



National Recreation  
and Park Association



# Raising Expectations: Using Green Infrastructure to Improve Equity in Underserved Communities

*New Partners for Smart Growth, Baltimore, MD, Jan 31, 2015*

Richard Dolesh, VP for Conservation and Parks, NRPA, Ashburn, VA

Robin Corather, Exec Director, Groundwork Cincinnati, OH

Brad Buschur, Project Director, Groundwork Lawrence, MA

Ignacio Bunster-Ossa, Principal, Wallace Roberts and Todd, Philadelphia, PA

Robert Garcia, Founding Director and Counsel, The City Project, Los Angeles, CA



# Green Infrastructure & Equitable Redevelopment in Lawrence, Mass.

Brad Buschur || Groundwork Lawrence

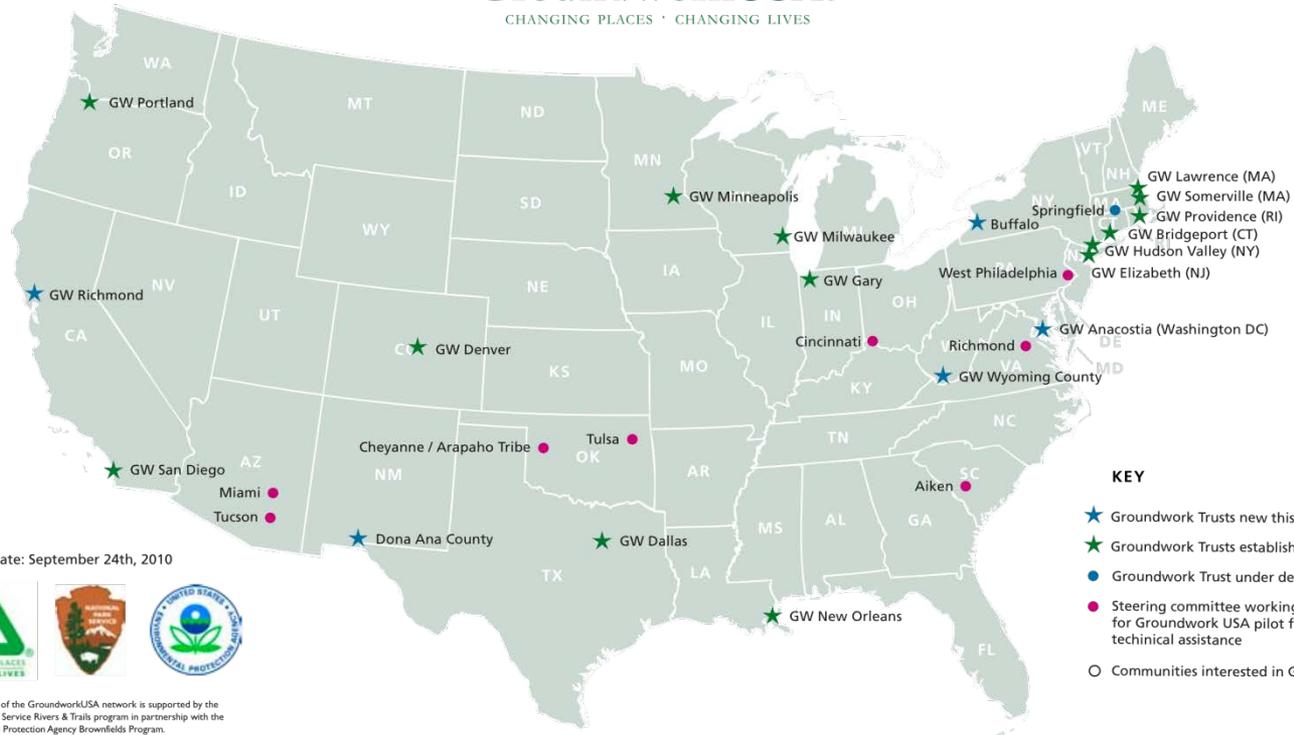
January 31, 2015

# Groundwork USA



## GroundworkUSA®

CHANGING PLACES · CHANGING LIVES



- KEY**
- ★ Groundwork Trusts new this year!
  - ★ Groundwork Trusts established
  - Groundwork Trust under development
  - Steering committee working to apply for Groundwork USA pilot funding and technical assistance
  - Communities interested in Groundwork

Last Update: September 24th, 2010



Development of the GroundworkUSA network is supported by the National Park Service Rivers & Trails program in partnership with the Environmental Protection Agency Brownfields Program.

### Youth



### Businesses



### Land



### Education



### Communities



### Brownfields





# Mission

To bring about the **sustained regeneration**, improvement and management of the physical environment **by developing**

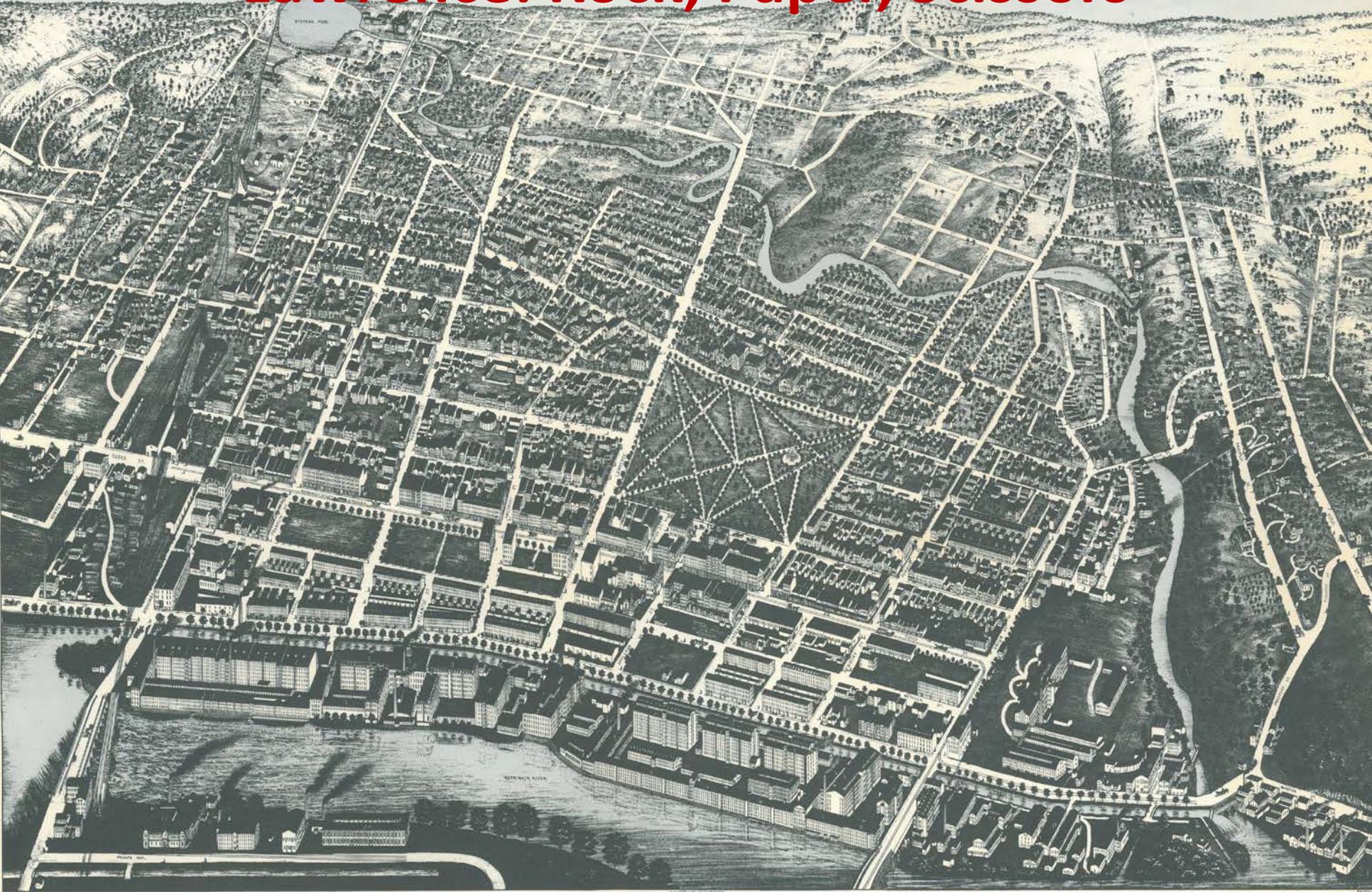
**community-based partnerships** which empower people,

businesses and organizations to promote environmental, economic and social well-being.

# Community Mandate



# Lawrence: Rock, Paper, Scissors



1. *First Church of Christ and St. Stephen* 2. *St. Paul's Church* 3. *St. Andrew's Church* 4. *St. John's Church* 5. *St. Peter's Church* 6. *St. James' Church* 7. *St. George's Church* 8. *St. Nicholas' Church* 9. *St. Raphael's Church* 10. *St. Elizabeth's Church* 11. *St. Ann's Church* 12. *St. Rose's Church* 13. *St. Joseph's Church* 14. *St. Francis' Church* 15. *St. Michael's Church* 16. *St. Gabriel's Church* 17. *St. Raphael's Church* 18. *St. Elizabeth's Church* 19. *St. Ann's Church* 20. *St. Rose's Church* 21. *St. Joseph's Church* 22. *St. Francis' Church* 23. *St. Michael's Church* 24. *St. Gabriel's Church* 25. *St. Raphael's Church* 26. *St. Elizabeth's Church* 27. *St. Ann's Church* 28. *St. Rose's Church* 29. *St. Joseph's Church* 30. *St. Francis' Church* 31. *St. Michael's Church* 32. *St. Gabriel's Church* 33. *St. Raphael's Church* 34. *St. Elizabeth's Church* 35. *St. Ann's Church* 36. *St. Rose's Church* 37. *St. Joseph's Church* 38. *St. Francis' Church* 39. *St. Michael's Church* 40. *St. Gabriel's Church* 41. *St. Raphael's Church* 42. *St. Elizabeth's Church* 43. *St. Ann's Church* 44. *St. Rose's Church* 45. *St. Joseph's Church* 46. *St. Francis' Church* 47. *St. Michael's Church* 48. *St. Gabriel's Church* 49. *St. Raphael's Church* 50. *St. Elizabeth's Church* 51. *St. Ann's Church* 52. *St. Rose's Church* 53. *St. Joseph's Church* 54. *St. Francis' Church* 55. *St. Michael's Church* 56. *St. Gabriel's Church* 57. *St. Raphael's Church* 58. *St. Elizabeth's Church* 59. *St. Ann's Church* 60. *St. Rose's Church* 61. *St. Joseph's Church* 62. *St. Francis' Church* 63. *St. Michael's Church* 64. *St. Gabriel's Church* 65. *St. Raphael's Church* 66. *St. Elizabeth's Church* 67. *St. Ann's Church* 68. *St. Rose's Church* 69. *St. Joseph's Church* 70. *St. Francis' Church* 71. *St. Michael's Church* 72. *St. Gabriel's Church* 73. *St. Raphael's Church* 74. *St. Elizabeth's Church* 75. *St. Ann's Church* 76. *St. Rose's Church* 77. *St. Joseph's Church* 78. *St. Francis' Church* 79. *St. Michael's Church* 80. *St. Gabriel's Church* 81. *St. Raphael's Church* 82. *St. Elizabeth's Church* 83. *St. Ann's Church* 84. *St. Rose's Church* 85. *St. Joseph's Church* 86. *St. Francis' Church* 87. *St. Michael's Church* 88. *St. Gabriel's Church* 89. *St. Raphael's Church* 90. *St. Elizabeth's Church* 91. *St. Ann's Church* 92. *St. Rose's Church* 93. *St. Joseph's Church* 94. *St. Francis' Church* 95. *St. Michael's Church* 96. *St. Gabriel's Church* 97. *St. Raphael's Church* 98. *St. Elizabeth's Church* 99. *St. Ann's Church* 100. *St. Rose's Church*

11. *Western Market* 12. *Central Market* 13. *Eastern Market* 14. *South Market* 15. *North Market* 16. *Market Square* 17. *Market Street* 18. *Market Lane* 19. *Market Alley* 20. *Market Court* 21. *Market Place* 22. *Market Ground* 23. *Market Field* 24. *Market Park* 25. *Market Garden* 26. *Market Orchard* 27. *Market Wood* 28. *Market Hill* 29. *Market Mount* 30. *Market Plain* 31. *Market Valley* 32. *Market Stream* 33. *Market Brook* 34. *Market River* 35. *Market Lake* 36. *Market Pond* 37. *Market Well* 38. *Market Spring* 39. *Market Fountain* 40. *Market Falls* 41. *Market Rapids* 42. *Market Shoals* 43. *Market Cataracts* 44. *Market Waterfalls* 45. *Market Pools* 46. *Market Ponds* 47. *Market Basins* 48. *Market Reservoirs* 49. *Market Dams* 50. *Market Weirs* 51. *Market Sluices* 52. *Market Locks* 53. *Market Bridges* 54. *Market Tunnels* 55. *Market Viaducts* 56. *Market Caissons* 57. *Market Piers* 58. *Market Wharves* 59. *Market Quays* 60. *Market Docks* 61. *Market Harbors* 62. *Market Basins* 63. *Market Reservoirs* 64. *Market Dams* 65. *Market Weirs* 66. *Market Sluices* 67. *Market Locks* 68. *Market Bridges* 69. *Market Tunnels* 70. *Market Viaducts* 71. *Market Caissons* 72. *Market Piers* 73. *Market Wharves* 74. *Market Quays* 75. *Market Docks* 76. *Market Harbors* 77. *Market Basins* 78. *Market Reservoirs* 79. *Market Dams* 80. *Market Weirs* 81. *Market Sluices* 82. *Market Locks* 83. *Market Bridges* 84. *Market Tunnels* 85. *Market Viaducts* 86. *Market Caissons* 87. *Market Piers* 88. *Market Wharves* 89. *Market Quays* 90. *Market Docks* 91. *Market Harbors* 92. *Market Basins* 93. *Market Reservoirs* 94. *Market Dams* 95. *Market Weirs* 96. *Market Sluices* 97. *Market Locks* 98. *Market Bridges* 99. *Market Tunnels* 100. *Market Viaducts*

## LAWRENCE, MASS.

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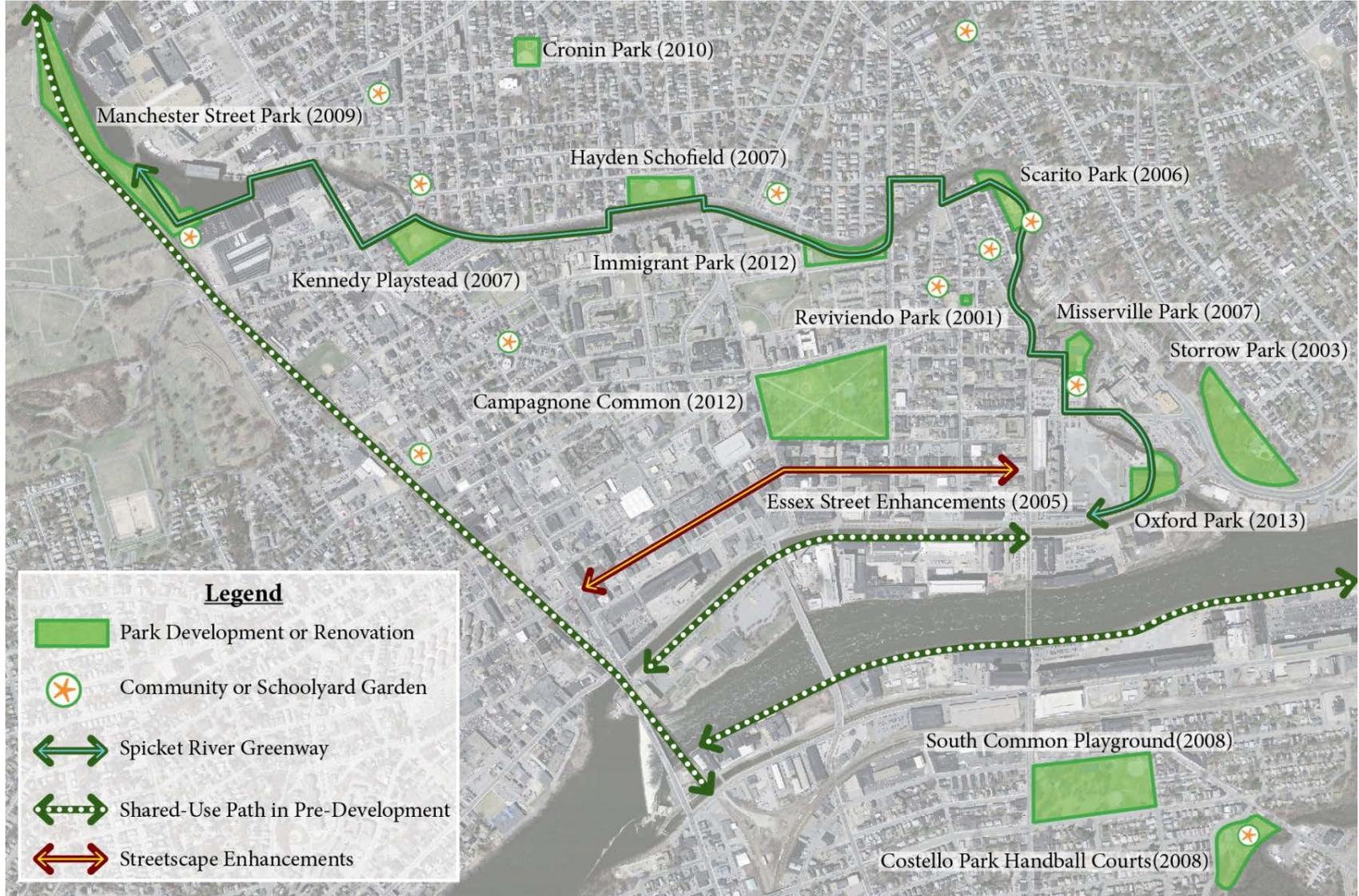
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# About Lawrence / Massachusetts

- Population ..... 77,657 (12<sup>th</sup> largest city)
- Hispanic or Latino ..... 73.8% (9.6%)
- Foreign born ..... 37.6% (15%)
- Persons below poverty line ..... 29.2% (11.4%)
- Median household income ..... \$32,851 (\$66,866)
- Housing units in multi-unit structures ..... 75.9% (41.7%)
- Share of combined sewers in system ..... 72%

# Park / Infrastructure Projects (2001-2014)



# 2009 -2014 Park Project Pipeline



• Howard Playstead	\$500,000
• Community Gardens	\$320,000
• North Common (Phases I, II, III)	\$1.5 million
• Spicket River Greenway	\$3.0 million
• Oxford Park	\$1.2 million
• Union Crossing Corridor	\$600,000
• Costello Garden	\$30,000
• Facella Lot	\$200,000
• Spicket River Revitalization	\$100,000
• Gar Park	\$250,000
• Tattersall Farm	\$250,000
• Registry Lot	\$80,000
• The Point	\$250,000
• Ferrous	<u>\$2.75 million</u>
	\$11.0 million

# 2015 – 2019 Park Project Pipeline



• Kane Lot	\$600,000
• South Common (Phases I, II)	\$800,000
• Methuen Rail Trail	\$750,000
• Spicket R. Greenway (Jackson/Newbury)	\$150,000
• Lawrence Rail Trail	\$2.5 million
• North Canal Tow Path	\$600,000
• Costello Garden Expansion	\$30,000
• Merrimack Riverwalk	<u>\$2.75 million</u>
	\$9.2 million

# 2009 – 2014 Planning Projects



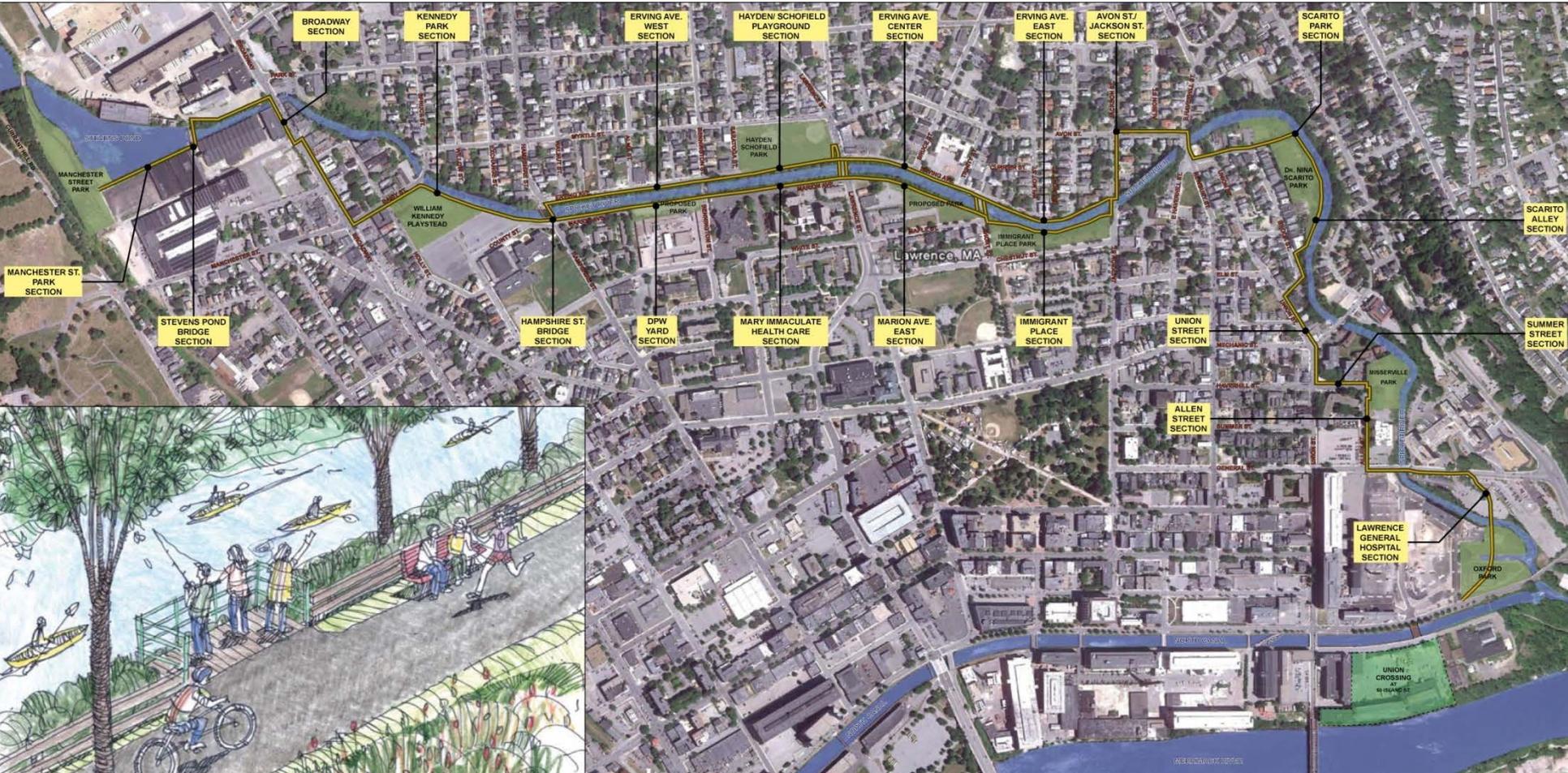
- North Canal
  - Placemaking Workshops
  - Urban Land Institute Technical Assistance Panel
- Urban Waters
  - Spicket River Baseline Report
  - Spicket River Crew
- Brownfield Assessment Program
  - Lawrence Downtown West Planning Study
  - Regional Public Safety Training Facility
  - Buckley Garage
- Urban Forestry

# Public- Private Partnership

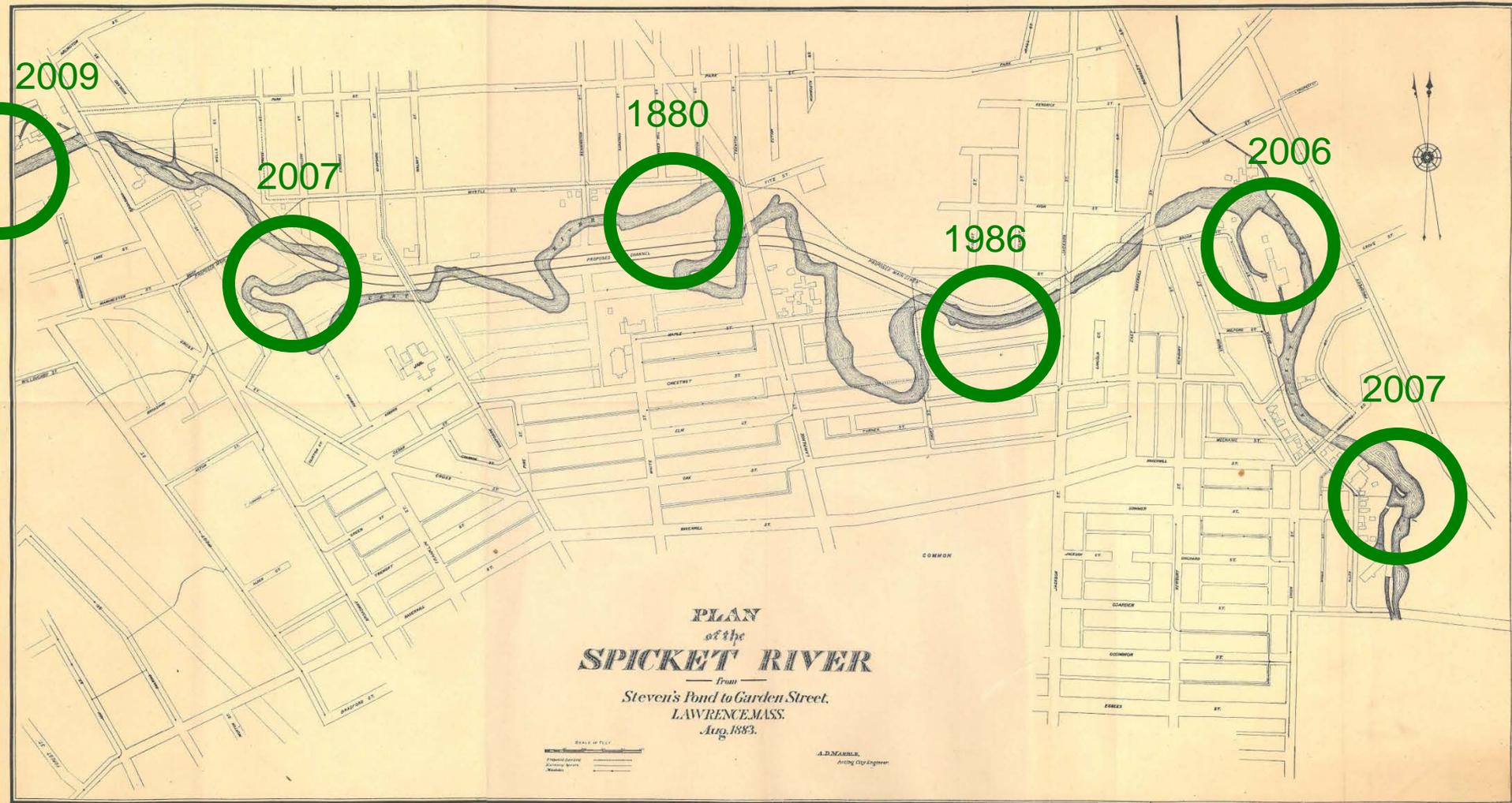


- Funding: City (CDBG), State (Environmental Bond), Federal (EPA – Brownfields)
- City provides overall strategic guidance, project oversight and fiscal management
- Groundwork provides project management, organizes community outreach, and frequently contracts with consultants (Surveyors, Civil Engineers, Structural Engineers, Geotechnical Engineers, Environmental Engineers, Landscape Architects, Architects, General Contractors)

# The Spicket River Greenway: A series of riverfront parks

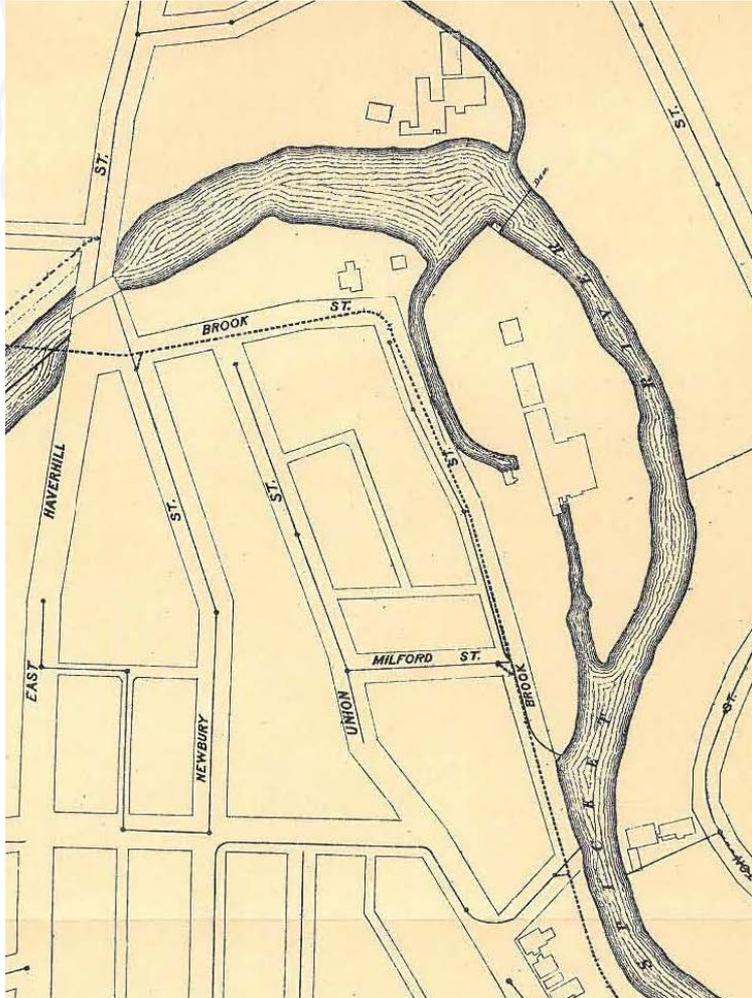


# The Spicket River Greenway: A series of riverfront parks



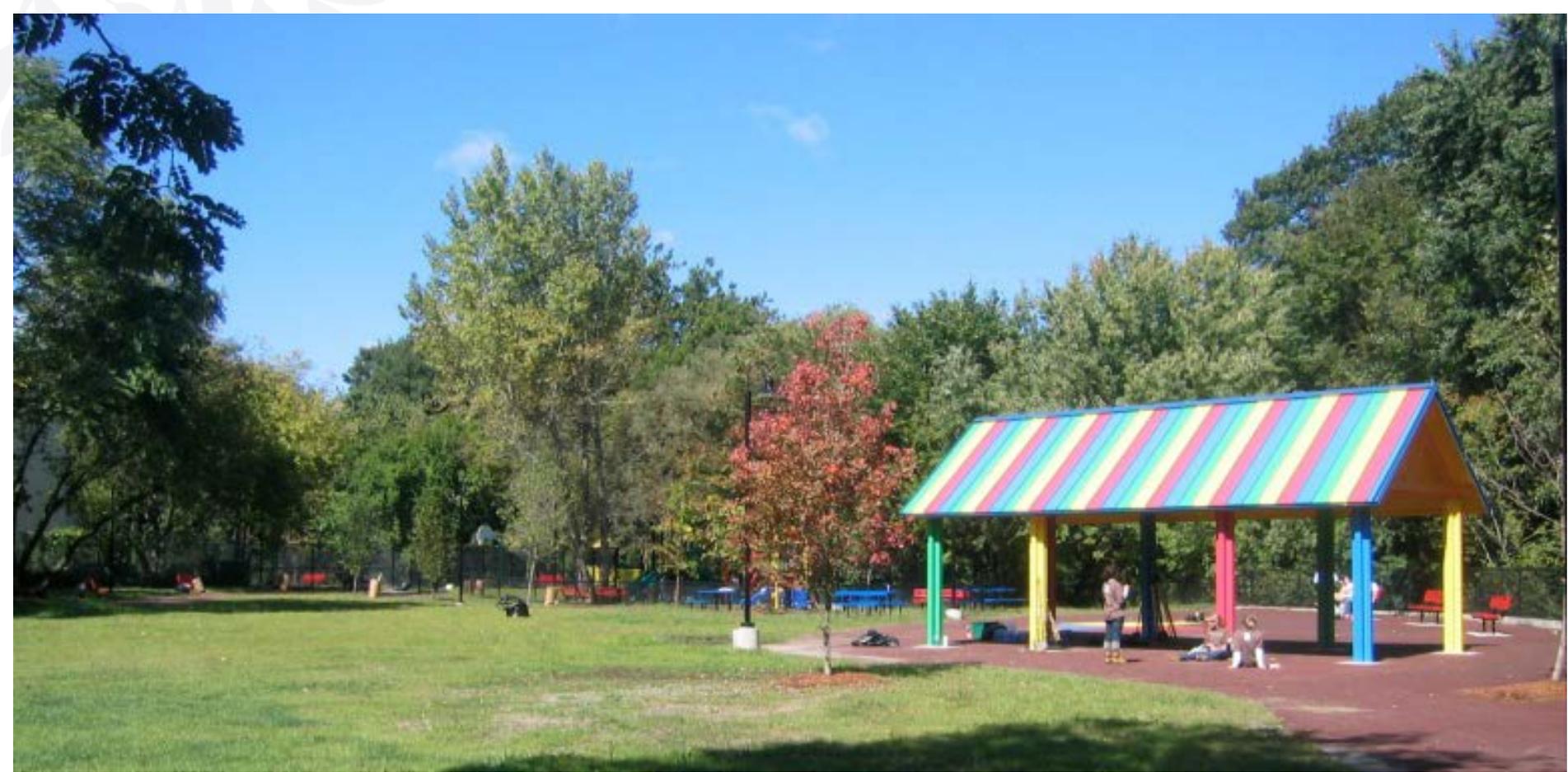
# Dr. Nina Scarito Park (2.8 acres)

## Former Mill / Industrial dry cleaner site



# Dr. Nina Scarito Park (2.8 acres)

Former Mill / Industrial dry cleaner site



# Dr. Nina Scarito Park (2.8 acres)

## Former Mill / Industrial dry cleaner site



# Manchester Street Park (5 acres) Former Trash Incinerator / rail yard



# Manchester Street Park (5 acres) Former Trash Incinerator / rail yard



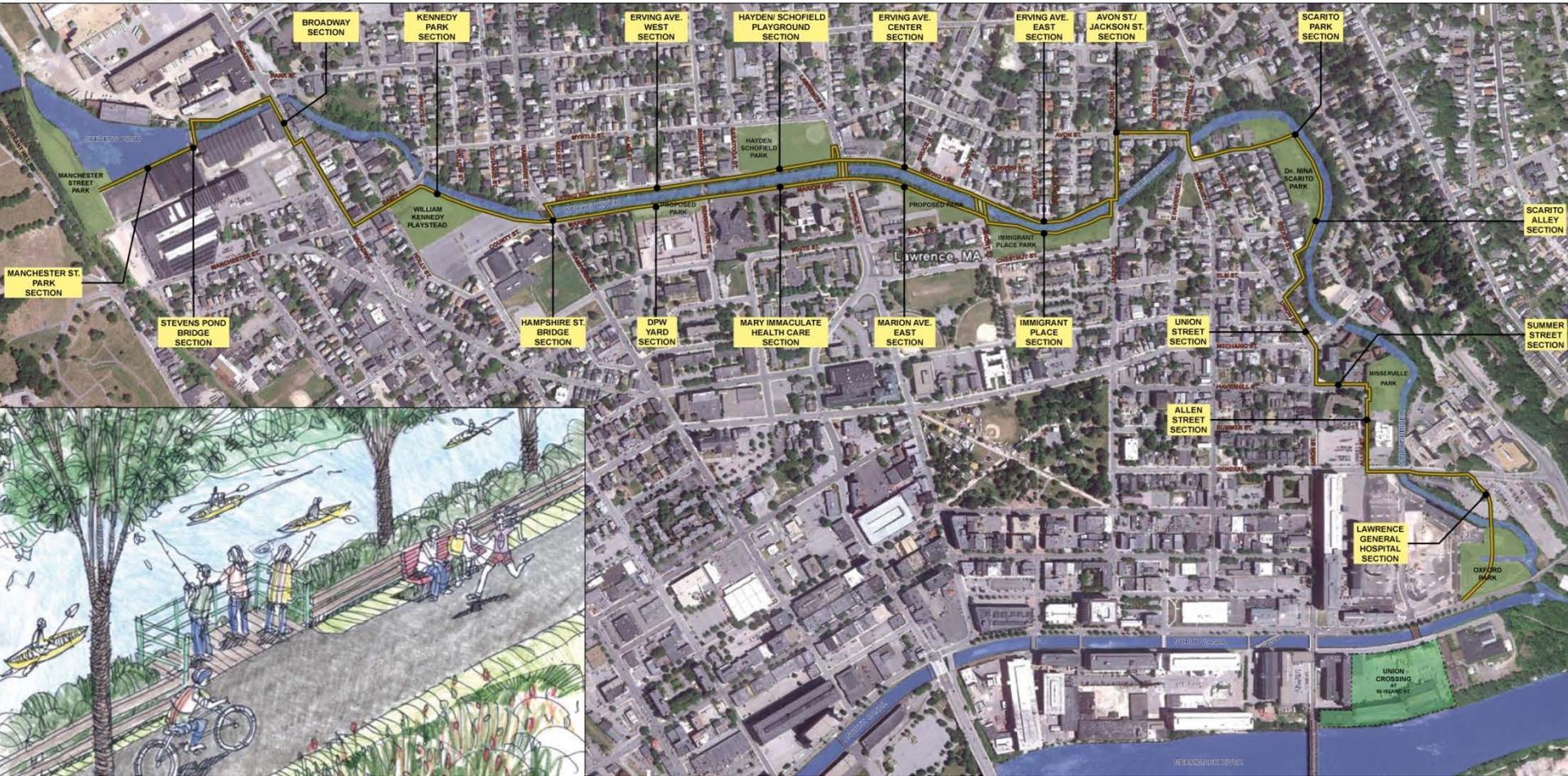
# Manchester Street Park (5 acres) Former Trash Incinerator / rail yard



# Manchester Street Park (5 acres) Former Trash Incinerator / rail yard



# Spicket River Greenway: Connecting the Parks



# Stevens Pond: Before Greenway



# Stevens Pond: Before Greenway



# Stevens Pond: After Greenway





# DPW Yard: After Greenway



# DPW Yard: Before Greenway



# DPW Yard: After Greenway



# DPW Yard: After Greenway



# Erving Avenue: Before Greenway



# Erving Avenue: After Greenway



# Hayden Schofield Playstead: Before Greenway



# Hayden Schofield Playstead: After Greenway



# Hayden Schofield Playstead: After Greenway (Causeway)



# The Greenway at Immigrant Place Park



# The Greenway at Immigrant Place Park



# The Greenway at Immigrant Place Park



# Stewardship

## The Spicket River Clean-up



# Stewardship

## The Spicket River Clean-up





# Stewardship

## The Spicket River Clean-up



# Stewardship

## The Spicket River Clean-up



# The Ferrous Site (5.4 acres)

## Confluence of the three water bodies



# Urban Environmental Education



# Urban Environmental Education



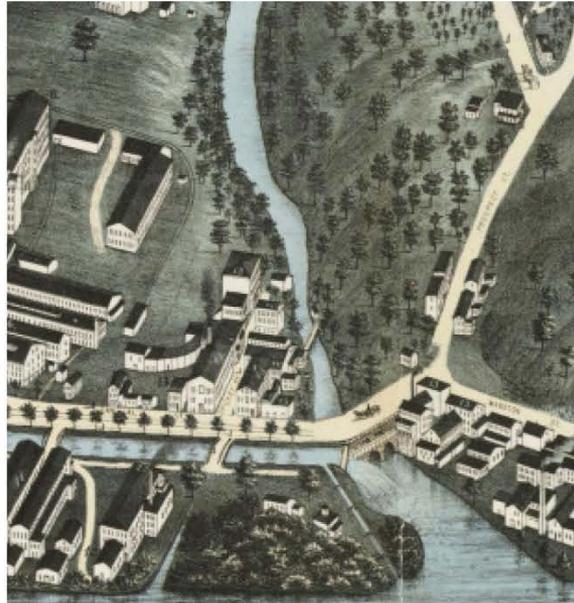
# Urban Ecology



# Urban Waters Heritage: Canal, Locks, Sanitation innovation, CSO



LAWRENCE EXPERIMENT STATION, FOUNDED 1886



O.H. BAILEY BIRD'S EYE, LAWRENCE 1876



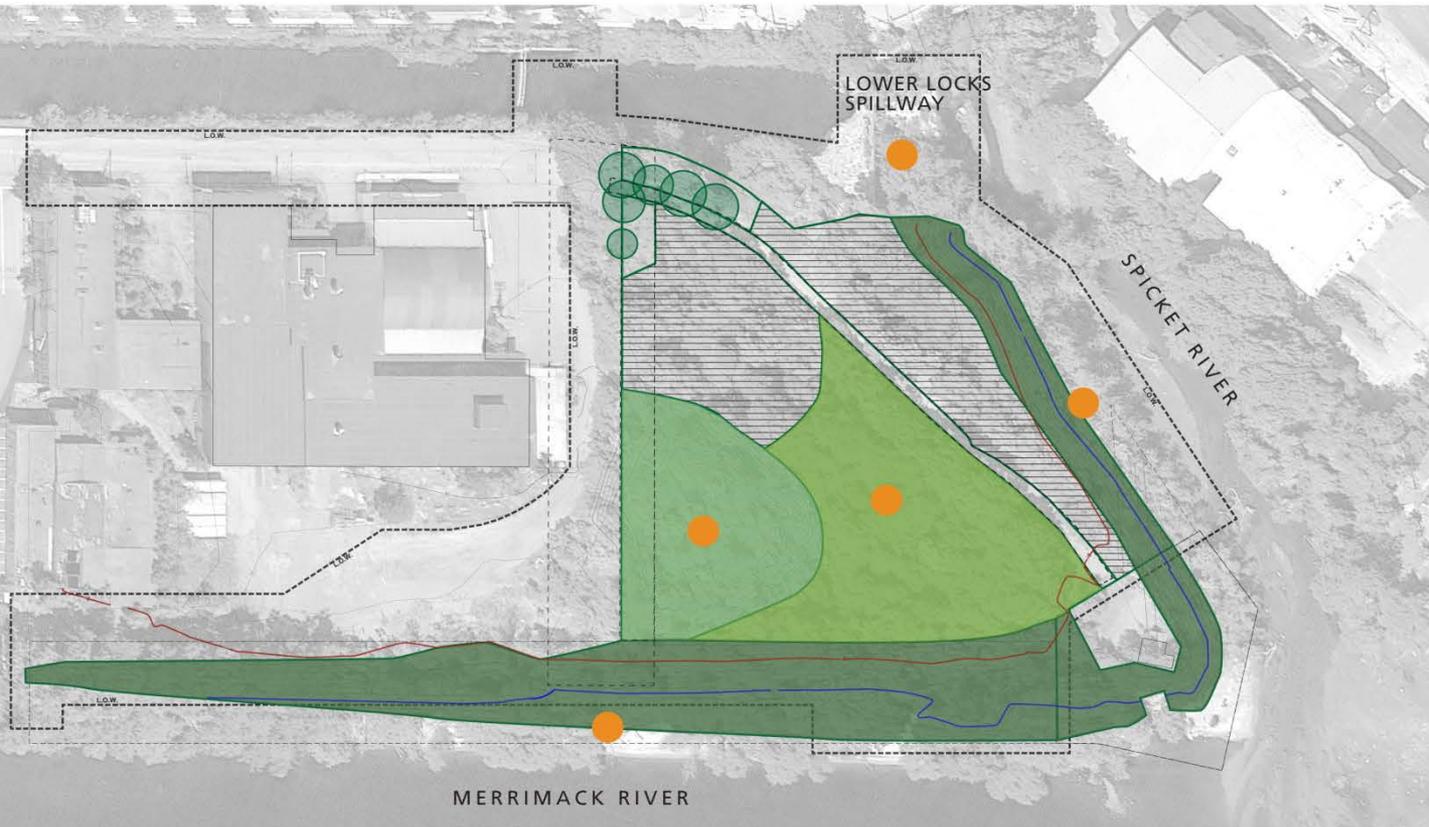
HISTORIC LOWER LOCKS



# Scenic Waterfront



# Existing conditions

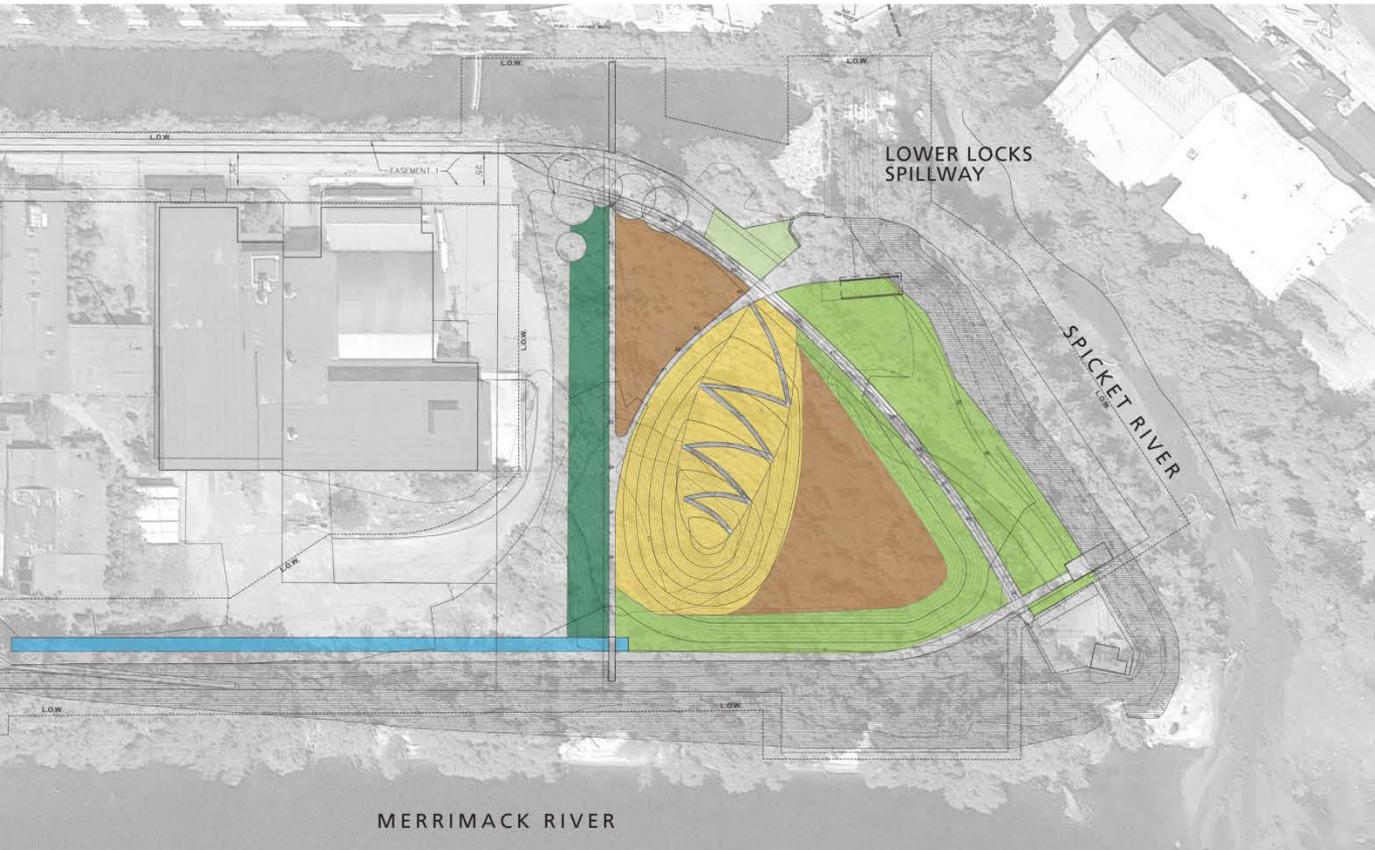


-  RIVERFRONT BARRIER FOREST
-  MATURE TREE GROVE
-  SAND PLAIN WOODLAND
-  SAND CASTINGS WOODLAND
-  EMERGENT WOODLAND

EXISTING



# Vegetation strategy



PROPOSED

-  ENHANCED BARRIER FOREST
-  PROTECTED MATURE TREE GROVE
-  ENHANCED WOODLAND
-  REPLANTED WOODLAND
-  PROPOSED MEADOW + FIELD
-  PROPOSED BIOSWALE
-  PROPOSED ARBORETUM



# Site Plan



# Cross Sections



# Green Infrastructure: Swale and rain garden



# Green Infrastructure: Porous paving and bridge at rain garden



# Community Engagement



# Community Engagement



# Brad Buschur Groundwork Lawrence



bbuschur@groundworklawrence.org  
(978) 974-0770





# **New Partners for Smart Growth**

**Raising Expectations -  
Using**

**Green Infrastructure to  
Advance Social Equity**  
**Robin Corather**  
**Groundwork Cincinnati**

# Mill Creek Healthy People/ Healthy River Strategy



GROUNDWORK  
Cincinnati  
Mill Creek



[www.groundworkcincinnati.org](http://www.groundworkcincinnati.org)

# 20 Years Ago....



# 20 Years Ago....



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Mill Creek



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# Most Endangered Urban River in North America



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Mill Creek



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# Community Engagement Visioning, Planning & Design



Cincinnati  
Mill Creek



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# Mill Creek Watershed Greenway Master Plan



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# Community Implementation & Stewardship



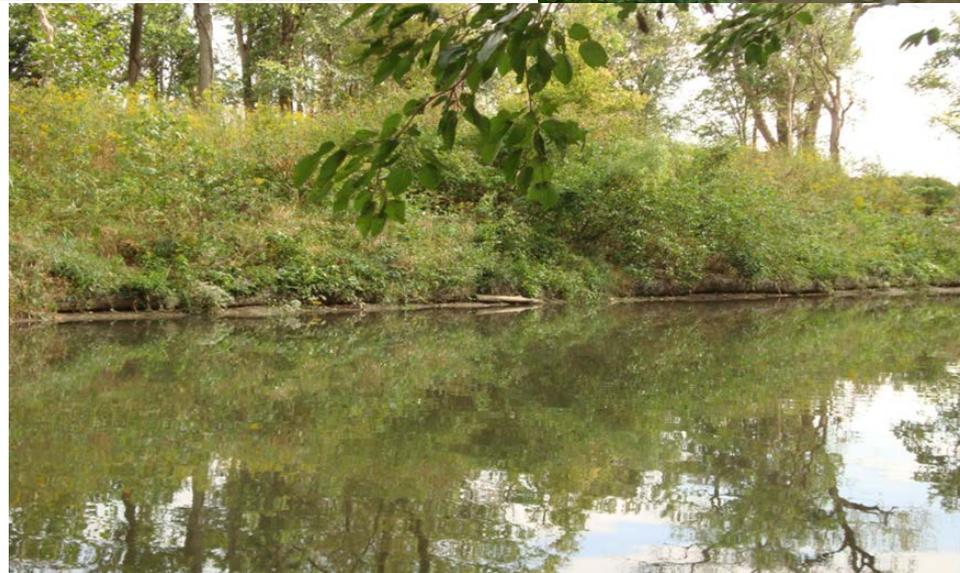
# ECOLOGICAL REGENERATION



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# Laughing Brook Public Art, Education, and Green Infrastructure



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Mill Creek



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# Laughing Brook Constructed Wetland



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Mill Creek



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# Transformation of Derelict Property



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Mill Creek



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# Green Infrastructure



Cincinnati  
Mill Creek



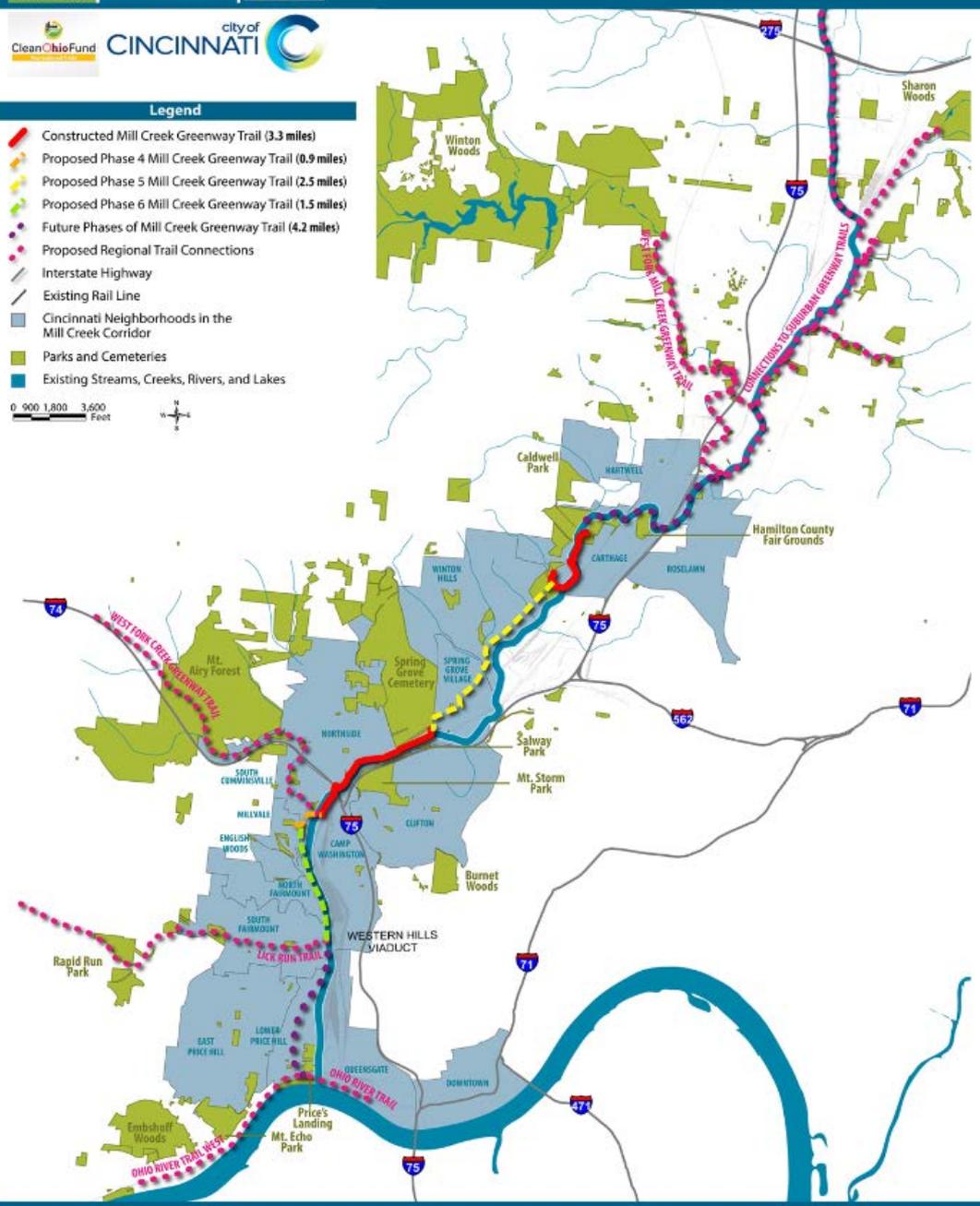
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**Legend**

- Constructed Mill Creek Greenway Trail (3.3 miles)
- Proposed Phase 4 Mill Creek Greenway Trail (0.9 miles)
- Proposed Phase 5 Mill Creek Greenway Trail (2.5 miles)
- Proposed Phase 6 Mill Creek Greenway Trail (1.5 miles)
- Future Phases of Mill Creek Greenway Trail (4.2 miles)
- Proposed Regional Trail Connections
- Interstate Highway
- Existing Rail Line
- Cincinnati Neighborhoods in the Mill Creek Corridor
- Parks and Cemeteries
- Existing Streams, Creeks, Rivers, and Lakes



**Cincinnati  
Mill Creek**



**CHANGING PLACES  
CHANGING LIVES**

# Mill Creek Greenway Trail



Cincinnati  
Mill Creek



CHANGING PLACES  
CHANGING LIVES



# Bike Safety and Repair Workshops



Cincinnati  
Mill Creek



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CHANGING LIVES



# Freedom Trees & Edible Forest Gardens



Cincinnati  
Mill Creek



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CHANGING LIVES

# Capacity Building - Green Team Youth Employment & Environmental Education



Cincinnati  
Mill Creek



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# Green Careers and Pathways



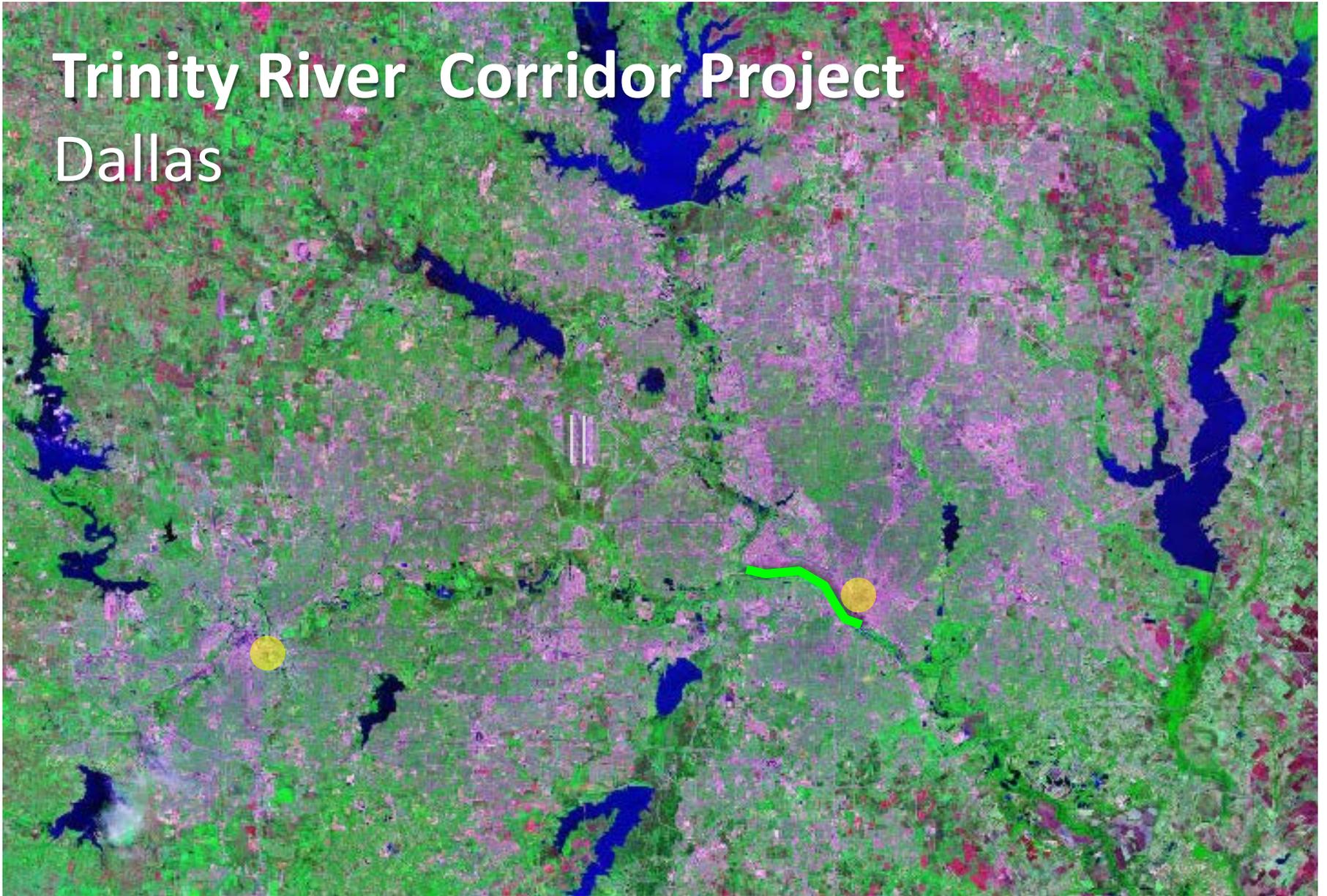
Cincinnati  
Mill Creek



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# Trinity River Corridor Project Dallas





<http://www.flickr.com/photos/unspecific/193481842/>

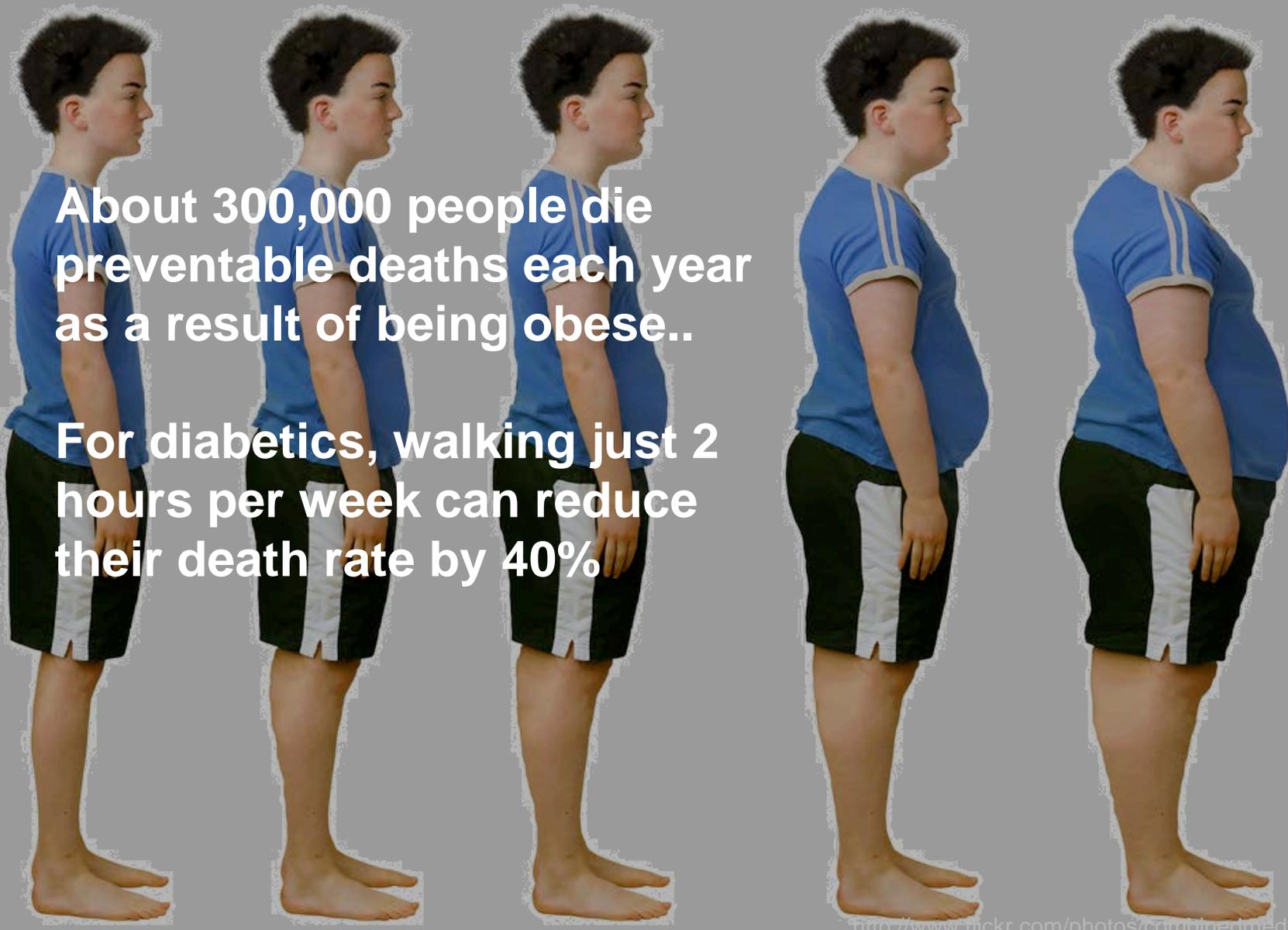


10% OF THE U.S. POPULATION  
SUFFER FROM ASTHMA

ABOUT 64,000 PEOPLE A YEAR DIE  
FROM PM EXPOSURE—MORE THAN  
DIE FROM AUTOMOBILE ACCIDENTS.

Source:  
Howard Frumkin, Lawrence Frank, Richard Jackson:  
“Urban Sprawl and Public Health”

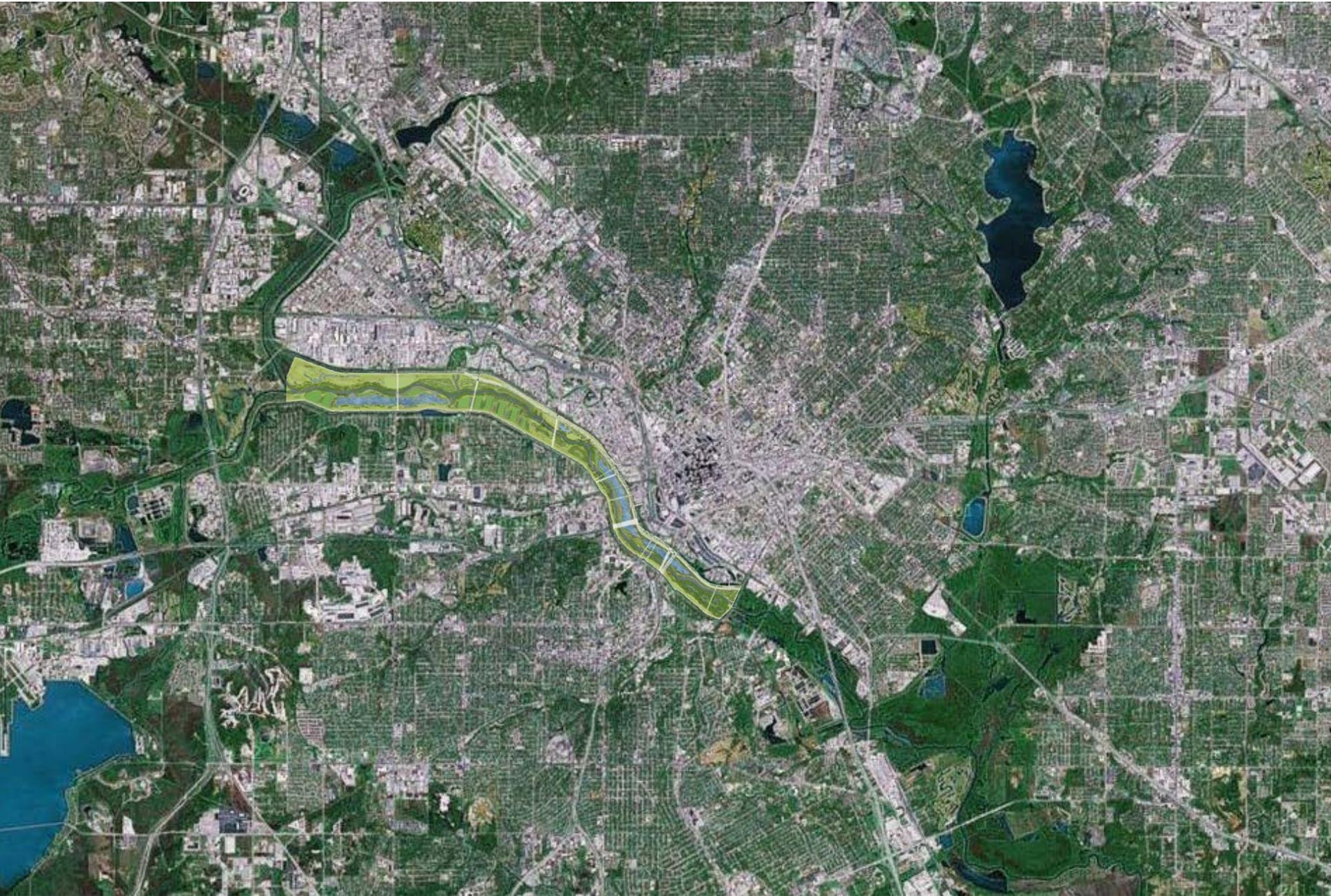
<http://www.flickr.com/photos/unspecific/193481842/>



About 300,000 people die preventable deaths each year as a result of being obese..

For diabetics, walking just 2 hours per week can reduce their death rate by 40%

<http://www.mickr.com/photos/combinedmedia/>















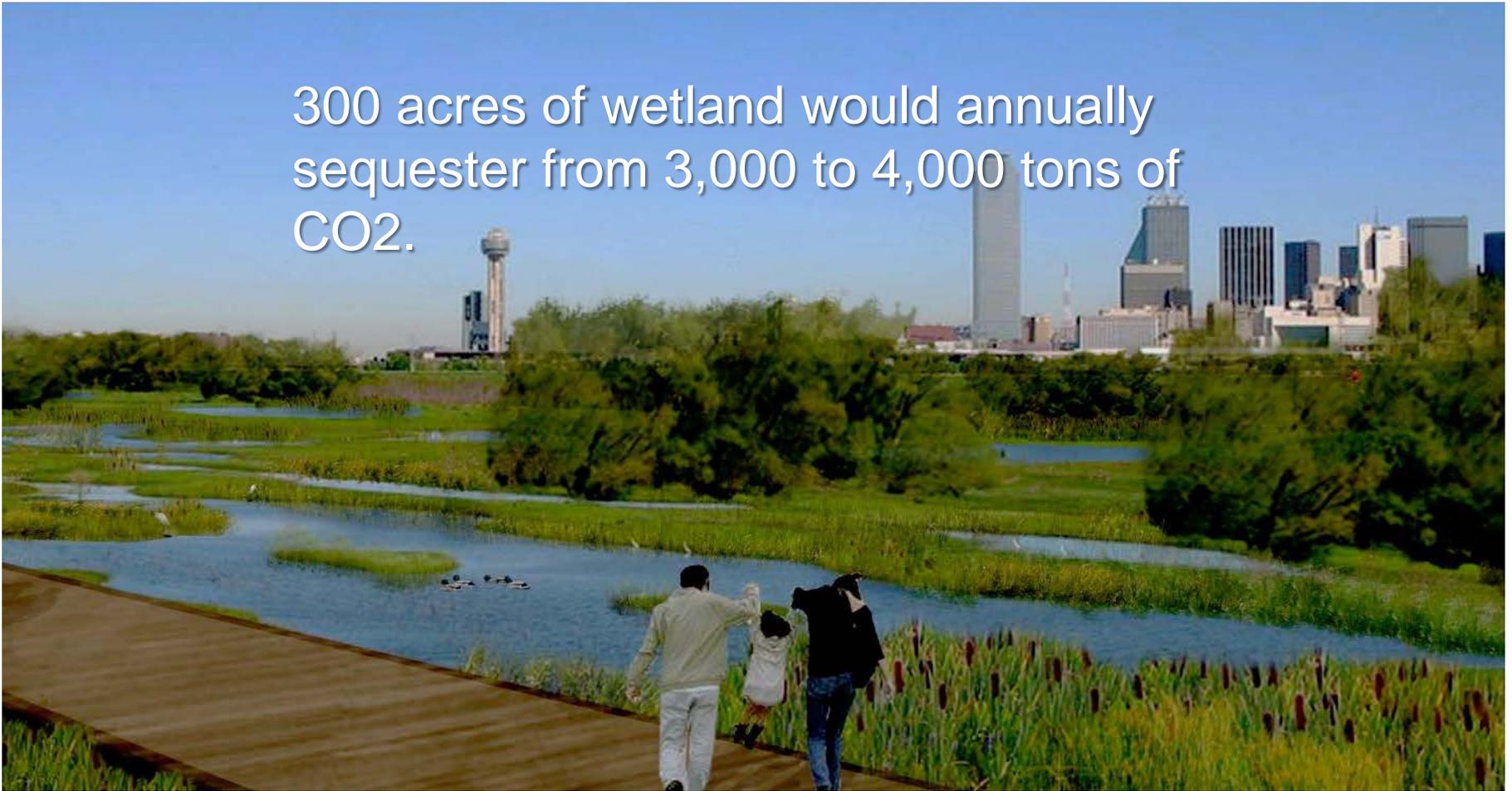
19,000 trees at maturity will  
sequester about 380 tons of CO<sub>2</sub>

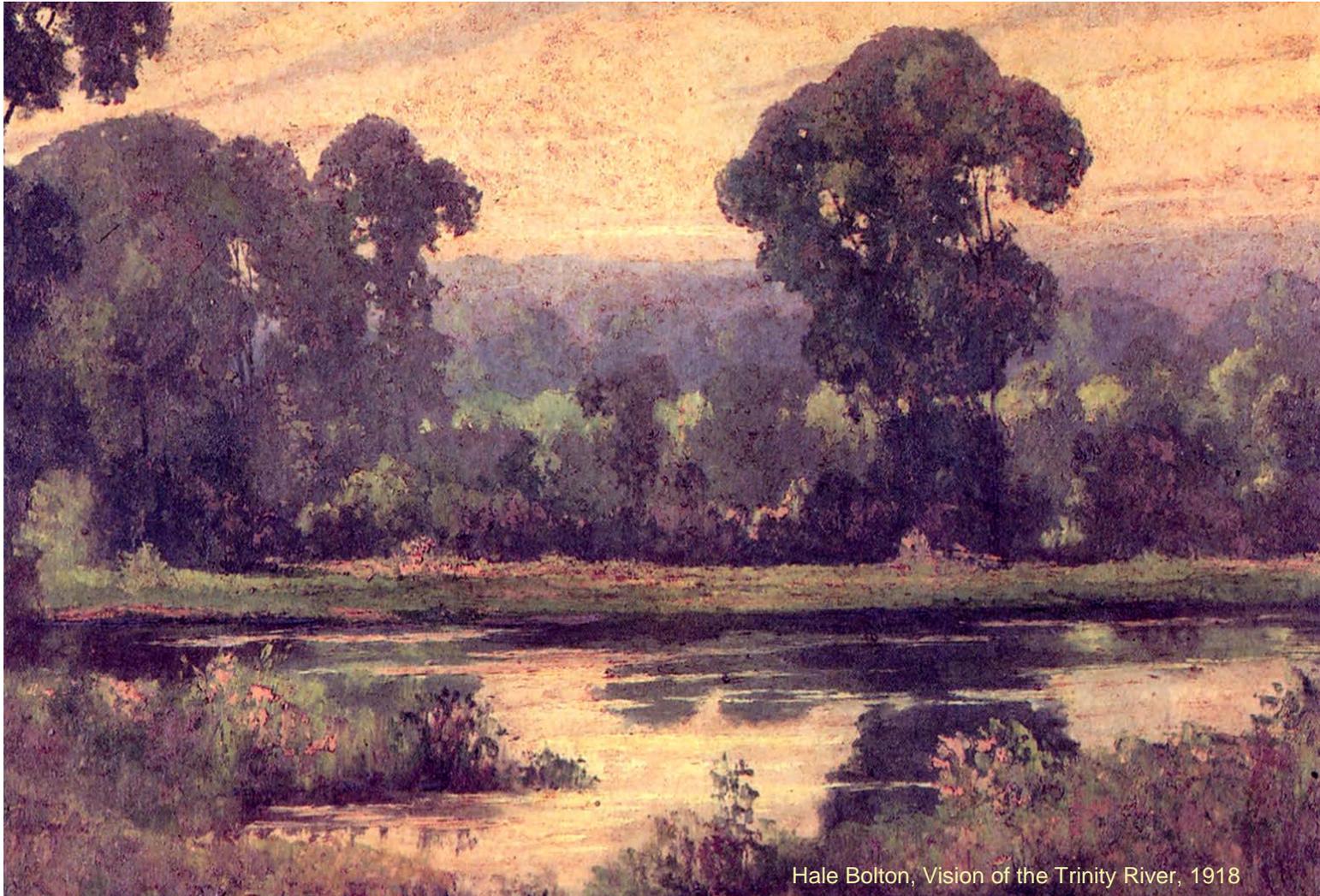
--  
-- the equivalent of about  
750,000 miles travelled in an  
automobile



<http://www.flickr.com/photos/50872211@N05/>

300 acres of wetland would annually sequester from 3,000 to 4,000 tons of CO<sub>2</sub>.

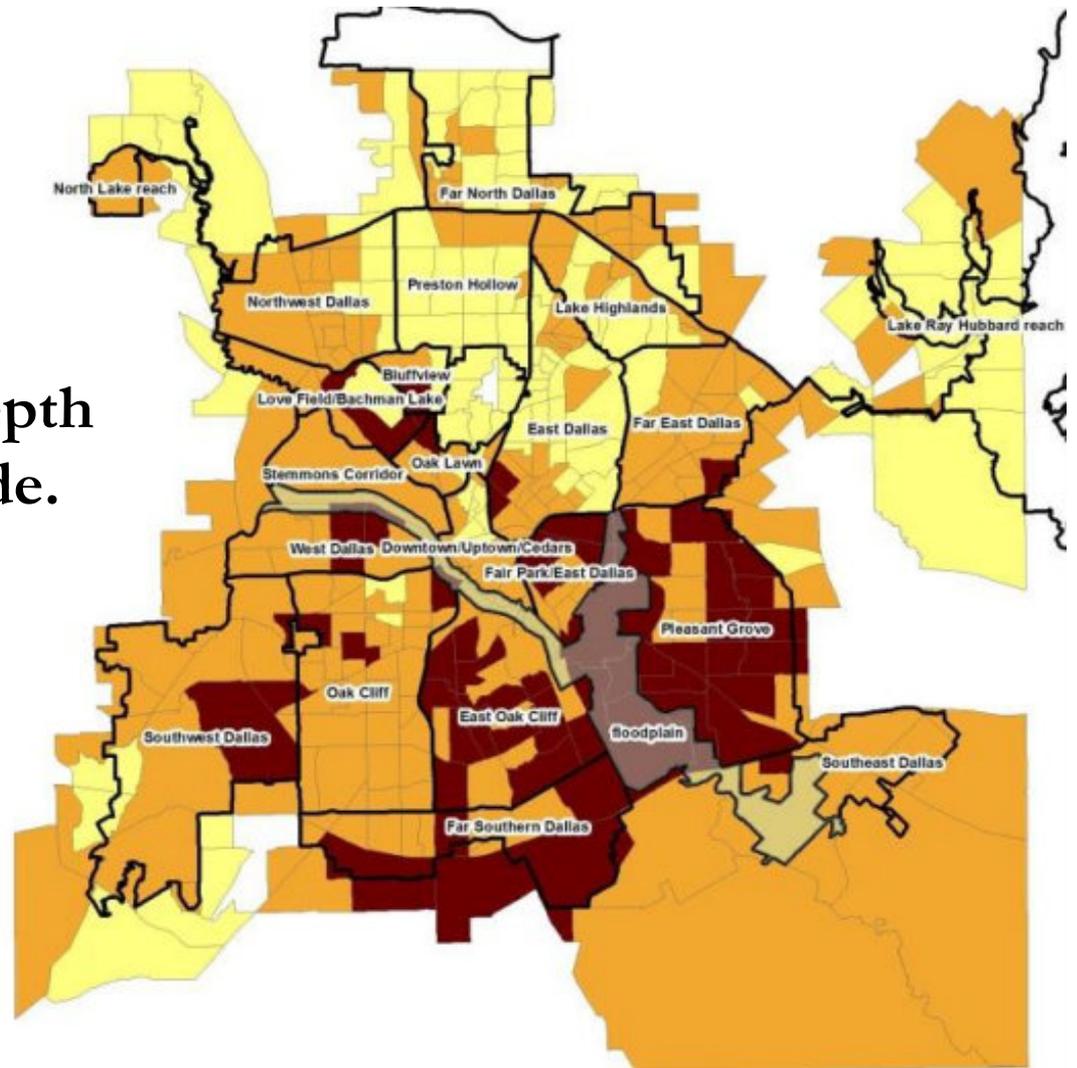




Hale Bolton, Vision of the Trinity River, 1918

# A New Map of Blight in Dallas Highlights the Depth of the North-South Divide.

The Dallas Observer, July 12, 2013



## Composite Blight Index



Created May 2013





The park trail system will accommodate multiple users and events

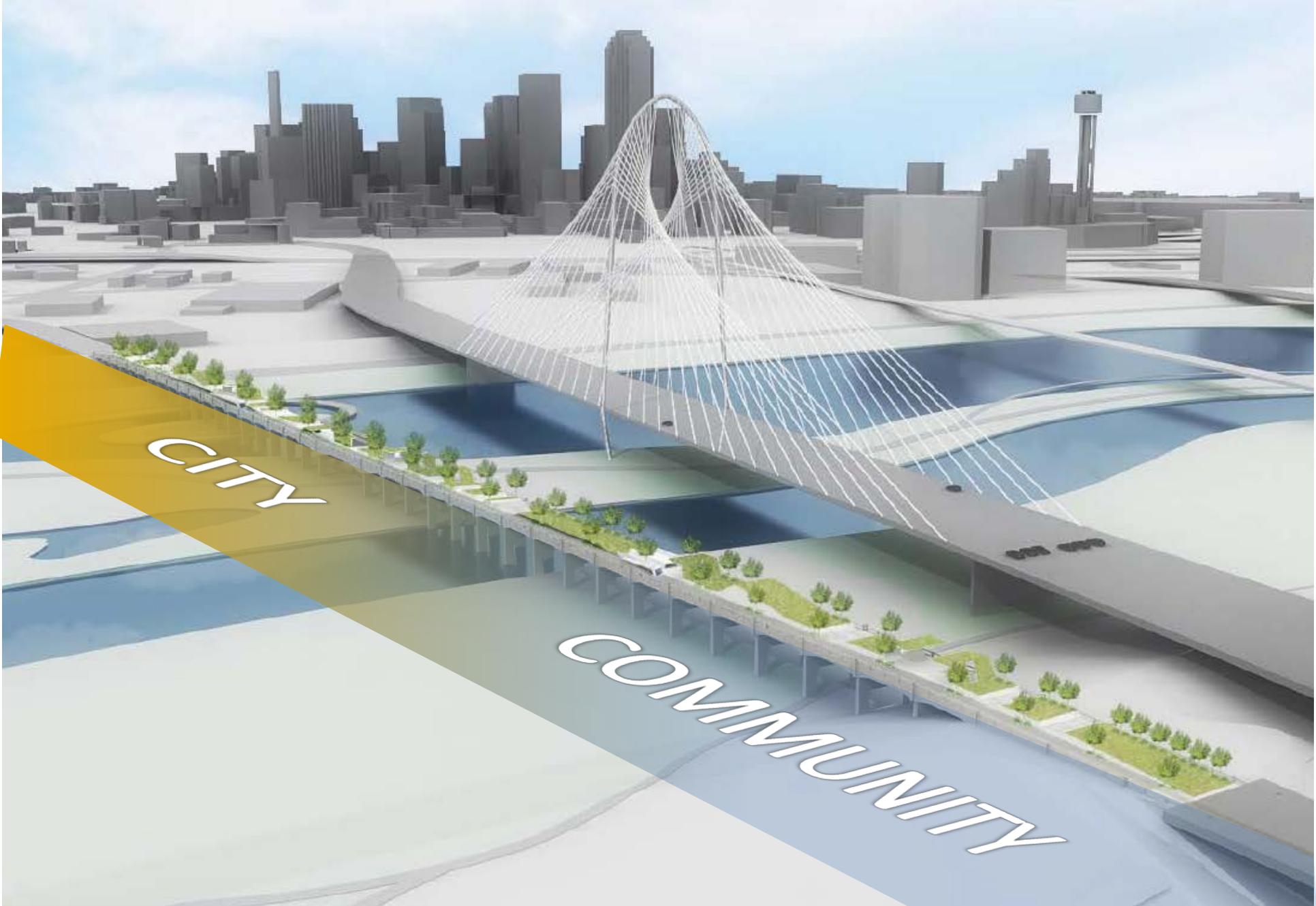






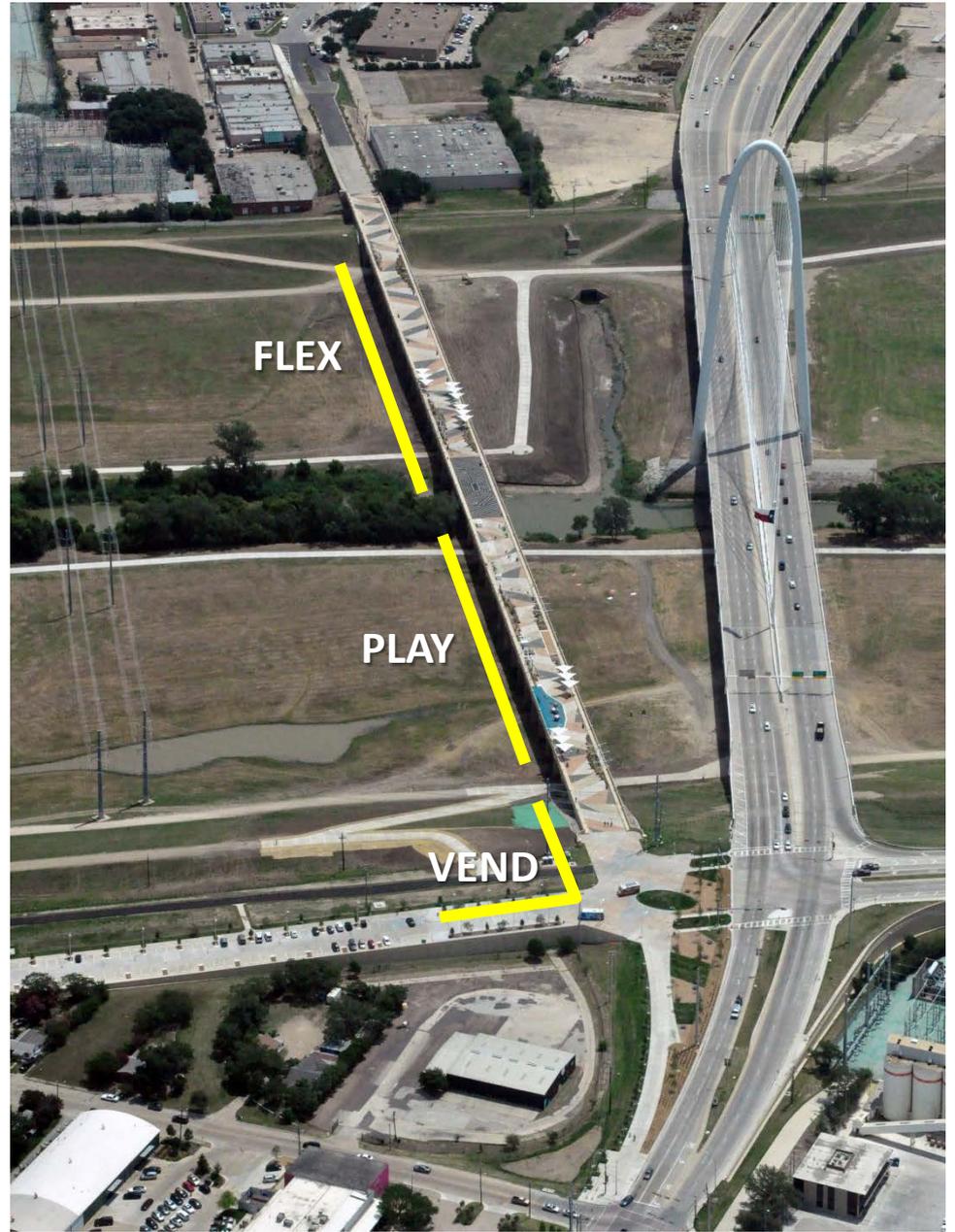






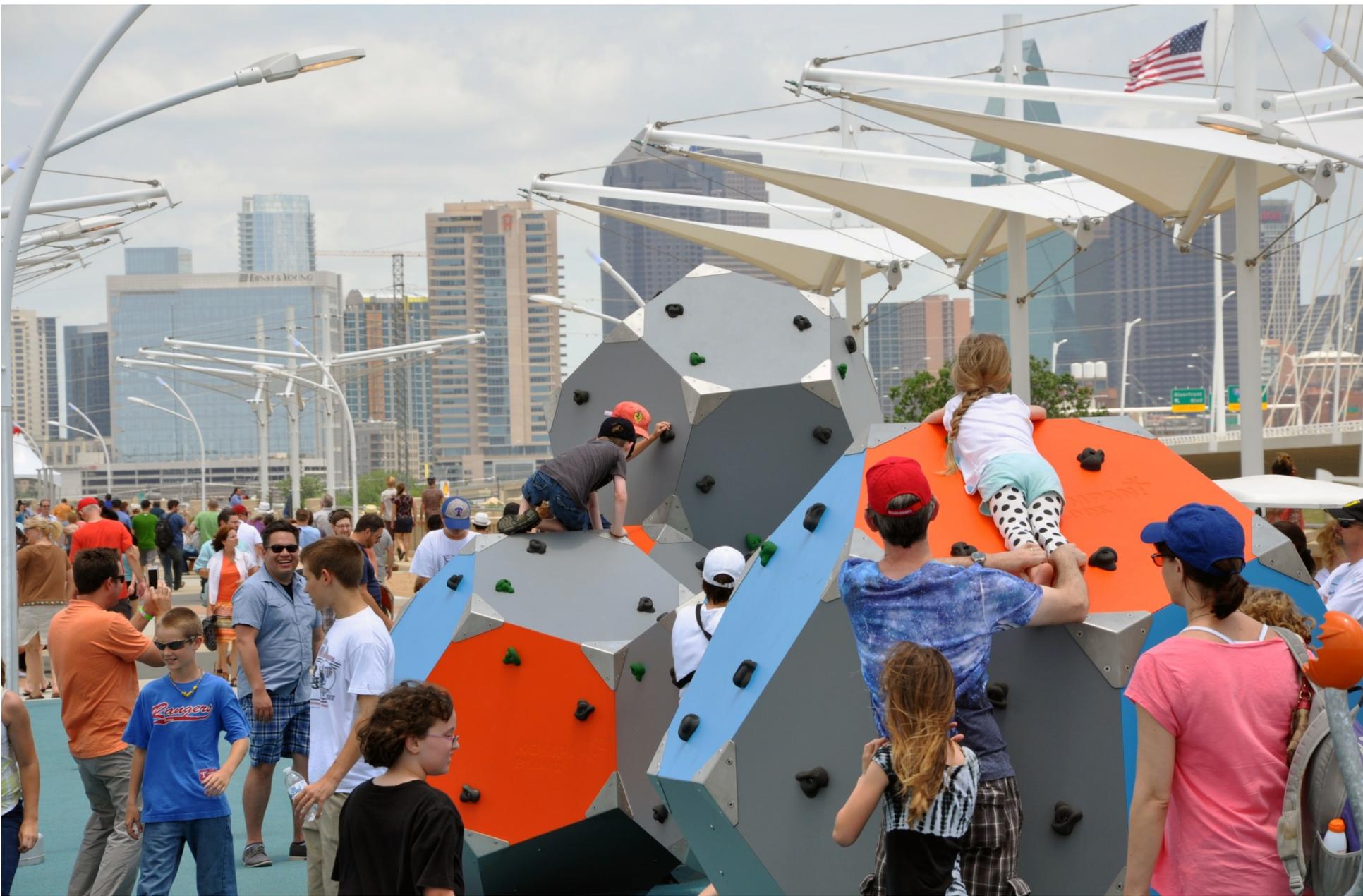
CITY

COMMUNITY









New Partners for Smart Growth, 2015 Baltimore Conference

Ignacio F. Bunster-Ossa, FASLA



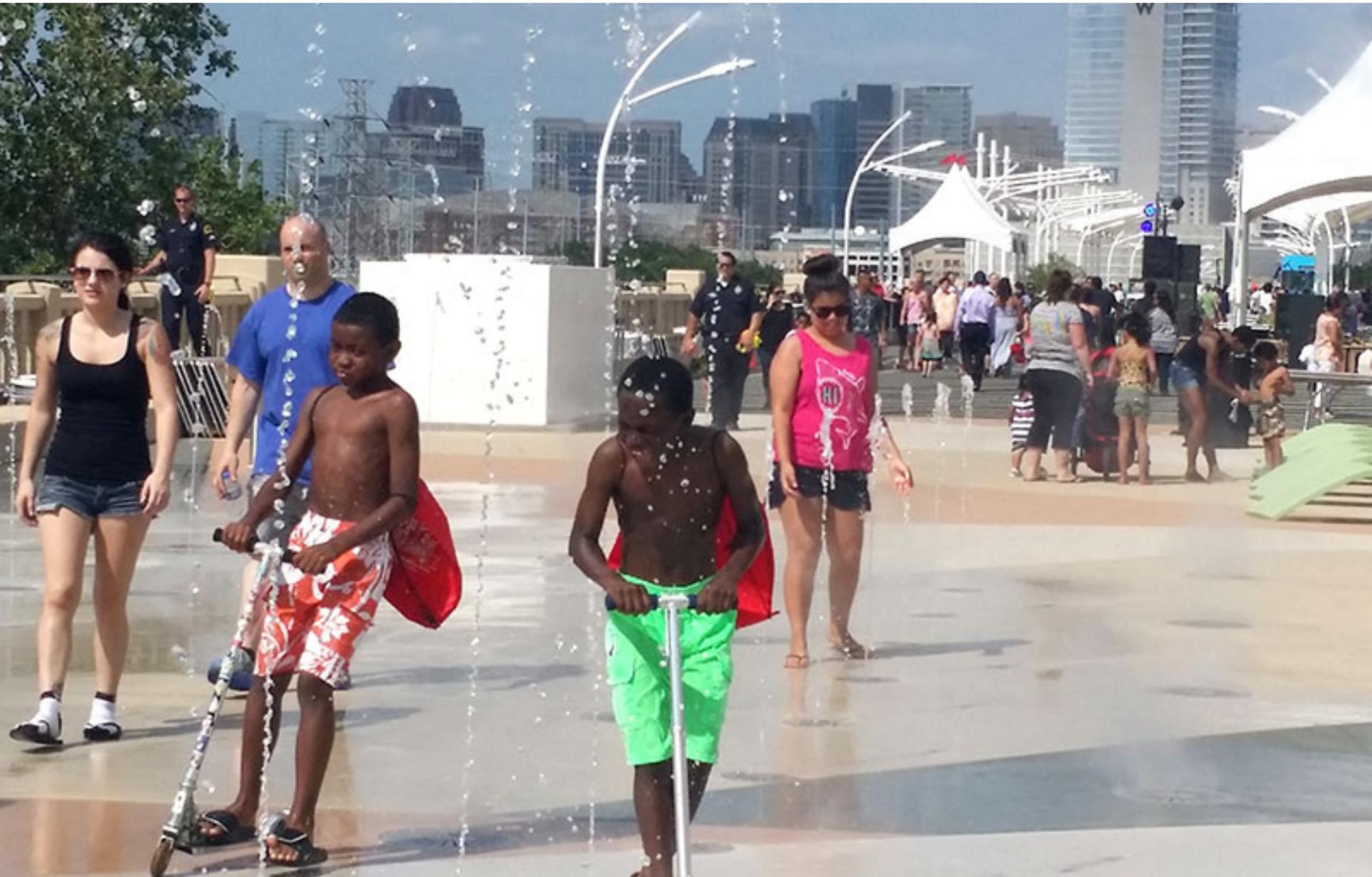
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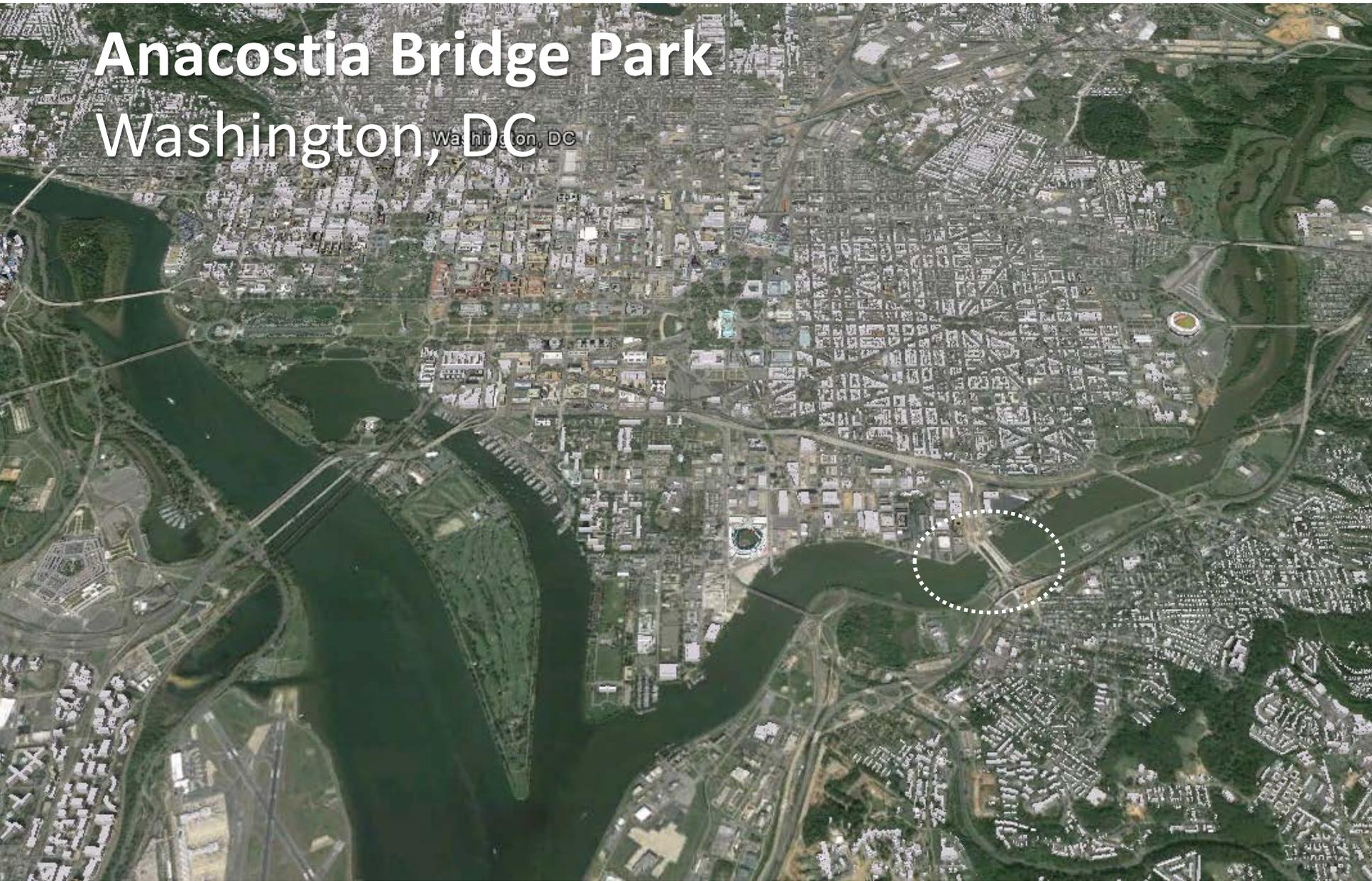


**Social equity must involve opportunities for learning.**

*“Research shows that the summer break takes a toll on learning. Either kids aren’t doing much of it at home or they don’t have access to education programs or activities.” - see more at: <http://education.kera.org/tag/continental-avenue-pedestrian-bridge/#sthash.pnGSwjR6.dpuf>*



# Anacostia Bridge Park Washington, DC

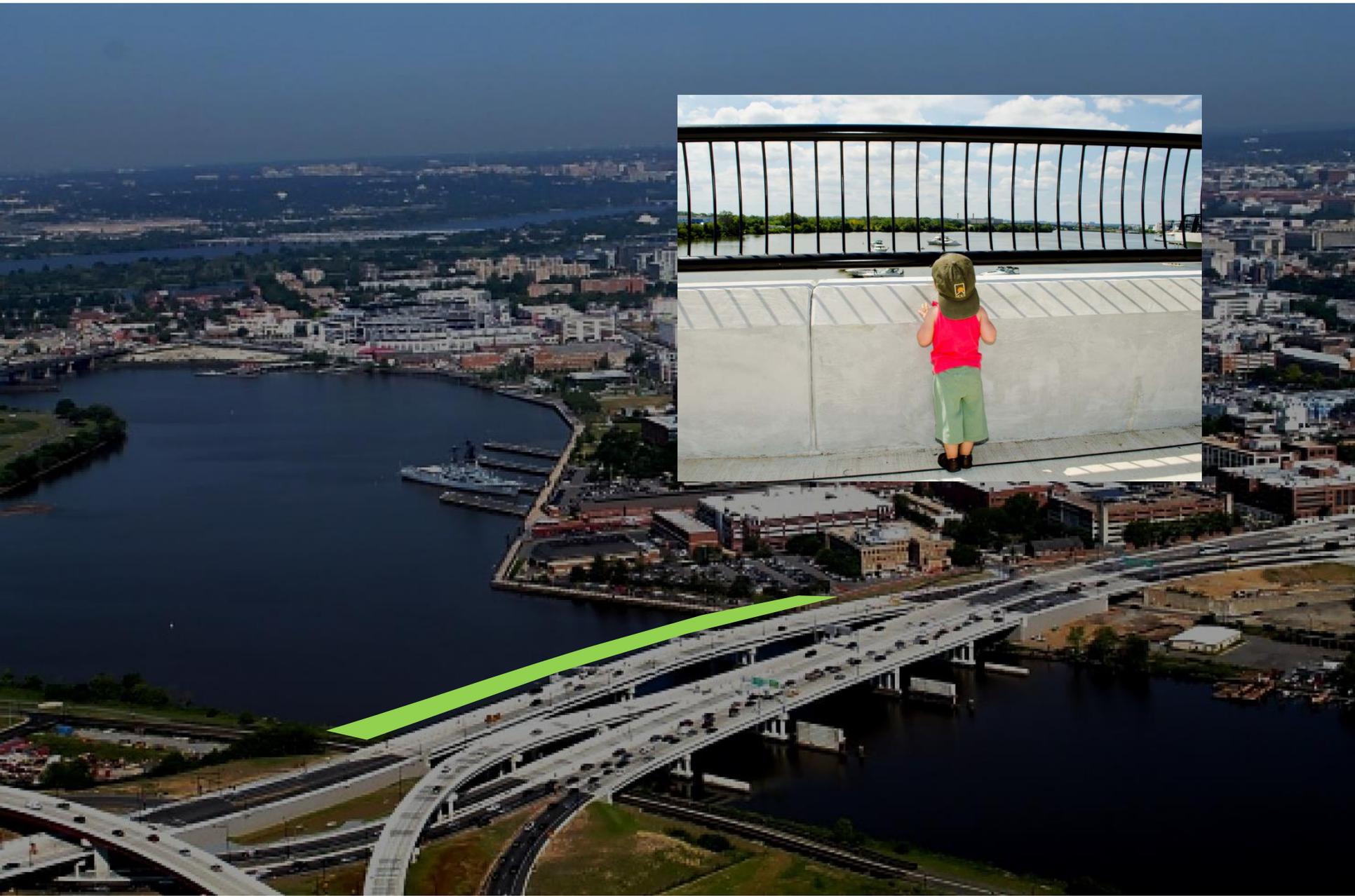




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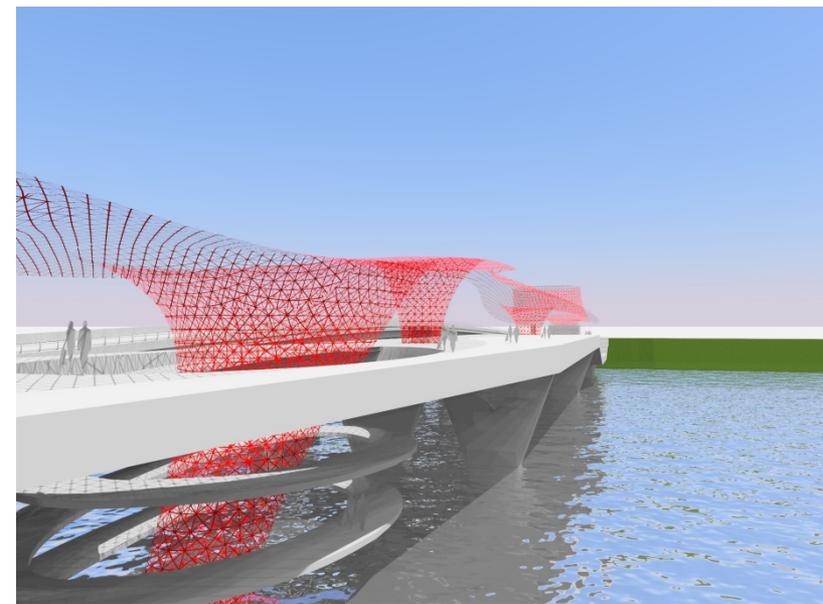








**FREDERICK DOUGLASS  
NATIONAL HISTORIC SITE**



# LET'S GO PLAY



nature play



trampoline



boating



climbing nets

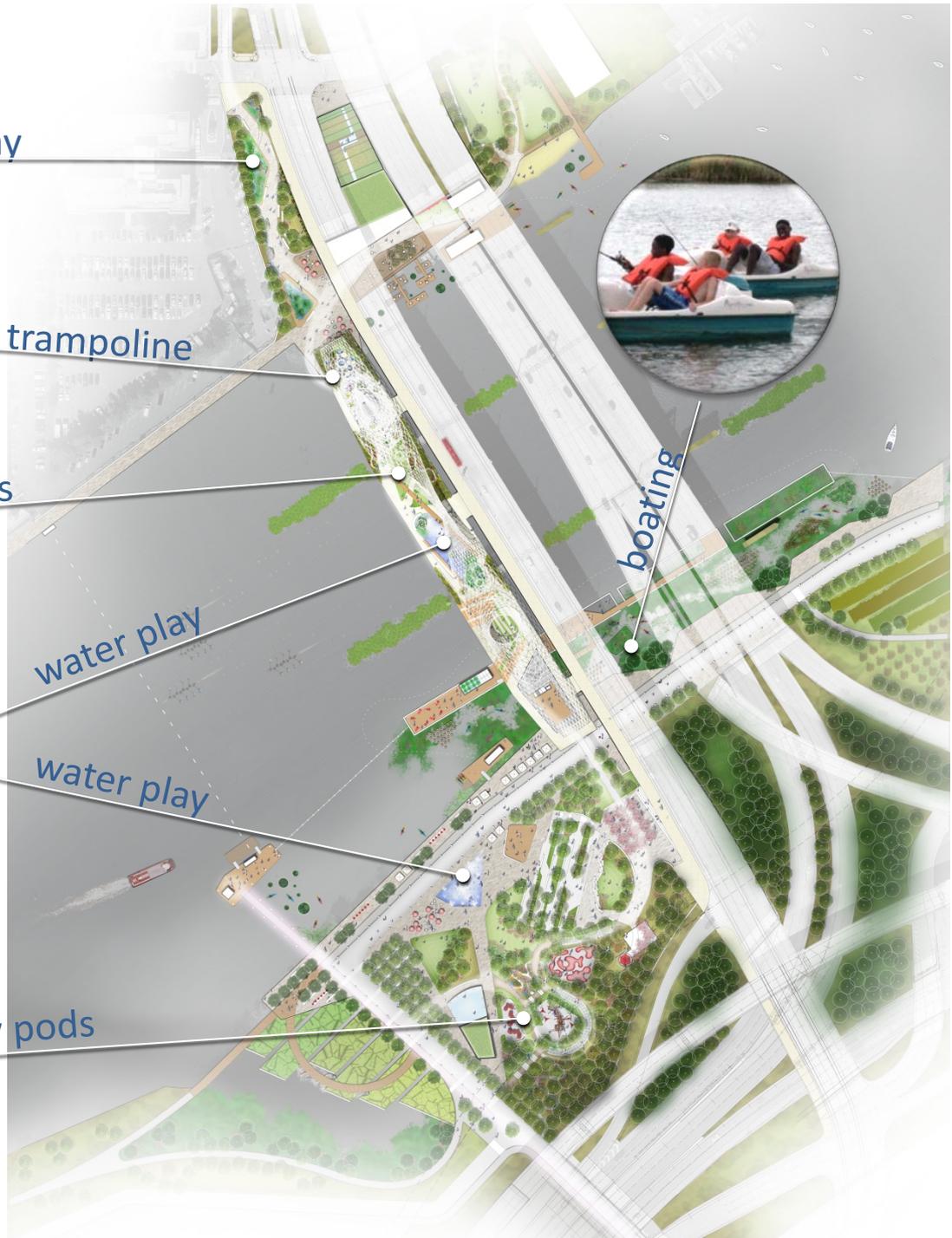


water play

water play



play pods





After jumping on a trampoline for 10 minutes, a 150-pound adult burns around 42 calories.

<http://www.livestrong.com/article/294387-how-many-calories-burned-for-10-minutes-trampolining/>  
New Partners for Smart Growth, 2015 Baltimore Conference



# LET'S GO INSPIRE



light art



water art



atmospheric art



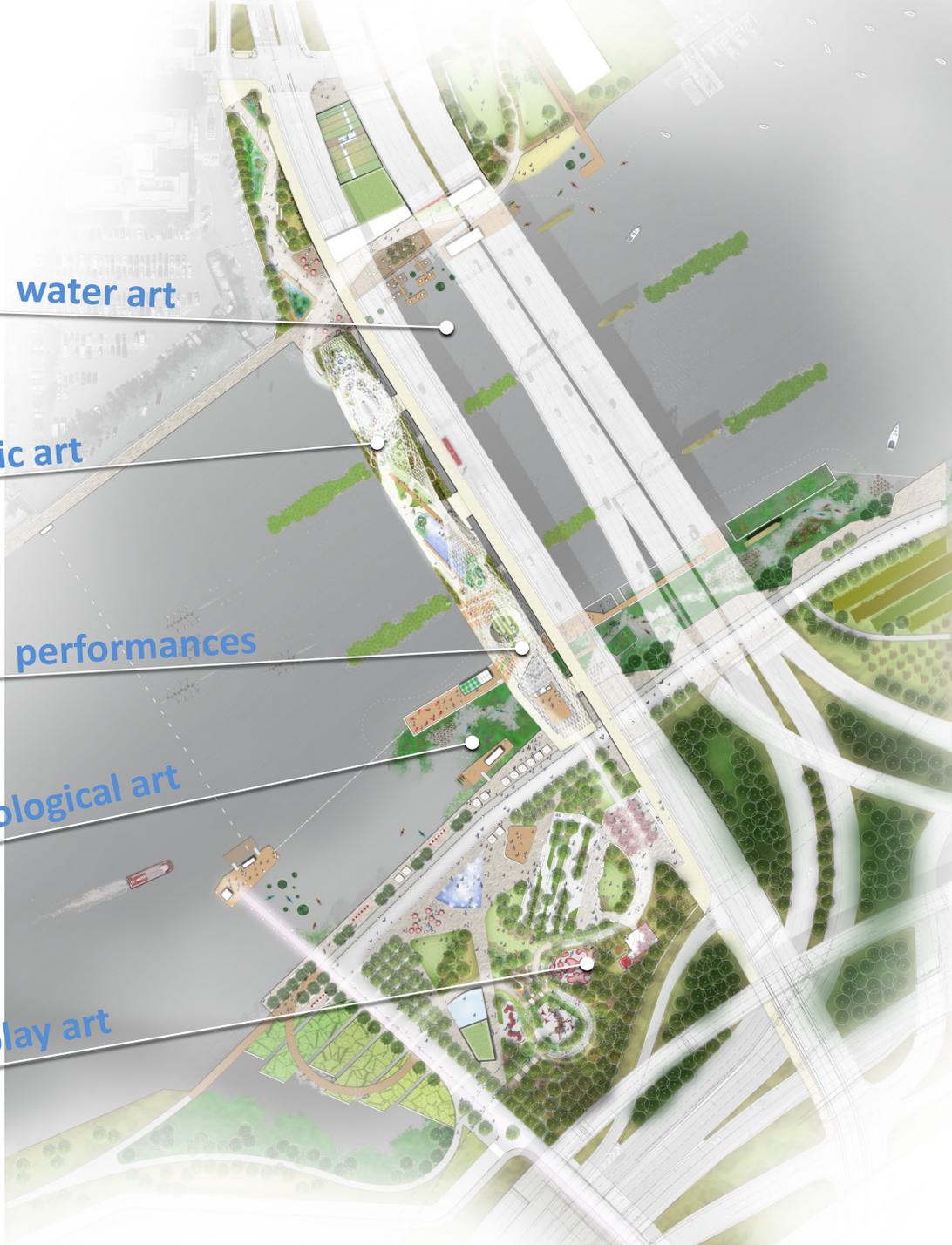
performances

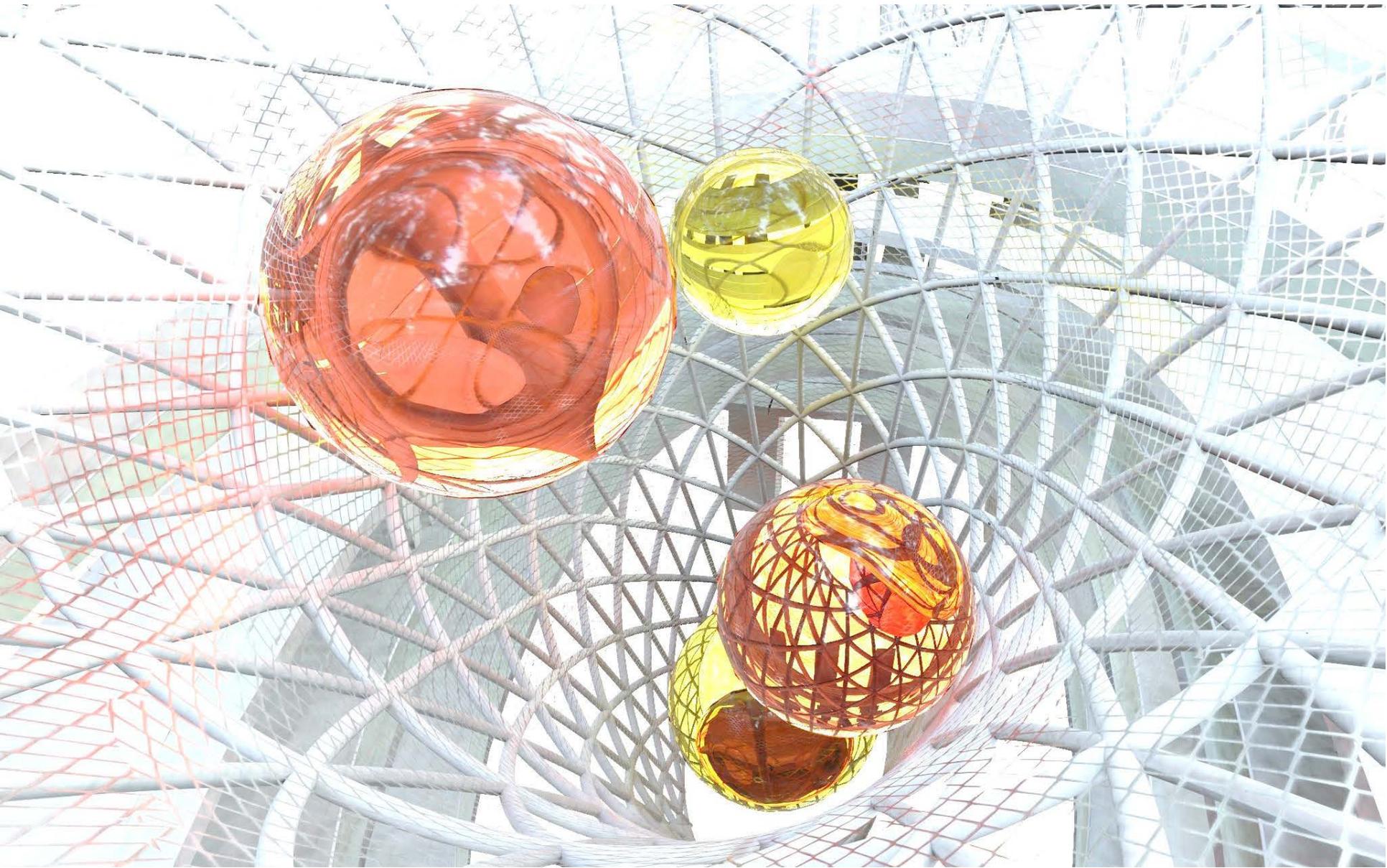


ecological art



play art





# LET'S GO RESTORE



living machines

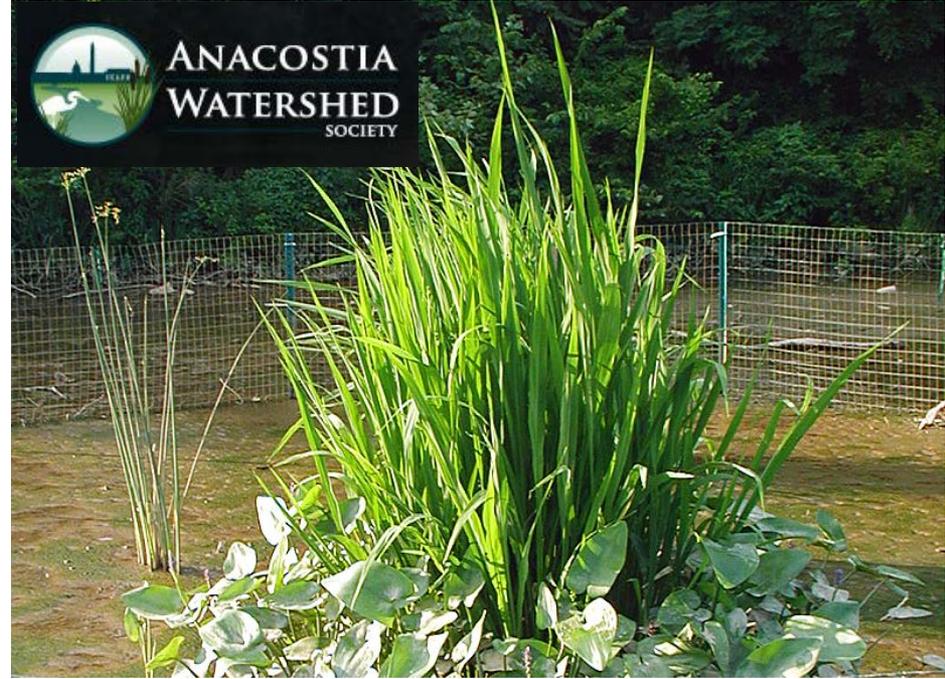
floating wetland

aquaponics

Riparian shore /  
mussel colonies

# RESTORE THE ENVIRONMENTAL, ECONOMIC AND CULTURAL VITALITY OF A LOST ECOLOGY.

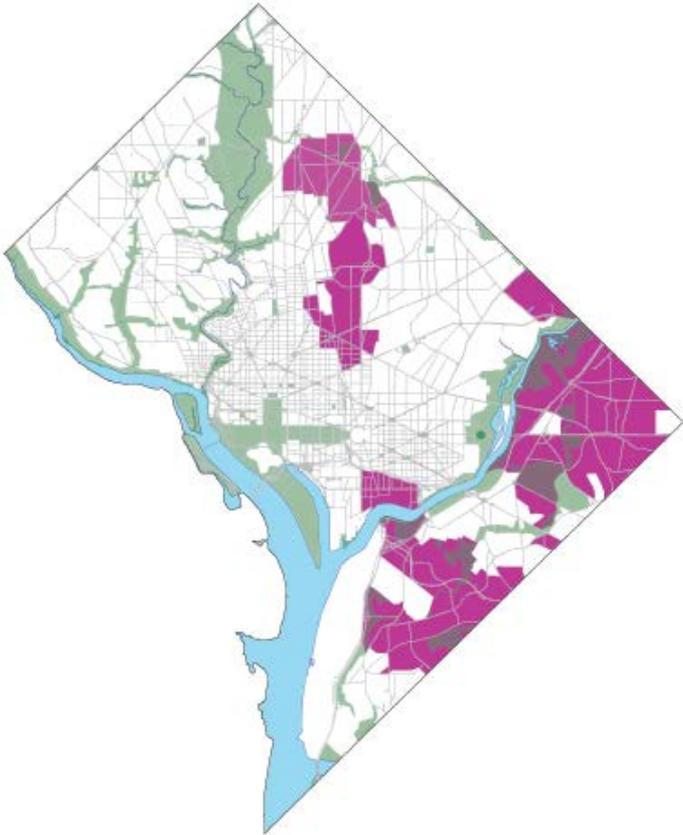




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## AREAS OF DC WITH LIMITED SUPERMARKET ACCESS (2011)<sup>13</sup>



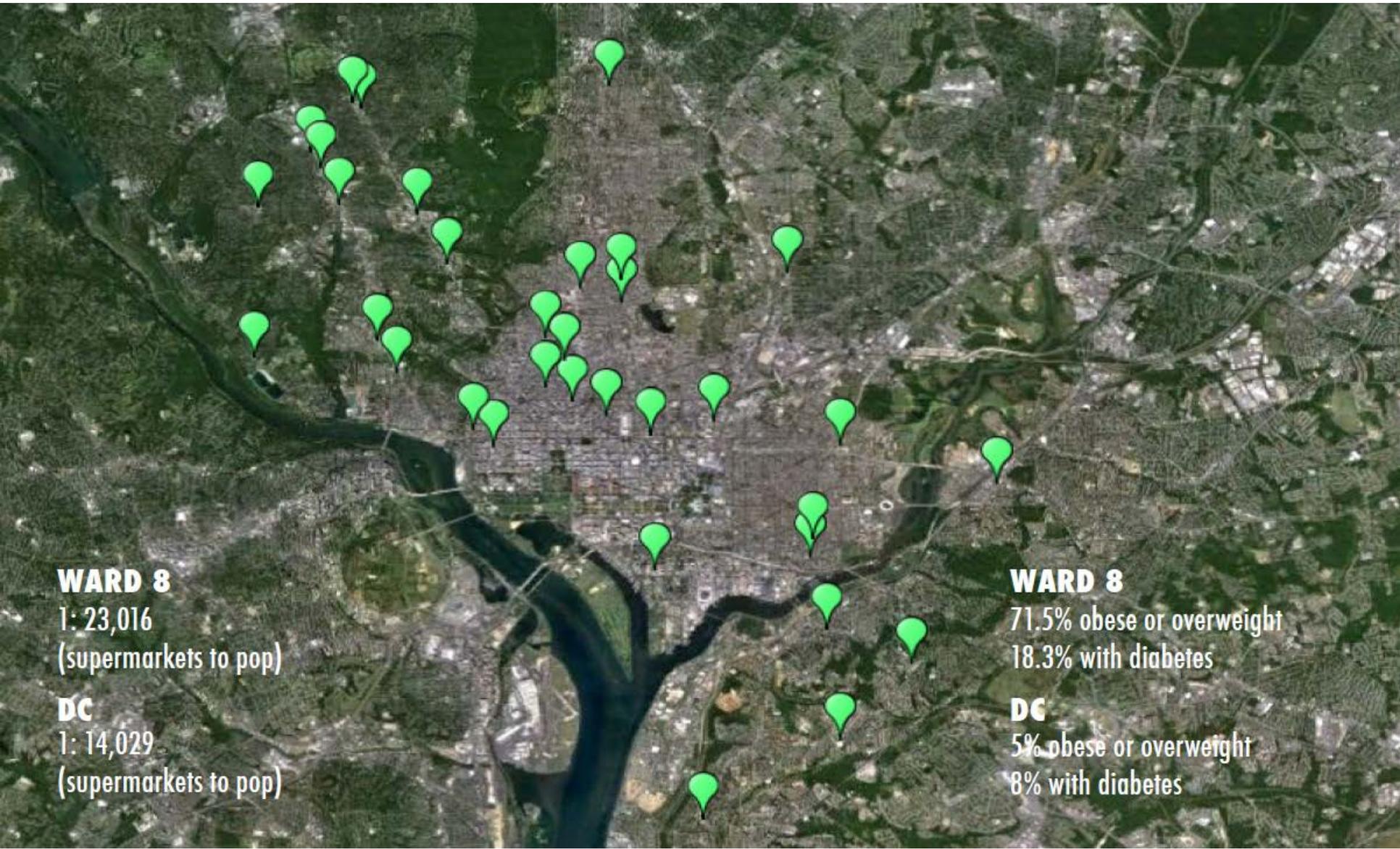
**■ LIMITED SUPERMARKET ACCESS**  
**□ NOT LIMITED SUPERMARKET ACCESS**



# 1 IN 3: DC RESIDENTS AT RISK OF HUNGER<sup>13</sup>



## 49.9%: THE POVERTY RATE FOR CHILDREN UNDER 18 IN DC. THIS COMPARES TO 37.9% NATIONALLY<sup>14</sup>



**WARD 8**

1: 23,016  
(supermarkets to pop)

**DC**

1: 14,029  
(supermarkets to pop)

**WARD 8**

71.5% obese or overweight  
18.3% with diabetes

**DC**

5% obese or overweight  
8% with diabetes

# LET'S GO GROW



greenhouse



herb wall



hydroponic chandeliers & hop vines



nutrition education



edible walk



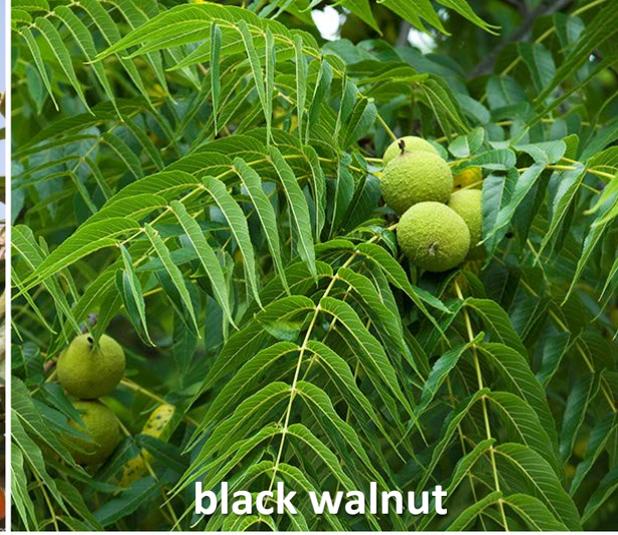
fruit & nut forest



URBAN  
FARM



**persimon**



**black walnut**



**pawpaw**



**tupelo**



**crab apple**



**service berry (shad blow)**



“in  
Playing  
the farm”!

“in





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# **Raising Expectations: Using Green Infrastructure to Advance Equity in Underserved Communities**

Robert Garcia, JD  
Founding Director and Counsel, The City Project  
Assistant Professor, Charles Drew University of  
Medicine and Science

# Goals

- Create multibenefit green and blue projects for health and recreation, economic vitality, “one water” management, climate resiliency,
- Analyze park and health disparities
- Promote community engagement and empowerment
- Use civil rights tools
- Provide equitable funding, public and private
- Recommend next steps
- Tell a story



The  
City  
Project

**We heard from the community. Too many children, especially children of color, don't have access to parks where they can run free, breathe fresh air, experience nature, and learn about their environment.**

**This is an issue of social justice.**

**Because it's not enough to have this awesome natural wonder within your sight—you have to be able to access it.**

President Barack Obama  
San Gabriel Mountains National Monument  
October 10, 2014



# GREEN JUSTICE



## Bringing the San Gabriel Mountains Closer to the People

By **Robert Garcia** | on February 9, 2012

**Public access and recreational opportunities help address health challenges. Studies show that recreational access to public lands translates to youth activity and lower youth obesity.**

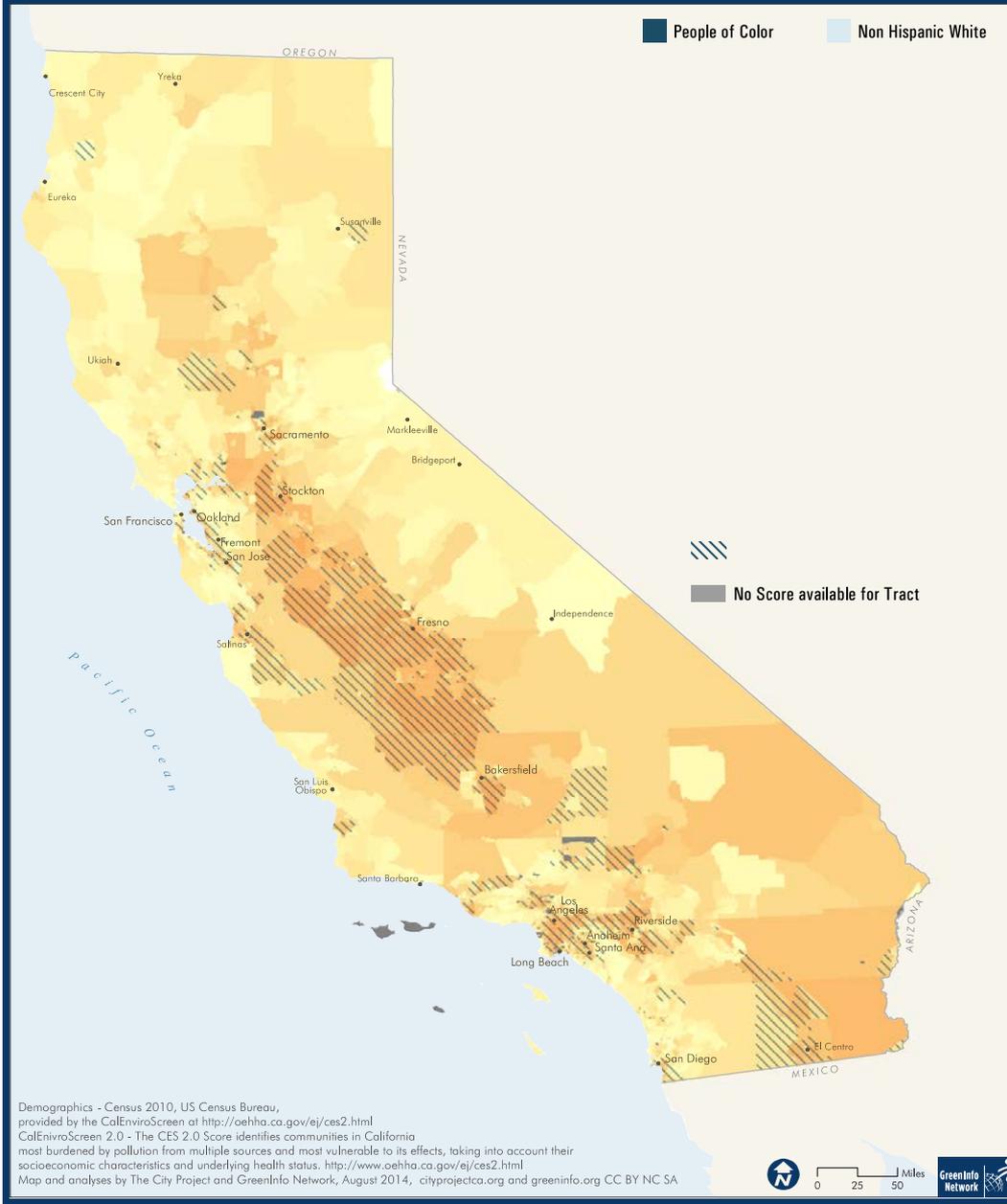
**Parks also play an important role in supporting local economies.**

White House Statement  
San Gabriel Mountains National Monument

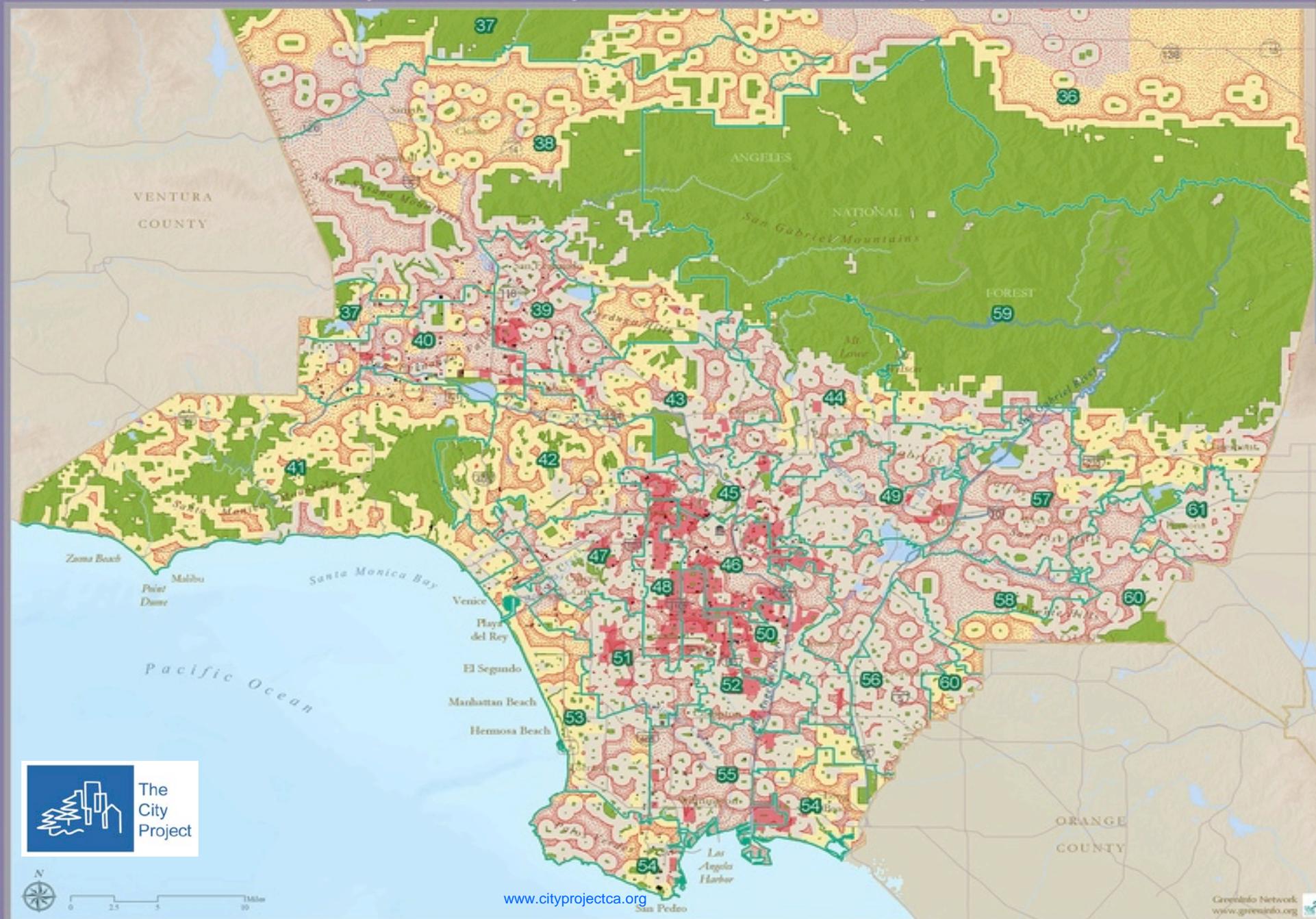


# Park Poor, Income Poor and People of Color





# Park Access and Schools for Children of Color Living in Poverty with No Access to a Car



**“The City Project’s work on park access is one of the two leading areas in environmental justice.”**

Leslie Fields, Sierra Club



The  
City  
Project

“The president not only displayed compassion and understanding of environmental justice but was fundamentally motivated by the issues when he declared the San Gabriel Mountains National Monument.

The City Project, thanks for your work to make the case for environmental justice and the San Gabriel National Monument a reality.”

Daniel Rossman, chair  
San Gabriel Mountains Forever coalition



The values at stake

*Fun, health, and human development*

*Conservation values including climate action*

*Economic vitality: create jobs, avoid displacement*

*Art, culture, spiritual, and Native American values*

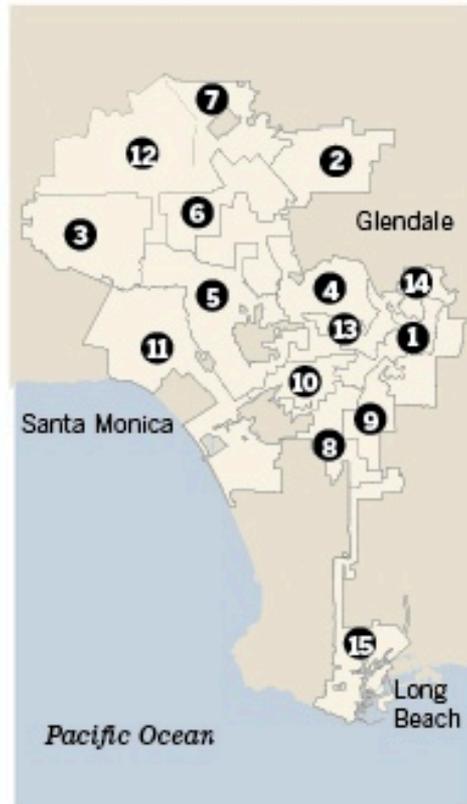
*Equal justice, democracy, and livability for all*

“Ultimately, we can appeal to the values that we strive to achieve as a community and democracy and emphasize the inherent democratic nature of public spaces.”

# Los Angeles parkland

The amount of park acreage available to L.A. residents varies widely from one part of the city to another. Nationally, some park planners recommend six to 10 acres of parks per 1,000 residents.

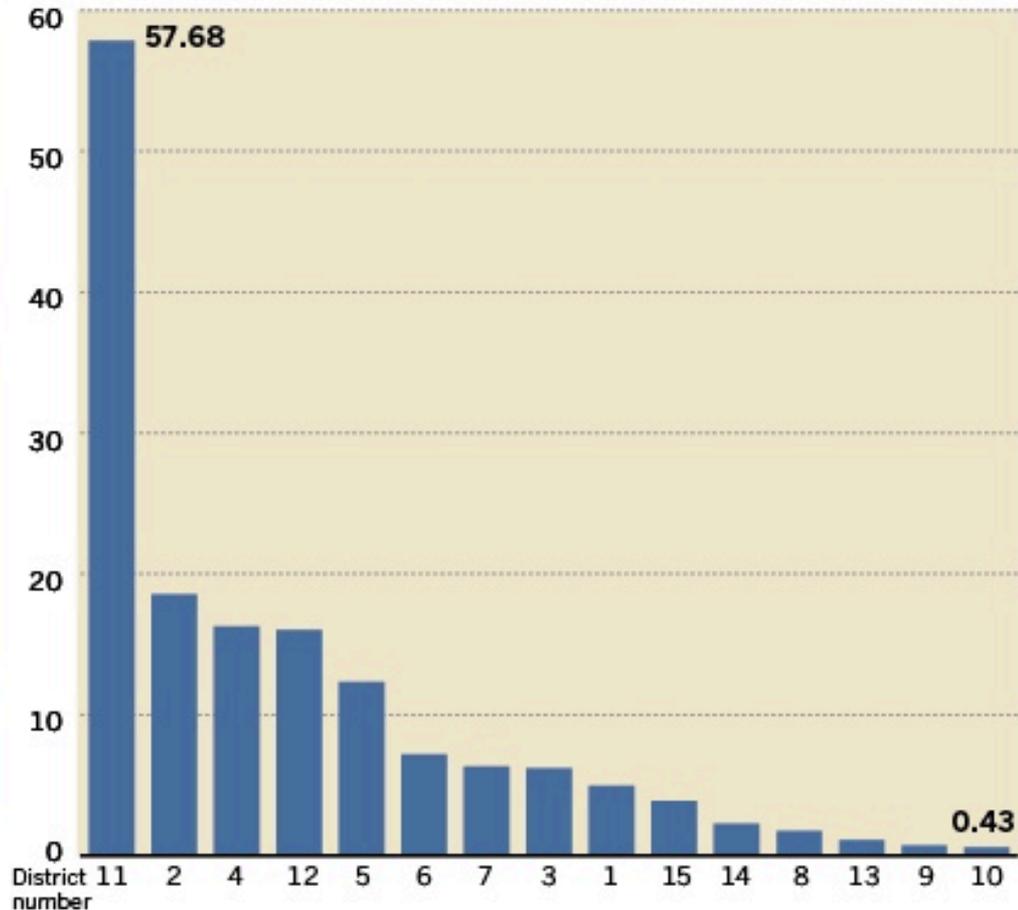
## City Council districts



Note: Includes city parks, Angeles National Forest and Santa Monica Mountains National Recreation Area.

Source: *The City Project: "Healthy Parks, Schools and Communities," 2006*

## Acres of parkland per 1,000 residents, by council district





# Two Legal Frameworks for Reviewing Title VI Claims

- **Disparate Treatment Discrimination**
  - Similarly situated persons treated differently based on their race, color, or national origin
  - Action was, at least in part, based on race, color, or national origin
- **Disparate Impact Discrimination**
  - Policy or practice that is neutral on its face, but has a disproportionate adverse impact on persons of a particular protected class





**“Simple justice requires that public funds, to which all taxpayers of all races contribute, not be spent in any fashion which encourages, entrenches, subsidizes, or results in racial discrimination.”**

President John F. Kennedy, message to Congress on Title VI of the Civil Rights Act of 1964

**"We do not have to be lawyers to understand,  
'Do unto others as you would have them do unto  
you'"**

Senator Hubert Humphrey,  
Senate Debate on Civil Rights Act of 1964



# Title VI of the Civil Rights Act of 1964 @ 50





# President's **Executive Order 12898** on Environmental Justice and Health @ 20





## **Civil rights compliance and equity plan** in positive terms

Applies to recipients of federal funding

1. What do you **plan** to do
2. Analyze the **burdens and benefits** on all people
3. Analyze the **alternatives**
4. Include **people of color and low-income people** in the planning process
5. **Implement** a plan to distribute the benefits and burdens fairly and avoid discrimination

# Environmental Justice Principle



- **Environmental justice embraces the principle that all people and communities are entitled to equal protection of our environmental, health, employment, education, housing, transportation, and civil rights laws**





The  
City  
Project

[www.cityprojectca.org](http://www.cityprojectca.org)





**“A heroic monument” and “a symbol of hope.”**

Los Angeles Times Magazine



The City Project “organized a civil rights challenge that claimed the project was the result of discriminatory land-use policies that had long deprived minority neighborhoods of parks.”

Los Angeles Times Front Page



Los Angeles State Historic Park “is not here because of the vision of politicians, or some design or plan. This park is here because of the struggle and agitation by the community. The community stopped the industrial warehouses to create the park in the most park poor city in the nation.”

Senator Kevin de León



## Structural obstacles to fund health justice

The more committed to the environment, the less likely a foundation will fund social justice

15% of enviro dollars benefited marginalized communities

Only 11% to advancing social justice

Public and nonprofit expenditures are most strongly associated with race and ethnicity. Black and Latino communities suffer from lower expenditure levels by both

Nonprofits must implement compliance and equity plans



# The pillars of new liberalism

Reduce taxes

Reduce government services

Eliminate the social safety net

Privatize services

Deregulation

Let the market decide



The  
City  
Project

[www.cityprojectca.org](http://www.cityprojectca.org)



It takes a movement

The Civil Rights Movement

The Environmental Justice Movement

The Health Justice Movement

# **Civil rights lawyers in and out of court**

## **Courageous Courts**

Brown v Board of Education 1954, Hernandez v Texas 1954

## **The Movement in the Streets**

March on Washington 1963, Selma 1965

## **Legislation**

Civil Rights Act 1964

## **The President**

LBJ broke filibuster

## **Implementation by agencies and attorneys**

Title VI funding

## **Right to vote**

1964 mandate for civil rights; 2008 election



## Using Civil Rights Tools to Address Health Disparities

Michael Rodriguez, MD, MPH; Marc Brenman;  
Marianne Engelman Lado, JD; and Robert Garcia, JD



Policy Report  
The City Project

2014



Robert Garcia  
Founding Director and Counsel  
Community Faculty, Charles Drew University  
[rgarcia@cityprojectca.org](mailto:rgarcia@cityprojectca.org)

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CDU-AXIS, Grant# U54MD007598 from NIMHD

California Endowment

Kresge Foundation

Human health includes a state of complete physical, mental and social wellbeing, and not merely alleviating chronic diseases including obesity and diabetes. World Health Organization.

Social determinants of health: where people live, learn, play, pray, and age.



*Fun, health, and human development.* Children who are physically fit tend to do better academically, and parks can create community and drive out vandalism and crime.



*Conservation values:* Clean air, water, and land, complete green streets with transit, biking, hiking, and safe routes to schools, saving habitat, and climate justice.



*Economic values:* Jobs and apprenticeships for youth, diversification of government contracts, gentrification and displacement as greening makes communities more desirable and expensive.



*Art, culture, spiritual, and Native American values.*



*Equal justice, democracy, and livability for all.* “Ultimately, we can appeal to the values that we strive to achieve as a community and democracy and emphasize the inherent democratic nature of public spaces.”



# Unjustified Discriminatory Impacts

1. Are there numerical disparities?

Data collection and analysis, anecdotal evidence, statistical studies, GIS mapping. demographics

2. Are the disparities justified by business necessity?

3. Are there less discriminatory alternatives to accomplish similar goals?



# Intentional Discrimination

Circumstantial evidence of intent

1. **Numerical impact** is the starting point for analysis.
2. Is there a **history of discrimination**?
3. Are there departures from substantive values?
4. Are there departures from normal procedures?
5. Is there a pattern of discrimination?
6. Do decision makers know the harm they will cause