

AMERICAN UNIVERSITY'S SCHOOL OF PUBLIC AFFAIRS

THE PUBLIC PURPOSE JOURNAL
PRESENTS



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★ **AMERICA**
VOLUME XIX

THE PUBLIC PURPOSE JOURNAL
VOL. XIX | SPRING 2021

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The Public Purpose
American University
School of Public Affairs
4400 Massachusetts Ave NW
Washington, DC 20016

Journal Layout & Design: Lana Al-Khatib

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ABOUT THE JOURNAL

The Public Purpose is a peer-reviewed interdisciplinary journal presenting the work of American University graduate students from the Departments of Government; Justice, Law, and Criminology; and Public Administration and Policy. Founded in 2003, The Public Purpose is supported by the SPA Graduate Council with involvement and guidance of Faculty Review Board, consisting of some of American University's most distinguished professors. In addition to an annual print journal, The Public Purpose also manages a public policy blog (thepublicpurpose.com). The journal is entirely student run and currently has a staff of about 20 students.

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FROM THE EDITORS

Dear Readers,

We are delighted to present the 19th edition of the Public Purpose Journal. The Public Purpose is an academic journal led by graduate students in American University's School of Public Affairs. We strive to publish work that contributes to the literature of our disciplines. These papers reflect outstanding work on public policy, public administration, government, justice, law, criminology, terrorism studies. As a student-run organization, we are grateful to the Graduate Student Council and the Dean's office for their support.

The papers published here show the range of important topics that our graduate students tackle in their classes. From analyzing significant domestic policy issues to reflecting on international events that have affected the global climate of democracy, our students' work highlighted here shows the great depth and range of issues American University graduate students care about. Our theme, "Whose America?" is a framework we use to reflect on current events. We posit the following questions: Whose America is it? Who gets to decide what happens in America? What does "a perfect Union" mean? Who gets to tell the story of what America? or What should the story of America be? Who seems to be represented when we look around our spaces and places?

As a school committed to public service excellence, we continue to strive for innovation in public policy and administration through learning experiences inside and outside the classroom. The Public Purpose Journal prides itself on showcasing our student's work through a peer review process which allows students to complement their graduate education with co-curricular opportunities. We thank our student writers, editors, and production staff members for their hard work. Additionally, we thank our staff for their work behind-the-scenes and their dedication to the journal's mission. Lastly, we would like to offer a special thank you to the faculty review board for collaborating in this process.

Sincerely,

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Cultural Diversity in STEM

Arsene Frederic Jr.
Master of Public Administration

Abstract

The United States' inability to achieve science, technology, engineering, and mathematics (STEM) workforce diversity goals has long been attributed to the failure of the academic "pipeline" to maintain a steady flow of underrepresented minority (URM) students (Estrada et al., 2016). These gains require a strategic effort to expand the labor force—increasing the number of well-educated and highly skilled STEM-capable professionals to maintain the pace of producing meaningful technological breakthroughs (Espinosa et al., 2019). Research suggests that the way that campuses deal with diversity can influence Students of Color's success and persistence (Harper & Yeung, 2013; Hurtado et al., 1998b). Notably, historically black colleges and universities (HBCUs) have been evidenced to play a crucial role in helping to diversify STEM disciplines (Perna et al., 2009). Using the U.S. Department of Education, National Center for Education Statistics, 2012/17 Beginning Postsecondary Students Longitudinal Study (BPS:12/17), I used the data lab software to conduct a frequency analysis. Further, this study examines gender among students majoring in STEM at HBCUs and aims to answer the following question: How strong is the association between Historically Black Colleges and Universities and Black students pursuing STEM degrees? In this analysis, I examined the percentage of students with a focus on STEM fields as a major field of study for the following variables: race/ethnicity, gender, and Historically Black Colleges/Universities. The wealth of research on African American college students' experiences primarily focuses on Black female students, since there are twice as many in comparison to male students. Current research is more reflective of female Black college students' experiences than Black male students. Consequently, this analysis showcases there is a strong association among Black women but a weak association among Black men.

Introduction

The United States' inability to achieve science, technology, engineering, and mathematics (STEM) workforce diversity goals has long been attributed to the failure of the academic "pipeline" to maintain a steady flow of underrepresented minority (URM) students (Estrada et al., 2016). These gains require a strategic effort to expand the labor force—increasing the number of well-educated and highly skilled STEM-capable professionals to maintain the pace of producing meaningful technological breakthroughs (Espinosa et al., 2019).

Research suggests that the way that campuses deal with diversity can influence Students of Color's success and persistence (Harper & Yeung, 2013; Hurtado et al., 1998b). Within PWIs, there is evidence that STEM disciplines are often unwelcoming to Students of Color and women (Carlone & Johnson, 2007; Ong et al., 2011). To address national priorities related to progress and innovation, and to facilitate advances in the grand domestic and international challenges in the U.S. workforce, STEM diversity matters (Centre for Strategy and Evaluation Services, 2003; National Academy of Sciences et al., 2011, p. 2017).

Matriculation into a Welcoming Environment

Further research has cited that it is not a lack of interest in science that causes attrition in STEM, but rather, that educational disadvantages are cumulative in nature. The Science builds on its content through grade levels and failures (of student learning, insufficiency of teaching, low school funding, etc.) can prevent students from mastering the prerequisite knowledge that they need to understand the content and continue to be motivated (Sasso, 2008). Minority students entering U.S. colleges demonstrate an equal interest in STEM as their Caucasian peers, yet they are only two-thirds as likely as Caucasians to earn bachelor's degrees in those fields (Koenig, 2009).

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Moreover, research on climates within STEM disciplines at HBCUs demonstrates that Students of Color experienced welcome climates in these institutions (Lent et al., 2005; Whitten et al., 2004). More importantly, historically black colleges and universities (HBCUs) have been evidenced to play a crucial role in helping to diversify STEM disciplines (Perna et al., 2009). Historically black colleges and universities (HBCUs) are institutions of higher education in the United States that were established before the Civil Rights Act of 1964 with the intention of primarily serving the African-American community. Most of these institutions were founded in the years after the American Civil War and are concentrated in the Southern United States. (Anderson, 1988)

Although America's STEM workforce has grown more diverse over time, its numbers are still far below the level of diversity represented in the general population (Pew Research Center, 2018). A clear takeaway from the projected demographic profile of the nation is that the educational outcomes and STEM readiness of students of color will have direct implications on America's economic growth, national security, and global prosperity (Espinosa et al., 2019). Accordingly, there is an urgent national need to develop strategies to substantially increase the postsecondary and STEM degree attainment rates of Hispanic, African American, American Indian, Alaska Native, and underrepresented Asian American students (Espinosa et al., 2019).

The studies selected for this literature review consists of both qualitative and quantitative research which provides a greater definition of increasing diversity among students who are pursuing STEM majors. The quantitative studies rule out selection bias by conducting randomized controlled trials and the qualitative studies define a target population and sampling frame to match the sampling frame to the target population as much as possible.

Research Question

Some work suggests that HBCUs are especially successful in producing African American female STEM bachelor's degree recipients, implying that there may be a less positive gendered effect for men at HBCUs (e.g., Perna et al., 2009). With this conceptualization, this study is a comparative analysis of Black students majoring in STEM at HBCUs versus students that are not. Further, this study examines gender among students majoring in STEM at HBCUs and aims to answer the following question: How strong is the association between Historically Black Colleges and Universities and Black students pursuing STEM degrees?

Gender in STEM

Women are undoubtedly underrepresented among all students earning post-secondary STEM degrees. In 2013, The National Science Foundation (Macmillan, 2013) reported that although women receive at least 57% of post-secondary degrees, they only earn 30% of undergraduate degrees in STEM fields, such as engineering and computer science (Macphee, 2013). When comparing the attainment of STEM degrees among women and men, data show that gender is an institutionalized hindrance (Farinde, 2012). Gender creates boundaries—both internalized and externally felt—for those pursuing STEM degrees. Research also shows that though many women feel the impact of gender-STEM stereotypes, women across varying ethnic groups might feel stereotypes in different ways and to differing extents (O'Brien, 2015). Rhetoric and research related to expanding the science, technology, engineering, and mathematics (STEM) pipeline implicitly reference an antiquated White, male-female dichotomy (Lundy, 2013). In this paradigm, STEM fields are associated with White men, academic rigor, and the manual labor associated with related work (Slaton, 2010). While this orientation undoubtedly marginalizes White women and women of color, it can also trivialize the experiences and outcomes of men of color in the context of the STEM pipeline (Lundy, 2013).

Based on a preliminary conjecture, my hypothesis is that there is a strong relationship between Black students pursuing STEM degrees at HBCUs. Referring to the literature, it is evident that a quality education is necessary to prepare students to enter the STEM workforce. Yet, institutional barriers prevent minorities, specifically black students from accessing the resources needed to launch a career in STEM.

With this, I posit that HBCUs can offer innovative strategies to the higher education landscape at large when it comes to increasing diversity among students who are pursuing STEM degrees.

Settings

Although research on HBCUs is often contrasted with the behavior, achievement, and outcomes of Black students at PWIs (Allen, 1992; Flowers, 2002; Gurin & Epps, 1975; Kim & Conrad, 2006; Nasim et al., 2005) gender is often not focal—a fact that is not necessarily fatal. In the comparative research that does address gender at HBCUs (e.g., Bonner, 2001; Fleming, 1984; Harper et al., 2004) the literature almost exclusively fixates on female experiences and marginalization with little attention to the experiences of men (as an exception, see Davis, 1994).

This research contributes to the scholarship that examines how the educational outcomes and STEM readiness of students of color will have direct implications for America's economic growth, national security, and global prosperity (Espinosa et al., 2019). It also has practical consequences for K–12 practitioners, higher education practitioners, STEM organizational recruiters, and policymakers seeking to positively address the STEM gap.

Data Sources and Sample

The source of this study is the U.S. Department of Education, National Center for Education Statistics, 2012/17 Beginning Postsecondary Students Longitudinal Study (BPS:12/17). The sample used for this study is the Beginning Postsecondary Students Longitudinal Study (BPS) which currently surveys cohorts of first-time, beginning students at three points in time: at the end of their first year, and then three and six years after first starting in postsecondary education. It collects data on a variety of topics, including student demographic characteristics, school and work experiences, persistence, transfer, and degree attainment.

Additionally, this study is examining students' major field of study with a focus on STEM fields 2011-12 by Historical black college indicator at the first institution. For the purposes of this analysis, the following variables are being examined:

Independent Variable: Gender, Race/Ethnicity

Dependent Variable: Pursuing a major field of study in a STEM field, Historically Black College or University (HBCU)

Analytical Methods

Using the U.S. Department of Education, National Center for Education Statistics, 2012/17 Beginning Postsecondary Students Longitudinal Study (BPS:12/17), I used the data lab software to conduct a frequency analysis. In this analysis, I examined the percentage of students with a focus on STEM fields as a major field of study for the following variables: race/ethnicity, gender, and Historically Black Colleges/Universities. Each graph presents a percentage breakdown of the variables and findings are reported.

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Findings

Table 1. STEM field choices by HBCU status for Black males

Major field of study with a focus on STEM fields 2011-12					
	Math/Computer/Sciences/ Engineering/Technologies	Social/behavioral sciences	Non- STEM field	Undecided or not in a degree program	Total
	(%)	(%)	(%)	(%)	
Overall	18.59	2.98	71.66	6.78	100.00
Historical black college indicator at first institution 2011-12					
No	18.74	2.71	72.51	6.04	100.00
Yes	17.02	5.76*	62.76	14.46*	100.00

Note: * indicates small sample size; interpret with caution

As Table 1 shows, the percent of Black males who chose to major in STEM was slightly lower in HBCUs, at 17%, as compared to 19% at non-HBCUs. This means that the percentage of Black males who pursue STEM degrees in HBCU's is much lower compared to Black males who pursue a STEM degree at other higher education institutions.

Table 2. STEM field choices by HBCU status for Males

Major field of study with a focus on STEM fields 2011-12					
	Math/ Comp uter/S cienc (%)	Social/behavi oral sciences (%)	Non-STEM field (%)	Undecided or not in a degree program (%)	Total
Overall	26.26	4.36	62.50	6.87	100.00
Historical black college indicator at first institution 2011-12					
No	26.35	4.36	62.52	6.78	100.00
Yes	19.80	4.98*	61.21	14.01*	100.00

Note: * Indicates small sample size; interpret with caution

As Table 2 shows, the percent of Males who chose to major in STEM was slightly lower in HBCUs, at 20%, as compared to 26% at non-HBCUs. This means that the percentage of Males who pursue STEM degrees in HBCU's is much lower compared to Males who pursue a STEM degree at other higher education institutions.

Table 3. STEM field choices by HBCU status for Females

	Major field of study with a focus on STEM fields 2011-12				Total
	Math/Computer/Sciences/Engineering/Technologies (%)	Social/behavioral sciences (%)	Non-STEM field (%)	Undecided or not in a degree program (%)	
Overall	10.49	7.89	76.28	5.33	100.00
Historical black college indicator at first institution 2011-12					
No	10.33	7.79	76.50	5.38	100.00
Yes	20.03	13.29*	64.0	2.73*	100.00

Note: * Indicates small sample size; interpret with caution

As Table 3 shows, the percent of Females who chose to major in STEM was much higher in HBCUs, at 20%, as compared to 10% at non-HBCUs. This means that the percentage of females who pursue STEM degrees in HBCU's is much higher compared to females who pursue a STEM degree at other higher education institutions.

Table 4. STEM choices by HBCU status for Black Females

	Major field of study with a focus on STEM fields 2011-12				Total
	Math/Computer/Sciences/Engineering/Technologies (%)	Social/behavioral sciences (%)	Non-STEM field (%)	Undecided or not in a degree program (%)	
Overall	9.59	7.89	79.12	3.41*	100.00
Historical black college indicator at first institution 2011-12					
No	8.24	7.21	81.05	3.5*	100.00
Yes	22.04	14.21*	61.17	2.58*	100.00

Note: * Indicates small sample size; interpret with caution

As Table 4 shows, the percent of Black females who chose to major in STEM was much higher in HBCUs, at 22%, as compared to 8% at non-HBCUs. This means that the percentage of Black females who pursue STEM degrees in HBCU's is much higher compared to Black females who pursue a STEM degree at other higher education institutions.

Discussion and Conclusion

In summary, research into the experiences of underrepresented minorities has identified a host of additional barriers, including college affordability, self-confidence, feelings of exclusion, and teachers' low expectations of such students (Committee on Underrepresented Groups and the Expansion of the Science and Engineering Workforce Pipeline, 2011).

This analysis contributes to the scholarship that examines how the educational outcomes and STEM readiness of students of color will have direct implications for America's economic growth,

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national security, and global prosperity (Espinosa et al., 2019). It also has practical consequences for K–12 practitioners, higher education practitioners, STEM organizational recruiters, and policymakers seeking to positively address the STEM gap.

The wealth of research on African American college students' experiences primarily focuses on Black female students, since there are twice as many in comparison to male students. Current research is more reflective of female Black college students' experiences than Black male students.

Additionally, while research has been conducted on Black male college students, there is very little research on Black males who are majoring in a STEM discipline. Despite the gains by HBCUs in promoting the undergraduate STEM pipeline among African Americans in general, research on this racial group and these institutions consistently fails to consider male students (Lundy, 2013). This omission appears shortsighted given the large and persistent disparities in Black male and female achievement throughout the educational pipeline (Cuyjet, 2006; Lundy & Firebaugh, 2005; Mandara, 2006; Mickelson & Greene, 2006), and at HBCUs (Kimbrough & Harper, 2006; Lundy-Wagner & Gasman, 2011; Palmer, Davis, & Maramba, 2011; Palmer & Gasman, 2008).

The data indicate that many African American women who attend HBCUs persist to and through undergraduate STEM degree programs. Many of these women are high-achieving students and, although not a monolithic group, much of their success is directly attributed to the best practices of their undergraduate institutions.

For example, example, a study (Perna, 2009) conducted at the all-women's HBCU, Spelman College, found that the Black women who participated in the STEM programs felt that their shared interest in STEM yielded more of a supportive and uplifting environment. There was not an overwhelming sense of competition among the women because they felt their priority was to earn a degree and help their peers earn a degree to better inform the narrative of Black women's ability to achieve and persist in the STEM field (Perna, 2009). In addition, to support from peers, the study also found that institutional structures, policies, and practices contribute to the attainment of women and minorities in STEM fields (Perna, 2009).

Consequently, this analysis showcases there is a strong association among Black women but a weak association among Black men. Within the race-specific context of HBCUs, gender inequality is primarily equated with female advantage or disadvantage, ignoring African American men (Lundy, 2013). Similarly, within the STEM context, White and Asian men are equated with prominence, while historically underrepresented men, similar to Black men, are overlooked and virtually ignored (Lundy, 2013). This approach is used to guide the research design, and data analysis by providing attention to Black men and critiquing the lack of explicit attention to this group as an important element of the Black HBCU STEM pipeline.

Therefore, the limitations include the need for more research on Black males pursuing STEM degrees. Also, the sample size is small which can potentially render this study meaningless.

Early research related to gender at HBCUs, and gender in STEM at HBCUs suggests that African American men dominate the STEM landscape (Allen, 1992; Fleming, 1984). While a few scholars specifically explore African American men in STEM (e.g., Maton, Hrabowski, & Greif, 1998; Moore, 2006; Stinton, 2006), none comprehensively characterizes their experiences or outcomes at PWIs or HBCUs. Failure to identify and acknowledge gendered STEM realities may contribute to the paltry growth in Black STEM degree completion nationwide, but especially at HBCUs.

References

- Allen, W. R. (1992). The color of success: African American college student outcomes at a predominately White and historically Black public colleges and universities. *Harvard Educational Review*, 62, 26–44.
- Anderson, J. D. (1988). *The education of Blacks in the South, 1860–1935*. University of North Carolina Press.
- Beasley, M. (2011, November 1). *Opting Out*. University of Chicago Press.
<https://press.uchicago.edu/ucp/books/book/chicago/O/bo12079574.html>.

- Bonner, F. B. (2001). Addressing gender issues in the historically Black college and university community: A challenge and call to action. *The Journal of Negro Education*, 70, 176-191.
- Centre for Strategy and Evaluation Services. (2003). *The costs and benefits of diversity: A study on methods and indicators to measure the cost-effectiveness of diversity policies in enterprises* [Executive summary]. European Commission.
- Committee on Underrepresented Groups and the Expansion of the Science and Engineering Workforce Pipeline. (2011). *Expanding underrepresented minority participation*. National Academies Press.
- Carlone, H. B., & Johnson, A. (2007). Understanding the science experiences of successful women of color: Science identity as an analytic lens. *Journal of Research in Science Teaching*, 44(8), 1011–1245.
- Cohn, D. V., & Caumont, A. (2020, July 27). *10 demographic trends that are shaping the US and the world*. Pew Research Center. <https://www.pewresearch.org/fact-tank/2016/03/31/10-demographic-trends-that-are-shaping-the-u-s-and-the-world/>
- Cuyjet, M. J. (2006). *African American men in college*. Jossey-Bass.
- Davis, J. E. (1994). College in black and white: Campus environment and academic achievement of African American males. *The Journal of Negro Education*, 63, 620–633.
- Estrada, M., Burnett, M., Campbell, A. G., Campbell, P. B., Denetclaw, W. F., Gutiérrez, C. G., Hurtado, S., John, G. H., Matsui, J., McGee, R., Okpodu, C. M., Robinson, T. J., Summers, M. F., Werner-Washburne, M., & Zavala, M. (2016). Improving underrepresented minority student persistence in STEM. *CBE—Life Sciences Education*, 15(3), es5. <https://doi.org/10.1187/cbe.16-01-0038>
- Espinosa, L. L., McGuire, K., Jackson, L., National Academies of Sciences, Engineering, and Medicine Committee on Closing the Equity Gap, & Board on Higher Education and Workforce Policy and Global Affairs. (2019). *Minority serving institutions: America's underutilized resource for strengthening the STEM workforce*. The National Academies Press.
- Farinde, A. A. & Lewis, C. W. (2012). *The underrepresentation of African American female students in STEM fields: Implications for classroom teachers* [Online Submiss.]. Retrieved April 9, 2018, from <https://files.eric.ed.gov/fulltext/ED533550.pdf>
- Fleming, J. (1984). Blacks in college: A comparative study of students' success in Black and in White institutions. Jossey-Bass.
- Flowers, L. A. (2002). The impact of college racial composition on African American students' academic and social gains: Additional evidence. *Journal of College Student Development*, 43, 403–410.
- Gurin, P., & Epps, E. G. (1975). *Black consciousness, identity, and achievement: A study of students in Historically Black Colleges*. Wiley.
- Harper, C. E., & Yeung, F. (2013). Perceptions of institutional commitment to diversity as a predictor of college students' openness to diverse perspectives. *The Review of Higher Education*, 37(1), 25–44. <https://doi.org/10.1353/rhe.2013.0065>
- Harper, S. R., Carini, R. M., Bridges, B. K., & Hayek, J. C. (2004). Gender differences in student engagement among African American undergraduates at Historically Black Colleges and Universities. *Journal of College Student Development*, 45, 271–284.
- Hurtado, S., Milem, J. F., Clayton-Pederson, A. R., & Allen, W. R. (1998). Enhancing campus climates for racial/ethnic diversity: Educational policy and practice [Qualitative summary of the literature]. *The Review of Higher Education*, 21(3), 279–302. <https://doi.org/10.1353/rhe.1998.0003>
- Kim, M. M., & Conrad, C. F. (2006). The impact of Historically Black colleges and Universities on the academic success of African American students. *Research in Higher Education*, 47, 399–425
- Kimbrough, W. M., & Harper, S. R. (2006). African American men at Historically Black Colleges and Universities: Different environments, similar challenges. In M. J. Cuyjet (Ed.), *African American men in college* (pp. 189–209). Jossey-Bass.
- Koenig, R. (2009). Minority retention rates in science are sore spots for most universities. *Science*, 324(5933), 1386–87.

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- Lent, R. W., Brown, S. D., Sheu, H. B., Schmidt, J., Brenner, B. R., Gloster, C. S., Wilkins, G., Schmidt, L. C., & Lyons, H. (2005). Social cognitive predictors of academic interests and goals in engineering: Utility for women and students at Historically Black Universities. *Journal of Counseling Psychology* 52(1), 84–92. <https://doi.org/10.1037/0022-0167.52.1.84>
- Lundy, G. F. & Firebaugh, G. (2005). Peer relations and school resistance: Does oppositional culture apply to race or gender. *The Journal of Negro Education* 74, 233–245.
- Lundy-Wagner, V., & Gasman, M. (2011). When gender issues are not just about women: Reconsidering male students at historically Black colleges and universities. *Teachers College Record* 113, 934–968.
- Lundy-Wagner, V.C. (2013). Is it really a man's world? Black men in science, technology, engineering, and mathematics at Historically Black Colleges and Universities. *The Journal of Negro Education*, 82(2), 157–168. <https://doi.org/10.7709/jnegroeducation.82.2.0157>
- MacMillan, D. (2011). National Center for Science and Engineering Statistics (NCSES). *Reference Reviews*, 25(6), 40–41. <https://doi.org/10.1108/09504121111156201>
- MacPhee, D., Farro, S., Canetto, S. S. (2013). Academic self-efficacy and performance of underrepresented STEM majors: Gender, ethnic, and social class patterns. *Anal. Soc. Issues Public Policy*, 13, 347–369.
- Mandara, J. (2006). The impact of family functioning on African American males' academic achievement: A review and clarification of the empirical literature. *Teachers College Record*, 108, 206–223.
- Maton, K. I., Hrabowski, F. A., III, & Greif, G. L. (1998). Preparing the way: A qualitative study of high-achieving African American males and the role of the family. *American Journal of Community Psychology*, 26, 639–668.
- Mickelson, R. A., & Greene, A. D. (2006). Connecting pieces of the puzzle: Gender differences in Black middle school students' achievement. *The Journal of Negro Education*, 75, 34–48.
- Moore, J. L. (2006). A qualitative investigation of African American males' career trajectory in engineering: Implications for teachers, school counselors, and parents. *Teachers College Record*, 108, 246–266.
- Nasim, A., Roberts, A., Harrell, J. P., & Young, H. (2005). Non-cognitive predictors of academic achievement for African Americans across cultural contexts. *The Journal of Negro Education*, 74, 344–358.
- National Academy of Sciences, National Academy of Engineering, & Institute of Medicine. (2011). *Expanding underrepresented minority participation: America's science and technology talent at the crossroads*. The National Academies Press. <https://doi.org/10.17226/12984>
- O'Brien, L. T., Blodorn, A., Adams, G., Garcia, D. M., Hammer, E. (2015). Ethnic variation in gender-STEM stereotypes and STEM participation: An intersectional approach. *Cult. Divers. Ethn. Minor. Psychol.*, 21, 169–180.
- Ong, M., Wright, C., Espinosa, L., & Orfield, G. (2011). Inside the double bind: A synthesis of empirical research on undergraduate and graduate women of color in science, technology, engineering, and mathematics. *Harvard Educational Review*, 81(2), 172–209. <https://doi.org/10.17763/haer.81.2.t022245n7x4752v2>
- Palmer, R. T., & Gasman, M. (2008). 'It takes a village to raise a child': Social capital and academic success for African American men at a historically Black college. *Journal of College Student Development*, 49, 52–70.
- Palmer, R. T., Davis, R. J., & Maramba, D. C. (2011). The impact of family support on the success of Black men at an historically Black university: Affirming the revision of Tinto's theory. *Journal of College Student Development*, 52, 577–597.

- Perna, L, Lundy-Wagner, V., Drezner, N. D., Gasman, M., Yoon, S., Bose, E., & Gary, S. (2009). The contributions of HBCUs to the preparation of African American women for STEM careers: A case study. *Research in Higher Education*, 50(1), 1–23. <https://doi.org/10.1007/s11162-008-9110-y>
- Sasso, A. (2008). African Americans studying STEM: Parsing the numbers. *Science*. Retrieved from <https://www.sciencemag.org/careers/2008/05/african-americans-studying-stem-parsing-numbers>
- Stinton, D. W. (2006). African American male adolescents, schooling (and mathematics): Deficiency, rejection, and achievement. *Review of Educational Research*, 76, 477–506.
- Whitten, B. L., Foster, S. R., Duncombe, M. L., Allen, P. E., Heron, P., McCullough, L., Shaw, K. A., Taylor, B. A., & Zorn, H. M. (2004). Like a family: What works to create friendly and respectful student-faculty interactions. *Journal of Women and Minorities in Science and Engineering*, 10(3), 229–242. <https://doi.org/10.1615/JWomenMinorScienEng.v10.i3>

Defining Whiteness in Criminology

Benjamin Cohn

Master of Science in Justice, Law and Criminology

Abstract

This paper attempts to provide an overview of whiteness in America, why it is important, how it has developed, how it is studied, and the many roles it plays. In a society structured on racial caste, whiteness is used, enjoyed, and valorized as treasured property. White supremacy has shaped society in the United States specifically from slavery, through the Black Codes, Jim Crow Laws, and the rise of the modern prison system that continues to produce new relations of racial domination. This paper provides a meta-analysis of 50 articles published in the last decade that deal with whiteness and policing on topics including immigration detention, the professional culture within criminal justice, police and community relations, hate crimes, and numerous other topics. While all of the articles contain whiteness in their subject, this paper analyzes if whiteness is explicitly discussed, if it is conceptualized or defined in the article itself, and if the definition is critical. Ideally, until there is a standard definition of whiteness that is accepted and agreed upon, every criminological article that addresses whiteness would do so explicitly and include a critical conceptualization so that readers do not need a background in critical race theory. Unfortunately, that is not the case.

Introduction

The concept of race is still relatively new. It began to emerge as population groups from different continents began to make more frequent contact with each other. Now presented as an immutable scientific reality, it has effectively replaced nationality and, in many cases, even religion as a social connector (Calathes, 2017; Scott et al., 2018). As slavery became a larger economic factor in Western societies, race became the rationale for ignoring the values of democracy, civil rights, equality, and justice that these countries supposedly believed in. Although race is an arbitrary way of grouping people, referring to superficial differences that are not biologically meaningful, race has become a socially vague and transhistorical category, indistinguishable from a range of other categories (Scott et al., 2018).

Race has come to permeate almost every aspect of American society; however, there are many Americans who do not have an understanding of these racial realities. Americans of color are essentially forced to become race experts in order to survive in a society that has been so thoroughly racialized. Even seemingly benign interactions can require a deep understanding of the racial subtext that is at play; misunderstanding or misplaying the racial dynamics can be costly for people of color. White people, on the other hand, having created the system, have turned a blind eye to their work. This plausible deniability of intentional racial stratification became a part of the system in order to perpetuate it without conscious effort or acknowledgment from the dominant group. As race was established as the marker of the in and out groups, these racial distinctions transitioned from informal to formal structures and became codified; state actors, including the government, the justice system, police, and even knowledge-producing centers like academia, uphold and enforce these inequalities (Scott et al., 2018).

This paper evaluates some recent adaptations of this historical trend using mostly examples from the United States and Western Europe. After a brief overview of whiteness as a social concept, the development of whiteness studies, the role of whiteness in the criminal justice system, and the field of criminology, this paper provides a meta-analysis of 50 articles published in the last decade that deal with whiteness and policing. While all of the articles contain whiteness in their subject, this paper analyzes whether whiteness is explicitly discussed, if it is conceptualized or defined in the article itself, and if the definition is critical.

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The White Race and Whiteness Studies

Race has been used by the powerful to express status and create in-groups. Further, race also became a means to organize and resist power for those who have been racialized as others (Calathes, 2017; Scott et al., 2018). In a racial and capitalist society, power differences are created and sustained through asymmetrical ability to accumulate capital through the exploitation of others. White elites have been able to amass capital in a way that privileges all white people over the exploited, racialized others (Calathes, 2017; Ward, 2014). As W.E.B. Du Bois acknowledged in the early 20th century, white laborers may have received a relatively low wage, but they were compensated with public deference and titles that established their place in society (Kautzer, 2015). The social structure of race allowed whites to effectively determine, and often fall outside of, the law. Economic power is important, but even poor whites carried a greater level of political power than people of color. White supremacy has shaped society in the United States specifically through slavery, the Black Codes, Jim Crow laws, and the rise of the modern prison system that continues to produce new relations of racial domination (Kautzer, 2015; Ward, 2014).

Historically, social sciences have been all white, meaning the disciplines and their analyses end up reflecting those dominant racial views (Zuberi & Bonilla-Silva, 2008). Race structures society in such a way that even the knowledge-producing centers, such as academia, end up functionally reproducing misunderstandings of racial inequality (Henne & Shah, 2015; Smith, 2014). Having been developed alongside the practice of racial stratification, the social sciences became a part of that very system (Scott et al., 2018; Zuberi & Bonilla-Silva, 2008). These thought processes and techniques, defined as white logic, are the anchor of the Western imagination; knowledge, history, science, and culture of elite white men are granted centrality while everyone else has folklore but not knowledge, history, science, or culture (Henne & Shah, 2015; Zuberi & Bonilla-Silva, 2008). In turn, white methods are the actual tools used to manufacture empirical data and analysis in order to support the racial stratification in society (Zuberi & Bonilla-Silva, 2008). The notion of colorblindness has been used in order to downplay racism and racial discrimination while upholding whiteness as effectively non-racial (Smith, 2014). Scholars and researchers rely on objective neutrality to do their work, but this faux-objectivity actually masks how whiteness underpins these normative purviews (Henne & Shah, 2015). Whiteness needs to be removed from its hierarchical position at the top in order to level the playing field. White theories do not have to be automatically dismissed but must stand on their own merit, not as the default standard.

Critical race theory helps shift perspective from white as default to inclusive of Black, Indigenous, and people of color's experience by examining the structural aspects of racism that impact society as a whole and the individual specifically (Scott et al., 2018). The field of whiteness studies emerged from many disciplines and needs to explore the meaning and connectedness of whiteness, identity and privilege, and political economy (Smith, 2014). Whiteness studies focuses on the sense of superiority instilled in white people, irrespective of class, and the debilitating alienation fostered in the racially oppressed who are not allowed to make meaning or produce knowledge in their world (Zuberi & Bonilla-Silva, 2008). Influential whiteness scholars include McIntosh, Roediger, Lopez, Dominguez, Brodtkin, Frankenberg, and Toni Morrison who have examined the making of whiteness, provided a historical overview on the production of whiteness among Irish and Jewish communities, analyzed gendered whiteness in women's lives, and illustrated the nature of normalizing whiteness in American literature (Smith, 2014). Whiteness studies seeks to understand why whiteness, alongside heterosexuality and masculinity, is defined as normal with any other identity seen as a deviation from the norm.

Whiteness and the Criminal Justice System

Crime and punishment are socially constructed by those who own and control the means of production, who, in turn, use the state, the agencies of social control, and the criminal law to serve their own interests (Calathes, 2017; Igbo, 2014). Since its modern founding, America created a carceral state in conjunction with its colonial projects in order to uphold whiteness. Those in power have used the threat of slave uprising, Native American resistance to their own genocide, fear of Mexican citizens absorbed by the conquest of northern Mexico, and immigration from China and Japan to frame the fears of the racial

status quo (McDowell, & Fernandez, 2018; Simon, 2017; Smith, 2014). Though these ideas were initially stated and maintained explicitly, the end of slavery, the Civil Rights Movement, and other rights gained by non-white people in America forced whiteness to adapt its own ideologies such as color blindness or believing that society has progressed beyond the need to discuss race in order to negate concessions that have been made and keep things functionally static (Calathes, 2017; Simon, 2017; Smith, 2014). Racism and the protection of whiteness still maintain similar power and impact that have always existed, but the methods have changed, primarily towards affecting societal consciousness more discreetly (Onwuachi-Willig, 2017). Even at moments when criminologists, activists, and legislators have tried to reform the criminal legal system and diminish punishment, the end result has often been an expansion of social control (McDowell & Fernandez, 2018; Simon, 2017). These are not simple reactions to disputes among individuals where the state is drawn in over concerns of the public's well-being. This carceral society is made of interlocking systems created intentionally by the government, deeply marked by racial othering and the privileging of whiteness from its foundation (Simon, 2017).

In a society structured on racial caste, whiteness is used, enjoyed, and valorized as treasured property. It provides reputation and status while granting the right to exclude (Onwuachi-Willig, 2017). White people are the most racially segregated group by design. As a result of the enforcement of this white desire, racial and ethnic minorities end up in segregated communities, despite their willingness to live in neighborhoods where they are a numerical minority (Onwuachi-Willig, 2017). Dominant groups create a shared identity, at the state and individual levels, by shaping both who they are and who they are not (Parmar, 2020). An individual white person chooses which neighborhood they want to live in while redlining and bank loans help dictate what areas are accessible to people of color on a systemic level. Cultural marker and environmental hazard siting, urban information management, land-use zoning, and the legalization of tenure on appropriated land are some of the many practices that affirm whiteness as a privileged category (Sherman, 2020). Planning practices help separate humanity into groups within space, create white subjects who benefit under racial capitalism, and are ultimately upheld by the legal system. Whiteness is a racial identity that shapes and is shaped by law, including the police (Sherman, 2020).

Policing is the methodology selected for social organization under whiteness. One of the functions of policing is reproducing, through violence, the distinction between people of color whose humanity is permanently in question and white people whose humanity goes without saying (McDowell & Fernandez, 2018). Policing is violence, a fundamental element of upholding whiteness, and integral to the production of an anti-Black social world (McDowell & Fernandez, 2018). This occurs through maintaining white racial separation; facilitating white racial solidarity across the class spectrum; articulating blackness, especially black maleness, as a threat; and regulating the presence of Black people in white spaces (Sherman, 2020; Onwuachi-Willig, 2017). White people are not drawn to a place explicitly because it is filled with other white people, but rather, because the whiteness implies other perceived beneficial qualities (Onwuachi-Willig, 2017). Conversely, a lack of whiteness represents the absence of those positive traits. Higher property values, friendliness, orderliness, hospitality, cleanliness, safety, and comfort are subconsciously inseparable from race and class so policies can escape civil rights protections by using those attributes as placeholders for racial definitions. Police are able to defend race-neutral attributes superficially while guarding whiteness in reality (Sherman, 2020; Onwuachi-Willig, 2017).

The political order establishes benefits that are bestowed upon whiteness as the dominant group and enables punishment practices as social control within racial capitalism (Calathes, 2017). These different lived realities help consolidate whiteness across the class spectrum, pushing poor and working-class white people to identify with those at the top, even though their economic and political interests tend to be more aligned with other working communities (Onwuachi-Willig, 2017). The role of punishment in maintaining racial solidarity can be seen in the courtroom where white people are more aggressive and retributory toward defendants of color. This is especially the case when white people constitute the numerical majority on the jury (Gau, 2016). Diverse juries have shown improved performance; racial, gender, and ethnic variation increases the quality of discussions and decisions while enhancing innovation and problem-solving (Gau, 2016). Even though they do not reap the rewards, poor and working white

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people play their part to facilitate capital accumulation for white elites and invariably protect white privilege for white people as a whole (Calathes, 2017). This is not about pursuing justice, but rather propping up racial stratification as the status quo.

Whiteness and Criminology

Criminology has posited race as a major correlate of crime, but criminological theory has generally been limited to discovering and explaining racial patterns in offending and racial disparities in criminal justice administration (Henne & Shah, 2015; Scott et al., 2018; Smith, 2014). Race is often configured as a variable by comparing non-white groups to a white reference category, coding race as an independent variable, or coding race as a moderator or control variable (Henne & Shah, 2015). Initially, there was a heavy emphasis on the etiology of crime being influenced by genetic or physiological deficiencies, but the interest in biology as a factor in crime has persisted (Scott et al., 2018). More recently, a move toward an intersectional lens has allowed scholars to move beyond these deterministic views of the relationship between social structures and offending by acknowledging the structures of gender, race, ethnicity, class, and sexuality together create complex opportunities and motivations that shape variation in crime and violence across groups and situations (De Coster & Heimer, 2016). Although criminology is getting better at dealing with racial categories, whiteness poses unique problems.

Even though most criminological research no longer explicitly evokes biological determinism as the main factor for crime and deviance, it still often reproduces and maintains white as the norm amongst racial differences and fixed as static, explanatory attributes (Smith & Linnemann, 2015). This perpetuates an assumed notion of white behavior as the standard to which other races are compared. In turn, this type of knowledge creation results in a preservation or normalization of racial hierarchies (Ward, 2014; Smith, & Linnemann, 2015; Scott et al., 2018). Research then finds non-white groups to be deviant or criminalistic in ways that suggest their race is itself a strong correlative or causal factor, minimizing how broader racial stratification comes to bear on crime and deviance (Henne & Shah, 2015). This problem is exacerbated by the recent development of colorblind or post-racial ideologies which further reduce, rationalize, and even dismiss the impact of racial inequality (Henne & Shah, 2015). Simply coding race as a variable, using white as the default that other races are compared against, or applying a colorblind lens are all manifestations of white supremacy in criminology.

Criminology research has historically been accepted as objective despite it ideologically upholding white supremacy, and that privileging of whiteness still continues today (Blount-Hill & St. John, 2017; Henne & Shah, 2015). Black scholars are drastically underrepresented in criminology and criminal justice doctoral programs and those who are admitted have lower rates of finishing. Additionally, those who finish secure fewer positions in prestigious programs, publish less frequently in highly regarded journals and are paid less than white colleagues (Blount-Hill & St. John, 2017). These problems are not unique to the field of criminology but are indicative of why the field so easily perpetuates white supremacist lines of thinking and analytical tools. Criminology must examine and recognize the role it plays in the adherence to white supremacist logics and the absence of critical examination of whiteness (Smith, & Linnemann, 2015). This problem becomes cyclical as schools produce professional criminologists that are less equipped than they should be to engage in thoughtful research, teaching, and other professional work related to race (Ward, 2014).

Criminology must interrogate how whiteness is embedded in problems of injustice in order to better understand victimization, mass incarceration, police use of force, and the threats these pose to dignity and human rights (Smith & Linnemann, 2015). Criminology and criminal justice have traditionally lacked criticism of conventional power structures and have even been discussed to uphold those same structures (Blount-Hill, & St. John, 2017). Using race as a variable can portray racial categories as fixed and universally defined when they are not. This use can also lead to the depiction of race as a cause for social processes and distinctions that then become correlations and indicators of crime (Henne & Shah, 2015). Using whiteness as normative fails to provide accounts of the various inequalities that mediate the societal relations studied and perpetuates narrow explanations of race, crime, and deviance (Henne & Shah, 2015). These issues exist beyond academia. Criminological research often

serves as the justification for policy change or impacts funding criminal justice and social programs, reinforcing and upholding whiteness (Ward, 2014; Henne & Shah, 2015).

How Whiteness is Defined in the Sample

White people have ensured that the dominant perspective in sociology has been defined in a way that privileges them (Zuberi & Bonilla-Silva, 2008). Although the social sciences profess to be carefully thought-out results of experience and reason, the study of race has often been motivated by the need to support racially stratified industries and colonial efforts (Zuberi & Bonilla-Silva, 2008). However, while these white realities were established, there have always been a minority of scholars, often of color, to counter the narrative and account for power imbalances in their own work. For example, Karl Marx was mainly concerned with working-class struggles but was able to include a racial analysis when he insisted that the global working class would benefit from a close study of the conditions and struggles of people of African descent under enslavement (Igbo, 2014). Marx's conflict theory gave generations of scholars to follow a framework to understand the underlying assumptions of racial-capitalism and a way to analyze the power structures within. A half-century later, W.E.B. Du Bois expanded on Marx's work by pointing out that the Black proletariat and the white proletariat shared the same enemy that used the ideology of race to divide them and thereby weaken the struggle against exploitation and oppression. Du Bois is generally hailed as one of the first criminologists; his work on the Negro Problem and the race problem brought a more well-rounded understanding of these issues to a field that was essentially all-white prior and further laid the groundwork for more modern criminologists to critically bring in new perspectives. Eric Williams argued the Marxist thesis that the wealth of Europe was commandeered as surplus values from the labor of enslaved Africans, not the fruits of European work ethic; Walter Rodney presented this relationship through his work on the dialectics of development and underdevelopment which ran contrary to the narrative of the civilizing process or modernization policies (Igbo, 2014).

Within the United States, after the victories won in the Civil Rights Movement, people from marginalized groups made it further into the academies. Some ended up perpetuating the same definitions, practices, methods, and logic that upheld whiteness as the dominant view; others built new structures and shone a light on the areas that the white gaze had failed to reach (Zuberi & Bonilla-Silva, 2008). In 1973, Joyce Ladner edited an anthology that took aim at the errors of Euro-American sociological analysis and put forth a call for the acceptance of the uniqueness of Black history and society, pronouncing *The Death of White Sociology*. This legacy includes Hylan Lewis, Patricia Hill Collins, Michael Omi, Margaret Anderson, and so many more. This group of scholars has done the work to analyze racial stratification and define society as a product of these sociological differences in access to power. Race is not merely poor science nor is it simply a social construct, its meanings are the product of power relations, which have social and spatial dimensions (Scott et al., 2018). Yet decades later, scholars are still failing to acknowledge this work on a wide scale and continue to fall into the same traps that give whiteness such a stronghold on the social sciences.

Although the articles analyzed in this paper all contained whiteness in their subject matter, there was a lot of discrepancy in how whiteness was defined, if it was defined at all, and whose scholarship those definitions were based in. There were only a handful of sources cited multiple times when defining whiteness. The material that came up more than once includes Alexander's *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (2012), Olson's *The Abolition of White Democracy* (2004), & *Whiteness and the Polarization of American Politics* (2008), Singh's *The Whiteness of Police* (2014), Twine & Gallagher's *The Future of Whiteness: A Map of the 'Third Wave'* (2008) and Webster's *Marginalized White Ethnicity, Race and Crime* (2008). Some of the foundational scholars mentioned above did appear, but over 100 years after Du Bois' first publication, decades after the formal establishment of Black criminology, Critical Race Theory, and other important academic innovations in this field, there is no central definition of whiteness. Even more noteworthy, so far, writing about whiteness has not required its definition nor a critical eye to racial differences or why racial stratification exists.

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Those that critically defined whiteness were able to connect it to the power and privilege it extracts from society. There is the power of being relatively exempt from the law and there is also a power over other racial groups, who are also subject to the unpredictable violence of white sovereigns (Calathes, 2017; Kautzer, 2015; Scott et al., 2018). This amenability to civic integration and diminished criminal culpability are bolstered by racist social science and popular discourse, which, combined with white domination of the parental state authority, leads to white opportunity hoarding and non-white underdevelopment (Ward, 2014). White researchers use their race as a framing device in an attempt to eliminate biases from their findings and analysis (Henne & Shah, 2015). The criminal legal system protects whiteness as both literal and figurative property while repressing Blackness in particular (McDowell, 2019; Scott et al., 2018; Simon, 2017). Policing produces and maintains these white supremacist and racial capitalist relations of power (McDowell, 2019; Sherman, 2020).

Sample

For my analysis, I sought criminology articles that addressed whiteness and policing and had been published from 2014 to the present. This is because the events in Ferguson, MO represented a change in national framing and mainstream elevation of discourse around policing in America. The following Spring, the Department of Justice's Civil Rights Division released their Investigation of the Ferguson Police Department. A search of articles that were published after 2014 addressing whiteness and policing returned 60 articles. 10 were dropped because of their ostensibly international focus, leaving 50 articles for analysis.

Results

50 articles about whiteness and policing were analyzed for this paper, including topics on immigration detention, the professional culture within criminal justice, police and community relations, hate crimes, and numerous other topics. Many of the articles fall into the pitfalls outlined in this paper; some simply use race as a variable, some use white as the default to which others are compared, and some do not even address racial stratification despite their explicit focus on race. As they are recent articles, some represent a new wave of whiteness studies and try to address what Zuberi and Bonilla-Silver (2008) defined as white methods and white logic within the field of criminology. Other articles are perfect examples of the way that academia has and continues to perpetuate white supremacy if enough attention is not paid.

Although almost all of the papers explicitly discuss race (47 out of 50) only half discuss whiteness outright. 26 of the papers actually name whiteness, which means that 21 papers that discuss race ignore whiteness or fail to fully acknowledge it. Articles on topics such as how the state produces and marshals knowledge of the accused; how non-delinquent boys and girls of color experience police; how multiple, interlocking inequalities come together to shape micro-level interactions; developments in the field of racial hate crime investigation; and much more all failed to discuss whiteness (Campos-Manzo et al., 2020; Brissette, 2020; De Coster & Heimer, 2016; Dixon, & Ray, 2016). This lack of naming whiteness allows white supremacy in academia and the field to continue because the foundations and assumptions are not being challenged. Although they may not admit it, it is highly unlikely that the authors of the articles analyzed in this paper are unaware of whiteness and the way it manifests. If it is not brought to the forefront and discussed, then white supremacy is able to continue unchallenged through the structures that have been created in its image. The default is perpetuating white supremacy, making it so unless scholars confront and dispute the old frameworks, they will operate as-is. As James Baldwin (1962) said, nothing can be changed until it is faced.

Even rarer than discussing whiteness is the act of defining or conceptualizing it. This paper already addressed the founding scholars and sources that were often cited when discussing whiteness but only 18 of the articles analyzed actually conceptualized what whiteness means. More than half of the articles fall under theory building or theory testing categories, but many are still unable to or refuse to define or conceptualize this important topic within their work.

Discussion

As there is currently no standard definition to use, it is important that whiteness gets redefined by scholars that discuss it. Are they building on Du Bois' work, Zuberi, far-right scholars, or something else? If criminology wants to seriously address whiteness, both in the field itself and in relation to crime, scholars should develop the habit of conceptualizing it within their work or creating a standard definition that can be used for a baseline understanding. The fact that whiteness is discussed more often than it was conceptualized implies that whiteness was more likely used as merely a variable rather than a structural truth that impacts access to power and shapes decisions in people's lives. It has already been explained why using race as a simple variable or trying to contribute cultural elements to a non-biological factor are problematic.

All of the articles handled whiteness, but only half of them used a critical definition that addressed the ways race structures social life. Race is not simply skin color, especially when discussing whiteness. Throughout American history, who is allowed access to whiteness has changed depending on the political and social needs of the time. There have been 1-drop rules, paper bag tests, and religious components that dictate who is and who is not white (Lee, 2019). German, Italian, and Irish immigrants were not necessarily considered white when they originally arrived in the United States but grew to be included when it became convenient for maintaining racial hierarchies and political power (Lee, 2019). Matrilineal versus patrilineal white descendants have carried different weight at different times. The papers that do not have a critical definition of whiteness fail to incorporate these challenging realities and limit their ability to maintain their relevance as times will inevitably change. What is considered white today, purely based on skin tone, may change in a way that makes a paper difficult to understand in the future but the papers that critically conceptualize whiteness as a connection to power are more likely to hold up and withstand the test of time. Fortunately, all of the papers that defined whiteness were critical in their definition. An additional six to seven papers used a critical definition that they did not conceptualize themselves, but 25 papers did not. Half of the papers evaluated, written after Ferguson and addressing whiteness, were uncritical in their interpretations. This does not bode well for criminology as a field.

Conclusion

This paper provides an overview of whiteness in America, why it is important, how it has developed, how it is studied, and the many roles it plays. Initially, some of the decisions were conscious efforts to establish racial stratification and a hierarchical society while others were by-products of choices made by those already in power. In the 21st century, race is ingrained in all aspects of society to the point that racial decisions can be made without the subject ever actually being named. This includes academia where white methods and white logic are viewed as objective even though they are upholding whiteness as the default and sidelining those that deviate from the norm.

Greater attention must be paid to whiteness, not only to non-white racial identities, but also to understand race as a dialectically constructed social phenomenon (Smith & Linnemann, 2015). Whiteness and white identity help to perpetuate disparate social relations. Scholars are simply leaning on race to do far too much work in the social sciences instead of developing better tools. Studying particular racial identities is not enough, the system of racial stratification must be understood (Zuberi & Bonilla-Silva, 2008). Race is a signifier for the impact of racial stratification, which actually requires better measures of cultural differences, social and economic processes (Zuberi & Bonilla-Silva, 2008). Most importantly, the ways and reasons people are racialized and the erasure of humanity that race has brought to bear must be understood (Zuberi & Bonilla-Silva, 2008).

Incorporating whiteness into criminology should focus on the racial formation processes and criminal justice systems' boundary-making properties, how whiteness influences perceptions of criminal justice policy, and attempting to explain the variation in criminal behavior among white communities (Scott et al., 2018; Smith, 2014). Critical whiteness studies can expand and critique race-crime research and can provide a clearer analysis of the administration of law, the impact of public perceptions on policy, and criminal behavior which are foundations of criminological study (Smith, 2014; Henne & Shah, 2015). Critical race theory contributes a nuanced understanding of privilege, power, and social construction of

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race and ethnicity (Blount-Hill & St. John, 2017; De Coster & Heimer 2016; Smith, 2014). Criminology should target racism and racial outcomes as a complex intergroup of privilege, power, and oppression and refuse to accept it as a mere deviation of consciousness from an otherwise neutral and rational social order (Scott et al., 2018; Ward, 2014). Although criminologists have not traditionally done so, they can play an important role in identifying and transforming the structural conditions of society that produce subjugation, instead of reinforcing them (McDowell, & Fernandez, 2018).

Prison abolitionists have existed since the creation of the modern prison system and argued for structural change (McDowell, & Fernandez, 2018). Angela Davis has expanded on Du Bois and others' legacies by explaining that abolition is not just getting rid of a particular aspect of a legal system, but rather one of collectively building a racially just world by re-imagining institutions, ideas, and strategies where whiteness is not the default and no longer synonymous with power (McDowell, & Fernandez, 2018). The idea that police are an inevitable fixture in society and are analogous to community safety is now being questioned in the mainstream. Policing in and of itself upholds racial hierarchy (McDowell, & Fernandez, 2018; Sherman, 2020).

Sociology and criminology have not been able to address their own issues with whiteness, which in turn dictates criminal justice policy, lawmaking, and enforcement. A meta-analysis of 50 recent articles that look at whiteness and policing shows just how big of a problem this is. Ideally, until there is a standard definition that is accepted and agreed upon, every criminological article that addresses whiteness would do so explicitly and include a critical conceptualization so that readers do not need a background in critical race theory. However, this is simply not the case. As it is, unless the reader is also a race scholar, most criminology papers will simply uphold white supremacist ideals as the norm and further embed those ideas as realistic. One of the articles documents how blind spots towards race and racial stratification surface in criminological research and argues these blind spots do not simply ignore white privilege but actively uphold it (Henne & Shaw, 2015). This paper agrees that criminology, even recently, aids in whitewashing race, disregarding how race and racism can differentially affect crime and deviance, and narrowly representing race as merely explanatory variables. Criminology falls short of addressing race as a whole with a critical eye, but its understanding and ability to face whiteness is another level of failure. Naming whiteness and failing to incorporate its far-reaching implications poses problems for the future of criminology but would also be a step in the right direction. Right now, too many scholars do not even reach that level; many are content leaving whiteness out of their racialized papers altogether or using it simply as a skin color to be compared with non-white counterparts. The field needs to address this shortcoming within so that move beyond and provide an actual analysis of the deviant behaviors that impact society.

References

- Baldwin, J. (1962, January 14). As much truth as one can bear: To speak out about the world as it is. *New York Times*.
- Blount-Hill, K., & St. John, V. (2017). Manufactured “mismatch”: Cultural incongruence and Black experience in the academy. *Race and Justice*, 7(2), 110–126.
- Brissette, E. (2020). Bad subjects: Epistemic violence at arraignment. *Theoretical Criminology*, 24(2), 353–369.
- Calathes, W. (2017). Racial capitalism and punishment philosophy and practices: What really stands in the way of prison abolition. *Contemporary Justice Review*, 20(4), 442–455.
- Campos-Manzo, A., Flores, M., Pérez, D., Halpert, Z., & Zevallos, K. (2020). Unjustified: Youth of color navigating police presence across sociospatial environments. *Race and Justice*, 10(3), 297–319.
- De Coster, S., & Heimer, K. (2016). Choice within constraint: An explanation of crime at the intersections. *Theoretical Criminology*, 21(1), 11–22.
- Dixon, L., & Ray, L. (2016). Current issues and developments in race hate crime. *Probation Journal*, 54(2), 109–124.

- Gau, J. (2016). A jury of whose peers? The impact of selection procedures on racial composition and the prevalence of majority-white juries. *Journal of Crime and Justice: Contemporary Issues of Race/Ethnicity, Offending Behavior, and Justice Responses*, 39(1), 75–87.
- Henne, K., & Shah, R. (2015). Unveiling White logic in criminological research: An intertextual analysis. *Contemporary Justice Review*, 18(2), 105–120.
- Igbo, B.A. (2014). Indigenous European justice and other Indigenous justices. *African Journal of Criminology and Justice Studies*, 8(1), 1–19.
- Kautzer, C. (2015). Good guys with guns: From popular sovereignty to self-defensive subjectivity. *Law and Critique*, 26(2), 173–187.
- Lee, E. (2019). *America for Americans: A history of xenophobia in the United States*. Basic Books.
- McDowell, M. (2019). Insurgent safety: Theorizing alternatives to state protection. *Theoretical Criminology*, 23(1), 43–59.
- McDowell, M., & Fernandez, L. (2018). “Disband, disempower, and disarm”: Amplifying the theory and practice of police abolition. *Critical Criminology*, 26(3), 373–391.
- Onwuachi-Willig, A. (2017). Policing the boundaries of whiteness: The tragedy of being “out of place” from Emmett Till to Trayvon Martin. *Iowa Law Review*, 102(3), 1113–1185.
- Parmar, A. (2020). Borders as mirrors: Racial hierarchies and policing migration. *Critical Criminology*, 28(2), 175–192.
- Scott, J., Fa’avale, A., & Thompson, B. (2018). What can southern criminology contribute to a post-race agenda?. *Asian Journal of Criminology*, 13(2), 155–173.
- Simon, J. (2017). Racing abnormality, normalizing race: The origins of America’s peculiar carceral state and its prospects for democratic transformation today. *Northwestern University Law Review*, 111(6), 1625–1654.
- Sherman, S. (2020). From revanchism to inclusion: Institutional forms of planning and police in Hyde Park, Chicago. *Journal of Planning Education and Research*, 40(2), 139–150.
- Smith, J. (2014). Interrogating whiteness within criminology. *Sociology Compass*, 8(2), 107–118.
- Smith, J., & Linnemann, T. (2015). Whiteness and critical white studies in crime and justice. *Contemporary Justice Review*, 18(2), 101–104.
- Ward, G. (2014). The slow violence of state organized race crime. *Theoretical Criminology*, 19(3), 299–314.
- Zuberi, T. & Bonilla-Silva, E. (Eds.) (2008) *White logic, white methods: Racism and methodology*. Rowman & Littlefield Publishers.

Using Immigration to Define Americans as White and White as American

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Abstract

This paper overviews the intentional, explicit, and harsh U.S. immigration policy and the ways that it, directly and indirectly, has defined American and white as synonymous. There is a brief literature review followed by an argument that whiteness has actually required the immigration discourse to uphold and perpetuate racist ideas and enlist average white citizens. This process happens at the systemic level, in terms of national policy, laws, and private industry, and at the individual level as individuals become deputized to uphold whiteness through the lens of who is allowed in America.

Introduction

US immigration laws have essentially always protected, benefitted, and helped define Americans as closely tied to whiteness but after September 11, 2001, it became even more intentional, explicit, and harsh (García Hernández, 2020). While the government shifted its attention to regulating legal and illegal immigration, according to the Anti-Defamation League (ADL, 2018), anti-immigrant groups like the Federation for Immigration Reform (FAIR) and Center for Immigration Studies (CIS) have also changed the boundaries of what is considered acceptable within political action and public discourse. This research paper explores how average white citizens, not law enforcement or legislators, have used immigration law and language in order to promote and protect whiteness. It focuses on how they have organized socially and politically, particularly since 9/11/01 to define immigration as non-White and America as White. In recent decades, as outright racism has become less accepted in mainstream discourse, whiteness has required anti-immigration as a cover to gain and maintain buy-in from average white citizens and to uphold its ideals. Whiteness has always conformed and adapted to contemporary standards in order to appeal to the average citizen and maintain its hold over politics, economic and social systems. As racial slurs fall out of favor, whiteness has been able to shift to anti-immigrant rhetoric in order to continue to define Americans as white and white as Americans.

The paper begins with a very brief overview of immigration history in America, focusing particularly on the decades following the Civil Rights Movement, and how attitudes and laws have changed in order to uphold whiteness depending on who is actually immigrating. Particularly after September 11, 2001, the government and self-deputized white vigilantes have used immigration as a way to mainstream far-right ideology. Racism has always existed in America from the genocide of indigenous populations to the enslavement of Africans to the exclusion of particular races from immigration to more recent pathologizing and surveillance of particular communities. This cannot be separated from the country's history and recent attempts are closer to adaptation than they are brand new creations. The paper then offers a brief literature review for additional context before arguing that whiteness has required the immigration discourse to make sure the average white citizens can uphold and perpetuate racist ideas that moved from the fringe to popular in the last 20 years.

The United States has used naturalization and immigration law to establish its citizens as white since the 1790 Naturalization Act established that free white persons may be granted citizenship after two years of residency as long as they demonstrate good moral character and swear allegiance to the Constitution (Migration Policy Institute, 2013). The government continued to oversee immigration but was less concerned with preventing or limiting the number of people that became American until the demographics began to shift away from Western European towards Eastern and Southern Europeans and people from East Asia in the late 19th and early 20th Century. However, the most repressive and exclusionist immigration policy and attitudes in American history developed as people of color fought for and began to receive more equal legal status. These policies ranged from Lyndon Johnson's curtailing of opportunities for legal entry from Mexico; to Nixon's, then Reagan's, Wars on Crime and Drugs;

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Reagan's Cold War interventions in Central America that displaced thousands; George Bush's War on Terror; and finally, President Trump's transformation of the humanitarian problems affecting Central American families into a manufactured immigration crisis (Massey, 2020). With these shifting attitudes and a growing prison industrial complex came a sophisticated system to incarcerate people for migrating to the United States—a stark shift from the majority of the country's history—emerging around the mid-1980s and growing to over 200 modern-day facilities operated both by the state and private companies (García Hernández, 2020; ADL, 2018).

The post-9/11 period elevated discourse and imagery of immigrants as a threat to new heights in many ways including through culture, laws, and the discussion around safety and security (Ismaili, 2010). The Homeland Security Act of 2002 shaped government immigration agencies by moving nearly all of the functions of the U.S. Immigration and Naturalization Service (INS) to the newly created Department of Homeland Security (DHS) and establishing three new agencies underneath: U.S. Immigration and Customs Enforcement (ICE), U.S. Customs and Border Protection (CBP), and U.S. Citizenship and Immigration Services (USCIS). Furthermore, immigration control continued to expand as these agencies now do things that INS did not have the capacity or the legal ground to conduct prior to 9/11 (Migration Policy Institute, 2013). Both documented and undocumented immigrants faced new immigration orders, attempts to register their communities, and surveillance from law enforcement among other forms (Ismaili, 2010). This expanded immigration control also includes greater cooperation between federal, local, and state authorities; more lawfully admitted immigrants with no link to terrorism getting detained and deported; more aggressive vigilante groups operating at the USA-Mexico border; restricted immigrant access to meaningful judicial review of administrative processes; and law enforcement agencies enacting more raids and crackdowns based on racial and ethnic profiling (Ismaili, 2010). The United States has historically defined citizens as white both culturally and legally despite the presence of other races from the country's birth. However, laws are just words on a page until they are enforced. Whiteness in America has relied on a mix of government and law enforcement agencies, organized vigilantes, and average white citizens to help establish white as the norm. As powerful as the police or ICE or even the KKK have been, they can all be identified and potentially avoided. To this end, immigration laws have been used to enable and embolden the average US citizen to act on whiteness' behalf in order to extend the government's reach.

Contextual Literature Review

The use of military language to describe immigration raids conducted by DHS, naming immigration as an invasion, and this attitude's accompanying policies have helped grow the number of nativist extremist groups and anti-immigrant groups (Romero, 2011). Romero examines the spectacles and symbolic politics that normalize human and civil rights violations and legitimize racism toward immigrants. These violations and racism include substantive changes to legislation that provides a foundation for state and local anti-immigrant ordinances, increased surveillance and racial profiling, and violations of the Fourth Amendment (Romero, 2011). The language that government officials and, in turn, the media use, such as framing migration as a crisis or using terms like “anchor baby,” dehumanizes immigrants and reinforces the synonymy of the immigrant, terrorist, and criminal (Romero, 2011). This results in the normalization of hate speech as patriotic. The long history of responding to immigration with the ideology of white injury and stoking fear—whether by scapegoating migrants for social problems or claiming that Spanish is becoming the dominant language—allows for racial profiling and violence to be condoned as unavoidable collateral damage that stems from the need to maintain a secure nation. As the state shifted immigration policy towards terrorism after September 11, 2001, Romero argues that the primary strategy for anti-immigration groups to avoid being identified as vigilantes by the media, and to conceal their nativist and racist attacks, is to incorporate patriotism into their protests. The ADL (2018) points out that these groups further attempt to conflate their anti-immigrant ideology with popular issues, such as the environment, education, jobs, and the economy, by claiming that immigrants use up the country's resources in these areas in order to help shield them from public scrutiny for their extremist

views. In doing so, they also gain support by linking xenophobic philosophies to causes mainstream audiences to care about.

Brown, Keefer, Sacco, & Bermond (2019) analyzed specific rhetorical devices and noted that the idea of immigration as a disease compared to other conceptualizations elicited greater anti-immigration positions. Policymakers have exploited these feelings in order to promote xenophobia, shape attitudes, and frame non-white immigrants as a disease (Brown et al., 2019). This in turn heightens interpersonal restrictions toward outgroups beyond politics and into the general public.

Khoury (2018) explains how Trump's railing against immigration and promotion of people like Stephen Miller are the latest installments of anti-immigrant rhetoric that empower employers to weaponize ICE against their undocumented workers. ICE supposedly has a memorandum of understanding with the Labor Department that says ICE will refrain from enforcement at businesses that are under LD investigation and that ICE will investigate whether the tips it receives are motivated by a desire to manipulate labor laws or retaliate against workers, neither of which are reasons for ICE to act. However, that agreement has not really played out in that manner (Khoury, 2018).

Santamaría Graff (2017) connects the Trump administration's anti-immigrant, anti-Mexican proposals to historical legislation that nominally protected national security or a return to American values but actually aimed to maintain whiteness. Anti-immigrant narratives criminalize particular behaviors in order to justify imperialistic, unjust policies and further serve dominant white political elites and their constituents. This can be seen as far back as the 1820s and 1830s when US colonizers fought Mexican troops over the Texas territory, or through the invocation of Manifest Destiny, and traced to the harsher immigration policies in the interior and along the borders post-9/11. The assumption underlying Trump's "Build That Wall!" is that the country is under siege by criminals intent on dismantling the core fabric of what makes America great, including radical Islamic terrorists, Mexican rapists, and "bad hombres" (Santamaría Graff, 2017). The slogan stoked nativism and manufactured narratives that government agencies, vigilante groups, and individuals could grab onto.

As the demographics of immigrants changed over the last 10-20 years, anti-immigration rhetoric and sympathies have become a much more mainstream argument (ADL, 2018). This prevalence of anti-immigration views is both the product of and supported by traditional media, social media, and a wave of elected officials that have been pushing these types of policies. As Khoury (2018) explained, Donald Trump's ascendancy and Fox News' complicity both resulted from nativist, racist, and patriotic opinions in the voter base and also pushed those beliefs to new extremes. Having a presidential candidate in a major party who was willing to be openly anti-immigrant gave permission to his followers, as well; it is a cycle where both sides allow the other to deepen their views while also crediting the other as the driving force and removing their own personal blame (ADL, 2018). Much like using popular or mainstream issues to shield their real desires, this allows those involved to deny or minimize the roles they have played in causing harm.

Individual Deputization

Stoked by government policing, messaging, and the media, attitudes towards immigrants developed into a fear of sharing resources and fear of the immigrants themselves. White people have reacted accordingly. Post-9/11 apprehensions of Latinx people increased sharply, as did mass workplace raids and individual targeting of immigrants by white Americans in the name of national security (Santamaría Graff, 2017). The unlawful physical presence of certain groups on U.S. soil was framed as a threat. These threats gave rise to conspiracies that include: immigrants are outsiders who are planning to invade the country; immigrants and refugees are terrorists or sympathetic to terrorism; undocumented immigrants hurt the U.S. financially by taking jobs and social services without paying taxes; undocumented immigrants lead to increased crime and violence; and undocumented immigrants are bringing diseases into the U.S. Racist groups of white people use these conspiracies to spread their anti-immigrant message wider, increase membership to once-fringe groups, and encourage individuals to protect America from these problems (ADL, 2018). For example, FAIR is the largest anti-immigrant group in the United States; it was founded in 1979 and has since developed many anti-immigration front

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groups with varied stated missions and goals, including CIS, in order to appeal to wider demographics of its movement, obfuscate motives, and shield the parent group from direct links to racist ideas (ADL, 2018). NumbersUSA was founded in 1996 with the tagline of “for lower immigration levels.” The goal of the Remembrance Project, started in 2009, was to educate and raise awareness about the so-called “epidemic” of killings of Americans by illegal aliens (ADL, 2018). San Diegans for Secure Borders (SDSB)'s 2012 establishment can be seen as the foreground for someone like Donald Trump to ascend to the presidency and as a group that would be further legitimized by his spreading their message on national television just four years later through calls to build a wall on the border (ADL, 2018).

In 2019, two Latinx women were selling tacos out of a truck in Dallas when a white woman became upset with them, started arguing, and eventually threatened to call ICE because of their racial identity (Simón, 2019). This is an illustrative example because the women were permitted to sell tacos and were not doing anything illegal, nor were they undocumented immigrants. Even if they had been doing anything illegal or been undocumented, it would not have necessarily justified a white person to deputize themselves and call ICE in this way. However, in this example, even the most surface-level arguments from the right do not apply, making the act even more indefensible. This is anecdotal, but it shows that white people calling ICE is not necessarily about public safety or following the law but more so about race and racism.

One year earlier, a video showed that a white woman in Los Angeles became upset with a Latinx woman panhandling and asking for money on the street, eventually threatening to call ICE on her and arguing with another pedestrian that approached to support the panhandling woman (CBS Los Angeles, 2018). The white woman complained that the panhandler was not from the U.S., but rather from Brazil, and defended that it was, in fact, her business to approach the panhandler when questioned by a passerby. The white woman's implication that it was her business as a white person brings forth the question of whether she would have started an argument with a white panhandler. Based on the given reasons in the video, it seems unlikely. This incident provides some insight into an individual's thought process about who deserves to be in America and what lengths they are willing to go to maintain their idea of whiteness and white Americans.

On the extreme end, there are instances like 2019's El Paso, Texas shooting. A white man killed 22 people in a deadly mass shooting at a Walmart, then confessed to law enforcement afterward that he was targeting Mexicans in the attack (Falconer, 2019). Before the attack, he wrote a racist post online both praising President Trump's border wall plan and denying that his actions were because of the President, but it is hard to deny the connection (Falconer, 2019). In 2018, the final post by the suspect in the deadly shooting at the Tree of Life synagogue in Pittsburgh, made just a short time before the attack, claimed that “HIAS [Hebrew Immigrant Aid Society] likes to bring invaders in that kill our people. I can't sit by and watch my people get slaughtered. Screw your optics, I'm going in.” These words echo alarmist language used by anti-immigrant groups and politicians (ADL, 2018). These events represent the most extreme logical extension of the anti-immigrant rhetoric that has gained prominence in the last few decades. For anti-immigrant individuals, believing the rhetoric is the first step; smaller actions, like verbally confronting people of color come next, followed by weaponizing the U.S. government or law enforcement agencies and ultimately taking the law into their own hands. In doing so, they enforce what they believe is right, whether it be through kidnapping, murder, exploitation, or some other illegal act for their cause.

Conclusion

The development of anti-immigrant rhetoric, policy, and discrimination is not a new invention in America. It is merely an adaptation of the values upon which this country was founded. When mainly white people from Western Europe came to the US, immigration was relatively open with an effectively easy path to citizenship. Even when other races and Eastern Europeans began immigrating, in the 19th and early 20th centuries, racism was more explicit and accepted, so there was no need for coded language or secrecy (Migration Policy Institute, 2013). In 1882, the government could simply pass and enact a law to exclude Chinese people from immigrating to the United States. In 1924, the government could

explicitly limit the quotas by country of origin. In more recent times, upholding white identity as a core principle of being American has required a shift in tactics, and anti-immigrant action in the name of patriotism has become a much more important tool. The government, vigilantes acting on behalf of the government, and individual white actors have all played on the sentiment that immigrants are ruining the country in order to pass laws, target non-white communities, and wield law enforcement agents against people of color.

Some experts believe enacting pro-immigrant legislation, improving response to hate crimes, building trust between law enforcement and immigrant communities, and expanding dialogue between major actors can help combat these sentiments (ADL, 2018). Dr. Ibram Kendi (2017) argues that changing the laws and policies will in turn impact the everyday culture of a community and not the other way around. There are no concrete examples to model these changes after, but the origins of anti-immigrant sentiment are baked deep into the country's imagination. Some think an agency like ICE or CBP cannot be reformed when it was literally created to enforce these racist ideals; along the same lines, individuals that call ICE to report others will never really do so in good faith (García Hernández, 2020). It seems far more likely that American institutions will have to be disbanded and rebuilt in a new image before it can be expected that white Americans will accept a multicultural country that does not merely uphold whiteness.

References

- Anti-Defamation League. (2018, November). *Mainstreaming bate: The anti-immigrant movement in the U.S.* <https://www.adl.org/media/12249/download>
- Brown, M., Keefer, L., Sacco, D., & Bermond, A. (2019). Is the cure a wall? Behavioral immune system responses to a disease metaphor for immigration. *Evolutionary Psychological Science*, 5(3).
- CBS Los Angeles. (2018, August 2). 'She's not from my country': Woman allegedly threatened to call ICE on panhandling mother. <https://losangeles.cbslocal.com/2018/08/02/viral-woman-confronted-for-calling-ice-eight-and-grand-whole-foods/>
- Falconer, R. (2019, August 9). *El Paso suspect confessed to targeting Mexicans in mass shooting.* Axios. <https://www.axios.com/el-paso-shooting-what-know-far-d9fa3faf-76b7-4c4b-95ef-7e1d5c97359a.html>
- García Hernández, C. C. (2020). *Migrating to prison: America's obsession with locking up immigrants.* The New Press.
- Ismaili, K. (2010). Surveying the many fronts of the war on immigrants in post-9/11 US society. *Contemporary Justice Review*, 13(1).
- Kendi, I. X. (2017). *Stamped from the beginning: The definitive history of racist ideas in America.* Bold Type Books.
- Khoury, A. (2018, January 2). More workers say their bosses are threatening to have them deported. *Los Angeles Times*. <https://www.latimes.com/business/la-fi-immigration-retaliation-20180102-story.html>
- Massey, D. (2020). Creating the exclusionist society: From the War on Poverty to the war on immigrants. *Ethnic and Racial Studies*, 43(1).
- Migration Policy Institute. (2013). *Major U.S. immigration laws, 1790 to present.* <https://www.migrationpolicy.org/research/timeline-1790>
- Romero, M. (2011). Are your papers in order? Racial profiling, vigilantes, and America's toughest sheriff. *Harvard Latino Law Review*, 14(3).
- Santamaría Graff, C. (2017). "Build that wall!": Manufacturing the enemy, yet again. *International Journal of Qualitative Studies in Education*, 30(10).
- Simón, Y. (2019, April 8). *A white woman threatened to call ICE on 2 women operating taco truck in Dallas.* Remezcla. <https://remezcla.com/culture/taco-truck-dallas-ice/>

The Silenced Voices of People Who are Currently and Formerly Incarcerated

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Abstract

A historic and record-breaking number of Americans voted in the 2020 election, reflecting the electorate's desire to have their voices heard and prioritize the issues most important to them and their communities. However, multiple states silenced 5.2 million voices due to their current or prior interactions with the criminal legal system. All but two states, Maine and Vermont, as well as Washington, DC and Puerto Rico, in some way restrict people with a felony conviction from voting while in prison, on parole or probation, or post-sentence. These voices being silenced are disproportionately Black and brown, as a result of the overcriminalization of these communities. The arguments supporting felony disenfranchisement are contrary to the ideals of a democratic society and are steeped in racism and discrimination. Restricting the right to vote is not only undemocratic but also counter to the research and benefits: Research has found that many opportunities come to communities and individuals when the right to vote is available. Some states are incrementally revising legislation to restore this right. Florida's recent policy changes provide insight into the impacts of felony disenfranchisement and the sustained activities to limit Black and brown communities' voices and power.

Introduction

In 2020, a year in which debates over who could vote and how and where they could vote seemed omnipresent, America's long and grim history of denying this fundamental right continued to shape whose voices do and do not matter. Felony disenfranchisement began with the founding of the US, and states codified provisions after the Civil War, targeting Black male voters (Holloway, 2011; King, 2006; Mauer, 2011; Behrens et al., 2003; Alexander, 2010). Today, these policies continue to serve as an invisible punishment, "the diminution of the rights and privileges of citizenship and legal residency in the United States" (Travis, 2002, p. 15-16). Felony disenfranchisement laws particularly curtail and dilute the political power and voice of Black male voters, but their reliance on criminal legal proceedings, in turn, has expanded their reach across all communities of color. More than five million Americans, one in 44 adults, are barred from voting because of these laws, as depicted in Figure 1 (Uggen et al., 2020). Black Americans make up nearly 75% of people who are disenfranchised living in the community post-sentence or while supervised on probation or parole (Uggen et al., 2020).

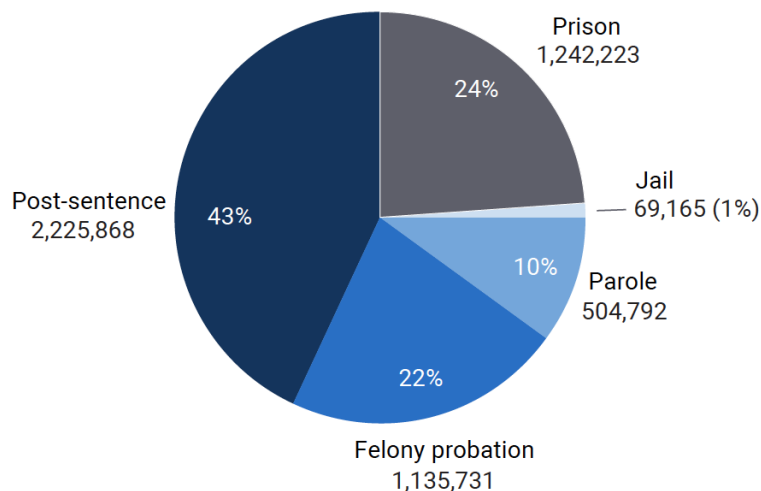


Figure 1: Disenfranchisement Distribution Across Correctional Populations, 2020 (Uggen et al., 2020, p. 8).

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This number expands when counting people in jail who are legally able to vote because they are not incarcerated for a felony conviction. Administrators often do not provide the information or resources for these individuals to exercise their right (Porter, 2020). While the number of disenfranchised people as a result of a felony conviction has declined as states passed reforms, the unrelenting reach of the criminal legal system, combined with the research demonstrating the benefits of voting restoration, provides the urgency for full restoration of voting rights. Restricting the fundamental right to vote not only diminishes the voices of people in their communities, but it also perpetuates decades of harm in communities of color. Nearly one in 60 non-Black adults are disenfranchised, almost 2% of the non-Black population, but this number swells to one in 16 for the Black population, 6% of the Black population (Uggen et al., 2020). As the Latinx population increases in the US, so has their disenfranchisement rate, which now stands at over 560,000 individuals, roughly 2% of the voting population (Uggen et al., 2020).

Disenfranchisement is a collateral consequence of incarceration and only serves as a barrier to stymie an individual's return to the community. Voting is not only a fundamental right in a democratic society but also a benefit for the community and individuals. Despite the fact that the courts have long upheld the practice of felony disenfranchisement, the legal merits have long been debated (King, 2006; Lewis, 2018). Through voting, currently and formerly incarcerated individuals have access to civic participation and the ability to provide input and advocate for the priorities and needs most crucial to them. By providing the opportunity for all voices to participate in the voting process, communities can also better serve the needs of those who reside in them while enhancing public safety. When returning from incarceration, people are expected to find work, housing, and reintegrate back into society, but disenfranchisement perpetuates the notion that these individuals are not part of society and their voice and opinions are not of importance (King, 2006; Uggen et al., 2004).

Individual Benefits

Voting is one of, if not the most, democratic political processes in the United States today, providing individuals with the means to voice the preferences and policies most important to them and their families. It provides a channel for civic engagement and responsibility while also reinforcing the legitimacy of the government. Voting and political activism, in general, offer a host of benefits to individuals, including increases in happiness, life satisfaction, and well-being, and higher levels of self-reported health (Klar & Kasser, 2009; Blakely et al., 2001). For some groups, it even serves as a protective barrier against discrimination and the associated stress (Hope et al., 2018). Furthermore, as voting is a prosocial behavior, it encourages people to think about society's greater good and the impact on other individuals (Suttie, 2018). As individuals returning from incarceration face many hurdles and collateral consequences of their sentence, the opportunity to vote can relay the above benefits to support individuals as they work to rebuild their lives.

Restoring the right to vote for people with a felony conviction increases both their internal efficacy—an individual's confidence in their ability to participate in the political system—and external efficacy—an individual's "belief that the democratic system is accessible and responsive" (Shineman, 2020, p. 140). In one study, when individuals received information on their restored right or how to fix it, as well as information about the upcoming election and polling location, there were gains of between six and twenty percentage points in internal and external efficacy (Shineman, 2020). Furthermore, individuals who had their rights restored, as well as those who received election information, had higher probabilities, by about twenty percentage points, of participating in future elections (Shineman, 2020). Overall, restoring voting rights assists those with a felony conviction to participate in the voting process and feel empowered to voice their concerns and needs. Providing and restoring the right to vote also enhances prosocial behavior and encourages individuals to engage in the political process.

Voting can help individuals reintegrate back into their community and reduce recidivism—a key metric states use to calculate public safety. In states that permanently disenfranchise people, individuals are ten percent more likely to recidivate when compared to states that restore voting rights post-release (Hamilton-Smith & Vogel, 2012). This relationship provides evidence that restoring the right to vote facilitates an individual's return to their community following incarceration. By denying this fundamental

right, people who were formerly incarcerated are "othered," carrying a perpetual stigma that may isolate them and diminish the network of support necessary to overcome the collateral consequences of incarceration. This permanent stigma reflects the notion that individuals who have committed harm can never change and will continue their behavior, eroding successful reentry opportunities (Dhami, 2005; Uggen et al, 2004).

Voting also serves as a potential mechanism to reduce re-arrest and future crime: there is a negative correlation between voting and crime. Individuals who had previously been arrested and subsequently voted were roughly half as likely to be re-arrested when compared to individuals who did not vote but had once been arrested (Uggen & Manza, 2004). This correlation demonstrates that people who vote are less likely to be re-arrested when compared to non-voters, even those without criminal records (Uggen & Manza, 2004). Similarly, voters were statistically less likely to self-report engaging in property crimes or violent behavior than non-voters (Uggen & Manza, 2004). However, the relationship between voting and arrest or a crime is not solely attributed to prior criminal history (Uggen & Manza, 2004). Other studies have found that voting can be used as a proxy to reflect an individual's interest and willingness to participate politically and engage as a political citizen in the community. Contrary to Uggen and Manza's findings, individuals in another study who received a pre-election registration mailer saw increases in political participation, but there was no impact on criminality (Geber et al., 2017). While voting may not directly cause a decrease in criminal behavior, it serves as part of mutually reinforcing behaviors and activities that can positively support those returning from incarceration by providing a connection to the larger community and democratic governance.

Previously incarcerated people place varying levels of importance on the right to vote and how it may impact or connect to their ability to avoid criminal behavior. In interviews with formerly incarcerated individuals, many recognized a connection between the right to vote and the ability to stay clean or out of trouble (Miller & Spillane, 2012). While this right may not be the most crucial part of reintegration or have a direct causal link to a reduction in criminal behavior, many people noted an indirect connection and found the lack of voting rights to be limiting and psychologically harmful (Miller & Spillane, 2012). Finally, felony disenfranchisement doesn't deter individuals from committing a crime but instead acts as a barrier to integration. Many formerly incarcerated individuals see disenfranchisement as a form of punishment and often were not aware of this punishment until they were incarcerated or post-incarceration (Miller & Agnich, 2016). Therefore, disenfranchisement does not serve as a deterrent from committing a crime, since people did not know about this punishment beforehand and thus didn't consider it when engaging in a crime (Miller & Agnich, 2016).

Impacts on and Benefits to Communities

Voting and voter turn-out also positively impact communities by unlocking resources and policies to address systemic challenges, especially for communities characterized by lower incomes. Benefits of voting to society at large include reduced income inequality, increased spending on childhood healthcare, higher minimum wages, less restrictive welfare policies, and increased allocations of federal resources (Avery, 2015; Franko, 2013; Hill et al., 1995; Martin, 2003). In addition to the benefits, voting contributes to a sense of community, and removing the right to vote hurts communities. Felony disenfranchisement policies negatively impact communities as a whole, diluting their collective voice. States with the most restrictive criminal disenfranchisement policies have lower voter turnout rates when compared to states with less stringent policies (McLeod et al., 2003). This burden falls disproportionately on communities with larger proportions of Black residents. Non-disenfranchised Black residents have lower probabilities of voting when compared to non-disenfranchised whites in states with moderate to very restrictive criminal disenfranchisement laws, indicating their negative impact on social networks (McLeod et al., 2003). Restrictive policies also diminish the non-disenfranchised's interest and ability to exercise their right, suppressing Black voices in the political process (McLeod et al., 2003). As a whole, communities of color have lower voting rates because of a lack of access to education, income, and employment, and these same socioeconomic factors contribute to involvement in the criminal legal system. This overlap can help explain findings that demonstrate no negative impact on Black voter

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participation due to felony disenfranchisement policies (Miles, 2004). As a whole, felony disenfranchisement diminishes a communities' voice and capacity to participate in the political process, continuing to disadvantage the communities that have already lacked equitable investment.

The voices of Black and brown communities are further damaged and silenced through a criminal legal system that often keeps incarcerated individuals hundreds of miles from their homes. Prison gerrymandering provides an outsized political voice to communities where correctional facilities are located at the expense of the Black and brown communities where those who are incarcerated often come from (Alexander, 2010). While politicians seek to limit the voices of incarcerated populations through felony disenfranchisement policies, they count those same individuals when it is advantageous during the redistricting process. This process distorts representation, which impacts resource allocation and planning (Prison Policy Initiative, n. d.). This process ultimately seeks to harm communities of color, weakening their political power and perpetuating racial inequities (Kramer, 2018).

Felony disenfranchisement dilutes voting at the community level through de facto disenfranchisement, since many in the community infer they cannot vote due to their criminal record (King, 2006; Drucker & Barreras, 2005; Alexander, 2010). While there are nearly six million people who cannot vote while incarcerated or under community supervision, the complicated and arcane state requirements to restore voting rights leave millions more in limbo with regards to their eligibility status. Requiring individuals with felony convictions to apply for restoration in states with lifetime disenfranchisement policies hinders many people from voting (Meredith & Morse, 2015). In states with complicated and changing requirements, people with a felony conviction are often confused about their voting rights status, and this misinformation and uncertainty deter people who can legally vote (Meredith & Morse, 2015). The confusion keeps eligible voters locked out of the voting process, preventing their needs from being heard.

Arguments in Support of Felony Disenfranchisement

While there is much evidence in support of eliminating felony disenfranchisement rules, and to a larger extent, disenfranchisement of anyone involved in the criminal legal system, arguments against removing this collateral consequence often focus on paternalistic notions of "deservedness" and "character tests" (King, 2006). Through the social construction of target population theory, policymakers and those in power created normative and evaluative social narratives about individuals who are incarcerated to distinguish this group (Schneider & Ingram, 1993). With these social constructions, policymakers placed value judgments on this group and created felony disenfranchisement policies to punish and place burdens on them, many of which last a lifetime (Schneider & Ingram, 1993). Arguments that support disenfranchisement to sustain the "purity of the ballot box" perpetuate the preconceived notion of some that a certain virtue and judgment are necessary to vote (Fellner et al., 1998).

People worry that allowing those with a criminal record to vote will vote for "soft on crime" politicians or platforms, therefore creating a "felon voting bloc" that would threaten society (King, 2006). Americans value their free speech and ability to present their viewpoints, regardless of their content, through voting. This value should be no different for people currently and formerly incarcerated. The two states that allow those presently incarcerated to vote, Maine and Vermont, do not appear to be "pro-criminal," negating the "soft on crime" argument (Mauer, 2011). To deny the right to vote based on how an individual will vote is undemocratic, and "conditioning the right to vote on the content of the vote contradicts the very principle of universal suffrage" (Fellner et al., 1998, p. 15; Dhami, 2005).

Another argument in support of felony disenfranchisement is that punitive punishment is an appropriate response to those who have committed a crime. However, these policies do not serve any of the goals many policymakers set for the carceral system: deterrence, incapacitation, rehabilitation, and retribution (Karlan, 2004). This is especially true considering that research demonstrates that people who commit crimes do not know about their loss of their voting rights (Miller & Agnich, 2016). People who are incarcerated already face an insurmountable amount of punishment and deprivation of liberty, and exacting more penalty through denying the right to vote only serves to "other" and castigate those who have caused harm (Fellner et al., 1998).

Regardless of the fact that evidence conclusively finds that allowing people who are currently or formerly incarcerated to vote reduces recidivism and criminal behavior, these arguments against it are steeped in racial discrimination and hark back to the policies barring Blacks Americans from voting to exclude them from the political process (Alexander, 2010). Banning people currently or formerly incarcerated from voting, often for life, perpetuates the social exclusion and stigma of those who have committed a crime rather than acknowledging the time served and lost. In a country so prideful of its democratic ideals, it is contrary to block the right to vote for individuals solely based on actions and harm they may have committed in the past.

Case Study: Florida

Nowhere is this contradiction more apparent than in Florida, a state with some of the most restrictive felony disenfranchisement policies in the United States, where one in seven Black Americans is disenfranchised (Uggen et al., 2020). The state's past policy decisions indicate that restoring voting rights helps reduce the recidivism rate: Those who were formerly incarcerated who had their rights restored had lower recidivism rates than people who did not have their rights restored. In general, 26% of the individuals who were released in 2011 returned to prison within three years as a result of a new conviction or violation of post-prison supervision (Florida Department of Corrections, 2018). In calendar years 2009 – 2011, 11% of the individuals who were granted restoration of their rights subsequently returned to prison as a result of a new conviction (Florida Parole Commission, 2013). More than 30,000 people had their voting rights restored in 2009-2010. Still, this number has dropped below 1,000 annually after the 2011 policy decision that ended automatic restoration of voting rights for people with felony convictions and instead required individuals to wait five years before applying for restoration (Florida Commission on Offender Review, 2020). While certainly not the only reason for a lower recidivism rate, these numbers point to a promising trend that restoring voting rights can lead to positive public safety outcomes.

In 2018, 65% of voters in Florida supported Amendment 4 to automatically restore the voting rights of 1.4 million individuals with felony convictions, excluding murder and sex offenses, after completing their sentence (Pelletier, 2020). However, when the legislature passed legislation to reflect the ballot initiative, it ignored the voters' intent. Instead, it required all fines, fees, and restitution to be paid for the sentence to be "complete." This move perpetuated disenfranchisement and voter suppression, impacting nearly 80% of those, or 900,000 people, who could have had their voting rights restored (Mower, 2020; Uggen et al., 2020). The imposition of financial obligations harks back to the Jim Crow era of the poll tax. Even more concerning is the number of people who do not know if or how much they owe in fines or fees. Voting while knowing you are ineligible is a felony charge in Florida, and those who are unaware they owe fines or fees from a conviction but vote could be prosecuted (Mower, 2020). This has the potential to continue the carceral cycle in Black and brown communities.

Florida's restrictive policies serve to silence Black and brown voices in favor of a legislative agenda that these communities do not benefit from or support. Without the ability to engage in the political process, the voice of incarcerated and formerly incarcerated individuals is not being considered by Florida's lawmakers. This means that communities of color have experienced changes in policies—safety net programs have become more restrictive, and education has become less accessible in Florida—where the opposite would have been beneficial (Phillips & Deckard, 2016).

Next Steps

The most critical next step is to eliminate felony disenfranchisement statutes for *all* offenses, both at the state and federal level, and instead support continuous voting rights during pretrial incarceration, jail, prison, probation, parole, and post-sentence. Maine, Vermont, Puerto Rico, and the policies that Washington, DC implemented during the summer of 2020 should serve as models for change—particularly their mechanisms to ensure those currently incarcerated can vote via absentee ballot. Requirements to pay all fines, fees, and restitution and waiting periods should also be removed. In recent decades, states have revised statutes to restore rights for certain offenses, often prioritizing non-violent

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ones while excluding others. This practice only serves to perpetuate the stigma that some people are "better" or "worth more" than others and continues social exclusion and should not be pursued by other states.

It is imperative for states to also engage in information campaigns and send notifications to people to make them aware of their rights. Notifying formerly incarcerated individuals of their eligibility to vote increases their likelihood of registering to vote and voting (Gerber et al., 2015; Meredith & Morse, 2015). Notifications should be complemented by, and part of, strategic education movements targeting communities, since formerly incarcerated people have lower voting rates in general (Gerber et al., 2015).

References

- Alexander, M. (2010). *The New Jim Crow: Mass incarceration in the age of colorblindness*. The New Press.
- Avery, J. (2015). Does who votes matter? Income bias in voter turnout and economic inequality in the American states from 1980 to 2010. *Political Behavior* 37, 955–976.
- Behrens, A., Uggen, C., & Manza, C. (2003). Ballot manipulation and the menace of negro domination: Racial threat and felon disenfranchisement in the United States, 1850–2002. *The American Journal of Sociology*, 109(3), 559–605.
- Blakely, T., Kennedy, B., & Kawachi, I. (2001). Socioeconomic inequality in voting participation and self-rated health. *American Journal of Public Health*, 91(1), 99–104.
- Chung, J. (2019). *Felony disenfranchisement: A primer*. The Sentencing Project.
<https://www.sentencingproject.org/publications/felony-disenfranchisement-a-primer/>
- Dhami, M. (2005). Prisoner disenfranchisement policy: A threat to democracy. *Analyses of Social Issues and Public Policy*, 5(1), 235–247.
- Drucker, E., & Barreras, R. (2005). *Studies of voting behavior and felony disenfranchisement among individuals in the criminal justice system in New York, Connecticut, and Ohio*. The Sentencing Project. https://www.prisonpolicy.org/scans/sp/fd_studiesvotingbehavior.pdf
- Fellner, J., Mauer, M., Hirschfield, P., Aden, M., & Portillo, C. (1998). *Losing the vote: The impact of felony disenfranchisement laws in the United States*. The Sentencing Project & Human Rights Watch. <https://www.sentencingproject.org/wp-content/uploads/2016/01/Losing-the-Vote-The-Impact-of-Felony-Disenfranchisement-Laws-in-the-United-States.pdf>
- Florida Commission on Offender Review. (2020). *Restoration on civil rights recidivism report for 2018 and 2019*. <https://www.fcor.state.fl.us/docs/reports/Recidivism%20Report%202018-2019.pdf>
- Florida Department of Corrections. (2018). *Florida prison recidivism report: Releases from 2010 to 2016*. <http://www.dc.state.fl.us/pub/recidivism/RecidivismReport2018.pdf>
- Florida Parole Commission (2013). *Restoration of civil rights' recidivism report for 2011 and 2012*. <https://www.fcor.state.fl.us/docs/reports/2011-2012ClemencyReport.pdf>
- Franco, W. (2013). Political inequality and state policy adoption: Predatory lending, children's health care, and minimum wage. *Poverty & Public Policy*, 5(1), 88–114.
- Gerber, A., Huber, G., Biggers, D., & Hendry, D. (2017). Can political participation prevent crime? Results from a field experiment about citizenship, participation, and criminality. *Political Behavior*, 39(4), 909–934.
- Gerber, A., Huber, G., Meredith, M., Biggers, D., & Hendry, D. (2015). Can incarcerated felons be (re)integrated into the political system? Results from a field experiment. *American Journal of Political Science*, 59(4), 912–926.
- Hamilton-Smith, G., & Vogel, M. (2012). The violence of voicelessness: The impact of felony disenfranchisement on recidivism. *Berkeley La Raza Law Journal*, 22, 407–431.
- Hill, K., Leighley, J., & Hinton-Andersson, A. (1995). Lower-class mobilization and policy linkage in the U.S. states. *American Journal of Political Science*, 39(1), 75–86.
- Holloway, P. (2009). "A chicken-stealer shall lose his vote": Disfranchisement for larceny in the south, 1874–1890. *The Journal of Southern History*, 75(4), 931–962.

- Hope, E., Velez, G., Offidani-Bertrand, C., Keels, M., & Durkee, M. (2018). Political activism and mental health among Black and Latinx college students. *Cultural Diversity & Ethnic Minority Psychology, 24*(1), 26–39.
- Karlan, P. (2004). Convictions and doubts: Retribution, representation, and the debate over felon disenfranchisement. *Stanford Law Review, 56*(5), 1147–1170.
- King, R. (2006). Jim Crow is alive and well in the 21st Century: Felony disenfranchisement and the continuing struggle to silence the African-American voice. *Souls, 8*(2), 7–21.
- Klar, M., & Kasser, T. (2009). Some benefits of being an activist: Measuring activism and its role in psychological well-being. *Political Psychology, 30*(5), 755–777.
- Kramer, R. (2018). Shifting power: The impact of incarceration on political representation. *Du Bois Review, 15*(2), 417–439.
- Lewis, S. (2018). Felony disenfranchisement: An annotated bibliography. *Legal Reference Services Quarterly, 37*(2), 122–133.
- Martin, P. (2003). Voting's rewards: Voter turnout, attentive publics, and congressional allocation of federal money. *American Journal of Political Science, 47*(1), 110–127.
- Mauer, M. (2011). Voting behind bars: An argument for voting by prisoners. *Howard Law Journal, 54*(3), 549–566.
- McLeod, A., White, I., & Gavin, A. (2003). The locked ballot box: The impact of state criminal disenfranchisement laws on African American voting behavior and implications for reform. *Virginia Journal of Social Policy & the Law, 11*(1), 66–88.
- Meredith, M., & Morse, M. (2015). The politics of the restoration of ex-felon voting rights: The case of Iowa. *Quarterly Journal of Political Science, 10*(1), 41–100.
- Miles, T. (2004). Felon disenfranchisement and voter turnout. *The Journal of Legal Studies, 33*(1), 85–129.
- Miller, B., & Agnich, L. (2016). Unpaid debt to society: Exploring how ex-felons view restrictions on voting rights after the completion of their sentence. *Contemporary Justice Review, 19*(1), 69–85.
- Miller, B., & Spillane, J. (2012). Civil death: An examination of ex-felon disenfranchisement and reintegration. *Punishment & Society, 14*(4), 402–428.
- Mower, L. (2020, October 14). Florida leads nation in voter disenfranchisement, criminal justice group says. *Tampa Bay Times*. <https://www.tampabay.com/news/florida-politics/elections/2020/10/14/florida-leads-nation-in-voter-disenfranchisement-criminal-justice-group-says/>
- Pelletier, P. (2020, September 17). Racist Jim Crow era lives on in Florida decision to disenfranchise felons over fines. *USA Today*. <https://www.usatoday.com/story/opinion/2020/09/17/florida-denies-vote-to-felons-jim-crow-era-lives-column/5815752002/>
- Phillips, A. J., & Deckard, N. (2016). Felon disenfranchisement laws and the feedback loop of political exclusion: The case of Florida. *Journal of African American, 20*(1), 1–18.
- Porter, N. (2020). *Voting in jails*. The Sentencing Project. <https://www.sentencingproject.org/publications/voting-in-jails/>
- Prison Policy Initiative. (n.d.). *Prison gerrymandering project: The problem*. <https://www.prisonersofthecensus.org/impact.html>
- Schneider, A., & Ingram, H. (1993). Social construction of target populations: Implications for politics and policy. *The American Political Science Review, 87*(2), 334–347.
- Shineman, V. (2020). Restoring voting rights: Evidence that reversing felony disenfranchisement increases political efficacy. *Policy Studies, 41*(2-3), 131–150.
- Suttie, J. (2018). *The emotions that make you decide to vote*. Greater Good Magazine. https://greatergood.berkeley.edu/article/item/the_emotions_that_make_you_decide_to_vote
- Travis, J. (2002). Invisible punishment: An instrument of social exclusion. In M. Mauer & M. Chesney-Lind (Eds.), *Invisible punishment: The collateral consequences of mass imprisonment* (pp. 15–36). New Press.

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Uggen, C., Larson, R., Shannon, S., & Pulido-Nava, A. (2020). *Locked out 2020: Estimates of people denied voting rights due to a felony conviction*. The Sentencing Project.

<https://www.sentencingproject.org/publications/locked-out-2020-estimates-of-people-denied-voting-rights-due-to-a-felony-conviction/>

Uggen, C., & Manza, J. (2004). Voting and subsequent crime and arrest: Evidence from a community sample. *Columbia Human Rights Law Review*, 36(1), 193–215.

Uggen, C., Manza, J., & Behrens, A. (2004). Less than the average citizen: Stigma, role transition, and the civic reintegration of convicted felons. In S. Maruna, & R. Immerigeon (Eds.), *After Crime and Punishment: Pathways to Offender Reintegration* (pp. 258–290). Willan Publishing.

Whose America? A Reflective Opinion

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The answer to “Whose America?” should be straightforward, yet I’m perplexed why such complexity is ingrained in a seemingly easy answer. We as a nation pretend not to know who America belongs to when, in actuality, we’re simply in denial that America belongs to the rich, white and privileged.

Acknowledging white privilege and dismantling the system is not “reverse racism,” but instead serves as the answer for creating a culture where the answer to “Whose America?” can include everyone. The inherent historic racist practices in the U.S. perpetuate a never-ending cycle in every field of human endeavors. As we continue to progress in fighting for a more equitable world, Black Americans don’t wish to be treated better than others; however, we want equal treatment. The respect of fundamental human rights should not be something any individual should have to fight for, primarily because of their skin color. Yet, unfortunately, that is the reality African Americans face. Black patriotism’s multifaceted nature constantly calls into question the viability of capitalism and other imperialistic structures ingrained in our institutions.

Furthermore, many Americans consider the insurrection of the U.S. Capitol on January 6th to be one of the “darkest days of American history” (Thompson, 2021). But for Black people and minorities, there’s a more in-depth perspective. I’ve read comments on social media that read, “It’s a horrible image for the United States,” and “Those incidents only happen to countries with failed democracies.” Many who say these comments have the privilege to make such ignorant statements and have no idea how insulting it is to minorities. To minorities, this is the America we have known all along. As I reflect on that day, knowing that former President, Donald Trump and many of his colleagues in Congress amplified lies to undermine our Republic’s Democracy, I thought, “This is America!” A country built by enslaved individuals to profit the most powerful rich white men and women. Elected officials encouraged and incited the attack on our nation’s capital to overturn the result of a free and fair election, which had the highest voter turnout from Black people and minorities to date (Parlapiano, 2020). This election also consisted of my home state, Georgia, voting blue; this hasn’t happened since 1992 when Bill Clinton won 43.47% of the votes (Stroh-page, 2020). The Republican leaders’ lust for power has allowed them to be complacent in carrying out their duties taken under oath. There should be no place for such leaders in Congress.

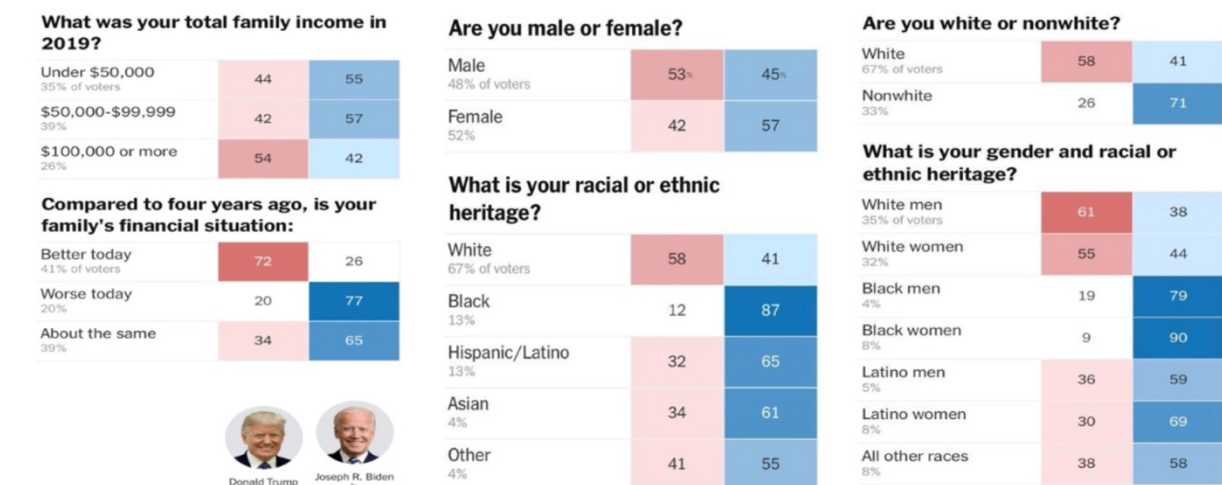


Figure 1: Source: Parlapiano, A. (2021, January 5).

WHOSE AMERICA?

This brings me back to the question of “Whose America?” Sit back and think about this. What occurred on January 6th happens often—and not only to a building. These types of terrible attacks frequently happen to individuals of marginalized groups. The events of January 6th were just one of many incidents that debunked American democracy. I have attempted to identify that day as the endangerment of an establishment, and I just can’t. This is the way the establishment was always designed to work.

You see, democracy in America only seems to work if you’re white and have the necessary access to power and money under this capitalistic system. Throughout history, democracy has always favored one group while minimizing the struggles of another. Today’s democracy favors rich and white people while those who are poor and colored are left with the crumbs of a society that does not deem them worthy of fundamental rights. “Democracy doesn’t work,” said the ancient philosopher, Plato (Forthomme, 2019). He often referred to it as a system full of incompetent and dishonest political leaders who exploit credulity and prejudices while thriving on emotion-driven discourse. No truer words could describe today’s system; what Plato referred to is still a common practice, unfortunately.

American writer, author, and political activist, Frederick Douglass declared, “Slavery is not abolished until the Black man has a ballot” (1865). Black men have been granted the right to vote for 151 years, while many Black women were not allowed the right to vote until 56 years ago under the 1965 Voting Rights Act (Pruitt, 2020). Malcolm X, another pillar of Black thought whose work and legacy I admire dearly, said our ballot is our “freedom.” Still, the bottom line is that elections don’t deliver the type of political leaders people need, and the right to vote has not delivered the freedom that Malcolm X surely had in mind. This is why this quote from author James Baldwin holds so much power: “To be a Negro in this country and to be relatively conscious is to be in a rage almost all the time.”

At this point, I would finally answer the question “Who does America belong to?” but I’m sure you already have the idea.

References

- Forthomme, C., (2019, December 13). *Why democracy produces incompetent leaders—and how to fix it*. Impakter. Retrieved March 15, 2021, from <https://impakter.com/why-democracy-produces-incompetent-leaders-and-how-to-fix-it/>
- Parlapiano, A. (2021, January 05). National exit POLLS: How different groups voted. *New York Times*. Retrieved March 15, 2021, from <https://www.nytimes.com/interactive/2020/11/03/us/elections/exit-polls-president.html>
- Pruitt, S. (2020, January 29). *When did African Americans actually get the right to vote?*. History.com. Retrieved March 15, 2021, from <https://www.history.com/.amp/news/african-american-voting-right-15th-amendment>
- Stroh-Page, C. (2020, November 06). When was the last time Georgia voted BLUE? It’s been nearly 30 years. *Athens Banner-Herald*. Retrieved March 15, 2021, from <https://www.onlineathens.com/story/news/politics/elections/2020/11/06/when-was-last-time-georgia-voted-blue-it-s-been-nearly-30-years/43004695/>
- Thompson, B. (2021, January 26). *A “dark day” in American History: Reflecting on January 6, 2021*. Fox 21 News. Retrieved March 15, 2021, from <https://www.fox21news.com/top-stories/a-dark-day-in-american-history-reflecting-on-january-6-2021/>

Turning Off the Faucet: The Role of Schools in the School-to-Prison Pipeline

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What is the School-to-Prison Pipeline?

The School-to-Prison Pipeline refers to “policies and practices, especially with respect to school discipline, in the public schools and juvenile justice system that decrease the probability of school success for children and youth, and increase the probability of negative life outcomes, particularly through involvement in the juvenile justice system” (Skiba, Arredondo, et al., 2014, p. 546). In particular, the School-to-Prison Pipeline often involves exclusionary discipline practices that lead to both negative short- and long-term student outcomes. This paper will explore the role that schools play in the School-to-Prison Pipeline system (hereafter STPP). It will investigate the relationships between the STPP and school quality, exclusionary disciplinary practices, and other school risk factors that may exacerbate negative outcomes. Ultimately, identifying how schools function as the source of the STPP will elucidate the interventions that schools can take to turn off the metaphorical faucet by enacting policies and practices that best prepare students for success both in and out of school.

A comprehensive literature review by Russell Skiba, Mariella Arredondo, and Natasha Williams (2014) establishes that, while scholars’ definitions of the STPP vary, four common principles consistently appear across interpretations: that exclusionary discipline practices have “become widespread, systematic, and increasing in usage;” that the STPP “increases the probability for long-term negative outcomes, in particular juvenile justice involvement;” that the “practices and outcomes fall disproportionately on specific populations;” and that the expression itself, school-to-prison, indicates “a direction of causality—that policies and practices of schools, rather than solely the characteristics of students themselves, are responsible to some degree for those negative outcomes” (Skiba, Arredondo, et al., 2014, pp. 547–548). This final observation serves as the basis for this paper, which reviews literature and causal studies that address the role of school policies, procedures, and administrative practices in the STPP. If schools act as the origin of the pipeline, they have the ability and obligation to disrupt its flow.

Effects of Exclusionary Discipline on Student Outcomes

Exclusionary discipline practices such as suspension and expulsion are common in American schools; a study of almost one million Texas students found that “nearly six in ten public school students studied were suspended or expelled at least once between their seventh- and twelfth-grade school years” (Fabelo et al., 2011, p. IX). This is largely due to the enforcement of zero-tolerance policies that punish students without regard for the context of individual cases. Some trace the advent of these policies to the Gun-Free Schools Act of 1994, under which public schools are required to use a zero-tolerance approach for firearm violations. Since then, many schools have also implemented similar approaches to other illegal offenses (Gregory & Cornell, 2009). However, exclusionary discipline is not reserved for illegal offenses alone; Fabelo et al. (2011) found that less than 3 percent of the observed infractions in their Texas study “were related to behavior for which state law mandates expulsion or removal,” while 90 percent of infractions were due to violating the school’s code of conduct (Fabelo et al., 2011). Misbehavior that at one time may have led to a figurative or literal slap on the wrist is now more likely to be handled within exclusionary practices or even police involvement. This change in school policy and culture is not without consequence.

In their 2019 research paper, “The School to Prison Pipeline: Long-Run Impacts of School Suspensions on Adult Crime,” Andrew Bacher-Hicks, Stephen Billings, and David Deming investigate the causal impact of school discipline on the achievement, educational attainment, and subsequent criminal activity of students. This study utilizes difference-in-differences and instrumental variables methods to analyze data from Charlotte-Mecklenburg Schools, North Carolina’s second-largest school

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district, from 1998-2011, before and after a race-blind redistricting policy was enacted. The authors generated predictions of school effects on suspensions and leveraged the rezoning of the schools by estimating “the effects of students who live in the same neighborhoods and attended the same school in 2001-02, but were re-zoned into two different schools in 2002-03” (Bacher-Hicks et al., 2019, p. 11). The outcomes of the study indicate that attending schools with stricter policies negatively impacts students in the long run. The authors found that students who attend a school with a one standard deviation increase in suspension effect are 17% more likely to have ever been arrested and 20% more likely to have ever been incarcerated than students in their respective sample means (Bacher-Hicks et al., 2019, p. 18). They conclude that exclusionary punishment for misbehavior in school leads to increased crime in adulthood, thus confirming “that there is, in fact, a ‘school to prison pipeline,’” which disproportionately affects male students of color (Bacher-Hicks et al., 2019, p. 27).

This finding is significant, as it provides quantitative, causal evidence that the STPP exists and is not merely a metaphorical concept. However, one alternative explanation this study fails to consider is the possibility that there may be a macro-level factor of a school’s culture that impacts both suspension rate and life outcomes. For example, the authors determined that individual principals played a crucial role in school disciplinary practices; this indicates that perhaps school leaders and the cultures they imbue could explain some variation in student outcomes. Nevertheless, this causal study provides quantitative evidence that schools with strict discipline policies increase adult crime.

Similar outcomes were confirmed by a non-causal 2018 study by Janet Rosenbaum, in which individuals who had been suspended in school were matched, using 60 variables, to other individuals who had not been suspended. Twelve years after their respective suspensions, Rosenbaum found that “suspended youth were less likely to have a high school diploma or BA, and more likely to be expelled, arrested, convicted, and to have been imprisoned or on probation” (Rosenbaum, 2018, p. 529).

It is important to note that schools do not dole out disciplinary practices equally across demographics. Bacher-Hicks et al. observed significant racial disparities in the censure of students. Specifically, they found that Black and Latino male students were suspended at more than three times the rate of white male students. (Bacher-Hicks et al., 2019). Black female students are also “overrepresented in both out-of-school suspensions and expulsions,” an outcome that has worsened over time (Paul et al., 2019, p. 341). A limited research base suggests that LGBTQ+ youth also experience school discipline disproportionately. LGBTQ+ youth may specifically be disciplined for infractions for which their straight peers are less likely to be punished, including public displays of affection and dress-code violations for defying heteronormative gender expressions (Snapp et al., 2015). Likewise, students with disabilities also bear disproportionate disciplinary practices; they are suspended at more than twice the rate of students without disabilities. Further, students with disabilities “represent a quarter of students subjected to a school-related arrest, even though they are only 12 percent of the overall student population” (National Council on Disability, 2015, p. 11). Students whose identities place them at the intersection of racism and ableism experience even more incommensurate disciplinary practices: one in four Black K-12 students with disabilities were suspended at least once during the 2009-10 school year (Losen & Gillespie, 2012, p. 7). Exclusionary discipline is applied in a discriminatory fashion, and students with marginalized identities find themselves being pushed out of school and into the carceral system.

The Effect of School Quality on Student Criminality

While exclusionary discipline plays an important role in the STPP, when considering the ways in which schools could disrupt the pipeline to prison, one must also examine preventative measures for criminal activity outside of school. In David Deming’s 2011 study, “Better Schools, Less Crime?,” he uses random assignment and an ordinary least squares regression to analyze the effects of school quality on criminality. Like Bacher-Hicks et al., Deming capitalizes on the changes in school assignment caused by Charlotte-Mecklenburg Schools’ 2002 redistricting initiative. By comparing detailed administrative data from redistricted schools with state and local arrest and incarceration records, Deming uses OLS to analyze the effects of a student winning a lottery (a random outcome) to attend a top-choice school on adult criminality. He finds that “a treatment of between 1 and 4 years of enrollment in a higher quality

public school led to large and persistent reductions in young adult criminal activity.” Effects are especially pronounced for students in the sample’s top quintile of risk, which is composed mostly of Black males. Ultimately, Deming finds that “across several different outcome measures and scalings of crime by severity, high-risk youth who win the lottery commit about 50% less crime” (Deming, 2011, p. 2065). Interestingly, he finds no effect on student test scores (Deming, 2011, p. 2101).

A limitation of this study is that it does not include data regarding juvenile criminal offenses, so the impact of school quality on juvenile crimes is undetermined. However, in regards to exclusionary discipline outcomes, students who won the lottery were less likely to be involved in an “incident where the punishment was long-term suspension, expulsion, or police involvement,” suggesting that school quality can also play a role in decreasing STPP-related disciplinary practices (Deming, 2011, p. 2101). Potential alternative explanations for these findings include peer effects (degree of exposure to crime-prone youth) and enrollment impacts (total time spent in school). However, based on the findings, these explanations do not seem to plausibly outweigh the effect of school quality itself. Another explanation could be human capital returns, suggesting that students who attend better schools may stay in school longer and leave with more skills, empowering them to secure higher-paying employment and leading them to commit fewer crimes. (Deming, 2011, p. 2104). While further research is required to determine what specific aspects of school quality have the most impact on criminal activity, this research demonstrates that schools themselves can prevent future crime and alter the likelihood of a student’s future incarceration.

Law Enforcement and the School-to-Prison Pipeline

In recent decades, police officers have become customary additions to the public school apparatus. Stationed with the intended goals of decreasing student misbehavior and improving student relations with law enforcement, cops serving as School Resource Officers (SROs) usher the criminal justice system directly into public schools. Emily Owens’ 2017 study, “Testing the School-to-Prison Pipeline,” examines the effect of police presence in schools on students’ criminal justice outcomes. Using a difference-in-differences approach, Owens compares student crime and arrests before and after federal grants were allocated to place law enforcement officers in schools through the Cops in Schools (CIS) program. She cross-references ten years of data from the School Survey on Crime and Safety (SSOCS), the National Incident-Based Reporting System (NIBRS), and the National Center for Education Statistics (NCES).

Owens finds that agencies granted CIS funding “seem to serve schools that are disproportionately more dangerous than schools where agencies do not receive funding,” with crimes committed in schools comprising a disproportionately large portion of overall crime in the agency’s area. Districts served by CIS-affiliated agencies also tend to have less funding available per student and more students enrolled per school (Owens, 2017, p. 18). Police serving schools through CIS learn of more violent crimes and weapon and drug violations taking place in schools, as well as minor violations outside of school. Owens suggests that this demonstrates an increase in citizens’ propensity to contact the police. However, CIS presence also leads to increased punitive action on students. “Not only do police learn of more crimes in schools, they also make more arrests for these offenses.” The arrest of students under the age of 15 drives the overall increase in student arrests (Owens, 2017, pp. 14, 32).

Student arrests for violent crimes often follow incidents that “could be reasonably characterized as scuffling, rather than acts of life-threatening violence,” indicating that something like a schoolyard fight that once may have resulted in a trip to the principal’s office may now result in police contact (Owens, 2017, p. 34). Further, she suggests that by the measurement of the number of incidents reported to police, their presence makes schools safer (Owens, 2017, p. 14). However, Owens fails to define what “safer” means beyond the number of incidents reported; safer for whom, and how? Notably, Owens could not determine if involving or notifying an SRO in an incident qualified as reporting the incident to law enforcement. Given that several of her findings were predicated on the number of incidents reported, this is a significant gap. Moreover, the study itself was somewhat less compelling than its counterparts, as the data was at times imprecise and fuzzy. While utilizing federal data allows one to observe nationwide

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patterns, it may also mask valuable information about variations at the state- and community-levels. Still, Owens' findings suggest that the CIS program, regardless of intention, has "resulted in the accumulation of arrest records for young students" (Owens, 2017, p. 14), leading to increased student exposure to the criminal justice system.

Intervening in the School-to-Prison Pipeline

Just as schools can increase a student's likelihood of encountering the carceral system, they can also reduce it through the use of preventative and/or non-punitive policies and interventions. In their 2017 study, "Exposure to Same-Race Teachers and Student Disciplinary Outcomes," Constance Lindsay and Cassandra Hart analyzed the effect of same-race teachers on the exclusionary discipline of Black students. Using both student fixed effects methodology and instrumental variables, they investigated whether having Black teachers leads Black students to experience less exclusionary discipline compared to when they are taught by different-race teachers. Using six years of individual-level student data from North Carolina, they found that "exposure to a higher fraction of teachers who are Black reduces the likelihood of receiving exclusionary discipline for Black students" (Lindsay & Hart, 2017, p. 498). This finding was true for male and female students across all grade levels, regardless of Free and Reduced-Price Lunch eligibility, and was confirmed by both research methods.

An important consideration is that students are not randomly assigned to their teachers. Lindsay and Hart found that "principals may strategically match teachers and students, such that Black teachers are disproportionately likely to teach students with established records of discipline problems" (Lindsay & Hart, 2017, p. 497). This non-random student sorting can lead to biased, and perhaps underestimated, effects of having a same-race teacher on student discipline outcomes. Further research is needed to determine what aspect of having a same-race teacher drives the most effect, and whether or not it could be replicated by different-race teachers. For example, if the primary factor is having shared experiences based specifically on racial identity or anti-Black racism, it would be unlikely for non-Black teachers to capture this same effect. However, if Black teachers are using distinct pedagogical and classroom management strategies, these strategies could potentially be taught to and successfully implemented by non-Black teachers.

Further research is also needed to help inform the dosage effect of exposure to same-race teachers (e.g., the effect of a primary school teacher with whom a student spends all day, compared to a middle school teacher with whom a student spends 50 minutes). Relatedly, does having one same-race teacher and several different-race teachers impact the likelihood of a student experiencing exclusionary discipline at the hands of a different-race teacher, or is the same-race teacher simply disciplining the student less? Ultimately, Lindsay and Hart's findings suggest that diversifying America's teaching force could lead to a decrease in the use of exclusionary discipline on students of color, in turn plugging one tributary of the STPP.

Non-punitive interventions can also play a role in decreasing the likelihood of students entering the STPP, as evidenced by the 2013 study, "Preventing Youth Violence and Dropout: A Randomized Field Experiment," by Sara Heller, Harold Pollack, Roseanna Ander, and Jens Ludwig. The authors examined the effect of a non-punitive intervention program on violence and dropout rates. Using instrumental variables and a randomized controlled trial of 2,740 male students in grades 7-10 from high-crime Chicago neighborhoods, Heller et al. analyzed a program called "Becoming a Man" (BAM), which was implemented in eighteen Chicago Public Schools by two local nonprofit groups. BAM featured programming both in and after school that exposed students to positive adult role models; occupied them after school, a time when they may otherwise have run into trouble; and utilized aspects of cognitive behavioral therapy (CBT), a psycho-social intervention that encourages metacognition, or "[thinking] about thinking" (Heller et al., 2013, p. 10). Students were divided into four groups: in-school treatment, after-school treatment, both, or none (control).

BAM yielded promising results; participation in the yearlong program led to a 44% decrease in arrest for violent crimes and a 36% decrease in arrest for other crimes for student participants during the program year. However, these effects did not persist into the following year (Heller et al., 2013, pp. 19,

20). Heterogeneity in treatment effects suggests that the reduced arrest rates may have been driven by students who had not been arrested prior to program enrollment.

Nevertheless, the program led to academic gains that persisted into the future. While the program participants were too young to graduate during the period of the study, the authors estimate that the improved academic outcomes they observed could translate to a 7-22 percent increase in graduation rates (Heller et al., 2013, p. 6). Interestingly, though in-school participation in the program led students to miss academic classes (as BAM occurred during the school day), the program still yielded positive academic results. The authors hypothesize that the key element of the intervention may be its implementation of cognitive behavioral therapy. “The fact that previous programs that provide interactions with pro-social adults or after-school activities tend not to show similarly large effects is at least suggestive evidence that the novel ingredient here – CBT – may be important” (Heller et al., 2013, p. 6). The dosage effect of this study was promising, with student participants completing an average of only 13 out of 27 one-hour sessions, suggesting that further exposure could potentially lead to more pronounced results.

A confounding factor of this study concerned the intent to treat: only half of the youth assigned to treatment chose to participate. This leaves room for bias due to the potentially differing characteristics of students who choose to participate compared to those who opt out. Another confounding factor the authors observed was some degree of contamination between treatment and control groups. Further research is necessary to understand why the effects on student arrests did not persist into the following year, as well as what changes could potentially increase the effects’ persistence. While this program saw noteworthy success, reproducing it at scale poses a challenge, as different facilitators and cities may produce varying results. Further, BAM was administered by external nonprofits; results may differ if the program is facilitated by a school itself. Regardless, the work of Heller et al. demonstrates that non-punitive intervention strategies can have an immediate effect on student criminality, arrest, and academic success.

Conclusion: Disrupting the STPP

Whether students receive harsh exclusionary discipline in school is dependent on a combination of factors, including “severity of infraction; race, gender, and to a certain extent SES at the individual level; percentage Black enrollment; school achievement level; and principal perspectives on discipline” (Skiba, Chung, et al., 2014, p. 664). Ultimately, though, what seems to matter most is the policies, practices, and cultures of schools themselves. “Systemic, school-level variables appear to contribute to disproportionality in out-of-school suspension far more than either type of infraction or individual demographics” (Skiba, Chung, et al., 2014, p. 664). Policies, practices, and cultures can drive disproportionately high levels of harsh discipline that ultimately result in more students entering the carceral system via the STPP. Therefore, alternative policies, practices, and cultures can feasibly have the opposite effect, in turn, “drying up” the pipeline by cutting off its supply. Schools can actively work to redirect students from a path that may have otherwise led them to prison. This is especially pertinent for high-risk demographic groups. For “youth on the margins of society, public schools may present the best opportunity to intervene” in their choices, habits, and actions (Deming, 2011, p. 2111). Schools and school leaders must cultivate an environment that decreases student involvement in the criminal justice system.

To advance efforts to end the STPP, research on the long-term outcomes of non-exclusionary and/or non-punitive interventions is necessary. Specifically, causal research determining whether alternative methods of student management and discipline lead to decreased rates of arrest and incarceration would bolster arguments that zero-tolerance exclusionary discipline policies should be discontinued.

Schools are the origin point of the School-to-Prison Pipeline. The causal research reviewed above demonstrates that certain policies, like exclusionary discipline and police presence in schools, can increase student exposure to the criminal justice system, and that this exposure is borne disproportionately by marginalized populations. Meanwhile, school quality, teacher demographics, non-punitive interventions, and other policies can reduce student exposure to the criminal justice system. Thus, schools

can choose to either perpetuate or curtail the flow of students from school to prison. Schools have a moral and professional obligation to disrupt the School-to-Prison Pipeline because they have the power to turn off the faucet.

References

- Bacher-Hicks, A., Billings, S. B., & Deming, D. J. (2019). *The school to prison pipeline: Long-run impacts of school suspensions on adult crime* (No. w26257). National Bureau of Economic Research. <https://doi.org/10.3386/w26257>
- Breaking the school-to-prison pipeline for students with disabilities*. (2015). National Council on Disability. <https://www.ncd.gov/publications/2015/06182015>
- Deming, D. J. (2011). Better schools, less crime?. *The Quarterly Journal of Economics*, 126(4), 2063–2115. <https://doi.org/10.1093/qje/qjr036>
- Fabelo, T., Thompson, M. D., Plotkin, M., Carmichael, D., Marchbanks, M. P., & Booth, E. A. (2011, July). *Breaking schools' rules*. CSG Justice Center. <https://csgjusticecenter.org/publications/breaking-schools-rules/>
- Gregory, A., & Cornell, D. (2009). “Tolerating” adolescent needs: Moving beyond zero tolerance policies in high school. *Theory into Practice*, 48(2), 106–113. <https://doi.org/10.1080/00405840902776327>
- Heller, S., Pollack, H. A., Ander, R., & Ludwig, J. (2013). *Preventing youth violence and dropout: A randomized field experiment* (No. w19014). National Bureau of Economic Research. <https://doi.org/10.3386/w19014>
- Lindsay, C. A., & Hart, C. M. D. (2017). Exposure to same-race teachers and student disciplinary outcomes for Black students in North Carolina. *Educational Evaluation and Policy Analysis*, 39(3), 485–510. <https://doi.org/10.3102/0162373717693109>
- Losen, D., & Gillespie, J. (2012). *Opportunities suspended: The disparate impact of disciplinary exclusion from school*. The Center for Civil Rights Remedies at The Civil Rights Project, UCLA.
- Owens, E. G. (2017). Testing the school-to-prison pipeline. *Journal of Policy Analysis and Management*, 36(1), 11–37. <https://doi.org/10.1002/pam.21954>
- Paul, D. G., Paul, D. G., Araneo, J., & Araneo, J. (2019). “Orange is the new black” comes to New Jersey’s public schools: Black girls and disproportionate rates of out-of-school suspensions and expulsions. *The Urban Review*, 51(2), 326–343. <https://doi.org/10.1007/s11256-018-0483-8>
- Rosenbaum, J. (2018). Educational and criminal justice outcomes 12 years after school suspension. *Youth & Society*, 52(4), 515–547. <https://doi.org/10.1177/0044118x17752208>
- Skiba, R. J., Arredondo, M. I., & Williams, N. T. (2014). More than a metaphor: The contribution of exclusionary discipline to a school-to-prison pipeline. *Equity & Excellence in Education*, 47(4), 546–564. <https://doi.org/10.1080/10665684.2014.958965>
- Skiba, R. J., Chung, C. G., Trachok, M., Baker, T. L., Sheya, A., & Hughes, R. L. (2014). Parsing disciplinary disproportionality: Contributions of infraction, student, and school characteristics to out-of-school suspension and expulsion. *American Educational Research Journal*, 51(4), 640–670. <https://doi.org/10.3102/0002831214541670>
- Snapp, S. D., Hoenig, J. M., Fields, A., & Russell, S. T. (2015). Messy, butch, and queer: LGBTQ youth and the school-to-prison pipeline. *Journal of Adolescent Research*, 30(1), 57–82. <https://doi.org/10.1177/0743558414557625>

Economic Dynamism Across the Rural-Urban Divide: A County-level Spatial Analysis

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Abstract

As the United States recovered from the Great Recession, nonmetropolitan counties have failed to recover as the national economy continues to grow. Simultaneously, quality-of-life in these counties deteriorated as economic opportunities atrophied. This study aims to understand how rurality impacts county-level declines in economic growth. Specifically, it examines how the percentage of a population occupying nonmetropolitan space and a county's proximity to metropolitan areas impact absolute mobility, growth elasticity of poverty, and growth semi-elasticity of poverty. The results show that the percentage of a county that occupies a rural area is the most reliable geographic determinant of the economic strength of a county—although proximity to a metropolitan county also plays a significant role in the economy. Based on these conclusions, policymakers should tailor economic development plans to increase the productive capacity of these nonmetropolitan counties.

Introduction

Estimates from the USDA Economic Research service indicate that nonmetropolitan areas have experienced higher poverty rates relative to their urban counterparts dating back to at least 1960 (Farrigan, 2020b). Data from the 2019 American Community Survey (ACS) indicates that nonmetropolitan areas experienced a 16.1% poverty rate, while metropolitan areas only stood at 12.6% (Farrigan, 2020b). This gap was most pronounced in Southern states, while the Midwest showed a nominal difference.

The peer effects of living in impoverished communities worsen the geographic concentration of poverty. From a financial perspective, concentrated poverty creates a spatial mismatch between jobseekers and stable employment while limiting available liquidity (Wilson, 1996). From a quality-of-life perspective, lower-income communities experience reduced access to healthcare and higher rates of nutritional issues and psychological distress (Blumenthal & Kagen, 2002). This is a well-documented contributor to the metropolitan-nonmetropolitan opportunity gap.

This opportunity gap underlines the uneven recovery following the Great Recession. Since the Great Recession ended, the average growth of the rural economy has lagged behind urban areas. Between 2010 and 2018, nonmetropolitan GDP grew by 14.8%, compared to 19.2% in metropolitan areas. Similarly, nonmetropolitan employment grew at a rate of 3.2% annually, compared to 25.6% in metropolitan areas (Farrigan, 2020b).

The academic literature lacks sufficient research that attempts to connect community-level economic indicators with community-level supply- and demand-side determinants of economic health across the metropolitan-nonmetropolitan divide. To address this gap in the literature, this article examines the economic strength of rural America by estimating how the magnitude and nature of rurality impact economic opportunity at a county level.

Background

Macroeconomic Trends: There is a wealth of academic literature connecting macroeconomic growth with regionally variant economic indicators. Most notably, Okun's Law describes the empirically significant relationship between unemployment and economic productivity. As a rule-of-thumb, Okun's law posits that for every 1% increase in cyclical unemployment, there is a corresponding 2% decrease in GDP (Ball et. al., 2013). However, the exact change in output relative to unemployment can vary based on a variety of factors, such as inflation, labor force participation, and productivity, among others.

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Notably, this relationship has changed since the Great Recession. Chinn et. al. (2013) found that the Okun coefficient has shifted over the past decade, such that the long-run output-employment relationship is about 1% below predicted levels. Given the economic differential between metropolitan and nonmetropolitan areas, geographic-economic variation may drive this change in the Okun coefficient.

This is a particularly salient theme for rural regions. Nationally, GDP growth steadied at 2.2% annually between 2010 and 2019 (McCorkell & Hinkley, 2019). Likewise, unemployment remained below 6.0% between 2010 and 2019, while poverty declined from 15.3% to 13.1% over the same period. Nonmetropolitan regions have not replicated this pattern of economic prosperity. Between 2010 and 2019, nonmetropolitan areas experienced an annual employment growth rate of 0.4%, while their metropolitan counterparts experienced a growth rate of 1.5% (Farrigan, 2020b). This indicates that these areas have failed to catch up to the pre-recession levels, falling far behind their metropolitan counterparts.

Top-down forces—including the outsourcing of low-wage labor and Schumpeterian destruction—partially explain the stagnant economic performance of nonmetropolitan areas. Partridge (2020) confirms this, noting that new technology has favored the growth of capital-intensive urban cores that offer greater access to an educated workforce, while lower-productivity manufacturing is outsourced overseas to lower production costs. Similarly, Caballero and Hammour (2000) find that technological progress has muted the demand for much of the manufacturing workforce, as machines complete processes historically reserved for manual laborers.

Other prominent issues facing rural communities have exacerbated these high-level trends. For one, age demographics in nonmetropolitan communities have shifted increasingly older compared to their metropolitan counterparts, resulting in a smaller workforce. Census data indicate that 13.8% of the population in metropolitan areas is 65 or older, compared to 17.5% in nonmetropolitan areas (Smith & Trevelyan, 2019). While this is partially attributable to an influx of retirees seeking preferable amenities, Cromartie (2018) suggests that younger adults moving out in search of economic opportunity contributes to this phenomenon.

The declining labor force participation of nonmetropolitan areas worsens the “graying” of these communities. Following the Great Recession, the labor force participation rate for prime-age adults declined in nonmetropolitan areas from 82.2% in 2008 to 78.6% in 2017. In large metropolitan areas, the rate only declined from 83.4% to 82.4% over the same period (Farrigan, 2020b). While the direction of causality between the spatial mismatch of employers to employees remains ambiguous, this trend suggests that a lack of labor may explain some of the economic losses in rural counties.

In its totality, these economic trends and population loss show a clear relationship with the magnitude of rurality, as defined by proximity to metropolitan areas. Ajilore and Willingham (2019) indicated that most metropolitan counties experienced a 6.08% increase in population from 2010 to 2017, whereas nonmetropolitan counties adjacent to metropolitan areas experienced a 1.31% decline in population. The nonmetropolitan counties not adjacent to metropolitan areas experienced a 1.63% decline in population. Hendrickson et. al. (2018) suggest that greater accessibility to the agglomerative effects of industrial centers may explain this difference among rural counties.

Agglomerative Forces: On a regional level, the declining economic dynamism of rural America relates to the take-off of industry in urban areas. The Lewis Structural Change model theorizes the economy as composed of two sectors: a rural primary-resource sector and an urban manufacturing sector. According to Lewis (1954), a rural-dominated labor force characterizes the early stages of economic development, but as the quantity of labor increases in rural areas, the marginal rate of product decreases, leading to unemployment in the rural sector. Conversely, the urban sector, primarily engaged in manufacturing, produces a higher level of output relative to the rural economy. As a result, urban areas experience higher wages, leading to out-migration from rural areas.

Research in agglomeration economies expands the understanding of rural economic decline. According to Glaeser (2010), firms and human capital cluster near one another and generate positive externalities. As these clusters develop into cities, the network effects of a stronger and more specialized labor force increase productivity, spurring the growth of wages and consumer amenities.

Labor market growth due to agglomeration is not isolated to highly specialized jobs. The growth in amenities and consumer spending characteristic of urban development requires a low- and medium-wage labor force to develop alongside. A report by the California Employment Development Department found that the Bay Area of California has a nearly equal number of low- and high-wage jobs, 37.9% and 38.1% respectively. Likewise, between 2016 and 2018, low-wage jobs grew by 11%, while high-wage jobs grew by 14% (Occupational Employment Statistics and Wages Program [OES], 2020). While low-wage workers must contend with higher housing costs in the Bay Area, so long as housing-wage elasticity is low enough, they stand to increase their quality-of-life relative to residing in alternative regional labor markets, thereby theoretically driving out-migration from rural areas.

County and Household Impacts: The decline of nonmetropolitan economic dynamism corresponds with a downward trend in several quality-of-life indicators in nonmetropolitan communities. For example, nonmetropolitan communities have experienced an increase in drug addiction, particularly opioids. Data from the National Center for Health Statistics (NCHS) show that the age-adjusted death rate of drug overdose deaths was 20.00 per 100,000 individuals in 2017, a sharp increase compared to the 1999 rate of 4.0 (Hedegaard et. al., 2019). Notably, midlife individuals, defined as those between 25-44 years of age, experience this phenomenon most acutely. This population has an overdose rate of 38.4, while the 15-24 age group only has a rate of 10.9. (Hedegaard et. al., 2019)

Inadequate access to healthcare and a disproportionately older population compounds the physical health issues of drug addiction. Foutz et. al. (2017) showed that there are 13.1 rural physicians per 10,000 rural residents, compared to 31.2 urban physicians per 10,000 urban residents. These rural physicians tend to be spread over a larger geographic area, further hindering accessibility because individuals must travel further to obtain services. This may partially be the result of a higher reliance of rural patients on Medicaid. While Medicaid expansion states saw 5% increases in Medicaid coverage in rural areas between 2013 and 2015, many states opted not to bolster the program. As a result, rural hospital closures have increased significantly, with 19 closures in 2019 alone (Topchik, et al., 2020).

There has also been a significant lag in educational attainment. In 2018, 51.2% of rural residents had, at a minimum, some college experience. While this number represents a 27.4% increase from 2000, higher educational attainment for rural residents still trails behind their urban counterparts by 12 percentage points (Farrigan, 2020a). These disparities are important. As Case and Deaton (2020) point out, the widening earnings gap can be traced along educational lines, but more importantly, the gap is not merely a product of increased earnings for the highly educated. Those without a four-year degree also experience reduced earnings.

Data

This analysis of the relationship between rural economic dynamism and proximity to urban clusters relies on county-level data from the U.S. Census Bureau's Small Area Income and Poverty Estimates Program (SAIPE, 2019); the U.S. Department of Agriculture's Economic Research Service (ERS, 2020); the National Vital Statistics System of the National Center for Health Statistics (NCHS, 2020); and Opportunity Insights (2019) located at Harvard University.

Dependent Variables: *Growth Elasticity of Poverty (GEP)* measures the percentage change in poverty associated with a percentage change in median household income (Heltberg, 2002). It is calculated by dividing the percent change in poverty over a given period by the percent change in income over the same period. A higher absolute GEP value suggests a greater change in poverty associated with a smaller change in income. To reduce volatility from year-over-year fluctuations, this study uses elasticity between 2012 and 2018. GEP is calculated using data from the U.S. Census Bureau's SAIPE Program (2019).

Growth Semi-Elasticity of Poverty (GSEP) measures the absolute change in poverty associated with a percentage change in median household income. It is calculated by dividing the absolute change in poverty over a given period by the percent change in income over the same period. Unlike GEP, GSEP does not assume a linear elasticity across all levels of income and poverty (Klasen & Misselhorn, 2008).

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To reduce volatility from year-over-year fluctuations, this study uses elasticity between 2012 and 2018. Data on GSEP is calculated using data from the SAIPE (2019).

Absolute mobility measures the percentage of individuals whose income exceeds that of their parents. A higher absolute mobility value indicates that more individuals earn a higher income than their parents. The data used in this study begins with the 1940s birth cohort and ends with the 1980s birth cohort. Data on absolute mobility is taken from Harvard University's Opportunity Insights (2019).

Independent Variables: *Rural-Urban Continuum Codes (RUCC)* are a classification system developed by the U.S. Department of Agriculture (USDA)'s Economic Research Service that identifies metropolitan and nonmetropolitan areas by population size and proximity to larger urban areas (ERS, 2020). The RUCC is broken down into nine categories. Codes 1-3 are all metropolitan areas classified ordinally by population size. Codes 4-6 are nonmetropolitan areas located adjacent to a metropolitan area and classified ordinally by population size. Codes 7-9 are nonmetropolitan areas not located adjacent to a metropolitan area and classified ordinally by population size (ERS, 2020).

County rurality level measures the percentage of a county that lives in a rural area. The U.S. Census Bureau defines rural as anything that is not "a densely settled core of census tracts that meet minimum population density requirements, along with adjacent territory containing non-residential urban land uses as well as territory with low population density included to link outlying densely settled territory with the densely settled core" (Geography Program, 2019). Data on county rurality levels are taken from the U.S. Census Bureau's Geography Program (2019).

Control Variables: *Teen Birth Rate* is the number of teen births per 1,000 females aged 15-19. This analysis includes teen birth rates because child-rearing at an early age is associated with a reduction in future economic opportunities (Kearney & Levine, 2012). Data on teen birth rates are taken from the National Vital Statistics System (NCHS, 2020).

Local Tax Rate measures the aggregated municipal, state, and federal taxes at a county level. It is included in this analysis because lower effective tax rates can be associated with stronger regional economic growth, depending on how tax revenue is disbursed (Helms, 1985). Data on local tax rates are taken from Opportunity Insights (2019).

Commute time measures the average time in percentage of an hour that it takes the average labor force participant to commute to their job. It serves as an indicator for one's ability to access a job that is proximal to one's place of residence. Data on commute times are taken from Opportunity Insights (2019).

Local Government Expenditures per capita measures the level of municipal investments made per person within a county. It is included in this study because state and local governments overwhelmingly invest in assets that actively contribute to local human and social capital (Francis & Sammartino, 2015). Data on local government expenditures per capita are sourced from Opportunity Insights (2019).

High School Dropout Rate measures the percentage of individuals, ages 16 to 24, who were not enrolled in school and failed to receive a high school diploma or GED. It is included because dropping out of high school is predictive of lower economic success later in life (Case & Deaton, 2020). Data on high school dropout rates are taken from Opportunity Insights (2019).

Labor Force Participation Rate measures the percentage of the noninstitutionalized population between the ages of 16 and 65 that is employed or actively seeking employment (Farrigan, 2020b). It is included because labor force participation positively correlates with economic opportunities (Case & Deaton, 2020). Data on labor force participation rates are sourced from Opportunity Insights (2019).

Methodology

This paper uses county-level data about social, demographic, and economic characteristics from survey and administrative sources. For RUCC measurements, values were pooled into intervals of three. This allows the measurement of metropolitan, nonmetropolitan but adjacent to metropolitan, and nonmetropolitan and nonadjacent to metropolitan counties. In the relevant models, RUCC measurements were coded as fixed effects variables. For county rurality levels, values were collapsed so counties with over 50% of the population in a rural area were valued at 1, whereas counties with under 50% of the population in a rural area were valued at 0.

To estimate the relationship between proximity to urban areas and economic strength, the following six models were used. The first model, as given by *Equation 1*, uses Ordinary Least Squares (OLS) regression to estimate the relationship between intergenerational social mobility and county rurality levels. Whereby Y_i represents the outcome of social mobility, X_i represents a set of controls for each county, δ_i represents the dummy variable of more or less than 50% rural, and ε_i is the error term. Controls include local tax rate, government expenditures, high school drop-out rate, labor force participation rate, and teen birth rate.

$$Y_i = \beta_0 + \beta_1 X_i + \beta_2 \delta_i + \varepsilon_i \quad \text{Eq. 1}$$

The second model, as given by *Equation 2*, also uses OLS to estimate the relationship between county-level proximity to urban areas (X_i) and intergenerational social mobility (Y_i). In *Equation 2*, θ_i represents rural fixed effects.

$$Y_i = \beta_0 + \beta_1 X_i + \beta_2 \theta_i + \varepsilon_i \quad \text{Eq. 2}$$

Models 3 through 6 use GEP and GSEP as outcome variables. These models use the same set of controls as *Models 1 and 2*. Due to the heteroskedasticity associated with the relationship between the control variables and the GEP and GSEP outcome variables, the standard OLS methods were replaced with quantile regression models. Therefore, τ represents the quantile intercept, which is estimated at the median point or the 50th percentile.

Given by *Equation 3*, *Model 3* estimates the relationship between county rurality level (δ_i) and GEP (Y_i), and *Model 5* estimates the relationship between county rurality level (δ_i) and GSEP (Y_i). In both *Model 3* and *Model 5*, X_i represents the set of controls for each county.

$$Q_\tau(Y_i) = \beta_0(\tau) + \beta_1(\tau)X_i + \beta_2(\tau)\delta_i + \varepsilon_i \quad \text{Eq. 3}$$

Given by *Equation 4*, *Model 4* estimates the relationship between county-level proximity to urban areas via RUCC (X_i) and GEP (Y_i), and *Model 6* estimates the relationship between county-level proximity to urban areas via RUCC (X_i) and GSEP (Y_i). In both *Model 4* and *Model 6*, θ_i represents rural fixed effects.

$$Q_\tau(Y_i) = \beta_0(\tau) + \beta_1(\tau)X_i + \beta_2(\tau)\theta_i + \varepsilon_i \quad \text{Eq. 4}$$

Note that *Equations 3 and 4* each include separate models with GEP and GSEP as the outcome variable. By using each of these six regression models, we can better understand the effect that rural environments have on community economic development.

Results

Rural-Urban Continuum Results: Estimates of the relationship between metropolitan proximity and the modeled economic indicators produced mixed results. *Model 2* showed that after adjusting for the control variables, absolute mobility had the most statistically significant difference between geographic groups. The coefficient for RUCC groups 4-6, which represent nonmetropolitan counties that were adjacent to metropolitan counties, yielded a coefficient of 0.585 with statistical significance at $p < 0.01$. This coefficient suggests that, relative to the metropolitan counties and nonmetropolitan counties that were not adjacent to metropolitan counties, these residents could expect an average of 0.585 percentage points greater mobility.

The coefficient for RUCC groups 7-9, which represents nonmetropolitan counties that were not adjacent to metropolitan counties, yielded a coefficient of 1.963 with statistical significance at $p < 0.001$. This suggests that relative to metropolitan counties and nonmetropolitan counties located adjacent to

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metropolitan counties, this group could expect an average of 1.963 percentage points greater mobility. While the causal mechanism for this variation is unclear, Weber (2018) noted that the distinct difference in technological capacity between metropolitan and nonmetropolitan areas is a key factor in determining economic growth.

Using *Equation 4, Model 4* measured the relationship between median county-level GEP and proximity to metropolitan areas. This model lacked the same explanatory power as the OLS regression of *Model 2*. However, the fixed effects were still statistically significant for nonmetropolitan counties that were not adjacent to metropolitan counties. The coefficient of -0.135 suggests that this set of counties has a median of 0.135 percentage point lower GEP relative to metropolitan counties and nonmetropolitan counties located adjacent to metropolitan counties. Notably, the only statistically significant control variable in *Model 4* was labor force participation.

In the second iteration of *Equation 4, Model 6* measured the relationship between median county-level GSEP and proximity to metropolitan areas. This model showed no statistical significance for any of the RUCC measures. Of the control variables, teen birth rate showed statistical significance, at $p < 0.001$. Local tax rate also showed statistical significance at $p < 0.05$.

Table 1: Regression Results

	Absolute Mobility Ordinary Least Squares (OLS) Regression		Growth Elasticity of Poverty (GEP) Quantile Regression		Growth Semi-Elasticity of Poverty (GSEP) Quantile Regression	
	Rural Level (1)	Rural-Urban Continuum Code (2)	Rural Level (3)	Rural-Urban Continuum Code (4)	Rural Level (5)	Rural-Urban Continuum Code (6)
Local Tax Rate	0.547**	0.519**	0.070	0.111	3.160*	3.471*
Government Expenditures	-0.489***	-0.477***	-0.004	-0.010	-0.231	-0.365
Commute Time	17.059***	13.469***	0.013	-0.268	-4.123	0.800
High School Dropout Rate	-52.489***	-56.601***	-1.104	-0.909	-30.866	-21.104
Labor Force Participation Rate	3.825**	3.500*	-1.082**	-1.381***	3.903	3.493
Teen Birth Rate	-44.690***	-43.863***	-0.605	-0.734	-45.877***	-44.591***
Rural Level	1.909***		-0.103*		-1.669*	
RUCC 4-6		0.585**		-0.092		-1.694
RUCC 7-9		1.963***		-0.135*		-2.124
Constant	41.872***	43.686***	-0.068	0.025	-8.923	-10.557*
N	2,134	2,135	2,134	2,135	2,134	2,135
R ²	0.584	0.574				
Adjusted R ²	0.582	0.573				
Residual Std. Error (df=2126)	3.620	3.662				
F Statistic	425.996*** (df=7; 2126)	358.749*** (df=8; 2126)				

* $p < .05$; ** $p < .01$; *** $p < .001$

Rural Level Results: *Model 1* indicates that across all measures, the percentage of a community that occupies rural areas is a statistically significant determinant of absolute mobility, GEP, and GSEP. For absolute mobility, the reference group for the dummy variable is counties with between 0% and 50% of the population living in a rural area. The rural level coefficient indicates that, after adjusting for a set of

control variables, counties with over 50% of the population in a rural county experience, on average, 1.909 percentage points of greater mobility than counties with under 50% of the population in a rural area at $p < 0.001$. This model also showed statistical significance across all other control variables. For specific coefficients and p-values, see *Table 1*.

Model 3 measures the relationship between median county-level GEP and rural levels. After adjusting for a set of control variables, this model indicates that counties with over 50% of the population in a rural area experience a median difference of 0.103 lower GEP compared to their peers located in counties with under 50% of the population in rural areas. The difference was statistically significant at $p < 0.05$. *Model 3* also indicates that labor force participation had a statistically significant impact on GEP at the county level.

Model 5 measured the relationship between median county-level GSEP and rural levels. After adjusting for a set of control variables, the model indicates that counties with over 50% of the population in a rural area experienced a median difference of 1.669 lower GSEP compared to counties with under 50% of their population in rural areas. Similar to *Model 3*, these findings are statistically significant at $p < 0.05$. Notably, unlike the GEP model, local tax rate showed statistical significance at $p < 0.05$, and teen birth rate showed statistical significance at $p < 0.001$.

Policy Implications

The seemingly contradictory results between absolute mobility relative to GEP and GSEP muddle the practical significance of this study. One would expect a healthy economy to experience strong economic indicators universally. Instead, poverty increased at a faster rate relative to income changes in rural areas compared to metropolitan areas. When considering the control variables, labor force participation, local tax rate, and teen birth rate show statistical significance uniformly across models, suggesting there are both demand- and supply-side factors involved. This has several policy implications that policymakers should consider, including strategies that can be used to promote human capital and public investment while maintaining a business-friendly environment.

Effective investments in the rural labor force must focus on the early years of education and child development. Almond and Currie (2010) show that inadequate prenatal and early-childhood environments can have long-term effects on physical health, educational outcomes, and cognitive development. To correct for this, they suggest that policymakers enhance existing income and nutritional assistance programs, as well as provide greater support for home visits and childcare assistance. The findings from *Table 1* also indicate that teenage pregnancy played a crucial role in economic outcomes throughout the counties in this study. Ogawa et. al. (2019) shows that teenage pregnancy is associated with a higher risk of adverse birth outcomes, including preterm birth and low birthweight. Both of these correlate with lower long-term cognitive function, suggesting a positive feedback loop between teenage pregnancy and low human-capital outcomes. Although Ogawa et. al. do not provide solutions to reduce teenage pregnancy, policymakers should work with stakeholders to develop solutions to reduce this phenomenon from occurring and promote healthy pregnancies. Developing solutions for this issue does not just reduce the teenage birth rate, but it also enhances the labor-force capacity of rural communities.

Sustaining human capital should be coupled with the establishment of a business-friendly environment through fiscal and capacity-building measures. The Great Recession and following years atrophied the capacity of rural areas to support businesses. Declining economic supports, particularly CDFIs, internet access, and prime-age labor force have placed significant pressure on local communities, and the COVID-19 pandemic has exposed these rifts even further (Dobkin, 2020). Likewise, the business behavior of the recent Opportunity Zones program has disproportionately helped struggling urban areas rather than rural areas (Farmer, 2019). Developing similar tax incentive programs that cater to the unique circumstances of rural areas is crucial to a successful development strategy.

Finally, policymakers must ensure that economic growth is equitably distributed across rural communities. Current tax break measures, particularly opportunity zones, lack accountability measures. This program, as well as other tax incentive programs, should mandate that participating companies report how their business activity benefits the local community, as argued by Judy (2020). Similarly,

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municipalities should seek to invest dollars saved on public benefit programs to fund programs that support community vitality in beneficiary communities.

The economic policies of impacted counties should also seek to support individual well-being by establishing economic self-sufficiency via early-life and teenage support programs. These communities must also develop pull factors that bring businesses to the area by increasing the local productive capacity and decreasing production costs associated with rural counties.

Conclusion

Rural communities showed clear signs of economic deterioration in the post-Great Recession years, especially compared to their urban counterparts. Defining rurality, however, has implications for the significance and magnitude of the relationship between the human geography and economic strength of a community. As the nation moves past the COVID-induced recessionary phase, it will be crucial that policymakers reexamine economic indicators to identify the hardest-hit counties and the most significant factors that contribute to their weakening economies. Understanding this dynamic is necessary to craft effective solutions to bolster rural economies that consider the unique supply- and demand-side factors of each community.

References

- Ajilore, O., & Willingham, Z. (2019). *Adversity and assets: Identifying rural opportunities*. Center for American Progress.
<https://www.americanprogress.org/issues/economy/reports/2019/10/21/476097/adversity-assets-identifying-rural-opportunities/>
- Almond, D., & Currie, J. (2010). *Human capital development before age five*. National Bureau of Economic Research, 1–142. <https://doi.org/10.3386/w15827>
- Angrist, J. D. (1990). Lifetime earnings and the Vietnam era draft lottery: Evidence from social security administrative records. *American Economic Review*, 80(3), 313–336.
<https://ideas.repec.org/p/pri/indrel/251.html>
- Ball, L. M., Leigh, D., & Loungani, P. (2013). *Okun's law: Fit at fifty?*. National Bureau of Economic Research, 1–40. <https://doi.org/10.3386/w18668>
- Blumenthal, S. J. & Kagan, J. (2002). The effects of socioeconomic status on health in rural and urban America. *JAMA*, 287(1), 109–134. <https://doi.org/10.1001/jama.287.1.109-JMS0102-3-1>
- Caballero, R. J., & Hammour, M. L. (2000). *Creative destruction and development: Institutions, crises, and restructuring*. National Bureau of Economic Research, 1–32. <https://doi.org/10.3386/w7849>
- Case, A. & Deaton, A. (2020). *Deaths of despair and the future of capitalism*. Princeton University Press.
<https://doi.org/10.1515/9780691199955>
- Chinn, M. D., Ferrara, L., & Mignon, V. (2013). *Post-recession U.S. employment through the lens of a non-linear Okun's law*. National Bureau of Economic Research, 1–20.
<https://doi.org/10.3386/w19047>
- Cromatie, J. (2018). *Rural aging occurs in different places for very different reasons*. Economic Research Service, U.S. Department of Agriculture. <https://www.usda.gov/media/blog/2018/12/20/rural-aging-occurs-different-places-very-different-reasons#:~:text=Why%20are%20rural%20areas%20aging,as%20having%20recreation%2Dbased%20economies>
- Dobkin, F. (2020, May 19). *Coronavirus aid prioritizes big banks. That's a problem for rural America*. Talk Poverty. <https://talkpoverty.org/2020/05/19/coronavirus-aid-prioritizes-big-banks-thats-problem-rural-america/>
- Economic Research Service. (2020). *2013 Rural Urban Continuum Codes [Dataset]*. U.S. Department of Agriculture. <https://www.ers.usda.gov/data-products/rural-urban-continuum-codes.aspx>
- Farmer, L. (2019). *'Investors are hesitant': Rural America might miss out on 'opportunity zones'*. Governing. <https://www.governing.com/archive/gov-opportunity-zones-rural-communities.html>

- Farrigan, T. (2020, May). *Rural education*. Economic Research Service, U.S. Department of Agriculture. <https://www.ers.usda.gov/topics/rural-economy-population/employment-education/rural-education/>
- Farrigan, T. (2020, December). *Rural poverty & well-being*. Economic Research Service, U.S. Department of Agriculture. <https://www.ers.usda.gov/topics/rural-economy-population/rural-poverty-well-being/#:~:text=ERS%20research%20in%20this%20topic,elsewhere%20on%20the%20ERS%20website>
- Francis, N., & Sammartino, F. (2015). *Governing with tight budgets: Long-term trends in state finances*. Urban Institute. <https://www.urban.org/research/publication/governing-tight-budgets>
- Foutz, J., Artiga, S., & Garfield, R. (2017). *The role of Medicaid in rural America*. Kaiser Family Foundation. <https://www.kff.org/medicaid/issue-brief/the-role-of-medicaid-in-rural-america/>
- Geography Program. (2019). *2010 Census Urban and Rural Classification and Urban Area Criteria*. U.S. Census Bureau. <https://www.census.gov/programs-surveys/geography/guidance/geo-areas/urban-rural/2010-urban-rural.html>
- Glaeser, E.L. (2010). *Agglomeration economics*. National Bureau of Economic Research, 1–14. <https://www.nber.org/system/files/chapters/c7977/c7977.pdf>
- Helms, L. J. (1985). The effect of state and local taxes on economic growth: A time series-cross section approach. *The Review of Economics and Statistics*, 67(4), 574–582. <https://doi.org/10.2307/1924801>
- Heltberg, R. (2002). *The poverty elasticity of growth*. United Nations University World Institute for Development. <https://www.wider.unu.edu/publication/poverty-elasticity-growth>
- Hendrickson, C., Muro, M., & Galston, W. A. (2018). *Countering the geography of discontent: Strategies for left-behind places*. Brookings Institution. <https://www.brookings.edu/research/countering-the-geography-of-discontent-strategies-for-left-behind-places/>
- Hedegaard, H., Miniño, A. M., & Warner, M. (2019). *Urban-rural differences in drug overdose death rates, by sex, age, and type of drugs involved (NCHS Data Brief, no. 345)*. National Center for Health Statistics. <https://www.cdc.gov/nchs/products/databriefs/db345.htm>
- Judy, J. L. (2020). *Opportunity zones: Improved oversight needed to evaluate tax expenditure performance (GAO-21-30)*. Government Accountability Office. <https://www.gao.gov/products/GAO-21-30>
- Kearney, M. S., & Levine, P. B. (2012). "Why is the teen birth rate in the United States so high and why does it matter?" *Journal of Economic Perspectives*, 26(2), 141–63. <https://doi.org/10.1257/jep.26.2.141>
- Klasen, S. & Misselhorn, M. (2008). Determinants of the growth semi-elasticity of poverty reduction. *EconStor*, 1–33. <https://www.econstor.eu/bitstream/10419/57314/1/608771767.pdf>
- Koppam, R. (2020). *Gaps in U.S. rural and urban economic growth widened in the post-Great Recession economy, with implications amid the coronavirus recession*. Washington Center for Economic Growth. <https://equitablegrowth.org/gaps-in-u-s-rural-and-urban-economic-growth-widened-in-the-post-great-recession-economy-with-implications-amid-the-coronavirus-recession/>
- Lewis, W. A. (1954). Economic development with unlimited supplies of labour. *The Manchester School*, 22(2), 139–161. <https://doi.org/10.1111/j.1467-9957.1954.tb00021.x>
- McCorkell, L., & Hinkley, S. (2019). *The post-recession labor market: An incomplete recovery*. Institute for Research on Labor and Employment, University of California Berkeley. <https://irle.berkeley.edu/the-post-recession-labor-market-an-incomplete-recovery/>
- Mills, D. E. (1981). Growth, speculation, and sprawl in a monocentric city. *Journal of Urban Economics*, 10(2), 201–226. <https://doi.org/10.1016/0094-1190>
- National Center for Health Statistics. (2020). *Teen Birth Rates for Age Group 15-19 in the United States by County [Dataset]*. Centers for Disease Control and Prevention. <https://catalog.data.gov/dataset/nchs-teen-birth-rates-for-age-group-15-19-in-the-united-states-by-county>

ECONOMIC DYNAMISM ACROSS THE RURAL-URBAN DIVIDE

- Occupational Employment Statistics and Wages Program. (2020). *OES Employment and Wages*. California Employment Development Department. <https://www.labormarketinfo.edd.ca.gov/data/oes-employment-and-wages.html>
- Ogawa, K., Matushima, S., Urayama, K. Y., Kikuchi, N., Nakamura, N., Tanigaki, S., Sago, H., Satoh, S., Saito, S., & Morisaki, N. (2019). Association between adolescent pregnancy and adverse birth outcomes, a multicenter cross sectional Japanese study. *Scientific Reports*, 9(1), 108–134. <https://doi.org/10.1038/s41598-019-38999-5>
- Opportunity Insights. (2019). *Preferred Estimates of Causal Place Effects by County* [Dataset]. Harvard University. https://opportunityinsights.org/data/?geographic_level=0&topic=0&paper_id=599#resource-listing
- Partridge, M. D. (2020). *Rural America's stagnant economic performance: What's the role of declining dynamism*. American Enterprise Institute. <https://www.aei.org/research-products/report/rural-americas-stagnant-economic-performance-what-is-the-role-of-declining-dynamism/>
- Small Area Income and Poverty Estimates (SAIPE) Program. (2019). *Small area income and poverty estimates* [Dataset]. U.S. Census Bureau. <https://www.census.gov/programs-surveys/saipe.html>
- Smith, A. S., & Trevelyan, E. (2019). *In some states, more than half of older residents live in rural areas*. U.S. Census Bureau. <https://www.census.gov/library/stories/2019/10/older-population-in-rural-america.html>
- Topchik, M., Gross, K., Pinette, M., Brown, T., Balfour, B., & Kein, H. (2020). *The rural health safety net under pressure: Rural hospital vulnerability*. Chartis Center for Rural Health. <https://www.chartis.com/forum/insight/the-rural-health-safety-net-under-pressure-rural-hospital-vulnerability/>
- Weber, B., Fannin, J. M., Miller, K., & Goetz, S. (2018). Intergenerational mobility of low-income youth in metropolitan and non-metropolitan America: A spatial analysis. *Regional Science Policy & Practice*, 10(2), 292–301. <https://doi.org/10.1111/rsp3.12122>
- Wilson, W. J. (1996). *When work disappears: The world of the new urban poor*. Penguin Random House. <https://doi.org/10.1080/05775132.1997.11471958>

Germany's Health Care System: A Suitable Option for a Measured U.S. Health Reform

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Introduction

In 2019, the United States spent 17% of its GDP on health care. This is over 8 percentage points higher than the Organization for Economic Co-operation and Development (OECD) average (Tikkanen & Abrams, 2020). Indeed, the U.S. spends 26% of its national budget on health care (McGraw, Lecture 5.1, 2020). Despite this enormous cost, the US has some of the poorest health outcomes amongst comparable countries. For example, the U.S.'s life expectancy is the lowest of comparable OECD countries at 78.6 years (Tikkanen & Abrams, 2020).

It thus comes as no surprise that Americans are pushing for health care reform. Medicare-for-All, in particular, has become popular and is based on single-payer health care systems such as in the UK and Canada. However, there are many different actors in the public policy process that influence health reform; no one actor makes the decisions in American politics. Therefore, to increase the chance of health reform success, diversifying policy options is necessary. Indeed, there are other nations, such as Germany, that utilize successful health care systems, but are often overlooked in the U.S. reform discussion. Analyzing Germany's health care system may prove useful to U.S. policymakers, as it is a multi-payer system that is based on principles that the U.S. tends to value culturally, such as private industry, competition and consumer choice. This fact may make such a reform option more politically feasible in the U.S. than a single-payer system. Specific policies that suit the U.S. economically should be considered for implementation. In order to be relatively politically feasible, this implementation process should begin with a non-profit administered public option.

Germany's Health Care System

Background

Germany's health care outcomes are statistically comparable to other OECD countries, and are significantly more effective than the U.S.'s in cost, health, and access. Germany's spending on health care in 2018 was comparable to other OECD countries at 11.2% of GDP, though it ranked as the third highest percentage. This percentage was significantly lower than the U.S.'s at 16.9% of GDP. Further, total health care spending in Germany was the fourth highest OECD per capita spending at just under \$6,000 per capita, though this was also substantially lower than the U.S.'s \$10,200 per capita spending. While Germany's total spending per capita was relatively high, out-of-pocket (OOP) spending for consumers was one of the lowest amongst OECD countries at \$738 per capita. This was also substantially lower than the U.S.'s OOP spending of \$1,122 per capita (Tikkanen & Abrams, 2020). Therefore, while the German government spends a relatively large amount on health care, this spending is significantly lower than what is seen in the U.S. Additionally, citizens in Germany are considerably more protected from OOP expenses than their counterparts in the U.S.

Germany's health indicator statistics are also similar to other OECD countries. Average life expectancy is similar to other comparable countries, though slightly on the lower side, at 81.1 years. In comparison, the U.S.'s life expectancy is the lowest of OECD countries at 78.6 years. Germany's percentage of those with chronic disease burden is approximately at the average of OECD countries at 17%, which is much lower than the U.S.'s 28%. Additionally, Germany's maternal mortality, a widely accepted key indicator of population health (Wilmoth et al., 2012), is relatively low compared to other OECD countries and is substantially lower than in the U.S. (3.2 deaths vs. 17.4 deaths per 100,000 live births) (OECD Data Lab, 2020). While there is certainly room for Germany to improve these indicators, they are both in line with other OECD countries and largely better than the U.S.'s indicators.

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Germany most excels on the international stage in access to health care services (Schneider et al., 2017). Wait times for services, often a key concern amongst critics of universal health care, are very low compared to other OECD countries, and in some cases are even lower than in the U.S. For example, the percentage of consumers self-reporting waiting over two months for a specialist appointment was only 3% in Germany, which is slightly lower than the U.S.'s 6% and is one of the lowest amongst OECD countries. A key reason for these low wait times may be that Germany has one of the highest numbers of practicing physicians out of OECD countries, at 4.3 physicians per 1,000 population. This is nearly double the U.S.'s 2.6 per 1,000 population. Despite being slightly costlier than some comparable countries, Germany has one of the lowest reported experienced barriers to health care services due to cost at 7%, compared to the US's 33% (The Commonwealth Fund, 2020).

With these comparative statistics in mind, it is no surprise that this long-lasting health insurance system is often considered to be one of the most successful health insurance systems in the world. Germany's public health insurance system was implemented by Chancellor Otto von Bismarck in 1883 and was the world's first social health insurance system (Busse et al., 2017). While the system has changed substantially since its initial implementation, it has long been identified by its collaboration between public and private industry.

Like most comparable countries, Germany has achieved universal health insurance. Unlike the U.K. and Canada, however, the government does not directly supply its public insurance. Instead, 88% of the German population is enrolled in statutory health insurance (SHI), which is largely regulated by the government but is administered by private, non-profit insurers, popularly called "sickness funds" (Tikkanen et al., 2020). This insurance is very generous in its coverage, covering doctors, dentists, chiropractors, physical therapists, psychiatrists, hospital services, all prescriptions and more (Reid, 2010). Those with a specified level of income can opt out of SHI and can purchase their own private insurance, around half of which are for-profit (Tikkanen et al., 2020).

SHI is financed through wage contributions from both employees and employers at 7.3% each. However, earnings above \$69,897 per year are exempt from contribution. The unemployed contribute through their unemployment entitlements, and the government contributes on behalf of those who are long-term unemployed. This revenue is pooled together and distributed to individual sickness funds using a risk-adjusted capitation formula. In addition, a supplementary wage contribution is also required and is based on the individual sickness fund and the consumer's income. In 2019, the average contribution was 1%. In addition to this payment, limited premiums (based on income) and copayments also apply to some services. Other OOP costs include deductibles, though the amount of the deductible varies by sickness fund (Tikkanen et al., 2020).

While public insurance is administered by non-profit insurers, it is regulated by a combination of government and private industry. At the federal level, the Federal Joint Committee (under the Federal Ministry of Health) decides which services will be covered by SHI and sets quality measures for providers contracted with SHI. The committee is made up of representatives from sickness funds, providers, patients, as well as unaffiliated members. Therefore, there is a significant degree of joint self-regulation by private industry in this area, though it is monitored by the federal government. Separately, prices for services and cost-containment strategies are negotiated between payer and provider associations with virtually no government oversight (Busse & Blümel, 2014). However, the Ministry of Health has begun to play a limited role for certain services, such as pharmaceuticals (Altenstetter, 2003).

Specific German Health Policies to Consider

Four major pillars of Germany's health insurance system include universal health insurance, business competition and consumer choice, relatively low costs (compared to the U.S.), and price transparency. Policies behind these pillars will be discussed and analyzed from an economic perspective to understand if U.S. policymakers should consider implementing such policies.

Universal Health Insurance

Germany achieved universal health insurance by mandating insurance coverage for the German population in 2007. In 2019, 88% of the population was covered through SHI sickness funds, and 11% were covered by private insurance. While SHI is specifically mandated for employed individuals earning under a specified annual salary, others are covered through SHI, including unemployed individuals and pensioners. Enrollees' children are also covered through their parents' insurance. Under SHI, every consumer has an equal right to medical care, and no one can be denied coverage (Tikkanen et al., 2020). The 1% of the population not covered by these terms, such as civil servants, refugees, and undocumented immigrants, receive health insurance through specific governmental schemes (Busse et al., 2017).

There are economic advantages for countries that provide universal health insurance. One of the main goals of health insurance is to shield consumers from high health care costs. When these costs aren't shielded, both consumers and providers are hurt (i.e., a negative externality). For consumers, this can result in spending less money on other products and even taking on debt, which, for those with lower incomes, can be even harder to pay back due to high interest rates. This result not only leads to less money spent on other products and services in the economy, but also may cause individuals to struggle financing necessities, such as food and housing. For providers, such as hospitals, this comes in the form of uncompensated care that hurts the provider's revenue. This lack of revenue can be passed onto consumer who can afford care and, if not, can lead to less investment in the hospital. It is economically beneficial for governments to support their entire population's ability to afford health care services, as this action works to decrease these negative externalities.

Low Costs Relative to the U.S.

The U.S.'s spending on health care is the largest amongst OECD countries, including Germany. As previously mentioned, in 2017, the U.S.'s per capita spending reached over \$10,200. In comparison, adjusted for differences in cost of living, Germany's per capita spending was just under \$6,000 (Tikkanen & Abrams, 2020). These lower costs are, at least in part, due to specific policy decisions by the government.

First, the German federal government only contracts with non-profit insurers to administer the public insurance. Therefore, the insurers' main goal is to pay consumer's medical bills, as they are not beholden to pay shareholders as in the case of for-profits (Reid, 2010). While non-profits are incentivized to make money in order to pay their staff, they do not have the same incentive to continually increase profitability and serve shareholders. This fact can keep costs relatively contained.

Second, the German federal government imposes spending caps (or, "budgets") on certain health care providers, such as hospitals (Busse et al., 2017). Ideally, these caps incentivize providers to reduce unnecessary care and therefore control costs (Barber et al., 2019). Capping spending and imposing budgets for certain sectors has almost certainly contributed to containing costs for public insurance.

In addition to these spending caps, copayments for consumers are capped (and some exemptions apply). The copayments are capped by federal legislation and apply to all sickness funds. For example, copayments cannot be more than 2% of a household's gross annual income. For those with chronic disease who meet certain requirements, this amount is capped at 1% (Tikkanen et al., 2020). Such measures seem to be successful, as Germany has one of the lowest out-of-pocket spending per capita amongst other comparable countries (Tikkanen & Abrams, 2020).

Germany also has significantly lower administrative costs than the U.S (Reid, 2010). While there are numerous factors that contribute to this lower cost, one recent policy implementation that has had a significant impact is the introduction of a universal digital health card in 2008. Such cards are used by all SHI consumers and encode information such as name, address, sickness fund, and details of coverage. Consumers can also decide to include their medical information and give permission for it to be shared with their physician (Tikkanen et al., 2020). These cards have decreased paperwork significantly and have reduced administrative costs even further (Reid, 2010).

Universal digital health cards also make sense from an economic perspective. Providers spend massive amounts of time on paperwork, which contributes to economic waste, as the concept of

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opportunity cost indicates that providers may be giving up the opportunity to spend this money and time in ways that more directly benefit consumers, employees, and/or the provider's practice. For example, time and money spent filing paperwork could be spent on purchasing and utilizing a new technology that benefits consumers. Thus, making administrative costs more efficient can only benefit a nation's economy.

As explored above, keeping health care costs from reaching unaffordable levels has a positive economic impact on both individuals and the overall economy: less money spent on health care frees up more money for individuals to spend in other sectors of the economy. Similarly, this idea also translates to spending by the federal government. Last year, spending on public health programs and ACA subsidies made up 26% of the U.S. national budget (McGraw, Lecture 5.1, 2020). Decreasing this amount frees up money that can be spent on other programs shown to economically benefit Americans.

Insurer Competition and Consumer Choice

To some, government intervention in health insurance is problematic and means less market competition and consumer choice. To see this viewpoint in the U.S., we need only turn to arguments against Medicare-for-All. Opponents argue that government-supplied health insurance that sets prices and coverage terms for providers will artificially decrease payments to providers to such an extent that many will go out of business, thus decreasing competition as well as the incentive to innovate (Goldman & Leive, 2013).

Germany, however, has balanced government cost-containing and quality measures with continued health insurance competition and innovation. While governmental and non-governmental entities control costs and set coverage rules, the non-profit insurers still compete aggressively for enrollees. This competition is possible as consumers can choose between multiple sickness funds. In 2019, there were 109 sickness funds (Tikkanen & Abrams, 2020). Consumers can also fairly easily switch sickness funds, especially if their sickness fund raises their deductible (Busse & Blümel, 2014). Competition is further made possible because sickness funds, though required to provide certain coverage, are able to offer extra benefits or services to attract new consumers (Reid, 2010).

These measures have economic benefits. They foster healthy competition, which in turn allows for continued innovation. In order to attract consumers, these insurers have to be relatively sensitive to what consumers want and need. This regulated competition seems to greatly benefit consumers economically, as they are receiving insurance that is both sensitive to their needs and affordable.

Price Transparency

Price transparency is a key aspect of Germany's health care system, especially when compared to the U.S. An example of this transparency is the public releasing of negotiated rates for pharmaceuticals (Robinson et al., 2019). Another significant transparency measure is SHI's online directory (GOÄ) (Reid, 2010). The GOÄ is a product of the negotiations between industry associations that lead to set coverage and prices for SHI. All of these coverage rules and prices are published in an online directory available to providers. Therefore, providers can easily check if their recommended treatment is covered by SHI and how much it will cost the patient.

Transparency within a market is a key aspect of economics, as it is a tool to combat information asymmetry. Information asymmetry results from one party in a transaction having more information than the other party, which may lead to one party taking advantage of the other. In this case, where neither physician nor patients often know what the patient will end up paying for a medication, it is easy to see the benefit of addressing this market failure. While discussing treatment options with a patient, a provider can check coverage and costs. This knowledge can enable both provider and patient to make informed decisions that can lead to efficient and optimal actions and outcomes.

Considerations for Implementation

While there are many economically-sound policies that the U.S. could take from Germany, there are specific considerations that U.S. policymakers must contemplate when crafting these ideas into legislation and regulations. These considerations, including politics and cost, will drive how, and to what extent, policies from Germany's health care system could be implemented in the U.S. Despite many of these policies exhibiting traits that American culture generally tends to value, the reality is that such policies, especially taken together as a package, will likely face an uphill battle to implementation.

Congress

A policy option requires enough votes in Congress to become law. Due to the cost-containing policies such as price controls and, especially, the government's role in setting budgets for providers, the Republican Party is unlikely to support a legislative package that transitions the U.S. to Germany's system. For example, this past year, a bipartisan prescription drug pricing bill, pushed by Senate Finance Chairman Chuck Grassley (R-IA), was virtually dead on arrival due to many Republicans' opposition to modest price controls supported by Grassley himself (Huetteman, 2019). Therefore, it is unlikely such policy ideas will receive much, if any, Republican support.

Thus, it would be up to Democrats to push a German-model health reform package. This may lead to even less Republican support, if the history of the Affordable Care Act (ACA) passage is to repeat itself. With these possibilities in mind, Democrats would need to control both chambers of Congress and the presidency for a German-model health reform to succeed. They will also likely require a substantial majority in both chambers, and a moderate-leaning President. While there are price control measures that Democrats tend to support, Germany's model relies heavily on joint self-regulation by industry associations with limited government oversight. This likely will not appeal to more progressive Democrats, especially those who support a single-payer system. Therefore, the Democratic Party would need to have large majorities in both chambers, as some Democrats may resist this legislative package.

Interest Groups

Health care interest groups tend to be a significant roadblock to any major U.S. health reform, and a German-model health reform package would be no different. First, for-profit insurers will likely fight against such a reform, as they would be excluded from administering public insurance and this insurance scheme would become their competition. As 75% of Germans eligible to purchase private insurance instead keep their public insurance (Tikkanen et al., 2020), for-profit insurers in the U.S. would stand to lose significant profits.

Providers will also likely fight against such a reform. Under Medicare and Medicaid, providers have long contended that reimbursement rates are too low – in some cases so low that they lose money by treating enrollees (Rickert, 2012). Although providers would have significant input into how services are priced, spending caps and sector budgets set by the government would likely lead providers to become a powerful actor amongst the opposition.

Drug manufacturers, represented by PhRMA, would also likely be a powerful actor in the opposition group. PhRMA has been incredibly successful at protecting their interests in recent years, including preventing Medicare from negotiating drug prices. One of their talking points against any price controls is that such controls will limit their ability to research and provide new life-saving medication. These talking points, along with large amounts spent on lobbying (Evers-Hillstrom, 2019), have been very effective at influencing public and Congressional opinion in their favor.

Some consumer groups and even some government officials may push back against such a large reform. National agency staff who work directly on Medicare and Medicaid may be resistant to change, though they may also be able to transition to working on new health care regulation. Some consumer groups with financial stakes may also push back against such a reform. For example, AARP offers many Medicare Advantage plans, which would become obsolete in a full reform as Medicare would be replaced by an SHI-style public insurance.

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These complex webs of interest groups are powerful, especially when they work together. An example of this can be seen through California's failed health care reform in '90's. In this circumstance, providers were a mixed bag of supporters and opponents. Hospitals, however, successfully opposed bills with hospital rate regulations. For different reasons, insurers were also a mix of supporters and opponents, and the opponents ultimately prevailed. Though they had different reasons for doing so, these interest groups and others banded together to create a campaign that helped defeat the reform legislation, despite the original presence of mass public support and a political appetite for reform. In fact, the opposition spent over three times the amount that proponents did. These campaigns were highly successful, as after these campaigns were implemented, polls showed that public support had drastically decreased. The health reform push ultimately failed (Oliver & Dowell, 1994). Supporters of a German-model national health reform must take into account these dynamics if they are to successfully pass such a reform.

Federalism

While regional governmental actors do have a role in health care decisions in Germany, it is very limited compared to the role of the federal government and industry associations. This is in contrast to the U.S., where states not only control their own Medicaid programs, but also in some cases oversee their own state ACA-style marketplaces. In fact, New Jersey has already created its own state marketplace to decrease reliance on the federal government (The State of New Jersey, 2020). As such, states are unlikely to support decreasing their autonomy, especially when it comes to decisions over coverage of politically charged health care services, such as abortion and contraception. From a federalism perspective, German-style reform would likely be legal for the federal government to pass and order implementation, as it would be set up in a similar fashion to the ACA: a federally regulated marketplace, without the issue of Medicaid expansion. However, federal policymakers will likely still have to account for and address some potential state and local-level pushback.

Cost

The goal of health insurance reform would be to increase the percentage of the U.S. population that has health insurance while decreasing and containing the exorbitant public funds spent on health care per capita. The German policies explored above are a mix of policies that will both cost and save money in different areas, but optimally together they would make the U.S. health care system more cost efficient.

First, in terms of a health insurance mandate, policymakers will need to be mindful of health insurance affordability after health reform implementation. While Germany's health care system succeeds in shielding consumers from high costs, this is not the case in the U.S., and policymakers must ensure this is the case before mandating insurance. If insurance is still relatively unaffordable for some consumers, it would be economically unwise to require these consumers to enroll in it, as this could cause unnecessary financial strain on some Americans.

Second, replacing the current U.S. health care system with a model that largely consists only of a public insurance market and a private insurance market will end health insurance programs such as Medicare and Medicaid. Spending on these public programs makes up 26% of the national budget (McGraw, Lecture 5.1, 2020). Further, in 2018 federal subsidies for health insurance totaled around \$685 billion, 40% of which was spent on subsidizing Medicaid and CHIP (Congressional Budget Office, 2019). Cutting these programs would save the government a significant amount of money, which could be used to offset the costs associated with this health reform's implementation.

In terms of a public insurance market, contracting with non-profit insurers to administer public insurance is likely to save the government money in two ways. First, contracting out the actual delivery mechanism of health insurance will shift a significant amount of costs associated with administration onto the contracted insurers, and away from the government. Second, the non-profit nature of the insurers means that they do not have the incentive to search for ways to continually increase profits, which can lead to increased costs in the overall health care system. Therefore, such a model will likely save the government money in both the short- and long-term.

German cost-containing measures also present the opportunity for the government to save money in the long-term. Setting spending caps or sector budgets, when done properly, would almost certainly contain government spending costs on health insurance. However, it is unclear what entity would take on these costs. Ideally, providers would reduce unnecessary care, thus controlling costs. However, depending on how many consumers are still covered by private insurance, providers may not reduce unnecessary care to an optimal level and instead pass the cost onto those with private insurance. As all consumers would have the opportunity to enroll in public insurance, providers would be unable to increase prices for private enrollees too much, or they would risk consumers transferring to public insurance instead. Another important consideration for this policy is that there is also an incentive to under-provide care and refer complex patients to other health care providers (Barber et al., 2019). Policymakers would need to keep these considerations in mind when determining the size of caps and budgets.

Setting prices for services and medications covered under public insurance has also been shown to be an effective cost-containing measure in government spending on health insurance, as Medicare reimbursement rates are often cited to be lower than private insurance rates. However, some of these costs are likely passed to consumers with private insurance (or no insurance). This in turn can contribute to high premiums for private insurance plans, some of which the government provides subsidies for in the ACA marketplace. Germany's model of dual self-regulation for pricing likely addresses some of these concerns, as private industry has a larger role in setting the prices for public insurance than they do in the U.S., however there are still reports of possible uneven reimbursement rates (Ramos et al., 2018). Therefore, while these price controls likely save the government money compared to if the government paid the provider's asking price, policymakers must still be mindful of the reality of cost-shifting.

Replicating Germany's use of technology would also likely decrease health care costs in general. As explored above, the implementation of a universal digital health card significantly decreased providers' administrative costs. While it does appear to have taken around 1.6 billion euros to implement (Smart Card Alliance, 2006), the long-term administrative savings due to decreased paperwork will likely dwarf that original cost. In the U.S., for example, hospitals were estimated to have spent over \$300 billion on administrative costs in 2017 (Himmelstein et al., 2020). For transparency, the GOÄ likely won't contribute to much direct savings in terms of government spending, as consumers' OOP costs are purposefully limited, thus shielding them from the cost of more expensive services they may not have chosen if they weren't shielded. However, allowing both patients and providers to view what is covered significantly decreases the chances of a patient consuming services that are not covered by their insurance. As explored above, this can have a positive impact not only the consumer's personal finances, but also on the economy as a whole.

While many of these measures would likely save the U.S. government money in both the short- and long-term, the cost of implementing a universal public insurance system should not be underestimated. While it is unclear how much an actual implementation in the U.S. would cost, it is unlikely that a program that provides the opportunity for every American to enroll in health insurance will decrease the amount of money the U.S. government spends on health care overall. Instead, the optimal outcomes of the policy would be to both decrease the amount the U.S. spends in comparison to the number of consumers and contain the relatively rapid increase in health care prices for services and medications.

Perhaps the largest roadblock to the government decreasing its overall spending, besides the expected growth in individuals utilizing public insurance, is that the actual price of health care services in the U.S. tend to be some of the highest in the world, a fact that implementation of a public insurance won't fully address. For example, the average cost of entry into an ER (i.e., not including extra charges such as blood tests or drugs) in 2017 was over \$1,700 (Alltucker, 2019). Indeed, the hospital spending per discharge in 2017 was over \$21,000 (compared to Germany's \$6,500) (Tikkanen et al., 2020). While certain provisions of Germany's model will likely decrease hospital's administrative costs, thus, ideally, decreasing costs for consumers, these savings aren't likely to come to fruition immediately. Universal medical cards, for example, will likely take years to fully implement. Further, providers will play a significant role in the setting of prices. Therefore, it is unclear that even once savings are fully realized for

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providers, that this would lead to a decrease in prices set, or simply a significant slowing of the annual increase in prices. These continued high prices mean that government will likely continue to pay a significant amount for health care, though the hope is that containing the increase in prices will also contain the increase in spending in the long-term and that spending will be more efficient (i.e., less spending per person).

Finally, another cost consideration for policymakers is that a major reform of the U.S.'s insurance sector will not address every issue that contributes to the international trend of increasing health care costs. There are other significant factors that have been increasing the cost of health care, including an aging population and advancing health care technologies. Therefore, it will be important for policymakers and the public to understand that more will need to be done to decrease costs and improve health outcomes, even if a German-model reform is successfully implemented.

Taxes and Public Opinion

The implementation of a German-model health reform will cost money. Although some of this cost will be offset by savings detailed above, it will still need to be paid for in some way, taxes being the most obvious choice. It would be unwise for policymakers to attempt to pay for this policy through means other than taxes, such as cutting other programs or increasing debt. Designated health care spending currently makes up 26% of the national budget, and as overall spending is unlikely to decrease, it is highly unlikely policymakers would be able to cut this amount from other sections of the budget without harming the country's population. Further, the U.S. has a rising national debt problem, an issue exacerbated by COVID-19. In fact, the U.S.'s debt as a percentage of GDP has passed the threshold that the World Bank considers to be the point at which countries experience substantial reductions in economic growth if sustained for too long (McGraw, Lecture 5.6, 2020). Using debt to fund this implementation would not only push the U.S. further past this threshold, but would also take away spending for other programs, as spending on interest would increase. Policymakers are thus left with utilizing taxes to raise revenue.

Unfortunately, taxes have never been popular with the American public. American employees only pay a tax of 1.45% of their paychecks on Medicare (IRS, 2020). It will likely decrease public support, therefore, if policymakers suddenly increased this tax to the amount Germans' pay (around 7%). Luckily, however, the public option would be available to everyone, not just a specific group of people. This fact would likely decrease some resentment that can build up from people who don't want to pay taxes for programs that don't benefit them directly.

Current public opinion on health reform can be seen through a recent Kaiser Family Foundation (KFF) poll, which tracked the change in attitude towards Medicare-for-All after hearing messages about how the reform would impact the current system (KFF, 2020). While Medicare-for-All is not a German-model health reform, many of the same messages will likely be used either for or against such a reform. For example, as expected, 60% of respondents would oppose Medicare-for-All if it would require most Americans to pay more in taxes. Further, 60% of respondents also would oppose Medicare-for-All if it would threaten the current Medicare program, which is a reality for a pure German-model reform. Lastly, 70% of respondents would oppose Medicare-for-All if it would lead to delays in people getting some medical tests and treatments. While, as discussed, this is not a reality for Germany, it will likely be a message that opposition groups utilize to decrease public support. Policymakers will therefore need to be aware of American's relationship with taxes, as well as other responses to certain messaging, and will likely need to attempt to address it through revamping a German-model implementation and/or running advocacy campaigns to keep public support from plummeting.

Recommendations

Recommendation #1 – Start with the Public Option

Due to considerations outlined above, it will likely be more politically feasible to slowly transition into Germany's health care model than to do a complete overhaul of the U.S.'s health care system. The public option is particularly favorable to begin this transition, as nearly 70% respondents

reported their support for a public option in KKF's public opinion poll (KFF, 2020). Choosing to begin with a public option also avoids pushback from the public and some consumer groups who would fight against cutting current public insurance programs, such as Medicare.

Instead of administering the public option themselves, the federal government could contract with non-profit insurers to administer the program instead. Washington State, for example, passed its own public option law and instead chose to contract with private insurers to administer the program. Next year, five insurers are set to administer the public insurance (The State of Washington, 2020). Just as important as it will be to contract with multiple insurers, however, it will be equally as important to only contract with non-profits for maximum cost-saving capabilities. Coverage requirements and payment schedules could be set much of the same way they are now through the Department of Health and Human Services (HHS), however industry groups could be given more power in that decision-making process. For example, an advisory group made up of provider, the non-profit insurers, and patient representatives could be created under HHS. This group would make annual recommendations based on pricing realities and proven outcomes to the regulatory agencies under HHS that would then set prices and coverage requirements under the public option.

Another important aspect of Germany's system are the spending caps and sector budgets. While policymakers may consider implementing such cost-containing techniques in the long-term, it is likely unwise to implement them in the short-term. First, it is unclear how much this program would actually cost. Even with a CBO report, it would likely be wise to wait a few years to see of cost outcomes and if such cost-containing measures are needed. Second, such caps would likely cause a shock to the health care system, which may not be a bad thing in the long-term, but also may not be appropriate with the implementation of a public option, which will likely cause its own shock waves.

Recommendation #2 – Invest in Health Care Technology

Investing in technologies similar to Germany's universal health card and GOÄ will likely be very important for offsetting some of the cost of implementing a public option in the long-term. Such technologies would also likely be an important step for the U.S. to set a standard for data-sharing in health care and transparency. A universal health card and, especially, an online catalogue similar to the GOÄ could be implemented for the public option. If these technologies are successful, they will not only decrease waste in the system, but will also likely prove to be a very attractive incentive for consumers to choose the public option market.

Recommendation #3 – Finance Primarily Through Payroll Taxes and OOP Costs

It may be optimal for the U.S. to primarily finance the public option through a mix of limited payroll taxes shared by both the employer and employee and OOP costs, just like Germany. While this decision would certainly increasing the difficulty of implementation, it is important for the long-term success of this policy that it has a relatively steady funding source that policymakers know work. This is a lesson learned from the ACA, as a number of its significant funding sources, such as the Cadillac tax and a tax on medical device companies, never came to fruition (Antos & Capretta, 2020). To limit the percentage of the payroll tax, the ceiling for the highest level of taxable income can be higher rather than lower.

OOP costs will also be an important aspect of financing this policy. It can help keep taxes relatively low and will optimally be significantly lower in costs than premiums, copayments, and deductibles for private insurance. Depending on how limited these OOP costs are, they will likely seem like a bargain to Americans, who are used to paying relatively large OOP costs. Therefore, it is unlikely that there would be significant pushback against this funding source, if it is low enough. Further, subsidies must exist for lower-income individuals. These subsidies can initially be based off of the income threshold for Medicaid expansion states, as this will help people in non-expansion states who can't afford a private insurance gain access to health insurance. Lastly, premiums could be based off of income, as they are in Germany. This helps to ensure that lower-income individuals who don't qualify for subsidies aren't overburdened with health care costs.

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Germany also receives revenue through taxes on benefits received by short-term unemployed individuals. While U.S. policymakers may be attracted to this option on the basis of fairness, it is important to note that Germany's unemployment benefits are significantly more generous than the U.S. (European Commission, 2020). For the U.S., it therefore likely doesn't make much sense to tax this benefit, especially as the amount of benefits are largely decided by states. For those who are both short-term and long-term unemployed, it likely makes sense to instead subsidize their contributions, as Germany does for its long-term unemployed.

Instead, policymakers may consider a small increase on the capital gains tax. While it would need to be low enough not to disincentivize investment, or be too politically unpopular, it is a way of receiving tax revenue from very wealthy individuals who do not rely on payroll taxes for their income. It is important to note, however, that increasing capital gains taxes may be especially difficult to implement as it is the wealthiest individuals who can pump money into political campaigns that would stand to lose the most. Policymakers will need to be mindful of these facts and not rely too heavily on this type of revenue.

Just like Germany, these tax revenues can be distributed to public option health insurance plans based on a risk-adjusted capitation formula. Since health plans wouldn't be allowed to deny coverage to any individual, it will be important that the plans are properly compensated for the care they pay for.

Recommendation #4 – Expand if Successful

Some expansion will likely naturally occur if the program is seen as a success. For example, at the start of implementation, policymakers can allow self-insured employers to contract with a public option insurer to administer their own employee health insurance plan (KFF, 2019). Policymakers can also add in incentives for employers to send their employees into the public option marketplace. This could be done through allowing employers to keep some health insurance tax breaks by providing some subsidies for employees to enroll in a public or private insurance plan. If the public option is a success, seemingly small actions such as these could slowly increase the number of employed individuals receiving public health insurance.

Larger expansions that significantly simplify our health care system, however, should not be implemented immediately. Such expansions could include cutting Medicaid and/or Medicare and use those savings to subsidize consumers who can't afford OOP costs. Subsidies may also be used for public option plans that gain a sudden influx in patients with complex and expensive medical needs, as is often the case for Medicare and Medicaid. Either way, the public option is a concept that has never been tested before in the U.S., and thus policymakers should be patient as its outcomes and effectiveness are researched in both the short- and long-term. Further, health care has become a highly politicized issue, and attacks against the public option are likely, as there have been many attacks against the ACA since its implementation. Policymakers must ensure that the public option can not only withstand such attacks, but also continue to thrive during them, before the infrastructure that provides health insurance for millions of Americans is disbanded.

Recommendation #5 – Increase Health Care Workforce

For both the short- and long-term success of this program, it is imperative that policymakers both address the shortage of health care workers in certain areas of the country and prepare for more individuals to consumer health care services. To avoid dangerous (from a political and health care perspective) wait times for services, policymakers could create incentives that increase the American health care professional workforce, both and general and equitably.

Recommendation #6 – Invest in Decreasing Health Care Inequalities

While providing quality, affordable health insurance is certainly a large step towards decreasing health inequalities, it will not be a silver-bullet solution. After implementing their own German-model health policy, it will be essential for policymakers to continue fighting for different forms of health policy that will increase the U.S.'s health outcomes. For example, health disparities that are caused and

enhanced by issues related to housing, income, location, race, gender, sexuality and education all need to be addressed holistically. Only then will the U.S.'s health care system truly succeed.

References

- Alltucker, K. (2019, June 04). 'Really astonishing': Average cost of hospital ER visit surges 176% in a decade, report says. *USA Today*. Retrieved December 13, 2020, from <https://www.usatoday.com/story/news/health/2019/06/04/hospital-billing-code-changes-help-explain-176-surge-er-costs/1336321001/>
- Altenstetter, C. (2003). Insights from health care in Germany. *American Journal of Public Health*, 93(1), 38–44. <https://doi.org/10.2105/ajph.93.1.38>
- Antos, J., & Capretta, J. (2020, April 10). *The ACA: Trillions? yes. a revolution? no*. Health Affairs Blog. Retrieved December 13, 2020, from <https://www.healthaffairs.org/doi/10.1377/hblog20200406.93812/full/>
- Barber, S., Lorenzoni, L., & Ong, P. (2019). *Price setting and price regulation in health care Lessons for advancing Universal Health Coverage*. Retrieved from <https://www.oecd.org/health/health-systems/OECD-WHO-Price-Setting-Summary-Report.pdf>
- Busse, R., & Blumel, M. (2014). Germany: Health system review. *Health Systems in Transition; WHO*, 16(2). https://www.euro.who.int/_data/assets/pdf_file/0008/255932/HiT-Germany.pdf?ua=1
- Busse, R., Blumel, M., & Knieps, F. (2017). Statutory health insurance in Germany: A health system shaped by 135 years of solidarity, self-governance, and competition. *The Lancet*, 390(10097), 882–897. [https://doi.org/10.1016/S0140-6736\(17\)31280-1](https://doi.org/10.1016/S0140-6736(17)31280-1)
- CBO. (2019, May 02). *Federal subsidies for health insurance coverage for people under age 65: 2019 to 2029*. Retrieved December 13, 2020, from <https://www.cbo.gov/publication/55085>
- European Commission. (n.d.). *Employment, social affairs & inclusion*. Retrieved December 13, 2020, from <https://ec.europa.eu/social/main.jsp?catId=1111>
- Evers-Hillstrom, K. (2019, October 25). *Big Pharma continues to top lobbying spending*. Retrieved December 13, 2020, from <https://www.opensecrets.org/news/2019/10/big-pharma-continues-to-top-lobbying-spending/>
- Governor Murphy announces launch of new state-based health insurance marketplace, get covered New Jersey* [Press release]. (2020, October 14). Retrieved December 13, 2020, from <https://www.nj.gov/governor/news/news/562020/20201014a.shtml>
- Himmelstein, D. U., Campbell, T., & Woolhandler, S. (2020). Health care administrative costs in the United States and Canada, 2017. *Annals of Internal Medicine*, 172(2), 134. <https://doi.org/10.7326/m19-2818>
- Huetteman, E. (2019, November 13). *GOP senators distance themselves from Grassley and Trump's efforts to cut drug prices*. Retrieved December 13, 2020, from <https://khn.org/news/gop-senators-distance-themselves-from-grassley-and-trumps-efforts-to-cut-drug-prices/>
- Institute for Quality and Efficiency in Health Care (IQWiG). (2006). *Health care in Germany: The German health care system*. Cologne, Germany: InformedHealth.org. <https://www.ncbi.nlm.nih.gov/books/NBK298834/>
- IRS. (2020, October 22). *Topic no. 751 Social Security and Medicare withholding rates*. Retrieved December 13, 2020, from <https://www.irs.gov/taxtopics/tc751>
- KFF. (2020, October 16). *Public opinion on single-payer, national health plans, and expanding access to Medicare coverage*. Retrieved December 13, 2020, from <https://www.kff.org/slideshow/public-opinion-on-single-payer-national-health-plans-and-expanding-access-to-medicare-coverage/>
- Leive, D. (2013, May 14). *Why 'Medicare-for-all' is not the answer*. Health Affairs Blog. Retrieved December 13, 2020, from <https://www.healthaffairs.org/doi/10.1377/hblog20130514.031171/full/>
- McGraw, M. (2020, December 13). *Lecture 5.1: Health insurance overview*. Lecture.
- McGraw, M. (2020, December 13). *Lecture 5.6: Government debt in the COVID era*. Lecture.
- OECD. (2020, December 13). *OECD.stat*. Retrieved December 13, 2020, from <https://stats.oecd.org/index.aspx?queryid=30116>

GERMANY'S HEALTH CARE SYSTEM

- Oliver, T. R., & Dowell, E. B. (1994). Interest groups and health reform: Lessons from California. *Health Affairs*, 13(2), 123-141. <https://doi.org/10.1377/hlthaff.13.2.123>
- Panteli, J. (2019, March 22). *Single-payer drug pricing in a multipayer health system: Does Germany offer a model for the US?*. Health Affairs Blog. Retrieved December 13, 2020, from <https://www.healthaffairs.org/doi/10.1377/hblog20190318.475434/full/>
- Pollitz, K., & Neuman, T. (2019, December 19). *10 key questions on public option proposals*. Retrieved December 13, 2020, from <https://www.kff.org/health-reform/issue-brief/10-key-questions-on-public-option-proposals/>
- Ramos, A. L., Hoffmann, F., & Spreckelsen, O. (2018). Waiting times in primary care depending on insurance scheme in Germany. *BMC Health Services Research*, 18(1). <https://doi.org/10.1186/s12913-018-3000-6>
- Reid, T. R. (2010). *The healing of America: A global quest for better, cheaper, and fairer health care*. Detroit, MI: Gale.
- Rickert, J. (2012, October 02). *Do Medicare and Medicaid payment rates really threaten physicians with bankruptcy?*. Health Affairs Blog. Retrieved December 13, 2020, from <https://www.healthaffairs.org/doi/10.1377/hblog20121002.023684/full/>
- Schneider, E., Sarnak, D., & Squires, D. (2017, July). *Mirror, mirror 2017: International comparison reflects flaws and opportunities for better U.S. health care*. Retrieved from https://www.commonwealthfund.org/sites/default/files/documents/___media_files_publications_fund_report_2017_jul_schneider_mirror_mirror_2017.pdf
- Smart Card Alliance. (2006). *German health card*. Retrieved from https://www.securetechalliance.org/resources/pdf/German_Health_Card.pdf
- State of Washington, The Office of the Governor. (2020, July 7). *Inslee announces five carriers intend to participate in public option* [Press release]. Retrieved from <https://www.governor.wa.gov/news-media/inslee-announces-five-carriers-intend-participate-public-option>
- T. (2020). *Selected health and system statistics*. Retrieved December 13, 2020, from https://www.commonwealthfund.org/international-health-policy-center/system-stats?redirect_source=%2Fselected-health-and-system-statistics
- Tikkanen, R., & Abrams, M. (2020, January 30). *U.S. Health Care from a Global Perspective, 2019: Higher Spending, Worse Outcomes?*. Commonwealth Fund. Retrieved December 13, 2020, from <https://www.commonwealthfund.org/publications/issue-briefs/2020/jan/us-health-care-global-perspective-2019>
- Tikkanen, R., Osborn, R., & Mossialos, E. (2020, June 05). *International health care system profiles: Germany*. Retrieved December 13, 2020, from <https://www.commonwealthfund.org/international-health-policy-center/countries/germany>
- Tikkanen, R., Osborn, R., & Mossialos, E. (2020, June 05). *International health care systems United States*. Retrieved December 13, 2020, from <https://www.commonwealthfund.org/international-health-policy-center/countries/united-states>

Climate Change in Vulnerable Communities: U.S. Mitigation Policy and Environmental Justice

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Abstract

Climate change has already damaged environments, ecosystems, and communities around the world, and without bold policy responses, these impacts are projected to intensify throughout the twenty-first century. In the United States, climate change disproportionately harms the nation's most vulnerable communities: low-income Americans and communities of color who lack the resources to respond to the degradation of their environments, health, communities, and economies. As the U.S. considers policies to mitigate climate change, policymakers must craft solutions to alleviate the inequitable distribution of costs from carbon pollution.

Introduction

Across the globe, fossil fuel production and consumption drive climate-related degradation of the environment. According to the International Energy Agency (2020), the world economy produced roughly 566 quads of energy in 2019 with 90.6% coming from oil, coal, natural gas, and biofuels/waste.¹ The U.S. alone produces roughly 100 quads of energy per year and contributes significantly to global carbon dioxide (CO₂) emissions and the rising atmospheric CO₂ concentration (Office of Energy Statistics, 2021). Rising atmospheric CO₂ levels lead to increases in global mean temperatures. These heightened global temperatures trigger the melting of polar and glacial ice, causing higher sea levels, and accelerate the occurrence and intensity of heatwaves, droughts, ocean acidification, storm damage, flooding, wildfires, and shifting species distributions. Additionally, the production and consumption of fossil fuels to meet energy demand discharge air, ground, and water pollution into the surrounding environment.

As deteriorating ecosystems deepen their impact on the health, communities, and economic stability of people around the world, the U.S. faces a crisis of widening inequality. Lower-income Americans and communities of color lack the resources to respond to climate change. Income inequality in the U.S. has increased by about 20% since 1980, and only the top fifth of households have gained wealth since the Great Recession (Horowitz et al., 2020). According to Bhutta et al. (2020) at the Federal Reserve, Black and Hispanic households hold only 13% and 19% of the median wealth of white households, respectively. As a result, the U.S. faces a climate crisis that leaves the nation's most vulnerable communities exposed, while wealthier Americans can guard against the most severe climate impacts.

To mitigate the harmful effects of climate change, the United Nations Intergovernmental Panel on Climate Change (IPCC) has set an ideal target to limit global temperature increase to 1.5° C above pre-industrial levels (Griffith et al., 2020). Similarly, parties to the Paris Agreement, which President Biden recently rejoined on behalf of the U.S., have agreed to limit global warming to 2° C while pursuing efforts to achieve the IPCC's target of 1.5° C (United Nations Framework Convention on Climate Change, 2018). However, the IPCC predicts that a continuation of current international energy policies will increase global mean temperatures between 2.7° and 3.1° C, and current pledges by world governments correspond to a projected 2.3° to 2.6° C increase. Without carbon-free energy policies, baseline temperatures could increase by 4.1° to 4.8° C (Climate Action Tracker, 2020).

The world can achieve meaningful limits on global average temperatures and reduce the effects of climate change through the adoption of carbon-free technology. However, the fossil fuel market has

¹ One *quad* is equivalent to roughly 25.21 million tons of oil equivalent (*Mtoe*) or one quadrillion (10¹⁵) British Thermal Units (*BTUs*).

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ensured a baseline frequency of climate disruption through at least the next century, and these negative externalities disproportionately harm low-income and marginalized communities across the U.S. Clean energy subsidies and financing can harness existing technology to achieve a high electrification of the economy, incentivize the early retirement of carbon infrastructure, and ensure vulnerable communities receive the benefits of carbon-free energy. Without a focused policy response to these market failures, the country may miss an opportunity to meet IPCC and Paris Agreement targets and lower the intensifying costs of climate change for the nation’s most vulnerable communities.

Climate Disruption in the United States

Figure 1 identifies four primary factors that contribute to the disparate impacts of climate change on low-income communities in the United States: (1) natural disasters and ecosystem change, (2) health outcomes, (3) community stability, and (4) economic loss and insecurity.

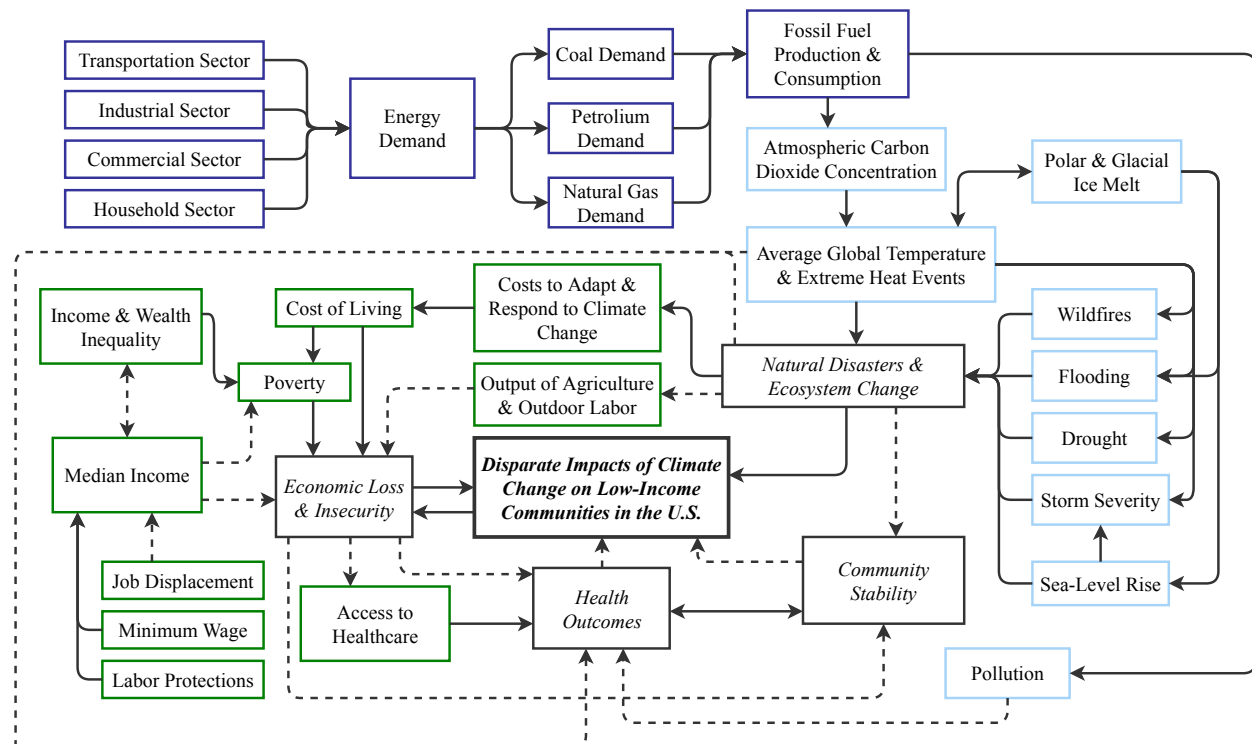


Figure 1: Causal-loop diagram illustrating how fossil fuel externalities intersect with natural systems and socioeconomic factors to disproportionately impact low-income communities in the U.S. Solid lines denote direct relationships and dotted lines denote inverse relationships.

Natural Disasters and Ecosystem Change: Climate change causes severe damage to local and regional ecosystems throughout the U.S. and increases the frequency and severity of natural disasters. In coastal communities, melting polar and glacial ice has caused mean sea level to rise by 7 to 8 inches since 1900. The Atlantic seaboard faces the most risk, as relative sea-level rise in this region is projected to outpace a global mean sea-level rise of up to 1.2 feet by 2050 (Sweet et al., 2017). Coastal communities, Hawai’i, the U.S. Pacific Islands, and the Caribbean face saltwater contamination of drinking water sources (Reidmiller et al., 2018). Inland regions confront flooding as well, especially in the Midwest and Northeast, as the severity of heavy precipitation events increases. Meanwhile, more frequent and intense droughts in the Southwest and Southern Plains threaten drinking water accessibility due to decreased snowpack, depleted groundwater, and lengthened summer dry seasons (Jay et al., 2018; Lall et al., 2018). Longer dry seasons with lower mean precipitation fuel wildfires across the western U.S. Throughout this

region, human-caused climate change is estimated to have doubled the area of forests burned between 1984 and 2015 (Abatzoglou & Williams, 2016).

Health Outcomes: Climate change worsens health outcomes for Americans across the country. Extreme heat threatens public health, especially in the Southwest, Southeast, and Upper Midwest. By 2050, the average American will endure between 27 and 50 days over 95° F—two to three times the average over the last three decades (Gordon et al., 2014). Extreme heat contributes to illnesses including cardiovascular and respiratory complications, dehydration, preterm birth, and kidney disease, with older adults, children, and pregnant women facing the most risk (Ebi et al., 2018).

Increased temperatures also expand the distribution of vector-borne illnesses as the range of mosquito and tick species expands, spreading diseases such as West Nile, Zika, Dengue, and Lyme Disease. The most common vector-borne disease in the U.S., Lyme Disease incidence has more than doubled since 1991 as deer ticks spread across the Northeast and Midwest (Division of Vector-Borne Diseases [DVBD], 2021; Office of Atmospheric Programs [OAP], 2016). The risk of West Nile virus, the most common mosquito-borne illness in the country, will continue to increase as climate change accelerates mosquito development (OAP, 2016). Though Zika and Dengue have impacted Central and South America most acutely in the Western Hemisphere, hotter temperatures heighten the risk of these diseases in Puerto Rico, the U.S. Virgin Islands, and the Caribbean while threatening southern states in the continental U.S. (DVBD, 2019; DVBD, 2020). Further, rising ocean and inland surface-water temperatures combine with the more severe runoff of heavy precipitation to contaminate potable and recreational water sources with excess nutrients, pollutants, and illness-causing bacteria, viruses, and algae (Ebi et al., 2018).

Nationwide, fossil fuel production and consumption degrade air quality. Over 100 million Americans live in communities where air pollution exceeds health-based air quality standards (Nolte et al., 2018). Fossil fuel burning disperses particulates into the air and increases ground-level ozone. Wildfire smoke poses additional risks to air quality, and increased temperatures and atmospheric CO₂ lengthen the pollen season, increase pollen production, and heighten human immune response to airborne allergens. Together, air pollution contributes to respiratory and cardiopulmonary illness and premature death among the general population (Nolte et al., 2018).

Furthermore, the climate effects of the fossil fuel market threaten the mental health of Americans. Individuals who experience a natural disaster or face an increased risk of natural disasters suffer from higher rates of depression, anxiety, and post-traumatic stress (Fritze et al., 2008). As a result, communities experience increased alcohol and tobacco use after natural disasters (Ebi et al., 2018). As the climate changes, forced displacement, loss of income, and destabilized communities further threaten public mental health.

Community Stability: The third and fourth primary factors identified in this analysis impact a community's ability to respond to changing social, economic, environmental, and health risks. The human geography of a community informs its structure, economy, and cultural identity, all of which a changing environment threatens to destabilize. As drought and wildfire events increase in frequency, annual crop yields in the Midwest are expected to decrease 10% by 2040, and the Southwest and Southern Plains could see yield losses up to 50% by 2100 (Gordon et al., 2014). Even if U.S. agriculture at-large adapts to a changing climate, local farming communities face further insecurity and destabilization.

Sea-level rise and increased storm severity threaten to displace communities across the country, and wildfires will continue to uproot communities and impede wildlife-related activities such as hunting and fishing in the western U.S. (Reidmiller et al., 2018). Regions reliant on tourism endure economic damage as the natural environment shifts. Rising ocean temperatures and acidification diminish marine biodiversity, threatening both fishing and tourism in coastal regions (Reidmiller et al., 2018). In Native communities, livelihoods often rely on industries most affected by climate change, including agriculture, forestry, hunting, fishing, recreation, and tourism (Jantarasami et al., 2018). Further, environmental degradation impedes indigenous spiritual and cultural practices tied to their land and natural environment (Jantarasami et al., 2018). For communities built around these industries and natural systems, climate

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change threatens their cultural identity and economic security as industries, jobs, and people are displaced.

Economic Loss and Insecurity: Though economic security and community stability intertwine, the U.S. faces unique challenges to its economy from climate change. Increased runoff from heavy precipitation and coastal flooding will stress already deteriorating water infrastructure across the country and introduce pollutants and excess nutrients into the potable water supply (Lall et al., 2018). By 2030, sea-level rise and storm surges are estimated to increase the annual cost of coastal storms in the U.S. by \$3.5 billion, with annual economic losses from hurricanes amounting to \$7.5 billion (Gordon et al., 2014). While threatening fishing and coastal tourism industries, current CO₂ emission levels place sea-level rise on track to submerge between \$66 and \$106 billion of coastal property nationwide by 2050 (Gordon et al., 2014). The projected mismatch of water demand and supply from drought will further stress water accessibility and infrastructure (Reidmiller et al., 2018).

In the transportation sector, heightened temperatures and storm severity may expand service disruptions and introduce energy shortages. Within the energy sector, rising temperatures decrease the efficiency of thermo-combustion energy generation and increase demand for electricity to power air conditioning (Reidmiller et al., 2018). This would require up to 95 gigawatts of new energy supply and cause a \$12 billion annual increase in energy costs over the next 20 years, straining the country's electric grid as natural disasters impair energy infrastructure (Gordon et al., 2014).

For the agricultural industry, decreased crop yields in the Midwest, Southern Plains, and Southwest are expected to offset increased yields in the North and Upper Great Plains (Gordon et al., 2014). This could disrupt the price stability of commodity crops and raise food prices for Americans across the country (Reidmiller et al., 2018).

Market Failures and the Costs for Low-Income Americans

Through natural disasters and destabilized ecosystems, worsened health outcomes, damage to local communities, and economic insecurity, the fossil fuel market levies costs onto Americans that the price of fossil fuel-based energy does not reflect. These negative externalities constitute a market failure that warrants policy considerations. Instead of bearing the full costs of production, carbon-based energy suppliers externalized their most harmful costs through free access to the atmosphere. People across the U.S. and around the world face the cost of this carbon pollution in damages to their health, communities, livelihoods, and environments.

The upper and right sections of *Figure 1* display how the carbon-based energy system results in the environmental impacts of climate change. The lower and left sides trace the contributing factors that lead to the disparate impacts on low-income communities. People of color, especially Black, Hispanic, and Native communities, experience higher rates of poverty and lower median incomes than the national average (Semega et al., 2020; Jantarasami et al., 2018). At both the individual and community levels, these populations have higher rates of economic insecurity, increased costs of living relative to income, and limited access to healthcare. Low-income Americans spend as much as 25% of their income on food, electricity, and water—basic necessities with rising costs due to climate change (Morello-Frosch et al., 2009). These communities have fewer resources to invest in deteriorating water and power infrastructure to combat rising costs. Meanwhile, low-income workers populate the industries most harmed by fossil fuel externalities, including agriculture, tourism, and recreation. Reduced output in outdoor labor industries could decrease labor productivity by up to 3%, further threatening income sources for these communities (Gordon et al., 2014).

Lower-income outdoor workers in construction, utilities, agriculture, and landscaping also face heightened health risks from extreme heat and air pollution. Low-income Americans and people of color are more likely than higher-income and white Americans to live near sources of fossil fuel pollution. Additionally, heat islands in low-income urban neighborhoods increase surface-level temperatures (Morello-Frosch et al., 2009), and these Americans often lack air conditioning or the transportation to access cooler areas with less asphalt and more tree cover during extreme heat events (Ebi et al., 2018). While climate change increases the transmission of vector-borne diseases, research indicates that

economic development and housing improvements can lower the transmission of these diseases. However, low-income populations experience higher rates of housing insecurity, and with limited access to healthcare, struggle to prevent and treat climate-related health conditions (Ebi et al., 2018).

As previously noted, indigenous nations suffer unique impacts from climate change, and the threat of community displacement evokes similar experiences of settler colonialism for these communities. Native Americans on tribal lands earn only 69% of the national median income, and federal trust authority over their lands frustrates the ability of tribal nations to mitigate and adapt to climate change (Jantarasami et al., 2018).

These unique circumstances illustrate how low-income and vulnerable communities bear the greatest costs of climate change in the United States. This distributive failure creates an unjust burden on low-income Americans alongside an inequitable degradation of the earth's biosphere. Because the fossil fuel market has failed to internalize the wide array of costs it levies on the nation's most vulnerable communities, this market warrants the consideration of policies that protect these communities and ensure the energy market efficiently and equitably meets the nation's energy demand.

Mitigation Options for a Carbon-Free Economy

With an appropriate policy response, the U.S. can lower the disparate costs of climate change for the nation's most vulnerable communities. This article continues with an analysis of current policy against the projected outcomes of two carbon-free policy options that could mitigate disparate climate impacts, accelerate the economy's transition towards net-zero CO₂ emissions, and position the U.S. to meet IPCC and Paris Agreement targets.

A limit of 1.5° to 2° C would significantly reduce the effects of climate change, especially for low-income communities. To achieve this goal, global CO₂ emissions must reach net-zero levels by 2050 (Tong et al., 2019), and the IPCC projects that a continuation of current international energy policies will increase global mean temperatures by 2.7° to 3.1°C (Climate Action Tracker, 2020). However, the IPCC assumes the early retirement of existing CO₂-producing infrastructure in its projections (Griffith et al., 2020). When considering the committed emissions of existing infrastructure over their average lifetimes, global temperatures will increase by an estimated 1.5° to 2° C—even if every country immediately achieved a 100% zero-carbon adoption rate for all new energy infrastructure (Tong et al., 2019).

Eliminating CO₂ emissions in the electricity market can dramatically reduce total CO₂ emissions and promote electrification over other energy sources, thus maximizing the benefits of existing carbon-free technology while incentivizing early retirements. This article examines the following federal policy options in consideration of the IPCC and Paris Agreement targets.

- *Policy Option A:* Subsidize and finance the purchase and installation of distributed renewable energy infrastructure (e.g., rooftop solar, solar gardens, small-wind systems, and storage batteries).
- *Policy Option B:* Subsidize and finance the construction of centralized carbon-free electricity generation (e.g., large-scale solar and wind farms, hydroelectric systems, and nuclear power stations).

Option A: Distributed Renewable Energy

The *status quo* energy market and regulatory system arose from the natural monopoly of centralized energy generation, transmission, and distribution. Direct competition between centralized utilities would require redundant, overlapping infrastructure with reduced economic efficiency. Therefore, states and the federal government grant legal monopolies to investor-owned utilities, and in exchange, public utility commissions set prices at non-monopoly levels (Tomain, 2014). Alternatively, distributed energy generation from solar and small wind systems can increase competition, lower energy prices, and decrease climate impacts through reduced CO₂ emissions, curtailed pollution, and increased electricity supply.

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The *Appendix A Logic Model* outlines how subsidies and financing for distributed renewable energy (DRE) systems can decarbonize the economy through the adoption of rooftop solar and small-wind systems (*Intermediate Outcome 1a*). With the widespread adoption of DRE systems, this report predicts net electric costs would decrease for consumers (*I.O. 2a*) through increased market efficiency, revenue from excess supply, and reduced reliance on utility-provided power. Increased installation rates and lower electric costs result in reduced CO₂ emissions (*I.O. 3a*). Steady reductions in CO₂ emissions to net-zero by 2050 can achieve IPCC and Paris Agreement targets while mitigating the disparate climate effects on low-income communities.

However, *Logic Model A's* outcome pathway poses risks that require policy consideration. Difficulties in calculating appropriate subsidies and financing incentives could reduce DRE installations. Therefore, this analysis recommends *Fix 1a*, which would require utilities to buy excess supply from DRE systems at the market rate per kilowatt-hour (kWh). Currently, the National Energy Act requires utilities to buy excess supply at their marginal cost of production per kWh, allowing utilities to profit from excess DRE supply (Tomain, 2014). The benefits of DRE systems increase under a market-rate requirement. Second, tax credits in *Fix 2a* cover the out-of-pocket capital costs for DRE consumers, supplemented by increased financing if adoption rates remain low. Tax credits reduce costs for lower- to middle-income consumers with low tax liability, raising benefits and broadening installation rates.

Fix 3a ensures the decreasing share of utility-dependent consumers do not face the rising capital costs of utility transmission and distribution (T&D) through cross-subsidization. Federal policy can decouple the capital costs of service connection and grid maintenance from the capital costs of generation. All service connections, including DRE system owners, would pay for their connection to the grid. *Fix 4a* requires landlords and property management companies to connect their DRE systems to renters and share revenue from excess supply, but they still receive benefits from subsidies, financing, tax breaks, and revenue shared with renters from market-rate excess supply. Together, these fixes can ensure *Option A* equitably distributes benefits to low-income populations.

This article recommends *Fixes 5a and 6a* to calibrate *Option A* to meet IPCC and Paris Agreement targets. If subsidized DRE systems fail to out-compete fossil fuel energy because of time costs, constrained DRE supply, and/or increased energy consumption from lowered electric prices, *Fix 5a* would tax CO₂ emissions to internalize the costs of carbon pollution. Levying and escalating carbon taxes during implementation would deter the consumption of fossil fuels while promoting carbon-free electrification and early retirements of fossil fuel infrastructure throughout the energy sector.

A streamlined subsidy and financing process alongside public information campaigns can also address consumer reluctance to adopt DRE systems. Nonetheless, consumers will still rely on utility-provided electricity for standby power. *Fix 6a* incorporates *Option B* into this recommendation to ensure that centralized electricity maintains service reliability while meeting CO₂ emissions targets.

Option B: Centralized Carbon-Free Energy

The current U.S. electricity market increasingly depends on natural gas to fuel power plants alongside the significant but declining use of coal-fired plants (Zamuda et al., 2018). Without an accelerated carbon-free energy transition, rising temperatures will decrease the generation efficiency of thermoelectric combustion plants, requiring the construction of up to 25% more generation capacity by 2040 and increasing CO₂ emissions (Zamuda et al., 2018). Combustion generation also needs cooling water, yet by 2050, increased surface-water temperatures and decreased water availability could reduce production output potential by 7.3% to 13.1% (Van Vliet et al., 2016).

The *Appendix B Logic Model* details how *Option B* can stabilize electric costs and service through subsidies and financing for centralized carbon-free electricity generation, ultimately achieving net-zero CO₂ emissions. This analysis predicts that subsidies and financing will increase the construction of large-scale carbon-free energy (*I.O. 1b*), allowing a centralized electricity market to reach net-zero emissions by 2050 (*I.O. 2b*). Reaching this target set by the IPCC and Paris Agreement would reduce the disparate impacts of climate change on low-income communities (*End Outcome*). However, as with

Option A, relying on subsidies and financing alone to reach net-zero carbon emissions produces significant risks that require policy fixes.

Ideally, a carbon-free energy subsidy would equal the marginal social benefit of carbon-free energy. However, difficulties with calibrating the subsidy and transitioning to new technology could prevent the use of carbon-free technology for all new generation. To reach net-zero carbon emissions by 2050 and a 1.5° to 2° C limit on global warming, the U.S. (and other major carbon-emitting economies) must force the early retirement of CO₂-emitting infrastructure. Considering these risks, *Fix 1b and 2b*, respectively, provide tax deductions to utilities for the capital costs of a carbon-free transition and tax CO₂ emissions to incentivize the early retirement of fossil fuel infrastructure. Additionally, solar and wind power can threaten service reliability during intermittent weather (Zamuda et al., 2018), so *Fix 3b* includes federal funding and financing for the deployment, research, and development of electricity storage facilities, demand-side management technologies, hydroelectric stations, and nuclear power.

This outcome pathway assumes *Option B* policies and the improved efficiency of non-combustion generation can incentivize early retirements of carbon infrastructure across the economy. Alongside carbon taxes, *Fix 4b* sets regulatory emissions standards that gradually increase behind carbon taxes to achieve net-zero emissions. This supply-side backstop ensures the U.S. energy sector meets commitments under the Paris Agreement. *Fix 5b* recommends joint enactment with *Option A* to ensure that federal policy achieves net-zero emissions and equally distributes the benefits of carbon-free energy.

Weighing the Outcomes of Policy Action

Appendix C weighs the predicted outcomes of current policy with *Option A* and *Option B* in an outcome matrix, and it shades criteria in gray for which joint implementation of both alternate options would improve outcomes. The goals of this analysis seek to maximize effectiveness, reduce costs, and limit negative side-effects while considering feasibility and promoting equity. The *status quo* fails to accomplish all three criteria for effectiveness, justifying consideration of policy alternatives to achieve (1) net-zero carbon emissions, (2) improved efficiency to meet increased energy demand, and (3) reduced impacts of climate change on low-income communities.

This analysis predicts that both policy alternatives could reach net-zero carbon emissions by 2050, depending on the rate of implementation. However, joint implementation provides more pathways to reach all three effectiveness goals and room for error in setting appropriate subsidies, financing, and tax levels. For example, DRE systems decrease the need for centralized generation, allowing policymakers more room to consider the costs and benefits of widespread nuclear power. The uncertainty of climate sensitivities, environmental projections, and economic predictions makes such considerations vital to successful climate change mitigation.

The *status quo* and both policy alternatives levy increased costs on the government and investor-owned utilities, but the immediate costs of transitioning under *Options A and B* exist in the short-term, while under current policy, the costs of climate change will increase at a higher rate over the long-term. Both policy alternatives offer significant reductions in consumer cost per kWh, providing further evidence for a high-electrification strategy. Considerably, projections in the existing literature and the logic modeling of this analysis predict the greatest decrease in consumer energy costs under varying combinations of both policy alternatives.

This report examines equity through two measures: (1) the predicted proportion of renters to homeowners receiving electricity from distributed generation, and (2) the predicted average renter cost per kWh as a percentage of average property owner cost per kWh. Low-income households in the U.S. are more likely to rent their home than higher-income households (U.S. Census Bureau, 2020). Low-income, Black, and Hispanic Americans also endure higher rates of rent burden than moderate- to high-income and white Americans (U.S. Government Accountability Office, 2020).² Tailoring mitigation policy to these equity criteria would widen the availability of renewable energy and ensure low-income

² The U.S. Department of Housing and Urban Development considers households to be rent burdened if they pay greater than 30% of their income in rent.

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communities do not pay higher energy costs through cross-subsidization. Both current policy and *Option B* fail to achieve an equal proportion in the first equity criteria or 100% in the second equity criteria. *Option A* achieves the highest equity of any individual option in both criteria, but joint implementation further increases equity.

Service reliability measures the side effects of each policy scenario. This article's problem analysis examines how natural disasters, extreme heat events, demand surges, and deteriorating grid infrastructure threaten the reliability of electric service, and current policy poses the highest risk in this category. Decentralized DRE systems protect service reliability from natural disasters, demand surges, extreme heat, and national security threats, but variable weather patterns could impair service without proper energy storage technology and standby power from centralized generation. The centralized generation of *Option B* faces the inverse risks to service reliability while joint implementation best protects the reliability of electric service.

This article analyzes feasibility through (1) potential roadblocks to implementation and (2) political considerations. The *status quo* requires no new legislative or regulatory changes, but public utility commissions and elected officials may face pressure to reduce costs and improve service reliability as climate change weakens grid infrastructure and affects the price and supply of electricity—as experienced in the 2021 Texas Power Crisis. Both alternate options require substantial action through new federal legislation alongside administrative and regulatory costs. Under both policy alternatives, carbon taxes and the devaluation of fossil fuel assets and investments may spur considerable pressure to soften policies that internalize the cost of carbon pollution. Additionally, *Fix 4a* could build political pressure from property owners to lessen the sharing of DRE-system benefits with renters.

Conclusion

As the impacts of climate change increase over the next decade, the U.S. and international community enter a critical window for mitigation policy action. IPCC projections and commitments under the Paris Agreement require policymakers to consider a wide range of proposals to achieve net-zero carbon emissions by 2050 and incentivize the early retirement of fossil fuel infrastructure. This analysis supports the joint implementation of two policy options to meet these goals through the subsidization and financing of DRE systems, centralized carbon-free power generation, and high electrification of the economy. Though climate change remains a global concern, the negative externalities of fossil fuels have left low-income communities and people of color uniquely susceptible to its impacts within the U.S. This policy problem demands a government response to protect the nation's most vulnerable communities, and successful climate action could position the U.S. to stimulate the world's transition to carbon-free energy.

References

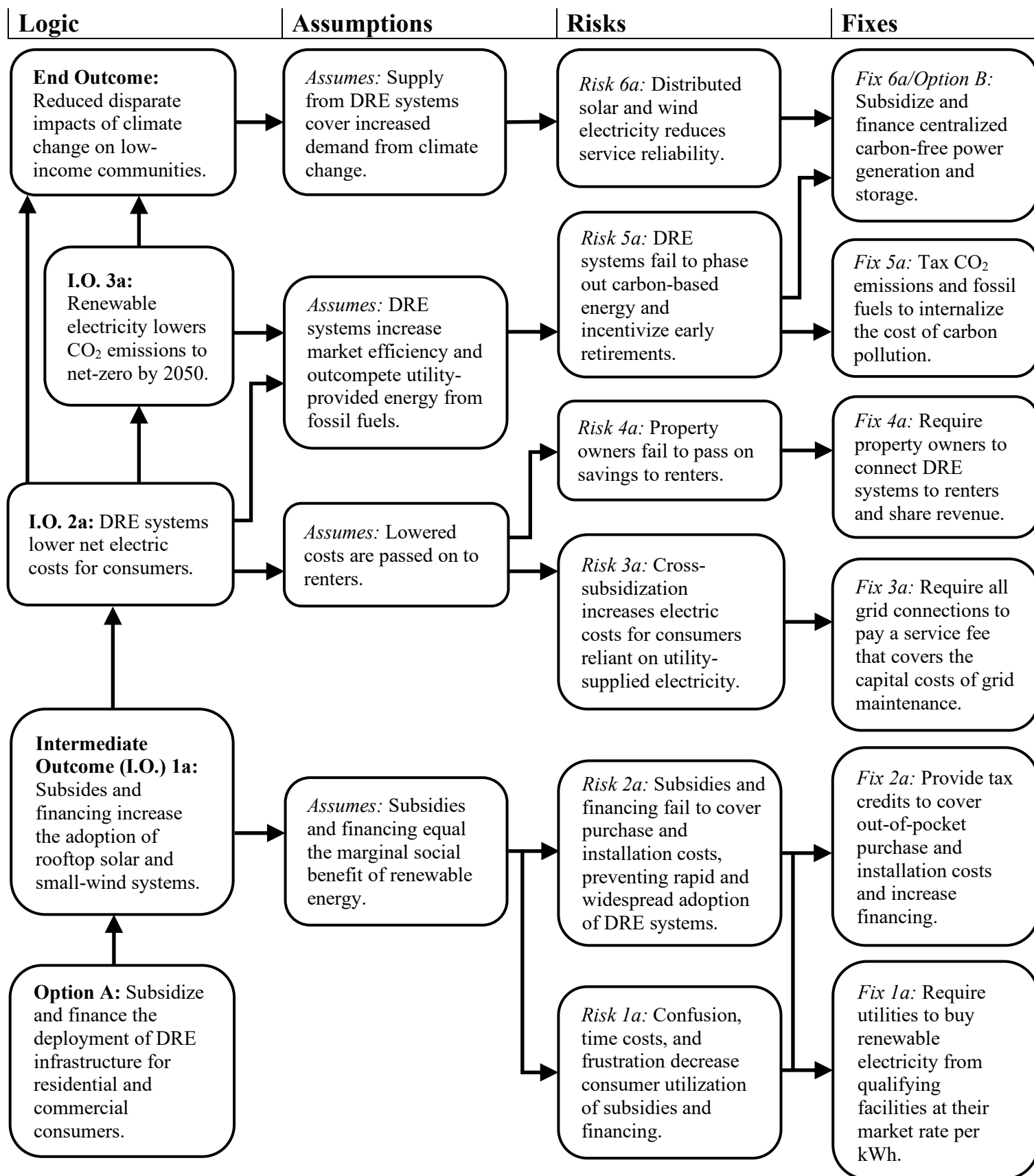
- Abatzoglou, J. T., & Williams, A. P. (2016). Impact of anthropogenic climate change on wildfire across western U.S. forests. *Proceedings of the National Academy of Sciences*, 113(42), 11770–11775. <https://doi.org/10.1073/pnas.1607171113>
- Bhutta, N., Chang, A. C., Dettling, L. J., & Hsu, J. W. (2020). *Disparities in wealth by race and ethnicity in the 2019 survey of consumer finances*. Board of Governors of the U.S. Federal Reserve System. <https://doi.org/10.17016/2380-7172.2797>
- Climate Action Tracker. (2020, December 1). *Temperatures: Addressing global warming*. Retrieved March 19, 2021, from <https://climateactiontracker.org/global/temperatures/>
- Division of Vector-Borne Diseases. (2019, November 20). *Zika virus*. National Center for Emerging and Zoonotic Infectious Diseases, Centers for Disease Control and Prevention. Retrieved March 19, 2021, from <https://www.cdc.gov/zika/index.html>
- Division of Vector-Borne Diseases. (2020, July 14). *Dengue*. National Center for Emerging and Zoonotic Infectious Diseases, Centers for Disease Control and Prevention. Retrieved March 19, 2021, from <https://www.cdc.gov/dengue/index.html>

- Division of Vector-Borne Diseases. (2021, March 5). *Lyme disease*. National Center for Emerging and Zoonotic Infectious Diseases, Centers for Disease Control and Prevention. Retrieved March 19, 2021, from <https://www.cdc.gov/lyme/index.html>
- Ebi, K. L., Balbus, J., Luber, G., Bole, A., Crimmins, A. R., Glass, G. E., Saha, S., Shimamoto, M. M., Trtanj, J. M., & White-Newsome, J. L. (2018). Human health. In D. R. Reidmiller, C. W. Avery, D. R. Easterling, K. E. Kunkel, K. L. M. Lewis, T. K. Maycock, & B. C. Stewart (Eds.), *Impacts, risks, and adaptation in the United States: Fourth National Climate Assessment* (Vol. 2, pp. 539–571). U.S. Global Change Research Program. <https://doi.org/10.7930/nca4.2018.Ch14>
- Fritze, J. G., Blashki, G. A., Burke, S., & Wiseman, J. (2008). Hope, despair and transformation: Climate change and the promotion of mental health and wellbeing. *International Journal of Mental Health Systems*, 2(1). <https://doi.org/10.1186/1752-4458-2-13>
- Gordon, K., Lewis, M., & Rogers, J. (2014). *Risky business: The economic risks of climate change in the United States*. Risky Business. https://riskybusiness.org/site/assets/uploads/2015/09/RiskyBusiness_Report_WEB_09_08_14.pdf
- Griffith, S., Calisch, S., & Laskey, A. (2020). *Mobilizing for a zero carbon America: Jobs, jobs, jobs, and more jobs*. Rewiring America. https://static1.squarespace.com/static/5e540e7fb9d1816038da0314/t/5f209173294b6f5ee41ea278/1595969952405/Jobs_White_Paper_Compressed_Release.pdf
- Horowitz, J. M., Igielnik, R., & Kochhar, R. (2020, January 9). *Most Americans say there is too much economic inequality in the U.S., but fewer than half call it a top priority*. Pew Research Center. <https://www.pewresearch.org/social-trends/2020/01/09/most-americans-say-there-is-too-much-economic-inequality-in-the-u-s-but-fewer-than-half-call-it-a-top-priority/>
- International Energy Agency. (2020). *Key world energy statistics*. <https://www.iea.org/reports/key-world-energy-statistics-2020>
- Jantarasami, L., Novak, R., Delgado, R., Narducci, C., Marino, E., McNeeley, S., Raymond-Yakoubian, J., Singletary, L., & Powys Whyte, K. (2018). Tribes and Indigenous Peoples. In D. R. Reidmiller, C. W. Avery, D. R. Easterling, K. E. Kunkel, K. L. M. Lewis, T. K. Maycock, & B. C. Stewart (Eds.), *Impacts, risks, and adaptation in the United States: Fourth National Climate Assessment* (Vol. 2, pp. 572–603). U.S. Global Change Research Program. <https://doi.org/10.7930/nca4.2018.Ch15>
- Jay, A., Reidmiller, D. R., Avery, C. W., Barrie, D., Dave, A., DeAngelo, B., Dzaugis, M., Kolian, M., Lewis, K., Reeves, K., & Winner, D. (2018). Overview. In D. R. Reidmiller, C. W. Avery, D. R. Easterling, K. E. Kunkel, K. L. M. Lewis, T. K. Maycock, & B. C. Stewart (Eds.), *Impacts, Risks, and Adaptation in the United States: Fourth National Climate Assessment* (Vol. 2, pp. 33–71). U.S. Global Change Research Program. <https://doi.org/10.7930/NCA4.2018.CH1>
- Lall, U., Johnson, T., Colohan, P., Aghakouchak, A., Arumugam, S., Brown, C., McCabe, G. J., & Pulwarty, R. S. (2018). Water. In D. R. Reidmiller, C. W. Avery, D. R. Easterling, K. E. Kunkel, K. L. M. Lewis, T. K. Maycock, & B. C. Stewart (Eds.), *Impacts, risks, and adaptation in the United States: Fourth National Climate Assessment* (Vol. 2, pp. 145–173). U.S. Global Change Research Program. <https://doi.org/10.7930/NCA4.2018.CH3>
- Morello-Frosch, R., Pastor, M., Sadd, J., & Shonkoff, S. B. (2009). *The climate gap: Inequalities in how climate change hurts Americans and how to close the gap*. Program for Environmental and Regional Equity, University of Southern California. <https://dornsife.usc.edu/per/climategap/>
- Nolte, C. G., Dolwick, P., Fann, N., Horowitz, L. W., Naik, V., Pinder, R. W., Spero, T. L., Winner, D. A., & Ziska, L. H. (2018). Air quality. In D. R. Reidmiller, C. W. Avery, D. R. Easterling, K. E. Kunkel, K. L. M. Lewis, T. K. Maycock, & B. C. Stewart (Eds.), *Impacts, risks, and adaptation in the United States: Fourth National Climate Assessment* (Vol. 2, pp. 512–538). U.S. Global Change Research Program. <https://doi.org/10.7930/nca4.2018.Ch13>
- Office of Atmospheric Programs. (2016). *Climate change indicators in the United States* (4th ed.). U.S. Environmental Protection Agency. <https://www.epa.gov/climate-indicators>

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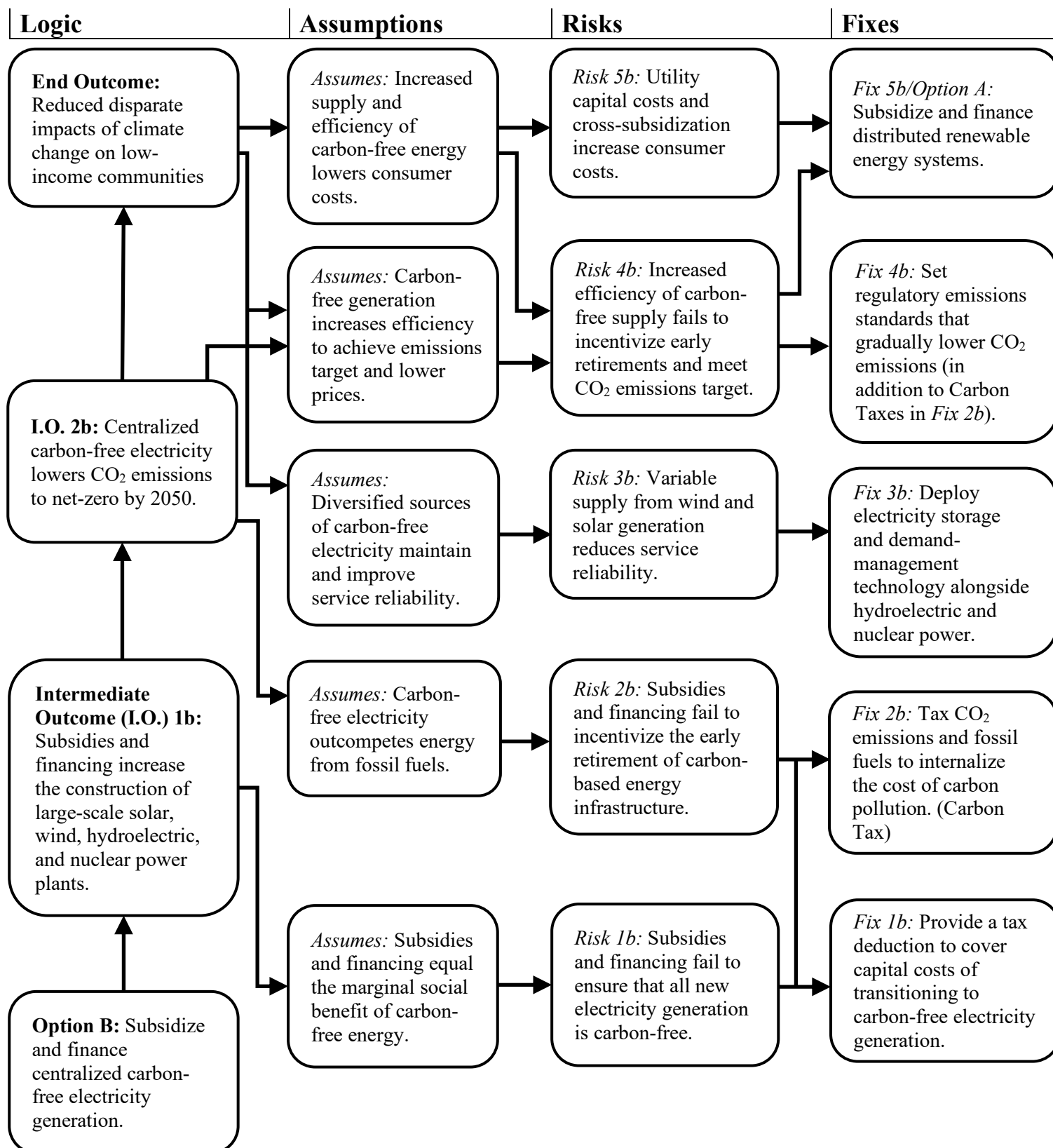
- Office of Energy Statistics. (2021). *February 2021 Monthly Energy Review*. U.S. Energy Information Administration. <https://www.eia.gov/totalenergy/data/monthly/>
- Reidmiller, D. R., Avery, C. W., Easterling, D. R., Kunkel, K. E., Lewis, K. L. M., Maycock, T. K., & Stewart, B. C. (Eds.). (2018). Summary findings. In *Impacts, risks, and adaptation in the United States: Fourth National Climate Assessment* (Vol. 2, pp. 24–32). U.S. Global Change Research Program. <https://nca2018.globalchange.gov/>
- Semega, J., Kollar, M., Shrider, E. A., Creamer, J. F. (2020). *Income and poverty in the United States: 2019 (P60-270)*. U.S. Census Bureau. <https://www.census.gov/library/publications/2020/demo/p60-270.html>
- Sweet, W. V., Horton, R., Kopp, R. E., LeGrande, A. N., & Romanou, A. (2017). Sea-Level Rise. In D. J. Wuebbles, D. W. Fahey, K. A. Hibbard, D. J. Dokken, B. C. Stewart, & T. K. Maycock (Eds.), *Climate science special report: Fourth National Climate Assessment* (Vol. 1, pp. 333–363). U.S. Global Change Research Program. <https://doi.org/10.7930/J0VM49F2>
- Tomain, J. P. (2014). Traditionally-structured electric utilities in a distributed generation world. *Nova Law Review*, 38(3), 473–522. <https://nsuworks.nova.edu/nlr/vol38/iss3/4>
- Tong, D., Zhang, Q., Zheng, Y., Caldeira, K., Shearer, C., Hong, C., Qin, Y., & Davis, S. J. (2019). Committed emissions from existing energy infrastructure jeopardize 1.5° C climate target. *Nature*, 572(7769), 373–377. <https://doi.org/10.1038/s41586-019-1364-3>
- United Nations Framework Convention on Climate Change. (2018, October 22). *The Paris Agreement*. United Nations. Retrieved March 19, 2021, from <https://unfccc.int/process-and-meetings/the-paris-agreement/the-paris-agreement>
- U.S. Census Bureau. (2020). *2019 American Housing Survey*. U.S. Department of Housing and Urban Development. <https://www.census.gov/programs-surveys/ahs.html>
- U.S. Government Accountability Office. (2020). *Rental housing: As more households rent, the poorest face affordability and housing quality challenges (GAO-20-427)*. <https://www.gao.gov/products/GAO-20-427>
- Van Vliet, M. T. H., Wiberg, D., Leduc, S., & Riahi, K. (2016). Power-generation system vulnerability and adaptation to changes in climate and water resources. *Nature Climate Change*, 6(4), 375–380. <https://doi.org/10.1038/nclimate2903>
- Zamuda, C. D., Bilello, D. E., Conzelmann, G., Mecray, E., Satsangi, A., Tidwell, V., & Walker, B. J. (2018). Energy supply, delivery, and demand. In D. R. Reidmiller, C. W. Avery, D. R. Easterling, K. E. Kunkel, K. L. M. Lewis, T. K. Maycock, & B. C. Stewart (Eds.), *Impacts, risks, and adaptation in the United States: Fourth National Climate Assessment* (Vol. 2, pp. 174–201). U.S. Global Change Research Program. <https://doi.org/10.7930/NCA4.2018.CH4>

Appendix A: Logic model of Option A – federal subsidies and financing for distributed renewable energy.



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Appendix B: Logic model of Option B – federal subsidies and financing for centralized carbon-free power generation, transmission, and distribution.



Appendix C: Outcome matrix of the status quo, policy option A, and policy option B. Criteria are shaded in gray for which joint implementation of options A and B would improve outcomes.

Goals	Criteria	Status Quo	Option A: Subsidize and Finance DRE Systems	Option B: Subsidize and Finance Centralized Carbon- Free Electricity
Effectiveness	Enables the U.S. to reach net-zero CO ₂ emissions by 2050. (+)	The U.S. fails to reach net-zero CO ₂ emissions by 2050. (-)	Provides a pathway to net-zero CO ₂ emissions with a high rate of implementation. (+)	Provides a pathway to net-zero CO ₂ emissions with a high rate of implementation. (+)
	Improves economic efficiency to meet increased demand from climate change. (+)	Higher temperatures reduce the efficiency of combustion-based generation and T&D. Increased supply requires the deployment of new power plants and upgraded grid infrastructure. (-)	Increases the supply of electricity to meet demand. Demand-management technology and carbon-free generation improve efficiency. (+)	Carbon-free energy improves generation efficiency. Impaired T&D efficiency is mitigated by a 2°C limit on warming. (+)
	Reduces the severity of climate impacts on low-income communities. (+)	Higher temperatures and fossil fuel pollution increase the severity of disparate climate impacts. (-)	Reduced pollution, stabilized temperatures, and improved efficiency decrease disparate climate impacts. (+)	Reduced pollution, stabilized temperatures, and improved efficiency decrease disparate climate impacts. (+)
Costs to Implement	Government costs of infrastructure and regulatory management. (-)	The government faces the costs of upgrading a stressed and deteriorating electric grid. (+)	Subsidies, financing, and tax credits increase government costs, partially offset by revenue from carbon taxes. (+)	Subsidies, financing, and tax deductions increase government costs, partially offset by revenue from carbon taxes. (+)
	Utility costs of transitioning to market changes. (-)	Utilities incur increased costs from reduced efficiency and climate-related stress to the electric grid. (+)	Carbon taxes increase the cost of fossil fuel electricity generation. (+) Increased efficiency and service connection fees cover the capital costs of grid connection and maintenance. (-) (Net Δ uncertain)	Capital costs and carbon taxes increase costs during the transition. (+) Subsidies, financing, and tax deductions reduce costs. (-) (Net Δ uncertain)

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Goals	Criteria	Status Quo	Option A	Option B
Costs to Implement	Average consumer cost of electricity per kilowatt-hour (kWh). (-)	<p>Increased demand, reduced efficiency, and rising capital costs increase average electricity prices per kWh.</p> <p>Residential and commercial costs are projected to increase between 4% and 15% by 2040 (Zamuda et al., 2018). (+)</p>	<p>DRE systems and revenue from excess supply lower the average cost per kWh. (-)</p> <p>Increased generation efficiency lowers costs per kWh. (-)</p> <p>Assuming a high electrification of the economy, increased generation efficiency could save the average U.S. household \$1,000-\$2,000 per year (Griffith et al., 2020). (-)</p> <p>Climate impacts and carbon taxes place upward pressure on the price of utility-provided electricity. (+)</p>	<p>Increased generation efficiency lowers costs per kWh. (-)</p> <p>Assuming a high electrification of the economy, increased generation efficiency could save the average U.S. household \$1,000-\$2,000 per year (Griffith et al., 2020). (-)</p> <p>Carbon taxes increase consumer costs without well-calibrated subsidies and financing. (+)</p>
Equity	The proportion of renters to homeowners receiving electricity from distributed generation. (=1)	<p><1</p> <p>Property owners install DRE systems at current rates while renters depend on utility-provided electricity.</p>	<p>With DRE systems connected to renters: ~1</p> <p>Without DRE systems connected to renters: <1</p> <p>Revenue-sharing ensures renters receive the full benefits through reduced prices.</p>	<p><1</p> <p>The adoption of DRE systems continues at current rates, and property owners fail to share revenue with renters.</p>
	Average renter cost per kWh as a percentage of average property owner cost per kWh. (=100%)	<p>>100%</p> <p>Consumers that depend on utility-provided electricity pay higher prices through cross-subsidization. Demand surges and reduced efficiency increase consumer prices.</p>	<p>With DRE systems connected to renters: ~100%</p> <p>Without DRE systems connected to renters: >100%</p> <p>Without <i>Fix 4a</i>, the percentage is higher than both the <i>Status Quo</i> and <i>Option 2</i> scenarios.</p>	<p>>100%</p> <p>Consumers that depend on utility-provided electricity pay higher prices through cross-subsidization.</p>
Side Effects	Service reliability. (+)	<p>Natural disasters, extreme heat events, and demand surges impair service reliability. Grid infrastructure remains vulnerable to national security threats. (-)</p>	<p>DRE systems protect service reliability from extreme heat, demand surges, natural disasters, and national security threats. (+)</p> <p>Weather patterns could impair reliability without a baseline level of centralized power generation. (-)</p>	<p>The electric grid remains vulnerable to extreme heat, demand surges, natural disasters, and national security threats. (-)</p> <p>Diversified sources and nuclear power buffer weather and seasonal effects on reliability. (+)</p>

Goals	Criteria	Status Quo	Option A	Option B
Feasibility	Roadblocks to implementation and regulatory changes. (-)	Continued cost-of-service rate-setting and overlapping utility, state, and federal management. ($\Delta = 0$)	Subsidies, financing, tax credits, renter connections, and carbon taxes require new federal legislation. Mandating utilities to buy power from qualifying facilities at the market rate requires amending the National Energy Act. (+)	Subsidies, financing, tax deductions, and carbon taxes require new federal legislation. (+)
	Political Considerations. (-)	Public Utility Commissions and elected officials may face political pressure to reduce costs and improve service as climate change increases prices and impairs service reliability. (+)	Utilities oppose DRE systems that devalue their capital investments in centralized generation and transmission. Decoupling costs requires utilities to reorient their businesses towards a service-provider model. (+) Revenue-sharing regulations reduce financial benefits for landlords and property management companies relative to homeowners, potentially spurring opposition from these stakeholders. (+) Carbon taxes increase the production costs of fossil fuel-based electricity, increasing opposition from utilities and fossil fuel companies. (+)	Carbon taxes increase the production costs of carbon-based energy, increasing opposition from utilities and fossil fuel companies. (+)

U.S. Silence on India's Undemocratic Farming Bills

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Abstract

250 million farmers and activists are protesting throughout India against three farming bills recently passed through an ordinance by Prime Minister Modi and his government. In short, the farming bills deregulate agriculture, paving the way for the private sector to exploit and monopolize agricultural commodities. Indian farmers are outraged by the passing of these laws, claiming it will ruin their livelihoods and increase their already existing debt.

Many first-world leaders and economists have publicly condemned these laws as well as the unjust treatment of protesters. Yet, the most formidable democracy and the world's largest superpower, the United States is silent in condemning these undemocratic laws and is yet to speak out against the inhuman treatment of the protesters by the Indian government. The United States has failed to claim its title as the protector of life, liberty, and the right to protest that it so proudly hails. Below is an analysis of the strategic relationship between the U.S. and India in order to explain America's silence.

Why Isn't the United States Addressing India's Regressive Farming Bills?

Upon the onset of the Hindu Nationalist Bharatiya Janata Party's win in 2014, Narendra Modi's Prime Ministership realigned India's fragile political structure toward right-wing politics. Historically, Modi had been a divisive figure due to his lack of intervention as the chief minister during the Gujarat Muslim genocide in 2002 (Sinha & Suppes, 2015). In 2019, the Modi-led Indian government further polarized its image after passing the controversial Citizenship Amendment Act (CAA), deemed "anti-Muslim" ("Citizenship Amendment Act," 2021). In his latest political attempt to strip Indians of their inalienable right to life and liberty, the government passed three farming laws that have further deteriorated the fragile state of democracy (Ramesh, 2020). While first-world leaders have come out against these bills, the United States has been quiet (Miglani, 2020). The strong alliance between the United States and India has a lot to do with the silence. This tactical relationship, cultivated for decades, has resulted in the U.S. turning a blind eye to oppressive laws, in the quest to maintain its hegemony.

Obama-Modi Era

The Obama Administration saw Narendra Modi's election as an opportunity to forge a strong and resilient relationship between the world's two largest democracies. Before becoming India's Prime Minister (PM), Modi was banned from entering the U.S.—the U.S. State Department's visa refusal cited his involvement in the Muslim massacre as a violation of religious freedom (Mann, 2014). However, as it became increasingly clear that Modi would be the elected PM, the U.S. reversed its position as President Obama was eager to capitalize on the Indo-American partnership (Gowen, 2016). During Modi's U.S. visit in 2014, both nations renewed the 2005 Defense Cooperation Agreement Act (DAA) for another ten years, stating that the U.S. and India would remain close partners on defense and intelligence issues (Qadir, 2015). The DAA allows India to acquire U.S. defense technology and reap the significant benefits of being a defense partner of the U.S.

Furthermore, Obama's welcoming embrace of Modi was a strategic attempt to assert dominance and curb China's rising influence under the Belt and Road Initiative—a long-term investment and policy program aimed at accelerating infrastructure development and economic growth of the countries along the historic Silk Road (Li, 2016). Currently, both the U.S. and India are involved in rivalries with China.

U.S. SILENCE ON INDIA'S UNDEMOCRATIC FARMING BILLS

Trump-Modi Era

While the Obama-Modi relationship was tactical, President Obama did raise concerns to Prime Minister Modi of religious intolerance exhibited in India (Gowen, 2017). On one occasion even stating that “a country shouldn't be divided on sectarian lines and that is something I have told Prime Minister Modi in person...People see the differences between each other much too vividly and miss the commonalities.” Once President Trump assumed office, he used his new power to fuel Modi's divisive rhetoric.

Trump has long held anti-immigrant stances which were affirmed by his restriction of immigrants from seeking refuge in the U.S. Early in his presidency, Trump issued a travel ban on Iran, Iraq, Libya, Somalia, Sudan, and Yemen citing the need to prevent terrorism as a matter of national security (“Trump's executive order,” 2021). However, the U.S. Department of Homeland Security Intelligence and Analysis Unit concluded that people from the nations listed above posed no increased terror risk (Nixon, 2017). Since the travel ban was enacted, the U.S. has seen a rise in violence, prejudice, and hate crimes against people in Muslim majority communities (“Anti-muslim hate crime,” 2018). In 2019, the Modi administration, under the Hindu Nationalist BJP Party, passed the Citizenship Amendment Act offering fast-tracked amnesty to non-Muslim undocumented immigrants from Pakistan, Bangladesh, and Afghanistan who entered India before 2015 (Vaid, 2020). This bill is inherently rooted in islamophobia and blatantly violates the “secular” principles of the Indian constitution.

Trump refused to outwardly condemn this discriminatory act. Instead, in December 2020, Modi was awarded the Chief Commander Degree of the Legion of Merit Award, one of the highest military awards in the U.S. (Manral, 2020). Trump lauded Modi for his “exceptionally meritorious service” as the leader of India.

Renewing the Defense Cooperation Agreement Act provided the U.S. with a partner to assert its defense policy in a region dominated by Chinese influence. Additionally, the U.S. now accounts for 15% of India's military equipment purchases. During the Trump administration, India signed lucrative defense agreements with the U.S. that eluded previous Indian administrations (U.S. Department of State, 2021). The agreement included arrangements promoting the two countries' interoperability covering everything from logistics to communications. Since 2005, the Indian armed forces have conducted more joint exercises with the U.S. military than with any other state (Bowman & Gabel, 2019). In addition to military cooperation, parallel policies have fostered extreme nationalist movements in both countries, aligning Washington and New Delhi closer together than in previous administrations.

Both Trump and Modi have been viewed as fascist leaders for their hateful rhetoric against minorities and dissenters. The extraordinary events of the insurrection in Washington D.C. (Fandos & Cochrane, 2021), fueled by Trump's incendiary words, perpetuate the same narrative that Modi and his party have projected to incite terror and violence against minorities and democratic institutions.

Ambani-Modi Era

In 2009, Modi awarded Mukesh Ambani, now India's wealthiest man, the “Pride of Gujarat” award, which led Ambani to endorse Modi for prime minister publicly. Once Modi was elected, Ambani strategically influenced the Indian government to privatize specific public sectors that Ambani directly profited from. Modi has enacted controversial farm bills, as recently as September 2020 that allow Ambani to benefit directly from the deregulation of agriculture.

When President Trump visited India last year, he was approached by Ambani, who pitched the president on why U.S. companies should invest in telecom and his digital service business, Jio Platforms. Ambani caught Trump's attention by mentioning, “We're the only network in the world that doesn't have a single Chinese component.” As the pandemic intensified the anti-Chinese sentiment within both the U.S. and India, Silicon Valley agreed on four deals with Jio Platforms (Raval & Massoudi, 2020). These deals sparked another Ambani influence in the U.S., along with his current Reliance empire.

Potential Biden-Modi Era

President Biden is expected to take the same approach as the Obama administration in tightening the relationship between the U.S. and India. While the Biden administration is expected to pay more attention to human rights injustices in India, sparked by the farmer protests, most experts believe the U.S. will not drastically alter its relationship as Biden values New Delhi's leverage in helping counter China's increasing global influence (Verma & Gettleman, 2020). Additionally, during Biden's senatorial days, he played a crucial role in improving the relationship between the two nations. As addressed in his agenda for the Indian American community, Biden, in 2006 stated, "My dream is that in 2020, the two closest nations in the world will be India and the United States" ("Joe Biden's Agenda," 2020).

The United States' interests in establishing democratic institutions worldwide have been placed on hold as other objectives have taken precedence. Even though the Trump administration's racist rhetoric and exploitation of the capitalistic capabilities have effectively trickled into India, the Biden administration will not want to alter their tactical relationship at the cost of disrupting the unipolarity, even as the blatant abuse of life and liberty occurs in the developing world.

As the Modi administration continues to infringe on its citizens' rights, the U.S. continues to remain silent. For American leaders, it seems counterproductive for the U.S. to address human rights abuses given the priority trade and defense receive on the foreign policy agenda. The strategic partnership between the two countries positively affects their pursuit of power.

References

- Anti-Muslim hate crime on the rise in Donald Trump's US – report. (2018, April 23). *Deutsche Welle*. <https://p.dw.com/p/2wWa6>
- Bowman, B., & Gabel, A. (2019, November 26). U.S., India bolster their military partnership in tiger triumph exercise. *Defense News*. <https://www.defensenews.com/opinion/commentary/2019/11/13/us-india-bolster-their-military-partnership-in-tiger-triumph-exercise/>
- Citizenship Amendment Act: Court refuses to put controversial law on hold*. (2020, January 22). BBC News. <https://www.bbc.com/news/world-asia-india-51203104>
- Deeply honoured, says PM Modi on Legion of Merit award. (2020, December 22). *Hindustan Times*. <https://www.hindustantimes.com/india-news/deeply-honoured-says-pm-modi-on-legion-of-merit-award/story-kAzHloJOaaAubIQChCkm9H.html>
- Fandos, N., & Cochrane, E. (2021, January 6). Mob attack, incited by Trump, delays election certification. *The New York Times*. <https://www.nytimes.com/live/2021/01/06/us/electoral-vote>
- Gowen, A. (2016, June 6). Once banned from the U.S., India's Modi set for historic address to Congress. *The Washington Post*. <https://www.washingtonpost.com/news/worldviews/wp/2016/06/06/from-pariah-to-capitol-hill-narendra-modis-extraordinary-rise/>
- Gowen, A. (2017, December 1). Obama issues a warning in India: 'Think before you tweet.' *Washington Post*. <https://www.washingtonpost.com/news/worldviews/wp/2017/12/01/obama-issues-a-warning-in-india-think-before-you-tweet/>
- Joe Biden's agenda for the Indian American community*. (2020). Joe Biden for President: Official Campaign Website. <https://joebiden.com/indian-americans/>
- Li, C. (2016, August 30). *Assessing U.S.-China relations under the Obama administration*. Brookings Institution. <https://www.brookings.edu/opinions/assessing-u-s-china-relations-under-the-obama-administration/>
- Mann, J. (2014, May 2). Why Narendra Modi was banned from the U.S. *Wall Street Journal*. <https://online.wsj.com/article/SB10001424052702303380004579520041301275638.html>
- Miglani, S. (2020, December 4). *India formally protests to Canada over Trudeau remarks on farm protests*. Reuters. <https://www.reuters.com/article/india-canada-idUSKBN28E1AD>
- Nixon, R. (2017, February 25). People from 7 travel-ban nations pose no increased terror risk, report says. *The New York Times*. <https://www.nytimes.com/2017/02/25/us/politics/travel-ban-nations-terror-risk.html>

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- Parkin, B., Massoudi, A., & Raval, A. (2020, May 18). Ambani's ambition to turn Reliance into internet titan wins backing. *Financial Times*. <https://www.ft.com/content/f2f55a6c-8350-4de3-ae27-c8e8fdbcd482>
- Qadir, L. (2015, June 11). *The United States and India sign a 10-year defense agreement and set the stage for increased defense cooperation*. Global Policy Watch. <https://www.globalpolicywatch.com/2015/06/the-united-states-and-india-sign-a-10-year-defense-agreement-and-set-the-stage-for-increased-defense-cooperation/>
- Ramesh, R. (2020, December 18). *What's going on in India? An overview of the farmers protest*. Dismissed Magazine. <https://medium.com/dismissed-mag/whats-going-on-in-india-an-overview-of-the-farmers-protest-3bc4eb215c69>
- Sinha, S., & Suppes, M. (2014, April 6). Timeline of the riots in Modi's Gujarat. *New York Times*. <https://www.nytimes.com/interactive/2014/04/06/world/asia/modi-gujarat-riots-timeline.html>
- Trump's executive order: Who does travel ban affect?* (2017, February 10). BBC News. <https://www.bbc.com/news/world-us-canada-38781302>
- U.S. security cooperation with India*. (2021). U.S. Department of State. <https://www.state.gov/u-s-security-cooperation-with-india/>
- Vaid, D. (2020, November 12). One year of India's Citizenship Amendment Act. *Deutsche Welle*. <https://p.dw.com/p/3maUH>
- Verma, P., & Gettleman, J. (2020, December 24). Biden is expected to expand U.S.-India relations while stressing human rights. *New York Times*. <https://www.nytimes.com/2020/12/24/world/asia/biden-india.html>

Fighting the War on Drugs: How Presidential Administrations Produce Distinct Policing Regimes

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Introduction

Engaged in a war on drugs, the United States government embarked on a gradually escalating offensive against individual consumers, distributors, and manufacturers of illicit substances well before President Nixon's famous national declaration of a "war on drugs." Anti-drug sentiments represent a shift in societal attitudes, not the sudden emergence of a drug epidemic. In the 1800s, the United States had few regulations on the distribution of narcotics or other drugs, and the legality of opium, cocaine, and marijuana existed through the early 20th century (Recio, 2002, p. 22; Hasegawa, 2000, p. 68). The heightened attention to the drug "problem" in America is new, largely derived from Nixon's war on drugs declaration and the subsequently enacted policy changes.

This critical case analysis argues that presidential politics, rhetoric, and legislative strategies directly shape the type of policing regimes present during each distinct era of governance under the Nixon, Reagan, and Obama, and Trump administrations. Policing regimes are defined in this paper as: the administrative priority and resource allocation towards the role of law enforcement or social services for alleviating a societal problem. This definition has been originally developed in this paper, as well as the subsequent characterization of the distinct regime typology. As these strategies vary from administration and party, distinct policing regimes form as a result.

The primary drug policy goal of the administrations of Nixon, Reagan, Obama, and Trump has remained consistent: eliminate illegal drug use. However, each administration adopted different legislative strategies that are reflected in different policing practices. Nixon's legislative accomplishments led what this paper calls a *Rehabilitator* strategy, emphasizing funding for treatment and rehabilitation programs and prevention mechanisms, such as producing anti-drug education programs. Reagan's strategy led to a heavier enforcement of criminal penalties for drug distribution and individual consumption, which this paper calls an enforcer strategy. The legislative achievements under Obama and Trump blended these two approaches to create the current system, which this paper calls a *Hybrid* strategy.

Despite contemporary efforts to balance medicalization and criminal penalties, the *Enforcer* policing regime has endured as the drug enforcement bias in a historical context. However, the trend to enforcement bias fails to address the fundamental causal mechanisms for drug addiction and preventing drug abuse. As a result, I propose a totally new regime construction that must form in order to initiate substantive, meaningful reforms within the American drug policy arena.

Defining and Characterizing Policing Regime

"Regimes" are a typology frequently used in political science to express the systematic interactions of an institution and those in power that institute a unique form of governance. It is used in this paper as an expression of governance as well, rather than connoting a military or authoritarian leadership. Police fall into the regime construction due to their unique capability of dominating the public eye's perception of the bureaucracy: they are direct agents of the bureaucracy at the street-level (Perry & Sornoff, 1973, pp. 8, 13). An election cycle can therefore emphasize or redistribute police's power allocation due to a change in administrative priorities, facilitating a different policing regime construction. Additionally, the focus on rehabilitation and treatment programs or enforcement priorities tends to vary among these bureaucratic cycles (Benoit, 2003, p. 275). These components are necessary for characterizing the differing regimes they form in their policies.

A policing regime will be defined as: how a governing body dictates administrative priority and resource allocation towards the role of law enforcement or social services in solving a problem in society.

FIGHTING THE WAR ON DRUGS

This paper additionally emphasizes there are two central opposing philosophies behind the lawmaker preferences of tackling the drug problem in the United States. Demand-side, which seeks to reduce the volume of drugs consumed in the country through a prioritization of treatment services, and supply-side, which focuses on lowering the volume of drugs entering the country, respectively, are considered contrasting beliefs in this paper.

Historically, the United States has two primary regulatory approaches to reduce the volume of drugs entering the country – targeting demand or targeting supply. Demand reduction prioritizes treatment and rehabilitation, removing an individual users’ dependency on an illicit substance. Demand reduction strategies fall under the *Rehabilitator* policing regime. Supply reduction has historically remained as the dominating approach to drug policy strategies in the United States. The *Enforcer* regime’s priorities require this essential reduction philosophy. The primary mechanisms to achieve this regulatory philosophy involved a priority of law enforcement both domestically and internationally. Destruction and eradication of drugs in their source production nations paired with an emphasis on law enforcement arrests of drug distributors has the goal of inducing a strain on supply and therefore drives up cost for the individual user. The contemporary case containing the Obama and Trump administrations has taken a hybrid approach to these regulatory mechanisms. Pairing demand reduction and supply reduction strategies has given the case a comprehensive approach that does not limit resource allocation to a particular philosophy. This *Hybrid* approach fits the typological description of policing regimes outlined in Table 1., and this method of combining philosophies is a new phenomenon. These regulatory philosophies are key in describing the different approaches administrations take in reducing drug consumption and distribution.

Demand Reduction

The demand-side policies focus on eliminating the desire for the user to consume the drugs, thus reducing the number of addicted individuals and damaging the criminal industry surrounding drug manufacturing and distribution. These policies involve the treatment of current drug-addicted individuals to reduce their dependence on illicit substances paired with increased educational and preventative measures, promoting medicine and education over law enforcement. In the more distant past, the United States initiated a demand-reduction strategy through the Harrison Narcotics Tax Act of 1914, which established economic pressure on the importation of opium and its derivatives, requiring a medical prescription to purchase, reprioritizing drug policy in the U.S. agenda (Sharp, 1992, p. 539; Harrison Narcotics Tax Act, 1914; Recio, 2002, p. 25). This was a major first step in restricting drug consumption not through law enforcement per se, but through medicalizing it via pharmacies and doctors.

Congressional funding for drug addiction was drastically increased during the Nixon administration, emphasizing the desire to maintain programs initiated under the Controlled Substance Act. This approach was taken as the administration’s central regulatory philosophy, focusing on the rehabilitation rather than harsh penalization of those living with a drug addiction. Treatment strategies were pursued significantly to combat the proliferation of drug abuse in America, to avoid a “drug society.” Methadone clinics became prevalent in helping those with heroin addictions, however, they failed to implement them as a national strategy (Raz, 2017, p. 76). The expansion of the scope of methadone clinics to include more than the currently estimated one-quarter of addicts that the program reaches now could result in a higher effectiveness (Raz, 2017, p. 76). The Nixon administration following a demand-reduction strategy made advancements in addiction and substance abuse studies and shined a light on the effects certain substances had on the human body.

Expanding access to educational resources also became an important tool for Nixon, with preventative actions being essential to a demand-reduction strategy. The youth were targeted groups due to the minimal effectiveness of enforcement programs as deterrence, so an expansion of access to drug education was essential (Musto & Korsmeyer, 2002, p. 73). The Reagan administration also initiated an incredibly famous educational campaign, led under First Lady Nancy Reagan with the slogan “Just Say No.” These efforts were geared towards children and young adults of school-age as a measure to reduce the youth consumption of drugs and the potential subsequent spiral of using hard drugs into adulthood.

These are not the only examples of demand-reduction programs but are key indicators of an administration's regulatory philosophy towards illegal drugs.

Supply Reduction

In an address to the nation, President Reagan spoke about “separating the drugs from the customer,” seeking to establish a policy directive with targeting drugs from the source as its primary function (Reagan, 1986). This regulatory mode, the supply-side approach, is rooted in the assumption that efforts to reduce drug supply will drive down drug consumption due to market pressure. Supply reduction takes the form of targeting international producers, distributors or criminalizing minor domestic possessions and street-level deals. A financial burden is imposed on the individual drug for diminished supply with stable demand, as well as the increased danger of acquiring and transporting the drugs, driving up prices and, in theory, disincentivizing those to consume. Decreased by the number of drug-dependent individuals remains constant, so the average price will rise as a result. Supply-side approaches to drug enforcement are likely what the average American perception of drug penalization looks like: petty criminal arrests. This regulatory philosophy has been the pioneering force since President Reagan, with alterations in its intensity in more contemporary administrations.

This policy enters into the international arena through interdiction campaigns, programs that target drug cultivation and manufacturing operations on foreign soil, either using the respective government's law enforcement or coordinating aerial destructive operations. Supply reductions on successful operations appear immediately and hope to be long-lasting if an entire operation is destroyed. While production and distribution occur globally, Colombia, Bolivia, and Peru were key source nations (i.e., nations that maintained agricultural, production, refinement, or distributive holdings) during the 1980s. Colombia was the world's leading refined exporter of cocaine, providing significant profitable business to bolster the nation's economy (Falco, 1992, pp. 3-4). Between 1982 and 1987, the amount of coca grown in South America more than doubled despite these eradication efforts (Andreas & Youngers, 1989, p. 553). If the government targeted the highest-level distributors or manufacturers in international or multi-state operations as opposed to individual street dealers, supply, in theory, could be diminished. An international war on drugs was born, to a scale unknown previous administration

The two central anti-drug regulatory philosophies serve as a guiding framework for the multiplicity of interactions presidential administrations have in reducing drug consumption in America. They are able to incorporate these strategies, demand or supply-side, through rhetoric, legislation, or general priorities, thus forming unique regimes as a result of these diverse efforts. The cases of the Nixon, Reagan, Obama, and Trump administrations serve as an articulation of the differing regime types and how they conduct themselves.

Regime Construction

After examining the two primary regulatory philosophies that govern drug enforcement in the United States, the incorporation of legislative actions, presidential rhetoric and the administration's unique goals, translate the philosophies into distinct policing regimes. These regimes are outlined in a typology format presented in Table 1. This typology relies on distinctions between legislative, rhetorical, and outlines overall goals which were used to formulate separate regimes. The Nixon, Reagan, and Obama/Trump administrations are assigned to the *Rehabilitator*, *Enforcer*, and *Hybrid Regimes* respectively. This table establishes a guiding framework for the subsequent analysis in this section. Additionally, it is formatted similarly to Curley's models of emergency state-building (Curley, 2015, p. 698).

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Table 1.

	REHABILITATOR	ENFORCER	HYBRID
LEGISLATION/ POLICY STRATEGIES	Medicalization of drug abuse and addiction Demand-Side	Increase criminal penalties Supply-Side	Fairer sentencing Renewed rehabilitation programs Combined focus on Supply and Demand-Side
IMPACTS OF LEGISLATION	Expansion of Treatment and Rehabilitation Programs	Expansion of Law Enforcement resources	Split between law enforcement and rehabilitation programs Slight lean towards enforcement
RHETORIC	Social Welfare Public Health	Criminal Incarceration Law and Order	Combination of arrests and providing general welfare
OVERALL GOALS	Domestically Focused Expansion of social services for addicts	International priorities Interdiction campaigns Border security Domestically focused on arrests	Both Domestic and International Priorities

The Nixon administration is considered the *Rehabilitator* policing regime. Its primary approach focused on eradicating addiction and drug user demand. President Nixon expanded educational resources, treatment and rehabilitation programs, and research for drug abuse and addiction (Comprehensive Drug Abuse Prevention and Control Act 1970 [hereafter Controlled Substance Act], 1238-1241). Nixon approached drug abuse with greater compassion and his advisors urged him to treat it as a disease, both through rhetoric and policy (Metlay, 2013, p. 145). This style is historically important, due to its limited long-term continuation.

Early efforts at eliminating international trafficking heroin from Southeast Asia were not successful under Nixon, so a rehabilitative approach was used as an alternative (Walsh, 1971, p. 32; Metlay, 2013, p. 141). These efforts initially targeted soldiers in Vietnam who were suffering from heroin addictions, prompting the president to declare drug abuse as a national emergency, requesting two-thirds of the \$153 million in anti-drug appropriations funding to go towards rehabilitation and treatment programs (Walsh, 1971, p. 32). The Nixon administration's development of treatment programs, such as methadone maintenance clinics for heroin addicts, established a rehabilitating strategy (Raz, p. 2017, 58). These efforts were not limited to members of the military but were targeted towards all populations of America in order to combat the war on drugs, by controlling individual addiction.

The administration also sought an emphasis on drug addiction research began by establishing The Special Action Office for Drug Abuse Prevention, a major opportunity for drug abuse research to be performed under the guidance of the federal government (Metlay, 2013, p. 126). The Controlled Substances Act established a commission on Marijuana and Drug Abuse. Two studies emerged detailing the effects on the individual cannabis had, which had been widely used among the youth during the 1960s and continues to this day. While flawed in the contemporary view, the Nixon administration was a unique case in its ability to press rehabilitative and treatment actions, educational resources, and even medical addiction research.

Following the *Enforcer* policing regime strategy, President Reagan focused on reducing the overall supply of drugs, taking an active approach to elevating domestic and international policing, criminalizing petty possession, and instituting a regime of harsh criminal sentencing. This took the form

of both an active policing approach domestically, paired with an internationalist effort by the U.S. DEA, CIA, and FBI abroad via interdiction campaigns in the primary regions of South and Central America. Similar to Nixon, Reagan spoke out against the “evil scourge” of drug abuse during his inaugural address in 1981, beginning the launch of his supply-side targeting as the policy solution to drug abuse in America (Falco, 1992, p. 3; Reagan, 1981). The rhetorical campaign from Reagan didn’t stop with his inaugural address, but it intensified during his two terms.

Arrests dramatically rose during the Reagan administration through the heavier enforcement procedures relative to Nixon; mandatory minimum sentencing laws, expanded under the 1986 and 1988 Anti-Drug Abuse Acts additionally contributed to people imprisoned for longer periods of time. The racial arrest disparity, prevalent during the Nixon administration, equally is exacerbated by this heavy policing of drug users. In 1976, African Americans comprised 22% of those arrests for drug use and whites 77%; in 1992, this inequality rose to 40% of arrests being African Americans and 59% whites (Cooper, 2015, p. 2). During this period, it is evident that arrests have been racially inequitable as a portion of the population, placing hundreds of thousands of African Americans behind bars and damaging criminal records.

“Pretextual” stops emerged under Reagan’s Operation Pipeline as a widespread program taught to police officers to use their discretion to pull vehicles over as part of drug interdiction protocol (Gross & Brames, 2002, p. 671). They justified this as a means for the seizure of illegal products but saw a failure in any significant seizure of drugs and weapons. Used as a system to legally stereotype and stop African American men, the stops resulted in a failure rate to produce any illicit substances at 95% (Alexander, 2012, p. 71). Part of Reagan’s strict drug enforcement, this strategy has produced a multitude of societal ailments, primarily the epidemic of mass incarceration of young Black men. The recent administrations of Barack Obama and Donald Trump attempt to change the narrative in rhetoric, legislation, and overall goals.

Finally, there is the *Hybrid* policing regime, best attributed to the contemporary case of the Obama and Trump administrations. Under the Obama administration, reform efforts for fairer sentencing laws targeting disparities between crack and cocaine sentencing were addressed (Fair Sentencing Act, 2010). The Trump administration passed legislation changing mandatory minimums sentencing laws and to reduce recidivism rates (First Step Act, 2018). The trend for contemporary policy is geared towards slight alterations of past initiatives that were firmly instituted during the height of the war on drugs.

President Obama implemented a series of reforms that target key treatment and rehabilitation, expanding funding in addiction and mental health services (Bartilow, 2019, p. 213). This balanced attempt at funding and prioritization diverged from the past *Enforcer* regime, for a *Hybrid* regime to take place, altering slightly the landscape under Reagan that drove a heavy enforcer governance. However, under Obama as well as Trump, the legacy of the war on drugs as a historical institution of enforcement continued (Bartilow, 2019, p. 210). Instead of removing enforcement mechanisms of the war on drugs, Obama continued to focus on treatment and rehabilitation, leaving many enforcer-leaning policies untouched. Meanwhile, the Trump administration inherited a difficult situation of a rapidly escalating rise in opioid overdoses among American men. He declared a national emergency in October of 2017, emphasizing the severity of the issue with the goals of expanding education, treatment, prevention, and interdiction efforts to reduce opioid-related overdoses (Realuyo, 2019, p. 137). The administration believes that using this *Hybrid* approach to reducing drug consumption is the best mechanism for a healthier and safer public.

Certain elements of the legacy of *Enforcer* policies remained in these administrations. New York City’s policing policy titled stop-and-frisk, first initiated by Mayor Giuliani, was escalated from 2003 to 2012, with a peak of stops occurring in 2011 under then-Mayor Bloomberg (Mears, 2015, p. 159). These stops were incredibly racially disproportionate, with 87% of those stopped were Black or Hispanic, and in 90% of all cases, there were no arrests or citations issued (Wright, 2016, p. 26). Despite the efforts to research policing reform solutions, inequalities remained just as severe as ever in policing and sentencing practices under the nation’s first black president. The war on drugs has become so institutionally rigid

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through the decades of systematic oppression, it will take an extraordinary policy change to make a difference.

President Obama attempted to alter legislation that upheld racially motivated sentencing laws, bypassing The Fair Sentencing Act of 2010. This reduced the crack to powdered cocaine sentencing disparity from 100:1 to 18:1 (Fair Sentencing Act, 2010). Additionally, a Task Force on 21st Century Policing was established as a response to the shooting of Michael Brown in Ferguson, Missouri. This commission provided a series of departments to administer, as a “grand strategy” of contemporary policing reform. Community policing and heightened oversight were the primary goals of these recommendations; by having police officers engage with community members, they would strengthen relationships and build trust that seeks to minimize shootings and maximize safety (President’s Task Force on 21st Century Policing, 2015, p. 3). However, without any enforcement mechanism for police departments to adopt these recommendations nation-wide, these strategies were representative of a good strategy that lacked the resources for implementation without a legislative backing. President Obama attempted, but was unable to make a dramatic change to the prison and policing systems.

The Trump administration wrote a similar drug enforcement narrative as Obama. His campaign was in total defiance of the past party of the democratic establishment, but still followed the rhetorical style of Obama, by offering up large-scale promises and language that focused on the greatness and betterment of the future of American society. Like Obama’s campaign to run on “Hope,” Trump ran on “Make America Great Again,” a slogan heavily supported among white males, but indirect language offered similar promises of greatness in subsequent years under his leadership (Rockman, 2016, p. 442). However, Trump’s rhetoric differed in that his staunch racism sought scapegoats for America’s problems, with anti-immigrant statements driving his criminal justice policy decisions (Mahmood & Cheema 2018, p. 4).

Trump did reform portions of the criminal justice system, addressing current problems with the prison system. Attempting to lower recidivism, the First Step Act sought education and rehabilitation programs to diminish reoffenders rates and have a smoother reentry to society for the formerly incarcerated (First Step Act, 2018). There had been an initial focus on the opioid crisis in the early months of the Trump administration, establishing a President’s Commission on Combating Drug Addiction on the Opioid Crisis in 2017. This commission’s purpose was to recommend policy strategies for the president; however, it’s increasingly a consideration of the past after the passage of the First Step Act. The Trump administration ended up sharing the Obama administration’s same fate with drug policy reform, minimalistic changes to a system with institutional flaws, and decades of enforcement bias. Minor changes were not enough to create a wholly new regime strategy but simply cherry-picked politically viable choices from the previous.

These policing regimes are by no means exhaustive; they provide a theoretical framework to examine the factors to which these cases illustrate different administrative attitudes towards the policing of drugs in America. No single case perfectly conforms to the assigned policing regime. They are merely the best fit – qualities of each regime are prevalent in each case. Additionally, no case or example of administrative policy has led to either a purely police state regarding enforcement of drugs or a scientific-medicinal approach through treatment and rehabilitation programs.

Reconstructing a New Policing Regime

In order to meet the goals of addiction prevention, drug-use reduction, and a reduction of the prison population, elected officials must develop and enact a new policing regime. The United States has an incarcerated prison population and cycling population of convicts that come through the prison system at rates unlike comparative developed nations. In a nation that consists of 5% of the global population, we have an astonishing 25% of the world’s prison population, amounting to 2.3 million individuals (Weiss & MacKenzie, 2010, p. 269). From 1980 to 2007, the United States has seen an imprisonment rate grow 264%, while during the same time frame other Western nations have experienced marginal changes (Weiss & MacKenzie, 2010, pp. 273-274). This rise in prison population largely involves drug offenses, accounting for two-thirds of the rise of the federal incarcerated population between 1985 and 2000

(Alexander, 2012, p. 60). After the Reagan administration, the United States was unique as a Western nation with its focus much heavier on the criminality of drug policy and less focus on the public health component that is attribution to drug addiction (Benoit, 2003, pp. 272-273). Therefore, there must be a newly developed policing regime for substantial changes to take place. The current *Hybrid* policing regime of the recent Obama and Trump administrations still retains a problematic enforcement bias, unable to solve the fundamental problems Americans are facing.

Policing reform is essential in establishing a new policing regime, as it has a problematic history in the U.S., in both its origination and its implementation in modern times. Modern American policing must acknowledge its process of origination and development, with its legacy of racism - the slave patrol. The South began to establish a regime of policing known as the slave patrol, mimicking many of the enforcement features we see in modern policing (Williams, 2015, p. 63). Additionally, before the Civil War, African Americans who were unaccompanied by a white person would be scrutinized by authorities under “suspicion of a runaway enslaved person” (Kennedy, 1997, p. 138). Language of “reasonable suspicion” today has resounding familiarity, presiding as the justification for New York City’s infamous “stop-and-frisk” policy. While a different context today, the same principles are applied through different mechanisms but obtain a similar result of oppression and discrimination. A total reimagination of policing is radically important in the new policing regime, else it fails to combat institutional racism and the current system’s failures.

The new regime that this paper titles as the “*Constructive Justice*” regime would forge a new era of drug policy making, striving towards a positive progressive future for drug policy and criminal justice reform in modern-day America. The reliance on a fixed regime to govern future policymaking is idealistic – this typology serves as an ideological framework that seeks to address some of the underlying problems with the past ideology. Future drug policy making will be constructive and distance itself from the failures of an enforcement-heavy past, ensuring the just equitable treatment of others, and a medically driven approach to quelling addiction and drug misuse. It will also seek to eliminate racial biases in policing and look to alternatives in situations where police are called upon but ill-equipped to solve.

This *Constructive Justice* regime will be guided by four central and immediate policy changes: the federal legalization of cannabis, an expansion of treatment, prevention, and rehabilitation programs, the removal of mandatory minimums for non-violent drug crimes paired with general sentencing reductions, and the elimination of disenfranchisement due to criminal status. These recommendations combine to form the legislative backing of this new policing regime. Table 2 articulates the *Constructive Justice* regime characteristics that are modeled off Table 1’s initial policing regime typology. This regime is constructed out of substantive reformative efforts that seek to end the war on drugs.

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Table 2.

	Constructive Justice Regime
LEGISLATION/POLICY STRATEGIES	Medically driven approach to addiction Limited, but equitable sentencing for non-violent drug convictions Demand-reduction
(INTENDED) IMPACTS OF LEGISLATION	Reduction in prison population Reduced drug usage Equitable sentencing Limited prison sentences for non-violent individual drug users Target environmental sources that lead to drug abuse
RHETORIC	Harm reduction Public Health education Recidivism reduction
OVERALL GOALS	Limit international crop eradication campaigns Focus on bettering the lives of American citizens Ending the War on Drugs
POLICY RECOMMENDATIONS	<ul style="list-style-type: none"> ● Legalization of Cannabis ● Abolishment of mandatory minimum sentencing ● Expansion of treatment, prevention, and educational programs ● Elimination of felony disenfranchisement

The United States currently has a system of isolation and alienation for drug users and cares little about those in prison; decades under the *Rehabilitator*, *Enforcer*, and *Hybrid* regimes have shown us that imprisonment is not an effective long-term solution. In the wake of the contemporary drug issue of opioids, it is clear this campaign of de-humanizing is still not working (Drug Policy Alliance, 2019, p. 52). When users can obtain addictive drugs through the legal channels of prescriptions as pain medication, it is treated as a public health issue and not one of demonizing the user and labeling them as a criminal. The *Constructive Justice* policing regime seeks this: a humanizing campaign focused on public health and treating drug users like people, not criminals. By substantially increasing rehabilitation, treatment and preventative programs, it transforms into a public health initiative to help those struggling with drug addiction, to create a healthier society.

The *Constructive Justice* regime seeks to construct a new institutional arrangement for enforcing American drug policy, requiring immediate policy changes for substantive change. These efforts are theorized to bring substantial changes to the American people, including for the benefit of public and mental health, and the removal of particular instigators of the damaging mass incarceration problem that has developed due to the war on drugs.

The United States should legalize cannabis federally for recreational and medicinal use, regulating it as it does alcohol. Since President Nixon has classified cannabis as a schedule one drug, it has been subject to the harshest drug enforcement penalties the U.S. code permits (Controlled Substances Act 1970, 1249). His own commission stated that it would be preferable to eliminate the criminalization of marijuana altogether (Commission on Marihuana and Drug Abuse, 1972, p. 1161). Expunging previous non-violent drug convictions should be included in this proposal, due to the issues millions are facing with the label that follows them of “formerly incarcerated.” With a criminal record, especially a felony charge, there is a positive correlation between a criminal record and outcomes in obtaining employment (Pager, 2003, p. 960). The House of Representatives in 2019 passed the Marijuana Opportunity Reinvestment and Expungement (MORE) Act that does that (Marijuana Opportunity Reinvestment and Expungement Act, 2019). Major changes to cannabis policy must be enacted to move America forward with a new policing regime.

The United States must expand treatment, prevention, and rehabilitation programs to ensure a brighter future. Our system has understood the harms that drugs can have on the body of the individual user but lacks many substantive resources and administrative priorities to focus on a proper solution. The nation's history with opium and morphine exemplifies a case of the failures of proper systems to deal with addiction, long before the drug war began. Programs such as needle-exchange, safe-injection sites, and subsidized detox programs for alcohol and other drug addictions are examples of a needed comprehensive treatment apparatus that lacks prioritization. These programs aim to target a wide array of drug dependency issues and seek to treat it as a medical condition that should not be penalized with a heavy criminal sentence.

To uphold a free and fair trial by jurors, mandatory minimum sentencing must be eliminated to permit judicial discretion and just punishment. America's current criminal justice system has been subjecting our judges and jurors to limited discretionary sentencing directly due to the mandatory minimum sentencing laws for drug crimes and other offenses. This has led to putting countless individuals in jail for lengthy periods of time, regardless of the nature of their crime. Under the Reagan administration, minimum sentencing laws were revamped as a primary solution to deal with the rampant drug problems during the 1980s. Drug dealing is defined as a crime mostly due to the distribution of regulated substances as classified initially under the controlled substances act. The action of transferring a substance from one person to another is not a violent act. This action currently warrants a sentence for over a decade, as well as a felony on your criminal record, which may disenfranchise you out of not only voting, but out of easily reintegrating back into society. Permitting "mandatory minimum" sentencing laws does not allow for environmental factors to be considered in the testimonies, or the potential non-violence of the crime. Eliminating them is an essential step to the new regime.

Voter disenfranchisement due to incarceration must be eliminated, regardless of the crime. In a democratic nation, there should be no citizen whose voice is silenced by the means of their constitutional guarantee – the right to vote. Currently, 48 states actively have a form of voter suppression with the institution of felony disenfranchisement either in the prison, during parole or probation, or post-sentence (McLeod, 2018, p. 14). Florida has recently changed their policy allowing felons to vote post-sentence during the 2018 midterms; however, this requires full payment of any fees. Maine and Vermont are the only two states which have zero restrictions on voting for convicted felons, even extending the right to vote to those who are currently incarcerated (McLeod, 2018, p. 14; Haselswerdt, 2009, p. 271). Even someone who has committed a felony offense should have a say in what laws the government establishes, as they have an impact on themselves as well. There needs to be reform that allows every citizen of this nation to vote, regardless of their criminal status. In addition, automatic voter registration when an individual turns 18 should be implemented to eliminate any concern for vote suppression.

These recommendations are by no means exhaustive, but they are a basic template for the new regime development necessary for America. The *Constructive Justice* regime seeks to eliminate the failed provisions that have been governing this nation for decades and apply equitable, rational, and smart policy which helps those struggling with addiction instead of locking them up. If prisons and harsh penalties for drug use worked, our problem would have been solved long ago. It is time for a radical departure from the status quo.

Engaged in an intense war on drugs for over fifty years, the United States government has instituted a series of policies, rhetoric, and goals that have negatively impacted the American people. Despite a harsh enforcement apparatus, we have the same root problems of drug addiction and consumption, and the underlying conditions that foster those behaviors. The war on drugs has been America's longest war, with no end in sight. To relieve the American people of the problems of racial profiling, mass incarceration, and drug addiction, we must end this "war" rhetoric and policy strategy. We should not be fighting a war against our own citizens. The government should help and treat, not hurt and imprison. People who have a drug addiction or are stuck in a situation where dealing drugs is more profitable than legal work need treatment, rehabilitation, and a constructive reentry into society – being shoved into the prison system does not alleviate this. We will continue to have these problems if we treat drug consumption like fighting an endless war.

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References

- Anti-Drug Abuse Act of 1986*. (1986). 801, 841, 951 21 U.S.C.
- Anti-Drug Abuse Act of 1988*. (1988). 21 U.S.C.
- Alexander, M. (2012). *The new Jim Crow: Mass incarceration in the age of colorblindness*. The New Press.
- Andreas, P., & Youngers, C. (1989). U.S. drug policy and the Andean cocaine industry. *World Policy Journal*, 6(3), 529–562.
- Bartilow, H. (2019). *Drug war pathologies*. University of North Carolina Press.
- Benoit, E. (2003). Not just a matter of criminal justice: States, institutions, and North American drug policy. *Sociological Forum*, 18(2), 269–94.
- Curley, T. M. (2015). Models of emergency statebuilding in the United States. *Perspectives on Politics*, 13(3), 697–713.
- Comprehensive Drug Abuse and Prevention Act. (1970). 801 21 U.S.C.: Food and Drugs.
- Drug Policy Alliance. (2019). *Rethinking the “drug dealer.”* Drug Policy Alliance.
- Engbers, T., & Fucilla, L. (2012). Transforming leadership and the Obama presidency: Political speech of President Obama. *Social Science Quarterly*, 93(5), 1127–45.
- Fair Sentencing Act. (2010). PL 111–120.
- Falco, M. (1996). U.S. drug policy: Addicted to failure. *Foreign Policy* (102), 120–133.
- First Step Act. (2018). 18, 21 U.S.C.
- Foster, A. L. (2010). Opium, the United States, and the civilizing mission in colonial Southeast Asia. *The Social History of Alcohol and Drugs*, 24(1), 6–19.
- Hasegawa, G. R. (2000). Pharmacy in the American Civil War. *American Journal of Health-System Pharmacy*, 57(5), 475–89.
- Haselswerdt, M. V. (2009). Con job: An estimate of ex-felon voter turnout using document-based data. *Social Science Quarterly*, 90(2), 262–7
- Harrison Narcotics Tax Act. (1914). PL 63–223.
- Kennedy, R. (1997). *Race, crime, and the law*. Pantheon Books.
- Mahmood, N., & Cheema, P. I. (2018). Trump and the US foreign policy crisis. *Strategic Studies*, 38(4), 1–18.
- Marihuana: A signal of misunderstanding – the technical papers of the first report of the National Commission on Marihuana and Drug Abuse*. (1972). National Commission on Marihuana and Drug Abuse.
- Marijuana Opportunity Reinvestment and Expungement Act of 2019 (MORE). (2019). H.R. 3884.
- McLeod, M. (2018). *Expanding the vote: Two decades of felony disenfranchisement reform*. The Sentencing Project.
- Metlay, G. (2013). Federalizing medical campaigns against alcoholism and drug abuse: Medical campaigns against alcoholism and drug abuse. *Milbank Quarterly*, 91(1), 123–62.
- Musto, D., & Korsmeyer, P. (2002). *The quest for drug control: Politics and federal policy in a period of increasing substance abuse, 1963-1981*. Yale University Press.
- Nadelmann, E. A. (1998). Commonsense drug policy. *Council on Foreign Relations*, 77(1), 111–26.
- Pager, D. (2003). The mark of a criminal record. *American Journal of Sociology*, 108(5), 937–975.
- Perry, D., & Sornoff, P. (1973). Politics at the street level: The select case of police administration and the community. In *Community Organization and the Provision of Police Services*. SAGE Publications, Inc.
- Ramsey, C. & Robinson, L. (2015). *The president’s task force on 21st century policing*. United States Department of Justice, Office of Community-Oriented Policing Service. 1–116.
- Raz, M. (2017). Treating addiction or reducing crime? Methadone maintenance and drug policy under the Nixon Administration. *Journal of Policy History*, 29(1), 58–86.
- Realuyo, C. (2019). The new opium war: A national emergency. *Prisim*, 8(1), 132–42.

- Reeves, A., Rogowski, J. C., Seo, M. H., & Stone, A. R. (2017). The contextual determinants of support for unilateral action: The contextual determinants of support. *Presidential Studies Quarterly*, 47(3), 448–70.
- Rockman, B. (2016). The Trump presidency – What does it mean?. *Zeitschrift für Staats- und Europawissenschaften*, 14(4), 437–47.
- Sharp, E. B. (1992). Agenda-setting and policy results. Lessons from three drug policy episodes. *Policy Studies Journal*, 20(4), 538–51.
- Skowronek, S. (1997). *The politics presidents make: Leadership from John Adams to Bill Clinton*. The Belknap Press of Harvard University Press.
- Walsh, J. (1971). Drug abuse control: Policy turns toward rehabilitation. *Science*, 173(3991), 32–34.
- Weiss, D. & MacKenzie, D. (2010). A global perspective on incarceration: How an international focus can help the United States reconsider its incarceration rates. *Victims & Offenders*, 5(3), 268–282.
- Williams, K. (2015). *Our enemies in blue: Police and power in America*. AK Press.

**Does a Rising Tide Lift All Boats?
Examining BIDs and BID Partnerships in Downtown Baltimore**

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Abstract

This paper examines the economic development of downtown Baltimore in recent decades, specifically through the creation of Business Improvement Districts (BIDs) and BID developments. Although Baltimore has invested millions of dollars into transforming its downtown district, is this economic transformation benefiting everyone in the city equally, particularly through job creation and job accessibility? Examining Baltimore's management district (the Downtown Partnership), its BID (the Downtown Management Authority), and their partner organizations reveals that economic growth and job opportunities need to be more equally distributed throughout Baltimore, especially in terms of matching local residents to employment. This research draws on William Julius Wilson's social isolation theory of poverty and Susanna Schaller's neoliberal interpretation of BIDs and offers recommendations on how to make BIDs a more equitable urban renewal strategy.

Introduction

At the end of the 20th century, Baltimore was a declining post-industrial city, much like many others in the U.S. Beginning in the 1970s, Baltimore invested heavily in the Inner Harbor, its downtown business and entertainment district, in order to attract outside investment, create jobs, and boost economic growth in a city with a declining population and increasing poverty. Specifically, the city funded two sports stadiums, a convention center, the National Aquarium, and other attractions meant to encourage tourism and spending downtown. According to some urban policy experts, such as Mark Levine of the University of Wisconsin-Milwaukee, the "Baltimore Renaissance" made the city a model in how to reverse post-industrial decline (Levine, 2015).

Today, city managers continue to invest in Baltimore, with redevelopment cropping up in several areas of the city. Baltimore uses a variety of funding and marketing mechanisms to advance its projects, including management districts, like the Downtown Partnership of Baltimore (Downtown Partnership); business improvement districts (BIDs), like the Downtown Partnership's Downtown Management Authority (DMA); tax-increment financing districts (TIFs), such as the Harbor Point redevelopment project; and nonprofit economic and community development corporations. Although Baltimore is clearly enjoying millions of dollars' worth of private investment, is this economic transformation benefiting everyone in the city equally? Does everyone enjoy access to the new jobs that are created or the increasing economic wealth? I wanted to understand to what degree local residents near downtown have been able to benefit from Baltimore's BIDs and BID partnerships. In examining the Downtown Partnership, the DMA, and their partner organizations, I believe that economic growth and job opportunities need to be more equally distributed throughout Baltimore, especially in terms of matching local residents to employment. It is not a matter of determining if there is new economic growth in Baltimore; we know it exists. Rather, it is a question of who has access to these new economic opportunities, especially in the thriving downtown area. The distribution of employment opportunities and positive economic outcomes is still unequal, with poverty remaining concentrated on both sides of downtown Baltimore, even as the city's economy steadily grows.

This paper draws on several theoretical frameworks. The first is William Julius Wilson's social isolation theory of poverty. In contrast to the "culture of poverty" theory¹, Wilson explains that the

¹ The culture of poverty theory uses arguments based on behavior to explain neighborhood poverty. It centers on the argument that intergenerational beliefs and habits are passed down among those in poverty, or that laziness, lack of discipline, or a desire for instant gratification keeps those in poverty from making choices that could pull them out of poverty.

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economic restructuring of cities “marginalized inner-city residents, reducing their potential employment and earnings” (Jargowsky, 1997, pp. 189-190). He emphasizes that policy improvements in urban areas should focus on job opportunities and overcoming the social isolation that prevents inner-city residents from accessing them. Although Wilson’s focal point is not segregation and integration, his theory, and this paper, build on the recommendations of the Kerner Report, which found that “employment is a key problem” that “not only controls the present for the Negro American, but...is creating the future as well” (The National Advisory Commission on Civil Disorders, 1968/2016, p. 14). At the time of the Kerner Report, the black unemployment rate was more than double that of whites. Although there has been economic growth in many American cities, including Baltimore, inner-city black communities have borne the brunt of American poverty in the second half of the 20th century, especially as racially restrictive housing covenants were removed with the Fair Housing Act of 1968 and middle-class blacks left for the suburbs.

As urban governance has transformed over time, and BIDs have become an increasingly common method of transforming the inner city, critics have taken a closer look at their impact. Susanna Schaller argues that BIDs, as a type of neoliberal policy, inherently:

privilege the rights of commercial property owners and the interests of those entrepreneurial tenants positioned to pay higher lease rates and produce revenues for the city’s tax base. In doing so...they turn the public realm into a “club” that is apt to suppress the interests of neighborhood constituents, whose interests do not readily align with...an “outwardly focused” development strategy (Schaller, 2019, p. 11).

Rather than examine if BIDs and BID partnerships in downtown Baltimore have led to gentrification and displacement, I sought to determine the opposite: to what extent can local residents benefit from this economic activity, whether through employment, increased income, or other means? Lastly, this paper draws on Derek Hyra’s forthcoming work examining how repeated urban renewal in the same area, particularly downtown Baltimore, contributes to high poverty concentration in neighborhoods near the inner city, especially when redevelopment is not intended to alleviate such poverty (Hyra, forthcoming).

Motivation for Downtown Redevelopment

As noted above, Baltimore has experienced, and continues to experience, significant population decline. Since maintaining a substantial population is imperative for a strong tax base, this remains a concern for the city. According to experts, “Baltimore lost 30 percent of its population in the second half of the 20th century, including 11.5 percent in the 1990s alone,” which was the second highest rate of decline of any major city in the U.S. (Zielenbach, 2008, p. 316). This is especially concerning when one considers that Baltimore had a population of 949,708 in 1950, ranking it the 6th largest U.S. city (Rich & Tsitsos, 2016). Even today, there are concerns as preliminary Census estimates suggest that Baltimore’s population may fall below 600,000 people for the first time since 1918 (Baltimore Sun Editorial Board, 2020).

Various other factors have motivated redevelopment of the downtown. Violent crime has always been a major deterrent to living in the city, with perceptions of crime worsening after the 1968 race riots (Nix & Weiner, 2011). Although there has been a decrease in crime in the past two decades, Baltimore still has one of the highest violent crime rates in the country (Zielenbach, 2008). In addition to population decline, Baltimore suffers from a high rate of unemployment and high inequality that concentrates that unemployment within certain parts of the city, such as West and East Baltimore. In 2005, only 56 percent of able-bodied, working-age Baltimore residents were in the labor force, and the city had a 22.6 percent poverty rate (Zielenbach, 2008). As recently as 2019, Urban Institute stated that Baltimore’s poverty rate was 23.1 percent, double the national average, with high poverty concentrated in neighborhoods west and east of downtown (see Appendix A) (Urban Institute, 2019).

Around the same time of the Inner Harbor redevelopment, the Downtown Partnership was born. Downtown Partnership, a nonprofit corporation, is a self-described management district that prides itself on being the city’s connection to all things business and culture (Visit Baltimore, 2020). Its main activity is overseeing the DMA, the downtown BID that covers 106 blocks of the central business district.

Businesses in the DMA are taxed an annual surcharge of 22.39 cents for every \$100 of assessed property value, and these funds also support the Downtown Baltimore Guides, Clean Street Ambassadors, and Outreach Teams (Downtown Partnership [DP], 2020b). These teams are standard features of BIDs and are composed of people who clean, beautify, and patrol the streets, as well as serve as tour guides. Downtown Partnership puts on the biannual Baltimore Restaurant Week, provides public concerts, funds the Charm City Circulator (a free bus that goes around downtown), and conducts holiday monument lightings. It also plays a significant role along with the city in capital investment projects, such as redesigning downtown streets and plazas, and fostering economic development, such as by creating the Bromo Arts District. Lastly, it provides the research and tracking needed for business initiatives and real estate planning, developing an inventory database and a pipeline of projects in the works. It's worth noting that, according to reporting documents on its website, Downtown Partnership projects are not limited to downtown, despite its name (DP, 2020c).

These are great improvements for any city facing population and economic decline. And as young millennials continue to choose to live in the city and enjoy these amenities, it sends a message to Downtown Partnership and its partners that people are happy with the improvements. But it is clear that these improvements come at a cost, the first of which is a lack of transparency about what entities are involved in these public-private partnerships and the exact role of each. In my research, I found that Downtown Partnership works with Visit Baltimore, the main marketing and tourism organization for the city; the Baltimore Development Corporation (BDC), the nonprofit economic entity for the city; the Waterfront Partnership, the management district for development along the waterfront; and its BID, the Waterfront Management Authority. The roles of these entities are overlapping and unclear, and details about funding from private investors are not always disclosed in their information online. Moreover, Downtown Partnership and the DMA boards share many of the same members, creating potential conflicts of interest. Legal experts note that in the past, Downtown Partnership has asked for exemption from the Maryland Open Meetings Act, claiming it was a private entity, "even though 85% of [its] budget came from a municipal special tax district" (Tondro, 2010, p. 56). Similarly, the BDC "has strenuously resisted all public inquiry and oversight" under the guise that privacy is needed to successfully negotiate with businesses (Tondro, 2010, p. 1). Also troubling is the fact that the narrative about these partnerships and projects seems to come solely from the entities themselves in the annual reports and development overviews they publish online; there does not seem to be much written by the city government about these projects. It is easy to think that everyone is happy with Downtown Partnership and the other organizations if there is only one voice in the dialogue.

Recent Downtown Partnership Projects & Results

One of Downtown Partnership's proudest accomplishments for 2018 was securing a \$4 million, multi-year investment to make improvements to certain streets and plazas downtown, "after receiving zero dollars for capital improvements in the city budget three years ago, and only \$200,000 this past year" (DP, 2020a). Clearly, they are strong lobbyists and have particular financial interests as their priority. This money was used in the central business district to coordinate trash pickups to limit illegal dumping, landscape E. Pratt Street, remove more than 50 old signs, reinstall sculptures along the expressway, and install a new sign, lighting, and lawn area in McKeldin Plaza. Another significant project will be the redevelopment of the historic Lexington Market in West Baltimore, although groundbreaking for it did not begin until February 2020 (Young, 2020). While not the focus of my research, it is important to point out that housing projects are a main component of Downtown Partnership's redevelopment, with approximately 5,800 units constructed between 2017 and the next couple of years (DP, 2020c). Whether these housing units qualify as affordable housing is another question, however. In any case, Downtown Partnership uses housing as a strategy to draw people to stay downtown, and it seems to be working: in 2019, Downtown Partnership reported that downtown "has Baltimore's most dense and fastest-growing residential neighborhoods" (DP, 2020c, p. 5). This ranked Baltimore as the eleventh most populous downtown in the country, with 42,913 people living downtown (DP, 2020c). This focus on housing and

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residency demonstrates the continued concern municipal stakeholders have in maintaining a strong residential base.

In terms of jobs, downtown Baltimore employed 119,690 people in 2018, ranking it 14th across the country in employment (DP, 2020c). However, although these jobs are within the one-mile radius Downtown Partnership defines as downtown, not all are necessarily attributable to the organization and its work. While there is an obvious correlation between the projects they are working on and how much job creation there is in the city, one cannot get the exact number of jobs created by them from the report. The report also states the *average* household income of downtown as \$101,057 (ranking 14th in the country), different from the usual statistic of *median* household income, which probably skews the figure to be greater than it would be otherwise. Lastly, it states that 8,587 households downtown earn over \$75,000, ranking it 13th in the country (DP, 2020c). Together, these paint a picture of a strong Baltimore economy.

But although downtown Baltimore seems to be doing well, what about the areas around it? Is downtown a good proxy for the economic reality of other areas in Baltimore, including those close to the central city? Research from the early 2000s showed that even when there were increases in property values and decreases in violent crime rates in Central West Baltimore, “much of the new development...[had] not yet had significant, positive spillover effects on the surrounding communities” (Zielenbach, 2008, 319). A 2015 *Baltimore Sun* article after the riots resulting from Freddie Gray’s death stated that poverty in Baltimore was still three times as high as the rate in the surrounding suburbs (Rodricks, 2015). And if the aforementioned 2019 research from the Urban Institute shows that poverty is still concentrated in neighborhoods west and east of downtown, we need to examine what mechanisms have kept change from happening and what might make a difference.

Effects of Redevelopment on Local Residents

I consider what I have discussed so far to be the immediate results, or, in policy language, outcomes, of the Downtown Partnership’s projects. Unfortunately, in my research, I was not able to find much information about the actual impact of the projects on local residents. The Baltimore city government also did not have much to say about the Downtown Partnership aside from a few press releases on its website. More research needs to be done specifically about the effect of projects and initiatives by the Downtown Partnership, the DMA, and their partners on local residents. The Downtown Partnership and the city need to release more primary data that includes employment numbers, employee demographic characteristics, salaries, and related metrics. Qualitative interviews would also fill an important gap. However, we can make some educated guesses even without this information to reach some conclusions.

There are some programs and laws Baltimore has in place in order to encourage businesses to employ local vendors and contractors in their work (Mayor’s Office of Economic Development, 2020). Even so, however, it is not always possible to employ inner-city residents for high-skilled jobs. While the following examples are not Downtown Partnership projects, I believe they can be used in the absence of other research to illuminate the obstacles local residents have to employment. When Johns Hopkins recently opened a biotechnology center in East Baltimore, the hope was that local residents could benefit from the 10,000 new jobs. It soon became clear, however, that residents lacked the skills needed, even for entry-level positions. Specifically for West Baltimore residents, the city’s lack of public transportation connecting the east and west sides exacerbated the problem (Zielenbach, 2008). Although the Hopkins biotechnology center is not technically in the central business district, this example highlights the skills mismatch that is so often a hindrance to better employment for inner-city residents and demonstrates how job creation alone is not enough to alleviate unemployment and poverty.

Unlike the Hopkins biotechnology center, the recently built University of Maryland BioPark is located in West Baltimore, near downtown. The BioPark was meant as a way to bring together the medical research being done at the downtown University of Maryland hospital system with biotechnology companies in the area. It was estimated to create approximately 3,000 jobs, but by January 2007, when it had 200 full-time employees, only 38 individuals lived in Baltimore (19 percent), and only five lived in

Central West Baltimore (2.5 percent) (Zielenbach, 2008). In fact, Levine (2015) noted that although the number of jobs in downtown Baltimore has doubled since the 1970s, the majority have gone to suburban commuters. This trend seems to have stayed the same over time because the city's employment woes are rooted in a lack of employable skills and proper matching of jobs, which requires specific interventions.

In late 2006, the *Baltimore Sun* investigated why the BioPark hadn't kept its promise about local hiring. Jane Shaab, the University's BioPark coordinator, explained that the first priority is to fill high-skilled positions in order to "encourage product development and satisfy their investors" (Zielenbach, 2008, p. 331). After that, they can begin filling low-skilled positions. This example demonstrates how private investments inherently have different priorities than employing local residents—naturally, they need to put profit and innovation above employment quotas. Shaab also noted that she was working with MOED and the biotechnology companies to employ residents, but they preferred individuals who had been through the Biotechnical Institute of Maryland job training program, and at the time the article was written, only three individuals had shown interest in it (Zielenbach, 2008).

That brings us to today. We can sketch out a rough picture of what employment possibilities exist for locals through the Downtown Partnership itself. Inner-city residents who can only take low-skilled jobs may be able to find employment through the DMA as Clean Street Ambassadors, Downtown Baltimore Guides, or on the Outreach Team that works with the homeless population. What this really amounts to is work in landscaping, street cleaning, light tourism, and security. Although these new jobs are great additions to the area, in Baltimore, low-skilled workers are disproportionately people of color and will take a disproportionate number of those jobs. Because Baltimore continues to be a highly racially segregated city, local residents suffer the same social isolation that Wilson argued keeps them from good employment. These employment opportunities are limited and do not offer a pathway to better skilled or better paying jobs.

In fact, these public-private partnerships might even make matters worse. In looking at the effects of neoliberal urban renewal policies in Chester, Pennsylvania, Christopher Mele (2011) writes, "state support for enclave-oriented private redevelopment...reinforces and normalizes long-standing patterns of class exclusion and racial segregation. Consequently, deep-rooted urban social and economic problems that pertain to large segments of the city are no longer addressed, nor are there public efforts to attempt to solve them (p. 447)." We can see the same thing happening in downtown Baltimore—private developers are not interested in tackling the complex problems of historic discrimination and exclusion. But by placing the responsibility for economic growth into the hands of private actors who are unconcerned with equity, city governments are able to ignore the problem, which will only get worse as time continues.

The hospitality industry downtown is one last sector worth examining. The Downtown Partnership released a "Food and Beverage Snapshot" in 2018, stating that "nearly half (45%) of all Food and Beverage workers in Baltimore city work at a Downtown establishment where, since 2011, 1,757 industry jobs have been created...of the 182,084 Downtown employees, 7.5% work in the Food and Beverage Industry." Thus, the downtown area is an extremely important hub of the food and beverage industry, and on the other hand, a portion of employees downtown find work in the hospitality field. Again, it's not clear exactly how many restaurant jobs were created directly from the Downtown Partnership and the DMA, but their support of the industry and involvement in it shows that they are playing a role in fostering a vibrant food and drink culture downtown. Recently, the outgoing Downtown Partnership Board Chair, Dr. Jay Perman, raised the starting hourly salary from minimum wage (about \$10/hr.) to \$15/hr., which is not a small increase (DP, 2020a, p. 3). It is likely that this raise affected many in the hospitality industry. But it is still difficult to have a good standard of living from relatively low-paying hourly jobs, let alone build wealth or lift one's family out of intergenerational poverty. As I write this, the coronavirus pandemic has taken its toll on hourly workers, and we can no longer ignore the financial precarity of their situation, especially in times of economic recession. Without targeted efforts that introduce local residents in concentrated poverty to new job opportunities or expand their skill set, the Downtown Partnership is not doing enough to combat the inequality of economic opportunity in Baltimore. In fact, it may even be deepening existing inequalities by keeping traditionally disadvantaged groups from accessing economic growth opportunities for subsequent generations.

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Recommendations

It is necessary to make recommendations to ensure that BIDs in Baltimore and elsewhere result in jobs and economic opportunity for all city residents, especially the most disadvantaged. Clearly, some jobs exist, but the problem is matching residents to them. In other cases, residents do not have the skills to secure these jobs. So, as existing research shows, an employment approach that focuses both on access to jobs and increased skills and training is the critical first step to making any real difference in employment and poverty (Simms, 2015). I suggest that an employment initiative be created within the Downtown Partnership, much like other for-profit companies have a corporate social responsibility department. They should intentionally market job openings to local residents, especially the many low-skilled jobs the partnership creates. This is not ideal for the long-term, since the goal of economic development is to eventually lift people out of poverty. However, it can immediately reduce unemployment and allow previously unemployed individuals to enter into the labor force again, making them more attractive for future jobs.

Job matching and training programs, whether through the city government or local nonprofits, should be created or expanded to take advantage of these opportunities. While Downtown Partnership interacts with Baltimore's "squeegee kids" through their "monitors," they need to change course from surveillance to taking an active role in giving those unemployed youth work. In 2019, the Downtown Partnership sent a letter to Councilman Robert Stokes drafting a plan for an "experimental day laborer program," modeled after another one in New Mexico (Reed, 2019). However, it's unclear if any progress has been made on this initiative. The Downtown Partnership needs to remain serious about organizing and funding this program so that their initiatives can at the very least provide hope and employment for a group that is ready to receive it. Lastly, if targeted interventions are needed for other adult job matching programs, such as transportation grants, the city should be prepared to provide it or request federal funds for that purpose (Zielenbach, 2008).

Another way to increase access to these jobs, given the increased criminalization and policing in neighborhoods with concentrated poverty, is for employers like the Downtown Partnership to be open to accepting applicants with criminal records for employment. The National Employment Law Project has put together a guide to help companies navigate background checks for employment and support applicants' civil rights with respect to hiring (Natividad Rodriguez & Emsellem, 2011). Many BIDs are criticized for the increased policing they bring as part of their marketing strategies, and they could make strides in this area by allowing individuals with records back into the workforce (Meehan, 2019). To increase access in another sense, Downtown Partnership needs to be willing to open up its project pipeline and engage in regular conversations with community organizations about upcoming projects. By increasing communication about its initiatives, it can increase the likelihood that locals will hear about jobs and can ensure a steady flow of job openings to the community. The city government has a role in all this: it should be able to enforce that a certain percentage of BID or BID partnership jobs go to local Baltimore residents, the way that it does with its city contracts. If BIDs act as quasi-government entities, they should be held to the same government standards, at least partially.

Conclusion

These sorts of job creation and employment outcomes may be expected if we believe that public-private partnerships like the Downtown Partnership are not doing anything wrong by prioritizing profit. BIDs are, after all, capitalistic entities. But because BIDs are still part of the public governance structure, they ought to be subject to public critique. By levying taxes, they are exercising a fundamental power of American government (Hyra, personal communication, March 5, 2020). Regardless, BIDs as an urban renewal strategy have only grown more common in the last few decades, both in the United States and internationally, and will probably not disappear anytime soon. As Richard Briffault (1999) writes, "[BIDs] provide [city governments] a means of funding downtown services without raising general taxes..." and there is a "widespread belief that, unlike municipal government, 'BIDs really work'" (p. 370). These beliefs will accelerate the use of BIDs and BID partnerships in coming years as urban cities continue to battle entrenched problems like population decline and disinvestment.

Additionally, the increasing use of BIDs as government-like entities is problematic because they fundamentally do not have the social welfare of the public in mind. Lorlene Hoyt and Devika Gopal-Agge (2007) argue that the BID model was born in the 1960s when Toronto business owners wanted to find a solution to the free-rider problem, where other “owners in the area...benefited from the monetary and other contributions that were made by members of the voluntary business association, but...did not contribute to the association themselves” (p. 347). Although Susanna Schaller pushes back against this origin story, it’s clear from both the Canadian and American accounts that BIDs prefer that constituents pitch in rather than simply enjoy free riding on social welfare benefits (Schaller, 2019). BIDs are based on the concept of economic competition: they are “located in the more affluent [city] neighborhoods,” and they “capture tax dollars that will not be redistributed for welfare purposes outside the district and often with the explicit purpose of making their districts competitive with outlying regional commercial corridors (Dilworth, 2010, pp. 6-7).” Thus, the primary goal of BIDs remains promoting shopping, private investment, and economic competition, not taking care of a city’s most economically disadvantaged population.

BIDs are here to stay. BIDs work best in cities that still have something to offer in a post-industrial world, whether that is historical neighborhoods or the ability to pivot to what the Brookings Institution calls “innovation districts,” both of which Charm City has and has done (Katz & Wagner, 2014). But it seems that a rising tide does not lift all boats. Cities that want to replicate Baltimore’s BID model should ensure greater equity in economic opportunity from the start; only then can they begin to imagine equity of outcomes, as well. BIDs will only wane in power if there is greater federal government support for cities—so that they can decrease their reliance on entrepreneurial initiatives— or if there is a cultural shift towards stewardship of public spaces that moves cities away from the increasing privatization of public services and spaces. This does not seem likely, so careful regulation of BIDs is needed. Otherwise, cities will continue to decline into places where gleaming shopping districts and the most concentrated poverty exist heartbreakingly side by side.

References

- Baltimore Sun Editorial Board. (2020, March 31). Baltimore population shrinks below 600K: A renewed call to action. *The Baltimore Sun*. <https://www.baltimoresun.com/opinion/editorial/bs-ed-0330-census-baltimore-smaller-20200327-mnscokhxnvdqxlhc5fnvbuytta-story.html>
- Bernard C. J. Y. [@mayorbcyoung]. (2020, February 18). *Today is truly a great day for #Baltimore and the State of Maryland. This morning’s groundbreaking for the redevelopment of @LexMarketBmore marks the beginning of the important next chapter for this 230 year old icon in the center of Baltimore City.* [Tweet]. Twitter. <https://twitter.com/mayorbcyoung/status/1229827668197203968>
- Briffault, R. (1996). A government for our time? Business improvement districts and urban governance. *99 Colum. L. Rev.*, 365–477. https://scholarship.law.columbia.edu/faculty_scholarship/17/
- City of Baltimore. (n.d.) Local hiring. Mayor’s Office of Employment Development. <https://moed.baltimorecity.gov/employer-services/hiring-strategies-local>
- Dilworth, R. (2010). Business improvement districts and the evolution of urban governance. *Drexel Law Review*, 3(1): 1–9.
- Downtown Partnership of Baltimore. (n.d.). *Annual report 2019*. https://www.godowntownbaltimore.com/library/docs/DPOB_Annual%20Report_Web.pdf
- Downtown Partnership of Baltimore. (n.d.). *DMA board*. <https://godowntownbaltimore.com/about/dma-board/index.aspx>
- Downtown Partnership of Baltimore. (n.d.). *Downtown Baltimore development report, 2017-2019*. https://www.godowntownbaltimore.com/library/docs/DPOBDevreport19_web.pdf
- Hoyt, L. & Gopal-Agge, D. (2007). The business improvement district model: A balanced review of contemporary debates. *Geography Compass*, 1(4): 946–958. <https://doi.org/10.1111/j.1749-8198.2007.00041.x>
- Hyra, D. (forthcoming). Ghetto walls go up and then come down but nothing changes.

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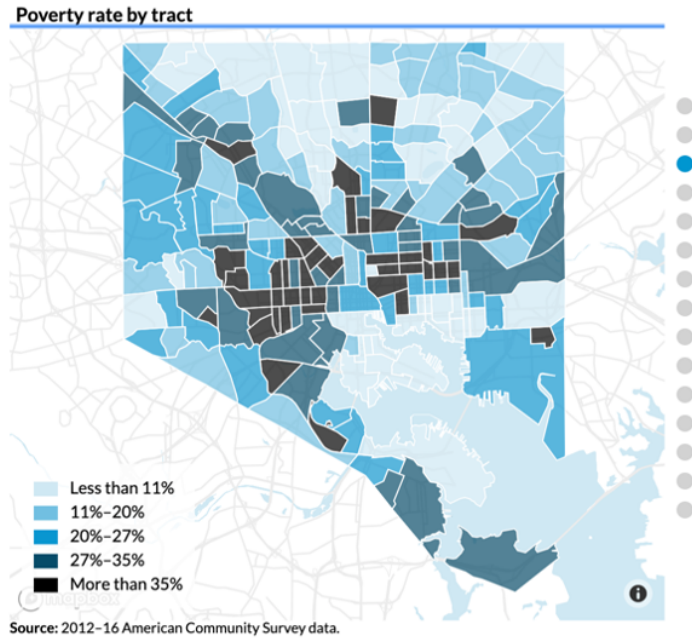
- Jargowsky, P. A. (1997). *Poverty and place: Ghettoes, barrios, and the american city*. Russell Sage Foundation.
- Katz, B. & Wagner, J. (2014). *The rise of innovation districts: A new geography of innovation in America*. The Brookings Institution. <https://c24215cec6c97b637db6-9c0895f07c3474f6636f95b6bf3db172.ssl.cf1.rackcdn.com/content/metro-innovation-districts/~media/programs/metro/images/innovation/innovationdistricts1.pdf>
- Levine, M. V. (2015, May 22). The failure of economic development in Baltimore – and Milwaukee. *Milwaukee-Wisconsin Journal Sentinel*. <http://archive.jsonline.com/news/opinion/the-failure-of-economic-development-in-baltimore--and-milwaukee-b99504153z1-304738911.html/>
- Meehan, S. (2019, April 10). References to race in Downtown Partnership email prompt criticism, accusations of racial profiling. *The Baltimore Sun*. <https://www.baltimoresun.com/maryland/baltimore-city/bs-md-ci-downtown-partnership-email-20190418-story.html>
- Mele, C. (2011). Casinos, prisons, incinerators, and other fragments of neoliberal urban development. *Social Science History*, 35(3): 423–452.
- Natividad Rodriguez, M. & Emsellem, M. (2011, March 23). 65 million “need not apply”: The case for reforming criminal background checks for employment. National Employment Law Project. <https://www.nelp.org/publication/65-million-need-not-apply-the-case-for-reforming-criminal-background-checks-for-employment/>
- Nix, E. M. & Weiner, D. R. (2011). *Baltimore '68: Riots and rebirth in an American city*. Temple University Press.
- Reed, L. (2019, September 22). Holistic approach latest attempt to solve city’s squeegee problem— Mayor’s plan emerges amid pressure by business leaders. *The Baltimore Sun*. <https://infoweb-newsbank-com.proxyau.wrlc.org/apps/news/document-view?p=AWNB&docref=news/1761DAB5286DA7B8>
- Rich, M. A. & Tsitsos, W. (2016). Avoiding the ‘Soho effect’ in baltimore: Neighborhood revitalization and arts and entertainment districts. *International Journal of Urban and Regional Research*, 40(4): 736–756. <https://doi-org.proxyau.wrlc.org/10.1111/1468-2427.12376>
- Rodricks, D. (2015, May 2). City had lots of warning before unrest: Rusk’s book on Baltimore’s decline, housing lawsuit focused on central problem of poverty.” *The Baltimore Sun*. <https://infoweb-newsbank-com.proxyau.wrlc.org/apps/news/document-view?p=AWNB&docref=news/15549CA274186148>
- Schaller, S. (2019). Business improvement districts and the contradictions of placemaking. University of Georgia Press.
- Simms, M. (2015, May 20). *Creating employment opportunities for low-income African American men*. Urban Institute. <https://www.urban.org/urban-wire/creating-employment-opportunities-low-income-african-american-men>
- Tondro, M. (2010). The Baltimore Development Corporation: A case study of economic development corporations, shadow government, and the fight for public transparency and accountability. *Legal History Publications*, 23. https://digitalcommons.law.umaryland.edu/mlh_pubs/23/
- Urban Institute. (2019, February 5). “*The Black Butterfly*”: Racial segregation and investment patterns in Baltimore. <https://apps.urban.org/features/baltimore-investment-flows/>
- Visit Baltimore. (n.d.). *Overview: Downtown Partnership of Baltimore*. <https://baltimore.org/listings/business-economic-development-organiza/downtown-partnership-baltimore-inc>
- Wilentz, S. (Ed.). (2016). *The Kerner Report*. Princeton University Press.
- Zielenbach, S. (2008). Community development in Central West Baltimore: An analysis of opportunities and limitations. *Journal of Affordable Housing and Community Development Law*, 17(4), 313–351. <https://www-jstor-org.proxyau.wrlc.org/stable/25782827>

Appendix A

Poverty in Baltimore

At 23.1 percent, Baltimore's poverty rate is roughly double the national average of 12.7 percent over our study period. Poverty is widespread, with the exception of some of the northern, largely white neighborhoods (hover or click to highlight) east and west of Charles Street.

Across the city's northern border, in Baltimore County, the poverty rate drops to 9 percent, which is closer to the state average (9.7 percent).



Source: Urban Institute. (2019, February 5). *“The Black Butterfly”*: Racial segregation and investment patterns in Baltimore. <https://apps.urban.org/features/baltimore-investment-flows/>

**Unseen:
A Perspective on How Black Women are Left Out of America's Social and Political
Movements**

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Abstract

The year 2020 saw a monumental call for change in America. Who was at the heart of it all? Black women. They have been praised for their contributions to politics and have advocated fervently for social change, yet they will likely see little to none of the rewards of that change. This perspective analyzes two spaces: Politics (through the Democratic Party) and social justice movements (Feminism and the Black Lives Matter movements). Literature has shown that Black women are statistically more likely to identify as feminists, participate in elections, and advocate for policy to better the community rather than the individual. To properly understand why Black women's integral roles in these organizations go unnoticed, it is imperative to draw attention to the lack of intersectionality present in social activism and politics and the misogynoir that harms Black women and girls in our communities. Also, the idea of media representations of Black women reflecting how America interacts with Black women as members and leaders of these communities must be explored. Often Black women are reduced to tropes, tropes that intend to diminish Black women's power in the public sphere and make them nothing more than caricatures. As technology advances and digital activism comes to the forefront, there become even more ways to be vocal and create social change. America must call for an intersectional view of activism and require those who run these organizations and groups to consider if they address the unique issues of Black women, a demographic that supports, advocates, and at times, creates their ideologies and frameworks.

Introduction

Considering the historic moments of Vice President Kamala Harris taking the stage as the first Black and South Asian vice president in American history, Stacey Abrams being nominated for the Nobel Peace Prize due to her work to increase voter turnout, and the Democratic Party praising Black women for their voter turnout in swing states, especially surprise blue state Georgia, it is time that we addressed a significant issue in America today. Black women are excluded from America's social and political movements. In the next few months, the fanfare will die out, and America will go right back to leaving Black women out of conversations surrounding justice and policy that impact them more than anyone else. The root of the issue is America does not take Black women seriously, leaving them to work harder for representation and consideration in political and social spaces (Brown & Lemi, 2020). At most, these spaces use Black women to say, "Here is the respect and representation!" while simultaneously reducing them to the classic tropes concerning Black femininity (the overbearing, sassy, and unreasonably angry Sapphire, the overly sexual Jezebel, and the utterly unsexual and undesirable mammy) (West, 2008). These tropes commonly show up when we look at Black women's societal and political positions. They are judged on their sex appeal (the Jezebel), whether they are "aggressive" or "controlling" (the Sapphire), or they are categorized as the motherly figure who is happy to take on more than their share of responsibilities (the mammy). While these tropes are most apparent within the media, the media often influences our public and private life (West, 2008). As America views these caricatures on screen, they begin to associate Black women in real life with these stereotypes. Essentially, the tropes begin to work in real life to diminish the importance of Black women in policy creation and positions of power.

Many may ask, "Well, the movement or the political party is receiving spotlight, so why does it matter who is credited or if the ideologies are specifically addressing Black women?" It matters because, after achieving success due to the work of Black women, these movements leave out Black women's issues, voices, and perspectives on policy. They are devalued in the distinct spaces intended for the

marginalized groups that they represent. Also, their contributions to the Democratic party go largely unacknowledged. To understand why it is vital that policies and political and social groups address the unique concerns of Black women, society must be cognizant of how and why the American, Black woman's experience is unique.

In 1989, Kimberlé Crenshaw coined the term "intersectionality" to describe how race, class, gender, etc. 'intersect' with one another and overlap (Crenshaw, 1989). It is important to note that this term does not necessarily reference the oppression of Black women, but the difference in experience that Black women have as being the intersection of two of the most marginalized groups in America. The specific intersection of racist and sexist oppression and microaggressions experienced exclusively by Black women is commonly called misogynoir, a term coined by Black feminist Dr. Moya Bailey (Bailey & Trudy, 2018). While anyone can participate in misogynoir, the dynamics differ, which is evident in the areas analyzed below that advocate for the success, rights, and political ideologies of white men, white women, and Black men, while mostly ignoring Black women (Bailey & Trudy, 2018). These terms identify the unique way that Black women interact with the world and thus how the world interacts with them.

Social Justice

The White Face of Feminism

Feminism today has examined gender discrimination through the lens of the white female experience (Crenshaw, 1989). Intersectionality in feminism cannot be ignored, especially considering that Black women face unique issues in many areas. These areas are not addressed because they are not the white female experience. For example, the recurrent narrative in feminism is that women are seen as passive, whereas in the Black community, that is not true (Crenshaw, 1989). Often Black women are stereotyped as the "Sapphire" within their community as being "loud" or "aggressive" (note there is no trope that suggests passivity, delicacy, or romanticism) (West, 2008). This lack of cultural acknowledgment is a prime reason many Black women, although historically shown to be more likely to express support for gender equality and feminism (Gay & Tate, 1998), do not identify with the more popularized version of feminism today. Interestingly, a study conducted by Gay and Tate (1998) found that Black women who strongly identified with their race were less likely to identify as feminists. This is the idea that by being race-conscious, one cannot support a movement that does not acknowledge one's race.

When discussing feminism, it is essential to acknowledge the work that Black women have placed into the feminist movement has gone chiefly unrecognized with today's feminism being whitewashed. For example, Tarana Burke, a Black woman, began the #MeToo movement in 2006 to give Black women the confidence to speak about sexual assault (Leung & Williams, 2019). Today, white women have become the face of #MeToo, with Black sexual assault survivors still being silenced or not taken seriously (e.g., the survivors of Bill Cosby and R. Kelly's assaults) (Leung & Williams, 2019). Overall, popular feminism is not highlighting the misogynoir that runs rampant in America, like how Black women are sexually abused more often than any other group of women, and Black trans women are violently victimized at higher rates (Crenshaw, 1989). This is primarily due to the overly sexual Jezebel trope internalized by society. Because of this internalization, there is a belief that Black women cannot be victimized because they are overly sexual. This leads to fewer arrests in cases where the survivor is Black, less credibility for Black women in courts, and less societal backlash towards the assaulter (Gay & Tate, 1998). Thus, intersectionality must be acknowledged when discussing feminism, because its absence allows Black women to continue to be victimized at disproportionate rates and impacts Black women's access to justice.

Black Lives Matter...Except Yours

Black Lives Matter has become one of the most popular movements talked about in 2020. While there is no question that the disgusting killings of Black and Brown men by the police are outrageous and must be dealt with immediately within American society, this movement has received the most popularity

advocating for change surrounding the deaths of Black men (Ransby, 2018). When mentioning spaces created by Black women, the Black Lives Matter movement must be included. Three Black women, Alicia Garza, Patrisse Cullors, and Opal Tometi, created the Black Lives Matter movement, and Black women overwhelmingly support it (Ransby, 2018). While the movement was created due to the death of Trayvon Martin, a young Black boy, and received a resurgence in 2020 due to the death of George Floyd, Black women (e.g., Reykia Boyd and Miriam Carey) were simultaneously being victimized by law enforcement (Crenshaw, 2015). It was not until Sandra Bland was killed in police custody in 2015, and more recently, Breonna Taylor was shot and killed while sleeping in her bed, that Black women were given the spotlight in this movement. Commonly, when statistics surrounding police misconduct (violence, racial profiling, the criminalization of poverty, drug offenses, etc.) are given, they center around Black men, when Black women experience injustices at the same rate yet receive less coverage and even less justice (Crenshaw, 2015). Because of Black female activists who have an intersectional approach, the movement #SayHerName has attempted to fill the gap and elevate the stories of Black women who have experienced police violence (Crenshaw, 2015).

Politics

The Democratic Party

Ultimately, Black women are the mainstay of not only social justice and human rights movements but the Democratic Party as well. Black women, since 2012, have turned out in record numbers to show support, campaign, and vote for Democratic candidates (Brown & Lemi, 2020). For example, approximately 90% of Black women voted for Joe Biden in the last presidential election, ultimately securing his presidential win (Brown & Lemi, 2020). However, while Black women overwhelmingly vote Democrat, they have also been vastly underappreciated by the Democratic Party. Black women are remembered during election season, but when a new term begins, the party fails to develop infrastructure, fund resources, or create policies that help their communities (Brown & Lemi, 2020).

As for candidates, the last few years have shown a record number of Black women running for office and being victorious in their elections, flipping seats, and making history. The most popular of today, Vice President Kamala Harris and Stacey Abrams, only represent two of the many powerful Black women who have taken leadership positions in the party. These women have and, if the past is any indication, will continue to face extraordinary hurdles and deal with large amounts of pushback in the form of gatekeeping, racism, and sexism within their positions (Brown & Lemi, 2020). These issues arise because, as authority figures, Black women are often stereotyped as pushy or hostile when being assertive (West, 2008). That image can become internalized by Black women, causing them to assume responsibility for others' discomfort (or attempt to take on the role of the nonthreatening, accommodating authority figure, running into the mammy stereotype) (West, 2008). So, why are Black women still so active in the Democratic Party? Patricia Hill Collins (1991) argued that Black women experience the world through both a racist and sexist lens, so they are much more likely to view oppression as "one overarching structure." Therefore, Black women are more likely to be left-leaning, participate in politics at higher rates, and side with policies and social justice movements that uplift the Black community as a whole (Gay & Tate, 1998). This means that because of their intersectionality, Black women will remain advocates for policies that move society forward.

Conclusion

While the list of areas in which America has failed to give Black women a voice can go on and on, this is a snapshot of and a plea for intersectional awareness in politics and social justice movements. The key is that you do not have to be Black or a woman to consider intersectionality in political or social policy work. As technology moves forward, there are more ways than ever to use your voice for advocacy. Black women are endlessly and often silently putting forth the work and receiving no credit, although they want and deserve change, understanding, respect, and a voice in America. This is a call for the public to look around these social and political spaces. America should question if they see representation and begin to allow Black women opportunities to present ideas and promote the social

change they are prepared to deliver.

References

- Bailey, M., & T. (2018). On misogyny: Citation, erasure, and plagiarism. *Feminist Media Studies*, 18(4), 762–768.
- Brown, N. E., & Lemi, D. C. (2020). “Life for me ain’t been no crystal stair”: Black women candidates and the Democratic party. *Boston University Law Review*, 100, 1611–1634.
- Collins, P. H. (1991). *Black feminist thought: Knowledge, consciousness, and the politics of empowerment*. Routledge, Chapman and Hall.
- Crenshaw, K. (1989). Demarginalizing the intersection of race and sex: A Black feminist critique of anti-discrimination doctrine, feminist theory, and anti-racist politics. *University of Chicago Legal Forum*, 1989(1), 139–167.
- Crenshaw, K. (2015). *Say her name: Resisting police brutality against Black women*. African American Policy Forum, Center for Intersectionality and Social Policy Studies, Columbia Law School.
- Gay, C., Tate, K. (1998) Doubly bound: The impact of gender and race on the politics of Black women. *Political Psychology*, 19(1), 169–184
- Leung, R., & Williams, R. (2019). #MeToo and intersectionality: An examination of the #MeToo movement through the R. Kelly scandal. *Journal of Communication Inquiry*, 43(4), 349–371. <https://doi.org/10.1177/0196859919874138>
- Ransby, B. (2018). *Making all Black lives matter: Reimagining freedom in the twenty-first century*. University of California Press.
- West, C.M. (2008). Mammy, Jezebel, Sapphire, and their home-girls: Developing an “oppositional gaze” toward the images of Black women. In *Lectures on the Psychology of Women*. (4th ed., pp. 286–299). McGraw Hill.

**Income Inequality in Connecticut:
How an Uneven Tax Burden Reinforces Disparities and Fails to Provide Opportunities to
Low-Income Residents**

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Abstract

Income inequality has been on the rise in the United States for nearly half a century. Connecticut, like other northeastern states, has seen an especially dramatic increase in inequality, rapidly shifting from the 27th most unequal state to the 3rd in just 15 years. This paper analyzes the state government's imperative to act by reviewing the factors leading to inequality (including geographic location and modernizing industries), the current state of inequality, and the current tax system in Connecticut and comparing this tax system to the recommendations for decreasing inequality made by economists and policy analysts. This analysis shows that the current regressive tax system and the policy decisions which have led to it may be in defiance of economists' recommendations and are contributing to the rising inequality in the state. Additionally, the unique location of Connecticut next to the urban agglomeration economy of New York City and the concentration of wealth in neighboring Fairfield County, as well as recent research on the migration patterns of wealthy residents in response to taxes, suggests that a dramatically more progressive tax system may be successful in decreasing income inequality in the state. Implementation of the recommendations made by economists and policy analysts summarized in this paper is likely to lead to a more equitable distribution of income in the state and slow the dramatic rise of inequality seen in recent decades.

Introduction

Since the 1970s, the share of income captured by the top 1% of Americans has skyrocketed (Sommeiller & Price, 2019). Income inequality has become a pervasive issue in American politics, and politicians have increasingly made appeals to the working class and come out openly against the massive hoarding of wealth undertaken by the nation's wealthiest. Representatives on both sides of the aisle have claimed to recognize those left behind by our economic and political systems. Despite recognition of the problem, however, strides toward a more equitable distribution of income have yet to be made. This issue of income inequality exists globally, nationally, and even at the state and local levels. While the federal government continues to fail to act, the states have an imperative to approach the issue. The State of Connecticut is an example of a state which is in dire need of action. Connecticut is the third-most unequal state in the nation based on the income ratio of the top 1% to the bottom 99% of residents. The wealthiest 1% of Connecticut residents make 37.2 times more than the bottom 99%, far higher than the national ratio of 26.3 times more—suggesting that the need for action is critical (Sommeiller & Price, 2019).

In order to act properly against this crisis, it is important to understand the state of Connecticut and how it reached this point, as well as how the state could act to begin to reverse this trend of wealth concentration. This paper will delve into the question of income inequality in Connecticut by reviewing a brief history of the state's economic makeup and inequality in the state, reviewing the factors leading to inequality in Connecticut and how the state is similar and different from others, describing the current state of taxes in Connecticut, and finally, describing how progressive tax changes could affect income inequality in Connecticut. I conclude that the current tax system in the state of Connecticut places a heavier burden on the poor and that a more even burden of taxes would both increase incomes directly for low-income residents as well as raise revenue which could be used to fund social programs that would reduce income inequality by providing services or directly redistributed funds.

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The State of Connecticut

Connecticut is in a unique position geographically and economically. Like most northeastern states, it is wealthier on average than the rest of the nation, with a median household income of \$78,444 as compared to the national median of \$62,843 from 2015-2019, in 2019 dollars (U.S. Census Bureau, 2019). It is positioned in between the major metropolitan centers of Boston and New York City but has no true metropolitan center itself. However, its proximity to New York City allows portions of the state to benefit from the economic activity centered in the city. Important to understanding the income distribution in Connecticut is the lack of major cities across the state and the concentration of wealth in cities and towns near New York. Large portions of the northern part of the state are classified as rural by the Connecticut Office of Rural Health, as seen by the map in Figure 1. These rural towns are less likely to benefit from the economic activities of urban centers. Additionally, the urban centers further north such as Waterbury, Middletown, and New Britain tend to have overall lower incomes and much higher poverty rates than those in Fairfield County as seen in Figures 2 and 3 (Bennett, 2019). Figure 4, displaying the Gini coefficient¹ of individual towns, shows how there are great disparities within some cities and towns in Fairfield County, but also in some cities such as New Haven and Hartford (Moran, 2013). These dichotomies suggest that income inequality exists in multiple, complex forms throughout the state. Not only are there major disparities between the urban centers and rural areas, but there is also income inequality between cities and within cities. Much of these disparities appear centered around the proximity of towns and cities in Fairfield County to New York City, showing that this region needs particular attention in order to address the income disparities in Connecticut.

Important to the conversation of economic inequality is the topic of race. Connecticut's racial demographic breakdown is not unsimilar to the nation's, however, it is slightly whiter overall. According to the U.S. Census, 79.7% of Connecticut's population is white, as compared to the nation at 76.3%. People identifying as Black or African American make up 12.2% of the Connecticut population, and Hispanic or Latino at 16.9%; this is both somewhat lower than the nation at 13.4% and 18.5%, respectively (U.S. Census Bureau, 2019). However, looking at the map in Figure 5 from DataHaven as well as the focused views of the Hartford-Waterbury and New Haven-Bridgeport areas in Figures 6 and 7, respectively, it is clear that much of Connecticut's nonwhite population is clustered in urban areas. Additionally, Figures 5, 6, and 7 note that some of the least white areas in Connecticut contain "racially-concentrated areas of poverty" (RCAPs) or near-RCAPs, defined as areas with a minority population over 50% and a poverty rate of over 40% or between 20-40%, respectively (Buchanan & Abraham, 2015). Alarming, these racially concentrated areas of poverty appear to match the areas with the highest poverty levels in Figure 3. Figure 8, from a July 2019 analysis from the Governor's Commission on Women and Girls, shows wide disparities between full-time white employees and full-time minority employees, providing more evidence that the issue of income inequality in the state is not just a question of economic opportunity, but also a question of racial justice. The disparities across income and race provide an imperative for the state to take action to reverse these trends, particularly as the federal government continues to fail to take action.

Causes of Inequality in Connecticut

While the nation's economy has shifted rapidly, Connecticut's changes have been comparatively more severe. Over the past few decades, the state's economy has radically changed across a number of factors including overall inequality, geographic economic disparities, and industry. According to a 2007 study by Gittell and Rudokas using data from the U.S. Census and the American Community Survey (ACS), in 1989, Connecticut's Gini coefficient on household incomes, measuring how far an economy is from a perfectly equal distribution of income on a scale of 0 to 1, was 0.414. The United States as a whole had a Gini coefficient of 0.433, and Connecticut ranked 27th in the nation by its Gini coefficient (Gittell

¹ The Gini coefficient (or index) is a measure of inequality in a population which describes how far that population deviates from a perfectly equal distribution of income. A coefficient of 0 would indicate a perfectly equal distribution of income, whereas a coefficient of 1 would indicate a perfectly unequal distribution of income.

& Rudokas 2007). Another study from the University of Texas Inequality Project (Galbraith & Hale, 2006) using a model to estimate Gini coefficients across the late 20th century found that Connecticut had a coefficient of 0.337 in 1970—however, it is notable that this estimate deviated from the previously mentioned study, measuring a Gini coefficient in Connecticut of 0.381 in 1969. Nevertheless, it is important to note that every measure of income inequality in Connecticut has shown a massive change since the second half of the 20th century (Galbraith & Hale, 2006; Gittell & Rudokas 2007). The data from Gittell and Rudokas (2007) found that Connecticut’s Gini coefficient rose by 0.064 from 1989 to 2004, up to 0.477. This made Connecticut the third most unequal state in the nation, and over this time period, it had the highest growth in inequality of any state in the nation. By 2004, the state was more unequal than the nation as a whole (measuring at a Gini coefficient of 0.464), completely reversing its prior standing. This radical shift in Connecticut’s economy has brought the state to this current crisis point, with a Gini coefficient of 0.502 in 2019 according to a U.S. Census report (Guzman, 2020).

In attempting to explain this shift in the Connecticut economy, it is helpful to analyze the situation in other states and regions that are similar to Connecticut. Gittell and Rudokas’ 2007 study, titled “Changes in Income Distribution in New England” (2007) addresses the region as a whole. They note that in 2004, states in this region were generally doing better economically than the rest of the nation and that Connecticut, Vermont, and Massachusetts in particular had some of the lowest poverty rates in the nation. While Connecticut is unique in having the highest Gini coefficient change from 1989 to 2004, Gittell and Rudokas (2007) find a similar trend of high Gini coefficient growth across New England. On average, there was higher income growth at the top of the income distribution and greater decline in real household incomes at the bottom of the income distribution in New England from 1989 to 2004 (Gittell & Rudokas, 2007). In essence, wealth is being concentrated among the wealthy and the poorest are growing poorer across the region at a greater rate than the rest of the nation.

Gittell and Rudokas (2007) find that the cause for these opposing trends is rooted in globalization, technological advancements, and a decline in unionization. Demand for low and moderately skilled workers has dramatically decreased while demand for highly skilled workers with extensive education and training has dramatically increased. This increased demand for high-skilled workers is seen not only in New England but also in California, which also saw a large increase in income inequality. States like Mississippi, Louisiana, and Oklahoma, which had the lowest increase in income inequality from 1989 to 2004, had the lowest percentage of jobs in high-skilled industries (Gittell and Rudokas, 2007). While these high-skilled industries grew, manufacturing sharply declined in New England. The region led the nation in the loss of manufacturing jobs in the 1990s and 2000s. Connecticut in particular saw a 34% decrease in manufacturing employment from 1990 to 2004 as jobs went to lower-cost areas or technology eliminated the need for physical labor (Gittell & Rudokas, 2007). Gittell and Rudokas (2007) predicted that these trends will continue and that opportunities continuously disappear for low and moderately skilled workers. The authors, writing just prior to the financial crisis, likely did not expect the effects the Great Recession would have on the economy. One study found that wealth was lost disproportionately among lower-income, less-educated, and minority households (Pfeffer et al., 2018). Looking at the maps in Figures 2, 3, and 5, Gittell and Rudokas’ (2007) findings are especially troubling. Rural areas and former factory cities with high minority populations like Waterbury and Danbury are seemingly on track to become more unequal should the trends seen over recent decades not be reversed or at least halted.

The loss of jobs and opportunities in rural areas and poverty-stricken cities is not the full story of inequality in Connecticut. As was mentioned earlier, the proximity of Connecticut to New York City has major implications for the state and income inequality. Fairfield County is where many in the area have access to the high-skilled jobs that Gittell and Rudokas (2007) point to as exacerbating inequality in New England. Jason R. Abel and Richard Deitz (2019) pose the question of why some places, like Connecticut, are so much more unequal than others in their 2019 study. Abel and Deitz (2019), like Gittell and Rudokas (2007), point to skill as the major cause of inequality in the United States, explaining that technology and globalization have decreased demand for low-skilled workers and quickly increased demand for high-skilled workers. However, Abel and Deitz (2019) focus on metropolitan areas, particularly New York City and the areas surrounding it. Rather than using the Gini coefficient, they use

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the 90/10 ratio, which they explain “represents the wages earned by a worker at the 90th percentile of the wage distribution divided by the wages earned by a worker at the 10th percentile in each place,” (Abel & Deitz, 2019, pp. 61). They note that Fairfield County, Connecticut has the highest ratio, at 8.7, and that the Boston-Washington corridor holds a number of the areas with the highest 90/10 areas. Abel and Deitz paint a clear picture that something is different about these metropolitan areas which creates these disparities.

In order to explain the extreme inequality in these metropolitan areas, Abel and Deitz (2019) point to three main factors: relative demand for skilled and unskilled workers, urban agglomeration economies, and the migration of skilled workers. These urban agglomeration economies, created when many people and firms locate near one another in cities, have led to higher productivity wages for skilled workers. These benefits, Abel and Deitz (2019) explain, are largely not passed on to low-skilled workers in these areas. This is partly due to shared knowledge and networking among those in these higher-skilled jobs that allow for more learning and better job-matching in these urban agglomeration economies. Additionally, high-skilled workers have continued to move toward cities and areas where they can reap the benefits of these urban agglomeration economies (Abel & Deitz, 2019). This migration, coupled with the uneven benefits of the urban agglomeration economies, has led to a massive separation between the low-skilled and high-skilled workers in these areas, driving the unique trends of income inequality seen in places like the New York City metropolitan area. In examining the New Jersey-Northern New York metropolitan areas, they find that upstate New York has had slow wage growth, in part due to losses in manufacturing and a low demand for skilled jobs because of the lack of urban agglomeration economies in the area. This trend in upstate New York is likely very similar to the trends in neighboring northern Connecticut, where low-skilled jobs have left, and urban areas do not have the level of concentration seen in southern Connecticut as part of the urban agglomeration economy of New York City.

Gittell and Rudokas (2007) as well as Abel and Deitz (2019) point to major shifts in inequality unique to New England and especially the New York City metropolitan area. The general national trends of decreasing demand for low-skilled jobs and increasing demand for high-skilled jobs as a result of globalization and technological improvements have led to inequality across the United States, especially near the urban agglomeration economies. However, the wealth of New England and the benefits of urban agglomeration economies in the New York City area have both exacerbated the issue of inequality in places like Connecticut. The combination of having wealth to gain skills for high-paying jobs and having access to the urban agglomeration economies allows the wealthier residents of Fairfield County to continue making huge gains in income while rural areas and poorer cities in other parts of the state lose their industries and opportunities, creating the disparities seen today. Recent economic literature on the functions of development and inequality suggests that without action by the government, Connecticut may continue to see these disparities increase, which may in turn create even more dire and complex problems the government cannot ignore in the future (Banerjee, et al 2006).

Unequal Burdens in Connecticut’s Tax Structure

Connecticut’s tax structure can play a role in changing the trends of inequality in the state. The state as a whole is generally regarded as fairly progressive as compared to the rest of the nation. Its tax system is rated as the eighth most progressive in the nation by the Tax Foundation, and the system does have some progressive features not found in other state tax systems (Stone, 2017). In 1991, the state imposed a personal income tax for the first time at a flat 4.5% rate. Since then, the tax has been revised numerous times, now including seven different brackets ranging from 3% for those filing jointly making under \$20,000 to 6.99% for those filing jointly making over \$1,000,000. According to the Tax Foundation, nine states have a flat income tax rate, while seven don’t have a state income tax at all (Loughead, 2020), placing Connecticut ahead of a number of other states in terms of having a progressively structured income tax system.

While the existence of the income tax system in Connecticut is encouraging, it is not the whole picture. The state levies a number of other taxes including property taxes, excise taxes, and sales taxes. Recently, the state government proposed imposing tolls across the state’s roads, which was met with

backlash from some residents of the state who feel they are taxed too heavily. While some of these roads are often used by non-residents, it is true that residents' tax burdens are already heavy and that further taxes of this nature, being less progressive, could have negative effects on their economic standing. In 2013, the Connecticut General Assembly charged the state's Department of Revenue Services (DRS) to create an extensive study on tax incidence in the state with the goal of providing more clarity on the state of taxes and their effects to policymakers. In 2014, the Connecticut DRS released its report which included an extensive review of the effective tax rates and the tax burden faced by different residents of the state. Overall, the report found that lower-income households bear a massive amount of the tax burden. In a breakdown by income deciles, with each decile making an equal share of Connecticut's total 2011 Adjusted Gross Income (AGI), the DRS found that households in the bottom decile (those making up to \$47,948) had an effective tax rate of 23.62% and held 20.4% of the tax burden. In comparison, the top decile (those making \$13,194,829 and up) had an effective tax rate of 5.4% and held 6.28% of the tax burden. In another breakdown, this time by population deciles (with each decile including 10% of the population, from lowest to highest income), the DRS found an overall effective tax rate of 26.62% on the second decile (those making \$5,533-\$16,245), the lowest with an accurate measure, and an effective tax rate of 8.18% on the highest decile (those making above \$165,394). Figure 9 shows the effective tax rates by decile for each of these analyses, showing high effective tax rates for the bottom deciles and much lower effective tax rates for the highest deciles. These findings support the notion that the poorest in the state are facing high effective tax rates and a heavy tax burden while the wealthiest feel only minor effects from state taxes.

Looking deeper into the tax system, the problems become more apparent. Overall, the DRS found that the Connecticut tax system is slightly regressive, with a Suits Index² measure of -0.22. Contributing most heavily to this based on the Suits Index are three taxes: property taxes (-0.39), sales and use taxes (-0.39), and excise taxes (-0.67). Of note is the fact that these three regressive taxes, combined, bring in just over 60% of Connecticut's revenue. Only two taxes found in the DRS report are progressive according to the Suits Index: the personal income tax (0.11) and the gift and estate tax (0.67). Policy group Connecticut Voices for Children released a report in 2020 authored by Patrick O'Brien examined the DRS tax report which further analyzed these three regressive taxes. The property tax is set individually by each of Connecticut's towns. O'Brien found that towns with higher median incomes had a lower average property tax rate than towns with lower median incomes. Specifically, the top ten towns by household income had an average rate of 2.6%, while the bottom ten towns had an average rate of 4.9%. Even more alarming is that these bottom ten towns include five of the state's largest towns by population (Bridgeport, New Haven, Hartford, Waterbury, and New Britain) as compared to only one (Greenwich) in the top ten of household incomes (O'Brien, 2020). This imbalance shows that localities are placing higher tax rates on poorer residents rather than collecting more taxes from wealthier residents, for whom houses generally make up less of their total wealth. The sales and excise taxes are more plainly visible as regressive in that items (or the quantity of an item, for the excise tax) are taxed flatly at the same rate. The excise tax is especially regressive; O'Brien uses the example of the excise tax on beer to illustrate this. He points to the fact due to the excise tax on alcohol, a working-class family would pay the same amount for a cheap case of beer as a wealthier family would pay for an expensive case of beer, even though tax places a smaller burden on the wealthier family, the beer of a higher quality, and both are receiving the same amount of the product. This makes the excise tax the most regressive, as noted by the DRS report.

The lack of progressive taxes in Connecticut is alarming. That most of the state's tax revenue is derived from regressive taxes and that only two of the taxes imposed are progressive poses a major issue for the state. O'Brien cites the Institute on Taxation and Economic Policy in noting that when incomes are more unequal after state and local taxes are collected than they are before, that tax system is not

² The Suits Index is a measure of tax progressivity which describes how equally taxes are applied across income levels in a population. A Suits Index measure of 0 would indicate that each person pays an equal share of their income in taxes. A positive measure would indicate that wealthier people are paying a larger share of their income in taxes as compared to those with less wealth, whereas a negative measure would indicate the opposite.

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progressive. In essence, the Connecticut tax system is creating more income inequality while the government fails to adequately act to prevent the economy from doing so naturally, as evidenced by the continuing trend of increasing inequality in the state.

Reforming Taxes and Spending

The case for more progressive taxes in Connecticut is strong. A number of economists and scholars have pointed to benefits arising from progressive taxation both directly and as a result of revenues raised by more progressive taxation. In a 2011 study, Peter Diamond and Emmanuel Saez examined recent tax studies, critiquing and analyzing a number of empirical models. Using their own critiques and models, Saez and Diamond came away with three general recommendations: very high earners should be subject to high and rising taxes on earnings, low-income families should receive earnings subsidies (such as negative income tax credits) which are phased out at high levels, and capital income should be taxed at a significant level. Connecticut partially meets the first two of these at the basic level and fails to meet the third recommendation. The current seven-bracket personal income tax does levy higher taxes on higher earnings, however, in comparison to other states in the New York metropolitan area, its top tax rate is low. According to the Tax Foundation, New York has a top rate of 8.82% and New Jersey has a top rate of 8.97% as compared to Connecticut's top rate of 6.99% (Loughead 2020). This suggests that Connecticut's top rate is low relative to similar, nearby states also facing the effects of the New York City economy. The state also has an earned-income tax credit (EITC) tied to the federal EITC. Introduced in 2011, it originally matched 30% of filers' eligible federal EITC amount. Since then, it has been cut three times and has been left at a rate of 23% since 2017 (O'Brien 2020). Saez and Diamond's study suggest that these cuts might not have been optimal policy for reducing inequality, as the EITC not only provides cash transfers to families with lower incomes, but also encourages work by having a both phase-in and a phase-out of the credit, essentially subsidizing wages. Finally, Saez and Diamond's third recommendation is largely unmet by the state of Connecticut. Prior to the 1991 bill introducing a personal income tax at a flat rate of 4.5%, the state had taxed capital gains and dividends at rates of 7% and 14% respectively (Phaneuf, 2019). The introduction of the income tax folded these forms of income into the personal income tax, reducing taxes on capital income which are today still at or below the tax rates prior to 1991.

What seems clear from the comparison of Connecticut's tax system to the general recommendations from Saez and Diamond (2011) is that Connecticut could work toward a more optimal tax policy to create fairer taxes and potentially more labor participation. However, there are other general benefits identified of progressive tax systems. Christian E. Weller and Manita Rao analyze the possible economic stability benefits of progressive taxation in a 2010 paper. They find that progressive taxation is connected with greater tax revenues and decreased income inequality generally. These, in turn, are tied to greater economic stability, particularly as governments can use higher tax revenues to create more counter-cyclical spending policies (Weller & Rao, 2010). They also find no evidence of negative effects on economic stability as a result of progressive taxes, primarily because there are no systematic connections between progressive taxes and volatility, growth, or investment (Weller & Rao, 2010). Overall, progressive taxes appear to have the ability to provide a number of benefits to the Connecticut economy.

The Connecticut Voices for Children report (2020) includes suggestions for specific tax policy changes which the state could undertake. O'Brien's first proposal is to create two new tax brackets, the first set at \$2,000,000 for couples filing jointly with a tax rate of 7.99% and another at \$10,000,000 for couples filing jointly with a tax rate of 8.49%. Additionally, capital income would be taxed at a rate 2% higher than the income tax rate for capital income within these top two brackets. The Institute on Taxation and Economic Policy estimates these combined proposals would raise an additional \$502,000,000 in tax revenues, a 2.9% increase in the state's general fund tax revenue (O'Brien, 2020). Not only would this proposal raise a great amount of revenue, but it would also still keep Connecticut's top rates below that of the other states in the New York metropolitan area.

O'Brien's (2020) next proposal is to keep the exemption for the gift and estate tax at \$3,600,000 and to repeal the \$15,000,000 collection cap on the tax. This would raise another \$100,000,000 according to The Institute on Taxation and Economic Policy. Important to note is that the DRS report reported this to be the most progressive tax out of all of the forms of taxation in Connecticut. This tax could also completely pay all but one of the options in O'Brien's next proposal: to increase the state EITC amount to either 30%, 40%, or 50% of the federal EITC amount, costing an additional \$34.7 million, \$84.1 million, or \$133.7 million annually, respectively (O'Brien 2020). Any of these increases, O'Brien notes, would mostly benefit low-income families by decreasing their tax burden.

O'Brien's final recommendations are to create a state Child Tax Credit (CTC), which would be a percentage of the federal CTC, and to continue to require the DRS to put out tax incidence reports every two years. The state CTC, which O'Brien proposes could match 30% to 50% of the federal CTC, would cost between \$376 million and \$627 million depending on the matching rate; this would appear to use up most or all of the new revenue generated from the aforementioned tax proposals. O'Brien's recommendation to require the DRS to create tax incidence reports like the 2014 report biennially is in line with the original legislative action requesting the report. Lawmakers have since stopped the report from being made, and the next is not due until 2022 (O'Brien 2020). This report would help improve tax transparency in the state and would allow lawmakers to see how their actions are making the tax system more or less fair.

O'Brien's (2020) recommendations are solidly defended and would have great impacts on the Connecticut tax system and on the inequality faced by the state. Of his recommendations, the income tax increase (including the capital income tax increase) and the EITC increase appear to closely follow Diamond and Saez's (2011) recommendations. Furthermore, the progressivity of the gift and estate tax suggests that the changes in this tax could lead to some of the benefits identified by Weller and Rao's (2010) study. While the Child Tax Credit would provide residents in need with a great amount of income, it is possible that the additional income not used on the EITC increase could be used on policies to better target some of the sources of inequality in Connecticut. The inaccessibility of areas with greater economic opportunities to the more rural areas and poorer urban areas of the state could begin to be addressed with transit policy. The more general issue of a lack of skills among many workers could be addressed with more targeted programs to increase skills, such as subsidized college tuition or training programs; however, it is important to note that the CTC would also be expected to have positive impacts on educational opportunities for children in the state. The funds raised from the aforementioned tax increases could pay for these alternative programs which could be more targeted to the issues leading to long-term income inequality.

An alternative idea would be to raise taxes beyond those proposed by the Connecticut Voices for Children report (2020). While this report appeals to the idea of competitiveness among states and is concerned with keeping taxes below those of neighboring states, targeting the root causes of inequality in Connecticut may require substantial revenues raised by taxes that are higher than those in areas that might compete with the state. Bordering Westchester County, New York, is likely to be the main area of competition for the wealthiest Connecticut residents who would face higher taxes under a more progressive tax system. Both Westchester and Fairfield counties are served by the Metro-North Railroad, providing access for residents of each county to nearby New York City. The counties are similar geographically, but Westchester is physically closer to New York City. Importantly, both are attracting new residents at a similar rate (Lytton 2018).

Policymakers may fear tax competition with this bordering county may lead to an exodus of the wealthiest Connecticut residents whom progressive tax proposals would target. Some studies refute this notion, suggesting that the wealthy are not nearly as mobile as policymakers and economists have previously considered them to be. One study, from Young, Varner, Lurie, and Prisinzano (2016), analyzed whether millionaires will seek to migrate to lower-tax states from higher-tax states. The authors find that while millionaires do move with taxes in mind, they are only one factor in the decision-making process. Consequently, the amount of migration as a direct result of higher taxes is statistically minimal, even on state borders. In fact, they note that millionaires change states less often, on average, than the rest

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of the population. Young and colleagues (2016) estimate a population elasticity of about 0.1, meaning a 10% increase in top tax rates would lead to 1% of millionaires in a state to migrate elsewhere. This finding suggests that Connecticut could potentially impose larger tax increases than suggested in the Connecticut Voices for Children report (2020). The findings in this study are contrary to popular ideas in state and local policy scholarship, and the authors note this (Young, et al., 2016). However, a 2018 study by Whitney Alfonso on Connecticut partially backs up the findings in the prior study. Alfonso (2018) analyzes the effects of the 1991 income tax on migration in and out of the state, but only looks at general movement and not only that of the wealthiest. She finds that the general consensus challenged by Young and colleagues (2016) may be overstated and that tax flight may not be the barrier many state policymakers fear it is. Alfonso's (2018) results suggest that while tax increases may somewhat decrease movement into the state, such increases have no significant effect on movement out of the state.

To explain the apparent lack of movement of residents based on tax increases, Young, Varner, Lurie, and Prisinzano (2016) present the "embedded elites" theory, suggesting that there are costs associated with moving, including social and network costs. Also contributing to this embedding of elites are their family responsibilities and higher rates of business ownership, which could prevent them from leaving the areas where they're situated. The current economic activity in Fairfield County and New York City could provide business incentives for millionaires to stay in Connecticut, as could the network advantages created by the urban agglomeration economies in these areas. Additionally, Westchester County employs a complex system of taxes with a variety of layers not found in Connecticut, and in a number of instances, Fairfield County currently is competitive on tax rates (Bosack 2018). Progressive tax proposals might diminish this competition, and while the aforementioned apparent rigidity of the wealthy might anchor them in Connecticut, the state could also choose to use new tax revenues to compete on services and further embed its elites. Improving and extending transit services to and from New York as well as strong public-school systems which can compete with expensive private schools could provide incentives for the wealthy to continue migrating to Connecticut and staying in the state, but both also have the benefit of being able to serve residents regardless of income. An additional benefit in favor of embeddedness of elites in Fairfield County is the shortage in housing supply which Westchester County is facing which has been worsened as a result of migration during the COVID-19 pandemic (Lytton 2018, Carmiel 2021). Each of these factors provides evidence that the migration patterns in and out of Connecticut could follow the embedded elite model, reducing migration out of the state and keeping the current tax base available for taxation. These results are promising for proposals that would include larger tax increases, which could potentially allow for both the aforementioned targeted policy changes and the spending policies suggested by O'Brien (2020) in the Connecticut Voices for Children report.

Conclusion

The nation faces a growing crisis in the form of income inequality. While inequality is increasing across the country, certain areas (particularly those in close proximity to metropolitan areas) are seeing inequality grow at increasingly alarming rates. Connecticut in particular faces the issue of a portion of the state benefiting from proximity to the New York City metropolitan area, while the rest of the state's economy stagnates and loses opportunities to technology and globalization. A skills gap prevents many in rural areas and poorer urban areas from gaining the income growth enjoyed by wealthier, skilled workers with access to the urban agglomeration economy of the city. While Connecticut's tax system could help reduce income inequality and government spending could target the disparities in skills and access to economic opportunities, the state currently does not act to do so. Instead, the state relies on regressive taxes and fails to provide fiscal policy that could help the state's poorest residents.

Changes to the government's current tax system to increase its progressivity could help change the economic trends seen in the state. More progressive taxes, particularly through higher tax rates on the richest residents of Connecticut and an emboldened state EITC, could have impactful changes. However, some studies suggest that state income taxes could be dramatically increased without losing the wealthy tax base progressive taxes would hope to target. If this is the case, in order to create a more progressive tax system, reduce disparities, and begin targeting the roots of inequality in Connecticut, the state should

radically increase income taxes on the wealthy, reduce the tax burden of the poorest residents through large changes to the EITC, and spend on programs which would target poorer residents' skill disparities and inability to access economic opportunities. The dire state of income inequality and the rapid rate at which it is increasing in Connecticut provides an imperative for the state to act and evidence that not only is bold action possible but could lead to a number of benefits for the state and its residents.

References

- Abel, J. R., & Deitz, R. (2019). Why are some places so much more unequal than others?. *Economic Policy Review*, 25(1), 58–75.
https://www.newyorkfed.org/medialibrary/media/research/epr/2019/epr_2019_wage-inequality_abel-deitz.pdf
- Afonso, W. B. (2018). The effect of a state income tax on migration: The example of Connecticut. *Journal of Public Policy*, 38(1), 113-140. <https://doi.org/10.1017/S0143814X16000234>
- Banerjee, A. V., Benabou, R., Mookherjee, D., & Piketty, T. (2006). The Kuznets Curve: Yesterday and tomorrow. In *Understanding Poverty* (pp. 105–114). Oxford University Press.
<http://digamoo.free.fr/banerjee2006.pdf>
- Bennett, J. (2019, July 25). *Connecticut in crisis: How inequality is paralyzing 'America's country club'*. Center for Public Integrity. Retrieved November 04, 2020, from
<https://publicintegrity.org/inequality-poverty-opportunity/connecticut-in-crisis-how-inequality-is-paralyzing-americas-country-club/>
- Bosak, C. (2018, April 25). *Rivals Fairfield, Westchester counties play up their strengths to prospective tenants*. NewsTimes. <https://www.newstimes.com/business/article/Rivals-Fairfield-Westchester-counties-play-up-12864162.php>
- Buchanan, M., & Abraham, M. (2015, August 8). *Concentrated wealth and poverty in Connecticut's neighborhoods*. DataHaven. <https://www.ctdatahaven.org/reports/concentrated-wealth-and-poverty-connecticuts-neighborhoods>
- Carmiel, O. (2021, February 22). *New York's empty nesters stay put, adding to home-supply crunch*. Bloomberg. <https://www.bloomberg.com/news/articles/2021-02-22/new-york-s-empty-nesters-stay-put-adding-to-home-supply-crunch>
- Connecticut State Office of Rural Health. (2014, November). *CT rural towns*.
<https://www.ruralhealthct.org/towns.htm>
- Downes, T., Alkadry, M. G., & Gilman, M. (2019, July). *The Connecticut State workforce: An analysis of representation and compensation equity and gender and race-ethnicity*. Governor's Council on Women and Girls.
<https://www.osc.ct.gov/reports/womenandgirls/GenderRacialEquityAnalysisObservations.pdf>
- Galbraith, J., & Hale, J. (2006). *State income inequality and presidential election turnout and outcomes*. The University of Texas Inequality Project. Retrieved December 12, 2020, from
https://utip.gov.utexas.edu/papers/utip_33.pdf
- Guzman, G. G. (2020, September). *Household Income: 2019*. U.S. Census Bureau.
<https://www.census.gov/content/dam/Census/library/publications/2020/acs/acsbr20-03.pdf>
- Gittell, R., & Rudokas, J. (2007). Changes in income distribution in New England. *Communities & Banking*, 18(4), 20–23. https://www.bostonfed.org/-/media/Documents/cb/PDF/Gittell_Rudokas_New_%20England_income_gap.pdf
- Loughead, K. (2020, February 4). *State individual income tax rates and brackets for 2020*. Tax Foundation. <https://taxfoundation.org/state-individual-income-tax-rates-and-brackets-for-2020/>
- Lytton, B. (2018, June 26). *Fairfield County's growth mirrors Westchester, leaving Conn. to languish, census data shows*. Stamford Advocate.
<https://www.stamfordadvocate.com/local/article/Fairfield-County-s-growth-mirrors-Westchester-13024860.php>

INCOME INEQUALITY IN CONNECTICUT

- Moran, M. (2013, January 17). *In Connecticut, two sides of a deep economic divide*. NPR. Retrieved November 07, 2020, from <https://www.npr.org/2013/01/17/169509521/in-connecticut-two-sides-of-a-deep-economic-divid>
- O'Brien, P. R. (2020, February 07). *Reforming Connecticut's tax system: A program to strengthen working- and middle-class families*. Connecticut Voices for Children. Retrieved November 06, 2020, from <https://ctvoices.org/publication/reforming-connecticuts-tax-system-a-program-to-strengthen-working-and-middle-class-families/>
- Peter, D., & Saez, E. (2011). *The case for a progressive tax: From basic research to policy recommendations*. Retrieved November 04, 2020, from <http://economics.mit.edu/files/6820>
- Pfeffer, F. T., Danziger, S., & Schoeni, R. F. (2013). Wealth disparities before and after the Great Recession. *The Annals of the American Academy of Political and Social Science*, 650(1), 98–123. <https://doi.org/10.1177/0002716213497452>
- Phaneuf, K. M. (2019, June 30). *Already deep in debt, Connecticut struggles with extremes of wealth and income*. CT Mirror. Retrieved November 04, 2020, from <https://ctmirror.org/2018/05/29/already-deep-debt-connecticut-struggles-extremes-wealth-income/>
- Pinho, R. (2018, June 14). *Connecticut income tax rates and brackets since 1991*. Connecticut Office of Legislative Research. <https://www.cga.ct.gov/2018/rpt/pdf/2018-R-0058.pdf>
- Sommeiller, E., & Price, M. (2019, July 19). *The new gilded age: Income inequality in the U.S. by state, metropolitan area, and county*. Economic Policy Institute. <https://www.epi.org/publication/the-new-gilded-age-income-inequality-in-the-u-s-by-state-metropolitan-area-and-county/>
- Stone, L. (2017, January 16). *Which states have the most progressive income taxes?*. Tax Foundation. Retrieved November 02, 2020, from <https://taxfoundation.org/which-states-have-most-progressive-income-taxes-0/>
- Sullivan, K. B. (2014, December). *Connecticut tax incidence*. Connecticut Department of Revenue Services. Retrieved November 02, 2020, from <http://ctstatefinance.org/resources/uploads/files/Tax-Incidence-Report-2014.pdf>
- Thomas, D. (2019, November 21). *Mapping disparities by race and place*. Connecticut Voices for Children. <https://ctvoices.org/publication/mapping-disparities-by-race-and-place/>
- Weller, C., & Rao, M. (2010). Progressive tax policy and economic stability. *Journal of Economic Issues*, 44(3), 629–659. Retrieved December 11, 2020, from <http://www.jstor.org/stable/20778707>
- U.S. Census Bureau. (2019). *QuickFacts: Connecticut*. <https://www.census.gov/quickfacts/CT>
- U.S. Census Bureau. (2019). *QuickFacts: United States*. <https://www.census.gov/quickfacts/fact/table/US/PST045219>
- Young, C., Varner, C., Lurie, I. Z., & Prisinzano, R. (2016). Millionaire migration and taxation of the elite: Evidence from administrative data. *American Sociological Review*, 81(3), 421–446. <https://doi.org/10.1177/0003122416639625>

**Appendix
Figure 1**

Retrieved from <https://www.ruralhealthct.org/towns.htm>

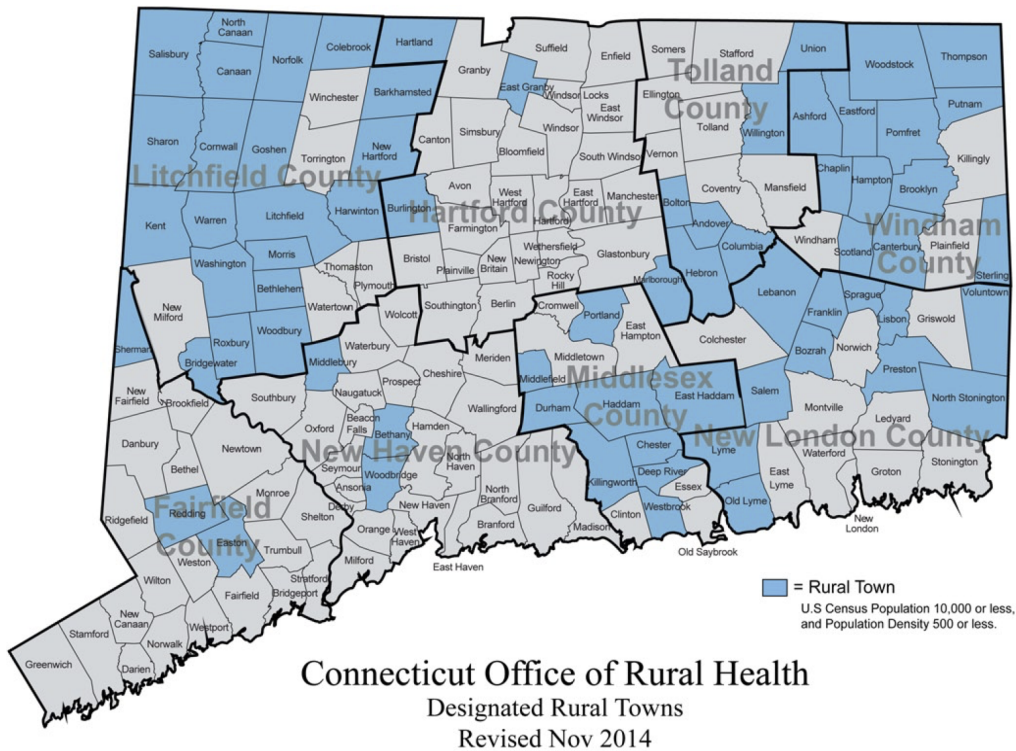
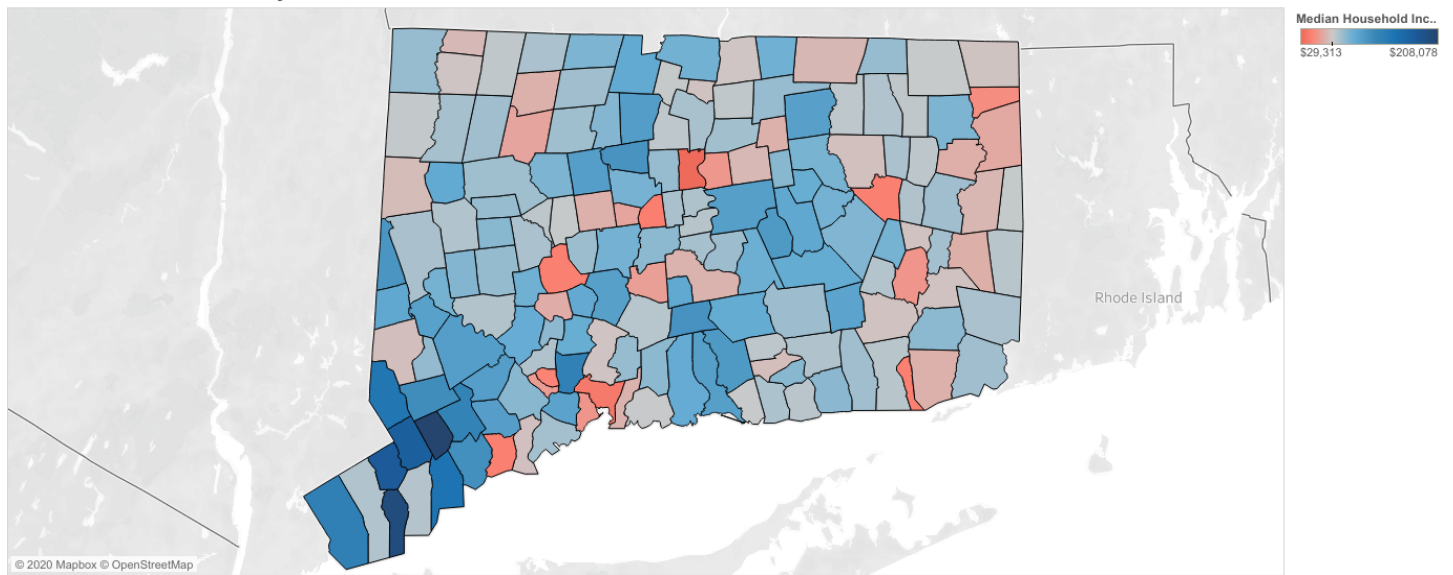


Figure 2

Retrieved from <https://public.tableau.com/profile/connecticut.voices.for.children#!/vizhome/DisparitiesByRaceandPlaceworking/MedianHouseholdIncome>

Median Household Income by Town, Connecticut



Data Source: 2010-2014 American Community Survey (Census) 5-year estimates (state MHI based on 1-year estimates)

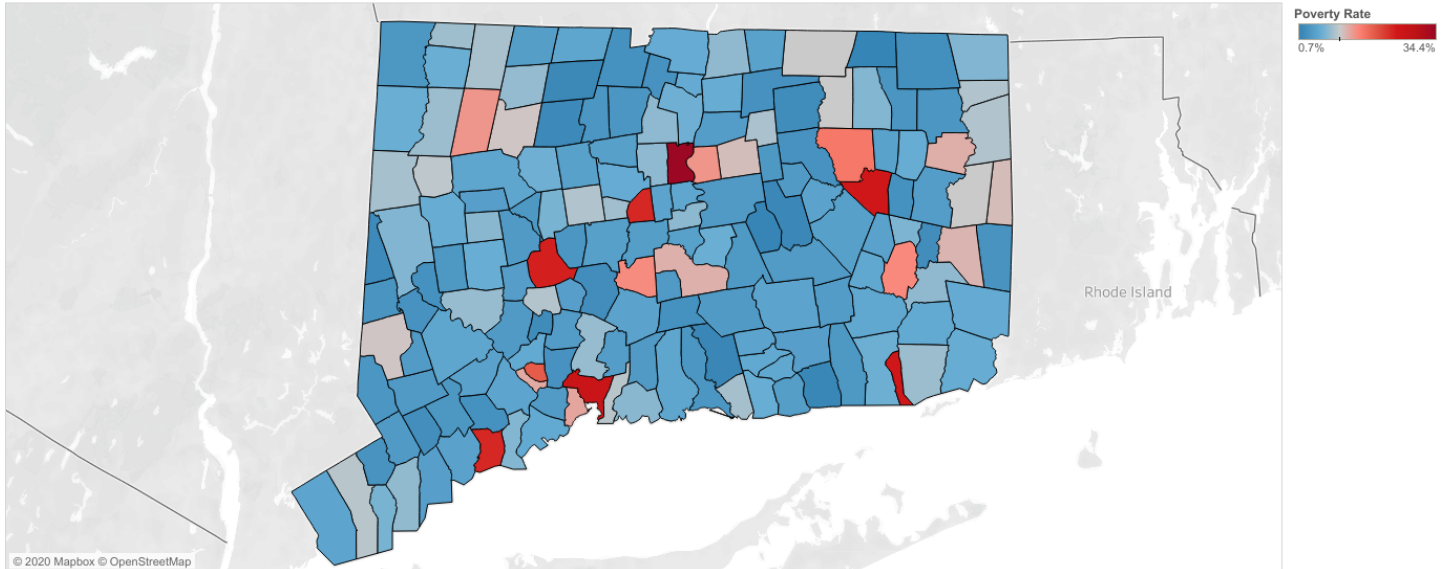
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Figure 3

Retrieved from

https://public.tableau.com/views/DisparitiesByRaceandPlaceworking/GiniIncomeInequality?:language=en&:display_count=y&:origin=viz_share_link

Poverty Rate by Town, Connecticut



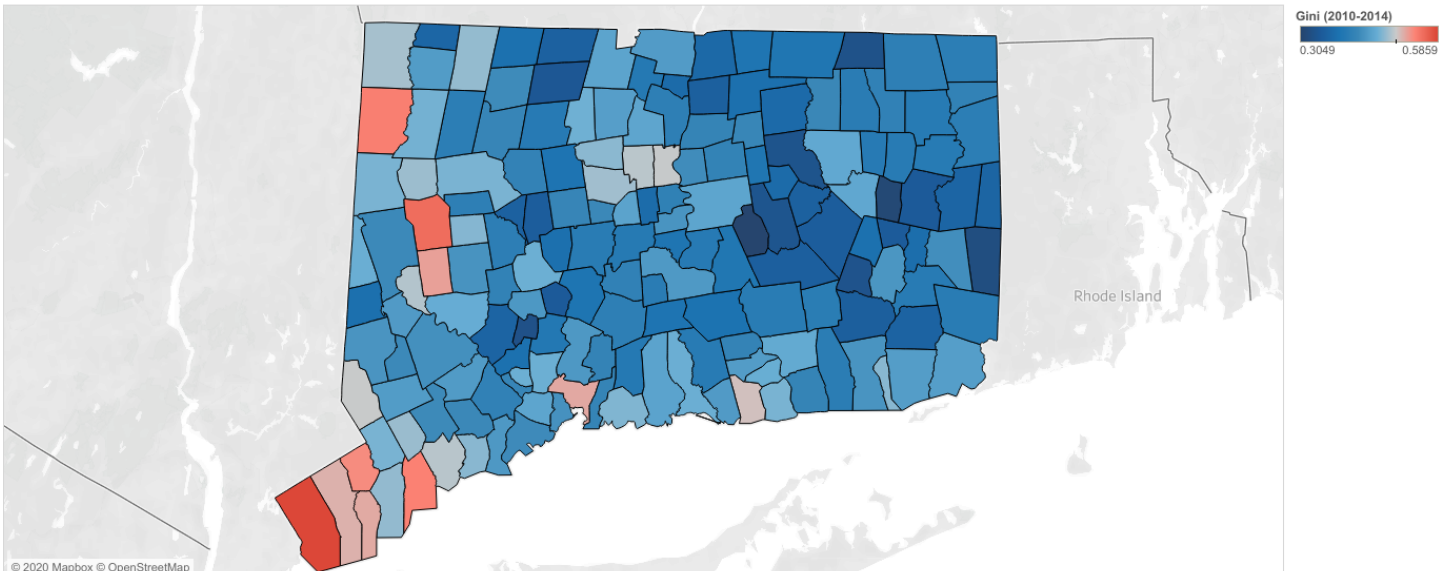
Data Source: 2010-2014 American Community Survey (Census) 5-year estimates (state rate based on 1-year estimates)

Figure 4

Retrieved from

https://public.tableau.com/views/DisparitiesByRaceandPlaceworking/GiniIncomeInequality?:language=en&:display_count=y&:origin=viz_share_link

Gini Index by Town, Connecticut



Data Source: 2010-2014 American Community Survey (Census) 5-year estimates (state index based on 1-year estimates)

Figure 5

Retrieved from <https://www.ctdatahaven.org/reports/concentrated-wealth-and-poverty-connecticuts-neighborhoods>

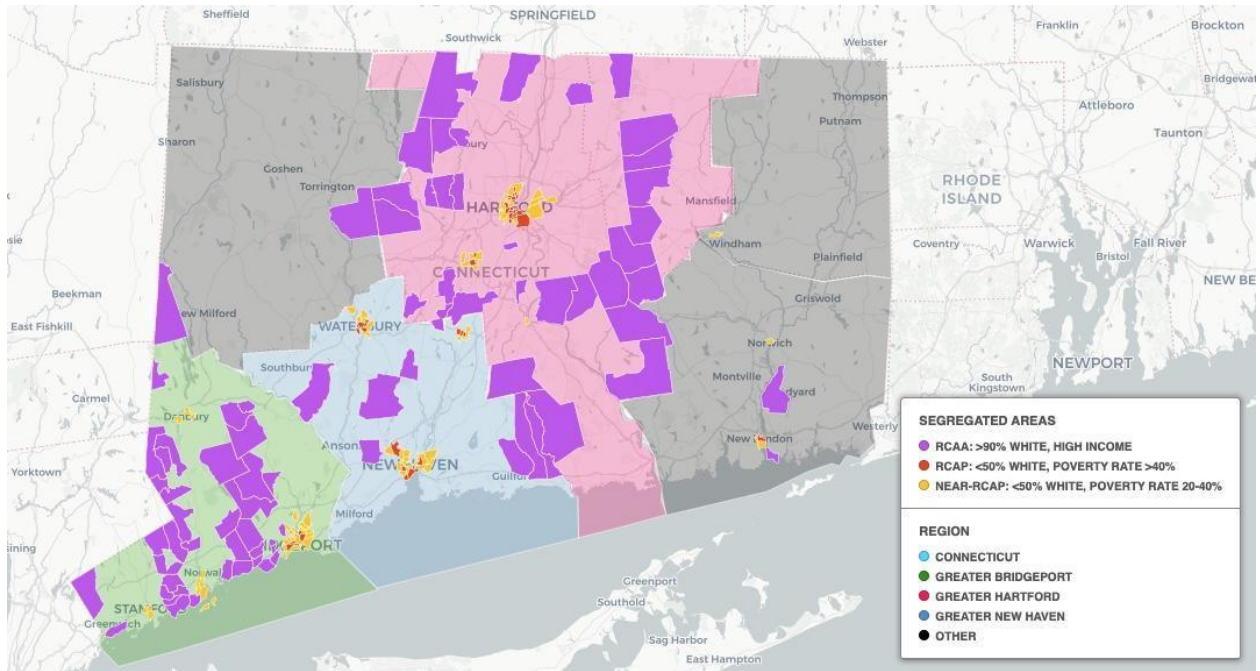


Figure 6

Retrieved from <https://www.ctdatahaven.org/reports/concentrated-wealth-and-poverty-connecticuts-neighborhoods>

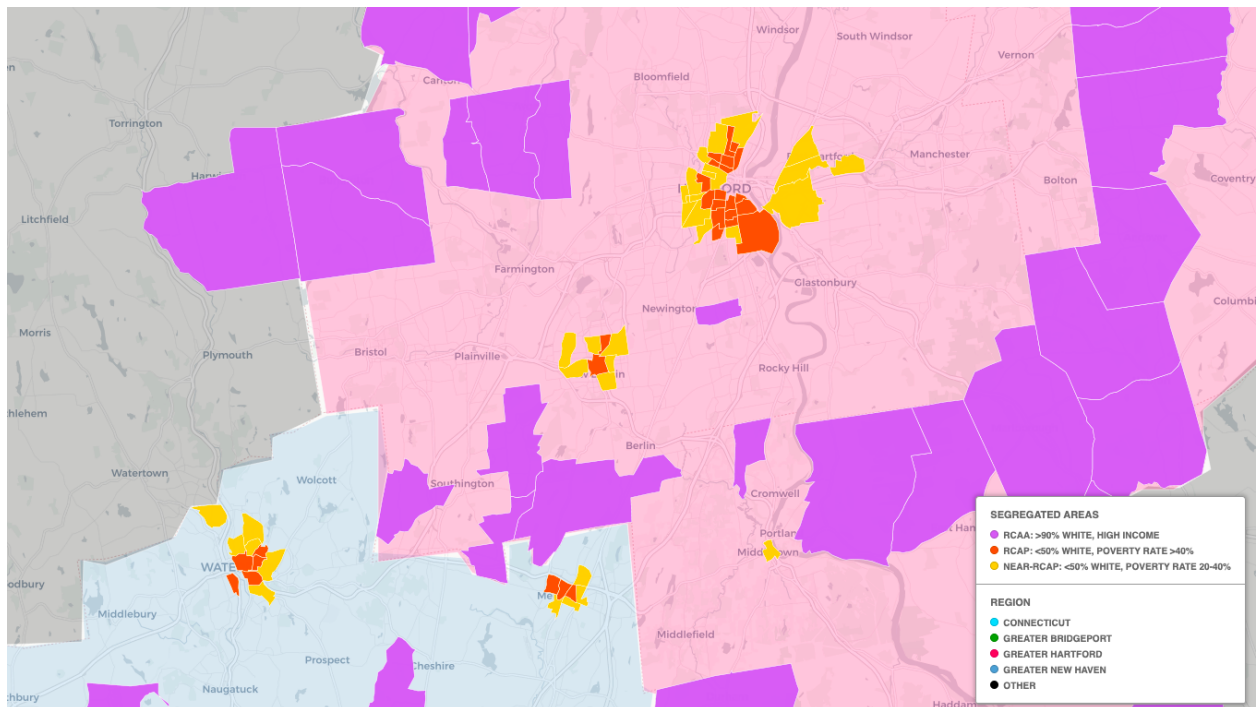
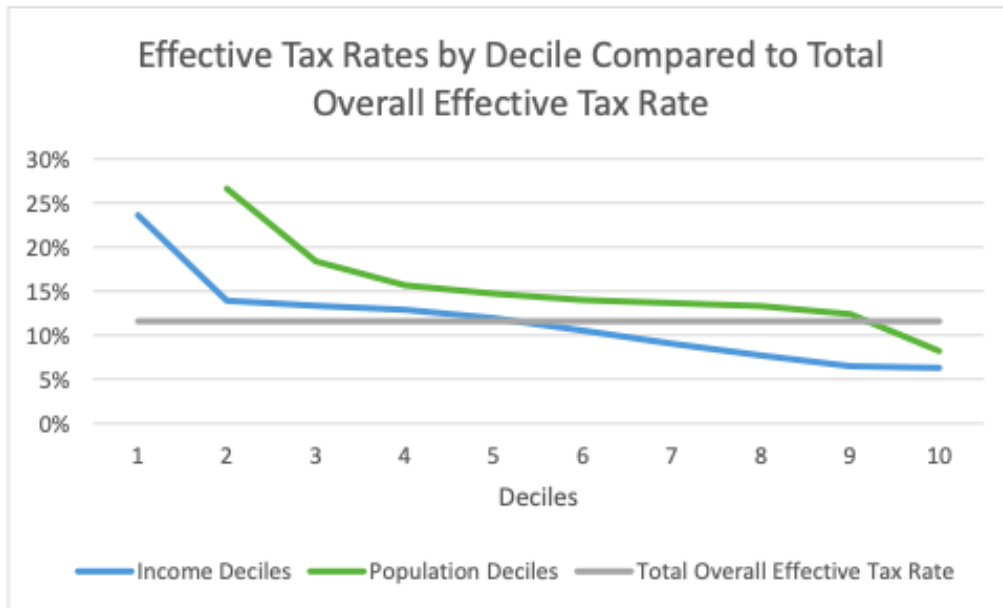


Figure 9

Retrieved from <http://ctstatefinance.org/resources/uploads/files/Tax-Incidence-Report-2014.pdf>



Defunding the Police: The Path to Creating Safer Communities

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Abstract

Following the murder of George Floyd by police in Minnesota on May 25, 2020, protests erupted throughout the country. Protests continued as other Black people were killed at the hands of excessive violence from police officers—Breonna Taylor, Tony McDade, Ahmaud Arbery, and far too many others. Protestors demanded justice for all Black people that have died, and continue to die, at the hands of police. In tandem with the calls for justice, protestors called for defunding the police. In this paper, I discuss the calls to defund the police and assess the public safety outcomes in communities most affected by police brutality—ultimately answering the question, *is defunding the police a justifiable and sustainable option for creating safer communities?* To do this, I review the impacts of criminalization on the Black community, past federal government defunding initiatives, and the municipal budget process. Then, I delve deeper into the general operating funds of three cities, Atlanta, GA, Philadelphia, PA, and Phoenix, AZ, by reviewing the total general fund expenditures and compare the amount being spent on law enforcement and other selected expenditures.

Introduction

Following the murder of George Floyd by police in Minnesota on May 25, 2020, protests erupted throughout the country. Protests continued as other Black people were killed at the hands of excessive violence from police officers—Breonna Taylor, Tony McDade, Ahmaud Arbery, and far too many others. Protestors demanded justice for all Black people that have died, and continue to die, at the hands of police. In tandem with the calls for justice, protestors called for defunding the police.

By definition, *defund* means, “to withdraw funding from” (Merriam-Webster, n.d.). Jessica S. Henry, an associate professor at Montclair State University, provides a more comprehensive definition of *defund* in the context of defunding the police. She defines defunding the police as, “redirecting funds traditionally allocated for police to social service agencies” (Henry, 2020, paras. 6). She says defunding involves scaling back the size and scope of police responsibilities (Henry, 2020).

In this paper, I will discuss the calls to defund the police and assess the public safety outcomes in communities most affected by police brutality—ultimately answering the question, *is defunding the police a justifiable and sustainable option for creating safer communities?* First, I will discuss the impacts of the criminalization of the Black community and examine the origins of excessive law enforcement funding. Then, I will evaluate how city budgets are created and how the police are funded. In order to compare budgets and racial disparities within a city, I will look at the city budgets of Atlanta, GA, Philadelphia, PA, and Phoenix, AZ and review what percent of their budgets go to law enforcement. Finally, I will discuss how the movement to defund the police will affect the future of police department funding.

Impacts of Criminalization of the Black Community

Despite a steady decline in the crime rate since the 1990s, the U.S. is currently spending more on law enforcement than ever before in history (Thomas & Jin, 2020). In 1980, police spending was around \$47 billion when adjusted for inflation, but by 2015, spending increased to almost \$143 billion—an increase of more than 200% over a 35-year period (Lee, 2020). In 2017, state and local governments alone spent \$115 billion on police departments/policing (Urban Institute, 2020). The increase in law enforcement spending has largely to do with the war on drugs that started in the 1970s under President Richard Nixon. During this time, state, local, and federal governments made massive investments in policing and prisons, and this trend in law enforcement funding continued under every president since Nixon (Childress, 2014).

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The war on drugs primarily targeted nonviolent offenders and drug offenders. Michelle Alexander explains in her book, *The New Jim Crow: Mass Incarceration in the Age of Color Blindness*, that the war on drugs created a new system of racial control by targeting Black communities. For instance, The Anti-Drug Abuse Act of 1986 dictated harsher punishments for the distribution of crack than the distribution of powder cocaine (Anti-Drug Abuse Act of 1986, 1986). Crack was typically associated with Black users while cocaine was associated with whites. These harsher punishments included longer sentences and, in some cases, exclusion from public housing or ineligibility for student loans.

Both political parties used “tough on crime” rhetoric and policies to continue the war on drugs. During the Clinton administration congress passed the Violent Crime Control and Law Enforcement Act of 1994, often referred to as the 1994 crime bill (Violent Crime Control and Law Enforcement Act, 1994). The Act implemented the “three-strikes” laws and provided federal grants to cities to hire more police, increased funding to build prisons, and enhanced penalties for undocumented immigrants (Violent Crime Control and Law Enforcement Act, 1994).

Now, more than 95% of arrests each year are for nonviolent offenses such as loitering, fare evasion, and theft (Alexander, 2020). In a *New York Times* article, Alexander (2020) articulates, “Some are arrested for selling loose cigarettes (which resulted in Eric Garner’s being choked to death by the police) or minor forgery (which resulted in George Floyd’s being suffocated to death by the police).” A recent study conducted by Frank Edwards, Hedwig Lee, and Michael Esposito found that, over the course of a lifetime, about 1 in every 1,000 Black men can expect to be killed by police (Edwards et al., 2019).

Defunding the Police

Calls to defund the police are not new. In fact, since 2007, 35 states have participated in the Justice Reinvestment Initiative (JRI)—a public-private partnership that includes the U.S. Justice Department’s Bureau of Justice Assistance, The Pew Charitable Trusts, the Council of State Governments Justice Center, and the Crime and Justice Institute (Pew Charitable Trusts [Pew], 2020a). The goal of the JRI was to reform states’ sentencing and corrections policies, reduce correctional populations and budgets, and reinvest in other public safety solutions (Pew, 2020a). Ed Chung and Betsy Pearl from the Center for American Progress wrote in a recent publication, “The concept behind justice reinvestment could well be characterized as a defund prisons effort, as the model was originally rooted in the idea that the criminal justice system is too big and too costly and that communities can achieve safety by shifting resources toward other less punitive efforts” (Pearl & Chung, 2020, p. 2).

Some participating states moved revenue saved through JRI into community resources, however, a large percentage of the savings were reinvested back into the criminal justice system. States participating in JRI reinvested \$557 million between 2010 and 2017. During that same time period, correctional institutions and law enforcement agencies received a combined \$123 million. In some states, the savings intended for reinvestment were put into the state’s general fund (Pearl & Chung, 2020). However, some JRI states have and continue to reinvest saved JRI funds into community services.

Oregon, for example, uses JRI to fund a grant program for county-level safety initiatives, including efforts to address social service needs. Between 2017 and 2019, Oregon awarded more than \$6 million to support services related to housing, education, employment, mentoring, parental skill-building, and reentry. In the past, Arkansas used JRI to divert people with behavioral health needs into treatment and away from jails (Pearl & Chung, 2020).

Much can be learned from the Justice Reinvestment Initiative’s failures and successes. For one, initiatives like this one can be done with bipartisan support. But to avoid the failures JRI faced, cities should cultivate meaningful partnerships with residents and allow them to be a part of the reinvestment process. Additionally, cities should make long-term investments in community services that are known to reduce crime in order to ensure and sustain reinvestment into community-based systems of safety.

City Budgets

Municipal budgets are the outlined financial operating plans for cities. These budgets are made up of expected incomes and expenditures for the upcoming fiscal year. Budgets are usually composed of two parts: an operating budget and a capital budget (National League of Cities, 2016). An operating budget shows expenditures for the current period. A capital budget shows the financial plans for long-term capital enhancements, facilities, and equipment (National League of Cities, 2016).

Every year, city governments across the country plan their budgets for the following year. The planning timeline is often aligned with the fiscal year, though some cities follow an alternate timeline. The process for developing a budget varies by city, but generally, there are four stages of the budget process: preparation, approval, implementation, and evaluation (National League of Cities, 2016).

The preparation consists of developing estimates for department expenditures and revenue for the coming fiscal year; during the preparation, a draft budget will be created. After the preparation stage, it's time for the approval process. Budget estimates are then submitted to a city council or board for review and amendment. This part of the review process often includes community feedback during public meetings or hearings. The budget is then voted on, approved, and finally adopted by the council or board. Municipal departments then implement the budget. Government departments and programs are monitored in order to ensure that they are staying on budget and using resources effectively. Their performance is measured throughout the year. At the end of the fiscal year, departments and programs that receive government funding are evaluated and audited. These evaluations inform the budget process for the subsequent year (National League of Cities, 2016).

A budget accounts for expected revenues and allocates resources to particular expenditures. Local budgets fund departmental operations and community services, such as public safety, health, recreation, city planning, economic development, housing development, transportation planning, and workforce services. But as The Center for Popular Democracy, Law for Black Lives, and Black Youth Project 100 point out in their 2017 publication, *Freedom to Thrive*, "For government, budgets are also moral documents. They are an articulation of what—and whom—our cities, counties, states, and country deem worthy of investment" (Hamaji et al., 2017, p. 3).

Law Enforcement Funding

Over the last decade governments at every level have deemed police a worthy investment. According to the US Census of Governments, state and local governments spent \$115 billion on police in 2017, however, most of the spending (86%) came from local governments (Auxier, 2020). While law enforcement funding levels may vary from city to city, the process of how police are funded is generally the same across the country. Police departments derive funding primarily from local sales and property taxes (Rushin & Michalski, 2020). In 2017, property taxes made up 30% and sales taxes made up 7% of local governments' general revenue (Urban-Brookings Tax Policy Center, 2020). In the fiscal year 2020, all major local tax revenue sources slowed, with severe year-over-year declines in sales (-11%) and income tax (-3.4%) receipts (National League of Cities, 2020). This trend in local revenue could potentially lead to a decrease in police budgets compared to other fiscal years due to a lack of government funds, rather than being purposely defunded.

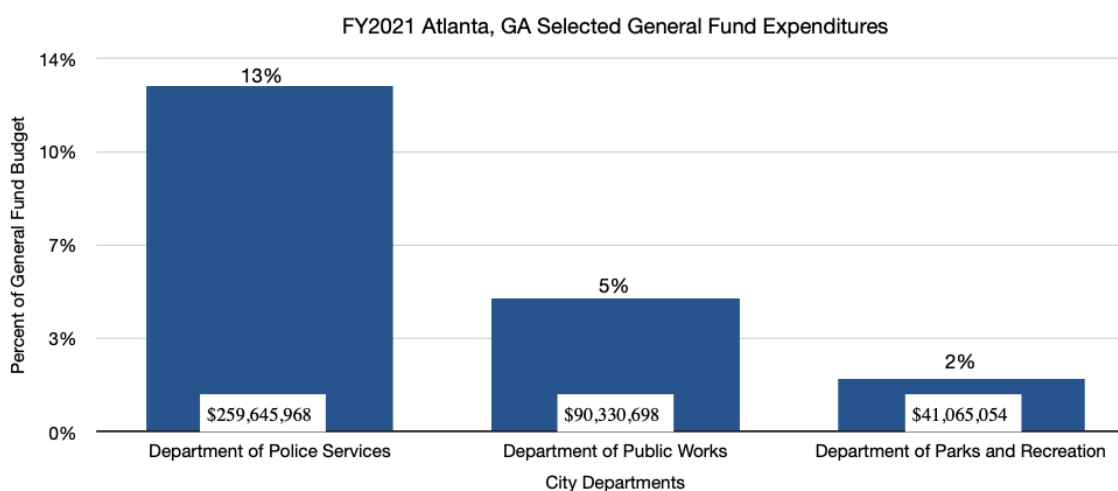
Budget Analysis

I chose to review the city budgets of Atlanta, GA, Philadelphia, PA, and Phoenix, AZ because of their similarities in size. Atlanta, GA, Philadelphia, PA, and Phoenix, AZ were in the top ten most populous metropolitan areas in 2019 (U.S. Census Bureau, 2020). They also all rank within the top 50 largest cities in the U.S. (PolitiFact, 2015). To compare the budgets of three cities (Atlanta, GA, Philadelphia, PA, and Phoenix, AZ), I specifically look at the cities' general operating funds and compare the totals of the general fund expenditures to the amount being spent on law enforcement and other selected expenditures in each city. I also examine racial disparities in each city.

DEFUNDING THE POLICE

Atlanta, GA

According to the 2019 U.S. Census, in Atlanta, 51.8% of residents are Black (U.S. Census Bureau, 2019a). In 2016, Atlanta had one of the highest rates of income inequality (Berube, 2018). Of households in Atlanta, the top 5% earned at least 18 times more than the bottom 20% of households (Berube, 2018). The Annie E. Casey Foundation (2015) pointed out that, “80 percent of Atlanta's Black children live in communities with high concentrations of poverty, compared with six percent of their white peers” which displays the stark contrast of inequality in Atlanta (paras. 3-4). Additionally, graduation rates for Black and Latinx students in Atlanta Public Schools are around 30% lower than white students (The Annie E. Casey Foundation, 2015). The unemployment rate for African Americans in Atlanta is 22%, which is nine points higher than the city’s overall unemployment rate and 14 points higher than the rate for their white counterparts at 6% (The Annie E. Casey Foundation, 2015). Black residents earn three times less than their white counterparts (The Annie E. Casey Foundation, 2015). Although this city faces overwhelming inequality, 13% of Atlanta’s general fund expenditures go to the Department of Police Services.



*General Funds Total Expenditures - \$1.96 Billion

Source: City of Atlanta Fiscal Year 2021 Adopted Budget

Figure 1

In Fiscal Year 2021, Atlanta’s general fund's expenditures total \$1.96 billion, out of which \$259.6 million, or 13% of the general fund, was dedicated to the Department of Police Services. Meanwhile, the department of public works only makes up 5% and the parks and recreation department makes up only 2% of the city’s annual budget.

Philadelphia, PA

According to the 2019 U.S. Census, 43.6% of Philadelphia residents are Black (U.S. Census Bureau, 2019b). In Philadelphia, more than a quarter of residents, which encompasses about 400,000 people, live below the poverty line (Pew, 2018b). Latinx and Black people have the highest poverty rate in Philadelphia at 37.9% and 30.8% percent respectively (Pew, 2017). But even with a quarter of residents living in poverty, Philadelphia continues to invest 15% of their general fund expenditures in the police.

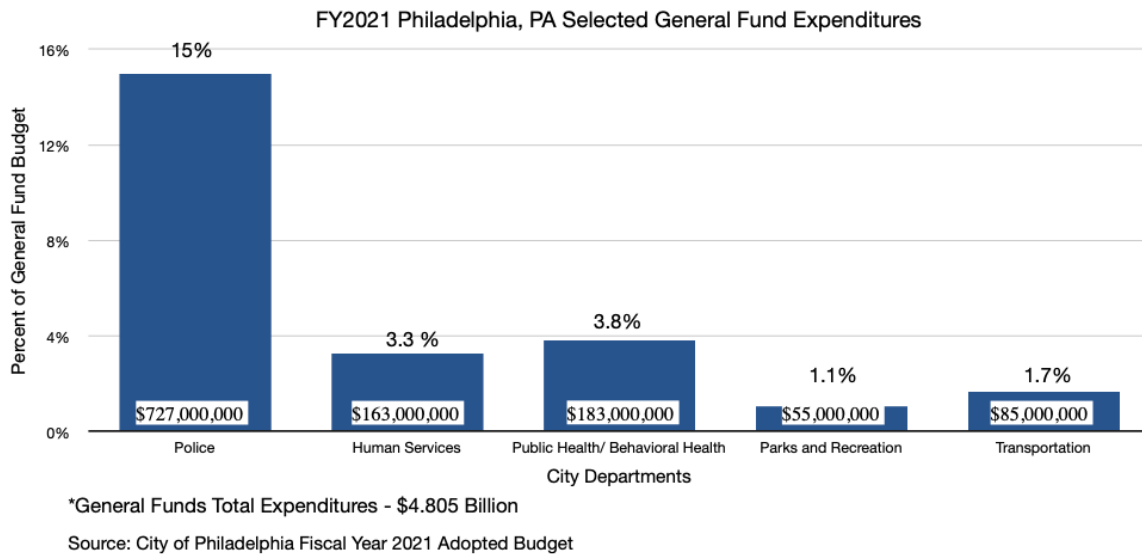


Figure 2

In Fiscal Year 2021, Philadelphia’s general fund expenditures total \$4.8 billion, out of which \$727 million, or 15% of the general fund, was dedicated to the police. Human services and public health make up around 3% each. Parks and Recreation and transportation only make up around 1% each of the general fund.

Phoenix, AZ

According to the 2019 U.S. Census, in Phoenix 42.6% of residents are Latinx and 7% of residents are Black (U.S. Census Bureau, 2019c). One-in-five residents live in poverty. The city’s poverty rate has declined in recent years, but 21% of residents – including a third of children – are living in poverty (City of Phoenix, 2019). As reported by the City of Phoenix Human Services Department in the 2019 Resident and Client Community Survey, some of the greatest challenges Phoenix residents face are a lack of after school activities, lack of transportation, no affordable housing, and a high amount of drug use (City of Phoenix, 2019). But even after asking residents about the challenges they are facing, Phoenix City Council spent 70% of their budget on Public Safety and Criminal Justice rather than investing in solutions to community challenges.

DEFUNDING THE POLICE

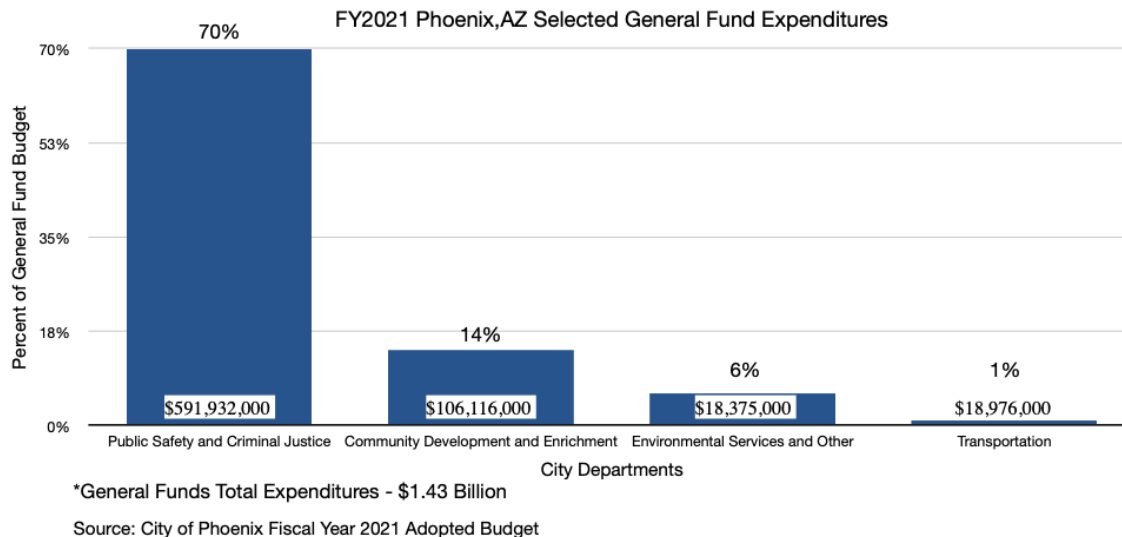


Figure 3

In Fiscal Year 2021 Phoenix's general fund's expenditures total \$1.43 billion, out of which \$591.9 million, or 70% of the general fund, was dedicated to public safety and criminal justice. Community development and enrichment make up 14%, environmental services make up 6%, and transportation makes up only 1% of the total annual budget for 2021.

By continuing to overinvest in policing and underinvesting in community services and programs cities are perpetuating the growth of inequities and maintaining the status quo. While each of these cities is unique and faces an array of different challenges within their communities, one thing is certain—they all prioritize funding law enforcement over community services as reflected in budget allocation.

The Future of Police

The Black community, and other communities of color, have been disproportionately affected by excessive police violence. The continued criminalization of the Black community has resulted in the loss of Black lives, most recently including George Floyd, Breonna Taylor, Tony McDade, Ahmaud Arbery, and far too many others. Keeping in mind the pattern of protracted police violence on marginalized populations, it is evident that state and local governments fail to prioritize these communities in both policy and budget allocation. Specifically, state and local budgets continue to fund and, therefore, bolster the system that incites excessive violence under the guise of protecting local constituents. Budgets are emblematic of more than mere monetary organization and allocation; they are moral documents. They are an articulation of what, and whom, the government deems worthy of investment. Thus, when city and state officials maintain a police system steeped in systemic violence against specific populations among their constituents, it is clear that those governing bodies do not currently deem communities of color worthy of support. Continuing to fund police departments at the current rate upholds a system that neglects to represent the concerns and wellbeing of all constituents equally. It is time the public's call to defund the police is answered and for cities to reinvest in communities of color.

Within the past year, 13 U.S. cities have cut funding from police department budgets or decreased officer numbers, with several more in the process (McEvoy, 2020). Those cities include Los Angeles, CA, Austin, TX, Seattle, WA, New York City, NY, San Francisco, CA, Oakland, CA, Washington, D.C., Baltimore, MD, Portland, OR, Philadelphia, PA, Hartford, CT, Norman, OK, and Salt Lake City, UT (McEvoy, 2020). When the Mayor of Los Angeles announced his plan to cut police

department funding, he said, the money will be taken from other sources “to put it into health, to put it into hope, to put it into housing and to put it into healing” (Rainey et al., 2020).

This is a start to creating safer communities, however, as seen in the budgets from Atlanta, Philadelphia, and Phoenix, significant portions of public funding are still being dedicated to law enforcement. Meanwhile, the services and resources needed to keep communities safe continue to receive a fraction of what police departments receive.

Defunding the police is a justifiable and sustainable option for creating safer communities, but community leaders need to be committed to continued divestment from police. New, reimagined public safety infrastructures, like restorative justice practices, need to be created and sustained otherwise the risk of reinvestment back into police lingers. Instead of continuing to over-invest and expand police departments and punitive systems, investments should be made in the resources that truly make communities safe, including healthcare, mental health services/treatment, educational opportunities, affordable housing, and transit access.

References

- Alexander, M. (2012). *The new Jim Crow: Mass incarceration in the age of color blindness*. The New Press.
- Alexander, M. (2020, June 08). America, this is your chance. *New York Times*.
<https://www.nytimes.com/2020/06/08/opinion/george-floyd-protests-race.html>
- Anti-Drug Abuse Act of 1986, H.R. 5484, 99th Cong. (1989, October 27)
<https://www.congress.gov/bill/99th-congress/house-bill/5484>
- Auxier, R. C. (2020, June 09). *What police spending data can (and cannot) explain amid calls to defund the police*. Urban Institute. <https://www.urban.org/urban-wire/what-police-spending-data-can-and-cannot-explain-amid-calls-defund-police>
- Berube, A. (2018, February 5). *City and metropolitan income inequality data reveal ups and downs through 2016*. Brookings Institution. <https://www.brookings.edu/research/city-and-metropolitan-income-inequality-data-reveal-ups-and-downs-through-2016/>
- Childress, S. (2014, April 29). *Michelle Alexander: "A system of racial and social control"*. PBS
<https://www.pbs.org/wgbh/frontline/article/michelle-alexander-a-system-of-racial-and-social-control/>
- City of Atlanta. *Fiscal year 2021 adopted budget*. (2020). atlantaga.gov.
<https://www.atlantaga.gov/home/showdocument?id=40791>
- City of Philadelphia. *The Mayor's operating budget in brief for fiscal year 2021*. (June 2020).
https://www.phila.gov/finance/pdfs/Operating%20Budget/FY21_Budget_in_Brief_Adopted_FIN_AL.pdf
- City of Phoenix. (2019). *Human Services Department 2019 community assessment*.
<https://www.phoenix.gov/humanservicessite/Documents/Human%20Services%20Department%20Community%20Needs%20Assessment.pdf>
- City of Phoenix. *Phoenix budget summary*. (August 2020). Retrieved from
https://www.phoenix.gov/budgetsite/budget-books/2020-21_Summary_Budget_Book.pdf
- Edwards, F., Lee, H., & Esposito, M. (2019, August 20). *Risk of being killed by police use of force in the United States by age, race-ethnicity, and sex*. Proceedings of the National Academy of Sciences of the United States of America. <https://www.pnas.org/content/116/34/16793>
- Hamaji, K., Rao, K., Stahly-Butts, M., Bonsu, J., Carruthers, C., Berry, R., & McCampbell, D. (2017). *Freedom to thrive reimagining safety & security in our communities*. Popular Democracy.
<https://populardemocracy.org/sites/default/files/Freedom%20To%20Thrive%2C%20Higher%20Res%20Version.pdf>
- Henry, J. S. (2020, July 07). *What 'abolish' and 'defund' the police really mean*. Montclair University.
<https://www.montclair.edu/newscenter/2020/07/07/what-abolish-and-defund-the-police-really-mean/>

DEFUNDING THE POLICE

- Katz, J., & Bonham, G. (2009). *Effective alternatives to incarceration: Police collaborations with corrections and communities*. Office of Community Oriented Policing Services, U.S. Department of Justice.
<https://permanent.fdlp.gov/gpo69312/cops-p165-pub.pdf>
- Lopez, C. E. (2020). Defund the police? Here's what that really means. *Washington Post*.
<https://search-proquest-com.proxyau.wrlc.org/docview/2410033605?pq-origsite=summon&accountid=8285>
- McDowell, M. G., & Fernandez, L. A. (2018). 'Disband, disempower, and disarm': Amplifying the theory and practice of police abolition. *Critical Criminology*, 26(3), 373-391
<https://doi.org/10.1007/s10612-018-9400-4>
- McEvoy, J. (2020, September 13). *At least 13 cities are defunding their police departments*. Forbes.
<https://www.forbes.com/sites/jemimamcevoy/2020/08/13/at-least-13-cities-are-defunding-their-police-departments/?sh=2b3660c229e3>
- Merriam-Webster. (n.d.). *Defund*. In Merriam-Webster.com dictionary. <https://www.merriam-webster.com/dictionary/defund>
- National League of Cities. (2016, December 19). *Cities 101 - Budgets*.
<https://www.nlc.org/resource/cities-101-budgets/>
- National League of Cities. (2020, August 14). *City fiscal conditions 2020*.
<https://www.nlc.org/article/2020/08/14/2020-city-fiscal-conditions-report-financial-health-of-americas-cities-towns-and-villages-on-the-brink/>
- Pearl, B., & Chung, E. (2020). *How to reinvest in communities when reducing the scope of policing*. American Progress. <https://www.americanprogress.org/issues/criminal-justice/reports/2020/07/29/488305/reinvest-communities-reducing-scope-policing/>
- Pew Charitable Trusts. (2017, November 15). *Philadelphia's Poor*.
<https://www.pewtrusts.org/en/research-and-analysis/reports/2017/11/philadelphias-poor>
- Pew Charitable Trusts. (2018). *35 states reform criminal justice policies through justice reinvestment*.
<https://www.pewtrusts.org/en/research-and-analysis/fact-sheets/2018/07/35-states-reform-criminal-justice-policies-through-justice-reinvestment>
- Pew Charitable Trusts. (2018). *Philadelphia's poor: Experiences from below the poverty line*.
<https://www.pewtrusts.org/en/research-and-analysis/reports/2018/09/26/philadelphias-poor-experiences-from-below-the-poverty-line>
- PolitiFact. (2015). *The 50 largest cities in the United States*.
<https://www.politifact.com/largestcities/>
- Pratt, T. C., & Cullen, F. T. (2005). Article: Assessing macro-level predictors and theories of crime: A meta-analysis. *Crime and Justice*, 32, 373–450. <http://www.jstor.org/stable/3488363>
- Rainey, J., Smith, D., & Chang, C. (2020, June 05). Growing the LAPD was gospel at city hall. George Floyd changed that. *Los Angeles Times*. <https://www.latimes.com/california/story/2020-06-05/eric-garcetti-lapd-budget-cuts-10000-officers-protests>
- Rushin, S., & Michalski, R. (2020). Police funding. *Florida Law Review*, 72(2), 277–330.
<https://heinonline.org/HOL/P?h=hein.journals/uflr72&i=276>
- The Annie E. Casey Foundation. (2015, June 24). *Poverty and barriers to opportunity in Atlanta*.
<https://www.aecf.org/blog/as-atlantas-economy-thrives-many-residents-of-color-are-left-behind/>
- Thomas, T., & Jin, B. (2020, June 19). *As U.S. crime rates dropped, local police spending soared*. Politico. <https://www.politico.com/interactives/2020/police-budget-spending-george-floyd-defund/>
- Urban-Brookings Tax Policy Center. (2020, May). *What are the sources of revenue for local governments?*. Retrieved from <https://www.taxpolicycenter.org/briefing-book/what-are-sources-revenue-local-governments>
- U.S. Census Bureau. (2020, March 26). Most of the counties with the largest population gains since 2010 are in Texas. <https://www.census.gov/newsroom/press-releases/2020/pop-estimates-county-metro.html>

- U.S. Census Bureau. (2019). *QuickFacts: Atlanta city, Georgia*.
<https://www.census.gov/quickfacts/atlantacitygeorgia>
- U.S. Census Bureau. (2019). *QuickFacts: Philadelphia County, Pennsylvania*.
<https://www.census.gov/quickfacts/fact/table/philadelphiacountypennsylvania/AGE775219>
- U.S. Census Bureau. (2019). *QuickFacts: Phoenix city, Arizona*.
<https://www.census.gov/quickfacts/phoenixcityarizona>
- Urban Institute. (2020, December 3). *Criminal Justice Expenditures: Police, Corrections, and Courts*. Retrieved from <https://www.urban.org/policy-centers/cross-center-initiatives/state-and-local-finance-initiative/state-and-local-backgrounders/police-and-corrections-expenditures>
- Violent Crime Control and Law Enforcement Act, H.R. 3355, 103rd Cong., 2nd sess. (1994, September 13). <https://www.congress.gov/bill/103rd-congress/house-bill/3355/text>