



## **Leading for Racial Equity An Emerging Agenda for Minnesota**

Racial equity in job creation and economic policy, education, the criminal justice system community development and health is essential to Minnesota's long term economic, political and social vitality.

For 5 years, the Organizing Apprenticeship Project (OAP) has released its annual Legislative Report Card, analyzing policies proposed and laws enacted by the Governor and Legislature that could impact the stark racial disparities in education, health, economic well being, the criminal justice system and public investment in Minnesota.

In this Report Card, OAP outlined the stark racial disparities that exist here, the systemic barriers, policies and practices that are creating or contributing to them, and their real cost to our state. Simply put, **failure to address persistent racial disparities in education, health, wealth, jobs and justice undermines Minnesota's quality of life, our role in the global economy, our strength as a democracy, and our capacity to sustain our families and communities.**

**There has been progress in leadership for racial equity in the past five years. Disparities grounded in structural racism do not change overnight, however. They can also grow worse, particularly in challenging times like those we face today. There are growing gaps in wealth and in power between our diverse communities. Thousands –disproportionately but not exclusively communities of color - have lost jobs, businesses, homes, opportunity and wealth. And our state feels the pinch, facing a daunting budget deficit. How we respond as a state and the decisions we make in the next two years could have a positive – or a very powerful negative – impact on communities of color and on our shared future.**

Therefore, OAP decided to turn to our allies and collaborators and to begin to document and share what we see as an emerging, powerful **and timely proactive agenda for achieving racial equity in Minnesota.** This is an agenda being created by community leaders all over this state, and it holds tremendous promise for the work of advancing equity in the state.

**The ideas and principles outlined in this first round of a racial equity agenda were generated by organizations and a multi-racial group of leaders with significant experience addressing racial and economic disparities in communities.** Some of the ideas are linked to legislation, and we will be looking at many of these as part of our Report Card on the 2011 Legislature. Others are opportunities for the Governor, local government, community groups, schools or businesses to lead for equity.

**With thoughtful leadership and political courage, the gaps in wealth, education, criminal justice, health, and political access can be closed and racial equity can be achieved.** OAP and a growing network of organizations across the state will do our part and continue to explore, research, shape and advance a community agenda for equity. **We ask state leaders to do the same, and to work with us and other racial justice leaders to realize a more equitable state.**



## **Closing the Wealth Gap – a Call for Racial Equity in Economic Growth, Job Creation, and Housing**

**Racial equity and the state’s long-term economic vitality are directly related, and there are stark, persistent racial disparities in employment and wealth which undermine the future for communities of color and for our state.** Employment is one critical area where racial inequities and barriers are clear, but there are others barriers that impact the ability of families and communities of color to build wealth. Home ownership, access to capital and contracts to start and expand new businesses, the collective wealth built in communities and neighborhoods are also critical pathways to wealth. Systemic racial inequities in all of these areas are creating deep racial wealth disparities across Minnesota.

**These are challenging economic times. In a time when many leaders are focused on job creation, however, it is important to remember that communities of color, women and low-income people have been hit the hardest by this recession, and are disproportionately represented among the unemployed and under-employed.** When Minnesota’s elected officials discuss job creation, they have to keep in mind the types of jobs that need to be created and include **advancing racial equity as a core standard for job creation strategies.**

Finally, one of the worst consequences of this particular recession and the predatory lending practices that preceded it is the dramatic rise in home foreclosures. Minnesota enacted limits on predatory lending, but thousands of families- disproportionately families of color- are still locked into bad deals that could financially devastate them. Inequities in foreclosure relate directly to inequities in employment, wealth and in access to affordable home loans.

### **Facts**

1. Many Minnesotans face unemployment or underemployment. The unemployment rate for people of color is 2-3 times higher than the State’s rate of 7%, however and even higher for women of color.
2. The Twin Cities metropolitan area has one of the highest black unemployment rates in the nation. According to a 2010 Economic Policy Institute (EPI) study, African-Americans in the metropolitan region are three times as likely to be unemployed as whites, regardless of income and education levels. This puts the Twin Cities area 2<sup>nd</sup> behind Detroit for racial disparities in employment.
3. Access to employment and to wealth is impacted by a host of other public decisions. These include investment in and access to public transit, housing investments and patterns, investment in and access to a quality education, and criminal justice policies.
4. Homeowners and communities of color were disproportionately impacted by foreclosures in Minnesota, in large part because of discriminatory lending patterns that steered homeowners of color towards high-cost, sub-prime loans.
5. In North Minneapolis, the percentage of home loans that were sub-prime, high cost loans was over 3 times the percentage in the metropolitan area as a whole. The Center for Responsible Lending estimates that 30% of all borrowers with sub-prime loans would have qualified for prime interest rate loans.

6. One national study ranked the Twin Cities area as among the worst in the country for differential treatment of borrowers of color in relationship to white borrowers, regardless of income levels. Racial disparities in access to affordable loans impacted borrowers of color at all income levels, from low to upper income.
7. Despite these disparities, people of color are wealth and job creators in this state. If businesses owned by people of color and immigrants were considered as a group, they would be the 9<sup>th</sup> largest employer in the state, and 15<sup>th</sup> in total revenue.
8. Communities of color and immigrant communities contribute at least \$1 billion in taxes and are a lifeline to communities across the state. In Willmar, for example, businesses owned by immigrants went from 5 to 54 in a 2 years. Communities could make an even stronger contribution to our economy and recovery if racial barriers to economic opportunity were addressed and removed.

### **Policies and practices that work:**

#### **1. In decisions that impact jobs and wealth as well as those impacting other arenas where racial disparities exist follow public budget principles that advance equity. If you cut budgets, use the old carpenter's maxim – Measure twice, cut once!**

##### **Ask these questions of any major investment or budget decision BEFORE it is made:**

- Does the proposed action impact racial and economic disparities in Minnesota?
- How might the proposed action support and advance racial and economic equity in Minnesota?
- Have voices of groups affected by the decision been consulted?
- What do you need to do ensure that your proposals and decisions more successfully address disparities?
- If your assessment shows that decision will likely increase disparities, what alternatives or modifications can you explore?

#### **2. Tie public investments to strategies that directly address racial and economic inequities.**

- Look at, model and support these powerful examples that link bonding and investment decisions to concrete goals to advance racial and gender equity in hiring and wealth opportunity.
  - a. ISIAAH, HIRE MN, Summit Academy OIC, Minority Economic Development Association and others collaborate with the Minnesota Department of Transportation on strategies that connect people of color and women to federal transit hiring and business opportunities. In 1 year, these strategies produced a 57% increase in women and minorities trained, 61% of these from communities of color and a 57% increase in contracts with disadvantaged business enterprises.
  - b. HIRE MN and key legislative leaders successfully worked to tie investments in weatherization dollars to new job training opportunities for communities of color and low income communities.
  - c. Commitments and practices included in funding authorization for Target Field included ambitious hiring equity goals in construction and community-based training program participation. 34% of contracting businesses were owned by women or people of color, and over 26% of those hired through the project were people of color. 62 people of color from six different training programs were also developed and hired in the trades through this project.
- Enforce purchasing and contracting programs that spur job growth and support small businesses, and set ambitious hiring goals for people of color.

- Help the Met Council achieve its hiring equity goals for workers of color and women workers on the Central Corridor Light Rail Transit. (Aurora St Anthony Neighborhood Development Corporation, HIRE Minnesota, Community Stabilization Project, Jewish Community Action, Alliance for Metropolitan Stability, Neighborhood Development Center, ISALAH)
- Consider targeting a portion of Minnesota State Board of Investment deposits and investments to equity building opportunities with Community Development Financial Institutions. (Jewish Community Action)

### **3. Adopt and support Regional development strategies that advance equity and opportunity in metropolitan regions.**

- Utilize innovative zoning policies that increase economic opportunities for communities of color, including mixed-use manufacturing districts.
- Support inclusionary zoning that requires developers to allocate a proportion of units as affordable. (ASANDC, CSP, ISALAH, JCA, MICAH, AMS)
- Support special development rights for grocery stores that locate in under-served neighborhoods. (ISALAH)
- Require new developments to provide supportive infrastructure such as at transit stops, indoor/outdoor bike parking and waiting rooms, and public restrooms and adopt a 1-1 replacement policy for any lost affordable housing. (AMS, ASANDC, CSP, ISALAH, JCA)

### **4. Adopt Policies that build employment and address unemployment disparities**

- Encourage customized job-training and other workforce development initiatives through public-private partnerships between businesses and cultural communities. (NEXUS)
- Remove credit history as a condition of employment. (MN Human Rights Dept.)
- Support strategies that build networks, offer internships, mentoring and deepen job experience of communities of color.
- Encourage or require employers to adopt Fair Hiring Practices. (Council on Crime and Justice, 180 Degrees, Minnesota Second Chance Coalition)
- Consider re-launching the Minnesota Emergency Employment Development program to efficiently boost job growth and improve the lives of working families and boost the state's economy. (Affirmative Options, Jobs Now)
- Require "U6" underemployment reporting. (Jobs Now)
- Strengthen and protect opportunities for labor organizing. (UFCW, SEIU)

### **5. Support policies that build wealth and livability of Neighborhoods**

- Expand park equity for youth of color, immigrant and poor youth who face limited recreational options. (HOPE Community/SPEAC)
- Ensure public investment decisions feed the revitalization of neighborhoods hardest hit by economic downturn (NEXUS)
- Pursue community development based on community benefits agreements (Alliance for Metropolitan Stability, ASANDC, CSP, ISALAH, Jewish Community Action)
- Invest in public-private partnerships that acquire land assets for neighborhood development, including land banking, community engagement to shape communities that collaborate between nonprofit, for-profit, and public entities (Native American Community Development Institute, Hope Community)
- Strengthen the Universal Service Fund and Life Line Program, which provides cell phones to low income people and homeless people (Main Street Project)

## **6. Policies that help communities build and maintain wealth, and help close long-term, historic racial wealth disparities.**

- Create standards for payday lending industry that strips employment and wealth opportunities from people of color.
- Ensure that lending institutions that foreclose on properties do so properly and accountably and clarify and protect homeowner rights in the process. (Jewish Community Action, Northside Community Reinvestment Coalition and St. Paul Fair Lending Coalition)
- Make investment in foreclosure counseling more effective by collecting and disaggregating data on results by lender. (Jewish Community Action, Northside Community Reinvestment Coalition and St. Paul Fair Lending Coalition)
- Teach financial literacy in elementary and high schools. Tie this to education around wealth, for example, stocks, bonds, housing, and use local resources to do this.
- Strengthen investment in the Urban Initiative Program that promotes entrepreneurship and business development among Minnesotans of color and women (ADC, LEDC, MEDA)
- Establish an asset-building assistance program for low/moderate-income beginning farmers modeled on the successful Individual Development Accounts for entrepreneurs. (LSP)
- Increase the availability of effective venture capital investment networks for small businesses, including those owned by people of color and women. (ADC, LEDC, MEDA)
- Expand affordable homeownership and boost funding for single-family and multi-family housing construction and renovation that creates more good jobs for Minnesotans. (MCCD)

The ideas in this Economic Equity Agenda were created, suggested or influenced by Native American Community Development Institute, Affirmative Options, African Development Center (ADC), Alliance for Metropolitan Stability, Aurora St. Anthony Neighborhood Development Corporation (ASANDC), Community Stabilization Project (CSP) Harrison Neighborhood Association, HIRE MN, Hope Community, Indigenous Green Jobs Taskforce, ISALAH, Jewish Community Action (JCA), Jobs Now Coalition, Land Stewardship Project (LSP), Latino Economic Development Corporation (LEDC) Metropolitan Consortium of Community Developers (MCCD), Metropolitan Economic Development Association (MEDA), Metropolitan Interfaith Coalition for Affordable Housing (MICAH), Minnesota Department of Human Rights, Minnesota Second Chance Coalition and NEXUS Community Partners.

### **Relevant policy papers, websites and reports on this area include:**

**Economic Policy Institute.** 2010. “Uneven Pain-Unemployment by metropolitan area and race.” Washington, D.C.: EPI.

#### **Center for Responsible Lending**

**Corrie, Bruce P., PhD.** “Latest Data Reveal Rapid Growth Continues for Minority Firms in Minnesota.” Minnesota Latino Business Revenue Grew 250%- Second Highest in the Nation.

**Toney, Jermaine. 2010.** “Racial Policy Brief #1, 14 Solutions that Expand Jobs and Economic Opportunity and Reduce Minnesota’s Disparities.” Organizing Apprenticeship Project. Minneapolis: OAP.

**Minnesota Department of Transportation Disadvantaged Business Enterprise and Workforce Collaborative.** 2011. “Report to Legislature.” Saint Paul: MnDOT.

**Organizing Apprenticeship Project. 2010.** “Pocket Guide to Budget Proposals: Racial and Economic Equity Assessment Questions.” Minneapolis: OAP.



## **Education Equity: Real opportunity for an equitable public education is our lifeline to long term economic, social and political health**

Recent studies show our state's public education system moving from top of the nation to 31<sup>st</sup>. This poses a serious threat to our state and to our children. Let's be clear. We are 31<sup>st</sup> in the nation because we have disinvested in public education and allowed serious racial, cultural and economic disparities to grow unabated. We have not valued equity in education.

**We have allowed our education system to fail kids of color, low income kids, ELL students, and rural students -over and over again.** We have failed to deliver the education today's diverse students and communities require. **We cannot have education excellence without equity, and until we prioritize equity, we will continue to lose ground.**

**Minnesota needs to create a truly excellent public education system for all students, a system that has equity at its core. All of our state educators need to commit to closing the education equity gap. Communities, schools and other stakeholders need to work together to create new ways to reward progress towards education equity.**

### **Facts**

1. Students of color make up one-fourth of all Minnesota students. That percentage is projected to grow over the next 10 years. 43 state districts, including 41 suburban and Greater Minnesota districts, had 30% or more students of color in 2008.
2. Minnesota has one of the largest achievement gaps between white students and students of color in the nation. The 2009 Nation's Report Card on reading from the National Assessment of Educational Progress showed we are tied with several other states for the largest black-white reading gap in 4<sup>th</sup> grade, and other measures show similar results.
3. Minnesota's nation-leading achievement gap does NOT grow from the high performance of white students or individual failures of students of color, but from a systemic problem in the education. An analysis of the above report by Growth and Justice shows that while Minnesota's white students perform just 1% point above the national average for white students, our students of color perform between 65 and 15% below the national averages for their own community. Minnesota's school system is failing students of color.
4. The state 4-year high school graduation rate ranges from 82% for white students to 41% for American Indian students. Only 44% of all black students, 45% of Hispanic students and 68% of Asian students graduate from high school in 4 years.
5. Racial and economic inequities exist in all areas of schools – disparities in grading, test scores, detention rates, teacher and administrator demographics, and disparities in cultural competence and cultural content of curriculum.
6. Racial disparities in test scores are stark, start in elementary school and INCREASE throughout a student's school years. Analysis of 2009 MCA II test scores by the Minnesota Minority Education Partnership showed racial disparities increase from 3<sup>rd</sup> to 11<sup>th</sup> grade in Minnesota.

7. Disparities in access to early childhood education contribute to the equity gap but do not solely explain it.
8. American Indian kids and youth of color come with gifts and talents that are too often ignored. A narrow focus on standardized test scores, low expectations, tracking, and lack of cultural competence can contribute to school cultures that ignore those gifts.

**Policies and Practices that work:**

1. **Make a commitment at the state level to actually achieving increased racial and economic equity in our state's public education system.**
  - Put progress towards racial and economic equity in the center of the mission of the Minnesota Department of Education and adopt racial equity practices that advance that mission. (Education Equity Organizing Collaborative)
  - Work with community and education stakeholders to shape new accountability, measurement, and recognition systems that recognize and reward progress towards equity as a central requirement for school excellence.(EEOC)
  - Re-imagine our education system in ways that recognize and build on the assets of Minnesota's growing communities of color and growing student body of color.
  - Pick commissioners, assistant commissioners, leaders and analysts of agencies that have experience and talents to put this focus on equity outcomes into practice. (Minnesota Minority Education Partnership, ISALAH)
  - Engage stakeholders including communities of color in solution creation.
  - Re-examine and reform existing state policies which focus on closing the achievement gap and hold the state accountable for adopting policies and practices that get there. (all)
2. **Invest in equity in education. Prioritize funding for strategies that promote progress**
  - Look at the impact of E-12 funding patterns on achievement of equity. Measure and share results. (Ready 4 K, Parents United)
  - Preserve and strengthen racial integration funding. (Minnesota School Integration Council, Minneapolis Public Schools, Minnesota Councils of Color, Institute on Race and Poverty)
  - Put education resources where they are most needed for achieving racial and economic equity.
  - Conduct racial and economic equity impact assessments surrounding any major change in funding, specifically budget cuts. (EEOC)
3. **Work for excellence and equity in teaching for all Minnesota students**
  - Ensure teachers and administrators possess cultural competency, and receive strong professional training in cultural competency. (all)
  - Ensure that teachers are trained to understand racial equity and ways that barriers to equity can be identified and interrupted. (all, Hamline University Graduate School of Education, others)
  - Work with communities and other stakeholders, including teachers, to define the qualities needed to teach all kids and to close equity gaps.
  - Build multiple strategies to develop diverse teachers who meet those standards and ensure that they are working with students of color. Those strategies could include multiple paths towards licensure, but all teachers must meet high teaching standards.
  - Create and pilot strategies to connect students to the teachers they need; recognize teachers and strategies which have a positive impact on racial disparities; and identify, remediate, and if necessary remove teachers and/or teaching strategies which fail our students. (EEOC, MMEP)

- Whenever possible, these strategies must respect and include multiple stakeholders, including parents and community leaders, teachers and school leaders while building real solutions to the challenges we face.

**4. Train teachers and school leadership to deliver a world class education to students utilizing a curriculum including the culture, history and learning styles of all.**

- Continue to include the contributions of Minnesota tribes and American Indian communities (history and culture) in all areas. (MIAC)
- Support efforts to incorporate histories of diverse cultures in social studies and core content standards. (Hmong Organizing Project/Take Action Minnesota, others)
- Integrate proven strategies for teaching students from individual cultures. (see #6)

**5. Support Quality Early Learning and preparation for all students**

- Expand resources for early childhood education. (Ready 4 K)
- Empower parents and families to choose high quality early learning settings through quality assurance and ratings. (Ready 4 K)

**6. Create and support focused strategies to achieve equity for students of color.**

- African American Males
  - a. Implement professional development models that improve cultural proficiency among teachers to foster a school culture of high expectations and high performance. (Minnesota Minority Education Partnership, African American Education Advisory Committee)
  - b. Adopt data driven decision making and better data reporting to allow teachers and schools to employ new teaching strategies and processes that are specific to the unique needs of African American males. (MMEP, AAEAP)
- Immigrant Youth, including those without documents
  - a. Implement a flat-rate tuition policy for all public colleges and universities (Centro Campesino, Minnesota Immigrant Freedom Network, MMEP)
  - b. Improve communication to and with communities regarding policies which address affordability of college (Centro Campesino, MMEP)
  - c. Explore making state financial aid dollars available to all Minnesota immigrant students who grow up here and a standardized financial aid application that can best determine their financial aid needs. (MMEP)
  - d. Continue to advocate for the passage of the national DREAM Act (Affirm MN, Centro Campesino, Minnesota Immigrant Freedom Network, MMEP)
- American Indian
  - a. Support innovative efforts such as the Memorandum of Agreement between the American Indian community and Minneapolis Public Schools (Metropolitan Urban Indian Directors, MIGIZI, Principals Indian Education)
  - b. Work in conjunction with the Minnesota Indian Affairs Council to support a permanent Indian Education Advisory Group to the MDE (MIAC)
- English Language Learners
  - a. Remove the time limit for Limited English Proficiency Students. (HACER, Somali Action Alliance)

- b. Recognize English Language Learners (youth AND adults) as second language learners, and a vital asset in the new global economy.
  - c. Do not over-burden ELL students by creating unnecessary language barriers for their parents through English-only statutes.
  - d. Work with immigrant community leaders and support real community participation in shaping ELL policies and processes in ways that help immigrant students thrive and achieve. (Somali Action Alliance, HACER)
7. **Adopt policies that help create, prioritize and reward an overall school culture that supports and honors students from all communities, including students of color.**
- o Support Policies and practices at state, district and school level that encourage outreach from schools to community and build effective relationships and partnerships with cultural communities. (Ready for K/Centro Campesino)
  - o Support policies and practices that build genuine, mutual accountability for student success between students of color, their parents, communities, schools, and the state.
  - o Equalize power, opportunity and representation on the school board level and within other leadership groups within schools.
  - o Increase racial equity around suspension and detention (180 Degrees, HACER, JDAI, Council on Crime and Justice, others)
  - o Engage the community, families and parents, as partners in creating solutions to inequity
  - o Support mentoring, and school-based after school programs for youth.
  - o Adopt and maintain anti-bullying policies and practices for all students in schools, including protections from bullying related to sexual orientation. (OutFront Minnesota, Minnesota Department of Human Rights)
8. **Encourage adults with limited education, and training to take courses that get them on the path to mobility in jobs and income** (Metropolitan Talking Circles)

The ideas in this Education Equity Draft Agenda were created, suggested or influenced by 180 Degrees, Affirm MN, Centro Campesino, Centro Cultural, Coalition of Black Churches, Education Equity Organizing Collaborative (EEOC), HACER, Hamline University Graduate School for Education, Institute on Race and Poverty, ISALAH, Metropolitan Urban Indian Directors (MUID), MIGIZI Communications, HOPE Community/SPEAC, Minneapolis Public Schools, Minnesota Immigrant Freedom Network, Minnesota Indian Affairs Council (MIAC), Minnesota Minority Education Partnership (MMEP), Minnesota School Integration Council, MnCAN, Parents United, Principals Indian Education, Ready 4 K, Somali Action Alliance, OutFront Minnesota, Take Action Minnesota/Hmong Organizing Project, Growth and Justice.

**Policy Papers, Research and Articles which helped inform this agenda:**

- Minnesota Department of Education. 2010.** School Report Cards.
- Minnesota Minority Education Partnership. 2009.** “2009 State of Students of Color and American Indian Students.” Saint Paul: MMEP.
- Minnesota Minority Education Partnership. 2010.** “Minnesota Economic Realities Tied to the Educational Success of African American Males.” Saint Paul: MMEP.
- Minnesota Minority Education Partnership. 2010.** “Access to Higher Education and Latino Undocumented Immigrant Youth in Minnesota: Removing Barriers to Develop Untapped Talent for Minnesota’s Economic Prosperity.” Saint Paul: MMEP.
- Smith, Dane. 2010.** “Minnesota’s Stubborn and Scary Racial Achievement Gap.” *MinnPost*. Minneapolis.



## Criminal Justice – Closing the Racial Gap

People of color in Minnesota are significantly more likely to end up in prison or juvenile detention than white Minnesotans engaging in similar behavior and to suffer long term economic and political barriers as a result. Though the crime rate has been declining in Minnesota, more Minnesotans -disproportionately Minnesotans of color -are being incarcerated or placed under “correctional control,” largely for non-violent, drug-related offenses. This racially disparate pattern has a devastating impact on families, opportunities and equity for Minnesotans of color.

For thousands of Minnesotans, old criminal records become new sentences in our society. People re-entering society from prison, or those with convictions who never went to jail, face barriers that significantly limit their ability to find meaningful employment, housing and education opportunities. People who are arrested, convicted or incarcerated are tracked into lower earnings and higher unemployment rates later in life. They become second-class citizens. This is a racial justice issue.

The current pattern of racial inequity in all aspects of our criminal justice system (law enforcement, juvenile detention, sentencing, and the range of practices and policies impacting ex-felons re-entering society) contributes to and exacerbates racial disparities in income, health, education and political participation in Minnesota. It is tremendously costly to the state in the short-term, and creates serious damage to our economy, our democracy and our communities over the long-term. These racially inequitable patterns must be changed.

### Facts:

1. Minnesota has the **8<sup>th</sup> highest rate of people in the corrections system** (1:26), and our corrections population has increased 278% since 1982 though there has been little change in the crime rate during that period.
2. Adult Black males comprise fewer than four percent of the population yet over 35% of the adult male prison population in Minnesota.
3. **Adults of color represent 14% of the population but nearly 47% of the prison population in Minnesota.**
4. While youth of color and American Indian youth comprise only 17 percent of 10-17 year olds in Minnesota, they account for 35% of juvenile arrests and 45 percent of cases that result in juvenile confinement.
5. This disparity reflects **proven patterns of disparities in arrest and conviction rates, not disparities in who is committing crimes.** Blacks are 10 times more likely, Latinos 4 times and American Indians 3 times more likely to be arrested than whites. Blacks are arrested for low-level offenses at significantly higher rates than whites (15-1) but with fewer of the arrest cases resulting in conviction (7:1)
6. A statewide racial profiling study by the Council on Crime and Justice found that **law enforcement officers stopped Black, Latino, and American Indian drivers at greater rates than White drivers**, searched Blacks, Latinos, and American Indians at greater rates than White drivers, and **found contraband as a result of searches of Blacks, Latinos, and American Indians at lower rates than in searches of White drivers.**

7. Over-arrest and incarceration of adults of color, particularly men of color and even more particularly African American men, is stripping the vote from men and communities of color. In 2007, **disenfranchised ex-felons were 1.6% of Minnesota’s voting age population, but nearly 10 percent of the Black population of voting age and 16% of African American adult males were disenfranchised.**
8. Studies show that employment rates of formerly incarcerated men are at least 6 percentage points lower than for similar men who have not been incarcerated.

**Policies and practices that work:**

1. **Increase equity in the criminal justice system.**
  - Disrupt the pattern of increased incarceration during economic downturns (Minnesota Second Chance Coalition)
  - Make racial equity and impact on racial equity a standard in considering criminal justice policies and practices, following the lead and practice of our state’s own Sentencing Commission. (Minnesota Second Chance Coalition)
  - Strengthen criteria for receiving probation (Juvenile Justice Advisory Committee)
2. **Adopt policies that build opportunities for those with a criminal record to re-enter the community and find meaningful employment, education and political representation.**
  - Provide transparent methods for offenders to request their records be sealed (Minnesota Second Chance Coalition)
  - State and business leaders should adopt “Fair Hiring Practices” (Council on Crime and Justice) and proposals such as the Minnesota Hiring Advantage (Minnesota Second Chance Coalition). These efforts outline concrete practices for businesses to expand and diversify their applicant pool and open employment opportunities. Practices include eliminating criminal record questions from initial applications, not considering arrests that do not result in charges or convictions, only considering arrest records that directly relate to the position, and considering evidence of rehabilitation in employment decisions. (Minnesota Second Chance Coalition, Council on Crime and Justice, 180 Degrees, Take Action Minnesota)
  - Adopt policies that support re-enfranchisement of adults with a felony conviction. (See Democracy section of this Agenda).
3. **Reduce racial disparities in the Juvenile Justice system**
  - Use detention alternatives to reduce youth in prison and reduce juvenile detention racial disparities (Juvenile Detention Alternative Initiative)
  - Utilize diversion programs for youth drug offenders (JDAI, Second Chance Coalition) and keep these records sealed from public
  - Collect data at decision points in county juvenile systems to determine best ways to reduce racial disparities in the juvenile justice.
  - Allow judges discretion to limit public trials of juveniles only to those crimes that are judged significantly serious or violent, rather than to open all trials of juveniles for all levels of crime to the public. (Minnesota Second Chance Coalition)
  - Maintain the current distinction between adult and juvenile crime and courts.
4. **Support local police strategies that build trust and communication with communities of color, and eliminate racial profiling and use of excessive force in communities of color.**
  - Respect the decisions of local governments who adopt separation ordinances between local police work and immigration enforcement as the best way to ensure public safety and avoid racial profiling. (Jewish Community Action, AFFIRM, Centro Cultural, Moorhead)

- Require police officers to stop the use of excessive force, particularly when dealing with people of color, new Minnesotans, and low income people (Multiple Stakeholders)

The ideas in the criminal justice and civil rights portion of this racial equity agenda were created and suggested by Second Chance Coalition, 180 Degrees, Juvenile Detention Alternatives Initiative, Council on Crime and Justice, Aurora St. Anthony Neighborhood Development Corporation/Got Voice Got Power; Justice for All, University of St. Thomas Community Justice Project, American Civil Liberties Union Greater Minnesota Racial Justice Project, Jewish Community Action.

**Relevant policy papers and reports on this area include:**

**Alexander, Michelle. 2010.** “The New Jim Crow: Mass Incarceration in the Age of Colorblindness.” The New Press. New York.

**Council on Crime and Justice. 2003.** “Minnesota Statewide Racial Profiling Report All Participating Jurisdiction Report to the Minnesota Legislature.” Minneapolis.

**Sarika Gupta, John Schmitt, Kris Warner. 2010.** “The High Budgetary Cost of Incarceration.” Center for Economic and Policy Research. Washington, D.C.

**Minnesota Department of Corrections. 2010.** “Trends in Minnesota’s Prison Population” PowerPoint presentation by Grant Duwe, PhD. Saint Paul.

**Pew Center on the States. 2009.** “1 in 31 the Long Reach in American Corrections.” Washington, D.C.

**Schmitt, John and Kris Warner. 2010.** “Ex-offenders and the Labor Market.” Center for Economic and Policy Research. Washington, D.C.

**Uggen, Dr. Christopher. 2006.** “Draft Report on Felon Disenfranchisement in Minnesota.” University of Minnesota Department of Sociology. Minneapolis.



## Civil Rights, Democracy and Voting Rights

Minnesota has always valued a strong civic life – the state leads the nation in political participation most election seasons and it is home to a rich network of associations and groups who help engage communities throughout the state in the ever-evolving creation of our democracy.

One area where Minnesota can either progress or go backwards, however, is in the policies and practices we adopt to promote voting, civic participation, and democracy. **There are real racial disparities in Minnesotan’s access to vote** rooted in part in racial disparities in our criminal justice system. **Proposals that help citizens register to vote are good for our democracy. Proposals that make it harder to register or to vote, however, create real disparities in our political system.**

A second area important to our democratic life has to do with the recent 2010 census, how it accounts for institutionalized populations and the potential impact of that count on our state’s redistricting plans. The US Census Bureau counts incarcerated people where they are confined rather than in the neighborhoods or towns they come from. Using these counts to draw legislative districts or determine public funding formulas compounds existing racial inequities in the criminal justice, political access and public service system. Essentially, incarcerated people - who are disproportionately men of color at least temporarily barred from the vote - are used to enhance the voting power of the incarcerating community at the expense of their home district, which may be majority community of color districts. This practice essentially promotes disinvestment in and reduces the political representation of prisoners’ home communities while they are incarcerated.

Re-districting decisions will impact political power at every level and can have a positive or negative impact on racial disparities in political voice and access. Although this process is just beginning, it is clear that careful attention to the racial equity impact of the re-districting plans will be very critical in the year ahead.

### Facts:

1. Minnesota has the highest voter participation in the country, but voters of color tend to be under-represented.
2. Voter ID laws would create voting barriers for many elderly, disabled, low-income, minority and young voters. Many of these citizens do not have a valid government-issued identification.
3. Minnesota has had no cases of voter impersonation, which is the only kind of fraud that a government-issued photo ID would prevent.
4. Voter ID laws are costly. One Midwestern state estimated in 2006 that a new voter ID law would cost \$18 million in addition to existing election costs in the first three years after the law was enacted.
5. 85% of Minnesota’s prison cells are located in districts that are disproportionately white. Minnesota’s prison population, however, is disproportionately people of color. Counting prison population for redistricting purposes enhances the voting power of disproportionately white

districts, though the prisoners counted often cannot vote. It also reduces the voting power of all other Minnesota districts, particularly prisoners' home communities.

**Policies and Practices that work:**

1. Restore voting rights to disenfranchised population. Give formerly incarcerated or persons on probation or parole the right to vote and communicate to the voter their right has been restored. (Minnesota Second Chance Coalition, Take Action Minnesota)
2. Adopt default voter registration for driver's license or state ID applicants, unless the applicant declines or is not eligible. (Minnesota Second Chance Coalition, Take Action Minnesota, Minnesota Secretary of State)
3. Do not adopt policies that repress or deny the vote to Minnesotans, including voter identification, that have not been shown to be necessary and which would create voting barriers for many low income people, the elderly, young voters and voters of color.
4. Pass State legislation prohibiting the enhancement of legislative districts by counting prison populations. (Council on Black Minnesotans, Minnesota Second Chance Coalition, Council on Crime and Justice)
5. Support principles and practices for drafting new redistricting plans for the state that align with racial equity principles, protects communities of interest and comply with the Voting Rights Act. (Minnesota Democracy Network, Color of Change)
6. Support a re-districting process that is non-partisan, transparent, and involves diverse communities (Minnesota Democracy Network)
7. Support an open internet and true net neutrality. (Main Street Project)

The ideas seen in the Democracy, Civil and Voting Rights section were created by 180 Degrees, ACLU Greater Minnesota Racial Justice Project, Color of Change, Council on Black Minnesotans, Council on Crime and Justice, Main Street Project, Minnesota Department of Human Rights, Minnesota Department of Public Safety, Minnesota Secretary of State, Minnesota Second Chance Coalition, Take Action Minnesota, Minnesota Democracy Network, University of St. Thomas' Law School Community Justice Project.

**Relevant policy papers, websites and reports on this area include:**

**League of Women's Voters Minnesota. 2010.** Minneapolis.

**Prisoners of the Census. 2010.** "Prison-based Gerrymandering in Minnesota." Massachusetts.

**Toney, Jermaine. 2009.** "2008 Legislative Report Card on Racial Equity." Organizing Apprenticeship Project. Minneapolis: OAP.



## PRINCIPLES FOR RACIAL and CULTURAL EQUITY

The Organizing Apprenticeship Project and numerous organizations have adopted these principles, which guide our work to reduce racial disparities in education, income, wealth, employment, health and criminal justice.

Here are the elements:

**Focus on racial equity outcomes.** As the population of people of color continues to expand, Minnesota has to adopt a proactive racial equity agenda to match the growing concerns of Minnesotans of color. To uphold this agenda, public policy has to be formulated and enforced to ensure that racial inequities are eliminated.

**Uphold equity, enfranchisement and economic justice.** Minnesotans of color should have rights to civic engagement and access to institutions and public benefits such as education, employment, housing, health care, and voting rights to have meaningful participation in society. Attributes of people of color such as culture, language, immigration status, income, and criminal history should not be grounds for discrimination.

**Invest in opportunity and advancement.** Public, nonprofit and private institutions of Minnesota have to invest in improving education, expanding access to public services, strengthening workforce, spurring community development to build stronger social and economic returns for Minnesotans of color and Minnesota in general.

**Strengthen protections against discrimination, racial violence, racial profiling.** Long before and since “September 11th,” communities of color have been subject to hate crimes and public policies that widen racial disparities in the criminal justice system (i.e. racial profiling) and the K-12 education system (i.e. zero tolerance, budget cuts). Minnesota has to build on and enforce policies to end discrimination based on race, ethnicity or immigration status.

**Recognize and harvest the contributions of racial and cultural communities.** For too long, cultural communities have been denied access to their heritage culture, rendered statistically insignificant and absent in policy designs. These are expressions of structural and institutional racism, placing all, particularly these communities at a further disadvantage in opportunities and outcomes. Minnesota must design policies that build upon the languages, values, cultural history and end racial and cultural inequities.

### What Is Racial Equity Conscious Legislation?

Proactive racially conscious policies or practices target institutional and structural inequities, seeking to eliminate racial disparities and advance equitable outcomes. Race-neutral or colorblind legislation or practices, whether intentionally or not, can exacerbate racial inequities.

*Applied Research Center, 2010.*