

I will continue to produce research that examines theoretical, methodological and substantive issues in the area of inequality, crime and social control. Theoretically, and substantively, my research seeks to understand the confluence of forces—social structural, organizational, legal, and cultural—that affect punishment in the U.S., and the mechanisms by which they work. My research also contributes to policy debates by increasing understanding of the relationship between formal policies and day-to-day practices in criminal justice. I am particularly interested in how criminal justice actors (judges and prosecutors) use sentencing laws (e.g., sentencing guidelines) and the effects of those laws on the sentencing process and on inequality in this process. This entails looking not only at judicial decision-making, but also at the displacement of sentencing authority to the charging and plea bargaining stages of the criminal justice process. Much of my research examines the mechanisms by which race, ethnic, and gender disparities in punishment emerge in the context of sentencing reforms designed to eliminate such disparities.

My progress on the papers described below slowed in the last year, but my co-authors and I are actively working to finish them this semester (Spring, 2008). I am also working on a grant proposal to NIJ, described below.

Work In Progress

Guideline Departures and Disparity Under Sentencing Guidelines

This paper with Randy Gainey has received a Revise & Resubmit at the *Journal of Research in Crime and Delinquency*. A question in the literature on racial disparity in sentencing is how disparities emerge in the context of sentencing laws that were designed to eliminate such inequality. One argument is that when courts have discretion to “depart” from otherwise mandatory guidelines they use it in ways that disadvantage minority offenders. Research has not shown, however, the degree to which disparities in punishment are explained by these departures, or if disparity results because white defendants are more likely to receive these “breaks” or because they simply receive larger breaks than minority offenders. Unlike prior research we test these predictions directly and conclude that minority offenders are disadvantaged by the use of sentence departures, but that this is *not* the principle mechanism generating disparities in punishment. We are currently revising the manuscript.

The Interaction of Sex and Race in Criminal Courts.

This paper in progress (with Katrina Bloch and Kylie Parrotta) explores the implications of alternative theories of social control for understanding the interaction/intersection of race, sex, and age in charging and sentencing, a topic that has garnered renewed interest in the social control literature. Using sentencing data from North Carolina, we show that race effects are not only larger among males than females (as others have shown), but that in some instances race effects are reversed among women; African American women appear to receive more lenient treatment even than white women. We argue that the theoretical meaning of race in the sentencing process may be fundamentally different across sex. We are preparing this paper for submission to *Social Problems*.

Plea Bargaining and Charge Reductions Under Sentencing Guidelines: Toward an Administrative Theory of Prosecutor Decision Making.

This paper (with Olena Antonaccio and Kylie Parrotta), which was presented at the ASC meetings in 2007, lays the groundwork for an explicit “administrative” theory of prosecutorial decision-making that goes beyond previous theoretical work in this vein. Qualitative research

published in the 1960s and 1970s provided rich accounts of charging, plea-bargaining, and sentencing processes that more recent theoretical and quantitative researchers have failed to fully explore or develop. I argue that these early studies contain the fundamental elements with which to build a more comprehensive theory of criminal case-processing than yet has been articulated; one that is both testable, and that predicts some otherwise anomalous empirical findings. For instance, this theory predicts, and we find, that the likelihood and the magnitude of felony charge reductions in North Carolina are greater among *more-serious* than less-serious cases, and greater among *violent* crimes than property or drug crimes.

Future Directions

Politics, Race, and Imprisonment in the U.S.: 1970-2005

This project will develop and test theoretical models to account for the expansion of imprisonment and growing racial inequality in imprisonment in the U.S. over the last 35 years. Research has identified a number of structural and political factors that are significantly related to states' imprisonment rates and/or growth in imprisonment rates: Minority threat (% black, % Hispanic), violent crime, drug arrests, political +/or religious conservatism, Republican control. Political explanations argue, specifically, that "law and order" politics associated with the Republican Party directly led to policy changes that in turn increased incarceration rates: determinate and presumptive sentencing; mandatory minimums; habitual offender statutes; and so-called "truth in sentencing" requirements.

However, research has not identified or tested the mechanisms (e.g., enforcement practices, correctional spending, or sentencing laws) through which structural and political forces affect imprisonment rates generally, or that increased racial inequality in imprisonment rates. Furthermore, there is reason to question whether the "get tough" laws produced these changes, or if other processes are to blame. The research proposed will go beyond previous research in three principle ways:

1. **examine the effects of policies on race/ethnicity-specific rates of imprisonment**
2. **identify the specific mechanisms by which policies/laws affect imprisonment rates**
3. **examine variation among states in the effects of these policies.**

I am currently working with one graduate student, Macon Parker, and two undergraduates to review the empirical literature and identify data sources, and will seek funding to support this project from the National Institute of Justice.