



# Library podcast

## 50 Years of the Fair Housing Act: A Conversation with Attorney General Bob Ferguson

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[00:00:35] Good afternoon and welcome everyone. Thank you for coming.

[00:00:39] I do want to thank the library system here today for allowing us to use this space and also thank our sponsors. Many of them listed as you came in Marty Kustra. I worked for the Housing Development Consortium and this is the 30th anniversary year of HTC is also the third annual affordable housing week. Today's event we are focusing on the Fair Housing Act many years ago I was involved with an organization called Justice for All and we spent a lot of time working in Mississippi and Kentucky. And one of our leaders and founders was Reverend John Perkins who used to say you know you can give someone a fish so they can eat for a day. That's simple social action helps a lot of people. You can also teach people how to fish so they can eat for a lifetime. That's economic development. But the real question remains who has access to the ponds so they can fish. That's the social justice question.

[00:01:43] That's the reason for the Fair Housing Act. And so today we will be exploring that in greater detail if you did not already pick up one of these cards when you came in. We can try to distribute a few of those to you but we will be accepting questions today on these cards and hopefully getting them to our moderator and the attorney general to answer those that we can't we will try to answer you on line. So without further ado let me introduce you to first of all our esteemed moderator Emily Verrado is the manager of policy and equitable development at the City of Seattle office of housing. She leads a housing policy and research incentive programs place based strategies. Previously she worked at nonprofit policy and advocacy organizations including some group called HTC working to deliver affordable housing and advance shared prosperity. Emily has a J.D. from the University of Washington where she was a gaits public service law scholar. Thank you Emily. And moreover we are honored to have a special guest. No stranger to our work. Attorney General Bob Ferguson. But Ferguson is the attorney 18th attorney general in the state of Washington as the state's chief legal officer. Is committed to protecting the people of Washington against powerful interests that don't play by the rules. Fourth generation Washingtonian Bob and his wife Colleen are the proud parents of 9 year old twins Jack and Katie. Welcome Attorney General. Thank you. Take it away.

[00:03:27] Thank you. It's an exciting day today. We are here to commemorate the 30th year of HTC. I forgot about that one. But it's also about the anniversary of the federal Fair Housing Act and it's the third annual King County affordable housing week. And we know that fair housing and affordable housing really are interrelated. Affordable Housing provides access to those who can't afford market rate homes and disproportionately that access is for people of color for seniors for people with disabilities. We know that affordable housing can provide quality and healthy housing. And then if it's done right affordable housing can provide opportunities to live people opportunities to live in communities of their choice and that includes communities that were previously segregated. And so there's access. Quality and Choice. And those are three key components of the Fair Housing Act and of affordable housing and the Fair Housing Act to little background. Also known as the Civil Rights Act of 1968 was passed seven days after the assassination of Martin Luther King Jr. and it was passed in honor of Hayes and that help with advocates push for open housing which is an effort to end residential segregation and eliminate housing discrimination. And as we know residential segregation and housing discrimination did not happen by accident. They are a direct result of many decades of government policies and intentional housing industry practices.

[00:05:04] And so to provide a little historical context for our exciting conversation today we're going to turn to a short video dressed areas and he's not wrong because if you look at the housing segregation works in America you can see how things ended up this way. Once you see it you won't be able to unsee it. OK let's look at MLK Boulevard in Baltimore. I want to show you how to see housing segregation in schools and health in family wealth in policing. But first and explanatory comma is the 1930s in the wake of the Great Depression FDR as president he wants to bring economic relief to millions of Americans through a collection of federal programs and projects called the New Deal. One part of that New Deal was the National Housing Act of 1934 which introduced ideas like the 30 year mortgage and low fixed interest rates. So now you have all these lower income people who can afford homes. But how do you make sure they don't default on their mortgages. Enter the Home Owners Loan Corporation

[00:06:05] The H.O. Elsy created residential security maps and these maps there where the term red lining comes from Greenmount best area best people aka businessmen blue men good people like white collar families yellow men a declining area with working class families and men detrimental influences hazardous.

[00:06:27] Like foreign born people low class whites and most significantly negroes.

[00:06:34] Again and again on these ULC maps one of the most consistent criteria for redlined neighborhoods is the presence of black and brown people.

[00:06:42] Let's be clear studies show that people who lived in red lined areas were not necessarily more likely to default on their mortgages. But redlining made it difficult if not impossible to buy or refinance. So landlords abandoned their properties city services become unreliable in most places.

Crime increases and property values drop. All of these conditions fester for 30 years as white people flee to the brand new suburbs popping up all over the country.

[00:07:11] Many of those suburbs Insitu rules called covenants that explicitly forbid selling homes to black people.

[00:07:16] And all of this was perfectly legal. Now it's 1960 and MLK is assassinated.

[00:07:23] Good evening. The Reverend Dr. Martin Luther King author of nonviolence from the civil rights movement has been shot. King was shot and was killed tonight

[00:07:35] In the aftermath. Congress passes the Fair Housing Act of 1968.

[00:07:39] It's a policy meant to encourage equal housing opportunities regardless of race or religion or national origin. And it offers protections for future homeowners and renters but it does little to fix the damage already done. Over the next 50 years the Fair Housing Act is rarely enforced so you can still see housing segregation and its effects in Baltimore and often along any MLK Boulevard in any U.S. city.

[00:08:04] Like its effects on wealth so homeownership is the major way Americans create wealth right. Well discrimination in housing is the major reason that black families up and down the income scale have a tiny fraction of the family wealth that white families do. Even white families with less education and lower incomes for almost 30 years. Ninety eight percent of FHA loans were handed out to white borrowers. Not only were black neighborhoods redlined and not only was the Fair Housing Act selectively enforced if at all but it is still today much harder for a black person to get a mortgage or home loan than it is for a white person. Families are fearful of speaking up about a basic human right that should be afforded to everyone in the world but definitely in the richest country in the world. And housing segregation in schools the primary way that Americans pay for public schools is by paying property taxes. People who live in more valuable homes have better funded local schools better pay teachers better school facilities and more resources. Here's a feedback. The better schools in a neighborhood the more those homes in that neighborhood are worth and the higher the property values of those homes the more money there is for schools and so on and so on. And housing segregation in health because of urban planning that benefitted those richer whiter neighborhoods. People of color are more likely to live near industrial plants that spew toxic fumes. They're more likely to live far away from grocery stores with fresh food and in places where the water isn't drinkable. They're more likely to live in neighborhoods with crumbling infrastructure and in homes with toxic paint. When you're living with rats roaches and. Things like that. The. Probe. Can. Have that kind of stuff with children running around in a building a building that may be full of lead. And not coincidentally people of color have higher incidences of certain cancers asthma and heart disease.

[00:10:00] And housing segregation in policing housing segregation means we are having vastly different experiences with crime and vastly different experiences with policing because our neighborhoods are so segregated sometimes racial profiling can be camouflaged as spatial profiling.

We're living in certain areas can make you more likely be stopped by the police. And it means that people have a lot of unnecessary contact with the criminal justice system just because of where they live. The problem is now city

[00:10:33] The police and the citizens are fighting to keep targeting my brothers and sisters who don't have nothing and that heavy aggressive kind of policing that you see in black neighborhoods in particular makes people feel like they can't trust the police.

[00:10:48] And when people don't trust the police. Crimes go unsolved and people have to find other ways to keep themselves safe. But of course it's not just Baltimore because housing segregation and discrimination fundamentally shape the lives of people in nearly every major American city. It really is in everything

[00:11:10] To hear more about how race shapes American life. Visit [npr dot org slash switch](http://npr.org/switch) which I'm Gene Demby. Beezy

[00:11:25] So we have made some progress since the passage of the Fair Housing Act. There has been progress to promote integration and to counteract discrimination but clearly many challenges remain. Segregation and discrimination persist. Displacement now threatens housing choice. So how do we progress towards the vision of the Fair Housing Act. How do we use that legislation as a tool for achieving both justice and equity.

[00:11:55] And on that note of using the law to promote justice and equity we turn to our Washington State Attorney General Bob Ferguson. So much for being here today.

[00:12:07] We're just going to jump in and talk about some hot topics in fair housing. One is that in 2015 the Obama administration issued an affirmatively furthering fair housing rule a key part of the Fair Housing Act and that rule requires communities to analyze policies that contribute to segregation and then also requires communities to detail how they plan to use funds to reduce segregation so the city of Seattle and the Seattle Housing Authority in 2017 submitted our joint assessment for fair housing as required under that rule. But since then in January of this year the Department of Housing and Urban Development under Ben Carson suspended until 2020 the requirement that communities analyze segregation data and submit plans to reverse it. So what can Washington state do. What can local governments do as the federal government really takes actions like this to undermine racial equality.

[00:13:06] So first though thanks again for ever be. Really appreciate your conversation. That question is very topical because really in our required walked out the door and down the street. My office is a block away. I read that Governor Cuomo your CV your filing a lawsuit against him on that very issue.

[00:13:26] Governor Cuomo of course used to be the head of it. And so as I worked at HUD rather as a personal interest in that. That's with the administration. You know this is not unusual were they

essentially try they roll back the protections put in place by the Obama administration right context BHARMAL protection civil rights you name it. So my team looks closely at these kinds of issues. We have filed 26 lawsuits against Trump administration last year and a half.

[00:13:50] So I don't want to preview what we might do on this particular issue but it's one that the states work together closely on four or four cases like after many years of advocacy I imagine by some of the people in this room today Washington state this year passed legislation that bans discrimination based on a person's source of income. So for example use of a Section 8 voucher or other form of housing subsidy.

[00:14:16] The statewide protections we know are really important to create that uniformity in law do you and your team have a role to play in advancing state legislation on fair housing.

[00:14:26] Yeah that's a good question. So people often think of the Agee's office as we defend and enforce state law which is true. We also of course have a role with the state legislature. So as attorney general I can propose legislation to the state legislature just like the governor can. Its attorney general request legislation it has to go through the usual process of going through committees and passing the House and the Senate and being signed by the governor. But we do have a significant role on the policy side. Even aside from what I proposed for changes to state law we often testify on on bills that we have an interest in.

[00:14:59] So in this particular issue of the use of vouchers to pay for one's rent the head of my civil rights unit calling Melodee who Emily went to law school with I just found out she testified repeatedly down there in support of that. What is interesting this bill was down there for a few years before it was recently passed where we heard a year ago when the legislature did not pass it is that we heard well is this really even a problem that there was not a belief amongst some at the state level that landlords were refusing to rent to somebody simply because they had a section 8 voucher or would you call it cash voucher for four veterans for example. So in my office we actually did a did investigation posing sort undercover as folks who have a voucher seeking to rent a room that's being advertised and found that not surprisingly to us a number of landlords said no we do not accept those vouchers would be cleared to someone just to be clear someone who can pay the rent. They simply have a voucher to pay for it and the landlord saying no we don't accept that form of payment. So we brought that evidence back to the legislature and they did pass this law this year which we think is obviously very helpful and we did support that to the legislative process. Q Is that sort of that.

[00:16:11] I think the video made really clear that expansion of fair housing laws is critical but it's really vitally important to make sure those laws are enforced.

[00:16:20] And the city of Seattle's own fair housing testing recently shows evidence of different treatment including against people with disabilities and people based on the legal status. And some folks are actually surprised that that kind of discrimination still is so prevalent. We know that enforcement is a challenge in small jurisdictions. What are your thoughts on how we can work together to make sure that these laws are actually.

[00:16:45] So look it's wonderful to have laws in place but laws are only meaningful if you have the resources to enforce them. And the political will to enforce them as well. Those things go hand in hand. So the office the attorney general I can speak about my office right. We have about 600 attorneys who work in the Agee's office all around the state and about 600 professional staff or the largest law firm in the state of Washington. We're a big operation and yet I became attorney general 2013. Despite doing every kind of law you can imagine. OK. On behalf of the state. If somebody called our office with a civil rights complaint anytime in the last 50 years or housing discrimination type case we refer them somewhere else. We did not do any affirmative civil rights work on behalf of people the state of Washington which seems crazy right.

[00:17:32] But the largest law firm in the state. And so I set about to change that to create a civil rights unit calling Milleti why many warheads that add up that's been growing over the past few years it's now a team about 10 individuals. So some of the cases that be talking about come from that team and my job is to get them more resources do more this work to do that testing which we think is so important. But you know my view is my law firm Agee's office should be doing more can do more. That's what we're doing. But everybody has a role. So whatever your local government is encouraging to be involved in these issues if you care about that it's a matter of resources you've got the political will to do it.

[00:18:10] It doesn't get that much money right to put a team together.

[00:18:14] And of course these laws companies have multiple folks on the ground doing this very well talking about one of your civil rights investigations. We know that service members are particularly vulnerable to discriminatory housing practices when they are deployed. Last year your office cracked down on a property management company that penalized service members for breaking their leases. As a result of a change of station or deployment.

[00:18:39] How do you prevent those kinds of practices. What did you learn from that. It just give a little background what this case was its management company called A C TLM management if I recall correctly and they have

[00:18:53] A rent a property near BLM down south of Tacoma. Right. Large military facility with a log lot of veterans who live nearby and they literally had as an addendum to their lease they had a veterans Dendle. So if you were a member of the military and you were called up for active duty overseas you had to give up certain rent concessions you gain by the first month waived or whatever because you signed a 12 month lease right. You were called up to go overseas. You had to pay that back. But there was a specific addendum in the contract just for military personnel. Right.

[00:19:34] And so we brought an action against them. It impacted a couple hundred folks. It was a large number of people. So as a result they had to change their practice to pay back those individuals for what they lost and change their practices and it got a lot of publicity as well which we think is good. We want to obviously change practice of that individual management company but also

educate the rest of the industry and to show that we're out there and give money back to consumers who've been harmed but it is an example of how pervasive and how difficult this is. One thing I will add is hate if in the work that you do as a citizen or being involved in these issues you see something noticed by my office called the civil rights unit. This is how we get most of our cases are from individuals organizations contacting our office or just individuals hey hey this doesn't seem fair.

[00:20:18] I had to sign this. Can you do something about it. Great.

[00:20:21] Another investigation that your unit is also involved in.

[00:20:25] Recently there was an investigation of property management that have blanket bans on tenants with a past felony.

[00:20:33] You told me about that in the Yeah so this was case that Colin brought to mean the civil rights team brought to me so in Washington state it is appropriate for a landlord to consider the full background of somebody. If someone has a criminal background you can consider that but you cannot have a blanket ban on anyone who has any felony. You can't say we have a policy that says we've got a felony. No I don't Wallner any more about it. You can't rent a place here that is unconstitutional because the law because it has to have a disparate impact on individuals Houben the criminal justice system that's going to have a disparate impact on people of color. And so in our view based on a relatively recent Supreme Court case that is unlawful. So what we did was we tested it. We had folks from our office pose as someone who had a felony and they simply said hey have interest in your room. I've got a felony. Want more information and a significant percentage of landlords wrote back saying sorry we won't rent you what they need do is inquire what is that felony.

[00:21:42] So there is a big difference between you have a marijuana possession from 25 years ago that's a felony or something very serious in the last six months. Right but you've got to ask you can't simply have a blanket ban because of that disparate impact. But we saw as a result that a large number significant number of companies had such a ban. So again we enforce that they enter into agreements that they would change their policies. We communicate that out to the public so that the industry knows this is what the state law is look to I think that some entities genuinely thought they could have such a blanket ban. I do. So part of it is educating in these areas the law that we think are important so that people are simply treated fairly in that marketplace.

[00:22:22] I know that it was mentioned earlier you picked up a card over there you can ask the question as well now would be a good time to start getting your questions ready. Passing them down so that we can try to select a few to ask Attorney General the investigations that you have talked about and others really highlight the importance of combating discriminatory housing practices.

[00:22:45] As I mentioned earlier and is touched upon in the video access to quality livable housing is really vital to fair housing and in 2015 your office sued the owner of a mobile home park over poor conditions. Park what was the result of that.

[00:23:03] Yeah. I'll give you a minor to background on this case which was a big case a multi-year investigation and litigation that was resolved just on the eve of trial. But this is in central Washington Nattawut Washington. There was several years ago there was a fire at an apartment complex I believe as a result I think a woman and her child died and died in the city felt because there was substandard housing there as a result. This fire took place and it's quite tragic. So the city council in this small community said we're going to set certain standards for our rental youths right to have certain basic standards are going to rent out rent out rooms to folks. There was an individual who owns a mobile home park called sun and sand of which many individuals stay there many farmworkers people with limited English who live at this mobile home park. This landlord did not want to make the investments to improve the conditions of this mobile home park in light of this city action. So what he did was he sold these properties to the tenants. So he had them sign sales agreements. But of course he wasn't really selling the property to them. If the person moved out at some point they did not own it to sell it. Right. He simply rented to the next person. But Aaron to another sales contract with that person all of these contracts were an English will seize individuals and not speak Spanish.

[00:24:29] They did not realize what they were signing and it was a sham anyway. They did not really possess this property right. But he did it to evade the city coming and saying hey you rent them because they owned it. The view was those owners are in charge of it. We brought a lawsuit. Against this individual utilizing our Consumer Protection Act and other other laws as well. So you know he resisted for quite a while. In the end we're able to resolve this case. He's paying a significant money back to those individuals who were harmed. He's also having to pay hundreds of thousands of dollars with oversight from our office to repair all of these units which there were dozens of them to repair those units. That's got to take some time for them to do that. It's a big investment of hundreds of thousands of dollars to do that. So we think that's a good example of using the laws we have at our disposal to really write what we see as a real injustice. And especially from my standpoint that which I talk to my team all the time of is that all of our case are important but especially cases where a community of individuals are impacted who may not have the resources or ability to be an advocate for themselves. Look if you have limited English and you're a farm worker and you need that housing you know what you're signing with this document right.

[00:25:41] You're in a tough position to advocate for yourself against that person who owns those properties. That's why you have an office TURNER General where the People's Law Firm we can bring those cases we have the resources we have the expertise of folks my office who can do that. And so it was a big investment of our resources. There was a case I felt really strongly about a different kind of case that we really hadn't been using in the past. And our office so trying to use the tools that we have in different ways so I guess to kind of bring this together a little bit is we talk about fair housing I guess. I don't want it to be an expert in this area but I've learned a lot about it in the last five or six years.

[00:26:11] What I would say is that the access to affordable housing or access to fair housing comes in many different forms. We've talked about a few of them and it is a reminder of the importance of having strong enforcement of people who work in my office who are experts who see these cases

and have the wherewithal and the knowledge to bring them on behalf of individuals who are adversely impacted is that they're very rewarding cases.

[00:26:33] But it's important that we have the resources to do any legal nerds out there and ask a little bit of a nerdy question maybe acts as an inspiration for us on what we can do in fair housing together. Do you have a favorite fair housing. Anything that helps advocates find a sense of promise.

[00:26:56] Working towards the vision of the fair share a favorite one but I would say that there's a reference referenced earlier there's a case that we utilize in some of this testing was this case. I think it's 2015 case the Supreme Court of Texas if I recall the Texas Department of Housing there was a case from April 2015 in which the Supreme Court did reach this holding of the disparate impact under these laws can be a cause of action for us to bring and that has had a huge impact on the cases for example the felonies for example. There's a disparate impact on people of color as a result of someone having a blanket ban on felons. So I would say that's the case that we're using and the tools that we have.

[00:27:37] Yeah I've been in Portland you.

[00:27:39] Well let's turn to some questions from you all cards US and by the way she's gathered them willing I will mention that.

[00:27:51] So we create a civic civil rights unit in her office and the civil rights unit I named after an individual is named Wing Luke. Many of you may be familiar with the Wing Luke Museum in your national district for example. So when Luke was the first Asian American elected to public officer in the Pacific Northwest and he was an attorney and he was a civil rights attorney and he was an assistant attorney general in the AGs office back in the 50s. He might well been the first person of color to be an attorney in her office and his background. He actually did a fair housing type cases in the Agee's office in Washington state and made some of those cases went all the way to our state supreme court. So we actually named our civil rights unit after when.

[00:28:28] We're very proud of our association with him and the work that he did in this in this very area it looks like a Hansbury let's see. All right.

[00:28:41] How do you see fair housing law interacting with the idea of a right of return for communities of color displaced from their longtime neighborhood. And does the Fair Housing Act prevent leasing practices that would prioritize. I know that and I have heard this as an issue across the country of people thinking that the inability to access neighborhoods that folks stayed in for many years as a result of segregation and are now being displaced from that the inability to go or stay or remain in those communities prevents real implementation of housing.

[00:29:22] And that's a shame I guess I would have to resort to my experts in my office about that. It's interesting perspective and I guess what I'd have to explore further to give you an informed and

informed opinion on it. But appreciate that question all of my team ask about it but I don't pretend to have a survey of a detailed analysis on that particular issue.

[00:29:39] Yeah I know that a few cities around the country have explored policies to prioritize certain affordable housing that developed to residents of the community to make sure that people who have lived there for generations and now watch reinvestment in the community are able to stay something that our office is looking to and talk to her about how we think about displacement and opportunity to sustain unity as a piece of housing.

[00:30:06] There was I spent a year after college working with the Jesuit Volunteer Corps. It's like Vista or the Peace Corps but through the Jesuit community of a late uncle who was a Jesuit. And so I spent a year in an inner city neighborhood where I lived and I worked and economically you know had some real challenges a neighborhood a community had been there for a long long time probably the African-American community and that neighborhood has changed dramatically in the last a long time ago maybe 30 years ago that I was there.

[00:30:35] And many individuals who made their homes for generations there are no longer there as the neighborhood became gentrified those are huge impacts just like we see in our own in our own city. And I think of as being sore at the local level as you mentioned for local jurisdictions to put in policies or laws in place to help those individuals. You know my job as state attorney general is defending enforcing state laws right. And so that's that's the role where he if there were state laws or proposals I guess to take this step further. There were polls at the state level protections. That's where I and then come in. Right. I'm proposing those or to enforce those once they're in place.

[00:31:12] This looks like another question about giving preference to folks as a landlord.

[00:31:15] I've been told I cannot give preference to people with disabilities even though I own a rare 88 condo that is very accessible. I know how difficult it is for disabled people to find housing. Any thoughts on how either we make housing more accessible or again prioritizing population.

[00:31:37] Yeah I mean suicide occurred where was asking a question to reach out to my team by the way my civil rights team did. Who can who are experts in this and who can help provide some answers as well. And you know we've mentioned in terms of some of the cases we've brought impacting people of color we also see cases that impact both folks with disabilities those Vash masterpieces for example. So it is a party for office but I encourage you to reach out to the office to see if there is something that we can do to help with that cause. I appreciate the sentiment that some people have whined to to make that happen. We want to be helpful.

[00:32:05] Great. I see a question here that I think is worth bringing up in light of what we just talked about. Is it still illegal to refuse a Section 8 voucher. And I think part of asking that question too there is a real need to do education around fair housing even as laws are passed.

[00:32:24] So I think I think I mentioned that right. That is in the cases we brought these ash vouchers for example or other vouchers. You never know exactly what's going on with the intent of a particular landlord of why they're not renting out. But I think it is the sense of our team that at least some of those cases folks really did not know what the law was. We really do not know. And so it's worth and I think in all those cases like the Vasher voucher case. So when we there were I think these cases can work together. I think there were 10 entities that had in our view violated the law and refused those abash vouchers. Veterans have to pay for their rent. And so in resolving those cases we did not unlike the sun and sand case where that landlord we felt his conduct was intentional. He knew what he was doing. He was preying on a vulnerable population for his own profit. He's paying for that. OK he's paying for that. In these cases the way we resolve these cases was they have to sign what's called a consent decree which they acknowledge hey what we did was not right. We've changed our actions and people are not paying. If they didn't think it was a very nominal couple of thousand bucks we were not trying to extract some big penalty from those particular landlords. We want them to change their action.

[00:33:36] They sign an agreement so they if we test later on see they're still not doing it then we can't penalize them then it's no longer more intent going on. Right. But part of our job is a balance of trying to get the actors who are intentionally by law. They're going to pay for that. Those who we think hey there needs be an education component. They may not have been aware of saying what they did was right but they may not been aware of it and we're not trying to bring some hammer down on those folks who want to educate them and we communicate to the industry as well. We have meetings with the industry with organizations we communicate on a regular basis those folks hate cases we're bringing inform your members that this is what's going on. And so what I would say is for future cases with vouchers you know there's a point which we may have to have more Bambrick if we see it over and over again we keep testing and keep seeing it where the industry is knocking the message. At some point you've got to use a bit more of a hammer right. But for right now some of these cases we feel the law may not be as understood as it should be. We will try to find the right balance is what I'm saying and how we bring those cases Russian.

[00:34:37] Here's a question about your office's effort in your outreach maybe in identifying cases or other outreach and education to people with limited English or limited knowledge of the system.

[00:34:51] Yeah I'm glad you asked that question. Were we ever asked that question because as I I think I referenced earlier in the work that we do around civil rights consumer protection which is often the intersection for these kinds of cases you know in talking to my team of all those cases are important but I often emphasize that to make sure that we are getting out of our office and Communa folks who may have no idea there is an off attorney general they have no idea who we are or what we do what we do. They may have reasons they may not want to call us. They may be undocumented. Maybe reasons why some who is undocumented may not want to call the top law enforcement official in the state to say they've got a problem. So I'll try and keep this answer relatively short this time but I can say that we tried a very robust approach to reaching out so the entire civil rights team we go out on the road to meet with organizations with individuals on a regular basis.

[00:35:45] Farm workers leaders in the farmer community you name it. That is a big part of what we do. I try to do that on a personal level as well. I speak every couple of weeks on Latino radio station where I speak about cases we're doing what case out there. We emphasize if someone calls our office we never ask about whether they are our undocumented or not. That's not a question we ask her office we want to communicate that directly out to other populations. Well I don't want to suggest we have covered the waterfront completely on that. There's more we can do which is where folksier can be helpful.

[00:36:16] Most of the cases we bring come from somebody contacting our offices. It's an organization and an individual who experiences the harm and contacts or office. So we need help with that but we partner with all kinds of organizations around the state individuals to help with that. I will say it's been successful in the sense that the legal team that we have doing civil rights work for example there. They're busy they're very busy. I could double that unit tomorrow and they'd still be maxed out. Right. They're busy. So that's the good news. But that said we know what's going on on the ground. And so to communicate that to us is really critical.

[00:36:53] I've seen a lot of questions here that go to some of my opening comments about the connection between affordability and fair housing. At least three questions about how do you address affordable how is addressing affordable housing affirmatively furthering fair housing. Some questions about addressing the homelessness crisis as affirmatively furthering fair housing. Any thoughts from you on the connection.

[00:37:18] I mean what I mean that they're intertwined right. These things are related as as we're talking about and whether using vouchers or whatever the issue may be I think from my standpoint is I view my role as primarily as making sure that the laws that are put in place are enforced right and to make sure resources are going where I feel the resources have not been going on interest in the policy conversation. Right. But as I mentioned. That is not my primary role as a policymaker. What we want to be helpful. It's like we saw the state legislature where the feedback was we don't think there's will be a problem or will be turned down vouchers who would do that. Well Colleen melody got the her that went back out. We're testing we brought that information right back to the legislature pretty hard then for them denied at that point. Right. Here's the question we asked you were the answers so. That's right. Our office can most directly intersect. I spent nine years on the County Council where the rule was right that policy making at a local level to how how do we handle issues relate to homelessness.

[00:38:23] One thing I will say is that I think that one thing that has been helpful for me is having spent a year with the Georgia volunteer board where I was living in an environment where folks struggled with homelessness paying their bills food clothing. I mean you name it. Right. And and that experience was a big education for me growing up here in Seattle in a nice middle class environment. And I find that a role that folks can have is is to communicate to elected officials personal stories of what's going on issues like affordable housing or fair housing that I guess mostly do not underestimate the power of that at public hearings or on one on one conversations with your local elected officials who influence budgets who influence those policies to bring individuals in. Who tell

those stories. It makes it makes a huge difference just to encourage folks who when you're dealing with the policymakers to tell those stories I think is critically I would say I get the opportunity as the policy person to weigh in.

[00:39:25] From a policy perspective the city did submit our assessment for fair housing and part of that is really relying on the data that we're seeing in our community around displacement particularly in Seattle the impact and the loss of the black and African unity. And so to the extent that we drafted our assessment fair housing we said that creating more affordable affordable housing was a key piece of affirmatively furthering fair housing making sure that we're able to achieve integrated communities by giving people so to the extent that there is litigation ongoing about the ongoing viability of that rule. Our assessment at least helped to say that affordable housing is a piece of that affirmatively furthering their housing.

[00:40:11] Absolutely. And one thing I just also thought there is that you know at the federal level.

[00:40:17] The folks who are here are working on the ground see things are going on at the federal level communicate to my office about what you see that maybe unlawful inappropriate damaging to their housing here in our communities. So New York has taken the step in terms of going forward. Other states are having conversations around that. So we'll see on that specific action. But there is a rule like isn't just having now. I think I mentioned 26 lawsuits against administration. We haven't lost a case yet. And so we've been very successful and take on the ministration on whether it's civil rights immigration issues. Now here's fair housing right that there's a role for state AGs that's in my wheelhouse right. There's something going with ministration that we think is unlawful. I have a specific almost unique role to play.

[00:40:59] Well we're glad you're there.

[00:41:00] I think we would be in a position where we needed so much activism in the absence or action of federal government rolling back a lot.

[00:41:10] Right. Well you know it's interesting when I when to the civil rights unit that's when Barack Obama was president. There was no Consta been in my mind that this was a team that we utilize at a federal level. It just wasn't on the radar at all. It seemed like well how are we to enforce our own state laws that we have right here or state laws against discrimination. Right. How come we're not doing that. And as it turned out with much of the litigation that we brought against ministration a lot of folks my office play a key role in that. But it's fair to say that civil rights team is central to that. That's a big part of their work right now is leaning on those cases are the resource that we have come from that so.

[00:41:45] And those are critically important cases from I don't know if you're able to speak about this issue but the recent court ruling that overturned Seattle's fair chance housing ordinance was premised on landlords having a first amendment right to choose their tenants. This seems to be in direct conflict with the fundamental premise of antidiscrimination protection.

[00:42:13] Thoughts I'm not expert on that idea. Of course it wasn't wasn't our case. Yeah. Yeah but we're not expert to weigh in.

[00:42:20] Yeah here's a question on I think if I'm cutting to it this is a question on restrictive zoning policy and how land use policies by not allowing multi-family development interacts with their housing in who is able to live in our communities. I know from the policy perspective there are ongoing conversations in Seattle or places across the region and each D.C. participates in a lot of questions around zoning incentive zoning inclusionary zoning policies and how that can create more integrated communities.

[00:42:59] Thoughts on how are zoning our land use laws relate to fair housing and how we them when we saw from the video right with the historical context for those issues are and I mean it's at the local level. I mean how those local policy makers set those issues is so important right. My I have seen it already. I can use but it's women in certain contexts right that are local jurisdictions those local elected officials setting those rules putting them in place.

[00:43:27] The relationship I think between those policies and affordable housing is debatable.

[00:43:35] Right. But again that's not the rule from my office. That's your Local local what officials who set those and put those in place and why those folks are so important to communicate directly to them. If something unlawful was going on right or there is a disparate impact as a result of some of your rezoning there can be a rule for my office to play at that point. But there is right there is there's different players right on this board here and those local officials put so much in place that can have a huge impact.

[00:44:02] Anything you see on the horizon in the next couple of years this arena mean you and your team make.

[00:44:10] I can speak them to my team I think a little about that is my goal for my office comes to consumer protection and civil rights. The two areas where we have teams that can be involved in these issues.

[00:44:23] You of a consumer protection team knows that you know my goal is for us to have the largest consumer protection team in the country. When I start as attorney general there are 11 attorneys doing consumer protection work which runs the gamut of all kinds of things right as you can imagine. But sun and sand is an example of a case. The consumer protection team brought they now have 27 attorneys and it increased course by increasing the professional staff so they can take a case like sun and sand which is not a money maker for the state. Right. Nothing about that case was bringing revenue back. It's all about justice for those individuals who are really being harmed in very significant ways.

[00:44:55] But we need the resources to bring those kind of cases and the same with the civil rights team to have the largest civil rights unit in the country to do this work because literally I mean it seems hard to believe but we have. We receive between 20 and 30000 consumer complaints a year old range of issues from Washingtonians had my consumer protection team who said we could double the size of that team which is large. Right there's 80 people working at consumer protection and they're all still busy. So I look at it is my job is to put as much in the way of resources that I can to those folks to do that work and to make sure that we are doing without cancer be cutting edge work.

[00:45:33] The testing that's being done I mean it seems surprising to me but after the Basch vouchers case I did an interview with NPR and the person doing the interview was very knowledgeable about these issues and literally he was saying he wasn't aware of any Agee's off this had ever done a testing case like this before the polls close which is kind of remarkable in a way right. I'm not being critical. We had neither resources are a huge part of it.

[00:45:53] But one thing I found about and I think you'll see more from us is we talked a lot about this is perception versus reality of what's actually happening out there in the marketplace and I've become more and more convinced of the power of testing argue with it. We tested. We went undercover. We asked these questions we posed as a potential tenant. This was the answer we got back and we said we're a felon or we said we had a cash voucher and that helps move legislators I think. I think it helps move policy makers. I think it helps us in the work that we're doing. Hold accountable folks and educate other landlords and industry as well. So I think you'll see more of that from her office going forward. But my role is that my team hears me say this all the time that you know from my standpoint all the work we do is important. But I'm especially focused on issues related to civil rights consumer protection and that the need there is tremendous and just encourage folks to contact our office if you see anything right to our office contact her office. Let us know. That's how most of our cases are generator for people like you. Right.

[00:46:54] I think testing moves the needle. But others of us in here know that advocacy really has moved the needle. I see the Washington low income housing alliance folks here each DC so to the extent that an average citizen who's not in one of your skilled attorneys is out there testing or litigating also advocating writing to your elected officials sharing your personal stories really helps to move the fair housing issues. I know that when the state legislature is a source of income. Davis familiarisation explicitly tied to the higher list. Energy advocates sharing their story.

[00:47:30] And folks should know look I spent nine years on the council Ventoux a zillion public hearings on issues right. Zillion of them and I think that sometimes folks have the idea. I go testify it has no impact. Right. I mean I can understand that but I'm just telling you many times going into conference room with some colleagues after a public hearing where someone says you know I realized that was going on here. I didn't realize that was the impact. I didn't realize if we had 20000 more dollars we could help solve that issue for that group of people. It happened all the time. There's nothing unusual about that I happen every time. Right. But it happened a lot. And when it happens most frequently is personal stories right. Someone comes in. This is the impact on me and my life as a result of this zoning policy right or affordable housing policy. This is what's going to happen to me or

is happening to me and those personal stories are there are the most powerful. And so if you're meeting with elected officials have someone in the room was directly impacted by those policies. I'm just telling you it's memos are great and all that stuff is great but people are we're wired to be moved by stories. It's who we are. Right away we tell stories to our kids right. It's just who we are as a people and putting a face on any problem makes a huge difference. It just does put a face on it.

[00:48:44] I would encourage you think about that as you as you do the Adewusi which is I think it's always good to end on the note of advocacy. I don't know if there are last questions or comments. I think that as we look back 50 years on having made some but clearly not enough progress on fair housing issues it's going to take consistent advocacy from advocacy partners. It's going to take local government. It's going to take state enforcement legislation and litigation to help us get towards that promise ending discrimination ending segregation and creating fair access for all people in housing.

[00:49:23] Thank you and your project so much.

[00:49:32] This podcast was presented by The Seattle Public Library and Foundation and made possible by your contributions to The Seattle Public Library Foundation. Thanks for listening.