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## **NEW REPORT: CHICAGO'S ALDERMEN WIELD UNCHECKED POWER TO SYSTEMATICALLY BLOCK AFFORDABLE HOUSING, PRESERVE RACIALLY SEGREGATED NEIGHBORHOODS**

*First-Ever Analysis Examines Decades of Harmful Aldermanic Prerogative Policy and Its Impact on Low-Income Communities*

CHICAGO—In a decades-long practice that has systemically preserved racial segregation across Chicago communities, aldermen calculatingly use their aldermanic prerogative to block affording housing developments, according to a new report released today by the Chicago Area Fair Housing Alliance and the Sargent Shriver National Center on Poverty Law.

The analysis comes amidst a recent wave of housing development proposals on the city's Northwest Side (which are profiled in the study) that spurred divisive debate on the racial undertones of the opposition and staunch positions from local aldermen and community leaders on the use of aldermanic prerogative.

Aldermanic prerogative, also referred to as aldermanic privilege, is the power of Chicago City Council members to maintain control over their wards, primarily by initiating or blocking City Council or city government actions. This power, although not the result of legislatively granted authority, is overwhelmingly assented to among the city's aldermen, the Mayor's office, and the Department of Planning and Development.

**The report calls out the major consequence of this policy: The City of Chicago's political structure supports an undercurrent of powerful racial biases and allows the desire to maintain neighborhood demographics to permeate local housing and community development decision-making.** Because aldermanic prerogative is so entrenched, and aldermen have virtually complete control over ward-level decisions, this political structure has served to ultimately sustain

Chicago's racially segregated neighborhoods. This is the first report to explicitly identify the current mechanics and quantify the impacts of aldermanic prerogative within a civil rights legal framework.

"Throughout Chicago's history, predominantly white and low-poverty neighborhoods have preserved neighborhood demographics through the powers of aldermanic prerogative. The desire for neighborhood preservation has quite literally shaped the city and continues to dictate who may live where," said Patricia Fron, Executive Director at the Chicago Area Fair Housing Alliance. "Chicago's deeply rooted political structure ultimately concentrates decision-making power among those with political capital while low-income Chicagoans have little say in where and how they live in the city."

Among the key findings in the report, *A City Fragmented: How Race, Power, and Aldermanic Prerogative Shape Chicago's Neighborhoods*:

- **Aldermen have unfettered zoning power.** Zoning powers entitle alderman the discretion to determine allowable land uses and developments within their wards.
- **Aldermanic prerogative enables evasion of the Affordable Requirements Ordinance.** Although the city has attempted to encourage inclusionary zoning—by binding affordable unit requirements to certain market rate developments through the Affordable Requirements Ordinance—aldermanic prerogative ensures that hyper-local controls can circumvent the citywide mandate.
- **Affordable housing deals are vulnerable.** Aldermen also control access to city funds and city-owned lots within their wards, effectively making or breaking affordable housing deals. Wards that are hostile to affordable housing become off-limits to developers by baking exorbitant financial risk into the development proposal process. Aldermen can also employ parliamentary and extra-parliamentary powers to delay development deals, ensuring that unwanted affordable housing will not be introduced before or voted on by the City Council.
- **Residents of the City of Chicago have endured decades of missed opportunities to develop affordable housing, especially in areas lacking a sufficient supply.** The impact of that loss is felt by all racial and ethnic groups in need of affordable housing, but disproportionately by black and Latinx families, who essentially end up living in created geographic boundaries.

"These findings demonstrate that the City of Chicago has neglected to fulfill its civil rights obligations by failing to ensure more equitable, affordable housing opportunities for families and to balance the power dynamics involved in community planning," says Kate Walz, Senior Director of Litigation and Director of Housing Justice at the Sargent Shriver National Center on Poverty Law. "The City has continued to allow aldermen to control where affordable housing is sited and as a result, maintain the city's rigid patterns of racial segregation."

The City Council's control and influence over the siting of affordable housing has been central to the city's operation since the 1930s, beginning with decisions made over where public housing would be built. In spite of aldermanic prerogative being exposed nearly 50 years ago, it remains the central mechanism wielded to maintain residential segregation. In the 1969 civil rights case, *Gautreaux v. Chicago Housing Authority*, the City of Chicago was found to have an intentional and deliberate policy to control where public housing was sited, which resulted in concentrations of public housing in predominantly black, low-income neighborhoods.

**The report calls for the City of Chicago to dismantle aldermanic prerogative and commit to comprehensive, city-wide planning to further racial equity.** Additional recommendations call for

centralizing zoning, increasing transparency and accountability, and actively discouraging NIMBYism through legislation and ordinances.

“We have approached a day when unfettered political power wielded by unaccountable leadership, or ‘the Chicago Way’, is unacceptable,” says Albert C. Hanna, longtime Chicago advocate for fair and affordable housing who also provided support for the study. “Our hope is that the City will abide by its own laws, abide by the principles of justice and equality, and finally create change that affords all the opportunity to live safely in our City, whoever they are, wherever they choose.”

A full copy of the report is available at: <http://povertylaw.org/aldermanic-report>

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**The Chicago Area Fair Housing Alliance (CAFHA)** is a non-profit consortium of fair housing and advocacy organizations, social service providers, government agencies, and municipalities committed to the value of fair housing, diversity, and integration.

**The Sargent Shriver National Center on Poverty Law** provides national leadership in advancing laws and policies that secure justice to improve the lives and opportunities of people living in poverty.