



JCRC Consensus Policy Statement on Racial Justice
Preamble

Following a rigorous education and research process that may take months to a year, JCRC Consensus Policy Statements are crafted by the JCRC Public Policy Committee and presented to the JCRC Assembly for deliberation and approval. These statements, which directly guide our advocacy, are the result of extensive discussion among Jews with divergent viewpoints in our community. We seek to bring together the rich diversity of the Bay Area’s organized Jewish community in order to find where there is consensus. Led by the Board President, the Assembly meets quarterly for education, deliberation and consensus building. Members include at-large and organizational representatives throughout the Bay Area. When the Assembly gathers, members air views and think critically about what Jewish values and experience have to teach us about the issues at hand.

The *JCRC Consensus Policy Statement on Racial Justice* was crafted following “Racial Justice: Learning for Change,” a year-long campaign for JCRC members and member organizations across the Bay Area. We conducted live polling at five Town Halls to learn what our community believes and how it envisions change. Topics of the Town Halls included Race and Voting Rights, Race and Education and Race and the Law. The Town Halls included panels of noted policy experts, advocates and social service providers discussing the national and local implications of racial-equality issues. Videos from the Town Halls and other resources are available online at <https://jcrc.org/what-we-do/racial-justice/>.

September 6, 2017



CONSENSUS POLICY STATEMENT ON RACIAL JUSTICE

Approved by the JCRC Assembly June 6, 2017

I. PREAMBLE

Our Jewish traditions and our JCRC mission compel us to seek justice and to stand up for the rights of all people without prejudice or bias.

We are at a time in the history of the United States when race in America is once again making headlines with stories of police overuse of force against people of color; the growth of racist, anti-Semitic, anti-Muslim, anti-immigrant and xenophobic hate groups¹; and a growing acknowledgement of historical government policies and programs that have a disparate and negative impact on lives of people of color.

With this statement JCRC recognizes the importance of reaffirming our commitment to racial equality and equity by laying out a set of principles that outline our values and beliefs on some very complex policy issues related to race and ethnicity in this country. We recognize that statements are not written in isolation from the “other,” rather we as Jews are white, black, brown – African, Latino, Asian, Arab and Caucasian – and a combination of many of the above.

We rely in large part on Jewish tradition and concepts to guide our policy statement on racial justice. With this statement, we reaffirm core precepts of Judaism:

- All human beings are created in the image of G-d and, therefore, all human lives are of equal dignity.
- The sanctity of human life is a primary value. The Bible commands us: “Thou shalt not murder.” The Talmud teaches us: “He who takes one life it is as though he has destroyed the universe, and he who saves one life it is as though he has saved the universe.”
- *Tzedek, tzedek tirdof*, “Justice, justice you shall pursue.” (Deuteronomy 16:20) The sages explained that the word *tzedek* is repeated not only for emphasis but to teach us that in our pursuit of justice, our means must be as just as our ends.
- “Do not pervert justice; do not show partiality to the poor or favoritism to the great, but judge your neighbor fairly.” (Leviticus 19:15)

- “You shall have one manner of law, as well for the stranger, as for one of your country.”
(Leviticus 24:22)

We have applied these precepts as a lens to the issues of race and public policy that we discuss in this statement.

II. THE JEWISH COMMUNITY

For too long, Jews of color have been marginalized, mistreated and made invisible by the larger Jewish community. We need to educate ourselves about the diversity among our own people, which includes Sephardic and Mizrahi Jews, Jews by choice, mixed-heritage Jews and adopted Jews. We urge all Jewish communal institutions, together with Jews of color, to undertake training and other educational programs to inform ourselves about our diversity. We urge these institutions to find ways to fully embrace Jews of color at all levels, including leadership.

III. POLICY STATEMENT

We recognize there are multiple and complex causes for the prevalence of racial inequality and inequity in the United States. For the purpose of this statement, we will define racial inequality as disparity in opportunity or treatment by race. We will define racial inequity as the way race predicts a person’s opportunities and burdens. We believe that a multi-pronged approach, including thoughtful public policy, is needed to advance the conditions necessary for racial equality and equity to flourish.

WEALTH, INCOME AND POVERTY

In the United States in 2011, the median wealth of a white household was 20 times that of a black household and 18 times that of a Latino household.ⁱⁱ We are concerned about the impact of historic policies and practices that have contributed to such inequity. As we aver in our consensus policy statement on economic justice, we support enactment and enforcement of laws to end discrimination in hiring, pay and promotions. We support smart policies that address key drivers of racial wealth gaps, including lack of homeownership, lack of income, poor education, disability status, poor healthcare, immigration status and incarceration. We believe government must support wealth building and management tools for economically disadvantaged and marginalized populations.

HEALTH

The United States Department of Health and Human Services defines health equity as “the attainment of the highest level of health for all people. Achieving health equity requires valuing everyone equally with focused and ongoing societal efforts to address avoidable inequalities, historical and contemporary injustices and the elimination of health and healthcare disparities.”

We are deeply concerned that the places in which low-income communities of color exist often are the cause of disparities in health outcomes. Low-income neighborhoods and communities of color disproportionately exist near industrial sites, such as factories and refineries, which are the source of toxic emissions and air pollution that have adverse health impacts. Additionally, rising temperatures create urban heat islands where older buildings have no air conditioning to cool their residents. This is very dangerous for younger children and older adults. Other poor living conditions, such as damp, converted garages as housing, contribute to a high rate of asthma and other chronic respiratory diseases in low-income families. Accordingly, we call for:

1. Government and public/private research into options for improvement in the serious negative health impacts from the physical environment in low-income communities of color
2. Government and public/private investment in projects in low-income communities of color to help protect them from the effects of pollution and climate change
3. Government and industry to control and limit toxic emissions from places where they endanger the health of the residents in surrounding communities
4. Government and public/private partnerships to focus on building additional and environmentally healthy living spaces for low-income communities and in particular low-income communities of color

We reiterate our belief in the importance of accessible and affordable healthcare of all kinds, and our belief that nutritious food must be accessible and affordable in order for communities to achieve greater health equity. We believe healthcare is a basic right for all people, as stated in our Economic Justice Consensus Policy Statement. We also support the right of all women to safe, accessible and affordable reproductive health services, as affirmed in our Reproductive Health Consensus Policy Statement. Finally, as stated in our Economic Justice Consensus Policy Statement, we support policies and programs that increase access to affordable, nutritious and culturally appropriate foods, especially in areas that are considered food deserts.

EDUCATION

We reaffirm that education is a right as well as an economic driver in our society. In order to resolve gross inequalities in educational opportunity across racial, economic and residential lines, we are committed to equitable access to affordable and high-quality early learning through post-secondary education.

Academic Opportunityⁱⁱⁱ and Achievement Gaps

To address the achievement and opportunity gaps that exist between students of color and white students we call for:

1. Expanding access to early childhood education
2. Providing equitable support for struggling and highly segregated schools
3. Providing all teachers with training in diversity and cultural sensitivity and competence
4. Engaging parents and the community in school and district decision-making
5. Incentivizing culturally, racially and linguistically diverse educators in schools that serve a majority of students of color and English language learners.
6. Expanding access to rigorous classes, summer school, tutoring and before- and after-school learning
7. Ensuring that school curriculum reflects the cultural and racial diversity of our country, including the contributions of people of color and the history of oppression and discrimination in the United States
8. Training for teachers in culturally appropriate curriculum

School Discipline

We are deeply concerned by what is often called “the school-to-prison pipeline.” The pipeline is characterized by inadequate educational services, overcrowded classrooms, racially and socio-economically isolated environments, lack of effective teachers and insufficient funding for teachers and services. The result is student disengagement, exclusionary discipline or dropping out (or both) and early involvement with the courts. The UCLA Civil Rights Project argues that if policy makers and school administrators ignore the discipline gap they will be unable to close the achievement gap. Black students are suspended or expelled from school three times more often than white students. United States public school children lost about 1.8 million days of instruction due to exclusionary discipline. We therefore call for:

1. Strictly limiting exclusionary disciplinary practices, which disproportionately impact students of color, to ensure that students do not lose critical learning time
2. Utilizing alternative discipline practices when appropriate, such as restorative justice, school resource officers, and mediation

Special Education

Racial inequities prevail in special education in the United States today. Children of color are more likely to be designated as intellectually disabled or emotionally disturbed and in need of special education. Even when they are correctly diagnosed, children of color often receive poorer services than disabled white children. We therefore call for culturally-appropriate testing before a child is

designated as intellectually disabled or emotionally disturbed. We also call on schools to ensure equal treatment to all children in special education classes.

Higher Education

We believe that quality and affordable public higher education should be accessible to all students. We support implementing and expanding academic and social support programs to assist first-generation college students.

VOTING RIGHTS

We recognize that the denial of voting rights has historically been used and continues to be used to minimize representation of communities of color.

For democracy to flourish, all stakeholders must be able to participate in the process. We are deeply concerned by the Supreme Court decision in *Shelby County v. Holder*, which struck down key provisions of the Voting Rights Act and ended the requirement that states with a history of disenfranchising communities of color must obtain approval from the Department of Justice or a federal judge when they make changes to voting laws.

We believe that redistricting must be fair and account for the size of district populations, geographic contiguity and racial and ethnic diversity as stated in the current California statute. We believe California's use of redistricting commissions should be held up as a model of fair redistricting.

Across the United States there is a patchwork of policies on voting rights for formerly incarcerated individuals. Nationwide, one in 13 African-Americans of voting age cannot cast a ballot – four times the national average – due to disqualifying criminal convictions (ACLU). We therefore call for:

1. Enacting federal statutes to reverse the effects of the Supreme Court's holding in *Shelby County v. Holder* that invalidated critical features of the Voting Rights Act of 1965
2. Providing language-accessible voting materials and ballots
3. Ending voter ID laws and efforts to purge voter rolls that have disproportionately affected African Americans^{iv}
4. Expanding early voting, online registration and same-day voter registration
5. Creating uniform national standards to permit formerly incarcerated people to have the right to vote

CRIMINAL JUSTICE SYSTEM

We believe that a strong democratic society respects the rule of law to ensure the safety and security of all its people, including its minority populations.

Notwithstanding the ideals of our criminal justice system, we recognize that both explicit and implicit bias exist in the criminal justice system and there is growing evidence that race, ethnicity and poverty play a role in determining who is arrested, who receives a fair trial and how those convicted are sentenced. Foremost among the issues we will outline in this section are mass incarceration, racial profiling and police practices.

Mass Incarceration

To address the large racial disparity in who is arrested, how they are charged and how they are tried and sentenced, leading to mass incarceration of people of color, we call for:

1. Ensuring that criminal laws do not impose disparate sentencing or other disparate impacts on persons of color relative to perpetrators of similar offenses
2. Eliminating the focus on communities of color for non-violent drug arrests and other non-violent offenses
3. Revoking restrictions on judges' exercise of discretion in sentencing, such as mandatory minimum sentences and "three strikes and you're out" provisions^v
4. Ensuring that juvenile justice is fair and developmentally appropriate and does not wrongly push juveniles into the adult penal system
5. Removing post-sentencing sanctions, including ineligibility for federal housing or subsidies
6. Providing alternative sentencing for low-level offenses
7. Ensuring quality counsel to all defendants
8. Guaranteeing humane treatment of all incarcerated people, including substantially limiting use of solitary confinement

We remain deeply concerned with the disparate impact of the cash bail system on people of low income, the disparate application of the death penalty to people of color and the impact of incarceration on families and the foster care system. While we do not address these issues in this statement, we recognize that they are important public policy issues that require further scrutiny.

Profiling

Profiling is the singling out of persons for discriminatory scrutiny or treatment on the basis of race, ethnicity, religion and other suspect categories. To address profiling within the criminal justice system, we call for:

1. Ending all impermissible discriminatory profiling practices within the criminal justice system
2. Strictly enforcing existing legislation to prohibit discriminatory profiling or any act by law enforcement to single out persons of color for discriminatory scrutiny
3. Supporting policies and practices to foster stronger relationships between communities of color and law enforcement
4. Providing law enforcement personnel with training on implicit bias

Police Practices

Law enforcement officers who risk their lives each day to ensure our safety deserve the respect and appreciation of all Americans. We applaud and support law enforcement individuals and agencies who work arduously and appropriately to keep our communities safe and to protect citizens and property from harm.

Even as we reaffirm our respect and appreciation for law enforcement, we must acknowledge the long-standing structural injustices – particularly concerning race – that plague too much of our society including our criminal justice system.

We believe that law enforcement agencies and personnel must be held accountable for their actions. Therefore, we call for:

1. Permitting the United States Department of Justice to obtain accurate data about every individual who suffers grave bodily injury or dies in police custody
2. The United States Department of Justice to collaborate with communities to reform police department policies, training and supervision to address issues of racial injustice and limit police use of excessive force
3. A separate representative police review board with investigative authority including subpoena powers and full access to confidential personnel files of officers
4. When appropriate, the use of technology, such as body cameras, by law enforcement to record interactions with the public to increase transparency and trust within the community

5. Utilizing community policing in which police officers see themselves as community members and are connected and integrated into the neighborhoods and culture of their jurisdictions
6. The composition of the police force, to the greatest extent possible, should reflect the racial and ethnic diversity of the communities they serve
7. The collection of data nationally on incidents involving police use of excessive force
8. Providing crisis intervention training to law enforcement personnel in order to provide them with necessary tools to deal with persons suffering from mental illnesses and to be able to avoid the escalation of encounters that endanger both those with mental illnesses and law enforcement personnel
9. Forming a crisis intervention team that includes mental health practitioners
10. Enforcing clear regulations about the use of military-grade weapons and equipment and restricting the use of those weapons and equipment to specially trained officers. These weapons must not be used for intimidation or repression, or in any way that restricts First Amendment rights

IV. CONCLUSION

We acknowledge that we cannot address all of the issues related to racial equity and equality in one statement. There will be additional issues that the Jewish community will need to grapple with and we hope that this statement will serve as a guide in the spirit of the conversation on those issues.

We encourage our congregations to establish and sustain relationships with diverse racial, ethnic and economic sectors of their communities, and to participate in community-based dialogues pertaining to race.

We commit to continuing to educate ourselves about the issues around race and justice, and to work in partnership with communities to address the root causes of racial injustice.

ⁱ SPLC, **Hate Map**, <https://www.splcenter.org/hate-map>

ⁱⁱ Pew Research Center, **Wealth Gaps Rise to Record Highs Between Whites, Blacks and Hispanics (2011)**, <http://www.pewsocialtrends.org/2011/07/26/chapter-2-household-wealth/>

ⁱⁱⁱ Great Schools Partnership, **The Glossary of Education Reform**, <http://edglossary.org/opportunity-gap/>

^{iv} Project Vote, **Voter Purges**, <http://www.projectvote.org/issues/list-maintenance/voter-purges/>

^v Justice Policy Institute, **Racial Divide: An Examination of the Impact of California's Three Strikes Law on African-Americans and Latinos**, http://www.justicepolicy.org/uploads/justicepolicy/documents/04-10_tac_caracialdivide_ac-rd.pdf