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Everyday Discrimination among African American Men: The Impact of Criminal Justice Contact

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Abstract

The present study examined the impact of criminal justice contact on experiences of everyday discrimination among a national sample of African American men. African American men have a high likelihood of being targets of major discrimination, as well as experiencing disproportionate contact with the criminal justice system. Few studies, however, examine everyday discrimination (e.g., commonplace social encounters of unfair treatment) among this group. Using data from the National Survey of American Life, we provide a descriptive assessment of different types of everyday discrimination among African American men. Specifically, we examined differences in everyday discrimination among men who have never been arrested, those who have been arrested but not incarcerated, and men who have a previous history of criminal justice intervention categorized by type of incarceration experienced (i.e., reform school, detention, jail, or prison). Study findings indicated overall high levels of reported everyday discrimination, with increased likelihood and a greater number of experiences associated with more serious forms of criminal justice contact. However, in many instances, there were no or few differences in reported everyday discrimination for African American men with and without criminal justice contact, indicating comparable levels of exposure to experiences with unfair treatment.

The majority of research on discrimination against African American men in general, and African American men who have had contact with the criminal justice system, in particular, is focused on instances of *major discrimination* such as being unfairly fired from one's job, not being hired because of a criminal background, being denied bank loans, or being stopped or harassed by police and security personnel (Kessler, Mickelson, & Williams, 1999; Williams et al., 1997). For example, experimental audit studies of job applicants indicate that black men without a criminal record were significantly less likely to receive a call back

than white men with a criminal record (Pager, 2003). Literature on policing indicates that African Americans are stopped, questioned, frisked, and arrested by police at significantly higher rates than whites, even when controlling for their actual involvement in the crimes for which they were questioned (Goel, Rao & Schiff, nd; Harris, 1997; Lundman & Kaufman, 2003; New York Times, 2013) or the rates of crime committed by African Americans in the areas in which they were stopped (Gelman, Fagan & Kiss, 2007). Finally, the legacies of race-based discrimination have led to enduring disadvantages for African American families (Rugh, Albright & Massey, 2015) in areas such as the housing market and practices such as racial segregation and predatory banking practices, (e.g., subprime lending, disproportionate foreclosure rates). Collectively, this body of literature documents the presence of *major discrimination* against African American men across a wide spectrum of social domains and activities.

In contrast, there are far fewer studies within this population of what has been termed, *everyday discrimination* which, while representing less serious forms of discrimination, are nonetheless common and impactful occurrences. Everyday discrimination is defined as consistent, but less overt forms of intolerance and unfair treatment (e.g., being treated with less respect) that occur during commonplace social encounters (Essed, 1991) and include receiving poor restaurant service, being perceived as not being smart, being perceived as dishonest, and being followed and monitored in stores. Everyday discrimination is important due to its overall pervasiveness, social patterning indicating greater exposure for racial and ethnic minority groups, and negative impacts on mental and physical health (Pascoe & Richman, 2009; Williams & Mohammed, 2009). Given African Americans' disproportionately higher rates of contact with the criminal justice system, and the stigma and degraded social status associated with a criminal record, African American men who have had criminal justice contact likely experience higher levels of everyday discrimination.

The goal of this study is to investigate instances of perceived everyday discrimination among African American men with different levels of involvement with the criminal justice system. The central question of the analysis is whether criminal justice contact is associated with different forms and the overall level of everyday discrimination reported by African American men. The analysis has the advantage of a large national sample of African American men and the ability to control for major demographic factors that are recognized covariates of everyday discrimination. The article begins with a review of research on the impact of mass incarceration and criminal justice contact on African American men. This section is followed by a review of research on everyday discrimination and a discussion of the focus of this investigation.

Mass Incarceration

Over 2 million people are currently incarcerated in the United States, representing a 500 percent increase since 1980 (Carson, 2014). People who are currently incarcerated and those who have been released from jails or prisons are a vulnerable group by almost any measure of health and social disadvantage (Bingswanger, Krueger & Steiner, 2009; National Commission on Correctional Health, 2002; Dumont et al., 2012; Fazel & Baillargeon, 2011; Massoglia, 2008; Patterson, 2013). Eighty percent are considered indigent by the courts that

convicted them, a status that makes them eligible for services from a public defender (Smith & De Frances, 1996). A Bureau of Justice Statistics report shows that over half have a mental health problem (James & Glaze, 2006). These inmates face considerable barriers to their social, civic and economic participation upon release that range from chronic unemployment, poverty, and housing instability to low levels of social and human capital, poor health and mental health outcomes, and limited access to treatment (Petersilia, 2003; Drucker, 2011; Clear, 2007; James & Glaze, 2006; Pager, Western & Sugie, 2009). Mass incarceration has had an especially deleterious impact on African Americans (Alexander, 2010; Coates, 2015; Garland, 2001; Western, 2006; Miller, 2013) who represent only 13 percent of the general population, but comprise 38 percent of all U.S. prisoners (Glaze & Haberman, 2013). Given the high concentration of African Americans in U.S. jails and prisons, they disproportionately shoulder the disadvantages associated with mass incarceration. For example, if imprisonment rates are held constant, Bonczar (2003) estimates that 1 in 3 African American men born after 2001 will spend some time in jail or prison, along with 1 in 18 African American women. This is six times the rate of similarly situated whites, with 1 in 17 white men and 1 in 111 white women incarcerated over the life course. Incarceration has therefore become a normative part of the life course for many African American men. This is especially true for poor African American men who did not complete high school (Pettit, 2012).

African Americans are 2.2 times more likely than whites to be arrested (FBI, 2013) and when arrested, they are six times more likely to be incarcerated (Bonczar, 2003). While there is considerable variation by gender and across region, recent estimates of arrest prevalence by race show that nearly half of all African American men will have been arrested for a non-traffic violation by their 23rd birthday (Brame et al., 2014). Research on controversial policies such as stop, question and frisk underscore the ubiquity of criminal justice contact for African Americans. For example, 83 percent of the 12 million people who were stopped and questioned by police officers in New York City were African American or Latino, despite being half as likely as whites to have an illegal weapon and one-third as likely as whites to be in possession of contraband (New York Times, 2013). Furthermore, African Americans report an increased likelihood of police stops for reasons respondents describe as “driving while black” (Harris, 1997; Lundman & Kaufman, 2003), a colloquialism used to describe a police stop due to the race of the driver. On a recent survey, 1 in 4 young African Americans who participated in the sample reported being harassed or treated unfairly by police in the past thirty days (Newport, 2013), and a recent USA Today report shows that African Americans are arrested at a rate 10 times greater than whites in over 70 police districts across the nation (Heath, 2014). The landmark judgement on the stop, question and frisk policy in New York City provides a more public example of regional variation in arrest and incarceration. Of the 12 million people for whom the New York Police Department documented a stop between 2003 and 2012, 83 percent were African American or Latino and only 1.5 percent had contraband or a weapon. When stopped, officers were more likely to use force against minority residents than their white counterparts (New York Times, 2013). Similarly, widespread reports from African Americans of store clerks following them or “shopping while black,” reflect the increased surveillance, suspicion of shoplifting, and

aggressive customer service tactics that are directed at African American shoppers by non-black store clerks and managers.

Discrimination and unfair treatment are also driving forces behind the school-to-prison pipeline, a phenomenon that predominantly affects low-income youth and youth of color. The school-to-prison pipeline reflects a process whereby harsh disciplinary sanctions (i.e., zero-tolerance policies) are disproportionately administered to at-risk youth in school settings. As early as pre-school African American students have a greater likelihood of expulsion and suspension than white students (U.S. Department of Education Office for Civil Rights, 2014). Further, lower educational achievement is a risk factor for crime commission. For example, Lochner and Moretti (2001) find that a one-year increase in education reduces arrest rates by 11%. Additionally, Petite and Western (2001: 160–161) found that a black male dropout, born between 1965 and 69, had nearly a 60 percent chance of serving time in prison by the end of the 1990s. The increasing punitive disciplinary policies of schools reduce educational attainment of African American youth and also increase the chance of eventual entry into the juvenile and adult criminal justice system (ACLU, 2016).

Taken together, the concentration of criminal justice sanctions (both formally and informally) that target many poor African American men results in disproportionate contact at every juncture of the criminal justice process and increases the odds of discriminatory interactions (Krisberg et al., 1987; Kempf-Leonard, Pope & Feyerherm, 1995). Not surprisingly, public opinion polls reveal a “race gap” in attitudes about the legitimacy of police and policing policies, confidence in the criminal justice system, and in perceived racial bias in the courts, education, employment and everyday life (McCarthy, 2013; Gallup, n.d.). According to these polls, African Americans are likely to report these routine interactions as hostile, illegitimate, and discriminatory. In far too many instances, these widely held perceptions of discrimination in everyday life align with their lived experiences and have very real and important implications for the health and social well-being of African Americans. This is especially the case for the growing population of African Americans who have had prior criminal justice contact.

The recent report on collateral consequences from the American Bar Association identifies nearly 45,000 laws that prevent people with criminal records from accessing a range of essential goods and services after release, like subsidized housing, welfare benefits, educational assistance, and occupational licenses (Heck, 2014). There is widespread use of and easy access to criminal background checks through inexpensive electronic databases. These technologies enable the involvement of third parties, such as landlords and employers, in the sanctioning within - and exclusion of - former prisoners from various domains of essential goods and services such as housing, the labor market, and access to educational and social services (Miller, Patton and Williams, 2015). These changes in the criminal justice system have resulted in new forms of discrimination in the lives of African Americans, and especially in the lives of African Americans men who have had prior criminal justice contact.

Everyday Discrimination

The concept of *everyday discrimination* encompasses individuals' perceptions of chronic and routine unfair treatment (Essed 1991; Brondolo et al. 2011) that is considered to be a chronic stressor carried out by others in commonplace social encounters (Kessler et al., 1999). This concept is frequently operationalized using multi-items scales intended to tap experiences such as the frequency with which one is treated with less courtesy than others and how often people act as if you are dishonest or not smart (Williams et al., 1997). Follow-up questions to these perceptions query respondents as to the perceived cause of discriminatory acts. For example, after documenting the frequency with which they experience various types of everyday discrimination, respondents are then asked whether they believe such unfair treatment is due to characteristics such as their race/ethnicity, gender, skin color, or religion.

Everyday Discrimination was developed by sociologists (Essed, 1991; Williams & Mohammed, 2009) with the intent of focusing on commonplace interactions that are characterized by the concept of 'unfair treatment' and developed for use in large population-based surveys. As such, everyday discrimination has been widely used and validated in several large scale surveys of various populations and is closely associated with social and psychiatric epidemiological investigations of psychosocial stressors and their impact on physical and mental health and emotional well-being.

Research indicates that the prevalence of everyday discrimination varies based on the experience or domains considered. For example, early estimates find that the most commonly experienced types of everyday discrimination include perceptions that people act as if [you] are inferior or people act as if [you] are not smart (Kessler, Mickelson, & Williams, 1999). In terms of discrimination attributions, race/ethnicity is the most commonly cited cause of everyday discriminatory acts (Kessler, Mickelson, & Williams, 1999; Seaton et al., 2010). The overall prevalence of everyday discrimination is also strongly patterned by race. For example, Blacks experience a higher frequency of everyday and lifetime discrimination than whites (Williams et al. 1997; Turner & Avison, 2003; Ayalon & Gum, 2011; Moody et al. 2014). In a national study, Kessler et al. (1999) found that while 71.3% of Blacks reported everyday discrimination, only 24% of whites did so. Lifetime discrimination is also more than twice as common among Blacks (49%) than whites (31%) (Kessler et al. 1999), as is the accumulation of multiple stressors across the life course (Sternthal, Slopen, & Williams, 2011).

Reflecting the longer-term impacts of these encounters, numerous studies find that everyday discrimination is injurious to mental and physical health (for a review, see Pascoe & Richman, 2009; Williams & Mohammed, 2009) and prospective studies suggest that the direction of the relationship is from discrimination to health rather than the reverse. For example, perceived everyday discrimination predicts lower self-rated health over five years (Schulz et al., 2006), poorer sleep outcomes over four years (Lewis et al., 2013), and higher risk of five-year mortality (Barnes et al., 2008). Everyday discrimination is also associated with higher levels of waist circumference (Hunte, 2011), elevated C-reactive protein levels (Lewis et al., 2010), and abdominal fat (Hickson et al., 2012). The pernicious effects of

chronic everyday discrimination are not limited to the physical realm, however. Higher levels of chronic everyday discrimination are associated with lower mastery (Williams et al., 2012), higher levels of psychological distress (Ajrouch et al., 2010), lower life satisfaction (Ayalon & Gum, 2011), and higher levels of alcohol and drug use disorders (Hunte & Barry, 2012). Everyday discrimination is also associated with higher levels of anxiety and depressive symptoms (Banks, Kohn-Wood, & Spencer, 2006; Ayalon & Gum, 2011; Mouzon et al., 2016).

Focus of the Study

The present study investigates experiences of everyday discrimination among a national sample of African American men based on different levels of criminal justice contact. Research demonstrates that ex-offenders experience high levels of major forms of discrimination with regards to bank loans, housing, and employment. What has yet to be fully investigated is the degree to which they also experience everyday discrimination. The examination of everyday discrimination is particularly important given many studies demonstrating its association with both poorer physical and mental health outcomes. African American men's high likelihood of being targets of everyday discrimination, as well as their high rates of contact with the criminal justice system, argues the need for a descriptive assessment of these encounters across diverse groups of men. Accordingly, our study has the advantage of examining differences in reported everyday discrimination for African American men who have varying levels of criminal justice contact including: 1) men who have never been arrested (no criminal justice contact), 2) those who have been arrested but not incarcerated, and 3) those who have a previous history of criminal justice intervention and incarceration. Further, we investigate specific types of everyday discrimination, as well as summary measures of everyday discrimination to determine whether different forms of criminal justice contact are significantly associated with distinct types of everyday discrimination (e.g., being treated with less respect, being threatened or harassed). This approach allows a more in-depth investigation of the occurrence of different forms of everyday discrimination than could be ascertained by only using summary variables.

METHODS

Sample

The National Survey of American Life: Coping with Stress in the 21st Century (NSAL) was collected by the Program for Research on Black Americans at the University of Michigan's Institute for Social Research. The fieldwork for the study was completed by the Institute for Social Research's Survey Research Center, in cooperation with the Program for Research on Black Americans. The NSAL sample has a national multi-stage probability design which consists of 64 primary sampling units (PSUs). Fifty-six of these primary areas overlap substantially with existing Survey Research Center's National Sample primary areas.

The data collection was conducted from February 2001 to June 2003, respondents were compensated for their time. A total of 6,082 interviews were conducted with persons aged 18 or older, including 3,570 African Americans, 891 non-Hispanic whites, and 1,621 Blacks of Caribbean descent. There are 1,271 African American men in the NSAL sample, which is

the sample used for this study. The overall response rate was 72.3%. Final response rates for the NSAL two-phase sample designs were computed using the American Association of Public Opinion Research guidelines for Response Rate 3 samples (AAPOR, 2006) (see Jackson et al., 2004 for a more detailed discussion of the NSAL sample). The NSAL data collection was approved by the University of Michigan Institutional Review Board and is the data is available through the Inter-University Consortium of Political and Social Research at the University of Michigan.

Measures

Dependent Variables—The measure of everyday discrimination (Williams, Yu, Jackson, & Anderson, 1997) was designed to assess interpersonal forms of routine experiences of discrimination. A total of 10 items were used to measure everyday discrimination: being treated with less courtesy, treated with less respect, received poor restaurant service, being perceived as not smart, being perceived as dishonest, or being perceived as not as good as others; and being feared, insulted, harassed, and followed in stores. Response values for each item were: 5 (almost every day), 4 (at least once a week), 3 (a few times a month), 2 (a few times a year), 1 (less than once a year), and 0 (never). In addition, these 10 items were combined to create a summary scale, with higher scores on this summary scale indicating higher levels of discrimination (Cronbach's Alpha = .89).

Respondents who reported any discrimination were asked to identify the primary reason for such experiences (e.g., race, ethnicity, skin color, gender, sexual orientation, income, age, height, weight). Based on this item, the summary everyday discrimination scale was recoded to reflect: 1) perceived discrimination that was attributed to race and 2) perceived discrimination that was attributed to nonracial reasons (some other cause). In total, there are 13 dependent variables in this analysis. This includes 10 specific indicators of everyday discrimination, the summary of everyday discrimination, the summary of race-related everyday discrimination, and the summary of everyday discrimination attributed to other non-racial reasons.

Independent Variables—The main independent variable is criminal justice contact. It measures whether a person has had any type of crime-related incarceration or if they have ever been arrested but not incarcerated. This variable has 6 categories (i.e., never arrested, arrested but never incarcerated, incarcerated in reform school, detention, jail, and prison). Several sociodemographic factors (i.e., age, personal income, education, and marital status) are utilized as control variables. Age and education are coded in years and income is coded in dollars. Marital status is coded into four categories: 1) married or cohabiting, 2) separated or divorced, 3) widowed, and 4) never married.

Analysis Strategy—Analyses for the distribution of basic demographic characteristics and Ordinary Least Squares regression analyses were conducted using SAS. The analyses were conducted using SAS 9.13, which uses the Taylor expansion approximation technique for calculating the complex design-based estimates of variance. To obtain results that are generalizable to the African American population, all of the analyses utilize analytic weights. In the OLS regression analyses, both standardized and unstandardized regression

coefficients and standard errors are presented with statistical significance determined using the design-corrected F statistic. Standard error estimates are corrected for unequal probabilities of selection, nonresponse, post-stratification, and the sample's complex design (i.e., clustering and stratification).

RESULTS

Table 1 presents the demographic description of the sample. The average age of the sample is 42, the average years of education is 12 and half (49.4%) of the sample is either married or cohabiting. More than half (53.81%) of the African American men in this sample had been arrested at some point in their lives. Roughly 1 out of 4 of those men had been arrested, but not incarcerated. Among men who had been incarcerated, 18.4% reported being in jail, 1.83% in reform school, 3.2% in detention, and 3% in prison.

Table 2 presents frequencies for various forms of everyday discrimination reported by African American men. Most respondents indicated that they had experienced some form of discrimination. With the exception of being called names or insulted, a third or more of respondents indicated that they had experienced the remaining nine incidents of unfair treatment a few times a year or more frequently. Although not as frequent, just under 20 percent of African American men reported that they had been called names or insulted a few times per year or more frequently. Including men who reported such experiences less than once per year increases the proportion reporting each of the nine indicators to 50 percent or higher.

The multivariate analysis of the association between criminal justice contact and the 10 specific indicators of everyday discrimination are presented in Table 3 and Table 3 (continued). For the purposes of this study, we will only discuss findings for the relationship between criminal justice contact and everyday discrimination. In all analyses, the comparison group is African American men who have never been arrested. Although not always significantly different, in all comparisons, African American men who had contact with the criminal justice system (i.e., arrested, reform school, detention, jail or prison) report more discrimination than those who have not.

With respect to specific comparisons, there were no significant associations between criminal justice contact and respondents reporting that people feel that they are better than them (Table 3). African American men who had been in reform school were more likely to report that people treated them with less respect ($b = .90$, $SE = .43$, $p < .05$). African American men who had been to jail were more likely to report that people treated them with less courtesy than their counterparts who never had criminal justice contact ($b = .23$, $SE = .10$, $p < .05$). Significant differences between criminal justice contact and five specific types of discrimination: treated with less respect, being afraid of you, followed in stores, being perceived as dishonest, and receiving poor service, were especially numerous (Table 3 and Table 3 continued). For instance, African American men who had been arrested (as compared to men who had never been arrested) were more likely to report receiving poor service in stores/restaurants ($b = .23$, $SE = .10$, $p < .05$), as well as indicating that people treated them as if they were dishonest ($b = .17$, $SE = .08$, $p < .05$). Similarly, African

American men who had been to reform school (as compared to men who had never been arrested) were more likely than their counterparts to report being treated with less respect ($b = .23$, $SE = .43$, $p < .05$), followed around in stores ($b = 1.53$, $SE = .50$, $p < .01$), and people acting as if there were dishonest ($b = 1.34$, $SE = .44$, $p < .01$). Having been in detention, jail, and prison were all significantly associated with reports of others being afraid of you, being followed in stores, perceived as dishonest, and receiving poor service. There was only one significant association between criminal justice contact and being called names and insulted, and being threatened or harassed (Table 3 continued). That is, African American men who had been to prison were more likely to report being called names/insulted ($b = .54$, $SE = .26$, $p < .05$) and being threatened or harassed ($b = .49$, $SE = .19$, $p < .05$) than their counterparts who have never been arrested.

Findings for the summed scores for everyday discrimination are presented in Table 4. First, the analysis of the summed measures of overall discrimination is presented, followed by regression analyses of discrimination due to race and discrimination attributed to other factors. Criminal justice contact was significantly associated with the summed measures of everyday discrimination: African American men who had previously been to reform school ($b = 8.27$, $SE = 2.85$, $p < .01$), detention ($b = 5.29$, $SE = 1.19$, $p < .01$), jail ($b = 2.35$, $SE = .65$, $p < .01$) or prison ($b = 5.28$, $SE = 1.97$, $p < .05$) report more instances of everyday discrimination than their counterparts who had never been arrested. Men who had been arrested (but not incarcerated) were no different from men who had not had any criminal justice contact in terms of summed everyday discrimination ($b = 1.26$, $SE = .66$, *n.s.*). The middle column presents the analysis of the summary measure of everyday discrimination due to race. This analysis finds that African American men who had been in reform school ($b = 8.24$, $SE = 3.91$, $p < .05$) or jail ($b = 2.17$, $SE = .94$, $p < .05$) were more likely than men who had not been arrested to report higher scores of race-based everyday discrimination. The analysis of the sum of everyday discrimination due to other factors, indicated no significant associations between criminal justice contact and reports of discrimination.

Lastly, we computed the Variance Inflation Factor (VIF) to check for multicollinearity between the independent variables for all of the analysis. The largest VIF was 1.56, which is far below both the threshold of 10 and the more stringent threshold of 4, which many researchers regard as a sign of severe or serious multicollinearity (O'Brien, 2007).

DISCUSSION

Forms of major discrimination that ex-offenders experience (i.e., employment and housing) have been well-documented in the literature. However, less is known about common social encounters that represent everyday forms of discrimination. These events are important due to the impact of everyday discrimination on important physical and mental health outcomes (Pascoe & Richman, 2009; Williams & Mohammed, 2009). The present study's exploration of these issues found that everyday discrimination, as a general phenomenon, is quite common across a diverse group of African American men. This includes men who had never been arrested and had no prior criminal justice contact, those who had been arrested, but not incarcerated, and, in particular, African American men who are ex-offenders.

Roughly one out of five (20.58%) African American men reported that people acted as if they were better than them on a daily (12.54%) or weekly (8.04%) basis. Similarly, roughly one out of ten African American men reported that people acted as if they were afraid of them, they were not smart, or that they were treated with less courtesy at least once per week or every day. Relatively few African American men also experienced serious types of discrimination such as being called names or insulted or being followed around in stores on a comparatively frequent basis. Overall, the most frequent category of discrimination reported was people acting like they are better than you, while the least frequent was being threatened or harassed. Nonetheless, it is significant that one of ten African American men report that they experience encounters that embody high physical and psychological threat (being threatened or harassed) at least a few times a year and close to half (45%) report that they have had such an encounter at some point in their lives.

Overall, African American men who have contact with the criminal justice system are more likely to report several types of discrimination more frequently than those who have not been involved in the system. One exception was the perception that “people think that they are better than you,” which was the most frequently mentioned type of everyday discrimination. African American men, irrespective of whether they had prior criminal justice contact, were similar to one another in reporting this form of everyday discrimination. That is to say, perceptions that others felt they were better than them were commonplace for African American men—those who had never been arrested, as well as those who had criminal justice contact of various types. This finding is intuitive on a number of levels.

First, evidence from audit studies affirms that across a variety of social status factors (e.g., income and education) and in different social domains (i.e., employment, schooling) African Americans experience unfair treatment in routine social encounters. The school-to-prison pipeline, processes that are often endemic in failing public schools in many urban communities, represents early instances of unfair treatment for African American youth (ACLU, 2016). Instances of everyday discrimination later in life often involve job functioning or educational performance in which, because African Americans’ behaviors and/or credentials are pre-judged as being inferior, they are not seen as qualified or deserving of their position. A large body of research (Dovidio et al., 2013) on prejudice, stereotyping and implicit biases (i.e., Implicit Associations Test) indicates that perceptions of group characteristics (e.g., black inferiority in intelligence and competence) are automatic, not at the level of conscious awareness, and operate across a number of social domains of everyday life (e.g., education, employment, health care, judicial system). Both research evidence from audit surveys and anecdotal accounts verify that acquiring necessary credentials (e.g., degrees, resumes) and the outward physical manifestations of status (e.g., business suit and tie) are not sufficient to secure job positions or obtain customary services (e.g., hailing a cab) (Pager and Shepherd, 2008; Ridley, Bayton, & Outtz, 1989). In effect, these outward signs of competency and acceptability, whether through explicit stereotypes or implicit biases, are discounted for Black individuals.

Second, given patterns of residential segregation, Black Americans across status categories often live in close proximity to one another (Patillo, 2005). Even in Black neighborhoods that have undergone gentrification, middle and high income African Americans often live in

close proximity to poor neighbors and those with varying levels of education (Patillo, 2005). Income and education are both predictive of criminal justice trajectories. As a consequence, residents, both with and without prior criminal justice contact, live in close geographic and social proximity. Further, incarceration's impact on families and communities is evidenced by the high percentage of Black women with an incarcerated family member and Black children with an incarcerated parent (Lee et al., 2015; Wakefield & Wildeman, 2013). In essence, noted similarities in perceptions of discriminatory encounters may reflect social and geographic embeddedness with similarly situated formerly incarcerated individuals. Black residents of neighborhood and community settings are then perceived to be similar to one another and may receive similar treatment by others.

There were significant differences in everyday discrimination between African American men who did not have prior criminal justice contact and those who did. Men who had spent time in jail or prison experienced more frequent discrimination. In particular, a total of 7 significant everyday discrimination findings were found for men who were formerly incarcerated in prison as compared to men who had never been arrested. Furthermore, this group was significantly more likely to report experiencing the more serious forms of everyday discrimination, such as being threatened or harassed or insulted or called names. These more serious types of discrimination are important because they could potentially escalate to verbal or physical altercations or other problem behaviors that could potentially result in being remanded to custody, particularly for violations of probation or parole. Finally, men who had criminal justice contact (except for those arrested, but not incarcerated) had higher summed scores for everyday discrimination as compared to men who had never been arrested. In contrast, only those who had experienced reform school or jail had higher summed scores for racially-based everyday discrimination than the comparison group of men. In addition, African American men who had experienced reform school or jail were more likely than men who had no prior criminal justice contact to attribute the discrimination they experienced to race.

Although not a focus of this study, there were several significant demographic differences in the experiences of everyday discrimination. The most notable finding was that age was significantly associated with every indicator of everyday discrimination. In each case, younger African American men reported experiencing more everyday discrimination than their older counterparts. These age findings are consistent with previous research on the general population (Kessler, Mickelson, and Williams 1999), as well as among Latinos (Pérez, Fortuna and Alegria 2008). Several education findings indicated that education was positively associated with experiencing less courtesy, less respect, having individuals being afraid of you, being followed in stores, receiving poor service and being threatened or harassed. Previous studies have also found that African Americans with higher levels of education (Foreman, Williams, & Jackson 1997; Gary 1995) report experiencing more discrimination. Possible explanations for the relationship between education and everyday discrimination suggest that highly educated African Americans have greater exposure (e.g., in educational and employment settings and when shopping in retail businesses) to members of the dominant group who hold negative beliefs about African Americans. Further, highly educated African Americans may exhibit greater sensitivity to discriminatory practices (see Feagin and Sikes 1994; Cose 1993).

Limitations and Conclusions

There are several limitations of this study that must be noted. First, our sample, like the vast majority of national probability based samples, does not include homeless men or institutionalized populations such as men in halfway houses. These populations have a higher likelihood of having some type of contact with the criminal justice system. Second, as with many studies of discrimination, we are unable to identify the perpetrators or the social settings in which unfair treatment occurs. Additionally, we are unable to pinpoint precisely the timing of exposure to discriminatory events. We can be reasonably certain that events experienced daily, weekly, and/or monthly occurred post-incarceration. However, it is less certain for men who report discrimination a few times per year or less than once per year and it is conceivable that they are reporting on events that happened during a past incarceration. It is also important to note that there may be reciprocal effects between criminal justice contact and discrimination. It is quite reasonable to assume that for African American men, in particular, criminal justice contact places individuals at risk for everyday discrimination. However, given information on race differences in the context of common social interactions, instances of everyday discrimination are also risk factors for criminal justice contact. For example, everyday discrimination in the form of being followed in stores may precipitate escalating interactions with security personnel that result in formal arrests and being held in custody (with or without being formally charged). Within school settings, everyday discrimination directed at African American youth may result in escalating interactions with teachers and school security personnel that set in motion harsh disciplinary sanctions (i.e., zero-tolerance policies) that include expulsions, suspensions and placement in reform and youth detention settings. Finally, “stop and frisk” policing practices, which are based on the presumption of dishonesty, set in motion a sequence of confrontational exchanges that often escalates into being formally arrested.

Despite these limitations, the overall picture from these findings is that for African American men, contact with the criminal justice system, especially spending time in prison, is associated with much higher levels of experiencing everyday discrimination than their counterparts who have no criminal justice contact. Study findings also illuminate important features of the criminal justice system and everyday discrimination in relation to African American men. First, a slight majority of men in this national sample reported criminal justice contact in the form of having been arrested at some point in their lives. This group included a quarter of men who had been arrested, but not incarcerated, and an additional quarter that had been in different forms of custodial care. These numbers speak eloquently to the pervasiveness of criminal justice contact for African American men, and by extension, their partners, families, and communities. Second, within a sample of African American men, diverse criminal justice experiences matter in relation to everyday discrimination. The pattern of findings indicates that men with more intense forms of involvement report more differences from their counterparts without criminal justice contact. However, it is worth noting that, for several indicators of everyday discrimination, there were no or few differences between African American men with and without criminal justice contact, indicating comparable experiences with unfair treatment.

The study's findings provide important information on everyday discrimination that helps us to better understand these common experiences of African American men. Future research on everyday discrimination among this population should examine: 1) the specific impacts of everyday discrimination on various health outcomes, and 2) the potential ways that different forms of everyday discrimination may interact with one another and with other more formal types of systematic discrimination and restrictions (i.e., housing, employment) faced by African American men with a history with the criminal justice system.

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Table 1
Demographic Characteristics of the Sample and Distribution of Study Variables

	%	N	Mean	S.D.	Min	Max
Age		1271	41.98	15.80	18	93
Years of Education		1271	12.42	2.53	0	17
Personal Income		1155	26968.06	22948.94	0	180000
Marital Status						
Married/Cohabit	49.42	551				
Divorced/Separated	17.23	270				
Widowed	2.88	53				
Never Married	30.46	391				
Arrest/ Incarceration History						
Never Arrested	46.19	573				
Arrested at least once in lifetime	27.27	341				
Reform School	1.83	20				
Detention	3.21	40				
Jail	18.44	232				
Prison	3.05	44				
Sum of Any Everyday Discrimination		1255	13.68	9.34	0	50
Sum of Any Everyday Racial Discrimination		1218	9.70	10.45	0	50
Sum of Any Everyday Other Discrimination		1217	3.19	7.33	0	44

Percents and N are presented for categorical variables and Means and Standard Deviations are presented for continuous variables. Percentages are weighted and frequencies are un-weighted.

Table 2
Percentage Distribution of the Frequency of Different Types of Perceived Everyday Discrimination among African American men

	Better than You	Not Smart	Less Courtesy	Less Respect	Less Afraid of You	Followed in Stores	Poor Service	Dishonest	Call Names/ Insulted	Threatened or Harassed
Almost Everyday	12.54	7.99	4.19	3.61	6.4	5.06	2.14	5.54	2.83	0.65
Once per week	8.04	6.59	5.53	4.63	5.27	2.67	3.06	3.43	2.59	0.99
Few Times a Month	14.07	9.78	11.78	10.14	9.16	9.14	8.01	7.29	3.85	1.95
Few Times per Year	25.41	21.86	27.81	26.4	18.37	17.11	29.22	17.51	10.26	7.04
Less than once per Year	17.59	27.67	31.01	31.48	26.41	26.04	32.85	29.82	33.1	34.45
Never	22.36	26.11	19.68	23.73	34.38	39.97	24.71	36.41	47.37	54.93
N	1244	1250	1251	1253	1249	1240	1253	1251	1252	1254

Table 3
Regression Analysis of Criminal Justice Contact on Specific Indicators of Everyday Discrimination Among African American Men

	Better than You			Not Smart			Less Courtesy			Less Respect		
	β	b	SE	β	b	SE	β	b	SE	β	b	SE
Age ¹	-0.22***	-0.02***	0.00	-0.15***	-0.01***	0.00	-0.11**	-0.01**	0.00	-0.09*	-0.01*	0.00
Years of Education	0.00	0.00	0.02	0.06	0.03	0.02	0.09**	0.05**	0.01	0.06*	0.03*	0.01
Personal Income	-0.06	0.00	0.00	-0.09**	0.00**	0.00	-0.01	0.00	0.00	0.03	0.00	0.00
Marital Status												
Separated/Divorced	0.04	0.17	0.14	0.01	0.03	0.14	0.01	0.05	0.12	0.01	0.05	0.12
Widowed	0.00	-0.01	0.30	0.00	0.03	0.30	0.02	0.15	0.28	0.01	0.10	0.31
Never Married	-0.01	-0.04	0.14	-0.08	-0.25	0.16	-0.01	-0.04	0.11	0.00	0.00	0.11
Criminal Justice Contact												
Arrested	0.06	0.21	0.13	0.04	0.15	0.11	0.03	0.09	0.09	0.04	0.10	0.09
Reform School	0.02	0.25	0.40	0.08*	0.96*	0.43	0.09	0.86	0.43	0.09*	0.90*	0.43
Detention	0.05	0.45	0.31	0.08*	0.71*	0.30	0.01	0.05	0.17	0.04	0.28	0.20
Jail	0.04	0.17	0.13	0.03	0.11	0.12	0.07*	0.23*	0.10	0.03	0.08	0.09
Prison	0.03	0.25	0.29	0.07*	0.58*	0.26	0.07	0.55	0.31	0.07	0.49	0.26
Constant	--	3.99***	0.40	--	3.01***	0.30	--	2.40***	0.26	--	2.31***	0.20
F		14.54***			4.14***			4.69***			3.18**	
R²		0.06			0.04			0.03			0.03	
N		1143			1149			1149			1152	

Abbreviations: β = standardized regression coefficient; b = unstandardized regression coefficient; SE=standard error

¹ Several independent variables are represented by dummy variables. Marital Status, married and cohabit is the excluded category; Criminal Justice Contact, Never been arrested is the excluded category.

* p < .05;

** p < .01;

*** p < .001

Regression Analysis of Criminal Justice Contact on Specific Indicators of Everyday Discrimination Among African American Men Continued

Table 4

	Afraid of You			Followed in Stores			Poor Service		
	β	b	SE	β	b	SE	β	b	SE
Age [/]	-0.22***	-0.02***	0.00	-0.16***	-0.01***	0.00	-0.13**	-0.01**	0.00
Years of Education	0.11**	0.07**	0.02	0.11**	0.06**	0.02	0.12**	0.05**	0.02
Personal Income	0.01	0.00	0.00	-0.03	0.00	0.00	0.04	0.00	0.00
Marital Status									
Separated/Divorced	0.08*	0.31*	0.14	0.01	0.04	0.11	0.06	0.19	0.10
Widowed	0.03	0.29	0.25	0.01	0.10	0.37	0.03	0.20	0.27
Never Married	-0.02	-0.08	0.12	0.02	0.06	0.13	0.05	0.12	0.10
Criminal Justice Contact									
Arrested	0.05	0.18	0.10	0.06	0.17	0.09	0.09*	0.23*	0.10
Reform School	0.07	0.78	0.49	0.15**	1.53**	0.50	0.11	0.93	0.53
Detention	0.11**	0.94**	0.30	0.11*	0.85*	0.39	0.09*	0.61*	0.26
Jail	0.10**	0.38**	0.12	0.12**	0.42**	0.14	0.12***	0.34***	0.09
Prison	0.08*	0.69*	0.31	0.06*	0.49*	0.21	0.07*	0.46*	0.20
Constant	--	2.28***	0.37	--	1.91***	0.31	--	1.84***	0.27
F		13.57***			10.54***			9.42***	
R ²		0.08			0.08			0.06	
N		1147			1141			1151	

Abbreviations: β = standardized regression coefficient; b = unstandardized regression coefficient; SE=standard error

[/] Several independent variables are represented by dummy variables. Marital Status, married and cohabit is the excluded category; Criminal Justice Contact, Never been arrested is the excluded category.

* p < .05;

** p < .01;

*** p < .001

Regression Analysis of Criminal Justice Contact on Specific Indicators of Everyday Discrimination Among African American Men Continue

Table 5

	Dishonest			Call Names/Insulted			Threatened or Harassed		
	β	b	SE	β	b	SE	β	b	SE
Age ¹	-0.20 ^{***}	-0.02 ^{***}	0.00	-0.11 ^{***}	-0.01 ^{**}	0.00	-0.11 ^{**}	-0.01 ^{**}	0.00
Years of Education	0.02	0.01	0.02	0.04	0.02	0.02	0.07 [*]	0.02 [*]	0.01
Personal Income	0.03	0.00	0.00	-0.05	0.00	0.00	-0.05	0.00	0.00
Marital Status									
Separated/Divorced	0.07 [*]	0.27 [*]	0.12	0.03	0.10	0.12	0.01	0.01	0.09
Widowed	0.05	0.40	0.29	0.01	0.06	0.15	-0.01	-0.04	0.13
Never Married	0.00	0.01	0.13	0.08 [*]	0.20 [*]	0.10	0.05	0.10	0.07
Criminal Justice Contact									
Arrested	0.06 [*]	0.17 [*]	0.08	0.01	0.03	0.10	0.00	0.00	0.07
Reform School	0.13 ^{**}	1.34 ^{**}	0.44	0.07	0.62	0.45	0.01	0.06	0.21
Detention	0.10 ^{**}	0.78 ^{**}	0.28	0.03	0.20	0.20	0.07	0.36	0.22
Jail	0.09 [*]	0.31 [*]	0.12	0.04	0.12	0.11	0.06	0.14	0.09
Prison	0.09 [*]	0.72 [*]	0.33	0.08 [*]	0.54 [*]	0.26	0.10 [*]	0.49 [*]	0.19
Constant	--	2.58 ^{***}	0.36	--	1.95 ^{***}	0.26	--	1.55 ^{***}	0.21
F	8.94 ^{***}			5.88 ^{***}			11.01 ^{***}		
R ²	0.07			0.04			0.04		
N	1150			1151			1152		

Abbreviations: β = standardized regression coefficient; b = unstandardized regression coefficient; SE=standard error

¹ Several independent variables are represented by dummy variables. Marital Status, married and cohabit is the excluded category; Criminal Justice Contact, Never been arrested is the excluded category.

* p < .05;

** p < .01;

*** p < .001

Table 6
 Regression Analysis of Criminal Justice Contact on Summary Measures of Everyday Discrimination Among African American Men

	Sum of Everyday Discrimination			Sum of Race Based Everyday Discrimination			Sum of Other Everyday Discrimination		
	β	b	SE	β	b	SE	β	b	SE
Age [/]	-0.22***	-0.13***	0.02	-0.11*	-0.07*	0.03	-0.14***	-0.07***	0.02
Years of Education	0.09**	0.34**	0.11	0.10**	0.41**	0.14	-0.05	-0.14	0.10
Personal Income	-0.03	0.00	0.00	0.01	0.00	0.00	-0.04	0.00	0.00
Marital Status									
Separated/Divorced	0.05	1.21	0.90	0.07*	1.89*	0.86	-0.02	-0.36	0.67
Widowed	0.02	1.16	2.03	0.02	1.52	2.47	0.01	0.61	0.93
Never Married	0.00	0.09	0.89	0.01	0.18	0.96	0.00	-0.01	0.71
Criminal Justice Contact									
Arrested	0.06	1.26	0.66	0.03	0.81	0.65	0.04	0.59	0.62
Reform School	0.12**	8.27**	2.85	0.11*	8.24*	3.91	-0.02	-0.83	1.10
Detention	0.10**	5.29**	1.91	0.06	3.74	2.58	0.05	2.04	1.97
Jail	0.10**	2.35**	0.65	0.08*	2.17*	0.94	0.03	0.64	0.65
Prison	0.10*	5.28*	1.97	0.06	3.85	2.53	0.03	1.31	1.85
Constant	--	13.73***	1.92	--	6.12**	2.22	--	7.78***	1.89
F		11.08***			3.98***			7.2***	
R²		0.09			0.04			0.03	
N		1152			1120			1119	

Abbreviations: β = standardized regression coefficient; b = unstandardized regression coefficient; SE=standard error

[/] Several independent variables are represented by dummy variables. Marital Status, married and cohabit is the excluded category; Criminal Justice Contact, Never been arrested is the excluded category.

* p < .05;

** p < .01;

*** p < .001