

Executive Summary

This report urges us to think carefully about the relationship between gun violence prevention and racial equity. Racial equity impact assessments (REIAs), such as the assessment proposed in this report, guide advocates, policy makers, and researchers through a thorough examination of policies with an equity lens to anticipate the potential outcomes and mitigate foreseeable risks. It requires one to ask fundamental questions about when to justify involvement with the criminal legal system, identify the costs and benefits of engagement, and think about alternatives to minimize harm. This framework acknowledges that solutions to gun violence, however well intentioned they may be, can exacerbate or compound upon the harms suffered by impacted communities if they are made without careful analysis and the input of those directly affected by it.

Gun violence affects everyone. It inflicts an enormous burden upon our country, particularly within under-resourced Black and Latino/Hispanic communities.¹ The politics of guns and race have long been intertwined, but racial equity only recently became a focal point of discussions among gun violence prevention groups, catalyzed by the advocacy of community-based and BIPOC²-led organizations.^{3,4,5}

In partnership with many stakeholders across the gun violence prevention movement, this racial equity framework is a resource that can be used by policymakers, researchers, and organizations working in gun violence prevention. Representatives from the six authoring organizations comprised a small working group to plan development of the report and convened a series of conversations to share proposals and review feedback from expert contributors. In addition to advancing racial equity, the core values of inclusion, collaboration, and consensus-building guided the project from early stages through completion.

Building upon existing racial equity work and guidance, this report is informed by the public health model of social determinants of health and has been tailored to the specific needs of gun violence prevention. The tools and recommendations proposed in this report are derived from relevant academic literature, racial equity impact assessments, and frameworks for building more equitable social movements.

The racial equity framework for gun violence prevention is divided into three main sections: The first section introduces the most relevant considerations about gun policy and race. It helps contextualize the issue of racial disparities in gun violence and the role of the criminal legal system. The second section is the racial equity impact assessment tool (REIA) for gun violence prevention policy. It includes the analysis of the foundational assessments that were considered to develop the tool and a practical explanation of each of the questions that comprise the REIA. The third section provides resources to build a more equitable gun violence prevention movement. It describes the need to center and invest in BIPOC-led organizations and presents a set of recommendations for developing and sustaining a more equitable gun violence prevention movement.

1 EFSGV (2021) *Community Gun Violence*. <https://efsgv.org/learn/type-of-gun-violence/community-gun-violence/>

2 Black, Indigenous and other people of color

3 Goodwin, A. & Tillmon, C. (2020). *Police kill 1,000 people a year with guns. White anti-gun violence advocates never addressed it*. NBC News. <https://www.nbcnews.com/think/opinion/police-kill-1-000-people-year-guns-white-anti-gun-ncna1227536>

4 Weiss, B. (2015). *Gun Violence Prevention Movement Focuses On Who's At The Table*. *Generation Progress*. <https://genprogress.org/gun-violence-prevention-movement-focuses-on-whos-at-the-table/>

5 Beckett, L. (2015). *How the Gun Control Debate Ignores Black Lives*. ProPublica. <https://www.propublica.org/article/how-the-gun-control-debate-ignores-black-lives>

Gun Policy and Race

Understanding the complex historical context of the Second Amendment, gun policy, and race is essential to advancing both public health and racial justice.⁶ Laws have been passed with explicit racialized intentions, while others may have had unconscious disparate impacts. Regardless, the disparate impact of gun violence on BIPOC communities is far too large to justify inaction. Black Americans are disproportionately affected by homicides.⁷ The reality is pressing, as the firearm homicide victimization rate for Black people is 11 times higher than for white people. Among American Indian/Alaskan Native people the rate is 3.4 times higher, and among Latinos/Hispanics the rate is 2 times higher.⁸ However, the total number of Latino/Hispanic victims is likely higher than what data suggests due to most government agencies reporting data on race but not on ethnic origin.⁹

The impact of gun violence on the lives of BIPOC communities is devastating, but so too is the over-reliance on a heavily punitive criminal legal system to address violence.¹⁰ Black men are stopped by police,¹¹ arrested,¹² denied bail,¹³ convicted¹⁴ and wrongfully convicted,¹⁵ and issued long sentences¹⁶ at much higher rates than their white counterparts. As a result, nearly half of all Black men will be arrested before the age of 23.¹⁷ Racial and ethnic disparities in the criminal legal system also disproportionately impact Latinos/Hispanics, American Indians, and Alaskan Natives.^{18, 19, 20} Though racial disparities in the criminal legal system stem from many sources, overly punitive gun violence prevention policies can play a role in perpetuating the larger issue. Beyond laws that only focus on firearms, the policy agenda of gun violence prevention should work in tandem with other advocacy initiatives addressing racial inequalities in housing, education, transportation, and the criminal legal system, which all contribute to gun violence.

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- 6 See generally, Miller, D. (2021) *Conservatives sound like anti-racists – when the cause is gun rights*. Washington Post. <https://www.washingtonpost.com/outlook/2021/10/27/gun-rights-anti-racism-bruen-conservative-hypocrisy/>
- 7 The Violence Policy Center (2021) *Black Homicide Victimization in the United States: An Analysis of 2018 Homicide Data*. <https://vpc.org/revealing-the-impacts-of-gun-violence/black-homicide-victimization/>
- 8 Centers for Disease Control and Prevention. National Center for Health Statistics. Firearm Deaths and Rates. WONDER Online Database, 2016-2020. <https://wonder.cdc.gov/ucd-icd10.html>
- 9 The Violence Policy Center (2021). *Hispanic Victims of Lethal Firearms Violence in the United States*. <https://vpc.org/studies/hispanic21.pdf>
- 10 Balko, R. (2020). *There's overwhelming evidence that the criminal justice system is racist. Here's the proof*. Washington Post. www.washingtonpost.com/graphics/2020/opinions/systemic-racism-police-evidence-criminal-justice-system/
- 11 Weatherspoon, F. D. (2004). Racial profiling of African-American males: Stopped, searched, and stripped of constitutional protection. *J. Marshall L. Rev.*, 38, 439. <https://repository.law.uic.edu/lawreview/vol38/iss2/2/>
- 12 Welch, K. (2007). Black criminal stereotypes and racial profiling. *Journal of Contemporary Criminal Justice*, 23(3), 276-288. <https://doi.org/10.1177/1043986207306870>
- 13 Free, M. D. (2001). Racial bias and the American criminal justice system: Race and presentencing revisited. *Critical Criminology*, 10(3), 195-223. <https://doi.org/10.1023/A:1015796321587>
- 14 Berdejó, C. (2018). Criminalizing Race: Racial Disparities in Plea-Bargaining. *BCL Rev.*, 59, 1187. <https://lawdigitalcommons.bc.edu/cgi/viewcontent.cgi?article=3659&context=bclr>
- 15 Gross, S. R., Possley, M., & Stephens, K. (2017). *Race and wrongful convictions in the United States*. http://www.law.umich.edu/special/exoneration/Documents/Race_and_Wrongful_Convictions.pdf
- 16 Mustard, D. B. (2001). Racial, ethnic, and gender disparities in sentencing: Evidence from the US federal courts. *The Journal of Law and Economics*, 44(1), 285-314. <https://doi.org/10.1086/320276>
- 17 Brame, R., Bushway, S. D., Paternoster, R., & Turner, M. G. (2014). Demographic Patterns of Cumulative Arrest Prevalence By Ages 18 and 23. *Crime and Delinquency*, 60(3), 471-486. <https://doi.org/10.1177/0011128713514801>
- 18 Nellis, A. (2016). *The color of justice: Racial and ethnic disparity in state prisons*. Sentencing Project. <https://www.sentencingproject.org/wp-content/uploads/2016/06/The-Color-of-Justice-Racial-and-Ethnic-Disparity-in-State-Prisons.pdf>
- 19 Harris, C. T., Steffensmeier, D., Ulmer, J. T., & Painter-Davis, N. (2009). Are Blacks and Hispanics Disproportionately Incarcerated Relative to Their Arrests? Racial and Ethnic Disproportionality Between Arrest and Incarceration. *Race and Social Problems*, 1(4), 187-199. <https://doi.org/10.1007/s12552-009-9019-x>
- 20 Rovner, A. (2021) *Native Disparities in Youth Incarceration*. The Sentencing Project. <https://www.sentencingproject.org/publications/native-disparities-youth-incarceration/>

The Racial Equity Impact Assessment

The main component of this racial equity framework is the **Racial Equity Impact Assessment (REIA)** for gun violence prevention policy. The REIA is a tool that identifies and assesses factors bearing on racial equity that should be considered before a policy is implemented. These factors may be evaluated to promote racial equity, reduce victimization, and minimize arrests and incarceration. If a policy already exists, this REIA tool can help guide ongoing implementation and/or amendments to that policy to address equity concerns that are identified.

Ideally, using this tool should be a collaborative process within and beyond the organization. Throughout the assessment, each answer helps guide organizations as they decide whether to move forward, support, change, or advocate for a policy while also considering the risk of inaction.

The REIA requires careful consideration of nine questions. The questions are open-ended and require deliberation and more detailed responses than “yes/no.” The REIA should be considered as a guide, and not be reduced to a checklist.

REIA

- 1 What are the stated objectives of the gun violence prevention policy?**
- 2 What is the context of racial inequity that informs the issue being addressed?**
- 3 What types of racial disparities could potentially result from the policy’s design and implementation?**
- 4 Who are the specific communities that will be impacted by the policy?**
- 5 What, if any, data can be used to measure whether racial inequities could be reduced, perpetuated, or exacerbated by the policy?**
- 6 Can any potential racial inequities be avoided or mitigated without compromising the stated objective?**
- 7 Does the policy remedy existing racial inequities?**
- 8 Is the proposed solution to mitigate gun violence viable and sustainable?**
- 9 What methodologies can be utilized to evaluate the implementation, progress toward stated objectives, and any racialized impacts of the policy?**

A More Equitable Gun Violence Prevention Movement

Racial equity impact assessments provide a necessary foundation for a more equitable policy analysis within the gun violence prevention movement. When organizations decide to prioritize equitable advocacy and capacity-building, they can draw on the existing assets of communities of color.

With the guidance of diverse stakeholders, we developed a set of recommendations to support every organization in meeting their responsibility to make this space inclusive, equitable, and trauma-informed. These recommendations are designed to develop and sustain a more equitable gun violence prevention movement. These are the topline recommendations:

- 1 Identify and engage diverse members in the collective, routinely asking who is missing and inviting them to join.**
- 2 Identify the collective interest and allow for all stakeholders to provide ongoing input in developing a shared vision and goal(s).**
- 3 Establish roles and responsibilities that share power with impacted communities.**
- 4 Commit to personal and collective growth and healing.**
- 5 Identify and prioritize policies, programs, and strategies that address interests of all communities represented.**
- 6 Identify stakeholders, their resources, and their influence to more effectively reach key policy decision-makers.**
- 7 Engage in ongoing evaluation that is inclusive of all members.**
- 8 Make equitable collaboration sustainable.**
- 9 Celebrate the victories and acknowledge the inevitable setbacks that are part of violence prevention advocacy.**