

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 1187 CS

Social Status of African American Men and Boys

**SPONSOR(S):** Peterman

**TIED BILLS:** None.

**IDEN./SIM. BILLS:** SB 1726

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REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Future of Florida's Families Committee</u>	<u>6 Y, 0 N</u>	<u>Davis</u>	<u>Collins</u>
2) <u>Justice Appropriations Committee</u>	<u>11 Y, 0 N, w/CS</u>	<u>Sneed</u>	<u>DeBeaugrine</u>
3) <u>Health &amp; Families Council</u>	<u>10 Y, 0 N, w/CS</u>	<u>Davis</u>	<u>Moore</u>
4) _____	_____	_____	_____
5) _____	_____	_____	_____

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### SUMMARY ANALYSIS

This bill creates a 19-member Commission on the Social Status of African American Men and Boys to make a systematic study of the conditions affecting African American men and boys, including, but not limited to, the homicide rates, arrest and incarceration rates, poverty, violence, drug abuse, death rates, disparate annual income levels, school performance in all grade levels including postsecondary levels, and health issues.

The members of the commission shall consist of legislators, various government officials, and persons appointed by the Speaker of the House of Representatives, President of the Senate, and the Governor, and shall be staffed by the Office of the Attorney General (OAG). Members shall serve without compensation, but non-governmental employees are entitled to reimbursement for per diem and travel expenses.

The commission shall meet at least quarterly and shall issue its first annual report by December 15, 2006, and by December 15 each following year. The report shall state the findings, conclusions, and recommendations of the commission.

This bill appears to have a fiscal impact. According to the Attorney General's Office, funding will be necessary to cover the cost of commission member's travel and per diem costs and to provide administrative staff and support to the commission. The Office of Attorney General has estimated the cost to be \$248,643.

This commission shall expire July 1, 2011, unless reenacted by the Legislature.

This act shall take effect July 1, 2005.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. HOUSE PRINCIPLES ANALYSIS:

**Provide Limited Government:** The bill creates a new commission. According to the Attorney General's Office, this bill will require three additional FTE positions to provide administrative support to the commission.

#### B. EFFECT OF PROPOSED CHANGES:

##### **Present Situation:**

According to the bill sponsor, the effects of social policy as it relates to African American males has a direct impact on the lives of all Florida citizens.

- **Physical and Mental Health:** According to the Harvard Medical School's Consumer Health Information Center, black men live an average of 7.1 years less than other racial groups. Almost 12% of African American males suffer from depression and less than 16% of black men seek needed mental health treatment.
- **Unemployment:** According to the Alternative School Network, over the past five years, one in every four black men in the United States was permanently unemployed, a rate double that of white men.
- **Incarceration:** According to the Department of Justice, in 2003, over 9% of all black males aged 26 to 29 were incarcerated. According to the Justice Policy Institute, black men in their early 30's are twice more likely to have prison records than Bachelor degrees. Finally, according to the Florida Department of Corrections, in 2004, 51.9% of Florida's prison population consisted of African American males.
- **Education:** According to the American Council on Education, over the past decade, the high school graduation rate for black men has fallen 43%. The Department of Education reported in January 2005 that while the majority of dropouts in 2003-04 were white students, dropout rates were highest among black and Hispanic students. Of the 25,587 dropouts reported for grades 9-12 in the 2003-04 school year, 7,801 (30.5 percent) were black. The dropout rate for blacks fell from 5.5 percent in 1999-00 to 3.6 percent in 2003-04. Dropout rates also vary by gender group, with males having a higher parentage of dropouts than females.

According to the Bureau of Justice Statistics, from 1976 to 2000, 94% of black homicide victims were killed by other blacks. The Centers for Disease Control and Prevention cite homicide as the leading cause of death for black males between the ages of 15 and 34, with 4,412 such victims in 2000 alone.

From 1976 to 2000, 195,757 African American males have been victims of homicide according to the Federal Bureau of Investigation. That figure does not include the 56,776 murdered African American females, which brings the total black homicide count over the past 27 years to 252,533. The white homicide toll between the same time frame totals 275,529, which means the black rate is more than six times higher, about 20.5 to 3.3 per 100,000.

##### **Highlights of the Equality Index Findings in Five Areas include:**

On March 24, 2003, as part of "The State of Black America 2004: The Complexity of Black Progress," the National Urban League released an "Equality Index," a statistical measurement of the disparities that exist between blacks and whites in economics, housing, education, health, social justice and civic engagement.

- **Economics** – black economic status measures 56% of white counterparts
- **Health** - blacks' health status measures 78% of whites

- Education - total educational performance is 76% as compared to whites
- Social Justice – when it comes to equality under the law, blacks' status is 73%
- Civic Engagement – blacks out measure whites in the area of civic engagement (voter registration, volunteerism, government service).
  - **Democratic Process:** The registered voter index shows a slightly higher percentage of whites registered to vote than blacks.
  - **Volunteerism:** Volunteerism includes both community volunteerism and military volunteerism. Military volunteerism indicates that a substantially higher percentage of blacks volunteer in the military. The unionism index shows a higher percentage of blacks in unions than whites. Union representation index shows that blacks are more concentrated in union jobs than whites.
  - **Government Employment:** Federal Government Employment Index shows a greater percentage of blacks employed by federal government than whites, almost twice the rate. The index shows significantly more blacks concentrated in state and local government jobs than whites.

According to the Centers for Disease Control and Prevention, poverty rarely causes death. Few people die from hunger or exposure to the elements. Poverty does produce a range of physical and psychological stresses, and some reactions to these stresses are expressed in destructive behaviors. Members of the victim group may contribute to their own victimization through adaptations to bleak life conditions that include violence directed at self or others (e.g., suicide and homicide) as well as self-destructive lifestyles (notably addiction to drugs and alcohol).

The Florida Consortium of Urban Leagues conducts a Statewide Black-on-Black Crime Prevention Program to combat crime in the African-American community. This program is funded by the Florida Legislature through the Florida Department of Legal Affairs. The Pinellas County Urban League is the lead affiliate for this campaign, which also includes the Urban League affiliates in Ft. Lauderdale, Jacksonville, Miami, Orlando, Tallahassee, Tampa, and West Palm Beach.

This program is designed as a public awareness and education effort to motivate the black community to support, promote, and participate in crime prevention programs and activities. This campaign also focuses on methods and measures of increasing public awareness and educating the black community on the extent of crime in the black community. Although awareness and education are necessary first steps, the elimination of crime in black communities is the program's ultimate goal.

While each affiliate is granted flexibility in choosing the techniques and activities deemed most appropriate in addressing the particular needs of their respective communities, the Consortium as a whole works to achieve common objectives as outlined in the program's contract.

According to the bill sponsor, social issues facing African American males are not limited to Florida. Other state legislatures have realized the social problems facing African American males and have created commissions to remedy the problems within their own states. These commissions include:

- Ohio Commission on African American Males
- Indiana Commission on the Social Status of Black Males
- Washington, D.C. Commission on African American Males
- Maryland Task Force on the Education of African American Males

## **Effects:**

The bill creates the Commission on the Social Status of African American Men and Boys. The commission will consist of 19 members that will be appointed within 30 days of the effective date of this act. Two members each from the House of Representatives and Senate, not from the same political party, will serve on this commission. The members from the House will be appointed by the Speaker of the House of Representatives and the members from the Senate will be appointed by the President of the Senate. The other members appointed to this committee will include the following or their designee: the Secretary of the Department of Children and Families; the director of the Mental Health Program Office within the Department of Children and Families; the Secretary of Health; the Secretary of Education; the Secretary of Corrections; the Attorney General; the Secretary of Management Services; the director of the Agency for Workforce Innovation; a business person of African American origin appointed by the Governor; two members appointed by the President of the Senate one of which will be a clinical physiologist and two members appointed by the Speaker of the House of Representatives who are not members of the Legislature or employed by state government; the deputy secretary for Medicaid in the Agency for Health Care Administration; the director of the office of Economic and Demographic Research; the Secretary of Juvenile Justice; and the director of the Office of Program Policy Analysis and Government Accountability.

The commission in addressing the high preponderance of "black on black" crime in this state, shall make a systematic study of the conditions affecting African American men and boys, including, but not limited to, the homicide rates, arrest and incarceration rates, poverty, violence, drug abuse, death rates, disparate annual income levels, school performance in all grade levels including postsecondary levels, and health issues.

Once this study has been conducted, the commission shall propose measures to alleviate and correct the underlying causes of the conditions described above. These measures may consist of changes to the law or systematic changes that can be implemented without legislative action. The commission may study other topics suggested by the Legislature or as directed by the chair of the commission. The commission shall receive suggestions or comments pertinent to the applicable issues from members of the Legislature, governmental agencies, public and private organizations, and private citizens.

The Office of the Attorney General shall provide staff and administrative support to the commission. The department has stated that it will need additional staff to administratively support the commission. Please see Section II. A. FISCAL IMPACT ON STATE GOVERNMENT for further details.

The commission shall issue its first annual report by December 15, 2006, and by December 15 each following year. The report will outline the findings, conclusions, and recommendations of the commission. These findings shall be submitted to the Governor, the President of the Senate, the Speaker of the House, and the chairpersons of the standing committees of jurisdiction in each chamber.

This commission shall expire July 1, 2011, unless reenacted by the Legislature. This act shall take effect July 1, 2005.

## **C. SECTION DIRECTORY:**

**Section 1.** Creates a Commission on the Social Status of African American Men and Boys.

**Section 2.** Provides an effective date of July 1, 2005.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

According to the Attorney General's Office, funding will be necessary to provide staff and administrative support to the commission. The department has stated that it will need 3 FTE. The department has estimated the annual salary costs for an executive director, a research associate and a staff assistant, standard staff expenses, travel and per diem costs for commission members and costs involved in the preparation and dissemination of the required annual report as follows:

	<b>FY 2005-06</b>	
	<b>Recurring</b>	<b>Non-recurring</b>
<b>Office of the Attorney General <sup>1</sup>:</b>		
Salaries and Benefits (3 FTE)	\$ 131,776	-0-
Other Personal Services	10,000	-0-
Expenses	100,000	9,246
Operating Capital Outlay	5,700	5,700
HR Services	1,167	-0-
<b>Total Estimated Cost</b>	<b><u>\$ 248,643</u></b>	<b><u>\$ 14,946</u></b>

### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

### C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

### D. FISCAL COMMENTS:

None.

<sup>1</sup> Cost estimates were formulated using the 21-member Commission on the Status of Women as a model. The Attorney General's Office provides administrative staff and support to this commission.

### **III. COMMENTS**

#### **A. CONSTITUTIONAL ISSUES:**

##### **1. Applicability of Municipality/County Mandates Provision:**

The bill does not require counties or municipalities to spend funds or to take an action requiring the expenditures of funds. The bill does not reduce the percentage of a state tax shared with counties or municipalities. The bill does not reduce the authority that municipalities have to raise revenue.

##### **2. Other:**

None.

#### **B. RULE-MAKING AUTHORITY:**

None.

#### **C. DRAFTING ISSUES OR OTHER COMMENTS:**

None.

### **IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES**

On April 11, 2005, the Justice Appropriations Committee adopted an amendment that removed the appropriation from the bill.

The bill was then reported favorably with a committee substitute.

This analysis is drawn to the committee substitute.

On April 22, 2005, the Health and Families Council adopted an amendment and reported the bill favorably as a committee substitute. The committee substitute changed the number of people to be appointed to the Commission on the Social Status of African American Men and Boys from 21 to 19 members, while also requiring that one of the members be a clinical physiologist.

The analysis reflects the bill as a committee substitute.