

Dismantling Institutional and Structural Racism: Implementation Strategies Across the United States*

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The field of public administration writes and theorizes a good deal about institutional and structural racism, but as an applied field, we don't address some of the potential intervention strategies for dismantling racist structures and institutions. This article examines some of the prospective strategies in areas such as reparations, criminal justice, health care, and housing which have been implemented seeking to upend institutional and structural racism in this nation. Policies or programs, unless implemented, create a revolving-door syndrome. However, even when policies are developed and implemented, their efficacy is not always guaranteed, as will be seen. This article discusses how public administration can move away from the "ready, aim, study more" conundrum, and offers suggestions for moving forward to the next frontier.

The academic and popular literatures are punctuated with articles addressing the pervasive, perennial problem of institutional and structural racism. Academic research clearly outlines the causes of institutional racism and offers a number of theories to study the problem, most prominently, Critical Race Theory. Few treatises, however, offer explicit intervention strategies for dismantling racist structures. Gooden (2008) argues that dismantling racist structures is a critical responsibility of government, but it is caught in an "unproductive cycle," whereby public sector organizations continue to identify and study issues such as racial disparities, but then fall short of developing and implementing public policies that can assist in dismantling institutional or structural racism. In effect, we operate in this never-ending, "continuous cycle of 'ready, aim, study more'" (Gooden 2008, 8).

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justice, health care, and housing which have been implemented seeking to upend institutional and structural racism in this nation. Policies or programs, unless implemented, create a revolving-door syndrome. However, even when policies are developed and implemented, their efficacy is not always guaranteed, as will be seen. This article discusses how public administration can move away from the "ready, aim, study more" conundrum, and offers suggestions for moving forward to the next frontier. After considering what we have learned from limited attempts at implementing strategies to dismantle structural racism, we present suggestions for how the field might move forward both in scholarship and practice.

Defining Institutional and Structural Racism

Institutional and structural racism are sometimes used synonymously. But institutional racism, also referred to as systemic racism, describes a form of racism where race and its intersections with other identity markers such as gender, sexuality, and class are an endemic part of society and are institutionalized in and by the law

¹ The author, Kwame Ture, was formerly known as Stokely Carmichael, the prominent civil rights activist.

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and public policy. Ture and Hamilton (1967) defined institutional racism as follows:

Racism is both overt and covert. It takes two, closely related forms: individual whites acting against individual blacks, and acts by the total white community against the black community. We call these individual racism and institutional racism. The first consists of overt acts by individuals, which cause death, injury or the violent destruction of property. . . . The second type is less overt, far more subtle, less identifiable in terms of specific individuals committing the acts. But it is no less destructive of human life. The second type originates in the operation of established and respected forces in society, and thus receives far less public condemnation than the first type. (p. 4, italics in original).¹

Examples of institutional racism include Jim Crow laws, which maintained and perpetuated the racist treatment and oppression of Blacks despite ratification of the Thirteenth Amendment to the U.S. Constitution in 1865, abolishing slavery, and the Fourteenth Amendment in 1868 which granted citizenship and equal legal and civil rights to Blacks. Another example can be seen in the government policies in the late 19th and early 20th centuries that denied Black veterans disability pensions by the Union Army. In medicine, the Tuskegee experiment conducted in the 1930s and continuing for 40 years, provides another example. The Tuskegee Institute conducted a syphilis study on 600 Black men (399 men with syphilis, 201 who did not have it), without the patients' informed consent and without providing adequate treatment for their disease. The victims were never informed of all the known dangers. Many patients were denied treatment so that scientists could observe the fatal development of the disease and some were denied the cure, despite its availability (Gray 2013).

Structural racism includes the interactions among institutions and more broadly societies, which produce insurmountable obstacles and barriers to Black and Brown people in their efforts to achieve social, political, and economic equality with Whites. Bailey and colleagues (2017, 1453) state that "structural racism refers to the totality of ways in which societies foster racial

discrimination through mutually reinforcing systems of housing, education, employment, earnings, benefits, credit, media, health care, and criminal justice. These patterns and practices in turn reinforce discriminatory beliefs, values, and distribution of resources." An example of structural racism can be seen in the persistent segregation of America's neighborhoods, despite passage of the Fair Housing Act in 1968 and Fair Housing Amendments Act of 1988 (FHAA). Although these laws banned overt discriminatory practices such as redlining² and predatory lending policies, they were replaced by subtler, putatively race-neutral policies which continue to exclude families of color from moving into White neighborhoods (Brown, et al. 2019).

For example, companies such as Facebook have engaged in a practice known as digital redlining, whereby it relies on algorithms in its ads to target certain favored groups and disadvantage or marginalize others based on race, color, national origin, and gender. In 2019, the U.S. Department of Housing and Urban Development (HUD) charged Facebook with restricting who was able to view housing-related ads on Facebook's platforms and across the internet. Advertisers were able to draw a red line around certain neighborhoods in maps which excluded specific groups from seeing the ads. More specifically, Facebook collected millions of data points about its users, drew inferences about each user based on these data, and then charged advertisers for the ability to micro-target ads to users based on Facebook's inferences about them. Administrative law judges ruled that Facebook was engaging in discriminatory housing practices in violation of the Fair Housing Act (*U.S. HUD v. Facebook* 2019).

It is also important to note, as Riccucci (2019, 633–634) argues, we should "not lose sight of the fact that systematic racism, whether institutional or structural, is the culmination of additive, individual racist voices, attitudes, and behaviors. Racism is the outcome of institutional practices that are committed by individuals that in the aggregate, produce White privilege and power: maintaining racially segregated schools; denying home loans and charging higher mortgage interest rates to Blacks; using seniority as a basis for employment; and criminalizing Black men in the application of laws." In the context of public administration, the lines between institutional and structural racism are much more blurred when you

² Redlining is a practice where banks and the real estate industry outlined Black and Brown neighborhoods with red ink. Loans to those in these neighborhoods were considered risky and banks were less willing to offer loans or other financial services such as insurance or credit cards.

factor in public servants at the front lines of service delivery who, as they interpret and then implement laws and public policies, perpetuate and institutionalize racism. Another example addressed later includes stop-and-frisk practices by law enforcement officers.

Institutional and structural racism are imposed and maintained by White supremacy and White normativity, which have created and maintained institutions and systems that subordinate people of color, particularly through White liberal ideals of law and equal protection (Portillo, Bearfield and Humphrey 2020; Humphrey 2021). As Gooden has argued (2008, 7) “racial gaps are associated with structural racism that includes a historical context fostering privileges of whiteness and the disadvantages of color. Institutions and public policies often reproduce these embedded racially inequitable outcomes. In order to reverse these racial disparities, there must be a mutually specific goal for long-term change.” Dismantling institutional and structural racism requires the suppression of the White normativity that suffuses decision and policy-making at every level of government in this nation.

Implementing Intervention Strategies

To address the unproductive cycle of perpetual researching and providing lip service to intervention strategies for dismantling racist structures and institutions, we provide not only illustrations of policies that have been implemented to help dismantle institutional and structural racism, but also examples of where greater oversight or watchdog activities could have *prevented* continued racist practices before implementation. In virtually every case, the efficacy of the policies or laws remains uncertain.³

Reparations

The American government has historically denied Blacks the opportunity to build wealth in this nation. Slavery, Jim Crow laws, and the false promises of guaranteed economic freedom and opportunity have systematically

deprived Blacks of their rights and possessions to ultimately prevent them from accruing intergenerational wealth. Reparations is a restorative justice method for redressing the legacy of institutional racism in this nation, which stems from the long legacy of slavery. And reparations are not new to the United States. As Ray and Perry (2020, online) point out, “Native Americans have received land and billions of dollars for various benefits and programs for being forcibly exiled from their native lands. For Japanese Americans, \$1.5 billion was paid to those who were interned during World War II. Additionally, the United States, via the Marshall Plan, helped to ensure that Jews received reparations for the Holocaust, including making various investments over time. In 1952, West Germany agreed to pay 3.45 billion Deutsche Marks to Holocaust survivors.” Blacks, however, have not received reparations from the U.S. government for institutional racism, despite the fact that the economic and class divide between Blacks and Whites has become exponentially greater in this country since the early 20th century.

The first—and thus far only—city in the United States to fund reparations for Blacks to redress the impact of residential segregation and disenfranchisement is Evanston, Illinois.⁴ In 2021, this suburb of Chicago began distributing up to \$25,000 per eligible resident for housing, in the form of down payments or home repairs (Treisman 2021). Evanston has committed \$10 million to be distributed over the next decade for reparations. In January 2022, the first 16 recipients of the reparation housing program were selected in a random drawing; each will receive a \$25,000 payment (Brown and Cahan 2022).

Other cities and states (e.g., New York City, Burlington, Vermont, Providence, Rhode Island, and California) have discussed and studied the issue of reparations, but have not yet implemented a policy to offer them (Dixon 2020). The City Council of Asheville, NC, passed a reparation measure in 2020, to fund homeownership and business opportunities, but it stopped

³ One example can be seen in Executive Order (EO) 13985, which President Biden signed on his first day in office, January 20, 2021. It is titled, “Advancing Racial Equity and Support for Underserved Communities Through the Federal Government.” In an effort to combat systemic racism, the EO directs federal agencies to determine if their policies produce racially inequitable results when implemented, and to make the necessary changes to ensure that underserved communities are properly supported (Federal Register 2021). It is still uncertain as to whether and how this initiative will be funded (see, e.g., Lewis-Burke 2021).

⁴ Bill de Blasio began his political career in 1989 as a volunteer coordinator for the mayoral candidate David Dinkins, who became the first Black mayor of the city in 1990. Once elected, de Blasio worked in City Hall as an aide to Dinkins and the city and later served in a number of posts, including as a member of the City Council. In these capacities de Blasio was very vocal about the city’s racial and class tensions, and he had long supported measures to promote racial equity throughout the city. He became mayor of the city in 2014, running on a platform of fixing the social inequities in the city (Grynbaum 2014).

short of implementing direct payments (Vigdor 2020). Also, in April 2021, a House committee voted to support H.R. 40, a bill establishing the “Commission to Study and Develop Reparation Proposals for African-Americans.” It has been introduced at every congressional session since 1989, but as of this writing, it has not yet passed the House (Felton 2022).

Importantly, reparations can be administered in any number of ways. As Ta-Neheshi Coates (2014, online) argues “More important than any single check cut to any African American, the payment of reparations would represent America’s maturation out of the childhood myth of its innocence into a wisdom worthy of its founders.” One example of reparations in the form of restitution or restoration of specific or identifiable victims’ rights can be seen in Mayor Bill de Blasio’s settlement of a long-standing discrimination case brought by Black and Latinx applicants for firefighting jobs in the city of New York.⁵ In 2007, the U.S. Justice Department and the Vulcan Society, an organization of Black firefighters, sued New York City charging its fire department with racially discriminatory hiring practices in violation of Title VII of the Civil Rights Act of 1964, the United States Constitution, the New York State Constitution, and New York State and City human rights law. At the time of the lawsuit only 3% of the department’s 11,000 firefighters were Black and 4.5% were Latinx. The Justice Department charged that the exam, administered in 1999 and 2002, had a discriminatory or adverse impact on Black and Latinx applicants, but was not job-related; that is, it had never been validated to measure the skills required to perform well on the job as firefighter. In 2009, a U.S. District Court ruled that the city had discriminated against Black and Latinx applicants for entry-level firefighter positions (*U.S. and Vulcan Society v. City of New York* 2009). It ordered the city to develop a new exam and reform the fire department’s recruiting policies to promote diversity throughout the department to make it more representative of the city’s population.⁶

Shortly after the ruling, Mayor de Blasio announced that his administration would settle the lawsuit, agree-

ing to pay \$98 million in backpay and benefits to the 1,500 Black and Latinx firefighter applicants who failed the discriminatory civil service exams. The settlement included over \$6 million to cover lost medical payments and fringe benefits and interest for those who took the test in 1999 and 2002 (Pearson 2014). The settlement preempted another potentially protracted trial that was about to follow. There is a history of racist practices against Blacks and Latinx in fire departments across the country, but the victims are rarely offered restitution as they were in New York (see, e.g., Riccucci and Saldivar 2014). It was a historic approach to reparations or restorative justice for identifiable victims.

Reforming the Criminal Justice System

The most racist elements of the criminal justice system are evident in the killing of George Floyd in 2020 when Derek Chauvin pressed his knee into Floyd’s neck for nine minutes and 29 seconds. In a very rare outcome, Chauvin was found guilty of second-degree unintentional murder, third-degree murder and second-degree manslaughter by a jury in Minneapolis. He was sentenced 22.5 years in prison but intends to appeal his conviction. This is but one illustration of how the criminal justice system in United States is permeated with racism, from the moment of police contact through pleas, conviction, incarceration, and release (see, e.g., Brunson 2007; Pager 2007; Gilbert and Ray 2016; Wright and Headley 2020). There are several areas in which reforms can assist in dismantling institutional or structural racism here, as the following examples illustrate.

Banning the Box

Policies that can help to reintegrate the formerly incarcerated back into society include “banning the box.” This refers to outlawing any inquiry around conviction history at the application process. It allows prospective employees to make it beyond the initial application without having to disclose felonies or misdemeanors, which helps to reduce discrimination based on prior offense history. Each year, over 600,000 people in need of jobs are released from federal and state prisons (Meyer 2021). Research shows that

⁵ A ruling by the 2nd circuit upheld most of the remedies (*U.S. and the Vulcan Society v. City of New York* 2013).

⁶ States include Arizona, California, Colorado, Connecticut, Delaware, Georgia, Hawaii, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, Tennessee, Utah, Vermont, Virginia, Washington and Wisconsin.

having a job and a place to live reduces the likelihood of recidivism. Even a minor criminal record creates immense obstacles to gaining employment, especially for Blacks and Latinx (Carson and Anderson 2016).

Federal legislation to ban the box on all job applications in the public and private sectors was introduced in the U.S. Congress in 2012; but no vote was ever taken. However, the Fair Chance to Compete for Jobs Act of 2019 also called the Federal “Ban the Box” law) was passed in 2019 and became effective in December 2021. It prohibits most federal agencies. However, positions related to law enforcement and national security are exempted from the law and federal contractors are prohibited from requesting arrest and conviction information from job applicants. Many details of the new law are still unresolved, and the Office of Personnel Management (OPM) and General Services Administration (GSA) are in the process of issuing implementation regulations. In effect, it is simply too early to determine the effectiveness of this law (Avery and Lu 2021).

As of October 2021, 37 states and over 150 counties and cities have enacted laws or adopted policies that ban the box (Avery and Lu 2021).⁷ Although compliance with these mandates shows some inconsistency, in some ban the box jurisdictions, employment of Black or Latinx males (ex-offenders) increased, at least in government jobs (see, e.g., Jackson and Zhao 2017 and Craigie 2020). Other studies found evidence that ban the box laws resulted in employers discriminating against young, low-skilled Black or Latinx men, in that employers *assumed* in the absence of criminal record information, that they had a criminal past (see, e.g., Agan and Starr 2016; Barthel 2019; Doleac and Hansen 2020). Flake (2019) in his study found that employers in ban the box jurisdictions were in violation of the law when they continued to explicitly ask job applicants if they had a criminal history. Flake (2019, 1104)⁸ also found that employers violated the ban the box law by asking a question on the application such as, “As a condition of employment you may be required to undergo a criminal background screen-

ing. Would you feel comfortable with such a screening?” Some employers in jurisdictions that did not ban the box voluntarily removed the box for moral reasons, or because they operated in multiple states, some of which had ban the box laws or policies; these employers found it necessary in order to maintain a uniform job application.

Laws and policies have been implemented to ban the box, which could certainly assist formerly incarcerated persons reintegrate into society more easily. But their effectiveness obviously depends on whether they are legitimately enforced. Because the ban the box measures are mandated at the state and local level, overall compliance is difficult to determine, as each jurisdiction is responsible for measuring efficacy of their laws or policies. To the extent they are not, deeply rooted patterns and practices of racism prevail and hence, institutional racism triumphs.

Racial and Ethnic Disparities in Incarceration

Mass incarceration is an epidemic in this nation. In the last several decades, the prison and jail population has grown exponentially from around 200,000 in 1972 to almost 2 million in 2022 despite declines in crime rates across the country. The United States spends over \$80 billion on incarceration each year (Flake 2019; ACLU 2022). Disparities in incarceration by race and ethnicity arise in large part from misuse and overuse of incarceration. In particular, overreliance on incarceration disproportionately impacts vulnerable populations including communities of color, the poor, and people with substance abuse and mental health problems (Nellis 2020, 10). For example, Blacks are incarcerated for drug offenses at a rate 10 times greater than that of Whites, notwithstanding the fact that Blacks and Whites use drugs at around the same rates (ACLU 2022). In addition, as the ACLU reports, “One out of every three Black boys born today can expect to go to prison in his lifetime, as can one of every six Latino boys—compared to one of every 17 white boys” (ibid,

⁷ Flake’s study was an audit field experiment, which raises serious questions around ethics. He submitted fictitious job applications of ex-offenders in Chicago, which bans the box, and Dallas, which does not. Comparing the employer callback rates between the two cities, he found no racial disparities in either case.

⁸ In response to the violence against Blacks in our society by law enforcement officers, President Obama created a task force in 2014 to recommend reforms on the problem of police violence. Evaluations of the work of this task force suggest that little was done to change the culture of policing in our society (Sullivan 2020). Also, Trump suspended any efforts by President Obama to reform policing in this country.

online). Other examples of racial, ethnic and gender disparities across the United States include:

- Blacks are incarcerated in state prisons at nearly five times the rate of White Americans.
- Nationally, one in 81 Black adults in the United States is serving time in state prison. Wisconsin leads the nation in Black imprisonment rates; one of every 36 Black Wisconsinites is in prison.
- In 12 states, more than half the prison population is Black: Alabama, Delaware, Georgia, Illinois, Louisiana, Maryland, Michigan, Mississippi, New Jersey, North Carolina, South Carolina, and Virginia.
- Latinx individuals are incarcerated in state prisons at a rate that is 1.3 times the incarceration rate of Whites. Ethnic disparities are highest in Massachusetts, which reports an ethnic differential of 4.1:1 (Nellis 2020, 5).
- In New York State, Blacks and Latinx account for around 30% of the state's population, but they represent 60% of the state's inmates (New York City Bar 2021).
- Women are the fastest growing incarcerated population. Incarcerated women are 53% White; 29% Black; 14% Latina; 2.5% American Indian and Alaskan Native; 0.9% Asian; and 0.4% Native Hawaiian and Pacific Islander (Kajstura 2019).

In short, because of one's race, ethnicity, or skin color, there are disparities in terms of whether you are even accused of a crime (e.g., theft), arrested or detained before a trial for that crime, and whether or not you are convicted—and then for how long. Mass incarceration is mainly attributed to sustained institutionalized racism. The dual criminal justice system has maintained the social and economic hierarchy in this nation.

The trickle-down effect of mass incarceration has often limited, or completely blocked, the educational opportunities of those impacted by the system (Custer 2021). Until 2020, individuals in prison were not allowed to receive federal Pell Grants, an essential source of financial support provided to low-income individuals and families seeking higher education (Kelliher 2022). While that barrier has been removed, individuals still face the administrative burdens associated with filling out the Free Application for Federal Student Aid (FAFSA). While in prison, individuals often lack computer access or cell phone access which can complicate applying for aid (Kelliher 2022). Also, even when an individual has been released from prison, the complica-

tions associated with receiving financial aid do not stop. For example, the FAFSA form requires all applicants to disclose if they have a prior conviction for the sale or possession of drugs. Known as Question 23, full or partial aid has been denied to thousands of students for failing to answer the question (Kriegbaum, 2018).

Despite this dismal picture, as of 2021, nine states have begun to reform their high mass incarceration rates: Alaska, New Jersey, New York, Connecticut, Alabama, Rhode Island, Vermont, Hawaii, and California (Ghandnoosh 2021). For example, in 2019, bail reform in New York was expected to lead to decarceration in the state. Primarily Black, Indigenous, and other People of Color (BIPOC) were being held in jail pretrial, often for years, because the cost of bail was unaffordable. The reform prohibited judges from setting bail for nonviolent and misdemeanor felonies (e.g., shoplifting, disorderly conduct), including all drug charges. Consequently, there was a 31% drop in the number of inmates in New York jails; they were free to return home and await their day in court (Vera Institute of Justice 2021). However, because conservative political opponents waged a backlash against the law, erroneously blaming it for new crimes, the New York State legislature amended the bill in 2020, allowing judges to now set bail on a number of crimes, including misdemeanors and nonviolent felonies. COVID-19 was in full force by this point and the number of persons incarcerated in New York on any given day surpassed 13,000.

Today in New York, significant judicial discretion remains in the system, despite bail reform. In addition, some of the other states that implemented reform policies to address mass incarceration reversed any progress that had been made. For example in such states as Alaska and Alabama, some progress toward decarceration has been reversed. In 2019, Alaska's state legislature repealed a number of provisions of its criminal justice reform bill. In Alabama, changes to the state's parole policies are counteracting efforts to decarceration (Ghandnoosh 2021). Because a key driver of mass incarceration has been the pronounced growth in prison terms, legitimate efforts toward sustained decarceration will require policies that will reduce excessive prison terms for violent convictions. Current reform efforts have been minimal and have not scaled back extreme sentences. Examples here include California, which enacted an early release policy that benefited inmates with 180 days or less to serve on their prison term. Colorado Governor Jared Polis is-

sued an executive order relaxing the state's release policy by suspending time restrictions to earn early release credits. Finally, in Illinois, the Department of Correction director is allowed to use 26 medical furloughs to release medically vulnerable persons, but only on a temporary basis (Porter 2021). While these reform efforts begin to move in the right direction, they fail to address extreme sentencing. As Nellis (2020, 4) has argued, "Truly meaningful reforms to the criminal justice system cannot be accomplished without acknowledgement of its racist underpinnings. Immediate and focused attention on the causes and consequences of racial disparities is required in order to eliminate them."

Policing: Stop-and-Frisk

Over the past several years, police violence against Black and Brown persons in the United States has once again escalated, resulting in the maiming or killing of young Black and Brown men including Michael Brown, Eric Garner, Tamir Rice, Walter Scott, Alton Sterling, Philando Castile, Freddie Gray, Jr., Terence Crutcher, Jacob Blake, Andres Guardado, Sean Monterrosa and Andrew Brown, Jr. Racial profiling, including stop-and-frisk practices by police tend to escalate into aggressive, violent actions (Epp, Maynard-Moody, and Haider-Markel 2017; 2014; Dooley 2021). This violence sparked civil unrest and strong nationwide demonstrations against the brutality of law enforcement officers, leading to the Black Lives Matter movement.⁹ Black and Brown persons have historically been racially profiled by police in this country. But in 1968, the U.S. Supreme Court ruled in *Terry v. Ohio* that limited searches for weapons were permitted when a law enforcement officer reasonably suspected that the person stopped could be armed. This seems to have established the constitutional practice of what we now know as stop-and-frisk or "Terry stops." The ruling authorized police intervention in an individual incident, but in reality, it has been practiced en masse by police departments nationwide. Stop-and-frisk continues to be practiced all over the country, particularly in large urban areas such as New York City, Philadelphia, Los Angeles, and Chicago.

New York City serves as one of the primary examples because of the pervasive and continued use of stop-and-frisk, despite a ruling by a U.S. district court that it was being carried out in a manner that violated the U.S. Constitution. New Yorkers believed that a district court ruling put an absolute end to stop-and-frisk practices. However, because the court in *Floyd v. City of New York* (2013) found its particular use in the city of New York to be unconstitutional, interpretation has been that the actual technique of stop-and-frisk is not unconstitutional. In fact, the court made this clear. The district court judge stated in *Floyd* that she was charged with determining the appropriate remedies for "NYPD reform practices and policies related to stop and frisk to conform with the requirements of the United States Constitution. I stress, at the outset, that the remedies imposed in this Opinion are as narrow and targeted as possible. To be very clear: I am *not* ordering an end to the practice of stop and frisk. The purpose of the remedies addressed in this Opinion is to ensure that the practice is carried out in a manner that protects the rights and liberties of all New Yorkers, while still providing much needed police protection" (*Floyd* 2013 at 671; emphasis in original).¹⁰ In effect, the New York City police department continues to racially profile and stop-and-frisk Black and Brown persons throughout the city, despite empirical evidence, countering the city's claims, that such practices lead to a decline in citywide crime (see, e.g., Greenberg 2014; Rengifo and Pater 2017). As Speri (2021, online) found, stop and frisk never ended and "New Yorkers of color have continued to bear the brunt of it—even last year, when the coronavirus pandemic shut down much of the city and many of its residents stayed home. A review of the NYPD's stops-related data shows that in 2020, the number of reported stops was at its lowest ever—9,544, down from 13,459 in 2019 and 11,008 in 2018. Despite the drop, the racial disparity remained as stark as ever, with New Yorkers of color making up 91% of those stopped, roughly the same as in the two years prior. Black New Yorkers, who account for 24% of the city's population, accounted for 56% of those stopped last year."

⁹ Other cities have faced lawsuits, but in some instances avoided them by settling with the plaintiff. For example, the ACLU was preparing to file suit against the City of Chicago over its overuse of stop and frisk. City officials simply agreed to track its use (Gorner 2015).

¹⁰ Other cities across the country are maintaining their status quo. For example, the head of police in Newark, New Jersey, stated "We don't use stop-and-frisk. . . . It sounds too invasive." He went on to say that "It's not racially driven profiling . . . It's crime-driven profiling" (Bergner 2014).

A few cities across the country have not banned stop-and-frisk practices, but have passed laws that seek to end practices that disproportionately affect Black and Brown people. For example, Philadelphia passed in October 2021 the Driving Equality Bill which bans law enforcement officers from stopping drivers for minor traffic violations (e.g., single brake light or headlight not illuminated; license plate not luminated; improperly displayed registration stickers). These stops have tended to target Black drivers at disproportionately higher rates. Other jurisdictions across the country that have enacted similar laws include Minneapolis, the state of Virginia, and Ramsey County, Minnesota (Brown and Tucker 2021). The city of Pittsburgh passed a law in January 2022 that requires police officers to document the reason why they are stopping and searching a person without a warrant (Hudak 2022).¹¹ These laws became effective in early 2022, so it is too early to examine their efficacy in ending racial and ethnic disparities in police stops.

Additional necessary reforms in the U.S. criminal justice system include decriminalization of drug use, including hard drugs (see City of Portland, Oregon, Selsky 2021); rather than “defunding police,” restructuring local budgets to promote public safety in law enforcement (including diversifying the rank-and-file; see, e.g., Nicholson-Crotty, Nicholson-Crotty and Fernandez 2017; Yu 2022), and reforming “justifiable homicide” laws, which allow for police officers to claim “self-defense” thereby justifying the excessive use of violence by police against Black men and women. An illustration here can be seen in the recent killing of Breonna Taylor by Louisville police officers who fired their weapons indiscriminately during an aborted narcotics “no knock” search that ended in Ms. Taylor’s death; Kentucky law allows them to claim self-defense (Lartey 2020). At least

25 states across the country have self-defense or “stand your ground” laws (Ricucci 2022).

Health and Health Care

Institutional and structural racism as well as generations of disinvestment in communities of color create and result in disproportionately negative health outcomes for Blacks, Latinx and Indigenous Americans. Ramaswamy and Kelly (2015, 285) point out that the “link between racism and health is a matter of life and death. In the United States, Blacks are more likely than Whites to die during infancy as a result of preterm delivery, and during adult life are more likely to have HIV, hypertension, and diabetes, and to die from breast or prostate cancer . . . The pathways to these health inequities are layered and complex—the organization of the health care system, patient behaviors, health care providers’ biases—all have been used to explain the relationship between race and poor health outcomes.”

Disproportionate barriers to care and lower quality of care exist in a number of areas including the lack of high-quality hospitals in close proximity to Blacks, Latinx, and Indigenous Americans (Dimick, et al. 2013); underrepresentation of these groups in clinical trials for cancer and other life-threatening diseases (Kwiatkowski, et al. 2013), and cost barriers to substance abuse facilities, where public insurance is not accepted (Cummings, et al. 2014). In addition, there has been a multitude of hospital trauma center closures, which increases the travel time for emergency care in areas with large Black, Latinx, and Indigenous populations (Hsia and Shen 2011; Tung, et al. 2019).

At the federal level, the Centers for Disease Control and Prevention (CDC) has over the past several years developed a number of strategies for reducing health disparities.¹² As its 2013 report states, the CDC seeks

¹¹ The U.S. Department of Health and Human Services (HHS) has a National Institute of Health, which houses its National Institute on Minority Health and Health Disparities. The HHS also has an Office of Minority Health (OMH). These overlapping agencies also have developed duplicative strategic plans to reduce racial and ethnic health disparities. See, e.g., the National Institute on Minority Health and Health Disparities Strategic Plan for 2021–2025, <https://www.nimhd.nih.gov/docs/nimhd-strategic-plan-2021-2025.pdf> and HHS’s 2011 Action Plan to Reduce Racial and Ethnic Health Disparities, https://www.minorityhealth.hhs.gov/assets/pdf/hhs/HHS_Plan_complete.pdf; but measures of their efficacy in performance or in reaching their goals are lacking.

¹² In March 2021, for instance, the CDC launched a \$2.25 billion funding effort to address COVID-19 related health disparities among racial and ethnic groups and persons living in rural areas. And in April 2021, the CDC awarded \$3 billion to support local efforts to increase the COVID-19 vaccine uptake, whereby 75% of the total funding was distributed to programs and initiatives to increase vaccine access, acceptance, and uptake among racial and ethnic communities (CDC, no date). Blacks have the lowest vaccination rates among ethnic groups. To be sure, sociohistorical experiences legitimately explain why they are hesitant to trust the government with any vaccination program (see, e.g., Tuskegee experiment discussed earlier in the text).

“to identify and address the factors that lead to health disparities among racial, ethnic, geographic, socioeconomic, and other groups so that barriers to health equity can be removed. The first step in this process is to shine a bright light on the problems to be solved. Providing accurate, useful data on the causes of illness and death in the United States and across the world is a foundation of CDC’s mission and work” (CDC 2013, 1). The CDC has indeed collected and analyzed an inordinate amount of data demonstrating the existence of health disparities across racial and ethnic groups, and in 2021, its director Dr. Rochelle Walensky declared “racism a serious public health threat” (Wamsley 2021). She first pointed to the disproportionate impact of COVID-19 on communities of color in terms of cases and deaths, but went on to say that “Yet, the disparities seen over the past year were not a result of COVID-19. . . . Instead, the pandemic illuminated inequities that have existed for generations and revealed for all of America a known, but often unaddressed, epidemic impacting public health: racism” (Wamsley 2021, online).

Despite the fact that the CDC has not focused its attention on the root causes of the disparities (read institutional racism), it has had some success with such interventions as vaccine coverage, including for COVID-19.¹³ For example, between 1995–2011, the CDC was successful in reducing racial and ethnic disparities in the distribution of the measles vaccine when it had resurged in the United States in the early 1990s. Affected children were disproportionately from inner cities, including Blacks, Latinx, and Indigenous Americans. They were at a three to 16 times greater risk for measles than were non-Hispanic White children. The CDC was successful in reducing the disparities by eliminating the cost of the vaccine; it distributed them at no charge to inner-city private physicians’ offices and to public health clinics around the country (Walker, Smith, and Kolasa 2014).

State and local governments have also sought to reduce racial and ethnic health disparities. For early

initiatives, see, for example, Joint Center for Political and Economic Studies (2008). Many are effective in identifying the disparities, but policies or programs to reduce them are lacking. A recent study conducted by the Commonwealth Fund on disparities throughout the states found profound racial and ethnic inequities in health and health care across and within all 50 states (Radley et al. 2021).¹⁴ The study also found that some of the widest disparities occur within states which are known for having high-performing health care systems. For example, Minnesota, which was ranked third overall on health care performance by the Commonwealth, had some of the largest disparities between White and Black, Latinx, Indigenous Americans, Alaskan Native, and Asian populations. The study also found that only six states had health systems scoring above the national average for all racial and ethnic groups studied. These include: Connecticut, Hawaii, Massachusetts, New York, Oregon, and Rhode Island. Nevertheless, large disparities were also found in those states, where health system performance for White residents was scored the best of any group (Radley et al. 2021).¹⁵ The study concluded that there are a number of policy options at the state and federal levels that can address disparate access to care and unequal treatment within health care facilities. A number of these will sound familiar:

- Ensuring universal, affordable, and equitable health coverage (e.g., reduce deductibles and out-of-pocket costs for marketplace insurance plans; allow more workers in expensive employer health plans to become eligible for subsidized marketplace plans; mount aggressive, targeted outreach and enrollment efforts to reach the remaining uninsured, most of whom are eligible for Medicaid or subsidized private insurance);
- Strengthening primary care and improving the delivery of services to communities of color;
- Reducing inequitable administrative burdens affecting patients and providers;

¹³ The study collected data for 24 indicators of health system performance which were grouped into three performance domains: 1) health outcomes, 2) health care access, and 3) quality and use of health care services.

¹⁴ Except in Massachusetts where it was slightly higher among Asian American, Native Hawaiian, and Pacific Islander residents.

¹⁵ Our persistent efforts to contact the settlement administrator of the Justice Department to learn more about the Department’s efforts to recompense the victims of discriminatory lending practices were unsuccessful. The last communication from that department instructed us to file a FOIA request.

- Investing in social services (the United States spends less on economic and social supports for children and working-age adults than most other high-income countries).

But, acknowledging that institutional and structural racism play a significant and overwhelming role in shaping health care policies, the study concludes if genuine progress is to be made, “leaders at the federal, state, and local levels should reexamine existing laws and regulations for their impact on people of color’s access to quality care. And new reforms to ensure good insurance coverage and timely access to primary and specialty care need to target communities across the United States that have long been ignored” (Radley et al. 2021, 13).

Segregated Housing

Racial residential segregation in the United States has become more pronounced in recent decades. And where you live determines the schools your children can attend, the parks near your home, the quality of your drinking water, the amenities in your neighborhood, your municipal tax base, and the degree to which your neighborhood will be surveilled by law enforcement. The Othering & Belonging Institute at the University of California-Berkeley reports that more than 80% of large metropolitan areas in this nation were more segregated in 2019 than they were in 1990. The Institute goes on to say that “Racial residential segregation so effectively sorts people across space and bundles vitalizing resources that no redistribution plan can ever match the swift efficacy of the underlying mechanism” (Othering & Belonging Institute 2021, online). That underlying mechanism is structural racism.

Despite efforts to dismantle structural racism as it manifests in segregated housing, racist housing policies established by government at every level, and racist housing practices by American businesses not only endure, but they compound over time (see Blessett 2020; Loh, Coes, and Buthe 2020). For example, the racist practice of redlining contributes to inequalities today in terms of air pollution. Lane and colleagues (2022) found that communities of color redlined by federal officials in the 1930s have higher levels of harmful air pollution more than eight decades later. This points to the legacy of a racist policy that “continues to shape systemic environmental exposure disparities in the United States (Lane, et al. 2022, online).

Persistent segregation exacerbates racial as well as economic injustice in the United States. Segregated Black neighborhoods, for example, continue to be cut off from established banks, credit unions, and other lending institutions. Contributing to the financial crisis of 2008, American banks, promising the hope of breaking through the barriers of racial residential segregation and building generational wealth, targeted and lured in Black home-buyers with subprime mortgages; these mortgages offer lower-interest home loans at higher fees to individuals with lower credit ratings, but they carry a very high risk. When borrowers could not make loan payments, banks foreclosed on the loans. As Coates (2014, online) observed “Plunder in the past made plunder in the present efficient.”

The question remains, why were these illegal practices allowed to continue? The Federal Deposit Insurance Corporation (FDIC) is the watchdog agency created in 1933 to circumvent predatory lending practices by banks and other financial institutions that target persons by race, color, religion, sex, national origin, disability, or age. Laws around housing, discussed earlier (e.g., the Fair Housing Act in 1968), prohibit lending practices that are unfair and deceptive to borrowers; such practices carry high fees and encourage borrowers to take out mortgages they cannot afford. These housing practices and policies certainly illustrate how racism is institutionalized and perseveres despite laws proscribing such behavior and the existence of regulating organizations responsible for averting it altogether. It is the very laws intended to reduce racial disparities that allow the disparities to prevail.

And, even when financial institutions are sued for deceptive and fraudulent lending practices aimed at Black and Brown families, the restitution rarely provides relief to the victims. For example, the Obama administration launched an investigation into the predatory lending practices around the 2008 financial; two major lenders were targeted: Wells Fargo and Bank of America. Throughout the United States, Bank of America’s Countrywide Financial Unit had charged over 200,000 Blacks and Latinx higher fees and interest rates compared to White borrowers between 2004 and 2008. Obama’s Justice Department found that Countrywide “discriminated by steering thousands of African-American and Hispanic borrowers into subprime mortgages when non-Hispanic white borrow-

ers with similar credit profiles received prime loans” (U.S. Department of Justice 2011). Borrowers in 41 states and the District of Columbia were affected by Countrywide’s discriminatory lending practices. Bank of America was required to pay \$335 million to settle the discrimination charges (U.S. Department of Justice 2011).

The challenge was for the Justice Department to track down the victims of the discriminatory practices. As Department officials acknowledged, tracking down and compensating the 200,000 victims was nearly impossible, “because they are the victims most likely to have lost their homes to foreclosure and subsequently moved several times” (Kendall 2011, online). Victims were also required to have access to computers, so that they could fill out the forms online that were needed to start a claim. And, even if they could be located, it would take at least two years for the victims to receive compensation. In the end, it is not certain how many victims actually received payment.¹⁶ Wells Fargo also faced challenges in identifying the more than 34,000 Black and Latinx borrowers spanning 36 states from 2004 through 2009. Wells Fargo was found to have “engaged in predatory and discriminatory lending practices” against Blacks (*City of Baltimore v. Wells Fargo* 2008 online; also see U.S. Department of Justice 2012). Although the case was settled by the Justice Department for \$175 million, the Department unfortunately determined that only 4,000 were improperly steered into subprime loans when White borrowers with similar credit risk profiles had received regular loans. As with the Bank of America settlement, most of the victims were not identified (Mui 2012; Savage 2012).

A number of jurisdictions across the country have developed strategic plans of varying types aimed at dismantling institutional racism and structural racism in other areas such as employment, environment, and education.¹⁷ Developing strategic plans to combat institutional and structural racism is an important first step, but as stressed throughout this article, successful imple-

mentation—followed by measuring and determining effective performance are—critical.

Discussion

The findings from this analysis have several implications for the practice of public administration, especially in the context of “ready, aim, study more.” The focus here was on the implementation of public policies aimed at chipping away at structural and institutional racism. One important point is, as Gooden has argued, this endless, continual cycle prevents governments at every level from implementing important public policies. Whether the issue is the need for more research or political and economic obstacles, policies are often proposed but they are never implemented. Even when policies are implemented we rarely see rigorous evaluations that can inform the diffusion of policy innovations. As a field, we should take a more comprehensive approach to how we study and implement policies meant to dismantle institutional and structural racism.

First, promoting social justice needs to go beyond symbolic gestures and outcomes. Genuine efforts to dismantle racist structures must include substantive, material gains for Black and Brown people. And these efforts can take many forms. For example, as this analysis showed, the mayor of New York City provided restitution to identifiable victims’ of discrimination—Black and Brown persons seeking jobs as firefighters. This is a milestone and puts NYC on the frontier of proactive ways to provide reparations by redressing the racial wealth gap in our society. Policies and practices cannot just provide lip service around addressing structural inequities, but must provide material corrections to past wrongs.

By extension, a second element is that this work must be explicit about correcting institutional and structural racism. Explicit and implicit adherence to White supremacy throughout our nation’s history has resulted in institutional and structural racism. That means that we cannot rely on neutral policies that do not acknowledge

¹⁶ See, for example, Seattle, Washington (Race Equity & Social Justice Initiative, 2019–2021); King County, Washington (Equity and Social Justice Strategic Plan, 2016–2022); Minneapolis (Strategic and Racial Equity Action Plan, 2021). Also see, Repository of City Racial Equity Policies and Decisions (National League of Cities, n.d.).

¹⁷ Recall in his bid for the presidency in 2017, Trump introduced his brand of hatred for Black and Brown people when he commented that “When Mexico sends its people, they’re not sending their best. . . They’re bringing drugs. They’re bringing crime. They’re rapists” (*Washington Post* Staff 2015, online).

this past to correct those harms. Race neutral fixes will only get us so far in correcting racialized histories. While public administration as a field often preaches neutrality as a value, we have been complicit in perpetuating institutionalized racism. That means that we have to acknowledge that racism has shaped the work of our field and explicitly work to address it in our scholarship and practice.

Third, and relatedly, we must acknowledge how federalism and partisan politics affects this work. As this analysis shows, genuine strategies for implementing public policies to dismantle institutional and structural racism are much more prominent at the state and local levels as compared to the federal level of government, which is increasingly hampered by partisan gridlocks; this is the case at least for progressive state and local governments that are genuinely committed to breaking down barriers created by racism. To be sure, this is an issue of federalism and just as progressive state and local governments are attempting to promote social justice, conservative states counter with regressive, reactionary policies, as witnessed by recent measures in states such as Florida, where a new voting law augments the disenfranchisement of Black and Brown people, and where LGBTQIA persons are beleaguered by a law that bans any discussion around sexual orientation or gender identity in the classroom. As public administration scholars we must engage more directly with the local, state, and federal political context that we work in if we are going to see real change in administrative policies that promote racial justice.

Fourth, as any introductory book on policy implementation will affirm, a critical aspect of implementation is evaluation. Implementation is denigrated to the extent that policies are not evaluated. Evaluation will rout out any interference with successful implementation, including political impediments that can ultimately eviscerate the intention and actual goal of the policy. For example, as seen in this article, implemented policies can sometimes be revised, which may ultimately diminish the intended outcome of policy. Evaluation of

public policies is also important because it promotes public accountability, government effectiveness, and ultimately contributes to sound, trustworthy governance.

Conclusions

This article addressed only some of the potential strategies for reducing institutional or structural racism. In every area illustrated here, it appears that the unproductive policy cycle sometimes includes implementation, but seems to always consist of circumventing—even unlawfully—behaviors by government officials that stall or explicitly gut intended policies to dismantle institutional and structural racism. As public administration scholars we must acknowledge the political reality of the context of our work as well as the way historic calls for neutrality have contributed to institutional and structural racism. In order to break the unproductive “ready, aim, study more” cycle we must be explicit about our goals, realistic about the politics, and intentional about implementing and evaluating policies meant to materially correct racial inequities.

Lack of investment, economic or social, is also responsible. Even sincere efforts are upended or thwarted by partisan politics or identity politics. For example, grassroots protesters, politicians, and policymakers at every level of government may genuinely support the development, implementation, and evaluation of efforts to dismantle institutional and structural racism, but partisan or identity politics can obstruct these efforts at any stage. As Brownstein (2020, online) contends, the “belief that widespread racism is no longer a problem in American society has become one of the core convictions uniting the modern Republican coalition, especially in the Donald Trump era.”

Today’s Republican party fomented by the class- and race-based ideology of Trump and his supporters, is certain to gut any meaningful efforts. Indeed, this philosophy makes possible and *acceptable* violent racial uprisings of far-right extremist groups and members of the alt-right.¹⁸ In particular, in August 2017, the Unite

¹⁸ Would the shameful behaviors of Republicans in the Senate confirmation hearings of Judge Ketanji Brown Jackson for the U.S. Supreme Court have been acceptable and tolerated if Trump had never been elected, especially that of Senator Cruz who questioned Judge Jackson about critical race theory, asking her if she felt babies are racist, based on the book, *Antiracist Babies*, by Ibram X. Kendi?

¹⁹ Emmett Till, at 14 years old, was abducted, tortured, and killed in 1955 after a White woman accused him of whistling at and grabbing her while he was visiting relatives in Mississippi.

the Right rally brought White supremacists to Charlottesville, Virginia to putatively protest the removal of Confederate statues or monuments. Racist and anti-Semitic propaganda and slogans promoted racial violence and hatred. The rhetoric plays into the fears of Whites anxious about the changing racial and ethnic demographics in this nation. One of the protestors deliberately ran his car into a crowd, killing one person and injuring dozens of others. As (Clark 2020, online) has argued, “Trump is perhaps the most notable example of a politician” who appeals to white nationalists and has allowed for White supremacy to return to national politics.¹⁹ The January 6th (2021) insurrection on the Capitol is another example of the audacious, Republican brand of White nationalist ideologues spreading violent behavior. And a “less” extreme example can be seen in the political right’s success in banning the use of Critical Race Theory (CRT) in classrooms throughout the country during the early 2020s. To some White people it is too discomfoting, irritating, or infuriating to hear how White supremacy has created racist structures and institutions in America.

Let’s take a closer look at the quintessential tool to enforce racial hierarchy and oppression: lynching which intimidates and terrorizes Blacks. Despite over 200 attempts by the U.S. Congress to outlaw lynching, a law finally made it through both houses of Congress and was signed into law by President Biden on March 29, 2022: the Emmett Till²⁰ Antilynching Act, which recognizes lynching as a federal hate crime, carrying up to 30 years

in prison. However, some argue that it won’t stop the violence against Black and Brown people in our society. U.S. Representative Bobby Rush, Democrat of Illinois, who introduced the bill to the House, commented that the killing of the 25-year-old Black man, Ahmaud Arbery by three White men when he was out jogging in his own neighborhood in Georgia, represented a modern-day lynching (Cochrane 2022). Whether Black and Brown people are murdered in public view or in the privacy of their homes—as Breonna Taylor was by police while sleeping in her bed—racially motivated lethal force by the police or private citizens may continue, despite passage of the Emmett Till Act. And the immediate instinct of police, prosecutors, and many elected officials is to protect the White people involved.²¹ White normativity is endemic in our nation. It permeates every aspect of policymaking, from development to evaluation. As addressed here, policies or programs, unless effectively implemented and evaluated, create a revolving-door syndrome. Indeed, as in every decade throughout the history of this nation, this country has been faced with a moral reckoning: “Americans have to decide whether this country will truly be a multiracial democracy or whether to merely tinker around the edges of our problems once again and remain decidedly racist and unequal” (Glaude 2020, online). The country needs to come to terms with its moral axis and acknowledge that institutional and structural racism play a significant and overwhelming role in excluding, marginalizing, and disenfranchising Black and Brown people in our society.

²⁰ Recall Kyle Rittenhouse, the White, 17-year-old police devotee from Illinois who showed up at a BLM protest in Kenosha, Wisconsin over the police shooting of a Black man, Jacob Blake, shot several times in the back and left paralyzed from the waist down. No charges were brought against the White police officer; Rittenhouse, who was arrested for fatally shooting two men and wounding another with a semi-automatic rifle claimed self-defense and was acquitted of all charges. Also, since 2000, there have been at least eight suspected lynchings of Black men and teenagers in Mississippi (see Brown 2021).

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