



## COMMUNITY PROFILE

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# The Reparations Work Underway in Evanston, IL: Promoting an Affirmative and Accountable Government

*Robin Snyderman & Robin Rue Simmons\**

### A Little National Perspective

Whether you agree that “We are in an Era of Repair”<sup>1</sup> and that there is a “growing momentum . . . around issues of racial justice,” per a recent NPR story reflecting on Juneteenth, or you are simply appalled that the country’s racial homeownership gap is worse now<sup>2</sup> than it was before the enactment of the Civil Rights Act, you understand the importance of the reparations strategy rolling out in Evanston, Illinois.

Because this article is being published in an affordable housing law journal, chances are you embrace both these realities—the real progress and the continued failures. The passage of the Title VIII of the Civil Rights Act of 1968, known as the Fair Housing Act, remains a celebrated achievement, for example, though it has not been effective at creating integrated communities. Further work is needed and does continue. Affirmatively Furthering Fair Housing (AFFH), a key provision of this Act that promotes greater accountability on behalf of federal administrators and local leaders, to further the policies and purpose of the Fair Housing Act, was strengthened and then weakened and then strengthened again over the last three federal administrations. Ideally, it provides federal incentives and disincentives for local leaders to respond to inequities in their own communities. Reparations is one of countless examples of such “affirmative” activity. It is

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1. Odette Yousef, *‘We Are in an Era of Repair’: One Reparations Advocate Reflects on Juneteenth*, WBEZCHICAGO (June 19, 2021), <https://www.wbez.org/stories/one-evanston-activist-sees-juneteenth-recognition-as-a-step-towards-reparations/1beff8ec-490b-415d-89e7-9d6ee6eebbdd>.

2. *Reducing the Racial Homeownership Gap*, URB. INST., <https://www.urban.org/policy-centers/housing-finance-policy-center/projects/reducing-racial-homeownership-gap> (last visited Aug. 6, 2021).

a source of hope and, yes, controversy that represents courage and leadership and that sets in motion a whole host of political minefields and technical gymnastics.

Housing may be the most basic of human needs, and the location and stability of a child's home may be the greatest determinant of her academic, professional, and personal success. But, sadly, the housing delivery system in our country remains among the most inefficient and inequitable, which means that local progress depends on the capacity and commitment of local leaders to address the range of housing needs related to people who live and work in their communities.

Many have written about the perfect storm of recent tragedies—the pandemic, the economic downturn, and the murder of George Floyd—that spewed our country's racial disparities back into local and national headlines and throughout social media. None of it is “news,” of course, but the renewed historic perspective and attention to institutionalized racism have lifted the need for reparations into the national debate as well.

Evanston's own commitment to this topic long pre-dated the pandemic. Decades of work resulted in Evanston's City Council passing a resolution in November 2019 that dedicates the first \$10 million of the City's Municipal Cannabis Retailers' Occupation Tax to fund local reparations programs for Black Evanston residents.<sup>3</sup> As new Evanston Mayor (then mayor elect) Dan Biss wrote in an open letter to the community, the night before the resolution went to city council, “Reparations is a huge, difficult, and complex project that seeks to address the damage done by white supremacy, one of the great prolonged evils in human history. It will not be “solved” on the first try. On the contrary, we will have to try many different approaches, listen with an open mind to learn from what works and what needs to be changed, and adjust our strategy on an ongoing basis.”

What we hope to provide, via this article, is a little behind the scenes insight and perspective about Evanston's reparations strategy from two Evanston residents—one, Robin Rue Simmons, a local leader and the visionary advocate behind Evanston's Reparations strategy and the other, Robin Snyderman, a long-time housing professional dedicated to regional housing solutions (who concluded her six-year stint as Chair of Evanston's Housing Commission, when its first and more diluted inclusionary zoning ordinance passed, more than fifteen years ago!).

### **The Local Lore**

A beautiful college town on the shores of Lake Michigan, benefitting from mature treelined streets, first-class health care, and higher education, and the transit grid of the Chicago Loop, Evanston is as known for its diversity,

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3. City of Evanston, Establishing a City of Evanston Funding Source Devoted to Local Reparations, Res. 126-R-19 (Nov. 14, 2019), <https://www.cityofevanston.org/home/showpublisheddocument/62672/637511530122430000>.

liberal residents, and progressive politics as much as for its restaurants per capita and its dynamic theater, music, and art scene.

In Illinois, where schools disproportionately rely on real estate taxes, most moderate-income working families have to choose between a nice home that they can afford versus a good school for their children. It is nearly impossible to have both. Evanston is a bit unique on that front: the local high school might not score quite as high on the traditional scale as some of the other north suburban schools, but the co-authors of this article—both moms—are proud of Evanston’s diverse public schools, and the intentionality of the curriculum’s focus on equity and inclusion. After a 1964 School Board resolution to desegregate and racially balance all the schools, Martin Luther King Jr. Experimental Lab School was opened (on the site of a formerly segregated school) to the entire District and designed to attract more white students with its innovative and high-quality curriculum. The “experiment” was so successful that all District schools followed suit with integrated schooling. Today, traditional American History textbook assignments are intermingled with texts such as “The Native American Almanac” and “Post Traumatic Slave Syndrome.” Students are not only taught to study these issues through different lenses, but all high school freshman also have a mandatory half day in-service on bullying, prejudice, and diversity, facilitated by a nationally renowned educator and community builder.

### **Making the Case for Reparations**

Despite all this progress, the census tracts in Evanston remain physically, financially, and socially segregated, and the racial wealth gap continues to widen. The city’s homeless populations are increasing along with the percentage of income that residents are spending on housing. In spite of a recently updated inclusionary housing ordinance<sup>4</sup> and new Accessory Dwelling Ordinance,<sup>5</sup> demonstrating Evanston’s official commitment to affordable housing, there is still opposition to new affordable housing proposals, and only twenty-six percent of the local workforce actually lives in Evanston.<sup>6</sup> Affordability is the clearest obstacle preventing “live near work,” as wages have increased at a far lower rate than rentals, and homeownership is out of reach.

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4. City of Evanston, An Ordinance Amending Portions of City Code Title 5, Chapter 7 to Expand the Application of the Inclusionary Housing Ordinance, Ord. 107-0-18 (Nov. 5, 2018), <https://www.cityofevanston.org/home/showpublisheddocument/46414/636837641645570000>.

5. See Memorandum from Scott Mangum, Planning & Zoning Administrator, City of Evanston, to Honorable Mayor and Members of the City Council (Sept. 14, 2020), <https://cityofevanston.civicweb.net/document/38959/Ordinance%2086-O-20,%20Amending%20Title%206%20of%20the%20Evan.pdf?handle=7BC002F3D552450B9BC1A3F9537F1573> (recommending the adoption of Ordinance 86-O-20).

6. BRiCK Partners (June 2020), [brickllc.com](http://brickllc.com).

Evanston Chamber of Commerce Executive Director Roger Sosa is thoughtful on this subject. “The Chamber, like many other American institutions and individuals, has recommitted itself to diversity and inclusion . . . . We see firsthand the challenges that businesses face when their employees cannot live near work or otherwise lack a stable homebase, and are appalled by the widening racial gap in Evanston’s homeownership rates.”



These issues are daunting, but the cause of this predicament is not mysterious: in 1919, the City of Evanston passed and enforced legislation that changed a popular residential zoning district to commercial, and that prohibited multifamily housing along the lakefront.<sup>7</sup>

This map of Evanston’s current Racial and Ethnic Distribution<sup>8</sup> illustrates the data in a manner that helped drive local leaders beyond overwhelming discussions and toward tangible new strategies. The blue dots on the left demonstrate that the consequences of historic racist policies

7. Morris (Dino) Robinson, Jr., & Jenny Thompson, *Evanston Policies and Practices Directly Affecting the African American Community, 1900–1960 (and Present)* (Aug. 2020), <https://www.cityofevanston.org/home/showpublisheddocument/59759/637382881295170000>.

8. City of Evanston, *Racial & Ethnic Distribution* (June 22, 2017), <https://www.cityofevanston.org/Home/ShowDocument?id=20209>.

essentially restricted Black residents to live in segregation in the westside of the 5th Ward. The community was stripped of neighborhood amenities and access to opportunities and a quality of life that white residents enjoyed.

The total wealth and opportunity loss can never be exactly tallied, but the multibillion annual cost of segregation has been assessed in the broader Chicago region, and the loss of income, lives and potential is devastating.<sup>9</sup>

### **Evanston's Reparations Strategy: The Key Facts**

Evanston has taken a tangible first step towards repair, within its purview and in direct correlation to anti-Black practices enforced by our City. This 2019 legislation passed by the City's 80th City Council was shaped in true Evanston style, with extensive public input and a formal committee process. When asked "what forms of reparations do you want," the stakeholder community overwhelmingly responded with housing-related resources, grants, and access. Personal stories of over-assessed property taxes and predatory lending, exclusionary zoning, home relocation, eminent domain, housing discrimination, and more emerged from an ongoing community discussion, building the case for Reparation in Evanston and beyond. At the request of then Alderman Robin Rue Simmons, a memo citing the case for reparations<sup>10</sup> was prepared by our Clerk's office and eventually expanded to a seventy-seven-page draft report prepared by Dino Robinson of Shorefront Legacy Center and his collaborator Jenny Thompson at the Evanston History Center. Key details:

- The resolution approved earmarking \$10 mil of city revenue to the Evanston African American community through housing, economic development, and educational initiatives.
- The revenue is derived from a new three percent tax on cannabis sales as well as donations.
- To be eligible for these resource, Black recipients will need to provide proof of residency and/or ancestry between 1919–1969.
- Through the community process, in the year following the passage of the initial resolution, it was decided that the first investment of this Reparations Fund would address historic housing discrimination by dedicating \$400,000 to participants of a new Restorative Housing Program that the City Council approved with an 8-1 vote.

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9. METRO. PLANNING COUNCIL, THE COST OF SEGREGATION, <https://www.metroplanning.org/costofsegregation/cost.aspx> (last visited Aug. 13, 2021).

10. CITY OF EVANSTON, EVANSTON LOCAL REPARATIONS, <https://www.cityofevanston.org/government/city-council/reparations>.

- The housing benefits will provide up to \$25,000 to eligible residents of Evanston for homeownership (mortgage or downpayment) assistance and/or home repair.
- Anticipated distribution for the first housing payments is November 2021, following an application process that opened up in September 2021 and a program development and design process that lasted approximately one year
- Black Evanstonians who were directly harmed by their residency at any time from 1919 through 1969 will receive top priority, followed by their descendants.
- Eligibility will be determined by a robust set of documents, designed NOT to be overly cumbersome, including school photos, marriage certificates, birth certificates, hospital records, etc.

Despite tremendous enthusiasm for this effort, there are of course vocal opponents who do not think there was enough public input and do not believe that supporting homeownership equates to reparations. Some continue to question the legality of a racial reparations strategy.

Whether or not dozens of public meetings and town hall gatherings translates to “enough public input,” the good news for critics is that input is still welcome and that only four percent of the total commitment has been obligated.

Officially, as the “injuring party,” Evanston is providing redress to a community they harmed in a specific, tangible, and measurable way. Per international law<sup>11</sup> embraced by Evanston’s own Reparations Committee, homeownership is in fact reparations and falls within the five components of what is considered full repair: restitution, compensation, rehabilitation, satisfaction, and guarantees of non-repetition. Twenty-five thousand dollars will make homeownership possible for many families who have lacked fair access to homeownership. And, while rental housing continues to be a priority in Evanston, this Restorative Housing Program is focused on the reality that, nationwide, homeowners are healthier, more educated, and enjoy a net worth that is forty times greater than renters.<sup>12</sup> Beyond the common knowledge that homeownership plays an important role in sustaining stable and healthy neighborhoods, twenty-five thousand dollars of home equity in fact is wealth for the recipient to access or hold how they choose. It can be used for home improvements to increase home value, to hold as equity that might mean business revenue, potentially even

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11. U.N. GAOR, 60th Sess., UN Doc. A/Res/60/147 (Mar. 21, 2006), <http://www.reparationlaw.com/legal-instruments/rights-remedy-reparations-general-assembly.pdf>.

12. Veronica Gaitan, *How Housing Can Determine Educational, Health, and Economic Outcomes*, HOUS. MATTERS (Sept. 19, 2018), <https://housingmatters.urban.org/articles/how-housing-can-determine-educational-health-and-economic-outcomes>.

generating wealth for Black home improvement contractors or Black real estate service providers. Additionally, Evanston will provide a list of Black banks to consider as well as local FDIC insured banks with a history of fair lending and inclusionary practices.

### **The Tale of Two Robins**

Robin Rue Simmons—an Evanstonian since birth—is intimate with these issues as a result of her childhood in the 5th Ward and, later as a professional carving out a career in the real estate and construction industries. She has championed Reparations head-on, both publicly through her leadership as the alderman who spearheaded a successful legislative and communication strategy, and personally on the quest that ultimately led her to discover her roots in Guinea Bissau, West Africa, and a connection with families there, still struggling with the aftermath of the forced slavery that tore their communities apart.

Robin Snyderman—an Evanstonian for twenty-one years—has been on the periphery of Evanston’s Reparations movement as a result of her work’s regional and national housing focus on both ends of the fair housing spectrum ((launching initiatives that increase the supply of housing in more affluent communities with good schools and other amenities, while also supporting revitalization strategies in areas with deteriorated housing stock and struggling schools. In both areas, employer engagement in housing solutions has proven a powerful accelerant for developers and policymakers alike). Writing this article together has surfaced many terrific connections, both related to our professional interest in this subject, but also personally. Like Americans nationwide, these issues of racial inequity touch different chords in each of us.

For Robin Rue Simmons, the legacy of discrimination is her lived experience both in terms of her family and her pre-aldermanic life as a Black entrepreneur. A recent DNA test inspired her to visit her own ancestral homeland, in Guinea Bissau, West Africa, and there she created lasting bonds and learned even more about the horrific ways slavery practices decimated communities and families. The personal insights and connections only strengthened her commitment to form a new nonprofit—FirstRepair.<sup>13</sup> Through this new entity, the former alderman is eager to support the new administration in Evanston as well as local leaders around the country.

Snyderman, on the other hand, is the granddaughter of Jewish immigrants, who fled anti-Semitism to create opportunities for generations to come. Snyderman’s most important life lessons were learned at the Pass-over Seder. “Justice delayed is justice denied,” for example, and “never forget that you were slaves in Egypt. . . .” Snyderman’s husband is First Nation Canadian, and the first generation in a century spared the cold fist of forced relocation and residential schools. His mother, brutally punished for speaking her tribe’s native language, was among those who

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13. FIRSTREPAIR, <https://firstrepair.org> (last visited Aug. 6, 2021).



participated in Canada's own Reparation's movement and its Truth and Reconciliation Commission.

### Looking Forward

For Evanston, though Simmons has stepped out of the leadership role as an alderman, it is important to note that Evanston's 81st City Council was seated on May 10, 2021 and already established a new Reparation Committee chaired by Alderman Peter Braithwaite. It is set to take action to open the application and selection process for the housing program and continue to hear from the stakeholder community on priorities for remedy proposals. It is very likely that the housing fund will be increased and extended for greater impact as the community refines its approach to the educational and economic development goals and strategies for other programs to be funded by the Reparations Initiative.

For Simmons, in her new role as the executive director of FirstRepair,<sup>14</sup> she will continue providing education and technical assistance for local reparations in Evanston and nationally.<sup>15</sup> She has been appointed by the Mayor to the Reparations Committee to continue leading the work in collaboration with committee members, staff, stakeholders and partners. As a National African American Reparations Commission (NAARC) Commissioner, she will provide education and resources to other cities advancing local reparations legislation.

For Snyderman, through BRicK Partners, her Evanston-based consulting and collaborative management firm, she looks forward to supporting Simmons and her new nonprofit, leveraging more private sector engagement in collaboration with the Mayor, the Black Business Consortium, the Chamber of Commerce and others interested in employer-assisted housing strategies. Furthermore, Snyderman hopes to lift up more Evanston best practices through her statewide work with the Governor's Housing Task Force and the Illinois Housing Council, and to demonstrate continued local support for the New Deal For Housing Justice,<sup>16</sup> recommendations for the new federal administration that her firm helped craft and that are enjoying real traction.

### Conclusion

Most exciting to remember is that ninety-six percent of the Evanston Reparations Fund is still to be determined and deployed following further community input.

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14. *Id.*

15. Megan Twohey, *A City's Step Toward Reparations*, THE DAILY (2021), <https://podcasts.apple.com/us/podcast/the-daily/id1200361736?i=1000528593488> (Apple Podcast).

16. COMMUNITY. CHANGE, TIME FOR A NEW DEAL FOR HOUSING JUSTICE, <https://podcasts.apple.com/us/podcast/the-daily/id1200361736?i=1000528593488> (last visited Aug. 13, 2021).



No single solution is a panacea, of course, and the path that we are forging through Evanston's Reparations Initiative is specific to Evanston and the egregious policies and practices enacted by our municipal government that injured our Black community. That said, there are other institutional accomplices responsible for the disparate conditions in the Black community—in Evanston and nationwide—including financial institutions, education systems, and other far-reaching federal and private sector entities

Evanston's local case for reparations is not unique, and its process is not proprietary. Our hope is that more cities will act affirmatively, consider our practice as a viable path to tangible solution with a measurable outcome, and join us in the commitment to reparative justice. There will be real progress and real failure, but, with the right partners and the right levels of accountability, the real work will pay off.

