



Black Politics and the Origins of America's Prison Boom

Michael Javen Fortner, Claremont McKenna College

The United States is among the world's leaders in imprisoning its citizens – a dubious distinction. America's prison population has grown more than fivefold since the early 1970s. Minorities have been disproportionately affected, with African Americans incarcerated almost six times as the rate for whites, and Hispanics at twice the white rate. In great detail, scholars have spelled out the negative social consequences of the prison boom. Ex-felons struggle economically and often cannot vote. Their communities lose political clout. Saddest of all, the families and innocent children of prisoners suffer diminished health and life chances.

But what caused rates of imprisonment to shoot upward in the first place? Explanations abound, yet many obscure as much as they reveal because they either ignore or minimize the consequences of crime. Americans of color are more likely to be incarcerated – and they are also more likely to be victims of violent crime. My research explores the political and policy consequences of the facts about victimization. How did people of color, specifically African Americans, respond to rising crime rates? What role did black politics play in the development of mass incarceration?

Looking Closely at Harlem

Numerous studies connect mass incarceration to drug policy, and many identify the passage of the Rockefeller drug laws in May 1973 as a critical watershed in the spread of punitive criminal justice policies and the turn toward imprisoning more felons for longer times. My research looks more fully at the social realities behind the enactment of new drug laws. Rather than focusing on Albany, the New York state capital, I look closely at Harlem, an African American community that was hit hardest by rising rates of crime and drug addiction. Using a variety of primary sources, I track how African American activists framed and negotiated the rising drug problem in their neighborhoods and pushed for certain policy responses. The black middle class, I show, did a great deal to shape the tough criminal justice policies that ended up propelling mass incarceration in America.

The Black Middle Class Grapples with Drug Addiction

By the early 1960s, drug addiction had become a huge problem in African American communities. More than half of all registered drug addicts in the United States were African Americans, and half of those narcotics addicts lived in New York state, mostly in New York City – where the problem was concentrated in a few neighborhoods. A high number of drug-related deaths, mostly deaths of blacks, were reported from upper Manhattan, in and around Harlem.

As crime rates increased, working and middle-class African Americans became understandably alarmed. Drug addicts and dealers, they felt, were dangerous to “respectable” or “decent families,” threats to the hard-won

gains and orderly lives of “hardworking, good citizens.” Rising concerns could not be ignored by African American community leaders and politicians. By the late 1960s, many started lobbying Governor Nelson Rockefeller and other white politicians for more aggressive police responses to the drug threat. They called for more punitive anti-drug policies to protect “decent” members of the community.

Results from a *New York Times* poll taken in late 1973, after the most controversial Rockefeller drug laws were enacted, show that support for punitive anti-crime measures was widespread within the African American community:

- Blacks were the group most concerned about crime and drugs, and African Americans and Puerto Ricans were the respondents least likely to report that their neighborhoods were safe (or safer than other neighborhoods in New York City).
- 71% of Blacks favored life sentences without parole for drug “pushers.”
- Furthermore, methadone treatment and heroin maintenance for drug addicts were not very popular ideas. Fifty-five percent of New Yorkers opposed the placement of methadone centers for addicts in residential areas, including 53% of blacks.

Throughout the 1960s, African American mobilization against the drug threat had tilted the political environment in a more punitive direction. Nelson Rockefeller exploited the opportunity afforded by widespread citizen concerns to push for the punitive drug laws, looking in the process for ways to improve his political chances in the Republican race for the presidency.

A Full Solution to the Prison Boom

As my research shows, the prison boom that took off from the 1970s cannot be attributed entirely to conservative political elite strategies or white backlash against African American civil rights gains. Working and middle-class African Americans confronted real threats from drugs and crime in their neighborhoods, and their demands for greater safety greatly influenced the punitive turn in U.S. criminal justice policies. It follows that pulling back on get-tough, mass incarceration policies requires addressing the community and cultural conditions that facilitate drug abuse and related criminal problems. Prison reform and revisions in sentencing guidelines are certainly part of the solution to excessive rates of imprisonment in the United States. But a full solution to mass incarceration and its sad effects must also deal with the violence and fear that urban working and middle-class African Americans experience. Necessary steps include:

- *Reducing chronic joblessness of young men of color in American cities*, a key cause of crime and crime-related problems.
- *Rebuilding the civic infrastructure of urban communities* by bolstering religious organizations and civic associations that can cultivate healthy remedies for urban poverty.

Strategic politicians will always either address or exploit popular fears for political advantage. The only way to change incentives for politicians is to reduce and prevent crime in the most ravaged neighborhoods – so that citizens, including minorities, will not demand get-tough policies or support carting many miscreants off to prison.

Read more in Michael Javen Fortner, "**The Carceral State and the Crucible of Black Politics: An Urban History of the Rockefeller Drug Laws.**" *Studies in American Political Development* 27 (April 2013): 1-22.