

Mid-Shore Pro Bono & Its Volunteer Lawyers:

Promoting Racial Equity in Organizational Practices

An Interactive Onboarding Training



Designed & Facilitated by Dr. Carmen Phelps

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Desired Learning Outcomes for This Interactive Training

As the result of active participation in this session, attendees will:

- become acquainted with information associated with the legacy of racism and the continued (present day) systemic oppression of BIPOC (Black, Indigenous & People of Color (Asian & Non-White Latinx/Hispanic & Multiracial Identities)
- learn about the various ways in which racism manifests at all levels of our society's systems, institutions, organizations and culture; its complexities and impact on the lived experiences of BIPOC (and Whites) – internal and external to your organization;
- and develop/ enhance your awareness of challenges and opportunities associated with confronting, disrupting and mitigating racist systems and processes through your practices for the purpose of promoting equity, fairness, inclusion and justice for BIPOC served by your organization.



Supporting Our Work/Community-building Expectations for Session Attendees

Be present; prioritize our time together.

Listen respectfully, without interrupting.

Do not expect resolution to all questions on today's subject. Instead, be open to a journey of ongoing learning, questions and understanding.

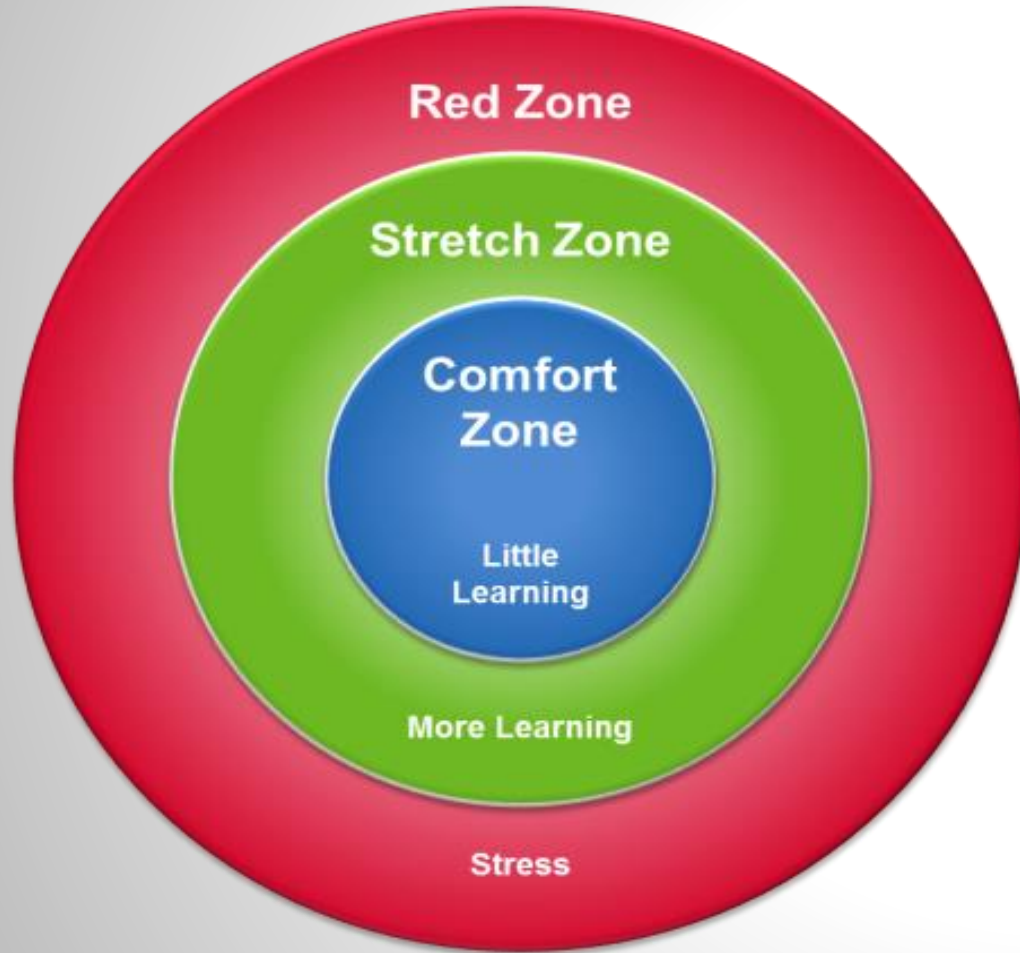
Speak from your own, lived experiences/ share your own, unique observations

Listen actively and with an ear to understanding others' views. (Don't just think about what you are going to say while someone else is talking.)

Challenge ideas, not individuals.

Commit to learning, not debating. Comment in order to share information, not to persuade.

Avoid making assumptions about social groups; do not ask individuals to speak for their (perceived) social group.



Preparing to Experience This Work

Self-Reflection: Promoting Progress in Your Collective Work: Notice How You Are Experiencing The Information Shared

Bryan Stevenson – Founder of the Equal Justice Initiative on Defining “Justice”



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“What is justice? I think justice is a constant struggle ... I think that injustice is evident *when people are not struggling to protect the norms, the values, the goals, the aspirations of the entire community -- for fairness, equality and balance. ...*

I think that we tend to measure justice with metrics that are not exactly right. We're looking at a particular place, a particular situation, a particular end. It really is a struggle. You never get there and you're done. You have to keep at it.”

To do this work means to struggle. Promoting justice is both about changing systems and culture ... both of which require ongoing practice.

Opening Prompt:

How does race impact the experiences of individuals in the US?
How does it function or operate?

(2 min.)

What is Race?:

A social, cultural and political construct. While often assumed to be a biological classification, based on physical and genetic variation, racial categories do not have a scientific basis. However, the consequences of racial categorization (social racialization) are real. **How one is racialized or treated because of their race (perceived/known) remains the greatest predictor and influencer of one's socioeconomic status and life opportunities.**

Structural/Systemic Racism

A system in which ...

- public policies, institutional practices, cultural representations, and other norms work in various, often reinforcing ways to perpetuate racial inferiority *and racial* superiority.
- not something that a few people or institutions choose to practice. Instead, it has been a feature of the social, economic and political systems in which we all exist.

Structural/Systemic Racism (cont.)

Characteristics of Structural/Systemic Racism: *Which two are NOT correct?*

- Ascribes race as a basis of social organization to groups through a process of "racialization"
- White advantage is just as important an outcome as black subordination, if not more so
- Confirms the inferiority of BIPOC groups compared to Whites
- It can be changed by treating everyone the same
- It operates automatically and thus is perpetuated simply by doing nothing about it. (Wiecek; Kentucky Law Journal)

What is Racial Equity vs. Inequity?:

Racial Inequity: Our current state of affairs in which a person of color is more likely to live in poverty, be imprisoned, drop out of high school, be unemployed and experience poor health outcomes like diabetes, heart disease, depression and other potentially fatal diseases; find it disproportionately challenging to access healthy food, clean water, air; have less access to transportation, etc.

In a **racially equitable** society, race would no longer be a factor in determining an individual's degree of access to vital resources, such as healthcare, housing and employment ...

Racism; Racial Bias & The Legal System

How do biases reveal themselves in our legal and criminal justice systems?

For prosecutors, bias shows up in charging decisions, pretrial and trial strategies and closing arguments. For public defenders, bias can alter case evaluation, client interaction and settlement. In the school-to-prison pipeline, bias can affect suspension and exclusion, referral to law enforcement, disparities in juvenile justice, differences in diversion and retention, placement in locked facilities, terms of probation and trial as adults, presentence reports, sentencing, prison discipline and even the death sentence.

Biases in the judicial system can begin with lawmaking, then [move on to] judges, lawyers, jurors. *American Bar Association*

Defining Antiracism:

What does it mean to be antiracist and/or to promote racial equity?

The opposite of working in a “colorblind” or color “neutral” way to eradicate/challenge/mitigate/disrupt structural/systemic and institutional racism.

To work in a purposeful, intentional, strategic way to eliminate, disrupt, mitigate and challenge systemic/structural and institutional racism and racist practices, processes and behaviors.

To work in a manner which demonstrates an intentional desire to serve/support BIPOC communities

Prompt for Discussion:

Why does working in a “colorblind” or “color neutral” manner to provide services to communities perpetuate rather than eliminate or disrupt racist systems and outcomes?

Defining Antiracism: Clarifying White Privilege

“An invisible set of unearned assets I can count on cashing in on anytime I choose, but about which [as a White person] I was never taught to acknowledge ...”

Peggy McIntosh

Where Data Reveals the Impact of Racist Systems/Racial Bias Adversely Impacting BIPOC/Visualizing Their Connections

Personal Reflection:

Which areas reflect where you have experienced or observed racism and/or racial bias?

Self (BIPOC)

(Internalized)

Individuals/Groups

(interpersonal racism between groups/individuals)

Communities

(neighborhoods/zip codes)

Organizations/Businesses

(where practices and policies are informed by a racially biased/racist foundation)

Institutions/Industries

(housing, healthcare, employment, education, criminal justice, etc. where racial inequities are perpetuated)

Structures/Systems

(federal, state, local government policies; legal infrastructure)

White Dominant Culture

The ideas informing the historical/ current foundation for racist systems/levels of racism

Prompt for Discussion:

**Which are examples of explicit racism in the US?
(race is named as a determining factor in policy design)**

**Which are examples of implicit racism in the US?
(race is not named as a determining factor in policy design)**

1. **Indian Removal Bill of 1830: Forced removal/genocide of Native Americans/Indigenous People leading to continued marginalization/disempowerment of Native people**
2. **The Naturalization Act of 1790 – limited US citizenship to Whites**
3. **Voter ID laws marginalizing BIPOC voters in the US by decreasing access to voting processes**
4. **Employment opportunities only available to individuals having no criminal record**



Racial Equity & Intersectionality

Intersectionality is basically a lens, a prism, for seeing the way in which various forms of inequality often operate together and exacerbate each other. We tend to talk about race inequality as separate from inequality based on gender, class, sexuality or immigrant status. What's often missing is how some people are subject to all of these." (Kimberle Crenshaw)

Common Myths & Misperceptions Related to the Reality of Racial Inequities: Prompt for Discussion – Which of These Myths Are Most Familiar to You?

- 1.) BIPOC are the source of their own suffering OR ...
It's their fault that these realities exist
- 2.) BIPOC do not desire to realize more favorable outcomes
for themselves or their communities.
- 3.) BIPOC are inferior to Whites and therefore incapable of realizing
the same life outcomes
- 4.) Whites work harder than BIPOC to achieve their socioeconomic goals/ are more invested in realizing
their goals
- 5.) We live in a fair, just and equitable society; therefore, racial inequities are the result
of individual failures

How can Mid-Shore Pro Bono and Its Volunteer Lawyers Mitigate Racial Bias/Promote Racial Equity in Practices?

Mid-Shore Pro Bono:

- Collect data on client experiences/ disaggregate data across racial and cultural demographics
- Encourage/invite clients to elevate concerns about potential instances of racial bias to the attention of leadership
- Set clear expectations for those serving the organization that promoting racial equity is a priority for the organization
- Provide ongoing, regular training to those serving the organization as well as necessary resources to help them promote racial equity in practices and at all levels of the organization.

Volunteers:

- Continue to receive training
- Share your ideas for addressing any concerning (inequitable) service-related outcomes for BIPOC clients with Mid-Shore Pro Bono leaders
- Learn about your own, individual biases (racial; gender; etc.)
- Accept accountability for behaviors; practices which may have adverse impacts on BIPOC (disproportionately)
- Share with one another and discuss resources focusing on mitigating racial biases in lawyer practices

Open Discussion:

What are your questions?

Where have you stretched/grown?

Stay in touch:

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Close/Appreciation

Select Resources:

<https://www.urban.org/research/publication/centering-racial-equity-measurement-and-evaluation>
(Urban Institute)

<https://www.racialequitytools.org/>

<https://www.racialequityalliance.org/>

<https://www.policylink.org/equity-blueprint>