

Racial Equity Panel Uses First Hearing to Build To-Do List

By Chris Lisinski

State House News Service

A diverse stream of lawmakers, activists and community leaders produced a lengthy list of racial equity proposals on Monday, kicking off one of the Legislature's most daunting undertakings to date: confronting centuries of structural racism ingrained in nearly every facet of public life.

Created by the Legislature in January, the Committee on Racial Equity, Civil Rights, and Inclusion convened its first hearing as it charts a course for this session. Speakers outlined priorities they hope to see lawmakers address – from enforcing a 2018 criminal justice reform law to making driver's licenses available to undocumented immigrants, from disaggregating data collection to offering reparations for slavery – in steps toward achieving the equality long promised but often not delivered for communities of color.

Legislative leaders created the panel in the wake of last year's nationwide racial justice protests and police reform legislation, but the committee's mission will be far broader. Sen. Sonia Chang-Diaz, one of the group's co-chairs, said the panel is well aware that "structural racism and exclusion are marbled throughout the different institutions and existing policies of our commonwealth."

"Last year, the Legislature was laser-focused on reforming public safety, but our work to end structural racism is not confined to the public safety system and it is not done in our commonwealth," she said. "While we may not be able to do it all and end structural racism this legislative session, we

need to begin working on pressing priorities so that we can do that piece-by-piece work.”

The COVID-19 pandemic’s influence was also apparent in the testimony. Black and Latino communities have been hit disproportionately hard during the health crisis, often facing higher rates of infection, challenges accessing vaccines, and greater economic harm than white communities.

Warning that “mass incarceration is perhaps the most pointed example of structural racism in our society,” Prisoners’ Legal Services Executive Director Elizabeth Matos urged lawmakers to install an ombudsman to oversee public health standards in correctional facilities and require the state Department of Correction to review inmate populations for potential release as a precaution against spread of the highly infectious virus.

“We do not want to see another drastic spike in cases and deaths like we did last fall,” Matos said. “Oversight is critical to avoid a continued failure to be appropriately vigilant in these congregate settings.”

Rep. Brandy Fluker Oakley, a Mattapan Democrat, also cited mass incarceration as a pressing issue she hopes to see lawmakers address alongside disproportionate eviction rates, maternal mortality rates and gaps in wages.

About 10 percent of the state’s population is Latino, but 24 percent of those imprisoned in Massachusetts are Latino, Fluker Oakley said. Similarly, Black residents represent 7 percent of the statewide population and 26 percent of the incarcerated population.

The pandemic brought a wave of increased discrimination and violence aimed at Asian American and Pacific Islander residents. From March 19, 2020 to Feb. 28, 2021, the Stop AAPI Hate reporting center tracked nearly 3,800 instances of hate directed at Asian Americans in the United States.

Rep. Tackey Chan, a member of the House Asian Caucus, told his colleagues that Asian-Americans “face racism in a very different way” than other ethnicities, including through the “model minority myth,” and are often reduced to “invisibility.”

In 1871, Chan recounted, a mob killed 19 Chinese immigrants in Los Angeles. Filipino-Americans who fought for the United States in World War II, he said, did not receive any veterans benefits until 2009.

“When I start talking about how systemic racism affects us and how we have been largely maligned in U.S. history and in politics – not just in the last four years, but try 200-plus years – people are quite shocked,” he said.

Chan said the House Asian Caucus wants to see action to achieve better representation on state commissions and boards and to update how the state collects demographic data, a point also raised by fellow Caucus member Rep. Maria Robinson and by Massachusetts Asian American Commission Chair Sam Hyun.

While the panel embarked on its work to chart a path toward achieving racial equity, Suffolk County’s top prosecutor told lawmakers they should also turn their attention three years into the past.

Suffolk County District Attorney Rachael Rollins told the committee that her office continues to struggle with a “staggering lack of standardized and transparent data” about the criminal justice system, even in the wake of a 2018 law that featured numerous data reporting requirements.

Rollins said her team still receives paper copies of documents even though partner agencies are storing the information electronically, making it difficult to track changes in crime and recidivism rates that could stem from policy changes.

Much of the data county prosecutors can access, Rollins said,

is stored in boxes in a warehouse, requiring assistant district attorneys and administrative staff to spend tens of thousands of hours per year – which the DA estimated as the equivalent of four to nine full-time staff positions – solely on transcription.

The Legislature must step in and enforce the data collection and sharing requirements in the 2018 law to help address inequities, Rollins said.

“The answers we need, the answers this committee needs, are out there. They exist,” Rollins said, later telling lawmakers, “We need buy-in, and we need you guys to exert the power you definitely have.”

Asked why other agencies have yet to adhere to the law, Rollins replied that the state’s criminal justice system is still working under an “incredibly old, archaic data storage system.”

“It is a system that would require significant amounts of money to update, but I think it’s just excuses, quite frankly,” Rollins said. “I will leave those agencies to explain themselves to you, but I encourage you to call them before you and ask them why.”

Boston Mayor Kim Janey highlighted several issues she wants state lawmakers to tackle to achieve racial equity, aiming in particular at a vast imbalance in how public dollars are spent.

Janey pointed to a report finding that just 1.2 percent of the \$2.1 billion the city spent on construction and professional goods and services between 2014 and 2019 went to Black- or Latino-owned businesses.

“The state could be helpful in this,” Janey said, referencing legislation re-filed this session (H 3167) that would impose additional requirements for engaging minority- and women-owned

firms in state procurements. "Moving forward on that front could be extremely helpful to the work that we are already doing."

Several speakers voiced support for bills that would allow undocumented immigrants to acquire driver's licenses or limit law enforcement interactions with federal immigration authorities, proposals that Democratic legislative leaders have been hesitant to embrace even amid broad support within their own caucuses.

Many of the racial equity priorities lawmakers and advocates cited at Monday's hearing intersect with some of the largest issues facing the state, such as a housing market with limited stock and rapidly rising prices.

When House Speaker Ronald Mariano and Senate President Karen Spilka announced the creation of the Racial Equity Committee, they said they would ask the panel to study the impacts of other proposed bills.

"Systemic racism has manifested throughout our history, and it is ingrained in our own laws and institutions," Fluker Oakley said Monday, voicing her support for that mission. "To dismantle this pervasive problem, we need to evaluate each piece of legislation that is being seriously considered by the Legislature to ensure that it will not perpetuate racial disparities and actively counteract disparities and inequities that already exist."

Monday's hearing came as Massachusetts prepares to recognize Juneteenth, which commemorates the June 19, 1865 date on which the final slaves in Texas learned of their freedom, for the first time as an official state holiday.

Black and Latino Legislative Caucus Rep. Chynah Tyler announced Monday that lawmakers will host a commemorative flag-raising on Wednesday, which she plans to livestream on Facebook.