

THE BROOKINGS INSTITUTION
BROOKINGS CAFETERIA PODCAST
RACE AND SOCIAL JUSTICE IN THE 2020 PRESIDENTIAL ELECTION

Washington, D.C.

Friday, October 30, 2020

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PROCEEDINGS

DEWS: Welcome to the Brookings Cafeteria, the podcast about ideas and the experts who have them. I'm Fred Dews.

In this final episode before the end of the 2020 election on November 3rd, I speak with Rashawn Ray, a David M. Rubenstein Fellow in Governance Studies at Brookings, about race and social justice in the presidential election. Ray, also a professor of sociology at the University of Maryland, talks about voter suppression, the policing reform movement sparked by the murder of George Floyd, the unequal impact of the coronavirus pandemic on Black and Hispanic communities, and what policies America needs to finally get past racism.

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And now, here's my interview with Rashawn Ray.

DEWS: Well, hi, Rashawn, welcome back to the Brookings Cafeteria.

RAY: Thank you for having me. I'm really excited to have this conversation.

DEWS: It's great to see you and let our listeners know that while this is airing on the Friday before the end of the election on November 3rd, we are recording it a few days prior to that. But I do want to ask you, Rashawn, what are the issues that are top of mind for you in these final days and weeks of the election?

RAY: I would say the biggest issue for me is voter suppression. I mean, we know that Donald Trump has aimed to attack the United States Postal Service, to attack its integrity of being able to properly deliver mail in ballots and absentee ballots. And we also know that those attacks are coming when people are overwhelmingly engaging in those particular processes to try to engage their vote during a pandemic. I mean, when we look at early voting, when we think about mail in ballots, I mean, the numbers are through the roof. And

so I'm really worried about voter suppression, like what we're seeing in Texas, where not only is it across the country where we already know that cities and counties are already rolling back the number of polling places available because of COVID aiming to help people to engage in physical distancing. And obviously, these types of events and people coming out to vote with long lines can lead to some sort of spread with COVID-19.

But in places like Texas we see how egregious they can get where, I mean, it's entered the court process. And what we see is that an appellate court, which is important to note were all appointed by Donald Trump, upheld the governor of Texas' ability to only have one mailing ballot drop off place in each county. I mean, look, in Texas—I'm from the south, I know that counties can be huge in places like that. I mean, people could be traveling a very long period of time just to aim to ensure that their ballot is included in this election.

DEWS: Yeah, I know what you mean, I'm from Texas myself. And there are some counties out in the west of Texas that are larger than some U.S. states. The theme of this episode is race and social justice in the election. Can you put what you're just saying about voter suppression in the context of that theme?

RAY: Well, obviously, when we talk about voter suppression it's about who is being prevented from going to the ballot. It's also about the way that voting districts are drawn, similar to how we think about education districts with schools and the like. And so we know that oftentimes Black and Latino districts, if we look in Texas to use it as another example, it's really a purple state. But oftentimes it goes red in the presidential election because of the way voter suppression operates. If we go back to the classic Shelby vs. Holder decision that happened a few years ago now, that particular decision gutted the infamous Voting Rights Act that people during the civil rights movement we're fighting for.

And so when we think about that rolling back, what does that mean? Well, that means that now there is not federal oversight to ensure that states and local municipalities are aiming

to be equitable. So we're seeing tons of polling places that were already moved back years ago. So, in particular the 2016 election was a big example of that. I mean, there were hundreds of polling places removed from Texas. There were dozens removed from the Carolinas and also throughout the south. That has directly impacted voting outcomes in elections in Texas and Georgia and the Carolinas, Florida, even. We can think about the 2018 governors' races in Georgia and Florida. And we could think about the fact that in Georgia, in Marietta, Georgia, which is right outside of Atlanta, where I happened to play football and as a kid growing up, is that people are waiting in line for hours and a majority of the people who are waiting in line for hours happen to be Black and Latino. And oftentimes it spans across social class, it's not simply low income people.

So, the time matters. Why does the time matter? The time matters because if you have to be at work, if you're an essential worker and you've been in line at five a.m., the polls open a six or six thirty and at nine o'clock you're still in line—you have to be at work or else you're going to lose your job. You're not going to be paid. So that's a voter suppression tactic in terms of reducing the number of polling places.

We also know when it comes to voter disenfranchisement around returning citizens, people who are felons, even after they have served their time, if they have fees associated with the time they've served, if their fees have not been paid, they cannot vote. And we see that in Florida where they say, oh, yeah, we allow returning citizens to vote. Yeah, but there are millions who have been disenfranchised on a voter roll. And we could think about the influence that Florida, Georgia, and Texas might have in this particular election just to name those few states.

DEWS: Let me follow up on that Florida issue for a second, because didn't Florida voters a couple of years ago vote pretty overwhelmingly on a ballot initiative to allow felons who had served their time to regain their voting rights?

RAY: This is exactly right. And this is the reason why that the fine print and the loopholes that politicians on various sides of the aisle put in. It was a big hurrah for people, it was a big win for people who aim to engage in criminal justice reform. And we even know that, if we think about President Trump, which I know we'll talk about later, kind of his record with Black Americans in particular, but help to really forge the First Step Act. We'll come back to that later, but I think part of highlighting it in this regard is that people were saying, look, we know that people have been disenfranchised. We know that at least the way people interpreted that the 1994 crime bill played a role in. I'll help people to contextualize that in a second. The loophole was this. If an ex-felon, a returning citizen, formerly incarcerated person, whatever term we want to use, if they have fees and fines associated with their case, they have to pay those fees and fines off before they could vote. For anyone who knows someone who's been incarcerated, they know that there are a lot of fees and fines associated with being wrapped up in the criminal justice system. And even though they might be freed, they might be on a payment plan to repay those back, very similarly to how people are on a payment plan when they don't pay the IRS enough money. But we don't see that being used as a way for people not to vote. But I think it's a similar comparison in the fact that it was some sort of act that people did against the government. People have some type of restitution that they have to pay. So what you see now is a lot of people swooping in, Michael Bloomberg to Jay-Z are coming in, paying thousands of people's fines and fees so they can vote in this election.

DEWS: So, Rashawn, we're talking about voter suppression and we could keep on going because it's such an important topic and I think at some point we're going to have to have a Brookings Cafeteria Podcast focused on voting reform, on the process. But I want to turn to another major issue that is just really foregrounded in this election. You mentioned one of them, the coronavirus. The other one, I would say, has to do with the protests for racial

justice that sprang up in the spring after the murder of George Floyd. But we're also talking about the murder of Breonna Taylor and a lot of other incidents like that. Can you kind of address the election in terms of the context of the movements throughout this country and even throughout the world for social justice that were sparked especially by the murder of George Floyd.

RAY: Well, I think 2020 is a year unlike another. And I've heard General Allen, who's the president of Brookings, say this, that America has dealt with pandemics, we've dealt with economic crises, we've dealt with civil unrest, but rarely have we dealt with them at the same time in a short period of time, with a person who some people consider to be at times unfit to be in the presidency and handle these various types of outcomes. I think just the number of people have died from COVID and the fact that under President Obama there was a pandemic response unit is an example of that.

But I think what's happened in 2020 is that as a lot of people who are working every day, they're going out and moving through life, and time stopped because of COVID. George Floyd happens coupled with what happened to Ahmaud Arbery in Georgia, coupled with what happened to Breonna Taylor, coupled with what happened to Christian Cooper in New York City in Central Park. And what people are seeing is how a simple incident like a Black man trying to watch birds in Central Park could run down through the south, through Kentucky, through Georgia, and end up in Minneapolis, underneath the knee of a police officer for 8 minutes and 46 seconds.

And when people see that video, they can no longer deny the ramifications that racism has in America. And it made people to say, is what we're seeing coming out of the White House to blame for this? Now, granted, I mean, we've had civil unrest under many presidents, Republican, Democrat, and the like. I think what makes this different is that we have video evidence—that does matter, similar to what we've seen with Michael Brown. But the other

part of it has been a lack of response, or more so a lack of response to deal with racial equity and to deal with racism in America, and instead a doubling down of law and order rhetoric.

I think there's one big example that people need to think about here, is when it comes to holding law enforcement accountable one thing I know from all the research I've done is that accountability is the key problem. Oftentimes, the most changes we can see systemically from law enforcement comes from consent decrees handed down by the Department of Justice. There were several handed down in the Bush—if we just go back to 2000, let's just go back 20 years. There were several handed down under President Bush. President Obama handed down the most, but it's not like it was an overwhelming number—in the teens, maybe around 14 or 15. President Trump has not handed down any consent decrees, even though there are several under investigation. They are just sitting at the Department of Justice.

So when people look at what happened to George Floyd, they view his death as symbolic and emblematic of broader systemic problems in law enforcement and policing that fall on the doorstep of the White House that Trump has failed to address.

DEWS: Well, clearly, there is systemic change needed at local law enforcement level, counties, states and the federal government, and the White House. But in a recent Pew Research survey, Americans say they're about evenly split on whether or not the increased focus on race and inequality that we're experiencing now will actually lead to major policy changes. And this attitude is shared pretty evenly by white, Black, and Hispanic respondents. I mean, it's fifty-fifty, really, on the question as to whether major policy changes will result. Does this strike you as an optimistic viewpoint or as a pessimistic viewpoint?

RAY: It strikes me as being cautiously optimistic. Look, I think when it comes to race, 50 percent can be pretty good. And we even know during the summer, the summer of 2020, that what we know is that over 70 percent of whites, a large percentage of Republicans, started acknowledging that racism did exist and that we need to do something about it. Now,

what we do about it, people have different views on it. But part of what happens with the 50 percent, people who are in the 50 percent who are pessimistic that there are a couple different ways to think about them. On one hand is people who just think that we've already dealt with race and racism. That is one part. But then there's another group this pessimistic that says, I don't think change will ever be made. I don't think we'll ever get over this. Part of it is most people don't understand how policy works and why it takes so long. On the latter point, on one hand, they're right. Doing the right thing shouldn't take as long as it does, but it's complicated. This is why public pressure matters. This is why these protests happening in the streets where people are putting their lives on the line, not just to protest but literally putting their health on the line during a global pandemic to protest police brutality, tells us where we are.

And I think Senator Cory Booker, who I've had a chance to talk to on this topic, says something very profound. He said being a senator and being in Washington compared to him being a mayor is that I can tell you is that change doesn't happen in Washington. Change comes to Washington. He said we're oftentimes responding to what the public wants, and this is the reason why I think we're going to see massive shifts.

But I think most people don't really know what to do. They're aiming to get up to speed in a short period of time. They're not experts like I might be on this topic. I think major change is happening and in some cases already has. I mean, whether it be police officers being fired, which oftentimes is unprecedented, police chiefs are resigning at a very high rate. No-knock warrants have been banned everywhere from Kentucky to the state of Virginia. I mean, Virginia even voted on qualified immunity. I testified on these package of bills. And then we also know the George Floyd Justice in Policing Act, which was passed on what would have been Tamir Rice's 18th birthday, is symbolic.

Now of course, there are a lot of scenarios with the election. But one scenario is if Joe Biden wins and the Senate flips, which could happen, I think some seats might go from Democrats to Republicans—but it could be more going from Republican to Democrat—that if that happens and Democrats take control of the Senate, the George Floyd Justice in Policing Act will become law and that will be the most transformative piece of legislation we've ever had on policing.

DEWS: What are some of the provisions of that act?

RAY: So, there are several things in the George Floyd Justice in Policing Act that people have been calling for. One big one is dealing with qualified immunity. Qualified immunity essentially gives police officers the ability to not face civil culpability. Qualified immunity oftentimes is applied criminally, even though it's simply a civil statute where they don't face any financial implications for harming someone or killing someone. But qualified immunity oftentimes in the courts is interpreted by judges, by defense attorneys, by DAs in the jury as applying to criminal proceedings. So that will go away.

We also know that policing will start to be demilitarized. That's something that people have been asking for. If people see images during these protests—if people didn't tell you that these were police officers, a lot of people would think they were military armed forces fighting in a war. And part of what demilitarization means is less federal funding for equipment and military style training that we see on the streets.

We also know that there are a couple of other provisions in there that deal with officer health, officer safety. I mean, just tons of things—banning no-knock warrants, requiring body worn cameras, requiring implicit bias training, things that actually have bipartisan support. Where Democrats and Republicans differ is that Democrats are like, look, these changes just need to be made, officers need to be mandated to do it. But Republicans are like they need to be incentivized to do it.

Accordingly, there are a couple of other very, very important pieces that people need to recognize. First, there is going to be a national database of use of force. We currently don't have that. We know how many people get killed by jellyfish every year, CDC collects it, but we don't know how many people are killed by the police. Like, that should unnerve us all, no matter who you are and what you believe.

And the second thing is there will be a national database of officers who have been fired for misconduct or who resign at the time that they are under investigation for misconduct. This way, they won't be able to go to another police department. I keep using Tamir Rice, but he's an unfortunate exemplar of how all of these things come together. The officer who shot and killed him in under two seconds for playing with a toy gun in Cleveland, Ohio—Tamir Rice was 12 years old—that officer had previously resigned and been let go, essentially, in a previous police department for being unfit mentally to be a cop. He then, after he killed Tamir Rice in Cleveland, went on to work at another police department despite Tamir Rice's family getting five million dollars from taxpayer money in the city of Cleveland. These are the sort of things that just should not happen in America. And most people, regardless of their political orientation, want to see these changes.

DEWS: Well, another issue that we've heard a lot about in the rhetoric of the 2020 presidential election throughout the summer up to the present is this idea to defund the police. And it means a lot of different things, depending on who's saying it. It's been weaponized by one side against the other side. It has some complexities. And then one of the responses to it, especially from Republicans, is law and order. So can you kind of unpack for our listeners the rhetoric around the phrase defund the police and what that means?

RAY: So, defund the police is a very catchy slogan, obviously. I mean, it's getting a lot of attention. But, in short, defund the police means to reallocate funding. And I've written about this extensively. It does not mean abolishing the police. Now, there are some people

who think police should be abolished, but then there are other people who think that police should be reimagined, that what I call bad apples coming from rotting trees like these bad cops like Derek Chavaun or Timothy Loehmann, who killed Tamir Rice, they come from somewhere. They have been trained and they are in these departments just like everyone else. We have to deal with the rotten trees in order to improve policing.

And a lot of people want to reimagine policing. They want to build it anew. Maybe that is similar to the Camden model in New Jersey where literally they fired everyone, brought them back. There have been other police departments that have done that.

Well, for people who talk about defund the police, they simply mean oftentimes reallocating funding. Let's give a couple of examples. Chicago: their 2020 budget is 1.8 billion dollars for the police department. Every one out of three dollars that people pay in taxes goes to police. People in Chicago and elsewhere need to think about whether or not they're getting their fair rate of return. Why should they think that? Because it's their money. They're the voters. They are citizens who live in that city. They should have a say so on what's going on. Imagine if 5 to 10 percent of that 1.8 billion was reallocated for education or work infrastructure. Imagine if their money was reallocated for mental health services, for addiction specialists. Imagine if the 700 million dollars—on top of the 1.8 billion that I just talked about that has been paid out over the past 20 years in Chicago in civilian payouts for police misconduct where overwhelmingly officers are never charged or convicted for those incidents—imagine if that money was used differently.

So, when I think about defunding, and I've studied it extensively, there are a lot of places that already engage in reallocating funding. Also in shifting funding. So, it's not just about reallocating away from public safety. It's also about shifting within it. Police officers need resources such as more mental health services for themselves, as well as mental health training or even an outsourcing of those calls for service. Nine out of 10 calls for service have

nothing to do with violence at all. The problem, though, is that 40 percent of homicides go unsolved every year. Those two things don't match and they don't match because police officers oftentimes are responding to things that they're not trained to do and then they're not spending time on things that they should be better trained to do, which is to solve violent crime.

And so I think if we make some shifts, 5, 10, 20 percent of the budget like Oakland, over 40 percent of the money in Oakland, taxpayer money, is spent on policing. We already know the problems Oakland has had across a host of issues. And I used to live there. I know it very well. When I moved there the officer who killed Freddie Gray was being sentenced. And now some kind of way, they're about to reopen this case and investigate it more, based on what's happening now, it kind of speaks to public pressure.

Bottom line, if people think that their money should be spent in other ways, they actually support defund, the police. But when we sit at a policy table, we call it reallocation, and 5, 10, 15, 20 percent can make a big difference.

DEWS: Let's stick on some other themes that we've been hearing in the course of the 2020 presidential campaign. And one of them is former Vice President Joe Biden's role in the 1994 crime bill. We heard it during the Democratic primaries and it came up in an audience question at one of his recent town halls. What is that all about? And why does it matter?

RAY: Well, look, I think talking about the 1994 crime bill is really, really, really important. And the bottom line is this: is that the 1994 crime bill is blamed for mass incarceration, primarily racial disparities in mass incarceration. If we start in 1980 up to the present, millions of people in the United States have been incarcerated overwhelmingly for nonviolent drug crimes. And if you were a Black male growing up in the '80s or '90s, like I was, one out of three black males could expect to be incarcerated on parole or have a

previous criminal record at any given time in their life. One out of three. So the 1994 crime bill was blamed for that.

The crime bill did a lot of things that were actually very useful. For example, the protections that they put in place for women who are victims of domestic violence is extremely, extremely important. The Violence Against Women Act is one of the things that has helped to hold, primarily, men accountable for domestic and sexual abuse. And that is desperately needed. However, what the 1994 crime bill did, and the reason why Joe Biden is implicated because he was the cosigner and one of the main writers of the bill, is that it helped to inflame the 1986 drug bill. That is the key part that people always leave out. Because, see, policy takes a while. So there's a lag. So, what people don't realize is that when crime started reducing—and that was the other reason why people were like, oh, the crime bill is working, crime is significantly reducing—but there were other things at play there that people don't focus on, like our education. our average rate of education was rising. There were more jobs available. When there are more jobs and people are getting more educated, there's less crime. But the 1986 drug bill that was signed under Reagan—people don't like to criticize Reagan—but under Reagan that what happened is that you could have one gram of crack cocaine—that's the size of the nail on your pinky finger—compared to 500 grams of powder cocaine, the pure form of the drug, and get the same exact minimum five year sentence. Because crack cocaine is a more diluted, cheaper version of the drug, it was more likely to be sold in less expensive areas, in lower income areas, which happen to be more Black and urban communities. So, we see the impact that that has had.

We also know that the crime bill gave a lot of money to put more police officers on the street, like 100,000 more police officers. And it also incentivized states to create more space for incarceration. So the 1994 crime bill inflamed what was happening with the drug bill and other legislations. Is this solely to blame? No. Is a complicated? Yes. I don't think

Biden has had a great response on it yet. But I think one thing is clear is that most people, regardless of where they're at on the aisle, feel that it was a mistake. And one big thing that Biden does highlight and get right, it just is kind of missed in the narrative at times, is that the Congressional Black Caucus and mayors and local cities, which in some of these cities were Black mayors and Democratic mayors, overwhelmingly supported the 1994 crime bill, with a few exceptions, important exceptions like John Lewis and Maxine Waters and a few others who were like, no, this isn't going far enough. But overwhelmingly, people supported this legislation because of the package that was put in place. And it is important to contextualize it and think about who we're blaming and a process.

DEWS: Well, I know that you have a piece that explores this history on our website, so I'm going to make sure I put a link in our show notes to it so listeners can delve deeper into that history. It's fascinating and very important. Let me turn to the other candidate in the presidential race, President Donald Trump. He brags and I'll quote here, "I have done more for black Americans than anybody except for the possible exception of Abraham Lincoln," unquote. Can you address that claim?

RAY: Yeah, well, to your point, first on the crime bill, piece, Bill Galston and I wrote this article on the crime bill and people should definitely read because we go into a lot more detail. And then on the topic of Trump making these claims, Keon Gilbert and I wrote a piece on has Trump failed Black Americans? And the conclusion we came to was, yes, that his statement saying he's done more for Black people without the exception of Abraham Lincoln, is far from the truth. And instead, the statement he made four years ago when he said that, "What do you have to lose?," talking to Black people. And what we conclude is that Black people have a chance to lose their lives. I mean, when we think about what's happening around police brutality, when we think about COVID, that on both fronts Blacks are about

three times more likely to be killed from the police and about three times more likely to die from COVID-19.

And I mean, look, we can look at a host of outcomes. I mean, when we look at the economy, one thing that Trump brags about is how well he's handled the economy. And look, he's handled it well. But he also inherited a thriving economy. And people have to realize that when President Obama and Joe Biden took over, we were in a great recession. And they reversed that quickly, while dealing with the Affordable Care Act, while dealing with marriage equality. And when Trump became president, he inherited a downward slope in unemployment, meaning unemployment was hitting rock bottom. I mean, it was on such a downward trajectory with unemployment that it had taken one of the sharpest declines in American history. That was under Obama and not Trump.

The other thing is COVID has also exposed the type of jobs that people have. So it's not just about whether or not a person has a job, but it's about whether or not the job allows them to put food on the table. If we look in Nashville, Tennessee, the minimum wage is very low. People who work 40 hours a week, they can even work 50 hours a week, and they cannot afford a one or two bedroom apartment in Nashville, Tennessee. I mean, those are the types of outcomes that simply should not be happening.

We also know that when it comes to other outcomes like criminal justice reform, yes, Trump helped to forge and sign the First Step Act. But that's important, too, because the First Step Act was really introduced by Senator Cory Booker and was formerly really known as the Next Step Act to reduce recidivism in the prison population. And the Trump administration, as I mentioned earlier, has purposely halted consent decrees and police department investigations.

But, I think the biggest one that people need to focus on is Trump's legacy when it comes to judges and the courts. Is that Trump has been able to not only appoint almost more

people than anyone else, but when it comes to the demographics of judges, it's very, very telling. Trump has appointed the most appeals court judges since President Jimmy Carter. None of them have been Black. And with the strongly conservative set of judges, we could think about the impact that these judges will have in generations to come in terms of what's going on.

And then, of course, I mean, look, we could talk about COVID-19 forever. But the bottom line that Keon Gilbert and I came to is when Trump asked "what do you have to lose?," well, look, I mean, potentially four more years of Trump for Black people could lead to thousands of lives being lost. In fact, there was a recent study that came out showing that if Blacks and whites had the same COVID-19 rate—meaning the same likelihood of contraction, the same likelihood of death compared to Blacks being overexposed because of the jobs they work, the densely populated areas they live in, or even the fact that Black people were six times more likely to be turned away from COVID testing and treatment—that nearly 25,000 thousand fewer Black people would be dead. That's coupled with the fact that about 40 percent of Black small businesses have closed during COVID-19 because over 90 percent of them did not get Payment Protection Program funding from the Small Business Administration.

DEWS: Well, another issue that we've been paying a lot of attention to, not only in this election year but during the Trump presidency, is the rise of white supremacist groups. I mean, the FBI calls it the greatest source of domestic terrorism. How do you react to the trajectory of these groups coming to the fore now and the president's rhetoric about them and toward them?

RAY: There's a couple of things. First thing is that it is often hard for racists to disavow racism, like it's hard for sexists to disavow sexism. And I think it should be something that should be fairly easy. And so people tell me a lot, as a sociologist, as a person

who studies social psychology, race and racism and social inequality and sexism, tells me a lot based on how people react. If people go back and look at their first debate between Trump and Joe Biden, when Trump was asked that question by Chris Wallace, that was one of the only times Trump paused. He had a pause. Not only then did he pivot, and his initial kind of implicit reaction was to call out the Proud Boys. That tells you where his mind went. But it was also the pause that told me a lot about him as a person who talks a lot and says what's on his mind. He had a pause to think, should I actually say what's on my mind right now?

I think the second thing that's important for people to notice is people always say, well, he's just talking. He's not just talking. Research from 2016 found that in places where Donald Trump campaigned saw hate crimes increase over 200 percent. He's not just talking, he's inflaming people.

And the third thing, Rebecca Shankman and I wrote an article on anti-lockdown protests during COVID, guns and these right wing groups. It didn't start off being specifically about right wing groups, we were just interested in what was going on with these anti-lockdown protests. But what we found is that these anti-lockdown protests were actually masks for right wing domestic terrorism. And we've seen that come to bear recently with foiled kidnapping plots with the Michigan governor and then the Virginia governor. And we know that when it comes to domestic terrorist acts, as much as oftentimes people hear in the media or on social media about left wing groups or ideologies like antifa, research actually shows—and there have been Department of Homeland Security reports—that 75 percent of domestic terrorist acts are committed by right wing extremists and not just right wing extremists, because it's just about being right wing, but then it's coupled with 75 percent of those right wing extremist acts are committed by white nationalists or white supremacists. And Trump's rhetoric oftentimes inflames and emboldens these people. And we've seen that

from how the Proud Boys have responded to other groups in terms of using Trump's rhetoric to recruit people and inflame their base.

DEWS: In another, I hesitate to call it a policy move, but in a change in the Trump administration recently announced, that really hasn't made a lot of headlines, the Trump administration's ban on training in federal agencies that use critical race theory and that address white privilege. So first, what is critical race theory and what is banning such training mean?

RAY: So, when it comes to what critical race theory is, I think the first thing people have to recognize is that since the '60s and '70s, really after the civil rights movement, critical race theory popped up in the social sciences and in law, particularly in the academy, as a way to explain the ways that racial progress is being rolled back and to really highlight the ways that racism is structural and built into the law and racial progress is oftentimes not automatic. So, in other words, this is aimed to highlight systemic racism. A fellow sociologist, Victor Ray, wrote a very profound piece in the Washington Post to really go through this, highlighting the way that what makes critical race theory controversial is that he's highlighting that it's systemic and not simply about individuals, that individual races need not exist for racism to persist.

Also highlighting that race is a social construction, meaning that race is something that is honestly made up. I mean, beneath the skin, we're over 99 percent similar to one another. And instead skin tone has been used as a metric by which to divide us.

The other thing is that critical race theory advances the narrative about race past the Black-white divide. Now, in America, that still is something that holds true. But we know that America is a multiracial country and the world is continuing to become multiracial.

And then I think one final big thing when it comes to critical race theory is that it's intersectional. It's not only about race, but it's also about gender. It's about sexual orientation. It's about social class and the like.

Now, why does this matter? Well, it matters because as a person who works with federal agencies, from police departments to the Department of Homeland Security and the military and conducts these trainings, the reason why it's problematic is because Trump has aimed to prevent people from doing implicit bias equity trainings to create racial equity within the federal government. That then has implications throughout the country in terms of the inability for people to not only train to ensure that people are hired in an equitable manner, but also that they are treated in a way that includes them in decision-making once they're working there. And I think part of the bottom line is that when we think about Trump's statement, and it wasn't just that he rowed it back and he said this in the first debate. He said, I ended it because it was racist and people were complaining that they were teaching people to hate our country. Look, that couldn't be farther from the truth. I teach critical race theory. That is not what's going on. And it could be argued that it's a blatant denial of racial discrimination that is actually being protected under law. And if the federal government had actually been engaging in these trainings, maybe over 90 percent of black small businesses would have been denied PPP funding.

DEWS: I just think this issue is very fascinating, and you referenced it earlier, too, when you said that for a lot of people, racism is something that was solved. And when people say that, I think, especially when white people like myself hear that, it's racism was solved in the 1964 Civil Rights Act and the 1965 Voting Rights Act. And any attempt to say otherwise is itself racist. And there's reverse discrimination and whites are discriminated against. Talk about, if you will, some of the expressions of continued racism that you see in our public life

and politics and civic life in our economy that we need to continue to address and continue to call out.

RAY: I think part of what's happening in our country, and you just stated this eloquently, that when we talk about racism, often people think about overt things, they think about individual things, that racism lives inside of people instead of inside institutions and social institutions. Like housing, like education, like the criminal justice system. And there are a few examples here. I mean, obviously, we can look at policing where despite studies showing that the people who police officers come in contact with, Blacks are actually less likely to be committing a crime or to be charged with a crime relative to whites. But that hasn't stopped the disproportionality when it comes to police violence. We also know that when Black people get in the system, in the criminal justice system, that there are huge disparities that lead to them less likely to receiving a plea deal, more likely to be given years on their sentence, and less likely to come up for parole.

When we think about housing, housing is all about location. And we know from our colleague Andre Perry, who has written a phenomenal book on this topic, called *Know Your Price*, that where people live, despite what they look like on paper, determines their housing value. And Black homes that are similar to white homes, the only difference is that one is in a predominately Black neighborhood, one is in a predominately white neighborhood, that that house in a predominately Black neighborhood has nearly 25 percent less home value. That is also wrapped up in people's homes getting appraised. That there was a recent large study that's not surprising to people who study race and racism, showing that having images up of Black people in your home actually decreases your value, and by a whole lot of money. Famous people, too, like comedian D.L. Huguely, who purchased a home for 500,000, put it on the market. And guess what? It was appraised for 500,000. He was like, it's no way this is possible because I know how much money I put into this house and this location. You change

out the person standing in the home, like what's happened to people like an interracial couple where they remove pictures of their child, they remove pictures of the wife. But then the husband is up and he's there. And all of a sudden the house is appraising for over 100,000 dollars more.

We know that this is also linked to education in the sense that local property taxes drives school funding. So this leads to in any given year that nonwhite school districts receive 23 billion dollars less than predominately white school districts. So to say it in reverse, white school districts which receive 23 billion dollars more, not just because the assumption that their homes are better. It's because of the value put on the home based on who lives there.

These are systemic things that populate, that lead to Black people getting higher interest rates, that lead to them being less likely to get a business loan based on where they're trying to be. And it leads to systemic outcomes where there's not an individual races acting like a puppet orchestrating this. This is literally the system being baked in. And this is why critical race theory is so important, because from the '60s and '70s, it says, yeah, we had the 1964, 1965 bills. we also had the 1968 housing bills. But it's not just about passing the bills. It's about the implementation of the bills. And we know from New Deal policies that despite the fact that veterans from World War II, which eight out of 10 men were impacted during World War II, that means about 80 percent of families growing up in the '40s, '50s and '60s, that the implementation of New Deal policies, meaning the G.I. Bill and Social Security, is what led to racial inequalities, not necessarily the policies themselves.

DEWS: Let me ask you. Rashawn, to extend your analysis of a racism that is less overt than in our caricatures of racism, which are very real, that are less overt in the rhetoric of our politics today. I mean, what are the markers and signs of a racist statement or a claim? When we hear, for example, Georgia Senator Perdue botching Senator Harris's name at a

rally, when we hear President Trump's rhetoric about suburbs? I mean, are these things explicitly racist or do we have to read race into them to be able to understand them as racist?

RAY: I think the latter. I think part of what happens is that racism operates in many forms, on multiple levels. But we have a very simplistic view as a nation of what racism is. People mostly view racism as operating in individuals, that someone does something to someone else. And we have to unpack that and get past that, because that is a very simplistic, overly simplistic, view of racism.

But even if we think about it that way, we have what are called micro aggressions. These are small slights that people give off. They lead to what I call chips and cuts at people's health, their mental, emotional, and physical health. We also know that benign neglect is something that operates where people are just paid less attention to. So, for example, on one hand a person walks into a store and they're profiled. Is that racism? Yeah. On the other hand, if a person walks into a store and other people are asked how they're doing, but that person isn't asked how they're doing, and the person who's not asked is Black and it's happened repeatedly, is that racism? Yeah.

And so some people say, well, I can't win. Sure, you can win. Just treat that person like you treat everybody else. If you ignore everybody, ignore them, too. If you come and say hello to everyone, say hello to them as well. Also, don't sit people in one specific section of a restaurant. And there are studies showing that Black people are sat in farther away in restaurants, not up front, that waiters and waitresses take longer to come to their tables. I mean, very subtle things that when you're middle class or upper class, when you have a lot of degrees that supposedly those things are supposed to happen.

The problem is that we cannot outclass racism.

Let me say something about the Senator Harris name issue, is that part of another way racism operates is through devaluing. That is devaluing someone that you do not even care

enough to get their name correct. And then you engage in what we call cognitive dissonance to justify why you did it. Which is saying that even when you're called out for something, you try to uphold your beliefs in alignment and oftentimes this leads you to doubling down on your racism, if we're talking about it in this regard.

I mean, we can talk about it for sexism as well. But one big outcome that I think plays out subtly that has huge implications, and I think it is one of the most problematic racial disparities that we have in the United States, it's the simple fact that Black women are several times more likely to die during childbirth than white women. And what should be one of the most glorious days of their lives, a baby being born, is that the maternal mortality rate and the infant mortality rate for Black people relative to white people is astonishing and sad. How does it happen? It happens through all the things I just noted: devaluing of Black bodies, stereotypes about what Black bodies do, the fact that Black bodies can supposedly take more pain, that our skin is thicker, than our blood coagulates in different ways—things that are super far from the truth, but people think it, and studies show that medical students actually think these things. So, I mean, it's not just normal people, it's medical students think this, who are going to operate and deliver babies.

We also know one big way it plays out is through benign neglect. A person hits their car light, people respond to them slower. It's the same thing that happens in a neighborhood when police are called or fire, ambulance or call saying that someone is injured. Public safety response is slower to Black households and Black neighborhoods. These are ways that racism operates.

Bottom line is this: When a Black mother and a white mother are about to have a child and they both say their pain is a nine on a scale from one to 10, studies show that the Black mother oftentimes gets less pain medication. And I mean, look, as a person who's seen a woman give birth, I mean, that is something to think about, a person being in pain when they

don't have to be, that all people have to do is read the stories about Beyoncé and Serena Williams, where they had similar incidents, where their class, their social class, their high status, the fact that you can't argue that they're not two of the people in the world who are in some of the best shape we've ever seen. None of those things protected them from the stereotypes and discrimination that happens with their Black skin.

DEWS: Well, Rashawn, I want to wrap up our conversation by looking ahead post-election. But I'm struck by the fact that I invited you on to talk about the simple topic of race and social justice in election 2020. But here we've been talking about not only those two issues, but about health care and about the economy, and we've got some history thrown in and some other issues. And I just want to thank you before we officially end for such a wide ranging, fascinating conversation. But let me ask you this. No matter who wins the election, our country and the world will still be dealing with the shocks of the coronavirus pandemic and continued attention to racial inequity issues that have come to the forefront over the past six, seven months. And that have always been with us. So can you, as sociologist Dr. Rashawn Ray of the Brookings Institution, talk about the kinds of policy reforms that you will be looking at and talking about in the months in the years ahead?

RAY: So I think it's real simple, there are three things. If Americans are serious about finally getting past racism, there are three specific things that will happen. The first thing is that the George Floyd Justice in Policing Act will become law. That deals with policing.

The second thing is that the Affordable Care Act, which has been shown to work and provide coverage not just for Black people, not just for Latinos, but also low income whites, for whites living in rural America in places where they have to go really far to try to get to a hospital, that the Affordable Care Act has worked. And with more resources in terms of more really support, particularly at the implementation phase, that we'll see it having a bigger impact.

And finally, if we really want to get past what Congressman Hakim Jeffries called our genetic birth defect, America's genetic birth defect on the question of race, we really need to think seriously about reparations. I've been writing about it a lot. Andre Perry and I wrote a piece. We talked to you about it. I've written in Business Insider about it. I think it's a couple of things people need to know there. The first big thing is that the Black-white wealth gap is 10 to 1. Whites have 10 times more wealth than Blacks do. And it's not because of spending habits or people's income. College degree doesn't do much. It only drops to 7 to 1. People always say, well, I don't want my tax money being spent. You know, Rashawn, you talk about tax money you say that we shouldn't use tax money for civilian payouts, so how would you use it for reparations? Point made. I think federal land is the way to go. And I've written about this, that over 25 percent of all land in the United States is federal land. It could be auctioned off. It could have a line of credit taken out on it. There are multiple ways to use that funding to help reduce the racial gap. So if people want to get past it, the legislation we had in the '60s and '70s was great, but they only did so much. And I think those are three things that I'm looking at. If people are really about transformative change to end racism, we can't piecemeal it. We really have to take it head on to deal with some of the Goliaths that lead to people's lives being taken too soon.

DEWS: Well, Rashawn Ray, this has been a fascinating and important conversation here on the eve of the end of the 2020 election. I very much appreciate your time and expertise.

RAY: Thank you. I really, really appreciate the opportunity.

DEWS: The Brookings Cafeteria Podcast is possible only with the help of a team of amazing colleagues. My thanks go out to audio engineer, Gaston Reboredo and our intern, Ryan Jacobs; to Bill Finan, director of the Brookings Institution Press, who does the book interviews; to Marie Wilkin, Adrianna Pita, and Chris McKenna for their collaboration. And

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Until next time, I'm Fred Dews.