THE COLOR OF OPPORTUNITY

Race, Place, Policy and Labor Market Inequality in the Chicago Metropolitan Area

Dr. Paul Street
Vice President for Research and Planning
Chicago Urban League

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I Overt and Covert Discrimination

The Racial Gap

More than three and a half decades after the historic victories of the black Civil Rights Movement, equality remains a highly elusive goal for African-Americans. In a nation that possesses the highest poverty rate, and the largest gaps between rich and poor, in the industrialized world, blacks are considerably poorer than whites and other racial and ethnic groups.¹ Economic inequality correlates closely with race. Consider the following statistics generated on the basis of 2000 United States Census data:²

- Just 20 percent of blacks hold professional or managerial jobs, while more than 30 percent of whites do.

- African-Americans are three times as likely to be unemployed as whites.

- To attain equal employment in the United States between blacks and white, 700,000 more African-Americans would have to be moved out of unemployment and nearly two million African-Americans would have to be promoted into higher paying positions.

- The poverty rate for blacks is more than three times the rate for whites.

- Nearly one out of every two blacks earns less than $25,000 but one in three whites makes that little.

- Median black household income ($29,000) is less than two thirds of median white household income ($49,000).

- Black families’ median household net worth is less than 10 percent that of whites. The average white household has a net worth of $84,000 but the average black household is worth only $7,500.

- Blacks are much less likely to own their own homes than whites. Nearly three-fourths of white families but less than half of black families own their homes.
• Thanks to the gaps in white-black employment, as well as disparities in income and wealth, few blacks can expect to receive the crucial financial support whites commonly receive at critical moments in their lives, such as attending college, getting married, and purchasing a home. Black parents simply cannot offer the considerable bequests and inheritances to their children that are widespread in the white community.

• Blacks experience the greatest neighborhood income gap in the US. On average they live in neighborhoods with median incomes roughly 70 percent as high as whites.

Chicago is clearly no exception to the disturbing national pattern of racial inequality. According to recent (2000) US census and state labor market data. 3

• The median family income for white households in Chicago is $62,680 dollars for white households compared to $32,776 for black households.

• The difference in the unemployment rate between blacks and whites is nearly 14 percent: 18.2 percent for black residents and only 4.6 percent for white residents.

• The poverty rate for black Chicago residents is 29.4 percent and only 8.2 percent for white Chicago residents.

• Blacks are dramatically over-represented amongst Chicago’s poor and unemployed population. Of the 23 Chicago neighborhoods that were more than 90 percent black in 2000, 17 had poverty rates above the Chicago average of 19.6 percent poverty. Seven had poverty rates double the citywide average. Eighteen of these same neighborhoods had a median household income lower than the city average of $38,625. Thirty five percent had a median family income less than half of the city average.

• Of Chicago’s 9 zip codes that were more than 90 percent black, all had double-digit unemployment rates, and 5 had unemployment rates greater than double the city average.

• In the Chicago metropolitan area, blacks live on average in neighborhoods with incomes that are just 59 percent those of whites. The average white neighborhood income is $61,952, compared to $36,298 for the average black neighborhood income in the Chicago area.

"We Made the Corrections, Now Get On With It"

Despite these and other facts demonstrating persistent deep racial inequality in the United States, the large majority of white Americans deny that racial discrimination persists as a
significant obstacle to black progress. Many whites point to equal employment legislation and
affirmative action as proof that American society “bent over backwards” to guarantee blacks
equal access to the job market. Convinced that racism is no longer a significant problem for
blacks, most whites find the real barriers to black success and equality within the African-
American community itself. If problems for blacks persist, many whites and some privileged
blacks (e.g. John McWhorter at the Manhattan Institute) think it’s only because too many blacks
engage in “self-sabotaging” behaviors. “As white America sees it,” note Leonard Steinhorn and
Barbara Diggs-Brown in their excellent study By The Color of Their Skin: the Illusion of
Integration and the Reality of Race, (2000), “every effort has been made to welcome blacks into
the American mainstream and now they’re on their own.” Predominant white attitudes at the turn
of the millennium are well summarized by the comments of a white respondent to a survey
conducted by Essence magazine. “No place that I’m aware of,” wrote the respondent, “makes
[black] people ride on the back of the bus or use a different restroom in this day and age. We got
the message; we made the corrections – get on with it.”

The main problem with this emblematic statement of white racial attitudes at the turn of
the Millennium is its failure to distinguish between overt and covert racism. The first variety of
racism is largely defeated, outlawed and discredited in the US. It has a long and sordid history.
It includes such actions, policies and practices as the burning of black homes and black churches,
the public use of derogatory racial slurs and epithets, the open banning of blacks from numerous
occupations, the open political disenfranchisement of blacks and the open segregation of public
facilities by race. Witness the rapid public humiliation and political demotion of Trent Lott, who
lost his position as Senate Majority Leader after speaking in nostalgic terms about the openly
segregationist 1948 Presidential campaign of Strom Thurmond
The second variety involves the more impersonal operation of social and institutional forces and processes in ways that produce deep black disadvantage in the labor market and numerous other sectors of American life. It includes racially segregated real estate practices, racial discrimination in hiring and promotion, the systematic under-funding and under-equipment of schools predominately attended by blacks relative to schools predominately attended by whites, the disproportionate surveillance, arrest and incarceration of blacks and much more. Richly enabled by policymakers who commonly declare allegiance to anti-racist ideals, it has an equally ancient history that has outlived the explicit, open and public racism of the past and the passage of civil rights legislation.

It may actually be deepened by these civil rights victories insofar as those victories encourage the illusion of racism’s disappearance and the strongly related notion that the only barriers left to African-American success and equality are internal to individual blacks and their community. For “it’s hard to blame people” for falsely believing that racial discrimination has been essentially abolished in America “when our public life is filled with repeated affirmations of the integration ideal and our ostensible progress towards achieving it.” Episodes like the recent demotion of Trent Lott may actually offer a potentially dangerous new opportunity for the nation to pat itself on the back for advancing beyond the primitive state of level-one racism while digging the hole of the deeper racism yet deeper.⁵

II The Smoking Gun: Measuring Pure Racial Discrimination

A recent report released by the Legal Assistance Foundation of Metropolitan Chicago (LAFC) and The Chicago Urban League (CUL) presents the results of an eight-month LAFC/CUL project in which matched pairs of equally qualified black and white individuals (called testers) applied for real jobs to determine the extent to which employers show greater
willingness to hire applicants solely on the basis of race. Titled *Racial Preference and Suburban Employment Opportunities: A Report on “Matched-Pair” Tests of Chicago-Area Retailers*, this investigation or “audit” shows that covert anti-black racism continues to operate in an important hiring zone. It reveals a “smoking gun” of pure racial hiring bias by presenting the outcomes of an elaborate testing operation that controlled for education, work experience and residence to measure unadulterated racial discrimination.

LAFCA–CUL researchers conducted 73 in-person employment tests for entry-level retail positions throughout Chicago suburbs. Matched pairs of black and white female testers, with resumes that controlled for soft skills and previous work experience, visited prospective employers to apply for these job openings. Testers recorded the details of the application process including the initial visit, return visits, interviews, phone calls and job offers. They found that white job applicants were favored throughout the application process and consequently received more job offers. White applicants received job offers from more than 80 percent of the employers, whereas black applicants received offers less than 70 percent of the time. Not only did white applicants have a 16 percent higher chance of receiving a job offer, the jobs offered to them included more hours of employment per week.

In addition, LAFCA researchers conducted 273 mail-resume tests to employers throughout the Chicago Metropolitan Area. Resumes featuring black and white-sounding names were mailed to prospective employers who had advertised positions. Black applicants received callbacks one-fourth of the time while the white applicant received similar calls one-third of the time. White applicants had a 21 percent greater chance of receiving a callback for an interview compared to their black counterpart.  

This finding of anti-black hiring bias is consistent with other and larger employment testing projects, past and present. Researchers Marianne Bertrand of the University of Chicago’s
School of Business and Sendhil Mullainathan of the Massachusetts Institute of Technology sent out over 5,000 resumes testing 1,300 job openings in Boston and Chicago. Using birth records to determine the most prevalent black and white sounding names, they found that resumes with white-sounding names received 50 percent more callbacks compared to black-sounding names. White applicants with better credentials received 30 percent more callbacks for white applicants overall. Improved credentials did not improve the rate of callbacks for black applicants.

In *Opportunities Denied, Opportunities Diminished: Racial Discrimination in Hiring* (1991), Margery Austin Turner, Michael Fix, and Raymond J. Struyk of the Urban Institute analyzed racial discrimination in hiring in Washington DC and Chicago in 1990. They conducted 476 hiring audits using 10 pairs of men (one black and one white). The men were equally matched and trained to behave similarly during the testing and interview process. They found that white males advanced further than their black counterparts 20 percent of the time. Black applicants advanced further than their white counterparts only 7 percent of the time. In 15 percent of the cases, the white applicant was offered a job when the black applicant was not. In only 5 percent of the cases did a black applicant receive a job offer when a white applicant received no offer. Overall, Turner et al. found that when differential treatment occurred, it "was three times more likely to favor the white applicant than the black." 8

III Behind the Smoking Gun: Not-So “Color Blind” Real-Life Barriers

The tests conducted by the LAFC and the CUL, it should be noted, were carried out at the end of the long 1990s economic boom, under conditions of atypically high labor demand. Since hiring discrimination increases dramatically with the size of the unemployed reserve army of labor,9 the testing project certainly underestimates the current extent of racial discrimination in hiring. At the same time, by testing only jobs that were advertised in the newspaper, on the
internet, or on signs in store windows, we necessarily filtered out employers whose preference for white employees leads them to rely exclusively on informal job networks and to shun such open recruitment avenues.\textsuperscript{10}

It should also be noted that testing projects probing pure racism in hiring necessarily understate black labor market disadvantage by creating an ideal situation in which black and white job-seekers are equally matched to labor market opportunities, employers’ needs, and employers’ preferences in every area but race. The real world is different, thanks, among other things, to what social-scientists call the “spatial mismatch” and the “skills mismatch.” The first “mismatch” refers to African-Americans’ disproportionately great geographic distance from the leading spatial zones of job growth. The second refers to the relative shortage among African-Americans of the skills, training, work experience and education sought by employers in a high-tech post-industrial age.

These and other significant labor market “gaps” or “mismatches” should not be seen as purely economic or class-based “factors” limiting labor market opportunities for disadvantaged African-Americans. These “factors” are in fact heavily racialized, reflecting racially disparate public policies that “just happen” to work to the profound disadvantage of African-Americans. The proof of race and racism’s persistent significance in creating racially disparate labor market and related socioeconomic outcomes, then, is not limited to the “smoking gun” evidence produced by testing. Crucial evidence comes also from the more circumstantial and less spectacular – but no less relevant – record of how key policies and practices outside the hiring process disadvantage black labor market chances even in the (purely hypothetical) absence of discriminatory hiring practices.

This study goes behind the “smoking gun” revealed by testing research. It supplants \textit{and deepens} that research’s argument for the persistent relevance of race and racism for
understanding racial labor market and related socioeconomic inequality in the Chicago area. It demonstrates the at-once highly racialized and policy-based nature of both the spatial and skills labor market gaps in the Chicago metropolitan area. It also examines the not-so “color-blind” nature of the critical, though underestimated, employment barrier created by prison and criminal records.

IV Race, Place, Policy and the Color of Job Growth

Measuring Segregation

Recent analyses of the 2000 Census by academic researchers at The Lewis Mumford Center for Comparative Urban and Regional Research (at the State University of New York-Albany), Northern Illinois University’s Office for Social Policy Research, and Roosevelt University’s Institute for Metropolitan Affairs show that African-Americans continue to live in extreme and concentrated isolation from other racial and ethnic groups in and around Chicago. The researchers’ central analytical tool is the “Index of Dissimilarity,” a measure of the extent to which two groups live near or apart from one another. The Index ranges from a score of 0 if two groups are evenly spread across a region or municipality, to 100 if they are completely separated. It measures the extent to which two groups inhabit different areas of a community. The Index can be interpreted as the fraction of members of any race group that would have to switch areas to achieve an even racial distribution citywide.

Based on recent census data, the researchers made a number of disturbing findings on race and residence in and around Chicago:

- The Chicago area has a black-white Dissimilarity measure of 81, meaning that more than four out of every five are blacks would have to move for African-Americans to be distributed evenly throughout the metropolitan area.
• Seventy percent of African-Americans in the Chicago area live in communities (meaning either separate municipalities outside Chicago or neighborhoods within Chicago) with very few whites and a high degree (a black-white Dissimilarity Index of 80 or higher) of black-white separation.

• Six out of ten African-Americans in the Chicago area live in communities where they are at least 80 percent of the population.

• Within Chicago, home to more than two-thirds of the metropolitan area's African-American population, blacks continue to experience extreme residential isolation from other racial and ethnic groups. Blacks in Chicago have Dissimilarity scores of 88.3 with whites, 87.6 with Hispanics, and 90 percent with Asians. A remarkable 85 percent of Chicago's black residents live in neighborhoods that are 90 percent or more African-American.

• Reflecting a historical pattern that traces back to the 1960s and 1970s, black residential segregation in Chicago continued to be heavily fueled by "white flight" between 1980 and 2000, with a number of neighborhoods experiencing the classic syndrome of black influx and white departure.

• In certain neighborhoods that appear to be undergoing greater integration, the truer underlying reality is gentrification, with poorer blacks being squeezed out by the razing of public housing and the escalation of property taxes and rents as more affluent whites move in. This process is very pronounced on the edges of the Loop, in the city's Near South Side, the Near West Side, and the Near North Side.

• Blacks are dramatically more segregated than the region's second largest non-"majority" (non-white) racial-ethnic group, Hispanics. The Latino-white Dissimilarity measure for the Chicago area is 62.

Why Place Matters

An outside observer sympathetic to black equality but unfamiliar with the spatial distribution of social and economic opportunity in metropolitan Chicago (and the nation) might well ask, "so what?" Contrary to the Supreme Court's famous reasoning in its landmark *Brown v Board of Education* (1954) decision, racial separation is not inherently proof of racial inequality. There is no absolute or inviolable law of social and historical development mandating that African-Americans could not thrive while living in essentially separate communities.

In actually existing society, however, crucial social and economic opportunities are not distributed evenly across and between space and community. Nobody has stated the core
problem posed by residential segregation of African-Americans more concisely than University
of Pennsylvania sociologist Douglas S. Massey, who notes that: 12

Housing markets are especially important because they distribute much more than a place
to live; they also distribute any good or resource that is correlated with where one lives.
Housing markets don't just distribute dwellings, they also distribute education,
employment, safety, insurance rates, services, and wealth in the form of home equity;
they also determine the level of exposure to crime and drugs, and the peer groups that
one's children experience. ... If one group of people is denied full access to urban housing
markets because of the color of their skin, then they are systematically denied full access
to the full range of benefits in urban society.

African-Americans need hold no particular interracial desire to live near whites to see
some positive benefits in living in an integrated community. They need only understand from
experience that differential access to housing markets tends to generate social stratification by
sorting access to educational, commercial, recreational, natural, civic, medical, and labor market
opportunity. Since disproportionately white communities tend to be more opportunity-rich than
disproportionately African-American communities, it is hardly surprising that blacks tend to
express a much higher preference than whites for living in racially integrated communities than
do Caucasian Americans 13

Anyone who doubts that this preference arises from real social conditions should consult
Leonard Rubinowitz and James Rosenbaum's provocative Crossing the Class and Color Lines.
From Public Housing to White Suburbia (Chicago, 2000). Rosenbaum and Rubinowitz found a
unique research source among the roughly 6,000 low-income African-American families that
were relocated to non-majority black communities from Chicago public housing during the
1980s and 1990s. The authors found major differences in employment and educational outcomes
between families assigned to the suburbs and those assigned to other neighborhoods within the
city. Those who went to the suburbs did significantly better in both areas. 14
The Color of Job Growth in Metropolitan Chicago, 1991-2000

As Chicago Urban League researchers discovered while conducting background research for *Racial Preferences and Suburban Employment Opportunities*, the 1990s were a period of significant overall employment expansion in the Chicago metropolitan area. Between 1991 and 2000, according to the Illinois Department of Employment Security (IDES), the number of jobs covered by unemployment insurance in the six-county Chicago metropolitan area rose by 16 percent. The Chicago area added nearly half a million of those jobs.

Graph 1:
Distribution of African-Americans in the Chicago Metropolitan Area, 2000

Source: US Bureau of the Census, *Census 2000*
The benefits of this overall expansion, however, were not spread evenly: whites enjoyed considerably greater proximity to expanding labor market opportunities than did blacks in and around Chicago. Between 1990 and 2000, the longstanding tendency of job growth to move out of Chicago, home to the great majority of the area’s African-Americans, to the predominantly white suburbs continued. Fully 98 percent of the metropolitan area’s job growth as measured by IDES occurred outside Chicago. Just 2 percent occurred within the city, which is 37 percent Black and home to more than two-thirds (68 percent) of the area’s African-Americans.

While it is true that blacks’ share of the Chicago area’s suburban population rose during the 1990s (from 7.4 percent in 1990 to 9.4 percent in 2000), African-Americans are not found in large numbers in the suburbs that experienced the most dynamic job growth as measured by IDES. Of the area’s leading 10 municipalities, ranked by absolute job growth among the 104
Chicago area communities for which IDES provides complete job growth data, only number ten (Waukegan) has a black population percentage higher than the overall average for the suburban metropolitan area (9.4 percent). More than 95 percent of the region’s job growth outside Chicago took place in communities with black percentages smaller than the suburban average.

Among the 20 IDES area communities with black population percentages higher than the average for the suburban metropolitan area, more than a third lost jobs between 1991 and 2000. Of the region’s ten biggest job losers, four communities (Maywood, Evanston, Zion, and Harvey) have a black percentage higher than the suburban metropolitan average. Of the five communities that are more than three-fourths black (Riverdale, Maywood, Dolton, Bellwood, and Harvey) and for which IDES data exists, all but one (Bellwood) lost jobs and Bellwood’s gains were very modest.

Communities that became significantly more black during the 1990s tended to lose jobs. Of the ten communities for which IDES data exists and that saw their black percentage rise by ten percent or more, five lost jobs between 1991 and 2000. Only one Chicago area community (Broadview) combined significant job growth with a significant increase in black population percentage. Conversely, in the metropolitan area beyond Chicago, the weakest 20 communities for job creation (all of which experienced negative employment expansion between 1991 and 2000) included no less than 8 or (40 percent) that are disproportionately black.
Table 1:
Top Twenty Suburban Communities for Absolute Job Growth, 1991-2000

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<td>49763</td>
<td>3.30</td>
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<td>Aurora</td>
<td>28895</td>
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<td>Naperville</td>
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<td>3.00</td>
<td>82.90</td>
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<td>4</td>
<td>Elk Grove Village</td>
<td>18467</td>
<td>1.40</td>
<td>82.40</td>
<td>6.20</td>
</tr>
<tr>
<td>5</td>
<td>Elgin</td>
<td>17024</td>
<td>6.50</td>
<td>53.80</td>
<td>34.30</td>
</tr>
<tr>
<td>6</td>
<td>La Grange</td>
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<td>5864</td>
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<td>Rosemont</td>
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<td>52.10</td>
<td>1.90</td>
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<tr>
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<td>Geneva</td>
<td>4847</td>
<td>1.00</td>
<td>94.50</td>
<td>2.80</td>
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<tr>
<td>20</td>
<td>Lansing</td>
<td>4797</td>
<td>10.50</td>
<td>82.00</td>
<td>5.70</td>
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</table>
* Suburban Average | 9.40 | 71.8 | 12.53 |


It is true that Chicago added nearly 10,000 jobs covered by unemployment insurance between 1991 and 2000 while possessing a black population percentage three times the national average. The story becomes far less positive, from a black perspective, however, when it is added that Chicago lost black population (both absolutely and relatively) during the 1990s and that Chicago's percentage job growth was less than percent --- 94th out of the 104 IDES communities when ranked by percentage increase.
Most significantly, consistent with the Chicago Tribune's observation that the rising economic tide of the 1990s "lifted more yachts than rowboats" in Chicago, job growth throughout the city was unevenly distributed by race, to the pronounced disadvantage of blacks. Of Chicago’s 56 zip-codes, exactly one half (28) experienced an increase in the number of jobs recorded by IDES between 1991 and 2000, with the other half experiencing a decrease. Among the 26 zip-codes that saw an increase and for which relevant racial and demographic data exists, nearly three-fourths – 73 percent (19) – possessed a proportionate white population in excess of the city wide white percentage (37.9) at the time of the last census for which racial data is available by zip code (1990). (While the highest job growth zip code, O'Hare airport, is completely non-residential and therefore contains no relevant demographic data, it is directly adjacent to very disproportionately white communities). Twenty-two of the 26 high growth zip codes (84.6 percent) possess a black population percentage below African-Americans’ citywide share (38.6 percent). Among the ten top job-growth zip codes in Chicago, all are disproportionately white, with six of the ten measuring more than 60 percent white.

Overall, the city’s 19 disproportionately black zip codes lost 18,080 IDES-recorded jobs between 1991 and 2000. By contrast, the city’s 15 zip codes that were 75 percent or more white in 1990 collectively gained 19, 215 such jobs during the same period. The total job gains of the seven zip codes that were 90 percent or more white was equivalent to nearly 90 of the city’s overall job growth.

By relevant neighborhood identification, the most dynamic job growth zip codes are found in the following predominantly white communities: the O’Hare area (northwest side), Norwood (on the far northwest side), Wicker Park (near north), the north side Gold Coast, the increasingly white and gentrifying South Loop, the increasingly Hispanic black and majority white Cragin area, the white and Hispanic Logan Square. In zip codes identifiably located on the
predominantly black West and South Sides, job growth was generally weak or non-existent, with numerous zip codes in these areas experiencing actual job loss even while the city increased overall employment between 1990 and 2000. 15

The Color of "Arduous" Commuting

The relevance of the above spatial mismatch data might be questioned on the grounds that modern-day workers in the age of "sprawl" do not generally live in the same community where they are employed. "Research on the role of distance and space in employment," however, suggests that, in Dan Immergluck and Marti Wiles’ words, "labor markets are not entirely regional. The shift of jobs to the suburbs," Immergluck and Wiles note, "creates two types of barriers to employment for minority, central city residents: increased commuting costs and a scarcity of information on job opportunities. Beyond the negative effect of the decentralization of jobs on employment rates, the presence of nearby jobs can reduce arduous commutes, which [are] especially hard on working parents, youth and low-wage workers reliant on mass transit." It is also worth noting that research suggests that job proximity is more significant for black than for white workers. Surely there is no just reason that one group should be required to spend more of their time struggling to get to and from work—no small burden in an age of rampant residential and related job "sprawl"—than another group. 16

According to the 2000 U.S. Census and the Population Reference Bureau, an authoritative social science data analysis network, the average time consumed in a one-way commute in Chicago is 35.2 minutes. 17 That statistic marks Chicago as having the sixth longest commuting time among US cities with a population of 100,000 or more. It looks mild, however, compared to the specific travel to- and from-work times faced by inner city Chicago residents who wish to work in the job-rich suburbs. In the fall of 2000, The Chicago Urban League
identified the top twenty suburban Chicago-area communities for entry level-retail employment. It also asked the Chicago Area Transportation Study to estimate travel times between those communities and central intersections in two predominantly black inner city Chicago neighborhoods — one on the South Side (Woodlawn) and one on the West Side (North Lawndale). The results of this investigation were consistent with transportation researchers’ finding that average commuting time for those working outside their residential location is over two to three times the commuting time for those working in their residential location. They are displayed in Table 1, which reports, among other things, that:

- An average one-way automobile commute of 80-90 minutes and an average one-way public transit commute of 87 to 150 minutes from Woodlawn to job-rich Schaumburg.
- An average one-way automobile commute of 49-54 minutes and an average one-way public transit commute of 64-135 minutes from North Lawndale to job-rich Naperville.

For black inner city residents, a disproportionate number of whom are poor, the longer public transit commuting times are the most relevant commuting estimates. According to the Center for Budget and Policy Priorities (CBPP), 36 percent of low-income single parents in the US lack a vehicle. When low-income families do own a vehicle, it is often an older, unreliable model in frequent need of repair. “The total cost of car ownership varies from region to region, notes CBPP, “but it is generally between $1,100 a year and $1,400 a year (excluding purchase price and any major repairs). For a family earning minimum wage and working 30 hours per week car ownership costs (again, excluding purchase price and major repairs) can be between 10 and 14 percent of their income. Because the cars that low-income families can afford to buy tend to be older, the cost of repair can be especially high. Insurance costs also are a significant financial burden for drivers who do not have a past driving record or who are young, and for those that reside in urban, high-risk areas.” It is not surprising then, that employers list inability
to afford a car and car insurance as the leading transportation barrier faced by former welfare recipients seeking work.  

Table 2:
Travel Times from Inner City to Suburban Communities Rich in Entry-Level Retail Employment

<table>
<thead>
<tr>
<th>Municipality</th>
<th>Average commute by automobile (minutes) from Woodlawn</th>
<th>Average commute by public transit (minutes) from Woodlawn</th>
<th>Average commute by automobile (minutes) from North Lawndale</th>
<th>Average commute by public transit (minutes) from North Lawndale</th>
</tr>
</thead>
<tbody>
<tr>
<td>Schaumburg</td>
<td>80-90</td>
<td>87-150</td>
<td>46-55</td>
<td>70-142</td>
</tr>
<tr>
<td>Naperville</td>
<td>69-74</td>
<td>82-152</td>
<td>49-54</td>
<td>64-135</td>
</tr>
<tr>
<td>Oak Brook</td>
<td>61</td>
<td>89-100</td>
<td>35-37</td>
<td>51-75</td>
</tr>
<tr>
<td>Orland Park</td>
<td>40-47</td>
<td>82-83</td>
<td>45-52</td>
<td>72-81</td>
</tr>
<tr>
<td>Hoffman Estates</td>
<td>87-93</td>
<td>147</td>
<td>48-60</td>
<td>115-142</td>
</tr>
<tr>
<td>Arlington Hts.</td>
<td>82-86</td>
<td>89-103</td>
<td>49-56</td>
<td>69-92</td>
</tr>
<tr>
<td>Niles</td>
<td>71-76</td>
<td>71-76</td>
<td>48-50</td>
<td>65-71</td>
</tr>
<tr>
<td>Downers Grove</td>
<td>52-61</td>
<td>81-84</td>
<td>44-46</td>
<td>64-74</td>
</tr>
<tr>
<td>Crystal Lake</td>
<td>114</td>
<td>109-118</td>
<td>83</td>
<td>100</td>
</tr>
<tr>
<td>Lombard</td>
<td>66-74</td>
<td>96-116</td>
<td>40-43</td>
<td>64-74</td>
</tr>
</tbody>
</table>

Source: Chicago Area Transportation Study, July 2001

Class and Race: Inextricably Intertwined

Everything presented so far is evidence for the significance of race as a fundamental factor in producing differential access to employment? However, it is not necessarily evidence for racism or racial discrimination as determinative factors in job market success. It is certainly unfortunate, one might argue, that the Chicago area’s African-American population happens to be disproportionately concentrated in the communities that are most geographically removed from labor market opportunity. But doesn’t this just prove the futility of African-Americans’ “self-sabotaging” and “separatist” preference for living apart from whites? Or, isn’t it really the
result of a tragic structural interaction between the legacy of past racism (disproportionate black poverty) and current color-blind class and economic forces?

In the analysis suggested by the second question, the only color that really matters is green – the color of money. See from this perspective, the most relevant social factor is class, not race, and racial segregation is no longer caused by discrimination or prejudice, but by class differences between racial groups. The “spatial mismatch” reflects the unfortunate facts that blacks are historically rooted in the communities from which investment has especially fled and that blacks still sadly lack the accumulated financial resources (economic class position) to access housing markets in the more affluent suburban communities to which jobs have relocated. The problem is income, not racism. The issue is the *racially disparate but not in itself racist* interaction between the economic legacy of *historical* anti-black racism and the remorseless, inherently unequal operation of contemporary color-blind capitalism.

There is no point in denying the reality of that toxic interaction, which would certainly produce racially disparate outcomes even in the hypothetical absence of institutionalized racism and racial discrimination. The simple truth, however, is that color-blind capitalism has yet to emerge on the historical stage in the Chicago area or anywhere else in the US. Chicago area blacks remain hyper-segregated thanks largely to *contemporary* anti-black housing discrimination.

Between 1992 and 1997 The Leadership Council on Metropolitan Open Communities (LMOC) conducted 1,484 housing discrimination audits; these audits were concentrated in Chicago’s southwest, near west, and northwest suburbs, as well as the city’s northwest and southwest sides. Black and Hispanic testers faced discrimination from real estate agents 32.5 percent of the time. These findings were consistent with those of the Interfaith Housing Center
for the Northern Suburbs, which found that minorities faced discrimination in 36 percent of 80 audits conducted in 12 Chicago area suburbs.

Equally disturbing, a 1998 LMOC study found that 50 percent of the banks in the Chicago metropolitan area failed to give minority applicants seeking home mortgage loans treatment equal to that received by white applicants. A 2001 study conducted by ACORN shows that black home loan applicants in the Chicago area were 5 times more likely to be rejected for loans compared to white applicants.

In a comprehensive 1998 report commissioned by the LMOC, academic researchers Phil Nyden, Mike Leachman, Bill Peterman and Darnell Coleman used standard statistical techniques to determine what the racial composition of Chicago’s suburbs would be if housing choice depended only on income. Fully eighty percent of the Chicago area suburbs were shown to have fewer African Americans than would be expected in a purely color-blind market - a hypothetical one in which only income determined residence. Race, the researchers determined, continues to strongly complement class and income in “determin[ing] the shape of racial distributions in the region’s housing.” It does this through the operation of three key and interrelated factors:

- “Continuing discrimination:” the widely documented persistence of discriminatory practices by real estate agencies, mortgage lenders, home insurance providers and municipalities.
- A shortage of rental and affordable housing in suburban communities: this shortage is policy-driven, with zoning and other practices interacting with municipal tax base requirements to strongly discourage the building of lower-end homes (affordable housing) that blacks and Latinos might afford. In the Chicago area as throughout the nation, many suburban communities utilize exclusionary zoning and other tactics –
minimum lot size requirements, for one example – to restrict access by low income and minority households.

The special fear that African-Americans feel in entering a predominantly white community. These fears include the real threat of racial prejudice and harassment (including racial profiling and other negative police behavior), the loss of connection to crucial black institutional supports (black churches and civic associations), and the loss of political power in predominantly white communities.

As Nyden et al. note, whites do not face the same degree of tension as blacks between “housing as a financial investment” and “housing as a social investment.” They do not have to choose so starkly as do blacks “between ‘house’ and ‘home.’” They do not need to racially isolate themselves in order to access improved housing markets and all that comes with those markets, including better access to employment. This makes it all the more remarkable, then, that Blacks still display considerably higher openness to living in racially integrated communities than do whites.

Since African-Americans are disproportionately lower-income, Nyden et al. note, ‘economic barriers are at the same time racial barriers’ Not surprisingly, lower-income blacks face more housing discrimination than do lower-income whites. In Locked Out: Barriers to Choice for Housing Voucher Holders (2002), The Lawyers Committee for Better Housing, analyzed rates of rejection for impoverished apartment applicants in the Chicago area. Among applicants using a Housing Choice Voucher, they found, black and Hispanic applicants were refused apartments at higher rates than white applicants. Black, white and Hispanic testers, using lower income Housing Choice Vouchers, called 207 landlords regarding available apartments for rent. In nearly one out of every 6 (16 percent) cases, landlords who agreed to accept vouchers
from white applicants refused minority applicants seeking the same apartment. It should be remembered, moreover, that black incomes are limited by the racist hiring discrimination uncovered by matched-pair employment testing. The supposedly color-blind factors of income and class are heavily permeated by, and inextricably tied up with, race.20

The Color of Sprawl

The decision of local, state, and federal government to spend many billions of dollars on the construction and maintenance of suburban highways and roads deserves mention as another policy-driven form of discrimination against black and minority neighborhoods and communities. Suburban roads, highways, freeways and the housing developments and shopping and workplace facilities that arise in their wake do not simply emerge out of thin air. They are planned, built and maintained at considerable taxpayer expense. When these policy decisions are considered within the context of real estate and home-lending discrimination, the differential ability of blacks and whites to afford good automobiles, hiring discrimination, exclusionary zoning, racially biased policing/profiling, and school segregation (see the following section), they appear to be more than a public subsidy to powerful auto, trucking and petroleum corporations and a threat to ecological sustainability. They are also a key part of the nexus of social policies and practices that create racially unbalanced residential and job sprawl. That sprawl fuels urban disinvestment, depresses urban property values, and destroys urban infrastructure. It encourages out-migration of middle-income residents and jobs to the disproportionately white metropolitan periphery. It reinforces racial segregation, pushing people further and further apart not only geographically, but economically, socially and politically.21
V  Still Separate and Unequal: School Segregation and The Color of the Skills Gap

The Black Student Achievement Gap

Massey’s analysis is relevant also for understanding the not-so color-blind “skills mismatch.” As is well publicized, a significant “achievement gap” exists between black and white students both in the Chicago area and the state as a whole. This gap (see Appendix A for detailed city- and state-specific descriptions) extends from the earliest grades through higher education. African-Americans score considerably lower than whites in all subject areas from first grade on, graduating from high school and college/university at considerably lower rates than whites.

The black-white student achievement gap has wide-ranging implications for the distribution of labor market and other life opportunities in America. Students’ test scores and grades determine whether they can attend institutions of higher education and the quality of schools they do attend. Students who score poorly are significantly limited in developing credentials, finding good jobs, developing wealth and savings, forming and sustaining families and participating in community and political life. The achievement gap holds particularly strong contemporary significance thanks to a number of recent developments:

The historically high and rising labor market/earnings premium currently enjoyed by Americans with college degrees relative to those who have only completed high school

The historically unprecedented earnings benefit currently enjoyed by African-Americans who perform well in school, a reflection of the civil rights movement’s success in opening careers to people of talent and color.

The waning commitment of the policymakers to affirmative action in college admissions, which makes high achievement all the more necessary if minority youth are going to access higher education.

The historically unparalleled and shocking number of low-achieving African-American males that are locked down by America’s massive incarceration state and otherwise under the supervision of the costly criminal justice system.
For these and other reasons, leading academic researchers Christopher Jencks and Meredith Phillips contend that the reduction of the black student achievement gap would do more to promote racial equality "than any other strategy that commands broad political support in the United States." 22

*Still Separate and Unequal*

Less well publicized than the black-white student achievement gap in the Chicago area is the significant extent to which the gap itself is created, reinforced and sustained by public policy. Illinois ranks among the three most segregated public school systems in the United States for black students – a statistic that largely reflects the Chicago’s area’s residential hyper-segregation by race. Among the nation’s top 50 metropolitan areas, moreover, the Chicago area is the *second most segregated*. The public school black-white Dissimilarity Score for the Chicago metropolitan era is 84, meaning that 84 percent of black public school students would have to move to a different school if they were to be evenly distributed throughout the area. A Dissimilarity Score of 60 is “considered very high” by academic researchers. The average African-American public school student in the Chicago metropolitan area attends a school that is 78.2 percent black.23

Here again, the initial question from the naïve outside observer might be “so what?” Separate is not inherently unequal and no inviolable law of social development determines that African-Americans students could not thrive while attending largely separate schools. In the metropolitan area’s actually existing spatial-social order and school system, however, government policy distributes public educational resources in a way that both mirrors and reinforces underlying racial and related socioeconomic inequalities. Heavily reliant on local
property taxes, Illinois’ school finance system is marked by remarkable disparity. It ranks next to last for school funding equity in the latest “State of the States” report by the Pew Charitable Trust. Only Illinois and North Dakota received a grade of “F” for educational funding justice. *Education Week* ranks Illinois among the *two most inequitably funded state public school systems in the nation*. Illinois ranks 48th out of 50 states in the percentage of total education spending accounted for by state government. 24

There is a pervasive, deeply embedded racial dimension to this pronounced school funding inequity. Reflecting metropolitan residential hyper-segregation and the inextricably linked relationships between race, wealth, and local property tax base, the best funded school districts in the Chicago metropolitan area – those with the most to offer students – tend to be very disproportionately white. Students receive fewer educational resources in the majority-“minority” – predominantly black (55 percent) and Latino – Chicago public schools, which classify 85 percent of their students as living in poverty. The area’s “minority” black students tend to attend overburdened high-poverty schools with enormous rates of turnover (both student and teacher), less qualified and more inexperienced teachers, and fewer of the latest instructional amenities required for a high-tech society.
Graph 3:
Percentage of Teachers Who Failed a Certification Test in Illinois, Chicago, and Chicago Suburbs, 1988-2001


According to an exhaustive analysis recently published in the *Chicago Sun Times*, 19 percent of teachers in Chicago, where 85 percent of the students are minority, failed at least one basic skills or subject-matter test. In the predominantly white and affluent suburbs, teachers failed at a rate of only 5 percent. Moreover, *The Sun Times* found, the percentage of public school teachers who fail at least one basic skills test is 5 times higher than in the suburbs. In fact, over 85 percent of the state’s worst teachers are in Chicago although Chicago only comprises 18 percent of all teachers statewide. An ACORN study finds that 22 percent of Chicago teachers are improperly certified – no small concern since, as *Education Week* reported last summer (September 2002), students taught by properly licensed teachers score 20 percent higher on
standardized tests than students taught by unqualified teachers. More affluent school districts in the property-rich suburbs enjoy lower student-teacher ratios and higher quality instructional materials — both essential for early language and literacy development.

The Chicago area’s poor and minority schools tend to have inferior education technology capacities. A recent study by the Metropolitan Planning Council indicates that a large technology gap exists between Chicago’s predominantly minority public schools and the wealthier suburban public schools. Teachers in suburban schools implement technology more often than do Chicago teachers. A recent collaborative research project conducted by the Consortium on Chicago School Research and the Chicago Urban League found that students in Chicago have less access to computers than the national average and lack the necessary training to effectively use computers. 25

Money Doesn’t Matter?

People seeking to show that “money doesn’t matter” in raising student achievement can find Chicago area school districts where students perform well on standardized tests despite the fact their school districts spend modestly. They can also find certain individual inner-city Chicago public schools that boast impressive scores despite the challenge of urban poverty. And they can point out that the low-scoring, high minority Chicago Public School system spends more per student than many school districts in the state, thanks largely to the supplementary state and federal poverty grants the Chicago schools receive. Such were the basic contentions of a disturbing article that appeared in the Chicago Tribune in the fall of 2001 under the dangerous and revealing title “Test Success Can Come Cheap.”26

There are at least three fundamental problems with this argument, however. First, both high-achieving suburban districts with low public school expenditures and high-achieving inner-
city schools are highly atypical. Second, students from affluent communities with more widely available educational and cultural resources – well-equipped public and home libraries, high-speed Internet access, the latest personal computers, highly educated role models, involved parents, opportunities for travel, etc. – do not require the same amount of public school expenditure as do students from more challenging, high-poverty environments. The black-white achievement gap ultimately reflects overall socioeconomic and related racial inequality, not simply public school funding inequity. Consistent with this conclusion, the most significant social or political factor consistently correlated with weak student and school achievement in Illinois and the Chicago metropolitan area is poverty, highly correlated with race.

Third, the education and policy communities have yet to develop an adequate measure of exactly how much supplemental public school funding is required to counter the devastating educational consequences of concentrated urban poverty and related racial hyper-segregation. It is worth noting that 90 percent of the nation’s extremely segregated black and Latino schools are also high-poverty schools. In Chicago, only 4 (1.5 percent) of the 269 city schools with a student population over 90 percent black have student poverty rates below 50 percent. The average percentage of students classified as poor in these schools is 91.3. 27

Finally, if school funding doesn’t really “matter” much in creating strong student achievement/skill development, we are left to wonder why the residents of Chicago’s affluent, property-rich suburbs have consistently tended to oppose meaningful school funding reform. They have long and effectively resisted efforts to increase state school funding equity by reducing the system’s reliance on local property taxes and increasing reliance on statewide income, sales and other taxes.
Codifying the Suburban School Advantage

The steep (and blatantly unfair) advantages enjoyed by white suburban school systems (both in terms of school funding and related educational quality) might be rectified to some extent if the heavily minority Chicago public school system district was permitted to include nearby suburbs in its desegregation plan. In 1974, the United States Supreme Court, by a 5-4 decision in *Milliken v. Bradley*, declared inter-district desegregation unconstitutional. The high court thereby legitimized de facto segregation as a legal means of keeping black and white students separate and unequal. It entrenched and codified the suburban white educational advantage, writing into law the right, even the duty, of public authorities to ensure that school racial compositions reflect the racially segregated demographics of city and suburbs. This harsh legal reality interacts with persistent de facto residential segregation to heavily racialize the class/economic inequities of the state’s school funding system. Since Chicago area school districts typically run coterminous with municipal borders, their racial composition strongly reflects the metropolitan area’s high rate of residential segregation by race.28

Feeding Racially Disparate Sprawl

It should also be noted that the state’s high reliance on local property taxes feeds and reinforces larger interrelated patterns of spatial, racial, and socioeconomic imbalance and hyper-segregation, which in turn provide the broader context for the creation of the black student achievement gap. Under the state’s current school funding regime, municipalities engage in fierce competition for commercial and industrial development to increase their local property tax base. This competition encourages unplanned and uncoordinated development, which quickly transforms open space and farmland. This drains the region’s center of jobs and investment,
with attendant negative environmental and quality-of-life issues across the Chicago metropolitan area and the state.

Conversely, the state school system’s heavy reliance on property taxes strongly encourages suburban municipalities to choose high-over low-end property developments including affordable housing. Those municipalities know that affluent properties are better able to underwrite the high-quality public education to which they rightly feel their children are entitled. Affordable housing units bring in their wake more educational expenditures than tax revenue to local municipalities and are therefore strongly discouraged under the state’s current school funding regime. It is a classic vicious circle of negatively self-reinforcing policy—one that worsens the urban affordable housing crisis and the related spatial chasm between persistent hyper-segregated minority residence and labor market patterns.

The state’s high reliance on the property tax places a disproportionate burden on low and moderate-income families, because the tax is unrelated to a family’s ability to pay. It acts as a break on development in certainly property-poor parts of the state, for example Chicago’s south suburbs, where investment is discouraged by the relatively large share of school funding required from each individual property owner.

The state’s school funding system plays a significant role in encouraging the uneven, unsustainable and racially lopsided pattern of metropolitan sprawl that has been identified as a major barrier to social, economic and racial equity across the nation. ²⁹

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*Prisons v. Higher Education for Black Males: The Racially Disparate Meanings of “Going Downstate”*

When it comes to older black youths and young adults, particularly males, government authorities seem more interested in incapacitating their labor market chances through an
expensive investment in incarceration than in preparing them for meaningful labor market attachment. It costs $20,637 a year to house an adult prisoner and $50,286 to incarcerate a juvenile in Illinois. The cost of incarcerating one adult in Illinois is equal to more than four and a half times the state's legally mandated public education “foundation level” of $4,560 – the minimum expenditure determined to be required to meet the educational needs of a single child. The cost of incarcerating a juvenile is more than nine times the cost of sending them as full time students to the University of Illinois at Chicago.

At the same time, the US Census Bureau has recently made the following synthetic work-life earnings estimates (ages 25 to 64) for full-time workers with different levels of education attainment:

- Doctoral Degree: $3.4 million
- Professional Degree: $4.4 million
- Master’s Degree: $2.5 million
- Bachelor’s Degree: $2.1 million
- Associates Degree: $1.6 million
- Some college: $1.5 million
- High School Graduate: $1.2 million
- Not High School Graduate: $1.0 million

It is especially disturbing, in light of these statistics, to learn that, as the Chicago Urban League discovered last year, there were nearly 20,000 more black males in the Illinois state prison system than enrolled in the state’s public universities in the summer of 2001. In fact, there were more black males in the state’s correctional facilities just on drug charges than the total number of black males enrolled in undergraduate degree programs in state universities. Just 992 black males received a bachelors’ degree (3.3 percent of all conferred) from these universities in 1999, while roughly 7,000 black males were released from the Illinois state prison system the following year just for drug offenses.
Equally disturbing, the amount spent by the state on “corrections” – primarily incarceration of Chicago area black males (see the next section of this study) – rose more than 200 percent from just over $377 million in 1980 to $1.3 billion in 2000. Mass incarceration has emerged as one of the leading growth items in the state’s budget over the last sixteen (16) years, increasing from just over one third the amount it spends on higher education to nearly three fourths.

Table 3:
Black Males in Corrections and Higher Education, Illinois

<table>
<thead>
<tr>
<th>Penal or Education Status</th>
<th>Number of Black Males</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Prisoners (June 2001)</td>
<td>27,450 (64% of all)</td>
</tr>
<tr>
<td>Enrolled in Public Universities, Bachelors Degree (Fall 2000)</td>
<td>6,252</td>
</tr>
<tr>
<td>Enrolled in Public Universities, All Degrees (Fall 2000)</td>
<td>7,640</td>
</tr>
<tr>
<td>State Prisoners – Drug Offenders (estimated for 2000)</td>
<td>8,000</td>
</tr>
<tr>
<td>Exits From State Prison for Drug Offenses (estimated –2000)</td>
<td>7,000</td>
</tr>
<tr>
<td>Bachelors’ Degree Received, Public State Universities (1999)</td>
<td>992 (3.3% of all)</td>
</tr>
<tr>
<td>Bachelors’ Degree Received, all universities and colleges in state (1999)</td>
<td>1,626 (3.0% of all)</td>
</tr>
</tbody>
</table>

Table 4:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Prison Spending per Resident</th>
<th>Higher Education Spending per Resident</th>
</tr>
</thead>
<tbody>
<tr>
<td>1980-81</td>
<td>$46.16</td>
<td>$131.21</td>
</tr>
<tr>
<td>1985-86</td>
<td>$58.00</td>
<td>$147.90</td>
</tr>
<tr>
<td>1990-91</td>
<td>$61.80</td>
<td>$143.26</td>
</tr>
<tr>
<td>1995-96</td>
<td>$77.26</td>
<td>$107.59</td>
</tr>
<tr>
<td>1999-00</td>
<td>$145.90</td>
<td>$193.01</td>
</tr>
<tr>
<td>% change 1980-2000</td>
<td>214%</td>
<td>$47%</td>
</tr>
</tbody>
</table>


To develop a less abstract and more personal sense of the consequent disparities, consider the different racial meanings of the phrase “going downstate” for white and black youth in the Chicago area. Beyond the shared favorable suggestion of a trip to the state high school basketball tournament, the connotations are distinctly skin-colorized. For many white youths in and around Chicago, the phrase evokes the image of a trip with Mom and Dad to begin academic careers at the prestigious University of Illinois at Urbana-Champaign or one of the state’s other many public universities. But for younger Chicago-area blacks, especially males (6 percent of the state’s prisoners are female), “going downstate” more commonly means a trip under armed guard to take up residence at one of the state’s numerous maximum or medium-security prisons.
Graph 4
Unemployment Rates of Chicago High School Dropouts Aged 16-24, 1999

Source: Alternative Schools Network, Labor Market Conditions Among 16- to 24-year old Adults in the U.S, Illinois, and the Chicago Area at the End of the 1990s (Chicago, 2001)

Such is all too commonly the fate of the more than 86,000 (20 percent) of Chicago’s 16 to 24 year olds who were out of both school and the job market at the conclusion of the booming 1990s. Prospects were especially poor for the city’s black high school dropouts ages 16 to 24, three-fourths of whom were jobless in 1999, a much higher rate than that of whites (41 percent) and Hispanic (46 percent) dropouts in the same age group. This is a matter of no small concern in a city with 435,000 public school students and where more than 40 percent (the rate for black students is certainly much higher) of first-time public school ninth-graders drop out within four years. Even among high school graduates, more than half of Chicago’s African-Americans in their late teens and early 20s were unemployed at the end of boom decade.
Chicago’s many disconnected black youths provide the critical mass of human material for Illinois’ sprawling prison system – a major job creation program for predominantly white “downstate” communities. The state’s prison population has grown by more than 266 percent since 1980, fueled especially by black admissions from the Chicago metropolitan area, home to 83 percent of the state’s African-Americans and point of origin for 70 percent of the state’s prisoners. Nearly two-thirds (64 percent) of the state’s 45,629 prisoners are African-American, a percentage more than four times greater than blacks’ share of Illinois’ population. Forty-four percent of the state’s prisoners are African Americans from Cook County. Less than half of the state’s inmate population reports having a high school degree. As racially disparate job sprawl removes employment opportunities for inner-city youth, those youth have become the crucial raw material for the expansion of Illinois’ prison industrial complex. Interestingly enough, that
complex is a cherished provider of relatively remunerative employment for rural working-class whites suffering their own labor market difficulties in an age of corporate de-industrialization and globalization.  

Graph 6  

<table>
<thead>
<tr>
<th>Race</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Black</td>
<td>65%</td>
</tr>
<tr>
<td>White</td>
<td>25%</td>
</tr>
<tr>
<td>Hispanic</td>
<td>10%</td>
</tr>
</tbody>
</table>


VI Race and the Mark of a Criminal Record

Perhaps nothing illustrates the racialized nature of ostensibly color-blind hiring barriers in the Chicago metropolitan area more dramatically than the negative impact of criminal records on labor market opportunity. The testing project that CUL and LAFC carried out in 2000-2001 was especially distanced from this racially lopsided barrier by virtue of the simple fact that it relied entirely on female testers. While female incarceration is on the rise in Chicago and Illinois, the prisoner and ex-offender population in Chicago, Illinois, and the nation is very disproportionately male, and it is commonplace for Chicago area employers to assume that black
male job applicants have criminal backgrounds. The same could not be said about employer attitudes towards prospective black female employees.  

Few would be surprised to learn that the negative labor market impact of having a felony and/or prison record is severe. According to a recent social-scientific survey of more than 3,000 employers nationwide, more than 60 percent of employers would not knowingly hire an ex-offender. By comparison, 92 percent of those employers would likely hire a current or former welfare recipient and 83 percent would hire someone who had been unemployed for a year.  

Reflecting this and a host of related barriers, the best social science research finds that incarceration carries a significant 10 to 20 percent “wage penalty.” Ex-prisoners on average experience no real wage increases in their twenties and thirties, when young men who have never been incarcerated tend to experience rapid wage-growth. Prison time serves to channel individuals away from skilled occupations and into job sectors characterized by low wages, limited job stability, and fewer opportunities for advancement. It disrupts the career-building process such that prior work experience contributes little to future opportunities. Ex-offenders are left to start back at square one with respect to gaining a foothold in a particular occupation.  

Incarceration most particularly closes off employment avenues for ex-offenders in the public sector, where employers are now extremely concerned about the criminal records of applicants. “The effect of prior incarceration on the likelihood of securing government employment,” Pager notes, “is dramatic,” corresponding to a 61 percent reduction in the odds of holding a government job after a stay in prison.  

In Illinois, many ex-offenders are banned or severely restricted from employment in a large number of professions, job categories, and fields by professional licensing statutes, rules, and practices that discriminate against potential employees with felony records. According to a study conducted by the DePaul Law School in 2000, of the then ninety-eight occupations
requiring state licensure in Illinois, fifty-seven placed stipulations and/or restrictions for
licensure on applicants with a criminal record, including in some cases even misdemeanors.
Many of these 57 occupations can provide access to good-paying jobs and to lucrative self-
employment opportunities. At the same time, ex-felons are closed off by law and practice from a
large number of jobs in the public sector. There has in recent years been a significant increase in
the number of Chicago area government agencies that have instituted highly restrictive hiring
policies based on prior drug offenses. This has even led to the dismissal of incumbent workers,
as recently occurred in the Chicago Park District. 34

Race, Policy and the Rise of a Prison and Ex-Offender Nation

Conventional wisdom sees the significant labor market barrier posed by prison histories
and the mark of a felony record as color-blind. Nothing, however, could be further from the
truth, thanks to the astonishing racial disparities in our criminal justice system. In the last two-
and-a-half decades, America’s prison population has undergone what United States’ Bureau of
Justice Statistics Director Jan Chaiken in 2000 called “literally incredible” expansion. Between
1970 and the turn of the millennium, the number of people behind bars in state and federal prison
in the United States increased more than six (6) times. In all, the number of prisoners in the
United States had swelled to more than 2 million. The rate of incarceration in the US is 699 per
100,000, up from roughly 100 per 100,000 in 1970. The US has by far the highest incarceration
rates in the world. Public investment in incarceration is now so extensive that several large
states currently spend as much or more money to incarcerate adults as they do to provide their
citizens with college degrees.

In addition to those behind bars, more than four and a half million Americans are on
probation or parole, “doing time” on “the outside,” under the watch of probation and/or parole
officers, often taking mandatory urine tests, and in some cases under home detention and leashed to electronic shackles. A record 6.6 million Americans are under the supervision of the criminal justice system in the US, the US Bureau of Justice Statistics reported last August.35

Beyond the massive population currently behind bars, this remarkable incarceration boom, and the arrest campaign that feeds it, has generated an even larger population – a veritable army – of ex-offenders. More than 600,000 individuals are released from state and federal prisons each year, a massive swelling army of ex-offenders, saddled with what a recent (August 10, 2002) cover story in The Economist called “The Stigma That Never Fades. This “steady stream of individuals, branded by their criminal records” is fed to no small extent by the War on Drugs, since drug and other nonviolent offenders tend to serve considerably shorter sentences than violent criminals.36

Beyond sheer magnitude and taxpayer expense, the most striking aspect of America’s booming criminal supervision and ex-offender population is its heavily racialized nature. As the penal population has risen, it has become significantly less Caucasian: non-Hispanic whites accounted for 42 percent of state prison inmates in 1979 but less than a third by the end of the 20th century. But let us be clear about the group that is most especially targeted: blacks are 12.3 percent of US population, but they comprise roughly half of the roughly 2 million Americans currently behind bars. Between 1980 and 2000, the number of black men in jail or prison grew fivefold (500 percent), to the point where, as the Justice Policy Institute (2002) recently reported, there were more black men behind bars than enrolled in colleges or universities in the US. On any given day, Chaiken reported, 30 percent of African-American males ages 20 to 29 are under correctional supervision – either in jail or prison or on probation or parole.37

According to the best recent estimates, roughly 13 million Americans – fully 7 percent of the adult population and 12 percent of the adult male population – possess felony records. But
nearly one in five black men has a prison record, and an *astounding one in three black men* now possesses a felony record. Moreover, one over every four black adult males is an ex-felon, no longer serving time in prison or jail or on probation or parole.\textsuperscript{38}

US prison expansion and the mushrooming of the nation’s very disproportionately African-America ex-offender population since the mid-1970s are explained primarily by deliberate changes in criminal justice and sentencing policy. These changes include the introduction of mandatory and determinate sentencing (abolishing and more commonly diminishing prisoners’ ability to reduce sentences through good conduct behind bars), and “three strikes” sentencing laws (life sentences for people convicted of a third felony). Also relevant are the introduction of “truth-in-sentencing” laws (which reduce judicial discretion to cut the length of sentences), “zero tolerance” (the rampant arrest and conviction of suspects for relatively minor and nonviolent offenses), the extension of sentences for certain offenses (especially drug trafficking and the use of weapons in the commission of a felony), and the now commonplace trial and sentencing of juvenile offenders as adults. A general and massive increase in drug- and gang-related surveillance, stoppages, frisk, arrests and prosecutions at all levels of government also underpins the rise of the “Prison Nation.” The central factor is that imprisonment in the US has “changed,” in Northwestern University sociologist Devah Pager’s words, “from a [*punishment reserved for only the most heinous offenders to one extended to a much greater range of crimes and much larger segment of the population* [emphasis added]. Recent trends in crime policy have led to the imposition of harsher and longer sentences for a wider range of offenses, thus casting an ever widening net of penal intervention.

In particular, huge numbers of Americans today are locked up for drug offenses and other transgressions that would not have met with the same punishment 20 years ago. The incarceration rate for narcotics offenses was 15 per 100,000 adults in the US in 1980. By 1996,
according to a recent lead article in *The Economist*, this rate had risen nearly ten-fold to 148 per 100,000. Armed with such statistics, the article’s author openly wonders if American policymakers are creating “Too Many Convicts” and ex-offenders.

These trends have impacted black communities with special harshness, reflecting a remarkable racial disparity in the operation of the criminal justice system. While blacks make up just 15 percent of illicit drug users, they account for 37 percent of those arrested for drug offenses. They comprise 42 percent of those held in federal prison for drug convictions and 62 percent of those in state prisons. Not surprisingly, white drug offenders are much less likely than their counterparts to serve time in prison. Blacks constituted more than 75 percent of the total drug prisoners in America in one third of all states (including Illinois), according to a report issued in 2000 by the prestigious human rights organization Human Rights Watch.39

*Racially Disparate Mass Incarceration, Policing and Felony-Marking in Chicago and Illinois*

Illinois, which housed the seventh largest state prison population in the nation in 2000, is no exception to these disturbing national patterns. In 1970, there were only 7,367 prisoners in the state’s 7 adult correction facilities. A generation later, Illinois’ prison population had reached nearly 46,000 (2001); the number of correction facilities had mushroomed to 27. In addition to the astounding increases in prison population, the state’s parole population had increased to roughly 30,000.

The population of prisoners under the jurisdiction of the Illinois Department of Corrections increased more than six times over between 1970 and 2001, and rose by more than 60 percent in just the last years. Between 1980 and 2000, the state’s incarceration rate for state (IDOC) prisoners rose significantly, from 94 per 100,000 state residents to 368 in 2000.
To house its dramatically rising number of prisoners, Illinois has built 20 adult prisons, an average of one per year, between 1980 and 2000. The amount spent by the state on corrections has risen by more than 200 percent from just over $377 million in 1980 to $1.3 billion in 2000. Mass incarceration has emerged as one of the leading growth items in the state’s budget over the last sixteen (16) years, increasing from just over a third the amount it spends on higher education to nearly three fourths.

These statistics are especially relevant for the Chicago area (Cook County plus the Collar counties), which is the original home (“committing county” in IDOC’s words) to 70 percent of the state’s prisoners and residence for 73 percent of its parolees.

The impact of current mass incarceration policies are especially damaging to the state’s African-American residents, 83 percent of whom live in the Chicago area. Sixty-three percent of the state’s roughly 43,000 prisoners and 60 percent of its 32,000 parolees are African-American. In 2001, the state’s incarceration rate for African-Americans was more than ten times the rate for whites – a remarkable 1,550 per 100,000 for American Americans, compared to 127 per 100,000 for whites. For black adult males, the incarceration rate is a remarkable 4,383 per 100,00 adults. Black males between 18 and 65, who comprise just 4 percent of the state’s total population, account for fully 57 percent of the state’s federal and state (IDOC) inmates. In 2000, The Chicago Reporter reported that 20 percent of all black men ages 20 to 29 in Cook County were either in prison or jail, or on parole. If this ratio is expanded to include the city’s probation population, it seems likely that a full third of that cohort is under the supervision of the criminal justice system. 40

By the best recent social science estimates, adjusting for recidivism, mortality, and new releases, Illinois in 2001 was home to 409,157 ex-felons (people who were once but no longer in prison or on probation or parole), 134, 219 former prisoners (36 percent of the ex-felon
population), and 134, 219 current felons, producing a total state felony population of more than two thirds of a million. The state was home to 215, 957 black ex-felons (53 percent of the state’s ex-felon population), 19, 389 black ex-prisoners (55 percent of black ex-felons and a remarkable 81 percent of the state’s ex-prisoners), and 74, 783 current black felons, producing a state total black felony population of 301, 555 (55 percent of the total state felony population). In a report issued in October 2002, the Chicago Urban League’s Research and Planning Department reported that:  

- Male ex-felons make up 7 percent of the adult male population in Illinois and are equivalent in number to 10 percent of the state’s adult male workforce.

- Male ex-felons make up 8 percent of the adult male population in the Chicago area (Cook County plus the collar counties) and are equivalent in number to 10 percent of the adult male workforce in the metropolitan area.

- Black male ex-prisoners make up 16 percent of the black adult male populations in both Illinois and the Chicago area and are equivalent in number to nearly one quarter (24 percent) of the black male workforce in the Chicago area.

- Black male ex-felons are equivalent in number to 42 percent of the black male workforce and 29 percent of the adult black male population in the Chicago area.

- The total population of black males with a felony record (including both current and ex-felons) is equivalent to 55 percent of the black adult male population and an astonishing 80 percent of the adult black male workforce in the Chicago area.

In Illinois, as throughout the nation, the remarkable expansion of the black prisoner, criminal supervision and ex-offender population has been driven by aggressive and racially disparate public policy. While the Drug War policy has certainly been national in scope, it has been especially pivotal in our state. “In 1978, already facing overcrowded conditions,” noted the Illinois Criminal Justice Information Authority in the fall of 1999:

IDOC projected the prison population to grow to 16,000 by 1988. But the introduction in 1978 of determinate sentencing and Class X felonies, both of which set longer sentences for most serious offenses, caused the inmate population to soar beyond expectations…The rapid growth of the [Illinois] prison population continued in the late 1980s and most of the 1990s. A tremendous surge in the number of drug offenders sentenced to prison, beginning in 1989, had a major impact. In 1970 there were only
about 200 drug offenders in prison in Illinois, representing only about 3 percent of the total prison population...the crack cocaine phenomenon and stiffer drug penalties helped bring the drug offender population from under 2,000 in 1988 to over 4,600 in 1990.

According to the ICJIA’s senior scientist David Olson, drug admissions were the single largest factor swelling the state’s prison population during the 1980s and 1990s. Low-level drug offenses account for the single largest category of prison admissions in Illinois.

The Drug War has been marked by extreme racial disparity in Illinois. In 1996, the respected international human rights organization Human Rights Watch reported, “blacks constituted an astonishing 90 percent of all drug offenders admitted to prison in Illinois.” By 2000, the percentage had barely fallen to 89 percent, making Illinois number two in the nation in terms of this key disparity.

Below are some key numbers that elucidate some of ways in which Illinois has led or been near the top of the nation in fighting drugs: 43

**Leading the Nation? Illinois Rankings in Incarceration and the War on Drugs**

*Percentage of Black Drug Offenders Admitted to Prison: #1*

*Racial Disparities (High Black/Low White) in Incarceration for Drug Offenses: #2*

*Prison Admission Rate for Drug Offenses: #2*

*Share of State Prisoners Admitted for a Drug Offense: #5*

*Racial Disparity in Male Incarceration: #7*

To get a sense of the scale of the Illinois criminal justice system’s racially disparate anti-drug campaign, consider the following statistic. In one predominantly black West Side police district containing less than 100,000 residents (District 11, which includes North Lawndale
among other high poverty areas), police made more than twelve thousand drug arrests (33 per day) during just one year in the mid-1990s.\textsuperscript{44}

Perhaps nothing reveals more dramatically Illinois’ penchant for waging the drug war in racially disparate ways than the state’s enforcement of two 1989 bills mandating that a 15- or 16-year old youth be prosecuted as an adult if charged with selling drugs within 1,000 feet of a school or public housing project. Under the state’s Automatic Transfer laws, which Building Blocks for Youth (BBY) considers to be “among the most racially inequitable laws in the country,” youth who have been convicted as adults can be transferred to adult prisons upon their 7\textsuperscript{th} birthday and are automatically transferred on their 18\textsuperscript{th} birthday. Predictably enough given the nearly total absence of public housing projects in predominantly white communities in the Chicago area, as well as the greater relative density of urban as opposed to suburban development, the outcomes of this remarkable legislation have been very racially skewed. Indeed, of the 393 young people automatically transferred to adult facilities in Cook County from October 1999 to October 2000, 99.2 percent of them were minorities. ‘Only 3 of 393 youth,’ notes BBY, ‘were white; 340 were African-American and 50 were Latino.’\textsuperscript{45}

These findings are disturbing in light of evidence that white youth use illicit drugs at the same or higher rates as youth of color. They are doubly troublesome in light of recent reports on how local and state criminal justice authorities have chosen to deal with the rising number of “young [white] suburbanites” purchasing heroin and other illegal narcotics on the city’s predominantly black West Side. In August 2001, the Chicago Tribune reported that city police and the DuPage Metropolitan Enforcement Group (a “collection of the top drug cops from county departments”) had selected a rather mild sanction for the suburban offenders. “Officers,” the Tribune noted, “have seen teens make drug buys, traced the license plates of their cars and notified the registered owner, often a parent, where the vehicle has been."
Last June, both the Tribune and the Chicago Sun Times reported that Cook County prosecutors and police had increased the level of punishment for the young suburbanites, threatening to impound their automobiles and suspend their driver’s licenses. William O’Brien, Chief of Narcotics for the State’s Attorney’s Office gave the following rationale for this “new crackdown,” which contrasted sharply with the prison sentences faced by 15-year old inner city youth caught selling narcotics next to a public housing project. When it comes to suburban white youth, O’Brien explained, “driving privileges may resonate more... than the threat of jail. He neglected to mention that the mark of a prison record is typically carried for life, negatively impacting its holder’s labor market (and other life) chances long past the time of release.46

The Criminal Justice System as Agent of Racial Labor Market Inequality

Thanks to its racially disparate labor market consequences, the prison industrial complex has become a significant form of racially regressive state intervention in the US labor market. According to noted Princeton sociologist Bruce Western, the American penal system has itself become a very significant form of racially regressive state intervention in the US labor market He recently concluded that “the penal system has a pervasive influence on the life chances of disadvantaged minorities. Although typically the preserve of criminology,” Western observes, “incarceration appears to shape aspects of inequality that are of traditional interest to stratification researchers. It seems likely that status attainment, school-to-work transitions, and family structure are all influenced, perhaps even routinely, by the penal system in the current period of high incarceration. From this perspective, the usual list of institutional influences on social stratification – schools, the families, and social policy – should be expanded to consider the coercive redistribution of life chances through incarceration.”
Since incarceration rates are especially high among those with the least power in the labor market – young and unskilled minority, particularly African-American, men – U.S. incarceration significantly exacerbates racial inequality. Racially disparate mass incarceration means that imprisonment’s negative labor market effects will disproportionately affect blacks. “The relative rates of incarceration are so heavily skewed towards blacks,” notes Northwestern sociologist Devah Pager, that “any effect, however small, will have substantial consequences for racial disparities.” Since blacks have long been disproportionately reliant on government employment, moreover, the public sector’s special sensitivity to criminal records in hiring is particularly deleterious in its impact on the African-American community. Given the racially lopsided composition of the prisoner and ex-offender population in Illinois, we can be certain the negative labor market and socioeconomic consequences of mass incarceration on African-Americans are especially pronounced in the Chicago area.47

VII Gender and Racial Hiring Bias

The highly gendered nature of criminal marking is not the only reason that Racial Preference and Suburban Employment Opportunities’ exclusive use of female testers understates racial discrimination in the Chicago-area job market. In his landmark study When Work Disappears: The World of the New Urban Poor, a study of the causes and consequences of deindustrialization and mass joblessness in American inner city communities, sociologist William Julius Wilson noted that the decline of the mass-production system had fallen especially hard on male workers. In the older American industrial system that provided the employment opportunities that drew millions of African-Americans to cities like Chicago, Detroit and Pittsburgh, jobs were plentiful for men with no more than high-school degrees. By the 1970s and
1980s and into the present, however, “most of the new jobs for workers with limited education are in the service sector, which hires relatively more women.” 48

Wilson also found that employer bias against African-American workers in the Chicago area was highly informed by gender. In conducting research for When Work Disappears, the University of Chicago’s Urban Poverty and Family Life Study (UPFL) conducted face-to-face interviews with employers representing 179 firms in Chicago and Cook County. The survey contained a number of open-ended questions relating to employers’ perceptions regarding inner-city workers’ job skills, work ethic, dependability and the like. “Of the 170 employers who provided comments on one or more of these traits,” Wilson noted, “126 (or 74 percent)” asserted that “inner city black workers – especially black males – bring to the workplace traits that negatively affect job performance. “Although black women also suffer as a consequence of the negative attitudes held by employers,” Wilson reported, “nonetheless, in an overwhelming majority of cases in which inner-city black males and females are compared, the employers preferred black women.” When UPFL researchers asked for employers’ opinion concerning differences between these two categories, nearly half of the employers’ claimed that black females are better than black males at finding and retaining employment. As is clear from the numerous long employer quotations presented in the chilling fifth chapter of When Work Disappears, Chicago area employers interviewed by the UPFL were much more likely to hire black females than black males. They viewed black males as the least desirable group from which to hire among all ethnic, racial and gender categories in the Chicago area.49
VIII Conclusion and Recommendations

None of the data and argumentation presented in parts III-VII is meant to undermine the significance of the employment testing described in Part II of this report. Academic and other analysts make a critical error when they see the skills and spatial mismatches as proof that 'color-blind’ class and socioeconomic forces have replaced racism as the main cause of black-white inequality. The key thing missing in such an analysis is that these great forces are themselves deeply colored by and expressive of covert institutional racism. At the same time, it is crucial to realize that such racism continues to operate against African-Americans who have overcome or avoided some of the society’s broader racially disparate structural forces by attaining the skills and credentials required to access modern labor market opportunities. should also be remembered that racial discrimination takes place in the more intimate and constantly re-enacted details and rituals of the hiring process.

The structural factors discussed in this study may provide more than a few logical and, in themselves, hardly racist reasons for employers’ broader aggregate reluctance to hire African-Americans. Still, that reluctance has to be actualized in the critical zone of engagement where prospective employee and employers meet and size each other up. And all too often, blacks entering that zone from the job-seeking side find that it is not enough to have the same or better qualifications as their white competitors in the job market. Anti-black hiring discrimination tends to persist even when the structural factors analyzed in parts III, IV and V of this report above are held constant, as matched-pair testing reveals in important and often legally actionable ways.
Recommendations

To address the hiring bias that African-Americans continue to experience in the Chicago area, policymakers should:

- Rigorously enforce existing equal-opportunity legislation that prohibits racial discrimination in hiring.

- Develop proactive federal and state programs to identify and prosecute firms who avoid hiring minority workers.

- Closely monitor hiring procedures in the Chicago metropolitan area and adequately fund and otherwise support the relevant government agencies in charge of enforcing equal employment opportunity.

- Form proactive partnerships with testers and use testing as a tool of civil rights enforcement.

- Conduct regular employment audits in the Chicago area and throughout the nation to produce statistically reliable estimates of the incidence of discrimination.

- Communicate regularly and effectively with employers and the public about the requirements of civil rights laws regarding hiring.

- Commit resources to diversity training and fairness in hiring workshops.

- Include measures to deal with hiring discrimination in the design of programs meant to help African-Americans overcome skills/education, spatial, criminal record and other key labor market "mismatches."

Besides taking heed of existing equal employment legislation that forbids racial discrimination in hiring, employers should:

- Implement formal hiring processes, with multiple steps, standardized interview questions and other measures to minimize the impact of racial bias.

- Introduce and/or expand programs to place African-Americans in key hiring positions.

- Use testing as an internal quality control in the interest of both fairness and workplace efficiency.

- Increase resources committed to, and incentives for, diversity training.
• Use facts and examples from testing audits to illustrate how prejudice affects the hiring process and to suggest how staff can make the hiring process more objective and just.

Recognizing that African-American access to good jobs is limited by a number of racially disparate social and institutional forces, which would severely restrict black labor market opportunities even in the absence of hiring discrimination, this study makes a number of additional policy recommendations

• Increase the state’s share of school funding and increase school funding equity in Illinois by reducing reliance on local property taxes to pay for public schools. The State of Illinois should be the primary source of revenue for public education to ensure equity and adequacy in school funding. According to state commissioned studies the floor of per pupil expenditures should be increased 20 percent in FY 2003 to $5,500.

• Encourage balanced economic development throughout the Chicago region and provide greater incentives for economic development in the region’s core and inner ring suburbs. The economic boom of the 1990s produced little benefit for many African American communities. Many black neighborhoods in the city and in the inner ring suburbs continue to lack sound economic development and business opportunities. As a result, these communities experience higher rates of unemployment, longer commute times to jobs, and less access to basic goods and services that should be readily available to all. New strategies and public-private partnerships, both at the state and local level are necessary in order to encourage economic development in the city and inner ring suburbs. State government should carefully review policies that subsidize the relocation of firms out of central cities and older suburbs into newly developing areas. It should provide incentives and disincentives encouraging municipalities to reduce minimum lot sizes and the provision of affordable multifamily housing.

• Move, in particular, toward inclusionary zoning, the single most promising housing policy idea designed to de-concentrate poverty and de-segregate metropolitan areas. Already successfully implemented in a number of municipalities and counties across the nation, inclusionary zoning requires that developers of large apartment subdivisions set aside a certain percentage — generally around 20 percent — of units for low income tenants. In return, developers become eligible for a density bonus beyond what previous zoning rules allowed. In some cases, developers who refuse to build affordable housing are required to pay into a local or county fund meant to fund low cost units. The goal is to de-segregate poverty and race by increasing the number of affordable housing units outside central cities while avoiding the re-concentration of low-income housing in any one area. The City of Chicago Zoning Code rewrite offers an opportunity to address the need for affordable housing in the city by requiring the setting aside of a percentage of new units for low- and moderate-income residents. Ultimately, however, inclusionary zoning ordinances should be passed through the entire Chicago metropolitan area.
• Vigorously enforce existing state and federal fair housing and lending laws, utilizing “proactive matched-pair testing in all parts of the housing market” as a “necessary complement to affordable housing development programs.”

• Invest in public transit. Public transit provides many workers with a reliable and cost efficient transportation option. Greater investment in public transit will reduce congestion on roads and expressways, and make it easier to match workers with jobs. It holds special promise for minority workers, who are particularly reliant on public transportation.

• Institute and support anti-sprawl and “smart growth” policies and build coalitions between inner-city and inner suburban ring residents seeking to bring jobs and development back to the metropolitan core and more affluent suburbanites and ex-urbanites seeking to curb environmentally toxic and congestive development.

• Maintain Affirmative Action. Affirmative action programs have made diversity a real and meaningful priority for our nation’s universities, companies, and governments. Affirmative action programs in contracting, employment, and education ensure greater opportunities for all Americans. Of special significance, it is vital that the federal courts do not outlaw racially conscious admissions policies like those used at the University of Michigan. “It is astounding,” Gary Orfield and Susan E. Easton of the Harvard Civil Rights Project have recently noted, “that the well-documented and grave implications of racially separate elementary, middle and high schools barely warrant mention by commentators – on all sides – in the raging debate over affirmative action” in college admission. “Affirmative action,” they argue, “may well be the only tool left with the potential to ameliorate the negative effects of a college applicant’s prior twelve years of segregated schooling.” The “ten percent” plans used by some university systems (such as Texas) and promoted by President Bush and other “conservatives” offer no meaningful substitute for affirmative action. Among other things, they create an astonishingly perverse policy incentive for ambitious black students to attend low-performing and segregated schools.

• End Racial Profiling. Too many law-abiding African American and minority motorists are unfairly targeted for traffic and pedestrian stops and searches, surveillance and arrest.

• Reduce barriers to employment and education for ex-offenders. Make it illegal for an employer to discriminate against an ex-offender unless his or her criminal record is directly related to the duties of the job. Eliminate the bans on federal college student aid, TANF, and public housing for people with petty drug convictions.

• Expand community corrections programs, drug treatment, and other sentencing alternatives and develop effective approaches to public safety that draw on community resources and use problem-solving techniques.

• Restore citizenship rights for rehabilitated ex-offenders, and mitigate the stigma and some of the legal barriers associated with criminal histories by allowing ex-offenders to seal or expunge their criminal records. Offer certificates of rehabilitation to ex-offenders.
who have either minimal criminal histories or who have remained out of the criminal justice system for specified periods of time. Eliminate inappropriate barriers to, and create new possibilities and incentives for, the appropriate employment of ex-offenders.

- Create new prison and post-prison supports and responsibilities for prisoners and released ex-prisoners. Create a new policy focus and government agency to coordinate the transition from prison to work. With the number of prisoners now nearly equivalent to the number of welfare households in the state and nation, the time has come to give this type of transition at least some of the concentrated policy attention received by the transition from welfare to work.

- Repeal mandatory sentencing laws, restore judges’ discretion to determine which offenders truly deserve long prison terms and which can be safely rehabilitated in the communities where they live, and establish new structures for reviewing and revising state sentencing policies and promoting effective use of correctional options.
Appendix A: The Achievement Gap in Chicago and Illinois

In Chicago, minority students score significantly lower on standardized tests than their white peers. Only 24 of the city's 510 elementary schools have 75 percent or more of their students reading at or above the national norms as measured by the Iowa Test of Basic Skills. Of those 24 high-performing schools, only five (21 percent) are predominantly black. Nineteen (79 percent) have white student populations in excess of the city wide average for white students. Fifty five percent of elementary schools have one third or less of their students reading at or above national norms. Seventy percent of these schools are predominantly black. None are predominantly white, and only 2 percent have a white population in excess of the city wide school average. Tracking of test scores by the Consortium of Chicago School research has also shown that a large gap exists between white and minority students in Chicago, and that the gap has remained virtually unchanged over the 1990's.

Statewide, depending on grade-level, the achievement gap in reading ranges from 35 to 42 points (percent of students meeting or exceeding state norms) between white and black students on the Illinois Standards Achievement Test. In math, the difference ranges between 43 to 46 points, depending on grade level. The average ACT score for white high school students is 22.6 while the average score for black students is only 17.3. This gap in achievement would only be exacerbated if analyzed within the Chicago Metropolitan Area only.

Although black students make up 21 percent of public high school enrollment, they only comprise 15 percent of high school graduates. In comparison, white students make up 61 percent of public high schools and 71 percent of public high school graduates.

The disparity in achievement between black and white students is not exclusive to elementary and high schools in Illinois. While white students make up 62 percent of the undergraduate classes of public universities and 63 percent of private universities, they comprise 74 and 72 percent of the graduating classes at those institutions. Black students, on the other hand, graduate at lower rates. They make up 13 percent of undergraduates at public universities and 13 percent at private universities. However, they comprise only 10 and 9 percent, respectively, of the graduating classes from those same institutions. When considering that black students make up 21 percent of the high school population, they are not only underrepresented in colleges; they are even more underrepresented in college graduating classes. State of Illinois Board of Higher Education (June 2002).


4 Leonard Steinhorn and Barbara Diggs-Brown, *By the Color Of Our Skin: The Illusion Of Integration And The Reality Of Race,* (New York: The Penguin Group, 2000), 6-7; Howard Schuman et al., *Racial Attitudes in America* (Cambridge, MA: Harvard University Press, 1998); John McWhorter, *Losing The Race: Self Sabotage in Black America* (NY: Free Press, 2000). A considerable number and percentage of whites, perhaps a majority, misled by the “virtual” racial integration and equality that prevails on television, even think that the average black family is faring we well as the average white family, economically. “Race and Ethnicity in 2001: Attitudes, Perceptions, and Experience,” *The Washington Post*, the Kaiser Family Foundation, and Harvard University (August 2001). A (thankfully) less politically acceptable and more rarely heard argument against the notion that racism maintains that African-Americans continue to lgbg behind whites and other groups in terms of wealth, income, occupational and educational success due to genetic differences between the races in terms of innate intelligence. This was the core argument of a chilling widely read monograph produced in 1994 by neo-geneticists Richard Herrenstein and Charles Murray – *The Bell Curve*.


10 Another factor that led us to underestimate racial bias was our exclusive use of female testers. See Part VII below for discussion of the role of gender in racial hiring bias.


14 Leonard Rubinowitz and James Rosenbaum’s provocitive *Crossing the Class and Color Lines: From Public Housing to White Suburbia* (Chicago, 2000).


19 McWhorter, *Losing the Race*.


Among many possible cites, see Immerglick and Wiles, *A Rising Tide*.


31 Street, Vicious Circle, -15.


34 Street, 34-36.


38 “The Stigma That Never Fades.


40 Street, *Vicious Circle*, 9-12.

Ibid, 15-16.


45 Building Blocks for Youth, Drugs and Disparity: The Racial Impact of Illinois’ Practice of Transferring Young Drug Offenders to Adult Court (April 2001).

46 Building Blocks for Youth, Drugs and Disparity; “Teens Trek to City for Heroin,” Chicago Tribune, 13 August 2001; “Cops Warn Suburban Teens About Drug Buys,” Chicago Tribune, 14 June 2002; “City Targets Heroin Buyers From the Suburbs,” Chicago Sun Times, 13 June 2002. See also “Study Finds Drug Sentence Bias,” Chicago Sun Times. 19 December 2001, which reports Chicago Reporter reporter Alden Loudry’s finding that blacks and Hispanics convicted of possessing or selling narcotics were given much harsher sentences than whites convicted of the same crime between 1995 and 2000. Seventy percent of the white offenders were given probation as opposed to 45 percent of the black offenders.


49 Wilson, When Worker Disappears, -146.

50 It is unlikely that many would make the same argument regarding the criminal record mismatch. Even the nation’s leading black racism-denier John McWhorter acknowledges that racism continues to live on in the criminal justice and mass incarceration systems.