



Healing Policies for Black Boys and Young Men in St. Louis

Priorities in 2019

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The Value of Investing in Healing Policies

Black boys and men in the St. Louis region face punitive local, state, and federal policies that decrease their quality of life and limit their potential to give back to society. System-level changes that reshape the contexts in which the 60,000 Black boys and young men in St. Louis heal, grow, and thrive are necessary to help them reach their full potential. Such changes would benefit St. Louis by increasing this population's workforce readiness and decreasing the likelihood of its involvement in the criminal justice system. Dr. Sean Joe of the Race and Opportunity Lab's HomeGrown STL project recommends a shift away from punitive legislation toward generation and implementation of healing policies. Healing policies are reg-

ulatory and legislative interventions and reforms specifically designed to improve the well-being of Black boys and young men.

By creating and delivering supports for this population, local service providers function as the backbone of the Black male development ecosystem. Through close relationships and frequent interaction with the community, service providers possess a deep understanding of community issues (Miller et al., 2017). Thus, service providers are important resources in efforts to identify the policy barriers that impede their ability to effectively serve and advocate for Black boys and young men. In a study conducted by the Race and Opportunity Lab, researchers

***Excellent
Scholarship
is a Prerequisite
for Social Change***

—Sean Joe

The Race and Opportunity Lab of the Brown School at Washington University in St. Louis examines race, opportunity, and social mobility with an emphasis on informing policies, interventions, and intra-professional practice.



Champions for Change panelists at Building Capacity for Community & System Change, HomeGrown STL's 3rd Regional Summit on Black Boys and Young Men, February 7, 2019.



As a member of **President Barack Obama's My Brother's Keeper Alliance**, HomeGrown STL works on behalf of Black boys and young men ages 12 to 29 in St. Louis. The aim of its Healing Policy Initiative is to provide data and resources to inform local policy decisions, advocacy efforts, and the development of collective impact strategies to improve outcomes for Black boys and young men.

Impoverished Black fathers who are incarcerated continue to accumulate child support payments while they are in prison. When they return to the community, they are likely to **face prosecution for not paying the child support that accrued while they were incarcerated.**

gathered insights from 43 service providers regarding policies that currently serve as barriers to Black males' social, physical, and economic development in the region (Honig, 2004). Data were collected through surveys, phone interviews, and semistructured in-person interviews. Researchers then conducted a thematic analysis, extracting common themes from the data.¹

In this Brief Report, we combine the thematic analysis with input from local legislators and advocacy groups (given at our Strategic Networking Breakfast in December of 2018) to (a) identify detrimental policies within themes identified by regional service providers and (b) provide healing policy recommendations that increase the capability of service providers to support the upward social mobility of Black boys and young men.

Discussion of Findings

Researchers identified five key healing-policy themes from conversations with service providers in the areas of criminal justice, education, housing, employment, and health care.



Criminal Justice: Strict child support laws create longer sentences for incarcerated men

When interviewed, many service providers expressed concern about Missouri's regulations for failure to pay child support. As one provider stated, "Policies, laws, and systems that categorize child support non-payment as a felony need to be addressed to remove barriers to employment for Black males." Criminal nonsupport is initially a Class A misdemeanor; however, if a person fails to pay a child support obligation in full for 6 months within any 12-month period, nonsupport becomes a Class E felony that can result in incarceration. Individuals are required by law to continue child support payments during periods of unemployment and incarceration (Mo. Rev. Stat. § 568.040, 2019). Consequently, impoverished fathers who are incarcerated continue to accumulate child support payments while they are in prison and are likely to face prosecution and potential reincarceration upon their return to the community (Hager, 2015). This system keeps these fathers out of work and unable to provide necessary supports for their children and families. Because Black males are overrepresented in the criminal justice system and more likely than other groups to face unemployment (Hetey & Eberhardt, 2018; Ritter & Taylor, 2011),

this law disproportionately affects incarcerated Black fathers and their children.

Recommendation: Amend state laws to allow flexibility in child support payment for incarcerated fathers

Potential remedies include policies that (a) stop the accumulation of child support arrears for individuals while they are incarcerated, (b) offer financial assistance for incarcerated fathers, and (c) decriminalize child support nonpayment by treating it as a civil case rather than a criminal one. The third option, decriminalization, has been recommended by St. Louis County Prosecuting Attorney Wesley Bell (Byers, 2019).



Education: The Safe Schools Act negatively impacts students by contributing to the school-to-prison pipeline

Education is another policy area highlighted by service providers as needing attention. One service provider specifically identified Missouri's Safe Schools Act (1996) as a source of problems: "Missouri's Safe Schools Act creates regulations and school procedures that discipline children unfairly, in addition to removing children from classrooms for behaviors that are not necessarily considered dangerous." (For disciplinary provisions, see Mo. Rev. Stat. § 160.261(2) (24) (2017).)

The act is a statewide zero-tolerance policy requiring school officials to report to law enforcement any behaviors that would be considered a felony if committed by an adult. Combined with recent amendments to the Missouri Criminal Code, this act could lead to felony charges for children as young as age 5 who tease others on the playground (Missouri Human Rights Act, 2019; Moyer, 2017). The criminal code amendments, which took effect on January 1, 2017, elevated harassment in the first degree from a misdemeanor offense to a Class E felony (Mo. Rev. Stat. § 565.091, 2019). The largest impact of these policies is expected to be felt by Black boys. Black boys are more likely than other students to receive punishment for a given misbehavior, and racial inequities in school punishment parallel larger inequities in the criminal justice system (Lewis, Butler, Bonner, & Joubert, 2010; Rawlings, 2015). Accordingly, the combined impact of these policies will likely increase the already disproportionate presence of Black male youth in the school-to-prison pipeline (Darensbourg, Perez, & Blake, 2010).

Missouri's Safe Schools Act creates regulations and school procedures that discipline children unfairly, in addition to removing children from classrooms for behaviors that are not necessarily considered dangerous.

—Interviewed service provider

Recommendation: Repeal the Safe Schools Act and replace it with policies that promote positive discipline and social-emotional learning

Black boys and young men in the region would benefit from the repeal and replacement of this punitive, zero-tolerance policy for children who demonstrate disruptive or other maladaptive behaviors. The Safe Schools Act should be replaced by policies that support emotional and behavioral interventions aligned more closely with the needs of St. Louis youth; possible alternative interventions recommended by Forward Through Ferguson include restorative justice and positive youth-development practices (Forward Through Ferguson, 2015).



Housing: Section 8 regulations and amendments to the Missouri Human Rights Act reduce accessibility of affordable housing for disadvantaged groups

Service providers stated that federal regulations block many clients from securing housing. One service provider noted that while their agency may be able to help clients locate affordable housing, the applications of young Black males with criminal histories are often denied because of their previous involvement with the criminal justice system. Although public housing agencies are allowed certain freedoms in applicant and resident evaluation, a set of federal regulations prevent public housing agencies from serving clients who abuse alcohol, use illicit substances, or have certain criminal convictions (Curtis, Garlington, & Schottenfeld, 2013). Furthermore, federal regulations prohibit housing discrimination by private landlords but are not strictly enforced, and landlords exercise broad discretion in denying housing to tenants.

Signed into law in 2017, Senate Bill 43 created additional barriers for Black men in finding and securing affordable housing. The bill amended the Missouri Human Rights Act, making it more difficult for victims of discriminatory practices to prove discrimination and capping the damages that victims are able to receive. Additionally, these amendments resulted in a drastic cut to funds allocated for low-income housing. The U.S. Department of Housing and Urban Development declared that the amendments rendered the Missouri law no longer “substantially equivalent” to federal discrimination laws (Erickson, 2017, para. 2). As a result, the state of Missouri

was suspended from the Fair Housing Assistance Program and lost roughly \$600,000 annually in federal funds for low-income housing (Erickson, 2017; Suntrup, 2018). The amendments have limited access to housing by eliminating housing resources and by making it more difficult for victims to prove discrimination.

Recommendation: Reverse amendments to Missouri Human Rights Act and enforce existing discrimination laws for private landlords

Legislation is needed to repeal and replace the changes made by Senate Bill 43 to the Missouri Human Rights Act. In addition, implementation of federal regulations that allow public housing officials greater discretion in cases where the applicant has a criminal history can increase affordable housing opportunities for Black men with prior convictions.



Employment: Discrimination reduces employment opportunities for individuals with felony convictions

Service providers expressed the need for Missouri to create more policies that enable Black males to seek and gain successful employment. One service provider stated: “If everybody in the state of Missouri would take the question of ‘Do you have a felony?’ off the application and give people a fair shot, and judge people off of their character, experience, and skills, then a lot more doors would be open for those who have been touched by the judicial system.” Ban-the-box policies aim to remove an initial barrier to employment by allowing individuals with a criminal record to be given a fair opportunity to interview for employment (Spaulding, Lerman, Holzer, & Eyster, 2015). While both St. Louis City and County have now adopted ban-the-box policies, these only apply to government agencies, not private business owners. Individuals who have been involved with the criminal justice system face discrimination during the hiring process and often are not granted interviews (Pager, 2003). Accordingly, this lack of appropriate regulation enables the region’s private employers to impede the employment of Black men with a prior conviction.

Recommendation: Expand ban-the-box policies to private employers

Increase employment opportunities for Black men with a criminal history by expanding county, city, and state employment policies to prohibit

Many young Black males are **denied the affordable housing** found for them by social service providers because they have past involvement in the criminal justice system.

At HomeGrown STL's Strategic Networking Breakfast, **State Sen. Brian Williams** previewed his legislative plans for the state to contribute \$4 million toward mental health services.

public and private employers from inquiring about an applicant's criminal history until the applicant has had the opportunity to interview.



Health: Failure to expand the Missouri Medicaid program sustains gaps in coverage for underinsured and uninsured individuals

Missouri's failure to expand MO HealthNet, the state's Medicaid program, was highlighted as a barrier that impedes service providers' capacity to serve Black boys and young men in the St. Louis region. Providers stated that the lack of expansion makes it especially challenging to provide behavioral health services to uninsured or underinsured Black young men with mental illness or substance-abuse disorders in the 18-to-29 age range. Capturing the perspectives of

many, one provider stated that "lack of health insurance and an inadequacy of spending by the state of Missouri on these types of services" are particular barriers.

Under the Affordable Care Act, states have the option to expand Medicaid coverage to childless adults under the age of 65 who are at or below 138% of the federal poverty level. The state did not exercise that option (Norris, 2018). MO HealthNet covers low-income parents and caretakers earning less than 23% of the federal poverty level. (The program makes exceptions for older adults, people with disabilities, and women who are pregnant.) Missouri's failure to expand Medicaid under the Affordable Care Act leaves 87,000 residents in the coverage gap: They are ineligible for Medicaid but do not earn enough

Recommendations



Criminal Justice

Amend state laws to allow flexibility in child support payment for incarcerated fathers.



Education

Repeal Safe Schools Act and replace with policies that promote positive discipline and social-emotional learning.



Housing

Reverse amendment to Missouri Human Rights Act and enforce existing discrimination laws for private landlords.



Employment

Expand ban-the-box policies to private employers.



Health

Expand Medicaid coverage for behavioral health services.

Source: Race and Opportunity Lab data from HomeGrown STL Healing Policies for Black Males Development Study, 2018.

to qualify for the act's Marketplace tax credits (Garfield, Orgera, & Damico, 2019). Thus, Black males who fall under the poverty line but do not meet the criteria for other coverage are ineligible for Medicaid and for subsidies to offset the cost of private insurance. These barriers to coverage limit their access to many health care services.

Recommendation: Expand Medicaid coverage for behavioral health services

Adoption of the state Medicaid expansion under the Affordable Care Act would increase the accessibility of behavioral health services for Black males in St. Louis.

Conclusion

Healing policies move beyond punishment by removing barriers and allowing Black boys and young men to take advantage of opportunities for advancement. The five healing policy priorities identified in this report suggest that changes in policy at the state level are necessary for service providers to effectively deliver supports to Black boys and men in St. Louis. Investment in these policy changes will increase the capacity of Black boys and young men to aid in the social and economic improvement of the region. HomeGrown STL is committed to producing research and elevating the voices of providers in order to catalyze such improvements by expanding upward mobility among Black males in the region.

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Notes

¹To learn more about the methods used in this study, see Aronson (1995).

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HOME GROWN STL

About HomeGrown STL

This report is a product of **HomeGrown STL**, a community science project of the Race and Opportunity Lab, within the Center for Social Development at Washington University's Brown School. As a university-based community science intermediary, HomeGrown STL, brings together multisector providers, governmental officials, planning professionals, citizens, and private-sector partners to develop regional and local strategic plans to disrupt fragmented care coordination and to improve the well-being and upward mobility of an entire population of Black males ages 12 to 29 years in specific St. Louis geographic areas within a generation (by 2039).

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