

Demos

SOCIAL EXCLUSION

Black People Have Everything to Lose Under Trump



White Supremacists March In Charlottesville, Virginia, August 11, 2017.

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About Dēmos

Dēmos is a public policy organization working for an America where we all have an equal say in our democracy and an equal chance in our economy.

Our name means “the people.” It is the root word of democracy, and it reminds us that in America, the true source of our greatness is the diversity of our people. Our nation’s highest challenge is to create a democracy that truly empowers people of all backgrounds, so that we all have a say in setting the policies that shape opportunity and provide for our common future. To help America meet that challenge, Dēmos is working to reduce both political and economic inequality, deploying original research, advocacy, litigation, and strategic communications to create the America the people deserve.

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Introduction

“Juneteenth”—June 19th—is celebrated by many African Americans as “Independence Day.” On June 19, 1865, the Union Army reached Texas, the last corner of the former Confederate states, and announced the end of slavery. While on July 4, 1776 most black Americans were enslaved, on June 19, 1865 they were all officially free.

Juneteenth is normally a time for rejoicing, but this year, Dēmos has chosen to consider the rights, opportunities, and commitments to racial redress that black people are losing because of the Trump administration. (Of course, numerous communities, including all of the American working class, are being harmed by Trump administration policies, but for Juneteenth we are focusing on the impact on African Americans.) Repeatedly during his 2016 presidential campaign, Donald Trump appealed to black voters by asking, “What do you have to lose?” A year and a half into the Trump administration, we have enough evidence to answer the question definitively: *everything*. In nearly every major federal agency, the Trump administration has pursued policies harmful to black people. Here, we highlight some of the more egregious instances.

The discussion below also illustrates the practice of social exclusion by the Trump administration. As Connie M. Razza states, “Social exclusion is a set of decisions and actions” by the “economically and politically powerful” to “[deploy] white supremacist and racist ideas to further concentrate their wealth and power. They have deputized others—including people who are not white—to enforce the social exclusion of black people through simple and seemingly individual acts, as well as through sweeping rules.”¹ While the Trump administration has fanned the flames of xenophobia, Islamophobia, and racism, convincing many white, Christian Americans that they need to fear immigrants, Muslims, and African Americans,² the richest 1 percent of Americans continue to amass wealth at a rapid pace.³

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Ramping Up Mass Incarceration and Suppressing Civil Rights

It is better for families, communities, and society as a whole that we use incarceration judiciously, since incarceration reduces the ability of a person to be a productive citizen. After decades of racially biased mass incarceration policies,⁴ the Obama administration had begun to move away from policies that would incarcerate non-violent offenders and that would disproportionately harm African Americans.

The Trump administration has reversed many of these approaches and promises to ramp up policies that would lead to the mass incarceration of black people. Attorney General Jeff Sessions is doubling down on the failed war on drugs. He has instructed federal prosecutors to pursue mandatory minimum sentences for low-level, non-vio-

lent drug offenses and pushed them to pursue marijuana cases in states that have legalized the drug.⁵ Sessions' Department of Justice (DOJ) has reversed policies to prevent people from being jailed or imprisoned simply because they are poor,⁶ and opposed sentencing reforms that would reserve the harshest punishments for the most dangerous criminals.⁷

The Civil Rights Division of the Department of Justice, meanwhile, has gone from protecting civil rights to assaulting them. On voting rights, the Division now supports unlawful voter purges in violation of the National Voter Registration Act.⁸ Sessions' DOJ has signaled that it may sue states to coerce them into purging more voters.⁹ In education, DOJ launched an investigation of Harvard for its affirmative action policy¹⁰—even though the Supreme Court ruled in 2016 that race can be one factor of many to ensure diversity in colleges. And DOJ proposed a budget that would defund the Community Relations Service, an office created by the Civil Rights Act of 1964 to help reduce racial tensions around the country.¹¹

Troublingly, Sessions' DOJ has been actively hostile to the police reform mandate Congress gave it in 1994. In April 2017, DOJ tried unsuccessfully to back out of a consent decree to reform the Baltimore Police Department—an agreement that the city's mayor and police chief welcomed.¹² The Attorney General also initiated a review of all “existing or contemplated consent decrees.”¹³ DOJ abandoned its efforts in Chicago, where a 13-month investigation found “a culture in which officers expect to use force and not be questioned about the need for or propriety of that use.”¹⁴ In addition, the agency abruptly transformed its Community Oriented Policing Services' Collaborative Reform process for police departments, withholding recommendations from baffled city officials who had been counting on receiving them.¹⁵ Jeff Sessions' DOJ is working to roll back all of the criminal justice, voting rights, and police-reform advances made in recent decades.

Failing to Address the Black Economic Recession

Donald Trump has celebrated the historically low black unemployment rate.¹⁶ But he has failed to mention that the strong decline in the black unemployment rate began during the Obama administration in 2011, years before he entered office.¹⁷

More importantly, since the 1960s, the black unemployment rate has been twice the white unemployment rate,¹⁸ and it continues to be so today. If the white unemployment rate were where the black unemployment rate is today, no one would be celebrating. The level of unemployment black people are experiencing today is typical of what whites experience as a result of a recession.¹⁹ During recessions, policymakers enact economic stimulus measures to reduce unemployment. If Donald Trump were to unveil a realistic plan to create a million jobs for black workers—what is needed to create full employment for black Americans—then there would be a reason to celebrate.²⁰

Taking Money Away from Black Workers

Recent research indicates that we are making no progress in combatting anti-black racial discrimination in the labor market.²¹ “Black-white wage gaps are larger today than they were in 1979,” reports the Economic Policy Institute, and, “Wage gaps are growing primarily because of discrimination.”²²

Instead of working against these trends, the Trump administration is striving to make it easier for employers to discriminate against black workers. The administration has suspended a rule from the Equal Employment Opportunity Commission that would have compelled large companies to report confidentially information about what they pay their employees by job category, sex, race, and ethnicity. Collecting the data would have enabled employers to identify and address discriminatory pay practices, which continue to suppress the pay of African-American workers. By halting data collection, the administration discarded an important tool to address these growing disparities.

The Trump Department of Labor has cost African-American workers hundreds of millions of dollars. The Trump administration refused to defend in court the Obama administration’s rule on overtime pay. The overtime pay rule would have benefitted 1.5 million black workers, nearly a third of all African Americans who are paid a salary.²³ Had the rule gone into effect, covered workers would either have been paid more for working overtime or would have worked fewer hours for the same salary they currently earn. Yet because the Trump administration chose not to fight for the rule, working people of all races are losing out on an estimated \$1.2 billion per year.²⁴

In addition to rolling back Obama-era rules, Trump’s Department of Labor promotes new regulations that harm African-American workers. For example, the administration proposed a rule that would enable restaurants and other businesses that employ tipped workers to legally appropriate the tips paid to their workers. The rule would allow employers to pocket an estimated \$480 million a year in tips from black workers alone.²⁵ The Department of Labor suppressed its own data finding that the rule change would cost working people billions of dollars.²⁶ Workers and their advocates mobilized against the proposal and succeeded in pressuring Congress to protect workers’ tips through legislation.²⁷ Despite the efforts of Trump’s Department of Labor, workers will be able to keep the tips they earn.

By weakening the enforcement of wage and hour laws, the Trump administration is making it easier for employers to steal wages from black workers. Employers illegally pay sub-minimum wages to an estimated 1 in 20 black workers.²⁸ Each black worker cheated out of the minimum wage loses approximately \$2,900 a year. Additionally, the president repealed an executive order that required businesses that profit from federal contracts to demonstrate that they follow laws on worker pay and benefits.²⁹ African Americans have decades of labor market advances to lose under the Trump administration.

Ending Protection from Predatory Lenders

In the aftermath of the 2008 financial crisis that devastated African-American wealth, Congress established the Consumer Financial Protection Bureau (CFPB) to guarantee basic standards of fairness for consumer financial products and services such as mortgages, credit cards, car loans, checking accounts, debt collection, and student loans. Since 2011, the CFPB has won nearly \$12 billion dollars for consumers cheated by the financial industry, successfully holding big banks and other financial companies accountable for predatory practices that strip wealth from black communities.³⁰ Yet the Trump administration has worked to weaken the agency, appointing an acting director, Mick Mulvaney, who is hostile to the agency's core mission (and is simultaneously heading another government agency) and proposing that Congress withdraw the agency's independent funding and much of its regulatory authority.³¹ In one particularly brazen move, the administration stripped enforcement powers from the CFPB's Office of Fair Lending and Equal Opportunity, which had played a key role in the agency's civil rights work, winning hundreds of millions of dollars for African-American consumers harmed by discriminatory lending.³²

Under the Trump administration, the CFPB has rolled back a range of rules that protect African-American consumers and communities from abusive and discriminatory lending. For example, the Trump CFPB has dropped cases and halted rules that would have reined in payday lenders that prey on black communities with interest rates exceeding 400 percent to consumers who are largely excluded from opportunities to access fair credit and accrue wealth.³³ Under Trump, the agency also delayed its rules on prepaid cards,³⁴ preparing to weaken a regulation that would have curtailed abusive fees and interest rates and established key protections against fraud, unauthorized charges, and errors for the 2.9 million African-American consumers who rely on prepaid cards for financial transactions.³⁵ In another move, the president signed legislation eliminating the CFPB's forced arbitration rule, meaning that consumers who are illegally discriminated against by a financial services companies can be prohibited from joining together to hold companies accountable in court, and will instead be bound by an arbitration process stacked in favor of the company.³⁶ African American consumers are losing their protector in the federal government.

Helping Predatory For-Profit Colleges Rip Off Black Students

The Obama administration sought to rein in colleges that loaded up students with debt without providing them any value in the labor market. His administration also worked to provide loan forgiveness to students who were deceived into enrolling in, and borrowing thousands of dollars from, schools that eventually collapsed (such as ITT Tech and Corinthian Colleges). The Trump administration is reversing these protections and making ripping off low-income students of color easier for predatory for-profit colleges.



The Trump administration is working to make it easier for bad financial actors to prey on the African American community.

Betsy DeVos's Department of Education has weakened a critical consumer protection known as the Borrower Defense rule, designed to help student loan borrowers seek forgiveness when they have been defrauded by predatory colleges.³⁷ The Department of Education has also delayed and attempted to rewrite a rule known as Gainful Employment, which was put in place to prevent unscrupulous career colleges from receiving federal funding.³⁸ These rules were originally designed to restrain the worst actors among for-profit colleges and universities, which account for an outsized share of student loan delinquencies and defaults and often explicitly target students of color. And in its budget, the Trump administration has proposed cuts to the Department of Education's Office of Civil Rights.³⁹ In education as in lending, the Trump administration is working to make it easier for bad financial actors to prey on the African American community.

Ignoring the Affordable Housing Crisis and Segregation

Although black people make up only 12 percent of the total population, they make up 41 percent the homeless population.⁴⁰ While it is generally recommended that families spend no more than 30 percent of their income on housing, more than half of black renters spend above this percentage (and most black households are renters). Nearly a third of black renters spend more than 50 percent of their income on rent.⁴¹ Additionally, the United States currently has a shortage of over 7 million affordable rental homes.⁴²

In spite of these stark facts, Trump's Department of Housing and Urban Development has only worked to make finding affordable housing more difficult for low-income families. Most recently, HUD has been considering tripling the rents of poor tenants in public housing.⁴³ HUD also has weakened its commitment to fighting racial discrimination in housing and to fighting housing segregation.⁴⁴ These policy changes position HUD to be responsible if black homelessness increases.

Starving Poor Families

In its budgets, the Trump administration has proposed deep cuts (totaling over \$200 billion over 10 years) to the Supplementary Nutrition Assistance Program (SNAP), as well as cuts to the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC).⁴⁵ Over 4 in 10 WIC recipients are people of color.⁴⁶ The administration has also proposed to reorient the program so that SNAP chooses and sends recipients food, robbing families of the ability to shop for food on their own, further stigmatizing recipients and perpetuating dangerous stereotypes that poor Americans are unable to make beneficial decisions for themselves or their families.⁴⁷

As with other areas of public assistance programs, the Trump administration has also begun the process to enable states to add work requirements to the food stamp program in areas that have had consistently high unemployment.⁴⁸ Proposals to restructure SNAP would disproportionately impact the recently incarcerated, those with mental illness, and teenagers aging out of foster youth programs. The Administration has also considered proposals to drug-test SNAP recipients, adding a costly layer of bureaucracy to the SNAP program and potentially chilling the ability of people to achieve food security.⁴⁹ These policies will likely increase hunger in black America.

Worsening the Health of Black Communities

Since Trump's election, his administration has been dismantling the power of the Environmental Protection Agency (EPA) to regulate polluting industries and protect people's health. Environmental deregulation disproportionately harms African Americans, who are already more exposed to pollution due to a long history of racially discriminatory policies. For example, black Americans are 1.54 times more likely to be exposed to pollution particles associated with heart and lung disease than the overall population.⁵⁰ More than 1 million African Americans live within a half mile of existing natural gas facilities and experience elevated risk of cancer due to toxic emissions from natural gas development. Under the leadership of Scott Pruitt, the agency has stalled, weakened, or retracted regulations across multiple polluting sectors, including the power sector, chemicals manufacturing, the oil and gas sector, and transportation. The Trump EPA's attacks on environmental regulation are attacks on the health and safety of black communities across the country.

Homeland Insecurity for Black Immigrants and Black Muslims

Xenophobia and Islamophobia are also black issues. Ten percent of the black population in America is foreign-born and as much as an additional 6 percent identify with countries such as Haiti and Nigeria although they were not born there.⁵¹ One-fifth of American Muslims are African American.⁵² The xenophobia and Islamophobia expressed by the Trump administration directly affects the black population.

The Trump administration's Department of Homeland Security (DHS) threatens the security of black people. Rather than continue the Obama administration policy of focusing on people convicted of violent crimes for deportation, Trump's DHS is deporting individuals who have been productive members of American society for many years.⁵³ Additionally, DHS policies are increasingly tearing families apart because some family members are authorized and some do not have documents.⁵⁴

During the presidential campaign, Trump demanded a "total and complete shutdown of Muslims entering the United States." It is not entirely surprising therefore that Trump's DHS has pursued an "extreme vetting" policy following the

president's call for stronger screening and immigration restrictions for individuals from several majority-Muslim countries.⁵⁵ The Congressional Black Caucus warns that “extreme vetting” goes hand-in-hand with unconstitutional targeting of African American communities, including through continued discriminatory surveillance.⁵⁶ DHS also terminated a program created after Hurricane Matthew to afford visas to Haitian workers. This occurred just days after Trump reportedly referred to Haiti and African countries as “s***hole countries.”⁵⁷

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Trump and his policies actually encourage white supremacist terrorism.

Although white supremacist terrorism is a greater threat to the country—and specifically to black Americans—than Islamist terrorism,⁵⁸ the Trump administration largely ignores the former and engages in hyperbole and distortion around the latter.⁵⁹ Not only is the Trump administration lax on policing, preventing, and condemning white supremacist terrorism, Trump and his policies actually encourage white supremacist terrorism. A recent analysis of anti-Muslim hate found a dramatic rise in anti-Muslim violence and hate speech since the election of Donald Trump. The study finds that 20 percent of people involved in documented instances of hate violence “referenced Trump, a Trump policy, or a Trump slogan.”⁶⁰

Here we see a clear example of social exclusion at work. As Razza states, the processes of social exclusion “[draw] the lines of who belongs—in the broad national community and in very particular places—and *how* they belong there. It deliberately deploys racist ideas to justify and naturalize ... economic disadvantage, democratic disqualification, and even further social deprivation—in order to distract the public from who is responsible for inequality.”⁶¹ While the individuals attacking Muslims are conjuring up nightmarish fantasies about Muslims with instigation from the Trump administration, they are not paying attention to how they are actually being harmed by the administration's policies favoring billionaires.

The Trump Administration Harms African Americans

The Trump administration's policies hurt African Americans. Sometimes the harm is because of indifference to the plight of black people, sometimes because the policies are designed to hurt the American working class and to help Wall Street, and sometimes because they seem designed specifically to harm African Americans. Much of the work of the Justice Department falls in this last category. On this Juneteenth, it is appropriate to remember the history of the black freedom struggle, because the future of health, safety, and prosperity of black America depends on the commitment of people to join in and continue that struggle.

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