

Implicit Bias: A Forum

The insight that we are all, in different ways, subject to “unconscious” or “implicit” bias is a continuing theme in modern anti-discrimination theory, even though it is still largely ignored in civil rights legal jurisprudence. Tracing back at least to Charles Lawrence’s path-breaking 1987 article “The Id, the Ego, and Equal Protection: Reckoning with Unconscious Racism,” the concept has gained momentum in recent years with research results from the “Implicit Association Test” and the increasingly sophisticated use of racial images in political advertising. For proponents of using the research in legal advocacy (political and litigation), it offers a possible strategy to garner support from those who are skeptical that racial bias continues to exist. The theory is also thought by some to allow for a more open and less defensive discussion about race. At the same time, there are those who believe that placing too much emphasis on implicit bias undermines the more important project of addressing structural discrimination and its outcomes; that it lets people off the hook for their conscious racist views; and that it is a potential trap for anti-discrimination law. The forum that follows presents several aspects of this debate from some of the leading proponents and critics of the implicit bias approach. We hope that the discussion will shed some light on this important issue.

Does Unconscious Bias Matter?

by Ralph Richard Banks & Richard Thompson Ford

During the past several years, psychological research on unconscious racial bias has grabbed headlines, as well as the attention of legal scholars. The most well-known test of unconscious bias is the Implicit Association Test (IAT), a sophisticated and methodologically rigorous computer-administered measure that has been taken by millions of people and featured in major media. Its proponents contend that the IAT reveals widespread unconscious bias against Afri-

can Americans, even among individuals who believe themselves to be free of racial bias.

A computer-administered test available over the Internet, the IAT is a compelling interactive experience that has been taken by millions of people, and featured in print and broadcast media. The IAT measures the strength of the association between social categories (e.g., blacks or whites) and positive and negative attributes (e.g., “joy” and “love” versus “agony” and

“evil”). Akin to a computer game for grownups, the IAT requires momentary immersion into the interactive medium. In a series of trials, the participant categorizes images or words that appear on the computer screen by pressing particular computer key-

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board keys as quickly as possible. At the end of the exercise, the computer calculates a score that reflects the nature and magnitude of one's implicit bias. Most participants are found to have an implicit bias against African Americans. The overt racism of the Jim Crow era, the psychological research suggests, has given way to racial bias that is predominantly unconscious.

In fact, the findings of the IAT are ambiguous. The characterization of the IAT as a measure of implicit bias depends on being able to distinguish implicit bias from conscious bias. Yet it is extraordinarily difficult to disentangle the two because, since the disavowal of racism during the civil rights era, research participants have become increasingly unwilling to openly express views that may be condemned as racist. Thus, the IAT could defensibly be viewed as a subtle measure of conscious psychological processes, of attitudes and beliefs that are known to oneself yet intentionally concealed from researchers. This empirical ambiguity has been practically eclipsed by the unconscious bias account. Why?

Scholars may focus on unconscious bias because they think it poses unique challenges for anti-discrimination doctrine. This explanation for the ascendance of the unconscious bias discourse is intuitively appealing and widely embraced. But it is wrong.

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Anti-discrimination law grapples as well, or as poorly, with unconscious bias as with covert bias. Neither statutory nor constitutional anti-discrimination law turns on the distinction between the two. While the research cannot distinguish between conscious and unconscious bias, the law (fortunately) does not require courts to do so.

The better explanation for the prominence of the unconscious bias discourse relates to the comforting narrative it offers about our nation's

Unconscious bias discourse may disserve the cause of racial justice.

progress in overcoming its racist history. Assertions of widespread unconscious bias are more palatable than parallel claims about covert bias. The invocation of unconscious bias levels neither accusation nor blame so much as it identifies a quasi-medical problem buried deep within us all, an ailment that distorts our thinking and behavior. People may be willing to accept that unconscious bias influences their behavior, even if they would vigorously deny harboring conscious bias. Assertions of conscious bias would open a constellation of vexing issues—for example, whether racial disparities reflect discrimination or group differences, whether discrimination may be rational, and if so whether it should be prohibited. The discussion of such matters would be uncomfortable for many and, in any event, would be unlikely to yield any quick consensus. The unconscious bias discourse promotes a (superficial) consensus that the race problem persists precisely by bypassing potential sources of disagreement.

Despite its ostensible political benefits, the unconscious bias discourse may disserve the cause of racial justice. Just as it misdescribes the IAT by eclipsing the ambiguity of its findings, the unconscious bias approach prompts people to acknowledge the persistence of the race problem by misdescribing it. The unconscious bias

approach not only discounts the persistence of knowing discrimination, it elides the substantive inequalities that fuel conscious and unconscious bias alike. While we do not doubt the existence of unconscious bias, we do doubt that contemporary racial bias accounts for all, or even most, of the racial injustice that bedevils our society. The racial injustices that most trouble us are substantive—educational failure, large-scale incarceration, segregated and impoverished communities—and stem from a complex interplay of economic, historical, political and social influences. While historical bias has certainly played a role in producing these inequalities, it is fanciful to attribute their persistence to contemporary bias, unconscious or otherwise. The goal of racial justice efforts should be the alleviation of substantive inequalities, not the eradication of unconscious bias.

The unconscious bias discourse is as likely to subvert as to further the goal of substantive racial justice. A narrow focus on the IAT may fail as its empirical claims receive greater scrutiny, which would make it difficult for scholars who have linked their policy positions to the IAT to maintain the impartiality that is the hallmark of the scholar's commitment to truth. But even emphasizing unconscious bias more generally would be a mistake.

The most fundamental problems with the unconscious bias discourse are that it reinforces a misguided preoccupation with mental state, and perpetuates an obsession with anti-discrimination law, rather than policy reform, as a means of realizing racial justice goals. If the goal is to eliminate substantive inequalities, then the task of racial justice advocates should be to say why those inequalities are objectionable and how to address them. Not every claim for racial justice needs to be addressed to a court applying anti-discrimination doctrine. The best political approach, over the long term, is to straightforwardly define and defend policy goals, and then figure out how to achieve them. □

Implicit Bias Insights as Preconditions to Structural Change

by john powell & Rachel Godsil

We generally assume that we “control” our behavior most of the time—particularly when an issue is important. This assumption, like many assumptions, is wrong. Scientists estimate that we have conscious access to only 2% of our brains’ emotional and cognitive process. Neuroscientists have also determined that we process 11 million bits of information at a time but have the capacity only to be aware at best of 40 bits. In other words, the vast majority of our behavior is dictated by the 98% of our brain that works without our express cognition. This startling fact, social psychologists contend, is crucial to our ability to understand an array of seeming inconsistencies between our conscious attitudes and our behavior. Lawyers, law professors and activists have begun to look to this body of research to address our nation’s otherwise baffling contradictions surrounding race.

Professors Banks and Ford—able scholars who have devoted much of their academic writing to issues of racial justice—argue that the move to embrace this research may disserve this cause. We disagree—and instead are convinced that scholars, as well as racial justice activists and advocates, need the insights into human behavior available from the mind sciences for our work to advance our nation toward social justice goals.

The argument that other scholars’ use of implicit bias research is somehow an impediment to progress is sur-

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prising coming from Banks and Ford—both of whom have written in complex and thoughtful ways about race. In this context, however, their argument seems to presume that but for the improvident attempt to use implicit bias insights, our country would be open to a discussion of the role race plays in limiting life opportunities for many people of color. It also appears to be undergirded by the presumption that following this frank discussion about race, our polity will support policies intended to eliminate these

98% of our brain works without our express cognition.

structural barriers. As Banks and Ford have discussed in other work, the evidence does not support these assumptions.

What the Evidence Shows

First, the Right has successfully co-opted the concept of “color-blindness” to suggest that any attention paid to race is itself racist—and therefore created a strong presumption against any conversations about race. Richard Ford’s 2008 book, *The Race Card: How Bluffing About Race Makes Racial Bias Worse*, describes this phenomenon brilliantly. Second, the reasons progressives seek to address issues of race follow from the extraordinary racial disparities found in virtually every aspect of life. However, the fact of racial disparities does not suffice to prompt a constructive discussion about race. And the insights from the implicit bias research help explain why not. If we have bias toward members of a particular group, even when structures are clearly shown to be the cause of disparity,

we are likely to attribute the cause to personal behavior. Scholars have termed this tendency the “the attribution error.” The combination of the rhetorical success of the “color-blindness” frame and attribution error are crucial to understanding why cold hard facts about significant racial disparities do not result in any moral urgency to address these disparities.

In our view, Americans’ cognitive dissonance regarding race is on the rise. We can boast that we have elected a Black man as our President and confirmed another Black man as Attorney General, while our prisons house a shockingly large number of Black men. Black and Latino men and women serve as executives at Fortune 500 companies and as presidents of our finest universities, yet Black and Latino children are 3 times as likely to live in poverty and 20% less likely to graduate from high school than White children.

The challenge of addressing these opposing racial realities has never been more difficult. Many Whites see the continuing string of racial firsts along with the broad acceptance of inter-marriage and support for anti-discrimination laws as signs that, as a nation, we have finally moved beyond our origins in slavery and the dark years of Jim Crow. If a person in public life uses a racial epithet or other language suggesting a disagreement with the prevailing anti-discrimination norm, that person is immediately condemned by people across the political spectrum. The combination of these factors makes a powerful case to most Whites that issues of class and individual initiative explain how different individuals and families are situated.

Many people of color and racial justice advocates of all races see an additional set of facts that complicate the picture. Despite the progress our

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nation has experienced on issues of race, dramatic racial disparities in imprisonment, wealth, academic achievement, rates of housing foreclosure, and environmental protection, along with housing and educational segregation, continue to create harsh obstacles to the full inclusion of people of color into American life. People of color regularly experience micro-aggressions in workplaces, schools, stores and restaurants. For racial justice advocates, the combination of the data and lived experience are seen as proof that we have far to go before we can truly claim the mantle of racial equality.

How to Move Past This Impasse

The political challenge is how to move past this impasse. To address these polarized points of view, we must create a political space in which it is possible to first have a constructive dialogue about the continuing salience of race, then generate support for the policies necessary to address the role race continues to play, and finally, and as importantly, develop implementation measures that will allow these policies to achieve the sought-after outcomes. Contrary to Banks and Ford, we think the insights from social psychologists about how the human brain functions—and how humans see themselves and their environment—have great promise to make these steps possible.

Social psychologists, with a scientific sophistication Freud would have found unimaginable, have developed the ability to test and measure biases we hold implicitly. These implicit biases are important because they can

determine our behavior—even if we consciously hold a different set of values. Implicit attitudes flow from our brain's natural tendency to categorize stimuli—to create schemas. As our brains develop, we create schemas for objects we encounter (tables, cars, cell phones), which rarely have political salience, but instead are helpful in allowing us to function in a complex world. Not surprisingly, we also create schemas for humans (men, women, old, young). These schemas need not be problematic if the categories within a society are considered worthy of equal respect. However, if

Implicit bias researchers reject the reductionist trap.

categories applied to humans are subject to negative stereotypes or otherwise determine “out-groups,” these schemas can result in bias. A wide array of data, from political opinion surveys to marked disparities, support the idea that race continues to be salient. Yet, as we note above, it is now a deeply held American value to reject racial stereotypes. Those people who seek to subscribe to the egalitarian ideal, but whose brains schematize people on the basis of race, then, are said to hold an implicit bias.

Banks and Ford argue against the use of this research in law reform on two primary grounds. First, that it fails to distinguish with complete confidence between implicit (or unconscious) bias and covert bias. Second, they suggest that accepting the conclusions from this research with respect to race may disserve the goals of racial justice. Implicit bias research, they contend, will result in a diversion of energies away from addressing the substantive inequalities that form the most destructive aspects of our country's racial hierarchy and instead will result in a move to the diversity training room or the therapists' couch rather than the legislative table.

Critiquing Banks and Ford

We will begin with the latter critique. First, implicit bias researchers reject the reductionist trap that concludes that the study of how information operates in individuals necessarily entails ignoring the connection between individual and society. Indeed, the vast majority of those who study implicit social cognition are “social” psychologists. And the research concludes that bias in our society is social rather than individual and that our material conditions can act as primes. Implicit bias is the result of the pervasive stereotypical images (of Blacks as unequal and criminal, of Latinos as “other” and illegal, of women as passive—the list goes on) in our society—not individual views and ideas.

Implicit bias researchers are also not so naïve as to think that implicit bias will be “cured” by diversity training. This is a straw argument. Social psychologists are acutely aware of the challenges of addressing bias. And it is notable that, though relatively nascent, the research suggests that truly to overcome those biases, broad societal change will be required. People will need to experience sustained inter-group contact, the presence of racial exemplars, interactions with people of color in positions of authority, and an end to the cultural barrage of negative images. In addition, changes in the material environment will be important in disturbing the negative associations. For those conditions to be present, we will have to address the over-incarceration of young Black men, racial isolation in education from K to higher education, the paucity of people of color in positions of authority throughout our society—this list is also long. In other words, our unconscious minds are highly cognizant of current inequalities even if our conscious selves try to ignore them so that we can consider our society to be fair and our own positions to be earned. Our unconscious minds are not so easily

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Speculators, Not CRA, Behind Foreclosures in Black Neighborhoods

by John I. Gilderbloom & Gregory D. Squires

Foreclosures continue to decimate communities around the nation, with black neighborhoods being the hardest hit. Some pundits and politicians point to federal policies that encouraged homeownership in low- and moderate-income communities, coupled with reckless behavior on the part of greedy homeowners, as the crux of the problem. One example is the statement by Fox News reporter Neil Cavuto that "loaning to minorities and risky borrowers is a disaster." To the contrary, our recent research demonstrates that it is outside investors living in other, predominantly white neighborhoods, not local homeowners, who account for the adverse impact on our nation's black communities.

Observers ranging from Credit Suisse to the Center for Responsible Lending estimate that about 6 million families have lost their homes to foreclosure and project that 12-15 million families altogether will lose their homes before the crisis is over. According to the U.S. Department of the Treasury, \$17 trillion in household wealth was eliminated between 2007 and 2009 and more losses are sure to come. Such losses reduce property taxes, cut consumer buying power for local businesses, and weaken the ability of municipalities to provide vital services. In the end, all households, businesses and non-profits suffer if they or their neighbors are foreclosed and lose their homes.

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Recent foreclosure activity and the subsequent costs are not race-neutral. According to the Center for Responsible Lending, approximately 8 percent of African-American and Latino families have lost their homes to foreclosure compared to 4.5 percent of white families. United for a Fair Economy has estimated that a third of black households and 40 percent of Latinos are at risk of falling out of the middle class and into poverty as a

Recent foreclosure activity and the subsequent costs are not race-neutral.

result of the foreclosure and related economic crises.

So what accounts for the concentration of subprime lending and foreclosures in minority neighborhoods? The culprit, at least in Louisville, is investors, primarily white investors who do not reside in the affected communities. In our research we found that in 2007 and 2008 there were approximately 2,000 foreclosure sales each year in Louisville. There were 39 per census tract (a rough approximation of a neighborhood) in black communities compared to 20 in white tracts. More telling is the fact that there were 15 foreclosures on properties owned by investors rather than owner-occupants in black communities, compared to two foreclosures in white areas. A close examination of foreclosed properties in black neighborhoods found most owners were white and often living miles away in suburbs.

It is investors seeking a quick profit, not homeowners, who are the real problem in black neighborhoods. We suspect Louisville's story is not unique. Louisville is right in the middle of this pack, ranking 103 out of 203 metropolitan regions in the rate

of foreclosures in recent years.

Several factors account for why a property goes into foreclosure and why foreclosure rates are higher in some neighborhoods than others. Race is certainly not the only factor, and may not even be a consideration when other variables are taken into consideration.

We controlled on a range of variables that contribute to foreclosures—crime rates, housing values, household income, employment levels, vacancies, number of high-cost loans—and found that the rate of foreclosures for owner-occupants was no different in black and white Louisville neighborhoods. That is, race was not a factor in accounting for differences in the rate of owner-occupied foreclosures among Louisville neighborhoods.

But when we examined investor foreclosures, neighborhood racial composition was the primary predictor. Not only was race a significant factor in accounting for different levels of investor foreclosures among Louisville neighborhoods, race was the single most important factor, even more important than the rate of high-priced or subprime lending.

So black communities have been hardest hit, but not because of the federal policies pointed to by Cavuto and other conservative observers like Lou Dobbs, Charles Krauthammer and editorial writers from the *Wall Street Journal* and a range of other newspapers. Their prime target is the federal Community Reinvestment Act that prohibits redlining. Yet as researchers with the Federal Reserve, National Community Reinvestment Coalition, and several other government, non-profit and academic institutions have demonstrated, this is simply nonsense.

The CRA does require federally-regulated depository institutions (banks and thrifts) to affirmatively ascertain and be responsive to the

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fooled.

We agree with Ford and Banks that bias (implicit or explicit) does not account for many of the most troubling racial injustices. As co-author Powell has argued in many other settings, individual racial attitudes are only one form of how race affects human interactions; to achieve reform, we must focus our efforts on structural racialization. Racialization refers to the set of practices, cultural norms and institutional arrangements that both are reflective of and simultaneously help create and maintain racialized outcomes in society.

However, implicit bias insights are crucial to addressing the substantive inequalities that result from structural racialization in two respects. First, they will allow us to enter into the political discourse effectively rather than being heard only by those (fairly few) who already agree with us. Second, these insights, along with other insights from social psychology about the effects of racial anxiety, will be necessary for successful implementation of any political victories. If we achieve substantive victories either through legislation or litigation, any remedial scheme will likely require human implementation. So long as humans are guided by their implicit biases, conditions of inequality will continue to be present.

Some might argue that if Banks and Ford are correct that a significant percent of Americans are in fact consciously hiding their bias rather than holding egalitarian values but still possessing implicit bias, then our view that people will choose to overcome or correct for their bias is naïve. A large body of social science data, however, shows that people go to considerable lengths to correct for any potential racial bias if the potential for

such bias is evident—even if there is no reason to think that their bias will be made public. Jury studies, for example, demonstrate that when race is made explicitly relevant, White jurors will treat Black and a White defendant identically. However, when race is present as a factor but not highlighted, White jurors tend to treat Black defendants more harshly.

Nonetheless, we agree with Banks and Ford that the line between implicit (literally unknown) and conscious but hidden bias may not be stark. It can be argued that people are perhaps choosing to ignore their biases so that their sense of themselves as “good” people with egalitarian values can be

Saying bias is implicit does not rob us of our moral obligation to act.

maintained. Yet people’s desire to maintain their self-concept is powerful—and can induce changes in behavior when they are aware that their actions conflict with their self-concept. So even if we accept that implicit social cognition and the measures of bias such as the Implicit Association Test (IAT) cannot perfectly distinguish between implicit bias and deliberately hidden bias, the value of the tool for measurement is clear. In contrast with self-reporting (which, as Banks and Ford acknowledge, is unlikely to unearth honest results), the IAT provides a window into the bias that would otherwise be effectively hidden. And it serves as a more objective mechanism to measure the degree to which that bias continues to be present.

The final argument Banks and Ford’s article seems to raise is that using the language of implicit bias—if it is possible that hidden bias is in fact at play—is somehow a form of political pandering that lets racists off

the hook. We disagree. The fact that our nation has adopted such a powerful sense that anti-discrimination and equality of race are necessary attributes of our fundamental values is deeply important. To allow people to maintain a self-concept as egalitarian—but to challenge behavior and structural conditions that are inconsistent with those values—is the only route to progress. Saying bias is implicit does not rob us of our moral obligation to act—just as structures that unintentionally create racialized outcomes require a social response. Continuing to argue about “hidden” racism will keep us locked in a polarized debate that is ultimately impossible to win. □

(FORECLOSURES: *Cont. from page 5*)

credit needs of all neighborhoods in their service areas, including low- and moderate-income communities. But the law also explicitly states they must do so consistent with safe and sound lending practices. The Federal Reserve reported that only 6 percent of high-cost subprime loans made to low- and moderate-income borrowers were originated by lenders covered by the CRA. The overwhelming majority were made by mortgage bankers and brokers not covered by the law. And while all households in a community suffer when foreclosures mount, our research indicates it is investors, generally white investors, not owner-occupants, whose properties in black neighborhoods are lost to foreclosure, again to the detriment of all who live and work in those communities.

Foreclosures continue to devastate millions of families and the communities in which they live. But it is not reckless or greedy homeowners who are the problem. Likewise, federal policies that have increased responsible lending in low-income and minority communities are not the culprits either. It is investors who do not live in, understand or appreciate the black communities they are tearing apart, who are at the heart of the problem. □

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Litigating Implicit Bias

by Eva Paterson

If you find yourself applying for a job, you may want to make sure your name is Emily or Greg rather than Lakisha or Jamal. A recent study found candidates with more “white-sounding” names received 50% more callbacks for jobs than those with “African-American sounding” names, even when the resumes were otherwise nearly identical. This is not because employers are necessarily weeding out African-American candidates because of overt racism, but because implicit racial biases still affect everyday decisions and behavior.

Racial justice advocates must engage in multi-pronged strategies that include pushing the courts to seek remedies for rights violations. After years of forward momentum in racial justice litigation, the Supreme Court retrenched anti-discrimination jurisprudence in one fell swoop—*Washington v. Davis*. 426 U.S. 229 (1976). In that case, the Court created a new evidentiary standard for victims of discrimination: Plaintiffs needed to establish a perpetrator’s *intent to discriminate*. The “Intent Doctrine,” as it is now known, places a heavy burden on plaintiffs who are alleging discrimination in violation of the Equal Protection Clause of the Fourteenth Amendment. It requires them to prove that the discriminating actor or agency “selected or reaffirmed a particular course of action at least in part ‘because of,’ not merely ‘in spite of,’ its adverse effects upon an identifiable [racial] group” under the Equal Protection Clause. *Personnel Adm’r of Mass. v. Feeney*, 442 U.S. 256, 279 (1979). But in contemporary society, much racial bias is not overt. Rather, racial stereotypes often infect people’s decision-making processes in a subconscious way. Consequently, the

courts need to “catch up” to modern forms of racism and allow plaintiffs to prove that race discrimination exists beyond the intentional racial animus that plaintiffs currently have to prove under the Intent Doctrine. Requiring proof of discriminatory intent essentially closes the courthouse doors to victims of racial bias. If there has ever been a law worth the struggle to change in modern society, this is it.

The Intent Doctrine needs to be overturned for anti-discrimination law to actually be successful in overcoming racial injustice. After all, the Court has long recognized that the Equal Protection Clause is meant to protect individuals from discrimination. Yet a growing body of research confirms that racism is not an isolated, unconnected, and intentional act, but a process that is influenced and internal-

Washington v. Davis needs to be overturned.

ized as a subconscious process. In fact, the subconscious processes or implicit biases influence the way in which we perceive and make determinations about other people.

Less than a decade after *Washington v. Davis*, Professor Charles Lawrence wrote a seminal article that addressed the limitations and shortcomings of the Intent Doctrine. Lawrence utilized social psychology to demonstrate that “requiring proof of conscious or intentional motivation as a prerequisite to constitutional recognition that a decision is race-dependent ignores much of what we understand about how the human mind works.” Lawrence’s critique of the intent standard centered on the idea that unconscious racism is a modern form of discrimination that the courts fail to understand and subsequently remedy: “By insisting that a blameworthy perpetrator be found before the existence of racial discrimination can

be acknowledged, the Court creates an imaginary world where discrimination does not exist unless it was consciously intended.” “The Id, the Ego, and Equal Protection,” 39 *Stan. L. Rev* 317, 324-25 (1987). As Judge Charles Breyer recognized in *Chin v. Runnels*, unconscious racial stereotyping and group bias are pervasive, and “these unconscious processes can lead to biased perceptions and decision-making even in the absence of conscious animus or prejudice against any particular group.” 343 F. Supp. 2d 891, 906 (N.D. Cal. 2004) (citing law review articles by scholars).

Since the publication of Lawrence’s article, psychological and social science research has made great strides in providing a broader understanding of how we all possess subconscious or implicit biases—beliefs, attitudes and expectations that are based on stereotypes about specific discrete categories (i.e., race, gender, age, etc.) to which an individual belongs. There is “increasing recognition of the natural human tendency to categorize information and engage in generalizations, of which stereotyping is a part, as a means of processing the huge amount of information confronting individuals on a daily basis.” *Chin*, 343 F. Supp. 2d at 906.

In fact, implicit bias and unconscious racism received mainstream attention through Malcolm Gladwell’s bestseller, *Blink*. In *Blink*, Gladwell discussed the way in which people engage in rapid cognition based on “instantaneous impressions” which can result in significant—albeit sometimes unintended—harms. As an example of the pernicious impact that may result from acting on instantaneous impressions, Gladwell discusses the 1999 killing of Guinean immigrant Amadou Diallo and the racial prejudices that led to his death. While the New York City police were attempting to question him, Diallo, scared and

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confused, reached for his wallet. Based largely on racial prejudices, the police assumed the wallet to be a gun and shot Diallo 41 times.

In light of our present inability to find adequate redress for racism and racial injustices through the courts because of the impossible (and unrealistic) standard of the Intent Doctrine, we need a new doctrinal paradigm to advance racial justice through Equal Protection jurisprudence. This approach must include psychological and social science research to prove that discrimination exists even when it may not be tied to an overt act. Since our society has become somewhat hostile to people holding racial biases, social scientists and psychologists have developed increasingly subtle mechanisms that detect implicit racial biases. Through methods like the Implicit Association Test, litigators have made great strides in marshaling psychological and social scientific research on implicit bias to prove instances of discrimination. It is critical that we find ways to present this evidence in court to establish that implicit bias is the catalyst of discriminatory injustices in this day and age.

Using social science in litigation is not a new phenomenon, nor would it be the first time that the Supreme Court would rely on social science evidence to address historical grievances. Charles Hamilton Houston developed a strategic litigation plan in the 1930s that combined impact litigation, innovative use of social science and collaboration with civil rights organizations across the political spectrum to challenge *Plessy v. Ferguson*'s principle of "separate but equal" from the ground up. The Houston Plan (as it has come to be known) led to overturning *Plessy* in the landmark decision *Brown v. Board of Education*. As part of the Houston Plan, litigators in *Brown* from the NAACP Legal Defense Fund introduced social science data from the "doll test," which illustrated the devastating impact of segregation on the emotions and psyches of black children. As part of the test,

children were shown two dolls, one white and the other black, and asked a series of questions to determine which doll was associated with positive attributes and which was associated with negative attributes. The results overwhelmingly showed that the majority of children—both black and white—attributed positive aspects to the white dolls and negative aspects to the black dolls. The Supreme Court relied upon this study along with six others to support its conclusion that "separate but equal" violated the Equal Protection Clause. *Brown v. Bd. of Educ. of Topeka*, 347 U.S. 483, 494-95n.11 (1954)

Social science research and data

We need a new doctrinal paradigm.

coupled with legal arguments have more recently been used in the fight for marriage equality in the courts. This is striking considering the evolution of perspectives and attitudes towards homosexuality in the United States from just 17 years prior in *Bowers v. Hardwick*, 478 U.S. 186 (1986). *Perry v. Schwarzenegger*, 704 F. Supp. 2d 921, 941-44 (N.D. Cal. 2010); *Lawrence v. Texas*, 539 U.S. 558, 568-71 (2003). As an example of changing attitudes, in August 2011 the American Psychological Association unanimously approved a resolution supporting same-sex marriage, citing numerous social science studies. These studies provide the courts with evidence of discriminatory actions, effects and implications.

While we must continue to address conscious bias, that task is made difficult in a society where few are willing to admit to holding such beliefs. An implicit bias discourse, as opposed to a strict intentional racism approach, allows for a more open societal conversation about racism than could otherwise happen. Implicit bias discourse focuses the attention on the creation of structural inequality and internalized biased actions that entrench such inequality. My organization, The Equal Justice Society (EJS), has ac-

complished important groundwork through the introduction of the social science (e.g., implicit bias cognitive theory), of race and racism to judges, racial justice litigators, employment litigators and federal civil rights agencies charged with upholding anti-discrimination laws. Judges are a necessary part of the target group. Training judges on implicit bias can have tremendous results for open-mindedness in the courtroom and helps to cement a deeper understanding of how the reality of race discrimination today conflicts with current legal doctrine.

The judiciary is often concerned about how wide-sweeping their decisions will be and what policy ramifications will result. In particular, trial judges are concerned about making decisions without a strong factual basis, even though they might be sympathetic to plaintiffs. In his dissent in *McCleskey v. Kemp*, Justice Brennan attributed the majority's concern that a ruling for *McCleskey* would lead to increased litigation as a fear of "too much justice." 481 U.S. 279, 339 (1987). Yet this is exactly why litigators need to continue raising implicit bias in the courts and presenting strong social science data to judges. The law should reflect real-life experiences, serve to counter discrimination, and substantively address structural and implicit bias' effects. Our role as litigators is to keep pressing and educating judges both in court and outside of chambers.

Judges do listen and implement techniques to prevent bias from entering their courtrooms. There are also judges who believe that we now live in post-racial America. Recently, Judge Noonan denied relief to transit riders of color, writing: "What is true of the young is already characteristic of the Bay Area where social change has been fostered by liberal political attitudes, and a culture of tolerance. An individual bigot may be found, perhaps even a pocket of racists. The notion of a Bay Area board bent on racist goals is a specter that only desperate litigation could entertain." *Darensburg v. Metropolitan Transp.*

Com'n, 636 F.3d 511, 523-24 (9th Cir. 2011). We strongly disagree with Judge Noonan's assertion that the Bay Area has purged itself of all racial bias.

As racial justice advocates, we understand that racism, bias and discrimination are alive and well. Our focus is to develop remedies for victims of discrimination by providing as many tools as possible to victims and their attorneys, while pushing the courts to be creative in providing solutions. Although in many parts of the country race discrimination has become increasingly subtle over time, the effects of discrimination on victims and society remain as powerful as ever. It is thus crucial to lead a multi-faceted approach to remedying such injustice. Through our work in these areas, there are three lessons we have learned as litigators: (1) implicit bias is a tool that addresses acts of racism that are not overt but still pernicious in impact; (2) the use of implicit bias is part of a long-standing

tradition of using social science research to provide the courts with evidence of discriminatory actions and effects; and (3) implicit bias provides an entry-point for people to discuss race.

Accordingly, EJS has met with experienced public interest litigators and our own legal staff to discuss the many areas in which the Intent Doctrine acts

Training judges on implicit bias can have tremendous results.

as a barrier to achieving racial justice. Litigation in these areas already exists.

EJS's role is to raise legal arguments based on implicit bias and, as appropriate, structural racism. We have established new relationships and fortified existing ones with key legal advocates. Together, we are addressing some fundamental questions to best position ourselves to litigate: how

best to use social science, what the structure of the arguments should be, and where we can obtain the necessary resources, including legal support and funding, to bolster our litigation. We are focusing on racial disparities in the criminal justice system that could also affect death penalty litigation and municipal disparities in delivering governmental services.

If the goal of racial justice is to acknowledge and ameliorate substantive inequalities, we can never get there by solely focusing on conscious bias. We absolutely must fight the battle against racial injustice on every front: tackling conscious discrimination and unconscious discrimination together; educating the public; advocating in the legislatures for policy reform; and litigating implicit bias in the courts to overturn the regressive Intent Doctrine. Each step takes us closer to having a judiciary that may once again serve as a bastion of justice for victims of race discrimination. □

Implicit Bias, Racial Inequality, and Our Multivariate World

by Andrew Grant-Thomas

Richard Banks and Richard Thompson Ford make a number of potentially important arguments. I focus here on two: first, their assertion that the Implicit Association Test may measure conscious-but-concealed bias rather than implicit bias; and, second, their claim that attention to unconscious or implicit bias deflects attention from "substantive inequalities" and the policies needed to remedy them. Like Banks and Ford, I refer here almost exclusively to IAT-based work, but note that evidence for the prevalence and impact of implicit bias extends well beyond results garnered

through use of the IAT and well beyond the domain of racial attitudes.

What Does the IAT Measure?

In addition to the possibility that the IAT taps concealed-but-conscious bias, some research psychologists have argued that the IAT may tap other kinds of mental content as well, including the subject's awareness of biases in the culture, anxiety about being labeled a racist, and sympathy with, or guilt regarding, disadvantaged populations. Some critics also protest the inference, drawn largely from IAT test results reported at the Project Implicit demonstration site, that most Americans harbor "racist" attitudes

against Black people. Both criticisms underline the need for greater clarity about the meaning of *implicit*, and wider appreciation of the contingency of our racial attitudes and related behaviors. I take these points in turn.

On the one hand, Banks and Ford are doubtless right to note that some testers will deliberately misreport their explicit attitudes. On the other, they are wrong to believe that that fact poses a problem for the IAT. The main purpose of the IAT, after all, is to probe attitudes people may be unable or unwilling to report. Myriad studies offer strong support for the notion that implicit attitudes, as gauged by the IAT, and explicit attitudes, as inventoried through self-reports, are related but distinct. Self-reported atti-

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tudes, and those probed by the IAT, have been found to be associated with different kinds of brain activity.

Leaving aside the details of the highly technical, largely methodological grounds on which researchers in the cognitive sciences wage their wars of interpretation, one would have to be awfully cynical to suppose that *most* people who express surprise at their IAT results, including the lead researchers behind Project Implicit, are simply being disingenuous. We have very little reason to believe this. The likelier explanation is that self-reports reflect attitudes of which subjects are aware, IAT results reflect attitudes of which they are not, and sometimes there is a dismaying difference between the two.

In any case, for those of us concerned with the role that implicit racial biases may play in the world, their critical feature is not that they operate outside our awareness, but that they operate automatically—without need for intentionality or reflection. Someone taking the IAT, knowing it is meant to reveal “hidden bias,” may well try to manage the expression of those biases. (Whether they are able to do so is another matter.) The same person looking to hire a new employee, sit next to one person or another on the bus ride home, decide whether to call 911 about a late-night scuffle outside her home is apt to be less vigilant. In these cases, automatic biases may well influence her actions and help trigger the consequences that flow from them.

What about the broader criticism, that IAT results may reflect mental factors other than personal bias? John Jost, Laurie Rudman and their co-authors offer a compelling response in their 2009 review: “If IAT scores were [sic] measured nothing more than familiarity or sympathy (or any of the other artifacts proposed by critics), then there is no way that such scores would predict discriminatory attitudes and behaviors in the manner and to the extent that they do.” Here we get to a question arguably more

fundamental than the one about precisely what the IAT assesses: Does it provide information that reliably helps us anticipate behaviors we care about? Yes, it does.

A Nation of Racists?

Researchers have accumulated significant evidence that implicit bias, as measured on the IAT or in other ways, correlates with discriminatory behavior. Employment recruiters with large implicit biases in favor of native Swedes were much more likely to invite applicants with male Swedish names for interviews than they were to invite equally qualified applicants with male Arab names. White students with high implicit bias scores were more likely to report having directed verbal abuse or physical violence

There is a tendency to legitimate the status quo.

against racial others. Many studies have shown that police officers and civilians alike are more likely to shoot unarmed Blacks than unarmed Whites, and to shoot armed Blacks but not armed Whites in video simulations.

More broadly, Anthony Greenwald and his collaborators found in their meta-analysis of relevant research studies that IAT results did much better than self-reported attitudes in predicting Black-White and other intergroup behaviors—including hiring and salary decisions, sentencing decisions and intention to vote for John McCain in 2008. The reverse was true in the seven other behavioral domains examined. The researchers also found that IAT and self-report measures offered the best behavioral predictions when used in tandem than either did when used alone.

While the power of the IAT to predict interracial behavior has often been impressive by the standards of behavioral science, its predictive capacity nonetheless must be considered modest by real-world standards. As a rule,

cultural information, social setting, recent experience, explicit attitudes and other factors together influence individual behaviors much more than implicit attitudes alone do. And, again, having implicit bias is not the same as embracing that bias, and people can be differently alert about whether, when and how they express their biases. As a result, “low-bias” people will act in discriminatory ways sometimes and “high-bias” people will often refrain from doing so.

Where does this leave us? On the one hand, according to the Project Implicit web site, “75-80% of self-identified Whites and Asians show an implicit preference for racial White relative to Black” and a large and growing body of empirical work indicates that such preferences help predict many race-related behaviors and judgments, doing so better than self-reported data on racial attitudes. On the other hand, implicit biases usually account for modest amounts of the variation in such behaviors and, as Jost, Rudman and their colleagues note, implicit bias researchers warn repeatedly against using the IAT to diagnose individual prejudice.

This is shades-of-gray stuff, and as such very much in tension with the American inclination to reduce matters of race to stark, either-or binaries. Thus, in the United States, a person is either Black or not-Black. The degree to which many of us are invested in the distinction, in particular, is evident in the back-and-forth about Barack Obama’s racial identity. Either George W. Bush’s leaden response to Hurricane Katrina betrayed his racism or his diverse cabinet showed that he was not-racist. Either Obama’s election confirmed what the Wall Street Journal called the “myth of racism” or it is completely anomalous. When it comes to race, we are often blind to shades of gray.

Racial Bias and Inequality

Suppose we suspected that many people in the United States, especially members of its White-identified ma-

majority, harbored readily activated biases, implicit or explicit, against people of color and especially against Black Americans. (In 2009, public opinion scholars Lawrence Bobo and Camille Charles concluded that “between half and three-quarters of whites in the United States still express some degree of negative stereotyping of blacks and Latinos.”) Suppose we knew that these biases sometimes manifest in discriminatory behaviors. Suppose we recognized the substantial role that human discretion plays in the distribution of societal benefits, burdens and resources in such opportunity arenas as housing, education, employment and criminal justice. And what if we also recognized that the power to distribute benefits and burdens was vested overwhelmingly in the hands of White Americans?

Under this set of assumptions, that three in four African Americans are confined to 16% of the nation’s census block groups would not surprise us. The gross overrepresentation of Latinos and African Americans in our country’s prisons would not shock us. It might not even shock us to learn that the only two states that allow prisoners to vote, Maine and Vermont, are also the two “whitest” states in the country. An argument like that proposed by Alberto Alesina and Edward Glaeser, that the United States’ greater racial and ethnic diversity accounts for half the difference between this country’s public welfare spending and Europe’s more generous support for its poor, would seem quite plausible on its face.

The point, of course, is that interpersonal bias has very practical implications for our work on race. Let’s consider the case of racial segregation in some detail. With reference to the pronounced residential segregation of African Americans, I suggest that racial preferences might enforce segregation in the United States today in at least four ways.

Historical sediment. Many people have elaborated on the ways that White racial attitudes, especially in the North, fueled a range of “fight” and “flight” responses directed mainly

against African Americans through much of the twentieth century. I propose two ongoing effects. First, history has bequeathed us patterns of segregation in many metro areas of the Northeast and Midwest that would require time to disrupt even if racial attitudes, policies and housing market practices today presented no further obstacles to doing so. Absent strong remedial action, segregation in motion tends to stay in motion. Second, in some areas, historical antagonisms and discriminatory public policies have entrenched entitlements to “racialized space” that residents regard as invariable.

Personal biases are not required to maintain some inequalities.

Policy preferences. We know that public support for policies depends substantially on the explicit racial preferences people bring to their considerations. We know much less about how implicit attitudes affect policy choices, though one recent study concluded that the IAT captures automatic attitudes that shape individual preferences for immigration policy.

Current policy struggles with implications for racial segregation abound. In Milwaukee, then-County Executive Scott Walker (same guy) successfully championed a fight against developing public transportation that would have connected mostly-Black city residents to jobs in mostly-White suburban areas. To similar effect, Westchester County’s (NY) Executive so far has defied federal orders to dismantle exclusionary zoning ordinances that have limited the availability of affordable housing throughout much of the county. It is quite likely that racial attitudes drive much of the dynamic in these cases and many comparable ones across the country.

Private actions. Any hope we have to generate much greater neighborhood integration will depend largely on modifying people’s automatic associations about race. A video experi-

ment by Maria Krysan and three collaborators found that Whites in Chicago and Detroit regard all-Black and racially-mixed neighborhoods as much less attractive than literally identical neighborhoods with White residents alone. We see the corresponding dynamics in places like Cincinnati, St. Louis and Philadelphia, where African-American and, in some cases, Latino movement to older suburbs have been echoed by the movement of Whites to the exurbs.

One of the most notable findings of the literature on residential segregation has been the status of African Americans as both the least-favored neighbors and the group most disposed toward integration. Bobo and Charles report that “[a]ctive racial prejudice—negative racial stereotypes, feelings of social distance, and perceptions of racial group competition—is the primary factor driving preferences for neighborhood racial integration, and prejudice is therefore implicated in the persistence of racially segregated communities.” A more recent trend finds more middle-class African Americans wanting to settle in predominantly “Black” neighborhoods, possibly presenting yet another attitudinal barrier to greater integration.

System justification. System justification theory highlights the tendency, shared by advantaged and subordinate groups alike, to legitimate the status quo. The professed beliefs of many Whites that residential segregation is fed mainly by the wish of African Americans and Latinos to “be with their own,” by their reluctance to do the hard work required to succeed, or simply by (legitimate) socioeconomic differences rather than (illegitimate) racial aversions can all be construed as supportive of the theory.

So too, arguably, do results from a 2007 Pew Research Center survey showing majorities of African Americans agreeing that Blacks were mainly “responsible for their own condition” (53%) and that the “values held by middle class blacks and poor blacks have become more different” (61%). Almost 4 in 10 respondents believe

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(GRANT-THOMAS: *Cont. from page 11*)

that “because of diversity within their community, blacks can no longer be thought of as a single race.” How same-group racial attitudes, inflected by notions of deservingness, condition the wish of Black Americans to live among same-race peers across class lines, and our willingness to remain invested in the broader struggle to upturn the racial status quo—these are issues that would reward additional study.

Our Multivariate World

Of course, the persistence of segregation and most other features of racial inequity cannot be due entirely to the persistence of implicit or explicit biases. For one thing, unless we believe that racial biases have actually *worsened* over time, even pervasive bias cannot account for the rapidly increasing resort to incarceration over the last three decades, the resegregation of public schools in the South, the recent widening of the racial wealth divide, or the bifurcation of fortunes within the African-American population, among other trends.

For another, we know that personal biases are not required to maintain some inequalities, though pervasive biases surely exacerbate them. An appallingly high number of Black and Latino children attend high-poverty schools with too few qualified teachers, crumbling buildings and classes that prepare them poorly for college. In 2000, one in four Black children and one in eight Latino children (but only one in 100 White children) lived in a severely distressed neighborhood. These kinds of institutional and structural inequalities have terrible, self-reinforcing consequences for the people of color who suffer them, regardless of the play of biases within them.

We are complex creatures living in a multivariate social world largely of our creation. Making substantial progress in remedying racial injustice

and inequality will require a multi-pronged, insistently integrated approach that engages issues of bias, culture, ideology, institutional and structural inequities, and power. The lag with respect to progressive policy reform that Banks and Ford lament is about the ascension of color-blindness as a norm in public life; about who controls the policy levers, and who does not; about the cultural models to which those decision-makers and most of their constituents subscribe with respect to racial inequality; and so on. An unhealthy preoccupation that racially progressive people have with anti-discrimination law has very little to do with it.

Implicit Bias and Racial Justice – Next Steps

In terms of research, and even more in terms of vision and strategy, we have much to learn and much to do. With respect to the implicit bias

agenda in particular, we have a range of pressing needs.

We need a deeper understanding of the factors that shape the initial development of implicit bias in young people and on a community-wide scale; better processes and tools for demystifying the idea of implicit bias with lay audiences; wider acceptance of the need to engage implicit bias among racial progressives and moderates; better tools for measuring implicit bias and its behavioral effects across contexts; much greater headway in fashioning policy and practical remedies to bias; and more insights into the ways implicit bias shapes our social structures and vice versa. By what mechanisms do our biases shape the institutional structures we create and allow to persist? How do we reconcile that premise with the systems perspective that draws attention to unintended consequences? How do the structures we create impact the way we think about people?

Time to get back to work. □

Beyond Bias

by Olatunde Johnson

Professors Banks and Ford are correct to highlight the dangers of the current preoccupation with implicit bias among academics and civil rights advocates. The central problem is not an empirical ambiguity in the Implicit Association Test (IAT). And, notwithstanding the Court’s recent decision in *Walmart v. Dukes* questioning expert testimony that relied in part on the science of implicit bias, I am more hopeful than Professors Banks and Ford about the utility of implicit bias research for law and policy. Yet I agree with their essential observation that implicit bias is too thin an account of the forces that maintain contemporary racial inequality.

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Of course, I understand the appeal of the implicit bias research. The findings of the IAT and other research on unconscious bias appear to provide an empirical account for continuing racial inequality, potentially countering narratives that focus on individual attributes. Also, the unconscious bias account centers not on historic discrimination, but on contemporary discrimination in which we are all complicit. But in presenting implicit bias as universal, something that we all harbor and experience, this account obscures the extent and multiplicity of barriers facing the most disadvantaged groups in our society. Moreover, an emphasis on individual-level behavior—whether covert or explicit—fails to show how individual processes are reinforced or produced by private and public institutions. In short, it omits what we have typically

called the “structural” aspects of inequality.

In my view, our challenge as scholars and advocates concerned about inequality should be to provide rich empirical accounts of the contemporary forces that sustain inequality. Just terming these inequalities “structural” will not go far enough. The term conjures up racial discrimination that is too pervasive and amorphous to be quantified or remedied. Instead, to capture the appeal of empirical accounts of bias, we need to similarly document how the structural aspects of racial inequality are maintained today—for instance, by showing how racialized geographic spaces operate to limit economic and social advancement or how race-specific networks and poor social capital contribute to racial disparities in employment. In addition, rather than simply concentrating on the individual, we need to show the symbiotic relationship that exists between individual-level bias and the macro-level forces that sustain inequality.

Rich accounts are manifest in research showing how race-neutral policies interact with individual level bias to produce racial disparities in juvenile justice confinement; in Deidre Royster’s account of how segregated job networks exclude African Americans from blue collar jobs; and Devah Pager’s work showing how employer attitudes, discrimination and the racialized consequences of mass in-

I see promise in litigation and policy advocacy.

carceration affect labor market outcomes for African Americans. Lawyers and advocates should build on this research to promote better understanding of contemporary racial inequality, and to alter the policies and institutional practices that produce it.

At the end of their piece, Professors Banks and Ford argue that the contemporary problems of racial inequality are better addressed by

“policy,” not law. Their suggestion is that law is best suited to eradicating bias, and has little purchase in addressing more systemic barriers. Here I would disagree. Law, after all, is about litigation and regulation, advocacy and problem-solving, about legislatures and policymaking bodies. I see promise in litigation and policy advocacy that promotes spatial integration and regional equity in housing, challenges disparities in the criminal and juvenile justice system, furthers transportation equity, and battles occupational segregation and pay inequities in low-wage jobs. These efforts combat not just discrimination, but what Glenn Loury calls “development bias”—the policies and practices that lead to “unequal chances to realize one’s productive potential.” These interventions understand that civil rights lawyering is more than anti-discrimination practice, it is challenging the multitude, complex and enduring forces that sustain racial inequality. □

Banks and Ford Response

We are grateful that so many scholars and civil rights activists took the time to consider our arguments and to reply to them. We cannot address to all of the important issues that the commentators raise, so we have decided to respond to what we see as their major themes. One set of issues is substantive: What does the research show? How do we conceptualize racial inequality? The other set of issues is pragmatic and political: What are the most promising avenues of reform?

Substantive Concerns

Many commentators remarked that the implicit bias research is more nuanced than we acknowledged. We are very familiar with the empirical research and we agree that the primary

research is remarkably nuanced and careful. But any fair reading of that research would have to acknowledge the difficulty that we discuss in our original article: that of disentangling covert bias from unconscious bias. Andrew Grant-Thomas notes that the purpose of the IAT is to “probe attitudes that people may be unable or unwilling to report.” That characterization both highlights and elides precisely our point: the distinction between covert and unconscious attitudes. We view the IAT more as a useful and subtle measure of covert racial attitudes than as a measure of wholly unconscious attitudes.

The thrust of our critique, though, is not simply to quibble with the research. We think that the research exemplifies a widely shared view: that the problem of racial inequality is in large part a problem of individuals’

biased attitudes. We do not embrace that characterization. We think that in contemporary society the problem of racial inequality is not primarily one of people having “biased” thoughts or acting on such biased thoughts. Pervasive racial inequalities persist, to be sure, and race remains salient largely because of those inequalities. But we think that the “problem” is those inequalities, not some supposedly biased mental state that has led to them.

This is not to say that racial bias doesn’t exist or that people are color-blind. They most certainly are not. It is to say that many racial attitudes and stereotypes are in part a reflection of the social world that we all inhabit, a world in which racial disparities are pervasive, and in which prevailing contemporary racial attitudes are as

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(RESPONSE: Cont. from page 13)

much a symptom of inequality as its cause. Our view is perfectly consistent with the IAT research, if it is understood as a psychological reflection of substantive inequalities, but it is inconsistent with the use to which that research is often put, which is to unearth the hidden causes of biased decisions.

We are convinced that the now-dominant civil rights focus on mental state is misguided and that implicit bias analysis is just another way to focus on mental state. We think mental state has always been too elusive to serve as the basis for liability and remediation in specific disputes and it has very little to do with today's social injustices, and so we question the wisdom of a new focus on mental state.

Political and Pragmatic Concerns

Typically, of course, the IAT is not portrayed as a measure of how substantive inequalities shape people's views. Nor do advocates highlight the difficulty of disentangling covert and unconscious attitudes. Rather, the research is often characterized in the media and by racial justice advocates in ways that eclipse the subtlety and limitations of the empirical findings. Commentators have suggested, for example, that the research links implicit bias to a wide range of discrimi-

natory behaviors even when, in fact, the evidence was quite sparse.

Racial justice advocates are all too eager to the link implicit bias to all manner of race-related disparities. For example, the commentaries on our article suggest that the findings of Devah Pager's excellent work on race and incarceration in the job-seeking process and of Marianne Bertrand and Sendhil Mullainathan's well-known resume studies as evidence of implicit bias. In fact, neither study measured implicit bias—both were consistent with a range of explanations, including consciously concealed racial biases and more complex reactions to social familiarity and acculturation.

While some advocates genuinely have come to believe that implicit bias does account for some substantial portion of contemporary racial disparities, we suspect that others deploy implicit bias, either knowingly or not(!), in response to the political pressures with which all racial justice advocates must contend. We suspect that deep down, even many proponents of the implicit bias research sense that the findings are being stretched and deployed in ways that are not supported by the actual research. Yet they feel they have little choice.

As many of the commentators remarked, racial justice advocates face a political quandary: Many people don't want to talk about race; they would prefer to believe, especially after having elected a black President, that our nation's racial problems are behind us. And under no circumstances will people talk about race if there is a risk they will be labeled a racist. To this political impasse, implicit bias seems to come to the rescue. It seems to offer a way of encouraging people to talk about race, without fear of being labeled a racist. (After all, even many blacks, the research tells us, are implicitly biased against African Americans.)

We agree that it may be beneficial to have people talk more honestly about race, but we are less sanguine about whether the implicit bias framework will produce that conversation. But we worry that the prominence of

the implicit bias framework depends in part on the exaggerated claims that so often are thrown around in the media and by some advocates. We suspect that if advocates consistently limited themselves to what rigorous social science research has actually demonstrated, much of the rhetorical punch of implicit bias would be lost and it would be one of the thousands of sound and useful social science theories that few outside the field are interested in. But the strong claims are speculative at best and reckless at worst. For example, some in the popular press have proposed that we could use the IAT to disqualify racist jurors. No respectable social psychologist would embrace this proposal, but it's just this kind of thinking that has made the IAT so popular.

Another problem arises if the implicit bias framework is successful in capturing the attention of policymakers. As the stakes become greater, the research and the claims made on its behalf will be subject to greater scrutiny. And as people begin to look more closely, many will conclude that implicit bias is not in fact the primary cause of racial differences in incarceration, employment or education, to name a few. Having relied so heavily on implicit bias, advocates will then be at a loss when people can reasonably disagree about whether implicit bias is the source of some particular social problem. Implicit bias will become yet another in a long line of tactical arguments used in the now depressingly repetitive debates about race and racism.

We suspect—and many of the comments confirm this suspicion—that many scholars and advocates know that implicit bias is not the real problem, but embrace it as a politically effective means of getting people to focus on the substantive racial disparities with which we are all concerned. If it weren't for the pressure to frame racial problems in terms of bias—as a result of the court-centric disparate treatment framework that animates the legal and political approach to racial inequality—we suspect that many researchers would be freer to acknowl-

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edge the ambiguity of the findings, and not to attempt so relentlessly to force a set of various and complex social problems into the narrow box labeled “unconscious bias.”

Implicit bias is unlikely to cause people to focus on the substantive disparities; in fact, it is more likely, in the long run, to reinforce the view that a situation is not racially unjust unless a “biased” decision-maker can be identified and blamed. If no biased decision-maker is available, or the decision-maker is found not to be biased, then, according to this logic, there is no injustice. Although many of the commentators hope that a focus on implicit bias will expand our focus beyond isolated acts of discrimination, we think that the implicit bias approach is more likely to reinforce the misguided idea that malignant mental state is the crux of racial injustice.

This strikes us as another case in which liberals and progressives have been politically out-manuevered by conservatives. Once progressives focused directly on substantive inequalities and the importance of policy reform, while conservatives preferred the piecemeal and inevitably incomplete approach of courts focused on individual acts of discrimination. Ironically, today many progressive advocates have embraced a framework that tends to eclipse the structural and substantive inequalities that generate contemporary racial problems. We believe that individual psychology is simply the wrong focus for civil rights law. The Left knew this in the 1970s, when it was less true than it is today. But after decades of conservative insistence that individual animus is the sine qua non of a civil rights violation, the Left, having basically accepted this bad premise, is frantically trying to gin up new forms of “bias” to attack.

The political payoff of the implicit bias approach is uncertain and the substantive focus misplaced, so why not turn our sights directly on the real problems? Why not zero in unapologetically on the complicated his-

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Resources

Annotated bibliography on implicit bias research and commentary: www.prrac.org/pdf/PRRAC_implicit_bias_annotated_bibliography.pdf

A comprehensive primer on implicit bias from UCLA Professor Jerry Kang: <http://jerrykang.net/2011/03/13/getting-up-to-speed-on-implicit-bias/>

Bennet, Judge Mark W., “Unraveling the Gordian Knot of Implicit Bias in Jury Selection,” 4 *Harv. L. & Pol’y Rev.* 149 (2010).

Bertrand, Marianne & Sendhil Mullainathan, “Are Emily and Greg More Employable than Lakisha and Jamal? A Field Experiment on Labor Market Discrimination,” *The American Economic Review*, 94(4), 991-1013 (2004).

Bobo, Lawrence and Camille Charles. 2009. “Race in the American Mind: From the Moynihan Report to the Obama Candidacy.” *The ANNALS of the American Academy of Political and Social Science* 621: 243-259. Available at <http://www.wjh.harvard.edu/soc/faculty/bobo/pdf%20documents/RaceMind.pdf>

Brown, Michael K. et al., *Whitewashing Race: The Myth of a Color-Blind Society* (Univ. of California Press, 2003)

Dovidio, John F. et al., “Implicit and Explicit Prejudice and Interracial Interaction,” 82 *J. Personality & Soc. Psychol.* 62 (2002).

Gladwell, Malcolm, *Blink: The Power of Thinking Without Thinking* 14 (Little, Brown 2005).

Greenwald, Anthony, Andrew Poehlman, Eric Uhlmann, Mahzarin Banaji. 2009. “Understanding and Using the Implicit Association Test: III. Meta-analysis of Predictive Validity.” *Journal of Personality and Social Psychology* 97: 17-41.

“The Id, The Ego, and Equal Protection: Reckoning with Unconscious Racism,” 39 *Stan. L. Rev.* 317, 323 (1987).

Jost, John, Laurie Rudman, Irene Blair, Dana Carney, Nilanjana Dasgupta, Jack Glaser & Curtis Hardin. 2009. “The Existence of Implicit Bias is Beyond Reasonable Doubt: A Refutation of Ideological and Methodological Objections and Executive Summary of Ten Studies that No Manager Should Ignore.” *Research in Organizational Behavior* 29: 39-69.

Krysan, Maria, Mick Couper, Reynolds Farley & Tyrone Forman. 2009. “Does Race Matter in Neighborhood Preferences? Results from a Video Experiment,” *American Journal of Sociology*, Vol. 115 (2): 527-559.

Loury, Glenn C., *The Anatomy of Racial Inequality* (Harvard Univ. Press, 2003)

Mauer, Marc, “Racial Impact Statements: Changing Policies to Address Disparities,” available at http://www.sentencingproject.org/doc/rd_abaarticle.pdf

Nosek, Brian, Anthony Greenwald & Mahzarin Banaji. 2005. “Understanding and Using the Implicit Association Test: II. Method Variables and Construct Validity.” *Personality and Social Psychology Bulletin* 31: 166-180.

Pager, Devah, *Race, Crime and Finding Work in an Era of Mass Incarceration* (Univ. of Chicago Press, 2007).

Pérez, Efrén. 2010. “Explicit Evidence on the Import of Implicit Attitudes: The IAT and Immigration Policy Judgments.” *Political Behavior* 32(4): 517-545.

Pew Research Center. 2007. “Blacks See Growing Values Gap Between Poor and Middle Class.” Available at <http://pewsocialtrends.org/files/2010/10/Race-2007.pdf>

Remapping Debate. Available at <http://www.remappingdebate.org/map-data-tool/mapping-and-analysis-new-data-documents-still-segregated-america>

Resolution on Marriage Equality for Same-Sex Couples, American Psychological Association (Aug. 11 & 15, 2011), <http://www.apa.org/about/governance/council/policy/same-sex.aspx>

Royster, Deidre A., *Race and the Invisible Hand: How White Networks Exclude Black Men From Blue-Collar Jobs* (Univ. of California Press, 2003).

Shuford, Reggie, “Reclaiming the 14th Amendment,” *Daily Journal* (Feb. 3, 2010)

“The Ten Most Segregated Urban Areas in America.” Available at http://www.salon.com/news/politics/war_room/2011/03/29/most_segreated_cities

Four New Studies on Race and Poverty Trends

In the past few weeks, a number of important new studies on racialized poverty and inequality have been released, using a five-year data “snapshot” from the American Community Survey. Taken together, these studies illustrate the persistent disproportionate racial impact of poverty in America, rising numbers of African-American and Latino families living in high-poverty neighborhoods, and alarming increases in overall poverty and wealth inequality. These studies also help to provide context for disturbing new poverty data, released in mid-September, that show increasing rates of poverty for African Americans and Latinos (27% and 26%, respectively), and an overall poverty rate (15.1%) at its highest level since 1993. We provide some highlights from four of these reports in the brief summaries below:

Rolf Pendall, Elizabeth Davies, Lesley Freiman & Rob Pitingolo, *A Lost Decade: Neighborhood Poverty and the Urban Crisis of the 2000s* (The Urban Institute, for the Joint Center for Political and Economic Studies, September 2011), available at www.jointcenter.org/institutes/health-policy/:

- The number of people in high-poverty neighborhoods increased by nearly 5 million since 2000, when 18.4 million metropolitan residents (7.9% of the total) lived in high-poverty neighborhoods. This rise since 2000 is a significant setback compared with progress in the 1990s.
- African Americans, Hispanics and American Indians continue to be substantially more likely to live in high-poverty neighborhoods than white non-Hispanics, and people who live below the poverty line—especially minorities in poverty—are at special risk of living in high-poverty neighborhoods.
- The report also includes interesting insights on the variations in concentrated poverty trends across different metro areas, the increasing racial/ethnic heterogeneity of many high-poverty neighborhoods, and an analysis of the racial and economic trajectories since 1970 of the original “ghetto” neighborhoods identified in the 1968 Kerner Commission report.

Pew Research Center, *Twenty-to-One: Wealth Gaps Rise to Record Highs Between Whites, Blacks and Hispanics* (July 2011), available at <http://pewsocialtrends.org/>:

- In the wake of the foreclosure crisis, the median wealth of white households is now 20 times that of black households and 18 times that of Hispanic households.
- This wealth gap between whites and minorities is at a historic high, largely because of the slide in housing prices. From 2005 to 2009, inflation-adjusted median wealth fell by 66% among Hispanic households and 53% among black households, compared with just 16% among white households.
- Hispanics were hit hardest by the meltdown in the housing market. From 2005 to 2009, the median level of home equity held by Hispanic homeowners declined by half—from \$99,983 to \$49,145—while the homeownership rate among Hispanics was also falling, from 51% to 47%.

John R. Logan, *Separate and Unequal: The Neighborhood Gap for Blacks, Hispanics and Asians in Metropolitan America* (Brown University, July 2011) available at www.s4.brown.edu/us2010/

- This study finds that African Americans and Latino families live in substantially poorer neighborhoods than white families, notwithstanding family income levels.
- Overall, Black and Hispanic households live in neighborhoods with more than one-and-a-half times the poverty rate of neighborhoods where the average non-Hispanic white lives.
- The average black or Hispanic household earning more than \$75,000 still lives in a less affluent, resource-rich neighborhood than a white household that earns less than \$40,000.
- Even Asians, who have higher incomes than blacks and Hispanics and are less residentially segregated, live in somewhat poorer neighborhoods than whites.
- Racial segregation itself is the prime predictor of which metropolitan regions are the ones where minorities live in the poorest and least desirable neighborhoods.

Nancy McArdle, Theresa Osypuk, Erin Hardy & Dolores Acevedo-García, *Child Segregation Issue Brief* (Diversity Data Project, July 2011) available at <http://diversitydata.sph.harvard.edu>

- This study’s authors found that segregation levels remain high for black and moderate for Latino children living in the 100 largest metropolitan areas, although residential segregation declined moderately between 2000 and 2010.
- Black segregation fell substantially in large, highly segregated Midwestern metros, such as Detroit, Chicago, Minneapolis and Kansas City, and in smaller metros in Florida and the West.
- While blacks faced higher segregation rates, black segregation fell in the great majority (83) of the 100 largest metro areas; whereas, Latino segregation fell in only 52 metro areas.
- Increasing segregation of Latino children in many of the small to medium-sized metros in the South and Midwest, which are experiencing some of the fastest Latino growth, bears careful attention.

(RESPONSE: Cont. from page 15)

torical and contemporary forces that sustain and promote harmful racial inequalities? This would not guarantee results, as many of the commentators note, nor would it magically surmount all the obstacles to sustained and serious conversation about racial injustice, but it would at least direct our own analytic energies in the right direction. It would direct attention to real problems, rather than politically expedient measures, and it would move us closer to practical solutions and away from futile conceptual puzzles (can a person be biased and not know it?).

Of course the implicit bias framework is not the primary impediment to a more substantive and fruitful analysis of racial inequality (and we

have never suggested otherwise), but it certainly doesn't help matters. The current focus on implicit bias is grossly out of proportion to its utility or capacity to advance our understanding of social injustice and law reform. As such, it threatens to both divert energies better spent on more practical solutions and to reinforce the dangerous belief that mental state is the central issue in civil rights law. The obsession with implicit bias strikes us as an act of desperation by advocates and scholars who have watched civil rights law undermined, dismantled or turned against itself year after year. We sympathize: Desperation is an understandable response in the era of the Roberts Court, and implicit bias seems to offer at least a modest response to a growing hostility to civil rights claims: any port in a storm. Still, we

The U.S. Human Rights Network is holding its 2011 Natl. Human Rights Conf. & Membership Meeting, Dec. 9-11 in Los Angeles. Contact info@ushrnetwork.org

believe the implicit bias "solution" to the unraveling of civil rights law is a false hope, and we hope to discourage those we see as our allies from mistaking shallow and rocky shoals for a safe harbor. □

Resources

Most Resources are available directly from the issuing organization, either on their website (if given) or via other contact information listed.

Materials published by PRRAC are available through our website: www.prrac.org. Prices include the shipping/handling (s/h) charge when this information is provided to PRRAC. "No price listed" items often are free.

When ordering items from PRRAC: SASE = self-addressed stamped envelope (44¢ unless otherwise indicated). Orders may not be placed by telephone or fax. Please indicate from which issue of P&R you are ordering.

Race/Racism

- *At the Dark End of the Street: Black Women, Rape and Resistance: A New History of the Civil Rights Movement from Rosa Parks to the Rise of Black Power*, by Danielle L. McGuire (324 pp., 2010, \$27.95), has been published by Knopf. [12866]

- "America's Tomorrow: Is Our Racial Gap Becoming a Generation Gap?," by Angela Glover Blackwell, a 3-page column by the CEO of PolicyLink (and former PRRAC Bd. member), can be found—along with other elements of their multimedia series, "America's Tomorrow: Equity in a Changing Nation"—at www.PolicyLink.org/AmericaTomorrow [12874]

- "Back on the Bus: Remembering the Free-

- dom Riders," by Calvin Trillin, appeared in the July 25, 2011 *New Yorker*. The well-known writer reflects on his early 60s experience in the Atlanta bureau of *Time* and on the role of reporters. [12876]

- *Red Summer: The Summer of 1919 and the Awakening of Black America*, by Cameron McWhorter, a *Wall St. Journal* reporter, has been published by Henry Holt (352 pp., 2011, \$32.50). [12877]

- "The Equal Rights Center's 2010 Annual Report" can be downloaded at www.equalrightscenter.org/annualreport [12886]

- *The Civil Rights Reader: African American Literature from Jim Crow to Reconstruction*, by Julie Buckner Armstrong & Amy Schmidt (363 pp., 2009),

has been published by Univ. of Georgia Press. [12889]

- *Ethnicity and Race in a Changing World* is preparing its 5th issue, which will go live in Sept., 2011. They are looking for submissions for Issues 6 and 7. Submission guidance for essays and further inf. from racereviewjournal@manchester.ac.uk, www.racearchive.org.uk [12893]

- **Young Men's Initiative:** NYC Mayor Michael Bloomberg has launched a comprehensive effort to tackle disparities between young black and Latino males and their peers. Key areas are Education, Employment, Health and Justice. Further inf. from Melanie Herzog, City Hall, NYC, NY 10007. [12911]

- "Separate and Unequal: The Neighbor-

hood Gap for Blacks, Hispanics and Asians in Metropolitan America," by John R. Logan (23 pp., July 2011), is available on Brown University's website: <http://www.s4.brown.edu/us2010/Data/Report/report0727.pdf> [12912]

● **Islamophobia: The Ideological Campaign Against Muslims,** by Stephen Sheehi (291 pp., 2011, \$16.95), has been published by Clarity Press. Available from Teaching for Change, 800/763-9131 [12913]

● **The African American Odyssey of John Kizell: A South Carolina Slave Returns to Fight the Slave Trade in His Homeland [Sierra Leone],** by Kevin G. Lowther & Joseph Opala (301 pp., May 2011, \$43.95), has been published by Univ. of South Carolina Press. Available from Teaching for Change, 800/763-9131. [12915]

● **American Uprising: The Untold Story of America's Largest Slave Revolt,** by Daniel Rasmussen (276 pp., 2011), has been published by Harper Collins. [12927]

● **"The New Metro Minority Map: Regional Shifts in Hispanics, Asians, and Blacks from Census 2010,"** by William Frey (17 pp., Sept. 2011), is available (no price given) from The Brookings Institution Metropolitan Program, 202/797-6139. [12956]

● **"The Great Mississippi Road Trip,"** sponsored by the Mississippi Center for Justice, will take place **Oct. 13-16, 2011.** Included are Medgar Evers' home, the B.B. King Museum, the town of Mound Bayou, the Fannie Lou Hamer Memorial Site,

and Bryant's Grocery (where Emmett Till's fatal encounter took place). Inf. from the Center, PO Box 1023, Jackson, MS 39215-1023, [12885]

● **"Transforming Race: Visions of Change,"** sponsored by The Kirwin Institute for the Study of Race and Ethnicity (headed by PRRAC Bd. member john powell), will be held **March 15-17, 2012** in Columbus, OH. Session proposals due by Sept. 30. Call for Proposals is downloadable at <http://transforming-race.org/tr2012/TR2012CFP.pdf>. Questions—hammock.5@osu.edu [12873]

Poverty/Welfare

● **"Reducing Racial Wealth Disparities in North Carolina: Research on Promising Practices in Asset Building,"** by Roberto G. Quercia & Jessica Dorrance, appeared in the Summer 2011 issue of *CURS Update*, available (possibly free) from the Center for Urban and Regional Studies, Hickerson House, CB 3410, Univ. No. Carolina, Chapel Hill, NC 27599-3410, 919/843-9708, dhill@email.unc.edu [12849]

● **"Poverty and Opportunity: What Difference Can a Task Force Make?,"** by Jodie Levin-Epstein, Milla Sanex, Emily Feldman, Josh Kotzman, Abby Lane & Lauren Stewart (21 pp., July 2011), is available (possibly free) from The Center for Law & Social Policy (headed by former PRRAC Bd. member Alan Houseman), 1200 18th St. NW, #200, Wash., DC 20036, 202/906-8000, www.clasp.org [12895]

● **"UNCENSORED: American Family Experiences with Poverty and Homelessness"** (Summer 2011) is available (likely free) from The Institute for Children, Poverty & Homelessness, 44 Cooper Sq., NYC, NY 10003, UNCENSORED@ICPHusa.org, www.ICPHusa.org [12908]

● **"At the Forefront: Poverty Impact Projections"** (13 pp., Aug. 2011) is available (possibly free) from the Center for Law & Social Policy (headed by former PRRAC Bd. member Alan Houseman), 1200 18th St. NW, #200, Wash., DC 20036, 202/906-8000, www.clasp.org [12934]

● **"A Lost Decade: Neighborhood Poverty and the Urban Crisis of the 2000s,"** by Rolf Pendall, Elizabeth Davies, Lesley Freiman & Rob Pitingolo (28 pp., Sept., 2011), produced with support from PRRAC, is available (possibly free) from the Joint Center for Political and Economic Studies, 1090 Vermont Ave. NW, #1100, Wash., DC 20005. [12944]

Community Organizing

● **"Raise the 'Roots'"** is an **Oct. 4-5, 2011** conference in Boston, sponsored by the Tax Fairness Organizing Collaborative, a network of state-level grassroots organizations that advocate for progressive and adequate state taxes. The goal is to get organizations and community organizers to more effectively engage diverse communities on tax issues. Workshop proposals were due by July 22, but you can always see if they're open to good late proposals re communities of color. Inf.

from United for a Fair Economy, 29 Winter St., 2nd flr., Boston, MA 02108, info@faireconomy.org [12864]

Criminal Justice

● **"Gaming the System: How the Political Strategies of Private Prison Companies Promote Ineffective Incarceration Policies"** (44 pp., June 2011) is available (no price listed) from The Justice Policy Institute, 1012 14th St. NW, #400, Wash., DC 20005, 202/558-7974, www.justicepolicy.org [12853]

● **"Incarcerating Death: Mortality in U.S. State Correctional Facilities, 1985-1998,"** by Evelyn Patterson, appeared in *Demography* 47, pp. 587-607. Study shows that African-American males in prison have a lower mortality rate than their non-incarcerated counterparts -- likely explainable by a safety hypothesis. [12857]

● **"The Death Penalty in Alabama: Judge Override"** (29 pp., July 2011), showing racial bias in the system, is available (possibly free) from The Equal Justice Initiative, 122 Commerce St., Montgomery, AL 36104, 334/269-1803, www.eji.org [12891]

● **"Race and Incarceration in Delaware"** is a 25-page, June 2011 study for the Delaware General Assembly. Inf. on how to obtain it from The Sentencing Project, 1705 DeSales St. NW, 8th flr., Wash., DC 20036, 202/628-0871, staff@sentencingproject.org [12892]

● **"On the Chopping Block: State Prison**

Closings" (4 pp., Aug. [?] 2011), a Briefing Paper finding that at least 13 states have closed or are considering closing correctional facilities this year, is available (possibly free) from The Sentencing Project, 1705 DeSales St. NW, 8th flr., Wash., DC 20036, 202/628-0871. [12906]

● **"Improving Outcomes for Youth in the Juvenile Justice System: A Review of Alameda County's Collaborative Mental Health Court"** (55 pp. + Apps., Feb. 2011) is available (no price listed) from the National Center for Youth Law, 405 14th St., 15th flr., Oakland, CA 94612, 510/835-8098, pgardner@youthlaw.org; downloadable at www.youthlaw.org [12924]

● **"Tribal Youth in the Federal System"** (204 pp., May 2011) is available (no price given) from The Urban Institute's Justice Policy Ctr., 2100 M St. NW, Wash., DC 20037, 202/833-7200. [12947]

● **"The Disconnect Between Crime and Discrimination in Housing"** was an Aug. 26-27, 2011 conference held at the John Marshall Law School. Inf. on the school's website. [12847]

● **"Criminal Justice 2036: A 25-Year Vision"** is The Sentencing Project's 25th anniversary forum and reception, **Oct. 11, 2011** 1:30-7:30 at The National Press Club in Wash., DC. Inf. from 202/628-0871 [12931]

Economic/Community Development

● **"The 2011 Sustainable Communities Regional**

Planning Grant Guide" (33 pp.) has been produced by PolicyLink – www.policylink.org [12872]

● **"Promote Sustainable and Equitable Development"** is a Aug. 2011 guide/toolkit, available (possibly free) from The Center for Housing Policy, 1900 M St. NW, #200, Wash., DC 20036. [12939]

● ***The Research Triangle: From Tobacco Row to Global Prominence***, by William Rohe (240 pp., 2011), has been published by Univ. of Pennsylvania Press. Using discount code P2F7 will give you 20% off the list price. [12940]

Education

● **"Education and Achievement: A Focus on Latino 'Immigrant' Children,"** by Eugene E. Garcia (15 pp., Oct. 2010), is available (possibly free) from The Urban Institute, 2100 M St. NW, Wash., DC 20007, 202/833-7200. [12846]

● **"Affordability and Transfer: Critical to Increasing Baccalaureate Degree Completions"** (8 pp., June 2011) is available (possibly free) from The National Center for Public Policy and Higher Education, 152 N. 3rd St., #705, San Jose, CA 95112, 408/271-2699, pcallan@highereducation.org, www.highereducation.org [12848]

● **The School-to-Prison Pipeline:** Theresa El-Amin, Regional Organizer for the Southern Anti-Racism Network, formerly of Durham, NC, now is in Columbus, GA, where she is actively organizing on this issue. Contact her (and get a copy of the op-ed she recently published in the local paper, *The Ledger-*

Enquirer) at TheresaElAmin@aol.com. [12867]

● **"The Educational Experience of Young Men of Color: A Review of Research, Pathways and Progress,"** by John Michael Lee, Jr. & Tafaya Ransom (91 pp., 2011[?]), is available (no price given) from The College Board Advocacy and Policy Center, advocacy@collegeboard.org [12879]

● **"Successful School-Community Partnerships: Using Lessons Learned from Practice and Research to Expand Learning,"** a 5-page, June 2011 Forum Brief, is available (possibly free) from The American Youth Policy Forum, 1836 Jefferson Pl. NW, Wash., DC 20036, 202/775-9731, ayopf@ayopf.org [12880]

● **The National Opportunity to Learn Campaign** newsletter is available via info@otlcampaign.org; address: 675 Mass. Ave., Cambridge, MA 02139. [12887]

● **"Disadvantaged Students: School Districts Have Used Title I Funds Primarily to Support Instruction"** is a 58-page, July 2011 GAO Report (GAO-11-595); available via http://www.gao.gov/products/GAO-11-595 [12904]

● **"Opportunity-Rich Schools and Sustainable Communities: Seven Steps to Align High-Quality Education with Innovation in City and Metropolitan Planning and Development,"** by Deborah L. McKoy, Jeffrey M. Vincent & Ariel H. Bierbaum (63 pp., June 2011), is available (no price listed) from the Center for Cities & Schools, 316 Wurster Hall, #1870, Univ.

of California, Berkeley, CA 94720, jvincent@berkeley.edu, http://citiesandschools.berkeley.edu [12905]

● **"All Together Now, One By One: Building Capacity for Urban Education Reform in Promise Neighborhoods,"** by James M. Quane & William Julius Wilson, appeared in the Summer 2011 issue of *Pathways: A Magazine on Poverty, Inequality, and Social Policy*, published by The Stanford Center for the Study of Poverty and Inequality. Subs. are free—inequality@stanford.edu [12910]

● **"Zero Tolerance Discipline Policies: A Failing Idea,"** by Marian Wright Edelman, a short 2011 column, is available (likely free) from Children's Defense Fund, 800/233-1200, cdinfo@childrensdefense.org [12916]

● **Monthly Review's** July/Aug. 2011 issue is a collection of 12 articles (by Grace Lee Boggs, Charles Cobb, Jr. et al.) titled "Education Under Fire: The US Corporate Attack on Students, Teachers, Schools," co-edited by Bill & Rick Ayers. \$12 from MR, 146 W. 29 St., #6W, NYC, NY 10001, 800/670-9499. [12948]

● **"State Education Agencies as Agents of Change"** was a July 27, 2011 event co-sponsored by The Center for American Progress and the American Enterprise Institute. Inf. from 202/682-1611; the Center is at 1333 H St. NW, 10th flr., Wash., DC 20005. [12881]

● **"Learning from Boston's Busing/Desegregation Project"** is a **Sept. 20, 2011** discussion/film/

lecture/q&a session, 5-7 pm, at the Gutman Conf. Ctr., Harvard Grad School of Education, 6 Appian Way, Cambridge, MA 02138. Inf. from 617/384-9968, askwith_forums@gse.harvard.edu [12929]

● **"New American Revolution: College and Career Readiness for All,"** the Public Education Network National Conference, will be held **Nov. 6-8, 2011** in DC. Inf. from them at 601 13th St. NW, #710 South, Wash., DC 20005, <http://www.publiceducation.org/events.asp> [12870]

Employment/ Labor/Jobs Policy

● ***Ours to Master and Own: Workers' Control from the Commune to the Present***, eds. Immanuel Ness & Dario Azzellini (May 2011, \$19), has been published by Haymarket Books, PO Box 180165, Chicago, IL 60618, 773/583-7884, info@haymarketbooks.org [12854]

● ***Reviving the Strike: How Working People Can Regain Power and Transform America***, by Joe Burns (206 pp., 2011), has been published by Ig Publishing, 392 Clinton Ave., Brooklyn, NY 11238, www.IGPub.com [12863]

● **"Diversity and Change: Asian American and Pacific Islander Workers,"** by Hey Jin Rho, John Schmitt, Nicole Woo, Lucia Lin & Kent Wong (66 pp., July 11, 2011), is available (no price listed) from The Center for Economic and Policy Research, 1611 Conn. Ave.

NW, #400, Wash., DC 20009, 202/293-5380, www.cepr.org [12896]

Families/ Women/ Children

● **"Single Mothers Since 2000: Falling Farther Down,"** a 2011 report from Legal Momentum, is available (possibly free) from them, 395 Hudson St., NYC, NY 10014, 212/925-6635. Downloadable at <http://www.legalmomentum.org/our-work/women-and-poverty-resources--publications/single-mothers-since-2000.pdf>, www.legalmomentum.org [12845]

● **"Race and Child Welfare,"** by Elizabeth Bartholet, Fred Wulczyn, Richard P. Barth & Cindy Lederman (4 pp., June 2011), is a Chapin Hall Issue Brief, available (possibly free) from them, 1313 E. 60th St., Chicago, IL 60637, 773/753-5900. [12852]

● **"The State of America's Children 2011"** (190 pp., July 2011) is available (no price listed) from The Children's Defense Fund, 25 E St. NW, Wash., DC 20001, 800/233-1200, cdinfo@childrensdefense.org. Sections are devoted to Population, Poverty, Family Structure, Family Income, Health, Hunger/Nutrition, Early Childhood, Education, Child Welfare, Juvenile Justice, Gun Violence. [12897]

● ***To 'Joy My Freedom: Southern Black Women's Lives and Labors After the Civil War***, by Tera W. Hunter (299 pp., 1997), has been published by Harvard Univ. Press. [12901]

● **Women Freedom Riders:** The National Women's Law Center (co-directed by former PRRAC Bd. member Nancy Duff Campbell) is holding its annual Awards Dinner, **Nov. 9, 2011** in DC, celebrating the 50th anniversary of the Freedom Rides by honoring the women who participated in them. Inf. from 202/588-5180, krobinson@nwlcc.org [12920]

Food/ Nutrition/ Hunger

● **"Healthy Food, Healthy Communities: Promising Strategies to Improve Access to Fresh, Healthy Food and Transform Communities,"** by Rebecca Flournoy (79 pp., 2011), is available (no price listed) from PolicyLink, 1438 Webster St., #303, Oakland, CA 94612, 510/663-2333, www.policylink.org [12894]

● ***The Journal of Agriculture, Food Systems, and Community Development*** is an online, peer-reviewed, international journal. Dec. 1, 2011 deadline for papers on their upcoming issue, "Higher Education and Food Systems" Feb. 15, 2012 deadline for manuscripts for issue on "Sustainable Livelihoods in Food Systems" www.AdDevJournal.com [12900]

Health

● **"The Economic Burden of Health Inequalities in the United States,"** by Thomas A. LaVeist, Darrell J. Gaskin & Patrick Richard (11 pp., Sept. 2009), is available (possibly free) from the Joint Center for Political

and Economic Studies, 1090 Vermont Ave. NW, #1100, Wash., DC 20005, www.jointcenter.org [12942]

● **"Segregated Spaces, Risky Places: The Effects of Racial Segregation on Health Inequalities,"** by Thomas A. LaVeist, Darrell J. Gaskin & Antonio J. Trujillo (36 pp., Sept., 2011), produced with support from PRRAC, is available (possibly free) from the Joint Center for Political and Economic Studies, 1090 Vermont Ave. NW, #1100, Wash., DC 20005, www.jointcenter.org [12943]

● **CommonHealth ACTION** is a national nonprofit public health organization, building organizational and community capacity to address determinants of health and create optimal health for all. 1301 Conn. Ave. NW, #200, Wash., DC 20036, 202/407-7088. Their Metro Atlanta office is reachable at 202/407-7088, x1007. [12946]

● **"Place Matters: Building Stronger Communities for Better Health"** was a terrific, well-attended (by numbers and diversity) Sept. 7, 2011 conference, organized by the Joint Center for Political and Economic Studies (with PRRAC co-sponsorship). Local Place Matters Teams are functioning in the following places: King County (WA), Wayne County (MI), Cuyahoga County (OH), Boston, Baltimore, Prince George's County (MD), Wash., DC, Marlboro County (SC), Jefferson County (AL), Mid-Mississippi Delta Counties, Orleans Parish (LA), So. Delta Counties (MS), Bernalillo County (NM), San Joaquin County (CA), Alameda County (CA).

Website has lots of the conf. materials:
www.jointcenter.org/hpi
[12949]

- **"North American Housing & HIV/AIDS Research Summit VI,"** sponsored by The National AIDS Housing Coalition, will take place **Sept. 21-23, 2011** in New Orleans. Inf. from 202/347-0333, nahc@nationalaidshousing.org [12890]

Homelessness

- **"Education for Homeless Children and Youth Program: Data Collection Summary"** is a 35-page, June 2011 report from the National Center for Homeless Education, downloadable at www.serve.org/nche.ibt/sc_data.php [12862]

- **"Head Start's Positive Impact on Homeless Families"** is a 4-page, Sept. 2011 Policy Brief, available (possibly free) from the Inst. for Children, Poverty & Homelessness, 44 Cooper Sq., NYC, NY 10003, 212/358-8086 info@icphusa.org, www.ICPHusa.org [12930]

- **"Beds Not Buses: Housing v. Transportation for Homeless Students,"** a free webinar put on by the National Law Ctr. on Homelessness and Poverty, will be held **Sept. 27, 2011**, 2-3pm. Inf. from nlchp@nlchp.org [12945]

Housing

- **"Study of the Fair Housing Initiatives Program"** (63 pp. + Apps., May 2011), a consultant study for HUD's Office of Policy Development and Research, is available at www.huduser.org/Publications/pdf/FHIP_2011.pdf [12850]

- **"Capital Needs in the Public Housing Program"** (60 pp. + Apps.) is a Revised Final Report (Nov. 2010) prepared by Abt Associates for HUD. Abt is reachable at 55 Wheeler St., Cambridge, MA 02138. It is downloadable at <http://www.hud.gov> -- click Program Offices, then Public and Indian Housing. [12860]

- **"Profiles of Risk: Characterizing Housing Instability"** is a 4-page, June 2011 Research Brief, available (possibly free) from the Institute for Children, Poverty & Homelessness, 212/358-8086, www.ICPHusa.org [12865]

- **"Affirmatively Furthering Fair Housing in the District of Columbia"** (10 pp. + Apps., June 2011), by the District of Columbia Advisory Commission to the U.S. Commission on Civil Rights (a member of which is PRRAC Soc. Sci. Advisory Bd. member Gregory Squires), is available (likely free) from the U.S. Commission on Civil Rights Eastern Regional Office, 624 9th St. NW, Wash., DC 20425. [12875]

- **"Where Kids Go: The Foreclosure Crisis and Mobility in Washington, DC,"** by Jennifer T. Comey & Michael Grosz (14 pp., 2011[?]), is available (possibly free) from The Urban Institute, 2100 M St. NW, Wash., DC 20037, 202/833-7200. [12884]

- **"The 2010 Annual Report of the Oak Park Regional Housing Center"** is available (possibly free) from the Center, 1041 So. Boulevard, Oak Park, IL 60302, 708/848-7150. [12898]

- ***Tenant Talk***, published by the National Low Income Housing Coalition (whose ED Sheila Crowley is a former PRRAC Bd. member), provides information on relevant federal government actions. Subscribe via outreach@nlihc.org, or 202/662-1530, x316. [12909]

- ***People Wasn't Made to Burn: A True Story of Housing, Race, and Murder in Chicago***, by Joe Allen (328 pp., June 2011, \$22.95), has been published by Haymarket Books. Available from Teaching for Change, 800/763-9131. [12914]

- **"Affordable Housing in the District of Columbia: Where Are We Now?,"** by Benjamin Orr & Alice M. Rivlin (101 pp., July 2011), is available (no price listed) from The Brookings Institution, 1775 Mass. Ave. NW, Wash., DC 20036, 202/797-6139, www.brookings.edu [12917]

- **"HUD's Annual State of Fair Housing Report"** is available at <http://portal.hud.gov/hudportal/documents/huddoc?id=ANNUALREPORTS2010.PDF> [12932]

- **"Navigating Uncertain Waters: Mortgage Lending in the Wake of the Great Recession"** (78 pp., Aug. 2011) is available from the Inst. for Affordable Housing Policy of NYU's Furman Ctr. for Real Estate & Urban Policy, furmancenter@nyu.edu [12935]

- **"State of New York City's Affordable Housing"** (55 pp., Sept. 2011) is available (no price given) from the Inst. for Affordable Housing Policy of NYU's Furman Ctr. for Real Estate and Urban Policy. Contact them at

furmancenter@nyu.edu
[12950]

- ***Directory of New York City Affordable Housing Programs*** (Beta) (Sept. 2011) is available (no price given) from the Inst. for Affordable Housing Policy of NYU's Furman Ctr. for Real Estate and Urban Policy. Contact them at furmancenter@nyu.edu [12951]

- **"Rethinking the Mortgage Interest Deduction"** was a July 28, 2011 event sponsored by The Tax Policy Center of The Urban Institute and Brookings Institution. A recording of the event is archived at <http://www.ustream.tv/channel/urban-institute-events> [12888]

- **"Solutions for Sustainable Communities: 2011 Learning Conf. on State & Local Housing Policy,"** hosted by The National Housing Conference & The Center for Housing Policy, will take place **Sept. 26-28, 2011** in Wash., DC. Inf. from The Center, 1900 M St. NW, #200, Wash., DC 20036. [12937]

Immigration

- ***America Street: A Multicultural Anthology of Stories***, ed. Anne Mazer, is a collection of 14 moving stories on the acculturation experience of a wide range of immigrants to the U.S. 152 pp., 1993, published by Perseus Books, 60 Madison Ave., NYC, NY 10010. [12843]

- **"Immigration and Poverty in America's Suburbs,"** by Roberto Suro, Jill Wilson & Audrey Singer (20 pp., Aug. 2011), is available (possibly free) from The Brookings Institution, 1775 Mass. Ave. NW, Wash., DC

20036, 202/797-6139, www.brookings.edu [12919]

- "Climate Change and Migration Dynamics," by Kathleen Newland (13 pp., Sept. 2011), is available (possibly free) from the Migration Policy Institute, 1400 16th St. NW, #300, Wash., DC 20036, 202/266-1940, www.migrationpolicy.org [12954]

- "Bridging Communities, Breaking Down Walls" is the 25th anniversary celebration of The National Network for Immigrant and Refugee Rights (headed by PRRAC Bd. member Catherine Tactaquin), Nov. 5, 2011 in Oakland. Inf. from 310 8th St. #303, Oakland, CA 94607, 510/465-1984, www.nnirr.org [12952]

International Human Rights and U.S. Civil Rights Policy

- The International Council on Human Rights Policy is at Rue Ferdinand-Hodler 17, Geneva 1207 Switzerland, ichrp@ichrp.org, www.ichrp.org [12903]

- "Implementing Recommendations from the Universal Periodic Review: A Toolkit for State and Local Human Rights and Human Relations Commissions" is available at http://www.law.columbia.edu/ipimages/Human_Rights_Institute/UPR%20Toolkit.pdf [12953]

- "Claiming Our Role as Human Rights Lawyers: How a Human Rights Framework Can Advance Our Advocacy" was a June 21, 2011 webinar organized by the

Sargent Shriver National Center on Poverty Law, previewing the organization's Sept.-Oct. 2011 special issue of *Clearinghouse Review*. Inf. from Ilze Hirsh at the Center, 50 E. Washington St., #500, Chicago, IL 60602, 312/368-3323, ilzehirsch@povertylaw.org, www.povertylaw.org [12861]

Transportation

- "Where We Need to Go: A Civil Rights Roadmap for Transportation Equity" (11 pp., March 2011) is available (possibly free) from the Leadership Conference on Civil and Human Rights (headed by former PRRAC Bd. member Wade Henderson), 1629 K St. NW, 10th fl., Wash., DC 20006, 202/466-3434, www.civilrights.org [12899]

- "Bus Rapid Transit: Chicago's New Route to Opportunity" is a 25-page, Aug. 2011 report, available (possibly free) from the Metropolitan Planning Council, 140 S. Dearborn St., #1400, Chicago, IL 60603, 312/922-5616. [12941]

Miscellaneous

- *The Revolution Starts at Home: Confronting Intimate Violence Within Activist Communities*, eds. Ching-In Chen, Jai Dulani & Leah Lakshmi Piepzna-Samarasinha (325 pp., May 2011, \$16), has been published by South End Press, PO Box 24773, Brooklyn, NY 11202-4773, 718/874-0089, southend@southendpress.org, www.southendpress.org [12858]

- *Disability Law* journal, sponsored by Syracuse Univ. Disability Law &

Policy, has just published Vol. 5, No. 18. Contact co-editor Arlene Kanter, kantera@law.syr.edu [12869]

- *Resilience and Opportunity: Lessons from the U.S. Gulf Coast after Katrina and Rita*, by Amy Liu, Roland V. Anglin, Richard M. Mizelle, Jr. & Alison Plyer (220 pp., 2011), has been published by Brookings Institution Press, 800/537-5487. [12955]

Job Opportunities/Fellowships/Grants

- AARP Legal Council for the Elderly (DC) is seeking a Senior Consumer Attorney. Apply online at www.aarpjobs.com or email resume to amix@aarp.org [12835]

- The Woodstock Institute (Chicago) is looking for a Vice President for Applied Research. Resume/ltr./contact inf. for 3 prof. refs. to epdavid@earthlink.net, www.woodstockinst.org is their website. [12840]

- The Opportunity Agenda (NYC) is seeking an Executive (75%) and Administrative (25%) Assistant. Ltr./resume/writing sample to jobs@opportunityagenda.org [12841]

- The U.S. Human Rights Network (Atlanta) is seeking an Executive Director. Ltr./resume to lgumbs@gumbspartners.com. More about USHRN at www.ushrnetwork.org [12868]

- The Woodrow Wilson International Center for

Scholars (DC) announces opening of its 2012-2013 Fellowships competition. "Urbanization, migration and immigration" is one of the primary themes for this competition cycle. Approximately 20-25 academic year residential fellowship to individuals from any country. Inf. and application guidelines from 202/691-4170, fellowships@wilsoncenter.org [12871]

- The National Economic and Social Rights Initiative (NYC) is hiring a Director for its Human Right to Housing Program. \$60,000. Resume/1-page ltr./writing sample (max. 8 pp.)/3 prof. refs. to erin@nesri.org [12883]

- The Fair Housing Center of Greater Boston is seeking paid volunteers. Contact them at 59 Temple Place, #1105, Boston, MA 02111, 617/399-0491, x109, polivarez@bostonfairhousing.org [12902]

- The University of North Carolina is seeking a Director for its Center for Civil Rights who also will be a full-time faculty member at its Law School. Apply electronically with ltr./c.v./contact inf. for 4 refs. to <http://jobs.unc.edu/2501568>. Inf. from 919/962-0357, agiroad@email.unc.edu. More inf. about the Center at <http://www.law.unc.edu/centers/civilrights/default.aspx> [12907]

- Advancement Project (Wash., DC) is hiring a Development Director. Resume/ltr. to Molly Brennan at executivesearch@koyapartners.com [12921]

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