

1

OVERVIEW OF RACE AND CRIME

Because skin color is socially constructed, it can also be reconstructed. Thus, when the descendants of the European immigrants began to move up economically and socially, their skins apparently began to look lighter to the whites who had come to America before them. When enough of these descendants became visibly middle class, their skin was seen as fully white. The biological skin color of the second and third generations had not changed, but it was socially blanched or whitened.

—Herbert J. Gans (2005)

LEARNING OBJECTIVES

1. Identify the origins of the separation of humans into social constructed distinct races.
2. Explain why most scholars view *race* and *ethnicity* as culturally relevant versus biologically relevant.
3. Examine the distinct populations trends by race/ethnicity in the 2020 U.S. Census.
4. Describe the differences between prejudice, discrimination, implicit bias, and reverse discrimination.
5. Examine the sociohistorical experiences of several racial/ethnic groups and their interactions with the criminal justice system.

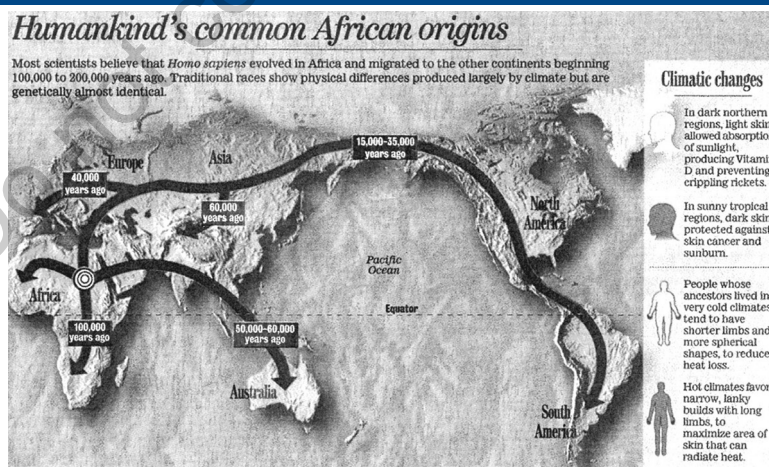
At a time when the United States is more diverse than ever, with the minority population topping 100 million (one in every three U.S. residents; U.S. Census Bureau, 2010), the notion of **race** seems to permeate almost every facet of American life. Certainly, one of the more highly charged aspects of the race dialogue relates to crime. Before embarking on an overview of race and crime, we must first set the parameters of the discussion, which include relevant definitions and the scope of our review. When speaking of race, it is always important to remind readers of the history of the concept and some current definitions.

The idea of race originated 5,000 years ago in India, but it was also prevalent among the Chinese, Egyptians, and Jews (Gossett, 1963). Although François Bernier (1625–1688) is usually credited with first classifying humans into distinct races, Carolus Linnaeus (1707–1778) invented the first system of categorizing plants and humans. It was, however, Johann Friedrich Blumenbach (1752–1840) who developed the first taxonomy of race. In his 1795 work, “On the Natural Variety of Mankind,” Blumenbach separated the inhabitants of the earth into five races: Ethiopian (African or Negroid), Mongolian (Asian), American (Native American), Malaysian (Pacific Islander), and Caucasian (Feagin & Booher Feagin, 2012). When categorizing the fifth group, Whites, Blumenbach coined the term *Caucasian*. Relying on Blumenbach’s work, European scholars created a categorization that led to the belief that the differences among the groups were biological—and from the beginning Europeans placed themselves at the apex of the racial hierarchy (Irvin Painter, 2010). It is widely accepted that the biological differences among racial groups are attributable to the patterns of their migration out of Africa (Dulaney, 1879; Shane, 1999; see Figure 1.1).

Today, social scientists refer to race as a “social construct.” Gallagher (1997) writes that “race and ethnicity are social constructions because their meanings are derived by focusing on arbitrary characteristics that a given society deems socially important. Race and ethnicity are social products based on cultural values; they are not scientific facts” (p. 2). Another relevant definition has been provided by Flowers (1988): “Race . . . refers to a group of persons characterized by common physical and/or biological traits that are transmitted in descent” (p. xiv). Finally, the U.S. Census Bureau (2000) has added the following:

The concept of race . . . reflects self-identification by people according to the race or races with which they most closely identify. These categories are sociopolitical constructs and should not be interpreted as being scientific or anthropological in nature.

FIGURE 1.1 ■ Migration Patterns Out of Africa



Source: Permission from Baltimore Sun Media. All Rights Reserved.

Thus, there is no shortage of definitions that refer to race as a social construct. Increasingly, though, scholars—relying on scientific discoveries in the natural sciences—are beginning to challenge the notion of race as a social construct (Ellis, 2017; Sesardic, 2010; J. P. Wright, 2009).

RACE, DNA, CRIMINAL JUSTICE DATABASES, AND CIVIL RIGHTS CONCERNS

Criminal justice investigations involving the use of DNA evidence have challenged the notion that there are no distinguishable biological differences between races (Williams & Johnson, 2008). In fact, criminal investigators have relied on DNA to identify the race of a perpetrator (D. H. Simons, 2003). In one well-known case, skeptical police investigators had a scientist conduct a sample test to illustrate support for the science behind the use of DNA to identify the race of the suspect. Specifically, the investigators sent a molecular biologist 20 DNA samples to test for racial identity; after conducting his analysis, the molecular biologist correctly identified the race of all 20 samples. He later helped investigators solve the case by identifying the offender as Black, not White, as had been previously thought (Newsome, 2007).

The general collection and use of DNA in criminal investigations has not been without controversy. The American Civil Liberties Union (ACLU) has articulated three general concerns about forensic DNA databases. First, they believe the use of such databases can result in an invasion of medical privacy. In particular, they believe that DNA data “might be used by employers, insurers, and others for invidious genetic discrimination—against both the individual who supplied the DNA and also . . . immediate family members, who have similar DNA” (Schwartz, 2011, p. 1). Thus, there is concern about the Federal Bureau of Investigation’s (FBI) Combined DNA Index System (CODIS), one part of which is the National DNA Index (NDIS). Contrary to the belief of some, the DNA information collected by the FBI does provide information on “medically relevant” genes. Second, the ACLU believes that the use of forensic DNA databases represents an invasion of bodily integrity. To collect the information for the database, officials often place a swab in a person’s mouth; if the person refuses, they are often forced to comply. Schwartz (2011) notes that the government can get around forcibly taking the DNA by covertly taking DNA that is shed onto objects citizens have handled (e.g., soda cans). Potentially, the government could secretly seize the DNA of all Americans (p. 3). The ACLU’s third concern related to DNA databases is their racially disparate impact. Here, the ACLU takes the position that because “African Americans and Hispanics are arrested, prosecuted, and convicted—often wrongly—at a far higher rate than Caucasians,” they are likely to be disparately impacted by DNA databases (Schwartz, 2011). In addition to these general concerns, the ACLU is also concerned about familial DNA testing.

Familial DNA testing occurs when the DNA of the suspect is only a partial match. This can result in police questioning the immediate and extended family of the suspect, which has the potential to criminalize entire families—especially families of color (De Gruy, 2010; Schwartz, 2011). Given that people of color are more likely to be arrested and incarcerated, familial DNA testing has the potential to contribute to racial injustice in the administration of justice.

There is clearly a delicate balance that needs to be struck when collecting DNA data. The United Kingdom, for example, began a DNA collection program in 1995 and currently includes nearly 7 million profiles in its National DNA Database (NDNAD); these profiles are linked to the Police National Computer (PNC) that contains a multitude of information on people including name, date of birth, ethnic appearance, and geographic factors such as where the sample was taken (Maguire et al., 2014). In total, nearly 9% of the UK population has DNA samples in the database (mydnarights.org). Moreover, in past years, there have been concerns expressed about the large number of DNA samples of Black youth (23%) being retained compared to White youth (9%) (GeneWatch, 2010). There are also concerns that the databases that now include nearly one million immigrant profiles will continue to skew the profiles (Hussain & Guariglia, 2023)

Currently, in the United States, the FBI's National DNA Index contains over 16,532,335 offender profiles, 5,190,279 arrestee profiles, and 1,282,418 forensic profiles (FBI, 2023a). As of August 2022, the CODIS–NDIS system has “produced over 674,405 hits assisting in more than 656,893 investigations” (FBI, 2023a). The reality is that the successful use of DNA databases is spurring the increased use of DNA evidence in the criminal justice field—in the United States and abroad. The real challenge ahead is how to balance privacy concerns with public safety concerns (Hussain & Guariglia, 2023; Kazemian et al., 2011; Tseloni & Pease, 2011). This precarious balance was considered in the 2013 United States Supreme Court decision in *Maryland v. King*. In Focus 1.1 is devoted to reviewing the case.

IN FOCUS 1.1

Maryland v. King

In the case of *Maryland v. King* (2013), the United States Supreme Court considered whether the collection of DNA from a suspect constituted an unreasonable search and seizure. The case involved Alonzo Jay King Jr., who was arrested in 2009 on multiple charges of assault. While waiting for King's case to go to trial, the state collected a DNA sample to determine whether King had been involved in additional criminal activity. Notably, in 2008, the Maryland legislature had passed the Maryland DNA Collection Act that required law enforcement officers to take such DNA samples from persons arrested for a crime of violence or attempted violence and persons charged with burglary or attempted burglary. To protect the innocent, included in the act was a caveat that “a DNA sample, once taken, may not, without consent, be processed in a database before the arrestee is arraigned. In the event that the arrestee is not bound over for trial, is not convicted, has his conviction reversed on appeal, or is pardoned, the DNA sample must be destroyed” (Bower, 2013, p. 29).

King's DNA sample came back with a “hit” for a 2003 unsolved rape case. Solely on the basis of the DNA results, King was eventually charged and tried for the rape. During the trial, he pled not guilty and asked the trial court to suppress the DNA evidence because it constituted a warrantless search. While his motion to suppress was denied by the trial court, the appellate court agreed with King, stating, “the collection of King's DNA upon arrest without a warrant violated his Fourth Amendment right against unreasonable searches” (Bower,

2013, p. 29). The State of Maryland disagreed with the appellate court decision and petitioned the U.S. Supreme Court to hear the case. The case was heard by the U.S. Supreme Court on February 26, 2013 and decided on June 3, 2013. In a split decision (5–4 in favor of the state of Maryland), the majority held that “When officers make an arrest supported by probable cause to hold for a serious offense and they bring the suspect to the station to be detained in custody, taking and analyzing a cheek swab of the arrestee’s DNA is, like fingerprinting and photographing, a legitimate police booking procedure that is reasonable under the Fourth Amendment” (*Maryland v. King*, 2013).

Even though the King decision was clearly controversial, every state now requires the collection of DNA samples from offenders convicted of felony offenses. There has also been support for the collection of DNA data from offenders convicted of misdemeanors (Green, 2013). In addition, because of the ongoing concerns tied to minority profiling, some observers have suggested that, though legal, the collection of offender DNA represents an unethical intrusion and will eventually—as with many crime policies—disproportionately impact minorities (Cox, 2014; Hussein & Guariglia, 2023).

1. Do you agree with this decision and the nationwide policies that now allow the collection of DNA samples from offenders?
2. Does it matter to you whether the offense is a felony or misdemeanor?

RACE, ETHNICITY, AND THE U.S. POPULATION IN 2020

Even though the debate about the existence of distinct races persists, the U.S. Census Bureau continues to track national data on race/ethnicity. In fact, the 2020 census collected these data, which became the standard practice during the first decennial census in 1790 (Anderson, 2017; Humes et al., 2011). Figures 1.2 and 1.3 show the forms that were used to ask questions pertaining to race and ethnicity on the 2020 census. The forms illustrate the separation of race and ethnicity. This practice dates to 1997, when the federal government mandated that “race and Hispanic origin (ethnicity) are separate and distinct concepts and that when collecting these data via self-identification, two different questions must be used” (Humes et al., 2011, p. 2).

Typically, Hispanics/Latinos are referred to as an ethnic group. The term *ethnicity* comes from the Greek word *ethnos*, which means “nation.” Generally, ethnic groups are defined by their similar genetic inheritances or some identifiable traits visible among most members of a particular group. Ethnic groups are also generally held together by a common language, culture, group spirit (nationalism or group solidarity), or geography (most typically people in an ethnic group originate from the same region; Marger, 1997). Therefore, most scholars generally see the terms *race* and *ethnicity* as culturally relevant rather than biologically relevant.

In 2020, the Census Bureau changed the way in which it asked Americans about their race and ethnicity. The new question included an ethnic descent write-in line that captured additional within race/ethnicity distinctions. Thus, we know more about the specific ethnic groups that fall under the White classification. The same holds true for all other racial and ethnic categories. Between Questions 6 and 7 on the 2020 Census, we now know considerably more about the origin of the current U.S. population. Thus, for Whites, as detailed in Table 1.1, the largest ethnic backgrounds were English and German, followed by those of Irish decent.

FIGURE 1.2 ■ Reproduction of the Question on Race From the 2020 Census

7. What is this person's race?
 Mark one or more boxes **AND** print origins.

White – Print, for example, German, Irish, English, Italian, Lebanese, Egyptian, etc. ↴

Black or African Am. – Print, for example, African American, Jamaican, Haitian, Nigerian, Ethiopian, Somali, etc. ↴

American Indian or Alaska Native – Print name of enrolled or principal tribe(s), for example, Navajo Nation, Blackfeet Tribe, Mayan, Aztec, Native Village of Barrow Inupiat Traditional Government, Nome Eskimo Community, etc. ↴

Chinese Vietnamese Native Hawaiian

Filipino Korean Samoan

Asian Indian Japanese Chamorro

Other Asian – Print, for example, Pakistani, Cambodian, Hmong, etc. ↴

Other Pacific Islander – Print, for example, Tongan, Fijian, Marshallese, etc. ↴

Some other race – Print race or origin. ↴

Source: U.S. Census Bureau, 2020 Census questionnaire.

The second largest population in the United States remained persons of Hispanic/Latino decent. Of these, the overwhelming share were of Mexican decent. Puerto Ricans were the second largest. The largest remaining groups include Salvadoran, Cuban, and Dominican, were almost equally represented, as illustrated in Table 1.2.

For Blacks, the largest ethnic group are those that identified as African American. Table 1.3 reveals that Haitians and Jamaicans and the second and third largest populations, respectively.

Asian Americans are also considerably diverse. Table 1.4 shows that in recent years Asian Indians have surpassed the Chinese as the largest Asian group in America. The Filipino population is also fairly sizeable.

FIGURE 1.3 ■ Reproduction of the Questions on Hispanic Origin and Race From the 2020 Census

→ **NOTE: Please answer BOTH Question 6 about Hispanic origin and Question 7 about race. For this census, Hispanic origins are not races.**

6. Is this person of Hispanic, Latino, or Spanish origin?

- No, not of Hispanic, Latino, or Spanish origin
- Yes, Mexican, Mexican Am., Chicano
- Yes, Puerto Rican
- Yes, Cuban
- Yes, another Hispanic, Latino, or Spanish origin - *Print, for example, Salvadoran, Dominican, Colombian, Guatemalan, Spaniard, Ecuadorian, etc.* ↗

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Source: U.S. Census Bureau, 2020 Census questionnaire.

TABLE 1.1 ■ Five Largest Detailed White Alone and Alone or In Any Combination Groups: 2020

Rank	White alone detailed group	Number	Rank	White alone or in any combination detailed group	Number
1	English.....	25,536,410	1	English.....	46,550,968
2	German.....	15,447,670	2	German.....	44,978,546
3	Irish.....	10,909,541	3	Irish.....	38,597,428
4	Italian.....	6,629,993	4	Italian.....	16,813,235
5	Polish.....	2,686,362	5	Polish.....	8,599,601

Source: U.S. Census Bureau, 2020 Census Detailed Demographic and Housing Characteristics File A.

Note: The top five excludes residual categories, such as "Other White alone, not specified." Information on suppression, confidentiality protection, nonsampling error, definitions and guidance on using the data are available at <https://www2.census.gov/programs-surveys/decennial/2020/technical-documentation/complete-tech-docs/detailed-demographic-and-housing-characteristics-file-a/2020census-detailed-dhc-a-techdoc.pdf>

Detailed data in Table 1.5 on American Indians reveals that the Aztec and Navajo nation are the largest tribes in America.

Throughout the following chapters, we generally separate the American population into five groups: Native Americans, Whites, Black or African Americans, Hispanic/Latino Americans,

TABLE 1.2 ■ Five Largest Detailed Hispanic or Latino Origin Groups: 2020

Rank	Hispanic or Latino detailed group	Number
1	Mexican.....	35,850,702
2	Puerto Rican.....	5,601,863
3	Salvadoran.....	2,342,001
4	Cuban.....	2,245,686
5	Dominican.....	2,196,076

Source: U.S. Census Bureau, 2020 Census Detailed Demographic and Housing Characteristics File A.

Note: The top five excludes residual categories, such as "All other Hispanic or Latino, not specified." Information on suppression, confidentiality protection, nonsampling error, definitions and guidance on using the data are available at <https://www2.census.gov/programs-surveys/decennial/2020/technical-documentation/complete-tech-docs/detailed-demographic-and-housing-characteristics-file-a/2020census-detailed-dhc-a-techdoc.pdf>

TABLE 1.3 ■ Five Largest Detailed Black or African American Alone and Alone or In Any Combination Groups: 2020

Rank	Black or African American alone detailed group	Number	Rank	Black or African American alone or in any combination detailed group	Number
1	African American....	22,091,770	1	African American.....	24,569,479
2	Haitian.....	916,277	2	Jamaican.....	1,047,117
3	Jamaican.....	811,245	3	Haitian.....	1,032,737
4	Nigerian (Nigeria)....	493,188	4	Nigerian (Nigeria)....	604,077
5	Ethiopian.....	300,108	5	Ethiopian.....	325,214

Source: U.S. Census Bureau, 2020 Census Detailed Demographic and Housing Characteristics File A.

Note: The top five excludes residual categories, such as "Other Black or African American alone, not specified." Information on suppression, confidentiality protection, nonsampling error, definitions and guidance on using the data are available at <https://www2.census.gov/programs-surveys/decennial/2020/technical-documentation/complete-tech-docs/detailed-demographic-and-housing-characteristics-file-a/2020census-detailed-dhc-a-techdoc.pdf>

and Asian Americans. We also use the definitions for each of the groups outlined in the 2020 census. We acknowledge that there are limitations to these categories. Nevertheless, although we are aware of the problems with these classifications, the research and data we review follow this classification approach. Second, and relatedly, with the use of the multiracial category starting in 2000, the lines between racial groups have become rather blurred. This increasing trend adds to the considerable limitations of population and crime data (this topic is discussed further in Chapter 2). Tables 1.6 and 1.7 provides U.S. population estimates in 2022 by race and ethnicity.

TABLE 1.4 ■ Five Largest Detailed Asian Alone and Alone or In Any Combination Groups: 2020

Rank	Asian alone detailed group	Number	Rank	Asian alone or in any combination detailed group	Number
1	Asian Indian.....	4,397,737	1	Chinese, except Taiwanese	5,205,461
2	Chinese, except Taiwanese	4,128,718	2	Asian Indian.....	4,768,846
3	Filipino.....	3,076,108	3	Filipino.....	4,436,992
4	Vietnamese.....	1,951,746	4	Vietnamese.....	2,293,392
5	Korean.....	1,508,575	5	Korean.....	1,989,519

Source: U.S. Census Bureau, 2020 Census Detailed Demographic and Housing Characteristics File A.

Note: Information on suppression, confidentiality protection, nonsampling error, definitions and guidance on using the data are available at <https://www2.census.gov/programs-surveys/decennial/2020/technical-documentation/complete-tech-docs/detailed-demographic-and-housing-characteristics-file-a/2020census-detailed-dhc-a-techdoc.pdf>

TABLE 1.5 ■ Five Largest Detailed American Indian and Alaska Native (AIAN) Alone and Alone or In Any Combination Groups: 2020

Rank	AIAN alone detailed group	Number	Rank	AIAN alone or in any combination detailed group	Number
1	Aztec.....	387,122	1	Cherokee.....	1,513,326
2	Navajo Nation.....	315,086	2	Aztec.....	583,981
3	Cherokee.....	214,940	3	Navajo Nation.....	423,412
4	Maya.....	180,359	4	Maya.....	300,519
5	Choctaw.....	69,454	5	Blackfeet Tribe of the Blackfeet Indian Reservation of Montana	297,899

Source: U.S. Census Bureau, 2020 Census Detailed Demographic and Housing Characteristics File A.

Note: The top five excludes residual categories, such as "American Indian and Alaska Native alone, not specified." Information on suppression, confidentiality protection, nonsampling error, definitions and guidance on using the data are available at <https://www2.census.gov/programs-surveys/decennial/2020/technical-documentation/complete-tech-docs/detailed-demographic-and-housing-characteristics-file-a/2020census-detailed-dhc-a-techdoc.pdf>

RACE, ETHNICITY, AND POPULATION TRENDS

The U.S. Census Bureau provides the most recent figures on the racial and ethnic dynamics of America. The 2020 population was the first to make use of phone and internet responses. Using

TABLE 1.6 ■ U.S. Population Estimates by Race, 2022

Racial Group	Estimate	Percentage
White	251,602,174	75.5
Black or African American	45,399,743	13.6
American Indian and Alaska Native	4,382,234	1.3
Asian	20,953,941	6.2
Native Hawaiian and other Pacific Island	878,808	0.3
Two or More Races	9,822,583	3.0
Total Population	333,287,557	100.00*

Source: Annual Estimates of the Resident Population by Sex, Race, and Hispanic Origin for the United States: April 1, 2020 to July 1, 2022 (NC-EST2022-SR11H)

Note: *Total percentage slightly off due to rounding.

TABLE 1.7 ■ U.S. Population Estimates by Hispanic or Latino and Race, 2022

Hispanic Group	Estimate	Percentage
Hispanic or Latino (of any race)	63,664,346	19.1*
White	55,376,208	16.6
Black or African American	3,329,272	1.0
American Indian and Alaska Native	1,961,262	0.5
Asian	677,916	0.2
Native Hawaiian and Other Pacific Island	242,880	0.07
Two or More Races	2,076,808	0.6
Not Hispanic or Latino	269,623,211	80.9*
Total Population	333,287,557	100.00

Source: Annual Estimates of the Resident Population by Sex, Race, and Hispanic Origin for the United States: April 1, 2020 to July 1, 2022 (NC-EST2022-SR11H)

Note: *These two percentages equal 100% of population

this technology, there were more than 331 million residents in the United States. The figures also confirmed earlier estimates that the minority population had topped 100 million. The Hispanic/Latino population, as was observed in population estimates in earlier counts, continues to be the largest minority population and now represents nearly 19% (62.5 million) of the U.S. population. Notably, from 2010 to 2020 the Hispanic/Latino population increased from 50.5 million

to 62.1 million. This growth represents more than 50% of the total population increase from 2010 to 2020. This trend has resulted in concerns about not only immigration in general but also illegal immigration. Border states, including Arizona, Texas, and California, have especially taken notice of this trend and reacted with legislation to stem the rising number of illegal immigrants. These states and others have enacted numerous measures to restrict the benefits (e.g., medical, educational) and rights (e.g., due process) of illegal immigrants in their states (Huntington, 2004; MacDonald, 2004). Other states have followed suit, contributing to a national debate on the best way to reduce the number of illegal immigrants in the United States.

Given the rapidly changing demographics of the United States in past years, some have called for the discontinuance of the term *minority* (Teixeira, 2005). In place of *minority*, which some believe is a “term of oppression” or a term that seeks to minimize the collective aspirations of a group, the term *people of color* has been suggested (Teixeira, 2005). Whatever the term to be used, if current estimates are correct, it is clear that one day racial and ethnic groups now considered to be minorities will become nearly half the U.S. population (U.S. Census Bureau, 2004). In fact, estimates are that Whites will represent only 50% of the population in 2050, with Hispanics/Latinos—whose recent population projections have slowed—still representing nearly a quarter of the population and other racial and ethnic minorities comprising the remainder of the populace (Krogstad, 2014; U.S. Census Bureau, 2004). In addition to the varying population figures, Table 1.8 provides some sociodemographic information on several racial/ethnic groups.

TABLE 1.8 ■ Sociodemographic Characteristics of Select Racial/Ethnic Groups, 2021

Category	White	Black/African American	Hispanic/Latino	Asian
Education: Years of School Completed by people 25 years and over by Race/Ethnicity				
High school completion or higher	89%	87.7%	72.4%	91.2%
Associate's or higher degrees	49%	38.6%	29.4%	65.6%
Bachelor's degree or higher	37.9%	27.5%	20.9%	59.2%
Master's degree or higher	14%	10.4%	6.4%	26.6%
Individuals below poverty*	10.1%	19.5%	17%	8.1%
Median Household Income**	\$74,912	\$45,870	\$55,321	\$94,903
Unemployment Rate***	4.7%	8.6%	6.8%	5%

Source: U.S. Census Bureau, Current Population Survey, 2022 Annual Social and Economic Supplement (CPS ASEC).

*Source: U.S. Census Bureau, Current Population Survey, 2020 and 2021 Annual Social and Economic Supplements (CPS ASEC).

**Source: U.S. Census Bureau, Current Population Survey, 1968 to 2021 Annual Social and Economic Supplements (CPS ASEC).

***Source: U.S. Bureau of Labor Statistics, Current Population Survey (CPS). Chart 4. Unemployment rates by race and Hispanic or Latino ethnicity, 2021 annual averages

Details may not sum to totals due to rounding.

PREJUDICE, DISCRIMINATION, AND IMPLICIT BIAS

Even with the growth in the minority population, prejudice and discrimination remain central concerns. **Prejudice** is a negative attitude toward a particular group. This is usually in the form of stereotypes that often result in people making negative generalizations about an entire group. **Discrimination** is the “unequal treatment of a person or persons based on group membership” (Healey, 2007, p. 20). As you can imagine, having prejudicial attitudes toward a particular group, in many instances, can lead to discriminatory actions in areas such as employment, housing, and the criminal justice system.

Implicit bias represents another concept that has received more attention, in general as well as in criminal justice research (see also Chapter 4). **Implicit bias** is observable when prejudicial views are used to make decisions—unconsciously (Anderson, 2017). In other words, someone might not be aware of acting in a prejudicial manner towards another person or group because the negative or positive belief that is causing the action is stored in the subconscious (Anderson, 2017). These subconscious beliefs can cause criminal justice professionals to treat one group punitively because their implicit biases cause them to see that group as being prone to violence and treat another group leniently—even in similar circumstances—because their implicit biases cause them to view the other group as harmless. Thus, determining whether prejudice, discrimination, and implicit bias permeate the criminal justice system is critical to understanding the role of racism in justice system outcomes.

Reverse Racism/Discrimination

In the last several decades, there has been talk of “reverse racism” or “reverse discrimination.” Peucker (2023) defines reverse racism “. . . as situations where white people believe they are negatively stereotyped or discriminated against because of their whiteness—or treated less favourably than people of colour.” Within America and in other societies there has been a move to push back against efforts to diversify societal institutions that have traditionally excluded minorities. Most notably, within the United States, the creation of affirmative action was the main tool to assist largely racial/ethnic minorities and women to enter arenas that were nearly exclusively White (e.g., Ivy League institutions, and various occupations and leadership positions). While the efforts tied to affirmative action did move the needle in the area of diversity, there was considerable pushback from Whites who felt they were being displaced in elite institutions and certain employment opportunities. A series of Supreme Court cases argued that affirmative action was essentially providing its beneficiaries an unfair advantage. Among the claims, were that “reverse racism” was taking place when affirmative action programs were used to level the playing field in admissions and employment decisions. In the recent case . . . the Supreme Court ruled that affirmative action at elite universities that take race into account were unconstitutional. Even though the case outlawed affirmative action, theorists suggest that such programs did not constitute “reverse racism.” This is because most scholars believe that both prejudice and power are required to discriminate. Thus, given the situation of most racial/ethnic minorities, discrimination is less likely to be the case. As Peucker (2023) notes “Prejudice and discrimination are inherently tied to historically rooted and entrenched, institutionalized

forms of systemic racism and racial hierarchies, injustices and power imbalance.” Given the minimal representation of Blacks in positions of power in the political and economic systems in the United States, “reverse racism” could only become a reality in a post-racial society—something many scholars agree is not on the horizon (Peucker, 2023).

The remainder of this chapter provides a brief historical overview of each major racial/ethnic group, highlighting the complex history of race in America and how this history is intertwined with crime and the criminal justice system. Readers should keep in mind that our historical review is not meant to be comprehensive. Rather, we see our review as illustrating that concerns regarding race and crime are not new and have been the norm since distinctive racial and ethnic groups from across the globe arrived in America.

HISTORICAL ANTECEDENTS OF RACE AND CRIME IN AMERICA

Native Americans

Prior to the arrival of Europeans in the Americas, the original people occupying lands now called the United States had existed on the continent for thousands of years. It is believed that they originated from eastern Asia. More specifically, it is believed that they have been in North America for the last 30,000 years, having crossed over from Asia into America on glaciers that, due to warming trends, later melted (Polk, 2006, pp. 3–4). Over time, they built complex societies throughout the Americas. Even so, upon their arrival in the Americas (South America and the West Indies), Christopher Columbus and his followers clearly viewed these people, whom they referred to as “Indians,” as inferior (H. J. Clarke, 1992). The views of the European newcomers toward those now referred to as “Native Americans” were made plain by their actions. The brutality that followed has been painstakingly documented by firsthand observers of the massacres (De Las Casas, 1552/1993). Sale (1990) has suggested that prior to the arrival of Europeans there were about 15 million Native Americans in North America. According to Healey (2003), nearly four centuries later, in 1890, only 250,000 remained. Today, there are slightly more than 5.3 million Native Americans/Alaskan Natives in the United States. Nonetheless, considering the historical decimation of the Native American population, some criminologists have viewed their massacre as genocide (Barak et al., 2014).

Although some have categorized all Native Americans into one group, they represent “a diverse array of nations, with major differences in population, economies, politics, language, and customs” (Feagin & Booher Feagin, 2012, p. 139). It has been noted that their societies were more advanced than those of the Europeans who colonized them. Consequently, Europeans borrowed much from Native American agriculture and pharmacology. Furthermore, some have noted that “Benjamin Franklin, Thomas Jefferson, and other colonial leaders admired and were influenced by the democratic institutions of certain indigenous nations such as the Iroquois. Even the symbol of the United States, an eagle clutching arrows, was copied from Iroquois symbols” (Feagin & Booher Feagin, 2012, p. 146).

During their initial contact with Europeans, Native Americans assisted the newcomers with advice on how to survive in their new environment. However, once colonists became

comfortable with the surroundings, they began to displace, enslave, and destroy Native American societies. In time, massacres of Native Americans became commonplace throughout the colonies, but once the Constitution was ratified (with little mention of Native Americans), treaties were enacted with the aim of ending massacres and also protecting Native American lands from further pillage. But the government did not honor the treaties. Such actions were sanctioned at the highest levels, with presidents such as Andrew Jackson encouraging the defiance of Supreme Court rulings related to Native Americans. From 1790 to the mid-1800s, there were more than 300 treaties signed between Whites and Native Americans, most of which were not honored. As a result, conflicts persisted, which led to concerns regarding “criminal aggression” and the subsequent enactment of another approach: removal. Healey (2003) wrote,

East of the Mississippi, the period of open conflict was brought to a close by the Indian Removal Act of 1830, which dictated a policy of forced emigration to the tribes. The law required all eastern tribes to move to new lands west of the Mississippi. Some of the affected tribes went without resistance, others fought, and still others fled to Canada rather than move to a new territory. (p. 190)

This infamous “Trail of Tears,” as it became known, resulted in the death of thousands of Native Americans. Nearly 40 years later, in 1867, the Doolittle Committee, which was investigating several recent massacres of Native Americans, found that much of the aggression by Native Americans around that time had occurred in response to White aggression (Harjo, 2002).

The same year of this massive removal of Native Americans, the Bureau of Indian Affairs (BIA) was established to handle matters related to this population. Following the creation of the BIA, the agency had to deal with the competing aims of the federal government. On the one hand, the government created the agency to help Native Americans; on the other hand, the military had a policy of “genocidal extermination.” Nearly 60 years after the creation of the BIA, the 1887 Dawes Act legislated that individual families be provided with reservation lands. While well meaning, as Feagin and Booher Feagin (2012) observed, “This policy resulted in a large-scale land sale to Whites. Through means fair and foul, the remaining 140 million acres of Indian lands were further reduced to 50 million acres by the 1930s” (p. 146). In the early part of the 20th century, the government tried to assimilate Native Americans by sending them to Indian boarding schools that were Christian-based and were used to indoctrinate Native Americans into American culture. During this process, Native Americans were forced to abandon their native languages and customs. The attempt to assimilate Native Americans culminated during the 1920s with the passage of the Indian Citizenship Act of 1924, which granted all Native Americans citizenship. The end of this period saw Native Americans calling for new policies, one of which came in the form of the 1934 Indian Reorganization Act. This act, which essentially ended the Dawes Act, “was intended to establish Indian civil and cultural rights, allow for semiautonomous tribal governments, and foster better economic development on reservations” (Feagin & Booher Feagin, 2012, p. 147). As with all legislation, there were problems. Most notably, Native Americans saw this act as giving too much power to the secretary of the interior. In addition, many Native Americans believed the act violated their sovereignty, or their right to govern themselves, which had been provided by previously enacted treaties.

The second half of the 20th century spurred more attempts by Native Americans to shed governmental control. In the early 1950s, Congress enacted legislation called *termination*, which “call[ed] for an end to the reservation system and to the special relationships between the tribes and the federal government” (Healey, 2004, p. 134). This process also negated previous treaties, a policy that was vigorously opposed by Native Americans. In addition, based on the specifics of the policy, “Tribes would no longer exist as legally recognized entities, and tribal lands and other resources would be placed in private hands” (Healey, 2004, p. 134). Because of this policy, many Native Americans moved to urban areas.

The decades following the enactment of the termination policy saw increasing opposition from Native Americans. After about 25 years, the policy was repealed. In 1975, the Indian Self-Determination and Education Assistance Act “increased aid to reservation schools and Native American students and increased the tribes’ control over the administration of the reservations, from police forces to schools and road maintenance” (Healey, 2004, p. 136). This act provides much of the basis on which many tribes now operate. Recent federal legislation has enabled some tribes to open gambling facilities on reservations, which, according to the National Indian Gaming Commission website (<http://www.nigc.gov>), generated more than \$40.9 billion in revenues in 2022. Other tribes have invested in additional ways to generate revenue (e.g., tax-free cigarette sales). Native Americans’ move to self-determination also has resulted in suits against the federal government seeking reparations for past broken treaties. In a similar vein, Regan (2014) argues that there are five ways the government keeps Native Americans in poverty: Indian lands being owned and managed by the federal government, economic development being controlled by the federal government, the complex legal framework that hinders economic growth, energy regulation that makes it difficult to manage their resources, and the mismanagement of Indian assets by the government. In recent years there remains concerns about Native American communities. It has been argued that drug traffickers are targeting Native American communities. As a result, there has been a 33% rise in the fatal drug overdoses (Davidson, 2023). Despite the notable governmental impediments and the recent rise in drug concerns, with 561 recognized tribes, Native Americans remain a notable presence in the United States.

African Americans

African Americans are another group that has had a long and arduous relationship with the United States. With the Native American population nearly completely decimated because of brutality, enslavement, and diseases that were brought to the Americas by the Spanish, Bartolomé De Las Casas, the priest who accompanied Columbus to America, sought a way to halt their extermination.

De Las Casas’s idea centered on not ending the slave system but instead replacing the Native Americans with another labor force: Africans. Of De Las Casas’s thinking, Finger (1959) wrote,

Having heard that the Negroes of the Portuguese colonies in Africa were more robust than the natives of the West Indies Islands, he [De Las Casas] recommended that Black slaves be imported to take the place of Indians in server tasks of the plantations and mines. (p. 716)

Finger (1959) also described the results of De Las Casas's suggestion:

A terrible traffic in human flesh ensued. Portuguese raiders carried the Africans from their homes, and English sailors conveyed them across the Atlantic. Spanish, Portuguese, and later English slave-owners worked the poor black men as though they possessed no natural rights as human beings. (pp. 716–717)

As with the decimation of the Native American population, the slave trade involving Africans has been viewed as genocidal and referred to as the “African holocaust” (J.H. Clarke, 1992).

It is disputable as to when Africans initially arrived in the colonies. Some suggest that Africans arrived in America long before their arrival in the 1600s as indentured servants and slaves (Goodwin, 2008; Van Sertima, 1976). But the prevailing historical account describes Africans arriving in America in 1619 as a result of piracy (Hanna-Jones, 2021; Higginbotham, 1996). When a slave ship carrying Africans headed to the West Indies was taken over by pirates and ran out of supplies, the pirates landed in Jamestown, Virginia, where they sold the Africans for food and supplies. It is important to note that, prior to their movement into perpetual slavery, Africans had existed much like the other citizens in the colony. Thus, from their arrival in 1619 to the 1660s, Africans were not considered slaves in colonial America; they were able to fulfill indentures and were fairly integrated into the life of the colony. After 1660, however, colonial legislation made it clear that Africans were to be considered slaves.

McIntyre (1992) believes the leaders of the colony came to a juncture where they needed to decide the best way to further the economic fortunes of its citizens, and they came up with several potential options. The first involved the continued use of the indentured servant system for Blacks and Whites. Second, the colonists, like the Spaniards earlier, thought about enslaving the Native Americans. Third, both Native Americans and Blacks could be enslaved. Fourth, the colonists could create a free labor system for Blacks, Whites, Indians, and immigrants. Eventually, they chose the fifth option: the enslavement of Blacks. McIntyre (1992) has suggested that this was the case because Whites had the option to appeal for protection from the British monarchy; in addition, they could appeal to general White public opinion. Enslaving Native Americans did not appeal to the colonists because besides feeling that they would not hold up under slave conditions, they were aware that the natives were familiar with the terrain, which would have permitted easy escape. For the next two centuries, African Americans would serve as the primary labor force keeping the Southern economy afloat.

Although much of the slave system was kept intact by “plantation justice,” there was little interference in these matters from outside developing criminal justice institutions, except when slaves escaped or there was a slave revolt. In times of escapes, slave owners cooperated by enlisting **slave patrols** to ensure slaves were quickly captured and returned to their owners. Similarly, when slave revolts occurred, slave owners worked together to expeditiously bring a close to the uprisings that threatened the stability of the slave system (H. Aptheker, 1943/1993). Slave owners were so committed to quelling escapes and revolts that they enacted widespread “slave codes” to reduce their likelihood. Describing the slave codes, Russell (1998) wrote,

Slave codes embodied the criminal law and procedure applied against enslaved Africans. The codes, which regulated slave life from cradle to grave, were virtually uniform across states—each with the overriding goal of upholding chattel slavery. The codes not only

enumerated the applicable law but also prescribed the social boundaries for slaves—where they could go, what types of activity they could engage in, and what type of contracts they could enter into. Under the codes, the harshest criminal penalties were reserved for those acts that threatened the institution of slavery (e.g., the murder of someone White or a slave insurrection). The slave codes also penalized Whites who opposed slavery. (pp. 14–15)

In addition to the slave codes, Whites used psychology to keep the slave system intact. Describing the nature of this process, Claude Anderson (1994) wrote that “this process was designed to instill in Blacks strict discipline, a sense of inferiority, belief in the slave owners’ superior power, acceptance of the owners’ standards and a deep sense of a slave’s helplessness and dependence” (p. 165). Moreover, Anderson added, “the slave owners strove to cut Blacks off from their own history, culture, language, and community, and to inculcate White society’s value system” (p. 165).

Another telling dynamic during the slave era was the way in which punishment was exacted for crimes committed by African Americans in comparison with Whites. After reviewing nearly every appellate case on antebellum slavery and race relations from 1630 to 1865, A. Leon Higginbotham, the late jurist and scholar, formulated his “Ten Precepts of American Slavery Jurisprudence” (Higginbotham, 1996; see In Focus Box 1.2). These precepts describe the foundations on which justice was distributed during this era. Most notably, to maintain the slave system, White supremacy called for little justice to be distributed to African Americans, whereas Whites were indifferent to their own criminal activity. This disparity in judicial response was most pronounced in the crime of rape. White men might rape Black women with impunity; however, if Black men so much as looked at White women in an unacceptable way, they were subjected to severe beatings. Table 1.9 highlights the differential punishments for African American and White crimes during the slave era.

TABLE 1.9 ■ Criminal Punishments by Race in Slave-Era Virginia

Crime	White Offender	Black Slave Offender
Murder (White victim) Petit treason (murder of slave owner)	Maximum penalty: death	Death
Murder (Black victim)	Rarely prosecuted	If prosecuted, whipping, hard labor, or death
Rape (White victim)	10–20 years, whipping, or death if minor victim	Death or castration (same penalty for attempted rape)
Rape (Black victim)	No crime	No crime, exile, or death (If rape of free Black women, penalty could be death)
Assault (White victim)	1–10 years (if done with intent to kill)	Whipping, exile, mutilation, or death

Source: Reprinted with permission from the *North Carolina Law Review*, Vol. 70, pp. 969, 1070 (1992).

IN FOCUS 1.2

THE 10 PRECEPTS OF AMERICAN SLAVERY JURISPRUDENCE

1. *Inferiority*: Presume, preserve, protect, and defend the ideal of the superiority of Whites and the inferiority of Blacks.
2. *Property*: Define the slave as the master's property, maximize the master's economic interest, disregard the humanity of the slave except when it serves the master's interest, and deny slaves the fruits of their labor.
3. *Powerlessness*: Keep Blacks—whether slave or free—as powerless as possible so they will be submissive and dependent in every respect, not only to the master, but to Whites in general. Limit Blacks' accessibility to the courts and subject Blacks to an inferior system of justice with lesser rights and protections and greater punishments. Utilize violence and the powers of government to ensure the submissiveness of Blacks.
4. *Racial "Purity"*: Always preserve White male sexual dominance. Draw an arbitrary racial line and preserve White racial purity as thus defined. Tolerate sexual relations between White men and Black women; punish severely relations between White women and non-White men. As to children who are products of interracial sexual relations, the freedom or enslavement of the Black child is determined by the status of the mother.
5. *Manumission and Free Blacks*: Limit and discourage manumission; minimize the number of free Blacks in the state. Confine free Blacks to a status as close to slavery as possible.
6. *Family*: Recognize no rights of the Black family; destroy the unity of the Black family; deny slaves the right of marriage; demean and degrade Black women, Black men, Black parents, and Black children; and then condemn them for their conduct and state of mind.
7. *Education and Culture*: Deny Blacks any education, deny them knowledge of their culture, and make it a crime to teach those who are slaves how to read and write.
8. *Religion*: Recognize no rights of slaves to define or practice their own religions, choose their own religious leaders, or worship with other Blacks. Encourage them to adopt the religion of the White master, and teach them that God, who is White, will reward the slave who obeys the commands of his master here on earth. Use religion to justify the slave's status on earth.
9. *Liberty-Resistance*: Limit Blacks' opportunity to resist, bear arms, rebel, or flee; curtail their freedom of movement, freedom of association, and freedom of expression. Deny Blacks the right to vote and to participate in government.
10. *By Any Means Possible*: Support all measures, including the use of violence, that maximize the profitability of slavery and that legitimize racism. Oppose, by the use of violence if necessary, all measures that advocate the abolition of slavery or the diminution of White supremacy.

Source: Higginbotham, A. L. (1996). *Shades of freedom: Racial politics and the presumptions of the American legal process*. Oxford University Press, 195–196.

The 1700s brought similar race and crime concerns. Some Whites, however, continued to show indifference toward their own criminal activity. Although the slave system began to expand under the encouragement of the colonial aristocracy, the slave trade began to be

shunned in the international community. Subsequently, there was a movement to stop the trade, although slavery continued for those slaves already in America. Du Bois (1891) wrote about the movement to stop the slave trade as having four periods, and these were tied to large-scale efforts by Whites to circumvent the law. Du Bois wrote that there were varying levels of commitment to this initiative. The compromise of the Constitutional Convention allowed the slave trade to continue until 1808; however, Du Bois's research showed that Whites never took the prohibition seriously, considering the large numbers of persons who were actively involved in trading slaves even with the threat of imprisonment.

Du Bois found that when the U.S. government signed the Treaty of Ghent in 1814, it further committed to ending the international slave trade. As a condition of this commitment, participating nations were asked to engage in searches of vessels abroad; however, the United States was unwilling to agree to this stipulation. Hence, many ships that flew the American flag were not American; they were slave traders who sought refuge by using the American flag. Du Bois also noted that even after the **death penalty** was instituted for slave trading, he found few instances when Whites had been convicted, much less executed, for being connected to the slave trade. In the end, this early form of White crime in America, which was particularly tied to the ruling class of slaveholders in the South, was allowed to persist because Whites were unwilling to give up the financial benefit derived from the slave trade and system (C. Anderson, 1994; E. Williams, 1944).

During the mid-1850s, there was a crisis brewing regarding slavery. Although a civil war seemed imminent, the North and South tried to delay the inevitable. Of particular concern during this period was the acquisition of territories in the southwest portion of the United States. The debate centered on which states should be slave states—if any at all. Predictably, Northerners argued to keep such states free, whereas Southerners wanted to preserve the institution of slavery, so they argued the reverse. Vigorous debate led to the well-known Compromise of 1850, which essentially gave each side a portion of what it wanted. For example, California entered the Union as a “free state,” while other territories would enter the Union without mention of slavery (Franklin & Moss, 2000). One of the provisions of the compromise led to the enactment of the Fugitive Slave Law of 1850.

A revision of the 1793 Fugitive Slave Act, the Fugitive Slave Law (or Act) of 1850 was structured to ensure the return of runaway slaves. This revised legislation called for the appointment of numerous commissioners who were authorized to hire deputies who all could “enlist the aid of bystanders or possess to enforce the act” (Kennedy, 1997, p. 83). Furthermore, monetary incentives were tied to this process. For example, “commissioners would be paid a fee of \$5 in each case in which he determined that a slave master was *not* [emphasis added] entitled to an alleged fugitive slave, and would be paid a fee of \$10 in each case in which he determined that a master was entitled to the accused person” (Kennedy, 1997, pp. 83–84). Finally, to illustrate the seriousness with which the enforcement of the 1850 act was to be taken, there was a stipulation that if a U.S. Marshal refused or neglected to execute warrants issued by commissioners he would be fined \$1,000 (Kennedy, 1997). The enactment of this legislation and other provisions of the Compromise of 1850 still could not stop the move toward civil war. Thus, not long after the notorious 1857 Dred Scott decision that continued to increase the tensions between North and South, the country headed into the Civil War in 1861.

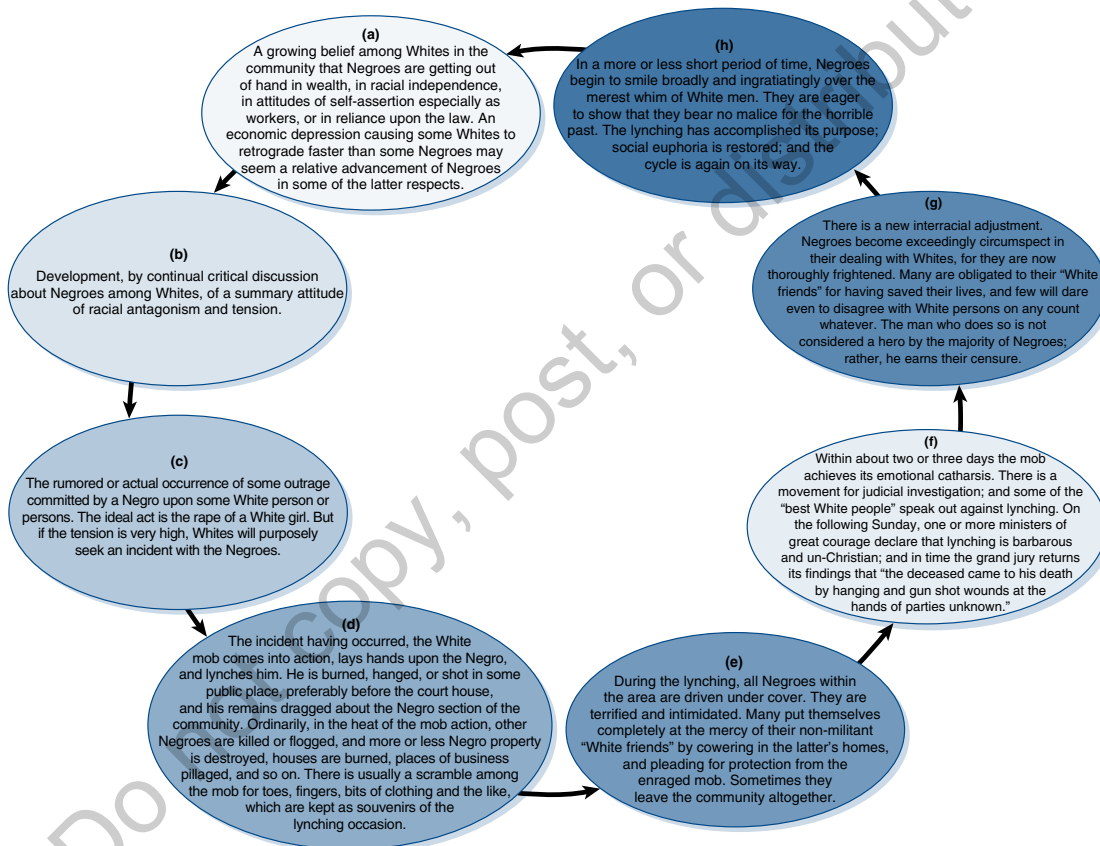
Following the Emancipation Proclamation in 1863, which freed the slaves in the Confederate states, and the enactment of the Thirteenth Amendment in 1865, which ended slavery throughout the United States, many African Americans chose to remain in the South. Others dreamed of migrating north and starting anew. Unfortunately, Southern landowners were unwilling to part so easily with their former free labor force. Therefore, following emancipation, they enacted the **Black codes**. These codes were an assortment of laws that targeted poor Whites and African Americans. Some scholars have argued that the laws were specifically created so that a significant number of African Americans could be returned to plantation owners through the **convict lease system** (Du Bois, 1901/2002; Myers, 1998; Oshinsky, 1996). The convict lease system allowed states to lease convict labor to private landowners. Although some poor Whites also became entangled in this legal system, most of the inmates who were leased out to Southern landowners were African Americans. Before long, whereas previously they had engaged only in trivial offenses, African Americans began to engage in more bold and brutal offenses; this development shocked Southern Whites who had created the unjust system (Du Bois, 1901/2002).

Prior to the Civil War, primarily Whites had been incarcerated in Southern penal institutions, and one product of the massive changes in the South was the increasing number of African Americans found in prisons. Following this period, along with the convict lease system, states such as Mississippi ran notorious state prisons that put the prisoners to work. Parchman Farm was one of the most infamous (Oshinsky, 1996). The Reconstruction era also brought the formal advent of hate groups. Groups such as the Knights of White Camellia, the Constitutional Union Guards, the Pale Faces, the White Brotherhood, the Council of Safety, the '76 Association, and the infamous Knights of the Ku Klux Klan were all formed to ensure White supremacy ruled in the South following emancipation and the passage of the Thirteenth Amendment in 1865, which officially abolished slavery. These groups wreaked havoc on African Americans and other citizens, who were targets of their hatred. **Lynching** became the means used to intimidate and handle those who challenged the racist White power structure (see Figure 1.4). It is generally accepted that, between 1882 and 1930, "At least three thousand Black men, women, and children were murdered by White gangs during this era of the lynch mob, and this toll does not count other racially motivated murders or Black deaths from race riots" (Beck & Tolnay, 1995, p. 121; also see Chapter 2 for lynching statistics). These indiscriminate killings of African Americans (and some Native Americans and Spanish-speaking minorities), usually by hanging, were typically carried out to avenge some unsubstantiated crime committed by an African American or other "undesirable" minority against a White person (Zangrando, 1980). In most instances, rape was alleged to justify these horrific actions.

The Ku Klux Klan emerged as the leading hate organization. In an effort to suppress African American economic equality and pride, the Klan beat African Americans for minor things, such as "Black women . . . dressing in brightly-colored clothes, and men for being impolite, talking back to Whites or failing to say 'Yes Sir'" (Katz, 1986, p. 39). In many jurisdictions, Klan activities were condoned by local law enforcement. As a result, many African Americans lost faith in the justice system and stopped reporting crimes altogether (Katz, 1986).

On the eve of the 20th century, the *Plessy v. Ferguson* (1896) "separate but equal" decision was hailed by Southern bigots. This decision was significant in that it gave Whites legal support

FIGURE 1.4 ■ Oliver Cox's Lynching Cycle



Source: The Journal of Negro Education by HOWARD UNIVERSITY. Copyright 1945 Reproduced with permission of JOURNAL OF NEGRO EDUCATION in the format Textbook via Copyright Clearance Center.

to enforce some of their ideas concerning White supremacy and the separation of the races. Furthermore, this decision enabled law enforcement officials to take action against African Americans who sought basic services now reserved for Whites. Du Bois (1899) clearly saw the danger of state-sanctioned segregation, writing,

[Another] cause of Negro crime is the exaggerated and unnatural separation in the South of the best classes of Whites and Blacks. A drawing of the color line, that extends to street-cars, elevators, and cemeteries, which leaves no common ground of meeting, no medium for communication, no ties of sympathy between two races who live together, and whose interests are at bottom one—such a discrimination is more than silly, it is dangerous. (p. 1357)

Ten years after the turn of the 20th century, African Americans were primarily Southern. Meier and Rudwick (1970) observed that “approximately three out of four lived in rural areas and nine out of ten lived in the South” (p. 213). The “Great Migration,” however, changed the landscape of the North and South. By the 1950s, “Negroes were mainly an urban population, almost three fourths of them being city-dwellers” (Meier & Rudwick, 1970, p. 213). During this era, African Americans crowded into Northern cities in search of job opportunities; what they found, however, were overcrowded urban areas with assorted European immigrants either seeking similar opportunities or already established in the low-skill, low-wage jobs that African Americans had hoped to obtain. African American women were able to secure employment in domestic service, where, unfortunately, White men often sexually assaulted them. Writing of the dilemma this posed, scholar-activist Angela Davis (1981) noted,

From Reconstruction to the present, Black women household workers have considered sexual abuse perpetrated by the “man of the house” as one of their major occupational hazards. Time after time they have been victims of extortion on the job, compelled to choose between sexual submission and absolute poverty for themselves and their families. (p. 91)

African American men who did find work were also relegated to menial jobs and, from 1890 to 1930, were often used as strikebreakers (Massey & Denton, 1993). Their role as strikebreakers often led to racial violence in the North, which repeatedly culminated in race riots. From 1900 to 1919, there was a steady stream of race riots throughout the North. The riots continued into the 1920s, with Whites resisting integration “by any means necessary.” As Massey and Denton (1993) documented,

A wave of bombings followed the expansion of Black residential areas in the cities throughout the north. In Chicago, fifty-eight homes were bombed between 1917 and 1921, one every twenty days; and one Black real estate agent, Jesse Binga, had his home and office bombed seven times in one year. (p. 35)

Devastating riots followed in Tulsa, Oklahoma, in 1921 (Hirsch, 2002) and Rosewood, Florida, in 1923 (D’Orso, 1996; Russell, 1998). Because of the continuing racial tensions related to labor competition and integration attempts, race riots persisted well into the 1960s (Grimshaw, 1969).

In the 1930s, the “Scottsboro Boys” drew international attention to the plight of African Americans. The case involved several African American boys who were traveling in a freight train with several White boys and two White girls. After a fight ensued, the White boys were ejected from the train. At the next stop in Scottsboro, Alabama, the girls got off the train and claimed they had been gang-raped by the nine African American boys. Playing on the worst fears of Southern White men, the girls’ accusations resulted in a mob being quickly formed in anticipation of the lynching of the boys (Carter, 1969). With the protection of law enforcement, however, the boys made it to trial. Following several trials, the boys were found guilty and received the death penalty. Although it was later revealed that the claims were a hoax, the boys spent the better part of their youth and early adulthood incarcerated for crimes they did not commit.

During the 1930s and 1940s, there was continued interest in the subject of crime among African Americans. In the last edition of his landmark text, *Principles of Criminology* (1947), pioneering criminologist Edwin Sutherland devoted a chapter to “crime in relation to race and nativity.” He first noted that, much like today, African Americans were “arrested, convicted, and committed to prisons approximately three times as frequently as White persons” (p. 121). Sutherland also cautioned that some of these statistics “probably reflect a bias against all of the minority races but especially against the Negro” (p. 121).

By the early 1950s, African Americans and other ethnic groups were still struggling to survive in an increasingly segregated and hostile America. Some turned to crime, whereas others turned to the United Nations for assistance. In 1951, African Americans petitioned the United Nations and charged the U.S. government with genocide against African Americans (Patterson, 1951/1970). Although the United Nations did not respond to the petition, African Americans had made the commitment to try to change their position within American society. This movement was given a further push by the 1955 kidnapping and slaying of Emmett Till in Mississippi.

The shocking and brutal killing of the 14-year-old boy for “disrespecting” a White woman spurred a movement that picked up steam with the Montgomery boycott, which started on December 5, 1955. The civil rights movement showed the national and international communities the depth of racial hatred and interracial strife in America. The demonstrations that defined the movement were seen by millions on TV, and the brutality of the police toward nonviolent demonstrators spoke to the oppressive role the police played in the African American and other minority communities.

By the 1960s, according to figures from Tuskegee Institute (Zangrando, 1980), lynchings were rare events; however, Whites had successfully used the practice to discourage any serious level of integration. Therefore, although Thurgood Marshall and his colleagues were successful in the landmark *Brown v. Board of Education* (1954) case, minority communities did not substantially change for decades. Because of “the white strategy of ghetto containment and tactical retreat before an advancing color line” (Massey & Denton, 1993, p. 45), substantial underclass communities were in existence by the 1970s. This bred a level of poverty and despair that fostered the continuation of the African American criminal classes and organized crime. The riots of the 1960s were a response to the long-standing troublesome conditions in some of these cities (National Advisory Commission on Civil Disorders, 1968).

When African Americans (especially those that comprised a growing middle class) were finally able to take advantage of the opportunities forged by the Civil Rights Movement and desegregation, many of them left inner-city areas for the suburbs (an event known as “Black flight”). As a result, the level of stability they had brought to the inner-city communities disappeared after the exodus. Those communities are now composed of what Wilson (1987) describes as “the truly disadvantaged.” They are heavily dependent on the underground economy for survival (see Venkatesh, 2006, 2008), which has likely contributed to the overrepresentation of African Americans throughout the U.S. criminal justice system.

In the mid part of the first decade of the 2000s, the plight of the **truly disadvantaged** was brought to the forefront of American consciousness with the 2005 Hurricane Katrina fiasco, in which the government—at all levels—failed to provide an adequate response to the needs of poor and mostly Black New Orleans residents (Dyson, 2006; Potter, 2007). Moreover, in the absence of government response, citizens who took matters into their own hands have been portrayed as criminals (Russell-Brown, 2006). In the second decade of the 21st century, a spate of high-profile fatal shootings involved unarmed Black males. In 2012, the first shooting to receive considerable national exposure was that of Trayvon Martin, a 17-year-old boy from Florida, who was killed by George Zimmerman, a community watch person (Cooper, Updegrove et al., 2023; Gabbidon & Jordan, 2013; Johnson et al., 2015). Zimmerman killed Martin after confronting him, even though the local police department had told Zimmerman not to approach the young man. Additionally, in 2014, 2015, and 2016 the questionable deaths of Michael Brown in Ferguson, Missouri; Eric Garner in New York City; Freddie Gray in Baltimore; and Alton Sterling in Baton Rouge, Louisiana—at the hands of police officers—spurred nationwide protests and a community movement, “Black Lives Matter,” which sought to highlight the high rate of police killings of young Black men.

Even with the worldwide Coronavirus-19 (COVID-19) pandemic that was formally declared in March of 2020, there continued to be high-profile killings of Blacks by the police. Shortly after the pandemic was declared, Breonna Taylor was killed in her Louisville apartment during a botched drug raid of her home. A few months later, George Floyd was suffocated to death by the Minneapolis Police Department. One officer, Derek Chauvin, sat on his neck for nine minutes while he screamed out that he couldn’t breathe. Floyd died at the scene while officers did nothing to stop the killing which was videotaped by a bystander and was shared around the world. This death catapulted a worldwide movement against police violence against Blacks. Led by groups such as Black Lives Matter and related advocacy groups, there were protests in the United States and in countries across the globe that showed solidarity against the treatment of Blacks by the police. The international protests were not only a result of the Floyd incident but related to similar concerns in other countries (Baroness Casey, 2023; Owusu-Bempah & Gabbidon, 2021). In the aftermath of the Floyd killing, there have been hundreds of Blacks killed by the police (Rahman, 2021).

Even with the ongoing struggles encountered by African Americans and other Black ethnic groups, and the historical fixation on their criminality, they have contributed to every aspect of American life, from the tilling of the soil in the South and factory work in the North to produce the wealth that made America what it is, to the innumerable scientific, musical, and artistic contributions that are now considered staples of American culture (Feagin, 2015).

White Ethnics

During the early 1600s, while the slave trade in South America and the West Indies was commonplace, the British colonized parts of what would later become the American colonies. This led to many of the same kinds of conflicts with Native Americans that the Spanish had quelled with unimaginable brutality. Although the British saw the colonies as somewhere they could send criminals and other undesirables, they also saw the opportunity for monetary gain, so they encouraged immigration to the colonies. Some came as free men and women unencumbered by debt, whereas others used indentures to get themselves to the New World. Indentured servant agreements allowed immigrants to work for a period of time to pay for their travel expenses to the colonies. Once their indentures were completed, immigrants were free to pursue whatever opportunities they desired. In addition to British immigrants, Germans and Italians were among the first to immigrate to America. Many began to arrive in the early 1600s, settling first in New Amsterdam (New York) and later in Pennsylvania (Sowell, 1981).

Given this rich history of European immigration to the United States, we briefly review the history of several **White ethnic** groups. Although our review does not cover every White ethnic group that immigrated to America, we provide discussions of several of the major groups. We begin with an overview of the experience of German Americans. This is followed by a review of the experiences of Italian Americans, Irish Americans, Jewish Americans, and Arab Americans. As you will see, many of these groups have similar stories regarding their reason for making the long journey to America. In addition, many have had nearly identical experiences upon their arrival in America.

German Americans

Faust (1927) places the first German in America at the time of Leif Ericson's pioneering journey that landed him in North America 500 years prior to Columbus's arrival. Among Ericson's crew was a German named Tyrker, who "is credited with discovering grapes in North America and therefore also naming the new land Vineland" (Ripley, 1976, p. 22). Not until the 1500s was there a settlement of Germans in America. Located in Port Royal, South Carolina, the settlement was composed of Huguenots (French Protestants) and Alsatian and Hessian Protestants (both of German origin). The settlement, however, was destroyed by the Spaniards, and thus only lasted four years, from 1562 to 1566. The next wave of German immigrants arrived with the first settlers in Jamestown in 1607. Often referred to as the "Dutch," which is likely "a linguistic slip that occurred because the word 'Dutch' so closely resembles a German's designation for himself, *Deutsch*" (Ripley, 1976, p. 24), they were often mistreated during the early colonial period. Consequently, they sympathized with the plight of Native Americans and "chose to remain with the Indians, preferring their friendship to that of the 'gentlemen' of Jamestown" (Faust, 1927, p. 8).

In the late 1600s, 13 German families arrived in Philadelphia and represented the beginning of mass German immigration to the United States (Coppa & Curran, 1976). Many of these immigrants came at the urging of William Penn, who told them of the religious freedoms in his colony of Pennsylvania (Sowell, 1981). Others came as a result of the disarray in their

homeland. Of this, Coppa and Curran (1976) wrote, “The havoc wrought by the Thirty Years’ War (1618–1648) devastated Germany for many decades: commerce declined; industry was crippled; and intellectual life sustained a deep if not mortal blow” (p. 45). The German population also increased because of the use of indentures to get them to America. Hence, those who wanted to immigrate to America signed contracts that paid their way. As one might imagine, this was shady business. Sowell (1981) writes that

the indentured servants were preyed upon by the dishonest. Some ship captains provided inadequate food or sold them into longer periods of bondage than actually required to work off the cost off their transportation. Germans who could not understand English were particularly vulnerable. (p. 49)

As a consequence of all these events, by the time of the Revolutionary War, there were about 225,000 German Americans in the colonies (Ripley, 1976, p. 29).

Immigration from Germany in the 1800s began slowly, but because of continuing issues in the homeland, Germans continued to hear from other groups of the promise of America. Consequently, around the 1830s, the number of German immigrants rose again and continued to increase throughout the 19th century. By the 1900 census, there were more than 2.6 million Germans in America (Faust, 1927). These formidable numbers made them a significant force in American culture and politics. They were outstanding farmers and glassmakers and have been credited with setting up the first paper mill. Culturally, they incorporated coleslaw, sauerkraut, hotdogs, and hamburgers into American life. Well-known Germans such as Albert Einstein, Babe Ruth, Lou Gehrig, and former presidents Hoover and Eisenhower, among others, helped shape sports, science, and political life in America.

Given their large numbers in the American colonies following the Revolutionary War, Germans, unlike some other ethnic groups, were accepted early in the development of the country. Consequently, throughout the 1800s and 1900s, there were few bumps along the path toward full **assimilation**. An exception to this was during World War I, when America went to war with Germany. The anti-German sentiment was strong, but as Sowell (1981) notes, the animus was not restricted to Germans in Germany:

Anti-German feeling among Americans was not confined to Germany, but extended quickly to the whole German culture and to German Americans, many of whom were sympathetic to their former homeland. German books were removed from the shelves of American libraries, German-language courses were canceled from the public schools, readers and advertisers boycotted German-American newspapers. (p. 65)

Anti-German sentiment returned with World War II; however, it never approached the level it had reached during World War I. Also, it was Japanese Americans who caught the ire of patriotic Americans in the 1940s. After World War II, German Americans further assimilated by intermarriage and their increasing advancement within key institutions in American society. Today, Germans are no longer a distinct census category. In fact, if we look back at their history, we see they have long been considered a significant segment of the White American population.

Italian Americans

Centuries after Christopher Columbus “discovered” the New World, other Italians would take advantage of his discovery by immigrating to the American colonies. Although few in number, Italians were among the earliest immigrants to arrive in colonial America. The small numbers were not simply because of Italian disinterest in immigrating to America. Some jurisdictions, such as Maryland, only allowed the settlement of immigrants from Britain (Iorizzo & Mondello, 2006). But as a result of labor shortages, these laws started to disappear in the colonies. By 1648, Maryland had also changed its practice and passed legislation that “encouraged French, Dutch and Italians to come to its shores” (Iorizzo & Mondello, 2006, p. 26). To further encourage immigration to the colonies, Maryland passed the Toleration Act in 1649, legislation that ensured religious freedom for Catholics. From the 1600s through the mid-1800s, immigration from Italy was steady, but, mirroring the trend of other White ethnic groups, it really picked up in the late 1800s. Those Italians who immigrated were trying to escape the turmoil in their homeland or simply looking for better economic opportunities. Among them were not only poor people but various artists and political dissidents who were middle class and others who were revolutionaries. Settling mostly in northern urban areas, they contributed to the diversity of cities such as Boston, New York, and Philadelphia (Iorizzo & Mondello, 2006).

By 1920, more than 4 million Italians had arrived in the United States. To some, this was not necessarily a welcome development. Leading up to this period, during the late 1800s and early 1900s, heavy anti-Italian sentiment had resulted in numerous killings and hangings (Marger, 1997). Therefore, to stem Italian immigration to the United States, the Immigration Act of 1924 placed a stringent quota on the number of Italians who could immigrate to the country. In 1929, that number “was only 5,802, compared with 65,721 for British Immigrants” (Feagin & Booher Feagin, 2012, p. 98). As it had for other ethnic immigrant groups, their religion, Catholicism, also became a point of contention, and stinging stereotypes, as noted in the experience of other ethnic groups, were created to demonize the new immigrants. Italians were perceived by many to be “dangerous” and “inferior” to other European immigrants. The perception was enhanced by the image of the Italian Mafia (also referred to as the “Black Hand”; Marger, 1997).

The belief that Italians were heavily involved in organized crime likely originated from the fact that many of the immigrants came from Sicily, where the Mafia was a social institution. However, in America, Italian organized crime became an obsession. The terms *organized crime* and *Mafia* became synonymous with Italians. They were considered a lawless race. One congressional report described them as morally deficient, excitable, superstitious, and vengeful (Iorizzo & Mondello, 2006). These negative and racist characterizations were clearly unfair considering that the Irish, German, Jewish, and Polish immigrants had preceded them in organized criminal activity (Iorizzo & Mondello, 2006). In fact, as Sowell (1981) has aptly stated, “Organized crime was an existing American institution, and the Italian Americans had to literally fight their way into it” (p. 125). Despite the prevailing criminal stereotype, in the early part of the 20th century, Italians had “*lower* [emphasis added] crime rates than other Americans” (Sowell, 1981, p. 125). Although Italians eventually assimilated into American society and are presently subsumed under the White racial category, some of the early stereotypes remain.

Irish Americans

According to Meagher (2005), “The first Irishman came to America in 1584 as part of Sir Walter Raleigh’s ill-fated expedition to the Outer Banks of North Carolina” (p. 1). Later, the Irish came in great numbers to America, looking for opportunities to escape extreme poverty in Ireland. Meagher has observed that 60% of those who came in the 17th century did so by way of indentures. Others were given the option of leaving Ireland instead of serving a prison sentence for a criminal conviction. Those who came in the mid-1800s as a result of the potato famine in Ireland, which killed (through starvation and disease) an estimated 1 million people, contributed to the exponential increase of Irish Americans. For example, during the 100-year period from 1820 to 1920, about 5 million Irish arrived in America (Meagher, 2005). They settled in areas throughout the country; however, many landed in northern states such as New York, Massachusetts, Pennsylvania, and Illinois. In addition, by the early 1860s, one-third of the Irish population could be found in the western and midwestern parts of the United States. Wherever the Irish settled, because of the prevailing nativist views and their predominantly Catholic backgrounds (some were Protestant), they often were ostracized and relegated to the worst areas of cities.

Historians have generally agreed that few immigrant groups have encountered the harsh treatment the Irish received in 19th-century America. Many of the Irish immigrants did bring alcoholism and fighting habits to American shores. As a result, they often caught the attention of police officials, who called police vans “paddy wagons” because so many Irish were occupants. In some cities, such as New York, the areas where the Irish dominated were some of the toughest.

The highly acclaimed 2002 movie *Gangs of New York* depicts the immigration of the Irish to New York during a period when there was a strong sense of resentment and hate directed toward immigrants. Largely based on actual events, the movie shows how ethnic antagonism between the native population (English) and newest immigrant group (Irish) resulted in brutal gang wars. The Irish are portrayed as a criminogenic ethnic group that brings bad habits to an already overcrowded and notorious district of New York. The movie culminates with the “Draft Riots,” which were provoked by ethnic tensions and by Whites objecting to being drafted into the Union army to fight for the liberation of African American slaves, while they themselves were struggling to survive. Prior to the September 11, 2001, terrorist attack on the World Trade Center buildings, the Draft Riot was considered the single event to have caused the largest loss of life in New York City history (more than 1,000 deaths).

Not until the second- and third-generation families did the Irish truly start to become a part of the American social fabric. In fact, during the early and mid-20th century, they became major contributors to the arts and were prominently featured in major motion pictures. Nevertheless, they were still faced with challenges. In particular, restrictive immigration quotas in the 1920s also hit them hard, and there were still barriers in place that restricted them from reaching their full potential occupationally. For example, Irish women, unlike other White ethnic females, had to take jobs as domestic servants to make ends meet. As noted previously with the experience of Black female domestics, these were dangerous jobs that often resulted in sexual harassment, rape, or, out of desperation, a descent into prostitution (Meagher, 2005). Nevertheless,

large numbers of the Irish headed to college, and research shows that in the 1920s and 1940s, they were as successful as the native-born European immigrants. By 1960, “Irish occupational status exceeded national averages and was higher than every other White ethnic group except Jews” (Meagher, 2005, p. 132). In short, after experiencing initial resistance to their presence in America, the Irish had fulfilled the promise of the “American Dream.” It is significant that despite encountering early resistance and anti-Irish sentiment, the Irish were able to rise swiftly out of the doldrums of their early American experience. This is likely attributable to the fact that, as time went on, the Irish became integrated into the fabric of American society and assimilated into the status of White Americans (T. W. Allen, 1994; Ignatiev, 1996).

Jewish Americans

Interestingly, the first Jews who arrived in America were of Hispanic origin. In 1654, 23 Sephardic Jews from Spain and Portugal arrived in New Amsterdam (Finkelstein, 2007). Their arrival in the New World began with controversy when the captain of the ship that brought them to America sued them because their fares had not been paid. To pay their fares, “The court ordered two of the new arrivals imprisoned and the belongings of all 23 passengers sold at auction” (Finkelstein, 2007, p. 31). Moreover, the governor of New Amsterdam, Peter Stuyvesant, wanted them to leave. In short, he viewed Jews as repugnant and originating from a “deceitful race” (Finkelstein, 2007, p. 31). Stuyvesant was so anti-Semitic that he banned Jews from building a synagogue and restricted their enlistment in the military. Thus, the first American synagogue was not built until the 1720s. Henceforth, Jews began to branch out and started to become somewhat more accepted within American society. This was fostered by the advent of American Freemasonry, in which Christians and Jews interacted. Although discrimination remained a part of the Jewish American landscape, Article VI of the U.S. Constitution, which banned religious discrimination, provided some respite for Jews who aspired to public office.

The 19th century saw a considerable increase in the Jewish presence in America. Whereas there were only about 3,000 Jews in America in 1820, 40 years later there were approximately 200,000 (Finkelstein, 2007). Tied together by religious and cultural traditions, many arrived from Russia, Poland, and other Eastern European countries, where they had long been persecuted for their religious beliefs and customs. To preserve their culture, in 1843, 12 German Jews gathered in a New York café and founded B’nai B’rith, which means “Sons of the Covenant.” The mission of the organization was ambitious, but it laid the grounds for an organization that, by 1861, was “operating in every major Jewish community in America” (Sachar, 1993, p. 71). The mission of the organization was as follows:

Uniting Israelites in the work of promoting their highest interests and those of humanity; of developing and elevating the mental and moral character of the people of our faith; of inculcating the purest principles of philanthropy, honor, and patriotism; of supporting science and art; of alleviating the wants of the victims of persecution; providing for, protecting and assisting the widow and orphan on the broadest principles of humanity. (Finkelstein, 2007, p. 64)

Recounting Jewish history, Feagin and Booher Feagin (2012) write,

From the Egyptian and Roman persecutions in ancient times to massacres in Spain in the 1400s to brutal pogroms in Russia in the 1880s to German Nazi massacres, Jews might be regarded as the most widely oppressed racial or ethnic group in world history. (p. 115)

Seeking relief from persecution in European countries, Jews continued to arrive in America en masse. In the 40 years from 1880 to 1920, 2 million Jews arrived in America. As the persecution continued, many more arrived and eventually assimilated into the American way of life while maintaining their Jewish traditions. However, coinciding with this significant wave of immigration was an increase in anti-Semitism. Describing this turbulent period for American Jews, Finkelstein (2007) writes, “Much of this was fueled by the stereotypes brought over from Europe by the large numbers of newly arrived Christian immigrants. Jews faced growing restrictions in housing, employment, and education” (p. 79).

During the first quarter of the 20th century, the mass immigration and squalid living conditions of Jews resulted in abundant numbers of Jewish youth hanging out on the streets. This produced rising juvenile delinquency rates, which became the target of a number of Jewish organizations. In a similar vein, whereas the 1920s and 1930s were periods of considerable Jewish progress, Brodtkin Sacks (1997) noted that Jewish success in organized crime was also critical to their upward mobility. She specifically mentioned that “Arnold Rothstein transformed crime from a haphazard, small-scale activity into a well-organized and well-financed business operation. Consider also Detroit’s Purple Gang, Murder Incorporated in New York, and a host of other big-city Jewish gangs in organized crime” (p. 399). These illicit activities were also found among other ethnic groups striving to move up the social ladder, albeit through criminality, in urban areas.

The period also saw quotas established restricting the number of Jews who could attend prestigious universities such as Harvard. Thus, although they were progressing in terms of their status in American society, there remained barriers to full assimilation. Jews, however, continued to be successful in educational pursuits and small businesses. In 1921, Albert Einstein won the Nobel Prize in Physics, and Jews were among the most successful immigrants. Because of their success in education, Finkelstein (2007) notes that “by the end of World War II . . . most Jews had established themselves firmly into the middle class, with large numbers employed in ‘economically secure’ jobs as civil servants: Teachers, accountants, lawyers, and medical professionals” (pp. 129–130). As a result, many moved out of the ghettos and into the suburbs, where they were largely unwelcome. In time, however, Jews assimilated and were also categorized as White Americans (Brodtkin, 1999; Brodtkin Sacks, 1997).

In recent years, there has been an increasing amount of anti-semitism in the United States and abroad. With celebrities such as Kanye West (Ye) repeatedly spewing antisemitic sentiments, Jewish hate crimes have been on the rise. In addition, the 2023 Palestinian–Israeli War also fostered additional anti-Semitism.

Each of the aforementioned White ethnic groups came to America seeking prosperity but was immediately thrust into dire socioeconomic conditions. In many instances, crime provided the means to rise above their condition (Bell, 1960; Light, 1977). Initially, each group was labeled criminal, but after a period of decades, most were able to rise out of their situations and assimilate into America—as White Americans (Gans, 2005). In recent years, some Whites

have become concerned about their status as White Americans. This has led to a resurgence of nativist movements—largely tied to immigration concerns (Mudde, 2012). This resurgence continued with the election of President Donald Trump in 2016. Nativist groups were heavily supportive of his campaign and have emerged as staunch supporters during his presidency (Woodruff, 2017). One group currently classified by the U.S. Census Bureau as White—Arab Americans—has had a divergent experience from other White ethnics in the last decade. We provide a brief overview of their experience in the next section.

Arab Americans

Arab Americans have a long history in the United States. Before we review their experience, it is important that readers understand that the terms *Arab Americans* and *Muslim Americans* are not synonymous. In other words, not all Muslims are Arab. And similarly, not all Arab Americans are Muslims. Arab Americans are a cultural group in the United States, and Muslim Americans are those persons from all races and ethnic backgrounds who follow the Islamic religious tradition. Our focus here is on Arab Americans, who are people from Lebanon, Egypt, Syria, Palestine, Jordan, and a host of other Middle Eastern countries. Orfalea (2006) separates the Arab American experience into three significant waves of immigration. The first wave commenced in 1878 and continued through 1924. There are multiple reasons given for why Arabs immigrated to the United States in the late 19th century. It has been suggested that economics, political conflict, religious strife, and the pursuit of fortune contributed to Arab immigration to America. Not unlike other **White immigrants**, Arab Americans viewed the United States as having “streets of gold” (p. 51). These varying motivations resulted in approximately 200,000—mostly Christian—Arab Americans in the country during the 1920s (Feagin & Booher Feagin, 2012; Kayyali, 2006).

Just as the immigration of other ethnic groups was reduced by legislation, Arab American immigration was affected by the notorious 1924 Immigration Act that severely restricted their total immigration to the United States to fewer than 160,000 (Federal Reserve Archival System for Economic Research, n.d.). The second wave of Arab American immigration followed World War II and spanned the years 1947 to 1966. With the relaxing of immigration policies, Arabs fled war-torn areas in the Middle East. Some came as political refugees in the 1950s and 1960s when the United States passed the Refugee Relief Act that targeted Palestinian refugees. In total, 6,000 Palestinians made use of this act (Kayyali, 2006). The late 1960s saw the third wave of Arab immigration to the United States. Following their defeat in the 1967 Six-Day War against Israel, Arabs became “disillusioned and pessimistic about the future of the Arab world and chose to move to the United States and other non-Arab countries” (p. 33). This resulted in more than 400,000 Arab immigrants arriving in the United States between the 1960s and the 1990s (p. 33).

On the surface, the Arab American story mirrors that of other White ethnics, as they also had to endure negative stereotypes directed at them by other more established immigrant groups. The Arab American story was considerably altered, however, following the events of September 11, 2001 (hereafter 9/11). While other groups quietly assimilated into “Whiteness,” Arab Americans returned to the status of a recognizable minority after the 9/11 terrorist attacks (Jamal & Naber,

2008). The racial animus that had previously targeted minority groups such as Blacks and Latinos also targeted Arab Americans (and Muslim Americans) because of the Middle Eastern backgrounds of the 9/11 terrorists. In particular, Arab Americans were perceived to be the group most likely to engage in terrorist activities; therefore, citizens and policing officials alike were supportive of **racial profiling** of people of Middle Eastern descent. This led to the harassment of Arab Americans and to the term *flying while Arab*, which refers to the additional scrutiny Arab Americans are perceived to receive when traveling by airplane (Baker, 2002; Schildkraut, 2009). Despite this recent harassment directed at them, the estimated 3.8 million Arab Americans remain a vital force in the United States (Arab American Institute, 2023).

The 2023 Hamas–Israeli conflict in the Middle East brought additional attention to Arabs in America. Following the attack, there were protests around the world for and against Palestinians who reside in the Gaza Strip where the war was centered. Notably, the conflict spilled onto protests onto college campuses in the United States that led to widespread conflict between pro-Israeli and pro-Palestinian groups (Treisman & Nadworny, 2023).

Latino Americans

Prior to the 2000 census, the term *Hispanic* was used to refer to persons from Mexico, Puerto Rico, Cuba, and Central and South America. Feagin and Booher Feagin (2012) noted that the term *Latino* emerged because it “recognizes the complex Latin American origins of these groups. It is a Spanish-language word preferred by many Spanish-speaking scholars, activists, and others” (p. 209). While Latino/a are still the preferred terms, and the ones we use in this book, the emerging gender-neutral term **Latinx** has also become commonly used. Our review of their history focuses on the two largest ethnic groups under the Latino category: Mexicans and Puerto Ricans. The data presented earlier in Table 1.2 clearly illuminate the diversity of the American Latino population.

Mexicans

Between 1500 and 1853, the Spanish conquered and ruled Mexico. During these three centuries, the Spanish exploited the Mexican population for their labor. Many Mexicans became Americans with the annexation of Texas. Following the Mexican-American War (1846–1848) and the Treaty of Guadalupe Hidalgo (1848), Mexicans had the option to stay in the United States or return to Mexico. According to Feagin and Booher Feagin (2012), although many returned, others stayed in America.

Sowell (1981) wrote that Mexicans immigrated to America in three great waves. The first wave of Mexicans came to America by railroad—and ironically, over the years, railroads became one of the largest employers of Mexicans. Specifically, they were employed “as construction workers, as watchmen, or as laborers maintaining the tracks. Many lived in boxcars or in shacks near the railroads—primitive settlements that were the beginning of many Mexican-American communities today” (p. 249). Before World War I, other industries employing Mexicans were agriculture and mining. Mexican workers in America were paid considerably more than they were in Mexico. As a result, there was a steady flow of seasonal workers crossing the Mexican border into the United States to earn money to take back home to Mexico. Labor shortages caused by World War

It resulted in formalized programs to encourage such practices. About 500,000 Mexicans came to America to work during this period (Tarver et al., 2002). Beginning in this period, Mexicans also were subject to negative stereotypes, such as being considered “dirty,” “ignorant,” and lacking standards of appropriate behavior (Sowell, 1981). Even so, they were tolerated because of the dire need for their labor. With the arrival of the Depression, “Fears of the unemployed created an anti-immigrant movement, and immigration laws were modified to deport the ‘undesirables’ and restrict the numbers of foreign-contract laborers” (Tarver et al., 2002, p. 54).

About the same time as the notorious Scottsboro cases were being tried, the federal government, under the direction of President Herbert Hoover, commissioned the first national crime commission. Commonly referred to as the “Wickersham Report,” for its director, George Wickersham, the commission’s report, published in 1931, covered almost every aspect of American criminal justice. The report included a review of the state of Mexicans and crime; it found that there were varying levels of crime among Mexicans in California and Texas. In general, however, the report noted that, like African Americans, Mexicans were treated with considerable prejudice by the justice system (Abbott, 1931). The report suggested that the criminality of the Mexicans was overstated. There was also brief mention of Filipinos, who were overrepresented in offenses related to gambling, and Japanese, who were “among the most law abiding of all population groups” (p. 415).

The second wave of Mexican immigrants came to the United States during World War II. Another war had resulted in another labor shortage, which produced the **Bracero Program**, which brought in thousands of agricultural workers. *Bracero* is a Spanish term that was used to describe guest workers coming from Mexico to the United States. When the Bracero Program ended in 1964, 5 million Mexican workers had been imported into the United States (Tarver et al., 2002, p. 54).

The third wave of Mexican immigration is tied to the various immigration laws from the 1970s to the present, which have sought to protect, defend, or curtail Mexican immigration to the United States. One such law, the Immigration Reform and Control Act of 1986, provided temporary residency for some illegal aliens. Furthermore, those who had come to America before 1982 were given permanent resident status. According to Tarver et al. (2002),

This act had an enormous impact on Mexican immigration, with 1,655,842 people entering the United States during the decade of the 1980s. Since the first decade of the twentieth century, this was the largest number of immigrants from a single country. (p. 55)

Another law aimed at Mexican illegal immigration is the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. In addition to shoring up the borders in California and Texas, the act “increased the number of investigators monitoring workplace employment of aliens, passport fraud, and alien smuggling” (Tarver et al., 2002, p. 55). In 2010, because of the continuing fears about illegal immigration (at the time there was estimated to be 11 to 12 million illegal immigrants in America; Hsu, 2010), Arizona passed Immigration Bill SB 1070, known as the “Support Our Law Enforcement and Safe Neighborhoods Act.” In its original form, the bill required immigrants to carry their alien registration information, and it provided law enforcement officials with the discretion to question persons whom they believed were illegal immigrants (referred to as the “papers please” provision). There were other provisions as well. After the law was passed, lawsuits challenged the constitutionality of its assorted provisions. These challenges were

eventually decided in the U.S. Supreme Court case *Arizona v. United States* (2012). The split decision upheld the “papers please” provision of the law that “required state law enforcement agents to demand immigration papers from anyone stopped, detained, or arrested in the state whom officers reasonably suspect is in the country without authorization” (Sacks, 2012).

It is apparent from this type of legislation that some Americans believe the heavy influx of Mexicans is changing the fabric of the country. Besides being concerned about job competition and the strain on social services caused by considerable illegal immigration, Americans have continued their fascination with the perceived connection between immigration and crime (Guevara Urbina, 2012; Hickman & Sutorp, 2008; Higgins, Gabbidon, & Martin, 2010; Martinez & Valenzuela, 2006; Stowell, 2007). As you should know by now, this fear-based fascination is not new—it is the American way (Martinez, 2006). Ironically, very few commentators have taken note of the views of the Hispanics on illegal immigration. Hugo Lopez and Gonzalez-Barrera (2013) have noted that nearly 50 percent of Hispanics actually believe that illegal immigration is positive, while 53 percent of foreign-born Hispanics share the same sentiment. When the public opinion data were disaggregated by Hispanic origin, they found that

Dominicans (59 percent) and Salvadorans (57 percent) are the most likely to say the effect of undocumented immigration on U.S. Hispanics is positive, followed by about half of other Central Americans, 47 percent of Mexicans, and 47 percent of South American Latinos.

Hugo Lopez and Gonzalez-Barrera (2013) noted that the views of Cubans and Puerto Ricans were mixed. Of this trend, they write that thirty-eight percent of Cubans say the impact of undocumented immigration is positive, but 28 percent say it is negative, and 27 percent say there is no impact one way or the other. Among Puerto Ricans, it is split more equally—34 percent say it is positive, 29 percent negative, and 29 percent think there is no effect.

More recently, Latinos views have aligned with the national sentiment that the immigration system in the United States requires major changes (53%) or needs to be completely rebuilt (29%) (Krogstad & Lopez, 2021).

IN FOCUS 1.3 RACE AND CRIME IN THE MEDIA

WHAT WE KNOW ABOUT ILLEGAL IMMIGRANTS FROM MEXICO?

Gonzalez-Barrera and Manuel Krogstad (2019) examined what we know about illegal immigration from Mexico. According to the authors, there were 11.7 million immigrants from Mexico living in the United States. The authors note that nearly half (43%) of these immigrants are in the United States illegally. Notably, the number of illegal immigrants from Mexico has declined by 2 million since 2007. Mexicans currently comprise fewer than half of the 10.5 million unauthorized immigrants in the United States. The authors also note that, in 2016, there were fewer than 200,000 Mexicans apprehended at U.S. borders, down from 1.6 million in 2000. The authors attribute this decline to the “decrease in the number of unauthorized Mexican immigrants coming to the United States.” Slightly more than 192,000 Mexicans were deported in 2017, down from nearly 307,120 in 2013.

Illegal Mexicans are more likely to be long-term residents. Thus, as of 2017, approximately 83% of illegal immigrants from Mexico have resided in the United States for more than a decade. Only 8% of unauthorized immigrants from Mexico resided in the United States for less than five years. Notably, only “51% of unauthorized immigrants from countries *other* than Mexico had lived in the U.S. for less than five years.” (p. 4). Finally, the authors document that 536 unauthorized immigrants from Mexico are enrolled in the Deferred Action for Childhood Arrivals (DACA) program in 2019. This program provides work permits and protection from deportation from those meeting the program criteria.

1. Do you believe building a wall along the U.S.–Mexico border will reduce the number of illegal immigrants from Mexico?

Source: Gonzalez-Barrera, A., & Krogstad, J. M. (2019). *What we know about illegal immigration from Mexico*. <https://www.pewresearch.org/short-reads/2019/06/28/what-we-know-about-illegal-immigration-from-mexico/>

Puerto Ricans

In the late 1400s, the island of Puerto Rico was colonized by the Spanish. But it was not until 1897 that Puerto Ricans gained their independence. The year after they achieved independence, in 1898, the Spanish-American War resulted in the United States taking over the island. In the 1950s, Puerto Rico became a commonwealth of the United States, granting Puerto Ricans more independence in their governance. From 1945 to the 1970s, the high unemployment rate resulted in one in three Puerto Ricans leaving the island (Feagin & Booher Feagin, 2012). Significant numbers of Puerto Ricans headed to New York and other states, such as New Jersey and Delaware. Thus, after having only 2,000 Puerto Ricans in New York in 1900, the state saw an increase to 70,000 in 1940 and 887,000 by 1960, the result of significant Puerto Rican immigration to the United States (Feagin & Booher Feagin, 2012). Upon their arrival, as with other immigrants who headed to the “promised land,” they were faced with high levels of unemployment and poverty. In fact, these dire circumstances resulted in what has been referred to as “circular migration.” That is, after the opportunities they were seeking did not materialize, Puerto Ricans would head home, but then return because of the lack of opportunities in Puerto Rico. Mirroring the experience of other racial and ethnic groups, over time, Puerto Ricans were also saddled with negative stereotypes, such as “lazy,” “submissive,” “violent,” and “criminal.” Moreover, because they cannot always “pass” as White, they have been unable to assimilate as well as some other ethnic groups. As a result of their varying skin tones and backgrounds, they often are categorized as either White or Black.

A Brief Note on Other Latino Americans

Cubans are also a notable segment of the Latino population. With much of their immigration coming after Fidel Castro’s takeover of the government in 1959, they currently number about 2 million (Brown & Patten, 2013). With the relaxing of sanctions against Cuba and the lifting of some travel restrictions under the Obama administration, there was the potential for improved relations with Cuba. More recently, in 2017, the Trump administration revisited some of these policies and reinstated some of the prior trade and travel restrictions. Despite these changing

policies toward Cuba, there has been continuing dialogue about how best to normalize relations. Combined, South Americans from the Dominican Republic, El Salvador, and Colombia also represent another substantial portion of the Latino population. Given these figures, it is no wonder that Latinos have become the largest minority group in the United States. They have also, however, suffered from some of the same crime-related concerns as other ethnic groups before them. Notably, though, they have not experienced the same levels of crime and violence as African Americans (Martinez, 2002; Martinez et al., 2010). This may reflect the fact that many Latinos have come to the United States specifically seeking opportunities for employment, with a willingness to take the most undesirable jobs in the labor market. For many, these jobs provide much more financial compensation than the available employment in the various Latin American countries from which a substantial portion of Latino immigrants originate. Nevertheless, some Latinos have drifted into gangs and other criminal activities as a way to survive in America. Unfortunately, their criminal activities have been exaggerated by the news media and Hollywood, which has resulted in continuing stereotypes (Martinez et al., 2001). Notably, some recent research suggests some improvement in the news media coverage of Blacks and Latinos in Los Angeles (Dixon, 2015).

Asian Americans

Asian Americans provide another interesting case study of ethnic group acculturation in America. Like Latinos, they belong to a number of ethnic groups, such as Filipino, Korean, Japanese, and Vietnamese. Table 1.10 provides an overview of the population of the various Asian American groups. In recent years, Asian Americans have become the fastest growing American racial group. For example, from 2000 to 2010, the Asian American population grew by 46%, which was four times faster than the United States population (Hoeffel et al., 2012).

Asian American Group	Estimate	Percentage of Asian American Population
Asian Indian	4,402,223	23%
Chinese	4,360,466	22.8%
Filipino	2,960,811	15.5%
Japanese	742,549	3.9%
Korean	1,445,315	7.5%
Vietnamese	1,896,690	9.9%
Other Asian	3,349,234	17.5%
Total Asian American	19,157,288	100.0%*

Source: U.S. Census American Community Survey 2021, Demographic and Housing Estimates

Note: *Total percentage may be off due to rounding.

Population statistics from the 2020 census reveal that this trend has continued with Asians remaining the fastest growing racial group (Yam & Venkatraman, 2021). We begin our review with a brief discussion of the Chinese American experience.

Chinese Americans

According to Daniels (1988), there were Chinese in America as early as the late 1700s. Not until the California gold rush of the mid-1850s was there any significant Chinese immigration to America: Between 1849 and 1882, nearly 300,000 Chinese came to America (Daniels, 1988). The **Chinese Exclusion Act of 1882** limited immigration until the 1940s. Most of the early Chinese immigrants were male (90%) and came to work in America temporarily. However, they came in significant enough numbers to represent nearly 10% of California's population between 1860 and 1880 (Daniels, 1988). Those who did stay were subjected to considerable violence due to anti-Chinese sentiment. Chinatowns had existed since the arrival of the Chinese in America; they embraced these areas because there they were free to maintain their culture without fear of hostility—although some areas occupied exclusively by Chinese inhabitants were “shabby looking, vice-infested, and violence prone” (Sowell, 1981, p. 141).

The Chinese were quite successful as laborers as well as in independent businesses such as restaurants and laundries (Daniels, 1988; Sowell, 1981). Yet, as with other immigrant groups, the Chinese were not immune to engaging in illegal activities. Daniels (1988) wrote that prostitution and gambling flourished in the “bachelor society” created by the dearth of Asian women in America. In 1870, “More than 75% of the nearly 3,000 Chinese women workers in the United States identified themselves as prostitutes” (Perry, 2000, p. 104). Brothels and opium-smoking establishments became popular among both Asians and Whites. Regarding opium use among early Chinese immigrants, Mann (1993) suggested that 35% of the Chinese immigrants smoked opium regularly, which “led to the first national campaign against narcotics” (p. 59), and the subsequent legislation was aimed at “excluding Chinese participation in American society” (p. 59). On the participation of the Chinese in these illegal activities, Daniels (1988) noted, “Since all of these activities were both lucrative and illegal, it seems clear that police and politicians in the White community were involved in sanctioning and profiting from them” (p. 22).

Eventually, following the pattern of other immigrants, Asian immigrants became involved in organized crime, and secret societies such as “tongs” were formed. Describing these organizations, Perry (2000) indicated that such societies were originally created to assist Asian men in adjusting to America. But, as Perry notes, over time, many evolved into criminal organizations or developed links with Chinese “triads.” Consequently, the tongs came to dominate prostitution, along with gambling, drugs, and other vice crimes. So, in addition to providing sexual outlets, they also created other opportunities for recreation and escapist behavior. Despite the profits reaped by Whites from the legal and illicit activities of the Chinese, heavy anti-Chinese sentiment persisted in California, which led to numerous negative campaigns against the population. Pointing to the roots of this negative sentiment, Sowell (1981) wrote, “The Chinese were both non-White and non-Christian, at a time when either trait alone was a serious handicap. They looked different, dressed differently, ate differently, and followed customs wholly unfamiliar to Americans” (pp. 136–137). Once they began to receive jobs in competition with

Whites, they became targets of increasing violence and, in several instances, were massacred. By and large, the Chinese were generally relegated to the most menial and “dirty” occupations, such as mining, laying railroad tracks, and agricultural work. As a result of the Chinese Exclusion Act of 1882, the Chinese population decreased from the late 1880s through the mid-1940s, unlike that of other ethnic minorities. Since then, their numbers have increased, and they have remained the largest segment of the Asian American population. Until the last 30 years of the 20th century, Japanese Americans represented the second-largest group among Asians in the United States. Several other Asian groups have now surpassed them in population (most notably, Filipinos). We briefly discuss the Japanese American experience below.

Japanese Americans

Before most Japanese immigrants arrived on the shores of North America in the last quarter of the 19th century, a considerable contingent of Japanese workers (30,000) arrived in Hawaii. They were contract workers who came to the island to provide much-needed labor for sugar plantations and “to serve as a counterweight to the relatively large number of Chinese in the islands” (Daniels, 1988, pp. 100–101). Like the Chinese before them, the Japanese also arrived on North American shores as a result of labor needs, and the relatively small number of Japanese men who made it to America (about 2,200 by 1890) filled the continuing need for laborers on California farms (Daniels, 1988). Like the Chinese and other groups, some Japanese immigrants turned to illicit activities, such as prostitution and other petty crimes, to survive.

Over time, the number of Japanese in America began to increase, with 24,326 in 1900, 72,157 in 1910, and nearly 127,000 by 1940. Like the Chinese, the Japanese experienced increasing anti-Japanese sentiment in the United States, which peaked after the arrival of World War II. During World War II, negative sentiment toward the Japanese reached new heights; they were hated and mistrusted by many Americans. Once the attack on Pearl Harbor occurred, in December 1941, life for Japanese Americans would never be the same. In February 1942, President Roosevelt issued Executive Order 9066 (Dinnerstein & Reimers, 1982). The order, which was upheld by the Supreme Court, required that all Japanese from the West Coast be rounded up and placed in camps called **relocation centers**. In all, about 110,000 were rounded up on five days’ notice and were told they could take only what they could carry. The camps were nothing more than prison facilities with armed military police on patrol watching for escapes.

Following the war, the Japanese population remained low in the United States due to immigration restrictions that were not lifted until the 1960s. At that time, Japanese Americans represented 52% of the Asian American population. However, over the next 20 years, the number of Japanese who immigrated to America declined. This trend was largely a result of the increased need for labor in Japan, which stunted the immigration of the Japanese to America (Takaki, 1989). The Japanese who were already here or among those who came after stringent quotas were lifted in the 1960s would go on to become some of the most successful immigrants. Today, economic indicators related to income and unemployment levels all reveal a positive trend for Japanese Americans. Nonetheless, Japanese Americans are still targets of discrimination. Two other Asian groups whose numbers have increased over the last few decades are Filipinos and Koreans. We provide brief overviews of their American experiences in the next section.

Filipinos and Koreans

Filipinos have been in the United States since the 1700s. But, as you might expect, much of their most significant immigration to the United States occurred in the 19th and 20th centuries. Many headed to plantations in Hawaii due to labor shortages. Unfortunately, when they arrived in America, they encountered violent attacks from Whites. In California, they competed with White farm workers; besides receiving lower wages than their counterparts, they were the targets of continuing violence. In fact, in 1929 and 1930, there were brutal riots that were brought on by anti-Filipino sentiment (Feagin & Booher Feagin, 2012). During this same time, the 1924 immigration law restricted the number of Filipinos who could enter the country to 50 (Kim, 2001). Since this early period, although their population has increased precipitously, they remain the targets of violence, and in post-9/11 America, some have been targeted as potential terrorists.



© CORBIS/Corbis via Getty Images

PHOTO 1.1 Japanese American internees await processing in 1942.

Like Filipino Americans, Korean Americans headed to Hawaii in the early part of the 20th century to fill labor shortages. Koreans also followed other Asian groups to California. In the case of Koreans, the place of choice was San Francisco. Limited by immigration restrictions, much of Korean immigration followed World War II. Not until 1965 were the stringent immigration restrictions lifted. This policy change coincided with more Koreans (mostly from South Korea) arriving in America. Looking for opportunities, Koreans headed to inner-city communities, where they set up dry cleaners and convenience stores. Unfortunately, the relations

between Koreans and urban residents are tenuous at best: Koreans are resented for entering largely African American communities and “setting up shop,” as some have noted. Therefore, besides feeling mistreated by clerks in Korean establishments, some African Americans have felt that these businesses should be owned by community members. This sentiment spilled over in the Los Angeles riot of 1992 (Kim, 1999). Tensions remain between the two communities, but the dialogue continues. In 2007, Korean Americans received negative attention because the perpetrator of the Virginia Tech massacre was an immigrant from South Korea. Moreover, the 2012 Oikos University shooting in Oakland, California, which killed seven people and in which Korean native One L. Goh was a suspect, brought additional negative attention to the Korean community.

Asian Indians

Asian Indians are the second most populous Asian group in America. They began to arrive from India and other South Asian countries in the United States in the early 1800s, but only 17,000 made it to American shores between 1820 and 1965 (Schaefer, 2011). Many of these early immigrants were employed in railroad and agricultural industries on the West Coast (Feagin & Booher Feagin, 2012). Following the easing of immigration restrictions, the number of Asian Indian immigrants began to rise. In particular, the need for skilled workers resulted in the immigration of highly educated and skilled Asian Indians. Many initially headed to northeastern states such as New York; however, after the rise of Silicon Valley, California quickly became the destination of choice for many of the more technologically savvy Asian Indians. In addition to the highly skilled and educated immigrants from India, there is also a contingent of Asian Indians who are heavily engaged in service sector occupations, such as driving taxicabs, managing motels, and operating convenience stores (Schaefer, 2011). Their success in the professions has resulted in many Asian Indians moving directly to suburban areas, as opposed to urban areas where most immigrants normally begin their ascension up the rungs of American society (Feagin & Booher Feagin, 2012). Asian Indians clearly represent one of the true immigrant success stories.

In closing, the difference between Asians and ethnic groups who came to be classified as White is that, although they have attained high levels of achievement, Asians have never fully assimilated. This leaves them, as one author put it, “as perpetual outsiders” (Perry, 2000). Like African Americans, Native Americans, and some Latinos, Asian Americans have maintained a distinct racial categorization in the census. L. A. Gould (2000) has suggested that physical characteristics unique to their race (e.g., skin color, facial characteristics, size) have barred them from full assimilation and acceptance in America.

Despite not being able to fully assimilate, Asian Americans have been labeled the *model minority* because of their success in education. Some see their success as proof that all groups can succeed if they “put their best foot forward.” Others see this label as problematic (Wu, 2002), noting that all Asians are not equally successful. For example, as Perry (2000) noted, “Koreans and Vietnamese consistently lag behind Chinese, Japanese, and Asian Indians on most indicators of socioeconomic status” (p. 100). Furthermore, the continuing discrimination in employment, income, and education is masked by the model minority label.

During the COVID-19 pandemic, Asian Americans became the target of hateful violence. Some estimates suggest that between 2020 (the official start of the pandemic) and 2021, there was a 339% increase in the number of hate crimes targeting Asians (Choi, 2022). This targeting was largely because of the belief that the pandemic originated in a laboratory in Wuhan, China and, thus, the death and societal restrictions in the United States should be blamed on Asians. Despite this recent animus toward the Asian American community, over the last century, Asian Americans have been a productive force in the United States.

BOTH SIDES OF THE DEBATE 1.4

ASIAN AMERICANS AND THE “MODEL MINORITY” LABEL

Within the last 50 years, Asian Americans have been deemed the “model minority.” This label is perceived to be a result of their “hard work, strong families, and passion for education.” Questions have arisen regarding whether this label is favorable or not. On the one side, observers point to the meteoric rise of Asian Americans into the upper echelons of society. Their considerable academic and professional achievements place them alongside or often above the prestige achieved by Whites. Furthermore, their low crime rates provide further evidence of their model status. On the other side, some Asian Americans reject the label. This is in large part because, as with other racial groups, there is ethnic variation within the Asian American population. Thus, as Lim (2015) opined, “Not all ethnic communities under the Asian-American umbrella are advantaged. Southeast Asian-Americans drop out of high school at an alarming rate; nearly 40 percent of Hmong-Americans, 38 percent of Laotian-Americans, and 35 percent of Cambodian-Americans do not finish high school” (para. 3). In addition, the perception that Asian-Americans “‘work hard’ and ‘never complain’ . . . operates as a racial wedge” that often pits Asian Americans against other racial/ethnic minorities (para. 3). This is borne out by the recent successful litigation that outlawed affirmative action in college admission (see *Students for Fair Admission, Inc v. President of Fellows of Harvard College*, 2023). This case compared the admissions profiles to selective colleges of Asian-American applicants to those of Blacks and Hispanics. Ironically, Lin also points out that such litigation largely ignores the mostly White recipients of legacy preferences, which has legacy also become the focus of litigation claiming discriminatory practices. According to Kahlenberg (2018), such preferences equate to “a boost equivalent to scoring 160 points higher on the SAT (out of 1600 points)”; in addition, a study of 30 elite schools found “that the children of alumni saw a 45 percentage-point increase in their chances of admission compared to otherwise equally qualified candidates who were not legacies” (para. 2 and 8).

1. Whatever your racial/ethnic background, would you welcome the “model” label?

Sources: Lim, B. (2015, October 16). “Model Minority” Seems like a compliment, but it does great harm. *New York Times*. <https://www.nytimes.com/roomfordebate/2015/10/16/the-effects-of-seeing-asian-americans-as-a-model-minority/model-minority-seems-like-a-compliment-but-it-does-great-harm>

Kahlenberg, R. D. (2018, February 14). A new call to end legacy admission. *The Atlantic*. <https://www.theatlantic.com/education/archive/2018/02/when-affirmative-action-benefits-the-wealthy/553313/>

Students for Fair Admissions, Inc. v. President and Fellows of Harvard College, 600 U. S. ____ (2023).

CONCLUSION

Since the categorization of races in the late 1700s, societies have, unfortunately, used the social construct to divide populations. In America, the notion of race was not of considerable use until the 1660s, when color was one of the deciding factors in the creation of the slave system. It was at this time in history that the category *White* began to take on increased importance.

Along with “Whiteness” came racism, which justified the system from the point of view of the dominant population. For the next two and a half centuries, as more White ethnic immigrants came to the United States looking for opportunities, they were looked down on as well. However, at some point, each group was allowed to assimilate fully and truly “become White,” and over time, the stereotypes with which they had been identified eventually dissipated (see Table 1.11). In the case of Native Americans, African Americans, Asians, and Latinos, however, this process has been more difficult because they have distinct physical traits that have limited their ability to assimilate fully. Recent years have also seen an increasing intolerance of Arab Americans following 9/11 and the rising concerns about terrorism.

Our review of the historical antecedents of race and crime in America has revealed that, over the past few centuries, although the level of crime in each group has varied over time, most racial/ethnic groups have committed the same kinds of offenses and have had similar offenses perpetrated against them by the dominant culture. Initially, Whites criminally brutalized Native Americans and African Americans. As time went on, ethnic immigrants such as the Germans, Italians, and Irish also were subjected to harsh treatment and sometimes violence. As these “White ethnic” groups assimilated into the populace, they, in turn, became part of the oppressive White population, continuing at times to engage in racial violence against other minority groups.

In short, the history of race and crime in America is a story of exploitation, violence, and, in the case of most racial/ethnic groups, the common use of crime as a way to ascend from the

TABLE 1.11 ■ Early Stereotypes of Racial and Ethnic Minorities (1600s–1900s)

Native American	Irish	Jewish	African American	Mexican American	Puerto Rican	Chinese/Japanese
childlike	temperamental	too intelligent	bad odor	lazy	emotional	devious
cruel	dangerous	crafty	lazy	backward	lazy	corrupt
thieves	quarrelsome	clumsy	criminal	lawless	criminal	dirty
wild beasts	idle		apelike	violent		crafty
exotic	apelike			shiftless		docile
powerful				improvident		dangerous

Note: All groups were thought to be “biologically inferior” to the native White population.

lower rungs of American society. The next chapter examines official crime and victimization data for the various races.

DISCUSSION QUESTIONS

1. Explain the origin of race and its implications for race and crime.
2. Does DNA evidence support the existence of distinct races?
3. What role has the law played in the experiences of the groups portrayed in the chapter? Provide some examples using specific laws.
4. How does racial/ethnic oppression intersect with the study of race and crime?
5. What role does “Whiteness” play in understanding race and crime?

INTERNET EXERCISES

1. Visit the Measuring Race and Ethnicity Across the Decades: 1790 to 2020 link on the U.S. Census Bureau website (https://www.census.gov/data/tools/demo/race/MREAD_1790_2010.html) and view the many changes in racial and ethnic categorization over the last few centuries.
2. Visit the Forensic DNA website (<http://nij.gov/topics/forensics/evidence/dna/pages/welcome.aspx>) and view some of the advances in DNA identification in crime solving.
3. Visit the U.S. National Archives and Records Administration website (<http://www.archives.gov/>) and view some of the tools people use to investigate their racial/ethnic heritage.
4. Visit the Project Implicit website that provides the Implicit Association Test (IAT) website (<https://implicit.harvard.edu/implicit/education.html>); take the IAT to determine whether you have any hidden bias.

INTERNET SITES

Forensic DNA website: <http://nij.gov/topics/forensics/evidence/dna/pages/welcome.aspx>

U.S. Bureau of the Census: <http://www.census.gov>

Ellis Island: <http://www.nps.gov/elis/index.htm>

Pew Research Hispanic Trends Project: <http://www.pewhispanic.org/>

Fort Mose: <http://www.blackpast.org/aah/fort-mose-florida>

Do not copy, post, or distribute