



JUNE 2020

FAIR HOUSING, CLIMATE & HEALTH REPORT

Housing is still the issue

CENTER FOR
FAIR HOUSING





Introduction

This year marks the 52nd anniversary of the passing of the Fair Housing Act. The act was signed into law one week after Dr. Martin Luther King was assassinated in Memphis, Tennessee. Dr. King fought tirelessly for housing equality for all. From 1965 to 1966, Dr. King co-led the Chicago Freedom Movement, a campaign that sought to challenge discrimination in employment, education, and housing in Chicago. In the 50+ years since Dr. King's assassination and the passage of the Fair Housing Act, there remains much to accomplish in the field of fair housing. Even though many strides have been made, through the efforts of civil rights advocates, COVID-19 is showing us that the need for such advocacy has far from ceased, that housing is still the issue.

Each year for the last nine years, the Center for Fair Housing in Mobile, Alabama has held a Regional Justice Leadership Summit bringing together leaders and advocates across the South working on housing issues and a range of other social justice issues. This year's summit, over 300 people from across the country came together virtually to connect the dots between fair housing, health, criminal justice, immigration, and the climate crisis.

The content of this report comes from the expert testimony shared during the Summit. [Click here to watch the full recording.](#)

#FairHousing #GulfSouth4GND #HousingIsStillTheIssue



NATIONAL FAIR HOUSING: FAIR HOUSING IS STILL THE ISSUE

There are over 4 million instances of housing discrimination, and housing discrimination is on the rise according to the [National Fair Housing Alliance 2019 Fair Housing Trends Report](#). The lion's share of these instances go unreported. Victims of housing discrimination often do not report issues because they do not believe action will be taken to rectify the problems, and also because they do not recognize the signs of housing discrimination. The [National Fair Housing Alliance](#) (NFHA) exists to raise the alarm on housing discrimination and to educate people about what constitutes a violation of the Fair Housing Act and how they can get help. NFHA provides assistance and service to victims of housing discrimination, giving victims a feeling that when they come forward, their concerns will be rectified.

Lisa Rice, President of NFHA, explained that since the pandemic was declared a state of emergency on March the 13th, there has been a dramatic uptick in the number of fair housing issues and complaints, an uptick in the number of hate crimes, particularly perpetrated against our Asian American brothers and sisters, and an uptick in the number of sexual harassment complaints, particularly against women who experiencing difficulty paying rent due to job loss. Where you live matters. Your zip code is a predictor of life outcomes because where you live impacts your ability to access a great education, healthcare, transportation, and good jobs. Listed below are a few examples of life outcomes that are influenced by your neighborhood:

- Education level
- Homeownership
- Credit scores
- Net worth
- Life expectancy

"Your zip code is a better predictor of your health than your genetic code." - Melody Goodman, Asst. Professor of Washington University

Racialized residential segregation is the bedrock of many of the inequalities that we see unfolding before us. For example, children of color – in particular African American, Latino, and Native American children – attend schools that are less resourced, and the teachers are not teaching in their area of expertise as a result of racial residential segregation. Additionally, African Americans and Latinos disproportionately live in what we call food deserts (areas with limited access to affordable, healthy food). 92% of African Americans live in neighborhoods without a grocery store. This scarcity extends to access to healthcare, water, and a clean environment. African Americans, Latinos, and Native Americans disproportionately live in health deserts (where people don't have access to doctors and hospitals), and race is the most significant predictor of whether a person lives in a neighborhood with improper sanitation and contaminated air, land, and water.

Many of the Civil Rights laws of the sixties and seventies made it illegal to discriminate but left structures in place that enable segregated practices and institutions to continue. Although the Fair Housing Act of 1968 outlawed discrimination on the basis of race, nationality, and other protected classes, the Fair Housing Act did not address existing residential segregation in place. Similarly, the Equal Credit Opportunity Act of 1974 also outlawed discrimination but left the dual credit market in place. This pattern repeated itself in the public school systems. Laws were passed requiring equal access to public accommodations, but segregated schools stayed in place. Residential segregation, dual credit markets, and segregated schools are all structural pillars upholding systemic racism today. Many people like to reduce structural racism as a matter of economics, but this misses the point. For example, banks located in high-income affluent Black neighborhoods close branches at a higher rate than in low-income white neighborhoods.



In 2016, the median wealth of white families was 10 times that of Black families and 8 times that of Latino families. If white wealth were to remain constant, it would take Latinos 84 years and Blacks 228 years to reach parity.

Source: Policy Studies

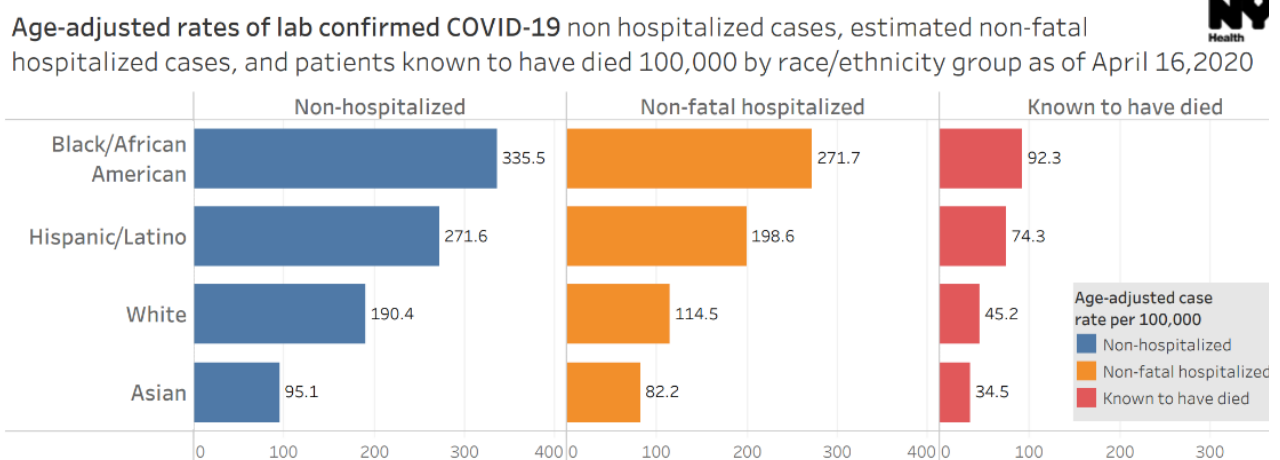


People of Color are more likely to be affected by America's dual credit market. 46% of Blacks, 40% of Latinos, and 38% of American Indian/Alaska Natives use non-traditional credit compared to 18% of Whites.

Source: National Fair Housing Alliance

NATIONAL FAIR HOUSING & COV-19

Housing discrimination and racial segregation is a key factor in explaining why COV-19 is disproportionately killing Black people and people of color. African Americans make up 13% of the population but account for over a third of confirmed cases and over a third of COVID-19 deaths. As the chart below illustrates, African American's are nearly two times more likely to contract the virus and more than two time more likely to die from it.



The NFHA is pushing for targeted resources to help dismantle structural racism as a response to the COVID-19 pandemic. The Heroes Act, recently passed by the United States House of Representatives, contains some of these measures, which include targeted economic, housing, credit, health, employment and education investments & programs, reporting & transparency, and oversight.

Additionally, the NHFA is working to ensure the Affirmatively Furthering Fair Housing (AFFH) provision of the Fair Housing Act is being effectively enforced. The AFFH requires that federal agencies and cities receiving money from the Housing and Urban Development (HUD) programs take meaningful actions to combat discrimination, overcome patterns of segregation, and foster inclusive communities free from barriers restricting access to opportunity based on protected characteristics. This provision of the law has historically been under-enforced and underutilized. The COVID-19 Families First Act and the CARES Act set aside targeted funding for enforcement of the AFFH. In anticipation of a recession, this funding is especially needed to ensure fair housing for communities of color that are disproportionately impacted by economic recessions. NHFA provides a list of solutions to ensure communities of color can bounce back from the COVID-19 pandemic and recession. The list includes measures to ensure the following:

- Fair and non-discriminatory federal response
- Economic relief and housing market stabilization
- Increased budgets to address critical homelessness and provide housing and rental assistance
- Access to justice for housing and lending discrimination in underserved communities
- Financial support for small businesses and nonprofits working on the ground to meet needs beyond the pandemic

FAIR HOUSING & HEALTH

Danny K. Patterson, Coalition Coordinator for Gulf States Health Policy Center explained that fair housing is a public health issue. Housing is generally defined as living spaces for the purpose of sheltering people in a safe and a secure area or place that provides privacy and protection. The World Health Organization defines health as a state of complete physical, mental, and social wellbeing. As we look at the social determinants of health, we find access to safe and affordable housing plays a critical role. The social determinants of health are the conditions in which people are born, grow, live, work and age. These circumstances are shaped by the distribution of money, power and resources at global, national, and local levels. The chart below lists factors that shape these conditions. As discussed previously, factors such as education, economic stability, access to healthy food, community and social context, and healthcare hinge on where a person lives. Tackling the issues of fair housing can have a direct impact on improving the health of families and communities.

Figure 1

Social Determinants of Health

Economic Stability	Neighborhood and Physical Environment	Education	Food	Community and Social Context	Health Care System
Employment	Housing	Literacy	Hunger	Social integration	Health coverage
Income	Transportation	Language	Access to healthy options	Support systems	Provider availability
Expenses	Safety	Early childhood education		Community engagement	Provider linguistic and cultural competency
Debt	Parks	Vocational training		Discrimination	Quality of care
Medical bills	Playgrounds	Higher education		Stress	
Support	Walkability				
	Zip code / geography				
Health Outcomes Mortality, Morbidity, Life Expectancy, Health Care Expenditures, Health Status, Functional Limitations					



A vast body of research demonstrates the strong impact of housing on health. Studies have shown that fair housing interventions improve health outcomes and decrease healthcare costs. The evidence reveals that having a stable home, safe and secure conditions inside the home, affordable housing, and healthy neighborhoods are key places for policy interventions that can improve public health. Housing instability and high housing costs greatly impact people's ability to access healthcare. People who are chronically homeless face substantially higher morbidity rates. Studies have also shown that a housing cost burden of more than 30% to 35% of your income makes it difficult people to pay for healthcare and to invest in other health generating goods and services. Substandard housing conditions – such as water leaks, dirty carpets, poor ventilation, and pest infestation – all have negative health impacts. Many of these issues can be found in public housing units across the country. Finally, the availability of certain services – such as public transportation, clinics, hospitals, access to healthy foods, and the quality of the air, water, and open land in a neighborhood – can all greatly impact a person's health. Boston Medical research connecting housing issues with health outcomes has been so revealing that the Boston Medical Center earmarked all of its community health funding for the first time ever toward one social determinant of health –housing.

Shearie Archer, Executive Director of Ozanam Charitable Pharmacy, the only charitable pharmacy in the state of Alabama and one of very few throughout the South, explained that they see first hand the connection between fair housing issues and health. Ozanam Charitable Pharmacy provides life sustaining medications to uninsured individuals 19 years of age and older. Last year Ozanam Charitable Pharmacy dispensed 33,000 prescriptions to 1,704 patients with the retail value about \$2.9 million, averaging to about \$1,700 in savings per patient in prescription medication alone. The cost of prescription medications is a significant financial burden for people already struggling to pay rent and utilities. Because Alabama is one of fourteen states that did not expand medicaid, there are many people in Mobile, and throughout the state that are uninsured and are struggling to pay for both healthcare and housing costs.

Archer explained that they have patients of all walks of life, including people who are chronically homeless, housing insecure (they have a house now but are facing foreclosure or inability to pay rent), and living with disabilities. The pharmacy is only able to track patients that are homeless and thus does not have data regarding all the fair housing related issues. What they can report is that of the 1,704 patients they had last year, 28% were homeless. Additionally, homeless people face unique challenges with treatment. They basically carry their entire life, including their medications, in backpacks. Often, homeless patients' medications are stolen because the backpacks are stolen or misplaced. Carrying medications in their backpacks can also be problematic for prescriptions that require special storage and instructions. For example, injectable insulin needs to be refrigerated and thus, people who are homeless are unable to get the best outcomes from that medication. This is especially dangerous for these patients during the COVID-19 pandemic. People with diabetes are less likely to survive the virus. When you add the stress of being homeless or housing insecure, the chance of survival goes down even further. That is why simply providing prescriptions is not enough to improve health outcomes for individuals and communities.



Source: Kaiser Family Foundation

Fourteen states did not expand medicaid, leaving 2.3 million people with no coverage and another 2.1 million struggling to pay insurance premiums and out of pocket expenses, including cost of prescriptions.

HOUSING EVICTIONS DURING COVID-19

During a global pandemic, many people are struggling even more to pay housing costs. Many states have issued a moratorium on evictions, but this will end when the stay at home orders are lifted and may leave folks facing evictions when several months of rent and utility payments are due all at once. Gregory Ramos, a lawyer with [Legal Services Alabama](#) explained that it is important for people to understand their legal rights when it comes to evictions and especially in this moment during the COVID-19 pandemic.

The CARES Act placed a moratorium on evictions for 120 days starting March 27, 2020 and ending July 25, 2020 for “covered properties.” The “covered property” includes homes with federally backed mortgage loans, federally backed multifamily mortgage loans, and all federally subsidized and public housing. Non-covered properties are not protected under this provision. The CARES Act moratorium only applied to evictions for non-payment of rent and prohibits charges and fees for non-payment of rent. However, evictions can still be filed for another reason, such as non-payment for other fees or charges. Courts are only open for limited cases. Thus, eviction proceedings are not being heard at the moment. This means that landlords can still file for evictions, but those facing eviction have limited ability to fight. So it's very important that people served with any type of eviction papers file an answer with the court and seek legal support. Additionally, everyone is still obligated to pay rent even if a person has been laid off, furloughed, or unable to work because they have contracted the virus. This means that when the moratorium is lifted, people who have not paid rent can be evicted if they do not pay in full what is owed. Legal Services Alabama is advising the community to communicate with their landlords to negotiate repayment plans to avoid eviction notices and to contact them if they need support.

COMPASSIONATE RELEASE & COVID-19

Carlos Williams, Esq., Executive Director of [Southern District of Alabama Federal Defenders](#), explains that when it comes to our criminal justice system, we must remember that “we are dealing with human beings.” Too often, our justice system strips humanity out of the process, and continues to do so in large part because people who have been through the system do not have a voice. They cannot vote, and thus, are not the constituents many politicians listen to.

On May 24, 2020 Gregory Glenn died in a federal prison from COVID-19. He was sentenced to 14 months after violating the terms of his probation by using drugs. In April of 2020, Glenn wrote to the judge, "I'm homeless, and I'm asking you to give me another chance in the halfway house...instead of putting me back on the street." The minor drug violation for Gregory Glen turned out to be a death sentence because prisons have become hotbeds for COVID-19 outbreaks. Glenn's desperate plea for housing is shared by many people getting out of jails. They don't stop being in crisis because they went to jail, they don't stop needing our help because they went to jail. Yet, people with criminal records are not eligible for housing nor social safety net programs.

The First Step Act, bi-partisan federal legislation signed into law in 2018, is an attempt to reform the criminal justice system and reduce the number of people incarcerated. The law made changes to compassionate release programs around the country. Before the First Step Act, the Federal Bureau of Prisons (BOP) was the only agency that could initiate compassionate release. Between 1984 (the year the program began) and 2018, only an average of twenty-four people a year were released through this program. Now, inmates may file a request for compassionate release themselves with the warden of the jail. The warden has thirty days to respond. If an inmate's request is rejected or ignored, they are able to file an appeal with federal court. The person filing must be able to demonstrate to the court that they have taken all the "exhaustive administrative measures" before an appeal can be made. The court and not the BOP makes the final decision in these cases.



"Compassionate release is just the first step. Too many people coming out of jail don't have resources. Most depend on their families to help them, but if their families are still around after they complete that sentence, they often end up on the street." - Carlos Williams, Esq.



Source: Prison Policy

The United States incarcerates significantly more people than any other nation. 2.3 million people are confined nationwide in jails, prisons, and youth and immigration detention centers. 470,00 people in jail have not yet been convicted, nearly three times the number of convicted people in jails.

The BOP sets eligibility criteria for compassionate release. There are two specific criteria for determining eligibility: first, the person must have an extraordinary and compelling reason for why such a reduction of their sentence is needed; second, the reduction is consistent with an applicable policy statement, usually written by the US Sentencing Commission, which conducts policy research on reducing sentencing disparities and promoting transparency and proportionality in sentencing. In practice, compassionate release is generally granted to persons suffering from a life-threatening illness who already have a plan for their release, place to go, and plan for care. However, even if a person meets all the criteria, the BOP can still reject their requests. Investigations into the implementation of the compassionate release program prior to the new law found that the program was poorly implemented and that many eligible inmates were not released.

43,967 cases

of coronavirus reported among prisoners.

25,280 prisoners have recovered.

522 deaths

Source: The Marshall Project

Because of COVID-19 and the change in law, we are seeing a significant increase in the number of inmates submitting requests for compassionate release. Prisons have become COVID-19 hotspots because of the close living quarters, especially in state prisons where 50 -75 people are kept in large rooms right next to each other. Once one person becomes infected, the virus spreads like wildfire. According to BOP, there are active COVID-19 cases at 84 federal facilities under their jurisdiction, which does not include state prisons. Over 40% of people in jails and prisons who have received testing have tested positive. Most of the requests for compassionate release are coming from people who have some underlying health issue, like diabetes or asthma that makes them more susceptible to dying from the virus. Many desperate not to die in prison are asking to be released, but it is unclear how many have been granted.

COVID-19 Utility Moratoriums

Education and advocacy around affordability and accessibility of electricity and utilities is an important part of understanding issues of fair housing. The COVID-19 pandemic has had a significant impact on the economy and has created real challenges for people and communities already struggling to pay energy bills. Housing and utility costs (water and electricity) are fixed monthly expenses. They are not optional. These are not things that can be cut back and trimmed just because the economy is collapsing.

Stephen Stetson, Senior Campaign Representative with [Sierra Club Beyond Coal Campaign](#), explained that the non-optional nature of electricity is the reason why the United States allows it to be provided by monopolies. Most people get their electricity from an electric power company that has a monopoly in their service area. Though there is a significant part of the population that gets their energy from local electric cooperatives or from their municipality, few of these providers actually generate their own electricity.

Many states required a moratorium on utility shut-offs, including Mississippi, Alabama, and Georgia during the pandemic. Each of these states took different regulatory approaches to preventing shut-offs through their respective Public Service Commission. Mississippi, for example, took the most aggressive approach while Alabama recommended a moratorium but ultimately left it to the electric companies to decide. Despite the differences, however, the moratoriums have worked. Utilities have not shut off people's power for non-payment. However, like other moratoriums placed during COVID-19, people are still on the hook for charges and may find themselves facing shut-offs once the moratorium is lifted, which is expected to be within the next month.

It is urgent that support be put in place to deal with the debts that have accrued for people who have not been paying their power bills, especially to prevent people from turning to predatory lending or other harmful options because they are desperate to pay back the debt incurred during the moratorium. To be clear, the utility companies are going to be just fine. They can make up the loss by adjusting the rate base, the standard rate we all pay for the electricity we use. In fact, such increases are essentially inevitable. The question then becomes, what are we going to do about the people who have past due bills when the moratoriums expire?

The Sierra Club, in coalition with allied groups, has called for a number of immediate actions:

- Suspend utility shut-offs for no-payment and reinstate all services that have been shut off
- Suspend all late fees, collection, and credit reporting
- Provide financial assistance or flexible payment programs to help people pay off their debt
- Provide information to customers, regardless of access to internet and English language proficiency; the information must be clear and include eligibility requirements and timeframes for these programs
- Require utilities to submit an affordability plan describing how they are going to address economic hardship; the affordability plan should clarify their definition of low income as well as their fixed charges and assistance for senior customers
- Require the Public Service Commission, elected regulatory bodies established to hold these companies accountable, to hold public comment periods for all of these plans with the option to request a virtual public hearing

ELECTRIC UTILITIES & PUBLIC HEALTH

Pollution related to the production of electricity further harms public health. Coal ash ponds at coal fired power plants are an example of just one source of pollution that threatens nearby communities. After the plant burns coal, the residue is deposited into a toxic big muddy lake. These coal ash ponds have arsenic, cadmium, boron, and other heavy metals that are a threat to human health. Toxins might leak into the drinking water and in the rivers where we swim and recreate and fish. If a hurricane comes barreling up the Gulf, the muddy wall that is supposed to keep the poisonous sludge out of nearby waterways will not hold and could spill. The volume of the coal ash pond at Plant Berry in Mobile is 20 times the volume of the oil spilled during the BP drilling disaster and could contaminate some of the most beautiful, pristine and bio-diverse areas in the world.

In the time of the COVID-19 pandemic, Harvard researchers have made the connection between pollution and public health. A recent study linked higher air pollution to higher Coronavirus deaths. Because the fossil fuel companies that supply our electricity are significant drivers of the climate crisis, the conversation on the connection between fair housing and pollution from public utilities must also include discussion on the climate crisis. Despite the well-known connection between burning dirty fuels and the worsening of our climate, coal and gas fired power plants are expanding at a time when we need to be transitioning to clean renewable energy, solar and wind. For example, Plant Barry in Mobile, the plant with the previously mentioned coal ash pond, is proposing to add more units scheduled to come online in November 2023.

Plant Barry is a coal-fired plant owned by Alabama Power and provides electricity to the Mobile area. The Southern Company, the company that owns Alabama Power, Georgia Power and Mississippi Power, is continuing to burn coal at eight different power plants across its three-state footprint. Each of these companies are regulated by the Public Service Commission in each state and by the Department of Environmental Quality through the air and water permitting process. The public and environmental organizations like the Sierra Club can engage in advocacy strategies with these agencies to address the climate crisis, public health, and affordability and access to utilities. The Sierra Club Beyond Coal Campaign in Alabama is campaigning against the expansion of Plant Barry and for investments in solar around the state. These demands are reflective of what we need to call for nationwide. Utility companies need to stop burning coal and gas and stop building any new fossil fuel infrastructure. We don't need more pipelines, gas, or fracking. Instead, we need to start investing in clean and renewable energy which, in addition to addressing the issue of climate change, will also reduce housing costs for consumers. Solar energy is good for the planet and the pocket book.



Coal Ash Pond Plant Barry, Mobile, AL, one of the largest coal ash ponds in the nation. Photo Credit: Mobile BayKeepers

EXTRACTIVE ECONOMY & CLIMATE CRISIS

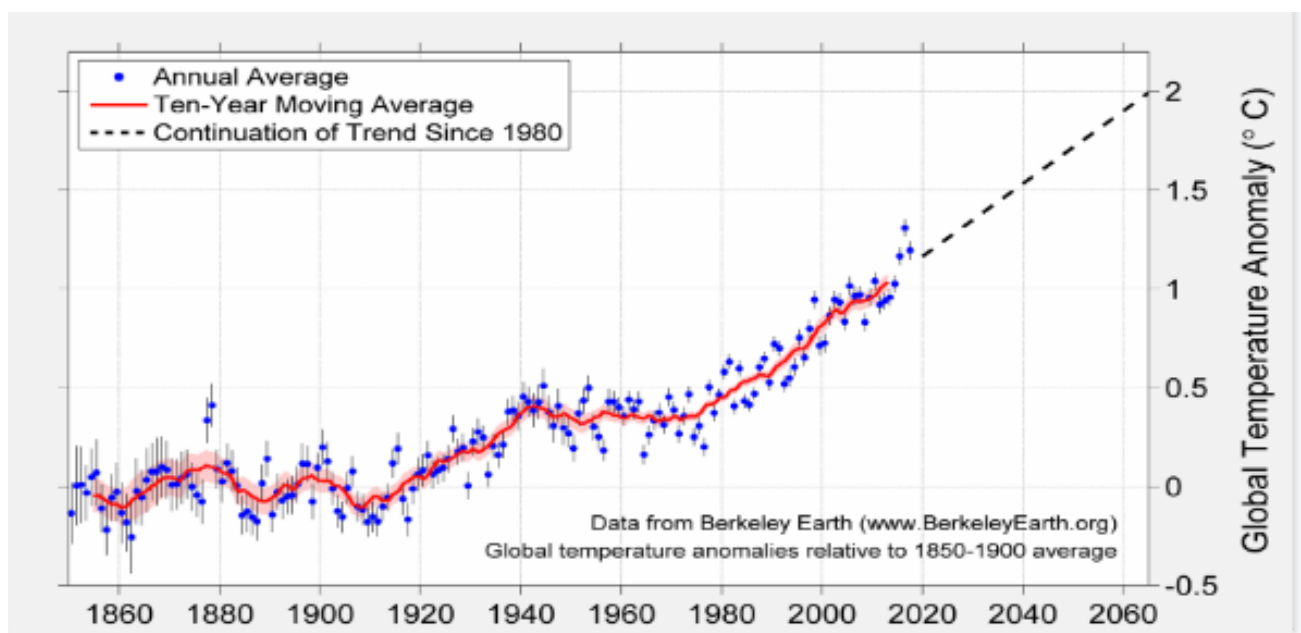
Climate change is real. The things that we are experiencing are real. Colette Pichon-Battle, Executive Director with Gulf Coast Center for Law & Policy, explained that this is not an issue for the white environmental movement. This is an issue for those working for justice, those working on the frontlines, those working with Black, Brown, and poor communities. This is our issue. We've got to claim it. We've got to get to the front of it. The history might just convince us why.

Slavery is at the beginning of the extractive economies of the United States. People were literally extracted from Africa, kidnapped and brought to this country to work for no wages and in conditions that often took their lives. Bringing us into the present, the prison system has continued the process of extracting Black people from their communities. We can talk about the rights of prisoners and policies needed to reduce incarceration rates and approach our criminal justice system in a more humane way, but there's a bigger question when it comes to our prison system. That is, why are so many Black people in prison? The majority of the people in prison are Black and Brown people, Black and Brown bodies. These prisons are created not just to penalize. Profits are being made off of the bodies of people that are in that system. Extractive economies are at the root of this system.

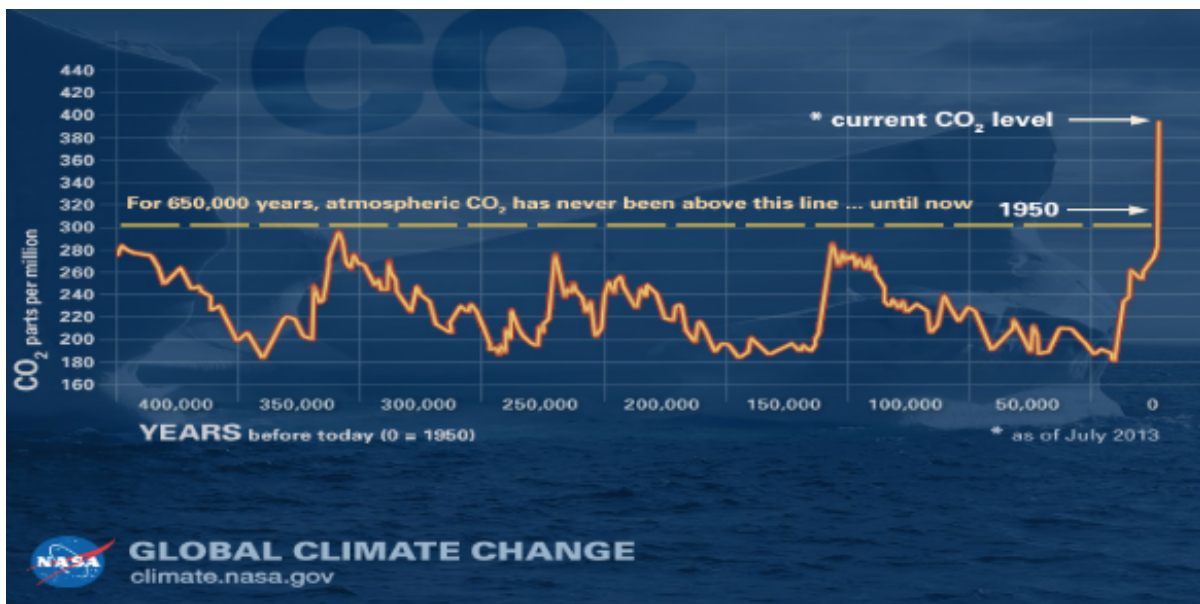


Let's turn to extractive industries. The US economic system incentivizes unlimited use and unlimited growth to produce unlimited profits. This is a philosophy. This is the economic philosophy of our country, which legitimized slavery, and now has us in a global climate crisis. These extractive industries yield the world's highest profits and release mega tons of greenhouse gases to produce small amounts of fossil fuel based energy. These greenhouse gas emissions get trapped and create a greenhouse effect that alters the earth atmospheres and oceans, which produces climate based disasters. The digging and drilling we are doing is causing our entire planet to get warmer. That warmer planet is causing all of these ripple effects, which includes storms, like Hurricane Katrina and Irma.

The NASA chart below shows carbon (CO₂) emissions from 400,000 years ago until today. Since the 1950s, the amount of carbon dioxide has stayed below the 300 parts per million (ppm) and has continued to rise never going below the 300 ppm threshold again. What changed? The simple answer is the industrial revolution, the burning of fossil fuels and large scale practices in farming and timber production. Additionally, we also know that it can take many years to see the impact of CO₂ emissions on our climate. Hurricane Katrina, for example, was a storm made worse as a result of the emissions from about thirty years before. What this means is that the climate crisis is here now and we have already seen some of the impacts and these impacts will continue to worsen no matter what we do to reduce carbon and other greenhouse gas emissions.



The chart below illustrates that global temperatures are on the rise and makes predictions based on historical data about temperature into the future. The annual global temperatures are plotted on the graph. The red line illustrates the ten year average, and the dotted line makes predictions about the rise in temperature beyond 2016 to as far as 2060. Since 1980 there has been an upward trend that never goes back down. As the map shows we can expect temperatures to continue to rise and reach an increase of two degrees by 2060. A global temperature increase of two degrees, most climate scientists agree, will have catastrophic consequences.



Rising temperatures will mean more dangerous hurricanes, rising seas, increased precipitation, droughts, more pandemics like the one we are in now, and hotter days. Scientists predict that this year will be one of the most active hurricane seasons yet. Increased precipitation is already causing increased flooding, like in Miami and along the Mississippi River. Increased precipitation near the top of the Mississippi causes the river to overflow. As a result, large amounts of fresh water is flowing into the Gulf harming the already fragile ecosystem.

The increase in temperature is one of the most deadly impacts of climate change. More Black and Brown and poor people in the South are going to die from higher temperatures than will die from hurricanes or any other climate crises. Increased temperatures will also force conversations about our utility bills. Running the air conditioner will not be a matter of comfort but of survival, one that will have deadly consequences for people facing shut-offs for non-payment. We can anticipate a global health crisis as temperatures continue to rise.

As we are in the midst of the current health crisis, we need to be thinking about how we can prepare for the future in light of a worsening climate crisis. The people and communities who are going to need the most help, who are on the frontlines of the climate crisis, are the same people and communities we are talking about when we talk about fair housing, especially in the South where there is the greatest concentration of people living in poverty and the highest concentration of Black people in the United States. In the same way a person's zip code can predict certain characteristics such as homeownership or education levels, a zip code can predict whether a person will be able to survive and recover from the climate related crises that are coming our way.

What can we do about it? All across the nation people are mobilizing around a piece of legislation introduced in the House of Representatives by Rep. Alexandria Ocasio-Cortez called The Green New Deal. It is not a policy but rather a resolution for addressing the climate crisis. The Green New Deal offers a vision to address the climate crisis, repair systemic harms, and invest in national infrastructure through the creation of millions of living wage and ecologically sustainable jobs. A just transition away from extractive economies toward more sustainable ones is needed. This includes a shift in our sources of energy away from dirty fossil fuels toward clean renewable energy like solar and wind as well as a shift in who owns and controls our natural resources. We don't want to just switch over to renewable energy. We must make transformative changes in our economy to be more equitable and just.

In response to the release of the Green New Deal House Resolution, advocates, farmers, fisherfolk, and community civic leaders across the Gulf South gathered to develop our own uniquely Southern collectivized vision for advancing sustainability and ecological equity. The Gulf South Green New Deal offers a vision that strengthens the entire nation by starting with the US climate frontlines. Read the Gulf South for Green New Deal Policy Platform.

CLIMATE GENTRIFICATION

Climate gentrification is a relatively new term that has been defined in several different ways. Valencia Gunder coined the term "climate gentrification" as a way to understand and explain what was happening to her neighborhood in Miami, Florida. Climate gentrification can occur before a storm as development patterns shift to higher ground or after a storm where communities are displaced as a result of the devastation. During Hurricane Katrina (2005), over a million people across the Gulf Coast region were temporarily displaced. Hundreds of thousands of families never returned to their homes, the majority of them Black, Brown, and poor.

Zelalem Adefris, Vice President of Policy & Advocacy at Catalyst Miami and Co-chair of Miami Climate Alliance, explains that climate related development patterns in South Florida, specifically Miami Dade County, are pushing out the Black and Latinx community that has lived there for generations. To understand what is going on, we first need to take a step back and look at the history of the land. South Florida was built on the Everglades, which is made up of mostly wetlands.

The Tequesta people lived in what is now Southern Florida for thousands of years before many were murdered by the Spanish and the remaining were displaced to Cuba. The Indigenous folks that still reside in the area are the Seminoles and the Miccosukee who were farmers that were pushed down to South Florida from North Florida and Georgia. They were pushed to live in the Everglades, which were seen as inhospitable. Yet, somehow they made a way and thrived there. Today these communities are now on the front lines of environmental justice work in South Florida.

Julia Tuttle founded the city of Miami. She convinced Henry Flagler to build a railroad through South Florida. Because the railroad couldn't be built in the Everglades, it was built on the highest land. Flagler hired Bahamian Immigrants, African Americans, and folks from the Caribbean to build the railroad. This area on the highest part of the city is where folks of African descent and Bahamian Immigrants settled. During the Jim Crow era, African American and Bahamian communities as well as new waves of immigrants were pushed into increasingly more limited space due to redlining. This pattern of concentration of Black and Brown people continues into the next century as a result of discriminatory lending and subprime mortgage practices.

How does this connect to the climate crisis? The picture below illustrates what a three foot storm surge looks like in Brickell, the financial district with lots of tall buildings and expensive condos located south of downtown Miami. The photo was taken after Hurricane Irma in 2017. This is what Brickell also looked like last weekend after a month's worth of rain poured down within a day and half. As the climate crisis worsens, we can expect to see more dangerous hurricanes and more rainfall, we can anticipate that this is what Brickell will look like most days by 2060. This obviously presents challenges on where people are going to move next.



Brickell after Hurricane Irma with 3ft of water. Picture courtesy of Miami Climate Alliance

Developers are seeking to build on high ground, land where Black communities settled during the building of the railroad and where they and other immigrants were forced to settle as a result of racist policies. The land was seen as less desirable because it's not coastal, but now, due to climate change, it has become more desirable. This, Adefris explains, is the phenomenon that we call climate gentrification. African Americans and Hispanics are being overly burdened by the increasing costs of living, especially homeowners. 60% of Miami-Dade adult residents spend over 30% of their income on rent. African-American homeowners have an average of \$4,000 in income left over annually after paying for housing, this amount is \$5,500 for Hispanics, and \$20,000 for whites. Meanwhile, Miami-Dade has the highest vacancy rate in the nation at 17%.

Residents of a community known as Little Haiti are fighting back. Another nearby Puerto Rican neighborhood has already been completely gentrified and has become the biggest tourist destination, bigger than South beaches in Miami. It is a place where people who do not live there own a second or third home or simply invest money in real estate.



Residents of Little Haiti organizing to stop climate gentrification. Photo courtesy of Miami Climate Alliance

Plans to rezone and develop Little Haiti are underway. The plan to build a massive complex in the middle of the neighborhood will surely displace many of the residents. Developers deploy various divisive tactics in order to pass the zoning changes and for their projects to get approved. In response, Miami Climate Alliance and Catalyst Miami working with several partner organizations came together to host an event called Miami Housing and Energy Justice Congress in 2019. The event focused on rent and utilities. participated. Over the course of a seven month process, 200 community participants and delegates from different neighborhoods throughout the county developed a vision for development in Miami and key demands to address the housing and climate crisis. Read *Housing Justice in the Face of Climate Change: A Vision for Equitable Climate Policy for South Florida Communities & Advocates Fighting for Dignified and Sustainable Housing for All*.

Since COVID-19, the organizing work of the Miami Housing and Energy Justice Congress has shifted to respond to the crisis. One example is the implementation of housing participatory defense. Weekly virtual meetings are being hosted for community members to organize around immediate housing issues, particularly evictions, especially given that the courts will reopen soon. There is also a legal defense set up to support communities during the pandemic to address individual housing needs and beyond as they work together to advance their collective vision. The COVID-19 pandemic has exacerbated housing security concerns for Black and Brown communities to the point that they declared it a state of emergency. Through organizing, the community is setting up a line of defense to keep people in their homes during COVID-19 and in the face of climate gentrification.

FAIR HOUSING & IMMIGRATION

Amelia S. McGowan, Senior Attorney and Immigration Campaign Director for Mississippi Center for Justice (MCJ), explained the connection between fair housing and immigration. In addition to being immigration attorney in Mississippi, McGowan worked as a testing coordinator for Fair Housing. The results of the test revealed that discrimination on the basis of national origin, which is a protected class under the Fair Housing Act, was the most common among all protected classes. There are cases where landlords would offer higher rents to people who indicated that they were not born in the United States and others where they would not offer a place at all to people who indicated that they were born in the United States but would to a US born person.

Since the COVID-19 pandemic, there has been an increase in housing discrimination based on people's real or perceived immigration status which often also intersects with other protected classes, such as race, color, religion, or sex. Housing providers have even weaponized the person's real or perceived immigration status. A common thread in many of fair housing complaints based on national origin involves threats to call immigration and even actually calling immigration authorities because of a tenant's perceived immigration status. Despite the moratorium on evictions, MCJ received several complaints of immigrant families receiving eviction notices.

Here are two examples of complaints MCJ has received. One landlord made threats calling the tenants "cockroaches" and forcing them off the property. Another tenant complained that the landlord refused to maintain or repair the property. The unit had leaking pipes and sewage, a broken refrigerator and stove that actually caught fire once. When the tenant requested repairs, the landlord would respond by sending over an agent that would demand sexual favors in exchange for the repairs, an example of a fair housing violation has occurred because of both a person's country of origin and sex. The tenant who filed the complaint was not the only tenant experiencing issues. The landlord rents out to a number of immigrant tenants and specifically targets the female immigrants in the same way.

The threat of deportation prevents many people from filing fair housing complaints, even in especially egregious cases. Retaliation for making a fair housing complaint is illegal, regardless of the person's immigration and citizenship status. However, this does not stop abusive landlords or neighbors from calling the police or immigration authorities if the tenant complains before they can file a formal complaint against their landlord. Unfortunately, there are no meaningful protections for undocumented people who file housing complaints. Protections are needed to ensure everyone suffering housing discrimination can seek remedies regardless of their immigration status.

The fear within immigrant communities in Mississippi in particular has been exacerbated by one of the nation's largest immigration raids in US history. Last August, 600 immigration agents stormed chicken plants in five Mississippi towns and arrested 680 people. Immigration authorities released about 300 people that same day, but detained about 380. The government placed everybody, regardless of their detention status, in removal proceedings, formerly known as deportation proceedings. About twenty people are still detained in immigration detention over six months later, and others have already been deported.

The raids caused a tremendous humanitarian crisis that went far beyond immigration. Children were left without parents. Hundreds of families were left without jobs contributing to food insecurities and a housing crisis; even if a person was released that day, they still no longer had a job. Some families lost all of their income. People were no longer able to pay rent with no work and had no access to government safety nets because of their immigration status. Thankfully, charitable and community organizations came together to provide monetary assistance for rent as well as the legal defenses for individuals and families facing evictions.

Community support and fair housing rights education programs are critical in addressing on-going discrimination. In particular, education campaign materials and sessions are needed in other languages. In Mississippi, Spanish and Vietnamese translations are needed to serve the community. The following are some resources for leaders and advocates:

- Catholic Legal Immigration Network, Inc. (CLINIC), “Know Your Rights: A Guide to Your Rights When Interacting with Law Enforcement”
 - In English: <https://cliniclegal.org/file-download/download/public/1458>
 - In Spanish: <https://cliniclegal.org/file-download/download/public/1461>
 - In Vietnamese: <https://cliniclegal.org/file-download/download/public/1462>
- National Housing Law Project, Immigrants’ Rights: <https://www.nhlp.org/initiatives/immigrant-rights/>
- Project Sentinel – Fair Housing Center, Resources for Immigrants: <https://www.housing.org/resources-for-immigrants>

CONCLUSION

As all of the expert panelists of the 9th Annual Regional Justice Leadership Summit explained, housing is still the issue. There isn’t a social justice issue that is not connected to fair housing in some way. We are in a critical time. The COVID-19 pandemic is exposing structural inequality in a way that has caught the attention of the masses. We also know because of the climate crisis, the pandemic is a glimpse of what’s to come. We need to get ready. Now is the time to learn all that we can and come together to make the kinds of structural and transformative shifts we need to guarantee that all people and future generations have access to safe and affordable housing in order to have access to healthy food, economic opportunity, security, health care, and a clean environment.

Thanks to our panelists:

Lisa Rice, National Fair Housing Alliance, National
Danny Patterson, Gulf States Health Policy, Mobile, AL
Shearie Archer, Ozanam Charitable Pharmacy, Mobile, AL
Greg Ramos, Alabama Legal Services, Mobile, AL
Carlos Williams, Southern District of Alabama Defenders, Mobile, AL
Stephen Stetson, Sierra Club, Mississippi, Alabama, & Georgia
Zelalem Adefris, Catalyst Miami and Miami Climate Alliance, Miami, Florida
Colette Pichon-Battle, Gulf Coast Center for Law & Policy, Gulf States
Amelia McGowan, Mississippi Center for Justice, Mississippi

Thank you local artists: Eterniti Everlasting & Catharsis Tha Poet and Gino Rosaria

Thank you to all the organizations that made the 9th Annual Regional Justice Leadership Summit possible.

National Fair Housing Alliance
Miami Climate Alliance
Catalyst Miami
Ozanam Charitable Pharmacy
Legal Services Alabama
Sierra Club Beyond Coal Campaign
Gulf Coast Center for Law & Policy
Coastal Coalition for Immigrant Justice
Mississippi Center for Justice
Project South
Southern District of Alabama, Federal Defenders, Inc.
Gulf States Health Policy Center

Thank you to our funders: Gulf Coast Center for Law & Policy, US Dept. of Housing & Urban Development, and Kataly Foundation



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