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## ORGANIZING IN DETROIT SOUP KITCHENS FOR POWER AND JUSTICE

Gregory B. Markus\*

### INTRODUCTION

Americans who have little or no regular income and who may be homeless or precariously housed confront multiple challenges in their daily lives. Some of the challenges are personal, perhaps the result of bad choices or bad luck. Others, including some that may appear to be personal at first blush, arise from structural factors, including misguided, obtuse, or downright unjust public policies and legal institutions.<sup>1</sup> For example, the rollout of the federal REAL ID Act of 2005<sup>2</sup> has made it difficult, and in some cases impossible, for millions of impoverished citizens and legal residents to acquire state identification cards or driver's licenses.<sup>3</sup> Without ID, they may be unable to rent an apartment, apply for employment, or even vote. Another example consists of current laws and policies that impede men and women with criminal records from obtaining employment or stable housing. Unsurprisingly, such individuals experience high rates of poverty and homelessness.<sup>4</sup> Or consider the laws in an increasing number of localities that criminalize activities indigent persons can

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<sup>1</sup> JOHN ICELAND, *POVERTY IN AMERICA: A HANDBOOK* (University of California Press, 3rd ed. 2013); Barrett A. Lee et al., *The New Homelessness Revisited*, 36 ANN. REV. OF SOC. 501 (2010); Mark R. Rank et al., *American Poverty as a Structural Failing: Evidence and Arguments*, 30 J. OF SOC. AND SOC. WELFARE 3 (2003); William Julius Wilson, *The Political and Economic Forces Shaping Concentrated Poverty*, 123 POL. SCI. Q. 555 (2008); WILLIAM JULIUS WILSON, *THE TRULY DISADVANTAGED: THE INNER CITY, THE UNDERCLASS, AND PUBLIC POLICY* (University of Chicago Press, 2nd ed. 2012).

<sup>2</sup> REAL ID Act of 2005, Pub. L. No. 109-13, 119 Stat. 231.

<sup>3</sup> Brennan Center for Justice at New York University, *Citizens without Proof*, [http://www.brennancenter.org/sites/default/files/legacy/d/download\\_file\\_39242.pdf](http://www.brennancenter.org/sites/default/files/legacy/d/download_file_39242.pdf); Richard Sobel, *The High Cost of 'Free' Photo Voter Identification Cards*, Cambridge (Charles Hamilton Houston Institute for Race & Justice, Harvard Law School 2014), <http://today.law.harvard.edu/wpcontent/uploads/2014/06/FullReportVoterIDJune20141.pdf/>

<sup>4</sup> Wendy Heller, *Poverty: The Most Challenging Condition of Prisoner Release* 13 GEO. J. ON POVERTY L. & POL'Y 219 (2006); Caterina G. Roman & Jeremy Travis, *Taking Stock: Housing, Homelessness, and Prisoner Reentry* (2004); Caterina G. Roman & Jeremy Travis, *Where Will I Sleep Tomorrow? Housing, Homelessness, and the Returning Prisoner* 17 Housing Policy Debate, 389 (2006); Anthony C. Thompson, *Navigating the Hidden Obstacles to Ex-Offender Reentry*, 45 B.C. L. REV. 255 (2004).

scarcely avoid doing, such as lying down in a park or sitting in a doorway.<sup>5</sup>

As isolated individuals, the poor and the homeless are powerless to challenge institutions that add to their misery. Working together as members of an organization, however—and at times in collaboration with attorneys, prosecutors, and judges—they can effect meaningful change to advance justice, equity, opportunity, and hope. In so doing, they acquire dignity, respect, and community. This article documents the work of one such organization, Detroit Action Commonwealth (“DAC”). I propose that useful lessons may be drawn from DAC’s experience, although it provides no template to be applied mechanically. Each setting is different, and Detroit is distinctive in several important respects, as discussed below. The general thesis advanced here is that progress is possible—if organizers and organization leaders work strategically, courageously, and lovingly.

This thesis is a contested one. Some scholars, most notably Frances Fox Piven and Richard Cloward, have argued that devoting time and energy to building membership organizations of the poor is futile or even counterproductive to the degree that it diverts energy that could be used more effectively in other, socially disruptive ways.<sup>6</sup> Poor people can succeed in wresting concessions from elites, Piven and Cloward contended, only in those relatively rare historical moments in which elite regimes are vulnerable to being split and influenced through mass disruption of established social institutions: mobilization rather than organization.<sup>7</sup> Moreover, other scholars have asserted that a combination of secular trends—globalization, neoliberalism, increasing residential mobility, and the retreat from civic life—has severely constricted the relevance and power of local organizing.<sup>8</sup> According to this

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<sup>5</sup> Jamie Michael Charles, ‘*America’s lost cause*’: *The unconstitutionality of criminalizing our country’s homeless population*, 18-2 B.U. PUB. INT. L. J. 315 (2009); Maria Foscarinis et al., *Out of Sight—Out of Mind?: The Continuing Trend Toward the Criminalization of Homelessness*, 6 GEO. J. ON POVERTY L. & POL’Y 145 (1999); John B. Mitchell, *Crimes Of Misery and Theories Of Punishment*, 16 NEW CRIM. L. REV. 465 (2012); Donald Saelinger, *Nowhere to Go: The Impacts of City Ordinances Criminalizing Homelessness*, 13 GEO. J. ON POVERTY L. & POL’Y 545 (2006).

<sup>6</sup> FRANCES FOX PIVEN & RICHARD A. CLOWARD, *POOR PEOPLE’S MOVEMENTS* (Vintage Books 1979); Richard Cloward & Frances Fox Piven, *Disruption and organization: A reply to Gamson and Schmeidler*, 13 THEORY AND SOCIETY 587 (1984).

<sup>7</sup> FRANCES FOX PIVEN & RICHARD A. CLOWARD, *POOR PEOPLE’S MOVEMENTS* xix-xxii; 13-14 (Vintage Books 1979).

<sup>8</sup> John McKnight, *Community Organizing in the Eighties: Toward a Post-Alinsky Agenda* in JOHN MCKNIGHT, *THE CARELESS SOCIETY: COMMUNITY AND ITS COUNTERFEITS* (Basic Books 1995); Joseph Heathcott, *Urban activism in a*

argument, although locally based organizing of impoverished and working-class urban Americans may have succeeded in decades past, “today's community organizers cannot assume that either their assumptions about local structures or the tactics handed down from earlier generations are appropriate to the kinds of neighborhoods in which they work today.”<sup>9</sup>

Disagreements about choices of organizational form and strategy raise important points. No one type of organization is likely to be superior to others, always and everywhere, in wresting concessions from elites;<sup>10</sup> and organizing locally to address injustices exacerbated by emerging global forces is daunting indeed. Unlike mass movements and advocacy groups, however, the purpose of DAC, and organizations like it, is not only to score wins on issues. DAC also creates settings in which members can experience individual and collective power, build relationships of mutual respect and trust, develop their capabilities and confidence, and hone their political skills and instincts.<sup>11</sup> As the legendary organizer Saul Alinsky emphasized in *Rules for Radicals*, “the constant guiding star of the organizer is in those words, ‘The dignity of the individual.’”<sup>12</sup> This point is particularly salient if the organization comprises individuals who have been dismissed to the margins and disrespected for their entire lives.

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*downsizing world: Neighborhood organizing in postindustrial Chicago*, 4 CITY & COMMUNITY, 277 (2005); James DeFilippis et al., *CONTESTING COMMUNITY: THE LIMITS AND POTENTIAL OF LOCAL ORGANIZING* (Rutgers University Press 2010).

<sup>9</sup> John McKnight, *Community Organizing in the Eighties: Toward a Post-Alinsky Agenda* in JOHN MCKNIGHT, *THE CARELESS SOCIETY: COMMUNITY AND ITS COUNTERFEITS* (Basic Books 1995).

<sup>10</sup> See, e.g., Daniel M. Cress & David A. Snow, *The Outcomes of Homeless Mobilization: The Influence of Organization, Disruption, Political Mediation, and Framing*, 105 AM. J. SOC. 1063 (2000).

<sup>11</sup> Brian D. Christens, & Paul W. Speer, *Community Organizing: Practice, Research, and Policy Implications*, 9 SOC. ISSUES AND POL’Y REV. 193 (2015); Jim Keddy, *Human Dignity and Grassroots Leadership Development*, 31 SOC. POL’Y 48 (2001); Paul W. Speer & Joseph Hughey, *Community Organizing: An Ecological Route to Empowerment and Power*, 23 AM. J. COMMUN. PSYCHOL. 729 (1995).

<sup>12</sup> SAUL ALINSKY, *RULES FOR RADICALS* (Random House 1971).

## I. LAWS AND POLICIES CAN CREATE POVERTY TRAPS

In the United States today, a person who lacks a government-issued photo identification card will find it nearly impossible to escape from poverty. Without your state ID or driver's license, it will be difficult or impossible for you to land a regular job, rent an apartment, enroll in school or job training, or in most places even get a library card. It will be equally difficult or impossible to apply for benefits for which you are eligible, including Social Security benefits. Some homeless shelters will not admit you without ID. If the police should stop you on the street and you are unable to provide proof of identity, you may find yourself on a ride to the precinct house, or even locked up. And in an increasing number of states, you will be barred from voting. "Without ID you don't exist," a gentleman at Detroit's Capuchin Soup Kitchen told me. Other diners at the table nodded in assent.

Contrary to what many people believe, obtaining that ID can be very difficult for impoverished Americans.<sup>13</sup> The federal REAL ID Act obliges states to examine numerous documents from an applicant before issuing a driver's license or identification card. The combination of documents can vary from case to case and state to state, but typically the applicant will need to provide an official copy of his or her birth certificate, proof of Social Security number or a letter from the Social Security Administration stating the person is ineligible for such a number, and proof of residence. If the applicant's name on the birth certificate differs from his or her current name—as a result of marriage or legal name change, for example—then the person must also provide evidence to that effect. Some states require additional documents. In Michigan, for example, applicants often must provide "U.S. school records, such as school ID cards with name and photo, diplomas, transcripts or yearbooks" as proof of their identity.<sup>14</sup>

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<sup>13</sup> KEESHA GASKINS & SUNDEEP IYER, THE CHALLENGE OF OBTAINING VOTER IDENTIFICATION (Brennan Center for Justice at New York University School of Law 2012); Richard Posner, *On Suggestion of Rehearing En Banc Frank et al. v. Walker*, U.S. Court of Appeals for the Seventh Circuit (2014), <http://media.jrn.com/documents/7circuitvoterid.pdf/>; Richard Sobel, *The High Cost of 'Free' Photo Voter Identification Cards*, Cambridge (Charles Hamilton Houston Institute for Race & Justice, Harvard Law School 2014), <http://today.law.harvard.edu/wpcontent/uploads/2014/06/FullReportVoterIDJune20141.pdf/>.

<sup>14</sup> Michigan Secretary of State, *Identification Requirements for Obtaining a Michigan Driver's License or State Identification Card* (2014), [http://michigan.gov/documents/DE40\\_032001\\_20459\\_7.pdf/](http://michigan.gov/documents/DE40_032001_20459_7.pdf/) (Accessed March 14, 2015).

Since early 2008, student volunteers from the University of Michigan, DAC leaders, and I have talked with more than 3,000 low-income, indigent, or homeless individuals who were attempting to obtain a Michigan ID for the first time or replace a lost, stolen, or expired one. Very few of them possessed all of the required documents when they came to us for assistance. Current laws and official policies present three significant problems for them and for similarly situated individuals. First, they must find out how to acquire the documents they need to obtain their IDs. For persons born or married out of state, or ones who need a copy of a school transcript issued decades ago and perhaps by a school or school district that no longer exists, this initial hurdle can present a formidable obstacle, one that individuals with limited literacy or computer skills are often unable to negotiate successfully. Second, without sufficient identification a person may well be unable to obtain the birth certificate, proof of Social Security number, school transcript, or other documents she will need to acquire or replace her state ID: in the Catch-22 world of identification in post-9/11 America, you need ID to get ID. In at least a dozen instances, it took me six months or longer to assist DAC members in clearing this hurdle.

Additionally there are the costs, in money and time. In Michigan, for example, it costs \$34 to obtain a birth certificate from the state vital records office—\$46 if you need it within two weeks. If you do not choose the expedited service, expect to wait up to five weeks for your request to be processed, according to the application. If you were born in Michigan and reside near your place of birth you may save some money by applying at the county clerk's office, assuming you have a way to get there. But if you were born in Wayne County, which includes Detroit, you may want to bring along a snack and something to read while you wait: it could take you half the day to "scrounge up a birth certificate," as the prevailing opinion of the Court of Appeals of the Seventh Circuit put it so artfully.<sup>15</sup> In addition, if you were born before October 1978 and your parents were unmarried when you were born, you must apply to Lansing for your birth record. If your name has been changed by marriage, the obligatory official copy of your marriage license can cost as much as \$20, depending upon the locality. The fee for the driver's license or ID itself is but the final hurdle on the ID obstacle course.

It took 18 months and more than \$300 for one DAC member to obtain her Michigan identification card. Katherine had been born at home in rural South Carolina in 1948. No birth certificate had ever been issued for her. She never had an ID or driver's license in her

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<sup>15</sup> *Frank v. Walker*, 768 F.3d 744, 748 (7th Cir. 2014).

life. When I met her at a Detroit soup kitchen in 2009, she was renting a tumbledown flat with no heat or electricity and working part-time at a social service agency for the elderly, stocking the shelves and assisting in serving meals. Despite having notarized letters from three of her sisters attesting to her birth, a record from the 1950 U.S. Census that showed her living with her parents in South Carolina, which took more than a month to obtain and cost \$75, and other documents we were able to piece together, the Michigan Secretary of State declined to issue an ID to Katherine. With a personal appearance at the U.S. passport office in Detroit and a good deal of arguing with the clerks on my part, she was issued a passport, however. With that passport, Katherine finally was able to obtain her Michigan ID, and she was also able to file for her widow's benefits at the Social Security office. A few weeks later, we moved her out of the unheated flat and into a small apartment in a subsidized-rent building downtown. She continued to work at her part-time job, mostly because she enjoyed being with the elders there. Katherine passed away two years later, at the age of 65, at home in her apartment. In her final years, she was able to travel to a family reunion down South and live in a measure of peace and dignity.

Among other laws that can push people into poverty or keep them there are ones involving so-called public order offenses. For example, because they do not have private housing or sufficient money to patronize bars or nightclubs, homeless individuals who drink alcohol often do so outdoors, although typically surreptitiously, such as in an alley or with the bottle concealed in a paper bag. This activity leaves them liable to being arrested, and many of them are in fact arrested.<sup>16</sup> In addition, an increasing number of American cities have enacted laws that criminalize activities indigent persons can scarcely avoid doing, such as lying down in a park, panhandling, or relieving oneself outdoors.<sup>17</sup> As Maria Foscarinis pointed out:

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<sup>16</sup> David A. Snow et al., *Criminality and Homeless Men: An Empirical Assessment*, 36 SOCIAL PROBLEMS 532 (1989).

<sup>17</sup> Maria Foscarinis et al., *Out of Sight—Out of Mind?: The Continuing Trend Toward the Criminalization of Homelessness*, 6 GEO. J. ON POVERTY L. & POL'Y 145 (1999); John B. Mitchell, *Crimes Of Misery And Theories Of Punishment*, 16 NEW CRIM. L. REV. 465 (2012); National Law Center on Homelessness & Poverty and National Coalition for the Homeless. 2009. *Homes Not Handcuffs: The Criminalization of Homelessness in U.S. Cities*, NLCHP (2009), [http://nationalhomeless.org/wp-content/uploads/2013/11/CrimzReport\\_2009.pdf/](http://nationalhomeless.org/wp-content/uploads/2013/11/CrimzReport_2009.pdf/); Donald Saelinger, *Nowhere to Go: The Impacts of City Ordinances Criminalizing Homelessness*, 13 GEO. J. ON POVERTY L. & POL'Y 545 (2006).

Imposing punishment on people for something they cannot reasonably avoid is not only futile, it is inhumane, and illogical. Government policies that attempt to "sweep" homeless people from public areas ... effectively pit those city residents who are housed against those city residents who are not, and thus serve to deepen division, encourage hostility, and undercut the possibility of achieving the political consensus necessary for real solutions.<sup>18</sup>

Individuals cited for public order infractions typically have no means to pay the associated fines, and so they can find themselves owing thousands of dollars in fines, fees, and penalties and with a warrant issued for their arrest. The outstanding tickets and warrants serve only to wedge them more deeply into joblessness and homelessness.

Or consider the plight of citizens returning to the community after a period of incarceration, quite possibly for minor drug offenses.<sup>19</sup> Ex-offenders may find it difficult or impossible to get hired for anything other than the most menial of jobs. Typically disadvantaged to begin with by lifetimes under conditions of poverty, inadequate education, and systemic racism,<sup>20</sup> their odds of obtaining gainful employment and becoming productive members of society are further diminished by the stigma of a criminal record.<sup>21</sup> Research has shown that these odds are particularly long for African Americans convicted of a criminal offense.<sup>22</sup>

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<sup>18</sup> Maria Foscarinis et al., *Out of Sight—Out of Mind?: The Continuing Trend Toward the Criminalization of Homelessness*, 6 GEO. J. ON POVERTY L. & POL'Y 145, 156 (1999); Alexes Harris et al., *Drawing Blood From Stones: Legal Debt and Social Inequality in the Contemporary United States*, 115 AM. J. SOC. 1753 (2010); Tina Rosenberg, *Out of Debtors' Prison, With Law as the Key*, NY TIMES (2015), <http://opinionator.blogs.nytimes.com/2015/03/27/shutting-modern-debtors-prisons/>.

<sup>19</sup> MICHELLE ALEXANDER, *THE NEW JIM CROW: MASS INCARCERATION IN THE AGE OF COLORBLINDNESS* (New Press 2012); Sara Wakefield & Christopher Uggen, *Incarceration and Stratification*, 36 ANN. REV. SOC. 387 (2010).

<sup>20</sup> MICHELLE ALEXANDER, *THE NEW JIM CROW: MASS INCARCERATION IN THE AGE OF COLORBLINDNESS* (New Press 2012); Steven Raphael, *Improving Employment Prospects for Former Prison Inmates: Challenges and Policy*, in PHILIP J. COOK ET AL., *CONTROLLING CRIME: STRATEGIES AND TRADEOFFS* (University of Chicago Press 2011); MICHAEL TONRY, *MALIGN NEGLECT: RACE, CRIME, AND PUNISHMENT IN AMERICA* (Oxford University Press 1996); BRUCE WESTERN, *PUNISHMENT AND INEQUALITY IN AMERICA* (Russell Sage Foundation 2007).

<sup>21</sup> Bruce Western et al., *The Labor Market Consequences of Incarceration*, 47 CRIME AND DELINQUENCY 410 (2001); Steven Raphael, *The New Scarlet Letter? Negotiating the U.S. Labor Market with a Criminal Record*, Upjohn Institute for Employment Research (2014),

Employment is a significant factor in promoting desistance from engaging in criminal activity.<sup>23</sup> Former offenders who cannot obtain lawful employment soon end up recidivating. Within three years of release, more than two out of three released prisoners are rearrested.<sup>24</sup> In addition, very high rates of joblessness and poverty among ex-offenders affect their families and the neighborhoods to which they have returned.<sup>25</sup>

## II. DETROIT ACTION COMMONWEALTH: A BRIEF HISTORY

Detroit Action Commonwealth is a nonprofit organization of more than 3,200 members, most of whom are low-income, indigent, or homeless Detroiters. Since its founding in early 2008, the organization has led a number of successful campaigns to change state and local policies and enact new laws. In addition, DAC fosters a culture of personal and collective efficacy<sup>26</sup> grounded in genuine accomplishment, it strengthens bonding and

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<http://www.upjohn.org/sites/default/files/Wefocus/The%20New%20Scarlet%20Letter.pdf/>.

<sup>22</sup> Devah Pager, *The Mark of a Criminal Record*, 108 AM. J. SOC. 937 (2003); DEVAH PAGER, *MARKED: RACE, CRIME, AND FINDING WORK IN AN ERA OF MASS INCARCERATION* (University of Chicago Press 2007).

<sup>23</sup> John H. Laub & Robert J. Sampson, *Understanding Desistance From Crime*, 28 CRIME AND JUSTICE 1 (2001); Steven Raphael, *The New Scarlet Letter? Negotiating the U.S. Labor Market with a Criminal Record*, Upjohn Institute for Employment Research (2014),

<http://www.upjohn.org/sites/default/files/Wefocus/The%20New%20Scarlet%20Letter.pdf/>; Christopher Uggen, *Work as a Turning Point in the Life Course of Criminals: A Duration Model of Age, Employment, and Recidivism*, 65 AM. SOC. REV., 529 (2000).

<sup>24</sup> Matthew R. Durose et al., *Recidivism of Prisoners Released in 30 States in 2005: Patterns from 2005 to 2010*, BUREAU OF JUSTICE STATISTICS SPECIAL REPORT, 2014 NCJ 244205, <http://www.bjs.gov/content/pub/pdf/rprts05p0510.pdf/>.

<sup>25</sup> TODD R. CLEAR, *IMPRISONING COMMUNITIES: HOW MASS INCARCERATION MAKES DISADVANTAGED NEIGHBORHOODS WORSE* (New York: Oxford University Press 2009); Harry J. Holzer, *Collateral Costs: Effects of Incarceration on Employment and Earnings Among Young Workers*, in STEVEN RAPHAEL & MICHAEL A. STOLL, *DO PRISONS MAKE US SAFER?* (Russell Sage Foundation, 2009); NATIONAL RESEARCH COUNCIL, *PAROLE, DESISTANCE FROM CRIME, AND COMMUNITY INTEGRATION* (National Academies Press 2007); MARY PATTILLO ET AL., *IMPRISONING AMERICA: THE SOCIAL EFFECTS OF MASS INCARCERATION* (Russell Sage Foundation 2004); Bruce Western & Christopher Wildeman, *The Black Family and Mass Incarceration*, 621 ANNALS AM. ACAD. POL. & SOC. SCI., 221 (2009).

<sup>26</sup> Robert J. Sampson et al., *Neighborhoods and Violent Crime: A Multilevel Study of Collective Efficacy*, 277 SCIENCE, 918 (1997).

bridging social capital,<sup>27</sup> and it promotes personal and organizational empowerment through leadership development workshops, organizer internships, nonpartisan voter education and mobilization drives, direct action, and collaboration with allied organizations locally, statewide, nationally, and even internationally. To date, four groups of organizers from Central and Eastern Europe have visited DAC to learn about what we do and how we do it. As of late 2015, more than 6,000 individuals had participated in DAC activities at one or more of the organization's three chapters, which meet weekly at the two Capuchin Soup Kitchens on the city's east side and at St. Leo Soup Kitchen on the near west side. University of Michigan students travel weekly to DAC meetings to learn, build relationships, and support DAC initiatives, including securing state IDs and/or birth records for more than 3,000 low-income and indigent Detroiters to date.

The purpose of Detroit Action Commonwealth is to build organized power to advance equity and opportunity for its members and for similarly situated people. It is continuously engaged in practical work toward that end: "Action" is its middle name. The organization is nimble, creative, and tenacious, adapting itself to the changing political terrain in Detroit and making the most of its limited financial resources. DAC asks that members pay annual dues of \$12, and many of them do so, although no one is turned away if they are unable to pay. Some members pay their dues in installments, sometimes as little as twenty-five cents at a time, because that is all they can afford. For most of its existence DAC operated with an all-volunteer staff, and even after seven years it has but one paid half-time organizer—a formerly jobless squatter in an abandoned house who rose up from the tables at the Capuchin Soup Kitchen to become a chapter leader, an organizer intern, a DAC board member, and now a paid organizer. Although it struggles with limited resources, DAC nevertheless has compiled a solid record of promoting human development in all of its dimensions: social, economic, political, personal, and spiritual.

I write this paper from the perspective of an insider. I have collaborated as a consultant, leader, board member, and organizer with community organizations in Detroit and elsewhere for more than 20 years, participated in intensive trainings conducted by veteran organizers from two national organizing networks, conducted research on political participation for more than 35 years, and taught an experiential learning course in community organizing for a decade. After engaging in a period of personal reflection, in late 2007 I asked an acquaintance who worked at the

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<sup>27</sup> ROBERT PUTNAM, *BOWLING ALONE* (Touchstone Books by Simon & Schuster 2001).

Capuchin Soup Kitchen if he would help me get a meeting with the organization's executive director, a brother in the Order of Saint Francis, whose friars are recognized worldwide by the brown hooded robes they wear. I sought the director's permission for a few students in my organizing course and myself to visit the Capuchin's two soup kitchens at mealtimes and get to know some of the guests who come there regularly to eat and to participate in various programs. I wanted to learn from the guests about the problems they confront in their daily lives and about their skills, talents, and aspirations. I wanted to find out how many of them would be interested in forming an organization in which my students and I would collaborate with them to plan and carry out practical actions to address problems they shared, to make good use of their skills and talents, and perhaps to help them develop some new ones.

I got the meeting with the director, and he gave me the permission I sought. So in early 2008, a team of five undergraduates and I began meeting at the tables with some of the regular guests. Over the course of three months, the soup-kitchen guests voiced a number of common problems and complaints to us. In addition, many of the men and women with whom we talked expressed willingness, mixed with a fair amount of skepticism, to meet as a group and discuss how an organizing plan might proceed. A few of them struck us as being potential leaders for the new organization. For a variety of reasons, we focused our initial efforts at the Capuchin Soup Kitchen on Conner Avenue, on Detroit's far east side. We secured permission to hold weekly preliminary meetings there after breakfast. Folks who stayed for the meetings could avoid the winter cold for an hour or so, which contributed to a healthy and fairly consistent turnout.

By spring, a group of a dozen or so regular participants had decided that the first issue they wanted to tackle together was the deplorable conditions at a nearby homeless shelter. Many of the men who stayed there slept on thin mats placed on the floor. Bed sheets went unwashed for many days. Blankets were chronically infested with lice and bedbugs. The showers were often out of order, and the toilets were filthy—all despite the fact that the shelter received substantial government funding as well as charitable donations.

After discussing various strategies to convince the shelter director to correct the problems, members of the group decided to write a letter inviting him to meet with them at the soup kitchen. A number of factors complicated the choice of strategy. A few of the men in the group, including one who was emerging as a leader of the group, stayed at the shelter, and they were understandably concerned that if they were perceived to be troublemakers, they

could find themselves with nowhere to spend the night. In addition, the founder of the nonprofit organization that ran the shelter was a well-connected elected official. A few individuals, including some of the soup kitchen staff, were plainly intimidated by that fact. In any event, the group agreed that no purpose would be served by alienating the founder or the shelter staff: the parent organization had a long history of running programs for youth, young adults, and ex-offenders that were much needed in the community and that had good reputations. The objective was to get the problems in the shelter corrected, not to burn bridges.

The group acknowledged concerns about possible repercussions to shelter residents who took part in the planned action. They agreed that if any of the men were kicked out or mistreated, they would immediately find another place for them to stay and would turn up the pressure on the shelter by taking the story to the media and, if necessary, holding a peaceful but assertive protest in front of the facility. They were confident that the nonprofit organization would not want any negative publicity. Ultimately, the men in the group who were staying in the shelter agreed not only to tell their stories at the planned meeting with the director but also to deliver the letter to him personally.

With encouragement from some mutual acquaintances, the shelter director accepted the invitation and appeared at the soup kitchen two weeks later to meet with approximately two-dozen members of the nascent organization. The group and I had discussed in advance how the meeting would proceed, the specific conditions they wanted addressed, and what would be a reasonable length of time to allow for the corrections to be completed.

We held the meeting with the shelter director after breakfast in the dining area of the soup kitchen around a group of tables we had pulled together. The group had selected Jerome, who stayed at the shelter occasionally, to lead the meeting. I invited the director to sit next to me, mostly so that I could intervene if he got up to leave once the tension started to rise.

Jerome thanked him for coming and explained the purpose of the meeting. He emphasized that the group's goal was to cooperate to improve the shelter, which would benefit everyone concerned. Several men gave their testimony about problems they had encountered at the shelter and things they had observed there. One man took off his shirt to display welts from bedbug bites on his neck, shoulders, and torso. Then Jerome listed the actions the group wanted the shelter to take: exterminate the bedbugs and lice, launder the bedclothes regularly, keep the bathrooms clean and in good repair, and so on. The group said they would give the shelter two weeks to comply, at which time they would invite the director back to the soup kitchen to provide a follow-up report.

The tension in the room was palpable. The shelter director said he had not come to the meeting to be insulted. Someone replied that the group respected him and his institution but that the men who stayed at the shelter deserved to be respected, too. The director countered by saying that the men who stay at the shelter create the problems there. Some of them refuse to take a shower, and some are intoxicated, he said. He said there was no washing machine at the facility, but the staff tried to take the sheets to a nearby laundromat weekly.

After some additional discussion, the director said he would begin correcting the problems immediately. He said we were welcome to visit the shelter in a few days to see for ourselves. The group thanked him, and a couple of men volunteered to accept his invitation. Two men who stayed at the shelter offered to assist with the cleanup and repair. We all shook hands, the meeting ended with a closing prayer, as is our custom, and the shelter director left.

We held a quick evaluation of the meeting immediately afterwards. Everyone was exhilarated that the meeting had gone so well and that the shelter director had agreed to their proposals. A member of the soup kitchen staff who observed the meeting complimented the men on the way they had conducted themselves. It appeared to me that he was impressed—and also relieved that the meeting had gone without incident.

A few days later, some members of the group verified that corrections were indeed being made at the shelter and that conditions there were much improved. The group invited the director back to meet with them, and he did so soon thereafter. Standing before a meeting of nearly forty soup kitchen guests, he described the work that had been accomplished. The group thanked him and gave him a hearty round of applause. It was evident that he was genuinely moved by the gesture. It appeared to me that this was as unprecedented an experience for him as it was for the members of our budding organization. Mutual respect was being strengthened.

Nothing helps to build an organization as much as winning on an issue that the potential members care about and that directly affects their lives. Our biweekly meetings grew in both size and enthusiasm. We held an official convening in April 2008 with nearly fifty people in attendance. The group voted to adopt the name “Detroit Action Commonwealth,” a combination of names that two leaders had suggested in our name-the-organization contest—and for which they each won a \$10 cash prize.

DAC membership grew rapidly. Our biweekly general meetings became weekly ones. We elected a board, comprised entirely of leaders who had risen up from the tables at the soup kitchen. In 2009, we added a chapter at the other Capuchin Soup

Kitchen, located on Meldrum Street, and a year we later launched a third chapter, at the Saint Leo Soup Kitchen on the city's west side. We won some significant victories on issues affecting our members, conducted regular leadership development workshops, and raised money to help support DAC projects, including a paid organizer internship program to which members could apply. We began getting attention from reporters and community organizations locally, nationally, and even internationally. With pro-bono assistance from attorneys at a major Detroit law firm, DAC incorporated and obtained its 501(c)(3) status in 2014. Soon thereafter, we received our first major grant to support our leadership development workshops and issue campaigns.

### III. DETROIT: THE STATE OF THE CITY

The context within which DAC operates is uniquely challenging.<sup>28</sup> According to available data (primarily from the U.S. Census Bureau's American Community Survey), a statistical profile of Detroit includes the following painful facts. The city's population plummeted by some 63% from its 1950 peak of 1.86 million to fewer than 700,000 as of 2013. Only 13% of Detroiters over the age of 25 hold at least a bachelor's degree, the lowest percentage of any major American city and less than half of the national figure of 29%. Nearly half (47%) of the city's residents aged 16 or older are categorized as being not in the labor force—that is, neither employed nor seeking employment. Another 16% are unemployed. At \$26,325, the median household income in Detroit is about half that of the nation as a whole, and the city's official poverty rate is a stunning 39%, more than two and a half times the national figure.

Poverty is epidemic among the city's youth: 57% of children under the age of 18 are officially poor, as are 63% of children under the age of five. According to the 2010 U.S. Census, nearly three out of five Detroit households with children are headed by a "female householder, no husband present."<sup>29</sup> Fully 59% of such households in Detroit are officially poor, as are two-thirds of such households with children under the age of five. Research indicates that children born and raised by a single, struggling adult, even with help from extended family and neighbors, under conditions of

<sup>28</sup> Gregory B. Markus et al., *Planning, Participation, and Power: The Struggle for the Soul of Detroit*. Paper presented at the Annual Meeting of the Midwest Political Science Association, Chicago, April 15, 2013.

<sup>29</sup> U. S. Census, *Selected Housing Characteristics, 2009-2013, American Community Survey 5-Year Estimates*, [http://factfinder.census.gov/bkmk/table/1.0/en/ACS/13\\_5YR/DP04/1600000US2622000/](http://factfinder.census.gov/bkmk/table/1.0/en/ACS/13_5YR/DP04/1600000US2622000/).

deep, concentrated poverty, enter kindergarten disadvantaged developmentally, and they fall further behind in each succeeding grade in terms of academic achievement.<sup>30</sup> In 2013, Detroit public-school students scored at the very bottom of a national assessment of fourth and eighth grade achievement in reading and mathematics conducted by the National Center for Education Statistics. Only 4% of Detroit fourth graders scored “proficient” or above in mathematics, and only 7% scored “proficient” or above in reading. For Detroit eighth graders, the comparable rates were 3% in mathematics and 9% in reading.<sup>31</sup> Between one-third and one-half of Detroit’s children fail to obtain a high school diploma, depending upon the methodology used to compute graduation rates.<sup>32</sup>

The Detroit public school system has been in, out, and back in to one form or another of state control since 1999. Various reforms have been implemented, including closing or restructuring dozens of public schools and opening a broad variety of charter schools and academies. Neither the Detroit Public Schools financial condition nor the academic achievement of Detroit youth has improved appreciably as a result.<sup>33</sup>

Detroit fares no better at providing public safety than it does at providing public education. The city is perennially at or near the top of the list of places with the highest rates of crime.<sup>34</sup> The Detroit Police Department (“DPD”) was under federal supervision

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<sup>30</sup> VALERIE E. LEE & DAVID T. BURKAM, *INEQUALITY AT THE STARTING GATE* (Economic Policy Institute 2002); James J. Heckman, *Skill formation and the economics of investing in disadvantaged children*, 312 *SCIENCE* 1900 (2006).

<sup>31</sup> National Center for Education Statistics, *2013 Mathematics and Reading: Trial Urban District Assessments* (2013), [http://www.nationsreportcard.gov/reading\\_math\\_tuda\\_2013/#/tuda-performance/](http://www.nationsreportcard.gov/reading_math_tuda_2013/#/tuda-performance/); Erik W. Robelen, *Urban Districts Post Gains on NAEP Math, but Reading Flatlines*, *EDUC. WEEK*, 6 (2011).

<sup>32</sup> Skillman Foundation, *State of the Detroit Child 2012*, DETROIT: SKILLMAN FOUNDATION (2012), [http://www.skillman.org/content/download/2702/24140/file/2012\\_Detroit\\_Child\\_report.pdf](http://www.skillman.org/content/download/2702/24140/file/2012_Detroit_Child_report.pdf).

<sup>33</sup> Marisa Schultz, *DPS deficit grows under Bobb*, *DETROIT NEWS* (2010), <http://www.detroitnews.com/article/20100310/SCHOOLS/3100376/>; Jennifer Chambers, *Bobb's Tenure Gets Mixed Reviews*, *DETROIT NEWS*, Feb. 11, 2011, at 1A; Mike Wilkinson, *Charter high schools in Detroit not making grade*, *DETROIT NEWS* (2011), <http://accelify.com/Home/Article/2922/>; Lori Higgins, *Charter schools authorized by DPS found to be among worst-performing statewide*, *DETROIT FREE PRESS* (2013), <http://archive.freep.com/article/20130212/NEWS06/130212018/Report-DPS-authorized-charter-schools-among-lowest-performing-statewide>.

<sup>34</sup> George Hunter et al., *Police Cuts Loom as Detroit Struggles to Curb Violence*, *DETROIT NEWS* (2012), <http://www.detroitnews.com/article/20120608/METRO01/206080362/>.

for more than a decade following allegations of excessive use of force, mistreatment of prisoners, and a finding by the U.S. Department of Justice that DPD had failed to train, equip, and discipline its officers properly.<sup>35</sup> The quality of other public services has also deteriorated steadily. Public transportation in the metropolitan area is a patchwork, with separate suburban and city bus operations that are only minimally coordinated. City bus service has sustained several cutbacks, further hindering the ability of many Detroiters to reach jobs, education, shopping, and medical services. According to the 2013 U.S. Census, one in four households in the Motor City lacks access to a private motor vehicle.<sup>36</sup>

The most visible indication of Detroit's decline is the sheer magnitude of blight, ruin, and abandonment within the city's 139 square miles. According to the *Detroit Future Cities* report, more than 150,000 real estate parcels, totaling more than 20 square miles, roughly the size of Manhattan, lay vacant.<sup>37</sup> Much of the housing that is occupied suffers from decades of deferred maintenance. The median selling price of a house in Detroit in 2011 was \$17,500.<sup>38</sup>

The relentless trend of residential abandonment accelerated because of the explosion of foreclosures that began in the mid-2000s. The city was a target for predatory lenders and speculative buyers in the years before the collapse of the U.S. real-estate bubble.<sup>39</sup> Unoccupied houses in Detroit soon fall prey to vandals and scappers who steal anything of value: plumbing and fixtures, furnaces and appliances, even aluminum siding. Taxes go unpaid, and eventually the properties revert to Wayne County, which has

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<sup>35</sup> Ben Schmitt, *Detroit Agrees to Reform the Police*, DETROIT FREE PRESS (2002), <http://www.911jobforums.com/f66/federal-takeover-detroit-police-department-16521/>.

<sup>36</sup> U. S. Census, *Selected housing characteristics, 2009-2013, American Community Survey 5-Year Estimates*, [http://factfinder.census.gov/bkmk/table/1.0/en/ACS/13\\_5YR/DP04/1600000US2622000/](http://factfinder.census.gov/bkmk/table/1.0/en/ACS/13_5YR/DP04/1600000US2622000/).

<sup>37</sup> Detroit Future City, *Detroit Future City: 2012 Detroit Strategic Framework Plan* (2013), [http://detroitfuturecity.com/wp-content/uploads/2014/12/DFC\\_Full\\_2nd.pdf/](http://detroitfuturecity.com/wp-content/uploads/2014/12/DFC_Full_2nd.pdf/).

<sup>38</sup> *Id.* at 583.

<sup>39</sup> Vikas Bajaj & Ford Fessenden, *What's Behind the Race Gap?* NY TIMES (2007), [http://www.nytimes.com/learning/teachers/featured\\_articles/20071105monday.html/](http://www.nytimes.com/learning/teachers/featured_articles/20071105monday.html/); MARGARET DEWAR & JUNE MANNING THOMAS, *THE CITY AFTER ABANDONMENT* (University of Pennsylvania Press 2013).

attempted to auction them off, with limited success, by the tens of thousands.<sup>40</sup>

The City of Detroit (“City”) receives the bulk of its revenues from local property taxes and a city income tax. As the value of the city’s tax base plummeted and the city’s working population and employment declined, so did municipal revenues. After Mayor Dave Bing assumed office in 2009, he reduced substantially the number of municipal employees and their salaries and scaled back city services.<sup>41</sup> Even so, the City’s financial condition worsened steadily, exacerbated by an exceptionally low rate of collection of revenues owed to the City<sup>42</sup> and a crippling burden of legacy costs of pensions and health benefits for municipal retirees.<sup>43</sup>

On February 19, 2013, a state-appointed financial review team reported that they had “unanimously determined that a local government financial emergency currently exists in the City of Detroit and no satisfactory plan is in place to resolve it.”<sup>44</sup> On March 14, Kevyn Orr, a veteran attorney who worked on the Chrysler LLC bankruptcy negotiations, was sworn in as Detroit’s emergency manager.<sup>45</sup> Four months later, Detroit filed the largest Chapter 9 municipal bankruptcy in history, and in December, U.S. Judge Steven Rhodes formally declared the City bankrupt.<sup>46</sup> The City emerged from bankruptcy twelve months later, following court approval of a complex deal involving substantial haircuts for private bondholders, modest concessions from the City’s retirees and workers, and pledged infusions of cash from foundations, the Detroit Institute of Arts, and the state. Altogether, the agreement

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<sup>40</sup> For example, of the 28,107 properties in the 2015 Wayne County tax auction, 9,449 were sold, according to data provided by Loveland Technologies, at <https://makeloveland.com/2015/top/>.

<sup>41</sup> Stephen Henderson, *Dave Bing needs to start delivering on his big promises for Detroit*, DETROIT FREE PRESS (2012), <http://archive.freep.com/article/20120308/COL33/203080715/Stephen-Henderson-Dave-Bing-needs-to-start-delivering-on-his-big-promises-for-Detroit/>; Monica Davey, *Bankruptcy Lawyer is Named to Manage an Ailing Detroit*, NY TIMES, Mar. 15, 2013, at A13.

<sup>42</sup> Christine MacDonald & Mike Wilkinson, *Half of Detroit Property Owners Don’t Pay Taxes*, DETROIT NEWS (2015), <http://www.detroitnews.com/article/20130221/METRO01/302210375/>.

<sup>43</sup> Monica Davey & Mary Williams Walsh, *For Detroit, a Crisis of Bad Decisions and Crossed Fingers*, NY TIMES, Mar. 12, 2013, at A1.

<sup>44</sup> Michigan Department of Treasury, *Review Team Finds ‘Financial Emergency’ in Detroit*, [http://www.michigan.gov/treasury/0,4679,7-121-1755\\_1963-295336--,00.html/](http://www.michigan.gov/treasury/0,4679,7-121-1755_1963-295336--,00.html/).

<sup>45</sup> Monica Davey, *Detroit Mayor Says City is Making Progress on Debt*, NY TIMES, Feb. 14, 2013, at A20.

<sup>46</sup> Monica Davey et al., *Detroit Ruling on Bankruptcy Lifts Pension Protections*, NY Times, Dec. 4, 2013, at A1.

erased about \$7 billion in municipal debt, providing a more stable financial footing for the City.<sup>47</sup>

The speedy emergence from bankruptcy, a sustained spurt of downtown and midtown development nurtured by young entrepreneurs as well as by established billionaires, and signs of regional cooperation on basic services offer some basis for hope that better days lie ahead.<sup>48</sup> Daily life in the Detroit's depopulated and destitute neighborhoods remains grim, however, and as many as 62,000 homes in the city could be subject to foreclosure in 2015.<sup>49</sup> The Detroit Water and Sewerage Department has been shutting off water to thousands of residential customers due to nonpayment of bills, an action that has drawn international scrutiny.<sup>50</sup> And the city's soup kitchens and homeless shelters are busier than ever.

As many historians have documented, no single factor accounts for Detroit's decline from its position in 1950 as the fifth largest city in the United States, with one of the country's highest average wages and highest rates of home ownership.<sup>51</sup> Any plausible explanation must take into account a confluence of factors. One, of course, involves technological advances and corporate decisions that shrank industrial employment in the older Rust Belt cities of the Midwest and Northeast and shifted production first to the lower-wage, less-unionized West and South and, increasingly,

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<sup>47</sup> Matthew Dolan, *Judge Approves Detroit's Bankruptcy-exit Plan*, WALL STREET JOURNAL (2014), <http://www.wsj.com/articles/judge-approves-detroits-bankruptcy-exit-plan-1415383905/>.

<sup>48</sup> Ben Austen, *The Post-Post-Apocalyptic Detroit*, NY TIMES SUNDAY MAGAZINE (2014), <http://www.nytimes.com/2014/07/13/magazine/the-post-post-apocalyptic-detroit.html/>; Matt Harding, *Officials Voice Big Ambitions for Detroit's M-1 Rail System, Regional Transit*, MLIVE.COM (2015), [http://www.mlive.com/news/detroit/index.ssf/2015/02/big\\_ambitions\\_for\\_detroit\\_s\\_m-1.html](http://www.mlive.com/news/detroit/index.ssf/2015/02/big_ambitions_for_detroit_s_m-1.html).

<sup>49</sup> Monica Davey, *A Hearing on Housing in Detroit Draws a Reluctant Crowd*, NY TIMES, Jan. 30, 2015, at A13; Bill Laitner, *Tax-foreclosure crisis looming as lawmakers set to act*, DETROIT FREE PRESS (2014), <http://www.freep.com/story/news/local/michigan/wayne/2014/11/29/detroit-wayne-county-property-tax-foreclosures-evictions-bills-interest-mike-duggan-rick-snyder-evictions/19639265/>.

<sup>50</sup> Reuters, *U.N. Officials Tour Detroit to Assess Impact of Water Shutoffs*, NY TIMES (2014), <http://www.nytimes.com/reuters/2014/10/20/us/20reuters-usa-water-detroit.html/>.

<sup>51</sup> JOE T. DARDEN & RICHARD W. THOMAS, *DETROIT: RACE RIOTS, RACIAL CONFLICTS, AND EFFORTS TO BRIDGE THE RACIAL DIVIDE* (Michigan State University Press 2013); REYNOLDS FARLEY ET AL., *DETROIT DIVIDED* (Russell Sage Foundation, 2002); SIDNEY FINE, *VIOLENCE IN THE MODEL CITY* (Michigan State University Press 2007); THOMAS SUGRUE, *THE ORIGINS OF THE URBAN CRISIS* (Princeton University Press 1996); HEATHER ANN THOMPSON, *WHOSE DETROIT?: POLITICS, LABOR, AND RACE IN A MODERN AMERICAN CITY* (Cornell University Press 2001).

offshore.<sup>52</sup> A second is America's original sin of racism. Detroit, which has the largest proportion of African-American residents of any big city in America, at 83%, is embedded in a metropolitan area that is among the most residentially racially segregated in the nation.<sup>53</sup> This circumstance arose out of a tangle of public policies, private practices, and personal prejudices.<sup>54</sup> Residential racial segregation not only separates residents of the region by skin color, but also places them in power relationships that are inherently unjust and inequitable even if, for many members of the metropolitan white majority, invisible and unacknowledged.<sup>55</sup> A third factor is public policy: official acts of commission and omission that greased the skids for central-city disinvestment, suburban sprawl, and the structuring of concentrated, racialized poverty within a region of enormous wealth and abundance even today.<sup>56</sup> Many of those policies were devised and implemented in decades past, but some of them are products of recent regimes, including those of the city itself, which has suffered from more than its fair share of incompetent, mendacious, and even criminally corrupt public officials.<sup>57</sup>

In sum, the economic, political, and social context within which DAC operates is daunting. At the same time, starting and growing an organization of low-income and indigent Detroiters has been facilitated by the city's deep tradition of labor organizing and a prevailing sense of solidarity, rooted in generations of struggle and triumph, among the five out of six Detroiters who identify as

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<sup>52</sup> BARRY BLUESTONE & BENNETT HARRISON, *THE DEINDUSTRIALIZATION OF AMERICA* (Basic Books, 1st ed. 1984).

<sup>53</sup> Joel Kurth et al., *Region is diverse, not mixed: Metro Detroit is most segregated area in nation, census shows*, DETROIT NEWS (2001), <http://www-personal.umich.edu/~gmarkus/KurthRegion.html>.

<sup>54</sup> Camille Zubrinsky Charles, *Can We Live Together? Racial Preferences and Neighborhood Outcomes*, In XAVIER DE SOUZA BRIGGS, *THE GEOGRAPHY OF OPPORTUNITY* (Brookings 2005); DOUGLAS MASSEY & NANCY A. DENTON, *AMERICAN APARTHEID: SEGREGATION AND THE MAKING OF THE UNDERCLASS* (Harvard University Press 1993).

<sup>55</sup> *Id.*

<sup>56</sup> PETER DREIER et al., *PLACE MATTERS: METROPOLITICS FOR THE TWENTY-FIRST CENTURY* (University Press of Kansas, 2nd ed. 2013); KENNETH T. JACKSON, *CRABGRASS FRONTIER: THE SUBURBANIZATION OF THE UNITED STATES* (Oxford University Press 1985); GREGORY D. SQUIRES & CHARLES E. KUBRIN, *PRIVILEGED PLACES: RACE, RESIDENCE, AND THE STRUCTURE OF OPPORTUNITY* (University of Chicago Press 2006).

<sup>57</sup> *Former Detroit Mayor Kwame Kilpatrick, His Father Bernard Kilpatrick, and City Contractor Bobby Ferguson Convicted on Racketeering, Extortion, Bribery, Fraud, and Tax Charges*, FEDERAL BUREAU OF INVESTIGATION (FBI) 2013, <http://www.fbi.gov/detroit/press-releases/2013/former-detroit-mayor-kwame-kilpatrick-his-father-bernard-kilpatrick-and-city-contractor-bobby-ferguson-convicted-on-racketeering-extortion-bribery-fraud-and-tax-charges/>.

African American. In addition, Detroit contains a notable infrastructure of churches, social agencies, soup kitchens, halfway houses, and homeless shelters, some of which are occasionally targets of DAC actions but most of which can be counted as allies in broader campaigns. DAC benefits, too, from the active presence of a number of exemplary community-based institutions in Detroit, including the Boggs Center, the Georgia Street Community Collective, Neighbors Building Brightmoor, and the Detroit Black Community Food Security Network, to name but a few. Most of all, organizing in Detroit is advantaged by the fact that many of even its most impoverished residents have shown themselves to be gritty survivors, adept at improvising to make a way out of no way, and in possession of abiding faith and generosity of spirit.

#### IV. DAC ACCOMPLISHMENTS

##### A. The right to identity.

When my students and I began meeting with guests at the soup kitchens, many of the men and women with whom we talked said that their inability to get their IDs was a significant problem, for all of the reasons outlined above. We heard the same complaints over and over: you need ID to get ID, and many folks could not afford to pay the cost of the necessary documents plus that of the ID itself.

I researched the issue and began to comprehend the scope of the problem. For example, the Michigan Department of State, which issues IDs and driver's licenses, appeared not to have considered that it would be difficult for homeless citizens to provide the required two proofs of residency if they did not have a residency. A brochure from the Department lists the following examples of proof of residency: "a utility bill or credit card bill issued within the last 90 days," a "mortgage, lease, or rental agreement" which "must include the landlord's telephone number," or a "life, health, auto, or home insurance policy." The problem is that thousands of Detroit residents, many of them born and raised in the city, possess none of these documents. My students and I have met individually with more than one thousand of them.

Or perhaps the problems of impoverished Michigan residents were not a priority for the Secretary of State, an elective office held at the time, as now, by a Republican. That is pure speculation on my part, of course. What is not speculative is that when, after many attempts, I reached a highly placed Department staffer on the telephone and explained the conundrum to him, he replied that the Department gets requests from many "special interest groups" and

cannot accommodate all of them—including my request that it reduce or waive the ID card fee for indigent Michiganders. In his mind, apparently, they constituted a special interest group.

Soon after that encounter, DAC convened a meeting with representatives from the Department of State's local and regional offices, the director of the local office of the Social Security Administration, and the state senator and state representative whose districts included the soup kitchen. The soup kitchen's coordinator of volunteers, a Detroitier who had worked with the Capuchins for more than 40 years, helped to arrange the meeting. All of the invitees showed up. They, four DAC leaders, a couple of students, and I crowded around a table in the volunteer coordinator's office to discuss the ID issue.

DAC leaders explained the problems to the officials. The representatives from the Secretary of State replied that their hands were tied: they have to abide by state law. I said that we had read the law and that, in fact, it specifically authorizes their Department to waive the fee for a state ID card if the applicant "presents ... good cause for a fee waiver."<sup>58</sup> Would not "good cause" for a waiver be that the applicant is indigent and has no means to pay the fee? They replied that the law provides no guidance on the matter. I said that the law leaves it to the Department to make such determinations. We were going in circles.

Someone asked the Secretary of State officials if they knew of the ID fee ever being waived for good cause other than the conditions noted explicitly in the law: age 65 or older, blind, or having had one's driver's license suspended, revoked, or denied "because of a mental or physical infirmity or disability." One of them recalled an instance in which college students had shown up needing their IDs right away in order to apply for passports so they could study abroad. The students had brought only debit cards with them to the office, which at that time were not accepted for payment, and so the clerk had waived the fees for them. My jaw dropped. College students preparing to travel abroad: fee waiver. Homeless citizens: no fee waiver.

By the end of the meeting, the director of the local Social Security office agreed to do everything she could to assist us in obtaining the requisite proof of Social Security number for individuals applying for an ID.<sup>59</sup> The state legislators agreed to introduce bills requiring the Secretary of State to waive the ID card fee for applicants who provide proof of being indigent, such as a

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<sup>58</sup> MICH. COMP. LAWS § 28.292 (1972).

<sup>59</sup> This was prior to a recent change in Social Security Administration policy, which now requires a government-issued photo ID or multiple alternative proofs of identity, none of which an indigent or homeless applicant is likely to possess.

letter from a homeless shelter or social service agency. The state senator did that soon thereafter, but the bill languished in the Republican-dominated legislature.

The following year, one of the students in my organizing course and I met with an attorney from the Saginaw, Michigan-based Center for Civil Justice. The attorney was familiar with the problems indigent residents confronted in obtaining their IDs, and she agreed to help us. Her attempts to negotiate with the Department of State went nowhere, and so she recommended that DAC file a class-action lawsuit to encourage the Department to negotiate seriously. The attorney took testimony from four DAC members who had their requests for an ID fee waiver denied, and in November 2009 she filed the lawsuit.<sup>60</sup>

That action prompted the Department to establish a new policy under which ID card fees are now waived statewide for applicants who provide evidence that they receive benefits from the Michigan Department of Human Services Family Independence Program or State Disability Assistance or federal Social Security Disability Insurance or Supplemental Security Income. This was not a total victory, because applicants who receive no cash benefits and who are therefore most in need of a waiver are not included. Nevertheless, it opened the door for extending the waiver policy in the future, it incrementally altered the culture at the Secretary of State offices, and it provided a much-needed fee waiver for thousands of impoverished Michigan residents.

About a year later, DAC leaders began meeting with staff of the Wayne County Clerk and with the Wayne County Commission about reducing the fee for indigent individuals born in the county who applied for copies of their birth certificates. In February 2011, the County Commission approved unanimously an ordinance amendment permitting a 50% reduction in the fee for such applicants. The ordinance went into effect two months later. Since then, more than two thousand indigent adults and children who were born in Wayne County have obtained their birth records at a reduced fee with the assistance of DAC volunteers and the Capuchin Soup Kitchen. Encouraged by DAC's example, a coalition of social service agencies in neighboring Oakland County persuaded their county clerk to reduce or waive the birth-record fee for indigent applicants who present a letter from an approved social service agency.

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<sup>60</sup> *Miller v. Land*, Case No. 09-1581-AW.

B. “Ban the Box” and the integration of returning citizens into the community.

Steady employment has been shown to be an effective deterrent to criminal recidivism.<sup>61</sup> Employing ex-offenders thus promotes public safety as it advances rehabilitation and integration into society for the former offenders. More broadly,

work has benefits that reach multiple levels, including the individual, family, community, and societal levels. Individual-level benefits include rehabilitation—work offers former prisoners an opportunity to develop new roles as productive members of society. Holding a job serves as an important signal that the individual is moving toward a crime-free lifestyle. Perhaps most importantly, employment can increase the skill level, breadth of job experience, and earning levels of former prisoners. In addition, it can bring daily structure and prosocial connections to situations that are often fraught with too little of the former and too few of the latter. Research suggests that new roles, new routines, and new social supports are the essence of a successful transition.<sup>62</sup>

With this in mind, DAC provided leadership in a “Ban the Box” campaign that persuaded the City of Detroit to change its employment practices and, subsequently, those of municipal vendors and contractors to eliminate the check-box on job applications regarding prior criminal offenses, thereby deferring any background check until after the applicant has been interviewed. As with similar campaigns nationally,<sup>63</sup> the premise motivating Ban the Box in Detroit is that if employers, including

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<sup>61</sup> John H. Laub & Robert J. Sampson, *Understanding Desistance From Crime*, CRIME AND JUSTICE, 1-69 (2001); Steven Raphael, *The New Scarlet Letter? Negotiating the U.S. Labor Market with a Criminal Record*, Upjohn Institute for Employment Research (2014), <http://www.upjohn.org/sites/default/files/WEfocus/The%20New%20Scarlet%20Letter.pdf>; Christopher Uggen, *Work as a Turning Point in the Life Course of Criminals: A Duration Model of Age, Employment, and Recidivism*, 65 AM. SOC. REV. 529 (2000).

<sup>62</sup> Amy L. Solomon et al., *From Prison to Work: The Employment Dimensions of Prisoner Reentry* (Urban Institute 2004), p. 4.

<sup>63</sup> National Employment Law Project, *Ban the Box: U.S. Cities, Counties, and States Adopt Fair Hiring Policies to Reduce Unfair Barriers to Employment of People with Criminal Records* (2015), <http://www.nelp.org/page/-/SCLP/Ban-the-Box-Fair-Chance-State-and-Local-Guide.pdf>.

municipal government, are prevented from preemptively rejecting job applications of people with criminal records but instead must evaluate applicants' qualifications before conducting a background check, the employers will be more likely to hire qualified ex-offenders. In addition, presumably more individuals with criminal records will be encouraged to apply for jobs if they know their applications will not be rejected out of hand.<sup>64</sup>

Over the course of nearly a year, DAC leaders were part of a coalition that met with members of the Detroit City Council ("Council"), social service agencies, and criminal justice officials to garner support and draft language for a Ban the Box amendment to the Detroit City Code. In September 2010, the Council voted unanimously to enact the ordinance, which applied to municipal employment. The amendment prohibits criminal background checks until after an applicant is interviewed or is otherwise found to be qualified for employment by the City. The ordinance further revises the City's job application to include a statement that "criminal convictions are not a bar to City employment, provided, that the prior criminal activity is not directly related to the position being sought." The unanimous vote precluded any possible veto by the mayor. The coalition continued their campaign to include business vendors and contractors with the City under the same policy, and on July 1, 2012, the Council enacted that amendment, again unanimously.

Beyond its work in enacting the Ban the Box amendments in Detroit, DAC plays an important role in welcoming and integrating returning citizens into the community. Research has demonstrated that social integration is important in enabling ex-offenders to lead peaceful, productive lives.<sup>65</sup> As a membership organization that meets weekly, DAC builds community, welcomes newcomers into it, and offers them opportunities to engage as volunteers in meaningful work that is of benefit to themselves and to others.

As significant as actions such as these are, they are no substitute for a broader set of policies and practices to promote justice, particularly in a city such as Detroit, with its large African-American population and high rate of poverty. It is imperative to alter laws and law enforcement practices that have devastated communities of color through the racialized application of

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<sup>64</sup> Jessica S. Henry & James B. Jacobs, *Ban the Box to Promote Ex-Offender Employment*, 6 CRIMINOLOGY & PUB. POL'Y 755 (2007); Johnathan J. Smith, *Banning the box but keeping the discrimination?: Disparate impact and employers' overreliance on criminal background checks*, 49 HARV. C.R.-C.L. L. REV. 197 (2014).

<sup>65</sup> Christopher Uggen, *Work as a Turning Point in the Life Course of Criminals: A Duration Model of Age, Employment, and Recidivism*, 65 AM. SOC. REV. 529 (2000).

excessive penalties for minor nonviolent offenses, particularly drug-related offenses, and oppressive, even lethal, abuse of police power.<sup>66</sup>

### C. Street Outreach Court Detroit.

For nearly two years, DAC leaders and organizers met with court officials, law enforcement officers, attorneys, and social service agencies in Wayne and Washtenaw Counties as part of the DAC campaign to initiate a street outreach court through the 36th District Court in Wayne County. Outreach courts, so named because they are typically conducted at sites other than courthouses, have been shown to be cost-effective ways to promote public safety and justice as well as guide formerly chronic offenders into productive lives.<sup>67</sup> The courts offer a means for indigent individuals with outstanding warrants for nonviolent, mostly minor, offenses to have their cases negotiated and closed, provided they have successfully completed individualized action plans developed in collaboration with a social worker or other suitable professional. Action plans may include completing a substance abuse program, obtaining a GED or a steady job, participating in an ongoing drug or alcohol abuse mutual support program, or other appropriate undertakings.

Attorney Stephen Binder led the effort to establish the first street outreach court, in 1989 in San Diego. Binder envisioned it as a solution to a no-win set of circumstances that frustrated police, prosecutors, defense attorneys, and judges, as well homeless individuals who were racking up citations for minor offenses such as sleeping in the doorway of a building, camping on a beach or in a park, or urinating in public. “Police complained that the people they arrested were released after serving a few days in custody. Judges were frustrated by the backlog of warrants that accumulated when defendants failed to appear for court.”<sup>68</sup>

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<sup>66</sup> MICHELLE ALEXANDER, *THE NEW JIM CROW: MASS INCARCERATION IN THE AGE OF COLORBLINDNESS* (New Press 2012); PAUL BUTLER, *LET'S GET FREE* (The New Press 2010); JONATHAN SIMON, *MASS INCARCERATION ON TRIAL* (The New Press 2014); Sara Wakefield & Christopher Uggen, *Incarceration and Stratification*, 36 ANN. REV. SOC., 387 (2010).

<sup>67</sup> Stephen R. Binder, *The Homeless Court Program: Taking the Courts to the Streets*, 14 FED. PROBATION 65 (2001); Stephen R. Binder, *The Homeless Court Program: Taking the Court to the Streets*, In Amy Horton-Newell, ed. *LAWYERS WORKING TO END HOMELESSNESS*, American Bar Association, pp. 277-304 (2006), [http://www.americanbar.org/content/dam/aba/events/homelessness\\_poverty/lwte\\_h\\_article.pdf/](http://www.americanbar.org/content/dam/aba/events/homelessness_poverty/lwte_h_article.pdf/).

<sup>68</sup> Stephen R. Binder, *The Homeless Court Program: Taking the Court to the Streets*, In Amy Horton-Newell, ed. *LAWYERS WORKING TO END*

According to Binder —and entirely consistent with our experience in Detroit—homeless defendants often failed to appear in court “not because of a disregard for the court system, but due to their status and condition.... They do not carry calendars. They are scared. ...They could not pay fines.”<sup>69</sup> If homeless individuals somehow did make it into court, typically they would plead guilty and be sentenced to pay a fine, perform public service, or spend time in custody. They would pick up their court orders at the clerk’s office and then simply walk back onto the streets, thus adding legal burdens to their other troubles. As Binder saw it, there was a fundamental mismatch between, on the one hand, a law enforcement and a criminal justice system that rely on tickets, warrants, fines, and custody and, on the other hand, the problems represented by homelessness.<sup>70</sup> Tickets accumulated, fines went unpaid, dockets became clogged, and the underlying causes of homelessness and its attendant personal, social, and legal problems remained unaddressed. “Clearly, the criminal justice system was failing to bring order to society and was perpetuating the pain and suffering of homeless people.”<sup>71</sup>

Street Outreach Court encompasses a different strategy, one focused not solely on adjudicating criminal cases but also on moving indigent offenders along a path out of their current predicaments. Defendants do not appear before Street Outreach Court to have their warrants resolved until they have completed their action plans. The court also provides a venue for fostering partnerships among law enforcement agencies, social service providers, attorneys, and other stakeholders to develop constructive alternatives to arrest and punishment. From their origin in San Diego, outreach courts have spread to approximately 30 other locations, about half of which are in California.

When DAC leaders and organizers learned about and visited the successful street outreach court in Washtenaw County developed by Judge Elizabeth Hines and her colleagues,<sup>72</sup> they knew immediately that it provided a model they had to bring to Detroit. For more than a year, they met with judges, prosecutors, attorneys, and social service providers to recruit supporters.

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HOMELESSNESS, American Bar Association, pp. 277-304 (2006), [http://www.americanbar.org/content/dam/aba/events/homelessness\\_poverty/lwteh\\_article.pdf/](http://www.americanbar.org/content/dam/aba/events/homelessness_poverty/lwteh_article.pdf/).

<sup>69</sup> *Id.* at 280.

<sup>70</sup> *Id.* at 280-281.

<sup>71</sup> *Id.* at 282.

<sup>72</sup> Carol Lundberg, *Washtenaw County's Street Outreach Court: Taking it to the Street*, MICHIGAN LAWYERS WEEKLY (2010), <http://milawyersweekly.com/news/2010/07/02/district-outreach-court-taking-it-to-the-street/>.

Getting 36th District Court Judge Cylenthia LaToye Miller on board was the catalyst, but District Court Chief Judge Kenneth J. King needed to give final approval before Street Outreach Court Detroit could become a reality. Judge King had several concerns, including the safety of judges who would be convening court in a soup kitchen instead of in a secure courtroom.<sup>73</sup>

To explain the details of the proposed Street Outreach Court Detroit (“SOCD”) and, especially, to secure the approval of Judge King, DAC leaders and other members of the SOCD organizing team planned and held a full day event on March 11, 2012 in the board room of the Bodman law firm, adjacent to Ford Field in downtown Detroit. Steve Binder flew in from San Diego to participate. At the end of an informative but exhausting day in a room filled with some 40 participants, Judge King took the podium. He announced that he had begun the day virtually certain he would have to deny approval, but the presentations and negotiations had satisfied all of his concerns. He was pleased to lend his support to the project, he said—to which the room erupted into applause and cheers.

The first session of Street Outreach Court Detroit convened three months later at the Capuchin Soup Kitchen on Meldrum Street after the first cohort of applicants had completed their action plans and had been approved in a pre-hearing meeting of SOCD judges and magistrates, participating prosecutors, attorneys, and representatives from social service agencies. Meeting monthly thereafter at the soup kitchen, SOCD closed a total of 17 cases in 2012, 34 in 2013, and 43 in 2014. SOCD’s 100th case was adjudicated in early 2015. Follow-up research found that 16 of the 17 individuals, 94%, who appeared before SOCD in 2012 had no new offenses recorded six months later.<sup>74</sup>

SOCD is a voluntary program. Officers of the court participate on their own time. Individuals with outstanding warrants and tickets apply to take part, and there is now a substantial backlog. Not everyone makes the cut. Individuals with outstanding warrants for felony offenses are ineligible, applicants must be homeless or at immediate risk of becoming homeless, and they must commit to meeting regularly with an assigned social worker to develop and complete individualized action plans.

The monthly SOCD sessions at the soup kitchen can be deeply moving. Friends and family members often accompany the defendants. The dining area is arranged with a judge and a magistrate in their robes seated at a table in front, tables for the

<sup>73</sup> Steve Thorpe, *Street Outreach Court Marks First Anniversary*, DETROIT LEGAL NEWS (2013), <http://www.legalnews.com/detroit/1377295/>.

<sup>74</sup> Street Outreach Court Detroit, [socd.streetdemocracy.org](http://socd.streetdemocracy.org).

prosecuting attorney and for the defense attorney and client, a flag to the side, and a bailiff, dressed in civilian clothes, standing near the flag. Although it is an official court, defendants are familiar with the place, and they come with the knowledge that no one is taken into custody at SOCD. When the time comes in the proceedings for defendants to tell the court what they have accomplished in their action plans, they swell up with pride. When the judge dismisses the outstanding fines, late fees, and warrants, the spectators break out in applause. More than a few times, tears of joy have been evident in the eyes of the defendant, the judge, and many of the spectators. When the session concludes, defendants may ask court officers to stand with them to have their photos taken. It has the feel of a graduation ceremony, which in some ways it is.

DAC leader, board member, and co-chair of the SOCD campaign Mary Jones, who was herself homeless after she became widowed a few years ago, summed it up this way: “The whole point of Street Outreach Court Detroit was to bring the court to the people. They do not feel the stigma or fear of arrest that they feel in the regular court. And it let’s people know that the legal system cares about them.”<sup>75</sup>

#### D. Building Power.

Citizens have a right and a responsibility to participate in public governance, an essential first step of which is active engagement in the electoral arena. Operating strictly in a nonpartisan fashion, DAC has registered more than 1,900 Detroiters to vote. That is just the first step, however. DAC leaders research and report on issues that affect the membership and the broader community. They invite public officials to meet with them to engage in serious public discussions about the issues and about practical strategies to address them. DAC does not endorse candidates for office, but the organization encourages participation in the electoral process through its intensive and ongoing voter education and mobilization activities. On Election Day, DAC volunteers and organizers use laptop computers and cellphones to assist members and soup kitchen guests in verifying that they are registered to vote, locating their polling places, providing sample ballots, and arranging transportation to the polls if needed.

When encouraging people in soup kitchens and homeless shelters to register and vote, DAC leaders generally refrain from making rhetorical appeals about performing one’s civic duty. Such

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<sup>75</sup> Steve Thorpe, *Street Outreach Court Marks First Anniversary*, DETROIT LEGAL NEWS (2013), <http://www.legalnews.com/detroit/1377295/>.

sentiments tend to have little persuasive power among individuals who have lived at the edges of society for much or all of their lives. Instead, DAC professes that elections are about power—the power to persuade elected officials to do the right thing, particularly as it relates to promoting opportunity and equity for the indigent, the marginalized, and the oppressed. DAC members understand that elected officials count votes and know which organizations have actual members who vote in large numbers and which organizations are full of hot air. DAC members understand, sometimes through personal experience, that not everyone wants them, and people like them, to exercise their franchise. This knowledge emboldens them all the more to turn out and vote. To foster full and effective voter participation, in 2012 DAC convinced the Wayne County Clerk and the Detroit City Clerk to change the polling location for the precinct in which the Conner Avenue soup kitchen is located—from a site nearly three miles distant to one only a few blocks away.

Developing the power of DAC members is hardly limited to election time. DAC builds and strengthens individual leaders and collective leadership continuously through workshops, daylong retreats, and reflective engagement in civic work. With guidance and support from organizers, DAC leaders travel to the offices of public officials and to City Council and County Commission meetings to negotiate agreements—respectfully, knowledgeably, and confidently. Far more often than not, they achieve what they set out to accomplish.

Some victories may appear to be modest to outsiders. For example, DAC leaders persuaded the City's Department of Public Works to install and service trash receptacles along a three-mile stretch of Conner Avenue that was strewn with litter due to a lack of receptacles. In a similar action, a team of DAC leaders made repeated trips to the Department of Public Lighting ("DPL") to convince the supervisor to dispatch a crew to repair streetlights around Saint Leo Catholic Church, on Grand River Avenue. Newspaper reports at the time estimated that up to one-quarter of the streetlights in the city were not working, and more than a few people doubted that a group from a soup kitchen would succeed in their mission. Sure enough, a DPL crew eventually showed up—on a Sunday afternoon, no less—and strung wires from the working streetlights on the next block to the darkened lights in front of the church. And, lo, there was light!

Small-scale actions such as these provide opportunities for members to practice their skills as public citizens and to develop a

culture of organizational accountability and collective efficacy.<sup>76</sup> These actions also whet the appetite for undertaking more ambitious campaigns, and the physical improvements they achieve provide tangible reminders daily that a relentless, creative organization can win, no matter how impoverished its members may be.

Other DAC victories have been bigger, and more challenging to achieve. For example, in the midst of a bitterly cold winter in January 2011, Mayor Bing's staff announced the immediate termination of funding for emergency warming centers citywide.<sup>77</sup> In Michigan winters these nighttime centers can be, and have been, lifesavers. DAC leaders mobilized quickly when they heard the news, and some eighty members and allies packed a City Council meeting and demanded that the funds be restored. From there, they headed to the mayor's office, located a few floors away in the Coleman A. Young Municipal Center, to deliver the same message. They arrived to find the doors locked. They returned to the Council chambers, and the Council members, who supported DAC's demand unanimously, vowed to get to the bottom of the matter within one week.

When the DAC delegation returned a week later, they learned that the Council had been unable to obtain any clarification from the mayor's office. At that point, the Council president declared that they would go into recess, and they would not conduct any more business until the mayor's office resolved the matter of funding for warming shelters. Adding to the pressure on the mayor's office, another Council member confirmed that an ordinance last amended in 1991 requires the City to make available a building or buildings for use as a warming center and that the City had provided funds for such centers consistently for at least the past decade.<sup>78</sup> Soon thereafter, the mayor's office authorized \$150,000 in federal funds to be allocated to a nonprofit organization so that it could resume operating its nighttime warming center, which re-opened on Feb. 23, 2011.<sup>79</sup> Every year since then, the warming centers have received funding.

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<sup>76</sup> Catherine Corrigan-Brown et al., *Explaining the Puzzle of Homeless Mobilization: An Examination of Differential Participation*, 52 SOC. PERSPECTIVES 309 (2009).

<sup>77</sup> Catherine Jun, *Homeless Warming Center Gets Left Out in the Cold*, DETROIT NEWS, Jan. 27, 2011, at A1.

<sup>78</sup> Catherine Jun, *Watson: Open shelters: Councilwoman Says City's Warming Center Ordinance Violated*, DETROIT NEWS, Feb. 11, 2011, at A4.

<sup>79</sup> Catherine Jun, *Warming center in Detroit finally opens; 50 stay the first night*, DETROIT NEWS, Feb. 25, 2011, at A4.

## V. DAC'S APPROACH: INTEGRATING DIRECT SERVICE AND ORGANIZING FOR POWER

Detroit Action Commonwealth addresses immediate needs as it challenges institutions that create and perpetuate those needs. In particular, the organization assists impoverished individuals and families in obtaining their IDs, birth records, and other essential documents. As discussed above, an official copy of one's birth record is required to obtain a state ID. Applicants for rent-subsidized housing are also typically required to provide copies of birth records for all family members, and Detroit schools will not enroll a student without seeing his or her birth certificate. DAC has also assisted dozens of teenagers and older adults in obtaining jobs and paid internships with local nonprofit organizations, the City of Detroit, the U.S. Census, and private businesses. In addition, the organization has educated its members and the broader community about the expansion of Medicaid in Michigan through the Affordable Care Act, and DAC organizers and volunteers have personally assisted scores of individuals in applying for insurance under the new Healthy Michigan Plan.

Scholars and practitioners have cautioned frequently against mixing service provision and organizing.<sup>80</sup> Organizations that begin with the objective of building power but later expand into providing services, usually in pursuit of funding, often end up neglecting their original mission. Sometimes this may occur out of their concern that assertive tactics may alienate funders of social services and thereby jeopardize the organization's financial stability. This potential dilemma is not germane to DAC. The Capuchin Soup Kitchen generously covers the ID and birth record fees, except for the dollar or two that individuals are asked to pay, if they can. DAC receives no funds from the Capuchins, however, nor has DAC sought or received other funding to support its work to address individual needs.

Beyond potential financial conflicts of interest, the sheer time and effort that service provision requires can undermine the organizing mission. DAC has been able to manage that problem, because student volunteers have taken on much of the workload. Even so, the weekly ID and birth record workshops demand a nontrivial investment of time and other resources by DAC leaders; and the organizers devote at least a few hours each week to these

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<sup>80</sup> See, e.g., MARILYN GITTELL, *LIMITS TO CITIZEN PARTICIPATION: THE DECLINE OF COMMUNITY ORGANIZATIONS* (Sage Publications 1980); Frances Piven, *Participation of Residents in Neighborhood Community Action Programs*, 11 *SOCIAL WORK*, 73 (1966); AARON SCHUTZ & MARIE G. SANDY, *COLLECTIVE ACTION FOR SOCIAL CHANGE* 19-22 (Palgrave Macmillian 2011).

workshops and to assisting individuals with other pressing needs and personal crises. We do this for a number of good reasons.

First, the circumstances of individuals who come to soup kitchens for their daily meals are such that many of them are unwilling or unable to participate in DAC's issue-oriented work or develop their capacities as public actors unless their basic needs are first satisfied. Many men and women who approach DAC need to acquire their IDs or birth records to get a job, or apply for benefits or for housing—and they need to do it right away. Mothers come to us for help in getting their children's birth records so they can enroll them in school. In the words of Loretta Pyles,<sup>81</sup> indigent people “do not have the luxury to ignore service and just focus on organizing.” Therefore, we work together to do what we can to attend to immediate needs. Once we address those needs, many of the men and women we have assisted become DAC members and leaders, because we have established relationships with them and we have demonstrated our trustworthiness. In our experience, relationships and trustworthiness matter a great deal.

Our experience comports with what Alice Gates found in her study of a midwestern immigrant workers organization.<sup>82</sup> In conjunction with organizing to improve wages and working conditions for low-wage immigrant workers and advocating for changes in laws affecting immigrants, workers centers provide an array of services, such as English language classes, translation services, and legal advice.<sup>83</sup> Gates concluded that, on balance, the combination worked well: “Services directed at meeting basic needs can enhance individual capacity for leadership. ...Services also have instrumental benefits in terms of building relationships and trust—the cornerstone of any organizing effort.”<sup>84</sup>

DAC is explicitly not a “service provider.” The individuals who approach DAC for assistance are not our clients; they are our collaborators. We ask that they become DAC members, even if they cannot presently pay any dues. We explain that if we help them, then we expect them to take part in our weekly meetings and participate in DAC actions to the extent they can do so. If individuals who come to us are eligible for an ID fee waiver, we ask them to bring the necessary proof to get the waiver and that they request one from the clerk at the Secretary of State office. We

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<sup>81</sup> LORETTA PYLES, *PROGRESSIVE COMMUNITY ORGANIZING* 11 (Routledge, 2<sup>nd</sup> ed. 2013).

<sup>82</sup> Alice B. Gates, *Integrating Social Services and Social Change: Lessons From an Immigrant Worker Center*, 22 *J. COMMUNITY PRACTICE*, 122 (2014).

<sup>83</sup> *Id.*

<sup>84</sup> *Id.*

do this not only to save the Capuchin's money, but also to remind the clerks of the policy, thus making it easier for other low-income applicants to get their waivers. Invariably, the individuals we ask to do this are not only willing to cooperate, they are proud to do so. They come to understand that they are part of something larger than themselves and that they are taking part in a broader struggle.

The student volunteers and DAC organizers do much more than assist individuals in filling out forms and paying fees. They also drive them all over the city to the various offices and wait with them until they get what they need. They stand beside them at the counters, lending moral support. Most of the clerical staff are empathetic and helpful. They greet us and we greet them. A few seem to take perverse pleasure in finding or creating an excuse to deny an ID to an applicant. Sometimes we have to push back.

I recall the time a clerk at the Secretary of State office located near the Conner Soup Kitchen rejected the application of a homeless woman I had driven there. The woman had all of the required documents in her hands, including a signed letter we had obtained at the Detroit Public Schools ("DPS") Office of Student Records & Transcripts. The letter stated that although DPS was unable to locate the woman's transcript—a distressingly common problem in an office stacked high with cardboard boxes of school records from past decades—they were able to confirm that she attended elementary and middle school in Detroit. The clerk read the letter and shook his head. "I need to see the transcript!" he snapped, looking at me. "I need to know whether she's had all her shots," he continued, as if we were requesting a dog license rather than a woman's ID card.

I showed him the list of acceptable documents, as provided by the Secretary of State, and pointed out that the DPS letter satisfied the requirement. The purpose of a school document is to prove identity, not to verify whether someone has been inoculated. I read aloud his name from his nametag, opened my notebook, and wrote it down with a dramatic flourish. I informed him that we were from Detroit Action Commonwealth and we intended to lodge an official complaint with the Secretary of State unless he issued this woman her identification card. She got her ID.

As we teach in the DAC leadership development workshops, singing a song can be a political act. It depends on the intention behind the act of singing. Sitting at a lunch counter can be a political act. And walking into a Secretary of State office or a Vital Records office can be a political act. It is when DAC does it, particularly when we enter as a group, sometimes as many as two carloads of people at a time. When I make these trips, I dress as the university professor I am. If I need to make use of my white privilege and class privilege to help a homeless gentleman obtain

proof of his Social Security number or an indigent woman acquire her state ID, I do it, as an act of solidarity. I wish the world were not that way. But I live in the world as it is, not in the world as it should be.<sup>85</sup>

The second reason DAC integrates attending to individual problems along with organizing for power is to produce institutional change. Working with actual people on their actual problems helps us—the students, the DAC leaders, me—to understand the nature of these problems firsthand. Assisting people in need is informative. It is a kind of field research. It also reminds us why it is important that we build a strong organization. It keeps us agitated and angry: injustice and oppression are not abstract ideas to us; we witness them every week. As it happens, driving people to and from government offices and waiting with them also provides an ideal opportunity to get to know them, to listen to their stories. Listening to life stories is the backbone of good organizing.<sup>86</sup>

The third reason we attend to individual needs is that it is the right thing to do. We hope it is how others would treat us if we were in the same predicament. Sitting with individuals in distress, listening to their stories, figuring out a plan of action together, and then following through on the plan is in fact the right thing to do. It manifests not only an organizing strategy but also an organizing philosophy that comports with the community DAC works within and helps to create.<sup>87</sup> Accompaniment is the right thing to do,<sup>88</sup> and

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<sup>85</sup> EDWARD T. CHAMBERS, *ROOTS FOR RADICALS: ORGANIZING FOR POWER, ACTION AND JUSTICE* 21-43 (Bloomsbury Academic 2003).

<sup>86</sup> DENNIS A. JACOBSEN, *DOING JUSTICE* 59-64 (Fortress Press 2001); MICHAEL GECAN, *GOING PUBLIC* 19-32 (Beacon Press 2002).

<sup>87</sup> Lorraine M. Gutiérrez & Edith A. Lewis, *A Feminist Perspective on Organizing with Women of Color* in FELIX G. RIVERA & JOHN I. ERLICH, *COMMUNITY ORGANIZING IN A DIVERSE SOCIETY*, (Allyn & Bacon, 3rd ed. 1998); Susan Stall & Randy Stoecker, *Community Organizing or Organizing Community*, 12 *GENDER & SOCIETY*, 729 (1998); One ought not draw too bright a line between so-called Alinsky-style organizing, on the one hand, and feminist approaches to organizing, on the other. The Industrial Areas Foundation organizing network that Saul Alinsky founded incorporates a good deal of the strategy and philosophy of feminist approaches, even if their rhetoric may not always reflect that fact. Conversely, organizing informed by feminist perspectives offers many exemplars of organizing to build and use power in the public realm. *See also*, DENNIS SHIRLEY, *COMMUNITY ORGANIZING FOR URBAN SCHOOL REFORM* (University of Texas Press 1997); JEFFREY STOUT, *BLESSED ARE THE ORGANIZED* (Princeton University Press 2012); NANCY NAPLES, *COMMUNITY ACTIVISM AND FEMINIST POLITICS: ORGANIZING ACROSS RACE, CLASS, AND GENDER* (Routledge 1997).

<sup>88</sup> *See, e.g.*, Paul Farmer, *Reimagining Accompaniment: A Doctor's Tribute to Gustavo Gutiérrez*, in MICHAEL GRIFFIN AND JENNIE WEISS BLOCK, *IN THE*

so we accompany the individuals who come to us for help. Sitting in the waiting room of a government office, sometimes for hours, is an experience that most sensible people try to avoid at all costs. We do it every week. I have had students return to the soup kitchen even after their semester in my course was over, and even long after they have graduated, to help in the ID workshop and to sit with poor people in agency offices. They understand, not only intellectually but also in their guts, what a gift and privilege it is to be able to do this work. A number of them have become outstanding organizers in their own right, including ones who are now also doctors and lawyers and urban planners and schoolteachers.

## CONCLUSIONS

In organizing for power while also addressing immediate human needs, Detroit Action Commonwealth has been able to marshal or create the moral, material, informational, and human resources that Daniel Cress and David Snow identified as being crucial to the viability and success of homeless social movement organizations.<sup>89</sup> Regarding moral support, DAC has benefitted not only from endorsements and statements of support from allied organizations but also from their active collaboration in DAC campaigns. These allies include Michigan Community Resources, Street Democracy, 482 Forward, the Mount Elliott Business and Community Association, Saint Aloysius Parish, the Society of Saint Vincent de Paul in Detroit, and United Community Housing Coalition. The Capuchin Soup Kitchen and Saint Charles Lwanga Parish, to which Saint Leo's Soup Kitchen belongs, have been DAC's primary sources of material, informational, and human resources, as well as moral support. Such resources include supplies, meeting space, office space, transportation, and access to advisors and potential members and leaders.

The work remains challenging, nonetheless. DAC's core constituency is highly transient. We are continuously engaged in finding and developing new leaders to replace ones who move on, sometimes to new and better lives and sometimes not. The personal struggles of impoverished, vulnerably housed leaders, nearly all of whom have lived their entire lives within an

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COMPANY OF THE POOR: CONVERSATIONS WITH DR. PAUL FARMER AND FR. GUSTAVO GUTIÉRREZ, (Orbis 2014).

<sup>89</sup> Daniel M. Cress & David A. Snow, *Mobilization at the margins: Resources, benefactors, and the viability of homeless social movement organizations*, 61 AM. SOC. REV. 1089 (1996); See also, Ann B. Bettencourt, *Grassroots Organizations: Recurrent Themes and Research Approaches*, 52 J. SOC. ISSUES, 207 (1996).

environment of structural poverty and racism, challenge our capacity to operate smoothly and efficiently as an organization, just as they challenge the capacity of our leaders and members to live their lives in peace and health. Poverty and racism inflict physical and mental damage on people, and the unhappy fact is that not all of that damage is repairable.<sup>90</sup> Funding to pay organizers, defray transportation costs, and provide an office and meeting space that is separate from the soup kitchens is hard to come by, as well. Too many funders are happy to fund soup kitchens, food pantries, and emergency shelters but are unwilling to subsidize organizing the poor and the homeless to challenge the structural roots of poverty and homelessness.<sup>91</sup>

Many scholars and practitioners have concluded that, however noble the sentiment may be that motivates them, efforts to unite deeply impoverished and homeless individuals into a viable, effective power organization are destined to fail. For example, in “Reflections of a Sympathetic Sceptic,” Mike Allen wrote:

The conditions [that] comprise poverty—lack of resources, social isolation and powerlessness—are deprivations of the very requirements of successful organisation and of long-term thinking. Among the ranks of the poor, homeless people experience the ‘lack’ of these capacities most extremely and are therefore among the least likely candidates to create a self-representing organization.<sup>92</sup>

Allen continued, “[t]he organisational challenges facing homeless people is only one dimension of their weakness, another is their relative lack of capacity to threaten to do things that oblige others to listen to them and distribute resources differently.”<sup>93</sup>

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<sup>90</sup> Thomas W. Boyce et al., *Toward a New Biology of Social Adversity*, 109 PROC. NAT’L ACAD. SCI., 17143 (2012); Arline T. Geronimus et al., ‘Weathering’ and Age Patterns of Allostatic Load Scores Among Blacks and Whites in the United States, 96 AM. J. PUB. HEALTH 826 (2006); Catherine DeCarlo Santiago et al., *Socioeconomic status, neighborhood disadvantage, and poverty-related stress: Prospective effects on psychological syndromes among diverse low-income families*, 32 J. ECON. PSYCHOL. 218 (2011).

<sup>91</sup> David Callahan, *7 Reasons Why Philanthropy Hasn't Made Much of a Dent in U.S. Poverty Rates*, INSIDE PHILANTHROPY (2014), <http://www.insidephilanthropy.com/home/2014/9/30/7-reasons-why-philanthropy-hasnt-made-much-of-a-dent-in-us-p.html/>; JANET POPPENDIECK, *SWEET CHARITY? EMERGENCY FOOD AND THE END OF ENTITLEMENT* (Penguin Books 1999).

<sup>92</sup> Mike Allen, *The Political Organization of People who are Homeless: Reflections of a Sympathetic Sceptic*, 3 EUR. J. HOMELESSNESS, 289 (2009).

<sup>93</sup> *Id.* at 297.

My DAC colleagues and I agree with Allen and others who assert that building a viable, effective organization of the poor and the homeless—and the racially oppressed, to boot—is problematic. We started with an abundance of “lacks.” We understood that the odds were not in our favor. One advantage that impoverished and marginalized individuals possess, however, is that the prospect of failure is not particularly threatening to them. They have known failure, and have survived. So when presented with a proposal to form an organization and see what we might be able to accomplish together, a substantial number of soup kitchen guests were willing to give it a try. To use the words of the late Arthur Ashe, they were willing to start where they are and use what they have to do what they can.

Now, almost eight years later, they have done a lot. Membership in Detroit Action Commonwealth continues to grow. Each of its three chapters meets weekly, and turnout is consistently good. The organization is changing the culture in soup kitchens and homeless shelters as it improves the treatment of the individuals who use those facilities. It has changed laws and official policies to provide a greater measure of justice and opportunity for low-income and indigent individuals and families. It has recruited and developed leaders, board members, and organizers directly from the guests at soup kitchen tables. Through its ID and birth record workshops, health insurance signup drives, and other activities it has directly assisted thousands of individuals and families in their efforts to improve their lives. It has raised funds through dues, donations, fundraisers, and grants. It has built relationships with allied organizations locally, statewide, nationally, and internationally. Through the media and through conference presentations, DAC’s accomplishments are becoming more widely known.

We have found that it is not always necessary to “threaten” public officials in order to accomplish our objectives. As veteran organizer Jim Keddy observed, “Many elected officials feel the same way we do about issues and concerns facing low-income families.”<sup>94</sup> “This is not to say that elected officials are necessarily our allies,” he continued.<sup>95</sup> “What I am saying is they are not always our enemies.”<sup>96</sup> We have found that we can achieve a lot by identifying potential allies, explaining to those allies what it is we want to accomplish, why it is worthwhile to do so, and how it can

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<sup>94</sup> Jim Keddy, *Powerful Thoughts*, PICO NATIONAL NETWORK (2002), <http://www.cunapico.org/admin/resources-list/files/Powerful-Thoughts-by-Jim-Keddy.pdf>.

<sup>95</sup> *Id.*

<sup>96</sup> *Id.*

be done. We look for commonalities between our priorities and theirs, and much of the time this “soft power” approach has succeeded for us.

With that said, DAC brings hard power to bear if the organization is being disrespected. DAC members have confronted operators of abusive homeless shelters at their doorsteps and brought their violations to the attention of their funders. They have filed class-action lawsuits. They have packed City Council meetings and hearings. They have gotten our messages across through mass media and social media. DAC members turn out and vote in large numbers—together, intelligently, and informed—to advance their interests and those of their families and their neighborhoods.

Thus, DAC’s experience provides a social analog to a “constructive proof” in mathematics: by creating an actual example of one, we have proved it is possible for a membership organization of indigent and homeless individuals to be viable, active, and effective over the long haul.