

Racial Impact for HF3101: Domestic Abuse No Contact Orders: Expansion of Crime

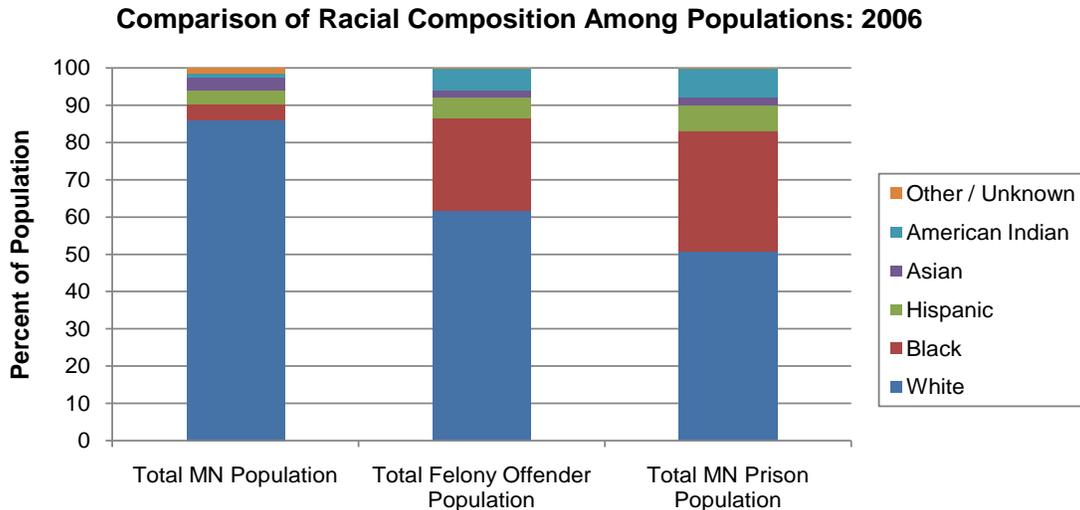
Minnesota Sentencing Guidelines Commission
March 13, 2008

By including the following information on race, MSGC seeks to enrich the discussion on how minorities in Minnesota are affected by changes in sentencing policy. If a significant racial disparity can be predicted before a bill is passed, it may be possible to consider alternatives that enhance public safety without creating additional disparity in Minnesota's criminal justice system.

According to the U.S. Census population estimates for July 1, 2006 (the most current estimates available at this time), approximately 86 percent of Minnesota's population is white. The composition of the remaining 14 percent is as follows: 4.3 percent black; 3.8 percent Hispanic; 3.5 percent Asian; 1.1 percent American Indian; .04 percent Native Hawaiian/Pacific Islander; and roughly 1.4 percent who identify themselves with two or more races.

In contrast, MSGC monitoring data shows the following racial make-up of the 2006 felony offender population: 61.6 percent white; 25.0 percent black; 5.9 percent American Indian; 5.5 percent Hispanic; 2.0 percent Asian, and .02 percent unknown/other.

According to the Minnesota Department of Corrections, the racial composition of the prisons on July 1, 2006 was as follows: 50.9 percent white; 32.1 percent black; 7.8 percent American Indian; 6.9 percent Hispanic; 2.2 percent Asian; and .02 percent unknown/other.



The offenders sentenced for felony violations of orders for protection and harassment restraining orders in the last five years are slightly more likely to be racial minorities than the total offender population. Thirty-percent of the offenders sentenced for those offenses were black, compared to 25% of the total offender population. The imprisonment rate for black offenders sentenced for order violations was 31%, while the imprisonment rate for white offenders sentenced for those two offenses was 21%. Assuming that the offenders who will be sentenced for felony violations of domestic abuse no contact orders will closely resemble those sentenced for the other order violations in terms of racial makeup and imprisonment rates, this bill will have some disparate racial impact. If the bill results in 47 additional offenders a year receiving executed prison sentences, approximately 24 of those offenders will be white, 18 will be black, 3 will be Hispanic, and 2 will be American Indian.