

HEALTH EQUITY

FACT SHEET**MECHANISMS FOR ADVANCING HEALTH EQUITY
RACISM AS A PUBLIC HEALTH CRISIS**

The Racial Health Equity Legal and Policy Cohort

Addressing structural racism through law and policy is a priority for many public health departments, community organizations, advocates and others working to create safer, healthier, and equitable communities. Yet workforce, infrastructure, and resource constraints continue to challenge the ability to use and navigate legal systems, move forward with promising strategies, and advance anti-racist laws and policies.¹ Combined with rapid, sweeping, and vague, attacks on equity-related programs and initiatives, organizations increasingly need support in using law and policy strategically to bring about systems change and to support communities of color.

The Network has provided targeted legal and policy technical assistance and capacity-building support to 31 organizations across more than a dozen states through this innovative program.

The Network for Public Health Law understands that advancing health equity requires racial health equity to be at the center of systems change at all levels of reform, and that we need to intentionally work with and for communities and groups most impacted by legal and policy actions. Created in 2021, our Racial Health Equity Legal and Policy Cohort (RHE Cohort) does this by strengthening the capacity of public health departments, community-based organizations, social justice advocates, and other partners to use law and policy to accomplish their racial health equity-focused objectives and better serve their communities. This resource provides an overview of this innovative

program and its structured legal technical assistance model, shares examples of some of the legal technical assistance we provided to organizations who participated in the most recent cohort and explains why this kind of support is needed now more so than ever.

The Network's RHE Cohort is a holistic, strengths-based, biennial program that includes [a call for applications](#) through which interested organizations identify their racial health equity project and share their needs. Selected organizations are paired with a dedicated Network team of law and policy experts who provide them with up to 40 hours of tailored legal technical assistance over a seven-month period. These organizations and their staff — referred to as “cohort members” — also gain access to training and peer learning opportunities, deepening their understanding of how public health law can support racial equity, and creating space to foster connection, community, and discussion.

Our structured legal technical assistance is the core of the RHE Cohort program. The support we provide to cohort members can include policy scoping, research, analysis, knowledge-building resources, and presentations. We also create opportunities for cohort members to discuss problems and solutions with each other and with peers from across the country. These efforts are informed by our expansive legal and policy expertise on health equity and core public health issues, including housing protections, food and nutrition policies, mental health and suicide prevention, data privacy and collection, climate change, public health authority, harm reduction, and others related to the social determinants of health.

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Because organizations and racial health projects come in all shapes and sizes, we work closely with cohort members to identify and address their specific legal and policy needs. We can help them understand the legal landscape, design racial health equity tools and processes, and identify promising policy strategies and practices. We can explain what relevant legislative, regulatory, and judicial decisions mean; conduct jurisdictional scans to identify laws and policies impacting their work; and provide guidance on their legal authority to implement reforms. We can also provide education on race-conscious and race-neutral laws and policies, explain the difference between these two approaches, and help cohort members to develop and use [race-based, as well as targeted race-neutral, strategies and approaches to advance their racial health equity goals](#).

Doing this work — and doing it well — requires us at the Network to meet with cohort organizations and their staff where they are. We understand that providing effective legal technical assistance to support racial health equity efforts takes dedicated time and resources, relationship-building to foster trust and gain deeper insight into specific challenges, clear, consistent communication, and flexibility. Through the RHE Cohort, we uphold these values and honor these commitments. As legal barriers continue to emerge and evolve, we are prepared to support cohort organizations in any jurisdiction with responsive and relevant assistance and support.

Here are four examples of legal technical assistance from the recent RHE Cohort:

- **Legal and policy actions to repair past harms and promote racial healing.** The Network worked with a health department and a non-profit organization to identify and understand policy options outlined in a proposed local BREATHE ACT bill, and its provision relating to repairing harm to individuals and communities.² As part of this work, the Network conducted an extensive jurisdictional scan and developed an expansive policy brief that explained and identified reparation actions for harms caused by police violence, mass criminalization and the war on drugs that were implemented in other states and localities across the country. The policy brief also provided guidance on local truth commissions, including how they were established and what they can do.
- **Law and policy options to support access to nutritious foods.** The Network worked with a local food justice coalition to identify policy solutions that can increase access to locally sourced, healthy, affordable food options for residents of color. As part of this work, we provided legal technical assistance and resources related to [food policy councils](#) including guidance on how they are created through law and policy. We also examined the intersection of transportation and food policy, highlighting innovative transportation approaches such as “[Demand Responsive Transit](#)” — an alternative to traditional public options — that can help bring people to nutritious food options. In addition, we identified and explained other promising policy approaches designed to address food access and security among people receiving Supplemental Nutrition Assistance Program (SNAP) benefits.
- **Legal considerations for the collection and dissemination of disaggregated race and ethnicity data.** The Network worked with a nonprofit organization serving immigrant and refugee communities to support their understanding of data privacy issues related to data disaggregation, as well as the legal authority of their state health department in collecting mortality data. We conducted an in-depth review of relevant laws and policies addressing these issues and produced two comprehensive memos detailing our findings.
- **Legal protections from extreme heat for agricultural workers.** The Network worked with a rural community-based organization serving migrant agricultural workers to identify and understand what legal protections were available to protect agricultural workers and their families from extreme heat both at work and in their homes. We conducted a comprehensive jurisdictional scan and developed a memo exploring

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legal strategies currently adopted in other parts of the state, as well as by other states and localities across the country.

The Network's RHE Cohort directly challenges the misconception that racial health equity work has stalled – it confronts it. These examples, and dozens of others, show that community organizations and public health agencies are continuing their critical work, even as they face daunting attacks and the perception that these efforts should be paused or abandoned. Even amid political and economic uncertainty, these efforts are ongoing, evolving, and changing, indicating an ongoing need for tailored legal and policy assistance that is responsive to community and public health workforce needs.³ The Network's RHE Cohort program, and its structured technical assistance model, helps to fill this gap, and is an essential approach to advancing racial justice and health equity.

The Network has provided targeted legal and policy technical assistance and capacity-building support to 31 organizations across more than a dozen states through this innovative program. The RHE Cohort has received excellent feedback from cohort members. All participants surveyed found the program and the tailored technical assistance to be valuable. Many also reported that the legal technical assistance enhanced their understanding of the legal issues and barriers impacting racial health equity, informed their decisionmaking, and supported policy action. The Network's RHE Cohort will continue to evolve based off feedback from cohort members and emerging challenges to ensure the program meets participants' needs for support, collaboration, and timely guidance.

The call for applications for the next RHE Cohort will launch in 2026. We encourage you to sign up for the [Network Report e-newsletter](#) to receive updates; or reach out to the Network's Health Equity Team, who leads the RHE Cohort, for more information at Health-Equity@networkforphl.org.

This document was developed by Sara Rogers, M.P.H., C.P.H., Senior Policy Analyst, Health Equity, Network for Public Health Law. The Network promotes public health and health equity through non-partisan educational resources and technical assistance. These materials provided are provided solely for educational purposes and do not constitute legal advice. The Network's provision of these materials does not create an attorney-client relationship with you or any other person and is subject to the [Network's Disclaimer](#).

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¹ The Network for Public Health Law, *Racial Health Interests and Needs Assessment* (Sept. 22, 2023), <https://www.networkforphl.org/resources/racial-equity-interests-and-needs-assessment/>.

² Movement For Black Lives, *The BREATHE Act Federal Bill Proposal* (2020), <https://ushrnetwork.org/uploads/Documents/The-BREATHE-Act-V.16.pdf> (this copy of the proposal is made available by the US Human Rights Network as the original copy from the Movement for Black Lives was not available). At the federal level The People's Response Act was introduced in 2021. This bill focused on central features of Section 2 of The BREATHE Act: H.R. 4194, 117th Cong. (2021), <https://www.congress.gov/bills/117th-congress/house-bill/4194>. For background on this federal bill proposal and in-depth summary of The People's Response Act: *A Roadmap to Community Safety: A Guide for State Lawmakers*, Movement For Black Lives, Civil Rights Corps, & Essie Justice Group (Oct. 2021), <https://civilrightscorps.org/wp-content/uploads/2021/10/State-Policy-Guide.pdf>.

³ For example, we helped several cohort organizations better understand the ramifications of [Executive Order 14151: Ending Radical and Wasteful Government DEI Programs and Preferencing](#), [Executive Order 14173: Ending Illegal Discrimination and Restoring Merit-Based Opportunity](#), and [Executive Order 14218: Ending Taxpayer Subsidization of Open Borders](#) as well as the shifting landscape of federal funding for public benefits.