

# Leading for a Greater Minnesota



We have some unfinished business to take care of in 2014. Multiple priorities that were on the table in the last session need a renewed commitment now. In 2013, legislators adopted the Dream Act to offer opportunities to young immigrants. Now, leaders should turn their attention to making drivers licenses available to Minnesotans, regardless of immigrant status. Last session, organizers pushed through the Homeowners Bill of Rights and a more fair tax system. This year, it is time to raise the minimum wage. Now that we have improved employment opportunities for individuals with a criminal record through the Ban the Box law, it is time to restore voting rights to people once they have served their time in prison.

There is growing awareness of the systemic barriers to true opportunity for people of color and low-income people in Minnesota. Understanding that disparities exist—ours are among the worst in the nation—is a first step toward action to remove barriers. Many groups working to address racial disparities have been calling attention to the structural racism that affects how opportunities are available to different communities. A recent report by the Minnesota Department of Health has joined those voices by drawing attention to the necessity of addressing structural racism in pursuing health equity. In its comprehensive agenda, the Council on Black Minnesotans has called for a commitment from state leaders to study and assess multiple disparities, including those in criminal justice and homeownership, and develop a plan of action for each.

As the recognition of structural barriers grows, so must the focus on structural solutions. Communities of color know and understand the barriers—and are in the position to develop solutions. Among the solutions should be a process that allows for a robust racial and economic equity impact analysis of policy proposals. Legislators should be asking thoughtful questions about impact on the front end, and include the perspectives of affected communities in answering those questions. Breaking down barriers to opportunity requires this intentional process and engagement. The assets that communities of color bring to the Minnesota landscape are many—if we honor and pay attention to those voices—all in the pursuit of a Greater Minnesota for all of us.

## Open Doors to Economic Opportunity

**RAISE THE MINIMUM WAGE.** Among the pieces of unfinished business from last session was the effort to bring Minnesota's minimum wage closer to a living wage. Minnesota's current minimum wage is among the lowest in the country, at \$5.25 for smaller businesses and \$6.15 for employees at larger companies. Most minimum wage workers earn the federal minimum of \$7.25.

Even if raised to \$9.50, the minimum wage is not a living wage. According to JOBS NOW Coalition, in a Minnesota family with two working parents and two children, each parent must earn \$14.00 per hour just to meet basic needs that include food, shelter, transportation, childcare, and utilities. The majority of Minnesotans—77 percent—benefiting from a minimum wage increase would be white. But the share of workers within communities of color and American Indian communities that would receive a wage increase is higher—because the number of workers of color earning low wages is disproportionately high. Nearly 30 percent of Minnesota Latinos would see a raise with a minimum wage increase. Raising the minimum wage to \$9.50 is one step toward making up for lost time and money for low-income Minnesotans.

**MAKE THE TAX SYSTEM MORE FAIR.** The Working Family Credit is one tool that is known to help make our overall tax system less burdensome for low-income families. Because people of color in Minnesota are more likely to have low incomes—for African American households, median income is less than half that of white households—they also feel the burden of a regressive tax code. Even with the positive changes made in the 2013 session to narrow the gap in tax burden, more steps are necessary and possible. One step this session is to update the Working Family Credit to mirror its federal counterpart the Earned Income Tax Credit by reducing marriage penalties. An estimated 54,000 families would benefit from this change and receive an average \$334 larger credit.

**BUILD A LADDER OUT OF POVERTY.** The Minnesota Family Investment Program (MFIP) is an important part of the safety net for low-income families to meet their basic needs. The 2012 law that required random drug testing for MFIP recipients has created an additional barrier to aid and unnecessarily added to the costs of the program. The Legislature should take the opportunity to pull back from this law in the 2014 session.

The MFIP Education Bill offers a chance to make the program a better ladder out of extreme poverty, by opening up opportunities for education programs for parents. Currently, seeking education, including working toward a GED and enrolling in post-secondary programs, is not an eligible welfare-to-work activity under the program. Yet, education is key to attaining better jobs and gaining independence from assistance like MFIP. The bill would also allow 12 weeks, rather than six weeks, for job searches and include participation in ESL classes.



**WORK TO CLOSE EMPLOYMENT GAPS.** As with many other opportunity gaps, Minnesota's employment gap between whites and people of color is among the worst in the nation. The Department of Employment and Economic Development (DEED) can be a stronger partner in closing that gap by intentionally assessing the impact of its programs on people of color. Its programs for long-term unemployed people, dislocated workers, and others should prioritize reaching people of color most impacted by the economic recession, but also facing limited opportunities to education and training. A racial equity impact analysis process, one that is being used in other public entities, including the Minneapolis Public Schools, could also improve DEED's success in closing the employment gap and building living wage, family sustaining careers.

**LIMIT THE CYCLE OF DEBT.** Payday lending has trapped low-income people in small-dollar, high-interest loans that promote a cycle of debt that is difficult to escape. These loans can have triple-digit annual interest rates and are due in full on the next payday, with direct access to a borrower's bank account. A solution to such exploitive loans is limiting the number to four loans per year, preventing the debt trap that these loans encourage. A current loophole in the Payday Lending Law should be closed so that lenders cannot charge excessive fees and

interest rates. People of color in Minnesota experience a poverty rate of 26.7 percent, compared to 8.1 percent for the white population. African Americans face an especially high rate at 37.8 percent. American Indian communities experience a 31.9 percent poverty rate. These high rates of poverty place communities of color at particular risk of the trap created by payday lending.

## Commit to True Justice

**RESTORE THE VOTE TO RESTORE VOICES.** Our democracy depends on participation—but under current law Minnesota denies that participation in voting to at least 45,000 citizens who have a past criminal conviction and remain on probation or parole. We can change that and join thirteen other states that allow individuals to vote once they are living in the community again. In addition to simplifying voting laws, research shows that restoring the right to vote decreases recidivism by furthering the process of engaging in the community. A criminal justice system that disproportionately affects people of color also disproportionately silences voices at the polls. Although African Americans were just five percent of the state population, this community represents over a quarter of those disenfranchised. In the American Indian community, at less than two percent of the state population, six percent of community voices are silenced through disenfranchisement.

**EXPUNGEMENT OF CRIMINAL RECORDS FOR A TRUE SECOND CHANCE.** Already the criminal justice system is experienced by many as a system of injustice long after a sentence is complete. Minnesotans with criminal records face the consequences of that record through difficulty obtaining the education, jobs, and housing that would allow them to rebuild their lives. A ruling by the Minnesota Supreme Court last year limited the ability of judges to expunge, or seal, past criminal records. The legislature has an opportunity to undo that ruling by giving judges the power to seal all records. Our racial disparities in the criminal justice system means that people of color struggle disproportionately in accessing the opportunities that build a better life. Allowing people to move on from a past conviction is a step toward restoring justice to our system.

**CALLING FOR PRISON PHONE JUSTICE IN MINNESOTA.** Recently, the Federal Communication Commission (FCC) made a policy change that changes the daily lives of incarcerated individuals and their families by capping the cost of long distance prison phone calls. This important change applies to interstate phone calls crossing state lines. But calls made from Minnesota prisons to our local communities are still prohibitively and unjustly expensive. A 15-minute phone call can cost families over \$17. Of the profits prison phone providers make on these calls, 49 percent is paid as a commission to the state. The Minnesota Department of Corrections has the power to act quickly and cap the cost of intrastate phone calls in its contract negotiations with phone companies. The Legislature could act to limit or ban commissions statewide, which would create consistency across state and county facilities. Regular contact with loved ones benefits the over 15,000 Minnesota children who have at least one incarcerated parent. Studies show that routine contact while in prison reduces recidivism and

promotes successful reintegration into communities. African American families bear an undue burden of prison phone injustice, with African Americans making up 35 percent of Minnesota's prison population.

## Make Learning Possible

**SAFE AND SUPPORTIVE SCHOOLS FOR ALL STUDENTS.** Minnesota has the weakest anti-bullying law in the country, offering school leaders no state-led framework for developing policies for prevention and intervention. According to the 2013 Minnesota Student Survey, one in ten students report that they do not feel safe at school. Adoption of the Safe and Supportive Schools Act would be a significant step toward leading for inclusive education. Schools free of bullying allow for rich, diverse learning experiences where students can learn without fear of harassment. The bill offers school districts the flexibility to develop policies that fit their school communities, but also makes clear the definition of bullying, enumerates protected groups, and develops institutional support through the Department of Education.

Minnesota can be a leader in changing school culture in another way, too. Other states that have enacted bullying prevention legislation have adopted a zero tolerance policy, which has been disproportionately harmful to students of color who already face inequitable school disciplinary practices with severe consequences. The Minnesota bill intentionally practices the culture change it seeks by focusing on restorative justice that supports the development of students who have engaged in bullying. Rather than pushing students out, the bill recognizes school environments as places to learn from mistakes and have the support to change harmful behavior.



## EXPAND ACCESS TO NUTRITIOUS SCHOOL LUNCHES.

A bill to expand free school lunches to children whose family income is at 130 to 185 percent of the federal poverty level (those currently qualifying for reduced price meals) would recognize the reality of family economics and the health and education value of a nutritious meal. A survey conducted by Mid-Minnesota Legal Aid found that nearly 70 percent of Minnesota school districts refuse to serve students who did not have money in their lunch accounts or offered a less nutritious cold lunch. Forty-six districts refuse to serve students, and some even take lunch trays away from children. Expanding the program would add to the effort to close the opportunity gap in education by removing one of the barriers to learning.

## Remove Barriers for Immigrants

### ALLOW DRIVERS LICENSES FOR SAFETY AND OPPORTUNITY.

A bill that would allow Minnesotans to obtain drivers licenses, regardless of immigration status, passed in the Senate last session. This session brings a chance for the House to finish the effort of making safe, lawful driving an option for all residents. The reality is we live in regions that require car transportation to access jobs, schools, training, and other opportunities. Eleven states have enacted laws that allow for undocumented immigrants to obtain drivers licenses. Another eleven, including Minnesota, are considering bills to do the same. Immigrants are active, working members of our communities. Minnesota should join states that recognize this truth and grant the chance to drive safely and legally.

**BUILD TRUST IN LAW ENFORCEMENT.** Minnesota should join other communities that have challenged the federal Secure Communities program by adopting a Trust Act. These types of provisions—adopted in California, Connecticut, and Cook County, Illinois—prevent local law enforcement officers from detaining people arrested for minor crimes, such as misdemeanors and traffic violations. Secure Communities has led to increased deportation, not of people who pose a public safety threat as the program intends, but people without a criminal record.

## Make Housing a Priority

**INVEST IN AFFORDABLE HOUSING.** The effects of the recession are still being felt by Minnesotans struggling to afford housing. As the state continues to recover, it should also invest in affordable housing that provides homes to thousands of Minnesotans. People of color, particularly American Indians and African Americans, experience homelessness at a disproportionate rate. According to the Wilder Research 2012 Minnesota Homeless Survey, American Indians make up 1 percent of the state population, but 10 percent of the homeless population. African Americans make up 5 percent of the overall population, but 37 percent of the homeless population. Last session, the Legislature approved \$33 million for more housing and homelessness services. This session, the

## LEGISLATIVE PROGRESS ON RACIAL EQUITY IN 2013

The Legislative Report Card on Racial Equity for the 2013–14 biennium will include the Legislature's progress toward racial equity in the 2013 session—and look to further leadership in 2014. Among the notable acts last session:

- » Greater tax fairness
- » Improved Renters' Credit funding
- » Minnesota Health Insurance Exchange
- » Basic Health Plan
- » Expansion of Medical Assistance eligibility
- » Prevention of child sex trafficking
- » Report on health disparities in Minnesota
- » Statewide all-day kindergarten
- » Early childhood education scholarships
- » Increased special education funding
- » Elimination of the GRAD test
- » Achievement and Integration in Minnesota
- » High school to college transition program
- » Higher education two-year tuition freeze
- » American Indian scholarship program
- » Urban educator recruitment and training programs
- » Appointment of American Indian education director
- » Engaging American Indian communities in education policymaking
- » Homeowners Bill of Rights
- » Funding for housing and homeless services
- » Repeal of MFIP family cap
- » Increase to MFIP cash grant
- » Family Assets for Independence in Minnesota
- » Equitable hiring practices for transit construction
- » Community engagement in transit policy decisions
- » Ban the Box
- » Juvenile records presumption of privacy
- » No excuse absentee voting
- » Prosperity Act
- » Protecting Indian child welfare
- » Marriage equality

Legislature should commit \$100 million in bonds that will continue to stabilize the supply of affordable housing through development, preservation, and foreclosure recovery.

**REQUIRE FORECLOSURE MEDIATION.** In 2013, Minnesota took a step toward protecting homeowners at risk of foreclosure with the adoption of the Homeowners Bill of Rights, which ended “dual tracking”—preventing mortgage lenders from entering into foreclosure proceedings while also processing a loan modification agreement. Adding to that protection would be a defined mediation process that gives lenders and borrowers the chance to meet and develop alternative solutions to foreclosure. A face-to-face meeting can help break down an intimidating process for homeowners at risk of foreclosure, and result in more Minnesotans staying in their homes.

**PROTECT THE RIGHTS OF TENANTS.** Minnesota has the worst homeownership gap between whites and communities of color in the nation, which means that a disproportionate number of people of color are renters. Tenants experience housing instability when rental property is subject to foreclosure. As a precondition for scheduling a foreclosure sale of rental property, the foreclosing entity should be required to give tenants written notice of the foreclosure, details about the foreclosure timetable, and their rights to continued occupancy.

The health of tenants should be protected when it comes to bedbug, rodent, and cockroach infestation and eradication. The Minnesota Tenants Union and allies are working for adoption of a statute that would require landlords to give tenants notice of the rental building’s infestation history and advance notice of and specific information about any chemical treatment that the landlord proposes to use to eradicate pests.

## Invest in Transit

### **COMMIT TRANSIT FUNDING FOR EQUITABLE OPPORTUNITIES.**

Committing funding for transit offers opportunities to build greater racial equity in the Twin Cities metro area. Improved access to public transit should include growing the bus system—a system that has not seen expansion for a decade. Communities of color, who make up a disproportionate share of bus riders, turn to this system for movement to jobs and other opportunities. An expanded transit system, done right, also offers the chance for community development opportunities in under resourced communities. Last session, the legislature took an important step by adopting a process for community engagement in transit policy decisions and equitable hiring practices. Although increased funding through an additional ¾ cent sales tax in the seven-county metro area is a regressive tax, the opportunity exists to translate that expenditure into meaningful economic opportunities for communities of color and low-income communities.





### Support the Health of All Minnesotans

**TAKE STEPS TO IMPLEMENT HEALTH EQUITY SOLUTIONS.**

The February 2014 Advancing Health Equity in Minnesota report issued by the Minnesota Department of Health offers important recommendations for addressing disparities in health. The report's recognition of the role structural racism plays in access to opportunities of all kinds, including health, makes it possible for solutions to explicitly name racial equity as a goal. The next step will be implementation of multiple proposals to expand health equity, including establishing a Minnesota Center for Health Equity. The Legislature can further another priority this session: the work to collect data and measure health care quality in ways that recognize differences in race, ethnicity, language, and other socio-economic risk factors. In addition, MDH should work closely with organizations connected directly to communities experiencing health disparities and identify how to best collect and analyze data.

### Enforce Human Rights

**LEAD FOR HUMAN RIGHTS IN ALL OPPORTUNITIES.**

A bill that would require the Minnesota Department of Human Rights to implement audit procedures for multiple institutions and across opportunities would make our state a leader for justice. The bill also calls for affirmative action and human rights impact studies for all executive orders and proposed legislation, as well as a study to develop an approach to implement the United Nation's International Covenant to End All Forms of Racial Discrimination (CERD). This offers a structure for paying attention to disparities and enforcing our obligations under state, federal, and international policies.

