**Accounting for Crime in the US: Race, Class and the Spectacle of Fear**

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**Abstract**

Expanding critical accounting research on incarceration, this paper explores the consequences of neoliberal techniques and discourses intersecting with race and class in prison practices. As crime is socially constructed we concentrate on two intertwined terrains of struggle: first, the privatization of prisons and second, the “creation of the other”. Controversies over privatization are pervasive and we illustrate that a raison d’être of privatization -- minimizing costs -- is discredited and distorted. The devastating consequences of privatization further the divide in communities between those privileged and those vulnerable based on race and class. Through this neoliberal process of privatization and racialization of crime there is a creation of the other -- a powerful and hostile discourse. We are troubled that a crime-control dynamic mythologizing and fearing the other has become so institutionalized that domination and injustices are normalized. Accounting contributes to these processes with techniques claiming objectivity, but with undeniably moral impacts. Illustrating these dynamics, we review policies surrounding a four-decade “war on drugs” in the US, appraised as an assault on marginalized (poor) populations. Contrasting to white collar-financial crimes we make visible how incarceration displaces certain groups from significant entitlements of citizenship.While statistics indisputably reveal prejudicial treatment, this is only part of the story. Numbers reduce phenomena to simplistic representations erasing humane meaning and obscuring social dimensions of discrimination and power permeating incarceration practice. Acknowledging these complexities, one aim is developing counter accounts to promote new visibilities to advance social justice.

**Keywords:** Incarceration; Neoliberalism; Privatization, Discrimination.

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*None of us are free, [if] one of us are chained (*Solomon Burke, 2002).

**Section 1: Introduction**

Accounting makes things visible and if the degree of civilization can be judged by entering its prisons (suggested Dostoyevsky) the view of the US is grim. No country incarcerates a higher percentage of its population, ranking the US an unenviable “number one”[[1]](#footnote-1). Questioning the morality of these incarceration rates, former US Attorney General Holder notes with “only 5 percent of the world’s population, it has 25 percent of its prisoners” (Savage, 2013). Further, evidence of racial and class inequities in US the prison system implies that justice is not blind but a racial caste system discriminating against vulnerable populations according to Alexander (2012) in “*The New Jim Crow”* [[2]](#footnote-2)*.* Incarceration rates disproportionately impact men of color: one in three black men[[3]](#footnote-3) can expect to go to prison in the US during their lifetime (Kerby, 2012; Sentencing Project, 2013). One in every 15 black men are incarcerated; 1 in every 36 Hispanic men; 1 in every 106 for white men. A vulnerable, often poor and non-white populace is disproportionality incarcerated with blacks comprising [two-fifths](http://www.aecf.org/%7E/media/Pubs/Topics/Juvenile%20Justice/Detention%20Reform/NoPlaceForKids/JJ_NoPlaceForKids_Full.pdf) of incarcerated youth (Forman, 2017; Kerby, 2012; Riggs, 2013).

Why is this a significant accounting issue? Accounting is a measuring technique: privileging or denying what is made visible, thus participating in creating meaning and impacting public policy (Arnold, 2009; Chua, 1986; Dillard and Vinnari, 2017; Hines, 1988; Ravenscroft and Williams, 2009; Walker, 2008; Young, 2003). Accounting for crime (how society formulates crime, manages crime, or ignores taking an account) is a phenomenon we seek to examine in neoliberal society (Chapman et al., 2009; Cooper, 2013; Hopwood, 2009; Jeacle and Carter, 2014; Merino et al., 2010; Miller 2001; Power 2004; Zhang and Andrew, 2014). Neoliberalism, widely studied and incongruent, is often seen as a theory of political economic practices for liberating financial flows, markets and trade. Proponents advocate deregulation, privatization, dilution or elimination of social protections and labor unions. However, it is not merely an economic doctrine but a system of rule. The ambiguity is recognized by Cooper “While there is not an explicit or coherent theory of neo-liberalism, it is a widely used and accepted term with common referents … a particular economic theory has come to form part of the knowledge-base for contemporary economic, political and social practices” (Cooper, 2015, p. 66). Although we cannot detail all its forms, it is important to note that dysfunctions and contradictions abound in operation. As Cooper (2015) argues, studying financial economic theory and accounting’s role in neoliberal regimes “is not simply a question of theoretical niceties” (p. 64). Accounting techniques and rationalities are enacted in financial and government institutions and--by legitimating policies--they “continue to impoverish the lives of the majority of people” (Cooper, 2015, p. 64).

Our concerns regarding race, class and incarceration resonate with those of Annisette and Prasad (2017) regarding a lack of critical accounting’s engagement with racial injustice and a minimal “take up” by critical accounting scholars despite “a spectacular proliferation in social movements underpinned by the discourse of racial injustice such as the Million man march, *banlieues* riots in France and, more recently, the Black Lives Matter campaign. In short, set against this context of a profound salience of race in social life, the muted response of critical accounting research is perplexing” (Annisette and Prasad, 2017, p. 6).

Concentrating here on two interrelated racial terrains of struggle (which we separate for convenience of articulation) we describe (1) the privatization of prisons and (2) the “creation of the other”. We consider Privatization and Creating the Other (Sections 3 and 4) united and linked in complex ways. We embrace the view of many researchers who recognize economic interests and race are substantively interwoven (e.g. Alexander, 2012, Annisette and Trivedi, 2013, Blow, 2012; Mauer, 2006; O’Neil, 2016).

Racism, class, power and economics have been intertwined in US society since its inception, revealed in profound violent expression: violence toward indigenous populations throughout the 16th - 21st centuries, the 19th century Civil War, violence and lynching based on race through the 20th century, etc. Discrimination based on race is undeniable and ubiquitous, with Bell aptly observing for the US “Library shelves creak under the weight of serious studies on racial issues” (Bell, 1987, p. 4). While this paper cannot appraise all these conflicts we join Annisette and Prasad (2017) in adding to critical accounting research in examining race in social life, bringing to the fore the intersection of accounting (its numbers and its accountability symbolism) with incarceration. We describe accounting’s role in neoliberalism techniques and also apply Dillard’s (2017) framing that “Accountability encompasses a significantly larger domain than accounting and, in my opinion, needs to be permitted and displayed at the forefront of our thinking as well as seen as a legitimate undertaking in its own right” (p.4). This paper is our beginning enquiry regarding accounting’s role and accountability within the race-class-incarceration nexus, illuminating the impacts on the most vulnerable in US society.

One objective of our work is examining US prison privatization as a neoliberal symbol and ideal revealing that “Accounting is an integral part of the symbolic universe of neo-liberalism” (Cooper, 2015, p. 79). How privatization under neoliberalism has impacted marginalized populations informs our work, adding to accounting literature tackling these concerns (Agyemang and Lehman, 2013; Annisette and Trivedi, 2013; Chwastiak, 2013; Hammond, et al., 2009; Lehman 2012; Lehman et al 2016; Perkiss et al., 2012; Sikka 2000, 2012; Smith and Jacobs, 2011). Mennicken’s (2013) work, in her study of private sector accounting and prisons “draws attention to the complex relationships between politics, calculation and morality” (p. 207). Particularly she notes that defining an accounting entity has ethical consequences yet “the concept is the fiction of separable economic units and aspirations to use accounting as a tool for the mapping and managing of social and economic relations” (p. 207) and our investigation seeks to reveal intersections among neoliberal economic, social incarcerations practices, and accounting numbers.

We note our primary aim is to illustrate the disparate treatment of people regarding incarceration and the managing of criminalization in the US. We argue that this is one of the direct consequences of neoliberalism because to sustain the myth of privatization as successful requires there to be a constant flow of prisoners. Policies justifying control of particular populations are placed in motion, often demonizing disenfranchised groups and spreading fear. Of specific significance is a four-decade old “war on drugs” which we reveal as an assault on marginalized (often poor) people, particularly in contrast to white collar-financial crimes--considered crimes of the privileged. Our intention is to further the exemplary work of accounting researchers who have examined prison dynamics of power, profits, privatization, and violence (see Andrew, 2007, 2010, 2011; Andrew and Cahill, 2009; Cooper and Taylor, 2004; Killian 2015; Lehman and Okcabol, 2005; Lehman, 2016; Mennicken, 2013; Scott, 2015; Taylor and Cooper, 2008).

In positioning our work, we have utilized the beneficial framework provided by Chiapello in her 2017 publication “Critical accounting research and neoliberalism”. Our understanding of the role of accounting in neoliberal regimes resonates with many of her ideas and provides a theoretical grounding for the paper. She describes “the objects that are called neoliberal are doctrines, discourses, reforms, agendas and political projects. Neoliberal policies encompass a vast range of reforms, often referred to as a whole” (Chiapello 2017, p. 50). Advocating in her work for in-depth critical accounting addressing a diversity of objects associated with neoliberalism, we take her appeal seriously in providing examination of incarceration practices, policies and discourses.

We proceed in Section 2 by describing our theoretical positioning and framework of accounting practices within neoliberalism. Accounting makes things identifiable, knowable and governable, thus shaping social order. Chiapello’s (2017) work mirrors other literature acknowledging the symbiotic relationship between accounting and neoliberalism (Burchell, 1993; Lehman et al., 2016; Miller 2001). Our framework extends her observations to include the groundbreaking work of Hall, et al. (1978) who illustrated crime as socially constructed within UK neoliberalism in the 1970s. Statistics intended to shock the public became embedded in perceptions, facilitating imprisonment and establishing authoritarian rule. Understanding this managing of perceptions is an important motivation for our work, concerned as we are that neoliberal processes contribute to a demonizing effect on “the feared other”. This spectacle is a powerful and hostile social phenomenon and we believe accounting has a role by appearing objective in disciplining processes. This interrelationship is clearly demonstrated by Andrew’s work, recognizing that “accountability … has become a largely technical and instrumental process … accountability for prison policies and practices have an undeniable moral component” (Andrew, 2007, p. 877). Exploring contemporary incarceration as a profound social crisis, we are troubled that injustices have become institutionalized and normalized (see also Courtois and Gendron, 2017).

Having situated our understanding of accounting and neoliberalism, Section 3 examines controversies over privatization, a pervasive neoliberal and accounting device, where the raison d’être of minimizing costs is discredited and moral accountability is questioned. Louisiana is singled out for its stance on privatization, its high incarceration rates and its persistent racial inequities. US researchers would be attuned to notable Jim Crow legacies and language observed by Chang (2012) regarding Louisiana that “A prison system that leased its convicts as plantation labor in the 1800s has come full circle and is again a nexus for profit”. Resonating again with the vestiges of slavery in the term “chattel” in Louisiana the “picture that emerges is one of convicts as chattel and a legal system essentially based on human commodification” (Blow, 2012). Louisiana provides a microcosm of economic, racial and incarceration inequality manifesting throughout the US.

Section 4 directs attention to this broader terrain of struggle, illustrating how crime is created, managed and interpreted in the US, including the process of creating the feared other. Of particular significance is a four-decade old “war on drugs” which we expose as an assault on marginalized (poor) people, particularly in contrast to white collar-financial crimes, thus probing differentials not only regarding race, but regarding class[[4]](#footnote-4). Connections between race and class are illustrated in framing criminality, in creating ideas of the feared other, in differential use of force based on race, and in racial profiling. Additionally, we examine disparate (minimum) penalties for white collar “professional” crime often by those economically privileged (and notably Caucasian) while those in less economically viable situations (vulnerable non-Caucasians) receive sentencing for non-violent crimes that are severe and devastating.

In concluding the paper, Section 5 summarizes our findings and our concerns. We also offer recommendations for moving forward by interrogating the limits of data and we describe resistance practices. Discourses taking back terms of incarceration practices and confronting endemic racism and classism are among those illustrated. The contested terrain exemplified in the “Black Lives Matter” movement in the US is one expression of speaking truth to power and of resistance. We also appeal to the emerging literature on shadow accounting and counter-accounts as a potential for future research and expanding visibility and social justice.

**Section 2: Socially constructing prisons: accounting and neoliberalism**

Deliberating accounting in the sphere of crime and prisons, we follow a broad view of accounting practices such as audits, techniques, accounting logic and accountabilities, all imbued in creating meaning (Broadbent and Laughlin, 2013; Chapman et. el., 2009; Chua, 1986; Dillard, 2017; Hopwood, 1987; Young, 2003). Accounting and numbers are infused with our predilections rendering them consequential, particularly on vulnerable populations as demonstrated by O’Neil that “math-powered applications … tended to punish the poor” (O’Neil, 2016, p. 3; elaborated upon in our concluding of Section 4). The influence of this phenomenon -- that measuring, comparing, and counting is reified -- has been described: “numbers, like photographs, ‘seem to arrest the flow of human activity…[appearing] superior in objective reality than mere words’” (Hansen and Muhlen-Schulte 2012, p. 1, quoting Starr). Data reduces social phenomenon to simplistic representations yet is “always invested with meaning, potentially disguising as much as it reveals” (Hansen and Muhlen-Schulte 2012, p. 1). The preoccupation in accounting and elsewhere of “big data” and quantification is “often used to assert authority and preserve hierarchy; data is used to leverage and exercise authority” (Di Russo, 2016). While there is an “increasing preference for data [it] not only reaffirms the immediate power and authority, but to a greater extent, requires us to forfeit our emotional autonomy to a machine” (Di Russo, 2016). As such, when employing technical and market-based accounting regarding incarceration, erased are the social dimensions such as discrimination, power and violence that permeate prison practices.

Counter accounts exist and are publicly available to shed light on those aspects rendered invisible by traditional accounting. They are alternative societal responses that “express the standpoints of the oppressed and underrepresented voices” (Apostol, 2015, p. 213). Counter accounts can take a variety of forms including internet evidence of individual stories and statistical data (Gallhofer et al 2006; Lehman et al 2016; Paisey and Paisey, 2006; Sikka, 2006). Being in the public domain they provide opportunities for dialogue and have the potential to impact and broaden debates despite a prevailing dominance of narrowly focused and traditional accounting.

Describing accounting’s role within neoliberal regimes, Chiapello (2017) guides our theoretical approach. She recognizes overlaps and different emphases, adopting three identifiable strands. “The first relates to the Marxist tradition, and sees neoliberalism as a phase of capitalism. The second considers it as a political discourse and sometimes also has a Marxist tendency (using the concepts of ideology or hegemony). The third engages in dialogue with the Foucauldian tradition and sees neoliberalism more broadly as a manifestation of liberal governmentality” (Chiapello, 2017, p. 51).

In our work these three strands resonate, providing interrelated and significant motivation for our inquiry. Regarding the first, we view neoliberalism as the latest stage of capitalism with “its reinforcement of the power and income of the capitalist class … [yet there is] a lack of accounting research able to provide a better description of the phenomena of rising inequalities and displacement of the sites and forms of profit formation that have come with the new capitalism” (Chiapello, 2017, p. 51). Our focus on incarceration inequality – by race and class (vis a vis financial crime)--reverberates with Alexander (2012) that a racial caste system has been created displacing entire groups from ordinary rights of citizenship and community. As Chiapello advocates extending the sites of struggle, we respond by studying privatization of prisons as a reinforcement of profits based on human commodification.

The second strand, hegemony of neoliberal discourse, certainly informs our work and parallels our understanding of numerous incarceration practices including its “crucial role in implementation of the reforms studied (e.g. Privatisations)” (Chiapello, 2017, p. 52). We agree there is a risk of staying at the discourse level, because power may be attributed to discourse alone, but integrating Bourdieu, Chiapello clarifies why this strand is influential. “Neoliberal discourse is not just one discourse among many. Rather, it is a ‘strong discourse’ … because it has on its side all of the forces of a world of relations of forces … notably by orienting the economic choices of those who dominate economic relationships. It thus adds its own symbolic force to these relations of forces” (Chiapello, 2017, p. 52). Our inquiry into creating fear, symbolic violence, and subsequent economic and social impacts clearly resounds with the importance of discursive realms in incarceration practice.

Neoliberalism as governmentality, the third strand and inspired by Foucault engages with the other perspectives, because “all three consider it as a political project ... This time, neoliberalism is understood as part of a much wider phenomenon … not that it reduces the State’s role to make room for the market (the laissez-faire approach), but that it actively produces a society, subjects … [and] human being to become a calculating subject … accounting and its practitioners play a specific role, by participating in the production of a governable world” (Chiapello, 2017, p. 53). Accounting makes things governable and thinkable (Dean, 2010; Peck, 2010; Rose and Miller, 1992).

Foucault’s research is naturally of interest to us, particularly *Discipline and Punish: the Birth of the Prison* (1975). Examining disciplinary power in the principle of panopticism (and the building designed by Jeremy Bentham) Foucault provided insight into the operations of discipline and the processes of surveillance with parallels for accounting. Describing the major effect of the Panopticon is “to induce in the inmate a state of conscious and permanent visibility that assures the automatic functioning of power” (Foucault, 1975, p. 201), states of consciousness assure a functioning of discipline through habituation and repetition. Accounting’s calculative practices are among the disciplinary instruments by which subjects are observable and governed. By implication, things not measured are left out as unknowable and hence a form of disorder (Chwastiak and Lehman, 2008; Power 1996, 2004). Accounting literature has illustrated Foucault’s work in theorizing social practice, in conceptualizing authority, in accounting and management control contexts, in inscription techniques, and a variety of accounting manifestations (e.g., Armstrong, 1994; Chapman, et al., 2009; Ezzamel and Hoskin, 2002; Hoskin, 1994; Walker, 2008, 2010).

Foucauldian scholars conceive of governance not necessarily in terms of institutions or ideologies but more as producing forms of visibility. As described in Mennicken and Miller (2012, p. 4) “[L]inking decisions to the supposedly impersonal logic of quantification rather than to subjective judgement, accounting numbers configure persons, domains and actions as objective and comparable. This in turn renders them governable." One aspect of neoliberal governance, termed *responsibilization* (1) involves economizing the social and (2) the moralizing of marketplaces. For the first, the state and numerous non-state institutions are “transfigured to act as if embedded in a competitive environment where the laws of economics reign” and social life is continually quantified and economically justified (Shamir, 2008, p.1). For the second, enterprises “increasingly perform tasks that were once considered to reside within the civic domain of … the caring welfare state” (Shamir, 2008, p. 2). This explains the rise of non-state actors taking on state activities. When privatization of prisons relegates corporations on par with governments, distinctions between the economy and society are dissolved. The influence of accounting is compelling, given the need for every agent and agency to measure and calculate their performance (Dean, 2010).

Hall et al. in their landmark *Policing the Crises* (1978) assert that crime is managed as part of a complicated socio-political process by re-constructing meaning. “Strictly speaking, the facts … were not new; what was new was the way … crime is perceived, and in the way crime forces those who are subordinated in society” (Hall et al., 1978, p.177) to be governed. Although “mugging” in 1970s British society is the object of study, their analysis of crime as a social phenomenon and socially constructed is a major contribution. They describe an authoritarian consensus emerging as an “end-product of a complex process which begins with a systematic sorting and selecting of events and topics according to a socially constructed set of categories” (Hall et. al., 1978, p. 53). The accounting linkages are obvious: labeling, measuring and making crime visible with distinctive consequences.

There was “a new construction of the social reality of crime…a widespread *belief* about the alarming rate of crime in general, and with a common *perception* that this rising crime was also becoming more *violent*” (Hall et.al., 1978, p. 29, emphasis in the original). Accounting as part of regulatory institutions creates unexpected alliances, illustrating Hall et. al.’s assertion that “The law remains one of the central coercive institutions of the capitalist state; and it is *coupled* in the most fundamental way with the structure of crime, with the way crime is perceived, and in the way crime forces those who are subordinated in society to shelter beneath a hegemonic order” (1978, p.177).

Summarizing our understanding of the three accounting-neoliberal strands proposed by Chiapello (capitalism, discursive practices, and governmentality) as they relate to incarceration is that they intersect. There is an “investment in crime … widespread and intense, encompassing elements of fascination as well as fear, anger and resentment … institutionalised in the media, popular culture and the built environment” (Owen, 2007, p. 2-3). As constituencies are scapegoated, the state veers away from tackling broader structural inequities of neoliberal­ism. Rather, the state demonstrates a willingness to punish “undesirable” populations (Hansen, 2011; Longazel and Fleury-Steiner, 2013; Morales et al., 2014a, 2014b; Perkiss et al., 2012). The construction of panic in neoliberalism’s repertoire is compelling when “new social relations and forms of life… normalize neoliberal power relations” (Monahan, 2009, p. 157).

Contemporary neoliberalism actively recasts social organizations, including prisons, into sites with market logics, as if these activities are apolitical, non-ideological, and devoid of moral concerns (Lemke, 2001; Piketty, 2014). Accounting techniques contribute to the façade such that “our reliance on accounting measures to ‘speak the truth’ in policy debates has provided additional legitimacy to market oriented policy outcomes” (Andrew, 2011, p. 194-195). Neoliberalism’s obsession with technical-rationality and the use of accounting practices to colonize spheres of social life is given substance in this paper by exploring incarceration. As Paisey and Paisey (2006) suggest, the failure of neoliberalism lies in its failure to recognize fully the social costs associated with economic decisions. Calculating does not erase morality, and it is bound to produce tensions and contradictions. We describe one of these rhetorical imprecisions in the following section: the reification of privatization, continuing the myth in neoliberal repertoire that privatization reaps social benefits.

**Section 3: Privatization and Race**

Louisiana: “*A prison system that leased its convicts as plantation labor in the 1800s has come full circle and is again a nexus for profit”* (Chang, 2012).

Under neoliberalism the rhetoric used for justifying prison privatization echoes accounting terms: value for money, cost efficiency and savings. Researchers describe accounting technologies as a key facet of neoliberal endeavors such as privatization (Cooper, 2015; Mennicken, 2013). Privatization related to prisons reveals abuses under the guise of objective techniques (Andrew, 2011; Cooper and Taylor, 2004; Scott, 2015) such that one judge described a prison run by a for-profit company as "a picture of such horror as should be unrealized anywhere in the civilized world" (Shapiro, 2012).

Before highlighting Louisiana, we reveal the general conclusion that the benefits of prison privatization have long been suspect. The US General Accountability Office (GAO) offered serious counter claims that private prisons accomplished a key raison d’être: to reduce costs (US GAO, 1996][[5]](#footnote-5). One study concluded “cost savings from privatizing prisons are not guaranteed and appear minimal” (Oppel, 2011). The American Civil Liberties Union (ACLU) protested privatization’s basic philosophy of “turning over administration of prisons to people who have an interest in keeping people locked up” (Silverstein, 2000). Scott (2015) corroborates these conflicts, “While CCA [Corrections Corporation of America] and other for-profit private prison corporations may present themselves as simply meeting existing demand for prison beds … in fact, they have been working very hard over the past two decades to create markets for their services” (p. 47).[[6]](#footnote-6)

**Why Louisiana?**

Louisiana has been described “the world’s prison capital”, imprisoning more per capita than any other US state (Chang, 2012). “Louisiana is the starkest, most glaring example of how our prison policies have failed… an abomination of justice and civility” (Blow, 2012). It is a system needing a “constant influx of human beings or a $182 million industry will go bankrupt ... The prison lobby ensures this does not happen by thwarting nearly every reform that could result in fewer people behind bars” (Chang 2012).

Revealing the conflicting interests of constituencies, “the state incentivized the building of private prisons… a chance to employ local people, especially failed farmers forced into bankruptcy court by a severe drop in the crop prices” (Blow, 2012). Yet privatizing prisons was not a panacea as education reform stalled (Louisiana is one of three states to receive a failing grade for elementary schools in 2012) and the state’s fiscal crisis continued, with a $220 million deficit in its $25 billion budget for fiscal 2012[[7]](#footnote-7) (Education Week, 2012; Blow, 2012). While the US federal government decreased using private prisons based on a 2016 audit showing safety and security problems in private facilities, Louisiana has moved in the opposite direction for a number of years. In 2016 Louisiana renewed contracts with two private prison operators in contrast to phasing them out. It is notable the agreements included private prisons providing limited services. Consequently, services will be absorbed by other facilities in Louisiana, exacerbating fiscal budgeting deficits for the state and heightening concerns regarding safety and security in the prison system (O’Donoghue, 2016).

Researchers have long identified institutional racism in Louisiana, manifesting recently in unequal impacts on vulnerable populations in the wake of Hurricane Katrina in 2005 in New Orleans, when Louisiana’s major coast city was devastated by the storm (Sargiacomo et al., 2014). “While Katrina was a natural disaster, the consequences were not natural. Therefore, Katrina has also been characterised as a social disaster … New Orleans had a population with a preponderance of low income households, inadequate housing and poor/no insurance which yielded unequal impacts on Katrina residents” (Perkiss, 2014, p. 185). Katrina, “exacerbated issues of race and the unequal divide … the lack of communication and compassion for victims, mostly black, poor and elderly, post-Katrina” (Perkiss, 2014, p. 195). Katrina exposed a global audience to New Orleans’s chronic poverty “that situated the city’s race and class inequalities within a larger socio-historical context of entrenched racial discrimination, housing segregation and class exploitation” (Gotham, p, 2007, p. 90).

This inequality extends to its prisons as not only does Louisiana have the highest incarceration rate in the country, with 868 of every 100,000 of its citizens in prison, its racial disparity is striking. Blacks are incarcerated at two times the rate of whites in Louisiana. The data for percent of population is: White 60%; Black 32%; Latino 4%. Percent incarcerated is: White 30%; Black 66%; Latino 4% (Prison Policy Initiative, 2017).

Baumgartner and Lyman (2015a) researched disparities in Louisiana’s death sentence reversals, concluding “Not only are these reversal rates extremely high, but the racial discrepancies are shocking as well” (p. 58). They found it 30 times more likely for the death penalty to be applied in cases of black male offenders and white female victims compared to black male offenders and black male victims. In Louisiana no white person has been executed for a crime against a black victim since 1752, when the defendant was executed for damaging the “property” of another white man -- stabbing two female slaves. In studying how the death penalty functions, they conclude, "Race-of-victim effects are powerful at each stage of the death penalty system … it really is disturbing” (Baumgartner and Lyman, 2015a, p. 58). Black male victims comprise 61% of homicide victims in present day Louisiana, yet their killers have been executed in only 3 cases out of 12,949 homicides since the death penalty was reinstated in 1976, as such “the death penalty is used only very rarely in those cases where the victim is a black male" (Baumgartner and Lyman 2015a). Privatized prisons are generally against the death penalty as having more prisoners provides them with a flow of revenue and invoking the death penalty “would reduce the number of prisoners they can make money off”(https://deathpenaltyenglish101.weebly.com/private-prisons.html)

Louisiana’s incarceration disparity in racial terms is a microcosm and part of a wider nexus of US injustices sustaining race and class inequalities. We believe Louisiana illustrates our greater concern of how articulation of profit motives belies racial discrimination with a discourse of objective accounting terminology. As Andrew states, **“**The privatisation of prison management and prison building connects punishment with profit … procedural accountability has helped obfuscate the ethical and moral components of accountability relationships” (Andrew 2007, pp. 897–898). The next section describes the broader demonstration of US incarceration policies in a particular manifestation: a “war on drugs”.

**Section 4: Racial and Class Injustice: The Construction of Crime and Punishment and the creation of the “other”**

*“’The New Jim Crow’ is essential reading for conservatives” DeRoche remarks because “The facts are the facts. The numbers are the numbers”* (DeRoche, 2012[[8]](#footnote-8)).

It became known as “the war on drugs” - a phenomenon underscoring and widening racial and class divisions in the US. The data reveals incarceration skewed by race and class and the manufacturing of fear, particularly manifest in the “war on drugs”. Assembling information from various sources, Alexander (2012) chronicles the contentious US history on race, political rhetoric, crime and incarceration. Her conclusion is that the current US prison system is a unique form of social control and a racial caste system -- much like slavery and Jim Crow. In subsequently describing “white collar crime” this section also illustrates stark disparities in treatment when race and class are considered.

**The “war on drugs”: a racial view of crime**

Four decades of “tough on crime” political rhetoric in the US effectively contributed to an 800 percent increase in the prison population by 2010 (with US population growth only a third in this same period, see Savage, 2013). Maria McFarland, deputy director for the U.S. program at Human Rights Watch considers this one of “the major human rights problems within the United States, as many of the people caught up in the criminal justice system are low income, racial and ethnic minorities, often forgotten by society,” (Biron, 2013). Alexander compares US data to other countries[[9]](#footnote-9) in a similar period asserting that for the US “the racial dimension of mass incarceration is its most striking feature. No other country in the world imprisons so many of its racial or ethnic minorities. The United States imprisons a larger percentage of its black population than South Africa did at the height of apartheid” (Alexander, 2012, p.6).

Much of the change is attributed to the controversial policy known as “the war on drugs”, first declared in 1971 under President Nixon. “The impact of the drug war has been astounding. In less than thirty years, the US penal population exploded from around 300,000 to more than 2 million, with drug convictions accounting for the majority of the increase… An illegal drug crisis suddenly appeared in the black community *after* – not before – a drug war had been declared” (Alexander, 2012, p. 6, emphasis added). In the law and order theme of Nixon’s 1968 candidacy, racism is manifest. Upon observing one of his campaign ads “Nixon reportedly remarked with glee that the ad ‘hits it right on the nose. It’s all about those damn Negro-Puerto Rican groups out there’” (Alexander, 2012, p. 47).

Over a decade later, President Reagan announced in 1982 his administration’s “war on drugs” -- at a time that less than 2 percent of the American public viewed drugs as the most important issue facing the nation. “Practically overnight the budgets of federal law enforcement agencies soared. Between 1980 and 1984, FBI anti-drug funding increased 12-fold, from $8 million to $95 million” (Alexander, 2012, p. 49). Although police and prosecutors were initially unenthusiastic regarding the “war on drugs”, financial incentives became too great to ignore as local and state jurisdictions received increased federal funding (Abramsky, 1999; Alexander, 2012; Davis, 1998). Juxtaposing these increases, funding for drug treatment and prevention was slashed, e.g. the National Institute on Drug Abuse witnessed an allocation decrease from $274 million to $57 million in the same period (1981- 1984). Increased funding for incarceration was such that “By 1996 … funding that had once been used for public housing was being redirected to prison construction… effectively making the construction of prisons the nation’s main housing program for the poor” (Alexander, 2012, p. 57). In favoring a war on drugs, neoliberal proponents are able to socially and economically exclude “deviant” members of society (Reynolds, 2008). The state’s answer to a “surplus population of poor and unemployed citizens” from globalized-neoliberal policy has been mass criminalization and incarceration (Reynolds, 2008, p. 83).

Drug offense convictions became “the single most important cause of the explosion in incarceration rates in the US … accounting for two-thirds of the rise in the federal inmate population between 1985 and 2000” (Alexander, 2012, p. 60). Half of federal inmates in 2010 were serving time for drug offenses, 35% for public-order offenses (largely weapons and immigration), and less than 10% each for violent and property offenses (Guerino, et al., 2011). Although the law regarding use and sale of drugs appears race-neutral, actual enforcement is highly discriminatory with the “war on drugs” conducted in primarily communities of color (Davis, 1998; Schlosser, 1998; Taibbi, 2014; West, 1994).

According to Human Rights Watch, people of color are no more likely to use or sell illegal drugs than whites (Mauer, 2006). Yet with African Americans comprising only 14 percent of regular drug users, they are 37 percent of those arrested for drug offenses. From 1980 to 2007 about one in three of the 25.4 million adults arrested for drugs was African American (Kerby, 2012). Tougher sentencing for crack cocaine – one hundred times more severe than for the powdered cocaine used more often by whites – compounded racial disparities (Alexander, 2012; Butterfield, 2001(a)). The Connecticut House judiciary committee suggests one advantage of rolling back stringent drug anti-crime measures is reducing sizeable racial disparities in incarceration (Butterfield, 2001 (b)).

Concern with endemic “racial profiling” in law enforcement has percolated in the US for two decades, with research evidence “astoundingly one-sided”[[10]](#footnote-10), revealing by 2000 for each of 20 studies, every one of them found that African Americans and Latinos had been disproportionately stopped and searched (Public Broadcasting System, 2001). According to a 2001 survey by The Washington Post, The Henry F. Kaiser Family Foundation and Harvard University, “More than half of all African American men report that they have been the victims of racial profiling by police some time in their lives” (Morin and Cottman, 2001). Disparate data includes Blacks and Hispanics three times more likely to be searched during traffic stops than whites, Blacks twice as likely to be arrested and nearly four times as likely to experience force during encounters with the police, all data confirming construction of “the other” (Alexander 2012; Dunn, et al., 2013; Kerby, 2012)[[11]](#footnote-11).

“The myth [was] that the United States is besieged, on a scale never before encountered, by a pathologically criminal underclass…we are not” (Abramsky, 1999 p. 30)[[12]](#footnote-12). Yet, “horror stories” (Abramsky’s words) led to calls for long prison sentences, for the abolition of parole, and increasingly punitive treatment of prisoners. These observances resonate with Hall et al. (1978) echoing the theoretical reflections discussed previously: by constructing panics to draw attention toward vulnerable populations and away from the prevalent inequalities under neoliberalism, the state presents its role as a guardian against violence – of a mythical pathological criminal class. Corva (2008) confers, stating “Neoliberalization produces social and economic vulnerability; criminalization produces ways [for the state] to capitalize on that vulnerability”. (Corva, 2008, p. 181). The state exerts authority through its authoritarian stance, punishing “undesirables” (Aliverti, 2012; Monahan, 2009; Longazel and Fleury-Steiner 2013). The impact is perverse. Alexander describes the life altering effects of entering the world of incarceration – for minor offenses -- as follows.

When a defendant pleads guilty to a minor drug offense nobody will likely tell him … [but he will] discover [what] the American Bar Association described as the bleak reality, ‘ineligible for … public housing, and federal education assistance … not be permitted to enlist in the military… If a citizen, he may lose the right to vote; if not, he becomes immediately deportable’” (Alexander, 2012, p. 142-143).

Whether punishment fits the crime is critical in Alexander’s narrative. “A couple of myths ... The first is that the war [on drugs] is aimed at ridding the nation of drug ‘kingpins’ ... The vast majority… has no history of violence or significant selling history. The second myth is … concerned with dangerous drugs. Quite the contrary, arrest for marijuana possession - a drug less harmful than tobacco or alcohol – accounted for nearly 80 percent for the growth in drug arrest in the 1990s” (Alexander, 2012, p. 60). By 2014, twenty-three US states and the District of Columbia had enacted laws to legalize “medical marijuana”.

Voter laws prohibiting people with felony convictions disproportionately impact men of color, in some states denying 13 percent of African American men the right to vote (Kerby, 2012). “This is far from the norm in other countries … half of European countries allow all incarcerated people to vote” (Alexander, 2012, p. 158). Additional long-term consequences include emotional and physical harm, and potential loss of: custody of a child, a job, immigration status, financial aid, education loans, professional licensure, and residence in public housing (Dunn, et al., 2013; Kerby, 2012; NYCLU, 2013).

**Race, Crime and Privilege**

While the so called “war on drugs” is associated with increased incarceration of vulnerable (poor) people and people of color, we contrast this with crimes in the halls of finance, so aptly captured by Woody Guthrie: “Some will rob you with a six-gun, and some with a fountain pen” (Guthrie, 1939). Turning specifically to the financial white-collar crimes we illustrate that in stark contrast to the punishment presented on the “war on drugs”, penalties and punishment are inconsequential and incarceration rare.

In an examination of a JP Morgan Chase case (when speculation by traders resulted in $6.2 billion in losses for the bank in 2012), Eavis concluded, “Vexing the public …a large bank pays a fine. But senior executives who seemed to play a role…are not singled out for individual punishment … why [did] the regulators did not take individual action against the JP Morgan executives” (Eavis, 2013). The case of HSBC is summarized in Taibbi’s expose, “Gangster Bankers: Too Big to Jail: How HSBC hooked up with drug traffickers and terrorists. And got away with it” (Taibbi, 2013). It is a particularly noteworthy financial white-collar crime due to its resonance with Alexander’s portrayal of the “war on drugs” and its impact on communities of color. “HSBC was granted a total walk … for the largest drug-and-terrorism money-laundering case ever. Yes, they issued a fine – $1.9 billion, or about five weeks' profit – but they didn't extract so much as one dollar or one day in jail from any individual, despite a decade of stupefying abuse” (Taibbi, 2013).

Minimum penalties for white collar financial crimes are not new. Ivan Boesky, considered a main player in the 1970-1980’s US insider trading crimes, served 3 years and Michael Milliken, convicted of takeover improprieties in the 1980s served 2 years (Eichenwald, 2002). Charles Keating, a protagonist in the US Lincoln Savings and Loan fraud requiring a federal bailout of over $1 billion served 5½ years in what has been called a privileged prison facility (Collingwood, 1994).

While violent crimes have obvious victims, financial crimes harbor the illusion of being less destructive. The Federal Bureau of Investigations (FBI) disputes this stating: “It’s not a victimless crime [white collar crime]. A single scam can destroy a company, devastate families by wiping out their life savings, or cost investors billions of dollars (or even all three, as in the Enron case)” (Federal Bureau of Investigations, 2014). We view the deprivation caused by financial crimes an insidious form of violence often more significant than offenses of those incarcerated for violent crimes.

Drawing on Chiapello’s work what we see here is a reinforcing of “the power and income of the capitalist class” (Chiapello, 2017, p. 51). Incarcerated non-white poor in comparing themselves to perpetrators of financial white-collar crime, comment sardonically, “There are no big-time gangsters here, no serial killers, no Godmothers running drug empires, no Enron or WorldCom executives” (Boudin and Smith, 2003, p. 249). The “war on drugs” spurred the criminalization of vulnerable populations, widening the net of criminal liability in the drug trade, manifesting in marginalization and incarceration based on class (Alexander, 2012).

We return to our beginning quote for Section 4: *“’The New Jim Crow’ is essential reading ... The facts are the facts. The numbers are the numbers”* (DeRoche, 2012).

What do facts and numbers tell us regarding incarceration, race and class? In our analysis they point to differential treatment and inequalities, but that is only part of

the story as numbers are partial, limiting all social phenomena and arresting the discussion we seek to deepen. As noted in Section 4, data reduces social phenomenon to simplistic representations yet is “always invested with meaning, potentially disguising as much as it reveals” (Hansen and Muhlen-Schulte 2012, p. 1).

Numbers foster inequality and persecution as researched by O’Neil in her book *Weapons of Math Destruction: How Big Data Increases Inequality and Threatens Democracy* (2016). In it she studies the undermining of everyday lives by the ubiquitous use of algorithms. A math Ph.D. and former hedge-fund quantifier, she describes destructive models as “Weapons of Math Destruction” (WMDs). “Math-powered applications … tended to punish the poor and the oppressed in our society, while making the rich richer” (O’Neil, 2016, p. 3). Inequalities and errors are not dwelled on by builders of WMDs, “Their feedback is money… Investors feast on these returns and shower WMD companies with more money” (O’Neil, 2016, p. 13).

One example relevant to our work regarding incarceration is nuisance crimes (such as vagrancy) that are included in crime models. Because they are more prevalent in disadvantaged neighborhoods, including them “threatens to skew the analysis … even if a model is color blind, the result is anything but. In our largely segregated cities, geography is a highly effective proxy for race” (O’Neil, 2016, pp. 86-87). As intersectionality research demonstrates, issues of race and class are intertwined (Holvino, 2010) and math models are discriminatory “because of the strong correlation between poverty and reported crime, the poor continue to get caught up in these digital dragnets. The rest of us barely have to think about them” (O’Neil, 2016, p. 104). When O’Neil was assessing the recidivism model used in prison sentencing she “had lain awake all night worrying about how unfair it was” (Kolhatkar, 2016). With assumptions camouflaged by math “WMDs even with the best of intentions, empower police departments to zero in on the poor, stopping more of them, arresting a portion of those, and sending a subgroup to prison … adding precision and ‘science’ to the process. “The result is that we criminalize poverty” (O’Neil, 2016, p. 91).

Our analysis using numbers regarding inequality in race and class contributes to the critical accounting project of making visible prejudicial treatment, while recognizing indicators under the umbrella of objective data are themselves subjective. Acknowledging these complexities, one critical accounting ambition is to develop counter accounts and qualitative research to expand the bounds of quantification. We discuss these possibilities in our concluding remarks.

**Section 5: CONCLUDING DISCUSSION**

In this paper, following the tradition of critical accounting researchers, we examine accounting’s impact on making things governable and knowable and uncover the consequences for vulnerable populations. Our main aspiration has been to reveal how racism and classism have been operationalized and maintained within the incarceration processes in the US. By exploring underpinning neoliberal policies, rules and techniques in the realm of accounting for crime and prisons, we demonstrate the disparate treatment of people based on race and class. The symbolism of creating “the feared and deviant other” has been shaped by a four-decade old “war on drugs” which we describe as an assault on marginalized (often poor) people, particularly in contrast to white collar-financial crimes considered crimes of the privileged. Our research corroborates that “Accounting becomes an eminently suitable technology to manage and enact violence on racialized populations because of its capacity to de-humanize them or render them invisible as people” (Annisette and Prasad, 2017, p. 9).

Among the policies in which accounting takes part is privatization, and when set in motion disenfranchised groups are severely impacted. While a pervasive neoliberal rhetoric asserts privatization is “the best of all possible worlds”, we dispute these claims, suggesting clear overlaps between economic issues and racial issues embedded in privatization. The neoliberal device of privatization, justified in the objective accounting language of efficiency, necessitates an increasing flow of prisoners, disproportionately impacting men of color, referred to as a racial caste system by Alexander (2012). Enacted with the creation of crime implemented in “the war on drugs”, drug offense convictions accounted for two-thirds of the rise in the federal inmate population between 1985 and 2000, primarily enforced in communities of color. African Americans, comprising only 14 percent of regular drug users, were 37 percent of those arrested for drug offenses. Similarly, studies on “racial profiling” report that Blacks and Hispanics are three times more likely to be searched during traffic stops than whites, that Blacks are twice as likely to be arrested as whites, and nearly four times as likely to experience force during encounters with the police, data confirming construction of “the other”.

While the data is unequivocal and morally disturbing, numbers are limiting. Data reduces social phenomenon to simplistic representations, asserting authority and preserving hierarchies. We have thus explored the social dimensions of discrimination, power and violence permeating incarcerations practices. Aware that the construction of numbers is imbued with politics and power, and that numbers can obscure the full story, we presented the recent work of O’Neil (2016), cataloguing in her book the misuse of data in education practices, lending practices, etc. We use her example related to incarceration practices that math-powered applications continue to increase inequalities, for example, in prison sentencing based on race and class. Assumptions are camouflaged in seemingly objective terms yet communities of color are unfairly impacted “sending a subgroup to prison … adding precision and ‘science’ to the process. “The result is that we criminalize poverty” (O’Neil, 2016, p. 91). We believe this is an important perspective: how we see the world has impacts and is a contested terrain. As such this paper has relevance to discourses continuing to emerge and to strengthen in the US regarding religious groups and immigrants as “feared others” using simplistic assumptions and stereotypes.

We return to Chiapello (2017) who suggests three major avenues for strengthening the critical accounting project, engaging and overlapping with her three strands of the discipline’s role in neoliberal regimes. The first, given the seductive appeal of neoliberalism’s apparatuses and discourse calls for an “account for what is currently being invented as a form of resistance inside neoliberalism and is hidden from view by all-encompassing definitions that are too broad” (p. 60). Discourses in the US seek to take back the language of incarceration practices and to confront endemic racism. After decades of injustices Alexander’s provocation to title her book, *The New Jim Crow: Mass incarceration in the age of color blindness* speaks to this resistance and to challenge the discourse. We agree with the need to “take seriously the counter-discourses and competing discourses” (Chiapello, 2017, p. 52) and see as another more general example the phenomenon referred to by Annisette and Prasad (2017), the Black Lives Matter movement in the US. The hashtag #BlackLivesMatter, created in 2012 is “Rooted in the experiences of Black people in this country who actively resist our de-humanization … [it is] a call to action … broadening the conversation around state violence … an end to the criminalization, incarceration, and killing of our people” (Black Lives Matter, 2016). Following Boyce and Greer we note “The force of imagination can only be realized if individuals and collectives are galvanized in ways that do not treat the status quo as pre-given, natural, eternal and unalterable … seeing the world – and accounting within it – as it is *and* as it *could be*” (Boyce and Greer, 2013, p. 110-111, italics in the original). Our paper thus responds in part to Chiapello’s question, “What contributions to criticism can be made by the identification of controversies and debates, and discursive plurality in neoliberalism?” (Chiapello, 2017, p. 60).

The second avenue extends “the research using a critical accounting analysis approach … [to] use accounting as an instrument of evidence … to lift the veil of discourses of justification and reveal the reality of material exchanges” (Chiapello, 2017, p. 60). Our analysis of privatization and its fallacies in serving the public responds to this call. By 2010 the two largest private prison companies had combined revenues of $2.9 billion with a total private correctional revenues estimated at $4 billion (Scott, 2015, Guerino, et al., 2011). Scott (2015) understands “not only have private prison companies benefitted from this increased incarceration, but they have helped fuel it” (Scott, 2015, p. 28). We have evidenced privatization’s impact on racial and class disparities. Class conflicts are endemic in incarceration struggles where capitalism divides the marginalized, poor, and disenfranchised on many levels.

“A third area for research would involve more detailed explorations of the varied, mixed achievements of neoliberalism … A study of the resistances, flaws and uncertain achievements is another way to fight it, not to deny the general movement, but to show its limitations and combat fatalism” (Chiapello, 2017, p. 60). Contributing to delegitimizing dominant positions of power accounting researchers have advanced shadow accounts. These are used for “systematically creating alternative representations, new visibilities and knowledge of existing situations in order to … represent the views of oppressed social groups” (Dey et. al. 2010, p. 1). In the vast majority of cases in which moral issues and prison reforms have been asserted, visibility and counter accounts have relied on advocates, lawyers and the medical community working with prisoners and their families. Such coalitions demonstrate that “accounting researchers alongside economists and lawyers, who are to some extent in search of such skills, is certainly a dynamic that should be encouraged” (Chiapello, 2017, p. 52).

As such, the dynamics of knowledge creation challenges us to ask what initiates visibility and transformation. By revealing the disparities in incarceration practices we reject an inevitability of silence and problematize current policies related to incarceration discourses. Presented in this research is unequal treatment of a populace and in light of new understandings we encourage critical accounting researchers to identify these contested terrains and stories. As with all critical accounting research, our work departs from conventional technologies of simplified and inflexible categories, exposing the suspect nature of neoliberalism’s task of creating static calculative subjects in prisons. All accounts are imbued with moral and ethical underpinnings. Through the exposition of accountability provided in this paper we aim to promote new knowledge and visibilities.

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1. In 2010 the US prison population of two million was approximately 25 percent of the world's prisoners (Wing, 2013). Clearly prison population is not synonymous with human rights abuses or violence compared to other countries, but is an important moral and social justice phenomenon, as the paper sets out to describe. [↑](#footnote-ref-1)
2. Jim Crow laws were local laws in the US from approximately the 1870s to 1960s, mandating (or “de jure” - by law) racial segregation in all public facilities in Southern states, phrased "separate but equal" for African Americans, but frequently inferior, sustaining economic, educational and social inequality. Northern segregation and discrimination prevailed more “de facto” (not by law) through segregated housing, education, and employment. In 1954 the US Supreme Court declared state-sponsored school segregation unconstitutional and the Civil Rights Act of 1964 and the Voting Rights Act of 1965 nullified remaining Jim Crow laws. [↑](#footnote-ref-2)
3. Names and categories for race are complex; in the paper “white” is used as a category, as are “black”, “Hispanic”, and “people of color”. The US Census Bureau collects racial data based on self-identification “in the eyes of the community … [not an] attempt to define race biologically, anthropologically, or genetically” (US Census Bureau, 2013). “The designations are used to categorize U.S. citizens, resident aliens, and other eligible non-citizens” (US Census Bureau, 2013). [↑](#footnote-ref-3)
4. The examination of class, we recognize, is limited in the paper and we hope to deepen this critical aspect in the future. We note that white-collar crime is named, literally, for employees (managers, lawyers, accountants, investment bankers, etc.) historically requiring a "white collar" in contrast to "blue collar" employees – workers called semi-skilled or "manual laborers". Clearly these terms create and sustain hierarchies, power and disenfranchisement. Intersectionality research confirms that race, class, and gender always intersect in creating social relations (Holvino, 2010). Our aspiration is to examine some of these dynamics in this work. [↑](#footnote-ref-4)
5. The 1996 G.A.O. report found that studies on savings in five states were so flawed that it was impossible to form firm conclusions. Comparing public and private prisons not only were there methodological flaws, but they could not conclude whether or not privatization saved money or whether the private facilities were better managed (US GAO, 1996; Xiong, 1997). [↑](#footnote-ref-5)
6. Objections regarding the impacts of privatizing prisons in not merely a US phenomenon. Cooper and Taylor (2004) investigate the process of privatization and the use of Key Performance Indicators (KPIs) in Scotland in the 1990s, concluding “Scotland has a new ‘state of the art’ prison facility which does little to tackle reoffending, is full of drugs and is run by the inmates” (Cooper and Taylor, 2004, p. 25). Prison violence and weapons were under-reported, to maintain the illusion, power, and success of privatization. "nfluence ggonmena. ed fear (vations to include he paper.: r papersquest you have gathered. . In the "eekly repo [↑](#footnote-ref-6)
7. States are legally required to have balanced budgets. [↑](#footnote-ref-7)
8. We note DeRoche disagrees with the book’s assumptions and that DeRoche serves on a Christian ministry founded by a former aide of President Nixon*.* [↑](#footnote-ref-8)
9. Between 1960 and 1990, the official crime rate in Finland, Germany, and the US were close to identical, yet the incarceration rate quadrupled in the US, the Finnish fell by 60 percent, and the German rate was stable in that period (Alexander, 2012, p. 7). [↑](#footnote-ref-9)
10. Among African American juveniles results are also disparate: 16 percent of the youth population, yet 37 percent of their cases are moved to criminal court and 58 percent of African American youth are sent to adult prisons; and African Americans are 21 percent more likely to receive mandatory-minimum sentences than white defendants (Alexander, 2012; Dunn, et al., 2013; Kerby, 2012; Guerino et al., 2011; Schlosser, 1998; Sentencing Project, 2013). [↑](#footnote-ref-10)
11. A New York City 2012 investigation reported: 87 percent of those stopped by the New York Police Department (NYPD) in 2011 were black or Hispanic; nine out of ten were neither arrested nor given summonses; and whites are almost twice as likely to be found with a weapon (Mathias, 2013). No gun is retrieved in 99.85 % of police stops (Dunn, et al., 2013). [↑](#footnote-ref-11)
12. Abramsky (1999) offers a number of statistics: murder rates were falling and lower in the late 1990s than twenty years earlier. The myth justified the creation of the prison industrial complex – expansion of US incarceration connected to private corporations with stakes in constructing prisons and conducting business. [↑](#footnote-ref-12)