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Building Community, Still Thirsty for Justice: Supporting Community Development Efforts in Baltimore

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Building Community, Still Thirsty for Justice: Supporting Community Development Efforts in Baltimore

Renee Hatcher and Jaime Lee

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I. Introduction

Baltimore is a city of many challenges, but it possesses true community-based strength. The city’s residents and community organizations are its greatest assets. This article highlights some of the community’s work and how the Community Development Clinic at the University of Baltimore School of Law (CDC) supports this work through its experiential learning curriculum.

The challenges facing Baltimore’s communities (systemic disinvestment, structural racism, vacant buildings, unemployment, and the criminalization of poverty, to name a few) existed long before the national media coverage and uprising surrounding the death of Freddie Gray, an unarmed Black man who suffered a fatal spinal injury while in Baltimore police custody in April 2015.¹ In the days that followed Gray’s death, thousands of Baltimoreans took to the streets to protest state-sanctioned violence in low-income Black neighborhoods across the city.

1. Janell Ross, *Why you should know what happened in Freddie Gray’s life—long before his death*, WASH. POST, Dec. 19, 2015.

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After the Baltimore Uprising,² and in the spirit of the city's long history of community organizing, new community-based groups formed and existing organizations created wide-tent coalitions to collectively advance their organizing efforts.³ These groups have fostered public discourse not only about police violence, but also about the economic violence that poses an everyday threat to individual and community safety and security, such as the lack of access to basic human needs—food, water, and housing.⁴

Broadly speaking, Baltimore's community groups take a two-pronged organizing approach towards community transformation: (1) holding police, elected officials, and public agencies accountable for the state-sanctioned physical and economic violence in low-income, primarily Black, neighborhoods; and (2) building independent community-controlled institutions to provide for the needs of Baltimore's abandoned and ignored communities.

This approach is evident in the numerous mayoral candidate forums hosted by grass-roots organizations this year—some specifically about housing, the needs of returning citizens, and community development—as well as the efforts of organizations developing new community land trusts, working toward food sovereignty, and starting worker-owned cooperatives to provide meaningful employment for residents.

II. University of Baltimore School of Law Community Development Clinic

What role can law school clinics play in these efforts? Many of Baltimore's community organizations and community-based enterprises are in need of legal services from time to time, yet cannot afford to retain private counsel or access legal services. The University of Baltimore School of Law's Community Development Clinic (CDC) is privileged to assist in filling this need.

2. Evan Serpick, *Why we should call recent Baltimore events an "uprising"*, BALTIMORE SUN, Sept. 24, 2015, <http://www.baltimoresun.com/news/opinion/oped/bs-ed-baltimore-uprising-20150924-story.html>; Shawn Gude, *Why Baltimore Rebelled*, JACOBIN, Apr. 28, 2015, <https://www.jacobinmag.com/2015/04/baltimore-freddie-gray-unrest-protests/>; Simon McCormack, *What's Happening in Baltimore Didn't Just Start with Freddie Gray*, HUFFINGTON POST, Apr. 29, 2015, http://www.huffingtonpost.com/2015/04/28/freddie-gray-baltimore-history_n_7161962.html.

3. For example, the Baltimore Action Legal Team (BALT), the Black Church Food Security Network, and Baltimore United for Change (BUC) were founded in the wake of the Baltimore Uprising.

4. Dorcas Gilmore, *Baltimore After the Uprising: 3 Trends Building a Fairer, Safer, Stronger Economy*, YES MAG., Nov. 10, 2015, <http://www.yesmagazine.org/new-economy/baltimore-after-the-uprising-3-trends-building-a-fairer-safer-stronger-economy-20151110>.

For twenty years, CDC has provided free legal support to Baltimore-area organizations that work to transform the city's neighborhoods and community conditions. CDC's clients are nonprofits, small businesses, social enterprises, groups promoting affordable housing and equitable development, cooperatives, coalitions, and other locally based organizations in underserved neighborhoods. They include free health clinics, worker and consumer cooperatives, minority-owned businesses, farmers' markets in urban food deserts, churches engaged in urban agriculture, and community-based schools.

CDC is part of UB's nationally recognized clinical program. Upper-level law students serve as "first-chair" attorneys and work directly with clients, with the guidance of a faculty member and peers, under a special court rule that permits students to practice law in a clinical setting. UB students represent clients in structuring and forming nonprofit organizations, corporations, partnerships and LLCs; counsel boards and staff about their legal duties and best practices in running a nonprofit or small business; help organizations apply for tax exemption or 501(c)(3) status; and draft and review contracts.

In addition, to serving in traditional client-attorney relationships, CDC students also engage in community education and advocacy projects to affect systemic change. Recent examples of the CDC's advocacy and community education work are described in more detail below.

III. Advocating for Equitable Development and Community-Controlled Affordable Housing

During the past two years, CDC students assisted with preparing a recent report, *Community + Land + Trust: Tools for Development Without Displacement*, on inequitable real estate practices and community-based alternatives. Published by the Baltimore Housing Roundtable and funded in part by the UB Foundation Fund for Excellence,⁵ the report is the work of a coalition that includes United Workers, housing advocates, the Public Justice Center, and the community development clinics at the University of Maryland and University of Baltimore law schools; it is part of a larger effort to demand \$40 million in annual city funds to transform some of Baltimore's vacant housing into community-owned and community-developed affordable housing (20/20 Campaign). CDC student attorneys attended coalition meetings, conducted research and wrote memos, and helped to prepare "plain English" versions of housing policy issues for community education purposes.

One recent victory of the affordable housing coalition is securing a voter referendum in November 2016 to create an affordable housing

5. Baltimore Housing Roundtable, *Community + Land + Trust: Tools for Development Without Displacement*, https://d3n8a8pro7vhmx.cloudfront.net/unitedworkers/pages/239/attachments/original/1453986068/C_L_T_web.pdf?1453986068.

trust fund in Baltimore city. The trust fund would provide loans or grants for the planning, production, maintenance and expansion of affordable quality housing for low and extremely-low income families in Baltimore.⁶

IV. Still Thirsty for Justice: Advocating for Water Access and Affordability

In the spring semester of 2016, CDC students also engaged in two unique advocacy projects related to water affordability in Baltimore.

Every year, many thousands of Maryland homeowners are placed at risk of foreclosure through the state's privatized foreclosure system. Many are elderly and disproportionately African-American and have spent their lifetimes successfully paying off their homes, yet are losing those homes due to unpaid water bills and other city charges of as little as \$750.

CDC students used their legal skills to assist with free legal advice clinics and to represent homeowners at administrative agency meetings to dispute incorrect water bills and prevent homeowners from losing their homes to real estate speculators and others. The CDC student attorneys' work is helping to prevent homeowners from being stripped of the American Dream and also to prevent homes from being placed into the hands of real estate speculators, many of whom then leave the homes empty or in limbo, further contributing to the decline of Baltimore's neighborhoods.

In March 2015, the City of Baltimore announced plans to shutoff water service to 25,000 households, affecting 60,000 to 75,000 people, who were \$250 or more behind on their water bill.⁷ Approximately 600 households per week experienced a water shutoff last spring, simply because a disproportionate number of poor, Black families were unable to afford their outstanding bills. According to a report by Food & Water Watch, water service in Baltimore is unaffordable for one-third of all Baltimore households.⁸ The collateral consequences of a water shutoff are severe. Families are exposed to serious health risks, can be evicted, and children can be removed by the state. CDC students have been working on a "right to water" project, conducting research, interviewing directly affected residents, and gathering information for a human rights complaint. As a part

6. Colin Campbell, *Baltimore will vote on affordable housing trust fund in November*, BALT. SUN, Aug. 29, 2016, <http://www.baltimoresun.com/news/maryland/baltimore-city/politics/bs-md-ci-housing-charter-amendment-20160829-story.html>.

7. Cheryl Conner, *Baltimore City to send water turnoff notices to 25,000 delinquent customers*, ABC NEWS (Mar. 27, 2015), <http://www.abc2news.com/news/region/baltimore-city/baltimore-city-to-send-water-turnoff-notice-to-25000-delinquent-customers>.

8. Food and Water Watch, *Baltimore Must Stop Household Water Shutoffs: An Analysis of Key Facts, Figures, and Trends* (Apr. 23, 2015), https://www.foodandwaterwatch.org/sites/default/files/baltimore_water_shutoff_analysis.pdf.

of the project, the CDC has participated in a civil society fact-finding meeting with the UN Working Group of Experts on People of African Descent and submitted written testimony to the Inter-American Commission of Human Rights in a hearing on the right to water in the United States.

Unfortunately, in the midst of the current water affordability crisis, the Baltimore Board of Estimates recently voted to increase water rates by 33% over the next three years.⁹ As a result, CDC is continuing to work with a broad coalition to advocate for an income-based water affordability plan.

V. Building Capacity through Community Legal Education

Another service that CDC students provide is in-person free legal education on topics of interest to community groups. Past topics have included cooperatives (a form of business that puts workers in power); laws regulating the sale of urban farm produce and home-made foods; tax rules regarding nonprofits that must support themselves through for-profit activities; and Maryland's benefit corporations law, which supports companies that wish to combine profit and social benefits.

CDC students have also shared their legal knowledge with the public by publishing nearly twenty articles on various aspects of non-profit and small business law in the online encyclopedia known as the People's Law Library, which is consulted by approximately 60,000 people each month. The People's Law Library is a branch of the Maryland Judiciary that provides free legal education to the public. Articles explain what at-home child care providers should include in their contracts with clients, how non-profit start-ups can save time and money by legally partnering with more established organizations, and how community development corporations work.

VI. Looking to the Future

Baltimore's community-based organizations continue to work towards a better future for its residents. Every day, Baltimore's organizations develop creative solutions, provide important services to residents, and advance structural policy changes. CDC is dedicated to providing legal and advocacy support to these organizations, as we collectively build a more just and equitable city.

9. Joseph Erbentraut, *Baltimore's Water Rates Just Went Up. Poor Residents Will Pay the Price*, HUFFINGTON POST, Aug. 31, 2016, http://www.huffingtonpost.com/entry/baltimore-water-rates_us_57c72a64e4b0e60d31dca76.

