



The Leadership Conference on Civil and Human Rights and The Leadership Conference Education Fund's Response to the Special Rapporteur's Report on Extreme Poverty and Human Rights

Introduction

The Leadership Conference on Civil and Human Rights has long believed that civil and human rights are inextricably linked to economic security and issues related to poverty.

The Leadership Conference on Civil and Human Rights is the nation's oldest and most diverse coalition of civil and human rights organizations. Founded in 1950 by Arnold Aronson, A. Philip Randolph, and Roy Wilkins, The Leadership Conference seeks to further the goal of equality under law through legislative advocacy and public education. The Leadership Conference provides a powerful unified voice for the various constituencies of the coalition and is charged by its diverse membership of more than 200 national organizations to promote and protect the civil and human rights of all persons in the United States. Through advocacy and outreach to targeted constituencies, The Leadership Conference works toward the goals of a more open and just society - an America that is as good as its ideals.

In 1948, the Universal Declaration of Human Rights declared that “everyone has the right to a standard of living adequate for the health and well-being of himself and his family, including food, housing, medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age, or other circumstances beyond his control.”

While the United States has seen progress over the years, today the fight continues to build a society that truly embraces equality, equity, and economic opportunity and that affirms the human rights and dignity of every person so that we can achieve true economic security for all. **In an America as good as its ideals, every person should have the right to fully contribute to, and benefit from, the economy to live and work with dignity.**

Though the U.S. economy is the largest and most dynamic in the world, its benefits are not shared equitably by all communities, highlighting the need for dramatic change at both the federal and state levels. Simply put, equality of opportunity is a concept that is increasingly becoming illusory for all too many today. Nine years after the Great Recession, stock prices and corporate profits are up and more people are working, but the recovery has been uneven, leaving many people behind.

Issues of race and gender are inextricably linked to economic inequality, as demonstrated by continuing racial wealth and income gaps; the persistent gender pay gap, which is even larger for women of color; and consistently higher unemployment and underemployment for men and women of color, particularly among youth. The lack of investment in low-income communities of color and the poor quality of schools, housing, health care, and other essential services create barriers that are major impediments to combating poverty and economic advancement.

Today the United States is a nation where one's ZIP code often determines one's opportunities – or lack thereof – creating communities that are increasingly isolated, with multigenerational families living in poverty, and too many low-income people facing unemployment or underemployment. As our nation's demographics shift and low-income people become displaced from urban areas they can no longer afford, they are forced to move to cheaper, but less connected, suburbs and exurbs where additional new challenges are emerging.

Defining Poverty

The Leadership Conference on Civil and Human Rights believes that too many men and women work full time yet cannot earn enough to sustain their families. They are unable to provide a basic income that provides enough to sustain shelter, food, and necessities for themselves and their children. Our coalition continues to fight for policies that work to dismantle systemic poverty and economic insecurity to ensure that all Americans have access to their inalienable civil, political, economic, and social rights.

The U.S. Census Bureau determines poverty status by comparing pre-tax cash income against a threshold that is set at three times the cost of a minimum food diet in 1963, updated annually for inflation using the Consumer Price Index (CPI). The poverty threshold serves a variety of purposes including tracking poverty over time, comparing poverty across different demographic groups, and as the starting point for determining eligibility for a range of federal assistance programs. In 2015, the poverty threshold for a family of four was \$24,257, which does not adequately reflect or capture all those living in poverty or near poverty in our nation. The official national poverty rate was 13.5 percent, which translates to 43.1 million people living in poverty.

The poverty rate in the United States is far higher than in many other developing nations and inequality in the country has reached a record high. Furthermore, there are varying extremes of poverty, with some households falling just below the threshold, others up to one and a half or two times the poverty level that may still be considered poor, while others experience a type of "deep poverty," earning far below what the Census Bureau has determined the poverty threshold to be. Too many Americans are unable to finance basic needs such as providing food and shelter for themselves and their families.

Civil and Political Rights

Voting Rights: The right to vote has long been a cornerstone of our democracy in the United States. Currently, voting rights in America are under assault. The most devastating blow to voting rights in the modern era occurred in 2013 when, in the *Shelby County v. Holder* case, five justices of the Supreme Court struck down the most powerful provision of the Voting Rights Act: the preclearance system. This system had empowered the Justice Department for half a century to block discriminatory voting restrictions in states and localities with the most troubling histories of discrimination, before they were able to do any damage. The *Shelby County* decision emboldened states to pass voter suppression laws, such as those requiring photo identification, cutting back on early voting hours, and eliminating same-day registration. Low-income communities often bear the brunt of these suppression laws as they are often the

targets of polling closures, may not have the time or resources to overcome the obstacles to make it to the voting booth, and frequently lack the financial resources to legally challenge unjust policies.

Census: Support for a fair, accurate, and fully funded 2020 census is among the most significant civil rights issues facing the United States today. Census data ensure fair, proportionate voting representation for all Americans. Federal funding for key programs, such as education, health care, and rural broadband access, is determined by census data, and this is crucial in helping federal agencies monitor discrimination. Rural communities, which are often hubs of low-income households, and low-income urban communities including households below the poverty threshold fall into the “hard-to-count” category – when they are not counted, resources are not allocated appropriately and inequality becomes further institutionalized.

Immigration: In recent weeks, we have seen the current Administration launch a full on attack on recipients of the Deferred Action for Childhood Arrivals (DACA) program as well as on-going anti-immigrant rhetoric that calls for a wall through border communities and increased interior enforcement. The DACA program allowed some individuals who might have illegally entered the country as minors to receive a renewable two-year period of deferred action from deportation and to be eligible for a work permit. With the rescission of the memo that created the DACA program, approximately 800,000 million individuals are at risk of being deported and sent back to countries that they have never known to be their home. Undocumented individuals living in the United States are being criminalized, though they are very much an integral part of our national fabric. The impacts of the DACA rescission are exacerbated for those low-income individuals and families who came to this country for access to opportunities that would allow them to achieve economic security.

Criminal Justice: Despite making up only 5 percent of the world’s population, the United States claims a quarter of the world’s prison population with 2.2 million people in the nation’s prisons and jails – which represents a 500 percent increase in the past 30 years. Over-incarceration is an utter failure as a public policy due to its devastating impact on those who become ensnared in the criminal justice system, its failure to produce a proportional increase in public safety, and its disproportionate harm toward low-income communities and communities of color. The Leadership Conference on Civil and Human Rights works to advocate for reforms that will establish a smarter, fairer criminal justice system from sentencing to reentry.

Hate Crimes: Equal protection under the law is one of the most fundamental principles of our founding irrespective of a person’s race, color, sex, national origin, disability status, gender, sexuality, gender identity, or religion. The ability to live, work, and worship free from bias and discrimination is also a hallmark of democracy. Unfortunately, we have consistently struggled to live up to these important ideals. Too many people continue to face bias, discrimination, violence and harassment because of how they look, who they love, or how they choose to worship. In recent months, we have seen an uptick in the number of hate crimes reported across this country. Though no group or category of people are exempt from being victims of these attacks, intersections of race, class, gender, sexuality, and socioeconomic status suggest that those living in poverty are disproportionately impacted when they are victims of these

types of heinous crimes.

Economic and Social Rights

Employment: In recent years, states and localities have taken the lead in adopting sensible workplace policies and standards to mitigate the challenges that the United States has long faced when it comes to employment rights. Still, many Americans, especially those who are low-income or living in poverty, are unable to make ends meet even when working 40 or more hours per week. The Leadership Conference on Civil and Human Rights advocates for progressive employment policies such as raising the minimum wage and eliminating the tipped minimum wage, employer-provided paid sick days, required paid family leave and fair scheduling. We believe these policies will serve as stepping stones to help low-income families and those living in poverty attain economic security and stability.

Health Care: Despite the passage of landmark health care reform legislation in 2010, some of our nation's most needy still find access to health insurance elusive because of the "coverage gap" created by states that refused to expand Medicaid coverage. Still, in recent months, we have seen legislators incessantly working to repeal the Affordable Care Act through legislative vehicles that would leave millions of Americans without the coverage that they so desperately need. Low-income Americans and those who live in poverty are primary beneficiaries of these health care programs; it is these Americans who would suffer the most from the proposed cuts to Medicaid and the repeal of the Affordable Care Act as we know it.

Education: For far too long, the zip code a child lives in has determined his or her opportunity for educational success. Between states, school districts, and classrooms, there are stark differences in expectations for students, funding, teacher quality, rigorous courses, and other resources that are vital to a student's success. These inequities are especially present in many of the nation's districts and schools where low-income students, students of color, students with disabilities, and English learners make up a significant part of the population. These opportunity gaps have resulted in achievement gaps and have left too few children from historically marginalized communities prepared for college, career, and life. Furthermore, low-income students who do go on to attain college and professional degrees often spend exorbitant amounts of their income paying off tuition and school related debts.

Payday Lending: Payday and auto title loans are aggressively marketed to people of color and low-income communities, directly contributing to the deepening racial wealth gap in our nation. Not only do payday loans fail to use sound underwriting practices, but they lead cash-strapped consumers who are unable to repay to borrow again at extraordinarily high rates. While these communities need access to credit, that credit must not be offered at usurious rates with exorbitant interest charges of several hundred percent. Increased regulatory oversight and enforcement of payday lenders is needed.

Housing: Homeownership has long been regarded as a primary mechanism for building long-term familial wealth in the United States. Yet, low-income families and those living in poverty often find themselves cut off from access to affordable housing opportunities. Where access is afforded to these

communities, individuals and families often face serious challenges in trying to secure lending assistance. These housing challenges leave a significant portion of the population cut off from wealth-building opportunities as well as economic, social, educational, and career related opportunities as an one's housing situation has been linked to outcomes in the aforementioned areas.

Convention on the Elimination of Against Women (CEDAW)

The Leadership Conference on Civil and Human Rights and its many member organizations have long supported U.S. ratification of CEDAW. We view ratifying the CEDAW treaty as fundamental to achieving equal rights and opportunities for women around the world, including the United States. The failure to ratify this treaty for the rights of women undercuts the credibility of our nation's stated intention to engage as a global partner, and weakens the effectiveness of our advocacy for human rights, including the rights of girls and women everywhere.

Although American women enjoy greater opportunities and status than women in many other parts of the world, few would dispute that more progress is warranted. For example:

- Domestic violence is prevalent – three American women a day are murdered and two million women a year report assaults by the current or former men in their lives. Some estimates suggest that 20,000 women, men, and children may be trafficked into the U.S. each year, forced to labor under slave-like conditions.
- Women are now half the workforce, but they earn on average only 77 cents for every full-time dollar paid to men. For women of color, the wage gap is even wider.
- One in four high school girls in this country drops out before graduation, and they have an average annual income that is \$9,100 below even the low wages earned by boys who drop out.

CEDAW would be an effective tool for women working in the United States for progress in these and other areas. The principles embodied in CEDAW are fully in accord with American laws, principles and values. The U.S. Constitution already protects women's right to due process and equality under the law, and numerous laws on both the federal and state level also protect women—prohibiting sex discrimination in employment, education, housing and credit; providing for family and medical leave and child care; and combating domestic violence and human trafficking. Ratifying the CEDAW treaty would continue America's proud bipartisan tradition of protecting and promoting human rights. It would strengthen the United States as a global leader standing up for women and girls around the world.

Impact of New Technologies

Technological progress should bring greater safety, economic opportunity, and convenience to everyone. Though the collection of new types of data is essential for documenting persistent inequality and discrimination, it is vitally important that these technologies be designed and used in ways that respect the

values of equal opportunity and equal justice as new technologies allow companies and government to gain greater insight into our lives.

The Leadership Conference on Civil and Human Rights advocates for big data policies that aim to:

- Stop high-tech profiling by implementing clear limitations and robust audit mechanisms to ensure that these tools are used in a responsible and equitable way
- Ensure that computerized decision-making in areas such as employment, health, education, and lending be judged by its impact on real people and protect the interests of those that are disadvantaged or that have historically been the subjects of discrimination.
- Preserve constitutional principles such that government databases are not allowed to undermine core legal protections including those of privacy and freedom of association.
- Enhance individual control of personal information by making sure that individuals have meaningful, flexible control over how a corporation gathers data from them and how it uses and shares that data.
- Protect people from inaccurate data that is used to make important decisions about them by providing opportunities for disclosure and correction.

Recommendations for the Special Rapporteur

There are unfortunately many potential areas that the Special Rapporteur might visit to see the connection between poverty and intersecting human rights issues. Some of those areas include: the Mississippi Delta, Appalachia, Indian country, post-industrial cities like Detroit and Flint, Michigan, and communities along our southern border. We would particularly recommend visiting areas that are highlighted in our report, [The Great Poll Closure](#), which details some of the areas where polls were closed in 2016 post *Shelby County*, restricting access to the ballot for too many Americans.

The Leadership Conference on Civil and Human Rights, a diverse coalition of more than 200 national organizations, and its sister organization, The Leadership Conference Education Fund, work to identify and promote comprehensive approaches, grounded in civil and human rights principles, to improving economic security for struggling families and communities. Our work focuses on concrete solutions to address the common challenges facing underserved communities, including people of color, low-income populations, women, individuals who speak languages other than English, LGBT people, seniors, and people with disabilities, all of whom face the challenges of economic inequality, high unemployment, or underemployment, and who often struggle to sustain their families within the confines of the current structure of the American workforce and workplace. Given our broad membership and the scope of our work, The Leadership Conference on Civil and Human Rights and its member groups would greatly appreciate the opportunity to meet with the Special Rapporteur during his country visit to the United States in order to have a dialogue about poverty and human rights. We would be pleased to host such a meeting at our office in Washington, D.C.

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