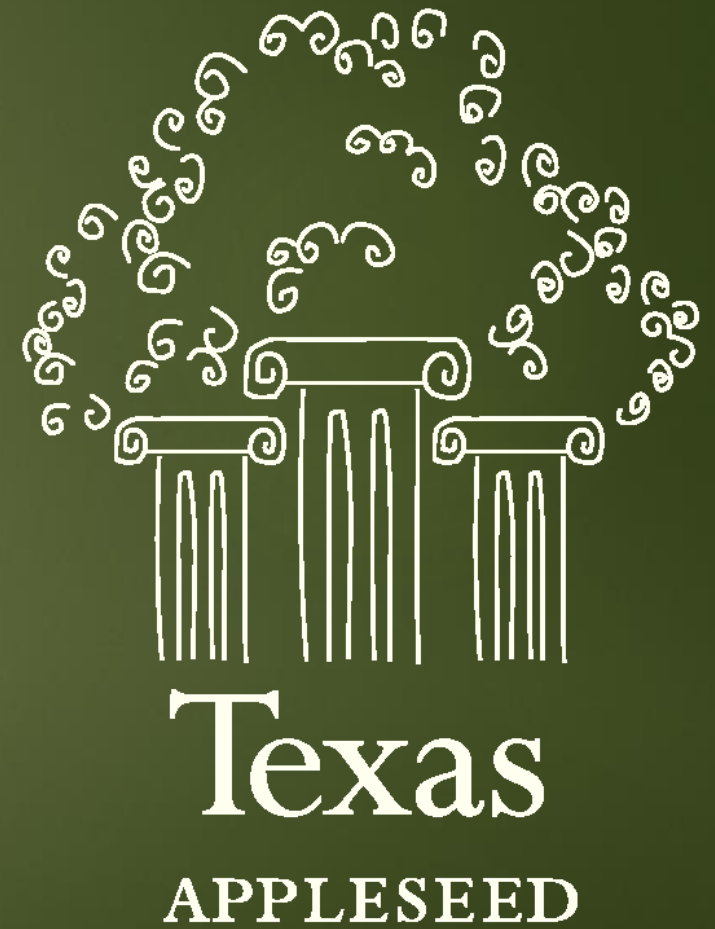


Justice Starts at Home: Understanding Racial & Economic Justice through the Lens of the Zip Code

2018 Poverty Law Conference
September 7, 2018 · 8:30am – 9:45am



The Plan

- ▶ Who is Texas Appleseed?
- ▶ We're going to ruin the suburbs for you.
- ▶ Why is Texas Appleseed ruining the suburbs?
- ▶ We didn't actually ruin them. The suburbs (and pretty much everything else) were already ruined by structural racism.
- ▶ What do the suburbs have to do with schools, jails, and banks?
- ▶ Solutions

Texas Appleseed

Mission: To promote social and economic justice for all Texans by leveraging the skills and resources of volunteer lawyers and other professionals to identify practical solutions to difficult, systemic problems.



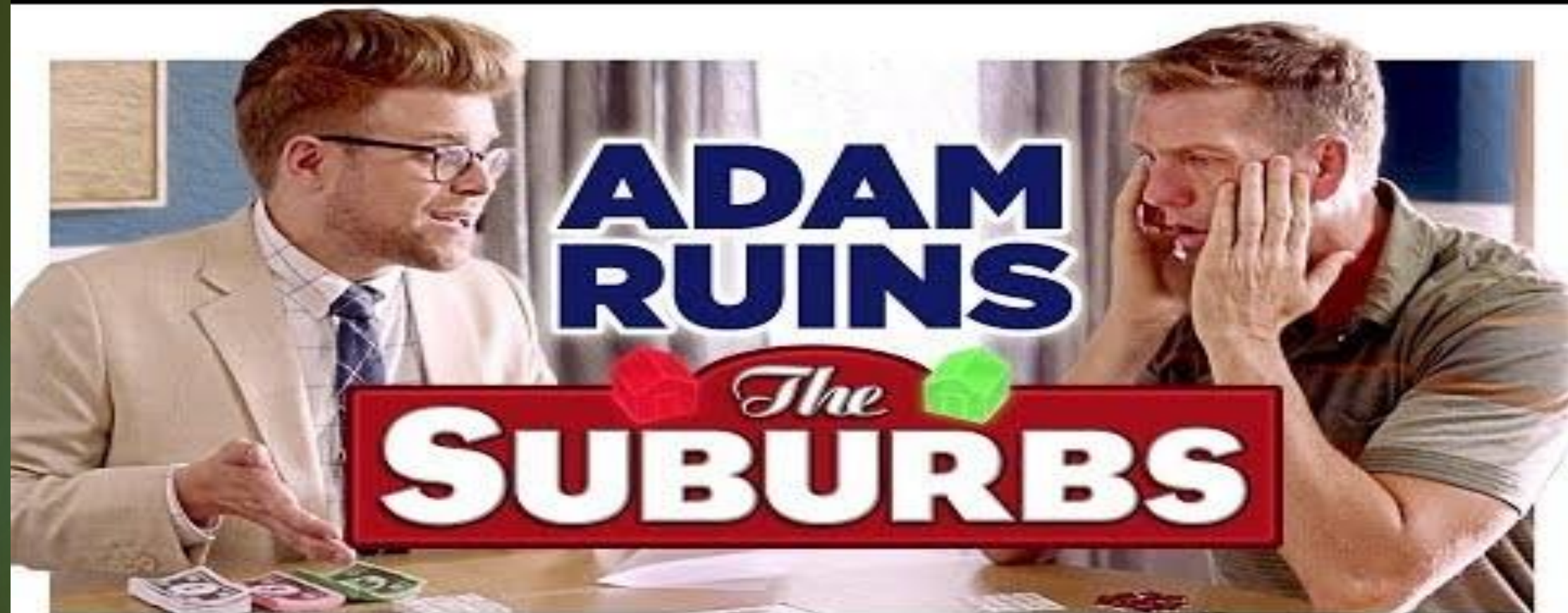
Texas Appleseed

Areas of Focus

- ▶ Fair Housing & Disaster Recovery
- ▶ Fair Financial Services
- ▶ School-to-Prison Pipeline
- ▶ Criminal Justice
- ▶ Juvenile Justice
- ▶ Foster Care
- ▶ Homeless Youth

Means for Policy Change

- ▶ Research/Policy Reports
- ▶ Legislative/Local Advocacy
- ▶ Pro Se/Self Help Guides
- ▶ Guide Books/Handbooks
- ▶ Coalition Building



Segregation and concentrated disadvantage are the product of deliberate government policy decisions at the local, state, and federal level.

Fair Housing Act of 1968 has **dual goals**: non-discrimination **and** integration.

- FHA bars discrimination on the basis of race, color, national origin, religion, sex, disability and familial status.
- HUD and other federal departments and agencies that have authority over housing and urban development programs to “administer their programs and activities . . . in a manner affirmatively to further the purposes of this subchapter...”

“AFFH means taking meaningful actions, in addition to combating discrimination, that **overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity** . . . [including] significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws. **The duty to affirmatively further fair housing extends to all of a program participant’s activities and programs relating to housing and urban development.**”

- Opportunities for upward mobility
- Affordable housing
- Adequate infrastructure and public services



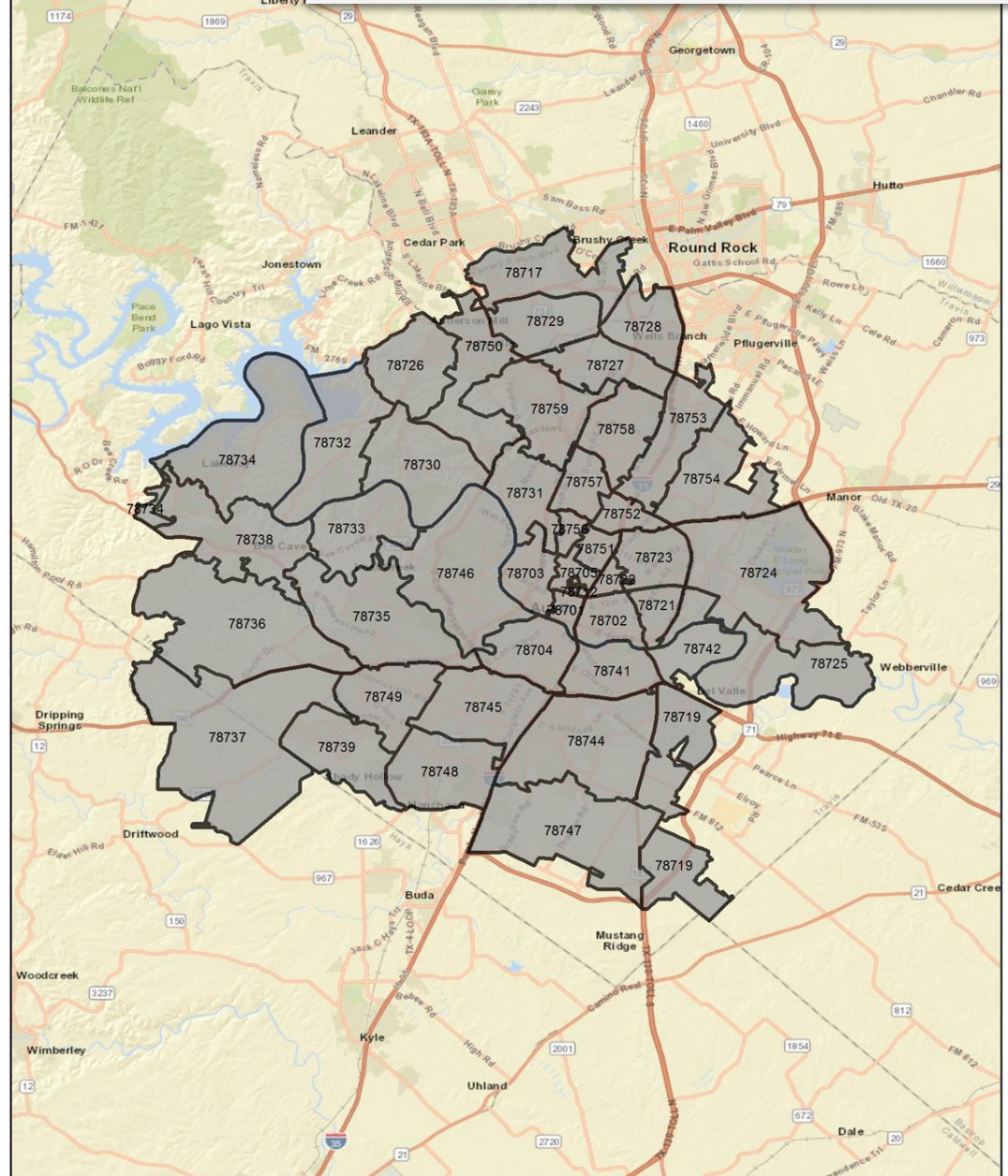
- Access to banks/credit unions
- Systems to enable credit building
- Building savings and financial safety net

- Access to good schools
- Whether school has police
- Resources for teachers
- Parent resources
- Providers that know your community

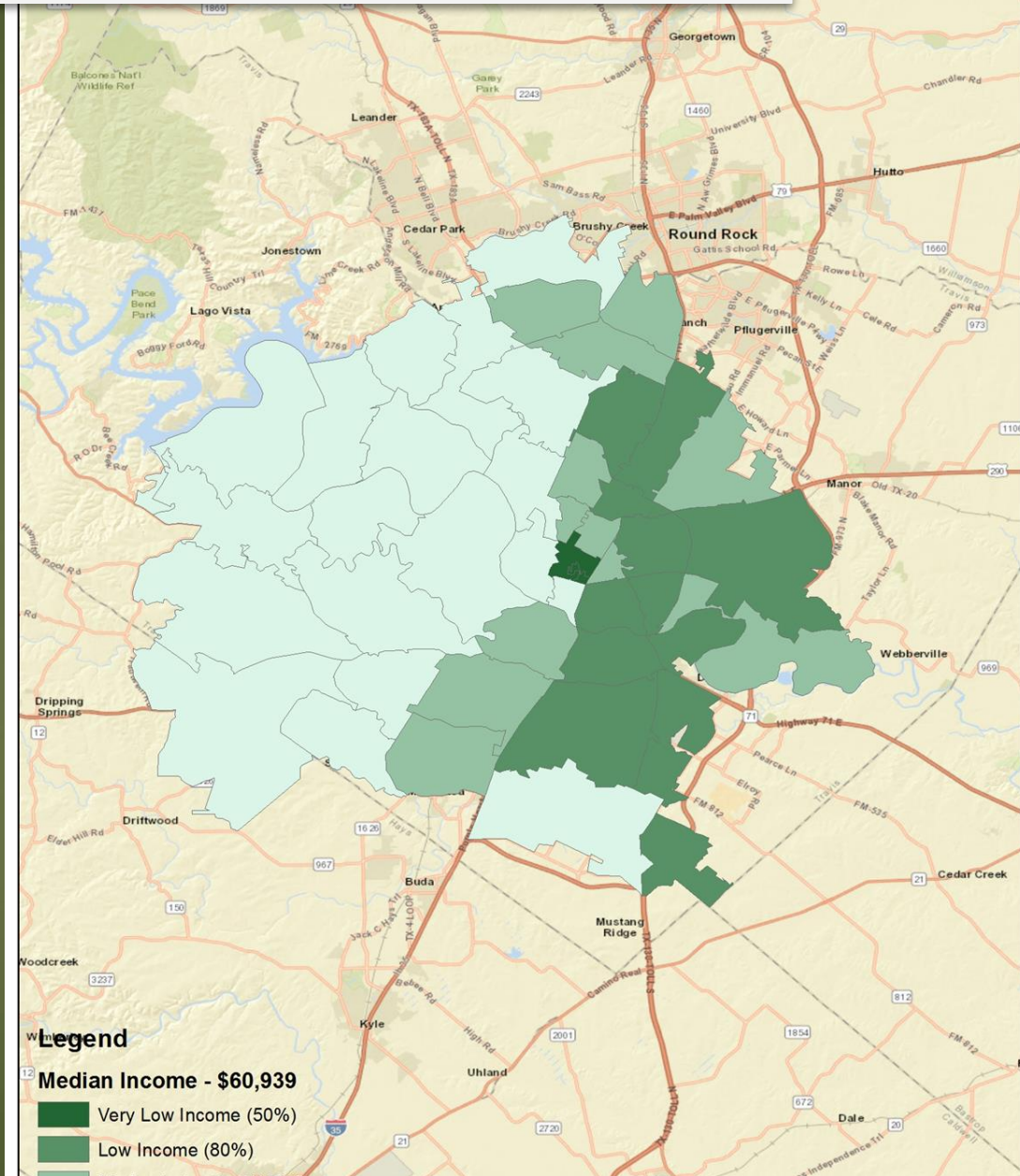
- Policing & arrest rates
- Law enforcement & judicial decisionmaking
- Case outcomes

- Hospital access
- Proximity to employment
- Comfort in new situations

Austin Zip Codes and Median Income (2012-2016, 5-Year Estimate)



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, © OpenStreetMap contributors, and the GIS User Community



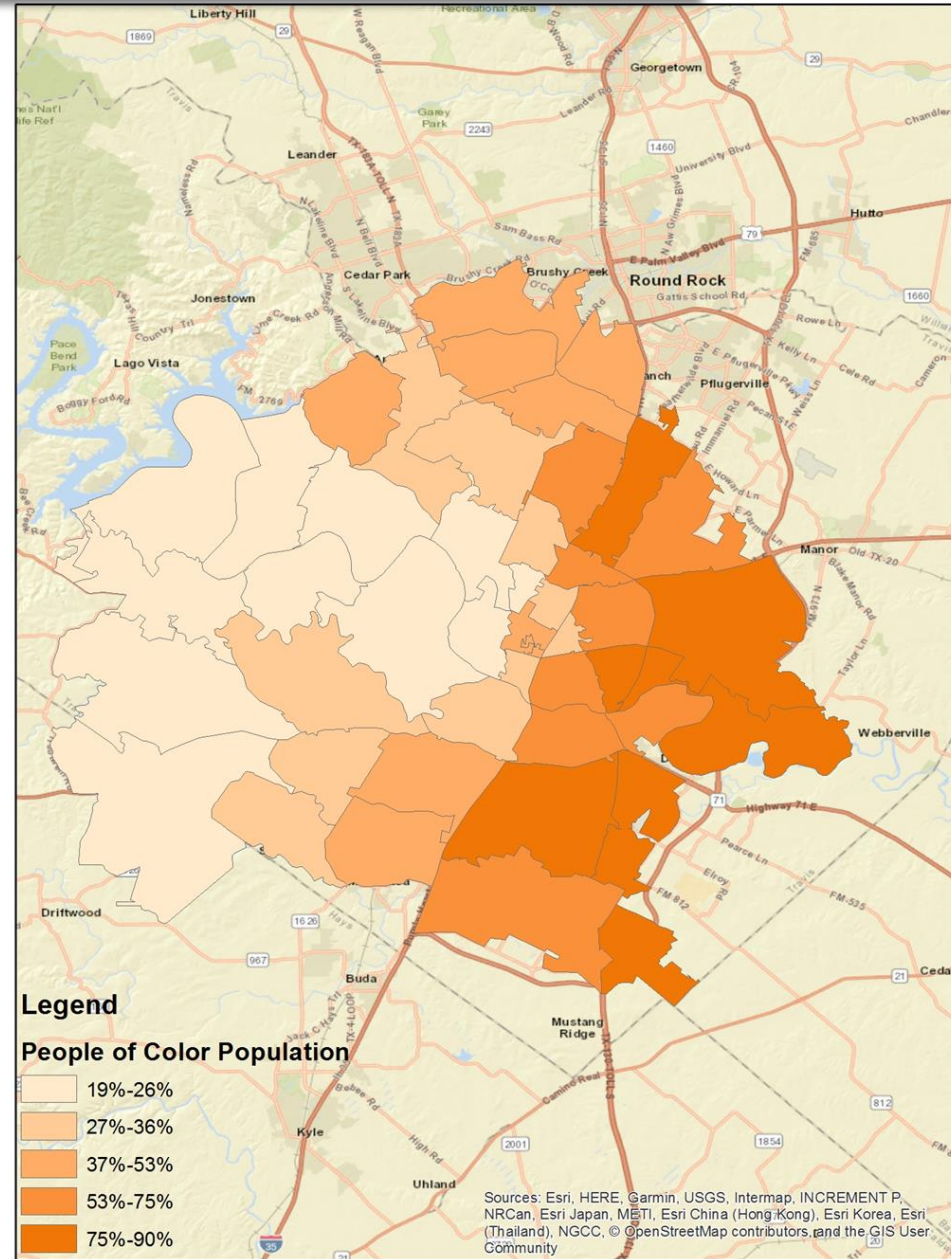
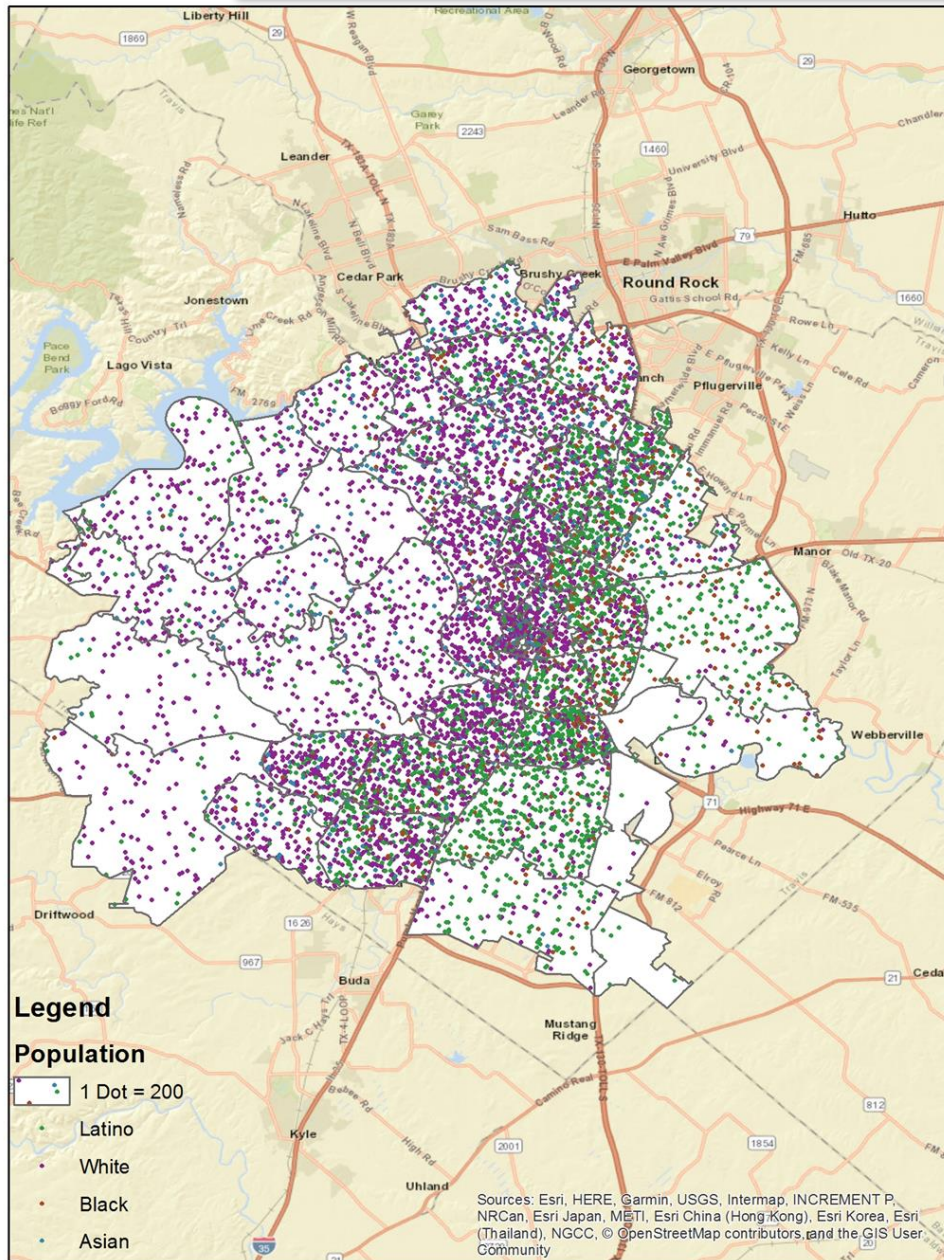
Legend

Median Income - \$60,939

- Very Low Income (50%)
- Low Income (80%)
- Moderate Income (+120%)
- High Income (+120%)

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, © OpenStreetMap contributors, and the GIS User Community

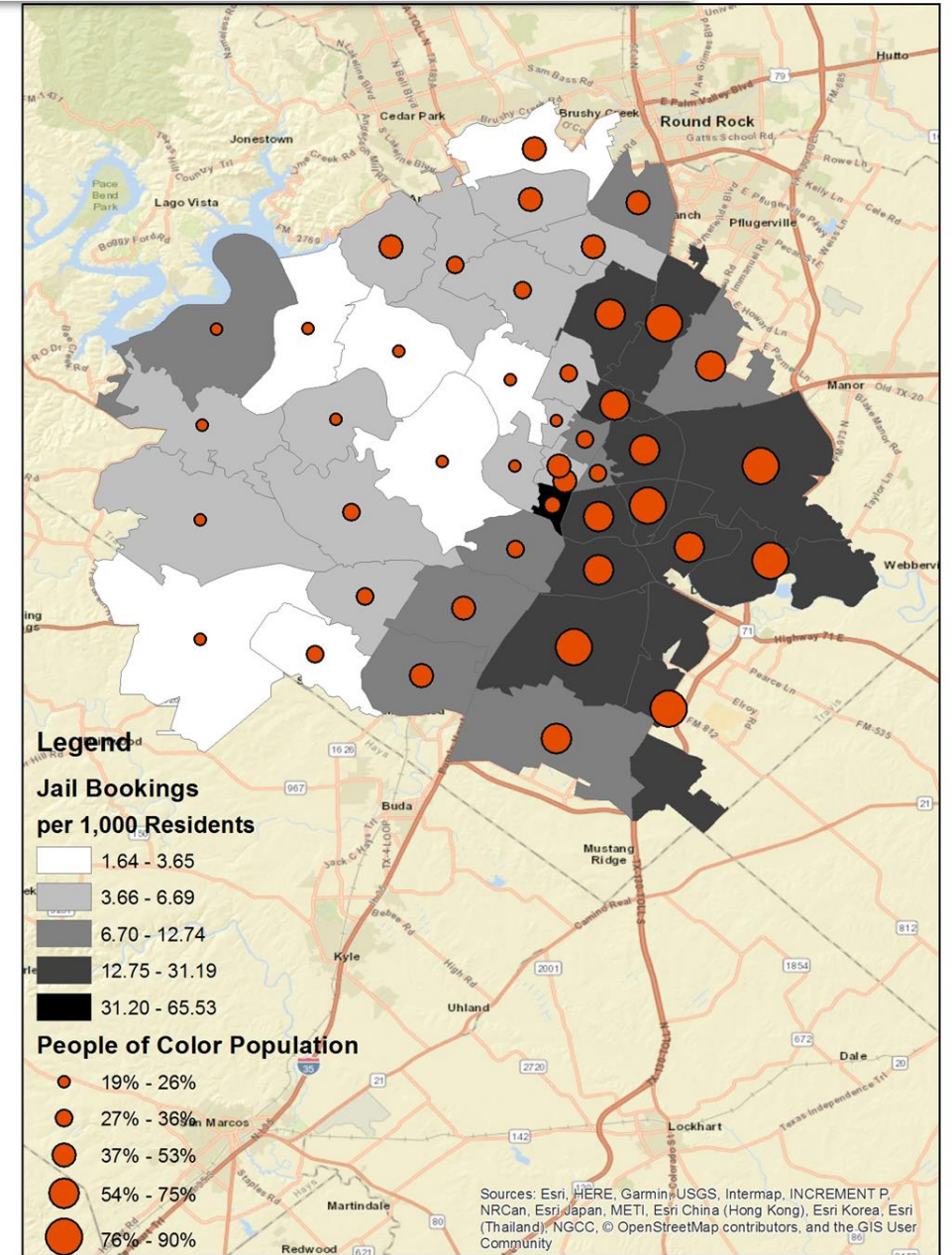
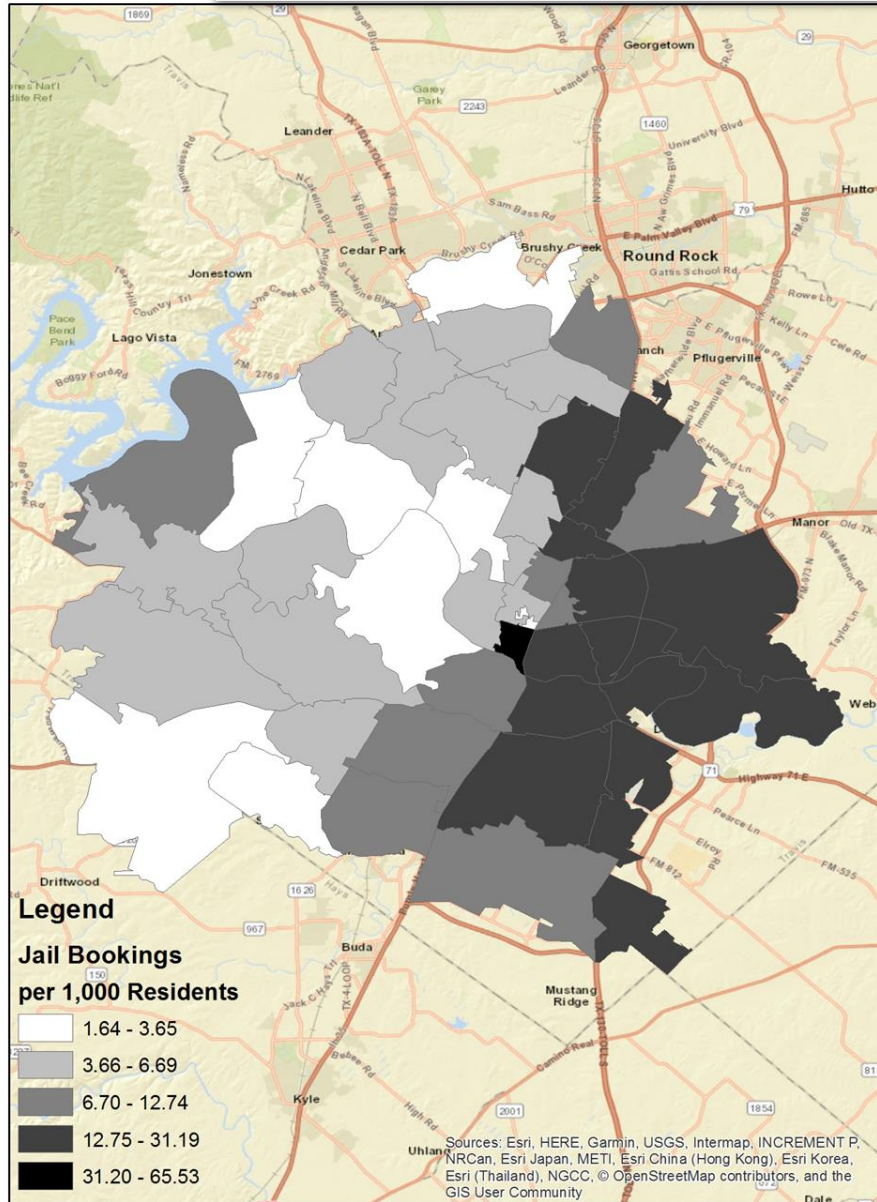
Austin Population by Race (2012-2016, 5-Year Estimate)



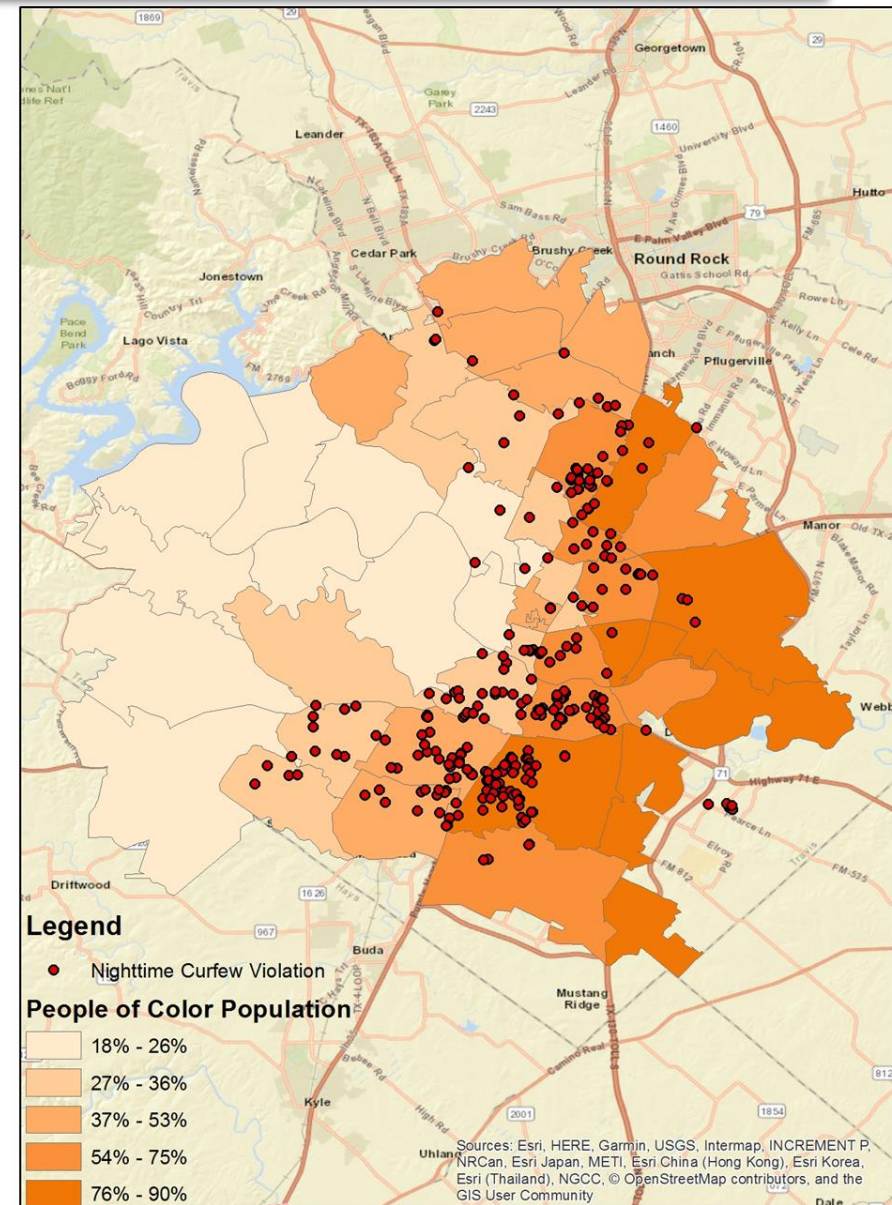
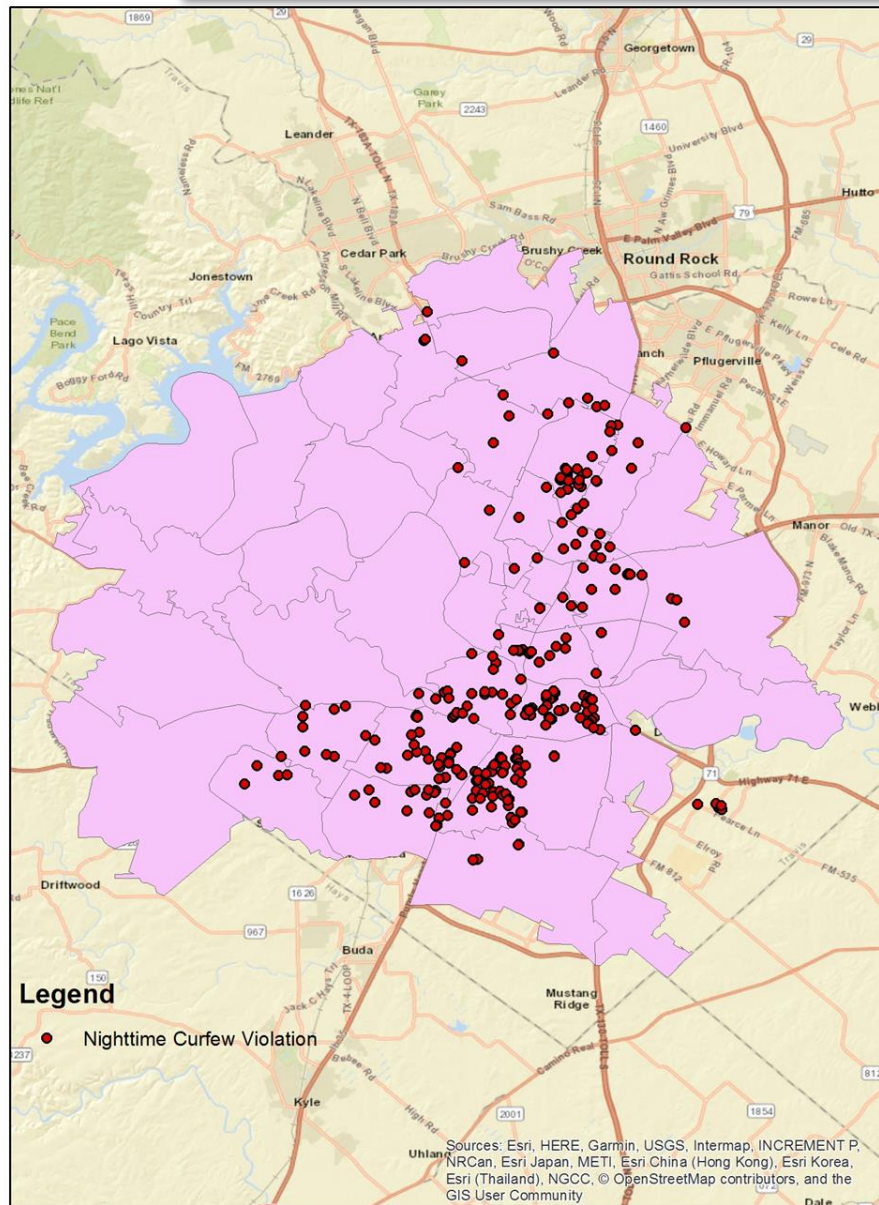
Criminal Justice System Involvement, Race & Zip Code

- Law enforcement & policing
 - Greater police presence in certain zip codes
 - Police more likely to stop and search people of color
- Arrests & jail bookings
 - More likely to use their discretion to arrest people of color
 - More arrests of people of color for drug offenses despite equal drug use rates
 - Many arrests for “crimes” that are directly linked to poverty, zip code
- Pretrial release
 - Pretrial release factors impacted by income (money bail) and zip code
 - Racial bias in judicial decision making
 - Jail dockets coerce guilty pleas from low income defendants
- Convictions & sentences
 - Pretrial detention → more likely to be convicted, lengthier sentence
 - Court-appointed attorneys → more likely to be convicted

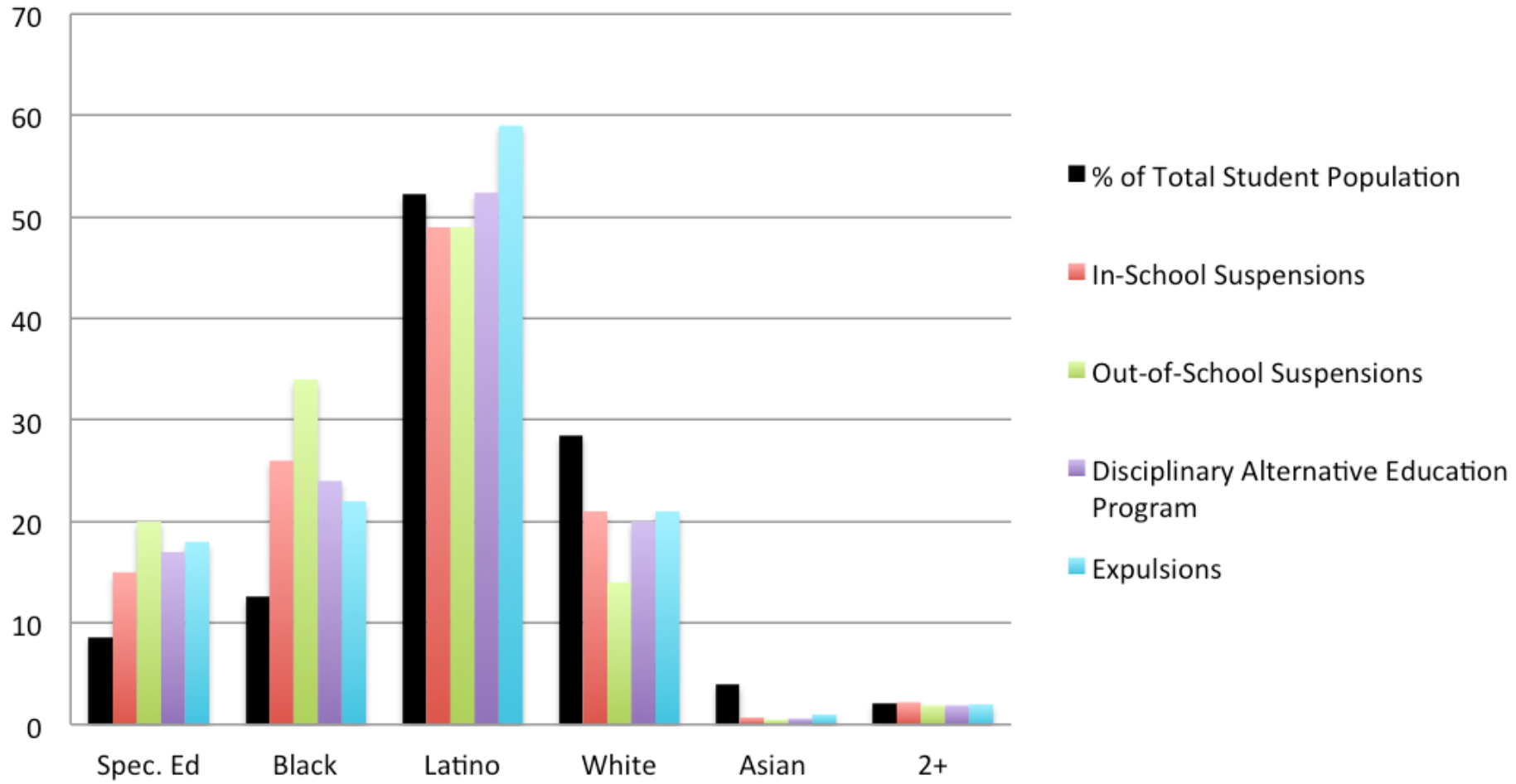
Austin Jail Bookings per 1,000 Residents by Race (2017)



Austin Police Department Nighttime Curfew Violations (2014-2016)

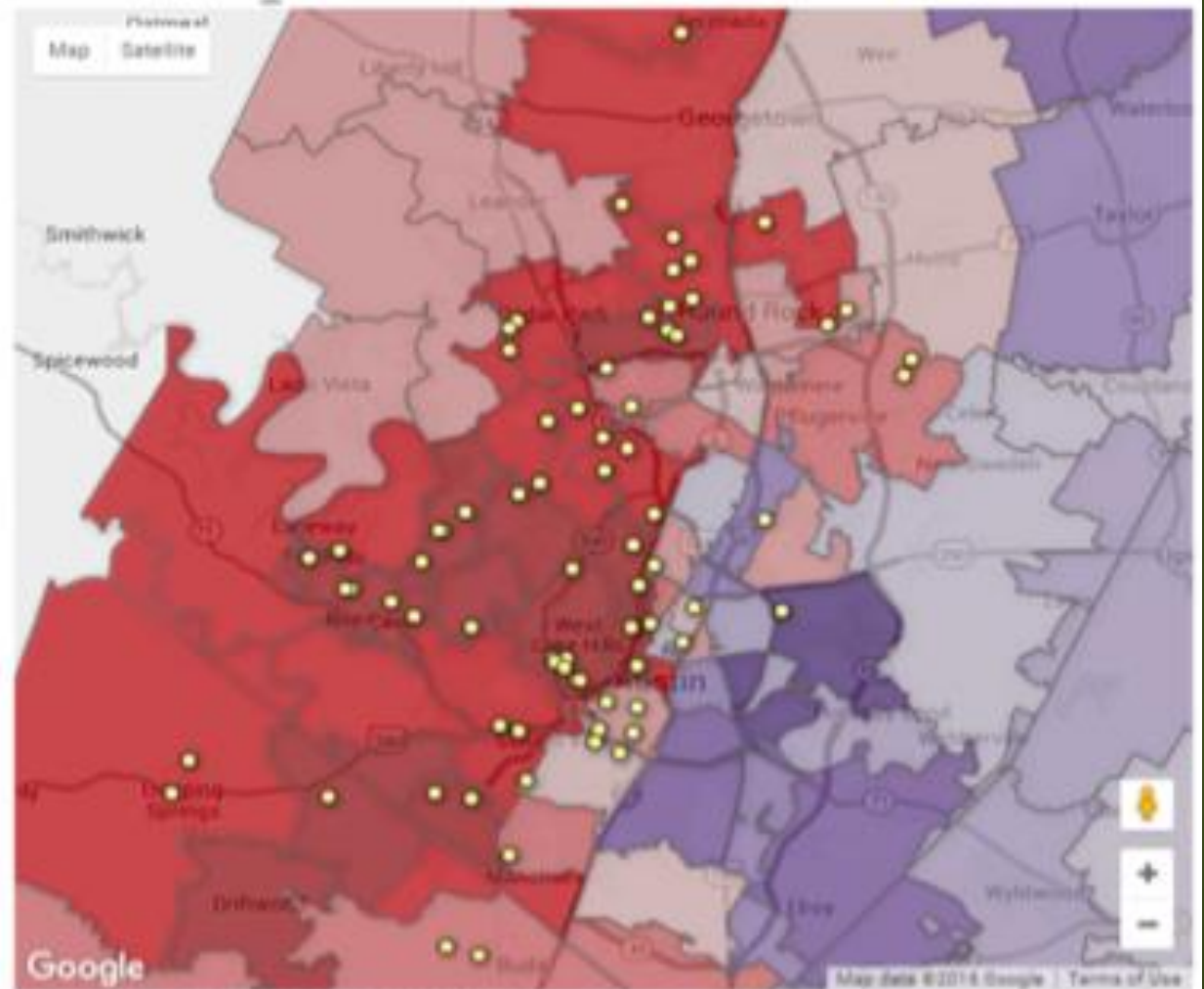


Texas Discipline Rates 2016-17



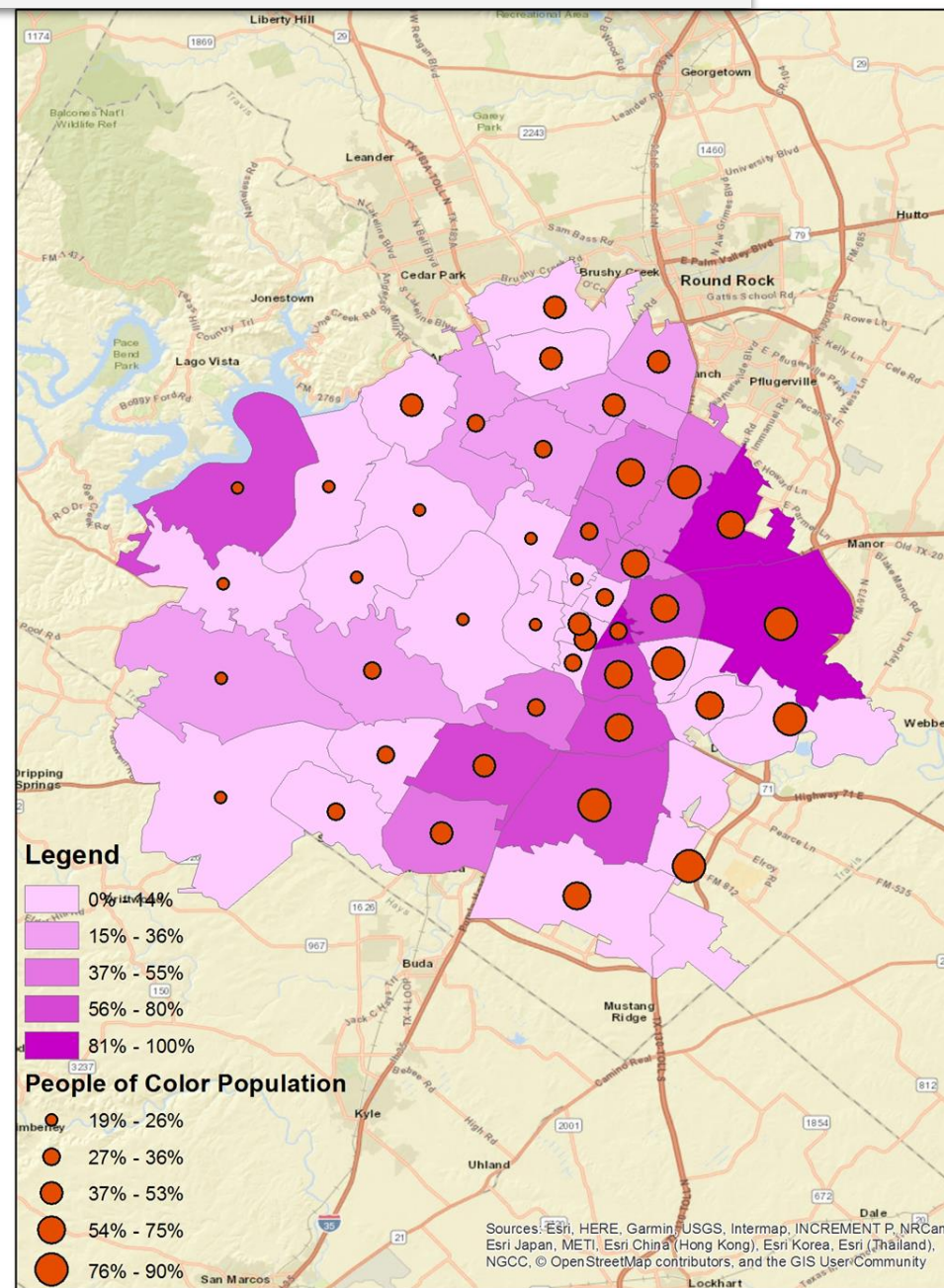
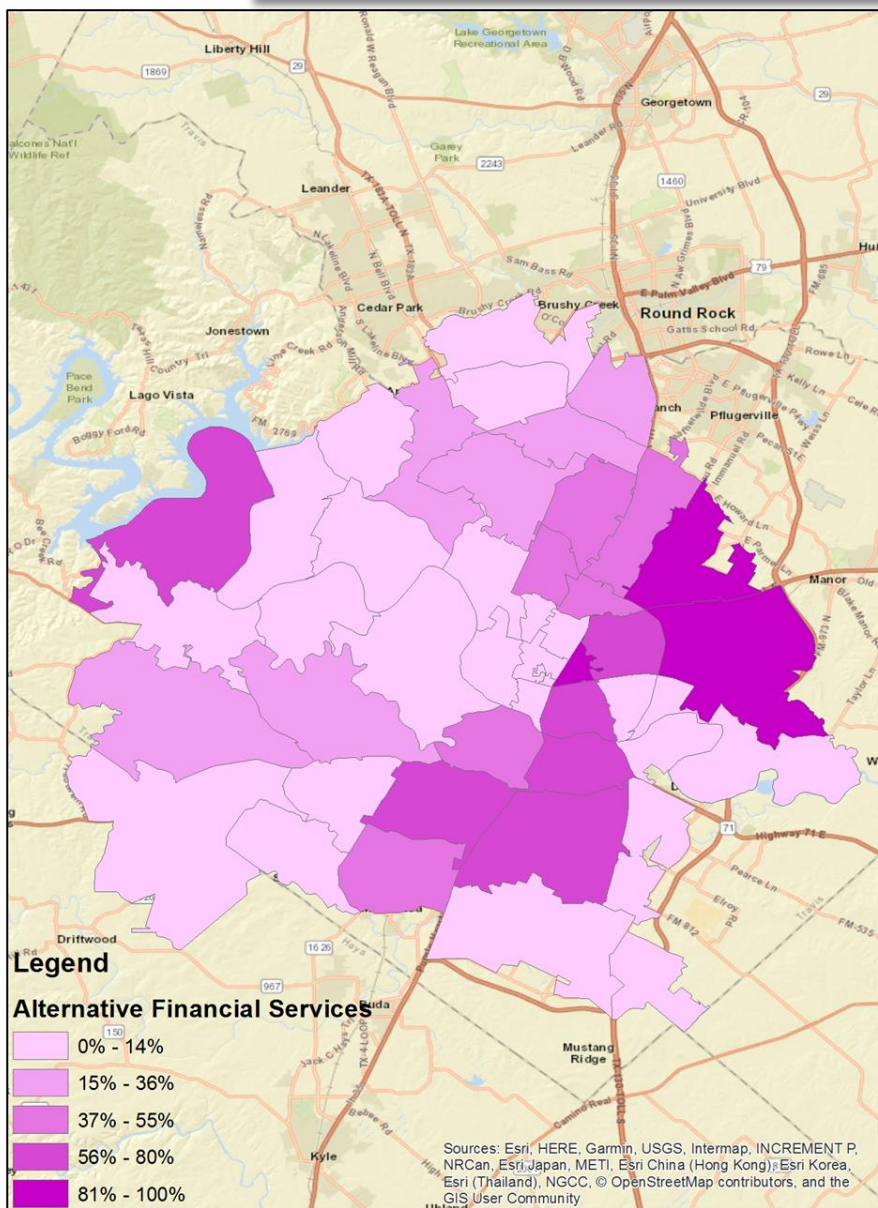
Education reinforcing income segregation

Of all the factors that predict financial success, none are more tightly linked than education. In Austin-area school districts, most of the schools rated "exemplary" in 2011 sat in the wealthier ZIP codes far west of I-35. These neighborhoods have very low percentages of economically disadvantaged students.

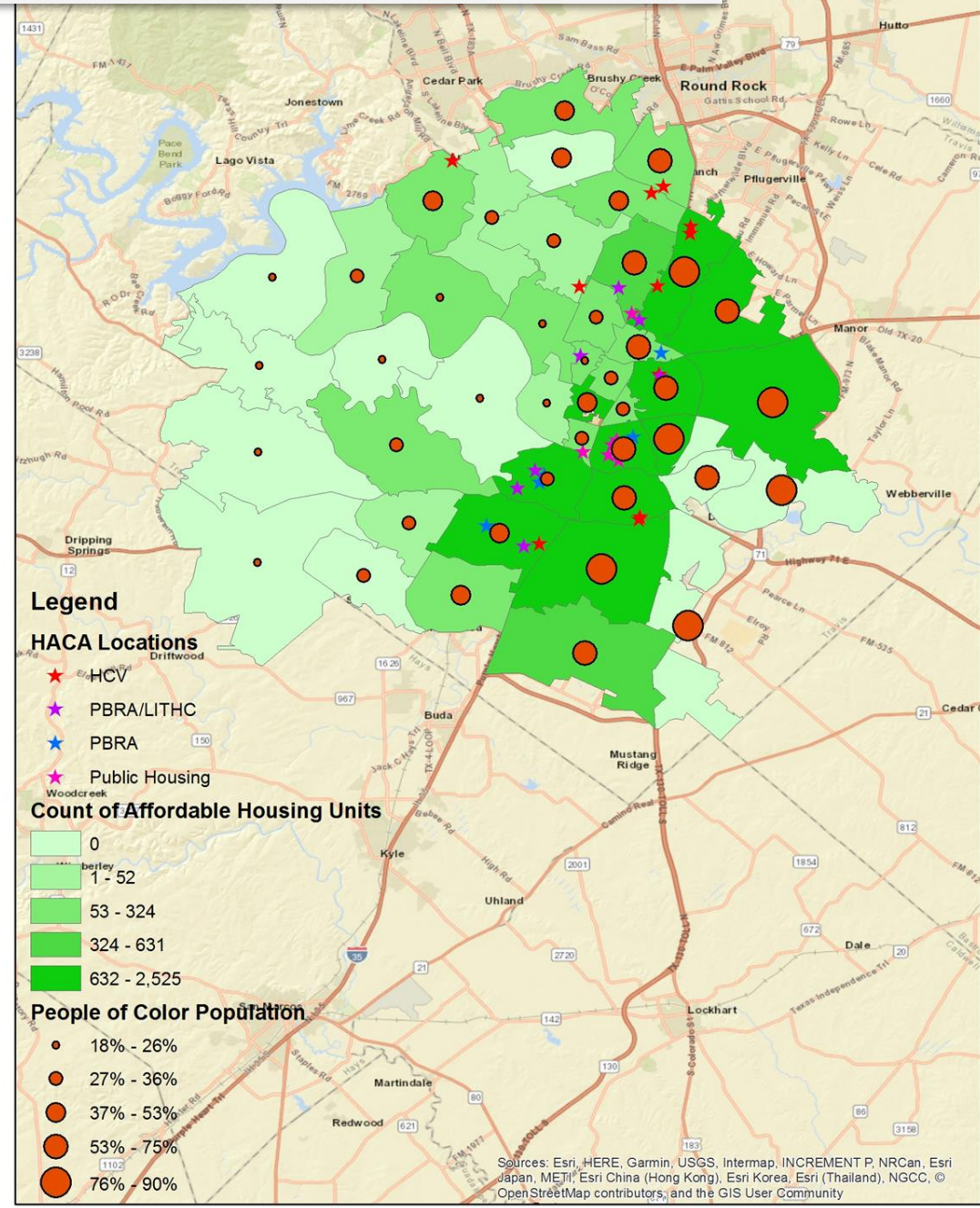
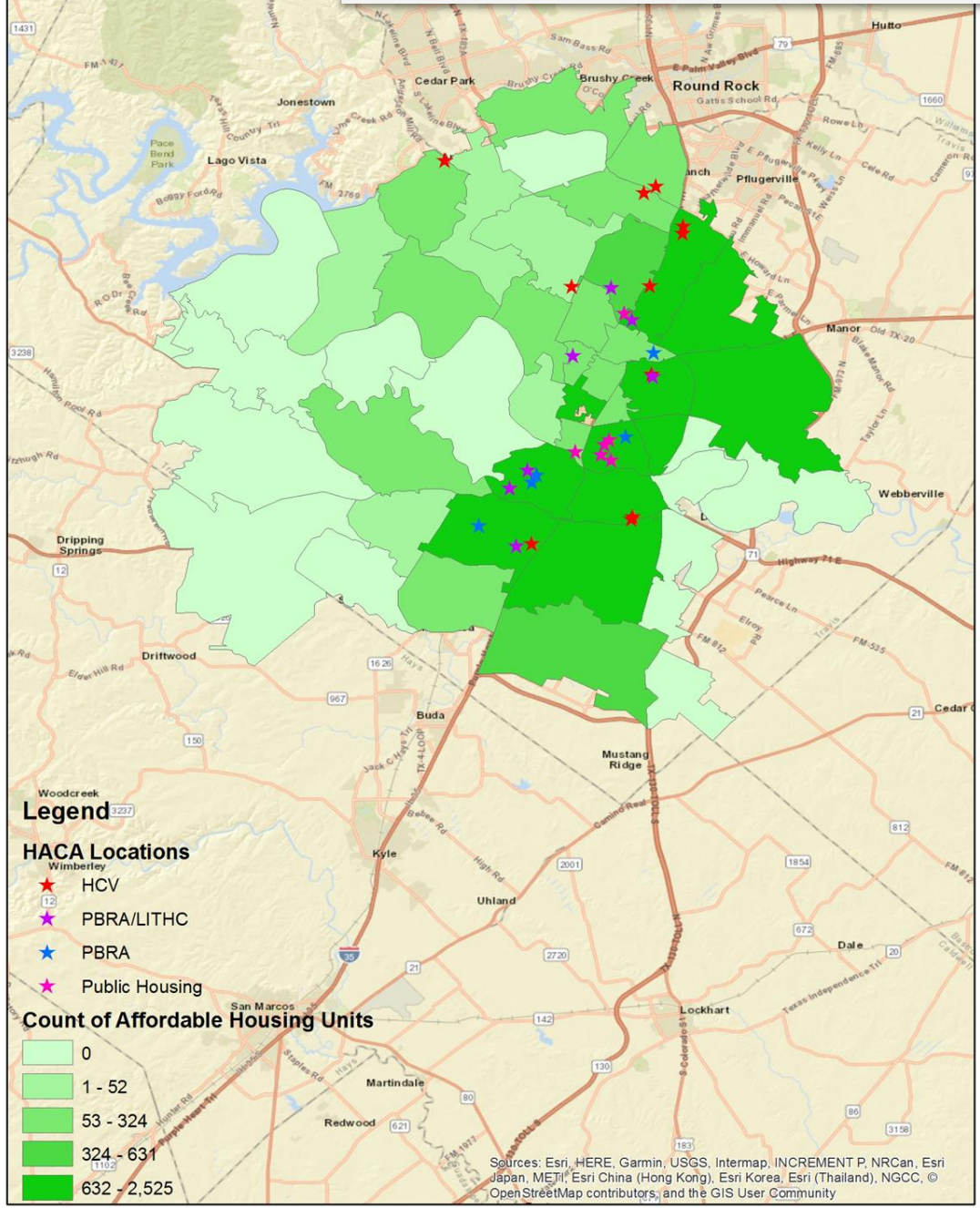


Source: Texas Education Agency, Charles Murray

Concentration of Alternative Financial Services (2018)



Affordable Housing Units and HACA Locations (2018)



The Two-Fold Solution

Reinvest



Access



Reinvest



- ▶ Infrastructure
- ▶ Public Services
- ▶ Employment
- ▶ Upgrade local schools
- ▶ Improved transportation
- ▶ Environmental cleanup
- ▶ Appropriate levels of policing
- ▶ Justice reinvestment & decarceration
- ▶ Housing quality improvements

Access



- ▶ End exclusionary zoning and other land use policies with a disparate impact
- ▶ Increase affordable housing in high-opportunity neighborhoods
- ▶ Preserve affordable housing in gentrifying areas to prevent displacement
- ▶ Vigorous enforcement of housing discrimination
- ▶ School desegregation
- ▶ Ensure transit connects

What can lawyers do to make change?

- Litigation
 - Fair Housing Act (intent and disparate impact)
 - Title VI of the Civil Rights Act of 1968
 - ADA/Section 504
 - Section 109 of the HCDA of 1974
- Administrative Complaints
- Challenges to environmental and other HUD reviews
- Work with community groups
- Analysis of Impediments and Con Plans under the current requirements and the new rule
- Civil rights obligations attached to other funds:
 - Transportation
 - Infrastructure
 - Environmental Justice
 - LIHTC
- Flag Issues for Systemic Change in Your Daily Practice

Questions, Comments, Ideas?

Contact us!

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