

Reflections on Kerner at 50: Introduction

By Stephen Menendian & Richard Rothstein

Fifty years ago the nation confronted a historical choice, but did not act. In 1968 a special commission—established by President Lyndon Johnson to investigate why uprisings broke out in more than 100 cities the previous year—warned that America was hurtling down a destructive path:

“Our nation is moving toward two societies, one black, one white—separate and unequal.”

“To pursue our present course will involve the continuing polarization of the American community and, ultimately, the destruction of basic democratic values.”

In its dramatic report, the National Advisory Commission on Civil Disorders, led by Illinois Governor Otto Kerner, placed the blame for the 1967 uprisings squarely on public and private racial discrimination. As the report explained, racial discrimination in housing, employment, health care, policing, education, and social services locked too many black Americans into schools, jobs, and neighborhoods that were far inferior to those enjoyed by

whites. This generated pent-up frustration in low-income black neighborhoods such that all it took was an “inciting event” to unleash civil unrest.

In fact, the first incident described in the Kerner report was the shooting of a black teenager in the back by a white police officer in Tampa, setting off three days of riots. It was shades of Ferguson in 2014, or Baltimore in 2015—decades before Michael Brown and Freddie Gray were born.

Seeking to galvanize America into action, the Kerner Commission documented how government policy and private discrimination produced segregated living and occupational patterns from Reconstruction through Jim Crow. The Commission presented three alternatives: One, continue the status quo, resulting in more riots, economic decline, and the splintering of our common national identity. Two,

(Please turn to page 2)

IN THIS ISSUE:

Reflections on Kerner at 50: Introduction	1
Stephen Menendian and Richard Rothstein	
A Matter of Democratic Survival	3
Sherrilyn Ifill	
Honoring the Promise	5
Shaun Donovan	
Getting It So Wrong, Making It Right	7
Sandra Susan Smith	
Treating Racism as a Public Health Issue	8
Narintohn Luangrath & Leana Wen	
Incentivize the Transformation	9
John Charles Boger	
Neighborhood Racial Inequality in American Society ...	10
Robert J. Sampson	
Kerner: A Personal History	11
Fred Harris	
History, Origin, and Legacy of the Kerner Commission .	13
John Koskinen	
PRRAC Update	15
Resources	17

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(MENENDIAN & ROTHSTEIN: from p. 1)

push for policies to improve black neighborhoods and thereby narrow the gaps in income, education, housing and jobs, but without a commitment to racial integration. Expressing skepticism that “separate” could ever be “equal,” the Commission dismissed this option, explaining that even if successful, the enrichment strategy would produce a “permanently divided country.” Or three, the only possible choice for America in view of the Commission, try to improve conditions in disadvantaged neighborhoods in the short run while embracing long-term programs to encourage the integration of black families into historically white communities. “Integration,” the Commission said, “is the only course which explicitly seeks to achieve a single nation rather than accepting the present movement towards a dual society.”

Is it too late to adopt the Kerner Commission’s preferred course of action? Earlier this year more than three dozen scholars, civil rights leaders, activists and policymakers joined former senator Fred Harris, the only surviving member of the Kerner Commission, at a special conference, to tackle this question.

This issue of *Poverty & Race* explores their answers. In addition to abridged remarks from three of the keynote speakers, this issue contains five contributions from conference presenters reflecting on both the problems and contemporary policy solutions needed to finally address the issues and themes raised by the landmark Kerner Commission report.

Race & Inequality in America: The Kerner Commission @ 50, a confer-

ence organized by the Haas Institute for a Fair and Inclusive Society at UC Berkeley, the Economic Policy Institute, and Johns Hopkins University, took place February 27–March 1, 2018, at UC Berkeley and Johns Hopkins University. Conference participants envisioned what a contemporary Kerner Commission might find today, and they drafted a policy roadmap to tackle racial inequality in America over the next 50 years.

Like the Kerner report, this roadmap includes a comprehensive and wide-ranging set of recommendations to improve conditions in disadvantaged neighborhoods while removing discriminatory and financial barriers that still prevent African Americans from moving out of overcrowded, low-income areas that lack access to good

Most of the original Kerner Commission recommendations were quickly found to be politically unsupportable.

jobs, high-performing schools, adequate health services, and even supermarkets with fresh food.

Some of these recommendations are 50 years old, including calls to end “stop-and frisk” policies, diversify local police forces, and increase residential integration while massively increasing the supply of housing subsidies for poor families. Others are new, including including revisions of federal and state tax policies, proposed by Jack Boger and John Koskinen, to pro-

mote economically and racially diverse communities, as well as to protect the ability of residents of high opportunity and integrating neighborhoods to remain in those gentrifying places.

Sandra Smith draws attention to a pernicious development since the Kerner Report, the rise of mass incarceration and its unmistakable contribution to racial inequality. Dr. Leanna Wen and her colleague Narintohn Luangrath share interventions that have improved the lives of Baltimore residents while illustrating the relationship between racial inequality and health outcomes. Finally, drawing on decades of original research, Robert Sampson reminds us of the complexities we face and the vital importance of tackling both neighborhood disadvantage and racial segregation simultaneously. Just as the Kerner Commission understood, if we tackle only one or the other, we will find ourselves in the same situation five decades from now.

Most of the original Kerner Commission recommendations were quickly found to be politically unsupportable. Johnson’s Democratic coalition was severely weakened by the Vietnam War and Nixon ascended to power on a message of “law and order” that stoked racial resentment of civil rights. But *Kerner Commission @ 50* conference participants hope that this time will be different. In the following pages, they explain why they think we can rebuff appeals to racial demagoguery and build a movement to advance reforms that can produce a more equitable future. □

Stephen Menendian and Richard Rothstein were co-chairs of the Race & Inequality in America: The Kerner Commission at 50 conference held February 27-March 1, 2018 at UC Berkeley and the Lewis Museum in Baltimore. For more information, including videos of the conference and the executive summary of the Kerner Commission report and its recommendations, please visit <https://haasinstitute.berkeley.edu/kenner50>

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.

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A Matter of Democratic Survival

Sherrilyn Ifill

People think: everybody has a race, and so everybody knows about race. But civil rights is actually an incredibly complex discipline. To do this work, certainly to do this work as a litigator, requires that you understand history, that you understand sociology, that you understand economics, that you understand political science, that you understand demography. It's incredibly complicated and it's kind of what I love about it. Because it is incredibly intellectually stimulating. But it's also intellectually challenging. And so you have to be constantly reading. If you're doing this work and you're not reading some book right now that's helping you think about how you understand equality and equity and race, you're not doing it right. This is a lifelong process and a lifelong discipline of study. In 2007, my book, and the culmination of five years of research was published, called *On the Courthouse Lawn: Confronting the Legacy of Lynching in the 21st Century*. It centered on the last two recorded lynchings in Maryland, which I learned about while I was litigating with my students as a professor at University of Maryland Law School. We were challenging the siting of a highway next to a historic African-American community on the Eastern Shore of Maryland, and our research revealed that this was the third time in 60 years that the state had run a highway either directly through or next to this particular African-American community.

And I learned about the lynchings through digging through the history of discrimination in the jurisdiction where we were working in. I learned that these two lynchings were grotesque and horrifying physical acts that

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were powerfully situated in the history of this community. That what I was seeing then in 1997 was inextricably tied to these events that happened in 1931 and 1933. That the relationship between blacks and whites had almost frozen in place after those events happened. And that they were very much relevant to the work I was doing.

I had been taught as a New Yorker to believe when I was growing up that lynchings were things that occurred in the woods. But these occurred on the courthouse lawn. And so I named the

We used to understand the black community's being located on the other side of the tracks was not just a geographic marker, but was a physical manifestation of racism itself.

book *On the Courthouse Lawn* to expose this idea that right in the public space is this history that is hiding in plain sight. One of the lynchings took place in front of a crowd of 500. These are very small towns. And the other in front of nearly 2,000 people. So the horror of these events could not be seen in the kind of bucolic and quaint setting of the county courthouse lawn. But they powerfully shaped the landscape of those communities. And once you knew what had happened, the location of the black part of town and the white part of town made sense. And the motivation for the white community's decision even to run that first highway through the black community not too many years after the last lynching seemed clear as well.

Racism, one of the country's original sins, and here I mean specifically anti-black racism, is real. It's so persistent. It's so part of the fabric of this country that we may be ignoring the fact that it has a physical shape and

form that sustains it. And that feelings of bias and hostility coupled with federal, state, and local government policies produced racism that exists as a physical entity in our world. We used to know this. We used to know this history of housing policies at the federal government level that created segregation. And we used to know it simply because of the way segregation manifested itself in the physical landscape. You know, Thurgood Marshall in his oral argument to the Supreme Court in *Brown v. Board of Education* described for the Court white kids and black kids in Baltimore playing together and then walking their separate ways to go to segregated schools. We had signs on water fountains, and in waiting rooms at bus stations that told us that racism had a physical dimension. Being compelled to sit in the back of the bus as a black person, even the social code that once existed of stepping off the street to allow a white person to pass made clear the raw physical reality of racism and its evils. We used to understand the black community's being located on the other side of the tracks was not just a geographic marker, but was a physical manifestation of racism itself. But one of the consequences of the end of the most egregious forms of racism and

(Please turn to page 4)

In Memoriam: Arnold Hirsch

We were saddened to learn of the recent passing of Arnold Hirsch, one of the leading historians of America's history of deliberate racial segregation. We were pleased to have the opportunity to fund and publish Professor Hirsch's 2005 study, "The Last and Most Difficult Barrier: Segregation and Federal Housing Policy in the Eisenhower Administration, 1953-1960."

(IFILL: Continued from page 3)

signage in some of its more explicit de jure forms, and as we get further and further from the history that baked racism into our physical landscape, whether it's violent acts of terrorism like lynching, or the FHA decisions that demanded segregation in the insurance of home loans, or the tax support provided to assist racially exclusionary developments like Levittown. Or the black communities that once existed in places where they no longer exist, like the black community that existed on the place where the St. Louis Arch now welcomes visitors to the Gateway to the Midwest. Those things were real and tangible.

It may be that our distance from them had made us lose sight of this history. And we may even have convinced ourselves that it's a thing of the past. I fear that we've come to accept the physical landscape as inevitable: as simply our city, our town, our suburb instead of recognizing that the removal of racism and segregation's manifestations in our physical landscape was among the massive projects called for by the civil rights efforts of the 1950s and 1960s. It's the project that should have been undertaken with the passage of the Civil Rights Act of 1968. It's the project called for, in many ways, in the recommendations of the Kerner Commission Report. And I think we know from our discussions over the past few days that we have failed in this project. And thus the policies and decisions that we make or allow today, any decision that affects housing, zoning, development, infrastructure, unless they are expressly and explicitly and deliberately focused in some measure on ameliorating, responding to, or providing reparation, or for pre-existing discrimination in the physical landscape, those policies and decisions are either perpetuating pre-existing manifestations of discrimination or contributing to new dimensions of a discriminatory landscape.

This is important because I fear that we miss opportunities to do the kind of relentless upending and interruption

of segregation and racism in our physical landscape that is required if we are to get to a place not only of integration but of equity, reparation and fairness. If cities, major urban centers, or suburban cities had ordinances that required every development project over a certain amount of money to include a detailed plan for how that development would foster or promote racial and socioeconomic integration, then developers would have to regularize this as part of their thinking and planning. Not a bar to development. No particular requirement for the kind of integration plan, but to just put the onus, the responsibility, the requirement on every development plan that it include some aspect that focuses on racial and socioeconomic integration.

I fear that we miss opportunities to do the kind of relentless upending and interruption of segregation and racism in our physical landscape that is required if we are to get to a place not only of integration but of equity, reparation and fairness.

You can do this today. No tax breaks or support should be going to major development projects in your community unless those developers have as a part of their plan identified how they will address and confront and play a part in promoting dismantling racial and socioeconomic segregation in your town, city, or county. Nobody needs to wait to do that. Understanding that nearly every decision that affects development or infrastructure has an implication for segregation. It is key to recognize that.

It's not just about segregated housing. It's about your ability to move throughout your community. It's about your ability to get to the jobs that may be in the suburbs, your teenagers to get to the mall where the jobs are for them in the summer. And what we don't recognize once we get out of

the big cities in this country is that second tier cities in this country do not have effective rapid transit systems for working class people. And that contributes to entrenched segregation in which people who live on one side of town never even go to the other side of town. Our thinking about segregation and equity has to open up and understand that almost every decision that touches the physical space of your community is a decision that either is perpetuating or working against entrenched segregation. And once you have that in your head, then you're paying attention to every single one of those decisions and the dollars that go behind them.

Water is an issue that we're looking at very closely because, of course, we know about Flint and the issue of the lack of potable water. Before Flint, you probably remember that Detroit was involved in massive turnoffs, water turnoffs because of people who owed water bills and because of water tax liens. And when Detroit was in the midst of its bankruptcy negotiations four years ago, there were planned tens of thousands of water turnoffs to homeowners during the summer of 2013. And we did some work around that issue, even got the Special Rapporteur from the UN on Water to come in and declare it a human rights crisis. So we know about Detroit and we know about Flint, but do we also know that water tax liens are becoming one of the leading means by which African Americans are losing their homes? That unpaid water bills result in water tax liens that end up putting houses up for auction? Last year in Baltimore, 1,500 homes were slated to be sold at foreclosure because of water tax liens. The city of Flint, which didn't even have portable water, was planning to foreclose on 7,000 homes last year. And we worked with individuals and activists and groups and the ACLU and others to get a moratorium over the water turnoffs there. A Michigan state study is estimating that 41 million American families may not have access to affordable water by 2022. Do you know how soon

(Please turn to page 14)

Honoring the Promise

Shaun Donovan

The Kerner Commission report was a remarkable leap forward in at least three ways.

First, most importantly, it represented our government stating the unvarnished truth about race relations in our country. In response to three simple questions from President Johnson—What happened? Why did it happen? What can be done to prevent it from happening again?—the Commission leapt straight to the original sin of the American democracy—our tragic history on race. On the very first page of the report, it states, “Segregation and poverty have created in the racial ghetto a destructive environment totally unknown to most white Americans. What white Americans have never fully understood but what the Negro can never forget—is that white society is deeply implicated in the ghetto. White institutions created it, white institutions maintain it, and white society condones it.” This is not an activist speaking truth to power—this is a Commission appointed by the President of the United States speaking truth from power.

Second, the Commission took a leap from those three questions to a vast, comprehensive set of policy proposals. It would have been easy enough, and no doubt politically expedient, to focus on the riots in the narrow sense. But the Commission diagnosed the civil disorders as a symptom of a dangerous and long-standing disease. In the words of Martin Luther King Jr, the report was a “physician’s warning of approaching death, with a prescription for life.” That prescription demanded attacking a broad range of policy areas, from policing and

criminal justice reform, to employment, education, welfare, and housing.

Third, the Commission represented a leap forward in the national dialogue about the civil disorders because of the members of the Commission itself. Composed of elected and other public officials evenly split between Democrats and Republicans and drawn from states as disparate as Kentucky, Oklahoma, Ohio, New York and California, the Commission also included the executive director of the NAACP, the president of the steelworkers union, and the founder of defense contractor Litton Industries. Just think about that for a moment—can you imagine to-

We worked to break down barriers that stop African-Americans and other minorities from moving to neighborhoods of opportunity.

day a bipartisan, geographically diverse Presidential Commission including the NAACP, steelworkers, and a captain of industry agreeing unanimously that “white society is deeply implicated in the ghetto” and recommending a comprehensive, ambitious and dramatically expensive plan to remedy the underlying causes of racial inequality and poverty?

And so this leap of imagination, this leap of faith, this leap of truth demands our attention and demands that we gather to remember and honor the work of the Kerner Commission. But we honor it best by recommitting to its vision and its prescription.

In the last fifty years, we have learned a great deal about what works, and what doesn’t, in revitalizing communities. We have moved from top-down efforts like urban renewal, or as its critics came to call it “Negro Removal,” to locally-driven strategies anchored by community development

corporations working across the full range of policy areas the Commission described. While the Commission is rarely given credit, it called for this shift in its very first recommendation: “City governments need new and more vital channels of communication to the residents of the ghetto; they need to improve their capacity to respond effectively to community needs before they become community grievances; and they need to provide opportunity for meaningful involvement of ghetto residents in shaping policies and programs which affect the community.” And in a diplomatically-worded passage from their housing recommendations, they suggested “expansion and reorientation of the urban renewal program to give priority to projects directly assisting low-income households to obtain adequate housing.”

The Obama Administration honored these recommendations by building a broad set of “place-based” initiatives at the neighborhood level, such as Promise Zones and Choice Neighborhoods, that were true to the Commission’s principles. We also worked to connect these neighborhoods to jobs and education through regional strategies like Sustainable Communities and transportation Ladders of Opportunity.

But at the same time we worked to break down barriers that stop African Americans and other minorities from moving to neighborhoods of opportunity. Racial discrimination remains far too prevalent 50 years after the Commission diagnosed “pervasive discrimination and segregation in employment, education and housing.” In fact, the Commission’s first housing recommendation was to “enact a comprehensive and enforceable federal open housing law to cover the sale or rental of all housing, including single family homes.” Five weeks to the day after the Commission issued its report, Martin Luther King Jr. was gunned

(Please turn to page 6)

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(DONOVAN: Continued from page 5)

down. A week later, President Johnson signed the Fair Housing Act.

At HUD, I tried to fulfill the promise of the Fair Housing Act by increasing enforcement and codifying in regulation for the first time that even when discrimination is not intentional, it is illegal if actions have a disparate impact on blacks or other protected classes. This “disparate impact” regulation won a remarkable 5-4 victory at the Supreme Court in June of 2015, but legal challenges continue, and we cannot let down our guard. Disparate Impact remains a central tool in fighting discrimination not just in housing, but all the areas the Kerner Commission outlined. And with enforcement against discrimination weakening at the federal level in all these areas, efforts at the state and local level by advocates will necessarily be the front line of this battle, at least for three more years.

In addition to stepped up enforcement against housing and other discrimination, we pursued a range of strategies to help families living in public or assisted housing or using housing vouchers be able to move to neighborhoods of opportunity. And for the first time, we gave real meaning and teeth to the Fair Housing Act’s requirement that communities that receive federal funds “affirmatively further fair housing”: that they not just fight discrimination, but actively promote racial and economic integration. Calling it “social engineering,” Secretary Carson has delayed the regulation we put in place. Had he read the Kerner Commission report, he would understand that the ghettos were a direct result of “social engineering” by HUD and other government agencies at the federal and local level. And so HUD and those agencies have a profound responsibility to make it right.

To help answer President Johnson’s second question—“why did it happen?”—the Commission devoted an entire chapter to tracing “The Formation of the Racial Ghettos.” The touchstone of this history is what has come to be known as the Great Black Mi-

gration into our cities during the first half of the 20th century—and what I will call the great white migration—out of the cities and into the suburbs.

To help answer President Johnson’s third question—“What can be done to prevent it from happening again?”—the Commission devoted an entire chapter to predicting “The Future of the Cities.” Its conclusion was sobering—“The future of these cities, and of their burgeoning Negro populations, is grim. Most new employment opportunities are being created in suburbs and outlying areas.” And of

Disparate impact remains a central tool in fighting discrimination not just in housing, but all the areas the Kerner Commission outlined.

course their conclusion was right, up to a point. But 50 years later, that point has passed.

I believe we are witnessing the next great migration in our history, back into our cities, and if we don’t pay attention, the consequences for African Americans and low-income families will also be grim. This trend is not just here in the United States—around the world more than half the population now lives in urban areas. The reasons for this new migration in the United States are many—the growth of a post-industrial economy and the jobs that go with it, lower crime from demographic and other factors, urban revitalization efforts, the limits of the suburban, automobile geography, and I could go on.

I don’t want to overstate the case—neighborhoods in Detroit or Newark or other cities that burned 50 years ago could still rightly be described as ghettos today. But my point here is not a lecture on the recent history of the American city. My point is that the very clear “urban bad/suburban good” frame of the Kerner Commission report is changing. And we ignore it at our peril, because, to be provocative, the only thing worse than an urban

ghetto is a suburban or rural ghetto.

Look around the world: in South Africa, apartheid began with whites’ removal of blacks from the cities, and today the townships are largely not only deeply poor but geographically remote from transportation, jobs, and other levers of opportunity in ways that most poor urban neighborhoods in the United States are not. In Europe, suburban ghettos cut off from opportunity are fermenting racial and religious prejudice into radicalism. In many ways, the United States is catching up to the pattern of older cities around the world where the wealthy occupy the center and the poor are pushed to the suburbs and beyond.

So what do we do about this? First, we must make a leap from the prescription of the Kerner Commission, which called for “policies which will encourage Negro movement out of central city areas,” to really understanding what makes for a neighborhood of opportunity, be it urban, rural or suburban. The important work John Powell has done to map opportunity is a perfect example, and the potential use of it by the State of California shows a way to move policy forward when the federal government is moving backward. We built on John’s work in the Affirmatively Furthering Fair Housing rule, creating for the first time an opportunity index that covered the entire country. Armed with this knowledge, we can better decide how to revitalize neighborhoods of concentrated poverty and where to help low-income families move to access opportunity.

Second, we need to develop a new set of tools that focus on gentrification and the other risks faced by cities gaining jobs and population. In housing, this includes affordable housing preservation, inclusionary zoning, and displacement and eviction prevention, to name just a few.

Third, we need to develop a new set of tools that focus on the suburban and rural communities that increasingly suffer from what we always called “urban” problems. We need to start asking ourselves questions like:

(Please turn to page 10)

Getting It So Wrong, Making it Right

Sandra Susan Smith

Introduction

The Kerner Commission Report was courageous and bold not only in diagnosing the root causes of urban unrest throughout the country in the late 1960s but also, importantly, in its prescriptions for change. Not only did the Commission recommend that we undo the racist policies and procedures that created and maintained blacks' social, economic, and political exclusion, but its members also recommended that we proactively work toward inclusion through unfettered access to high quality education; good jobs; safe and affordable housing; and a fair, compassionate, and responsive welfare system.

These recommendations, however, were largely ignored. In effect, after the Kerner Commission's calls to effectively dismantle various institutions of racial domination, American society essentially reactivated one not prominent in this role since the post-Reconstruction era. The penal state's stunning expansion, both in budget and personnel, is rivaled only by the significant and substantial declines in investments in the very institutions the Kerner Commission saw as avenues to social and economic inclusion and mobility—public education, public housing, and public assistance.¹

Mass Incarceration and Criminalization

Massively expanding investments in the penal state corresponded with a cultural shift in ideas about punishment. Rehabilitation was traded for retribution, and with retribution came

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determinate sentencing, truth in sentencing, mandatory minimums, and three-strikes-and-you're-out legislation. These had the intended effect, dramatically increasing the number of men and women in our nation's jails and prisons by increasing the likelihood of incarceration with arrest and conviction, assessing longer sentences of confinement, and increasing the prosecution and incarceration of drug offenders. Remarkably higher rates of incarceration in the United States followed, rising some 700% from the mid-1970s to the late 1990s, from roughly 100/100,000 persons to roughly 700/100,000 persons. Accom-

The criminal justice system also helps to obscure the very inequalities it feeds by masking just how large gaps are between blacks and whites.

panying these dramatic increases in incarceration was an equally stunning increase in the numbers of men and women under community supervision, from 1.8 million in 1980 to 6.5 million just 20 years later.

But the penal state's reach into communities was not indiscriminate. By targeting specific geographic zones, neighborhoods distinguished by poverty and race, law enforcement could ensure that the expansion of the penal state would affect some populations far more than others. Indeed, according to the Justice Mapping Project, more than half of the U.S. jail population comes from roughly 9% of counties in the United States. In New York City, for instance, more than 50% of prison admissions each year come from FIVE, disproportionately poor, black and Latino neighborhoods—South Bronx, Brownsville, East New York, Harlem, and Bedford-

Stuyvesant. In Wichita, Kansas, one-quarter of all people on probation or parole live in only 8% of the city's neighborhoods. And in Pennsylvania, taxpayers have spent over \$40 million to warehouse residents of neighborhoods in a single zip code in Philadelphia. We should hardly be surprised, then, that while the incarceration rate for whites has hovered around 300/100,000, that for blacks is roughly 2,000/100,000.

The Consequences of Penal Expansion and Contact

The consequences of penal expansion cannot be overstated. First, the penal system plays an outsized role in the reproduction of inequalities by race and class. For instance, legal and social stigmas associated with penal contact have been shown to reduce the likelihood of working, of working fewer hours per week annually, and of garnering lower wages. Penal contact is also associated with crushing debt, for the criminal justice involved and their families, the result of fines, fees, surcharges, and the like assessed at every stage of criminal case processing. If left unpaid these criminal justice financial obligations can lead to the loss of a host of civil, political, economic, and social rights that are often difficult to recover. Penal involvement also puts the health and well-being of family members at risk. As a result of penal contact, for instance, the mothers and the children of inmates suffer mental health issues at higher rates, and their partners have significantly higher risks of job loss, housing instability, and welfare receipt. Not surprisingly, the effects of these negative consequences tend to be worse for blacks and Latinos.

Importantly, however, the criminal justice system also helps to obscure the
(Please turn to page 8)

(SMITH: Continued from page 7)

very inequalities it feeds by masking just how large gaps are between blacks and whites. We often speak with certainty about the substantial progress we have made towards racial equality over the past two generations. The slow but steady shrinking wage gap between blacks and whites is but one piece of evidence of this. It turns out, however, that this is in good part an artifact of rising joblessness fueled by the growth in incarceration during the 1990s. Two-thirds of the progress we have seen in the closing wage gap can be attributed to the fact that we warehouse disproportionate numbers of black bodies, the most disadvantaged among us, who, because of their institutionalization, are not counted in official employment statistics. If those housed in our nation's jails and prisons were included in our calculations of various employment outcomes, the economic progress that blacks are assumed to have made since the civil rights era would be revealed to be tragically overstated.

A Path Toward Healing and Justice

Had we adopted the Kerner Report's recommendations for change in policing, education, employment, housing, and welfare, we would be discussing some other intractable social problem now. We did not. Far from it. And so in this moment we need bold and courageous diagnoses and prescriptions for change, just like those offered by the Kerner Commission 50 years before. I echo the calls made by others pushing for progressive penal reform—high profile leadership to help change the public narrative regarding crime; sentencing reform, with an emphasis on rolling back the draconian policies that helped to grow and fill our nation's jails and prisons; and assistance to states and local jurisdictions as they seek alternatives to incarceration as punishment.

We cannot truly heal the damage done to communities targeted by race

and class, however, without reparations in the form of heavy financial investments in housing, education, employment, and health care. These would go a long way toward rebuilding and restoring the social and economic fabric of communities devastated by what the penal state has wrought with over 40 years of punitive interventions. If the \$40 million Pennsylvanians invested to imprisoning residents of one zip code in Philadelphia were instead used to educate,

employ, house, and feed those same residents, surely that zip code would be the site of discussions about how to promote strong, healthy, and equitable communities. □

¹ Between 1980 and 1997, for instance, criminal justice budgets grew from roughly \$35 billion each year to almost \$140 billion, an almost 400% increase. Meanwhile, investments in public housing are reported to have declined from \$27.4 billion in 1980 to just \$1.6 billion ten years later.

Treating Racism as a Public Health Issue

Narintohn Luangrath & Dr. Leana S. Wen

While the Kerner Commission Report did not devote a chapter to discussing health inequities, the recommendations in the report indicate that the authors were cognizant of the social and environmental factors that contribute to well-being, and recognized that those factors often disadvantaged African Americans. We argue that racism is a public health issue, and that local health departments have an important role to play in addressing racial inequities that contribute to disparities in health outcomes. All issues—violence, employment, housing, education, and beyond—can and should be tied back to health. Addressing health disparities as a core civil rights issue is a moral imperative, and one that requires us to do so with an eye toward achieving racial justice.

At the Baltimore City Health Department (BCHD), we are tying a number of challenges mentioned in the Kerner Report back to health and racial equity. First, we are addressing educational inequity as a public health issue. An upstream intervention developed by BCHD called Vision for Bal-

timore aims to conduct free eye exams in Baltimore City Public Schools and provide free glasses to all students, grades K-8, who need them. Before the initiative started, as many as 15,000 to 20,000 elementary and middle school students in Baltimore needed glasses but were not getting them. Students with vision problems often have difficulty focusing in class and fall behind their peers academically, and may become discouraged in class or get in trouble and drop out. We know that if children cannot see, they cannot learn. Thus, we consider Vision for Baltimore as much a public health intervention as it is an educational initiative or an anti-poverty initiative.

Secondly, BCHD is working to address racial inequity in food access. A significant public health challenge facing Baltimore is the prevalence of chronic diseases, including heart disease, the number one killer in our City. Moreover, life expectancies in less affluent parts of Baltimore can be as much as 20 years lower than in more affluent neighborhoods. What is often under-discussed, however, is the connection between discriminatory housing practices (e.g., redlining) and the emergence of food deserts. Often, the “choice” to eat healthy is predicated on privilege: one-in-three black

(Please turn to page 15)

Narintohn Luangrath is Special Assistant to the Baltimore City Health Commissioner. Dr. Leana S. Wen is Commissioner of Health for the City of Baltimore.

Incentivize the Transformation

John Charles Boger

Fifty years ago, the Kerner Commission memorably warned the nation of the emergence of “two societies, one black, one white—separate and unequal.” Despite visible positive changes in many areas, America in 2018 has witnessed woefully little net progress—indeed, serious retrogression—in ending two structural problems identified by Kerner as key drivers of our separate societies: segregated residential communities and segregated public education. Despite immediate passage of the Fair Housing Act in 1968 and early HUD efforts to foster integrated public and private housing, and despite remarkable success by federal courts and local school officials to bring black and white school children together during the *Green/Swann/Keyes* era, the transformation of American residential and educational systems called for by Kerner clearly stalled after the 1980s.

Widespread white backlash has taken several forms, including (1) fierce resistance to residential racial integration ostensibly because of its perceived threat to property values, and (2) a gradual shift from a social emphasis on “equality” as a core school value to the exercise of individual ‘liberty’ and “choice” as principal concerns in children’s schooling.

Many presently contend that they would favor greater racial integration for themselves and their children BUT instead must necessarily prioritize their own self-interest. My responsive proposal: find ways to end the dichotomy. It is clearly possible, and this nation should pursue, policies that do not require individuals to choose but instead will reward the exercise of socially constructive choices.

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I have elsewhere urged that a motivated Congress should pass “fair share” tax laws that require residential communities to begin reflecting, over time, the overall racial and socioeconomic demography of their larger metro areas. After some implementing years, homeowners in municipalities that made no progress toward residential integration would experience an annual 5% loss in their federal mortgage interest deductions. Without further progress, these losses would rise

During the next 50 years, whites will cease to constitute the nation’s demographic majority.

over time. Property in non-compliant neighborhoods would thus likely lose value as their continuing residential segregation began to inflict tax disadvantages. By rewarding taxpayers who successfully urge local realtors and governments to welcome racially diverse homeseekers, compliant com-

munities would retain tax advantages and simultaneously lift their home values. The federal tax code, in sum, could radically reorient the perception and present reality that embracing socially constructive values can come only at some cost to individual financial interests.

Similar efforts to conjoin social and individual ends could lead to greater school integration. If leading public and private universities awarded “plus factors” in admissions decisions to high school seniors who were the products of racially and socioeconomically diverse high schools, competitive parents would soon realize that their children’s chances to attend Yale or Michigan would improve, not be threatened, by school integration, turning them into local advocates for racially diverse schools. During the next 50 years, whites will cease to constitute the nation’s demographic majority. Enlightened “reconstruction” legislators should use their new power to shape low-cost incentives that will encourage every American to support Kerner Commission goals. □

New on PRRAC’s Website

Court papers and background materials on *National Fair Housing Alliance et al v. Carson*, a recently filed federal lawsuit to reinstate HUD’s unlawfully suspended Affirmatively Furthering Fair Housing rule.

Megan Haberle, “An Evolving Fair Housing Movement: Forging New Partnerships and Agendas Across Policy Areas,” *Journal of Affordable Housing & Community Development Law*, May 2018

“It’s Time to Listen,” is a short PRRAC documentary tracing the history of school segregation and resegregation in Hattiesburg, Mississippi through the recollections of longtime community residents and the insights of current high school students.

“Changing the Perception of Pasadena Unified School District Through an Innovative Realtor Outreach Program,” is a new PRRAC field report highlighting the design and successes of the Pasadena Education Foundation’s campaign to change the school district’s image among a crucial constituency—Pasadena realtors. An innovative approach to school integration through a housing lens.

(DONOVAN: Continued from page 6)

what does true community policing look like in the suburbs? How can we harness the revolution in ridesharing to create low cost micro-transit systems? What should we do with vacant shopping malls? Where will jobs come from in the Mississippi Delta and other historically poor rural areas?

My focus on the changing geography of opportunity in our country comes from my fundamental belief that where we live determines the shape of our lives, a point the Kerner Commission made brutally clear. And it comes from my personal experience growing up in New York City at a time when the Bronx was burning, when many said we were witnessing the death of the American City. A few weeks ago, walking through the South Bronx, I saw beautiful mixed-income housing where rubble had smoldered. I saw playgrounds crowded with children where wild dogs had roamed. And I saw low-income families, black and brown, desperately trying to afford staying in neighborhoods they desperately thought about leaving a few decades ago.

Of course, it isn't just our cities that have changed in the last half century. We elected our first black president. And as Ta-Nehisi Coates has argued, we then elected our "first white president" too. We come together today at a moment of great peril for the national project that the Kerner Commission called us to embark on fifty years ago. That threat is real in all the policies the Trump Administration is trying to roll back, including so much of the criminal justice, health care, fair housing and community development work I've described today.

But that threat is also real in the assault on truth and the contest over whose history truly represents the country. A toxic brew of social media-fueled disaffection, money in politics, and other woes has brought us an age of tribalism. I think this is the other reason that the release of the Kerner Commission report on Leap Day 1968 is strangely powerful for me. As we

gather to reflect on the 50th Anniversary, the actual day—February 29—has literally disappeared from the calendar. Our job, in the age of Trump, is to make sure that the Kerner Commission report does not disappear from our history.

The Commission made clear that responsibility for change lay not just on our government or our leaders. "From every American," they said, "it will require new attitudes, new understanding, and, above all, new will."

So let me make this personal. I wouldn't be here today, a white man opening a conference on race and inequality, if it wasn't for finding the history of the civil rights movement. Starting in college with the great Martin Luther King Jr. biography *Parting the Waters*, and later in graduate school retracing the route of the Freedom Riders, I learned from the tragic history of race in this country that the American project is a paradox that

begins with the original sin of slavery and follows a halting arc of protest and progress. I learned that only in trying to further that struggle could I do my part to give truth to the words of our founding fathers, written even as they knew all men were not equal. It was only in facing that paradox that I understood black history was American history, that black history was my history too.

If we are not going to let that history disappear, we must remember and make real the words of the Kerner Commission: "It is time now to turn with all the purpose at our command to the major unfinished business of this nation. It is time to adopt strategies for action that will produce quick and visible progress. It is time to make good the promises of American democracy to all citizens—urban and rural, white and black, Spanish-surname, American Indian, and every minority group." □

Neighborhood Racial Inequality in American Society

Robert J. Sampson

The Kerner Commission report of 50 years ago (The National Advisory Commission on Civil Disorders (1968) was an impressive and prescient document—a historical statement of urgency that in fundamental ways remains instructive today. Much of the report is famous, with phrases we all recognize but might not associate with the report, such as "we are moving toward two societies, one black, one white—separate and unequal." As the Kerner Commission also wrote: "Segregation and poverty have created in the racial ghetto a destructive environment totally unknown to most white Americans." These words carry weight

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in large part because their relevance has not faded—concentrated racial disadvantage is still very much with us.

Although the report's diagnosis of neighborhood inequality was spot on at the time, its pessimistic view of cities did not anticipate the large-scale changes to come. Cities, rather than suburbs, for example, turned out to be the engines of growth and innovation in the latter part of the 20th century and continuing to the present. Violent crime rates are also at unexpectedly low levels, with cities such as New York rejuvenated and among the safest in the world. No one predicted the future well at the time, however; indeed, the Kerner Commission was in good company.

In my remarks at the Berkeley conference, I explored the Kerner report and the changing American city

(Please turn to page 17)

Kerner: A Personal History

Fred Harris

On the evening of July 27, 1967, my wife and I were gathered with a couple of friends in front of a television in our living room, waiting for President Lyndon Johnson's nationwide broadcast during which he was expected to announce the appointment of a blue-ribbon citizens commission—what became the President's National Advisory Commission on Civil Disorders (called the Kerner Commission after its dedicated chairman, Governor Otto Kerner of Illinois). The presidential broadcast was announced in the wake of the riots and violent protests that had exploded in the black sections of many of America's cities during the "long, hot summer of 1967"—with great loss of life, awful human injury, and enormous property destruction—which caused great shock, fear, alarm, bewilderment, and anxiety throughout the country. The worst of them, in Newark and Detroit, were not quelled until President Johnson dispatched U.S. Army troops.

On that night in July 1967, as we were gathered around the television, my youngest daughter, Laura—who was in second grade at the time—came running in from the kitchen not more than ten minutes before the President was supposed to come on the screen. She said, "Daddy, President Johnson is on the phone for you." That caused a little stir in the living room. I went into the kitchen, and, standing at attention, picked the phone and said, "Yes sir, Mr. President!" He said, "Fred, I hope you're going to watch the television tonight." I said I was. He said, "I'm going to appoint that commission you've been talking about."

Fred Harris is a former U.S. Senator from Oklahoma who was appointed by President Johnson to serve on the Kerner Commission. This article is an abridged version of the remarks delivered at the Kerner @ 50 conference.

I was a United States Senator at the time, and just three days earlier, at the height of the Detroit riots, I introduced a resolution in the Senate to create a blue-ribbon citizens commission to look into the riots—not just from a law and order standpoint, but also to get at fundamental causes and to come up with recommendations "to make good the promise of America for all Americans immediately." I had the resolution sent to the subcommittee I chaired, and I held hearings on it the very next morning, my witnesses be-

For John Lindsey and me, as well as for the rest of the Commission, "jobs" was to become a central theme in our findings and recommendations.

ing Daniel Patrick Moynihan, not then a senator, and Whitney Young, head of the Urban League. But it dawned on me that we didn't have to wait for Congressional action, that President Johnson could himself name the commission by executive order. I called Douglas Cater, of the White House Staff, and urged such presidential action, following up the call, as Cater asked, with a hand-delivered formal letter to the President.

Three days later, and I was in my kitchen, hearing President Johnson say through the phone, "I'm going to appoint that commission you've been talking about."

I said I was glad to hear it.

He said, "I'm going to put you on it."

I said I didn't expect that but I'd do my best.

He said—all this is word for word—"Now, don't you be like some of your colleagues, I appoint them to things, and they don't show up."

I said I'd show up.

"And another thing, Fred," President Johnson said.

I said, "Yes sir, Mr. President!"

He said, "I want you to remember that you're a Johnson man." I said, "Yes sir, I am a Johnson man."

Sadly, by the time our report came out, the President thought I had forgotten I was a Johnson man.

Only July 29, 1967, the eleven members of the commission were called together by telegram. We met in the White House cabinet room with President Johnson, Vice President Hubert Humphrey, Attorney General Ramsey Clark, Budget Director Charles Shultze, and Cyrus Vance, the man Johnson had put in charge of the U.S. Army troops which he'd sent to Newark and Detroit.

After calling on Vance to give us an up-to-date report on the situation in Detroit, the President gave us our marching orders. He charged us—the Kerner Commission—to investigate the riots and recommend action, again, not only from a law and order standpoint, but also in regard to their deeper causes.

"Let your search be free," the President told the commission members. "Find the truth and express it in your report."

And that is exactly what the commission famously did, which, as it turned out, not only shocked the conscience of the nation, but greatly upset President Johnson, as well.

A highly competent and caring Washington attorney, David Ginsburg, was named as the commission's executive director. He rapidly hired an outstanding staff, including Vic Palmieri and John Koskinen, as well as Mayor John Lindsay's chief of staff, Jay Kriegle, all of whom it was my great honor to work with. And the Commission set to work. In the Treaty Room of the Executive Office Building, adjacent to the White House, we held 20 days of hearings—from Au-

(Please turn to page 12)

(HARRIS: Continued from page 11)

gust to December 1967—with 130 witnesses, ranging from civil rights leader Dr. Martin Luther King, Jr., to FBI Director J. Edgar Hoover.

Contracts were let for serious academic and other studies. Staff members and consultants began to conduct field surveys in 23 cities, including more than 1200 interviews, attitude and opinion surveys, and other serious studies of conditions and causes.

Commission members broke into teams for site visits to riot cities—and personally observed there, close up, the human cost of wretched poverty and harsh racism. I teamed up with John Lindsay, the Mayor of New York City at the time. Mayor Lindsay and I went to Cincinnati for a closed—no press—meeting with a well-educated and successful group of young male and female black militants. When we arrived, we found that none of these young men and women wanted to be there. None would even shake hands with us. One young man expressed the view of all of them when he said he couldn't stand to look at white people any more. One way or another, all of them said they didn't trust white politicians, like us, to do anything about racism and poverty.

As a mayor and as a senator, respectively, John Lindsay and I already were aware that such alienation and hostility existed. Still, however, this experience affected us greatly.

With a local anti-poverty worker, Lindsay and I walked the streets of Cincinnati where the riot and disorders had occurred. We came upon a group of young black men, idling on a street corner. They instantly gathered around us. "Who are you? FBI?" one asked. We told them who we were and what we were doing there.

They all began to say, in a chorus, "Get us a job, baby!" "We need jobs, baby!"

One young man said, "Mr. Johnson got me a job last summer, but it ran out," in reference to the President's summer work program.

For John Lindsay and me, as well as for the rest of the commission,

"jobs" was to become a central theme in our findings and recommendations.

Mayor Lindsay and I went to Milwaukee next. I spent the better part of a morning in a black barbershop, talking with young black men as they came in. Most were from the South, having come to Milwaukee looking for work, just as local jobs were disappearing or being moved away. I asked some of the men who had just moved whether they faced more racial discrimination in Milwaukee or in Birmingham, or wherever it was in the South that they'd come from. The question puzzled them. They didn't know how to an-

"Segregation and poverty have created in the racial ghetto a destructive environment totally unknown to most white Americans."

swer because in Milwaukee, they didn't see any white people. That was how rigid the local segregation was in that Northern city.

Mayor Lindsay and I—and the other commission members—came back from these site visits, sobered and somewhat shaken. The commission then began 44 days of meetings—from December 1967 until nearly the end of February 1968—to actually write the Kerner Report, every word of which was read aloud, then discussed and revised, before being approved by majority vote of commission members.

In our report, we condemned violence and lawlessness in the strongest terms, saying that they "nourish repression, not justice." Our basic and most famous finding was: "Our nation is moving toward two societies, one black, one white—separate and unequal." The report stated further: "Segregation and poverty have created in the racial ghetto a destructive environment totally unknown to most white Americans," and added, "What white Americans have never fully understood—but what the Negro can never forget—is that white society is deeply implicated in the ghetto. White institutions created it, white institu-

tions maintain it, and white society condones it."

Great and sustained national efforts were required, we said, not only to combat racism, but also to greatly expand social programs, including those against unemployment and low wages, poverty, inferior or inadequate education and training, lack of health care, and bad or non-existent housing. The report also made strong recommendations for improving the conduct of the media and the police, and for needed integration of housing and schools. These recommendations applied to all Americans, "rural and urban, white, black, Spanish-surnamed, and American Indians."

But, misinformed about its contents and distracted by the Vietnam War, President Johnson rejected the Kerner Report (and this is particularly sad because President Johnson did more against poverty and racism than any other president, before or since). Luckily our staff had made an early deal with Bantam Books to publish the whole report on its issuance date, March 1, 1968—so, there was no possibility that it could be suppressed or filed away unread, no matter what. In any event, the report was leaked to the press—before the Commission could, as planned, background reporters so that they would fully understand the reasons for the commission's findings and recommendations.

This leak resulted in hastily written news stories which appeared throughout the country the next morning and which carried shocking headlines, something like: "White Racism Cause of Black Riots, Commission Says." Many people never learned "the rest of the story." Not surprisingly, there was considerable backlash in the country.

Still, many American leaders spoke out in favor of the Kerner Report, including Vice President Hubert Humphrey, Senator Robert Kennedy and Dr. Martin Luther King, Jr., who called it, "A physician's warning of approaching death, with a prescription for life." And despite the opposition, America made progress on virtually

(Please turn to page 16)

History, Origin, and Legacy of the Kerner Commission

John Koskinen

I was pleased to chair a panel discussion in February on the “History, Origin and Legacy of the Kerner Commission” as part of the symposium held on the 50th anniversary of the Commission’s report organized by the Haas Institute at UC Berkeley, the Economic Policy Institute and the 21st Century Cities Initiative at Johns Hopkins. The panelists included Senator Fred Harris, the only surviving member of the Commission, Victor Palmieri, the Executive Director of the Commission and Jay Kriegel, Mayor John Lindsay’s liaison to the Commission. Mayor Lindsay was Vice-Chairman of the Commission.

Senator Harris opened by discussing his relationship with President Johnson, who appointed the Commission, and the unexpected, unanimous findings and recommendations made by a group of establishment figures from the private sector and the Congress. The Commission concluded that “Our nation is moving toward two societies, one black, one white—separate and unequal.”

Equally stark was the Commission’s finding that “What white Americans have never fully understood—but what the Negro can never forget—is that white society is deeply implicated in the ghetto. White institutions created it, white institutions maintain it, and white society condones it.”

Senator Harris, whose book of essays entitled “Healing our Divided Society” was published on the day of the panel, noted that a major impact on the individual Commissioners was their tours, broken up into teams, of a num-

ber of riot torn cities. The Commissioners met with residents in the riot areas, some of whom had participated in the disturbances, and were struck by the difficult conditions confronting those living in what the Commission called urban ghettos.

Jay Kriegel added that Mayor Lindsay and Senator Harris struck up a close, personal relationship and worked together to insure that the Commission accurately and adequately

“What white Americans have never fully understood—but what the Negro can never forget—is that white society is deeply implicated in the ghetto. White institutions created it, white institutions maintain it, and white society condones it.”

reported on what they learned about the causes of the riots and the recommended responses. Jay described how Mayor Lindsay had campaigned in lower-income areas and often walked the streets in those neighborhoods, talking with residents and demonstrating his commitment to try to improve conditions. As a result of his visible support, New York City had no riots when other cities did in 1967 and 1968.

Victor Palmieri discussed the process David Ginsburg, Executive Director of the Commission, used to have the Commissioners listen to every word of the report, discuss the proposed findings and recommendations and adjust them where appropriate. He also added that, in retrospect, he regretted that the report had not given credit to the President for the progress that had been made with the establishment of what were known as the Great

Society programs.

One of the questions from the audience raised a concern about the gentrification going on in many urban areas resulting in long-time residents being pushed out of neighborhoods they have lived in for years. The problem is that, as property values rise with the resulting increase in property taxes, residents on fixed incomes are unable to remain in their homes. A possible solution I raised, which I proposed as deputy Mayor for Washington D.C., would be, in designated areas at risk, to set property taxes for long-term residents at either a fixed rate or allow the taxes to grow at a modest rate each year, keeping the house affordable. At the same time, the additional property taxes that would have been paid, would accrue as a lien against the property, to be paid to the taxing authority when the property, appreciated in value, was sold.

California, years ago, passed Proposition 13 which simply mandated for all home owners no matter how rich, that their property taxes could never go up more than a modest amount. Local governments and school systems, in effect, lost the increased revenue forever. But it has allowed lower income owners to remain in their homes as property values increase. The “Koskinen Plan” is an approach that accomplishes the same goal without denying municipalities much needed revenue. Various models assessing the impact of such a plan show that the lien resulting from the deferred taxes never exceeds the increase in the property value as long as there is not a significant decrease in the property’s value before sale.

As was noted throughout the conference, the consensus on the panel I moderated was that, while significant progress has been made in the past 50 years in areas such as housing, education, the media and public safety, much still remains to be done. □

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(FILL: Continued from page 4)

2022 is? And this is in large part because of the decisions that we have made to not invest in the infrastructure that carries our water. So it has resulted in the increased water rates that have grown exponentially over the past 15 years and that people simply can't afford. We're talking about millions of Americans who will be unable to afford water, and also who stand the risk of losing their homes because of water tax liens.

There are still other ways to confront racism in our physical landscape. I think even the demand, especially most recently by young people, for the removal of statues and monuments that glorify the Confederacy is part of that project. That's why I'm so thrilled with it. And I salute Mayor Landrieu who was here this morning for his courage in removing the statues in New Orleans, but moreover for his extraordinary and powerful speech about why those monuments needed to be removed. In my book on lynching, I suggested that public spaces where lynchings occurred should be marked, that people should know what happened in these places. And Bryan Stevenson, the brilliant and visionary Executive Director at the Equal Justice Institute has taken up that call and is set to open an extraordinary museum in Alabama later this year that includes a public marker project. All of these are efforts to uncover the secrets that exist in our physical space about how the world that we live in was constructed out of racism.

I must disclose a little bit that's personal for me about what it means to be 50 years from 1968, 50 years after the assassination of Dr. Martin Luther King and of Robert Kennedy. It's a year burned into my memory. Of course, I was very young in 1968. But I had a sense early that year of the unease and despair that was caused by those very public events. It's led me to think about the way in which the time we're facing now is even more challenging than 1968. My entire early life was supported by public goods and policy decisions designed to promote

the public good. I was one of the first of that generation in our neighborhood to go to Head Start. Saturdays for me were spent at the public library at the Baisley Park branch. It was the only place that my father would allow me to go on my own. I would take out 10 books every Saturday and come back the next Saturday and take out another 10 books. I had siblings who attended City College, and at the time that the registration fee for City College was \$85 a semester. And with borrowed books, my sister, my brother could go to City College. Public transportation was a huge part of our life. I can remember the job I had in high school in Harlem even though I lived in

We have abandoned an understanding of citizenship being at its core about not only our rights but our shared sense of responsibility to one another.

Queens. And I was able to get to that job with my 35 cent token taking three trains. And we didn't go on vacations but we were in state parks every holiday with our picnic baskets. So it was the paying forward of the participation in the public goods. And the difference between 1968 and 2018 is the dismantling of that whole vision of the importance of public life. And something even more sinister: the deliberate effort to denigrate public life and goods by associating them with race.

Public housing was originally built for white people. When you think about public housing, if an image came into your head, you would be thinking about black people in a black community. Public transportation, mass transit is thought of as something that is for black people. Public education has become racialized to the point that people think of it as being associated with black people. And once it's associated with black people, it becomes denigrated. It becomes something that you don't want. The private becomes

better: private education and your private car and your own big Mc-Mansion. These are the things that we value. And we have now decided that that which is public, that which unites us, that which we all participate in, that which forms the platform of our society now has become racialized in a way that now justifies why there is not the investment and support for it that there used to be. This racial brand, now associated with public life, has made the project of denigrating and dismantling public goods a successful project. But until we are able to reinvigorate a commitment to public life, we cannot address the issue of jobs and housing and education and all of the issues that were discussed in the Kerner Report and have been part of this conference.

In addition to specific policy and litigation and enforcement measures that we have to undertake, we also have to reclaim the narrative about the value of public life and public goods, especially at this moment in our country. We are being destroyed by the idea that we are not interdependent. We have abandoned an understanding of citizenship being at its core about not only our rights but our shared sense of responsibility to one another. We've abandoned the idea that public education is vitally important to the project of democracy. Let's be clear. We didn't have a problem understanding the importance of public education in this country until 1954. Until the Supreme Court said that you would have to share it equally, we had no problem understanding the centrality of public education to our democracy. And I fear that even we perhaps forget what the Supreme Court actually said about public education in *Brown*. Of course we remember that they said that separate cannot be equal. Of course we remember that. But we forget that the Supreme Court also called public education, and I'm quoting, "the single most important function of state and local government." We forget that the Court in *Brown* called public education "the very foundation of citizenship." The citizenship formulation of public education has been lost and we

have acquiesced to the idea that education is critical only to help you pass certain tests and get a job. And thus a good education is something you get for yourself or your child in the game of competition. You have no concern about whether your neighbor is receiving a good education.

If we recognize that public education is developing us to serve as good and productive citizens in a pluralistic democracy, then it does matter to me whether my neighbor is also getting a good education. And it matters to me whether children in Jefferson County in Alabama and Hinds County in Mississippi are getting a good education even if I don't live there. What we're seeing in our country today: the rhetoric, the hate, the ignorance, the coarseness, the vulgarity, the cruelty, the greed, the fear is the result of decades of poor citizenship development. It is a reflection of the fully privatized notion of citizenship, a feral conflict for the scraps left by oligarchs. And if we don't recognize the signs of it, it will only continue.

I view this 50th anniversary of the Kerner Commission Report as a kind of emergency alarm. This may be our last chance. I don't think we have another 50 years. Our democracy will be so downgraded in the next 10 years if we don't turn this thing around. And a key aspect of this is recognizing that our society, our communities are literally physically hardwired against democracy. Segregation and inequality is fundamentally anti-democratic. And if most of the communities in our country are segregated and reflect socioeconomic and racial inequality, then they are anti-democratic. Our project must be premised on the understanding that ending our segregated lives is a matter of national democratic survival. Because equity is a matter of national democratic survival. The unmasking of the architecture of racism in the public space and the demand that every decision and policy that affects our public spaces address and confront this reality is key to this project and you hold the power to do this. We hold the power to do this. □

PRRAC Update

● Welcome to our new PRRAC staff —**Michael Mouton**, our new Communications and Partnerships Manager, and **Heidi Kurniawan**, our new Administrative and Program Assistant.

● **SAVE THE DATE:** The National Housing Mobility Conference has been rescheduled from June to October 16-17, in Washington, D.C. See our website for more details.

(LUANGRATH & WEN: Cont. from p. 8)

Baltimoreans lives in a food desert, compared to 1 in 12 white Baltimoreans. To help address this injustice, BCHD introduced Baltimarket, a suite of community-based, food justice programs that brings fresh fruits and vegetables to neighborhoods that need them. Through our Virtual Supermarket program, which uses a grocery delivery system to bring groceries to 14 senior and public housing sites across the City, and through our Healthy Corner Stores program, which brings fresh produce into 25 corner stores, we are working to make healthy food decisions easier for our residents to make. Geography should not be destiny, but we cannot ignore how a legacy of redlining has physically altered the City's food access landscape and in doing so, contributes to a myriad of health challenges faced by predominantly low-income, communities of color.

Lastly, BCHD's opioid overdose prevention and treatment work is addressing racial inequities in how society treats addiction. By partnering with public safety agencies to treat addiction as a disease rather than a crime, BCHD's Law Enforcement Assisted Diversion (LEAD) Program aims to move society away from the failed War on Drugs by referring individuals caught with small amounts of drugs to treatment, rather than incarceration. Baltimore City issued a standing order in October 2015 for naloxone, the opioid overdose reversal medication, which has allowed everyday Balti-

moreans to save the lives of more than 1,900 of their fellow residents. To further our overdose prevention efforts, BCHD has also sent "best practice" letters to every doctor in Baltimore, addressing the Prescription Drug Monitoring Program and emphasizing the judicious prescribing of opioids. Moreover, because people suffering from addiction often have other medical and social needs, BCHD will be opening a new Stabilization Center—a 24/7 "ER" for addiction and behavioral health issues—that will connect patients with treatment, as well as wraparound services like housing. Finally, our "Don't Die" campaign focuses on reducing the stigma surrounding addiction, promoting substance use disorder treatment, and educating the public on how to recognize and respond to an overdose.

The Kerner Commission declared: "It is time now to turn with all the purpose at our command to the major unfinished business of this nation [...] It is time to make good the promises of American democracy to all citizens—urban and rural, white and black, Spanish-surname, American Indian, and every minority group." Local health departments can help fulfill some of American democracy's unfulfilled promises by employing interventions that address racial disparities in health. Those of us working on the frontlines in public health have the power to translate the values and goals articulated in the Kerner Report into programs and policies—local solutions befitting our communities. □

every aspect of race and poverty for almost a decade after the Kerner Report. The number of African American and Latino elected officials increased, as did their numbers in the middle class and in all aspects of American life. We elected an African-American President.

But with jobs alarmingly disappearing through globalization and automation, with conservative political change and, eventually, with unfriendly U.S. Supreme Court decisions as well as congressional cuts in both taxes for the rich and the big corporations and in programs that benefitted poor and middle class Americans, progress was slowed or stopped, and, finally reversed. Some improvement occurred, of course, during each of the Bill Clinton and Barack Obama administrations, but regression has been the trend since the mid-1970s—and that is true today.

There is still far too much excessive force by police, too often deadly force, especially against African Americans. White supremacists have become bolder and more violent. Housing and schools have been rapidly resegregating, locking too many African Americans and Latinos into slums and their children into inferior schools.

As the nation has grown, our overall poverty rate has stubbornly remained virtually the same, while the total number of poor people has increased from a little over 25 million to a little over 40 million (as of 2016). Ever since the 1970s, the African-American unemployment rate has continued to be about double that for whites. Latino unemployment continues to be high as well. Labor union membership has shrunk from about 25 percent of private jobs to about 6 percent. Inequality of income in our country has greatly worsened.

In the 1970s, the richest 1 percent of Americans took home something less than 9 percent of total national income; by 2016, they took home 24 percent. Fifty-two percent of all new income in America has gone to the top

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1 percent. Rich people are healthier and live longer. What's fair about that? They get a better education, too, and a better education produces greater inequality of income. Then, that greater economic power translates into greater political power.

So, where do we go from here?

We know what needs to be done, and we know what works. A more progressive tax system, making rich people and big corporations pay their fair share. Stopping tax and spending subsidies that redistribute wealth and income in the wrong direction. Strengthening unions and eliminating the legal and other barriers which impedes the right of workers to organize. Raising the minimum wage to a living wage, which would be a giant boost to the economy and bump up middle class wages, too. We need more affordable housing, and housing and schools integrated by income and race. We also need re-regulation of big banks and big finance. Better incomes for those who can't work and who can't find work. A sound, free public education for all—from early childhood through college. Education and training, with special attention to those put out of work by circumstances beyond their control. Health care for all. The basic American principles of equal rights and equal opportunity for all—whatever a person's social standing, zip code, religion, gender, or color. Investment in infrastructure, in science, in alternative energy and in technology. Investment in ourselves.

How can we get these things done when present times are so politically

tough?

First, we can take heart from the fact that the great civil rights movement, led by Dr. Martin Luther King, Jr., John Lewis and others, began in a terrible and depressing time of Jim Crow, rigid segregation and harshest racism. The odds were overwhelmingly against them, but still they courageously resisted, persisted and ultimately prevailed.

We can take heart, too, from the fact that the polls show that the majority of Americans support the measures we must now adopt and the steps we must now take.

We can take heart from the fact that we live in a time of unprecedented, growing and powerful people's activism—with great new efforts and organizations, like the Women's March, Indivisible, and Black Lives Matter.

Finally, the Reverend William Barber of North Carolina, founder of the rapidly spreading Moral Mondays movement and a new Poor People's Campaign, is right when he says, "We can't keep fighting in our silos. No more separating issues—labor over here, voting rights over there. The same people fighting one should have to fight all of us together." Reverend Barber is pointing the way we must go, showing that white, black, Latino and other Americans can join hands in coalition with each other and with women, millennials, seniors, the LGBTQ community, immigrants, and others to work for their common interests—because, as I like to repeat, "Everybody does better when everybody does better!" □

(SAMPSON: *Cont. from p. 10*)

through the lens of what I have called the “enduring neighborhood effect” (Sampson, 2012). While the 21st century city has been declared spatially liberated, it remains place-based in much of its character.

Whether poor child health, violence, poverty, mass incarceration, lead toxicity, or housing foreclosures, inequality today is deeply spatial in form and exacerbated by racial segregation. The existence of enduring neighborhood effects and compounded deprivation at the neighborhood level might be considered surprising in light of the social transformations that have taken place since Kerner. After all, we no longer live in a 1968 world—many things have dramatically changed, and many for the good. Yet the spatial foundations of inequality continue even if in new ways.

We are left then, with a “good news, bad news” kind of scenario—despite all the changes, many things remain the same. I believe that The Kerner Report was correct in advocating for the union of place and person-based interventions to tackle neighborhood racial inequality. The over-

arching policy strategies recommended in the report were the use of laws and governmental action to, in their words, “Encourage Integration” and promote “Ghetto Enrichment.” They rejected choosing only one of these options. Examples of person-based policies include housing vouchers to encourage residential mobility of the poor, while housing investments in historically poor minority neighborhoods are an example of place-based policies.

Both strategies are still needed because of enduring racial segregation and neighborhood inequality. A singular focus on individual residential mobility in housing policy misses half of the Kerner equation. It is not that individual mobility is unimportant, but that neighborhood inequality has its own logic that demands supra-individual interventions. At the same time, a singular focus on place-based interventions potentially jeopardizes the dismantling of racial segregation.

In the spirit of the Kerner report and the big picture they accurately painted, I conclude that neighborhood inequality by design can be redesigned. The ultimate goal is to break the longstanding link in American society between neighborhood of residence

and the deprivation of essential resources by race. There is nothing intrinsic about policy to prevent intervening at the scale of the community to accomplish this goal while simultaneously engaging individual choice and supporting the poor in residential housing decisions. Voucher policies remain important and should be improved, but the persistence of neighborhood racial inequality demands that we simultaneously invest in sustained place-based interventions that give poor individuals a chance, if desired, to “move up” in place. Then, as now, how best to combine person- and place-based interventions is a key policy challenge for the future. □

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