



GOVERNMENT + POLITICS

HISTORY

RACE

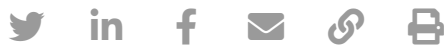
COMMENTARY


Eminent domain's long-ago racism still hinders African Americans today

The loss of homes and communities reversed Black progress.

| ROGER CHESLEY

SEPTEMBER 18, 2023 12:55 AM



 TULSA, OK – JUNE 19: A man displays a shirt celebrating the freedom of enslaved Black people during the Juneteenth celebration in the Greenwood District on June 19, 2020 in Tulsa, Oklahoma. Juneteenth commemorates June 19, 1865, when a Union general read orders in Galveston, Texas stating all enslaved people in Texas were free according to federal law. (Photo by Michael B. Thomas/Getty Images)

More than a half-century ago, several colleges in Virginia benefited by usurping the onetime properties of Black people.

The cruel irony? Those African Americans whose homes were snatched, often legally by utilizing eminent domain, weren't welcomed at those same universities.

Those property seizures are a stain on the commonwealth. They were racist in result – and often in intent, too, [according to some published accounts](#). They destroyed Black middle-class communities or prevented those locales from gaining such status.

Eminent domain and Virginia institutions of higher learning

Eminent domain allows governments to take private property for public use, even if the landowners don't want to sell. (This was far different from the vigilante terror that destroyed places like [Black Wall Street](#) in Tulsa, Okla., in 1921.)

“People saw black neighborhoods as bad neighborhoods that should be cleared,” said Dana Berliner, litigation director and senior vice president of the [Institute for Justice](#). It's a libertarian, nonprofit public-interest law firm based in Arlington County.

“The whole structure of how eminent domain works, and what is allowed to justify it,” Berliner told me, “is very much stacked against African American neighborhoods.”

The mid-20th century was a time when African Americans had limited options of where they could live and run businesses. Redlining, [restrictive covenants](#) and [white hostility](#) and violence crammed many Black people into ghettos. African Americans had few ways to challenge the abusive land takings because they lacked political clout in the South before the [Voting Rights Act](#) became law in 1965.

We are reminded of this sordid history about colleges in the commonwealth – or for folks like me, initially learned about it – because of two recent articles by the Virginia Center for Investigative Journalism at WHRO, a public radio station in Norfolk.

The first story covered [the creation of the campus of Christopher Newport University](#) in Newport News. The [second relayed](#) the expansions of Old Dominion University in Norfolk and the University of Virginia in Charlottesville.

The seizure of properties for what became CNU was an “egregious wrong,” Anthony Santoro, the university’s president from 1987 to 1996, told the news outlet. “Historically, the city (of Newport News) has to own up to the fact that this was a deliberate attempt to get rid of a Black community, because there were many places that the school could have been built.”



An aerial image shows an area of Newport News in 1959 which contained a Black community that was gradually destroyed to create the campus of Christopher Newport University. (City of Newport News)

An aerial image of the same area of present-day Newport News, where Black properties were replaced by the expanding campus. (City of Newport News)

Similar events occurred at ODU and U.Va., where the use or threat of eminent domain removed thriving areas. The former’s expansion in the 1960s and ’70s swallowed up much of the middle-class Black community of Lamberts Point in Norfolk, including houses, grocery stores and churches. The latter’s growth obliterated several Black neighborhoods in Charlottesville. Meanwhile, the city itself seized communities like Vinegar Hill, a Black section of commerce, under the banner of proposed urban renewal.

Cities and housing authorities had to prove part of a neighborhood was “blighted” to exercise eminent domain, but the level of proof was woefully low. Property owners rarely got fair value for the parcels and homes they lost. They had to move to areas without the same amenities and services. Gone was the support system that helped make their neighborhoods their own pride and joy.

Black Americans suffered disproportionately nationwide, too, from the condemnations – and not just by universities. Local and state governments often used them to build highways, K-12 schools and other public projects.

“[Eminent Domain and African Americans](#),” a 2007 report for the Institute of Justice, found that between “1949 and 1973 ... 2,532

projects were carried out in 992 cities that displaced one million people, two-thirds of them African American.” That made Blacks “five times more likely to be displaced than they should have been given their numbers in the population.” Blacks were about 12% of the population then.

That was not a coincidence.

Lasting impact, widening wealth gap

Passing real estate down to heirs is one of the key ways families accumulate wealth. The seizing of properties decades ago stunted a path to prosperity for many African Americans, who already faced the legacies of slavery, Jim Crow, lynchings and second-class citizenship designed to crush their souls.

It’s no surprise, then, that the wealth gap between whites and Blacks remains so wide today: In 2019, the median wealth of Black households [in the United States was \\$24,100, compared with a whopping \\$189,100 for white households](#). Those figures help explain why many African Americans continue to struggle to get ahead today.

Across Virginia, eminent domain–related decisions involving capital projects have nearly obliterated memories of many Black communities:

- To build the Pentagon in 1942, [the federal government condemned East Arlington](#), giving residents there less than a month to move. [Queen City, another nearby Black community](#), was razed to help provide commuter access. A [highway consultant said](#) at the time the new road network “takes out some troublesome darkey slave cabins” and “cleans up that strip.”
- Construction of Interstate 95 in the 1950s through Richmond [ran through Jackson Ward, displacing thousands of Black residents](#).
- The completion of I-464 in Chesapeake in the 1980s [cut off the South Hill neighborhood from its surroundings](#).
- Even as recently as 2017, a small community of freed slaves’ descendants [had faced removal from their land in Prince William County](#) because of the proposed development of a 38-acre computer data center. The plan eventually was jettisoned.

Steven Woolf was lead author of a 2021 study titled “Deeply Rooted: History’s Lessons for Equity in Northern Virginia.” It

included a section on eminent domain and the displacement of Black communities.

“We take the position [that] the majority of this was systemic racism,” said Woolf, director emeritus and senior advisor at the Virginia Commonwealth University Center on Society and Health. The study also focused on topics including education and jobs.

Next steps

Though eminent domain is still legal, “It’s not being done in the draconian way it was done [before] with the wholesale destruction of black neighborhoods,” he added. However, several U.S. policies continue to contribute to the racial wealth gap.

So what should happen now, decades after the worst abuses of eminent domain occurred?

Woolf said he and his colleagues did suggest the “R” word – reparations – for the loss of property. [The study](#) mentions a program in [Evanston, Ill.](#), that awarded \$25,000 to a specific, [limited number of Black households](#) to use for home repairs or as down payments.

It’s a loaded topic. That doesn’t mean it should be ignored.

We must acknowledge the property seizures that took place throughout Virginia’s history as ugly and racist, as they indeed were. The use of eminent domain had an outsized impact on African Americans, who have constantly struggled against a stacked deck. The loss of homes and communities reversed Black progress.

Nor should the discussion end there. Justice and equity require nothing less.



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EDUCATION

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COMMENTARY

At the very least, Loudoun school official deserves apology from Miyares, Youngkin

The two elected state officials have repeatedly used the power of their offices way out of proportion to perceived shortcomings in education.

| ROGER CHESLEY

JULY 10, 2023 12:09 AM



📷 Attorney General Jason Miyares. (Graham Moomaw/Virginia Mercury)

The longtime spokesman for Loudoun County Public Schools, among the officials excoriated by the [governor](#) and the attorney general after a student was charged in two sexual assaults at separate schools, was [acquitted recently](#) of a felony perjury charge. Wayde Byard, accused of lying to a special grand jury investigating the botched handling of the 2021 crimes and their aftermath, was found not guilty.

The circuit court jury [deliberated less than two hours](#). You won't see many juries debate felony cases in less time.

"I was relieved," Byard told me by email regarding the ruling. "I really can't say I was happy after six months of emotional limbo."

No kidding.

Byard had been on administrative leave without pay. The division just gave him nearly \$89,000 in back pay, a county schools official told me. Byard told me Thursday he's back at work.

Jennifer Leffler, Byard's attorney, said he was a scapegoat and under fire, she told me, because the sexual assaults "brought negative attention to the school system."

The least Gov. Glenn Youngkin and Attorney General Jason Miyares should do is apologize to Byard. They haven't, and they probably won't – even though they've lambasted Loudoun County schools officials over these horrible crimes. (The former superintendent, who the school board fired, still faces criminal charges related to the assaults.)

Youngkin's spokesperson didn't respond to my request for comment.

Victoria LaCivita, [Miyares'](#) spokesperson, said after the verdict: "The Special Grand Jury indicted Mr. Byard after hearing all of the evidence, and we are proud that the Judge agreed with us time and time again that this case needed to be heard in front of a jury. ... While we are disappointed with the jury's decision, we're proud of our team for uncovering the truth and providing answers to concerned Virginia parents."

In other words, she doubled down on the state's punitive actions.

Youngkin and Miyares should be ashamed. When top state officials lambaste public servants and drive efforts resulting in criminal

charges, they should have the guts to admit publicly when they were wrong.

Yes, Loudoun County Public Schools officials made many mistakes. [The grand jury's 92-page report](#) notes them, including this stinging finding: "We believe that throughout this ordeal LCPS administrators were looking out for their own interests instead of the best interests of LCPS." The report also noted "a breakdown of communication" among several local agencies in handling the cases against the teen attacker.

Whether anyone in the school division deserved to face *criminal* charges, though, was questionable at best. The grand jury issued indictments in [December 2022](#).

Some background here is useful:

Youngkin and Miyares, running in 2021 for their current positions, had castigated school officials repeatedly while saying parents deserved a stronger voice in education. They ginned up a parents' rights platform all the way to the election, [which both won narrowly](#) over their Democratic Party opponents.

The incidents in Loudoun County caused national attention because the male attacker during the first incident in May 2021 was wearing a skirt, though there's no proof he is transgender. The attack occurred in a girls' bathroom at Stone Bridge High School. The teen and the girl had had consensual sex in the school bathroom previously, the grand jury noted.

The politics of the case was obvious, if misdirected. The division was trying to start a policy of allowing [transgender students](#) to use the bathroom matching their gender identity. Opponents seized on the first attack after it became public.

The assailant, later allowed to attend Broad Run High School while awaiting trial, then groped and strangled a female student in a classroom there in October 2021. He later was convicted in Loudoun County juvenile court in both sexual assaults.

The special grand jury stated the second attack should've been prevented. "A remarkable lack of curiosity and adherence to operating in silos is ultimately to blame for the October 6 incident," the report said.

Youngkin, on his first day in office in January 2022, issued several education-related executive orders. Among them: He requested the

attorney general to [conduct a full investigation into Loudoun County Public Schools](#).

“The Loudoun County School Board and school administrators withheld key details and knowingly lied to parents about the assaults,” the executive order continued.

The two elected state officials have repeatedly used the power of their offices way out of proportion to perceived shortcomings in education.

Youngkin’s first executive order ended “critical race theory” in public education, even though K-12 schools don’t teach it in Virginia. The move was a sop to conservatives.

[He instituted a short-lived “snitch line” against teachers](#). It was started “for parents to send us any instances where they feel that their fundamental rights are being violated, where their children are not being respected, where there are inherently divisive practices in their schools,” Youngkin said. Administration officials didn’t confirm the shutdown of the email address until [news media outlets asked about it](#), suggesting the line was a dud.

Orwellian snitch line shuts down. Will gov end assault on teachers?



It was so punitive. So unnecessary. And so past time for Gov. Glenn Youngkin to shut down his teacher snitch line. His spokeswoman, Macaulay Porter, confirmed to me the euphemistically named “help education email” was deactivated in September, eight months after Youngkin announced its start. The acknowledgment finally came after Axios reported last week that ... [Continue reading](#)

 Virginia Mercury

[Miyares launched a probe in January](#) on the delayed recognition of National Merit Scholarships in Fairfax County. The school division itself sought [an independent probe by a law firm](#), and that

investigation found no evidence “to support the claims published in late 2022 suggesting that some FCPS high schools intentionally refrained from notifying Commended Students of their National Merit recognitions, and no evidence that the process or timing for student notifications were impacted in any way by racial considerations or any effort to minimize or fail to celebrate students’ achievements.”

Back to Loudoun County. It’s not unusual for sexual assaults to occur in schools, unfortunately.

A study released late last year found more than 12,000 incidents on Virginia’s K-12 campuses over a five-year period, the [Investigative Reporting Workshop found](#). The allegations included everything from [sexual harassment to first-degree rape](#).

Will the current state administration tackle the widespread problem? Or will it raise its voice only for political purposes in a handful of incidents?

So far, it’s been only the latter.



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COMMENTARY

Helping panhandlers involves more than just easing bans on begging

| ROGER CHESLEY

OCTOBER 20, 2023 12:56 AM





📷 Signs like this one, in Chesapeake's Edinburgh section, discourage motorists and pedestrians from giving money to panhandlers. The city erected the signs in several retail areas. (Roger Chesley/The Virginia Mercury)

Alexandria's City Council recently voted [to repeal some restrictions on panhandling](#), noting the regulations violated federal court rulings involving free speech. [Other localities around Virginia](#) have taken [similar actions](#) over the past decade.

The unanimous council vote in Alexandria, a city of 155,000, evinces compassion for people often struggling to find food, shelter – and a dose of humanity.

The bigger issue, though, is this: What are communities doing to transform panhandlers' lives so they achieve stability – and won't

shuffle along streets with a proverbial tin cup? Also, do we actually *harm* supplicants when donating spare bills?

I get the impression, based on news reports, the official response is mixed. Some officeholders wish beggars would just disappear and leave residents alone. Others actively direct panhandlers – who are often homeless – to services ranging from mental health counseling to job seeking.

Formerly incarcerated Virginians ten times more likely to face homelessness



Over the four and a half years that Shiri Yadlin worked as a housing coordinator for a D.C.-based church, she heard from her formerly incarcerated clients again and again about an abundance of barriers to securing permanent housing. After she began her current job as a senior program manager for the Corporation

for Supportive Housing, ... [Continue reading](#)



Virginia Mercury

“We try to encourage people not to give” to panhandlers but donate instead “to one of the many organizations that serve the homeless,” Mary Riley, community programs administrator in Chesapeake’s Human Services Department, told me. Signs around the city, for example, urge people to “contribute to the solution” by donating to local charities and directing the homeless population to a housing crisis hotline.

A few years ago, Chesapeake opened a [resource center](#) where homeless individuals can take showers, wash their clothes, get a meal and receive help landing a job. Some 25 to 30 people visit the center each day, Riley said.

Fairfax County goes even further: It runs a program called [“Operation Stream Shield”](#) in which homeless persons are paid to pick up litter, landscape and remove invasive plants in waterways. It

started as a pilot project in 2019 and now includes nonprofit organizations that partner with the county.

The locality copied the idea from a program that began in 2015 in Albuquerque, New Mexico, called “[There’s A Better Way](#).” That city wanted to reduce panhandling, remove litter and provide dignity through work. (The city has since overhauled the program using a “a holistic approach to do case management and other supportive services,” Heidi Shultz, Albuquerque homeless program division manager, told me this week.)

Several communities around the country – including [Philadelphia](#) and [Oklahoma City](#) – have adopted components of Albuquerque’s original model, tailoring it to their own circumstances and goals.

In Philadelphia, for example, the program uses a lottery to select who “won” the chance to work that day. The lucky few earn \$50 for a half-day’s work cleaning up streets around the City of Brotherly Love.

Pat Herrity is Springfield’s longtime representative on the Fairfax County Board of Supervisors. He said ending panhandling is a public safety issue, too. People begging on roadways put themselves and motorists at risk – the latter as they slow down while being generous. They could get rear-ended.

“We’ve all seen close calls,” Herrity told me Wednesday.

The county’s clean-up program last year collected 270 tons of litter and 373 bags of invasive plants, he said. Some 30 participants garnered full-time employment, too.

That’s impressive. Maybe even life-changing.

If you’re like me, you probably go through a range of emotions when encountering panhandlers: Many look vulnerable, especially elderly women and adults who bring children with them. They pull at our heartstrings.

Or they may be on a never-ending grift, taking advantage of our sympathy – and naiveté. Some may look intimidating. “I’ve had businesses tell me that employees have left to go panhandle” because it’s more lucrative, Herrity said.

Riley, from Chesapeake, calls some beggars “professionals” who raise a lot of money but aren’t homeless. That’s not always the case, however.

Is giving a couple of bucks, or even a couple of Lincolns, so bad? Or does such generosity do more harm than good, allowing people to use the cash for drugs or alcohol?

I remember a column I wrote for [The Virginian-Pilot in 2017](#), in which I'd interviewed a frequent panhandler who was begging along an interstate exit in Virginia Beach. He was well known to local police.

Give panhandlers a new task

Begging is a living for Alfred Ring, though he'd prefer a job. That's something the onetime construction worker hasn't had in 10 years. So Ring – equipped with a cardboard sign that reads, "Vietnam vet; Looking for work; Thank you" – labors along the side of the road. When I caught up with the oft-homeless ... Continue reading

 The Virginian-Pilot

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The same day the column ran, a guy called me claiming to know the panhandler and his family. He said the panhandler was playing on the goodwill of people, had a home to live in and wasn't destitute.

My takeaway? We simply don't know all the circumstances when we encounter folks begging for help – and looking like they need it.

That's why the responses in places like Chesapeake and Fairfax County are laudable. Some people will always try to get over. Others, though, would jump at a chance to put away their tin cups.



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