

WASHINGTON

FACING RACE:

2010 Legislative Report Card on Racial Equity

COMMUNITY
ORGANIZATIONS
IN ACTION

FALL 2010

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INTRODUCTION

The 2010 Washington Legislative Report Card on Racial Equity assesses the performance of the Washington Legislature and the Governor with regard to policies addressed during the 2010 Regular Session that affect racial justice in Washington.

In 2010, Washington legislators and the Governor faced daunting tasks. The economic crisis and its consequent budget shortfalls dominated the legislative session, which extended into a special session. Amid such crises, our state faces a choice. Will we promote and invest in fundamental values like fairness and opportunity for all? Or will we react in ways that exacerbate persistent racial inequities?

Unfortunately, in the 2010 legislative session, our Legislature missed many opportunities to advance racial equity in our state. People of color represent almost 25 percent of Washington residents. Yet racial disparities in income, health, education, civil rights, criminal justice, and housing persist. The Washington Legislature and Governor Gregoire will continue to confront difficult decisions in upcoming sessions. They must make these decisions with the racial justice impact of their actions in mind.

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RACE MATTERS IN WASHINGTON

Washington's population is diversifying, and people of color make up a growing proportion of the state's population. In 2000, people of color numbered about 1.2 million – about 20.6 percent of the population.¹ By 2008, this number had exceeded 1.5 million or 24.2 percent.²

Asians, Latinos, and multiracial people are the fastest growing groups.³ Although the population of the state is expected to increase by 42 percent by 2030, these three groups are projected to increase by as much as 132, 150, and 160 percent, respectively.⁴ Moreover, Washingtonians of color are younger than the overall population – in some cases significantly so. The median age for the state is 37.1,⁵ but for multiracial people it is 18.6⁶ and for Latinos, 24.3.⁷

Washington is also home to growing immigrant and refugee populations. The state ranks 10th in the U.S. in number of immigrant residents, having experienced the 11th largest immigrant population increase between 2000 and 2008.⁸ Many of Washington's people of color are immigrants. For example, two-thirds of all Asians⁹ and nearly four in 10 (38.9 percent) Latinos are immigrants.¹⁰

Additionally, Washington State has been among the top ten states for refugee resettlement since 1975. Over the last 30 years, Washington has received large numbers of refugees from East Africa, Southeast Asia, and the former Soviet Union, as well smaller numbers from other countries.¹¹ Today, refugees are arriving from a larger variety of countries. For instance, in 2009, about 23 percent of refugee arrivals came from Bhutan.¹² Refugees have arrived from a host of other countries, including Iraq, Cuba, Somalia, and Afghanistan.¹³

PERSISTENT AND GROWING RACIAL DISPARITIES

Washington policymakers must take these demographic changes to heart and embrace the increasingly important role that people of color – both immigrant and non-immigrant – play in Washington. But to do this, they must recognize and address the significant and persistent racial disparities in areas ranging from income to health care to criminal justice that exist in the state. For example:

- Nationally, families of color have far fewer assets than do white families, primarily the result of less intergenerational transfer of wealth through inheritances, bequests, and intra-family transfers.¹⁴ For example, in 2007, the median white family held \$170,400 dollars in assets, while the figure was \$21,000 for Latinos and \$17,100 for African Americans.¹⁵ This wealth gap means that families of color often have less of a cushion to fall back on in hard times.
- Nationally, median family income for people of color lags behind that of whites: for Latinos, it is only 55.3 percent of median income whites; for American Indians/Alaska Natives, it is 61.5 percent; and for Blacks it is 63.7 percent.¹⁶
- In Washington State, non-elderly Latinos are almost twice as likely as non-Latinos to have no health insurance.¹⁷
- African Americans in Washington State are more than nine times as likely to be in prison than are whites in the state, while the ratio of African American to white arrest for violent offenses is only 3.72 to 1. This means that substantially more than one half of Washington State's racial disproportionality cannot be explained by higher levels of criminal involvement as measured by violent crime arrest statistics.¹⁸
- A 2005 study of Washington State Patrol stops found that even after legally relevant variables such as offense seriousness and the number of violations are taken into account, drivers of color are significantly more likely to be searched than are white drivers. Native Americans are twice as likely to be searched for low-discretion searches,¹⁹ African Americans are 20 percent more likely, and Hispanics are approximately ten percent more likely to be searched than whites in low-discretion searches. Because these searches are less productive, it is likely that people of color are being placed at this greater risk for no good police purpose.²⁰

The current economic crisis has made matters even worse. Lacking a cushion for hard times and facing a range of barriers to economic security, people of color are facing even starker disparities:

- Between the second half of 2007 and mid-2009, American Indian unemployment had tripled in the West, while white unemployment doubled.²¹ Nationwide, the July 2010 unemployment rate was 15.6 percent for African Americans and 12.1 percent for Latinos, compared to 8.6 percent for whites.²²
- In Washington State,²⁴ median family income for African Americans in 2000 was about 76 percent of that of whites, but by the three-year period 2006-2008 it had decreased to less than 64 percent.²⁵ For American Indians/Alaska Natives during the same period, median family income declined from 69 percent of white median family income²⁶ to 55 percent.²⁷

People of color have borne a disproportionate share of the housing crisis. From 2007 to 2009, Black and Latino borrowers, respectively, were 76 and 71 percent more likely than whites to experience foreclosure.²³

METHODOLOGY

This report examines 21 bills in key categories passed during the 2010 Regular Session with the most direct potential or actual impacts on all Washingtonians and people of color in particular. This report evaluates legislators' responses to these bills. Legislation is analyzed for both positive and negative effects, and each bill meets at least one of five criteria:

- Does the legislation explicitly address racial outcomes and work to eliminate racial inequities?
- Will the legislation increase access to public benefits and institutions for communities of color?
- Does the legislation advance enfranchisement and full civic participation for everyone in the state?
- Will the legislation protect against racial violence, racial profiling, and discrimination?
- Is the legislation enforceable? Are adequately funded mechanisms in place to ensure accountability?

The report grades each legislator's voting record and leadership in authoring racial equity legislation.

| | | | | |
|----------|----------|----------|----------|----------|
| A | B | C | D | F |
| 90-100+ | 80-89 | 70-79 | 60-69 | below 60 |

This report addresses legislation promoting racial equity in seven issues areas: civil rights, education, health, economic justice, housing and community development, tribal sovereignty, and criminal justice. An additional category, institutional racism, examines legislation that reinforces or increases racial disparities in opportunities and outcomes. Each of these issues is addressed in a later section containing demographic and contextual information illuminating existing racial disparities. Additionally, each issue section evaluates key related legislation and the impact it would have on inequities.

The report grades each legislator's voting record and leadership in authoring racial equity legislation. Grades are derived from two variables. First, 90 percentage points are based on the up-or-down voting record on the selected legislation: votes for equity legislation increase the legislator's grade, while votes for legislation that would exacerbate racial disparities decrease it. Included in this portion of the grading are bills that have passed the Legislature in each issue area, except tribal sovereignty and housing and community development. The remaining ten percentage points are based on leadership. The full ten percentage points can be obtained only if the legislator is the primary sponsor of two pieces of racial equity legislation identified in this report – five percentage points for each bill. Five percentage points are deducted for each bill sponsored that would create or increase racial disparities, or institutional racism bills identified in this report. A legislator who sponsors more than two pieces of racial equity legislation can score more than 100 percentage points.

Occasionally, legislators do not vote on a particular bill because of an excused absence. Excused absences are not included in the calculation of grades. In categories when only one bill was included, such as Institutional Racism, an excused absence is indicated as such.

This report also includes a section on budget and tax equity, although there is no grading.

This report is the second in a series of annual Washington Legislative Report Cards on Racial Equity.

DATA LIMITATIONS

Some statistics in the report lack information about one or more racial or ethnic groups. Where possible, we have used data in each section including all of the same racial and ethnic categories. We were not always able to find data that included every category.

In other cases, members of one race or ethnic group are included in another category. For example, the U.S. Census Bureau follows the Office of Management and Budget's standards for maintaining, collecting, and presenting data on race. According to those standards, the category "white" includes any "person having origins in any of the original peoples of Europe, the Middle East, or North Africa."²⁸ However, many immigrants from the Middle East and North Africa do not believe that this categorization reflects their lived experience of race in the United States.

Additionally, statistics that aggregate members of diverse communities can be misleading. The statistics available for this report aggregate all Asian communities. Some Asian communities in Washington State, such as Japanese and Chinese communities, have been established in the state longer and tend to have higher incomes, higher rates of insurance, higher educational attainment, and better outcomes in other categories than do Southeast Asian communities that have immigrated to the United States more recently. Data that refer to "Asian" residents of Washington State may not represent the actual experience of some Asian communities.

The data on American Indians and Alaska Natives also suffer from a number of problems. These include chronic undercounting by as much as 12 percent in the decennial census,²⁹ a lack of disaggregation³⁰ by relevant factors, racial misclassification on official documents, and small sample size.³¹ Additionally, many immigrants are members of indigenous communities in their countries of origin. Data about immigrants do not disaggregate members of indigenous communities.

Measuring racial disparities is difficult in many arenas because of limited available data. In this report, we have used data from many sources, including the U.S. Census Bureau and Washington State Office of Financial Management.

REPORT FINDINGS

Although some legislators stood out, the Legislature overall received a C for its voting on racial equity bills. While some legislators stand out for their efforts to address racial equity, the Legislature as a whole received a C, with a combined House-Senate score of 74 percent. Of the 18 positive racial equity bills examined here, six never received a floor vote in both chambers. In fact, of those six, most did not receive a floor vote in either chamber.

| SENATE GRADE | HOUSE GRADE | COMBINED LEGISLATURE GRADE |
|--------------|-------------|----------------------------|
| 75% | 72% | 74% |

Thirty-seven percent of all legislators received failing grades. Indeed, more than seven times as many legislators received an F than received an A. The two chambers did not have significantly different performance.

Six Representatives—Flannigan (27th District), Hasegawa (11th District), Kagi (32nd District), Orwall (33rd District), Upthegrove (33rd District) and Williams (22nd District)—and one Senator—Kohl-Welles (36th District)—received A's. Some of these received an A based on their voting records, without additional leadership points. Others received the A based on additional leadership points. Due to the combination of voting and leadership, Representatives Upthegrove and Williams had the highest grades in the House, coming in at 95 percent. Senator Kohl-Welles had the highest grade in the Senate and overall, at 98 percent.

CIVIL RIGHTS



Our nation has a proud tradition of protecting basic human rights, and Washington has been a leader in this field. But Washingtonians of color continue to be the targets of discrimination, hate crimes, and exploitation. Taken together, race and national origin form the most frequent basis for discrimination complaints to the state Human Rights Commission and the most frequent motivation for reported hate crimes.³² Recently, hate crimes have been reported more frequently, while other serious crimes have become less frequent.³³ Additionally, many members of Washington's immigrant population are particularly vulnerable to various forms of exploitation because they lack legal status, which for the vast majority is unobtainable through the current immigration system.

The Washington Legislature can address these disparities by enacting policies that increase access to civil rights for state residents of all races and income levels.

ESHB 2747: Limiting the use of restraints on pregnant women or youth (Darneille)

Prior Washington law did not bar correctional personnel from shackling pregnant inmates, even during labor. Shackling women during labor can have harmful impacts on the mother's and her child's future well-being by complicating and delaying procedures in the event of emergency.³⁴ Such shackling also represents an imposition and indignity during one of the most intimate moments in a woman's life. SB 2747 bans the use of non-medical restraints on women during labor or childbirth and generally during their third trimester. In addition, SB 2747 bans the presence of correctional staff in the delivery room unless requested by medical care providers, and in such cases the law establishes a preference for female personnel.

Senate companion bill: 6500 (Fraser)



Kimberly Mays

Tacoma

On August 2, 2000, I went into labor at the Washington State Corrections Center for Women. I was scared, even though it wasn't my first time giving birth. After reporting that I was in labor, I had to wait for message to be transmitted to the powers-that-be in the prison, be escorted to the prison clinic, get a confirmation from the nurse that I was in labor, and wait for an ambulance – all the while afraid I could have my baby at any moment without an attending physician.

My hands and feet were shackled. Then I was shackled to the ambulance bed for the entire ride to the hospital in Tacoma, in excruciating pain and without a comforting presence, since the ambulance attendant and the prison guard talked to me in terse tones.

When I reached the hospital, I was pretty far into labor, in terrible pain, moaning, groaning, and intermittently yelling out in pain. I wasn't given any pain medication, and the hospital staff handled me roughly and was rude and curt with me. I remain shackled throughout the many admissions questions. When I got to the delivery room, I thought there would be some reprieve from the shackles. Yet only the leg shackles were removed so I could be examined, and one of my wrists was shackled to the side of the bed.

The humiliation I felt with the prison guard hovering while I was exposed and checked for dilation was more than words can describe. Then, to my horror, the attending nurse forcefully covered my mouth for a very long time, after several attempts to get me to "stop screaming." Mind you, I was in full labor, with no pain medication, no comforting face or voice, and contractions coming so fast and hard that I thought I would literally die!

After the nurse forced her hands over my mouth, scowling like I was an annoying animal who needed to be put down, instead of a mother in labor, I lost all sense of dignity and self-respect. I felt like an animal giving birth in front of its human masters – a worthless piece of trash.

Afterward, I was able to spend some time with my baby, but I still remained shackled to the bed, either by one arm or one leg, until I was discharged the next day. The restraints were removed only so I could go to the bathroom or take a shower. That was the most demoralizing event in my life.

I'm two quarters shy of a Master's degree in Public Administration at Evergreen. I serve on several legislative advisory committees and on several boards and committees in the community that serve our most marginalized citizens. I'm a faithful member of a wonderful church, and I sing in our church choir. I reach out to lost and broken souls in the community at large, helping them to overcome addictions and lifestyle deficiencies.

I'm not a worthless piece of trash, but a valuable asset to people, families, the community – and the world. I believe that my story helped get the anti-shackling legislation passed in our state and helped alleviate the disgraceful practice of shackling women during labor, which in turn will help alleviate the negative behaviors of prison guards and hospital staff toward women who give birth while incarcerated.

SSB 6332: Concerning human trafficking (Kohl-Welles)

Washington is a hotspot for human trafficking in the United States,³⁵ primarily for forced labor.³⁶ Most human trafficking victims are non-citizens, many of whom in Washington are people of color. Prior Washington law required employers to disclose information about state and federal protections but left an exception for workers with H-1B temporary-worker visas. SB 6332 removes that exception and allows workers to sue an employer for not disclosing information about legal protections. It also entitles workers to the costs of bringing a suit as part of the damages awarded. To educate potential victims about their rights, the Department of Labor and Industries must integrate information about assistance for victims into posters and brochures, including toll-free numbers of the National Human Trafficking Resource Center and the Washington State Offices of Crime Victims Advocacy.

E2SHB 3026: An act relating to school districts' compliance with state and federal civil rights law (Santos)

Students need a safe environment in which to learn. Although prior Washington law barred school-based discrimination on the basis of race and certain other factors, the Legislature had not granted the Office of Superintendent of Public Instruction (OSPI) authority to enforce those laws. SB 3026 remedies this gap by giving OSPI enforcement authority.

To educate potential victims about their rights, the Department of Labor and Industries must integrate information about assistance for victims into posters and brochures, including toll-free numbers of the National Human Trafficking Resource Center and the Washington State Offices of Crime Victims Advocacy.

CRIMINAL JUSTICE



Washington had 18,626 people in prison in June 2009.³⁷ Although most states saw their incarceration rates decline last year, Washington's continued to grow.³⁸ Major racial disparities exist in Washington's incarceration rates.³⁹

For instance, despite representing only 3.4 percent of the state's population,⁴⁰ African Americans make up 20 percent of the state's prison population.⁴¹ Disparities are perpetuated by policies and practices such as racial profiling and inequitable sentencing practices. Laws relating to drug use in particular have contributed to these disparities. Additionally, immigrants and many people of color assumed to be immigrants face racial profiling by local law enforcement officials taking on immigration enforcement responsibilities.⁴²

Disparities in incarceration affect families and communities as well as individuals. In 2007, there were 61,276 children under the age of 18 with at least one parent who had been incarcerated. In total, 6.7 percent of youth 18 years old and younger with an identified parent and served by the Department of Social and Health Services have a parent who has been incarcerated.⁴³ Moreover, former inmates often face barriers to employment,⁴⁴ which has an impact on all family members. The Legislature should carefully assess the racial impact of existing laws and pending legislation and pursue policies that promote racial justice.

E2SSB 6561: Restricting access to juvenile offender records (Hargrove)

Youth of color are more likely than white youth to become subject to the criminal justice system.⁴⁵ Under prior Washington law, access to records of juvenile convictions records was permanently unrestricted for some felonies, presenting barriers to employment and education. For many crimes, SB 6561 now allows the sealing of juvenile records two to five years after the completion of the sentence if no subsequent crime has been committed, there are no pending charges, and all restitution has been paid. These changes will help many youth, disproportionately youth of color, move forward in their lives and pursue higher education and employment.

Communities of color have long been targets of law enforcement activities at a disproportionate rate and borne the brunt of police brutality, excessive force, and investigative stops.⁴⁶

SSB 6590: Stating the policy that law enforcement personnel be truthful and honest in the conduct of official business (Kline)

Communities of color have long been targets of law enforcement activities at a disproportionate rate and born the brunt of police brutality, excessive force, and investigative stops.⁴⁶ Yet holding police to standards of accountability remains very difficult.⁴⁷ Prior to the passage of SB 6590, there was no statewide policy requiring truthfulness on the part of law enforcement personnel, despite documented problems of police dishonesty.⁴⁸ The passage of this bill provides police departments with an important mechanism for disciplining and firing personnel who lie in the course of duty.

SB 5516: Addressing drug overdose prevention (Franklin)

Although drug use rates are roughly equivalent among racial groups, people of color are incarcerated for drug offenses at much higher rates than are whites. In Washington, African Americans are more than five times as likely as whites to be arrested for drug offenses.⁴⁹ Under prior state law, a person who called for emergency medical care to address a drug overdose risked being charged and prosecuted for drug possession based on providing the assistance. The patient also faced possible prosecution. By removing the possibility of a criminal conviction in such cases, this bill recognizes drug use as a public health issue and is one step toward shifting state drug policy away from mass prosecution and incarceration.

House companion bill: HB 1615 (Liias)

MISSED OPPORTUNITIES

HB 1177/SB 5615: Reclassifying possession of forty grams or less of marijuana from a misdemeanor to a class 2 civil infraction (Upthegrove/Kohl-Welles)

Under Washington law, possession of 40 grams or less of marijuana is a misdemeanor, with a fine of at least \$250 for a first offense and \$500 for subsequent offenses, in addition to potential jail time. HB 1177 and SB 5615 would have reduced the penalty for small-scale marijuana possession to fine of \$100 and removed the stigma of a criminal conviction. This bill would have represented an important step toward reducing the criminalization that falls disproportionately on people of color.

SB 5476/HB 1909: Abolishing the death penalty (Murray/Williams)

Aggravated first-degree murder is punishable by death in Washington. Although only 3.4 percent of the state's population is Black,⁵⁰ three out of eight inmates on death row are Black,⁵¹ or 37.5 percent. This parallels the national pattern in which African Americans represent 41 percent⁵² of death-row inmates yet represent only 12.3 percent of the population.⁵³ SB 5476 and HB 1909 would have reduced the penalty for aggravated first-degree murder to life without parole, ending the systematically unfair application of the ultimate punishment.

ECONOMIC JUSTICE



Although the economic crisis has limited state funds while increasing demands on public services, legislators and the Governor have the power to enact policies that reduce economic disparities.

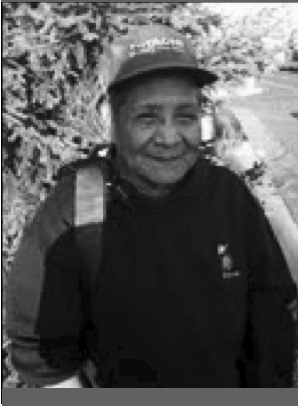
The face of the Washington workforce is changing rapidly. Significant economic racial disparities exist in Washington related to income, employment, and access to credit. People of color represent 24 percent of Washingtonians but 39 percent of those identified as having income at or below the Federal Poverty Level.⁵⁴ People of color are more likely to be concentrated in lower-wage jobs such as non-union construction jobs and agricultural work, while underrepresented in professional and office jobs.⁵⁵ Additionally, people of color have been hit harder by the recession. By mid 2009, American Indian unemployment had tripled in the Northwest, while white unemployment had doubled.⁵⁶

For Washington's immigrant population, many of these factors are compounded by a lack of status or by limited English proficiency. Immigrants are often relegated to lower-wage jobs and are much less likely to participate in wealth-building activities such as purchasing homes, starting businesses, or attending college.⁵⁷ The foreclosure crisis has hit communities of color particularly hard; recent Black and Latino borrowers were 1.76 and 1.71 times as likely as whites to have had their homes foreclosed upon.⁵⁸

HB 3145: Improving administration of wage complaints (McCoy)

People of color tend to work in wage-earning jobs rather than salaried positions.⁵⁹ Wage employees are more vulnerable to exploitation by unscrupulous employers. A study on urban wage theft in low-wage industries found that 68 percent of workers had suffered from a wage-based violation within the past week.⁶⁰ Moreover, African American workers were more than three times as likely as U.S.-born whites to be paid less than the minimum wage, and Latinos were almost six times as likely.⁶¹

Although the Department of Labor and Industries has provided a recourse venue for victims of wage theft, before the passage of this bill it did not penalize the worst offenders. HB 3145 increases minimum civil penalties for willful and "repeat willful offenders" from \$500 to \$1,000 up to a maximum of \$20,000, in addition to wages and interest owed.



Ramón Hernández

Kent

For nearly three years, I worked at a bakery, but my employers didn't pay me fully for my work. After all that time, they wound up owing me more than \$25,000 in unpaid wages and overtime. I tried to get the owners, three brothers, to pay me what they owed, but they refused.

I thought I should have other people standing with me to fight back, so I went to Worker Defense Committee at Casa Latina. Together, the other members of the committee and I began a public campaign to recover my wages. During the beginning of the campaign, one of the brothers signed an agreement to pay my \$25,000. But they made good on only \$10,000. After that, they wrote two checks with insufficient funds and then stopped payment completely. We continued with the public campaign in front of their bakery for a couple more months, but they were unresponsive. They still owe me more than \$15,000 in unpaid wages.

E2SHB 3141: Redesigning the delivery of temporary assistance for needy families (Kagi)

The state's Temporary Assistance for Needy Families (TANF) provides much-needed income and other supports for people living in poverty,⁶² who are disproportionately people of color.⁶³ This bill improves the program by extending to 12 months the former six-month authorization period under the Working Connections Child Care (WCCC), giving families greater stability and more opportunity to plan for the future.

However, the Governor also vetoed significant portions of the bill. These portions would have reoriented TANF in a number of ways. Among these would have been increased emphasis on improving training for workers with fewer skills and experience, assessing the experiences of those who cannot find work within time limits, and increasing the wages of TANF beneficiaries.

MISSED OPPORTUNITIES

HB 2513/SB 6252: Using credit history, education, and income for insurance purposes (Nelson/Kohl-Welles)

Under the premise that credit scores indicate risk, insurers often consider credit histories when determining eligibility rates for personal insurance. However, linking credit scores to insurance also prevents a disproportionate number of people of color from obtaining insurance.⁶⁴ HB 2513 and SB 6252 would have banned consideration of credit history, education, or income when insurance companies determine eligibility and rates for personal insurance such as automobile or homeowners' insurance. The bill would have allowed more people to get the affordable insurance they need to protect themselves and others.

SB 5150: Setting a maximum rate for interest or fees charged for small loans (Kline)

People of color have lower overall income and less wealth accumulation when compared to whites.⁶⁵ Aware that people of color are more likely to seek short-term credit in tough times, payday lenders specifically target communities of color, regardless of income level.⁶⁶ High interest rates and short-term due dates often beget a vicious cycle: 76 percent of payday loans are used to pay off prior payday debt.⁶⁷ SB 5150 would have limited annual interest rates on payday loans to 36 percent.

HB 2622: Protecting consumers from unfair practices by establishing criteria for the dissemination of credit and court record information contained in a consumer's tenant screening report (Orwall)

People of color are much more likely than whites to rent a home.⁶⁸ Landlords frequently require prospective tenants to pay for background checks from consumer reporting agencies, resulting in an additional cost for those who often can least afford it.

SB 2622 would have protected tenants in a number of ways from repeated and potentially inaccurate reports. Among other things, it would have provided prospective tenants with the opportunity to use a single comprehensive screening report, valid for 60 days, rather than be charged for multiple reports. The bill also would have required consumer reporting agencies to send a copy of any background check to the prospective tenant, allowing the prospective tenant to review it for any inaccuracies.

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EDUCATION AND YOUTH



Significant racial disparities exist in Washington schools, reinforcing inequities experienced by people of color in other areas such as employment and income. Dropout rates are disproportionately high among students of color, with American Indians more than twice as likely as whites to not complete high school.⁶⁹

Moreover, as Washington's student population has grown increasingly diverse, linguistically and culturally appropriate services and practices have not kept up. For example, the number of students eligible for the state's Transitional Bilingual Instruction Program has increased by 25 percent since 2001, but adjusted-for-inflation, per-student funding levels decreased between 2001 and 2008.⁷⁰ For Latinos, especially, the English Language Learner (ELL) programs are critical to breaking down language barriers, as more than 66 percent of Latino students speak Spanish as their primary language at home.⁷¹ Use of ELL services is also increasing among other groups in the state's larger school districts. This is especially true in Seattle, where a nearly four-fold increase in the share of Black students with limited English proficiency over the last two decades reflects the city's growing immigrant and refugee community from sub-Saharan African countries.⁷²

These problems have contributed to significant disparities in Washington Assessment of Student Learning Scores, where students of color score consistently lower, especially in math, than white students.⁷³ Schools that perform above expectations on the WASL test tend to have substantially fewer low-income students, fewer African American and American Indian students, and more Asian students than schools that perform below expectations.⁷⁴

2SSB HB 2731: Implementing a program of early learning for educationally at-risk children (Goodman)

Children who attend preschool reap benefits later in life.⁷⁵ However, preschool is costly. (As a comparison, the average daycare center rate per child in Washington in 2008 was \$650 a month.⁷⁶) HB 2731, the Ready for School Act of 2010, expands access to early education for children age three to four from families at or below 110 percent of the Federal Poverty Level and children eligible for special education. The programs will provide early childhood education and family support, options for parental involvement and health information, and screening and referral services based on family need.

E2SHB 1418: Establishing a statewide dropout reengagement system (Kagi)

This bill establishes the framework for a statewide dropout reengagement system to provide education and services to certain students who have dropped out of high school or are unlikely to graduate before turning 21. The bill authorizes school districts to partner with community colleges, educational service districts, and other entities to provide reengagement services. These services include such things as GED preparation, college and work readiness, counseling and support services, and, in certain cases, tuition-free community-college classes.

Senate companion bill: 5618 (Kauffman)

HB 2684: Establishing opportunity centers at community colleges (Kenney)

This bill recognizes in statute a pilot program at the North Seattle Community College that provides a single site for many services, such as job support, housing assistance, childcare subsidies, community college financial aid, and assistance with high school completion. It also creates a working group that will produce recommendations on recreating similar centers elsewhere in the state.



HEALTH EQUITY

People of color have worse health outcomes than whites. The incidence of chronic diseases such as diabetes and asthma is markedly higher among people of color, particularly African Americans and American Indians. The infant mortality rate for African American children is 80 percent higher than for white children.

In 2008, the Washington Health Foundation ranked Washington the tenth healthiest state.⁷⁷ But the state's health is not equal for all. Washingtonians of color are substantially more likely than whites to be uninsured, and the number of uninsured people of color has grown over the past decade.⁷⁸ Immigrants face additional burdens in obtaining health insurance; as a result, one quarter of all non-citizen immigrants in Washington lack health insurance.⁷⁹

Although many lower-income, non-immigrant residents qualify for public programs such as Medicaid and CHIP (Children's Health Insurance Program), most adult legal permanent residents are subject to a five-year ban on Medicaid eligibility. (The five-year bar is a federal restriction; Washington had previously provided Medicaid look-alike coverage to barred individuals but eliminated this coverage in 2002.⁸⁰) Many other immigrants, including some with legal status and nearly all undocumented immigrants, are ineligible regardless of how long they have resided in the U.S.⁸¹

People of color also have worse health outcomes than do whites. The incidence of chronic diseases such as diabetes and asthma is markedly higher among people of color, particularly African Americans and American Indians.⁸² The infant mortality rate for African American children (8.1 per 1,000) is 80 percent higher than for white children (4.5 per 1,000).⁸³ Disparate health outcomes, while not solely created by disparities in income or health insurance coverage, are exacerbated by barriers to health care access.

ESSB 6726: Making the Governor the public employer of language access providers (Marr)

Accurate communication between health care providers and patients is essential, and language services providers bridge communication gaps for providers and limited English proficiency patients, who tend to be people of color. (Thirty-eight percent of Asians and Latinos have limited English proficiency, compared to less than two percent of whites.⁸⁴) However, 80 percent of language access providers do not accept Medicaid because of low payment rates available through the brokerage system, and many experienced interpreters are leaving the system.⁸⁵ Without competent health care interpretation, health providers often rely on patients' friends and family members for assistance – sometimes placing children in the difficult position of having to communicate diagnoses and treatment between providers and their own parents.⁸⁶

ESSB 6726 gives language access providers collective bargaining rights, associated with higher wages and on-the-job benefits. (Workers with collective bargaining rights earn about ten percent more than unorganized workers and are 19 percentage points more likely to have employer-based health insurance.⁸⁷) Increased wages and improved benefits will help maintain experienced interpreters in the system and help people with limited English proficiency get quality health care.

House companion bill: 3062 (Conway)



Yolanda Tinoco

Bellevue

I am a single mom with three daughters. A few months ago, I felt something wrong in my body. I was scared that I had some kind of serious illness and, since I was already scheduled for a colposcopy, I decided I'd talk to my doctor about it then.

When I went to the doctor, they didn't give me an interpreter. I told the nurses and doctors that I didn't speak English but they told me there was no interpreter available. I was very worried about my health because of the symptoms that were becoming more noticeable, so I decided to keep my appointment. The doctor and nurses tried to explain everything to me in English but I couldn't understand them.

Before the colposcopy, I tried to tell my doctor that I had been having problems with my health, but she didn't understand me and just told me not to worry. I felt very lonely. I didn't understand what was happening. I felt my doctors didn't value me as a human being. I felt really sad, anxious, and powerless since I couldn't communicate with them.

After the colposcopy, while still feeling the discomfort, I went to another clinic that had interpreters. The nurse at the second clinic was able to explain that the discomfort I was feeling was normal and she gave me some medications to help me get better. After her words, I felt truly happy, really happy and calm, because what I had wasn't as serious as I originally thought. Those were long weeks of desperation and worries.

After a few days of taking the medicines, I felt much better. I think that when someone's life is in the hands of medical staff, one needs to be able to communicate well with them.



HOUSING AND COMMUNITY DEVELOPMENT

People of color have been especially hard hit by the housing market crisis, exacerbating preexisting barriers to home ownership and the history of discrimination against people of color seeking home loans. During the housing bubble, loan originators targeted people of color and steered them into high-cost loans, saddling people of color with such loans at higher rates than for white applicants with similar risk characteristics.⁸⁸ Many of the loans – which lenders and brokers marketed through aggressive and deceptive tactics – were for refinancing and resulted in borrowers being stripped of the equity in their homes.⁸⁹

The foreclosure crisis has devastated communities of color. Black and Latino borrowers, respectively, were 76 and 71 percent more likely than whites to have undergone a completed foreclosure⁹⁰ and 45 and 47 percent more likely to be facing foreclosure.⁹¹ In Washington, it is projected that 132,092 homes will be lost to foreclosure between 2009 and 2012.⁹² This crisis is worsening the already stark racial wealth gap and will have repercussions for future generations.

However, in the 2010 session the Legislature did not pass legislation that significantly advances racial justice in the area of housing.

MISSED OPPORTUNITIES

HB 2623/SB 6694: Regulating the foreclosure of residential real property (Orwall/Gordon)

People of color who own their homes have been hit harder than whites by the foreclosure crisis. These bills, in their original forms, would have provided a one-year forbearance on foreclosures for homeowners receiving unemployment benefits. Additionally, in cases where the holder of the mortgage foreclosed on a home, the holder would have had to pay \$25 to the Department of Financial Institutions to fund counseling for homeowners and outreach for prospective purchasers.

INSTITUTIONAL RACISM

Historically, racism has been viewed as overt discriminatory acts between individuals. But the more prevalent forms of racism today are institutional and structural, when the policies and actions of social and governmental institutions result in disparate outcomes for people of color. At least one bill increasing institutional racism did pass this year.

ESHJR 4220: Amending the state constitution so that the provision relating to bailable crimes by sufficient sureties is modified (Hope)

The race of a defendant has significant impact on a judge's decision to grant pretrial release, with Black and Latino defendants more likely than whites to be confined while awaiting trial.⁹³ According to researchers, “[t]his is likely due to judges’ perceptions of black defendants as being more dangerous, blameworthy, and better able to serve time incarcerated.”⁹⁴

ESHJR 4220 proposes a state constitutional amendment that would greatly expand the power of judges to deny bail in cases where the defendant faces possible life imprisonment, affecting a broad range of accused people – not just those accused of crimes carrying the death penalty. Such an amendment would undermine a basic premise of our criminal justice system – the presumption of innocence – and fundamentally alter the structure of the state’s bail system. It would also likely have considerable negative outcomes for racial justice, particularly given its breadth and the uncertainty in how it would be applied.

Even worse impacts on communities of color were avoided when earlier, more draconian versions were considered and rejected, including some that would have allowed denial of bail because somebody merely appeared dangerous, regardless of the crime of which they were accused.

Senate companion bill: SJR 8224 (Kline)

CRISES AVERTED

HB 1645: Designating English as the official language of the state (McCune)

This bill, proposing to make English the official language of the state, would have disproportionately affected people of color, including many citizens. Thirty-eight percent of naturalized citizens have limited English proficiency,⁹⁵ and seven percent of non-immigrant citizens speak a language other than English.⁹⁶ Among two of the state's fastest growing communities of color – Latinos and Asians – linguistic isolation is prevalent, as more than one quarter of such households have no one over the age of 14 who does not have some difficulty with English.⁹⁷ English-only legislation would have effectively made these Washington residents second-class citizens, shut the door to many basic services, and denied the legitimacy of the variety of languages and cultures that exist in Washington.

ESHB 2414: An act relating to abatement of nuisances involving criminal street gang activity (Johnson)

This bill would have given local governments new authority to apply public nuisance law to the homes of the family members of suspected gang members. Local governments, public agencies, and neighbors would have been allowed to seek court intervention to close buildings or units where alleged gang-related activities were taking place. The burden would have been on the alleged gang member to prove that his or her activities were not gang-related.

This bill would have encouraged racial profiling, as gang enforcement activities disproportionately fall on people of color, and government gang databases over-identify youth of color, often based on minimal or no evidence.⁹⁸ Additionally, the bill would have threatened housing stability for family members of individuals targeted in such lawsuits.

Senate companion bill: SB 6785 (King)

TRIBAL SOVEREIGNTY



Washington is home to 29 federally recognized American Indian tribes and seven non-federally recognized tribes.⁹⁹ American Indian reservations are located in the Puget Sound area, on the Olympic Peninsula, and in Central, Southeastern, and Northeastern Washington.¹⁰⁰ American Indian tribes are recognized by both the United States and other governments as sovereign and have a government-to-government relationship with the United States defined by treaties.

The principle of American Indian tribal sovereignty and these relationships were established in law by numerous U.S. Supreme Court decisions since the 1820s, before Washington became a state.¹⁰¹ Within this framework, Washington's American Indian tribes strive to preserve and guarantee economic, cultural, and spiritual well-being of their people.

However, both federal and Washington-state policies and practices have undermined and threatened tribal sovereignty and the well-being of Indian people. Federal treaty commitments to provide services to tribal members are often underfunded, low-priority, and shaped by historical and ongoing racism and marginalization. As a result, American Indians in Washington face some of the state's direst educational, health, and economic outcomes. Only 52.7 percent of American Indian students graduated from high school on time in 2009, and only 60.1 percent graduated at all.¹⁰² Mortality rates are higher across a range of diseases,¹⁰³ median family income is less than two-thirds that of whites,¹⁰⁴ and unemployment rates in the Northwest tripled with the economic downturn, while white unemployment doubled.¹⁰⁵

Further complicating policy efforts to address these disparities, the data on American Indians and Alaska Natives suffer from a number of problems. These include chronic undercounting by as much as 12 percent in the decennial census,¹⁰⁶ a lack of disaggregation by relevant factors, racial misclassification on official documents, and small sample size.¹⁰⁷ Being rendered statistically insignificant and absent in policy decisions places American Indian communities at a further disadvantage in opportunities and outcomes.

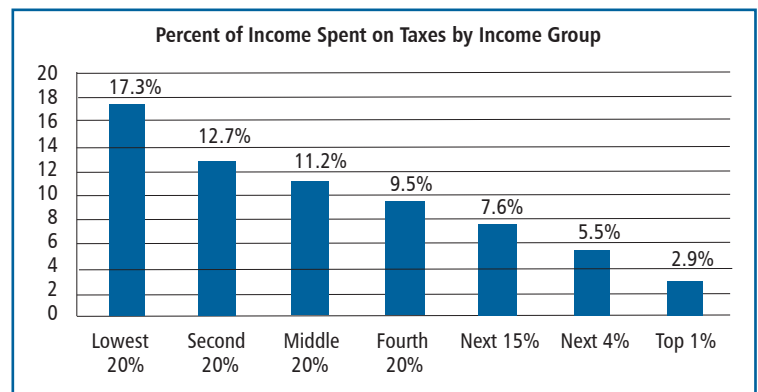
Although Washington maintains government-to-government relations with tribes,¹⁰⁸ no legislation that significantly advances tribal sovereignty was passed in the 2010 session.

BUDGET EQUITY

Like many other states, Washington has been severely impacted by the recession. People of color have been most negatively impacted by the recession.¹⁰⁹ On average, people of color in Washington have significantly higher unemployment and poverty rates (as measured against the Federal Poverty Level) than whites.

In 2009, 26 percent of Latinos and 21 percent of African Americans were underemployed,¹¹⁰ compared to 15 percent of whites.¹¹¹ Further, in 2008, the poverty rates in Washington for African Americans, Latinos, and Native Americans were 22.9 percent, 23.5 percent and 26.1 percent, respectively; the poverty rate for whites was 9.9 percent.¹¹²

In addition to the economic inequities mentioned above, people of color are also more likely to pay a larger percentage of their income on taxes. Washington currently has the most regressive tax structure in the country, meaning that people in the lowest income group pay the highest percentage of their income on taxes.¹¹³ Since people of color are more likely to be low-income, they are also more negatively affected by Washington's regressive tax structure than whites.¹¹⁴

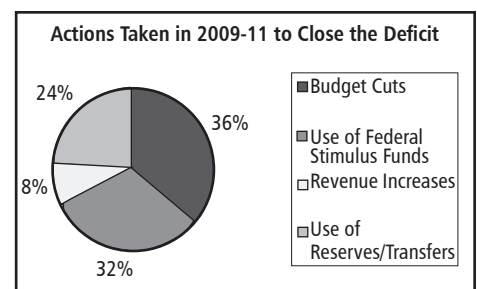


Source: Carl Davis et al., "Who Pays: A Distributional Analysis of the Tax Systems in All 50 States," Institute on Taxation and Economic Policy, November 2009, p. 2.

BUDGET CUTS IN 2010

The recession has also greatly affected the state budget. In FY 2009-11, Washington faced a total revenue shortfall of \$11.8 billion. In the 2009-11 biennial budget, the Legislature made substantial budget cuts combined with modest revenue increases and the use of stimulus and reserve funds. Still, Washington was left with a \$2.8 billion shortfall in 2010. To close it, the Legislature passed the 2010 Supplemental Budget, which included \$755 million in budget cuts, \$757 million in revenue enhancements, \$690 million in transfers/use of reserves, and \$618 million in use of stimulus funds.¹¹⁵

In the 2009 session, the Legislature chose to close the 2009-11 shortfall largely through budget cuts rather than revenue-raising measures. Revenue enhancements represent only eight percent of the measures taken to reduce the shortfall, while budget cuts (not offset by stimulus funds) represent 36 percent of the measures.¹¹⁶



Source: Andy Nicholas, "How We're Balancing the Budget," Washington State Budget and Policy Center, April 12, 2010, <http://budgetandpolicy.org/schmudget/how-were-balancing-the-budget>.

On top of those cuts, the 2010 Supplemental Budget further cut services that the public – especially people of color – depends on. The budget cuts enacted by the Legislature in 2010 disproportionately affect people of color, reducing their access to educational opportunities, quality health care, and economic services. The budget cut funding for Initiative 728, which would have offered extended learning opportunities for children and provided early learning programs.¹¹⁷ Furthermore, the budget cut funding for higher education by \$73 million,¹¹⁸ resulting in tuition increases of 14 percent at universities and seven percent at community colleges.¹¹⁹ Since people of color are more likely to be low-income, the tuition increases will likely limit opportunities for people of color to obtain higher education.

On top of tuition increases, the budget cut funding for work-study programs by \$7.4 million, which requires the programs to enact cost-saving measures. One of the cost-saving measures is to maintain student work-study award amounts at the current levels, rather than increase them (as the work-study program usually does annually), which would help students afford the increasing costs of living and tuition.¹²⁰ Many students of color rely on work-study to help fund their education, and failing to increase work-study award levels will make it difficult for students of color to pay for the higher tuition costs.¹²¹ The work-study cuts combined with tuition increases may make higher education unaffordable for many students of color, which would likely increase the already large college graduation gap between white students and students of color in Washington.¹²²

The budget also cut funding for health care programs that serve a relatively high number of people of color. Funding for state dental services for adults and children was cut by \$6.4 million.¹²³ (Forty-four percent of those using these services are people of color.¹²⁴) Additionally, funding was suspended for outreach for the Apple Health for Kids program, which provides medical coverage for children from low-income families.¹²⁵ This will likely mean that fewer children from low-income families, who are also more likely to be people of color, will enroll in this program.

Programs that provide economic assistance to disproportionately larger numbers of people of color also faced budget cuts. Thirty-five percent of those enrolled in the Disability Lifeline (DL) program (formerly GA-U) are people of color.¹²⁶ (This program provides cash and medical benefits to people who are temporarily unemployable due to physical/mental incapacities.) The budget for the DL cash benefits program was cut by \$12.3 million, and the budget for the DL medical benefits program was cut by \$15.9 million.¹²⁷ The Legislature appropriated \$16.8 million from the state's General Fund to maintain Temporary Assistance to Needy Families (TANF) services through January 2011. However, \$24 million was eliminated from TANF's Community Works Program,¹²⁸ which provides employment training and opportunities for low-income Washington residents. (Forty-eight percent of enrollees are people of color.)¹²⁹

Overall, the budget cuts enacted in 2010 exacerbate racial inequity in all service areas. At a time when people of color are suffering the most, with high unemployment and poverty rates, the Legislature has dramatically cut funding for the programs that intended to address these inequities. Access to quality education, quality health care, and economic assistance such as job training are essential to increase the standard of living for people of color. Yet, these programs are not being adequately funded by the state budget.

Highlighted FY 2009-11 Budget Cuts*

\$600 million in K-12 education, resulting in class-size increases.

\$557 million in higher education, resulting in tuition increases of 14 percent for universities and seven percent for community colleges per year.

\$225 million from the Basic Health Plan, increasing premiums by 70 percent and reducing enrollment by 36 percent (36,000 clients).

\$127 million in payments to hospitals.

* Source: Office of Financial Management, "The 2009-11 Budget Story," http://www.governor.wa.gov/priorities/budget/budget_story.pdf.

REVENUE & TAX MEASURES

Even with the budget cuts and revenue measures that Washington has enacted in the 2009-11 biennium, economists are still projecting a revenue shortfall for the next biennium,¹³⁰ and we will likely see further budget cuts to programs/services particularly vital for people of color. Washington needs a long-term solution for balancing the budget without resorting to harmful and inequitable budget cuts.

The revenue measures passed by the Legislature in 2010 were inadequate to stave off severe budget cuts. In the 2010 Supplemental Budget, the Legislature passed a \$757 million revenue package that included new taxes, tax increases, and tax compliance measures. The two bills the Legislature passed that increased revenue were Senate Bill 6143 and House Bill 2493. Senate Bill 6143 raised \$667.7 million in revenue by increasing the B&O tax by .3 percent, imposing a temporary tax on bottled water, and eliminating the tax exemption on candy and gum.¹³¹ House Bill 2493 raised \$101.4 million in revenue by increasing taxes on cigarette and tobacco products.¹³²

Additional revenue measures were proposed but not passed. The House proposed revenue-increasing measures that were not included in the revenue package, including closing a loophole initially designed for a large Washington-headquartered national bank that allows banks a tax deduction for interest from first mortgages. This loophole has an estimated cost of \$67.1 million this biennium.¹³³

More significantly, Washington State lacks a progressive state income tax and has the most regressive tax system in the country, placing a large burden on low- and moderate-income families. Since Washington State currently has no corporate or personal income tax, it relies on sales taxes for 62 percent of its tax revenue, with property tax coming in second at 27 percent.¹³⁴ As a result, people in the bottom 20 percent of income groups pay more than 17 percent of their income on taxes, while people in the top one percent of income groups pay less than three percent of their income on taxes.¹³⁵ This disparity perpetuates income and racial inequalities in Washington, making the budget cuts all the more inequitable.

Key Budget Cuts in the 2010 Supplemental Budget

| Area of Impact | Program/Service Cuts ¹³⁶ | Amount Cut | Portion of Participants of People of Color | Impact of Program/Service Cuts |
|--------------------------------------|--|----------------|--|--|
| Economic Justice | Cuts to the Disability Lifeline cash assistance program. | \$12.3 million | 35 percent ¹³⁷ | Disability Lifeline provides cash assistance for people who are temporarily unemployable due to physical/mental incapacities. Budget cuts have forced the program to impose a 2-year time limit, cutting off 2,828 clients. ¹³⁸ |
| | Cuts to Temporary Assistance to Needy Families | \$24 million | 48 percent ¹³⁹ | These cuts will suspend the Community Works Program, which provides employment training and opportunities for low-income Washington residents. |
| Education/Youth | Elimination of \$99 per student allocations for Initiative 728, to reduce class sizes, offer extended learning opportunities, early learning programs, and professional development to teachers. | \$79 million | | Research shows that early learning reduces the achievement gap between children of color and whites, ¹⁴⁰ so a reduction in early learning will also negatively impact children of color. |
| | Reduction in funding for public colleges and universities. | \$73.1 million | | Washington State public colleges/universities have increased tuition up to 14 percent due to these budget cuts. ¹⁴¹ |
| | Reduction in funding for the State Work-Study program. | \$7.4 million | 26 percent ¹⁴² | Cuts in work-study will make higher education less affordable for many students of color. |
| | Cuts to higher education and professional scholarships, including suspending the Educational Opportunity Grants. | \$8 million | 24 percent ¹⁴³ | Cuts in scholarships may make higher education unobtainable for many students of color. |
| Health Equity | Reduction in funding for DSHS dental services. | \$6.4* million | 44 percent ¹⁴⁴ | Cuts to the fastest-growing cost areas of dental care will have a disproportionate impact on people of color, who are overrepresented in needing DSHS services. |
| | Suspension of funding for outreach for the Apple Health for Kids program. | \$1.2* million | | Apple Health for Kids provides medical coverage for children from low-income families. Because people of color are more likely to be low-income, suspension of funding for outreach will likely decrease the number of children of color benefiting from this program. |
| | Cuts to the Disability Lifeline medical benefits program. | \$15.9 million | 35 percent ¹⁴⁹ | Disability Lifeline provides medical services for people who are temporarily unemployable due to physical/mental incapacities. ¹⁵⁰ |
| Housing/Community Development | Cuts to Community Services programs. | \$1.5 million | 32 percent ¹⁵¹ | Reductions in several programs in the community services division, including \$1 million in the Community Mobilization program, ¹⁵² which funds services directed toward reducing drug abuse and violence in communities. ¹⁵³ |

*Amount lost includes both state funds and federal matching funds.

LEGISLATIVE REPORT CARD

HOUSE

| 2010 House | District | Grade | Total % | Leadership | Civil Rights | Education | Health | Economic | Criminal Justice | Institutional Racism |
|--------------------|----------|-------|---------|------------|--------------|-----------|--------|----------|------------------|----------------------|
| Gary Alexander | 20 | F | 35% | — | 67% | 33% | 0% | 50% | 33% | 0% |
| Glenn Anderson | 5 | F | 35% | — | 67% | 33% | 0% | 50% | 33% | 0% |
| Jan Angel | 26 | F | 35% | — | 67% | 33% | 0% | 50% | 33% | 0% |
| Sherry Appleton | 23 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Mike Armstrong | 12 | F | 35% | — | 67% | 33% | 0% | 50% | 33% | 0% |
| Barbara Bailey | 10 | F | 35% | — | 67% | 33% | 0% | 50% | 33% | 0% |
| Brian Blake | 19 | C | 76% | — | 100% | 100% | 0% | 100% | 100% | 0% |
| Tom Campbell | 2 | F | 48% | — | 67% | 67% | 100% | 50% | 33% | 0% |
| Reuven Carlyle | 36 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Bruce Chandler | 15 | F | 35% | — | 67% | 33% | 0% | 50% | 33% | 0% |
| Maralyn Chase | 32 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Frank Chopp | 43 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Judy Clibborn | 41 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Eileen Cody | 34 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Cary Condotta | 12 | F | 45% | — | 100% | 50% | 0% | 50% | 33% | E |
| Steve Conway | 29 | B | 88% | 5% | 100% | 100% | 100% | 100% | 100% | 0% |
| Larry Crouse | 4 | F | 35% | — | 67% | 33% | 0% | 50% | 33% | 0% |
| Bruce Dammeier | 25 | F | 42% | — | 67% | 67% | 0% | 50% | 33% | 0% |
| Jeannie Darneille | 27 | B | 87% | 5% | 100% | 100% | 100% | 100% | 100% | 0% |
| Richard DeBolt | 20 | F | 27% | — | 50% | 33% | 0% | 50% | 0% | 0% |
| Mary Lou Dickerson | 36 | B | 82% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| John Driscoll | 6 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Hans Dunshee | 44 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Deborah Eddy | 48 | C | 76% | — | 100% | 100% | 0% | 100% | 100% | 0% |
| Mark Ericks | 1 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |

HOUSE

| 2010 House | District | Grade | Total % | Leadership | Civil Rights | Education | Health | Economic | Criminal Justice | Institutional Racism |
|--------------------------|----------|-------|---------|------------|--------------|-----------|--------|----------|------------------|----------------------|
| Doug Ericksen | 42 | F | 35% | — | 67% | 33% | 0% | 50% | 33% | 0% |
| Susan Fagan | 9 | F | 35% | — | 67% | 33% | 0% | 50% | 33% | 0% |
| Fred Finn | 35 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Dennis Flannigan | 27 | A | 90% | — | 100% | 100% | 100% | 100% | 100% | 100% |
| Roger Goodman | 45 | B | 88% | 5% | 100% | 100% | 100% | 100% | 100% | 0% |
| Tami Green | 28 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Kathy Haigh | 35 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Larry Haler | 8 | F | 42% | — | 67% | 67% | 0% | 50% | 33% | 0% |
| Bob Hasegawa | 11 | A | 90% | — | 100% | 100% | 100% | 100% | 100% | 100% |
| Jaime Herrera | 18 | F | 35% | — | 67% | 33% | 0% | 50% | 33% | 0% |
| Bill Hinkle | 13 | F | 30% | — | 67% | 33% | 0% | 0% | 33% | 0% |
| Mike Hope | 44 | F | 52% | -5% | 100% | 100% | 0% | 100% | 33% | 0% |
| Zachary Hudgins | 11 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Sam Hunt | 22 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Ross Hunter | 48 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Christopher Hurst | 31 | D | 68% | — | 100% | 100% | 100% | 100% | 0% | 0% |
| Jim Jacks | 49 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Norm Johnson | 14 | F | 30% | -5% | 67% | 33% | 0% | 50% | 33% | 0% |
| Ruth Kagi | 32 | A | 93% | 10% | 100% | 100% | 100% | 100% | 100% | 0% |
| Troy Kelley | 28 | C | 76% | — | 100% | 100% | 100% | 50% | 100% | 0% |
| Phyllis Gutierrez Kenney | 46 | B | 88% | 5% | 100% | 100% | 100% | 100% | 100% | 0% |
| Lynn Kessler | 24 | D | 69% | — | 67% | 100% | 0% | 100% | 100% | 0% |
| Steve Kirby | 29 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Brad Klippert | 8 | F | 35% | — | 67% | 33% | 0% | 50% | 33% | 0% |
| Joel Kretz | 7 | F | 35% | — | 67% | 33% | 0% | 50% | 33% | 0% |

HOUSE

| 2010 House | District | Grade | Total % | Leadership | Civil Rights | Education | Health | Economic | Criminal Justice | Institutional Racism |
|--------------------|----------|-------|---------|------------|--------------|-----------|--------|----------|------------------|----------------------|
| Dan Kristiansen | 39 | F | 28% | — | 67% | 0% | 0% | 50% | 33% | 0% |
| Marko Liias | 21 | B | 88% | 5% | 100% | 100% | 100% | 100% | 100% | 0% |
| Kelli Linville | 42 | C | 76% | — | 100% | 100% | 0% | 100% | 100% | 0% |
| Marcie Maxwell | 41 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| John McCoy | 38 | B | 88% | 5% | 100% | 100% | 100% | 100% | 100% | 0% |
| Jim McCune | 2 | F | 30% | -5% | 67% | 33% | 0% | 50% | 33% | 0% |
| Mark Miloscia | 30 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Jim Moeller | 49 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Dawn Morrell | 25 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Jeff Morris | 40 | B | 82% | — | 100% | 100% | 0% | 100% | 100% | E |
| Terry Nealey | 16 | F | 28% | — | 67% | 0% | 0% | 50% | 33% | 0% |
| Sharon Nelson | 34 | B | 88% | 5% | 100% | 100% | 100% | 100% | 100% | 0% |
| Al O'Brien | 1 | C | 76% | — | 100% | 100% | 100% | 50% | 100% | 0% |
| Ed Orcutt | 18 | F | 42% | — | 67% | 67% | 0% | 50% | 33% | 0% |
| Timm Ormsby | 3 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Tina Orwall | 33 | A | 93% | 10% | 100% | 100% | 100% | 100% | 100% | 0% |
| Kevin Parker | 6 | F | 42% | — | 67% | 67% | 0% | 50% | 33% | 0% |
| Kirk Pearson | 39 | F | 35% | — | 67% | 33% | 0% | 50% | 33% | 0% |
| Jamie Pedersen | 43 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Eric Pettigrew | 37 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Skip Priest | 30 | F | 55% | — | 100% | 67% | 100% | 50% | 33% | 0% |
| Tim Probst | 17 | C | 76% | — | 100% | 100% | 100% | 100% | 67% | 0% |
| Dave Quall | 40 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Dan Roach | 31 | F | 42% | — | 67% | 33% | 100% | 50% | 33% | 0% |
| Mary Helen Roberts | 21 | C | 76% | — | 67% | 100% | 100% | 100% | 100% | 0% |

HOUSE

| 2010 House | District | Grade | Total % | Leadership | Civil Rights | Education | Health | Economic | Criminal Justice | Institutional Racism |
|----------------------|----------|-------|---------|------------|--------------|-----------|--------|----------|------------------|----------------------|
| Jay Rodne | 5 | F | 35% | — | 67% | 33% | 0% | 50% | 33% | 0% |
| Christine Rolfes | 23 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Charles Ross | 14 | F | 35% | — | 67% | 33% | 0% | 50% | 33% | 0% |
| Sharon Tomiko Santos | 37 | B | 88% | 5% | 100% | 100% | 100% | 100% | 100% | 0% |
| Joe Schmick | 9 | F | 35% | — | 67% | 33% | 0% | 50% | 33% | 0% |
| Larry Seaquist | 26 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Mike Sells | 38 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Matt Shea | 4 | F | 35% | — | 67% | 33% | 0% | 50% | 33% | 0% |
| Shelly Short | 7 | F | 35% | — | 67% | 33% | 0% | 50% | 33% | 0% |
| Geoff Simpson | 47 | C | 76% | — | 100% | 100% | 100% | 100% | 67% | 0% |
| Norma Smith | 10 | F | 35% | — | 67% | 33% | 0% | 50% | 33% | 0% |
| Larry Springer | 45 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Pat Sullivan | 47 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Dean Takko | 19 | C | 76% | — | 100% | 100% | 0% | 100% | 100% | 0% |
| David Taylor | 15 | F | 35% | — | 67% | 33% | 0% | 50% | 33% | 0% |
| Dave Upthegrove | 33 | A | 95% | 5% | 100% | 100% | 100% | 100% | 100% | 100% |
| Kevin Van De Wege | 24 | C | 76% | — | 100% | 100% | 100% | 100% | 67% | 0% |
| Deb Wallace | 17 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Maureen Walsh | 16 | F | 42% | — | 67% | 67% | 0% | 50% | 33% | 0% |
| Judy Warnick | 13 | F | 42% | — | 67% | 67% | 0% | 50% | 33% | 0% |
| Scott White | 46 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Brendan Williams | 22 | A | 95% | 5% | 100% | 100% | 100% | 100% | 100% | 100% |
| Alex Wood | 3 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |

SENATE

| 2010 Senate | District | Grade | Total % | Leadership | Civil Rights | Education | Health | Economic | Criminal Justice | Institutional Racism |
|----------------------|----------|-------|---------|------------|--------------|-----------|--------|----------|------------------|----------------------|
| Randi Becker | 2 | F | 48% | — | 67% | 33% | 0% | 50% | 100% | 0% |
| Don Benton | 17 | F | 42% | — | 100% | 33% | 0% | 0% | 67% | 0% |
| Jean Berkey | 38 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Dale Brandland | 42 | F | 55% | — | 67% | 67% | 0% | 50% | 100% | 0% |
| Lisa Brown | 3 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Mike Carrell | 28 | F | 28% | — | 67% | 33% | 0% | 0% | 33% | 0% |
| Jerome Delvin | 8 | F | 45% | — | 67% | 33% | 0% | 50% | 100% | 0% |
| Tracey Eide | 30 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Darlene Fairley | 32 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Rosa Franklin | 29 | B | 88% | 5% | 100% | 100% | 100% | 100% | 100% | 0% |
| Karen Fraser | 22 | B | 88% | 5% | 100% | 100% | 100% | 100% | 100% | 0% |
| Randy Gordon | 41 | B | 88% | 5% | 100% | 100% | 100% | 100% | 100% | 0% |
| James Hargrove | 24 | B | 81% | 5% | 67% | 100% | 100% | 100% | 100% | 0% |
| Brian Hatfield | 19 | C | 76% | — | 67% | 100% | 100% | 100% | 100% | 0% |
| Mary Margaret Haugen | 10 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Mike Hewitt | 16 | F | 42% | — | 67% | 33% | 0% | 50% | 67% | 0% |
| Steve Hobbs | 44 | C | 76% | — | 100% | 100% | 100% | 100% | 67% | 0% |
| Janea Holmquist | 13 | F | 45% | — | 67% | 67% | 0% | 50% | 50% | 0% |
| Jim Honeyford | 15 | F | 48% | — | 67% | 33% | 0% | 50% | 100% | 0% |
| Ken Jacobsen | 46 | B | 82% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Jim Kastama | 25 | D | 68% | — | 100% | 100% | 0% | 50% | 100% | 0% |
| Claudia Kauffman | 47 | B | 88% | 5% | 100% | 100% | 100% | 100% | 100% | 0% |
| Karen Keiser | 33 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Derek Kilmer | 26 | D | 69% | — | 100% | 100% | 100% | 50% | 67% | 0% |
| Curtis King | 14 | F | 37% | -5% | 67% | 33% | 0% | 50% | 67% | 0% |

SENATE

| 2010 Senate | District | Grade | Total % | Leadership | Civil Rights | Education | Health | Economic | Criminal Justice | Institutional Racism |
|----------------------|----------|-------|---------|------------|--------------|-----------|--------|----------|------------------|----------------------|
| Adam Kline | 37 | B | 88% | 5% | 100% | 100% | 100% | 100% | 100% | 0% |
| Jeanne Kohl-Welles | 36 | A | 98% | 15% | 100% | 100% | 100% | 100% | 100% | 0% |
| Chris Marr | 6 | C | 74% | 5% | 100% | 100% | 100% | 50% | 67% | 0% |
| Rosemary McAuliffe | 1 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Joe McDermott | 34 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Bob Morton | 7 | F | 42% | — | 67% | 33% | 0% | 50% | 67% | 0% |
| Ed Murray | 43 | B | 88% | 5% | 100% | 100% | 100% | 100% | 100% | 0% |
| Eric Oemig | 45 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Linda Evans Parlette | 12 | F | 42% | — | 67% | 33% | 0% | 50% | 67% | 0% |
| Cheryl Pflug | 5 | F | 36% | — | 50% | 33% | 0% | 100% | 50% | 0% |
| Margarita Prentice | 11 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Craig Pridemore | 49 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Kevin Ranker | 40 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Debbie Regala | 27 | C | 76% | — | 100% | 100% | 0% | 100% | 100% | 0% |
| Pam Roach | 31 | F | 42% | — | 67% | 33% | 0% | 50% | 67% | 0% |
| Phil Rockefeller | 23 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Mark Schoesler | 9 | F | 42% | — | 67% | 33% | 0% | 50% | 67% | 0% |
| Tim Sheldon | 35 | C | 76% | — | 100% | 100% | 100% | 50% | 100% | 0% |
| Paull Shin | 21 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Val Stevens | 39 | F | 48% | — | 67% | 33% | 0% | 50% | 100% | 0% |
| Dan Swecker | 20 | F | 48% | — | 67% | 33% | 0% | 50% | 100% | 0% |
| Rodney Tom | 48 | B | 83% | — | 100% | 100% | 100% | 100% | 100% | 0% |
| Joseph Zarelli | 18 | F | 42% | — | 67% | 33% | 0% | 50% | 67% | 0% |

CONCLUSION

TOWARDS RACIAL EQUITY IN WASHINGTON

Race matters in Washington. People of color are an increasingly important part of our communities and our state, but racial disparities persist.

Public policy is never colorblind; the racial equity impacts of legislation must be considered to ensure equitable outcomes. The Washington Legislative Report Card on Racial Equity will serve as a tool to help Washington's communities of color and allies determine whether policy makers have taken these racial equity impacts into account and represented the concerns of people of color. While the Legislature and the Governor missed many opportunities to reduce racial inequity during the 2010 legislative session, we encourage them to do better for our communities in upcoming sessions. Racial equity-conscious policies can bring us closer to living up to our values of fairness and opportunity for all and to our commitment to building an equitable future for all Washingtonians.

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- 1 State of Washington Office of Financial Management, *Projections of the State Population by Age, Gender and Race/Ethnicity 2000-2030*, March 2006, p. 2.
- 2 U.S. Census Bureau, “ACS Demographic Data and Housing Estimates: 2006-2008,” Data Set: 2006-2008 American Community Survey, Three-Year Estimates, Geographic Area: Washington.
- 3 State of Washington Office of Financial Management, “Projections of the State Population by Age, Gender and Race/Ethnicity 2000-2030,” March 2006, p.1.
- 4 Ibid.
- 5 U.S. Census Bureau, “B01002: Median Age by Sex,” 2006-2008 American Community Survey, Three-Year Estimates.
- 6 U.S. Census Bureau, “B01002G: Median Age by Sex (Two or More Races),” 2006-2008 American Community Survey, Three-Year Estimates.
- 7 U.S. Census Bureau, “B01002I: Median Age by Sex (Hispanic or Latino),” 2006-2008 American Community Survey, Three-Year Estimates. U.S. Census, 2006-2008 American Community Survey, Three-Year Estimates, Table B01002I.
- 8 Migration Policy Institute, “Washington: Social and Demographic Characteristics,” MPI Data Hub website.
- 9 There are 421,402 Asians, and 280,860 are immigrants. U.S. Census Bureau, “B06004D: Place of Birth by Race (Asian Alone),” 2006-2008 American Community Survey, Three-Year Estimates.
- 10 Of 614,590 Hispanics, 239,271 are immigrants. U.S. Census Bureau, “B06004I: Place of Birth by Race (Hispanic or Latino),” 2006-2008 American Community Survey, Three-Year Estimates.
- 11 U.S. Department of Health and Human Services, Office of Refugee Resettlement, “Refugee Arrival Data By Country of Origin and State of Initial Resettlement,” reports for fiscal years 2000 – 2009.
- 12 U.S. Department of Health and Human Services, Office of Refugee Resettlement, “Refugee Arrival for FY 2009 by State and Country of Origin,” viewed at: <http://www.acf.hhs.gov/programs/orr/data/fy2009RA.htm#>.
- 13 Ibid.
- 14 Darrick Hamilton & William Darity, Jr., “Race, Wealth, and Intergenerational Poverty,” *American Prospect*, September 16, 2009.
- 15 Insight Center for Community Economic Development, “Laying the Foundation for National Prosperity: The Imperative of Closing the Racial Wealth Gap,” March 2009, p. 3.
- 16 Median family income for Black families was \$46,713, for American Indians was \$45,109, for Latinos was \$40,512, and \$73,235 for white families. U.S. Census Bureau, “B19113B, B19113C, B19113H, and B19113I “Median Family Income in the Past 12 Months,” 2006-2008 American Community Survey, Three-Year Estimates. Tables B19113B, B19113C, and B19113H and B19113I.
- 17 Washington State Office of Financial Management, “Health Insurance by Race/Ethnicity: 2008,” Research Brief No. 52, Washington State Population Survey, December 2008, p. 3.
- 18 Robert Crutchfield, “Declaration and Report of Robert D. Crutchfield, Ph.D.” at 250, *Farrakhan v. Gregoire*, 590 F.3d 898 (9th Cir. 2010), pp. 8-9, available at <http://moritzlaw.osu.edu/electionlaw/litigation/documents/exhibitsstatementofmaterialfacts3.pdf>. Researchers use violent crime as the criterion by which to measure disproportionality on the theory that police discretion is rarely used when violent crime is reported.
- 19 Ibid. at 262. Crutchfield defines “low discretion searches” as searches that are likely to lead to felony charges.
- 20 Ibid. at 262-64.
- 21 Algernon Austin, “American Indians and the Great Recession—Economic Disparities Growing Larger,” *Economic Policy Institute*, December 7, 2009, Page 6.
- 22 Bureau of Labor Statistics, U.S. Department of Labor, “The Employment Situation – July 2010,” August 6, 2010, p. 1.
- 23 Debbie Gruenstein Bocian, Wei Li, & Keith S. Ernst, “Foreclosures by Race and Ethnicity: The Demographics of a Crisis,” Center for Responsible Lending, June 18, 2010, p. 8.
- 24 In 2000, median family income for African Americans was \$35,919 and \$47,312 for whites. U.S. Census Bureau, “2000 Census Summary File 3,” Tables P152B and P152I.
- 25 Median family income for white households was \$73,235 and \$46,713 for Black households. U.S. Census, 2006-2008 American Community Survey, Three-Year Estimates, Tables B19113H and B19113B
- 26 Median household income for American Indians/Alaska Natives was \$32,670 and \$47,312 for white households. U.S. Census, 2000, Table P152C says Table P152I.
- 27 Median income for American Indian households was \$40,406. U.S. Census 2006-2008 American Community Survey Three-Year Estimates. Table B19013C
- 28 Office of Management and Budget, “Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity,” *Federal Register*, October 30, 1997.
- 29 National Urban Indian Family Coalition, “Urban Indian America: The Status of American Indian and Alaska Native Children and Families Today,” Annie E. Casey Foundation, March 2008, p. 8.
- 30 Urban Indian Health Commission, “Invisible Tribes: Urban Indians and Their Health in a Changing World,” Urban Indian Health Commission November 2007, p. 10.

- 31 Ibid.
- 32 Washington State Human Rights Commission, 2005 - 2007 Biennium Report, November 2008, p. 8.
- 33 Steve Miletich, "Hate crimes in Washington jump 27 percent in a year," Seattle Times, May 12, 2009, available at http://seattletimes.nwsourc.com/html/localnews/2009208932_crimestats12m.html
- 34 Stop Violence Against Women/Abuse of Women in Custody: Sexual Misconduct and Shackling of Pregnant Women/Excessive Use of Restraints on Women in U.S. Prisons: Shackling of Pregnant Prisoners, Amnesty International, viewed at: <http://www.amnestyusa.org/women/custody/shackling.html>.
- 35 Sara Lerner, "Human Trafficking: Our Legislative History," Share This, National Public Radio, KUOW, Seattle. March 16, 2010, www.kuow.org/program.php?id=19523.
- 36 U.S. Department of State, Office to Monitor and Combat Trafficking in Persons, "Tenth Annual Trafficking in Persons Report," June 2010, p. 338.
- 37 Office of Financial Management, "Prison Inmate Population," Washington Trends, viewed at: <http://www.ofm.wa.gov/trends/tables/fig408.asp>.
- 38 Pew Center on the States, "Prison Count 2010: State Population Declines for the First Time in 38 Years," Public Safety Performance Project, Revised April 2010, p. 2.
- 39 Washington State Department of Corrections, "Going Home: Accomplishments in Public Safety," 2009, p. 7.
- 40 U.S. Census Bureau, "ACS Housing and Demographic Estimates: 2006-2008," 2006-2008 American Community Survey Three-Year Estimates, Geographic Area: Washington.
- 41 Washington State Department of Corrections, "Going Home: Accomplishments in Public Safety," 2009, p. 7.
- 42 Maria Fernanda Parra-Chico, "An Up-Close Perspective: The Enforcement of Federal Immigration Laws by State and Local Police," Seattle Journal for Social Justice, 2008, pp. 341-346; Lornet Turnbull, "Police toughening stand on illegal immigrants," Seattle Times, August 3, 2007.
- 43 Washington State Department of Social and Health Services, Use of Social and Health Services By Children of Incarcerated Parents: Briefing Prepared for CFIP Statewide Advisory Committee, February 2010, pp. 5-6.
- 44 Margaret Colgate, Relief from the Collateral Consequences of a Criminal Conviction: A State-by-State Resource Guide, The Sentencing Project, March 2007.
- 45 Eileen Poe-Yamagata & Michael A. Jones, "And Justice for Some," National Council on Crime and Delinquency, viewed at: <http://www.buildingblocksforyouth.org/justiceforsome/jfs.html>.
- 46 I. Bennett Capers, "Crime, Legitimacy, and Testilying," Indiana Law Journal, Summer 2008.
- 47 Ibid.
- 48 See, Paul Shukovsky & Lewis Kamb, "Federal prosecutors investigating deputy," Seattle Post-Intelligencer, March 3, 2009, viewed at: http://www.seattlepi.com/local/402103_schene04.html.
- 49 Human Rights Watch, "Decades of Disparity Drug Arrests and Race in the United States," March 2009, p. 10, Figure 2.
- 50 U.S. Census Bureau, "ACS Housing and Demographic Estimates: 2006-2008," 2006-2008 American Community Survey Three-Year Estimates, Geographic Area: Washington.
- 51 Washington Coalition to Abolish the Death Penalty, "Death Row in Washington State," viewed at: <http://www.abolishdeathpenalty.org/WCADPOnDeathRow.htm>. Accessed September 15, 2010.
- 52 NAACP Legal Defense and Education Fund, "Death Row U.S.A.," Fall 2009.
- 53 U.S. Census Bureau, "2006-2008 American Community Survey Three-Year Estimates Data Profile Highlights," ACS Demographic and Housing Estimates.
- 54 There are 731,318 people in poverty, and 443,723 of them are white. U.S. Census Bureau, "Table S1701 Poverty Status in Past 12 Months," 2006-2008 American Community Survey Three-Year Estimates. Geographic Area: Washington.
- 55 U.S. Census Bureau, "Tables C24010A – C24010I Sex by Occupation for the Civilian Employed Population," 2006-2008 American Community Survey Three-Year Estimates.
- 56 Algernon Austin, "American Indians and the Great Recession—Economic Disparities Growing Larger," Economic Policy Institute, 7, Dec, 2009, Page 6.
- 57 Anna Paulson et al, "Financial Access for Immigrants: Lessons from Diverse Perspectives," Federal Reserve Bank of Chicago and The Brookings Institution, May 2006, pp. 6 & 14.
- 58 Debbie Gruenstein Bocian, Wei Li, & Keith S. Ernst, "Foreclosures by Race and Ethnicity: The Demographics of a Crisis," Center for Responsible Lending, June 18, 2010, p. 16.
- 59 U.S. Census Bureau, "Tables C24010A – C24010I Sex by Occupation for the Civilian Employed Population," 2006-2008 American Community Survey Three-Year Estimates.
- 60 Annette Bernhardt et al, "Broken Laws, Unprotected Workers: Violations of Employment and Labor Laws in America's Cities," National Employment Law Project, 2009, p. 61, note 44.

- 61 Nineteen percent of Blacks experienced minimum-wage violations, 32.8 of Latinos, experienced minimum-wage violations, and 7.8 percent of whites. *Ibid*, p. 42.
- 62 Washington State Department of Social and Health Services, “DSHS Client Services All Ages by Race July 2007-June 2008,” viewed at: http://clientdata.rda.dshs.wa.gov/ReportServer/Pages/ReportViewer.aspx?/CS-DBAnyYear/StateClientSvcsByAge_RaceCrosstab.
- 63 U.S. Census Bureau, “Table S1701: Poverty Status in the Past 12 Months,” 2006-2008 American Community Survey Three-Year Estimates.
- 64 Mike Kreidler, Insurance Commissioner, Testimony to House Financial Institutions and Insurance Committee, January 20, 2010. Available at: <http://www.insurance.wa.gov/consumers/credit/index.shtml>, mn. 26.
- 65 See notes 41-43 above.
- 66 Assaf Oron, “Easy Prey: Evidence of Race and Military Related Targeting In the Distribution of Pay-Day Loan Branches in Washington State Consulting Report,” Department of Statistics, University of Washington Original Version: June 2005 Revised Version March 2006; see also, Ginna Green, Payday Loans Target Latinos, African Americans, New America Media, Commentary, posted July 07, 2009.
- 67 Leslie Parrish & Uriah King, “Phantom Demand: Short-term due date generates need for repeat payday loans, accounting for 76% of total volume,” Center for Responsible Lending, July 9, 2009, p. 12.
- 68 U.S. Census Bureau, “Tables B25003A - B25003I Housing Tenure,” 2006-2008 American Community Survey Three-Year Estimates.
- 69 Office of Superintendent of Public Instruction, “Graduation and Dropout Statistics for Washington’s Counties, Districts, and Schools, School Years 2003-2009,” viewed at <http://www.k12.wa.us/dataadmin/>
- 70 Theresa Deussen & Jason Greenberg-Motamedi, “External Evaluation of the Washington State Bilingual Program,” Northwest Educational Research Laboratory, December 2008, pp. 2, 13.
- 71 Frances E. Contreras & Tom Stritikus, “Understanding Opportunities to Learn for Latino Students in Washington,” Report submitted to the Washington State Commission on Hispanic Affairs, December, 2008, p. 2.
- 72 Seattle Public Schools, “Data Profile: District Summary,” REA/SISO – DECEMBER 2009, available at <http://www.seattleschools.org/area/siso/disprof/2009/DP09demog.pdf>
- 73 Office of Superintendent of Public Instruction website. WASL trend. Available at: <http://reportcard.ospi.k12.wa.us/waslTrend.aspx?year=&gradeLevelId=10&waslCategory=-1&chartType=1>
- 74 Wade Cole, “Beating The Odds On The WASL, Revisited: Identifying Consistently Successful—And Struggling—Schools,” Washington State Institute for Public Policy, May 2008, p. 7.
- 75 C. Belfield, et al., “The High/Scope Perry Preschool Program,” *Journal of Human Resources*, 2006.
- 76 See Washington State Child Care Resource and Referral Network, Monthly Median Child Care Rates (by county), available at <http://www.childcarenet.org/partners/data/home-rates/index.html>.
- 77 Washington Health Foundation, 2008 Healthiest State Report Card, 2008, p. 6.
- 78 Wei Yen, “Health Insurance Coverage of Washington’s Non-Elderly Population,” Washington State Office of Financial Management, September 1999.
- 79 Erica Gardner “Characteristics of the Uninsured: 2008,” Washington State Office of Financial Management, December 2008, p. 5.
- 80 Mark Gardner & Janet Varon, “Moving Immigrants from a Medicaid Look-Alike Program to Basic Health in Washington: Early Observations,” Kaiser Family Foundation, May 2006.
- 81 Kaiser Family Foundation, “Medicaid and SCHIP Eligibility for Immigrants,” April 2006.
- 82 Washington State Department of Health, “The Health of Washington State 2007,” January 2008, viewed at: <http://www.doh.wa.gov/hws/CD2007.shtm>
- 83 State Health Facts Online, “Infant Mortality Rate (Deaths per 1,000 Live Births) by Race/Ethnicity, Linked Files, 2004-2006,” Kaiser Family Foundation, <http://www.statehealthfacts.org/comparetable.jsp?cat=2&ind=48>.
- 84 Of Asians, 10,974 citizens and 140,306 immigrants speak English less than very well, out of a total population of 396,841; of Hispanics 36,350 citizens and 165,498 immigrants speak English less than very well; of whites, 23,236 citizens and 55,743 immigrants speak English less than very well out of 4,633,197 people. U.S. Census Bureau, “Tables B16005D, B16005H and B16005I Nativity by Language Spoken at Home, by Ability to Speak English for the Population 5 Years and Over,” 2006-2008 American Community Survey Three-Year Estimates.
- 85 “House Bill Report, ESSB 6726,” Washington State Legislature, 2010, pages 5-6.
- 86 Amal Abdulrahman, “Afraid of What Tomorrow Brings,” *ColorLines.com*, March 3, 2009; see also, Sonja C. Burbano O’Leary, et. al, “The Truth About Language Barriers: One Residency Program’s Experience,” *Pediatrics*, May 2003, pp. e571-e572.
- 87 John Schmitt, “Unions and Upward Mobility for Service-Sector Workers,” Center for Economic and Policy Research, April 2009, p. 1.
- 88 Debbie Gruenstein Bocian, Wei Li, & Keith S. Ernst, “Foreclosures by Race and Ethnicity: The Demographics of a Crisis,” Center for Responsible Lending, June 18, 2010, p. 16.
- 89 *Ibid*, p. 17.
- 90 *Ibid*, p. 8.

- 91 Ibid, p. 10.
- 92 Center for Responsible Lending, “The Cost of Bad Lending in Washington,” Updated August 2010, viewed at: <http://www.responsiblelending.org/mortgage-lending/tools-resources/factsheets/washington.html>.
- 93 Tina L. Freiburger, Catherine D. Marcum, & Mari Pierce, “The Impact of Race on the Pretrial Decision,” *American Journal of Criminal Justice*, 2010; Stephen Dumuth & Darrell Steffensmeier, “The Impact of Gender and Race-Ethnicity in the Pretrial Release Process,” *Social Problems*, May 2004.
- 94 Tina L. Freiburger, Catherine D. Marcum, & Mari Pierce, “The Impact of Race on the Pretrial Decision,” *American Journal of Criminal Justice*, 2010, p. 84.
- 95 MPI Data Hub, “Washington: Language and Education,” Migration Policy Institute, Table Three. Available at: <http://www.migrationinformation.org/datahub/state2.cfm?ID=WA>.
- 96 Ibid.
- 97 U.S. Census Bureau, “Table B16002: Household Language by Linguistic Isolation,” 2006-2008 American Community Survey Three-Year Estimates.
- 98 See, Sara Lynn Van Hofwegen, “Unjust and Ineffective: A Critical Look at California’s STEP Act,” *Southern California Interdisciplinary Law Journal*, 2009, pp. 682-684.
- 99 Governor’s Office of Indian Affairs, “Washington State Tribal Directory,” Spring 2008, pp. 1-4. Each of the non-federally recognized tribes is also landless (i.e., lacks a reservation and has no lands within the state held in trust by the federal government).
- 100 Washington State Governor’s Office of Indian Affairs, “Federally Recognized Tribes of Washington State,” available at http://www.goia.wa.gov/tribal_gov/documents/WASStateTribalMap.pdf.
- 101 See American Indian Policy Center, “American Indian Tribal Sovereignty,” 2005; *Johnson v. McIntosh*, 1823; *Cherokee Nation v. Georgia*, 1831; and *Worcester v. Georgia*, 1832.
- 102 Office of Superintendent of Public Instruction, “Graduation and Dropout Statistics for Washington’s Counties, Districts, and Schools, School Years 2003-2009,” viewed at <http://www.k12.wa.us/dataadmin/>.
- 103 U.S. Office of Minority Health, “American Indian/Alaska Native Profile,” January 2009, available at <http://www.omhrc.gov/templates/browse.aspx?lvl=2&lvlid=52>.
- 104 In 2008, median family income for American Indians was \$45,109, and for white families it was \$73,235. U.S. Census Bureau, “Tables B19113C and B19113H: Median Family Income in the Past 12 Months,” *American Community Survey, Three-Year Estimates 2006-2008*.
- 105 Algernon Austin, “American Indians and the Great Recession—Economic Disparities Growing Larger,” *Economic Policy Institute*, 7, Dec, 2009, Page 6
- 106 National Urban Indian Family Coalition, “Urban Indian America: The Status of American Indian and Alaska Native Children and Families Today,” p. 8, March 2008.
- 107 Urban Indian Health Commission, “Invisible Tribes: Urban Indians and Their Health in a Changing World,” Urban Indian Health Commission November 2007, p. 10
- 108 National Council of American Indians, “Tribal-State Relations,” available at <http://www.ncai.org/Tribal-State-Relations.28.0.html>.
- 109 U.S. Census Bureau, “State and County Quick Facts: Washington,” 2009, <http://quickfacts.census.gov/qfd/states/53000.html>.
- 110 The Washington State Budget and Policy Center defines “underemployed” to include people who are unemployed and are actively looking for work, as well as people who are marginally attached to the labor force (such as those who have given up looking for work because they are discouraged) and people who are working part-time for economic reasons, such as being unable to find full-time work.
- 111 Washington State Budget and Policy Center, “Communities of color face high underemployment in Washington,” February 11, 2010, <http://budgetandpolicy.org/schmudget/communities-of-color-face-high-underemployment-in-washington>.
- 112 Andy Nicholas, “New Census Poverty Data Reveal Deep Disparities throughout Washington,” Washington State Budget and Policy Center, September 29, 2009, <http://budgetandpolicy.org/schmudget/new-census-poverty-data-reveal-deep-disparities-throughout-washington>.
- 113 Carl Davis et al., “Who Pays: A Distributional Analysis of the Tax Systems in All 50 States,” *Institute on Taxation and Economic Policy*, November 2009, p. 2.
- 114 Andy Nicholas, “New Census Poverty Data Reveal Deep Disparities throughout Washington,” Washington State Budget and Policy Center, September 29, 2009, <http://budgetandpolicy.org/schmudget/new-census-poverty-data-reveal-deep-disparities-throughout-washington>.
- 115 Senate Ways and Means Committee, “2010 Supplemental Operating Budget: Overview,” April 13, 2010, <http://leap.leg.wa.gov/leap/Budget/Detail/2010/coSOOverview0413.pdf>.
- 116 Andy Nicholas, “How We’re Balancing the Budget,” Washington State Budget and Policy Center, April 12, 2010, <http://budgetandpolicy.org/schmudget/how-were-balancing-the-budget>.
- 117 Senate Ways and Means Committee, “2010 Supplemental Operating Budget: Overview,” April 13, 2010, <http://leap.leg.wa.gov/leap/Budget/Detail/2010/coSOOverview0413.pdf>, p. 9.
- 118 Ibid, p. 12.

- 119 Yakima Herald, "The High Cost of Higher Ed—Tuition Hikes Make Things More Difficult," May 12, 2009, <http://www.yakima-herald.com/stories/2009/5/11/cost-of-higher-ed-tuition-hikes-make-things-more-difficult>.
- 120 Senate Ways and Means Committee, "2010 Supplemental Operating Budget: Overview," April 13, 2010, <http://leap.leg.wa.gov/leap/Budget/Detail/2010/coSOOverview0413.pdf>, p. 12
- 121 Washington Opportunity Pathways, "Keeping College Affordable: Annual Report on State Financial Aid Programs," January 2010, <http://www.hecb.wa.gov/news/newsreports/documents/AnnualReport-SFAUpdate-2010.pdf>; Higher Education Coordinating Board, "Educational Opportunities Grant Program Manual 2010-11," <http://www.hecb.wa.gov/news/newsmanuals/documents/EOGManual-forweb.pdf>.
- 122 Higher Education Coordinating Board, "Key Facts about Higher Education in Washington: Chapter VIII: Progress Toward Washington's Higher Education Goals," December 2009, <http://www.hecb.wa.gov/keyfacts/documents/ChapterVIII-PDFfinal.pdf>.
- 123 \$6.4 million in cuts is an aggregate of cut expenditure from the State General Fund (\$2.5 Million) and Federal Savings (\$3.9 million). Senate Ways and Means Committee, "2010 Supplemental Operating Budget: Overview," April 13, 2010, <http://leap.leg.wa.gov/leap/Budget/Detail/2010/coSOOverview0413.pdf>, p. 15.
- 124 Washington State Department of Social and Health Services, "DSHS Clients Services All Ages by Race: July 2007-June 2008," http://clientdata.rda.dshs.wa.gov/ReportServer/Pages/ReportViewer.aspx?/CSDBAnyYear/StateClientSvcsByAge_RaceCrosstab.
- 125 Senate Ways and Means Committee, "2009-11 Revised Omnibus Operating Budget (2010 Supp)," April 13, 2010, <http://leap.leg.wa.gov/leap/Budget/Detail/2010/coHAgencyDetail0413.pdf>.
- 126 Washington State Department of Social and Health Services, "DSHS Clients Services All Ages by Race: July 2007-June 2008," http://clientdata.rda.dshs.wa.gov/ReportServer/Pages/ReportViewer.aspx?/CSDBAnyYear/StateClientSvcsByAge_RaceCrosstab.
- 127 Senate Ways and Means Committee, "2010 Supplemental Operating Budget: Overview," April 13, 2010, <http://leap.leg.wa.gov/leap/Budget/Detail/2010/coSOOverview0413.pdf>, p. 12-13.
- 128 Ibid, p. 18.
- 129 Washington State Department of Social and Health Services, "DSHS Clients Services All Ages by Race: July 2007-June 2008," http://clientdata.rda.dshs.wa.gov/ReportServer/Pages/ReportViewer.aspx?/CSDBAnyYear/StateClientSvcsByAge_RaceCrosstab.
- 130 Washington State Office of Financial Management, "Washington Quarterly Revenue Projections down \$1.4 Billion," September 16, 2010, <http://www.ofm.wa.gov/news/release/2010/100916.asp>.
- 131 Washington State Legislature, Senate Bill 6143, <http://apps.leg.wa.gov/billinfo/summary.aspx?bill=6143&year=2010>.
- 132 Washington State Legislature, House Bill 2493, <http://apps.leg.wa.gov/billinfo/summary.aspx?bill=2493&year=2010>.
- 133 Washington State Legislature, House Bill 3176, <http://apps.leg.wa.gov/billinfo/summary.aspx?bill=3176&year=2010>, p. 35; State Rep. Ross Hunter, Chair of House Finance Committee, "Details of House Revenue Package, March 1, 2010," p. 1, viewed at: http://housedemocrats.wa.gov/HouseRevenueProposal_Detail.pdf; House Bill Report, ESSB 6143, as passed House March 9, 2010, pp. 1, 6, viewed at: <http://apps.leg.wa.gov/documents/billdocs/2009-10/Pdf/Bill%20Reports/House/6143-S.E%20HBR%20APH%2010%20E1.pdf>. //do those % signs belong in the url?//
- 134 Institute on Taxation and Economic Policy, "Who Pays: A Distributional Analysis of the Tax Systems in All 50 States," November 2009.
- 135 Ibid.
- 136 Senate Ways and Means Committee, "2010 Supplemental Operating Budget: Overview," April 13, 2010, <http://leap.leg.wa.gov/leap/Budget/Detail/2010/coSOOverview0413.pdf>.
- 137 Washington State Department of Social and Health Services, "DSHS Clients Services All Ages by Race: July 2007-June 2008," http://clientdata.rda.dshs.wa.gov/ReportServer/Pages/ReportViewer.aspx?/CSDBAnyYear/StateClientSvcsByAge_RaceCrosstab.
- 138 Senate Ways and Means Committee, "2010 Supplemental Operating Budget: Overview," April 13, 2010, <http://leap.leg.wa.gov/leap/Budget/Detail/2010/coSOOverview0413.pdf>, p. 14.
- 139 Washington State Department of Social and Health Services, "DSHS Clients Services All Ages by Race: July 2007-June 2008," http://clientdata.rda.dshs.wa.gov/ReportServer/Pages/ReportViewer.aspx?/CSDBAnyYear/StateClientSvcsByAge_RaceCrosstab.
- 140 Washington State Office of Superintendent of Public Instruction, "Starting Strong in Washington State: Early Learning Lessons and Success Stories," http://www.k12.wa.us/earlylearning/pubdocs/OSPI_StartingStrongBrief.pdf.
- 141 Yakima Herald, "The High Cost of Higher Ed—Tuition Hikes Make Things More Difficult," May 12, 2009, <http://www.yakima-herald.com/stories/2009/5/11/cost-of-higher-ed-tuition-hikes-make-things-more-difficult>.

- 142 Washington Opportunity Pathways, "Keeping College Affordable: Annual Report on State Financial Aid Programs," Washington Education Coordinating Board, January 2010, p. 34, <http://www.hecb.wa.gov/news/newsreports/documents/AnnualReport-SFAUpdate-2010.pdf>.
- 143 Higher Education Coordinating Board, "Educational Opportunities Grant Program Manual 2010-11," <http://www.hecb.wa.gov/news/newsmanuals/documents/EOGManual-forweb.pdf>.
- 144 Washington State Department of Social and Health Services, "DSHS Clients Services All Ages by Race: July 2007-June 2008," http://clientdata.rda.dshs.wa.gov/ReportServer/Pages/ReportViewer.aspx?/CSDBAnyYear/StateClientSvcsByAge_RaceCrosstab.
- 145 Northwest Health Law Advocates, "Health Care Access in the 2010 Washington State Legislature," May 2010, <http://www.nohla.org/pdf-downloads/NoHLA%20Legislative%20Update%205%20-%202010%20Legislative%20Session5-13-10.pdf>.
- 146 Ibid.
- 147 Washington Apple Health for Kids, <http://hrsa.dshs.wa.gov/applehealth/>.
- 148 Andy Nicholas, "New Census Poverty Data Reveal Deep Disparities throughout Washington," Washington State Budget and Policy Center, September 29, 2009, <http://budgetandpolicy.org/schmudget/new-census-poverty-data-reveal-deep-disparities-throughout-washington>.
- 149 Washington State Department of Social and Health Services, "DSHS Clients Services All Ages by Race: July 2007-June 2008," http://clientdata.rda.dshs.wa.gov/ReportServer/Pages/ReportViewer.aspx?/CSDBAnyYear/StateClientSvcsByAge_RaceCrosstab.
- 150 Senate Ways and Means Committee, "2010 Supplemental Operating Budget: Overview," April 13, 2010, <http://leap.leg.wa.gov/leap/Budget/Detail/2010/coSOOverview0413.pdf>, p. 14.
- 151 Washington State Department of Commerce, "Communities Making Progress in Preventing Substance Abuse and Violence," <http://www.commerce.wa.gov/DesktopModules/CTEDNewsView.aspx?tabID=0&ItemID=108&mid=847>.
- 152 Senate Ways and Means Committee, "2010 Supplemental Operating Budget: Overview," April 13, 2010, <http://leap.leg.wa.gov/leap/Budget/Detail/2010/coSOOverview0413.pdf>, p. 21.
- 153 Washington State Department of Commerce, "Community Mobilization Program," <http://www.commerce.wa.gov/site/355/default.aspx>.

ENDORISING ORGANIZATIONS

A. Philip Randolph Institute

Arab American Community Coalition

Casa Latina

Central Washington Progress

City of Seattle Race and Social Justice Initiative

Community Organizations in Action

International District Housing Alliance

Legal Voice

Latinos for Community Transformation

Lutheran Public Policy Office

Non-profit Assistance Center

National Association of Social Workers - WA Chapter

National Organization for Women, Washington State Chapter

OneAmerica

Race and Social Justice Initiative Community Roundtable

Seattle Office for Civil Rights

Skagit Immigrant Rights Council

Statewide Poverty Action Network

Washington Community Action Network