

A matter of justice

By: [Joe Nathanson](#) January 26, 2017



We thought that the Baltimore Red Line was dead. Of course, we are referring to the proposed 14-mile light rail line serving the core of the region from Woodlawn in the west to Bayview at its eastern terminus. This transit project, first proposed in 2002 and the subject of a decade of meetings and nearly \$300 million of planning and preliminary engineering, was killed when Gov. Larry Hogan honored a campaign pledge, pulled funding for the project on June 25, 2015, and reallocated the funds to road and highway projects around the state.

Well, the Red Line has certainly not come back to life, but it has popped up in the news again. In December 2015, two formal complaints were filed by the NAACP Legal Defense and Educational Fund, Inc. with the U.S. Department of Transportation. Those complaints were filed on behalf of Baltimore Regional Initiative Developing Genuine Equality and Earl Andrews, a resident of Baltimore, and a separate complaint on the part of another Baltimore resident, Samuel Jordan.

Federal civil rights law

Both complainants charged that Maryland's transportation department had acted in violation of Title VI of the Civil Rights Act of 1964. Essentially, they alleged, the Maryland Department of Transportation had not complied with the law that requires that programs receiving federal financial assistance "may not discriminate on the basis of race, color or national origin."

After a review of 13 months, on the last full day of business of the Obama administration, USDOT's Office of Civil Rights issued a letter announcing that the department has decided to conduct a "comprehensive compliance review" of all of MDOT's "programs and activities, including the allocation of funding." In the letter, signed by Yvette Rivera, assistant administrator of the Office of Civil Rights, the governor and MDOT Secretary Pete K. Rahn were reminded that recipients of federal funds must carry out "a comprehensive statewide planning process that it certifies complies with Title VI." The letter specifically referred to an "adverse and disparate impact on African-American residents in Baltimore" that may have resulted from the state's transportation funding decisions.

Impacts on the ‘inner city’

The governor’s decision came just two months after the unrest in Baltimore City following the death of Freddie Gray while in police custody. In fact, on the very day of the governor’s announcement, I was attending a forum organized by Citizens Planning and Housing Association to chart paths for a traumatized city to move forward. When news of the cancellation of the \$2.9-billion project came through on our cellphones, several key attendees, including Don Fry, president of the Greater Baltimore Committee, rushed out of the meeting to gain further information.

The Red Line, while not satisfying all of the criteria of local transportation advocates, had the value of providing much better access to employment, educational and other opportunities to the residents of the poverty-stricken neighborhoods of east and west Baltimore than exists today. With the Red Line cancellation, gone along with this improved connectivity provided by the light rail line were the billions of dollars of investment in the city, the prospect of thousands of construction jobs and associated contracting opportunities.

Normally when questions of adherence to policy guidelines come up between federal and state agencies, letters are exchanged, answers are supplied and matters are readily resolved. The comprehensive compliance review now being announced implies a whole new order of business.

On the other hand, this entire matter may soon become moot. A new sheriff is in town. Will the Trump administration take the same view of this alleged violation of civil rights as that of its predecessor? This will soon be an issue for consideration by Elaine Chao, who, as of this writing, appears to be on her way to an easy confirmation as U.S. secretary of transportation.

In his campaign for president, then-candidate Donald J. Trump painted a bleak picture of America’s “inner cities.” But, as a real estate developer, he implied he had the keen instincts and expertise to bring about a transformation of America’s impoverished city neighborhoods. Before tackling the entire nation, why not start on smaller scale ... right here in Baltimore, about 40 miles from the White House? After all, Trump asked in his campaign appeals to African-Americans, “What do you have to lose?” We may soon find out.

Joe Nathanson heads Urban Information Associates, Inc., a Baltimore-based economic and community development consulting firm. He writes a monthly column for The Daily Record and can be contacted at urbaninfo@comcast.net.