

Empowering Inclusive Planned Giving

Decoding DEI Principles,
Overcoming Barriers, and
Shaping a Future of
Authentic Engagement

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Chief Development Officer
Giving Docs



Let's Begin.

Privilege

Agreements

Language

Questions

Describe your DEI efforts in one word



focus leader
creative
inspiration fast bold
transpiration



Agenda.

Cultural
Dexterity

Staffing

Power
Dynamics

Resources

Discussion

Survey

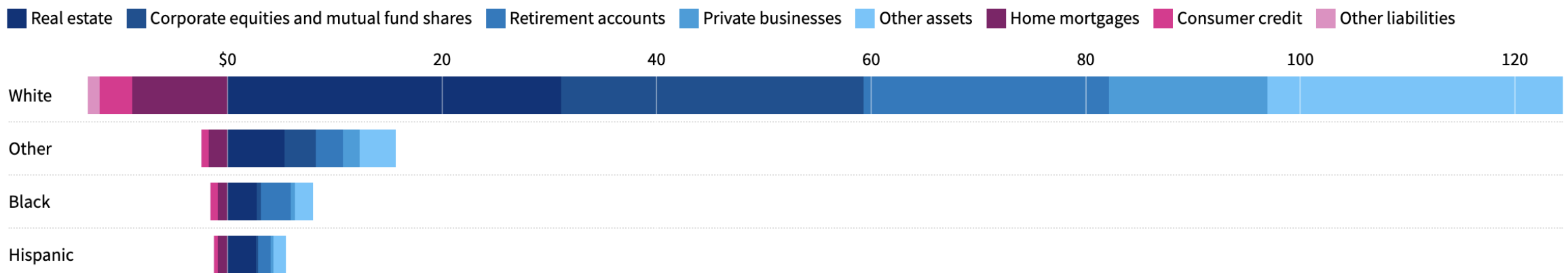
Q&A

Cultural Dexterity:

Understanding the history of the estate planning documentation gap

According to the Federal Reserve, white households held more than 80% of the nation's assets in 2022

Wealth measured in assets and liabilities by race (in trillions), Q3 2022



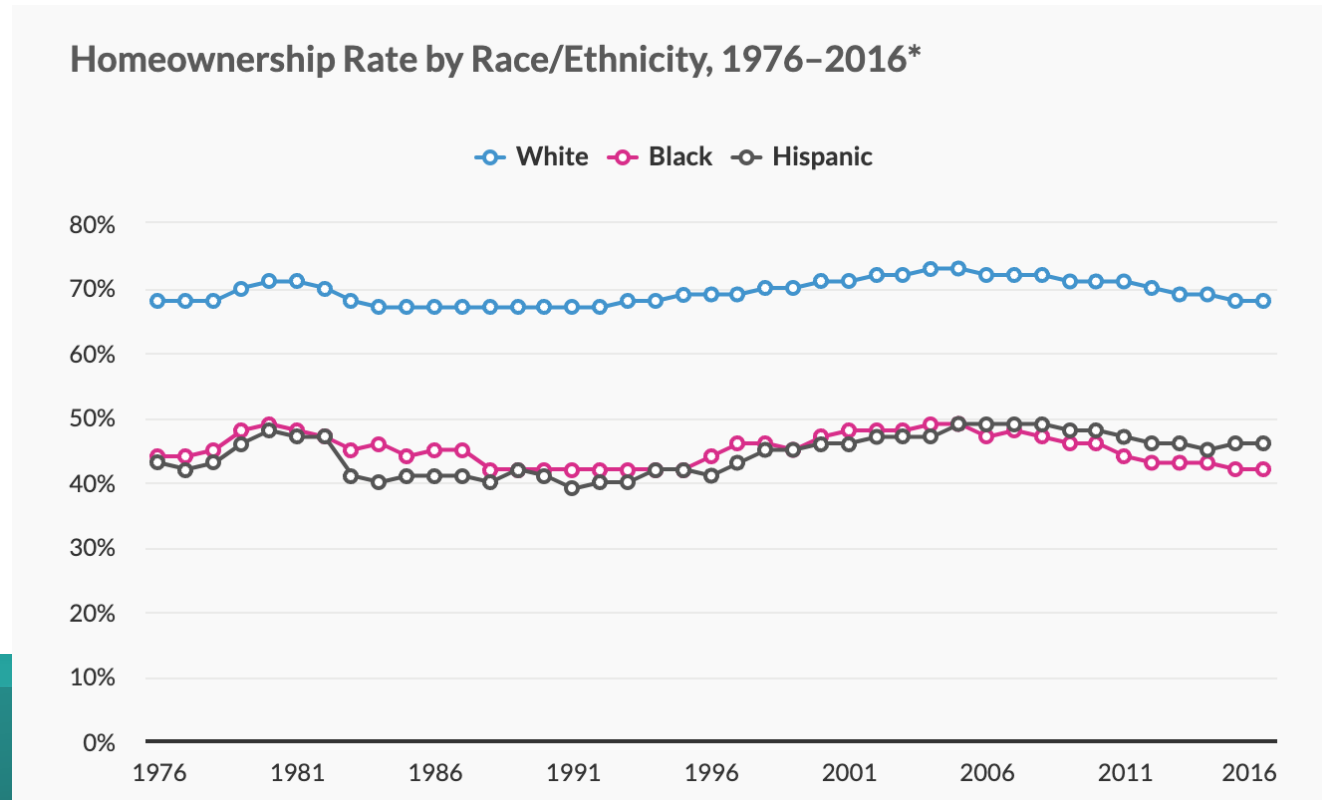
Source: Board of Governors of the Federal Reserve System

Black and Hispanic families lag behind on major wealth-building measures, like homeownership

Gap between black and white home ownership

24%
In 2016

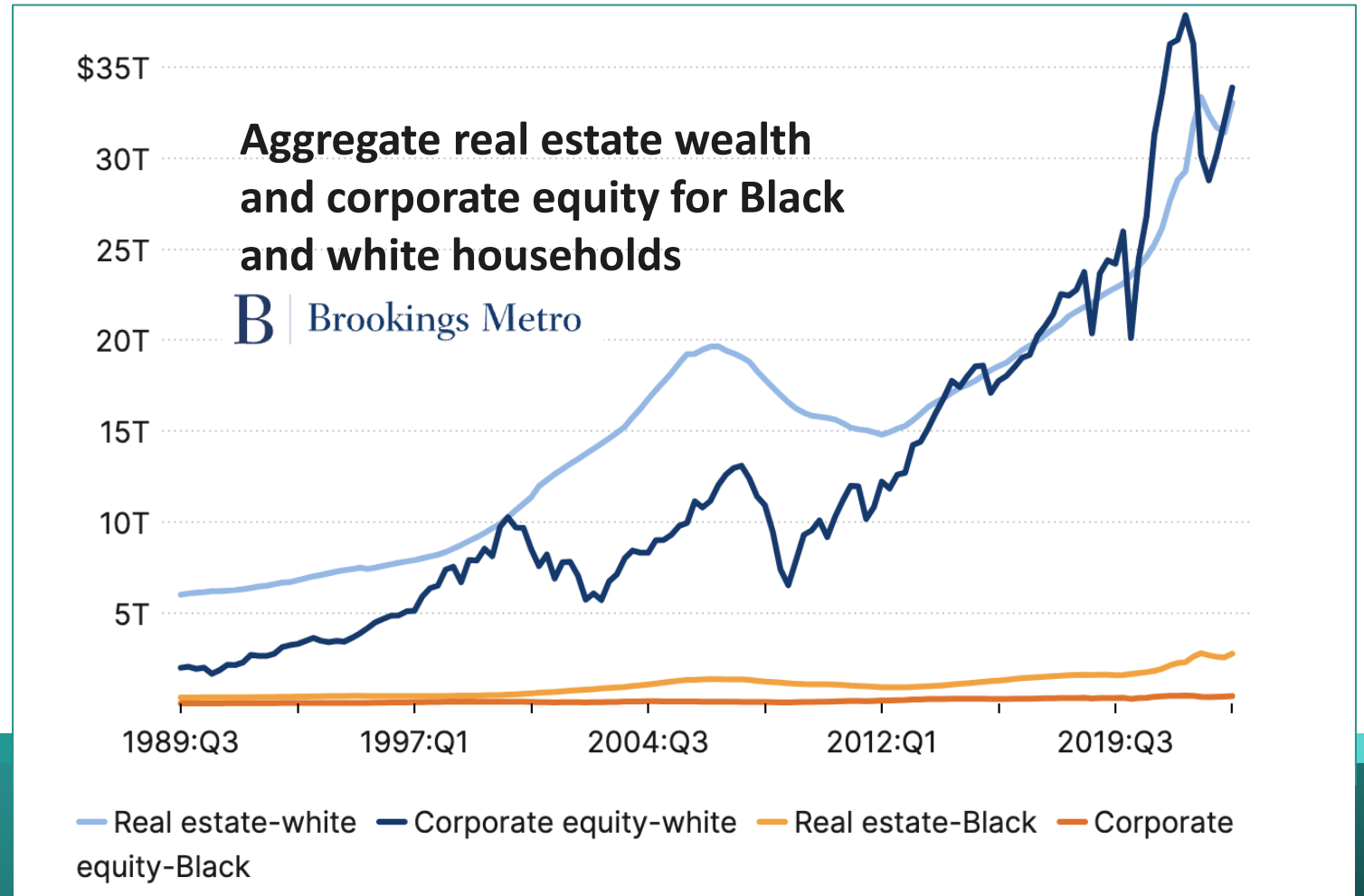
29%
In 2022



Source: Urban institute calculations from Current Population Survey 1976-2017. Note: white homeownership rate includes Hispanic whites. The 2016 homeownership rate for non-Hispanic whites is 72 percent.

“Wealth begets wealth”

Real estate wealth and stock equity show the power of intergenerational accumulation that a myriad of discriminatory policies has catalyzed, concentrating ownership in white communities



Source: Brookings Analysis of the Distributional Financial Accounts, 1989-2022. <https://www.brookings.edu/articles/black-wealth-is-increasing-but-so-is-the-racial-wealth-gap/>

Inheritance and Gift Receipts by Race

Table 1: Inheritance and Gift Receipts by Race <i>U.S. 2019</i>			
		<i>Amount When Positive (2019 Dollars)</i>	
<i>Race</i>	<i>Receives Transfers</i>	<i>Mean</i>	<i>Median</i>
White	34.8%	\$303,100	\$100,830
Black	13.2%	\$154,260	\$74,460

Source: Federal Reserve's Survey of Consumer Finances. https://www.richmondfed.org/publications/research/economic_brief/2022/eb_22-49

Join at menti.com | use code **2699 1791**

What percentage of Americans have a valid Will?



50%

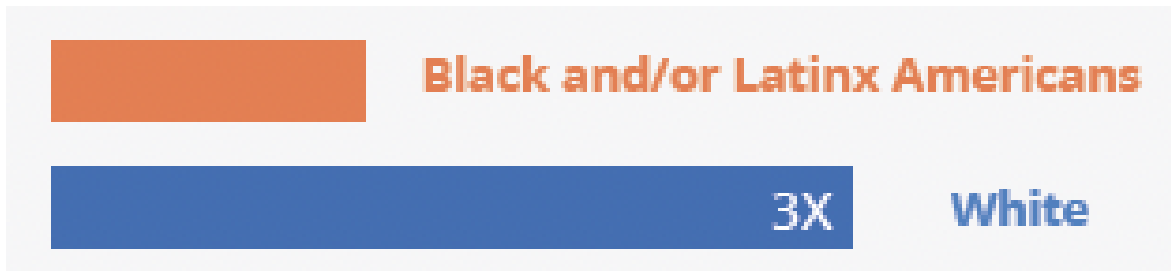
40%

30%

20%

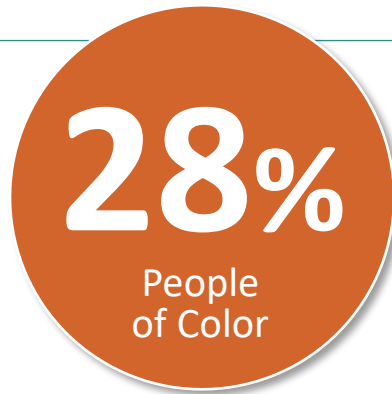


Americans Adults with Completed Estate Planning



Source: Diane J. Klein, *Knocking on Heaven's Door: Closing the Real Estate-Planning Gap by Ending the Ban on Live Person-Person Solicitation*, 44 J. Legal Prof. 3 (2019)

American Adults With an Active Will



Source: Jeffrey M. Jones. *Majority in U.S. Do Not Have a Will*. Gallup Politics (2016)



Racial wealth gap

```
graph TD; A[Racial wealth gap] --> B[Gap in property ownership]; B --> C[Gap in property transfers]; C --> D[Gap in estate planning documentation];
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The diagram consists of four teal, rounded rectangular boxes arranged in a descending staircase pattern from top-left to bottom-right. Each box contains a text label. A large, light-colored downward-pointing arrow is positioned between each box, indicating a causal or sequential relationship from the top box to the bottom box.

Gap in property ownership

Gap in property transfers

Gap in estate planning documentation

Racial wealth gap

Gap in property ownership

Gap in property transfers

Gap in estate planning documentation



Item firstly I give and bequeath to my beloved wife Margaret Oliver Jackson for and during her natural life four Negroes and their increase and at her death the four Negroes and their increase is to be divided equally between my beloved children the names of the four Negroes is as follows Bill a man about twenty four years of age his wife Malisa about twenty two years of age and their infant child about four months old named Mary and one girl named Ruth about ten years old.

Item firstly I give and bequeath to my beloved wife Margaret Oliver Jackson for and during her natural life four Negroes and their increase and at her death the four Negroes and their increase is to [be] divided equally between my beloved children the names of the four Negroes is as follows Bill a man about twenty four years of age his wife Malisa about twenty two years of age and their infant child about four months old named Mary and one girl named Ruth about ten years old.

—Last Will & Testament of James W. Jackson, 1855. Thomas County Probate Court, Georgia

Lack of access to estate planning contributed to involuntary land loss in communities of color



(which, in turn, contributed to...
lack of access to estate planning)

Native American Communities

- The Dawes Act of 1887
- Land allotments
- Fractionation

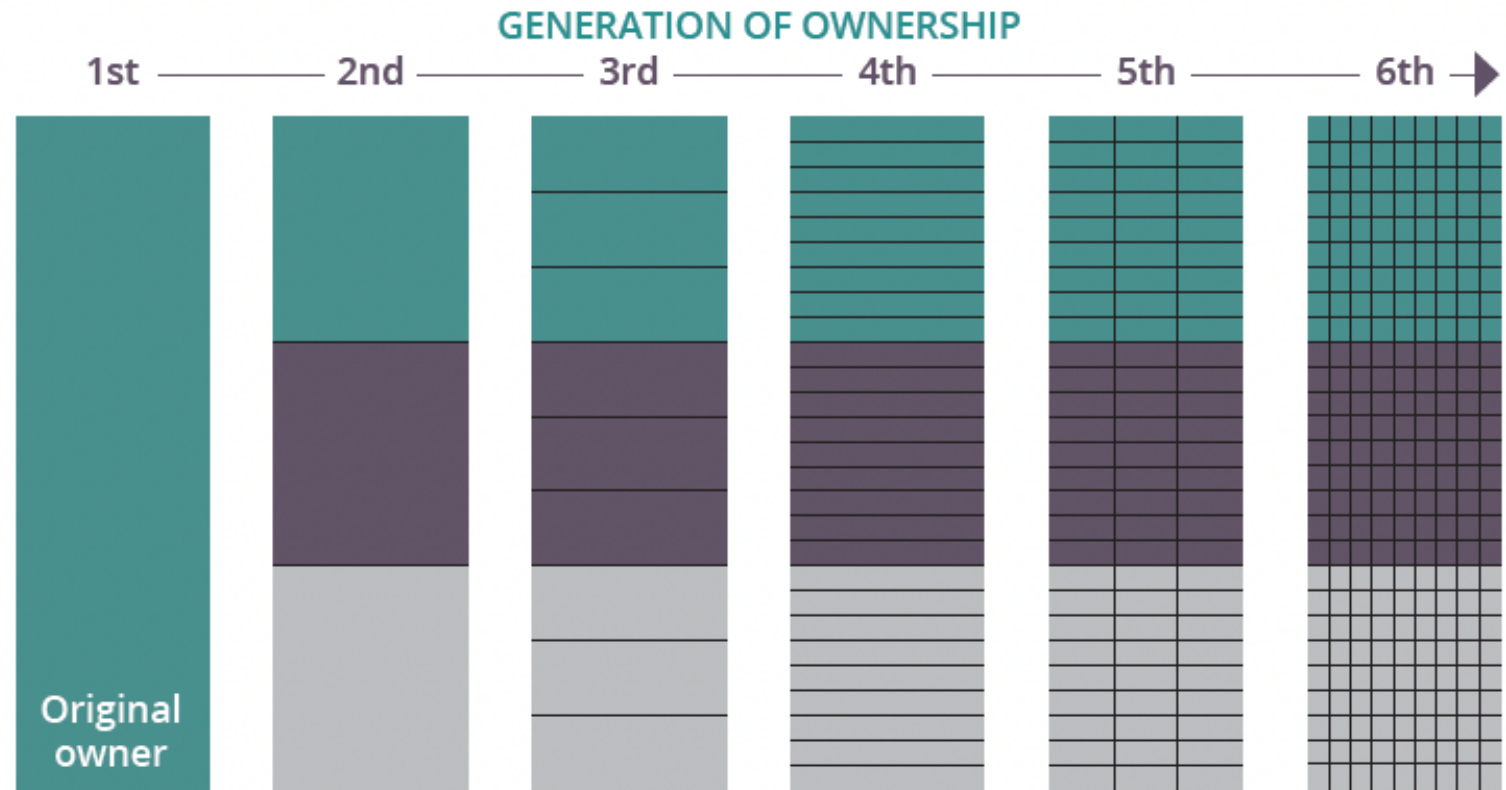


Land Fractionation

“Today, there are **4.1 million** fractionated interests in 99,000 land parcels on 10 million acres of Indian trust lands.”

—Acting Inspector General of the Department of the Interior (2012)

How Fractionation Works



In this simplified example of land fractionation over six generations,* ownership of a 160-acre tract of land valued at \$10,000 becomes fractionalized into 81 shares valued at \$12.30 each.

*Assumes 3 heirs per person per generation

Before there can be a planned gift, there has to be an estate plan

- “Heirs property” in Black communities
- Lower rates of estate planning
- Creating equity and diversity in planned giving requires us to increase rates of estate planning in communities of color



Gaining Ground: The Fight for Black Land

GainingGroundTheFilm.com

In just a few decades after the end of enslavement, Black Americans were able to amass millions of acres of farmland. Today approximately 90% of that land is no longer in Black hands. Various factors have been employed to take Black land including violence, eminent domain and government discrimination.

But it is a little-known issue, Heirs' Property which has had a devastating effect on Black land ownership. **Gaining Ground: The Fight for Black Land** from Emmy Nominated Director **Eternal Polk** examines the causes, effects, and what is being done to fight the exploitation of this law and how landowners are reclaiming their agricultural legacy and creating paths to generational wealth.

JOHN DEERE AND AL ROKER ENTERTAINMENT

PRESENTS



GAINING GROUND

THE FIGHT FOR BLACK LAND

JOHN DEERE AND AL ROKER ENTERTAINMENT PRESENT GAINING GROUND: THE FIGHT FOR BLACK LAND EXECUTIVE PRODUCERS AL ROKER, ETHERNAL POLK
PRODUCED BY CHIMENE WILLIAMS, DENISE HURST GREEN, FRANCISCO NEWMAN DIRECTOR OF PHOTOGRAPHY THOMAS WILLIAMS EL ADDITIONAL PHOTOGRAPHER BRUNO OUBA
EDITED BY CHRIS ETHERIDGE MUSIC BY OMBRI JAZZ DIRECTED BY ETHERNAL POLK



gaininggroundthefilm.com

#gaininggroundfilm

Uniform Partition of Heirs Property Act

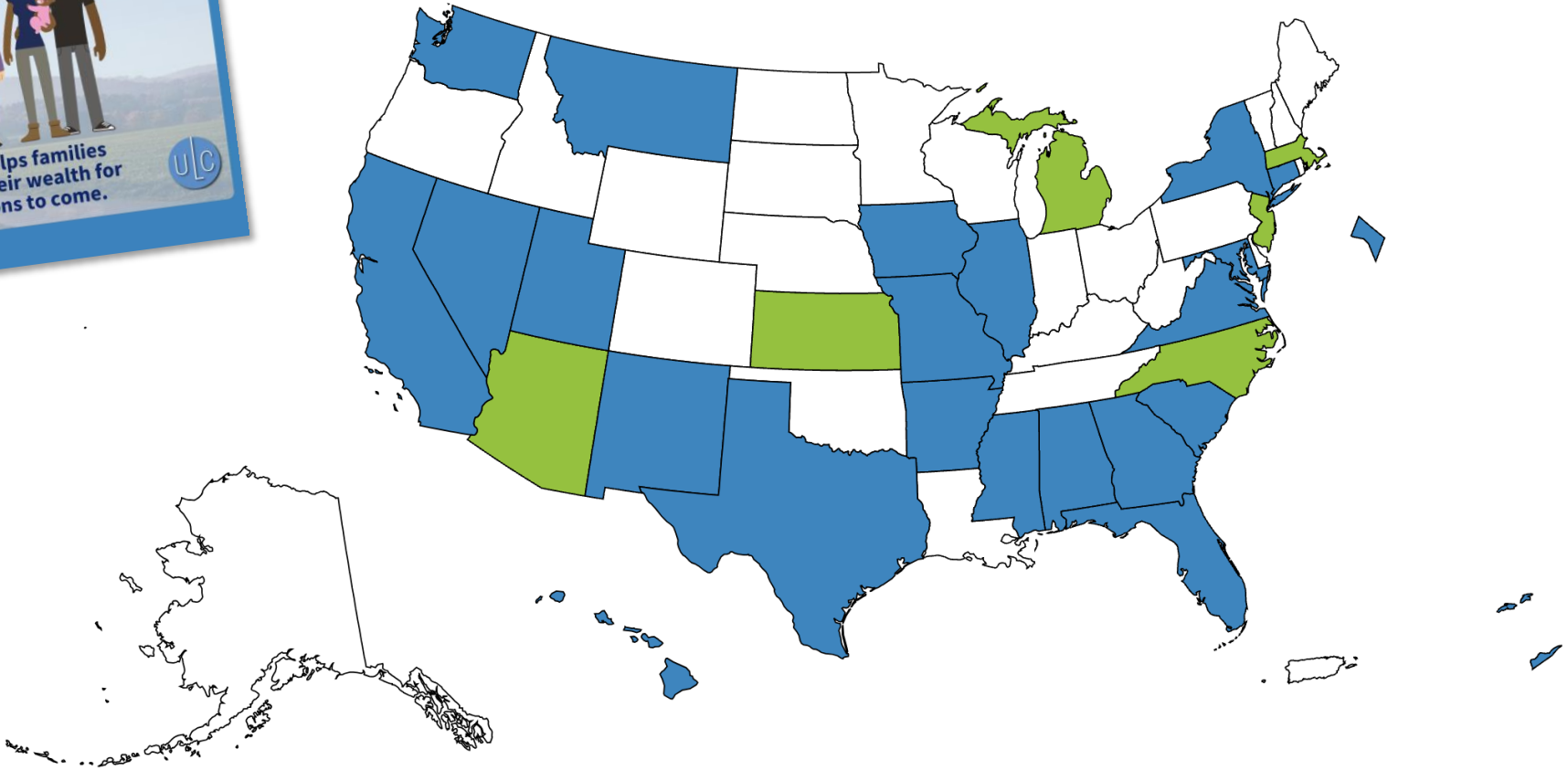
Millions of dollars of inherited wealth has been lost by families who were vulnerable to real-estate speculators. UPHPA addresses this problem.



For many lower- and middle-income families, real estate is their single most valuable asset.



This act helps families preserve their wealth for generations to come.



Enactment Map ● Introduced ● Enacted

Little Oversight, Deals Signed in the Dark: How Speculators Cash In When NYC Homeowners Die Without Wills

Lawmakers, court authorities and city agencies have failed to safeguard the estates of homeowners who die without wills, threatening the transfer of Black and Latino generational wealth.

BY GEORGE JOSEPH AND SAMANTHA MALDONADO | JULY 26, 2023, 5:00 A.M.

REPUBLISH    MORE



<https://www.thecity.nyc/2023/07/26/speculators-oversight-deeds-policy-solutions/>

THE 2023 BANK OF AMERICA
STUDY OF PHILANTHROPY

CHARITABLE GIVING BY AFFLUENT HOUSEHOLDS



OCTOBER 2023

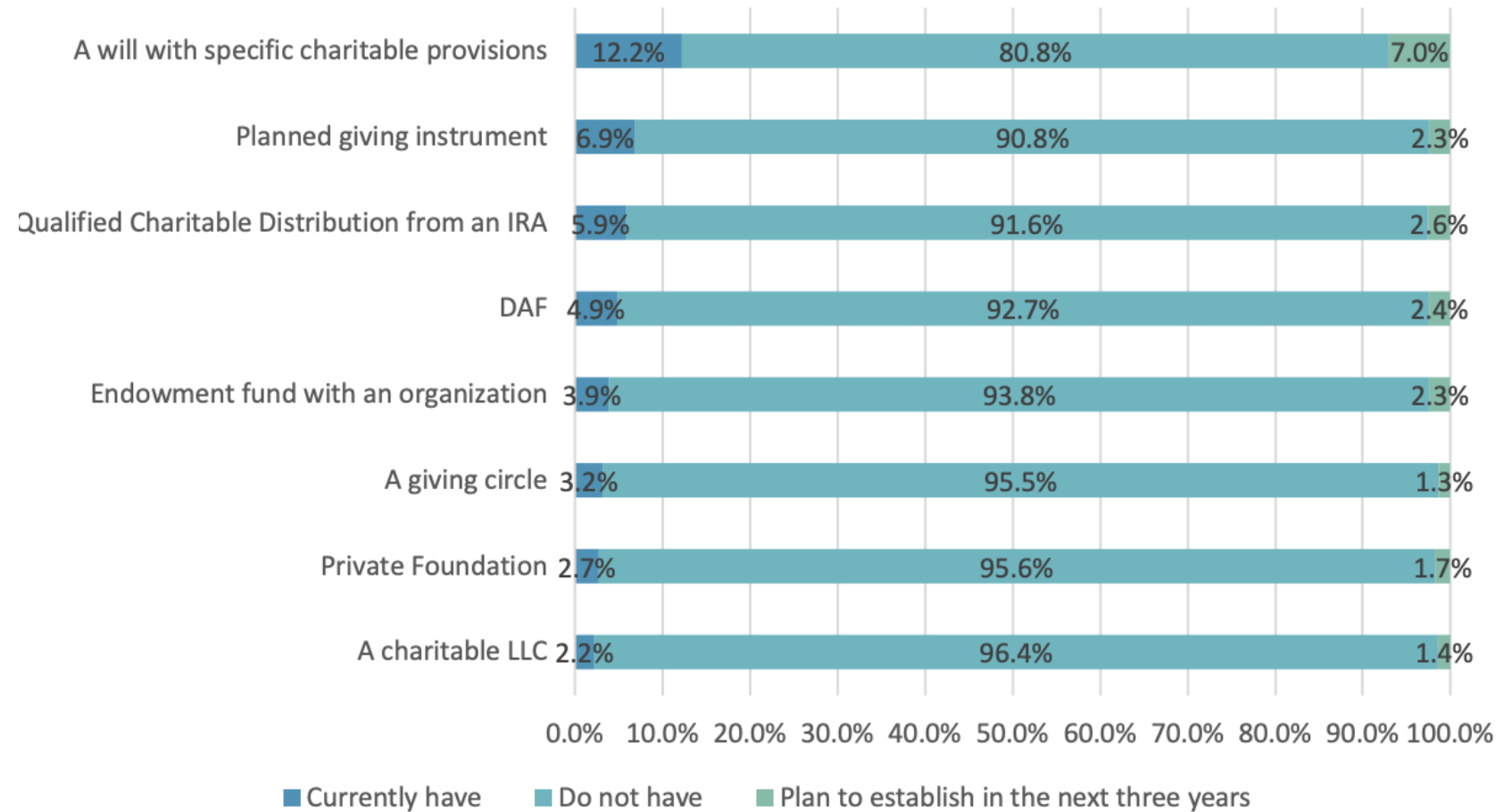


“Blacks/African Americans were **significantly more likely to have or plan to establish** private foundations, donor-advised funds, **planned giving instruments that specify charitable beneficiaries**, endowment funds with particular organizations, qualified charitable distributions from IRAs, giving circles, and charitable LLCs compared to non-Blacks/African Americans.

Blacks/African Americans were **significantly more likely to donate gifts from their (family) foundation, charitable trust, and other charitable giving vehicles** compared to non-Blacks/African Americans.

Hispanics/Latinos were significantly more likely to donate gifts from their charitable trust compared to non-Hispanics/Latinos.”

Affluent Donors Who Currently Use or Plan to Establish a Giving Circle



Source: TK

“The story of philanthropy in the United States has not been fully told, for it has been told historically as a largely white story, a largely inherited wealth story and, in recent years, as a largely billionaires’ story.”

*Philanthropy Always Sounds Like Someone Else:
A Portrait of High Net Worth Donors of Color*

By Hali Lee, Urvashi Vaid, and Ashindi Maxton

Published by Donors of Color Network (2022)
(www.donorsofcolor.org)

Available at www.radiantstrategies.co/reports

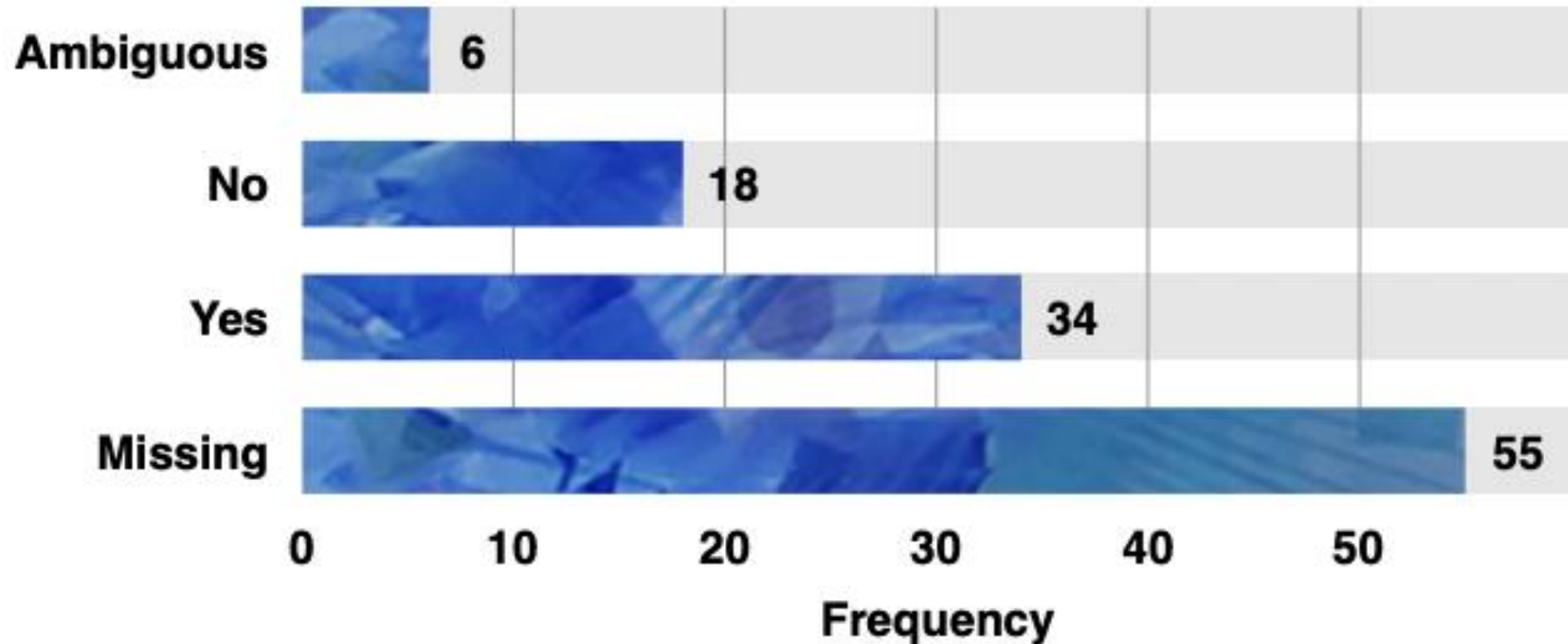
Philanthropy Always Sounds
Like Someone Else:

A Portrait of High Net Worth Donors of Color



By Hali Lee, Urvashi Vaid, Ashindi Maxton

30% of HNW donors of color had included a planned gift



Total Bequests (n=113) includes CRT/CLT, CGA, Will, Endowment

Source: Lee, Urvashi, and Maxton, *Philanthropy Always Sounds Like Someone Else: A Portrait of High Net Worth Donors of Color*

What Factors Influence Estate Planning?

1. Estate planning is highly correlated with a family tradition of teaching the value and modeling the behavior of estate planning
2. People of color who are still building wealth may be less likely to consider planning for wealth transfer after death than white Americans who are more likely to have intergenerational wealth



Staffing: Power Dynamics in Donor Interactions

Staffing (Survey data)

Racial & Ethnic Diversity in Planned Giving Staff

Race/Ethnicity	Giving Docs DEI Survey (2022)	CGP Member Survey (2019)	U.S. Census Estimates (2021)
White or Caucasian	83%	93%	76%
Black or African American	7%	2%	14%
Asian or Asian American	6%	2%	6%
Hispanic or Latino or Spanish Origin	4%	2%	19%
Asian American, Native Hawaiian, and Pacific Islander	0%	0%	<2%
Another race/Multiracial	4%	1%	3%



An Uncertain Future for DEI



RACIAL JUSTICE ECONOMIC JUSTICE CLIMATE JUSTICE HEALTH JUSTICE LEADERSHIP

Anti-DEI Lawsuits Threaten Nonprofits and Philanthropies

Isaiah Thompson
March 19, 2024

COMMENTARY · DIVERSITY AND INCLUSION
The anti-DEI movement has gone from fringe to mainstream. Here's what that means for corporate America

BY IDELLE EMERSON
January 4, 2024 at 10:13 AM EST

INSIDE DEVELOPMENT | PHILANTHROPY

The legal case threatening to upend philanthropy's DEI efforts

The outcome of a legal complaint against race-based grantmaking that is making its way through the U.S. court system could have major implications for global DEI efforts.

By Stephanie Beasley



DEI Under Attack: A Conversation with Paulette Granberry Russell

Isaiah Thompson
June 29, 2023

As DEI policies come under legal attack, philanthropic donors consider how to adapt

Associated Press // February 8, 2024 // 5 Minute Read

▶ Listen to this article

NEW YORK — Foundations and major donors aren't just watching court cases like the Supreme Court's June decision ending affirmative action at universities, the ongoing lawsuit against a grant program aimed at supporting Black women entrepreneurs, and other legal challenges mobilizing to respond. (AP Photo/Frank Franklin II, File)

How the Supreme Court Ruling on Race Affects Nonprofits and Foundations

Fundraiser Bill of Rights™

“The Fundraiser Bill of Rights (FBOR) aims to keep organizations accountable and in favor of serving the community above serving their donors while keeping in mind the many obstacles fundraisers of color face within a donor-centered philanthropic approach.”

Fundraisers have the right to:

- I. A decision-making role in determining if a donation should be declined if the gift has conditions that contradict the organization’s mission and/or the clients the organization serves.
- II. A respectful, equitable and transparent professional relationship with the organization they serve and with the donors of the organization.
- III. Be included in the continuous audit of an organization’s policies and practices to ensure equity and protection.
- IV. Develop a “response” plan that the institution will support.
- V. Stop working with a donor based on the donor’s behavior toward their gender, sexual orientation, race, ability or any identity-based cause for discrimination.

Model FBOR

Authors: Amelia Garza and Jennifer T. Holmes

Source: AFP Chicago, <https://www.afpchicago.org/fundraiser-bill-of-rights>

Fundraiser Bill of Rights™

Sample FBOR language adopted by a large advocacy non-profit:

“It is our responsibility to watch for inappropriate behavior and speak up when we see or experience it, and [the organization’s] policies provide we may do so without fear of retaliation or negative consequence.”

“We are to be treated as a professional in our working relationships (internal and external) and expect donors, trustees, advisors, volunteers, colleagues, partners, contractors, etc. to comply with [the organization’s] Code of Conduct; we are empowered to remove oneself from any situation that puts one’s dignity, respect or safety at risk and do so without fear of negative consequence over possible lost revenue or donor relationship.”

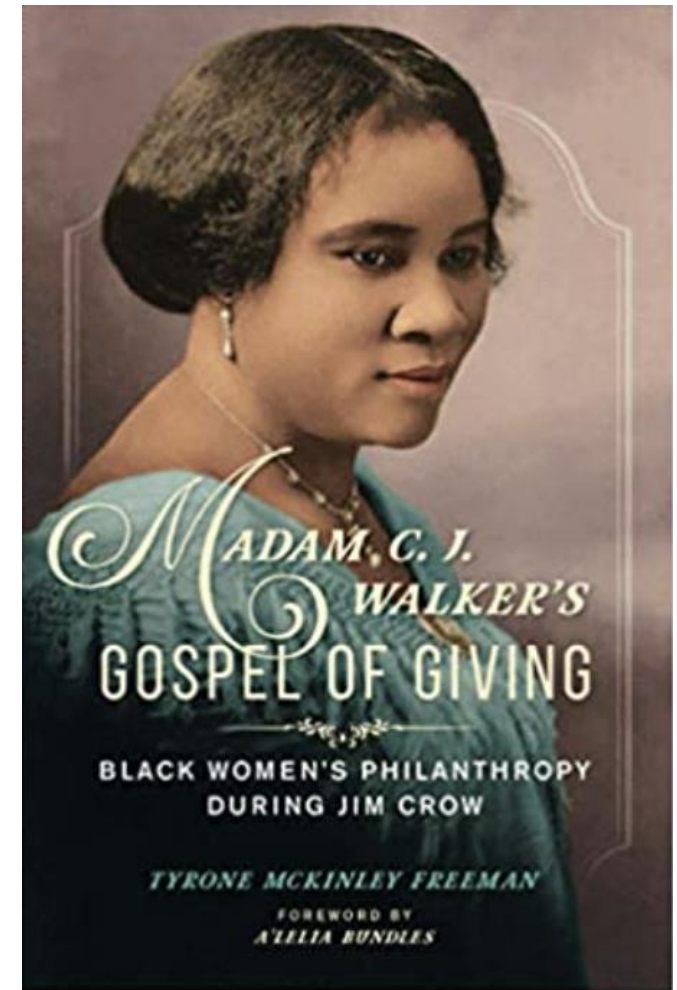
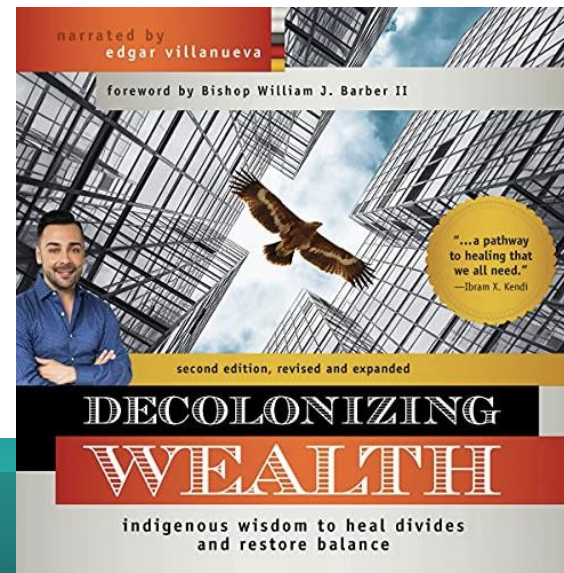
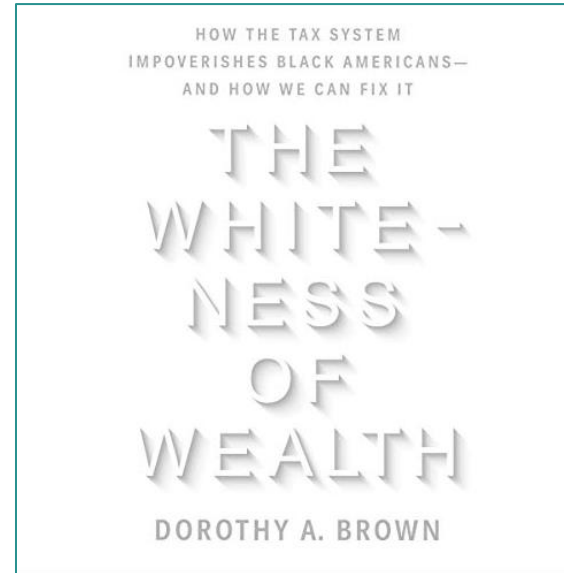
Resources

Organizations to Follow and DEI Resources

- [Association of Black Foundation Executives](#)
- [Association of Fundraising Professionals \(IDEA Topics\)](#)
- [Asian Americans/Pacific Islanders in Philanthropy](#)
- [Community Centric Fundraising](#)
- [Decolonizing Wealth Project](#)
- [Donors of Color Network](#)
- [Equity in the Center](#)
- [Hispanics in Philanthropy](#)
- [Justice Funders](#)
- [Lilly Family School of Philanthropy](#)
- [Nonprofit AF](#)
- [Non Profit Quarterly \(NPQ\)](#)
- [The San Francisco Foundation](#)
- [Social Transformation Project](#)
- [Women of Color in Fundraising and Philanthropy \(WoC\)](#)

Making Authentic Change

- ✓ Update marketing materials
- ✓ Be an internal advocate
- ✓ Be proactive and intentional in learning and developing cultural dexterity. Don't rely on BIPOC fundraisers to teach you.
- ✓ Talk to you BIPOC donors, ask for their insights, opinions, advice
- ✓ Build relationships, engage with communities
- ✓ Diversity in hiring / adopt FBOR
- ✓ Expand your professional network
- ✓ Embrace technological solutions
- ✓ Help rebuild legacies



Small Group Discussion

1. What is your organization doing to incorporate DEI into planned giving?
2. What has been challenging about incorporating DEI into planned giving?
3. What have you learned today that you will be able to take back to your planned giving program?

10:00



2024 DEI in Planned Giving Survey

Take the 2024 DEI in
Planned Giving Survey

Start Survey >



<https://www.about.givingdocs.com/dei>

Results will be released January 2025



Thank you.

Jade Bristol, J.D.

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Get more
DEI resources
from Giving Docs

at <https://www.about.givingdocs.com/dei>

