



Quick Hits

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Are Cops “Systemically Racist”—and Is America?

Is America a nation “conceived in liberty, and dedicated to the proposition that all men are created equal,” as Abraham Lincoln said at Gettysburg? Or is it a nation conceived in slavery and defined by “systemic racism,” as many claim today? Is our defining feature (both today and historically speaking) our republican devotion to freedom and the rule of law, or is it our failure to apply our laws equally to members of all races, resulting in the denial of freedom to many?

Those who say our defining quality is racism, rather than republicanism, rest their claim primarily on

two things: the existence of slavery at our founding, and alleged ongoing oppression by those in authority today—namely, by the police. If police are “systemically racist,” then the whole country can feasibly be alleged to be so. If not, then the claim of “systemic racism” quickly unravels, becoming little more than a naked assertion belied by most Americans’ lived experience. Unfortunately for those advancing this narrative, but fortunately for our country, the best available evidence suggests that police are not racist and that America is not a land of “systemic racism,” but rather is a land of justice.

Key Arguments

The best evidence shows that America is a land of justice, not of “systemic racism.”

- In terms of racial demographics, cops arrest those who actually committed the crimes. When the Bureau of Justice Statistics analyzed offender and arrest data by race, it found no statistically significant difference between the percentage of offenders and the percentage of arrestees of a given race (for non-fatal violent crimes reported to police).¹
- State and federal imprisonment rates also do not suggest racial bias. Among sentenced prisoners under the jurisdiction of state or federal correctional authorities as of 2019, the 2-point gap between black (33%) and white (31%) inmates matched the 2-point gap—reported by victims—between the percentage of black and white perpetrators of serious non-fatal violent crimes reported to police.²
- Despite high rates of violent crime committed by black offenders against black residents, on the whole, black Americans are victimized by violent crime at similar rates as other Americans. The reason for this is that there are comparatively few violent crimes committed by white (or Hispanic) residents against black residents.³

Examining potential police bias based on *victims’* reporting.

Beginning in the contentious summer of 2020, the Bureau of Justice Statistics (BJS), the statistical arm of the U.S. Department of Justice, undertook a meticulous examination of the demographics of those who commit crimes and those who are arrested for crimes. The findings from this inquiry were released in mid-January 2021 in the BJS report, “Race and Ethnicity of Violent Crime Offenders and Arrestees, 2018.”⁴

The NCVS provides a crucial independent source of data not reliant upon police reports.

This illuminating report could not have been produced without a reliable source, outside of policing, for identifying the demographics of criminal offenders. When examining the actions of police departments, one cannot simply take cops’ word for who commits crimes. Fortunately, BJS’s National Crime Victimization Survey (NCVS) asks *victims* who committed the crimes against them.⁵

The NCVS, which dates to the Nixon administration, is the nation’s largest crime survey and one of the largest federal surveys on any topic. Its results are based on about 250,000 interviews annually with a representative sample of U.S. residents. Respondents are asked whether they were a victim of crime within the past six months. Crime victims are then asked about the sex, age, race, and ethnicity of those who committed the crime(s) against them—thereby providing a crucial independent source of data not reliant upon police reports.

Differences between the percentage of offenders and the percentage of arrestees of a given race were *not* statistically significant.

In undertaking its analysis, BJS took victims’ responses on the 2018 NCVS and compared them with 2018 arrest rates compiled by local police departments and collected nationally through the FBI’s Uniform Crime Reporting (UCR) Program. For non-fatal violent crimes that—according to victims—were reported to police, BJS found that

- White people accounted for 48% of offenders and 46% of arrestees;
- Black people accounted for 35% of offenders and 33% of arrestees;
- Asians accounted for 1.8% of offenders and 1.3% of arrestees.⁶

None of these differences between the percentage of offenders and the percentage of arrestees of a given race were statistically significant. (The findings are limited to non-fatal crimes because murder victims cannot identify their assailants.)

BJS statistics suggest that, in terms of racial demographics, cops are arresting those who commit the crimes.

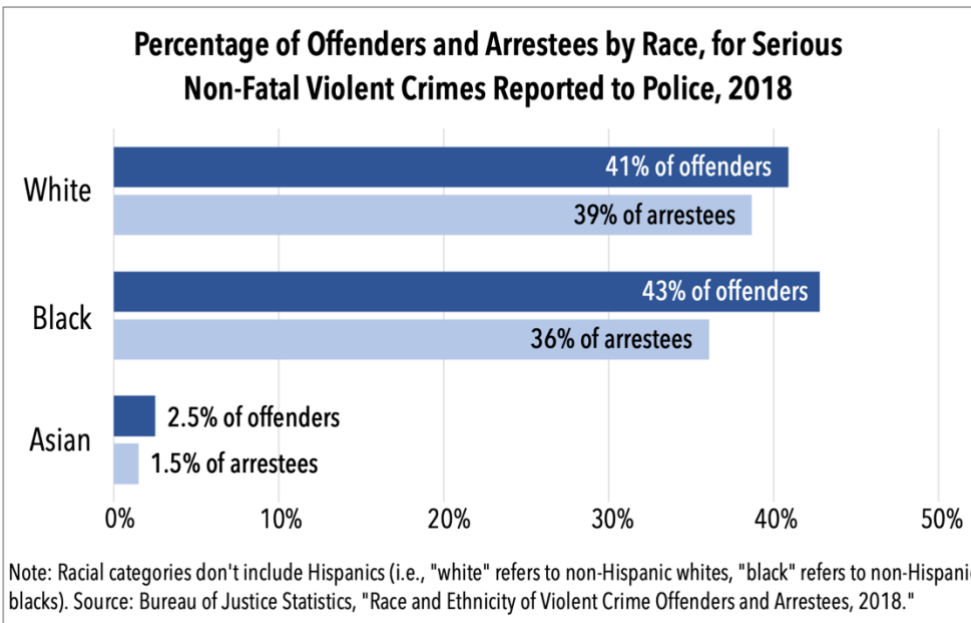
The federal government classifies Hispanics as an ethnic rather than a racial group. (All Hispanics are classified as members of a racial group—white, black, etc.—as well.) Hispanics accounted for 13% of offenders and 18% of arrestees, a statistically significant difference. However, in about 10% of all incidents (9% of single-offender incidents and 12% of multi-offender incidents), victims were unable to determine whether their assailants were Hispanic or not.⁷

As a result, all of the assailants in such incidents were counted as *non-Hispanic* members of some race. Unless *none* of these assailants (whose victims thought they *might* be Hispanic) actually *were* Hispanic, these results underestimate the number of Hispanic offenders to some degree. And because most Hispanics are white—per the National Incident-Based Reporting System, BJS reports that 95% of Hispanics arrested for violent crimes were white, 4% were black, and 1% were of other races⁸—these results likely overestimate the number of white offenders to a roughly corresponding degree, while perhaps also slightly overestimating the number of black offenders.

Most victims of violent crime are victims of simple assault, a crime not generally prosecuted as a felony.⁹ When focusing solely on the more serious non-fatal violent crimes reported to police (rape/sexual assault, robbery, and aggravated assault), the results were as follows:

- White people accounted for 41% of offenders and 39% of arrestees;
- Black people accounted for 43% of offenders and 36% of arrestees;
- Asians accounted for 2.5% of offenders and 1.5% of arrestees.¹⁰

Once again, none of these differences between the percentage of offenders and the percentage of arrestees of a given race were statistically significant.



Hispanics accounted for 12% of offenders and 21% of arrestees, which was statistically significant.¹¹ Again, however, "victims not knowing the ethnicity of their assailants, even if they knew their race," to quote BJS, "may have resulted in some underestimates of Hispanic offenders' involvement in violent crime."¹² Indeed, for the reasons given above, this was almost certainly the case, with the number of white (and possibly black) offenders likely being somewhat overestimated.

These BJS statistics provide no evidence to support the claim of widespread "systemic racism" in our nation's police forces. Instead, they suggest that cops are arresting those who actually commit the crimes, at least in terms of racial demographics. Far from providing evidence of "systemic racism," such statistics provide evidence of systemic justice.

State and federal imprisonment rates also do not suggest racial bias.

Widening the lens to encompass other parts of our criminal justice system, those who level the charge of "systemic racism" often maintain that non-white defendants are more apt to be imprisoned for comparatively petty or "victimless" crimes. But according to BJS, "Among sentenced state prisoners at year-end 2018, a larger percentage of black (62%) and Hispanic (62%) prisoners than white prisoners (48%) were serving time for a violent offense."¹³ (As for claims of "mass incarceration," 99.5% of U.S. adults were *not* in prison as of 2021.¹⁴)

Such violent offenders include convicted murderers. BJS writes, "Nineteen percent of Hispanics in state prison at year-end 2018 had been sentenced for murder or non-negligent manslaughter, compared to 17% of black prisoners and 11% of white prisoners."¹⁵ BJS also conducted a large survey of prison inmates in 2016, which found that a higher percentage of black (29%) than Hispanic (21%) or white (12%) sentenced state prisoners said they had possessed a firearm during their offense, a factor that generally results in increased sentence length.¹⁶

Violent incidents involving black offenders and white victims were 5.3 times as likely as vice versa.

Among sentenced prison inmates under the jurisdiction of state or federal correctional authorities as of 2019, 33% were black and 31% were white.¹⁷ This 2-point gap matched the 2-point gap (reported by victims in the

2018 NCVS) between the percentage of black and white perpetrators of serious non-fatal violent crimes reported to police.¹⁸ This gap was identical despite the higher percentage of black prisoners—in relation to white prisoners—who were serving time for homicide (which not only couldn’t be captured in the offender data cited above, but also is the crime punished with the longest sentences), and despite the greater likelihood that black prisoners possessed a firearm during their offense, which normally leads to longer sentences.

Black citizens are disproportionately victimized by members of their own race.

According to the 2018 NCVS, “Sixty-two percent of violent incidents committed against white victims were perceived to be committed by white offenders, the same portion (62%) of the total U.S. population (age 12 or older).” In stark contrast, “Among black victims, the percentage of violent incidents perceived to be committed by black offenders (70%) was 5.8 times higher than the representation of black persons in the population (12%).”¹⁹ (Results for Hispanics and Asians were in between these 1-to-1 and 5.8-to-1 ratios.)

Despite such high rates of intra-racial violent crime committed against black residents, on the whole, black Americans are victimized by violent crime at similar rates as other Americans.²⁰ The reason for this is that there is comparatively little white-on-black (or Hispanic-on-black) violent crime. The 2019 NCVS revealed, “There were 5.3 times as many violent incidents committed by black offenders against white victims (472,570) as were committed by white offenders against black victims (89,980).”²¹ Similarly, there were 5.7 times as many violent incidents involving black offenders and Hispanic victims (249,030) as there were involving Hispanic offenders and black victims (43,730)²²—although the latter number is likely underestimated because of victims’ challenge in identifying offenders’ ethnicity. (In comparison, there were 2.7 times as many violent incidents involving Hispanic offenders and white victims as there were involving white offenders and Hispanic victims.²³) Again, all of these statistics are according to victims.

The Way Ahead

We must defend America as a nation “conceived in liberty.”

While the claim of institutional racism in policing is at the heart of the allegation that America is “systemically racist,” the other central aspect of that claim is rooted in the institutional racism of slavery. According to the Left, slavery defined our country’s founding, and now our legal system continues to oppress black people through the “systemic racism” of biased policing. In their telling, one racist institution has merely replaced another.

But this fundamentally mischaracterizes our founding and ignores the best evidence about our criminal justice system. Far from being the defining feature of our founding, slavery was an aberration, a part of our inheritance from Great Britain that we had to fight to overcome. Americans’ reasonable hope was that the ratification of the Constitution, which formed a *more* perfect union, would eventually lead to slavery’s demise—and after the sacrifice of some 600,000 (mostly white) men, it ultimately did. “[T]he great mass of the nation have rested in the belief that slavery was in course of ultimate extinction,” Lincoln stated. “The adoption of the Constitution...led the people to believe so,” and “such was the belief of the framers of the Constitution itself.”²⁴

Our history shows that America is a nation conceived in liberty, which fought for and won the freedom of the English colonists and later of the slaves. And while today’s race-obsessed Left seeks to re-instill divisive race-consciousness, the evidence indicates that the actions of our police forces are consistent both with the hard-won colorblind ideal and with our founders’ dedication to the proposition that all men are created equal.

Further Resources

Endnotes: <https://americanmainstreet.org/are-cops-racist-endnotes>.

“[Race and Ethnicity of Violent Crime Offenders and Arrestees, 2018](#),” Bureau of Justice Statistics, Jan. 2021.

Abraham Lincoln’s [Chicago Speech](#), 1858; and [Peoria Speech](#), 1854.