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The Mass Criminalization of Black Americans: A Historical Overview

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Abstract

This review synthesizes the historical literature on the criminalization and incarceration of black Americans for an interdisciplinary audience. Drawing on key insights from new histories in the field of American carceral studies, we trace the multifaceted ways in which policymakers and officials at all levels of government have used criminal law, policing, and imprisonment as proxies for exerting social control in predominantly black communities from the colonial era to the present. By underscoring this antiblack punitive tradition in America as central to the development of crime-control strategies and mass incarceration, our review lends vital historical context to ongoing discussions, research, and experimentation within criminology and other fields concerned about the long-standing implications of institutional racism, violence, and inequity entrenched in the administration of criminal justice in the United States from the top down and the ground up.

INTRODUCTION

Michelle Alexander's bestselling book *The New Jim Crow*: *Mass Incarceration in the Era of Color-blindness*, published in 2010, is the most widely read text on the American criminal justice system ever published. Although Alexander did not invent the concepts of mass imprisonment or the prison-industrial complex, her book reinforced the groundbreaking work of scholars such as David Garland (2002), Angela Davis (2003), Bruce Western (2006), Jonathan Simon (2006), Ruth Wilson Gilmore (2007), and Loïc Wacquant (2009). Alexander is commonly credited for popularizing the premise that over the past half-century in America, mass incarceration has functioned as "a new racial caste system," fueled by a calculated and seemingly colorblind system of disenfranchisement, destruction, and death (Alexander 2010, p. 11).

Over the past decade, *The New Jim Crow* has forced policymakers, scholars, and the public to confront the problem of mass incarceration in important new ways. As a concept, the new Jim Crow has become shorthand for many anticarceral activists to describe the deep racial dimensions of criminalization and incarceration in the American criminal legal system. Within the policy arena, the growing mandate for criminal justice reforms that emerged during the Obama administration—including the decarceration of nonviolent drug offenders, community-oriented policing reforms, and the emphasis on comprehensive prison reentry and youth violence prevention programs—can be partly attributed to the influence of Alexander's ideas. And as a call to action for rethinking the place of prisons in American society, *The New Jim Crow* stimulated new and critical scholarly debates over the impact of legalized racial and social control in America (Forman 2012).

Inspired in large part by Michelle Alexander as well as by Heather Ann Thompson's groundbreaking 2010 essay, "Why Mass Incarceration Matters: Rethinking Crisis, Decline, and Transformation in Postwar American History"—published just a few months after *The New Jim Crow*'s release—historians of the American carceral state have produced a burgeoning wave of literature on criminalization, law enforcement, and imprisonment in America from the eras of slavery and settler colonialism to the modern age of mass incarceration and global counterinsurgency (Balto 2019, Felker-Kantor 2018, Flowe 2020, Haley 2016, Hernández 2017, Hinton 2016, Kohler-Hausmann 2017, LeFlouria 2015, Muhammad 2010, Schrader 2019, Singh 2017, Suddler 2019, Thompson 2010). These histories of the antiblack punitive tradition in the United States provide necessary context that advances our understanding of the intersecting and distinctive racial, ethnic, gendered, and socioeconomic dimensions of policing and punishment in the American criminal legal system. More importantly, they offer rich historical knowledge for future interdisciplinary scholarship on law, law enforcement, and criminalization in the United States.

For more than a decade, carceral scholars have complicated traditional understandings of the social, economic, and political forces that undergirded the rise of mass incarceration in America. In addition to reinterpreting Alexander's work, their insights have demonstrated the significance of federal and local crime-control policies, the role of police, and activism within black communities that both shaped and resisted the expansion of the US carceral-security state. This review underscores these dynamics with respect to the criminalization of black Americans and highlights key national and municipal developments in crime-control practices and punitive policymaking that most affected black communities. Our historical overview is vital for pinpointing the structural effects of antiblack racism in the administration of criminal justice in the United States. By emphasizing the origins and consequences of racial codes, targeted policing, and criminal justice discrimination throughout American history, this review elevates the antiblack punitive tradition as a crucial historical phenomenon that exemplifies the perpetual criminalization of a constellation of marginalized, minority-identified populations. In effect, the criminalization of black Americans

has been, and continues to be, the canary in the coal mine for underserved and hyperpoliced communities caught within the ever-expanding web of American law and order.

Understanding contemporary mass incarceration as one historical moment within a much longer and larger antiblack punitive tradition is critical for grasping the insidious manifestations of criminal justice discrimination in modern-day America. The defining feature of this tradition, we argue, is the habitual surveillance and incapacitation of racialized individuals and communities. Under the banner of order maintenance and anticrime warfare, public officials and law enforcement practitioners have routinely mobilized financial resources, new technologies, and political support for tactical police operations in the midst of recurrent crime panics and urban uprisings. Policing and criminalization practices have worked in tandem historically to monitor and contain people of color and low-income groups within and beyond US borders. Most recently, historians have invoked the language of warfare and counterinsurgency to describe the US criminal legal system's dependency on aggressive local law enforcement operations and surveillance strategies that target black and Latinx youth and political activists in particular (Balto 2019, Camp 2016, Felker-Kantor 2018, Gilmore 2007, Hinton 2016, Hernández 2017, McCoy 2009, Singh 2017). As scholar Nikhil Pal Singh put plainly, "urban policing is a field of war" (Singh 2017, p. 71). This discursive framing is essential for comprehending the historical evolution of American law enforcement and incarceration strategies, from the founding of the United States to the aftermath of Cold War national security crises.

Since the inception of modern police forces, local law enforcement efforts have characterized colored persons and dangerous populations as internal enemies and as volatile threats to state authority and established social orders across US-controlled regions (Berry 1995, Dunbar-Ortiz 2018, Harring 1983, LeBron 2019, Seigel 2018, Taylor 2013). In addition to regulating the land stolen from Native Americans, police powers codified in the US Constitution and Bill of Rights included the responsibility for suppressing insurrections and invasions from all potential threats, foreign and domestic. Throughout the colonial and antebellum periods, slave patrols, city constables, and state militias functioned as premodern progenitors of domestic police forces across the United States (Dunbar-Ortiz 2014). State legislators empowered municipal policymakers to form paramilitary units to capture and confine suspected insurgents, disorderly immigrants, and free and enslaved persons of color prior to the Civil War (Dulaney 1996). In the shadow of Emancipation, the Thirteenth, Fourteenth, and Fifteenth Amendments abolished slavery, expanded the bounds of citizenship rights, and granted black men the right to vote. But, following the demise of Reconstruction in 1877, policymakers and officials nationwide undermined the extension of formal equality to black citizens, and, instead, new criminal laws and penal systems emerged in the form of Black Codes and convict leasing at the state and local levels.

The systematic criminalization and incarceration of newly freed people and their descendants before and after the Civil War went on to shape policing and prison reforms introduced in the decades leading up to the start of Johnson's War on Crime in 1965. During the so-called Progressive era of the early twentieth century, criminal laws, policing practices, and legal–cultural customs increasingly targeted black Americans. The entrenchment of Jim Crow laws before, during, and after Prohibition unleashed new mechanisms for spatial regulation and social control at the federal and local levels that subsequently compromised black social and physical mobility, economic opportunity, and life prospects (Anderson 2016, Gross 2006, Haley 2016).

Black activists and reformers fervently contested crime-control policies and practices throughout the twentieth century (Joseph 2006, Marable 1984, Murch 2010, Thompson 2004). Yet in the wake of the mainstream civil rights movement in the 1950s and 1960s, federal, state, and local law enforcement forces persistently mobilized against civil rights protestors, black power militants, and urban activists dubbed by authorities as domestic insurgents (Camp 2016). Law enforcement

officials justified the occupation, patrol, and surveillance of high-risk, low-income neighborhoods of color with mounting media and government reports of mass protest, fear of crime, and civil violence in the late 1960s. Historians have come to understand the fallout of urban rebellions of the late 1960s as both a reciprocal effect of the ramping up of Cold War counterinsurgency operations abroad and a critical rupture in the history of domestic US law enforcement (Camp 2016). During and following the Vietnam War, as historian Stuart Schrader aptly explains, "across the globe, counterinsurgency was policing. At home, policing was counterinsurgency" (Schrader 2019, p. 15). This period marked the dawn of urban police militarization in the United States, as municipal police departments and peer law enforcement agencies nationwide gradually adopted new proactive policing tactics and special units, acquired military-grade weaponry and crime reporting technologies, and advanced paramilitary deployments for "patrolling high-crime areas in teams" and "targeting suspicious vehicles and citizens" en masse by the 1990s (Kraska 2001, p. 7).

At the core of postwar police counterinsurgency strategies are the philosophy and practice of proactive policing: a multivalent blanket term in modern-day criminology for a wide array of preventive, rather than solely reactive, policing approaches. Although some social scientists associate the rise of proactive policing with the turn of the twenty-first century, we reject the notion that violent crime rates in the late 1980s and early 1990s necessitated local law enforcement innovation and federal intervention in municipal police policymaking. Rather, historical evidence suggests that proactive policing tactics and technologies arose first and foremost as crime-control countermeasures designed to track and suppress urban unrest and disorder in the 1960s and 1970s and, thereafter, broadened to encompass the order-maintenance prerogatives of drug-gang wars waged nationwide in the 1980s. As a crucial component of a spectrum of community-oriented and problem-solving strategies introduced in the 1980s and 1990s, the proactive policing reform movement compelled policymakers and police administrators to reconfigure local policing procedures and resources while also strategically mobilizing political and private support for neighborhood-based law enforcement operations.

In the aftermath of the Kerner Commission report in 1968, subsequent national crime commissions and newly formed police research institutions circulated controversial findings regarding the failures and limitations of local police administration and crime prevention. In the midst of sweeping criminal legal reforms and political–economic transformations in major and midsize US cities, the unprecedented surge in proactive police research and preventive policing experiments in the 1970s and 1980s spurred demands and financing for community-based, problem-solving reforms embedded within existing law enforcement institutions (Flamm 2005, Hinton 2016, Walker 2016). Rethinking traditional modes of rapid-response or beck-and-call police work, police researchers working in tandem with law enforcement practitioners and crime-control advocates in the 1980s and 1990s advanced new approaches and strategies for boosting proactive patrol work and disorder management in urban streets, public housing areas, and downtown city districts as well as suburban neighborhoods (Boyles 2015, Chronopoulos 2011, Kraska 2001, Umbach 2011). The "broken windows" paradigm editorialized by James Q. Wilson and George L. Kelling in 1982 is an exemplary product of the proactive policing reform movement. In effect, proactive policing approaches, coined by police researchers, practitioners, and policymakers under the banner of zero-tolerance policing and disorder prevention, emboldened police administrative leadership and encouraged the replication of experimental local law enforcement practices that were ultimately subsumed by the Violent Crime Control and Law Enforcement Act in 1994.

The ascendance of proactive policing approaches coincided with key advancements in crime reporting systems and surveillance technologies in the 1990s that legitimized the use of hyper-policing in designated neighborhood hot spots (Balto 2019; Felker-Kantor 2018; Hinton 2016;

Walker 1992, 2016). National law enforcement programs that originated in the mid-1960s laid the groundwork for the implementation of proactive policing reforms in designated high-risk neighborhoods identified by police and set the stage for community-based policing experiments and crime prevention tactics, deployed at home and abroad, into the twenty-first century. Public and private funding for police field studies and research in the 1970s and 1980s fostered the creation of team patrol forces, specialized tactical units, and new administrative policies. The resulting anticrime campaigns carried out simultaneously on the local and federal levels contributed to the exacerbation of arrest and incarceration rates in local jails and state penitentiaries. The War on Gangs waged during the Clinton administration consolidated the federal aims and objectives of the preceding Wars on Crime and Drugs. Nevertheless, black freedom struggles against the perennial problem of police violence persisted as liberal politicians, black police administrators, and community activists amplified grassroots demands for police accountability and the abolition of discriminatory police practices that undergirded the making of mass incarceration on the local level.

Despite the numerous complexities and nuances spotlighted by this richer, fuller historical overview of policing and punishment in America, it is impossible to disentangle institutional racism in America—past and present—from the simultaneous development of the nation's criminal legal system. From the advent of modern penal institutions and public law enforcement groups in the nineteenth century to the rise of mass incarceration and the specialization of police counterinsurgency strategies into the twenty-first century, this review emphasizes the antiblack punitive tradition as central to understanding the development of policing and punishment, from the top down and the ground up, throughout American history. Ultimately, we hope this review provides interdisciplinary scholars a fresh introduction to vital historical context that is imperative for future studies of the long-standing effects of institutional racism and inequity embedded in the administration of the American criminal legal system.

SHACKLED AND SURVEILLED: LAW AND ORDER DURING SLAVERY

The history of law enforcement in the United States is inextricably linked to the history of slavery and settler colonialism in early America (Boyles 2015, Camp 2016, Hernández 2017, Schrader 2019). Since the origins of modern American policing and imprisonment, black people—free, enslaved, and self-emancipated—have consistently been the targets of unique forms of policing and confinement. Marked by the circumstances of their birth and skin color, Africans who were forced to migrate to the New World toiled in bondage and survived ten generations of slaveholding oppression before 1865.

With the notable exception of Sally Hadden's (2003) *Slave Patrols*, few historians have focused on the intricacies of law enforcement systems in colonial and antebellum America and offered detailed insight into the way black people confronted various forms of surveillance under the authority of emerging state and local prison and policing institutions. Nonetheless, historians of regionally distinctive policing practices that developed within and outside of newly established US court systems maintain that punitive responses to slavery, emancipation, and urbanization should be seen as foundational antecedents for the transformations in policing and punishment that took hold across America after the Civil War (Ayers 1984, Berry 1995, Harring 1983, Hindus 1980, Waldrep 1998, Walker 1998).

Bound to the plantation by what Walter Johnson has labeled "the carceral landscape" established by both planters and state authorities, few enslaved women and men interacted with the formal justice system (Camp 2004, Johnson 2013). Still, jails and prisons in the southern United States emerged as critical mechanisms to reinforce the institution of slavery (Henderson 2016).

Traders housed slaves in jails and prisons, usually attached to workhouses, before leasing them out or selling them at auction. Planters had the option of delivering slaves to jailers, who would inflict whippings, brandings, and other forms of torture if owners wished not to perform such punishments themselves. Finally, railroad companies, state authorities, and slaveholders also subjected suspected fugitives to hard labor, with the proceeds returning to the jail or prison itself (Henderson 2016). However, information recorded in state vouchers that slaveholders received after "courts not of record" convicted one or more of their slaves on capital offenses reveals that enslaved people were indicted for a variety of crimes, ranging from murder of a master or overseer to rape of a white person or slave child (Phillips 1915). Despite a few documented cases, the vast majority of enslaved Africans were not formally incarcerated for criminal charges. Rather, local legal mechanisms and extralegal customs for controlling enslaved persons and unwanted populations prevailed.

The abolition of slavery in Northern states during the first half of the nineteenth century coincided with the birth of the modern penitentiary (McLennan 2008, Rothman 1971). At Newgate, the first state prison in New York, for example, 25% of those confined between 1797 and 1828 were of African descent, even though free black people only accounted for roughly 12% of the population in the state. And in Philadelphia, home to the largest community of free black people in the nation at about 15% of the city's total population, 43% of the men and women incarcerated in the city's penitentiary in 1816 were identified as Negro or Mulatto (Mishler 2016, Nash 1988). These figures underscore the extent to which black Americans have suffered disparate rates of confinement from the very beginnings of imprisonment in America.

Although slave states in the Southern and Western US territories maintained few penitentiaries during this period, these regions gave rise to America's first system of organized, civilian-based law enforcement (Ayers 1984, Harring 1983, Rousey 1996). In colonial New England, settlers organized early law enforcement bodies known as Indian Constables, and in the early nineteenth century police forces emerged in St. Louis and other frontier cities to monitor American Indians and protect white residents from their possible retaliation (Hadden 2003, Rousey 1996). In the antebellum South, all-white citizen patrols possessed legal authority over black people (Hadden 2003). Poor and wealthy white men armed with whips and guns policed the areas surrounding plantations and supplemented the general surveillance sustained by overseers, slaveholding families, and local officials. Charged with the responsibilities of slave management, insurrection suppression, and the maintenance of white racial and social order, slave patrollers served as the premodern predecessors for law enforcement practices that have shaped American history. Any person of African descent in the slave states who appeared to be outside of the control of a white master and failed to otherwise prove their free status could be seized and imprisoned by nearly any capable white civilian.

These elaborate patrol networks established formidable law enforcement groups that were subjected to the authority of slaveholding elites (Hadden 2003). From the early Republic to the Civil War, slave patrols enforced planters' control over the person and labor of their slaves by maintaining three primary duties: raiding slave dwellings looking for weapons and educational contraband, dispersing slave gatherings, and patrolling the areas around plantations and towns to apprehend suspects for cruel and corporal punishment (Hadden 2003). Patrollers tended to concentrate these tasks at the largest plantations, where it was easier to monitor slaves and where slaveholders' power was concentrated at the county level. As a result, the wealthiest slaveholders single-handedly molded the legal and penal system of the slave South by giving civilian patrollers enforcement authority (Schwarz 1988).

Unfortunately, because of the sparse records retained by slave patrols and their commanders, early accounts of crime in eighteenth-century America hardly provide a detailed picture of slave

patrol operations or the way slaves interacted with these civilian bodies. To be sure, slave patrols profoundly shaped the way free and unfree black people navigated their status. Enslaved men and women perceived slave patrollers as an integral component of the larger structure of racial domination that shaped their daily lives and sought to control their every move to prevent large-scale revolt (Schwarz 1988, Wagner 2009). Yet despite even the best attempts on the part of slaveholders to prevent insurrection with the use of counterinsurgent patrols, slaves routinely instrumentalized tools of defiance and insubordination to undermine white-supremacist legal authority (Berry 1995, Edwards 2009, Gross 2000). We have a sense of the way slaves used court systems to stake claims to citizenship (Jones 2018) and property (Penningroth 2003), but additional social-historical research is required to reconstruct the local histories of slave patrollers and the targets they pursued.

Although most law enforcement and criminal justice institutions were idiosyncratic and decentralized during the antebellum period, law-and-order systems in the Southern, Western, and Northern free-state regions of the United States were all tightly bound to the enforcement of slavery, especially after the passage of the federal Fugitive Slave Act of 1850. From Charleston to Detroit, community leaders organized forces to combat criminal threats and maintain order in America's most turbulent cities and towns (Walker 1998). County sheriffs and town constables in the North operated similarly to slave patrols and militiamen in the South to quell mob uprisings and enforce a rigid community ethos of law and order based on strict moral guidelines that largely embodied the religious views and social expectations of the ruling majority (Walker 1998). This Protestant-elite moral order targeted "disorderly" immigrants in northern cities, as well as free and enslaved persons of color, while Southern slave societies enforced a rigid racial order that subjugated "unruly" slaves and defined social relations for propertyless white people (Balto 2019, Walker 1998).

Slavery ensured that black people were the object of surveillance and social control throughout the country. Southern and Western cities did not exclusively rely on municipal policing models and urban law enforcement reforms based in London, Boston, New York, and elsewhere in the mid to late nineteenth century (Harring 1983, Hindus 1980, Lane 1967, Malka 2018, Miller 1977, Richardson 1970). Industrial elites and local businessmen effectively buttressed the development of modern, professionalized urban police departments in order to protect their property interests and squash labor struggles from a growing class of mobile wage earners, composed mostly of working-class immigrants (Balto 2019). Regardless of region, however, the defining characteristics of the "criminal" fundamentally influenced the purpose and practice of police power, namely protecting white property and maintaining the social order by controlling the urban poor, enslaved Africans, and other marginalized groups (Hindus 1980). Thus, we must understand the history of incarceration, state militias, civilian police forces, and slave patrols in the antebellum period as phenomena embedded within a larger and longer history of racism, violence, and law enforcement in America.

BACK TOWARD SLAVERY: THE FIRST MASS INCARCERATION

The criminalization and incarceration of black Americans profoundly shaped the development of the criminal justice system in the century between the end of the Civil War and the enactment of the Civil Rights Act of 1965. Following the emancipation of four million slaves, in 1865 and 1866 the former Confederate legislatures quickly enacted a new set of laws known as the Black Codes to force formerly enslaved people back into an exploitative labor system that resembled the plantation regime in all but name. The Black Codes functioned to restore the significant amount of capital Southern planters lost because of the union's victory, preserving a set of political and economic interests that undermined those of the former slaves and their descendants.

Although the Black Codes formally recognized the new legal status of African Americans under the provisions of the Thirteenth Amendment, extending the right to marry, enter contracts, and other basic legal entitlements, in most states newly freed people could not vote, own arms, or testify in court. In South Carolina, African Americans were prohibited from selling crops without permission from a white person. Newly freed people in Louisiana could publicly assemble only between sunrise and sunset. In Maryland, interracial marriage carried a penalty of seven years of servitude for both parties. Any person of color who "intruded" on a gathering of white citizens, or who even fell in the proximity of white residents in public, could be charged with a misdemeanor with a punishment of 39 lashes in Florida (39 Cong., 2 Sess., No. 1276 Senate Exec. Doc. 6, *Freedman's Affairs*).

Criminal justice campaigns during this period disproportionately victimized black youth, women, and families (Chavez-Garcia 2012, Gross 2006, Hicks 2010, McGuire 2010). Across the board, the codes sentenced black orphans and impoverished minors to an "apprenticeship"—essentially training to be a cotton picker and often working in labor camps alongside adults (Oshinsky 1997). Adding to these targeted regulations, vagrancy laws at the center of the Black Codes compelled newly freed men, women, and children to either enter into contracts with white employers as punishment or risk entering a system of incarceration administered by private industry, known as the convict-lease system.

Congress attempted to repeal the Black Codes with the Civil Rights Act of 1866, and, later, with the citizenship, due process, and equal protection clauses of the Fourteenth Amendment, but Southern slave states continued to implement statutes that gave rise to the first mass incarceration of African Americans immediately after Reconstruction via convict leasing. This system allowed planters to continue to control black labor after slavery, and it offered the rising industrial class in the South as well as former slaveholders, governors, US Senators, and Klansman a route to accumulate significant amounts of wealth by continuing to exploit black labor. In South Carolina alone, 95% of the convict population during this period was black (Oshinsky 1997). Southern jails remained predominantly white, as they had during slavery, with black convicts working the cotton fields, coal mines, sawmills, and railroad camps of the emerging New South.

As the robust literature on race and punishment in the Jim Crow South shows (Blackmon 2008, Curtin 2000, Haley 2016, LeFlouria 2015, Lichtenstein 1996, Oshinsky 1997), the convict-lease and sharecropping systems did not fundamentally disrupt the racial hierarchies that had existed under slavery. In fact, as the titles of two of the most seminal books on the subject suggest, for black Americans during this period, the New South's punitive regime was *Worse than Slavery* (Oshinsky 1997) or *Slavery by Another Name* (Blackmon 2008). During the antebellum period, planters had a financial incentive to maintain conditions that would allow slaves to labor for the duration of their lives. Not so under the brutal convict-lease system, where most laborers did not live long enough to serve a 10-year sentence (Oshinsky 1997).

Newly emancipated black people survived within—and in spite of—the racist punishment regime that continuously extracted their labor through systems of incarceration. Although detailed records of the experiences of black prisoners in the Southern system are rare, and records documenting the lives of black women are rarer still, historians have begun to use critical interpretive and analytical methods, borrowed from subaltern historical studies, to complement newspaper accounts, clemency applications, hospital records, and whipping reports in order to tell the story from the perspective of convicts. Two important studies of women prisoners (Haley 2016, LeFlouria 2015) reveal that many people resisted their punishment at every turn, frequently running away, feigning illness, refusing orders, and slowing down work.

After the Southern industrial sector had been firmly established, and with private capital on the road to a strong recovery after the Civil War, convicts increasingly came to be seen not as

private property but as the property of the state. Penal authorities formed chain gangs and used convict labor to build the roads of the twentieth-century South. As both the convict-lease and the chain-gang systems expanded, white lawbreakers found themselves increasingly sentenced to the kind of hard labor that black prisoners had endured for decades. In the early and mid-twentieth century, the brutality of penal labor regimes became increasingly visible and the press began to depict such forced labor as a "national horror" and a threat to free laborers. Public support for convict leasing and chain gangs waned, eventually bringing the practices to an end; the former in the first decade of the twentieth century, and the latter following the Great Depression in the 1940s (Blackmon 2008, Oshinsky 1997).

Although most of the historical literature on race, crime, and punishment focuses on the Southern justice system, recent works have positioned the urban North as a "critical site of modern ideas about race, crime, and punishment" (Suddler 2019, p. 6). During the advent of Jim Crow segregation and as the convict-lease system became more firmly entrenched in the South, Northern authorities frequently turned to jails and prisons as a means to control "undesirable" groups and, in the process, maintain public order as increasing numbers of black Americans migrated from the rural South (Adler 2019, Balto 2019, Gross 2006, Hernández 2017). Twenty-five years after the Civil War, the 1890 census measured the first generation removed from slavery, and the prison statistics it included indicated that African Americans represented 12% of the nation's population but 30% of its prisoners (Muhammad 2010).

In turn, scholars, policymakers, and reformers analyzed the disparate rates of black arrests and incarceration in the North as empirical "proof" of the "criminal nature" of African Americans. These statistical measures deeply informed ongoing national debates about racial differences and steered the politics of reform in the Progressive era (Du Bois 1899, Muhammad 2010). The problem of crime among poor white and immigrant communities was also concerning to elected officials and academics, yet accepted explanations of their deviance framed it as a socioeconomic issue, not a biological trait. By World War II, Irish, Italian, Polish, Jewish, and other European ethnic groups shed these associations, but the view of criminality as an inherent problem among citizens of African descent has long endured (Muhammad 2010).

From the late nineteenth century onward, the high rates of arrest and incarceration within African American communities served to create what historian Khalil Muhammad has called a "statistical discourse" about black crime in the popular and political imagination. Reinforced by data, this discourse cast black people as a uniquely dangerous and lawbreaking group and justified the perpetual expansion of the American prison system, sustained harsh sentencing practices, informed decisions surrounding capital punishment, and sanctioned racial profiling in general. In cities like New York and Chicago, local law enforcement policies and policing practices further strengthened common associations between black people and criminality by routing illegal activities and informal economies to police-patrolled vice districts in black neighborhoods (Balto 2019, Flowe 2020, Gross 2006, Johnson 2003, Muhammad 2010, Suddler 2019).

Considered an objective truth and a statistically irrefutable fact, notions of black criminality justified both structural and everyday racism. The racialized discourse of crime allowed white Americans to express preferences about living next door to black Americans, eating in the same restaurants, or allowing their children to socialize with children of color in public playgrounds. Taken to its extreme, ideas about innate black criminality sanctioned the terror of mob violence, or lynching, in the era of Jim Crow, whereby vigilante groups took "justice" into their own hands. In effect, lynching became a means to police the activities of black people as well as their access to the economic sector, the way they chose to spend their leisure time, and their connection to the franchise and political sphere (Anderson 2016, Berry 1995, Feimster 2009, Waldrep 1998). North of the Mason-Dixon line, these incidents often took the form of bombing of African American

homes and institutions as an accepted means to preserve public safety. "Operating as racial partisans rather than public servants in moments of interracial conflict," as historian Simon Balto puts it, law enforcement rarely intervened to protect black Americans (Balto 2019, p. 29).

Beyond explicit white-supremacist violence, statistical discourses about black criminality shaped the strategies urban law enforcement authorities deployed in black neighborhoods from Philadelphia to St. Louis to New Orleans to Los Angeles, often resulting in the targeted enforcement of nonviolent crimes from the Prohibition period through the Great Depression (Adler 2019, Hernández 2017, Johnson 2020, McGirr 2015). In New York City in the 1920s, for instance, black youths were twice as likely as white youths to be arraigned in children's court, more likely to be found guilty, twice as likely to be sentenced to more than five years in an institution, and five times less likely to receive probation (Muhammad 2010, Ward 2012). And although black people made up roughly 4% of Chicago's population in 1920, they made up 11.3% of arrests in the city. African Americans were overrepresented nearly three times over in disorderly conduct and vagrancy arrests, and more than six times over for being associated with speakeasies, brothels, and other "disorderly houses" (Balto 2019). This disparate arrest pattern only worsened during the decade. By 1929, one-quarter of all citizens the Chicago Police Department arrested were black (Balto 2019).

As wages and living standards declined during this period, "crimes of survival" such as bootlegging, fencing stolen goods, burglary, and gambling proliferated in many black urban communities, sustaining informal economies that were heavily policed. Indeed, through the first half of the 1930s, charges related to participating in the local numbers game constituted more than half of the arrests of black residents in Harlem (Suddler 2019). When the policing of black urban communities escalated, residents found themselves vulnerable to increased surveillance, frequent encounters with law enforcement officials, arrests, illegal searches, and outright brutality (Balto 2019, Suddler 2019). Rather than seeing them as an ally promoting public safety, many black residents began to "view the police as a repressive, untrustworthy authority" (Suddler 2019, p. 7).

The alarming racial disparities in arrest and incarceration rates led W.E.B. Du Bois and other prominent civil rights activists to vociferously critique racism in the justice system, which they saw as representing hypocrisy in American society. They argued that the disproportionate representation of black people in arrest data was the product of racism in law enforcement and pointed out that police forces arbitrarily sent black people to jail for nonviolent crimes (Hernández 2017, Muhammad 2010). They raised awareness about incidents of police misconduct and brutality and advocated for police accountability and more law enforcement jobs for black workers (Dulaney 1996). And they explained high rates of black incarceration by racist court practices, showing that black defendants frequently faced harsh charges and long sentences (Muhammad 2010).

The NAACP took action on these issues by engaging in many key challenges to justice discrimination (Blackmon 2008, Francis 2014). As states began to increasingly execute disparate numbers of African Americans—in the Southern states alone, 80% of people put to death in the century after the Civil War were black, many for charges such as rape and robbery (Oshinsky 1997)—NAACP lawyers took on many capital punishment cases involving black defendants who risked racially biased trials. Most famously, the organization saved the Scottsboro boys from execution in Alabama on false charges of rape after nearly two decades in court, from 1931 to 1950 (Ward 2012).

Despite the NAACP's early efforts amid the police professionalization movement in the middle of the twentieth century, disproportionate numbers of African Americans received criminal records and prison sentences as a result of the differential approaches to public safety that had unfolded since Emancipation. During World War II and in the postwar years, police budgets and

the number of rank-and-file officers rose as black people continued to escape regional segregationist regimes. In the context of the Second Great Migration of African Americans, police forces in cities such as Chicago, New York, and Los Angeles focused on controlling racial groups and enforcing de facto segregation. Strategies that sanctioned the increased surveillance and the criminalization of black neighborhoods, including roving squads that targeted certain communities to make widespread arrests, stop-and-frisk practices, and the saturation of police in majority-black neighborhoods, were often conflated and coeval with postwar policing priorities regarding neighborhood-based crime prevention and police–community partnerships (Agee 2014, Balto 2019, Felber 2020). In the mid-1950s in Chicago, the police department launched such an intense antidrug abuse campaign in the city's black neighborhoods that more than 86% of drug charges in 1955 alone were levied against black people (Balto 2019). These local tactics became widely implemented when Lyndon Johnson called for a War on Crime in the mid-1960s. As Americans waged war overseas in Vietnam, city officials took advantage of a freshly available resource, federal investments in law enforcement and criminal justice agencies at all levels of government, to ramp up local security forces and police counterinsurgency operations against political radicalism and civil rebellion on the home front.

THE FEDERAL WAR ON CRIME AND THE RISE OF MASS INCARCERATION

How have historians explained the rise of the national crime-control program that began at the height of the civil rights movement and progressive social change in the United States? The dominant interpretation is that federal law enforcement measures were a logical response to rising crime rates. Fear-mongering political rhetoric and sensationalized media coverage made many Americans feel as though the nation was on the brink of chaos in the turbulent 1960s. But violent crime had in fact steadily declined after a surge in the interwar period, and crime levels had stabilized in the three decades since the repeal of Prohibition: The national homicide rate in 1965 was 5.5 per 100,000, down from 8.1 per 100,000 in 1921 and 9.7 per 100,000 in 1933 (Thompson 2010). Crime did begin to rise sharply in urban centers in the late 1960s (the murder rate in 1968 climbed to 7.3 per 100,000), but this cannot be separated from the new federal investment in law enforcement programs that aimed to modernize police departments and their data-gathering capabilities (Hinton 2016, Thompson 2010). Rising crime rates across the United States correlated directly to rising crime reporting.

Historical accounts have explained the expansion of the American carceral state in the 1960s as the federal government's enduring response to demographic transformations, the victories of civil rights protest, and the threat of large-scale urban disorder. Between World War I and Vietnam, the migration of more than six million rural African Americans from the Jim Crow South to the urban North and industrial West transformed the nation. By the early 1960s, black residents became concentrated in cities like Detroit, Cleveland, St. Louis, Los Angeles, and Washington, DC. With industrial manufacturing already transitioning to the Southern states and overseas, policymakers, scholars, and officials became especially concerned about unemployed, impoverished black youth, who they increasingly began referring to as "social dynamite" during the Kennedy administration (Hinton 2016).

In the summer of 1964, the "social dynamite" began to explode in the wake of mainstream civil rights movement protests. The killing of an unarmed, black fifteen-year-old by New York City police ignited three days of unrest in Harlem. A wave of other uprisings in Brooklyn, Rochester, Chicago, and Philadelphia soon followed that July and August. These incidents—often dubbed "riots"—prompted President Lyndon Johnson to declare a War on Crime in March 1965 (Hinton

2015). Johnson's call began an unprecedented federal investment in local law enforcement that his administration hoped would prevent future disorder. In the face of this strategy, however, the flames of urban unrest only continued to escalate for the remainder of Johnson's presidency. In all, the nation witnessed 250 separate incidents of urban civil disorder in nearly every major American city during the second half of the 1960s (Camp 2016, Felker-Kantor 2018, Flamm 2016, Hinton 2016, Thompson 2004). Although most of the incidents were incited by some form of police brutality, residents' reactions to the aggressive policing methods were labeled by public figures as evidence of criminality that merited additional force and punishment (Hinton 2016).

As the first piece of major national law enforcement legislation, the Omnibus Crime Control and Safe Streets Act of 1968 marked a critical turning point in the long history of the antiblack punitive tradition and the use of police forces to control, contain, and confine African Americans. The Safe Streets Act allocated an investment of $300 million into the War on Crime (Hinton 2016, Murakawa 2014, Weaver 2007). To promote the modernization of law enforcement and to help each state build its respective criminal justice apparatus, the legislation created the Law Enforcement Assistance Administration (LEAA) to administer this funding. Housed within the Department of Justice, the LEAA became the fastest-growing federal agency in the 1970s. When the LEAA was finally disbanded in 1981, it had distributed nearly $10 billion in taxpayer dollars—or $25 billion in today's dollars—funding roughly 80,000 crime-control projects (Cronin et al. 1981, Feeley & Sarat 1980, Hinton 2016, Mahoney 1976, Parenti 1999, Weaver 2007). The states dedicated hundreds of billions of dollars more to criminal justice and law enforcement during the same years, stimulated by programs that were subsidized and designed by national policymakers (Beckett 1999, Hinton 2016).

The mission that the Johnson administration and Congress effectively assigned to the LEAA was to expand supervision and control in low-income urban communities, seen as the best strategy to contain recurrent and future insurgencies. Seventy-five percent of the funding the LEAA dispersed during its fifteen-year life span went to police operations, for a total outlay equivalent to some $15 billion today (Hinton 2016, Weaver 2007). Indeed, President Johnson saw urban police officers as the frontline soldiers in the War on Crime, and, as such, law enforcement authorities received new military-grade weapons and surveillance technologies, along with new powers in the direction and administration of urban social programs, discussed in the next section.

Because of the targeted deployment of police officers on the streets of low-income neighborhoods and within urban social programs, black residents tended to have more police contacts and longer criminal records than their white counterparts and were overrepresented in crime statistics. From the Progressive era onward, black children were criminalized while poor white American and European children were decriminalized and far more likely to receive rehabilitative services (Hinton 2016, Kohler-Hausmann 2017). Juvenile justice practitioners in northern cities effectively channeled black youth into newly emerging punitive institutions and excluded them from public and private agencies serving poor, abused, neglected, or abandoned children (Agyepong 2018). Essentially, black children—especially those who had recently migrated from the Southern states—were pathologized by reformers and the public as delinquents even before they entered the emerging juvenile justice system. The trend of refusing black youth rehabilitative services continued well into the postwar period. Compared to their white youth counterparts, black children and teenagers faced longer sentences (often in adult prisons) and "higher rates of corporal punishment and execution," according to historian Carl Suddler (Suddler 2019, p. 7).

As the national youth crime-control apparatus took hold in the 1970s, it strongly resembled the approach reformers embraced during the first decades of the twentieth century. Young black Americans were more likely to be labeled delinquent based on how policymakers, law enforcement officials, and criminal justice authorities evaluated their morality and character. Rehabilitative

institutions were widely implemented in suburban and rural communities, and young white of-fenders were labeled "troublesome," "acting out," or "wayward" on a far more frequent basis than "delinquent" youth of color (Hinton 2016). Consequently, white and middle-income youth who seemed vulnerable to criminal activity were more likely to receive social welfare services, whereas low-income black and brown youth were channeled into punitive programs. As historian Matthew Lassiter has observed, since the 1960s policymakers have embraced a "public health strategy in the white middle-class suburbs and a crime-control agenda in urban minority neighborhoods" (Lassiter 2015, p. 138).

The fracturing of the juvenile justice system and forces of inequality in low-income urban neighborhoods took on new forms as the carceral state grew dramatically during and after Nixon's presidency. The number of federal prisoners increased tenfold between 1895 and 1975, from 2,500 to 25,000 prisoners. The state prison population also increased fourfold, from 50,000 to 200,000 prisoners, and incarceration rates in local jails more than tripled during this same pe-riod (Hinton 2016). State-level spending on prisons soared across the board as the federal gov-ernment incentivized prison construction via amendments to the Safe Streets Act in the 1970s (Stuntz 2011). Using national resources and influence to precipitate targeted surveillance measures and new modes of tracking and prosecuting black urban Americans, the number of black prison-ers in the nation quickly escalated as the prison system dramatically expanded beginning in the 1970s.

Although ascendant numbers of black Americans were imprisoned at disparate rates following the Civil War, until the 1970s they constituted roughly a third of the nation's prison population. By the mid-1970s black and Latinx groups started to approach majorities in many state and federal prisons. Between 1970 and 1977, the percentage of federal prisoners who were black and Latinx increased from 27.4% to more than 38% (Hinton 2016). Gross sentencing disparities quickly emerged in cities like Philadelphia, where the percentage of black prisoners in the county jail increased from 50% in 1970 to 95% in 1974. In Pennsylvania as a whole, black citizens accounted for more than 62% of prisoners in the state's jails, even though they constituted less than 10% of the entire population (Hinton 2016).

In the southern states, where slavery, convict-lease, and chain-gang systems had profoundly shaped the conditions of black lives for three centuries, the expansion of the prison system of-fered a viable means to both retain segregation and reassert social control in poorer segmented communities of color. Black Americans constituted only 15% of the population of Florida, but they slept in 55% of the state's prison beds. In Alabama, where black residents accounted for only 26% of the population, they represented 60% of the prisoners in state institutions. And with the largest percentage of African Americans in the country, Mississippi maintained a low crime rate but a relatively high rate of incarceration in the 1970s (Hinton 2016).

These disproportionate rates of incarceration can be partly attributed to the socioeconomic conditions black people confronted as the fight against crime intensified (Hinton 2016). In 1972, when 42% of all Americans in jail were black, 34% of black Americans lived below the poverty level, compared to 10% of the white American population. In Philadelphia, where the jails came to house African Americans almost exclusively in the early 1970s, 40% of black youth were unem-ployed. Access to educational and employment opportunities declined further still as the federal government withdrew from social welfare programs during the Nixon administration, and the ab-sence of such opportunities often determined the likelihood of future incarceration. Of the black Americans detained in local jails in 1972, 70% did not possess a high school diploma, and nearly 60% earned less than $3,000 annually. Similarly, in state institutions, 48% of all prisoners were black in 1973. Of those, 64% did not complete high school, and 75% were under the age of thirty (Hinton 2016).

Over the course of the 1970s, as the growing federal law enforcement apparatus successfully channeled punitive resources to states and cities, Americans living in segregated neighborhoods with high rates of reported crime confronted increased police brutality, increased criminal supervision, and, eventually, increased confinement (Hernández 2017, Hinton 2016, Kohler-Hausmann 2017, March 2015, Singh 2017). Although the acceleration of mass incarceration became modus operandi in the United States after the Reagan era wars on drugs and gangs in the 1980s and 1990s, the seeds of local law enforcement reforms were firmly planted by national policymakers and police researchers beginning in the 1960s. Acknowledging both the historical antecedents and precedents of the federal War on Crime puts the quadrupling of the prison system between 1980 and 2000 in fuller historical perspective (Stuntz 2011, Western 2006). Mass incarceration was the outcome of a long history of criminal justice discrimination that reached a new scale and scope in the late twentieth century.

POLICING DRUGS, GANGS, AND DISORDER AT THE LOCAL LEVEL

Emboldened by President Lyndon Johnson's promise to "bring the most advanced technology to the war on crime in every city and every county in America" in his 1968 State of the Union address, local law enforcement agencies experimented with new theories, tactics, and technologies. With the dual objective of improving police–community relations and cracking down on neighborhood disorder, the federal War on Crime inspired practitioners to investigate police inefficacy and illegitimacy, especially in segregated neighborhoods in the wake of urban uprisings (Hinton 2016). The revival of police research and development in this period undergirded the dissemination of new internal (police administration) and external (interagency cooperation) techniques under the umbrella of proactive policing and crime prevention.

City police departments led the charge in crafting and circulating proactive policing strategies in the 1970s and 1980s, which refined patrol activities and surveillance functions on city streets, neighborhood blocks, and community centers in districts with high rates of reported crime. On the local level, police administrators and special unit officers collaborated with national police researchers and academics to perform grant-funded patrol experiments and community-based crime prevention projects. Individual officers and unit commanders similarly forged relationships with clergy, and social service providers as well as civic and corporate groups operating in particular police districts. As officials concomitantly embraced community-based and service-oriented approaches to law enforcement alongside aggressive preventive measures, concentrated surveillance and violence in urban communities of color escalated (Felker-Kantor 2018, Hinton 2016, March 2015).

Proponents of the proactive policing paradigm promoted four key features for local law enforcement reform: (*a*) experimentation with new tactical units and preventive patrols, (*b*) incorporation of military-grade weaponry and surveillance strategies, (*c*) advancement of electronic and computer-based technologies for intelligence gathering and crime analysis, and (*d*) usage of data science to analyze, monitor, and map reported and predicted crime trends in the segregated low-income communities most targeted by policymakers. Police field researchers and local law enforcement tacticians alike supported these strategies as promising methods for improving police effectiveness, ameliorating police–community tensions, and moving beyond traditional policing models by the 1990s (Ferguson 2017, Sparrow et al. 1990, Walker 2016).

In the context of civil rights, Black Power, and antiwar protest, police counterinsurgency campaigns supported by the Safe Streets Act of 1968 were deliberately crafted to manage civil violence and urban disorders. The legislation also made possible the rapid entry of police and law enforcement functions in social welfare initiatives. War on Poverty measures that had once

provided education and training opportunities to residents in communities suffering from high rates of poverty and unemployment were increasingly replaced with police department programs dedicated to fighting local crime wars (Hinton 2016). From Boston to Los Angeles, urban police officers manned outposts inside housing projects, directed after-school programs, delivered food and toys to needy families, and helped resolve marital and domestic violence disputes (Hinton 2016, Johnson 2020; D. Cook, unpublished results).

In principle, neighborhood policing programs supported by the Johnson and Nixon administrations would promote public safety and order maintenance in less punitive ways. In practice, however, federal strategies primarily maximized the patrol and surveillance of low-income residents of color on the streets, in schools and housing projects, and within social welfare services (Hinton 2016). The Chicago Police Department's preventive patrol organized plainclothes police in unmarked cars with uniformed officers on foot into small beats in targeted areas (Balto 2019). These types of patrols were mobilized to improve relationships and encounters between police and residents as incidents of police brutality and officer-involved shootings persisted (Balto 2019). In Detroit in the early 1970s, the special plainclothes decoy squad the federal government supported in the city, known as STRESS (an acronym for Stop the Robberies, Enjoy Safe Streets), engaged in street war, hundreds of raids, and deadly violence that resulted in the deaths of seventeen black civilians in just two years (Hinton 2016, Thompson 2004).

The federal government was instrumental in the implementation of these new surveillance strategies, expanding on the raids, wiretapping, stop-and-frisk methods, and other tactics first used by the FBI's Counterintelligence Program (COINTELPRO) against the radical left and black nationalist groups during the late 1960s to support police militarization efforts. No other group confronted a militarized force more than the Black Panther Party. In order to "disrupt and destroy the organization," the LAPD's Urban Counterinsurgency Task Force cooperated with the FBI on intelligence-gathering missions and targeted surveillance operations (Felker-Kantor 2018). Police officers pursued activists in patrol cars and used their discretionary powers of arrest to repress, intimidate, and incarcerate Black Panthers (Felker-Kantor 2018). In 1969, the nation's first Special Weapons and Tactics (SWAT) team debuted at the organization's Los Angeles headquarters. The SWAT team was supported by hundreds of thousands of dollars in municipal and federal funds. Its existence was made possible, in part, by the technology transfers from the military to civil police facilitated by the LEAA and the agency's funding of helicopters and other defense technologies at up to 75% of the cost (Hinton 2016). Over the course of the 1970s and through the wars on drugs and gangs in the 1980s and 1990s, law enforcement campaigns advanced tactical units such as SWAT, armored cars, tear gas, and military-grade weapons (Balko 2013, Hinton 2016, Murch 2015). Young men and women of color, in particular, found themselves increasingly vulnerable to these aggressive crime suppression and order-maintenance strategies deployed by militarized law enforcement officials (Butler 2017, Fischer 2019, Taylor 2016, Wiggins 2017).

City police tactics and technologies introduced throughout the late twentieth century evolved to encompass new computer-automated functions designed to make policing more precise and efficient and complement the widespread implementation of proactive policing reforms on the ground. Federal funding under the Safe Streets Act of 1968 and subsequent reauthorizations through the 1970s made tens of millions of dollars available to public organizations, private companies, and individual researchers who could advance police technology and hardware to suppress crime (Balto 2019, Cook 2017, Felker-Kantor 2018, Hinton 2016). LEAA funding incentivized the private sector to manufacture communications equipment, such as walkie-talkies, for police officers and develop new information technologies and criminal statistical databases that were crucial to modernizing the infrastructure of city law enforcement agencies amid ongoing national security crises. In addition to obtaining helicopters during the 1970s and 1980s, police officers began

employing computer-based technologies to perform a variety of functions, from analyzing crime patterns and fingerprint and photographic evidence to creating new computer-based information systems for mapping out high-risk crime in targeted neighborhoods (Hinton 2016). Computer-based technologies became critical to the collecting and reporting of criminal data, helping officers predict crime trends and deploy police accordingly (Felker-Kantor 2018). Such tools strengthened statistical discourses about crime in black communities that further legitimized the use of preventive police actions against suspected political militants and potential criminal offenders (Hinton 2016, Muhammad 2010, Pearlman 2019).

Proponents of proactive policing methods in the 1970s shifted criminal justice debates toward a liberal law-and-order framework that embraced neighborhood policing reforms and incentivized police officers and administrators to experiment with community-policing initiatives and police–community task forces in conjunction with "respectable" residents and local partners (Felker-Kantor 2018). On the national level, public and private funding for police research and development in the 1970s financed the creation of national nonprofit organizations, namely the Police Foundation in 1970 and the Police Executive Research Forum (PERF) in 1976, that have functioned as police science clearinghouses and training policy institutes for domestic law enforcement agencies into the twenty-first century. Drawing from earlier studies conducted by prominent legal scholars and urban sociologists affiliated with the American Bar Foundation Survey of the Administration of Criminal Justice in the early 1950s, the Police Foundation offered police practitioners and criminologists access to unprecedented, albeit limited, resources for police field research and experimentation in major US cities and, to a lesser extent, smaller municipal police departments (Agee 2017, Walker 1992).

Although proactive policing philosophies and community problem-solving strategies emerged in full force on the federal level in the 1990s, their intellectual antecedents date back to new urban police studies and social scientific literature produced during the federal War on Crime of the 1960s and 1970s. Herman Goldstein's 1979 study on problem-oriented, rather than incident-based, approaches to policing laid the foundation for future proactive policing strategies coined by up-and-coming criminologists working in tandem with city police officials, grant providers, and social services (Goldstein 1979). Although specific strategies like focused deterrence, broken windows, and hot-spots policing evolved from unique experiments implemented by different researchers in urban locations, early champions of problem-oriented policing—including Goldstein, James Q. Wilson, and George Kelling—met with one another, read each other's work, and offered distinct, yet overlapping, proactive policing approaches for targeting disorder, drugs, and gang violence. In addition to learning from Goldstein, George Kelling joined the Police Foundation as the Director of Evaluation and studied preventive patrol experiments conducted in Kansas City and Newark in the late 1970s and early 1980s (Cook 2017).

These city patrol experiments served as key intellectual precursors to the advent of broken windows policing—one of the most influential strategies in US police science introduced during this period. In addition to Goldstein's article, Kelling's findings in the late 1970s sparked contentious debates between liberal and conservative policymakers and police administrators over the most expedient and evidence-based local law enforcement practices. Kelling & Wilson (1982) captured national media acclaim for their seminal article "Broken Windows: The Police and Neighborhood Safety," published in *The Atlantic* in March 1982. In the article, Kelling & Wilson surmised that fear of violent crime and societal dysfunction directly correlated with the prevalence of "broken windows," or minor criminal offenses left unchallenged in neglected communities. Far from a cogent or comprehensive theory of policing, the broken windows strategy took on a life of its own on the ground, sparking the implementation of various order-maintenance and disorder-management tactics spearheaded by police leaders and executed by cops on community beats.

As Wilson, Kelling, and numerous other government experts, lawyers, economists, social workers, and criminologists produced and shared police research and administrative studies in the 1990s and early 2000s, big and small-city police administrators drew on nascent proactive policing strategies, like broken windows, to legitimize proactive local law enforcement efforts fixated on reducing "fear of crime" and bolstering citizen support for police–community interventions. While local philosophies of community-oriented, problem-solving policing gained traction and funding in law enforcement institutions in the late twentieth century, social scientists and criminologists employed by universities and nonprofit institutions (and, later, within police departments) expanded professional connections with city police administrators, officials, and police–community working groups throughout the country. Likewise, city police officials established personal and professional relationships with law enforcement personnel in schools, public housing developments, public transit, probation departments, corrections facilities, and attorney's offices. In essence, the broken windows moment in the 1980s represented the crystallization of new logics of policing, rooted in a proactive policing framework, and foreshadowed further expansion in the field of police research and development at the turn of the twenty-first century via interagency partnerships between police practitioners, academic researchers, and police–community partners.

Under the auspices of President Clinton's 1994 Violent Crime Control and Law Enforcement Act, the Office of Community-Oriented Policing Services (C.O.P.S.) redistributed millions of dollars in appropriated federal funds to finance problem-oriented, hot-spots, and disorder policing initiatives as well as other data-driven crime prevention strategies that emerged in US municipalities throughout the late 1980s and early 1990s. The city of Boston exemplified the confluence of proactive policing methods and community problem-solving techniques that materialized on the local level in the aftermath of contentious desegregation crises in the 1970s. Following the passage of the 1994 Crime Bill, the Boston Police Department (BPD) became one among many municipal police agencies supported by C.O.P.S. office grants and the Bureau of Justice Assistance to blend community-based and problem-oriented strategies under the umbrella of youth violence prevention in the 1990s and early 2000s. In the late 1990s, the BPD garnered national attention for its groundbreaking problem-oriented policing initiative, Operation Ceasefire, and received international acclaim for partnerships with interagency law enforcement officers, crime analysts, and youth service providers as well as an "extraordinary police–community relationship spearheaded by the Ten Point Coalition of activist black clergy" (Winship et al. 2008, p. 141). Thereafter, the Boston strategy for youth violence prevention, nominally dubbed "the Boston Miracle" devolved into a spectrum of evidence-based, faith-based, and public health–inspired law enforcement models, including criminologist David Kennedy's influential theory of focused deterrence (Kennedy 2009; D. Cook, unpublished results).

Proactive policing methods introduced in Boston, New York, and other cities offered differing, yet correlative, models for mobilizing community problem-solving partnerships in the late twentieth century and redefined the metrics and meanings of local law enforcement strategies at the heart of the wars on drugs and gangs in the 1990s. Yet despite the diversity of police–community responses to neighborhood crime wars and disorders, the widespread implementation of data-driven law enforcement measures prompted city police departments to vigorously pursue high-risk or at-risk youth via new antigang ordinances and criminal legal statutes in metropolitan hubs across the United States. As legal scholar Bernard Harcourt (2001, p. 2) determined, these strategies resulted "in the issuance of over 89,000 orders to disperse and the arrest of over 42,000 people" in Chicago alone. In New York City—the most famous site of broken windows enforcement—the quality-of-life initiative under the leadership of proactive police champion William Bratton generated between 40,000 and 85,000 additional misdemeanor arrests per year between 1994 to 1998 (Harcourt 2001). This proactive enforcement of minor offenses constituted, as Harcourt

(2001 p. 2) argued, "a new order-maintenance approach to criminal justice that emerged in the 1980s and 1990s" that exacerbated police–citizen encounters in low-income neighborhoods and "entangle[d] people in the tentacles of the criminal justice system. . .under the banner of Broken Windows, order maintenance, or quality-of-life policing" (Kohler-Hausmann 2018, p. 1).

The incremental incorporation of low-level crime management technologies and zero-tolerance policing strategies from the 1970s and 1990s must be understood as the culmination, rather than the beginning, of a decades-long carceral-security feedback loop of crime prevention and police counterinsurgency tactics that were first deployed domestically against black radicals and revolutionary activists and later used to crack down on "superpredators" and police-reported crime and disorder at the turn of the twenty-first century (Camp & Heatherton 2016, Chronopoulos 2017). By teasing out the historical contexts underpinning the emergence of specific community problem-solving strategies and typologies, interdisciplinary scholars of US police reform can better scrutinize the intellectual origins and experimental intersections of popular proactive policing approaches, such as disorder policing, community-oriented policing, and problem-solving policing, that have dominated local law enforcement initiatives implemented in US municipalities throughout the late twentieth and early twenty-first centuries.

COMMUNITY ACTIVISM, LAW-AND-ORDER MOVEMENTS, AND RISE OF BLACK POLICE

Despite political scientist Marie Gottschalk's (2006) assertion that the absence of political opposition was conducive to the expansion of a nationwide, racially disproportionate carceral system in the 1970s, black activists inside and outside of US prisons were chiefly concerned with and vehemently contested the logics of discriminatory law enforcement. The Attica Prison uprising in September 1971—the largest prison revolt in American history—and the key prisoners' rights cases many state courts heard throughout the decade challenge this apolitical interpretation (Thompson 2016). In many ways, the growth of the prison system was a reactionary response to human rights activism among and around prisoners as well as to criminal justice practitioners questioning the existence of prisons and calling for a moratorium on their construction in the immediate post-civil-rights moment (Berger 2014, Davis 2003, Thompson 2016).

Beyond the prisoners' rights movement, as the American carceral state expanded from the War on Crime onward, African Americans came to assume a variety of positions within and outside the justice system—as community activists, local representatives, and police officers—playing critical roles in defining what public safety means in communities that are overpoliced and underprotected. Black people's demands for and reinforcement of local law enforcement and criminal legal reform throughout this period were far from homogeneous. The sociopolitical landscape within black urban America was deeply divided in terms of how to approach the problem of law and order amid disinvestment, deindustrialization, urban redevelopment, and rising unemployment in the 1970s and 1980s and the explosion of prison populations in the 1990s. Leveraging their political might individually, collectively, and sometimes opposingly, black representatives, activists, and police officers called for tough-on-crime laws at times and relentlessly protested the aggressive policing and intrusive surveillance practices at others (Dulaney 1996, Felker-Kantor 2018, Forman 2017, Kohler-Hausmann 2017, Murch 2015).

As legal scholar James Forman Jr. has shown, class divisions deeply shaped the way black residents and community leaders responded to various policing strategies and rising reported crime rates (Forman 2017). On the whole, local activists, neighborhood leaders, and community groups devised nonpunitive responses to issues of drug abuse and violence, whereas black mayors, elected officials, professionals, and law enforcement representatives advocated for tough-on-crime drug

enforcement policies and mandatory minimums for crimes involving guns (Forman 2017). In the early 1970s, prominent black pastors such as Harlem's Oberia Dempsey called for the expulsion of drug addicts (Fortner 2015). Washington, DC's David Clarke and other black city council representatives advocated for "the increasingly vigorous enforcement of marijuana laws" as a "pressing" matter (Forman 2017, p. 20). And property-owning black residents in segregated neighborhoods concerned about crime and drugs in their community maintained a vested interest in severe sentencing laws, strict antidrug policing, and swift punishment of narcotics pushers and users to protect their homes and property values (Bartilow 2019, Forman 2017). These perspectives—labeled by political scientist Michael Fortner as the "Black Silent Majority" (Fortner 2015)—have dominated the literature on black law-and-order politics, in part because organizations, officials, and middle-class constituencies are adequately represented in the mainstream press and civil rights archival collections (Pearlman 2019).

Yet even as many black urban residents demanded more aggressive policing and sometimes harsher punishments, these calls were almost always accompanied by urgent, and often unrequited, requests for full employment, educational access, and decent housing. Black activists and civil rights groups further qualified demands for police protection and responsiveness with urgent opposition to brutality and greater influence in the form and function of law enforcement (Hinton et al. 2016, Kohler-Hausmann 2017). As moral panics over crack cocaine and youth gangs ensued in the 1980s and 1990s, select community voices and victims of violence in underserved and hyperpoliced black communities were empowered to enact a variety of acclaimed community-based strategies for combating crime problems on the local level that often imagined alternative solutions, beyond law enforcement, for addressing local fears and violent outbreaks (Murch 2015). For example, the Coalition Against Police Abuse in Los Angeles worked during the late 1970s and 1980s to strengthen community control over police in black and brown communities and took action against illegal surveillance operations (Felker-Kantor 2018). In 1983, the Los Angeles Police Department disbanded its Public Disorder Intelligence Division due to the Coalition's litigation efforts (Felker-Kantor 2018).

The positions embraced by the Congressional Black Caucus (CBC) on crime-control legislation during the 1980s and through the Violent Crime Control and Law Enforcement Act of 1994 reflected the broad swath of black Americans' responses to issues of policing, crime, and incarceration. On the one hand, representatives like Charles Rangel of Harlem pushed for mandatory minimum sentences and the escalation of police force in low-income communities with high rates of reported crime (Fortner 2015). On the other hand, members of the CBC were highly critical of drug laws and the racial disparities that characterized enforcement, introducing alternative bills to the 1994 legislation that emphasized crime prevention and investments in social programs such as educational opportunities and drug treatment. The CBC also introduced the Racial Justice Act in 1993, which would have required judges to weigh statistical evidence of racial bias in capital punishment cases (Hinton et al. 2016).

Like black members of Congress, black police officers have historically championed the politics of law and order while simultaneously challenging racist policing practices and endorsing community crime prevention programs. In the 1950s and 1960s, black officers organized associations and formed Afro-American Patrolmen's leagues—the most powerful of which emerged in Chicago in 1967—to bolster their roles as reformers within police departments themselves (Dulaney 1996). As historian W. Marvin Dulaney argues, the mainstream civil rights movement radicalized a critical mass of Black police officers (Dulaney 1996). In partnership with local activists, black officers protested a wide range of discriminatory law enforcement practices and advocated expanding team and community-policing programs in their place to reduce tensions (Dulaney 1996, Forman 2017). Black officers also brazenly denounced the second-class treatment they received within

police departments (Balto 2019, Forman 2017). These struggles were further institutionalized in 1976, when African American police chiefs formed their own organization—The National Order of Black Law Enforcement Executives (NOBLE)—and convened annual conferences to discuss a range of law enforcement challenges in black communities, including police brutality, innovative crime prevention strategies, and the reality of "black-on-black crime."

The political movement led by black police officers gained ground amid the significant diversification of law enforcement personnel that became a defining feature of policing in the late twentieth century after departments were encouraged to enforce Affirmative Action policies. Women and men of color integrated police agencies, took on administrative positions, and worked in specialized anticrime units (Dulaney 1996). Black women especially benefited from new hiring practices and were at the cutting edge of promoting a more inclusive workforce, vowing to correct racist and sexist internal dynamics within black police organizations and the profession as a whole (Dulaney 1996). Affirmative Action programs in cities such as Newark, Detroit, Atlanta, Houston, and Washington, DC, led to the doubling of women's percentage in police ranks at the national level—from approximately 4% in 1975 to roughly 10% in 1990 (Dulaney 1996). By that time, African American women officers were 35% of all women police officers nationally (Dulaney 1996).

When we consider that slave patrols—which empowered white civilians to police enslaved Africans—marked the very beginnings of American policing, the gradual employment of black men, and later, women, in US police forces throughout the nineteenth and twentieth centuries reflects the legal, social, economic, and political revolutions the United States has witnessed in the past 250 years. As black police reformers of the late twentieth century organized internally, the selective incorporation of community activists' critiques of punitive policing profoundly curtailed the way crime-control reform policies unfolded in diverse low-income communities of color. On the whole, polling data indicate that the majority of black Americans remain suspicious of law enforcement and cynical about the criminal justice system (Pew Res. Cent. 2013). Given the evolution of the antiblack punitive tradition, which has historically targeted people of color with discriminatory legal statutes, brutal police force, and heavy-handed punishment, this ambivalence toward the American criminal legal system is hardly new or surprising.

CONCLUSION: FUTURE DIRECTIONS

Historians of the American carceral-security state have made many underappreciated revisions to traditional understandings of the causes and consequences of mass criminalization, targeted law enforcement, and incarceration. The existing literature provides a robust foundation for scholars to push the conversations that Michelle Alexander's *The New Jim Crow* brought to a mass audience much further. Although historians have a broad sense of national and select local developments, most of which we have attempted to highlight in this review, further qualitative and interdisciplinary work is needed to document the maintenance of domestic carceral-security not just from above and below but also within and beyond US-controlled borders (Boyd et al. 2012, Camp & Heatherton 2016). Scholars must attend to all of the locationally specific, yet interconnected, systems of criminal legal enforcement and surveillance in America, including the workers, authorities, residents, victims, and activists operating between carceral-security apparatuses entrenched in urban, rural, and suburban municipalities in the age of mass incarceration (Boyles 2015, LeBron 2019).

Although several critical theorists, sociologists, and anthropologists have written about gang violence, drug trafficking, and other illicit economies, these conditions must be contextualized as distinctive historical phenomena in the late twentieth century (Brotherton 2016, Davis 2005,

Ralph 2014). Future research ought to continue exploring intersectional histories of hyperpolicing and police violence against particular identity groups in a similar vein to Andrea Ritchie's *Invisible No More*, an ethnographic historical study of the impact of aggressive law enforcement practices deployed in local wars on drugs and gangs on black womxn and transgender persons in the age of mass incarceration, and Paul Butler's *Chokehold*, a legal historical examination of the policing and prosecution of black men (Butler 2017, Ritchie 2017). Furthermore, historians of the late twentieth century need to similarly investigate the social, political, and economic forces that led to the flourishing of informal economies and gang warfare in communities of color.

Black America's relationship to the criminal justice system is adequately captured in the literature, but we know far less about the way American immigrants, LGBTQ+ communities, and other ethnic and cultural groups were criminalized historically. In addition to expounding on recent histories of policing, migration, gender, and sexuality (Agee 2014, Lvovsky 2017, Pliley 2014, Stewart-Winter 2015), new subaltern histories of policing and punishment beyond the traditional heteronormative black/white racial binary will be imperative for filling lingering gaps in twentieth- and early-twenty-first-century American law enforcement historiography. Kelly Lytle Hernández's (2010) history of border patrol enforcement and the criminal justice system in Los Angeles has opened up important new directions for scholars concerned with the interplay of immigrant policing, naturalization policies, and mass incarceration throughout the twentieth century. Detention, confinement, and incarceration, Hernández argues, have always been integral weapons authorities wielded in enforcing anti-immigrant policies and undergirded the expansion of the carceral-security state. Now more than ever, historical studies of the US immigrant detention system remain a decisive, yet highly understudied, dimension of the contemporary carceral state. Scholars should follow Hernández's lead in discerning the historical links between these two systems of domination (Hernández 2017).

Of course, as we move further and further away in time from the prison population explosion of the 1990s, historians have much to offer ongoing social scientific debates about the effects of fluctuating crime reports and punitive criminal justice legislation on local law enforcement policies and practices. Historical comprehension of the remaking of law enforcement logics and policymaking during the long war on crime in the twentieth century is fundamental for future studies of police counterinsurgency and mass imprisonment in the twenty-first century.

Finally, and most importantly, we must integrate interdisciplinary methodologies for studying both structural and geospatial violence and adopting more qualitative methods for assessing new projects, programs, and possibilities in the field of law enforcement studies. We hope this review, written by historians for a criminology journal, can help foster much-needed investigations into the persistence of criminal injustice in the mass incarceration era.

DISCLOSURE STATEMENT

LITERATURE CITED

Adler JS. 2019. *Murder in New Orleans: The Creation of Jim Crow Policing*. Chicago: Univ. Chicago Press

Agee CL. 2014. *The Streets of San Francisco: Policing and the Creation of Cosmopolitan Liberal Politics, 1950–1972*. Chicago: Univ. Chicago Press

Agee CL. 2017. Crisis and redemption: the history of American police reform since World War II. *J. Urban Hist.* **https://doi.org/10.1177/0096144217705463**

Agyepong TE. 2018. *The Criminalization of Black Children*: *Race, Gender, and Delinquency in Chicago's Juvenile Justice System, 1899–1945*. Chapel Hill, NC: UNC Press

Alexander M. 2010. *The New Jim Crow*: *Mass Incarceration in the Age of Colorblindness*. New York: New Press

Anderson C. 2016. *White Rage*: *The Unspoken Truth of Our Racial Divide*. New York: Bloomsbury

Ayers EL. 1984. *Vengeance and Justice*: *Crime and Punishment in the 19th Century American South*. New York: Oxford Univ. Press

Balko R. 2013. *Rise of the Warrior Cop*: *The Militarization of America's Police Forces*. New York: Public Aff.

Balto S. 2019. *Occupied Territory*: *Policing Black Chicago from Red Summer to Black Power*. Chapel Hill, NC: UNC Press

Bartilow HA. 2019. *Drug War Pathologies*: *Embedded Corporatism and U.S. Drug Enforcement in the Americas*. Chapel Hill, NC: UNC Press

Beckett K. 1999. *Making Crime Pay*: *Law and Order in Contemporary American Politics*. New York: Oxford Univ. Press

Berger D. 2014. *Captive Nation*: *Black Prison Organizing in the Civil Rights Era*. Chapel Hill, NC: UNC Press

Berry MF. 1995. *Black Resistance/White Law*: *A History of Constitutional Racism in America*. New York: Penguin Books

Blackmon DA. 2008. *Slavery by Another Name*: *The Re-Enslavement of Black Americans from the Civil War to World War II*. New York: Anchor Books

Boyd J, Michelson M, Burridge A, eds. 2012. *Beyond Walls and Cages*: *Prisons, Borders, and Global Crisis*. Athens, GA: Univ. Ga. Press

Boyles A. 2015. *Race, Place, and Suburban Policing*: *Too Close for Comfort*. Oakland: Univ. Calif. Press

Brotherton D. 2016. *Youth Street Gangs*: *A Critical Appraisal*. New York: Routledge

Butler P. 2017. *Chokehold*: *Policing Black Men*. New York: New Press

Camp JT. 2016. *Incarcerating the Crisis*: *Freedom Struggles and the Rise of the Neoliberal State*. Berkeley: Univ. Calif. Press

Camp JT, Heatherton C. 2016. *Policing the Planet*: *Why the Policing Crisis Led to Black Lives Matter*. New York: Verso

Camp S. 2004. *Closer to Freedom*: *Enslaved Women and Everyday Resistance in the Plantation South*. Chapel Hill, NC: UNC Press

Chavez-Garcia M. 2012. *States of Delinquency*: *Race and Science in the Making of California's Juvenile Justice System*. Berkeley: Univ. Calif. Press

Chronopoulos T. 2011. *Spatial Regulation in New York City*: *From Urban Renewal to Zero Tolerance*. New York: Routledge

Chronopoulos T. 2017. The making of the orderly city: New York since the 1980s. *J. Urban Hist.* **https://doi. org/10.1177/0096144217705459**

Cook D. 2017. *Policing the black underclass*: *the untold story of broken windows policing and the order maintenance police reform movement, 1967–1994*. Honors Thesis, Univ. Va., Charlottesville

Cronin TW, Cronin TZ, Millakovich ME. 1981. *U.S. v. Crime in the Streets*. Bloomington, IN: Indiana Univ. Press

Curtin ME. 2000. *Black Prisoners and Their World, Alabama, 1865–1900*. Charlottesville, VA: Univ. Va. Press

Davis AY. 2003. *Are Prisons Obsolete?* New York: Seven Stories Press

Davis AY. 2005. *Abolition Democracy*: *Beyond Empire, Prisons, and Torture*. New York: Seven Stories Press

Du Bois WEB. 1899. *The Philadelphia Negro*: *A Social Study*. Philadelphia: Univ. Pa. Press

Dulaney MW. 1996. *Black Police in America*. Bloomington, IN: Indiana Univ. Press

Dunbar-Ortiz R. 2014. *An Indigenous Peoples' History of the United States*. Boston: Beacon Press

Dunbar-Ortiz R. 2018. *Loaded*: *A Disarming History of the Second Amendment*. San Francisco: City Lights Books

Edwards LF. 2009. *The People and Their Peace*: *Legal Culture and the Transformation of Inequality in the Post-Revolutionary South*. Chapel Hill, NC: UNC Press

Feeley M, Sarat A. 1980. *The Policy Dilemma*: *Federal Crime Police and the Law Enforcement Assistance Administration, 1968–1978*. Minneapolis, MN: Univ. Minn. Press

Feimster CN. 2009. *Southern Horrors*: *Women and the Politics of Rape and Lynching*. Cambridge, MA: Harvard Univ. Press

Felber G. 2020. *Those Who Know Don't Say*: *The Nation of Islam, the Black Freedom Movement, and the Carceral State*. Chapel Hill, NC: UNC Press

Felker-Kantor M. 2018. *Policing Los Angeles*: *Race, Resistance, and the Rise of the LAPD*. Chapel Hill, NC: UNC Press

Ferguson A. 2017. *The Rise of Big Data Policing*: *Surveillance, Race, and the Future of Law Enforcement*. New York: NYU Press

Fischer AF. 2019. "The place is gone!": policing black women to redevelop downtown Boston. *J. Soc. Hist.* 53:7–26

Flamm MW. 2005. *Law and Order*: *Street Crime, Civil Unrest, and the Crisis of Liberalism in the 1960s*. New York: Columbia Univ. Press

Flamm MW. 2016. *In the Heat of the Summer*: *The New York Riots of 1964 and the War on Crime*. Philadelphia: Univ. Pa. Press

Flowe DJ. 2020. *Uncontrollable Blackness*: *African American Men and Criminality in Jim Crow New York*. Chapel Hill, NC: UNC Press

Forman JJ. 2012. Racial critiques of mass incarceration: beyond the new Jim Crow. *New York Univ. Law Rev.* 87:101–46

Forman JJ. 2017. *Locking Up Our Own*: *Crime and Punishment in Black America*. New York: Farrar Straus Giroux

Fortner MJ. 2015. *Black Silent Majority*: *The Rockefeller Drug Laws and the Politics of Punishment*. Cambridge, MA: Harvard Univ. Press

Francis MM. 2014. *Civil Rights and the Making of the Modern American State*. New York: Cambridge Univ. Press

Garland D. 2002. *The Culture of Control*: *Crime and Social Order in Contemporary Society*. Chicago: Univ. Chicago Press

Gilmore RW. 2007. *Golden Gulag*: *Prisons, Surplus, Crisis, and Opposition in Globalizing California*. Berkeley: Univ. Calif. Press

Goldstein H. 1979. Improving policing: a problem-oriented approach. *Crime Delinq.* 25:236–58

Gottschalk M. 2006. *The Prison and the Gallows*: *The Politics of Mass Incarceration in America*. New York: Cambridge Univ. Press

Gross AJ. 2000. *Double Character*: *Slavery and Mastery in the Antebellum Southern Courtroom*. Princeton: Princeton Univ. Press

Gross KN. 2006. *Colored Amazons*: *Crime, Violence, and Black Women in the City of Brotherly Love, 1880–1910*. Durham, NC: Duke Univ. Press

Hadden SE. 2003. *Slave Patrols*: *Law and Violence in Virginia and the Carolinas*. Cambridge, MA: Harvard Univ. Press

Haley S. 2016. *No Mercy Here*: *Gender, Punishment, and the Making of Jim Crow Modernity*. Chapel Hill, NC: UNC Press

Harcourt BE. 2001. *Illusion of Order*: *The False Promise of Broken Windows Policing*. Cambridge, MA: Harvard Univ. Press

Harring SL. 1983. *Policing a Class Society*: *The Experience of American Cities, 1865–1915*. New Brunswick, NJ: Rutgers Univ. Press

Henderson T-N. 2016. Property, penalty, and (racial) profiling. *Stanf. J. Civ. Rights Civ. Liberties* 12:177–211

Hernández KL. 2010. *Migra!*: *A History of the U.S. Border Patrol*. Oakland, CA: Univ. Calif. Press

Hernández KL. 2017. *City of Inmates*: *Conquest, Rebellion, and the Rise of Human Caging in Los Angeles, 1771–1965*. Chapel Hill, NC: UNC Press

Hicks CD. 2010. *Talk With You Like a Woman*: *African American Women, Justice, and Reform in New York, 1890–1935*. Chapel Hill, NC: UNC Press

Hindus MS. 1980. *Prison and Plantation*: *Crime, Justice, and Authority in Massachusetts and South Carolina, 1767–1878*. Chapel Hill, NC: UNC Press

Hinton E. 2015. "A war within our own boundaries": Lyndon Johnson's Great Society and the rise of the carceral state. *J. Am. Hist.* 102(1):100–12

Hinton E. 2016. *From the War on Poverty to the War on Crime*: *The Making of Mass Incarceration in America*. Cambridge, MA: Harvard Univ. Press

Hinton E, Kohler-Hausmann J, Weaver VM. 2016. Did blacks really endorse the 1994 crime bill? *New York Times*, April 13, p. A25

Johnson M. 2003. *Street Justice*: *A History of Police Violence in New York City*. Boston: Beacon Press

Johnson W. 2013. *River of Dark Dreams*: *Slavery and Empire in the Cotton Kingdom*. Cambridge, MA: Harvard Univ. Press

Johnson W. 2020. *The Broken Heart of America*: *St. Louis and the Violent History of the United States*. New York: Basic Books

Jones M. 2018. *Birthright Citizens*: *A History of Race and Rights in Antebellum America*. New York: Cambridge Univ. Press

Joseph PE. 2006. *Waiting 'Til the Midnight Hour*: *A Narrative History of Black Power in America*. New York: Henry Holt

Kelling GL, Wilson JQ. 1982. Broken windows: the police and neighborhood safety. *Atlantic Monthly*, March 1, p. 29

Kennedy D. 2009. *Deterrence and Crime Prevention*: *Reconsidering the Prospect of Sanction*. New York: Routledge

Kohler-Hausmann J. 2017. *Getting Tough*: *Welfare and Imprisonment in 1970s America*. Princeton: Princeton Univ. Press

Kohler-Hausmann I. 2018. *Misdemeanorland*: *Criminal Courts and Social Control in the Age of Broken Windows Policing*. Princeton: Princeton Univ. Press

Kraska P. 2001. *Militarizing the American Criminal Justice System*: *The Changing Roles of the Armed Forces and the Police*. Boston: Northeastern Univ. Press

Lane R. 1967. *Policing the City*: *Boston 1822–1885*. Cambridge, MA: Harvard Univ. Press

Lassiter M. 2015. Impossible criminals: the suburban imperatives of America's War on Drugs. *J. Am. Hist.* 102(1):126–40

LeBron M. 2019. *Policing Life and Death*: *Race, Violence, and Resistance in Puerto Rico*. Berkeley: Univ. Calif. Press

LeFlouria TL. 2015. *Chained in Silence*: *Black Women and Convict Labor in the New South*. Chapel Hill, NC: UNC Press

Lichtenstein A. 1996. *Twice the Work of Free Labor*: *The Political Economy of Convict Labor in the New South*. New York: Verso

Lvovsky A. 2017. Cruising in plain view: clandestine surveillance and the unique insights of antihomosexual policing. *J. Urban Hist.* **https://doi.org/10.1177/0096144217705495**

Mahoney B. 1976. *The politics of the Safe Streets Act, 1965–1973*. PhD Diss., Columbia Univ., New York

Malka A. 2018. *The Men of Mobtown*: *Policing Baltimore in the Age of Slavery and Emancipation*. Chapel Hill, NC: UNC Press

Marable M. 1984. *Race, Reform, and Rebellion*: *The Second Reconstruction and Beyond in Black America*. New York: Macmillian

McCoy AW. 2009. *Policing America's Empire*: *The United States, the Philippines, and the Rise of the Surveillance State*. Madison, WI: Univ. Wisc. Press

McGirr L. 2015. *The War on Alcohol*: *Prohibition and the Rise of the American State*. New York: WW Norton

McGuire D. 2010. *At the Dark End of the Street*: *Black Women, Rape, and Resistance—A New History of the Civil Rights Movement from Rosa Parks to the Rise of Black Power*. New York: Vintage Books

McLennan R. 2008. *The Crisis of Imprisonment*: *Protest, Politics, and the Making of the American Penal State, 1776–1941*. New York: Cambridge Univ. Press

Miller W. 1977. *Cops and Bobbies*: *Police Authority in New York and London, 1830–1870*. Chicago: Univ. Chicago Press

Mishler M. 2016. *Boundaries of freedom*: *abolition, punishment, and the Atlantic origins of mass incarceration*. PhD. Diss., NYU, New York

Muhammad KG. 2010. *The Condemnation of Blackness*: *Race, Crime and the Making of Modern Urban America*. Cambridge, MA: Harvard Univ. Press

Murakawa N. 2014. *The First Civil Right: How Liberals Built Prison America*. New York: Oxford Univ. Press

Murch DJ. 2010. *Living for the City*: *Migration, Education, and the Rise of the Black Panther Party in Oakland, California*. Chapel Hill, NC: UNC Press

Murch DJ. 2015. Crack in Los Angeles: crisis, militarization, and black response to the late twentieth-century war on drugs. *J. Am. Hist.* 102(1):162–73

Nash GB. 1988. *Forging Freedom*: *The Formation of Philadelphia's Black Community*, *1720–1840*. Cambridge, MA: Harvard Univ. Press

Oshinsky DM. 1997. *Worse than Slavery*: *Parchman Farm and the Ordeal of Jim Crow Justice*. New York: Free Press

Parenti C. 1999. *Lockdown America*: *Police and Prisons in the Age of Crisis*. London: Verso

Pearlman L. 2019. *Democracy's Capital*: *Black Political Power in Washington D.C. 1960s–1970s*. Chapel Hill, NC: UNC Press

Penningroth DC. 2003. *The Claims of Kinfolk*: *African American Property and Community in the Nineteenth-Century South*. Chapel Hill, NC: UNC Press

Pew Res. Cent. 2013. *King's dream remains an elusive goal*; *many Americans see racial disparities*. Rep., Pew Res. Cent., Washington, DC. **https://www.pewsocialtrends.org/2013/08/22/kings-dream-remains-an-elusive-goal-many-americans-see-racial-disparities/**

Phillips UB. 1915. Slave crime in Virginia. *Am. Hist. Rev.* 20(2):336–40

Pliley JR. 2014. *Policing Sexuality*: *The Mann Act and the Making of the FBI*. Cambridge, MA: Harvard Univ. Press

Ralph L. 2014. *Renegade Dreams*: *Living Through Injury in Gangland Chicago*. Chicago: Univ. Chicago Press

Richardson J. 1970. *The New York Police*: *Colonial Times to 1901*. New York: Oxford Univ. Press

Ritchie AJ. 2017. *Invisible No More*: *Police Violence Against Black Women and Women of Color*. Boston: Beacon Press

Rothman DJ. 1971. *The Discovery of the Asylum*: *Social Order and Disorder in the New Republic*. New York: Transaction Publ.

Rousey DC. 1996. *Policing the Southern City*: *New Orleans 1805–1889*. Baton Rouge, LA: LSU Press

Schrader S. 2019. *Badges Without Borders*: *How Global Counterinsurgency Transformed American Policing*. Berkeley: Univ. Calif. Press

Schwarz PJ. 1988. *Twice Condemned*: *Slaves and Criminal Laws of Virginia*, *1705–1865*. Baton Rouge, LA: LSU Press

Seigel M. 2018. *Violence Work: State Power and the Limits of Police*. Durham, NC: Duke Univ. Press

Singh NP. 2017. *Race and America's Long War*. Berkeley: Univ. Calif. Press

Sparrow MK, Moore MH, Kennedy DM. 1990. *Beyond 911*: *A New Era for Policing*. New York: Basic Books

Stewart-Winter T. 2015. Queer law and order: sex, criminality, and policing in the late twentieth-century United States. *J. Am. Hist.* 102(1):61–72

Stuntz WJ. 2011. *The Collapse of American Criminal Justice*. Cambridge, MA: Harvard Univ. Press

Suddler S. 2019. *Presumed Criminal*: *Black Youth and the Justice System in Postwar New York*. New York: NYU Press

Taylor A. 2013. *The Internal Enemy*: *Slavery and War in Virginia*, *1772–1832*. New York: WW Norton

Taylor KY. 2016. *From #BlackLivesMatter to Black Liberation*. Chicago, IL: Haymarket Books

Thompson HA. 2004. *Whose Detroit?*: *Politics*, *Labor*, *and Race in a Modern American City*. Ithaca, NY: Cornell Univ. Press

Thompson HA. 2010. Why mass incarceration matters: rethinking crisis, decline, and transformation in post-war American history. *J. Am. Hist.* 97(3):703–34

Thompson HA. 2016. *Blood in the Water*: *The Attica Prison Uprising of 1971 and Its Legacy*. New York: Vintage Books

Umbach F. 2011. *The Last Neighborhood Cops*: *The Rise and Fall of Community Policing in New York Public Housing*. New Brunswick, NJ: Rutgers Univ. Press

Wacquant L. 2009. *Punishing the Poor*: *The Neoliberal Government of Social Insecurity*. Durham, NC: Duke Univ. Press

Wagner B. 2009. *Disturbing the Peace*: *Black Culture and the Police Power After Slavery*. Cambridge, MA: Harvard Univ. Press

Waldrep C. 1998. *Roots of Disorder*: *Race and Criminal Justice in the American South*, *1817–80*. Urbana, IL: Univ. Ill. Press

Walker S. 1992. Origins of the contemporary criminal justice paradigm: the American Bar Foundation Survey, 1953–1969. *Justice Q.* 9(1):47–76

Walker S. 1998. *Popular Justice: A History of American Criminal Justice*. New York: Oxford Univ. Press

Walker S. 2016. Governing the American police: wrestling with the problems of democracy. *Univ. Chicago Leg. Forum* 2016:615–60

Ward GK. 2012. *The Black Child Savers: Racial Democracy and Juvenile Justice*. Chicago: Univ. Chicago Press

Weaver VM. 2007. *Frontlash: race and the politics of punishment*. PhD Diss., Harvard Univ., Cambridge, MA

Western B. 2006. *Punishment and Inequality in America*. New York: Russell Sage Found.

Wiggins D. 2017. 'Order as well as decency': the development of order maintenance policing in black Atlanta. *J. Urban Hist.* **https://doi.org/10.1177/0096144218822805**

Winship C, Braga A, Hureau D. 2008. Losing faith? Police, black churches, and the resurgence of youth violence in Boston. *Ohio State J. Crim. Law* 6:141–72

RACIAL JUSTICE, POLICING, AND PROTEST WEBINAR

VIEW ON-DEMAND

The subjugation of communities by race and class, and reactions to this, are issues of urgent concern. As protesters demand police reform in the U.S. and around the world, and as countries everywhere contend with their respective histories of racism, scholars ask: what should government services look like to keep all citizens safe? What do we know about effective policing? Can protests change trigger policy changes?

Co-Editor of the *Annual Review of Criminology* Tracey L. Meares (*Yale School of Law)* led this informative discussion from a social sciences research perspective. Joining her were authors Tim Newburn (*London School of Economics and Political Science*), Vesla Weaver (*Johns Hopkins University*), and Elizabeth Hinton (*Yale University*).

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- Government at odds with democratic ideals
- Triggers of community action
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