

Memorandum

TO : James P. Turner
Deputy Assistant Attorney General
Civil Rights Division

DATE: DEC 15 1980
ACR:mvr

FROM : Alexander C. Ross *ACR*
Special Counsel for Litigation

SUBJECT: Jane McGrew's Letter of December 11, 1980
to Alice Daniel, Requesting Approval of the
Proposed Consent Decree in Gautreaux v. Landrieu

I have reviewed the map of Chicago drawn up by the parties to this case designating specific areas of the city as "general" (white), "limited" (over 30% minority) and "revitalizing". This map will form the basis for the placement of HUD-assisted housing through an agreed-upon formula (at least one-third in the "general" area and no more than one-third in the "limited" area).

The October 1979 racial enrollment data for Chicago's elementary schools indicate that the proposed map includes several areas of minority concentration (mostly Hispanic) in the "general" area (for example, the Logan Square, South Lawndale and Lower West Side communities). However, errors of this kind will presumably be corrected pursuant to part VIII.B. of the Decree, which provides that after the 1980 Census data is available, either party may request the Court to modify the map.

I think the concept of "revitalizing" areas is a good one, although the practical effect is to allow two-thirds of assisted housing to go into what was (or should have been) the "limited" area on the original Gautreaux map (the "revitalizing" areas are all ones that would otherwise be in the "limited" category). This scheme is intended to insure that a substantial number of units will go into the "right" part of the areas of minority concentration -- i.e., ones where it is thought that there is the best chance to bring about integrated residential settings and thus ones in which the housing would be more supportive of the school desegregation plan.

It is difficult to assess the effect of designating certain areas as "revitalizing" on the school desegregation planning process. (I can't quarrel with the areas designated, but I think the selection may have been under-inclusive). Some

cc: Records ✓



of the areas selected now have well-balanced enrollments in their elementary schools; others have schools with all-minority enrollments; some of these areas are now attracting middle-income whites; others are attracting middle-income blacks and Hispanics; and others are attracting a mixture of these groups. (Whether any of them have children or if so, are willing to put them in the public school system, is unknown.) Ideally, the revitalization process will include both "gentrification" and creation of low and moderate income housing opportunities for current residents of the areas.

The School Board must be aware of these developments, both in the initial planning process and in any plans and actions designed to create and maintain stably integrated "neighborhood" schools in the future. HUD has agreed in principle to cooperate with the School Board in this regard. I do not now see a need to refer to that cooperation in the Gautreaux Consent Decree.

Aside from disagreement with the map, which will be changed after the 1980 Census, I have no problem with the proposed Consent Decree. I am somewhat surprised that plaintiff's counsel is willing to settle for such a low floor of one-third of the units for the "general area."