

Process/mechanics of racial impact statements in other states

State	When enacted?	How is the statement initiated or requested?	What is the scope of the statement?	Who generates the statement?	At which stage in the legislative process is it provided?
Colorado	2019	The Speaker, President and minority leaders may each request the preparation of a “demographic note” on up to 5 legislative bills each – using a form available from staff. (or up to 20 per session)	The statement outlines the potential effects of a measure on disparities within the state, including whether it will increase or decrease disparities. Disparities means the difference in economic, employment, health, education, or public safety outcomes between the state population as a whole and subgroups of the population	Legislative Council Staff	<p>A note is prepared based on the most recent version of the legislation at the time of the request and generally within 14 days of the request.</p> <p>Notes can be amended if the measure is amended.</p> <p>Requests are not permitted in the last 21 days of a session.</p> <p>Notes may not be requested for appropriation bills</p>
Connecticut	2008	A majority of committee members may request a racial and ethnic impact statement for bills with a favorable vote which, if passed, would increase or decrease the pretrial or sentenced population of correctional facilities in the state	Whether the bill would have a disparate impact on the racial and ethnic composition of the correction facilities population	The office of Legislative Research and the Office of Fiscal Analysis	No later than 10 days after the deadline (imposed by Joint Rule) by which the committee must vote to report favorably
Florida	2019	A member of the legislature makes a request to the Office	An estimate of how the proposed legislation would	Office of Program Policy	

		of Program Policy Analysis and Government Accountability	change the racial and ethnic composition of the criminal offender population or recipients or human services (defined as persons within the jurisdiction of juvenile court or receiving child welfare services) – as well as an estimate of the racial and ethnic composition of the crime victims who may be affected by legislation.	Analysis and Government Accountability in partnership with the College of Criminology and Criminal Justice at FSU	
Iowa	2008	<p>Iowa has multiple triggers for the creation of correctional impact statements on legislation which creates a public offense, changes a penalty, sentencing or parole procedure –</p> <ol style="list-style-type: none"> 1. A committee reporting a bill may state that a statement is required 2. Legislative Services (staff) reviews all bills placed on calendar to determine if a statement is required 3. A legislator may submit a request to Legislative Services 	How the legislation will impact minorities, existing correctional institutions and the need for more capacity and the fiscal impact of confining persons pursuant to the legislation	Legislative staff	Prior to debate on the floor
Maryland	2021 (pilot)	Unclear based on current information available – but statements under the pilot will	The impact of the bill on each racial minority group,	Department of Legislative Services	Unclear based on current information available –

		apply to criminal justice bills that create a new offense, alters existing offenses, alters penalties, sentencing, parole or probation procedures	correctional facilities and services		
Minnesota	2008	A legislator may request a statement on a proposed crime bill from an authorized clearinghouse and information center (Minnesota Sentencing Guidelines Commission) Minnesota statements are NOT required, but available upon request from an outside, approved entity. Certain thresholds within a proposed crime bill must be met for MSGC to agree to conduct the analysis.	A before-and-after demographic group comparison of the number of offenders that may be convicted or imprisoned under the new crime bill if enacted and percentage change over prior years	Minnesota Sentencing Guidelines Commission	Not specified
New Jersey	2018	Prepared for all bills that would affect pretrial detention, sentencing, probation/parole policies impacting adults and juveniles	An assessment of the potential impact on racial and ethnic minorities including whether it will have a disproportionate or unique impact, the rationale for having an impact, a statistical analysis of how the change will affect racial and ethnic minorities, impact on correctional facilities and services for minorities and the anticipated effect on public safety in racial and ethnic communities	Office of Legislative Services	Prior to a vote on the floor

Oregon	2013	Written request signed by one member of the Assembly from each major political party	(For racial and ethnic groups for which data is available) Impacts on the racial and ethnic composition of the criminal offender population or recipients of human services (persons under jurisdiction of juvenile court or who receive child welfare services. Estimate of the racial and ethnic composition of crime victims who may be affected.	Oregon Criminal Justice Commission	Not specified for proposals considered by the Assembly (some specifics with regard to statements on referenda)
Virginia	2021	At request of Chair of House Committee for Courts of Justice or the Chair of the Senate Committee on the Judiciary (a limit of 3 each per session)	An outline of the potential impact of a criminal justice bill on racial and ethnic disparities using available data	Joint Legislative Audit and Review Commission	Not specified

Demographic scope and data sources used by states requiring impact statements

State	Demographic scope	Data sources
Colorado	Population subgroups for which the note will assess disparities impacts are defined as socioeconomic status, race, ethnicity, sex, gender identity, sexual orientation, disability, geography or other relevant characteristics for which data is available	Based on a staff description of the process, departments and agencies are noted specifically as data sources. It also states that notes are informed by a variety of source in order to incorporate a balance of data types and informed perspectives to ensure sound research methods and substantiated conclusions. Sources are vetted using standards for sound research.
Connecticut	Racial and ethnic composition of pretrial and sentenced population in correctional facilities	Not specified, but the law authorizes Legislative staff to consult with any person or agency including but not limited to the Judicial Branch, the Office of Policy and Management, the Department of Corrections, and the Connecticut Sentencing Commission
Florida	Racial and ethnic composition of the criminal offender population and persons who are with in the jurisdiction of juvenile court or who receive child welfare services	Not specified (although may be outlined in contract with FSU – info unavailable at this time)
Iowa	Gender and ethnicity (Caucasian, African American, American Indian/Alaska Native, Asian, Hawaiian/Pacific Islander, Hispanic, other)	Not specified in law but sample impact statement list the following: Federal and State Census, U.S. DOJ, state agencies like Corrections, Criminal Justice and Juvenile Justice Planning Division, Human Rights Department
Maryland	Racial minorities – defined as African American/Black, Hispanic/Latino, American Indian/Alaska Native, Native Hawaiian/Pacific Islander	Not specified
Minnesota	Male, Female, White, Black, American Indian, Asian, Hispanic (also broken down by judicial districts)	
New Jersey	Not defined	State agencies are required to make data available to the Office of Legislative Services for the purpose of preparing statements
Oregon	Not defined (but could be proposed in Rule)	Not specified
Virginia	Not specified	Requirement that Office of the Executive Secretary of the Supreme Court, Virginia State Police, Criminal Sentencing Commission, Corrections, and all other agencies provide necessary data expeditiously

