

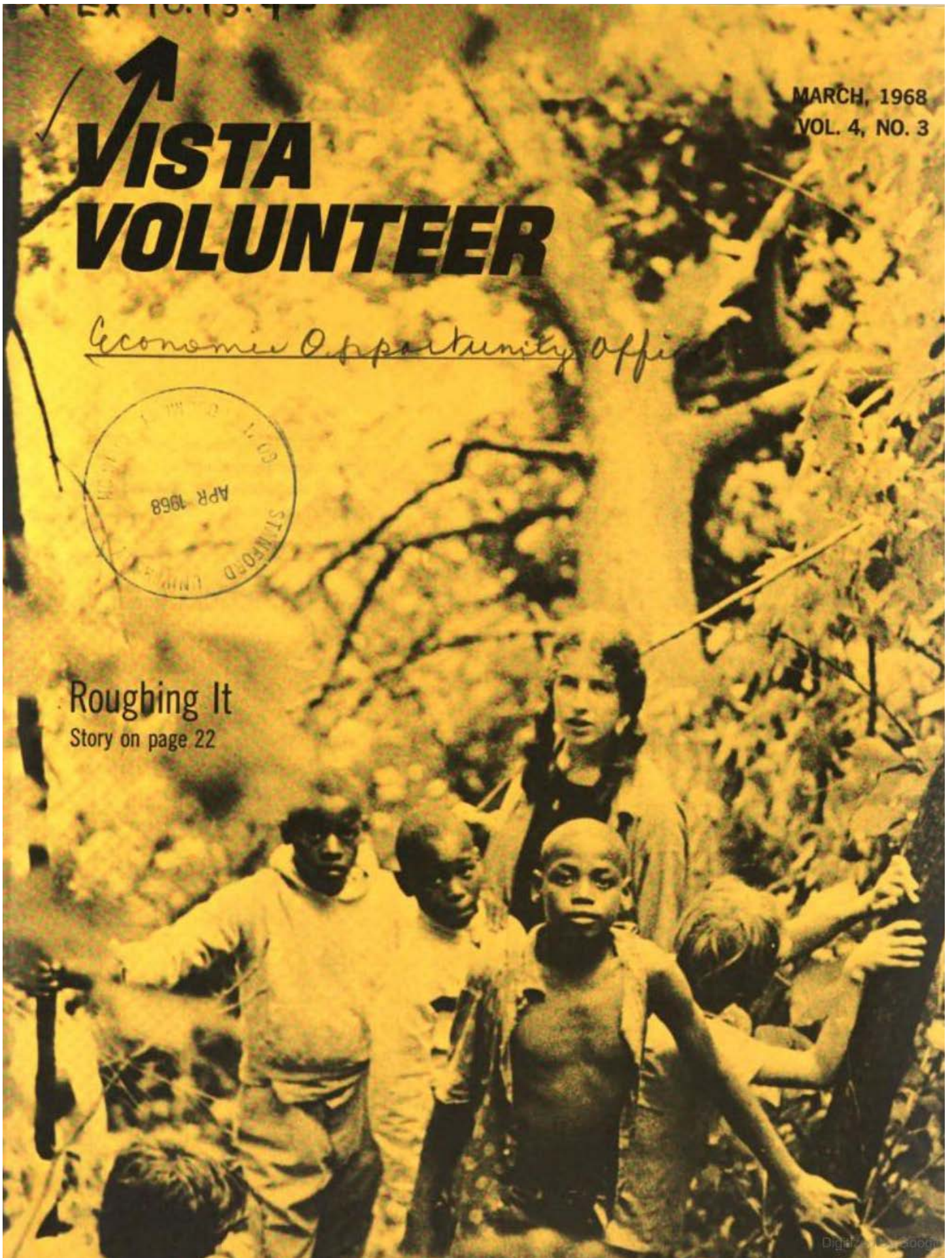
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Roughing It
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VISTA Don Blacker is working on a plan to provide poor people with living accommodations they themselves own

part of a coercive pressure against them. We are trying to create an identity for community organizations so that they can feel they are capable of doing things as disciplined and organized groups requiring respectful consideration."

In Chicago 20 VISTA Volunteer lawyers are living and at work in the neighborhoods of the poor. In Detroit there are ten. The VISTA program is sponsored by the National Association of Community Counsel, an organization created by the National Aid and Defender Association, an affiliate of the American Bar Association. It represents the first time that a special OEO grant has been made to a legal service program, which had as its primary purpose representation of groups of the poor.

In the Chicago office, VISTA Volunteer Don Zuckerman, 25, of Merrick, Long Island, freshly out of NYU Law and a member of the New York Bar, drops in to do some research. He has just spent the morning with a woman welfare recipient who has been short-changed in her allotment check. Zuckerman will represent her at a departmental hearing. He has already learned that his presence alone may have the issue resolved in the woman's favor. But, he says, he is preparing to bring suit if necessary.

"We're interested in this woman as an individual and as a human being," he says, "but this could also be a good precedent case. People receive lump welfare checks with the allocations not

spelled out. They're never quite sure of what is included and how much for each category. We're trying to get the city to issue a breakdown, at least with the first check. It would go far toward eliminating a lot of friction between Public Aid and recipients."

Like all of the lawyers, Zuckerman attends a lot of meetings. "Housing and education are on their minds most," he says. "The people want to get their kids out of the slums. But, there are all sorts of abuses. There are some police officers who are just out to get arrests. If a warrant says 'Gonzales,' the officer will arrest the first 'Gonzales' he sees. People will find themselves convicted of offenses where they would have been acquitted if they had representation. People will call and say, 'I'm in jail. Can you come and help me. I wonder what I did.'"

Jack Hoeschler, 25, of LaCrosse, Wisc., and another NYU graduate, explains: "The biggest problem is not, as you might think, lack of leadership because the leaders are intelligent and articulate people, but the lack of time and organization.

"We've found in my area of public housing the groups are quite small and often little more than cliques of friends who get together to discuss common problems. They want to run right out and demonstrate instead of sending someone ahead to do the negotiating. Or they will ask for public officials to come to address them, which the officials are not about to do as a rule. If an official does show up, confrontation

doesn't get anything done. The official gets defensive and the others attack. The organizations don't seem to realize this. I want to get them to understand that the simple confrontation of numbers is not the way to get what they want and that skilled advocacy, good information and preparation is the key."

Hoeschler, like the others, is mainly interested in community organization work but, also like the others, he finds himself frequently involved in individual issues. "I've been going through a tray of horrors all day," he says. "For example, there is a disabled woman on public aid who has high blood pressure, a bad heart and diabetes. She lives alone and the city has cut off her telephone because a caseworker says she is spending more on phone calls than the \$4.40 a month she is allocated. This is a clear violation of the law. We want the city to hold a hearing before taking such actions. We want prior hearings."

He is also defending a woman from eviction. She has eight children and she's being thrown out of a public housing project. The charge is poor housekeeping.

And, he says, there is the question of eligibility to public housing. "There is blatant discrimination. At least four of the public housing projects are 95 percent white. The others are at least 98 percent Negro. There is the question of women rejected from public housing because their children are

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illegitimate. They can appeal the rejection but they don't know this and nobody bothers to tell them. When a lawyer comes on the case, things change. Frequently his presence alone can decide a case differently. The entire system is geared for default judgments. If a lawyer appears, the city usually gives in."

Hoeschler has distributed difficult to obtain copies of the welfare regulations and is instructing groups in their use, "so that at least they know their rights. So often they don't and can't find out."

He says: "I think we're pretty well accepted. They can recognize professional skill and the need for it."

Lawyers Don Blacker and Allin Pierce have drawn up a 14-page, resident-owner study, which shows, point by point, the steps whereby a community organization can form a non-profit corporation and move to take over federally-funded, rehabilitated property. If the move is successful, it will point the way to community groups all over the country and provide poor people with living accommodations they themselves own under cooperative or condominium plans.

And, at the weekly Thursday afternoon get-together in Chicago of the VISTA lawyers, presided over by William Marsh, Director of the National Association of Community Counsel

and the man who had the idea of sending advocates to the poor, Pierce reports on instituting criminal proceedings against landlords.

"The first thing you do," he says, "is find a crummy building. That's not hard to do. Go through it with the tenants. Then you go to the Bureau of Frauds and a tenant files a complaint. One tenant can complain and the entire building has to be inspected. Landlords get pretty mad when they find out they are suddenly subject to criminal charges. The landlord is called in and told he has 10 days to get something done or he will be prosecuted."

In Detroit John Pittoni, 25, of Lyn-

VISTA Eric Robertson:

"You can't expect to send a pink-faced white kid into a black area and expect him to come up with solutions. But my partner is white and he's been able to identify."

brook, Long Island, a Fordham University Law School graduate and son of a Nassau County Supreme Court Justice, is working on a combined attempt to get a tenant rights bill through the state legislature, methods of financing small businesses, the possibility of beginning an ombudsman system, revision of welfare laws and the Algiers Motel case, which has become nationally notorious. In this case a lower court judge dismissed the charges against three policemen of shooting three Negro youths during the riot on the grounds of insufficient evidence against them. "The coroner testified," Pittoni said, "that the youths had been shot while in either a kneeling or lying down position. There is a whole series of facts to show at least a reasonable doubt." Pittoni and others are working to re-open the case as a civil rights violation, as was done by the Federal government in the Schwerner case in Mississippi.

David Beale, 25, of Washington, D.C., and Harvard Law, and Michael Dearington, 25, of Danielson, Conn., a graduate of American University Law School, are doing research and advising groups on how to incorporate to obtain tax concessions. They

are particularly interested in obtaining tax-deductible contribution status for such groups.

If they are successful they will have opened a vast source of funding to community organizations all over the country.

Stephen Rodner, of White Plains, New York, and NYU Law School, and James McMahon, of Wellesley, Massachusetts, and Harvard Law, are representing a group of mothers receiving Aid to Dependent Children allotments in a series of hearings. They are bringing 40 such hearings in an attempt to "get the department to clear up a lot of backlog injustices and to develop cases which can be taken to the state circuit courts." They have begun to write a handbook on public assistance for the mothers, spelling out their rights and their rights of redress. Rodner is hoping soon to publish a consumer's newspaper on such standard ghetto maneuvers as fraudulent business practices, high-interest loans and the swamp of installment-repossession devices which gouge the poor.

Some of the VISTA lawyers are discouraged about the situation. "There are problems everywhere," says one,

"in education, housing, jobs. The organizations, when they exist, are understaffed, ill-equipped, without funds; they don't have *anything*. The job of organizing them is virtually impossible. We can't get through to the people and the entire thing looks hopeless."

But that same Volunteer lawyer helped to bring a mandamus suit against the city of Detroit, requiring it to tear down a deserted building, which had become a haven for derelicts and a menace to the neighborhood children playing in its ruins.

At the very least, even for those VISTA lawyers who find the problems of the ghetto impenetrable, the program, as it continues and expands, is going to release into American society an especially well-equipped and uniquely experienced group of young attorneys who will know something about society they could have learned in no other way.

As Don Colleton said, "I'm not certain what I'm going to do when my tour of service is up but I do know that my time spent here is going to color whatever I do for the rest of my life." ■