

## **CINCINNATI: A YEAR LATER BUT NO WISER**

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April 7, 2001 will be forever etched in the minds of Cincinnati residents: at about 2:20 a.m., Timothy Thomas was shot and killed by police officer Stephen Roach in a dark alley in the Over-the-Rhine neighborhood. Mr. Thomas—a teenager who was unarmed—was the fifteenth person to die at the hands of the police since 1995; all were African American men. Mr. Thomas' death triggered several days of protest and rebellion that the media continues to reduce to “the April riots.”

From the beginning, the problems that were widely thought to lie behind police-community tensions and the unrest that followed Mr. Thomas' death were identified as 1) too little understanding between blacks and whites in Cincinnati, and 2) concentrated poverty and lawlessness in Over-the Rhine. The result, in the year since the unrest, has been an odd dialectic between reconciliation and mediation on the one hand and punitive and confrontational tactics on the other.

Mayor Charles Luken created a commission to improve police-community relations, the city council turned its attention to long-simmering issues of poverty and housing, and citizen groups launched an economic boycott of downtown businesses. Reconciliation and understanding were promoted by a court-ordered mediation process and stressed in a public relations campaign by the city that was designed to ease fears of coming downtown. But some proposals, especially the focus on “redevelopment,” ignore and even aggravate the inequalities at the heart of the uprising, with low-income housing a prominent flashpoint.

Over-the-Rhine is a predominantly low-income neighborhood adjacent to the city's central business district. Listed on the National Register of Historic Places, it has suffered from the problems endemic to most poor inner-city neighborhoods: population decline, homelessness, increased segregation, building abandonment by absentee owners, high rates of



unemployment and underemployment, and lack of access to political power. In 1950, Over-the-Rhine was home to approximately 30,000 people, 99 percent of whom were white. By 2000 the population had shrunk to about 7,600 residents, 80 percent of whom were black. The median household income is approximately \$8,000. There are 5,200 habitable units in Over-the-Rhine, but many fail to meet housing code standards, and nearly 500 buildings stand vacant.

For thirty years the Over-the-Rhine Peoples Movement, a confederation of neighborhood development and support institutions, has been a consistent voice in advancing plans for low- and moderate-income people, and in distinguishing between gentrification and development. Decades of disinvestment on the one hand, and recent gentrification and displacement on the other, have taken their toll on the Movement's ability to recruit members, articulate its critical voice, and sustain leadership.

While institutions in Over-the-Rhine want investment, the struggle over what form it should take provides one context for understanding the unrest of April, 2001, especially in light of the more organized and forceful coalition of gentrifying interests that has emerged in the last five years. One consequence of the gentrification (actual and planned) of Over-the-Rhine has been increased policing to create zones of safety both for new residents and for revelers who frequent the area's lively bar scene. This leads to increased citations for residents and visitors like Timothy Thomas, who had fourteen warrants for his arrest—twelve for traffic violations and two for failing to appear in court—when Officer Roach pursued and killed him. It is within this climate that conflict is created, producing people with records to be pursued and putting pressure on police to crack down.

There has been no parallel crackdown on police tactics, and in fact justice has been elusive for those seeking to hold police



officers accountable for their actions. In the wake of the April rebellion, both the courts and the Hamilton County prosecutor failed to convict three white police officers in the deaths of two black men, even on the most minimal of charges. Officer Roach had violated police procedure by running with his finger on the trigger, and he changed his story three times about what happened. In his trial last September, however, Judge Ralph E. Winkler acquitted him of negligent homicide and obstruction of justice, ruling that Roach had every right to use his firearm and finding that Roach's multiple stories were irrelevant to the case.

In another case, two officers were acquitted of assault in the death of Roger Owensby Jr., who died in the back seat of a police cruiser after being handcuffed. Another charge of involuntary manslaughter against one of the officers ended in a hung jury, despite irrefutable evidence that "lung fluid" from Mr. Owensby was on the officer's sleeve. The County prosecutor decided not to retry the case, citing the low probability of winning a conviction. In April, the U.S. Attorney General asked the FBI to investigate Owensby's death to determine whether the officers involved violated federal civil rights statutes.

Earlier that same month—as the first anniversary of the unrest approached—the city, the Fraternal Order of Police, the American Civil Liberties Union, and the Cincinnati Black United Front, a local activist group, all signed off on an agreement with the U.S. Justice Department designed to improve police-community relations. The agreement is part of a settlement stemming from a racial profiling lawsuit against the city. In addition to creating a Citizen Complaint Authority, the agreement requires changes in police procedures governing use of force, foot pursuits, and dealings with the mentally ill.

At the same time that city officials are preaching the gospel of reconciliation and harmony through better police-community relations, however, they are also focusing on "redevelopment"



in an effort to cleanse the city of the poor—mostly African-Americans. This approach doesn't deal with poverty, but "saves the city" by breaking up poor communities of color that struggle for their rights, thus reassuring investors who are worried about the "riots."

One step taken by the Cincinnati City Council was to pass legislation banning panhandling during the night hours, at bus stops, on private property, and within twenty feet of a bank or an ATM. A person cannot use profane language or lie, and can ask for spare change only once. The street vendors of *StreetVibes*, the newspaper published by the Cincinnati Coalition for the Homeless, were early targets of the new law; Mayor Luken has described them as "beggars armed with newspapers." *StreetVibes* vendors are typically homeless persons who buy their papers for twenty cents and sell them for one dollar.

In the struggle over the role of the poor, both as a legitimate community and political player, housing is close to the eye of the storm. Last October, the city council approved the Housing Impaction Ordinance, which identifies the concentration of subsidized housing in certain "impacted" neighborhoods in the city as the core problem and proposes to deal with it by "forbid[ding] the City of Cincinnati from spending, approving or in any way condoning more subsidized low-income development in those areas deem impacted." The ordinance also directs the city to "identify the neighborhoods that are impacted by an over-saturation of low-income residents," and to "require that CDBG (Community Development Block Grant) monies that are designated for new low-income development not be spent inside of the City of Cincinnati until there is more equitable regional affordable housing."

The ordinance embodies the popular but misguided view that the concentration of low-income housing is the root of most problems in Over-the-Rhine and other "impacted"



neighborhoods. No social analysis of any kind accompanies the ordinance, and the meager evidence that is marshaled ignores the fact that declines in population and income occurred in Over-the-Rhine most dramatically in the 1960s, before Section 8 became law. Missing are the more fundamental causes for neighborhood decline: the disappearance of good jobs for low-skilled workers, declining wages, poor education, persistent patterns of racial discrimination, government rollbacks in social service supports (including “welfare reform”), and the list can go on.

The most immediate and profound consequence of the Housing Impaction Ordinance is that it denies funding for the network of non-profit housing corporations that work in poor neighborhoods to develop affordable housing. Such entities are community-building tools, and the ordinance will pull a vital thread out of the complex tapestry of social life and community-based movements in Over-the-Rhine and other poor neighborhoods.

ReSTOC—the Race Street Tenant Organizing Cooperative—is at the center of the battle over the viability and role of non-profit housing developers and community organizations. For more than 25 years ReSTOC has created housing for the very poorest residents of Over-the-Rhine, typically by acquiring and rehabilitating dilapidated buildings, mostly with volunteers and monies provided by the city through its housing allocations. To say that ReSTOC has been viciously attacked over the years by an alliance of the media, the city, and corporate and business power would be an understatement. The powers-that-be brand ReSTOC as an intransigent advocate for the poor, a “stockpiler” of buildings, a bulwark against revitalization and an economic mix, and a force that is somehow able to stop private development in its tracks—despite the fact that ReSTOC owns only a little over two percent of Over-the-Rhine’s total building stock.

To rein in ReSTOC, the city has taken several steps to limit



its perceived influence over the redevelopment of Over-the-Rhine. Mayor Luken had initially supported a ReSTOC project to develop economically mixed housing on Vine Street. But, pressure from redevelopment boosters caused the Mayor to pull his support. As the condition for city approval ReSTOC was required to sell one of its key buildings in the package to a private developer. Then, last January, members of the city council tried to kill the project again by blocking the release of city-administered funds—in essence breaking the legal contract between the city and ReSTOC. After much wrangling, ReSTOC agreed to divest itself of yet more of its property, convert some rental units into owner-occupied properties, and hire a professional management firm. It also promised not to purchase any new property until 2010. This “deal” promotes the market-rate homeownership model of housing development in Over-the-Rhine and sidelines ReSTOC for eight years.

The focus on low-income housing as the cause of central city poverty and crime mistakes outcomes for causes, conveniently disperses current residents, and discounts their expressed interests and needs. This skirmish between the city and its poor over how to characterize the causes of Cincinnati’s problems is part of a larger battle for control of the city’s image.

This February the Cincinnati Black United Front, the Coalition for a Just Cincinnati, and Stonewall Cincinnati launched a boycott urging visitors, conventions and performers to shun downtown until the city meets their demands for neighborhood economic development, police accountability, support and enforcement of civil rights, and government and election reform. Supporters of the boycott—some of whom are party to the Justice Department agreement—say there can be no business as usual until longstanding social inequities and community grievances are addressed. Many conventions, and performers—including Bill Cosby, Wynton Marsalis, Smokey Robinson, Whoopi Goldberg, and the Temptations—have honored the



boycott, taking their business and tours elsewhere.

In March, no doubt spurred by the boycott, the city's public relations machinery kicked into high gear when the Cincinnati Convention and Visitors Bureau announced a campaign to inform the country that Cincinnati really is a city of diversity. The convention bureau's campaign coincides with another PR blitz, this one sponsored by Cincinnati Community Action Now (CAN), which Mayor Luken formed immediately after the rebellion to propose solutions. After nearly nine months of meetings, the commission announced its first initiative—a full-blitz media PR campaign assuring the public that everything really was OK in Cincinnati—if you just looked at it that way. Their slogan: “Cincinnati Can: You Can Too!”

CAN has been slow to offer detailed policy proposals in any area of its investigation, but in the area of housing, it has made its pitch for homeownership. CAN's website notes that “fewer than one out of every four African Americans in our area owns a home...and many live in substandard housing units.” The website further states that “CAN's goal is to increase home ownership and the availability of affordable, quality housing for inner-city residents,” but offers no specific plan to achieve these goals. The emphasis on ownership fails to address the housing needs of the poorest residents, and cooperative and community-based forms of ownership are not on their agenda.

The local media, for its part, has kept the public focused on symptoms rather than fundamental issues, and has reinforced the CAN agenda. A particularly egregious example is the recent one-hour television documentary entitled *Visions of Vine Street*. This special “I-Team Report,” has now been aired four times and won the prestigious Peabody Award. The program singled out ReSTOC for denigration and reinforced the notions that advocates for the poor in Over-the-Rhine somehow block all reasonable attempts at development and want the neighborhood



to remain a ghetto. Many outraged neighborhood leaders consider it biased and view it as a specious representation of the vision of the Over-the-Rhine People's Movement.

Cincinnati CAN, the Housing Impaction Ordinance, the attack on ReSTOC and panhandlers, and the PR campaigns are just some of the more visible tactics which vilify and criminalize poor people and communities of color. Such tactics are part of a larger ideology that blames low-income advocates for the deterioration of Over-the-Rhine and favors unbridled market investment and dispersion of the poor as solutions. Despite some recognition that more must be done to help the poor, the emphasis is on cracking down on lawlessness and dispersing the unruly poor and their anti-social behavior and attitudes. It is bad for business and, as the boosters of dispersion assure us, good for the poor themselves.

One challenge that lies ahead for social movements and community-based organizations is to battle "solutions" that are little more than behavior-modification programs that skillfully perpetuate a blame-the-victim ideology and ignore the larger systemic forces that produced the conditions underlying last year's unrest. Another challenge is to build on the new efforts to mobilize for racial justice to assert that poor communities of color are not obstacles to progress. This is particularly difficult in a climate that has reduced solutions to matters of cooperation between black and white, community and police.

The coalition of non-profit community-based organizations and other groups that are supporting the boycott have called for economic inclusion, greater political voice, police accountability, housing rights, and job production. This renewed and broad-based participation must translate into policies and practices that help build local communities. The strategic question is how to welcome investment and forms of development without abandoning the right of communities to be recognized as such,



and counted as legitimate neighbors.

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