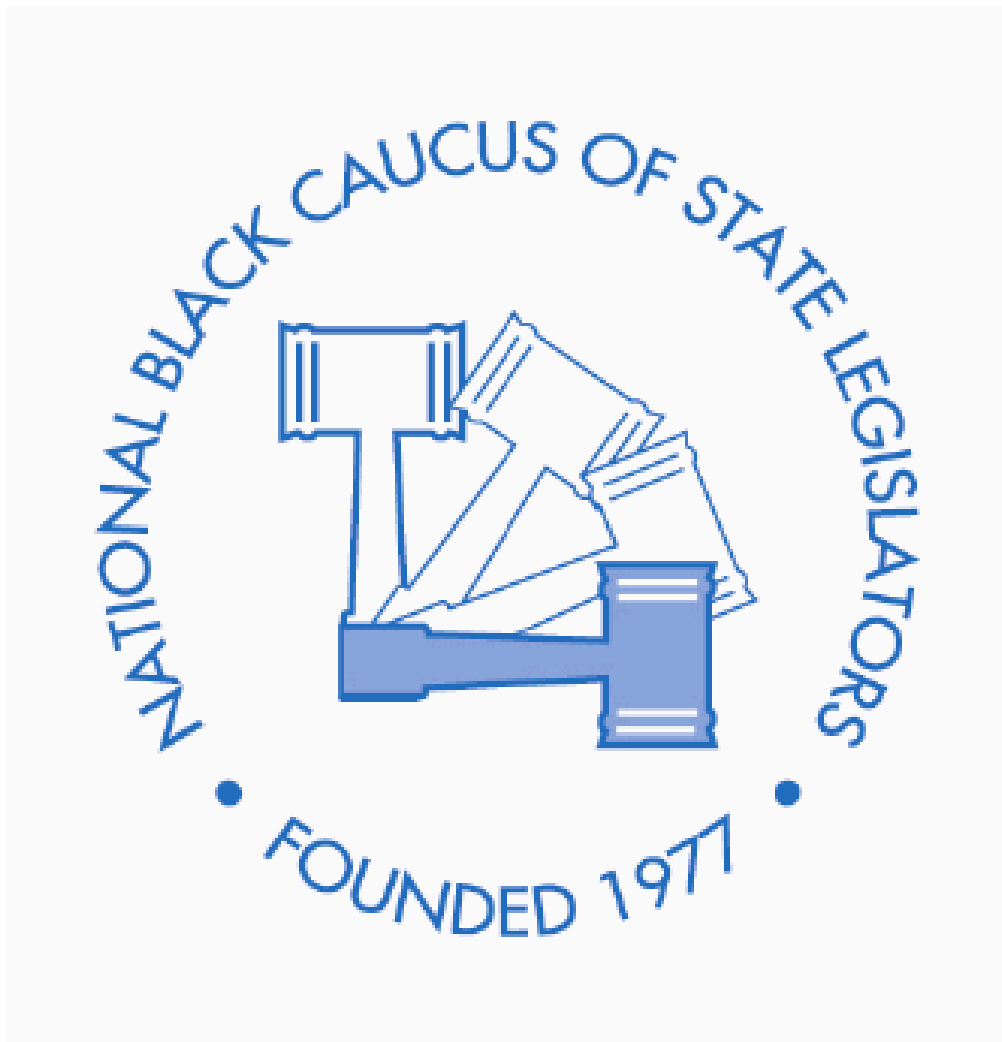


32nd Annual Legislative Conference

2009 RATIFIED RESOLUTIONS



NBCSL OFFICIAL DOCUMENT

Resolution LJE-09-14

RESOLUTION REQUIRING MINORITY IMPACT STATEMENTS IN RELATION TO STATE GRANT APPLICATIONS AND CHANGES IN STATE CRIMINAL LAW

WHEREAS, Iowa was the first state in the nation to adopt model legislation requiring that the impact of new criminal legislation on minorities be specifically assessed as a means of alleviating disproportionately high rates of incarcerating minorities; and

WHEREAS, recent research clearly shows that many states have an overrepresentation of minorities in prison; and

WHEREAS, states have also adopted legislation requiring minority impact assessment with respect to state grants and contracts; and

WHEREAS, millions of dollars in state government funding is provided through state agencies as grants to public and private agencies and organizations to help minorities; and

WHEREAS, research clearly shows that much of this funding is not being used effectively to achieve its stated purpose because of inexperience of the agency as well as lack of cultural sensitivity to the minority community; and

NOW, THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators urges its members to examine the implementing of a correctional impact statement attached to any bill, joint resolution, or amendment which proposes a change in a law that creates a public offense, significantly changes an existing public offense or the penalty for an existing offense, or changes existing sentencing, parole, or probation procedures. The statement may include, for example, long and short-term information concerning the estimated number of criminal cases per year that the legislation will impact, the fiscal impact of confining persons pursuant to the legislation, the impact of the legislation on minorities, the impact of the legislation upon existing correctional institutions, community based correctional facilities/services/jails, the likelihood that the legislation may create a need for additional prison capacity; and

BE IT FURTHER RESOLVED, that NBCSL urges members to consider the advantages of including a minority impact statement for any grants from a State agency. This statement could include: 1) Evidence of consultation of representatives of minority persons in cases where a policy or program has an identifiable impact on minority persons in their State; 2) a rationale for the existence of programs or policies having an impact on minority persons in their State.

Sponsor: Representative Wayne Ford (IA)

Committee of Jurisdiction: Committee on Law, Justice and Ethics

Certified by Committee Chair: Senator Thelma Harper (TN)

Ratified in Plenary Session; Ratification Date: December 12, 2008

Ratification Certified by: Representative Calvin Smyre (GA), President