

On The Line: How Schooling, Housing, and Civil Rights  
Shaped Hartford and its Suburbs

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and contributors*



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# Preface

This **book-in-progress** was last updated on 2019-02-13

*On The Line* makes visible the hidden boundaries that divide metropolitan Hartford, Connecticut, and tells the stories of civil rights struggles to cross over, redraw, or erase these lines in schooling and housing.

## About the book

*On The Line* tells the story of schooling and housing boundaries that shaped American metropolitan life over the past century, and also the civil rights struggles of families and activists to cross over, redraw, or erase these powerful lines. Set in the city of Hartford, Connecticut, and its emerging suburbs, the book explains how this metropolitan area became one of the most racially and economically polarized regions in the northeastern United States. The story highlights how government, business, and white middle-class families drew lines to distance themselves from others, and the evolving coalitions that have sought to reform the relationship between private housing and public education.

This **digital-first book** was designed for the open web. The narrative is wrapped around digital evidence—including interactive maps, videos, and documents—to make hidden boundaries more visible, and to amplify the voices of people who challenged these lines. *On The Line* is best read in your web browser, where readers may fully explore the evidence, follow links to related sources, and connect with the author and other readers through comments. In addition to the web edition, the same text (with static images and links) also appears in the downloadable e-book versions, and an inexpensive print edition to come.

In an **open-access book**, history becomes more widely available to the public, without barriers of price or permissions. As educators, we believe that knowledge becomes more valuable when it is easily discoverable and accessible, not hidden behind password-protected paywalls. Moreover, the liberating power of history—and civil rights history in particular—should be freely available, especially for the communities of people

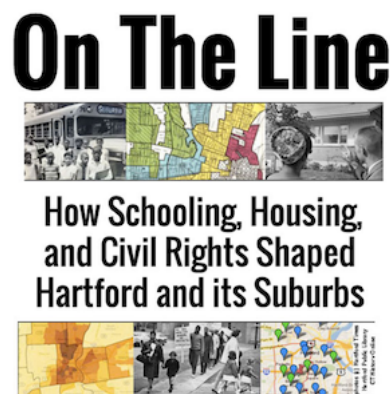


Figure 1:

who lived these stories. Anyone may freely read this book online or download it from the web, and after it is completed, purchase or borrow a low-cost paperback edition.

Written **for the liberal arts**, the book blends interdisciplinary scholarship with highly-engaged student learning. It draws on the fields of history, social sciences, and policy analysis in urban America, and more than a decade of collaborative research with undergraduate students, faculty, staff, and community partners at Trinity College. Rather than simply report our results, we describe our discovery process, so that others may expand upon, or even challenge our findings, in future works. We also strived to explain new concepts and make the text accessible for younger students and residents of the Hartford region.

In sum, *On The Line* blends the best aspects of conventional publishing and web innovation. The main narrative still looks and feels like a scholarly book, divided into chapters and backed up by endnotes. But the web platform allows us to embed digital evidence on the page, and to link directly to external resources located elsewhere. As a result, this book delivers a more comprehensive, coherent, and connected work of scholarship than what was previously possible in print-only publications, or scattered online journal articles and blog posts, at no cost to the reader. Flip the page—in whatever format you prefer—and find out for yourself.

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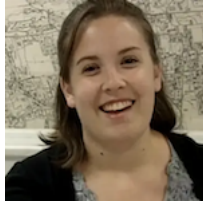




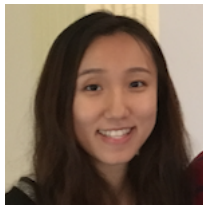
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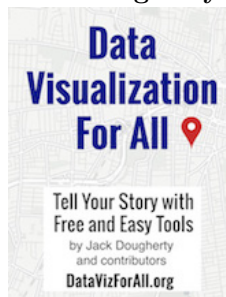


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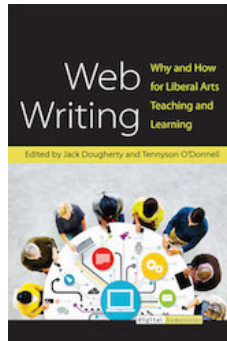


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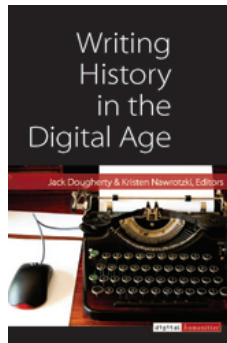
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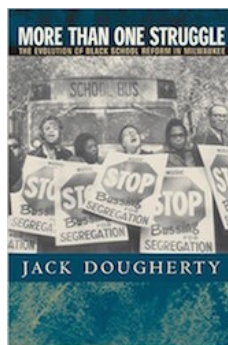
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## Acknowledgements

TO COME

## How to Read

Read the text in any format below. But this digital-first book (with interactive maps, videos, and source links) is best experienced in the web edition (<http://ontheline.trincoll.edu>).

- Web (recommended)
- PDF
- ePUB
- MOBI
- DOCX

Several images **will not appear in the PDF/ePUB/MOBI/DOCX versions** until after this book-in-progress is completed.

The web interface also offers these reading options:

- Menu
- Search (in-progress)
- Font (adjust text size and display)
- Edit (suggest edits or comment; requires free GitHub account)
- Download

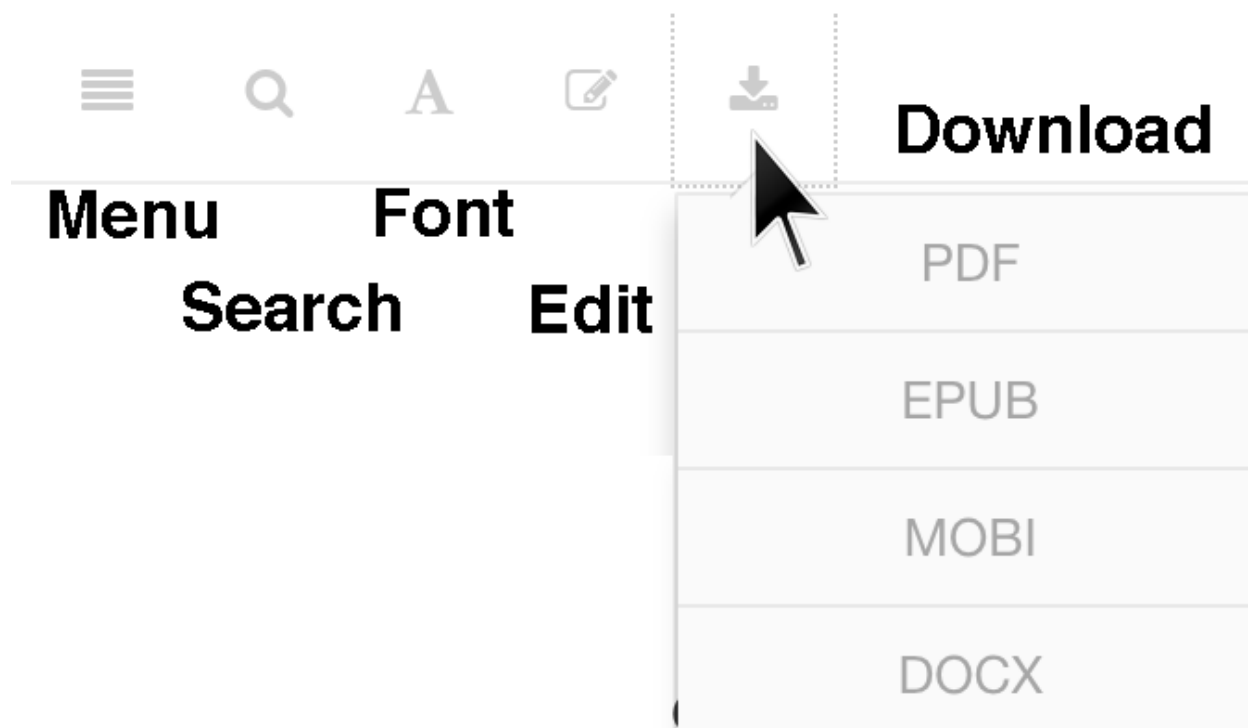


Figure 2: Screenshot of reading options

## How to Cite

To cite this book-in-progress, please refer to the web edition (rather than pdf or ebook editions), since this online version is easiest for all readers to access instantly.

For general citations of the book, see these samples of common academic styles:

**Chicago-style footnote or endnote:**

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The web edition of the book also includes internal links to different pages within the book (e.g. selected chapters, bibliography, etc.) If any internal links break, this platform has been set up to automatically redirect readers to the book’s home page.

The book also contains external links (such as endnotes that refer to other articles, books, or websites). If any external links break, each endnote contains a full citation and external web address, which readers may search in the “Way Back Machine” at (<http://archive.org>) to see the most recent version of this site. Donate to the Internet Archive, the non-profit organization that maintains this valuable collection of our digital history as a free public service.

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## GitHub

Our GitHub open-source repository (<https://github.com/ontheline>) contains all of the source code for the book (including images, data, and interactive charts and maps), and is freely shared under an MIT license. Learn how to work with GitHub and create your own charts and maps in *Data Visualization for All* (<http://datavizforall.org>) by Jack Dougherty and contributors.

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# Chapter 1

## My Introduction to the Lines

### Learning My Lines

*by Jack Dougherty*

“Are you looking to buy a home?” came a voice from behind me. I turned around and faced a white man wearing a big smile. Somehow, he knew exactly what I was doing.

“Just looking,” I replied. “Got a job interview tomorrow and I’m just looking around.” It was a warm Sunday afternoon in May 1999, on my first visit to the City of Hartford. I was standing on the sidewalk in front of a three-story house with a for-sale sign, on a street somewhere near what local residents called the West End neighborhood, based on my limited knowledge of the city at that time. There was no open house, nor did I have an appointment to meet a real estate agent. I simply wanted to get out of my rental car and walk around to get a feel for this neighborhood. My hands held the real estate section of the Sunday newspaper and a city street map, which I had purchased at a nearby gas station about fifteen minutes earlier.

“Hold on a second. My wife’s a Realtor. She’s right next door and I’ll bring her over.” The man walked back across the street, and returned a minute later with a woman. She introduced herself, mentioned that she happened to be visiting a client on this block, and asked what brought me to Hartford.

I explained that I had a job interview the next day at Trinity College, located about two miles from where we stood, but was just looking around. What I also knew—but didn’t tell her—was that the search committee seemed interested in my application, it was very late in the academic hiring season, and if all went well and they offered me a job, they would expect a speedy reply. Time and money were tight for my partner Beth and me. She worked full-time, we had two young children, and I didn’t have a steady job. Leaving home to do another multi-day job interview was a major strain on our family life. That Sunday afternoon probably would be my only opportunity to scope out local housing opportunities in case we needed to make a quick decision about moving to Hartford.

The real estate agent rattled off names of people we might know in common. But none of them were familiar to me, since I had not yet met anyone at the college or the city. She turned the conversation to ask what kind of home I was looking to buy. All of this was premature, I explained. The interview was not until Monday, and I didn’t know whether or not they would offer me the job.

“Do you have children?” she asked.

“Yes,” I replied. “Two kids, ages five and two.”

“You might want to look on the other side of Farmington Avenue,” she suggested, pointing to a major street a couple of blocks north. The agent handed me her card, we exchanged goodbyes, and she departed in a car with her husband.

I stood there on the sidewalk, dumbfounded, trying to make sense of what had just happened during my first half-hour in Hartford. This agent had gently steered my housing search based on what she had quickly learned about me as a white middle-class professional, and more importantly, as a parent of two school-age children. Somewhere down the street there was a line—not yet visible to me—but one that clearly stood out in this agent’s mind, and most likely in the minds of families living on opposite sides of it.

Memories of that sidewalk encounter rolled around in my head over the next few days, weeks, and years. The job interview at Trinity was successful, but that opportunity forced my spouse and me to face several difficult decisions about moving our family to the Hartford region, a theme that we will return to later. While living and learning about the city and its suburbs, my eyes now sharply focused on the lines that differentiate where families reside and send their children to school. Boundaries that were once invisible to me now vibrantly stand out in my mind, while crossing over them on foot, bike, or car. At work I teach my students about the lines, and together we map them on computer screens, measure their influence, record their meaning in people’s lives, and write about what we learn to share with the public. Three types of questions—on the history, pedagogy, and policy of these lines—have captured my attention over the past fifteen years:

- Why did schooling and housing boundary lines become so influential in shaping US metropolitan life over the past century?
- How can we make these hidden lines more visible, and amplify the voices of people who challenged them, to educate future generations?
- What does the evolution of these boundaries, and different activists’ strategies to challenge them, tell us about our present-day policies?

This book seeks to answer these questions in a format designed to invite readers like you into the story, to explore the evidence, pose your own questions, and perhaps share comments about the influence of these lines on each of our lives.

## Bridging the History Gap

*by Jack Dougherty*

*On The Line* is written for students and residents of the Hartford region, as well as for scholars of metropolitan history. On the local level, this work of public history weaves together two vitally important stories: the rise of increasingly rigid schooling and housing boundaries that shaped metropolitan Hartford over the past century, and the civil rights struggles of families and activists to cross over, redraw, or erase these powerful lines. To learn how the city of Hartford and its surrounding suburbs became one of the most racially and economically divided regions in the northeastern United States, the book traces how government, business, and white upper-class families drew boundary lines to distance themselves from others who they perceived as a threat to their position. Moreover, to make us wiser about future prospects for change, it explores how civil rights coalitions crafted different strategies over the decades to challenge and reshape boundary lines, with mixed success, in both the education and housing sectors. More people need to learn these stories about the partitioning of the Hartford region into different towns, school districts, attendance areas, and housing zones, which created disparate social worlds with dramatic differently odds for life outcomes. Whether people grew up or went to school on one side or the other, these divisive boundaries are part of our shared history. Living and learning on the lines have profoundly shaped all of us.

For scholars, *On The Line* argues that we cannot understand the broader narrative of twentieth-century US history without the explanatory power of housing and schooling. Indeed, suburbanization was caused by multiple factors: job migration, interstate highways, tax policies, urban rebellions, and white flight. But this book argues that the dynamic relationship between housing and schooling played a central role in shaping places like Connecticut, which we have not fully understood because a prior generation of historians split these topics into separate bodies of literature, and essentially drew boundaries around these disciplinary subfields. On one side of this scholarly divide, urban and suburban historians (such as Arnold Hirsch,

*Making the Second Ghetto*, and Ken Jackson, *Crabgrass Frontier*) described how housing policies and racial discrimination fueled the post-World War II decline of cities and expansion of outlying suburbs, but schools did not play a meaningful role in their equation. On one side, educational historians who followed the lead of David Tyack (*The One Best System*) focused on the rise and fall of big-city school districts, yet paid little attention to their relationship with suburbs. Whereas most educational historians halted at the city line, urban and suburban historians generally stopped at the schoolhouse door.<sup>1</sup>

## Outline of the Book

by Jack Dougherty

*On The Line* seeks to bridge this disciplinary divide by showing how the dynamic relationship between schooling and housing reshaped our cities and suburbs. During the immediate post-war years of mass suburban housing, public schools in many of these formerly rural towns were seen as inferior to the big-city districts, and a deterrent to outward migration. But in the late 1950s and '60s, a convergence of three groups—real estate industry, pro-suburban government, and white middle-class homebuyers—invested in suburban public schools, marketed them to private homes, and defended their attendance boundary lines. This schooling-housing convergence became more powerful in US families' lives in the human capital market of the 1960s to today, when education credentials have become the most reliable means to transfer middle-class privilege to one's children. Americans seeking upward mobility began to embrace what we recognize today as a familiar formula: buy a home in the right neighborhood, in order to send your children to a good school, to increase their odds of being accepted into a top-ranked college, to help them to land the perfect job. Moreover, wealth-based schooling and housing boundaries became a more legitimate way for upper-class white families to defend and pass on their privileges, without resorting to overtly racial boundaries of the past, while still distancing their children from other students perceived to be less desirable peers. America's story of urban decline and suburban ascent, and civil rights struggles to challenge these inequalities, cannot be told without the interaction between two key ingredients—housing and schooling—and the boundary lines that bind them together.

This book concentrates on the metropolitan Hartford story, and is divided into multiple chapters of narrative and evidence, organized thematically and chronologically to advance key elements of the broader historical argument.

Chapter 2: Defining City and Suburban Lines begins by challenging us to reconsider the familiar poor cities and rich suburbs narrative that is so ingrained in our present-day thinking. But a century ago, these roles were reversed. Connecticut's capital city was the center of financial wealth, adorned by its crown jewel of public education, Hartford Public High School. Urban schools earned such a strong reputation through the early 1900s that they attracted families from outlying towns to send their children into the city's borders. By contrast, public schools in areas that we consider today to be elite suburbs, were relatively weak rural districts at this time. This part of the book begins to explain the reversal of fortunes between Hartford's city and its suburbs over time. Larger colonial-era tracts of land were carved up into smaller town boundaries, state laws formed more rigid school district lines, and suburban voters blocked urban annexation. Today's Connecticut is highly fragmented into 169 municipal governments, and most manage their own public school districts and land-use decisions, with weak regional governance. Even the phrase "metropolitan Hartford," which appears in this book, has no official nor consistent definition. As a result, self-interested suburban policies with state governmental support have generated some of the nation's highest levels of inequality between the central city and its suburbs, and also across suburbs of different socioeconomic standings.

Chapter 3: Separating with Color and Class Lines explains how the boundaries of white middle-class privilege have shifted over time, from explicit racial barriers to more sophisticated hurdles, and from the schooling to

<sup>1</sup>Arnold R Hirsch, *Making the Second Ghetto: Race and Housing in Chicago, 1940-1960* (Cambridge: Cambridge University Press, 1983); Kenneth T Jackson, *Crabgrass Frontier: The Suburbanization of the United States* (New York: Oxford University Press, 1985); David Tyack, *The One Best System: A History of American Urban Education* (Cambridge, MA: Harvard University Press, 1974). For an extended version of this historiographical argument, see Jack Dougherty, "Bridging the Gap Between Urban, Suburban, and Educational History," in *Rethinking the History of American Education*, ed. William Reese and John Rury (New York: Palgrave MacMillan Press, 2007), 245–59.

the housing sector. The Connecticut legislature banned schooling for out-of-state black students during the 1830s, and Hartford leaders voted to officially segregate public schools for a brief period in 1868, and proposed it again in 1917. After civil rights activists overturned these policies, Hartford officials quietly continued to separate many black and white students into the 1970s, through its decisions on locating new schools and redrawing attendance lines. In the housing sector, the color line gained more governmental support in the 1930s and '40s, with federal and local policies that openly prohibited home mortgages and public housing for blacks, and legally protected white-only property deeds. After activists overturned these governmental restrictions, the Connecticut real estate industry continued the color line through discriminatory steering and lending, even after the federal Fair Housing Act of 1968 outlawed these practices. Eventually, as overt racism became harder to defend, Connecticut's white suburbs relied more on exclusionary zoning policies, with "color-blind" rules that required higher-price single-family home construction, effectively blocking lower-wealth families, and by extension, most people of color. As a result, Connecticut's city-suburban barriers trace their legacy to color lines that have faded over time, but remain in force today primarily due to class lines, supported by local and state government.

Chapter 4: Selling and Shopping the Lines explores the pivotal relationship between public schooling and private housing, which fundamentally reshaped metropolitan life and upward mobility strategies in Connecticut in the latter half of the twentieth century. By contrast, in the early 1900s, when a smaller proportion of youth pursued secondary education and beyond, most families did not choose their homes based on the boundary lines of desirable public schools. Prior to the 1950s, schools were relatively weak in attracting middle-class families to the suburbs, but in post-war human capital markets, education became a powerful magnet. Pro-suburban government, real estate interests and prospective homebuyers converged to create the practice commonly known today as "shopping for schools." Agents began to advertise private homes by their location in higher status public school areas. Local school leaders competed for upper-class families by offering curricular extras. State legislators invested in suburban schools, and legitimized school-by-school rankings by publishing standardized test results. Upwardly mobile families with children sought more desirable school attendance areas, and paid higher prices for private homes that included access to this public good. Overall, the rise of shopping for schools unites the twin narratives of credentialism and consumerism in American metropolitan history.

Part 5: Challenging the Power Lines tells the stories of everyday families and civil rights activists who sought to cross over, redraw, or erase schooling and housing boundaries in metropolitan Hartford, focusing primarily on the past five decades. When comparing these stories, we learn that the tools of privilege do not stand still, but evolve when confronted by civil rights challenges. In turn, this requires newer generations of activists to continually rethink and revise strategies to address the limited successes of prior years. After Connecticut civil rights advocates won legislative bans against overt racial discrimination in public housing in the late 1940s, and most private housing in the 1960s, they needed to create more sophisticated strategies to combat racial steering and redlining practices, since these were more difficult to prove without direct testing and quantitative studies. Similarly, although activists won a 1965 state constitutional amendment for equal public schools, initial efforts to implement this law were equally challenged in moving students or dollars across city-suburban district lines. This portion concludes with the 1996 courtroom victory of the *Sheff v O'Neill* school integration plaintiffs, where Connecticut's highest court outlawed the segregation of Hartford minority students, but left the specifics of the remedy to be determined by a suburban-dominated political process.

Chapter 6: Choosing to Cross the Lines describes the present-day political compromises that have emerged from battles over schooling and housing boundaries. When civil rights activists finally pressured Connecticut leaders to deliver on the promise of integration with the *Sheff* remedies, beginning in 2003, the agreement hinged on voluntary public school choice that did not require participation by any individual, or initially, any suburban district. Instead, state leaders agreed to expand interdistrict magnet schools, with highly-desirable curricular offerings in the arts, sciences, and other specialties to attract white suburban families to voluntarily enroll their children in the same school as urban students of color. The *Sheff* remedy signals a tangible civil rights victory. As of 2015, state funding for 48 interdistrict magnet schools and the Open Choice city-suburban transfer program enrolls about 12,000 Hartford minority students (or 45 percent of the total) in racially integrated settings. But compromises come at a cost. Interdistrict schools merely blur the boundary lines, rather than erase the root causes of inequality. Furthermore, this voluntary integration

plan protects suburban white privilege, and our data analysis shows how it favors more privileged Hartford families. The Sheff remedy has attracted critics from all sides, but the suburban-dominated state government has resisted change and threatened to unilaterally drop all support, despite the judge's order. At present, the Sheff schooling compromise-and related housing voucher policies that promise greater choice-are caught in a standoff, with suburban interests holding the upper hand.

Conclusion: *Where Do We Draw the Line?* offers historical reflections on present-day policy decisions *to come*.

The end of the book contains three additional chapters for readers interested in the behind-the-scenes process that resulted in this this book. - Teaching with *On The Line* describes how the book emerged through working with liberal arts undergraduates and Hartford-area community partners in the Cities Suburbs and Schools seminar at Trinity College. In addition, it provides educators with lesson ideas to help students of all ages explore key questions about past and present source materials. - Creating *On The Line* offers a behind-the-scenes view about the research research methods, source materials, and web technologies we used to create this open-access digital book. By making our work process more transparent, we hope that others will be inspired to produce their own publications, and improve upon our process. - Mapping *On The Line* details our design process for creating the interactive web maps in this book that help broader audiences to visualize spatial and historical change over time. All of our maps are built with open-source code, which we share so that others may build their own version and invent even better ways to tell stories about space and place in past and present.

### About this book



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## Chapter 2

# Defining City and Suburban Lines

This chapter begins by challenging us to reconsider the familiar poor cities and rich suburbs narrative that is so ingrained in our present-day thinking. But a century ago, these roles were reversed. Connecticut's capital city was the center of financial wealth, adorned by its crown jewel of public education, Hartford Public High School. Urban schools earned such a strong reputation through the early 1900s that they attracted families from outlying towns to send their children into the city's borders. By contrast, public schools in areas that we consider today to be elite suburbs, were relatively weak rural districts at this time. This part of the book begins to explain the reversal of fortunes between Hartford's city and its suburbs over time. Larger colonial-era tracts of land were carved up into smaller town boundaries, state laws formed more rigid school district lines, and suburban voters blocked urban annexation. Today's Connecticut is highly fragmented into 169 municipal governments, and most manage their own public school districts and land-use decisions, with weak regional governance. Even the phrase "metropolitan Hartford," which appears in this book, has no official nor consistent definition. As a result, self-interested suburban policies with state governmental support have generated some of the nation's highest levels of inequality between the central city and its suburbs, and also across suburbs of different socioeconomic standings.

## The Richest City in the Nation

*by Jack Dougherty*

Over a century ago, the press declared Hartford as "the richest city in the United States" per capita, a label from the past that seems strange to anyone familiar with its extreme poverty in the present day. That tagline came from journalist Charles Clark, who wrote a cover story on Connecticut's capital city in 1876 for *Scribner's Monthly*, one of the most popular illustrated literary magazines of its time. While Clark may not have invented this slogan, he certainly popularized it, based on some loose arithmetic of the city's accumulated wealth, relative to the size of its population, approximately 40,000 people. His essay opened by surveying the value of vast financial and industrial corporations based in the downtown area. The city's well-known insurance companies, including The Hartford and Aetna, held more than \$113 million in assets, which rebuilt Chicago after its disastrous 1871 fire. Added together, the city's numerous banks amassed over \$50 million in deposits and capital. Five railroad lines fed Hartford's extensive factories, including Colt's Arms Manufacturing Company, "perhaps the most famous in the country" for its rifles and revolvers during the Civil War. Summed together, these businesses pushed the city's taxable property value to more than \$200 million.

In addition its financial assets, Clark also praised Hartford's abundant cultural riches. The nation's best-known authors, Samuel Clemens (more commonly known as Mark Twain) and Harriet Beecher Stowe (whose best-seller, *Uncle Tom's Cabin*, influenced the Civil War), both took up residence in the city, alongside many of their literary companions, editors, and publishers. In addition to serving as the state capital, Hartford

prized its extensive libraries, museum, and hospital. “The Hartford school buildings are said to the finest in the State,” Clark added, and called special attention to his alma mater, Hartford Public High School, the second oldest in the nation, which also enjoyed “a reputation with all the leading colleges as one of the best of all the preparatory schools.”<sup>1</sup> In fact, the education that young people received in the city’s public school system far surpassed what was available in the outlying rural towns, known today as the suburbs.

### Scroll the Source: Hartford as “The Richest City in the United States,” 1876

*Scroll through Scribner’s Monthly in 1876, which declared Hartford as the richest city in the United States, relative to its population. Digitized by Google Books.*<sup>2</sup>

Today we recognize Clark’s “richest city” slogan as boosterism. The twenty-eight-year-old son of a local congressman was a rising reporter at the *Hartford Courant*, the nation’s oldest continuously published newspaper, and would later become its editor and owner. Clark “had an investment in the city,” observes historian Steven Courtney, and later served on the boards of corporations and philanthropies his essay praised.<sup>3</sup> He did not offer a definitive statement on Hartford’s total wealth per capita, nor any direct comparison to financial statistics for other cities, to the extent they were available. Today, the idea of measuring a city by the wealth of its total corporate wealth, rather than the assets actually owned by individual residents, makes little sense. In 1903, nearly four decades after Clark’s essay, skeptics questioned some of its claims. One critic was Alexander Merriam, a Hartford Theological Seminary professor in the brand-new field of sociology. Although Hartford was still “computed as one of the richest cities of its size in the country,” he observed, “local wealth is not so large and available as the statistical aggregate might seem to indicate.” Residents included both “wealthier citizens . . . scattered in different parts of the city” and also “a slum of almost the first magnitude” of the poorest citizens along the banks of the Connecticut River. While Hartford still had significant pockets of wealth, they were not uniformly distributed. In fact, while Samuel Clemens lived in Hartford, he and his co-author satirically named this era the Gilded Age, referring to a thin gold layer that symbolizes wealth, but masks underlying social problems.<sup>4</sup>

But none of this skepticism mattered, as long as Hartford’s slogan as the “nation’s richest city” stuck in the public mind. It contained an element of truth that ordinary people could see with their own eyes, whenever they caught sight of a wealthy resident or passed by one of their prestigious homes in the city’s neighborhoods. In fact, the “richest city” label predated Clark’s 1876 article. Five years earlier, advocates for an art museum announced their fundraising appeal by declaring that “Hartford is the richest city of its size in the United States, we believe,” but must construct an institution “if she is to keep her pre-eminence, or is to be a city worthy of her wealth and acknowledged culture.” A similar 1878 appeal argued that while “Hartford is said to be the richest city in the country . . . so far, however, it fails to sustain adequately a public library.”<sup>5</sup> Variations on the “richest” theme appeared in Hartford church sermons, commencement addresses, and local news and feature stories, sometimes accompanied by tax or bank records, into the early 1920s. Whether or not this claim was based in fact, enough people believed it to publicly repeat it.<sup>6</sup>

<sup>1</sup>Charles H. Clark, “The Charter Oak City,” *Scribner’s Monthly* 13, no. 1 (November 1876): 1–21.

<sup>2</sup>Clark,

<sup>3</sup>Steve Courtney, “Commentary: Was Hartford ‘the Richest City in the United States’?” *Hartford Courant*, October 2014. On Clark, see Norris Galpin Osborn, “Charles Hopkins Clark,” in *Men of Mark in Connecticut: Ideals of American Life Told in Biographies and Autobiographies of Eminent Living Americans* (W.R. Goodspeed, 1906), 230–34; Joseph F. Nunes, “The Lasting Legacy of Charles Hopkins Clark,” *Hartford Courant*, October 2014; Joseph F. Nunes, “Chapter Four: ‘Fighting Joe’ and Mark Twain,” *Hartford Courant*, October 2014.

<sup>4</sup>Alexander R. Merriam, *The Social Significance of the Smaller City* (Hartford, Conn.: Hartford Seminary Press, 1903), reprinted as Alexander R. Merriam, “The Social Conditions of the Smaller City,” *The Hartford Courant*, July 1903, 13. See also skepticism about the corporate assets underlying the “richest city” claim in “The Richest City,” *The Hartford Courant* (1887–1922), October 1903, 10. On satirical name, see Mark Twain and Charles Dudley Warner, *The Gilded Age: A Tale of to-Day* (Hartford: American Publishing Company, 1873).

<sup>5</sup>Although the Wadsworth Atheneum opened in Hartford in 1844 and currently is described as one of the oldest art museums in the nation, the original buildings included an art gallery, the Connecticut Historical Society, and the Young Men’s Institute (which later became the Hartford Public Library). Advocates sought funding for a separate dedicated art museum and public library. See “An Art Museum,” *Hartford Daily Courant*, April 1871, 2; “A Suggestive Contrast,” *Hartford Daily Courant*, October 1878, 2; Wadsworth Atheneum Museum of Art, “History” (<https://thewadsworth.org/about/history/>, n.d.).

<sup>6</sup>For a selection of “richest city” claims, see First Church of Christ (Hartford, Conn.), “Address of Edward Everett Hale,” in

By the end of the twentieth century, the “richest city” slogan had turned upside down. Census 2000 ranked Hartford as one of the poorest major cities, with a population over 100,000, in the United States. When measured by the percentage of families living in poverty, Hartford was the second poorest, with 28 percent of its residents earning less than \$17,600 for a family of four. Only the border city of Brownsville, Texas had a higher family poverty rate. When measured by median household income, Hartford was the fourth poorest city with a typical household earning only \$24,820, just behind Miami, Brownsville, and Buffalo. Connecticut’s capital city first appeared among the ten most impoverished major cities in the 1980 Census. As of this writing in 2015, the city has not risen out of this dismal category. Although Hartford has inched upward from the near-bottom of the list in recent years, the token change in its rating has been caused by the sharper decline of cities such as Detroit and Flint, Michigan, rather than substantive improvements on its own.<sup>7</sup>

After the 2000 Census became public, the *New York Times* ran a front-page story on the depths of Hartford’s poverty. Reminding readers of the city’s former wealthy status, the article pointed to the powerless mayor, internal racial divisions, and public schools that were “among the worst performing in the nation” as markers of urban decline. “The *NY Times* piece was a teeth-kicker,” recalled Stan Simpson, a *Hartford Courant* columnist. “It rehashed the well-documented problems in the capital city—poverty, education, crime, race relations—and gave scant attention to any progress.” It was a riches-to-rags story, with no hope of redemption. Tom Condon, another *Courant* columnist, complained that the *New York Times* story “described Hartford as a decaying hulk of a once-grand city” and “left the impression that we’re all on skid row.” In response, the *Courant* published its editorial, “In Defense of Hartford,” which did not question the facts, but criticized the pessimistic portrayal of their city. “It hurts when outsiders point out the ailments that afflict Connecticut’s capital,” the editorial began, describing how this intensely negative national news coverage “felt like an insult.” The spin on Hartford had made a full circle back to the city’s oldest newspaper, where Charles Clark originally crafted the slogan of wealth more than a century ago.<sup>8</sup>

Where did the money go? What became of the wealth that once made Hartford “the richest city” in the nation into the early 1900s? During the twentieth century, the fortunes of the central city and its suburbs were reversed. According to Census 2000, when Hartford was rated as the second-poorest city by family poverty, its metropolitan statistical area (the city and suburbs combined) rose to the sixth-richest in the nation, as measured by median household income. Consider the size of this gap. Inside Hartford’s city boundaries, the median family earned \$24,820 in 2000, but the median family in the metropolitan area earned \$52,188, more than twice that amount. If we could exclude the city data from the surrounding metropolitan area, that gap would increase even further. The Gilded Age did not magically disappear from Hartford; most of it moved to selected suburbs.<sup>9</sup>

One way to visualize the spatial redistribution of wealth from the City of Hartford to its suburbs is to track home values by town during the twentieth century. For each decade in the map below, the average dwelling or single-family home value is indexed to the region to correct for historical price inflation, with higher values represented by darker shades of green. While not a precise measure, the rough differences over time are striking. In 1910, the region’s highest home values were located in the City of Hartford and

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*Commemorative Exercises of the First Church of Christ in Hartford, at Its Two Hundred and Fiftieth Anniversary, October 11 and 12, 1883* (Press of the Case, Lockwood & Brainard Company, 1883); “Girl Graduates: Closing Exercises of Mt. St. Joseph Seminary Cluster of Historical Essays on Hartford,” *Hartford Courant*, June 1903, 5; “Hartford as the ‘Richest City’: A Great Financial Center,” *Hartford Courant*, October 1908, C1; Otis Skinner, “Save Twain Home, Urges Otis Skinner: Should Be Easy for Richest City Per Capita in This Country,” *Hartford Courant*, April 1920, 6; “Hartford Holds Lead as Wealthiest City: Over 21,000 Local People Pay Federal Income Tax—Stamford Second and New Haven Third 10 Per Cent. in State Assessed,” *Hartford Courant*, November 1921, 1; “Wealth of Hartford Clearly Shown by Bank Statements: Per Capita Wealth, \$600, Equalled by No Other City in U. S.—1921 Bank Dis-Counts Total \$455,975,029 Insurance in Lead as Chief Industry City Known for Its Manu-Facturing for over 150 Years—Center for Traders and Buyers for Radius of 50 Miles,” *Hartford Courant*, September 1922, X1.

<sup>7</sup>See census data sources in “Calculating Wealth and Poverty in Past and Present” chapter, TO COME in this book.

<sup>8</sup>Paul Zielbauer, “Poverty in a Land of Plenty: Can Hartford Ever Recover?” *The New York Times*, August 2002. Contrast the *NY Times* portrayal with a later story by the *LA Times*, which Simpson noted had a more positive spin: David Lamb, “Once-Gilded City Buffing Itself Up,” *Los Angeles Times*, June 2003. See reactions by Stan Simpson, “Capital Progress: Read All About It,” *Hartford Courant*, June 2003, B1; Tom Condon, “‘Troubled City’ a Victim of Geography,” *Hartford Courant*, September 2002, B1; “Editorial: In Defense of Hartford,” *Hartford Courant*, August 2002, A10.

<sup>9</sup>See census data sources in “Calculating Wealth and Poverty in Past and Present” chapter, TO COME in this book.

its neighboring suburb of West Hartford. In second place were inner-ring suburbs with manufacturing jobs (such as East Hartford, Manchester, Windsor, and New Britain), followed by outlying farming towns to the west and southeast. In 1910, the average home value in Hartford was nearly \$5,000, four times more than the average \$1,200 home value in the agricultural community of Avon.

A century later, that relationship had reversed, as home values in the city fell to nearly the lowest in the region, while some outlying farm towns—known today as elite suburbs—climbed to the top. In 2010, the average sales price for a single-family home in Avon climbed to \$536,000, more than three times the average \$178,000 sales price in Hartford. In some eyes, the once-powerful city-based economic powerhouse had become a doughnut—a fiscally depressed center surrounded by an affluent suburban ring—though with wide variation in the middle.<sup>10</sup>

### Explore the Map: Home Values in Hartford County, 1910-2010

*Follow the money in this interactive map as the most valuable single-family homes (in dark green) shifted from the capital city to selected suburbs over time. Click the tabs or use arrow keys to advance years. Hover over towns for details. Home values have been indexed (where county average = 1.0) to adjust for rising prices over time. Missing values appear in gray. Sources: 1910-1980 from Connecticut Tax Commissioner, author's calculation of average dwelling value from equalized assessments; 1990 from Capital Region Council of Governments, median single-family home sales price; 2000-10 from State of Connecticut, Office of Policy and Management, average single-family home sales price (2000-2010). Learn more in "Calculating Wealth and Poverty in Past and Present" chapter, TO COME in this book. View map historical sources and code, developed by Ilya Ilyankou and Jack Dougherty, based on an earlier map with contributors from UConn MAGIC.<sup>11</sup>*

How do we explain this reversal of fortunes between Hartford's city and its suburbs? Histories of twentieth-century suburbanization point to multiple factors, including white flight, urban rebellions, interstate highways, and job migration. But this book argues that the pivotal relationship between private housing and public schooling reshaped central Connecticut. During the first half of the twentieth century, the city's public school system—and its crown jewel, Hartford Public High School—earned the highest reputation in the region, while most small-town and rural school districts were viewed as woefully behind. When the first generations of city dwellers moved to outlying suburbs, they were attracted by housing opportunities, not substandard schools. Yet this relationship quickly changed during the latter half of the century, when rising suburbs actively competed for upper-class white families and created elite public schools that acted as powerful magnets, while state policies kept most low-income black students at a distance. As the most privileged families fled Hartford, the concentration of poverty and limited resources led the city's most prized high school to nearly lose its accreditation in the 1990s, while elite suburban public schools rose to the top of new ranking systems.

To tell this story about the changing relationship between housing and schooling, this book begins by retracing the lines that were drawn to separate the city and suburban towns, and later its school districts. During the 1800s, town boundaries were still a work-in-progress, and public school districts were relatively porous until the early twentieth century. Connecticut legislators sharpened these divisions under a 1909 school consolidation law, with deep consequences for a school desegregation lawsuit that arose eight decades later. Yet while mass suburbanization prompted more metropolitan governance for water, sewer, and transit between towns in the region, public schooling became more restricted to only families that resided inside local district boundaries. In today's politically fragmented Connecticut, most policies about housing and education are made either at the State Capitol or in 169 individual town halls and school boards. Even the phrase "metropolitan Hartford" has no officially consistent meaning here. As a result, local self-interested policy decisions have generated some of the nation's highest levels of inequality between the city and its suburbs, and also between suburbs of different social standing. This chapter visually describes *what* happened in the

<sup>10</sup>See home value data sources in "Calculating Wealth and Poverty in Past and Present" chapter, TO COME in this book.

<sup>11</sup>Ilya Ilyankou and Jack Dougherty, "Map: Home Value Index in Hartford County CT from 1910-2010," *On the Line* (<https://github.com/OnTheLine/otl-home-value>, 2017)

Hartford region, as a prelude to later chapters that explain in more detail *why* it happened, and *how* civil rights activists have challenged the status quo in different ways.

## Carving Up Town Boundaries

*by Jack Dougherty*

TEXT TO COME

### 2.0.0.0.1 Scroll the Map: Town Borders in Hartford County Over Time

*Scroll down the narrative (or click and use arrow keys) in this interactive map to see how Hartford County, Connecticut was divided into 29 separate towns from the early 1600s to the late 1800s. Boundaries shown here are not exact, but approximated from the best available digital sources: UConn Libraries MAGIC historical maps, Atlas of Historical County Boundaries at Newberry Library, and the Connecticut State Register and Manual. View map historical sources, known issues, and the code, developed by Ilya Ilyankou and Jack Dougherty.<sup>12</sup>*

## A Golden Age for City Schools

TO COME

## Challenges for Rural and Suburban Schools

TO COME

### About this book



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<sup>12</sup>Ilya Ilyankou and Jack Dougherty, “Map: Town Borders in Hartford County, CT from 1600s to Present,” *On the Line* (<https://github.com/OnTheLine/otl-town-borders>, 2017)



## Chapter 3

# Separating with Color and Class Lines

This chapter explains how the boundaries of white middle-class privilege have shifted over time, from explicit racial barriers to more sophisticated hurdles, and from the schooling to the housing sector. The Connecticut legislature banned schooling for out-of-state black students during the 1830s, and Hartford leaders voted to officially segregate public schools for a brief period in 1868, and proposed it again in 1917. After civil rights activists overturned these policies, Hartford officials quietly continued to separate many black and white students into the 1970s, through its decisions on locating new schools and redrawing attendance lines. In the housing sector, the color line gained more governmental support in the 1930s and '40s, with federal and local policies that openly prohibited home mortgages and public housing for blacks, and legally protected white-only property deeds. After activists overturned these governmental restrictions, the Connecticut real estate industry continued the color line through discriminatory steering and lending, even after the federal Fair Housing Act of 1968 outlawed these practices. Eventually, as overt racism became harder to defend, Connecticut's white suburbs relied more on exclusionary zoning policies, with "color-blind" rules that required higher-price single-family home construction, effectively blocking lower-wealth families, and by extension, most people of color. As a result, Connecticut's city-suburban barriers trace their legacy to color lines that have faded over time, but remain in force today primarily due to class lines, supported by local and state government.

## Federal Lending and Redlining

*by Shaun McGann and Jack Dougherty*

*TODO: update with 3.3a and b*

Racial and class discrimination in American housing was not simply caused by the prejudice of individual property owners. During the 1930s Depression, when federal agencies entered into the home mortgage market to bolster the economy, the U.S. government systematically instituted segregation into housing policies in ways that went far beyond the actions of individuals. This section compares how two federal lending programs—the Home Owners' Loan Corporation (HOLC) and the Federal Housing Administration (FHA)—carried out their respective missions, and their long-term consequences for city and suburban neighborhoods. Both agencies institutionalized discrimination by creating color-coded maps and ratings systems that downgraded neighborhoods based on the racial and class demographics of their residents, rather than objective assessments of their market value alone. While their lending practices differed, both programs contributed to what we today call “redlining”: discrimination by refusing to provide (or charging higher rates) for financial services such as mortgages or insurance, due primarily to the location of a property. Although this term was not coined until the late 1960s, the story of its origins—and the federal government's active role in shaping these racial and class boundaries—dates back to the 1930s. Looking back at the evolution of mortgage

lending policies and vivid evidence of discrimination captures the story behind these segregated housing lines, and the thinking of both public and private officials as they drew them.<sup>1</sup>

When the nation sank into the Great Depression of the 1930s, the economic collapse threatened both lenders and borrowers in the housing market. Millions of Americans who already owned a home were in danger of defaulting on their mortgages, and potentially losing their homes to bank foreclosures. Many more could not afford to buy a home through a privately-owned bank or other lender, based on conventional mortgage terms at that time:

- High interest rate (around 7 percent).
- Large down payment (typically 50 percent, due to a 50 percent limit on the amount of the loan relative to the market value of the home, or loan-to-value ratio).
- Short-term loans (only 3 to 5 years to repay).
- Interest-only loan repayment, with very large “balloon payment” of principal at the end, or refinancing a new loan.<sup>2</sup>

In response to this lending crisis, President Franklin D. Roosevelt signed legislation in 1933 to create the Home Owners’ Loan Corporation (HOLC), and subsequent programs to subsidize the cost of mortgages. The HOLC purchased and refinanced loans for homeowners who were in danger of bank foreclosure, due to their failure to keep up with existing mortgage payments or balloon payments. In addition to lower interest rates, these federally-backed mortgages offered much more favorable terms for middle-class homeowners:

- Lower interest rate (5 percent or lower).
- Smaller down payment (typically 20 percent, by raising the loan-to-value ratio to 80 percent).
- Longer-term loans (for 15 years, and then 30 years).
- Amortization of loans, which calculates a gradual repayment of both interest and principal, shifting largely from one to the other over time.

Government involvement in the private lending market prevented millions of Americans from being forced out of their homes, and subsequent programs expanded ownership to millions more, but only for those who qualified. Eligibility was not neutral on the racial and class composition of homeowners’ neighborhoods, and tied federal funds into supporting and spreading segregation.<sup>3</sup>

In order for the HOLC to measure the risk of mortgage investments in different neighborhoods across the nation, the agency launched its City Survey Program in 1935. Field agents were sent to interview local banks and other lenders in 239 cities, and record their findings in confidential reports. In recent years, historians such as Robert K. Nelson and colleagues have compiled a growing collection of these maps for their nationwide Mapping Inequality Project.<sup>4</sup>

Foster Milliken Jr., the HOLC field agent assigned to Hartford, was no stranger to the world of finance. Decades earlier, his father presided over Milliken Brothers, Inc., a multi-million dollar structural steel manufacturer in New York City that built the world’s tallest buildings at that time. Prior to the Depression, Foster

<sup>1</sup>TODO: check definition and “coined” source, whether made illegal under 1968 FH Act, and more recent definitions.

<sup>2</sup>TODO: Check sources; history of amortization in Snowden and Rose paper, <http://realestateresearch.frbatlanta.org/rer/2012/04/debunking-popular-myth-about-mortgage-lending.html>; compare with typical HUD history <http://homeguides.sfgate.com/amortization-mortgage-2809.html> and <http://answers.google.com/answers/threadview/id/533059.html> and [http://archives.huduser.org/about/hud\\_timeline/tl/hudtimeline\\_1930.html](http://archives.huduser.org/about/hud_timeline/tl/hudtimeline_1930.html)

<sup>3</sup>David Freund, *Colored Property: State Policy and White Racial Politics in the Modern American Suburb* (Chicago: University of Chicago Press, 2007).

<sup>4</sup>Robert K. Nelson et al., “Mapping Inequality: Redlining in New Deal America,” *American Panorama, Digital Scholarship Lab, University of Richmond* (<https://dsl.richmond.edu/panorama/redlining/>, 2016).



Milliken Jr. worked as a stockbroker in Manhattan and was familiar with its social circles. When HOLC sent him to evaluate the Hartford area in 1937, he consulted key figures in the city's home lending market—real estate board leaders, bank executives, and local administrators of federal housing loan programs—who he described as “a fair and composite opinion of the best qualified local people.” But in Milliken's eyes, Hartford was a “typical New England city” with “ultra-conservative” fiscal policies, preferring to avoid federal assistance whenever possible. “It is not surprising,” Milliken wrote, that most of Hartford's conservative banking circle refused to accept HOLC funding (which required only a 20 percent down payment from lenders, far lower than their conventional terms) and “generally frowned upon” federal home lending programs. Nevertheless, several bank executives and real estate board members agreed to speak confidentially with Milliken and offer their assessment of city and suburban neighborhoods, revealing which areas they believed to be safest or riskiest investments, and why.<sup>5</sup>

Milliken submitted his confidential report to the HOLC central office, where staff created a four-color Residential Security Map to visually represent the “trend of desirability” he reported for neighborhoods in Hartford and two adjacent suburbs, West Hartford and East Hartford. Green, the highest rating, marked the best opportunities for mortgage investment, what Milliken described as “hot spots” of new and well-planned home construction where “lenders with available funds are willing to make their maximum loans” at up to 80 percent of the appraised property value (thereby requiring only a 20 percent down payment from homeowners). Blue, the second-grade level, represented completely developed neighborhoods of good quality, but not the best, where lenders offered mortgages at no more than 70 percent of the home value (or a 30 percent down payment). Yellow, the third-grade ranking, indicated areas in “transition” due to obsolescent housing or the “infiltration of a lower grade population,” and where mortgage lenders were even more conservative than above. Red, the fourth-grade areas, designated areas “broader than the so-called slum districts” where negative transitions had already occurred, and now were characterized by an “undesirable population” with “unstable incomes.” While some lenders avoided the third- and fourth-grade areas, Milliken's report was cautious to avoid implying that good mortgage investments could not be made there. Rather, “we do think [mortgages] should be made and serviced [but] on a different basis than in the First and Second grade areas.” In this way, the HOLC did not refuse to offer loans in the “redlined” areas, but acknowledged that this practice existed among some lenders, and justified doing business differently in these areas.<sup>8</sup>

### 3.0.0.0.1 Explore the Map: Federal HOLC “Redlining” in Hartford area, 1937

*Click on color-coded areas in this interactive map to view ratings by the Home Owners' Loan Corporation (HOLC), which recommended neighborhoods to receive mortgage lending from the highest level (A, in green) to the lowest (D, in red). This federal agency worked with local banks and lenders to evaluate Hartford and over 200 other cities during the Great Depression. They measured not only physical conditions, but also the “social status of the population,” and downgraded neighborhoods with non-white, immigrant, and poor residents. In later decades, activists labeled these discriminatory lending practices as “redlining.” View map historical sources and code, developed by Ilya Ilyankou and Jack Dougherty, based on an earlier map with contributors from UConn MAGIC and the Kirwin Institute.<sup>9</sup>*

<sup>5</sup>TODO: Milliken bio from 19070611NYT Milliken Brothers; 1930 Ancestry on zotero; 19350120NYT Foster Milliken. TWO REPORTS: Foster Milliken, Jr., “Confidential Report of a Survey in Hartford, Connecticut” (5 May 1936) and “Residential Security Map and Area Descriptions” (20 November 1937), for the Division of Research and Statistics, Home Owners' Loan Corporation, Folder “Hartford CT #2”, Box 64, City Survey Files, Record Group 195: Records of the Federal Home Loan Bank Board, National Archives II, College Park, MD; “best qualified” quote and acknowledgments in page 4-5 of 1937 report; ultraconverv and FHA quotes in 1936 report p3, 20

<sup>7</sup>Home Owners' Loan Corporation, “Residential Security Map and Area Descriptions, Hartford-West Hartford-East Hartford, Connecticut” ([http://digitalrepository.trincoll.edu/cssp\\_archives/14/](http://digitalrepository.trincoll.edu/cssp_archives/14/), 1937), uploaded to Home Owners' Loan Corporation, “Residential Security ‘Redlining’ Map, West Hartford-Hartford, CT” (<http://mapwarper.net/maps/15096>, 1937) and Home Owners' Loan Corporation, “Residential Security ‘Redlining’ Map, East Hartford CT” (<http://mapwarper.net/maps/15097>, 1937)

<sup>8</sup>TODO: quotes from 1937 report, p. 1; pp. 3-4

<sup>9</sup>Ilya Ilyankou and Jack Dougherty, “Map: Federal HOLC ‘Redlining’ in Hartford Area, CT, 1937,” *On the Line* (<https://github.com/OnTheLine/otl-redlining>, 2017); University of Connecticut Libraries Map and Geographic Information Center, “Federal HOLC ‘Redlining’ Map, Hartford Area, 1937” ([http://magic.lib.uconn.edu/otl/doclink\\_holc.html](http://magic.lib.uconn.edu/otl/doclink_holc.html), 2012)

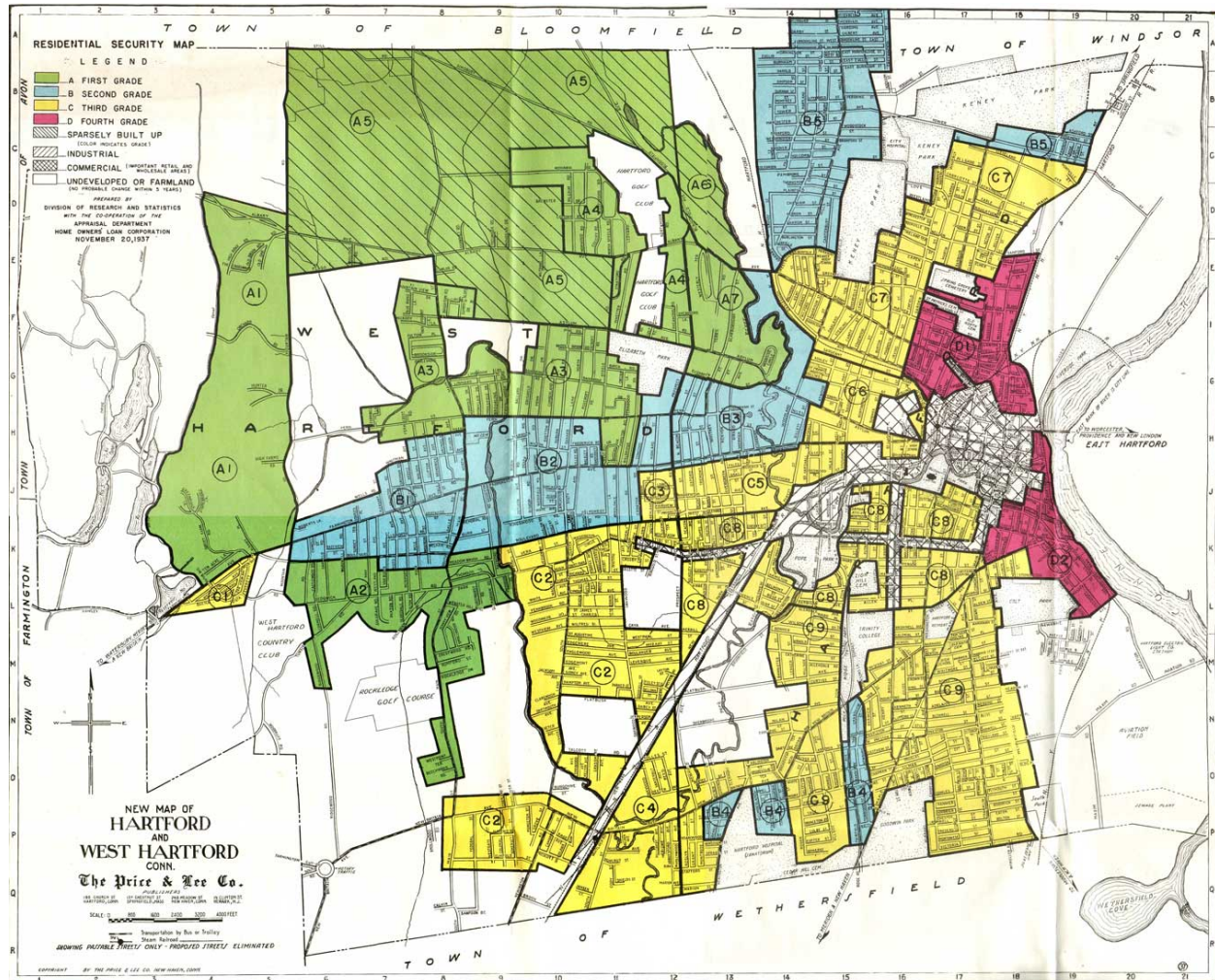


Figure 3.1: View the Residential Security Map for Hartford and West Hartford, 1937, from the Home Owners' Loan Corporation records at the National Archives. HOLC staff transformed neighborhood appraisals for over 200 cities into color-coded maps. Green indicated the best neighborhoods for mortgage investment, followed by blue and yellow, and then red to mark the riskiest areas, hence the name "redlining."<sup>7</sup>

2. INHABITANTS:  
 a. Occupation Laborers & domestics b. Estimated annual family income \$ 1,000  
 c. Foreign-born families 34 %; Italiana predominating; d. Negro Yes; 66 %  
 e. Infiltration of Same; f. Relief families Many

Figure 3.2: This excerpt from the HOLC area descriptions form required the appraiser to report the social composition of the neighborhood as a factor to measure mortgage risk. Source: Hartford area C-10, 1937, from the National Archives.<sup>13</sup>

Looking outward from the downtown Hartford business district, Milliken observed that “the entire trend is to the west.” In general, the lowest-grade red areas were located along the flood-prone banks of the Connecticut River, the location of the oldest colonial-era settlements that now contained the least desirable housing. Milliken perceived that the quality of neighborhoods improved—from yellow to blue to green—as the “better-class” residents moved from the central city to suburban West Hartford, and rising classes successively migrated into their old neighborhoods. A similar movement, though less pronounced in his view, also occurred on the opposite side of the river in suburban East Hartford. Despite this general trend, a closer look at the HOLC map reveals that not all suburban neighborhoods received high ratings, and not all city neighborhoods received low ratings. For example, yellow (the third grade) dominated the southern half of West Hartford and most of East Hartford. Likewise, green (the first grade) prevailed in the northwest quadrant of the City of Hartford.<sup>10</sup>

Which factors influenced Milliken’s mortgage risk ratings? Although his report considered the physical condition and market price of the housing stock, it also gave strong weight to the “social status of the population” in each neighborhood. The report was comprised of one-page standardized appraisal forms for each of the 27 neighborhoods studied. Near the top, HOLC instructed its appraisers to insert details about current inhabitants based on the prevailing standards of racial superiority and economic privilege of the time. Milliken dutifully reported the percentage of “Foreign-born” and “Negro” families, as well as “Relief families” who received Depression-era federal income assistance. In the section asking about the “Infiltration” of outside groups, he occasionally listed “Italians” or “Mixed foreign” residents for selected city and suburban neighborhoods.<sup>11</sup>

At the bottom of each appraisal form, Milliken added racial and social class commentary about several neighborhoods, which he most likely heard from his local banking and real estate consultants, capturing their dominant cultural desires to maintain boundaries drawn by race, ethnicity, and social class. In a newer housing development occupied by “minor executives and businessmen” in suburban West Hartford (labeled A-2), he noted approvingly that, “a stream separates this section from its less desirable neighbor,” referring to an adjacent area of West Hartford with an “infiltration of mixed foreign” families in “workingmen’s homes” (C-2). In the North End of Hartford, Milliken described the Blue Hills neighborhood (B-5) as “largely given over to the Hebrew race although the better class Italians are now also moving there.” In the predominantly white South End of the city (C-9), Milliken noted that a small percentage of “Negro families are confined to Roosevelt Street,” and added that, “Lenders suggest caution in the selection of loans.” But all of these neighborhoods were rated above the area immediately north of downtown, “the city’s oldest residential section, which has gradually drifted into a slum area now mainly occupied by Negroes” (D-1). The HOLC map revealed not only the visible housing stock in the Hartford area, but also the “invisible” color and class lines drawn by mortgage lenders and real estate agents.

## Restricting with FHA

Around the same time that HOLC created these color-coded maps, a second agency, the Federal Housing Administration (FHA), began publishing guidelines for its staff to uniformly evaluate mortgage applications.

<sup>10</sup>TODO: recheck if “better-class” phrase appears, and if so, quote it; 1936 report page 10

<sup>11</sup>TO DO: social status quote from 1937 page 1; see forms on pages A1-D3

<sup>13</sup>Corporation, “Residential Security Map and Area Descriptions, Hartford-West Hartford-East Hartford, Connecticut.”

**Rating of Mortgage Pattern**

Feature	REJECT	1	2	3	4	5	RATING
Ratio of Loan to Value .....80%		6 X	0	12	18	24	6
Ratio of Debt Service to Rental Value .....185%		2 X	4	6	8	10	2
Ratio of Life of Mortgage to Economic Life of Building .....100%		1 X	2	3	4	5	1
Lowest Category Rating (...Location...) Reject%	X	10	15	20	25	30	Reject
Intermediate Category Rating (...Property...) .....59%		4	8 X	12	16	20	8
Highest Category Rating (...Borrower...) .....70%		3	6	9	12 X	15	12
TOTAL RATING OF MORTGAGE PATTERN							Reject%

Figure 3.3: The 1936 Federal Housing Administration Underwriting Manual illustrated how a poor location rating would result in a rejected mortgage application.<sup>15</sup>

Whereas the HOLC focused on foreclosures, the FHA devoted its attention to new loans, by subsidizing affordable terms for homebuyers and guaranteeing repayment to commercial lenders. To decide who qualified for FHA loans, the agency published its first *Underwriting Manual* in 1936. These detailed instructions specified exactly how evaluators should inspect the property, its location, and the applicant's credit worthiness. The *FHA Manual* provided uniform scoring charts, with examples of accepted and rejected applications.

In the Location category, the *FHA Underwriting Manual* instructed evaluators to rate mortgage risk based on potential changes in the racial and class demographics of the neighborhood. This policy placed the federal government's financial interest *in favor of segregation*, and sought to protect property values *against integration*. The most direct language appeared in the "Protection from Adverse Influences" section, the factor carrying most of the weight in the Location category of the *Manual*. Overall, the FHA risk-rating system valued newly developed neighborhoods with homogenous upper-class stability. Evaluators were instructed to "investigate areas surrounding the location to determine whether or not incompatible racial and social groups are present." Any intrusions would provoke "instability and a reduction in values," the *Manual* warned. If the "character of a neighborhood" declines, "it is usually impossible to induce a higher social class than those already in the neighborhood to purchase and occupy properties." Neighborhoods received higher scores if they were protected by "natural or artificially established barriers," such as public parks or college campuses, that prevented the "infiltration of business and industrial uses, lower-class occupancy, and inharmonious racial groups." Similarly, the guidelines cautioned that neighborhood schools "should not be attended in large numbers by inharmonious racial groups." The rating system also approved of restrictive deeds that prohibited "the occupancy of properties except by the race for which they are intended" for at least twenty years. In fact, when restrictive property covenants covered an entire housing development or neighborhood, the *Manual* judged them to be more effective than zoning ordinances, which municipalities may have adopted "with little or no real understanding of its purpose."<sup>16</sup>

### 3.0.0.0.2 Scroll the Source: Race and Class in the FHA Underwriting Manual, 1936

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*Scroll through this online 1936 FHA Underwriting Manual reduced a mortgage application location score where neighborhoods or schools might face changes in race or social class.*<sup>17</sup>

When the FHA expanded its *Manual* in 1938, it added a four-level neighborhood ranking, on a scale from A to D, when rating the location. The new evaluation forms included specific codes to designate the predominant

<sup>15</sup>Federal Housing Administration, *Underwriting Manual: Underwriting and Valuation Procedure Under Title II of the National Housing Act* (Washington, D.C.: US Government Printing Office, 1936)

<sup>16</sup>Administration, , part II, sections 233, 229, 289, 284, 227-28.

<sup>17</sup>Administration, , part II, sections 226-289.

**b. Racial Occupancy Designation.** This will be a letter indicating predominating racial characteristics, as follows:

**W—White**  
**M—Mixed**  
**F—Foreign**  
**N—Negro**

Figure 3.4: Racial codes were introduced in the 1938 FHA Underwriting Manual.<sup>19</sup>

racial composition of the neighborhood: White, Mixed, Foreign, and Negro.<sup>18</sup>

The 1930s HOLC maps were marked “confidential” for several decades, until community organizers and academics discovered and renamed them as “redlining” maps in the late 1960s and ‘70s. The frequency of this phrase jumped upward in full-text databases of published books after the 1970s. Ken Jackson’s popular history of suburbanization, *Crabgrass Frontier*, called public attention to the discriminatory language of field agents’ reports. He and others pointed to what they saw as a clear pattern of assigning the lowest “red” rating to neighborhoods with high concentrations of African-American residents.<sup>20</sup>

But the story may not be as simple as Jackson suggests. Clearly, the fact that the HOLC forms required social demographics of residents, and that appraisers inserted their own racial, ethnic, and class comments in the ratings, shows that discrimination influenced the ratings process. Yet we also know that dominant whites forced black, immigrant, and lower-class residents into segregated sub-standard housing. Could lower ratings simply reflect lower property values? Or can we test whether HOLC agents downgraded specific neighborhoods solely due to the presence of unwanted groups, while holding constant their market price? That question is difficult to answer by looking solely at the Hartford-area report and maps, because of the small sample of neighborhoods (27), their limited variation (only 3 had black residents), and the multitude of variables on the forms. Try comparing two areas that shared relatively similar physical housing characteristics, but received different ratings, such as B-5 (the Blue Hills neighborhood in Hartford’s North End) and C-9 (the South End neighborhood). In 1937, both consisted primarily of two-family wooden frame homes, built within the previous two decades, which sold and rented at comparable prices. So why did the appraiser give B-5 a second-grade blue rating, but assigned C-9 a lower third-grade yellow rating? Was it because the C-9 South End neighborhood had more factory workers, or more foreign-born families, or a noticeable number of African-American residents? This direct comparison between two neighborhoods is strongly suggestive, but the sample of neighborhoods is too small to make statistically meaningful claims with Hartford data alone. A better answer requires a richer analysis of a larger city, or pooling together ratings from multiple cities.

### 3.0.0.0.3 Compare the columns: HOLC Appraisals in Areas B5 vs. C9, Hartford 1937

Area	B5	C9
Security Grade	Second	Third
Location	Hartford	Hartford
Trend Next Decade	Stable	Stable
Occupation	Shopkeepers & white collar	Factory workers & clerks

<sup>18</sup>TO DO: expand from Rothstein book

<sup>19</sup>Federal Housing Administration, *Underwriting Manual: Underwriting and Valuation Procedure Under Title II of the National Housing Act* (Washington, D.C.: US Government Printing Office, 1938), section 1849-50.

<sup>20</sup>TODO: Check “confidential” marking; check Jackson notes on discovery; insert quote from Jackson, *Crabgrass Frontier*; decide about adding Google Books Ngram, [https://books.google.com/ngrams/graph?content=redlining&year\\_start=1940&year\\_end=2000](https://books.google.com/ngrams/graph?content=redlining&year_start=1940&year_end=2000)

Area	B5	C9
Estimated Family Income	\$1,800	\$1,500
<b>Foreign-born families</b>	<b>5%</b>	<b>20%</b>
Predominant foreign group	Italians	Italians
<b>Negro Y/N</b>	<b>No</b>	<b>Yes</b>
<b>Negroes</b>	<b>0%</b>	<b>1%</b>
<b>Relief Families</b>	<b>None</b>	<b>Quite a few</b>
Primary Building: Type	2-Family	2-Family
Construction	Frame	Frame
Average Age (yrs)	15	20
Repair	Good	Fair
Occupancy	98%	97%
Home ownership rate	85%	85%
Price Range (1937)	\$7,500 to 12,000	\$7,500 to 11,000
Sales Activity	Poor	Almost None
Rental Range (1937)	\$40 to 50/month	\$32.5 to 55/month
Rental Activity	Good	Good
Mortgage Availability	Ample	Limited

Although areas B5 and C9 had similar housing stock and financials, HOLC assigned them different ratings (blue versus yellow), most likely due to the social class and racial composition of neighborhood residents (noted in bold type). Source: HOLC appraisal data, Hartford CT, 1937.<sup>21</sup>

Some of the most insightful research on the federal government's role in the lending market comes from Amy Hillier's spatial analysis of Philadelphia sources, and her key distinction between the HOLC and FHA programs. The Philadelphia HOLC map covered a large number of neighborhood appraisals, which Hillier plotted on a digital map of census data. Through spatial regression modeling, she found that the racial composition of neighborhoods was a significant predictor for HOLC ratings in Philadelphia, while controlling for differences in housing characteristics. On the surface, this confirms that HOLC maps systematically downgraded Philadelphia neighborhoods due to race, which we could not prove in the smaller Hartford region.<sup>22</sup>

But Hillier conducts a second, more direct test of the historical evidence, to find out which neighborhoods actually received HOLC or FHA loans, since actual lending patterns matter more than stated intentions. For a sample of Philadelphia mortgage documents from 1940 to 1960, she matched the home address to her digital map and recorded the type and interest rate. Surprisingly, HOLC actually made a large proportion of its loans to lower-grade areas. This finding challenges the conventional "redlining" thesis by pointing out that HOLC has two stories, which are somewhat contradictory. On one hand, Hillier observes, "HOLC created security maps in which race was used to signify race levels." But on the other hand, "HOLC provided assistance to a million homeowners, across race and ethnicity, who were desperate to save their homes," including many to African-Americans and immigrants in the lowest-rated red areas.<sup>23</sup>

By contrast, FHA loans were less common in Philadelphia's lower-rated neighborhoods, though limitations in the evidence prevents Hillier from making a more definitive claim. Overall, when considering both direct and indirect evidence, Hillier concludes that the FHA "reflected an anti-urban and racial bias deeper than the HOLC's," because its *Underwriting Manual* and other materials directed evaluators not to lend to low-rated areas, while HOLC reports consistently stated that loans could be profitable there. Although the HOLC "redlining" maps were not as influential as previous historians may have believed, the FHA is the primary culprit responsible for federal divestment and segregation that led to post-war urban decline.<sup>24</sup>

<sup>21</sup>Ilyankou and Dougherty, "Leaflet Map of HOLC 'Redlining' Security Map for Hartford CT Area, 1937."

<sup>22</sup>Amy Hillier, "Redlining and the Home Owners' Loan Corporation," *Journal of Urban History* 29, no. 4 (2003): 394–420

<sup>23</sup>Amy Hillier, "Searching for Red Lines: Spatial Analysis of Lending Patterns in Philadelphia, 1940-1960," *Pennsylvania History* 72, no. 1 (2005): 25–47; TODO: CHECK (Hillier JUH 2003, 394; Hillier Soc Sci Hist 2005, p227; Hillier SSH 2005 p209, see Hillier 2003b)

<sup>24</sup>TODO: check "prevents" in Hillier PA History 2003; Hillier p414 JUH 2003

We do not know whether Hillier’s claims about HOLC and FHA lending patterns also hold true for the Hartford region, because no one has yet uncovered and examined the evidence. In any case, both the FHA Manual in general, and the HOLC report and map on Hartford in particular, reveal the upper-class white supremacy state-of-mind by federal agent Foster Milliken Jr. and the city’s banking and real estate elite of the 1930s.

*About the contributors: Shaun McGann (Trinity 2014) wrote the first draft of this essay in the Cities Suburbs and Schools seminar, and published it in ConnecticutHistory.org.<sup>25</sup> Jack Dougherty expanded the essay for publication in this book. Ilya Ilyankou (Trinity 2018) and Jack Dougherty developed the interactive map, based on an earlier version created with contributors from UConn MAGIC and the Kirwin Institute.<sup>26</sup>*

## Restricting with Property Covenants

*by Tracey Wilson, Vianna Iorio, and Jack Dougherty*

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.

– High Ledge Homes, West Hartford, Connecticut, 1940.<sup>27</sup>

To many readers, the shockingly blatant racism of the above sentence seems as though it could have been pulled from some long-ago segregation policy of the Deep South. Instead, it came from the Deep North, and represents a forgotten chapter of White suburban history. This race restrictive covenant appears in a government-sanctioned property deed from 1940, inserted by a real estate property developer for High Ledge Homes, a tract of about 70 single-family houses located along South Main Street in West Hartford, Connecticut. Across the nation from the 1920’s to 1948, individual property owners, homeowners’ associations, and real estate developers employed racially restrictive covenants to prohibit anyone not considered to be part of the “white race” from sale or residency. The only non-white exceptions allowed by most racial covenants were for domestic servants. Furthermore, racially restrictive covenants were backed by the court system up until 1948. If a Black renter or homebuyer attempted to move into a house with a restrictive covenant, any White resident in that suburban development could sue to remove them from the neighborhood. While it may be difficult for present-day residents to imagine this kind of explicit racism in the heart of New England, this chapter uncovers the missing history of state-supported discrimination in multiple housing developments in suburban West Hartford, and most likely many other towns across Connecticut.

### 3.0.0.0.4 Explore the Map: Restrictive Covenants in Hartford area, 1940s

*Click on colored rectangles in this full-screen interactive map to view restrictions that landowners wrote into property deeds in the 1940s, typically to prohibit occupants “other than the Caucasian race.” The U.S. Supreme Court approved these restrictions in the 1926 Corrigan v. Buckley case, but later declared them unenforceable in the 1948 Shelley v. Kraemer decision. Yet these restrictions still exist in official property records. To date, we have found 5 race restrictive covenants in West Hartford. If you know of similar restrictions, by race or religion, anywhere in Connecticut, contact the author. View map historical sources and the code, developed by Ilya Ilyankou and Jack Dougherty, based on an earlier map created with UConn MAGIC.<sup>28</sup>*

<sup>25</sup>Shaun McGann, “The Effects of ‘Redlining’ on the Hartford Metropolitan Region,” *ConnecticutHistory.org* (<http://connecticuthistory.org/the-effects-of-redlining-on-the-hartford-metropolitan-region/>, March 2014).

<sup>26</sup>Ilyankou and Dougherty, “Leaflet Map of HOLC ‘Redlining’ Security Map for Hartford CT Area, 1937.”; University of Connecticut Libraries Map and Geographic Information Center, “Federal HOLC ‘Redlining’ Map, Hartford Area, 1937.”

<sup>27</sup>High Ledge Homes Inc., “Agreement Concerning Building Restrictions: High Ledge Homes Development” (<https://github.com/jackdougherty/otl-covenants>, June 1940).

<sup>28</sup>Ilya Ilyankou and Jack Dougherty, “Map: Restrictive Covenants in Hartford Area, 1940s,” *On the Line* (<https://github.com/OnTheLine/otl-covenants>, 2017); [universityofconnecticutlibrariesmapandgeographicinformation-centerRaceRestrictiveCovenants2012](https://github.com/OnTheLine/otl-covenants)



On the whole, race restrictive covenants were more pervasive in other Northern and Western cities, such as Chicago and Los Angeles, than the metropolitan Hartford region. Based on our search of property records to date in West Hartford, the largest suburb of Hartford, we found only 5 race restrictive covenants, all created during the early 1940s. These covered about 200 parcels of land, or around 3 percent of the 6,000 single-family homes that had been constructed in the town around that time. Learn more in this book about How We Found Restrictive Covenants. In this suburb, race restrictive covenants did not appear in all neighborhoods that were developed during this time period, and where they did exist, they did not necessarily apply to every house in that neighborhood. Instead, West Hartford relied more on racial barriers in public housing, by real estate agents, and exclusionary zoning ordinances to restrict non-White and low-income residents. Eventually, race restrictive covenants faded away after the US Supreme Court ruled in 1948 that governments could not enforce these individual agreements.

But their legacy continues to shock and influence us decades later. On a tangible level, homeowners who purchased covenant-protected property gained White privilege and passed along its financial benefits to their future generations. On a historical level, the shocking story of racial covenants in the Deep North serve as an important reminder of the state-sanctioned White supremacy that came to shape Connecticut suburbs.

The story of restrictive covenants begins with the U.S Supreme Court case *Corrigan v. Buckley* in 1921. White property owners in the Dupont Circle neighborhood of Washington D.C. formed a property owners' association which utilized racially restrictive covenants to keep out Black homebuyers. The dispute arose when White owner John Corrigan attempted to sell his house to an African-American buyer, Irene Curtis, which violated the property's racial covenant. Learning of this violation, White neighbor Irene Buckley brought suit to enforce the race restrictive covenant and stop the property sale.

As the case worked its way through the nation's legal system, the courts upheld the racial covenant. First, the District of Columbia Supreme Court approved the racial prohibition and cited existing legal segregation in schools and public recreational facilities as precedent. Next, upon appeal, the District of Columbia Court of Appeals also ruled in favor of the covenant and cited that African Americans were free to include the same kind of racially exclusive language against Whites in their own property deeds. When the U.S. Supreme Court made their ruling in 1926 the justices unanimously affirmed the lower court decisions by refusing to hear the case on the grounds that they lacked jurisdiction. When Justice Edward Sanford delivered the Court's opinion, he narrowly defined the Constitution's guarantee that no person should "be deprived of life, liberty, or property, without due process of law" as it applied to *Corrigan v. Buckley*. Sanford asserted that while the Fifth Amendment limited the actions of the federal government, it did not apply to individuals entering a private contract, such as a restrictive covenant. Moreover, he argued that the Thirteenth Amendment did not protect individual rights of blacks, and the Fourteenth Amendment again referred to actions of the state, not of private individuals. Therefore, the 1926 *Corrigan v. Buckley* decision reaffirmed the right of property owners to legally enforce race restrictive covenants, while ignoring that the court system itself acted as governmental support for segregation. Their interpretation of the Constitution would prevail for over twenty years.<sup>29</sup>

In emerging suburban communities like West Hartford, Connecticut during this period, property owners inserted different types of deed restrictions to increase their desirability. Beginning in the 1910s, individual homeowners began to add value restrictions, which required that future homes constructed on the land must be above a minimum dollar amount. Real estate developers also began to insert home-value restrictions to cover entire subdivisions. Some also added other types of value restrictions, such as requiring homes to be built above a minimum square footage or sold above a minimum dollar amount, which also raised the overall cost. While these value restrictions effectively limited neighborhoods to wealthier White families, they did not yet contain explicitly racial prohibitions.

Race restrictive covenants came to West Hartford in the early 1940s. During the Depression, rural farmland became more valuable as prospective housing, if the developer could attract city dwellers to the emerging suburbs. Local builder Rupert G. Bent purchased the 47-acre Wooley estate on South Main Street, across from the Rockledge Golf Course, for \$30,000 in 1937, and subdivided the land into 100 building lots. Over

<sup>29</sup>"Corrigan V. Buckley" ([https://scholar.google.com/scholar\\_case?case=11135903580197116691](https://scholar.google.com/scholar_case?case=11135903580197116691), May 1926); Prologue DC, "Mapping Segregation in Washington DC" (<http://prologuedc.com/blog/mapping-segregation>, 2015)



the next two years, Bent heavily publicized and sold 34 homes during these tough economic times, including several to incoming executives at Hartford's major insurance companies. But Bent eventually sold the remaining land to another developer, Edward Hammel, president of High Ledge Homes, Inc. Described as a "builder of fine homes" in wealthy areas of Westchester County, New York, and Fairfield County, Connecticut, Hammel introduced new methods to make unsold property more marketable. His "uniform plan of development" added several restrictions to property deed that prohibited multi-family homes, small building plots, and occupants "of any race except the white race." This restrictive covenant guaranteed that homebuyers would belong to an exclusively White, upper-class neighborhood, and represented a growing trend among real estate interests across the nation since the 1920s. Hammel's racial covenant appears to have been the first of its kind in West Hartford, and then at least four other developers added the same restriction over the next year.<sup>30</sup>

Advertising for High Ledge Homes did not mention its racial barrier, but emphasized its exclusivity. A 1940 ad listed the development for "anyone interested in a low or medium home price of the better class," located in the "A" region of town's zoning ordinance, which required single-family building lots to be at least 9,000 square feet, and kept out lower-class families. "You'll like your neighbors" in this growing community, the pitch continued. It also mentioned "West Hartford's famous schools," one of the earliest real estate advertising references to this young suburb's public education system, and perhaps a premature one, given the better reputation of Hartford's city schools into the 1950s.<sup>31</sup>

While the High Ledge Homes race restrictive covenant stated that any violator could be brought to court by another property owner within the development, winning this lawsuit would be more difficult in practice. The reason was two different types of restrictive covenants. A deed covenant, like the one in High Ledge Homes, was legally considered to be a contract between the original property owner and the buyer. This made it more difficult for a neighbor, who technically was not part of the contract between owner and buyer, to establish a stake in its violation. By contrast, a petition covenant, like the one described in the *Corrigan v. Buckley* case in Washington DC, was easier to enforce in court, because neighborhood associations gathered the signatures of all homeowners, meaning that all were legal parties to this group contract.<sup>34</sup> Even though race restrictive covenants appeared in West Hartford in 1940, they had a longer legacy and more powerful influence in other cities.

Race restrictive covenants were more pervasive in many Northern and Western cities beyond the metropolitan Hartford region. In Chicago and Los Angeles, estimates of properties covered by racial covenants in the 1940s ranged from 50 to 80 percent. In Seattle, developers attached restrictive covenants to tens of thousands of homes in the city and its surrounding suburbs, which created a ring outside the central city of White-only neighborhoods. As a result, large numbers of African American, Asian, and Jewish residents were forced into the only housing available to them, and became highly concentrated into the Central Area and International Districts of the city. In Detroit, researcher Richard Rothstein estimates that white homeowners, real estate agents, and developers organized 192 associations to promote racial exclusion" from 1943 to 1965. And in St. Louis, where the landmark *Shelley v. Kraemer* case eventually made racial covenants unenforceable, the widespread prevalence of white-only covenants meant that only 2.5 percent of new housing construction was devoted to Black homeseekers in 1948.<sup>35</sup>

While most restrictive covenants were racial, some also prohibited property ownership based on religion, specifically against Jews. Simon Bernstein, an attorney and Democratic member of the Hartford City

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<sup>30</sup>"100 New Homes to Be Built on High Ledge Tract: E. F. Hammel, New York Builder, Buys Tract from the R. G. Bent Co." *The Hartford Courant*, March 1940, B1. See race restrictive covenants in West Hartford property deeds in Ilyankou and Dougherty, "Map," 2017.

<sup>31</sup>"Ad: Modern Homes in High Ledge," *The Hartford Courant*, March 1940, B3.

<sup>33</sup>"Ad."

<sup>34</sup>Richard Rothstein, *The Color of Law: A Forgotten History of How Our Government Segregated America* (New York: Liveright Publishing, 2017), p. 79; DC, "Mapping Segregation in Washington DC."

<sup>35</sup>On the 50 percent estimate in Chicago, see Ta-Nehisi Coates, "The Case for Reparations," *The Atlantic* (<http://www.theatlantic.com/galleries/reparations/1/>, June 2014). For higher estimates in Chicago and Los Angeles, see United States Commission on Civil Rights, *Understanding Fair Housing* (Washington DC: Government Printing Office, 1973), p. 3; James Gregory, "Segregated Seattle," *Seattle Civil Rights & Labor History Project* (<https://depts.washington.edu/civilr/segregated.htm>, 2010); Rothstein, *The Color of Law*, p. 80; Jeffrey D Gonda, *Unjust Deeds: The Restrictive Covenant Cases and the Making of the Civil Rights Movement* (Chapel Hill: University of North Carolina Press, 2015), p. 31.

## **BIGGEST REAL ESTATE NEWS OF THE YEAR!**

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**"A" ZONE Minimum of 9000 Sq. Ft.**

**65' average width 150' average depth**

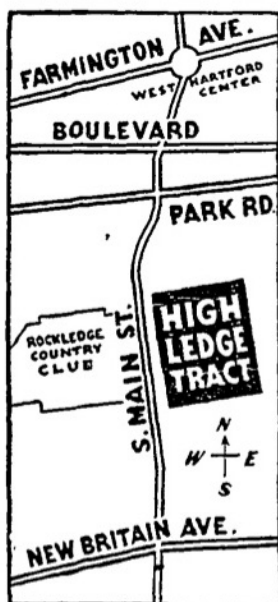
for a minimum down payment and as little as

**\$40<sup>80</sup>** Per Month

**built by HIGH LEDGE HOMES, Inc.**

Here is BIG NEWS for anyone interested in a low or medium price home of the better class. HIGH LEDGE is that lovely development opposite Rockledge Country Club. There are 35 splendid homes now occupied and High Ledge Homes, Inc., will start 25 more within the next 10 days. Imagine! A brand new modern home in "A" Zone in West Hartford with 9,000 square feet of grounds . . . for as little as \$40.80 per month which includes taxes, insurance, interest and reduction of the mortgage.

See This Ideal Location



LOCAL ARCHITECTS will design these clever, roomy, efficient houses fully in keeping with the present high standard. They will have insulation, automatic heat, modern kitchens, etc.

5 TO 7 ROOMS . . . selected from an interesting variety of plans. Attached garages are required.

SEWERS . . . of course and all of the other necessary utilities.

PAVED STREETS . . . the streets in High Ledge are all paved. It is a growing, thriving community, and you'll like your neighbors.

IDEAL LOCATION . . . near West Hartford center, near West Hartford's famous schools, on a bus line, across the street from a fine 18-hole golf course . . . what more could you want? High Ledge slopes downward, assuring excellent drainage.

## **INSPECTION TODAY**

Our representatives will be at High Ledge all day. Drive out and around High Ledge's paved streets. See how ideal it is. Let us tell you more about this complete service, which includes land, architectural service, financing and building in one operation.



Figure 3.5: Although High Ledge Homes did not openly publicize their Whites-only property covenant, their advertising promised homebuyers that "you'll like your neighbors." Source: Hartford Courant, 1940, reprinted under fair-use copyright guidelines.<sup>33</sup>

Council, pressed the Judiciary Committee in Connecticut's General Assembly to outlaw restrictive covenants "pertaining to nationality, color and religious belief" in 1947. He described his interest in a local case where the property deed limited the sale to "non Semitic persons of the Caucasian race." Bernstein called for a bill to invalidate all restrictive covenants on the grounds that this "un-American practice... is contrary to public policy." Without governmental action, Bernstein declared that "our town clerks are unwitting tools in transcribing prejudices on record, and are thus proclaiming by such governmental publication not only the evil deed, but also immunity against the world for such prejudices." But Connecticut legislators waited for action from the federal government.<sup>36</sup>

By the late 1940's across the nation, civil rights activists successfully began to turn the tide against racial covenants, both in the courts and the realm of public opinion. The US Supreme Court heard *Shelley v. Kraemer*, a compilation of race restrictive covenant cases that NAACP attorneys advanced from St. Louis, Detroit, and Washington, DC. President Truman's Committee on Civil Rights came out against racial covenants, and the U.S. Department of Justice filed a brief also condemning this discriminatory policy. In its 1948 ruling, the Supreme Court agreed that private parties could voluntarily agree to race restrictive covenants, but for the judicial system to enforce these agreements qualified as a discriminatory state action, and therefore violated the Equal Protection clause of the Fourteenth Amendment. Therefore, the *Shelley v. Kraemer* ruling overturned the logic of the 1926 *Buckley v. Corrigan* decision, which refused to acknowledge legal enforcement of contracts as an act of government. But race restrictive covenants did not disappear overnight. The Federal Housing Administration (FHA) continued to require racial covenants for properties it insured until 1950, and continued to back mortgages for some white-only properties until 1962. Also, several state courts resisted the *Shelley* decision until a subsequent US Supreme Court decision in 1953. Finally, some local governments continued to accept unenforceable race covenants as legal property documents until this practice was overruled by the federal courts in 1972.<sup>37</sup>

Although race-restrictive covenants were no longer legally enforceable after 1948, their legacy continued to influence later generations. Whites who bought into restricted West Hartford neighborhoods during the 1940s benefitted financially from government-sanctioned segregation that boosted property values. Decades later, their descendants also benefitted from this inherited wealth. Even after restrictive covenants no longer had judicial backing, the fact of their existence—and the all-White neighborhoods they created—sent a signal to potential buyers about the racial preferences of their neighbors. Years after the *Shelley* decision, some West Hartford homebuyers were told by their lawyers that a non-enforceable racial covenant still existed on their property deeds. And Black homebuyers had to decide whether or not to live in a neighborhood with a documented past of being openly hostile to their presence.<sup>38</sup>

Most present-day residents of West Hartford's High Ledge Homes development were shocked to learn that their neighborhood had been protected by a 1940s White-only covenant, and sought to make sense of its meaning on their lives. Debra Walsh, an educator and actor, reflected on the White privilege that was attached to her decision to buy her home in 2010. Although she had believed that the North had not exhibited such explicit racist policies, the direct evidence of race restrictive covenants convinced her that "West Hartford made a concerted effort to stay White and WASPy and that contributes to the feel of the neighborhood." Walsh acknowledged how the explicit racism of the covenants in her own neighborhood made her feel uncomfortable with the White privilege she experiences. "It's really hard to look really deep within and answer those questions," she explained, "... when you live in the dominant class. Like you don't know how to answer it." Even though she knew the covenants are no longer enforceable, Walsh could see how "the

<sup>36</sup>"Bernstein Seeks End of Restrictive Clauses," *The Hartford Courant*, March 1947, 21; "State Law Sought Against Racial Ban in Realty Deals," *The Hartford Courant*, April 1947, 8. In our oral history interview with Simon Bernstein at age 98, he recalled details about a race restrictive case in West Hartford which was settled out of court, but not the religion and race case briefly mentioned in this 1947 press account. See Simon Bernstein, "Oral History Interview on Connecticut Civil Rights" ([http://digitalrepository.trincoll.edu/cssp\\_ohistory/19](http://digitalrepository.trincoll.edu/cssp_ohistory/19), August 2011). Tracey Wilson described anecdotal accounts of anti-Jewish and anti-Catholic covenants in West Hartford, but we have not yet found documentary evidence. See Tracey M. Wilson, "High Ledge Homes and Restrictive Covenants," in *Life in West Hartford* (West Hartford Historical Society and Noah Webster House, 2018).

<sup>37</sup>"*Shelley V. Kraemer*" ([https://scholar.google.com/scholar\\_case?case=12732018998507979172](https://scholar.google.com/scholar_case?case=12732018998507979172), May 1948); Rothstein, *The Color of Law*, 85–91; "*Mayers V. Ridley*" ([https://scholar.google.com/scholar\\_case?case=15478926121065691421](https://scholar.google.com/scholar_case?case=15478926121065691421), March 1972).

<sup>38</sup>Mary Everett, "Oral History Interview on West Hartford" ([http://digitalrepository.trincoll.edu/cssp\\_ohistory/23](http://digitalrepository.trincoll.edu/cssp_ohistory/23), July 2011); Richard R. W. Brooks and Carol M. Rose, *Saving the Neighborhood: Racially Restrictive Covenants, Law, and Social Norms* (Cambridge, Massachusetts: Harvard University Press, 2013).

legacy of the piece of land gets passed on to a feeling of a neighborhood,” a sense of White exclusivity that pervades even today, when barriers take on less overtly racial language.

### 3.0.0.0.5 Watch the Video: Debra Walsh Oral History Interview, 2011

*Watch the oral history video or read the transcript of the interview with Debra Walsh to hear how she learned about a race restrictive covenant in her West Hartford neighborhood.*<sup>39</sup>

Yet while racial covenants make White West Hartford residents uncomfortable about the past, they remain an important piece of history, a hidden chapter that deserves more attention. Susan Hansen, a librarian and White resident who bought her home in the High Ledge Homes neighborhood in the 1990s, reflected on this theme during a present-day oral history interview. “I think this is something that people should know,” Hansen observed, “because there are people still living on my street who were here then, who must have been fully aware.” Hansen also emphasized the importance of knowing that racial covenants were not something that happened only in the Deep South long ago, but are a very recent part of Northern suburban history that should not be whitewashed out of memory. As Hansen concluded, “We need to know that we were being idiots up here, too, and it wasn’t somewhere else. It was here. It’s still here.”

### 3.0.0.0.6 Watch the Video: Susan Hansen Oral History Interview, 2011

*Watch the oral history video or read the transcript of the interview with Susan Hansen to hear her reflections about a race restrictive covenant in her West Hartford neighborhood.*<sup>40</sup>

*About the contributors: Tracey Wilson (Trinity 1976) wrote the first draft of this essay for a monthly newspaper, and also published it in her book, *Life in West Hartford*.<sup>41</sup> Vianna Iorio (Trinity 2019) and Jack Dougherty expanded this essay for publication in this book, in collaboration with Wilson. Ilya Ilyankou (Trinity 2018) and Jack Dougherty developed the interactive map, based on an earlier version created with UConn MAGIC.<sup>42</sup> Also, Katie Campbell Levasseur (Trinity 2011) researched restrictive property covenants, and both she and Candace Simpson (Trinity 2012) conducted oral history interviews.*

## Origins of Exclusionary Zoning

*by Jack Dougherty*

*TODO: revise and expand draft with notes from Scriv, update maps, images*

During the 1920s, several states granted local governments a new policy tool—known as municipal zoning—to exert greater control over land development. But tools can be used to achieve different goals. We can use them to help people or cause harm. Evaluating the history of zoning requires a closer look at how local governments implemented this policy, and to what ends.

Progressive advocates saw zoning as a necessary tool for government to regulate the free market and to protect the health and safety of its citizens. For example, zoning gave municipalities the power to draw lines on the land and create separate spaces for residential, commercial, and industrial development. Family homes could be legally separated from potentially harmful businesses or factories. When the Connecticut General Assembly approved zoning enabling law in 1923, it stated that local regulations should be designed for this purpose: “... to prevent a close arrangement or constructions of buildings upon the streets, to

<sup>39</sup>Debra Walsh, “Oral History Interview on West Hartford” ([http://digitalrepository.trincoll.edu/cssp\\_ohistory/21](http://digitalrepository.trincoll.edu/cssp_ohistory/21), July 2011)

<sup>40</sup>Susan Hansen, “Oral History Interview on West Hartford” ([http://digitalrepository.trincoll.edu/cssp\\_ohistory/17](http://digitalrepository.trincoll.edu/cssp_ohistory/17), July 2011)

<sup>41</sup>Tracey Wilson, “Taking Stock of High Ledge Homes and Restricted Covenants,” *West Hartford Life* 13, no. 2 (June 2010): 36–37; Wilson, “High Ledge Homes and Restrictive Covenants.”

<sup>42</sup>Ilyankou and Dougherty, “Map,” 2017; University of Connecticut Libraries Map and Geographic Information Center, “Race Restrictive Covenants in Property Deeds, Hartford Area, 1940s” ([http://magic.lib.uconn.edu/otl/doclink\\_covenant.html](http://magic.lib.uconn.edu/otl/doclink_covenant.html), 2012)

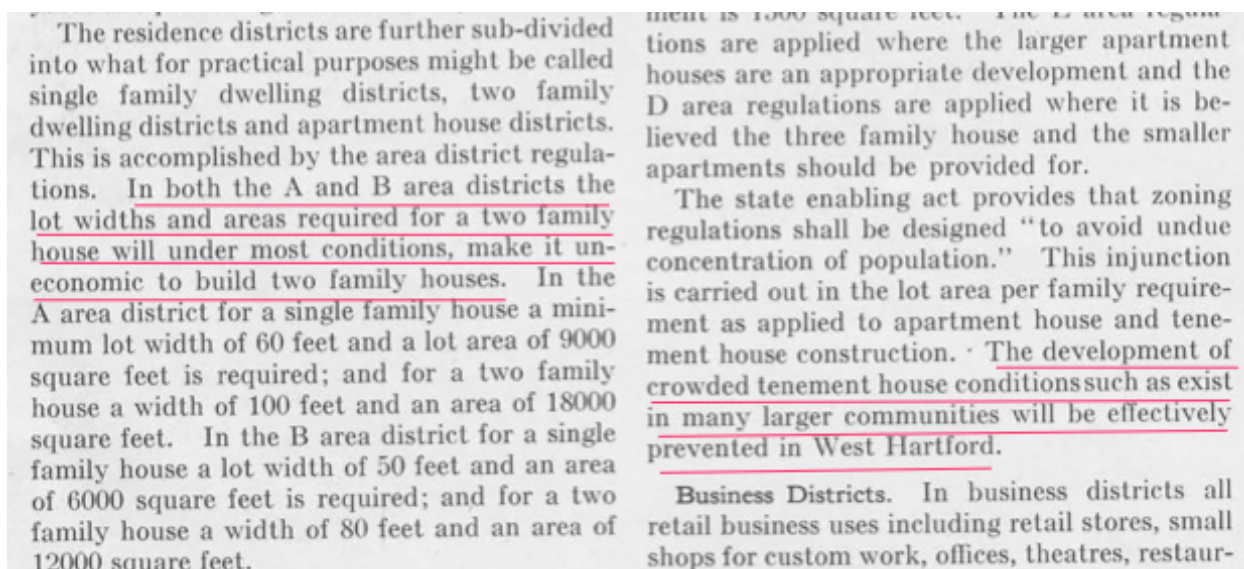


Figure 3.6: Whitten report excerpt, 1924

secure safety from fire and other dangers, to avoid undue concentration of population and to provide health, comfort and general welfare in living and working conditions.”<sup>43</sup>

But local governments often crafted zoning ordinances to achieve other, less innocent goals. Some wrote local ordinances that made housing construction in selected neighborhoods affordable only for upper-class families, thereby blocking out lower-income families. Today we call this “exclusionary zoning” and its roots can be traced back nearly a century ago.

West Hartford became the first Connecticut town to enact municipal zoning in 1924, immediately after the state granted this power. Town leaders hired Robert Whitten, a consultant from Cleveland, Ohio, to guide this process. He drafted West Hartford’s first zoning guidelines, which emphasized how these land-use laws would bring “orderliness” and “efficiency” to real estate development in this rapidly growing suburb, “and an increase of health, comfort and happiness for all people.”<sup>44</sup>

Whitten also recommended a system of dividing residential areas by minimum home construction sizes, to effectively segregate citizens by social class. In the most exclusive A district, constructing a single-family home required the largest size property lot (at least 9,000 square feet, or 1/5 of an acre), and building a two-family home required twice as much land. Similar rules mandated the minimum width of the property facing the street. The 1924 zoning plan clearly stated that these rules “will under most conditions, make it uneconomic to build two-family houses” in the A district. Exclusionary zoning required more land per family, which increased home prices to levels that only wealthier residents could afford. While zoning did not explicitly ban lower-class citizens, it effectively pushed them downward to the D-level districts (which permitted two-family duplexes with lower minimum property sizes), or out of the suburb entirely. Under the new zoning law, Hartford’s tenement houses and apartment buildings, crowded with working-class families, would be “effectively prevented in West Hartford.”<sup>45</sup> West Hartford town leaders voted to adopt most of their consultant’s recommendations.

<sup>43</sup>TODO: check original source, cited in Robert Harvey Whitten, *West Hartford Zoning: Report to the Zoning Commission on the Zoning of West Hartford* (West Hartford, Conn: Zoning Commission, 1924), p. 8; “Plans to Apportion Population of Cities: Legislative Committee to Recommend Bill Today Giving Wide Powers for Aesthetic and Welfare Effect in Seven Municipalities,” *Hartford Courant*, May 1923, 1

<sup>44</sup>Whitten, *West Hartford Zoning*, preface

<sup>45</sup>Whitten, , p. 10.

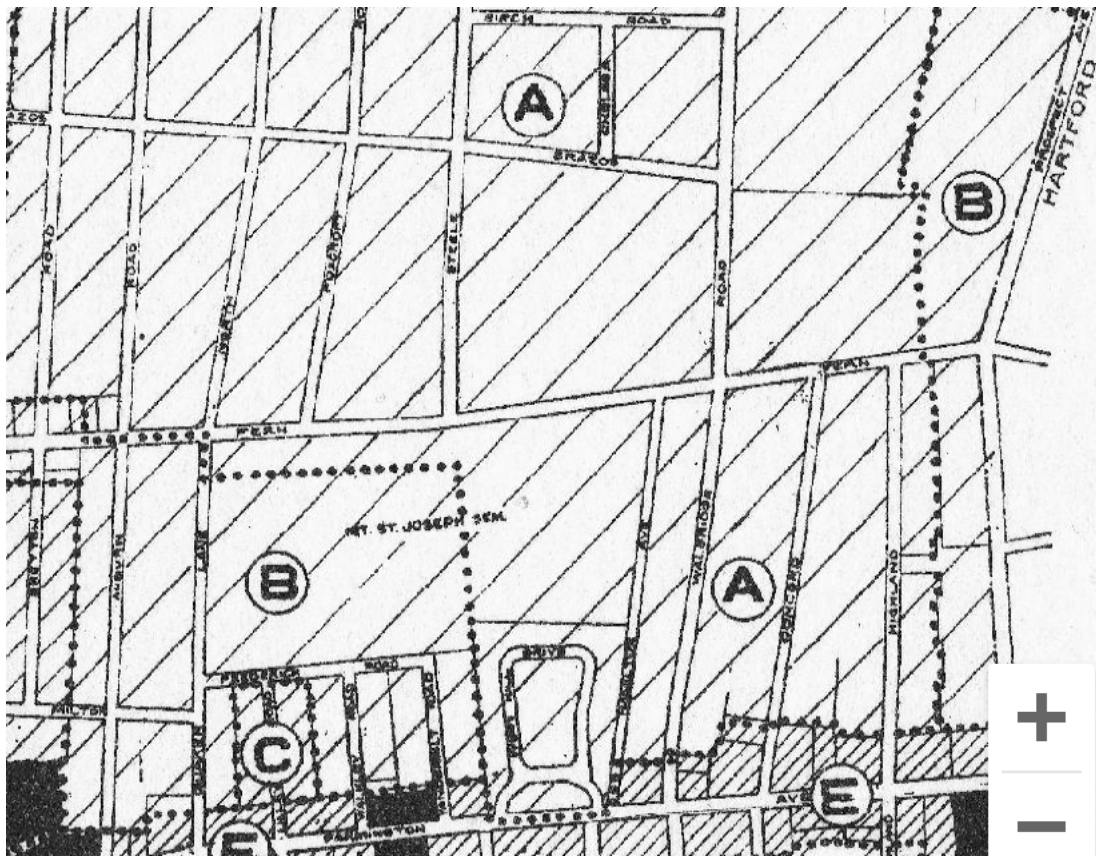


Figure 3.7: West Hartford zoning map excerpt, 1924

## Explore interactive West Hartford zoning maps, 1924 and present

[http://magic.lib.uconn.edu/otl/dualcontrol\\_zoning\\_westhartford.html](http://magic.lib.uconn.edu/otl/dualcontrol_zoning_westhartford.html)

*TODO: rebuild map in Leaflet*

Drafting local ordinances this way made zoning an exclusionary tool to restrict neighborhoods by wealth, and most likely to pump up high-end real estate sales. Unlike other tools developed around the same time (such as racially restrictive property covenants that prohibited non-white residents, and have since been outlawed by civil rights legislation), class-based zoning remains perfectly legal today. But it does nothing to promote the health and safety of the citizenry, as promised by the original intent of the state law.

Drafting local ordinances this way made zoning an exclusionary tool to restrict neighborhoods by wealth, and most likely to pump up high-end real estate sales. Unlike other tools developed around the same time (such as racially restrictive property covenants that prohibited non-white residents, and have since been outlawed by civil rights legislation), wealth-based zoning remains perfectly legal today. But it does nothing to promote the health and safety of the citizenry, as promised by the original intent of the state law.

Today in Connecticut, we continue to struggle with this legacy of our restrictive land-use laws. Exclusionary zoning has been criticized in multiple reports as a barrier to fair housing and equal opportunity.<sup>46</sup> In 2013, the Connecticut Fair Housing Center and Trinity College student researcher Fionnuala Darby-Hudgens and I compiled all of the local zoning ordinances for towns across Connecticut and evaluated them on their degree of restrictions against affordable housing for the Connecticut Zoning Initiative.<sup>47</sup>

### 3.0.0.0.7 Explore Connecticut Zoning Initiative maps and data, 2013

<http://commons.trincoll.edu/cssp/zoning>

*TODO: rebuild maps in Leaflet*

Exclusionary zoning across 169 Connecticut towns, 2012:

- 23 prohibit new construction of multi-family housing (red)
- 122 require special permit for multi-family housing (yellow)
- 13 require > 2 acre lot size for single-family homes
- 18 require > 5 acre lot size for multi-family homes
- *TODO: review slides and transform into text* [https://docs.google.com/presentation/d/1yYDQTzNoUBzCW6tCSH21bel/edit#slide=id.g299a37f04f\\_0\\_0](https://docs.google.com/presentation/d/1yYDQTzNoUBzCW6tCSH21bel/edit#slide=id.g299a37f04f_0_0)

But these zoning analysis maps are incomplete because there is no uniform reporting requirements for local zoning ordinances, and no state entity charged with collecting this data in meaningful ways. Despite these obstacles, the question remains the same. If we wish to keep zoning as a governmental policy to regulate market forces in real estate, what kind of tool do we want it to be? Should we consider rewriting exclusionary zoning laws to make them more helpful for the health of our communities?

## About this book



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<sup>46</sup>Suburban Action Institute, *A Study of Zoning in Connecticut: A Preliminary Report Prepared Under Contract with the Connecticut Commission on Human Rights & Opportunities* (New York: The Institute, 1978); Jason Reece et al., *People, Place, and Opportunity: Mapping Communities of Opportunity in Connecticut: A Report Commissioned by the Connecticut Fair Housing Center* (Kirwan Institute for the Study of Race and Ethnicity, The Ohio State University, 2009).

<sup>47</sup>Connecticut Fair Housing Center and Cities Suburbs and Schools Project at Trinity College, “Connecticut Zoning Initiative” (<http://commons.trincoll.edu/cssp/zoning/>, 2013); Connecticut Fair Housing Center, “A Guide to Zoning for Fair and Open Communities” (Hartford CT, June 2013); Connecticut Fair Housing Center, *Analysis of Impediments to Fair Housing Choice 2015* (Hartford: Connecticut Department of Housing, 2015).

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This book-in-progress was last updated on: 2019-02-13



## Chapter 4

# Selling and Shopping the Lines

This chapter explores the pivotal relationship between public schooling and private housing, which fundamentally reshaped metropolitan life and upward mobility strategies in Connecticut in the latter half of the twentieth century. By contrast, in the early 1900s, when a smaller proportion of youth pursued secondary education and beyond, most families did not choose their homes based on the boundary lines of desirable public schools. Prior to the 1950s, schools were relatively weak in attracting middle-class families to the suburbs, but in post-war human capital markets, education became a powerful magnet. Pro-suburban government, real estate interests and prospective homebuyers converged to create the practice commonly known today as “shopping for schools.” Agents began to advertise private homes by their location in higher status public school areas. Local school leaders competed for upper-class families by offering curricular extras. State legislators invested in suburban schools, and legitimized school-by-school rankings by publishing standardized test results. Upwardly mobile families with children sought more desirable school attendance areas, and paid higher prices for private homes that included access to this public good. Overall, the rise of shopping for schools unites the twin narratives of credentialism and consumerism in American metropolitan history.

TO COME

### About this book



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## Chapter 5

# Challenging the Power Lines

This chapter tells the stories of everyday families and civil rights activists who sought to cross over, redraw, or erase schooling and housing boundaries in metropolitan Hartford, focusing primarily on the past five decades. When comparing these stories, we learn that the tools of privilege do not stand still, but evolve when confronted by civil rights challenges. In turn, this requires newer generations of activists to continually rethink and revise strategies to address the limited successes of prior years. After Connecticut civil rights advocates won legislative bans against overt racial discrimination in public housing in the late 1940s, and most private housing in the 1960s, they needed to create more sophisticated strategies to combat racial steering and redlining practices, since these were more difficult to prove without direct testing and quantitative studies. Similarly, although activists won a 1965 state constitutional amendment for equal public schools, initial efforts to implement this law were equally challenged in moving students or dollars across city-suburban district lines. This portion concludes with the 1996 courtroom victory of the *Sheff v O'Neill* school integration plaintiffs, where Connecticut's highest court outlawed the segregation of Hartford minority students, but left the specifics of the remedy to be determined by a suburban-dominated political process.

## Mobilizing Against Racial Steering and Redlining

*by Jasmin Agosto, Vianna Iorio, and Jack Dougherty*

TO COME

## Jumping the School District Line

*by Vianna Iorio, JiYun Lee, and Jack Dougherty*

In 1984, Sandra Foster, a Black single mother living in Hartford, was searching for a better school for her teenage son, Trevor. She described him as “a good kid” who liked to go to school and learned some topics faster than other students, but ran into problems at Hartford Public High School, which in her view was “geared for special education.” Sandra explained that it was “almost impossible” to get Trevor into more rigorous classes, and he was turned down when he tried to raise the issue with his teacher. Trevor was then referred to the district’s alternative education center for students it deemed not suited for regular classrooms. Faced with this bleak prospect, Trevor considered dropping out of high school altogether. This was the breaking point for the Foster family, and Sandra knew she had to take immediate action. “For a child like that to say that he is contemplating dropping out of school, it’s time to start thinking about alternatives,” she later told a reporter.<sup>1</sup>

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<sup>1</sup>William Mendoza and Anita Ford Saunders, “Jumping the Line,” *The Public File* (Hartford, CT: <http://www.criticalcommons.org/Members/jackdougherty/clips/jumping-the-line/>; WVIT Channel 30 television broadcast, August 1985).

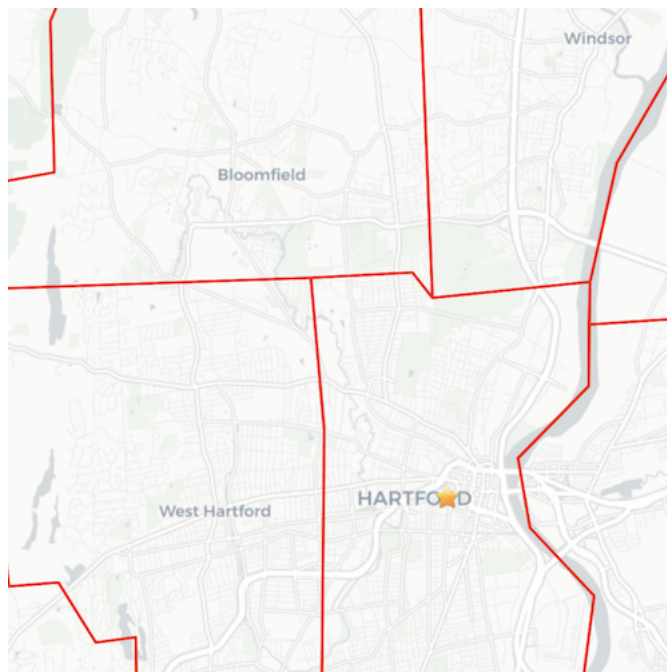


Figure 5.1: City-suburban school district boundaries between Hartford and Bloomfield

Saundra Foster decided to “jump the line” by enrolling Trevor, a resident of the city of Hartford, in the suburban school district of Bloomfield, located immediately to the north. Registering her son to attend a public school outside of her legal residence, without permission, was a serious step; although many parents had done it before, her decision could interrupt his education if they were caught. Saundra decided on Bloomfield because he could live with his aunt, who legally resided in the district. Trevor transitioned well into Bloomfield High School by fall 1984 and even became a starting player in the boy’s varsity basketball team. There was no record of him getting in conflict with peers or teachers and Saundra believed “he was much better off in Bloomfield.” Although she had to live apart from her son, “jumping the line” was the right decision in her mind, because city-suburban school district boundaries were unjust. “I didn’t deal this deck of cards,” she later explained, “I just have to play them,” and her son Trevor “should be able to go where he can to get the best education.”<sup>2</sup>

#### 5.0.0.0.1 Watch Video Excerpt with Saundra Foster, 1985

*This video excerpt describes how Saundra Foster, a Hartford resident, and three other Black parents were arrested by the suburban Bloomfield public school district for “stealing” a public education for their children in 1985. Although this local television appearance reveals her discomfort in discussing her case, local and national activists publicized her arrest to draw attention to broader issues of city-suburban inequity. Source: Mendoza and Saunders, *The Public File*, copyrighted by WVIT 1985, and included here under fair-use guidelines.*<sup>3</sup>

Suburban districts referred to non-resident students like Trevor Foster as “line jumpers,” and school officials usually took administrative action to “disenroll” them from the district. But this case was different. In April 1985, Bloomfield police arrested Saundra Foster and three other parents, and charged them with a first-degree felony for larceny, for “stealing an education” worth \$4,000, the average expenditure per pupil. This highly-publicized action was unprecedented in Connecticut, and perhaps the nation, as no one in recent memory had been charged as a criminal for enrolling their child in a public school outside of their home

<sup>2</sup>Dave Drury, “Bloomfield Cracking down on Non-Residents in Schools,” *Hartford Courant*, March 1985, A1; Paul Bass, “Case on Residency and Schools Halted,” *New York Times*, June 1985, CN14.

<sup>3</sup>Mendoza and Saunders, “Jumping the Line.”

district. The arrests highlighted race and city-suburban boundaries. Of the four, three were Black parents from Hartford (Saundra Foster, Elizabeth Brown, and Claude Johnson), and the fourth was a White parent, Norma Wright, who had previously lived in Bloomfield but moved to the adjacent suburb of Windsor due to a divorce. The timing was intentional. Bloomfield town leaders had authorized the arrest warrants in the early spring, just before town residents were asked to approve the next year's school budget. Furthermore, White Bloomfield residents became increasingly anxious as the town's high school tipped from majority-White to majority-Black in the early 1980s. Bloomfield leaders' decision to introduce a felony charge clearly was designed as a scare tactic to discourage Black Hartford families from "jumping the line" into their racially transitional suburban school district. Town leaders played on then-President Ronald Reagan's racist "welfare queen" stereotype to portray Black Hartford parents like Saundra Foster as "stealing an education," but looked the other way when White parents had done the same thing a generation earlier.<sup>4</sup>

While the arrests drew the public eye and may have intimidated some parents, they also sparked a civil rights debate on the growing disparity between city and suburban schools in metropolitan Hartford. Saundra Foster's advocates and civil rights activists capitalized on her arrest to raise pivotal questions on one's right to an education. Is it possible to "steal" a public education that the state is required to provide to all students? Did the growing inequality between Hartford and its suburbs prove that Connecticut was not meeting its constitutional obligations for equal educational opportunity for all students? These questions were not just important in the abstract. The arrests forced a closer public examination of education inequity across the Hartford region. During the 1980s, city-suburban school district boundaries became increasingly contested due to a combination of the rising disparities between urban and suburban schools, increasing costs of public education, and rising White suburban barriers against non-resident students of color, in contrast to more relaxed policies towards non-resident White students a generation ago. Although Saundra Foster's case was eventually dismissed in court, public criticism against these arrests helped set the context for the landmark *Sheff v O'Neill* school integration lawsuit four years later, in 1989, where plaintiffs directly challenged the legality of the public school boundaries that divided Hartford and suburban students.

### Line Jumping Over Time

"Jumping the line" was a familiar issue in Bloomfield. When police arrested Saundra Foster in 1985, school leaders estimated that perhaps 100 other non-resident students also attended the Bloomfield School District (about 4 percent of the total enrollment), while others disputed that figure. Beginning in the early 1970s, Bloomfield school officials began to investigate suspected non-residency cases, and Bloomfield police officers photographed students as they stepped off city transit buses that rolled down Blue Hills Avenue from Hartford to the suburban high school. In the 1975-76 school year, Bloomfield school administrators held 58 non-residency hearings, and about half of those students were removed from the district. "Parents want a better education and they're concerned about the discipline problem in city schools," assistant superintendent Joseph O'Donnell told the Bloomfield Board of Education in 1976. "A few come from Windsor [a neighboring suburb], but most [come from] Hartford. . . We don't get them from lily-white suburbs like Avon or Simsbury."<sup>5</sup>

In prior decades, most line-crossers moved in the opposite direction, from poorly-resourced rural and early suburban schools to better-resourced city schools. As described in the chapter, A Golden Age for City Schools, Hartford Public High School acted as a magnet that drew 20 percent of its class from outside the city lines, with families paying tuition of about \$3 per week, in 1882. Around the same time, Bloomfield town leaders lamented that so many families from their rural community sent their children by railroad each day to attend Hartford's public schools. "The practice of sending scholars out of town to school-though entirely justifiable and desirable in many cases-has the effect to diminish the interest in our own schools," Bloomfield leaders observed in 1888. "While it is admitted that the Hartford schools are, in every respect,

<sup>4</sup>Drury, "Bloomfield Cracking down on Non-Residents in Schools"; Dave Drury, "2 City Parents Are Charged in Residence Case," *Hartford Courant*, April 1985, AA1; Dirk Johnson, "Quality of City Schools Tested in Trial on Residency: Equity of Schools Tested in Arrests," *New York Times*, May 1985, CN1; Mendoza and Saunders, "Jumping the Line."

<sup>5</sup>"Residency Rule Called Good, If Done by Book: Bloomfield," *Hartford Courant*, July 1976, 44; Chauncey Bailey, "Non-Resident Students Again Attending Bloomfield Schools," *Hartford Courant*, September 1976, 45. Dorothy Billington, the only Black member of the Bloomfield Board of Education in 1985, disputed the estimate of 100 non-resident students, in Drury, "Bloomfield Cracking down on Non-Residents in Schools."

excellent, there is a tendency among our people to undervalue our own schools.” In the town of Wethersfield, on Hartford’s southern border, a residency scandal arose at a school meeting in 1917. “It was brought out at the meeting that four members of the school board are sending their children to Hartford schools and have no real interest in Wethersfield schools ‘other than to lower the taxes as much as possible’,” the press reported. Decades later, in 1952, the Hartford school district enrolled at least 18 “out-of-town” students whose families paid \$240 per year for them to attend the city’s public high schools, even though this tuition was about half of the actual cost per pupil. A family from the White rural town of Marlborough argued in 1959 that their daughter had the right to attend Hartford public schools, at no tuition, by claiming that they kept a residence above the father’s place of business in the city. Overall, Hartford’s widely-acclaimed city school district retained its desirable status among line-crossers through the middle of the twentieth century, and for the most part these non-resident students were allowed to attend Hartford schools, with the caveat that they had to pay tuition.<sup>6</sup>

But Bloomfield began to attract significant numbers of non-resident students in the 1960s, and as the racial and economic context shifted in the 1970s and 80s, town leaders began treating “line jumpers” very differently. Wayne Porter, the Bloomfield High School principal from 1962 to 1968, recalled in his 1985 letter to the editor that “the problem of non-resident students has existed for many years.” During the “racial unrest” of the 1960s, many White families pulled their children out public schools in Hartford’s North End, and enrolled them in nearby Bloomfield schools, long before they bought or rented property there. “The [Bloomfield] school administration elected to look the other way in order to avoid controversy,” Porter confided. “What seemed like a reasonable policy 15 years ago was definitely faulty. It made it appear there was no policy and that non-resident student enrollment was sanctioned by the Bloomfield public schools.”<sup>7</sup>

When Bloomfield’s non-resident students shifted from White to Black in the 1970s and 80s, town leaders took a more aggressive stance against “line jumpers,” by launching police investigations and pressing charges against parents like Saundra Foster. Although former principal Porter preferred to frame the events of 1985 primarily as an “economic matter” due to the rising costs of schooling, rather than a “racial issue,” looking back we cannot ignore this racial reality: the suburb criminally prosecuted Black Hartford parents in the 1980s for taking the same actions that they condoned by White Hartford parents in the 1960s.

White racial anxiety at Bloomfield High was driven by the dramatic shift in racial demographics during this period. The school enrolled only 13 percent Black students in 1967, which rose to 37 percent by 1977, then climbed to 62 percent by 1984. But the primary driver of this racial change was plummeting White enrollments. Between 1967 and 1984, the number of Black high school students gradually rose from 160 to 421, while the number of White students sharply dropped from 1073 to 267. Furthermore, Bloomfield High had recently tipped from a White-majority to a Black-majority school in the early 1980s, setting into motion broader conflicts around the case of Saundra Foster.<sup>8</sup>

#### 5.0.0.0.2 Chart of Racial Change at Bloomfield High School, 1967-84

Just as White parents left the city school district for the suburbs in the 1960s and ‘70s, many Black parents sought to follow similar paths, using whatever means were possible. The Project Concern city-to-suburb desegregation program opened new doors in 1966, and enabled nearly 1200 Black Hartford students to attend predominantly White suburban schools at its peak in 1980. But suburban district participation was voluntary, and the total number of lotteried seats available declined to below 800 by 1984, making this strategy more difficult.<sup>9</sup> Other Black Hartford parents who earned sufficient incomes sought to rent

<sup>6</sup>Bloomfield, *Town of Bloomfield Annual Report*. (Bloomfield, Conn.: Bloomfield Town Clerk, 1888), p. 20, Connecticut State Library; “Kicks on Schools in Wethersfield: Dissatisfaction Expressed at Parents’ Meeting: City Gets Sons of Board Members,” *Hartford Courant*, April 1917, 11; “Schools Jump Tuition Fees for Out-of-Town Residents,” *Hartford Courant*, January 1952, 21; “Couple Ask Tuition-Free Schooling for Girl but Residency Is Disputed,” *Hartford Courant*, February 1959, 6

<sup>7</sup>Wayne Porter, “Non-Resident Students Long a Problem,” *Hartford Courant*, May 1985, B8.

<sup>8</sup>Connecticut State Department of Education, *The Distribution of Negroes in the Public Schools of Connecticut, 1967-68* (Hartford, 1967); Connecticut State Department of Education, “School and Grade Enrollment by Race, 1977-1984,” n.d.

<sup>9</sup>Jack Dougherty, Jesse Wanzer, and Christina Ramsay, “Missing the Goal: A Visual Guide to Sheff V. O’Neill School Desegregation: June 2007” (Hartford, Connecticut; Storrs, Connecticut: The Cities, Suburbs and Schools research project at Trinity College and the University of Connecticut Center for Education Policy Analysis, 2007).

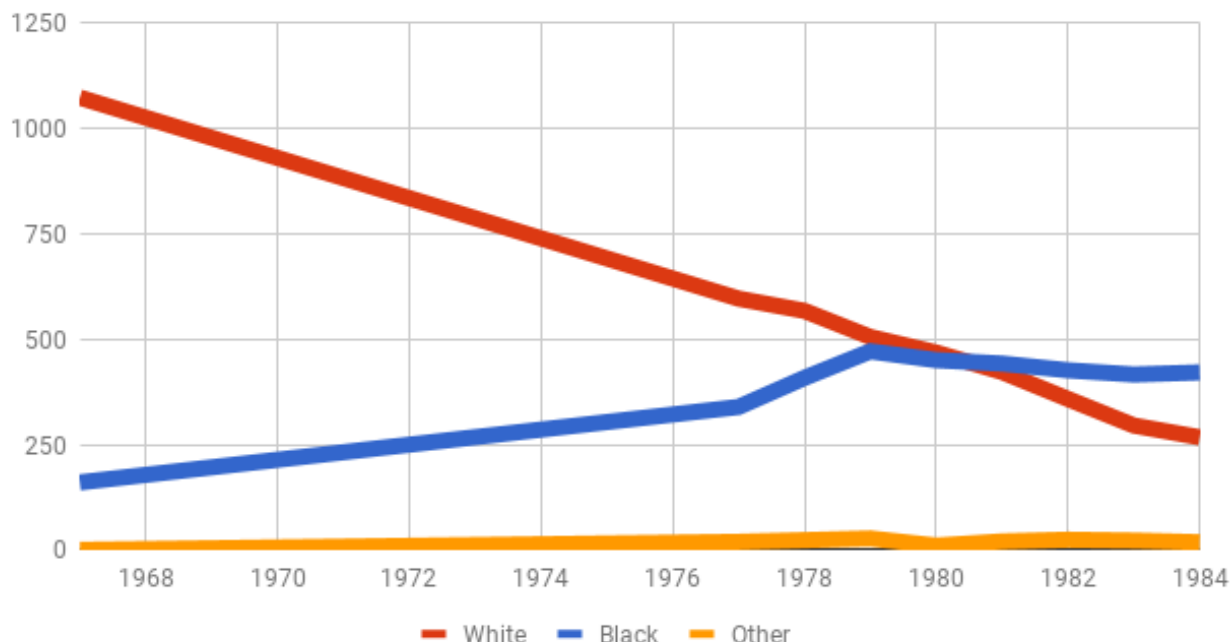


Figure 5.2: Bloomfield High School tipped from a White-majority to a Black-majority student population in the early 1980s, just before Bloomfield town leaders authorized the arrest of Saundra Foster and other parents. Source: CT State Department of Education, Fall 1967, 1977-1984, with data interpolated for missing years.

apartments or buy homes in suburban towns to purchase access into suburban public schools, as many Whites had done a generation earlier. But racial steering by real estate agents, and other forms of housing discrimination, continued to block many Black families from entering White towns or neighborhoods during the 1980s and beyond.<sup>10</sup>

Given these constraints, Saundra Foster and others registered their children under relatives' addresses in affordable suburbs such as Bloomfield and Windsor, located on Hartford's northern border, with growing numbers of Black residents. Both of these districts reported around 20-30 non-residency cases annually in the mid-1980s, though Windsor school administrators handled these through registration checks. By contrast, West Hartford, a wealthier suburb that historically kept out most Black renters and homebuyers, reported only 6 non-residency cases each year, despite having much larger student enrollments.<sup>11</sup> Black Hartford parents had fewer familial ties in West Hartford, and their children would have clearly stood out in West Hartford high schools in 1984, each of which enrolled between 10 to 40 Black students.<sup>12</sup>

Moreover, Bloomfield dramatically shifted its stance on non-resident students when town leaders decided that the police department, rather than school administrators, should investigate and arrest violators. Police charged Saundra Foster and three other parents with first-degree larceny, a class B felony offense that could bring up to 20 years in prison and a fine up to \$10,000 in Connecticut at that time. Initially, police planned to charge the parents with third-degree larceny for defrauding Bloomfield taxpayers of \$4,001, the average expenditure per pupil in Bloomfield public schools. (If students had remained in Hartford schools, the average would have been around \$3,700, or 8 percent less.) But Bloomfield police increased the charge to first-degree larceny on the grounds that the crime included an element of "extortion" by parents. When the story broke in March 1985, attorneys at the Connecticut Department of Education told reporters that they

<sup>10</sup>Lyn Bixby et al., "Some Real Estate Agents Discriminate Against Black Home Buyers: Two Connecticut Series," *Hartford Courant*, May 1989, A1+.

<sup>11</sup>Dave Drury, "Line Jumping' Is Issue Statewide, Officials Say," *Hartford Courant*, April 1985, B1.

<sup>12</sup>Connecticut State Department of Education, "School and Grade Enrollment by Race, 1977-1984." for Hall and Conard High Schools, respectively, October 1984

had never before heard of a case where local law enforcement pressed criminal charges in a school residency case.<sup>13</sup>

Through their highly-publicized scare tactics, the Bloomfield police adopted President Reagan's racial and gendered stereotype of "welfare queens" who "stole" funds from more-deserving taxpayers. But Saundra Foster did not fit this description. She was a Black single mother who also held a white-collar job at Travelers' Insurance in Hartford.<sup>14</sup> Yet even if Saundra Foster had received government assistance, her son would still be entitled to a free, quality, public education. But suburban law enforcement did not care about the state's constitutional rights to equal educational opportunity. Instead, by appealing to White suburban distrust of Black urban mothers, the police exploited racist and sexist images to uphold exclusionary school district lines.

Some news reporters also played into suburban readers' anxieties over non-resident students. In the *Hartford Courant* daily paper, journalists occasionally referred to Hartford residents in Bloomfield public school as "illegal students," which conjured up popular images of "illegal aliens" on the US-Mexican border.<sup>15</sup> The *Courant's* political cartoonist highlighted this "illegal" theme by drawing Black Hartford students being smuggled into Bloomfield High School in the trunk of a car, as if they were crossing the US border, with Black suburban students posing questions about the identity of the intruders.<sup>16</sup> By labeling Hartford students as "illegals," the media implied that Hartford students should be denied their state constitutional right to equal educational opportunity, and distanced suburban readers from the growing problem of city-suburban inequity.

### 5.0.0.0.3 Political Cartoon on City-Suburban Borders

#### Criticizing the Arrests

When police arrested Saundra Foster and three other parents, local and national activists seized this opportunity to call attention to the broader issues of city-suburban inequity and the state's constitutional rights to equal education. State Senator Frank Barrows, who represented Hartford's predominantly Black North End and Bloomfield, accompanied Foster when she turned herself in at the Bloomfield police station. Barrows publicly criticized Hartford's "deplorable" educational system. "It's a shame that someone has to be arrested while trying to educate their children," he told reporters, and praised Foster as "the next Rosa Parks." Reverend Jesse Jackson, the nation's most prominent civil rights activist, publicly denounced the arrests while speaking in Hartford at the National Association of Black Mayors. "These parents have exposed. . . a two-tier educational system," Jackson declared. "Other parents should be encouraged to take their children to Bloomfield or wherever good education exists." Local television publicized the arrests and national newspaper headlines announced that the quality of city schools was on trial in Connecticut. Even Gerald Tirozzi, the State Commissioner of Education, acknowledged his growing concern over the "two Connecticuts" and the widening disparity between urban and suburban public schools.<sup>19</sup>

Foster's attorney, M. Donald Cardwell, raised the most provocative question: "How does one steal a free public education?" The underlying issue was not larceny across school district lines, but the growing socioeconomic disparities between districts. The median household income in 1980 ranged from under \$12,000 in the impoverished city of Hartford to over \$24,000 in middle-class suburbs such as Bloomfield and West Hartford, to nearly \$32,000 in upper-class suburbs such as Avon.<sup>20</sup> "When you educate the poor people in

<sup>13</sup>Drury, "Bloomfield Cracking down on Non-Residents in Schools."; Drury, "2 City Parents Are Charged in Residence Case." Dollar amounts were reported by the press in spring 1985. A year later, educational cost reports for the 1984-85 academic year became available and were higher. Net current expenses per pupil were \$4,522 in Bloomfield, and \$4,216 in Hartford. Connecticut Public Expenditure Council, *Local Public School Expenses and State Aid in Connecticut* (Hartford: CPEC, n.d.), 1986.

<sup>14</sup>Drury, "2 City Parents Are Charged in Residence Case."

<sup>15</sup>Drury, "Bloomfield Cracking down on Non-Residents in Schools."

<sup>16</sup>Bob Englehart, "Editorial Cartoon: Bloomfield High School," *Hartford Courant*, April 1985, C8.

<sup>18</sup>Englehart,

<sup>19</sup>Drury, "2 City Parents Are Charged in Residence Case"; Johnson, "Quality of City Schools Tested in Trial on Residency"; Mendoza and Saunders, "Jumping the Line."

<sup>20</sup>US Census, Table 57a: Summary of Economic Characteristics for Towns, 1980.



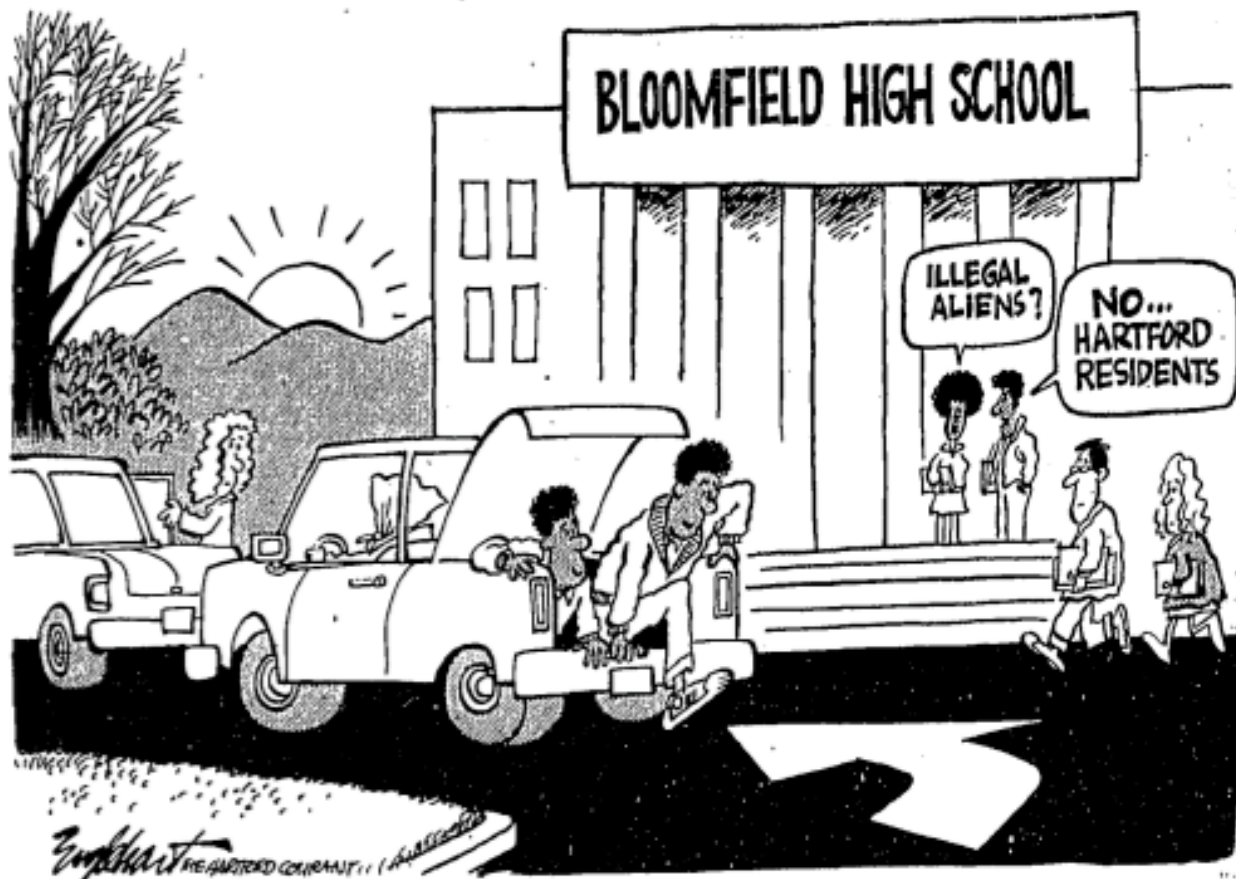


Figure 5.3: Amid the controversial arrest of Sandra Foster, *Hartford Courant* political cartoonist Bob Englehart portrayed Black Hartford students arriving at Bloomfield High School hidden in the trunks of cars, conjuring imagery of “illegal aliens” crossing the US-Mexico border. Source: Hartford Courant, copyrighted 1985, included here under fair-use guidelines.<sup>18</sup>

one group, the middle class people in another group, and the upper-class people in the other third group, something unfair is happening,” Cardwell observed.<sup>21</sup>

When Sandra Foster’s case moved from Bloomfield into state criminal court in May 1985—and public scrutiny of the arrests intensified—the charges against her and the other parents were dropped. State’s Attorney John M. Baily recommended dismissal after he researched Bloomfield’s recent shift on school residency cases from administrative action to police enforcement. Singling out Foster and the other parents, he warned, would appear to be highly selective and “could be looked upon as malicious prosecution.” Furthermore, the Foster case spoke “to the core of the issue of the constitutional right to a free education,” Baily cautioned. “These questions should be litigated. But this is not the right forum.” Judge Joseph Purtill agreed with the State’s Attorney and dismissed the case.<sup>22</sup>

After the court dropped the charges against Foster and other parents, Bloomfield leaders recognized their mistake in authorizing the arrests, but devised a more acceptable means to heighten enforcement of residency requirements. The Bloomfield Town Council and the Board of Education jointly adopted a resolution to allot more funds to check residency status and enforce policies through school administrative action before resorting to criminal proceedings.<sup>23</sup> Also, the Bloomfield Board of Education began charging tuition to non-resident students, which gave the district a legal basis to pursue civil suits to recover costs.<sup>24</sup> As educational costs continued to rise during the 1980s, Bloomfield and other suburban districts began to routinely hire residency officers – and private investigators in some cases – to actively police their boundaries. “The student expulsion business is booming,” read the news story that tracked the number of cases identified by school residency officers in towns bordering Hartford, such as Bloomfield, East Hartford, West Hartford, and Wethersfield. “It’s very cost efficient,” noted one suburban school superintendent, who explained that identifying and removing nearly 30 non-resident students saved the district over \$130,000, well worth the \$30,000 annual salary of the school residency officer, who previously was a town police officer. Local journalists wrote stories about accompanying residency officers on “stakeouts” to catch lime-jumpers. Suburban districts created tougher requirements for new students during school registration, such as showing a property deed, lease, or utility bill as proof-of-residency. Heightened enforcement of rigid city-suburban school boundaries – with administrative enforcement rather than criminal prosecution – became the new norm.<sup>25</sup>

Sandra Foster gladly stepped away from the spotlight when her case was dismissed in 1985. But the activists who came to her defense continued to raise public awareness of city-suburban inequity, and questioned whether it is possible to “steal” an education that Connecticut is constitutionally obligated to provide to all students. Four years later in 1989, a coalition of Black, White, and Puerto Rican parents from city and suburban schools, along with a creative team of civil rights attorneys, filed their lawsuit to challenge racial and economic segregation in metropolitan Hartford, which came to be known as the *Sheff v. O’Neill* case.

*About the contributors: Vianna Iorio (Trinity 2019) and JiYun Lee (Trinity 2017) both wrote essays on this topic for the Cities Suburbs and Schools seminar, which Vianna later merged and revised for this book, in collaboration with Jack Dougherty. Also, Jasmin Agosto (Trinity 2010) and Richelle Benjamin (Trinity 2015) researched school residency sources.*

## About this book



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<sup>21</sup>Mendoza and Saunders, “Jumping the Line.”

<sup>22</sup>Bass, “Case on Residency and Schools Halted.”

<sup>23</sup>Dave Drury, “Bloomfield Alters Its Policy for School Residence Cases,” *Hartford Courant*, August 1985.

<sup>24</sup>Jane Latus Jones, “Schools Will Accept Tuition Non-Residents,” *The Bloomfield Journal*, August 1985, 1.

<sup>25</sup>“Residency Officer’s Job Is in Full Swing,” *The Bloomfield Journal*, November 1985, 9; Jon Elsen, “Bloomfield Officials Laud School Officer’s Work,” *The Hartford Courant (1923-1991)*, April 1986, B2; Rick Green, “Not in His Town: If You Don’t Live in Bloomfield, William Mahoney’s Job Is to Make Sure You Don’t Go to School There,” *Hartford Courant*, February 1992, H1+; Linda B Hirsh, “Schools to Use New Policies to Exclude Out-of-Town Residents,” *Hartford Courant*, July 1992, B5.

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## Chapter 6

# Choosing to Cross the Lines

This chapter describes the present-day political compromises that have emerged from battles over schooling and housing boundaries. When civil rights activists finally pressured Connecticut leaders to deliver on the promise of integration with the Sheff remedies, beginning in 2003, the agreement hinged on voluntary public school choice that did not require participation by any individual, or initially, any suburban district. Instead, state leaders agreed to expand interdistrict magnet schools, with highly-desirable curricular offerings in the arts, sciences, and other specialties to attract white suburban families to voluntarily enroll their children in the same school as urban students of color. The Sheff remedy signals a tangible civil rights victory. As of 2015, state funding for 48 interdistrict magnet schools and the Open Choice city-suburban transfer program enrolls about 12,000 Hartford minority students (or 45 percent of the total) in racially integrated settings. But compromises come at a cost. Interdistrict schools merely blur the boundary lines, rather than erase the root causes of inequality. Furthermore, this voluntary integration plan protects suburban white privilege, and our data analysis shows how it favors more privileged Hartford families. The Sheff remedy has attracted critics from all sides, but the suburban-dominated state government has resisted change and threatened to unilaterally drop all support, despite the judge's order. At present, the Sheff schooling compromise-and related housing voucher policies that promise greater choice-are caught in a standoff, with suburban interests holding the upper hand.

TO COME

### About this book



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## Chapter 7

# Where Do We Draw the Line?

TO COME

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## Chapter 8

# Teaching with *On The Line*

This chapter describes how the book emerged through working with liberal arts undergraduates and Hartford-area community partners in the Cities Suburbs and Schools seminar at Trinity College. In addition, it provides educators with lesson ideas to help students of all ages explore key questions about past and present source materials.

### About this book



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## Chapter 9

# Creating *On The Line*

This chapter offers a behind-the-scenes view about the research methods, source materials, and web technologies we used to create this open-access digital book. By making our work process more transparent, we hope that others will be inspired to produce their own publications, and improve upon our process.

## Who Owns Oral History? A Creative Commons Solution

by Jack Dougherty and Candace Simpson

*An earlier version of this essay was published in 2012 in *Oral History in the Digital Age*.<sup>1</sup>*

Who “owns” oral history? When an oral history narrator shares her story in response to questions posed by an interviewer, and the recording and transcript are deposited in an archive, who holds the rights to these historical source materials? Who decides whether or not they may be shared with the public, quoted in a publication, or uploaded to the web? Who decides whether someone has the right to earn money from including an interview in a commercially distributed book, video, or website? Furthermore, does Creative Commons, a licensing tool developed by the open access movement to protect copyright while increasing public distribution, offer a better solution to these questions than existing oral history protocols?[<http://creativecommons.org>]

Oral historians have begun to ask these types of questions as we confront new challenges of doing our work in the Internet era. At a November 2010 planning symposium for the *Oral History in the Digital Age* project, law and technology professor Sheldon Halpern posed the provocative question: “What do you think you own?” One of the symposium participants, Troy Reeves, reflected on its broad implications for the field. Over a decade ago, when narrators granted an oral history interview and signed a release form, they could assume that the audio/video recording and transcript “would remain under the care and control” of an archive or library, which would hold ownership rights and grant access to the public as it deemed appropriate. But the Web is dramatically revising these assumptions. Many oral history repositories have begun to share the content of their holdings online and, in the words of one archivist, believe “it is worth giving up some control for the greater good of having more people use the materials.”<sup>2</sup> We elaborate on our thinking about how the Internet has transformed the historical profession in our open-access edited volume, *Writing History in the Digital Age*.<sup>3</sup>

As an alternative to traditional protocols, Jack and his student researchers began to incorporate Creative Commons language in oral history consent forms while conducting interviews in the metropolitan region of

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<sup>1</sup>Jack Dougherty and Candace Simpson, “Who Owns Oral History? A Creative Commons Solution,” in *Oral History in the Digital Age*, ed. Doug Boyd et al. (Washington, DC: Institute of Library and Museum Services, 2012).

<sup>2</sup>Troy Reeves, “What Do You Think You Own,” in *Oral History in the Digital Age*, 2012.

<sup>3</sup>Jack Dougherty and Kristen Nawrotzki, eds., *Writing History in the Digital Age* (Ann Arbor: University of Michigan Press, 2013).

Hartford, Connecticut for the Cities Suburbs and Schools Project at Trinity College. Several interviews are featured in our freely accessible, public history web book, *On the Line: How Schooling Housing, and Civil Rights Shaped Hartford and its Suburbs*, and many are hosted by the Trinity College Digital Repository.<sup>4</sup> By blending interpretive text with oral interviews and other interactive features, this web-book tells the story of how real estate firms maintained the color line, mortgage lenders engaged in red-lining, families sought homes on the more desirable side of school attendance lines, and activists fought to cross, redraw, or erase these lines. We initially presented this essay as part of a broader discussion on “Whose Civil Rights Stories on the Web?” at the 2012 joint meeting of the Organization of American Historians/National Council on Public History.<sup>5</sup>

Jack: In the mid-1990s, I began to conduct oral history interviews for my dissertation research on African-American school reform activists in Milwaukee. I recorded interviews, followed standard protocols for consent forms and institutional review, and made good on my promise to transcribe and return a free copy of the tape and transcript to each of the sixty participants who kindly shared their history.<sup>6</sup> But the “best practices” in the field left me feeling unsatisfied. Originally, I had been drawn toward oral history and public history as means of community empowerment on civil rights history, but the standard guidelines required me to ask people who freely offered their stories to sign away some of their rights.

At that time, my reference guide for consent forms was the Oral History Association’s pamphlet by John Neuenschwander, *Oral History and the Law*, which has since been expanded into a book.<sup>7</sup> On the legal question of ownership, as soon as the interview is recorded, the oral history narrator initially holds the copyright, but standard practice is to prepare a consent form to transfer away those rights. As Neuenschwander explains, “The vast majority of oral historians and programs at some point secure the transfer of the interviewee’s copyright interests by means of a legal release agreement,” and offers sample language in the appendix.<sup>8</sup> Similarly, the Oral History Association’s 2009 statement on “Principles and Best Practices” fully expects oral history participants to sign over their rights as part of the standard procedure for conducting interviews: “The interviewer should secure a release form, by which the narrator transfers his or her rights to the interview to the repository or designated body, signed after each recording session or at the end of the last interview with the narrator.”<sup>9</sup> As I understood copyright law, since I wished to create a transcript of the interview and freely quote from it in my scholarly writing, the transfer of copyright away from the narrator was in my best interest.

But here was the ugly irony: as a white scholar of the civil rights movement, my consent form required African American activists to “sign over” rights to their oral history interview. At that time, the best arrangement I could negotiate was a two-step process, because I was working with two different repositories. First, my consent form asked oral history narrators to transfer their copyrights directly to me, which in turn, I donated with the tapes and transcripts to two institutions: the Wisconsin Black Historical Society/Museum (a local public history organization that was best positioned to share these stories with the African-American community) and the University of Wisconsin-Milwaukee Library archives (a better-funded, predominantly white institution that was better equipped to share this history more widely on the emerging Internet). I intentionally partnered with both repositories, and kept my promise to give tapes and transcripts back to all parties, to counter prior generations of white academics and journalists who had come into Milwaukee’s black community to “scoop” up stories, while leaving nothing behind. The 1995 version of my oral history consent form included this key language, paraphrased from Neuenschwander’s 1993 pamphlet:

<sup>4</sup>Cities, Suburbs, and Schools Project, Trinity College Digital Repository (<https://digitalrepository.trincoll.edu/cssp/>, n.d.).

<sup>5</sup>Jack Dougherty et al., “Whose Civil Rights Stories on the Web? Authorship, Ownership, Access and Content in Digital History,” Conference Session (Milwaukee, WI: [http://digitalrepository.trincoll.edu/cssp\\_papers/40/](http://digitalrepository.trincoll.edu/cssp_papers/40/), April 2012).

<sup>6</sup>Jack Dougherty, *More Than One Struggle: The Evolution of Black School Reform in Milwaukee* (Chapel Hill: University of North Carolina Press, 2004) with interviews archived at Jack Dougherty, “More Than One Struggle Oral History Project Records,” *University of Wisconsin Milwaukee Libraries* (<http://digicoll.library.wisc.edu/cgi/f/findaid/findaid-idx?c=wiarchives;view=reslist;subview=standard;didno=uw-mil-uwmms0217,2004>), and some digitized at “March on Milwaukee,” *University of Wisconsin Milwaukee Libraries* (<https://uwm.edu/marchonmilwaukee/>, n.d.).

<sup>7</sup>John Neuenschwander, *Oral History and the Law, Revised Edition*, Oral History Association Pamphlet Series No. 1 (Albuquerque: Oral History Association, 1993), originally published in 1985, has been updated and retitled as John A. Neuenschwander, *A Guide to Oral History and the Law* (New York: Oxford University Press, 2009).

<sup>8</sup>Neuenschwander, , p. 64. He also cites case law that the copyright may be jointly held by the interviewee and interviewer.

<sup>9</sup>Oral History Association, “Principles and Best Practices” (<http://www.oralhistory.org/do-oral-history/principles-and-practices/>, 2009).

I agree to be interviewed and tape recorded by Jack Dougherty, as part of his dissertation research on the recent history of African-American education in Milwaukee. At the end of the research project, the original tapes and edited transcripts will be donated to the Milwaukee Urban Archives at University of Wisconsin-Milwaukee and the Wisconsin Black Historical Society/Museum. These materials will be identified by my name and made available to the public for scholarly and educational purposes, unless exceptions are listed below...

I also grant to Jack Dougherty any title to copyright, property right, or literary rights in the recording(s) and their use in publication, as well as to any reproductions, transcripts, indexes, or finding aids produced from the recording(s).

My participation in this project is entirely voluntary, and I may withdraw at any time prior to its conclusion and the donation of the materials to the Archives.

Check here to receive a free copy of the tape.

Check here to receive a free copy of any transcriptions (whole or partial) for the opportunity to proofread or clarify your spoken words.

Yet I was frustrated with this language about copyright transfer. In my eyes, the wording was a necessary evil to preserve these valuable oral histories in a university archive (whose staff at that time coached me on the consent form) and to allow me to quote extensively from them in my eventual book (as required by my publisher's copyright permissions process). Understandably, many Black Milwaukeeans were highly skeptical or hesitant when I explained the terms of the consent form. Several expressed deep concern that it asked them to sign away their life stories, which I assured them was not the case. A few agreed to be interviewed but did not sign the form. A few others refused to be interviewed at all. One persuaded me, after our interview, to write up a special consent form that preserved her copyright and granted me permission to quote specified passages in my writing, but did not extend any rights to others, such as the archives. Eventually, over sixty oral history participants did agree to sign my consent form, for which I was grateful. Some signed in exchange for a free copy of the recording and transcript as a contribution to their own family histories. Others were motivated by the public good of preserving and sharing their civil rights stories through one or both of my archival partner organizations. Together, all of these conversations challenged me to think more deeply about who benefited from this contractual arrangement. If activists freely shared their civil rights stories with me, did I have the right to profit as a professional historian? The process expanded my thinking about oral history and the public good, and upon receiving an academic book contract, I returned my share of royalties (and later, prize money and speaking fees) back to the Wisconsin Black Historical Society/Museum to continue their public history work.

Given my understanding of oral history and copyright law as a graduate student in the mid-1990s, this was the best user-friendly consent form I could envision. Looking back, there were some alternatives that deserved more consideration. For instance, I could have expanded on the copyright transfer language by adding a line that retained the narrators' rights to utilize their own interviews during their lifetimes.<sup>10</sup> But adding this clause fails to address the underlying issue of transfer of copyright ownership away from the narrator, and out of their family's hands at the end of their lifetime. Another alternative I could have explored further was to ask narrators to make their interviews part of the public domain. But this option would have gone to the extreme of eliminating all of their rights under copyright law, and furthermore, at that time I could not find useful examples of this approach by oral historians.<sup>11</sup> Under these circumstances, this mid-1990s consent form was the best I could do at the time, yet it left a bitter taste and a strong desire to find a better model in the future.

<sup>10</sup>As I recall, one reason I did not include this clause in the consent form was because, in my mind at that time, I feared that the suggested language from the 1993 Oral History Association pamphlet (p. 46) and its emphasis on death might have scared away some of my elderly participants: "Allow me to copy, use and publish my oral memoir in part or in full until the earlier of my death or [insert date]." By contrast, Neuenschwander's 2009 edition (p. 116) includes more life-affirming language: "[In return for transferring copyright], the Center grants me a nonexclusive license to utilize my interview/s during my lifetime."

<sup>11</sup>Neuenschwander's 2009 edition now includes this sample language: "In making this gift I fully understand that my interview/s will not be copyrighted by me or the Oral History Program but will be immediately placed in the public domain. This decision is intended to provide maximum usage by future researchers" (p. 85).

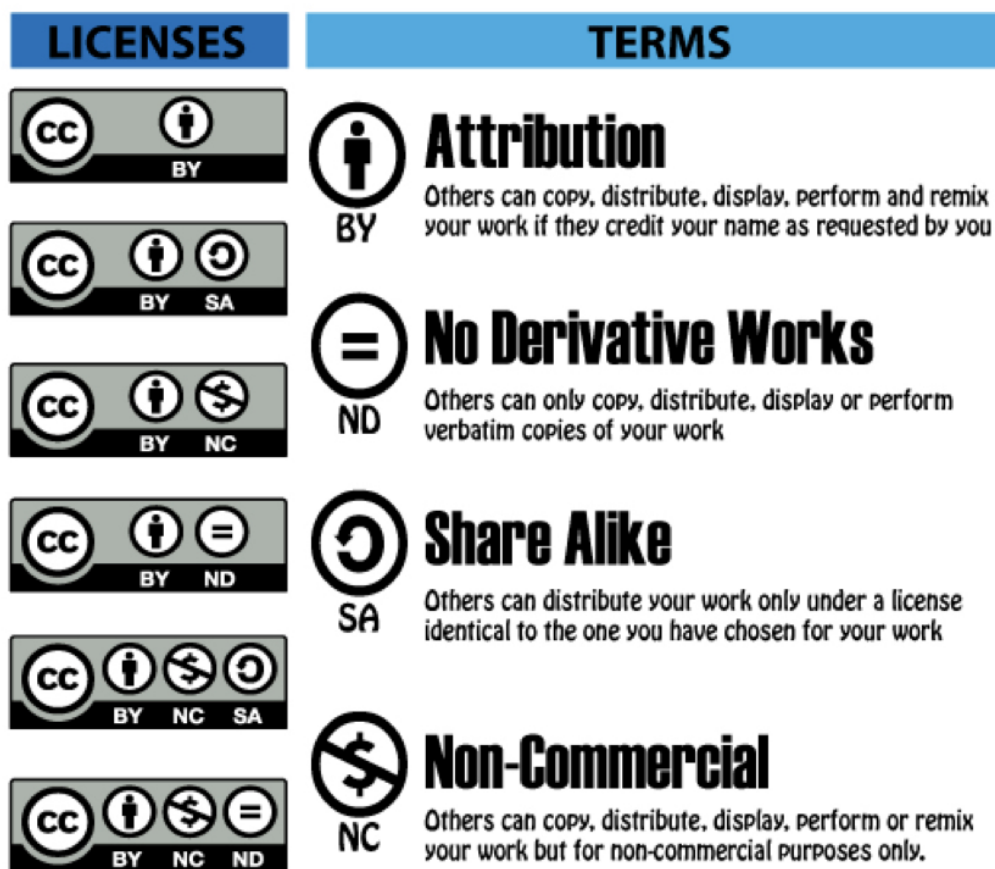


Figure 9.1: Six types of Creative Commons licenses, image source: <http://education-copyright.org/creative-commons>, 2012

Candace: When I began working with the *On The Line* public history web-book project in the summer of 2011, one of my tasks was to conduct oral history interviews with Hartford civil rights activists. At this point, our research team had stopped using conventional consent forms (which asked participants to “sign over” all rights to their interviews) and had begun using a new form that Jack developed with Creative Commons language. Basically, Creative Commons (CC) is a standardized license that maintains the original copyright for the creator of a work, and allows it to be shared more widely with the public, with certain restrictions if desired. Initially released in 2002 with support from the Center for the Public Domain, there are now six types of CC licenses that offer different combinations of licensing terms for source attribution (BY), no derivative works (ND), share alike (SA), and non-commercial (NC) use.<sup>12</sup>

At present, our standard oral history consent form uses the CC By Attribution—NonCommercial license, with this key language:

I voluntarily agree to participate in an oral history video interview about [insert topic.] I can choose to pause, stop, or erase the recording at any time during the interview.

Afterwards, I grant permission for the oral history video recording, with my name and a summary or transcript, to be distributed to the public for educational purposes, including formats such as print, public programming, and the Internet.

<sup>12</sup><https://creativecommons.org/licenses/>

Under this agreement, I keep the copyright to my interview, but agree to share it under a Creative Commons Attribution—NonCommercial 4.0 International license (BY-NC). This allows the public to freely copy, remix, and build on my interview, but only if they credit the original source and use it for non-commercial purposes.

In return, the interviewer will send one free copy of the interview recording, and summary or transcript, to my address below.

See the full oral history consent form in this book.

We prefer the Creative Commons (CC) consent form because it clearly keeps the copyright in the hands of the oral history interview participant, but allows us to freely share the recording and transcript on our open-access public history book and library repository, where individuals and organizations may copy and circulate it, as long as they credit the original source and do not charge any fees. This NonCommercial restriction assures participants that other people cannot profit by selling their interviews, unless the participant wishes to do so under a separate agreement. As the Creative Commons “Frequently Asked Questions” section clarifies, once a CC license is applied to a work, it *cannot be revoked*, but all CC licenses are *non-exclusive*, meaning that the holder of the copyright (in this case, the interview participant) may grant additional licenses to other parties (such as a for-profit book or movie, if desired). Also, CC licenses do not limit “fair use” provisions of existing U.S. copyright law, meaning that commentators have the same rights to report on or quote from the original work.<sup>13</sup> Furthermore, CC licenses are increasingly used by leading knowledge-based institutions such as the Massachusetts Institute of Technology (MIT) OpenCourseWare project and the Public Library of Science (PLOS). Overall, we believe that this combination of intellectual property tools—traditional copyright with Creative Commons licensing—fits better with our primary goal of historical preservation and public education than does traditional copyright alone.

In Hartford, a specific oral history interview we conducted with school integration activist Elizabeth Horton Sheff deserves mention, because she took our Creative Commons consent form one step further by renegotiating its terms, just before we began our video recording. Sheff agreed with our goal of preserving her oral history for the public good, but her primary concern was to avoid being quoted out of context, as she had experienced with journalists in the past. She wanted her oral history interview to be made available in its totality on the web, but not to allow others to create a modified or excerpted version. Fortunately, Sheff was familiar with Creative Commons because her son is in the independent music business. She asked for a “no derivatives” restriction, and on the spot, we modified the consent form license to the ByAttribution-NonCommercial-NoDerivatives CC license. As a result, her video recorded interview and transcript both appear in the Trinity College library digital repository, but to respect her restriction, we blocked users from downloading a copy of the video, to make it harder for them to create an edited version. Yet anyone can move the video time slider on their web browser to watch only a certain portion if desired (such as minutes 28 to 32). Furthermore, anyone may download the transcript of the interview, and quote from the text under “fair use” guidelines.<sup>14</sup>

### Oral History Video with Elizabeth Horton Sheff, 2011

*View the oral history video interview and transcript with Elizabeth Horton Sheff, and other participants in the Sheff v O’Neill school desegregation lawsuit.*<sup>15</sup>

We do not contend that Creative Commons has resolved all of our questions about who “owns” oral history, nor do we claim expertise in intellectual property law. But as oral historians seeking alternatives, we believe that this combination—traditional copyright with Creative Commons licensing—fulfills our dual needs to maintain the rights of individual participants while sharing history with the public.

<sup>13</sup><https://creativecommons.org/faq/#how-do-cc-licenses-operate>

<sup>14</sup>Elizabeth Horton Sheff, “Oral History Interview on Sheff Vs. O’Neill” ([http://digitalrepository.trincoll.edu/cssp\\_ohistory/](http://digitalrepository.trincoll.edu/cssp_ohistory/) 16, July 2011).

<sup>15</sup>Sheff,

*About the contributors: Jack Dougherty and Candace Simpson (Trinity 2012) developed these ideas while conducting oral history interviews for this book, and co-presented at the 2012 joint meeting of the Organization of American Historians/National Council on Public History. Jack later expanded the essay for publication.*

## Oral History Consent Form

*by Jack Dougherty*

*This sample oral history consent form emerged from our thinking about “Who Owns Oral History? A Creative Commons Solution” in this book, and may be adapted and modified.*

[Insert title of] Oral History Project

*Informed consent and copyright permission form*

I voluntarily agree to participate in an oral history video interview about [insert general topic, such as: my memories and experiences about schooling, housing, and civil rights in the Hartford region.] I can choose to pause, stop, or erase the recording at any time during the interview. Afterwards, I grant permission for the oral history video recording, with my name and a summary or transcript, to be distributed to the public for educational purposes, including formats such as print, public programming, and the Internet. Under this agreement, I keep the copyright to my interview, but agree to share it under a Creative Commons Attribution—NonCommercial 4.0 International license (BY-NC). This allows the public to freely copy, remix, and build on my interview, but only if they credit the original source and use it for non-commercial purposes. In return, the interviewer will send one free copy of the interview recording, and summary or transcript, to my address below.

Name:

Mailing address:

Phone and/or email:

Signature:

Date:

If younger than 18, parent/guardian signature:

Interviewer’s signature (to agree with CC license):

Questions? [Insert project director(s) name and contact info, plus project website]

*Keep one signed copy for project files and offer one copy to participant for their records*

## Publishing *On the Line* with Bookdown

*by Jack Dougherty and Ilya Ilyankou*

This open-access book is published using open-source tools, featuring Bookdown with RStudio and GitHub. Publishing with Bookdown allows authors to compose in Markdown (an easy-to-read-and-write computer syntax that works on multiple platforms) and publish in multiple formats (static HTML web edition, PDF edition, ePUB ebook edition, and Microsoft Word documents). Hosting the book in a public GitHub repository, and publishing it with GitHub Pages, easily makes the original text of the book, as well as the published products, available on the public web. For a technical guide to publishing with Bookdown, see Yihui Xie, *Bookdown: Authoring Books and Technical Documents with R Markdown*, 2018, <https://bookdown.org/yihui/bookdown/>.

An alternative book publishing platform to consider is Pressbooks. This open-source modification of WordPress multisite also supports multiple publication formats (HMTL web edition, PDF edition, ePUB ebook



edition. Authors can use the <http://Pressbooks.com> paid hosting service. Or, users with advanced Word-Press and some system admin skills can download the code from <http://github.com/pressbooks> and run their own self-hosted book publishing site.

## Setup RStudio, Bookdown, and TinyTeX

Below are steps we followed to setup the publishing platform for this book, using our Macintosh OS 10.14 computers. The same general principles also should apply to Windows computers. No special knowledge is required, but these steps will be easier if users are adventurous or already familiar with R Studio, GitHub, or editing code.

- Install R Project statistical programming language <https://www.r-project.org> to build your book with Bookdown. (Yes, we too were surprised to use a statistics package to publish a book, but it works!). See screenshot
- Install the free RStudio Desktop to make R easier to use with a visual editor. See screenshot
- Inside RStudio, select the Packages tab, and select Install. See screenshot
- Inside RStudio, install the “bookdown” package to build your book, and select Install Dependencies. See screenshot
- Bookdown now should be successfully installed in RStudio. See screenshot
- Inside RStudio, install the “tinytex” package for Bookdown to create a PDF edition of your book. See screenshot
- Don’t forget: in RStudio console, type `tinytex::install_tinytex()` and press return to finish the installation. See screenshot

## If tinytex installation error

- In the section above, we received this error message on our Mac computers: `/usr/local/bin not writeable`. We resolved by reading the software developer’s GitHub issue <https://github.com/yihui/tinytex/issues/24> and following these steps:
- In the Mac Applications > Utilities folder, open the Terminal application.
- Carefully type `sudo chown -Rwhoami:admin /usr/local/bin` and press return.
- Carefully type (without “sudo”) `~/Library/TinyTeX/bin/x86_64-darwin/tlmgr path add` and press return.
- Close the Terminal application.
- In the RStudio console, type `tinytex::install_tinytex(force = TRUE)` and press return.

## Download and Build a Sample Book

- Create a free GitHub account <https://github.com> to share code repositories and publish book editions online.
- In your web browser, log into your GitHub account, go to the software developer’s bookdown-minimal repo <https://github.com/yihui/bookdown-minimal>, and fork a copy to your GitHub account. To learn about forking in GitHub, see this chapter <http://datavizforall.org/github.html> in the *Data Visualization for All* book.
- Install GitHub Desktop <https://desktop.github.com> to transfer files between your online GitHub repo and local computer
- In your web browser, go to your forked copy of `bookdown-minimal` and click the green **Clone or Download** button and select **Open in Desktop**. This should automatically open the GitHub Desktop application, and you can navigate to copy the code repo to a folder on your local computer.
- In RStudio in the upper-right corner, select Project > Open Project to open the `bookdown-minimal` folder on your local computer. See screenshot

- In RStudio, open the `index.Rmd` file and make some simple edits to the text of this minimal book. For example, remove the hashtag `#` comment symbol in line 8 to “uncomment” and activate the PDF book option. Save your edits. See screenshot
- Optional: Use your preferred text editor, such as Atom editor <https://atom.io>, to modify the text.
- In RStudio, upper-right corner, select the Build tab, select Build Book, and choose All Formats to build both the gitbook-style static web edition and PDF edition.
- If RStudio successfully builds both editions of your minimal book, the output will be saved into your `bookdown-minimal` folder, in a subfolder named `_book`, because that’s how this sample is configured. The RStudio internal browser should automatically open your web edition (and it’s not a very good browser, so feel free to close it). Also, open the subfolder and inspect the PDF edition. If RStudio found any errors, they will appear in the Build viewer. See screenshot
- Hint: In future sessions with RStudio, you may need to select Packages tab and click Update to keep bookdown and other software packages up to date. See screenshot
- Close RStudio.

### Publish your Book with GitHub Pages

- Open GitHub Desktop and navigate to the `bookdown-minimal` folder on your local computer. Write a summary to commit (save) the changes you made above to your master branch, and push this version to your online GitHub repo.
- In your web browser, go to your online GitHub repo, with a web address similar to <https://github.com/USERNAME/bookdown-minimal> (insert your GitHub username).
- In your GitHub repo, select Settings, scroll down to the GitHub Pages section (which is a free web hosting service to publish your code and book editions on the public web). Select Master Branch as your source, and Save.
- Scroll down to this section again, and the web address of your published site should appear. Copy this address.
- In a new browser tab, paste the web address from above, and at the end add `_book/index.html` because this sample is configured to store the web edition of your book in this subfolder. Your web address should be similar to: [https://USERNAME.github.io/bookdown-minimal/\\_book/index.html](https://USERNAME.github.io/bookdown-minimal/_book/index.html)

### Customize your Bookdown and GitHub settings

- To see customized settings for this book, go to its online repository <https://github.com/ontheline/ontheline-bookdown>
- In the `_bookdown.yml` file, the output directory is set to build all book formats into the `docs` folder.
- The GitHub Pages settings for this repo (which you cannot view) is set to publish from the `master/docs` folder, to match the output directory above. This simplifies the published web address to this format: <https://USERNAME.github.io/REPONAME>
- Most of the Bookdown configuration settings appear in the `index.Rmd` file. Read more about these options in the software developer’s technical guide, <https://bookdown.org/yihui/bookdown/>.
- In addition, this GitHub Pages repo is published with a custom domain name <https://OnTheLine.trincoll.edu>. Learn more about custom domain names at <https://help.github.com/articles/using-a-custom-domain-with-github-pages/>, which usually requires purchasing a domain name from a web hosting service (such as <http://ReclaimHosting.com>). Adding a GitHub Pages custom domain name creates an additional `CNAME` file in the `docs` subfolder. Be careful not to delete it (or place a copy in a subfolder for safekeeping).
- This book also includes a custom `404.html` file that was manually transferred into the `docs` subfolder, since it is not automatically built by Bookdown.
- This book also includes a custom `google-analytics-otl.html` file in the root-level of repo (where bookdown looks for it) and also is manually transferred to the `docs` subfolder (since bookdown does *not appear* to copy it to there on each build). This tracks web traffic with Google Analytics.

## ***On The Line* Style Guide with Bookdown-flavored Markdown**

Use brackets and parentheses for an embedded link

Use parentheses only for a non-embedded link (<http://example.com>)

Similarly, display URL with angle brackets: <http://example.com>

If necessary, use HTML to create link that opens in a new page

### **9.0.0.0.1 Headers and Cross-reference links**

Use one hashtag for a chapter title (first-level header)

**# Chapter title**

Use two hashtags for a section title (second-level header)

**## Section title**

A short chapter title **# Introduction** has a short default reference: **#introduction**, while a longer chapter title **# Defining City and Suburban Lines** has a longer default reference: **#defining-city-and-suburban-lines**

To simplify long chapter title references, insert a short ID name in curly brackets: **# Defining City and Suburban Lines {#defining}**

To embed a cross-reference to a chapter title, add a link using brackets and parentheses:

- short reference code: **\*by [Jack Dougherty](index.html#authors-and-contributors)\*** with demo: *by Jack Dougherty*
- short ID reference code: **see chapter [Defining City and Suburban Lines](#defining)** with demo: see chapter Defining City and Suburban Lines

To embed a cross-reference link to a section title (inside a chapter), add a link (to the docs HTML page and section hashtag) using brackets and parentheses:

- Contributor code: **Shaun McGann (Trinity 2014) co-authored [Federal Lending and Redlining](separating.)**
- Contributor demo: Shaun McGann (Trinity 2014) co-authored Federal Lending and Redlining.
- Learn More code: **in this book about [How We Found Restrictive Covenants](creating.html#how-we-found-r**
- Learn More demo: in this book about How We Found Restrictive Covenants

NOTE that the cross-reference codes above are designed primarily for web books, and may or may not work the same way in ebooks.

Hide numbers from appearing in section headers with curly brackets around hyphen: - code: **## Outline of the Book {-}**

However, since I have not yet found a way to insert a short section reference AND hide its number, we must use full section references with hidden numbers.

For an em-dash, use three hyphens—like this—rather than two hyphens.

For a block quote, start each line with a caret **AND** add two spaces to insert a line break:

I thoroughly disapprove of duels. If a man should challenge me, I would take him kindly and forgivingly by the hand and lead him to a quiet place and kill him.  
— Mark Twain  
— notable American author

## Zotero Settings and Footnotes

This workflow uses open-source Zotero bibliography manager (<http://zotero.org>) with Better BibTeX extension (<https://retorque.re/zotero-better-bibtex/>). See Better BibTeX installation. This allows the author to insert footnote codes (example: @tyackOneBestSystem1974) and configure bookdown settings (such as Chicago note format) that pull footnotes from a recently downloaded Zotero collection, rather than typing each note directly into the book.

Zotero preferences > Better BibTeX

- add URLs to BibTeX export > in a note field
- when ref has both DOI and URL, export > both

To export from Zotero:

- select library > right-click to export collection
- select format > Better BibTeX and leave checkboxes blank (I do not use “keep updated”)
- save output as ontheline.bib (or whatever matches your config settings) and save into book repo
- Clarify that Chicago full-note *appears* to be working exactly as it was designed, but perhaps could be modified for this book:
- newspaper notes currently show only month and year; ideal to also show date
- second instance currently appears in abbreviated note (Author); ideal to show full note in every instance in the web version

A text-only footnote.<sup>16</sup>

BibText footnote with semi-colons to separate cites:<sup>17</sup>

Markdown caret-footnote, which can accept multiple references with complex punctuation.<sup>18</sup>

## Embedding images and iframes

Insert image using Markdown syntax:

## Subheadings need four hashtags and no-number symbol

- Note: Using three hashtags makes the subheader appear in the TOC because I have not found way to control toc\_depth in web output. Use the no-number symbol to prevent automatic number of subheaders.

Use 5 hashtags for digital image headers, and imperative verbs to hint interactive use

### 9.0.0.0.2 Explore the Chart: embedded HTML iframe

*REMINDER: Insert caption, shortlinks, and footnote immediately afterwards in body text, in italics.*

<sup>16</sup>This is a footnote, with no reference

<sup>17</sup>Hirsch, *Making the Second Ghetto*; Jackson, *Crabgrass Frontier*; Tyack, *The One Best System*.

<sup>18</sup>On this theme, see Jack Dougherty, “Review of ‘Connecticut’s Public Schools: A History, 1650-2000’ by Christopher Collier,” *Connecticut History* 50, no. 1 (2011): 120–22. On a different theme, see Jack Dougherty et al., “School Choice in Suburbia: Test Scores, Race, and Housing Markets,” *American Journal of Education* 115, no. 4 (August 2009): 523–48, pp. 33-35

<sup>20</sup>Dougherty et al.,



Figure 9.2: Using markdown: auto-number does not appear in web, but appears in pdf, text *with italics*, no center-alignment on web, but centered in PDF, with source link, with caret-footnote.<sup>20</sup>

**9.0.0.0.3 Scroll the Map: embedded HTML iframe**

*Scroll down the narrative (or click and use arrow keys) to see how Hartford County, Connecticut divided into 29 separate towns from the early 1600s to the late 1800s. Boundaries shown here are not exact, but approximated from the best available digital sources: UConn Libraries MAGIC historical maps, Atlas of Historical County Boundaries at Newberry Library, and the Connecticut State Register and Manual. View map historical sources, known issues, and the code, developed by Ilya Ilyankou and Jack Dougherty.<sup>21</sup> REMINDER: Insert caption, shortlinks, and footnote immediately afterwards in body text, in italics.*

**9.0.0.0.4 Watch the YouTube Video: embedded HTML iframe from secure https**

*REMINDER: Insert caption, shortlinks, and footnote immediately afterwards in body text, in italics.*

**9.0.0.0.5 Watch the Vimeo Video: embedded HTML iframe from secure https**

*REMINDER: Insert caption, shortlinks, and footnote immediately afterwards in body text, in italics.*

**Watch the Kaltura Video: embedded HTML iframe from secure https**

*REMINDER: Insert caption, shortlinks, and footnote immediately afterwards in body text, in italics.*

**9.0.0.0.6 Explore the Source: embedded PDF**

This browser does not support PDFs. Please download to view it: [Download PDF](#)

*REMINDER: Insert caption, shortlinks, and footnote immediately afterwards in body text, in italics.*

TODO: Compare with other PDF embed strategies:

- See <https://pdfobject.com/static.html>
- See <https://github.com/mozilla/pdf.js>

**About this book**

On The Line is an open-access, born-digital, book-in-progress by Jack Dougherty and contributors at Trinity College, Hartford CT, USA. This work is copyrighted by the authors and freely distributed under a Creative Commons Attribution-NonCommercial-ShareAlike 4.0 International License. Learn about our open-access policy and code repository and how to cite our work.

This book-in-progress was last updated on: 2019-02-13

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<sup>21</sup>Ilyankou and Dougherty, “Map,” 2017

## Chapter 10

# Mapping *On The Line*

This chapter details our design process for creating the interactive web maps in this book that help broader audiences to visualize spatial and historical change over time. All of our maps are built with open-source code, which we share so that others may build their own version and invent even better ways to tell stories about space and place in past and present.

### How We Found Restrictive Covenants

*by Katie Campbell Levasseur and Jack Dougherty*

The Restricting with Property Covenants section in this book was inspired by the Seattle Civil Rights & Labor History Project. Students and faculty at the University of Washington-Seattle uncovered the largely forgotten story of White-only restrictions that landowners wrote into more than 400 property deeds from the 1910s to the 1960s, which shaped the racially segregated metropolitan region that exists today. Their public history project launched a campaign that led the governor to sign a 2006 bill that made it easier for neighborhoods to officially remove these covenants, which became unenforceable in 1948, but persisted on legal documents.<sup>1</sup>

Our goal was to search for restrictive covenants of any type, racial or religious, in the metropolitan Hartford area. But no one we consulted had ever seen such a document, nor did we have any experience searching property deeds. So we read about the history of these barriers in other cities and learned as much as we could about the research process. People with more experience (such as property lawyers, professional deed searchers, and scholars who specialize in this topic) may have more helpful advice to offer.

#### 10.0.0.0.1 Watch the Video: How We Found Restrictive Covenants, 2011

*Katie Campbell Levasseur describes the process of locating restrictive covenants in the Town of West Hartford property records.*<sup>2</sup>

We limited our search of restrictive covenants to property records held by the Town of West Hartford, Connecticut, the largest municipality that borders the central city of Hartford, because of easy access to public data and our focus on suburban history. Our study did not examine any property records in the City of Hartford or any other suburban town, and we encourage other researchers to expand our collective search. Tracey Wilson, the West Hartford town historian, long-time high school history teacher, and history columnist for the West Hartford Life monthly periodical, gave us leads from anecdotal accounts she had heard about restrictive covenants from long-time residents. Our most specific lead came from Mary Everett,

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<sup>1</sup>Gregory, “Segregated Seattle.”

<sup>2</sup>Katie Campbell and Jack Dougherty, “How We Found Restrictive Covenants” (<https://vimeo.com/220562166>, 2011).

who in our recorded oral history interview described how she bought a home at 30 Ledgewood Road around 1970, and her lawyer mentioned that the property included a racially restrictive covenant from the 1940s that was no longer enforceable.<sup>3</sup>

Our first search strategy was to begin with oral history leads about specific properties, then work backwards to trace the sale to the original deed. When we conducted our research in 2011, the Town of West Hartford had recently made recent property records available online.<sup>4</sup> Searching by name for Mary Everett (or her spouse, Ronald) pointed us to a 1970 warranty deed listing in book 474, page 185, which we had to find in the paper records at Town Hall. Also, her residence at 30 Ledgewood Road appeared as building lot #78 in the microfilmed parcel map records of the original land development from the 1940s. In the paper books, we traced the 1970 sale further back into time, and eventually discovered the original 1940 deed for the High Ledge Homes subdivision, which included this race restriction: “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.”<sup>5</sup>

But few of our anecdotal leads yielded successful results. So our second search strategy was to conduct a broader search of property records during the racial covenant time period (1920s through the late 1940s). In the Town of West Hartford property records room, we skimmed the Grantor Index Corporate Pages for “agreements,” and then inspected each agreement in its physical book to see if the deed included a restriction between parties. Using this approach, we identified about 200 deeds that listed agreements, and among those we found 22 agreements that included some type of restrictions, all between 1933 and 1949. (We determined that before 1933, searching for “agreements” was not a productive way to look for restrictions, because we found restrictions in deeds that were not listed as having “agreements”).

Overall, we found two types of restrictions on property deeds between 1915 and 1950, which we labeled “value” and “race.” Value restrictions were more common than race restrictions. Value restrictions typically stated that the owner could not build a home below a certain square footage, or below a minimum price (such as \$5,000 in the 1920s), in an effort to maintain higher property values. But race restrictions stated that the land could not be occupied by non-White people, except for domestic servants. In some cases, deeds combined the two types. In either case, individuals or developers used these restrictions to control the social class and/or racial composition of a neighborhood, and its relative price in the minds of prospective wealthy White buyers.

Our study of West Hartford in 2011 was not exhaustive. We found only 5 race restrictive covenants, which covered less than 200 parcels of land, or around 3 percent of the 6,000 single-family homes that had been constructed in the town according to the 1940 Census. The first race restrictive covenant we found was introduced to High Ledge Homes in March 1940 by Edward Hammel, a developer of “fine homes” in Westchester County, NY and Fairfield County, CT. After he established the Whites-only restriction in his subdivision of about 75 homes, we found 4 similar development-wide covenants in other parts of West Hartford for 1940 and 1941. In 2012, we placed all of these historical documents and parcel maps in an interactive Google Map, hosted by the University of Connecticut Libraries Map and Geographic Information Center. Then in 2016-17 we migrated the historical source data into our GitHub public repository and an interactive Leaflet map.<sup>6</sup>

When searching for “racial covenant” and related terms in the full-text Hartford Courant Historical database, we found only a handful of news stories relevant to Connecticut, but none of them specific to West Hartford. For example, the Courant describes how Hartford lawyer and Democratic alderman Simon Bernstein sought to pressure the Judiciary Committee of the Connecticut General Assembly to invalidate race- and religious-restrictive covenants in 1947. We were fortunate to conduct an oral history interview with Bernstein at age 98, and he told us about one race restrictive covenant case he was involved in, regarding the Mountain Road area of West Hartford, which was settled out of court. But we never found any documentation about it.<sup>7</sup>

<sup>3</sup>Everett, “Oral History Interview on West Hartford.”

<sup>4</sup>As of 2017, Town of West Hartford property records can be searched for recent transactions (1970s and later) at <https://www.westhartfordct.gov/gov/onlinesvc.asp>

<sup>5</sup>Inc., “Agreement Concerning Building Restrictions.”

<sup>6</sup>Ilyankou and Dougherty, “Map,” 2017. For housing data, see SE:T75, Housing Units by Type of Unit, for West Hartford tracts (C1-6), 1940 Census Tracts, Social Explorer, <https://www.socialexplorer.com/tables/C1940TractDS/R11422383>.

<sup>7</sup>“Bernstein Seeks End of Restrictive Clauses”; Bernstein, “Oral History Interview on Connecticut Civil Rights.”



Local historian Tracey Wilson heard several anecdotal accounts from West Hartford residents regarding anti-Jewish and anti-Catholic covenants during this period. In her 2010 essay, Wilson wrote: “By word of mouth I had heard that in the 1930s and 1940s and into the 1950s, no Roman Catholics could live on Stoner Drive, the first street developed on ‘the mountain.’ No Catholics could buy on Wood Pond or Sunset Farms. According to another resident, the address of a house on the corner of Foxcroft Road and Fern Street was changed to Fern Street because no Jews were allowed on Foxcroft Rd.”<sup>8</sup> But we have not yet found a religion-based restriction in a property deed in West Hartford. It is possible that some residents may have confused property deed covenants (which would appear in town hall documents) with homeowner association agreements (which may exist on paper, but not filed with town governments) or real estate agents’ refusals to show property to outsiders (which may have been openly discussed, but not documented on paper). To be clear, our study of West Hartford was not comprehensive, and we suspect that more race and religious restrictions exist on paper in this and other cities and towns across the state.

*About the contributors: Katie Campbell Levasseur (Trinity 2011) conducted restrictive property records research and co-authored this essay in collaboration with Jack Dougherty.*

### About this book



On The Line is an open-access, born-digital, book-in-progress by Jack Dougherty and contributors at Trinity College, Hartford CT, USA. This work is copyrighted by the authors and freely distributed under a Creative Commons Attribution-NonCommercial-ShareAlike 4.0 International License. Learn about our open-access policy and code repository and how to cite our work.

This book-in-progress was last updated on: 2019-02-13

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<sup>8</sup>Wilson, “Taking Stock of High Ledge Homes and Restricted Covenants.”



# Chapter 11

## Bibliography

Below is a **temporary** automated bibliography of the book-in-progress. The final bibliography will be divided into sections for easier reading.

“100 New Homes to Be Built on High Ledge Tract: E. F. Hammel, New York Builder, Buys Tract from the R. G. Bent Co.” *The Hartford Courant*, March 1940, B1.

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