

UNEQUAL SOCIOECONOMIC FACTORS & CRIMINAL JUSTICE SYSTEM OUTCOMES:

A COMPARISON OF PALESTINIANS IN ISRAEL AND BLACK AMERICANS

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### **Abstract**

Palestinians in Israel and Black Americans face similar socioeconomic disparities. Thus, their subsequent involvement in the criminal justice system can be compared. The stability of housing, status of wage gaps and employment, quality of education systems, and modern condition of health outcomes are socioeconomic factors within Israel and the United States that reflect similar socioeconomic disparities. Parallel structures of inequalities as an outcome of disparate socioeconomic factors led to marginalization within the criminal justice system for Palestinians in Israel and Black people in the U.S. The modern state of crime and policing in Israel and the U.S. is undesirable in Palestinian and Black communities, respectively, as the rates of involvement and victimization in the criminal justice system are higher than that of the majority white population in the U.S. and majority Jewish population in Israel. In order to improve crime rates, policing policies, and gang and group crime influences, socioeconomic disparities within the Palestinian community in Israel and the Black community in the U.S. must be addressed.

## Introduction

The major cities, New York City and Tel Aviv, are 5,660 miles apart, yet the experiences of marginalized groups in each country demonstrate several close parallels. While these countries exhibit several differences in their histories, similar economic and social conditions lead to similar outcomes in the criminal justice system. By comparing the experiences of Palestinians that live in Israel and Black people in the United States, patterns in the relationship between socioeconomic factors and criminal justice system outcomes can be addressed.

A number of socioeconomic factors have contributed to the current state of the criminal justice system experiences for Palestinians in Israel and Black people in the U.S. The stability of housing, status of wage gaps and employment, quality of education systems, and current condition of health outcomes are socioeconomic factors within Israel and the U.S. that reflect similar socioeconomic disparities. All in all, similar social and economic inequalities cause similar outcomes. Parallel structures of inequalities as an outcome of disparate socioeconomic factors lead to parallels in structures of marginalization within the criminal justice system for Palestinians in Israel and Black people in the United States. Disparities within socioeconomic factors each contribute to and increase the likelihood of participation in the criminal justice system.

The history of each country has led to an inferior social and economic status for Palestinians in Israel and Black Americans. After understanding the historical context of each group, it is essential to understand the current state of crime and general experiences within the criminal justice system. For both Palestinians in Israel and Black Americans, general crime rates, the policing response, and the influence of gangs and group crime are essential facets of the current state of the criminal justice system. Crime rates, policing responses, and gang influences

reflect the disproportionate outcomes of each criminal justice system in this comparison of Israel and the U.S.

### **Background History**

In order to understand the context of modern crime and inequality in Israel and the U.S., developing a greater understanding of the historical context of each place is essential.

Throughout history, Palestinians in Israel and Black Americans developed a unique identity, fought for equality, and faced perspectives different than their own. It is this breakdown of the history and understanding that allows for further analysis of the effect of socioeconomic disparity in the modern criminal justice systems of each country.

#### **Palestinians in Israel**

Palestinians have resided in the Israeli region for centuries, but when the British Mandate was created for Palestine in 1920, the Palestinian identity was further solidified. In fact, “the making of the Palestinian minority in Israel was a direct, if unintended, consequence of the tumultuous events of 1947– 1949, a period that has become known in Palestinian collective memory as the Nakba (catastrophe)” (Nassar, 2020, p. 4). Over the course of the twentieth century, the conflict between Israel and Palestine increased tensions between the groups in a power dynamic that favored Israel, which was backed by Western allies such as the U.S. By the end of 2021, out of Israel’s total population of 9,450,000, Palestinians in Israel represented which is about 21% of the population or 1,995,000 people, and many more Palestinians live in the Occupied Territories of the West Bank, Gaza, and East Jerusalem (Jewish Virtual Library, 2022). Palestinian demands for equality connected to socioeconomic issues are heard because they represent a significant part of the Israeli population, however, they are often ignored because Palestinians are still the minority.

A complex history between Jewish Israelis and Palestinians in Israel has established the grounds for conflict and discrimination. Currently, a majority of the Israeli public views Palestinians in Israel as a threat to the political and social goals of Israel to be a state for Jewish people. On the other hand, unlike the Jewish public that views Palestinian crime as political, for Arabs, “It is not seen as an issue of security, nationalism, or loyalty, but rather in terms of discrimination and neglect. The problem is invariably seen in terms of discrimination in the provision of health, welfare, education, and preventive social services” (Hassanein, 2016). These differences in perspectives have established a relationship in which it is difficult for both sides to reach a consensus on what the issues are within the criminal justice system and how to solve the perceived problems.

### **Black Americans**

Since the first Black slaves arrived in the U.S. in 1619, inequalities have existed between Black and white Americans. This arrival also prompted the start of the status of Black Americans as a minority. From this point until 1863, Black people were enslaved to work predominantly on white plantations, but even after being freed, Black people in the U.S. were victims to policies that prevented them from participating as full citizens and were victims to violence from hate groups such as the Klu Klux Klan. In the late nineteenth century and early twentieth century, Jim Crow laws allowed for segregation of Black and white Americans. Frustrated with their treatment, Black Americans and their allies organized the Civil Rights Movement in the 1950s and 1960s to end segregation and take steps toward racial equality, which was aided by the passing of new federal race protections such as the Civil Rights Act of 1957 (Lynch, 2021). While there has been significant progress towards equality, Black Americans still exist as a minority in the U.S. and are subject to unequal social and economic outcomes.

Since the major changes of the Civil Rights Movement, Black Americans have been fighting for de facto equality, however today, the perception of the Black experience differs greatly between Black and white groups. For example, “about two-thirds of Blacks (68%) say being Black generally hurts a person’s ability to get ahead in the country; 55% of whites say the same.” (Menasce et al., 2019). This shows that a majority of white people understand that being Black comes with obstacles in the U.S., but this understanding still lags behind that of Black people.

The establishment of Israel as a country for a Jewish population solidified the Palestinian population as a minority and separate identity. Similarly, the identity and minority status of Black Americans can be traced to the origins of slavery in the U.S. Both Palestinians in Israel and Black Americans have fought for equality through responses to the Nakba as well as other tensions and through the Civil Rights movement, respectively. Today, the perceptions of each group externally and internally vary greatly because of the dynamic with the majority group in Israel and the U.S.

### **Crime, Policing, and Groups**

In Israel and the U.S., crime rates and data, the policing response, and the role of gangs and groups in crime continue to shape the current status of criminal involvement among Palestinians in Israel and Black Americans. This crime information drives involvement in the criminal justice system, and it demonstrates the similar outcomes of the criminal justice system between Israel and the U.S.

#### **Crime Overview**

##### ***Palestinians in Israel***

The state of crime among Palestinians in Israel consists of general issues with crime, data differences between Palestinians and Jews, and the increasing role of group-related crime. First, it is necessary to establish a general overview of the state of crime and crime rates for Palestinians. Crime directly affects Palestinians- both those involved in ongoing crime and innocent bystanders. For example, “Between 2000 and November of 2017, 1,236 Palestinian citizens were killed in violent crimes” (Boulos, 2020). To make matters worse, of the 1,236 Palestinians that were killed, 70% of these crimes were not solved (Boulos, 2020). The percent of unsolved cases points to weaknesses of the criminal justice system as well as bias within the predominantly Jewish Israeli system. Palestinian crime remains largely unsolved due to the existing biases.

Once again, the Arab-Israeli conflict impacts crime within Israel and among Palestinians. The ongoing disputes even impact travelers and other parties. Among travel warnings provided by the U.S. government for people going to Israel, they write, “Violent clashes between Palestinians and Israeli authorities have occurred in some parts of East Jerusalem and surrounding areas. Acts of terrorism have resulted in death and injury to bystanders, including U.S. citizens” (OSAC, 2020). According to the U.S. government, the state of crime in Israel, as it relates to Palestinians, creates an unsafe setting for travelers. The lack of safety is heightened for those that reside in Israel.

The factors that impact socioeconomic status continue to affect crime rates in Israel. Sonia Boulos, a professor of law and international relations argues that the reason there are high crime rates in Arab communities is because of “unequal access to land,” “education and employment opportunities,” and “approximately half of the Palestinian families in Israel live in poverty, compared to 13.3% in the Jewish sector” (Boulos, 2020). The crime rates are also

impacted by the quality of healthcare and education systems for the Palestinians. This argument emphasizes the role of socioeconomic disparities in crime rates and the status of the criminal justice system in Israel.

In order to get a complete picture of the status of crime for Palestinians, comparisons with the Jewish Israeli population must be made. Palestinians represent about 20% of the Israeli population, however, 64% of homicide victims in Israel are Palestinian. In addition, “The homicide rate per 100,000 inhabitants in Arab towns in Israel is 5.5 times higher than in Jewish towns” (Boulos, 2020). The researchers who collected this data argue that the disparity in crime rates “can be characterized by over-policing political activities and under-policing ordinary crime” (Boulos, 2020). The level and types of policing directly impact crime outcomes.

These crime rates make the relationship of any given individual to crime more pervasive in Palestinian communities. For example, “According to the 2018 index, 11% of the Palestinian respondents reported that they or one of their acquaintances were harmed by firearms or knives, compared to 1.2% among the Jewish respondents” (Boulos, 2020). Most of the crimes in Israel that involve illegal weapons and shootings occur in Palestinian neighborhoods. In fact, police data shows that these types of crimes occur at a rate ten times higher in Palestinian neighborhoods compared to Jewish ones (Boulos, 2020). Crime rates, and violent crime rates, are higher in Palestinian neighborhoods, so the outcomes of these crimes have greater impacts on the Palestinian community.

The disparity in crime rates begins at a young age. According to the Israeli National Police reports, “out of children ages 12-17 that were accused of violent crimes, 54% were Palestinians and 46.6% were Jewish” (Massarwi and Khoury-Kassabri, 2016). This yet again shows that even though Palestinians are the minority, they are overrepresented in crime statistics.



However, it is important to note that the data used to compare Palestinian and Jewish crime rates is collected by the Israeli police, so “differences in the practice of control (should be taken) into consideration” (Hassanein, 2016). Palestinian and Jewish crime may be recorded without equal amounts of policing and with the influence of individual or systematic biases. The true rates of Palestinian and Jewish crime may be over and underrepresented- depending on the crime.

The role of group-related crime is starting to increase within Israel- especially in Palestinian communities. According to the U.S. Overseas Security Advisory Council, “Israel-based organized crime syndicates remain a serious concern to host-nation law enforcement” (OSAC, 2020). In 2019 alone, “there were nine assassination attempts related to these criminal organizations, including two car bombs and seven shootings” (OSAC, 2020). These increasing gang and group crime activities are a threat to Jewish and Palestinian Israelis as well as other bystanders.

### ***Black Americans***

On the other hand, crime in the U.S. is a highly racialized issue that begins at a young age and that leads to different experiences for Black and white individuals. Most crimes that occur today are nonviolent crimes such as drug possession and burglary, and “today violent crime rates are at historically low levels, yet incarceration rates continue to climb” (Alexander, 2020, p. 126). The rates of incarceration, especially for people of color, do not match the decreasing crime rates.

Crime, as well as inequalities within the criminal justice system, begin at a young age for Black Americans. Black students are “more regularly and severely punished for any disciplinary infraction than White peers” (Tallent and McDaniel, 2021). Increased punishment takes Black students away from classroom instruction and removes them from a productive academic

environment. In addition young Black students' "emotional well-being takes a beating, as students find themselves targeted for disciplinary infractions because of their skin" (Tallent and McDaniel, 2021). From a young age, Black students face severe punishments that increase their likelihood of later criminal justice system involvement.

While Black youth and Black adults are being punished more for crimes, they are not engaging in criminal activity at higher rates. For example, "Whites, particularly white youth, are more likely to engage in illegal drug dealing than people of color" (Alexander, 2020, p. 123). Further, "white students use cocaine at seven times the rate of Black students" and "nearly identical percentages of white and Black high school seniors use marijuana" (Alexander, 2020, p. 123). Overall, white people, especially white youth, use and deal drugs more than Black people, yet Black people are punished at higher rates in the U.S.

The disparity in youth punishment and crime leads to adult disparities in crime data as well. Michelle Alexander, an author and civil rights advocate, argues that the current U.S. criminal justice system is a modern form of past racial caste systems such as slavery and Jim Crow. Her book titled "The New Jim Crow" expresses the magnitude of inequality for primarily Black men in the American criminal justice system as an outcome of the War on Drugs. Alexander writes that in 2000, "in seven states, African Americans constitute 80 to 90 percent of all those sent to prison on drug charges," and "In at least fifteen states, Blacks are admitted to prison on drug charges at a rate from twenty to fifty-seven times greater than that of white men" (Alexander, 2020, p. 122). It is important to remember that Black people are not using drugs at a higher rate, and often white people use drugs at a higher rate than Black people.

Within the system that disproportionately targets Black people, the outcomes of discrimination are evident through statistics collected by various studies. First, "As of 2001, one

of every three Black boys born in that year could expect to go to prison in his lifetime... compared to one of every seventeen white boys” (The Sentencing Project, 2018). This, in turn, has drastic impacts on the stability and economic growth in Black communities. The problem has persisted throughout the first part of the twenty-first century. For example, “In 2016, Black Americans comprised 27% of all individuals arrested in the United States—double their share of the total population” (The Sentencing Project, 2018). The disproportionate outcomes of the criminal justice system begin when police disproportionately arrest people of color. Thus, while “African Americans and Latinos comprise 29% of the U.S. population, they make up 57% of the U.S. prison population” (The Sentencing Project, 2018). As minorities within the American criminal justice system, Black people, as well as Latinos, are targeted and more likely to be negatively impacted by the criminal justice system despite the fact that they are not always more likely to engage in all criminal activities.

Disproportionate outcomes for Black Americans within the criminal justice system are part of the largest criminal justice system in the world. In 2015, over 6.7 million people were in the U.S. correction portion of the criminal justice system. A significant number of the people that were, and still are, in the criminal justice system were minorities such as Black people. According to The Sentencing Project, “The U.S. is a world leader in its rate of incarceration, dwarfing the rate of nearly every other nation” (The Sentencing Project, 2018). The over-policing of Black Americans, especially through the War on Drugs, is largely to blame for the high incarceration within the U.S.

Like Palestinians, Black Americans face over-policing in higher minority communities. The over-policing of Black people caused 1 in 14 Black men to be incarcerated in 2006, while only 1 in 106 white men were behind bars (Alexander, 2020, p. 125). This data is even more

severe for young Black men. According to Alexander, “one in 9 Black men between the ages of twenty and thirty-five was behind bars in 2006, and far more were under some form of penal control-such as probation or parole” (Alexander, 2020, p. 125). Involvement in the criminal justice system is heightened by explicit policing policies that target minority communities. For example, “The War on Drugs as well as policing policies including “Broken Windows” and “Stop, Question, and Frisk” sanction higher levels of police contact with African Americans” (The Sentencing Project, 2018). The over-policing of Black Americans leads to higher rates of criminal justice system involvement.

## **Policing Response**

### ***Palestinians in Israel***

After establishing the overall state of crime in each country, it is necessary to analyze the police response to crime in regard to Palestinians in Israel and Black Americans. The level of response to crime among Palestinians in Israel is impacted by the government, influenced by broad patterns of bias, and thus disapproved of by Palestinians. Because the Israeli police are run by the Israeli government, pervasive biases within this government impact the outcomes in policing. In response to the high crime rates, in 2019, Prime Minister Netanyahu created a team that would attempt to minimize Arab crime, and he suggested the opening of new police stations in Arab communities (Boulos, 2020). While police stations may aid in the theoretical decrease of crime, “the political leadership of the Palestinian minority remains skeptical about opening new police stations if the institutional bias against the Palestinian minority is not eradicated” (Boulos, 2020). In other words, advocates are worried that more police officers in Palestinian communities will increase negative criminal justice system outcomes due to existing biases.

Further, in 2016, the Israeli government adopted Resolution No. 1402 with the goal of increasing security within Arab communities by opening new police stations and improving existing ones (Boulos, 2020). Nevertheless, “the adoption of Resolution No. 1402 did not alter crime rates in Arab towns. In most towns, crime rates increased after the inauguration of a new police station” (Boulos, 2020). This shows that adding more police stations will not decrease crime.

The Israeli government not only addressed public concerns with crime rates, but in 2000, they addressed concerns about police biases. The State Commission of Inquiry did an investigation led by Israeli Supreme Court Member Justice Theodor Or. The Or Commission was sparked by the death of 13 unarmed Palestinian protesters at the hands of the Israeli police force. “In its final report, the Or Commission highlighted the need ‘to uproot prejudice, which exists even among officers who are experienced and admired. The police must learn to realize that the Arab sector in Israel is not the enemy and must not be treated as such’” (Boulos, 2020). At this point, even the Israeli government was able to recognize the prejudice that exists within their police force and the negative impacts on Palestinians.

The biases in policing against Palestinians lead to disproportionate outcomes with harsher outcomes for Palestinians. Sohail Hossain Hassanein, a professor of criminology in Jerusalem, writes that within the Israeli criminal justice system, “There is a pervasive network of investigation to detect radicalism, anti-Zionism, nationalism or whatever behavior or thoughts are seen as a threat to Israel security. Therefore, the criminal justice system is regularly used as a means of delegitimizing political acts and expression by Palestinian citizens” (Hassanein, 2016). This politicization of the criminal justice system increases the negative encounters with law enforcement or leads to a lack of any encounter for Palestinians. For example, 71% of murders

with Jewish victims are solved each year and 23% of murders with Arab victims are solved each year (Knell, 2021). This data demonstrates that there is limited police involvement in the matters that Palestinians need assistance with.

Another example of bias in policing occurs at borders and checkpoints. Borders and checkpoints are notorious locations for Palestinians to experience bias from policing. In most checkpoints, “nothing is written down, and no data is cataloged or transmitted. Passage regulations are unclear and in constant flux, making it nearly impossible for the controlled population to behave ‘correctly’” (Zureik et al., 2012, p. 268). Jewish Israelis and Palestinians have very different experiences at checkpoints because of these characteristics. All in all, the relationship between Israeli police officers and Palestinians “can be characterized by over-policing the political activities of the Palestinian citizens and under-policing ordinary crime in Arab towns” (Boulos, 2020). This dynamic of over-policing and under-policing is frustrating and dangerous for the Palestinian community in Israel.

Because of the biases and government role in policing, Palestinian views of policing are abysmal. In Arab towns, “only 16% of the Palestinian respondents were satisfied or very satisfied with the police response to violent crimes; only 17.1% were very satisfied or satisfied with the police response to organized crime; and only 20% were very satisfied or satisfied with police actions safeguarding the right to life” (Boulos, 2020). There are stark differences between Jewish and Palestinian views of the police. While 42.2% of Jews trust the police, only 26.1% of Palestinians do (Boulos, 2020). This divide in opinion is an outcome of the biases that affect Palestinians in the criminal justice system.

The lack of trust reported by Palestinians leads to underreporting of crimes. In fact, “50% of the Palestinian citizens who had not reported an attack or a threat against them expressed the

lack of confidence in the commitment and efficiency of the police,” and 44% of victims surveyed had not reported the crimes that they were victim to (Boulos, 2020). It is no secret that Palestinian views of the police are negative, so the police in Israel have created public surveys in the last couple of years. However, Palestinians have not yet been included in these surveys because “there is distrust between the police and the Arab citizens” (Hassanein, 2016). In order to improve the experiences of Palestinians in the Israeli criminal justice system, the gaps in trust would have to be amended.

### ***Black Americans***

In the U.S. Black people are over-policed through implicit biases and systematic oppression. Black people are vulnerable to policing due to the power imbalance; “Confined to ghetto areas and lacking political power, the Black poor are convenient targets” (Alexander, 2020, p.156). This power differential makes unequal outcomes more likely.

The War on Drugs started in the 1990s and has shaped the intensity and systems of policing in the U.S. While drug policies did not appear racist on the surface, the outcomes were racially uneven. The War on Drugs was so severe that “The number of annual drug arrests more than tripled between 1980 and 2005, as drug sweeps and suspicionless stops and searches proceeded in record numbers” (Alexander, 2020, p. 91). As part of the War on Drugs, “Huge cash grants were made to those law enforcement agencies that were willing to make drug-law enforcement a top priority” (Alexander, 2020, p. 92). Increased training and new equipment eventually lead to the militarization of the police in the U.S. In fact, “in 1997 alone, the Pentagon handed over more than 1.2 million pieces of military equipment to local police departments” (Alexander, 2020, p. 93).

Due to biases and de facto practices within policing, Black people are more likely to interact with police in traffic stops. According to research from NYU, “in a dataset of nearly 100 million traffic stops across the United States, Black drivers were about 20 percent more likely to be stopped than white drivers relative to their share of the residential population” (Bennett, 2020). Simply because of the color of their skin, police are more likely to stop Black people. In addition, after being stopped by police, “Black drivers were searched about 1.5 to 2 times as often as white drivers, while they were less likely to be carrying drugs, guns, or other illegal contraband compared to their white peers” (Bennett, 2020). This follows the pattern that Black people are more likely to face negative outcomes in the criminal justice system despite the lower chance that they are doing something wrong.

The policing and criminal justice response to Black crime are more severe than white crime as demonstrated by disproportionate outcomes of death penalty sentencing. According to the American Civil Liberties Union, “People of color have accounted for a disproportionate 43% of total executions since 1976 and 55% of those currently awaiting execution” (ACLU, n.d.). Even though Black people do not make up a majority of the population, because of biases against Black people within the criminal justice system, they make up a majority of those currently awaiting execution. Further, “While white victims account for approximately one-half of all murder victims, 80% of all capital cases involve white victims” (ACLU, n.d.). This demonstrates that within the system of policing and criminal justice, there is a greater value placed on white lives.

Higher rates of policing and harsher policing begin at a young age for Black youth. For example, the school-to-prison pipeline is a concept that the increased levels of punishment for mostly Black students leads to early involvement in the criminal justice system and thus a



lifetime of criminal justice system involvement (Tallent and McDaniel, 2021). In schools with greater numbers of Black students, there are “harsher disciplinary policies, including out-of-school suspension and expulsion; heavy-handed discipline seems to increase the likelihood of students’ incarceration” (Tallent and McDaniel, 2021). Once involved in the criminal justice system, it is difficult to break out of the cycle of incarceration and release, especially when this cycle begins at a young age.

## **Gangs and Group Crime**

### ***Palestinians in Israel***

Within the crime and criminal justice system involvement in Israel, gangs and other crime groups have begun to have an increased role in Palestinian communities. Gangs and organized crime began to arise in Palestinian communities in the last decade after there was a crackdown on these groups in the Jewish communities. This crackdown forced organized crime out of Jewish areas and into Palestinian ones where there is a lacking police presence to keep things under control (Boulos, 2020). In addition, “The lack of access to capital and credit in Arab towns forced small businesses to seek high-interest loans in the grey market. This led to the emergence of the phenomenon of duty collection through violence and extortion, and the collection of protection fees” and this “...opened the door for crime organizations to mediate in these conflicts” (Boulos, 2020). Because crime groups and gangs are involved in these systems, “Heavily-armed gangs run protection rackets and act as loan sharks, threatening and Blackmailing people” in response to the move from Jewish to Palestinian areas (Knell, 2021). The shift of gangs from Jewish communities to Palestinian communities dramatically impacted crime outcomes.

Instead of dealing with gangs in a way that impacts the gang leaders and strong networks, law enforcement takes a 'small fish' approach, in which group crime is dealt with on a micro-level (Boulos, 2020). For example, "The police regularly encourage victims and their families to resort to 'sulha', a traditional Arab mechanism for settling disputes composed of local leaders" (Boulos, 2020). Palestinians often feel pressure to resolve conflict from group crime on their own because of the tense relationship with Israeli law enforcement.

On the other hand, a Jewish representative from the Crime Prevention Department for Arab communities argues, "I'd like to break a stigma... The police invest a lot in the Arab community.' He says that in recent years, nearly 700 Muslim police officers have been recruited and more police stations have been built in Arab towns." (Knell, 2021). However, as mentioned previously, the increase of police stations does not reduce crime rates in Palestinian communities.

Modernization and influences from the West have increased a divide between parental and adolescent generations. This divide "can lead to parent-child conflict, lack of supervision, and reduced harmony" and all of these factors can lead to increased community violence as is the case in Palestinian neighborhoods (Massarwi and Khoury-Kassabri, 2016). Thus, as much as 79.2% of children ages 14-18 witnessed violent incidents in their community. This exposure to violence increases the probability that those exposed will commit their own acts of violence (Massarwi and Khoury-Kassabri, 2016). This is another example of involvement in the criminal justice system that begins at a young age and has community impacts.

The factors that lead to socioeconomic disparities including education, health, housing, and wages are stressors for Palestinian youth, and violence can be a "mechanism for coping with the anger and frustration caused by the strain of being victimized and discriminated against"

(Massarwi and Khoury-Kassabri, 2016). Young men are the demographic that is most affected by organized crime and violent groups. In fact, it is mostly young men that are victims of crimes from organized groups and it is young men that are joining these violent groups (Knell, 2021). Because of the impacts on young men, "Bereaved families and Arab officials claim that police inaction is one of the main reasons for the endemic violence plaguing their neighborhoods" (Knell, 2021). Frustration with the police is a pervasive theme in Palestinian communities.

### ***Black Americans***

Like in Israel, the role of gangs and organized crime has had an impactful role on the state of crime in the United States. According to the National Gang Intelligence Center, "Gangs continue to grow in numbers and expand in criminal activity," and "The most prevalent crimes street gangs commit are street-level drug trafficking, large-scale drug trafficking, assault, threats and intimidation, and robbery" (National Gang Intelligence Center, 2017, p. 8-9). In order to appeal to a broader audience and interest new members, gangs have "adopted and incorporated Black separatist extremist ideologies, using these teachings to advance the gang, justify criminal activities, or create new organizations" (National Gang Intelligence Center, 2017, p. 31). With ideological justification, gangs are stronger and show little sign of decreasing.

Gangs in the U.S. target youth as new members for their group crime organizations. In an analysis of young Americans ages 5 to 17, a study found that "there were 1,059,000 youth gang members in the United States in 2010" (Pyrooz and Sweeten, 2015). Within this data, 14-year-olds joined gangs at the highest rate. Further, "Youth gang members were disproportionately male, Black, Hispanic, from single-parent households, and families living below the poverty level" (Pyrooz and Sweeten, 2015). Gangs recruit vulnerable youth in need of a sense of community, and they provide them with stability that they are not getting elsewhere.

The authors of the study that researched American youth in gangs argue that this is a public health crisis because “Homicide victimization rates for gang members are at least 100 times greater than those of the broader U.S. population” (Pyrooz and Sweeten, 2015). Therefore, youth in gangs are at extreme risk for homicide and being victims of other gang-related crimes. The role of youth in American gangs is essential to consider in the holistic view of group crime in the U.S.

During the War on Drugs, one of the methods to combat gangs with policing was to create databases of potential gang members. “In Los Angeles, mass stops of young African-American men and boys resulted in the creation of a database containing the names, addresses, and other biographical information of the overwhelming majority of young Black men in the entire city” (Alexander, 2020, p. 171). This system targeted Black youth without solid grounds for suspicion. Similarly, in Denver “in 1992...eight out of every ten people of color in the entire city were on the list of criminal suspects” in a system similar to the one in Los Angeles (Alexander, 2020, p. 171). These systems infringe on human rights and rely on racist profiling to corral more Black people into the criminal justice system.

Similar studies to the ones on the impacts of violence on youth in Israel have been conducted to study the impacts of violence, such as gang violence, on American youth. Research that studied 263 Black youth “found that community violence in mid-adolescence is related to perpetration of violence in late adolescence” (Massarwi and Khoury-Kassabri, 2016). This means that exposure to gang violence at a young age increases the likelihood of gang or other criminal involvement in late adolescence.

Crime rates and criminal justice system involvement in Palestinian communities are significant and higher than the comparable rates for Jewish populations in Israel. The

combination of over-policing and under-policing as the policing response and the heightened involvement of gangs and group crime has worsened the state of crime for Palestinians. Similarly, in the United States, Black people are disproportionately punished for lower rates of criminal activity. The over-policing of Black communities is an outcome of the War on Drugs, and this over-policing targets even Black youth. Both the Palestinians in Israel and Black Americans face modern crime worsened by gangs and have to deal with needs related to the criminal justice system that are not being fully addressed by the police.

### **Factors That Have Led To Socioeconomic Disparity**

In order to compare the experiences of Palestinians and Black Americans in their subsequent criminal justice systems, it is necessary to compare the factors that have led to socioeconomic disparity. Socioeconomic disparities can lead to different biases in policing and higher rates of involvement in the criminal justice system, thus highlighting the parallel socioeconomic factors that lead to parallels within the criminal justice systems of Israel and the United States. Specifically, the destruction of neighborhoods, wage gaps, education differences, and health inequalities are some of the factors that contribute to the Israeli and American socioeconomic disparities.

### **Destruction of Neighborhoods**

Both Palestinians and Black Americans have experienced home and neighborhood destruction at the hands of their subsequent majority groups. However, Palestinian neighborhood destruction is an explicit act, while Black neighborhood destruction is more implicit. Nevertheless, both Palestinians and Black Americans have been socially and economically impacted by the intentional destruction of their homes and neighborhoods.

### ***Palestinians in Israel***

For Palestinians, there has been a history of home destruction as well as modern examples of this socioeconomic disparity. From a historical point of view, in 1917, Britain gave Israel authority to establish their nation, but in order to create an Israeli state, the government removed and destroyed Palestinian towns and communities. On the ground of the destroyed Palestinian communities, new Jewish communities emerged. This destruction is viewed by Arabs as part of the Nakba or “the catastrophe” that wiped out the physical history and weakened Palestinian communities (Behnam, 2021). M. Reza Behnam, an expert on Middle Eastern Politics and contributor to *The Washington Report on Middle East Affairs*, writes that “under the fig leaf of ‘reclaiming ancestral land,’ Israel bulldoze[d] Palestinian homes and property to make way for Zionist settlements” (Behnam, 2021) in the early days of Israel's founding.

The history of Palestinian home destruction continues to have impacts today, and the legacy of Palestinian home destruction at the hands of Israeli Zionists continues. As of 2020, over 5,350 Palestinian homes had been destroyed in Jerusalem since 1967. Further, according to data from 2018, 218,000 Jewish people had settled in the Palestinian neighborhoods of East Jerusalem since 1967 (Behnam, 2021). These forms of community destruction are illegal according to international law; however, Palestinian communities continue to be affected by the destruction and its legacy (Human Rights Watch, n.d.). According to international law, Palestinians, especially in the Occupied Territories, are protected under the Fourth Geneva Convention. Additionally, “Destruction of civilian property can be a grave breach of the Fourth Geneva Convention, and thus a war crime, if it amounts to ‘extensive destruction and appropriation... not justified by military necessity and carried out unlawfully and wantonly’” (Human Rights Watch, n.d.). Without enforcement of these international laws, Israeli settlements continue to expand and Palestinian homes continue to be destroyed.

Home destruction occurs in order to secure the position of the Israeli Jewish majority in the Israeli Palestinian region, and this has been the central goal throughout history. Destruction “is just one of many Israeli land policies meant to Judaize all of Palestine and to ensure that Palestinians are kept ‘in their place’” (Behnam, 2021). Demolition enforces systems of oppression in which Palestinians are characterized as the weak minority. In regards to the demolition of homes and isolation of communities, a scholarly article in collaboration with The Israeli Committee Against House Demolitions wrote that “the intention is to exclude part of a population and dispossess them of their property, history, and memory” (Meade, 2011). This strengthens the argument that by destroying homes, Israel strengthens the positions of the Jewish majority.

Demolition has negative impacts on the Palestinian community and their ability to secure wealth and stability. According to the Israeli Committee Against House Demolitions, from 1967 to 2019 “Israel has razed 49,532 Palestinian structures, displacing hundreds of thousands of Palestinians” (Behnam, 2021). The magnitude of displaced Palestinians makes the accumulation of wealth insurmountable for this community. Without the homes and communities that they belong to, Palestinians, in the context of home destruction, face additional hardships in search of stability, wealth, and community.

### ***Black Americans***

Similarly, the destruction and control of homes and neighborhoods affected Black Americans directly in a historical context, but the impacts of this destruction are still felt today. Originally, home destruction in the U.S. was similar to that in Israel because “From 1950 through the 1960s, the U.S. government initiated ‘urban renewal’ projects to contain what was viewed as their ‘Negro problem’” (Behnam, 2021). At this point in time, home destruction was enacted on

the basis of race and socioeconomic status in order to ‘modernize’ and decrease the Black influence in communities. Urban renewal changed Black communities into white ‘modern’ communities. This left Black communities behind in economic progress and allowed white communities to flourish with community ties and home stability.

In the 1950s and 1960s, “Hundreds of Black neighborhoods were demolished in the name of urban renewal. It is estimated that from 300,000 to 1.2 million Americans--disproportionately Black-- were displaced.” Not only were Black homes destroyed, but they were also leveled and turned into modern developments for white communities (Behnam, 2021). The notion of modernity left out Black communities and strove for predominantly white ones. This transfer of power and stability reinforced social hierarchies within U.S. society in which Black people were perceived as inferior to white people.

While the connection between housing and community destruction and the criminal justice system is less direct, it is important to understand that both the sense of community and economic success is impacted by property ownership. Without a stable home and community, there is a greater probability of being involved in the criminal justice system. According to Behnam, the intent of American and Israeli governments has been to “sever kinship and community bonds, to rob generations of Black Americans and Palestinians of a sense of place and to rend the social, political and cultural connections that have filled both communities” (Behnam, 2021). Without these connections, experiences within the criminal justice system rise.

According to several studies, housing stability is a factor that can greatly impact one’s likelihood of being involved in the criminal justice system. For example, “When people are stably housed, they have fewer recorded non-violent offenses. For instance, people commit fewer survival crimes (offenses like theft, robbery, trespassing, loitering, and prostitution), which are



chief reasons people with low-level offenses are incarcerated” (Burrowes, 2019). When homes and communities are destroyed, housing stability decreases, and in turn, the probability of criminal involvement increases. Once someone has already been involved in the criminal justice system, the inability to find stable housing increases the likelihood of recidivism (Burrowes, 2019). For Palestinians and Black people that have had their homes and communities destroyed, their similar experiences lead to similar outcomes of involvement in the criminal justice system.

### **The Wage Gap**

The wage gap is another socioeconomic factor that leads to economic disadvantages for both Palestinians and Black Americans in Israel and the United States. The wage gap amplifies interactions with the criminal justice system because of the economic disparities that are created from this pattern of unequal wealth distribution.

#### ***Palestinians in Israel***

Palestinians in Israel are greatly impacted by the wage gap in which Jewish people are paid more than Palestinians in comparable positions. To start, according to data from 1997 to 2009, “the average hourly wage of a Palestinian is 40-60 percent lower than that of a Jew” and Palestinians earned 49% less than Jews in Israel (Miaari and Khattab, 2013). Over the course of this period, the pay gap did not improve and remained relatively constant, which means that Palestinians were being paid half as much for the same jobs as Jewish Israelis. More recently, as of 2019, the pay gap persists in which the average gross monthly wage for Palestinians was 11,191 shekels compared to 7,338 shekels for Jews in Israel. Therefore, Palestinians in Israel are earning 34.4% less than their Jewish counterparts (Asharq Al-Awsat, 2019). The wage gap is persistent and has detrimental impacts on Palestinians in the Israeli labor market.

Beyond the actual pay, Palestinians in Israel are more affected by downturns in the labor

market. In 2011, a study revealed that when there are economic downturns, Palestinians are impacted the most. They are the first to leave the labor market and the last group to return once the market improves (Miaari and Khattab, 2013). On top of the wage gap, the severe impacts of economic downturn amplify disproportionate outcomes of the Israeli labor market. Because of the pay gap and negative labor market experiences, “Palestinian workers are willing to accept less pay (or greater pay gap) for the sake of greater job security” (Miaari and Khattab, 2013). These factors force Palestinians to choose between a job that does not pay adequately and no job at all.

These experiences among Palestinians can be explained by what is called an ethnic penalty. Ethnic penalty is a “socioeconomic disadvantage (pay gap in our case) experienced by minority members in their countries of residence on the grounds of color, cultural, and national racism” (Miaari and Khattab, 2013). Palestinians face an ethnic penalty in the workplace because of their nationality and general relationship with Israeli Jews. While the grounds for color is more subjective, cultural and ethnic differences such as religion differentiate Palestinians from Jews, which increases the target for discrimination in the workplace.

### ***Black Americans***

Like the Palestinians, Black Americans face a wage gap in the U.S that impacts other areas of life. There is a significant wage gap in the U.S. in which Black men earn \$0.87 for every dollar a white man earns (Gruver, 2019), and this gap is even greater for Black women. The wage gap is so pervasive for Black Americans that “They are the only racial/ethnic group that does not achieve pay parity with white men at some level” (Gruver, 2019). While other minorities also face the wage gap in the U.S., Black Americans are most impacted by these unequal factors and outcomes.

Also, like the Palestinians, Black Americans face discouraging statistics and trends within the labor market. In 2019 the Bureau of Labor Statistics reported that the unemployment rate for Black Americans in the first quarter was 7.1 percent while for whites, it was 3.7 percent (Gruver, 2019). This relates to the trend that Palestinians are most impacted by Israeli market downturns, thus Black Americans are most impacted by downturns within the U.S. economic market.

In addition to the greater rates of unemployment, Black Americans face an opportunity gap in which the jobs and industries available to Black people are limited compared to what is available to white men. The opportunity gap leads to a pay gap. Specifically, the minimal representation of men of color in senior-level positions is problematic for Black Americans and the U.S. as a whole. White men hold managerial or greater roles at higher rates than Black Americans, but even after a Black American manages to get to these positions, they will still make less. In fact, “Black or African American male executives earn \$0.79 for every dollar a white male executive earns.” (Gruver, 2019). The wage gaps are reportedly worse for Black women, but the data for men captures the inequality that Black Americans face in the workplace.

### ***Connections to the Criminal Justice System***

Wage gaps as an economic inequality negatively impact Palestinians in Israel and Black people in the U.S. In connection to the criminal justice system, wage gaps set Palestinians and Black Americans in a position of increased likelihood of criminal justice system involvement. Wage gaps lead to higher rates of poverty and financial instability. In a literature review of studies that attempted to link economic status and crime, it was found that those in poverty are likely to experience crime as victims or perpetrators (Gaitán-Rossi and Guadarrama, 2021, p. 15). Further, “Crime causes higher levels of poverty by decreasing household income and assets”

as individuals navigate the criminal justice system (Gaitán-Rossi and Guadarrama, 2021, p. 3). The cost of involvement at any point in the criminal justice system is high, and the burden of the costs is unmanageable for those in poverty. Thus, poverty often leads to involvement in the criminal justice system, which is part of a cycle of poverty created from economic inequalities such as the wage gap.

### **Education**

Many studies point to the education of an individual as a factor that indicates their level of involvement in the criminal justice system, thus it is important to review the education that Palestinians in Israel and Black Americans receive. Education is a factor that provides more opportunities for economic growth and stability of jobs and incomes. On the other hand, negative experiences in the education system, such as punishment, lead to later involvement in the criminal justice system. Education also has the power to be used as a political tool that upholds specific biases.

#### ***Palestinians in Israel***

For Palestinian students, like many other facets of Palestinian life, the education system is controlled and greatly influenced by the Israeli government and the government's biases towards Palestinians. Following the trends of Palestinian socioeconomic disparity, the education available to Palestinian students is generally worse than that of Israeli counterparts.

Ismael Abu-Saad has a Ph.D. in educational policy and is a professor of Beduin studies, and he argues that “the legacy of using education as a tool for political purposes has endured and continues to define the educational experience of indigenous Palestinian Arab students in Israel today” (Abu-Saad, 2006). Part of this political legacy stems from the fact that the Palestinian Arab educational system arose under the influence of the Israeli military government (Abu-Saad,

2006). In other words, the Israeli government explicitly creates educational programs to support Jewish beliefs and uphold systems of oppression that negatively impact Palestinians- especially Palestinian students in Israel.

Abu-Saad goes on to explain that because of the ongoing conflict between Israel and Palestine, “the education system has been used as a mechanism of marginalization and social, culture and economic control over Palestinian Arabs” (Abu-Saad, 2006). Instead of focusing on educating students so that they can succeed, the Israeli focus is to educate Palestinians as a means of control. By pushing certain viewpoints over general education, the Jewish minority has a better chance of staying in power.

These educational policies and strategies have real and lasting impacts on Palestinian students. Because of the educational policies in place, Palestinian students perform worse than their Israeli counterparts. This leads to a “poorer level of educational achievement and rates of students qualified to enter higher education” (Abu-Saad, 2006). Early childhood education has lifelong impacts because of college preparedness and job entry qualifications.

In addition, “In 2017, the drop-out rate of Palestinian students from schools stood at 3.5%, compared to 2.2% among Jewish students” (Boulos, 2020). Palestinian students are dropping out at higher rates because of the intersection of several socioeconomic factors that continue to oppress Palestinians in Israel. Further, “40% of Palestinian youth in Israel aged 18–22 years old do not attend educational institutions nor have a steady job” (Boulos, 2020). This is credited as a reason for high crime rates in Arab communities because youth do not have the stability of an education or a job.

### ***Black Americans***

Black American students also face hardship and inequity within the education system.

Like Palestinians, Black students did worse than their white counterparts in performative assessments. This is not an indication of inherent intelligence- instead, it is a measure of education quality. For example, “In urban and suburban schools, Black students had considerably lower reading and math scores than White students” (Assari et al., 2021).

One of the reasons for this difference in educational success is the education of the parents. The greatest indicator of child attainment is the education of the parents, and white parents have higher educational attainment because of a history of explicit policies preventing equal education for Black and white students. This creates a cycle in which Black students are consistently behind their white peers in measures such as reading and math scores (Assari et al., 2021). The gap in scores eventually leads to further gaps in achievement and attainment.

School zones also influence the quality of education for American students. Black students are more likely to live in poor areas, and because school funding comes from local property taxes, schools with a high percentage of minority students in a poor area will have less funding. These “schools in the poor regions have insufficient resources and elementary education quality varies drastically racial lines” (Assari et al., 2021). The resources available include the quality of and experience of teachers in the school. Without proper resources and school funding, Black students continue to fall behind their white peers.

### ***Connections to the Criminal Justice System***

There is a strong connection between education and experiences within the criminal justice system. According to an article from the *Pediatric Health, Medicine and Therapeutics* journal, “Students who perform better at school are more likely to gain higher salaries, become active citizens, experience higher life satisfaction, and avoid high risk and criminal behaviors during adulthood” (Assari et al., 2021) Without the opportunity to succeed in school, Black and

Palestinian students are at a disadvantage throughout their life, and their susceptibility to be involved in the criminal justice system is higher. The same article argues that “Given that students' academic achievement (e.g. test scores) is a substantial predictor of economic and non-economic outcomes later in life, it is necessary to address racial inequalities in school performance” (Assari et al., 2021). School performance and the quality of education are directly linked to criminal justice system experiences. Additionally, factors such as those mentioned previously including wage gaps and housing status intersect to impact academic success. Lower socioeconomic status will lead to lower academic achievement (Assari et al., 2021). The intersection of socioeconomic disparities is negatively impacting Palestinian communities in Israel and Black communities in the United States.

## **Health**

Health outcomes are impacted by the treatment and living conditions of a community, and the health outcomes subsequently can lead to higher rates of involvement in the criminal justice system. Health is yet another socioeconomic factor in Israel and the United States that contributes to systems of marginalization for Palestinians and Black people. These systems of marginalization increase the susceptibility to criminal justice system involvement.

### ***Palestinians in Israel***

Because of the Israeli-Palestinian conflict, Palestinians are facing worse health consequences and reporting higher levels of unfavorable health outcomes. To start, residential segregation, as in the case of the Palestinians, “can foster health inequality mechanisms by increasing stress-related to neighborhood violence and disorder” (Daoud et al., 2020). This increased stress due to neighborhood violence contributes to a cycle in which neighborhood violence leads to poor health outcomes. This, in turn, leads to criminal justice system

involvement including more violence and so forth.

In a study conducted by researchers for the *International Journal for Equity in Health*, they “studied the association between neighborhood violence and disorder and inequalities in anxiety between two groups of perinatal Israeli women (Jewish, Palestinian-Arab) living in ethno-nationally segregated neighborhoods” (Daoud et al., 2020). They found that “Palestinian-Arab women had higher anxiety (60.5% vs. 42.1%, respectively) and higher severity of neighborhood violence and disorder (49.5% vs. 16.2%, respectively) compared to Jewish women” (Daoud et al., 2020). This is yet another example of the intersection between socioeconomic and political factors that can influence one’s life and health.

In relation to the criminal justice system, “Residents confined to disadvantaged neighborhoods are uniquely at risk of health disparities, high poverty, loss of social stability and cohesion” (Daoud et al., 2020). People in high poverty and lacking stability are more likely to get involved in the criminal justice system, a phenomenon heightened by the poor health outcomes in low-income and minority communities.

### ***Black Americans***

Black Americans also face poorer health outcomes impacted by and impacting other elements of their lives such as involvement in the criminal justice system in the U.S. To start, “Researchers have coined a term – ‘excess deaths’ – to explain the sad fact that if Blacks and whites had the same mortality rate, nearly 100,000 fewer Black people would die each year in the United States” (Lavizzo-Mourey and Williams, 2016). This trend is consistent among educated and higher-paid Black people as well highlighting the disparity between life outcomes in the U.S.

The health outcomes of Black people are generally worse than those of white



counterparts. Black people, compared to whites, have higher rates of obesity, diabetes, hypertension, heart disease, cancer fatalities, child asthma deaths, early aging, among many other serious conditions and illnesses (Lavizzo-Mourey and Williams, 2016). Each of these health outcomes and higher rates of illness also increases the likelihood of involvement in crime in the U.S. because people in poor health are vulnerable to crime involvement and victimization.

Not only are health outcomes worse, but the American Medical Association also reported that “On average, white Americans spent 80 minutes waiting for or receiving care, while Black Americans spent 99 minutes” (Lavizzo-Mourey and Williams, 2016). This means that the medical care that Black people are receiving is significantly worse than white people, so both health outcomes and healthcare are increasing the marginalization of the Black community.

### ***Connections to the Criminal Justice System***

Like housing stability, wages, and education, health outcomes are a factor that can increase the probability that one is involved in the criminal justice system. Health outcomes in Israel and the U.S. are parallel and thus so are the outcomes of poor health for minority groups. The Human Impact Partners is an organization that focuses on public health and equity, and they list several examples of how health outcomes can lead to involvement in the criminal justice system. For example, they write, “Physical or mental health issues can lead to unemployment and housing instability,” “Mental health crises can lead to arrest,” and “Debt from health care expenses can lead to inability to pay bills, poverty, and arrest” (Heller, 2016). These examples emphasize the intersection of health and crime.

After providing a framework to understand the connection between health outcomes and the criminal justice system, they suggest to, “ask how these reforms – in policing, sentencing, access to education in prison, for example – influence physical and mental health outcomes

directly, and through changes in the other two elements – behaviors and determinants of health” (Heller, 2016). Within the greater view of disproportionate outcomes of the criminal justice system, solutions that account for public health inquiries must be considered.

### **Conclusion**

Parallel structures of inequalities as an outcome of disparate socioeconomic factors lead to parallels in structures of marginalization within the criminal justice system for Palestinians in Israel and Black people in the United States. This has been demonstrated through the comparison of disparate socioeconomic outcomes due to the destruction of homes and housing instability, the wage gap and economic opportunities, education inequalities, and unequal health outcomes.

Palestinians in Israel and Black people in the U.S. would have more positive experiences in the criminal justice system if factors that have led to socioeconomic disparity were improved. In order to improve crime rates, policing policies, and gang and group crime influences, socioeconomic disparities within the Palestinian community in Israel and the Black community in the U.S. must be addressed. To start, the destruction of homes that leads to generational home instability could be halted. Legislation and other measures to end the wage gap for Palestinians and Black people could be enacted. There could also be a concerted effort to improve the educational experiences of young Palestinians in Israel and Black youth in the U.S. Finally, based on this analysis, policies to combat health inequalities among different populations could be implemented in Israel and the U.S. Each of these suggestions would be a step towards improved outcomes in the criminal justice system- especially for Palestinians in Israel and Black Americans in the U.S.

While very different, Israel and the United States demonstrate that similar patterns of socioeconomic inequality lead to similar outcomes in the criminal justice system. From this conclusion, further scholarship should focus on direct solutions that would reduce socioeconomic disparities. Once socioeconomic disparity has been addressed, it is likely that crime rates, policing responses, and gang influences in Israel and the United States will improve. Until socioeconomic inequity is addressed, disparate outcomes within the criminal justice system will persist for Palestinians in Israel and Black people in the U.S.

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