

Contemporary Impact of Historical Redlining: Race and Policing in North Carolina

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Abstract

We use historic “redlining” maps from the 1930s to identify areas of high and low advantage and compare these geographic areas to contemporary patterns of arrest rates for different demographic groups. For every major city in North Carolina, we show that historical redlining continues to have adverse effects on current residents, but more so for Black and other minority residents than for White residents of these same areas. Conversely, those areas rated “most desirable” in the 1930s continue to have extremely low arrest rates and rates of police surveillance today. Our analysis is based on over 13 million arrest records across seven years, making use of the database of the NC Administrative Office of the Courts. We develop a multidimensional assessment of social advantage based on race, gender, age, and residential location, defined in such a way that we can compare this to the census in order to calculate rates of arrest for each demographic and geospatial group we identify, over 50,000 groups. These arrest rates can then be compared to the historical record. The high degree of continuity that we identify is strong evidence of the lasting historical residue of decisions made long ago, but which have subsequently become institutionalized in various ways through our economic, transportation, health, and education systems.

Keywords: Policing, 911 Calls, Race and Ethnic Politics, Geo-Spatial Analysis

Important Note

This is a chapter excerpt from our book *Working as Intended: The Legacy of Racism in the Law*, which is forthcoming at University of Chicago Press in Fall 2027.

Prepared for presentation at the Annual Meeting of the American Political Science Association,
Boston, MA, Sept 3-6, 2026

In the early to mid-1930s, groups of people across the country were tasked with preparing reports gauging the “quality” of neighborhoods for the Federal Home Loan Bank Board.ⁱ The goal of these reports was to survey the neighborhoods of each city and assign a ranking that would later be used to create “redlining” maps, which contained color-coded ratings of economic health and mortgage-lending risks. Across each city, a team of researchers and field agents, who were usually White realtors, gathered data points, including: the name of the city, the particular neighborhood being rated, a security grade (ranging from A to D), an area number, advantageous and disadvantageous features of the neighborhood, the typical cost or rental value of the dwellings, and a host of other information deemed necessary to rank the quality of the neighborhood. In the instruction manual for data collection, the field agents were instructed to note “[a]ny threat of infiltration of foreign born, negro or lower grade population.”ⁱⁱ

The Durham team of surveyors was headed by Samuel R. Cook, a field agent of the Division of Research and Statistics, and six North Carolina-based realtors, who surveyed 24 neighborhoods across Durham. According to these reports, conducted by Leon W. Powell, the “A” (the most desirable score) and “B” (the second-most desirable score) neighborhoods had no “foreign-born” or “negro” residents. The report also provided a section for “clarifying remarks” for the assigned score. The remarks for the “C” and “D” neighborhoods reveal the explicit racialized motivations of score assignment: “Northern part is usually being taken over by negros. Southern part along Duke Street is considerably better” (C-6).ⁱⁱⁱ “In this section live most of the negroes with better incomes. There are some nice residences in the area but where you find one good one there is likely to be adjoining it on either or both sides a house of much lower grade in quality” (C-7).^{iv} “This area is occupied by negroes of lower class” (D-1).^v “Northwest part of

area occupied by negroes” (D-3).^{vi} “This was formerly a good white residential street but negroes are gradually taking up the area” (D-6).^{vii}

Of course, this grading practice was not confined to Durham or North Carolina, and surveys of cities across the country were similar to those in Durham. Throughout the 1930s and 1940s, realtors, bankers, and surveyors like Powell determined which residential neighborhoods would gain access to subsidized federal home loans and which neighborhoods would be excluded from the benefits of New Deal-era federal housing policies.^{viii} Over time, these decisions involved explicit reference to race with the goal of excluding minorities from the “nicer” neighborhoods, thus fundamentally determining which neighborhoods would be allowed to flourish, and which would languish for lack of investment. After all, with the lower grade assigned on a map, houses in “undesirable” areas would be ineligible for home improvement loans or mortgages.

On the other hand, those neighborhoods deemed “desirable” were granted access to privileges, including higher property values, higher-ranked schools, and better-funded local institutions, that persist today.^{ix} This was not the case for neighborhoods deemed “undesirable,” which were largely low-income and majority Black neighborhoods. Over time, the “undesirable” neighborhoods experienced cumulative disadvantages that continue to affect residents today. Of course, realtors might have argued that they had no racial intent and were only looking at the impact of racial integration on property values, though this is hard to believe given the clarifying comments in the reports. The impact of racial integration on property values is a sign of the importance of race in our culture, not a rival explanation to suggest there was no racial intent. Of course, that exact argument (“I’ve got nothing against having a Black neighbor, personally, but the property values will decline”) was widely used, and still is.

Most of the findings about the historical legacy of redlining have been well documented by previous works. Legal scholar Richard Rothstein, for example, explored the lasting legacies of redlining in his 2017 book, *The Color of Law*, as well as the powerful role of government agencies at all levels of the federal system in promoting, or in some cases requiring adherence to this system of enforced racial segregation.^x We have known for a while how past economic policy choices create a powerful path dependence that distinguishes and segregates individuals today along hidden social and economic cleavages. We know less, however, about how these past economic policies predict current-day entrapment with the criminal legal system.^{xi} This Chapter is our offering within this body of work. Specifically, we ask: how does the historical legacy of redlining influence arrest patterns within the major cities of North Carolina? How does the geographic concentration of social disadvantage predispose certain neighborhoods to have regular surveillance by law enforcement agencies while insulating others?

We continue our exploration of social identity, geography, and the likelihood of arrest, further fleshing out the connection between historical racism and present-day entrapment in the criminal legal system. Building on the analysis from Chapters 7 and 8, we conduct two sets of analyses. First, we look at historical redlining segregation and how it predicts modern-day arrest patterns. By focusing on the major the North Carolina cities that we previously investigated in Chapter 8 (excluding Raleigh), we show how arrest patterns vary with demographic category as one moves from a low-graded (redlined) to a high-graded area. In our second set of analyses, we move from our focus on individual cities to a state-wide comparison of social identity and arrest rates. To do this, we develop a measure of intersectional identity based on the average income of a residential area along with individual demographic characteristics (race, sex, age) and show

that this simple additive index of social disadvantage correlates powerfully with the odds of being arrested.

In both analyses, we show a remarkable correlation between the concentration of disadvantage and the odds of arrest, with arrest rates being higher in neighborhoods that have a lower average social advantage score and that were previously redlined. White and Latine women, for example, are rarely arrested no matter what the social disadvantage of their neighborhood. Black men, on the other hand, show a strong increase in the odds of arrest depending on the average income of the neighborhood where they live, with White and Latine men also showing such a relation, though a more modest one. Specifically, we reiterate that where one lives can be considered part of an intersectional identity just like race, sex, or age.^{xii}

These analyses allow us to explore in greater detail that has been done previously the links between demographics, geography, and the criminal legal system. We saw in Chapter 8 that patterns of police surveillance are highly concentrated in just a few areas. These relatively small areas in each of our cities generate a greatly disproportionate share of arrests. Because they concentrate poverty, racial minority populations, and demand for policing, the police expect to encounter social disorder there. So, the linkages between social demographics, policing, and arrests are tightly connected to geography. That geography, the very physical layouts of our cities, is driven by historical factors that have their roots in racist housing policies by banks and realtors that were not only sanctioned by the federal government's housing policies but required by them. (This is of course to say nothing about the placement of industrial zones, landfills, highways, and other elements of urban planning from the Jim Crow era that continue to affect our physical spaces today.^{xiii})

To be very careful with our use of language, we want to highlight that when using the terms social or neighborhoods “advantage” or “disadvantage,” we do not mean that there is any demographic trait is inherently more advantageous than others. We also recognize that there are many other factors that can play into “advantage” and “disadvantage,” such as the support one receives from community or family, that we cannot measure. Instead, we use these terms to refer to the advantages that are afforded to a person, or group, from the perspective of the state, specifically, the carceral state. “Advantaged” groups have characteristics (age, race, sex, area of residence) that make them less likely to interact with the courts of the police; “disadvantaged” groups are at the other end of the continuum.

Path Dependent Disadvantage and the Legacy of Redlining

We begin our exploration of the intersectional disadvantage by focusing on the historical legacies of redlining in cities across North Carolina. In each major city of the state, we take Chapter 8’s neighborhood boundaries and show how many of the contemporaneous differences in arrests correspond to historical redlining from the 1930s. To identify formerly redlined regions, we take advantage of the magnificent archival work of the “Mapping Inequality” project at the University of Richmond.^{xiv} This team has compiled historical redlining maps from the 1930s which were mandated by the federal Home Owners’ Loan Corporation (HOLC).^{xv} These maps divided each American city into four categories of “residential security.” For North Carolina, these include the cities of Asheville, Charlotte, Durham, Elizabeth City, Fayetteville, Goldsboro, Greensboro, Hendersonville, High Point, New Bern, Rocky Mount, Statesville, and Winston-Salem.^{xvi}

“Security” in this case, does not refer to the absence of danger, but involves the safety of making local economic investments in an area for a bank or savings and loan corporation. Areas

were generally ranked from A (“best”) to D (variously defined as “hazardous,” “blighted,” “poor,” or “fourth grade”). Maps for each city were generated with color-coding showing these areas, and the “grade D” areas were typically shaded in red; hence the term “redlined.”^{xvii}

Historical redlining, mandated by government policies and implemented by private and public actors alike, generated disinvestment in large areas of each major city of the country.^{xviii} Areas that were redlined saw inferior public services, over-crowding, lack of commercial centers such as banks, grocery stores, and other amenities at the same time as they were over-stocked with liquor establishments, pollution, and other noxious elements.^{xix} Naturally, those with financial means stayed away.

We overlay these historical maps with the high- and low-arrest rate areas that we identified in Chapter 8. We demonstrate how the neighborhoods identified as “blighted,” “undesirable,” or “hazardous” continue to exhibit the greatest arrest rates today, and that those areas deemed “best” or “most desirable” continue to this day to show the lowest arrest rates. Of course, these historical connections are not perfect, as much has changed in the period since the maps were made 90 years ago: Downtown commercial districts have grown, industrial areas have been closed and eventually replaced by residential or other uses, some previously “blighted” areas have been gentrified, freeways have decimated certain areas, cities have grown into areas previously unoccupied, and so on.

While many things have changed, particularly suburban sprawl and gentrification, redlining still affects arrest patterns throughout all the cities that we can explore. Areas that were previously redlined remain visible today and are connected with various forms of disinvestment, poverty, concentrations of Black and Brown residents, and high levels of police surveillance. We explore each major city in the state in turn, starting with Durham.

Durham

Figure 9-1 shows the redlining map for Durham dated from 1937. Each area of the city is placed into one of four residential zones from A (first grade) to D (fourth grade), with cross-hatched areas running through the center of the map identifying “industrial and commercial” areas and the hatched area on the outskirts of the map identifying “sparsely settled” areas. Note also the narrow strip running south from downtown through the center of the city; this is a railroad spur, currently the American Tobacco Trail. It clearly divided the large “fourth grade” area in the south-east of the city from the more “desirable” areas to the west (giving literal meaning to the phrase “other side of the tracks”). Of course, much has changed since 1937, including the construction of freeways and the growth of the city well beyond the borders of this map.^{xx}

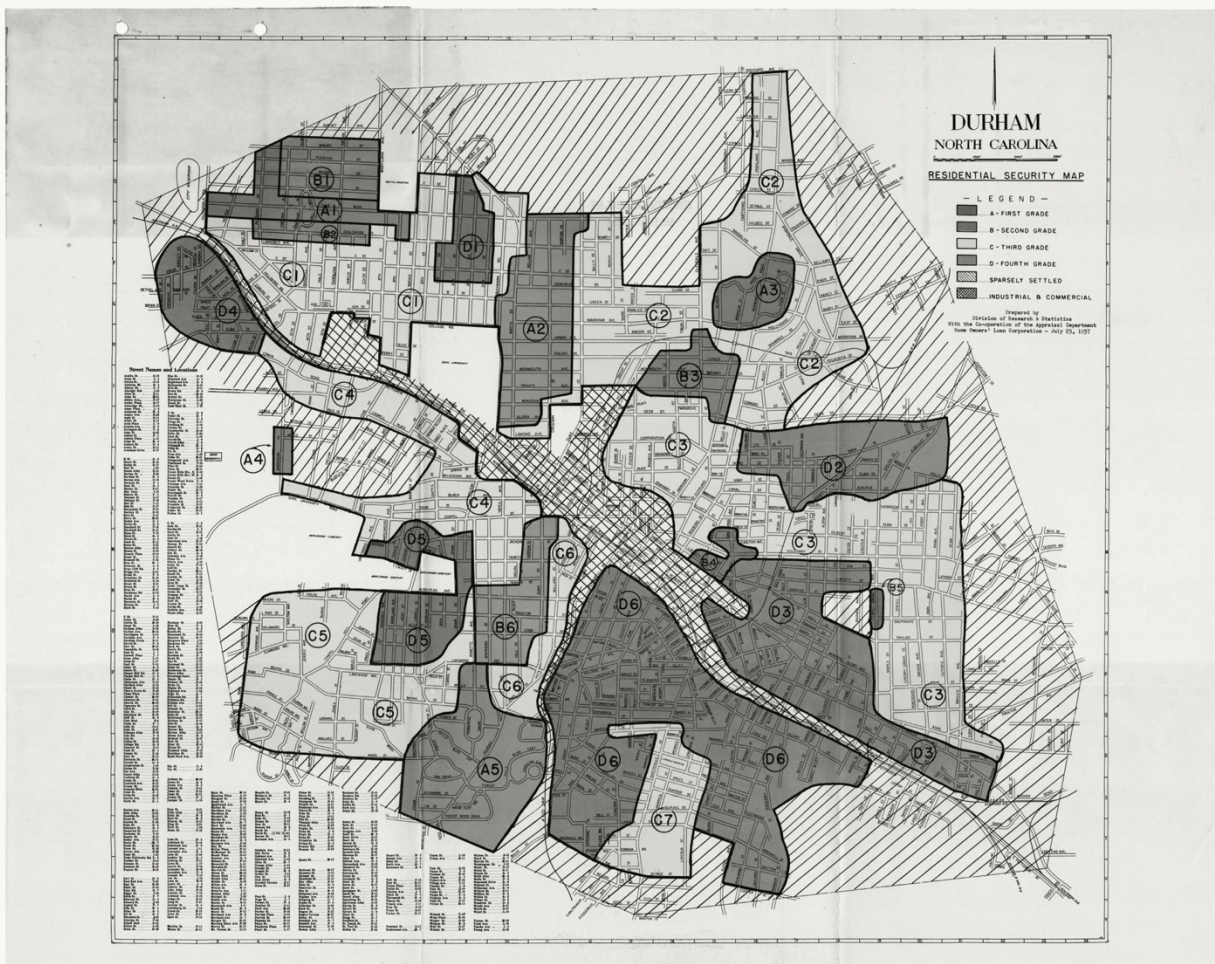
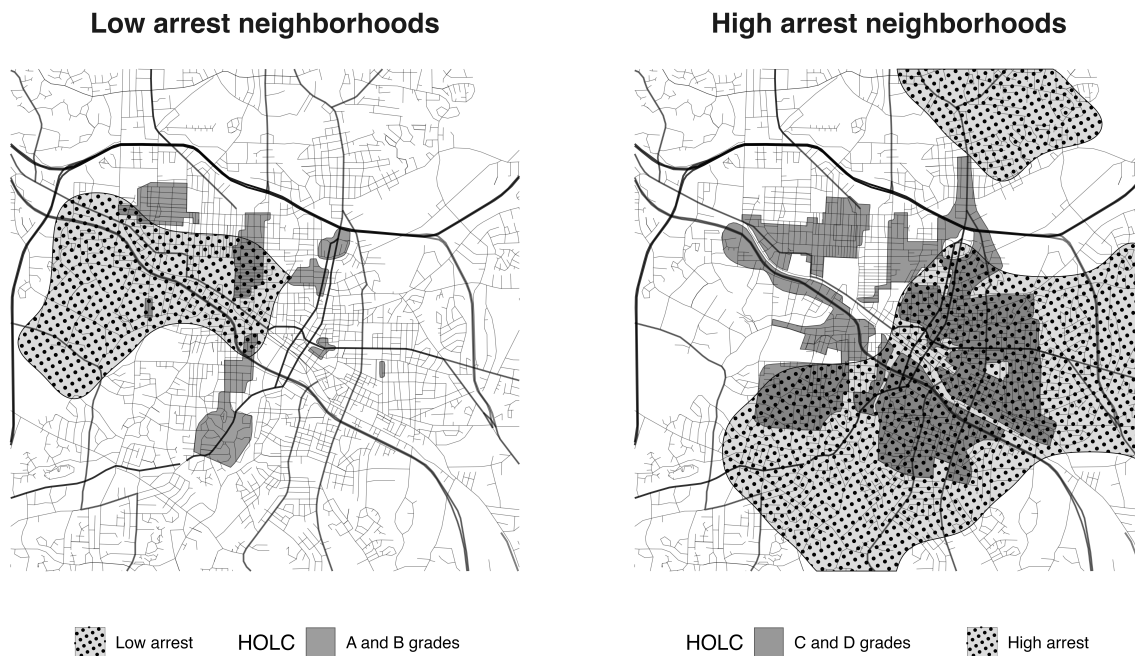


Figure 9-2 reprises our analysis from Chapter 8 showing the high- and low-arrest areas of the city, with an overlay of the HOLC graded neighborhoods from 1937. Note that, of course, the city has grown over the past several decades, so the maps only show the proportion of the map shown in the 1937 HOLC maps.



Looking first at the low-arrest areas, only one such area appears within the boundaries of the 1937 map, and it appears far to the left and towards the top of the left-hand pane in Figure 9-2. This area is quite diverse with regards to the classifications laid out in 1937, with areas ranging from first to fourth grade. This suggests substantial change and gentrification of some areas, continuity for others (e.g., Club Boulevard, the long “first-grade” strip in the 1937 map now partially contained in the low-arrest area). The shaded areas in Figure 9-2 show the A and B grade neighborhoods from 1937; these are generally toward the west rather than the east, but the current low-arrest area is considerably further to the west and appears distinct from the historically more “desirable” areas of the city. There is some overlap but also a lot of gentrification and change.

Looking at the right side of the Figure, we see much more continuity of redlining and arrest. The high-arrest area of the city encompasses a large share of the eastern part of the city and subsumes the vast bulk of the third- and fourth-grade areas in the 1937 map. There is one area previously “first grade” now subsumed in the high-arrest area; this is the former A-5 and B-6 HOLC neighborhoods. We identified this area previously as showing a sharp definition of the “wrong side of the tracks,” with a wealthy area literally separated from a poor one by the railroad. Both areas are now fully subsumed in the high-arrest area. Overall, with some changes as one might expect after 90 years, the areas considered “blighted” in 1937 and ineligible for home mortgages continue today to generate more police activity, surveillance, and arrests. While Durham has changed, particularly as the wealthy population has moved further from the city center, the patterns of division between rich and poor that were apparent in 1937 remain connected to patterns of arrest today.

Our detailed analysis of policing patterns in Durham in Chapter 7 made clear that those living in the low-arrest areas can purchase freedom not only from noxious odors, trains, and industrial neighbors; that they gain not only better schools and a cleaner environment; but they also purchase freedom from police surveillance. On the other hand, those living in what were formerly classified as the least desirable areas of the city faced and continue to face not only a lack of economic opportunity, commercial amenities, and nutritious food options, but also high levels of police surveillance. In Chapter 7 we found that certain areas of Durham see over 1,000 police patrols in a month, roughly 30 blue lights per day on the same city block, 365 days a year. In those places, people live under continual police surveillance. As we also found that only one in one-hundred of these police interactions with members of the public results in an arrest. The

level of police surveillance in some areas is astronomical compared to what many people, if they live outside of those zones, have ever experienced.

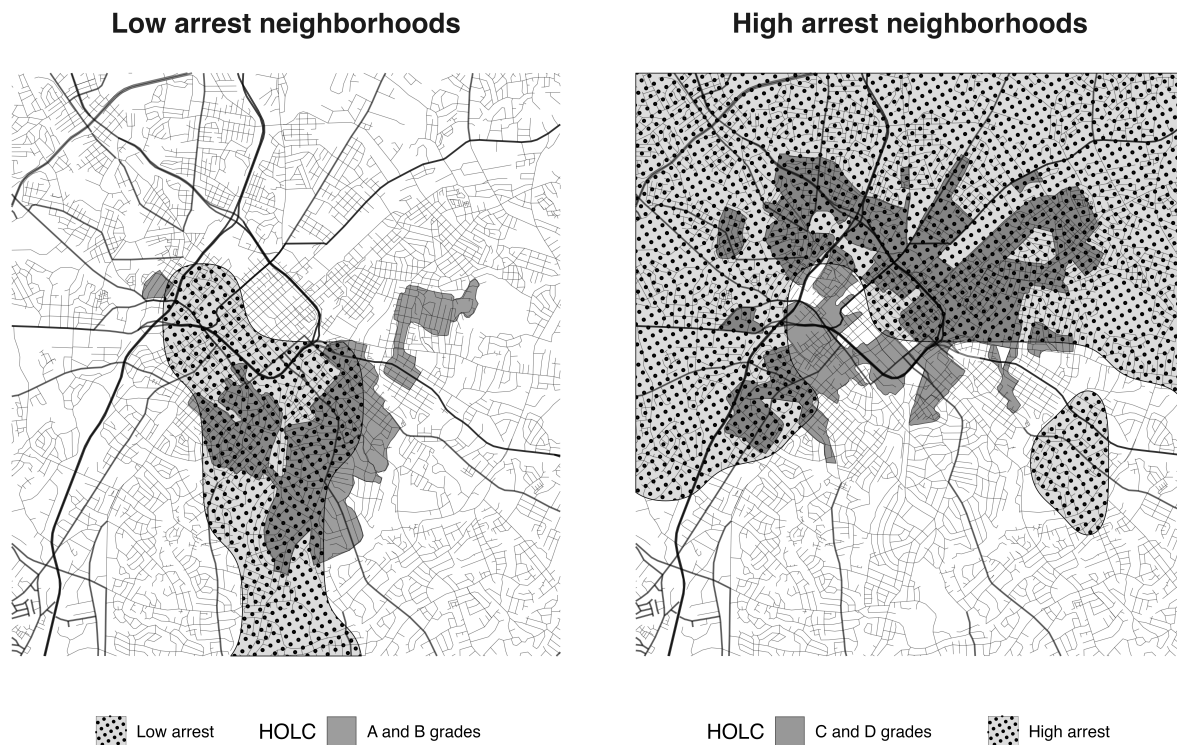
Table 9-1 translates how our outcomes from Chapter 7 translate to the HOLC neighborhood grades of 1937. Approximately 13 percent of the Durham population currently lives in a neighborhood previously classified in the HOLC maps. Those living in the Grade D areas represent 4.3 percent of the city population, and 64.9 percent of this area is currently defined as a HDHS neighborhood (see Chapter 7 for that definition); these residents are 11.0 percent of all those listed in the AOC database; the areas see 14.0 percent of all the directed police patrols in the city; 10.2 percent of all the 911 calls (emergency complaints); and they represent 11.2 percent of the officer-initiated contacts with citizens. If we compare the share of people, patrols, complaints, and officer-initiated acts to the share of the population coming from these previously redlined areas, they are over-represented by factors of 2.6, 3.3, 2.4, and 2.6, respectively. It is hard to deny the historical legacy.

<Please insert Table 9-1 about here>

Charlotte

In the previous chapter (Figure 8-4), we identified the high- and low-arrest areas of Charlotte, with the high-arrest zones spanning the northern arc of the city. In Figure 9-3 we replicate those maps while overlaying them on the historical redlining map from 1937. Similar to the previous Durham example, we identify the A and B grade areas in the early maps and overlay those on the “low-arrest” zones of the city, and in the right-pane of the Figure we show the “C” and “D” grade neighborhoods from the historical map and overlay that on the “high-arrest” areas of the city. In the same manner as for Durham, the maps are smaller, covering only the parts of the city

that were included in the earlier maps. Cities have grown substantially since 1937 of course.



We had previously identified a number of low-arrest areas scattered throughout Charlotte. In the central portion of the city corresponding to its 1937 residential patterns, just one of these areas is included; it overlaps substantially with those parts of the city graded A or B in the historical map. Similarly, Figure 8-4 showed a large “high-arrest” area covering in a crescent shape the northern part of the city. Figure 9-3 shows the part of that zone in the central part of the city, and that it overlaps substantially with the “C” and “D” areas in the historic map. Those familiar with Charlotte will recognize that many areas previously in the “C” and “D” areas are now part of the downtown business and commercial district. To the extent that the residential areas remain residential, there is even higher overlap, and also those areas that were previously near the “C” and “D” zones are now included in the high-arrest areas.

Greensboro

We mentioned earlier that historical maps for Raleigh were apparently destroyed, so we cannot replicate the analysis for the capitol city; we move on to Greensboro. Figure 9-4 presents the same analysis as that just presented for Charlotte. It can be compared to Figure 8-8.

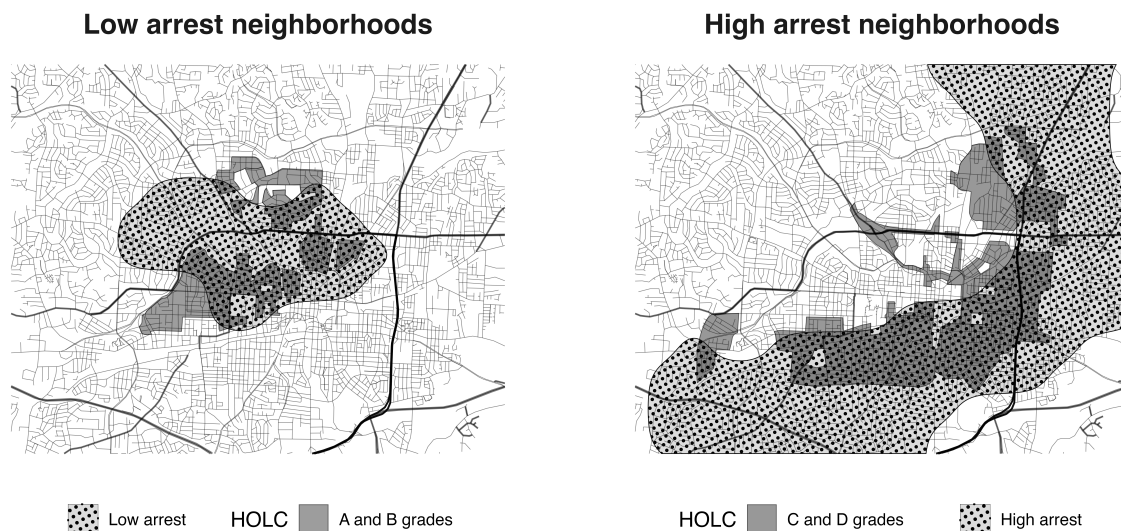


Figure 9-11 showed low-arrest areas in various places in the center, north, and west of the city, but with just one visible in Figure 9-11 in the historical area of the city. It corresponds strongly with the A and B grade neighborhoods in the 1937 map. Similarly, Figure 8-8 showed a large crescent from south to north around the east side of the city, much of which is still visible in Figure 9-4. This also corresponds powerfully to the historical redlining patterns.

Winston-Salem

Figure 9-5 shows the equivalent analysis for Winston-Salem, corresponding to the maps presented in Figure 8-10.

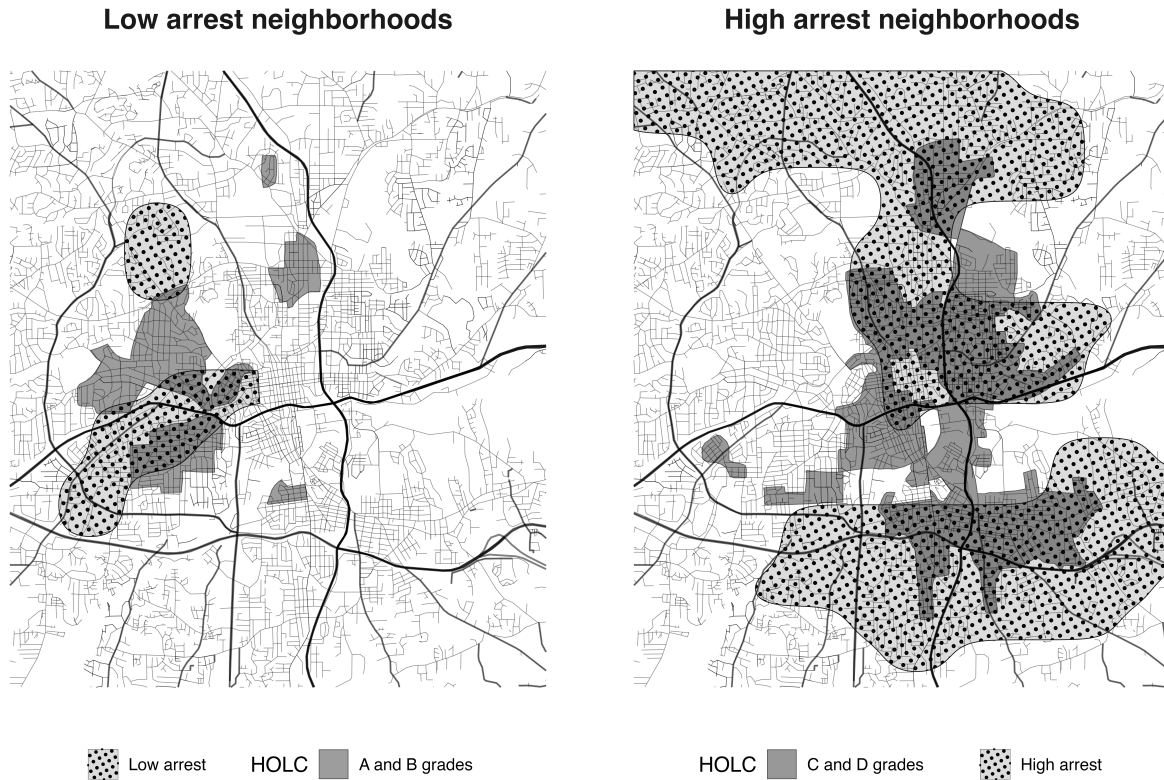


Figure 8-10 showed a single low-arrest area in the western part of the central city of Winston-Salem, and Figure 9-5 shows how well this corresponds to the historical map of A and B grade areas of the city. In fact, it corresponds most closely to the single A grade area of the city near Buena Vista and Reynolda Park. By contrast, virtually the entire east side of the city is in a high-arrest area, and this corresponds very closely to the historic areas designated Grade C and D.

Analyzing the Correspondence between Historical and Contemporary Disadvantage

The maps of Durham, Charlotte, Greensboro, and Winston-Salem give powerful visual evidence of the historical through-lines of state-sanctioned residential segregation and the lasting impact on our current-day experiences, particularly policing practices and arrest patterns. We now turn to more systematic comparisons across the historic residential zone categories and our own low- and high-arrest zones. For the cities analyzed in the previous section, we can identify which

people appearing in our AOC database live in neighborhoods identified by the HOLC in 1937 as Grade A through D. Of course, this is only a subset of our entire database, since it does not include rural areas or large parts of current-day cities where population growth and city limits have expanded into geographic areas that were not heavily populated in 1937. These statistical comparisons, however, reinforce the spatial analyses previously presented.

By looking statistically across all these areas and presenting summary statistics allowing a direct comparison of them, we can see if the general patterns that seem observable in the maps described in the previous sections also correspond to a more systematic pattern. Indeed, they do. Table 9-2 provides a series of comparisons, using both the historic HOLC grades as well as our low- and high-arrest areas of each of the major cities in the state.^{xxi} As we noted above, some areas that were previously Grade D (redlined) have been gentrified, replaced by the expansion of downtown commercial districts, destroyed by highways, and so on.

<Please insert Table 9-2 about here>

Looking first at arrest rates, we see a movement from 3.4 percent for those areas previously defined as HOLC Grade A, to 11.7 percent for Grade D areas. Note that these numbers are higher than one might expect because these are all urban areas and some areas that were previously Grade A are no longer as exclusive, given the 90 years that have elapsed since 1937. Still, the progression from lower to higher arrest rates is clear. Looking at the same variable, arrest rates, these are 0.50 for our “low-arrest” areas and 13.6 for those we define as high-arrest zones. This is less remarkable as it is true by construction of the variables. The more remarkable part is how this corresponds to historical bank lending practices from almost 100 years ago.

Next, the Table shows average scores on the index of disadvantage, taken from the voter file, not the people included in the AOC database. This moves from 0.30 to 0.61 and similarly from 0.41 to 0.58 as we move from Grade A to D and from low- to high-arrest areas. Inversely, household income goes down from \$168,000 on average to \$17,000 in the Grade A to Grade D zones and similarly drops remarkably when we compare the largely overlapping low- and high-arrest zones. The percent White living in the area, the percent Black shift dramatically in predictable ways as well. In formerly A graded neighborhoods, the residents are now just under 80 percent White and 5 percent Black. In formerly D graded neighborhoods, the residents are just under 62 percent Black and 23.5 percent White. Naturally, these differences also emerge in the current low- and high-arrest neighborhoods

The degree of overlap between the historic HOLC Grades and our current low- and high-arrest areas are summarized in the sixth row of Table 9-2: the percent of the historical zones currently in a high-arrest area moves from 7.0 to 72.3 as we move from Grade A to Grade D neighborhoods, and the share in a low-arrest area today declines from 23.6 to 9.6. These drastic differences in arrest rates across neighborhood types answers the question of whether the degree of overlap in the maps presented in the previous section was substantial; it is.

Figure 9-6 shows that, controlling for neighborhood, Black men face extraordinary odds of arrest when they live in areas previously defined as redlined. The dashed horizontal lines indicate the average arrest rate for the demographic groups only previously graded by the HOLC.

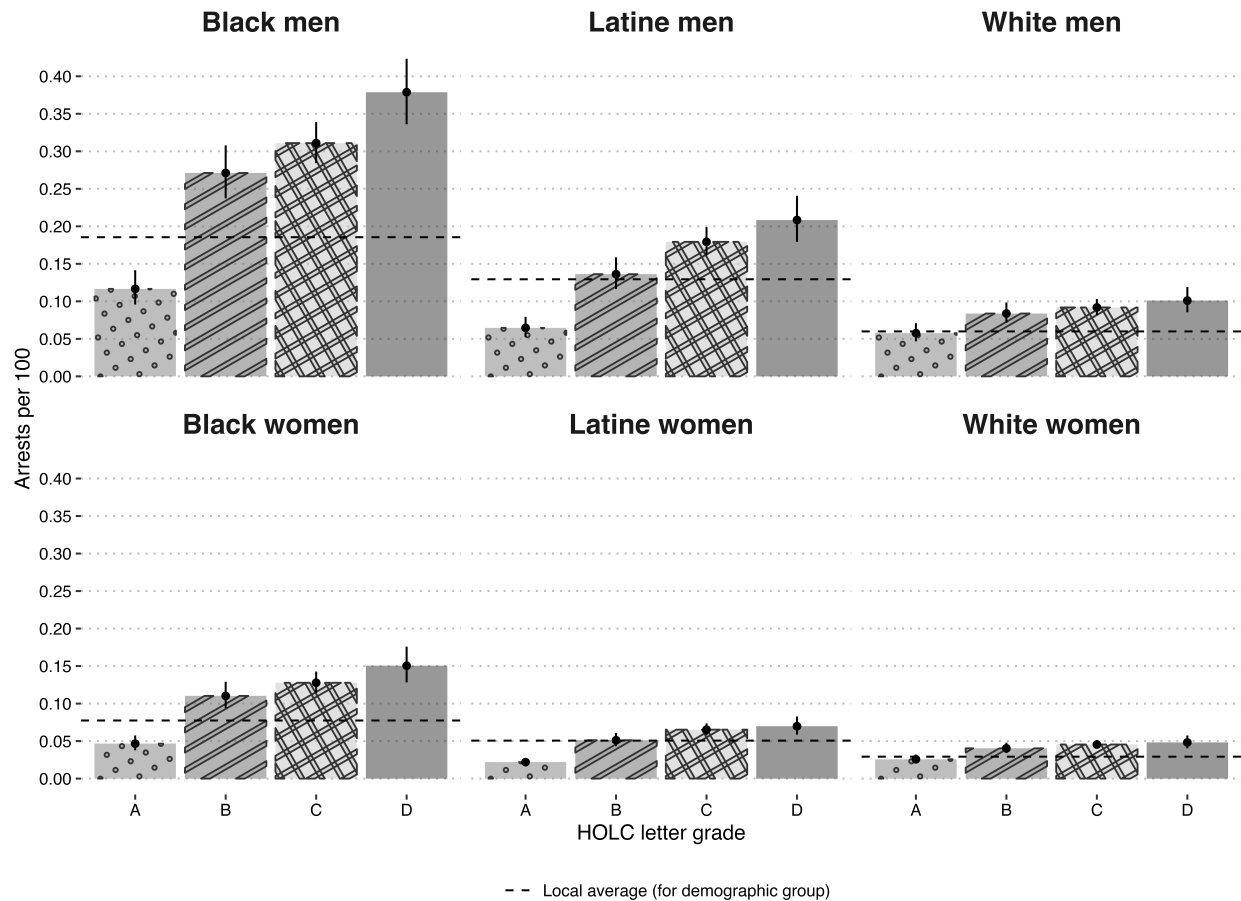


Table 9-2 showed that arrest rates generally go up from 3.4 to 11.7 when moving from Grade A to Grade D. But these rates move from approximately 10 to 35 when the analysis is limited to Black men. Latine men see much increased arrest rates as well depending on the historic neighborhood grade, and Black and Latine women also show such a correspondence. These relations are much weaker, and the values are much lower, for White men and for women, however. In fact, a White man living in a previously Grade D (redlined) area has a lower predicted probability of arrest than a Black man living in an area previously Grade A. So, while the Black man can reduce his odds of arrest by moving to a different area, it never even approaches the value for White men.

As Sociologists Douglass Massey and Nancy Denton note in the preface of their 1993 assessment of residential segregation in the US, “residential segregation is the principal

structural feature of American society responsible for the perpetuation of urban poverty and represents a primary cause of racial inequality in the United States.”^{xxii} Poverty, of course, is not a neutral factor. It is an outcome of structural and institutional racism in every aspect of American society. So, too, is residential segregation. The combination of the two create an unforgiving environment, or as Massey and Denton express: “[s]egregation, interacting with high or rising poverty rates, guarantees that [B]lack will face a harsh and uniquely disadvantaged social environment, no matter what their personal characteristics.”^{xxiii}

The historical segregation we observe in our cities created “containment zones” for various types of disadvantage and it made it possible to have two kinds of policing. In the “desirable” neighborhoods, which were deemed most “secure” for financial lending, we see concentrated areas with higher levels of wealth and predominantly White residents. In these areas, policing is gentle, arrests are low, and police surveillance is mostly absent but present when requested. For historically labeled “undesirable” neighborhoods, which have lower incomes, more Black people and more arrests, proactive and aggressive policing is much more common, and residents are constantly reminded of the system of surveillance under which they live.

Concentrated Disadvantage and Arrests

We just demonstrated how historical practices of redlining predict arrest patterns in some of North Carolina’s largest cities. These redlined areas, however, exclude approximately 99.8 percent of North Carolina’s remaining land area. To understand how concentrated disadvantage predicts arrest patterns across the state, we must adapt our methodology and move away from HOLC neighborhood boundaries. In this section, we develop a simple additive index of social disadvantage that classifies each person’s intersectional identity including their race, sex, age

group as well as a summary of the type of neighborhood where they live. We use the residential addresses of registered voters from the North Carolina voter roll to generate neighborhood social disadvantage scores. We then use these scores to examine how arrest patterns vary across neighborhoods with high concentrations of socially disadvantaged individuals living together.

A Continuum of Social (Dis)Advantage

In 1989, Professor of Law and social theorist Kimberlé Crenshaw penned a landmark essay “Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics,” which offered a way for us to push us away from a “single-axis” framework that obscures the way that people are “multiply-burdened.”^{xxiv} Crenshaw argues that the focus of race- and sex-combinations creates a single dimension in seeking to understand the contours of discrimination, with White women on one side and Black men on the other. This single-axis inherently restricts our ability to understand the various ways that people experience discrimination in the law and in society as a whole. In rejecting the race- and sex-scale, the intersectionality lens allows us to “see where power comes and collides, where it interlocks and intersects. It’s not simply that there’s a race problem here, a gender problem here, and a class or LBGTQIA+ problem there. Many times that framework erases what happens to people who are subject to all of these things.”^{xxv}

When seeking to understand the differences in exposure and entanglements with the criminal legal system, the intersectional lens provides a way to understand how various social identities, and the socially constructed advantages connected to them, correlate with different relations with state institutions. For example, a young Black man will not experience the criminal legal system the same as an older Black man who will, in turn, not experience the system similarly as an older Black woman nor in the same way as a middle-aged White man. These

differences emerge through the charges people receive, the legal representation each person can afford, and the ability to contemplate a prosecutor's plea-bargain deal. Crenshaw's point is that no single identity characteristic (say, race or gender) is sufficient to explain the different positions that people occupy in the system. A more holistic and expansive view of identity is required.

We construct a continuous scale where we use previous works on social identity and disadvantage in the criminal legal system to assign points to people based on their identity-related characteristics. This measure provides a way to test whether common expectations of social disadvantage translate to outcomes in the criminal legal system. We use age, sex, race, and an estimate of economic status to create this score. We derive our geographic estimates of economic status from the Reference USA consumer financial database, which provides estimates of household-level financial data, including household income. Because we want to see if this index of (dis)advantage correlates with neighborhood arrest rates, we do not use the same neighborhood scores based on police surveillance or arrest rates in constructing the disadvantage score. Rather, we assign these neighborhood scores using the NC Voter file, a publicly available list of all registered voters in the state.^{xxvi}

Racial/Ethnic Disadvantage

We begin by focusing on the role of race/ethnicity and the social disadvantages that are associated with being a member of a specific racial group. Here we expect Black, Latine, and Native American individuals to be at the greatest social disadvantage when entering the criminal legal system. Black Americans have been the direct targets of the carceral state since first being brought to the US as enslaved people, and the punitive response of the state has strengthened as Black civil rights have been expanded.^{xxvii} As we demonstrated in Part I of this book, the

development of many criminal laws are rooted in the targeting and control of Black populations. As Sociologist Bruce Western describes, “we can read the story of mass imprisonment as part of the evolution of African American citizenship. Each piece of this story – pervasive incarceration, unemployment, family instability – shows how mass imprisonment has created a novel social experience for disadvantaged blacks that is wholly outside of the mainstream of social life.”^{xxviii}

Similarly, Latine Americans have been the target of this nation’s brutal immigration laws.^{xxix} North Carolina counties have seen their Latine populations increase over time as the state’s agricultural and migrant worker economy have drawn new members of the community. One consequence of this growing population has been law enforcement’s use of state traffic and vehicle laws to target individuals for immigration enforcement.^{xxx} Finally, Native Americans make up a disproportionate share of prison and jail populations throughout the United States.^{xxxi} In North Carolina, Robeson County houses the state’s largest Native group, the Lumbee tribe. This same county has historically suffered from poverty, racial strife, and miscarriages of justice, particularly with respect to the Black and Lumbee populations.^{xxxii}

Translating these historical marginalizations to the criminal legal system, we can expect many of these outside social disadvantages to translate into institutional disadvantages. Additional factors such as lower educational attainment, income status, and access to quality legal representation all make it difficult for people from these backgrounds to navigate the judiciary. We therefore assign one point (+1) to all people who belong to these racial/ethnic groups (e.g., Black, Latine, Native American) and assign zero to people who do not (e.g., White and Asian).

Sex Disadvantage

Next, we focus on the role of sex and how the criminal legal system treats men and women differently. To begin, the criminal legal system is very gendered. In our database, men make up large shares of the overall population, from a small majority of traffic offenses to over 90 percent of some infraction categories, such as violent crimes. Previous work on sex and legal sentencing has described the gender imbalances of charging and sentencing.^{xxxiii} Specifically, holding fixed the severity of the crime, women tend to receive more lenient sentences from institutional actors, such as judges and prosecutors.^{xxxiv} This is not to say that women are consistently advantaged in the legal system, as many offense categories place women at a great disadvantage. The most noticeable example here are self-defense laws where prosecutors rarely extend the law's protection to women who kill intimate partners in self-defense.^{xxxv} Nonetheless, based on overall patterns, we assign one point (+1) to all men and zero to all women.

As we described in the preface of this book, the AOC database only includes sex recorded as male and female. We do not want to diminish the fact that recording sex from the perspective of the state, which falls strictly on the sex that was assigned at birth, erases our ability to document the harms of policing that fall on the transgender community^{xxxvi} or to others who do not present as cis-gendered men or women. While we state that being recorded as male carries a disadvantage, we do not mean to imply that they are the “most” disadvantaged. If we were able to identify those in the AOC database who are transgender or queer, they would certainly carry more disadvantage than cis-gendered people.

Age Disadvantage

For our third characteristic, we focus on a person's age and the various social disadvantages that come with being young versus old in the criminal legal system. As discussed in previous chapters, youth may generally bring more social advantages and cultural appeal, but from the

perspective of law enforcement, it is definitely a liability. Not only are younger people more likely to be surveilled and arrested by the police, but they are more likely to lack access to the same material and legal resources that older people might take for granted. This includes access to quality legal counsel, which many young people cannot afford without family assistance. Based on these expectations, we assign the following points to people based on their age at the time of their offense: + 1 if 18 to 34, + 0.75 if 35 to 44, + 0.5 if 45 to 54, + 0.25 if 55 to 64, and + 0 otherwise. We use U.S. census age cohort categories to facilitate comparisons with published census data.

Economic Disadvantage

Finally, we focus on the role of economic disadvantage and how it structures a person's experience inside the criminal legal system. We use estimated household income data from the Reference USA consumer financial database to generate a scale of economic disadvantage. First, we intersect the residential home addresses from the consumer database with a 1x1 square kilometer grid of the state and estimate the median household income within each grid cell. Next, we convert these median estimates into a percentile ranking, rescaled from 0 to 1, where 1 represents the grid cells with the highest median household values and 0, the lowest. Finally, we reverse the scale so that high values (close to 1) represent the poorest areas and low values (closer to 0) are the wealthier areas. In this way, a person living in the state's wealthiest areas would have zero points and one living in the poorest residential areas would get one point, with others receiving scores in between.

An Index of Disadvantage

We construct a five-point "disadvantage" scale that distinguishes, at one extreme, older white women from high income neighborhoods from, at the other end of the scale, younger black men

living in the state's poorest neighborhoods. This additive scale attempts to capture the multiple intersecting identities that registered voters carry while ordering them along a unidimensional scale of social disadvantage. High scores on this scale reflect high disadvantage while low scores reflect relative advantage. The scale is constructed as follows:

- Race: +1 for those who are Black, Latine, or Native American; zero for White and Asian.
- Sex: +1 for men; zero for women.
- Age: + 1 if 18 to 34; + 0.75 if 35 to 44; + 0.5 if 45 to 54; + 0.25 if 55 to 64; and zero otherwise.
- Economic: +1 for those in the lowest percentile of neighborhood housing value, decreasing continuously by percentile ranking to 0 for those in the very highest housing value areas.

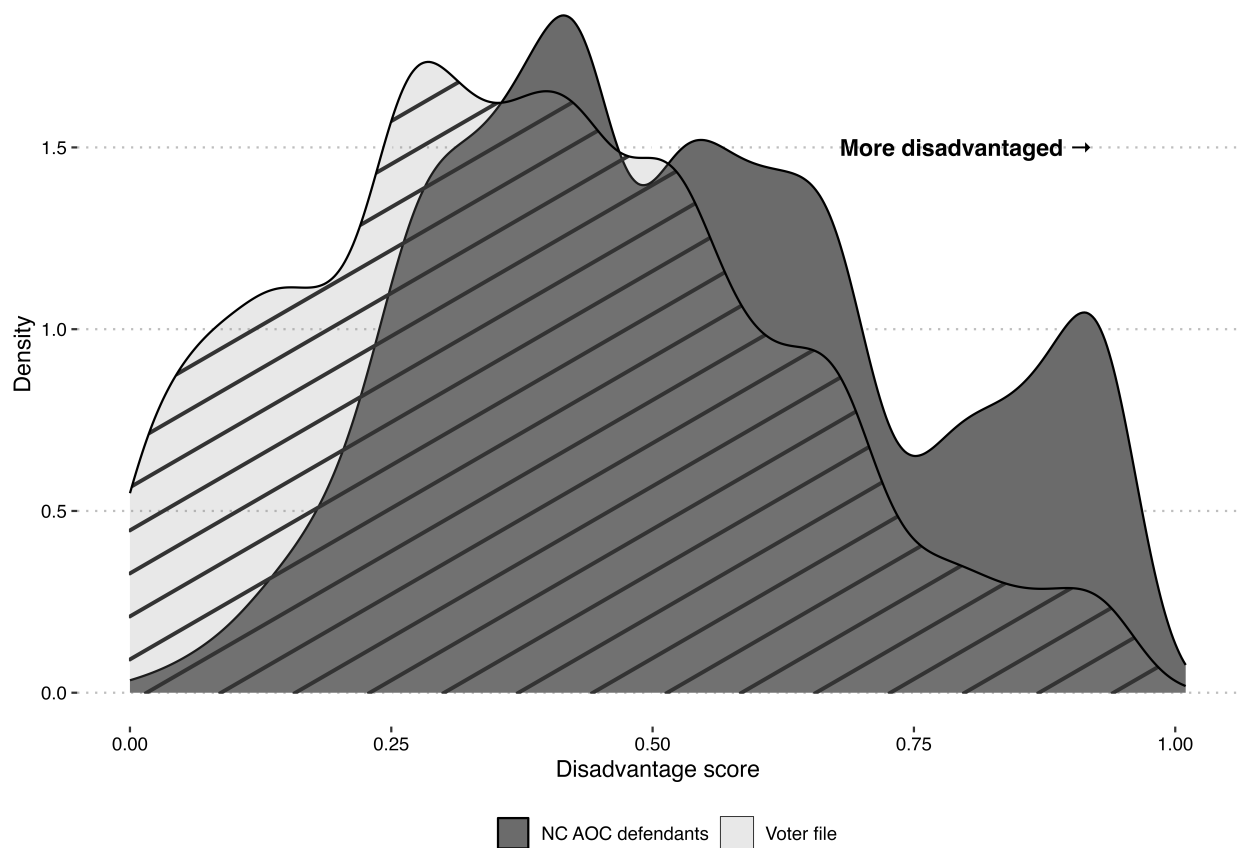
Note that each of the four variables in the scale, race, sex, age, and economic status, contributes a maximum of one point on the scale, which goes from 0 to 4. The resulting index of disadvantage would have a score of zero for any individual who was most advantaged on each of the four indicators laid out above: White or Asian; Female; Aged 65 or older; and living in a high-income neighborhood. By contrast, someone at the opposite end of the distribution (e.g., a young Black / Latine / Native American male living in a poor neighborhood) would have a high score on the index. The index is normalized to vary between zero and one with one indicating the maximum degree of disadvantage.

Comparing Disadvantage of People Arrested with Registered Voters

We can gain an important perspective on who interacts with the criminal legal system by applying the same procedures we just outlined to create an index of disadvantage for all North Carolina voters. The NC State Board of Elections makes available a public file of all voter

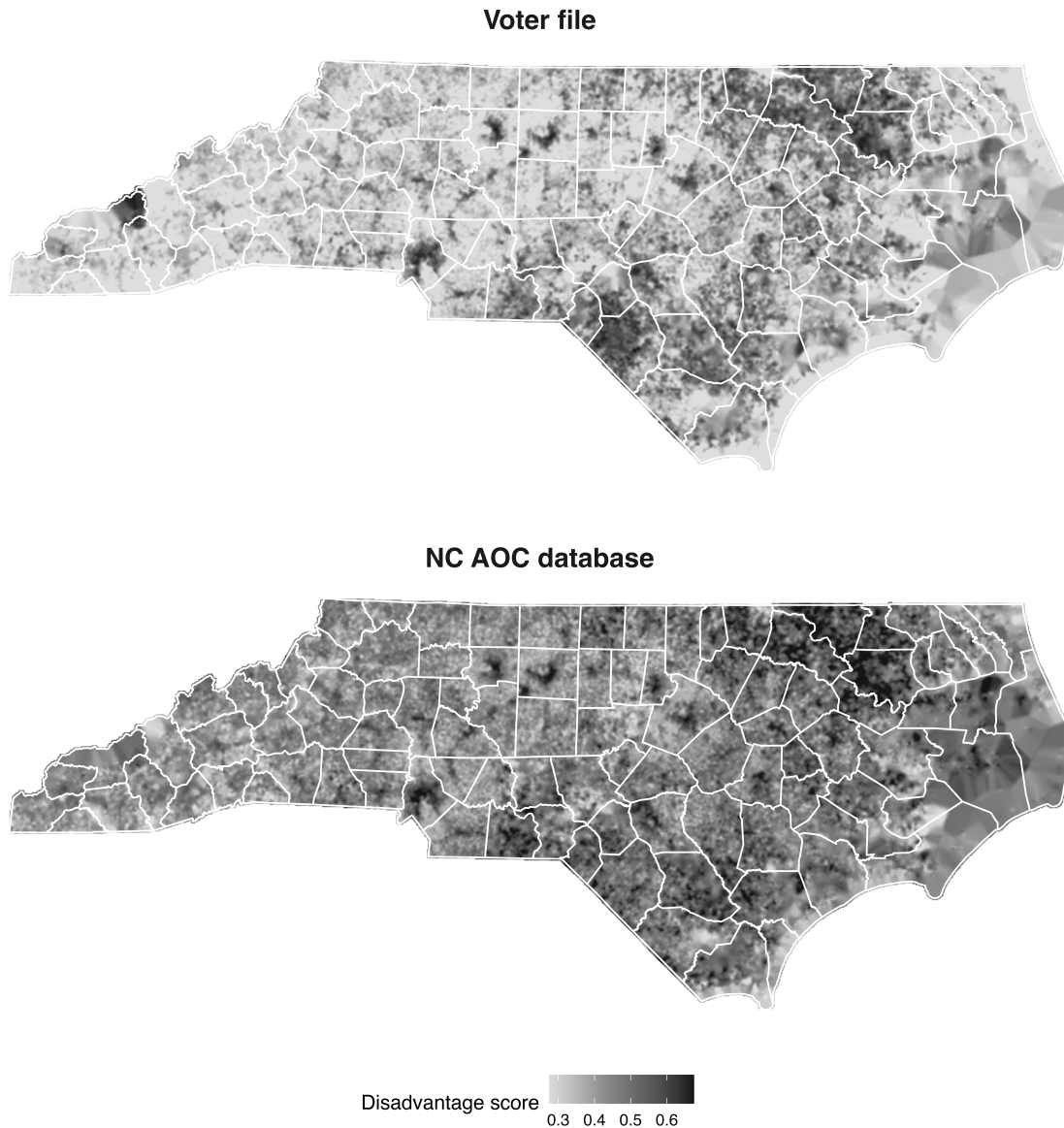
registrations, including age, race, sex, and address.^{xxxvii} We can therefore apply the same methodology as used above to this database, generating the exact same scores for each individual in the voter file. Of course, the voter file is not a representation of the population; it skews somewhat toward the advantaged side. Nonetheless, the file includes over 7 million individuals, and it allows us to compare the degree to which the people in our database are similar or different from all registered voters.

Figure 9-7 shows two overlaid density plots showing the range of scores on the index of disadvantage for both registered voters in the NC voter file (dashed region) and people in the AOC database (dark grey region). Note that because the economic disadvantage score is continuous, the age-group variable is in five groups, and race and sex are dichotomous, the resulting index shows clusters relating to race, sex, and age-group. Also note that no White or Asian woman can have a score lower than 0.25, and no Black, Latine, or Native man can have a score higher than 0.25. This is by construction in how the scale is made.



The height of each density plot shows, for each point on the horizontal axis, shows the share of observations. Looking first at the disadvantage score of the AOC database (the dark shaded region), we see a lot of observations at the far right of the scale (e.g., young Black or Brown men living in the poorest neighborhoods). There are many with high disadvantage and very few with low disadvantage. Whereas the voter file (dashed region) shows a clustering of people at lower end of the disadvantage score index.^{xxxviii} There are many observations at the very lowest end, and very few at the top. This reflects the social distribution of advantage and disadvantage: Those with greater advantage are more likely to be represented among voters, but less likely to be present in our database of individuals who have been arrested. Figure 9-7 provides a simple summary of an important observation.

Figure 9-8 displays two maps that show the geographic distribution of individuals with high and low disadvantage across the state, first for all registered voters, and second for those appearing in the AOC database.



The map at the top of Figure 9-8 illustrates graphically where advantaged and disadvantaged voters are clustered. As it relates to all registered voters, it most likely skews somewhat toward individuals with low disadvantage compared to all residents of the state. Still, clear pockets (dark on the map) are visible where the average voter is much better off (along the

coast and in certain pockets of the middle and western parts of the state. Similarly, lighter colors show where more voters come from higher on the scale of disadvantage; these are clearly visible in the north-east part of the state, historically an area with many Black residents, in the area near Robeson County in the south-center, and in sparsely populated Swain County, on the border to Tennessee. Smaller but clearly defined areas are visible in some of the major cities as well: Charlotte, Winston-Salem, Greensboro, Durham, and Raleigh. Looking then at the map in the lower part of the Figure, patterns are generally the same, but the entire map brightens up in every area of the state. This reflects the fact that, no matter where we look, voters are drawn from the lower end of the index of disadvantage, and people included in the AOC database are drawn from the higher end.

This brief analysis demonstrates what should already be clear to the reader: The criminal legal system interacts mostly with people of relatively great disadvantage. Because our index of disadvantage includes both economic status as well as more standard demographic variables, this analysis goes further than simply stating that members of minoritized racial groups are more likely to be arrested. Compared to registered voters, the “clientele” of the criminal legal system is young, Black, male, and poor. Voters, on the other hand, differ sharply from this profile.

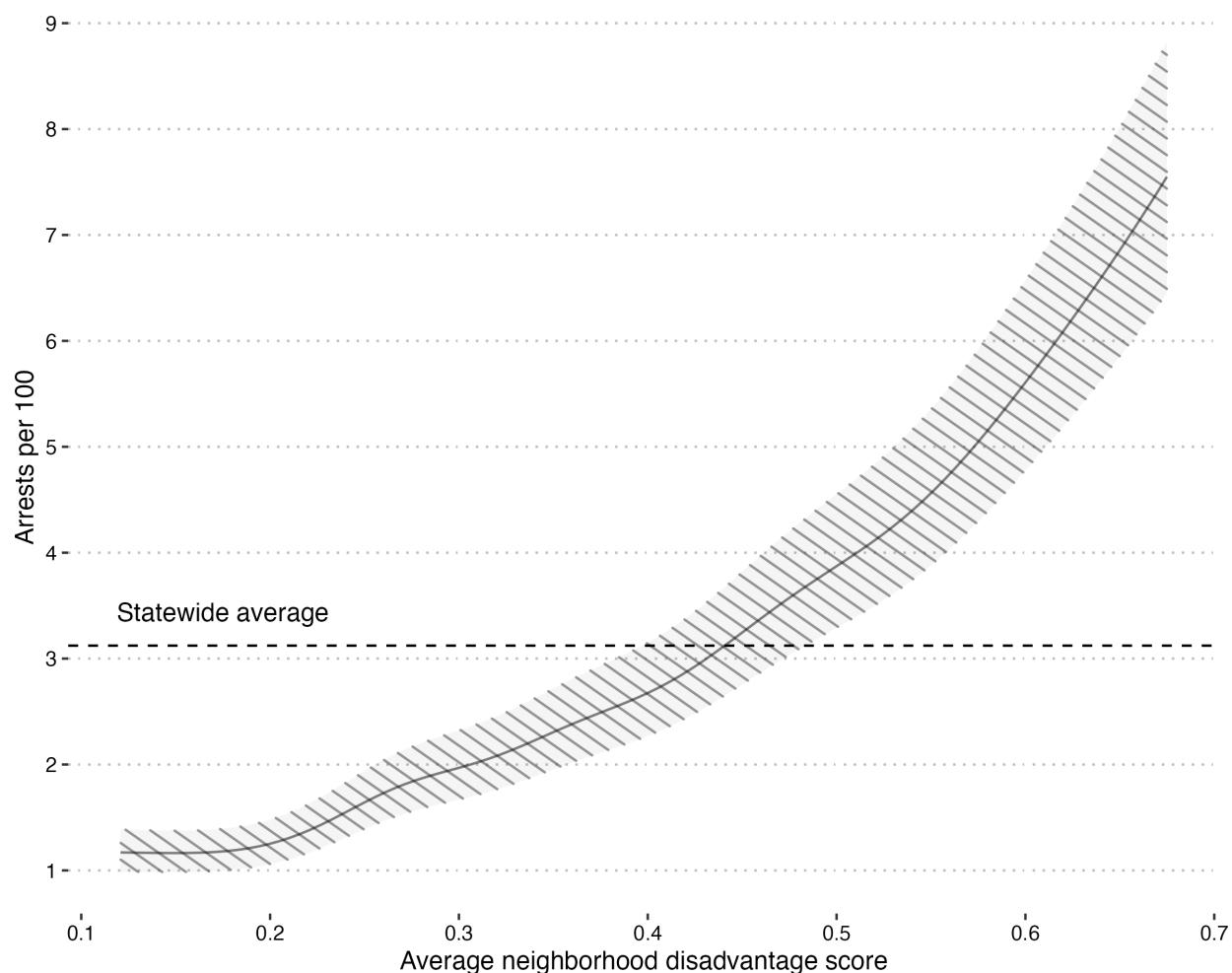
Neighborhood Social Disadvantage and Patterns of Arrest

Now that we have in place an index of disadvantage and can assign each individual a score, it is a simple matter to assess how many of each group have contact with the criminal legal system. Of course, we cannot calculate the odds of arrest for each person in our database because, by definition, if they are in our database, they have been arrested. Rather, we can summarize by neighborhood. Here, we use geographic aggregations of 1 x 1 kilometer, resulting in thousands of neighborhoods across the state. This neighborhood-level approach also provides a more

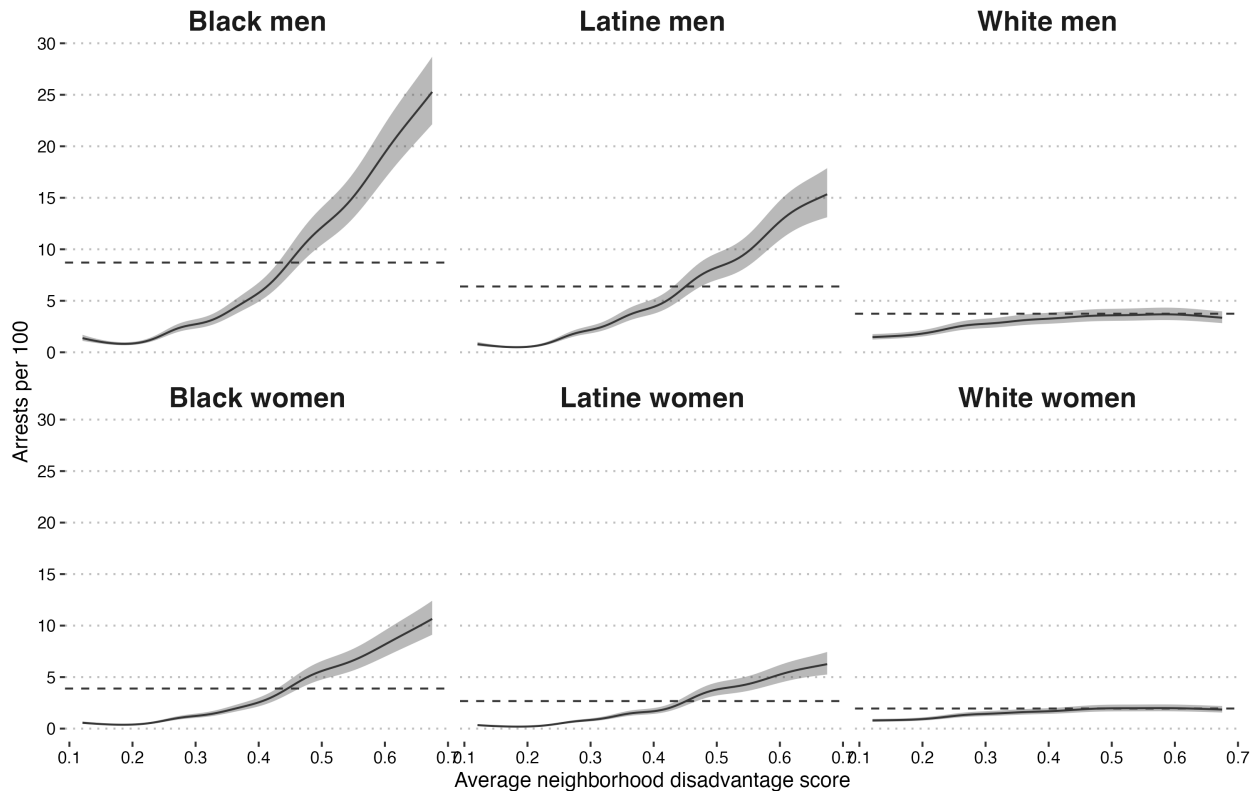
accurate reflection of the experience of the criminal legal system. We live in communities and experiences in our networks, both positive and negative, have ripple effects beyond the experience of an individual.^{xxxix}

Throughout this section, we use the neighborhood disadvantage scores derived from the NC voter file (top map in Figure 9-8). These scores give us a more accurate view into the neighborhood context and the social disadvantage that exists there. The results from this section, therefore, are with respect to neighborhood social disadvantage and not the relative (dis)advantage that an individual person possesses. Using results from Table 9-2, we can roughly translate these disadvantage scores into an HOLC grade based on the average disadvantage score inside each HOLC neighborhood type. These cutoffs are A (0.30 or less), B (0.301 to 0.480), C (0.481 to 0.609), and D (0.61 or higher).^{xi}

Figure 9-9 shows how the average disadvantage score correlates with the share of the local population who is arrested. It shows the predicted share of residents arrested based on neighborhood disadvantage.^{xli}



As we noted in Chapter 8, the average annual statewide arrest rate is approximately 3.1 percent of the population; this is reflected in the dashed line in Figure 9-9. Those scoring very low on the disadvantage scale (e.g., between 0.1 and 0.2) have a rate of arrest approximately half of the statewide average. By contrast, those at the higher end (0.6 to 0.7) have a rate approximately 2.5 times higher than the average. From the low end to the high end of the scale, we move from a 1.1 percent annual rate of arrest to about 7.6, which is approximately seven times higher. Figure 9-10 further breaks down the relation shown in Figure 9-9 by race-sex groups.^{xliii} The dashed line represents the statewide arrest average for each respective group.



Each of the six panes in Figure 9-10 shows the arrest rate per 100 people living in neighborhoods with various disadvantage scores. It also replicates the state average from Figure 9-9 (the dashed region) to clearly show the comparison between the group and the statewide average. Neighborhood disadvantage clearly has a stronger effect on arrest patterns for certain demographic groups than for others. Black men stand out with extraordinary arrest rates compared to the other groups (reaching as high as 25 percent), with Latine men and Black women also seeing higher rates of arrest in high-disadvantage areas compared to the state average. White men and women, by contrast, see very little increase in arrest rates as we move from comparing low to high-disadvantage areas of the state. These patterns are consistent with the idea that, when patrolling in high-disadvantaged areas, the police are much more likely to arrest Black and Latine men rather than White people living in those areas. Of course, we saw in Chapters 7 and 8 that high-disadvantage neighborhoods are disproportionately populated by

Black and Brown individuals. So, the relations we are looking at here between identity, place, and arrest are highly cumulative.

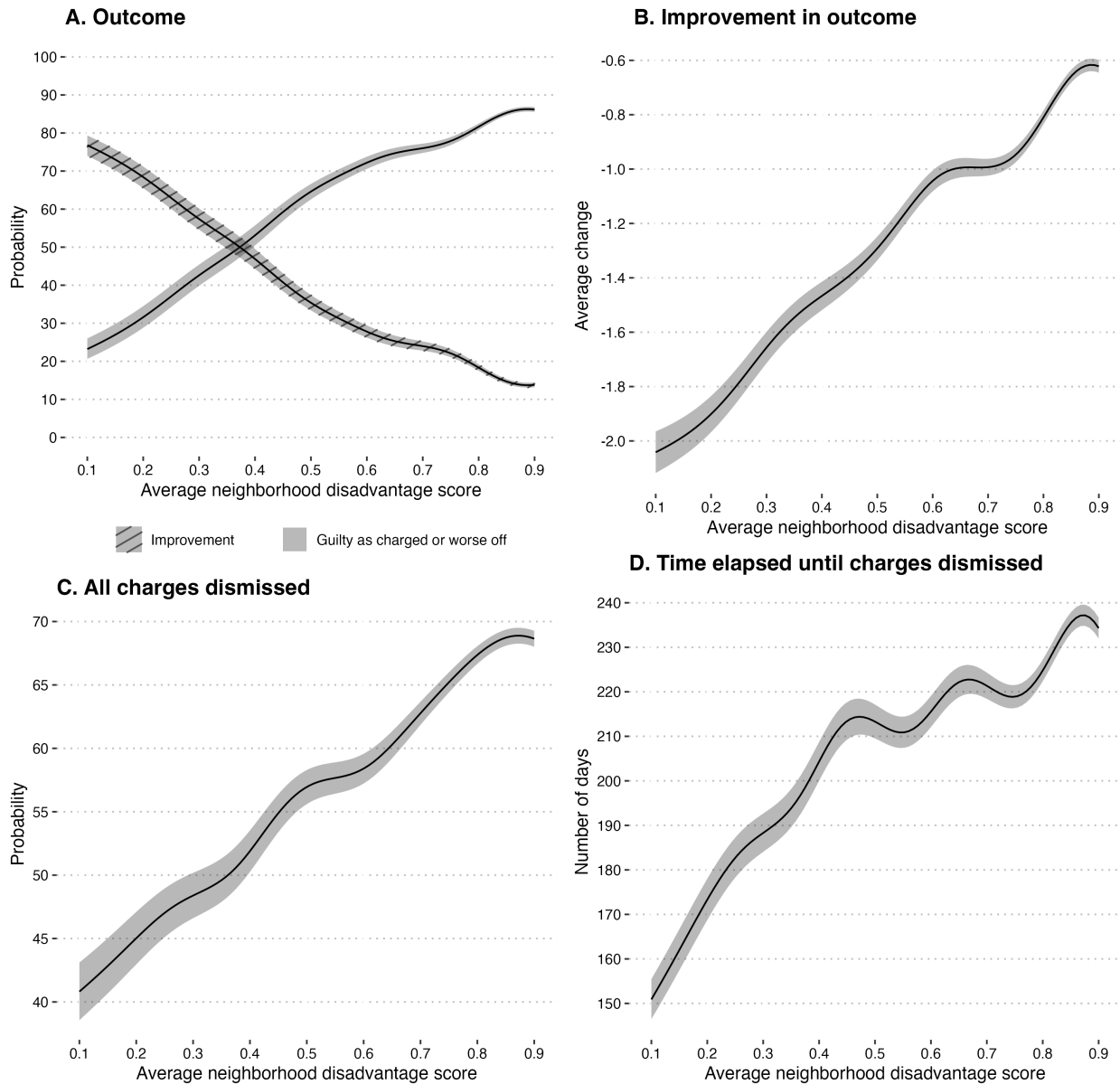
Neighborhood Disadvantage and Judicial Outcomes

Though much of our analysis has been confined to earlier interactions with law enforcement, such as surveillance, charge, and arrest, and how varying degrees of advantage can influence those interactions, the effects do not stop there. As many are well aware, disparities and prejudice do not stop once a person is arrested.^{xliii} Therefore, we extend our use of the neighborhood disadvantage score to understand differences in criminal legal system outcomes. Figure 9-11 presents these analyses. In order to do this, we build a regression model predicting the likelihood of various judicial outcomes based on a combination of numerous predictor variables.^{xliv}

Figure 9-11 presents predicted probabilities of five different judicial outcomes that reflect whether one comes out relatively well or relatively poorly from one's encounter with the criminal legal system after arrest. In each panel, the Figure shows the predicted outcome an individual living in various neighborhoods ranging from low to high on the disadvantage scale.

The regression model we used to generate these probabilities holds all the other personal characteristics, as well as the legally relevant matters, constant. So, the Figure shows, all other

factors held constant, the impact of neighborhood disadvantage on judicial outcomes.



Panel A, Outcome, shows the probability of being found guilty as charged (solid grey) or having a reduction in the charge (dashed line). Obviously, being found guilty as charged is the worst outcome in the system. Panel B, Improvement in outcome, is measured by the number of offense classes by which the charges were reduced from time of charge to time of conviction. The greater the number of classes, the greater the improvement in outcome. Panel C, All charges

dismissed, shows the probability of having all charges dismissed, and Panel D, Time elapsed until charges dismissed, shows the number of days elapsed from the date of charge to the date of resolution. Since each of the relations shown in Figure 9-11 is displayed over the same comparison variable, we can interpret all the graphs in the same manner. As we move from left to right on the scale, we move from neighborhoods that are more advantaged on the left to the neighborhoods that are more disadvantaged on the right.

Panel A shows the results for judicial outcomes. The solid grey line, moving upward from 20 percent probability to around 80 percent probability shows the likelihood that the person will be found guilty as charged, if found guilty.^{xlv} This movement is striking, as those coming from the most disadvantaged areas of the state have almost a 90 percent chance of this outcome, but those living in the most advantaged areas see just a 25 percent chance of it. Conversely, looking at reductions in charges (“improvements”), the relation is the opposite.

Panel B looks at the degree of improvement in charges. Where charges are reduced, by how many classes are they reduced? The answer is that for those coming from the most advantaged areas of the state, it is two offense classes. This would equal going from a Felony Class D to a Felony Class F, which we can recall from Table 6-3 would change the punishment for a first-time offender from 4 years 3 months to just 13 months, a dramatic improvement. Prosecutors are not as elastic with the criminal offense level for people from the least advantaged neighborhoods. On average, prosecutors reduce their most serious charged offense class by 0.6 units. This means that, on average, such people are arraigned and convicted at the same offense level. This shift in reductions in charges is largely due to plea-bargaining. Prosecutors routinely offer and accept better pleas to those from the more advantaged areas of the state.

Panel C looks at the odds of having all charges dismissed. This ranges from approximately 41 percent of people from the most advantaged neighborhoods to 69 percent of people from the least advantaged neighborhoods, or a 28 percent difference. Upon first glance, it might appear counter-intuitive that prosecutors would be more likely to dismiss the charges of people from highly disadvantaged backgrounds. These results begin to make sense, however, when we consider the quality of interactions between individuals from disadvantaged backgrounds and law enforcement. As Chapters 7 and 8 documented, given the high exposure rates for residents in these disadvantaged neighborhoods, many are arrested on low-level charges, and many of these are later dropped. Examples include the neighborhood drunk arrested for public intoxication or the bus rider arrested for simple marijuana possession. Prosecutors strategically respond to these arrests by dismissing the charges and focusing their efforts on more serious cases. In neighborhoods with greater social advantage, fewer of these low-level arrests occur in the first place.

Even though people from disadvantaged neighborhoods are more likely to have their charges dismissed, this does not mean that prosecutors are granting them special privileges. Panel D shows the time elapsed until all charges are dismissed. This is larger for people from highly disadvantaged neighborhoods, ranging from approximately 150 days for people from the most advantaged neighborhoods to 235 days for those from the least advantaged neighborhoods. Those from highly disadvantaged neighborhoods can expect to spend approximately 85 additional days, or roughly three months, waiting for prosecutors to dismiss all their charges. Whether due to favoritism within the system or better access to legal resources, those from advantaged neighborhoods are able to navigate a successful exit from the criminal legal system much more quickly than those from disadvantaged neighborhoods.

The Violent Legacies of Institutional Racism

Residential segregation is an enduring feature of American society. Though the state has backed away from its formal enforcement of racial segregation, the residential patterns that were formally set into place a century ago have profound implications for how people interact with state institutions today. Beyond the continued separation of people, racial residential segregation creates clearly defined boundaries that make it very easy for law enforcement to target, as evidenced by arrest rates across formerly graded areas. This pattern is also self-reinforcing. According to policing logic, you go where the crime is. If the police intensely surveil an area, they are more likely to arrest, which leads the police to continue to surveil the area. White low-arrest areas, which were deemed safe and “secure” a century ago, are deemed “advantageous” by the state, so never experience intense police scrutiny.

People may argue today that the legacies or racist policies of the past are dead and buried. Wealthy people who can afford to do so choose to live in neighborhoods where the police rarely venture except when invited. Those who can afford it choose to live in areas with parks, recreational amenities, nice restaurants and shops, good schools, and low police activity. Certainly they do. But why are the neighborhoods so divided? And why are the poor people so concentrated in certain zones that the police can concentrate the bulk of their activities in just a few neighborhoods of each of the state’s major cities? Do poor people want to live in areas with 1,000 police patrols a month? Do they like having their children falsely accused of crimes or subjected to routine searches as they walk to school? The system we have could not function if there were not areas of concentrated poverty and Black and Brown residents. The police would not be called over and over again to certain places and they would therefore not conduct additional patrols there even when not called in. In sum, were it not for the acute race- and class-based segregation that our major cities exhibit, policing could not work as it does. We must

remember that that acute segregation is the direct result of government policies of previous generations. While we can applaud the fact that de jure segregation has been ruled contrary to the Constitution, we should also note that its legacy endures.

Looking at economic disadvantage as well as identity-based characteristics of every person living in North Carolina, we showed not only that one's economic situation is highly correlated with race, but also that, even controlling for economic status, race (or more accurately, racism) continues to impose an additional disadvantage to those who are so marginalized. The legacies of redlining and housing segregation have powerful effects across the state today. Comparing the voter registration list with the set of people appearing in the AOC database, we showed that one skews toward the most advantaged and the other skews in the opposite direction.

As authors such as Kimberlé Crenshaw have theorized, no single additive index of marginality can capture the multiplicative disadvantages that come with intersectional identities.^{xlvi} Poor young Black and Brown living in high-arrest zones do not experience just a combination of those factors; the police focus on them in terms of surveillance is higher than would be expected if we simply added together their various identity characteristics. At the same time, the multiplicative advantages to those at the other end of the disadvantage scale, those who are most advantaged, are so advantaged by their multiple identities that their interactions with the criminal legal system appear to be completely out of place in those rare instances when they do occur.

ⁱ For a history of the Federal Home Loan Bank Board see Louis Lee Woods, “The Federal Home Loan Bank Board, Redlining, and the National Proliferation of Racial Lending Discrimination, 1921–1950,” *Journal of Urban History* 38, no. 6 (2012): 1036–59.

ⁱⁱ *Durham, NC, Master File Security Area Map and Description*, City Survey Files, NAID: 326761678 (Records of the Federal Home Loan Bank Board, n.d.), accessed June 5, 2026, <https://catalog.archives.gov/id/326761678>.

ⁱⁱⁱ *Durham, NC, Master File Security Area Map and Description*. (p. 36).

^{iv} *Durham, NC, Master File Security Area Map and Description*. (p. 38).

^v *Durham, NC, Master File Security Area Map and Description*. (p. 40).

^{vi} *Durham, NC, Master File Security Area Map and Description*. (p. 44).

^{vii} *Durham, NC, Master File Security Area Map and Description*. (p. 50).

^{viii} Kenneth T. Jackson, “Race, Ethnicity, and Real Estate Appraisal: The Home Owners Loan Corporation and the Federal Housing Administration,” *Journal of Urban History* 6, no. 4 (1980): 419–52.

^{ix}For example see Ian Appel and Jordan Nickerson, “Pockets of Poverty: The Long-Term Effects of Redlining,” *Available at SSRN* 2852856, 2016; Bev Wilson, “Urban Heat Management and the Legacy of Redlining,” *Journal of the American Planning Association* 86, no. 4 (2020): 443–57; Dylan Lukes and Christopher Cleveland, “The Lingering Legacy of Redlining on School Funding, Diversity, and Performance. EdWorkingPaper No. 21-363.,” *Annenberg Institute for School Reform at Brown University*, 2021; Emily E. Lynch et al., “The Legacy of Structural Racism: Associations between Historic Redlining, Current Mortgage Lending, and Health,” *SSM-Population Health* 14 (2021): 100793.

^x Richard Rothstein, *The Color of Law: A Forgotten History of How Our Government Segregated America* (Liveright Publishing Corporation, 2017).

^{xi} For some recent work in this area see David Mitre-Becerril, “The Long-Term Effects of Structural Discrimination on Public Safety: The 1930s Redlining Maps,” *Crime & Delinquency*, March 25, 2026, 00111287261425622, <https://doi.org/10.1177/00111287261425622>.

^{xii} We are, of course, not the first to include place in the intersection framework, for an introduction of geography and intersectionality see Maria Rodó-de-Zárate and Mireia Baylina, “Intersectionality in Feminist Geographies,” *Gender, Place & Culture* 25, no. 4 (2018): 547–53, <https://doi.org/10.1080/0966369X.2018.1453489>.

^{xiii} For example, on highways, see Mark Rose, *Interstate: Express Highway Politics, 1939–1989* (Knoxville, TN: University of Tennessee Press, 1990) or Helen Leavitt, *Superhighway—Superhoax* (Garden City, NY: Doubleday, 1970); on toxic zones and industrial pollution, see United Church of Christ. Commission for Racial Justice, *Toxic Wastes and Race in the United States: A National Report on the Racial and Socio-Economic Characteristics of Communities with Hazardous Waste Sites* (Public Data Access, 1987) or any of the many works by Robert D. Bullard such as *Dumping in Dixie: Race, Class, and Environmental Quality* (Boulder CO: Westview Press, 1990).

^{xiv} Robert K. Nelson et al., “Mapping Inequality: Redlining in New Deal America,” 2023, <https://dsl.richmond.edu/panorama/redlining>.

^{xv} For more information on the 1933 creation and operation of the federal HOLC, see also Kenneth T. Jackson, *Crabgrass Frontier: The Suburbanization of the United States* (Oxford University Press, 1987).

^{xvi} Maps for other cities, including Raleigh and Wilmington, were apparently destroyed or in any case are not available. All of these maps are available for download at the “Mapping Inequality” website mentioned above, and we have also included the North Carolina cities just mentioned on the website associated with this book. The electronic maps can be useful because they allow the reader to zoom in and see greater detail, including street names, that may be hard to read in the printed versions.

^{xvii} Our on-line Appendix shows these original maps for each of the cities in North Carolina for which they are available, and the team at the University of Richmond led by Professor Robert Nelson provides them for approximately 300 cities across the United States.

^{xviii} Rothstein, *The Color of Law: A Forgotten History of How Our Government Segregated America*.

^{xix} In 1987, a seminal report was released by the United Church of Christ on the relationship between race and exposure to toxic waste see United Church of Christ. Commission for Racial Justice, *Toxic Wastes and Race in the United States: A National Report on the Racial and Socio-Economic Characteristics of Communities with Hazardous Waste Sites*.

^{xx} In the original color-coded maps, “first grade” areas were shaded green; second, blue; third, yellow; and fourth grade, red.

^{xxi} Cities included are all those for which an HOLC map is available: Asheville, Charlotte, Durham, Elizabeth City, Fayetteville, Goldsboro, Greensboro, Hendersonville, High Point, New Bern, Rocky Mount, Statesville, and Winston-Salem. These maps are all available on the book’s web site.

^{xxii} Douglas S. Massey and Nancy A. Denton, *American Apartheid : Segregation and the Making of the Underclass* (Harvard University Press, 1993), Davis Library,

<https://catalog.lib.unc.edu/catalog/UNCb2456628>. p. viii.

^{xxiii} Massey and Denton, *American Apartheid : Segregation and the Making of the Underclass*. pp 130–131.

^{xxiv} Kimberlé Crenshaw, “Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics,” in *Feminist Legal Theories* (Routledge, 2013).

^{xxv} Kimberlé Crenshaw, “Kimberlé Crenshaw on Intersectionality, More than Two Decades Later,” *Columbia Law School* 8, no. 1 (2017).

^{xxvi} North Carolina State Board of Elections, “Voter File,” 2022, <https://www.ncsbe.gov/>.

^{xxvii} Weaver, “Frontlash: Race and the Development of Punitive Crime Policy”; Kaneesha Johnson and Tyler Whittenberg, “Policing Black Youth: The Origins of School Policing in the United States,” *Du Bois Review*, 2026.

^{xxviii} Bruce Western, *Punishment and Inequality in America* (Russell Sage Foundation, 2006). (p. 193).

^{xxix} Kevin R. Johnson, “Race, the Immigration Laws, and Domestic Race Relations: A Magic Mirror into the Heart of Darkness,” *Ind. LJ* 73 (1997): 1111; Lisa Marie Cacho, *Social Death: Racialized Rightlessness and the Criminalization of the Unprotected* (New York University Press, 2012); Kevin R. Johnson, “Systemic Racism in the US Immigration Laws,” *Ind. LJ* 97 (2022): 1455.

^{xxx} Baumgartner et al., *Suspect Citizens: What 20 Million Traffic Stops Tell Us about Policing and Race*.

^{xxxix} Leah Wang, *The U. S. Criminal Justice System Disproportionately Hurts Native People: The Data, Visualized* (Prison Policy Initiative, 2021), <https://perma.cc/KWM3-BL7B>.

^{xxxix} Mab Segrest, “Robeson Countys Third World Ills,” *Southern Changes* 10, no. 4 (1988): 14–16.

^{xxxix} C. Hedderman and M. Hough, *Does the Criminal Justice System Treat Men and Women Differently?* (US Department of Justice, Office of Justice Programs, NCJ Number 156986, 1994), <https://www.ojp.gov/ncjrs/virtual-library/abstracts/does-criminal-justice-system-treat-men-and-women-differently>.

^{xxxix} Hedderman and Hough, *Does the Criminal Justice System Treat Men and Women Differently?*

^{xxxix} Maeve O’Brien, “‘I Shot Him Because I Feared for My Life’: How U. S. Self-Defense Laws Affect Women Who Kill in Self-Defense” (PhD Thesis, University of Michigan, 2020), <https://deepblue.lib.umich.edu/handle/2027.42/162646>.

^{xxxix} Leonore F. Carpenter and R. Barrett Marshall, “Walking While Trans: Profiling of Transgender Women by Law Enforcement, and the Problem of Proof,” *William and Mary Journal of Race, Gender, and Social Justice* 24, no. 1 (2017): 5–38.

^{xxxix} Elections, “Voter File.”

^{xxxix} Note that even the AOC distribution skews toward the bottom; the thickest section of the graph on the left is at a value of approximately 0.4 on the scale. The general population has half women, as well as a significant majority of White people. Similarly, older people score higher in advantage. So, while the median value on the scale is exactly 0.50 by how we constructed the scale, the population skews slightly toward advantage. Also note that we include all arrests here, including traffic charges (see Chapter 6 for a reminder of what is included in the AOC database).

^{xxxix} For example see Hannah L. Walker, *Mobilized by Injustice: Criminal Justice Contact, Political Participation, and Race* (Oxford University Press, 2020).

^{xl} We use the halfway point between the B and C neighborhoods to maintain four HOLC grade districts.

^{xli} The shaded area in Figure 9-9 shows the 95 percent confidence interval.

^{xlii} We do not include age group here because doing so generates so many categories that the estimates become less accurate for each. However, doing so would certainly strengthen the relations we are showing.

^{xliii} Aleksandar Tomic and Jahn K. Hakes, “Case Dismissed: Police Discretion and Racial Differences in Dismissals of Felony Charges,” *American Law and Economics Review* 10, no. 1 (2008): 110–41; BESI KI L. KUTATELADZE et al., “CUMULATIVE DISADVANTAGE: EXAMINING RACIAL AND ETHNIC DISPARITY IN PROSECUTION AND SENTENCING,” *Criminology* 52, no. 3 (2014): 514–51, <https://doi.org/10.1111/1745-9125.12047>.

^{xliv} Predictor variables include type of crime, demographics (race, age, sex), county of prosecution, prior points, and type of attorney used; see the on-line Appendix for this Chapter for more details.

^{xl v} We define “guilty as charged” as having a finding of guilt at the same offense class as the highest charge at the time of indictment, or at a higher level (which is very rare). An improvement is defined as a finding of guilt at a lower offense class than the highest charge at time of indictment.

^{xlvi} See *Kimberlé Crenshaw on Intersectionality*. See also, Kimberlé Crenshaw, *Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine*,

Feminist Theory and Antiracist Politics. *University of Chicago Legal Forum* (1989): 139-167;

Kimberlé Crenshaw, Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color. *Stanford Law Review* (1991) 43, 6: 1241-1299.