

Outlining a Race Policy Agenda for America

Prepared for the FrameWorks Institute
“Communicating Race in American Life” Project
June 2004

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Crime Policy Recommendations

The overriding goal for crime policy reform should be to change policies to make them less punitive, costly and to lessen the disproportionate burdens they impose on racial minorities. Specifically, the following recommendations are suggested.

Sentencing Guidelines and Laws

1. Reform sentencing guideline systems. Some policies in principle apply to everybody, but in practice disproportionately affect racial minority groups (e.g., the federal rule that punishes sale of five grams of crack cocaine as harshly as the sale of 500 grams of powder cocaine). As a result, proposals for sentencing legislation should be accompanied by or subjected to impact analyses that project their differential effects for minority groups.
2. Conduct disparity audits of all criminal justice system practices to establish whether and to what extent they exacerbate or ameliorate disparities in outcomes affecting minority groups.
3. Repeal Mandatory Minimum Sentencing Laws which tend to operate as engines of racial injustice. The effect of such laws is to fill America's prisons with thousands of non violent minority offenders.
4. Repeal all "three strikes" laws or any laws requiring judges to impose mandatory minimum sentences. Or, if these laws are not repealed, amend them to authorize judges to impose a lesser sentence if in their judgment the prescribed sentence would be unjustly severe.
5. At the very least, a nationwide moratorium on application of the death penalty should be implemented to correct flaws (e.g., incompetent attorneys for indigent defendants) in death penalty procedures. As it stands, the decision of who will live and who will die is linked to the race of the defendant.
6. Improve the quality of indigent defense counsel in criminal cases. In many instances, the racially disparate outcomes in the criminal justice system are related to inadequate counseling.
7. Repeal felony disenfranchisement laws (e.g., nonvoting for felony convictions) or at the very least tailor them to the nature of the crime.
8. Create a commission to explore the advantages and disadvantages of building prisons in rural areas as a means to vitalize an area's economy.

Greater Accountability for Police and Prosecutors

1. National standards should be developed for accrediting law enforcement agencies including guidelines for traffic stops, the use of force, and interaction between police officers and minority communities.
2. Improve training of police officers to bring police departments into compliance with national standards.
3. Encourage police officers to have college degrees.
4. Implement legislation requiring federal and state law enforcement officials to gather data on traffic stops and other interrogations associated with racial profiling.
5. Expand the authority and resources for police oversight agencies such as the Civil Rights Division of the Justice Department to investigate and punish misconduct, including racial profiling, brutality and corruption.
6. Implement Federal legislation requiring the compilation and publication of racial data by each U.S. Attorney's office and each State prosecutor's office regarding the charging and sentencing practices and outcomes in these offices.
7. Develop programs and workshops to help law enforcement officers understand that racial harassment is not only a violation of state and federal law but also causes entire communities, especially minority communities, to fear the same people they hire and trust to protect them.
8. Repeal laws that have collateral consequences of criminal convictions (e.g., eviction from public housing).
9. Law enforcement efforts should be redirected to emphasize the arrest, prosecution and incarceration of importers, manufacturers and major distributors (e.g., drug king pins), rather than low level offenders and street level retail dealers.

Juveniles

1. Reject efforts to transfer juveniles into Adult Justice System. Laws that extend incarcerations to youthful offenders disproportionately affect minority youth. Any laws that stray away from rehabilitation of youthful offenders in favor of their transfer into the adult criminal justice system threaten to create a permanent underclass of undereducated, untrained criminals.
2. Increase federal funding for youth programs, especially in inner cities.

Minority Representation

1. Greater efforts should be made to recruit minorities as a community resource. To accomplish this objective, federal grant programs to state and local law enforcement agencies should be implemented for minority recruitment, hiring and training with the objective of sensitizing law enforcement officers to the problems, needs and concerns of racial minorities.

Drug Treatment

1. As an alternative to incarceration, federal and state governments should invest more funds in drug treatment and educational programs for drug offenders, especially in poor communities.
2. Increase the use of special drug courts in which addicted offenders are given an opportunity to complete court supervised substance abuse treatment instead of being sent to prison.
3. Increase the number and availability of substance abuse treatment and prevention outreach in the community as well as in jails and prisons.

Health Policy Recommendations

Though all Americans share health concerns, more African Americans and other minorities die from serious diseases today than white Americans. Listed below are some policy recommendations that can help to ameliorate health disparities among the races.

General Health Policy Recommendations

1. Establish a National Center for Research on Domestic Health Disparities among the races.
2. Amend the Public Health Service Act to improve the health of minority individuals
3. Increase federal funding for the National Medical Association's Commission for Healthy Parity for African Americans, an organization composed of health scientists and activists committed to reducing racial and ethnic disparities in health.
4. Reform Medicaid/Medicare programs to restructure eligibility requirements, especially for the elderly and disabled, in order that their benefits are in line with their medical necessity rather than based on their socioeconomic status.
5. Congressional hearing should be held on racial bias and its impact on healthcare in America.
6. Establish a national advisory committee that would report annually to Congress on the status of healthcare parity in the United States. The advisory committee would consolidate

information from medical associations such as the Council of Graduate Medical Education, the National Institutes of Health, and the Office of Minority Health.

7. Greater research and public funding is needed to combat diseases that disproportionately affect African Americans (e.g., sickle cell anemia) and other minority groups.

Health Insurance

1. Expand governmental efforts to provide health insurance for the uninsured. Some approaches to covering the uninsured would be expanding state governmental programs and neighborhood health clinics, requiring businesses to offer private health insurance for employees, and offering income deductions.
2. Implement legislation that supports tax incentives for small businesses to provide insurance for low-wage workers.
3. Expand state government programs for low-income people, such as Medicaid and the State Children's Health Insurance Program (SCHIP) to provide coverage for people without insurance.

HIV/AIDS Research

1. Continue to provide high levels of funding for the Congressional Black Caucus Minority HIV/AIDS Initiative, an initiative designed to provide emergency and targeted funding to community-based efforts to bolster the service capacity and infrastructure of minority HIV service providers.
2. Expand efforts within the Department of Health and Human Services (DHHS) and the Office of the Surgeon General to address the HIV epidemics that disproportionately impact people of color.
3. Increase funding for the Racial and Ethnic Approaches to Community Health 2010 (REACH 2010). The project is designed to mobilize communities in support of effective and sustainable programs with the goal of eliminating health disparities among racial and ethnic minorities in several priority areas, including HIV/AIDS.
4. There is evidence to suggest that HIV/AIDS is spreading in rural America and in underserved urban communities, hence there is a growing need for agency-wide budget planning and program development at DHHS to design and create infrastructure support and capacity building in these geographic areas.
5. Increase federally funded programs that would be designed to increase awareness of the HIV/AIDS epidemic at the community level, especially in impoverished communities.

Educational Policy Recommendations

Education is the foundation that will open the door for opportunities in life. For many Americans, education provides an exit from poverty. In short, education is a major vehicle for equalizing opportunities for all Americans as expressed in the recently passed No Child Left Behind Act of 2001. The following recommendations are offered to improve education to equalize opportunities for racial minorities.

Government Funding

In the current 108th Congress (2003-04), several bills have been introduced that have a bearing on improving educational opportunities for disadvantaged groups.

1. Full funding of the No Child Left Behind Act should be a national priority. There is ample evidence to show that the cost of the Act vastly exceeds revenues that the states are receiving from the federal government.
2. To meet the requirements of No Child Left Behind, amendments such as the Murray Amendment (Senator Patty Murray, D-Wash. H. Con. Res. 23) should be approved which would provide an additional \$8.9 billion to allow for funding of Elementary and Secondary Education Act programs.
3. Approval of amendment H.R. 2660 offered by Senator Edward Kennedy (D-Mass.) and Susan Collins (R-Maine). The amendment would increase funding for the Pell Grant program, which would make it possible for an estimated additional 200,000 low-income children to pursue higher education.
4. Increase funding for historically black colleges and universities

No Child Left Behind Recommendations (NCLB)

1. Provide economically disadvantaged students with greater opportunities to move to schools with high achievement levels and low poverty rates. Thus far the evidence indicates that many low income students who transfer to go from one school with low achievements levels to another with similarly low achievement levels.
2. Provide financial incentives to help low-income districts, recruit, train, and retain qualified teachers.
3. Provide the necessary resources to build facilities that will ensure that all students are taught in smaller class sizes.

4. Increase the number of after-school programs in core curriculum subjects in low-income districts.
5. Modernize schools in low-income districts with computers, the internet, and other scientific equipments.
6. Education works best when communities and parents/guardians are involved. There is a need for policymakers to address ways in which neighborhood and family poverty sabotage child's education.
 - a. policies should be shaped to connect social service agencies (e.g., welfare offices) with schools to facilitate greater involvement of parents/guardians in school activities.
 - b. build wealth in minority communities by implementing housing and lending policies that provide greater opportunities for home ownership for people of color.
 - c. Incentives should be provided to promote racial diversity in predominantly white school districts. Financial incentives should be given to white and Asian suburbs that accept significant numbers of segregated minority students designated as failing in segregated locations.
 - d. public magnet schools should be established inside poor and racially isolated districts to attract students and families into districts and increase integration.
7. Use standardized tests to diagnose student needs and to assess student progress. They should not be used to punish schools with limited resources or culturally disadvantaged children who have not had the opportunity to learn the tested material.
8. Create disciplinary models that would encourage students to stay in integrated public schools rather than closing public schools and using taxpayers' money for vouchers to pay for private schools for white children.

Integration Policies

1. A presidential commission should be appointed to summarize the lessons of the last half century and inform American citizens about the steps necessary for building metropolitan communities that are less racially polarized in schools and are more successfully multiracial.
2. Recruit young people of color into the education profession and employ them into to all schools, not just in minority communities.
3. Incorporate multicultural curricula in all school systems which will help deal positively with a rapidly growing multiracial society.
4. Appoint judges and civil rights enforcement officials who are supportive of the principles embedded in the *Brown v. Board of Education* decision and willing to support legal remedies that will lead to school integration.

Affirmative Action

1. Colleges and Universities should take affirmative steps to provide increased educational opportunities for racial minorities. Universities should take note of a person's membership in a disadvantaged group as *one* factor among many to be considered in admission decisions.

Race Relations

1. Implement training programs to prevent racial harassment and racist incidents, especially among children of primary and even preschool age.
2. Create a governing body that will deal specifically with preventing racism in schools and promoting good relations between people of different racial groups.
3. Implement policies that will involve the community and specifically parents/guardians in race quality policy in schools.

Economic Policy Recommendations

To realize the goal of racial equality in America, policymakers must promote equal employment opportunity by implementing measures that will ban racial discrimination in the workplace, establish workable affirmative action policies, and eradicate poverty.

Government Funding

As our principal policymaking body and controller of the purse strings, Congress must adequately fund programs on the domestic front (e.g., health care, job training programs, welfare, education). Several bills have been introduced in the 108th Congress that can promote equal employment opportunities and help to alleviate poverty.

1. Members of Congress should approve an amendment offered by Maria Cantwell (D-Wash., S. Con. Res. 23) which would restore \$678 million to worker training programs under the Workforce Investment Act of 1998 (WIA). According to projections, the Cantwell Amendment would enable approximately 65,000 more Americans to receive job training under WIA.
2. In preparing the budget, Congress should reject tax cuts if they are at the expense of reduced funding for programs like Medicare, Food Stamps and Aid to Dependent Children.

3. Congress should amend the Personal Responsibility, Work and Family Promotion Act. Instead of simply moving people off welfare, Congress should authorize additional funding (e.g., child care) and develop effective strategies that would allow welfare recipients to obtain vocational and educational training as they transition from the workplace to independent living. Benjamin Cardin (D-Md., H.R.4) has proposed an amendment to address several crucial issues including giving states greater flexibility and time to provide job training and education to recipients, allow legal immigrants to receive benefits, and increase child care funding by \$11 billion over the next five years.

Poverty

1. Congress should lift the freeze on the Temporary Assistance to Needy Families program and restore funding.
2. Congress, state agencies and state legislatures should establish guidelines for what constitutes “legitimate work” and “adequate earnings” for people who are moving from welfare to work. While work may have many therapeutic side effects, the simple fact is that work is performed for income which, of course, contributes to personal and family security and stability.
3. Caseworkers should be monitored closely to ensure that there is no racial bias in job referrals. Studies suggest that significant differences exist in the success rate of Blacks/Whites in their transition from welfare to work. Obligate states to provide adequate and equal treatment under Civil Rights laws for all welfare to work participants.
4. For those who transfer from welfare to work, inadequate wages (to be defined by a “Living Income Index”) based on a 40-hour work requirement should be supplemented by the government (e.g., tax rebates).
5. Reinvest in education to increase job skills. In other words, allow work credit for education and extend training time for those families that are leaving welfare to overcome deficiencies in basic skills.
6. Establish a system that will facilitate comparative data analysis and evaluations across state jurisdictions. A standardized system is useful for addressing issue of racial disparities and systemic influences on race.

Business Lending Practices

1. Currently, less than 1 percent of banks and other financial institutions give small business loans to African Americans, Latino or Asian American-owned business. The Federal Reserve’s policy of prohibiting the collection and maintenance of any small business lending by race and ethnicity should be reversed to determined if outreach programs and other steps are necessary to increase business loans to minority business entrepreneurs.

2. Congress and the Commission on Civil Rights should encourage traditional and nontraditional lending institutions to be more creative and favorable to lending in minority communities and to minority persons, especially for business enterprises.

Procurement of Federal Contracts

1. In businesses where it's been determined that racial discrimination still exists, small disadvantaged businesses should be given a price credit to help them secure federal contracts. Under former President Bill Clinton, a 10 percent credit was offered to minority firms, which allows minority businesses in pre-selected fields (e.g., construction) to bid as much as 10 percent higher on a federal contract but still win that contract as its lowest bidder. The credit would serve to minimize the crippling effect of the *Adarand v. Peña* (1995) ruling, a decision in which the U.S. Supreme Court held that set-aside contracts for minority applicants are unlawful unless the government can demonstrate past discrimination that is particular to a situation.

Distillery Stores and Checking Cashing Practices

1. Create a commission to study the effects of locating liquor stores and check cashing facilities disproportionately in low-income neighborhoods.
2. Create a commission to study the effects of banking and lending practices on low-income citizens, especially in regard to banking practices that give free services to families who are already financially comfortable and charge outrageous fees to families who can't afford to pay.
3. Policymakers need to reexamine banking practices to protect the "unbanked," i.e., families without some type of transaction account who are disproportionately represented by minorities.
 - a. promote education and outreach programs aimed at moving the unbanked into the financial mainstream (e.g., offering payroll cards or debit card to unbanked workers through partnerships between employers and financial institutions who have a relationship with Visa or MasterCard). In utilizing electronic rather paper-based payments, employers may lower their payroll costs while financial institutions gain new market opportunities.

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