B. **Identifying Communities of Opportunity in Baltimore**

The first step in applying an opportunity-based approach in this remedy is to assess the regional distribution of opportunity.[89] Mapping opportunity in the region requires selecting variables that are indicative of high (or low) opportunity. Once derived, opportunity maps should be used to guide subsidized housing (and affordable housing) policy. For the purpose of this remedy, the identified high opportunity areas should be further considered as potential locations for subsidized housing opportunities. Site-specific impediments may eliminate some locations from consideration and some anomalies may exist, but tracts identified as high opportunity areas provide a geographic framework within which to locate subsidized housing. In the future this analysis should be updated as the remedy progresses. Opportunity is dynamic and additional analysis should be undertaken to identify future potential high opportunity areas not captured in this analysis, in the future the exact measurements and metrics of opportunity may need to be periodically updated.

Measuring Opportunity

The opportunity indicators upon which I have focused include measures of economic health, educational opportunity, and neighborhood quality (and/or other quality of life indicators).[90] Economic opportunity is primarily measured by focusing on the availability of jobs and on job growth as a way of determining future areas of job availability.[91] Educational opportunity is primarily measured through student performance measures, teacher qualifications, and student economic status.[92] Neighborhood quality is measured through a wide range of data reflecting neighborhood stability and quality, including housing values, vacancy , poverty rates and crime.[93] For this report, I have gathered data on these opportunity indicators for communities and neighborhoods throughout the Baltimore region.

For present remedial purposes, indicators of opportunity need to be tailored to the unique needs of subsidized housing residents. While opportunity indicators generally focus on standard categories of opportunity (jobs, school quality, and neighborhood quality), for our purposes this should be expanded and framed to address needs that are specific to this population, such as entry-level job access and public transit access. Moreover, the overall guidance provided by opportunity mapping should be employed flexibly so that the individual needs and attributes of public housing residents can be accounted for in a manner that maximizes desegregation and opportunity access. Indicators of opportunity will be of varying significance for different public housing residents. For example, school quality will be of less importance to elderly residents than to residents in general. Similarly transit access may be less critical for public housing residents that own cars.

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[89] john a. powell, Opportunity-Based Housing, 12-WTR J. AFFORDABLE HOUSING AND COMMUNITY DEV. L. 188.

[90] COMMUNITIES OF OPPORTUNITY (2003) and SEGREGATION VS. OPPORTUNITY (2005). The Leadership Council for Metropolitan Open Communities, Chicago, IL.

[91] COMMUNITIES OF OPPORTUNITY (2003) and SEGREGATION VS. OPPORTUNITY (2005). The Leadership Council for Metropolitan Open Communities, Chicago, IL, and LOW INCOME HOUSING QUALIFIED ALLOCATION PLAN for the State of Wisconsin. Available on-line at: http://www.wheda.com/TCA_Appendices/Appdx_T_05.pdf

[92] COMMUNITIES OF OPPORTUNITY (2003) and SEGREGATION VS. OPPORTUNITY (2005). The Leadership Council for Metropolitan Open Communities, Chicago, IL.

[93] COMMUNITIES OF OPPORTUNITY (2003) and SEGREGATION VS. OPPORTUNITY (2005). The Leadership Council for Metropolitan Open Communities, Chicago, IL.

Opportunity mapping is a critical step to link subsidized housing to opportunity. Although opportunity mapping provides an understanding of neighborhoods in the region where opportunity is great and where additional in-depth (site-based) analysis should be conducted. Conversely, opportunity mapping identifies where low opportunity areas are located In the context of this remedy, this opportunity mapping analysis is a critical first step.

Opportunity Mapping is grounded in Practice

As discussed earlier, principles of opportunity-based housing have informed programs and policies for decades. With advances in research technology and Geographic Information Systems, opportunity mapping has also been increasingly used to guide such policies, as evidenced by several recent housing initiatives. For example, two opportunity-mapping exercises have been conducted in the Chicago region. The most recent assessment by the Leadership Council for Metropolitan Open Communities identifies "communities of opportunity" in the six-county Chicago metropolitan area.[94] The opportunity-mapping project assists in analyzing housing need in the Chicago region as well as assessing the application of housing programs.[95]

The policy of locating subsidized housing based on "impacted" or "non-impacted" areas in the Baltimore consent decree, utilizes some of the principles of opportunity mapping, focusing on an absence of poverty and racial concentration as indicators of opportunity. As seen in **Map 13**, 2000 Census Tracts that meet the race and poverty impacted areas guidelines (with 2000 African American populations and poverty higher than the regional average) generally coincide with low-opportunity areas in Baltimore. The growth in neighborhood indicator systems in major cities also uses a similar spatial framework to analyze neighborhood distress.[96]

An extensive neighborhood indicator system for the City of Baltimore is already in use. The Baltimore Neighborhood Indicators Alliance (BNIA) utilizes neighborhood indicator analysis to inform housing and development policies. As stated by the BNIA:

> The Alliance designed its core functions based on the knowledge that Baltimore needed a common way of understanding how our neighborhoods and overall quality of life are changing over time. Baltimore needed a common threshold from which to have discussions about what is best for changing conditions. Baltimore needed a mechanism to hold itself, and all others who work, live, play, and invest in its neighborhoods, accountable for moving in the right direction.[97]

The private sector utilizes similar models in identifying appropriate locations for residential and commercial investment. Commercial entities make investment decisions based upon market research to quantify a geographic market's relative health by using indicators. The databases used in this type of "cluster analysis" spatially identify locations for new businesses

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[94] COMMUNITIES OF OPPORTUNITY (2003) and SEGREGATION VS. OPPORTUNITY (2005). The Leadership Council for Metropolitan Open Communities, Chicago, IL.

[95] SEGREGATION VS. OPPORTUNITY (2005). The Leadership Council for Metropolitan Open Communities, Chicago, IL.

[96] G. Thomas Kingsley, BUILDING AND OPERATING NEIGHBORHOOD INDICATOR SYSTEMS: A GUIDEBOOK, National Neighborhood Indicators Partnership, The Urban Institute (March 1999). Available on-line at: http://www.urban.org/nnip/pdf/guidebk.pdf

[97] BALTIMORE NEIGHBORHOOD INDICATOR ALLIANCE. Available on-line at: http://www.bnia.org/about/index.html

and investments.[98] Similar to opportunity mapping, these indexes provide a first step in site location decisions and are followed by more detailed site-by-site analyses of investment potential.

Indicators and Methods

For the purpose of this analysis, opportunity was measured in three primary categories: economic opportunity/mobility, neighborhood health, and educational opportunity (**Maps 9-12**). A cumulative map of regional opportunity was created based on all three categories (**Map 12**). Census Tracts are classified into five groups (very low, low, moderate, high, very high) based on the quintile in which their opportunity index scores fall. Each group contains 123 census tracts. Thus, very low-opportunity areas represent the 123 lowest scoring Census Tracts in the region and very high-opportunity areas represent the 123 highest scoring Census Tracts.

Multiple opportunity indicators were identified and analyzed at the census tract level for each category of opportunity. Data for the opportunity indicators was obtained from multiple sources including the U.S. Census Bureau, state and national school quality databases and the Baltimore Regional Council.[99] The indicators identified in **Appendix A**, were used to assess the relative level of opportunity for the primary opportunity categories. **Appendix B** describes in more detail how the opportunity index was calculated and what Geographic Information Systems techniques were used to analyze the data.

Social science research and previous opportunity mapping research guided the selection of indicators chosen for this analysis. Although the precise measurements used to assess indicators are flexible and can be refined, the primary indicators utilized (education, economic opportunity, and neighborhood health) are critical to the opportunity analysis. For example, the manner in which educational quality is measured can be modified, but education as a core indicator of opportunity must be included in the analysis.

Indicators of Economic Opportunity and Mobility

For purposes of the remedy, economic opportunity and mobility must be particularized to the unique employment and mobility needs of African American subsidized housing residents. As indicated by the spatial mismatch literature, proximity to employment is important to accessing employment opportunities. It is apparent from the extensive literature on spatial mismatch that inner city residents do not have access to much of the region's employment opportunities.[100] Jobs are moving further away from the inner city and this disparity is even greater for entry level or low skill jobs.[101]

In addition, lower income central city residents of color are much more dependent on public transportation. In the City of Baltimore, African American auto ownership is very low (an estimated 44% of African American households did not own an automobile in the 2000 Census) and more residents rely on public transit to reach employment. In the 2000 Census, 20% of

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[98] Sheryl Cashin, THE FAILURES OF INTEGRATION (2004).

[99] For a complete description of all indicator data, see Appendix A.

[100] For more information please review the discussion on spatial mismatch in the "economic opportunity" section of this report.

[101] For more information on spatial mismatch, see Section 1A.

commuters in the City of Baltimore used public transit to reach work and this figure was even higher for African American commuters (28%).[102]

Given these factors, measures of locally available entry level and low skill jobs, and identification of areas with less competition for entry-level jobs, employment trends, and transit access must be included in an opportunity analysis.[103] Specific economic opportunity indicators data included:

- The number of estimated entry level and low skill employment opportunities within 5 miles of each census tract in 2002. [104] The analysis focuses on entry level and low skill jobs as these are jobs most likely to be attainable for subsidized housing residents. [105]
- The ratio of entry level and low skill employment opportunities per 1,000 residents within 5 miles of each census tract in 2002. This measure helps to determine locations with relatively high demand for entry-level workers. Although low wage jobs may be found in inner-city areas, there are also many low-income workers nearby competing for these jobs. Therefore, jobs located near concentrations of low income households may be less accessible to potential employees than jobs outside the urban core. Previous researchers have also utilized a method of "weighting" job accessibility measurements to account for this competition for available jobs.[106]
- The absolute change in employment opportunities within 5 miles of each census tract from 1998 to 2002. This is included to identify areas of increasing employment opportunity.
- The proportion of each census tract within one-half mile of a public transit line. As addressed in the discussion above, public transit is important for low income inner city African Americans. Although transit is highly flexible and can be improved in non transit, high opportunity communities, to best address the direct needs of subsidized housing residents, transit was included as one of the factors in the opportunity analysis.
- The median commute to work time (in minutes). Commute time is a general measure commonly utilized to assess the proximity to regional employment opportunities. The purpose of including this measure was to identify areas that are the most accessible (in respect to travel time) to the region's employment opportunities.

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[102] U.S. Census Bureau, Census 2000, STF3 data. http://www.census.gov

[103] It is important to note, however, that there is a long history of transportation discrimination and areas with exclusive housing policies are also likely to be areas that resist transit lines. Thus, an opportunity-based housing approach must balance the need to meet the transit needs of residents with the potential for reinforcing the exclusion of public housing residents from opportunity-rich areas that do not participate in the mass transit system. In crafting a remedy, it is important to recognize that the transit system is flexible and, to the greatest extent possible, efforts should be made to overcome transit barriers in otherwise opportunity-rich areas.

[104] Five miles is the proximity distance used in previous opportunity mapping analysis. This distance measure could be further refined based on local input and assessment of the potential travel barriers of subsidized housing residents.

[105] There are various methodologies to define entry level or low skill employment; this is just one approach utilizing zip code industry business patterns data. It should be noted that this methodology will differ from the methodology used in the expert report of Dr. Basu. From my understanding, Dr. Basu's low wage employment analysis utilized county level occupational employment data, this county level data source is not available at the geographic scale needed for our analysis (zip codes) and therefore was not an applicable methodology for our analysis.

[106] Gary Barnes, TRANSPORTATION & REGIONAL GROWTH STUDY EXAMINES JOB ACCESS FOR LOW-INCOME HOUSEHOLDS, Center for Transportation Studies, University of Minnesota (November 2000). Available on-line at: http://www.cts.umn.edu/trg/news/2000/jobaccess.html.

Indicators of Neighborhood Health

Neighborhood quality affects residents by determining local public and private services; shared norms and social control, peer influences, social networks, crime and violence, and job access.[107] Research shows that living in a severely distressed neighborhood undermines the health and well-being of both adults and children.[108]

Measures of neighborhood health included:

- Rate of population change from 1990 to 2000. [109] As discussed earlier, population declines are associated with neighborhood disinvestment, higher taxation and lower public service quality.[110]
- Estimated crime rates in 2000. Crime and physical deterioration are identified by residents as the most critical elements of neighborhood quality.[111] The crimes include murder, rape, robbery, assault, burglary, theft, and motor vehicle theft. Linking low crime areas to subsidized housing is not unprecedented. A recent article by *The Dallas Morning News* reported that the Dallas Housing Authority will soon stop allowing section 8 voucher use in areas where crime rates within a ¼ mile of the section 8 housing development are higher than the city average in the previous six months.[112]
- Poverty rates for the general population in 2000.[113] An extensive body of literature has identified the detrimental impact of concentrated neighborhood poverty on quality of life.[114]
- Vacant property rates in 2000, gathered from the 2000 Census of Population and Housing. As discussed earlier, physical deterioration is a principle indicator of neighborhood quality.[115] Vacant property is also associated with higher crime, higher

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[107] Margery Austin Turner and Dolores Acevedo-Garcia, Why Housing Mobility? The Research Evidence Today, 14 POVERTY & RACE RESEARCH ACTION COUNCIL NEWSLETTER (January/February 2005). Page 16.

[108] [108] Margery Austin Turner and Dolores Acevedo-Garcia, Why Housing Mobility? The Research Evidence Today, 14 POVERTY & RACE RESEARCH ACTION COUNCIL NEWSLETTER (January/February 2005).

[109] Although population loss can be more specifically targeted to loss of middle income and higher income residents, in this analysis loss was measured by the total population only. Refinement of this analysis may want to modify this methodology to target these households.

[110] G. Thomas Kingsley and Kathryn L.S. Pettit, Population Growth and Decline in City Neighborhoods, 1 URBAN INSTITUTE: NEIGHBORHOOD CHANGE IN URBAN AMERICA (December 2002).

[111] M. R. Greenberg, Improving Neighborhood Quality: A Hierarchy of Needs 10 (3) HOUSING POLICY DEBATE 601-624 (1999).

[112] Kim Horner, Rentals in Unsafe Areas Won't Get Vouchers; Dallas Agency's Program Will Make Crime Rates a Factor, The Dallas Morning News (08/10/05).

[113] Although unemployment is referenced often in the literature in respect to neighborhood conditions, for this analysis poverty was utilized as a better measure of socio-economic status. We had concerns about the accuracy of local unemployment rates and the potential impact of varying degrees of labor force participation distorting the local unemployment rates. Thus, neighborhood unemployment rates may vary significantly based on labor force participation, potentially showing low unemployment if large numbers of the work force have stopped looking for employment.

[114] For more information please review discussion on concentrated poverty in the economic opportunity section, earlier in this report.

[115] M. R. Greenberg, Improving Neighborhood Quality: A Hierarchy of Needs 10 (3) HOUSING POLICY DEBATE 601-624 (1999).

public service costs, and neighborhood property depreciation and as a threat to public safety.[116]

- Property values for owner occupied homes in 2000, measured as median home value in the 2000 Census.[117] As discussed earlier in this report, more stable neighborhoods tend to have higher property values. [118] Housing prices and neighborhood quality are highly correlated, and housing prices are influenced by many factors, including proximity to jobs and commercial establishments, access to environmental amenities, taxes and public services, and the income level of neighborhood residents.[119]

Indicators of Educational Opportunity

A comprehensive analysis of educational opportunity should rely on a broad variety of measures. For purposes of this analysis, however, I have focused on a handful of key indicators. These include teacher quality, economic segregation and isolation, and measures of academic proficiency.[120] As discussed in more detail below, measures of educational opportunity include:

- The proportion of elementary and middle school students qualifying for free and reduced lunch in 2004. As stated earlier in this report, school quality and the economic status of its student body have been shown to have significant connections to student performance.[121] Higher poverty schools have been proven to negatively impact student performance, regardless of the individual student's economic status. Also, teachers in higher poverty schools must spend more time to address the additional needs of high poverty students and as a result have less time to focus on teaching course work.
- The proportion of classes not taught by highly qualified teachers in 2004. Teacher qualifications are important in assessing whether students receive high quality instruction.[122]

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[116] For more information on the impacts of vacant and abandoned properties visit the resource page of the National Vacant Property Campaign. Located on-line at: http://www.vacantproperties.org/facts.html

[117] Much of the research on housing cost and neighborhood quality focuses on homeowner property values and not rents. In this analysis, home values were utilized due to concerns about the statistical validity of data on rental property rents in suburban areas. Some suburban areas have relatively few rental units and only a sample of these units is used to produce Census 2000 gross rent data. Thus, utilizing rents to determine neighborhood quality may be less reliable than utilizing home values.

[118] Chengri Ding and Gerrit-Jan Knaap, Property Values in Inner-City Neighborhoods: The Effects of Homeownership, Housing Investment, and Economic Development, 13 (4) HOUSING POLICY DEBATE 701-727 (2003). It should be noted, however, that stability by itself may not be an unmitigated good. One recent study found that neighborhoods with residential stability and low affluence were associated with poor health outcomes. Christopher R. Browning and Kathleen A. Cagney, Moving Beyond Poverty: Neighborhood Structure, Social Processes and Health, JOURNAL OF HEALTH AND SOCIAL BEHAVIOR 44: 552-571 (December 2003).

[119] Chengri Ding and Gerrit-Jan Knaap, Property Values in Inner-City Neighborhoods: The Effects of Homeownership, Housing Investment, and Economic Development, 13 (4) HOUSING POLICY DEBATE 701-727 (2003).

[120] The state of Maryland uses additional indicators of educational quality that were not used in this analysis. These include attendance, absenteeism and graduation rates. For the purpose of this attendance, graduation data was not utilized because of concerns about the validity of this indicator for elementary schools (which were the basis of our analysis).

[121] The Century Foundation, CAN SEPARATE BE EQUAL? THE OVERLOOKED FLAW OF AT THE CENTER OF NO CHILD LEFT BEHIND (2004). Available on-line at: http://www.equaleducation.org/publications.asp?pubid=468

[122] L. Darling-Hammond and B. Berry, Recruiting Teachers for the 21st Century: The Foundation for Educational Equity, 68 (3) THE JOURNAL OF NEGRO EDUCATION 254-279 (1999).

- The proportion of elementary and elementary school students proficient in reading in 2004 (as measured by the 3rd and 5th grade Maryland school assessments). Although test scores are not perfect tools to measure student proficiency and may be discriminatory, given the central role that they play in determining advancement and the opportunities available to students, and the importance of scores in the federal No Child Left Behind legislation they must be acknowledged as important measures.
- The proportion of elementary and elementary school students proficient in math in 2004 (as measured by the 3rd and 5th grade Maryland school assessments). See comments above.

Comprehensive Opportunity Map

I have combined the individual indicators of opportunity to derive a composite map of opportunity for the Baltimore region. The opportunity-based housing framework guides analysis of neighborhoods with respect to a holistic approach to defining opportunity. As Galster and Killen note, the housing, mortgage, criminal, labor, political, social service, educational systems and local social networks are "bound in an immensely complicated nexus of casual interrelationships."[123] While the opportunity-based housing framework emphasizes housing as the central determinant of opportunity, this is largely because of housing location relative to other opportunity structures, such as jobs and education. **Map 12** depicts the overall opportunity index for the Baltimore region. This comprehensive assessment includes all 14-opportunity indicators, measured by averaging standardized scores for the three sub-categories (economic opportunity and mobility, neighborhood health, educational opportunity).

Results

As seen in **Maps 9 through 12**, the distribution of opportunity has distinct spatial patterns in the region. Economic opportunity and mobility are greatest in three primary areas in the region. North of the City of Baltimore in Baltimore County, in some areas near downtown Baltimore, and in areas of Howard and Anne Arundel Counties southwest of the City of Baltimore (**Map 9**).

Map 10 depicts the distribution of healthy neighborhoods in the Baltimore region. Indicators of neighborhood health locate the healthiest neighborhoods almost entirely outside the City of Baltimore. Large clusters of healthy neighborhoods are found in all surrounding counties in the region.

Map 11 depicts the distribution of educational opportunity in the Baltimore region and these results mirror neighborhood health in the region. The distribution of educational opportunity is highly skewed toward the region's suburban counties. All very low educational opportunity census tracts are clustered within the City of Baltimore. The only suburban County with a large concentration of low educational opportunity areas is the portions of Baltimore County west and east of the City of Baltimore.

While the individual opportunity maps provide insight into specific areas for improvement, the comprehensive opportunity map is most critical for informing housing policy as it provides the most complete assessment of opportunity in the region. As seen in **Map 12**, opportunity-rich areas are distributed throughout the counties in the region but the primary

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[123] George Galster and Sean Killen, The Geography of Metropolitan Opportunity: A Reconnaissance and Conceptual Framework, 6 (1) HOUSING POLICY DEBATE 7-43 (1995).

concentration of high-opportunity tracts are found in suburban counties. The largest clusters of very high opportunity tracts are located in central Baltimore County, southern Howard County, northern Anne Arundel County and southern Harford County. The City of Baltimore is the primary location of very low-opportunity tracts in the region, but areas of high opportunity are found on the north central edge of the City of Baltimore.

African Americans are Segregated into Low Opportunity Areas

In the Baltimore region, the distribution of opportunity rich and poor communities mirrors patterns of racial segregation. As seen in **Map 15**, African Americans are segregated away from high-opportunity neighborhoods and into low-opportunity neighborhoods in the Baltimore region. Census tracts identified as very low-opportunity were 81% African American in 2000 and very high-opportunity tracts were only 12% African American in 2000. Conversely, very low-opportunity tracts were 15% White and very high-opportunity tracts were 80% White in 2000. In the six county region, over 72% of African Americans are located in either very low or low-opportunity areas; in contrast only 18% of Whites reside in very low or low-opportunity areas (**See Table 2**).

Racial segregation from opportunity operates independently of income in Baltimore as low-income Whites are considerably less segregated from opportunity than low-income African Americans.[124] Almost 84% of the region's low-income African American households were found in low-opportunity Census Tracts. In comparison, only 33% of the region's low-income White households were found in low-opportunity Census Tracts. More low-income Whites lived in higher opportunity Census Tracts (37%) than lived in low-opportunity Census Tracts (33%). Only 10% of low-income African Americans lived in high-opportunity Census Tracts (**See Table 3**).

Similarly, high-income African Americans do not have the same access to higher opportunity areas as high-income Whites in Baltimore. Sixty seven percent of high-income White households lived in high-opportunity Census Tracts in 2000, while only 30% of high-income African Americans lived in high-opportunity Census Tracts. In 2000, more than half of high-income African American households (56%) lived in low-opportunity Census Tracts, compared to 11% of high-income White households (**See Table 3**).

Affordable Housing is Deficient in High Opportunity Areas

Rental housing is primarily clustered in low-opportunity areas but opportunity rich census tracts do contain a significant number of rental housing units. Analysis of price data for these rental units in high-opportunity areas indicates that it is relatively expensive and thus beyond the means of low-income households. Nearly half of the region's rental housing in 2000 was found in low-opportunity communities (49%). Of the 104,000 rental housing units located in high-opportunity areas, approximately 60% cost more than the HUD fair market rent for a 2 bedroom apartment in the Baltimore region as of 2000 ($643). The region's supply of rental units below fair market rent in 2000 was even more clustered in low-opportunity areas than rental

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[124] Low Income households earn less than $30K, Middle Income households earn $30K to $60K, and High Income households earn more than $60K. This methodology was adopted from the Lewis C. Mumford Center's research on the dynamics residential segregation by race and income, delineating (poor, middle income and affluent households). For more information visit the Mumford Center's website at: http://mumford.albany.edu/census/segregation/home.htm

units in general. Only 21% of the 210,000 rental units with rent less than $650 a month were found in high-opportunity communities (**See Table 4**).[125]

Subsidized Housing is Concentrated in Low Opportunity Areas

The region's subsidized housing is primarily clustered in low-opportunity areas. **Map 14** illustrates this clustering of subsidized housing sites in 1998 and LIHTC sites in 2001 in low-opportunity areas (primarily in the City of Baltimore) in the region.[126] Nearly two-thirds of Section 8 voucher households (65%) are located in low-opportunity Census Tracts (**Table 5**). Approximately 20% of all Section 8 households are located in high-opportunity areas, and an even lower percentage of African American Section 8 households are located in high-opportunity areas. Over three-fourths (77%) of all African American Section 8 voucher holders were found in low-opportunity Census Tracts, while only 29% of White Section 8 voucher holders were located in these tracts. Conversely, high-opportunity Census Tracts contained 35% of White voucher holders and only 15% of African American Section 8 households (**Table 5**).

Additional Considerations When Applying Opportunity Mapping to the Remedy:

Identifying communities of opportunity is a dynamic process that should adapt to account for the particular needs of subsidized housing recipients and to incorporate new and updated data as it becomes available. The opportunity maps created for this report provide an initial portrait of how opportunity-based housing can be applied to the remedy.

C.   Mobility Program Lessons for Remedying Racial and Opportunity Segregation

It is my understanding that the expert report of Turner and Briggs will discuss the successes and failures of public housing mobility programs in terms of providing access to integrated environments and to opportunity. Given this, my discussion will focus on specific lessons that can be learned from these programs in terms of implementing an opportunity-based housing strategy.

The Gautreaux Program

The first lawsuit to result in a metropolitan-wide housing desegregation remedy was filed over three decades ago on behalf of the more than 40,000 African-American families in, or waiting for, public housing in Chicago.[127] The Court ordered HUD to develop and implement a program that would result in the movement of thousands of black families from poor, segregated neighborhoods to low-poverty, white suburban neighborhoods. This metropolitan-wide remedy became known as the *Gautreaux* program and was the country's largest and longest-running residential, racial, and economic integration effort.[128] Over twenty years, about six thousand

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[125] Note: gross rent data from Census 2000, the Census gives values in ranges for the number of units within ranges of $ values (e.g. $550 to 699, $600 to $649). Thus $650 was selected as the dividing range to represent units that cost more or less than HUD's 2 bedroom FMR in 2000.

[126] Data used in this map was from the HUD 1998 picture of subsidized housing and is not current; LIHTC developments in this data were updated to 2001 but all other data from this map is from 1998. Due to the age of this data, this information will not be consistent with more recent data from the expert report of Gerald Webster. A small number site based data in the HUD 1998 picture of subsidized housing has not geographic information (longitude and latitude coordinates). Due to this missing geographic information these points could not be mapped.

[127] Leonard Rubinowitz & James Rosenbaum, CROSSING THE CLASS AND COLOR LINES: FROM PUBLIC HOUSING TO WHITE SUBURBIA (2000). Page 2.

[128] Leonard Rubinowitz & James Rosenbaum, CROSSING THE CLASS AND COLOR LINES: FROM PUBLIC HOUSING TO WHITE SUBURBIA (2000). Page 2.

families participated in this remedy and it was administered by the Leadership Council for Metropolitan Open Communities, which counseled families, recruited landlords, worked with public housing agencies, and made subsidy payments under the Section 8 program.

The *Gautreaux* remedy used both tenant vouchers for participants to access existing housing and incentives for Section 8 units to be set aside in new construction. For the former, the remedy required that no more than 25% of participants relocate within the City of Chicago or within minority areas of the metropolitan area beyond Chicago. In order to avoid resegregation, the Leadership Council "initially deemphasized and later excluded the large portions of the city and parts of the southern and western suburbs where significant numbers of Blacks lived. Those areas contained a disproportionate amount of the area's affordable rental housing – and many landlords there accepted Section 8 tenants."[129] Moreover, the Council limited the total number of *Gautreaux* families in any one area in order to maintain existing racial integration.[130] Further, the Council assured landlords that applicants were pre-screened for credit-worthiness, and that both tenants and landlords participation would be anonymous.

The Moving to Opportunity Demonstration Program

The success in providing housing opportunities throughout the metropolitan region, and the positive results that ensued, were the impetus for HUD's Moving to Opportunity (MTO) program which began in 1994.[131] MTO was designed as a ten year social science experiment to rigorously test the "geography of opportunity" thesis supported by *Gautreaux*. However, unlike the *Gautreaux* remedy, the MTO program was poverty, not race-based. As a result, families often moved to neighborhoods that were highly racially segregated and within the same service districts, such as public school districts, as their prior housing. MTO demonstration sites included Baltimore, Boston, Chicago, Los Angeles, and New York.

Counseling, transportation, and affordable, appropriate units are critical to successful mobility program implementation:

To identify barriers to effective desegregation with mobility vouchers, we reviewed research on representative housing desegregation programs which included a mobility-based remedy. In Chicago, an overwhelming majority of tenants enrolled in the Chicago Housing Authority's mobility program had trouble finding a place they liked with enough bedrooms; finding landlords who would accept Section 8 vouchers, and accessing transportation for apartment hunting.[132] Because of this, most voucher users were reconcentrated in high-poverty segregated neighborhoods, or poor, minority areas at the neighborhoods scale, even if the census tract was

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[129] Leonard Rubinowitz & James Rosenbaum, CROSSING THE CLASS AND COLOR LINES: FROM PUBLIC HOUSING TO WHITE SUBURBIA (2000). Page 58.

[130] Leonard Rubinowitz & James Rosenbaum, CROSSING THE CLASS AND COLOR LINES: FROM PUBLIC HOUSING TO WHITE SUBURBIA (2000).

[131] HUD also incorporated the mobility approach into its Regional Opportunity Counseling (ROC) and Vacancy Consolidation Programs. Leonard Rubinowitz & James Rosenbaum, CROSSING THE CLASS AND COLOR LINES: FROM PUBLIC HOUSING TO WHITE SUBURBIA (2000).

[132] Mary K. Cunningham and Susan J. Popkin, CHAC MOBILITY COUNSELING ASSESSMENT FINAL REPORT (October 2002). Published by the Urban Institute (Washington D.C.) and the Great Cities Institute at the University of Illinois at Chicago. Available on-line at:
http://www.urban.org/UploadedPDF/410588_CHACReport.pdf

largely low poverty.[133] Pointing to the need for meaningful connection to stable communities of opportunity, more respondents wanted help with long-term, rather than short-term, services, such as obtaining a GED and getting computer training.[134]

In Dallas, operating under the consent decrees issued in *Walker v. HUD*, African American public housing tenants were similarly struggling with a tight housing market, increasing rents, and community resistance.[135] Because about half of Dallas Housing Authority families need three-bedroom apartments, and only 3.5% of the private market offers units this large, there is intense competition for available units.

In Minneapolis, during the implementation of a negotiated consent decree in *Hollman v. Cisneros,* African-American participants had difficulty locating a unit in non-impacted area that would rent to them; therefore they had to make segregative moves out of necessity.[136] Lack of transportation was another problem with accessing suburban areas. Minneapolis' Hmong community opposed forced dispersal, and felt rushed to find new units, again struggling to find units with enough bedrooms for large families.[137]

> *Unrestricted voucher use leads to reconcentrations of poor minorities:*

Unstructured choice voucher programs may disperse some tenants successfully, but a 2003 HUD study of Housing Choice Voucher (HCV) location patterns found that minority participants are much more likely to live in neighborhoods where poverty is concentrated: "Black and Hispanic families are more likely than White participants to live in neighborhoods where poverty is concentrated…the latter are more likely to live in low-poverty neighborhoods."[138]

While *Gautreaux* emphasized racial desegregation through a race-based structured choice framework, research from MTO and HOPE VI, which are not race based, tend to show racial re-concentrations. Although HOPE VI was not a housing mobility program, the experiences of HOPE VI voucher users are relevant. While HOPE VI survey respondents who used vouchers to move wanted to move to safer, less poverty-stricken neighborhoods, 30 to 40% still live in high

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[133] Mary K. Cunningham and Susan J. Popkin, CHAC MOBILITY COUNSELING ASSESSMENT FINAL REPORT (October 2002). Published by the Urban Institute (Washington D.C.) and the Great Cities Institute at the University of Illinois at Chicago.

[134] Mary K. Cunningham and Susan J. Popkin, CHAC MOBILITY COUNSELING ASSESSMENT FINAL REPORT (October 2002). Published by the Urban Institute (Washington D.C.) and the Great Cities Institute at the University of Illinois at Chicago.

[135] Susan J. Popkin, et. al., CH. 3: BASELINE CASE STUDY: DALLAS in BASELINE ASSESSMENT OF PUBLIC HOUSING DESEGREGATION CASES: CASE STUDIES –VOLUME 2; Prepared by the Urban Institute in February 2000 for HUD. Available on-line at: http://www.huduser.org/publications/pubasst/baseline.html

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[138] Devine, Deborah et. al. HOUSING CHOICE VOUCHER LOCATION PATTERNS: IMPLICATIONS FOR PARTICIPANTS AND NEIGHBORHOOD WELFARE. U.S. Dept. of Housing and Urban Development, Office of Policy Development and Research (January 2003).

poverty and high crime neighborhoods.[139] Since there is no race-conscious element in unrestricted voucher use, 76% still live in neighborhoods with at least 80% minorities.[140] Because of the lack of appropriate units in the suburbs for large families, many families reconcentrated in the city, in under-resourced neighborhoods similar to their previous ones.[141] In fact, because the housing market was so limited, residents vied for any available housing away from their former developments, regardless of any increases (or lack thereof) in amenities and services.[142]

One last note of caution with respect to the use of mobility-based programs is the possibility that the neediest families, those hardest to house (large families with children; adults with disabilities and lack of education and skills) might be lost entirely, leading to a reconcentration of the very poorest *outside* of public housing.[143]

Research on mobility programs to date thus illustrates the need for a race-conscious opportunity-based housing framework: public housing residents need not just housing vouchers, but a choice of units that meets their needs in a range of opportunity-rich areas across the metropolitan area. Otherwise, unstructured choice may lead, as it has in the past, to significant reconcentrations of racialized poverty in neighborhoods already facing increasing poverty and lack of opportunity.[144]

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[139] Larry Buron, Abt Associates, AN IMPROVED LIVING ENVIRONMENT? NEIGHBORHOOD OUTCOMES FOR HOPE VI RELOCATEES. Urban Institute Metropolitan Housing and Communities Center Brief No. 3, (September 2004). Available on-line at: http://www.urban.org/UploadedPDF/311059_Roof_3.pdf

[140] Larry Buron, Abt Associates, AN IMPROVED LIVING ENVIRONMENT? NEIGHBORHOOD OUTCOMES FOR HOPE VI RELOCATEES. Urban Institute Metropolitan Housing and Communities Center Brief No. 3, (September 2004).

[141] Robin E. Smith et. al. at the The Urban Institute Metropolitan Housing and Communities Policy Center; HOUSING CHOICE FOR HOPE VI RELOCATEES (Final Report: April 2002). Prepared for HUD.   Available on-line at: http://www.urban.org/UploadedPDF/410592_HOPEVI_Relocatees.pdf

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[143] Susan J. Popkin et. al., The Gautreaux Legacy: What Might Mixed-Income and Dispersal Strategies Mean for the Poorest Public Housing Tenants? 11 (4) HOUSING POLICY DEBATE 911-942 (2000).