

Vermont Law School
Land Use and Racial Justice (Summer 2021)
Syllabus

Professors Keith Hirokawa and Jonathan Rosenbloom

Class Meetings: Friday 4:00 PM-6:00 PM
Saturday 9:00 AM-12:00 PM, 1:00 PM-4:00 PM
Sunday 9:00 AM-12:00 PM, 1:00 PM-2:00 PM

Location: Your office, living room, dining room, etc. wherever you can access Zoom and are most comfortable and ready to dive-in

Zoom links:

Friday <https://albanylaw.zoom.us/j/98742539125?pwd=VUtBMWtBS3ZEOEiIN3ZSQWVyUUIKdz09>
Saturday <https://albanylaw.zoom.us/j/98664539091?pwd=SjdZeSs4ckpXcFZmRUlkSUF5M2gzQT09>
Sunday <https://albanylaw.zoom.us/j/95960656928?pwd=V0todU5jZ2ViMHRWRDd6c29zMW55dz09>

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Welcome to the course Land Use and Racial Justice!

In this course, we will introduce the law's role in creating, exacerbating, contributing, alleviating, and remedying exclusionary tactics through the regulation of land. We will examine ways in which land use laws have helped create structural inequalities based on race and class.

As aspiring lawyers, it is important for us to consider not only what "is," but also what "could be." For that reason, we will explore how the law can serve as a mechanism for positive change.

Required Text

Readings for this class are set forth in the Assigned Readings below. The readings and problems are somewhat front-loaded as we'll be spending a lot of our class time working through problems.

Grading

Your grade for this course will be determined primarily by your grade on three presentations with potential reductions or additions based on participation and attendance.

On each day, Friday, Saturday, and Sunday, you or your group will be giving a presentation. For your final grade, the presentations are weighed accordingly:

- Friday (presentation and post-presentation assessment): 20%
- Saturday: 40%

- Sunday: 40%

Participation is an important part of this course. We reserve the right to raise or lower your grade by 1/3 step (ex. B to B+ or B-) based on your class participation or lack thereof.

Class Participation

You must do your best to “show up” (1) for every class, (2) on time, and (3) well prepared. Our approach to teaching emphasizes participation and engagement. Students will take an active role in each class. In every class, we will be asking for your views on particular subjects. Because you are aspiring lawyers, we are mostly interested in your response as it relates to law, policy, or legal principles and theory. Your preparation and participation will make the course more comprehensible and enjoyable.

Successful participation is not necessarily measured by whether your answer is “correct,” but by whether your comments demonstrate that you have read and thought about the material and that you are making a good faith effort to advance the conversation.

Virtual Classroom

We will be using Zoom to meet during class time and TWEN for materials. Please make sure to log on to both prior to our first class.

Arrive to our Zoom class early and be prepared as you would for an in-person class. Class will start promptly. Please leave your video on during class time. If your video is off, we will assume you are away from your computer and will mark you as absent.

We will spend time working through problems in class. Please find a dedicated quiet space to attend Zoom class sessions, to minimize the chances that you will be disrupted during the session.

Zoom has a raise your hand function. Because there are about 25 of us, please use the “raise your hand” button when you would like to speak. Please mute your microphone when you are not speaking.

Participation in our Zoom class will be no less extensive than an in-class session. You should be actively engaged in answering questions, taking notes, writing down questions you wish to ask later during class or during office hours, etc. This will not only help your learning, but also it will help you stay engaged.

If you have any technology questions, please raise them as early in the semester as possible so that we can address them as soon as possible.

The Zoom links are:

Friday: <https://albanylaw.zoom.us/j/98742539125?pwd=VUtBMWtBS3ZEOEIIN3ZSQWVvUUIKdz09>

Sat: <https://albanylaw.zoom.us/j/98664539091?pwd=SjdZeSs4ckpXcFZmRUlkSUF5M2gzQT09>

Sun: <https://albanylaw.zoom.us/j/95960656928?pwd=V0todU5jZ2ViMHRWRDd6c29zMW5zdz09>

Attendance

We will take attendance each class. This class has only five sessions over three days. This class follows the Vermont Law School default attendance policy. Please be sure to familiarize yourself with the policy prior to class. Vermont Law School Academic Regulations II(A)(1) on pg. 28 of the VLS 2018– 2019 Student Handbook.

Assigned Readings

Day 1: Assessing Systemic Racism in Land Use Planning

Friday, July 29

Friday 4:00 PM-6:00 PM

Readings:

[Christopher Silver, *The Racial Origins of Zoning in American Cities*.](#)

[Daniel C. Vock, J. Brian Charles and Mike Maciag, *Broken Homes*, Illinois Times, Mar. 14, 2019.](#)

Problem:

1. Below is a chart in which you are assigned a city. Be prepared to present on the following for your city:
 - a. Find the racial demographics of the city.
 - b. In your city's comprehensive plan¹:
 - i. Identify how race, equity, inclusion, and diversity are addressed in your city's comprehensive plan, if at all.
 - ii. Identify 2-3 statements or visions in the comprehensive plan that could have an impact on race and/or the racial make-up of neighborhoods.
 - iii. Find 1 instance where one or more of the demographics is excluded from a particular policy, vision, or local action.

¹ States define "comprehensive plans" in a variety of ways. Broadly speaking, comprehensive plans are reports intended to proactively and comprehensively address future growth and development. At times they represent how the city sees itself and what the city wants for its future.

| Name | | City |
|-----------|------------|----------------------------|
| Jordan | Barker | Albany |
| Lanessa | Chaplin | Albany |
| Monica | Cooper | Albany |
| Anne | Eldred | Albany |
| Heather | Francis | Albany |
| Katherine | Frederick | Bennington |
| Benjamin | Gray | Bennington |
| Lorentz | Hansen | Bennington |
| Elissa | Hardy | Bennington |
| Conicia | Jackson | Bennington |
| Michael | Kohlberg | Burlington |
| Daniel | Lee | Burlington |
| Elizabeth | McGowan | Burlington |
| Kelsey | Neff | Burlington |
| Jack | Novak | Burlington |
| Meghan | Oates | Lowell |
| Gina | Palino | Lowell |
| Christine | Paul | Lowell |
| Anisa | Rodriguez | Lowell |
| Margaret | Rossano | Lowell |
| Bailey | Soderberg | Manchester |
| Olivia | St Pierre | Manchester |
| Brittney | Washington | Manchester |
| Josephine | Watson | Manchester |
| Justin | Zafran | Manchester |

Day 2: Critique the City

Saturday, July 30

Saturday 9:00 AM-12:00 PM, 1:00 PM-4:00 PM

Readings:

[Identifying and addressing the vestiges of inequity and inequality in Virginia's laws](#), Read pages 4-12, 66-77, and Skim pages 15-65, 78-82.

[Louisville, Confronting Racism in City Planning & Zoning.](#)

Problem:

1. Write a one-paragraph assessment of your group's presentation from Friday evening. Because group presentations may not include all group members (although they may), this is your opportunity to weigh in more directly. Did your group work well together? Did you cover the information you were interested in? Did your group's process include everyone? This is an open assignment allowing you to revisit the collaboration and presentation.

Day 3: Constructing the Anti-Racist City: Addressing and Reversing Systemic Racism in Land Use Planning

Sunday, July 31

Sunday 9:00 AM-12:00 PM, 1:00 PM-2:00 PM

Readings:

A Concerned Black Human, An Open Letter to the Union of Concerned Scientists: On Black Death, Black Silencing, and Black Fugitivity. [please read the edited version on TWEN]

[Nicole Karlis, Biden wants to fight racist exclusionary zoning laws. Will it work?](#)