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Socioeconomic Status and Sentencing in Murder Cases in Manhattan, New York

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Abstract

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MA, Walden University, 2020

MA, Boston University, 2016

BS, Bridgewater University, 2015

Dissertation Submitted in Partial Fulfillment

of the Requirements for the Degree of

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Abstract

Within the U.S. criminal justice system, defendants' socioeconomic status (SES; not indigent being middle/high class [≥ $50,000] and indigent being lower class/poor [≤ $49,999]) may be used as a factor affecting sentencing outcome for first- or second-degree murder cases. This study examined the severity of sentencing outcomes for middle/high SES individuals versus low SES individuals being prosecuted for first- or second-degree murder in the borough of Manhattan in New York City, New York. The study focused on determining if low SES individuals were sentenced differently for first- or second-degree murder crimes than individuals of middle/high SES. This study's theoretical framework, based on the social conflict theory, focused on the unequal treatment of defendants of lower SES compared to their more privileged counterparts within the criminal justice system. The sample included 107 adults (18 years or older) arrested and sentenced for murder in the first or second degree, in Manhattan. The findings suggested that those individuals identified as nonindigent had lower chances of being found guilty than their indigent counterparts. Furthermore, the findings also denoted that individuals charged with second-degree murder faced a shorter prison term compared to individuals charged with first-degree murder, regardless of individual SES. The results of this study may help create positive social change in relation to the need for complete organization translucency and accountability within the criminal justice system.

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Dedication

This dissertation is dedicated, first of all, to my family (Melissa, Marcus, Lara, and Mya). To my mother, Aurelia, my father, John, and to my grandparents, Rosalia and Pascual, who passed away (love you and miss you). To my wife, Melissa, who supported me throughout this challenging journey, without hesitation, stood by my side in times when frustration and stress took over and I contemplated quitting the entire program and process. She was the light that kept me in focus and, best of all, inspired me to keep moving forward. To my kids because they are my world, and I want to be their inspiration (for the future), to always follow your dreams, no matter how long they may take, or how hard, and to always believe in themselves.

To my mother, thank you for setting an example of what motherly unconditional love is. Most importantly, for being an influential person in my life, a person who overcame obstacles through pure determination and for having your personal unbreakable bond with family and God. To my father, John, who was always there for me in times of most needed advice, and guidance but, more importantly, for giving me unconditional love as only a son (now a father) can hope for. *Love you all*.

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I would like to thank God for everything he has done for me throughout my entire life. His teaching is of great importance and guidance in my life, even when darkness almost prevails. I would like to use this opportunity to thank each and every one who has supported me throughout this personal undertaking. Especially my dear wife Melissa, who has encouraged me every single step of the way. Thank you for helping me and making me feel that there is nothing I cannot accomplish in life. For that, I will be forever grateful. Love you.

To my Walden University dissertation chair, Dr. Deborah Laufersweiler-Dwyer, thank you, first of all, for your patience, your expertise, disposition, and more importantly, your kindness. Also, to my co-chair, Dr. Marisa Bryant, for your patience and kindness. Also, to my Walden University academic success advisors, Erica Alonzo and Dr. La Toya A. Johnson, for always having an answer to all my crazy questions and for never losing focus of what is essential in the individual academic goals and success. Thank you for your advice.

But, more importantly, to the most exceptional person in the world to me, who always asked me, “What are you doing? Are you done so we can play?”—my son Marcus.

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Chapter 1: Introduction to the Study

Socioeconomic status (SES) and its connection with race have been studied for many years by various academics interested in the effects SES and race have within the criminal justice system (CJS). Research that focuses entirely on SES and its effect within the CJS has been limited or neglected. In most literature, SES is commonly associated with race when viewing within the CJS, hence the need for this study.

Community perception of socioeconomic inequalities (SEI) and its potential use as a factor to render judgment within the CJS is considered unconstitutional. Researchers do not know why homicide sentencing of individuals with lower SES in New York is harsher than their more prosperous counterparts (Nobles & Schiff, 2018). The investigation of the impact SES plays is paramount to community engagement in improving rules and regulations to minimize or eliminate the use of SES as a factor during sentencing. The investigation of SES's effect during the sentencing process is paramount to social engagement in improving techniques to diminish SES inequalities.

Background

Throughout history, SES, in conjunction with race, has played an essential role in society and has impacted the CJS. In recent years, researchers have begun to investigate the sentencing disparities that transpire within the criminal justice system. While there is a vast amount of research on the impact of SES and race within the CJS, there is a limited amount that focuses solely on SES's impact during the sentencing process.

Articles that are related to sentence disparities and SES are listed here:

1. Wang and Mears (2015) expressed that undercurrent research has emphasized the prominence of community context on penalizing determination, including sentencing disparities.

2. Auerhahn et al. (2017) investigated the effect that the offender's residency has on sentencing.

3. Eijk (2017) addressed that socioeconomic nonconformity contributes to a higher risk, which could increase the probability of a (longer) custodial sentence for indigent offenders, in comparison to their more fortunate counterparts.

4. Kramer (2015) expressed that in some instances, the wealthy will receive, or it is more likely to receive a lighter sentence or fine.

5. Lynch (2015) discussed the relevance of the class analysis for criminology and examine the neglect of class-based theory.

Researchers in the existing literature have acknowledged the possibility that state-level effects on sentencing decisions may exist. Provided information that the data lacks evidence on judge and victim characters, offenders' behavior and socioeconomic status, and statutory differences across many jurisdictions. Researchers have also addressed individuals living in neighborhoods considering a higher degree of disadvantage received more sympathetic sentences than their counterparts. Provided a discovery that is dependable with work concerning the consequences of the geographic prevalence of homicide on sanctioning. Many scholars have pointed to the role of evaluating socioeconomic factors in producing ethnic/racial and gender bias, while relatively little

attention has placed to the problem of socioeconomic bias in itself (Wang & Mears, 2015; Auerhahn et al., 2017; Eijk, 2017).

Statement of Problem

Although there is limited conformity between scholars as to how to address the socioeconomic inequalities and disparities in sentencing in the CJS, in Manhattan, New York, the existing literature, points to the link between SEI and disparities. A critical evaluation of socioeconomic factors is essential given concerns among scholars and criminal justice actors about socioeconomic disparities in sentencing (Holder, 2014; Reiman & Leighton, 2016; van Wingerden et al., 2016; Western, 2006, as cited in Eijk, 2017). The problem with SEI within the CJS is that it could directly impact individuals of lower SES (Heaton et al., 2017) accused of first or second-degree murder.

Despite knowledge of disparities, SEI endures with little action taken to remedy or address this issue within the CJS (Kramer, 2015; Kutateladze & Lawson, 2017). Families with lower SES are more susceptible to experiencing firsthand the countless challenges when confronted with sentencing in the CJS. For example, there is a significant increase in the potential for a severe negative impact that SEI will have on the children of the individuals involved (Hyppolite, 2017). A limited body of evidence-based research exists on SEI regarding the disproportional impact that sentencing inequality creates within the CJS. For example, the population of adults involved with the CJS is highly skewed toward specific demographics and socioeconomic groups (Lofstrom & Raphael, 2016).

Contemporary researchers are recommending research into critical areas correlated to SES to perhaps identify SEI as a continuous problem that persists within the CJS. The CJS's practice of using a person's SES to render sentencing should not only be eradicated but should also be considered discriminatory and in need of immediate refinement. Such practice puts a person with low SES in an unfair disadvantage, compared with their more privileged counterparts. The result not only could create chaos in the person's life, but it could affect the low SES population, therefore creating social conflict. This research would help build the necessary knowledge of possible implications SES has on sentencing and hopefully help assist in the formulation of improvements of public policies within the CJS.

Statement of the Purpose

The principal purpose of this quantitative correlational study was to examine or investigate the CJS's conflicting sentencing inequality of lower SES individuals charged with first or second-degree murder. Several researchers have indicated that the collection of more data is unnecessary because it is well known that individuals identified as indigents are prosecuted at a higher rate than nonindigents (Hashimoto, 2011). The inclusion of socioeconomic factors is problematic because it could contribute to a higher risk assessment score that ultimately translates into acute sentencing for individuals of low SES (e.g., lengthy sentences) in comparison with their more affluent counterparts (Eijk, 2017). Moreover, this research may help minimize and fill the existing gap in the shortage of knowledge of SES inequality and its influence in the CJS (Eijk, 2017). This research will focus in Manhattan, New York, and those cases involving individuals who

the CJS considers of middle/high SES (privilege) and those individuals considered of low SES (less privilege). This study helps increase the crucial knowledge of SES inequality and its effects within the CJS.

Research Questions and Hypotheses

RQ1: Are defendants identified with low SES sentenced differently for first-degree or second-degree murder crimes than individuals of middle/high SES in Manhattan, New York?

$H_0$1: No difference exists in sentencing between individuals of low SES and individuals of middle/high SES among first-degree and second-degree murder crimes in Manhattan, New York.

H_a1: A difference does exist in sentencing between individuals of low SES and individuals of middle/high SES among first-degree and second-degree murder crimes in Manhattan, New York.

RQ2: Is there are a connection between a defendant's SES and the length of sentencing among first-degree and second-degree murder crimes in Manhattan, New York?

$H_0$2: No connection exists between a defendant's SES and the length of sentencing among first-degree and second-degree murder crimes in Manhattan, New York.

H_a2: A connection does exist between a defendant's SES and the length of sentencing among first-degree and second-degree murder crimes in Manhattan, New York.

Conceptual or Theoretical Framework

For this research, the conceptual framework was Karl Marx's social conflict theory on the unequal treatment of individuals of lower socioeconomic status within the CJS. This theory articulates that human behavior (taken on social context) is influenced by or results from constant conflicts between two distinctive competitive groups (De la Sablonniere, 2017; Greenfield, 2016). This theory brings into line the existence of power discrepancies, especially those connected with social class and more descriptive race (Fisher et al., 2013).

According to Bystrova and Gottschalk (2015), Marx placed society into two distinctive categories: the rulers and the ruled. Bystrova and Gottschalk (2015) also indicated that conflict theory delivers a rationalization of a crime. Subsequently, the theory is concerned with social dissimilarity, class, more pronounced racial distinctions, and the dominant class's influence through its influence within criminal justice. Marx also highlighted the existence of an established hierarchy where the upper class experienced more privileges than the inferior class (Bystrova & Gottschalk, 2015).

I used the social conflict theory framework to examine criminal justice reaction and recognition level as prejudiced by the justice system/community conflict that intertwines individual class makeup and race (Fisher et al., 2013). My research was conducted using a quantitative method, purpose of which was to associate, investigate, and document the existing data from public, government, and reliable sources about the discernment of socioeconomic class inequality and its influence within the CJS.

This theoretical framework assisted me in identifying a phenomenon and determining if an underlying policy or a different set of events was the feasible cause. Therefore, my primary goal in this research was to collect data that would either help implement new sentencing guidelines within the CJS or make recommendations to improve the efficiency and effectiveness of existing guidelines.

Nature of the Study

This research study was quantitative. A quantitative approach was more suitable than a qualitative or mixed methods approach because the goal was to obtain a comprehensive understanding of the research phenomena (Rudestam & Newton, 2015). In this research study I sought to increase knowledge on how any connections between an individual's SES and sentencing outcome in the CJS.

The best type of data collection for this study or the best method of data collection was data collected from reviews of the literature and information obtained from public and government databases. Sources of such data included (a) government databases, (b) evaluation of obtained data, (c) revision of current existing literature on the related topic. These different sources could provide the necessary information to conduct this research effectively because they can be used independently and in any combination. Combining these various sources of data could develop a rich understanding of the occurrences or questions of interest. This study relied on data collected from government sources and on examinations (O'Sullivan et al., 2017); instead of employing one single source, a combination of sources was used to produce results.

Definitions of Terms

Education: An individual's highest attained level of education is generally reached in early adulthood and serves to bridge socioeconomic conditions across generations. (Hayward et al., 2015).

Income: Considered a straightforward indicator of material resources and is robustly and positively associated with privileged (Rehnberg & Fritzell, 2016).

Social class: Identified using occupation as the stratifying principle. Many class schemas primarily distinguish occupations depending on ownership (i.e., between employers and employees; Sachweh, & Lenz, n.d.).

Socioeconomic status (SES): An individual's or group's position within a hierarchical social structure. SES depends on various variables, including occupation, education, income, wealth, and place of residence. Sociologists often use SES to predict behavior (American Psychological Association, 2020).

Wealth: Constituted by an individual lavishness of valuable possessions or extensive financial stability (money).

Assumptions

SEI is a complex issue within the CJS. Verdict and sentencing in a case involve multiple factors that can be influenced by a variety of elements. The primary assumption used for this study was that race is not a contributing factor to SEI. In today's society, SES is now independent of one's race. This study assumed that all races and ethnicities are represented in all groups and will not significantly impact the study's findings.

Scope and Delimitations

The choice for quantitative correlational nonexperimental design utilized for this study was due to the inability to manipulate the variables. Nonexperimental research designs are categorized as comparable to an experimental design, but with one significant difference, the nonexperimental design does not support the manipulation of the variables, lacks randomization and control. This research will be limited to adult defendants 18 years or older. Younger defendants were omitted as they do not have their own established SES. Younger defendants tend to be treated differently within the CJS, depending on the circumstances of the crime. This study was limited to the borough of Manhattan, New York, to narrow its scope. This area has an approximate equal concentration of both indigent and non-indigent individuals. I assumed that given the crime rate of Manhattan, New York, the study would yield enough data to achieve saturation.

Limitations

Nonexperimental research' design contains substantial limitations. Data analyses can provide unexpected results, thus challenging the data and the validity of the research. In their study, Rudestam and Newton (2015) indicated that nonexperimental research designs lack determining causation. Another limitation could come from the fact that the study results could only be generalizable in the state of New York, and more specifically, to the borough of Manhattan. For this research, data were collected from existing peer-reviewed articles, existing literature, public, and government sites, which could present

the challenge of limited research literature and therefore, I tried to stay within the last five years as stated in the Walden University Dissertation requirement.

Significance

Although a considerable amount is known about SEI practices within the CJS, little is known concerning sentencing disparities based on individual SES. This study helps contribute to social change within the CJS administration and assists in the possibility of implementing new policies, revising established policies, and assisting in minimizing the existing gap in the shortage of knowledge on this issue. Providing a clear understanding of the consequences and the impact that SEI has on an individual's family and the community is essential.

This study could lead to implications for change to current processes within the CJS. Targeted information about SEI and a better understanding of this issue could help reduce social conflict. This action could reduce SEI judgment within the CJS and would lead to positive social change. Consequently, this study could lead to further research on the impact of SES within the CJS, which could further lead to the development of a standardized procedure that would be fair to all regardless of SES.

Summary

The problem identified is that the CJS is believed to employ SES of an individual during sentencing for a crime. Researchers have found that the CJS looks at an individual's ethnicity, race, and nationality during sentencing. According to Nobles Schiff (2018) African Americans are often sentenced harsher than Caucasians for the same offense. Little to no research has been conducted on how an individual's SES is

directly or indirectly considered during sentencing. Judges are expected to render punishment in an unbiased manner but can use discretion when and if it is appropriate to do so.

With this study, I sought to fill gaps in the literature by examining the phenomenon of existing court records and government sites that collect applicable data. There is a possibility that discovery may encourage the criminal justice organization to examine and evaluate alternative sentencing determination methods to ensure they are not directly influenced by individual SES. Furthermore, the results of this study may create an opportunity for the CJS to develop new strategies that do not consider individual SES or class, thus enhancing community trust in the CJS. Chapter 2 provides a full review of the literature, including the phenomenon of SEI within the CJS and its possible influence in sentencing.

Chapter 2: Literature Review

Introduction

Researchers have no clear understanding of the reasons or motives for individuals of low SES accused of first- or second-degree homicides experiencing predominantly harsher sentencing than individuals with higher SES in the Manhattan borough of New York City (Nobles Schiff, 2018). Researchers have recognized socioeconomic diversity as a potential problem within the CJS that deserves researcher attention. In this quantitative correlational study, I examined and investigated the conflicting sentencing inequality of lower SES individuals that occurs within the CJS, specifically of those charged with first- or second-degree murder. I hope this study helped to fill the gap in the literature about the knowledge of SES inequality and its influence with CJS (Eijk, 2017).

SES research has been lacking; there is a scarce amount of studies that focus on SES alone. However, it is less uncommon than the constant belief on the correlation that currently endures of the individual SES and the individual's race. In this study, I sought to assess whether SES is directly correlated with sentencing in cases of first-degree and second-degree murder in Manhattan, New York. I sought to address the limited conformity that exists among scholars in addressing socioeconomic inequalities and disparities in the CJS.

In this chapter, I present a literature review to establish paradigms in recently published literature about the phenomenon of study. Despite existing data about CJS and the treatment of racial and ethnic minorities, little research has contributed to positive social change. By further establishing the impact that the CJS has on lower SES

individuals' families and communities, the results of this study might foster positive social change. The following section establishes the search strategy used to complete the literature review.

Literature Search Strategy

The databases used to perform the literature review included ProQuest search engine, Google-Scholar, ProQuest Dissertation & Theses Global, Criminal Justice Database, EBSCOhost Political Science Complete Database, Sage, ScienceDirect, Government websites Bureau of Justice Statistics Database, U.S. Department of Justice websites. The following keywords were used to perform the literature search: *capital punishment, crime, crime victim, criminal justice system, criminal profiling, criminal sentences, criminology, decision making. disadvantaged offenders, equality before the law -- economic aspects, same crime: different punishment, sentencing, sentencing disparity, socioeconomic status (SES* poverty* low income). social classes, social conflict, social economics -- laws, regulations and rules, social economics, remedies, social economics -- usage, social inequality, social research, social standing "defendants," social status and class, socioeconomic marginality,* and *underprivileged offenders*. Furthermore, some of the keyword highlights above were swapped and adjoined in various arrangements to facilitate finding articles within a 5-year period.

The literature review scope was primarily conducted with the full intent to remain between the 5 years requirement of research published in 2016 or later. Unfortunately, due to the number of articles related to the research topic, I had to expand beyond this

time period to find relevant articles. Articles older than 5 years were used as historical articles showing that occurrences of SES disparities were not a contemporary occurrence.

Theoretical Foundation

A lack of a recent study into SES and its direct or indirect use within the CJS to render judgment is the gap I sought to fill with this study. This action does not disregard the perception that a relationship between contextual and other factors played an integral part in the assessment of SES and its use by the CJS. In this research, I used Karl Marx's social conflict theory as a foundation; this theory has fostered a way to view and examine SES and its potential use to render judgment within the CJS. This theory focuses on addressing social designs between distinct social classes and the difficulties that develop due to the conflict between diverse classes. Social conflict theory has been used by numerous sociologists, including Comte, Simmel, and Sorel (Dahrendorf, 1958).

Social-conflict theory's primary interest is addressing the amount of inequality in society, putting forth the argument that individuals and groups within greater society will choose to act based on conflict rather than consequence (Coser, 1967). This theory proposes that laws and norms reflect the influential members of society (Prior-Miller, 2017). First, it proposes that those who labeled as *different* depends on who has the most power in society, and those identified as different are likely to receive harsher punishment and live under various stigmas (Omer & Jabeen, 2016). The antithesis of these demographics is the moderately small *power elite* in our society, which are significantly less likely to convey the stigma or distinction of deviancy compared to the rest of society (Omer & Jabeen, 2016). Social conflict theory originated in the 19th

century and has evolved into several different intellectual perspectives but has recently seen a decrease in use throughout recently published literature.

In addition, social conflict theory has been previously introduced as an acceptable theoretical framework when used to analyze the existing conflict in Northern Ireland (Szczecinska-Musielak, 2016). In recent articles, social conflict theory has been used to fill the literature gap on how a person's gender and race together guide the CJS's disciplinary approach. It also addresses the application of conflict theory in the discussion of attitudes concerning punishment among distinguishing groups (Carll, 2017).

Gould and Sebastian-Leon (2017) sought to evaluate the extent of the local culture's impact on the federal judicial system when capital punishment was a possible outcome. The researchers used a mixed-method approach combined with quantile regression methods to look at the impact of location on the outcomes of capital punishment cases (Gould & Sebastian-Leon, 2017). Gould and Sebastian-Leon found that the level of defensive support that a defendant received had a more significant impact on the case then the amount of legally relevant evidence. Their study was small and cannot be transferred globally, but the results nonetheless serve as a warning of the potential for injustice based on financial capabilities.

Social conflict theory has been used to focus on deviant behavior disorders and how various demographics commit crimes like homicide (Daly & Wilson, 2017). Other researchers have argued that the lack of social conflict theory is perpetuating negative cycles of deprivation and other social inequality in criminal justice in the United States (Brisman et al., 2016). The lack of recently published literature about social conflict

theory and wealth inequality is a severe gap in the literature that has real-world impacts on lower socioeconomic groups, criminal justice, and proclivity for crime (Akers, 2017).

However, empirical research about social conflict theory has been found to account for criminological and sociological regularities, allowing researchers to make sense of events at the micro and macro-levels of temporal and ecological aggregation (Akers & Jensen, 2017). Despite a lack of studies published in recent years using social conflict theory, Akers and Jensen (2017) argue that it remains the best theoretical framework for studying socioeconomic group differences. Bystrova and Gottschalk (2015) argued that social conflict theory further suggests that professional, powerful, and wealthy individuals are more likely to escape punishment for criminal activity because they often in control of the legal system.

Furthermore, according to researchers, the theory holds that the dominant group uses laws and law enforcement to minimize threats to their interests (Bystrova & Gottschalk, 2015). Many researchers argue that the justice system is biased and specifically designed to protect the ruling class (Szczecińska-Musielak, 2016). Under this system, the "sanctioning of laws enables the dominant class to pressure a domestic order that allows its interests to be promoted and maintained" (Bystrova & Gottschalk, 2015, p. 1). In this way, social conflict theory can be applied to almost all sub demographics that fall into a hierarchical society (Ruggiero, 2017). I hope that this study will advance the use of social conflict theory in cases of criminal justice under the U.S. justice system.

Per the discussion in this first review of literature, social conflict theory is the best foundational framework to guide this study as it posits that class inequality is as prevalent

as racial inequality in the United States (de Soysa & Noel, 2018). Despite this, the theory has not been used to study whether the New York CJS perpetuates these economic inequalities. The emphasis on such research has almost always pertained to racial inequality. However, in the United States, class inequality and racial inequality are inextricably connected (Jensen, 2017). Fostering a change in this highly unevolved social system is of the utmost importance in eradicating racial inequity in the United States (Jensen, 2017). The following section is the full review of recently published relevant literature.

Literature Review

In this study, I aimed to establish an understanding of inequality within the CJS for those accused of committing homicide. Homicide has been identified as the worst crime an individual can commit in the United States and most other nation-states in the world (Oberwittler, 2019). Tracking the patterns and policies for the prevention of homicide is a core purpose of academic researchers in sociology, criminology, politics, and criminal justice (Cooney, 2017). Researchers agree that social inequalities are positively associated with the prevalence of homicide within communities (Cooney, 2017).

Crime rates continue to decline in the United States, but various authors argue that social and racial inequality rates continue to rise within the CJS (Lofstrom & Raphael, 2016). Despite this, there is no evidence to suggest that the expansion of the CJS has done anything more than further perpetuate this inequality and decreases in crime rates may be related to various other social factors (Lofstrom & Raphael, 2016). The literature

about these trends leans heavily in favor of racial inequality being at the core of these perpetuated problems, but evidence suggests that wealth is far more likely to be a leading factor in the inequality experienced in the targeting, arrest rates, and severity of sentencing in the CJS (Kutateladze & Lawson, 2017).

The purpose of this review of recently published literature was to ascertain the trends in research and sentencing, as well as establishing a wealth of secondary information for analytical purposes. As the CJS in many U.S. states and at the federal level has the potential to end an individual's life by implementing the death penalty, understanding these factors is essential to fostering a functional society (Tallon & Daftary-Kapur, 2018). Looking beyond racial inequalities, I used this review to identify any gaps in the literature on income inequality and class for individuals within the CJS. Though some researchers have found that social standing does not influence juries or judges in the act of sentencing (Burch, 2015), other evidence suggests that studies wherein researchers sought to establish whether SES played a role in sentencing used inherent bias and allowed individuals to answer in the fairest possible way, mitigating the researchers from identifying unconscious biases (Turney & Wakefield, 2019).

This discussion contains subsections focused on (a) homicide, (b) lower SES individuals, (c) class inequality, (d) criminal activity, (e) confounding factors, (f) age, (g) gender, (h) mental health, (i) ethnicity, (j) criminal justice system, (k) sentencing standards, and (l) impact on families and community. These sections were developed using the aforementioned search strategy. A summary of the chapter can be found at the end.

Homicide

As the purpose of this study was to answer the research question: Are defendants identified with low SES sentenced differently for first-degree or second-degree murder crimes than individuals of middle/high SES in Manhattan, New York? It is essential to review the literature pertaining to homicide, so as to define it and discuss the literature pertaining to the way that homicide is treated in the United States. Researchers Schaible and Altheimer (2016) studied the prevalence of homicide in the United States and discovered that various structural controls dictate the risk factors for heightened prevalence. Deinstitutionalization, demoralization, and/or high levels of materialism characterize those who suffer from higher homicide levels. Despite this, there was little evidence to support the fact that inequality was closely associated with homicide patterning in any significant way.

The patterns and dynamics of homicide vary across the United States (Liem & Koenraadt, 2018). In recent years, the emphasis in published research is focused on police violence and brutality, often leading to homicides against young minority men and women (Bejan et al., 2018). Retaliatory violence exists between law enforcement and citizens, even when controlling for any social media contagion, which had a direct effect related to prior fatal encounters (Bejan et al., 2018). Analyzed using a trivariate dynamic structural vector-autoregressive model, daily time-series data over 21 months captured the frequencies of police killed in the line of duty, police deadly use of force incidents, and social media coverage (Bejan et al., 2018). The results of Bejan et al. (2018) supported a significant retaliatory violence effect against minorities by police, and yet

there was no evidence of retaliatory violence against law enforcement officers by minorities. Thus, suggesting that police are the perpetrators of violence and lead the charge in violent behaviors against nonpolice. It was also found that social media coverage of the Black Lives Matter movement increases the risk of fatal victimization to both law enforcement officers and minorities (Bejan et al., 2018).

This discovery suggests that the police are more likely to commit homicide against minorities than minorities are to commit violence against the police. This significant limitation of the research, which focuses enormously on the prevalence of police violence and homicide than all other homicide rates and perpetrators, is another reason this study is so inherently necessary. Men and women from all wealth classes can be responsible for homicide but establishing whether they are treated differently for their crimes depending on their SES will help reshape the CJS from local to federal level. This information would feed directly into policymaking.

Yet, the emphasis of research remains on homicide by police. Renner (2019) argued that much of this research is also inherently flawed due to faulty measures. Quantitative research is the norm for homicide unless the researcher conducts an in-depth psychological study of the perpetrators of homicide (Renner, 2019). Understanding whether there are consistent issues in the sentencing of homicide perpetrators from different SES demographics would contribute to the body of literature on the CJS and how their policies shape society. Until more research is conducted into this homicide aspect, there will always be a gap in literature and policy pertaining to wealth inequality as a factor in sentencing. Appreciating this limitation of recently published research, the

following section continues with a discussion of lower SES individuals and the literature about their criminality.

Lower Socioeconomic Status Individuals

For almost all the last century, low SES has been associated with violent crime in neighborhoods across the United States (Sampson et al., 2019). Many researchers have sought to establish the connections between poverty and violent crime rates, but societal characteristics have varied from study to study with only limited homogeneity (Sampson et al., 2019). Some authors have argued that the lower SES of many Americans leads to lowered social control, making it easier for these individuals to emotionally disconnect from their impact on their spatial context and those who live within it (Dennison & Demuth, 2017; Sampson et al., 2018).

By concentrating on the spatial analysis of homicide and violent crime rates, researchers have limited their generalizability scope in their findings to geographic contexts rather than wealth inequalities (van Eijk, 2017). Social inequality in lower SES neighborhoods means that those demographics living within them are lower SES individuals; therefore, the work conducted by Sampson et al. (2019) sheds light on the collective efficacy of violent crime by lower SES individuals. The authors argue that recent decades have witnessed an increase in lower SES residences' geographic concentration. Particularly minority individuals within inner-city or hyper rural areas (Sampson et al., 2019), implying that lower SES is now being forced into proximity with each other and away from middle- and higher-income neighborhoods. This idea

concentrates the mindset toward violent crime into larger groups of individuals, fostering the potential for normalization of such behaviors (Sampson et al., 2019).

One has ascribed SES can significantly impact the stigmas attached to them in day-to-day life (Dennison & Demuth, 2017). Using data from the National Longitudinal Study of Adolescent to Adult Health, researchers identified a nonlinear relationship between criminal justice involvement and achieved SES, such that deeper involvement leads to increasingly negative consequences on achieved SES (Dennison & Demuth, 2017). Dennis and Demuth (2017) found that those coming from the highest socioeconomic status are not protected from the deleterious consequences of CJS involvement, but instead experience the most significant declines in achieved SES relative to where they started. In contrast, the CJS involvement effect for those from below average ascribed SES is not significant. These findings suggest that higher SES individuals are most likely to suffer from status decline upon entering the system. Lower SES individuals are already living an impoverished lifestyle, so having their freedom removed is not as much of a lifestyle decline (Dennison & Demuth, 2017). More than anything, the results identified by Dennison and Demuth (2017) findings reinforce how ordinary experiences with the CJS are for people with the fewest resources, and how system involvement inevitably destroys human capital, undermines future life chances, and ultimately promotes a “rabble” class.

This study’s results are significant as they shed light on the normalization of CJS involvement for lower SES individuals, suggesting that there are biases that exist within the system that support the inclusion of impoverished individuals. Other research has

identified behavior patterns and lower SES status by individuals either accused of committing violent terrorist attacks or joining violent terror groups (Ljujic et al., 2017).

Lower SES groups are also more likely to live in neighborhoods with declining, inadequate, or no real infrastructure (Aaltonen et al., 2016). Lead intake has been significantly linked to the prevalence of criminal activity, and in lower SES neighborhoods across the United States, lead is a commonly occurring substance in tap water (Beckley et al., 2018). This implies that there may be physical and environmental factors that perpetuate the normalization of violent crime in low-class neighborhoods across the United States. However, studies into these environmental factors often turn to the socioeconomic and financial status of individuals living within these neighborhoods, mainly finding correlations between wealth status and likelihood to commit crimes.

For example, a study by Aaltonen et al. (2016) found a link between young adults' proclivity to offend and heightened rates of debt. However, these individuals mainly resided in areas home to large groups of lower SES individuals. In addition to these trends, lower SES individuals are more likely raised in a lower SES household, implying that parental socioeconomic status is also a significant factor influencing individuals into criminal activity (Kirchner, 2017). Still, throughout the strategic search of recently published literature, there was a clear trend between lower SES individuals and proclivity for criminal activity directly related to their class status, therefore implying that class inequality may be the core factor contributing to the growth of stigmas surrounding lower SES individuals. These stigmas may play into the incarceration rates and not represent the actual levels of a criminal activity performed by these individuals.

Class inequality may lie at the core of why lower SES individuals are either more likely to commit crimes or be why there is a stigma attached to this demographic that posit they are more likely to commit crimes (Dennison & Swisher, 2019). Researchers have argued that there is a growing importance for attaining a college degree for economic stability, coupled with increasing educational inequality in the United States, suggest potential criminogenic implications for downward educational mobility (Dennison & Swisher, 2019).

Using data from the National Longitudinal Study of Adolescent to Adult Health (Add Health), work conducted by Dennison and Swisher (2019) examined the associations between intergenerational educational mobility, neighborhood disadvantage in adulthood, and crime to determine if these factors have any grounding in the reality of criminal activity proclivity. Drawing on the few extant studies of educational mobility and crime and social comparison theory, the researchers tested whether the consequences of downward educational mobility are moderated by neighborhood contexts (Dennison & Swisher, 2019). Results suggest that downward mobility is associated with increases in crime, and most strongly in more advantaged neighborhoods, suggesting that those individuals who do not keep up with their higher SES cohort are likely to turn to a life of crime (Dennison & Swisher, 2019). These findings would imply that class inequality is a more likely predictor of criminal activity and involvement. The following section continues with a discussion of class inequality.

Class Inequality

Researchers have found that stigmas and stereotypes regarding social class, particularly for lower SES individuals, support inequality through multiple routes (Durante & Fiske, 2017). These routes include but are not limited to (a) ambivalent content, (b) an early appearance in children, (c) achievement consequences, (d) institutionalization in education, (e) appearance in cross-class social encounters, and (f) prevalence in unequal societies (Durante & Fiske, 2017).

Class-stereotype content is ambivalent and varies from social context to social context. Some results have described lower-SES people negatively (less competent, less human, more objectified), and sometimes positively (Durante & Fiske, 2017). In some instances, lower SES individuals are described as more warmly than upper-SES people, but only in specific contexts (Durante & Fiske, 2017; Hashimoto, 2011).

This research was essential, as it notes that children acquire the wealth aspects of class stereotypes early, which become more nuanced with development and can have long-lasting consequences for familial lines (Durante & Fiske, 2017). In school, class stereotypes advantage higher-SES students significantly as educational contexts institutionalize social-class distinctions through teaching (Durante & Fiske, 2017). Beyond school, well-intentioned face-to-face encounters ironically draw on stereotypes to reinforce the alleged competence of higher-status people and sometimes the alleged warmth of lower-status people, but these stereotypes are perpetuated throughout the CJS, wherein lower SES individuals are still considered more likely to commit a crime, particularly homicide (Durante & Fiske, 2017).

In this way, social class matters when discussing and denoting trends related to social and class inequality (Hashimoto, 2011). According to Fredericks et al. (2016), white-collar criminals are treated far differently from violent criminals within the U.S. CJS. The authors argued that white-collar crimes and criminals' perceptions are highly related to higher SES individual stigmas (Fredericks et al., 2016). Research has also suggested the class inequality in the treatment of criminals and types of crimes is also mediated by racial inequality (Fagan & Geller, 2018). This distinction is a multi-faceted aspect of the CJS, wherein white criminals are more likely to receive shorter sentences than their minority counterparts, but that murders of white individuals are more likely to be cleared than murders of minority individuals (Fagan & Geller, 2018).

Ottone and Scott-Hayward (2018) argued that class and racial inequality play into judges' decisions on bail in California. If an individual is assumed not been able to pay or make bail, they are merely not offered it, removing part of their rights without any formal or legal purpose (Ottone & Scott-Hayward, 2018). The disproportionality of CJS involvement and class inequality is rampant through the literature and various states' policy and practice (Beck & Blumstein, 2018). Despite this, there is little evidence to show that predictions related to individuals' dangerousness from lower SES demographics are correct, and they are more likely to engage in criminal activity (Tonry, 2019). These predictions are most harmful during sentencing, which will be discussed later, in relevant sections of the literature review (Tonry, 2019).

However, inequality has been found to be one of two dimensions of population diversity, the other being heterogeneity (Howard et al., 2017). This finding may

perpetuate the negative stereotypes associated with those living underclass inequality's crushing blow (Howard et al., 2017). It may be that these stigmas have developed into academic literature, which frequently associates class inequality with rates of homicide (Coccia, 2017).

Statistically, most authors have found correlations between class inequality and violent crime, but these findings are based on potentially biased police and CJS reportage (Coccia, 2017; Dawson, 2018). However, these disparities have often been found more extraordinary related to racial inequality in the United States (Geller & Fagan, 2019). The reemergence of gang activity in the US since the 2010s has led to a plethora of studies focusing on minority violence within these criminal organizations, which are often made up of lower SES individuals (Pizarro, 2017). What many of these studies leave out is the fact that, despite the rates of criminal activity disproportionately identified within lower SES individuals, lower SES individuals are also more likely to be the victim of a violent crime and homicide (Croall, 2017).

These findings have led many authors to pose the question: why do class and economic inequality continue to rise despite being disfavored and harmful to individuals and society? (Piff et al., 2018). Understanding the nature of class inequality and criminal activity will be discussed in the following section. It is essential to establish connections between class inequality and criminal activity, and the exact nature of these connections, as theoretically, the rates of criminal activity will rise as the rates of inequality rise (Perry et al., 2016; Rodriguez-Bailon et al., 2017).

A plethora of publications had examined the effects of various geographic, historical, social, economic, and political factors on the topic of homicide. However, very few studies have examined these forces' effect in integrated social biogeography of homicide, except for one conducted by Penaherrera-Aguirre et al. (2019). The study conducted by Penaherrera-Aguirre et al. (2019) collected data for 172 nation-states from various publications and databases and completed a multilevel model examining geographical adjacency effects upon homicide rates. Following this, a general linear model was used to identify the effects of physical, community, social, cultural, and cognitive ecology upon homicide (Penaherrera-Aguirre et al., 2019). The effect of social ecologies indicators, such as income inequality and gender of the individual, indicated that there is competition for resources, fostering a significant force in generating differences in homicide rates across various populations (Penaherrera-Aguirre et al., 2019). In conclusion, a suite of evolutionary pressures seems to influence homicide rates, but mainly in a sequential nature rather than simultaneously (Penaherrera-Aguirre et al., 2019).

However, various other factors were linked to proclivity to commit homicide, which may relate to class or other socioeconomic inequality forms. Rees-Punia et al. (2018), for example, found that crime and perceived safety and rates of individual physical activity were correlated to the likelihood of an individual committing violent or other types of crime. However, other studies concerning criminal activity and socioeconomic status have found almost no correlation between the two; instead, it

identifies factors like mental health, age, and other demographic factors (Bonta & Andrews, 2016; Israel, 2016). These factors will be discussed in the following sections.

Confounding Factors

Establishing the other factors related to homicide rates is of the utmost importance to this study as it seeks to fill the gap in understanding the relationship between lower SES individuals and homicide (Tuttle, 2018). The macro-criminological theory has been argued as lagging behind its micro-level counterpart, leaving criminologists ill-prepared to explain the variations in crime rates across the United States and over different periods of time (Tuttle, 2018). Despite a significant step forward in establishing criminal activity trends, significant questions remain about its central premise, empirical falsifiability, and theoretical scope of how personal stigma relates to perceptions of criminals and perceived criminals (Berzofsky et al., 2014).

After stagnating and declining homicide rates in the 21st century, Tuttle (2018) argued that criminologists were again faced with another spike in homicide rates as the year 2015 ended. In 2015, homicide rates increased dramatically in several major American cities, but this spike has since been limited to a few dozen cities (Tuttle, 2018). These spikes caused the aggregate rate of homicide to increase on a national level, but it remains unclear whether this current rise in violent crime is indicative of a sustained pattern in lower SES individual's behavior or speculative explanations of the so-called Ferguson Effect (Tuttle, 2018).

The "Ferguson Effect" relates to the rise in disenfranchisement by lower SES individuals living in squalor in the United States, disproportionately targeted by police

brutality (MacDonald, 2019). There has also been a decline in arrests in some cities experiencing sharp increases in violence, such as Los Angeles, which has led some authors to attribute this increase in violent crime to a lack of police activity (MacDonald 2019). Scholars have questioned the veracity of these "Ferguson Effect" claims, arguing that it is based more on anecdote than systematic research (MacDonald, 2019). Nevertheless, criminologists have little to offer to explain this crime trend or crime trends in general, leading many to seek out the confounding factors that often integrate into studies of homicide rates (Berzofsky et al., 2014). These factors are also associated with the likelihood to commit crimes, which may evoke stigmas that lead to the inequality in the sentencing of lower versus higher SES individuals (Stavseth et al., 2017). Besides, there is an emphasis in the literature on studying those individuals who have either committed a crime, or been accused of committing a crime, and not those individuals who have committed a crime and has not been arrested or those individuals who intend to commit a crime (Mastrobuoni & Rivers, 2016).

One of the most common factors studied in conjunction with criminal activity is age. Evans, Simons, and Simons (2016) argued that the frequency of studies using age as a confounding factor in criminal activity as the most powerful predictor of adult crime is the presence of behavioral problems during childhood and adolescence. However, the authors also argued that there is a need to determine whether these confounding factors have any influence over stigma-building that may lead to harsher sentences.

Age

Murders committed by children are rare (Cornell & Malone, 2017). Despite this, there is a wealth of research about criminal activity, homicide, and age, and the criminal justice system. Cornell and Malone (2017) argue that any attempt to discern child murderers' trends is impossible, given the diversity in homicidal youth. For example, those children who commit murders under pre-existing criminal enterprises' orders are as likely to receive a life sentence as those who shoot up their high schools, despite the mass difference in motivation and circumstance (Lee et al., 2017). However, even children who engage in nominal criminal activity during youth can be branded for life with the tarnish of their mistakes, leading to harsher sentences for later-in-life crimes, which are often nowhere near as extreme as homicide (Jacobs & Slabbert, 2019).

The confounding factor of age has primarily been studied in conjunction with later-in-life criminal activity, almost as much as mental health and race. Many adolescents engage in criminal activity, but not all youth are caught by law enforcement for their criminal acts (Knowles et al., 2019). Previous research has highlighted the importance of criminal capital or assets that help individuals evade police detection. If these are identified earlier in life, individuals are more likely to continue their criminal activity into adulthood (Knowles et al., 2019).

Few studies have extended this work to adolescent offender populations or have considered the contribution of psychosocial and contextual factors to arrest avoidance and how these behaviors may relate to a decision made by the CJS when such individuals are apprehended for their crimes (Knowles et al., 2019). This finding suggests that the

motivations of individuals to commit crimes may be a better means of establishing sentencing guidelines, as those individuals with long-term commitments to lives of crime are more likely to attempt to get away with it, even after release from prison (Knowles et al., 2019). In contrast, those who have never committed a prior crime may receive harsh sentences for something they never intend to do again (Jacobs & Slabbert, 2019). However, other confounding factors are also related to these trends. The following section continues with a discussion of gender.

Gender

The gender gap in crime has repeatedly been found to lower in lower SES individuals (Savolainen et al., 2017). However, the emphasis of research has been on the women left behind by the criminal justice system. In a study conducted by Correa (2017), women were found to be significantly disadvantaged by the CJS. Using modern penal theory, Correa (2017) argued that people are separable from social and family contexts like prevalent Western theories of law. Therefore, the use of prisons presupposes that individuals can be removed from their communities and families to be reeducated, readapted, treated, or—in the retributive approach—punished for the crimes they are alleged to have committed (Correa, 2017).

Correa (2017) argued that this notion of autonomy hides from sight the group of people who not only maintain family ties with the men and women in prison but who also take on the responsibility of supporting the prisoners economically while inside. As Correa's (2017) research identified, this group of individuals is not heterogeneous or plural, but instead defined by gender. This group of individuals primarily consists of the

mothers, daughters, wives, and sisters of the imprisoned people and are responsible for funding their experience in prison (Correa, 2017). The data presented in Correa's (2017) paper shows that this group of women is marginalized, impoverished, and abused by a criminal justice system that not only omits to recognize the severe costs that the system imposes on them but also omits to acknowledge their existence. Correa (2017) concludes her argument by stating that this lack of recognition is possible because it is premised on a penal model that assumes a particular idea of autonomy, one which enables societies to affirm that prison sentences are individual sentences erroneously.

This is the first study discussed in this paper, wherein the CJS has been found to impact the loved ones of criminally charged individuals negatively. There are almost no studies on women who commit murders by and large, as the emphasis in research is placed on women as the victims of violent crime (Pasko, 2019). Women are far more likely to be the victims of homicide and other crimes that can increase their premature death risks, such as human trafficking, forced prostitution, and drug muling (Jakobsson, 2018; Reinecke, 2017).

Overall, there is a significant limitation on the research concerning gender differences and CJS. Many of those studies that do exist use a participant cohort consisting of "pink collar criminals," who are essentially the higher SES criminals who commit white-collar crimes at work or run massive scams (Hammond, 2018). While researching confounding factors, the latest research trends lean toward mental health as a larger predictor of stricter sentencing and involvement with the CJS by lower SES. This will be discussed in the following section.

Mental Health

Substance abuse as a predictor of criminal activity is a normalized trend within the American populous, whether an individual comes from a wealthy family or from the lowest SES (Kopak et al., 2016). Lower SES individuals who have experienced trauma and have subsequent mental health disorders are more likely than most other individual demographics to commit a severe or violent crime (Sommer et al., 2017). Young people growing up in unsafe environments and neighborhoods are at the most significant risk of developing a severe mental health disorder and drug abuse issues (Sommer et al., 2017). However, Craig et al. (2018) research and did not find any relationship between criminal justice involvement and rates of mental health disorders amongst criminals. Sugie and Turney (2017) also conducted a study of incarceration in the CJS and mental health. They found that those sent to prison are significantly more likely to have a mental health condition, and those who do not are more likely to develop one inside.

Despite these inconsistencies in research findings, research into the CJS and mental health are rife in academic literature (Ibanez et al., 2017). Unfortunately, these studies tend to focus on CJS involvement in mental health (Crocker et al., 2018), rather than whether individuals with poor mental health who may or may not come from lower SES status are likely to receive stricter sentences for the crime of homicide. It can be argued that mental health is becoming synonymous with the CJS, particularly now that drug abuse and drug addiction disorders are being reclassified as mental health conditions and not criminal activity (Kellen, Power, & Birnbaum, 2017). More than any other confounding factor, the one studied with as much if not a greater frequency than mental

health is that of ethnicity. In the United States, a massively disproportionate number of minority men and women are currently held by the CJS. This will be discussed in the following section.

Ethnicity

As previously discussed, police rates of homicides against minorities had started to rise again in the United States (Holmes, Painter, & Smith, 2019). This fact has led to a growth in research concerning the ways in which ethnicity relates to involvement in the CJS. Similarly, the conversation on immigration status and the likelihood of committing a significant crime has also become a paradigm of academic research (Unnever, 2019). There is no evidence to suggest that immigrant populations, who are often from lower SES demographics, are more likely to commit a violent crime than a citizen of the United States, suggesting that the stigmas attached to immigrants are false in their narrative (Unnever, 2019).

The origins of these biases have been studied by Maltby (2017). Maltby (2017) used policy feedback theory to argue that public policies shape mass political behavior as they teach citizens about their relationship to the government. Maltby (2017) reevaluated this argument by examining how criminal justice policy shapes the political orientations and participation of Black and lower SES individuals and White, often higher SES individuals. It was found that these policies send different messages to each group about the treatment they can expect from the government, leading the members of these groups to have opposite reactions to criminal justice enforcement (Maltby, 2017). Maltby (2017) did not identify whether this relationship went both ways, in terms of the perception held

by individuals employed by the CJS and lower SES, often Black or minority individuals. This finding is a significant limitation of literature.

Another limitation placed on the research concerning ethnicity and CJS is the difference between federal and state-level (Fosten, 2016). Individuals from lower SES groups are less likely than higher SES counterparts to seek help with civil legal problems related to the CJS, suggesting that on every level, lower SES individuals are more disenfranchised than their wealthier counterparts (Greene, 2015). However, Black individuals are more likely to be criminalized for being Black than for being poor (de Lima et al., 2019). Some studies have found that White lower SES individuals are more likely than Black to experience adverse CJS treatment. While inside, are more likely to be victimized by out-group biases due to their ethnicity and the prevalence of Black and Latino men in America's prisons (Kuntsman, Plant, & Deska, 2016).

Since the 1980s, the U.S. CJS has quadrupled the number of individuals incarcerated and, as a result, imprisons more people per capita than any other industrialized nation, with a majority of these individuals coming from similar socioeconomic status (Stewart et al., 2017). The dramatic surge in incarceration can, in part, be attributed to the four decades of punitive crime policies that have produced large racial and ethnic disparities. However, the exact nature of these rates and why minority individuals continue to be the most commonly found inside CJS institutions has not been studied in conjunction with sentencing differences related to class (Stewart et al., 2017). Parmar (2016) pointedly pointed out that race is central to understanding the CJS but results from this study may shed light on the importance of socioeconomic status.

Members of ethnic and racial minorities are more likely to come from lower SES families, neighborhood, upbringings, have been educated in poorly funded schools, and have little option to move away from their lower SES without criminal activity, so ethnicity may not be a confounding factor. Future research will need to concentrate on discerning the differences between SES and sentencing as it pertains to race.

What can be argued from this section of the discussion is that mass incarceration is the norm in the United States (Moore, 2017; Urbina & Alvarez, 2017). Whether or not age and gender are significant influencers on the prevalence of criminal activity are unknown (Godinet & Stotzer, 2017). However, mental health and ethnicity are highly prevalent within the research concerning involvement with the CJS. The following section discusses the literature identified pertaining to the CJS.

Criminal Justice System

SEI has often been studied in conjunction with the criminal justice system (Kurlchek & Johnson, 2019). According to researchers Kurlchek and Johnson (2019), research into social inequality in the areas of crime and punishment has a long and storied history in the United States. However, this research's overwhelming focus has been on the episodic disparity in isolated stages of criminal case processing without the discussion of social issues that further perpetuate criminal activity (Kurlchek & Johnson, 2019). Although theories of cumulative disadvantage exist in criminology, these studies are seldom adapted to account for treatment in the criminal justice system (Kurlchek & Johnson, 2019).

This has led researchers to develop the concept of cumulative disadvantages in the life course and review evidence on the development of cumulative disadvantages across the criminal justice system (Kurlchek & Johnson, 2019). In doing so, the researchers appraised the empirical research on policing, prosecution, and the courts and considered how these mostly separate bodies of scholarship are inherently connected (Kurlchek & Johnson, 2019). These findings suggest that there is limited crossover in the related fields of research to SES and SEI, which may be why there continues to be a gap in understanding these intersections.

Kurlchek and Johnson (2019) concluded their research with a call for future studies that focuses explicitly on how life-course disadvantages shape contact with the criminal justice system, and how these processes work to perpetuate patterns of disadvantage within the system and in subsequent life outcomes. This study seeks to fill this gap in the literature. A plethora of factors contribute to the ways in which SES individuals end up in the criminal justice system, but previous discussions have suggested that individuals with drug abuse disorders or who come from racial minority status are the most disadvantaged; these individuals are also more likely to come from lower SES status (Chong et al., 2017). These trends occur on an international level. In India, mental health rates are highest for those in the criminal justice system (Chong et al., 2017). In contrast, in New Zealand, lower SES couples are more likely to receive punitive punishments for white-collar crimes (Marriott, 2017). This has led some researchers to argue that there is a presumption of guilt placed upon minorities, lower SES individuals, or those suffering from a mental health disorder (Marriott, 2017).

These inequalities have been tracked through the criminal justice system as far back as the last century and before (Vickers, 2016). Vickers (2016) argued that such practices were purposefully developed by regional governments to deter lower SES individuals. It was assumed that individuals from lower SES groups are more likely to commit crimes that they should, therefore, receive more punishment to deter others like them from committing similar crimes (Vickers, 2016). As a result, lower SES individuals are relegated by the bias held by misled criminal justice systems and assumed to be criminals at a far higher rate than those from higher SES demographics (Shierenbeck, 2018). Shierenbeck (2018) argued that the abundant ignorance of justice led to lower SES individuals' penalization is best represented in how fines are imposed with absolutely no regard for individual income. An individual who makes a high six-figure salary will receive the same fine as an individual with no income at all, placing the burden of extended punishment on lower SES individuals (Shierenbeck, 2018).

For so long, these systems have been in place that most researchers assume that evolving them to a place of fairness would take at least one generation of fundamental policy shifts from the Federal level (Agozino, 2018). Many lower SES individuals embroiled with the CJS have been there since youth and know little more than the state's imposition of punishment (Rosenbaum, 2018). Such cycles of deprivation have been studied en masse and take over much of criminal justice literature in the United States (Rosenbaum, 2018).

More than a third of U.S. students are suspended in their K-12 educational career (Rosenbaum, 2018). Class discrimination in imprisonment is revealed in the predominant

numbers of individuals with low or marginal educational levels in prison and jail. (Rosenbaum, 2018). Other researchers have argued that the CJS is far more biased toward the geographic and neighborhood context of the individual's crime and SES (Auerhahn et al., 2017). Spatial inequality in the United States, however, is traditionally linked to racial inequality as Latinx, Black, and Caucasian individuals from lower SES groups rarely live in the same areas (Willis Esqueda et al., 2019). Despite this, minorities are still overrepresented in the CJS (Willis Esqueda et al., 2019).

Prior research suggests that minority individuals and Caucasian individuals have varied opinions and different experiences within the CJS. However, no studies shed specific light on the prevalence of SES without compounding these factors (Willis Esqueda et al., 2019). As such, racial inequality within criminal justice has taken the lead in policymakers' problems (Donnelly, 2017). This significant limitation of the literature leaches into understanding how the CJS impacts lower SES individuals in general, not by race (Donnelly, 2017).

Furthermore, the research into CJS has found consistent evidence to support the factor of labeling in the likelihood of lower SES individuals from committing crimes (Lee et al., 2017). Whether or not such labels significantly influence decision-making processes within the CJS are currently unknown, as there is a lack of paradigm-shifting study into these factors (Lee et al., 2017). Therefore, the purpose of this section of the literature review is to identify and discuss studies related to sentencing standards and the impact that these have on families and communities of lower SES individuals. It is hoped that some type of trend or pattern within the literature outside of racial inequality and

criminality during age as confounding factors in CJS research. Espinoza et al. (2015) conducted one study that sought to identify juror bias in sentencing.

The study sought to examine how ethnicity, immigration status, and SES contribute to juror bias. In order to complete this study, a total of 320 Euro-American venire individuals were assigned to one of eight criminal court trial transcriptions that varied these three factors (Espinoza et al., 2015). The study results indicated that lower SES undocumented Mexican defendants were found guilty far more often than any other racial group, were given far more severe sentences, and thought to be the most culpable of committing a severe crime (Espinoza et al., 2015). Despite the apparent nature of SES in this study, Espinoza et al. (2015) argued that subtle racial biases best explain juror decision-making processes within the U.S. CJS. However, somewhat ironically, Espinoza et al. (2015) study found that the prevalence of inequality was far more linked to SES. Despite this, they chose to conclude their study by arguing the racial inequality factor in juror decision-making, suggesting that researchers into this field are just as a bias toward racial inequality than the CJS.

Researchers often fail to realize that the only reason for the racial inequality experienced under the U.S. CJS is a result of the lower SES of minority individuals in the U.S. (Scott-Hayward & Fradella, 2019). Racial inequality is a secondary factor perpetuated through cycles of deprivation experienced by family-lines dating back to American history's slavery era (Scott-Hayward & Fradella, 2019). The following section continues with this discussion by looking at the literature specifically pertaining to sentencing standards.

Sentencing Standards

Sentencing reform in the United States started in roughly 1975 (Tonry, 2019). Disparities in sentencing occur worldwide and significantly influence the prevalence of inequality amongst racial groups and lower SES individuals (Dawson & Sutton, 2006). One study that sought to fill the literature gap about whether SES influences juror decision-making was completed by Freeman (2006). The research completed by Freeman (2006) investigated whether a defendant's SES, along with jurors' beliefs in a just world, affected punishment and blame decisions held by would-be jurors and individuals. They had been asked to be jurors in upcoming trials. Freeman (2006) methodology included responses from 273 participants who completed the Just World Scale. The participants were also asked to read a case study scenario, in which an aggravated murder was described in detail (Freeman, 2006).

Besides, participants were asked to render a verdict and answer questions concerning confidence, responsibility, and degree of guilt to expand on additional themes identified in the participant sample (Freeman, 2006). It was found that analyses partially supported the hypothesis that high believer in a just world was more likely to assign higher degrees of guilt and sentence to low SES defendants more severely than high SES or no SES information defendants (Freeman, 2006). Writing over a decade ago, the work conducted by Freeman (2006) is no longer scientifically relevant. Despite this, it sheds essential and significant light on the macro-unconscious and explicit biases held by the general population.

These biases likely have a macro-influence on the process of sentencing for individuals. It is crucial to establish whether the results identified by Freeman (2006) are still held today, as this should influence how mandatory minimums are established. If there is a macro-held negative perception of lower SES individuals, this factor should be taken into serious account by the United States CJS and their policies for sentencing. These court disparities have been identified across the world and are of serious consequence to lower SES communities, often relegating them to a mindset of criminality across multiple generations (Pina-Sanchez & Grech, 2017).

Variations in sentencing have been studied by Anderson and Spohn (2010). Differences in judges' sentencing processes are an essential factor related to all aspects of sentencing inequality (Anderson & Spohn, 2010). Therefore, reform efforts were developed, known as the federal sentencing guidelines (Anderson & Spohn, 2010). One of the primary and most important goals of the federal sentencing guideline development was to reduce inter-judge disparity in sentencing (Anderson & Spohn, 2010). In their paper, Anderson and Spohn (2010) tested the assumption that structuring discretion produced uniformity in federal sentencing and consistency in the process by which judges arrive at the appropriate sentence (Anderson & Spohn, 2010).

The authors also examined whether judges' background characteristics affected the sentences they impose on similarly situated offenders (Anderson & Spohn, 2010). To complete this, Anderson and Spohn (2010) used hierarchical linear modeling, nesting the offenders in the judges that sentenced them to examine the sentencing decisions of federal judges in three U.S. District Courts. While the study results found that significant

variation between judges in sentencing is mostly accounted for by level 1 characteristics, it also found that judges arrive at decisions regarding the appropriate sentence in different ways. Moreover, by attaching differential weights to several legally relevant case characteristics and legally irrelevant offender characteristics (Anderson & Spohn, 2010).

Again, the research conducted by Anderson and Spohn (2010) is dated, and therefore not scientifically relevant, but sheds light on the fact that past researchers have identified inequalities within the sentencing processes. Unfortunately, a majority of similar, recently published studies into sentencing structures either stem from international contexts but often discuss how criminal sentencing reform has worked (Frisch, 2017). Most of the nation-states investigated for criminal justice and sentencing reform conducted such reforms well into the previous centuries, often in the 20th or 19th century, suggesting that the United States should have conducted similar reforms at this point in their development as a world-leading nation (Frisch, 2017).

Sentencing is highly varied across the United States. A study conducted by Stringer and Holland (2016) aimed to alleviate some of the mixed findings throughout the literature on disparities in sentencing outcomes in the United States. The research focused on racial inequalities but was still significant and relates to this study (Stringer & Holland, 2016). The authors conducted their study by utilizing a propensity score matching and multilevel modeling to assess racial drug sentencing disparities in state courts from 2000–2012 in the United States (Stringer & Holland, 2016). The findings concretely identified the effect of race on sentencing varies significantly across each state, just like every other study into criminal justice reform in the United States (Stringer

& Holland, 2016). However, the research further aggregated factors that impact this relationship.

Specifically, although differential offending, minority population and arrests do not alleviate disparities, they are moderators that explain variance across states, which are not relevant to this course of study mainly but should be noted for analysis purposes (Stringer & Holland, 2016). The study found that aggregate socioeconomic factors such as poverty and education are also significant moderators that indicate the importance of structural disadvantage in sentencing outcomes, implying that lower SES is positively associated with harsher sentencing (Stringer & Holland, 2016). This is one of the few studies conducted that confirms the hypothesis that lower SES is as apparent in sentencing as racial inequality. Race, however, continues to dominate the discussion of sentencing inequality, other than for those researchers seeking to evolve policy (Hester & Hartman, 2017).

An example of a researcher seeking to evolve policy is Stamm (2016). Stamm (2016) argued that sentencing guidelines and mandatory minimums in the United States should be employed to reduce poverty discrimination in the CJS. Subsequently, indigent defendants get exposed to high discrimination levels at each phase of the CJS, grounded on their lower economic status (Stamm, 2016). Stamm's (2016) research was developed in conjunction with policies concerning the financial obligation of criminals within the justice system, and how these do not vary depending on the SES of an individual. Martin et al., (2017) further investigated this phenomenon by describing trends in the assessment

of criminal justice financial obligations (CJFO) placed on offenders and the "unintended" consequences.

There are at least five types of CJFOs identified by Martin et al. (2017): (a) fines, (b) forfeiture of property, (c) costs, (d) fees, and (e) restitution. According to Martin et al. (2017), "monetary sanctions were integral to systems of criminal justice, debt bondage, and racial domination in the American South for decades" (p.5). Although the use of CJFO once waned significantly in the first half of the 20th century, their use has proliferated on a national level since the 1980s (Martin et al., 2017). These proliferations have occurred as a result of statutes and policies at every jurisdictional level found in the United States CJS (Martin et al., 2017).

The proliferation of CJFOs since the start of the last century was likely due to a cultural shift toward retribution for criminal behavior and the commitment to holding accountable those who engage in it but has been called into question for the corrupt-nature that the CJS practices under (Martin et al., 2017). CJFOs are not only a burden to the individual offenders, whom this research has already established are more likely to be from a lower SES demographic, but also to those whose income-producing capabilities are typically low and further undermined by their involvement with the criminal justice system (Martin et al., 2017). Consequently, white-collar criminals (in their dealings with the CJS) are view as partakers of the privileged high-class society (Sutherland, 1949; as cited in Bystrova & Gottschalk, 2015). The latter involved themselves in criminal or illegal activities for the sole purpose of financial/monetary gain (Gottschalk, 2014; as cited in Bystrova & Gottschalk, 2015). The use of CJFOs also adds debt collection to law

enforcement responsibilities and increases the likelihood of incarceration by lower SES individuals (Martin et al., 2017). Overall, burdensome CJFOs undermine community corrections' efforts to assist offenders and ex-offenders in building independent and law-abiding lives and reduces the likelihood of successful rehabilitation into normal society (Martin et al., 2017).

However, the extent to which these systems can be changed has only really been studied in the context of racial inequality (Trainor, 2017), age and juvenile justice systems (Pelletier, 2019), and their accompanying biases (Lorvick et al., 2018). One of the few studies that only used socioeconomic status as the guiding factor in understanding sentencing decisions was completed by van Eijk (2017). The article published by van Eijk (2017) developed a sociological analysis and critique of socioeconomic factors that may or may not influence sentencing decision making. The researcher used factors such as education, employment, income, and housing in risk assessment tools that inform sentencing decisions.

Using a quantitative methodology, it was found that, in widely used risk assessment tools such as the Level of Service Inventory-Revised (LSI-R; Canada, US), the Correctional Offender Management Profiling for Alternative Sanctions (COMPAS; US), the Offender Assessment System (OASys; UK) and the Recidive Inschattings Schalen (RISc; the Netherlands), socioeconomic marginality contributes to a higher risk score, which increases the likelihood of a (longer) custodial sentence for underprivileged offenders compared to their more privileged counterparts (van Eijk, 2017). While this has been massively studied concerning gender and racial biases, as discussed throughout this

research paper, the problem of socioeconomic bias has received little attention (van Eijk, 2017). As a result, and given the already marginalized position of many justice-involved individuals and longstanding concerns about such disparities, and the adverse effects of imprisonment on socioeconomic opportunities, van Eijk (2017) argued that it is essential to evaluate the unintended social consequences of assessing socioeconomic marginality as a risk factor for lower SES individuals embroiled in the CJS.

Furthermore, van Eijk's (2017) study plays into other factors related to lower SES, such as homelessness, transience, and recent victimization, unmet need for physical health care, and mental health care (Lorvick et al., 2018). African American women are far more likely to fall victim to all the above over any other demographic group and remain the most understudied population about these trends (Link & Oser, 2018). Some studies have attempted to include the social context in studying sentencing decisions, but to date, this research's emphasis has focused on racial inequality or county context (Wang & Mears, 2015). Mitigating involvement in the CJS by these demographics has been studied. However, little has happened in terms of shifting the lived experience of lower SES or minorities in these counties, or anywhere (Caines et al., 2018). What has been identified is that almost everyone who gets involved in the CJS will have the pressure of this system applied to the rest of their life (Caines et al., 2018).

Research into the CJS sentencing structures is not varied enough to make any sweeping generalizations about the best course forward to evolve these negative trends (King, 2019). Most reform comes from public pressure (Hetey & Eberhardt, 2018), but scientific research must be informed. Without available data on these social trends' true

nature or a consistent methodology for discerning these trends in various geographic contexts of the United States, change cannot occur (Lowder et al., 2019). To conclude this discussion, research has identified lower SES as a risk factor in harsher sentencing standards. However, the true nature of sentencing standards clearly cannot be studied on a macro-level, and therefore must occur in minimal spatial contexts. This study hopes to fill the literature gap pertaining to these trends, potentially establishing a means of studying these trends in each spatial context of the United States. The following section continues with a discussion of how the CJS impacts families and communities, as they are key stakeholders in the cycles deprivation caused by this faulty, biased system (Lowder et al., 2019).

Impacts on Families and Communities

The most significant impact the CJS has on families and communities pertains to cyclical deprivation experienced by the mass incarceration of racial minorities and lower SES individuals, which has a long-term influence on the normalization of criminality and criminal behaviors (Wildeman & Wang, 2017). According to Wakefield et al., (2016), too many children in the United States grow up without one or more parents, either due to incarceration, the legal system post-incarceration, or drug abuse developed during incarceration. Besides, Wakefield et al. (2016) argued that criminal activity's normalization has led to the development and prevalence of gangs and drugs within lower SES communities and families, suggesting that families' and communities' impact is broad and likely varies from spatial context to context.

One study that sought to establish an exact impact of CJS on families and communities was conducted by Phelps and Pager (2016), who examined how mass incarceration shaped health inequality. The USA is the world leader in incarceration, which is why Phelps and Pager (2016) used the entire nation as a spatial context for this study. They also noted that the CJS disproportionately affects the black population, with nearly one in three black men experiencing incarcerations. Nearly half of black women currently have a family member or extended family member in prison. However, until recently, mass incarceration's public health implications were unclear, but of concern to medical communities treating those individuals harmed by the failing CJS (Phelps & Pager, 2016).

Most research into this particular aspect of human behavior and social patterns has focused on current and former inmates' health. Developing findings suggest that incarceration likely produces short-term physical health improvements during imprisonment but has profoundly harmful effects on physical and mental health after release (Phelps & Pager, 2016). These post-release concerns significantly impact those closest to the individual being released (Phelps & Pager, 2016). The emerging literature on the family and community effects of mass incarceration points to the particular negative health impacts on the female partners and children of incarcerated men and raises concerns that excessive incarceration could harm entire communities and thus might partly underlie health disparities both in the U.S. and between the U.S. and other developed countries (Phelps & Pager, 2016).

Whether it be for lower SES individuals or minority individuals altogether, research into interventions, policies, and practices are essential to reshaping the CJS, as these improvements could mitigate the harms of incarceration and how post incarceration influences the lived experience families and communities (Phelps & Pager, 2016). Indeed, reentry into society has been studied extensively within recently published literature, but little has been found to establish how this reentry truly impacts families and communities (Tyler & Brockman, 2017). However, socioeconomic inequality has been found to be prolific in the lived experience of families of recently released criminals in the United States CJS. The exact nature of this impact has often been discussed concerning cycles of deprivation, wherein the children of incarcerated adults will often fall into behavioral patterns that render the children incarcerated during adolescence or adulthood (Condry & Smith, 2018).

However, these impacts' exact nature continues to be studied about race and not lower SES (Haskins & Lee, 2016). Results from such studies have established that the most significant impact is on prisoner's loved one's abilities to emotionally cope with the loss of a partner due to the CJS, the physical impacts of dealing with the mental health issues of partners upon leaving the prison system, and the overall inability of recent parolees to contribute financially to their families, instead of continuing to be a financial burden (Comfort, 2016). This is a significant limitation of the existing literature. It is hoped that this study will fill the gap. The following summary concludes this chapter.

Summary

There is no significant homogeneity in the research concerning socioeconomic inequality and sentencing in the criminal justice system. Also, no studies were identified that used New York as the locale of research concerning demographics and involvement in the CJS. What can be argued from this review of relevant literature is that the factor of race and ethnicity continues to be prevalent and pertinent in the discussion of wealth inequality. Black and Latino men and women are more likely to come from lower SES neighborhoods, families, upbringings, and lifestyles, often perpetuating stigmas related to gang involvement and other criminal enterprises. These factors still need to be studied to ascertain whether stigmas associated with lower SES individuals, whether they are members of minority groups or not, are predictors of harsher sentencing by the CJS. The following chapter discusses the methodology chosen to investigate this phenomenon.

Chapter 3: Research Method

Introduction

The principal purpose of this quantitative correlational study was to investigate the sentencing equality within the CJS for individuals of lower SES when charged with first- or second-degree murder. This study would help narrow the literature gap, as there is a limited body of evidence-based research on SEI that addresses the disproportional impact that sentencing inequality creates. The following research questions and hypotheses guided this study:

RQ1: Are defendants identified with low SES sentenced differently for first-degree or second-degree murder crimes than individuals of middle/high SES in Manhattan, New York?

$H_0$1: No difference exists in sentencing between individuals of low SES and individuals of middle/high SES among first-degree and second-degree murder crimes in Manhattan, New York.

H_a1: A difference does exist in sentencing between individuals of low SES and individuals of middle/high SES among first-degree and second-degree murder crimes in Manhattan, New York.

RQ2: Is there are a connection between a defendant's SES and the length of sentencing among first-degree and second-degree murder crimes in Manhattan, New York?

$H_0$2: No connection exists between a defendant's SES and the length of sentencing among first-degree and second-degree murder crimes in Manhattan, New York.

H_a2: A connection does exist between a defendant's SES and the length of sentencing among first-degree and second-degree murder crimes in Manhattan, New York.

Chapter 3 contains an overview of the methodology used for this study. This overview will include the study design, population, sampling method, sample size, instrumentation, and data analysis methods. Threats to validity, ethical considerations, and study limitations are also described.

Research Design and Rationale

In this study, I employed a nonexperimental quantitative study with a correlational design to determine if there is a relationship between the independent variables SES status and type of murder (first or second degree) and the dependent variables sentencing (guilty or not guilty) and length of sentencing. In a quantitative research methodology, a researcher uses numerical data that allows for statistical analyses, helps reduce bias, and is based on an objectivity paradigm (Bowers, 2017). Quantitative research measures include statistical, mathematical, or numerical analyses of data collected through questionnaires or manipulating preexisting statistical data using computational techniques. A qualitative approach was not appropriate in this research because I was not focused on exploring a phenomenon or establishing a theory, model, or definition (Allwood, 2012).

A nonexperimental quantitative methodology with a correlational design was most appropriate for this research. First, the study involved numerical data being analyzed to test hypotheses (McCusker & Gunaydin, 2015). Second, the choice of a nonexperimental quantitative method with a correlational design ensures research objectivity as a researcher is separated from the research participants (McCusker & Gunaydin, 2015). Third, there was no manipulation of independent variables; thus, this study involved a nonexperimental quantitative method with a correlational design (McCusker & Gunaydin, 2015). Additionally, a nonexperimental quantitative method with a correlational design was the correct design for this study because the objective was to identify and evaluate the relationship between the dependent variables, sentencing and length of sentencing, and the independent variables, SES status and type of murder (first or second degree).

Due to the nature of the research questions posed, both binary logistic regression and linear regression were the best for data analysis. RQ1 was addressed using binary logistic regression. Binary logistic regression analysis is used to predict a dichotomous dependent variable, sentencing (guilty or not guilty) in this case, based on independent variables, SES status, and type of murder (Mertler & Vannata, 2013). Additionally, binary logistic regression analysis also determines the overall fit and the relative contribution of each of the predictors to the total variance explained (Mertler & Vannatta, 2013). The second research question was answered by conducting multiple linear regression. Multiple linear regression assesses the linear relationship between a continuous dependent variable—in this case, length of sentencing—and multiple

independent variables: SES status and type of murder (Field, 2013). More specifically, multiple regression enables researchers to (a) determine whether the linear regression between the variables is statistically significant, (b) determine how much of the variation in the dependent variable is explained by the independent variables, (c) understand the direction and magnitude of any relationship, and (d) predict values of the dependent variables based on different values of the independent variables (Field, 2013).

Methodology

Population

This study's target population was adults arrested for murder in Manhattan, New York. In 2017, according to the Federal Bureau of Investigation (2020) website, there were 264 arrests for murder in New York state. Table 1 depicts the number of murders from 2000 to 2014 in New York state (Bureau of Justice Statistics, 2020).

Table 1

Number of Murder and Population from 2000 to 2014

Year	Population	Murders
2000	18,976,457	952
2001	19,084,350	960
2002	19,134,293	909
2003	19,212,425	934
2004	19,280,727	889
2005	19,315,721	874
2006	19,306,183	922
2007	19,297,729	805
2008	19,490,297	836
2009	19,541,453	781
2010	19,395,206	868

2011	19,501,616	769
2012	19,576,125	683
2013	19,695,680	644
2014	19,746,227	617

Sampling and Sampling Procedures

A suitable sample of court cases were sampled from Manhattan court records, which depict the verdicts of those arrested for first- or second-degree murder. The data set also included information on the defendant's SES status (high or low) as well as the length of sentencing. Other data sources for this study were collected from reviews of the literature and information obtained from government and public databases.

A priori power analysis was conducted using G*Power to determine the required minimum sample size for the study. Four factors were considered in the power analysis: (a) significance level, (b) effect size, (c) the power of the test, and (d) statistical technique. The significance level, also known as Type I error, refers to the chance of rejecting a null hypothesis given that it is true (Haas, 2012). Most quantitative studies use a 95% confidence level because it adequately provides enough statistical evidence of a test (Creswell & Poth, 2017). The effect size refers to the estimated measurement of the relationship between the variables being considered (Cohen, 1988). Cohen (1988) categorized effect size into small, medium, and large. Berger et al. (2013) purported that a medium effect size is better because it strikes a balance between being too strict (small) and too lenient (large). The test's power refers to the probability of correctly rejecting a null hypothesis (Sullivan & Feinn, 2012). In most quantitative studies, 80% of power is

usually used (Sullivan & Feinn, 2012). The statistical tests used for this study were multiple regression and binary logistic regression. To conduct multiple regression to detect a medium effect size at the 5% level of significance with 80% power, a minimum sample of at least 68 cases were required. Figure 1 depicts this information.

Figure 1

G Power Output of Minimum Sample Size for Multiple Linear Regression*

F tests - Linear multiple regression: Fixed model, R^2 deviation from zero		
Analysis:	A priori: Compute required sample size	
Input:	Effect size f^2	= 0.15
	α err prob	= 0.05
	Power (1-β err prob)	= .80
	Number of predictors	= 2
Output:	Noncentrality parameter λ	= 10.2000000
	Critical F	= 3.1381419
	Numerator df	= 2
	Denominator df	= 65
	Total sample size	= 68
	Actual power	= 0.8044183

The calculation of a minimum sample size for logistic regression requires previous knowledge such as the expected odds ratio (effect size), a proportion of observations in either group of the dependent variable, and each independent variable's distribution. If these are unknown, it is best to use an estimate to determine the appropriate sample size. Hosmer et al., (2013) suggested that a minimum sample of 10 observations per independent variable in the model can be used but cautioned that researchers should seek 20 observations per variable if possible. LeBlanc and Fitzgerald (2000) differed, suggesting a minimum of 30 observations per independent variable, using the calculation suggested by Leblanc and Fitzgerald, a calculation for a minimum

sample size as 30 x the number of total independent variables calculated as 30 x 2 = 60 participants.

In order to accommodate both minimum sample sizes for multiple regression and binary logistic regression, a minimum sample size of at least 68 cases would be aimed for. If the minimum sample size is not reached, the non-parametric bootstrap will be employed. The bootstrap provides an opportunity to use statistics to draw a conclusion about a population from a small sample (Mooney & Duval, 1993).

Procedures for Data Collection

As mentioned previously, publicly available data sets will be used to collect data on Manhattan court records, which depict the verdicts of those arrested for first- or second-degree murder. The data set will also include information on the defendant's SES status (high or low) as well as the length of sentencing. No special permissions are required to access this data, as they are provided to the public at no cost from websites such as The New York State Law Reporting Bureau, Westlaw, and Lexis.

The New York Official Reports constitute the official and permanent record of the New York State Unified Court System's decisions and proceedings. By statute Civil Practice Law and Rules (CPLR) 5529 (e)—attorneys are required to cite all New York court decisions from the Official Reports in briefs, memoranda, and papers submitted to the New York courts.

Instrumentation and Operationalization of Constructs

The data collected for this study would be obtained from official court records from The New York State Law Reporting Bureau, Westlaw, and Lexis. The assumption

that the data are reliable and accurate is valid since attorneys are required by law to record all New York court decisions, as dictated by statute CPLR 5529 (e) previously mentioned. The data will contain information on the independent variables SES status of the individual and type of murder (first or second degree), as well as the dependent variables sentencing (guilty or not guilty) and length of sentence.

Operationalization

The independent variables and dependent variables would be operationalized in the following way:

Independent variables.

Socioeconomic Status (SES). This is a dichotomous categorical variable measured at the nominal level of measurement. It would be coded as (0) for low SES (APA, 2020) and (1) for middle/high SES.

Type of Murder. This is a dichotomous categorical variable measured at the nominal level of measurement. It would be coded as (0) for first degree and (1) for second-degree murder.

Dependent variables.

Verdict. This is a dichotomous categorical variable measured at the nominal level of measurement. It would be coded as (0) for not guilty and (1) for guilty.

Length of Sentencing. This is a continuous variable that would be measured at the interval level of measurement.

Data Analysis Plan

Data would be cleaned by examining the data set for missing data (Field, 2013). If a value is missing, the entire case will be removed from the analysis and not used for the study. Frequency and percentage summaries will be used to measure categorical variables. In contrast, measures of central tendencies of means, standard deviations, and minimum and maximum values will be conducted for continuous variables.

As mentioned earlier, both binary logistic regression and multiple linear regression will be employed. Statistical Package for the Social Sciences (SPSS) version 25 will be used to conduct the analysis. Binary logistic regression will be conducted in order to address the first research question and corresponding null and alternative hypothesis.

RQ1: Are defendants identified with low SES sentenced differently for first-degree or second-degree murder crimes than individuals of middle/high SES in Manhattan, New York?

Binary logistic regression analysis was used to predict a dichotomous dependent variable based on independent variables (Hosmer, 2013). Certain assumptions of parametric statistical tests must be met before analysis; therefore, parametric assumptions of binary logistic regression will be conducted. The logistic regression assumptions include linearity between the continuous independent variables and the logit transformation of the dependent variable, absence of multicollinearity, and absence of significant outliers. Linearity will be tested using the Box-Tidwell procedure. Multicollinearity would be tested by calculating variance inflation factors (VIF), and any

VIF over nine (9) will be considered evidence of multicollinearity. Standardized residuals will be calculated to test for outliers. Any residual over 3.0 will be considered an outlier.

Multiple regression would be conducted in order to answer the second research question and corresponding null and alternative hypothesis.

RQ2: Is there are a connection between a defendant's SES and the length of sentencing among first-degree and second-degree murder crimes in Manhattan, New York?

Multiple regression analysis allows researchers to enter the predictor variables into the regression equation in order of their choosing, which allows researchers to control the effects of possible covariates on the results (Field, 2013). Prior to conducting multiple regression, the parametric assumptions will be first tested.

Parametric assumptions are statistical tests conducted to determine when normality or homogeneity of variance assumptions are met or satisfied (Mertler & Vannatta, 2013). Mertler and Vannatta (2013) stated that multiple regression analysis includes linearity, normality, homoscedasticity, and multicollinearity (Mertler & Vannatta, 2013). Plots of the standardized residuals and the standardized predicted values will be examined to assess linearity and homoscedasticity. If the plots are not curvilinear, there are no violations of the assumption of linearity (Field, 2013; Tabachnick & Fidell, 2012). Additionally, if the plots form a rectangular pattern, there is no violation of the homoscedasticity assumption (Field, 2013; Tabachnick & Fidell, 2012). A Shapiro-Wilk test of normality would be used to determine if the data are normally distributed (Field, 2013; Tabachnick & Fidell, 2012). Kurtosis and skewness statistics will be generated to

assess normality further. Finally, the variable inflation factor (VIF) will be calculated for each variable to determine if there is a violation of multicollinearity between any two variables (Mertler & Vannatta, 2013). If the VIF scores fall below 10, there is no violation of the multicollinearity assumption (Field, 2013; Tabachnick & Fidell, 2012). Outlier detection will be assessed through visual inspection of the boxplots.

Threats to Validity

Validity consists of two types: external and internal validity. External validity refers to the degree to which the study results can be generalized to the population. Studies utilizing convenience sampling present challenges to external validity (Etikan, 2016). Studies that involve purposive samples may have issues with the generalizability of the study findings to broader populations of interest (Etikan, 2016).

Internal validity refers to the validity of the findings within the research study. Testing hypotheses can involve threats to the validity of interpretation for quantitative researchers. Quantitative research may involve rejecting null hypotheses or failing to reject null hypotheses (Martin & Bridgmon, 2012). Consequently, threats to conclusive findings occur when quantitative researchers encounter a Type I error, which involves rejecting a valid null hypothesis (Ibrahim, Ghani, & Embat, 2015). In the application to avoid any threat to the internal validity, it will be prudent to reevaluate the sample that is either well above or well below the hypothesized mean, since, by selecting such a sample, we would end up rejecting the null when we should not, therefore, causing a Type I error. Even so, it is the change ones take when running sampling or testing hypotheses.

Ethical Procedures

Ethical considerations are an integral part of all research. The Belmont Report (U.S. Department of Health and Human Services, 1979) describes the ethical considerations researchers must address. Researchers must protect vulnerable participants and adhere to respect for persons, autonomy, justice, and beneficence.

The data set will not require site authorization as it is deemed "public-use" data access can be reviewed on the public websites. The "public-use" data has individually identifiable information that has been redacted or coded to protect the respondents' confidentiality. There are no potential ethical concerns during the data collection, considering the lack of personal identifiers and usage of archival data sets with "public-use" data.

An Institutional Review Board (IRB) application was submitted to conduct this study. Because the data being utilized is archival and publicly available, there would be no interaction with the study participants. In a great effort to protect the data, it would be stored on a password protected device and will be permanently deleted from the hard drive after 3 years.

Summary

This quantitative correlational study uses a convenience sample of court cases from Manhattan, NY courts, to investigate the conflicting sentencing inequality of lower (SES) individuals that occurs within the CJS charged with first or second-degree murder. The following research questions and hypotheses will be addressed in this study utilizing both logistic regression and multiple regression:

RQ1: RQ1: Are defendants identified with low SES sentenced differently for first-degree or second-degree murder crimes than individuals of middle/high SES in Manhattan, New York?

RQ2: Is there are a connection between a defendant's SES and the length of sentencing among first-degree and second-degree murder crimes in Manhattan, New York?

Chapter 3 presented the research design and methodology. The chapter included the study's purpose, the research questions and hypotheses, the research design, the target population and sample, the procedures, the instruments, and ethical considerations. Chapter 4 offers data collection and analysis results, the study's background, description of the sample, hypothesis testing, and a summary. Included in Chapter 5 is a summary of the results, discussion of the results, conclusions based on the results, limitations, and implications for practice, recommendations for future research, and a conclusion.

Chapter 4: Results

Introduction

This quantitative nonexperimental correlational study's primary purpose was to examine or investigate the conflicting sentencing inequality that individuals of lower SES face within the CJS when charged with first- or second-degree murder. The following research questions and hypotheses were addressed:

RQ1: Are defendants identified with low SES sentenced differently for first-degree or second-degree murder crimes than individuals of middle/high SES in Manhattan, New York?

$H_0$1: No difference exists in sentencing between individuals of low SES and individuals of middle/high SES among first-degree and second-degree murder crimes in Manhattan, New York.

H_a1: A difference does exist in sentencing between individuals of low SES and individuals of middle/high SES among first-degree and second-degree murder crimes in Manhattan, New York.

RQ2: Is there are a connection between a defendant's SES and the length of sentencing among first-degree and second-degree murder crimes in Manhattan, New York?

$H_0$2: No connection exists between a defendant's SES and the length of sentencing among first-degree and second-degree murder crimes in Manhattan, New York.

H_a2: A connection does exist between a defendant's SES and the length of sentencing among first-degree and second-degree murder crimes in Manhattan, New York.

In this chapter is a discussion of the background of the data collection process and a description of the study's population and sample. Demographic descriptions include descriptive statistics of minimum, maximum, mean, and standard deviation for variables measured at the interval level of measurement. Also presented are the testing of parametric assumptions for the statistical analysis and results of hypothesis testing. This chapter concludes with a discussion of the results of this study.

Data Collection

As described in Chapter 3, publicly available data sets were used to collect data on Manhattan court records that depicted the verdicts of those arrested for first- or second-degree murder. The data set also included information on defendants' SES status (high or low) and length of sentencing. No special permissions were required to access these data, as they were provided to the public at no cost from websites such as The New York State Law Reporting Bureau, Westlaw, NYCourts.com, and NY state criminal justice. The New York Official Reports constitute the official and permanent record of the decisions and proceedings of the New York State Unified Court System. By statute Civil Practice Law and Rules (CPLR) 5529 (e), attorneys are required to cite all New York court decisions from the Official Reports in briefs, memoranda, and papers submitted to the New York courts.

The data set collected had 107 cases that included information on the independent variables' SES (indigent/nonindigent) of the individual and type of murder (first or second degree), as well as the dependent variables sentencing (guilty or not guilty) and length of sentence. The sample consisted primarily of male defendants, 105 (98.1%). Most charges were of second-degree murder, 87 (81.3%), while few were first-degree murder, 9 (8.4%). Of the 107 cases, 100 (93.5%) individuals were found guilty and 7 (6.5%) were found not guilty. Regarding SES, 74 (69.2%) were deemed indigent and 6 (5.6%) not indigent. There were 27 (25.2%) missing entries for SES. Length of sentencing (in years to life) ranged from 6 to 100 years to life (M = 40.16, SD = 28.34). Tables 2 through 6 depict this information.

Table 2

Sex

	Frequency	Percent
Male	105	98.1
Female	2	1.9
Total	107	100.0

Table 3

Murder Charge

	Frequency	Percent
First degree	9	8.4
Second degree	87	81.3
Both first and second	11	10.3
Total	107	100.0

Table 4

Verdict

	Frequency	Percent
Not guilty	7	6.5
Guilty	100	93.5
Total	107	100.0

Table 5

Indigent

	Frequency	Percent
No	6	5.6
Yes	74	69.2
Total	80	74.8
Missing	27	25.2
Total	107	100.0

Table 6

Length of Sentence

	*N**	Min.	Max.	*M*	*SD*
Length of sentence	106	6.00	100.00	40.16	28.34

Note. * One case had a life sentence with no specific number of years.

Relationships to SES

The associations between SES, murder charge, and verdict were assessed by conducting chi-square tests of association and by calculating Cramer's V correlation. Chi-square tests of association are used to determine significant associations between two nominal variables. Cramer's V is a measure that provides an estimate of the strength of the association between two variables. Cramer's V ranges in value from 0 to +1 with a

value of 0 indicating no association to a value of 1 indicating complete association. Additionally, to assess the relationship between SES and length of sentencing, point-biserial correlation was conducted. The point-biserial correlation coefficient is a correlation measure of the strength of association between a continuous-level variable (ratio or interval data) and a binary variable.

The results of chi-square tests of association revealed a significant association between SES and murder charge, $\chi 2(2) = 6.618$, $p = .037$. Additionally, the relationship was considered medium with Craver's $V = .288$. There were more first- and second-degree murder charges of indigents compared with nonindigents as depicted in Figure 2. Tables 7 and 8 provide the results of the chi-square test.

Table 7

Chi-Square Tests

	$\chi 2$	*df*	*p*
Pearson chi-square	6.618[a]	2	.037
N	80		

a. 3 cells (50.0%) have expected count less than 5. The minimum expected count is .45.

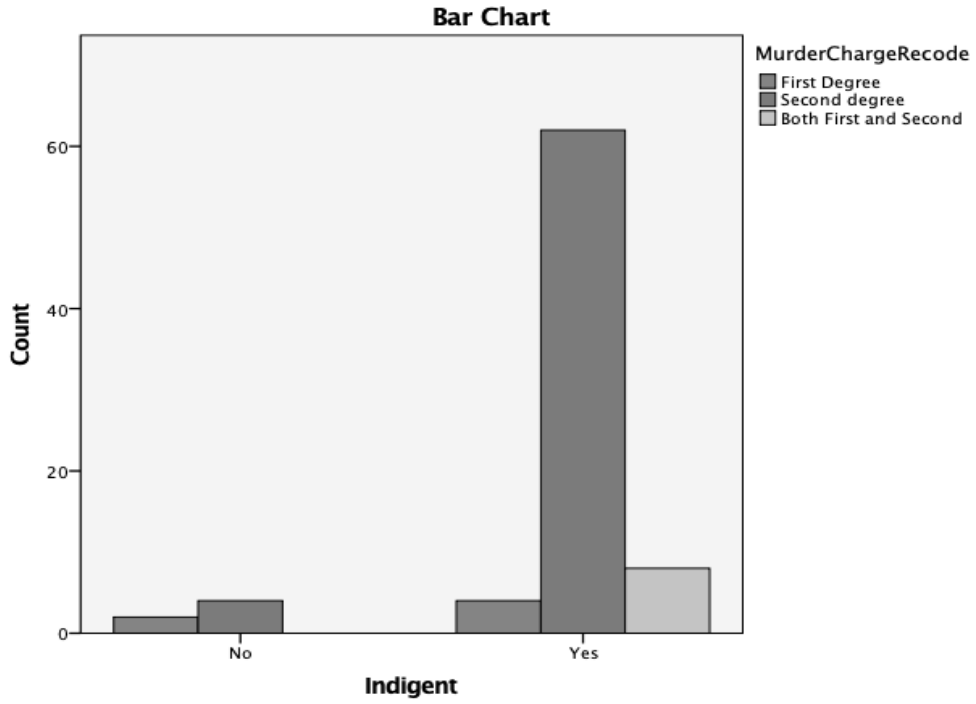
Table 8

Symmetrical Measures[i]

	Value	*p*
Cramer's V	.288	.037
N	80	

Figure 2

Murder Charge by SES



The results of the chi-square test of association revealed that there was no significant association between SES and verdict, $\chi 2(1) = .526$, $p = .468$. Additionally, the relationship was considered small with Craver's $V = .081$. There were more guilty verdicts of indigents compared with nonindigent persons as depicted in Figure 3. Tables 9 and 10 provide the results of the chi-square test.

Table 9

Chi-Square Tests

	$\chi 2$	*df*	*p*
Pearson chi-square	.526[a]	1	.468
N	80		

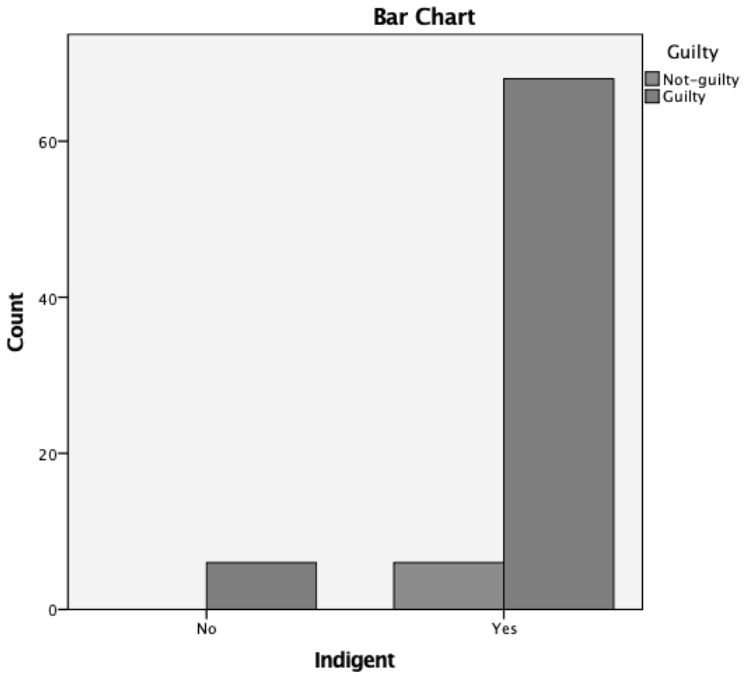
Table 10

Symmetric Measures

	Value	*p*
Cramer's V	.081	.468
N	80	

Figure 3

Verdict by SES



In order to assess the relationship between SES and length of sentencing, point-biserial correlation was conducted. The relationship was not found to be significant (r_{pb} = -.115, p = .314). Table 11 provides this information.

Table 11

Point-Biserial Correlations Between Indigence and Length of Sentence

		Indigent	Length of sentence
Indigent	r_{pb}	1	-.115
	p		.314
	N	80	79
Length of sentence	r_{pb}	-.115	1
	p	.314	
	N	79	106

In the next section are the results of hypothesis testing performed to address the research questions. The assumptions of the statistical analysis are tested and presented in the next section as well. These assumptions pertain to binary logistic regression and multiple research regression.

Data Results

Binary logistic regression was conducted in order to address this first research question and corresponding hypotheses:

RQ1: Are defendants identified with low SES sentenced differently for first-degree or second-degree murder crimes than individuals of middle/high SES in Manhattan, New York?

$H_0$1: No difference exists in sentencing between individuals of low SES and individuals of middle/high SES among first-degree and second-degree murder crimes in Manhattan, New York.

H_a1: A difference does exist in sentencing between individuals of low SES and individuals of middle/high SES among first-degree and second-degree murder crimes in Manhattan, New York.

There was one standardized residual with a value of 3.52 standard deviations, which was kept in the analysis. Additionally, there was no multicollinearity as assessed by variance inflation factors less than 10. The logistic regression model was not statistically significant, $\chi 2(3) = 3.197$, $p = .362$. The model explained 9.5% (Nagelkerke *R2*) of the variance in verdict. However, bootstrapping was employed in order to determine a bootstrap estimate and significance for the coefficients. The results of the bootstrap indicated that, compared to indigents, non-indigent people had a lower risk of being found guilty (*B* = -18.444, *p* = .001, 95% *CI* [-19.393, -16.398]. Also, second degree murder chargers have less chance of having a guilty verdict compared to first degree murder (*B* = -18.969, *p* = .001, 95% *CI* [-19.690, -17.785]. Tables 12 through 14 postulates this information.

Table 12

Omnibus Tests of Model Coefficients

Chi-square	*df*	*p*
3.197	3	.362

Table 13

Model Summary

Cox & Snell R Square	Nagelkerke R Square
.039	.095

Table 14

Bootstrap for Variables in the Equation

		Bootstrap[a]				
	B	Bias	*SE*	*p*	95% Confidence Interval	
					Lower	Upper
First degree	-.525	-.279[b]	2.120[b]	.146[b]	-1.924[b]	.000[b]
Second degree	-18.969	.079[b]	.489[b]	.001[b]	-19.690[b]	-17.785[b]
Indigent	-18.444	.417[b]	2.388[b]	.001[b]	-19.393[b]	-16.398[b]
Constant	39.647	-.417[b]	2.388[b]	.001[b]	37.601[b]	40.596[b]

a. Unless otherwise noted, bootstrap results are based on 1000 bootstrap samples
b. Based on 996 samples

Multiple regression was conducted in order to address this second research question and corresponding hypotheses:

RQ2: Is there are a connection between a defendant's SES and the length of sentencing among first-degree and second-degree murder crimes in Manhattan, New York?

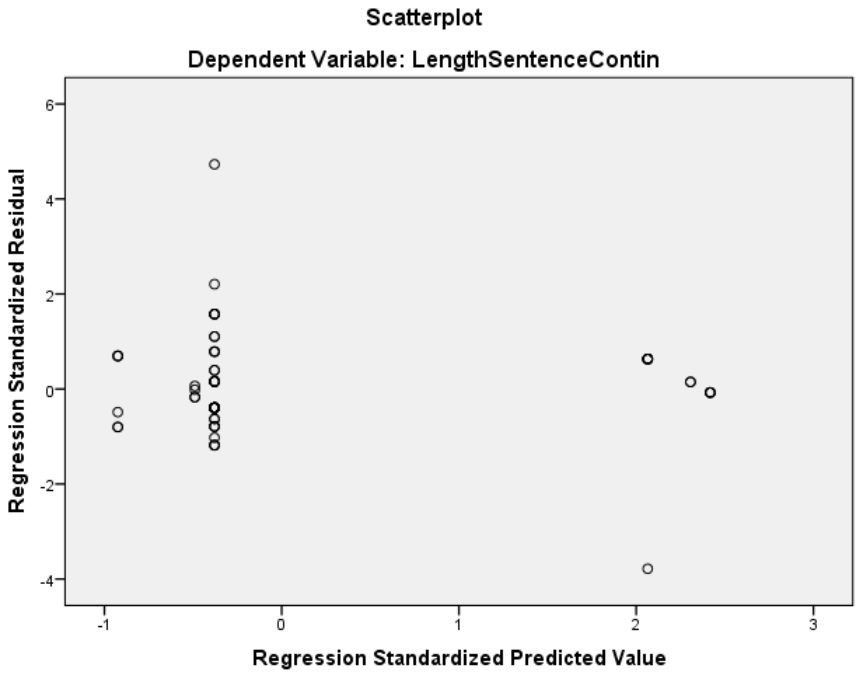
$H_0$2: No connection exists between a defendant's SES and the length of sentencing among first-degree and second-degree murder crimes in Manhattan, New York.

H_a2: A connection does exist between a defendant's SES and the length of sentencing among first-degree and second-degree murder crimes in Manhattan, New York.

There was homoscedasticity, as assessed by visual inspection of a plot of standardized residuals versus standardized predicted values.

Figure 4

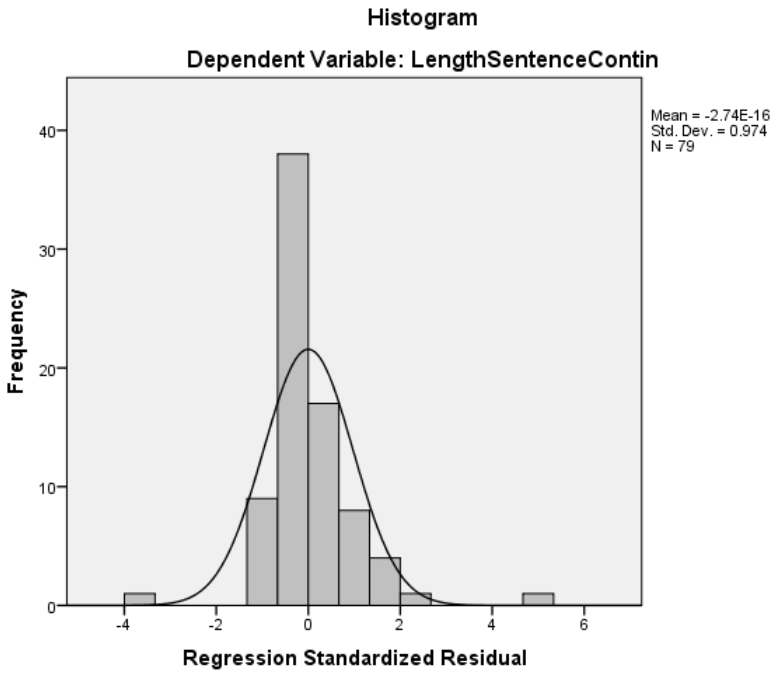
Scatterplot of Standardized Residuals Versus Standardized Predicted Values



There was no evidence of multicollinearity, as assessed by VIFs less than 10. There were no studentized deleted residuals greater than ±3 standard deviations, no leverage values greater than 0.2, and values for Cook's distance above 1. The assumption of normality was met, as assessed by visual inspection of a histogram of residuals (Figure 4).

Figure 5

Histogram of Standardized Residuals



The multiple regression model statistically significantly predicted length of sentence, F (4, 78) = 77.959, p < .001, adj. $R2$ = .80. Verdict (B = 13.838, p = .002, 95% CI [5.177, 22.356]), and first-degree murder (B = 8.939, p = .001, 95% CI [-72.444, -43.507]) were significant predictors of length of sentence. Being found guilty increases on average the length of sentence by 13.83 years. Second degree murder decreases the length of the sentence (compared to first degree) by 61.99 years. Being indigent was not found to be significant (B = 2.816, p = .081, 95% CI [0, 6.520]. However, being indigent is associated with longer length of sentence, albeit, non-significant. Tables 15, 16, and 17 specify this information below.

Table 15

Model Summary[b]

R	R Square	Adjusted R Square	Std. Error of the Estimate
.899[a]	.808	.798	12.68

a. Predictors: (Constant), Guilty, First degree, Indigent, Second Degree
b. Dependent Variable: Length Sentence

Table 16

ANOVA[a]

	Sum of Squares	df	Mean Square	*F*	*p*
Regression	50186.963	4	12546.741	77.959	.000[b]
Residual	11909.645	74	160.941		
Total	62096.608	78			

a. Dependent Variable: Length Sentence
b. Predictors: (Constant), Guilty, First degree, Indigent, Second Degree

Table 17

Bootstrap for Coefficients

		Bootstrap[a]				
	B	Bias	*SE*	*p*	95% Confidence Interval	
					Lower	Upper
(Constant)	75.346	.076[b]	9.133[b]	.001[b]	55.744[b]	90.704[b]
Indigent	2.816	.002[b]	1.564[b]	.081[b]	0	6.520[b]
First degree	8.939	-.153[b]	7.810[b]	.263[b]	0	28.028[b]
Second Degree	-61.996	-.204[b]	7.865[b]	.001[b]	-72.444[b]	-43.507[b]
Guilty	13.838	.083[b]	4.269[b]	.002[b]	5.177[b]	22.356[b]

a. Unless otherwise noted, bootstrap results are based on 1000 bootstrap samples
b. Based on 994 samples

Summary

The purpose of this of this quantitative correlational study was to investigate the conflicting sentencing inequality that individuals of lower socioeconomic status (SES)

face (within the CJS) when charged with first or second-degree murder. Binary logistic regression and multiple regression were conducted to address the two research questions:

RQ1: Are defendants identified with low SES sentenced differently for first-degree or second-degree murder crimes than individuals of middle/high SES in Manhattan, New York?

RQ2: Is there are a connection between a defendant's SES and the length of sentencing among first-degree and second-degree murder crimes in Manhattan, New York?

Results of binary logistic regression conducted utilizing bootstrapping in order to address the first research question revealed that compared to indigents, non-indigent individuals had a lower risk of being found guilty. Also, an individual charged with second - degree murder has less chance of being found guilty when compared to first - degree murder. A multiple regression test with bootstrapping was conducted in order to address the second research question. It revealed that verdict and first-degree murder were significant predictors of length of sentence. By being found guilty of first–degree murder increases, on average, the length of sentence. Therefore, being found guilty of second-degree murder decreases the sentence (compared to first degree). Hence, being indigent was found to be of no significance. However, being indigent is associated with a longer length of sentence, albeit non-significant.

What follows in Chapter 5 is a discussion as to how the results of this study are interpreted in the context of the theoretical framework. Any limitations of the results of

the study will also be assessed and provided. Additionally, recommendations for future research will be discussed.

Chapter 5: Discussion, Conclusions, and Recommendations

Introduction

The purpose of this quantitative correlational study was to investigate the sentencing of individuals of lower SES within the CJS when charged with first- or second-degree murder. In this study, I analyzed secondary data obtained from Westlaw.com, The New York State Law Reporting Bureau, NYCourts.gov, FBI Crime Publication, Federal Bureau of Justice, and NY State Criminal Justice. The data used for the study were obtained from 2015 to 2019 fiscal years and comprised of individuals 18 years or older (unceremoniously of gender) accused of committing first- or second-degree murder in the New York City borough of Manhattan. The following research questions and hypotheses guided the research:

RQ1: Are defendants identified with low SES sentenced differently for first-degree or second-degree murder crimes than individuals of middle/high SES in Manhattan, New York?

$H_0$1: No difference exists in sentencing between individuals of low SES and individuals of middle/high SES among first-degree and second-degree murder crimes in Manhattan, New York.

H_a1: A difference does exist in sentencing between individuals of low SES and individuals of middle/high SES among first-degree and second-degree murder crimes in Manhattan, New York.

RQ2: Is there are a connection between a defendant's SES and the length of sentencing among first-degree and second-degree murder crimes in Manhattan, New York?

$H_0$2: No connection exists between a defendant's SES and the length of sentencing among first-degree and second-degree murder crimes in Manhattan, New York.

H_a2: A connection does exist between a defendant's SES and the length of sentencing among first-degree and second-degree murder crimes in Manhattan, New York.

I conducted binary logistic regression analysis by bootstrapping to address the first research question, which indicated that nonindigent individuals had lower chances of being found guilty than indigents. Furthermore, the findings indicated that second-degree murder charges have higher chances of receiving a guilty verdict than first-degree murder charges do. The multiple regression with bootstrapping indicated that first-degree murder and verdict were significant determinants of sentence length. Individuals charged with second-degree murder faced a shorter sentence compared to individuals charged with first-degree murder, irrespective of indigency.

Interpretation of Findings

The connections between SES, verdict, and murder charge were evident through chi-square tests and evaluation of Cramer's V correlation. Findings from chi-square tests pointed out a significant connection between SES and murder charges. Grounded in social conflict theory, researchers have linked low SES individuals with lower SES

households, implying that SES is a significant factor influencing individuals' criminal activity (Aaltonen et al., 2016; Kirchner, 2017). Freeman (2006) further indicated that the CJS was more likely to assign higher degrees of guilt and a sentence to defendants of low SES compared to those of high SES or no SES information. Hence, existing literature supports that there are more guilty verdicts of indigents than nonindigent persons (Kirchner, 2017).

I also performed hypothesis testing to address the research questions of the study. The bootstrap findings showed that nonindigent individuals had a lower risk of being found guilty than indigent individuals. Being nonindigent when dealings with the CJS somewhat assures a different type of treatment as compared to the treatment that indigents have to endure within the CJS when charging with murder; More so, second-degree murder charges have a lower chance of attaining a guilty verdict concerning first-degree murder. These results support Dennison and Demuth (2017) previous findings regarding biases that exist within the system that affect impoverished individuals. However, Burch (2015) indicated that social standing does not influence judges and juries in the act of sentencing. Burch further pointed out that considerable evidence indicates that researchers seeking to identify the role played by SES in sentencing are inherently biased, offering individuals an opportunity to respond in the fairest possible ways, mitigating the identification of unconscious biases.

The multiple regression analysis I conducted to address the second research question pointed out statistically significant predictors of sentence length as verdict and first-degree murder. The study results showed that when one is found guilty of first-

degree murder, the length of sentence increases by an average of about 13.83 years. However, being found guilty of second-degree murder decreases the sentence's length by an average of 61.99 years. The findings also showed that being indigent was associated with longer lengths of sentence. The study identified verdict and first-degree murder as crucial predictors of length of sentence; however, past studies have identified racial inequality as a confounding factor in various experiences within the CJS.

This finding extends social conflict theory by pointing out SES's statistical significance in rendering judgment within the CJS. The theory played a significant role in this research in addressing the existing literature gaps and has guided this study in pointing out the inequality between the sentencing of indigent and nonindigent defenders of first- and second-degree murder. Consequently, further research is needed to extend the current study's scope to include other aspects—such as mental health, age, class inequality, gender, and other confounding factors to deter the length of sentence.

The findings of this study indicate that indigent defendants receive longer sentencing compared to nonindigent defendants. These findings agree with the social conflict theory that postulates that low SES criminal defendants receive the most severe sanctions. The findings in the study testing the validity of this proposal is straightforward. Ottone and Scott-Hayward (2018) indicated that class racial inequality plays an important part into a judge's decision on granting bail. Ottone and Scott-Hayward indicated that if an individual is assumed to be unable to make or pay bail, they are not offered it; this takes away part of their rights without any legal or formal grounds. The disproportionality of CJS involvement and class inequality is rampant throughout the

literature and in various states' policies and practices (Beck & Blumstein, 2018). Despite these assumptions, there is minimal evidence to indicate that lower SES demographics are more dangerous and more likely to engage in criminal activity (Tonry, 2019).

With regards to the law, all Americans charged with a crime are all equal before the CJS in each U.S. court in theory. However, regardless of just safeguards and guarantees, low SES, and perceived class, individuals continue to face disparities in sentencing. Findings from the study on Bootstrapping indicated that indigent individuals have a higher chance of being found guilty than their counterparts. It is known that the issues of disparities and inequality in the criminal justice system extend beyond the indigent to the ordinary wage-earner and the near poor, where problems start even before trial and extend beyond appeal. Indigents must wait for their deposition in jail due to their inability to raise bail, which significantly impacts their investigation since they cannot provide any assistance to their attorney. Such situations result in innocent individuals being imprisoned for months before they are acquitted during the appeal, based on their inability to raise bail. As a result, individuals may be denied justice by being imprisoned for apparently no reason other than being poor.

Sampson (2019) indicated that low SES individuals are, for the most time, associated with violent criminal neighborhoods in the U.S. Several researchers have sought to link low SES with violent crime rates; however, societal characteristics have varied among studies with only limited homogeneity. The assessment of whether low SES is associated with criminal activities was beyond the scope of the current study. However, chi-square found statistically significant correlation between SES and murder

charges. The findings from the current study extends to the results identified by Dennison and Demuth (2017) that reinforce how unjust experiences with the CJS are for people with the fewest resources, and how system involvement inevitably destroys human capital, undermines future life chances, and ultimately promotes a *rabble* class.

Contemporary scholars focus on studying several critical areas linked to SES and potentially recognizing socioeconomic inequality as a prevalent issue in the CJS. The CJS approach of utilizing the defender's SES to render sentencing needs to be abolished and considered discriminatory and require immediate refinement compared to their more privileged counterparts. The outcome leads to chaos in one's life and further affects the already disadvantaged low SES population and creating more conflict. The current research provides a rationale for the essential knowledge of potential implications that SES has on sentencing and hopefully aid in improving public administrations and policies within the CJS.

Limitations of the Study

As illustrated in Chapter 3, the study utilized publicly available data sets from New York City, and as a result, the identified patterns may not be generalizable to other areas in the United States. Therefore, the study results could only be generalizable in the state of New York, more specifically, the city of Manhattan. Unluckily, it was impossible to access the information concerning the presentence information and reports of the defendants who were in the selected data sets due to the information of victims being included in those reports. Hence, background information that documents the SES to determine whether the accused was indigent or nonindigent was done through retrieving

data from media outlets, multiple news, and the Department of Criminal Justice website. Hence, at least a considerable portion of data was questionable for their accuracy. Therefore, more exhaustive research failed to yield valuable insights concerning the defendants' social socioeconomic status during the time of arrest, the address of their residence, or any data concerning their social backgrounds that could have come in handy when included in the data set.

For this research, data collection was from existing peer-review articles, existing literature, public, and government sites, which could present the challenge of limited research literature and to the ability to remained within the last five years as stated in the Walden University Dissertation requirement. Also, I would be very vigilant about sticking to this study's purpose and, more importantly, ensuring that all data collected is used for the intended meaning only. This assurance process will guarantee that it will remain within the guidelines and policies of the Walden University Institutional Review Board (IRB).

There may also be limitations related to the internal validity of the study. The use of valid and reliable instruments and adequate samples are believed to help the researcher address the mentioned internal validity limitations. Internal validity may also be compromised by the researcher's bias (Blair & Costa, 2019). Therefore, I would distance myself as much as possible and ensure objectivity by making the responses anonymous. The study may also have limitations concerning the external validity, which is the ability to generalize the findings to the broader population (Rubin & Babbie, 2009). Issues with

sample and selection should be borne in mind, even though I ensure that the sample and setting represent the broader population.

Recommendations

As an approach to overcoming the limitation of data collection discussed above, future research should focus on collecting data on several variables about socioeconomic stature attributes that may include employment status, which is not currently available due to masking inequality in the current study information. In including more variables, future studies would manage to collect a significant ton of data that will result in the identification of more insights concerning the social inequalities among indigent and non-indigent individuals charged with first and second-degree murder.

Moreover, future research can overcome this study's current limitations by expanding the number of jurisdictions under investigation, which will help the study's generalizability. Including other southern and western states such as California, Texas and Ohio will provide future studies with a variation in data and probably explain what attributes, unique to a specific area, and patterns of class bias. More importantly, future research could evaluate the socioeconomic attributes of the victims and how these affect the decision of the CJS. Cooney (2009) indicated that criminal law's applicability varies with various legal disputes' social geometry. Hence, assessing victims' social status is vital could play a significant role in illustrating why criminal sanctions widen with wealth disparities.

Furthermore, future research should review more previous research that employed mixed methods and qualitative methodology with stakeholders in the criminal justice

system administration. Conducting qualitative research involving in-depth interviews of former acquaintances, neighbors, relatives, and previous teachers can offer more insights concerning the class habitus of people which can help identify more patterns. Putting this into consideration, future research should also consider interviewing actors of the criminal justice systems, including jurors, judges, and prosecutors, to discuss the concepts and ideas of capital profiles.

Implications

The current study has a palpable implication of the social conflict theory discussed in the literature to abolish socioeconomic inequalities and disparities in sentencing in the CJS. This approach has currently been taken by virtually every western nation. In essence, Garland (2010) indicated that arguably the persistence of socioeconomic disparities and inequalities is quite peculiar to the USA. Nevertheless, even though the abolition of social disparities in the sentencing of first and second-degree murder of indigent and nonindigent individuals would not eliminate the biases in the administration of other kinds of punishment such as life without parole, it would be an appropriate approach towards the elimination of social inequalities in sentencing by the CJS.

Besides total abolition, another important proposal is implementing a mandatory review of the capital statues for every state concerning the sentencing of murder charged defendants. Through a review, all the capital statute would carefully be scrutinized and reviewed for purposes of discerning any discriminatory judging that may potentially disadvantage one from receiving a just rule. Considering that everyone is already

informed of the existing discrimination of mental health, age, gender, and race, more focus will be directed to socioeconomic disparities. SES should not be a basis for determining the sentencing that an individual should receive similar to mental health, age, gender, and race. The idea is not to prioritize SES over all the other demographics, but rather, to offer social equality the attention it deserves.

From a policy point of view, research has proved that SEI in sentencing of first and second-degree murder is linked to whether the defendant is indigent or non-indigent. A competent defense attorney plays a crucial role in guaranteeing a fair and just trial. However, the court's legal counselors provide minimal assistance to the capital defendants they are mandated to represent for indigent defendants. Indigent defendants are forced to rely on court-appointed legal counsel, which further worsens an already vulnerable defendant. Such counsel constantly fails to appropriately represent and investigate elements of the defendant's prior life and case could serve as significant evidence during the trial.

Several low-income communities, mostly African Americans, have disproportionately experienced both the less welcome rose in inequality in CJS sanctioning as well as the welcome reduction in discrimination for crime victims. Whereas it is tempting to consider whether these two critical changes in inequality can be balanced and weighed against each other, it occurs that this temptation should be resisted in practical and theoretical grounds. From a theoretical perspective, addressing discrimination of any kind is usually routed in the view concerning justice and fairness. In some circumstances, various varying perceptions concerning inequality can be

combines into a unit scale – for instance, when such views can be measured or monetized in terms of income. Yet, the disproportionate CJS sanctioning inequality is different from that of the suffering of crime victims, and they are not comparable on a similar scale. In practical, whereas high prevalence of incarceration and CJS sanctions may have had considerate impact in reducing criminal activities in the 1970s and the 1980, there is little evidence which support that high rates have resulted in reduction of crime in the previous decades. Hence, it is reasonable to establish several policy goals, both seeking more crime reduction and achievement of equality in crime victimization and CJS sanctioning. If such policies are sensibly enacted both kinds of inequality can be addressed easily.

Conclusion

A vast majority of studies have been conducted on SES discrimination impacts at every stage of the CJS, but empirical evidence portrays sophisticated interactions rather than simplistic approaches. Some studies showcase direct or overt SES discrimination in CJS, while others indicated SES discrimination in specific jurisdictions, contexts, or circumstances – or find no SES inequality effects at all. Remarkable instances of SES discrimination among indigent and non-indigent defenders and the overrepresentation of other minority groups exist at every point in the CJS process, and have considered social impacts; however, they may fail to reflect any SES bias.

The direct impact of SES may be statistically insignificant for most serious offenses when legally relevant variables are included in the evaluation; the SES inequality in offending illustrates the SES inequality in sentencing. However, behavioral and social science studies have explored more direct impacts of race on CJS processing

into more methodologically sophisticated and nuanced research that points out how cumulative or direct SES influences sentencing periods or bail offer. SES may also interact with other variables (such as race) to impact CJS processing. However, further research is needed to understand laws and policies that promote injustices on the bases of SES, race, and other variables.

Academicians, practitioners, and policymakers agree that much more research is necessary to understand SES discrimination in CJS processing better. Much is not known concerning the causes and impacts of criminal offending and victimization. The literature gap indicates that innovative study models (longitudinal, multidimensional, macro-level, and cross-jurisdiction) are essential to dissect the sophisticated interaction among ethnicity, race, SES, and unlawful discrimination. These are illustrative of the areas that need systematic and social science research better to understand the connection between SES and CJS processing.

To sum up, the quantitative study investigated the conflicting sentencing inequality of lower SES individuals (that occurs within the CJS) charged with first or second-degree murder. The review of the existing literature indicates that there is no significant homogeneity in the research concerning socioeconomic inequality and sentencing in the CJS. The factor of race and ethnicity continues to be prevalent and pertinent in the discussion of wealth inequality. The current study contributes to social change within the CJS administration and assists in implementing new policies, revising established policies, and assisting in minimizing the existing gap in the shortage of knowledge on this issue. However, the current study warrants future research to

overcome the present limitations by expanding the number of jurisdictions under investigation, which will help the study's generalizability.

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Appendix A: Dissertation Approval Letter

Dear Mr. Varela-Manso,

This email is to notify you that the Institutional Review Board (IRB) confirms that your doctoral capstone entitled, "An assessment of the impact of socioeconomic status and perceived class on sentencing disparities between indigent and not indigent defendants in 1st and 2nd-degree murder cases in Manhattan, New York," meets Walden University's ethical standards. Since this project will serve as a Walden doctoral capstone, the Walden IRB will oversee your capstone data analysis and results reporting. Your IRB approval number is **07-29-20-0760104**, which expires when your student status ends.