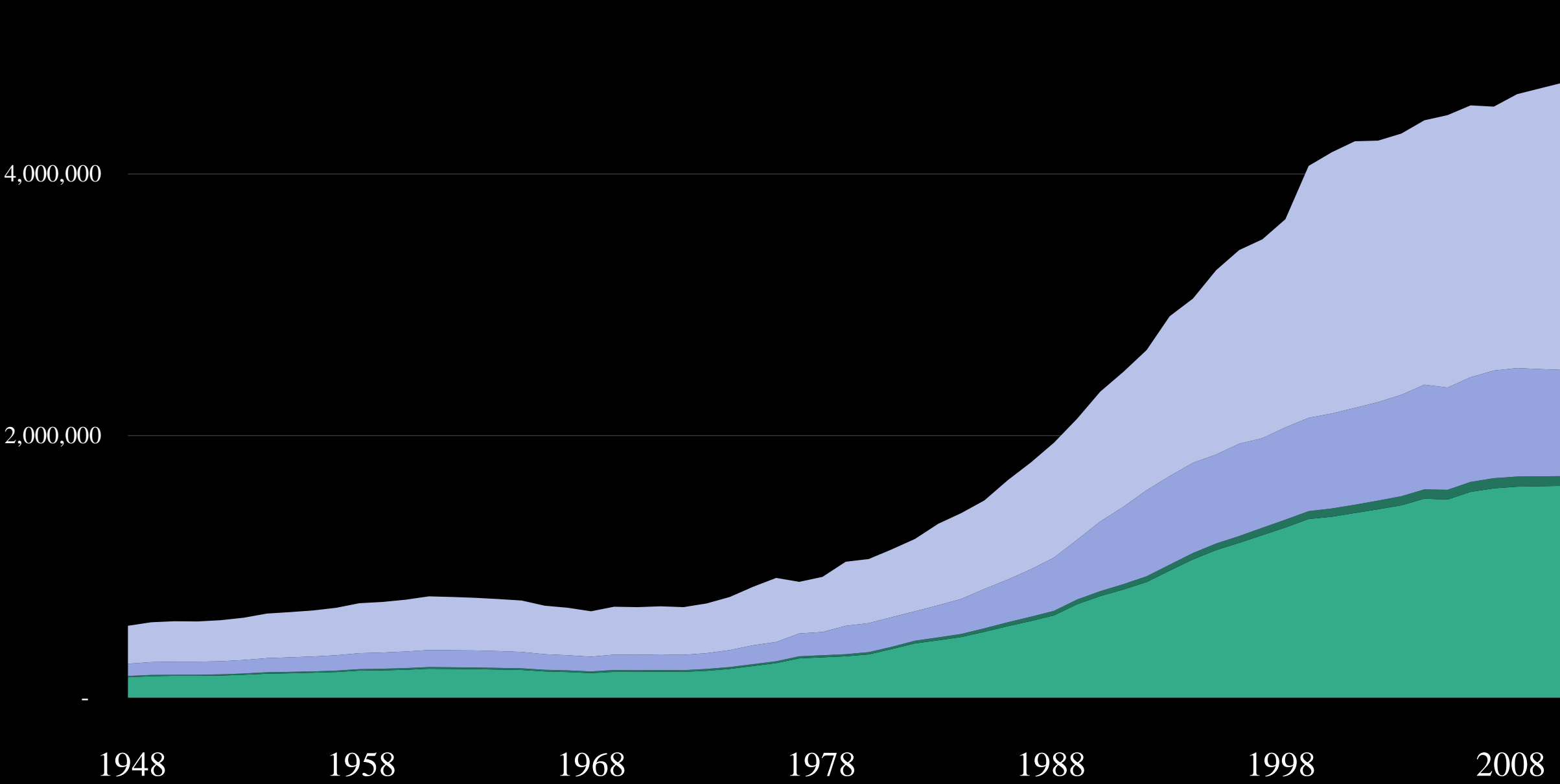
1948 1958 1968 1978 1988 1998 2008

■ Prison ■ Jail ■ Parole

Estimated growth of population with felony records, 1948-2010 (Shannon et al. 2017)







■ Prison ■ Jail ■ Parole ■ Felony Probation

Estimated growth of population with felony records, 1948-2010 (Shannon et al. 2017)

4,000,000

2,000,000

1948

1958

1968

1978

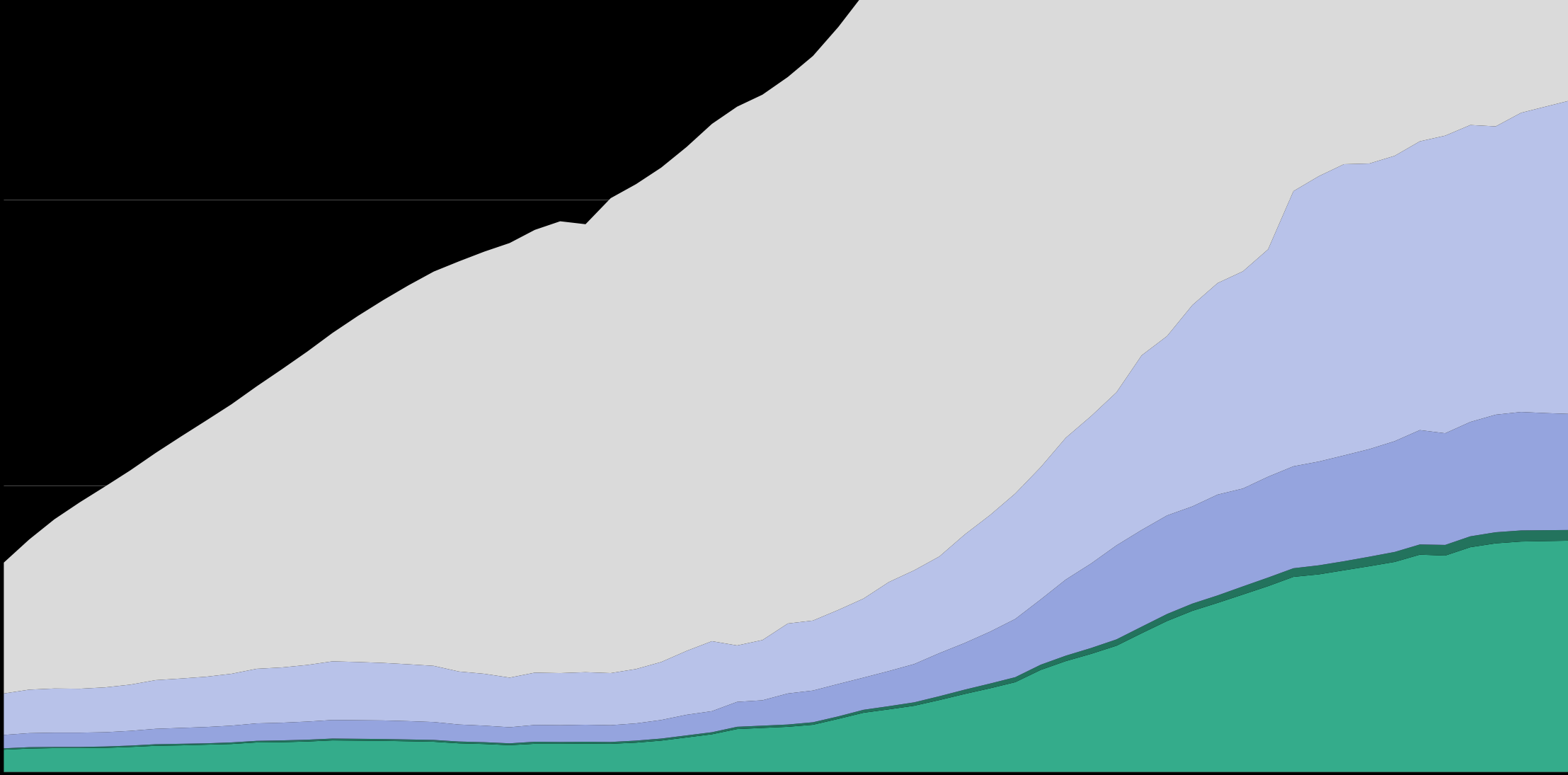
1988

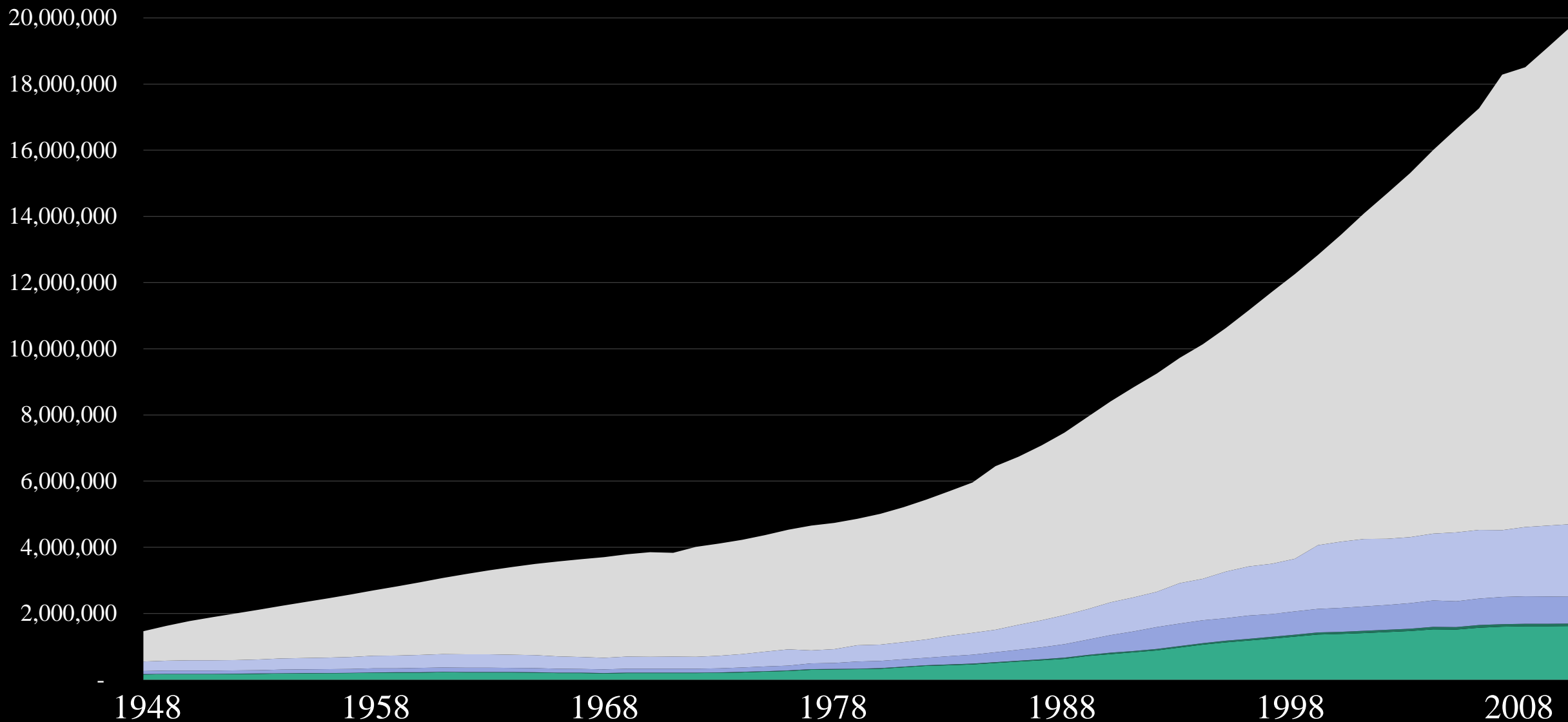
1998

2008

■ Prison ■ Jail ■ Parole ■ Felony Probation ■ Ex-Felons

Estimated growth of population with felony records, 1948-2010 (Shannon et al. 2017)

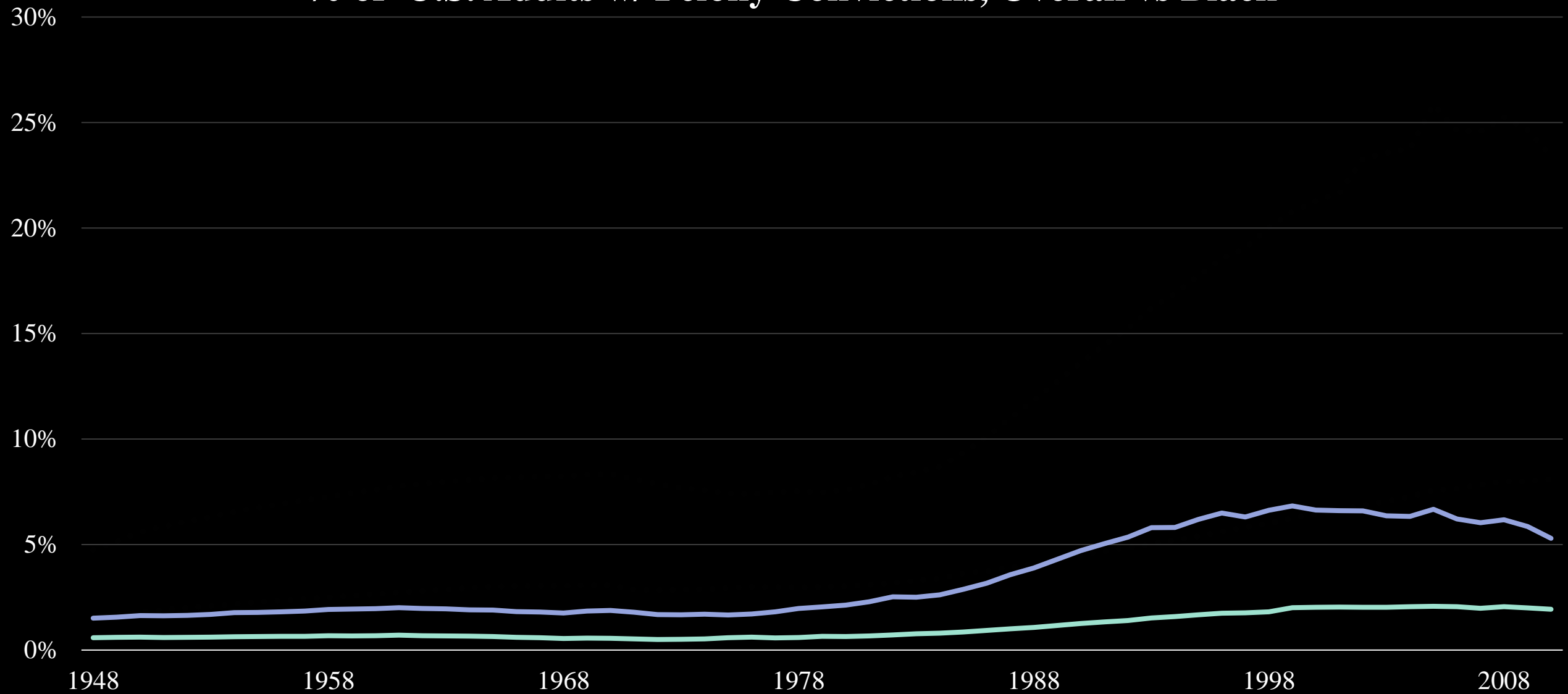




■ Prison ■ Jail ■ Parole ■ Felony Probation ■ Ex-Felons

Estimated growth of population with felony records, 1948-2010 (Shannon et al. 2017)

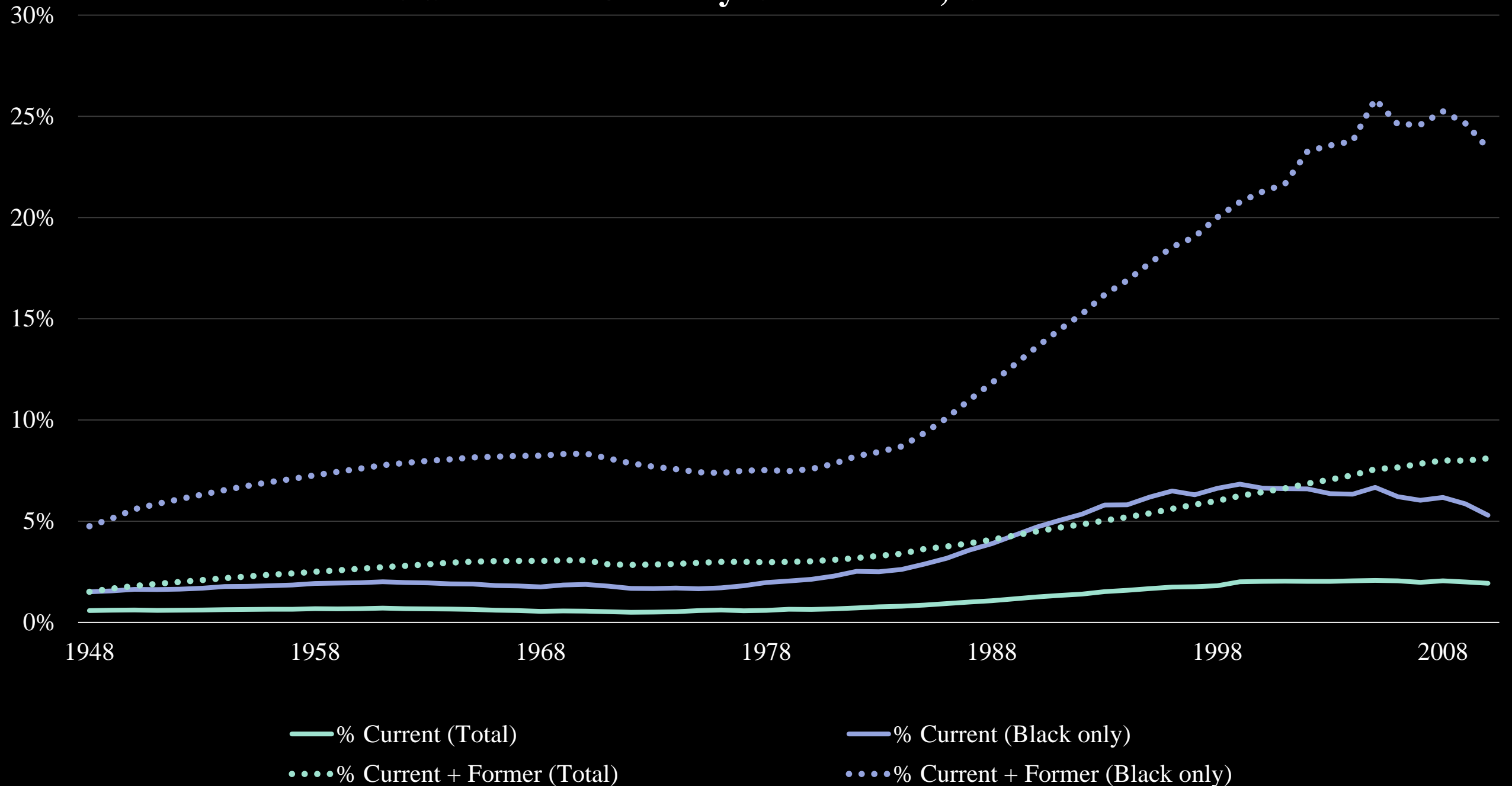
% of U.S. Adults w/ Felony Convictions, Overall vs Black



— % Current (Total)
— % Current + Former (Total)

— % Current (Black only)
— % Current + Former (Black only)

% of U.S. Adults w/ Felony Convictions, Overall vs Black



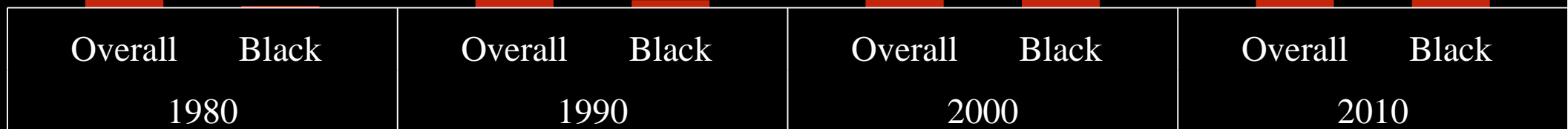
Growth of Population with a Felony Conviction (MN)

300,000

200,000

100,000

0

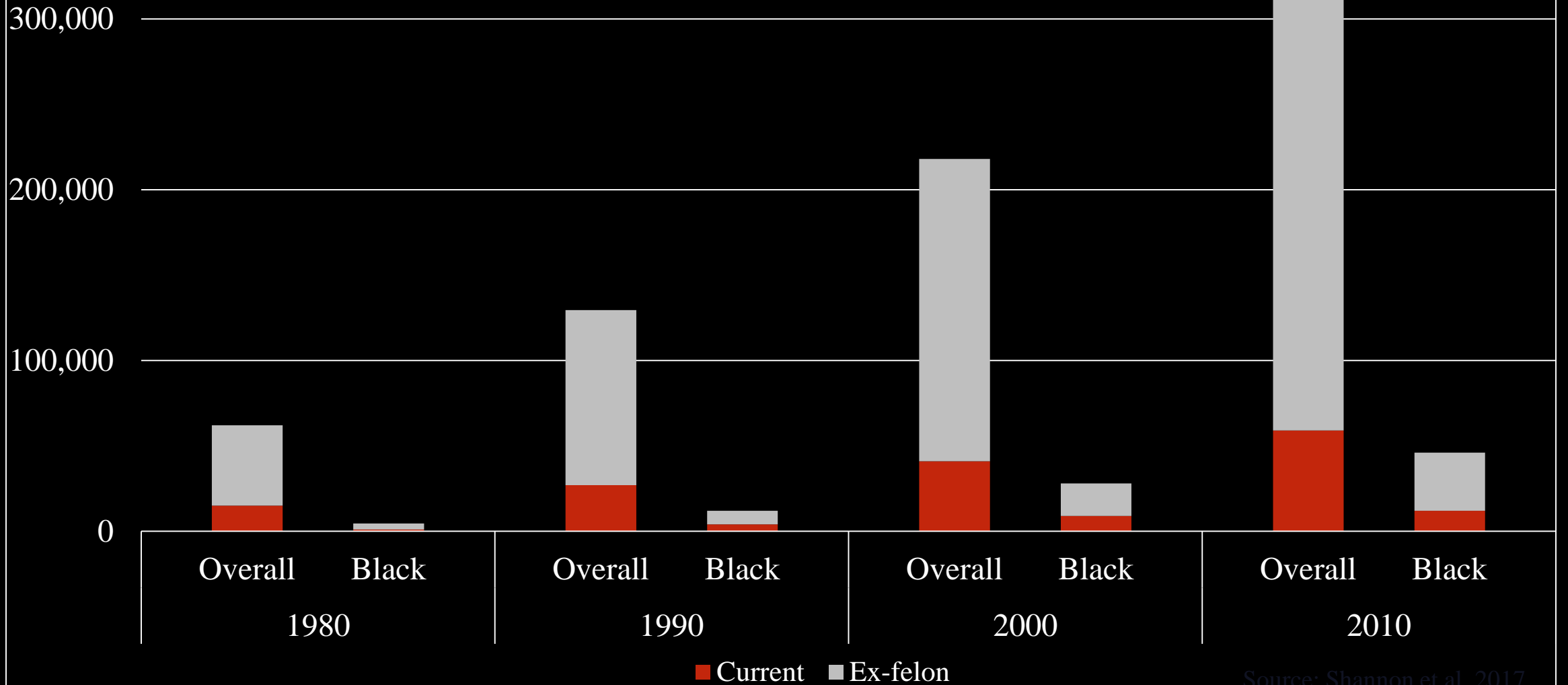


■ Current

■ Ex-felon

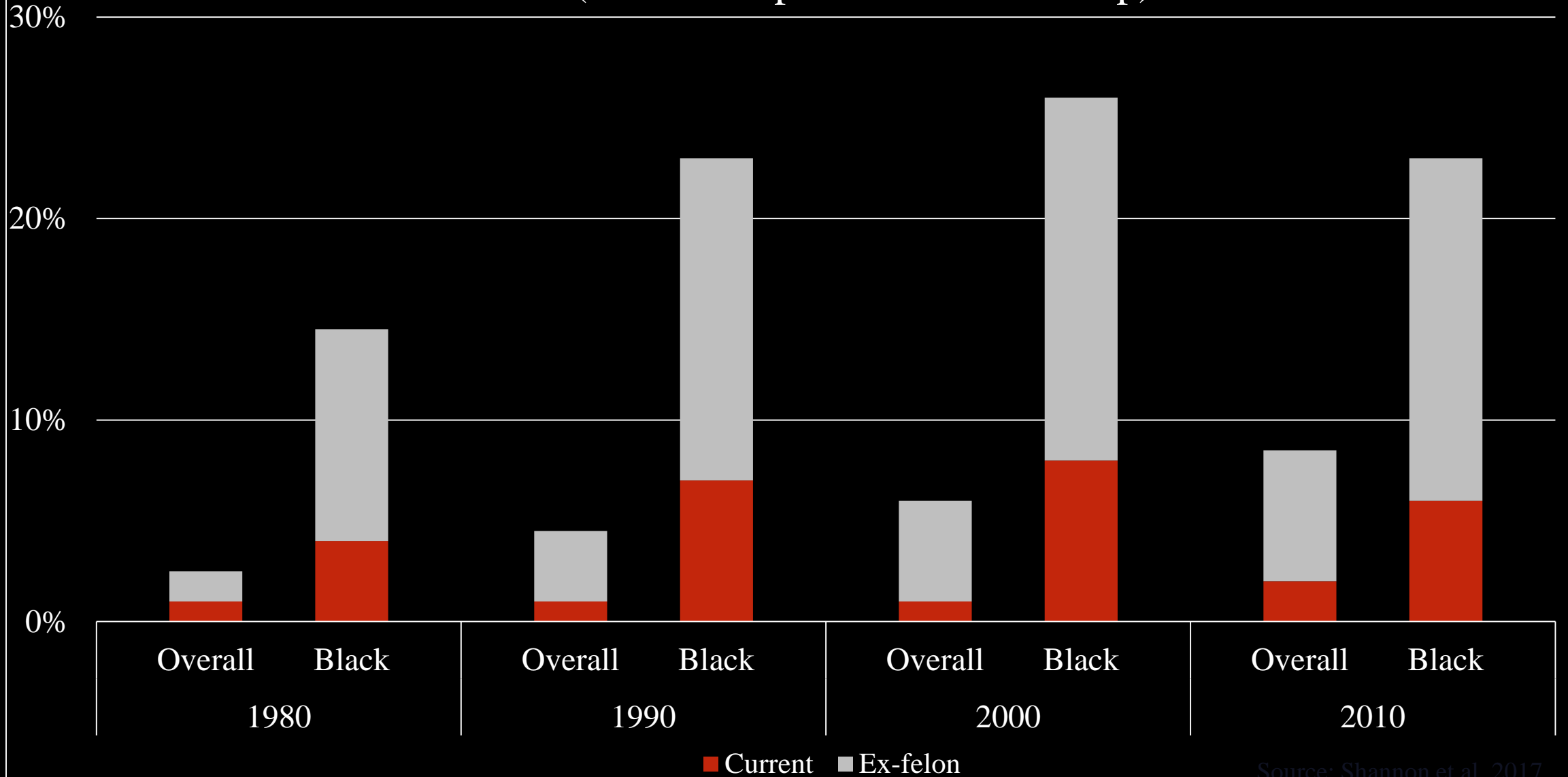
Source: Shannon et al. 2017

Growth of Population with a Felony Conviction (MN)



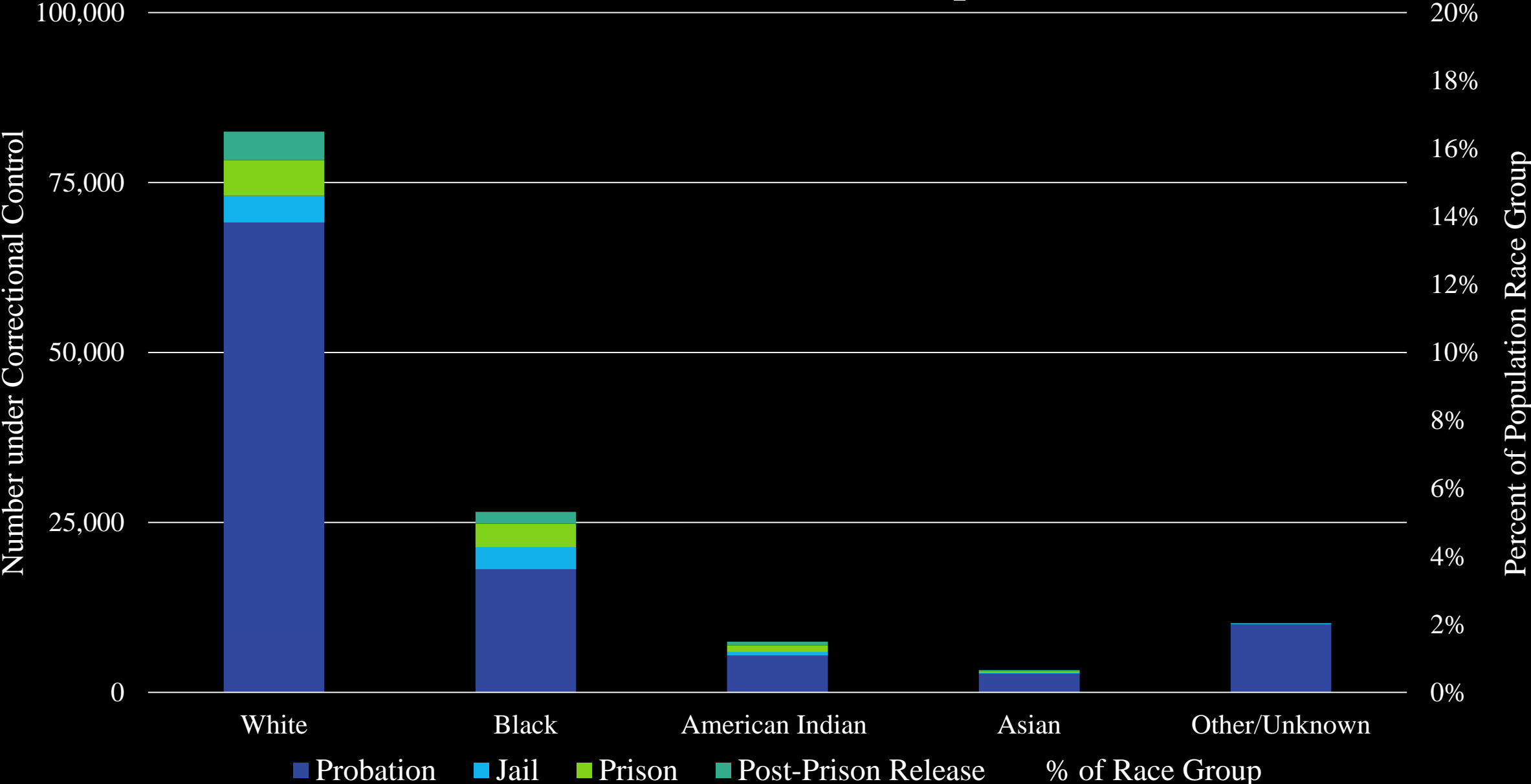
Source: Shannon et al. 2017

Growth of Population with a Felony Conviction (MN) (as % of Population/Race Group)



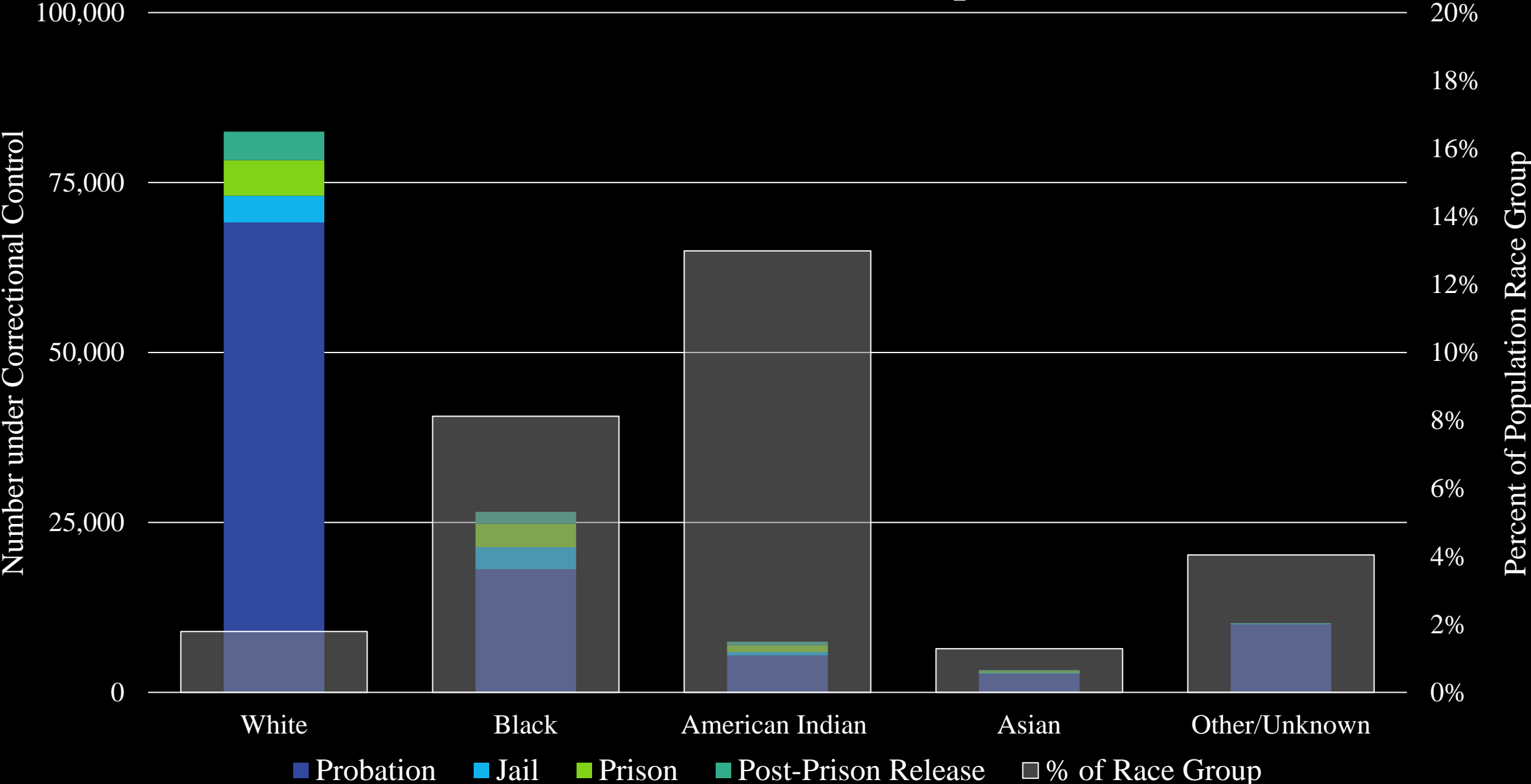
Source: Shannon et al. 2017

Minnesota Correctional Population



Source: MN DOC, 2017 Probation Survey; US Census (2010).

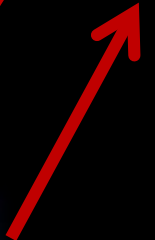
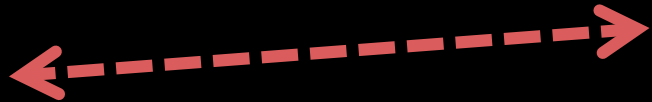
Minnesota Correctional Population



Source: MN DOC, 2017 Probation Survey; US Census (2010).

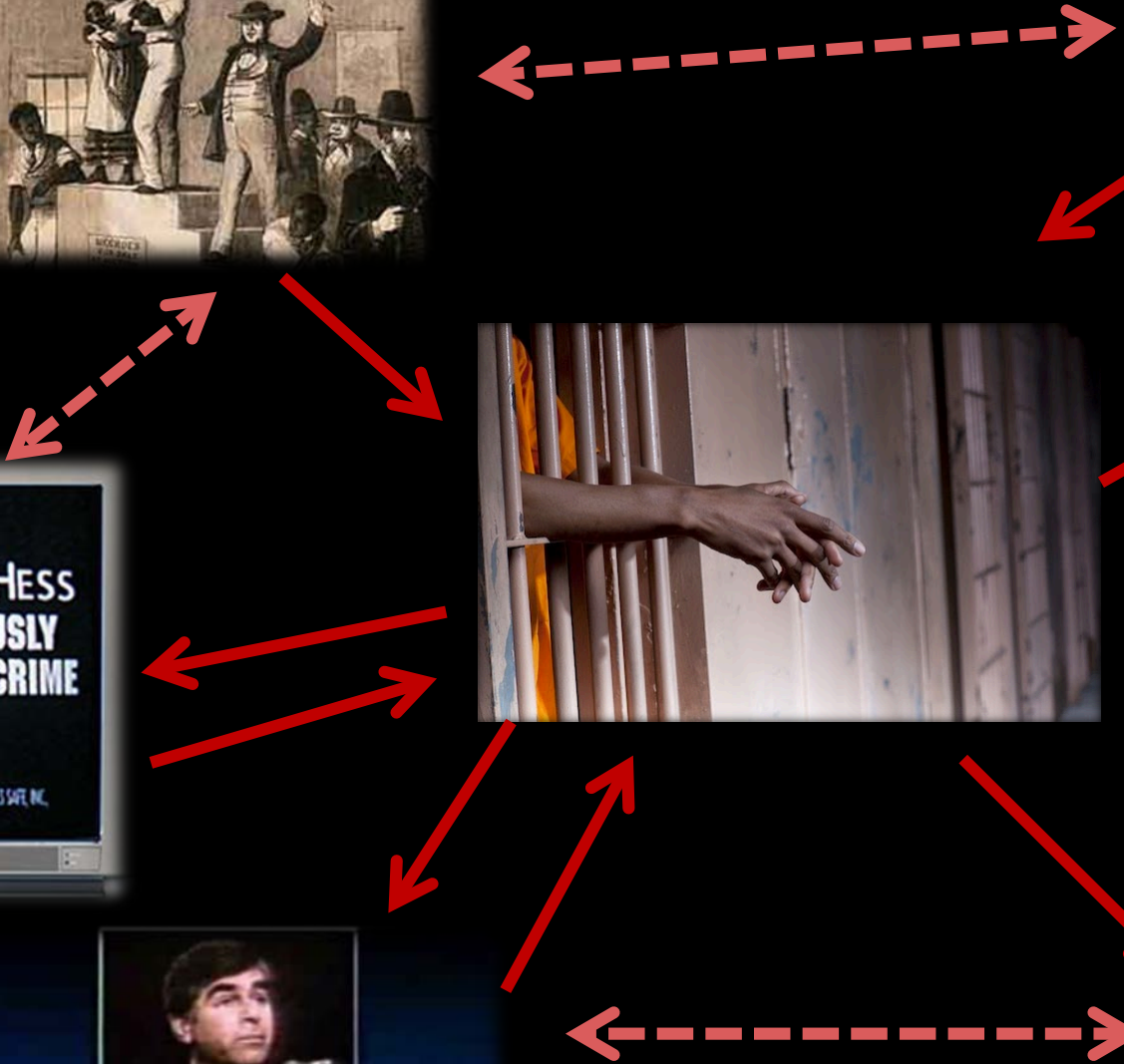


**Weekend
Prison Passes
Dukakis On Crime**





**Weekend
Prison Passes
Dukakis On Crime**



Collateral Consequences



Collateral Consequences



IS YOUR ARREST RECORD POSTED ONLINE?



Traffic Ticket



Common Crimes



Sex Offenses

You can't be too careful - check anyone You can think of.

CHECK NOW

Extract Name	KB Size	Price Per KB	Initial Cost	Monthly Subscription Cost
Criminal with Traffic	2,042,221	\$0.0281	\$57,386.41	\$595.64
Criminal no Traffic	460,616	\$0.0281	\$12,943.31	\$101.80
Judgments	536,107	\$0.0281	\$15,064.61	\$258.71
Eviction (UD)	142,722	\$0.0281	\$4,010.49	\$41.56

PUBLIC RECORD SEARCH SERVICE

- 🕒 Police Records, Mugshots
- 🕒 Contact Information and Much More!



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WEBSITE



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& PRIVATE



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INSTANT
checkmate™

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Background Search

CLICK SEARCH NOW!




EraseMugshots

Quick, Private, and 100% Guaranteed

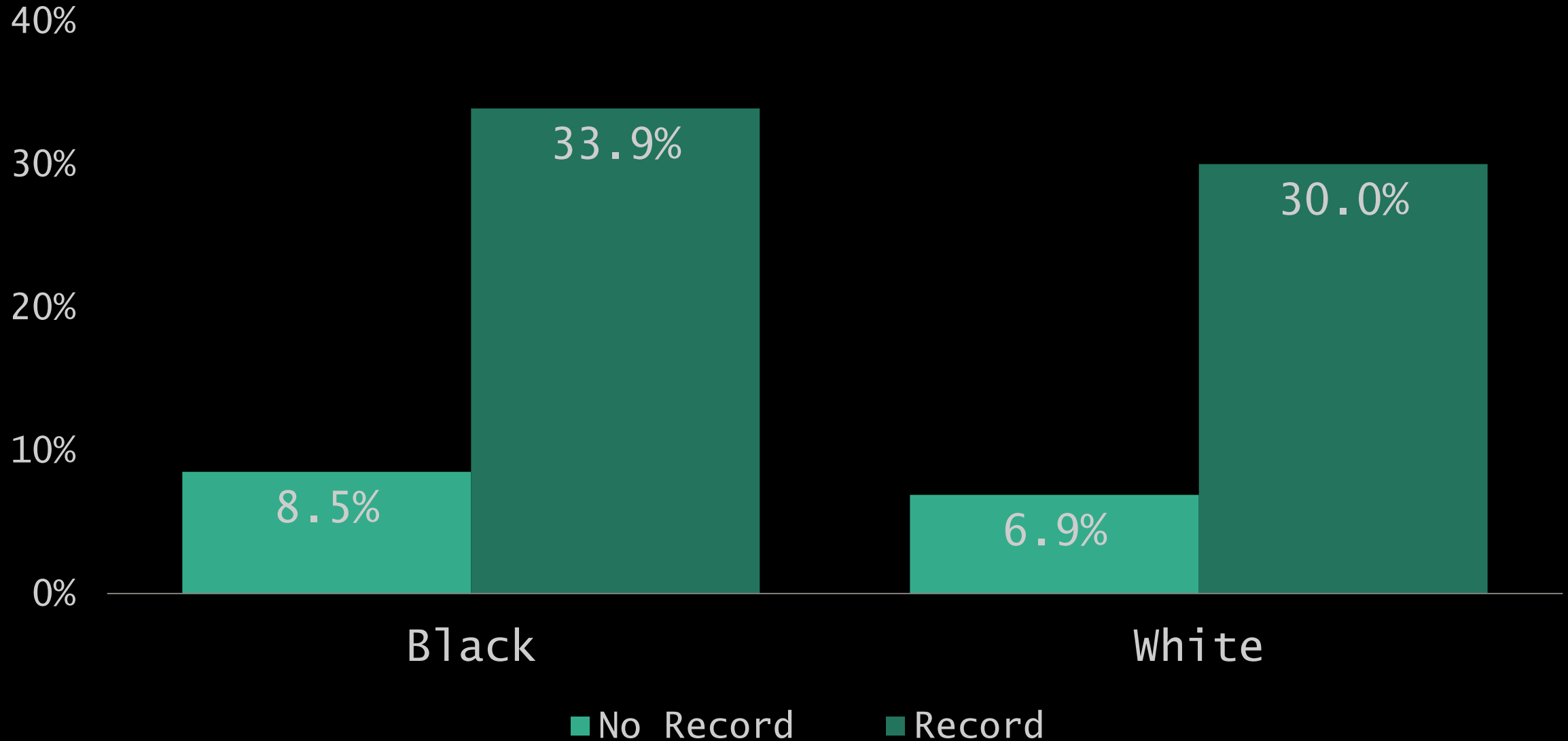
A man with dark hair, wearing a light blue suit jacket and a dark blue tie, is holding a rectangular piece of brown cardboard in front of his face. The cardboard has the words "Looking for a JOB" written on it in black marker. The man's head is visible above the sign.

Looking
for a
JOB

A man wearing a dark pinstriped suit jacket, a white dress shirt, and a black tie is holding a rectangular piece of brown cardboard in front of his face. The cardboard has the words "Hire me!" written on it in black marker. The man's hands are visible holding the corners of the sign.

Hire me!

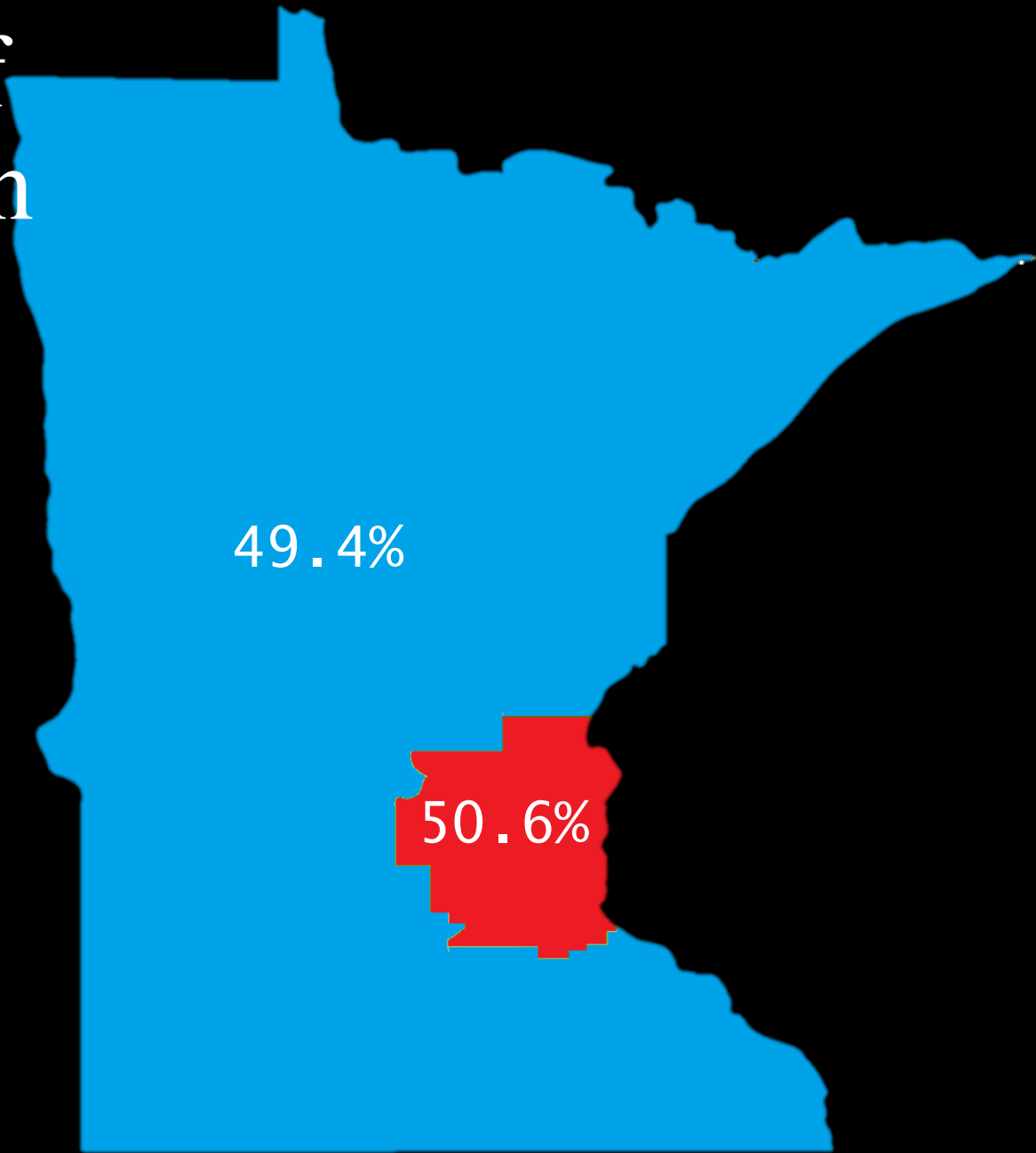
Predicted Marginal Probability of Rejection by Race, Record (n=201)



**FOR
RENT**



Geographic Distribution of Disenfranchised Population

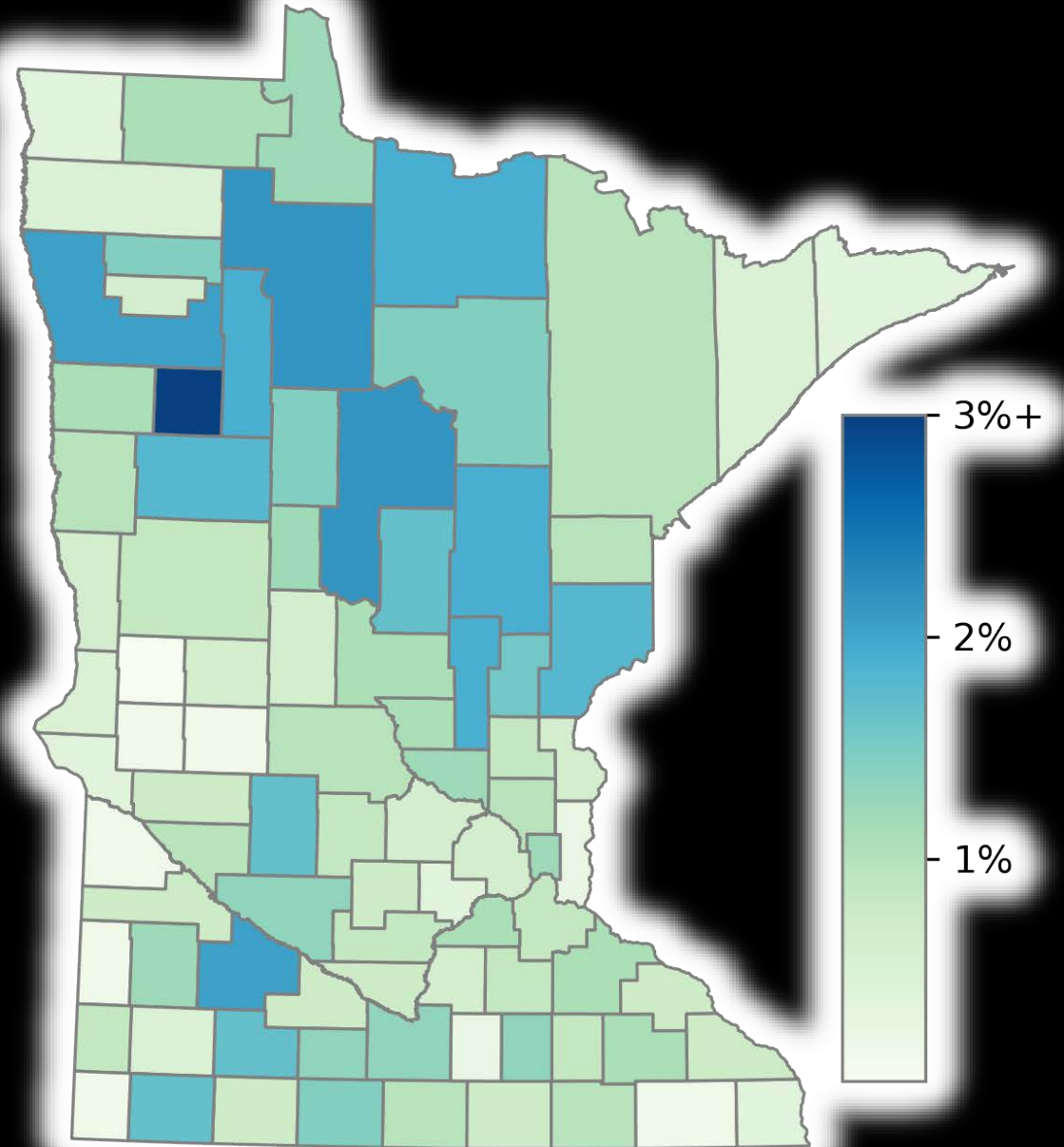


Geographic Distribution of Disenfranchised Population

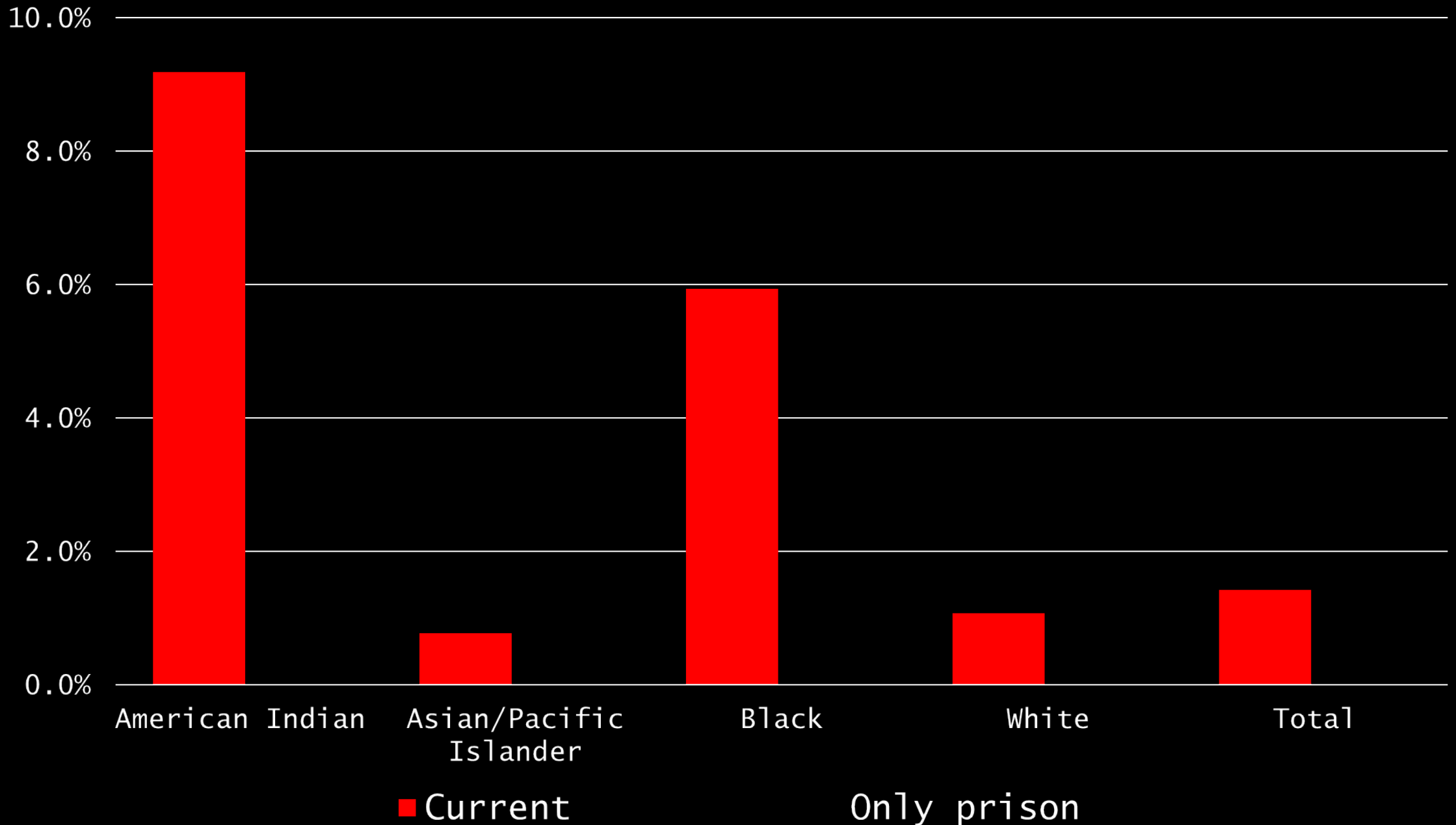
1.3% of voting age Minnesotans can't vote because of a felony conviction.

High: 6.8% in Mahanomen

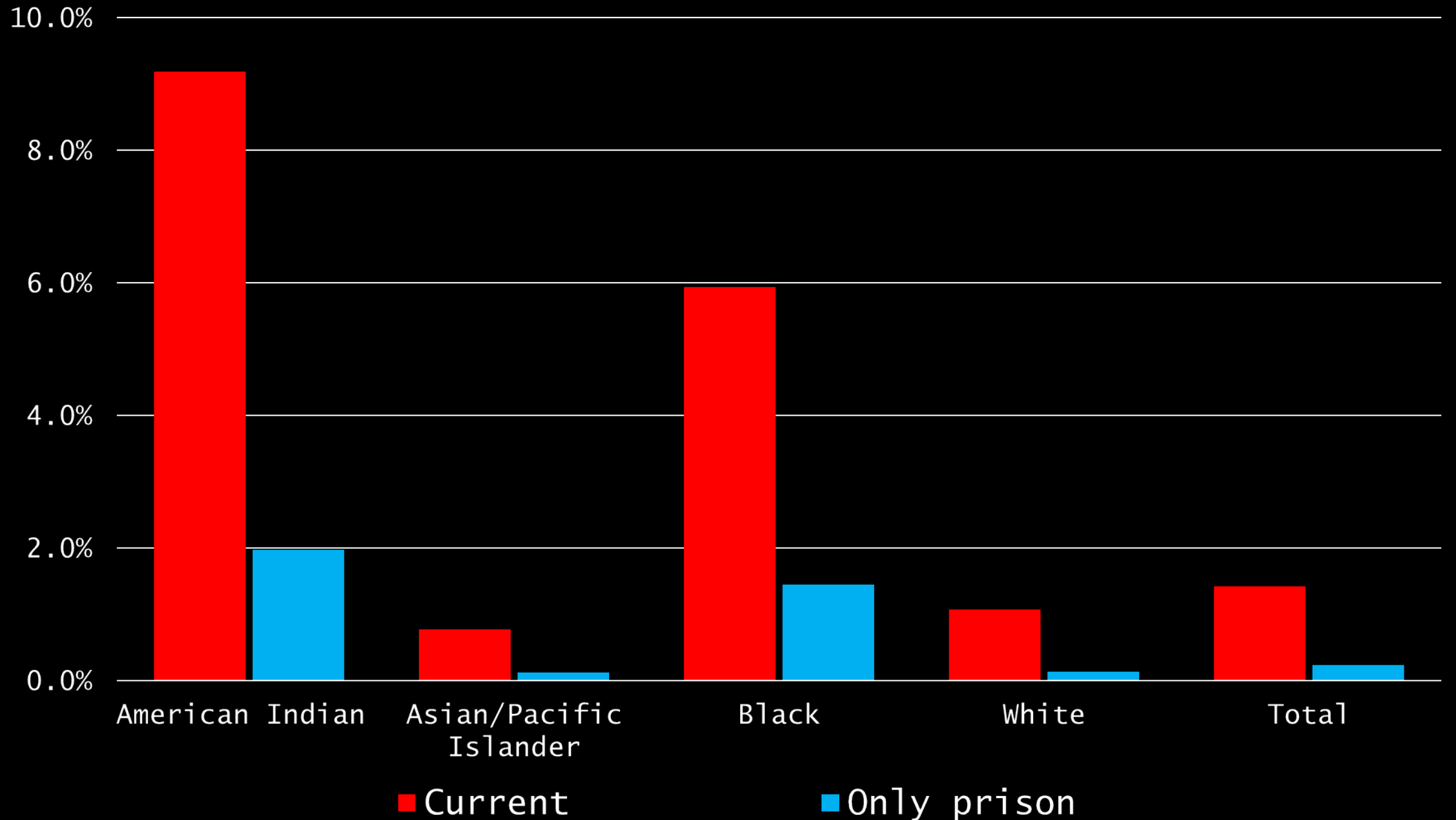
Low: 0.5% in Grant



Disenfranchisement by Race Group (as % of VAP)



Disenfranchisement by Race Group (as % of VAP)



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love is complicated. match is simple.SM

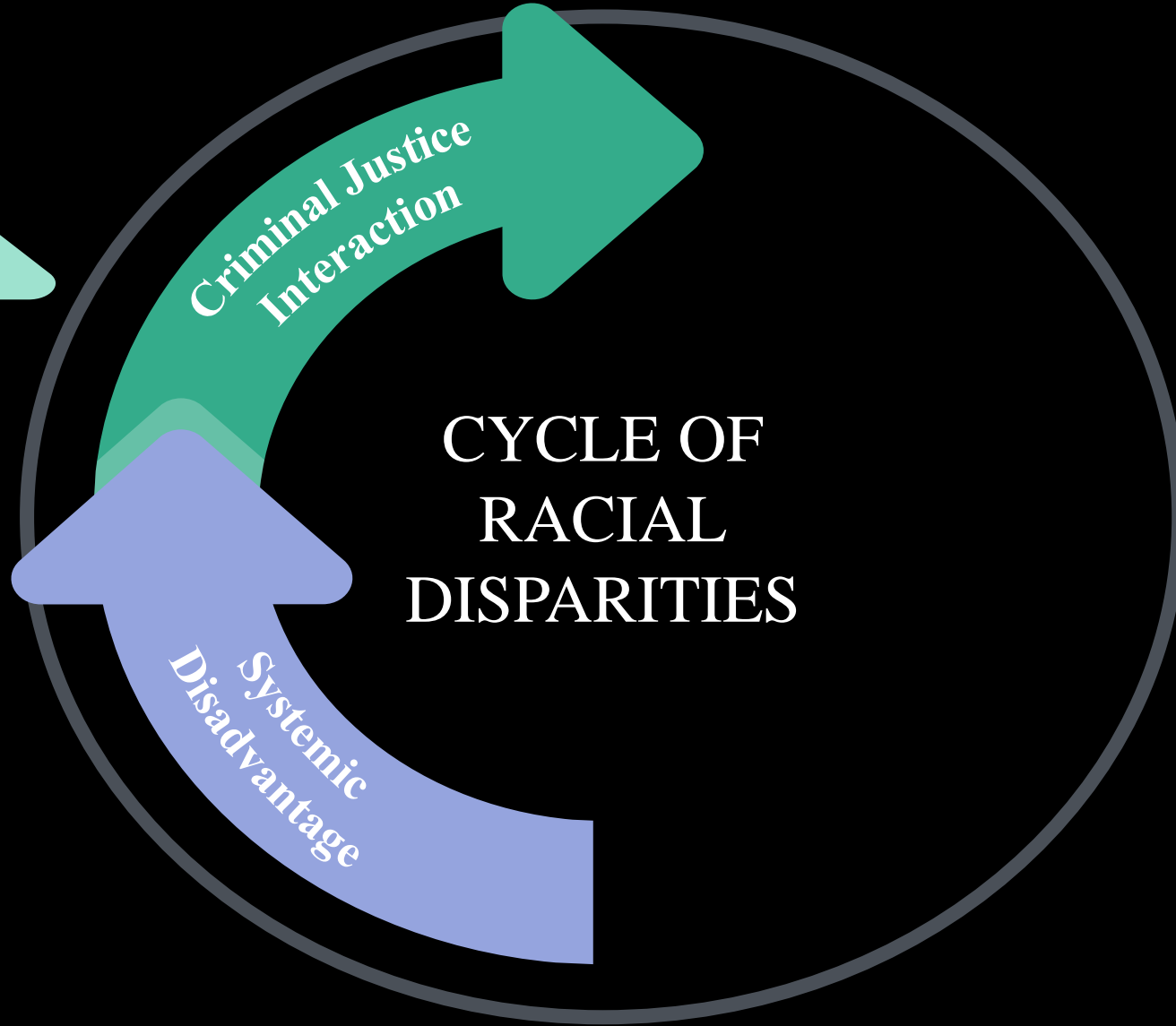


CYCLE OF RACIAL DISPARITIES

*Systemic
Disadvantage*

- Geography
- History
- Socioeconomic disadvantage
- Racism

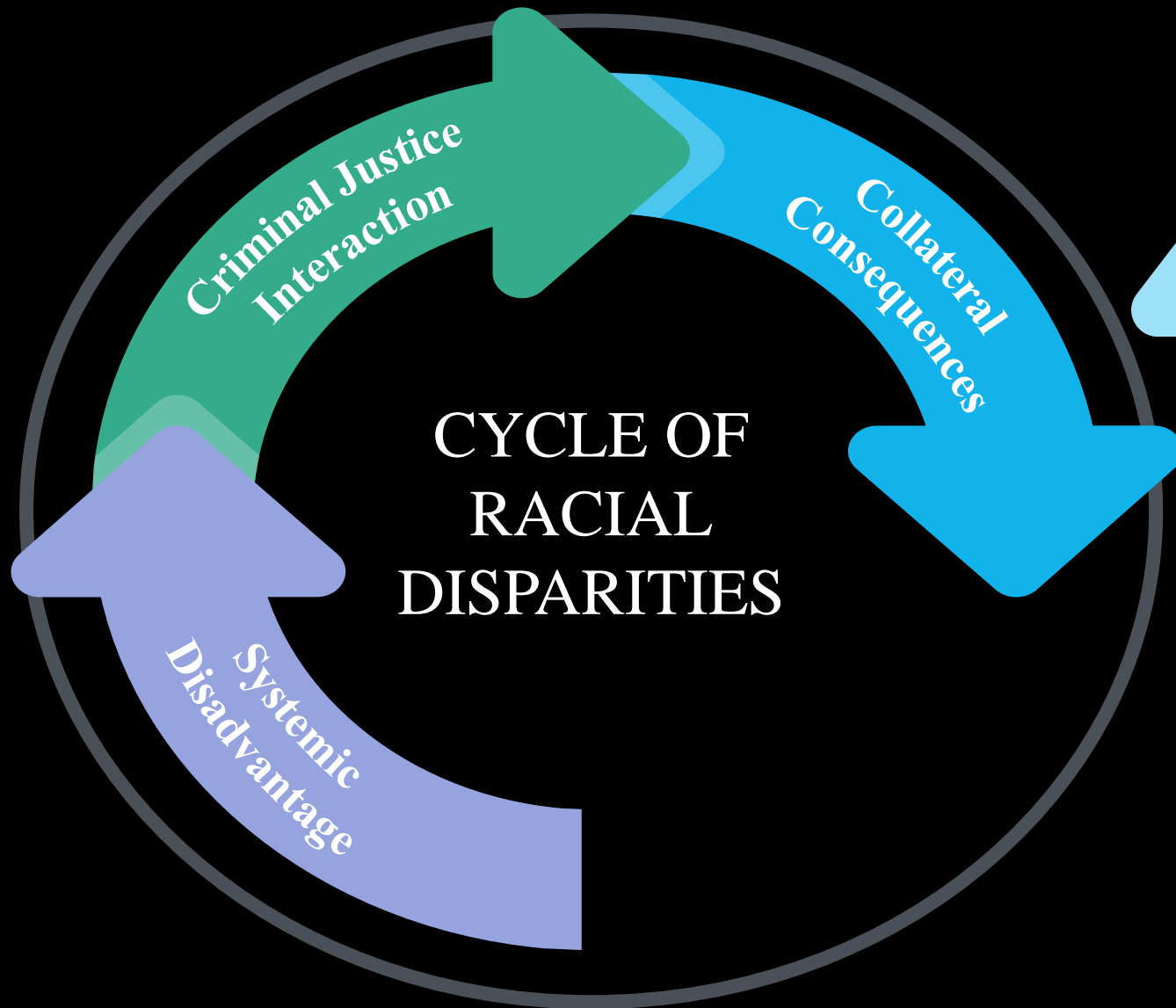
- Policing exposure
- Charging decisions
- Sentencing outcomes



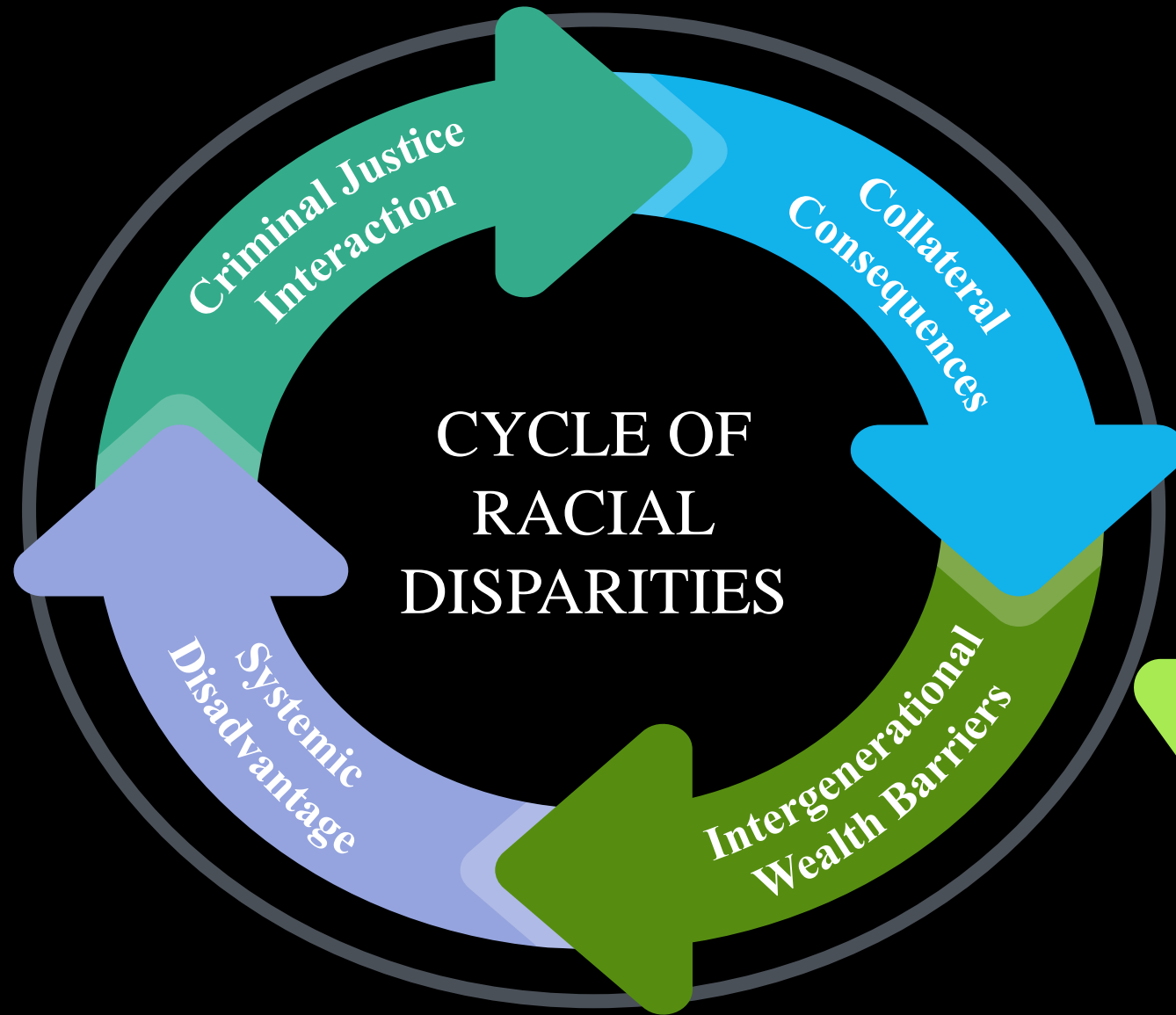
CYCLE OF
RACIAL
DISPARITIES

*Criminal Justice
Interaction*

*Systemic
Disadvantage*



- Employment
- College
- Housing
- Social relationships
- Voting
- Online Records



- Lower lifetime earnings, slower wage growth
- Lower homeownership
- Reduced voice in policy

CYCLE OF RACIAL DISPARITIES

Criminal Justice Interaction

Collateral Consequences

Systemic Disadvantage

Intergenerational Wealth Barriers

- Policing exposure
- Charging decisions
- Sentencing outcomes

- Employment
- College
- Housing
- Social relationships
- Voting
- Online Records

- Geography
- History
- Socioeconomic disadvantage
- Racism

- Lower lifetime earnings, slower wage growth
- Lower homeownership
- Reduced voice in policy

Systemic problems require
systemic solutions.



Robert Stewart

Research Director

rob@mnjrc.org



Suggested Articles

Frase, R. S. (2009). What explains persistent racial disproportionality in Minnesota's prison and jail populations? *Crime and Justice*, 38(1), 201–280.

Lageson, S. E. (2016). Digital punishment's tangled web. *Contexts*, 15(1), 22–27.

Manza, J., & Uggen, C. (2006). *Locked out: Felon disenfranchisement and American democracy*. Oxford University Press.

Pager, D., Bonikowski, B., & Western, B. (2009). Discrimination in a low-wage labor market: A field experiment. *American Sociological Review*, 74(5), 777–799.

Pettit, B. (2012). *Invisible men: Mass incarceration and the myth of black progress*. Russell Sage Foundation.

Uggen, C., & Stewart, R. (2015). Piling on: Collateral consequences and community supervision. *Minn. L. Rev.*, 99, 1871.

Uggen, C., Stewart, R., & Horowitz, V. (2018). Why Not Minnesota? Norway, Justice Reform, and 50-Labs Federalism. *Federal Sentencing Reporter*, 31(1), 5–13.

Wakefield, S., & Uggen, C. (2010). Incarceration and stratification. *Annual Review of Sociology*, 36, 387–406.

Wakefield, S., & Wildeman, C. (2013). *Children of the prison boom: Mass incarceration and the future of American inequality*. Oxford University Press.

Western, B. (2006). *Punishment and inequality in America*. Russell Sage Foundation.