

Agenda

Civil Society Consultation for the U.S. Universal Periodic Review: New Orleans, Louisiana

January 27, 2010

Welcome, Introductions, and Overview of UPR Consultation Process

Dr. Norman Francis, Xavier University; Monique Harden, Advocates for Environmental Human Rights

Panel I: Racial Discrimination

Dr. Kimberly Richards, People's Institute; Sharon Henshaw, Coastal Women for Change

Panel II: Environmental Justice and Sustainability

Brenda Robichaux, Principal Chief of the Houma Nation; Tyrone Edwards, Zion Travelers Cooperative

Panel III: Criminal Justice

Norris Henderson, Voices of the Ex-Offender; Nsombi Lambright, Mississippi ACLU

Panel IV: Housing & Economic Justice

Sam Jackson, MayDay New Orleans

Panel V: Health & Healthcare

Mary Joseph, Children's Defense Fund; Dr. Alice Graham, Interfaith Disaster Taskforce

Closing Remarks and Adjournment

Ajamu Baraka, U.S. Human Rights Network; Adren Wilson, Equity and Inclusion Campaign

Site Visit: January 28, 2010

- **Tour of affordable housing in New Orleans with Sam Jackson**
To include B.W. Cooper, the St. Bernard Housing Projects and Iberville
- **Meeting and area tour with Fr. Vien The Nguyen and Mary Queen of Vietnam**
- **Tour of Mid-City, old Charity Hospital, and proposed new hospital site locations**
- **Meet with the Hispanic Community and Martin Gutierrez**

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Five federal agencies participated in this UPR Session: the Department of State, the Department of Justice, the Department of Housing and Urban Development, the Department of Homeland Security and the Department of Health and Human Services were represented.

- **Panel I: Racial Discrimination**

Civil society representatives discussed issues such as homelessness, as well as economic, cultural, environmental, linguistic, and structural racial discrimination. One speaker called upon the U.S. Government to implement more fully the International Convention on the Elimination of All Forms of Racial Discrimination (CERD) and pointed to statements by the CERD Committee and guidelines on internally displaced persons, while another stressed the pervasive role of race in the city's problems and requested that President Obama visit New Orleans to speak to the people directly.

During the open discussion, many speakers relayed their personal stories as victims of Hurricane Katrina; issues they discussed included racial profiling, the situation of migrants on the U.S.-Mexico border, gerrymandering, difficulties regarding insurance reimbursement, housing restrictions on multi-family housing units, and sentencing disparities in the criminal justice system, particularly as they impact African American males. One speaker highlighted problems in the education system, describing a "school to prison pipeline" in which infractions that were once subjected to school discipline (*e.g.*, suspension) can now result in criminal prosecution.

- **Panel II: Environmental Justice & Sustainability**

The first panelist explained how after 40 years of efforts, the Houma Nation is not a federally recognized tribe. She also called on the federal government to provide adequate financial resources to restore coastal wetlands, to support coastal restoration and to finance the construction of housing in local communities so that people who have lived in the area for many years can return to the land of their birth. A second panelist asserted that, in his experience, local non-profits were rebuilding communities, and he encouraged the U.S. Government to increase funding for these organizations. The third panelist reiterated calls for the restoration of coastal lands and for housing to allow people to return to their ancestral communities.

During the open discussion, speakers raised a number of complaints, including what was described as: the failure to adequately deal with a mass internal displacement

caused by Hurricane Katrina, environmental and economic justice, a lack of affordable housing, the displacement of communities, unfair distribution of funding for home repairs, a lack of clean and drinkable water, mold and mildew infestation, the need for job creation, the plight of the poor, unhealthy school environments, and the health effects of formaldehyde in Federal Emergency Management Agency trailers. Participants emphasized their view that the U.S. Government should ensure health and safety. Additionally, participants discussed the plight of indigenous communities as a result of Hurricane Katrina and requested aid agencies and communities to acknowledge this situation and make amends for it.

- **Panel III: Criminal Justice**

The central theme of this discussion was the intersection between race, racism, and criminal justice. The panelists asserted that although these problems existed in this area before Hurricane Katrina, the storm exposed and exacerbated the underlying issues. Panelists stated that African American men are the prime targets of racial profiling and police brutality. One commentator described very poor prison conditions and noted a lack of government action following a Department of Justice report finding constitutional violations in the Orleans Parish Prison, violations that included police brutality and lack of adequate medical care for inmates.

During the question and answer period, several participants raised concerns about local law enforcement and the treatment of minorities in the criminal justice system. Other participants questioned the impact of the "war on drugs" and raised their concerns about the disproportionate impact of drug sentencing guidelines. Some argued that sentencing guidelines ensure that the criminal justice system is skewed against African American men. In particular, one panelist stated that New Orleans arrests more people for drug offenses than any other city in the United States.

During the open discussion, some participants expressed serious concerns about the juvenile justice system, arguing that a school-to-prison pipeline exists. They argued that zero tolerance policies in schools, combined with corporal punishment and lower education budgets to support afterschool activities and a proper curriculum, drive many juveniles into detention centers then, eventually, to adult prisons. The quality of education in juvenile detention centers was also a concern for some participants. One commentator criticized the practice of sentencing juvenile offenders to life in prison without parole, and he urged the United States to ratify the UN Convention on the Rights of the Child. He also argued for stronger oversight of government grants to local law enforcement agencies. Another questioner raised the case of the two Scott sisters who the speaker said were given life sentences for stealing fifteen dollars.

- **Panel IV: Housing and Economic Justice**

During this session, the panelists discussed issues related to access to low-income public housing, temporary housing post-Katrina, and affordable and accessible housing. One of the panelists spoke of her perception that authorities took the chance presented by Hurricane Katrina to demolish public housing and of corruption in the public housing area. During the panel discussion and question and answer period, many participants expressed frustration that the number of units rebuilt and dedicated to low-income housing would only be a small percentage of those that existed before Hurricane Katrina. The result, they argued, would be a large homeless population in New Orleans. Several participants called for one-to-one replacement of demolished public housing as well as the creation of a systematic plan for reinstating all of the families who were evacuated from demolished units.

Participants also expressed concerns about the manner in which the government evacuated public housing residents during Hurricane Katrina. Many expressed anger that during the period immediately following the hurricane, families were placed in temporary housing units that may have been hazardous to their health. Some also expressed frustration with the perceived mismanagement of post-Katrina recovery programs, specifically the Road Home program and the Section 8 voucher program.

Others raised concerns over the affordability and accessibility of housing. Some participants stated that insurance had become too expensive for average families to afford. There were also complaints that access to rental housing was stymied by landlords who discriminated against African Americans, women, and people with Section 8 vouchers. Overall, there was a sense of frustration and anger that the government had not responded adequately to the housing needs of poor families. Many asked how the Obama Administration's policies would be different from those under the Bush Administration.

- **Panel V: Health and Healthcare**

Panelists during this session expressed alarm over a healthcare crisis they argued is affecting New Orleans. More specifically, they voiced concern over what they saw as a lack of healthcare coverage for children under Medicare or insurance, the need for mobile health clinics, and the impact of closing healthcare services on those with mental health issues.

Participants expressed frustration that a lack of affordable healthcare further complicates already existing problems with health service delivery in New Orleans. Some commented that healthcare, even that which is meant for low-income families, was unaffordable. Others pointed to food choices available to the poor as a reflection of the intersection of health and poverty: poor families can only afford cheaper, less healthy food options because their food stamp allotments are too low. One participant raised the

point that, due to environmental degradation and the hazards of industrial waste, local food risked contamination.

- **Site Visits**

On January 28, representatives of the Departments of State, Justice and Health and Human Services toured several different sites throughout the day. Morning visits included tours of Iberville Housing Development and St. Bernard Housing Project. Representatives from civil society discussed concerns related to a lack of maintenance for existing units at Iberville, fear that the units will be demolished rather than refurbished, diminution of available public housing stock overall, and questions of viability of new mixed-income efforts such as St. Bernard.

One of the site visits included a meeting with the Vietnamese community in New Orleans hosted by a Vietnamese-American priest. He began the meeting with a discussion of what the Vietnamese-American community had accomplished since Hurricane Katrina, such as the opening of two health clinics and a charter school. He was also proud to share that as of August 2008, the Vietnamese-American community moved from recovery to development. That is, they felt as if they had completed recovery and moved on to the next stage for the community.

The priest and the government representatives then discussed challenges to environmental justice in the area, especially regarding New Orleans East, where the majority of the Vietnamese-American community resides. One critical concern is the use of wetlands as landfills--some of which may not be legal. More specifically, the group discussed additional barriers to assistance faced by Vietnamese-Americans, such as a lack of translation services despite the fact that 70% of the population in the area is Limited English Proficient. Additional areas of concern included access to FEMA trailers, healthcare, education, and police relations.

Later, the government representatives met with some members of the Latino community in New Orleans. The main issues raised included flood protection, housing, healthcare, education, economic development, public safety, crime and immigration, and language access. More specifically, the group discussed the Latino immigrant workers who went to New Orleans after Hurricane Katrina for clean-up and recovery job opportunities. Wage theft has been a major concern to these workers. They stated that there is apparently no state criminal law to prevent employers from refusing to pay workers. Language and cultural barriers and discrimination were another area of concern.

Another issue discussed during the meeting was the relationship between the Latino community and the New Orleans Police Department and other local sheriffs' offices. Because racial and ethnic profiling have been significant concerns, Latino

groups have been working with the police department and the first cultural training course for police officers was conducted in November 2009.

Finally, the group drove through the current site of the Old Charity Hospital and surrounding neighborhood to view current and proposed new hospital locations.