

RACIAL IMPACT ASSESSMENT EXERCISE



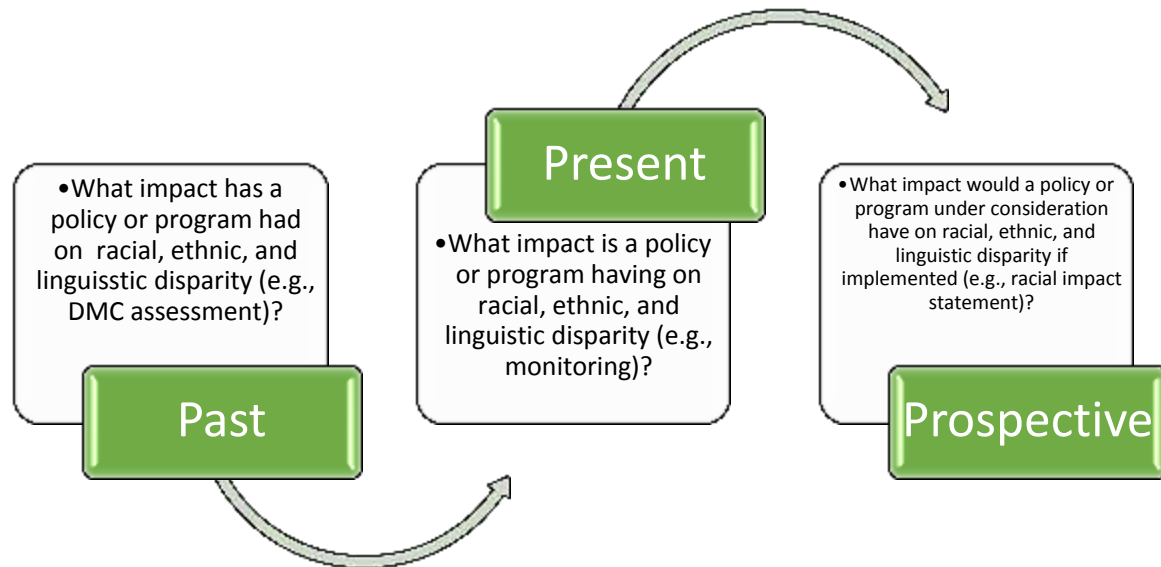
Bias and Its Impact on Decision-Making

The Racial Impact Statement (RIS) /Exercise can help decision-makers assess the racial impact of individual decision-making, as well as how policies are applied and enforced in youth-serving systems.

“Racial Impact Statements” is a term of art that refers to an analysis that is prospective — these statements seek to prevent policies that will cause or exacerbate racial and ethnic disparities by projecting how policies under consideration will impact disparities. They are akin to fiscal impact statements or fiscal notes.”

It is critical in developing disparity and disproportionality interventions that policy is guided by and viewed in the context of race (“through the racial lens”) to ensure unintended consequences (e.g., negatively impacting people of color) are avoided at all costs. In our vigilance to ensure progress is made in reducing disparities within and across systems, it is critical to examine at all levels of policy development the potential impact on people of color and that disparity reduction efforts are incorporated into the core workings and strategic plans as part of day-to-day business. One method to ensure that disparities and disproportionality are addressed at various levels is to implement the use of racial impact statements or similar tool.

The RIS can be modified to assist with policies already implemented; current policies or prospective policies; all of which jurisdiction and agency may utilize. Additionally, they can be used at either the macro level (legislation) or the micro level (individual decision-making). When used at the micro level, they are very similar to a ‘bench card’ whereby Judges ask a series of questions of themselves as a preliminary step to decision-making about the case, youth or family before them.



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ASSIGNMENT: The purpose of this assignment is to conduct a racial-impact assessment that could improve outcomes in juvenile justice. The racial impact assessment will explore in-depth, racial discrepancies in the interpretation, enforcement and application of laws, policies and practices at your particular decision-point (statewide, county or agency). This assignment will give us as a class, the opportunity to identify and discuss the racial impact of policies at key decision points and strategies that can reduce RED.

Racial impact has historically been measured according to blatant and incontrovertible types of discrimination such as lynching cross-burning or the use of racial epithets. Today, most racial disparities result from implicit and unintended biases that are informed by stereotypes and obscured by colorblindness. As a result, most decision-makers (e.g., lawmakers, law enforcement agencies and officers, probation officers, juvenile hall staff etc.) who claim they are color-blind are unaware of how race can influence the way they interpret, enforce and apply the laws.

Institutional racism consists of established laws, customs and practices that systematically reflect and produce intentionally and unintentionally racial inequalities in American society. Individuals and institutions apply and create rules, guidelines, standards, procedures and practices that create racist effects. Institutional racism exists when gross and identifiable disparities occur on the basis of group membership, (e.g., identities of race, class and gender). Thus in education, criminal justice, housing, health care, economics and labor force

participation, if it can be shown that distinct racial differences exist, then what is observed is institutional racism (Robert Carter in Off White: Readings on Race, Power, and Society 1997).

This is a group assignment.

Based on the definition of “institutional racism” identify a policy or practice in your state, county or agency which you believe is interpreted, applied or enforced differentially by race/ethnicity, in ways that promote a racial impact. Focus on the race/ethnicity of group(s) that are the most impacted by this practice.

Instructions –Conducting the Racial Impact Assessment

- Describe the law, policy or practice you are assessing.
- What conclusions can you draw about the racial impact of the race and ethnic disparities of this law/policy or practice?
- At which decision point does the disparity occur?
- Are there any identifiable or observable behaviors that reflect racial bias?
- What is the stated intent of the law or policy?
- Discuss how the policy/practice appears to be race neutral on the surface but is enforced in ways that result in a racial impact.
- How might implicit bias, stereotyping and colorblindness contribute to the race, ethnic disparities?
- Provide data to support your assessment.

Your group should present its findings in a 15-minute presentation to our class.