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## Zoned Out in the City: New York City's Tale of Race and Displacement

Tom Angotti

The arrival of vast amounts of speculative capital in big cities around the nation and world during this century has fed a tremendous urban building boom. Although many promised this would help solve the shortage of affordable housing and bring new opportunities for the millions of people burdened by high rents and who are living in overcrowded and inadequate conditions, it has instead resulted in their displacement to new urban peripheries. The new housing is almost entirely built for the luxury market, and has had the secondary effect of raising rents and land values in the existing housing stock, further displacing many long-time residents. Vacancy rates in the new housing are high, signaling a surplus of housing units in this sector of the market and calling into question traditional supply-side arguments.

These trends are obvious in New York City, which claims it is “the real estate capital of the world.” The city’s boosters point to its iconic Manhattan core as a model for the presumed ben-

efits of high density—including energy efficiency, mass transit and walkability, all counterweights to wasteful suburban sprawl. And inclusion. The city appears to be a model of inclusionary land use policies in contrast to the well-known exclusionary zoning in the suburbs.

Behind this mirage, however, low-income people and minorities are being forced out of the city—already highly segregated—by the new upscale development and moving to the sprawled, re-segregated suburbs. Economic and racial inequalities persist as

before and in some ways intensify as the high-density core becomes whiter and wealthier. Unfortunately, policy-makers in the city tout the inevitability of these market trends even as they provide substantial public subsidies to support them.

*Zoned Out!* reflects and is a product of the many struggles by residents and small businesses, principally in communities of color, that have been fighting against those who claim that development and displacement are inevitable, that they have nothing to do

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Tom Angotti ([tangotti@hunter.cuny.edu](mailto:tangotti@hunter.cuny.edu)), is Professor of Urban Policy & Planning at Hunter College, City University of New York and editor with Sylvia Morse of *Zoned Out! Race, Displacement and City Planning in New York City* (UR Books, 2016). This article is based on *Zoned Out!* Direct quotes are in italics.

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# The Clear and Present Danger of Supply Skepticism

Vicki Been

There is no doubt that public policy needs to grapple with the challenges that our low-income households face in gentrifying neighborhoods, and the ways in which racial discrimination and inequality affect the causes and consequences of those challenges. Unfortunately, Angotti's analysis of the problems gets many facts wrong, and his prescription for solving the problems is seriously misguided. I'll focus specifically here on perhaps the most dangerous claims of his polemic, the housing world's equivalent of climate change denial: the assertion that building more housing is not necessary to ensure the affordability of housing. He argues that land development is not subject to the standard laws of supply and demand, and that zoning change to allow more housing increases the value of land and "produces gentrification and displacement."

Land use regulation likely limits property values below what an unregulated market would produce, especially when—as is the case in some parts of New York City—that zoning has gone largely unchanged for half a

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*Vicki Been (vicki.been@nyu.edu) is the Boxer Family Professor of Law, New York University School of Law. Professor Been served as Commissioner of New York City's Housing Preservation and Development from 2014 through January, 2017.*

century. Changing those regulations can therefore increase the value of a plot of land, but lower the cost per unit of the housing built on that land. But the point of changing the regulations, at least in New York in recent years, is not to increase the value of the land—it is to allow more housing to be built to meet the demands of a population that is growing faster than it has in decades, and to assure that a significant portion of that new housing will be permanently affordable. If the supply of housing is not increased

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***Most New Yorkers treasure, and champion, the diversity that makes the City unique.***

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to accommodate growth, rents will go up. There are no other plausible outcomes (at best, increased rent burden could be delayed somewhat, perhaps, if families crowd together, don't form new households, or otherwise spread the cost over more people.) Unless we build new housing, people who can afford higher rents will outbid poorer current residents for existing housing. Stopping that result would require explicit (and probably unconstitutional) growth controls, strict and strictly enforced rent-regulation, and a bevy of other tactics to make the City so unattractive to those who might otherwise

have wanted to move here, or grow their families here, that the City stops growing. So, at bottom, Professor Angotti is advocating a no-growth policy.

That is in line with the mood of some parts of the country, but has never been consistent with New York City's values. We have always been a gateway city, with bolder plans than our counterparts to provide quality housing and economic opportunity for current residents and newcomers. Indeed, many of the programs to accommodate growth spurts in the past, such as the Mitchell-Lama housing built to provide middle-income housing to accommodate a growing population after the war, are now both a cherished part of the City's low- and moderate-income housing and a proud part of our history of openness. Most New Yorkers treasure, and champion, the diversity that makes the City unique; we believe that the essence of the City is the magic that results from the fusion of so many different races, ethnicities, religions, cultures, generations, backgrounds, and talents. So a no-growth "solution" to our affordability crisis is startling, even in the upside-down world the country is currently in.

But that's what would follow from Professor Angotti's logic. Even building *only* affordable housing wouldn't solve the problem—unless we keep others out, building more affordable housing will not address the demand for housing by those who want to move to New York. And of course, there's the matter of who will pay for that affordable housing (and the social services, good schools, open space and public realm and infrastructure improvements required to support that housing). New York City has committed 10 percent of its entire ten-year capital budget for subsidized afford-

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# This Green and Pleasant Land

Bryan Greene

I was born in St Albans, Queens, in 1968, a few months after the passage of the federal Fair Housing Act. The Fair Housing Act would have opened up this neighborhood to my parents had they encountered resistance when they moved there the year before. Indeed, when my parents had inquired about houses for sale in other Queens neighborhoods, real estate agents asked, “Greene? Is that a nice Irish name?” But they purchased our house from a Black woman—Mae Barnes, a popular jazz singer and dancer, credited with introducing “The Charleston” on Broadway in 1924. Barnes matched the profile of many homeowners in St. Albans: middle-class African Americans who had distinguished themselves in politics, activism, music, sports, law, and letters. The most famous of these lived in the Addisleigh Park section of St. Albans, literally across the railroad tracks from our modest house. A September 1952 issue of *Our World* magazine ran a 12-page spread on this enclave, calling it, “Tiny Addisleigh, [the] swanky suburb [that] is home of the nation’s richest and most gifted Negroes.” So, how did St. Albans become the address of America’s Black elite (and many hardworking regular folk like my parents)?

First, New York is unique. In the 1940s and 1950s, it was indisputably the home of the world’s cultural and intellectual elite, of all backgrounds. Second, when it came to housing, affluent Black New Yorkers, like well-to-do Blacks elsewhere, had few choices of neighborhood if they wanted a yard, and a place to park a big car. Still, what made St. Albans that middle-class neighborhood where an African American could lay his or her hat and call it home?

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*Bryan Greene (greenebee@gmail.com) is a housing expert and civil rights practitioner in Washington, DC.*

It happened, in part, by chance; in part, by will and activism; and, in part, by dint of a close social network among the Black elite, but especially among celebrated jazz musicians who migrated there from Harlem. These migrations, starting in the 1930s, transformed the borough.

As you might expect, St. Albans was not founded as a Black community. Named after the city in Hertfordshire, England, the neighborhood had fewer than 600 residents at the end

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***In 1942, white Addisleigh Park residents successfully sued a homeowner to enforce a racially-restrictive covenant.***

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of the 19th century. Development took off after the opening of the St. Albans Long Island Railroad (LIRR) station on July 1, 1898, the same year the five boroughs consolidated to form New York City. Forty years later, St. Albans had a population of 30,000. The area saw its greatest growth in the 1920s with mass transit linking the area to the larger city, and the rising popularity of the automobile.

The leafy Addisleigh Park enclave, planned and developed at the start of the 20th century, was central to the development of St. Albans. Edwin H. Brown, a retired lawyer, laid out the original plans, modeling the community on the English garden suburbs, with wide streets, large landscaped lots, and English Tudor and Colonial homes set back 20 to 30 feet. Brown also built the LIRR station, and the St. Albans Golf and Country Club, which drew the rich and famous to the area. The New York Yankees slugger Babe Ruth golfed there and rented a nearby house in the summer months. The U.S. government later acquired the golf course for a naval hospital.

The golf and country club helped establish the exclusivity of Addisleigh Park. Other developers, like the Rodman & English Company, built on Brown’s plans and marketed the homes in newspapers and brochures with restrictions. A 1926 *New York Times* article states, “Addisleigh, together with the St. Albans Gold Club was laid out under the personal direction of Edwin H. Brown, and the land carries a land and house restriction of the highest type.” While this all appears to be code for racially-restrictive covenants, historians say it was not until the late 1930s, that the community established covenants that expressly prohibited the sale or lease of property to Black people.

Jazz pianist Fats Waller may have been the first African American to buy a home in Addisleigh Park. Legend has it that a white policeman, working a Harlem beat, sold his home to Waller in 1938 to get back at a neighbor with whom he was feuding. Over the next few years, a couple dozen Black families bought homes in the area, among them, jazz legends Count Basie and Lena Horne. Many whites feared this influx. In 1946, the *Long Island Star Journal* described Addisleigh Park as “a mixed Negro and white neighborhood, where Negro homes have been pelted with rotten eggs and vegetables.”

In 1942, white Addisleigh Park residents successfully sued a homeowner to enforce a racially-restrictive covenant. Residents sued again in 1946 when Mrs. Sophie Rubin tried to sell her home to Samuel Richardson, a “Manhattan Negro merchant,” in violation of the 1939 agreement she signed prohibiting the sale, lease, and gift of property to “Negroes or persons of the Negro race or blood or descent” until 1975. The case illustrates the national civil rights battle now joined over restrictive covenants. The NAACP saw *Kemp v. Rubin* as a case it might take

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to the U.S. Supreme Court to strike down the practice nationwide. National civil-rights groups, religious organizations, and unions filed *amicus curiae* briefs challenging the covenants. Groups included the American Jewish Congress, the American Civil Liberties Union, the National Lawyers Guild, the American Veterans Committee, and the Committee of Catholics for Human Rights.

The American Jewish Congress was particularly active in opposing racial covenants. In 1946, its Commission on Law and Social Action (CLSA) reported in its newsletter, "In New York, CLSA is preparing for a test case in an effort to reverse the trend of lower court decisions upholding such covenants...CLSA's interest in a suit to enforce a race restrictive covenant in St. Albans, Queens, has attracted wide attention in New York over recent weeks..." CLSA stated that if the judge granted a temporary injunction against the sale, "CLSA will seize the opportunity for retesting New York law and will seek to intervene and file a brief similar to that submitted in Chicago." CLSA's brief in the Chicago restrictive-covenant case laid bare the perversity of racial covenants in communities like St. Albans, where even the best and brightest African Americans were barred:

"A bare recital of the immediate effects of the covenant in this case is shocking in its brutality and falsity; any white person, whether he is a criminal, sadist, wife-beater, or moral degenerate, can buy this property and occupy it if he so desires; no Negro, whether he is a philanthropist, scientist, or philosopher may do likewise."

But the New York Supreme Court sided with Mrs. Rubin's neighbors in 1947, plaintively concluding that, "Distinctions based on color and ancestry are utterly inconsistent with our traditions and ideals, at the same time, however this court is constrained to follow precedent and govern itself in accordance with what it considers to

be the prevailing law." It also observed that Addisleigh Park, by 1947 had 48 Black families out of a total of 325 households.

In 1948, the U.S. Supreme Court, in *Shelley v. Kraemer*, invalidated racial covenants nationwide. The roll call of talented African Americans moving into Addisleigh Park and St. Albans over next decade is dizzying: Ella Fitzgerald, Jackie Robinson, Roy Campanella, John Coltrane, Percy Sutton, Archie Spigner, Illinois Jacquet, Earl Bostic, Mercer Ellington, Milt Hinton, Lester Young, Billie Holliday.

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***So many jazz luminaries lived in St. Albans, that the Queens County government in the 1990s published a "Jazz Trail Map."***

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So many jazz luminaries lived in St. Albans that the Queens County government in the 1990s published a "Jazz Trail Map," providing addresses for a couple dozen of the celebrity houses. Around that time, I offered an Australian friend, a novelist and jazz aficionado, a tour of these homes, which meant more to him than any tour of movie-star homes in Beverly Hills. Little did I know at that time that some of these jazz legends were still living in the area. One was Illinois Jacquet, tenor saxophonist in Cab Calloway's and Count Basie's bands (and who, like his neighbors Fats Waller and Lena Horne, appeared in the 1943 ensemble film, "Stormy Weather"). He lived in Addisleigh Park from 1949 until his death in 2004. In a 1999 Associated Press interview, he recalled the heyday of Addisleigh Park: "Count Basie was living out here before me. He told me it was a nice neighborhood and I better get in while I can...I was delighted when Ella moved here. I could go up to her bar at the house and drink up all of her whiskey, and then go through somebody's yard and go home. That's what it was like back then."

Milt Hinton, bassist for Cab Calloway and known as the Dean of the Bass, remained in St. Albans till his death in 2000. It's said that Hinton has played on more recordings than any other musician in the world. In 1998, when he was 88, he and his wife Mona sat for an interview with the *New York Times*, in their two-story Tudor home. They bought the home in 1950 to raise a family. "I was raised in Sandusky, Ohio, a small town," Mrs. Hinton said. "I just couldn't imagine raising a child in the city." They socialized with the Basies down the street. Count Basie, and his wife Catherine, were known for their garden parties. They had a swimming pool and a yard that filled an entire city block. Mrs. Hinton, recalling her friend Catherine, said, "She always gave parties for her charities and social events. They had a fence up, and they had roses covering the whole fence." A January 1959 issue of the NAACP's *Crisis Magazine* carries a photo from one such "gala garden party given by Mrs. Catherine Basie," for the benefit of the local NAACP. In addition to raising \$500, she signed up 250 new members to the organization. One can find online a small trove of pictures of the Basies relaxing at home in St. Albans. They lived in their home from 1940 till 1982.

It wasn't just jazz musicians in Addisleigh. No assemblage of the gifted Black elite would be complete without the purveyor of the phrase, "The Talented Tenth," to describe this set. W.E.B. DuBois lived briefly in St. Albans. In 1951, at 83, he married author and playwright Shirley Graham at her Addisleigh Park home. They lived there until 1952, when they moved to Brooklyn.

We also should not conclude that the invalidation of racial covenants in 1948 meant that African Americans lived happily ever after in St. Albans. During this time, several activists (Charles Collier, executive secretary of the City-Wide Citizens Committee on Harlem; John Singleton, a member of the NAACP Board of Directors; and dentist William H. Pleasant) received

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# Dirt and Deeds in Mississippi: Film Highlights Long Threads in Civil Rights History

William Minter & Michael Honey

Like the episode on Mississippi of the classic film series *Eyes on the Prize*, the Television Academy-Award-winning *Dirt and Deeds in Mississippi* skillfully weaves together interviews with civil rights activists, archival film footage, and original historical research to portray the key period of civil rights history leading up to the Voting Rights Act of 1965. This history is worth recalling in the wake of the presidential election of 2016, in large part the result of decades of voter suppression which threatens to usher in a new period of Jim Crow.

Even in the wake of the civil rights victories of the 1960s, including representation of Blacks in county and state-level politics, the film's setting of Holmes County remains one of the poorest counties in the United States, with more than half of households having incomes under \$21,000 a year (approximately half the state median of

\$41,000 a year, itself the lowest of all 50 states). Holmes County, like most of the Delta region, voted overwhelmingly against Donald Trump in the 2016 election. But Mississippi remains a reliably Red state, where Republicans dominate the state government and hold both U.S. Senate seats and three

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## ***The STFU powerfully affected a generation of organizers in the Mississippi Delta of the 1930s.***

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of four of the state's seats in the U.S. House of Representatives.

The themes raised in *Dirt and Deeds in Mississippi*, in our view, have relevance both for interpretation of the centuries-long history of racial injustice and the resistance against it in the United States and for our country in the critical next years of the 21st century. In particular, we are convinced that both past and future need to be analyzed paying attention not only to the successes or failures of specific organizations and institutions, but also to personal and family networks that cross generational, geographic, racial, cultural, and other social boundaries.

This film, narrated by Danny Glover, is also distinctive in several ways that make it a particularly valuable resource for researchers, students, and social justice activists alike:

- While touching on the historic events which received national attention (Freedom Summer, the murders of civil rights activists Chaney, Goodman, and Schwerner; the 1964 Democratic Convention, and President Lyndon Johnson's legislative initiatives on civil rights), its focus is the small rural community of Mileston, in Holmes County, on the edge of the Missis-

sippi Delta just under 80 miles north of the state capital Jackson. And it gives priority to local activists who seldom feature in the national narrative.

- In particular, it highlights the critical roles of Black landowners, in Holmes County as around Mississippi, as the indispensable support base for the movement through providing housing for activists on their farms and armed defense for the organizers of non-violent demonstrations and voter registration drives. Unlike Blacks living on plantations or otherwise dependent on whites for paychecks, landowners had achieved some level of independence and were willing and able to step up as leaders.
- It also reveals links to earlier history, including a little-known initiative of the New Deal, which established the Mileston farmers on good Delta land from a white plantation foreclosed at the height of the Great Depression. On the hill country on the eastern side of Holmes County, other farmers traced their land ownership back over a century. One of these was Robert Clark, whose great-grandfather purchased the land from his former master. In 1967, Clark became the first Black elected to the Mississippi legislature since Reconstruction, and served 36 years, retiring a Speaker of the Mississippi House.

The authors of this review share a common interest in these connecting threads, through different personal connections to the role of the interracial Southern Tenant Farmers Union (STFU) in the region in the decades preceding the 1960s civil rights movement. Honey's latest book, *Sharecropper's Troubadour*, recounts the life and legacy of John L. Hancock, (Please turn to page 6)

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William Minter (*wminter@gmail.com*) is the publisher and editor of *AfricaFocus Bulletin* and an independent scholar whose writing has focused on Africa, global issues, and U.S. foreign policy. His latest book, co-edited with Gail Hovey and Charles Cobb, Jr., is *No Easy Victories: American Activists and African Liberation over a Half Century, 1950-2000*.

Michael Honey (*mhoney@uw.edu*) is professor of Labor and Ethnic Studies and American History and Haley Professor of Humanities at the University of Washington, Tacoma. Honey has published five books of labor and civil rights history; including *Sharecropper's Troubadour*: John L. Handcox, the Southern Tenant Farmers' Union, and the African American Song Tradition. Honey's most recent work is a film, *"Love and Solidarity: James Lawson and Nonviolence in the Search for Workers' Rights."*

the STFU, and the African-American song tradition. Minter's parents met at the Delta Cooperative Farm in Bolivar County, Mississippi, which grew out of the Southern Tenant Farmers' Union in the 1930s (see *Sharecropper's Troubadour*, pages 90-91), and Minter himself spent part of his childhood in Holmes County, living on the successor Providence Cooperative Farm just at the edge of the hill country.

The STFU powerfully affected a generation of organizers in the Mississippi Delta of the 1930s. Ed King of the Student Nonviolent Coordinating Committee recalled that civil rights organizers of the 1960s drew inspiration from the STFU's ability to pull together former KKK members and African Americans in both Mississippi and Arkansas who were among the poorest people in America at the time.

John Handcox, born in 1904 near Brinkley, Arkansas, provides a vivid illustration of the themes raised in the film. He not only organized the STFU, but wrote some of its most memorable songs, including "Roll the Union On," and helped to popularize "We Shall Not Be Moved" as a song that became an anthem in the civil rights movement and the Memphis sanitation strike of 1968. The Library of Congress through the work of Charles Seeger and others recorded Handcox's songs in 1937. His songs and his story are

now readily available to today's listeners through Smithsonian Folkways and Honey's oral history, *Sharecroppers' Troubadour*. Although planter violence suppressed the STFU struggle for justice and dignity for rural workers, its songs and legacy of interracial working-class organizing against impossible odds live on even today.

At the local level in Arkansas, where the STFU was strongest, activists like Carrie Dilworth spanned the generations, carrying her activism into work with the NAACP in the 1950s and with SNCC in the 1960s. It is likely that similar stories could be told about the civil rights movement in many more rural counties in the South.

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### ***What factors have contributed to the enduring political backlash to civil rights victories in Mississippi over the past five decades?***

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Among the questions we offer for readers, researchers, and activists are the following, each of which would take far more than a short film review to explore:

#### *About the history*

- Did either the STFU or the Delta Cooperative Farm have any influence on the New Deal policies that

led to the establishment of the Mileston community or similar projects elsewhere in the South? Did other such projects have specific influence on the civil rights movement in the 1960s in their local communities and states?

More generally, were Black landowners as central to the local civil rights movement in other Southern states and communities as they were in Holmes County?

- Did the history of the 1960s Southern civil rights movement differ in areas where the STFU worked, in comparison with other areas in other states?
- What was the international influence on interracial cooperative projects in the U.S. South, such as Providence Farm and parallels such as Koinonia Farm in Georgia, which not only survived but gave birth to the prominent Habitat for Humanity project?
- What factors have contributed to the enduring political backlash to civil rights victories in Mississippi over the past five decades, as well as to continued impoverishment of the state of Mississippi, despite the presence of African Americans in county and city governments? Why can't we crack the white barriers to bi-racial voting and progressive politics?

#### *About 2017 and beyond*

- What inspiration and/or positive or negative lessons can today's social and racial justice activists take from earlier periods of Black liberation history and labor struggles?
- What are the 21st-century counterparts to the assets of land that Black landowners in Mississippi drew on to be able to advance the 1960s civil rights movement?
- What is the relevance of history in analyzing today's "whitelash" and strategies to ensure that the next few years build the foundation for a "Third Reconstruction" as proposed by Rev. Barber of North Carolina's "Moral Mondays," rather than con-

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### **New on PRRAC's Website**

"Protecting our gains and building a base of practice: PRRAC's housing research and advocacy goals in 2017-18" (January 2017)

Fair housing comments on Treasury Department Notice 2016-77, regarding the Low Income Housing Tax Credit "Concerted Community Revitalization Plan" requirement (February 2017)

Suggested changes to the draft Low Income Housing Tax Credit reform bill (letter to the United States Senate Committee on Finance) (February 2017)

"How Attacks on the Administrative State Can Be Attacks on the Most Vulnerable" by Megan Haberle (March 2017)

"Preserving the Civil Rights Data Collection program" (March 2017)

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# Justice in Our Community: Helping People Access Legal Information and Services

Jane Kelleher, Miriam Elisa Hasbún, and Yandy Reyes

**H**ow can law students, legal aid, and willing donors best serve impoverished communities? UConn Law and Connecticut's Greater Hartford Legal Aid (GHLA) have been working together to answer that question.

The result of their efforts? The new "Justice in Our Community" Fellowship program. Law student fellows—with external support from legal aid lawyers—worked on-site in the heavily trafficked waiting room of a health center located in a high-poverty area. The results were fantastic: Fellows engaged with clients who otherwise would not have had access to lawyers, triaged intervention as needed, and provided direct assistance to people who were struggling to communicate through language and other bureaucratic barriers. The program provided donors with a direct way to invest in future legal aid attorneys and to assist an ailing community. Most importantly, the program conveyed to that community a presence that both honored them and afforded them the dignity of communication in a setting of their choosing.

In the hope that others will replicate the program, this article describes the Justice in Our Community Fellowship—a joint effort to assist and empower people living in Connecticut's lowest-income neighborhood, Hartford's North End.

## Vision

In early 2015, the Auerbach Schiro Foundation approached UConn Law with a goal in mind: they wanted to provide economically disadvantaged

people in Hartford's North End with easy access to legal information and assistance. GHLA had an idea that could further this goal: with the donors' contribution, GHLA would provide stipends for three law-student fellows to run a legal information and outreach table on the organization's behalf. GHLA would place the Fellows at Community Health Services (CHS), a federally-qualified health center located in the heart of the community the donors wanted to reach. For a client community with limited access to reliable transportation, this location was key.

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***A joint effort to assist and empower people living in Connecticut's lowest-income neighborhood, Hartford's North End.***

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## Structure

UConn Law helped develop the project, and students, especially those interested in public interest work, jumped at the chance to apply for paid legal experience.

Each Fellow would spend six hours per week conducting outreach at CHS, and six hours per week at the GHLA office, helping with research projects and following up with people they met in the community. The students were first trained in substantive law, legal ethics, confidentiality, and identifying issues the Fellows might encounter. As the year progressed, Fellows received additional substantive trainings in legal issues that commonly were mentioned at CHS. Their knowledge grew as the term progressed, but they also worked in connection with a reliable support network: when they needed to,

they would send an email to GHLS staff and get an almost-immediate response. The key was that the Fellows were never left on their own: they were serving as the face of GHLA in the community, and they had GHLA's entire staff behind them.

At first, "outreach" was ambiguous: having a regular arm in the community was new to everyone involved, and it was hard to know if the goals would match the reality at CHS. Over time, however, "outreach" developed into a well-established system for reaching potential clients and community members. Equipped with a GHLA poster and legal-information pamphlets, the Fellows worked in pairs at a table in the highly-trafficked CHS lobby every Monday, Wednesday, and Friday afternoon. A GHLA attorney supervised and assisted once a week. The consistency of this approach proved to be extremely valuable in forming relationships with members of the community.

## Interaction with Client Community

### *Profile of Client Community and Scope of Services*

Clients ranged in age from early twenties to late sixties. The majority of the community members were Latino or African-American, and most interactions were in English or a combination of Spanish and English. Fellows spoke to more female identified community members than male identified members. Many members of the community received government assistance such as Supplemental Nutrition Assistance Program (SNAP), Social Security Disability (SSD), Supplemental Security Income (SSI), Cash Assistance for Families, and HUSKY

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*Jane Kelleher, Miriam Elisa Hasbún (miriam.hasbun@uconn.edu), and Yandy Reyes were law students at the University of Connecticut School of Law during the fellowship's inaugural year.*

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Healthcare. A majority of the Fellows' interactions were with people who needed help with housing, applying for benefits, navigating a domestic abuse situation or divorce, or obtaining a pardon.

Pardons, for example, were an important area because community members mentioned difficulties stemming from their criminal records more than any other legal issue. Minor offenses often prevented them from obtaining work or housing. Some had lost their jobs after their employer found out that the worker did not disclose their record on their job application. The Fellows' "Is Your Criminal Record Keeping You From Finding Work?" pamphlet probably drew more people to the outreach table than any other sign, poster, or pamphlet. It was easy to see how difficulty finding work or a home could lead to recidivism in people who genuinely wanted to make a positive change. Once referred by the fellows, GHLA was able to help several people navigate the rigorous pardons process and to set applicants' expectations as to whether they were likely to receive a pardon.

Fellows often alerted community members to rights or legal issues that they were not aware they had. For example, when a woman told the Fellows that a neighbor's fire had rendered her apartment uninhabitable, the fellows told her about relocation assistance and connected her with the agency that could help. When a homeless man pulled a pile of papers out of his backpack and laid them on the outreach table, the fellows identified a SNAP cut-off notice and helped him re-apply. When a regular visitor mentioned that he needed help obtaining a divorce, the fellows connected him with a divorce clinic and helped him fill out the necessary paperwork.

Some of the fellows' outreach work was not necessarily "legal," but gave the fellows an opportunity to help people navigate difficult systems. For example, a Bengali family asked the Fellows for help getting Medicaid for their young daughters. Calling Access

Health Connecticut (AHCT) was overwhelming for them—especially after an AHCT representative made a comment about their accents. The fellows spoke with AHCT on the family's behalf, relaying the representative's questions and the family's answers. It was a long process, but it was worth it: the daughters were insured, and the family was appreciative, kind, and gracious. Another day, a woman asked for help changing information on her marriage license. After some quick research online, the Fellows found out what she needed to do and wrote out instructions. She had spent years attempting to change the license but was unable to navigate the process on her own, so she was very appreciative when the Fellows gave her a step-by-step guide.

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***Community members mentioned difficulties stemming from their criminal records more than any other legal issue.***

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Fellows developed lasting relationships with community members, as well. One man was applying to have his SSI reinstated after a recent period of incarceration. He stopped by every few weeks to update the fellows on his application and to ask quick questions when he had trouble reaching GHLA. He faced several challenges—he struggled to find housing because of his record, and he couldn't work because of his disability—but he always had a huge smile on his face. He repeatedly expressed appreciation for GHLA being out in the community, and on the fellows' last day, he expressed sincere regret that their term was coming to an end. He told the fellows that there were days where he felt like giving up, but when he visited GHLA's outreach table it gave him the will to keep trying.

## **Typical Day**

On a "typical" day at CHS, the fellows would interact with five to fifteen people. It was never easy to predict whether a given day would be busy: the number of visitors varied based on the weather, other events being held at CHS, the day of the week, the table's location, and the signs posted by fellows. The length of interactions ranged from a few minutes to an hour. Some people stopped by the table just to say hello, and some stopped to take legal information pamphlets. Sometimes, people picked up pamphlets and returned later to report that they had read through the information and wanted to discuss a legal issue. Others sat down immediately, sharing stories about current legal troubles or about legal needs that had gone unmet in the past—usually because they lacked access to an attorney.

Longer conversations often turned into an intake or a Community Inquiry. Intakes, which are brief screening interviews, were conducted when an individual seemed to qualify for full representation by a GHLA attorney. Community Inquiries, by contrast, were structured conversations in which Fellows asked a set of open-ended questions, such as "Tell me about something good going on in your life right now?" The Community Inquiry was intended to help GHLA get a feel for what was happening in the community, and to find out whether there were common problems that GHLA wasn't yet addressing. Fellows obtained participants' informed consent and emphasized that responses were confidential. Fellows also communicated to participants that their responses were in no way connected to the assistance they would receive from GHLA. Conversations would last anywhere from five minutes to an hour, and Fellows tried to record responses exactly how they were spoken. After an intake or inquiry, the potential client would leave with a GHLA business card, the fellows' contact information, and a thank you card if they had completed the community inquiry.



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## Interacting with the Client Community: Ground-rules

Ground-rules were established as the year progressed and changed to fit the Fellows' and GHLA's needs. They are as follows:

- *Give legal information, not legal advice.* Law student Fellows were not attorneys and therefore were prohibited from advising clients.
- *Listen.* The client community has a history of being ignored or dismissed by those in positions of power. For many this was an opportunity to have someone take them seriously and listen to their whole story. Fellows provided help when they could and an outlet for when they could not.
- *Identify the legal issues.* Figure out how GHLA or other resources could best serve each person. To be both mindful of client's time and the Fellows' own limited availability, Fellows learned how to respectfully direct the conversation and focus on how to help the client if a legal remedy was available. If Fellows could not refer back to GHLA, they would refer to other community resources.
- *Respect.* Fellows were always mindful to represent themselves, GHLA, and the Law School in a professional manner while at CHS. They were building an image not only for GHLA but also for attorneys. They were approachable, available, and excited to learn from community members. If someone mentioned a problem, Fellows placed importance on his or her concern no matter what it was.
- *Take notes and track.* Because it was a pilot year, Fellows made things up as they went. They created an excel sheet that continued to grow as the year progressed. Originally, it included only information from those individuals who

had filled out an intake form. Eventually it included community stories, patterns, and updates on clients.

- *Be honest.* If Fellows were unable to resolve the issue at the table or the issue fell outside of GHLA's scope, they told the client. This frustrated some people, but most were grateful that the Fellows had tried to help in the first place. Usually, when the individual did approach the table, Fellows were able to find an outlet or resource that could help.

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***The organization's reputation, already well established and positive, was arguably improved. . . . Many community members saw GHLA as more approachable, because they had a way to interact with the organization on their own terms.***

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- *Follow-up.* The Fellows tried their best to follow up with clients, either by asking them to return on another day or by contacting them directly by phone. Many clients did not have emails or access to a computer, so follow-up occurred mainly by phone. This also posed a problem because many clients had phone plans with limited minutes making it hard to get ahold of a client whose minutes had expired. When telephone calls failed Fellows turned to sending letters in the mail. This also could be a challenge because some clients were in between homes and did not have permanent addresses.
- *Tracking.* Fellows maintained a comprehensive list of potential clients so they could keep track of when a secretary had made contact with an individual, or that an attorney had communicated the advice sought. Fellows also noted when

they were unable to reach an individual.

## Program Benefits

To be sure, everyone involved hoped that the fellowship program would benefit the North End community. By the end of the year, it seemed that goal had been accomplished. Clients knew they could come to the outreach table if they couldn't make it to GHLA's office, or if they were having a hard time reaching the office by phone. For many clients, face-to-face interaction was significantly less overwhelming than other forms of communication—some clients told the fellows that they relied on the outreach table as their primary method of communication with GHLA. Many people commented that it was great to see GHLA out in the community. Others told the fellows that they had been meaning to call GHLA about a legal issue for months, and seeing the GHLA table at CHS made it easier for them to get help. Many people told the fellows that, regardless of whether GHLA was able to help them with their legal problem, just having been listened to made them feel better.

GHLA benefited from the program, as well. Because of the donors' generosity, GHLA was able to hire these three Fellows who could afford to devote substantial time to the community and start this program without taking time away from an already-busy staff attorney. GHLA learned more about the community it serves, which helped it identify issues and trends that were not always making it through the front door. The organization's reputation, already well-established and positive, was arguably improved—many people stated that it was nice to see the organization reaching out to the community. Many community members saw GHLA as more approachable, because they had a way to interact with the organization on their own terms.

Community Health Services, the Fellows' gracious and accommodating host, benefited from the program as

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notices from the “Klu Klux Klan, District of St. Albans” [sic] stating, “Warning to Negroes entering St. Albans. Beware...” *Jet* magazine on October 3, 1952 reported a cross-burning near Jackie Robinson’s home, “an area of expensive homes owned mostly by Negroes... The cross—six feet high with three foot cross arms—was lighted on a vacant lot near the home of one of the few remaining white residents who recently had offered his \$40,000 house for sale. Said Mrs. Robinson: “there are five Negro and five white families on our block and we get along very well. As far as I know none of the white families on the street plans to move away.”

Mrs. Robinson’s sanguine prediction notwithstanding, St. Albans was becoming a Black neighborhood, as whites fled to Long Island, and other Queens enclaves.

Retired General Colin Powell, in his autobiography, describes a changing area when his family won the lottery and purchased a home at the edge of St. Albans in 1959: “The house was a three-bedroom bungalow in a neighborhood in transition, the whites were moving out and the blacks moving in. My folks bought from a Jewish family named Weiner, one of the few white families left... Our new home was ivy-covered, well kept and com-

fortable, and had a family room and a bar in a finished basement. Pop was now a property holder, eager to mow his postage-stamp lawn and prune his fruit trees. My father had joined the gentry.”

Lani Guinier, Harvard Law Professor and briefly President Clinton’s pick to head up the Justice Department’s Civil Rights Division, said in a 2011 *New York Times* op-ed that when her family moved to St. Albans in 1956, “[T]he neighborhood changed with our arrival. When we first moved in, Italians, Jews, Albanians, Armenians

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### **St. Albans was becoming a Black neighborhood, as whites fled to Long Island, and other Queens enclaves.**

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and Portuguese lived in small, tidy, two-family attached houses on both sides of the street. By 1964 there were almost no whites still living on our block except my mother.”

Guinier also shared her experience as a biracial student attending a largely white school. Prior to junior high school, she described herself as “interracial.” “In junior high school, I became Black. I attended Junior High School 59, a magnet school that attracted Jewish students from Laurelton

velop interview skills. They learned how to budget their time and attention in a setting that was often fast-paced and high-stress. Fellows had the chance to discuss legal issues with attorneys at the office, and to learn about core legal issues such as housing, benefits, and family law. The Fellows also had a chance to practice—or learn—Spanish. Most importantly, the Fellows had the chance to meet and learn from people facing tremendous legal barriers, and to help people while they themselves grew as students. The experience will surely serve them well as they move forward with their legal careers. ▣

and Italian kids from Cambria Heights. The white students were friendly during the school day, but it was in riding the bus home with the other Black students that I felt most welcome. We rode the bus together to an increasingly segregated St. Albans neighborhood. And it was in St. Albans that I felt fully accepted.”

Writer, musician, and 2013 National Book Award-winner James McBride provides a similar account, as a biracial child growing up in St. Albans. McBride, in his best-selling memoir, *The Color of Water*, describes his family’s move from Red Hook, Brooklyn to “the relative bliss of St. Albans” in the early sixties. It’s during this period, as he is starting school, that he realizes his mother is white. The only other white faces he saw in his community were the teachers at nearby PS 118 (which I also attended for a few years a decade later).

McBride paints a vivid picture of the Black militancy that took hold in St. Albans as the sixties came into full flower. He said, “In 1966, when I was nine, Black power had permeated every element of my neighborhood in St. Albans, Queens. Malcolm X had been killed the year before... Afros were in style. The Black Panthers were a force...” In another passage, he describes how the alteration of a familiar landmark in St. Albans, which remains to this day, came to be. “A few blocks from our house was an eight-foot-high stone with a plaque on it that commemorated some civil historic event, and one morning on the way to the store, Mommy noticed the rock had been painted the black-liberation colors, red, black, and green. ‘I wonder who did that,’ she remarked. I knew but I couldn’t say.” McBride reveals to the reader that his brother was the culprit.

It was during this period that the Godfather of Soul, James Brown, moved into tony Addisleigh Park. By the 1960s, this Gold Coast neighborhood, like the rest of St. Albans, was largely Black. In a 2016 NPR interview, McBride, who wrote a book on Brown said, “His house was across the tracks, on the good side of St. Albans.

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well. CHS treats patients holistically; they primarily offer medical services, but also offer psychiatric help, provide clothing, and give out food on a weekly basis. CHS is also a warm place to spend the day for those with nowhere else to go. CHS staff members commented that they were happy to have somewhere to send patients who mentioned legal issues over the course of their appointments.

Finally, the students received immeasurable benefits from serving as Fellows. They participated in direct client interaction with a very diverse population, which helped them de-

I used to sneak over, across the Long Island Railroad tracks, and me and my friend Billy Smith, we would stand outside. A bunch of us! Because the rumor was that he would come out of the house, and if you'd promise you'd stay in school, he'd give you money."

I, too, grew up hearing stories about James Brown's time in St. Albans. Brown was still a popular figure in the 1970s and his music more accessible to me than jazz. He lived in St. Albans from 1962 through the early 1970s, during his peak as a recording artist. The records he produced during this period were in heavy rotation in my house: "Papa's Got a Brand New Bag," "I Got You (I Feel Good)," "It's a Man's Man's Man's World," and "Get Up (I Feel Like Being a) Sex Machine." While living in St. Albans, Brown also recorded what would be the unofficial anthem of the Black Power movement, "Say it Loud - I'm Black and I'm Proud." What James Brown was saying and doing at this time was in sync with what was happening in the community around him. He enjoyed a reputation as a man of the people. While he lived in a house that looked like a castle, Brown, my parents and others said, used to open up his pool to area children. So, the rumor McBride heard that he'd give kids money is plausible.

On NPR, McBride continued, "That was the rumor. It never happened. [Laughs.] And so kids would stand outside his house all the time, and then one day, my sister Dottie did something that no kid I ever thought had the guts do do: She just went up to the front door of this beautiful house, and just knocked. And she met him! And so she came running home and said, "I met James Brown." And we asked, "What did he say?" "He said, 'Stay in school, Dottie.'" And that became the clarion call of my sister for a long time."

I recall a St. Albans, in the 1970s, where the schools were still good, but increasingly under-resourced, compared to schools in Queens' white communities. My parents bused their three children to schools in white areas after we reached the third grade. As time

## PRRAC Update

- We are pleased to welcome our new Communications and Partnerships Manager, **Kimberly Hall**. Kim comes to us with a strong background in campaign communications, and will be helping us do a better job in getting our voice heard in traditional media, developing a stronger strategic narrative, and raising up stories from our work in local communities.
- Three new Board members joined us at our December Board meeting in Chapel Hill: **Kristen Clarke**, Executive Director of the Lawyers Committee for Civil Rights Under Law, **Justin Steil**, an assistant professor in the MIT Department of Urban Studies and Planning, and **Anurima Bhargava**, formerly Chief of the Educational Opportunities Section in the DOJ Civil Rights Division, and currently a fellow at the Open Society Foundations and the Harvard Institute of Politics.

marched on, economic disinvestment, official neglect, and the social ills disproportionately borne by Black communities, exacerbated the educational disparities. On a demographic dot-density map, all of Southeastern Queens appears dramatically as 90+ % Black, with the borough becoming progressively whiter as you travel north to the Throgs Neck Bridge. School proficiency inversely tracks Black population density.

Some years ago, New York City renamed my childhood elementary school the Lorraine Hansberry School for Literary Excellence. Hansberry, the first Black woman to write a play performed on Broadway, is a fitting role model. But Hansberry's magnum opus was "A Raisin in the Sun," which was based on Hansberry's family's own experience fighting racial covenants in Chicago. In her book, *To Be Young, Gifted, and Black*, Hansberry describes the litigation:

"Twenty-five years ago, [my father] spent a small personal fortune, his considerable talents, and many years of life fighting, in association with NAACP attorneys, Chicago's 'restrictive covenants' in one of this nation's ugliest ghettos. The fight also required our family to occupy disputed property in a hellishly hostile 'white neighborhood' in which literally howling mobs surrounded our house."

She also remembered "being spat at, cursed and pummeled in the daily trek to and from school," while her father took the legal battle to the U.S. Supreme Court, where he won a Pyrrhic victory in *Hansberry v. Lee*. In that 1940 case, which helped establish an important precedent for civil procedure, the Court held that previous challenges to a Chicago covenant did not bar Hansberry, who was not part of that litigation, from contesting it. Today, that Chicago neighborhood, like St. Albans, is overwhelmingly Black and segregated.

St. Albans and other areas of Southeast Queens were among the hardest hit by the subprime foreclosure crisis a decade ago. Many affected were longtime homeowners who had built up decades of wealth in their homes. In fact, it's precisely St. Albans' history of stable Black homeownership that made it a target.

Milt Hinton in his 1998 interview with *The New York Times* summed up what Blacks were seeking when they began moving to neighborhoods like St. Albans in the 1940s: "Colored people like us were just looking for a decent place to live, a quiet place to raise children."

It begs the question Langston Hughes asked in the 1951 poem that inspired Hansberry: "What happens to a dream deferred?" □

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with race (and may even promote racial integration), and that the solution is to build more “affordable housing.” Government-backed “affordable housing” is unaffordable to people living in affected central city neighborhoods, and most of the new development is private, market-rate and luxury housing.

## Race Matters

The city’s aggressive rezoning policies over the last 15 years have helped to drive this massive development and displacement. In *Zoned Out!* we challenge the narrative that the city’s zoning is “color blind.” We show how areas targeted for new development are disproportionately low-income communities of color, while areas protected by zoning are disproportionately white and middle- and upper-income. In sum, exclusionary zoning is not limited to white suburbs but works in the central city as well.

*The bulk of new housing built after upzonings is for the luxury market, is off-limits to most people living in the neighborhood, and drives up rents and housing costs instead of lowering them. And the few “affordable” housing units made available are not affordable to most existing residents.*

When we look beyond the surface phenomena—the rich array of cultures and colors on display in the streets and subways—New York City is in fact one of the most segregated and unequal cities in the world. And it is becoming more segregated and unequal. This is consistent with the city’s history from the time it was founded. Slaves were bought and sold in Manhattan and proceeds from the Southern plantation economy went to Wall Street banks. After slavery, Blacks lived in segregated areas and as new development moved uptown from lower Manhattan Blacks were displaced in stages until they landed in Harlem a century ago,

then migrated to segregated areas of Brooklyn, Queens and the Bronx. Now many are being pushed out of Harlem as wealthy white neighborhoods—the Upper East Side and Upper West Side—stretch their boundaries further north into Harlem.

When zoning was instituted in 1916, wealthy property owners in Manhattan insured protection of their own properties from industries and the working class immigrant populations living near them. This focus on promoting and regulating the densest areas corresponded with a laissez-faire approach to peripheral areas—until recent decades when those areas become targets for big real estate and upzoning. Since zoning is the main tool for land use policy in New York City, aggressive rezonings to both

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***New York is a latecomer to inclusionary zoning. Its Planning Commission . . . has long opposed calls for inclusionary zoning.***

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stimulate new growth and protect wealthier enclaves are now common. During the 12-year rule of Mayor Michael Bloomberg (2002-2013), almost 40% of the city’s land was rezoned following this broad strategy. Current Mayor Bill de Blasio picked up where Bloomberg left off and proposed to rezone what was left in selected neighborhoods. De Blasio proposed upzoning to promote new development in 15 communities, mostly low-income communities of color subject to gentrification pressures, but he has faced a broad wave of opposition from residents who consider the city’s promises of affordable housing to be too little and too late.

The city’s housing policies have often reinforced its biased land use policies. New York City used the federal urban renewal program to gut black and Latino neighborhoods. New public housing, particularly at the edges of the city, segregated many who were pushed out of their neighbor-

hoods. Redlining, blockbusting and racial steering were commonplace. And in the wave of massive housing abandonment affecting communities of color in the 1970s, the city was complicit with banks, landlords and insurance companies when it withdrew services from these neighborhoods, a practice that one city official dubbed “planned shrinkage.”

## Zoning Can’t Solve the Housing Problem

Last year, New York City adopted a new inclusionary housing law—Mandatory Inclusionary Housing (MIH)—that would tie all new rezonings promoting development to requirements that at least 20% of new housing must be affordable, following HUD’s area-wide definition of affordability. New York is a latecomer to inclusionary zoning. Its Planning Commission, historically beholden to the powerful real estate industry, had long opposed calls for inclusionary zoning, claiming that it would thwart new development. Finally, the city sweetened the pot with tax subsidies and negotiated overall terms with the powerful Real Estate Board of New York, and the measure passed in 2016. In a bizarre political endgame, de Blasio faced significant opposition from the majority of the city’s 59 community boards, both those that saw MIH as a Trojan Horse for gentrification and displacement and the NIMBYite boards opposed to new development and affordable housing.

After MIH passed, the city pressed harder to move its rezoning agenda forward in the 15 mostly minority communities, arguing that MIH was necessary to guarantee new affordable housing development. This reasoning was greeted with renewed skepticism, part of the reason that only one of the 15 rezonings has actually passed in the three years of this mayor’s administration. These are the limitations of MIH often cited in communities of color:

- At least 80% of new housing developed under MIH is bound to be

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market-rate, built for higher income groups. This new development further drives up rents and land values in the rest of the community.

- Since the area-wide AMI is used to determine eligibility instead of the neighborhood median, most of the new “affordable” units are not affordable to most existing residents.
- Years before the rezoning, speculators and equity funds move into the neighborhoods, buy up land and buildings and use a variety of methods, legal and illegal, to move existing tenants out. Thus, residents already see the negative effects of this kind of development and expect that the proposed rezoning will only make it worse.
- The city’s planners try to sell the rezonings by inferring that gentrification and displacement are inevitable and MIH is the best way to get at least some affordable housing. However, it is clear from the city housing agency’s own public statements that the vast majority of “affordable” units in the mayor’s 20-year affordable housing plan will come from renovation of existing units and not new construction, and only a small fraction of the new units will result from the application of MIH. This further discredits the argument for using zoning as a means for both the preservation and creation of affordable housing.

## It’s The Land Market!

At the heart of this obscurantism is the real estate industry’s *laissez-faire* ideology which dominates all discussion of the housing question. The problem, they say, is that demand is much greater than the supply. The solution? Increase the supply. Housing is no different than potatoes: the more there are the lower the price. Right?

Wrong. Real estate investors make money by investing in land, watching it gain in value and then selling it to make a profit or using it to leverage new wealth. In hot urban markets like New York City, land is treasured because of its potential future value. Zoning is the principal instrument of public policy that regulates land values, and zoning changes can create enormous overnight windfalls. This produces gentrification and displacement. While it often happens without any zoning change, when landowners deem that a zoning change is needed to realize the potential value of their land, they turn to the city planners to do the right thing.

## Displacement in Three Neighborhoods

The stories of zoning and displacement in New York City neighborhoods reveal how this close relationship be-

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### ***The city advanced this as an opportunity to improve Harlem by attracting new housing and retail.***

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tween zoning and the land market works. Three recent stories are particularly revealing: Williamsburg (Brooklyn), Harlem and Chinatown.

The most dramatic of these is Williamsburg, Brooklyn, once a lively working class neighborhood mixing industry and housing. Williamsburg is on the East River facing Manhattan and when port facilities moved to New Jersey in the 1970s parts of its industrial waterfront were abandoned. Residents and businesses came together in the 1990s to prepare a community plan that would preserve the mixed use character of the neighborhood while preventing high rise luxury development on the waterfront. The plan was approved by the City Planning Commission in 2002. Two years later the city came forward with a rezoning proposal

that would produce high-rise luxury housing on the waterfront and open up industrial areas to new residential development.

The new zoning, supported by powerful real estate interests, was a slap in the face for advocates of the community plan. It was approved by the City Planning Commission in 2005. Within a mere decade, Williamsburg became a haven for new wealth, a large portion of the Latino population was displaced, industry declined precipitously, and the limited amount of “affordable” housing built remains unaffordable to most of Williamsburg’s remaining working class residents.

*The white population in the rezoning area increased by 44 percent, compared to a 2 percent decline citywide. The Hispanic/Latino population declined by 27 percent, compared to a 10 percent increase citywide.*

Another case is the rezoning of Frederick Douglass Boulevard in Central Harlem.

The city advanced this as an opportunity to improve Harlem by attracting new housing and retail. Some even suggested that if it attracted whites then it would serve to integrate Black Harlem and, in the end, reduce segregation. In fact, located at the southern edge of Central Harlem near the white Upper West Side, the rezoning of Frederick Douglass Boulevard served to expand the segregated Upper West Side and displace Black Harlem residents who would then move into newly re-segregated areas of the city or to segregated portions of the inner suburbs. The Upper West Side once had a large Latino population, but much of it was forced out by the urban renewal program and gentrification. Manhattan (Kings County) still has the greatest income inequality of all counties in the nation.

*From 2000 to 2013, in the Frederick Douglass Boulevard rezoning area, the total population increased by 18 percent; the white*  
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population increased 455 percent while the black population declined by 5 percent, and the Latino population declined by 13 percent.

The third case is Manhattan's Chinatown. In 2008, the city approved a rezoning of the East Village that mostly protected that area, much of which had gentrified and become whiter. The rezoning included, however, the upzoning of several blocks in Chinatown to promote new high-rise development. Chinese and Latino groups fought the rezoning and demanded that their blocks, and the substantial public housing blocks in the area, be protected by zoning. When the city refused to protect these areas, residents opposed, unsuccessfully, passage of the city's proposal.

The city then promised that they would support a community planning process leading to a subsequent rezoning. The Asian and Latino communities spent seven years working with a broad community coalition, the local community boards and elected officials, and developed a rezoning plan. However, the community proposal was flatly rejected because it did not include enough opportunities for new market-rate development. What the city did not acknowledge is that the market-driven development they promoted would end up displacing more people of color and reduce the historic Chinatown to nothing more than a chic tourist destination.

A new luxury tower in Chinatown features:

*...such absurdist amenities as a golf simulator room, a dog spa, and a cigar room, and is designed as a virtual gated community. The developer, however, is financing their project with public money... and is building a separate, smaller, lower quality building with below-market rents...for families making up to 60 percent of New York's Area Median Income. A qualifying family of four could earn up to \$51,540 while the median income for that particular*

*census block is just \$20,450. This segregated development will exclude people of color and low-income families currently living in the area, while also creating secondary displacement pressures by fueling rising rents and land prices.*

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**The problem is that the Department of City Planning doesn't do planning, either at the city-wide level or the neighborhood level.**

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## Alternatives

While the power of big real estate and weakness of public alternatives often leave people resigned to the status quo, the long history of the tenant, civil rights and community movements in New York City suggests that when people organize they can force change. These movements triggered rent regulations and public investments in housing to benefit below-market rate tenants. They have stopped disinvestment in many public services and defeated proposed mega-projects like the Lower Manhattan Expressway and Westway (a huge highway project).

Let me focus on two main alternatives supported by many neighborhoods: community-based planning and housing in the public domain.

## Community-based Planning

The city's summary dismissal of Williamsburg's and Chinatown's thoughtful community plans is a symptom of the larger problem plaguing all zoning and housing issues in the city. The problem is that the Department of City Planning doesn't do planning, either at the city-wide level or the neighborhood level. Its zoning responds to the immediate, short-term interests of property owners and is not

related to notions of long-term sustainability of the city's hundreds of diverse communities. It does not openly consider questions of gentrification, displacement and race.

New York City is the only major city in the United States that has never had a comprehensive plan.

*There must be a fundamental shift in the culture and practice of the Department of City Planning, from top to bottom, towards real planning at multiple scales—from the block up to the neighborhood, city and regional levels—and away from the exclusive use of zoning in land use policy.*

In part, the gap in planning has been filled by grassroots community-based plans—over a hundred of them in the last half-century. Even after a (weak) reform of the City Charter in 1989, only 17 community plans have been approved by the City Planning Commission. A major problem is that the city's 59 community boards, themselves a product of community activism and the civil rights movement, have practically no funding, voluntary and appointed members, and no formal power in land use decisionmaking beyond "advisory" votes.

In the absence of real community-based planning, the city's planners have unleashed a huge display of hasty community consultations as a prelude to rezoning proposals. However, these lead to endless wish lists of projects that have no official standing and may be quickly forgotten after a rezoning. They fail to provide tools to address gentrification and displacement in communities of color.

This situation cries out for another structural change in the way the city develops land use policy.

*It is time for another major revision to the New York City Charter that empowers community boards and, most importantly, holds them accountable to principles of social justice—the same principles to which the higher levels of government must be held accountable.*

## Housing in the Public Domain

Since Ronald Reagan's withdrawal from funding for low-income housing, there has been a bipartisan consensus that government should invest in public-private partnerships and move away from public housing. "Affordable housing" has become the acceptable alternative which, in practice, is usually middle-income housing. Even as the number of homeless people grows, there is increasing support for expensive solutions that enrich investors and developers but leave those who need housing the most out in the cold.

New York City still has the largest housing authority in the nation but its *Next Generation NYCHA* plan foresees a transformation of the authority's housing stock to public-private partnerships serving a more mixed-income population. As the communities of color around NYCHA's projects become gentrified and whiter, the dismantling of the projects will simply reinforce this process. Far from integrating segregated projects and neighborhoods, this will further stimulate the displacement of communities of color.

*If the city, state and federal governments were to commit capital funds to both save public housing and create new housing for low-income people in neighborhoods facing gentrification and displacement they could save tax dollars and neighborhoods, and move one step closer to a more equitable and racially integrated city.*

With Trump Towers scattered around Manhattan to remind us of what a Trump administration in Washington is likely to produce, it is particularly important that we boost our efforts to organize for the right to housing and the right to the city for all—housing in the public domain. □

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(SKEPTICISM: Cont. from page 2)

able housing, and that doesn't include the schools, parks, and infrastructure improvements necessary to support that housing. In the absence of a mechanism (like the mandatory inclusionary zoning Angotti decries) to have market rate housing help to create affordable housing, how will the City support the "right" to "housing in the public domain" he demands—by raising taxes on current residents? Then there's the question of how the City could allow only affordable housing while still achieving the mixed-income neighborhoods that research consistently shows help to deconcentrate poverty, reduce segregation, and provide better opportunities, especially for children. That problem is especially acute given that Angotti describes the City's affordable housing as "usually middle-income housing," even though almost 80% of the subsidized housing the City has financed over the past three years is targeted to households

who qualify as extremely-low, very-low and low-income. Which of those families is he saying shouldn't be the beneficiary of the City's affordable housing programs?

Angotti seems to suggest that we hold off on development until the City goes through the kind of community-based planning process that he has advocated for many years, along with structural change to the City's land use process to give the 59 community boards more power. At the outset, he is just wrong in his description of the City's planning process, as shown by the community-based planning measures underway in neighborhoods across the City. Worse yet, his vision of the perfect process would take many, many years or decades—the Chinatown community planning process took seven years by his account. Even if the City could reach agreement on what Angotti would consider a comprehensive plan, and on a new land use system, implementing those "reforms"

(Please turn to page 16)

(SKEPTICISM: Cont. from page 15)

would take many more years, and only then would actual building begin. But as so much research shows, every year a child lives in unstable housing, or in neighborhoods that don't offer good environments for education, employment, health or safety, is a year in which we've lost a significant opportunity to improve the rest of that child's life. So, imperfect as it is, rezoning *now* to build more market rate housing, with the requirement that it include between 20 to 30 percent of the apartments as permanently affordable

## Resources

NYC Department of City Planning population projections, available at: <https://www1.nyc.gov/site/planning/data-maps/nyc-population/current-future-populations.page>.

NYC Department of City Planning neighborhood studies, available at: <http://www1.nyc.gov/site/planning/plans/proposals-studies.page>.

NYC Department of City Planning information on New York's Mandatory Inclusionary Zoning amendment, available at: <http://www1.nyc.gov/site/planning/plans/mih/mandatory-inclusionary-housing.page>

housing, is preferable to losing another generation to the no-growth, wall-the-city policies that follow from supply skepticism. □

## ***Thanks for your contributions to PRRAC!***

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Lilian Arciniegas  
Michelle Adams  
Michelle Aronowitz  
Lois Athey  
Sandra Baron  
Mary Basolo  
Jon Bauer  
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(MISSISSIPPI: Cont. from page 6)

tinue the march backward analyzed by Philip Klinkner in his 1999 book on the *Rise and Decline of Racial Inequality?*

Recovering the songs and stories of rural civil rights history may help us understand why we are moving forward or backward politically and culturally in the United States today. Black land ownership remains a crucial question going back to the seizure of plantation lands by former slaves during the Civil War, as do struggles ever since to maintain a rural economic base through cooperatives and small farms. Other films have chronicled the Black freedom movement in more well-known struggles from Montgomery to Memphis. *Dirt and Deeds* provides a distinctive and crucial window into a neglected theme of rural organizing, through documentation and interviews with movement veterans in Mississippi's Deep South.

Does this history have lessons for a predominantly urban United States in the age of Trump, when the arrow of history seems to be pointing back to "Jim Crow" acted out on a national stage? Mississippi activist Kali Akuno's thoughts on the road ahead are worth pondering:

I do think in a moment like this, living in Mississippi is an advantage. Mississippi has been dominated by the Tea Party, even before the party had its name. Our governor, Phil Bryant, is a Tea Party member. We have a Republican supermajority and it has been that way for most of the last six years and they can pass almost anything they want. ...

We were like, "Welcome to Mississippi!" to the rest of the United States. We don't wish this on our worst enemies, but this is where we find ourselves. Crying about it or wishing it was different is not going to change the situation. We are going to have to get down, get dirty and struggle and work our way out of this." □

## Resources

### Web Links

*Paragraph on authors*

AfricaFocus Bulletin: <http://www.africafocus.org>

No Easy Victories: <http://www.noeasyvictories.org>

Michael Honey: <http://faculty.washington.edu/mhoney/>

Sharecropper's Troubadour: <http://www.palgrave.com/us/book/9780230111271>

Love and Solidarity: <http://www.bullfrogfilms.com/catalog/love.html>

*First paragraph in text*

Eyes on the Prize episode on Mississippi: [https://www.youtube.com/watch?v=aP2A6\\_2b6g8](https://www.youtube.com/watch?v=aP2A6_2b6g8)

Dirt and Deeds in Mississippi: <http://newsreel.org/video/DIRT-AND-DEEDS>

Voter suppression: <http://www.noeasyvictories.org/usa/voter-suppression.php>

*Second paragraph in text*

Holmes County: <http://www.noeasyvictories.org/usa/holmes-county.php> and

<https://www.theguardian.com/us-news/2015/nov/15/poorest-town-in-poorest-state-segregation-is-gone-but-so-are-the-jobs>

*Fourth paragraph in text*

Robert Clark: [https://www.loc.gov/item/afc2010039\\_crhp0075/](https://www.loc.gov/item/afc2010039_crhp0075/)

*Seventh paragraph in text*

Sharecropper's Troubadour  
<http://www.folkways.si.edu/magazine-summer-fall-2014-sharecroppers-troubadour-songs-of-solidarity-in-hard-times/article/smithsonian>

*Eighth paragraph in text*

Carrie Dilworth: <https://snccdigital.org/people/carrie-dilworth/>

*About 2017 and beyond*

Third Reconstruction: <http://amzn.to/2gfr2Eq>

Rise and Decline of Racial Inequality: <http://amzn.to/2i5qS01>

Kali Akuno: <http://www.truth-out.org/opinion/item/39061-insights-from-mississippi-on-organizing-in-a-right-wing-context-a-conversation-with-kali-akuno>

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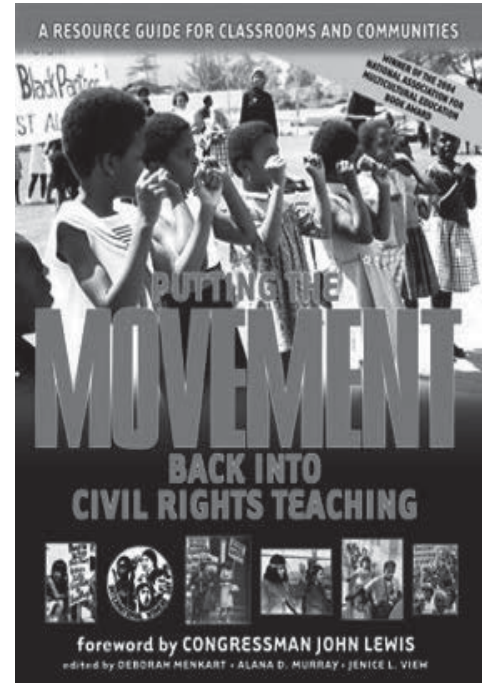
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*Director of Housing Policy  
Editor, Poverty & Race*

**Gina Chirichigno**

*Director, Education Policy*

**LaKeeshia Fox**

*Policy Counsel, Housing*

**Michael Hilton**

*Policy Counsel, Education*

**Kimberly Hall**

*Communications &  
Partnerships Manager*

**Brian Knudsen**

*Research Associate*

**Tyler Barbarin**

*Administrative & Research  
Assistant*

**Taahira Thompson**

*Communications Intern*