

A Steady Habit of Segregation

The Origins and Continuing Harm of
Separate and Unequal Housing and
Public Schools in Metropolitan
Hartford, Connecticut

Susan Eaton



PRRAC
*Poverty & Race
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THE HELLER SCHOOL
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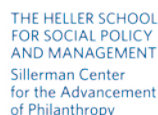
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The Open Communities Alliance is a Connecticut-based civil rights organization that promotes access to opportunity for all people through education, organizing, advocacy, research, and partnerships. The Alliance works to build an urban-suburban interracial coalition to support policies that lead to housing choice.



The Poverty & Race Research Action Council (PRRAC) is a civil rights law and policy organization based in Washington, D.C. Our mission is to promote research-based advocacy strategies to address structural inequality and disrupt the systems that disadvantage low-income people of color. PRRAC was founded in 1989, through an initiative of major civil rights, civil liberties, and anti-poverty groups seeking to connect advocates with social scientists working at the intersection of race and poverty.



The Sillerman Center at Brandeis University draws upon scholarship and practitioner experience to inform and advance philanthropic practice that aspires to achieve racial justice, remedy social and economic inequality and support true democracy. We engage emerging and established members of grantmaking communities across the United States through publications, public events, webinars, courses and fellowships.

Table of Contents

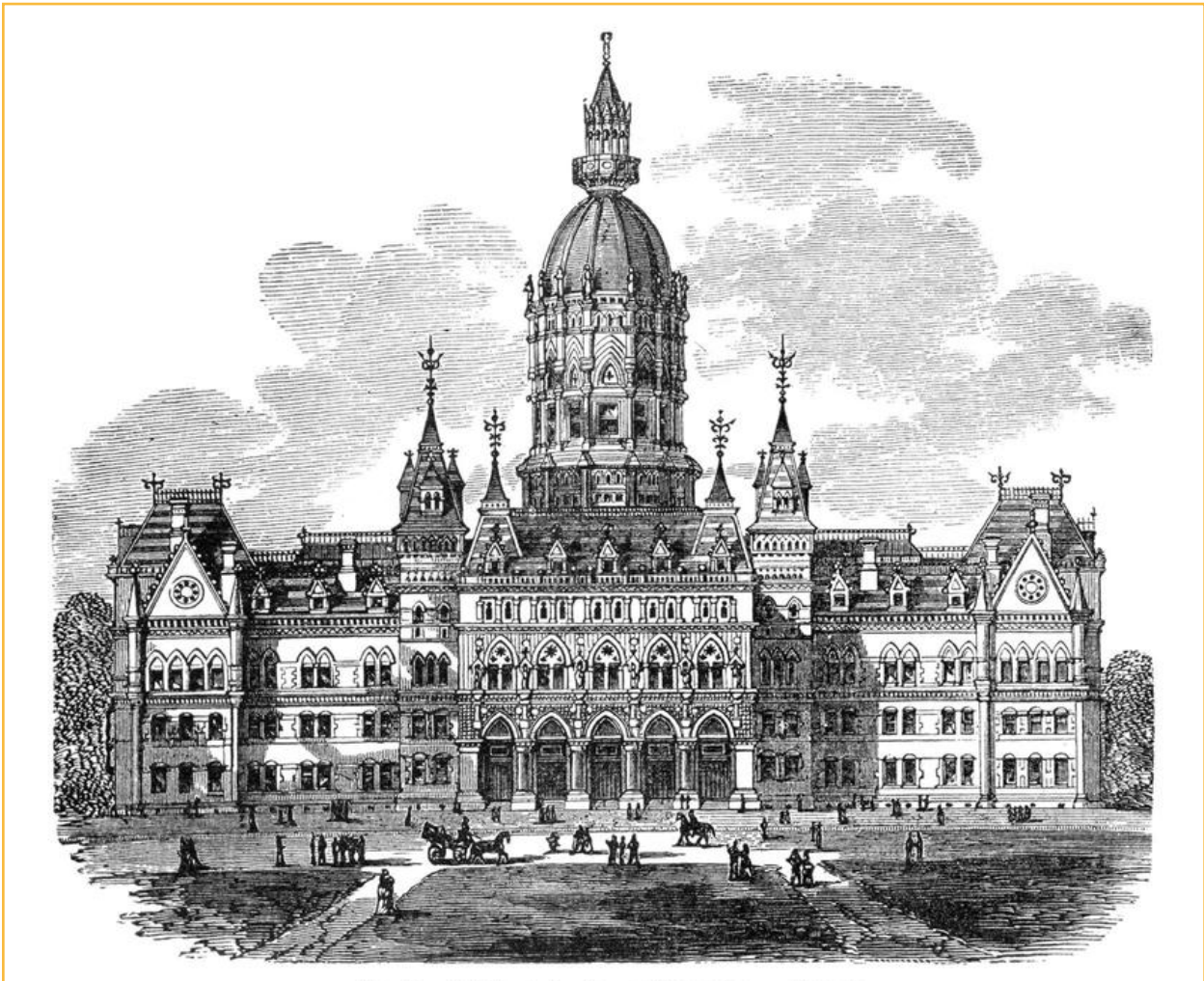
Preface	1
Executive Summary	3
Recommendations.....	5
PART 1:	7
The Current Condition and Consequences of Racial and Ethnic Segregation in Housing and Schools in Metropolitan Hartford, Connecticut	
a. In 2020, the State of Connecticut and the Hartford Metropolitan Region Are Extremely Segregated by Race and Ethnicity	7
b. Contemporary Evidence Related to Zoning, Housing, and Lending Indicates Ongoing Discrimination and Disparate Harms to Black and Latinx Residents of Connecticut	8
c. Continuing Exclusionary Zoning in Suburbia, Coupled with State Government Housing-Related Policies and Program Practices, Reinforces Segregation	8
d. Testing and Other Investigations Show That Housing Discrimination Continues in the State of Connecticut	9
e. Data from the 2000s Illuminates That Unequal Opportunities by Race and Ethnicity Are a Legacy of Housing Policy and Practices That Create and Maintain Segregation	10
f. In the 2000s, Racial Disparities in Lending Persist in Connecticut	12
PART 2:	13
The Roots, Maintenance, and Enforcement of Racial and Ethnic Segregation in Housing and Schools in Metropolitan Hartford, Connecticut	
a. In the 1830s, Overt Discrimination and Segregation Find Expression in Government Practice and Policy.....	13
b. In the 1930s and 1940s, Federal Government Home Loan Subsidies, Coupled with Institutionalized Racism in Housing-Related Industries and “Urban Renewal,” Help Drive Racial Segregation in Greater Hartford	16
c. Both before and after World War II, Public Housing and Affordable Housing Policy and Practices, and Government-Subsidized Suburban Growth, Lead to Increasing Segregation during a Period of Black and Latinx Migration	20
d. In the 1960s, State Government’s Active Rejection of Regionalism in Housing and Schools Cements Segregation in Place and Operationalizes Political Power of White Suburbia	23
e. In 1966, Local Education Officials, with State Technical Assistance, Begin a Small, Voluntary Cross-District Desegregation Program, but Commitment to It Is Unstable	28
f. Beginning in 1969, the Connecticut State Legislature Repeatedly Fails to Implement a Circumscribed Law Designed to Reduce “Racial Imbalance” in the State’s Public School Districts.....	31
g. In 1970, Black Parents in Hartford Sue the State over School Segregation in the Region	35
h. In the 1970s, after Passage of the Federal Fair Housing Act in 1968, Evidence Indicates Continuing Bias in Mortgage Lending and Insurance in Greater Hartford and Inadequate State Enforcement	36
i. In the 1970s, Suburban Officials Object to Fair Housing, and More Evidence Indicates Lax State-Level Enforcement of Fair Housing Laws	38
j. In the 1970s, Studies Show Racially Disproportionate Harm of Exclusionary Suburban Zoning, a Power Granted to Localities by the State Government	29
k. In the 1970s and 1980s, Testing for Discrimination in Housing in Greater Hartford Provides More Documentation of Lax Enforcement of Federal Law	40

A Steady Habit of Segregation: The Origins and Continuing Harm of Separate and Unequal Housing and Public Schools in Metropolitan Hartford, Connecticut

- l. Beginning in the Early 1980s, State Legislators Fail to Take Action on Bills Designed to Promote Desegregation in Public Schools41
- m. Soon after Implementation in 1980 of the 1969 Racial Imbalance Act, the Law’s Ineffectiveness in Reducing Segregation Is Evident, as Has Been Widely Predicted.....42
- n. State and Local Governments Enforce School District Borders through Criminal Penalties in the 1980s–2000s42
- o. In the Late 1980s, the State’s Commissioner of Education Calls for Action to Reduce Racial Segregation and Inequality in the State’s Public Schools43
- p. In 1989, Civil Rights Lawyers File the Sheff v. O’Neill Lawsuit Charging That by Failing to Remedy Racial and Ethnic Segregation, the State Reneged on Its Constitutional Duty to Provide an Equal Education45

Conclusion 48

Recommendations 49



Connecticut State Capitol. Source: Library of Congress.

PREFACE

In recent years, the problem of racial segregation has won sustained attention from major media outlets, prominent social commentators, and community leaders here and across the nation. Local journalists, scholars, policy experts, the State of Connecticut itself, community-based nonprofit organizations, and civil rights lawyers have all conducted excellent investigations into aspects of racial and ethnic and economic segregation in the state over several decades.

This report is significant, then, not for shiny new findings but because it brings all, or at least much, of the piecemeal evidence and records on this social problem in one place and in what we hope is an accessibly organized, explanatory format. This report was inspired in part by the 2017 book *The Color of Law: A Forgotten History of How Our Government Segregated America*, by Richard Rothstein. The book recounts the variety of policies and practices that engineered racial separation, exacting harm on Black and Latinx people, predominantly Black and Latinx neighborhoods, and on regional economies. In making his case, Rothstein draws on compelling examples from several metropolitan areas, including Chicago, St. Louis, and New York City.

This report offers a similar accounting of the nature, origins, and harms of racial segregation. But it is more granular in nature and covers just one region. This report's title invokes one of Connecticut's nicknames, "The Land of Steady Habits." First applied in the 1800s, the moniker referred to the state's inclination to elect the same people to office year after year. Electoral behavior may have changed in Connecticut, but the voluminous record here shows that racial segregation does remain the state's steady habit.



Protest outside Noah Webster Elementary School, against neighborhood school zones that created racial segregation. Hartford. Circa 1964. Source: Hartford Public Library.

This report is a collaboration between the NAACP Legal Defense and Educational Fund (LDF), the Poverty and Race Research Action Council (PRRAC), the Sillerman Center for the Advancement of Philanthropy at Brandeis University, and the Hartford-based Open Communities Alliance (OCA). The LDF played a central role in the 1989 *Sheff v. O'Neill* lawsuit in Connecticut, which successfully challenged the state's maintenance of racially segregated, unequal schools as a violation of the state's constitution. It continues to participate in negotiated remedies in response to the 1996 Connecticut Supreme Court ruling in *Sheff* in favor of families represented by civil rights plaintiffs. The Poverty and Race Research Action Council is a national leader in research and policy analysis, community-based education, and advocacy around school and housing integration, including in Connecticut. The Sillerman Center for the Advancement of Philanthropy, of which this report's author is the director, seeks to inform and advance social justice philanthropy. Grant making requires an understanding of racial segregation, which has engendered and exacerbates the many racial inequalities that social justice grant making aspires to mitigate. The nonprofit Open Communities Alliance develops, promotes, and advocates for policies that incentivize racial equity and integration. The OCA engages community members around the state on a range of issues related to inclusion, racial justice, and fairness in housing. The collaboration of these four organizations reflects our shared understand-

A Steady Habit of Segregation: The Origins and Continuing Harm of Separate and Unequal Housing and Public Schools in Metropolitan Hartford, Connecticut

ing that undoing and redressing segregation requires complementary solutions in multiple sectors. These solutions grow from a range of strategies, including litigation; policy change at local, state, and national levels; community-based education, organizing, and direct action; and aligned philanthropic investments.

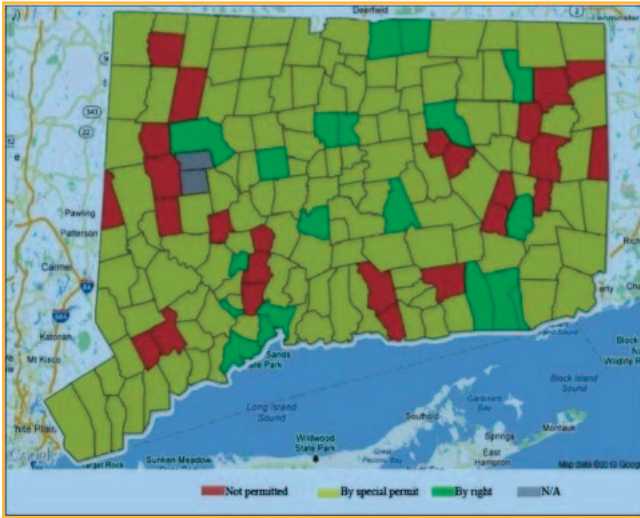
Though focused mostly on history, the findings in this report are highly relevant for current policy, practice, organizing efforts, and grant-making contexts in Connecticut. We hope this report will broaden public understanding and enhance discourse about the causes of and cures for contemporary racial disparities in wealth, health, education, and other life sectors that characterize one of the wealthiest states in our nation. We believe other metropolitan areas in Connecticut and across the nation would benefit from similar types of studies that bring together numerous sources to provide an accessible account of how segregation was created, how it has been maintained, and the harms it causes.

To complete this report, the author drew on numerous sources in the public domain, in addition to documents originally collected and organized by the staff of the Connecticut Civil Liberties Union. She built on and expanded research originally conducted for her 2007 book about the *Sheff v. O’Neill* litigation, *The Children in Room E4: American Education on Trial*. All of this is available for viewing (with permission) at the Thomas J. Dodd Research Center on the campus of the University of Connecticut at Storrs. Also vital to this effort were research and reporting conducted over decades by the Connecticut Fair Housing Center, the Open Communities Alliance, the *Hartford Courant*, files gathered and donated by former state education commissioner Gerald Tirozzi (also viewable, with permission, at UConn’s Dodd Research Center). The work of Trinity College professor Jack Dougherty and his students deserves special mention for data collection and research conducted through the Cities and Schools Project. This work proved particularly useful in sorting out chronologies and understanding the interplay of housing and school-related practice.

The author thanks the staff of the Connecticut State Library in Hartford, the staff of the *Hartford Courant*, the staff of the Thomas J. Dodd Research Center, Philip Tegeler at the PRRAC, Cara McClellan and Deuel Ross of the LDF, Erin Boggs at the Open Communities Alliance, and Sheryl Seller and Linda Lee at the Sillerman Center.

EXECUTIVE SUMMARY

The enduring condition of racial and ethnic segregation in schools and housing in metropolitan Hartford, Connecticut, is rooted in historical and contemporary racial discrimination and in practices and policies that exacted disparate harm on Black and Latinx people. School segregation both reflects and reinforces segregation in housing that was created, sustained, and exacerbated over decades.



Multifamily housing zoning restrictions in the State of Connecticut) Source: Connecticut Analysis of Impediments to Fair Housing Report.

This report tells a story. Its principal characters are government actors at local, state, and national levels, who, through deliberate action, willful neglect, or both, played integral roles in creating, sustaining, and exacerbating racial and ethnic residential and school segregation in the Hartford metropolitan region. The racial segregation we live with today was not an accident. It is rooted in racial and ethnic discrimination. Neither is this condition harmless, a simple matter of people from different racial groups living apart from each other. We know that segregation confers unequal opportunity and both reflects and worsens existing inequalities and cleavages in our society.¹

Government officials were not the sole actors in this long history, and assigning blame in precise proportions may be impossible. That does not take away from the great preponderance of evidence showing that what is often incorrectly termed “private” discriminatory action was, at best, tolerated or overlooked by government actors who have an affirmative obligation to provide equal protection of the laws and, under the state constitution, an equal education. As this report documents, until quite recently government officials even enforced school district borders through criminal penalties. The evidence offered in the following pages indicates that at many points in history, state government actors, well informed for decades about the existence, intensification, and harms of racial and ethnic segregation, could have taken action to mitigate it. But they actively chose not to. It was not until the *Sheff v. O’Neill* lawsuit, in 1989, which the State of Connecticut defended itself against for several years, and then the decision for the plaintiffs in 1996, that the problem of racial and ethnic segregation, at least in the public schools, would begin to be meaningfully addressed.

Today’s elected leaders, community members, and grant makers have decisions to make about how to move forward in light of this documented history, the continuing segregation in the region, and the harm the condition causes in multiple life sectors. We hope this report will broaden public understanding about the roots of this shared problem and help build the public will necessary to remedy it.

The evidence offered in the following pages indicates that at many points in history, state government actors, well informed for decades about the existence, intensification, and harms of racial and ethnic segregation, could have taken action to mitigate it. But they actively chose not to.

Metro Hartford Is an Extremely Segregated Region

By all available measures, both the state of Connecticut and the Hartford metropolitan area have extremely high levels of racial and ethnic segregation in housing and public schools relative to other metropolitan areas in the United States. In Connecticut, more than two-thirds of people of color live in only 15 of the state's 169 cities and

towns.² Connecticut is an extremely fragmented state, with 169 municipalities and accompanying governments with insignificant, weak regional governance. Most of these cities and towns operate their own schools and districts. There are 170 school districts in the state.³

By all available measures, both the state of Connecticut and the Hartford metropolitan area have extremely high levels of racial and ethnic segregation in housing and public schools relative to other metropolitan areas in the United States.

The Driving Forces of Segregation

In metro Hartford and elsewhere, racial segregation emerged from and has been maintained by myriad intertwined forces. Evidence collected in this report points to three particularly powerful drivers:

- 1) Federal, state, and local government action and willful inaction, including repeated rejections of regionalism in favor of local discretion regarding housing and education practices. Government actors at all levels made decisions with knowledge that their decisions would increase racial segregation and exact harm on Black and Latinx children and families.
- 2) Racially discriminatory action on the part of institutions, industries, and individuals, over which state government failed to employ adequate enforcement authority.
- 3) Contemporary and continuing government action, including fidelity to and enforcement of school district borders and well-documented exclusionary housing-related practices, which state officials have long known to buttress and exacerbate segregation.

The purpose of this report is to increase awareness both of the role of government and other actors in creating and cementing segregation and of the consequences of the condition of racial and ethnic separation. The hope is that this knowledge will inspire redress in the form of holistic policy making in multiple sectors, including housing, education, health, and economic development. This report can also inform grant making that acknowledges and seeks to address root causes of racial inequality, an inequality long a hallmark of the state of Connecticut.⁴ The report offers recommendations to inform these conversations, from which more and better ideas will surely emerge.

RECOMMENDATIONS

- 1) Support **more opportunities for regionalism** in public schooling and housing practice and policy.
 - a) The state's long-standing allegiance to "local control" handcuffs children's public school assignments to their places of residence. Making school borders more porous is a way **to interrupt segregation** and is an underlying goal of the *Sheff* remedies. Support of opportunities for integration through *Sheff*-related remedies makes sense, as do public consideration and conversation around regionalism outside a litigation context.
 - b) Commitment to regionalism could **create more affordable housing outside cities and predominantly Black and Latinx neighborhoods**. For example, expanding the jurisdiction of local housing authorities would enable them to develop housing units beyond the community in which those authorities are located. Also, this would make it easier for Housing Choice Voucher holders to move across municipal lines.
 - c) A fully funded, more effective "mobility counseling" program would **assist families who wish to move from segregated, often "low-opportunity" neighborhoods to communities of higher opportunity**. Grant makers could also support such efforts. Such programs have historically been underfunded by the state and suffered from weak accountability.
- 2) Support and collaborate with nonprofit organizations⁵ engaged in awareness raising, public deliberation, and direct action with regard to **redress for African American and Latinx communities in Connecticut harmed by government-created segregation**. Redress could come in a variety of forms, including investments in predominantly Black and Latinx neighborhoods, efforts to prevent displacement as a result of gentrification, and programming to support equitable integration.
- 3) Support **investigations into individual communities' resistance to fair and affordable housing and/or school desegregation**. State officials, nonprofit organizations, and community members could co-create remedial plans accordingly. Grant makers in particular could play a key role here in supporting research and community engagement.
- 4) Support **development of school curriculum** that builds community knowledge about the roots and consequences of the demographic patterns in specific municipalities, in the Greater Hartford region and the state. Related to this, support community-based education about the roots of segregation and potential solutions, along with related topics. This might include panel discussions and civic engagement efforts that enable community members to "de-design" or "un-design" segregation and develop innovative practices that would support equitable, diverse communities.
- 5) **Make it easier for developers to build affordable housing in communities that lack it**. To do this, lawmakers and advocates must strengthen and enforce the state's existing law known as 8-30g, which makes it easier for developers to build affordable housing in communities that have low relative shares of affordable housing.

- 6) **Enforce and Improve Implementation of Current Zoning and Planning Laws.** Connecticut General Statute Sec. 8-2 sets out a number of standards requiring that towns zone for housing diversity and play an appropriate role on hosting a portion of their region’s affordable housing need. Such requirements need to be followed by towns and enforced by the state, ideally through a “fair share housing” regime, akin to the policies in place in New Jersey wherein each town is required to zone for a fair proportion of the affordable housing demand.



1855 Map of Hartford County. Source: Library of Congress

PART 1:

The Current Condition and Consequences of Racial and Ethnic Segregation in Housing and Schools in Metropolitan Hartford, Connecticut

This section begins with an overview of contemporary levels of racial, ethnic, and economic segregation in housing and schools in metropolitan Hartford and the ways in which that segregation exacts disparate harms on Black and Latinx people. It then provides a retrospective exploration of the many factors that contributed to the creation and maintenance of racial, ethnic, and economic segregation that is still with us today.

a. In 2020, the State of Connecticut and the Hartford Metropolitan Region Are Extremely Segregated by Race and Ethnicity

By all available measures, both the state of Connecticut and the Hartford metropolitan area have extremely high levels of racial and ethnic segregation in housing and public schools relative to other metropolitan areas in the United States. In Connecticut, more than two-thirds of people of color live in only 15 of the state's 169 cities and towns.⁶ Connecticut is an extremely fragmented state, with 169 municipalities and accompanying governments with insignificant, weak regional governance. Most of these cities and towns operate their own schools and districts. There are 170 school districts in the state.⁷

There are a variety of ways to measure segregation within regions. The most commonly used measure is the "dissimilarity index." This measures whether a particular racial group is distributed across a region in the same way that another racial group is. Thus, a dissimilarity index of "0" reflects absolute integration, with no group needing to move in order to accomplish even distribution. A value of "1" is absolute segregation, with all members of one of the groups needing to move to achieve equal distribution. The US Office of Housing and Urban Development considers a dissimilarity index at above .55 to reflect "high" levels of segregation.⁸ In Hartford's defined Labor Market Area (LMA), the dissimilarity index between Hispanic and whites is .62. For Black and white people it is .71. This places the Hartford LMA as the ninth most segregated in the nation among the nation's one hundred large metropolitan areas for Latinx and whites, and thirty-fourth in the nation among the nation's one hundred largest metro areas for Blacks and whites.⁹

It is true that several municipalities near Hartford have become more racially and ethnically diverse in relatively recent years.¹⁰ But even with these striking demographic changes, measures of segregation, overall, remain high. That said, unlike many other demographically similar metro areas in the Northeast, such as in the neighboring state of Massachusetts, there has been a modest decline in measures of school segregation in Connecticut.¹¹ A recent study posits that this is in large part due to the *Sheff v. O'Neill* remedy, which created opportunities for children to cross district lines to attend magnet schools or to transfer outside their school district. It is due, too, to migration of Black and Latinx families from the state's major cities to inner-ring suburbs.¹²

By all available measures, both the state of Connecticut and the Hartford metropolitan area have extremely high levels of racial and ethnic segregation in housing and public schools relative to other metropolitan areas in the United States.

b. Contemporary Evidence Related to Zoning, Housing, and Lending Indicates Ongoing Discrimination and Disparate Harms to Black and Latinx Residents of Connecticut

The next three subsections offer a truncated overview of contemporary evidence of government and private industry practices that sustain or exacerbate racial and ethnic segregation subsequent to the *Sheff v. O'Neill* decision. This information is relevant because it demonstrates the entrenched nature of these problems and the continuing need for counterforces to mitigate the condition of segregation and its attendant concentrated poverty. Both these conditions are strongly associated with a host of unequal outcomes in health, economics, and education.

c. Continuing Exclusionary Zoning in Suburbia, Coupled with State Government Housing-Related Policies and Program Practices, Reinforces Segregation

In 2006, some seventeen years after the passage of a Connecticut law referred to as 8-30g that aims to incentivize fair and affordable housing, the Brookings Institution conducted a review of land-use policies in the nation's 110 largest metropolitan areas. The review described the Hartford metropolitan area as "among the most racially and ethnically segregated regions" in the United States, with an overall declining urban population that "still sprawls rapidly." The report states, "Metropolitan Hartford is an intensely exclusionary region, dominated by small and medium-sized towns that obstruct the construction of apartments and do little to encourage long term afford-

ability. The region's population has grown slowly in recent years but still sprawls rapidly. Furthermore, it is among the most racially and ethnically segregated regions in the United States, especially for a medium-sized metropolitan area." Specifically, the report showed "low-density only" zoning to be "rampant" in the region.¹³

	School test-score gap	Zip code segregation in student enrollment-low-income from middle/high-income
Highest school test-score gaps		
Bridgeport-Stamford-Norwalk, CT	36.9	0.61
Hartford-West Hartford-East Hartford, CT	34.5	0.54
Milwaukee-Waukesha-West Allis, WI	32.8	0.55
New Haven-Milford, CT	32.5	0.53
Buffalo-Niagara Falls, NY	31.1	0.47
Baltimore-Towson, MD	31.1	0.50
Rochester, NY	31.0	0.47
Akron, OH	30.9	0.48
Philadelphia-Camden-Wilmington, PA-NJ-DE-MD	30.8	0.53
Cleveland-Elyria-Mentor, OH	30.3	0.49

Highest School Test-Score Gaps and Economic Segregation Levels, 100 Largest Metro Areas, 2010–2011. Source: Jonathan Rothwell, *Housing Costs, Zoning, and Access to High- Scoring Schools* .

submitted its required "Analysis of Impediments" report to the federal government.¹⁴ Based on a review of the zoning ordinances of nearly all the municipalities in Connecticut, the report concludes "it appears that zoning regulations often create a barrier to the development of affordable housing and the expansion of housing choices for low-income Connecticut residents who are disproportionately people of color."¹⁵ The analysis indicated that nearly 57.4 percent of municipalities do not include provisions for affordable housing in their zoning ordinances. Of those municipalities that mention affordable housing, 95 percent require a special permit for such development, and 68 percent limit affordable housing to certain zones. Twenty-five municipalities do not permit new construction of multifamily housing.¹⁶

In 2017, the Connecticut Fair Housing Center study *Are Local Land Use Policies and Practices Contributing to Housing Segregation in the Hartford MSA?* found that only 13 percent of municipalities in Hartford's Municipal

In 2015, the Connecticut State Department of Housing

Statistical Area in 2017 “met the 10 percent threshold for affordable housing” as set out in 8-30g, Connecticut’s Affordable Housing Land Use Appeals Act.¹⁷

In 2017, the State Legislature changed the provisions of 8-30g, making it easier for towns to win exemptions from the law’s requirements.¹⁸

In 2019, an investigation by the *Connecticut Mirror* and ProPublica found that more than three dozen Connecticut towns have blocked construction of privately developed duplexes and apartments over two decades, typically through “exclusionary zoning.” In eighteen of those towns, the blocking of multifamily housing had occurred over nearly three decades.¹⁹

In 2019, the Open Communities Alliance reviewed data related to Connecticut’s administration of the federal Low-Income Housing Tax Credit program (LIHTC). This program provides financial assistance to encourage developers to build and rehabilitate affordable housing. The state allocates these tax incentives. In recent years, the OCA’s analysis demonstrated, the state provided tax credits to projects located in “low-opportunity,” highly segregated communities, thereby reinforcing segregation. Specifically, the OCA found that since the LIHTC program began in 1987, and through the end of 2018, about 76 percent of LIHTC developments in the state were in what the OCA assessed were “Low or Very Low Opportunity areas as defined by the Department of Housing.” Just 12 percent of such developments have been placed in “High and Very High opportunity areas.”²⁰ The 2019 analysis by ProPublica and the *Connecticut Mirror* aligned with the OCA’s findings, noting that since the mid-1980s, the state had awarded about \$2.2 billion in low-income housing tax credits, leading to the construction of twenty-seven thousand units of affordable housing, about 80 percent of which—as the OCA had cited—were built in the state’s poorer communities.²¹

In a 2015 federal study of twenty-one states, Connecticut had the second-highest concentration (after Mississippi) of affordable housing in areas of concentrated poverty.²²

Lastly, it is telling that the state’s most recent “Plan of Conservation and Development” (POCD), from 2018, contains no goals for fair housing or discussion or mention of housing segregation. The POCD is the “primary state document guiding land and water conservation and development.”²³

d. Testing and Other Investigations Show That Housing Discrimination Continues in the State of Connecticut

For its 2015 “Analysis of Impediments” report, the Connecticut Fair Housing Center (CFHC) reviewed ten years of real estate testing data that evaluated “differential treatment” based on race or ethnicity.²⁴ The CFHC reviewed thirty-one rental tests and twenty-seven home sales tests. In rental test results, Black testers, in 75 percent of the tests conducted, experienced at least one barrier that would have prevented them from obtaining an apartment “on par” with that obtained by their white counterparts. Non-Hispanic white testers experienced at least one barrier that would have prevented them from obtaining an “on par” apartment in 12.5 percent of the tests.²⁵ According to the CFHC, “These numbers do not fully convey the vastly different experiences of the paired testers.” In five of the tests, according to the CFHC, “the Black tester was confronted with more than one behavior that would have prevented him or her from obtaining equivalent housing. In one of these, the Black tester encountered four such barriers.”²⁶

A 2020 investigation by the *Connecticut Mirror* and ProPublica found that people who hold Section 8 housing vouchers are often steered toward housing in high-poverty neighborhoods. An analysis of the federal data shows that in Connecticut, 55 percent of the state's nearly thirty-five thousand Section 8 voucher holders live in neighborhoods of concentrated poverty. This rate is higher than the national average of 49 percent and higher than the rate in forty-three other states. (About 80 percent of the state's Section 8 voucher holders are either Black or Latinx.)²⁷

One way to reduce these inequalities and patterns of segregation is through what is called mobility counseling, a practice that has been shown to be an effective component in aiding geographic and social mobility.²⁸ When well implemented, such programs act as counterforces to racial and ethnic discrimination and to inequality of information about neighborhood opportunities. Mobility counselors help families learn about the various benefits of

Mobility counseling also can help tenants with budgeting and money management and help families identify and secure access to rental units.

neighborhoods, particularly about neighborhoods with which families may not be familiar. Mobility counseling also can help tenants with budgeting and money management and help families identify and secure access to rental units. Counselors can also provide ongoing guidance and support and referrals to services. In an updated 2019 analysis of Connecticut's Mobility Counseling Program, the Open Communities Alliance found the program, created in 2002, to be "under-performing."²⁹ For more than a decade, the state contracted with providers in Hartford and Bridgeport, but performance was "weak," falling "far short of programs elsewhere in the country,"³⁰ with just 10 percent of program participants moving to areas that were not predominantly Black and/or Latinx racially segregated neighborhoods. The OCA cited lack of adequate funding and weak accountability. In 2015, at the end of the contract term, the state

issued a request for new proposals. The OCA noted that the new contract offered more money to the contractors. However, based on the reports from the mobility contractors to which the OCA was provided access, only nine families moved to "high or very high opportunity areas over the last two and a half to three years."³¹

e. Data from the 2000s Illuminates That Unequal Opportunities by Race and Ethnicity Are a Legacy of Housing Policy and Practices That Create and Maintain Segregation

A 2009 far-reaching study of access to opportunity for different racial groups in Connecticut reveals the legacy of redlining ratings. Researchers from the Kirwan Institute at Ohio State University conducted a comparative analysis between historic redlining maps of 1937 and the researchers' own maps that, by considering several variables, designated areas of "high" or "low" or "very low" opportunity. Their analysis shows that only 3 percent of Grade A lending areas (these would have been green on the color-coded Home Owners Loan Corporation maps) are now areas of very low opportunity. But nearly 100 percent of the Grade D—or "redlined"—areas from 1937 are still at present areas with "very limited" access to opportunity.³²

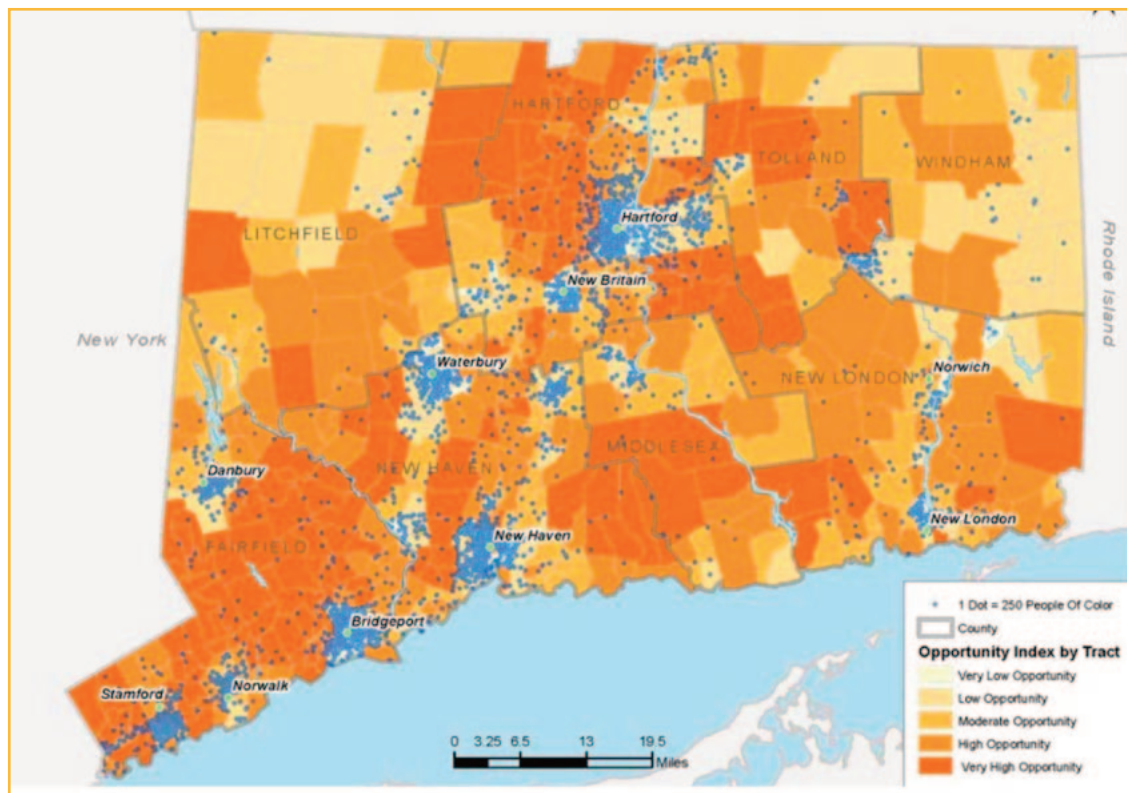
In 2012, researchers from the Brookings Institution explored the relationship between the location of inexpensive housing and student test score gaps. Overall, they concluded, "Limiting the development of inexpensive housing in affluent neighborhoods and jurisdictions fuels economic and racial segregation and contributes to significant differences in school performance across the metropolitan landscape."³³ Of the one hundred largest metropolitan areas, the Hartford region had the second-largest test score gap between low-income and high-income students, correlating with its high segregation levels relative to other metropolitan areas.

In 2017, the nonprofit Open Communities Alliance even more precisely examined the implications of the location of government-supported affordable housing made available via five distinct state programs.³⁴ Researchers overlaid their findings about where such housing was located onto previously created maps that incorporated several variables to determine the level of “opportunity” available in particular communities.³⁵ This research found, in OCA’s words, “a consistent pattern and in many ways an old story.”³⁶ Specifically, OCA data shows that not only are Blacks and Latinos living in “struggling, opportunity-isolated” areas at far higher rates than other groups, but that in the state, government-supported affordable housing is located overwhelmingly in areas “assessed as having fewer opportunity structures, such as higher performing schools, that lead to success in life.” One of the key state laws supporting this result is a law that limits local housing authority jurisdiction to the municipal boundaries of the city where it is located (and Connecticut’s segregated cities are geographically quite small).

Considering this data, the Open Communities Alliance recommended that the state “explore broader housing authority jurisdiction.” Such a change would permit housing authorities to extend their jurisdictions to thriving communities within a certain radius of their municipal lines, allowing them to function regionally.³⁷

f. In the 2000s, Racial Disparities in Lending Persist in Connecticut

In 2014, the Hartford metropolitan area ranked fifth of twenty-two US metro areas with the most significant racial disparities in lending.³⁸ Also that year, the Connecticut Fair Housing Center’s testing report revealed that African Americans received less-favorable treatment in 50 percent of mortgage-lending race tests conducted. Also, the



People of Color in Connecticut by Census Tract Opportunity Assessment. Higher Opportunity areas are more likely to have lower rates of crime and poverty, higher performing schools and other resources found to contribute to overall success in life. Source: Out of Balance: Subsidized Housing, Segregation and Opportunity in Connecticut, Open Communities Alliance, Hartford, Connecticut.

A Steady Habit of Segregation: The Origins and Continuing Harm of Separate and Unequal Housing and Public Schools in Metropolitan Hartford, Connecticut

In 2014, the Hartford metropolitan area ranked fifth of twenty-two US metro areas with the most significant racial disparities in lending. In 2016–17 the Connecticut Fair Housing Center found that in a variety of tests, 53 percent of all tests showed that the tester of color was treated less favorably than the white tester.

center found that 75 percent of race home-sales tests showed differential treatment, with African American testers receiving less favorable treatment than whites.³⁹

The Fair Housing Center then released a 2016–17 report based on mortgage-lending testing throughout the state. It found that from 2010 to 2014, African Americans and Latinos were denied home-mortgage loans more often than whites, even when controlling for income. Also, African Americans defined as “very high-income” were more likely even than whites defined as “low income” to be denied home purchase and refinance loans. Mortgage lending, the center found, is “depressed in racially diverse and majority non-white neighborhoods.” Regardless of race and income, the center found, applicants from such communities are “less likely” to obtain home loans.⁴⁰ In 2016–17 testing, the center found that in a variety of tests, 53 percent of all tests showed that the tester of color was treated less favorably than the white tester.⁴¹

PART 2.

The Roots, Maintenance, and Enforcement of Racial and Ethnic Segregation in Housing and Schools in Metropolitan Hartford, Connecticut

With the current-day levels of segregation clear, this report turns to a retrospective exploration of factors that have contributed and continue to contribute to this pattern. This report aims for a chronological and topical organization, though the facts did not always lend themselves to such treatment. The report deliberately merges information about housing and schools. Most academic and popular treatments of these topics tend to separate considerations of housing and schools. This surely provides a cleaner organization for writers, but we believe that separating historic explorations of these two interlocking domains obscures the symbiotic nature of residential and school segregation, as well as the ways that government actors in the two sectors reinforced each other over time.

This section (a) documents the growth of residential and school segregation and (b) explores intertwined factors that contributed to the mutually reinforcing conditions of school and housing segregation in the metro area. These factors include government action and inaction; biased mortgage lending; insurance redlining; documented discrimination by actors in the real estate and insurance industries; highway construction and urban renewal; zoning; public housing-related policy and practices; government-funded school construction and government-enforced school district boundaries; and continued support of school district fragmentation and suburban control in the face of overwhelming knowledge about the harm of segregation.

With the current-day levels of segregation clear, this report turns to a retrospective exploration of factors that have contributed and continue to contribute to this pattern.

This section concludes with the 1996 Connecticut Supreme Court decision in the *Sheff v. O’Neill* desegregation case and the negotiated remedies. We end here because it was not until this decision that the problem of segregation, at least in the region’s schools, would begin to be meaningfully addressed by state government. An analysis of the *Sheff* remedies to date is far beyond the scope of this report and has received rigorous attention elsewhere both in court proceedings and academic contexts.

a. In the 1830s, Overt Discrimination and Segregation Find Expression in Government Practice and Policy

In 1819, Hartford’s approximately six thousand residents lived on thirty-eight unpaved streets. Officials would extend the city’s boundaries four times between 1820 and 1850, as the population more than doubled to seventeen thousand. In the early to mid-nineteenth century, Hartford’s thousand or so African Americans, about 2 percent of the population then, had a variety of occupations. African Americans made shoes and dresses, cooked, cleaned, and chauffeured for the aristocracy. They laid bricks, built buildings, and lived all about the city.⁴²

In 1830, the state legislature passed a law that established “separate but equal” schools in the city of Hartford. A school in what would now be considered downtown was created exclusively for Black children.⁴³ A few years later, the legislature passed another law that demonstrated its desire to limit the number of Black residents in the state. That year, a young Quaker woman named Prudence Crandall had started a residential school in the town of

Canterbury for African American students. In response to this, the state passed Chapter IX of the Public Acts, which prohibited educational institutions for African Americans who were not residents of the state. The law's

preamble notes the establishment of "literary institutions in this state for the instruction of colored persons belonging to other states and countries, which would tend to the great increase of the colored population of the state, and thereby to the injury of the people."⁴⁴

By 1850, more than half of the city's Black residents had been born in Connecticut. Later, either urged by relatives and often recruited by employers, other Black people fled north from Georgia, Virginia, and Maryland and either boarded with employers or rented apartments near downtown.⁴⁵ Most Black social institutions—churches and the then officially segregated so-called "African" school—were located in what today would be referred to as downtown.⁴⁶ What would become Hartford's identifiable Black neighborhoods to the north and, much later, Latinx neighborhoods in both the city's north and southwestern sections, was still mostly farmland at this time.

Until about 1860, when immigrants from Ireland, Italy, and other European countries began migrating to Hartford, Black people had a hold on low-level employment. Some African Americans,

most of them Connecticut-born, owned businesses such as tailor and cobbler shops, in what would become the mostly white South End and, much later, a Puerto Rican enclave. Factory owners, meanwhile, contributed to make transportation enhancements in the area, helping to link the southern neighborhood, home to many African Americans, to the city center. Property values there increased as Hartford prospered.⁴⁷ Also in mid-century, the railroad was established. Business leaders recognized Hartford's potential as a manufacturing hub. By the end of the Civil War, Hartford's population had risen to forty thousand, with half the residents working in one of several hundred factories.⁴⁸ West Hartford, once a division of Hartford, became a separate town in 1854.

In 1866, the state's Supreme Court of Errors declared in an advisory opinion to the legislature that African Americans were "citizens."⁴⁹ Two years later, a town meeting was held in Hartford to determine "whether white children shall be forced to mix and miscegenate with negroes in the

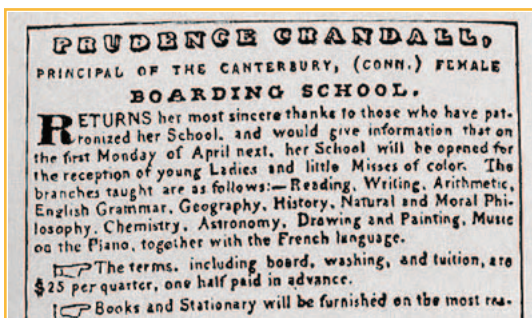
IN ADDITION, passed 1833.

WHEREAS, attempts have been made to establish literary institutions in this state for the instruction of colored persons belonging to other states and countries, which would tend to the great increase of the colored population of the state, and thereby to the injury of the people : Therefore,

SECT. 1. BE it enacted by the Senate and House of Representatives in General Assembly convened, That no person shall set up or establish in this state any school, academy, or literary institution, for the instruction or education of colored persons who are not inhabitants of this state, nor instruct or teach in any school, academy, or other literary institution whatsoever in this state, or harbor or board, for the purpose of attending or being taught or instructed in any such school, academy, or literary institution, any colored person who is not an inhabitant of any town in this state, without the consent, in writing, first obtained of a majority of the civil authority, and also of the select-men of the town in which such school, academy, or literary institution is situated ; and each and every person who shall knowingly do any act forbidden as aforesaid, or shall be aiding or assisting therein, shall, for the first offence, forfeit and pay to the treasurer of this state, a fine of one

* 3 C. R. 6.

This law was passed by the Connecticut General Assembly, May, 1835.



Prudence Crandall's advertisement for the opening of her school *The Liberator* (Boston, MA), 1833 Source: The Prudence Crandall Museum, Canterbury, CT

schools.”⁵⁰ A local ordinance passed at the meeting declared, “It should not be lawful for any of the colored children residing therein [in five of the town’s then-attendance districts] to attend upon or be educated in any of the schools of said districts, but it shall be the duty of said children to attend said Pearl Street colored School.”⁵¹

In 1868—the year that the Fourteenth Amendment to the US Constitution was ratified—the state legislature amended its previous law that had established separate schools for Black children in Hartford, thereby overriding the local Hartford ordinance. The amendment provided for “open enrollment without regard to race or color.”⁵²

Since at least 1909, by state statute,⁵³ schoolchildren in Connecticut have been assigned to the public school district in which they reside.

By 1880, eight hundred factories with twenty-one thousand workers operated in the city, and immigration was at its highest point.⁵⁴ In the early 1900s, 60 percent of Hartford’s African Americans still lived outside of Hartford’s North End, which would in the coming years become the city’s most identifiable Black neighborhood. Like the rest of the American North, Hartford was shifting from an agricultural to an industrial economy. World War I upped industrial production. Warehouses lined the banks of the Connecticut River. Connecticut became the nation’s most industrialized state.⁵⁵



Likely home of the former Pearl Street Colored School, Pearl Street. Source: Connecticut Historical Society.

In 1868, a local ordinance passed that declared: “It should not be lawful for any of the colored children residing therein [in five of the town’s then-attendance districts] to attend upon or be educated in any of the schools of said districts, but it shall be the duty of said children to attend said Pearl Street colored School.”



Emmet J. Scott, Author of *Negro Migration During the War* (1920) and other seminal works.

In the decades that followed, climbing rents, coupled with discrimination, drove Black people away from the newly valuable southerly section of the city. Speculators bought out Black owners.⁵⁶ Most landlords there then refused to rent to African Americans.⁵⁷ In the city’s North End, home to working-class Jewish and Italian immigrants, landlords responded to African Americans’ limited options by setting high rents for cramped quarters.⁵⁸ For decades, though, the North End area would remain racially mixed. After the end of Reconstruction, with the imposition of Jim Crow laws and violent oppression throughout the South, Black southern migration to Hartford nearly tripled from 1900 to 1920. By 1920, 4,119 Blacks lived in the city.⁵⁹

In his 1920 book, *Negro Migration during the War*, Emmet J. Scott wrote of Hartford, “It was discovered that there was, at that time, plenty of work and at good wages, but the universal complaint was the lack of homes suitable for proper living and the extortionate prices asked for rents.” Of migrating African Americans, Scott wrote, “They were obliged to live in

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A Steady Habit of Segregation: The Origins and Continuing Harm of Separate and Unequal Housing and Public Schools in Metropolitan Hartford, Connecticut

poor tenements and under unhealthful conditions because accommodations of another class were withheld from them. Negroes in Hartford were suffering from the cupidity of landlords.”⁶⁰



Hartford railroad and industries. Circa 1900. Source: Connecticut Digital Archive, University of Connecticut.

During the Black migration up to and after World War II, the National Association of Real Estate officials had openly acknowledged a policy to restrict the movement of African Americans and other new arrivals. The article in its 1924 charter reads, “A Realtor should never be instrumental in introducing into a neighborhood . . . members of any race or nationality . . . whose presence will clearly be detrimental to property values in that neighborhood.”⁶¹

In 1941, as a result of another state statute, the public school district boundaries in Hartford became officially coterminous with the boundaries of the city of Hartford. This statute applied in like manner to all municipalities. This law, in tandem with the 1909 statute mandating that students attend their district schools, created the regulatory underpinning for the maintenance of racial segregation throughout the state’s public schools.⁶²

b. In the 1930s and 1940s, Federal Government Home Loan Subsidies, Coupled with Institutionalized Racism in Housing-Related Industries and “Urban Renewal,” Help Drive Racial Segregation in Greater Hartford

The legacy of federal home-loan guarantees, coupled with institutionalized racism in real estate appraising and

lending, is manifest in racial segregation and wealth inequality in the nation’s metropolitan areas. This relationship is exceedingly well documented: the federal government supported and insured lending exclusively to whites in suburban areas on a massive scale, and simultaneously “redlined” African American neighborhoods, refusing to support loans in those neighborhoods.⁶³

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Suburbanization and accompanying racial and ethnic segregation in the Hartford metro area parallel the trend in the nation at large. This government-subsidized suburbanization, which exacerbated segregation and wealth inequality,⁶⁴ was spurred on by major federal programs, two of them created as part of Franklin D. Roosevelt’s New Deal. The first, the Home Owners Loan Corporation (HOLC), created in 1933, was aimed at rescuing homeowners from foreclosure. The second, the Federal Housing Administration (FHA), created a year later, was designed to make first-time homeownership possible for more members of the middle class.

In the 1930s, homeownership was too expensive for most families. Typically, banks at that time required a down payment of 50 percent and full repayment of a loan within five to seven years. The Depression made this problem worse. Even families that did own property became unable to pay mortgages and were forced into foreclosure. This of course greatly harmed the construction industry but also reverberated in an already struggling economy. Through the HOLC, the federal government purchased mortgages headed toward foreclosure. The government then issued new mortgages with better terms, often covering 80 percent of a home’s price. These mortgages also

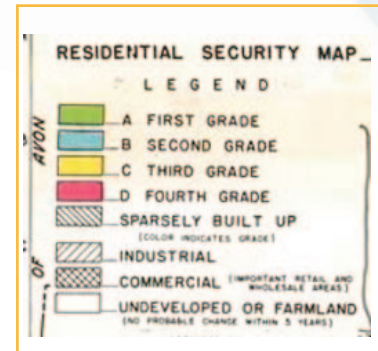
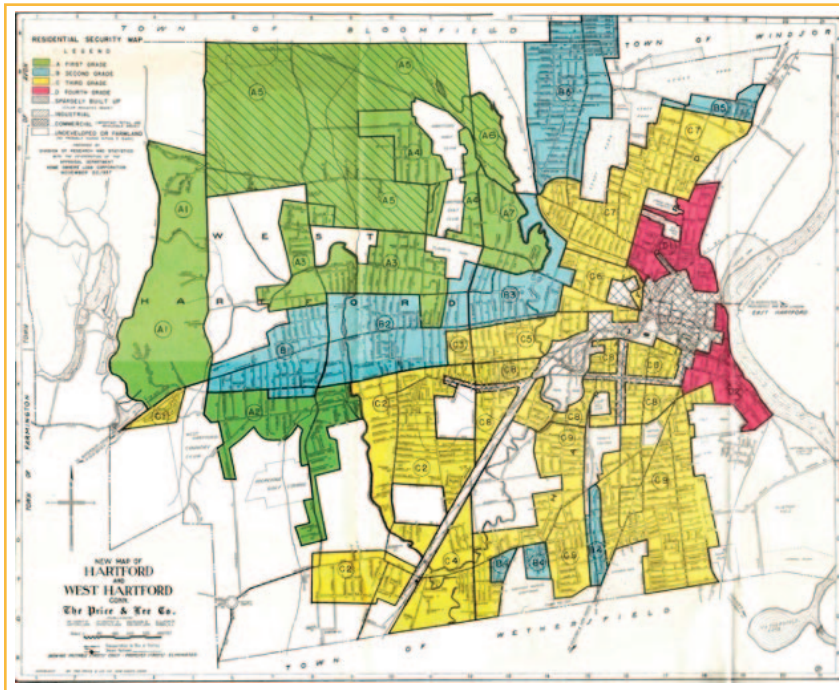
allowed homeowners to gain equity while their homes were still mortgaged. Then, after World War II, the

ARTICLE 34.

A Realtor should never be instrumental in introducing into a neighborhood a character of property or occupancy, members of any race or nationality, or any individuals whose presence will clearly be detrimental to property values in that neighborhood.

National Association of Real Estate Boards ethics handbook, 1924

National Association of Real Estate Boards, *Code of Ethics: Adopted by the National Association of Real Estate Boards at its Seventeenth Annual Convention, June 6, 1924.*



Redlining map of the Hartford area, Homeowner's Loan Corporation, 1937. Red shaded areas assessed as less desirable, in part based on the race or ethnicity of residents.

Veterans Administration (VA) began to also guarantee loans for soldiers returning from the war. These programs, too, catalyzed white movement out of cities to newer suburban neighborhoods where, as previous evidence demonstrates, African Americans (and later, Latinos) were prevented from moving by means both subtle and direct.

For a person to get an HOLC loan or for a bank to get FHA or VA insurance on loans, an appraisal was necessary. This was typically conducted by a local real estate agent. As part of the determination of value, an appraiser rated not just the home, but the neighborhood. These appraisals turned into not just an estimation of value but also subjective social critiques. Thus, the ratings hardly reflected some inherent value but rather a subjectively constructed value, based in large part on the racial biases of the appraiser and, as discussed, the institutionalized racism of the real estate industry as reflected in its manuals and documents. As noted by Richard Rothstein in his book *The Color of Law*,⁶⁵ the FHA provided real estate agents its *Underwriting Manual*, first issued in 1935. It read, in part, "If a neighborhood is to retain stability, it is necessary that properties shall continue to be occupied by the same social or racial classes. A change in social or racial occupancy generally leads to instability and a reduction in values."⁶⁶ Appraisers, the FHA urged, should grant higher ratings where "protection against some adverse influences is obtained," and that "important among adverse influences" is "infiltration of inharmonious racial or nationality groups."⁶⁷

A Steady Habit of Segregation: The Origins and Continuing Harm of Separate and Unequal Housing and Public Schools in Metropolitan Hartford, Connecticut

937. Quality of Neighboring Development. The quality of dwelling construction is significant, inasmuch as unsubstantial, flimsy construction is subject to rapid deterioration which hastens the lowering of class of occupancy. The same result may be expected for locations whose properties present freakish architectural designs. The rating will be adversely affected if the neighboring development consists of old, obsolete dwellings. The presence of overimprovement or underimprovement in the neighborhood constitutes a condition which may adversely affect location ratings. Areas surrounding a location are investigated to determine whether incompatible racial and social groups are present, for the purpose of making a prediction regarding the probability of the location being invaded by such groups. If a neighborhood is to retain stability, it is necessary that properties shall continue to be occupied by the same social and racial classes. A change in social or racial occupancy generally contributes to instability and a decline in values.

Federal Housing Administration Underwriting Manual 1938.

These government-invented ratings institutionalized the banking and real estate and insurance practice known as redlining. The ratings were translated into color-coded maps that indicated risk. Areas shaded in red represented the riskiest investments, and those in green, the safest. Green neighborhoods were “new, homogenous, and in demand in good times and bad.”⁶⁸ Identifiable, poorer Black neighborhoods were rated “hazardous” and typically shaded in red, making them ineligible for loans or insured loans. Banks went on to use these government-invented ratings when deciding whether or not to make all kinds of loans, not only for purchases but for home

improvements as well.⁶⁹ This practice diverted capital investments from neighborhoods that were either populated by Black and Latinx people or that were racially mixed. By so doing, these practices again encouraged development in white suburbs. This greatly abetted wealth building in what were (and in many cases still are) white, homogeneous communities.

Under the direction of Hartford-based Trinity College professor Jack Dougherty, students and faculty have investigated redlining in Hartford. Research conducted by the team thus far indicates that, not surprisingly, appraisers practiced redlining in the region. As the Trinity research indicates, HOLC maps from 1937 show the most predominantly Black neighborhoods shaded in red. By comparing two strikingly similar neighborhoods with different ratings, the Trinity team finds evidence to suggest the role of race in the codings. One “yellow” rated neighborhood had a small Black population, with the appraiser noting the presence of “Negroes” and thus “caution” in “the selection of loans.” The other, nearly socioeconomically identical, neighborhood, with no Black population, received a higher “blue” rating.⁷⁰

(e) No persons of any race except the white race shall use or occupy any building on any lot except that this covenant shall not prevent occupancy by domestic servants of a different race employed by an owner or tenant.

Racial covenant from High Ledge Homes in West Hartford, CT, 1940. This language was typical for racial covenants of the time .

In concert with these policies and practices, evidence gathered by the Trinity team also shows that in suburban communities in Greater Hartford, so-called race-restrictive covenants were used to ensure that only whites could purchase a particular property. Such deed restrictions were deemed unenforceable by the 1948 Supreme Court decision *Shelley v. Kraemer*. However, the racist language can still often be found in deeds. For example, the team found this language on a 1940 deed from for the High Ledge Homes on South Main Street in West Hartford: “No persons of any race except the white race shall use or occupy any building on any lot except that this covenant shall not prevent occupancy by domestic servants of a different race employed by an owner or tenant.”⁷¹

Meanwhile, government documents, US Census data, and newspaper accounts indicate that officials engaged with Hartford’s urban renewal projects likely exacerbated racial segregation in two other ways. First, they likely

aided in the racial concentration of a Black neighborhood known today as the North End. And second, related to this, they razed a racially diverse neighborhood at a time when African Americans displaced by that destruction faced discrimination in markets beyond established Black neighborhoods.

In the 1930s, city officials marked an area known as the East End and also a neighborhood around Windsor Street and adjoining areas for redevelopment when federal dollars to remove “urban blight” and clear “slums” became available. In 1934, city officials recommended in a “Slum Clearance Report” to redesign the area where most Black people lived. At this time, an estimated 7,150 Black people lived in Hartford, and about 6,200 of them lived in these areas, along with about 40,000 white people.⁷² Officials named the cause of “slums” to be the “invasion of . . . social or racial groups antipathetic to earlier inhabitants.”⁷³ In all, three areas were recommended for razing, with the East End being recommended for high-cost housing, while sites to the southeast and northwest were slated to become public housing. These two sites did eventually become public housing, one recommended for white people, the other for Black people.

The first choice for public housing—an area bounded by Main Street, Sheldon Street, and Charter Oak Avenue—would be successful precisely because, officials stressed, it would house white people. Officials praised the “homogeneity of the families who have lived here” and stated that such families “should respond more readily to the uplifting effects of better housing than other groups of low-income bracket.”⁷⁴ The families, officials noted, were of Lithuanian or Polish descent and were “a vigorous and industrious group.”⁷⁵ (In 1941, this area became the site of the Dutch Point project, originally occupied by white families.)

At the same time, the committee recognized the need for housing for Black families but assumed that such housing would be placed in predominantly Black areas. Thus, the committee recommended an already Black segregated North End area bounded by Canton, Main, Windsor, and Pavilion Streets.⁷⁶

The Slum Clearance Committee wrote, “We must admit that the Negro presents the greatest difficulty in social assimilation. . . . Other cities have already found negro housing financially successful. There is no reason why Hartford cannot try to do likewise.”⁷⁷

In 1941, the housing built in this North End area was the 500-unit Bellevue Square, which by 1957 would become an all-Black project.⁷⁸ (In 1952, the 591-unit housing project Stowe Village was built on forty-two acres near Kensington and Hampton Streets.⁷⁹

After the passage of the Housing Act of 1949 made federal funds available to the city, Hartford officials created the Hartford Redevelopment Agency (HRA). The HRA then issued a plan for redesigning the city, echoing past recommendations to redevelop the East End’s Front Street area and “adjacent Windsor Street.”⁸⁰

Prior to its demolition, the Windsor Street area had been a small neighborhood between the downtown and the North End. Census figures show that by 1960, the area was home to a nearly equal number of Black people and white people.⁸¹ The plan for the seventy-one-acre redevelopment project was initiated in 1950 and funded in large part by the federal Housing and Home Finance Agency. The plan was to clear the area and create a warehouse and industrial district served by highways and to relocate the displaced families. (After the project was completed, 1970 Census figures would show that the once racially mixed area was that year home to only thirteen residents, all of them white.)⁸²

“We must admit that the Negro presents the greatest difficulty in social assimilation. . . . Other cities have already found negro housing financially successful. There is no reason why Hartford cannot try to do likewise.”

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It was well known during the planning phases of these urban renewal and highway projects that housing discrimination in the private market would make it nearly impossible for the displaced African Americans to move to most areas of the city outside of the North End.

Documents indicate that the Hartford Redevelopment Authority worked closely with the state's highway department to coordinate the Hartford portions of interstate highways so that they would serve the central business district just to the south.⁸³ Today, the east-west Interstate 84 expressway still separates the North End from much of the rest of the city. While one can certainly drive between the North End and downtown Hartford, the highway and its exit and entrance ramps do create a visible dividing line that impedes easy accessibility between the Black neighborhoods to the north and the central business district.

A 1976 investigation of the impact of past and proposed highway construction, funded with state and federal dollars, indicated that the interstate highways I91 and I-291 primarily benefited and "facilitated" suburban commuters using private automobiles as opposed to people living in the city of Hartford.⁸⁴ Without "concurrent investments in alternative transportation programs, increased polarity between those with and those without a car will be further widened," the study concluded. And highways, the investigation stated, "would serve localities which have not encouraged, to say the least, racial and ethnic minorities from living in their communities." The problem was compounded, investigators added, by the "difficulty of racial and ethnic minorities in obtaining suburban housing and employment because of discrimination by realtors, lending institutions, exclusionary land use practices, landlords, and employers."⁸⁵

It was well known during the planning phases of these urban renewal and highway projects that housing discrimination in the private market would make it nearly impossible for the displaced African Americans to move to most areas of the city outside of the North End. Thus relocation would force African Americans into what were already considered to be the Black areas.⁸⁶ By 1970, nearly 80 percent of Hartford's Black residents still lived in the North End.⁸⁷



Tobacco workers in Windsor, Connecticut. Circa 1960s. Source: Windsor Historical Society.

At a press conference in 2016, the state transportation commissioner James Redeker would refer to Hartford as "a city that was pretty much destroyed, split apart based on construction with very different rules, very different guidelines and a very different mindset. It was about highways, not about the economy and the urban area."⁸⁸

c. Both before and after World War II, Public Housing and Affordable Housing Policy and Practices, and Government-Subsidized Suburban Growth, Lead to Increasing Segregation during a Period of Black and Latinx Migration

Industries in Greater Hartford took on World War II–related production even before the attack on Pearl Harbor. Hartford’s economy was already largely centered on the defense industry, and thus the city would become one of the most important industrial sites in the nation. In fact, thirteen hundred US troops were based in Hartford at the start of 1942 to secure defense industry production.⁸⁹ During this period, fifty-two companies looked to hire eleven thousand more workers.⁹⁰

The continuing migration of African Americans from the South to Hartford was crucial to this war effort.⁹¹ But discrimination in housing continued. As early as the 1950s, Black and Puerto Rican migration—or more exactly, white people’s discriminatory reactions to that migration—had strained private housing in Black and Latinx neighborhoods beyond its limits. By 1950, African Americans made up about 7 percent of the city’s population.⁹² Meanwhile, after World War II, FHA and VA loans incentivized suburban development and homeownership for the white middle class.⁹³

Puerto Ricans had begun migrating to Hartford in ever larger numbers too, during and after World War II, attracted by the jobs opening up as workingmen went overseas to fight. The Connecticut Civil Rights Commission’s annual report of 1953–54 estimated the Puerto Rican population of the state at five to seven thousand.⁹⁴ By 1959, the Puerto Rican population had grown to approximately twenty thousand.⁹⁵ Agricultural jobs in Puerto Rico declined during the 1950s. American sugar companies had taken over huge swaths of land, displacing farmers. In coordination with industry, the federal government set about reducing the island’s population. The US Department of Labor set up a Migration Division that placed thousands of Puerto Ricans in mainland jobs. Hartford became a major destination. Employers, including the Shade Tobacco Growers Association in Greater Hartford, hung signs in rural areas, shouted through bullhorns, and spread leaflets to entice workers.⁹⁶

State and local government officials responded to the needs and the migration by developing public housing with federal dollars.⁹⁷ However, federal government housing policies guaranteed that the poor, disproportionately people of color, stayed where they already lived. Federal policy based local housing authorities in individual cities and towns, rather than in states or counties, which might have led to a wider dispersal of housing and thus less segregation by race. In turn, local authorities chose sites for housing within their borders.⁹⁸



Nelton Court Public Housing Project. Source: Library of Congress

Hartford’s first housing project, Nelton Court, built in 1940, accommodated 146 families in the North End. The next year, the city broke ground on the 500-



Puerto Rican girl in a Hartford public school classroom. 1957. Source: Hartford History Center, Hartford Public Library

As early as the 1950s, Black and Puerto Rican migration—or more exactly, white people’s discriminatory reactions to that migration—had strained private housing in Black and Latinx neighborhoods beyond its limits.

family Bellevue Square housing project, again in the North End. In his book *Charter Oak Terrace: Life, Death and Rebirth of a Public Housing Project*,⁹⁹ David Radcliffe documents the shift that occurred over many decades in the Charter Oak Terrace project in Hartford's southwestern corner, from housing for majority white veterans and war workers in the 1940s to public housing occupied by people of color, predominantly of Puerto Rican descent.¹⁰⁰ This shift happened as white families left public housing because of rising incomes and accessibility of the suburbs, and as the migration into Hartford of African Americans and Puerto Rican residents, shut out from other housing opportunities, continued.¹⁰¹

“Hartford’s version of the south’s legal segregation finds its manifestation in the so-called North End of the city . . . predominantly one of overcrowding, dilapidation and deteriorated neighborhoods. . .

For example, in West Hartford, local officials had blatantly refused to admit Black residents into a housing development originally built for war workers. The Oakwood Acres development on West Hartford’s Oakwood Avenue had hundreds of vacancies in 1943, when many African Americans were in need of housing. West Hartford homeowners, however, were reportedly “horrified” at the idea of “Negroes” living in their neighborhood.¹⁰² The US Housing Authority informed local officials that it was unlawful to exclude occupants from Oakwood Acres based on race. Local housing officials were advised to lift race restrictions. But local authorities took advantage of a loophole by accepting applications only from “Negroes with essential West Hartford industry jobs.”¹⁰³ Only six African American families fit such a description at the time, and thus local officials were able to thwart federal law.¹⁰⁴



Oakwood Acres in West Hartford (1954) Source: Hartford History Center, Hartford Public Library.

In 1956, a *Hartford Courant* reporter, Robert Rotberg, investigated housing conditions more generally for Black residents in the North End. In part of a seven-part series, he wrote, "Hartford's version of the south's legal segregation finds its manifestation in the so-called North End of the city . . . predominantly one of overcrowding, dilapidation and deteriorated neighborhoods. . . . As in nearly every northern city, the Negro population is concentrated in one general area. There is little intrinsically good or bad about the North End as an area, but the Negro must usually live there if he wants to work in Hartford. He must rent his room or buy his house in the north end because there is no place else he may go."¹⁰⁵

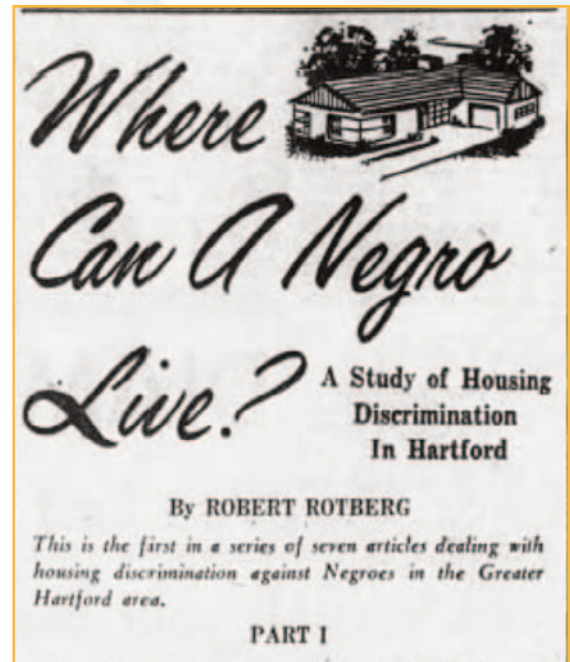
In 1957, the report of the Temporary State Commission to Make Studies of and Recommendations for Housing throughout the State was submitted to the legislature. The report stated that in Connecticut, "discrimination against negro tenants in our cities and against negro owners in our suburbs continues to be practiced" and that the "adverse" effect of the housing shortage on Connecticut's "Negro families is generally severe." Citing a previous 1957 report titled *Racial Segregation in Private Residential Neighborhoods in Connecticut* from the Connecticut Commission on Civil Rights, the Temporary Commission stated, "It is virtually impossible for a Negro to secure rental housing outside of established Negro neighborhoods."¹⁰⁶

Around the same time, the Connecticut Commission on Civil Rights issued a report on a study of racial integration in public housing throughout the state. At that time, forty-three local housing authorities operated in the state, managing 146 housing projects. The study found that about two-fifths of all projects were "integrated," and two-fifths were "segregated," with another fifth exhibiting no discernible pattern.¹⁰⁷

A 1957 survey of racial integration in private neighborhoods found that Black residents experienced "more difficulty in establishing residence" in all-white neighborhoods from virtually all channels—uncooperative real estate agents, white home owners, who often resorted to violent tactics, builders, and lending institutions unwilling to write mortgages."¹⁰⁸ Puerto Rican residents also faced segregation, settling in traditionally immigrant neighborhoods south of the business district, as well as the North End's Clay Arsenal neighborhood and, eventually, in the Charter Oak Housing Project, built in 1941.¹⁰⁹ (By 1990, Hartford's thirty-eight thousand Puerto Ricans would make up 27 percent of its population—the greatest concentration in any mainland US city.

Between 1950 and 1961, public housing accounted for 22 percent of all housing units in Hartford built during that time. For example, in 1961, the city opened in its Northeast neighborhood, the six-hundred-family Stowe Village, a series of identical, rectangular brick buildings. By the late 1960s, 94 percent of the Greater Hartford region's low-income subsidized public housing would be located inside Hartford's city limits.¹¹⁰ But in the ten surrounding towns, just 1.3 percent of housing stock was public housing units.¹¹¹

A Steady Habit of Segregation: The Origins and Continuing Harm of Separate and Unequal Housing and Public Schools in Metropolitan Hartford, Connecticut



Source: Library of Congress

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d. In the 1960s, State Government's Active Rejection of Regionalism in Housing and Schools Cements Segregation in Place and Operationalizes Political Power of White Suburbia

During the 1960s, the problem of racial segregation in schools was high on the agenda of federal education officials. In the 1954 *Brown v. Board of Education* decision, the US Supreme Court had unanimously declared “separate” to be “inherently unequal” in the field of public education. Implementation of *Brown’s* mandate was slow throughout the intentionally separate schools of the US South, the principal target of enforcement. But during this period, educators and social scientists beyond the South came to more precisely understand racial segregation within schools as an underpinning of racial inequality. Indeed, there is evidence of consensus among social scientists even earlier than this regarding the harm of “forced” segregation not only to Black people but to white people as well, even if the facilities were ostensibly equal.¹¹²[MOU1]

In this context of federal attention and growing consensus around the harm of segregation, the Hartford Board of Education in the early 1960s commissioned a report from Harvard-based consultants that would document

educational inequalities in the region and recommend solutions. (A previous 1962 State Board of Education proposal suggested reducing the number of school districts in the state from 177 to 52. But the proposal hadn’t gone anywhere.)¹¹³ In this endeavor, the Hartford board was strongly supported by a group of business leaders who had taken part in a study group on regional economic and educational problems.¹¹⁴ The resulting report, *Schools for Hartford*, published in the summer of 1965, noted the declining population in the city and the growing racial and ethnic segregation between Hartford students and their mostly white suburban counterparts.¹¹⁵

By the late 1960s, 94 percent of the Greater Hartford region’s low-income subsidized public housing would be located inside Hartford’s city limits. But in the ten surrounding towns, just 1.3 percent of housing stock was public housing units.

The consultants predicted that racial segregation would only worsen over time. The Harvard-based consultants concurred with other social scientists who had concluded that intense racial and economic segregation diminished the “life opportunities” of Black and Latinx children. Moreover, the report stressed that desegregation not be seen as a policy merely to “help” Black and Latinx children but that “the City of Hartford . . . has much to offer educationally to the suburban areas. In fact, in the spirit of two-way

regional cooperation, the consultants suggest creating educational ‘facilities’ within the city and offering specialty programs often unavailable in smaller communities.” The harms of segregation could be avoided, the consultants concluded, by redistricting students both within the city and through a “metropolitan” plan that would enable Hartford students to attend suburban schools that were within a fifteen-mile radius. The metropolitan portion of the proposal called for the state to fund the transportation costs. The researchers found that there were 1,973 elementary school classrooms within commuting distance of the city of Hartford. With four children from Hartford in each classroom, that would mean an accommodation of more than seven thousand students.

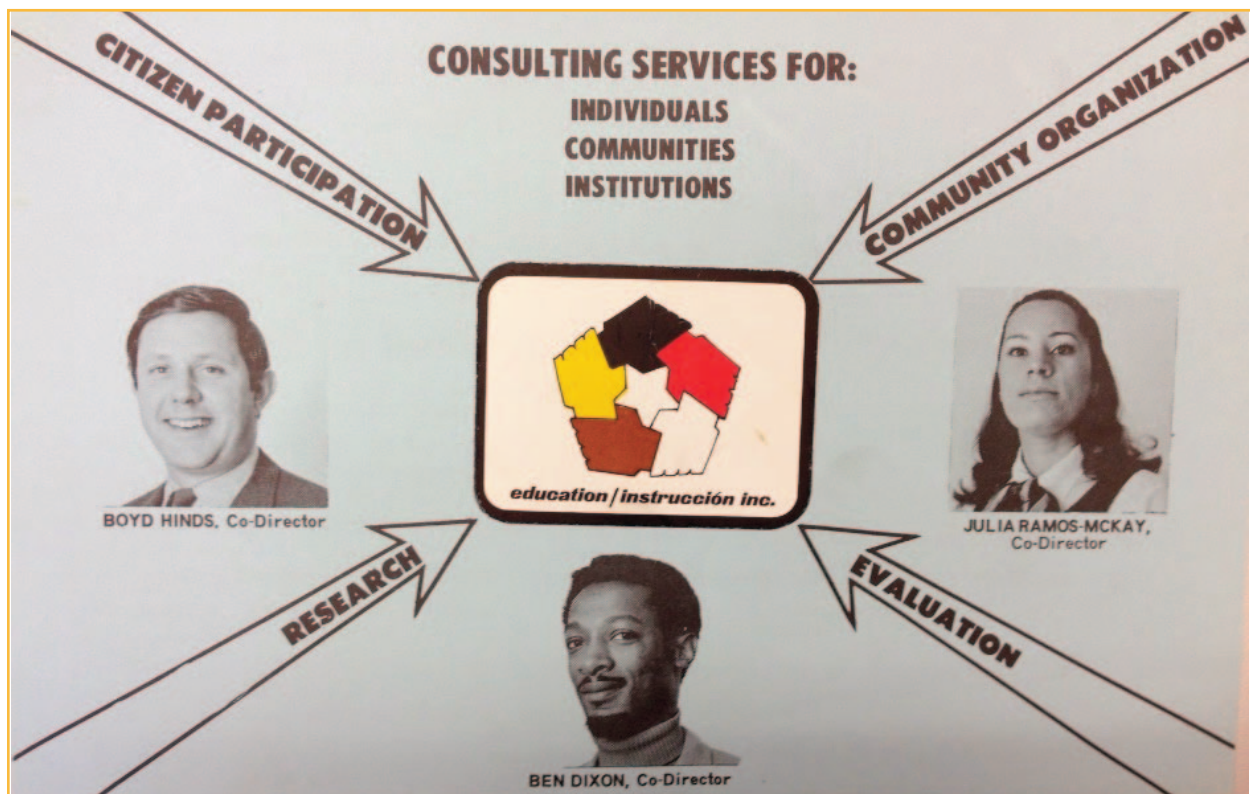
The report’s lead author, Vincent Conroy, who directed the Harvard Graduate School of Education’s Field Study Program, stressed at the time the need to concentrate energy and debate on a metropolitan solution, given that the demographic projections for urban districts indicated a continued decline in the share of white students. At a meeting of business leaders in 1965, Conroy warned that concentrating merely on desegregation within the city limits would not only be futile over the long term but also could fan resentments and accelerate “white flight” from Hartford.¹¹⁶ In 1965, a Hartford School Board member, Lewis Fox, publicly called on the legislature to “out-law” de facto segregation. No action was taken.¹¹⁷ (The Connecticut Council on Churches had made a similar call to the Legislature in 1964.)¹¹⁸

And indeed, at public meetings on the plan, including a particularly contentious one in Hartford's South End, white Hartford residents expressed strong opposition to the portion of the proposal that called for desegregation within the city limits.¹¹⁹ As proposed, this would have transported about fifteen hundred students to the then predominantly white South End neighborhoods from the Black neighborhoods in the northern sections of Hartford. The first hearing, held in the South End, was shut down after a white resident stated that he was "sick and tired" of "Negro complaints" and that school integration was the beginning of "socialization."¹²⁰ Eight public hearings attracted a total of fifteen hundred attendees, according to newspaper reports, and generally, public opinion was not favorable.¹²¹ By November 1965, the Hartford School Board was not in support of the portion of the plan that called for redistricting within the city.

According to newspaper reports, the metropolitan urban-suburban portion of the plan did not trigger much opposition at the hearings, which were attended primarily by Hartford residents. Hartford School Superintendent Kenneth Meinke later came under fire from the Catholic Interracial Council, which expressed outrage over the superintendent's "neutral" position on integration, which, the council said, allowed hearings on the topic of integration within the city to "degenerate into a scandalous sounding board for ignorance, prejudice and misrepresentation."¹²²

The Harvard report had clearly stressed the need to enact statewide legislation to create "a sound legal foundation" for the regional programs.¹²³ This would never come into being.

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Through numerous investigations, Education/Instrucción raised awareness about systemic racism and housing discrimination in the Hartford region. Source: Cities, Suburbs and Schools project. Trinity College, Hartford, Connecticut.

A Steady Habit of Segregation: The Origins and Continuing Harm of Separate and Unequal Housing and Public Schools in Metropolitan Hartford, Connecticut

But as hostilities continued over intra-district busing within the city, discussion of the interdistrict portion of the plan continued civilly among business leaders and the NAACP. Business leaders who had convened a study group on regional economic and educational problems had voiced support for a regional desegregation plan that would involve at least four hundred students from Hartford. One newspaper account reported “almost no resistance” to this portion of the plan amid a meeting of business leaders convened by the

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Greater Hartford Chamber of Commerce.¹²⁴ What would evolve, though, was not a desegregation plan per se, but a small experimental program, which suburban communities had full power to accept or reject and which would be funded in the initial years from the budget of the urban district, Hartford.

Soon after the dissemination of the *Schools for Hartford* report, the Connecticut State Department of Education sent a proposal for review by the Hartford Board of Education for a demonstration project with a randomly selected group of Hartford students who would be transported to attend schools in several nearby suburbs, if and only if suburban government were to agree to it.¹²⁵ This essentially was to be a controlled experiment to determine if such a practice might be “feasible” at a larger scale.¹²⁶ Thus, the state implied that metropolitan desegregation might become a more widespread practice in the region in order to “overcome the racial imbalance of the region.”¹²⁷ The state officials at the time noted that the Greater Hartford Chamber of Commerce was in favor of such a program and study.¹²⁸

In 1966, two years after the *Schools for Hartford* report, and when the voluntary demonstration project was in its first year, the Connecticut State Board of Education and the Connecticut Commission on Civil Rights organized and hosted a conference on the topic of school integration and educational equity.¹²⁹ The more than two hundred attendees included educators from across the state, high-level officials from the US Department of Education, and national civil rights leaders, including Bayard Rustin and representatives from the NAACP’s national headquarters. The stated goal of the conference was to “inspire realistic creative thinking and action on school desegregation and quality education for all children in Connecticut.”¹³⁰ At the conference, the state released a “census” of racial demographics in the state’s schools, highlighting racial “imbalances” both within and between school districts in the state.¹³¹

Also at the conference, David Seeley, the assistant commissioner of the Educational Opportunities Program for the US Office of Education, noted in his address that in every region of the nation school segregation—no matter the cause of it—is “cut very deeply into our cultural patterns.”¹³² Seeley stressed that in trying to remedy segregation, it is crucial that it be confronted as a regional problem, with regional authority, urging “new units of government which are commensurate with the objective regional problems that we face.”¹³³ Several speakers, including Seeley, advocated for the development of “educational parks” that would have built educational and recreational facilities in Hartford for regional use, thereby attracting suburban residents and students.

When the state commissioner of education William Sanders addressed the conference later, he urged “progress” in desegregation, while adding that the decision to pursue desegregation should be made by “local school boards rather than by state or federal mandate.”¹³⁴ Referring to integration as “artificial mixing,” Sanders speculated that it was not “realistic” to “expect that the Negro will be completely integrated, any more than any other ethnic group in American society.”¹³⁵ Thus, the state’s highest education official, even during a period of support for regional desegregation at the federal level, among local education leaders, and among business leaders, offered only mild support for desegregation and made it abundantly clear that white suburbia would determine the terms of any policy or program.

Public deference to white suburbia would fatally circumscribe the state's practice in the area of desegregation for decades to come.

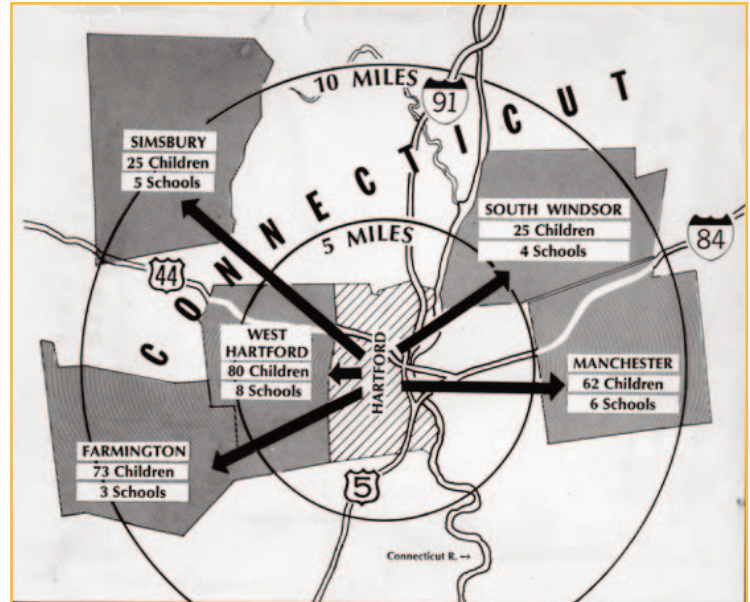
An early example of this is the Connecticut State Board of Education's tepid 1966 policy statement: "The Board recognizes that the high concentration of minority group children in urban schools produces special problems in providing quality education. . . . Therefore, the Board will assert its leadership in demonstrating, both through experimentation and proven methods, its particular concern for them . . . [and] will encourage cooperative efforts to this and among local boards of education and other agencies."¹³⁶

A local NAACP branch, dismayed by the state leadership on the problem of school segregation, called in 1966 for Sanders's resignation. The commissioner, the NAACP stated, was in a position to counteract, though "positive action," the "lackadaisical and apathetic attitudes of our boards of education."¹³⁷

Also in 1966, the Connecticut Civil Rights Commission called on Governor John Dempsey to support legislation that would grant the State Board of Education "clear and explicit powers" over local boards of education to achieve "full racial integration" in all Connecticut schools. (Around this same time, school superintendents in the Hartford area began discussions about regional solutions in public education, including reducing segregation.)¹³⁸ The Civil Rights Commission's suggested legislation never came into being and was not supported by Commissioner Sanders,¹³⁹ nor by the State Board of Education.

In 1967, Connecticut's NAACP branches met with Governor Dempsey to advocate for "effective legislation" that would enforce integrated education in the state. NAACP officials complained that a recent law providing more education funding to assist poor children was necessary, but it failed to address the problem of racial segregation.¹⁴⁰ That same year, Commissioner Sanders publicly opposed even a study of regionalism, an exploration that had been proposed by school leaders in Hartford.¹⁴¹ In 1967, Bloomfield's school superintendent Howard Wetstone also proposed the building of regional schools as a remedy to segregation. While regionalism remained a common topic of discussion among educators and business leaders, it never moved past the proposal stage at higher levels of government.¹⁴²

The state would continue to subsidize the construction of public schools in local communities whose demographics had been shaped by racially discriminatory policies and practices. As segregation grew and persisted in the 1950s, '60s, and into the 1970s, the state approved and helped to fund more than one hundred new schools in nearly all-white suburban communities. The state had significant authority over school building siting and construction and reimbursed or subsidized local construction costs from 30 to 80 percent.¹⁴³ This practice of



1960's map of participation in Project Concern. Source: Hartford History Center, Hartford Public Library

Thus, the state's highest education official, even during a period of support for regional desegregation at the federal level, among local education leaders, and among business leaders, offered only mild support for desegregation and made it abundantly clear that white suburbia would determine the terms of any policy or program.



CT Governor John Dempsey (1961-1971) publicly opposed “regionalization” of the state’s public schools.

approving and subsidizing construction, expansion, and renovation of segregated schools in both cities and suburbs has continued to the present day.

In the midst of the struggle over school desegregation, in 1967, several suburban legislators spoke in strong opposition to a bill that would have established a regional housing authority. This measure, proposed by a Hartford legislator, would have spread responsibility for building government-subsidized public housing beyond Hartford. Prior to hearings on the bill, the town council of Glastonbury, a neighboring suburb, had passed a resolution in opposition to the measure. That town’s chamber of commerce and local housing authority also went on record as opposing the bill.¹⁴⁴

Representative Jean Thornton of Glastonbury stated, “We are violently opposed to this and we believe that the town should determine for itself what it will do in this housing and not have it taken over by someone else.” The bill, the Glastonbury legislator said, would “be more than an erosion, it would be a complete washout of the town government.”¹⁴⁵ Opposing suburban legislators spoke about “erosion of local government” and the “denial of home rule.”¹⁴⁶ State Representative Elmer Mortenson, a Democrat from nearby Newington, declared that his town had “its own problems.” Public housing, he said, “just invite[s] these type of people.”¹⁴⁷ Mortenson called the bill the “worst” he had ever seen in the “many years” he had been a legislator.

Town council members from the suburb of Wethersfield also attended the hearing in opposition to the bill, along with members of the Wethersfield Housing Authority.¹⁴⁸ The town council and local housing authority in East Hartford also unanimously opposed the bill.¹⁴⁹ Notably, some suburban housing authorities at this time employed residency requirements or other practices that effectively excluded out-of-town applicants. State Senator Joseph Dinielli of Bristol noted the “volume of mail this committee has received in opposition to this bill.”¹⁵⁰

The Connecticut State Civil Rights Commission testified in favor of the bill, as did the executive committee of the Glastonbury Human Rights Council, stating, “There are many ways to try to achieve true integration and we believe a regional housing authority would be just one of them.”¹⁵¹ The Hartford Region Fair Housing Division of the Connecticut Council on Human Rights also supported the measure.¹⁵²

The bill’s author, Representative Norris O’Neill, pointed out that Hartford maintained hospitals that served the region, in addition to parks for regional use. He stated during the hearings, “The people of Hartford are trying to and struggling to meet regional needs. We only ask of our brothers in the surrounding towns to join with us.” The bill, O’Neill stated, would “do a great deal in increasing the amount of housing that would be available,” widen distribution of such housing, and thus “aid in integration.”¹⁵³ The bill died.

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e. In 1966, Local Education Officials, with State Technical Assistance, Begin a Small, Voluntary Cross-District Desegregation Program, but Commitment to It Is Unstable

In 1966, state and local officials implemented a small program that would enable African American students from Hartford to voluntarily attend suburban schools.¹⁵⁴ In the school year ending in 1967, five suburban towns had joined Hartford in the voluntary desegregation program called Project Concern. The program would grow to be popular among Hartford students and many suburban communities, with a waiting list by the 1970s of several thousand students.

Over several decades, Project Concern has weathered early suburban opposition enjoyed community support, suffered funding cutbacks that forced enrollment declines,¹⁵⁵ been celebrated and examined by the media, and demonstrated academic effectiveness for participants.¹⁵⁶ Although Project Concern was initiated as a “demonstration project” and did indeed demonstrate educational success, it never grew beyond its relatively small size. While slightly reducing the number of Hartford youth in racially segregated settings and slightly increasing diversity of suburban towns, Project Concern has always been a small program by any measure. The Hartford resident students of color enrolling in each community typically represented between less than 1 percent to 5 percent of that district’s overall enrollment.¹⁵⁷ Also, no suburb was ever required to participate in Project Concern, meaning that even small-scale desegregation was entirely voluntary for heavily white suburban communities. Initially, the city of Hartford funded the program, in part via federal grants, by paying tuition to suburban communities. (The program would later be funded by the state.)

In 1967, the Connecticut Department of Education released its second “census” of the public schools, finding that “gross minority imbalances exist within the metropolitan regions of the state.”¹⁵⁸ After a year of Project Concern, a randomized control demonstrated positive results, and more suburban districts chose to participate in the program.¹⁵⁹

At its enrollment peak in the 1970s, Project Concern would enroll 1,174 students from Hartford. By 1975, the enrollment had dropped to 950 students, and by then program costs were paid both by the city and the state. That year, some suburbs even urged that the program be expanded.¹⁶⁰ But a decade later, in the 1988–89 school year, enrollment was just 747 students, which was less than 3 percent of Hartford’s total enrollment at that time.¹⁶¹ West Hartford, for example, enrolled 384 students from Hartford in 1973. But by 1990, when funding was reduced, in part because of cuts at the federal level, West Hartford enrolled just 62 students from Hartford.¹⁶²

Suburban support for Project Concern was mixed in the early years. At the start of the program, for example, the town of Glastonbury’s school board, following vocal opposition and widely expressed fears over “regionalism,” could not break a tie vote, and thus the town did not participate in Project Concern. (Glastonbury would join the program two years later, in 1968, however, with vocal public support.)¹⁶³ In 1966, the Greater Hartford Council of Churches also released a resolution in support of Project Concern.¹⁶⁴

In 1966, in West Hartford, about twelve hundred people attended a seven-hour public hearing about Project Concern at Conard High School.¹⁶⁵ At the time, the *West Hartford News* characterized the meeting as “the most

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passionate . . . in West Hartford's history."¹⁶⁶ One resident called voluntary integration an "artificial way of mixing."¹⁶⁷ After listening to the racism expressed at the meeting, an African American teacher from Hartford said, "A Negro child does not belong in West Hartford."¹⁶⁸ A white West Hartford High School student who spoke in favor of Project Concern was told by attendees to "go to Weaver" (one of Hartford's public high schools) if he wanted an integrated school. Meanwhile, though, a group in favor of the program, the Committee of New Education Opportunities, emerged, with both Christian and Jewish support. The superintendent of schools in West Hartford at the time, Charlie Richter, strongly and publicly supported the program, as did several resident speakers at the meeting.¹⁶⁹ West Hartford's Board of Education unanimously approved participation in Project Concern in 1966.

Newspaper accounts of a 1966 meeting in Farmington attended by more than one thousand people reported a mix of "utterings of an abusive and racist nature," as well as vocal support for the desegregation program.¹⁷⁰ One

resident stated that Hartford students from the North End "have a place" in that neighborhood and should "stay there."¹⁷¹ The town's school board eventually voted to participate in the project.

In South Windsor, a town meeting about Project Concern attracted more than six hundred residents to the high school auditorium, where a wide range of opinion was presented. A straw vote indicated 79 residents in favor and 106 against participating in Project Concern.¹⁷² The town's board of education voted 5–3 in 1966 to participate in Project Concern.

In 1969, at a regional meeting about Project Concern, a representative of the Farmington Board of Education said that residents "generally" supported Project Concern but that many were

disturbed by rumors that the project will "pave the way" to regional control of education. The deputy mayor of Wethersfield added that the fact that a regional committee was discussing the future of the program "adds fuel to the fire of those worried about regional government."

South Windsor officials at the meeting ultimately recommended expansion of the program.¹⁷³

Even as some suburbs continued their support for the program, however, funding woes threatened its very existence as early as June 1969. The state failed to step in, as two pieces of legislation that would have helped to support the program never made it out of the Appropriations Committee.¹⁷⁴ A 1969 investigation by the *Hartford Times* newspaper reported that of the fourteen participating suburbs, officials in eleven of those communities were either "dubious or non-committal" about helping to pay for the program.¹⁷⁵ Later investigations showed that the suburban communities participating in Project Concern were making a profit through the funding from the city.¹⁷⁶ In spite of these challenges, Hartford school superintendent Medill Bair urged that Project Concern be expanded to include five thousand more Hartford students. At the time, Bair noted the popularity of the program in the city and the suburbs and said, "Under the present circumstances Hartford cannot fulfill its promise of quality integrated



Hartford students bused to Suffield as part of Project Concern. 1968. Source: Hartford History Project, Hartford Public Library.

education for every pupil without substantial involvement of its suburban neighbors.”¹⁷⁷ Around this time, Bair told an audience that there would “never be” quality education in Hartford “until the schools are really integrated.”¹⁷⁸

Early research on Project Concern demonstrated positive academic achievement effects for the African American children who participated. The program’s initial design as a demonstration project meant that from the group of African American students who applied to participate, some were randomly assigned to attend school in suburban districts, while others, as a control group, would attend Hartford schools. By 1970, a study showed that reading scores were higher for students in Project Concern than they were for otherwise similar students and that gains multiplied the earlier a student had participated in the program.¹⁷⁹ Through the 1980s and early 1990s, a variety of studies continued to demonstrate positive outcomes over the short and long term for African American program participants relative to their counterparts in a control group. This included higher test scores and high school graduation rates, higher-paying jobs, and better occupational planning.¹⁸⁰

This long-running voluntary program, with clear evidence of academic success and staying power, would later be renamed “Project Choice” and then “Open Choice” and come to be part of the remedy for constitutional violations found as a result of the *Sheff v. O’Neill* litigation. Research on the academic benefits of the program would be continually encouraging over time.¹⁸¹ By 2007, twenty-seven suburban districts were participating in Project Concern. However, research that year showed that in ten of those districts, less than 1 percent of seats were allocated to students from the city of Hartford.¹⁸² At that time, none of the districts offered more than 3 percent of their seats to Hartford students.¹⁸³

f. Beginning in 1969, the Connecticut State Legislature Repeatedly Fails to Implement a Circumscribed Law Designed to Reduce “Racial Imbalance” in the State’s Public School Districts

After pressure from the NAACP and the Connecticut Commission on Human Rights and Opportunities,¹⁸⁴ the State Board of Education voted unanimously in 1968 to propose legislation that would withhold state aid from any town that had a “racial imbalance” in its schools. This legislation, however, was never enacted and would have applied only to “racial imbalance” within but not between communities.¹⁸⁵ Also that year, a legislative subcommittee rejected proposed legislation that would have explicitly granted the State Board of Education the power to redraw school district borders within and between communities and mandate school building sites.¹⁸⁶ At the time, subcommittee members emphasized that any future legislation would be more “moderate” and “less controversial.”¹⁸⁷

After this failed attempt to pursue integration through legislation and after two years of state-issued reports that underscored the growing problem of segregation within the state’s public schools, the legislature appointed a commission to explore what it called “existing problems of minority imbalance in Connecticut public schools.”¹⁸⁸

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In 1969, proposals from this commission informed the legislation that would come to be known as the Racial Imbalance Act.¹⁸⁹ It is important to note that this took place after Governor John Dempsey publicly opposed “regionalization” of the state’s public schools. The State Board of Education’s chairman at the time, William Horowitz of New Haven, had expressed his intention to propose such a measure. Meanwhile, officials in Hartford had also been pushing this idea.¹⁹⁰ During this period of discussion about segregation in the state, the city of Waterbury was sued by the US Justice Department for discriminating against Puerto Rican children by purposefully segregating them in “racially identifiable” schools. It was the first federal action of its type in the Northeast.¹⁹¹

The first version of this proposed legislation called for local school districts to report on the share of “minority” students in their districts and to take corrective action if and when a school’s racial minority population was a certain level above the share of Black and Latinx students in the district overall. It also “allowed for” districts to

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work with nearby districts in remedying “imbalances.”¹⁹² Also that year, another bill, SB 415, called for the creation of university-linked “educational parks” that would draw students from both the cities and suburbs to schools and community activity. A report attested to the viability of such parks in reducing segregation and enhancing educational opportunities in the region.¹⁹³ (Two years prior, educational parks had been promoted by speakers at an educational conference and advocated in a workshop for Hartford teachers; in 1968 the Hartford City Council had put a bond issue for the project out to voters, who rejected it along with other building project proposals.)¹⁹⁴ Hearings were held on SB 415. It was reported out of the Committee on Human Rights and Opportunities but failed to win approval from the Appropriations Committee.¹⁹⁵ Thus, neither the House nor the Senate ever voted on it.¹⁹⁶

The bill that would eventually become the Racial Imbalance Act was strongly opposed by the education commissioner at the time, William Sanders, who said it gave the state too much authority over local districts to implement.¹⁹⁷ Sanders complained about the “heavy, punitive hand upon local school districts.”¹⁹⁸ The bill generated substantial debate in the legislature, with supporters seeking to assure their fellow representatives that it would not disrupt school district boundaries as suburban legislators and suburban residents feared.¹⁹⁹

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At the start of a public hearing on the bill, Senator Joseph Fauliso assured the public that the proposed legislation did not require cross-district remedies. (Fauliso would later tell a crowd of Hartford residents that the racial imbalance legislation was necessary because of the threat of federal desegregation legislation.)²⁰⁰ At the bill’s public hearing, Walter Silcock, of suburban New Milford, introduced himself as chair of the Concerned Citizens Council of Connecticut and expressed opposition to any effort that would dilute the system of “neighborhood schools.” He said, “We should not destroy a well-established institution in . . . public school education, the concept of neighborhood schools. . . . We cannot reason why a school system, developed on a neighborhood school plan, honestly and conscientiously constructed, with no intention or purpose to segregate the races must be destroyed or abandoned because the result-

ing effect is racial imbalance in certain schools.” Several other speakers supported him, and still others introduced themselves as representatives of “citizens councils” from suburban communities across the state and expressed strong opposition to any effort at regionalism or forcing suburbs to join with urban districts or accept students

from those districts.²⁰¹ One newspaper characterized the hearings on the bills as “all hell breaking loose.”²⁰² However, the bill obligated cities and towns to remedy de facto segregation within their school districts only. And it carried no penalties for not complying.

At the hearing, Trinity College professor Andrew Gold pointed out what he saw as the bill’s inherent flaws: “There is something mildly absurd about trying to cure what may be moderate racial imbalance within town lines in the face of immoderate racial imbalance across town lines.” Gold continued, “Not only does an intra town solution fail to address the real problem—segregation across districts—it obviously fails to meet the issue of equity. . . . Your current approach to the problem of racial imbalance favors those towns which have been most successful in creating a negative climate for minorities.”²⁰³

A supporter of a stronger bill, State Representative Otha Brown, from the racially diverse city of Norwalk, proposed three amendments, including one that would have given the State Board of Education explicit power to force all communities within a metro area to contribute to the reduction of segregation via interdistrict cooperation and remedies. Opposition to this particular amendment was strong.

Representative Henry Povinelli of New Milford, for example, said that interdistrict remedies would “make pawns out of all of our children, not for the betterment of their education, but rather for the express purpose of integration.” He added, “If you think this society is split now, just wait till you try to perform a thing such as this and hammer this in, the people will just not buy it.” This amendment was not approved.²⁰⁴

The first version of the bill, “House A,” failed on a voice vote. In arguing in opposition to it, Representative Povinelli maintained that the measure would allow the state to forcibly merge districts to create racial balance. “This is a bill,” he said, “that strikes at the rights of all of the people of the State of Connecticut and all of their children. . . . If we are to integrate for the mere sake of integration in our schools then we lose all concept of bettering the education of all our children for we become caught up in a socialistic form that defies imagination.”

Representative Brown of Norwalk went on to propose “House B,” which would have required that local school board plans for racial balance contain interim strategies while longer-range plans were in development. It also required that all plans for ending imbalance be put in place by the start of the 1970 school year.

Representative John McKinney of suburban Fairfield spoke against House B because, he said, it still failed to properly respect town boundaries. Hartford Representative Norris O’Neill urged a vote in favor of House B. “This is an enlightened state,” O’Neill said. “We pride ourselves on being Christians, enlightened and not like those people in other places. We can prove it tonight, we can prove we really mean it. We can prove that it is not mere words and not mere hypocrisy and we say yes, we want to help the cities, we don’t believe in segregation.” House B failed by a vote of 85–68.²⁰⁵

Representative Otha Brown’s attempt to include an amendment that would have declared it a “civil” right for citizens to attend an integrated school was voted down on a voice vote.²⁰⁶

Trinity College professor Andrew Gold pointed out what he saw as the bill’s inherent flaws: “There is something mildly absurd about trying to cure what may be moderate racial imbalance within town lines in the face of immoderate racial imbalance across town lines.”

Representative Otha Brown’s attempt to include an amendment that would have declared it a “civil” right for citizens to attend an integrated school was voted down on a voice vote.

There were no penalties for noncompliant school districts contained in any version of the bill at any time. This drew praise from State Senator Gloria Schaffer, who represented suburban Woodbridge. She said the bill encouraged a “spirit of cooperation”²⁰⁷ between districts.

The bill finally passed into law on voice vote in the House and by concurrence in the state Senate in May 1969. Representative Brown of Norwalk, who had attempted to craft a stronger bill, called the resulting legislation “a nothing bill,” which “did nothing” that the state education commissioner couldn’t already do, “if he had the intestinal fortitude to do it.”²⁰⁸

No implementing regulations for the Racial Imbalance Act were established that year, meaning that the law was not put into effect. In October 1969, education officials and elected officials from across the state met in East Hartford to discuss the law and potential implementing regulations. At that meeting, many educators from urban communities, including New Haven Board of Education member Orville Sweeting, expressed frustration that mandated regionalism, which had been in an earlier version of the bill, was not in the approved version. Observing that the bill “had the guts taken out of it,” Sweeting said that the problem of segregation would not be solved until “regionalism” is “entered into.”²⁰⁹ Then, after a November 1969 hearing at the State Capitol

convened to discuss implementing regulation proposals, the chair of the State Board of Education said that since there seemed to be “a climate against regulations of any kind,” no regulations would be put in place that year. Education Commissioner Sanders said bluntly, “There are now no requirements.”²¹⁰

...Officials from urban districts, though praising efforts to create integrated schools, pointed out that unless there were interdistrict remedies, achieving “racial balance” while the pool of white students was shrinking was unrealistic and overburdened their districts while exempting most suburbs.

At the hearing, officials from urban districts, though praising efforts to create integrated schools, pointed out that unless there were interdistrict remedies, achieving “racial balance” while the pool of white students was shrinking was unrealistic and overburdened their districts while exempting most suburbs. Meanwhile, some Hartford officials predicted further “white exodus” from the city if desegregation were the obligation only of the city and not resolved regionally.²¹¹ The president of the New Haven Board of Education urged that suburban communities not be exempted from the law and that money for transporting students be made available should communities choose that as a means for integrating schools.²¹² Also, the State Commission on Human Rights and Opportunities, while praising integration generally, said the existing law would “scarcely” affect “racial imbalance in the schools.”²¹³ By December of that year, the City of Hartford issued a report stating that remedying “racial imbalance” could

not be accomplished within the confines of the city. The report found that the only solution would be to incorporate suburban communities into a desegregation plan, possibly through voluntary transfers.²¹⁴ With 62 percent of its students either Black or Latinx, Hartford, in 1969, would have had a “racially balanced” school if 87 percent of students were Black and/or Latinx. This is because the law, while requiring that schools reflect the overall demographics of a school district, would have allowed, under the proposed implementing regulations, for each school to differ from that demographic by up to 25 percentage points.²¹⁵ In November 1969, the Hartford City Council passed a resolution calling for a “regional approach” for reducing segregation in the state’s schools.

In the following year, 1970, the Legislature’s Regulations Review Committee rejected the regulations after listening to a wide variety of objections to the law at a long hearing in Hartford. (Also, as detailed in the next section, a group of Hartford parents that year sued the state in federal court over school segregation.) Generally, white suburban parents and members of the “concerned citizens” groups objected to any type of “busing.” The refrain

“this is being rammed down our throats” was common.²¹⁶ Urban officials, meanwhile, typically spoke in favor of integration but complained, as they had for two years, that they could not realistically achieve desegregation over the long term without a plan for regionalism. Hartford’s mayor, Ann Uccello, also urged that plans be developed for creating integrated housing. Suburban officials continued to speak out against the loss of local control under the law.²¹⁷ Education Commissioner Sanders declared that for the time being, given the opposition, the law was effectively “nullified.”²¹⁸

The Regulations Review Committee rejected regulations again in a 12–1 vote in July 1979. At that time, the cochair of the committee, Senator George Gunther of Stratford, called for the law to be repealed.²¹⁹

Because of the inability of a legislative committee to agree on regulations, the Racial Imbalance Act would not be implemented until 1980, more than a decade after the measure’s passage. The legislature’s regulation review committee had rejected regulations three times over the decade. During that period, some civil rights organizations did support the law and lobby for it to be implemented but also recognized that the measure, because it was not regional in nature, would be largely ineffective. State Representative Boyd Hinds of Hartford called the regulations “pathetically weak.”²²⁰

In 1980, legislative leaders and state education officials, seeing the growing segregation in several school districts, managed to sidestep the Regulations Review Committee and won passage of the regulations first via the Education Committee and then the legislature by a 133-12 vote in March.²²¹ Under the regulations, a school was “racially imbalanced” if its Black and Latinx enrollment differed more than 25 percent from the district’s overall share of Black and Latinx students. There were no penalties or incentives associated with the law. And state officials left it up to local communities to decide how their racial balance would be accomplished. By this time, just 17 percent of Hartford’s students were white,²²² and five of the city’s schools were deemed “unbalanced.” Thus, an all-white suburban school could be “racially balanced” under the law, as would a 97 percent Black and Latinx school in Hartford. Implementation of the law is discussed in a subsequent subsection (m) of this report.

*Generally, white suburban parents and members of the “concerned citizens” groups objected to any type of “busing.” The refrain “this is being rammed down our throats” was common.*²¹⁶

g. In 1970, Black Parents in Hartford Sue the State over School Segregation in the Region

In 1970, the local NAACP filed a class-action lawsuit in federal district court on behalf of Black and Latinx families in Hartford. The complaint, *Lumpkin v. Meskill*,²²³ charged that the state maintained segregated schools in violation of the US Constitution. The first constitutional violation, lawyers said, was that Connecticut—like most northern and midwestern states and unlike much of the post-*Brown* South—had established each town or city as a separate school district and required students to attend school where they lived. “Numerous” schools, the *Lumpkin* lawyers said, had Black and or Hispanic enrollment “in excess of 90 percent.” As the Hartford consultants had concluded six years earlier in their *Schools for Hartford* report, the *Lumpkin* lawyers noted that, given demographic trends and continuing white flight, it would be futile to try to desegregate schools within the city’s borders. The best remedy to segregation, the *Lumpkin* plaintiffs argued, would fold suburban communities into a regional desegregation plan.

In a memo to the court, plaintiff lawyers wrote, “The School District Laws of the State of Connecticut create” an “invidiously irrational, archaic, arbitrary, and discriminatory legal barriers to the desegregation of the Hartford

A Steady Habit of Segregation: The Origins and Continuing Harm of Separate and Unequal Housing and Public Schools in Metropolitan Hartford, Connecticut

School District, which barriers serve no reasonable, rational, or compelling State interest.”²²⁴ Two years after the original *Lumpkin* lawsuit was filed, the City of Hartford filed a similar complaint. The plaintiff lawyers in Hartford had requested cooperation from the eight suburban districts named in the lawsuit. But only one suburban district—Bloomfield, an increasingly diverse district—agreed to support the plaintiffs’ case.²²⁵

In 1973, with *Lumpkin* and Hartford’s parallel complaint still unheard in court, Hartford’s general counsel, Andrew Goldfarb, filed an amicus brief in the Detroit case *Milliken v. Bradley*, before the US Supreme Court.²²⁶ Detroit’s

conundrum, brought to light in *Milliken*, was similar to Hartford’s, and it matched trends in other US metro areas. Post–World War II suburbanization, coupled with housing discrimination, had persisted through the 1960s and 1970s. Thus urban school districts’ pools of white students were generally small and shrinking. In the Detroit case, a federal court had approved an interdistrict desegregation plan that included children from adjacent suburbs. Hartford’s general counsel stressed the importance of the outcome for multiple cities in the United States. Goldfarb wrote, “State school officials have not merely acted to sanction and passively condone interdistrict segregation . . . but “have fostered, promoted and actively participated in the establishment of racially dual systems of public schools within the metropolitan areas of this nation.”²²⁷

However, with the 1974 decision in *Milliken*, the Supreme Court, invoking the overriding virtue of “local control,” ruled that in the absence of a finding that suburban governments had created the segregation of the city, no federal court could force them to participate in desegregation.

This ruling rendered the lawsuits in Hartford moot. They were dismissed by the US District Court in New Haven in November 1980.

In a memo to the court, plaintiff lawyers wrote, “The School District Laws of the State of Connecticut create” an “invidiously irrational, archaic, arbitrary, and discriminatory legal barriers to the desegregation of the Hartford School District, which barriers serve no reasonable, rational, or compelling State interest.”

“Mortgage lending traditionally has been—and continues to be—a closed community,” the study’s director, Sally Knack, testified at a US Department of Housing and Urban Development public hearing on the report. “It is operated largely by white male decision-makers, and its standards are geared to facilitate service to white male customers.”

h. In the 1970s, after Passage of the Federal Fair Housing Act in 1968, Evidence Indicates Continuing Bias in Mortgage Lending and Insurance in Greater Hartford and Inadequate State Enforcement

In 1968, the Fair Housing Act (Title VIII) of the Civil Rights Act had outlawed redlining. But in 1974, the US Commission on Civil Rights concluded in its study that banks in Greater Hartford remained biased against racial minorities and women looking for mortgages. The study report’s authors stated, “The Commission believes that the facts uncovered by this report are sufficiently alarming to alert the community of mortgage lenders—and their regulatory agencies—to the need for a reexamination of the policies and practices under which they operate.”²²⁸

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Other data indicates that local banks disinvested in the city of Hartford more generally during a period in which suburbia was still growing rapidly as the city lost population. The Hartford-based grassroots housing advocacy group Education/Instrucción (EI), active in the late 1960s through the early 1980s, found that in the 1970s, the ten major banks in the region took in most of their deposits from the city of Hartford but invested mainly in suburbia. Overall, a typical bank's loan portfolio was 91 percent suburban.²³⁰ In 1975, for example, Hartford National took 86 percent of its deposits—more than \$1 billion—from Hartford-based sources. But 96 percent of its mortgages went to suburbanites.²³¹ The Connecticut Banking Commission—the state regulatory agency overseeing banking—did not formally investigate the charges and disparities that had been noted and repeated in the EI and US Commission on Civil Rights reports that showed disparities in investments and indicated discrimination in lending.²³²

During the 1970s period of continuing suburbanization and white flight and population decline within the city of Hartford, there is also ample evidence that insurance companies, some with national headquarters based in Hartford, also discriminated against homeowners in neighborhoods with large shares of Black and Latinx

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF CONNECTICUT	United States District Court District of Connecticut FILED AT HARTFORD Feb. 20, 1978 Gilbert C. Earl, Clerk By <i>[Signature]</i> Deputy Clerk
<hr/>	
KENYETTA LUMPKIN, DEMETTA JEWEL LUMPKIN, CHERYL : LOUISE LUMPKIN, SHAWN LUMPKIN, SHARON LYNETTE : LUMPKIN, ANTHONY VAN LUMPKIN, infants, by : Mae Willie Lumpkin, their mother and next : friend, :	
LORELEI YVONNE JOHNSON, infant, by Helen Vernell : Johnson, her mother and next friend, :	
SHARON HENDERSON, MELBRA HENDERSON, BARBARA : HENDERSON, MITCHELL HENDERSON, MICHAEL : HENDERSON, AND FELICIA HENDERSON, infants, : by Barbara Henderson, their mother and : next friend, :	
LINDA DIAZ AND LUCY DIAZ, infants, by Mary : Diaz, their mother and next friend. :	
Plaintiffs, :	
- vs - :	Civil Action No. <u>13,716</u>
JOHN DEMPSEY, Governor of the State of : Connecticut, :	
WILLIAM HOROWITZ, Chairman of the Connecticut : State Board of Education, :	
WILLIAM J. SANDERS, Secretary of the Connecticut :	



A home in Avon, Connecticut a suburb of Hartford. The town has historically had low shares of affordable housing and restrictive zoning ordinances. (Creative commons license)

residents. This of course is highly significant, since proof of adequate insurance is necessary for a mortgage closing. EI used five homes as fronts for its 1975 investigation into what it called insurance redlining. The homes were of like construction and age. Owners of each house had updated the heating, electricity, and plumbing, making location the only variable. Three were in the predominantly Black and Latinx North End. One was in the predominantly white South End neighborhood. The fifth house was in predominantly white suburban West Hartford. EI researchers made thirty-six contacts posing as insurance policy customers. Agents refused twenty-three times to do business on urban properties, and all but one of those denials were for properties in the North End.²³³

The State of Connecticut has had an insurance commissioner since 1867. The Office of Insurance is responsible for regulating the insurance industry in the state. No action or publicly announced investigation by that state office occurred as a result of EI's documentation.

i. In the 1970s, Suburban Officials Object to Fair Housing, and More Evidence Indicates Lax State-Level Enforcement of Fair Housing Laws

By 1970, Connecticut's twelve central cities contained 80 percent of the state's so-termed minority population, which included both African Americans and Latinx residents.²³⁴

In West Hartford, opposition in 1977 to a proposed elderly housing project that would have permitted nonresidents from outside the town to apply for subsidized apartments surfaced in the form of petitions and oppositional coalitions. The local housing authority then attempted to change its residency requirements, which would have effectively excluded out-of-town residents from obtaining apartments in West Hartford. At the time, the state did require nonresidents be given opportunities to apply for subsidized housing, but its formula also gave preference to in-town residents. This, the Human Rights Commission said, impeded “equal choice” for Black and Latinx residents who, because of discrimination, were concentrated in cities.²³⁵ The US Department of Housing and Urban Development that out-of-town residents be permitted to apply for subsidized housing in any municipality brought concerted objection from officials in East Hartford, Farmington, Manchester, and Wethersfield.²³⁶

In its 1978 report, the Connecticut Commission on Human Rights and Opportunities found “affirmative efforts to direct advertisements and marketing through newspapers and radio at the Black and Hispanic population” to be “non-existent” in the state, with the exception of one firm.²³⁷ (In 1972, the US Department of Housing and Urban Development and in 1977 the Farmers Home Administration had issued regulations stating that all assisted-housing programs are subject to affirmative marketing requirements for initial sale and rental.)²³⁸

The state commission found that since 1974, housing firms in Connecticut were typically developing and renting housing in predominantly suburban and rural locations with Black and/or Latinx populations of between 0.9 percent and 4.6 percent, or developing and renting privately funded new housing in predominantly suburban and rural locations with minority population ranging from 1.3 percent to 4.6 percent.²³⁹ The commission suggested that the legislature “draft and propose legislation to provide a lead role for the State in monitoring local use of zoning power enforcement.” In Connecticut, enforcement of the federal Fair Housing Law of 1968, the commission concluded, was “in a deplorable state.”²⁴⁰

j. In the 1970s, Studies Show Racially Disproportionate Harm of Exclusionary Suburban Zoning, a Power Granted to Localities by the State Government

Zoning is an important determinant of where public, subsidized, and affordable housing is built and thus (a) how racially and economically segregated a region becomes and (b) whether that segregation is maintained.

The power to regulate zoning is reserved to each state under the Tenth Amendment to the US Constitution. States determine whether and how to grant municipalities the power to regulate land use. Historical and contemporary data from multiple sources, including from the state of Connecticut itself, indicates that zoning-related decisions by local and state government actors in Connecticut have

During the 1970s period of continuing suburbanization and white flight and population decline within the city of Hartford, there is also ample evidence that insurance companies, some with national headquarters based in Hartford, also discriminated against homeowners in neighborhoods with large shares of Black and Latinx residents.



Travelers Insurance Headquarters, Hartford, Connecticut. Library of Congress

contributed, and continue to contribute, to the racial segregation and concentrations of poverty in the Hartford region and the state at large.

Zoning can determine, among other things, whether or not multifamily housing—the most economically viable way to create affordable housing—is permitted or can be feasibly built within the borders of a particular municipality. In Connecticut, as is true in the nation generally, race and poverty are linked. Latinos have nearly five times the poverty rate of white people, while African American people have nearly four times the poverty rate of white people.²⁴¹ Thus, there is a disproportionate need for income-restricted affordable housing among Latinx and Black people. Restricting the development of such housing therefore exacts a disproportionate harm to Latinx and Black people. For decades scholars, fair-housing advocates, and government officials themselves have pointed to local exclusionary zoning ordinances as a major driver of enduring concentrated poverty and racial and ethnic segregation in both Hartford and the state of Connecticut more generally.

In 1978, an investigation commissioned by the Connecticut Commission on Human Rights and Opportunities concluded that the state’s suburban governments typically excluded low-income families, disproportionate shares of whom are either Black or Latinx, through zoning, finding that “publicly assisted housing is largely concentrated” in the state’s cities, “largely absent in wealthier jurisdictions, and disproportionately reserved for elderly households.”²⁴²

In 1978, the Connecticut Commission on Human Rights and Opportunities concluded that the state’s suburban governments typically excluded low-income families, disproportionate shares of whom are either Black or Latinx, through zoning, finding that “publicly assisted housing is largely concentrated” in the state’s cities, “largely absent in wealthier jurisdictions, and disproportionately reserved for elderly households.”

More specifically, “exclusionary” zoning was accomplished, the report concluded, by requiring lot sizes of more than twenty thousand square feet (nearly 50 percent of communities), prohibiting multifamily housing (19 percent of communities), requiring a special permit for multifamily housing (75 percent of communities), placing restrictions on the number of bedrooms in a home (22 percent of communities), and other means.²⁴³

Looking at zoning regulations in Hartford and twenty-eight communities near it that make up what is termed the Capitol Region, the analysis showed that the City of Hartford had the most inclusionary zoning in the region. At the time, it permitted multifamily housing and typically required a lot size of just eight thousand square feet. Two of the twenty-eight suburban communities in the region, on the other hand, prohibited multifamily housing altogether, and one permitted it only for elderly residents. All the other municipalities in the region required that developers obtain a special permit to build multifamily housing. Ten of the communities required a minimum lot size of twenty thousand square feet (just under half an acre) in order to build. Fifteen communities required that there be a minimum floor area of one thousand square feet to build.

The report concluded, “Many towns in Connecticut practice forms of zoning that have had the probable effect of excluding large portions of the State’s population from residence within the boundaries of their towns. . . . Connecticut, by its zoning enabling legislation...which together with other public and private discriminatory acts, increase the degree of separation between higher and lower income groups and between whites and minorities.”²⁴⁴

In 1970, Black families still made up barely 1 percent of the population in the suburbs of Hartford. All the population growth during this period—110,000 people—occurred in the suburbs. The population of the city, during the same period, declined from 162,000 to 158,000. Meanwhile, the city's Black population nearly doubled, from about 25,000 to 40,000, and the Latinx population nearly quadrupled, from 2,300 to 8,800. During this same period, 31,000—or nearly a fifth of all white residents—left the city.²⁴⁵

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Connecticut State Capitol, Hartford, Connecticut.

A Steady Habit of Segregation: The Origins and Continuing Harm of Separate and Unequal Housing and Public Schools in Metropolitan Hartford, Connecticut

k. In the 1970s and 1980s, Testing for Discrimination in Housing in Greater Hartford Provides More Documentation of Law Enforcement of Federal Law

In 1968 Congress passed the Fair Housing Act, prohibiting “discrimination in the sale, rental and financing of dwellings.”²⁴⁶ Several investigations by various actors over two decades provide documentation that indicates that the Fair Housing Act was not adequately enforced by state regulators.

Through the 1970s, the Hartford-based research and advocacy group Education/Instrucción investigated racial discrimination in housing. With a mission to “eliminate racism wherever it existed”²⁴⁷ and a goal to “bring statewide attention to the dual housing market problem and to strike deep at the institutionally racist and elitist causes,”²⁴⁸ EI published a series of ten investigative reports related to discrimination in housing during its active years.²⁴⁹

In one test of housing discrimination, sixty teams of Latinx, Black, and white undercover EI researchers posed either as potential homeowners or tenants in more than a hundred test situations. They found that real estate agents made disparaging remarks about Black and Puerto Rican people to the white undercover researchers.

In one test of housing discrimination, sixty teams of Latinx, Black, and white undercover EI researchers posed either as potential homeowners or tenants in more than a hundred test situations. They found that real estate agents made disparaging remarks about Black and Puerto Rican people to the white undercover researchers. The agents typically warned white testers off racially mixed neighborhoods. They tended to steer African Americans and Latinos into developing racially segregated neighborhoods and suburban enclaves populated by racial minorities. EI’s taped transcripts caught an agent describing the racially transitioning Blue Hills section of Hartford to a white homebuyer as a “slummy and high-crime area,” “not safe,” “a bad investment,” “a depressed area.” To white people, agents typically described the Northeast neighborhood as a “tough place” with “vandalism” and “people on welfare.” One agent asked a white home buyer, “Who the hell would want to live in Hartford?” Another said on tape, “I throw listings for Hartford homes away.”²⁵⁰

In response to EI’s findings, the US Department of Justice in July 1974 filed the lawsuit *US v. Barrows and Wallace Company et al.*²⁵¹ against eight of the nine largest real estate firms in the area. The government relied on testimony from more than thirty cases of documented steering and discrimination that testers had witnessed. The government lawyers argued that the discrimination was systemic in nature. Indeed, taken together, these firms employed more than 150 agents who typically sold about fifteen hundred homes in the region each year.²⁵²

One agent asked a white home buyer, “Who the hell would want to live in Hartford?” Another said on tape, “I throw listings for Hartford homes away.”

The real estate firms never admitted to discrimination, but to “avoid the expense and inconvenience of a trial” they agreed to settle.²⁵³ Under the settlement, firms agreed to not violate the Fair Housing Act, to provide education on the Fair Housing Act to their employees and agents, to affirmatively market to Black and Latinx home buyers, and to post a map of the Greater Hartford region on the office wall underscored with the words, “Equal Housing Opportunity.”²⁵⁴

l. Beginning in the Early 1980s, State Legislators Failed to Take Action on Bills Designed to Promote Desegregation in Public Schools

In 1981, the Education Committee of the Connecticut legislature reported out a bill that would have provided reimbursement of 20 to 60 percent of the transportation costs relating to voluntary interdistrict efforts that would

be part of a school district's approved plan to reduce or avoid racial imbalance. The bill was significant in that it provided incentives to move beyond remedying segregation within one school district. Instead, it would have focused efforts on combating segregation between school districts, where most extreme examples of segregation exist. However, the bill died in the Appropriation Committee. In 1983, a bill introduced by Representative Casey Goodwin of Mansfield would have "eliminated the possibility" of any school district maintaining a "minority" enrollment of more than 75 percent and required action at that point.²⁵⁵ This bill never moved out of the Education Committee.

m. Soon after Implementation in 1980 of the 1969 Racial Imbalance Act, the Law's Ineffectiveness in Reducing Segregation Is Evident, as Had Been Widely Predicted

Nearly immediately after implementation of the Racial Imbalance Act, school leaders in urban districts such as Hartford and New Haven complained that the law was, for their purposes, largely pointless, since the share of white students in the urban districts was too small to accomplish any meaningful integration. For example, by 1980, Hartford's schools were only 16 percent white. (Hartford never had a mandatory school desegregation plan.)

Because of the intentionally circumscribed nature of the law, it was mainly the handful of diverse school districts, such as Norwalk,²⁵⁶ Stamford, Meriden, Hartford, New Britain, Bloomfield, and New Haven, that were obligated to expend energy, time, and money "balancing" their schools.²⁵⁷ Predominantly white, homogeneous suburbs, meanwhile, never had such obligations under the law, because, at this time, the districts typically did not have significant shares of other "races" to "balance." As described earlier, at the time of debate on the original Racial Imbalance Act legislation, several researchers had released reports²⁵⁸ predicting continuing white and middle-class flight and urging local school districts to work together, on a regional basis, to address racial "imbalance" and its attendant inequalities.

A 1981 report from a task force of the Hartford Board of Education stated that, with regard to the Racial Imbalance Law, "trying to achieve a racial balance in a district with an 85 percent minority enrollment" would be "diversionary, deceptive and unsuccessful."²⁵⁹ The task force recommended, once again, that the state and local communities consider a regional desegregation remedy that would bring together students from Hartford and its suburbs. Such a regional remedy was never seriously debated, much less enacted on the state level.

...unlike most explorations of public education at the time, it looked beyond the school realm for causes of racial inequality and possible cures

Hartford's school superintendent at the time was working on proposals to the federal government to bring a regional magnet school to the city.²⁶⁰

n. State and Local Governments Enforce School District Borders through Criminal Penalties in the 1980s–2000s

Underscoring the commitment to enforcement of school district borders, in at least three cases Connecticut parents have been arrested for enrolling children in their care to attend school in districts where they did not live. This included two Black parents from Hartford, who in 1985 enrolled their children in the Bloomfield schools. The arrests were made as a result of "residence surveillance," according to Bloomfield police.²⁶¹ The parents were initially arrested for larceny, though the charges were later dropped.²⁶²

In 2010, police in Stratford arrested a grandmother and her daughter, who lived in public housing in Milford, for sending children to school in Stratford, where the children’s grandmother lived and where the children resided during the week.²⁶³ Then, in 2012, a Black woman who had lived at the time in Bridgeport enrolled her kindergarten-age son in the Norwalk Public Schools. She was arrested and served time in jail on a larceny charge.²⁶⁴

In 2011, thirty-three students were removed from the Wethersfield Public Schools after investigations by two retired Wethersfield police detectives working as “school board security officers.”²⁶⁵ It wasn’t until 2013, after the highly publicized case in Norwalk, that state officials passed a law exempting public school services from being subject to larceny statutes.²⁶⁶

Earlier, in 1969, the town of Ridgefield in southwestern Connecticut had denied a Black student living in the town with a local family entrance to its public schools; the boy had transferred from a public school in Alabama. Following petitions from residents who felt the boy should be admitted, the town later reversed its decision but still charged the child tuition.

o. In the Late 1980s, the State’s Commissioner of Education Calls for Action to Reduce Racial Segregation and Inequality in the State’s Public Schools

In 1988, a year before civil rights lawyers would formally file the *Sheff v. O’Neill* lawsuit, the state’s Department of Education released its annual *Report on the Racial/Ethnic Equity and Desegregation in Connecticut’s Public Schools*. The report began, “The premise underlying this report . . . is that segregation is educationally, morally and legally wrong. . . . A trend is developing in Connecticut’s public schools that is causing, according to the dictionary definition of segregation, the ‘isolation of the races’ with ‘divided educational facilities.’”²⁶⁷ The report pointed to “two Connecticuts.” In one, white students tended to be fully participating in the state’s economic and educational opportunities. In the other Connecticut, Black and Latinx students were effectively shut out of opportunities. The report recommended that the state, “through administrative and legislative means, endorse the concept of ‘collective responsibility’ for desegregating the public schools of Connecticut.” Publicly, the report was labeled “the Tirozzi report,” for the state education commissioner at the time, Gerald Tirozzi.

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The report detailed the high share of African American and Latinx students in the state’s cities—including Hartford, where Black and Latinx students made up more than 90 percent of the enrollment. It also pointed to contiguous suburbs with extremely low shares of students of color and posed the question, “One must ask why these great differences exist in the enrollment of minorities...contiguous towns.”²⁶⁸

The report was remarkable as well because, unlike most explorations of public education at the time, it looked beyond the school realm for causes of racial inequality and possible cures. For example, it said, “Many minority children are forced by factors related to economic development, zoning and transportation to live in poor urban communities.” It also emphasized the benefits of school integration, not only for children of color, but for white children who are deprived of practice for “living and working in a multicultural society.”²⁶⁹

The report recommended that all school districts in a metropolitan region—this would include suburban districts “contiguous or adjacent”—participate in the development of a plan to reduce “racial isolation.” School district “boundary lines,” the report said, “often perceived as barriers that prohibit or discourage the reduction of racial

isolation should not be allowed to defeat the school integration efforts.²⁷⁰ The state would provide “financial incentives” and “technical assistance” to these efforts, the report said. The report also recommended that the state’s Department of Education “undertake broad-based planning” with other government agencies concerned with housing, transportation, and other “factors that contribute to segregation in the public schools.”²⁷¹

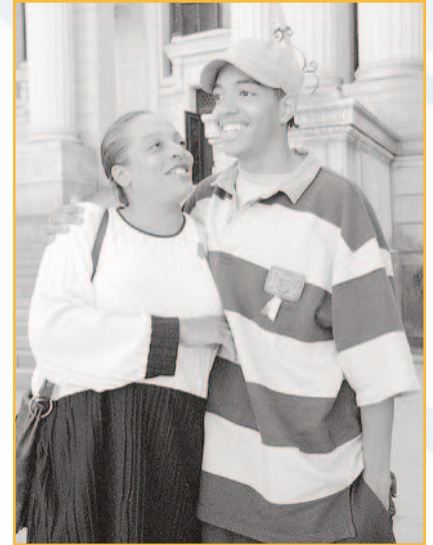
Courts, the report noted, have “repeatedly held states responsible for the establishment and continuation of racially segregated schools and for correcting the educational deficiencies resulting from past discrimination.” The report continued, “For Connecticut, the period of grace is running out. There are no shortcuts to desegregation. It is a process that requires time, nurturing, patience and investment, both financial and human.”²⁷²

The state’s long-delayed Racial Imbalance Law, the report stated, was “insufficient,” given that most segregation had long existed *between* distinct school districts, not within individual school districts.²⁷³ The report even provided examples of potential “geographical groupings,” with Hartford and Bloomfield being attached to 22 contiguous or adjacent municipalities.²⁷⁴ The report stressed that should voluntary efforts fail to achieve desegregation, the state should assume the authority to compel suburban cooperation. Several suburban state legislators spoke out against the ideas in the report. Philip Robertson from suburban Cheshire demanded Tirozzi’s resignation and called the plan “preposterous.”²⁷⁵ “I think the Commissioner is out of line,” said Robertson. “It is his responsibility to determine the direction of the State Department of Education, and this is a direction that is not his. The legislature is responsible for social change; the Department of Education is responsible for reading and writing and teaching youngsters arithmetic.”²⁷⁶

Soon after the report was released, State Senator Thomas Scott, a Milford Republican, began traveling throughout the state urging residents to oppose it. “They say the report doesn’t mandate forced busing, but if anyone in the department, or the state board, suggests we’re not talking about forced busing, they are being dishonest with the people of Connecticut,” Scott said. “What they’re doing is pretty despicable.”²⁷⁷

The cochair of the legislature’s Joint Committee on Education, Kevin Sullivan of West Hartford, was less harsh than some of his colleagues. He called Tirozzi “cavalier” and the report an “example of how not to achieve what you want to achieve.”²⁷⁸

The state’s governor, William O’Neill, told the *Hartford Courant* that while he saw that help is “needed” from suburban communities in “many areas in including housing,” he generally preferred the carrot to the stick in the “art of politics.” He said he believed in “equal education” but added, “I also believe that you don’t disrupt families



Lead plaintiffs in the Sheff v. O’Neill lawsuit, Elizabeth Horton Sheff and her son, Milo Sheff. Source: The Hartford Courant



John C. Brittain, a civil rights lawyer and law professor, was one of a team of attorneys representing the Sheff v. O’Neill plaintiffs. Source: UDC David A. Clarke School of Law

and neighborhood schools if humanly possible.”²⁷⁹ O’Neill, thus, essentially undermined the report’s argument that the state should assume authority should local communities fail to take part in desegregation efforts.

In an interview, Tirozzi would later tell this report’s author, “I had been talking about this problem since 1977. People might ask why the chairman of the Education Committee wasn’t looking at this issue, why, after watching segregation grow and grow, there’s not even a discussion.”²⁸⁰

The chairman of the State Department of Education, Abraham Glassman, emphasized the state’s vulnerability to lawsuits. Speaking to the *New York Times*, Glassman said, “The problem is not going to go away. It’s going to get worse. And if we ignore it, others will take it upon themselves to impose a solution. And it won’t be a benevolent court; it will be a court which will say, ‘Do this, do this, and do this.’ And that solution may ultimately be forced busing.”²⁸¹

p. In 1989, Civil Rights Lawyers File the Sheff v. O’Neill Lawsuit Charging That by Failing to Remedy Racial and Ethnic Segregation, the State Reneged on Its Constitutional Duty to Provide an Equal Education

In the mid-1980s, local civil rights lawyers, in collaboration with national civil rights organizations, began investigating local community members’ interest in bringing a legal challenge to the conditions of segregation and concentrated poverty in Connecticut, which they understood to be connected to school quality and life opportunity more generally. After meetings and community-level assemblies of local educators, parent-led groups, activists, clergy, and Latinx and Black-led groups, the lawyers began more seriously discussing legal theories and action informed by community members’ concerns and observations.

In 1989, lawyers filed their seventeen-page legal complaint, *Sheff v. O’Neill*, on behalf of a group of white, Latinx, and Black children and their parents from both Hartford and its suburbs. The lawsuit charged that state government officials had reneged on their constitutional duty to provide a free, equal education to public schoolchildren in Connecticut. They had reneged, the plaintiffs argued, by failing to remedy the growing racial and economic segregation between the city of Hartford and its surrounding suburbs. The plaintiffs argued that officials had been aware not only of inequality in educational outcomes and in performance, but also of the harm that segregation caused. State officials mounted a defense, arguing that the state, while taking some action to reduce growing segregation over the years, had not caused the problem and was thus not responsible for remedying it.

The case, *Milo Sheff et al. v. William O’Neill et al.*, named the state’s governor, William O’Neill, Gerald Tirozzi, and several other state officials as defendants. There were nineteen plaintiffs. The claims were simple and direct: (1) Segregation itself rendered education unequal; (2) through failing to mitigate this segregation, the defendants discriminated against the plaintiffs who were afforded equal education under the state Constitution; and (3) because of concentrated poverty—racial segregation’s attendant—Hartford’s schools were overburdened and thus failed to provide a minimally adequate education to students.²⁸²

Local educational leaders in Hartford, in addition to several classroom teachers, not only publicly supported the *Sheff* plaintiffs but would also testify in court on the plaintiffs’ behalf. Though the plaintiffs had named Commissioner of Education Tirozzi as a defendant, the plaintiffs were the ones to use a deposition from him—the much-cited Exhibit 494—to support their case.

During the District Court trial, which commenced in 1992 in West Hartford, plaintiffs detailed the inequities between Hartford and the surrounding districts. They also detailed the history of the state's favorable statements about the need for integration, along with the lack of substantial action that would have brought about integrated schools.

One plaintiff witness, William Gordon, stated, "Connecticut has been a leader in studying the problem of segregation, but has not been a leader in taking constructive action."²⁸³ David Carter, another plaintiff witness, had recently chaired a commission to develop recommendations to reduce racial isolation in the state's schools in a 1990 report that followed the Tirozzi report.²⁸⁴ He stated that the state was guilty of "dynamic gradualism," where you have "much motion but no movement."²⁸⁵

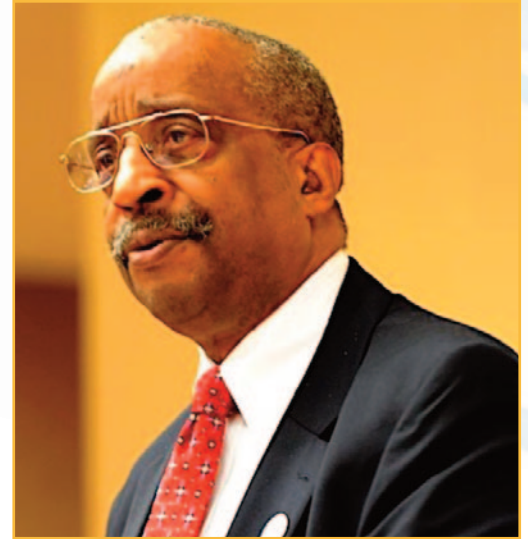
The plaintiffs also detailed the social science evidence at the time, which suggested both short-term academic benefits and longer-term life benefits of racial and economic diversity in schools.²⁸⁶

In 1993, two weeks into the *Sheff* trial, O'Neill's successor, Governor Lowell Weicker Jr., used his annual State of the State address to bring attention to school segregation and offer a solution.

"The racial and economic isolation of Connecticut's school system is indisputable," he said. "Whether this segregation came about through the chance of historical boundaries or economic forces beyond the control of the state, or whether it came about through private decision, or in spite of the best educational efforts of the state, what matters is that it is here and must be dealt with." Weicker proposed splitting the state into six regions. Each would be charged with devising a plan to "eliminate racially isolated" schools. The state government would be the final approver of plans.²⁸⁷

This generated intense media attention, as it had not been common for state leadership to characterize social problems as requiring regional solutions. Weicker had implied regional desegregation as the ultimate goal, the means by which it would be accomplished to be laid out through local planning. However, the eventual law passed by the legislature, Connecticut Public Act 93-263, was weaker than Weicker's original conception. Unlike the governor's proposal, the law required that plans devised by local committees be approved by numerous local government entities. And under the law, the plans would not be binding, even if they were passed. Most of the proposed plans failed to pass even at the local levels.

The state's lawyers held that there was no legal basis for a court "taking over the running of school systems . . . in effect, ordering massive interdistrict transportation of students, eliminating the system of governance of education as we know it in this state." The state's attorney general, Richard Blumenthal, said that if the *Sheff* plaintiffs



Connecticut educator and university president Dr. David Carter was a key witness for *Sheff v. O'Neill* plaintiffs. Dr. Carter died in 2018. Source: Eastern Connecticut State University.

*In 1989, lawyers filed their seventeen-page legal complaint, *Sheff v. O'Neill*, on behalf of a group of white, Latinx, and Black children and their parents from both Hartford and its suburbs. The lawsuit charged that state government officials had reneged on their constitutional duty to provide a free, equal education to public schoolchildren in Connecticut.*

were to prevail, “this Court will be sitting as a super legislature . . . eviscerating local control, eliminating school districts. . . . It will be literally, a cataclysmic upheaval in the educational structure of the state of Connecticut.”²⁸⁸

In 1995, District Court judge Harry Hammer issued his ruling in the case. He found in favor of the state, ruling that since there had not been any law passed that could be pointed to as a direct cause of segregation, then the state could not be held responsible for segregation.

Plaintiffs appealed their case to the Connecticut Supreme Court. Their brief challenged many of Judge Hammer’s findings of fact and all his findings of law. Most significantly, the lawyers wrote, the judge’s implication that there was not sufficient “state action” to implicate Connecticut as a responsible agent of school segregation was

“Whether this segregation came about through the chance of historical boundaries or economic forces beyond the control of the state, or whether it came about through private decision, or in spite of the best educational efforts of the state, what matters is that it is here and must be dealt with.”

wrong. They argued that the state oversaw the schools; that the state had in fact adhered to a districting statute that officials had long known resulted in segregated schools; that the state built schools on top of segregated housing patterns. Equal education, the brief emphasized, was an affirmative obligation under the state constitution, and if it was not being provided, then that was a constitutional violation.

In July 1996, Chief Justice Ellen Peters of the Connecticut Supreme Court wrote for the majority in the 4–3 decision in favor of the plaintiffs. Peters’s logic relied on the obligation that a previous decision, *Horton v. Meskill*, had established: to provide all children in public schools with a “substantially equal education.”²⁸⁹

The majority read conjointly, two constitutional provisions: Article 8, Section 1, which embodies that obligation, and Article 1, Section 20, the amendment that prohibits “segregation.” Considering these provisions in tandem, the majority concluded that “the existence of extreme racial and ethnic isolation in the public school system deprives schoolchildren of a substantially equal educational opportunity and requires

the state to take further remedial measures.”²⁹⁰ Those remedial measures were required, the majority said, regardless of whether the segregation was the result of intentional state action, though it added, “We conclude . . . that the school districting scheme . . . as enforced with regard to these plaintiffs, is unconstitutional.”²⁹¹ Thus, the state’s mere maintenance of such boundaries, the court ruled, violated both Connecticut’s constitutional prohibition of segregation and its affirmative obligation to provide students an “equal educational opportunity.”²⁹²

The court did not issue a clear directive to the legislature. Justice Peters, however, wrote, “We direct the Legislature and the Executive branch to put the search for appropriate remedial measures at the top of their respective agendas.”²⁹³

Significantly, the *Sheff* case did not include any discussion of the government-sponsored housing segregation underlying the segregated, balkanized system of separate city and suburban school districts. Although the original *Sheff* complaint included an allegation that government housing actions had contributed to school segregation, the parties agreed (stipulated) to remove that issue from the case, as the housing evidence and witnesses on both sides were threatening to delay the trial and take the court’s attention away from the central legal issues.

Since 1996, Connecticut has passed legislation and engaged in four principal agreements and two extensions between the *Sheff* plaintiffs and the state. Three principal agreements are *Sheff I* (2003), *Sheff II* (2008, with an

extension in April 2013), and Sheff III (2013, with an extension in 2015). The most recent settlement agreement between the plaintiffs and the state, in early 2020, increases the number of available seats in Hartford’s magnet schools and reallocates money to encourage suburban districts to accept more cross-district transfer students from Hartford.²⁹⁴ As stated previously, a review of the *Sheff* remedies is beyond the scope of this report. Scholarly explorations and court documents offer a window into the decades of negotiations and settlements between the state and the civil rights plaintiffs.²⁹⁵

Thus, the state’s mere maintenance of such boundaries, the court ruled, violated both Connecticut’s constitutional prohibition of segregation and its affirmative obligation to provide students an “equal educational opportunity.”

CONCLUSION

This report tells a story. Its principal characters are government actors at local, state, and national levels who, through deliberate action, willful neglect, or both, played integral roles in creating, sustaining, and exacerbating racial and ethnic residential and school segregation in the Hartford metropolitan region. The racial segregation we witness today was not an accident and is rooted in racial and ethnic discrimination. Neither is this condition harmless, a simple matter of people from different racial groups living apart from each other. We know that segregation confers unequal opportunity and both reflects and worsens existing inequalities and cleavages in our society.

The evidence here indicates that in housing, and particularly in the area of school desegregation, where most debate and activity around segregation have occurred in the state, it was lawmakers' deference to white

The evidence here indicates that in housing, and particularly in the area of school desegregation, where most debate and activity around segregation have occurred in the state, it was lawmakers' deference to white suburbia, through unabashed allegiance to "local control," that fatally circumscribed state practice and policy over decades.

suburbia, through unabashed allegiance to "local control," that fatally circumscribed state practice and policy over decades. These actions occurred in spite of voluminous evidence that local suburban policy played a role in creating and sustaining segregation through exclusionary zoning and resistance to fair housing practices. It is this decades-long inaction and implementation of weak or counterproductive policy that made the state vulnerable to the *Sheff v. O'Neill* lawsuit filed in 1989, which was decided in favor of civil rights plaintiffs in 1996. Further, a survey of recent investigations into ongoing discriminatory practice in the housing realm should bolster support for powerful counterforces to mitigate the enduring condition of segregation and its attendant concentrated poverty.

Government officials were not the sole actors in this long history, and assigning blame in precise proportions may be impossible. That does not take away from the great preponderance of evidence showing that what is often termed "private" discriminatory action was, at best, tolerated or overlooked by government actors who have an affirmative obligation to provide equal protection of the laws and, under the state constitution, an equal education. The evidence offered in the preceding pages indicates that at many points in this history, state government actors, well informed for decades about the existence, intensification, and harms of racial and ethnic segregation, could have taken action to mitigate it. But they actively chose not to. It was not until after the *Sheff v. O'Neill* lawsuit in 1989, which the State of Connecticut defended itself against for several years, and then the decision for the plaintiffs in 1996, that the problem of racial and ethnic segregation, at least in the public schools, would begin to be meaningfully addressed.

Evidence strongly suggests the need for new and continued counterforces to the long-standing, harmful condition of racial and ethnic segregation.

Now, elected leaders, grant makers, and community members at the state, regional, and local levels all have decisions to make about how to move forward in light of this documented history, the continuing segregation in the region, and the harms it causes in multiple life sectors. We hope this report will broaden public understanding about the roots of this shared problem and help build the will necessary to remedy and redress it. Evidence strongly suggests the need for new and continued counterforces to the long-standing, harmful condition of racial and ethnic segregation. We ask that



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community members, advocates, grant makers, lawmakers, local officials, and educators consider the following recommendations. These recommendations are offered in no particular order or priority and are surely not comprehensive. In every recommendation that we offer here, state and local officials, grant makers, advocates, and community members each have roles to play.

RECOMMENDATIONS

- 1) Create, support, and commit to more opportunities for regionalism in public schooling and housing practice and policy.
 - a) The state’s long-standing allegiance to “local control” handcuffs children’s public school assignments to their places of residence. Make school borders more porous as a way **to interrupt segregation**. This is an underlying goal of the Sheff remedies. Support opportunities for integration through *Sheff*-related remedies and create other opportunities for regionalism outside a litigation context.
 - b) **Create more affordable housing outside of cities and predominantly Black and Latinx neighborhoods.** For example, expanding the jurisdiction of local housing authorities would enable those authorities to develop housing units beyond the community in which they are located. Also, this would make it easier for Housing Choice Voucher holders to move across municipal lines.
 - c) Create and fully fund a more effective “mobility counseling” program to **assist families who wish to move from segregated, often “low-opportunity” neighborhoods to communities of higher opportunity**. Grant makers could also fund such efforts. Such programs have historically been underfunded by the state and suffered from weak accountability.
- 2) Support and collaborate with nonprofit organizations²⁹⁶ engaged in awareness raising, public deliberation, and direct action with regard to **redress for African American and Latinx communities in Connecticut harmed by government-created segregation**. Redress could come in a variety of forms, including investments in predominantly Black and Latinx neighborhoods, efforts to prevent displacement as a result of gentrification, and programming to support equitable integration.
- 3) **Investigate individual communities’ resistance to fair and affordable housing and/or school desegregation.** State officials, nonprofit organizations, and community members could collaborate to create remedial plans accordingly. Grant makers in particular could play a key role in supporting research and community engagement.
- 4) Develop **school curriculum** that builds community knowledge about the roots and consequences of the demographic patterns in specific municipalities, in the Greater Hartford region and the state. Related to this, **support community-based education** on the roots of segregation, potential solutions, and related topics. This might include panel discussions and civic engagement efforts that enable community members to “de-design” or “un-design” segregation and develop innovative practices that would support equitable, diverse communities.
- 5) **Make it easier for developers to build affordable housing in communities that lack it.** To do this, lawmakers and advocates must strengthen and enforce the state’s existing law known as 8-30g, which makes it easier for developers to build affordable housing in communities that have low relative shares of such housing.

- 6) **Enforce and Improve Implementation of Current Zoning and Planning Laws.** Connecticut General Statue Sec. 8-2 sets out a number of standards requiring that towns zone for housing diversity and play an appropriate role on hosting a portion of their region’s affordable housing need. Such requirements need to be followed by towns and enforced by the state, ideally through a “fair share housing” regime, akin to the policies in place in New Jersey wherein each town is required to zone for a fair proportion of the affordable housing demand.

Notes

- 1 The research on this matter is voluminous and long-standing. Some important scholarship includes Greg Duncan and Steven Raudenbush, "Neighborhoods and Adolescent Development: How Can We Determine the Links?," in *Does It Take a Village? Community Effects on Children, Adolescents, and Families*, ed. Alan Booth and Ann C. Crouter (State College: Pennsylvania State University Press, 1999), 105–36; Dolores Acevedo-Garcia, Erin F. Hardy, Nancy McArdle, Unda Ioana Crisan, Bethany Romano, David Norris, Mi-kyung Baek, and David Reece, "The Child Opportunity Index: Measuring and Mapping Neighborhood-Based Opportunities for U.S. Children," 2016, diversitydatakids.org and Kirwan Institute for the Study of Race and Ethnicity; Dolores Acevedo-Garcia, Theresa L. Osypuk, Nancy McArdle, and David R. Williams, "Toward a Policy-Relevant Analysis of Geographic and Racial/Ethnic Disparities in Child Health," *Health Affairs* 27, no. 2 (2008): 321–33; Geoffrey D. Borman and Maritza Dowling, "Schools and Inequality: A Multilevel Analysis of Coleman's Equality of Educational Opportunity Data," *Teachers College Record* 112 (2010): 1201–46; "Brief of 553 Social Scientists as Amici Curiae in Support of Respondents," *Parents Involved in Community Schools v. Seattle School District No. 1*, 551 U.S. 701 (2007); Ingrid Gould Ellen and Sherry Glied, "Housing, Neighborhoods, and Children's Health," *Future of Children* 25, no. 1 (2015): 135–53; Paul A. Jargowsky, "Segregation, Neighborhoods, and Schools," in *Choosing Homes, Choosing Schools: Residential Segregation and the Search for a Good School*, ed. Annette Lareau and Kimberly Goyette (New York: Russell Sage Foundation, 2014); Ben Feldmeyer, "The Effects of Racial/Ethnic Segregation on Latino and Black Homicide," *Sociological Quarterly* 51, no. 4 (2010): 600–623, <https://doi.org/10.1111/j.1533-8525.2010.01185.x>.
- 2 US Census 2010, SF2 table PCT5. See also Connecticut Fair Housing Center, *Analysis of Impediments to Fair Housing Choice 2015* (Hartford: Connecticut Department of Housing, 2015), <https://portal.ct.gov/-/media/DOH/AnalysisofImpediments2015pdf.pdf?la=en>.
- 3 Ct.gov, "Schools and Districts," accessed October 30, 2019, <https://portal.ct.gov/Services/Education/K-12-Education/Schools-and-Districts>.
- 4 This report does not include an analysis of remedies implemented in response to the 1996 *Sheff v. O'Neill* decision.
- 5 Examples include CONECT in New Haven, the Open Communities Alliance, and the *Sheff* Movement Coalition, based in Hartford.
- 6 US Census 2010, SF2 table PCT5. See also Connecticut Fair Housing Center, *Analysis of Impediments*.
- 7 Ct.gov, "Schools and Districts."
- 8 US Department of Housing and Urban Development, AFFH Data Documentation, Draft, June 2013, https://www.huduser.gov/portal/publications/pdf/FR-5173-P-01_AFFH_data_documentation.pdf.
- 9 Another measure of segregation is called the "isolation index." This considers the share of a particular racial group in an entire Labor Market Area (LMA) and compares that to the racial composition of a typical resident's neighbors. A concrete example is helpful here. Currently, 29 percent of people in the Hartford LMA are nonwhite. However, the typical nonwhite person in the LMA lives in a neighborhood where 56 percent of people are nonwhite. The ratio, thus, of the isolation index (56 percent) and the LMA population of color (29 percent) is 1:9, meaning that a typical neighborhood has 90 percent more people of color than would be expected if there were an even distribution of people of color.
- 10 M. Hall and L. Barret, "How Diverse Are US Suburbs?," *Urban Studies* 47, no. 1 (January 2010): 3–28, <https://journals-sagepub-com.resources.library.brandeis.edu/doi/10.1177/0042098009346862>. See also Michael Sacks, "Suburbanization and the Racial/Ethnic Divide in the Hartford Metropolitan Area," Hartford Studies Collection: Papers by Students and Faculty, Paper 17 (2003), https://digitalrepository.trincoll.edu/cgi/viewcontent.cgi?article=1016&context=hartford_papers.
- 11 Gary Orfield and Jongyeon Ee, *Connecticut School Integration: Moving Forward as the Northeast Retreats* (Los Angeles: Civil Rights Project, 2015), 31, <https://www.civilrightsproject.ucla.edu/research/k-12-education/integration-and-diversity/connecticut-school-integration-moving-forward-as-the-northeast-retreats/orfield-ee-connecticut-school-integration-2015.pdf>.
- 12 Orfield and Ee, 26.
- 13 Puentes Pendall, *From Traditional to Reformed: A Review of the Land Use Regulations in the Nation's 50 Largest Metropolitan Areas*, Brookings Institution, August 2006: Metro Summaries, "Hartford, CT NECMA," https://www.brookings.edu/wp-content/uploads/2016/06/metro_summaries.pdf.
- 14 Connecticut Fair Housing Center, *Analysis of Impediments*, 104.
- 15 Connecticut Fair Housing Center, 104.

- 16 As a recipient of federal housing funding from the US Department of Housing and Urban Development, the state was required to analyze impediments to fair housing choice and then take steps to overcome the impediments it identified.
- 17 Connecticut Fair Housing Center, *Are Local Land Use Policies Contributing to Housing Segregation in the Hartford MSA?*, September 2017, <https://www.ctfairhousing.org/wp-content/uploads/2017/10/Land-Use-Report-9-2017.pdf>. Information on exempt and nonexempt communities at <https://portal.ct.gov/-/media/DOH/Final-Appeals-Summary-2018.pdf?la=en>.
- 18 Connecticut Public Act 17-170, <https://www.cga.ct.gov/2017/ACT/pa/pdf/2017PA-00170-R00HB-06880-PA.pdf>.
- 19 Jacqueline Rabe Thomas, "Separated by Design: How Some of America's Richest Towns Fight Affordable Housing," *Connecticut Mirror*, May 22, 2019, <https://ctmirror.org/2019/05/22/separated-by-design-how-some-of-americas-richest-towns-fight-affordable-housing/>.
- 20 Open Communities Alliance, letter to Terry Nash, Policy and Program Development, Connecticut Housing Finance Authority, July 1, 2019. On file with the author.
- 21 Jacqueline Rabe Thomas, "Why Affordable Housing Is Built in Areas with High Crime, Few Jobs and Struggling Schools," *Connecticut Mirror* and ProPublica, November 25, 2019, <https://www.propublica.org/article/separated-by-design-why-affordable-housing-is-built-in-areas-with-high-crime-few-jobs-and-struggling-schools>.
- 22 Ingrid Gould Ellen et al., *Effect of QAP Incentives on the Location of LIHTC Properties*, US Department of Housing and Urban Development Office of Policy Development and Research, April 7, 2015, <https://assets.documentcloud.org/documents/6405894/Pdr-Qap-Incentive-Location-Lihtc-Properties-050615.pdf>.
- 23 Open Communities Alliance, letter to Planning and Development Committee members, Planning and Development Committee, Legislative Office Building, Hartford, CT, May 14, 2018. On file with the author. See the 2013–18 Connecticut State Plan of Conservation and Development at 3, [http://www.ct.gov/opm/lib/opm/igp/org/cdupdate/2013-2018_final_cd_plan_\(rev._june_2017\).pdf](http://www.ct.gov/opm/lib/opm/igp/org/cdupdate/2013-2018_final_cd_plan_(rev._june_2017).pdf).
- 24 Connecticut Fair Housing Center, *Analysis of Impediments*, 34: "CFHC performed a total of 375 fair housing tests since 2008. However, this report focuses on the tests that evaluated differential treatment based on race. Of the 375 tests completed, it is difficult to generalize about results. For example, tests for disability discrimination consistently show differential treatment in nearly 100% of the tests. Testing for familial status discrimination shows differential treatment in about 35% of the tests." CFCH explains, "The tests reviewed were limited to those that involved non-Hispanic white and Black paired testers and met other criteria (for example, the testers contacted the potential landlord or real estate agent within 10 days of one another)." From <https://assets.documentcloud.org/documents/5781831/Analysis-of-Impediments-to-Fair-Housing-in-CT-2015.pdf>.
- 25 Connecticut Fair Housing Center, *Analysis of Impediments*, 34.
- 26 Connecticut Fair Housing Center, 34.<<AU: page OK?>> The CFHC review of home sales tests revealed that "Black testers experienced one of the factors that would prevent them from accessing a house on par with their non-Hispanic white testing counterparts 67 percent of the time. Non-Hispanic white testers experienced one factor that prevented them from accessing a house on par with the Black testing counterpart 15 percent of the time. In seven of the tests, the Black tester encountered at least two barriers to home purchase when none were experienced by the non-Hispanic white tester. In one of these tests, the Black tester experienced four such barriers."
- 27 Jacqueline Rabe Thomas, "How Wealthy Towns Keep People with Housing Vouchers Out," ProPublica, January 9, 2020, <https://www.propublica.org/article/how-wealthy-towns-keep-people-with-housing-vouchers-out>.
- 28 See, generally, this nontechnical paper, which summarizes scholarly findings: Peter Bergman et al., *Creating Moves to Opportunity: Experimental Evidence on Barriers to Neighborhood Choice*, Opportunity Insights, August 2019, https://opportunityinsights.org/wp-content/uploads/2019/08/cmto_summary.pdf.
- 29 An Assessment of the State of Connecticut's Mobility Counseling Program,<<AU: can title be in quotes?>> updated May 2019, OPEN Communities Alliance.
- 30 Assessment of the State of Connecticut's Mobility Counseling Program, 2.
- 31 Open Communities Alliance, letter to Commissioner Seila Mosquera-Bruno, State of Connecticut Department of Housing, August 9, 2019. On file with the author.
- 32 Jason Reece, "People, Place and Opportunity," in *People, Place and Opportunity* (Columbus, OH: Kirwan Institute, 2009), 17. See also, generally, Bruce Mitchell and Juan Franco, *HOLC "Redlining" Maps: The Persistent Structure of Segregation and Economic Inequality* (Washington, DC: National Community Reinvestment Coalition, 2018), <https://ncrc.org/holc/>.

- 33 Jonathan Rothwell, *Housing Costs, Zoning, and Access to High-Scoring Schools* (Washington, DC: Brookings Institution, 2012), 2, https://www.brookings.edu/wp-content/uploads/2016/06/0419_school_in-equality_rothwell.pdf.
- 34 Erin Boggs and Lisa Dabrowski, *Out of Balance: Subsidized Housing, Segregation and Opportunity in Connecticut* (Hartford, CT: Open Communities Alliance, 2017).
- 35 According to the Open Communities Alliance, “only 2% of the land area of Connecticut is assessed as ‘very low opportunity,’ the lowest of the five opportunity tiers. According to the OCA, 30 percent of the land area is “very high opportunity,” and 28 percent is “high opportunity” (p. 7). The population of Connecticut is fairly evenly distributed among each of the five types of opportunity areas, even though the land area varies significantly. In other words, more people are concentrated in smaller, lower-opportunity areas. Overall, OCA writes, “a stunning percentage of government subsidized units, typically upwards of 85%, are located in very low, low or moderate opportunity areas” (8).
- 36 Boggs and Dabrowski, *Out of Balance*, ii.
- 37 Open Communities Alliance, “A Case for Broadening Housing Authority Jurisdiction in Connecticut,” February 2019.
- 38 Connecticut Fair Housing Center, *Where Do We Go from Here? The Results of Three Years of Housing Testing in Connecticut, 2012–2015*, 2015, <https://www.ctfairhousing.org/wp-content/uploads/Where-can-we-go-from-here-testing-report1.pdf>. Also, Connecticut Fair Housing Center, *2016–17 Mortgage Lending Testing Report*, 2018, <https://www.ctfairhousing.org/wp-content/uploads/2017/10/Testing-Report-final.pdf>.
- 39 Connecticut Fair Housing Center, *Where Do We Go from Here?*
- 40 Connecticut Fair Housing Center, *2016–2017 Mortgage Lending Testing Report*, 1. The center also found that African Americans and Latinos were more likely than whites to receive government-backed loans, even controlling for income.
- 41 Connecticut Fair Housing Center, *2016–2017 Mortgage Lending Testing Report*, 3.
- 42 Susan Eaton, *The Children in Room E4: American Education on Trial* (Chapel Hill, NC: Algonquin Books of Chapel Hill, 2009). See also Glenn Weaver and Michael Swift, *Hartford, Connecticut’s Capital: An Illustrated History* (Sun Valley, CA: American Historical, 2003); Sondra A. Stave, *Achieving Racial Balance: Case Studies of Contemporary School Desegregation* (Westport, CT: Greenwood, 1995).
- 43 Raymond Marcin, “Nineteenth Century De Jure Segregation in Connecticut,” *Connecticut Bar Journal* 45 (1971), <https://scholarship.law.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=1887&context=scholar>.
- 44 Marcin, “Nineteenth Century De Jure Segregation.”
- 45 Barbara Beeching, “The Primus Papers: An Introduction to Hartford’s Nineteenth Century Black Community” (Master’s thesis, Trinity College, Hartford, 1995). See also Marcin, “Nineteenth Century De Jure Segregation”; and Weaver and Swift, *Hartford, Connecticut’s Capital*.
- 46 Beeching, “Primus Papers,” 25. The “African school” closed in 1868. It stood just outside what is now referred to as “downtown” Hartford. See also Eaton, *Children in Room E4*, 44.
- 47 Weaver and Swift, *Hartford, Connecticut’s Capital*.
- 48 Stave, *Achieving Racial Balance*.
- 49 Marcin, “Nineteenth Century De Jure Segregation.”
- 50 Marcin.
- 51 Marcin.
- 52 Marcin.
- 53 General Statutes § 10-184 provides, “Duties of parents. All parents and those who have the care of children shall bring them up in some lawful and honest employment and instruct them or cause them to be instructed in reading, writing, spelling, English grammar, geography, arithmetic and United States history and in citizenship, including a study of the town, state and federal governments. Each parent or other person having control of a child seven years of age and over and under sixteen years of age shall cause such child to attend a public day school regularly during the hours and terms the public school in the district wherein such child resides is in session, or while the school is in session in which provision for the instruction of such child is made according to law, unless the parent or person having control of such child is able to show that the child is elsewhere receiving equivalent instruction in the studies taught in the public schools.”
- 54 Untitled Opinion of the Judges of the Supreme Court, reported at 32 Conn. 565 (1866).
- 55 Weaver and Swift, *Hartford, Connecticut’s Capital*, 103.
- 56 Weaver and Swift, 103–5, 96.

- 57 Weaver and Swift, 103–5, 96.
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- 72 US Census, Hartford, CT, 1930. The initial research for much of this section was completed by Geri Griffin, while she was a student at the University of Connecticut School of Law. Griffin’s work was never published, but as far as I can ascertain, she was the first to unearth and systematically compile the findings of the Slum Clearance Study Committee and overlay its recommendations on eventual sites for what became segregated public housing. For the purposes of this report, I returned to her original sources to replicate, verify, and build upon her work.
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- family income is 97 percent of non-Hispanic white family income. In Connecticut, income disparities between racial and ethnic groups are reflected in differences in poverty rates. The poverty rate among Blacks is nearly four times that of non-Hispanic whites. Hispanics experience almost five times the rate of poverty as non-Hispanic whites. The poverty rate among Asians is only 1.6 times that of non-Hispanic whites. In 2010, the federal poverty threshold for a married couple with two children was \$22,113. For a single individual under age sixty-five, the poverty threshold was \$11,344. "Poverty Thresholds, United States Census Bureau,"
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