

## On the Sesquicentennial of the Fourteenth Amendment

Theodore M. Shaw

This year marks the one hundred and fiftieth anniversary of the Fourteenth Amendment to the Constitution of the United States. As originally written by the Founding Fathers, the Constitution was deeply flawed by its compromises with slavery. From the day it was adopted, a cataclysmic struggle over the issue was inevitable. The reckoning came in the form of a great and terrible Civil War that literally and figuratively scarred and changed the American landscape. Coming three years after the War's end, the Fourteenth Amendment followed what Abraham Lincoln called "a new birth of freedom," and it forever transformed the character of the American republic.

In 1857, *Dred Scott v. Sanford*, the Supreme Court's most shameful decision, denied citizenship to African Americans, free or enslaved, and placed the Court's imprimatur on the ideology of white supremacy. Eleven years later, the Fourteenth Amendment guaranteed state and national citizenship to all persons born or naturalized in the United States and wiped

away the stain and the force of *Dred Scott*. It articulated our nation's most cherished ideals and promised its people equality and fairness under law. The Amendment redefined the relationship between the federal government and the states, between the national government and the people, and between the states and the people. It enshrined the principles of equal protection of the laws, due process, and privileges and immunities as the fundamental wellsprings of equality and fairness.

The sesquicentennial is an appropriate time to reflect on the original purposes of the Amendment, its nar-

row interpretation by the Supreme Court over the years, and the repeated betrayals of its original beneficiaries. In the years following its adoption, for African Americans the Amendment was, more often than not, dormant, followed by an era of service to corporate interests, before its mid-twentieth century awakening to those seeking equality. The Equal Protection Clause was applied to make governmental distinctions based on race, national origin, and religion presumptively unconstitutional, and while not as highly suspect, gender-based classifications eventually followed.

*(Please turn to page 2)*

*Theodore M. Shaw (tedshaw@email.unc.edu) is the Julius L. Chambers Distinguished Professor of Law and Director of the Center for Civil Rights at the University of North Carolina School of Law at Chapel Hill. Professor Shaw is also a member of PRRAC's Board of Directors.*

### IN THIS ISSUE:

<b>On the Sesquicentennial of the Fourteenth Amendment</b> .....	<b>1</b>
Theodore M. Shaw	
<b>Report from the Field: Do Housing Choice Voucher Holders Want to Move to Opportunity?</b> .....	<b>3</b>
Erin Boggs, Sam Brill, & Lisa Dabrowski	
<b>Churches United for Fair Housing: Organizing and Litigating Against Exclusionary Housing Policies</b> .....	<b>5</b>
Charles Dulik & Alexandra Fennell	
<b>Fair Housing Intersections</b> .....	<b>7</b>
Dennis Parker	
<b>PRRAC Update</b> .....	<b>9</b>
<b>Resources</b> .....	<b>11</b>

(SESQUICENTENNIAL: from p. 1)

The Fourteenth Amendment was born from three post-Civil War realities: 1) In the aftermath of the Civil War, even after the Thirteenth Amendment's prohibition on slavery, *Dred Scott's* ruling on citizenship remained intact. Black Americans were no longer slaves, but they were neither citizens nor equal persons; 2) Nothing short of a constitutional amendment could provide an ironclad guarantee that *Dred Scott* would be overruled; and 3) President Andrew Johnson's (1865-1869) hostility to Congress' Reconstruction agenda, and his repeated vetoes of legislation aimed at assisting the freedmen, and of civil rights measures, could only be superseded by a constitutional amendment. The Civil Rights Act of 1866 aimed to protect African Americans against black codes and other attempts to perpetuate legal subordination of those formerly held in slavery. Johnson's hostility to the Act underscored the fact that Reconstruction bills could be vetoed by a hostile president, repealed by a later Congress, or invalidated by a hostile court. The Fourteenth Amendment was the only antidote. Of the Fourteenth Amendment, historian Eric Foner has written,

Some amendments, dealing with narrow, immediate concerns, can be thought of as statutes writ large; altering one aspect of national life, they leave the larger structure intact. Others are broad statements of principle, giving constitutional form to the resolution of national crisis, and permanently altering American nationality. The Fourteenth Amendment was a measure of this kind. In language that transcended race and region, it chal-

lenged legal discrimination throughout the nation and broadened the meaning of freedom for all Americans (*Reconstruction*, pp.257-258).

The Fourteenth Amendment was first interpreted by the Supreme Court in *The Slaughterhouse Cases*, in which New Orleans butchers challenged an animal slaughtering monopoly granted by the Louisiana legislature. The case had nothing to do with race; it involved a challenge by businessmen against the

---

***The sesquicentennial is an appropriate time to reflect on the original purposes of the Amendment, its narrow interpretation by the Supreme Court over the years, and the repeated betrayals of its original beneficiaries.***

---

State's exercise of its police powers to regulate, in the name of public health, the noxious animal slaughtering business that poured filthy, disease-ridden waste into public waterways. John A. Campbell, a former justice of the U.S. Supreme Court who had resigned at the outbreak of the Civil War to serve the Confederacy, was a committed opponent of the Reconstruction agenda, including the three post-war amendments. As the attorney for the butchers, he seized what he thought was an opportunity to undermine Reconstruction by using the amendments in a manner that would have surprised their framers. On behalf of the butchers, he invoked the Thirteenth and Fourteenth Amendments to invalidate

the state-granted slaughterhouse monopoly. In a 5-4 decision, a majority of the Court rejected the butchers' claims, adopting a narrow reading of the privileges or immunities clause. Fearing a broad reading of the Fourteenth Amendment would transfer power and authority from the states to the federal government, Justice Samuel F. Miller's opinion distinguished *federally* protected privileges or immunities from those protected by *state* governments, a distinction that would have profound ramifications for the application of the Bill of Rights.

Perhaps more importantly, writing for the majority, Justice Miller observed,

[I]n light of...events almost too recent to be called history, but which are familiar to us all, and on the most casual examination of the language of these amendments, no one can fail to be impressed with the one pervading purpose found in them all, lying at the foundation of each, and without none of them would have even been suggested; we mean the freedom of the slave race. The security and firm establishment of that freedom, and the protection of the newly made freeman and citizens from the oppressions of those who had formerly exercised unlimited dominion over him.

Miller added that he did not believe that the Amendment *only* applied to African Americans; by its own terms its protections were universal. Nevertheless, he thought it important to remember that the one abiding purpose of the three Reconstruction Amendments was the protection of African Americans, four million of whom were emerging from slavery. Over the years, legal scholars and historians have discredited *The Slaughterhouse Cases*, especially its privileges or immunities clause analysis, which all but read the clause out of the Constitution.

Arguably, the language of Miller's opinion in *Slaughterhouse* was the high-water articulation of the Fourteenth Amendment's special signifi-

(Please turn to page 8)

*Poverty & Race* (ISSN 1075-3591) is published four times a year by the Poverty and Race Research Action Council, 740 15th Street NW, Suite 300, Washington, DC 20005, 202/906-8052, fax: 202/842-2885, E-mail: info@prrac.org. Megan Haberle, editor; Heidi Kurniawan, editorial assistant. Subscriptions are \$25/year, \$45/two years. Foreign postage extra. Articles, article suggestions, letters and general comments are welcome, as are notices of publications for our Resources Section—email to hkurniawan@prrac.org. Articles generally may be reprinted, providing PRRAC gives advance permission.

© Copyright 2018 by the Poverty and Race Research Action Council. All rights reserved.

---

# Do Housing Choice Voucher Holders Want to Move to Opportunity?

Erin Boggs, Sam Brill & Lisa Dabrowski

## Introduction

Open Communities Alliance (OCA), a Connecticut-based civil rights non-profit that advocates for balanced affordable housing placement, launched in 2014. Because a central part of our advocacy message is that, along with investments in under-resourced areas, it is critical that low-income families of color have access to thriving communities, we have frequently been asked whether low-income families of color actually want to make such moves, often with the strong presumption that they do not. We knew there is demand for such access from focus groups and conversations with our clients, as well as the long waiting lists at subsidized housing developments in resource-rich communities. What we have not had to date is broader survey evidence attesting to the interest on the part of lower income families of color in moving to predominantly white, higher opportunity areas.

Over the past several months, OCA has worked with a set of community partners to gather direct survey responses that confirm our observation that while many lower income families of color are committed to staying in communities that are currently disinvested, many are also very interested in moves to areas that are more likely to offer greater safety and ac-

cess to high performing schools. This article focuses on the results of one such survey.

## City of Hartford Housing Choice Voucher Survey

Open Communities Alliance analyzed survey responses from 302 individuals receiving Housing Choice Vouchers (HCV or Section 8) through the City of Hartford's HCV program.\* The survey asked voucher holders to consider issues they face in using their vouchers, what their first-choice neighborhood would be in the metropolitan area, and what factors or barriers prevented them from moving to this neighborhood if they were not able to do so.

## Profile of Voucher Holders Responding to the Survey

*Demographics* – Nearly all those surveyed were people of color—only 6% of respondents were White, non-Hispanic. The remaining 94% were listed as Black non-Hispanic, Hispanic, mixed race or other.

*Family Size* – The majority of voucher holders were families with children

(62%), and the average number of children in the family was just above two.

*Sources of Income* – Voucher holders reported a mix of sources of income, which can overlap, including welfare and food stamps (48%), wages/salary (42%), and Social Security (39%). Combined, this points to the fact that the overwhelming majority (73%) of voucher holders either have a disability, are working (but at a wage sufficiently low to qualify for housing assistance), and/or are seniors. Indeed, 46% of voucher holders earning a salary or wage still also received federal benefits (either welfare or Social Security).

*High Proportion of Single Mothers* – Within the City of Hartford's HCV program overall, 99% of families with children are female-headed households.

## Key Findings

### *Moving to Opportunity*

Many voucher holders in the survey expressed an interest in moving to higher-opportunity areas but very few were able to make such moves. Forty-five percent of those Housing Choice Voucher holders surveyed shared that they would consider “high” or “very high opportunity” areas, such as Glastonbury, Farmington, and Simsbury, as assessed in our state-wide opportunity-mapping analysis as a first choice for a new home. Furthermore, among the subset of voucher holders seeking higher-opportunity moves, 70% were families with children. It is likely that given access to “mobility counseling,” which provides fuller in-

(Please turn to page 4)

---

*Erin Boggs (erin@ctoca.org) is Executive Director of the Open Communities Alliance; Sam Brill is a student at Yale Law School who worked at Open Communities Alliance through the Law School's Housing Clinic; and Lisa Dabrowski (ldabrowski@ctoca.org) is a Policy Analyst at the Open Communities Alliance.*

---

\* The survey was conducted in 2017. Eight written questions were posed in English and Spanish and a bilingual counselor was available to provide assistance. The HCV program is a federal housing subsidy program that covers a portion of rental costs of market rate rental units for families earning less than 50% of the Area Median Income up to a set cap. Program participants are expected to contribute between 30% to 40% of their income towards their rent with the remainder covered by the program.



formation about a range of neighborhoods and their positive attributes, even more voucher families would express interest in high opportunity moves. Only 21% of those who listed a higher opportunity area as their first-choice neighborhood were actually able to move there—in total, just 8% of all of those surveyed.

### Barriers to Moving

Lack of affordable units more than lack of transportation prevented these opportunity moves. Voucher holders reported that a combination of high rents and lack of available rentals were the most common barrier to opportunity moves—cited by 66% of respondents. Fortunately, the Hartford metropolitan area was one of the regions selected for the mandatory Small Area Fair Market Rent program, so going forward we are hopeful that more rentals will be available for voucher families in opportunity areas.

Lack of transportation was cited by 32% of respondents, less than half the rate of housing cost and availability.

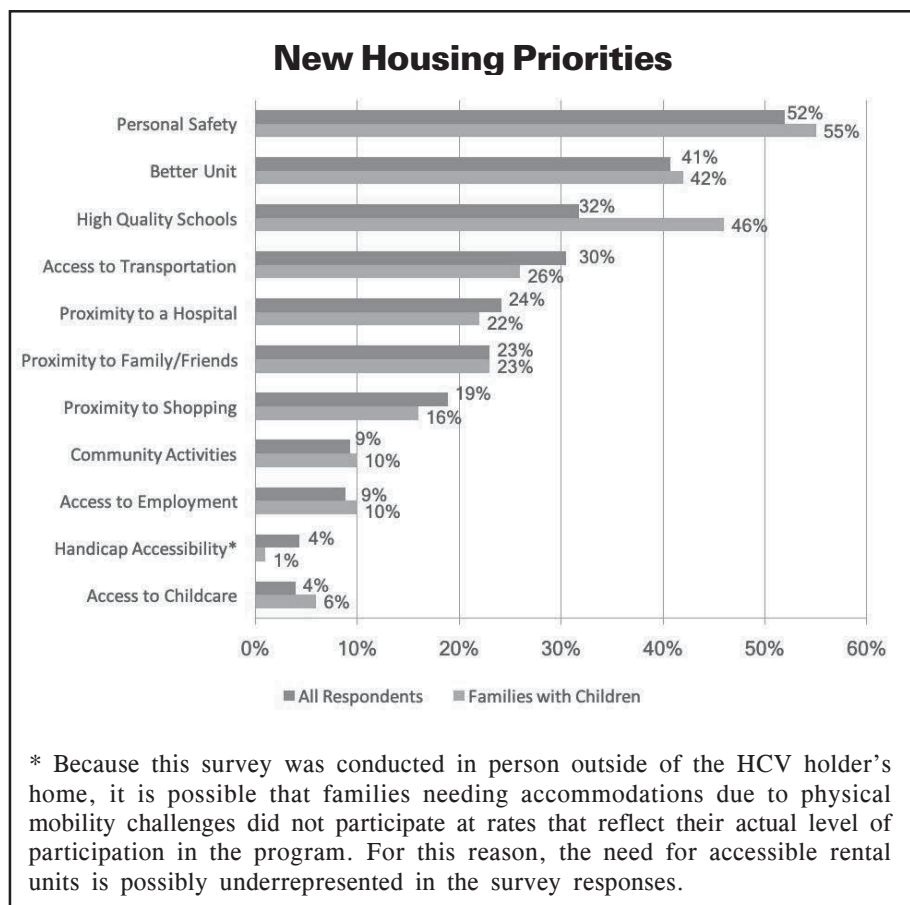
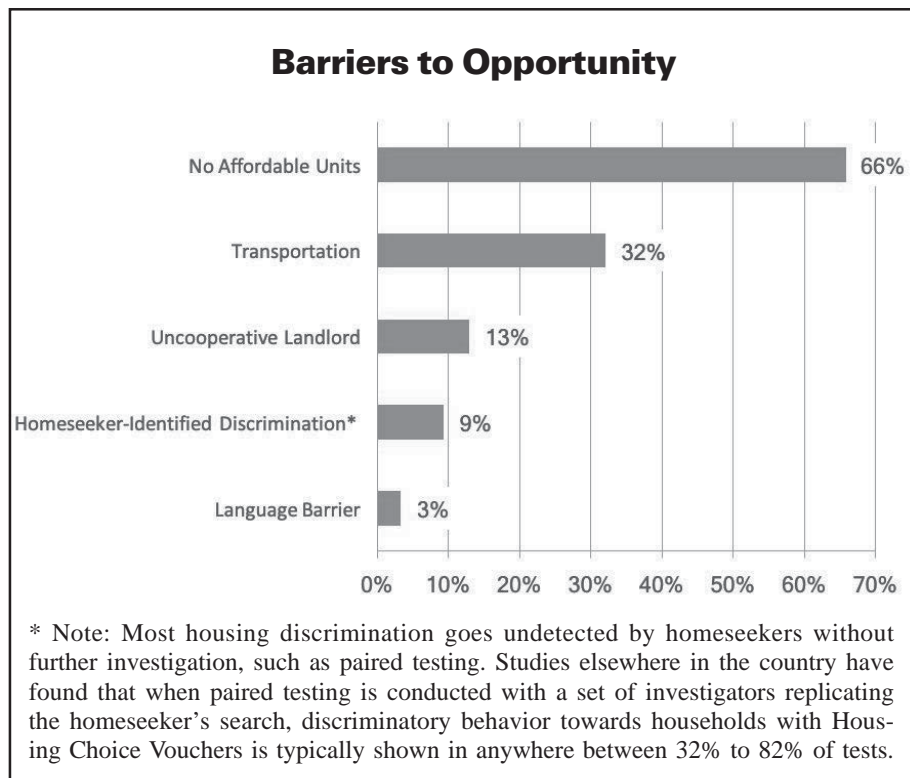
### Housing Priorities

Personal safety, unit conditions, school quality, and transportation were the four factors most commonly cited by voucher holders when asked what they were looking for in a new neighborhood or unit. Significantly, families with children had a different perspective. Among all respondents, access to high quality schools and access to transportation ranked almost equally, cited by about a third of respondents. For families with children, access to high quality schools was cited as a priority by 20% more respondents than access to transportation.

### Conclusion

These survey data present a compelling case for public policy to play a larger role in facilitating more opportunity moves for Housing Choice Voucher holders.

(Please turn to page 10)



---

# Churches United for Fair Housing: Organizing and Litigating Against Exclusionary Housing Policies in Brooklyn

Charlie Dulik & Alexandra Fennell

Like every major American city, New York is deeply spatially divided along racial lines, due to redlining, residential segregation and discrimination. Arguably no place exhibits this more clearly than north Brooklyn's Broadway Triangle, the intersection of white Williamsburg, predominantly Latino Bushwick and traditionally black Bedford-Stuyvesant (Bed-Stuy). Today, the area remains a potent case study of how government action and market forces actively continue residential racial segregation, but also of how to effectively fight back and promote integration through a combination of community activism and litigation using a race-conscious fair housing framework.

In 2006, the Bloomberg administration, in partnership with the United Jewish Organizations (UJO) and Ridgewood Brooklyn Senior Citizens Council (RBSCC), began planning for the development of a large parcel of city-owned land on the Williamsburg/Bed-Stuy border in the Broadway Triangle. The UJO serves a particular portion of Brooklyn's Hasidic community, the RBSCC is located outside of Williamsburg and Bedford-Stuyvesant and did not provide services to either neighborhood. Furthermore, UJO had a proven history of discriminatory practices, and no experience in developing large affordable housing projects. Quickly realizing how the needs of the larger community would fail to be served by these groups, our

---

*Alex Fennell (afennell@cuffh.org) is the Network Director overseeing the organizing department at Churches United For Fair Housing. Charlie Dulik (cdulik@cuffh.org) is the Lead Youth Organizer with Churches United For Fair Housing.*

organization, Churches United for Fair Housing (CUFFH) was born.

Unsurprisingly, the proposed development plan did not address the needs of the area's large Black and Latino populations. Plans focused on three- to four-bedroom units in low-rise buildings, which not only limited the total number of units but ensured that most units were suitable primarily for large, mostly Hasidic families, and

---

***[T]his decision puts the city clearly on notice: when it proceeds to develop housing—whether in the Broadway Triangle or anywhere else—it must evaluate the potential impact on segregation and develop projects that include the entire community and will create more integrated neighborhoods.***

---

unsuitable for the much larger number of small Black and Latino families in nearby Bedford-Stuyvesant.

The plan also effectively excluded non-white residents by limiting the residency preference to the predominantly white Community District 1 (Williamsburg), despite the project's proximity to predominantly Black and Latino Community District 3 (Bed-Stuy). A demographer found that while the Bedford-Stuyvesant area was 77 percent black at the time, likely only 3 percent of residents in the new housing to be built would be black (!).

To combat this overt segregation and exclusion, CUFFH utilized a two-pronged strategy. CUFFH began or-

ganizing clergy and lay leaders to build a network of churches across the affected neighborhoods. This network joined with community groups to form the Broadway Triangle Community Coalition (BTCC) to demonstrate and build community power against any project that would clearly disproportionately serve one segment of the population. Despite repeated demonstrations and community vocalization, the project was overwhelmingly approved by the all-white community board and the city council. In response to this overt act of exclusion and segregation, the Broadway Triangle Community Coalition filed suit against the city. *Broadway Triangle Community Coalition et al. v. Bloomberg et al.* was filed in the New York State trial court in 2009. Because no study of the racial impacts of this development were ever performed as part of the approval process, we argued that the requirement to affirmatively further fair housing was not met. Though the city completes a city-wide fair housing analysis every four years, this was deemed unsatisfactory by Judge Emily Jane Goodman, who in the course of ruling for the plaintiffs on disparate impact grounds, noted that “[t]here can be no compliance with the Fair Housing Act where defendants never analyzed the impact of the community preference.”

BTCC was granted an injunction in 2012, and ultimately settled the case in 2017. The settlement included a requirement that housing options provided must meet the needs of Bed-Stuy residents, including a restriction that bedroom sizes more closely match the demographics of the neighborhood. The settlement also guaranteed that the process for selecting and designing the developments would be reopened to all

*(Please turn to page 6)*

(CHURCHES UNITED: Cont. from p. 5)

affordable housing developers. Additionally, the predominantly black community of Bed-Stuy would also be included alongside Williamsburg in receiving preference in applying to these new units.

This case highlights the necessity for housing choice, especially in city-funded development. If racially and economically marginalized communities are not granted equal opportunity to housing and also face increased pressure to move out of their neighborhoods, their right to fair housing choice is violated. Equal opportunity is in part defined by ability and access—for a choice to be fair, available options must not rent burden or otherwise punish renters. For a family with a yearly income of \$25,000, the choice between two different luxury units is no choice at all.

Furthermore, CUFFH found that centering race and fair housing proved vital and effective at both mobilizing community-members and as a legal strategy. As Taylor Pendergrass, NY Civil Liberties Union senior staff attorney stated at the time, “this decision puts the city clearly on notice: When it proceeds to develop housing—whether in the Broadway Triangle or anywhere else—it must evaluate the potential impact on segregation and develop projects that include the entire community and will create more integrated neighborhoods.”

Despite the victory at this site, broader forces have continued to push segregation in the Broadway Triangle.

After Bloomberg’s exit from office, Mayor de Blasio has continued to use market-driven strategies to attempt to alleviate housing insecurity. The de Blasio administration has sought to encourage as much development in low-income black and brown neighborhoods as possible, and to require each private development to provide a sliver of “affordable” housing. This strategy has clearly failed, and only accelerated segregation. Between 2000-2015 in Bushwick, Bed-Stuy and Williamsburg, respectively, the Latino population changed -13%,

---

**When granting the restraining order, the judge noted the overwhelming community presence in the courtroom.**

---

+16% and -16%, the black population dropped -22%, -17% and -4%, and the white population grew +610%, +1235% and +41%, according to data from Comptroller Scott Stringer’s office.

As neighborhood change has persisted, so too have more individual cases of residential segregation arisen. In early 2017, the Rabsky Group proposed to build 1,146 housing units on the so-called Pfizer site, also at the heart of the Broadway Triangle. The developer has refused to make a legally binding and enforceable commitment to specify the number of one- and two-bedroom apartments, those

best suited to the community’s Black and Latino households. About ninety percent of the proposed units will be priced out of reach for the majority of the area’s Black and Latino residents—while twenty-five percent of the units would be designated as “affordable,” only ten percent would be priced to be affordable for a family making under \$40,000 per year. The remaining fifteen percent would be priced for residents making over \$50,000 per year, with some renting for over \$1,700 per month. This is being proposed in an area where the median income for Black and Latino households in the area is less than \$25,000 per year compared with a median annual income for white residents of \$61,198.

Facing similar circumstances as in the original *Bloomberg* case, CUFFH has begun deploying a similar strategy. On the community organizing front, CUFFH brought 400 congregants to shut down a hearing in front of the Borough President who subsequently voted No on the proposed rezoning necessary to develop that site. CUFFH then mobilized at a hearing before the Department of City planning, and were the first individuals to ever be arrested in a city planning land use hearing. Though city council eventually voted to approve the rezoning, it did so with 6 no’s and 2 abstentions. The near unprecedented departure from the council’s normal unanimous approvals of rezonings can be credited to CUFFH’s aggressive organizing efforts. After the project’s approval, a coalition, BRASH (Brooklyn Residents Against Segregated Housing) that includes CUFFH once again filed a lawsuit on the grounds of violating the Fair Housing Act, this time against both the city and the Rabsky Group. In April, the coalition was granted a temporary restraining order to stop construction at the site. When granting the restraining order, the judge noted the overwhelming community presence in the courtroom. Unfortunately, as this article was going to press, our case was dismissed on the basis of “no private right of action” for our AFFH claim. However, we

(Please turn to page 11)

### **New on PRRAC’s Website**

Ingrid Gould Ellen and Keren Horn, *Housing and Educational Opportunity: Characteristics of Local Schools Near Families with Federal Housing Assistance* (PRRAC, August 2018); an updated look at the data behind our widely disseminated 2012 report.

“Deconstructing Segregation in Syracuse: The fate of I-81 and the future of one of New York State’s highest poverty communities,” by Buffalo-based Make Communities examines efforts to take down the interstate highway that divided Syracuse, NY in the 1960s.

J. Bisgaier and J. Pollan, “The Call for Environmental Justice Legislation: An Annotated Bibliography.”



---

# Fair Housing Intersections

Dennis Parker

This past spring, as part of its ongoing observation of the fiftieth anniversary of the passage of the Fair Housing Act, PRRAC assembled a distinguished and varied group of panelists to discuss the wide-ranging impact of the Act in the context of “Fair Housing Intersections.” Recent developments could have cast a shadow over the discussion: the Department of Housing and Urban Development has taken actions to retreat from its mandates of combatting discrimination and promoting fair housing and integration – most notably, the suspension of the Affirmatively Furthering Fair Housing Regulation. In spite of these ever-present and oftentimes growing threats, the Intersections panel powerfully emphasized the continued vitality of the Fair Housing Act and the need to pursue its goals in new and innovative ways.

Appropriately, given the conversation’s focus on intersectional issues relating to housing, each of the panelists viewed questions about the impact of the Fair Housing Act from a different perspective. The environmental justice leader Vernice Miller-Travis emphasized the issues of environmental justice that attend issues of housing segregation. Demetria McCain, President of the Inclusive Communities Project (and a PRRAC board member) called upon her experience creating racially diverse and economically thriving communities to highlight the vital role that fair housing plays in assuring equality and opportunity. Former Secretary of the U.S. Department of Education John B. King recounted the barriers that persistent housing segregation poses in

---

*Dennis Parker (dparker@aclu.org) is Director of the Racial Justice Program at the ACLU. He is a member of PRRAC’s Board of Directors, and moderated the March 22 “Fair Housing Intersections” panel discussion.*

## Excerpts from Leslie Proll’s live tweets from the #FairHousingIntersections forum @PRRAC\_DC!

*@HarlemGirl59* (Vernice Miller-Travis): Zoning and land use mechanisms codified racial segregation in housing. These provided core basis for environmental justice problems.

*@anthonyfoxx*: I saw that transportation decisions reinforce housing segregation. Historically, freeways displaced people of color. Entire neighborhoods were wiped out & people lost their most valuable asset.

*@JohnBKing*: Housing segregation leads to school segregation which leads to less access to all kinds of educational benefits.

*@Demetria1913* (Demetria McCain): People wanting to participate in housing mobility programs face federal, state & local barriers. Educational issues are at forefront & we also can’t ignore criminal justice issues.

*@JohnBKing*: What we tried to do with 3-Secretary letter under Obama administration on housing, education & transportation was to have everyone with interests at stake sitting together. Other examples were Promise Neighborhoods & My Brother’s Keeper.

*@anthonyfoxx*: We can write inclusion into grantmaking. We can put inclusion riders into everything. At DOT, we helped Columbus, Ohio remedy structural problem to address infant mortality by helping pregnant women get to medical appointments.

*@Demetria1913*: Localities still have obligation to affirmatively further fair housing despite HUD putting new rule on hold. Some cities are moving forward with their plans. We should encourage more to do so.

*@anthonyfoxx*: Communities have been excluded for so long they don’t have the confidence they will be heard. The heart of the community has been torn out. We got here through intent. We can’t get out of here without intent.

*@JohnBKing*: We need to do better job of teaching our collective history. And to get people to understand their kids’ futures are linked to the future of other kids.

attempts to assure equal education opportunity. Former Secretary of the Department of Transportation Anthony Foxx outlined the ways that segregation in housing and lack of equal access to transportation have worked together to deprive people of opportunity in every aspect of their lives. Each panelist agreed that these issues represented only some of the ways that housing is central to a hub of intersecting structures, which can either guarantee full inclusion in society’s benefits or

relegate individuals and communities to conditions of deprivation and disadvantage.

Each of the panelists acknowledged the considerable challenges facing those who rely on the Fair Housing Act to end the dramatic differences in access to opportunity which the Act was intended to address. But instead of dwelling on past and present failures, each speaker emphasized the need to persevere, sometimes at the indi-

*(Please turn to page 8)*

cance for African Americans. In the following years, although the Amendment was increasingly applied to grant broader protections to corporate interests, when it came to race claims on behalf of African Americans, it was applied in an increasingly narrow fashion, culminating in the Court's infamous decision in *Plessy v. Ferguson*. In *United States v. Cruikshank* (1876), and again in *The Civil Rights Cases* (1883), the Supreme Court ruled that Section Five of the Fourteenth Amendment did not authorize legislation protecting individuals from racial discrimination by private actors. *Cruikshank* overturned the convictions of several white men who were involved in the massacre of more than one hundred black people in a battle between white "redeemers" who sought forcibly to remove from power a black sheriff and other Republican Reconstruction candidates elected in Colfax, Louisiana. *The Civil Rights Cases* were five consolidated challenges under the Civil Rights Act of 1875 to discrimination by private actors who operated theaters, street cars, concert halls, and other businesses. Justice Joseph P. Bradley, writing for an eight member majority, rejected the argument that under the Thirteenth Amendment this discrimination was a badge of slavery; that would be "running the slavery argument into the ground." And as to the Fourteenth Amendment, although slavery was not yet cold in its grave, Bradley incredibly accused those African Americans who challenged racial discrimination under its protections of seeking to be "the special favorites of the laws," thus invoking the specter of what in the next century would be called "reverse discrimination."

The Hayes-Tilden Compromise that resolved the disputed presidential election of 1876 ended Reconstruction, followed in 1877 by withdrawal of federal troops from the South, ushering in what many southern leaders called the "Redemption," or the restoration of white supremacist leadership (along with a reign of racial ter-

ror and the passage of Jim Crow laws throughout the South). By the end of the century, racial subordination by law was firmly entrenched. *Plessy*, with its intellectually dishonest assertion that the separate-but-equal doctrine did not impute racial inferiority of black people, was decided in 1896. Two years later, in 1898, the Wilmington, North Carolina insurrection and massacre was the only successful coup d'état in American history; between 60 and 300 African

---

**By the end of the century, racial subordination by law was firmly entrenched.**

---

Americans were killed and a racially integrated and democratically elected local government was overthrown. The Fourteenth Amendment provided little or no protection for black Americans in the post-Reconstruction era, and for them, by the dawn of the Twentieth Century the Amendment had little or no meaning. This was the *Lochner* Era, during which the Amendment served corporate interests and big business while racial subordination reigned unchecked.

In 1929, Charles Hamilton Houston, an African American Amherst College and Harvard Law graduate (class of 1923), became dean of Howard University Law School. Under his leadership, Howard became a

full-time law school and a training ground for a generation of lawyers who revived the Fourteenth Amendment's mission of racial equality and equal protection of the laws. Houston mentored Thurgood Marshall, Oliver Hill, and the cadre of lawyers who mounted the assault on *Plessy v. Ferguson* and Jim Crow segregation in higher, elementary and secondary education. The series of cases they litigated culminated with *Brown v. Board of Education* in 1954, which overturned *Plessy's* application of separate-but-equal in the field of education and cracked the edifice of Jim Crow constitutionalism. *Brown* was followed by a three decade, hard-fought enforcement effort before the Supreme Court began to bring the desegregation of public schools to an end in the last years of the Twentieth Century.

In higher education the Civil Rights Movement produced a policy and practice of conscious efforts, called "affirmative action," to admit African Americans, Latinos, and people of color to selective colleges and universities in the late 1960s and '70s. Those efforts were attacked as "reverse discrimination" in *Board of Regents of the University of California v. Bakke* (1978), in which the Supreme Court effectively killed the remedial rationale for affirmative action. Allan Bakke, a white applicant to medical school, won his Fourteenth Amendment discrimination claim, even while Justice Lewis Powell wrote an opinion that allowed colleges and univer-

---

(INTERSECTIONS: Cont. from page 7)

vidual, local and federal levels combined, in efforts to realize the goals of the Fair Housing Act. They left us with examples of ways that we can continue to use the Fair Housing Act as a lever to achieve meaningful social change: by accepting the moral responsibility of acting to take on the difficult issues of denial of access to fair and adequate housing; incorporating intersectional principles into grantmaking, such as providing transportation to medical

appointments for pregnant women living in medically underserved areas in order to combat high infant mortality rates; and pressuring localities to take the requirements of affirmatively furthering fair housing seriously, even when the federal government declines to do so.

And so an event which might have been a "wake" for the Fair Housing Act instead was a motivating discussion of how we may infuse the Act with renewed utility in the ongoing struggle for equality. □



sities to pursue their First Amendment-based interest in diversity in student enrollment. For African Americans, though, *Bakke* ended their ability to invoke the Fourteenth Amendment in pursuit of higher educational opportunity. In the forty years since *Bakke*, the Supreme Court has not heard or allowed their participation in oral arguments in the cases brought by white plaintiffs challenging affirmative action and diversity efforts. The voices of black and brown people in these cases—in *Gratz*, *Grutter*, *Fisher I*, and *Fisher II*—have been marginalized as they have been limited to *amicus curiae* status, even though it is their qualifications that have been under assault, their educational opportunities that have been at issue, and arguably they ultimately have had the most at stake. In every case involving college admissions over the last forty years, the only full parties allowed to shape the record or to present oral argument have been white plaintiffs alleging “reverse discrimination” and the universities they have sued.

Two cases challenging diversity efforts in higher education—one involving the University of North Carolina at Chapel Hill, and the other against Harvard University—are now pending in federal trial courts. Justice Kennedy, who in *Fisher II* wrote the Court’s opinion upholding *Grutter* and *Bakke*, has retired. His proposed successor is understood to be an even more staunch conservative who, if confirmed, may join the three justices who have been implacable opponents of race-conscious diversity efforts and a fourth who is thought to share their views.

The Supreme Court appears, once again, to be poised to turn the Fourteenth Amendment away from its original purpose of protecting against discrimination and providing equal opportunity for African Americans and people of color who were long excluded from colleges, universities, and other opportunities because of their race and ethnicity. Many believe that we have passed through a second Reconstruction, and that we are entering a second Redemption.

## PRRAC Update

● We have been blessed with an extremely talented group of summer interns this year, including Law & Policy Interns **Jenn Pollan** (UC-Berkeley) and **Jennifer Bisgaier** (George Washington), Policy Intern **Micah Herskind** (Princeton), and Communications Intern **Susannah Pazden** (Furman). Thank you and good luck back at school!

● We are also pleased to welcome **David Pringle** as our newest Law & Policy Intern. David will be joining us under a fall semester externship program through the University of Miami School of Law.

On the one hundredth anniversary of *Plessy*, I participated in a symposium at Harvard Law School, at which I attempted to reclaim the part of Justice Miller’s *Slaughterhouse* opinion that set forth the original purpose of the great Amendment, even while recognizing, as one must, its universal

***The Supreme Court appears, once again, to be poised to turn the Fourteenth Amendment away from its original purpose of protecting against discrimination and providing equal opportunity for African Americans and people of color.***

application. Second Circuit Judge Guido Calabresi brought clarity to what I attempted to articulate, with a piercingly brilliant observation to the effect that we might talk about two Fourteenth Amendments: the Fourteenth Amendment that applies to everyone, and the Fourteenth Amendment with the Thirteenth Amendment inside of it. The latter is the Fourteenth Amendment that Miller identified. It is not that Miller did not recognize the Amendment’s universal application; the plain language of the Amendment requires that recognition. But over the years, the Supreme Court has under-

acknowledged that part of the Thirteenth Amendment that aimed to address the “badges and incidents of slavery,” and the Fourteenth Amendment’s close relationship with the Thirteenth. There is a part of the Fourteenth Amendment that should still address its original purpose, which is not yet completed—that which called it into being. *Slaughterhouse*’s reading of the Amendment’s privileges or immunities clause has discredited the opinion in its entirety, but privileges or immunities aside, many scholars and judges deny that the Fourteenth Amendment has particular significance for African Americans. But the Fourteenth Amendment’s universal application does not require that we deny its original purpose. It is counterintuitive to assert that the legacy of America’s three hundred and fifty year slavery/Jim Crow continuum is unrelated to massive and continuing racial inequality that persists today. The question is whether the Fourteenth Amendment must stand mute in the face of that legacy.

The Fourteenth Amendment has been applied to protect women from discrimination, to protect against national origin discrimination, to protect against religious discrimination, to protect same-sex marriage rights, and to guarantee equal protection of the laws. As we commemorate the sesquicentennial of the Fourteenth Amendment, its meaning and application is still very much in dispute and

*(Please turn to page 11)*

First and most important, the desire to move to higher opportunity areas on the part of low-income families of color with vouchers is real and significant, though such moves are too often out of reach. More than 45% of those surveyed sought such moves, though only about 8% of all of those surveyed actually made opportunity moves using their vouchers.

Second, the voucher holders responding to this survey bust myths often associated with the Housing Choice Voucher program. Despite perceptions to the contrary, 73% of those voucher holders responding to this survey are either working, disabled, and/or elderly. Also, contrary to the myth of large families, responding voucher families with children have, on average, just above two children per family.

Third, nearly all (99%) of families with children in the City of Hartford tenant-based Housing Choice Voucher program are female-headed households, highlighting the importance of connecting the dots between the beneficial outcomes of moving to higher opportunity areas not only for children but also for women. There is a growing body of research indicating that moves to lower poverty, opportunity-rich communities result in lower rates of depression and other mental health issues, and higher rates of employment for women (Sharkey 2013, Engdahl 2009; Mendenhall et al 2006).

Fourth, while transportation is important, it is not the central barrier that naysayers often cite as preventing opportunity moves. It was neither the leading factor cited in preventing those who wish to move, nor was it the leading factor cited in choosing new neighborhoods or units in general. Based in these responses, it appears that families with children are much more interested in attaining access to high quality schools than living near public transportation.

Finally, what does thwart opportunity moves is the lack of affordable rental units, a problem that can im-

## Results of Other Surveys

In addition to assessing the housing location wishes of a sample of voucher holders working through the City of Hartford Program, OCA partnered with community partners to survey families in two other settings.

Hartford Knights is a school-based mentoring program working in the North End of Hartford, which includes some of the lowest income census tracts in the nation. Hartford Knights and OCA partnered to survey local families about interest in participating in a program that would provide vouchers to families with environmentally-triggered health issues allowing them to move to higher opportunity areas likely to improve health outcomes. Sixty-four percent of the 265 families responding to the survey, 40% of whom had vouchers or were on the voucher waiting list, indicated an interest in participating in such a mobility program. Of those surveyed who had vouchers (19% of the total), 78% were interested in mobility moves.

OCA also had the opportunity to partner with a community organizing group called Christian Activities Council to survey residents of a scattered site Project Based Rental Assistance project in the severely disinvested Clay Arsenal neighborhood in Hartford. Fifty-eight percent of the 68 families surveyed wanted to use their newly issued tenant-based voucher to leave Hartford, with 17% indicating an interest in leaving the state and 42% indicating an interest in moving to higher opportunity areas in the Hartford suburbs. Twenty-five percent expressed an interest in staying in Hartford.

While these surveys are of varying scales, they support for the proposition that there are a range of preferences among low-income families of color, making it essential that we actually ask families what they want and invest to ensure that all moves lead to opportunity.

prove with certain public policy changes. Implementation of the Small Area Fair Market Rent rule, for example, will increase the value of vouchers in higher opportunity areas. Equally important is increasing the

supply of affordable rental housing, for instance by reforming restrictive zoning codes and improving the point allocation system for Low Income Housing Tax Credits and other housing production programs. □

## References

Patrick Sharkey, *Stuck in Place: Urban Neighborhoods and the End of Progress toward Racial Equality* (Chicago: University of Chicago Press, 2013), 145

Lora Engdahl, "New Homes, New Neighborhoods, New Schools: A Progress Report on the Baltimore Housing Mobility Program," PRRAC, 2009, <http://www.prrac.org/pdf/BaltimoreMobilityReport.pdf>.

Ruby Mendenhall, Stefanie DeLuca, and Greg Duncan, *Neighborhood Resources, Racial Segregation, and Economic Mobility: Results from the Gautreaux Program*, *SOC. SCI. RES.* vol. 35, no. 4, pp. 892-923 (2006).

For more on opportunity mapping in Connecticut, see Erin Boggs and Lisa Dabrowski, *Out of Balance: Subsidized Housing, Segregation, and Opportunity in Connecticut*, Open Communities Alliance (September 2017), available at <http://www.ctoca.org/outofbalance>.

(CHURCHES UNITED: Cont. from p. 6)

are committed to continuing the fight for housing justice in the Broadway Triangle and throughout New York City!

Continuing to oppose segregative developments, CUFFH has realized the need for a resurgent integration program, and that any effort to do so must foreground race. The redlining, segregation and discrimination that shaped America's residential racial divide explicitly targeted communities of color; policies seeking to undo that damage must recognize that history in order to effectively combat segregation. Simply focusing on "affordable" housing and not fair housing perpetuates the warped logic of speculative development, and fails to meaningfully address racial segregation. In the 50 years since the passage of the Fair Housing Act, HUD has failed to address residential segregation in a meaningful way. This lack of enforcement has allowed cities to move forward with colorblind policies that either perpetuate or dramatically exacerbate existing residential segregation.

Going forward, in addition to the necessary work of reacting to individual developments, we must proactively fight for integration on a city-wide scale. We must add mechanisms to enforce the affirmative furthering fair housing requirements outlined in the Fair Housing Act in each and every rezoning the city facilitates, or else these rezonings will continue to further racial segregation. Incorporating

(SESQUICENTENNIAL: from p. 9)

evolution. At a time when the occupant of the White House advocates ending birthright citizenship; when people are being subjected to harsh and disparate treatment based on their religious beliefs, national origin, race, or ethnicity, when due process is violated for immigrants and citizens alike, the Fourteenth Amendment is more important than ever. The Amendment changed the United States, and redefined who and what we are as a nation. Its application now will determine, as it has since its adoption and ratification, who and what we are as Americans and as a country. □

rating a Racial Impact Study into the rezoning process would give the city the opportunity to demand tangible remedies from developers to not just discourage segregation but to affirmatively further integration. These de-

**Thank you for your contributions to PRRAC!**

Rebecca Eichelberger  
Dandre Hughes  
Henry Kahn  
Mike Miller  
Dennis Parker  
Norma Rantisi  
Gabriela Sandoval  
Arnold Shelton  
Shawn Sykes  
Carlis Williams

mands may be expressed through complaints and victories in the courts, but community organizing and community power keep this issue on the front page, forcing our elected officials to be accountable to the communities that they are segregating. □

## References

Court Order Blocks Discriminatory Brooklyn Housing Development (NYCLU press release 2012). Available at <https://www.nyclu.org/en/press-releases/court-order-blocks-discriminatory-brooklyn-housing-development>

Mapping the Modern Transformation of New York City (CityLab 2017). Available at <https://www.citylab.com/life/2017/05/mapping-the-transformation-of-new-york-city/525330/>

The New Red Line: A Study of the Ongoing Segregation in the Broadway Triangle (Churches United for Fair Housing, 2017). Available at <http://nyf.org/newsmakers/churches-united-for-fair-housing-exposes-housing-marginalization-in-brooklyn-reported-by-bkreader/>

Broadway Triangle Community Coalition v Bloomberg (trial court decision, 2011). Available at <https://law.justia.com/cases/new-york/other-courts/2011/2011-ny-slip-op-21465.html>

# Resources

## Housing

- Bhargava, Anurima. "The Interdependence on Housing and School Segregation." Joint Center for Housing Studies of Harvard University, 2018.
- Breymaier, J. Robert. "The Social and Economic Value of Intentional Integration Programs in Oak Park, IL." Joint Center for Housing Studies of Harvard University, 2018.

- Garboden, Philip, Eva Rosen, Meredith Greif, Stefanie DeLuca, and Kathryn Edin. "Urban Landlords and the Housing Choice Voucher Program: A Research Report." Johns Hopkins University Poverty and Inequality Research Lab, 2018.
- Goldberg, Molly, Dean Preston, and Aimee Inglis. "The Cost of Costa-Hawkins: A Report by the San Francisco Anti-Displacement Coalition." The San Francisco Anti-Displacement Coalition, 2018.



- Gourevitch, Ruth, Solomon Greene, and Rolf Pendall. "Place and Opportunity: Using Federal Fair Housing Data to Examine Opportunity across US Regions and Populations." Urban Institute, 2018.
- Gowan, Peter, and Ryan Cooper. "Social Housing in the United States." People's Policy Project, 2018.
- Hamilton, Chase. "Fair Share: Reinvigorating the Twin Cities' Regional Affordable Housing Calculus." *Law & Inequality: A Journal of Theory and Practice*. University of Minnesota, 2018.
- "Inclusionary Housing Database Map." Grounded Solutions Network, 2018.
- "The Just City Essays: 26 Visions for Urban Equity, Inclusion, and Opportunity." The J. Max Bond Center on Design for the Just City, Next City, and The Nature of Cities, 2018.
- Kind, Amy J.H, and William R. Buckingham. "Making Neighborhood-Disadvantage Metrics Accessible—The Neighborhood Atlas." *New England Journal of Medicine*, 2018.
- Pendall, Rolf, and Carl Hedman. "Worlds Apart: Inequality between America's Most and Least Affluent Neighborhoods." The Urban Institute, 2018.
- Schlichtman, John Joe, Jason Patch, and Marc Lamont Hill. *Gentrifier*. Toronto: University of Toronto Press, 2017.
- Tach, Laura, and Christopher Wimer. "Evaluating Policies to Transform Distressed Urban Neighborhoods." US Partnership on Mobility from Poverty, 2017.
- Tighe, J. Rosie, Megan E. Hatch, and Joseph Mead. "Section 8 Allowed." Shelterforce, 2018.
- Turner, Margery, and Solomon Greene. "The Geography of Opportunity." *Critical Value*. Podcast audio, June 20, 2018.
- Wells, Amy Stuart, Lauren Fox, Diana Cordova-Cobo, and Douglas Ready. "Addressing the Patterns of Resegregation in Urban and Suburban Contexts: How to Stabilize Integrated Schools and Communities Amid Metro Migrations." Joint Center for Housing Studies of Harvard University, 2018.

## Education

- Ayscue, Jenn, Amy Hawn Nelson, Roslyn Arlin Mickelson, Jason Giersch, and Martha Cecilia Bottia. "Charters as a Driver of Resegregation." UCLA, The Civil Rights Project, 2018.
- Burdick-Will, Julia. "Neighborhood Violence, Peer Effects, and Academic Achievement in Chicago." Johns

Hopkins University, 2018.

- McClellan, Cara, and Megan Gall. "Our Girls, Our Future: Investing in Opportunity and Reducing Reliance on the Criminal Justice System in Baltimore." NAACP LDF Thurgood Marshall Institute, 2018.
- Heilig, Julian Vasquez, Steven Nelson, and Matt Kronzer. "Does the African American Need Separate Charter Schools?" *Law & Inequality: A Journal of Theory and Practice*. University of Minnesota, 2018.
- Mader, Nicole, Clara Hemphill, and Qasim Abbas. "The Paradox of Choice: How School Choice Divides New York City Elementary Schools." The New School Center for New York City Affairs, 2018.
- Miyake-Trapp, Jennifer. "Changing the Perception of Pasadena Unified School District Through an Innovative Realtor Outreach Program." *Poverty & Race Research Action Council*, 2018.
- "National Equity Research Database, Boston Edition." DiversityDataKids.org, 2018.
- Potter, Halley, and Kimberly Quick. "Diverse-by-Design Charter Schools." The Century Foundation, 2018.
- "Stranded: How States Maroon Districts in Financial Distress." EdBuild, 2018.

## Economic Inequality

- Berger, Lawrence, Maria Cancian, and Katherine Magnuson. "Anti-poverty Policy Initiatives for the United States." The Russell Sage foundation *Journal of the Social Sciences*, 2018.
- Schlegel, Ryan, and Stephanie Peng. "As the South Grows, So Grows the Nation." The National Committee for Responsive Philanthropy, 2018.
- Spriggs, William E. "A Look at Inequality, Workers' Rights, and Race." *Law & Inequality: A Journal of Theory and Practice*. University of Minnesota, 2018.
- "The War on Regulation: A Guide to the Ongoing Assault on Public Protections to Boost Corporate Profits." The Coalition for Sensible Safeguards, 2018.

## Civil Rights

- Jargowsky, Paul A. "The Persistence of Segregation in the 21st Century." *University of Minnesota Law & Inequality: A Journal of Theory and Practice*. University of Minnesota, 2018.
- Julian, Elizabeth K. "Segregation Now, Segregation Tomorrow, Segregation Forever?" *Law & Inequality: A*

---

Journal of Theory and Practice. University of Minnesota, 2018.

- Lhamon, Catherine E. “50 Years Later—The State of Civil Rights and Opportunity in America.” *Law & Inequality: A Journal of Theory and Practice*. University of Minnesota, 2018.
- Mondale, Walter F. “A Conversation on Learning from the History of the Civil Rights Movement.” *Law & Inequality: A Journal of Theory and Practice*. University of Minnesota, 2018.
- Orfield, Myron, and William Stancil. “The Summit for Civil Rights: Mission, Structure, and Initial Outcomes.” *Law & Inequality: A Journal of Theory and Practice*. University of Minnesota, 2018.

## Public Policy

- Khan, Sophie, Casey Goldvale, and Indivar Dutta-Gupta. “Why a Fair and Accurate Census Matters to Thriving Private and Public Sectors.” The Leadership Conference Education Fund and Georgetown Center on Poverty and Inequality, 2018.

## Immigration

- Mosley, Alana. “Re-Victimization and the Asylum Process: *Jimenez Ferreira v. Lynch*: Re-Assessing the Weight Placed on Credible Fear Interviews in Determining Credibility.” *Law & Inequality: A Journal of Theory and Practice*. University of Minnesota, 2018.

---

## PRRAC'S SOCIAL SCIENCE ADVISORY BOARD

*Dolores Acevedo-Garcia*  
Brandeis Univ.

*Raphael Bostic*  
Univ. of Southern California  
Sol Price School of Public Policy

*Camille Zubrinsky Charles*  
Dept. of Sociology, Univ. of Pennsylvania

*Regina Deil-Amen*  
Univ. of Arizona College of Education

*Stefanie DeLuca*  
Johns Hopkins University

*Ingrid Gould Ellen*  
New York Univ.  
Wagner School of Public Service

*Lance Freeman*  
Columbia Univ. School of Architecture,  
Planning and Preservation

*John Goering*  
Baruch College, City Univ. of New York

*Heidi Hartmann*  
Inst. for Women's Policy Research

*Rucker C. Johnson*  
Univ. of California-Berkeley  
Goldman School of Public Policy

*William Kornblum*  
CUNY Center for Social Research

*Maria Krysan*  
Univ. of Illinois, Chicago

*Roslyn Arlin Mickelson*  
Univ. of No. Carolina-Charlotte

*Pedro Noguera*  
UCLA Graduate School of Education

*Paul Ong*  
UCLA School of Public Policy  
& Social Research

*Gary Orfield*  
UCLA Civil Rights Project

*Ann Owens*  
University of Southern California

*Patrick Sharkey*  
New York Univ. Dept. of Sociology

*Gregory D. Squires*  
Dept. of Sociology, George Washington Univ.

*William Trent*  
Univ. of Illinois at Urbana-Champaign

*Margery Austin Turner*  
The Urban Institute

*Margaret Weir*  
Dept. of Political Science  
Univ. of California, Berkeley

*David Williams*  
Harvard School of Public Health



---

**If You Are Not Already a *P&R* Subscriber,  
Please Use the Coupon Below.**

**Sign Me Up!**     1 year (\$25)    or     2 years (\$45)

*Please enclose check made out to PRRAC or a purchase order from your institution.*

Name \_\_\_\_\_

Address \_\_\_\_\_

Address Line 2 \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Telephone: \_\_\_\_\_                      email: \_\_\_\_\_

*Mail to: Poverty & Race Research Action Council  
740 15th Street NW • Suite 300 • Washington, DC 20005*

# Poverty and Race Research Action Council

740 15th Street NW • Suite 300  
Washington, DC 20005  
202/866-0802  
E-mail: [info@prrac.org](mailto:info@prrac.org)  
Website: [www.prrac.org](http://www.prrac.org)

Address Service Requested  
4-6/2018

Nonprofit  
U.S. Postage  
PAID  
Jefferson City, MO  
Permit No. 210

## POVERTY and RACE RESEARCH ACTION COUNCIL Board of Directors/Staff

### CHAIR

**Olatunde C.A. Johnson**  
*Columbia Law School  
New York, NY*

### VICE-CHAIR

**José Padilla**  
*California Rural Legal  
Assistance  
San Francisco, CA*

### SECRETARY

**john a. powell**  
*Haas Institute for a  
Fair and Inclusive Society  
University of California-  
Berkeley  
Berkeley, CA*

### TREASURER

**Spence Limbocker**  
*Neighborhood Funders  
Group  
Annandale, VA*

### Anurima Bhargava

*Open Society Foundations  
Washington, DC*

### John Charles Boger

*University of North Carolina  
School of Law  
Chapel Hill, NC*

*[Organizations listed for  
identification purposes only]*

### John Brittain

*University of the District of  
Columbia School of Law  
Washington, DC*

### Sheryll Cashin

*Georgetown University  
Law Center  
Washington, DC*

### Kristen Clarke

*Lawyers' Committee for  
Civil Rights Under Law  
Washington, DC*

### Craig Flournoy

*University of Cincinnati  
Cincinnati, OH*

### Rachel Godsil

*Rutgers Law School  
Newark, NJ*

### Damon Hewitt

*Open Society  
Foundations  
New York, NY*

### David Hinojosa

*Intercultural Development  
Research Association  
San Antonio, TX*

### Camille Holmes

*National Legal Aid &  
Defender Assn.  
Washington, DC*

### Elizabeth Julian

*Inclusive Communities  
Project  
Dallas, TX*

### Demetria McCain

*Inclusive Communities  
Project  
Dallas, TX*

### S.M. Miller

*The Commonwealth Institute  
Cambridge, MA*

### Dennis Parker

*American Civil Liberties  
Union  
New York, NY*

### Gabriela Sandoval

*The Utility Reform Network  
San Francisco, CA*

### Anthony Sarmiento

*Senior Service America  
Silver Spring, MD*

### Theodore M. Shaw

*University of North Carolina  
School of Law  
Chapel Hill, NC*

### Brian Smedley

*National Collaborative  
for Health Equity  
Washington, DC*

### Justin Steil

*Massachusetts Institute of  
Technology, Dept. of City  
and Regional Planning  
Cambridge, MA*

### Philip Tegeler

*President/Executive Director*

### Megan Haberle

*Deputy Director  
Editor, Poverty & Race*

### Gina Chirichigno

*Director, National  
Coalition on School Diversity*

### Michael Mouton

*Communications &  
Partnerships Manager*

### Brian Knudsen

*Senior Research Associate*

### Peter Kye

*Law & Policy Fellow*

### Tyler Barbarin

*Outreach Coordinator,  
National Coalition on  
School Diversity*

### Heidi Kurniawan

*Administrative &  
Program Assistant*

### Jennifer Bisgaier

*Jennifer Pollan  
Law & Policy Interns*

### Micah Herskind

*Policy Intern*

### Susannah Pasden

*Communications Intern*