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Sentencing Disparities in Arkansas: A Multiple Year Study

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***Abstract**: This study examines contextual- and individual-level predictors of adult sentencing outcomes for felony offenders in the state of Arkansas from 2005 to 2009. Minority threat perspective allows this researcher to narrow the focus from an overarching conflict theory foundation. This paper examines the effects of minority threat perspective and social disorganization theory on sentencing outcomes for violent felony convictions in Arkansas from 2005 to 2009. The findings of this research are surprising in that there is mixed support for minority threat perspective, and social disorganization theory is not supported strongly. Further research is needed to tease out more detailed information.*

***Keywords**: minority threat, racial disparities, sentencing disparities, mass incarceration, social disorganization*

I. Introduction

This research examines how social disorganization theory and minority threat perspective explain sentencing disparities in violent felony convictions in the state of Arkansas from 2005 to 2009. The analyses will include individual-level data maintained by the Arkansas Administrative Office of the Courts regarding all convictions in the State of Arkansas. The data used for this research regarding individual characteristics of offenders will be used to analyze disparities in sentencing outcomes for violent felony convictions of adults between 2005 and 2009. Misdemeanors do not result in prison sentences, thus cannot be compared to felony sentencing outcomes.

Minority threat perspective has been explored to some extent as an explanation for sentencing disparities (Britt, 2000; Fearn, 2005; Weidner, Frase, & Schultz, 2005) but most results have been inconclusive or mixed. A potential problem with most minority threat research is the lack of analysis for all three components of this perspective (political, economic, and racial). Political threat involves fear that minorities will gain or have gained enough political power to affect changes in legislation (Blalock, 1967). Economic threat is the fear that minorities will gain or have gained monetary power, which would then lend power to said minorities (Blalock, 1967). Racial threat is simpler. It is the fear that minorities are growing in numbers approaching white populations (Blalock, 1967). Most of the research focuses solely on the proportion of minority populations in a community (Wang & Mears, A Multilevel Test of Minority Threat Effects on Sentencing, 2010).

The purpose of this study is to fill a gap in the current literature regarding sentencing disparities in the American criminal justice system by analyzing minority threat perspective in its entirety. This study could also potentially add to the knowledge of policy makers and administrators in the Arkansas criminal justice system specifically. It is valuable to the residents of Arkansas and the criminal justice system to correct possible injustices before they can cause further harm, and this research is within the scope of social disorganization theory and minority threat perspective.

II. Literature Review

Minority Threat Perspective

In relation to sentencing research, many researchers have based their analyses upon conflict theory (see Lizotte, 1978; Unnever, Frazier, & Henretta, 1980; Kempf & Austin, 1986; Sampson & Laub, 1993; Wooldredge, 1998; Everett and Wojtkiewicz, 2002; Maxwell, Robinson, and Post, 2003; and Mitchell, 2005). This perspective holds that harsher sentencing is used for racial minorities than for white offenders. Minorities are less likely to avoid pretrial detention via the bail system or to hire attorneys to represent them when they go to trial, which means that criminal justice decisions are made for offenders when minorities are at a disadvantage as compared to white offenders.

Developed by Blalock (1967), minority threat perspective, or racial threat theory, is a facet of conflict perspective. It suggests the use of state functions (i.e. laws) by powerful groups within society to control less powerful groups who may threaten or be perceived to threaten the power structure (Blalock, 1967). This perceived threat is indicative of discrimination and interracial hostilities and is thought to grow with minority

populations (Blalock, 1967). The white majority will institute formal social controls such as laws that are largely race-specific in order to decrease the perceived threat posed by the minority group (Blalock, 1967). An example of this would be when the crack cocaine laws were passed in the 1980s for federal sentencing. Crack cocaine charges were sentenced 100 times more strongly than powder cocaine charges, because crack cocaine was largely perceived to be a "black' drug. The outcome of this sentencing law was the removal of many African Americans from their communities, their inability to easily find employment or attain higher education once released, and their inability to vote in elections once released. It took them out of direct competition with their white counterparts for resources.

Minority threat perspective offers an explanation for disparities in sentencing, including the disproportionate incarceration of minorities (Parker, Stults, & Rice, 2005), but few previous studies have analyzed the individual threats: population threat, economic threat, and political threat (Wang & Mears, 2010) leaving a gap in extant research. Typically, only the first is studied, and Blalock (1967) specifically discusses the two latter issues. Blalock (1967) developed the racial (or minority) threat perspective from conflict perspective. The author argues when whites perceive threats to their economic and political power, they will create laws and policies to formally control the potential for economic and political growth by minority populations (Blalock, 1967).

Prior researchshowsharsher sentencingforminoritygroups(Secret & Johnson, 1997; Leiber & Mack, 2003; Leiber & Fox, 2005; Brennan, 2006; Leiber & Johnson, 2008; Caravelis, Chiricos, & Bales, 2011; Bales & Piquero, 2012)insomesituations;whileotherresearchdemonstrates harshersentencingfornon-minoritygroups(Tittle & Curran, 1988; Mauer & King, 2007). Areasinwhichminoritygroupsareproportionallysmallerthannon-minoritygroups, minoritiesexperienceharshersentencingoutcomes(Tittle & Curran, 1988; Mauer & King, 2007).Conversely, in areasinwhichminoritygroupsareproportionallyclosetoorlargerthannon-minoritygroups, non-minoritygroupsexperienceharshersentencingoutcomes(Tittle & Curran, 1988; Mauer & King, 2007).

Population Threat

Population threat refers to the majority population's perceived threat from minority populations (Blalock, 1967). Blalock (1967) posits the higher the perceived threat, the more likely the power-wielding majority will use policies and/or laws to reduce their perceived threat. For example, sentencing practices may include harsher guidelines for those crimes perceived to be committed more frequently by minority offenders such as the federal crack cocaine law instituted in 1986. If population threat is found to be influential in Arkansas, counties with proportionally large minority populations should display harsher sentence decisions for minority offenders.

Economic Threat

Economic threat involves competition for employment, housing, and resources (Blalock, 1967). Minority threat perspective posits as the white population perceives threat to its economic well-being, it will strive to re-balance the scales (Blalock, 1967). For example, if economic threat became apparent due to unemployment rates (lower minority unemployment) the majority may push for hiring practice reforms making it more difficult for minority applicants to be hired. This may be reducing employment opportunities for convicted felons. Blalock (1967) proposes this would be a curvilinear relationship in which social controls would be heavily utilized as minority economic power first begins to grow but would lessen in use as minority economic power continues to grow.

Political Threat

Finally, to complete the analysis of minority threat perspective as Blalock (1967) conceives the theory, the influence of political threat on sentence length for violent felony convictions must be questioned. Political threat referred to the majority population's perceived threat to its political power by minorities (Blalock, 1967). The original proposition was as the minority population increases, the perceived threat to white political power increases (Blalock, 1967). Social controls are utilized to reduce this threat (Blalock, 1967). Because incarceration is one of the harshest penalties the state can impose and because public officials determine laws and sentencing, incarceration is a political issue (Jacobs & Carmichael, 2001; 2002; 2004; 2005). Beckett and Western (2001) posited punitive outcomes, such as sentence length, reflect political influence due to public concerns about crime. Caldeira (1983) opined Presidential incumbents will enact policies increasing incarceration rates during re-election campaign years. Also Caldeira and Cowart (1980) found expenditures on and funding for corrections have both been increased by Republican presidents since 1935. Republican officials have also enacted longer sentencing provisions and sentencing enhancements (Caldeira & Cowart 1980, Jacobs & Carmichael 2001, 2002, 2004, 2005).

Social Disorganization Theory

The current study uses social disorganization theory at the county level. It is typically studied at the neighborhood level, but this researcher would argue that a county is an aggregate of the neighborhoods therein. This is also a two-fold use. Much of the previous research on sentencing disparities focuses on the characteristics of sentencing jurisdictions, which, for the purposes of the current research, will be counties. Sampson (2013) has discussed the importance of neighborhood-level research, but acknowledged the need for research at a higher level (i.e. county) to capture information regarding networks and organizations that connect from within neighborhoods.

There is some concern that social disorganization will not be appropriate for use in the more rural counties of Arkansas; however, it has been found to be an appropriate theoretical approach in some research regarding crime rates in rural counties (Osgood & Chambers, 2000; Maume & Lee, 2003; Lee & Bartkowski, 2004; Lee, 2008). While minority threat perspective will allow analyses regarding population composition, political leanings, and narrowly defined economic disparities, social disorganization will allow a more detailed analysis of what socioeconomic variables exert the most influence on sentencing outcomes. Because of the direct link between minority populations and poverty, social disorganization theory is critical for an accurate test of minority threat perspective as minority threat should decrease as social disorganization decreases.

Conclusion

Based on the review of the literature, there appears to be a need for analyses of aggregate data in the minority threat research (Roncek, 1981; Simcha-Fagan & Schwartz, 1986). There was expressed need for focus on individual information (Mead, 1934; Cohen, 1955; Becker, 1963), social institutions (Mead, 1934; Cohen, 1955; Becker, 1963; Shaw & McKay, 1972), and a connection between them all (Sampson & Graif, 2009). The current study will focus on county-level disorganization and threat measures and individual-level characteristics to test the predictability of racial disparities in sentencing for violent felonies.

III. Research Methods

Primary Question

The primary research question of this research is: Can minority threat perspective and social disorganization help explain racial disparities in incarceration outcomes and sentence length? Minority threat perspective offers an opportunity to narrow conflict theory's broad explanation of how minority population growth threatens the majority power structure. Minority threat perspective has been neglected in the extant research in that rarely are all three aspects of the perspective tested. Most of the research has focused on population threat alone and ignored political and economic threat (Wang & Mears, 2010). Blalock (1967) clearly defined all three types of threat and discussed their individual importance. The author argued when whites perceive threats to their economic and political power, they will create laws and policies to formally control the potential for economic and political growth by minority populations (Blalock, 1967). To ignore two of the three theoretical components leaves the literature lacking in complete explanations of minority threat and of sentencing disparities. It is the aim of this research to fill those gaps within the literature.

Data

The data used in this study are gathered from three sources: the United States Census Bureau, the Arkansas Administrative Office of the Courts (AOC), and Dave Leip's Atlas of U.S Presidential Elections. The former has tracked all convictions in the state since 1990 including demographic characteristics and sentencing outcomes. Because there is minimal residential information on the offenders docketed in the Administrative Office of the Courts data except county, county-level data will be the smallest contextual-level possibility for analysis. Also, Dave Leip's Atlas of U.S. Presidential Elections will be used to determine county-level political climates. For the purposes of this research, this compiled information will be limited to violent felonies over a five-year period.

Dependent Variables

The first dependent variable, Incarcerated, is dichotomous and indicates if an individual is sentenced to incarceration using one and not incarcerated using zero. The second dependent variable, Sentence Length, is continuous and indicates the number of months individuals are sentenced to serve in prison (minimum = 1 month/maximum = life, or 9999 months). Offender sentence length is operationalized as the number of months a convicted offender is incarcerated for violent felony cases in the Arkansas courts. The level of measurement for this variable is interval (constant distance between months but no zero). This dependent variable will be taken from the variable labeled "Sentence Imposed Months" in the dataset provided by the Administrative Office of the Courts. Univariate statistics will be used to establish categories for sentence length to rid the model(s) of a continuous dependent variable.

Explanatory Variables: Individual-Level Predictors Of Incarceration And Sentence Length

There are a four individual-level explanatory variables used to analyze their effects on sentencing outcomes (both Incarcerated and Length of Sentence) for adults convicted of violent felonies. These are race, sex, age, and charge reduction. The individual-level data used for this study are from the Arkansas Administrative Office of Courts and will be used to analyze the influence of individual-level variables on individual-level sentencing disparities. These data include measures of race/ethnicity, gender, age, charges, and outcomes of all convictions in the state (both incarceration/no incarceration and length of sentence). Violent felonies, for the purposes of this study, are those charges for a crime type categorized by the Arkansas statutes. There are categories for Kidnapping, Robbery, Assault and Battery, Terroristic Threatening and Acts, and Domestic Violence.

Explanatory Variables: County-Level Predictors Of Incarceration And Sentence Length

This study will utilize counties as the contextual-level aggregate, because counties in Arkansas are defined by the state and recognized by the Census Bureau, and Federal Information Processing Standards (FIPS) codes can be used to merge this aggregate data with Administrative Office of the Courts data and with Dave Leip's Atlas of U.S. Presidential Elections data. All of the contextual-level data is from the American Community Survey (ACS) and Dave Leip's Atlas of U.S. Presidential Elections. The latter provides political affiliation data on Presidential, Gubernatorial, House, and Senate elections by county (Leip, 2014). The local election outcomes will be used to examine political threat within minority threat perspective. The ACS 2005-2009 five-year estimate data are used for the state of Arkansas to provide contextual-level data related to social disorganization such as the residential mobility, poverty, Gini Index, age distribution in population, percent black, educational attainment, home ownership, unemployment, those receiving social security benefits, female-headed households, and total population. Social disorganization explanatory variables have been found to mediate disadvantage in community structure (Sampson & Groves, 1989). To add depth to this analysis, inequality measures are used to compare black unemployment, female-headed households, and poverty to those of the white population.

Variables used for measuring social disorganization theory's influence on sentencing outcomes in this research include the following: Gini Index from the American Community Survey; Unemployment, which is the percentage of those in each county who are unemployed though in the labor force (i.e. non-military and over age 16). SSI is the percentage of those in each county receiving social security benefits. Female Headed Households is the percentage of households in each county headed by women and including children under the age of 18. Non Home Ownership is the percentage in each county of individuals who do not own their homes. Less than High School is the percentage in each county that have attained less than a high school education. Poverty is the percentage in each county living bellowing the federal poverty line. Age Curve is the percent of the population aged 15 to 24. Finally, Residential Mobility is the percentage of the county population that has moved in the last five years. These variables are all included because previous research has shown a connection between both poverty and age distribution and criminal behavior (Baily, 1984; Wilson, 1987; Kasarda, 1989; Land, McCall, & Cohen, 1990; Shihadeh & Flynn, 1996). Percent Black, the percentage of African Americans in the county population composition, and the total population of each county, Total Population[1], are used to measure the race-specific urban composition of each county. Percent Black varies widely depending on the region of the state in which the county is located.

Contextual-level data has also been included from Dave Leip's Atlas of U.S. Presidential Elections, which is a compilation of voting results for Presidential, Gubernatorial, House, and Senate elections by county (Leip, 2014). Presidential election results are not used due to the Electoral College's potential for clouding the county-level political leanings. These data will allow a test of political threat, while the socioeconomic and demographic variables discussed above will test economic and population threat. All three types of threat are necessary when testing minority threat perspective (Wang and Mears 2010).

IV. Results

Univariate Statistics

While there are 5,475 cases of individuals incarcerated, the individual-level measures vary in number due to using the actual number of indicated cases when the variables are dichotomous, and taking the overall number when indicating continuous variables. This means that there will be missing data when using continuous variables as the information was not given in the original data set. There were original charges in all categories used in the analyses, though not in felony charges actually convicted. Also, because many of predictors of social disorganization display multicollinearity due to shared variance, two principal component

[1] Transformed to the natural log.

analyses were used to create indices of socioeconomic disadvantage, the underlying construct of the shared variance. Not all of the variables discussed above loaded into the indices; therefore, they are used in multivariate analyses as individual predictors.

Multivariate Statistics

Logistic regression is used to analyze the influence of predictors of social disorganization and minority threat on dichotomous dependent variable 'Incarcerated' due to the ability to simultaneously evaluate the level of impact from multiple variables upon a binary dependent variable. Ordinary Least Squares (OLS) regression is the used to analyze the continuous dependent variable 'Length of Sentence' to allow discovery of the regression line that best describes the relationships between the dependent variable and the independent variables. These analyses allow for comprehensive examinations of the research questions discussed in Chapter 2. The primary focus of this study will be on disparities in the effects of offender race and contextual-level characteristics of social disorganization on incarceration and sentencing outcomes for violent felonies. All of the analytical procedures discussed here were completed using SAS® software.

Race-specific regressions are completed for each dependent variable separately and for each type of crime separately. This allows comparisons across categories without compromising the results within one model for non-comparable offenses between white and black offenders. It is also of note, that the charges used in the regression models are the disposed, or convicted, charges – not the original charges. Therefore, 'Charge Reduction' should have significant influence in most models due to the face that nearly all convictions are received through plea bargaining or a reduced charge in exchange for a guilty plea. 'Terroristic Threatening and Acts' is not modeled below, because all of the felony charges in this category were reduced to misdemeanors or dismissed for the disposition leaving no data to analyze in this category.

The first table (Table 2) displays final models incarceration and the second (Table 2)displays final models length of sentence. Because so many models were created for this research, only the full models are displayed in this article. The odd numbered models are for black offenders, while the even number models are for white offenders.

In the final (full) model for 'Incarcerated' for homicide convictions, 'Age' ispositively significant for black offenders 'Incarcerated' for 'Homicide' (odds ratio=1.020) but is a stronger predictor for the black model in regards to 'Incarcerated' for 'Homicide.' 'Reduced Charge' is a negative influence (odds ratio = 0.698) in the white model when all variables are taken into account, and the difference between the models continues to show that this variable is a stronger predictor for black offenders 'Incarcerated' for 'Homicide.' Again, 'Concentrated Disadvantage Index' is negatively significant (odds ratio = 0.454) in the white model, and 'Housing Instability Index' is negatively significant (odds ratio = 0.712) in the black model, but the differences are not significant. 'Age Structure' is positively significant in both the black (odds ratio = 2.589) and white (odds ratio = 2.356) models, but the difference is not significant. 'Less than High School' is positively significant for white offenders 'Incarcerated' for 'Homicide' (odds ratio = 3.542), and this variable is stronger predictor in the white model than the black model. 'Percent Black' is positively significant for white offenders 'Incarcerated' for 'Homicide' (odds ratio = 1.044), but the difference between the two models is not significant. 'Gini' maintains positive significance (odds ratio = >999.999) and is a stronger predictor in the black model than the white model for incarceration for homicide convictions. '$Gini^2$' becomes a negative influence (odds ratio = <0.001) in the black model and is a stronger predictor in the white model. 'Political Conservatism' remains positively significant (odds ratio = 23.788) and a stronger influence in the white model, and 'Political $Conservatism^2$' remains negatively significant in the white model but there is no significant difference between the black and white models.

In the final model for Incarcerated for kidnapping, for Model 23 only 'Reduced Charge' (odds ratio = 4.255) and 'Housing Instability Index' (odds ratio = 1.524) are statistically significant influences. In Model 24, though, 'Male' (odds ratio = 2.707), 'Age' (odds ratio = 0.980), 'Reduced Charge' (odds ratio = 4.273), 'Percent Black' (odds ratio = 1.141), '$Percent\ Black^2$' (odds ratio = 0.996), 'Gini' (odds ratio = >999.999), and '$Gini^2$' (odds ratio = <0.001) are all statistically significant influences on incarceration for 'Kidnapping.' The final models for 'Incarcerated' for 'Robbery' shows that only variables not significant are 'Concentrated Disadvantage Index' in the black model, 'Age Structure' in the white model, '$Percent\ Black^2$' in the black model, 'Gini' in the white model, and both 'Political Conservatism' and its square in the black model.

The final models for 'Incarcerated' for 'Assault and Battery' shows of the individual-level variables in these two models are statistically significant. 'Male' is positive in both models (black odds ratio = 2.246 and white odds ratio = 2.470). 'Age is negative in both models (black odds ratio = 0.994 and white odds ratio = 0.977) and is a stronger influence on whether an offender is 'Incarcerated' in the black model than the white model. 'Concentrated Disadvantage Index' is negatively significant in the white model (odds ratio = 0.874), while 'Housing Instability' is negatively significant in both models (black odds ratio = 0.810 and white odds ratio = 0.917). 'Age Structure' is negatively significant in the black model (odds ratio = 0.731), but has greater

influence in the white model (odds ratio = 1.225). 'LTHS' and 'Percent Black' are both negatively significant in both Model 39 and Model 40. 'Gini' is a better predictor for the black model, while "Gini^{2}" is a stronger influence in the white model. 'Political Conservatism' is negatively significant (odds ratio = 0.281) and 'Political Conservatism^{2}' is positively significant in the white model for 'Incarcerated' for 'Assault and Battery.'

The final models for 'Incarcerated' for domestic violence convictions: In the black model (Model 55), 'Male' is positively significant (odds ratio = 3.367), 'Concentrated Disadvantage Index' is negatively significant (odds ratio = 0.450), 'Housing Instability' is negatively significant (odds ratio = 0.728), 'Age Structure' is positively significant (odds ratio = 2.402) and a stronger influence in the model than the white model, 'LTHS' is positively significant (odds ratio = 3.700), and 'Gini' is positively significant (odds ratio = >999.999) for 'Incarcerated' for 'Domestic Violence.' In the white model, 'Male,' 'LTHS,' 'Percent Black,' and 'Political Conservatism^{2}' are positively significant for 'Incarcerated' on domestic violence convictions (odds ratios = 2.968, 3.098, 1.037, and 3.581, respectively). 'Age,' 'Concentrated Disadvantage Index,' 'Percent Black^{2},'and 'Political Conservatism' are negatively significant for 'Incarcerated' for 'Domestic Violence' (odds ratios = 0.988, 0.678, 0.999, and 0.228, respectively).

The final model for 'Length of Sentence' for homicide convictions shows 'Male' (coefficient = 93.724) and 'Reduced Charge' (coefficient = 122.825) are significant influences on 'Length of Sentence' for 'Homicide' in the black model, there is no significant difference between the black and white models. 'Male' (coefficient = 60.076), 'Reduced Charge' (coefficient = 118.847), 'Concentrated Disadvantage Index' (coefficient = -46.149), 'Percent Black' (coefficient = 6.273), 'Political Conservatism' (coefficient = 496.695), and 'Political Conservatism^{2}' (coefficient = -377.951) are all significant influences for white offenders' 'Length of Sentence' for homicide convictions.

The final model for 'Length of Sentence' for 'Kidnapping' displays that in the black model (Model 31), only 'Housing Instability Index' is significant and increases 'Length of Sentence' for 'Kidnapping.' In the white model (Model 32), 'Male' (coefficient = 36.548), 'Percent Black' (coefficient = 6.595), and 'Political Conservatism' (coefficient = 178.759) are positively significant, while 'Percent Black^{2}' (coefficient = -0.152) and 'Political Conservatism' (coefficient = -183.357) are negatively significant for these offenders' 'Length of Sentence' for 'Kidnapping.' The Clogg test shows that 'Percent Black' is a stronger influence in the white model, while 'Percent Black^{2}' is a stronger influence in the black model.

The final models for 'Length of Sentence' for 'Robbery' shows 'Male' is positively significant in both Model 47 (coefficient = 52.189) and Model 48 (coefficient = 37.787), as is 'Reduced Charge' (coefficients = 31.340 and 62.386, respectively), but 'Reduced Charge' is a stronger influence in the white model. 'Age' is also positively significant in both models but stronger in the white model. 'LTHS' is negatively significant in the black model (coefficient = -80.649) and is a stronger significant influence in the white model (coefficient = 61.923) for 'Length of Sentence' for 'Robbery.' In Model 48, 'Concentrated Disadvantage Index' and 'Housing Instability Index' are both negatively significant (coefficients = -36.907 and -14.820, respectively). The former is also a stronger influence in the white model than the black model. While 'Percent Black' is a stronger influence in the white model, it is of negative significant in the black model (coefficient = -1.923) and positive significance in the white model (coefficient = 2.280) for sentence length on robbery convictions. 'Percent Black^{2}' is only significant in the white model and is negative (coefficient = -0.038) for sentence length on robbery convictions. The only other significant variable in the black model is 'Political Conservatism^{2},' and it is negative (coefficient = -70.357) for 'Length of Sentence' for 'Robbery'. 'Gini' and 'Gini^{2}' are significant in the white model, but in opposite directions (coefficients = 13737.000 and -15653.000, respectively). 'Political Conservatism' is negatively significant in the white model (coefficient = -98.955) for sentence length for 'Robbery.'

The final models for 'Length of Sentence' for 'Assault and Battery' displays positively significant outcomes for 'Male' in Models 63 and 64 (coefficients = 14.732 and 5.833, respectively) but it is a stronger predictor for the first model than the latter. 'Age' is only significant in the white model and that is negatively (coefficient = -0.269). 'Reduced Charge' is positively significant for both white (coefficient = 18.091) and black (coefficient = 15.733) offenders sentenced to prison for 'Assault and Battery.' 'Age Structure' is negatively significant for black offenders (coefficient = -5.525) and 'LTHS' is negatively significant for both black offenders (coefficient = -24.011) and white offenders (coefficient = -9.960) for 'Length of Sentence' for 'Assault and Battery.' Percent Black' is negatively significant (coefficient = -0.706), 'Gini' is positively significant (coefficient 1643.256), and 'Gini^{2}' is negatively significant (coefficient = -1720.316) all for black offenders' sentence lengths for 'Assault and Battery.'

The final models for 'Length of Sentence' for domestic violence convictions shows that in Model 79, only 'Male' (coefficient = 6.817), 'Housing Instability Index' (coefficient = -2.249), and 'Age Structure' (coefficient = 7.809) are significant for black offenders' sentence length on domestic violence convictions. In the white model, or Model 80, 'Male' (coefficient = 4.336), 'Concentrated Disadvantage Index' (coefficient = -

2.689), 'LTHS' (coefficient = 87.963), 'Percent Black' (coefficient = 0.475), and 'Percent Black^2' (coefficient -0.010) are significant influences on the sentence length for 'Domestic Violence.'

Blalock (1967) expected minority threat perspective to be more accurate in locations with small minority populations. Because the South has a larger minority population than most of the country, perhaps minority threat cannot be supported in southern states. An alternative explanation for these findings might be that some counties in the state of Arkansas register zero black population on Census information, while other counties' populations are comprised mostly of African Americans. Further testing should be completed to tease out these types of aggregate units for comparisons against one another to determine if the effects are confounded due to such different population compositions. Further discussion will follow in chapter five to relate findings to the research questions detailed in chapter three.

V. Conclusion

Discussion

Individual- and contextual-level analyses demonstrate how characteristics at both levels influence sentencing outcomes for violent felonies in Arkansas from 2005 to 2009. Accordingto the 2010 Census, African Americans comprised 15.4percent of the total population in Arkansas[2]; however, descriptive statistics suggest that those charged with violent crimes are divided nearly equally between black and white offenders. This offers support for the supposition that population threat can help explain racial disparities in incarceration outcomes and sentence length; however, where the researcher expected African Americans to be disparately incarcerated and sentenced more harshly than their white counterparts, this was simply not the case for all charges as illustrated by the minority threat testing.

[2]Hispanic was not a variable that could be tested due to a lack of information regarding ethnicity in the Administrative Office of the Courts data.

Table 1: Combined Final Regressions for All Models on Incarceration

Combined Regression for Incarcerated										
	Homicide		Kidnapping		Robbery		Assault and Battery		Domestic Violence	
	Model 7 - Black	Model 8 - White	Model 23 - Black	Model 24 - White	Model 39 - Black	Model 40 - White	Model 39 - Black	Model 40 - White	Model 55 - Black	Model 56 - White
Male	1.448	1.156	0.728	2.707 †	2.307 ***	0.8359 ***	2.246 ***	2.47 ***	3.367 ***	2.968 ***
Age	1.020[a] *	0.994[a]	0.975	0.980 †	0.997	-0.00271	0.994[a] †	0.977[a] ***	0.996	0.988 *
Reduced Charge	21.069[a] ***	0.698[a] ***	4.225 *	4.273 **	4.531[a] ***	1.5108[a] ***	2.135[b] ***	2.743[b] ***	1.022	0.894
Concentrated Disadvantage Index	0.940	0.454 ***	1.146	0.972	1.205[a]	0.1864[a] **	0.983	0.874 †	0.450 ***	0.678 **
Housing Instability	0.712 **	0.939	1.524 †	0.910	1.037	0.0361	0.810 ***	0.917 †	0.728 **	0.920
Age Structure	2.589 †	2.356 *	1.679	0.390	0.799	-0.2244	0.731[b] †	1.225[b]	2.402[a] **	0.914[a]
LTHS	0.946[b]	3.542[b] †	0.224	0.214	0.200 ***	-1.6117	0.655 †	0.565 *	3.700 **	3.098 **
Percent Black	1.003	1.044 †	0.959[b]	1.141[b] *	0.940[a] **	-0.0624[a] **	0.970 *	0.981 †	0.999	1.037 †
Squared Percent Black	1.000	1.000	1.000[a]	0.996[a] *	1.000[a]	0.000326[a] **	1.000	1.000 **	1.000	0.999 **
Gini	>999.999[a] *	<0.001[a]	<0.001[b]	>999.999[b] †	>999.999[a] ***	268.9[a] **	>999.999[a] †	<0.001[a]	>999.999[a] †	<0.001[a]
Squared Gini	<0.001[b] *	>999.999[b]	>999.999[a]	<0.001[a] †	<0.001 ***	-298.000 **	<0.001[b] †	>999.999[b]	<0.001[b]	>999.999[b]
Political Conservatism	0.41[b]	23.788[b] †	4.780	0.186	5.259 †	1.6599	0.554	0.281 †	0.713	0.228 †
Squared Political Conservatism	1.815	0.050 *	0.187	4.164	0.094 **	-2.3593	0.901	2.465 †	1.366	3.581 †
Pearson Chi-Square	0.3490	0.1455	0.1715	0.1458	0.1585	0.1923	0.0894	0.0743	0.0869	0.0472

Notes: *** p<0.001, ** p<0.01, * p<0.05, † p<0.10

Values reported are odds ratios.

[a] Statistically significance between black and white models (positive).

[b] Statistically significance between black and white models (negative).

Combined OLS for Length of Sentence										
	Homicide		Kidnapping		Robbery		Assault and Battery		Domestic Violence	
	Model 15 - Black	Model 16 - White	Model 31 - Black	Model 32 - White	Model 47 - Black	Model 48 - White	Model 63 - Black	Model 64 - White	Model 79 - Black	Model 80 - White
Male	93.724 **	60.076 *	-30.75184	36.548 †	52.189 ***	37.787 ***	14.7322[a] ***	5.83298[a] **	6.817 ***	4.336 **
Age	1.056	0.927	-0.838	-0.259	0.059[b]	1.526[b] ***	-0.089	-0.269 ***	-0.002	-0.030
Reduced Charge	122.825 ***	118.847 ***	6.219	-3.130	31.340[b] ***	62.386[b] ***	15.733 ***	18.091 ***	-0.872	-0.007
Concentrated Disadvantage Index	-32.611	-46.149 *	-18.756	-9.281	5.389[a]	-36.907[a] ***	3.058	-1.684	-2.452	-2.689 †
Housing Instability	-14.386	-14.432	16.238 †	5.179	1.168	-14.82 *	-0.960	-0.550	-2.249 †	0.008
Age Structure	44.589	43.477	25.567	-50.035 †	-17.744	12.343	-5.525 †	-0.945	7.809[a] *	-1.069[a]
LTHS	33.517	22.025	-6.958	13.374	-80.649[b] ***	61.923[b] *	-24.001 ***	-9.960 *	4.934	8.963 *
Percent Black	2.638	6.273 *	-1.507[b]	6.595[b] **	-1.923[b] †	2.280[b] †	-0.706 *	-0.032	0.010	0.475 **
Squared Percent Black	-0.059	-0.030	0.023[a]	-0.15248[a] **	0.017	-0.038 †	0.003	0.000	-0.001	-0.010 **
Gini	6174.900	-7735.406	-9854.672	-2647.999	4178.536	13737 ***	1643.256 †	-404.315	417.420	-301.825
Squared Gini	-6015.539	9401.711	10907.000	2643.037	-4572.013	-15653 **	-1720.316 †	466.532	-389.564	343.563
Political Conservatism	66.885	496.695 **	98.406	-183.357 †	63.62	-98.955 †	-3.078	-4.565	5.797	-8.929
Squared Political Conservatism	-83.660	-377.951 **	-103.446	178.759 †	-70.357 †	66.058	-9.302	-0.019	-6.193	7.415
Pearson Chi-Square	0.0767	0.0650	-0.0095	0.0149	0.0475	0.113	0.0334	0.0212	0.0096	0.0054

Notes: *** p<0.001, ** p<0.01, * p<0.05, † p<0.10

Values reported are odds ratios.

[a] Statistically significance between black and white models (positive).

[b] Statistically significance between black and white models (negative).

Table 2: Combined Final Regressions for All Models on Length of Sentence

This researcher hypothesized that the larger the black population, the more often black offenders will be incarcerated and the longer their sentences will be and the less often white offenders will be incarcerated and

the shorter their sentences will be. The hypotheses have mixed support. While the models for 'Incarcerated' for 'Robbery,' 'Assault and Battery,' and 'Domestic Violence' indicate being male increases the odds of incarceration for black offenders by more than the increase in odds for the white offenders (Model 40 actually shows decreased odds for white offenders), this variable is a control and does not support minority threat or social disorganization. 'Reduced Charge' is another control variable that indicates racial disparities in sentencing outcomes between black and white offenders, but, again, does not necessarily support minority threat or social disorganization.

This researcher hypothesized that Republican voting by the majority, or political conservatism, will result in black offenders being incarcerated more often (white offenders less often) and receiving longer sentences (white offenders receiving shorter sentences). There is little previous research on political threat; however, the work that has been done has positively related conservatism to harsher sentencing practices, particularly for minorities (Blalock 1967, Caldeira and Cowart 1980, Wang and Mears 2010). The results of the current research were mixed. Most often, the measures of political threat were significant in the white models and not the black; however, the results are mixed in every model in which there is significance. These hypotheses cannot be supported by the current findings due to such inconsistent results.

To measure economic threat, this research used the American Community Survey's Gini Index and its square. The results are again mixed. In most models, these two variables are not significant or are only significant at $p<0.10$, and where they are significant, the corresponding model are not. For example, 'Gini' is positively significant in the white model for 'Incarcerated' for homicide convictions; however, it is not significant in the black model. In the same models, '$Gini^2$'is negatively significant in the white model but not significant in the black model. Given these results, this research cannot support the hypotheses that economic threat can explain racial variation in sentencing outcomes. This is inconsistent with findings that socioeconomic characteristics of the community could be an extra-legal predictor variable for sentencing outcomes (Wooldredge, 1998), that the economic development of the minorities is possibly hindered by incarceration of those minorities (Myers, 2006), and that when minorities gain economic power, whites react with harsher laws (Wang and Mears 2010).

While the measures of social disorganization are significant in some models, they appear to indicate greater odds of incarceration and lengthier sentences for offenders in those models regardless of race. This contradicts previous research where disadvantage is heavily correlated with negative outcomes (Sampson & Laub, 1993; Clear, Rose, Waring, & Scully, 2003; Moore & Shepherd, 2007). Again, this research has resulted in mixed findings for the fourth research question and, thus, cannot support the hypotheses that the greater the disadvantage in an area, the more often black offenders will be incarcerated and the longer their sentences will be and the opposite for white offenders. This does not support previous research but future research should be conducted to examine why Arkansas is not consistent with previous research examining sentencing outcomes. Social disorganization or some of its variables have been successfully used to predict crime rates in rural areas previously (Osgood & Chambers, 2000; Maume & Lee, 2003; Lee & Bartkowski, 2004; Lee, 2008). Possibly it is simply not of satisfactory use with regard to sentencing outcomes.

Because measures of neither minority threat nor social disorganization are found to influence incarceration outcomes or sentence lengths consistently, the hypothesis cannot be supported. The current research has explored whether minority threat perspective can be effectively used to explain sentencing disparities in a southern state where minority populations are relatively large compared to the rest of the country. It does not appear to explain this issue; however, further testing is needed to compare regional differences in Arkansas as the population compositions vary widely depending on the region in the state. It is assumed that regional testing will provide a better understanding of minority threat perspective in a southern, rural state, because there are disproportionately high numbers of African Americans incarcerated in Arkansas. There is still much to be studied with regard to minority threat perspective.

This research also seeks to add to previous literature regarding the use of social disorganization in rural areas (Osgood & Chambers, 2000; Maume & Lee, 2003; Lee & Bartkowski, 2004; Lee, 2008). The findings support the use of social disorganization much more than they do minority threat; however, if the state were broken down into regions, it is unclear if these findings would hold true in the more rural regions of the state. It could be that the few metropolitan areas skew the results for the state as a whole. Further research is needed to gain a complete picture of theory implications.

VI. Limitations

The causal mechanisms behind sentencing disparities remain inconsistent in the research (Everett & Wojtkiewicz, 2002), but this study has added to the literature. There are, of course, some limitations to the current study. Some characteristics and/or variables likely to influence sentencing outcomes were not analyzed, because they were not available in the data used. First, the AOC data do not include information regarding the relationship between offender and victim. Therefore, the relationship between victim and offender cannot be

analyzed as an influence on sentencing outcomes as it has been in previous research (Kleck 1981, Steffensmeier, Ulmer, &Kramer 1998). Also missing from these data is the victim's race, which has been studied when compared to the offender's race previously (Hagan, 1996; Kleck, 1981; Spohn, Crime and the Social Control of Blacks: Offender/Victim Race and the Sentencing of Violent Offenders, 1994). The general consensus being that interracial crimes are more harshly punished than same-race, or intraracial, crimes.

Much of the previous literature focuses on whether or not defendants were employed, hired private attorneys, made bail before trial, and/or the defendants had prior criminal histories (Steffensmeier, Kramer, & Streifel, 1993; Steffensmeier, Ulmer, & Kramer, 1998; Spohn, 2000; Steffensmeier & Demuth, 2000; 2001). These variables are not available in the AOC data. Future research regarding sentencing outcomes for violent felonies in Arkansas should include this information. Also, information on sentencing judges' race and gender could lead to further research on this topic given some previous research regarding harsher decisions by minority judges for minority offenders (Steffensmeier & Demuth 2001) and possible chivalrous decisions by male judges for female offenders. These topics, though, are beyond the scope of the current study.

In summary, the current research does have some limitations, but offers a detailed analysis of sentencing outcomes in a southern, rural state. The discussed limitations can be addressed in future research; however, they were beyond the scope of the current study. This researcher plans to pursue these and other avenues in studying sentencing disparities in the future.

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