



A Psychological Perspective on the Racial Disparities in Sentencing

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Scope and Purpose

To assess why African American males receive longer and harsher sentencing than European American males who have committed similar crimes, from a psychological perspective.

Evaluate the role psychological assessments play in the sentencing process.

- ❖ Is there a tendency for clinicians to be bias (e.g., intergroup biases, deliberate and/ or automatic prejudice, discrimination, and stereotyping) when interpreting the psychological test data?

Why is this Important?

African Americans account for 40% of the prison population, but account for 13% of the United States population. European Americans account for 39% of the prison population, but account for 64% of the United States population (Hagler, 2015).

According to the American Civil Liberties Union (2014), the sentencing imposed on African American males are approximately 20% longer than those imposed on European American males who have committed similar crimes; this includes being sentenced for life without the possibility of parole.

Why is this Important?

Forensic opinions are often grounded in psychological assessments.

According to Weiss and Rosenfeld (2012), the measures that are most often used in forensic assessments are not usually developed for, or validated in, individuals who come from minority cultural backgrounds.

Key Findings from Research Studies

According to Bodenhausen (1988), the judicial system is one of the most common settings where decision making (e.g., verdict and sentencing decisions) is often impacted by social stereotypes.

According to Quillian (2008), society tends to associate positive traits to European Americans while negative traits are often associated with African Americans and Latinos; the association of which traits belong to which group is often automatic and unintentional.

Key Findings from Research Studies

Pottick, Kirk, Hsieh, and Tian (2007) indicated that clinicians interpreted antisocial behavior as delinquency in African American and Hispanic youth, but considered that same behavior to be the result of a mental-health disorder in European American juveniles

- ❖ The researchers posed the idea that clinicians associate delinquency more with African Americans and Latinos, and mental illnesses with European Americans

Key Findings from Research Studies

The findings from a study conducted by Cohen et al. (1990) regarding youth placement to a correctional facility or psychiatric facility for treatment, indicated that the race of the youth was the only variable that predicted site placement.

- ❖ African Americans were more likely to be sent to a correctional facility while European Americans were more likely to be sent to a psychiatric facility, despite both adolescents committing similar crimes.

Key Findings from Research Studies

Members who come from diverse backgrounds need special attention with the administration and interpretation of the MMPI-2 (Butcher et al., 2015)

Butcher et al. (2015) suggests that when a forensic psychologist interprets the MMPI-2 profile of an African American examinee and finds that the scores are divergent from the norm, the first hypothesis should be to explore whether this finding represents differences in values, perceptions, and contextual factors rather than greater psychopathology.

- MMPI-2 scores not only reflect pathology, but may reflect the different coping and defense mechanisms used by the minority to manage life stressors (Butcher et al., 2015)