AN ECONOMY FOR ALL

BUILDING A "BLACK WOMEN BEST" LEGISLATIVE AGENDA

A REPORT BY

THE CONGRESSIONAL CAUCUS ON BLACK WOMEN AND GIRLS

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Executive Summary

While Black women play one of the most active roles in our economy, structural barriers and inequities continue to hinder them from full and meaningful participation. Compared with other women in the United States, Black women have always had the highest levels of labor market participation. Yet, they bear the biggest burden of economic hardships, especially during times of crisis, resulting in exacerbated downturns. Policy can counteract this disconnect. Specifically, targeted policies that advance Black women can build a better economy for all.

The Congressional Caucus on Black Women and Girls (CCWBG) recognizes that ensuring access to the resources and opportunities necessary to truly thrive in society, regardless of gender, race, and other identities, is essential to building back a stronger economy. The Caucus is committed to achieving this by undoing centuries of structural injustice and meeting the demands of the moment. Historical disinvestment and a pandemic-fueled economic crisis have created and reinforced challenges that perpetuate inequities, especially ones that impact Black women. It is imperative that this opportunity is leveraged to drive sustainable change.

This report provides a compelling and connective legislative agenda that centers Black women across a variety of issues and topics including economics, democracy, health, and environment. This report uses the Black Women Best (BWB) framework and other data-driven insights to demonstrate how economic inequities are best addressed by recentering economic policy on Black women; offer specific legislative actions to eliminate racial and gender disparities; and provide a BWB scorecard that policymakers can use to evaluate and design public policy. The Caucus is hopeful that policymakers, advocates, and activists will use the insights and solutions identified in the report to build back anew and deliver an inclusive economy and society for everyone for the first time.

Black Women Best

This report is largely informed by the BWB framework — a foundational economic framework created by Janelle Jones, the first Black woman to serve as chief economist at the Department of Labor. BWB is an economic principle that argues that when Black women's economic well-being is centered in policy, the entire economy thrives. Because Black women make up the majority of the Black labor force, they are the pulse of the U.S. economy. By ignoring them, economists and policymakers run the risk of propagating lasting economic ramifications.

BWB can be used to gauge the health of the economy through the lens of whether Black women and other marginalized groups are thriving. In other words, if the economy is working for Black women, then the economy is working for everyone. This report applies the BWB framework to policy solutions that will address the wealth gap, health gap, housing gap, and other disparities.

Guaranteed Income

Advancing gender and racial equity is fundamental to every individual's economic security. This report uses BWB principles to underscore the need for effective and inclusive economic policy, such as guaranteed income. While the passage of the Coronavirus Aid, Relief, and Economic Security (CARES) Act demonstrated how direct payments to families can promote economic security, there is still a need to advance more comprehensive guaranteed income policies. The report explores various guaranteed income policies and interventions that seek to meet Black women's needs — consistently and predictably.

Additional Policy Pathways

In addition to economic insecurity, Black women face discrimination and biases that impede their educational, social, and political progress. This report demonstrates how BWB principles can be translated to inform a comprehensive policy agenda. Specifically, the report uses one of the core tenants of BWB – centering Black women in policy – to offer various policy recommendations to address the nation's longstanding history of economic discrimination in education, housing, and other spheres of life.

For example, the report underscores the importance of centering Black women in health policy. Health is a basic building block for inclusive and just social, economic, and political institutions; yet, health inequities remain an enduringly pernicious problem in the United States. The report offers numerous policy solutions to combat one of the nation's leading health crises – the rising maternal mortality rate, which disproportionately impacts Black women. Key health care policy recommendations found in the report include funding community-based organization and health navigators, extending Medicaid postpartum coverage, and easing administrative burden in Medicaid.

Black Women Best Seal of Approval Scorecard

While this report covers a range of policy ideas to address some of the nation's most pressing issues it is not exhaustive of the myriad of systemic factors that uniquely impact Black women. The Caucus recognizes reversing years of discrimination will require a multitude of policy solutions and stakeholders. To that end, the report includes the BWB policy scorecard. The scorecard is intended to serve as a practical tool to assess and design both current and future proposals across all spheres of public policy. It can also help identify gaps and recognize opportunities to improve public policy environments, processes, and outcomes. The Caucus urges elected officials, advocates, activists, and researchers to utilize the BWB framework, insights shared in this report, and scorecard as they develop and evaluate public policy.

The Path Forward

As the report mentions, Black women and our loved ones — including our Black babies — die disproportionately earlier than others. Black women are continually denied a living wage, a safe home, health care, disability justice, and more. Despite this lack of love, Black women continue to be invaluable as cultural workers and economic drivers. Numerous rights are withheld from us. And yet, Black women dream of and fight for liberation.

This report provides a roadmap on making Black women's liberation — and therefore all liberation — possible. Grounded in the Black Women Best framework, it offers more than an economic framework. It's a values statement, an organizing praxis, and a call to action, demanding the right for Black women to flourish. Centering Black women in policy is a precondition to promoting collective prosperity and strengthening our democracy. As such, the Caucus is committed to advancing the policies prescribed in this report.

INTRODUCTION

As sociologist and McArthur Genius Grant Fellow Dr. Tressie McMillan Cottom says, "the institution cannot love you." But can it hate you? Since our country's founding, institutions have not been kind to Black women, femmes and girls. From the distribution and maintenance of unequal power structures, to the institutional exploitation and disregard for Black lives, to the formulation and implementation of toxic policy, institutions have had a difficult — and often dangerous — relationship with Black women. Four centuries of institutional inequities have had dire consequences for not just Black women, but the economy and our society at large.

> ***By approaching economic policymaking with a focus on confronting the tribulations of Black women, the overall economy will improve, especially for other structurally marginalized communities.***

Policymakers have the power to reshape institutions in ways that help, not harm, Black women and therefore uplift everyone. Black Women Best (BWB) is an inclusive economic framework that leads to widespread prosperity for *all* people — as workers, consumers, breadwinners, neighbors, and more. By approaching economic policymaking with a focus on confronting the tribulations of Black women, the overall economy will improve, especially for other structurally

marginalized communities. Addressing racial and gender discrimination is not enough, as many systemic issues — including intentional occupational segregation, the decimation of public benefits, and environmental racism — are at the root of adverse socioeconomic outcomes for Black women. Taken together, these structural failings hold back the entire economy, harming Black women most acutely. This collection of policy pathways presents a BWB legislative agenda and demonstrates an opportunity to create policy, systems, and institutions that center Black women, address the longstanding economic challenges we endure, and set us *all* up to thrive.

The evidence of institutionalized harm is clear, as socioeconomic outcomes show instability and hardship for Black women on a range of measures. In housing, for instance, Black women are more likely to be behind on rent or mortgage payments, and Black mothers are disproportionately more likely to face eviction. In the labor market, Black women continue to have the greatest employment losses relative to the beginning of the pandemic and are overly represented in sectors that are recovering the slowest, such as childcare and government. Discrimination against Black women can literally be the difference between life and death as we are three times more likely to die from pregnancy-related causes than white women. These outcomes are not individual failures, but institutional ones.

The COVID-19 crisis shines a harsh spotlight on these devastating realities. In all sectors of the economy and across the country, joblessness, lost incomes, and fragile employment have left everyone facing uncertainty at best and devastation at worst. While some progress has been made, a long road to recovery remains, and the devastation and lack of progress has been especially harmful for Black women.

> ***The current "recovery" has been uneven across groups, and Black women's experience shows the depth of the problem — and the necessity of a tailored response. Employing the Black Women Best framework in our current struggle and long after the pandemic would demonstrate a lesson learned.***

The latest economic data isn't unusual. The economic status of Black Americans more broadly has always been worse than what statistics suggest. In fact, to understand the realities of institutionalized economic inequity, we must look at the

outcomes for Black women. In every economic recession of the last 50 years, Black women have had higher unemployment rates than white men, and the recovery rates of Black Americans have been slower than that of the white labor force. We saw this in the aftermath of the Great Recession: while headline numbers touted "recovery," many Black women — and their families and communities — continued to struggle. It is crucial that we understand that no economic recovery can be complete if some communities are left behind. The current "recovery" has been uneven across groups, and Black women's experience shows the depth of the problem and the necessity of a tailored response. Employing the Black Women Best framework in our current struggle and long after the pandemic would demonstrate a lesson learned.

Centering relief and recovery policies around the needs of Black women and other vulnerable people is a core tenet of BWB and will ensure an inclusive economy for everyone. This means involving those communities in identifying needs, developing policy, and taking action to implement inclusive, equitable solutions. It means addressing this nation's longstanding history of economic discrimination — in pay, education, health care, housing, and wealth accumulation— and ensuring that everyone can access the resources and opportunities they need to thrive. We can course correct one of the worst economic downturns in US history for all by deliberately improving the economic outcomes of traditionally marginalized groups, starting with Black women. We literally and figuratively cannot afford to resort back to business as usual.

This report pulls together a compelling and connective legislative agenda that centers Black women across a variety of issues and topics including economics, democracy, health, and the environment. In building this report, we have assembled a blueprint for a mix of audiences, bringing together researchers, policymakers, organizers, communicators, and advocates from across the country.

A report that works across the intersecting institutions and systems of economy, democracy, and society to center Black women is perfectly timed for 2022. The country is still in the midst of a pandemic and economic crisis that has disproportionately impacted Black women, and we can no longer rely on the status quo to create a world that works for everyone. The social and economic justice movement is ready for a message that puts Black women at the forefront while creating an equitable distribution of power that is necessary for a resilient, growing, and connected society.[1]

[1] References or data points included in this introduction are cited throughout the report.

SECTION 1: DEFINING AND CONTEXTUALIZING BLACK WOMEN BEST

Black women and other structurally marginalized groups have endured — and continue to endure — an economy that was designed to fail them. The present moment and our painful past call for transformative policymaking and bold politics.

> ***Black Women Best argues that when the economy is working for Black women, then it is inherently working for everyone.***

This report is informed by the Black Women Best (BWB) framework — a foundational economic framework created by Janelle Jones, the first Black woman to serve as chief economist at the Department of Labor.[2] Black Women Best argues that when the economy is working for Black women, then it is inherently working for everyone.3 This framework has the capacity to build a future that is free of structural inequity and the systemic exclusions that obstruct shared prosperity and well-being.

In the face of deep oppression, Black women have historically led social movements for justice, organizing their communities and building mutual-aid formations to practice collective care.[4] BWB builds on this legacy, recognizing that securing economic prosperity for Black women necessitates dismantling every structure of oppression, thus securing economic prosperity for all people. It recognizes that just and equitable policy outcomes are only possible when Black women are centered.

Why Black Women Best Is Radically Inclusive

Black women are not monolithic. It's critically important to note that when we say "Black women," we mean cisgender women and transgender women. When we apply BWB, we acknowledge all structurally marginalized gender identities — such as non-binary, gender-nonconforming, and other selfhoods that are oppressed by

[2] Carrazana, Chabeli. 2021. "The Labor Department's first Black woman chief economist has a plan to center racial equity." 19th News. https://19thnews.org/2021/02/janelle-jones-labor-department-economist/
[3] Bozarth, Kendra, Grace Western, and Janelle Jones. 2020. "Black Women Best: The Framework We Need for an Equitable Economy." Roosevelt Institute. https://rooseveltinstitute.org/wp-content/uploads/2020/09/RI_Black-Women-Best_IssueBrief-202009.pdf
[4] Nelson, Eshe. 2021. "The Economist Placing Value on Black Women's Overlooked Work." The New York Times. https://www.nytimes.com/2021/02/05/business/black-women-economists-nina-banks.html

cisheteronormative patriarchy — thus ensuring that no one is left behind in the remaking of our economy.

BWB is about putting Black women at the center of policymaking, which means centering *all* Black women across every identity that we hold. This includes Black (im)migrants and undocumented people, Black women who are incarcerated or formerly incarcerated, queer people, people with disabilities,[5] and Black women who are multiracial or multiethnic.

> ***Oppressors don't just hurt their targets, and the inclusivity that is fundamental to the Black Women Best framework does not stop with Black women. By being intentional about undoing structural injustice and repairing harm, we can collectively heal our economy and society, rebuilding both in ways that will benefit everyone.***

Oppressors don't just hurt their targets, and the inclusivity that is fundamental to the Black Women Best framework does not stop with Black women. By being intentional about undoing structural injustice and repairing harm, we can collectively heal our economy and society, rebuilding both in ways that will benefit everyone. The power of BWB is that it uproots oppressive systems — of white supremacy, capitalism, ableism, sexism, queerphobia, and xenophobia — and in doing so, demands more for us all.

The Cost of Being a Black Woman

> "All Black women have done throughout history is take care of other people and our worth is in our work. Our worth is seen in our bodies. And so we are not applauded until we produce something for someone else. We're not celebrated or validated until we do something for someone else and so, [our nation continues] that narrative in every way of life."
> ~**Rev. Dr. Theresa Thames**, Princeton University

[5] Throughout this report, we use the terms "disabled people" and "people with disabilities" interchangeably. The use of identity-first language honors the linguistic shift that self-advocates within the disability community have ushered in over the past years, while affirming that our community is not a monolith and each of us has a right to self-identify as we so choose.

Black women and other structurally marginalized groups have endured an economy and society that don't just exclude and fail us, but that also derive benefit and profit from our perpetual subjugation. Since the founding of this country — a project made possible through Black women's stolen and coerced labor, both as enslaved people and childbearers — the lives and livelihoods of Black women have only been valued when we are producing wealth for others. In limiting our ability to thrive, this society limits our collective thriving. In harming us, we are all harmed.

Willfully inflicted, the costs and consequences of this societal harm are steep. America has never been and will never be at its best so long as it refuses to allow all of its people to thrive, starting with those whose lives have been forcibly exploited for the nation's entire history.

> "The most disrespected person in America is the Black woman.
> The most unprotected person in America is the Black woman.
> The most neglected person in America is the Black woman."
> ~**Malcom X**, May 5, 1962, speech in Los Angeles, CA[6]

Malcolm X's words ring as true today as they did more than 50 and even 400 years ago, as Black women have endured some of the most extreme forms of state-sanctioned violence, exploitation, and abandonment throughout U.S. history. Our limited health, wellbeing, and life outcomes reflect this persistent societal abuse and sabotage.[7]

The Fatal Stress of Oppression

> **As we endure a still-separate and -unequal society — founded on anti-Blackness, patriarchy, and ableism — we also endure fatal stress that compounds harm in life-debilitating and -eroding ways.[8]**
>
> **In studies that measured allostatic load (AL) — a biomarker that reflects the long-term biological wear and tear of chronically elevated cortisol levels and prolonged states of anxiety, resulting in increased risk of morbidity and premature death — Black women persistently had the highest and second highest AL scores**

[6] World History Archive. 2017. "Malcolm X Speech in Los Angeles." https://worldhistoryarchive.wordpress.com/2017/02/03/malcolm-x-speech-in-los-angeles-may-5-1962/.
[7] Chinn, Juanita J., Iman K. Martin and Nicole Redmond. 2021. "Health Equity Among Black Women in the United States." Journal of Women's Health. https://www.liebertpub.com/doi/10.1089/jwh.2020.8868.
[8] American Psychological Association. "Fact Sheet: Health Disparities and Stress." https://www.apa.org/topics/racism-bias-discrimination/health-disparities-stress.

regardless of age or socioeconomic status.[9][10] Additionally, Black women consistently have higher rates of chronic conditions, such as hypertension, heart disease, and thyroid disorders, than all of their racialized counterparts.[11]

Black pregnant people in the United States — regardless of socioeconomic status or educational background — are three times as likely to die during pregnancy or from complications after birth than their white, non-Hispanic counterparts.[12] And despite having comparable, if not lower, developmental risk in most cancer categories, Black women are the most likely to die once diagnosed, for all cancers, than non-black women.[13]

Research looking at telomere length — another biomarker of stress-related aging — found that stress and economic hardship played a significant role in prematurely aging Black women, biologically making them 7.5 years "older" than white women despite being the same age.[14]

"Time is fundamental to health promotion and human agency, as in having time to exercise and maintain social relationships. Further, scarcity in time is related to stress and illness. Time is also racialized, such that racial/ethnic minorities often have less free time and suffer a time penalty in multiple facets of life." ~Dr. Gilbert C. Gee et al., Racism and the Life Course: Taking Time Seriously[15]

Despite having the highest labor participation rate amongst their other racialized counterparts,[16] Black women — when we're not being overlooked or shut out of the

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[9] Moore, Justin X., Malcolm S. Bevel, Stella Aslibekyan, and Tomi Akinyemiju. 2021. "Temporal changes in allostatic load patterns by age, race/ethnicity, and gender among the US adult population; 1988-2018." Preventive medicine, 147, 106483. https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8826516/.

[10] Geronimus, A. T., Hicken, M., Keene, D., & Bound, J. 2006. "Weathering" and age patterns of allostatic load scores among blacks and White s in the United States." American journal of public health, 96(5), 826–833. https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1470581/.

[11] National Center for Health Statistics. "NHANES survey methods and analytic guidelines." https://wwwn.cdc.gov/nchs/nhanes/analyticguidelines.aspx.

[12] Office of Minority Health & Health Equity (OMHHE). Centers for Disease Control. "Working Together to Reduce Black Maternal Mortality." https://www.cdc.gov/healthequity/features/maternal-mortality/index.html.

[13] Office of Minority Health & Health Equity (OMHHE). "Cancer and African Americans." https://www.cdc.gov/healthequity/features/maternal-mortality/index.html

[14] Geronimus, Arline T., Margaret T. Hicken, Jay A. Pearson, Sarah J. Seahols, Kelly L. Brown, and Tracey D. Cruz. 2010. "Do US Black Women Experience Stress-Related Accelerated Biological Aging?: A Novel Theory and First Population-Based Test of Black-White Differences in Telomere Length." Human nature (Hawthorne, N.Y.), 21(1), 19–38. https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2861506/.

[15] Gee, Gilbert C., Anna Hing, Selina Mohammed, Derrick C. Tabor, and David R. Willams. 2019. "Racism and the Life Course: Taking Time Seriously." American Journal of Public Health, 109(1), 43-47. https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6356137/.

[16] Holder, Michelle. 2020. "The Double Gap and the Bottom Line: African American Women's Wage Gap and Corporate Profits." Roosevelt Institute. https://rooseveltinstitute.org/wp-content/uploads/2020/07/RI_DoubleGap_Report_202003.pdf.

market[17] — are consistently paid less for our work.[18] Additionally, we're largely steered toward and confined within occupational industries that often pay poverty wages and offer inadequate benefits — if any at all — as well as cultivate precarious work environments.[19] The annual median salary for Black women in the United States is $43,209,[20] which amounts to $7,773 less than the median annual pay for all women employed in the U.S. ($50,982),[21] all the while facing higher unemployment and poverty rates than the U.S. average for women. Black women are also more likely to be the head of the household than their racialized counterparts, effectively supporting more dependents while being paid some of the lowest salaries in the nation with the least amount of accumulated wealth and resources.

> ***Living at the intersection of marginalized identities means that Black women must withstand overlapping and compounding burdens and barriers.***

Living at the intersection of marginalized identities means that Black women must withstand overlapping and compounding burdens and barriers. To have our marginalization multiplied is to have our trauma — of stolen income, wealth, resources, and autonomy — magnified, which is then overlaid by the distress of stolen people, land, years and quality of life.

The cumulative scarcity of time — whether it be long daily work commutes, holding multiple low-wage jobs to make ends meet,[22] a total lack of control over one's work schedule,[23] or ongoing wage and benefit theft — is a major driver of Black women's limited life expectancy.[24] Despite being a younger subset of the U.S. women

[17] U.S. Bureau of Labor Statistics. "Labor force characteristics by race and ethnicity." 2020. https://www.bls.gov/opub/reports/race-and-ethnicity/2020/home.htm.
[18] National Partnership for Women and Families. "Black Women and the Wage Gap." 2021. https://www.nationalpartnership.org/our-work/resources/economic-justice/fair-pay/african-american-women-wage-gap.pdf.
[19] Akhtar, Allana. 2019. "Lower pay, more harassment: How work in America failed women of color in the 2010s." Business Insider. https://www.businessinsider.com/how-work-is-failing-women-of-color-2019-10.
[20] National Partnership for Women and Families. 2021. "Black Women and the Wage Gap." https://www.nationalpartnership.org/our-work/resources/economic-justice/fair-pay/african-american-women-wage-gap.pdf.
[21] National Partnership for Women and Families. 2022. "America's Women and the Wage Gap." https://www.nationalpartnership.org/our-work/resources/economic-justice/fair-pay/americas-women-and-the-wage-gap.pdf.
[22] Marte, Jonnelle and Mutikani, Lucia. 2021. "Share of U.S. workers holding multiple jobs is rising, new Census report shows." Reuters. https://www.reuters.com/article/us-usa-economy-multiple-jobs/share-of-u-s-workers-holding-multiple-jobs-is-rising-new-census-report-shows-idUSKBN2AH2PI.
[23] Washington Center for Equitable Growth. 2016. "Are unpredictable schedules harming U.S. workers' health?" https://equitablegrowth.org/unpredictable-schedules-us-workers-health/.
[24] Gee, Gilbert C. et al. 2019. "Racism and the Life Course: Taking Time Seriously." American journal of public health vol. 109(1) 43-S47. https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6356137/.

population,[25][26] Black women are predicted, at birth, to have a lifespan five years shorter than Hispanic and non-Hispanic white women.[27]

> ***These disparities are not the result of poor choices by Black women but of the poor, unjust options and values apportioned to them by an oppressive society.***

Furthermore, Black women and their families live in segregated communities that have been economically disinvested, excluded, and exploited,[28] with homes whose property values have been artificially devalued.[29] These disparities are not the result of poor choices by Black women but of the poor, unjust options and values apportioned to them by an oppressive society.[30] To properly redress, equity necessitates that we ask who benefits from the status quo arrangement and spotlight who bears the burden of these unjust policies and practices. Living in a male-centered, white supremacist, ableist society means that Black women, and the broader Black community have been, by design, forced to generationally amass the pernicious burdens and consequences of a fundamentally inequitable society while remaining the longstanding foundation and means for its economic, political, and cultural success. The benefits and privileges of this social structure almost exclusively, albeit discriminately, accrue to white households, businesses, and communities. As the renowned philosopher Jiddu Krishnamurti aptly concluded: "It is no measure of health to be well-adjusted to a profoundly sick society."[31] The U.S. will never realize the "American Dream," nor prove its democratic experiment, until it remedies its original sins and finally confers the same level of opportunity, resources, quality of life, dignity, and liberty to the long-denied citizenry it still voraciously and viciously marginalizes, maligns, and exploits.

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[25] Data Commons. 2019. "Median age by gender: places within the United States of America." Google. https://datacommons.org/tools/timeline#&place=country/USA,geoId/06,geoId/48,geoId/12,geoId/36,geoId/42&statsVar=Median_Age_Person_Female__Median_Age_Person_Male.

[26] Chinn, Juanita J., Iman K. Martin. and Nicole Redmond. 2021. "Health Equity Among Black Women in the United States." Journal of Women's Health. https://www.liebertpub.com/doi/10.1089/jwh.2020.8868.

[27] Arias, Elizabeth et al. 2020. "Provisional Life Expectancy Estimates for January through June, 2020." Vital Statistics Rapid Release, Report #010. National Center for Health Statistics. Centers for Disease Control and Prevention. https://www.cdc.gov/nchs/data/vsrr/VSRR10-508.pdf.

[28] Frederick, Rejane. 2018. "The Environment That Racism Built: The Impact of Place on Maternal and Infant Health." The Center for American Progress. https://www.americanprogress.org/article/environment-racism-built/

[29] Perry, Andre M., Jonathan Rothwell, and David Harshbarger. 2018. "The devaluation of assets in Black neighborhoods." Brookings Institute. https://www.brookings.edu/research/devaluation-of-assets-in-black-neighborhoods/.

[30] Holder, Michelle. 2020. "The Double Gap and the Bottom Line: African American Women's Wage Gap and Corporate Profits." Roosevelt Institute. https://rooseveltinstitute.org/wp-content/uploads/2020/07/RI_DoubleGap_Report_202003.pdf.

[31] Vonnegut, Mark. 1975. *The Eden Express*. Praeger.

> "Two hundred fifty years of slavery. Ninety years of Jim Crow. Sixty years of separate but equal. Thirty-five years of racist housing policy. Until we reckon with our compounding moral debts, America will never be whole."
> ~**Ta-Nehesi Coates**, The Case for Reparations[32]

As this report demonstrates, the corrective approach must transcend the scale, scope, and magnitude of the discriminant and extractive policies and practices that created and maintain these disparities. As Anne Price lifts up in her "Don't Fixate on the Racial Wealth Gap" report,[33] it is futile for policymakers to singularly focus their time, energy, and resources on just closing the racial gap — whether it be wealth, health, housing, or education — if they are unwilling to uproot and dismantle the primary causes of these inequities. Specifically, "we need a new approach to reassess and reimagine the rules, policies, and mental models that uphold anti-Blackness, which is the devaluing and de-humanizing of people who are Black."[34] Black Women Best is such an approach, offering a framework[35] that works to dismantle structural inequity and build up fully realized — and truly shared — prosperity.

Cultural Considerations to Enhance the Power of Black Women Best

Black Women Best is more than a policy and political framework— it's a values statement, an organizing praxis, and a call to action. BWB compels us to move beyond restrictive white supremacist and capitalist modes of being, relating with one another, and studying the world around us. Those in power have long presented the inequity, instability, and violence we collectively navigate as inevitable and even necessary. We are told that in capitalism there must always be winners and losers, forcing us to labor under conditions that crush our bodies and spirits to access life-sustaining resources that are increasingly captured by corporations and rationed by the state. BWB is a point of departure, challenging us to craft narratives that break free of the discursive parameters set by racial capitalism and transform our understanding of wealth, health, and freedom.

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[32] Coates, Ta-Nahisi. 2014. "The Case for Reparations." The Atlantic. https://www.theatlantic.com/magazine/archive/2014/06/the-case-for-reparations/361631/.
[33] Anne Price. 2020. "Don't Fixate on the Racial Wealth Gap: Focus on Undoing Its Root Causes." Roosevelt Institute. https://rooseveltinstitute.org/publications/dont-fixate-on-the-racial-wealth-gap-focus-on-undoing-its-root-causes/
[34] Ibid.
[35] BWB, and the overall history of Black women-led labor, civil rights, and justice movements, mirrors the internationally recognized targeted universalism conceptual framework coined by the Othering and Belonging Institute at the University of California, Berkeley.

> ***BWB is a point of departure, challenging us to craft narratives that break free of the discursive parameters set by racial capitalism and transform our understanding of wealth, health, and freedom.***

While the next section of the report will examine the policy applications of BWB more specifically, here we explore the narrative and cultural context needed to understand the framework fully. Using wealth as an example, we probe the provocations BWB activates and call for an expansive vision of wealth and lift up the narratives that will help us tell our economic story anew.

Expanding the Definition of Wealth and Reassessing How We Measure It

Policymakers committed to redressing economic oppression have rightly focused on the need to build wealth for Black women. But first, society as a whole must broaden its understanding of what that means and what it requires. Wealth is typically presented in terms of capital, but BWB is more interested in what wealth confers — such as agency and security — than in material wealth accumulation as an end in and of itself. When we look past material wealth, we see everything that wealth provides: the wealth of autonomy, of agency, of a legacy, of time. What if we leaned into radical imagination in our considerations of Black women's wealth? What if we allowed Black women to define wealth for themselves, creating an entry point from which the conversation can be built on over time?

BWB centers ensuring economic prosperity for Black women, our families, our communities, and our society. While this includes eliminating the barriers to traditional forms of wealth-building Black women face, it also means investing in community-based systems and formations that support people and their wellbeing.

As a financial asset, wealth provides a buffer against the unpredictability of life, but it also functions as an emotional and physical asset. People use wealth to build intergenerational security and resiliency, investing in education, entrepreneurship, home ownership, and more. They also use it to navigate unexpected circumstances, such as job loss or illness, and to secure literal safety — by leaving an abusive relationship, for example.

> ***When we stretch our qualitative imagination and expand the definition of wealth, we really see how much our current systems and institutions cost Black women — and us all.***

When we expand the definition of wealth, we see how much our current systems and institutions cost Black women — and us all. Rather than being at the whim of an economy that drastically shifts expectations and compounds pressures, we need an economy that is human-centered, offering self-determination and opportunity while affirming our interdependence.

Quantitatively, BWB requires clear and concise measures of the many facets of Black women's wealth. Our government has failed to prioritize intersectional analyses that would convey the "official" snapshot of Black women's assets. This failure to accurately measure and make public the current state of Black women's wealth points to a devaluing of the problem and an unwillingness — even an adversity— to provide adequate solutions.

> ***Quantitatively, BWB requires clear and concise measures of the many facets of Black women's wealth.***

The Distributional Financial Accounts[36] provide estimates of wealth distribution by race, gender, age, generation, education, and income, but they do not provide intersectional data. These data would allow policymakers to better understand not just the level of material wealth held by Black women across all of our identities, but also the share of aggregate wealth held by Black women households. The St. Louis Federal Reserve provides a detailed analysis of the gender[37] and racial[38] wealth gaps, but it does not provide an analysis at their intersection.

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[36] Federal Reserve. 2021. "DFA: Distributional Financial Accounts." https://www.federalreserve.gov/releases/z1/dataviz/dfa/
[37] Hernandez Kent, Ana, and Lowell Ricketts. 2021. "Gender Wealth Gap: Families Headed by Women Have Lower Wealth." https://www.stlouisfed.org/publications/in-the-balance/2021/gender-wealth-gap-families-women-lower-wealth
[38] Emmons, William R., Ana Hernandez Kent, and Lowell Ricketts. 2019. "Just How Severe Is America's Racial Wealth Gap?" https://www.stlouisfed.org/open-vault/2019/october/how-severe-americas-racial-wealth-gap

Scholars have supplemented[39] the federal government's lacking analyses with thoughtful evaluations and valuable insights. These findings reveal a grim reality for Black women's wealth, but we cannot overcome this reality without an intentional, in-depth exploration of its magnitude. We can't fix a problem if we don't know the extent of its devastation. When we better understand the state of Black women's wealth and its numerous dimensions, we can better implement a BWB legislative agenda in ways that will allow us to reclaim not just financial resources, but everything else that access to wealth confers, including our time, energy, and agency.

We Are the Protagonists: Shifting the Narrative

Achieving Black women's economic wellbeing will take more than strong policy change — it demands an intentional, long-term narrative shift. From our country's inception, U.S. politicians and society at large have cultivated, adopted, and perpetuated harmful myths about Black women.

These narratives – our shared cultural understandings, frames of reference, and mental models — play an integral role in both policymaking and public response. Thus, BWB cannot be fully understood nor successfully applied without uprooting the violent worldviews that serve to justify oppressive systems and building liberatory narratives in their stead.

> ***BWB cannot be fully understood nor successfully applied without uprooting the violent worldviews that serve to justify oppressive systems that bear down on us all and building liberatory narratives in their stead.***

For instance, our social safety net policies over the past five decades have been driven by President Ronald Reagan's "welfare queen"[40] narrative campaign, an inaccurate trope targeted at Black women as a way to justify the decimation of welfare benefits. This narrative has successfully reinforced a toxic ideology that

[39] Zaw, Khaing, Jhumpa Bhattacharya, Anne Price, Darrick Hamilton, and William Darity, Jr. 2017. "Women, Race, and Wealth." https://www.insightcced.org/wp-content/uploads/2017/01/January2017_ResearchBriefSeries_WomenRaceWealth-Volume1-Pages.pdf

[40] Covert, Bryce. 2019. "The Myth of the Welfare Queen." https://newrepublic.com/article/154404/myth-welfare-queen

places the onus of poverty solely on the individual, rather than examining and acknowledging the societal and political decisions that force a person into poverty in the first place.

> "The welfare queen has deep historical roots and is one of the most enduring, racist, and sexist stereotypes that has slithered its way to permanency and perceived truth within the American consciousness. It says that Black women are cheats, lazy, promiscuous, inept, and need to be tamed in order to get work out of them, and therefore don't deserve help or concern."[41]

Black women today are still seen as "cheats" and are scapegoated as the main (undeserving) beneficiaries of government aid, despite the fact that white Americans have always comprised the largest share of welfare recipients.[42]

Reagan is merely one stop in a long — and bipartisan — tradition of policymakers casting Black women as criminals out to scam the system while intentionally ignoring the inequitable systems that hold Black women back from maintaining economic security and building wealth.

Black women's progress in the professional world is stymied by the stereotype of the "angry Black woman," a concept stemming from chattel slavery that is still prominent today.[43] This belief that Black women are louder, more challenging and overall ill-tempered has been proven to hold Black women back in the workplace, with researchers finding[44] that when a Black woman expresses anger, many are more likely to view it as a personality flaw rather than the result of a precipitating event.

As Dorothy E. Roberts has investigated,[45] this discrimination extends to parenting as well, with Black women seen as "bad parents" and more likely to display criminal behavior compared to their peers of other races. This narrative drives inequities in the child welfare system, with most white children who enter the system allowed to stay with their families while most Black children are removed from theirs. According to PBS, "Once removed from their homes, [B]lack children remain in

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[41] Bhattacharya, Jhumpa, Aisha Nyandoro, and Anne Price. 2020. "If Black Lives Matter, the 'Welfare Queen' Myth Must Go." The Nation. https://www.thenation.com/article/society/black-lives-welfare-queen/
[42] Delaney, Arthur, and Ariel Edwards-Levy. 2018. "Americans Are Mistaken About Who Gets Welfare." https://www.clasp.org/press-room/news-clips/americans-are-mistaken-about-who-gets-welfare.
[43] Motro, Daphna, Jonathan B. Evans, Aleksander P.J. Ellis, and Lehman Benson III. 2022. "The 'Angry Black Woman' Stereotype at Work." Harvard Business Review. https://hbr.org/2022/01/the-angry-black-woman-stereotype-at-work
[44] Motro, Daphna, Jonathan B. Evans, Aleksander P.J. Ellis, and Lehman Benson III. 2022. "Race and reactions to women's expressions of anger at work: Examining the effects of the 'angry Black woman' stereotype." APA PsycNet. https://psycnet.apa.org/record/2021-32191-001
[45] Roberts, Dorothy E. 2003. "Child Welfare and Civil Rights." University of Pennsylvania Carey Law School. https://scholarship.law.upenn.edu/cgi/viewcontent.cgi?article=1584&context=faculty_scholarship

foster care longer, are moved more often, receive fewer services, and are less likely to be either returned home or adopted than any other children."[46]

We can see this play out today in everything from the abysmal income and material wealth gaps Black women face to the constant challenges to their credibility — even when they've reached the top of their professions. Most recently, backlash quickly emerged to President Biden's decision to nominate the first Black woman to the Supreme Court (SCOTUS), including that of a professor's public assertion that any Black woman would be "lesser"[47] to a man.

As of the writing of this report, the SCOTUS debate is ongoing, but we know that the nomination process will be rife with unfair and unjust critiques that are borne from racist and sexist narratives. Dr. Lisa Cook experienced similar attacks during the selection proceedings for her to serve on the Federal Reserve Board of Governors, despite being eminently qualified.[48] The BWB framework requires Black women to be decision-makers and power-holders as we remake our economy. The Black women most harmed by past and current policy choices should be the ones rewriting them, and we must also ensure that more Black women, who are accountable to directly impacted communities, serve in high-level policy roles. This includes legislators, court justices, and heads of agencies. The Congressional Caucus on Black Women and Girls (CCBWG) co-led by Rep. Bonnie Watson Coleman, Rep. Robin Kelly, and Rep. Yvette Clarke is the first congressional caucus that focuses specifically on the unique needs of Black women and girls; Rep. Maxine Waters is the first Black person and woman to chair the House Financial Services Committee,[49] and she's driving transformational policies; Sandra Thompson was nominated to lead the Federal Housing Finance Agency and would be the first Black woman to lead there, if confirmed;[50] and Housing and Urban Development (HUD) Secretary Marcia L. Fudge is incorporating intersectionality in her push for affordable housing.[51] Having Black women leaders, with demonstrated commitments to equity, at the helm of these institutions will drive inclusive growth, ensuring that the whole of the nation is lifted.

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[46] Roberts, Dorothy. "Race and Class in the Child Welfare System." PBS. https://www.pbs.org/wgbh/pages/frontline/shows/fostercare/caseworker/roberts.html.
[47] Ma, Alexander. 2022. "Incoming Georgetown Law professor prompts backlash by saying Biden will pick 'lesser Black woman' for Supreme Court." https://www.businessinsider.com/georgetown-law-ilya-shapiro-biden-lesser-black-woman-supreme-court-2022-1.
[48] Bailey, Nikitra. 2022. "Sign-On Letter in Support of Dr. Lisa Cook." National Fair Housing Alliance. https://nationalfairhousing.org/wp-content/uploads/2022/02/Sign-On-Ltr.-In-Support-of-Dr.-Lisa-Cook-Nomination-2022.02.02.pdf.
[49] Crowell, Charlene. 2019. "Congresswoman Maxine Waters makes history as first black, first woman to chair House Financial Services Committee." The St. Louis American. https://www.stlamerican.com/news/local_news/congresswoman-maxine-waters-makes-history-as-first-black-first-woman-to-chair-house-financial-services/article_41ccad78-105d-11e9-bba5-973cb08d74c9.html.
[50] The Leadership Conference on Civil and Human Rights. 2021. "Civil & Human Rights, Housing, Consumer Groups Letter in Support of Sandra Thompson Nomination." https://civilrights.org/resource/civil-human-rights-housing-consumer-groups-letter-in-support-of-sandra-thompson-nomination/
[51] Francis, Lizzy. 2022. "'Housing Is At The Intersection of Almost Everything.'" Fatherly. https://www.fatherly.com/news/hud-secretary-marcia-fudge-interview/.

False narratives hurt Black women's economic wellbeing and limit their political power. To achieve an economy, democracy, and society that fosters the success of Black women — and of us all — we must rewrite these narratives, leading with radical and righteous truths.

BWB requires policymakers to remove barriers to wealth building — and to dismantle systems of wealth extraction[52] — for Black women through the myriad policy proposals outlined in the next section of this report. It also requires that we abandon antiquated narratives based on scarcity and scapegoating and instead operate in abundance and truth — creating resources and providing support to help Black women, and everyone, thrive.

> ***We know that inequality is never an outcome of individual behavior; it is always the result of policy and cultural choices. By centering Black women in our economic decisions and rewriting our stories, we can uproot systemic injustice and build toward necessary structural change for everyone.***

The COVID-19 pandemic and resulting recession — and our government's failure to provide a targeted response — laid bare the ways that structural racism and white supremacist capitalist cisheternormative patriarchy hurt Black women, people of color, and our society as a whole.[53] We know that inequality is never an outcome of individual behavior; it is always the result of policy and cultural choices. By centering Black women in our economic decisions and rewriting our stories, we can uproot systemic injustice and build toward necessary structural change for everyone. If we make the road by walking it,[54] guaranteed income is one of the clearest policy pathways we have for demonstrating the collective strength of a Black Women Best legislative agenda.

[52] Greer, Jeremie. 2022. "Wealth Building Won't Work While Wealth Extraction Continues." Shelterforce. https://shelterforce.org/2022/02/14/wealth-building-wont-work-while-wealth-extraction-continues/.
[53] Bozarth, Kendra, and Angela Hanks. 2020. "Structural Racism Is Exacerbating the Coronavirus Pandemic for Black People—Especially Black Women." https://msmagazine.com/2020/04/09/structural-racism-is-exacerbating-the-coronavirus-pandemic-for-black-people-especially-black-women/.
[54] Menahan Street Band. 2013. "Make the Road by Walking It." https://www.youtube.com/watch?v=ud_jP6U3fNI.

SECTION 2: POLICY PATHWAYS ROOTED IN BLACK WOMEN BEST

In this section, we demonstrate the comprehensiveness of Black Women Best through a set of policy problems, solutions, and considerations — all with Black women at the center, as is necessary if our nation is to ever achieve an equitable and just economy. This collection and the proposals offered are not exhaustive. Notably, every policy pathway was written by one or multiple Black women authors, and each section touches on problem definition, policy approaches or recommendations, and implications. We have purposely kept redundancies throughout so that issue sections can stand alone.

POLICY PATHWAY: PROVIDING GUARANTEED INCOME

Policy Overview

A guaranteed income is an unconditional monthly cash payment given directly to individuals — with no restrictions on how the money can be spent and no work requirements imposed for qualification. Pilots and ongoing programs generally distribute between $500 and $1,000 in funds, but we can imagine larger amounts.

As currently structured, payments are meant to supplement, rather than replace, the existing social safety net. When targeted by income, these payments can be a critical tool for improving racial and gender equity, as women and Black and brown Americans are more likely to live in poverty. The scaling up of a national guaranteed income program should be paired with a complete reimagining of public benefits administration in the U.S. This report explores some of these transformative ideas in the “Safeguarding Public Benefits” section on page 95.

Guaranteed income is rooted in a history of racial justice. Dr. Martin Luther King, Jr., called for guaranteed income as the simplest and most effective solution to poverty, the Black Panther Party included guaranteed income in their platform for economic justice, and Black women led the charge on the proposal through the work of Johnnie Tillmon and the National Welfare Rights Organization.

Currently, many guaranteed income pilots are privately funded. To scale the idea up to a national policy, guaranteed income payments would be funded and distributed by the federal government. Policy related to guaranteed income is nascent, due to a longstanding hesitation among many Members of Congress to align themselves

with an idea that has traditionally been thought of as "radical" – trusting poor people to make their own financial choices without restrictions and heavy bureaucracy.

The COVID-19 pandemic has brought the idea of unrestricted cash into a bipartisan conversation, with a shared understanding that when constituents are dealing with an unparalleled health and economic crisis, that getting them help quickly and efficiently must be the government's priority. A prominent example is the Coronavirus Aid, Relief, and Economic Security (CARES) Act, which provided families with economic impact payments and demonstrated legislative movement to advance a more comprehensive guaranteed income policy. Our government can and must prevent people from falling into poverty by building a floor beneath which no one in this country should fall.

This shift has proven what advocates of guaranteed income have been saying for years – cash works. For instance, an analysis of the impacts of stimulus checks found that due to the most recent checks between December of 2020 and April of 2021, food insufficiency fell by over 40 percent, financial instability fell by 45 percent, and adverse mental health symptoms fell by 20 percent.[55]

Policy Recommendations: A Federal Legislative Approach

As attitudes have evolved in favor of guaranteed income, with recent polling[56] indicating a bipartisan majority of voters support it, potential policy solutions have emerged. We explore three such proposals below:

- *Rep. Bonnie Watson Coleman's Guaranteed Income Pilot Program Act (HR 4342).*[57] As outlined by the Congresswoman's office: The Guaranteed Income Pilot Program of 2021 would establish a three-year nationwide pilot program that gives a monthly support payment to individual taxpayers implemented by the U.S. Department of Health and Human Services (HHS).[58]
    - The pilot program created by the bill would distribute monthly cash payments to included participants in amounts equal to fair market rent for a 2-bedroom home in their zip code, or a similar amount to be

[55] Cooney, Patrick, and H. Luke Shaefer. 2021. "Material Hardship and Mental Health Following the Covid-19 Relief Bill and American Rescue Plan Act." University of Michigan. http://sites.fordschool.umich.edu/poverty2021/files/2021/05/PovertySolutions-Hardship-After-COVID-19-Relief-Bill-PolicyBrief-r1.pdf.
[56] Penumaka, Evangel, Isa Alomran, and Abby Steckel. 2021. "Memo: Majority of Voters Support a Guaranteed Income." Data for Progress. https://www.dataforprogress.org/memos/voters-support-a-guaranteed-income.
[57] The Office of Bonnie Watson Coleman. 2021. "Watson Coleman Leads Introduction of Bill for Guaranteed Income Pilot Program." https://watsoncoleman.house.gov/newsroom/documentsingle.aspx?DocumentID=1846.
[58] Economic Security Project. 2021. "The Guaranteed Income Pilot Program of 2021." https://watsoncoleman.house.gov/uploadedfiles/2021_guaranteed_income_fact_sheet.pdf.

determined by the Secretary of Health and Human Services, with payments arriving on or near the 15th day of each month.

- Payments to participants made through the pilot program would not be considered when determining eligibility for federal or federally assisted state or local assistance programs, including the Supplemental Nutrition Assistance Program (SNAP) and Medicaid.

- The bill requires HHS to work with a non-profit academic or research institution with experience in mixed-method experimental design to support development of the pilot program and ensure measurable results.

- The pilot program would include 12,000 individuals, including a control group of 6,000, to allow comparison of economic security for the families involved at the end of the three-year period.

- The bill requires HHS, the Internal Revenue Service, and the designated research institution to provide an interim report on the pilot program's outcomes within 24 months of implementation, and a final report within 12 months of the program's conclusion.

- The expanded *Child Tax Credit*. The U.S. had a version of a guaranteed income for much of last year through this program starting in July, when most parents in America (covering 88 percent of children) began receiving up to $300 a month. The Build Back Better bill would extend it through this year, and several Congressional leaders and organizations are pushing for it to be made permanent. The Build Back Better legislation has already passed the House, but faces obstruction by Senate GOP and Sen. Joe Manchin.

    - Since the expanded CTC began, data shows significant decreases[59] in food insecurity and child poverty, lifting three million kids from poverty after just one payment.[60] In September, more than 400 economists signed a letter[61] to the Biden Administration endorsing a permanent extension of the policy, including full refundability to ensure that the lowest income families can receive it.

[59] Reinecke, Carmen. 2021. "Expanding the child tax credit would reduce child poverty to less than 10% in most states, study finds." CNBC. https://www.cnbc.com/2021/09/09/expanded-child-tax-credit-could-put-poverty-under-10percent-in-most-states.html.
[60] Iacurci, Greg. 2021. "Child tax credit lifted 3 million kids from poverty in July." CNBC. https://www.cnbc.com/2021/08/25/child-tax-credit-lifted-3-million-kids-from-poverty-in-july.html.
[61] Hoynes, Hilary et al. 2021. Child Tax Credit Letter. https://static1.squarespace.com/static/5ecd75a3c406d1318b20454d/t/6148f183c62fb147d0d25138/1632170373799/Economist+CTC+Letter+9-14-21+430pm.pdf.

- Parents spent their first few CTC checks on covering basic needs: the most common uses of the first two CTC payments were purchasing food for their family (51 percent), followed by paying essential bills (36 percent), and paying for clothing and other essentials for their children (30 percent).[62]

- While the expansion of the CTC is in limbo, conservatives and moderate Democrats like Sen. Joe Manchin[63] have indicated a desire to attach work requirements to the policy. In fact, recent studies[64] have shown that direct cash programs like the CTC don't discourage employment, and often result in people working more because they are able to afford full-time childcare. According to an analysis[65] by the Center on Budget and Policy Priorities, work requirements would exclude children in the most vulnerable families and expose them to ongoing severe hardship.

- *A Guaranteed Income for the 21st Century*, authored by Naomi Zewde, Kyle Strickland, Kelly Capatosto, Ari Glogower and Darrick Hamilton.[66] The proposal offers a reconfiguration of the tax code to eliminate poverty overnight through a federal guaranteed income: "We propose that the federal government use its most powerful fiscal tool, the U.S. tax code, to guarantee income and promote economic security for all families, especially communities of color who have been marginalized by our current economic system. A substantial overhaul and extension of the Earned Income Tax Credit (EITC), including the elimination of wage earning requirements to qualify, would serve as a vehicle to eliminate poverty, build economic equity and lift more families to the middle class. Our proposal to implement a progressive tax code to fund a guaranteed income for families who earn low incomes would essentially eliminate poverty, as designated by federal poverty-level determinations, in America." As outlined in the report:

    - The proposal eliminates wage earning requirements and dramatically extends the negative income tax feature of the EITC to guarantee

[62] Roll, Steven, Yung Chun, Laura Brugger, and Leah Hamilton. 2021. "How are American families using their Child Tax Credit payments?" Washington University in St. Louis. https://assets.aecf.org/m/blogdoc/spi-familiesandctc-US-2021.pdf.
[63] Adamczyk, Alicia. 2022. "Joe Manchin reiterates that he won't support enhanced child tax credit without a work requirement." CNBC. https://www.cnbc.com/2022/01/04/manchin-wont-support-enhanced-child-tax-credit-without-work-requirement.html.
[64] Zeballos-Roig, Joseph. 2021. "New study blows a hole in Joe Manchin's argument that the revamped child tax credit discourages people from working." Business Insider. https://www.businessinsider.com/new-study-challenges-manchin-work-requirement-child-tax-credit-2021-10.
[65] Sherman, Arloc, Chuck Marr, and Stephanie Hingtgen. 2021. "Earnings Requirement Would Undermine Child Tax Credit's Poverty-Reducing Impact While Doing Virtually Nothing to Boost Parents' Employment." Center on Budget and Policy Priorities. https://www.cbpp.org/research/federal-tax/earnings-requirement-would-undermine-child-tax-credits-poverty-reducing-impact.
[66] Zwede, Naomi, Kyle Strickland, Kelly Capatosto, Ari Glogower, and Darrick Hamilton. 2021. "A Guaranteed Income for the 21st Century." New School Institute on Race and Political Economy. https://kirwaninstitute.osu.edu/sites/default/files/Guaranteed%20Income%20for%20the%2021st%20Century.pdf.

income, thus reducing poverty and lifting more families to the middle class.

- A maximum refund would equal the poverty level for households earning $0, with a sliding scale from that point until phasing out at approximately the national median household income, at $50,000 or $70,000, respectively. Every individual adult is qualified to receive annual monetary support of up to $12,500, regardless of their household composition or filing status. Families with children will also receive an additional grant for every child.

- This program would provide a substantial level of economic support to Americans who need it most by guaranteeing every individual an income above the federal poverty line. Every individual adult is qualified to receive annual monetary support of up to $12,500, regardless of their household composition or filing status. Every household will also receive an additional support of up to $4,500 per child.

- The support would be provided in monthly installments, with no wage-earning requirement to qualify. The proposal is designed to supplement, not replace, the existing social safety net. It would lift all households—both wage-earning and non-wage-earning—out of poverty and lift millions more to the middle class.

- Among the nearly 14 million U.S. households in poverty (pre-pandemic), all would be lifted above the poverty line after implementing the proposed guaranteed income program, virtually eliminating poverty in this country.

- Among the over 25 million households just above poverty (working poor), most would be elevated to above two times the poverty line. Of the 7.3 million white households in poverty (representing approximately 8 percent of white households), the guaranteed income policy would lift each household out of poverty. Most (5.7 million, 78 percent) would be bumped up to the next poverty category, between 100 and 200 percent of the federal poverty level, while the remaining 1.6 million would reach more than 200 percent of poverty level.

- Among Black households at baseline, a far greater share are currently below the poverty line, approximately 18 percent, or 3.6 million households. Each of these households would be lifted out of poverty, with most (2.96 million) between 100 and 200 percent of poverty.

Black Women Best in Action Through a Guaranteed Income

In recent years, a number of programs with a focus on uplifting Black women through a guaranteed income have emerged. The longest-running of these is the Magnolia Mother's Trust (MMT), a program of Springboard to Opportunities. In 2018, MMT began distributing $1,000 per month for one year to extremely-low income Black mothers living in subsidized housing in Jackson, Mississippi. Participating women had an average annual income of $12,000, so the program effectively doubled their income. Still, many remained under the poverty line, showing how far we must come to truly support the economic health of Black women living in poverty.

Now entering its fourth cohort, MMT has supported several hundred mothers, and the results are clear – this program works. The payments of 2020's cohort were distributed fully during the COVID-19 pandemic, which helped recipients meet their basic needs during the financial chaos of 2020. The mothers' ability to pay all of their bills on time increased from 27 percent to 83 percent, the percentage of mothers who had money saved for emergencies increased from 40 percent to 88 percent, and mothers reported an increase from 64 percent to 81 percent in their ability to have enough money for food.

> ***The mothers' ability to pay all of their bills on time increased from 27% to 83%, the percentage of mothers who had money saved for emergencies increased from 40% to 88%, and mothers reported an increase from 64% to 81% in their ability to have enough money for food.***

The Magnolia Mother's Trust is the vision of Aisha Nyandoro, CEO of Springboard to Opportunities, along with a group of women in the Springboard community. By designing the program collaboratively with those who would be served by it, MMT offers a framework for building policies based on those who are affected – a privilege that has never been afforded until now to poor Black women. Centering recipients, rather than think tank leaders or politicians, in policy design serves to shift racist and sexist narratives that have guided much of our nation's policy creation for far too long. It also helps recipients to change their own visions of themselves, and for the

first time be encouraged to dream, hope and plan for a future they previously thought impossible.

Too often, policy is created with a strictly transactional approach. This fails to take into account the many ways in which policies shape how marginalized groups like poor Black women see themselves.

Policy Paired with Empathy: Stories from the Black Women Who Have Benefited from Guaranteed Income through the Magnolia Mother's Trust

Central to Black Women Best is listening to and following the leadership of Black women, especially those who are living through and are most harmed by structural oppression. They know what they need to get ahead, and they have a strong vision for the systemic solutions necessary to end poverty and inequality.

Elsie, a mother of two, describes how taking part in the first round of the program still affects her years later: "I was in the very first round of the Magnolia Mother's Trust, which started three years ago. So it's been about two years since I stopped getting the guaranteed income payments, but the program allowed me to do so much that's still benefiting me now. I was able to move out of subsidized housing and into my own place, I was able to get a more reliable car."[67]

I'esha was able to use the expanded CTC and her guaranteed income to pay her bills after a high-risk pregnancy forced her to quit her job being on her feet all day as a hotel cleaning supervisor. She offered her hope that national leaders will offer long-term solutions to support families like hers: "If I could talk to President Biden, I would tell him that he should make the child tax credit permanent, because so many people are still unemployed and the pandemic is not over. And people need help even without a pandemic going on."[68]

[67] Elsie. 2021. "Front and Center: Two Years After Receiving Guaranteed Income, This Family Is Still Feeling the Benefits." Ms. Magazine. https://msmagazine.com/2021/12/23/front-and-center-15-elsie-guaranteed-income-child-tax-credit-black-mothers-women-magnolia-mothers-trust-jackson-mississippi/.
[68] I'esha. 2021. "Front and Center: Guaranteed Income and the Child Tax Credit Are Keeping This Family Afloat." Ms. Magazine. https://msmagazine.com/2021/08/05/front-and-center-9-iesha-guaranteed-income-black-mothers-women-magnolia-mothers-trust-jackson-mississippi-child-tax-credit-covid/.

Chephirah spoke about how the money both allowed her to cover her financial obligations and enjoy quality time with her daughter: "The money has also helped me cover my monthly bills, and get caught up on some old debts. It also helps to pay for things like my daughter's school books. And then she wanted to have a dinner for her birthday, and I wouldn't have had the ability to pay for that before the program. But with the Magnolia money and my dad helping out, I was able to do that, and have everyone come out and show love to her."[69]

Johnnie was able to use her guaranteed income to cover her bills when schools went fully remote and she had no one to look after her young daughter for daily online schooling: "During the pandemic, it was really hard for me because it was mandatory for me to go to work, but then my daughter was home from school and I didn't have anyone to be there to help her. I also didn't have internet at home, so I had to pay to get that so that she could do her school work online. It was really a struggle for both of us. But I didn't have any options, so I had to quit my job to help my baby."[70]

Nikki suffers from sickle cell anemia, which often affects Black women and has left her unable to work but still needing to provide for her two kids. The MMT money gave her the resources to cover her bills so she can focus on her health. "I have three different kinds of pain medications I take on a daily basis. I'm really careful about the meds, because a lot of people with sickle cell end up addicted to pain meds. And I can't let that happen, I've got two kids to take care of. But the pain — oh my goodness, it is so intense. It is something I wouldn't wish on my worst enemy. Some nights, the pain is so bad I cry myself to sleep... It has left me disabled, so I can't work. I'm in and out of the hospital, especially during the winter time. So it's hard that I can't work now. I had been working since graduating high school."[71]

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[69] Chephirah. 2021. "Front and Center: Guaranteed Income Is Helping Chephirah Cover Her Bills, Plan Her Future and Finally Feel Hope." Ms. Magazine. https://msmagazine.com/2021/07/08/front-and-center-7-chephirah-guaranteed-income-black-mothers-women-magnolia-mothers-trust-jackson-mississippi/.

[70] Johnnie. 2021. "Front and Center: "I Had To Quit My Job To Help My Baby," Says Johnnie, Essential Worker and Guaranteed Income Recipient." Ms. Magazine. https://msmagazine.com/2021/06/10/front-and-center-5-johnnie-guaranteed-income-essential-worker-black-mothers-women-magnolia-mothers-trust/.

[71] Nikki. 2021. "Front and Center: For Nikki, Guaranteed Income Means Financial Security, Community and Hope for the Future." Ms. Magazine. https://msmagazine.com/2021/05/13/front-and-center-3-nikki-guaranteed-income-black-mothers-women-ms-magazine-magnolia-mothers-trust/.

As the stories[72] of the Magnolia Mother's Trust make clear, needs are individual, but cash is universal. Guaranteed income is not a panacea for the many ways in which our systems are designed to fail Black women, but it does offer a flexible, effective, and swift way to alleviate economic anxiety and build financial resilience. It allows recipients to exist as their full selves instead of only as a vehicle to maximize paid labor. It affords them the invaluable opportunity to recognize that they are good caretakers, and that the blame for the failure to support families in this country falls squarely at the feet of policymakers — not parents.

Black Women and Their Views on Wealth

Guaranteed income and wealth creation are not synonymous. Guaranteed income provides income stability, which in turn provides the economic liberation necessary for individuals to plan their future. Part of centering Black women is recognizing that we are not a monolith, a fact that is missing from many conversations at the policymaking and thought leadership levels.

"What you own minus what you owe," is the most basic definition of wealth, but this definition is not universally applicable. For many Black women who do not own assets or have the ability to make a living wage due to pay inequities, that definition excludes them from a conversation that should instead center them. In this limiting definition, many Black women are erased from the conversation before it even starts. When having a conversation about traditional definitions of wealth, one mother within the Magnolia Mother's Trust asked, "How am I supposed to have three months' worth of savings, when before I didn't even have money left at the end of the month?"[73]

The women who take part in the Magnolia Mother's Trust do not view wealth as a diverse stock portfolio or a robust college savings account. When asked about her definition of wealth, one mother said, "it's having a garage with a door that closes so that I can be home but no one else knows it." Another mother said, "it's knowing that if something happened to me, my family would have the funds needed to pay for my burial expenses." Wealth is a sense of agency, of having something that is one's own. Wealth means not having to answer to anyone after a lifetime of being controlled by our country's paternalistic approach to the social safety net.

Many mothers in the program view wealth as the ability to escape subsidized housing and to own a home of their own. But even if they are able to achieve that

[72] Ms. Magazine and Springboard to Opportunities. 2022. "Front and Center." https://msmagazine.com/frontandcenter/.
[73] Springboard to Opportunities. Nd. "Storytelling Series." https://springboardto.org/magnolia-mothers-trust/storytelling-series/.

dream, the results of homeownership for them will not be the same as their white counterparts. As the "Still Running Up the Down Escalator" report lays out,[74] the homeownership deck is stacked against Black people, especially Black women. For instance, despite having higher credit scores, Black women are 256 percent more likely to receive a subprime mortgage than a white man with the same financial profile.

This is not to say that we should discourage homeownership amongst Black women. Rather, we should adopt programs and policies to lower barriers for them. But such mechanisms, despite being historically viewed as sure-fire paths to building wealth, are structurally incapable of delivering for most Black women.

To redefine wealth, we must first expand its definition. Read more in the "Cultural Considerations to Enhance the Power of Black Women Best" section above on p. 12. We cannot only tailor our messages and outreach to Black Americans who occupy the elite spaces of politics and policy. We must also incorporate the perspectives of the Black women who are so often excluded from these discussions. What is wealth to them? How can our policymakers better support them achieving their own definitions of wealth? How do we right the structures that will keep them from achieving that vision? How do we tie this to a cohesive vision of what wealth looks like for the Black community?

By answering these questions, we can build the strategy that finally brings wealth to Black women across the socioeconomic spectrum.

POLICY PATHWAY: ENSURING WEALTH AND GENERATIONAL STABILITY

According to Dr. William "Sandy" Darity, "wealth begets wealth, and a lack of wealth begets a lack of wealth."[75] Despite decades of progress following the civil rights movement of the mid-20th century, Black American women continue to face barriers to economic prosperity. Pillars of economic stability evade Black women whose coerced and unpaid labor built the foundation of the nation's financial strength.[76] For centuries, thousands of public policies, from the Head Rights

[74] Hicks, Natasha, Fenaba Addo, Anne Price, and William Darity Jr. 2021. "Still Running Up the Down Escalator." Insight Center. https://insightcced.org/still-running-up-the-down-escalator/.
[75] Hearing before the Subcommittee on Oversight and Investigations, House Financial Services Committee, Testimony of Dr. Sandy Darity. 117th Cong. 2021. "How Invidious Discrimination Works and Hurts: An Examination of Lending Discrimination and Its Long-term Economic Impacts on Borrowers of Color." https://twitter.com/i/broadcasts/1eaKbnPgzErKX.
[76] Desmond, Matthew. 2019. "In order to understand the brutality of American capitalism, you have to start on the plantation." The New York Times. https://www.nytimes.com/interactive/2019/08/14/magazine/slavery-capitalism.html.

System[77] of 1779 to the CARES Act of 2020,[78] facilitated economic security for white people while simultaneously systematizing economic insecurity for Black women. Importantly, many of the nation's ostensibly "race-neutral" policies, especially New Deal solutions, in fact perpetuated and cemented racial inequality[79] by denying Black people an equitable opportunity to thrive. It is long past time to implement race-conscious solutions that rectify the historical failings of the nation's economic policies and to place Black women on more solid economic footing. Instituting equity-based remedies to prior policies that favored white people is in the best interest of Black women and our families, and these policies will propel the economy forward for everyone.

> ***Despite decades of progress following the civil rights movement of the mid-20th century, Black American women continue to face barriers to economic prosperity.***

Today, at the median, white households have 90 percent more wealth than Black households.[80] In fact, they hold 84 percent of all household wealth in the U.S., compared to just 4 percent for Black households.[81] The disparities are even greater once gender is factored in. In fact, single white males under the age of 35 have 224.2 times the wealth of similarly aged Black women who hold just $101 in wealth on average.[82] While the disparities decrease as people age, the wealth held by Black women continues to substantially trail the wealth held by white men. The policies that are responsible for these disparities are not only a barrier to progress for Black women and their families; they stymie economic growth for everyone.

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[77] Library of Virginia. "Headrights (VA-Notes)." https://www.lva.virginia.gov/public/guides/va4_headrights.htm.
[78] Coronavirus Aid, Relief, and Economic Security Act, 15 U.S. Code (2020) §116.
[79] Lung-Amam, Willow. 2021. "The Next New Deal Must Be for Black Americans, Too." Bloomberg City Lab. https://www.bloomberg.com/news/articles/2021-01-18/the-next-new-deal-must-be-for-black-americans-to. For a more robust discussion of how federal housing policies benefited whites while disadvantaging Blacks and other people of color, see Ta-Nehisi Coates. "The Case for Reparations." The Atlantic. June 15, 2014. http://www.theatlantic.com/features/archive/2014/05/the-case-for-reparations/361631/; Bob Herbert. "Against All Odds: The Fight for the Black Middle Class." Bob Herbert and Public Square Media, Inc. March 6, 2017. http://www.pbs.org/wnet/chasing-the-dream/films/against-all-odds/; James Carr and Nandinee Kutty. 2008. "Segregation: The Rising Costs for America." Routledge.; Ira Katznelson. 2006. "When Affirmative Action Was White: An Untold History of Racial Inequality in Twentieth-Century America." W. W. Norton & Company.; Thomas M. Shapiro. 2003. "The Hidden Cost of Being African American: How Wealth Perpetuates Inequality." Oxford University Press.; Melvin L. Oliver and Thomas M. Shapiro. 1997. "Black Wealth/White Wealth: A New Perspective on Racial Inequality." Routledge.; and Richard Rothstein. 2017. The Color of Law: A Forgotten History of How Our Government Segregated America, Liveright Publishing Corporation.
[80] Struyven, Dan, Giselle George Joseph, and Daniel Milo. 2021. "The Big Picture: 'Black Womenomics, Investing in the Underserved.'" Goldman Sachs Investment Research. https://www.documentcloud.org/documents/20509278-black-womenomics-report.
[81] Moss, Emily, Kriston McIntosh, Wendy Edelberg, and Kristen Broady. 2020. "The Black-white wealth gap left Black households more vulnerable." Brookings Institute. https://www.brookings.edu/blog/up-front/2020/12/08/the-black-white-wealth-gap-left-black-households-more-vulnerable/.
[82] Ibid.

America's economic crises typically position those with assets to recover from downturns at faster rates. The last two crises are no different. For example, the families that held stocks and bonds weathered the Great Recession more favorably and saw their assets skyrocket during its recovery.[83] These families were mostly wealthy and white.

Building wealth, in the traditional sense of the word, in the U.S. depends on owning assets that, in theory, grow in value over time. These assets include real estate, businesses, and investments. This section suggests policy recommendations to support Black women in ensuring future material wealth and improving credit (a necessary condition of building wealth). However, this is simply a surface-level analysis. Efforts to eliminate fines and fees, make college debt free, ensure universal access to retirement savings, and more should all be explored more thoroughly for their impacts to substantially improve the wealth position of Black women.

Endowing Future Wealth

As previously mentioned, wealth begets wealth. Large inheritances and wealth transfers make up a significant portion of wealth inequality. In the U.S. white families are five times[84] more likely to have inheritances than Black families and, on average, white family inheritances are four times larger than that of Black families.[85] Fortunately, the nation has the resources to change this trajectory with baby bonds.

Baby bonds, an idea developed and championed by Dr. Darrick Hamilton and Dr. William "Sandy" Darity, are government-funded trust accounts that are provided to every newborn.[86] The federal government would make annual deposits into those accounts, and the size of the annual deposit could be based on the income of the child's family in that given year to ensure that the lowest-income children get the largest wealth transfer. The wealth can be withdrawn by the child to make life-changing purchases, such as paying for college expenses, starting a business, or putting a down payment on a home. The estimated lifetime amount to be paid out to a low-income child at 18 years old can vary, ranging from $46,000 to $65,000. The most expansive of these proposals allows for any use, such as what is being proposed in the state of California.[87] More prescriptive proposals require funds to be

[83] Bennett, Jesse, and Rakesh Kochhar. 2019. "Two Recessions, Two Recoveries." Pew Research Center. https://www.pewresearch.org/social-trends/2019/12/13/two-recessions-two-recoveries-2/.
[84] McKernan SM, Ratcliffe C, Simms M, Zhang S. 2011. Private transfers, race, and wealth. Washington: Urban Institute.
[85] Thompson JP, Suarez GA. 2015. Exploring the racial wealth gap using the survey of consumer finances. Washington: Board of Governors of the Federal Reserve System.
[86] Prosperity Now. Nd. "Championing Baby Bonds." https://prosperitynow.org/baby-bonds.
[87] SB 854, Entitled Hope, Opportunity, Perseverance, and Empowerment (HOPE) for Children Act of 2022 would create trust accounts for all foster youth and children who have lost a parent or caregiver due to coronavirus. https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220SB854.

used for homeownership, entrepreneurship, or education to encourage growth in value over time.

Studies conclude that baby bond proposals would significantly close the racial wealth gap between white and Black households.[88] , [89] However, further research and engagement is necessary to assess how the design of this policy could best impact both the wealth position of Black women and their health and well-being.

Equity in Credit Scores to Lower Mortgage Barriers

Black communities suffered disproportionately from foreclosures[90] as the result of rampant predatory lending that went unchecked. Even before the pandemic started, there was a 30-percentage point difference in the rates of homeownership between Black people and white people. The disparity is as large as it was since redlining[91] was legal and a significant contributor to the Black/white wealth gap. In the U.S., homeownership is the largest asset that most families have. For most Americans, the primary residence accounts for two-thirds of their wealth. However, discrimination in the mortgage market and the Federal Reserve's policy decisions for mitigating the harms of the pandemic have placed homeownership further out of reach for Black people.[92]

Research shows that seven out of 10 future homebuyers will be people of color.[93] Moreover, women are increasingly becoming homeowners as heads of households. In 2018, Black owner households were more likely to be headed by women.[94] If people of color are excluded from homeownership, the safety and soundness of the entire mortgage system will be jeopardized. This hardship will be felt most acutely by older Americans seeking to sell their homes to finance their retirement.

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[88] Weller, Christian E., Connor Maxwell, and Danyelle Solomon. 2021. "Simulating How Large Policy Proposals Affect the Black-White White Wealth Gap." https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7829322/.

[89] Zewde, Naomi. 2019. "Universal Baby Bonds Reduce Black-White White Wealth Inequality, Progressively Raise Net Worth of All Young Adults." The Review of Black Political Economy. https://journals.sagepub.com/doi/10.1177/0034644619885321.

[90] Gruenstein-Bocian, Debbie, Peter Smith and Wei Li. 2012. "Collateral Damage: The Spillover Costs of Foreclosures." Center for Responsible Lending. https://www.responsiblelending.org/mortgage-lending/research-analysis/collateral-damage.pdf.

[91] Gross, Terry. 2017. "A 'Forgotten History' of How the U.S. Government Segregated America". NPR. https://www.npr.org/2017/05/03/526655831/a-forgotten-history-of-how-the-u-s-government-segregated-america.

[92] Since the start of the COVID-19 pandemic, the Federal Reserve Board's $120 billion in monthly bond purchases, including $40 billion per month in agency mortgage-backed securities, has allowed existing homeowners to see their home equity grow by more than $2.9 trillion dollars since the second quarter of 2020. Additionally, the Federal Reserve's actions to mitigate the economic impacts of COVID-19 resulted in lowering the federal funds rate, which helped mortgage interest rates remain at historic lows and stimulated home purchasing and refinancing. However, Federal Reserve researchers found that these benefits did not benefit the whole housing market equally. The analysis showed that the median Black and Latino mortgage borrowers accumulated significantly less equity. Moreover, only six percent of Black borrowers and nine percent of Latino borrowers refinanced, as compared to 12 percent of White White borrowers.

[93] Joint Center for Housing Studies of Harvard University. 2017. "The State of the Nation's Housing 2017." Harvard University. http://www.jchs.harvard.edu/sites/default/files/harvard_jchs_state_of_the_nations_housing_2017.pdf.

[94] Gail Perry, Vanessa et al. 2020. "2020 State of Housing in Black America: challenges Facing Black Homeowners and Homebuyers During the COVID-19 Pandemic and An agenda For Public Policy". National Association of Real Estate Brokers. https://www.nareb.com/site-files/uploads/2020/11/2020-SHIBA_Report.pdf

On that basis, race-conscious policies can begin to address existing racial and gender homeownership gaps. While we know that market-based solutions for ensuring affordable homeownership are limited, Special Purpose Credit Programs (SPCPs) could contribute to a more inclusive mortgage market and position Black women to increase their wealth.[95]

Fair lending laws[96] allow lenders to design SPCPs in a tailored way to meet special social needs and benefit economically disadvantaged groups, including groups that share a common characteristic such as race, national origin, or gender.[97] Properly designed, SPCPs can play a critical role in promoting equity and inclusion, building wealth, and removing barriers that have contributed to financial inequities, housing instability, and residential segregation. Current credit scoring models embed and reflect the nation's history of discrimination in financial services. Race-conscious SPCPs can be used to create alternative credit scoring systems to allow Black women and other underserved groups to qualify for a mortgage loan more fairly.

Conclusion

Research consistently shows that discrimination targeted at Black people is a drag on the national economy. Over the past 20 years, racial inequality among a host of economic stability indicators, including homeownership, income, small business ownership, and education, cost the U.S. GDP $16 trillion.[98] Closing the gaps would grow the economy, benefiting Black women and effectively contributing $5 trillion to the economy over a 5-year period. This potential for inclusive growth is good for the whole country and would create thousands of jobs in communities across the nation and billions of dollars in local revenues.[99]

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[95]National Fair Housing Alliance. 2020. "Using Special Purpose Credit Programs to Expand Equality." https://nationalfairhousing.org/resource/using-special-purpose-credit-programs-to-expand-equality/.

[96]U.S. Department of Housing and Urban Development. 2021. "Office of General Counsel Guidance on the Fair Housing Act's Treatment of Certain Special Purpose Credit Programs That Are Designed and Implemented in Compliance with the Equal Credit Opportunity Act and Regulation B." https://www.hud.gov/sites/dfiles/GC/documents/Special_Purpose_Credit_Program_OGC_guidance_12-6-2021.pdf.

[97]The Equal Credit Opportunity Act (ECOA) allows both nonprofit and for-profit organizations to utilize SPCPs to meet borrowers' unique credit needs that meet qualifications to include:

- The program is established and administered pursuant to a written plan that identifies the class of persons that the program is designed to benefit and sets forth the procedures and standards for extending credit pursuant to the program; and
- The program is established and administered to extend credit to a class of persons who, under the organization's customary standards of creditworthiness, probably would not receive such credit or would receive it on less favorable terms than are ordinarily available to other applicants applying to the organization for a similar type and amount of credit.

[98]Peterson, Dana M. and Catherine L. Mann. 2020. "Closing the Racial Inequality Gaps: The Economic Cost of Black Inequality in the U.S." Citi Global Perspectives & Solutions. https://ir.citi.com/NvIUklHPilz14Hwd3oxqZBLMn1_XPgo5FrxsZD0x6hhil84ZxaxEuJUWmak51UHvYk75VKeHCMI%3D.

[99] Cox, Jeff. 2020. "Morgan Stanley says Housing Discrimination Has Taken a Huge Toll on the Economy." CNBC. https://www.cnbc.com/2020/11/13/morgan-stanley-says-housing-discrimination-has-taken-a-huge-toll-on-theeconomy.html.

POLICY PATHWAY: EQUALIZING THE LABOR MARKET

Throughout the coronavirus-induced recession and subsequent recovery, Black women's unemployment rate in the United States has been persistently high,[100] peaking at 16.5 percent in May 2020, indicating that one in six Black women lost their job during the early phase of the pandemic. Women—especially Black women—were bearing the brunt of early job losses due to the extraordinary nature in which certain kinds of economic activity were slowed down or halted at the start of the pandemic. Rising unemployment among women, given their overrepresentation in service industries and occupations, became pervasive.[101] While jobholding by Black women in services deemed essential—like hospitals, supermarkets, or pharmacies—offered some insulation against job loss, this was not enough to offset large job losses elsewhere, especially in the service and care sectors.

Job losses early in the pandemic set the tone for the subsequent recovery. As previously detailed,[102] between February and April 2020, there was an employment drop in the three occupations with the largest share of Black women: "office and administrative support" (21.1 percent decrease in Black women's employment), "healthcare support" (15.9 percent decrease), and "sales and related" (39.5 percent decrease). Black women are sorted into low-wage service sector occupations such as these due to a deep history[103] of occupational segregation. Five occupations account[104] for more than half of all the jobs in which Black women work (Current Population Survey 2021). This is consistent with a large body of feminist economic literature that shows women, including Black women, tend to be crowded in low-wage occupations, not just in the United States, but in many other parts of the world.

While the coronavirus pandemic has exposed and exacerbated inequities in our economy—particularly those based on race and gender—these uneven labor market outcomes are far from exceptional. In fact, Black women were also approximately twice as likely to be unemployed compared to white men in the two months prior[105] to the onset of the pandemic (Bureau of Labor Statistics 2020). As Janelle Jones

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[100] FRED St. Louis. 2022. "Unemployment Rate - 20 Yrs. & over, Black or African American Women." FRED. https://fred.stlouisfed.org/series/LNS14000032.

[101] Boushey, Heather, and Carmen Sanchez Cumming. 2020. "Coronavirus recession deepens U.S. job losses in April especially among low-wage workers and women." Washington Center for Equitable Growth. https://equitablegrowth.org/coronavirus-recession-deepens-u-s-job-losses-in-april-especially-among-low-wage-workers-and-women/

[102] Holder, Michelle, Janelle Jones, and Thomas Masterson. 2020. "The Early Impact of COVID-19 on Job Losses among Black Women in the United States." Levy Institute. https://www.levyinstitute.org/publications/the-early-impact-of-covid-19-on-job-losses-among-black-women-in-the-united-states

[103] Banks, Nina. 2019. "Black women's labor market history reveals deep-seated race and gender discrimination." Economic Policy Institute. https://www.epi.org/blog/black-womens-labor-market-history-reveals-deep-seated-race-and-gender-discrimination/

[104] Bureau of Labor Statistics. 2022. "Labor Force Statistics from the Current Population Survey." https://www.bls.gov/cps/cpsaat10.htm

[105] Bureau of Labor Statistics. 2020. "The Employment Situation — February 2020." https://www.bls.gov/news.release/archives/empsit_03062020.pdf

outlines in her landmark "Black Women Best" framework,106 Black women's employment status is historically among the most impacted during times of recessions and often the slowest to recover during times of growth.[107] This is especially concerning when considering recent research suggesting the scarring effects[108] of recessions and periods of unemployment, especially for young workers, can result in permanently lower employment rates and earnings, even after the economy has recovered.

> ***As Janelle Jones outlines in her landmark "Black Women Best" framework, Black women's employment status is historically among the most impacted during times of recessions and often the slowest to recover during times of growth.***

Moreover, as economists, such as Dr. Nina Banks and Dr. Cecilia Conrad, have noted, Black women in the U.S. have historically had higher labor force participation rates than white women. The explanations for this phenomenon include both practical factors and factors rooted in racist cultural notions. After emancipation, white society's expectation during the postbellum period was that Black women would continue to work vigorously, this time voluntarily. Black women were not expected to assume the role of full-time housewives and homemakers in their families, unlike most married white women at that time. In addition, historically, Black men's income and earnings were so low that Black women as wives and daughters simply had to work, including laboring in the fields under the exploitative sharecropping system in the rural South during the early to mid-twentieth century. The situation of Black women and mothers as important contributors to their household incomes has not changed substantially— two-thirds of Black mothers are equal, primary or sole earners in their households.[109] This strong attachment to the American labor force also makes Black women particularly vulnerable during economic downturns.

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[106] Jones, Janelle. 2020. "Black Women Best." Data for Progress. https://www.dataforprogress.org/blog/2020/7/15/black-women-best

[107] FRED. 2022. "Unemployment Rate - 20 Yrs. & over, Black or African American Women." FRED. https://fred.stlouisfed.org/graph/?id=LNU04000032,LNU04000031,LNS14000028,LNS14000029,LNU04000003.

[108] Rothstein, Jesse. 2019. "Great Recession's 'lost generation' shows importance of policies to ease next downturn." Washington Center for Equitable Growth. https://equitablegrowth.org/great-recessions-lost-generation-shows-importance-of-policies-to-ease-next-downturn/

[109] Mothers and families: Selected Labor Force Characteristics. 2020. U.S. Department of Labor. https://www.dol.gov/agencies/wb/data/mothers-and-families

Policy Recommendations Rooted in BWB

The aggregate unemployment rate conceals both the economic well-being of Black women and the overall well-being of the economy. While the most[110] notable[111] economic releases provided by federal statistical agencies disaggregate by race and gender, disaggregated data has not historically informed policy on a wide scale. Even when the economy has been strong, the Black unemployment rate often reached levels that would be considered recessionary if the entire labor force had been affected. Applying a BWB framework means acknowledging this disparity.

Reset Monetary Policy

As part of the Federal Reserve Board's dual mandate of directing monetary policy to spur full employment and price stability, rather than targeting the overall unemployment rate it can instead target the unemployment rate for African Americans. An analysis co-written by Jones finds[112] that a one-percentage point increase in the overall unemployment rate correlates with a 1.8 point increase in the unemployment rate for Black people. Put differently, the unemployment rate of Black Americans at any given period will likely be almost twice as high as the Fed's target for aggregate full employment. Instead, we would not declare the economy at full employment—and therefore not pull back on efforts to achieve that goal—until the Black workforce also experiences full employment. Targeting Black unemployment can be a step in the right direction to mitigate this disparity and potential unemployment scarring.

Enhance Fiscal Policy

From a fiscal policy perspective, job creation programs can be varied in their implementation and effect, from short-term subsidies to spur employment in affected industries and occupations to a "federal jobs guarantee." Since Black women are disproportionately employed in low-wage jobs with few benefits, a jobs subsidy would ensure a base of pay and benefits that provides economic stability. Another way to ensure Black women are not left out of the recovery—or in other words, to ensure we have a robust recovery—can be to tie automatic stabilizers like

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[110] U.S. Bureau of Labor Statistics. 2022. "Employment Situation Summary." U.S. Bureau of Labor Statistics. https://www.bls.gov/news.release/empsit.nr0.htm.

[111] Semega, Jessica, Melissa Jollar, John Creamer, and Abinash Mohanty. 2019. "Income and Poverty in the United States: 2018." U.S. Census Bureau. https://www.census.gov/library/publications/2019/demo/p60-266.html.

[112] Bernstein, Jared, and Janelle Jones. 2020. "The Impact of the COVID19 Recession on the Jobs and Incomes of Persons of Color." Center on Budget and Policy Priorities. https://www.cbpp.org/research/full-employment/the-impact-of-the-covid19-recession-on-the-jobs-and-incomes-of-persons-of

the level of unemployment insurance (U.I.) benefits to the average economic condition of Black women and determine what it would take to support their households during periods of joblessness. In addition, there is a critical need for uniformity in benefits across the country such that states with large shares of African Americans are not typically the states with the lowest level of U.I. benefits.

Conclusion

Structural problems require structural, not just short-term, solutions. Advancing economic policies that seek to redress these structural inequities will benefit all of us and help promote an economy with strong, stable, and broadly-shared growth. Centering Black women in policymaking makes equitable prosperity possible. Otherwise, as we have recently seen and experienced, ignoring structural fissures in our economy along racial and gender lines results in vulnerabilities that are disparately borne by women, people of color, and an intersection of these two groups—Black women.

POLICY PATHWAY: SECURING WORKER POWER

Black Women and Work

Black American women have always been workers. We provide labor for industry, inside and outside the home, and in the homes of others. This has been true from the era of U.S. chattel slavery through abolition, during the fight for women's suffrage, and long before the 20th century women's liberation movements that led to major increases in married white women working outside the home. Dr. Nina Banks has extensively documented113 how views of Black women as inherent workers have undermined their economic status and undermined the value or care that society might otherwise accord to Black women as mothers or providers to their own families.

[113] Banks, Nina. 2019. "Black women's labor market history reveals deep-seated race and gender discrimination." Economic Policy Institute. https://www.epi.org/blog/black-womens-labor-market-history-reveals-deep-seated-race-and-gender-discrimination/

> ***Dr. Nina Banks has extensively documented how views of Black women as inherent workers have undermined their economic status and undermined the value or care that society might otherwise accord to Black women as mothers or providers to their own families.***

Policy Recommendations Rooted in BWB

Black women have consistently represented an outsize share of the workforce in domestic work, carework, and service work. In 2021, for example, Black women and teens represented 6.5 percent of the overall labor force over the age of 16 in the U.S., but represented 11.4 percent of the workforce in the education and health service industries. But despite being at the front lines of the workforce, Black women are among the first to feel the blow in times of economic downturn.[114]

Black women in particular cannot escape the "hole" of lower wages, worse job-related benefits, and less stable work even when our educational attainment outpaces that of other groups.[115] Black Americans, for example, face lower rates of access to employer-provided health insurance[116] or employer-sponsored retirement plans[117] compared to white Americans. Over the last decade, Black women have consistently been among the most educated demographic groups in the U.S.[118] And yet, higher educational attainment — valuable and worthy in its own right — simply does not translate into the earnings boost that white workers see from pursuing higher education. In 2020, Black women with *advanced* degrees had median weekly earnings of $1,323, compared to $1,504 for men with only a bachelor's degree.[119],[120] And Black women overall, in 2021, still earned 63 cents for every dollar earned by white men in comparable roles, controlling for education level.
Black women made up 6.4 percent of the U.S. workforce in 2020 and represent 10.4 percent of the workers who would benefit from raising the minimum wage to just

[114] Wilson, Valerie, and Janelle Jones. 2018. "Working harder or finding it harder to work." Economic Policy Institute. https://www.epi.org/publication/trends-in-work-hours-and-labor-market-disconnection/
[115] Bozarth, Kendra. 2019. "If You're Black in America, You'll Pay More for College and Get Less." Roosevelt Institute. https://rooseveltinstitute.org/2019/09/09/if-youre-black-in-america-youll-pay-more-for-college-and-get-less/.
[116] Samantha Artiga, Latoya Hill, Kendal Orgera, and Anthony Damico. 2021. "Health Coverage by Race and Ethnicity, 2010-2019." Kaiser Family Foundation. https://www.kff.org/racial-equity-and-health-policy/issue-brief/health-coverage-by-race-and-ethnicity/.
[117] Rhee, Nari. 2013. "Race and Retirement Insecurity in the United States." National Institute on Retirement Security. https://www.shrm.org/ResourcesAndTools/hr-topics/employee-relations/Documents/race_and_retirement_insecurity_final.pdf.
[118] National Center for Education Statistics. "Degrees conferred by race and sex." National Center for Education Statistics. https://nces.ed.gov/fastfacts/display.asp?id=72.
[119] Roux, Mathilde. 2021. "5 Facts About Black Women in the Labor Force." Department of Labor. https://blog.dol.gov/2021/08/03/5-facts-about-black-women-in-the-labor-force
[120] Women's Bureau. Nd. "Median weekly earnings by educational attainment and sex (annual)." Department of Labor. https://www.dol.gov/agencies/wb/data/earnings/Median-weekly-earnings-educational-sex.

$15 an hour. Black women making minimum wage who work full-time year-round could stand to gain $3700 in wages annually.[121] Raising the minimum wage also has the added benefit of raising the pay floor for all workers.

Beyond just "$15 and a union,"[122] the labor movement in the U.S. has made it clear that workers should have a voice on the job and wages that can actually sustain healthy, happy lives. Over the last decade, worker advocates have fought for and won minimum wage standards up to $15 an hour in some states and localities. It's worth noting, however, that in the decade since the fight for $15 an hour began, working full-time at $15 an hour – or about $31,200 a year for a worker who works 40 hours a week, 52 weeks a year — does not provide someone with the income needed to afford a modest, dignified standard of living in almost any part of the country. For instance, in Claiborne County, Mississippi, the county with one of the highest percentages of Black residents in the country, a family of two adults and one child would need more than $53,000 per year to afford a modest standard of living, including necessities like housing, transportation, food, and child care.[123] The median gross rent in the U.S. in 2019 was $1,067 per month,[124] meaning a person working full-time at even $15 an hour would spend nearly half of their earnings on housing alone. Raising the federal minimum wage is a necessity, and it should be raised to at *least* $15 an hour. We must also expand the right to overtime pay, which would boost paychecks and protect workers from being forced to work excessive hours for no additional pay.

It's critical that we also engage other policy levers to extend additional protections to low-wage workers. Misclassification is one of the leading causes of wage theft among low-wage workers. Misclassification occurs when employers classify workers who should be classified as employers as independent contractors,[125] meaning they are not entitled to basic wage and hour rights like the right to make the federal or state/local minimum wage, the right to overtime pay, the right to be protected from racial discrimination, or the right to join with other workers in a union. One study found that women and Black and Latino workers were overrepresented in seven out

[121] Boesch, Diana, Robin Bleiweis, and Mareeba Haider. 2021. "Raising the Minimum Wage Would Be Transformative for Women." Center for American Progress. https://www.americanprogress.org/article/raising-minimum-wage-transformative-women/
[122] Lathrop, Ynet, T. William Lester, and Matthew Wilson. 2021. "Quantifying The Impact Of The Fight For $15: $150 Billion In Raises For 26 Million Workers, With $76 Billion Going To Workers Of Color." National Employment Law Project. https://www.nelp.org/publication/quantifying-the-impact-of-the-fight-for-15-150-billion-in-raises-for-26-million-workers-with-76-billion-going-to-workers-of-color/
[123] Economic Policy Institute. 2018. "Family budgets in Claiborne County, MS." Economic Policy Institute. https://www.epi.org/resources/budget/budget-factsheets/#
[124] US Census Bureau. Nd. "Why We Ask Questions About...Ownership, Home Value, Rent." U.S. Census. https://www.census.gov/acs/www/about/why-we-ask-each-question/ownership/.
[125] Rhinehart, Lynn et. al. 2021. "Misclassification, the ABC test, and employee status." Economic Policy Institute. https://www.epi.org/publication/misclassification-the-abc-test-and-employee-status-the-california-experience-and-its-relevance-to-current-policy-debates/

of eight of the occupations with the highest rates of misclassification, including hairdressers/cosmetologists, maids and housekeepers, and educational assistants.[126]

In addition, we should end the system under which independent contractor status gives employers a financial incentive to misclassify workers, denying workers basic rights in order to cut labor costs. This could mean extending basic labor protections to all workers regardless of their classification status.

It is critical to pass federal legislation that strengthens worker power, supports, and expands workers' voice on the job, and expands collective bargaining rights for all workers. While labor unions have a long history of racial exclusion, Black women have always been at the forefront of the American labor movement,[127] with or without the protection of a labor union or law. Expanding collective bargaining rights and protecting the right to collective action on the job presents real benefits for Black women. According to BLS data from 2021, Black workers now have the highest unionization rates of any racial/ethnic group in the country (12.9 percent, compared to 11.6 percent for white workers).[128] Union membership provides a massive pay premium for Black workers and women workers of all races, in large part because the power of a collective bargaining agreement can counteract racial and gender discrimination in hiring, firing, pay raises, and promotions. In 2021, Black workers represented by unions were paid 13.1 percent more than Black workers who were not members of unions.[129]

Policymakers must prioritize creating good-paying, guaranteed jobs. As discussed in this report, it's important to move our economy toward the goal of full employment. In a full employment economy, everyone who wants a paid job can find a paid job, and employers have to compete to attract workers by raising wages and improving conditions. Essentially, it's an economy in which all workers have *options*.

Black women workers face persistent labor market discrimination in the private sector. While there is no sector of our economy that is immune to the effects of racial bias, the difference in outcomes for Black workers in the private sector versus the public sector is stark. As of 2020, nearly one in five Black workers were employed by the federal government or a state or local government. A 2020 report[130] found that

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[126] Alexander, Charlotte. "Misclassification and Antidiscrimination: An Empirical Analysis." Minnesota Law Review. https://www.minnesotalawreview.org/wp-content/uploads/2017/02/Alexander.pdf
[127] "Atlanta's Washerwomen Strike." AFL-CIO. https://aflcio.org/about/history/labor-history-events/atlanta-washerwomen-strike.
[128] Bureau of Labor Statistics. 2022. "UNION MEMBERS — 2021." Bureau of Labor Statistics. https://www.bls.gov/news.release/pdf/union2.pdf
[129] Shierholz, Heidi, Margaret Poydock, John Schmitt, and Celine McNicholas. 2022. "Latest data release on unionization is a wake-up call to lawmakers." Economic Policy Institute. https://www.epi.org/publication/latest-data-release-on-unionization-is-a-wake-up-call-to-lawmakers/.
[130] Madowitz, Michael, Anne Price, and Christian E. Weller. 2020. "Public Work Provides Economic Security for Black Families and Communities." Center for American Progress. https://www.americanprogress.org/article/public-work-provides-economic-security-black-families-communities/

white households employed in the private sector held $10 of wealth for every $1 held by a Black household. However, white households in the public sector held only $2 for every $1 of wealth owned by Black households. Certain geographical regions, like the Washington, DC metropolitan area, built and sustained a comfortable Black middle class largely on the strength of federal government jobs and employment and the associated economic stability.[131]

A federally guaranteed right to a good job with prevailing wages would go a long way toward providing Black women with a stable opportunity for income, opportunities for high-quality, debt-free training and education, and a viable alternative to more exploitative, discriminatory, or lower-wage private employment options. In addition, good public-sector jobs can also address long-neglected community needs that help all people thrive. Public-sector jobs can pave the way to creating health care jobs that address Black women's maternal mortality or gaps in access to mental health care coverage, child or elder care jobs, or "green" jobs that can mitigate the harmful impacts of the climate crisis on all communities.

While these policies will be discussed more in detail in other sections of the report, economic policies that are not directly related to job creation or income can still be used to give Black women workers increased power and leverage in the workplace. If all jobs are required to have paid family leave; if everyone the U.S. has access to high-quality, universal health care that is decoupled from and not dependent on employment; if we have access to a stronger safety net via unemployment insurance, food assistance, affordable housing support, universal child care, guaranteed income[132] and more – then fewer Black women workers would need to tolerate low-paying or abusive jobs for the sake of having access to health care or putting food on the table.

As of January 2022, 1 in 10 Black people in the U.S. are immigrants,[133] while 21 percent of the overall Black population in the U.S. are either immigrants or the U.S.-born children of Black immigrants. We must extend permanent residence, provide a universal pathway to citizenship for all immigrant workers, and reform guest work systems to give workers more power and protections. We can also reform guest worker programs to protect temporary guest workers and crack down on abusive employers who take advantage of workers from other countries who do not have the added protection of resident or citizenship status. It's also critical that all American workers and households, regardless of citizenship status have access to safety net

[131] Covert, Bryce. 2019. "Downsizing the American Black Middle Class." LongReads. https://longreads.com/2019/09/23/downsizing-the-american-black-middle-class/
[132] Warren, Dorian, Erica Smiley and Natalie Foster. 2021. "Guaranteed income for worker power: the promise of a permanent strike fund." Medium. https://medium.com/economicsecproj/guaranteed-income-and-worker-power-the-power-of-a-permanent-strike-fund-947597179e00
[133] Tamir, Christine. 2022. "Key findings about Black immigrants in the U.S." Pew Research Center. https://www.pewresearch.org/fact-tank/2022/01/27/key-findings-about-black-immigrants-in-the-u-s/

programs. Many pandemic recovery programs, such as the CARES Act relief stimulus payments, excluded access for people without lawful work status,[134] and other forms of pandemic relief and recovery programs failed to recognize many of the types of work or business structures in which Black women immigrants are overrepresented. All workers, regardless of citizenship status, will benefit when we ensure that all immigrant workers have equal access to safety net programs and workers' rights protections to support themselves, their families, and their communities.

Conclusion

Workers generate our economy's wealth, and Black women workers are an integral part of the workforce. Stronger labor protections, policy interventions to boost income, and good public-sector jobs can help ensure that Black women can share in the gains produced by their labor. However, it's important to acknowledge that paid labor should not be the only path to a flourishing and thriving society.

Although it is an admirable goal to increase training opportunities and pathways to success for Black women in high-earning occupations, and support the entrepreneurial and innovative power Black women hold as economic leaders in their communities, it is critical to improve the quality of all jobs. It could be argued that a large part of the current stratification in the labor market is borne out of the legacy of anti-Black and patriarchal discrimination that leads to devaluing whichever jobs or sectors in which women, Black people, or Black women are overrepresented. If we want to prioritize the economic wellbeing of Black women workers, we must start with lifting up the jobs that the U.S. economy has always excluded or undervalued — carework, domestic work, service work, and more. These workers keep our economy running, and they should be valued that way.

POLICY PATHWAY: VALUING CAREWORK

Carework encompasses the myriad of emotional, physical, and mental labor each of us needs to survive and thrive. Exemplary of the endless ways Black women keep societies and communities running — often without compensation or even acknowledgement — carework is vital infrastructure[135] that is made invisible and

[134] Twagirumukiza, Aimée-Josiane. 2021. "2020 Was a Disaster for Black Immigrant and Women-Led Households. Fixing This Should Be Top Priority in 2021." Ms. Magazine. https://msmagazine.com/2021/01/14/2020-was-a-disaster-for-black-immigrant-and-women-led-households-fixing-this-should-be-top-priority-in-2021/

[135] Ai-Jen, Poo. 2021. "Care Has Always Been Infrastructure." Jezebel. https://jezebel.com/care-has-always-been-infrastructure-1846664603.

undervalued. What is currently called a "crisis of care"[136] did not come out of nowhere, nor is it inevitable. It is the result of generational misogyny, racism, ableism, and xenophobia.[137]

> ***What is currently called a "crisis of care" did not come out of nowhere, nor is it inevitable. It is the result of generational misogyny, racism, ableism, and xenophobia.***

Although policymaking is most concerned with our paid care economy, it is important to lay out and understand the mechanisms of carework overall, both paid and unpaid, and its history. Paid carework is the commodification of work that women have done for centuries, mostly within households. Globally, carework has been socialized and categorized as "women's work." It is reproductive labor that is given little to no value and not compensated the same way as work historically done by men.[138]

However, the devaluation of carework goes beyond misogyny. The women who shoulder most of this demanding and undervalued labor are those subordinated across other identities, such as race, immigration status, ethnicity, and class.[139] In the U.S., this traces back to slavery. Enslavers forced enslaved Black women and children to provide the bulk of carework needed to keep enslavers and their families alive and well.[140] After the abolition of slavery, demand for this labor remained entrenched in

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Palladino, Lenore, and Chirag Lala. 2021. *The Economic Effects of Investing in Quality Care Jobs and Paid Family and Medical Leave. University of Massachusetts Amherst, Political Economy Research Institute (PERI)*. https://peri.umass.edu/economists/lenore123/item/1465-the-economic-effects-of-investing-in-quality-care-jobs-and-paid-family-and-medical-leave.

[136] Chang, Grace. 2017. "Inevitable Intersections: Care, Work, and Citizenship." Disabling Domesticity. https://doi.org/10.1057/978-1-137-48769-8_7.

[137] Banerjee, Asha, Elise Gould, and Marokey Sawo. 2021. "Setting Higher Wages for Child Care and Home Health Careworkers Is Long Overdue." Economic Policy Institute. https://www.epi.org/publication/higher-wages-for-child-care-and-home-health-care-workers/.

Nilsen, Ella. 2021. "These workers were left out of the New Deal. They've been fighting for better pay ever since." Vox. https://www.vox.com/22423690/american-jobs-plan-care-workers-new-deal.

[138] Glenn, Evelyn Nakano. 1992. "From Servitude to Service Work: Historical Continuities in the Racial Division of Paid Reproductive Labor." Signs: Journal of Women in Culture and Society 18, no. 1: 1–43. https://www.sjsu.edu/people/ruma.chopra/courses/h186_M_Spr2011/s2/Service_Work.pdf.

Women workers, especially Black women, are paid less across practically every sector of the U.S. labor market. See, for example: Wilson, Valerie and Melat Kassa. 2020. "Black women workers are essential during the crisis and for the recovery but still are greatly underpaid." Economic Policy Institute. https://www.epi.org/blog/black-women-workers-are-essential-during-the-crisis-and-for-the-recovery-but-still-are-greatly-underpaid/; National Women's Law Center. 2020. "The Wage Gap: The Who, How, Why, and What to Do" https://nwlc.org/wp-content/uploads/2019/09/Wage-Gap-Who-how.pdf.

[139] Coffey, Clare, Patricia Espinoza Revollo, Rowan Harvey, Max Lawson, Anam Parvez Butt, Kim Piaget, Diana Sarosi, and Julie Thekkudan. 2020. "Time to Care: Unpaid and Underpaid Care Work and the Global Inequality Crisis." Oxfam. https://doi.org/10.21201/2020.5419.

[140] Donovan, Rebecca. 1987. "Home Carework: A Legacy of Slavery in U. S. Health Care." Affilia. https://doi.org/10.1177/088610998700200304.

white American society. In the second half of the 19th century and onward, Black, Mexican American, and Chinese American women served as inexpensive sources of labor in a growing market for in-home carework — a market previously dominated by enslaved Black people.[141] In the 20th century, carework became increasingly commodified in jobs outside of the household as well.

The composition of the resulting workforce was formed along both gender and racial lines, specifically at their intersection. Hence, misogynoir and xenophobia have been shaping and plaguing the U.S. care economy from the beginning. This has bee reflected not only in pay and working conditions, but in continual policy choices to actively exclude careworkers from pivotal legislation. This includes exclusion of domestic workers, for example, in New Deal era reforms.[142] Just as policy has been weaponized to harm careworkers and care recipients, policy can also be a powerful tool to mitigate damage and prepare for our growing needs by centering those most harmed by our current system.

Just as policy has been weaponized to harm careworkers and care recipients, policy can also be a powerful tool to mitigate damage and prepare for our growing needs by centering those most harmed by our current system.

Today, Black women are highly concentrated in the care economy. For example, Black women make up 26.1 percent of home health careworkers and 14.1 percent of child careworkers, despite only accounting for 6.4 percent of the overall U.S. workforce.[143] Home health care and child careworkers make a less than $14 per hour on average, which is merely half of the average wage across the U.S. workforce. Careworkers are less likely to have necessary benefits like paid leave and employer-sponsored health insurance and retirement contributions. It has taken decades of

[141] Glenn, Evelyn Nakano. 1985. "Racial Ethnic Women's Labor: The Intersection of Race, Gender and Class Oppression." Review of Radical Political Economics. https://doi.org/10.1177/048661348501700306.
Glenn, Evelyn Nakano. 1992. "From Servitude to Service Work: Historical Continuities in the Racial Division of Paid Reproductive Labor." Signs: Journal of Women in Culture and Society.n https://www.sjsu.edu/people/ruma.chopra/courses/h186_M_Spr2011/s2/Service_Work.pdf.
[142] Wolfe, Julia, Jori Kandra, Lora Engdahl, and Heidi Shierholz. 2020. Domestic Workers Chartbook: A Comprehensive Look at the Demographics, Wages, Benefits, and Poverty Rates of the Professionals Who Care for Our Family Members and Clean Our Homes. Economic Policy Institute. https://www.epi.org/publication/domestic-workers-chartbook-a-comprehensive-look-at-the-demographics-wages-benefits-and-poverty-rates-of-the-professionals-who-care-for-our-family-members-and-clean-our-homes/.
[143] Banerjee, Asha, Elise Gould, and Marokey Sawo. 2021. "Setting Higher Wages for Child Care and Home Health Careworkers Is Long Overdue." Economic Policy Institute. https://www.epi.org/publication/higher-wages-for-child-care-and-home-health-care-workers/.

organizing and activism for many careworkers to even qualify for minimum wage and basic labor protections.[144]

Policy Considerations Rooted in BWB

The policies necessary to acknowledge and properly compensate careworkers and provide affordable, universal access to quality care are essential for protecting Black women and securing our collective future. First, we must recognize and dignify the vital and demanding nature of carework. Second, our paid care economy must adequately compensate careworkers. A recent report[145] provides a set of benchmarks informed by the systems of oppression that shape our current care economy. It proposes a minimum set of wages for childcare and home health careworkers of $21 to $26 per hour. These wages must be accompanied by fundamental benefits like paid leave, health insurance, and retirement benefits. Third, we must protect and make it easier for workers to organize and engage in collective bargaining. There has been ample research measuring and laying out the critical nature unionization plays in building worker power, securing fair pay and safe working conditions, and more.[146] Black workers in particular benefit especially from unions and historically have had higher unionization rates relative to the general workforce.[147]

Fourth, we must dismantle the structural ableism that currently devalues and dehumanizes the people most reliant on carework to survive and live fulfilling lives, particularly people with disabilities and aging adults. By design, the paid care economy dichotomizes careworkers and receivers.[148] This dichotomy is a myth, as care worker and care receiver are not static categories. Careworkers and people with disabilities both perform and receive care services for themselves or their loved ones in different aspects of their lives. Nonetheless, policy interventions have often narrowly focused on either the working conditions of careworkers or the rights of people with disabilities and aging adults to maintain access to critical care within

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[144] Derenoncourt, Ellora, and Claire Montialoux. 2021. "Minimum Wages and Racial Inequality." Quarterly Journal of Economics. https://doi.org/10.1093/qje/qjaa031.
2015. "Federal Minimum Wage and Overtime Protections for Home Care Workers (fact sheet)." National Employment Law Project (NELP). https://s27147.pcdn.co/wp-content/uploads/NELP-Fact-Sheet-Companionship-Rules-Reform.pdf.
[145] Banerjee, Asha, Elise Gould, and Marokey Sawo. 2021. "Setting Higher Wages for Child Care and Home Health Careworkers Is Long Overdue." Economic Policy Institute. https://www.epi.org/publication/higher-wages-for-child-care-and-home-health-care-workers/.
[146] McNicholas, Celine, Lynn Rhinehart, Margaret Poydock, Heidi Shierholz, and Daniel Perez. 2020. "Why Unions Are Good for Workers—Especially in a Crisis like COVID-19: 12 Policies That Would Boost Worker Rights, Safety, and Wages." Economic Policy Institute. https://www.epi.org/publication/why-unions-are-good-for-workers-especially-in-a-crisis-like-covid-19-12-policies-that-would-boost-worker-rights-safety-and-wages/.
[147] Jones, Janelle and John Schmitt. 2014. "Union Advantage for Black Workers." Center for Economic and Policy Research. https://www.cepr.net/documents/black-union-2014-02.pdf.
2021. "Who are today's union workers?" Economic Policy Institute. https://www.epi.org/publication/who-are-todays-union-workers/.
[148] Chang, Grace. 2017. "Inevitable Intersections: Care, Work, and Citizenship." Disabling Domesticity. https://doi.org/10.1057/978-1-137-48769-8_7.

their homes and communities. However, careworkers' exploitative labor conditions and disenfranchisement is caused by the same oppressive systems that expose people with disabilities to abuse, neglect, and the constant threat of institutionalization or loss of autonomy[149]. Boosting wages, guaranteeing access to key benefits like paid leave, and building worker power through unionization must be coupled with policy interventions that protect the rights and needs of people with disabilities. For more on ableism and the intersection of BWB and disability, see the Disability Justice section on page 113.

Fifth, all of these protections must be accompanied by the vast and continuing public investment necessary to fairly compensate careworkers, provide access to quality care, ensure everyone has access to meet their care needs regardless of their income or wealth, and build the type of infrastructure necessary to meet the demands of ongoing demographic changes. Lastly, as demonstrated by countries that have stronger care infrastructures than the U.S., public funding must be coupled with meaningful involvement of the state to protect labor rights, guarantee universal access to quality care, and prevent the abuse, neglect, and profit-reaping realities of an unchecked private market.[150] It is past time to care for Black women and for us all.

POLICY POSSIBILITY: PRESERVING MENTAL HEALTH

Mental wellbeing shapes and is shaped by all life experiences. Historical and cultural trauma,[151] structural oppression,[152] and dramatic inequities in the social determinants of health,[153] are the defining context for Black women's mental health. In 2019, 15.2 percent of Black girls in grades 9-12 reported suicidal ideation —1.5 times the rate of white girls.[154] Although Black girls are at lower risk of death by suicide than Black boys or white girls, in 2019, Black girls seriously considered suicide at more than twice the rate of Black boys, on par with white girls.[155] In July of 2020, three in four

[149] Ibid.
[150] Addati, Laura, Umberto Cattaneo, Valeria Esquivel, and Isabel Valarino. 2018. "Care Work and Care Jobs for the Future of Decent Work." Geneva: International Labour Organization. https://www.ilo.org/global/publications/books/WCMS_633135/lang--en/index.htm.
[151] West-Bey, Nia and Marlen Mendoza. 2019. "Behind the Asterisk*: Perspectives on Youth and Young Adult Mental Health from Small and Hard to Reach Communities." CLASP. https://www.clasp.org/publications/report/brief/behind-asterisk#:~:text=Behind%20the%20Asterisk*%3A%20Perspectives,with%20a%20diverse%20group%20of.
[152] West-Bey, Nia, Marlen Mendoza and Whitney Bunts. 2018. "Our Ground, Our Voices: Systems of Power and Young Women of Color." CLASP. https://www.clasp.org/publications/report/brief/systems-power-and-young-women-color
[153] West-Bey, Nia, Shiva Sethi and Paige Shortsleeves. 2018. "Policy for Transformed Lives: State Opportunities for Youth and Young Adult Mental Health Policy and Systems Change." CLASP. https://www.clasp.org/sites/default/files/publications/2018/11/YA%20MH%20Scan_Policy%20for%20Transformed%20Lives_State%20Opportunities_.pdf
[154] Center for Disease Control and Prevention. 2021. "High School Youth Risk Behavior Survey Data." Center for Disease Control and Prevention. https://nccd.cdc.gov/youthonline.
[155] Ibid.

Black young women ages 18-24 reported some level of both anxiety and depression.[156] 4.7 percent of Black women overall report serious psychological distress; this rate nearly doubles for Black people living in poverty.[157]

At the same time, Black women have a longstanding leadership role in explicitly naming the ways in which the medical and mental health systems have perpetuated harm (including structural oppression of people with mental health disabilities — for more, please see the Disability Justice section on page 113)[158] and in cultivating practices that have the potential to heal our communities.[159] A Black Women Best (BWB) approach to mental health must acknowledge these past harms, grapple with their role in creating inequities in access to quality mental health care, and reimagine our approach to mental health and wellness with healing, restoration, and equity at the center.

Principles for BWB Mental Health Policy

Underlying a BWB approach to mental health are several fundamental policy changes to improve access to and affordability of mental health care, address root causes of distress, and dismantle the racist underpinnings of our existing system. These include:

- Policies that alleviate the stress imposed by living without consistent access to basic needs, such as food and housing, coupled with the oppressive requirements of programs that are supposed to help struggling families but are rooted in racist and paternalistic stereotypes;[160]
- Broad understanding of the breadth of ways mental health and well-being can be supported and need to be funded, to include community-based care and practices outside of a western medical model;[161] and
- Policy and practice that recognizes that the justice system should not be the first touchpoint for anyone to receive mental health services.[162] This means removing law enforcement from mental health response and decriminalizing poverty, trauma, and mental health conditions.

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[156] U.S. Census Bureau. 2020. "Week 12 Household Pulse Survey: July 16 - July 21." U.S. Census Bureau. https://www.census.gov/data/tables/2020/demo/hhp/hhp12.html.
[157] Center for Disease Control and Prevention. 2021. "Summary Health Statistics: National Health Interview Survey: 2018. Table A-8." Center for Disease Control and Prevention. https://www.cdc.gov/nchs/nhis/shs/tables.htm.
[158] Bunts, Whitney. 2021. "Mobile Response: An Investment to Decriminalize Mental Health." CLASP. https://www.clasp.org/publications/report/brief/youth-mobile-response-services-investment-decriminalize-mental-health#:~:text=Mobile%20response%20is%20one%20service,or%20crisis%20in%20their%20communities.
[159] Piepzna-Samarasinha, Leah Lakshmi. 2016. " A not so brief personal history of the healing justice movement". Mice. https://micemagazine.ca/issue-two/not-so-brief-personal-history-healing-justice-movement-2010%E2%80%932016
[160] Weerasinghe, Isha and Kayla Tawa. 2021. "Core Principles to Reframe Mental and Behavioral Health Policy." CLASP. https://www.clasp.org/publications/report/brief/core-principles-reframe-mental-and-behavioral-health-policy.
[161] Ibid
[162] Ibid

By addressing these challenges that disproportionately impact Black women, we will ultimately design a system that produces better mental health outcomes for all. In addition, the following principles[163] and insights[164] from young Black women should inform our approach to mental health policy:

Redefining Mental Health:

> "There are a lot of Black women that are successful because of what they went through. That's what I think."
> ~Youth mental health focus group participant

As highlighted by the focus group participant above, we are who we are as Black women because of what we have been through, and that shows up as success, resilience, and mental wellness. Mental health systems and other systems that affect wellbeing should focus on assets-based framing, wellness, and prevention at both the structural and individual levels, rather than diagnosis and deficit-based framing.

Expanding Access to Care

Black women are significantly less likely to receive essential care than white women.[165] To achieve a comprehensive mental health care system, we need to expand the current one. We must establish universal health care and implement mental health parity at a level at least equivalent to what is needed for physical health services. These features are critical to building a system where cost is not a barrier to care.

Enhancing Culturally Responsive Services

> "I mean, they don't talk about what they supposed to talk about and try to help you feel better."
> ~Youth mental health focus group participant

As this focus group participant highlights, Black women often find themselves speaking a different language than their providers, who are ill equipped to "help you feel better." Policymakers must acknowledge and remove structural barriers impacting mental health and mental health access. These barriers include historical

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[163] Ibid
[164] West-Bey, Nia and Stephanie Flores. 2017. "Everybody got their Go-throughs: Young Adults on the Frontline of Mental Health." CLASP. https://www.clasp.org/publications/report/brief/everybody-got-their-go-throughs-young-adults-frontline-mental-health
[165] Mental Health America. "Black And African American Communities And Mental Health." Mental Health America. https://www.mhanational.org/issues/black-and-african-american-communities-and-mental-health.

trauma, systemic racism, and ableism that have resulted in mistrust of providers, services, and systems. Our existing systems have devalued and criminalized culturally responsive healing practices.[166] Progressive mental health policy must incentivize culturally responsive care.

Building a Robust and Diverse Workforce

Meeting communities' mental and behavioral health needs calls for more providers across different areas of expertise, coming from many racial/ethnic backgrounds. Policymakers must create a pipeline to bring more providers of color into the workforce who represent and understand the communities they are working with. This workforce must be diverse not only in terms of racial and ethnic background, but must also prioritize peer support workers and other forms of community-based care that center shared experiences and context in healing.[167]

Strengthening Quality Infrastructure

Like everyone else in the country, Black women have a right to culturally competent, quality care. At a minimum, quality care requires moving away from carceral and coercive forms of care and mandatory reporting structures that perpetuate harm. Our systems must foster provider commitment to care practices rooted in consent and respect for the agency of the person receiving care. A proper data management system and care management infrastructure must be in place to improve care provision. Data needs to be disaggregated by race/ethnicity and age, and continuously collected in youth-friendly and culturally responsive spaces. Providers must be appropriately trained in the above principles, including offering culturally responsive care, receiving implicit bias trainings, addressing ableism, and understanding and dismantling societal and structural racism.

Addressing Social Needs

> "I'll take my shoes off my feet, give it to 'em. Put on some flip flops. Like, it ain't even that big."
> ~Youth mental health focus group participant

Black women have long been taking off their shoes and putting on flip flops on behalf of their families and communities. It is time for our public policy to take some of this burden off of Black women. Public health recommendations highlight the

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[166]West-Bey, Nia, Ruth Cosse and Stephanie Schmidt. 2018. Maternal Depression and Young Adult Mental Health. CLASP. https://www.clasp.org/publications/report/brief/maternal-depression-and-young-adult-mental-health.
[167]Bakshi, Shinjini. 2021. "Peer Support as a Tool for Community Care: Nothing about us without us." Columbia Social Work Review. https://doi.org/10.52214/cswr.v19i1.7602.

importance of addressing the root causes of community health challenges. This includes focusing on the social determinants of health, such as housing and education. Mental and behavioral health policy solutions must follow suit. They must address both individuals' basic needs and the underlying social and economic conditions that limit or foster good mental health.

Conclusion

> "...I always tell myself that I hate what I went through at an early age, but I'm glad I did because I know for the rest of my life what I can deal with and can't deal with. That's what I always say to myself."
> ~Youth mental health focus group participant

We have an opportunity to move towards a nation where no one has to "hate what I went through" by acting decisively to address root causes of trauma. We have an opportunity to advance a vision where Black women no longer have to "deal with" the status quo and can experience holistic support for wellness. When we achieve this Black Women Best vision that fundamentally reimagines how we can foster healing through policy, the whole nation will know what it means to flourish.

POLICY PATHWAY: IMPROVING HEALTH CARE AND REDUCING MATERNAL MORTALITY

Introduction

Health is a basic building block for inclusive and just social, economic, and political institutions. Yet, health inequities remain an enduringly pernicious problem in the United States.[168] Systems of racial and economic stratification shape whether you live in a neighborhood that will promote your health, have access to resources to sustain your health, experience daily life in ways that will undermine your health, acquire sickness that may erode your health, or gain power over the political processes that can be leveraged to protect your health.[169] Women of color inhabit disadvantaged positions within households, occupations, and health care institutions, putting them

[168] Chinn, Juanita J, Iman K. Martin, and Nicole Redmond. 2021. "Health Equity Among Black Women in the United States." Journal of Women's Health. https://doi.org/10.1089/jwh.2020.8868.
[169] Michener, Jamila, and Alana MW LeBrón. 2021. "Racism, Health, and Politics: Advancing Interdisciplinary Knowledge." Journal of Health Politics, Policy and Law. https://doi.org/10.1215/03616878-9517149.

at disproportionate risk of ill health.[170] In particular, Black women often face the greatest health risks and bear the heaviest health burdens.[171]

> ***Black women often face the greatest health risks and bear the heaviest health burdens.***

Intersecting race and gender health inequities are rooted in historic and contemporary policies that have systematically harmed, targeted, undervalued, and abused Black women.[172] The COVID-19 pandemic is a recent and especially striking example of this. Because Black women are disproportionately represented among essential workers, the exclusion of certain jobs from the emergency provisions embedded in the COVID-19 relief packages (e.g., home careworkers) meant that Black women had constrained access to job protections (e.g., paid family leave) and fewer options for staying home if doing so was best for their health or that of their families.[173] Despite the common generalization that men are more susceptible to dying from COVID-19, one study found that Black women in Georgia and Michigan were dying at three times the rate of both white and Asian men.[174] Beyond mortality, Black women have faced substantial and unequal financial hardship (a driver of health inequity) as a result of the pandemic.[175]

The harsh realities that became salient during COVID-19 reflect long-standing race-gender disparities in health status. Table 1 captures relevant patterns. As shown, Black women have a lower life expectancy and suffer higher rates of hypertension, and maternal, infant, and pregnancy-related mortality.

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[170] Laster Pirtle, Whitney N., and Tashelle Wright. 2021. "Structural Gendered Racism Revealed in Pandemic Times: Intersectional Approaches to Understanding Race and Gender Health Inequities in COVID-19." Gender & Society. https://doi.org/10.1177/08912432211001302.

[171] Chinn, Juanita J, Iman K Martin, and Nicole Redmond. 2021. "Health Equity Among Black Women in the United States." Journal of Women's Health. https://doi.org/10.1089/jwh.2020.8868.

[172] Bailey, Zinzi D., Justin M. Feldman, and Mary T. Bassett. 2021. "How Structural Racism Works—Racist Policies as a Root Cause of US Racial Health Inequities." New England Journal of Medicine. https://www.nejm.org/doi/full/10.1056/NEJMms2025396; Roberts, Dorothy E. 1999. "Killing the Black Body: Race, Reproduction, and the Meaning of Liberty." Pantheon Books; Washington, Harriet A. 2006. "Medical Apartheid: The Dark History of Medical Experimentation on Black Americans from Colonial Times to the Present." Doubleday Books; Cohen, Cathy J. 1999. "The Boundaries of Blackness: AIDS and the Breakdown of Black Politics." University of Chicago Press.

[173] Allison, Theresa A., Anna Oh, and Krista L. Harrison. 2020. "Extreme Vulnerability of Home Care Workers during the COVID-19 Pandemic—A Call to Action."JAMA Internal Medicine. https://jamanetwork.com/journals/jamainternalmedicine/fullarticle/2769095.

[174] Rushovich, Tamara, Marion Boulicault, Jarvis T. Chen, Ann Caroline Danielsen, Amelia Tarrant, Sarah S. Richardson, and Heather Shattuck-Heidorn. 2021. "Sex Disparities in COVID-19 mortality Vary across US Racial Groups." Journal of General Internal Medicine. https://link.springer.com/article/10.1007/s11606-021-06699-4.

[175] Sims, Dominique Derbigny. 2021. "Unequal Recovery: How the COVID-19 Pandemic has Impacted Economic Security for Black Women and Latinas." Georgia Budget and Policy Institute. https://gbpi.org/unequal-recovery-how-the-covid-19-pandemic-has-impacted-economic-security-for-black-women-and-latinas/.

To improve the health of Black women, we must address the challenges reflected in health outcomes, processes, and policies. Health *outcomes* are most visible: they mark specific diseases and ailments that impede Black women's ability to survive and thrive. Health *processes* are less obvious but no less imperative: they account for the mechanisms that generate inequities in health outcomes. Finally, health *policies* are pivotal: they point to the institutions and interventions that can be used to transform processes and alter outcomes in ways that advance health equity for Black women.

Table 1. Health Statistics for Black Women [176]

Health Statistic	Non-Hispanic Black Women	Non-Hispanic White Women	All Women
Life Expectancy at birth (years)	77.9	81.0	81.0
Infant Mortality (per 1,000 live births)	10.9	4.7	5.8
Maternal Mortality (per 100,000 live births)	37.1	14.7	17.4
Pregnancy Related Mortality (per 100,000 live births)	42.4	13.0	16.9
Hypertension (rate)	39.9	25.6	27.7

A Critical Outcome: Black Maternal Health

Black maternal health is an especially significant health outcome in the lives of Black women with children. Black women are three times more likely to die from a pregnancy-related cause than white women.[177] Lack of infrastructure to support Black women's access to healthy reproductive care [178] results in maternal health deserts in the United States. A healthy birthing experience is challenging without access to adequate birthing facilities.[179] Further still, cardiovascular conditions

[176] Chinn, Juanita J, Iman K Martin, and Nicole Redmond. 2021. "Health Equity Among Black Women in the United States." Journal of Women's Health. https://doi.org/10.1089/jwh.2020.8868.
[177]Centers for Disease Control and Prevention. 2021. "Working together to reduce Black Maternal Mortality." Centers for Disease Control and Prevention. https://www.cdc.gov/healthequity/features/maternal-mortality/index.html
[178] aylor, Jamila, Cristina Novoa, Katie Hamm, and Shilpa Phadke. 2019. Eliminating Racial Disparities in Maternal and Infant Mortality. https://americanprogress.org/wp-content/uploads/2019/04/Maternal-Infant-Mortality-report.pdf?_ga=2.120203912.1449103415.1646178086-135211546.1646178086.
[179] Taylor, Jamila, Cristina Novoa, Katie Hamm, and Shilpa Phadke. 2019. Eliminating Racial Disparities in Maternal and Infant Mortality. https://americanprogress.org/wp-content/uploads/2019/04/Maternal-Infant-Mortality-report.pdf?_ga=2.120203912.1449103415.1646178086-135211546.1646178086.

contribute to a significant amount of deaths among Black maternal death rates.[180] A continuous review of hospital quality and access to quality care is required in order to address Black maternal death.[181] Current qualitative research reveals that many Black mothers in low-quality hospitals experience poor communication and subpar postpartum care, leaving them without adequate services and resources to have healthy maternal outcomes.[182]

An Important Process: Weathering

Black women hold two oppressed identities: both Black and women. The intersection of both race and gender as a baseline identity has psychological implications in addition to those imposed by other oppressed identities such as [dis]ability, sexuality, economic status, and immigrant status. Due to these multiple oppressed identities, the violence of racial oppression and misogynoir can manifest in premature death for Black women by way of health declines due to weathering. Weathering can be defined as the wear and tear of stress on the body.[183] The weathering hypothesis asserts that different exposures to stressful environments are a major factor in widening health disparities as individuals age. Due to this hypothesis, researchers suggest that the health of Black women deteriorates as they age due to the accumulation of socioeconomic disadvantages and experiences of racism among Black women throughout their life course.[184]

Pivotal Policy: Strengthening Medicaid and Medicare for All

As the United States' largest health insurance program, Medicaid is a vital policy in the lives of Black women. In 2020, more than 30 percent of Black women relied on Medicaid as their primary source of health coverage (compared to 19 percent of women across all groups).[185] Medicaid pays for 65 percent of births to Black mothers (compared to 40 percent of births across all groups).[186] Medicaid is especially critical in the lives of Black children (52 percent of Black girls ages 0-17 are insured by Medicaid) and disabled Black women (note: it is difficult to source data at the

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[180]Centers for Disease Control and Prevention. 2020. Pregnancy mortality surveillance system. https://www.cdc.gov/reproductivehealth/maternal-mortality/pregnancy-mortality-surveillance-system.htm.

[181]National Academies of Sciences, Engineering, and Medicine. Birth settings in America: Improving outcomes, quality, access, and choice. Washington, DC: The National Academies Press, 2020. https://www.nap.edu/catalog/25636/birth-settings-in-america-outcomes-quality-access-and-choice

[182] Howell, Elizabeth, and Jennifer Zeitlin. 2017. "Improving hospital quality to reduce disparities in severe maternal morbidity and mortality." National Center for Biotechnolgoy Information. https://pubmed.ncbi.nlm.nih.gov/28735811/

[183] Geronimus, AT. 1992. "The weathering hypothesis and the health of African American women and infants." National Center for Biotechnology Information. https://pubmed.ncbi.nlm.nih.gov/1467758/

[184] Geronimus, Arline T., Margaret T. Hicken, Jay A. Pearson, Sarah J. Seashols, Kelly L. Brown, and Tracey Dawson Cruz. 2010. "Do U.S. Black women experience stress-related accelerated biological aging? A novel theory and first population-based test of black-white differences in telomere length." National Center for Biotechnology Information. https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2861506/

[185] United States Census Bureau. 2020. "Current Population Survey Health Insurance Historical Tables. Table HHI-01: Health Insurance Coverage Status and Type of Coverage--All Persons by Sex, Race and Hispanic Origin: 2017 to 2020." https://www.census.gov/data/tables/time-series/demo/health-insurance/historical-series/hic.html

[186] Martin, Joyce A., Brady E. Hamilton, and Michelle J.K. Osterman. 2020. "Births in the United States, 2019," Centers for Disease Control and Prevention, NCHS Data Brief No. 387. https://www.cdc.gov/nchs/data/databriefs/db387-H.pdf.

intersection of race, gender, and disability, which re-elevates this report's call for more in-depth disaggregated data).[187] Moreover, undocumented women are largely excluded from receiving Medicaid benefits.[188] Altogether, advancing the health and well-being of Black women across numerous dimensions of vulnerability will require further investment in Medicaid to make it more inclusive, generous, and effective.

Health Policy Solutions for a BWB Policy Agenda

- **Closing the Medicaid Coverage Gap:** Expanding Medicaid to adults with incomes below 138 percent Federal Poverty Level (FPL) has been shown to narrow maternal health coverage gaps.[189] Yet, twelve states have not yet expanded the program and adults in these non-expansion locales are disproportionately Black.[190] Expanding Medicaid to adults in non-expansion states – or providing coverage to adults in the coverage gap via some other mechanism – remains a first-order priority. Though political resistance has hindered the full Medicaid expansion thus far, only a continued push to expand Medicaid can enhance geographic equity in Black women's access to and experiences with healthcare.
- **Extend Medicaid Postpartum Coverage from 60 Days to 1 Year.**
- **Ease Administrative Burden in Medicaid:** Administrative burdens create barriers to access and compel Black women to experience Medicaid in ways that are alienating and disempowering.[191] Administrative burdens are also racialized tools that make low-income Black women's lives unnecessarily difficult.[192] Assessing and alleviating administrative burdens in Medicaid is well within the power of the federal government, and the Biden administration has made this a priority.[193] Work reporting requirements heighten administrative burden and should not be part of Medicaid policy design.

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[187] National Partnership. 2019. "Why the Affordable Care Act Matters for Women ..." https://www.nationalpartnership.org/our-work/resources/health-care/health-insurance-marketplaces.pdf.

[188] Kaiser Family Foundation. 2020. "Can Immigrants Enroll in Medicaid or Children's Health Insurance Program (CHIP) Coverage?" https://www.kff.org/faqs/faqs-health-insurance-marketplace-and-the-aca/can-immigrants-enroll-in-medicaid-or-childrens-health-insurance-program-chip-coverage/.

[189] Clark, Maggie, Ema Bargeron, and Allie Corcoran. 2021. "Medicaid Expansion Narrows Maternal Health Coverage Gaps, but Racial Disparities Persist." Georgetown University Health Policy Institute: Center For Children and Families. https://ccf.georgetown.edu/2021/09/13/medicaid-expansion-narrows-maternal-health-coverage-gaps-but-racial-disparities-persist/.

[190] Baumgartern, Jesse C., Sara R. Collins, and David C. Radley. 2021. "Racial and Ethnic Inequities in Health Care Coverage and Access, 2013–2019." The Commonwealth Fund. https://www.commonwealthfund.org/publications/issue-briefs/2021/jun/racial-ethnic-inequities-health-care-coverage-access-2013-2019

[191] Michener, Jamila. 2018. Fragmented Democracy: Medicaid, Federalism, and Unequal Politics. New York: Cambridge University Press.

[192] Ray, Victor E., Pamela Herd, and Donald Moynihan. 2020. "Racialized Burdens: Applying Racialized Organization Theory to the Administrative State."; Winkle, Suzanne. 2021. "Administrative Burdens Exacerbate Inequities and Must Be Reduced." The Center for Law and Social Policy. https://www.clasp.org/blog/administrative-burdens-exacerbate-inequities-and-must-be-reduced.

[193] Biden, Joseph R. 2021. "Executive Order on Transforming Federal Customer Experience and Service Delivery to Rebuild Trust in Government." The White House. The United States Government. https://www.whitehouse.gov/briefing-room/presidential-actions/2021/12/13/executive-order-on-transforming-federal-customer-experience-and-service-delivery-to-rebuild-trust-in-government/.

Eliminating requirements for frequent recertification by instituting continuous eligibility policies also ease the administrative burden.[194]

- **Increase Reimbursement for Medicaid Services:** Low reimbursement rates for Medicaid services reduce access to doctors for Medicaid beneficiaries and cause financial shortfalls for health systems that serve low-income, disproportionately Black populations. Medicaid reimbursement rates must be increased if we seek a healthcare system that is not rationed on the basis of race, gender, or income.
- **Fund Community-Based Organizations and Health Navigators** that are working to improve Black maternal health outcomes and direct Black women towards health resources in communities of color.
- **Enact Universal Healthcare:** Ultimately, inequities will persist so long as health care is rationed, instead of guaranteed. Universal health care proposals such as Medicare for All could reduce health disparities Black women face. Critically, any such program must include coverage for long-term care.

Conclusion

Health is a core precondition for Black women (and all people) to have free, fair, and thriving lives. Race and gender disparities in health outcomes and processes are the result of harmful or inadequate policy. Policies that expand and improve access to healthcare are a critical first step for addressing the disproportionate health burdens of Black women.

POLICY PATHWAY: PROTECTING BLACK GIRLS

> "What kind of schools and what kind of streets and what kind of parks and what kind of privacy and what kind of beauty and what kind of music and what kind of options would make love a reasonable, easy response?"
> ~June Jordan, Civil Wars

If we're serious about reaching new standards of racial equity at this time of national reckoning, we need to recognize the pervasive patterns and practices that harm Black girls and other girls of color. It is evident that incarcerating and criminalizing Black girls in the U.S. is harmful to them and costly for the economy.

These policy recommendations will help the collective well-being of all youth no matter their identity or their zip code. By addressing the needs of Black girls,

[194]Liu, Harry H., and Leighton Ku. 2021. "Twelve-Month Continuous Eligibility for Medicaid Adults Can Stabilize Coverage with a Modest Cost Increase." RAND Corporation. https://www.rand.org/blog/2021/12/twelve-month-continuous-eligibility-for-medicaid-adults.html.

ensuring their safety, and investing in their futures, Congress can usher in transformative change that will benefit the entire country.

> ***By addressing the needs of Black girls, ensuring their safety, and investing in their futures, Congress can usher in transformative change that will benefit the entire country.***

Background

Historically, Black girls have been cast outside the protection of childhood and presumptions of innocence granted white girls. As enslaved children, Black girls were forced to perform labor that was central to the functioning of the plantation economy. Like enslaved Black women, Black girls were considered property, facing violent mistreatment and subjugation. This legacy continues to shape Black girls' marginalization today.

By the late 20th century, Black girls' involvement in the juvenile justice system increased dramatically. The shift to tough-on-crime approaches, namely more punitive sentencing, had a net-widening effect, and more Black youth, including Black girls, were drawn into the system. Although the first decade of the 21st century saw dramatic decreases in the rate of youth confinement, Black youth were still more likely to be committed to secure facilities and other out-of-home placements when compared with white youth.[195]

The Policing of Black Girls and LGBTQI+ Youth in Schools

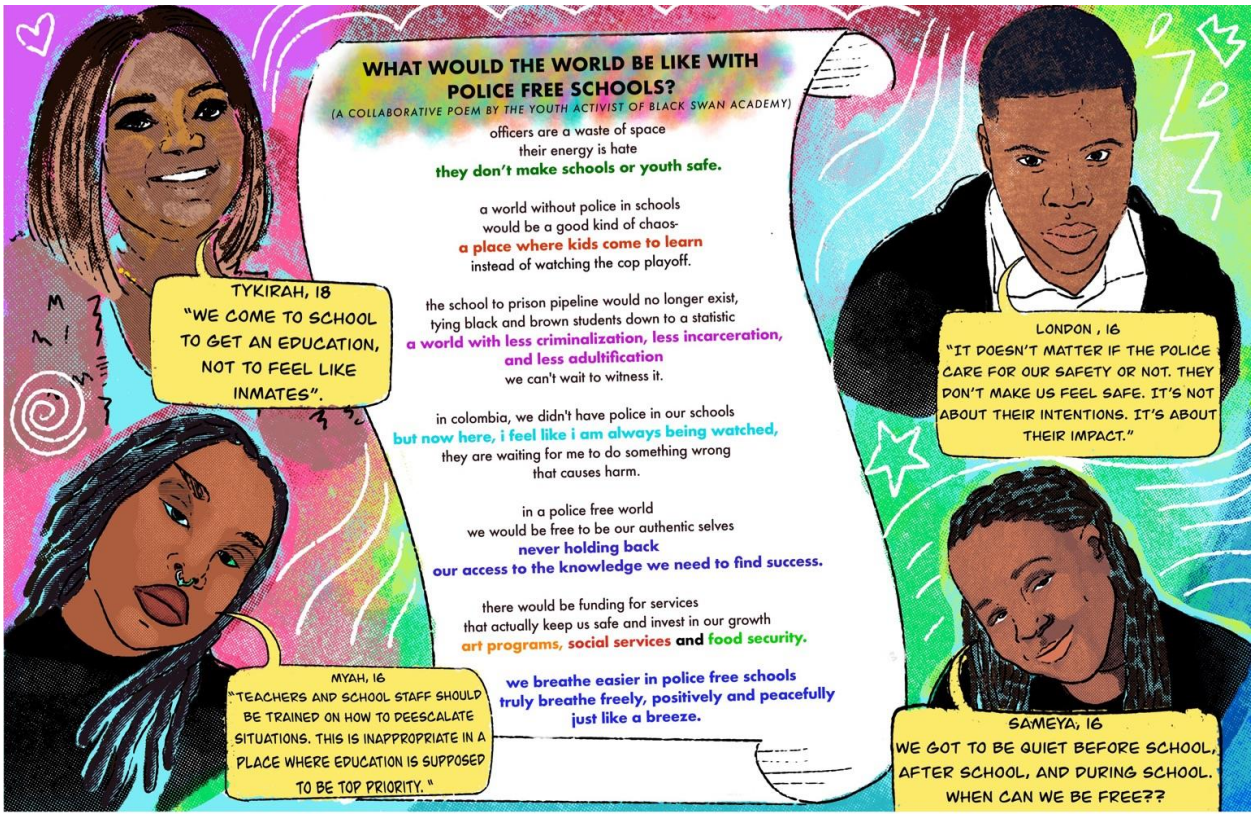
A study by the Georgetown Law Center on Poverty found that Black girls ages 5–14 were perceived as more adult and less innocent as white girls, which influences how they are punished in school settings.[196]

A 17 year-old gender nonconforming (GNC) student shared their personal experiences with police in schools: "This kid stole my glasses. I threw a water bottle at him, but the teacher stepped in the way and accidentally got hit in the back. The police were called. Assault with a deadly weapon. She almost took me to court, but

[195] Irvine, Angela, Nikki Jones and Aisha Canfield. 2019. "Taking the 'Girl' out of Gender-Responsive Programming in the Juvenile Justice System." Annual Review of Criminology. https://www.annualreviews.org/doi/abs/10.1146/annurev-criminol-032317-091922.
[196] Epstein, Rebecca, Jamilia J. Blake, and Thalia González. 2017. "Girlhood Interrupted: The Erasure of Black Girls' Childhood." Georgetown University. https://www.law.georgetown.edu/poverty-inequality-center/wp-content/uploads/sites/14/2017/08/girlhood-interrupted.pdf.

decided to drop the charges. Thank goodness for that. [Police] are making an educational environment into a very harsh, tense environment that it doesn't need to be. It is a school. Not a prison."

Image 1



Source: The Black Swan Academy

A report found that Black girls were 20 times more likely than white peers to get suspended, often for minor offenses like dress code violations, in Washington DC.[197] Nationally, Black girls are six times more likely to be expelled and four times more likely to be suspended from schools.[198] Black disabled girls are especially vulnerable. According to a report by the National Women's Law Center, 18.6 percent of Black girls with disabilities faced at least one out-of-school suspension in the 2013-2014

[197] Brodsky, Alexandra et al. Nd. "Dress Coded: Black girls, bodies, and bias in D.C. schools." National Women's Law Center. https://nwlc.org/wp-content/uploads/2018/04/5.1web_Final_nwlc_DressCodeReport.pdf.
[198] Glover, Julian. 2021. "Pushed Out: How excessive school discipline against Black girls leads to drop out, incarceration." ABC News. https://abc7news.com/black-girls-suspended-more-than-White -pushed-out-school-to-prison-pipeline-school-pushout/10405118/

academic year, compared with just over 5 percent of their white peers and 2.8 percent of non-disabled girls.[199] Research suggests that exclusionary discipline policies like suspensions and expulsions increase the likelihood of youth involvement in the youth justice system. Research also suggests that the physical presence of police or school resource officers (SROs) on school campuses escalates situations and increases the likelihood of Black, Indigenous, or people of color (BIPOC) youth, including BIPOC girls, from experiencing violence, trauma, and/or arrests.

A study in 2016, showed that while Black girls represented 17 percent of the school population nationally, they comprised 43 percent of total students that were arrested or referred to police. That same school year, 14 million students were learning in schools with police but no counselor, nurse, psychologist, or social worker.[200]

Nationally, schools with a majority Black student population are three times more likely than majority-white schools to have more security staff than mental health personnel. Research indicates that police participate in the adultification of Black childhood. The policing infrastructure, which has increasingly been invested in since the 1994 crime bill, has transformed schools into carceral environments for marginalized youth, exposing Black youth to harm and violence, instead of care and support.

While narratives around police violence tend to center Black cis-boys, it was the assault of a 16-year-old Black girl in 2015 by an SRO in Spring Valley, South Carolina that sparked the global "police free schools" movement. The same year in Alabama, a student named Ashlynn had her face slammed into a desk by an SRO before being arrested for falling asleep during in-school suspension.[201] The #AssaultAt map curated by the Advancement Project and Alliance for Educational Justice documents more than 200 acts of known school police violence since 2007.[202] It's important to acknowledge that Black girls are policed both in schools and in our communities. In 2021, a 9-year-old Black girl in crisis was handcuffed and then pepper-sprayed by police after they yelled at her "You are acting like a child!" She answered, "I am a child!"[203] The inability, and at times refusal, of the system to see

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[199] Schulman, Karen, Kayla Patrick, Neena Chaudry. 2017. "Let her Learn; Stopping School Pushout for Girls with Disabilities." National Women's Law Center. https://nwlc.org/wp-content/uploads/2017/04/Final_nwlc_Gates_GirlsWithDisabilities.pdf.
[200] Whitaker, Amir et al. 2019. "Cops and No Counselors How the Lack of School Mental Health Staff Is Harming Students." American Civil Liberties Union. https://www.aclu.org/report/cops-and-no-counselors.
[201] Morris, Monique W. 2020. "As schools prepare to reopen, we must remove cops from campuses to protect Black girls." USA Today. https://www.usatoday.com/story/opinion/policing/2020/07/07/black-girls-need-protection-school-criminalization-cops-campus/5356613002/.
[202] Police Free Schools. 2022. "#AssaultAt Map." Advancement Project. Alliance for Educational Justice. https://policefreeschools.org/map/.
[203] Jones, Nikki. 2021. "I AM a Child!": A girl-child's truth and the lies of law enforcement." Sage Journals. https://journals.sagepub.com/doi/abs/10.1177/08912432211029388; Griffith, Janelle. 2021. "'You did it to yourself,' officer tells 9-year-old girl pepper-sprayed by police in newly released video." NBC News. https://www.nbcnews.com/news/us-news/you-did-it-yourself-officer-tells-9-year-old-girl-n1257630.

Black girls as children is a key contributor to Black girls being the fastest growing population in the juvenile justice system.[204]

The Incarceration of Black Girls

Prisons are no place for youth and are especially harmful to Black girls. The vast majority of girls who remain in deep-end secure placements are there as a result of experiences of violence and trauma and the failure of less secure placements to adequately address their needs. Many youth prisons are modeled after adult facilities with a focus on punishment that is fundamentally incompatible with healthy adolescent development. From shackles to the use of solitary confinement, use of chemical agents, and lack of family engagement, youth prisons endanger young girls and inhibit their development.

Though making up a smaller population in the youth justice system, Black girls account for 15 percent of youth in residential placement and are now making up a larger share of the juvenile justice population at every stage of the process.[205] Data shows us that over the past two decades, girls' share of the juvenile justice system from courts through incarceration saw sizable increases: arrests increased 45 percent, court caseloads increased 40 percent, detentions jumped 40 percent, while post-adjudication placement rose by 42 percent. Gender inequities fall heaviest on girls of color and LBQ/GNCT (lesbian, bisexual, questioning / gender-non-conforming, transgender) youth.[206] Black girls are three-and-a-half times more likely than white girls to be incarcerated. Sadly, girls in the juvenile justice system are nearly two times as likely as boys to report having experienced five or more forms of abuse and trauma.[207] More than half of youth incarcerated for running away are girls.[208] Overall, one-third of incarcerated girls are held for status offenses (like truancy, curfew violations, or running away) or for violating the terms of their probation.[209]

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[204] Davis, Brittany. 2020. "Criminalization of Black Girls in the Juvenile Legal System." Center for Court Innovation. https://www.courtinnovation.org/sites/default/files/media/documents/2020-11/Monograph_Criminalization_Black_Girls_09092020.pdf; Killeen, Erin. 2019. "The Increased Criminalization of African American Girls." Georgetown Law. https://www.law.georgetown.edu/poverty-journal/blog/the-increased-criminalization-of-african-american-girls/.

[205] Sickmund, M., Sladky, T.J., Kang, W., & Puzzanchera, C. 2019. "Easy Access to the Census of Juveniles in Residential Placement." EZAJCRP. https://www.ojjdp.gov/ojstatbb/ezacjrp/

[206] Sherman, Francine, and Annie Balck. 2015. "Gender Injustice: System-Level Juvenile Justice Reforms for Girls." Boston College Law School.

[207] Epstein, Rebecca, Lindsay Rosenthal, Malika Saada Saar, and Yasmin Vafa. 2019. "The Sexual Abuse to Prison Pipeline: The Girls' Story." Georgetown Law Center on Poverty and Inequality, Ms. Foundation for Women, Human Rights Project for Girls. https://www.law.georgetown.edu/poverty-inequality-center/wp-content/uploads/sites/14/2019/02/The-Sexual-Abuse-To-Prison-Pipeline-The-Girls%E2%80%99-Story.pdf

[208] Sickmund, M., Sladky, T.J., Kang, W., & Puzzanchera, C. 2019. "Easy Access to the Census of Juveniles in Residential Placement." EZACJRP. https://www.ojjdp.gov/ojstatbb/ezacjrp/

[209] Ibid.

Gender Non-Conforming and LGBTQI+ Youth

Gender non-conforming and queer-identifying youth of color are at the highest risk of criminalization for sex work and commercial sexual exploitation – a street survival crime.[210] LGBT youth are at elevated risk for entering the juvenile justice system.[211] Researchers studying the risk factors that drive youth into the justice system provide some important clues about why gender nonconforming youth of color are at the highest risk of criminalization for sex work—a street survival crime.[212] The literature on pathways into the justice system shows that LGBTQ youth are at elevated risk for suspensions and expulsions at school;[213] bullying at school; conflict with their parents over their sexual orientation, gender identity, and gender expression; removal from

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[210] Chatelain, Marcia. 2015. "South Side Girls: Growing Up in the Great Migration." Duke University Press. https://www.dukeupress.edu/south-side-girls; Haley, Sarah. 2016. "No Mercy Here: Gender, Punishment, and the Making of Jim Crow Modernity." The University of North Carolina Press. https://uncpress.org/book/9781469627595/no-mercy-here/

[211] Irvine, Angela, Nikki Jones and Aisha Canfield. 2019. "Taking the 'Girl' out of Gender-Responsive Programming in the Juvenile Justice System." Annual Review of Criminology. https://www.annualreviews.org/doi/abs/10.1146/annurev-criminol-032317-091922.

[212] Angela Irvine, Nikki Jones and Aisha Canfield, 2019. "Taking the 'Girl' out of Gender-Responsive Programming in the Juvenile Justice System." Annual Review of Criminology. https://www.annualreviews.org/doi/abs/10.1146/annurev-criminol-032317-091922; Conron, Keith J., and Bianca D.M. Wilson. 2019. "LGBTQ Youth of Color Impacted by the Child Welfare and Juvenile Justice Systems: A Research Agenda." UCLA School of Law Williams Institute. https://williamsinstitute.law.ucla.edu/publications/lgbtq-yoc-social-services/.
Irvine, Angela. 2010. "'We've Had Three of Them': Addressing the Invisibility of Lesbian, Gay, Bisexual and Gender Non-Conforming Youths in the Juvenile Justice System." Evident Change. https://www.evidentchange.org/sites/default/files/content/weve-had-three-of-them.pdf
Irvine, Angela, and Aisha Canfield. 2017. "Reflections on New National Data on LGBQ/GNCT Youth In the Justice System." Harvard Kennedy. https://lgbtq.hkspublications.org/2018/01/29/reflections-on-new-national-data-on-lgbq-gnct-youth-in-the-justice-system/
Irvine, Angela, and Aisha Canfield. 2016. "The Overrepresentation of Lesbian, Gay, Bisexual, Questioning, Gender Nonconforming, and Transgender Youth Within the Child Welfare to Juvenile Justice Crossover Population." Digital Commons. https://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?article=1679&context=jgspl
Irvine, Angela. 2016. How the Hypervisibility and Invisibility of LGBQ/GNCT Latinxs Drive Involvement in the Youth Justice System. OJJDP Conference on Chicana/Latina Girls in the Justice System, Salinas, CA, November 2.
Irvine, Angela, Shannan Wilber, and Aisha Canfield. 2017. "Lesbian, Gay, Bisexual, Questioning, and Gender Nonconforming Girls and Boys in the California Juvenile Justice System: A Practice Guide." Ceres Policy Research. https://static1.squarespace.com/static/60da0d6e99c93c16e9951f78/t/60febe446b5d5b2618ffed02/1627307607525/CPOC-Practice-Guide_Final.pdf

[213] On Black girls, violence and need for intersectional analysis:
Brown, Kenly and Nikki Jones. 2018. "Race, Gender, and Crime: The Evolution of a Feminist Research Agenda." Semantics Scholar. https://www.semanticscholar.org/paper/Gender%2C-Race%2C-and-Crime%3A-The-Evolution-of-a-Agenda-Brown-Jones/8cb1a5a5878d2a04499bf6106bdd91db530d582f.;
Jones, Nikki. 2009. "Between Good and Ghetto: African American Girls and Inner-City Violence." Rutgers University Press. https://www.rutgersuniversitypress.org/between-good-and-ghetto/9780813546155.;
Jones, Nikki. 2021."'I AM a Child!': A Girl-Child's Truth and the Lies of Law Enforcement." Sage Journals. https://journals.sagepub.com/doi/abs/10.1177/08912432211029388?journalCode=gasa.;
Chesney-Lind, Meda, and Nikki Jones. 2010. "Fighting for Girls: New Perspectives on Gender and Violence." Suny Series in Women, Crime, and Criminology. https://sunypress.edu/Books/F/Fighting-for-Girls. Davis, Antoinette., Irvine, Angela. and Ziedenberg, Jason. 2014. Stakeholder' Views on the Movement to Reduce Youth Incarceration. National Council on Crime & Delinquency. https://www.evidentchange.org/sites/default/files/publication_pdf/deincarceration-summary-report.pdf;
Morris, Monique W. 2012. Race, Gender, and the School-to-Prison Pipeline: Expanding Our Discussion to Include Black Girls. Schott Foundation for Public Education. http://schottfoundation.org/resources/race-gender-and-school-prison-pipeline-expanding-our-discussion-include-black-girls.;
Morris, Monique. 2015. "Pushout: The Criminalization of Black Girls in Schools."; Wun, Connie. 2014. "Unaccounted Foundations: Black Girls, Anti-Black Racism, and Punishment in Schools." Sage Journals. https://journals.sagepub.com/doi/10.1177/0896920514560444

home for child abuse and neglect;[214] placement in foster and group homes;[215] running away from home and other placements;[216] homelessness; and criminalization for survival crimes. These patterns also hold for young people who are gender-nonconforming: the findings on the criminalization of gender nonconforming youth suggest that they are exposed to higher levels of risk than gender conforming youth.

The Criminalization of Black Girls Is Violent and Expensive, Alternatives Are Necessary

Incarcerating young people costs state taxpayers across the nation billions of dollars each year while doing little to rehabilitate those who are locked up or to reduce crime.[217] In fact, young people who have been incarcerated are more likely to be arrested again, and face barriers in obtaining an education and stable employment costing taxpayers between $8 billion to $21 billion per year.[218]

Locking up young people is an ineffective one-size-fits-all model costing young Black girls, their families, and taxpayers. As states pursue alternatives to an incarceration-based approach, they should prioritize effective and efficient, culturally relevant, and responsive community-based reforms.[219] In taking this approach, states should employ a "continuum of care" model, an array of non-residential community-based programs, supports, resources, and services designed to meet the individual needs of young people and their families in their homes.[220]

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[214] Irvine, Angela, Shannan Wilber and Aisha Canfield. 2017. "Lesbian, Gay, Bisexual, Questioning, and Gender Nonconforming Girls and Boys in the California Juvenile Justice System: A Practice Guide." Ceres Policy Research. https://static1.squarespace.com/static/60da0d6e99c93c16e9951f78/t/60febe446b5d5b2618ffed02/1627307607525/CPOC-Practice-Guide_Final.pdf.;Irvine, Angela, and Aisha Canfield. 2016. "The Overrepresentation of Lesbian, Gay, Bisexual, Questioning, Gender Nonconforming, and Transgender Youth Within the Child Welfare to Juvenile Justice Crossover Population." Ceres Policy Research. https://static1.squarespace.com/static/60da0d6e99c93c16e9951f78/t/60feb3d0735d6f7990c4f328/1627304919984/irvine.canfield.jgspl.2016.pdf

[215] Irvine, Angela, Shannah Wilber, and Aisha Canfield. 2017. "Lesbian, Gay, Bisexual, Questioning, and Gender Nonconforming Girls and Boys in the California Juvenile Justice System: A Practice Guide." Ceres Policy Research. https://static1.squarespace.com/static/60da0d6e99c93c16e9951f78/t/60febe446b5d5b2618ffed02/1627307607525/CPOC-Practice-Guide_Final.pdf.
Irvine, Angela, and Aisha Canfield. 2016. "The Overrepresentation of Lesbian, Gay, Bisexual, Questioning, Gender Nonconforming, and Transgender Youth Within the Child Welfare to Juvenile Justice Crossover Population." Ceres Policy Research. https://static1.squarespace.com/static/60da0d6e99c93c16e9951f78/t/60feb3d0735d6f7990c4f328/1627304919984/irvine.canfield.jgspl.2016.pdf.

[216] Irvine, Angela, Shannan Wilber, and Aisha Canfield. 2017. "Lesbian, Gay, Bisexual, Questioning, and Gender Nonconforming Girls and Boys in the California Juvenile Justice System: A Practice Guide." Ceres Policy Research. https://static1.squarespace.com/static/60da0d6e99c93c16e9951f78/t/60febe446b5d5b2618ffed02/1627307607525/CPOC-Practice-Guide_Final.pdf.

[217] Sickmund, M., Sladky, T.J., Kang, W., & Puzzanchera, C. 2019. "Easy Access to the Census of Juveniles in Residential Placement." Available: https://www.ojjdp.gov/ojstatbb/ezacjrp/ Totals reflect data as of late October 2017. One year later, there were 14 percent fewer youth in replacement, but their genders are not reported.

[218] Justice Policy Institute. 2020. "Sticker Shock." http://www.justicepolicy.org/uploads/justicepolicy/documents/Sticker_Shock_2020.pdf.

[219] Youth Advocate Programs, Inc. "Re-Entry/Aftercare Services." https://www.yapinc.org/Portals/0/Docs/Re-Entry%20Aftercare(web).pdf

[220] National Collaboration for Youth. 2017. "Beyond Bars: Keeping Young People Safe at Home and Out of Youth Prisons." https://www.aecf.org/resources/beyond-bars/.

A continuum of care draws upon the strengths of young people, their families, and communities, approaching youth from a strength-based rather than a deficit-based lens and fosters autonomy, competence, and a sense of belonging within families and communities.

Policy Recommendations Rooted in BWB

These recommendations focus on preventing the initiation of contact between Black girls, law enforcement, and the juvenile justice system in their homes, neighborhoods, and schools and reducing the harm of contact with the system. When implemented these recommendations will help Black girls and all youth no matter their race, zip code, or identity stay out of the justice system and live out their fullest potential.

Prevention starts at the community level, which we are all responsible for, thus we recommend providing access to early childcare, providing economic benefits to youth and their families through national guaranteed income for all residents living below 400 percent of the federal poverty line, and expanding the Earned Income Tax Credit and Child Tax Credit. We must ensure that youth and families have access to quality, safe, and affordable housing by expanding the National Housing Trust Fund, Housing Choice Vouchers, and Project-Based Housing. Barriers must be removed for youth to access housing on their own and provide funding to state and local governments for housing for youth aged 16-24, particularly those who are disconnected from families, have run away, left the carceral system, foster care system, or otherwise need safe, autonomous, free-affordable housing. We must make sure that Black girls and their families have their needs met and that we explore how reparations can address the harms of slavery, Jim Crow, and ongoing discrimination.

To eliminate the school-to-prison pipeline for Black girls, we must stop policing in schools, decriminalize forms of survival, practice restorative justice, and ensure there is a continuum of care by passing *The Counseling not Criminalization in Schools Act*. We must also provide funding for restorative justice approaches in schools and eliminate the use of detention, suspension, and expulsion by passing the *Ending PUSHOUT Act of 2021*. Funding must be provided to anti-racist and gender-affirming programming in schools that center love and care for Black girls.

Close Youth Prisons

We must eliminate secure confinement and reduce the harm of contact with the juvenile justice system by prioritizing closing youth prisons. The act of incarceration is simply an illegitimate approach to ensuring youth and young adults are able to reach their fullest potential. We must incentivize and fund investments in

community-based alternatives, education, and work training programs that could help Black girls and their communities thrive.

Collect More Disaggregated Data

In order to understand who we are locking up, we must increase funding for SOGIE (sexual orientation, gender identity, and expression) data collection. Combining this data with information about racial and ethnic disparities, new SOGIE data will allow systems to monitor outcomes more effectively.

Increase Gender-Affirming Programmatic Funding

We should increase funding for gender-affirming programming for LGBTQI+ and gender non-conforming youth in schools and protect them from the harms of the juvenile justice system. Gender-affirming programming builds on intersectional frameworks to allow for the full expression of youth identities, while also providing youth with the skills necessary to build a healthy sense of self and healthy communities[221].

Finally, to circumvent incarcerating girls who commit status offenses, we must eliminate the Valid Court Order Exception (VCO) from the Juvenile Justice and Delinquency Prevention Act (JJDPA). VCOs allow states to detain youth for non-delinquent behavior. Despite bipartisan support for limiting VCOs in courts, reforms have left this unjust tool in place.[222]

POLICY PATHWAY: DISEMPOWERING POLICE AND PRISONS

Mainstream attention on police violence is too often directed to cases that result in death. Professor Michelle S. Jacobs highlights what she calls the "invisible struggles" of Black women against police violence.[223] Black women are not only subjected to the threats of failed policing but are also at higher risk for assault, injury and intimate partner violence.[224] Police violence will be reduced when contact with police is reduced, and this is done by investing in harm prevention over punishment. Additionally, criminalization more broadly must come to an end, as many categories of crime are not created to prevent harm, but to exert social control and surveillance

[221] Jones, Nikki, Angela Irvine, and Aisha Canfield. "Supporting LGBTQ Youth." https://cjjr.georgetown.edu/certificate-programs/supporting-lgbtq-youth/#)
[222] Sciamanna, John. Nd. "Courts Use of the Valid Court Order." Child Welfare League of America. https://www.cwla.org/courts-use-of-the-valid-court-order/#:~:text=The%20valid%20court%20order%20(VCO)%20exception%20exists%20in%20the%20JJDPA,from%20home%20or%20skipping%20school.
[223] Jacobs, Michelle S. "The Violent State: Black Women's Invisible Struggle Against Police Violence." 2017. University of Florida Levin College of Law. https://scholarship.law.ufl.edu/facultypub/809/.
[224] Ibid.

over Black women, girls, people with disabilities, and other marginalized groups."[225] For more on this, please refer to the "Protecting Black Girls" section of this report on page 55 and the "Disability Justice" section on page 133.

> ***True public safety comes from having our basic needs met, from living in communities flourishing with opportunities, and from systems of restorative justice and public health interventions when harm does occur.***

The United States spends $100 billion a year on policing and another $80 million on incarceration.[226] Despite this massive spending, many still feel a lack of safety in their communities. This is because true public safety comes from having our basic needs met, from living in communities flourishing with opportunities, and from systems of restorative justice and public health interventions when harm does occur.[227] Years of policing, incarceration, and surveillance — primarily directed toward communities of color abandoned by the state and bereft of life-sustaining resources and support systems — have failed to produce real safety. Yet, over the last 30 years, the U.S. government has continued to prioritize funding for police departments, military-grade weapons, and prisons instead of the social safety net and community-based programs we know contribute to healthy neighborhoods.[228]

Following the 2020 killing of George Floyd by the Minneapolis Police Department, the demand to "defund the police" received mainstream media attention. While there has been a concerted effort by opponents to cast "defund" as reckless or out of touch, it is actually a very tangible and well thought out strategy to invest in public services and community development initiatives while removing entities that have enacted harm and failed to produce safety for communities. Quality public education, universal healthcare, green space, clean water and living wage jobs contribute to overall safety, but continue to be deprioritized at all levels of

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[225]Robinson Mock, Thena et al. Nd. "An Immediate End to the Criminalization and Dehumanization of Black Youth Across All Areas of Society Including, but Not Limited to, Our Nation's Justice and Education Systems, Social Service Agencies, Media, and Pop Culture." The Movement for Black Lives. https://m4bl.org/wp-content/uploads/2020/05/End-Crimilization-of-Youth-Policy-Brief.pdf.; Wallace, Lewis. 2016. "The Cost of Criminalizing Disability." Marketplace.https://www.marketplace.org/2016/09/07/policing-disabled/

[226] McCarthy, Niall. 2017. "How Much Do U.S. Cities Spend Every Year On Policing?" Forbes. https://www.forbes.com/sites/niallmccarthy/2017/08/07/how-much-do-u-s-cities-spend-every-year-on-policing-infographic/?sh=4fbbfe1de7b7

[227]Alexander, Amanda and Sered, Danielle. 2021. "Making Communities Safe, Without Police." Boston Review. https://bostonreview.net/articles/making-communities-safe-without-the-police/

[228] Center for Popular Democracy, Law for Black Lives, and Black Youth Project 100. 2017. "Freedom to Thrive: Reimagining Safety and Security in Our Communities." https://populardemocracy.org/sites/default/files/Freedom%20To%20Thrive%2C%20Higher%20Res%20Version.pdf.

government, while police budgets continue to balloon.[229] In 12 of the United States' 300 largest cities, officials are allocating over 50 percent of city budgets to police.[230] This is not what safety looks like, especially not for Black women.

Federal Policies to Address Policing and Incarceration

Much has been written on the 1994 Crime Bill, authored by then-Senator Joe Biden. In addition to authorizing more money from the federal government to local police forces, it authorized nearly $10 billion in subsidies to expand state prisons, created 60 new death penalty offenses and established the Violence Against Women Act (VAWA). VAWA has failed to create safety for Black women survivors. In allocating more money to police, VAWA fails to account for the ways the criminal legal system retraumatizes survivors and perpetuates sexual and gender violence. According to the ACLU, up to 60 percent of women incarcerated in state facilities have a history of sexual or physical abuse,[231] and sexual violence is the second most reported form of police violence.[232] "Black women who experience Intimate Partner Violence (IPV) face multiple overlapping barriers to receiving help, including distrust of and discrimination from police and providers." Activist groups like the People's Coalition for Safety and Freedom are working to repeal the harmful provisions of the Crime Bill and replace them with democratically authored legislation. Putting impacted people at the center of policymaking allows holistic approaches to public safety to become the basis for writing laws.

> ***Any policies put forward should center Black women.***

[229] Olivier, Indigo. 2020. "Police Budgets Are Ballooning as Social Programs Crumble." https://inthesetimes.com/article/police-budgets-social-programs-education-racial-justice-protests
[230] Analysis of Action Center on Race and the Economy Budget tool. https://acre-police-budgets.netlify.app/
[231] American Civil Liberties Union. N.d. "Prison Rape Elimination Act of 2003." https://www.aclu.org/other/prison-rape-elimination-act-2003-prea?redirect=prisoners-rights-womens-rights/prison-rape-elimination-act-2003-prea
[232] Ritchie, Andrea J. 2018. "How Some Cops Use The Badge To Commit Sex Crimes." Washington Post. https://www.washingtonpost.com/outlook/how-some-cops-use-the-badge-to-commit-sex-crimes/2018/01/11/5606fb26-eff3-11e7-b390-a36dc3fa2842_story.html.

Divest from, Repeal, and Eradicate Harm

Any policies put forward should center Black women. A Forward Together report asserted that "not only does incarceration break families apart, it also inhibits their ability to meet their basic needs, a burden that often falls on Black women."[233] Though policing, incarceration and surveillance are often viewed as state and local issues, the federal government can and should lead on many policy pathways. Notably, it should invest in life-sustaining programs, services, and institutions to foster communities that are resilient, safe, and able to both prevent and respond justly to harm. Policing communities that are burdened by the cumulative effects of systematic disinvestment will not produce meaningful public safety; and the federal government's funding priorities should reflect this. Ultimately, BWB promotes policy solutions that seek to address the root causes of harm, namely the toxic social conditions that produce violence. As important, BWB demands that Black women who have been at the forefront of building networks of safety in their neighborhoods be centered in public debates on policing; community residents, public and community health workers, violence interrupters and peer supporters, and mutual aid organizers must be resourced and centered in public safety policymaking, ideation, and design. [234]Such investments must be paired with the elimination and repeal of harmful provisions of our legal system, such as life imprisonment and the death penalty, which are family separation mechanisms that disproportionately impact Black families. Abolishing these court sentences will have a significant impact on Black women's lives.

Eliminate Cash Bail

Cash bail has long been a way to criminalize poverty. How much money a person has access to at a given time should not be a condition to freedom. This is an antiquated policy that hits Black women the hardest. As Twyla Carter of The Bail Project notes, the inability of Black women to post cash bail is "the result of a wide range of societal issues and barriers."[235] Racial and gender bias, pay inequity, and over 60 percent of Black women being the head of household[236] all impact Black women's ability to have access to the capital necessary to pay cash bail. It is paramount that this wide range of issues be addressed through collaborative and comprehensive policymaking, in addition to immediately eliminating cash bail.

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[233] Chung, Maya. 2015. "African-American Women Face the Brunt of Mass Incarceration." NBC. https://www.nbcnews.com/news/nbcblk/african-american-women-face-brunt-mass-incarceration-n427256
[234] Alexander, Amanda and Sered, Danielle. 2021. "Making Communities Safe, Without Police." Boston Review. https://bostonreview.net/articles/making-communities-safe-without-the-police/.
[235] Richardson, Randi. 2022. "'Paying ransom for freedom': How cash bail is keeping Black mothers stuck in prisons." NBC. https://www.nbcnews.com/news/nbcblk/paying-ransom-freedom-cash-bail-keeping-black-mothers-stuck-prisons-rcna15408
[236] Goodman, Laurie, Jung Hyun Choi, and Jun Zhu. 2021. "More Women Have Become Homeowners and Heads of Household. Could the Pandemic Undo That Progress?" Urban Institute. https://www.urban.org/urban-wire/more-women-have-become-homeowners-and-heads-household-could-pandemic-undo-progress.

End Police Surveillance Data Collection and Sharing Practices

Police surveillance has not only been used as a way to replace physical police with camera equipment and other invasive technologies, but has also turned public safety into a business enterprise. Organizer Alyxandra Goodwin of Chicago often says that "public safety should be treated as other public goods and not be done for profit." An Action Center on Race and the Economy (ACRE) report posits that surveillance does very little to contribute to safety while also unfairly criminalizing communities of color.[237] For example, following a national wave of racial justice protests in 2014, the Federal Bureau of Investigation (FBI) created a "Black Identity Extremist" designation to track, surveil, and even detain Black activists.[238] Putting an end to intrusive data collection and sharing practices must be done for the safety, security and privacy of everyone, especially Black women.

Conclusion

President Joe Biden said, "Don't tell me what you value. Show me your budget, and I'll tell you what you value." The government has an unprecedented opportunity to right the wrongs of the Crime Bill and show that this is a country that values restoration and repair over distrust and punishment. Now is not the time to tinker around the edges with ineffective reforms; it is the time for big, structural changes that allow communities to thrive. Investing in systems that uplift neighborhoods that have faced systemic disinvestment and abandonment not only serves Black women, but the country as a whole. Improving the outcomes for marginalized people is not only the moral thing to do, it is the transformation necessary to move us collectively forward.

POLICY PATHWAY: ELIMINATING FINES AND FEES

There is no better example of the inherent anti-Blackness of U.S institutions and systems than the practice of monetary sanctions within our criminal legal system. Due to the persistence of the Black criminality narrative —which drives policing— and with systemic racial bias baked into the criminal legal system, fines and fees are disproportionately imposed on Black communities and have cascading effects on other low-income communities.

[237] Action Center on Race and the Economy (ACRE) and the Community Resource Hub for Safety and Accountability. 2021. "21st Century Policing: The Rise and Reach of Surveillance Technology." https://acrecampaigns.org/wp-content/uploads/2021/03/acre-21stcenturypolicing-r4-web.pdf

[238] German, Michael. 2020. "The FBI Targets a New Generation of Black Activists." Brennan Center for Justice. https://www.brennancenter.org/our-work/analysis-opinion/fbi-targets-new-generation-black-activists

> ***There is no better example of the inherent anti-Blackness of U.S institutions and systems than the practice of monetary sanctions within our criminal legal system.***

Fines and fees are not only incredibly extractive, stripping wealth from Black communities that have been denied access to wealth building for centuries, but also serve as another source of punishment for both the individuals who have served time and their families. For Black women in particular, even if they are not themselves convicted and incarcerated, they are often the ones who care financially and emotionally for their incarcerated brothers, uncles, fathers, cousins and sons,.[239] This extracts from their wealth in relationship to time, stress, health, and money. Additionally, jurisdictions typically net very little or even lose revenue from the practice of monetary sanctions since most people charged with fines and fees are stuck in low paying jobs, are unemployed, and simply cannot afford to pay them.[240] Thus, fines and fees are not only incredibly burdensome and damaging for Black communities, further perpetuating economic inequality along racial and gender lines, but they are an ineffective means of solving a problem that was created by the government in the first place. To pave the way for a more equitable justice system, policy solutions must both curb police power and include direct strategies to eliminate fines and fees.

Monetary sanctions are a criminal legal punishment schema, also called legal financial obligations (LFOs). This type of sentence requires financial payments from most people who make contact with the criminal legal system. The financial penalties are administered at all levels of court systems f. In addition to fines associated with specific offenses, people are charged fees for their court processing, for DNA testing, for required post-sentencing rehabilitative programs (e.g. drug and alcohol assessment and

[239] Bhattacharya, Jhumpa, Anne Price, and Fenaba R. Addo. 2019. "Clipped Wings: Closing the Wealth Gap for Millennial Women." Insight Center for Community Economic Development, Asset Funders Network, and Closing the Women's Wealth Gap. https://assetfunders.org/wp-content/uploads/AFN_2019_Clipped-Wings_Brief.pdf

[240] Zhen, Theresa, and Brandon Greene. 2018. "Pay or Prey: How the Almeda County Criminal Justice System Extracts Wealth from Marginalized Communities." East Bay Community Law Center. https://ebclc.org/in-the-news/report-pay-or-prey-how-the-alameda-county-criminal-justice-system-extracts-wealth-from-marginalized-communities/; Berkeley Law Public Advocacy Clinic. 2017. "Making Families Pay." https://www.law.berkeley.edu/wp-content/uploads/2015/12/Making-Families-Pay.pdf; Fine & Fees Justice Center. 2021. "First-of-Its-Kind Report: How Much Criminal Justice Debt does the U.S. Really Have?" https://finesandfeesjusticecenter.org/2021/04/28/new-ffjc-report-how-much-criminal-justice-debt-does-the-u-s-really-have/

treatment), and in some instances, for the costs of incarceration itself. Surcharges and assessments are also added on top of initial LFO principle as restitution in many cases. This total bill often accrues interest, collection and payment costs. Furthermore, people face "cost points" through system contact from the cost of a private or public defender, costs for video visitation and emails to family, inflated costs of needed commissary items (e.g., sanitary pads and other hygiene items), and costs related to other punishments (e.g., electronic home monitoring, victim classes, probation fees).[241]

Wealth Extraction Through Fines and Fees

Criminal legal fines and fees are part of a long history of racialized wealth extraction and predatory government practices that unfairly attempt to generate revenue on the backs of Black residents.[242] Local and state governments have accelerated their reliance on these racist and unjust practices since the mid-20th century. The second wave of mass incarceration began in the early 1970's with President Nixon's "War on Drugs," followed by state and federal policies targeting low level drug possession, developing sentence enhancements and "three strikes" sentencing guidelines. These reforms continued through the 1990s. As a result, local jails and prisons became overcrowded and jurisdictions needed to find ways to expand their budgets to pay the cost of mass incarceration.

In the mid-1990s, states began to implement the ineffective policy practice of increasing revenue by imposing monetary sanctions on people from low-income communities of color through fines, fees, surcharges and costs.[243] Since police target and intensely surveil Black and brown communities, this practice disproportionately impacts Black and brown families. Since 2010, 48 states have either increased their criminal fees or adopted new ones.[244] Local governments have come to rely heavily on the false narrative that revenue generated from fines and fees is a legitimate function of government, generating profits for cities and counties and "holding people accountable." As a result, police have become tax collectors using pre-textual or low-level traffic stops, citations for loitering or sleeping on the sidewalk, and other causes for generating revenue through ticketing.

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[241] See: Harris, Alexes. 2016. *A Pound of Flesh: Monetary Sanctions as a Punishment for Poor People*. New York: Russell Sage. Harris, Alexes, Tyler Smith and Emmi Obara. 2019. "Justice 'Cost Points': Examination of Privatization within Public Systems of Justice." *Crime and Public Policy. The Company Store | Prison Policy Initiative*, Huebner, Beth M. and Sarah K.S. Shannon. 2022. "Private Probation Costs, Compliance, and the Proportionality of Punishment: Evidence from Georgia and Missouri." *RSF: The Russell Sage Foundation Journal of the Social Sciences:* 8 (1) 179-199; DOI: https://doi.org/10.7758/RSF.2022.8.1.08

[242] United States Department of Justice: Civil Rights Division. 2015. "Investigation of the Ferguson Police Department." https://www.justice.gov/sites/default/files/opa/press-releases/attachments/2015/03/04/ferguson_police_department_report.pdf.

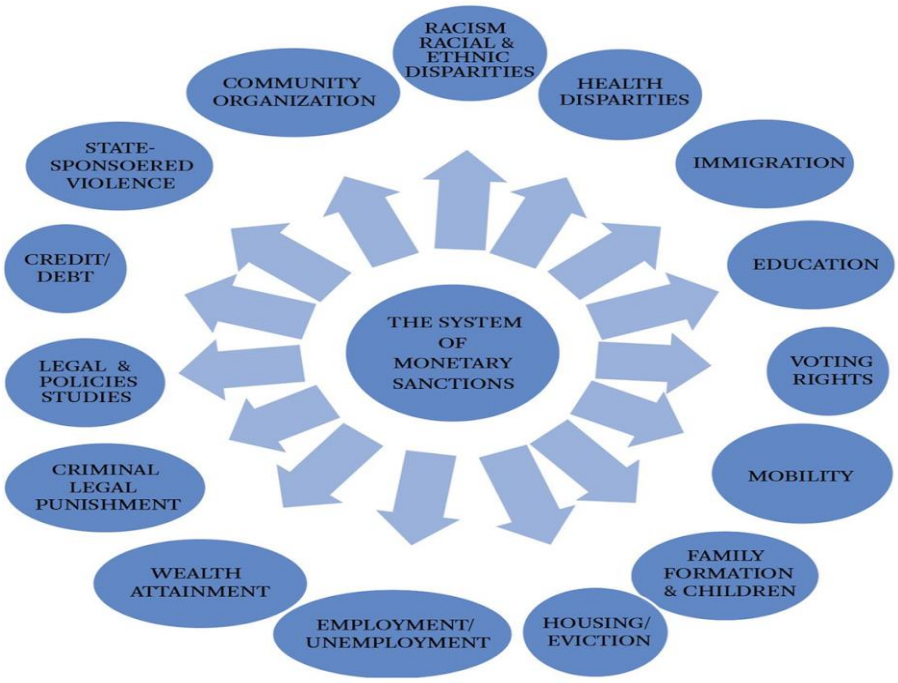
[243] Harris, Alexes, Heather Evans, and Katherine Beckett. 2010. "Drawing Blood from Stones: Legal Debt and Social Inequality in the Contemporary U.S." American Journal of Sociology.

[244] Shapiro, Joseph. 2014. "As Court Fees Rise, the Poor Are Paying the Price." National Public Radio. https://www.npr.org/2014/05/19/312158516/increasingcourt-fees-punish-the-poor.

These practices have pushed Black families into obscene levels of debt and mental stress. As noted in the Department of Justice's Ferguson Report, "…many officers appear to see some residents, especially those who live in Ferguson's predominantly African American neighborhoods, less as constituents to be protected than as potential offenders and sources of revenue."[245] The truth is that attempting to raise revenue through fines and fees is ineffective, inefficient, and harmful policy design. Most governments see very little return. In Los Angeles County, for example, only 4 percent of fees charged were collectable.[246]

The Far Reaching Impact of the Harms of Fines and Fees

Figure 1 The Extensive Reach of Monetary Sanction' Tentacles in the Sociological World



Source: Authors' framing.

Figure 1 illustrates that from housing and health stability, credit and wealth accumulation, mobility, citizenship status, and employment opportunities, this punishment system affects a number of dimensions of people's lives that negatively affect their reintegration and ability to live free.[247]

[245] U.S Department of Justice. 2015. "Investigation of the Ferguson Police Department." https://www.justice.gov/sites/default/files/opa/press-releases/attachments/2015/03/04/ferguson_police_department_report.pdf.

[246] Blanco, Sandra, Lupita Carballo, Manuel Galindo, Donna Harati, David Henschel, Gilbert Johnson, Milinda Kakani, Kim McGill, Kent Mendoza, Anthony Robles, Phal Sok, Dayvon Williams, and Adrienna Wong. 2019. "Costs of Injustice: How Criminal System Fees are Hurting Los Angeles County Families." Let's Get Free LA. http://ebclc.org/wp-content/uploads/2020/03/letsgetfreeLA_costs_of_injustice.pdf

[247] Harris, Alexes, Mary Pattillo and Bryan Sykes. 2022. "Studying the System of Monetary Sanctions." The Russell Sage Foundation Journal of the Social Sciences. https://www.rsfjournal.org/content/8/1/1.

Pervasive targeted policing in communities of color has led to disproportionate rates of police stops and arrests of people of color. Consequently, these communities pay exorbitant fines and fees, which in turn extracts wealth and limits wealth accumulation.[248] For example, the average adult on probation in Alameda County in California owes about $6,000 in fees for probation, use of a public defender and sheriff work alternative programs.[249] This amount quickly rises when interest rates of up to 10 percent are charged. Families of color and low-income families are often already in a state of economic precarity and cannot afford to pay the fine or fee, forcing them to assume large criminal legal debt burdens.[250] Thus, LFO's are not only extractive, but they act as significant debt anchors that cement communities of color in place and inhibit their ability to accumulate wealth. Many states also suspend driver's licenses as a penalty for overdue fines and fees, which in turn increases a person's chances of arrest, warrants, incarceration, or increased fines for driving without a license. In most states, LFOs are sentenced in tandem with incarceration and probation time, and the fiscal penalties must be paid in full before a person is released from court supervision and can have records sealed or vote. These fines and fees lead to perpetual state surveillance, wealth extraction, and the social control of poor and racially marginalized people. This purposeful punishment has a profound negative effect on the political, economic, legal, and overall health of Black people, families, and communities. As a result, Black Americans' chances to reach their full potential are stifled.

The Disparate Impact of Fines and Fees on Black Women

> ***Black women bear the burden of penal debt in different and more punitive ways than others who encounter the system.***

Black women bear the burden of penal debt in different and more punitive ways than others who encounter the system. Women are frequently relied upon to

[248] Pierson, Simoiu, & Overgoor, 2020. For example, Black drivers are searched one and a half to two times more often than are white drivers.
[249] Zhen, Theresa, and Brandon Greene. 2018. "Pay or Prey: How the Alameda County criminal justice system extracts wealth from marginalized communities." East Bay Community Law Center. https://ebclc.org/wp-content/uploads/2018/10/EBCLC_CrimeJustice_WP_Fnl.pdf
[250] Insight Center for Community Economic Development. 2018. "The Cost of Being Californian: A Look at the Economic Health of California Families." https://insightcced.org/2018-self-sufficiency-standard-report/

financially support partners with incarceration costs, fines and fees.[251] The Ella Baker Center's "Who Pays?" report found that even if women are not the ones being arrested and/or fined, they are primarily the ones paying the fine, fee, or bail money for their family members.[252] The report found that 63 percent of court-related costs were paid for by family members outside the system, and that 80 percent of those family members were women.[253] Beyond the financial impacts of fines and fees, other pernicious punitive measures that accompany LFOs, such as driver's license suspensions, also lead to further strains on Black families and Black women. For example, in a focus group conducted in Mississippi led by the Insight Center, one Black woman highlighted the financial and emotional stress that has come from her husband's arrest and subsequent driver's license suspension:

> "My husband, he's 49. He was incarcerated 15 years . . . he's been out going on 4 years. He hasn't been able to find a job, hasn't had a job, won't nobody give him a chance. So my income has to take care of my household." [254]

In sum, research shows that women and families are negatively affected by LFOs, communities of color are negatively impacted by LFOs, and Black people are disproportionately sentenced to LFOs compared to non-Black people.[255] It follows then that Black women in particular experience a pernicious relationship with the system of monetary sanctions.[256] By focusing on the experience of Black women and building solutions to address the pernicious and disproportionate impacts of LFOs that they face, we can create a more just criminal legal system for all.

Policy Solutions Rooted in BWB

While we advocate for immediate policy reform in the short term, ultimately, we argue that the system of monetary sanctions needs to be entirely abolished. The only way to stop racialized wealth extraction from Black women and their families is to stop the legal process of monetary sanctions through which it often occurs. As explored in the previous section on Policing and Prisons on page 63, one of the most foundational actions Congress can take in addressing monetary sanctions is repealing and

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[251] Comfort, Megan. 2007. "Punishment Beyond the Legal Offender. Annual Review of Law & Social Science." Social Science Research Network. https://ssrn.com/abstract=1060761; Boches, Daniel J. , Brittany T. Martin, Andrea Giuffre, Amairini Sanchez, Aubrianne L. Sutherland, and Sarah K.S. Shannon. 2022. "Monetary Sanctions and Symbiotic Harms." The Russell Sage Foundation Journal of the Social Sciences. https://www.rsfjournal.org/content/8/2/98.

[252] Saneta deVuono-powell, Chris Schweidler, Alicia Walters, and Azadeh Zohrabi. 2015. "Who Pays? The True Cost of Incarceration on Families." Who Pays Report. http://whopaysreport.org/wp-content/uploads/2015/09/Who-Pays-FINAL.pdf.

[253] ibid

[254] Price, Anne, and Jhumpa Bhattacharya. 2020. "Mississippi Is America: How Racism and Sexism Sustain a Two-Tiered Labor Market in the US and Constrict the Economic Power of Workers in Mississippi and Beyond." Insight Center for Community Economic Development. https://insightcced.org/wp-content/uploads/2020/10/INSIGHT_Mississippi-Is-America-brief_3.pdf

[255] Slavinski, Ilya and Becky Pettit. 2021. "Proliferation of Punishment: The Centrality of Legal Fines and Fees in the Landscape of Contemporary Penology." Social Problems. https://doi.org/10.1093/socpro/spaa077

[256] More research is needed to examine the intersectionality of race and gender and how monetary sanctions disparately impact Black women in particular.

replacing the '94 Crime Bill, which paved the way for expanding police power, accelerating mass incarceration, and fueling debt and wealth extraction. We also recognize that many incremental changes must occur at the state level to give Black communities and many low-income communities of color immediate relief. However, this does not absolve the federal government from taking bold action and using its power to attach conditions to grants related to state law enforcement and justice practices to ensure reforms are swiftly enacted. Such conditions should mandate states to:

- Eliminate the sentencing of all fees, surcharges, costs and assessments.[257]
- Require current ability to pay hearings prior to assessment of all fines with phase out as a goal.
- Desist from imposing fees on youth and their families for court processing and relieve all existing outstanding juvenile debt.
- Discontinue suspending driver's licenses related to non-payment of court imposed fines and fees and reinstate all prior licenses that have been suspended related to non-payment (without cost to driver).
- Prohibit courts from issuing bench warrants related to non-payment of court fines and fees or failure to appear.
- Follow California's lead and expunge old, uncollectable debt accumulated through the levy of administrative fees.[258]
- Annually report by jurisdiction (e.g., county, city, township, etc.) the amounts of fines and fees sentenced, owed, and related surcharges, interest and payment fees owed and collected and have standardized tracking for race, gender, and income level of individuals when monetary sanction is sentenced.

Conclusion

> ***A system of monetary sanctions can never be "just," particularly within a society with so much racial and economic inequality.***

[257] Jhumpa Bhattacharya, Stephanie Campos-Bui and Brandon Greene. 2021. "Hear Us: California is Trailblazing the Path to Debt-Free Justice. Other States Should Follow." Next City. https://nextcity.org/urbanist-news/hear-us-california-trailblazing-path-debt-free-justice-other-states-follow

[258] In 2020, through the work and advocacy of the Debt Free Justice California Coalition, California became the first state to abolish more than 20 different criminal fees through the Families Over Fees Act, providing an estimated $16 billion in relief to people across the state. Learn more about the Debt Free Justice California (DFJC) coalition at https://ebclc.org/cadebtjustice/about/.

The evidence is clear: The American system of monetary sanctions is a purposeful policy aimed at extracting wealth from Black individuals, their families and communities — a pound of flesh that many do not have left to give. Since the 1990s, fines and fees have developed into a multi-layered beast or web-like structure,[259] with multiple tentacles[260] affecting a variety of life dimensions for the people who are too poor to pay. The stated aim is to structure sentencing, hold offenders accountable, and recover criminal legal related costs.[261] Within such a system, incremental reforms to protect people too poor to pay will never shield them completely from a largely discretionary system aimed at extracting labor, wealth, and dignity from Black people. A system of monetary sanctions can never be "just," particularly within a society with so much racial and economic inequality.[262] Impoverished citizens who are sentenced to monetary sanctions clearly understand their relationship to the state — they are forever indebted, forever subjected to court and police surveillance, control, and punishment. We have alternative rehabilitative options, and even the option for abolition; we just need the will to make change.[263]

POLICY PATHWAY: REMAKING HIGHER EDUCATION

Higher education is often regarded as one of the most reliable pathways to economic mobility, but because of the current student debt crisis, the "great equalizer" is now anything but.[264] While the statistics suggest that higher education improves individuals' financial well-being, the truth is that the burden of student loan debt limits economic mobility for those millions of students forced to take on debt to pursue a college degree. Student debt disproportionately affects Black households' ability to build wealth and financial security. At over $1.7 trillion and counting, the current student debt crisis is holding a generation hostage, preventing them from obtaining the full benefits and promise that higher education is supposed to provide. It is also exacerbating racial wealth disparities, as the Black student debt crisis further entrenches the same inequities that spawned it.

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[259] Huebner, Beth M. and Andrea Giuffre. 2022. "Reinforcing the Web of Municipal Courts: Evidence and Implications Post-Ferguson." The Russell Sage Foundation Journal of the Social Sciences. https://www.rsfjournal.org/content/8/1/108.
[260] Harris, Alexes, Mary Pattillo and Bryan Sykes. 2022. "Studying the System of Monetary Sanctions." The Russell Sage Foundation Journal of the Social Sciences. https://www.rsfjournal.org/content/8/1/1.
[261] Washington State Legislature. "Chapter 9.94A RCW." https://app.leg.wa.gov/rcw/default.aspx?cite=9.94A.
[262] Lee, Hedwig, Michael Esposito, Frank Edwards, Yung Chun, and Michal Grinstein-Weiss. 2020. "The demographics of racial inequality in the United States" Brookings.edu. https://app.leg.wa.gov/rcw/default.aspx?cite=9.94A; Friedman, Brittany, Alexes Harris, Beth M. Huebner, Karin D. Martin, Becky Pettit, Sarah K.S. Shannon, and Bryan L. Sykes. 2022. "What Is Wrong with Monetary Sanctions? Directions for Policy, Practice, and Research." The Russell Sage Foundation Journal of the Social Sciences. https://www.rsfjournal.org/content/8/1/221.abstract.
[263] Harris, Alexes. 2021. "Monetary Sanctions as a Pound of Flesh." Brennan Center. https://www.brennancenter.org/our-work/analysis-opinion/monetary-sanctions-pound-flesh
[264] Hamilton, D., Darity, W., Price, A.E., Sridharan, V., & Tippett, R. 2015. "Umbrellas Don't Make It Rain: Why Studying and Working Hard Isn't Enough for Black Americans." The New School, the Duke Center for Social Equality, and Insight: Center for Community Economic Development. Available at https://socialequity.duke.edu/portfolio-item/umbrellas-dont-make-it-rain-why-studying-and-wor king-hard-isnt-enough-for-black-americans/.

The current student debt crisis does not reflect the vision laid out by President Lyndon B. Johnson when he signed the Higher Education Act of 1965 (HEA).[265] Yet, intentional federal and state policy decisions created the current crisis and continued inaction, a decision in and of itself, ensures that the crisis continues to grow.[266] Coming on the heels of major civil rights legislation, the HEA was intended to open the doors of postsecondary education to all, particularly students of color and women, by providing federal student aid to support their educational pursuits. Though today loans make up the majority of federal student aid, grant-based aid was envisioned as the foundation of federal aid packages when the HEA was enacted. The HEA followed other major higher education investments at the federal level through the Morrill Acts and the GI Bill,[267] all of which had embedded inequities in their structure and implementation that ensured that higher education remained out of reach for most Americans while also helping to solidify a white middle class.[268] From segregation and exclusion to the historical and continued underfunding of historically black colleges and universities (HBCUs) at the state and federal level, Black students were denied higher education access in a myriad of ways.[269] The HEA was thus meant to be a watershed moment for postsecondary access but, just as President Johnson sought to open the doors, state governments worked to close them by decreasing their own support of public higher education. Over the years, the trend away from investment in higher education as a public good has continued as the Pell grant failed to keep up with college costs and ever more costs were passed on to individuals and families even as wages remained stagnant and wealth disparities worsened.[270]

The shift to the primarily debt-financed model for higher education financing meant the inherent inequities found in the rest of our credit system would be etched into

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[265] Harrington, A and Huelsman, M. 2020 "Delivering on Debt Relief: Proposals, Ideas, and Actions to Cancel Student Debt on Day One and Beyond." Student Borrower Protection Center, Demos, and University of California at Irvine School of Law. https://protectborrowers.org/wp-content/uploads/2020/12/ Delivering-on-Debt-Relief.pdf.
[266] Ibid.
[267] Morrill Act, Pub. L. No. 37-130, 12 Stat. 501 (1862); Morrill Land-Grant Act, 26 Stat. 417 (1890); Shaun R. Harper, Lori D. Patton & Ontario S. Wooden, Access and Equity for African American Students in Higher Education: A Critical Race Historical Analysis of Policy Efforts, 80 J. Higher Educ. 290 (2009), https://web-app.usc.edu/web/rossier/publications/231/Harper,%20Patton%20and%20Wooden%20(2009).pdf; Katherine I. E. Wheatle, Neither Just Nor Equitable: Race in the Congressional Debate of the Second, 46 Am. Educ. History J. 1.2019. https://eric.ed.gov/?id=EJ1226050.
Servicemen's Readjustment Act of 1944, P.L. 78-346, 58 Stat. 284 (1944); J.T. Minor, Segregation Residual in Higher Education: A Tale of Two States, 45 Am. Educ. Research J. 862 (2008); Edward Humes, How the GI Bill Shunted Blacks into Vocational Training, 53 The Journal of Blacks in Higher Education 92, www.jstor.org/stable/25073543; Shannon Luders-Manuel, The Inequality Hidden Within the Race-Neutral G.I. Bill, JSTOR Daily. 2017.https://daily.jstor.org/the-inequality-hidden-within-the-race-neutral-g-i-bill/.
[268] Harrington, A and Huelsman, M. 2020 "Delivering on Debt Relief: Proposals, Ideas, and Actions to Cancel Student Debt on Day One and Beyond." Student Borrower Protection Center, Demos, and University of California at Irvine School of Law. https://protectborrowers.org/wp-content/uploads/2020/12/ Delivering-on-Debt-Relief.pdf.
[269] Ibid.
[270] Pew Trusts, Two Decades of Change in Federal and State Higher Education Funding. 2019. https://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2019/10/two-decades-of-change-in-federal-and-state-higher-education-funding; Michael Mitchell, Michael Leachman & Kathleen Masterson, A Lost Decade in Higher Education Funding: States Have Driven Up Tuition and Reduced Quality. 2017. https://www.cbpp.org/sites/default/files/atoms/files/2017_higher_ed_8-22-17_final.pdf.

the higher education system as well. As has been noted, we have always had dual systems of access and opportunity in this country with Black Americans unable to access the same financial opportunities as their white counterparts and being forced to pay more for everything, including and especially credit, at every turn.[271] It was thus inevitable and expected that families—many of which were already burdened with debt and lacking credit—are faring worse in the emerging system as they are forced to take on even more debt to access opportunity.[272]

The Burden

Twenty years after starting college, the typical Black borrower still owes 95 percent of their student loan debt, while the median white student borrower owes only 6 percent of their debt.[273] Black undergraduate degree holders overwhelmingly take out student loans to support their college education at a rate of 86.8 percent compared to their white peers, who borrow at a rate of 59.9 percent.[274] They also take out higher amounts.[275] The stark disparities extend into repayment difficulties: Black undergraduate degree holders default at five times the rate of white undergraduates and are more likely to default on their student loans than white dropouts.[276] The burden of student loans is a problem that affects not just the Black borrower but also their families and communities.[277] When compared to majority-white zip codes, majority-Black zip codes have higher student loan borrowing rates and higher debt loads, implying that the cumulative impact of loans affects entire communities.[278] Student loan debt limits one's ability to thrive financially, and the burden is not carried equally, with Black women students at the core of the student

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[271] Calhoun, Michael. 2018. Investigative Report Shows High Rate of Racial Discrimination in Auto Lending Market, Ctr. For Responsible Lending. https://www.responsiblelending.org/media/investigative-report-shows-high-rate-racial-discrimination-auto-lending-market; Susswein, Ruth. 2020. Economic Inequalities: The Impact of Systemic Racism in Your Finances, Consumer Action News . https://www.consumer- action.org/downloads/english/CANews-Race_and_Personal_Finances_Fall_2020.pdf; Singletary, Michelle. 2020.Credit Scores are Supposed to be Race-Neutral. That's Impossible. Washing Post. https://www.washingtonpost.com/business/2020/10/16/how-race-affects-your- credit-score/?arc404=true.

[272] Abbye Atkinson, Borrowing Equality, 120 Column. L. Rev. 1403 (2020).Testimony of Ashley C. Harrington, Senior Policy Counsel, Ctr. For Responsible Lending, before the U.S. House Comm. On Fin. Servs. 2019. https://www.responsiblelending.org/sites/default/files/nodes/files/research-publication/crl-harrington-protecting-studentborrowers-sep2019.pdf.

[273] Sullivan, Laura, Meschede, Tatjana, Shapiro, Thomas and Escoba, Fernanda. "Stalling Dreams: How Student Debt is Disrupting the Life Chances and Widening the Racial Wealth Gap. 2018. https://heller.brandeis.edu/iere/pdfs/racial-wealth-equity/racial-wealth-gap/stallingdreams-how-student-debt-is-disrupting-lifechances.pdf

[274] Safier, Rebecca, "Study: Student Loans Weigh the Heaviest on Black and Hispanic Students," . 2018. National Center for Education Statistics Data Lab. https://nces.ed.gov/datalab/index.aspx; cited in https://studentloanhero.com/featured/study-student-loans-weigh-heaviest-black-hispanic/

[275] "Quicksand: Borrowers of Color and the Student Debt Crisis" .2019.Center for Responsible Lending, UnidosUS, the National Association for the Advancement of Colored People, the National Urban League, and the Leadership Conference Education Fund. https://www.responsiblelending.org/sites/default/files/nodes/files/research-publication/crl-quic ksand-student-debt-crisis-jul2019.pdf.

[276] Ibid.

[277] Addo, F.R., Houle, J.N. & Simon, D. 2016. "Young, Black, and (Still) in the Red: Parental Wealth, Race, and Student Loan Debt." Race and Social Problems . https://link. springer.com/article/10.1007/s12552-016-9162-0.; Houle, Jason and Addo Fenaba. 2018. "Racial Disparities in Student Loan Debt and the Reproduction of the Fragile Black Middle Class" Ctr. for Demography and Ecology. https://cde.wisc.edu/wp-content/uploads/sites/839/2018/12/cde-working-paper-2018-02.pdf.

[278]Haughwout, Andrew F, Lee, Donghoon, Scally, Joelle and van der Klaauw, Wilbert. "Just Released: Racial Disparities in Student Loan Outcomes," Federal Reserve Bank of New York Liberty Street Economics, November 13, 2019, https://libertystreeteconomics.newyorkfed.org/2019/11/just-released-racial-disparities-in-student-loan-outcomes.html.

debt trap.[279] Simply put, the student debt crisis is the worst for Black women and we cannot hope to fix this problem without centering the experience of Black women borrowers.

> ***Forced to navigate a discriminatory labor market rife with misogynoir while saddled with enormous student debt, Black women have greater challenges in loan repayment, fighting to make ends meet in a workforce where Black women earn $0.63 for every dollar earned by White men.***

According to the National Center for Education Statistics, Black women are the most educated demographic in the U.S.[280] But this dominance comes at a heavy price.[281] To date, the student loan debt crisis totals $1.75 trillion, affecting over 45 million Americans.[282] While women hold nearly two-thirds of student loan debt, Black women face more significant burdens in their educational pursuits. According to data published by the American Association of University Women, Black women borrowers owe 20 percent more debt than white , Latinx, and Asian borrowers, with an average of $41,466.05 owed on their undergraduate loans.[283] This number increases at the graduate level, as their cumulative debt grows; Black women owe an average of $75,085 in student loans, while white and Latinx women owe $56,098 and $56,104.67, respectively.[284] Forced to navigate a discriminatory labor market rife with misogynoir while saddled with enormous student debt, Black women have greater challenges in loan repayment, fighting to make ends meet in a workforce where Black women earn $0.63 for every dollar earned by white men.[285,286] While women of color, in particular, are more likely to face difficulties repaying their school loans, one study suggests that 57 percent of Black women have financial difficulty in

[279] Baker, D. J. 2021. Race, racism, and student loans. Affordability and Student Loans Committee Meetings as part of the 20021-22 US Department of Education Negotiated Rulemaking for Higher Education. https://www2.ed.gov/policy/highered/reg/hearulemaking/2021/raceandloans.pdf.
[280] "Degrees conferred by race and sex". National Center for Education Statistics. https://nces.ed.gov/fastfacts/display.asp?id=72
[281] Research presented by the Nation Center for Education Statistics assessing Percentage distribution of associate's degrees and bachelor's degrees awarded by degree-granting postsecondary institutions, by race/ethnicity and sex: 2015–16. https://nces.ed.gov/fastfacts/display.asp?id=72
[282] Hanson, Melanie. 2021. "Total Student Loan Debt" Education Data. https://educationdata.org/total-student-loan-debt
[283] AAUW analysis of "U.S. Department of Education, National Center for Education Statistics, B&B:17 Baccalaureate and Beyond Longitudinal Study.," n.d., https://nces.ed.gov/datalab/index.aspx.
[284] AAUW analysis of "U.S. Department of Education, National Center for Education Statistics, B&B:17 Baccalaureate and Beyond Longitudinal Study.," n.d., https://nces.ed.gov/datalab/index.aspx
[285] Roux, Mathide. "5 Facts About Black Women in the Labor Force". https://blog.dol.gov/2021/08/03/5-facts-about-black-women-in-the-labor-force
[286] Frye,Jocelyn. 2019. "Racism and Sexism Combine to Shortchange Working Black Women". American Progress. https://www.americanprogress.org/article/racism-sexism-combine-shortchange-working-black-women/

the repayment of their student loans.[287] Furthermore, Black women are more likely to enroll in income-driven repayment (IDR) plans. While IDR is essential to helping many borrowers "manage" their debt and avoid default, it often does little to reduce their loan balances.[288] Black women are most likely to watch their balances continue to grow even as they make payments.[289]

The growing student loan bubble only exacerbates the conditions of financial insecurity for Black women who are already underpaid. If higher education is to be the engine that propels graduates forward, we must address the inequities and inefficiencies in our college financing system that holds Black women back behind their peers. It's critical to consider how the existing college financing structure has shackled Black students' economic potential and how this crisis requires intentional and bold policy action to address the debt burden.

> ***If higher education is to be the engine that propels graduates forward, we must address the inequities and inefficiencies in our college financing system that holds Black women back behind their peers.***

Policy Solutions Rooted in BWB

Since taking office, the Biden-Harris Administration has canceled more $15 billion in student loan debt for roughly 675,000 borrowers and extended the pause on student loan repayment.[290,291] The Administration also established transformational changes to the Public Service Loan Forgiveness Program, ensuring more public service workers can obtain student loan forgiveness.[292] While these efforts continue to provide substantial, targeted relief to student borrowers, broader debt

[287]"AAUW "Deeper in Debt: Women and Student Loans" https://www.aauw.org/app/uploads/2020/03/DeeperinDebt-nsa.pdf
[288] 2019. "Redesigned Income-Driven Repayment Plans Could Help Struggling Student Loan Borrowerers. Pew Trust. https://www.pewtrusts.org/en/research-and-analysis/reports/2022/02/redesigned-income-driven-repayment-plans-could-help-struggling-student-loan-borrowers
[289]Perry, Andre and Romer, Carl. 2021. "Student debt cancellation should consider wealth, not income." Brookings. https://www.brookings.edu/essay/student-debt-cancellation-should-consider-wealth-not-income/
[290]2022. U.S Department of Education, Press Office. https://www.ed.gov/news/press-releases/fact-sheet-one-year-biden-harris-administration-us-department-education-has-helped-schools-safely-reopen-and-meet-students%E2%80%99-needs
[291] 2021. U.S Department of Education, Press Office. https://www.ed.gov/news/press-releases/biden-harris-administration-extends-student-loan-pause-through-may-1-2022
[292] 2021. U.S Department of Education, Press Office. https://www.ed.gov/news/press-releases/us-department-education-announces-transformational-changes-public-service-loan-forgiveness-program-will-put-over-550000-public-service-workers-closer-loan-forgiveness

cancellation is still needed. Several policy proposals have been promulgated at the federal level that provide some degree of student loan debt cancellation. For example, Senator Bernie Sanders proposed the complete cancellation of student loan debt for all borrowers.[293] On Feb. 4, 2021, Senators Warren and Schumer and Rep. Pressley introduced a resolution calling on President Biden to take executive action to broadly cancel up to $50,000 in federal student loan debt per borrower.[294] Meanwhile, President Biden has consistently emphasized supporting debt cancellation up to $10,000 per student borrower, and has indicated that he is wary of wiping significant portions of loans for individuals who attended Ivy League schools.[295,296]

> ***Canceling $50,000 for borrowers would immediately increase the wealth of Black Americans by 40 percent.***

Broad-based loan cancellation is crucial to address the magnitude of the crisis and how it affects Black borrowers at large. Canceling $50,000 for borrowers would immediately increase the wealth of Black Americans by 40 percent, as reported by the Roosevelt Institute.[297] It is a policy approach that legislators and advocates embrace, recognizing the importance of canceling broader student loan debt for the communities hurt the most. However, while these partial measures recognize the devastating effects of the student debt crisis, other research suggests that partial debt cancellation may not be enough to alleviate the economic insecurity Black women experience due to student loan debt.

In 2021, a report examining the impact of how Black borrowers experience student debt suggested partial debt cancellation measures would be insufficient for Black borrowers as a whole; in fact, some proposals will exclude many Black borrowers

[293] Sanders, Bernie https://berniesanders.com/issues/free-college-cancel-debt/
[294]Calling on the President of the United States to take executive action to broadly cancel Federal student loan debt H.Res.100, 117th Congress. 2021. https://www.congress.gov/bill/117th-congress/house-resolution/100/text?r=22&s=1
[295]Biden, Joe. 2020. "Joe Biden Outlines New Steps to Ease Economic Burden on Working People." Medium. https://medium.com/@JoeBiden/joe-biden-outlines-new-steps-to-ease-economic-burden-on-working-people-e3e121037322
[296]Nadworny, Alissa. 2021. "FACT CHECK: Biden's Comments On Loan Forgiveness And Elite Colleges". NPR. https://www.npr.org/2021/02/20/969639380/fact-check-biden-s-comments-on-loan-forgiveness-and-elite-colleges
[297]Eaton, Charlie, Goldstein, Adam and Wherry Frederick. 2016. "Student Debt Cancellations if Progressive: Correcting Empirical and Conceptual Errors." Roosevelt Institute. https://rooseveltinstitute.org/wp-content/uploads/2021/06/RI_StudentDebtCancellation_IssueBrief_202106.pdf

from the full benefits of cancellation.[298] This is because Black borrowers typically amass more than $50,000 in student loan debt. Black borrowers are more likely to enroll in graduate school, to take out loans for undergraduate and graduate education, and even with more income, they are less likely to accumulate wealth.[299] Furthermore, the report specifically explains that President Biden's proposal to cancel $10,000 "grossly misrepresents the student debt situation while ignoring racial inequities."[300] Too often student loan borrowers are painted as wealthy, white students attending Ivy League schools when in fact, student loan borrowers are overwhelmingly low-income women, people of color, and older adults.[301] Just as false narratives about Black women have helped to ensure that policy changes that would help Black women and our entire society are unable to advance, false narratives about who student borrowers are and the struggles they face help ensure that Black women and tens of millions of others remain ensnared in student debt.

Black women understand the urgency to cancel student loans and what it means for our future. We understand how being Black in a society where institutional and structural racism thrives sets us back at all intersections of our identity. The following community stories give insight into how Black women see and experience student loan debt in their lives.

> **"Student loans are inequitable and inaccessible to Black student borrowers, which means from the moment we borrow we are already at a loss. There are a number of barriers to access loans and they often require a co-signer. If you happen to be approved, then you are faced with debilitating interest rates. It's almost as if you are being punished for pursuing higher education. You are then left with repayment plans that extend for what feels like a lifetime and limits your expendable income. You have limited spending power in your community and aren't able to contribute to the economic development in the collective ways that we need."**
> **~Sasha Eloi-Evans, EdD, Deputy Chief Diversity Officer at the University of Rochester**

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[298] J. Mustaffa and Jonathan C.W. Davis, Ph,D/ 2021. "Jim Crow Debt; How Black Borrowers Experience Student Loans," The Education Trust. https://edtrust.org/wp-content/uploads/2014/09/Jim-Crow-Debt_How-Black-Borrowers-Experience-Student-Loans_October-2021.pdf

[299] J. Mustaffa and Jonathan C.W. Davis, Ph,D, 2021. "Jim Crow Debt; How Black Borrowers Experience Student Loans," The Education Trust. https://edtrust.org/wp-content/uploads/2014/09/Jim-Crow-Debt_How-Black-Borrowers-Experience-Student-Loans_October-2021.pdf. ; Espinosa, Lorelle L., Jonathan M. Turk, Morgan Taylor, and Hollie M. Chessman. 2019. "How Students Finance Graduate Study." Race and Ethnicity in Higher Education: A Status Report." American Council on Education. https://www.equityinhighered.org/indicators/how-students- finance-graduate-study/.

[300] J. Mustaffa and Jonathan C.W. Davis, Ph,D, 2021. "Jim Crow Debt; How Black Borrowers Experience Student Loans," The Education Trust. https://edtrust.org/wp-content/uploads/2014/09/Jim-Crow-Debt_How-Black-Borrowers-Experience-Student-Loans_October-2021.pdf

[301] Nadworny, Elisa. 2021. "Fact Check: Biden's Comments On Loan Forgiveness And Elite Colleges," NPR. https://www.npr.org/2021/02/20/969639380/fact-check-biden-s-comments-on-loan-forgiveness-and-elite-colleges

"The economic impact student loan debt has had on me as a Black woman of trans experience has been a crushing blow to my fiscal health. After spending several years in school for the purpose of elevating my education and attempting to secure a sound career, I found myself facing a mountain of debt, and still not enough of an income to pay back these loans and sustain daily living expenses. Most often black women of trans experience don't even have the opportunities to continue their education beyond high school due to harassment, and discrimination. When we are afforded the opportunity, in my experience, securing a job that we are comfortable in to pay the loans back, as well as live day to day in our economy can prove to be a challenge, and in most cases, overbearing."
~Javannah Davis, Founder and CEO of Women Appropriating Visibility & Empowerment (WAVE) and Linje Enterprises LLC.

"I am someone who went to a public university for undergrad but private institutions for my masters and doctoral programs. Private educational institutions have the tendency to be more costly than public ones. Taking out loans to not only support my tuition but my livelihood was of the utmost importance. Two years post-doctoral degree, I'm faced with worrying about and putting energy and effort into spending 10-20 years paying off my debt... when this same energy and effort could be going towards other avenues like the amount of energy and effort it takes to sit with people during their most vulnerable time as a psychologist. Canceling student loans would have varying positive impacts on Black communities, the impact that it would have on me is that of holistic (mind, body, financial, etc.) liberation."
~Gabrielle Woodard, PsyD, LP

The student debt crisis is a racial justice issue: it cannot be regarded as a minor policy problem, nor detached from the legacy of racial violence and exclusion that created and perpetuates it. The urgency remains for policymakers to provide broad student debt cancellation, and ensure that it maximizes relief for those facing a greater debt burden. For Black women borrowers, the most equitable route to recompense for their pain and suffering, and to help them move forward, is full student loan debt cancellation.[302] For far too long, Black women borrowers and our

[302] J. Mustaffa and Jonathan C.W. Davis, Ph,D, 2021. "Jim Crow Debt; How Black Borrowers Experience Student Loans," The Education Trust. https://edtrust.org/wp-content/uploads/2014/09/Jim-Crow-Debt_How-Black-Borrowers-Experience-Student-Loans_October-2021.pdf

families have been neglected in discussions about student loan debt. We've been taught that the burden of student debt exists due to a lack of financial knowledge and the educational programs that Black women pursue. The truth is the student loan debt system has been rigged from its inception, keeping those historically marginalized trapped in a system of high debts following them for a lifetime.

Conclusion

Black women have continuously shown up for America; we all witnessed this in the organizing led by Black women during the 2020 election season — supporting the campaigns of elected officials who vowed to put student loan debt and other issues affecting our livelihood at the forefront. By applying Black Women Best (BWB) and centering Black women in policymaking, our government can enhance the economic foundation for all marginalized groups and strengthen the economy for everyone.

> ***By applying Black Women Best (BWB) and centering Black women in policymaking, our government can enhance the economic foundation for all marginalized groups and strengthen the economy for everyone.***

Now is the moment to pay it forward for Black women and our community's collective good and address systemic issues that exacerbate racial wealth disparities. We must create a society where a debt-financed higher education system is no longer tolerated or accepted. The first step to this is broad-based debt cancellation, followed by reforming our broken system and re-investing in higher education as a public good that benefits us all.[303] This will lead us to make room for initiatives aimed at establishing equity instead of the current failed higher education financing structure. It goes beyond canceling student loan debt to building a debt-free college framework in which students can meet all of their financial needs without relying on loans, HBCUs are fully funded and supported, and our antiquated loan repayment system is transformed.[304]

[303] Road to Relief: Supporting Student Borrowers through the COVID-19 Crisis and Beyond. 2019. Center for Responsible Lending and National Consumer Law Center. https://www.responsiblelending.org/sites/default/files/nodes/files/research-publication/nclc-crl-road-to-relief-23nov2020.pdf.

[304] Civil Rights Principles for Higher Education: Policy recommendations to achieve equity and protect civil rights. 2019. The Leadership Conference Education Fund. http://civilrightsdocs.info/pdf/reports/Higher-Ed-Civil-Rights-Principles.pdf.

POLICY PATHWAY: GUARANTEEING HOUSING RIGHTS

Since its inception, the architecture of the U.S. housing system has been rooted in anti-blackness and patriarchal notions, and has deprived all Americans equal access to housing.[305] Anti-blackness, and particularly narratives of Black criminality and the welfare queen myth, have shaped both homeownership and the rental housing market for decades, preventing policymakers from creating safe spaces and housing for Black women.[306] Today, this racist and sexist housing system has reverberating impacts on other low income communities. By centering the needs, desires and dreams of Black women — the most marginalized group in our housing market — the government can holistically address the racism and sexism baked into housing policy in order to create a more equitable and just housing system for all Americans.

> ***By centering the needs, desires and dreams of Black women — the most marginalized group in our housing market — the government can holistically address the racism and sexism baked into housing policy in order to create a more equitable and just housing system for all Americans.***

How Black Women Have Been Denied Access to Safe and Affordable Housing

Over the course of U.S. history, racist and sexist federal policies have denied Black women access to safe and affordable housing in both homeownership and rental markets.

Homeownership

From the Homestead Act of 1862 to New Deal era policies[307] in the early 20th century, the federal government provided "wealth starter kits" to white Americans through access to homeownership while denying those same opportunities to Black people. Jim Crow Era policies such as redlining, racial covenants and exclusionary zoning worked by intentionally segregating Black people into Black neighborhoods and

[305] Taylor, Keeanga-Yamahtta. 2019. "Race for profit: How Banks and the Real Estate Industry Undermined Black Homeownership." UNC Press Books; Williams, Rhonda Y. 2014. "The politics of public housing: Black women's struggles against urban inequality." Oxford University Press.
[306] ibid
[307] Between 1934 and 1963 the federal government backed $120 billion of home loans, and more than 98 percent of the funds went to White households. See: Adelman, L. 2003. "Racial Preferences for Whites: The Houses that Racism Built". PBS. https://www.pbs.org/race/000_About/002_04-background-03-11.htm.

subsequently devaluing Black homes in those neighborhoods.[308] Today these racist and sexist policies remain in the homeownership market in different forms — lending discrimination[309], realtor discrimination[310], racial bias in property valuation[311], property tax assessment gaps[312], etc. - and continue to lock Black women out of homeownership opportunities while preventing them from reaping the same financial benefits from homeownership as their white counterparts. Leading up to the Great Recession, many banks deliberately peddled Black people into riskier and costlier mortgages. Despite Black women having higher credit scores, they were 256 percent more likely to receive a subprime mortgage than a white man with the same financial profile.[313] In 2019, Black women had the lowest homeownership rate at 39 percent, while white women and white men had a homeownership rate of 69 percent and 74 percent respectively.[314]

> ***Even when Black women are able to access homeownership, it does not often provide the promise of safety and economic security.***

Even when Black women are able to access homeownership, it does not often provide the promise of safety and economic security. In 2018, homes in neighborhoods with no Black residents were worth a median value of $341,000 while homes in neighborhoods with majority Black residents were worth $184,000.[315] In 2019, 33 percent of Black women homeowners were cost burdened (paying 30 percent of their income on housing) and 15 percent were severely cost-burdened

[308] Rothstein, Richard. 2017. The Color of Law: A Forgotten History of how our Government Segregated America. Liveright Publishing.
[309] Mock, Brentin. 2015. "Mapping the Continuing Culture of Disinvestment in Baltimore's Black Neighborhoods". Bloomberg City Lab. https://www.bloomberg.com/news/articles/2015-11-18/banks-deny-mortgages-most-often-in-baltimore-s-majority-black-neighborhoods
[310] U.S. Department of Housing and Urban Development Office of Policy Development and Research. 2013. "Housing Discrimination Against Racial and Ethnic Minorities 2012". https://www.huduser.gov/portal/Publications/pdf/HUD-514_HDS2012_execsumm.pdf
[311] Perry, Andre M., Rothwell, Jonathan, & Harshbarger, David. 2018. "The devaluation of assets in Black neighborhoods: the case of residential property". Metropolitan Policy Program at Brookings. https://www.brookings.edu/ research/devaluation-of-assets-in-black-neighborhoods/
[312] Avenancio-León, Carlos and Howard, Troup. 2020. "The Assessment Gap: Racial Inequalities in Property Taxation". Washington Center for Equitable Growth. https://equitablegrowth.org/working-papers/the-assessment-gap-racial-inequalities-in-property-taxation/
[313] Baker, Amy C. 2014. "Eroding the Wealth of Women: Gender and the Subprime Foreclosure Crisis". Social Service Review 88(1): 59-91.
[314] "Housing burden: All residents should have access to quality, affordable homes". 2019. National Equity Atlas https://nationalequityatlas.org/indicators/Housing_burden#/?breakdown=3&rentown01=2
[315] Perry, Andre M., Rothwell, Jonathan, & Harshbarger, David. 2018. "The devaluation of assets in Black neighborhoods: the case of residential property". Metropolitan Policy Program at Brookings. https://www.brookings.edu/ research/devaluation-of-assets-in-black-neighborhoods/

(paying 50 percent or more of their income on housing) in comparison to 25 percent and 11 percent of all women homeowners respectively.[316] Since many Black women often lack the safety net that intergenerational wealth has provided their white counterparts, high maintenance costs and increased burdens such as energy bills, insurance, and property taxes may prevent them from sustaining their housing in the long term.[317] In December 2021, more than 8 million women were behind on rent or mortgage payments, with Black non-Hispanic and Latina women being most likely to be behind.[318]

Rental

Because federal housing policies locked Black women out of homeownership opportunities, they have been disproportionately forced into the rental housing market[319] where they face numerous systemic barriers to obtaining a safe and affordable home.

Over the past few decades, the federal government has both deregulated housing markets and disinvested in public housing programs which has only fueled further housing insecurity for Black women looking to public programs for relief.[320] From 1996 to 2014 federal spending on housing assistance relative to gross domestic product (GDP) fell by 30 percent, and today only one in four eligible renters receive rental assistance.[321] Federal housing expenditures are also extremely unbalanced, favoring homeowners over renters, meaning that those most in need of assistance are locked out.[322] Racism, ableism, and sexism are baked into public rental programs at all stages of the process despite being illegal under the Fair Housing Act: from biases in tenant screening, weak tenant protections, overly complicated programs, bias in program staff, and low quality housing stock.[323]

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[316] Housing burden: All residents should have access to quality, affordable homes". 2019. National Equity Atlas https://nationalequityatlas.org/indicators/Housing_burden#/?breakdown=3&rentown01=2.
[317] Housing for All Action Plan—Directing investment to create an equitable, affordable, and strong New Orleans. 2022. HousingNOLA. https://www.housingnola.org/main/plans
[318] Brooke LePage and Sarah Javaid. 2022. "Black, non-Hispanic Women and Latinas Use Advance Child Tax Credit to Cover Necessities and Pay Down Debt in the Last Month of Payments". National Women's Law Center. https://nwlc.org/resources/black-non-hispanic-women-and-latinas-use-advance-child-tax-credit-to-cover-necessities-and-pay-down-debt-in-the-last-month-of-payments.
[319] A forthcoming paper by the National Women's Law Center shows that in 2019, more single women of color, as well as single, white-non-Hispanic women raising children on their own, rented than owned a home. See: Aibinder, S., Flynn, A., Gernan, R., Hassmer, S., & Mabud, R. 2022. "The Roots of Discriminatory Housing Policy: Moving Towards Intersectional Gender Justice in our Economy". National Women's Law Center.
[320] Dwyer, Rachel E., and Lora A. Phillips Lassus. "The great risk shift and precarity in the US housing market." The ANNALS of the American Academy of Political and Social Science 660, no. 1 (2015): 199-216.
[321] Aibinder, S., Flynn, A., Gernan, R., Hassmer, S., & Mabud, R. (March 2022). The Roots of Discriminatory Housing Policy: Moving Towards Intersectional Gender Justice in our Economy. National Women's Law Center.
[322] Fischer, W., & Sard, B. 2017. Chart Book: Federal Housing Spending Is Poorly Matched to Need - Tilt Toward Well-Off Homeowners Leaves Struggling Low-Income Renters Without Help. Center on Budget and Policy Priorities. https://www.cbpp.org/research/housing/federal-housing-spending-is-poorly-matched-to-need
[323] The US Department of Housing and Urban Development (HUD) report finds misuse of funding. According to HUD's findings, For example, HUD found that the Los Angeles Homeless Services Authority (LAHSA) did not satisfactorily enforce HUD's quality

Due to racism and sexism baked into our economy, Black women are more likely to be cost-burdened and face eviction. Among renters, single women of color are about two times more likely than single, white non-Hispanic men to spend the majority of their income on rent.[324] According to the ACLU's analysis of data provided by the Eviction Lab from 2012 - 2016, Black female renters were filed against for eviction at double the rate of white renters or higher in 17 of 36 states.[325] And over their lifetime, one in five Black women experience eviction, compared to 1 in 15 white women.[326] In addition to financial precarity, Black women also face other unsafe housing conditions that threaten their physical safety. Women of color and LGBTQ+ tenants disproportionately experience sexual harassment by their landlords.[327] Research has found that survivors who experienced landlord sexual coercion were 38 percent more likely to face housing insecurity and homelessness than those who did not.[328] And there is a very strong relationship between housing insecurity and domestic violence as many women experiencing homelessness have experienced violence, such as severe physical or sexual abuse or intimate partner violence.[329] Transgender women of color, also face a high risk of housing insecurity. They are often denied access to shelters and when they do gain access experience harassment or assault.[330]

Policy Solutions Rooted in BWB

Over the last 100 years, the housing market has consistently perpetuated racial and gender discrimination, designing a housing system that has denied Black women access to safe and affordable housing or access to wealth realized through homeownership.[331] By centering the experience and needs of Black women in our current housing system, we can build a just housing system that works for all Americans. We propose the following six policy solutions:

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housing standards, as 50 of the 68 housing units examined by HUD failed to meet minimum quality housing standards. See: https://www.hudoig.gov/sites/default/files/documents/audit-reports/ig0791007.pdf

[324] Aibinder, S., Flynn, A., Gernan, R., Hassmer, S., & Mabud, R. 2022. The Roots of Discriminatory Housing Policy: Moving Towards Intersectional Gender Justice in our Economy. National Women's Law Center.

[325] Beiers,S., Park, S., & Morris, L. 2020.Clearing the Record: How Eviction Sealing Laws Can Advance Housing Access for Women of Color. *ACLU.* https://www.aclu.org/news/racial-justice/clearing-the-record-how-eviction-sealing-laws-can-advance-housing-access-for-women-of-color/.

[326]Lake, Jaboa. 2020. "The Pandemic Has Exacerbated Housing Instability for Renters of Color". Center for American Progress. https://www.americanprogress.org/issues/poverty/reports/2020/10/30/492606/pandemic-exacerbated-housing-instability-renters-color/.

[327] Morris, Linda and Park, Sandra. 2020. "Safe at Home: Fighting Against Sexual Harassment in Housing," American Civil Liberties Union. https://www.aclu.org/news/womens-rights/safe-at-home-fighting-against-sexual-harassment-in-housing; Park, Sandra. 2018. "50 Years After the Fair Housing Act, Tenants Are Still Fending Off Landlords' Sexual Demands". American Civil Liberties Union. https://www.aclu.org/blog/womens-rights/50-years-after-fair-housing-act-tenants-are-still-fending-landlords-sexual.

[328] Ruiz, Elena, Yanet Ruvalcaba, Nora Berenstain, and Steph Fluegeman. 2020. "Measuring the Economic Impact of COVID-19 on Survivors of Color" Me Too Movement and FreeFrom. https://metoomvmt.org/wp-content/uploads/2020/11/MeTooFreeFrom_CovidImpactReport2020.pdf, 9.

[329] Aibinder, S., Flynn, A., Gernan, R., Hassmer, S., & Mabud, R. 2022. The Roots of Discriminatory Housing Policy: Moving Towards Intersectional Gender Justice in our Economy. National Women's Law Center.

[330] Rooney, Caitlin, Laura E. Durso, and Sharita Gruberg. 2016. "Discrimination Against Transgender Women Seeking Access to Homeless Shelters". Center for American Progress. https://www.americanprogress.org/issues/lgbtq-rights/reports/2016/01/07/128323/discrimination-against-transgender-women-seeking-access-to-homeless-shelters/

[331] Williams, Rhonda Y. 2004. "The politics of public housing: Black women's struggles against urban inequality". Oxford University Press. https://academic.oup.com/ahr/article-abstract/110/5/1561/77630

Create a Federal Homes Guarantee

As a baseline we need to commit to ensuring that all Black women have access to safe, accessible affordable housing through a housing guarantee. A federal homes guarantee would mean that everyone in the U.S. has a right to a safe and dignified house. This proposal requires a shift in our mindset from housing as a commodity to housing as a public good[332] and would require major public reinvestments in public housing to address the shortage of affordable housing. This must include substantial investments in accessible housing and implementing disability-forward housing policies[333] to ensure all marginalized communities are guaranteed safe homes. These kinds of reforms would also allow us to deploy the Housing First model to combat homelessness. People's Action, with the assistance of Democracy Collaborative, has published a 20-page report outlining a plan and a vision for a federal homes guarantee with the goal of eradicating housing insecurity and homelessness.[334] Implementing a homes guarantee is a large endeavor, however it will be a transformative solution and a foundational action to eradicate housing insecurity for Black women and all Americans.

Establish a Federal Reparations Program

As research has shown, Black women do not experience the benefits of homeownership equally due to the cumulative impacts of housing discrimination.[335] The most direct way to address the cumulative intergenerational effects of anti-Black racism perpetrated through our housing market is through direct payments to Black American descendants of slaves.[336] While this will require large scale federal investments (raising the Black share of wealth up to the Black share of the nation's population would require an expenditure of at least $11 trillion), [337] a federal reparations program is the most transformative step in solving the fundamental harms caused by cumulative damages of slavery, Jim Crow, housing discrimination and the enormous racial wealth gap.

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[332] Pattillo, Mary. 2013. "Housing: Commodity versus right." Annual Review of Sociology 39.
[333] Lake, Jaboa, Valerie Novack, and Mia Ives-Rublee. 2021. "Recognizing and Addressing Housing Insecurity for Disabled Renters". The Center for American Progress. https://www.americanprogress.org/article/recognizing-addressing-housing-insecurity-disabled-renters/
[334] People's Action Collective. 2019. "A National Homes Guarantee". https://homesguarantee.com/wp-content/uploads/Homes-Guarantee-_-Briefing-Book.pdf
[335] Hicks, N., Addo, F. R., Price, A., & Dairty, W. 2021. Still Running Up the Down Escalator: How Narratives Shape Our Understanding of Racial Wealth Inequality. *Insight Center for Community Economic Development and The Samuel DuBois Cook Center on Social Equity at Duke University* .https://socialequity.duke.edu/wp-content/uploads/2021/09/INSIGHT_Still-Running-Up-Down-Escalators_vF.pdf
[336] Darity, W. 2021. The True Cost of Closing the Racial Wealth Gap. The New York Times. https://www.nytimes.com/2021/04/30/business/racial-wealth-gap.html; Darity, W., & Mullen, A. K. 2020. Resurrecting the Promise of 40 Acres: The Imperative of Reparations for Black Americans. Roosevelt Institute. https://rooseveltinstitute.org/wp-content/uploads/2020/07/ RI_Report_ResurrectingthePromiseof40Acres_202005.pdf
[337] ibid

A federal reparations program will require narrative shifts and political will to match the investments needed, which will take time. However, there are interim measures we can take. For example, we can both demonstrate and remedy federal complicity in extracting wealth from Black Americans with intentional effort to expand veterans' benefits to families likely to have been denied these benefits in the past, such as the ability to purchase a home through the GI bill.[338] Additionally, we can also target down payment assistance to first generation homebuyers as Rep. Maxine Waters' Down Payment Toward Equity Act does. This bill provides $100 billion dollars in targeted down payment assistance to first time homebuyers whose parents do not own a home because they were locked out of homeownership by exclusionary housing policies. It builds on a proposal drafted by the National Fair Housing Alliance[339] and would aid the 1.7 million mortgage-ready Black consumers,[340] many of whom are women, get over one of the primary barriers in accessing homeownership-down payments.

Reform the Mortgage Interest Deduction (MID)

Our federal housing expenditures are extremely lopsided - with 60 percent of spending benefiting households with incomes above $100,000. This is in large part due to the fact that our federal housing expenditures benefit homeowners in the form of the Mortgage Interest Deduction (MID).[341] As explored further in the section on tax policy on page 90, targeting the Mortgage Interest Deduction (MID) is critical in ensuring that Black women have access to the benefits of this tax break. The savings made from this reform could be used to fund other systemic housing solutions such as a homes guarantee.

Private Sector Regulation and Fair Housing Enforcement

Deregulation and financialization of the housing market by the federal government have led to extractive private sector practices in the credit market.[342] Black women are often the target of financial predation through predatory banking schemes, installment loans, contract leasing and other mechanisms. Moreover, each year 4

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[338] Blakemore, E. 2021. How the GI Bill's Promise Was Denied to a Million Black WWII Veterans. History.com. https://www.history.com/news/gi-bill-black-wwii-veterans-benefits#:~:text=The%20GI%20Bill's%20Effect%20on%20Black%20Veterans&text=Some%20could%20not%20access%20benefits,delivered%20on%20the%20bill's%20promise.

[339] Bailey, N. et. al. 2021. FIRST GENERATION: Criteria for a Targeted Down Payment Assistance Program. *National Fair Housing Alliance and Center for Responsible Lending*. https://www.responsiblelending.org/sites/default/files/nodes/files/research-publication/crl-nfha-first-generation-jun21.pdf

[340] Alanna McCargo. 2020. America's Persistent Racial Homeownership Gaps. National Association of Realtors Policy Conference. https://www.nar.realtor/sites/default/files/documents/policy-forum-2020-presentation-racial-homeownership-gaps-02-06-2020.pdf

[341] Fischer, W., & Sard, B. 2017. Chart Book: Federal Housing Spending Is Poorly Matched to Need - Tilt Toward Well-Off Homeowners Leaves Struggling Low-Income Renters Without Help. Center on Budget and Policy Priorities. https://www.cbpp.org/research/housing/federal-housing-spending-is-poorly-matched-to-need.

[342] Stein, Samuel. 2019. Capital City: Gentrification and the Real Estate State. Verso Publishing.; Duvisac, Sara, Marnie Brady, Ned Crowley, H. Jacob Carlson and Gianpaolo Baiocchi. 2020. "Private Equity is Coming: The Future of Housing Security in the Age of COVID-19". Urban Democracy Lab at NYU Gallatin. https://urbandemos.nyu.edu/wp-content/uploads/2020/12/Private-equity-whitepaper-December-14-2020.pdf.

million incidents of housing discrimination occur despite the nation's robust fair housing laws.[343] The federal government should take a leading role in addressing extractive predatory practices by the private sector in housing (predatory loans, land installment contracts), and fully enforce the country's fair housing laws.

Creatively Leverage Funding Sources

It is important to strategically identify different funding sources that could be utilized for systemic and innovative housing policies that center the needs of Black women. For instance, as seen later in the "Environmental Justice" section on page 121, Black women disproportionately experience the consequences of climate change, and are more at risk to experience housing insecurity due to environmental racism. By utilizing funds from the Community Development Block Grant Disaster Recovery Program we could fund an equitable disaster recovery program or look to fund interventions for more energy efficient and more resilient housing.[344]

Shift Harmful Housing Narratives

It is imperative to identify the ways that harmful narratives about Black women show up in housing policy design as well as the delivery of public housing programs[345] (e.g., welfare queen, anti-black stereotypes of the "irresponsible" tenants or homeowners, tropes of Black criminality) and make significant investments in counternarratives with the aim to shift mental models. These narratives are deeply embedded in all aspects of our housing policy infrastructure - from the metrics we use to build our housing programs,[346] to biases in accessing public housing programs, to racist treatment imposed by those administering housing programs.[347] These biases not only harm Black women but have reverberating impacts for other low income groups and communities of color. The federal government should spearhead and invest in research to identify where and how these narratives and biases show up in our housing infrastructure and invest in solutions to shift these harmful narratives.

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[343] National Fair Housing Alliance 2020. Fair Housing in Jeopardy: Trump Administration Undermines Critical Tools for Achieving Racial Equity. https://nationalfairhousing.org/wp-content/uploads/2020/09/NFHA-2020-Fair-Housing-Trends-Report.pdf

[344] Other programs such as Medicaid, can be leveraged in innovative ways such as facilitating partnerships and data sharing across medical and other service providers that are necessary to improve coordination across programs and help enrollees get the support services they need in housing. See: Katch, Hannah. 2020. "Medicaid Can Partner With Housing Providers and Others to Address Enrollees' Social Needs". Center on Budget and Policy Priorities. https://www.cbpp.org/research/health/medicaid-can-partner-with-housing-providers-and-others-to-address-enrollees-social.

[345]Barnes, William R. 1980. "A Battle for Washington: Ideology, Racism, and Self-Interest in the Controversy over Public Housing, 1943-1946." Records of the Columbia Historical Society. https://www.jstor.org/stable/i40002916. ; Marcuse, Peter. 1995. "Interpreting" public housing" history." Journal of Architectural and Planning Research. https://www.jstor.org/stable/43029165.

[346]Rental Burdens: Rethinking Affordability Measures. PD&R Edge. https://www.huduser.gov/portal/pdredge/pdr_edge_featd_article_092214.html

[347] Milburn, N. G., Edwards, E., Obermark, D. & Rountree, J.2021. Inequity in the Permanent Supportive Housing System in Los Angeles: Scale, Scope and Reasons for Black Residents' Returns to Homelessness. *California Policy Lab*. https://www.capolicylab.org/wp-content/uploads/2021/10/Inequity-in-the-PSH-System-in-Los-Angeles.pdf.

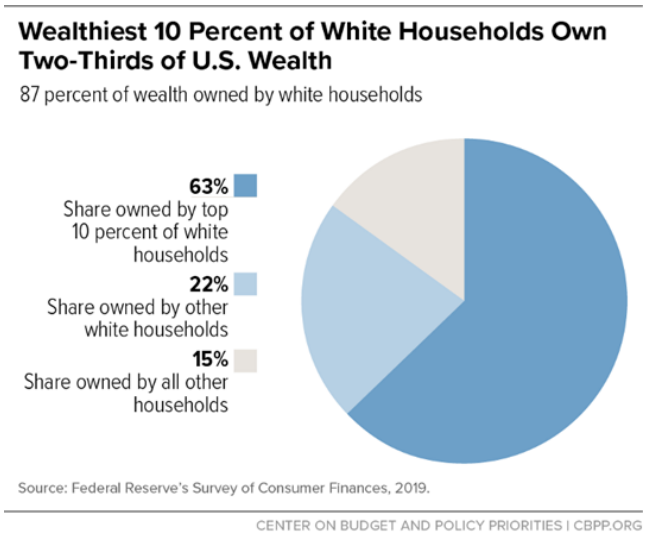
Conclusion

Racism and sexism are embedded into the architecture of the American housing system, and have disproportionately denied Black women access to safe, affordable and healthy housing. Status quo and individual level solutions will not be adequate in addressing the anti-Blackness and sexism embedded in the DNA of our housing system. By implementing bold housing solutions rooted in the experiences and needs of Black women, we can create structural and systemic policy shifts that build a just and fair housing system that works for all Americans.

POLICY PATHWAY: PROGRESSING ON TAX POLICY

Centering Black women in tax reform means taking aim at policies that protect and grow white income and wealth, and redistributing those dollars through the tax code and public investments that can advance Black income and wealth building. Reducing the inequities that hold back Black women will boost the economy overall, benefiting everyone.[348]

Figure 2



Tax Policy Is Not Race Neutral

Racism shaped the development of the U.S. tax code in ways that continue to impact current tax policy. While the progressive nature of the tax system today addresses some issues of racial inequity, many tax provisions have historically benefited white households at the literal expense of other taxpayers. A federal tax system that allows Black women, including those who are single, queer, trans, and immigrant, to thrive requires overhauling current tax policy to account for the historic and persistent racism that shapes the many factors used to determine tax liability.

[348] Lynch, R. 2021. "The economic benefits of equal opportunity in the United States by ending racial, ethnic, and gender disparities." Washington Center for Equitable Growth, https://equitablegrowth.org/the-economic-benefits-of-equal-opportunity-in-the-united-states-by-ending-racial-ethnic-and-gender-disparities/.

> ***A federal tax system that allows Black women, including those who are single, queer, trans, and immigrant, to thrive requires overhauling current tax policy.***

Although the federal tax code does not explicitly benefit any race, anti-Black racism has been central to decisions of federal taxation since our nation's founding, with consequences for lower wealth households of all races and the economy as a whole.[349] A primary example is a clause in the U.S. Constitution designed to protect slavery and the economic dominance of wealthy white landowners.[350] At the time, this clause presented a structural barrier to progressive income taxation for decades and today it continues to limit the way the federal government taxes wealth.[351]

Tax Policy Solutions Rooted in BWB

Wealth in the United States is highly concentrated, and much of it goes untaxed. white households hold 85 percent of all wealth and the richest 10 percent of white households hold nearly two-thirds of all wealth.[352] Compared to their white counterparts, Black women are less likely to have wealth, to own a home, to hold retirement savings, and to receive inheritances and other family financial support. The wealth gap between Black and white women is dramatic, at any age, education level, and regardless of marital status. For example, median wealth for single Black women with children is zero, compared to $3,000 for their white counterparts; for married, college-educated Black women, it is $45,000 compared with $260,000 for

[349] Research suggests that lower levels of inequality are associated with stronger economic growth. See Ostry et al. 2014. "Redistribution, Inequality, and Growth," International Monetary Fund, https://www.imf.org/external/pubs/ft/sdn/2014/sdn1402.pdf; See also Boushey, H. & Carter C. Price, C.C. 2014. "How are economic inequality and growth connected?," Washington Center for Equitable Growth, https://equitablegrowth.org/economic-inequality-growth-connected/; And Lynch, R. 2021. "The economic benefits of equal opportunity in the United States by ending racial, ethnic, and gender disparities." Washington Center for Equitable Growth, https://equitablegrowth.org/the-economic-benefits-of-equal-opportunity-in-the-united-states-by-ending-racial-ethnic-and-gender-disparities/.

[350] Einhorn, R.L. 2006. *American taxation, American slavery*. The University of Chicago. https://press.uchicago.edu/ucp/books/book/chicago/A/bo3750524.html

[351] Thorndike, J. J. 2005. "The Origins of the American Income Tax: The Revenue Act of 1894 and Its Aftermath". Tax Analysts. http://www.taxhistory.org/thp/readings.nsf/0/1fe74d7f2f033e738525701300527150.; Glowoger, A. D. 2019. "A Constitutional Wealth Tax". Michigan Law Review. https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3322046.

[352] Waxman, S. & McNichol, E. 2020. " Improved State Taxes on Wealth, High Incomes Can Help Fuel An Equitable Recovery," Center on Budget and Policy Priorities, https://www.cbpp.org/wealthiest-10-percent-of-White -households-own-two-thirds-of-us-wealth-0

their white counterparts.[353] Lack of wealth leaves Black women and Black LGBTQ people, who are overrepresented among those with low incomes, more vulnerable to income shocks.[354], [355]

The federal tax code has long been used as a tool of oppression, but it can and should instead be used to redress the ways that anti-Black racism has kept Black women, and many others, from accumulating wealth. It can be used to boost the incomes of Black women, especially those with children. Moreover, changes to the federal tax code that center Black women can be leveraged to incentivize states to follow suit.

Strengthen the Estate Tax

Changes made to the federal estate tax in 2001 vastly expanded the amount of property wealth that could be passed on tax free and eliminated a dollar-for-dollar federal credit for state-level estate taxes. The 2017 tax law (P.L. 115-97) further weakened the estate tax by doubling the per-person exemption to $11 million,[356] a change projected to decrease federal revenues by $83 billion over eight years.[357] This treatment of property wealth benefits extremely wealthy, primarily white households with high value properties, and extends what is likely already an inherited advantage of wealth onto their heirs.[358] By sharply reducing the exemption alone, Congress could raise billions in revenue to invest in the wealth-generation of Black women. Lawmakers can further strengthen the estate tax by raising the estate tax rate and closing loopholes that help the wealthy evade the tax.[359]

Reform Capital Gains

Three-quarters of profits earned on the sale of assets like stocks, bonds, and real estate accrue to the top 1 percent of households, which are overwhelmingly white.[360]

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[353] Zaw K. et al. 2017. "Women, Race, and Wealth," Samuel DuBois Cook Center on Social Equity and Insight Center for Community Economic Development, https://assetfunders.org/wp-content/uploads/womenraceandwealth_partner_material.pdf.
[354] Moss, E. et al. 2020. "The Black-White White Wealth Gap Left Black Households More Vulnerable," Brookings Institution. https://www.brookings.edu/blog/up-front/2020/12/08/the-black-White -wealth-gap-left-black-households-more-vulnerable/.
[355] [355] UCLA School of Law, Williams Institute. 2021. "Black LGBT Adults in the US," https://williamsinstitute.law.ucla.edu/publications/black-lgbt-adults-in-the-us/.
[356] Center on Budget and Policy Priorities. 2018. "Policy Basics: The Federal Estate Tax," https://www.cbpp.org/research/federal-tax/the-federal-estate-tax; and McNichol, E. & Waxman, S. 2021. "State Taxes on Inherited Wealth," Center on Budget and Policy Priorities, https://www.cbpp.org/research/state-budget-and-tax/state-taxes-on-inherited-wealth.
[357] Congressional Research Service. 2021. "Recent Changes in the Estate and Gift Tax Provisions", https://crsreports.congress.gov/product/details?prodcode=R42959
[358] Hamilton, D. and Linden, M. 2018. "Hidden Rules of Race are Embedded in the New Tax Law," Roosevelt Institute, https://rooseveltinstitute.org/wp-content/uploads/2020/07/RI-HRR-Tax-Code-201805.pdf; and Marr. C, Jacoby, S., & Bryant, K. 2019. "Substantial Income of Wealthy Households Escapes Annual Taxation Or Enjoys Special Tax Breaks", Center on Budget and Policy Priorities, https://www.cbpp.org/research/federal-tax/substantial-income-of-wealthy-households-escapes-annual-taxation-or-enjoys
[359] Marr, et al. 2019. "Substantial Income of Wealthy Households Escapes Annual Taxation Or Enjoys Special Tax Breaks." Center on Budget and Policy Priorities. https://www.cbpp.org/research/federal-tax/substantial-income-of-wealthy-households-escapes-annual-taxation-or-enjoys
[360] Tax Policy Center. 2019. Table T20-0152: Distribution of Long-Term Capital Gains and Qualified Dividends by Expanded Cash Income Percentile, https://www.taxpolicycenter.org/model-estimates/distribution-individual-income-tax-long-term-capital-gains-and-qualified-44

These capital gains are taxed as income at the time they're realized. However, people who *inherit* such assets are only taxed on the gains accrued *after* inheritance. That means that the gains accrued between time of original purchase and the transfer of the asset to an heir goes completely *untaxed*. Eliminating this provision called the "stepped up basis" would raise billions and affect just the top 1 percent of households.[361] One estimate puts the revenue gain at $113 billion over 10 years.[362]

Target the Mortgage Interest Deduction

Barriers to homeownership like low pay, lack of wealth and inheritance, and historic discrimination in lending, leave Black women less able to access homeowner tax breaks like mortgage interest deduction. This tax break skews to wealthier, mostly white households, with less than 10 percent of the deduction going to claimants with income under $100,000. Moreover, it fails to address the biggest barriers to homeownership (down payments and closing costs) and confers benefits to those who have already purchased a home.[363] Converting the deduction into a refundable tax credit for lower income households who buy *and rent* would make it more accessible to Black women.[364] The savings from this reform could instead support assistance with down payments, financing, and closing costs for low and moderate income households. Federal lawmakers could also pursue a standalone renters credit,[365] and allow filers to deduct losses on the sale of a primary home. Current federal tax law exempts the first $250,000 or $500,000 in home sale gains - with the larger exemption allowed for married households, who are more likely to be white.[366] No such support is offered for incurring a loss on the sale of a home, although this is more likely to occur for Black homeowners due to the routine devaluation of homes in Black neighborhoods.[367]

Expand Credits for Families with Children and Dependents

The Child Tax Credit (CTC), Earned Income Tax Credit (EITC), and Child and Dependent Care Tax Credit (CDCTC) boost the incomes of Black women, who often

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[361] McNichol, E. 2021. "State Taxes on Capital Gains," Center on Budget and Policy Priorities, https://www.cbpp.org/research/state-budget-and-tax/state-taxes-on-capital-gains; and Brown, D. A. 2021. Congress is passing up a chance to close a tax loophole — and the racial wealth gap: The 'step-up in basis' rule benefits a small, mostly White, group of Americans [Editorial]. The Washington Post, https://www.washingtonpost.com/outlook/2021/09/16/stepped-up-basis-race/

[362] "Revenue Effects of President Biden's Capital Gains Tax Increase." 2021. Penn Wharton Budget Model. https://budgetmodel.wharton.upenn.edu/issues/2021/4/23/revenue-effects-of-president-bidens-capital-gains-tax-increase.

[363] Keightley, M. P. 2020. "An Economic Analysis of the Mortgage Interest Deduction," Congressional Research Service. https://sgp.fas.org/crs/misc/R46429.pdf.

[364] Huang, C. and Taylor, R. 2019. "How the Federal Tax Code Can Better Advance Racial Equity," Center on Budget and Policy Priorities, https://www.cbpp.org/research/federal-tax/how-the-federal-tax-code-can-better-advance-racial-equity.

[365] Former Senator and current Vice President Kamala Harris has proposed a broad federal renter tax credit for lower- and middle-income renters that would calculate benefits based on the relationship between rent and income. See Davis, C., Guzman, M., & Schieder, J. 2021. "State Income Taxes and Racial Equity: Narrowing Racial Income and Wealth Gaps with State Personal Income Taxes". Institute on Taxation and Economic Policy. https://itep.org/state-income-taxes-and-racial-equity/#_ednref75.

[366] Raley, R. Kelley, Megan M. Sweeney, and Danielle Wondra. 2015. The Growing Racial and Ethnic Divide in U.S. Marriage Patterns. The Future of Children. https://doi.org/10.1353/foc.2015.0014

[367] Perry, A.M., Rothwell, J., & Harshbarger, D. 2018. "The Devaluation of Assets in Black Neighborhoods: The Case of Residential Property". The Brookings Institution. https://www.brookings.edu/research/devaluation-of-assets-in-black-neighborhoods/.

support families but hold low-paying jobs due to intersecting racial, ethnic, and gender discrimination in the labor market.[368] Recent, temporary expansions to the credits' size and eligibility benefitted Black families. For example, households that previously received partial or no benefit from the CTC or CDCTC because they earned too little to qualify became eligible to receive the full amount of each credit. If made permanent, this change to the CTC alone would benefit more than half of all Black children, including one in five whose family previously received no credit.[369] Similarly, 21 percent of Black women currently benefit from receipt of the EITC[370], and extending the recent expansion for adults not raising children in the home would boost the incomes of 2.7 million Black workers.[371] These credits also could be expanded to disregard immigration status to make them more inclusive of Black women and families of all backgrounds.

Incentivize State Tax Changes

Federal tax law can shape state tax decisions in ways that improve equity in state tax codes and fuel investments that benefit Black women and their families. For example, reducing the federal estate tax exemption and reinstating the tax credit for state-levied estate taxes would likely result in reinstated or increased state estate taxes. Likewise, if the "stepped up basis" on capital gains were eliminated, many states would follow suit by default. In addition, many states with their own EITCs would automatically adopt federal changes to the credit.

Race-Based Data Can Strengthen the Path Forward

The IRS does not collect data on filers' race or ethnicity – a decision ostensibly aimed at preventing discrimination.[372] However, this colorblind practice has concealed the racially disparate and disproportionate tax preferences conferred on high earnings and wealth.[373] The lack of race-based data has also made it difficult to determine the fairness of tax enforcement actions. A 2019 study found that the shifting of IRS enforcement resources from investigations of high-income taxpayers to

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[368] Bleiweis, R., Frye, J., & Khattar, R. 2021. "Women of Color and the Wage Gap". Center for American Progress, https://www.americanprogress.org/article/women-of-color-and-the-wage-gap/; Cooper, David. 2018. "Workers of color are far more likely to be paid poverty level wages than White White workers". Economic Policy Institute. https://www.epi.org/blog/workers-of-color-are-far-more-likely-to-be-paid-poverty-level-wages-than-White -workers/

[369] Collyer, S., Harris, D., & Wimer, C. 2019. "Left behind: The one-third of children in families who earn too little to get the full Child Tax Credit". Center on Poverty & Social Policy at Columbia University. https://www.povertycenter.columbia.edu/news-internal/leftoutofctc

[370] Marr, C. & Huang, Y. 2019. "Women of Color Especially Benefit From Working Family Tax Credits". Center on Budget and Policy Priorities. https://www.cbpp.org/research/federal-tax/women-of-color-especially-benefit-from-working-family-tax-credits

[371] Marr, C., Cox, K., & Sherman, A. 2021. "Build Back Better's Child Tax Credit Changes Would Protect Millions from Poverty – Permanently". Center on Budget and Policy Priorities. https://www.cbpp.org/research/federal-tax/build-back-betters-child-tax-credit-changes-would-protect-millions-from#_ftnref2

[372] The U.S. Treasury is launching an effort to examine the distribution of federal benefits and taxation by race, starting with an analysis of the pandemic relief payments that were due to most American households; Adeyemo, Wally and Lily Batchelder. 2021. "Advancing Equity Analysis in Tax Policy. U.S. Department of the Treasury. https://home.treasury.gov/news/featured-stories/advancing-equity-analysis-in-tax-policy.

[373] Brown, D. A. 2021. The White ness of Wealth: How the Tax System Impoverishes Black Americans –And How We Can Fix It, https://www.penguinrandomhouse.com/books/591671/the-White ness-of-wealth-by-dorothy-a-brown/.

comparatively cheaper[374] audits of low- and middle-income EITC claimants led to bias in auditing, such that the 10 U.S. counties with the highest audit rates were all poor, rural, and predominantly Black.[375] Race-based data would help to identify needed reforms in tax code enforcement by clearly indicating when returns receive disparity scrutiny by race.

To fully expose and repair the harms of racial inequality in the design and administration of tax policy, the IRS must collect racial data *in some form*. This will not guarantee more equitable policy development, but it is a step toward transparency and accountability that would benefit Black women and their families.

POLICY PATHWAY: SAFEGUARDING PUBLIC BENEFITS

Black women have been the target of harmful racist tropes for generations.[376] Born out of slavery, anti-Black images, such as the "mammy" and "jezebel," labeled Black people, particularly Black women, as biologically inferior to white people and inherently lazy, promiscuous, and irrational.[377] white enslavers used these toxic narratives to justify and utilize forced reproduction and labor to exploit, control, and punish enslaved Black women while maximizing their economic returns.[378] This is discussed further in the "Shifting the Narrative" subsection on page 16.

Today, these themes are reflected in many policies in the U.S. — specifically in public benefits and always at the expense of Black women. For generations, policymakers have used dog whistles (e.g., the "welfare queen") to insinuate that Black women — and other people experiencing poverty — are fraudulent and unproductive.[379] Despite working more than white women throughout American history,[380] Black women are scapegoated as a way for our government and economic institutions to promote forced labor, bolster white supremacy, and encourage public support of substantial cuts to public benefits programs. Even advocates for the expansion of

[374] Letter from IRS Commissioner Charles P. Rettig to Senator Ron Wyden of the US Senate Committee on Finance. 2019. https://www.documentcloud.org/documents/6430680-Document-2019-9-6-Treasury-Letter-to-Wyden-RE.html.
[375] Bloomquist, K.M. 2019. "Regional Bias in IRS Audit Selection". Tax Notes. https://www.taxnotes.com/special-reports/audits/regional-bias-irs-audit-selection/2019/03/01/2957w
[376] Harris-Perry, Melissa V. 2011. Sister Citizen: Shame, Stereotypes, and Black Women in America. Yale University Press.
[377] Floyd, Ife, Pavetti, LaDonna, Meyer, Laura, Safawi, Ali, Schott, Liz, Bellew, Evelyn, and Magnus, Abigail, August 2021, "TANF Policies Reflect Racist Legacy of Cash Assistance: Reimagined Program Should Center Black Mothers," Center on Budget and Policy Priorities, https://www.cbpp.org/research/family-income-support/tanf-policies-reflect-racist-legacy-of-cash-assistance.
[378] Geist, Christopher D., and Angela MS Nelson. 1992. "A Brief History of Black Stereotypes." Popular culture: An introductory Text.
[379] Hancock, Ange-Marie. 2004.The Politics of Disgust: The Public Identity of the Welfare Queen. NYU Press.
[380] Banks, Nina. 2019. "Black women's labor market history reveals deep-seated race and gender discrimination," Economic Policy Institute, https://www.epi.org/blog/black-womens-labor-market-history-reveals-deep-seated-race-and-gender-discrimination/.

public benefits have reinforced these stereotypes by emphasizing how these programs would benefit the "deserving poor."[381]

> ***The dismantling of public benefits and the implementation of punitive policies hurt everyone, but these actions carry disproportionate consequences for Black women and other people of color.***

The dismantling of public benefits and the implementation of punitive policies hurt everyone, but these actions carry disproportionate consequences for Black women and other people of color. [382]For example, parents receiving Temporary Assistance for Needy Families (TANF) face the threat of having cash aid taken away for not meeting ill-founded work requirements -the origins of which hark back to slavery and the whitelash to Reconstruction.[383] It is thus unsurprising that research shows that Black people are more likely to be sanctioned than white people.[384]

In order to repair the harm that Black women have experienced through their participation or discriminatory exclusion from public benefits programs, it is imperative to partner with those women to not only hear their issues, but bring them into decision making spaces as policy experts to create the solutions they desire — and need — to see. Through the Center on Law and Social Policy (CLASP's) engagement with community members (e.g., the Community Partnership Group), a constant theme participants highlight is the mistreatment and low-quality service at public benefits offices across the nation, serving as a clear deterrent to accessing benefits.[385] For those who are able to access benefits, the material help they receive comes at the cost of respect and agency.[386]

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[381] Spade, Dean, 2020, "The Deserving vs the Undeserving Poor: How Do We Deem Who's Worthy?" https://sites.psu.edu/aspsy/2020/12/01/the-deserving-vs-the-undeserving-poor-how-do-we-deem-whos-worthy/#:~:text=The%20deserving%20are%20those%20who,people%20fit%20into%20this%20category.
[382] Quadagno, Jill S.1994.The color of welfare: How racism undermined the war on poverty. Oxford University Press.
[383] Minoff, Elisa. 2020. "The Racist Roots of Work Requirements," Center for the Study of Social Policy, https://cssp.org/wp-content/uploads/2020/02/Racist-Roots-of-Work-Requirements-CSSP-1.pdf.
[384] Soss, Joe, Richard C. Fording, and Sanford F. 2011. Schram. Disciplining the poor: Neoliberal paternalism and the persistent power of race. University of Chicago Press.
Pavetti, LaDonna. 2018. "TANF Studies Show Work Requirement Proposals for Other Programs Would Harm Millions, Do Little to Increase Work", Center on Budget and Policy Priorities. https://www.cbpp.org/research/family-income-support/tanf-studies-show-work-requirement-proposals-for-other-programs.
[385] Gilkesson, Parker. 2019. "Treating Benefit Applicants with Dignity and Respect". CLASP. https://www.clasp.org/blog/treating-benefit-applicants-dignity-and-respect
[386] Michener, Jamila. 2018. Fragmented democracy: Medicaid, federalism, and unequal politics. Cambridge University Press.

Supporting cuts to public benefits programs based on racist stereotypes about Black women hurts everyone. Using Black Women Best as a framework for public benefits programs will repair harm and uplift one of the most marginalized groups in the country, which will in turn uplift the entire nation.

> ***Using Black Women Best as a framework for public benefits programs will repair harm and uplift one of the most marginalized groups in the country, which will in turn uplift the entire nation.***

Policy Solutions Rooted in BWB

Note: The recommendations below affirm the dignity of individuals and families by acknowledging that they know best regarding the resources — both available and needed — to take care of themselves. These recommendations are grounded in promoting economic security, dignity, and the wellbeing of people. This is not an exhaustive list, as Black Women Best is about policy proposals that are designed by and for the people utilizing these programs.

> ***Federal, state, and local administrators and policymakers should center ALL public benefits programs on trust and the expertise and needs of Black women and other people experiencing poverty.***

Federal, state, and local administrators and policymakers should center ALL public benefits programs on trust and the expertise and needs of Black women and other people experiencing poverty.[387] Those in a position to create policy and public benefits programs must retire the use of racist stereotypes and narratives that aim

[387] Gilkesson, Parker. 2022. "SNAP 'Program Integrity': How Racialized Fraud Provisions Criminalize Hunger." CLASP. https://www.clasp.org/sites/default/files/publications/2022/03/2022_SNAP%20Program%20Integrity%20-%20How%20Racialized%20Fraud%20Provisions%20Criminalize%20Hunger.pdf.

to hurt and disparage Black women, including labels such as the “undeserving poor,” which implicitly positions some (predominantly white people) as more “respectable” beneficiaries. Administrators and policymakers should deploy an intentional and targeted media campaign to undo the harm of the racist stereotypes about Black women that have led to the shame and stigma surrounding public benefits programs and the creation of biased policies. Moreover, regressive and oppressive policies that have been justified through racist narratives– including but not limited to: work requirements, fraud and program "integrity" efforts that disproportionately target women of color, and all other forms of administrative burden and alienation, must end. Administrators and policymakers must also acknowledge the harm done by policies like the Social Security Act’s covert exclusion of people of color, along with other governmental policies and initiatives including welfare reform, work requirements, horrible treatment by state officials, fraud and program integrity, and how those policies have eroded the trust of people experiencing poverty–particularly Black women. Then moving beyond acknowledgment to repair, they must advance a federal program to provide reparations for Black people.[388]

To provide a better customer service experience, rooted in dignity and agency for benefits recipients, state agencies should engage in training on the impact of systemic racism, implicit bias, and white supremacy to better understand current programs and regulations, as well as their origins.[389] They should also give customers and community stakeholders the opportunity to provide direct feedback more consistently than the occasional online surveys or notice to evaluate their agencies’ harmful culture. In order to do so, they must meaningfully engage with the individuals and communities who are most impacted—and have historically been traumatized by—benefits programs, policies, rules, processes, and operations. To begin this process, State agencies should seek out partnerships with organizations that are led by people who are Black, Indigenous, Latinx, Asian American, Native Hawaiian, Pacific Islander, LGBTQ+, and immigrants and that have supported communities when the federal government and administering agencies have failed to do so. These partnerships should be conducted in a way that prioritizes the benefit to the communities over the cost, and provides community leaders with the ability to elevate issues as they arise. Acknowledging the issues that exist, and creating avenues to restore faith in the process would benefit both agencies as well as recipients in the long run.

[388] “CLASP Responds to Methods and Leading Practices for Advancing Equity and Support for Underserved Communities through Government”. 2021. Center for Law and Social Policy, https://www.clasp.org/publications/testimony/comments/clasp-responds-methods-and-leading-practices-advancing-equity-and
[389] Ibid.

Necessary Program Changes

Overall, public benefits programs should not be conditional on work, past convictions, or behaviors but should instead focus on economic security and wellbeing. There should be better coordination between all programs to prevent people from having to submit the same information multiple times to different programs. A few simple but effective changes would be: to reduce verification requests by using existing data, make online services more user-friendly and accessible to people using mobile devices, and give people options between in person, online, and phone access.

The Supplemental Nutrition Assistance Program (SNAP) should substantially increase SNAP benefits because the average benefit amount only per person is $175/month[390] (about $1.94 per meal) even with the recent increase to the Thrifty Food Plan[391] Moving to the low-cost or moderate-cost food plans would better reflect the everyday diets of most Americans.[392] SNAP should remove the 3 out of 36 month time limits on unemployed working-age adults without minor children in the home or a documented disability,[393] the option for states to deny nutrition assistance to people with previous histories of drug felonies,[394] the confusing student exclusions[395] the five-year bar to ensure that immigrant families can access benefits,[396] and child support related disqualifications.[397] The program should also remove its interview requirement because there has been a waiver[398] in place during the pandemic that proves they are unnecessary and create more administrative burden. SNAP should get rid of the cap on shelter deduction[399] which is substantially lower than the

[390] "A Quick Guide to SNAP Eligibility and Benefits". 2022. Center on Budget and Policy Priorities/ https://www.cbpp.org/research/food-assistance/a-quick-guide-to-snap-eligibility-and-benefits
[391] USDA Modernized the Thrifty Food Plan, Updates SNAP Benefits". 2021. U.S. Department of Agriculture. https://www.usda.gov/media/press-releases/2021/08/16/usda-modernizes-thrifty-food-plan-updates-snap-benefits.
[392] "Food Plans". 2002. Purdue University Foodworks. https://www.four-h.purdue.edu/foods/Food%20plans.htm
[393] Pavetti, LaDonna. 2018. "Work Requirements Don't Work". Center on Budget and Policy Priorities. https://www.cbpp.org/blog/work-requirements-dont-work.
[394] Thompson, Darrell. 2021. "No More Double Punishments: Lifting the Ban on SNAP and TANF for People with Prior Felony Drug Convictions". CLASP. https://www.clasp.org/publications/report/brief/no-more-double-punishments#:~:text=The%20act%20imposes%20a%20lifetime,level%20nature%20of%20the%20offens.
[395] Gilkesson, Parker. 2021, "Frequently Asked Questions About SNAP and Students" CLASP. https://www.clasp.org/publications/report/brief/frequently-asked-questions-about-snap-and-students.
[396] Gomez, Juan and Parker Gilkesson. 2021. "25 Years of Immigrant Exclusion from Public Benefits". CLASP. https://www.clasp.org/blog/25-years-immigrant-exclusion-public-benefits.
[397] Llobrera, Joseph. 2020. "Child Support Cooperation Requirements in SNAP Are Unproven, Costly, and Put Families at Risk". Center on Budget and Policy Priorities. https://www.cbpp.org/research/food-assistance/child-support-cooperation-requirements-in-snap-are-unproven-costly-and-put#:~:text=In%20each%20case%2C%20if%20the,parents%20for%20failure%20to%20cooperate.
[398] Food and Nutrition Services. 2021. "SNAP – Adjusting Interview Requirements Due to Novel Coronavirus (COVID-19). https://www.fns.usda.gov/snap/adjusting-interview-requirements-covid-19.
[399] Center on Budget and Policy Priorities. 2022. "A Quick Guide to SNAP Eligibility and Benefits". https://www.cbpp.org/research/food-assistance/a-quick-guide-to-snap-eligibility-and-benefits

average cost of rent in all states,[400] include student loan payment as a deduction for SNAP, and allow the purchase of hot foods with SNAP benefits.[401]

Based on the inherent harm[402] and inadequacy[403] of the program, Temporary Assistance to Needy Families (TANF) should be removed and replaced with a federal needs-based cash assistance program without the harsh work and behavioral requirements[404] or restricted funding of TANF that accompanies guaranteed income. For example, when people experience hardships and need supplemental income beyond guaranteed income, they would be eligible for such a program. In conjunction with a universal guaranteed income program, the new cash assistance program would serve as targeted universalism– filling in the gaps of economic support for people who need additional assistance[405]

Medicaid is discussed in the "Policy Pathway: Improving Health Care" section on page 50, and housing subsidies are discussed in the "Policy Pathway: Guaranteeing Housing Rights" section on page 83.

Conclusion

> ***Reimagining and redesigning public benefits in a way that centers Black women and their families is the necessary bold change needed to adequately help everyone — across identity and geography — struggling to afford their basic, yet fundamental needs.***

Reimagining and redesigning public benefits in a way that centers Black women and their families is the necessary bold change needed to adequately help everyone — across identity and geography — struggling to afford their basic, fundamental

[400] Aurand, et al. 2021. "Out of reach: the high cost of housing". NLICH. https://nlihc.org/sites/default/files/oor/2021/Out-of-Reach_2021.pdf
[401] Mulloy, Thomas. 2021. "Bipartisan Trio Pens Bill for SNAP to Cover Hot Foods". CStore Decisions. https://cstoredecisions.com/2021/12/22/bipartisan-trio-pens-bill-for-snap-to-cover-hot-foods/
[402] Floyd et al. 2021. TANF Policies Reflect Racist Legacy of Cash Assistance. Center on Budget and Policy Priorities. https://www.cbpp.org/research/family-income-support/tanf-policies-reflect-racist-legacy-of-cash-assistance.
[403] Lower-Basch, Elizabeth and Ashley Burnside. 2021. "TANF 101: Block Grants". CLASP. https://www.clasp.org/sites/default/files/publications/2019/12/Brief%20Update_2021%2004%2013%20tanf%20101%20blockgrant.pdf
[404]Cross, Christina. 2019. "The Myth of the Two-Parent Home". The New York Times. https://www.nytimes.com/2019/12/09/opinion/two-parent-family.html; Cross, Christina. 2019. Racial/Ethnic Differences in the Association Between Family Structure and Children's Education.
[405] 2021. Community Commons. https://www.communitycommons.org/entities/6a5b1ab8-dbbc-4041-b4ca-9dfb525f9e1d.

needs. This will expand economic opportunity, improve child outcomes, and reduce unique and universal hardship.[406] Moreover, acknowledgment of the historical and current harms done to Black women through public benefits policies is necessary to ensure that these policies are undone and won't happen again. it is imperative that steps beyond just acknowledgment are taken by providing restitution and repair for those specific harms monetarily, systemically, and culturally.

POLICY PATHWAY: FULFILLING THE PROMISE OF VOTING RIGHTS AND FULL CITIZENSHIP

A policy agenda that centers Black women in its values and outcomes requires considerable political will to move forward. In this way, a just, inclusive, *multi-racial* democracy is a necessary condition for the well-being of Black women (and everyone). Black women's democratic participation, representation, and political power are critical for crafting an inclusive economy and just society.

> ***The political history of Black women speaks powerfully to our central place as torchbearers of American democratic practice, even in a fraught polity that has often fallen short of its professed ideals.***

The political history of Black women speaks powerfully to our central place as torchbearers of American democratic practice, even in a fraught polity that has often fallen short of its professed ideals.[407] Black women were not constitutionally permitted to vote until the ratification of the Nineteenth Amendment in 1920. Our voting rights remained precarious until the passage of the Voting Rights Act of 1965. Throughout this time and beyond, Black women have been resilient and steadfast in our engagement with U.S. politics, even as we have confronted profound exclusion.[408]

If voting rights are indicative of full citizenship, then Black women have had voice for less than 60 years–and undocumented, disabled, and young Black women are still

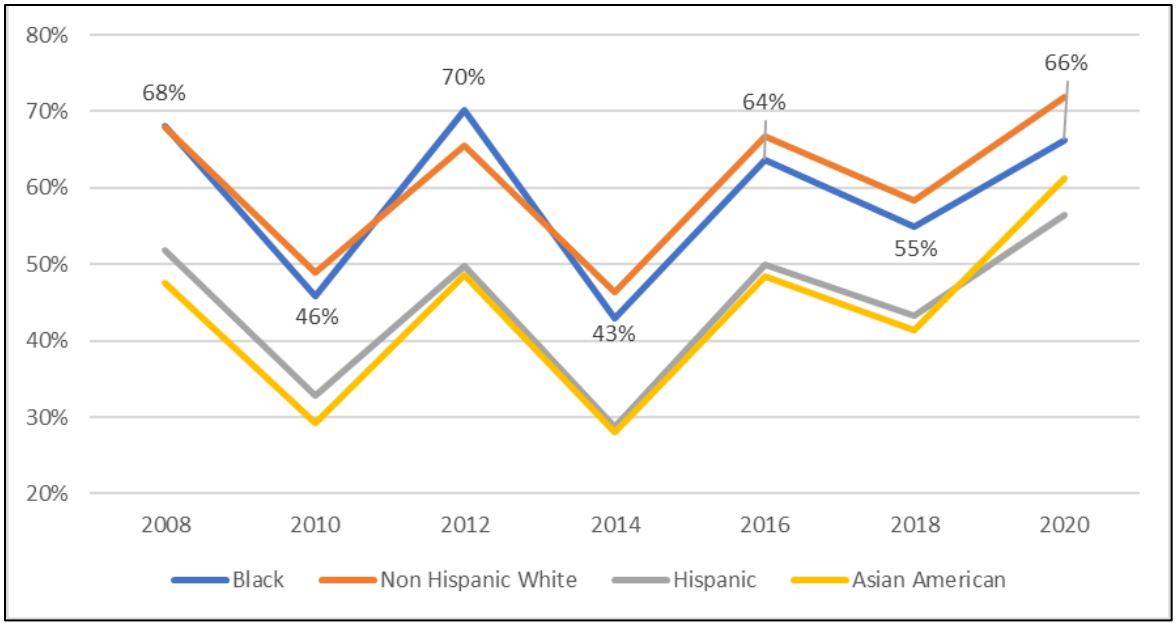
[406] Floyd et al. 2021. Targeted Universalism Policy and Practice. Haas Institute. https://www.communitycommons.org/entities/825ab69f-08d2-478e-a907-1ad39b68bdb5
[407] Michener, Jamila, Andrew Dilts and Cathy J. Cohen. 2012. "African-American Women: Intersectionality in Politics," in Henry L Gates Jr. et al. (eds.) *Oxford Handbook of African American Citizenship, 1865-Present.* New York: Oxford University Press.
[408] Ibid

left wanting. American democracy is young, fragile and still laden with divisive and restrictive policies that hinder the political power of Black women. To achieve the desired outcomes in Black Women Best (BWB), we must ensure Black women can exercise our political and economic power to influence the democratic and economic conditions that affect our lives. When the community chronically excluded from U.S. democracy and economy actually experiences full democratic and economic citizenship, everyone thrives.

Black Women as the "Backbone" of the U.S. Democracy

Black women are one of the most active constituencies in the U.S. electorate.[409] We consistently vote at high rates relative to other women of color and on par with white women (see Figure 3).

Figure 3 Voting Rates Among Women, by Race and Ethnicity



Source: Current Population November Voting & Registration Supplement

Over and above our exemplary voter turnout, Black women have also made gains in political representation in recent years:

[409] Gillespie, Andra, and Nadia E. Brown. 2019. "# BlackGirlMagic Demystified: Black Women as Voters, Partisans and Political Actors" *Phylon* 56 (2): 37-58.

- Between May 2016 and May 2020, Black elected officials increased at a rate of 17 percent, from 6.5 percent to 7.6 percent.[410]
- Black women were the major driver of that progress, as their representation increased in all offices at a rate of 33 percent, from 2.3 percent to 3.1 percent.[411]

Still, there is substantial room for improvement in Black representation. As of May 2020, Black leaders held just 7.6 percent of elected offices at the federal, state, county, and city levels while they make up 13 percent of the U.S. population.[412] Furthermore, Black women's increases in political representation have occurred in spite of the high cost of entry in electoral politics due to campaign costs that limit broad access to people with limited financial capital or assets.[413]

> ***Even as Black women are publicly praised for saving democracy, we are acutely aware of the ways we are treated as second-class citizens.***

Though Black women are widely considered the "backbone" of U.S democracy, our political inclusion has necessitated overcoming voter suppression in the context of deep economic and social disadvantage.[414] Even as Black women are publicly praised for saving democracy, we are acutely aware of the ways we are treated as second-class citizens. Results from a national survey of nearly 15,000 Black, Latino, Asian and white respondents convey Black women's distinctive experiences and status in American life and politics.[415] Namely, only 32 percent of more than two thousand Black women surveyed agreed that they "feel like a full and equal citizen in this country with all the rights and protections that other people have." white men and women agreed to this statement at rates more than twice as high as Black women (see Table 1). Black women were least likely among all respondents to feel like full and equal citizens.

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[410]"Confronting the Demographics of Power: Mapping Black Representation During a Turbulent Era," Who Leads (Reflective democracy Campaign, February 2021), https://wholeads.us/wp-content/uploads/2021/02/rdc-mapping-black-representation-feb2021.pdf, 2.
[411] Ibid, page 3
[412] Ibid, page 2
[413] Adam Lioz. 2015. "Stacked Deck: How the Racial Bias in Our Big Money Political System Undermines Our Democracy and Our Economy." *Demos*. https://www.demos.org/research/stacked-deck-how-racial-bias-our-big-money-political-system-undermines-our-democracy-and.
[414]"Voting Laws Roundup: July 2021". 2021. Brennan Center for Justice. https://www.brennancenter.org/our-work/research-reports/voting-laws-roundup-july-2021
[415] Barreto, Matt A., Lorrie Frasure-Yokley, Edward D.Vargas, and Janelle Wong. 2020. Collaborative Multiracial Post-Election Survey: Building the Academic Pipleline Through Data Acess, Publication, and Networking Opportunities. https://doi.org/10.1017/S1049096519001185.

Table 2. Perceptions of Full and Equal Citizenship

white Men	70.2%
white Women	66.9%
Latino Men	60.3%
AAPI[416] Men	58.3%
AAPI Women	52.3%
Latina Women	51.1%
Black Men	43.2%
Black Women	32.1%

Cell entries represent the percent of survey respondents in each group who strongly agree, agree, or somewhat agree to the following statement: "I feel like a full and equal citizen in this country with all the rights and protections that other people have."

Source: 2020 Collaborative Multiracial Post-Election Survey

Overcoming Suppression and Democracy Beyond Elections

It is not surprising that Black women do not feel like full and equal citizens. When we do vote at high rates and influence elections—as they did in Georgia in 2020—we risk backlash and voter suppression.[417] What's more is that democratic citizenship goes beyond voting rights to include access to social rights such as housing, education, and health.[418] As detailed throughout this report, Black women in the United States have constrained social rights that leave us disproportionately

[416] AAPI= Asian American and Pacific Islander
[417] Hilton, Jasmine. 2021. "Black Women and the Voting Rights Backlash." Politico. https://www.politico.com/newsletters/women-rule/2021/04/09/black-women-and-the-voting-rights-backlash-492428.
[418] Stephens, John D. 2010. "The Social Rights of Citizenship" in The Oxford Handbook of the Welfare State (2nd Edition). New York: Oxford University Press.

vulnerable to poverty, precarity, and harm. In this way, Black women's political participation does not sufficiently translate into substantive representation that maximizes our material thriving and well-being.

Policy Solutions Rooted in BWB

Though voting rights are no panacea, they remain critical for building a just democracy. Toward this end, we offer key policy recommendations related to voting and elections:

- **Automatic and Same Day Voter Registration:** To eliminate a barrier to voting that registration has always affected Black women.[419] Research shows both AVR and SDR can boost turnout among Black voters.[420]
- **Extended Early Voting Period:** Of at least two full weeks leading up to Election Day, including weekends, to ensure Black women–who juggle more roles and responsibilities than perhaps any other community in our society–can make it to the polls and make their voices heard.[421]
- **Small Donor Public Financing for Elections:** To ensure Black women can mount successful campaigns for public office, and in turn to build a small donor democracy that is more reflective and inclusive.[422] These programs are already in place in cities and states across the country, thanks in part to the organizing and leadership of Black women.[423]

These policies only represent a portion of what has been introduced as part of a transformative federal legislation[424] considered in the 117th Congress, including the Freedom to Vote Act, John R. Lewis Voting Rights Advancement Act, and the Washington D.C. Admission Act. These bills only grow more urgent as states pass racist voter suppression laws.[425] In light of setbacks for that legislation, however, strong infrastructure for equitable, accessible elections at the state level is even more critical.

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[419] In fact, voter registration was invented in part to keep Black people from voting.
Litt, David. 2020. "The Racist History of Voter Registration," Time. https://time.com/5855885/voter-registration-history-race/.
[420] Laura Williamson and Jesse Rhodes. 2021. "Same Day Registration: How Registration Reform Can Boost Turnout Among Black and Latinx Voters." Demos. https://www.demos.org/policy-briefs/same-day-registration-how-registration-reform-can-boost-turnout-among-black-and; Sean McElwee, Brian Schaffner, and Jesse Rhodes. 2017. "Automatic Voter Registration in Oregon," Demos. https://www.demos.org/sites/default/files/publications/AVR%20in%20Oregon%20FINAL.pdf.
[421] Carbó, Steven and Rogers, Estelle. 2013. "What is Early Voting?" Demos. https://www.demos.org/policy-briefs/what-early-voting#footnoteref6_z2i15pn.
[422] Williamson, Laura and Lioz, Adam. 2021. "Small Donor Democracy: Fighting Big Money with People-Powered Elections," Demos. https://www.demos.org/policy-briefs/small-donor-democracy-fighting-big-money-people-powered-elections.
[423] Lioz, Adam. 2021. "Black and Brown Communities Leading on Small-Donor Democracy," Demos. https://www.demos.org/blog/black-and-brown-communities-leading-small-donor-democracy.
[424] H.R.1/S.1 - For the People Act: The Impact of Select H.R.1/S.1 Policy Changes on Black and Brown Political Power. Demos. https://www.demos.org/testimony-and-public-comment/hr1-people-act.
[425] "Voting Laws Roundup: February 2022,". 2022. Brennan Center for Justice, https://www.brennancenter.org/our-work/research-reports/voting-laws-roundup-february-2022.

Further, because we know the presence or absence of democracy extends well beyond elections to all corners of Black women's lives, we also offer policy recommendations related to what we call economic democracy[426]—the notion that the people can and should have more control over the institutions and economic forces that shape their lives.

- **Public Ownership of Resources:** To ensure the essential goods that fuel Black women's lives—water,[427] energy,[428] banking,[429] credit,[430] care[431], and more—stay public and are controlled by people, not private corporate actors.
- **Decentralizing Corporate Power:** Breaking up and regulating big tech to prevent today's billion-dollar corporations like Amazon, Google, and Facebook from monopolizing every market, privatizing every service, and owning Black women's futures.[432]
- **Co-Governance:** To build greater people power in the institutions that govern Black women's lives through policies like expanded bargaining[433] and collective bargaining rights for tenant associations,[434] participatory policy making models like participatory budgeting,[435] and through creating and modeling community oversight structures to ensure just and equitable implementation of laws and policies.[436]

Conclusion

By highlighting the political economy of voting and full citizenship, we place the other aspects of this report into an important context. Often the most marginalized and yet still among the most politically active and economically resilient, Black women have long played a leading role in expanding access to rights for all

[426] Sims, Lebaron. 2021. "Economic Democracy: Framing the Future," Demos. https://www.demos.org/blog/economic-democracy-framing-future.
[427] "Water as a Public Good: Pittsburgh's Our Water Campaign". 2022. Pittsburgh United, Our Water Campaign, and Demos. https://www.demos.org/research/water-public-good-pittsburghs-our-water-campaign.
[428] Williamson, Laura and Daly, Lew. 2021. "Energy Democracy: Building a Green, Resilient Future through Public and Community Ownership". Demos. https://www.demos.org/policy-briefs/energy-democracy-building-green-resilient-future-through-public-and-community.
[429] "Public Banking Around the World: A Comparative Survey of Seven Models" 2021. The Vance Center and New Economy Project. https://www.vancecenter.org/wp-content/uploads/2021/10/Public-Banking-Around-the-World-A-Comparative-Survey-of-Seven-Models.pdf.
[430] Traub, Amy. 2019. "Establish a Public Credit Registry," Demos. https://www.demos.org/policy-briefs/establish-public-credit-registry.
[431] Caring Across Generations Policy Agenda. https://caringacross.org/policy-agenda/.
[432] Milner, Yeshimabeit and Traub, Amy. 2021. "Data Capitalism and Algorithmic Racism," Demos. https://www.demos.org/research/data-capitalism-and-algorithmic-racism.
[433] Smiley, Erica. 2015. "Collective Bargaining 3.0". Dissent. https://www.dissentmagazine.org/article/future-labor-collective-bargaining-jobs-with-justice.
[434]Arroyo, Noah. 2022. "SF Renters on Verge of Winning Collective Bargaining Rights". San Francisco Public Press. https://www.sfpublicpress.org/renters-on-verge-of-winning-collective-bargaining-rights-in-sf/.
[435] "Policy-Making Needs a Reboot," Democracy Beyond Elections, https://www.democracybeyondelections.org/policy/.
[436] "Boards and Commissions Leadership Institute". Urban Habitat. https://www.urbanhabitat.org/leadership/bcli; "Wage Boards for American Workers." 2018. Center for American Progress. https://www.americanprogress.org/article/wage-boards-american-workers/.

communities. Black women's political voice and power are a critical precondition for moving toward justice for everyone in the US.

SECTION 3: THE BLACK WOMEN BEST SEAL OF APPROVAL: A SCORECARD

This report covers a range of policy ideas to address some of the nation's most pressing issues; however, it is not exhaustive, and we acknowledge the myriad of systemic factors that uniquely impact Black women that were not fully captured in this report.

In order to make meaningful impact at the federal level, policymakers must advance policy that aligns with the Black Women Best framework. As defined earlier in this report, the BWB framework argues that when the economy is working for Black women, then it is inherently working for everyone. Here, we offer the Black Women Best "Seal of Approval" (BWB SOA), a scorecard aimed to ensure that future proposals effectively apply the BWB framework.

> ***The BWB scorecard is intended to serve as a practical tool to assess and design both current and future proposals across all spheres of public policy.***

The BWB scorecard is intended to serve as a practical tool to assess and design both current and future proposals across all spheres of public policy. It can also help identify gaps and recognize opportunities to improve public policy environments, processes, and outcomes. If policy incorporates the criteria and components detailed in the scorecard, it would receive the BWB SOA, thus signaling its ability to achieve equitable outcomes for all by improving the lives of Black women. If policy does not incorporate the criteria and components detailed in the scorecard, it would not receive the BWB SOA, thus signaling its failure to provide Black women with the resources and opportunities necessary to lead economically secure, safe, and healthy lives.

We urge elected officials, advocates, activists, and researchers to utilize the framework and scorecard as they develop and evaluate public policy. In striving for

the BWB SOA, policy will be better suited to effectively meet the needs of Black women, and in turn, create better outcomes for all.

The policymaking process must center the lived experiences of Black women (and multiply marginalized Black women) in the policy development process.

When brainstorming the functionality of policy, we encourage lawmakers to consider the history and modern-day experiences of Black women in order to expand the range of operation. Such experience includes but is not limited to housing accessibility, labor equitability, maternal health, and funding for education. In doing so, policymakers are better positioned to identify structural imbalances that have hindered the development of policy that centers the lived experience of both marginalized and multi-marginalized Black women. We encourage the use of statistical rates and testimonials among other factors to eliminate potential cross-cultural interference. Also, the inclusion of factors such as sexuality, socioeconomic status, disability status, and age is essential to tailor policy towards the target audience.

We also encourage lawmakers to identify the specific impacts the policy would have on marginalized and multi-marginalized groups, specifically Black women. This can be easily identified by collaborating with a consulting group, local organizations, scholars, advocates, or nonprofits that center the experience and support of Black women. Using their expertise as a full policy collaborator should be used in all aspects of policy development from brainstorming to evaluation. Also, we encourage lawmakers to use the resources of related caucuses to build broad support for centering Black women across identities such as the Congressional Caucus on Black Women and Girls. Lawmakers must center the lived experience of Black women in the policy making process to ensure the policy is accessible and easy for Black women and directly impacted groups to understand and engage in.

Intended Impacts and Policy Goals

In addition to considering the lived circumstances of Black women, BWB policies should intentionally target resources to Black women and Black women-led households. Policymakers may target resources to demographic groups that are likely to include Black women, such as people with disabilities. Black women are also highly represented among breadwinners, adults with significant student loan debt, and careworkers. Policymakers must also be intentional about including set asides in contracting and other resource targeting, and commit to intersectionality in resource allocation.

Accountability is key. BWB legislation must include a mechanism for ensuring that this is the case. Notably, policymakers must improve data collection to better capture their intended effects. Regular surveys, such as the American Community Survey and Survey of Consumer Finance, must regularly highlight data on the circumstances of Black women. In addition, legislators must direct agencies to collect, publish, and regularly provide updates on how their programs are reaching or excluding demographic groups, starting with Black women first.

Policymakers often assess the success of policies by considering their impact on metrics such as the Gross Domestic Product (GDP) or the overall poverty rate, but these are insufficient. These topline metrics neglect to measure differential impacts on Black women that aren't demonstrated by the aggregate. Instead, policymakers must require that statistical agencies develop and promote the reporting of policy impacts by individual identities and their intersections.

The BWB Seal of Approval: A Scorecard

The *CCBWG's Black Women Best Seal of Approval Scorecard* is informed by three main categories: 1) policymaking process and policy design, 2) systemic accessibility and inclusivity, and 3) implementation, impact, and evaluation. Each category includes criteria to describe the elements necessary to craft equitable policy that achieves high marks on the BWB Scorecard. The goal of the scorecard is to provide specific policy approaches that can dismantle structural racism and sexism, reduce disparities, and achieve equity. When policy is developed and assessed using these criteria, the outcome should improve Black women's well-being and therefore ensure collective well-being. If a policy satisfies 13 – 11 criteria, it would earn the BWB SOA and be recognized as a transformational policy that is intended to achieve equity, rectify past policy harms and improve outcomes for Black women. If a policy satisfies between 10 – 7 criteria, it would be considered moderately transformational. Lastly, if a policy satisfies 6 or less criteria it would be considered ineffective at reversing racial and gender inequities and likely to perpetuate inequality.

Category I: POLICYMAKING DESIGN PROCESS

Public policy environment and policymaking process is representative and supportive of Black women. Black women are meaningfully involved in planning, dialogue, and decision making; ensuring that their rights, needs and contributions are reflected in the consideration of policy options and policy formulation.

Criteria	☑	✕
The policy was developed through consultation with Black women and/or Black women's rights organizations from diverse backgrounds. Black women are also key stakeholders at all stages of the policymaking process.		
Language within the policy is inclusive by acknowledging diversity and intersectionality, conveys respect to all people, is sensitive to differences, and promotes equitable opportunities. It is also person-centered and avoids outdated and offensive nomenclature. Lastly, the language is accessible and accommodates people of diverse abilities and literacy skills.		
Evidence generated by Black women or additional frameworks that are inclusive of Black women are used by key actors to identify policy priorities and inform policy decisions. Policy also encompasses a data driven, systems approach that reflects current and historical policies and practices responsible for inequities.		
Category II: SYSTEMIC ACCESSIBILITY AND INCLUSIVITY Policy ensures fairness, safety, and opportunity in institutions and systems. Specifically, the policy accounts for the accumulated effects of centuries of institutional and systemic racism, sexism, and ableism that have reinforced and perpetuated discrimination, biases, and inequity. Lastly, the policy avoids a race-neutral approach and instead centers equity, reform, and justice to promote equality.		
Criteria	☑	✕

Protects against discrimination on the basis of race, color, gender identity, gender expression, sexual orientation, national origin, age, disability, and other marginalized identities that intersect with race and gender that Black women hold.		
Addresses and eliminates barriers and challenges that disproportionately impact Black women. Ensures Black women and communities can successfully take up policy.		
Explicitly provides resources and opportunities that are accessible to Black women and necessary for them to achieve the intended policy goals.		
Includes targeted supports and efforts with concrete actions to address systemic inequities and eliminate structural disparities.		
Accounts for the lived experiences of Black women, including historical and intergenerational trauma.		
Policy design has considered and incorporated elements of Disability Justice, Reproductive Justice, and Environmental Justice frameworks.		
Category III: IMPLEMENTATION, IMPACT AND EVALUATION The policy is carried out and assessed in a manner that centers Black women and achieves equitable outcomes.		
Criteria	☑	✕

There is a dedicated and resourced government department/unit/agency responsible for overseeing and enforcing provisions outlined in the policy.		
The government collects and publishes disaggregated data on the implementation and/or outcomes of the policy; findings are accessible and widely available.		
Impacts of the policy directly benefit Black women and the mechanisms to achieve its intended impacts do not burden Black women and other structurally marginalized groups but rather place the responsibility on the privileged class.		
Policy outcomes are transformational and make meaningful differences in the lives of Black women. Consequently, Black women can lead economically secure, safe, and healthy lives.		
Policy impacts reduce – and ultimately eliminate – disparities in income, wealth, health, education, and opportunity.		

SECTION 4: COMPLEMENTARY FRAMEWORKS THAT ARE EQUALLY NECESSARY

Black Women Best is a powerful framework, but it is not alone. In fact, its potential to totally transform the economy — and the policy and political choices that shape it — will be enhanced when it is put together with additional frameworks that are equally powerful and necessary. Here, we explore three such frameworks, Disability Justice (DJ), Reproductive Justice (RJ), and Environmental Justice (EJ), which should be applied alongside BWB.

FRAMEWORK: DISABILITY JUSTICE[437]

Race, Disability, and Power

It is impossible to fully understand, let alone redress, the historical and contemporary forms of oppression Black women endure without examining ableism's central role in preserving and justifying such oppression. Ableism,[438] a system targeting disabled people whose bodies and minds deviate from socially constructed norms, is as integral to the project of white supremacy as race and labor.

> ***It is impossible to fully understand, let alone redress, the historical and contemporary forms of oppression Black women endure without examining ableism's central role in preserving and justifying such oppression.***

There is no singular legal definition of disability in the U.S., as it is a complex and dynamic concept. The most expansive definition comes from the Americans with Disabilities Act (ADA) of 1990, which defines disability as a "a physical or mental impairment that substantially limits one or more major life activities."[439],[440] Elsewhere in government, however, disability is much more narrowly defined, notably by agencies seeking to restrict eligibility for public benefits and income support programs.[441] While the legal bounds of disability have shifted over time based on state interests and social pressures, the primary issue disability policy must contend with remains one of power and powerlessness.[442] Across all domains of life,

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[437] This section uses the terms "disabled people" and "people with disabilities" interchangeably. The use of identity-first language honors the linguistic shift that self-advocates within the disability community have ushered in over the past years, while affirming that our community is not a monolith and each of us has a right to self-identify as we so choose.

[438] Lewis, Talila A. 2022. "Working Definition of Ableism - January 2022 Update." https://www.talilalewis.com/blog/working-definition-of-ableism-january-2022-update

[439] U.S. Department of Justice. 2020. A Guide to Disability Right Laws. https://www.ada.gov/cguide.htm#anchor62335

[440] The ADA's definition of disability also includes individuals with a record of having such an impairment, or may be regarded as having such an impairment. Ultimately, the exact threshold of who counts as disabled under the ADA has been subject to change through the Supreme Court's interpretations, legal advocacy of the disability community, and the rules implemented by the Equal Employment Opportunity Commission (EEOC) and other agencies. Purlang, Andrew. 2019. "The ADA's "Vague" Definition Of Disability Is A Feature, Not A Bug." https://www.forbes.com/sites/andrewpulrang/2019/10/14/the-adas-vague-definition-of-disability-is-a-feature-not-a-bug/?sh=37777d649b06 ;"Definition of Disability Under the ADA: A Practical Overview and Update" https://ecommons.cornell.edu/bitstream/handle/1813/90046/Definition_of_Disability_Under_the_ADA__A_Practical_Overview_and_Update_1_.pdf?sequence=1;

[441] Altiraifi, Azza. 2019. Advancing Economic Security ofr People with Disabilities. Center for American Progress. https://cdn.americanprogress.org/content/uploads/2019/07/25133022/Advancing-Econ-Security-Disability-.pdf

[442] Devlin, R., & Pothier, D. 2006. Introduction: Toward a critical theory of dis-citizenship. In D. Pothier & R. Devlin (Eds.), Critical disability theory: Essays in philosophy, politics, policy, and law. Toronto, ON: UBC Press.; Lynn C. Holley, Layne K. Stromwell, and Kathy E. Bashor. 2012. "Reconceptualizing Stigma: Toward a Critical Anti-Oppression Paradigm," Stigma Research and Action 2 . http://stigmaj.org/article/view/46/pdf

Black disabled women and other disabled people face compounded oppression, social isolation, and exploitation.

The entanglement of disability and race is linked to state efforts to optimize labor output and accelerate economic growth. Indeed, the very designation of disability has long been tied to one's labor production,[443] which is itself heavily racialized and gendered.[444] For example, in the 19th century, chattel slavery was legitimized by medical authorities who claimed Black people suffered cognitive impairments that must be managed via their enslavement and brutalization.[445] With the rise of industrial America, increasingly routinized and time-regulated paid labor structures led to new disability designations for those unable to conform.[446] From the antebellum period to the present, pathologization[447] and medicalization[448] are wielded as tools of social control,[449],[450] stratifying groups in service of the political and economic interests of those in power. The resulting matrix of mass institutionalization, eugenics, and criminalization continues to marginalize Black women today, leading to premature death.[451]

Disability prevalence in the U.S. is also increasing,[452] with COVID-19 accelerating this trend. In 2021, 1.2 million more people identified as having a disability compared to 2020.[453] Much like race, disability is heavily spatialized, meaning incidence of disability is more heavily concentrated in certain geographic areas and within specific communities. Far from incidental, this is the outcome of what geographer Ruth Wilson Gilmore describes as the "state-sanctioned production and exploitation of group-differentiated vulnerability," underscoring that ableism and racism are co-constitutive.[454] For instance, racial segregation clusters Black people in toxic environments where they are more likely to be exposed to illness-causing

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[443] Russell, Marta. 2019. Capitalism & Disability: Selected Writings by Marta Russell, ed. Keith Rosenthal. Haymarket Books.
[444] Browne, Irene, and Joya Misra. "The Intersection of Gender and Race in the Labor Market." Annual Review of Sociology, vol. 29, Annual Reviews, 2003, pp. 487–513, http://www.jstor.org/stable/30036977.'; How Race/ism & Patriarchy Interact to Shape Inequality https://decolonizeallthethings.com/2019/03/19/how-race-gender-interact-to-shape-inequality/
[445] Willoughby CDE. Running Away from Drapetomania: Samuel A. Cartwright, Medicine, and Race in the Antebellum South. Journal of Southern History. 2018; 84(3):579-614. doi:https://doi.org/10.1353/soh.2018.0164.
[446] Rosenthal, Keith. 2021. "Carceral Histories of Disability: An Abolitionist Analysis". https://spectrejournal.com/carceral-histories-of-disability-an-abolitionist-analysis/
[447] Carter, Chelsey and Sanford III, Ezelle. 2020. The Myth of Black Immunty: Racialized Disease during the COVID-19 Pandemic. https://www.aaihs.org/racializeddiseaseandpandemic/;
[448] Opara, Ijeoma Nnodim et al. 2021. "Modern Day Drapetomania: Calling Out Scientific Racism". Journal of General Internal Medicine. https://link.springer.com/article/10.1007/s11606-021-07163-z
[449] Ben-Moshe, Liat. 2020. *"Decarcerating Disability: Deinstitutionalization and Prison Abolition". The University of Minnesota.* https://www.upress.umn.edu/9781452963495_intro.pdf
[450] Baynton, Douglas. 2001. "Disability and the Justification of Inequality in American History". The University of Iowa. https://socialwelfare.library.vcu.edu/woman-suffrage/disability-justification-inequality-american-history/
[451]Khalil Gibran Muhammad. 2002. The Foundational Lawlessness of the Law Itself: Racial Criminalization & the Punitive Roots of Punishment in America. https://doi.org/10.1162/daed_a_01892
[452] Novack, Valeria. 2020. Preparations for the Next Pandemic Must Improve Resources for Those At Greater Risk. Center for American Progress. https://www.americanprogress.org/article/preparations-next-pandemic-must-improve-resources-greater-risk/
[453] Roberts, Lily, Khattar, Rose, Ives-Rublee Mia. 2022. Covid-19 Likely resulted in 1.2 Million More Disabled People by the End of 2021 – Workplaces and Policy Will Need to Adapt. Center for American Progress. https://www.americanprogress.org/article/covid-19-likely-resulted-in-1-2-million-more-disabled-people-by-the-end-of-2021-workplaces-and-policy-will-need-to-adapt/
[454] Wilson Gilmore, Ruth. 2010. Fatal Couplings of Power and Difference: Notes on Racism and Geography. The Professional Geographer. https://www.tandfonline.com/doi/abs/10.1111/0033-0124.00310

environmental hazards and less likely to have access to life-sustaining resources, such as hospitals, clean water, and housing.[455] Across the U.S., Black people consistently have higher rates of disability than white people, at rates up to 2.5 times greater.[456] This racialized disparity in disability prevalence dramatically increases with age, at least partially reflecting the cumulative disabling effects of racial discrimination over the life course.[457]

Ableism and Racism in U.S. Institutions: A Snapshot

Across numerous economic indicators, Black disabled people face precarity and financial marginalization. In 2017, the poverty rate for working age people with disabilities was 26.1 percent - more than twice the rate of non-disabled people of the same age group.[458] For Black people with disabilities however, the poverty rate was a staggering 37 percent.[459]

Discriminatory features of the U.S. labor market and the punitive design of public benefits programs hinder the economic mobility of Black disabled women. In 2020, only 27 percent of working age Black women with disabilities were employed, compared with 33.7 percent of white disabled women and 40.3 percent of white men with disabilities.[460] Disabled people who are excluded from the paid labor economy are often forced to rely on public assistance programs which typically impose strict asset limits, severely restrict eligibility, and provide meager support.[461] For example, in 2022 the maximum federal benefit for Supplemental Security Income, a key anti-poverty program for people with disabilities, was just $841 per month.[462] Even when disabled women do find employment, they often face discrimination in pay and promotions or are clustered in precarious or part-time roles.[463] Today, thousands of disabled workers continue to labor in segregated

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[455] Planey, Arrianna. 2019. *"Devalued Lives, & Premature Death: Intervening at the Axes of Social 'Difference'."* https://arriannaplaney.wordpress.com/2019/03/29/intervening-at-the-axes-of-social-difference-devalued-lives-premature-death/ ; Corburn, J.. 2017. Concepts for Studying Urban Environmental Justice. Curr Environ Health Report.

[456] Ross, Martha and Bateman, Nicole. 2018. Disabililty rates among working-age adults are shapred by race, place, and education. Brookings. https://www.brookings.edu/blog/the-avenue/2018/05/15/disability-rates-among-working-age-adults-are-shaped-by-race-place-and-education/#:~:text=Blacks%20and%20Hispanics%20both%20exhibit,up%20to%202.5%20times%20greater.

[457] Fuller-Thomson, Esme & Nuru-Jeter, A & Minkler, Meredith & Guralnik, Jack. 2009. Black—White White Disparities in Disability Among Older Americans Further Untangling the Role of Race and Socioeconomic Status. Journal of aging and health. 21. 677-98. 10.1177/0898264309338296.

[458] 2017 Disability Status Report United States. 2017. Cornell University. https://www.disabilitystatistics.org/StatusReports/2017-PDF/2017-StatusReport_US.pdf

[459] Ibid.

[460] Department of Labor. 2021. Spotlight on Women with Disabilites. https://www.dol.gov/sites/dolgov/files/ODEP/pdf/Spotlight-on-Women-with-Disabilities-March-2021.pdf

[461] Altiraifi, Azza. 2020. "A Deadly Poverty Trap: Asset Limits in the Time of the Coronavirus". Center for American Progress. https://www.americanprogress.org/article/deadly-poverty-trap-asset-limits-time-coronavirus/#:~:text=In%202020%2C%20the%20maximum%20federal,quarters%20the%20federal%20poverty%20line.&text=To%20be%20eligible%2C%20applicants%20cannot,and%20%243%2C000%20for%20married%20couples.

[462] Social Security Administration. 2022. "SSI Federal Payment Amounts For 2022." https://www.ssa.gov/oact/cola/SSI.html#:~:text=SSI%20amounts%20for%202022,%24421%20for%20an%20essential%20person.

[463] Pettinicchio, David . 2017. "How Double Labor Market Barriers Hurt Women With Disabilities." Scholars Strategy Network. https://scholars.org/contribution/how-double-labor-market-barriers-hurt-women-disabilities

settings for subminimum wages, due to an archaic carveout in the Fair Labor Standards Act.[464]

Within carceral contexts, this toxic interplay between racism, ableism, and sexism comes into even sharper focus. Up to half of those killed by police each year are reported to have a disability.[465] For more on the harms of policing and incarceration, refer to the "Disempowering Police and Prisons" section of the report on page 63. Black women are more likely to be incarcerated than white women,[466] and according to the latest data from the Bureau of Justice Statistics, state and federal prisoners are about two and a half times as likely as the general adult population to report having a disability or chronic illness.[467] Other factors, such as the unmitigated spread of COVID-19 within congregate settings[468], disabling conditions within the criminal legal system,[469] and an aging prison population contribute to the disproportionately high rates of disability among incarcerated people.

Carcerality and surveillance extends beyond the walls of prisons and jails.[470] People with mental health disabilities, and particularly Black women, face constant risk of involuntary institutionalization and are frequently subject to coercive modes of treatment [471], as noted in the mental health section of the report on page 46. Psychiatric facilities, nursing facilities, and other restrictive congregate care settings are sites of medical incarceration where abuse is rampant, and meaningful accountability non-existent.[472] Absent the robust investments and social infrastructure needed to guarantee all disabled people access to home and community-based care and supports, disabled people are instead ensnared in a complex web of surveillance, autonomy restrictions, and isolation.

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[464] As noted in US Department of Labor Fact Sheet #39: "Section 14(c) of the FLSA authorizes employers, after receiving a certificate from the Wage and Hour Division, to pay subminimum wages - wages less than the Federal minimum wage - to workers who have disabilities for the work being performed," thus denoting disabled workers' labor production as intrinsically less valuable than non-disabled people https://www.dol.gov/agencies/whd/fact-sheets/39-14c-subminimum-wage#:~:text=Section%2014(c)%20of%20the%20FLSA%20authorizes%20employers%2C%20after,for%20the%20work%20being%20performed.; https://nextcity.org/urbanist-news/many-people-disabilities-paid-pennies-build-back-better-could-change-that

[465] Abrams, Abigail. 2020. "Black, Disabled and at Risk: The Overlooked Problem of Police Violence Against Americans with Disabilities." Time. https://time.com/5857438/police-violence-black-disabled/

[466] 2020. "Incarcerated Women and Girls." The Sentencing Project. https://www.sentencingproject.org/publications/incarcerated-women-and-girls/#:~:text=Race%20and%20Ethnicity%20in%20Prisons,48%20per%20100%2C000).

[467] Maruschak, Laura. Disabilities Reported by Prisoners. 2016. US Department of Justice. https://bjs.ojp.gov/content/pub/pdf/drpspi16st.pdf

[468] Berger, Dan. 2020. "As The Coronavirus Spreads, Prisoners Are Rising Up For Their Health". https://theappeal.org/prisoners-protest-coronavirus-health/.

[469] Stewart, Jean and Russell, Marta. 20001. *Disablement, Prison, and Historical Segregation. Monthly Review. https://monthlyreview.org/2001/07/01/disablement-prison-and-historical-segregation/.*

[470] Sawyer, Wendy and Wagner, Peter. 2020.. "Mass Incarceration: The Whole Pie 2020." Prison Policy Initiative https://www.prisonpolicy.org/reports/pie2020.html; Schenwar, Maya and Law, Victoria. 2021. *Prison by Any Other Name: The Harmful Consequences of Popular Reforms."*

[471] Lindsey K, Paul G. Involuntary commitment in institutions: issues involving the overrepresentation of Blacks and the assessment of relevant functioning. Psychological Bulletin 106:171–183, 1989; Incidences of Involuntary Psychiatric Detentions in 25 U.S. States https://ps.psychiatryonline.org/doi/10.1176/appi.ps.201900477

[472] Schenwar, Maya and Law, Victoria. 2021. *Prison by Any Other Name: The Harmful Consequences of Popular Reforms."* D'Eramo, 2021. "The Biopolitics of Nursing Homes"; "Facts and Statistics about U.S. Nursing Homes," Nursing Home Abuse Center https://www.nursinghomeabusecenter.org/informative/facts-statistics-nursing-homes/.

> ***Disability Justice (DJ) — a framework created by disabled queer activists of color — provides a roadmap which can be jointly applied with BWB to disrupt ableist systems of domination and exploitation.***

These policy arrangements cumulatively cast Black disabled life as expendable. Disability Justice (DJ)[473] — a framework created by disabled queer activists of color — provides a roadmap which can be jointly applied with BWB to disrupt ableist systems of domination and exploitation. While DJ is a framework focused primarily on the liberatory possibilities of community organizing and grassroots movement, its ten central tenets carry transformative potential for policymaking too.

Policy Recommendations Rooted in BWB and DJ

At a baseline, policymaking rooted in BWB and DJ must unconditionally guarantee Black disabled women's access to life-giving resources and community-rooted care. These guarantees must also be paired with policies that divert funding and resources away from criminalization and surveillance; disrupt and reverse the capture of public goods and resources by private interests; and meaningfully involve Black disabled women in policy ideation, design, and implementation. Critically, this will require robust and intersectional data collection across all sectors.[474]

First, policymakers must act swiftly to provide robust, permanent, dedicated funding for Home and Community-Based Services (HCBS) and eliminate Medicaid's institutional bias.[475] They must also ensure full implementation of the HCBS Settings Rule[476] and eliminate barriers to accessing safe, accessible, and affordable housing options. Along with the HCBS Settings Rule, strict enforcement of the ADA's integration mandate is vital to redressing the social isolation, loss of autonomy, and threat of institutionalization Black disabled women disproportionately bear. The

[473] 2020. "What is Disability Justice?" https://www.sinsinvalid.org/news-1/2020/6/16/what-is-disability-justice
[474] Adhikari, Judi and Fyre, Jocely. 2020. Who We Measure Matters: Connecting the Dots Among Comprehensive Data Collection, Civil Rights Enforcement, and Equality. Center for American Progress. https://www.americanprogress.org/article/measure-matters-connecting-dots-among-comprehensive-data-collection-civil-rights-enforcement-equality/
[475] Support Americans with Disabilities in Their Homes and Communities. American Association of People with Disabilities. https://www.aapd.com/wp-content/uploads/2016/03/aapd-hcbs-medicaid-fact-sheet.pdf
[476] The Home and Community Based Services Settings Rule. 2018. ACLU. .https://www.aclu.org/sites/default/files/field_document/aclu_faq_-_hcbs_settings_rule-final-_1-10-18.pdf

ADA's integration mandate can also be used to curtail the ever expanding reach of the criminal legal system.[477]

To transform the economic conditions of Black disabled women, policymakers must raise the federal monthly benefit and index it to inflation. In the long term, public benefits administration must be transformed entirely to eliminate cumbersome barriers and asset limits,[478] while ensuring that anyone who needs care receives it. To protect disabled workers, policymakers must promote and protect workers' rights to unionize; guarantee access to paid family and medical leave; increase the federal minimum wage and abolish subminimum wages; and provide robust investments in accessible public transit options.

Universal health coverage must also be guaranteed. By rationing access to health care by employment status, age, disability diagnosis, and citizenship our health systems cause premature death and saddle disabled people of color with disproportionately high medical debt burdens.[479] A profit-driven health system is incompatible with life. As such, guaranteed universal health coverage must also be paired with medical debt relief which is disproportionately borne by Black households and contributes to the expanding racial wealth gap.[480]

Conclusion

Ruth Wilson Gilmore reflects that "where life is precious, life is precious."[481] By applying BWB and DJ jointly, we dismantle all policies that are incompatible with all life. When Black disabled life is precious, healthcare, nutrition, housing, and access to community are not rationed by one's labor output, age, disability status, or ability to conform to racist norms. When Black disabled women's lives are valued in policy and practice, then we disrupt the systems which normalize and produce premature death. Cultivating in their place social systems rooted in an ethic of community care, interdependence, and collective freedom.[482]

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[477] Dinerstein, Robert. 2019. Using the ADAs Intergration Mandare to Disrupt Mass Incarcertaion. https://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?article=2320&context=facsch_lawrev
[478] Altiraifi, Azza. 2020. "A Deadly Poverty Trap: Asset Limits in the Time of the Coronavirus". Center for American Progress. https://www.americanprogress.org/article/deadly-poverty-trap-asset-limits-time-coronavirus/#:~:text=In%202020%2C%20the%20maximum%20federal,quarters%20the%20federal%20poverty%20line.&text=To%20be%20eligible%2C%20applicants%20cannot,and%20%243%2C000%20for%20married%20couples.
[479] Bennet, Neil et all. 2021. 19% of US Household Could Not Afford to Pay for Medical Care Right Away. United States Census Bureau. https://www.census.gov/library/stories/2021/04/who-had-medical-debt-in-united-states.html
[480] Perry, Andre et al. 2021. "The Racial Implications Of Medical Debt: How Moving Toward Universal Health Care And Other Reforms Can Address Them." Brookings. https://www.brookings.edu/research/the-racial-implications-of-medical-debt-how-moving-toward-universal-health-care-and-other-reforms-can-address-them/
[481] Kushner, Rachel. 2019. Is Prison Necessary? Ruth Wilson Gilmore Might Change Your Mind. New York Times. https://www.nytimes.com/2019/04/17/magazine/prison-abolition-ruth-wilson-gilmore.html
[482]Tyner, James. *Dead Labor: Toward a Political Economy of Premature Death.*

FRAMEWORK: REPRODUCTIVE JUSTICE

Created by a group of Black women, Reproductive Justice (RJ) is a framework grounded in human rights and Black Feminist Theory. RJ is the right to control our sexuality, gender, work, and reproduction. That right can only be achieved when we have access to complete economic, social, and political power to make decisions about our bodies, families, and all areas of our lives.[483] The Black Women Best framework upholds many of the key tenets of RJ. Abortion access is RJ because every person should have the right to make decisions about how, when, and whether to have children. Black women's reproductive health and bodily autonomy have historically been targeted by racist coverage bans and medically unnecessary laws and restrictions. Abortion is health care, but there has been a coordinated effort to limit access and Black women have been disproportionately impacted by these subversive strategies. The RJ framework centers the lived experiences of Black women, femmes, and girls, and by doing so, it offers solutions that liberate us all.

Justice for Black Women Must Include Reproductive Justice

According to the Black Reproductive Justice Policy Agenda, Black women account for more than one-third (38 percent) of all U.S. abortions.[484] There are myriad reasons why someone would seek abortion care and that is a decision that should be made between them and their provider alone – not politicians. Unfortunately, systemic inequality already pushes abortion care further out of reach for Black women and trans people. Indeed, Black women and trans people are more likely to lack economic resources, to be unemployed or underemployed, uninsured, or insured by programs that ban or limit coverage for abortion care. These factors impede many Black women's access to abortion care and depending on where they live, they may face debilitating obstacles that prevent them from accessing care. For example, if a state requires several visits or screenings prior to accessing care, a person may require time off work, childcare, and/or transportation, which come with a significant economic cost. If someone is economically insecure, they may have to choose between paying their rent and accessing the health care they need. These restrictions impede access for everyone, but disproportionately impact already marginalized people, including people of color, those living in rural areas, the uninsured and underinsured, and countless others.

If *Roe v. Wade* were to fall, twenty-four states could immediately prohibit abortion entirely. [485] Many of those states have the highest population of Black people in the United States.[486] If access to abortion care is not protected, Black women and

[483] *Reproductive Justice*. In Our Own Voice. https://blackrj.org/our-issues/reproductive-justice/
[484] *Black Reproductive Justice Policy Agenda June 2021*. https://blackrj.org/wp-content/uploads/2021/06/BlackRJPolicyAgenda.pdf.
[485] 2002. *What if Roe fell?* Center for Reproductive Rights. https://reproductiverights.org/maps/what-if-roe-fell/
[486] Tamir, C., Budiman, A., Noe-Bustamante, L., & Mora, L. 2021. *Facts about the U.S. Black population*. Pew Research Center. https://www.pewresearch.org/social-trends/fact-sheet/facts-about-the-us-black-population/

countless others will be directly impacted. Anti-choice activists continue to systemically dismantle the abortion care system, but Black communities remain supportive of access to abortion care. An In Our Own Voice: National Black Women's Reproductive Justice Agenda poll found that 71 percent of respondents (Black voters) believe abortion should be legal in all or most cases and four in five participants said, "they want abortion care to be affordable, accessible, and respectful of the person's decision."[487] Despite this overwhelming support, Black women in many regions are still denied necessary medical information and abortion services. Abortion care is essential to ensuring Black women can thrive economically, personally, and professionally. It is imperative that lawmakers across the country protect access and ensure that Black women, and anyone else who needs access, can receive safe and affordable abortion care.

Policy Considerations Rooted in BWB

> ***Access to affordable and safe abortion care is necessary for Black women, and for all people, to secure economic prosperity.***

BWB submits that when the economy is working for Black women, femmes, and girls then it is working for everyone. Access to affordable and safe abortion care is necessary for Black women, and for all people, to secure economic prosperity. However, even in states without abortion restrictions, there are still existing economic barriers that restrict access. One solution to this is eliminating the Hyde amendment and all other abortion coverage bans. Black women are more likely to use federal insurance plans, including Medicaid, that don't allow for abortion coverage. These bans are inherently racist and target those that are economically vulnerable[488]. *The Equal Access to Abortion Coverage in Health Insurance Act (the EACH* Act*)*[489] would require federal health care programs to provide coverage for abortion services. Income and insurance coverage should not impact who can access abortion care. These solutions would expand access for all marginalized people who need access to affordable care, but are unable to access it due to their health care plan.

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[487] Perryundem. 2021. The Lives and Voices of Black Families. https://blackrj.org/wp-content/uploads/2021/06/PerryUndem-IOOV-Black-Voices_Report_2.pdf
[488] Perryundem. 2021. The Lives and Voices of Black Families. https://blackrj.org/wp-content/uploads/2021/06/PerryUndem-IOOV-Black-Voices_Report_2.pdf
[489] H.R.2234 - 117th Congress (2021-2022): EACH Act of 2021. (2021, October 19). https://www.congress.gov/bill/117th-congress/house-bill/2234

Secondly, Congress must move to protect the right to abortion access across the country. Access to abortion care should not be dependent on one's zip code. Laws like Texas S.B. 8, which ban abortion at just 6 weeks, are extreme, and have inspired other states to follow suit by introducing copycat bills and other legislation that would effectively end abortion access in states if *Roe v. Wade* were to fall. Medically unnecessary restrictions, such as hospital admission requirements, mandatory waiting periods, and gestational limits are all designed to interfere with a person's decision-making. Bills like the *Women's Health Protection Act* (WHPA)[490] are needed now more than ever to put an end to these restrictions.[491] But abortion care must be reachable and affordable. Any federal policy solution must consider both access and affordability to ensure anybody who needs abortion care has equal access to such health care.

Conclusion

> ***Reproductive Justice can only be achieved when all Black women, Black trans people, and Black girls have complete access to economic, social, and political power to make decisions for themselves, their families, and communities.***

People need access to the full spectrum of reproductive health care to make the best decisions for themselves and their families and that includes abortion care. Reproductive Justice can only be achieved when all Black women, Black trans people, and Black girls have complete access to economic, social, and political power to make decisions for themselves, their families, and communities. Black women live intersectional lives and policy solutions that center Black women uplift everyone. Black Reproductive Justice leaders have been at the forefront of the fight for accessible and affordable abortion care and have always connected abortion access and economic liberation. Now is the time for that to be reflected in forward thinking policies.

FRAMEWORK: ENVIRONMENTAL JUSTICE

The Systemic Underpinnings of Racial, Gender, and Climate Injustice

The Earth and Black women share the common circumstances of being severely harmed by greed and the drive for wealth and power. The U.S. was founded on this

[490] Text - H.R.3755 - 117th Congress (2021-2022): Women's Health Protection Act of 2021. (2021, September 29). https://www.congress.gov/bill/117th-congress/house-bill/3755/text

[491] *Ensuring access to safe abortion care for black women*. http://blackrj.org/wp-content/uploads/2020/04/6217-IOOV_Abortion.pdf

reckless pursuit as settlers who came seeking spices and gold then exacted murder, theft, extraction, and displacement of the people who were indigenous to these lands to achieve their goals. The subjugation of Black women in the U.S. began with the extraction from Sub Saharan Africa, the placement as cargo in the bottom of ships, and the subsequent centuries of dehumanization through enslavement. With human and natural resources being exploited in this extractive economy, metals and minerals, mined from the Earth by enslaved persons, were used to generate energy through coal burning and create products such as steel, aluminum, and copper. Black people, Black women in particular, paid the price for a substantial share of the capital, iron, and manufactured goods that laid the basis for American economic growth.[492] As did the Earth!

How Climate Change Impacts Black Women

The climate crisis lays bare how racism and misogyny jointly marginalize Black women. While some people disproportionately bear the consequences of a changing climate, Black women are currently more at risk. For example, an African American family making $50,000 per year is more likely to live next to a toxic facility than a white American family making $15,000 per year, according to Dr. Robert Bullard.[493] Given how many Black households are headed by Black women,[494] we – and the children and elders we care for – disproportionately bear the harms that come from this, especially in regards to Black maternal health.[495] Facilities that are emitting pollutants that drive climate change are also emitting toxins that are endocrine disruptors, which have been tied to birth challenges, particularly for Black women; residing near higher-pollution areas raises stillbirth risk by 42 percent.[496]

> ***As the climate crisis continues to worsen, so too do the disparities Black women face in other domains of their lives.***

[492] Thomas, Zoe. 2019.The Hidden Link Between Slavery and Wall Street. BBC Business. https://www.bbc.com/news/business-49476247
[493] Bullard, Robert D. 1993. "The Threat of Environmental Racism." Natural Resources & Environment. https://www.jstor.org/stable/40923229.
[494] Goodman, Laura. 2021. "More Women Have Become Homeowners and Heads of Household. Could the Pandemic Undo That Progress?" Urban Institute. https://www.urban.org/urban-wire/more-women-have-become-homeowners-and-heads-household-could-pandemic-undo-progress.
[495] Isaac, Felicia. 2021. "Climate Change Is Hurting Expectant Black Mothers." American Bar Association. https://www.americanbar.org/groups/environment_energy_resources/publications/natural_resources_environment/2020-21/winter/climate-change-hurting-expectant-black-mothers/.
[496] Ibid.

As the climate crisis continues to worsen, so too do the disparities Black women face in other domains of their lives. It's important to note that violence against women spikes in the aftermath of disasters. For example, post-Katrina, academics, and others documented the abuse of women within and out of intimate relationships, noting the double burden Black women carry by being abuse survivors and of color.[497] Because Black women are also at higher risk for fatal intimate partner violence,[498] this is especially concerning and dangerous. Additionally, 80 percent of people displaced by climate change are Black women due to pre-existing housing security differentials.

Due to lack of representation in policymaking, Black women's needs, priorities and knowledge are often ignored or overlooked when it comes to climate policy, undermining both their agency and the unrealized potential for successful climate action.[499]

Policy Solutions Rooted in BWB

Transformational policies must be aimed at shifting away from the "winner takes all" capitalist economy and toward women-led policies — and action is needed. Black Women Best (BWB) aligns directly with the Just Transition Framework, both of which are transformational and call for a shift from an extractive economy to a living economy that is driven by Black women and other populations on the frontlines.

These transformational policies can save us and the planet, including policies to end pollution and over-policing in our communities, as well as militarization at home and abroad; and policies to support immigrant rights, disability rights, gender justice, LGBTQ rights and more. It must include policies to support energy, food, water, and land/housing sovereignty; transit equity; universal access to healthcare, livelihoods, broadband, childcare; quality education, and true democracy.

> ***Anchored by Black women's leadership, societies can be redesigned in a way that celebrates the abundance of what the earth yields, instead of extracting and destroying it.***

[497] Drew, Margaret. 2020. "Feminist Perspectives on Disaster, Pandemics, and Intimate Partner Violence" Faculty Publications. . https://scholarship.law.umassd.edu/fac_pubs/233

[498] Everytown. 2022. "Guns and Violence Against Women." https://everytownresearch.org/report/guns-and-violence-against-women-americas-uniquely-lethal-intimate-partner-violence-problem/

[499] Abass, Jamila. Women grow 70% of Africa's food. But have few rights over the land they tend. World Economic Forum.https://www.weforum.org/agenda/2018/03/women-farmers-food-production-land-rights/.

With principles, practices, and policies that mimic natural systems — the real nature-based solutions[500] of regenerative design and cooperative systems. Anchored by Black women's leadership, societies can be redesigned in a way that celebrates the abundance of what the earth yields, instead of extracting and destroying it.

As relates to who's making decisions about climate change, research has shown that women adopt innovative and preventative measures at a faster rate than men.[501] When women held leadership positions in conservation and natural resource management, it resulted in stricter and more sustainable extraction rules, greater compliance, more transparency and accountability, and better conflict resolution.[502]

Some illustrative examples of Black woman-led climate justice actions are as follows:

- **Leah Penniman** of the Soulfire Farm in Upstate New York, who is growing a Black local food movement centered on care and cooperation.[503]
- **Savi Horne** of the Land Loss Prevention Project is fighting for land stolen from Black families.[504]
- **Stacey Long Simmons** of the LGBT Health Taskforce is working to make sure the LGBTQ community has access to care in the context of COVID-19 and climate change.[505]
- **Monica Lewis-Patrick** of We the People Detroit is fighting against water shut-offs in her city; ensuring that all people have the power to claim the human right to water during the pandemic—and beyond.[506]
- **Denise Fairchild** of Emerald Cities Collaborative is working to heal the climate and build sustainable, equitable local economies through community-owned, renewable power systems.[507]

Black women are building the world we want. We are setting up locally controlled, sustainable food systems. Black women, especially Black Native women, are leading efforts to restore our relationship with the land.[508] Black women are pushing back on water shut-offs while establishing water sovereignty models. We are comforting those in mourning, while pushing for the policies and practices we need to establish a regenerative, caring economy that advances healthcare for all, frees people who are imprisoned, provides income for those whose livelihoods are in jeopardy, provides protection for those who are on the frontlines, and more. People in power must get behind the leadership of directly affected communities and support the leadership of Black women.

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[500] Hawthorne Demig, Alison. 2021. How Does Nature Sustain Communities. Asknature https://asknature.org/collection/how-does-nature-sustain-community/
[501] Leisher, C., Temsah, G., Booker, F. et al. 2016. Does the gender composition of forest and fishery management groups affect resource governance and conservation outcomes? A systematic map. Environ Evid. https://doi.org/10.1186/s13750-016-0057-8
[502] Id
[503] https://www.soulfirefarm.org/meet-the-farmers/
[504] Land Loss Prevention Project. Nd. https://www.landloss.org/
[505] National LGBTQ Task Force. Nd. https://www.thetaskforce.org/.
[506] "Our People." Nd. We the People of Detroit. https://www.wethepeopleofdetroit.com/our-people.
[507] Emerald Cities Collaborative. Nd. https://emeraldcities.org/.
[508] Outdoor Afro. Nd. "About Us." https://outdoorafro.com/about-us/.

As illustrated above, Black women are leading frontline communities to put together platforms of demands at the federal, state, and local levels. We are demanding support for their work and further research on racial impact analysis. Communities are doing our own testing and monitoring of air, water, and soil quality. Communities are calling for stronger regulations on household projects and a more inclusive Toxics Release Inventory. Communities want policies that support localism and regenerative design as well as clean energy and building and vehicle electrification. Communities are calling for the retirement of coal debt of rural electric co-ops that are struggling to survive and serve their member owners. Communities are rising up against systemic racism.

CONCLUSION

> ***The late Black feminist and cultural critic bell hooks compels us to lament the lack of "an ongoing public discussion and public policy about the practice of love in American culture."***

Love for Black women, femmes, and girls guides this report. Because it is Black women, femmes, and girls who experience deep lovelessness within our society. The late Black feminist and cultural critic bell hooks compels us to lament the lack of "an ongoing public discussion and public policy about the practice of love in American culture."[509] For hooks, love impacts how we cultivate political communities of care and reciprocity as well as how we implement policy programs. In this report, we have offered numerous policy proposals supporting Black women to spark a necessary, ongoing public discussion of love.

As the report mentions, Black women and our loved ones — including our Black babies — die disproportionately earlier than others. Black women are continually denied a living wage, a safe home, health care, disability justice, and more. Despite this lack of love, Black women continue to be invaluable as cultural workers and economic drivers. Numerous rights are withheld from us. And yet, Black women dream of and fight for liberation.

[509] Hooks, Bell. 2000. All About Love: New Visions. William Morrow and Company, Inc.

> ***This report provides a roadmap on making Black women's liberation — and therefore all liberation — possible.***

This report provides a roadmap on making Black women's liberation — and therefore all liberation — possible. Grounded in the Black Women Best framework, it offers more than an economic framework. It's a values statement, an organizing praxis, and a call to action, demanding the right for Black women to flourish.

When we speak of love in this report, we do not mean mere sentimentality. Instead, love is a personal *and* political practice. Love is expressed as a set of *actions* that enable nurturance and growth in oneself and others; it is a mixture of actions such as care, affection, recognition, respect, commitment, trust, honesty, and open communication. Talking about love as a *public* practice enables communities to speak about love alongside responsibility and accountability, and to take other steps that enable flourishing and fulfillment for Black women — and thus for everyone. Love as a public practice is only possible through actions that honor Black women's movement toward freedom and self-actualization,[510] and this report offers central considerations within both a pandemic context and "normal times," marked by economic hardship and cultural assault against Black women.

In Section 1 of this report, we defined and contextualized Black Women Best, demonstrating its radical inclusivity and naming the cultural considerations that will enhance its power in building equity across our economy and democracy. In Section 2, we explored a broad set of expansive policy pathways for making the BWB legislative agenda a reality. In Section 3, we offered a policy scorecard in service of us all working toward the BWB Seal of Approval. Finally, in Section 4, we lifted three complementary frameworks that are as necessary as BWB.

[510] Day, Keri. 2015. Religious Resistance to Neoliberalism: Womanist and Black Feminist Perspectives (New York: Palgrave Macmillan.

> ***A nation that wants its people — as well as its economy — to thrive cannot afford to ignore the root causes of Black women's deprivation and subjugation, as these problems affect us all.***

A nation that wants its people — as well as its economy — to thrive cannot afford to ignore the root causes of Black women's deprivation and subjugation, as these problems affect us all. The U.S. cannot continue to promote incremental policy change when it comes to Black women, only working to address the symptoms of harm and hurt. Our nation must confront and work to uproot generations of oppression. This collection of proposals offers an overarching vision of love that must shape our laws, public policies, and cultural sets of practices with respect to Black women in order to address and eradicate these root causes. This report was written with a bold spirit and with the recognition that the so-called inalienable rights that America provides — life, liberty and the pursuit of happiness — can only *truly* be absolute if they are extended to all, especially Black women.

> ***We are ready to venture into uncharted territory in order to secure a brighter future for every Black woman in this country and ultimately a brighter future for us all.***

Ultimately, this report asks leaders and communities to join us in creating a society where Black women will not just survive but thrive. We are ready to venture into uncharted territory in order to secure a brighter future for every Black woman in this country and ultimately a brighter future for us all.

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