

LCR

**LAWYERS FOR
CIVIL RIGHTS
BOSTON**

Pollution is segregated, too

**Race Best Predicts Whether
You Live Near Pollution**

**A boy left home after a drought left
his family eating one meal a day.
He died in US custody weeks later**



**Race and Climate
Justice Project**

**Lawyers for Civil Rights
will establish a new
practice area focused on
climate resilience and
environmental justice in
low-income communities
of color and immigrant
communities.**

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Race and Climate Justice Project

Project Goals

- 1 **Raise awareness** of **environmental discrimination** and its impact on low-income communities of color and immigrant communities;
- 2 Ensure that low-income people of color and immigrants have a seat at **decision-and policy-making tables** driving local, state, national responses to climate change;
- 3 **Create bridges** and synergy between environmental activism and low-income people of color and immigrants who have been **displaced by climate change**, including TPS beneficiaries;
- 4 Position entrepreneurs of color at the forefront of the **“green economy”** to lead and benefit from economic opportunities presented by emerging industries responding to climate change; and
- 5 **Drive investment** and action in the private sector to fill the gap in climate resilience planning left by the federal government’s disinvestment in low-income communities of color and immigrant communities.

Executive Summary

For 50 years, Lawyers for Civil Rights has fostered equal opportunity and fought discrimination on behalf of low-income people of color and immigrants. We lead creative and courageous legal action, education, and advocacy to address long-standing and emerging forms of discrimination experienced by our communities.

We are establishing a new practice area focused on climate resilience and environmental justice in low-income communities of color and immigrant communities.

With each passing year, the impact of climate change on low-income communities of color and immigrant communities becomes more harmful and dramatic. How we address that impact is one of the most pressing civil rights challenges we face today. As leaders on the front lines of justice, we must not only address the disproportionate impact of climate change on low-income communities of color and immigrant communities, but invest in creative and courageous actions in climate resilience planning, decision-making, policy-making, and legal action that include directly-impacted individuals.

While Massachusetts has existing infrastructure for environmental justice work, many of the organizations driving this work tend to focus on environmental issues rather than on the particular communities most affected. Low-income communities of color and immigrant communities are significantly underrepresented in decision-making, planning, and advocacy. Yet these communities are most vulnerable to the impacts of climate change, heightened proximity to environmental hazards, and a shrinking safety net to protect from extreme climate events and the adverse health impacts of pollution.

Our Race and Climate Justice Project will integrate the voices of low-income people of color and immigrants into climate change discussions, and ensure that solutions reflect the perspectives and needs of our communities.





LCR's Unique Position

Lawyers for Civil Rights is uniquely positioned to launch a Race and Climate Justice Project. We have a **50-year track record** of mobilizing legal and educational resources to ensure that low-income communities of color and immigrant communities have a seat at decision-making tables, and the information, support, and opportunities to advocate for themselves on issues directly impacting their lives and opportunities. Highlights demonstrating our organizational capacity and impact include:

Strong Ties to Climate Refugees

- Lawyers for Civil Rights has worked with community groups to maintain legal protections and relief provided through the Temporary Protected Status (TPS) program for immigrants from El Salvador, Haiti, and Honduras. Many TPS holders have been displaced due to natural disasters and food shortages caused by climate change, and they are now being targeted for deportation by the Trump Administration. Based on our existing relationships with the TPS community, we know that **existing environmental organizations have not meaningfully engaged climate refugees in climate change planning or action.** With established connections and trust, Lawyers for Civil Rights can help bridge TPS holders and other climate refugees with the climate change movement and incorporate diverse voices and perspectives from individuals who have been profoundly affected by climate change.

Promoting the Green Economy

- Through our Economic Justice Project, we provide free technical assistance and legal support to more than 500 small business owners of color. Through this work, we are stabilizing the economic backbone of our communities and connecting entrepreneurs to the training, networks, and resources needed to succeed. We are seeing a **growing interest among entrepreneurs of color and immigrant entrepreneurs in learning how to tap into the green economy** by “greening” a current business

endeavor or launching innovative businesses, including sustainable transportation systems and composting services. For example, we provide free legal support to WooRides, a bicycle rickshaw service in Worcester. We also guide entrepreneurs through legal processes involved with certifying themselves as green businesses, pursuing organic labeling, and expanding their presence in farmers' markets. Given our unique position in the economic justice field, with already-established relationships and systems for providing technical assistance to entrepreneurs of color and immigrant entrepreneurs, a new focus area linking our clients to growing economic opportunities in the green economy is a natural next step for this program.

Public Transit Equity

- We work extensively to increase equity for low-income communities of color and immigrant communities in our public transportation systems and thereby reduce car-dependence and air pollution. We worked with the Greater Four Corners Action Coalition and the Fairmont Indigo Coalition to assess the racial impact of changes in the MBTA's services in low-income zip codes. As part of this work, we opposed the MBTA's cancellation of late night train service given that low-income families rely on that type of transit. On behalf of low-income families, we are also ensuring that MBTA fares can still be paid in cash.

Ensuring Sustainable Development

- In connection with infrastructure developments, to promote environmental justice, we work to ensure access to public processes for low-income communities of color and immigrant communities. We challenged the placement of a power plant and bio-hazard lab in communities of color. We mobilized legal resources to ensure that interpreter and translation services were available during public hearings regarding the development of the canal between East Boston and Chelsea. We also supported youth affiliated with Hyde Square Task Force to secure the realization of community benefits such as parks and recreation areas directly tied to the development of the TD Garden.

Promoting Community Health

- We support community health through our unique Medical-Legal Partnership with Massachusetts General Hospital (MGH) in Chelsea, MA. Our work focuses on the intersection of health and race, and we address the social determinants of health. We tackle health disparities focusing on low-income immigrants and people of color, including individuals and families negatively affected by the effects of pollution and climate change.

Our new Race and Climate Justice Project provides an opportunity for Lawyers for Civil Rights to deepen and expand our work with a strategic focus on climate resilience in low-income communities of color and immigrant communities. Through new resources and partners, we hope to provide a long-term programmatic home for this initiative at Lawyers for Civil Rights—with dedicated staff and resources to carry out impactful work in partnership with organizations, individuals, and communities.

Today's focus is not only on getting a seat at the front of the bus, but on also making sure the bus takes us where we need to go.

Climate change is having a disproportionate impact on low-income communities of color and immigrant communities.

Needs Statement

Environmental Racism Goes Unchecked

1. Nationally, environmental racism accounts for far more Black people dying from pollution than from police encounters yet this inequity and the stories of deaths linked to pollution are largely absent from our public awareness and media coverage.¹ People of color, immigrants, and low-income families are more likely to live in proximity to environmental hazards—such as power plants, landfills, lead paint, and highways—and less likely to have access to green spaces, clean water, reliable public transportation, and affordable fresh healthy food.² Massachusetts is no exception to these disturbing national patterns. Countless studies confirm that, in Massachusetts, low-income and minority communities disproportionately bear the burden of environmental hazards.³ In Boston’s Chinatown neighborhood, the close proximity to the Massachusetts Turnpike and I-93 means residents are breathing some of the city’s most polluted air. Researchers from Tufts University have found this coincides with increased rates of asthma among children in Chinatown.⁴ Rising water levels and blatant neglect of our natural resources are more likely to impact low-income communities of color and immigrant communities. Climate change and extreme weather poses an unquestionably disparate impact on low-income communities of color and immigrant communities.

Migrant Crisis Is Tied To Climate

2. Climate change is a key driver of family displacement and immigration to the United States. Climate change and environmental issues are triggering immigrant caravans from Central America to the United States as farming in drought-stricken countries such as Guatemala, Honduras, and El Salvador is increasingly less viable. Climate change is changing local economies south of the border and threatening the meager livelihoods of people who are already struggling with endemic poverty and food insecurity. Migrants are coming north as a last resort—only to be met with further life-threatening hardships during their journey here, at the U.S.

border, and as newcomers in this country. A recent tragic example of this trend is the 16-year old Guatemalan boy, a climate refugee, who made the trek north from his drought-stricken village and later died in federal custody at the border.⁵

- In 2018, the World Bank reported that climate change could lead at least 1.4 million Mexicans and Central Americans to migrate in the next 30 years, as subsistence crops reduce yields. Central American coffee farmers have been particularly hit hard with droughts and pests, and the land suitable for growing is set to drop by more than 40% by 2050.⁶
- Temporary Protected Status (TPS), a humanitarian program which the Trump Administration is trying to end and Lawyers for Civil Rights is suing to protect, was originally granted in many cases because of natural disasters in countries that have become destabilized due to climate change, extreme weather, and environmental cataclysms. Immigrants from these countries have been displaced by climate change and they cannot safely return to their home countries, but they are now the targets of political attacks, discrimination, and civil rights deprivations.
- Despite being directly and adversely affected by climate change, TPS communities have not been engaged or integrated into the environmental justice movement. The important perspectives and experiences of climate refugees, including TPS recipients, have not been incorporated into climate resilience efforts. With established connections with the TPS and immigrant communities, Lawyers for Civil Rights can help build bridges to bring diverse voices to the table.
- Under current immigration law, climate refugees who have been displaced from their homes by natural disasters and environmental changes generally do not qualify for humanitarian protection through asylum. As a result, there is extremely limited legal infrastructure to address key factors driving migration from the Global South. Our law-changing legal and policy advocacy will help to support climate refugees.



LCR team leading a “know-your-rights” training for 48 people in Fall River (2019).

The Green Economy

3. **The new green economy presents economic opportunities** for low-income communities of color and immigrant communities, which have historically been excluded from similar opportunities for advancement. The present moment offers a window of opportunity to reconfigure how low-income people of color and immigrants are included in economic strategies and initiatives. We must ensure non-discrimination in the new green economy by providing legal support, technical assistance, and outreach that helps low-income people of color and immigrants access green education and training for jobs and entrepreneurship opportunities. This is the moment to strategically drive climate resilient investments that support not only robust economies, but greater economic equity and racial justice. As proposals such as the Green New Deal are proposed and debated in Congress, we must work on the ground with directly-affected communities to include their perspectives and experiences in new developing economic structures.

Central America's choice: Pray for rain or migrate

Central American Farmers Head to the U.S., Fleeing Climate Change

'Food Doesn't Grow Here
Anymore. That's Why I
Would Send My Son North'

A stark choice for farmers in Guatemala

Diversifying Climate Change Influencers

4. Directly affected communities have limited voice in policy debates surrounding federal, state, and local resources, including investments in climate resilience.
- Compounding the challenges described above is a lack of economic, political, and legal capital to hold those in power accountable to lessen the environmental burdens imposed on low-income communities of color and immigrant communities.⁷
 - Our proposed work coincides with the federal government's attack on climate science and pullback in climate adaptation work at the national level. Recent federal policies have reversed progress designed to prepare communities for global warming.⁸ The Trump Administration has also cut off \$500 million in annual aid to Central American countries, further crippling the economy and climate resilience of El Salvador, Guatemala and Honduras. Similarly, low-income communities of color and immigrant communities are also all too often ignored at the state and local levels, in policy debates and siting decisions that directly affect these communities.
 - Massachusetts has some legal tools available to address anticipated environmental impacts, including provisions under the Massachusetts Environmental Protection Act (MEPA). However, low-income individuals are often unable to access these protections. Public meetings are often held in inaccessible locations and fail to provide childcare. Materials are rarely provided in languages relevant to diverse communities. We will ensure that communities of color and immigrant communities are properly represented in key administrative and legal proceedings.
 - Environmental justice is requisite to a democratic and just society. We must invest in targeted outreach to involve diverse voices in climate resilience planning and action. Diverse voices representing the communities harmed by pollution and climate change must be at key decision- and policy-making tables to fight environmental discrimination and protect low-income people of color and immigrants from further injustice.

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Race and Climate Justice Project

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Proposed Activities

Lawyers for Civil Rights will empower low-income communities of color and immigrant communities through a legal literacy campaign led in collaboration with community-based partners. We will expand our current work to focus directly on environmental rights and justice, and ensure that low-income communities of color and immigrant communities in Greater Boston have the tools to make our neighborhoods more resilient in the face of our changing climate. The Race and Climate Justice Project will deploy multiple complementing methodologies, including legal, policy, and community outreach components.

Legal Advocacy

- Advocate with government and policy-making officials for cultural and linguistic diversity at public hearings and community meetings on issues related to climate change.
- Take legal action to ensure that directly-affected communities can fully participate in key climate policy decisions and have a seat at the table in environmental decision-making that impacts their communities.
- Take legal action to mitigate the effects of climate change—such as flooding and decreased green spaces—most directly harming low-income communities of color and immigrant communities. Ensure that federal, state, and local expenditures to combat climate change are directed to the communities that are most impacted by climate change.

Free Legal Support For Green Entrepreneurs

- Provide free legal support and technical assistance to entrepreneurs of color and immigrant entrepreneurs interested in being a part of the Green Economy. This will include free workshops and trainings on green business certification, how to launch a green business, and how to get products certified as “organic.”

Self-Advocacy Training

- Conduct quarterly self-advocacy **trainings and workshops** in partnership with environmental activists and community-based groups to increase awareness of environmental rights, discrimination, and protections and to strengthen participants' self-advocacy skills.

Community Resources

- Disseminate legally accurate information through multilingual “**know-your-rights**” palm cards, toolkits, fact sheets and community workshops that outline strategies to combat and respond to environmental injustice, in partnership with grassroots partners.

Climate Change's Impact on Immigration

- Raise awareness of the **intersection between climate change and immigration** and work to preserve humanitarian programs such as TPS that can help mitigate the effects of climate change by providing humanitarian relief for climate refugees.

A Seat At The Table

- Raise awareness of community meetings on infrastructure, development, and transportation projects, and support community members and groups to prepare testimony and comments for public hearings.
- Culturally competent and linguistically appropriate collaboration with **grassroots partners**—including Haitian-Americans United (Haitian Creole), the Islamic Society of Boston Cultural Center (Arabic), ACE-DONE (Somali and Amharic), and the Cambodian Mutual Assistance Association (Khmer)—to ensure that voices and needs of low-income people of color and immigrants are considered in emerging policies aimed at addressing climate change locally and regionally.
- Produce short (30 to 90 second) videos to raise awareness about environmental justice in communities of color. Videos will document the lived experiences of people facing environmental racism and displacement because of climate change. For example, videos will raise the visibility of Central American coffee farmers forced to abandon their farms and come to the U.S. due to drought which has led to extreme poverty and food insecurity in countries like Guatemala, Honduras and El Salvador.

Collaboration and Sustainability

Collaboration is one of our greatest strengths at Lawyers for Civil Rights. We build bridges between diverse constituencies and forge partnerships with community allies and law firms. With more than 30 law firms affiliated with our organization, we have strong connections with – and can quickly mobilize – hundreds of pro bono attorneys. This model creates a force multiplier effect resulting in exponentially greater impact thanks to the thousands of pro bono hours donated by our volunteer network. This allows us to provide free legal support to the members of community-based groups that do not have access to lawyers, including the NAACP, the Brazilian Worker Center, Centro Presente, Chelsea Collaborative, Green Roots, Greater Four Corners Action Coalition, Fairmont Indigo Coalition, Hyde Square Task Force, Sociedad Latina, and CommonWealth Kitchen. We will continue to expand existing and new relationships with community groups to address the climate change needs of our communities. We will also collaborate with established environmental justice groups, including the Conservation Law Foundation.

Lawyers for Civil Rights is working aggressively to secure necessary resources to launch and sustain our Race and Climate Justice Project. This includes both in-kind and financial resources through existing supporters and new prospects. We are positioned to mobilize the legal resources of our existing pro bono network. We are also working with law school partners to secure an in-kind legal fellow for 2020-21.

Community and foundation investment will enable us to bring the project to scale and give it a permanent home at Lawyers for Civil Rights.

Endnotes

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- 2** Race Best Predicts Whether You Live Near Pollution, *The Nation* (Feb. 18, 2016), available at <https://www.thenation.com/article/race-best-predicts-whether-you-live-near-pollution/>
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- 4** In Boston’s Chinatown, Bad Air and Rising Temperatures A “Toxic Mix”, *New America Media* (2017), available at <http://newamericamedia.org/2017/02/boston-chinatowns-children-hurt-by-highway-pollution-and-rising-temperatures.php>
- 5** A Boy Left Home After A Drought Left His Family Eating One Meal A Day, He Died in U.S. Custody Weeks Later, *CNN* (May 6, 2019), available at <https://www.cnn.com/2019/05/06/us/guatemalan-boy-federal-custody-death-family/>; see also *Central America’s Choice: Pray For Rain or Migrate*, *NBC News* (July 9, 2019), available at <https://www.nbcnews.com/news/latino/central-america-drying-farmers-face-choice-pray-rain-or-leave-n1027346>.
- 6** Central American Farmers Head To The U.S. Fleeing Climate Change, *NY Times* (Apr. 13, 2019), available at <https://www.nytimes.com/2019/04/13/world/americas/coffee-climate-change-migration.html>; see also *Food Doesn’t Grow Here Anymore. That’s Why I Would Send My Son North*, *NY Times* (June 5, 2019), available at <https://www.nytimes.com/2019/06/05/opinion/guatemala-migrants-climate-change.html>; *Un Millonario Sueño Que Se Evapora Entre Riegos y Semillas, Criterio & Gato Encerrado* (Aug. 8, 2019), available at <https://gatoencerrado.news/un-millonario-sueno-que-se-evapora-entre-riegos-y-semillas/>
- 7** *Pollution is Segregated, Too*, *Washington Post* (Apr. 15, 2014), available at <https://www.washingtonpost.com/news/wonk/wp/2014/04/15/pollution-is-substantially-worse-in-minority-neighborhoods-across-the-u-s/>
- 8** *White House Hardens Attack on Climate Science*, *Boston Globe* (May 27, 2019), available at https://www.bostonglobe.com/news/nation/2019/05/27/white-house-hardens-attack-climate-science/DFup37ewROMHnNsVgzbPcl/story.html?et rid=1838716956&s_campaign=todayshadlines:newsletter



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