

IRP focus

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Systemic racism and the justice system

Negotiating race and racial inequality in family court

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The three articles in this issue address systemic racism and its intersection with the civil and criminal justice systems. Systemic racism refers to racism that has become normal practice within a society. It can lead to discrimination in many areas; these articles examine the interaction of systemic racism with civil justice in a family court setting, civil and criminal justice in regard to housing, and criminal justice and health.

The first article, by Tonya L. Brito, David J. Pate Jr., and Jia-Hui Stefanie Wong, examines how court officials and low-income noncustodial fathers who are African American negotiate race and racial inequality in family court. These noncustodial fathers are behind on paying child support and are at risk of incarceration for nonpayment. However, many of them face

substantial barriers to finding jobs that would give them the means to pay, including racial disparities in the labor market. For example, the penalty for having a criminal record in the job application process is so much larger for people who are Black than for people who are White that Black people without criminal records are actually treated less favorably by employers than White people with criminal records. The authors argue that court officials fail to acknowledge both explicit and implicit racial discrimination faced by the low-income Black fathers who appear in court, and instead take a race-neutral approach. The failure of these officials to recognize the consequences of racial inequality in the lives of the Black fathers in their courtrooms serves to perpetuate the unequal racial structures that exist throughout U.S. society.

The second article, by Kathryn Ramsey Mason, details the effects of crime-free housing ordinances enacted by local governments for private-market rental properties. People of color have less access to desirable housing—both historically and currently—than their White counterparts. This inequality stems in large part from policies that created explicitly segregated public housing and New-Deal-era programs that enabled White families to purchase single-family homes in all-White suburban neighborhoods while excluding Black families from becoming homeowners themselves. More recent policies, including the crime-free ordinances discussed in this article, reflect methods of discrimination that are more subtle than those employed in the past, and that may also exacerbate racial inequities in housing. These ordinances put renters—many of them people of color—at an increased risk of eviction. As the consequences of eviction can include homelessness, increased poverty, and neighborhood destabilization, the author maintains that these ordinances can have far-reaching consequences for racial inequality in the United States.

The third article, by Hedwig Lee, Christopher Wildeman, Emily A. Wang, Niki Matusko, and James S. Jackson, examines the effects of family member incarceration on women's cardiovascular health. Individuals who are Black are at higher risk of obesity, diabetes, hypertension, and cardiovascular disease, and are more likely than those who are White to experience these adverse health outcomes at younger ages. Past research has examined the effects of incarceration on health for men and their children, but has not looked at the effects of male incarceration on the physical health of female family members; the study described in this article seeks to help fill in this gap. The authors find that having an incarcerated family member is associated with an increased likelihood of poor cardiovascular health for women. They do not find this association among men. The authors suggest that this difference is likely due in part to the fact that women tend to be responsible for the majority of childcare and household management, and to gender differences in mechanisms for coping with stress that may increase women's risk of adverse cardiovascular outcomes. While the effects of family member incarceration do not vary by race or ethnicity, because such a high proportion of women experiencing family incarceration are Black, the authors contend that it should be considered a unique risk factor that contributes to racial disparities in women's health.

This issue also includes two “Research to watch” features. The first introduces a new study by Zawadi Rucks-Ahidiana, suggesting that gentrification—the process of economic change in a low-income neighborhood through the arrival of more affluent residents and businesses—affects different neighborhoods in different ways. The second describes an ongoing project by Tawandra Rowell-Cunsolo, Rahwa Haile, and Anthonine Pierre that will provide an in-depth understanding of both the sources of disadvantage and resilience experienced by Black fathers with criminal justice system involvement, and by their children between the ages of 18 and 24.