

Criminological Codes: Race, Technology and Crime

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Recognition of the importance of race in criminology is something that few would challenge. However, over recent years, criminological research that centralises knowledge about how race shapes and is shaped by criminal justice practices and whether criminological theory adequately attends to exploring race has arguably received less attention. It would be wishful thinking to attribute this to the idea that race is no longer relevant or that racism is sequestered in the past. Rather, egregious examples of racial stereotyping are frequent and its reality underscored by fatal outcomes in the criminal justice sphere. The deaths of Rashan Charles and Edson da Costa in 2017 in police custody are stark reminders of the increased likelihood of the use of force and restraint used against black people in England and Wales.

As scholars who examine the connections between crime and society, the need for criminologists to reflect on race and its intersections with gender, class, and generation are as important as ever. Part of this reflection involves understanding how race (re)emerges in different forms across time and space and to remain vigilant towards monitoring its continued effects. There is much work to be done in this regard and innovative criminological scholarship that asks questions about where, when and how race matters, requires support and creative space in order to flourish. One such area is race and technology. Whilst critical examination of the racializing design and effects of technology in criminal justice practices have received significant attention in US scholarship (Benjamin, 2019; Ferguson, 2017; Hannah-Moffat, 2018), less has been said about the criminological technologies and race in the British context. Surveillance and other forms of technology have, of course, long been used in the British criminal justice system. In police stations for example, technology is engrained within the 'booking in' process: fingerprints are captured electronically, closed circuit televisions

are omnipresent, databases detailing offending and personal histories of suspects are accessed as a matter of course, a person's immigration status is ascertained in real time via joined up databases and algorithmic risk assessments about individuals are made in order to establish the risk they pose for future offending and re-entry to police custody. Our own work in this area has shown that while technologically framed criminal justice procedures may appear to be evenly applied to all suspects, in reality their application is very much determined by discretionary and racialized decision-making processes. So, although technology may be lauded for its seemingly objectivity and aims to democratize encounters between the police and the public, the reality is that because of technology racialized decision-making steps are masked and harder to attribute and make people accountable because the decision-making can be appear to be placed onto machines and databases rather than humans (Parmar, 2019). In probation, risk prediction technologies have been revealed to be racially coded at their creation. An individual offender's profile is compared with a dataset of typically criminalized populations and the creators of risk technologies select the predictors of risk which can include criminal history, procriminal attitudes, criminogenic peers, deficiencies in education and employment and so on. These social factors are shaped and influenced by race and over-policing, for example. Therefore, Black and Minority Ethnic groups' risk of recidivism is over-emphasized whilst appearing to be race-neutral (Ugwudike, forthcoming).

As the digital age advances and makes its mark in the design, prediction and meting out of criminal justice practices, the need to explore its racializing features is all the more urgent. Our respective research projects on racial technologies have been greatly helped by looking across to and gleaning information from other disciplines such as social studies of technology, the philosophy of race and computational studies, where discussions about race and technology are growing apace. We suggest that understanding criminal justice spaces not only as sites of racism but also as places where race is made, reproduced and embedded through mundane technological tasks is important for generating knowledge about the new ways in which race and criminal justice intersect.

References

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