

Racial Equity and Social Justice Initiative RESJ Tool: Fast-Track Version



INSTRUCTIONS

This abbreviated version of the full RESJ Tool is intended for issues on a short timeline or without a widespread impact.

Examples:

- single piece of legislation already drafted and introduced.
- creation of a single position description and job posting for an open position
- development of a single budget item proposal

For broader policies and legislation in its beginning phase, please use the full version of the RESJ Toolkit.

This tool should be completed by people with different racial and socioeconomic perspectives. When possible, involve those directly impacted by the issue. Include and document multiple voices in this process. The order of questions may be re-arranged to suit your situation.

Mission of the Racial Equity and Social Justice (RESJ) Initiative: To establish racial equity and social justice as core principles in all decisions, policies and functions of the City of Madison.

Equity is just and fair inclusion into a society in which all, including all racial and ethnic groups, can participate, prosper, and reach their full potential. Equity gives all people a just and fair shot in life despite historic patterns of racial and economic exclusion (www.policylink.org).

The persistence of deep racial and social inequities and divisions across society is evidence of bias at the individual, institutional and structural levels. These types of bias often work to the benefit of White people and to the detriment of people of color, usually unintentionally or inadvertently.

Purpose of this Tool: To facilitate conscious consideration of equity and examine how communities of color and low-income populations will be affected by a proposed action/decision of the City.

The “*What, Who, Why, and How*” questions of this tool are designed to lead to strategies to prevent or mitigate adverse impacts and unintended consequences on marginalized populations.

BEGIN ANALYSIS

Name of topic or issue being analyzed:

Proposal to raise the forfeiture fee for tobacco sale to minor citation in the City of Madison.

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1. WHAT

a. What does the policy, plan or proposal seek to accomplish?

Reduce youth smoking rates. Specifically, this policy would increase the forfeiture fee for a tobacco sale to minor citation from a base fee of \$10 (plus court costs) to a base fee of \$75 (plus court costs). The hope is by increasing the forfeiture fee, the tobacco sales rate to minors within the city of Madison would be reduced.

Eliminate disparate fees between Madison and the County (?)

b. What do available data tell you about this issue? (See page 3 for guidance on data resources.)

Historically, Madison has typically had a higher tobacco sales to minors than the rest of the county.

The total cost for Madison has been lower (base forfeiture fee of \$10 + court costs) than the county (base forfeiture fee of \$75 + court costs).

Based on available research findings, there is a correlation between increased fines and decreased sales.

Per State Statute, the business is always subject to a ticket in the event there is an illegal sale of tobacco to a minor. The clerk who made the sale is only subject to a ticket if he/she has completed a required state-approved tobacco training (Learn2Serve or Smoke-Check).

Under state statute, retailers can be inspected twice a year. If on the second inspection a sale is made to a minor, a third inspection can occur.

The data included on the policy memo regarding the total numbers and total sales, may include repeat offenses by individual retailers.

Data from 2015 has a mean cashier wage of \$9.74 in the City of Madison.
(http://www.bls.gov/oes/current/oes_31540.htm)

c. What data are unavailable or missing?

If an increase in forfeiture fee alone will reduce tobacco sales to minors.

Other interventions to reduce youth tobacco sales.

Current data on cashier's wages.

Whose responsibility it is to ensure cashiers have appropriate training, the retailer or the individual sales clerk.

Demographics of cashiers.

The demographics of youth participants. Would that impact sales?

Access to computers to complete tobacco training.

Computer knowledge to complete tobacco training.

Language accessibility of tobacco training.

Literacy accessibility of tobacco training.

2. WHO

- a. Who (individuals or groups) could be impacted by the issues related to this policy, plan or proposal?
Who would benefit?

The community, specifically youth, since this policy may reduce access to tobacco products to minors.

The courts would benefit from increased fee.

Taxpayers would benefit from reduced healthcare costs, if this policy reduced overall tobacco use.

The clerks receiving tobacco training.

The retailer more vigilant in their compliance.

Who would be burdened?

Retailers and clerks who may have a citation issued to them.

Are there potential disproportionate impacts on communities of color or low-income communities?

Those who work in the retail environment are more likely to be of low-income status since they are working low-wage jobs. Unsure if communities of color will specifically be impacted (I don't know the demographics of those working in the retail environment in Madison, or demographics of store owners).

3. WHY

a. What are potential unintended consequences (social, economic, health, environmental or other)?

Negative:

Retail clerks will have the burden of the citation cost (if he/she has completed the training).

Retail clerk may incur the cost of the citation that is given to the business.

Retail clerk may lose his/her job due to the illegal sale, and may have difficulty attaining a new job after being fired.

Fees having disproportionate impact on small business.

Fees having disproportionate impact on minority owned businesses

Fees having disproportionate impact on poor or people of color.

Higher unemployment rates, with possible disproportionate impact on poor or people of color

Mental health/stress impact on Clerk

Positive:

More retail clerks will complete the required tobacco training

Reduction in youth smoking/tobacco use, and overall smoking reduction

Social norms change in terms of youth access to tobacco and tobacco use as a whole

Youth saving money

Less litter

Less healthcare costs

Cleaner air/Less pollution

Healthier community

4. HOW: RECOMMENDATIONS SECTION

a. Describe recommended strategies to address adverse impacts, prevent negative unintended consequences and advance racial equity (program, policy, partnership and/or budget/fiscal strategies):

Continue to do outreach to retail business owners/managers about the importance of tobacco training for ALL clerks.

Increase accountability of store owner to ensure training of clerk.

Fine for retailer for not training clerk. (Not a feasible option at the local level due to preemption at the state level)

Increase accountability for retailer not to pass retail fine to the clerk.

Perhaps, holding an in person training for clerks.

Working closely with clerks and educating them in person when a sale occurs.

Compensation for training time for clerks.

Renewal training for clerks.

DATA RESOURCES FOR RACIAL EQUITY AND SOCIAL JUSTICE IMPACT ANALYSIS

City of Madison

- Neighborhood Indicators (UW Applied Population Lab and City of Madison):
<http://madison.apl.wisc.edu>
- Open Data Portal (City of Madison):
<https://data.cityofmadison.com>
- Madison Measures (City of Madison):
www.cityofmadison.com/finance/documents/madisonmeasures-2013.pdf
- Census reporter (US Census Bureau):
<http://censusreporter.org/profiles/06000US5502548000-madison-city-dane-county-wi>

Dane County

- Geography of Opportunity: A Fair Housing Equity Assessment for Wisconsin's Capital Region (Capital Area Regional Planning Commission):
www.capitalarearpc.org
- Race to Equity report (Wisconsin Council on Children and Families):
<http://racetoequity.net>
- Healthy Dane (Public Health Madison & Dane County and area healthcare organizations):
www.healthydane.org
- Dane Demographics Brief (UW Applied Population Lab and UW-Extension):
www.apl.wisc.edu/publications/Dane_County_Demographics_Brief_2014.pdf

State of Wisconsin

- Wisconsin Quickfacts (US Census):
<http://quickfacts.census.gov/qfd/states/55000.html>
- Demographics Services Center (WI Dept of Administration):
www.doa.state.wi.us/section_detail.asp?linkcatid=11&linkid=64&locid=9
- Applied Population Laboratory (UW-Madison):
www.apl.wisc.edu/data.php

Federal

- American FactFinder (US Census):
<http://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml>
- 2010 Census Gateway (US Census):
www.census.gov/2010census