

# HEALTH AND HUMAN SERVICES (HHS)

Resolution HHS-22-07

## HAIR DISCRIMINATION IS RACE AND CULTURE DISCRIMINATION

WHEREAS, the National Black Caucus of State Legislators (NBCSL) seeks to confront and eliminate societal and institutional prejudices deterring the advancement of African Americans and previously passed Resolution 20-04 denouncing discrimination based on certain hair types and supporting the CROWN Act;

WHEREAS, policies that ban or restrict natural hair or Black hairstyles should be recognized as race discrimination because of the close association of natural hair or hairstyles with, and the unique and heavy burden imposed on, Black men and women;

WHEREAS, policies having the effect of forcing Black people to adapt to Eurocentric hairstyles can lead to significant physical harm, including breakage, loss, skin and scalp damage, and the development of trichorrhexis nodosa and traction alopecia;

WHEREAS, even more alarming, a 2011 study published by the American Journal of Epidemiology linked hair relaxers to an increase in uterine fibroids;

WHEREAS, policies having the effect of forcing Black people to adapt to Eurocentric hairstyles can lead to significant financial burdens, as Black women spent nearly 2.5 billion dollars on haircare in 2018, and on average, spend an estimated nine times more than White women on hair care;

WHEREAS, recognizing a different approach towards policies that ban or restrict natural hair or hairstyles associated with Black people will enrich the community by bringing to light the invidious forms of explicit and implicit bias that have historically caused substantial harm to those who wish to maintain natural hair or specific hairstyles but are forced to choose between education or employment and their cultural, social, and/or religious identity;

WHEREAS, the exertion of control over and system ban on natural hair and hairstyles associated with Black people can be traced to the denigration of Black people under slavery;

WHEREAS, State legislatures in California, New York, New Jersey, Colorado, Washington, Minnesota, Maryland, Virginia, Georgia, Ohio, and Tennessee have recognized that hair discrimination targeting hairstyles associated with race is racial discrimination and passed legislation or begun to pass legislation that combats such discrimination;

WHEREAS, local government such as Cleveland, Toledo, Philadelphia, and Montgomery County have acted to remove this form of discrimination;

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WHEREAS, our nation, in both our laws and our societal expectations, has historically characterized Black physical characteristics such as dark skin and kinky and curly hair as negative traits, including unprofessional, dirty, and unmanageable, and such negative connotations lead to separate and unequal treatment; and

WHEREAS, physical, psychological, and financial costs and burdens are placed on Black people in order to adapt to outdated, Eurocentric ideals of beauty and professionalism. Further, Black culture is inherently tied to natural hair and Black hairstyles and, as such, should be protected from implicit bias and subconscious racism.

THEREFORE, BE IT RESOLVED, That the National Black Caucus of State Legislators (NBCSL) will advocate for legislation and policies at the federal, state, and local that recognize and seek to end hair discrimination that is racially discriminatory and work to further prohibit such practices as they relate to employment, education, sports, housing accommodations, and public accommodations; and

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials and agencies as appropriate.

**SPONSOR(S): Senator Brenda Gilmore (TN) and Representative Karen Camper (TN)**

**Committee of Jurisdiction: Health and Human Services (HHS) Policy Committee**

**Ratified in Plenary Session: December 2, 2021**

**Ratification certified by: Representative Billy Mitchell (GA), NBCSL President**