

Using law and policy to change inequitable distribution of resources of power

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ChangeLab Solutions

Speakers



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ChangeLab Solutions is a non-partisan, nonprofit organization that educates and informs the public through objective, non-partisan analysis, study, and/or research. The primary purpose of this discussion is to address legal and/or policy options to improve public health. There is no intent to reflect a view on specific legislation.

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Our Mission

*Healthier communities
for all through equitable
laws & policies.*



A Blueprint for Changemakers: Achieving Health Equity Through Law & Policy





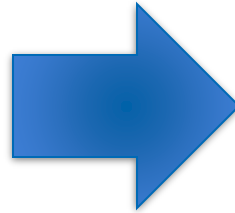
Why Law & Policy Tools Are Needed to Achieve Health Equity



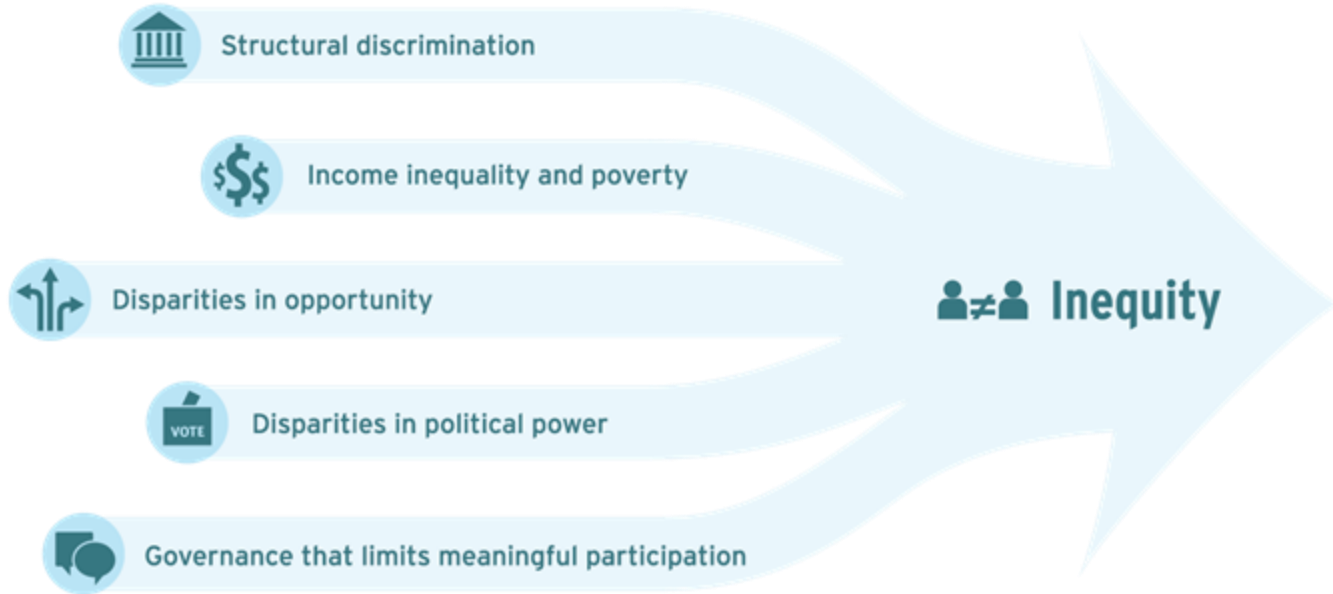
Achieving Health Equity Through Partnerships & Community Engagement

Law as a determinant of health

Law and Policy



The Fundamental Drivers of Health Inequity



Structural discrimination

Occurs when **systems** (rather than individuals) unjustly deny wealth, opportunity, power, or government representation on the basis of characteristics such as race, gender, sexual orientation, social class, disability, and immigration status.



Examples of Structural Discrimination

PLACE
refers to where tobacco products are sold and their availability to consumers.³

PRICE
includes retail pricing and discount strategies.³

PRODUCT
includes the physical characteristics of the item being sold such as flavors, including menthol.³

PROMOTION
refers to advertising displays, direct marketing, and other related strategies.³

The diagram shows a storefront for a tobacco retailer. A sign above the entrance reads "CIGARETTES-SODAS". To the left, a street sign on a pole says "MAIN ST". The storefront has several promotional signs: a large yellow sign for "CIGARILLOS" at "49¢ EACH", a sign for "2 FOR 1" with flavor icons (Cherry, Apple, Mango, Berry), and a red sign for "VAPE TODAY TRIAL OFFER" with a vape pen icon. A sign at the bottom of the storefront says "LOW PRICES EVERYDAY".

Marketing & Placement of tobacco retailers



Traditional Housing Code Enforcement

What is governmental public health's role in advancing policy?



Convenor /
Influencer



Collaborator /
Supporter



Leader



Implementer



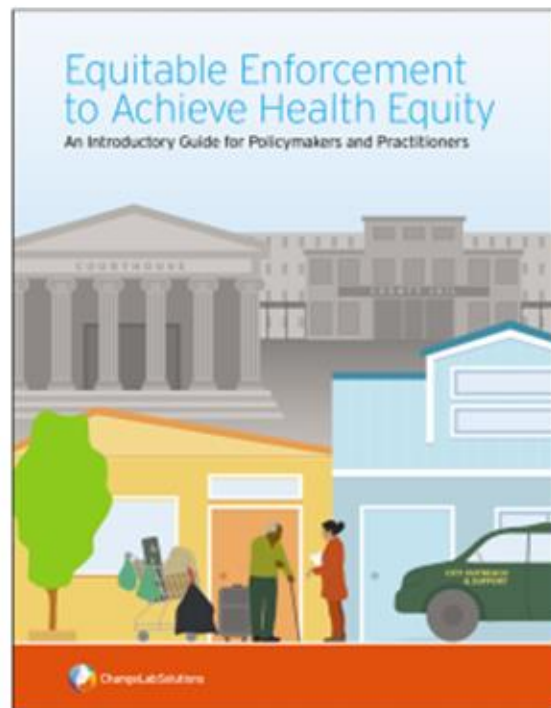
Enforcer

Applying an equity lens

- Who has been harmed?
- Who stands to benefit and how?
- How can future harm and health inequities be prevented?



Equitable Enforcement Guide



<https://www.changelabsolutions.org/product/equitable-enforcement-achieve-health-equity>



What is equitable enforcement?

the process of ensuring compliance with law and policy
that considers and minimizes harms
to underserved communities

Underenforcement & Overenforcement



Underenforcement: When laws designed to protect communities are not consistently enforced

Overenforcement: When laws designed to protect the health of the public are enforced more frequently, or more strictly, in certain places – or against certain people as compared to others.

Who is the target for enforcement?



Are we targeting entities or individuals?



Role of victims and communities



Investigative and adjudicatory processes



Range of sanctions

Who is responsible for enforcement? And why?



An Individual



Administrative bodies



Police or law enforcement

Policy design with equity in mind



- Power imbalances
- Compounded penalties & non punitive measures
- Careful designation of enforcement bodies
- Guardrails for discretion

What else can or should be considered for equitable enforcement?

- Role of community in enforcement
- Data collection and ongoing evaluation
- Adequate funding for enforcement
- Ongoing training for enforcement officers
- Policy updates based on ongoing evaluation





**How can public health
law practitioners center
equity in their
enforcement activities?**

Equitable enforcement *audit* *considerations*

The background features a stylized, light blue illustration of a classical building with a large dome and a row of columns. The building is rendered in a semi-transparent style, allowing the text to be clearly visible. The overall color palette is a range of blues, from light to dark.

Preliminar
y Equity
Audit

Engagement with Community Based Organizations and Affected Communities



Equitable enforcement *audit* considerations

The background features a stylized, light blue illustration of a classical building with a large dome and several columns. The dome is on the right side, and the columns are on the left. The overall color palette is shades of blue and green.

Preliminary
Equity
Audit

Equity and
Information
Gathering



Equity practice tip!

Creating *regulations*

- Who can enforce?
- Who is subject to enforcement?
- What are the penalties?
- Is evaluation required?

Equitable enforcement *audit* *considerations*

Preliminary
Equity
Audit

Equity and
Information
Gathering

Equity and
Decision-
Making





Equity practice tip!

Writing *policies and guidance documents*

- Guidelines for enforcement
- Ongoing evaluation



Equity practice tip!

Issuing *permits and licenses*

- Outreach and education

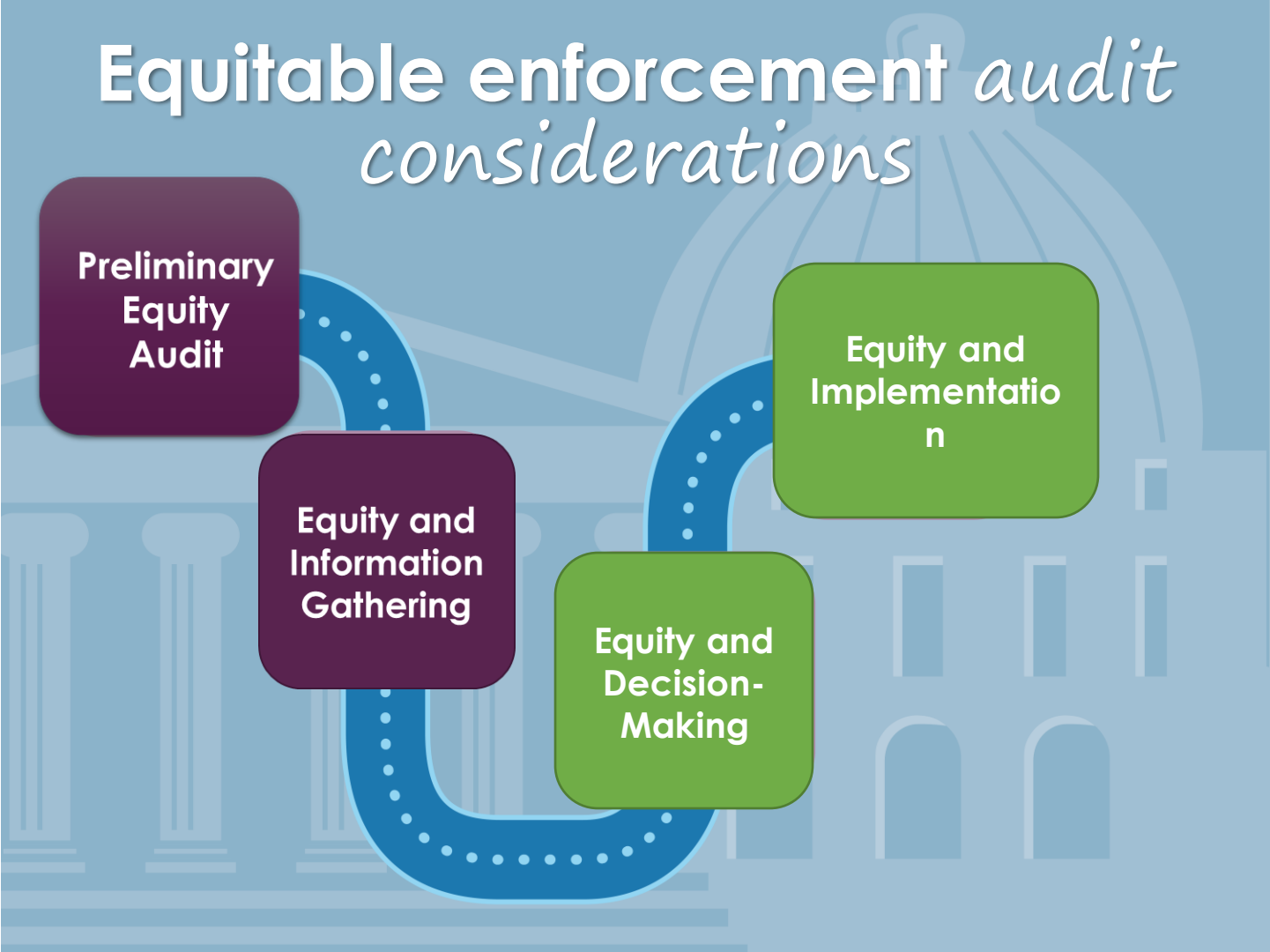
Equitable enforcement *audit* *considerations*

Preliminary
Equity
Audit

Equity and
Information
Gathering

Equity and
Decision-
Making

Equity and
Implementatio
n





Equity practice tip!

Conducting *investigations and* *inspections*

- Ongoing evaluation
- Train enforcement officials to minimize bias



Breakout group discussion



Share out!



Additional Resources

A Blueprint for Changemakers

Achieving Health Equity Through Law & Policy



 ChangeLab Solutions

Blueprint for Changemakers

- Leverage the unique power and efficacy of local policy solutions
- Incorporate health in all policies
- Engage diverse community members in the policy process

Equitable Enforcement to Achieve Health Equity

An Introductory Guide for Policymakers and Practitioners



Equitable Enforcement Guide

- Consider and minimize harm to people affected by health inequities when ensuring compliance with law & policy
- Hold wrongdoers accountable while protecting the health & well-being of individuals and the wider community
- Equitable options for administrative, civil, and criminal enforcement in a variety of public health policy areas



Questions?



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Thank you!

